



*The County of San Diego*

# Planning Commission Hearing Report

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<b>Date:</b>	December 11, 2015	<b>Case/File No.:</b>	Hoskings Ranch Tentative Map; PDS2003-3100-5312 RPL <sup>3</sup> PDS2003-3910-03-10-005
<b>Place:</b>	County Conference Center 5520 Overland Avenue San Diego, CA 92123	<b>Project:</b>	24-Lot Agricultural Subdivision
<b>Time:</b>	9:00 a.m.	<b>Location:</b>	Vacant agricultural lot at the southwest corner of SR-78/79 and Pine Hill Road
<b>Agenda Item:</b>	#6	<b>General Plan:</b>	Rural Lands (RL)/Rural Lands 40 (RL-40) and Rural Lands 80 (RL-80) (Former General Plan: Environmentally Constrained Area (ECA)/Intensive Agriculture (19) 1 DU/8 AC)
<b>Appeal Status:</b>	Board of Supervisors' Decision	<b>Zoning:</b>	General Agriculture (A-72)
<b>Applicant/Owner:</b>	Genesee Properties, Inc.	<b>Community:</b>	Julian Community Plan Area
<b>Environmental:</b>	Environmental Impact Report	<b>APNs:</b>	289-060-34-00; 289-030-07, -08, and -11; 289-062-03, -04, and -06; 289-063-04; 289-100-04 -10, and -11; 289-470-18, and -19; and 289-120-32-, -40, and -41.

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## A. EXECUTIVE SUMMARY

### 1. Requested Actions

This is a request for the Planning Commission to evaluate the proposed Tentative Map (TM) for a 24-lot agricultural subdivision and to amend the existing Williamson Act Contract's minimum acreage (described below in Section C.2). It is requested that the Planning Commission recommend to the Board of Supervisors that the required findings are met; and to take the following actions:

- a. Recommend adoption of the Environmental Findings included in Attachment D, to certify the Environmental Impact Report (EIR).
- b. Recommend adoption of the TM Resolution of Approval, which includes those requirements and conditions necessary to ensure that the project is implemented in a manner consistent with State law and County of San Diego Regulations (Attachment B).
- c. Recommend adoption of the Third Williamson Act Contract (Contract) Amendment to change the Contract's minimum 160 acres to 40 acres (Attachment C).

## **2. Key Requirements for Requested Actions**

- a. Is the proposed project consistent with the vision, goals, and policies of the General Plan?
- b. Does the project comply with the policies set forth under the Julian Community Plan?
- c. Is the proposed project consistent with the County's Zoning Ordinance?
- d. Is the proposed project consistent with the County's Subdivision Ordinance?
- e. Is the project consistent with other applicable County regulations?
- f. Is the project consistent with Board of Supervisors Policy I-38 relating to Williamson Act Contracts?
- g. Does the project comply with the California Environmental Quality Act (CEQA)?

## **B. REPORT SUMMARY**

The purpose of the following staff report is to provide the Planning Commission with the information necessary to consider the proposed TM, conditions of approval and findings, Environmental Findings prepared in accordance with CEQA and the Contract amendment.

The applicant proposes a TM to subdivide a 1,416.5-acre site into 24 agricultural lots that will include single family homes at the southwest intersection of State Route (SR) 78/79 and Pine Hills Road, within the Community of Julian. Based on the analysis performed by staff, the Department concludes that the Key Requirements for Requested Actions can be met, and therefore, staff recommends approval of the TM with the proposed conditions noted in the Resolution of Approval (Attachment B) and the Third Contract Amendment (Attachment C).

## **C. DEVELOPMENT PROPOSAL**

### **1. Project History**

The property is bound by a previous Williamson Act Contract (Contract) and subsequent amendments approved by the Board of Supervisors, in compliance with Government Code Section 51200, et. seq. (known as the California Land Conservation Act of 1965). The Hoskings Ranch subject property was part of a larger 37,640-acre Contract known as the Pine Hills-Boulder Creek

Contract (AP73-34). The Contract was adopted in 1974 and included approximately 1,292 acres of the Hosking Ranch site. Please see Figure 1.

Contract AP73-34 was amended twice. The first amendment did not affect the subject site, as it applied to an off-site location; the second amendment affected the subject site by changing the minimum parcel size of the majority of the project site Contract.

In 1982, the second amendment to Contract AP73-34 was approved as Contract AP81-17, on 1,131 acres of the subject project. Contract AP81-17 changed the minimum lot acreage on the 1,131 acres from 160 to 40 acres. That amendment accommodated cattle breeding and conformed to Board Policy I-38. Board Policy I-38 identifies procedures to implement the Williamson Act and sets minimum lot acreages for the different types of agricultural activities (see Attachment J). Please see Figure 2 for the second amendment area.

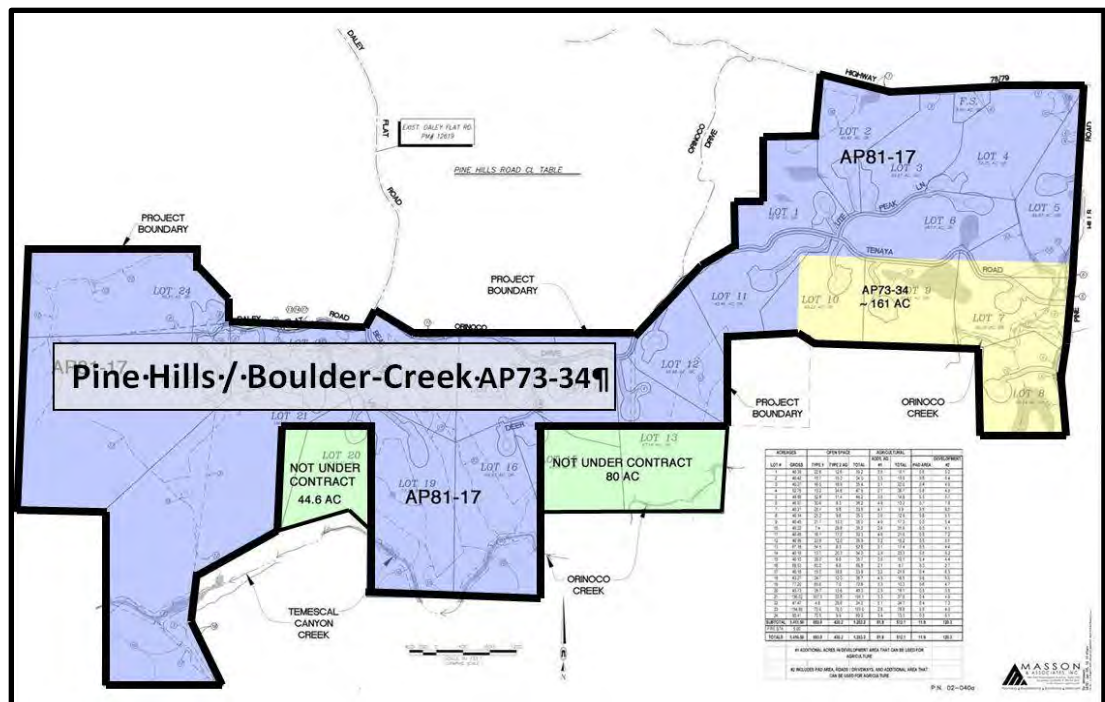


Figure 1: Project Site Williamson Act Contract AP73-34 Shown in Purple and Yellow, with Non-Contracted Lands Shown in Green

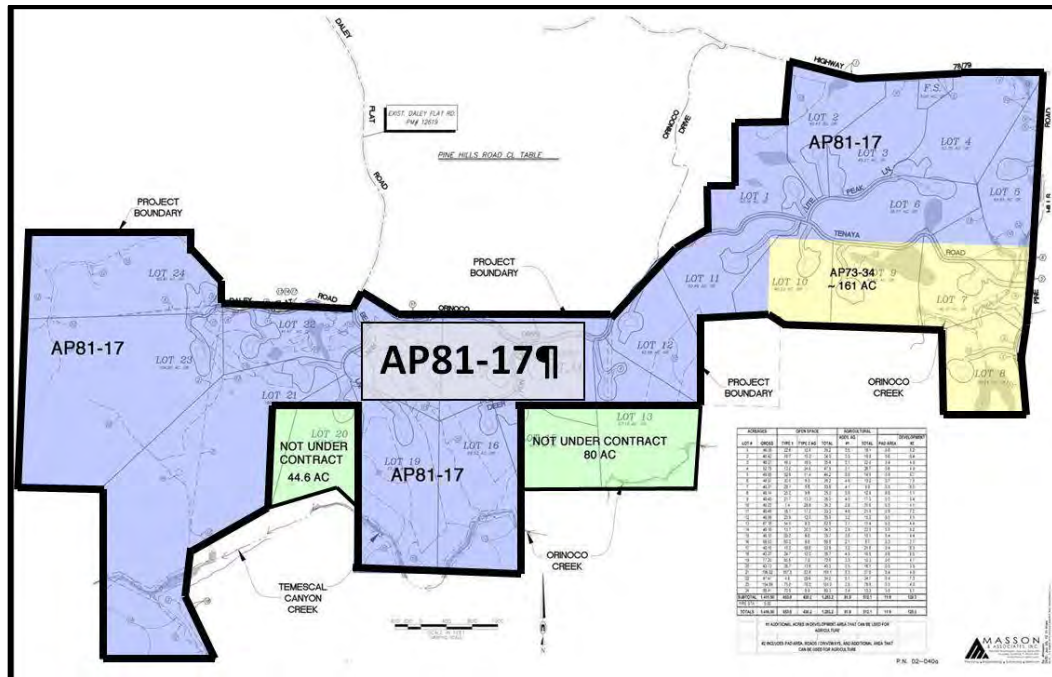


Figure 2: Project Site Williamson Act Contract- Second Amendment AP81-17 Shown in Purple

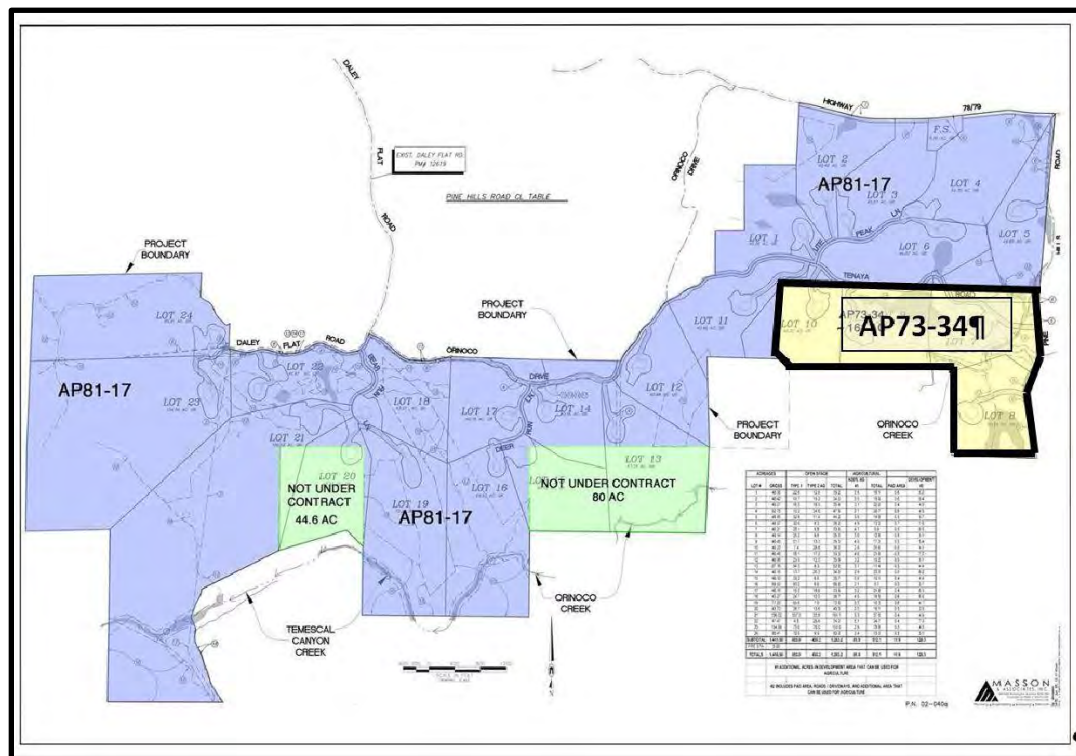


Figure 3: Project Site Williamson Act Contract AP73-34 - Requiring a Proposed Third Contract Amendment Shown in Yellow



## 2. Project Description

The applicant proposes an agricultural TM to subdivide 1,416.5 acres of agricultural grazing and breeding lands into 24 lots and proposed internal private roads (see Attachment A Planning Documentation, Maps 1-3 of 4). A third Contract Amendment to Contract AP73-34 is also proposed (see Figure 3). The amendment would reduce the minimum lot size from 160 acres to 40 acres for cattle breeding and grazing. The proposed agricultural lots and any future residential construction would sustain the proposed grazing and breeding operation, as required by a proposed and conditioned agricultural easement (requiring the continuation of agricultural uses on all portions of the property) along with the Contract. Single family homes would remain incidental to the agricultural use of each lot. Additionally, along with the TM and Contract amendment, a Habitat Loss Permit (HLP) is required and must be obtained by the applicant in order to mitigate for project impacts.

On-site wells would provide potable water to the lots and individual on-site sewer disposal systems are planned. The site is served by the Julian/Cuyamaca Fire Protection District (JFPD), which has been combined with County Service Area 135 (CSA 135). The subdivision's earthwork would consist of 103,127 cubic yards of cut and 103,568 cubic yards of fill.

The main access to the project would be from Pine Hills Road, a public road, which runs north-to-south along the eastern boundary of the subject property. The proposed internal road (Tenaya Road) runs from the intersection with Pine Hills Road on the east to Daley Flat Road to the west. The proposed lots access Tenaya Road through private driveways or three residential private roads.

Secondary access is proposed on the western edge of the site, at Daley Flat Road, a private roadway. Daley Flat Road intersects with Hoskings Ranch Road (private road), which then connects to SR-79/78 several miles west of Pine Hills Road. Both roads will be improved to a 24-foot width, as required by County Private Road Standards.

## 3. Subject Property and Surrounding Land Uses

The project site is located at the southwest intersection of SR 78/79 and Pine Hills Road, within the Julian Community Plan area (see Figures 4 & 5). Surrounding land uses primarily consist of single-family homes, agriculture and Cleveland National Forest lands (west).

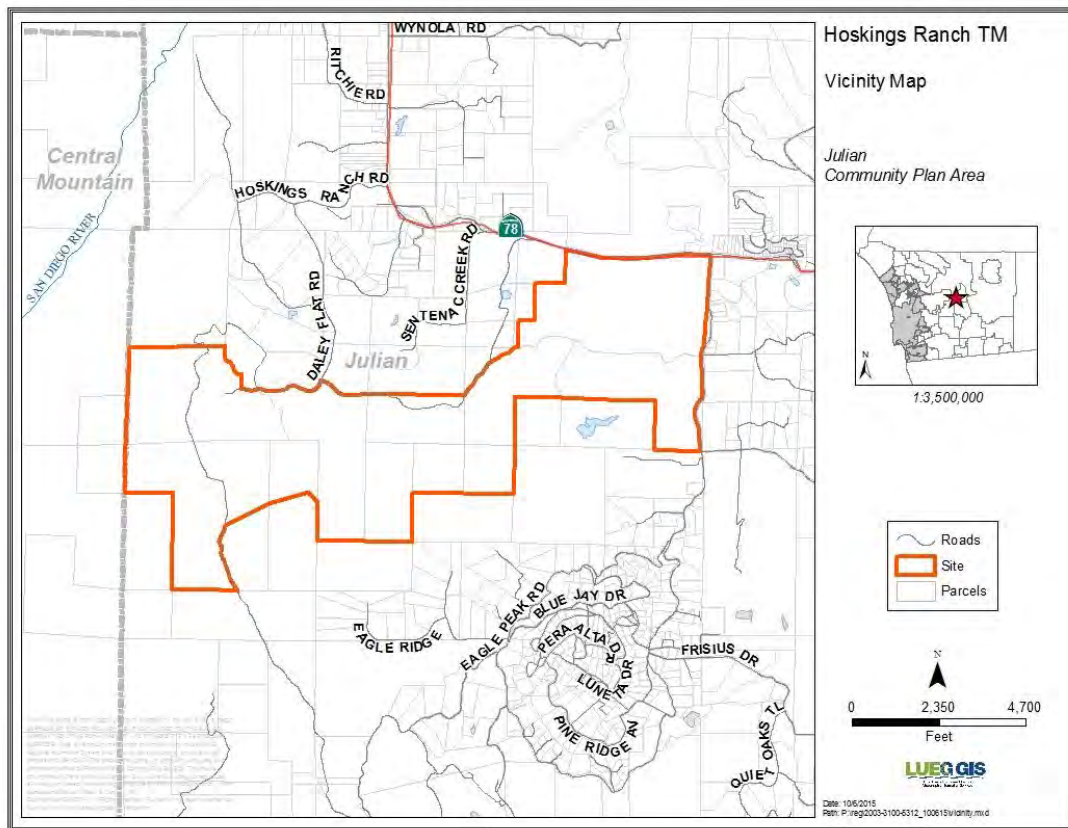


Figure 4: Project Location

The site is comprised of generally flat areas, steep slopes (between 25 and 50 percent) and gently rolling slopes. From Pine Hills Road, the property is flat with gently rolling hills that increase slowly to the west and south. Within the area fronting on Pine Hills Road, drainage features also exist. The property begins to drop significantly in topography in a westerly direction, terminating in steep slopes and terrain on the southwestern portion of the site. Adjacent to the Cleveland National Forest, the property is characterized by very steep slopes and cliffs. The overall property topography rises dramatically from south/southwest to the north/northeast direction (see Figure 6).

The surrounding residential development is similar in density and lot size to the proposed project. The existing residential surrounding Land Use designations are Rural Lands-40, -80 and Semi-Rural-4 and -10. The A-72 Zoning district, an agricultural district, also surrounds the site. The A-72 District supports cropping and other agricultural operations, yet also permits single-family residential uses. For a summary of the surrounding designations and land uses, see Table C-1.

Table C-1: Surrounding Zoning and Land Uses

Location	General Plan	Zoning	Adjacent Streets	Description
North	Rural – RL-40	A72	SR 78/79, Hoskings Ranch Road	Agricultural, Residential
East	Semi-Rural – SR-10	A70	Pine Hills Road	Residential
South	Rural – RL-80 FCI / Semi-Rural – SR-4	A72	N/A	Cleveland National Forest, Residential
West	Semi-Rural – SR-10 / Rural – RL-40 / FCI	A72/S80	Daley Flat Road	Cleveland National Forest

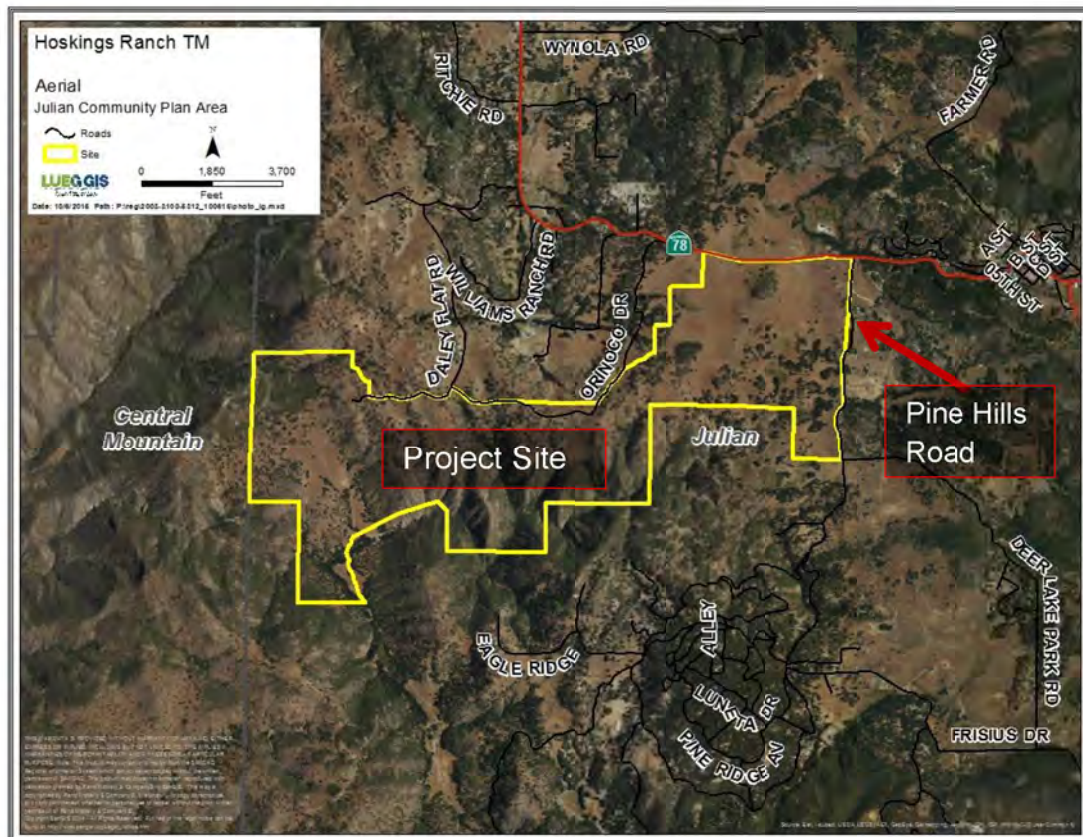


Figure 5: Aerial Project Location





*Figure 6: Looking North from Project Site at SR78/79 Frontage*



*Figure 7: Interior of Project Site Looking West*



*Figure 8: Project Site at Pine Hills Road – View to southwest*

## **D. ANALYSIS AND DISCUSSION**

### **1. Project Background**

The Hoskings Ranch TM was submitted on May 1, 2003. It was presented to the Planning Commission on July 14, 2006 and to the Board of Supervisors on September 27, 2006 (Item Number 1). At that time, the Department recommended denial of the proposed 33-lot TM, with lot sizes ranging between 40 to 62 acres. The denial was based on the Subdivision Map Act and the site's lack of agricultural operations. The Subdivision Map Act Government Code, Section 66474.4 requires that a TM within a Contract be denied if subdivision of the land is too small to sustain an agricultural use or if the subdivision will result in residential units not incidental to the commercial agricultural use.

The Planning Commission agreed with the Department and recommended denial of the TM. During the Board of Supervisors' hearing, staff was asked whether it would recommend approval of the requested TM if the applicant established agricultural operations on the property. Staff answered affirmatively that it would recommend approval if agricultural operations were established on and remained on the site. Therefore, the Board decided to continue the item and referred it back to staff, requesting that staff work with the applicant and return when an appropriate resolution was reached so that the project was in compliance with both the Williamson Act and the Subdivision Map Act. (See Attachment H for the hearing transcript).



Based on the Board direction, PDS and the applicant reached a resolution that addresses the Williamson Act and conforms to the Map Act requirements. The applicant and staff collaboratively worked with County Counsel to progress the project forward in a manner that addresses the site issues and accomplishes the Board's direction. Therefore, staff is returning to the Planning Commission and the Board with a revised project proposal for decision. The proposal is analyzed in detail on the following pages.

## 2. Project Analysis

Staff reviewed the proposed TM to ensure it conforms to the relevant ordinances and guidelines, including the Subdivision Map Act, the Williamson Act, the San Diego County General Plan, Julian Community Plan, the Subdivision Ordinance, the Zoning Ordinance and CEQA Guidelines.

The following information analyzes the project in conformance with those aforementioned regulations and ordinances as well as the issues raised previously and during public review including: traffic safety, biological resources, and cultural resources.

### a. Williamson Act Contract and Subdivision Map Act

**Issue:** Conformance with the Williamson Act Contract and the Subdivision Map Act are required. The property applicant is required to establish and retain agricultural uses on site. Single family homes must remain incidental to the agricultural use.

**Analysis and Response:** The applicant established between 40 and 60 cattle for grazing and breeding. Cattle grazing and breeding is considered an agricultural use. The proposed project would preserve this agricultural use on the site so that it remains ongoing and so the use continues subsequent to the proposed construction of single family homes. Future homeowners would also have the opportunity and could elect to conduct additional agricultural uses on the proposed lots as well.

PDS and County Counsel find these actions along with the other resolutions and conditions set forth in this report, in conformance with the Williamson Act Contract and the Subdivision Map Act Section 66474.4; and therefore, can recommend approval of the proposed TM. The following items will ensure compliance:

**Grazing Management Plan:** A Grazing Management Plan (GMP) has been prepared and is part of the proposed Resource Management Plan (RMP) that addresses on-site biological and cultural resources management. By making the GMP a part of the RMP, plan implementation will be monitored and financed in a similar manner as the biological and cultural resources plans. Further, the grazing and breeding operation will be managed by a qualified rancher, within the required agricultural easement.

**Agricultural Easement:** To further resolve the issues raised in 2006, and as an additive measure to the Contract, the applicant has agreed to prepare and record an agricultural easement over all proposed lots. This easement would be to the benefit of the County and would preserve agriculture, on the future individual lots. Under the easement, the County will

have the right to enforce its use restrictions against the current and future owners of the individual lots. In this way, agricultural uses would be preserved within the site, in compliance with the existing Contract, and residential uses would remain incidental to the established agricultural use(s).

Under the agricultural easement, cattle would roam and be allowed to cross all lots and portions of the site. Further, within this easement, fencing located at lot boundaries would be prohibited. Fencing would only be allowed within the easement to protect sensitive biological species.

**Agricultural Lot-by-Lot Analysis:** As part of the EIR, the applicant prepared an Agricultural Analysis that reviewed the potential for agricultural activities within the proposed TM (see Attachment K). That analysis demonstrated that based on soils, steep slopes, and the location of Prime Farmlands, the future property owners could continue the grazing and breeding operation and/or plant orchards and vineyards. The County Department of Agriculture, Weights and Measures (AWM) reviewed the Lot-by-Lot Analysis and accepted its conclusions.

The eastern portion of the site is encumbered by Resource Protection Ordinance (RPO) wetlands and drainage areas. However, the land is relatively flat to gently sloping hills, and could support agricultural activities beyond cattle grazing and breeding. For instance, there are approximately 13 acres within proposed Lots 4, 7, 6 and 9 that are considered Prime Farmland by the State Department of Conservation. This area would support most crops found within the Julian Community Plan area, such as pear and apple orchards and vineyards. Outside this Prime Farmland location, the eastern section of the site contains flat and gently rolling hills. This area would also be available for alternative agricultural uses to the grazing and breeding proposal. This area would primarily allow the planting of orchards. This statement is based on the existing soil types present, surrounding drainage patterns and the presence of Non-Native Grasslands (NNG). Each of these characteristics would allow the growth of apples or pears.

b. **Biological Resources**

**Issue:** Both direct and indirect impacts to biological resources would be caused by the project. Project related impacts include: indirect impacts to Red Shouldered Hawk, Swainson's Hawk, and Golden Eagle foraging, nesting and habitat conversion to a residential use; impacts to Coastal Sage Scrub (CSS) and Southern Mixed Chaparral as well as Live Oak Woodland; impacts to Army Corps of Engineers (ACOE) and California Department of Fish and Wildlife (CDFW) Federal Jurisdictional Wetlands by grading, vegetation removal, road crossings and drainage improvements; and impacts to Resource Protection Ordinance (RPO) wetlands and habitats.

**Analysis and Response:** All impacts to biological resources are mitigated to a level below significant by mitigating on- and off-site at the County required mitigation ratios as demonstrated in the analysis and response below.

*Non-Native Grasslands and Cattle Grazing:* Because the Contract and the biological requirements conflict with each other, the project includes the combination of Non-Native Grasslands preservation and cattle grazing. The NNG is the habitat where cattle would typically graze. The combination of these two uses are complementary. The Department finds this co-location of cattle and NNG as an acceptable arrangement.

*Habitat Loss Permit:* Due to its impacts to Coastal Sage Scrub (CSS), the project applicant must obtain a Habitat Loss Permit (HLP). The proposed TM is anticipated to impact 3.8 acres of CSS and a Draft HLP is provided in Attachment E. The project implementation is conditioned upon obtaining an HLP approval (Attachment B, TM Resolution Condition No. 64).

c. Cultural Resources

***Issue:*** The project EIR identified significant cultural areas on the property.

***Analysis and Response:*** The project proponent will undertake a data recovery excavation to collect a sample of cultural material within a data-recovery program. This is a standard cultural resources condition when sensitive cultural sites are discovered on a project site (Attachment B, TM Resolution Condition No. 65). Further, the project is conditioned to require a grading monitoring program for cultural resources, during project grading. A Native American Monitor will be on-site during grading to determine if cultural resources are found and the disposition of those resources.

d. Traffic Safety

***Issue:*** The EIR analysis indicated that the proposed 24-lot TM would not impact the mobility system in a direct or an indirect manner. The main potential impacts relate to traffic operations, as described in Section C of this Report.

***Analysis and Response:*** Roadway improvements as well as responding to sight distance concerns were addressed through project conditions and design.

*Roadway Improvements:* Secondary access is proposed on the west side of the site, at Daley Flat Road, a private roadway (Figure 1). Daley Flat Road intersects with Hoskings Ranch Road (private road), which then connects to SR-79/78 several miles west of Pine Hills Road. Both roads will be improved to a 24-foot width, as required by County Private Road Standards. Improvements to SR-78/79 include the installation of a westbound left-turn lane out of the Village of Julian. The project is also conditioned to add an eastbound right-turn lane into Pine Hills Road, to channel vehicles away from the eastbound SR 78/79 traffic. Vegetation clearing is required at the SR 79/78 intersection, to obtain adequate sight distance (see Figure 9).

*Sight Distance:* Pine Hills Road increases in topography from the north to the south. Vertical and horizontal curves with limited sight distance are present as the road progresses south and farther away from the project entrance. Based on the Traffic Impact Analysis and the low volume of vehicle trips generated by the project - 288 average daily trips (ADT), the project applicant is not required to improve Pine Hills Road; however, sight distance is a concern at

the Tenaya Road and Pine Hills Road intersection. Therefore, the applicant will undertake tree and vegetation clearing along Pine Hills Road near the main entrance, to provide adequate sight distance.

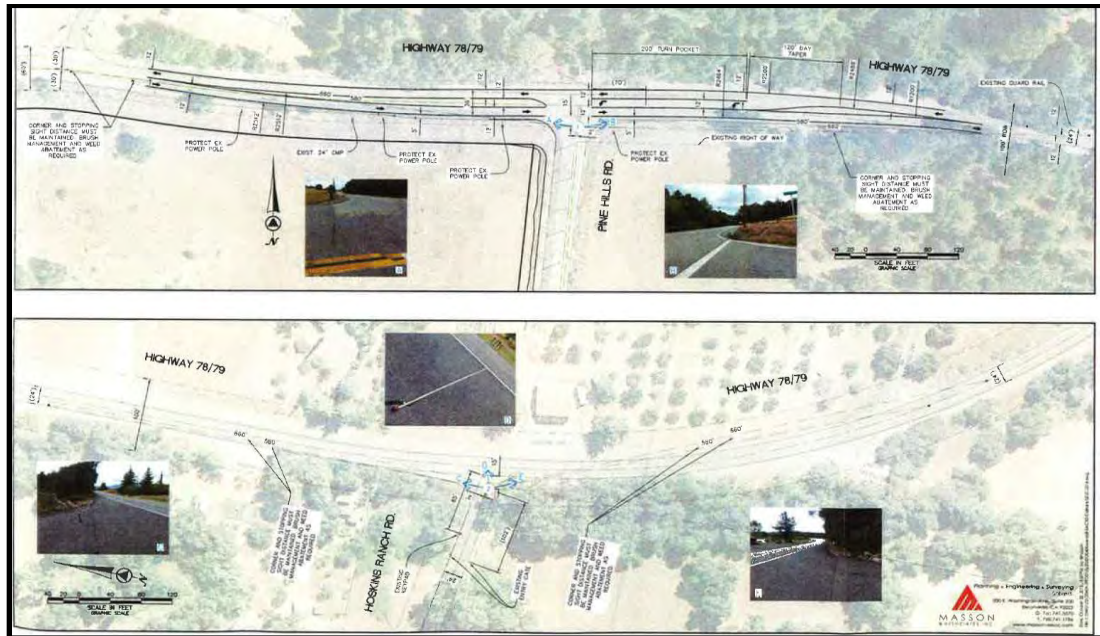


Figure 9: Proposed Sight Distance Improvements

### 3. General Plan Consistency

The project relies on the former, pre-2011 General Plan. “Pipelining” is allowed by the Subdivision Map Act (Government Code Section 66474.2) when a subdivision map is consistent with the general plan in effect at the time a project is deemed complete. This project was reviewed based on the previously adopted General Plan and is consistent with the previous General Plan designation of Intensive Agriculture (19). The Intensive Agriculture Land Use designation requires an eight-acre minimum lot size, where the average property slopes are greater than 25 percent. The subject TM design meets this requirement as each lot conforms to a minimum lot size of 40 acres. (Please see the General Plan Consistency Table – D.1) Despite the “pipelined” status, the project also complies with the current 2011 General Plan. The current General Plan applies the RL-40 Land Use designation within the northern and eastern sections of the project site (Lots 1-12, 14, 17-18 and 22); and applies the RL-80 Land Use designation in the southern and western portions of the project site (Lots 13, 15-16, and 19-21, and 23-24) A General Plan consistency review demonstrating conformance to the 2011 General Plan is found in Attachment L.

Table D-1: Pre-2011 Historic General Plan Conformance

Historic General Plan Policy	Explanation of Project Conformance
<b>Intensive Agriculture (19)</b> – The Intensive Agriculture Land Use designation requires an eight-acre minimum lot size, where the average property slopes are greater than 25 percent.	The subject TM design meets this requirement as each of the 24 lots conforms to a minimum lot size 40 acres, which is over the required eight acres.

Historic General Plan Policy	Explanation of Project Conformance
<p><b>Environmentally Constrained Area (ECA) Lot Size Requirement</b> – Uses and densities will be those permitted by the applicable community and subregional plan map; the County Zoning Ordinance; the Groundwater Policy; and for private land-holdings, in the Cleveland National Forest and outside the designated National Forest and State Parks (23) a 40-acre minimum parcel size shall apply and a one (1) unit per parcel maximum density.</p>	<p>The southern and western portions of the project site are private land-holdings within the Cleveland National Forest. The TM design complies with the Julian Community and County Zoning Ordinance. The proposal allows only lots that are a minimum of 40 acres in size. Further, only one house could be constructed on each lot, as proposed. Therefore, the lot size of the project matches that required 40-acre lot sizes and only one unit per lot.</p> <p>The Groundwater Ordinance's Residential Density Controls requires a minimum of four gross acres per lot for more than 21 proposed lots. The subject request would allow 24 lots and each lot is a minimum of 40 acres. Therefore, the project lot sizes are above the minimum of four acres and comply with the County Groundwater Ordinance.</p>
<p><b>ECA Requirement</b> – The resource responsible for the designation of an ECA shall be identified and appropriate mitigation measures included in any project approval.</p>	<p>Sensitive biological species, steep slopes, and RPO wetlands and drainages occur on the project site. These resources prompted the ECA designation. The project EIR analyzed these resources and the project design either avoids them or mitigates for project impacts to each of the resources.</p>
<p><b>ECA Requirement</b> – Flood-prone areas which are not planned for stabilization will be retained in natural, open and other non-urban uses.</p>	<p>The TM EIR shows avoidance of flood-prone areas (subject to RPO) and / or mitigation measures for impacts to these resources. As stated previously, 85 percent of the subject site would be preserved in open space to preserve biologically sensitive lands and wetland areas.</p>
<p><b>Land Use Goal 2.3</b> – Retain the rural character of non-urban lands.</p>	<p>The rural environment of the subject property and the surrounding neighborhood are preserved by the proposal to preserve 85 percent of the property within the project site. Further, the minimum 40-acre lots size requirement would allow a large separation between houses, should a property owner wish to construct a home on the future lots. This separation would not detract from the visual quality of the current rural neighborhood, where existing homes are spread-out. This is further discussed in the project EIR.</p>



Historic General Plan Policy	Explanation of Project Conformance
<b>Land Use Goal 2.5</b> – Encourage continuance and expansion of agricultural uses in appropriate portions of the unincorporated area.	The project would preserve the continuance of cattle breeding and grazing, as well as other agricultural activities, by encumbering much of the open space with a perpetual agricultural easement.
<b>Land Use Goal 2.6</b> – Ensure preservation of contiguous regionally significant open space corridors.	The proposed TM design preserves those portions of the site that are most valuable to wildlife corridors and special status species, including drainages, riparian areas, all of the regional wildlife corridor along Orinoco/Temescal Canyon Creek and the southern portions of the site.
<b>Open Space - Agriculture</b> – Preserve productive agricultural areas and recognize their value as open space.	The project would preserve the cattle breeding and grazing operation and the future owners would have the ability to add other agricultural production to that breeding operation. The project's Lot-by-Lot analysis identified the site as having the potential for orchards and vineyards.
<b>Open Space - Agriculture</b> – Encourage the use of agriculture to provide visually pleasing open space and variety within the environment, and to enhance the rural lifestyle enjoyed by many communities.	The Visual Analysis found within the project EIR found that the addition of 24 houses would not significantly impact the views from roadways, nor would it alter significantly the existing views of the site.
<b>Open Space - Agriculture</b> – Facilitate, protect, and preserve agricultural use of lands in the Agricultural Land Use Designations.	The site is located within the Agricultural Land Use designation of 19 or Agricultural Preserve. This agricultural subdivision would preserve and permit ongoing agricultural operations. The 24 houses would be and remain incidental to agricultural production. To further protect agricultural lands on-site, an agricultural easement would be implemented.
<b>Open Space - Agriculture</b> - Encourage agriculturally productive lands to remain in agricultural use by continuing participation in the Williamson Act program.	The project would remain within the existing Contracts and the primary purpose of the 24 lots is for agricultural activities. Either the existing cattle breeding and grazing will continue, or the future lot owners would opt to supplement that operation with orchards or other crops.
<b>Open Space - Agriculture</b> - Recognize that mountain meadows constitute a significant component of cattle grazing operations, and in areas used for cattle grazing, promote the retention of these meadows for grazing purposes when subdivisions or other	The meadows on the land are currently used for cattle breeding and grazing and will continue should the site be developed with 24 houses on the 40 or more acre lots. Much of the individual lot areas are reserved for cattle breeding and grazing via the project's agricultural easement

Historic General Plan Policy	Explanation of Project Conformance
development is proposed. Unless constrained by environmental resources, mountain meadows should be preserved for cattle grazing.	and Contract. Where sensitive biological species exist that could not survive with the grazing activities, biological easements and fencing would be installed.
<b>Open Space - Agriculture</b> - Permit low density residential and other compatible uses supportive of agricultural uses in agricultural areas. Non-agricultural development, including residential uses, shall be encouraged to occur in those areas least suitable for agricultural use.	The proposed subdivision would allow incidental housing, which would be at a very low residential density (0.02 DU/AC on the net total 1191 acres). The proposed house pads are placed in areas that are relatively flat or gently rolling. The site supports agriculture. The minimum lot size of 40 acres allows a majority of the lots to support both agriculture and housing that is incidental to that agriculture.
<b>Open Space - Agriculture</b> – Direct, to the greatest extent possible, development away from the most productive agricultural areas. When considering a subdivision request, or other development proposal, the determination of productive agricultural area shall be made based on existing agricultural uses, and on the potential for future agricultural production, and the contribution to the agricultural sector of our economy. Consideration shall be given, but shall not be limited to soil types, climate, the availability of water and its quality, and the existence of Williamson Act preserves and contracts. On-site and adjacent land use designations and zoning, ownership and parcelization patterns, as well as existing uses, and cropping history shall be considered.	<p>The TM is an agricultural subdivision divided into 24 lots, each 40 acres or more in size. The property was grazed in the past and is now used for cattle breeding and grazing. An Agricultural Report analyzed the environmental impacts to agricultural resources. That analysis found that the project site was not an important agricultural site, pursuant to the County's CEQA Agricultural Resources Guidelines. This determination was based on the analysis of the site's climate, Williamson Act Contracts, soil types and water quantity and quality. The site is primarily designated as "Other Lands" by the California Department of Conservation Farmland Mapping and Monitoring Program. Other Lands are not considered an agricultural designation. The project would preserve the cattle breeding and grazing operation and the future owners would have the ability to add other agricultural production to that breeding operation. The project's Agricultural Lot-by-Lot Analysis identified the site as having the potential for orchards and vineyards.</p> <p>The housing that future owners might build on the 24 individual lots would be considered incidental to the agricultural operations. The house pads are placed outside of the proposed agricultural easement, which preserves the land area for future agricultural production. The project complies with the County Groundwater Ordinance. The Groundwater Ordinance's</p>

Historic General Plan Policy	Explanation of Project Conformance
	<p>Residential Density Controls requires a minimum of four gross acres per lot, for more than 21 proposed lots. The subject request would allow 24 lots and each lot is a minimum of 40 acres. Therefore, the project lot sizes are above the minimum required and would comply with the County Groundwater Ordinance.</p> <p>Finally, the project is located north of an existing neighborhood with smaller lot sizes and more dense semi-rural lot patterns. Agriculture does occur on the lots to the south, as well as open space.</p>

#### 4. Community Plan Consistency

The proposed project is consistent with the following relevant Julian Community Plan goals, policies and actions as described in Table D-2.

*Table D-2: Community Plan Conformance*

Community Plan Policy	Explanation of Project Conformance
<b>Agricultural Policy 1</b> – Encourage agriculture, particularly, orchards, vineyards, and livestock grazing, to provide and conserve open space.	The proposed agricultural TM preserves the Contract and the existing agricultural activities. It further encourages future additional agricultural operations.
<b>Agricultural Policy 2</b> – The combination of agriculture with other activities shall be allowed to provide an economic advantage to agriculture in competing with the forces of urbanization.	The proposed agricultural TM allows for additional agricultural operations, besides cattle breeding and grazing. Any houses constructed on the individual lots would be incidental to the agricultural uses, as evidenced by the proposed agricultural easement, the Contract, the information found in the Lot-by-Lot Analysis, and proposed large lot sizes. All of these project components allow for and encourage the potential for economically viable agriculture.
<b>Agricultural Policy 3</b> – Leapfrog development shall be discouraged in order to preserve agricultural resources.	The project does not represent leapfrog development, as it is an agricultural subdivision within which future property owners could build a home that is incidental to the existing and future agricultural operation(s). Further, there is residential development to the south of, and adjacent to, the project site.

<p><b>Agricultural Policy 4</b> – Encourage the use of reclaimed water for irrigation.</p>	<p>Property owners in the Julian Community Plan area are predominantly using individual wells and sewer disposal systems. The Julian area is not served by a water and/or sewer district and recycled water is not available. The proposed project would not have access to recycled water for irrigation purposes.</p>
<p><b>Agricultural Policy 5</b> – Discourage nuisance-prone heavy agriculture, such as large scale commercial productions of poultry and swine.</p>	<p>The proposed agriculture would mimic that found on-site today, which is cattle breeding and grazing. Future property owners could conduct other agricultural activities as well, such as orchards and vineyards. Based on the minimum lot size of 40 acres, these operations would be small and not represent large-scale agricultural operations. The project Agricultural Lot-by-Lot Analysis (see Attachment K) shows that agricultural activities, such as orchards and vineyards along with cattle breeding and grazing could occur on the majority of the proposed lots. These operations would not create nuisances to adjoining properties.</p>
<p><b>Residential Policy 1</b> – Innovative land planning in Julian is essential to preserve the natural open space (areas of visual impact, meadows, hillsides, forested areas, rock outcroppings, etc.)</p>	<p>The project would preserve 85 percent of the 1,417 acres in biological open space. This open space would preserve sensitive species, steep slopes, and drainage areas. The building pads would be placed on the flatter lands and outside of the biological open space.</p>
<p><b>Residential Policy 2</b> –Extensive or severe grading shall be prevented by tailoring development to the character of the natural terrain.</p>	<p>The proposed project would require grading of sloped land that is now less than 25 percent. The project grading would respect the natural terrain, by only grading where needed</p>
<p><b>Residential Policy 3</b> – Encourage a variety of housing types, while maintaining and promoting a rural residential atmosphere.</p>	<p>Based on the preservation of 85 percent of the site in open space, the project would retain a rural atmosphere. The owner of each lot could construct a house incidental to agriculture.</p>
<p><b>Residential Policy 4</b> – Encourage street planting of native vegetation, landscaping of private property, and the placing of utilities underground in residential areas.</p>	<p>Any street trees planted within the project site would include native and fire resistant vegetation. All utilities are required to be located underground, per the project conditions of approval.</p>

<b>Residential Policy 5</b> – Groundwater concerns shall be a limiting factor to the approved density of residential projects and property divisions.	The Groundwater Ordinance's Residential Density Controls requires a minimum of four gross acres per lot, for more than 21 proposed lots. The subject request would allow 24 lots and each lot is a minimum of 40 acres. The project lot sizes are above the minimum and would comply with the County Groundwater Ordinance.
<b>Residential Policy 6</b> – Encourage the use of solar photo voltaic electric generators and solar heated water systems in all new residential developments.	Each proposed lot owner could construct a house on a lot. Each house constructed would be required to comply with Title 24 and would comply with those green building standards.
<b>Residential Policy 7</b> – Encourage external lighting to be directed downward.	All project lighting would comply with the County Light Pollution Code. Individual property owners would determine the type and amount of lighting on the lot. Lighting would accommodate agricultural activities, as needed.
<b>Residential Policy 8</b> – Discourage all-night lighting.	All project lighting would comply with the County Light Pollution Code. Individual property owners would determine the type and amount of lighting on the lot. Lighting could accommodate agricultural activities.

## 5. Zoning Ordinance Consistency

The proposed project is subject to the General Agricultural (A-72) zone, and complies with all applicable zoning requirements with the incorporation of conditions of approval. The Planning Commission should consider whether the included conditions of approval ensure compatibility of the proposed project with the surrounding properties and overall community character.

*Table D-3: Zoning Ordinance Development Regulations*

CURRENT ZONING REGULATIONS		CONSISTENT?
Use Regulation:	A-72	Yes
Animal Regulation:	O	Yes
Density:	-	N/A
Lot Size:	8 Acres	Yes
Building Type:	C	Yes
Height:	G	Yes
Lot Coverage:	-	N/A
Setback:	C	Yes
Open Space:	-	N/A
Special Area Regulations:	-	N/A

*Table D-4: Zoning Ordinance Development Regulations Compliance Analysis*



Development Standard	Proposed/Provided	Complies?
Section 2100 of the Zoning Ordinance describes the permitted uses in the Single Family Residential (RS) Use Regulations.	The proposed project complies with the RL-40 Use Regulations.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Section 4200 of the Zoning Ordinance describes the required minimum lot size.	The proposed project would comply with the minimum lot size.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Section 4800 of the Zoning Ordinance requires a setback of 60 feet in the front yard, 15 feet in the side yard, and 25 feet in the rear yard.	The proposed lots have been designed to contain building pads that are large enough for a single-family dwelling to be constructed without encroaching into the required setbacks.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

## 6. Subdivision Ordinance Consistency

The project has been reviewed for compliance with the Subdivision Ordinance. The project is consistent with the requirements for major subdivisions in terms of design (Section 81.401), dedication and access (Section 81.402) and improvements (Sections 81.403 and 81.404). The project includes requirements and conditions of approval necessary to ensure that the project is implemented in a manner consistent with the Subdivision Map Act and the Subdivision Ordinance.

## 7. Applicable County Regulations

Table D-5: Applicable Regulations

County Regulation Policy	Explanation of Project Conformance
1 Resource Protection Ordinance (RPO)	The project complies with the RPO. The existing RPO Wetlands, RPO Sensitive Habitat Lands, or RPO steep slope lands will all either be avoided (RPO steep slopes) or protected by preserving the RPO lands, mitigating for impacts to RPO lands, and providing 100-foot wide buffers around the preserved RPO Wetlands and RPO Sensitive Habitats. The property was surveyed for historical and cultural sites. There is a historical cattle herding ramp at SR 78/79, which will be preserved by fencing and avoiding. Additionally, avoidance of the cultural resource and fencing, as needed will be implemented as mitigation measures. Finally, grading monitoring will be required to protect potential on-site cultural resources.
2 Noise Ordinance	The project would not generate potentially significant noise levels, which exceed the allowable limits of the County Noise Element or Noise Ordinance.

County Regulation Policy	Explanation of Project Conformance
3 County Consolidated Fire Code	The project contains secondary access via Daley Flat Road and Hoskings Ranch Roads. All proposed cul-de-sacs comply with the 1,320-foot maximum length requirement. Finally, emergency travel time is 9.3 minutes, where ten minutes is required. A JCFPD station is within $\frac{3}{4}$ of a mile from the project. Ember resistant vents will be installed on all structures and building construction features will reflect the enhanced requirements of the County Building Code, Chapter 7A. The proposed dwelling units will be surrounded by 100 feet of Fuel Modification Zones, with 30-foot Fuel Modification Zones (FMZs) on either side of the proposed roads.
4 Multiple Species Conservation Program	The project is located outside of an approved MSCP, but is within the Draft East County MSCP. A Draft Habitat Loss Permit is attached to this Report for 3.8 acres of impacts to CSS.
5. County Groundwater Ordinance	The Groundwater Ordinance's Residential Density Controls requires a minimum of four gross acres per lot for more than 21 proposed lots. The subject request would allow 24 lots and each lot is a minimum of 40 acres. Therefore, the project lot sizes are above the minimum of four acres and would comply with the County Groundwater Ordinance.

## 8. California Environmental Quality Act (CEQA) Compliance

A project EIR was prepared to address the project's potential impacts to the environment. The EIR analyzed three potentially significant impacts, which are Biological and Cultural Resources and Traffic. It further identifies mitigation measures reduce all significant impacts to a level that is below significant. The project EIR, technical studies, and TM were circulated for a 45-day public review period, between August 29, 2013 and October 15, 2013. The Department received comments about biology/project design, cultural resources, traffic, and visual resources. These comments and the Department's responses are provided at Attachment F. Finally, as described previously, the EIR included a Consolidated Project Alternative with 34 residential lots and the cancellation of the Contract on the majority of the property with the exception of 709 acres, in the west and south of the project (Lot 34 – see Figure 10).

**e. COMMUNITY PLANNING GROUP**

On July 22, 2015, the Julian CPG voted 10-1-0-0 (Ayes: 10, Noes: 1, Abstain: 0, Absent: 0) to recommend approval of this TM (see Attachment F – Public Documentation).

**F. PUBLIC INPUT**

During the public review period, comments were received by the Endangered Habitats League, the Wildlife Agencies, San Diego Sierra Club, the Cleveland National Forest, and the San Diego Archaeological Society (see Attachment F) The commenters generally requested the analysis of different alternatives to increase biological and Contract preservation lands, as well as to protect visual resources.

Staff has evaluated all issues and determined that the project, as designed, is consistent with the General Plan, the Julian Community Plan, the Zoning Ordinance, the Subdivision Ordinance, and CEQA, and all issues have been reviewed and resolved. In addition, the Williamson Act Contract, agriculture, biology and cultural resources have been fully analyzed. Finally, the project is appropriately designed to ensure that the significant impacts in those areas will be properly mitigated.

**G. RECOMMENDATIONS**

Staff recommends that the Planning Commission:

1. Recommend that the Board of Supervisors adopt the Environmental Findings included in Attachment D, which includes the required California Environmental Quality Act (CEQA) findings required to certify the EIR.
2. Recommend that the Board of Supervisors adopt the Resolution Approving TM PDS2003-3100-5312 RPL<sup>3</sup>, which includes those requirements and conditions necessary to ensure that the project is implemented in a manner consistent with State law and County of San Diego Regulations (Attachment B).
3. Recommend that the Board of Supervisors adopt the Third Amendment to Williamson Act Contract No. 73-34, to reduce that Contract's minimum parcel size to 40 acres from the current 160 acres (Attachment C).

***Report Prepared By:***

Dennis Campbell, Project Manager  
858-505-6380  
[Dennis.Campbell@sdcounty.ca.gov](mailto:Dennis.Campbell@sdcounty.ca.gov)

***Report Approved By:***

Mark Wardlaw, Director  
858-694-2962  
[Mark.Wardlaw@sdcounty.ca.gov](mailto:Mark.Wardlaw@sdcounty.ca.gov)

AUTHORIZED REPRESENTATIVE: \_\_\_\_\_



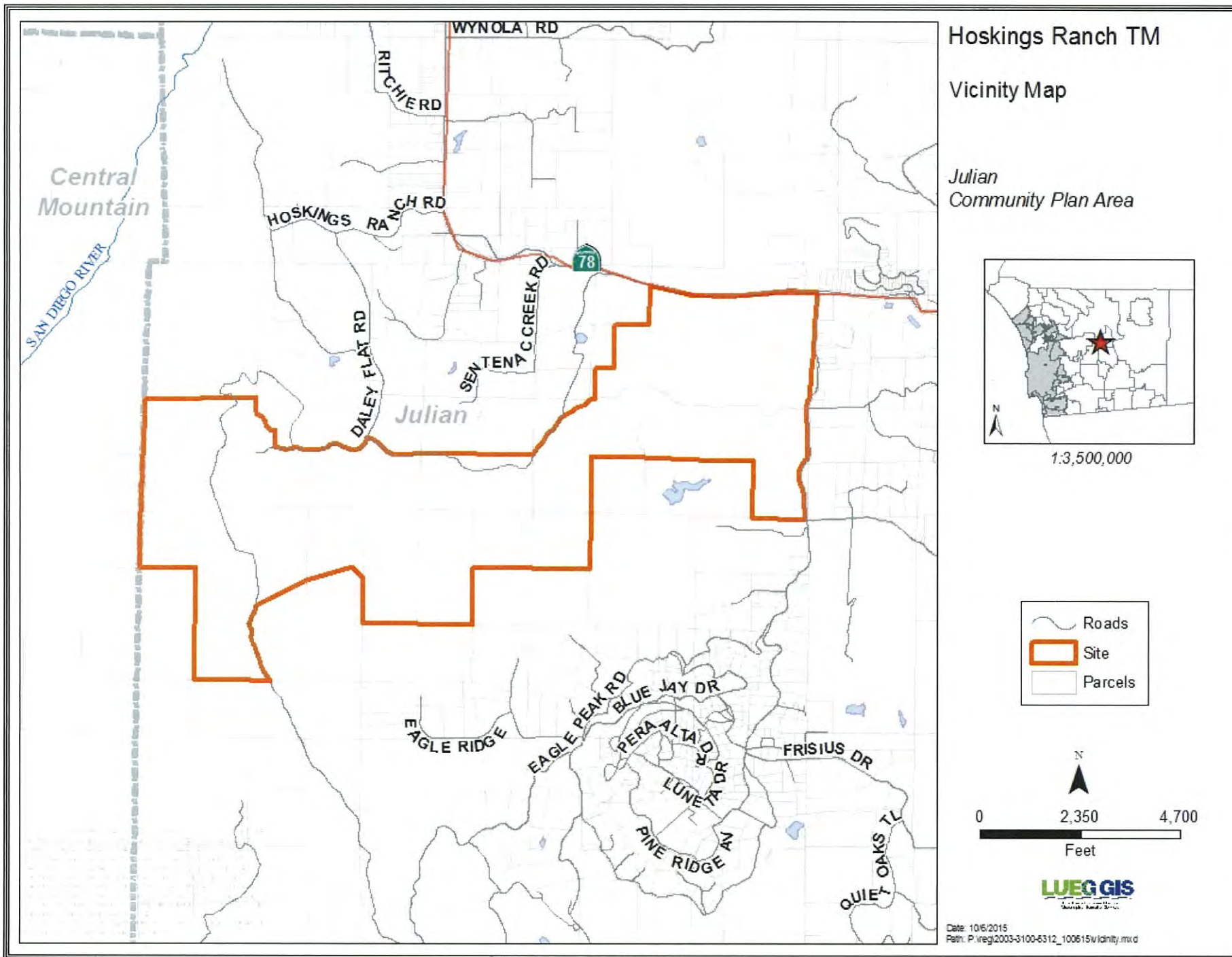
MARK WARDLAW, DIRECTOR

**ATTACHMENTS:**

Attachment A – Planning Documentation  
Attachment B – Resolution Approving PDS2003-3100-5312 RPL<sup>3</sup>  
Attachment C – Third Amendment to Williamson Act Contract No. 73-34  
Attachment D – Environmental Findings  
Attachment E – Environmental Documentation  
Attachment F – Public Documentation  
Attachment G – Ownership Disclosure  
Attachment H - September 27, 2006, BOS Hearing Transcript  
Attachment I. – Property Williamson Act Contracts  
Attachment J – Board of Supervisors' Policy I-38  
Attachment K – Agricultural Lot-by-Lot Analysis  
Attachment L – Conformance to 2011, Updated General Plan

## **Attachment A – Planning Documentation**



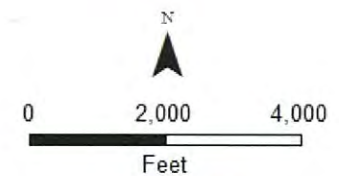
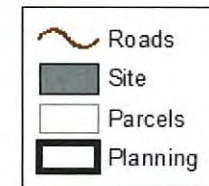


# Hoskings Ranch TM

## General Plan Map

*Julian  
Community Plan Area*

- (9) Semi-Rural Residential (SR-1)
- (11) Semi-Rural Residential (SR-2)
- (13) Semi-Rural Residential (SR-4)
- (17) Semi-Rural Residential (SR-10)
- (19) Rural Lands (RL-40)
- (20) Rural Lands (RL-80)
- (32) Public/Semi-Public Facilities
- (33) Public Agency Lands
- (35) Medium Impact Industrial



**LUEGGIS**  
LAND USE & ENVIRONMENTAL GIS

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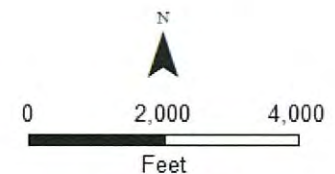
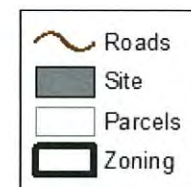


# Hoskings Ranch TM

## Zoning Map

Julian  
Community Plan Area

- A70 - Limited Agricultural
- A72 - General Agricultural
- M54 - General Impact Industrial
- RR - Rural Residential
- S80 - Open Space



**LUEGGIS**  
LAND USE & ENVIRONMENTAL CONSULTANTS

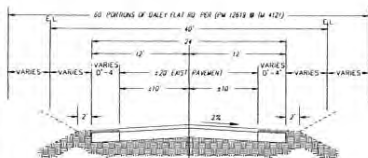
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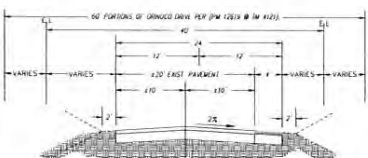
# COUNTY OF SAN DIEGO TRACT NO. TM 5312 RPL 3 HOSKINGS RANCH, JULIAN - TENTATIVE MAP - LOG NO. 03-10-005

SHEET 1 OF 4

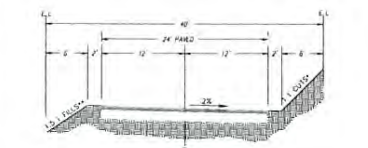
## TYPICAL STREET SECTIONS



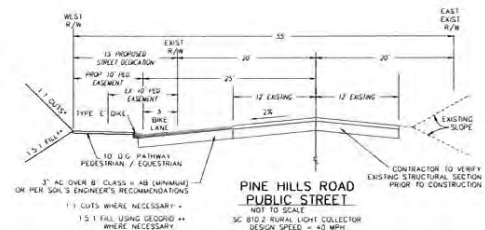
NOTE:  
1. WIDEN PAVEMENT FROM 20' TO 24'.  
2. RECONSTRUCT IN ITS ENTIRETY THOSE AREAS IDENTIFIED AS SUBSTANTIALLY PER SOILS ENGINEER'S RECOMMENDATION.



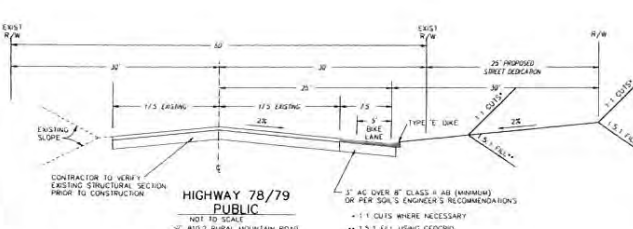
NOTE:  
1. WIDEN PAVEMENT FROM 20' TO 24'.  
2. RECONSTRUCT IN ITS ENTIRETY THOSE AREAS IDENTIFIED AS SUBSTANTIALLY PER SOILS ENGINEER'S RECOMMENDATION.



• 1:1 CUTS WHERE NECESSARY  
• 1.5:1 FILL USING GEOTEXTILE WHERE NECESSARY



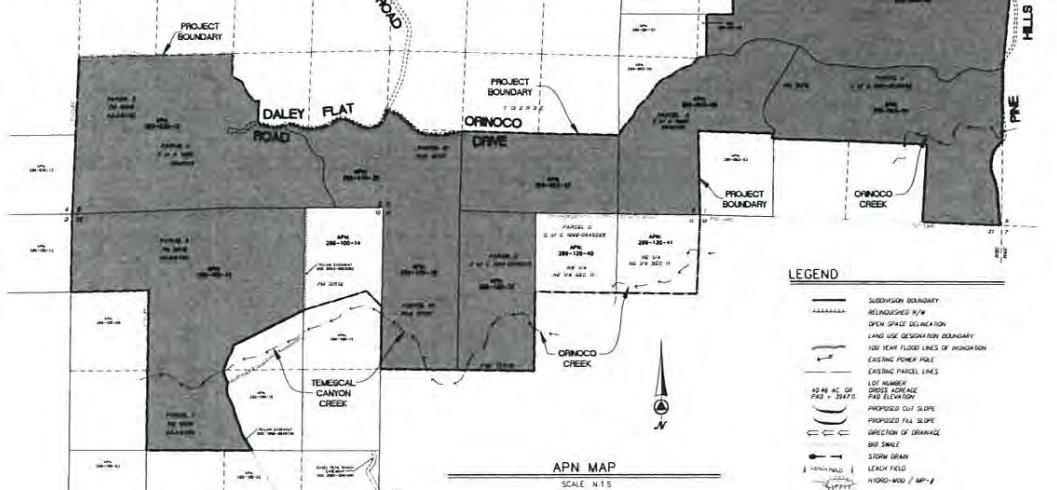
SC 810.2 RURAL LIGHT COLLECTOR  
DESIGN SPEED = 40 MPH



SC 810.2 RURAL MOUNTAIN ROAD  
DESIGN SPEED = 40 MPH

## TYPICAL CUL DE SAC DETAIL

NOT TO SCALE



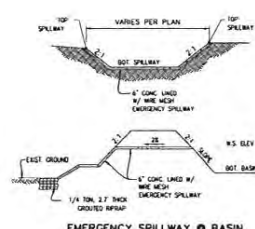
## LEGEND

- SUBDIVISION BOUNDARY
- REINFORCED N/A
- OPEN SPACE DESIGNATION
- LAND USE DESIGNATION BOUNDARY
- 100 YEAR FLOOD LINES OF FLOODING
- EXISTING POWER POLE
- EXISTING PARCEL LINES
- LOT NUMBER
- PROPOSED CUT SLOPE
- PROPOSED FILL SLOPE
- DIRECTION OF DRAINAGE
- NO SWALE
- STORM DRAIN
- LEACH FIELD
- HYDRO-LOG / MP-4

## STRUCTURAL SECTION CHART FOR PRIVATE ROADS

STREET GRADES	STRUCTURAL SECTION
USE TO 10%	DECOMPOSED GRANITE
10% TO 15%	2" AC OVER 6" CLASS # AB (MINIMUM) OR PER SOILS ENGINEER'S RECOMMENDATION
15% TO 20%	3" AC OVER 7" CLASS # AB (MINIMUM) OR PER SOILS ENGINEER'S RECOMMENDATION

NOTE:  
THE (C) FOREST CONSERVATION INTRAVE INCLUDED LANGUAGE THAT OVERLAYS THE #23 GENERAL PLAN DESIGNATION OVER TO DESIGNATED LANDS HOWEVER THAT TO EXPIRED ON DECEMBER 31, 2010 AND NO LONGER APPLIES.  
APN # 289-030-12, 289-100-12, 289-470-38, 289-062-07, 289-120-32, 289-082-06, 289-080-34 and 289-083-04 ARE PART OF AN EXISTING WILMINGTON AGRICULTURAL CONTRACT NO. 2010 AND NO LONGER APPLIES.



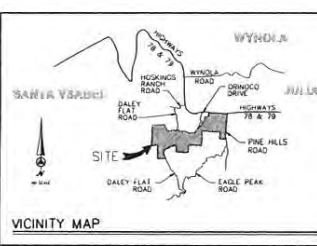
## EARTHWORK QUANTITIES\*

RAW EARTHWORK	CUT	FILL
	103,172 CY	103,048 CY

IMPORT REQUIRED: (8,080 CYP)

\* NOTE: EARTHWORK QUANTITIES INDICATED ARE RAW VOLUMES TO FINISHED SURFACE AND ARE ESTIMATES FOR PRELIMINARY PURPOSES ONLY. QUANTITIES DO NOT INCLUDE ANY ALLOWANCES FOR STREET UNDERCUT, FOOTING/TRENCHING SPILLS, ETC.

CONTRACTOR RESPONSIBLE FOR REVIEWING AND IMPLEMENTING THE RECOMMENDATIONS IN THE SOILS REPORT AND VERIFYING QUANTITIES PRIOR TO BIDDING.



## OWNER/SUBDIVIDER

GENESEE PROPERTIES, INC.  
P.O. BOX 43  
BERKSHIRE, CO 80513  
(858) 455-4883

*Robert Lee McCombs*  
Assistant Secretary

## ENGINEER

MASSON & ASSOCIATES INC.  
208 E. WASHINGTON AVE. SUITE 200  
ESCONDIDO, CA 92025  
(760) 741-3300

*Bruce A. Tate*  
BRUCE A. TATE P.E. C.E. C322247  
EXP. 12/31/2014

## PLANNERS

PRE CONSULTANTS  
438 CAMINO DEL RIO SOUTH, SUITE 223  
SAN DIEGO, CA 92108  
(619) 299-2552

## ZONING

USE REGULATIONS	A72
NEIGHBORHOOD REGS.	125
DENSITY	B.A.C.
LOT SIZE	C
BUILDING TYPE	C
MIN. FLOOR AREA	-
FLOOR AREA RATIO	-
HEIGHT	G
COVERAGE	C
SETBACK	C
OPEN SPACE	-
ANNUAL REGULATIONS	D
SPECIAL AREA REGS.	A

## LEGAL DESCRIPTION

PORTIONS OF PARCELS 7, 9-15, OF PARCEL MAP 12519 & SECTION 11, T.13 S. R.3 E. S.8M. IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA.

## NOTES

- ZONING - EXISTING: A72
- GENERAL PLAN LAND USE DESIGNATION: #19 / INTENSIVE AGG.
- COMMUNITY PLAN: JULIAN
- GENERAL PLAN CATEGORY: ICA
- MINIMUM LOT SIZE: 40 AC (GROSS)
- TOTAL LOTS: 24
- SITE AREA: 1,418.5 AC (GROSS)
- SITE ADDRESS: HWY 78, JULIAN
- CALIFORNIA COORDINATE: 322-1872
- SOURCE OF TOPOGRAPHY: FLORENCE BY GEOMETRIC CORP. DATED 7/29/2002
- BOUNDARY SURVEY: MONUMENT PEAK LAND SURVEYING P.O. BOX 1808 JULIAN, CA 92036
- ASSESSOR'S PARCEL NOS.: 289-100-12, 289-100-12, 19, 289-470-38, 289-062-04, 289-120-32, 40, 41, 289-082-07, 06 and 289-063-04
- WATER SUPPLIED BY: INDIVIDUAL WELLS
- SEWERAGE SUPPLIED BY: SEPTIC SYSTEM
- GAS AND ELECTRIC SUPPLIED BY: SAN DIEGO GAS & ELECTRIC
- FIRE PROTECTION: JULIAN FIRE PROTECTION DISTRICT
- SCHOOL DISTRICTS: JULIAN ELEMENTARY SCHOOL, JULIAN HIGH SCHOOL DISTRICT
- LEGAL ACCESS: HWY 78 & PINE HILLS ROAD
- BOUNDARY INFORMATION HAS BEEN COMPILED FROM RECORD DATA
- GRADING AS SHOWN, AND FURNISHING TO THE COUNTY GRADING ORDINANCE
- ALL IMPROVEMENTS TO COUNTY OF SAN DIEGO STANDARDS
- PROPOSED PRIVATE DRIVEWAYS NOT TO EXCEED 15% GRADE, AND GRADED TO A 20' WIDTH WITH 16' PAVING PER COUNTY STANDARD 05-7
- GRADING OF DRIVEWAYS AND PAVES SHALL BE DONE INDIVIDUALLY
- TAX RATE AREA 81059

## SPECIAL ASSESSMENT STATEMENT

THE SUBDIVIDER DOES NOT PROPOSE TO REQUEST THE BOARD OF SUPERVISORS FOR PERMISSION TO INSTITUTE PROCEEDINGS UNDER A SPECIAL ACT FOR CONSTRUCTION OF ANY OF THE SUBDIVISION IMPROVEMENTS.

## SOLAR ACCESS STATEMENT

THIS IS A SOLAR SUBDIVISION AS REQUIRED BY SECTION 81402(a) OF THE SUBDIVISION ACT. ALL LOTS WITHIN THIS SUBDIVISION HAVE A MINIMUM OF 100 SQUARE FEET OF UNRESTRICTED ACCESS TO SUNLIGHT ON THE BUILDABLE PORTION OF THE LOT.

## PARK LAND DEDICATION STATEMENT

NO PARKLAND IS TO BE DEDICATED ON THIS MAP. PARK FEES WILL BE PAID AT THE TIME OF BUILDING PERMIT ISSUANCE.

## ACCESS NOTE

IT IS THE RESPONSIBILITY OF THE SUBDIVIDER TO PROVIDE INSURABLE ACCESS TO EACH PARCEL CREATED BY THIS MAP.

## GRADING NOTE

THIS PLAN IS PROVIDED TO ALLOW FOR FULL AND ADEQUATE DISCRETIONARY REVIEW OF A PROPOSED DEVELOPMENT PROJECT. THE PROPERTY OWNER ACKNOWLEDGES THAT ACCEPTANCE OR APPROVAL OF THIS PLAN DOES NOT CONSTITUTE AN APPROVAL TO PERFORM ANY GRADING SHOWN HEREON AND AGREES TO OBTAIN A VALID GRADING PERMIT BEFORE COMMENCING SUCH ACTIVITY.

## SHEET INDEX

SCALE: N.T.S.



P.N. 02-0400

MASSON & ASSOCIATES INC.  
208 E. WASHINGTON AVE. SUITE 200  
ESCONDIDO, CA 92025  
(760) 741-3300

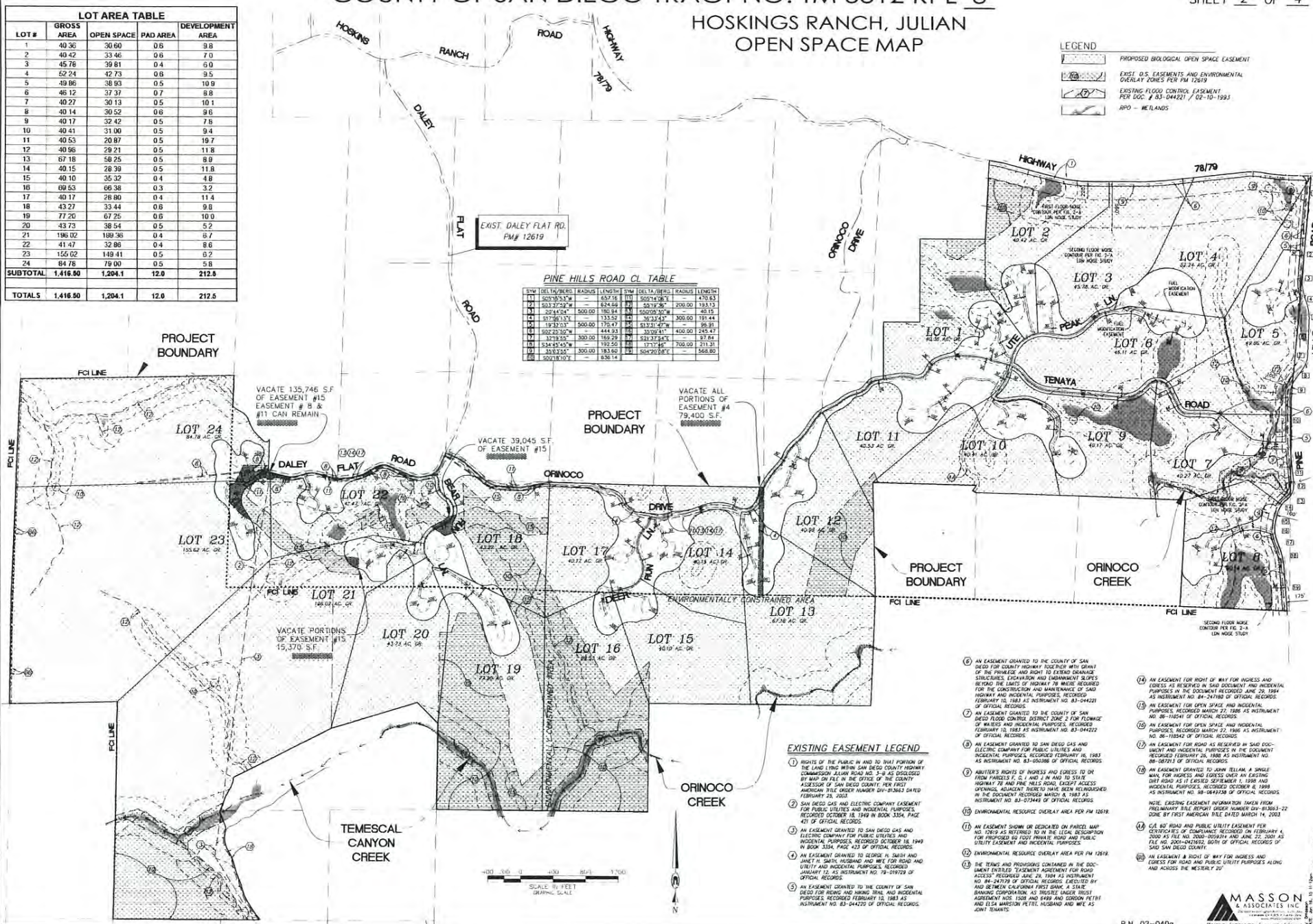
6-28



HOSKINGS RANCH, JULIAN  
OPEN SPACE MAP

6-29

SYM	DELTA/BERG	RADIUS	LENGTH	SYM	DELTA/BERG	RADIUS	LENGTH
S030535.3°W			657.16	S120410.6°E			470.15
S031302.7°W			62.81	S120512.6°E	200.00		40.15
S020454.3°E	500.00	180.94	83.30	S020020.0°E			193.15
S173661.5°E		133.52	84.00	M13454.3°	300.00	191.44	
S193203.3°	500.00	170.47	85.00	S130151.7°E			96.91
S002250.5°W		444.93	18.00	S000909.1°	400.00	245.43	
S121915.5°	300.00	166.29	78.00	S21317.8°E			97.84
S134455.4°W		192.50	78.00	S120177.4°E	700.00	211.33	
S153324.3°		183.60	78.00	S04200.0°E			568.80





# COUNTY OF SAN DIEGO TRACT NO. TM 5312 RPL 3

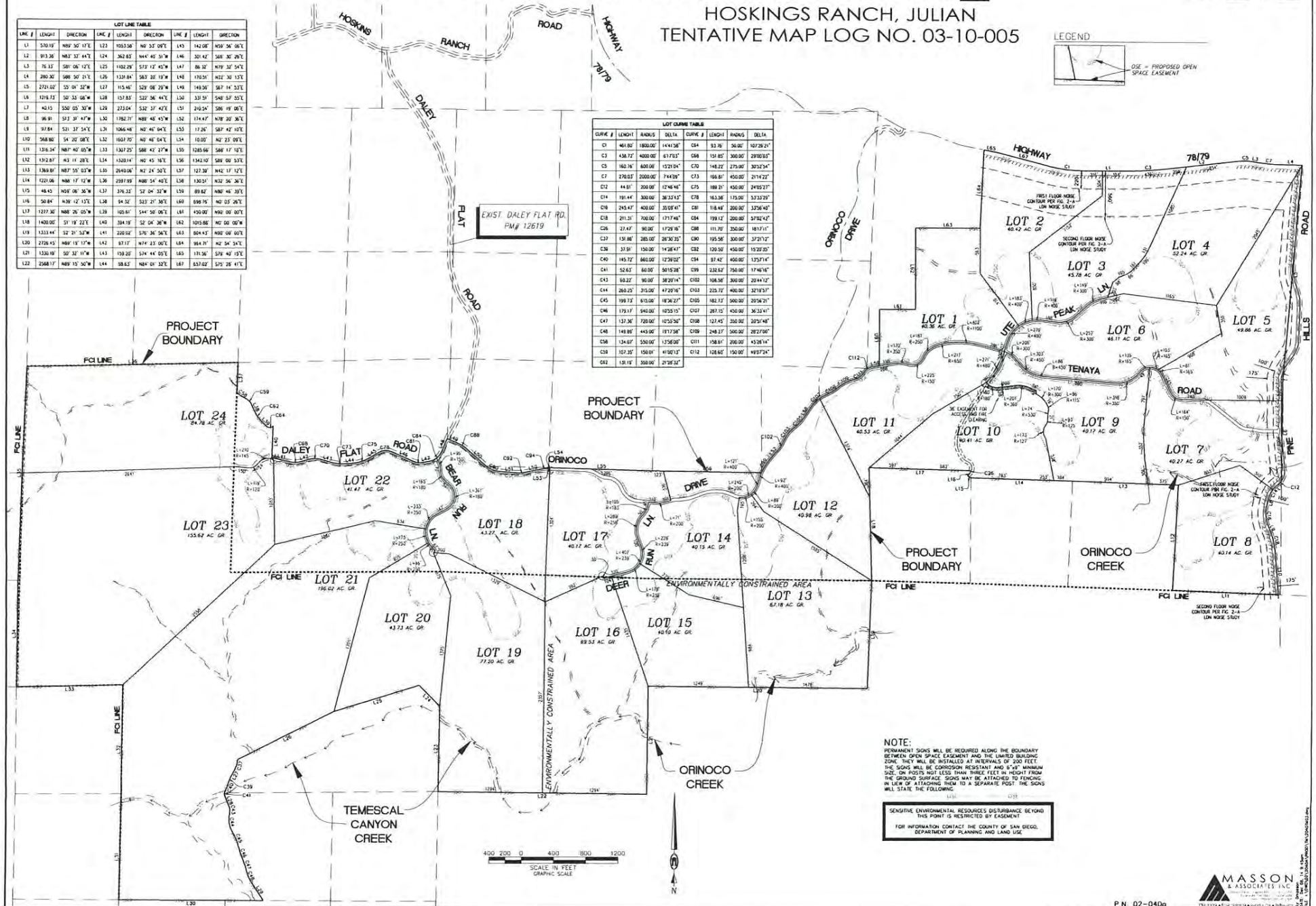
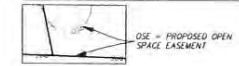
SHEET 3 OF 4

## HOSKINGS RANCH, JULIAN TENTATIVE MAP LOG NO. 03-10-005

LINE #	LENGTH	DIRECTION	LINE #	LENGTH	DIRECTION	LINE #	LENGTH	DIRECTION
L1	570.15	N89° 50' 17"E	L23	1033.50	N40° 30' 00"E	L43	142.00	N58° 36' 00"E
L2	913.36	N83° 32' 44"E	L24	262.82	N44° 40' 51"W	L44	202.42	S88° 30' 24"E
L3	75.32	S81° 06' 12"E	L25	1182.28	S72° 12' 42"W	L45	86.32	N79° 32' 54"E
L4	280.30	S88° 50' 21"E	L26	1328.84	S63° 20' 19"W	L46	179.50	N22° 30' 13"E
L5	2210.40	S2° 00' 22"W	L27	115.40	S29° 08' 29"W	L47	149.50	S87° 14' 53"E
L6	1218.72	S0° 30' 00"W	L28	133.82	S22° 36' 44"E	L48	337.91	S48° 57' 52"E
L7	40.15	S50° 03' 30"W	L29	273.04	S32° 37' 47"E	L49	240.54	S88° 18' 00"E
L8	36.91	S15° 31' 47"W	L30	1182.70	N88° 46' 42"W	L50	114.47	N78° 30' 30"E
L9	97.84	S21° 32' 54"E	L31	1066.48	N88° 46' 44"E	L51	17.20	S87° 47' 10"E
L10	568.80	S4° 20' 08"E	L32	1657.70	N40° 40' 04"E	L52	10.07	N42° 23' 09"E
L11	1216.54	N87° 40' 02"W	L33	1367.22	S88° 42' 27"W	L53	1285.68	S88° 17' 10"E
L12	1252.87	N43° 11' 28"E	L34	1503.41	N40° 45' 16"E	L54	1342.10	S88° 08' 53"E
L13	1369.81	N87° 55' 03"W	L35	2849.06	N42° 24' 50"E	L55	122.38	N42° 17' 12"E
L14	1221.08	N48° 17' 12"W	L36	2287.89	N88° 54' 42"E	L56	1362.81	N32° 56' 30"E
L15	48.45	N55° 08' 36"W	L37	376.32	S2° 04' 32"W	L57	89.82	N80° 40' 39"E
L16	50.84	N30° 12' 13"E	L38	54.32	S23° 21' 30"E	L58	896.76	N40° 22' 26"E
L17	1277.30	N88° 26' 05"W	L39	1025.61	S44° 58' 00"E	L59	430.00	N80° 00' 00"E
L18	1400.00	S1° 19' 22"E	L40	384.18	S2° 04' 36"W	L60	1015.88	N40° 00' 00"E
L19	1333.44	S2° 21' 52"W	L41	220.02	S76° 36' 56"E	L61	804.43	N88° 00' 00"E
L20	2226.43	N89° 18' 17"W	L42	87.17	N74° 23' 00"E	L62	984.71	N42° 54' 54"E
L21	1230.19	S0° 32' 17"W	L43	139.20	S24° 44' 03"E	L63	171.56	S28° 42' 15"E
L22	2568.17	N89° 15' 56"W	L44	188.63	N84° 01' 32"E	L64	837.62	S25° 28' 41"E

CURVE #	LENGTH	RADIUS	DELTA	CURVE #	LENGTH	RADIUS	DELTA
C1	461.80	1803.00	144° 58'	C34	93.76	56.00	167° 28' 21"
C2	436.72	4000.00	61° 03'	C35	151.85	300.00	289° 03' 57"
C3	162.74	600.00	152° 04'	C36	148.22	275.00	303° 34' 34"
C4	270.53	2000.00	74° 09'	C37	166.81	450.00	214° 22'
C5	44.81	200.00	12° 46' 48"	C38	188.21	450.00	249° 22' 27"
C6	191.44	300.00	36° 32' 13"	C39	163.36	175.00	323° 32' 29"
C7	243.47	400.00	35° 05' 41"	C40	118.48	200.00	329° 42' 47"
C8	211.31	700.00	171° 46'	C41	199.12	300.00	378° 42' 47"
C9	214.47	90.00	172° 06'	C42	111.70	250.00	181° 17' 11"
C10	138.40	380.00	30° 36' 25"	C43	195.50	300.00	372° 57' 17"
C11	31.99	150.00	143° 04' 47"	C44	300.50	450.00	152° 03' 29"
C12	445.72	800.00	128° 02'	C45	97.42	400.00	173° 57' 12"
C13	524.63	600.00	50° 15' 28"	C46	332.62	750.00	174° 46' 14"
C14	652.22	90.00	38° 20' 14"	C47	108.50	300.00	204° 12' 12"
C15	260.25	315.00	47° 20' 14"	C48	233.72	400.00	321° 03' 27"
C16	199.73	615.00	18° 36' 21"	C49	182.12	500.00	205° 42' 11"
C17	179.17	940.00	10° 55' 15"	C50	287.15	450.00	363° 33' 41"
C18	137.36	720.00	10° 55' 30"	C51	127.45	350.00	205° 14' 48"
C19	148.85	445.00	171° 38'	C52	248.17	500.00	282° 07' 00"
C20	124.87	550.00	175° 00'	C53	158.81	200.00	45° 28' 14"
C21	107.35	150.00	41° 02' 13"	C54	128.85	150.00	48° 57' 24"
C22	131.19	350.00	21° 08' 34"				

### LEGEND



NOTE:  
PERMANENT SIGNS WILL BE REQUIRED ALONG THE BOUNDARY BETWEEN OPEN SPACE EASEMENT AND THE LIMITED BUILDING ZONE. THEY WILL BE INSTALLED AT INTERVALS OF 200 FEET. THE SIGNS WILL BE CORROSION RESISTANT AND 8'x4' MINIMUM SIZE. ON POSTS NOT LESS THAN THREE FEET IN HEIGHT FROM THE GROUND SURFACE. SIGNS MAY BE ATTACHED TO FENCING IN ORDER OF ATTACHING THEM TO A SEPARATE POST THE SIGNS WILL STATE THE FOLLOWING:

SENSITIVE ENVIRONMENTAL RESOURCES DISTURBANCE BEYOND THIS POINT IS RESTRICTED BY EASEMENT.  
FOR INFORMATION CONTACT THE COUNTY OF SAN DIEGO, DEPARTMENT OF PLANNING AND LAND USE.



P.N. 02-0400



6-30



COUNTY OF SAN DIEGO TRACT NO. TM 5312 RPL 3  
HOSKINGS RANCH, JULIAN - TENTATIVE MAP - LOG NO. 03-10-005  
SIGHT DISTANCE EXHIBIT

SHEET 4 OF 4



6 - 31



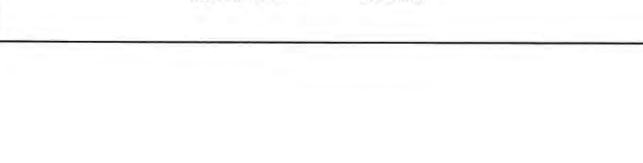
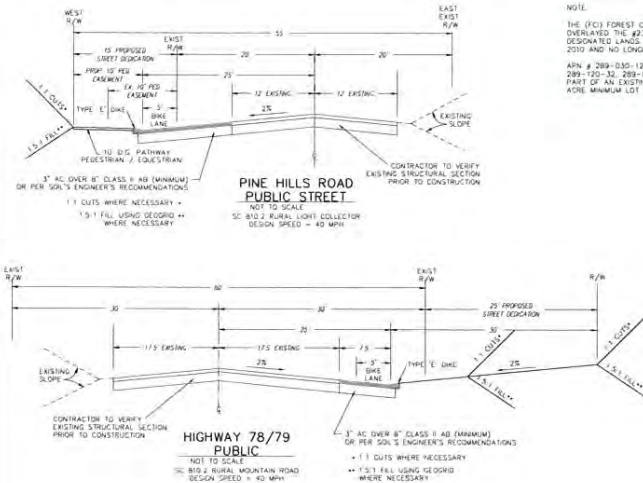
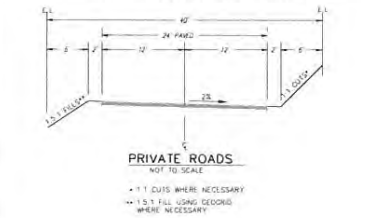
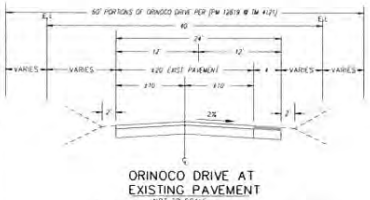
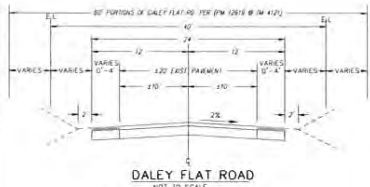
# COUNTY OF SAN DIEGO TRACT NO. TM 5312 RPL 3

## HOSKINGS RANCH, JULIAN PRELIMINARY GRADING PLAN

### LOG NO. 03-10-005

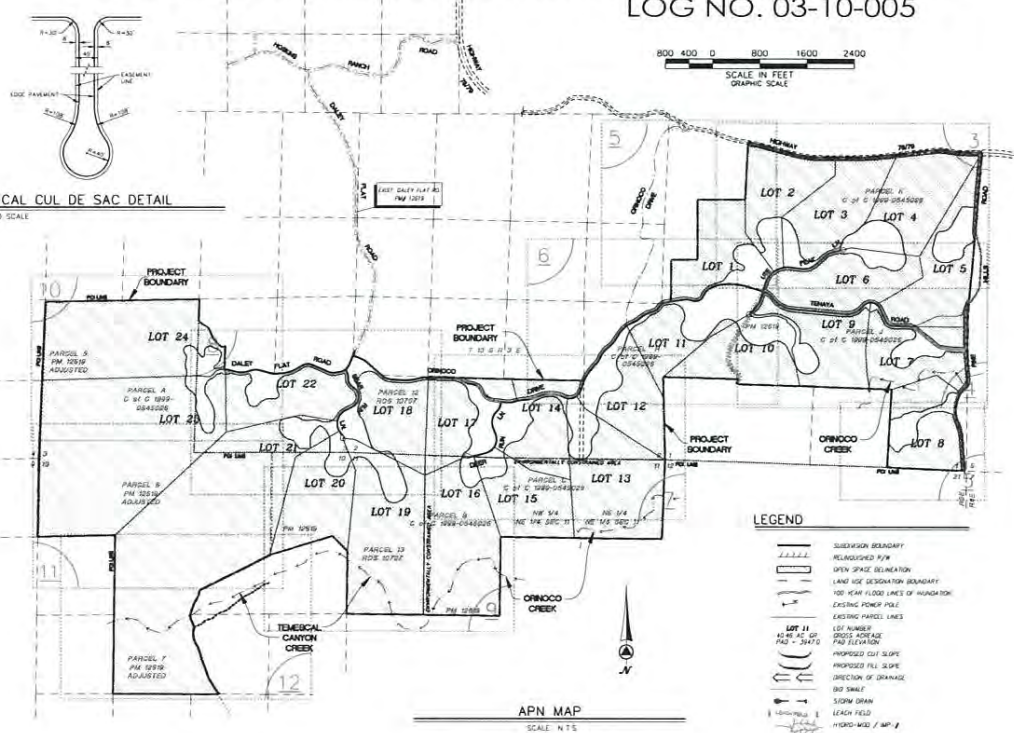
SHEET 1 OF 12

#### TYPICAL STREET SECTIONS

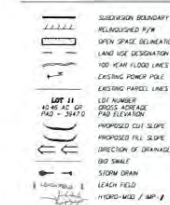


#### TYPICAL CUL DE SAC DETAIL

NOT TO SCALE



#### LEGEND



#### STRUCTURAL SECTION CHART FOR PRIVATE ROADS

STREET GRADES	STRUCTURAL SECTION
20% TO 10%	DECOMPOSED DRUMS
10% TO 15%	2" AC OVER 8" CLASS II AB (MINIMUM) OR PER SOL ENGINEER'S RECOMMENDATIONS
15% TO 20%	3" AC OVER 7" CLASS II AB (MINIMUM) OR PER SOL ENGINEER'S RECOMMENDATIONS

NOTE:  
THE (FC) FOREST CONSERVATION INTRAVE INCLUDED LANGUAGE THAT OVERLAPED THE #23 GENERAL PLAN DESIGNATION OVER F.D. DESIGNATED LANDS, HOWEVER, THAT TO EXPIRE ON DECEMBER 31, 2010 AND NO LONGER APPLIES.

APN # 289-030-12, 289-100-12, 289-470-38, 289-062-07, 289-120-32, 289-062-06, 289-062-34 AND 289-063-24 ARE PART OF AN EXISTING WILLIAMSON AGRICULTURAL CONTRACT 40 NONE MINIMUM LOT SIZE IS REQUIRED

#### EARTHWORK QUANTITIES\*

RAW EARTHWORK	CUT	FILL
	103,127 CY	103,568 CY

\*IMPORT REQUIRED\* (8,800 CY)

\*NOTE: EARTHWORK QUANTITIES INDICATED ARE RAW VOLUMES TO FINISHED SURFACE AND ARE ESTIMATES FOR PERMIT PURPOSES ONLY. QUANTITIES DO NOT INCLUDE ANY ALLOWANCES FOR STREET UNDERCUT, FOOTING/FRECHING SPILLS, ETC.

CONTRACTOR RESPONSIBLE FOR REVIEWING AND IMPLEMENTING THE RECOMMENDATIONS IN THE SOLS REPORT AND VERIFYING QUANTITIES PRIOR TO BIDDING.

#### OWNER/SUBDIVIDER

GENESSE PROPERTIES, INC.  
P.O. BOX 63  
BERNARDS CO 80813  
(808) 455-4585

*Robert S. Jones*  
Assistant Secretary

#### ENGINEER

MASSON & ASSOCIATES, INC.  
200 E. WASHINGTON AVE. SUITE 200  
SAN DIEGO, CA 92101  
(619) 741-3370

*Benjamin S. Jones*  
08/05/2013  
EXP. 12/31/2014



#### PLANNERS

TES CONSULTANTS  
438 CAMINO DEL RIO SOUTH, SUITE 223  
SAN DIEGO, CA 92108  
(619) 295-2525

#### ZONING

USE REGULATIONS	472
NEIGHBORHOOD REGS.	
DENSITY	125
LOT SIZE	8 AC
BUILDING TYPE	C
MAX. FLOOR AREA	
FLOOR AREA RATIO	
HEIGHT	
COVERAGE	C
SETBACKS	
OPEN SPACE	
ANNUAL REGULATIONS	D
SPECIAL AREA REGS.	A

#### LEGAL DESCRIPTION

PORTIONS OF PARCELS 7, 8-13, OF PARCEL MAP 12819, & SECTION 11, T.13 S. R.3 E. S.8 W. IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA

#### NOTES

1. ZONING - EXISTING 472
2. GENERAL PLAN LAND USE DESIGNATION: RTH / INTERMEDIATE AGG.
3. COMMUNITY PLAN: JULIAN
4. GENERAL PLAN CATEGORY: ECA
5. MINIMUM LOT SIZE: 8 AC (GROSS)
6. TOTAL LOTS: 24
7. SITE AREA: 1,416.5 AC (GROSS)
8. SITE ADDRESS: HWY 78, JULIAN
9. CALIFORNIA COORDINATE INDEX: 322-1872
10. SOURCE OF TOPOGRAPHY: MOUNTAIN PEAK LAND SURVEYING  
ELEVATION TOP BY GEODETIC CORP. DATED 7/29/2002  
BOUNDARY SURVEY: MOUNTAIN PEAK LAND SURVEYING  
P.O. BOX 1036, 2015-C MAIN ST. JULIAN, CA 92036  
ATTN: ROBERT LEE MCDONALD PLS.
11. ASSESSOR'S PARCEL NOS. 289-030-12, 289-100-12, 14 289-470-38, 289-060-34, 289-120-32, 289-062-07, 06 AND 289-063-24
12. WATER SUPPLIED BY: INDIVIDUAL WELLS
13. SEWAGE SUPPLIED BY: SEPTIC SYSTEMS
14. GAS AND ELECTRIC SUPPLIED BY: SAN DIEGO GAS & ELECTRIC
15. FIRE PROTECTION: JULIAN FIRE PROTECTION DISTRICT
16. SCHOOL DISTRICTS: JULIAN ELEMENTARY SCHOOL, JULIAN HIGH SCHOOL, DISTRICT
17. LEGAL ACCESS: HWY 78 & PINE HILLS ROAD
18. BOUNDARY INFORMATION HAS BEEN COMPILED FROM RECORD DATA
19. GRADING AS SHOWN, AND PURSUANT TO THE COUNTY GRADING ORDINANCE
20. ALL IMPROVEMENTS TO THE COUNTY OF SAN DIEGO STANDARDS
21. PROPOSED PRIVATE DRIVEWAYS NOT TO EXCEED 15% GRADE, AND GRADED TO 2% WIDTH WITH 18 PAVING PER COUNTY STANDARD DS-7
22. GRADING OF DRIVEWAYS AND PADS SHALL BE DONE INDIVIDUALLY
23. TAX RATE AREA 81059

#### SPECIAL ASSESSMENT STATEMENT

THE SUBDIVIDER DOES NOT PROPOSE TO REQUEST THE BOARD OF SUPERVISORS FOR PERMISSION TO WITHDRAW PROCEEDINGS UNDER A SPECIFIC ACT FOR CONSTRUCTION OF ANY OF THE SUBDIVISION IMPROVEMENTS.

#### SOLAR ACCESS STATEMENT

THIS IS A SOLAR SUBDIVISION AS REQUIRED BY SECTION 91450 OF THE SUBDIVISION ORDINANCE. ALL LOTS WITHIN THIS SUBDIVISION HAVE A MINIMUM OF 100 SQUARE FEET OF UNRESTRICTED ACCESS TO SUNLIGHT ON THE BUILDABLE PORTION OF THE LOT.

#### PARK LAND DEDICATION STATEMENT

NO PARKLAND IS TO BE DEDICATED ON THIS MAP. PARK FEES WILL BE PAID AT THE TIME OF BUILDING PERMIT ISSUANCE.

#### ACCESS NOTE

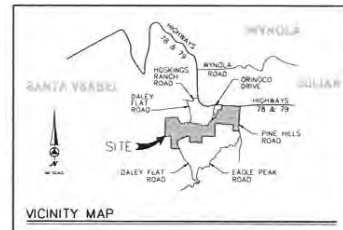
IT IS THE RESPONSIBILITY OF THE SUBDIVIDER TO PROVIDE INSURABLE ACCESS TO EACH PARCEL CREATED BY THIS MAP.

#### GRADING NOTE

THIS PLAN IS PROVIDED TO ALLOW FOR FULL AND ADEQUATE GOVERNMENT REVIEW OF A PROPOSED DEVELOPMENT PROJECT. THE PROPERTY OWNER ACKNOWLEDGES THAT ACCEPTANCE OR APPROVAL OF THIS PLAN DOES NOT CONSTITUTE AN APPROVAL TO PERFORM ANY GRADING SHOWN HEREON, AND AGREES TO OBTAIN A VALID GRADING PERMIT BEFORE COMMENCING SUCH ACTIVITY.

#### SHEET INDEX

SCALE: N.T.S.



P.N. 02-040a

6-32



# COUNTY OF SAN DIEGO TRACT NO. TM 5312 RPL 3

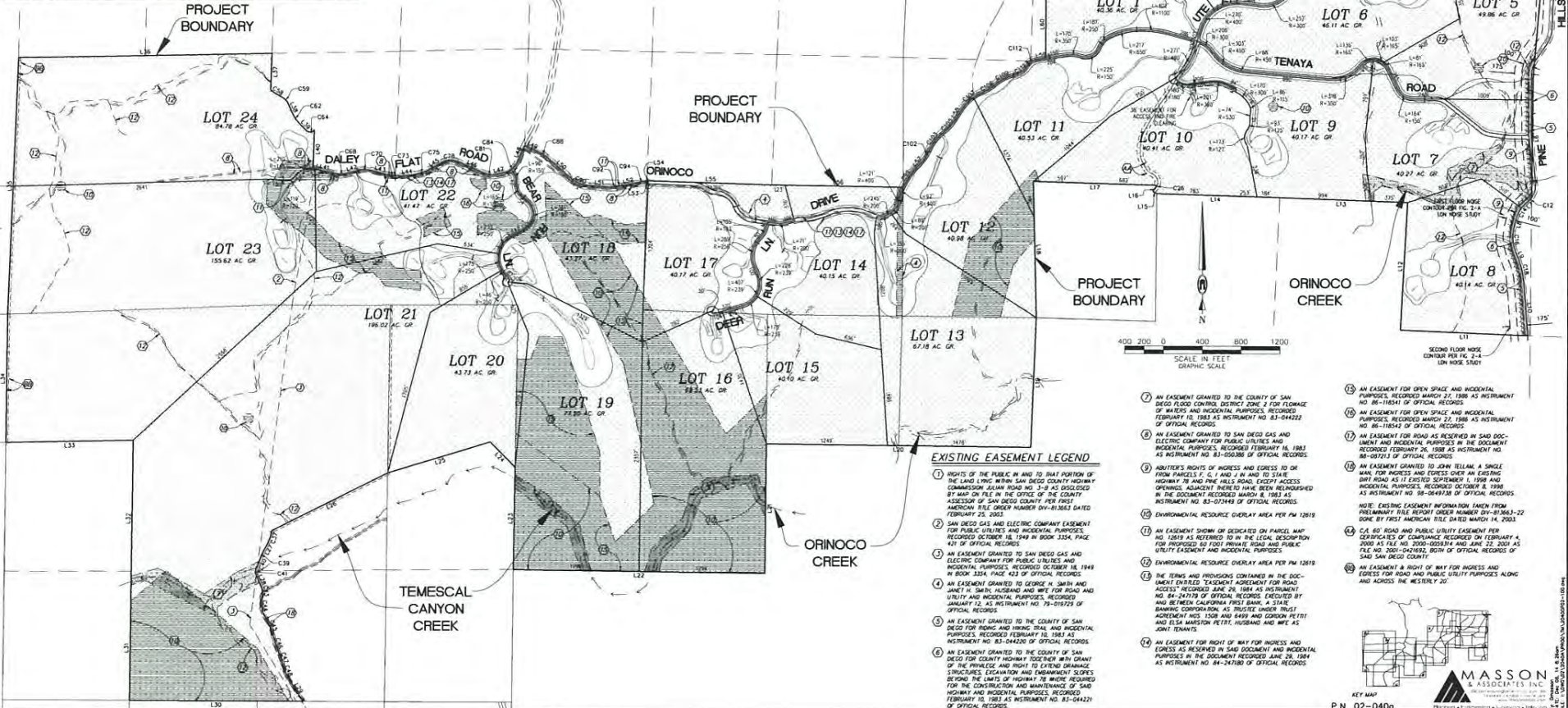
SHEET 2 OF 12

## HOSKINGS RANCH, JULIAN PRELIMINARY GRADING PLAN LOG NO. 03-10-005

### LEGEND

- PROPOSED OPEN SPACE EASEMENT
- EXIST D.S. EASEMENTS AND ENVIRONMENTAL OVERLAY ZONES PER PM 12018
- EXISTING FLOOD CONTROL EASEMENT PER D.C. # 83-044221 / 02-10-1993

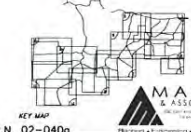
LOT LINE TABLE						LOT CORNER TABLE							
LINE #	LENGTH	DIRECTION	LINE #	LENGTH	DIRECTION	CORNER #	LENGTH	RADIUS	BELTA	CORNER #	LENGTH	RADIUS	BELTA
L1	576.19	N89°56'17"E	L23	1053.06	N02°52'08"E	C1	46.80	680.00	141°34"E	C4	91.22	26.00	187°32"E
L2	913.38	N82°32'44"E	L24	38.82	N44°40'57"W	C2	10.00	10.00	90°00"E	C5	14.12	26.00	187°32"E
L3	76.33	S80°06'12"E	L25	1952.28	S73°12'45"W	C3	76.33	680.00	141°34"E	C6	91.22	26.00	187°32"E
L4	200.36	S88°36'27"E	L26	133.66	N62°32'19"W	C7	270.03	200.00	74°00"E	C7	168.61	450.00	214°27"E
L5	272.02	S50°01'36"E	L27	15.46	S26°08'26"W	C8	49.61	200.00	12°46"E	C7	168.61	450.00	214°27"E
L6	1279.73	S23°35'06"W	L28	124.82	S22°36'44"E	C9	18.47	300.00	36°33"E	C8	163.58	175.00	153°29"E
L7	463.15	S52°05'30"W	L29	271.04	S32°37'42"E	C10	26.47	400.00	20°59"E	C9	149.49	208.00	276°34"E
L8	96.91	S11°31'47"W	L30	1782.71	N09°46'45"W	C11	17.47	400.00	20°59"E	C10	149.49	208.00	276°34"E
L9	87.84	S21°37'54"E	L31	1066.46	N07°46'04"E	C12	27.47	400.00	17°39"E	C11	119.30	350.00	187°32"E
L10	568.80	S4°20'08"E	L32	1887.78	N04°46'04"E	C13	19.06	250.00	26°30"E	C12	195.36	300.00	177°12"E
L11	124.34	N47°46'07"E	L33	1387.25	N08°46'27"W	C14	28.87	150.00	12°48"E	C13	150.36	450.00	153°29"E
L12	150.87	N42°11'26"E	L34	1202.14	N01°46'43"E	C15	16.72	300.00	17°39"E	C14	91.42	400.00	153°29"E
L13	1389.87	N87°55'03"W	L35	2640.04	N42°44'36"E	C16	20.23	200.00	17°39"E	C15	222.72	750.00	176°06"E
L14	1221.06	N88°17'12"W	L36	2787.89	N08°54'45"E	C17	20.23	200.00	17°39"E	C16	222.72	750.00	176°06"E
L15	48.45	N59°06'36"W	L37	376.12	S2°54'32"W	C18	26.95	21.00	47°50"E	C17	222.72	750.00	176°06"E
L16	50.84	N39°12'13"E	L38	34.57	S23°21'38"E	C19	19.77	610.00	18°36"E	C18	167.33	500.00	205°24"E
L17	1277.80	N68°26'09"W	L39	105.67	S44°52'08"E	C20	179.12	500.00	10°50"E	C19	287.10	450.00	287°24"E
L18	140.00	S7°18'22"E	L40	284.19	S2°54'32"W	C21	13.20	220.00	19°55"E	C20	212.52	350.00	287°24"E
L19	1333.45	S2°21'53"W	L41	220.02	S26°36'30"E	C22	13.20	220.00	19°55"E	C21	212.52	350.00	287°24"E
L20	2758.45	N08°18'17"W	L42	87.17	N74°22'32"E	C23	13.20	220.00	19°55"E	C22	212.52	350.00	287°24"E
L21	1338.18	S2°33'17"W	L43	128.20	S24°44'05"E	C24	10.15	250.00	41°30"E	C23	120.00	150.00	287°24"E
L22	2288.17	N89°13'36"W	L44	184.62	N64°01'54"E	C25	10.15	250.00	21°22"E				



### EXISTING EASEMENT LEGEND

1. RIGHTS OF THE PUBLIC IN AND TO THAT PORTION OF THE LAND LYING WITHIN SAN DIEGO COUNTY HIGHWAY CORRIDOR, ALIEN ROAD NO. 114 AS DECIDED BY MAP ON FILE IN THE OFFICE OF THE COUNTY ASSessor OF SAN DIEGO COUNTY PER FIRST AMERICAN SITE GROUP NUMBER D11-81563 DATED FEBRUARY 15, 2003.
2. SAN DIEGO GAS AND ELECTRIC COMPANY EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, RECORDED OCTOBER 18, 1949 IN BOOK 1354, PAGE 421 OF OFFICIAL RECORDS.
3. SAN DIEGO GAS AND ELECTRIC COMPANY EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, RECORDED OCTOBER 18, 1949 IN BOOK 1354, PAGE 422 OF OFFICIAL RECORDS.
4. AN EASEMENT GRANTED TO GEORGE H. SMITH AND JIMMY H. SMITH, HUSBAND AND WIFE FOR ROAD AND UTILITY AND INCIDENTAL PURPOSES, RECORDED JANUARY 12, 1983 AS INSTRUMENT NO. 78-019725 OF OFFICIAL RECORDS.
5. AN EASEMENT GRANTED TO THE COUNTY OF SAN DIEGO FOR FLOOD CONTROL AND INCIDENTAL PURPOSES, RECORDED FEBRUARY 13, 1983 AS INSTRUMENT NO. 83-044221 OF OFFICIAL RECORDS.
6. AN EASEMENT GRANTED TO THE COUNTY OF SAN DIEGO FOR COUNTY HIGHWAY TOGETHER WITH GRANT OF THE PRIVILEGE AND RIGHT TO ERECT DRAINAGE STRUCTURES, EXCAVATION AND EMBANKMENT SLOPES BEYOND THE LIMITS OF HIGHWAY 78 IN ACCORDANCE WITH THE CONSTRUCTION AND MAINTENANCE OF "SAD" HIGHWAY AND INCIDENTAL PURPOSES, RECORDED FEBRUARY 13, 1983 AS INSTRUMENT NO. 83-044221 OF OFFICIAL RECORDS.

7. AN EASEMENT GRANTED TO THE COUNTY OF SAN DIEGO FLOOD CONTROL DISTRICT NO. 2 FOR FLOODING OF WATERS AND INCIDENTAL PURPOSES, RECORDED FEBRUARY 13, 1983 AS INSTRUMENT NO. 83-044222 OF OFFICIAL RECORDS.
8. AN EASEMENT GRANTED TO SAN DIEGO GAS AND ELECTRIC COMPANY FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, RECORDED FEBRUARY 13, 1983 AS INSTRUMENT NO. 83-044223 OF OFFICIAL RECORDS.
9. ADJUTANT'S RIGHTS OF INGRESS AND EGRESS TO OR FROM PARCELS 1, 2, 3, 4 AND 5 AND TO SAN HIGHWAY 78 AND PINE HILLS ROAD, EXCEPT ACCESS OTHERWISE ADJACENT THERE TO HAVE BEEN REINFORCED IN THE DOCUMENT RECORDED MARCH 8, 1983 AS INSTRUMENT NO. 81-055036 OF OFFICIAL RECORDS.
10. ENVIRONMENTAL RESOURCE OVERLAY AREA PER PM 12018.
11. AN EASEMENT SHOWN OR DEPICTED ON PARCEL MAP NO. 12049 AS REFERRED TO IN THE LEGAL DESCRIPTION FOR PROPOSED 500' PRIVATE ROAD AND PUBLIC UTILITY EASEMENT AND INCIDENTAL PURPOSES.
12. ENVIRONMENTAL RESOURCE OVERLAY AREA PER PM 12018.
13. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "EASEMENT AGREEMENT FOR ROAD ACCESS" RECORDED JUNE 28, 1984 AS INSTRUMENT NO. 84-247179 OF OFFICIAL RECORDS, EXECUTED BY AND BETWEEN CALIFORNIA FIRST BANK, A STATE BANKING CORPORATION, AS TRUSTEE UNDER TRUST AGREEMENT NOS. 1508 AND 6489 AND GORDON PETIT AND ELSA MARSHALL PETIT, HUSBAND AND WIFE AS JOINT TENANTS.
14. AN EASEMENT FOR RIGHT OF WAY FOR INGRESS AND EGRESS AS RESERVED IN "SAD" DOCUMENT AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED JUNE 28, 1984 AS INSTRUMENT NO. 84-247180 OF OFFICIAL RECORDS.
15. AN EASEMENT FOR OPEN SPACE AND INCIDENTAL PURPOSES, RECORDED MARCH 21, 1988 AS INSTRUMENT NO. 86-118543 OF OFFICIAL RECORDS.
16. AN EASEMENT FOR OPEN SPACE AND INCIDENTAL PURPOSES, RECORDED MARCH 21, 1988 AS INSTRUMENT NO. 86-118543 OF OFFICIAL RECORDS.
17. AN EASEMENT FOR ROAD AS RESERVED IN "SAD" DOCUMENT AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED FEBRUARY 26, 1988 AS INSTRUMENT NO. 86-072713 OF OFFICIAL RECORDS.
18. ADJUTANT'S RIGHTS OF INGRESS AND EGRESS TO OR FROM PARCELS 1, 2, 3, 4 AND 5 AND TO SAN HIGHWAY 78 AND PINE HILLS ROAD, EXCEPT ACCESS OTHERWISE ADJACENT THERE TO HAVE BEEN REINFORCED IN THE DOCUMENT RECORDED MARCH 8, 1983 AS INSTRUMENT NO. 81-055036 OF OFFICIAL RECORDS.
19. ENVIRONMENTAL RESOURCE OVERLAY AREA PER PM 12018.
20. AN EASEMENT SHOWN OR DEPICTED ON PARCEL MAP NO. 12049 AS REFERRED TO IN THE LEGAL DESCRIPTION FOR PROPOSED 500' PRIVATE ROAD AND PUBLIC UTILITY EASEMENT AND INCIDENTAL PURPOSES.
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22. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "EASEMENT AGREEMENT FOR ROAD ACCESS" RECORDED JUNE 28, 1984 AS INSTRUMENT NO. 84-247179 OF OFFICIAL RECORDS, EXECUTED BY AND BETWEEN CALIFORNIA FIRST BANK, A STATE BANKING CORPORATION, AS TRUSTEE UNDER TRUST AGREEMENT NOS. 1508 AND 6489 AND GORDON PETIT AND ELSA MARSHALL PETIT, HUSBAND AND WIFE AS JOINT TENANTS.
23. AN EASEMENT FOR RIGHT OF WAY FOR INGRESS AND EGRESS AS RESERVED IN "SAD" DOCUMENT AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED JUNE 28, 1984 AS INSTRUMENT NO. 84-247180 OF OFFICIAL RECORDS.



KEY MAP  
P.N. 02-040a

6-33



# COUNTY OF SAN DIEGO TRACT NO. TM 5312 RPL 3

SHEET 3 OF 12

## HOSKINGS RANCH, JULIAN PRELIMINARY GRADING PLAN

LOG NO. 03-10-005



SEE SHEET 4

SEE SHEET 5

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# COUNTY OF SAN DIEGO TRACT NO. TM 5312 RPL 3

SHEET 4 OF 12

## HOSKINGS RANCH, JULIAN PRELIMINARY GRADING PLAN

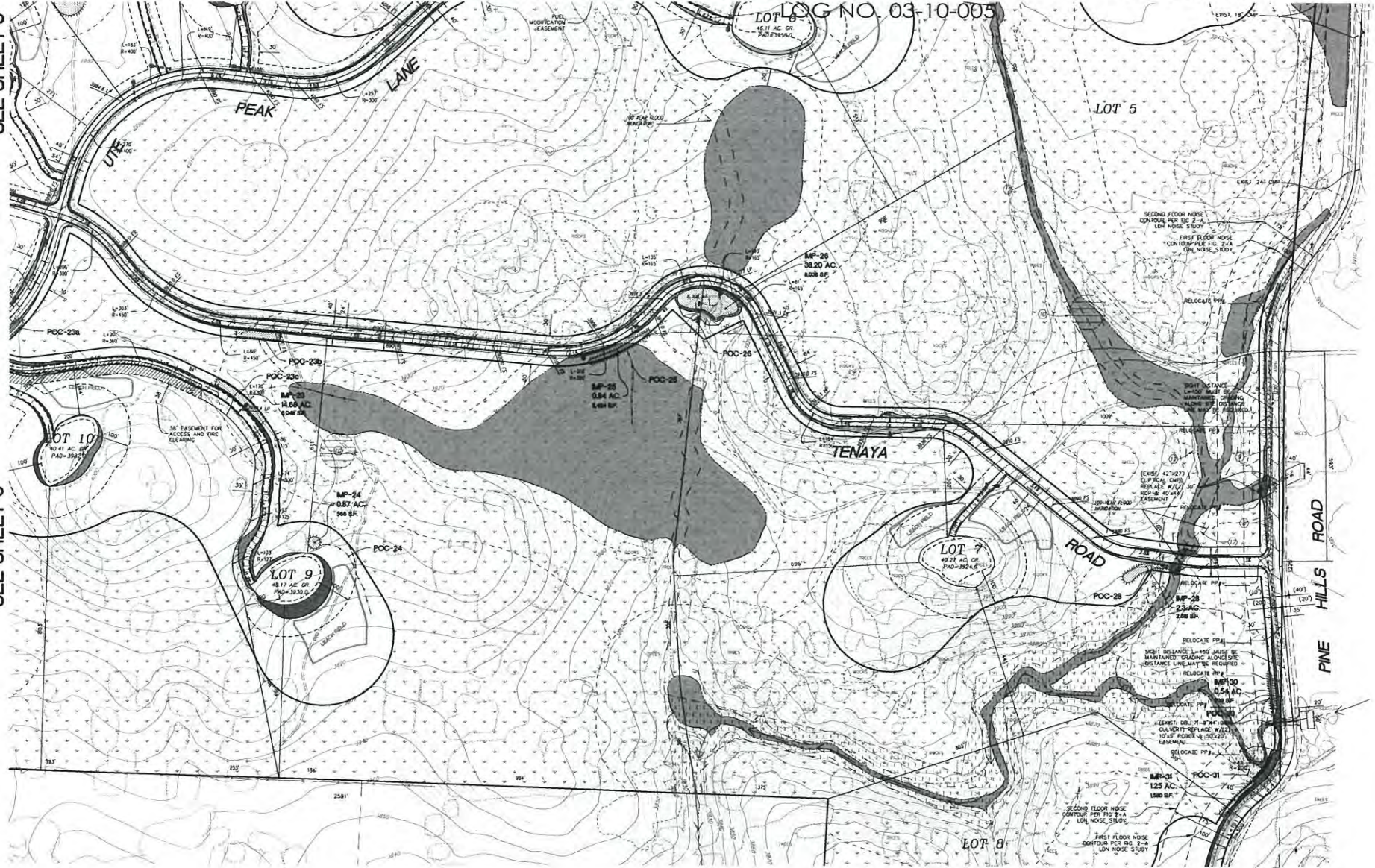
LOG NO. 03-10-005

SEE SHEET 3

SEE SHEET 3

SEE SHEET 5

SEE SHEET 6



SEE SHEET 5

RPD - WEILANDS

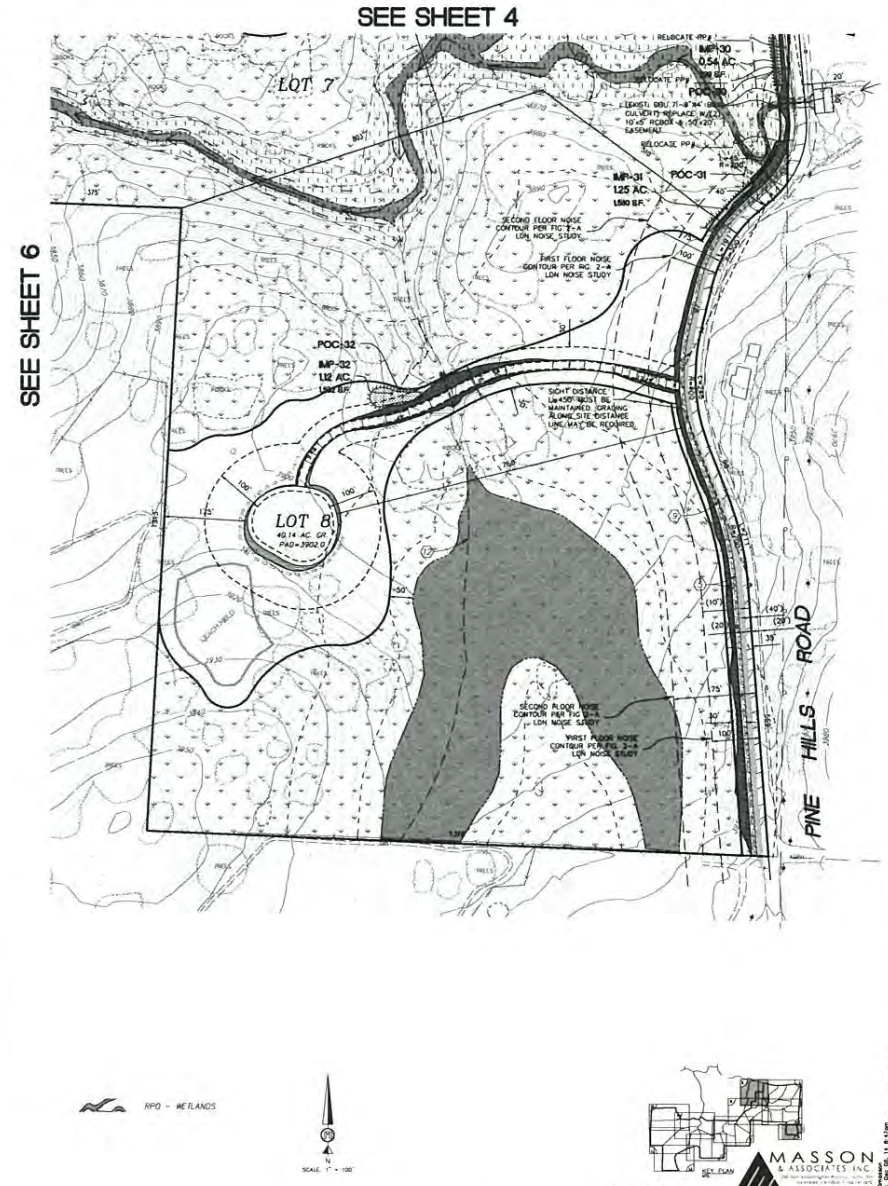
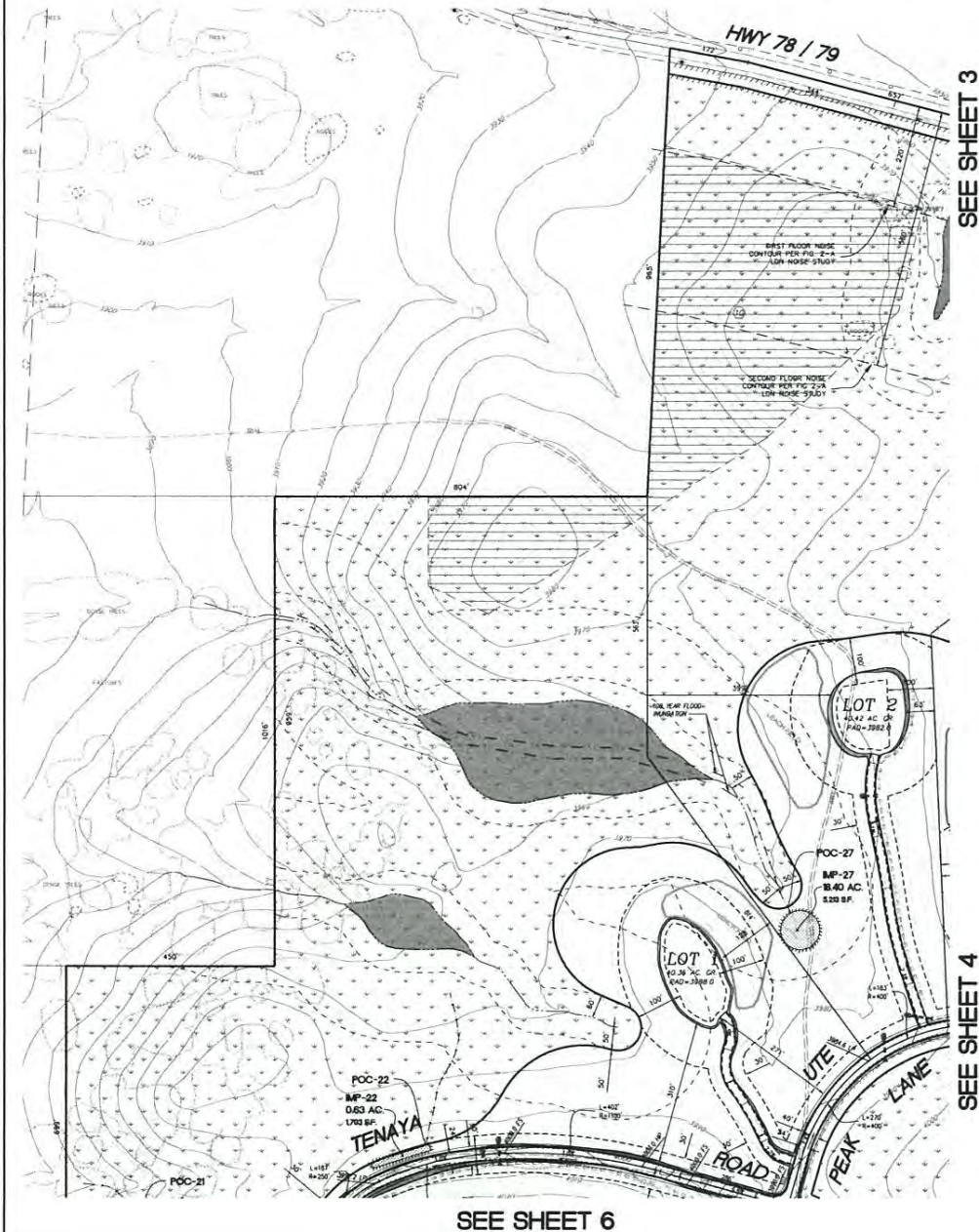


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COUNTY OF SAN DIEGO TRACT NO. TM 5312 RPL 3  
HOSKINGS RANCH, JULIAN PRELIMINARY GRADING PLAN  
LOG NO. 03-10-005

SHEET 5 OF 12



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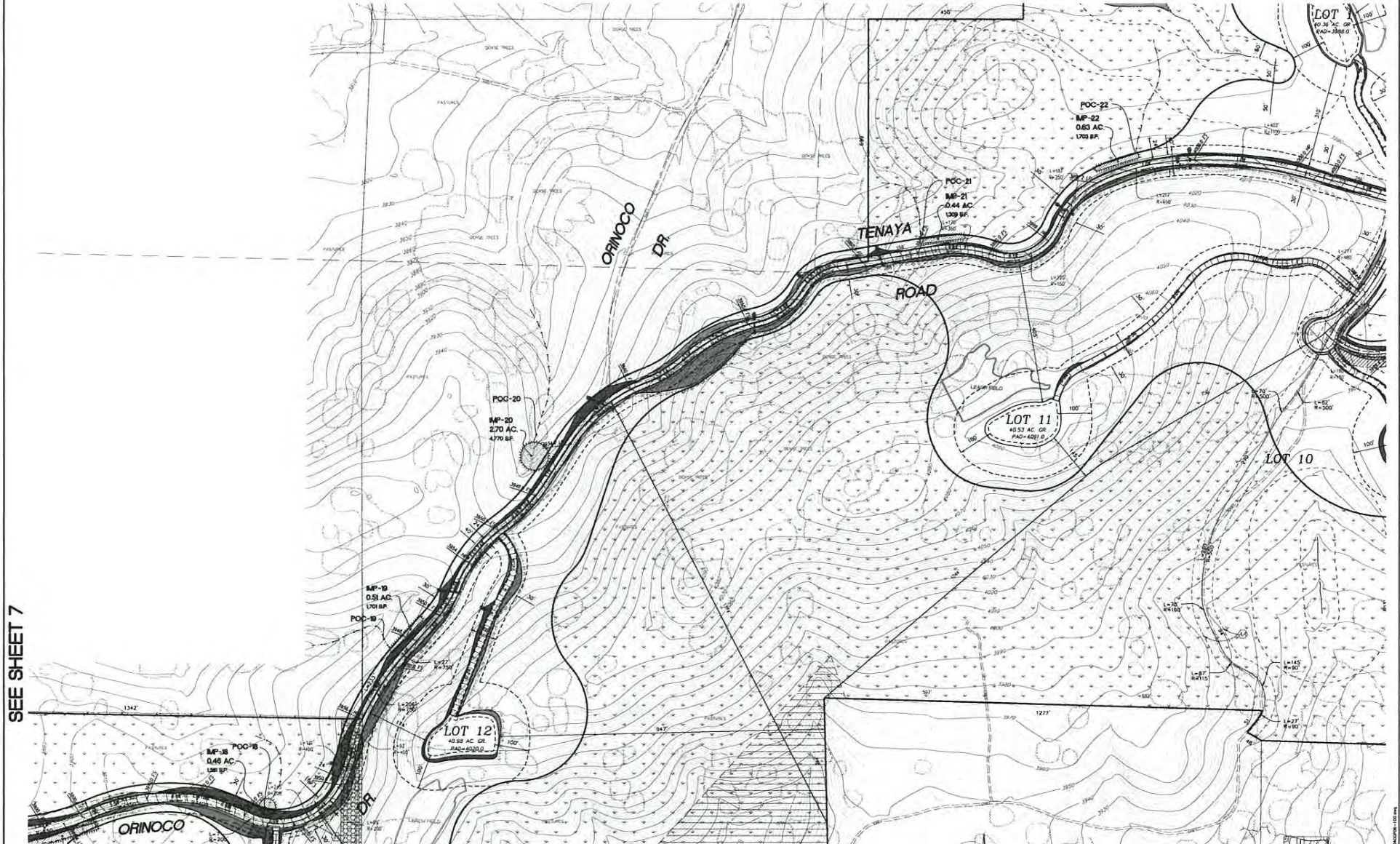
# COUNTY OF SAN DIEGO TRACT NO. TM 5312 RPL 3

HOSKINGS RANCH, JULIAN PRELIMINARY GRADING PLAN

LOG NO. 03-10-005

SHEET 6 OF 12

SEE SHEET 5



SEE SHEET 7

SEE SHEET 7

RPG - METLANDS



P.N. 02-040a

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# COUNTY OF SAN DIEGO TRACT NO. TM 5312 RPL 3

HOSKINGS RANCH, JULIAN PRELIMINARY GRADING PLAN

LOG NO. 03-10-005

SHEET 7 OF 12

SEE SHEET 6

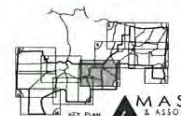


SEE SHEET 8

SEE SHEET 9

SEE SHEET 9

RPO - HILLANDS



**MASSON**  
ASSOCIATES INC.  
PLANNING, ENGINEERING & SURVEYING

P.N. 02-040a

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# COUNTY OF SAN DIEGO TRACT NO. TM 5312 RPL 3

SHEET 8 OF 12

## HOSKINGS RANCH, JULIAN PRELIMINARY GRADING PLAN

LOG NO. 03-10-005

SEE SHEET 10

SEE SHEET 10

SEE SHEET 11

SEE SHEET 11

SEE SHEET 9

SEE SHEET 7

SEE SHEET 7

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HPD - METLANDS



**MASSON**  
 & ASSOCIATES INC.  
 10000 SAN DIEGO AVENUE, SUITE 200  
 SAN DIEGO, CALIFORNIA 92131  
 P.N. 02-040a



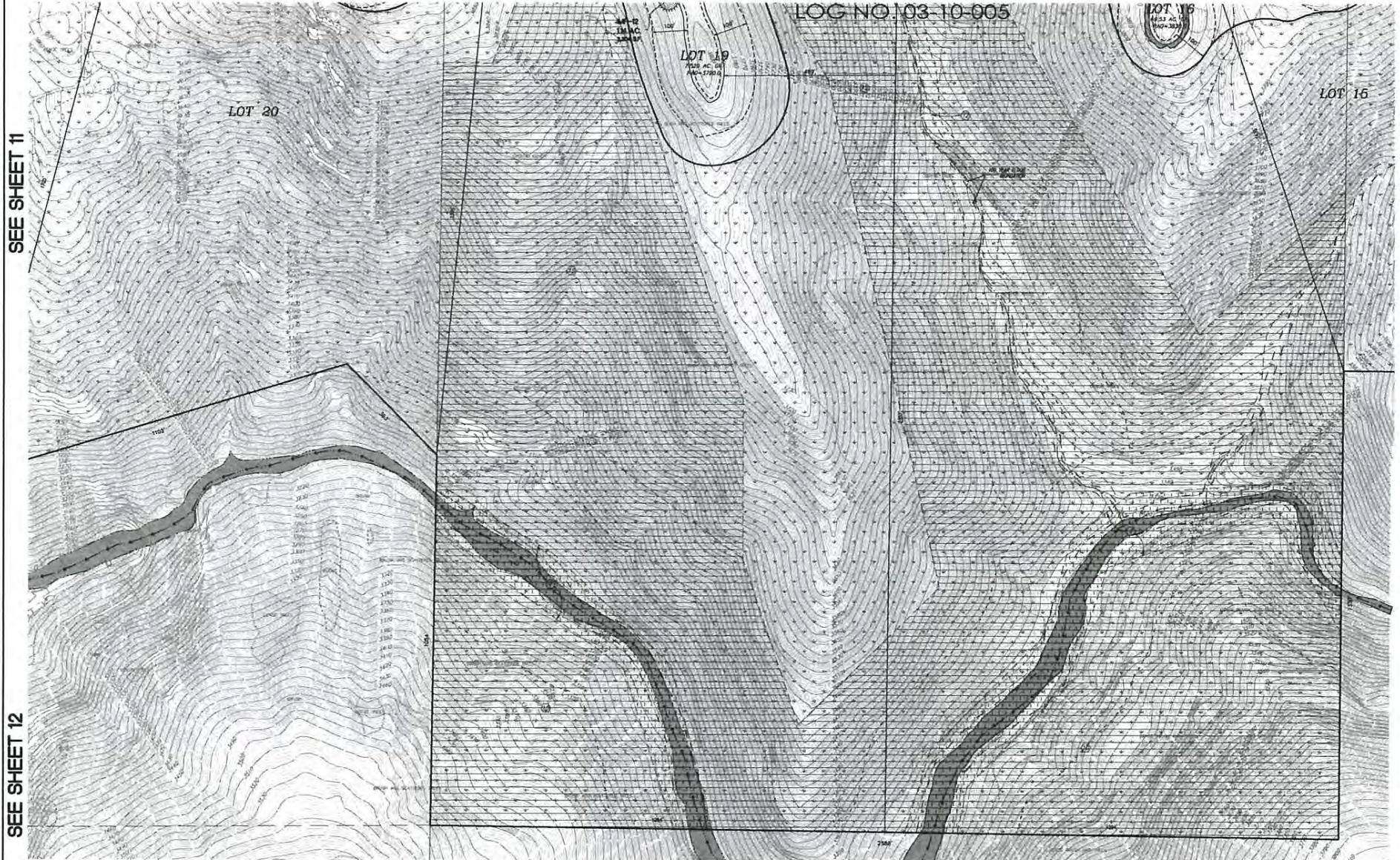
COUNTY OF SAN DIEGO TRACT NO. TM 5312 RPL 3SHEET 9 OF 12

SEE SHEET 8

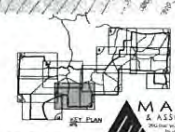
HOSKINGS RANCH, JULIAN PRELIMINARY GRADING PLAN

SEE SHEET 7

LOG NO. 03-10-005



SEE SHEET 12



P.N. 02-0400

**MASSON**  
**& ASSOCIATES INC.**  
 250 West Washington Avenue, Suite 200  
 Los Angeles, CA 90057 • Tel: 313-291-0000  
 Telex: 251111 • Fax: 313-291-0000  
 Planning • Engineering • Surveying • Relocation

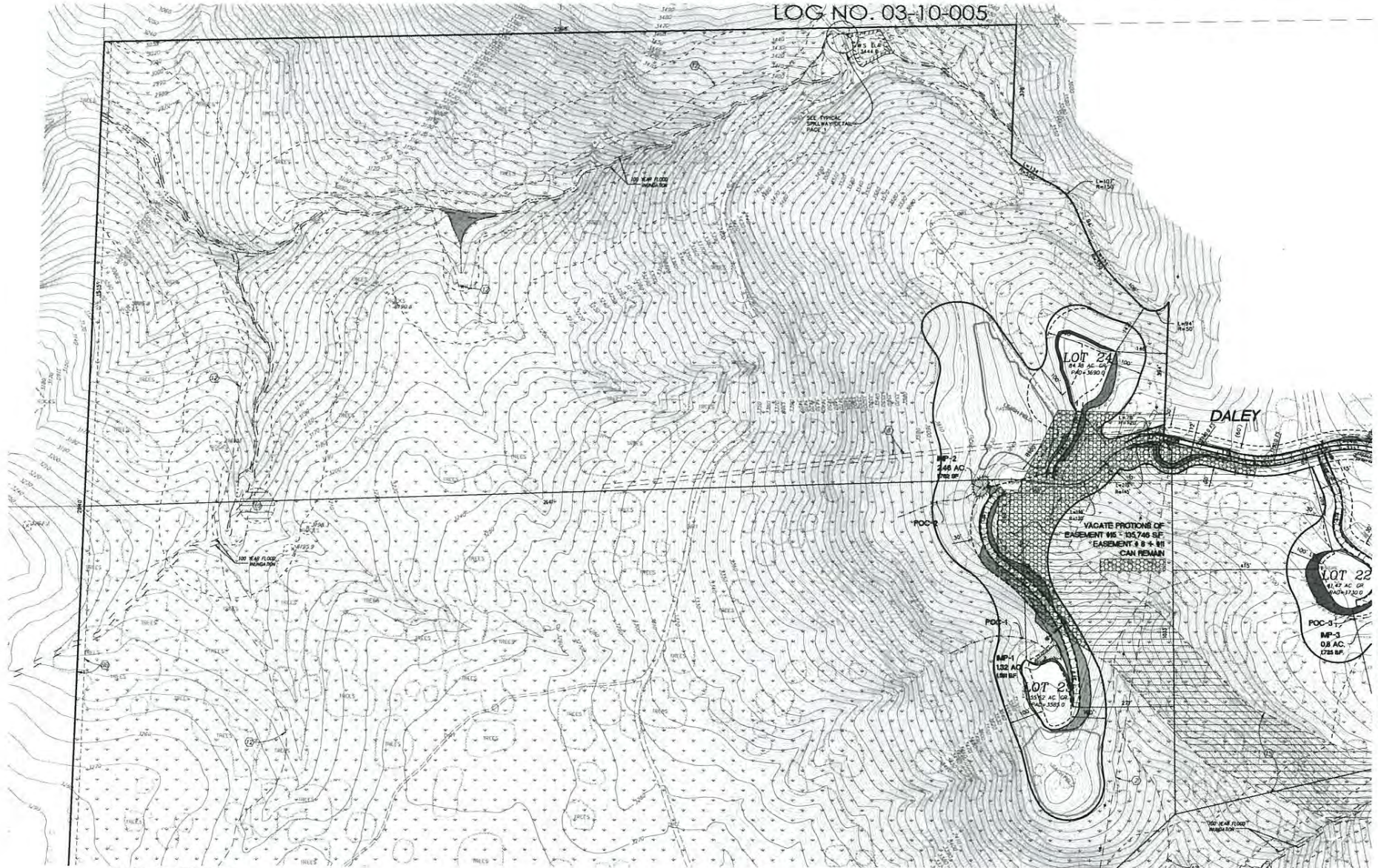


# COUNTY OF SAN DIEGO TRACT NO. TM 5312 RPL 3

SHEET 10 OF 12

## HOSKINGS RANCH, JULIAN PRELIMINARY GRADING PLAN

LOG NO. 03-10-005

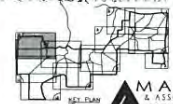


SEE SHEET 11

SEE SHEET 11

SEE SHEET 8

RPO - WEILANDS



P.N. 02-040a

MASSON & ASSOCIATES INC.  
 10000 JENSEN DRIVE, SUITE 100  
 SAN DIEGO, CALIFORNIA 92121  
 TEL: (619) 594-1100 FAX: (619) 594-1101  
 WWW.MASSON-CA.COM

6 - 41



# COUNTY OF SAN DIEGO TRACT NO. TM 5312 RPL 3

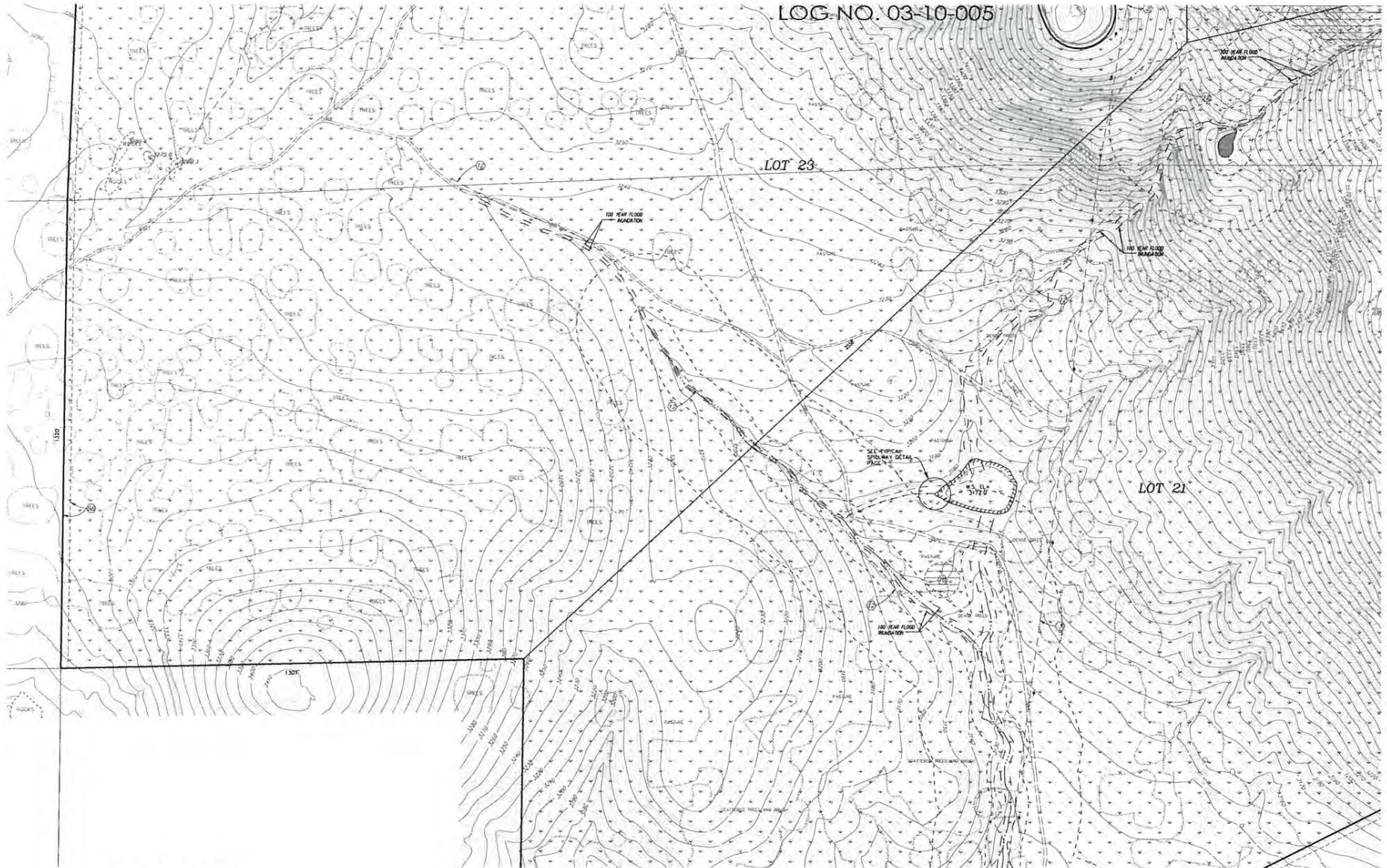
SHEET 11 OF 12

HOSKINGS RANCH, JULIAN PRELIMINARY GRADING PLAN

LOG NO. 03-10-005

SEE SHEET 10

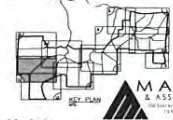
SEE SHEET 10



SEE SHEET 12

SEE SHEET 12

RPO - WETLANDS



P.N. 02-040a

MASSON & ASSOCIATES INC. PREPARED BY: ENGINEERING & SURVEYING

SEE SHEET 8

SEE SHEET 6

6 - 42



# COUNTY OF SAN DIEGO TRACT NO. TM 5312 RPL 3

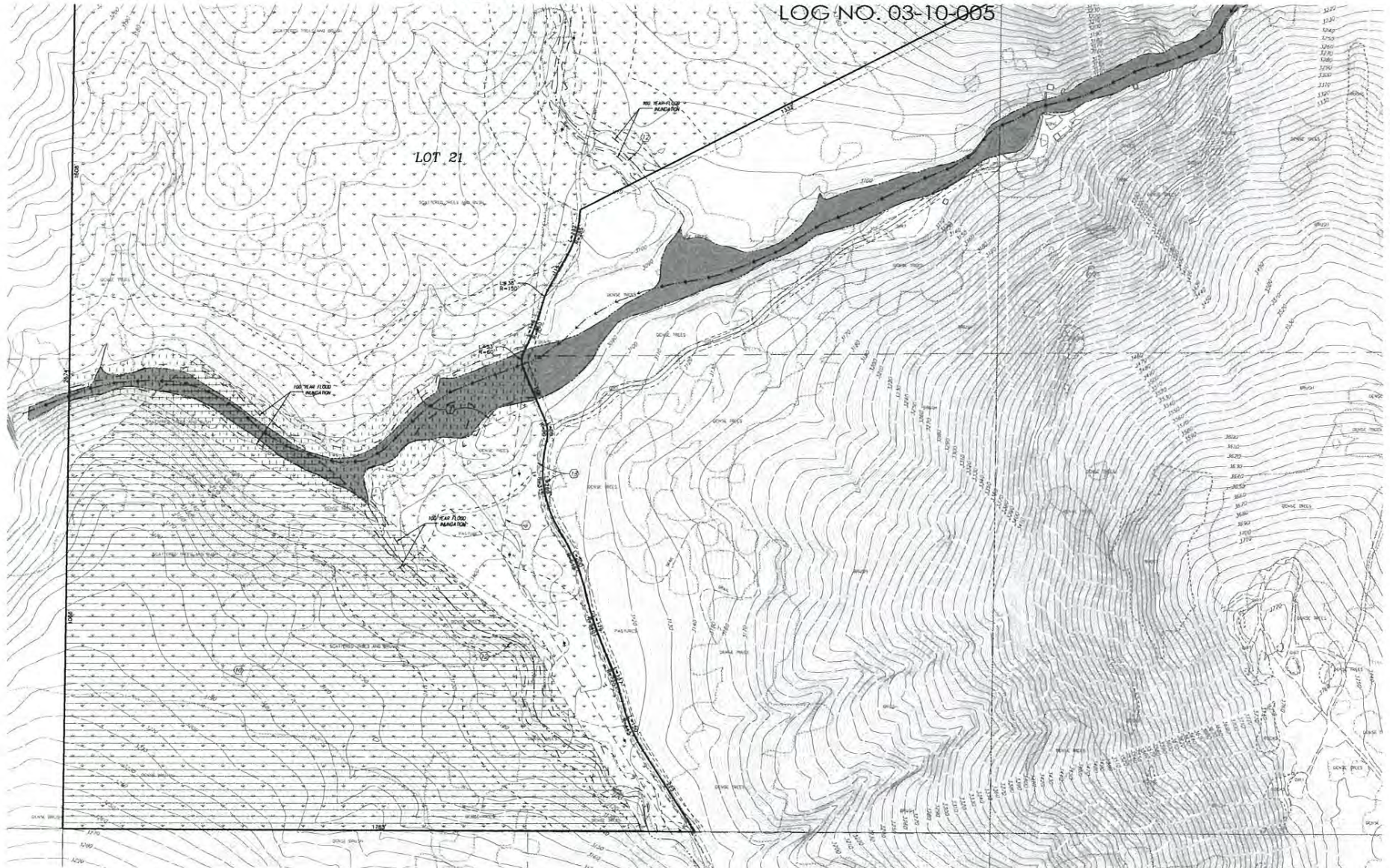
HOSKINGS RANCH, JULIAN PRELIMINARY GRADING PLAN

LOG NO. 03-10-005

SHEET 12 OF 12

SEE SHEET 11

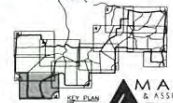
SEE SHEET 11



SEE SHEET 9

6 - 43

RPO - WEILANDS



P.N. 02-040a



# Hoskings Ranch TM

Aerial  
Julian Community Plan Area

Roads

Site

LUERGIS

0 1,850 3,700  
Feet

Date: 10/6/2016 Path: P:\reg\2005-2100-5212\_100815photo\_lg.mxd

Central  
Mountain

Julian

EAGLE RIDGE

ALLEY  
LUNETA DR  
PINE RIDGE AV

DEER  
LAKE PARK RD  
FRISIUS DR

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Source: San Joaquin, USDA, USGS, FAO, GeoEye, GeoMapping, AeroGRID, IGN, and the GIS User Community







# Hoskings Ranch TM

Aerial  
Julian Community Plan Area

Roads

Site

LUEGGIS

0 2,950 5,900  
Feet

Date: 10/6/2015 Path: P:\reg\2005-3105-5312\_100616\photo\_sm.mxd

Central  
Mountain

Julian

EAGLE PEAK RD

BOULDER CREEK RD

BLUE JAY DR  
LUNATA DR  
PINE RIDGE DR  
WILLOW HILLS RD

FRISIUS DR

DEER LAKE PARK RD

MANZANITA DR

BANNER RD

VE RIVER RD

WYNOLA RD

ORCHARD LN

© K WY



## PROJECT FACILITY AVAILABILITY FORM

SDC DPLU RCVD 5-01-03

SCHOOL

*Please type or use pen*

(Two forms are needed if project is to be served by separate school districts)

Genesee Properties c/o 858-496-2525

Owner's Name PO Box 63 Phone \_\_\_\_\_Owner's Mailing Address Berthoud CO 80513 Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

DRG

ACCT \_\_\_\_\_

ACT \_\_\_\_\_

TASK \_\_\_\_\_

DATE \_\_\_\_\_

ELEMENTARY \_\_\_\_\_

HIGH SCHOOL \_\_\_\_\_

UNIFIED \_\_\_\_\_

DISTRICT CASHIER'S USE ONLY

## SECTION 1. PROJECT DESCRIPTION

## TO BE COMPLETED BY APPLICANT

## A. LEGISLATIVE ACT

- ☐ Rezone from \_\_\_\_\_ zone density/intensity to \_\_\_\_\_ zone density/intensity.  
☐ General Plan Amendment  
☐ Specific Plan  
☐ Specific Plan Amendment

Assessor's Parcel Number(s)  
(Add extra if necessary)

289-030-7,8,11

289-100-10,11,4 289-470-18,19

289-060-34 289-120-32,40,41

289-062-3,4 6 289-063-4

## B. DEVELOPMENT PROJECT

- ☒ Major Subdivision (TM)  
☐ Minor Subdivision (TPM)  
☐ Boundary Adjustment  
☐ Major Use Permit (MUP), purpose: \_\_\_\_\_  
☐ Time Extension... Case No. \_\_\_\_\_  
☐ Expired Map... Case No. \_\_\_\_\_  
☐ Other \_\_\_\_\_

Thomas Bros. Page 429 Grid K1Project address Hwy 78/79 at Pine Hills Road  
Street \_\_\_\_\_

Julian 92036

Community Planning Area/Subregion \_\_\_\_\_

Zip \_\_\_\_\_

- C. ☒ Residential ..... Total number of dwelling units 33  
☐ Commercial ..... Gross floor area \_\_\_\_\_  
☐ Industrial ..... Gross floor area \_\_\_\_\_  
☐ Other ..... Gross floor area \_\_\_\_\_

D. Total Project acreage 1417.4 Total number of lots 33Applicant's Signature Eric Kallen, TRS ConsultantsDate 3-5-03Address 7867 Convoy Ct. #312 San Diego CA 92111858-496-2525 / fax 496-2527

(On completion of above, present to the school district to complete Section 2 below)

## SECTION 2. FACILITY AVAILABILITY

## TO BE COMPLETED BY DISTRICT

District Name: Julian Union

If not in a unified district, which elementary or high school district must also fill out a form?

Indicate the location and distance of proposed schools of attendance. Elementary: 1.5 miles: \_\_\_\_\_  
Junior/Middle: 1.5 miles: \_\_\_\_\_ High school: \_\_\_\_\_ miles: \_\_\_\_\_

- ☐ This project will result in the overcrowding of the ☐ elementary ☐ junior/middle ☐ high school.  
*(check all that apply)*

- ☒ Fees will be levied either in accordance with Government Code Section 53080 or Section 65970 prior to the issuance of building permits.  
☒ Project is located entirely within the district and is eligible for service. *(To the best of my knowledge)*  
☐ The project is not located entirely within the district and a potential boundary issue may exist with the \_\_\_\_\_ school district.

## FOR LEGISLATIVE ACTS (Rezoning, General Plan Amendments, Specific Plans) ONLY:

- ☐ Pursuant to County Ordinance and the Public Facility Element of the General Plan, facilities to serve the project have been committed through a binding agreement satisfactory to the school district.  
☐ A binding agreement has not yet been signed, but one will be required prior to legislative approval.  
☐ No binding agreement is necessary.

Authorized signature: \_\_\_\_\_

Print name: C. Kevin OgdenPrint title: SuperintendentPhone: 760 765 0661

On completion of Section 2 by the district, applicant is to submit this form with application to the Zoning Counter at the Department of Planning and Land Use, 5201 Ruffin Road, San Diego, CA 92123

## PROJECT FACILITY AVAILABILITY FORM

TM5312

SCHOOL

Sc

**Please type or use pen**  
(Two forms are needed if project is to be served by separate school districts)

Genesee Properties c/o 858-496-2525

Owner's Name Phone

PO Box 63

Owner's Mailing Address Street

Berthoud CO 80513

City State Zip

ORG \_\_\_\_\_

ACCT \_\_\_\_\_

ACT \_\_\_\_\_

TASK \_\_\_\_\_

DATE \_\_\_\_\_

ELEMENTARY \_\_\_\_\_

HIGH SCHOOL \_\_\_\_\_

UNIFIED \_\_\_\_\_

DISTRICT CASHIER'S USE ONLY

## SECTION 1. PROJECT DESCRIPTION

## TO BE COMPLETED BY APPLICANT

## A. LEGISLATIVE ACT

- ☐ Rezone from \_\_\_\_\_ zone density/intensity to \_\_\_\_\_ zone density/intensity.  
☐ General Plan Amendment  
☐ Specific Plan  
☐ Specific Plan Amendment

Assessor's Parcel Number(s)  
(Add extra if necessary)

289-030-7,8,11

289-100-10,11,4 289-470-18,19

289-060-34 289-120-32,40,41

289-062-3,4 6 289-063-4

## B. DEVELOPMENT PROJECT

- ☒ Major Subdivision (TM)  
☐ Minor Subdivision (TPM)  
☐ Boundary Adjustment  
☐ Major Use Permit (MUP), purpose: \_\_\_\_\_  
☐ Time Extension... Case No. \_\_\_\_\_  
☐ Expired Map... Case No. \_\_\_\_\_  
☐ Other \_\_\_\_\_

Thomas Bros. Page 429 Grid K1

Project address Hwy 78/79 at Pine Hills Road  
Street

Julian 92036

Community Planning Area/Subregion Zip

- C. ☒ Residential ..... Total number of dwelling units 33  
☐ Commercial ..... Gross floor area \_\_\_\_\_  
☐ Industrial ..... Gross floor area \_\_\_\_\_  
☐ Other ..... Gross floor area \_\_\_\_\_

D. Total Project acreage 1417.4 Total number of lots 33

Applicant's Signature Eric Kallen, TRS Consultants

Date

3-5-03

Address 7867 Convoy Ct. #312 San Diego CA 92111

858-

Phone 496-2525 / fax 496-2527

(On completion of above, present to the school district to complete Section 2 below)

## SECTION 2. FACILITY AVAILABILITY

## TO BE COMPLETED BY DISTRICT

District Name: JULIAN UNION HIGH SCHOOL DISTRICT

If not in a unified district, which elementary or high school district must also fill out a form?  
JULIAN ELEMENTARY

Indicate the location and distance of proposed schools of attendance. Elementary: \_\_\_\_\_ miles:  
 Junior/Middle: \_\_\_\_\_ miles: \_\_\_\_\_ High school: JULIAN HIGH SCHOOL miles: 1-5 miles

- ☐ This project will result in the overcrowding of the ☐ elementary ☐ junior/middle ☐ high school.  
(check all that apply)

☒ Fees will be levied either in accordance with Government Code Section 53080 or Section 65970 prior to the issuance of building permits.

☒ Project is located entirely within the district and is eligible for service.

☐ The project is not located entirely within the district and a potential boundary issue may exist with the \_\_\_\_\_ school district.

## FOR LEGISLATIVE ACTS (Rezoning, General Plan Amendments, Specific Plans) ONLY:

- ☐ Pursuant to County Ordinance and the Public Facility Element of the General Plan, facilities to serve the project have been committed through a binding agreement satisfactory to the school district.  
☐ A binding agreement has not yet been signed, but one will be required prior to legislative approval.  
☐ No binding agreement is necessary.

Authorized signature: \_\_\_\_\_

Print name: ROBERT WOLFE

Print title: DIRECTOR, BUSINESS SERVICES

Phone: (760) 765-3208 x103

On completion of Section 2 by the district, applicant is to submit this form with application to the Zoning Counter at the Department of Planning and Land Use, 5201 Ruffin Road, San Diego, CA 92123



**COUNTY OF SAN DIEGO**  
**DEPARTMENT OF PLANNING AND LAND USE: Zoning**  
**PROJECT FACILITY AVAILABILITY FORM, Fire**

Please type or use pen		<b>F</b>								
Genesee Properties Owner's Name PO Box 63 Owner's Mailing Address Berthold CO 80513 City _____ State _____ Zip _____	c/o 619-299-2525 Phone Street State _____ Zip _____	ORG _____ ACCT _____ ACT _____ TASK _____ DATE _____ AMT \$ _____ DISTRICT CASHIER'S USE ONLY								
<b>SECTION 1. PROJECT DESCRIPTION</b>										
A. <input checked="" type="checkbox"/> Major Subdivision (TM) <input type="checkbox"/> Specific Plan or Specific Plan Amendment <input type="checkbox"/> Minor Subdivision (TPM) <input type="checkbox"/> Certificate of Compliance: _____ <input type="checkbox"/> Boundary Adjustment <input type="checkbox"/> Rezone (Reclassification) from _____ to _____ zone. <input type="checkbox"/> Major Use Permit (MUP), purpose: _____ <input type="checkbox"/> Time Extension...Case No. _____ <input type="checkbox"/> Expired Map...Case No. _____ <input type="checkbox"/> Other _____		Assessor's Parcel Number(s) (Add extra if necessary)								
		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">289-030-12</td> <td style="width: 50%;">289-062-06,07</td> </tr> <tr> <td>289-063-04</td> <td>289-100-12,14</td> </tr> <tr> <td>289-120-32,40</td> <td>289-120-41</td> </tr> <tr> <td>289-470-38</td> <td>289-060-34</td> </tr> </table>	289-030-12	289-062-06,07	289-063-04	289-100-12,14	289-120-32,40	289-120-41	289-470-38	289-060-34
289-030-12	289-062-06,07									
289-063-04	289-100-12,14									
289-120-32,40	289-120-41									
289-470-38	289-060-34									
B. <input checked="" type="checkbox"/> Residential ..... Total number of dwelling units <u>35</u> <input type="checkbox"/> Commercial ..... Gross floor area _____ <input type="checkbox"/> Industrial ..... Gross floor area _____ <input checked="" type="checkbox"/> Agricultural ..... Gross floor area _____		Thomas Bros. Page <u>1135</u> Grid <u>H7</u> Pine Hills Rd @ SR78/79 Project address _____ Street _____ Julian _____ 92038 Community Planning Area/Subregion _____ Zip _____								
C. Total Project acreage <u>1417</u> Total lots <u>35</u> Smallest proposed lot <u>8</u> ac										
OWNER/APPLICANT AGREES TO COMPLETE ALL CONDITIONS REQUIRED BY THE DISTRICT. Applicant's Signature: _____ Date: <u>11-18-10</u> Address: <u>438 Camino Del Rio South #223 San Diego CA 92108</u> Phone: <u>619-299-2525</u> (On completion of above, present to the district that provides fire protection to complete Section 2 and 3 below.)										
<b>SECTION 2: FACILITY AVAILABILITY</b>										
District name <u>Julian Cuyamaca Fire Protection District</u> Indicate the location and distance of the primary fire station that will serve the proposed project: <u>L 2645 Farmer Road Julian CA 92036 - 10 1/2 miles</u>										
A. <input checked="" type="checkbox"/> Project is in the District and eligible for service. <input type="checkbox"/> Project is not in the District but is within its Sphere of Influence boundary, owner must apply for annexation. <input type="checkbox"/> Project is not in the District and not within its Sphere of Influence boundary. <input type="checkbox"/> Project is not located entirely within the District and a potential boundary issue exists with the _____ District.										
B. <input type="checkbox"/> Based on the capacity and capability of the District's existing and planned facilities, fire protection facilities are currently adequate or will be adequate to serve the proposed project. The expected emergency travel time to the proposed project is _____ minutes.										
C. <input type="checkbox"/> Fire protection facilities are not expected to be adequate to serve the proposed development within the next five years. <input type="checkbox"/> District conditions are attached. Number of sheets attached: _____ <input type="checkbox"/> District will submit conditions at a later date.										
<b>SECTION 3. FUELBREAK REQUIREMENTS</b>										
Note: The fuelbreak requirements prescribed by the fire district for the proposed project do not authorize any clearing prior to project approval by the Department of Planning and Land Use.										
<input type="checkbox"/> Within the proposed project _____ feet of clearing will be required around all structures. <input type="checkbox"/> The proposed project is located in a hazardous wildland fire area, and additional fuelbreak requirements may apply. Environmental mitigation requirements should be coordinated with the fire district to ensure that these requirements will not pose fire hazards.										
This Project Facility Availability Form is valid until final discretionary action is taken pursuant to the application for the proposed project or until it is withdrawn, unless a shorter expiration date is otherwise noted.										
Authorized signature: <u>Kevin C. Dobler</u> Print name and title: <u>KEVIN C. DOBLER CHIEF</u> Phone: <u>7607651510</u> Date: <u>11-2-10</u>										
On completion of Section 2 and 3 by the District, applicant is to submit this form with application to: Zoning Counter, Department of Planning and Land Use, 5201 Ruffin Road, Suite B, San Diego, CA 92123										



DPI 11-399F (12/09)

SDC DPLU RCVD 11-18-11

TM5312RPL3

## REVIEW FOR APPLICABILITY OF/COMPLIANCE WITH ORDINANCES/POLICIES

FOR PURPOSES OF CONSIDERATION OF  
HOSKINGS RANCH MAJOR SUBDIVISION (24 LOTS) - PDS2003-3100-5312;  
PDS2003-3910-03-10-005

October 20, 2015

**I. HABITAT LOSS PERMIT ORDINANCE** – Does the proposed project conform to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings?

YES  
☒

NO  
☐

NOT APPLICABLE/EXEMPT  
☐

Discussion:

The proposed project and off-site improvements are located outside of the boundaries of the Multiple Species Conservation Program, and the project site and locations of the off-site improvements do contain habitats subject to the Habitat Loss Permit/Coastal Sage Scrub Ordinance, a grading plan. Therefore, a Draft Habitat Loss Permit has been prepared and the project is conditioned to obtain a final HLP approval prior to issuance of any permit and / or issuance of a Final Map.

**II. MSCP/BMO** - Does the proposed project conform to the Multiple Species Conservation Program and Biological Mitigation Ordinance?

YES  
☐

NO  
☐

NOT APPLICABLE/EXEMPT  
☒

Discussion:

The proposed project and any off-site improvements related to the proposed project are located outside of the boundaries of the Multiple Species Conservation Program. Therefore, conformance with the Multiple Species Conservation Program and the Biological Mitigation Ordinance is not required.

**III. GROUNDWATER ORDINANCE** - Does the project comply with the requirements of the San Diego County Groundwater Ordinance?

YES  
☒

NO  
☐

NOT APPLICABLE/EXEMPT  
☐

As identified within Section 67.722.A (Residential Density Controls) of the San Diego County Groundwater Ordinance, all parcels for single-family dwellings must be a

minimum of 4 gross acres. The project's smallest lot is 40 acres, which is in compliance with the Groundwater Ordinance Residential Density Controls. For the Consolidated Project Alternative, the smallest lot is 8.5 acres, which is also in compliance with the Groundwater Ordinance Residential Density Controls.

As identified within Section 67.722.C (Well Tests) of the San Diego County Groundwater Ordinance, the project conducted 10 required residential well tests which passed the residential well test requirements as defined in Section 67.703.

**IV. RESOURCE PROTECTION ORDINANCE** - Does the project comply with:

The wetland and wetland buffer regulations (Sections 86.604(a) and (b)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Floodways and Floodplain Fringe section (Sections 86.604(c) and (d)) of the Resource Protection Ordinance?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input checked="" type="checkbox"/>
The <u>Steep Slope</u> section (Section 86.604(e))?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Sensitive Habitat Lands section (Section 86.604(f)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Significant Prehistoric and Historic Sites section (Section 86.604(g)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>

Discussion:

***Wetland and Wetland Buffers:***

The site contains wetlands, which if disturbed would result in a significant impact. The entire area of wetlands will be placed in an open space easement, prior to issuance of improvement or grading plans or prior to recordation of the Final Map, whichever comes first. There will be no net loss of wetlands, and therefore, no significant impact will occur. Therefore, it has been found that the proposed project complies with Sections 86.604(a) and (b) of the Resource Protection Ordinance.

***Floodways and Floodplain Fringe:***

The project is not located near any floodway or floodplain fringe area as defined in the resource protection ordinance, nor is it near a watercourse plotted on any official County floodway or floodplain map. Therefore, it has been found that the proposed project complies with Sections 86.604(c) and (d) of the Resource Protection Ordinance.

***Steep Slopes:***

The average slope for the property is 25 or greater percent gradient. Slopes with a gradient of 25 percent or greater and 50 feet or higher in vertical height are required to be placed in open space easements by the San Diego County Resource Protection Ordinance (RPO). There are steep slopes on the property, however, an open space easement is proposed over the entire steep slope lands. Therefore, it has been found that the proposed project complies with Sections 86.604(e) of the RPO.

***Sensitive Habitats:***

Sensitive habitat lands were identified on the site as determined on a site visit conducted by Biological Technical Report found in the project EIR. However, the proposed project would not result in any development, grading, grubbing, clearing, or any other activity that will damage the sensitive habitat lands. Therefore, it has been found that the proposed project complies with Section 86.604(f) of the RPO.

***Significant Prehistoric and Historic Sites:***

The property has been surveyed by a County of San Diego certified archaeologist / historian, whose results are found in the project Cultural Resources Report, within the project EIR, and it has been determined there is one (or more) archaeological/historical site(s). Testing and other investigation determined the archaeological/historical site meets the definition of a significant site set forth in the Resource Protection Ordinance. The archaeological/historical site will be preserved in a larger biological dedicated open space easement (and fenced) and is far enough away from development or covered with native vegetation such that it can be preserved in a native state. Therefore, it has been found that the proposed project complies with Section 86.604(g) of the RPO.

**V. STORMWATER ORDINANCE (WPO)** - Does the project comply with the County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance (WPO)?

YES  
☒NO  
☐NOT APPLICABLE  
☐

Discussion:

The project Storm Water Management Plan and Hydromodification Management Study were reviewed in 2011, as part of the project EIR, and were found to be complete and in compliance with the WPO. Please note that the new MS4 permit is scheduled to take effect on December 24, 2015 and the SWMP and Hydromodification Management Study may need to be updated to meet the new requirements of the WPO.



**VI. NOISE ORDINANCE** – Does the project comply with the County of San Diego Noise Element of the General Plan and the County of San Diego Noise Ordinance?

YES

☒

NO

☐

NOT APPLICABLE

☐

## Discussion:

The proposal would not expose people to nor generate potentially significant noise levels which exceed the allowable limits of the County of San Diego Noise Element of the General Plan, County of San Diego Noise Ordinance, and other applicable local, State, and Federal noise control regulations.

The project is subject to the exterior sound level of 60 dBA CNEL at proposed single family residences. The noise report demonstrates that noise levels from nearby roadways would be below 60 dBA CNEL. To ensure that proposed uses conform with the County Noise Element, a Noise Restriction Easement would be dedicated to the Tentative Map.

Temporary grading operations associated with the project were also evaluated pursuant to the County Noise Ordinance. Based on a dozer, compactor and water truck operation simultaneously, and an acoustical center of approximately 90 feet, temporary grading operations would be below the 75 dBA requirement. Therefore, the project demonstrates Noise Element conformance with dedication of a Noise Restriction Easement and County Noise Ordinance compliance.

**VII. Board of Supervisors' (BOS) Policy I-38 – Agricultural Preserves** - Does the project comply with the County of San Diego Board of Supervisors' Policy I-38, which relates to Agricultural Preserves and Williamson Act Contracts (Contract)?

YES

☒

NO

☐

NOT APPLICABLE

☐

## Discussion:

The following describes the history of the subject site's Contracts. There were two amendments to the original Contract, as shown below:

**Original Contracts**

The Hoskings Ranch property was part of a larger Contract known as the Pine Hills-Boulder Creek Contract (AP73-34). That Contract was 37,640 acres and was adopted in adopted in 1974. The 37,640 acres included approximately 1,292 acres of the Hosking Ranch site. Based on this, approximately 125 acres of the Hoskings Ranch site were never placed in a Contract. In 1981, 1,131 acres of the project site were also placed under Contract, with a minimum 160-acre lot size (AP81-17).

First Amendment Contract AP81-17

In 1981, Contract AP81-17 was adopted as the first amendment to the AP73-34, for only the project site. This Contract covered 1,131 acres of the Hoskings Ranch and changed the minimum lot acreage from 160 acres for cattle breeding to 15 acre to accommodate tree crops or orchards. This amendment did not include the 161 acres of the property's Contract.

Second Amendment to Contract AP81-17

In 1982, a second amendment to Contract AP81-17 changed the minimum lot acreage from 15 to 40 acres, to accommodate cattle breeding and to conform to the BOS Policy I-38, which describes the Williamson Act and sets minimum lot acreages for the different types of agricultural activities within the County. As with the first amendment, the second amendment did not cover the 161-acre AP71-34.

Minimum Lot Sizes and the Contract

In order to comply with the BOS Policy I-38, the CA Subdivision Map Act, and the Williamson Act regulations, all lots are now proposed with lot sizes of 40 acres. As discussed previously, that lot size is the required minimum adopted by the second Contract Amendment, for cattle breeding and grazing. As presented above, there is one exception to that minimum lot size and it is the 161-acre Contract AP73-34, the southeastern portion of the property (see Figure 4). Therefore, in order for the TM to include this 160 acres, a third amendment to that Contract is needed.

Conclusion

The proposed project complies with BOS Policy I-38 because the minimum lot size of 40 acres complies with the minimum acreage listed in that Policy, for cattle breeding. Further, the process used to amend AP73-34 follows that identified in that Policy for creating and amending a Williamson Act contract.

**Attachment B – Resolution  
Approving PDS2003-3100-5312**

\_\_\_\_\_, 2016

RESOLUTION OF SAN DIEGO COUNTY)  
 CONDITIONALLY APPROVING )  
 TENTATIVE MAP NO. 5312 RPL<sup>3</sup> (PDS2003-3100-5312 RPL<sup>3</sup>) )

WHEREAS, Tentative Map No. 5312 RPL<sup>3</sup> (Attached herein as Exhibit A) proposing the division of property located at the southwest corner of SR-78/79 and Pine Hills Road and generally described as:

Portions of Parcels 7, 9-13, of Parcel Map 12619 & Section 11, T 13 S, R 3 E, S.B.M. in the County of San Diego, State of California

was filed with the County of San Diego pursuant to the Subdivision Map Act and San Diego County Subdivision Ordinance, on August 19, 2013; and

WHEREAS, on November 13, 2015, the Planning Commission of the County of San Diego pursuant to Section 81.304 of the San Diego County Subdivision Ordinance held a duly advertised public hearing on said Tentative Map and received for its consideration, documentation, written and oral testimony, recommendations from all affected public agencies, and heard from all interested parties present at said hearing; and

WHEREAS, the Planning Commission of the County of San Diego has determined that the conditions hereinafter enumerated are necessary to ensure that the subdivision and the improvement thereof will comply with the Subdivision Map Act, and conform to all ordinances, plans, rules, standards, and improvement and design requirements of San Diego County.

IT IS RESOLVED AND DETERMINED by the Planning Commission of the County of San Diego, that it adopts the following findings with respect to Tentative Map No. 5312 RPL<sup>3</sup> (Note: References in the following paragraphs to the County General Plan are to the pre-2011 General Plan Update (for this pipelined Tentative Map):

1. **The resulting parcels following the subdivision would not be too small to sustain their agricultural use (Gov. Code § 66474.4(a)).** The proposed subdivision will result in 24 parcels on 1,614.5 acres of land, with a minimum lot size of 40 acres, and an average lot size of 59 acres. The lots will range in size from 40.1 to 196 acres. Pursuant to the Subdivision Map Act, "... agricultural land shall be presumed to be in parcels large enough to sustain their agricultural use if the land is ... at least 40 acres in size in the case of land that is not prime agricultural land." (Gov. Code § 66474.4(b)(2))

In addition to the presumption that the parcels are large enough to sustain their agricultural use, substantial evidence in the record supports that conclusion. Initially, the Open Space Element (OSE) of the County's Historic General Plan indicates that

in 1996, 65 percent of farms within the County were less than 9 acres in size, far smaller than the proposed parcels. In 2013, San Diego County farms from 1 to 9 acres constituted 68 percent of all farms. Median farm size in 2013 was 4 acres, down from 5 acres in 1996, and far smaller than the proposed parcels. (Historic General Plan, OSE, Appendix A, p. A-8 and 2013 *Crop Statistics and Annual Report*, p. 4, County of San Diego Department of Agriculture Weights and Measures).

The current agricultural uses of the property, including cattle grazing and breeding, will continue on all parcels following the subdivision. Moreover, the subdivision will create unique farming opportunities, in addition to the existing cattle grazing and breeding, on each of the resulting parcels. (*Lot by Lot Analysis of the Agricultural Capacity of a 24-Lot Design for Hoskings Ranch TM5312 RPL<sup>3</sup>*, March 2013, TRS Consultants.) San Diego County's largest growth in farms since 1982 has been in small farms of nine or fewer acres. (OSE, Appendix A.) Julian has a vibrant small farming community and is an agritourism destination, famous for apples and apple pies. Small farms such as those proposed by the Project provide opportunities for the production of apples, apple cider, small boutique wineries and "you pick" operations (particularly apples and berries), among other farming operations, to support the existing agritourism destination of Julian. (Testimony of Agricultural Expert Greg Kirckpatrick to Board of Supervisors, 9/27/06).

2. **The subdivision will not result in a residential development not incidental to the commercial agricultural use of the land (Gov. Code § 66474.4(a)).** Neither the Williamson Act (Gov. Code §§ 51200, et seq.) nor the County of San Diego define the term "incidental" for purposes of Government Code section 66474.4. The common legal definition of the term is: "Subordinate to something of greater importance, having a minor role." (Black's Law Dictionary, 7<sup>th</sup> Ed., p. 765.) The predominate feature of the Project is the establishment in perpetuity of extensive natural resources in open space, the continuing agricultural grazing and breeding operations facilitated by the Project design, as well as areas established on each parcel (averaging 8.35 acres) intended to support small scale agricultural and farming operations (DEIR Section 1.2.2.2, p. 25). Of the 1,416.5 acres which comprise the Project, 1,204.1 acres are preserved in perpetuity as open space. Such open space is recognized as an agricultural use by the Williamson Act (Gov. Code § 51201(e)), the County Historic General Plan (OSE, Part 1, Chapter 2, p. 1-22), and Board Policy I-38 (p. 1). Future residences on the resulting parcels, if any (limited to one home per lot), are compatible with and would facilitate the continued agricultural use of the parcels. Approximately 70 percent of San Diego County farmers live on their farms, compared with 66 percent statewide (OSE, Appendix A). With an average lot size of 59 acres, and an average residential development pad of approximately ½ acre, the residential use of each parcel is considered secondary in nature to agricultural use. For these reasons, the potential residential uses within the Project are incidental to the commercial agricultural use of the land.

3. **The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan (Gov. Code §§ 66743.5, 66474(a), and 66767(b)).** The subdivision is consistent with General Plan goals, policies and objectives. Specifically, the subdivision is consistent with General Plan Regional Land Use Element (RLUE), Policy 1 and 2, and OSE, Part 1, Chapter 2, as follows:
- a. RLUE Policy 1, Section 1.6, Environmentally Constrained Areas (ECA) states: (1) allowed densities will be those permitted in the applicable community and subregional plan map; and (2) areas designated Agricultural Preserve shall be designated "ECA". The community plan map for the Project is the Julian Community Planning Area, and that map shows this area as "Intensive Agriculture," having an allowed minimum lot size of 2, 4, or 8 acres. The Project exceeds this minimum lot size by providing 40 acre minimum lot sizes. The Project site is designated ECA in the General Plan. The Project proposes densities lower than allowed by the section, and it is appropriately designated ECA, and thus consistent with RLUE Policy 1, Section 1.6.
  - b. RLUE Policy 2, Section 2.5, Agricultural Designations, states "the agricultural designations facilitate agricultural use as the principal and dominant use. Uses that are supportive of agriculture or compatible with agricultural uses are also permitted." The Project is both supportive of and compatible with agriculture. The Project is supportive of agriculture because it (1) continues the existing agricultural use of the land (cattle grazing and breeding), (2) creates and preserves open space, and (3) provides the opportunity to establish small farming operations within the development area on each lot. The Project is compatible with agriculture because it provides very low density residential development, a compatible use in the OSE, discussed in item 2(d) below.
  - c. RLUE Policy 2, Section 2.5, Agricultural Designations, (19) Intensive Agriculture permits two, four, and eight acre parcels. Eight acre parcels are permitted where the average slope of a proposed parcel is greater than 25%. The minimum lot size is 40.1 acres, far in excess of the 2, 4 and 8 acre minimums.
  - d. OSE, Part 1, Chapter 2, Open Space Plan and Program, "Agricultural Preserves and Open Space," states "an agricultural preserve is an area devoted to either agricultural use, recreational use, open space use, or any combination of such uses, and compatible uses which are designated by the County, as defined by the Land Conservation Act of 1965 (the Williamson Act), Chapter 7, Section 51200 et seq. of the Government Code and by Board of Supervisors' Policy I-38."
    - (i) Agricultural use as defined in the OSE, page I-23, "means use of the land for purpose (sic) of producing agricultural commodities for commercial purposes. Open space "means the use of the land to preserve its natural characteristic beauty, or openness for the benefit of the public, if such land is in a scenic highway corridor, [or] a wildlife habitat." The Project does and will continue to produce agricultural commodities (cattle) for

commercial purposes, and will facilitate further agricultural production on individual lots by providing ample development areas on each lot for small scale commercial farming. The Project preserves 1,204.1 acres in protected resource open space in perpetuity in the viewshed of a scenic highway, the Firefighter Steven Rucker Memorial Highway (SR 78/79), and lies within a range of wildlife habitats of biological value, as demonstrated by the biological analysis contained in the Environmental Impact Report for the Project. The Project therefore meets the definition of an agricultural use and satisfies the requirements of an agricultural preserve by supporting cattle grazing/breeding, preserving in perpetuity 1,204.1 acres in resource open space, and making available individual farming opportunities on each lot. It is therefore consistent with and will continue to be consistent with the requirements of an agricultural preserve.

- (ii) The OSE at pages 1-22 allows compatible uses on agricultural land, as defined by the Williamson Act and Board Policy I-38. The Williamson Act, at Government Code Section 51201 (e) defines the term "compatible use" as "any use determined by the county or city administering the preserve pursuant to Section 51231, 51238, or 51238.1 or by this act to be compatible with the agricultural, recreational, or open-space use of land within the preserve and subject to contract." Board Policy I-38, page 1, defines an agricultural preserve as "an area devoted to agricultural use, open space use, recreational use, or any combination of such uses, and compatible uses which are designated by the County."
  - (iii) In its discussion of the agricultural land use designations (19) Intensive Agriculture and (20) General Agriculture, the OSE outlines a series of goals. Under the goal "Distinguish and Separate Communities," page I-26, the first policy designed to achieve the goal is to "[p]ermit low density residential and other compatible uses supportive of agricultural uses in agricultural areas...." Appendix A of the OSE, which describes the status of the County's agriculture in 1996, indicates that a large majority of farmers live on their farm, 65 percent of farms are less than 9 acres, and San Diego County has the largest number of farms of any County in the United States. The 2013 analysis of County agriculture continues these trends, as discussed above. The Project advances these goals because it proposes low density residential development incidental to commercial agricultural, maintains cattle grazing and breeding, preserves substantial open space area, and increases the supply of land available for small farms most common in San Diego County.
- e. The site is zoned A72 (8), which allows one dwelling unit per eight acres. The zone is intended to allow residential uses compatible with agricultural. The Project maintains this compatibility by proposing agricultural lots that can



accommodate residential uses and by proposing lot sizes that exceed the minimum lot size.

IT IS RESOLVED, DETERMINED, AND ORDERED, that based on the findings, said Tentative Map is hereby approved subject to the following conditions:

**MAP EXPIRATION:** The approval of this Tentative Map Expires Thirty-Six (36) Months after the date of the approval of this Resolution at 4:00 P.M. Unless, prior to that date, an application for a Time Extension has been filed, as provided by Section 81.308 of the County Subdivision Ordinance.

**STANDARD CONDITIONS:** The "Standard Conditions (1-29) for Tentative Subdivision Maps" approved by the Board of Supervisors on June 16, 2000, and filed with the Clerk, as Resolution No. 00-199, shall be made conditions of this Tentative Map approval. Only the following exceptions to the Standard Conditions set forth in this Resolution or shown on the Tentative Map will be authorized. **The following Standard Subdivision Conditions are here by waived:**

1. Standard Condition 10.a: Said condition states that all fixtures shall use a low pressure sodium (LPS) vapor light source. This waiver/modification requires use of high pressure sodium (HPS) vapor light source unless within a 15-mile radius of Palomar or Mount Laguna observatories (in which case fixtures shall use a low pressure sodium vapor light source) pursuant to direction from the Board of Supervisors [statement of proceedings of 1-29-03].
2. Standard Condition 11: Said condition pertains to condominium units or a planned development. This subdivision is neither a condominium nor a planned development.
3. Standard Condition 27.1: Said condition states that the Final Map may be filed as units or groups of units. The Final Map for this project is required to include the entire area shown on the Tentative Map and shall not be filed as units or groups of units.

**PRELIMINARY GRADING PLAN:** The approval of this Tentative Map hereby adopts the Preliminary Grading and Improvement Plan, dated October 19, 2015, consisting of four sheets (Attached Herein as Exhibit B), pursuant to Section 81.303 of the County Subdivision Ordinance. In accordance with the Section 87.207 of the County Grading Ordinance, Environmental Mitigation Measures or other conditions of approval required and identified on this plan, shall be completed or implemented on the final engineering plan before any improvement or grading plan can be approved and any permit issued in reliance of the approved plan. Any Substantial deviation therefrom the Preliminary Grading and Improvement Plan may cause the need for further environmental review. Additionally, approval of the preliminary plan does not constitute approval of a final engineering plan. A final engineering plan shall be approved pursuant to County of San Diego Grading Ordinance (Sec 87.701 et. al.).

**APPROVAL OF MAP:** THE FOLLOWING SPECIFIC CONDITIONS SHALL BE COMPLIED WITH BEFORE A MAP IS APPROVED BY THE DEPARTMENT OF PUBLIC WORKS AND FILED WITH THE COUNTY OF SAN DIEGO RECORDER: (and where specifically, indicated, conditions shall also be complied with prior to the approval and issuance of grading or other permits as specified):

- 1-29.** The "Standard Conditions (1-29) for Tentative Subdivision Maps" approved by the Board of Supervisors on June 16, 2000, with the exception of those "Standard Conditions" waived above.

**(ROADS)**

**30. ROADS#1 - PUBLIC ROAD IMPROVEMENTS**

**Intent:** In order to promote orderly development and to comply with the Subdivision Ordinance Sec. 81.404 and the Community Trails Master Plan, SR 78/79 and Pine Hills Road shall be improved. **Description of requirement:** Improve or agree to improve and provide security for the following:

- a. Improve the intersection of **SR 78/79 and Hoskings Ranch Road** to provide a left turn lane for a left turn movement from SR 78/79 westbound to Hoskings Ranch Road centerline to the satisfaction of Caltrans and the Director of Public Works. NOTE: It is recommended that discretionary review and approval by Caltrans is obtained for any work performed within Caltrans' R/W prior to approval of the project by PDS.
- b. The project side of **Pine Hills Road** (SC 810.2) along the project frontages in accordance with Public Road Standards for a Light Collector Road with bike lanes, to a graded width of thirty-five feet (35') from centerline and to an improved width of twenty-five feet (25') from centerline with asphalt concrete pavement over approved base with asphalt concrete dike and DG pathway, with face of dike at twenty-five feet (25') from centerline to the satisfaction of the Director of Public Works.
- c. 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.
- d. Where height of downsloping bank for a 2:1 slope is greater than twelve feet (12'); or where height of downsloping bank for a 1.5:1 slope is greater than ten feet (10'), guardrail shall be installed, as deemed necessary by the County Engineer, per CALTRANS standards to the satisfaction of the Director of Public Works.

All plans and improvements shall be completed pursuant to the County of San Diego Public Road Standards, the DPW Land Development Improvement Plan Checking Manual and the Community Trails Master Plan. The improvements shall be completed within 24 months from the approval of the improvement plans, execution of the agreements, and acceptance of the securities. **Documentation:** The applicant shall complete the following:

- e. Process and obtain approval of Improvement Plans to improve **SR 78/79 and Pine Hills Road** (SC 810.2).
- f. Provide Secured agreements require posting security in accordance with Subdivision Ordinance Sec. 81.407 through 81.409.
- g. Upon approval of the plans, pay all applicable inspection fees with [DPW, PDC].
- h. If the applicant is a representative, then a one of the following is required: a corporate certificate indicating those corporation officers authorized to sign for the corporation, or a partnership agreement recorded in this County indicating who is authorized to sign for the partnership.
- i. Obtain approval for the design and construction of all driveways, turnarounds, and private easement road improvements to the satisfaction of the Julian-Cuyamaca Fire Protection District and the [DPW, LDR].
- j. The subdivider shall obtain an encroachment permit from CALTRANS authorizing work into Caltrans' right-of-way. The applicant should contact the CALTRANS Permit Office at (619) 688-6158 for additional details.

**Timing:** Prior to the approval of the map the plans, agreements, and securities shall be approved. **Monitoring:** The [DPW, LDR] and [DPR, TC, PP] shall review the plans for consistency with the condition and County Standards. Upon approval of the plans [DPW, LDR] shall request the required securities and improvement agreements. The securities and improvement agreements shall be approved by the Director of DPW.

### 31. **ROADS#2 - PRIVATE ROAD IMPROVEMENTS:**

**Intent:** In order to promote orderly development and to comply with the Subdivision Ordinance Sec. 81.404, the project's private roads shall be improved. **Description of requirement:** Improve or agree to improve and provide security for the following private road easements:

- a. **Tenaya Road**, from Orinoco Drive to Pine Hills Road, 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.. The improvement and design standards of Section 3.1(C) of the

San Diego County Standards for Private Roads for one hundred one (101) to seven hundred fifty (750) trips shall apply.

- b. **Ute Peak Lane**, 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.. The improvement and design standards of Section 3.1(C) of the San Diego County Standards for Private Roads for one hundred (100) or less trips shall apply.
- c. **Orinoco Drive**, from Daley Flat Road to Tenaya Road, 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 conforming to vertical and horizontal design criteria of current County Private Road Standards, existing pavement may remain and shall be widened with asphalt concrete to provide a constant width of twenty-four feet (24'). The improvement and design standards of Section 3.1(C) of the San Diego County Standards for Private Roads for one hundred one (101) to seven hundred fifty (750) trips shall apply.
- d. **Daley Flat Road**, from Hoskings Ranch Road to Orinoco Drive, 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 at twelve feet (12') from centerline. Where conforming to vertical and horizontal design criteria of current County Private Road Standards, existing pavement may remain and shall be widened with asphalt concrete to provide a constant width of twenty-four feet (24'). The improvement and design standards of Section 3.1(C) of the San Diego County Standards for Private Roads for one hundred one (101) to seven hundred fifty (750) trips shall apply.
- e. **Hoskings Ranch Road**, from Daley Flat Road to SR 78/79, 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 at twelve feet (12') from centerline. Where conforming to vertical and horizontal design criteria of current County Private Road Standards, existing pavement may remain and shall be widened with asphalt concrete to provide a constant width of twenty-four feet (24'). The improvement and design standards of Section 3.1(C) of the San Diego County Standards for Private Roads for one hundred one (101) to seven hundred fifty (750) trips shall apply.
- f. **Bear Run Lane**, 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.. The improvement and design standards of Section 3.1(C) of the San Diego County Standards for Private Roads for one hundred (100) or less trips shall apply.

- g. **Daley Flat Road**, from Orinoco Drive westerly to east property lines of Lots 23 and 24, 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 at twelve feet (12') from centerline. Where conforming to vertical and horizontal design criteria of current County Private Road Standards, existing pavement may remain and shall be widened with asphalt concrete to provide a constant width of twenty-four feet (24'). The improvement and design standards of Section 3.1(C) of the San Diego County Standards for Private Roads for one hundred (100) or less trips shall apply.
- h. **Deer Run Lane**, 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. The improvement and design standards of Section 3.1(C) of the San Diego County Standards for Private Roads for one hundred (100) or less trips shall apply.
- i. **Ute Peak Lane, Bear Run Lane, Daley Flat Road, and Deer Run Lane** shall terminate with a cul-de-sac graded to a radius of forty-two feet (42') and surfaced to a radius of thirty-eight feet (38') with asphalt concrete pavement over approved base with asphalt concrete dike with face of dike at thirty-eight feet (38') from the radius point.
- j. The above private road improvements shall be designed and construct to the satisfaction of the Director of Planning and Development Services (PDS) and the San Diego County Fire Authority (SDCFA).
- k. 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.
- l. Where height of downsloping bank for a 2:1 slope is greater than twelve feet (12'); or where height of downsloping bank for a 1.5:1 slope is greater than ten feet (10'), guardrail shall be installed, as deemed necessary by the County Engineer per CALTRANS standards to the satisfaction of the Director of Public Works.

All plans and improvements shall be completed pursuant to the County of San Diego Public Road Standards, and San Diego County Standards for Private Roads, and the DPW Land Development Improvement Plan Checking Manual. The improvements shall be completed within 24 months from the approval of the improvement plans, execution of the agreements, and acceptance of the securities. **Documentation:** The applicant shall complete the following:

- a. Process and obtain approval of Improvement Plans to improve **Tenaya Road, Ute Peak Lane, Orinoco Drive, Daley Flat Road on-site, Bear Run Lane, and Deer Run Lane.**
- b. Process and obtain approval of Improvement Plans to improve off-site Daley Flat Road, and Hoskings Ranch Road.
- c. Provide Secured agreements require posting security in accordance with Subdivision Ordinance Sec. 81.408.
- d. Upon approval of the plans, pay all applicable inspection fees with [DPW, PDC].
- e. If the applicant is a representative, then a one of the following is required: a corporate certificate indicating those corporation officers authorized to sign for the corporation, or a partnership agreement recorded in this County indicating who is authorized to sign for the partnership.

**Timing:** Prior to the approval of the Final Map the plans, agreements, and securities shall be approved. **Monitoring:** The [PDS, LDR] shall review the plans for consistency with the condition and County Standards. Upon approval of the plans [PDS, LDR] shall request the required securities and improvement agreements. The securities and improvement agreements shall be approved by the Director of DPW.

### 32. **ROADS#3 - PAVEMENT CUT POLICY**

**Intent:** In order to prohibit trench cuts for undergrounding of utilities in all new, reconstructed, or resurfaced paved County-maintained roads for a period of three years following project surface, and to comply with County Policy RO-7 adjacent property owners shall be notified and solicited for their participation in the extension of utilities. **Description of requirement:** All adjacent property owners shall be notified who may be affected by this policy and are considering development of applicable properties, this includes requesting their participation in the extension of utilities to comply with this policy. No trench cuts for undergrounding of utilities in all new, reconstructed, or resurfaced paved County-maintained roads for a period of three years following project surface. **Documentation:** The applicant shall sign a statement that they are aware of the County of San Diego, Department of Public Works, Pavement Cut Policy to the satisfaction of the Department of Public Works (DPW), and submit it to the [PDS, LDR] for review. **Timing:** Prior to the approval improvement plans and the approval of the map the letters shall be submitted for approval. **Monitoring:** The [PDS, LDR] shall review the signed letters.

### 33. **ROADS#4 – SIGHT DISTANCE:**

**INTENT:** In order to provide an unobstructed view for safety while exiting the

property and accessing a public road from the site, and to comply with the Design Standards of Section 6.1.E of the County of San Diego Public Road Standards, an unobstructed sight distance shall be verified. **DESCRIPTION OF REQUIREMENT:**

- a. A registered civil engineer or a licensed land surveyor shall provide a certified signed statement that: "There are \_\_\_\_\_ feet of unobstructed intersectional sight distance in both directions from proposed **Tenaya Road** along **Pine Hills Road** in accordance with the methodology described in Table 5 of the March 2012 County of San Diego Public Road Standards. The sight distances exceed the required intersectional Sight Distance of \_\_\_\_\_ as described in Table 5 based on a speed of \_\_\_\_\_, which I have verified to be the higher of the prevailing speed or the minimum design speed of the road classification. I have exercised responsible charge for the certification as defined in Section 6703 of the Professional Engineers Act of the California Business and Professions Code."
- b. 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."
- c. 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."

**DOCUMENTATION:** The applicant shall have a Registered Civil Engineer or a Licensed Land Surveyor provide a signed statement that physically, there is the minimum unobstructed sight distance as detailed above, and submit the statement to the [PDS, LDR] for review. **TIMING:** Prior to the approval of the Final Map, the sight distance shall be verified. **MONITORING:** The [PDS, LDR] shall verify the sight distance certifications.

#### 34. **ROADS#5 – SIGHT DISTANCE:**

**INTENT:** In order to provide an unobstructed view for safety while exiting the property and accessing a public road from the site, and to comply with the Design Standards of Section 6.1.E of the County of San Diego Public Road Standards, an unobstructed sight distance shall be verified. **DESCRIPTION OF REQUIREMENT:**

- a. A registered civil engineer or a licensed land surveyor shall provide a certified signed statement that: "There are \_\_\_\_\_ feet of unobstructed intersectional sight distance in both directions from proposed **Driveway for Lot 5** along **Pine Hills Road** in accordance with the methodology described in Table 5 of the March 2012 County of San Diego Public Road Standards. The sight distances exceed the required intersectional Sight Distance of \_\_\_\_\_ as described in Table 5 based on a speed of \_\_\_\_\_,



which I have verified to be the higher of the prevailing speed or the minimum design speed of the road classification. I have exercised responsible charge for the certification as defined in Section 6703 of the Professional Engineers Act of the California Business and Professions Code."

- b. 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."
- c. 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."

**DOCUMENTATION:** The applicant shall have a Registered Civil Engineer, or a Licensed Land Surveyor provide a signed statement that physically, there is the minimum unobstructed sight distance as detailed above, and submit the statement to the [PDS, LDR] for review. **TIMING:** Prior to the approval of the Final Map, the sight distance shall be verified. **MONITORING:** The [PDS, LDR] shall verify the sight distance certifications.

### 35. **ROADS#6 – SIGHT DISTANCE:**

**INTENT:** In order to provide an unobstructed view for safety while exiting the property and accessing a public road from the site, and to comply with the Design Standards of Section 6.1.E of the County of San Diego Public Road Standards, an unobstructed sight distance shall be verified. **DESCRIPTION OF REQUIREMENT:**

- a. A registered civil engineer or a licensed land surveyor shall provide a certified signed statement that: "There are \_\_\_\_\_ feet of unobstructed intersectional sight distance in both directions from the proposed **Driveway for Lot 8 along Pine Hills Road** in accordance with the methodology described in Table 5 of the March 2012 County of San Diego Public Road Standards. The sight distances exceed the required intersectional Sight Distance of \_\_\_\_\_ as described in Table 5 based on a speed of \_\_\_\_\_, which I have verified to be the higher of the prevailing speed or the minimum design speed of the road classification. I have exercised responsible charge for the certification as defined in Section 6703 of the Professional Engineers Act of the California Business and Professions Code."
- b. 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."
- c. 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.”

- d. If sight distance is not achievable due to existing conditions, the applicant should request the Director of the Department of Public Works to request the Director of the Department of General Services to proceed to acquire the needed property rights for the County at the Developer's cost.

**DOCUMENTATION:** The applicant shall have a Registered Civil Engineer, or a Licensed Land Surveyor provide a signed statement that physically, there is the minimum unobstructed sight distance as detailed above, and submit the statement to the [PDS, LDR] for review. **TIMING:** Prior to the approval of the Final Map, the sight distance shall be verified. **MONITORING:** The [PDS, LDR] shall verify the

### 36. **ROADS#7 - IRREVOCABLE OFFER OF DEDICATION:**

**Intent:** In order to promote orderly development and to comply with the Subdivision Ordinance Sec. 81.703 through Section 81.705, an irrevocable offer of dedication (IOD) shall be executed. **Description of requirement:** Execute an Irrevocable Offer of Dedication (IOD) for real property for public highway as indicated below:

- a. An IOD shall be executed to complete a fifty-foot (50') wide, one-half right-of-way along the project frontage of the ultimate centerline [minimum centerline radius five hundred feet (500')], plus the right to construct and maintain slopes and drainage improvements as required beyond the fifty-foot (50') limit for that portion within the land division for **SR 78/79**, including a twenty-foot (20') radius property line corner rounding at the street intersection.
- b. Any dedication, offer of dedication, or grant of right-of-way shall be free of any burdens or encumbrances which would interfere with the purposes for which the dedication or offer of dedication is required, per Section 81.704 (a) of the County Code, at the time of recordation of the Map. All easements of any type must be plotted on the Map.

**Documentation:** The applicant shall grant the IOD as indicated above. The applicant shall prepare the Map and the legal description of the easement, and submit them for preparation with the [DGS, RP], and pay all applicable fees associated with preparation of these documents. Upon Recordation of the easements, the applicant shall provide copies of the easement documents to the [PDS, LDR] for review. **Timing:** Prior to the approval of the map the IOD shall be verified/executed. **Monitoring:** The [PDS, LDR] shall verify that the dedication is indicated on the map and accepted by the County. The [DGS, RP] shall prepare, approve the easement documents for recordation, and forward the recorded copies to [PDS, LDR] for review and approval. The [DPW, LDR] shall review that that the off-site granting complies with this condition.

**37. ROADS#8 - ROAD DEDICATION (ON-SITE ONLY):**

**Intent:** In order to promote orderly development and to comply with the Subdivision Ordinance Sec. 81.402, road right of way shall be dedicated to the County. **Description of requirement:** Dedicate on the map to the County of San Diego an easement for road purposes for **Pine Hills Road** (SC 810.2) along the project frontage in accordance with County of San Diego Public Road Standards [and Community Trails Master Plan] for a Mobility Element Light Collector Road with bike lane with pathway, to a right-of-way width of thirty-five feet (35') together with right to construct and maintain slopes and drainage facilities to the satisfaction of the Director of PDS.

The dedication shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required, and shall be accepted for public use. **Documentation:** The applicant shall dedicate the easement on the map and show it as accepted. **Timing:** Prior to the approval of the map the onsite dedication shall be provided for roads with the recordation of the unit the road is within, abuts or provides access to. **Monitoring:** The [PDS, LDR] shall verify that the dedication is indicated on the map and accepted by the County.

**38. ROADS#9 - PRIVATE ROAD MAINTENANCE AGREEMENT:**

**Intent:** In order to ensure that the private roads approved with this subdivision are maintained, the applicant shall assume responsibility of the private roads. **Description of Requirement:** A maintenance agreement shall be executed that indicates the following:

- a. Maintenance shall be provided through a private road maintenance agreement satisfactory to the Director of PDS.
- b. The Director of PDS shall be notified as to the final disposition of title (ownership) to **Tenaya Road, Ute Peak Lane, Orinoco Drive, Hoskings Ranch Road, Daley Flat Road (on-site and off-site), Deer Run Lane, and Bear Run Lane**, and place a note on the Final Map as to the final title status of said roads.
- c. Access to each lot shall be provided by private road easement not less than forty feet (40') wide.

**Documentation:** The applicant shall sign the private road maintenance agreement to the satisfaction of the Director of PDS and indicate the ownership on the map as indicated above. **Timing:** Prior to the approval of the map the agreement shall be executed and the ownership shall be indicated on the map. **Monitoring:** The [PDS, LDR] shall review the executed agreement and the map for compliance with this condition.



**39. ROADS#10 - RELINQUISH ACCESS:**

**Intent:** In order to promote orderly development and to comply with the Mobility Element of the General Plan, access shall be relinquished along SR 78/79. The access relinquishment shall be free of any burdens or encumbrances which would interfere with the purpose for which the relinquishment is required.

**Description of requirement:**

- a. Relinquish access rights onto **SR 78/79**. The access relinquishment shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required.
- b. Relinquish access rights onto **Pine Hills Road** (SC 810.2). The access relinquishment shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required.. Only three (3) access points are permitted along Pine Hills Road (SC 810.2).

**Documentation:** The applicant shall prepare the pages of the Final Map showing the relinquishment of the access rights and present them for review to [PDS, LDR]. **Timing:** Prior to the approval of the Final Map, the limits of the access relinquishment shall be shown. **Monitoring:** The [PDS, LDR] shall prepare and process the relinquishment of access with the Final Map.

**40. ROADS#11 - CENTERLINE LOCATION:**

**Intent:** In order to promote orderly development and to comply with the Subdivision Ordinance Sec. 81.402 through 81.405 and 81.805, the centerline of **SR 78/79** shall be shown on the subdivision map. **Description of requirement:** The desired location of the centerline for SR 78/79 shall be determined, which is shown on the Mobility Element of the County General Plan as a Rural Mountain Road. The following shall be shown on the Final Map:

- a. The centerline location as approved by CALTRANS.
- b. A building line which is eighty-five feet (85') from the centerline of the road, identified by a line drawn at the appropriate location and labeled, "Limit of Building Line."

**Documentation:** The applicant shall indicate the centerlines on the map as indicated above. **Timing:** Prior to the approval of the Final Map the centerlines shall be indicated on the map. **Monitoring:** The [PDS, LDR] shall verify that the centerlines are indicated on the map.

**41. ROADS#12 - CENTERLINE LOCATION:**

**Intent:** In order to promote orderly development and to comply with the Subdivision Ordinance Sec. 81.402 through 81.405 and 81.805, the centerline of **Pine Hills Road** (SC 810.2) shall be shown on the subdivision map. **Description of requirement:** The desired location of the centerline for Pine Hills

Road shall be determined, which is shown on the Mobility Element of the County General Plan as a Light Collector Road. The following shall be shown on the Final Map:

- a. The centerline location as approved by the Department of Public Works.
- b. A building line which is sixty-five feet (65') from the centerline of the road, identified by a line drawn at the appropriate location and labeled, "Limit of Building Line."

**Documentation:** The applicant shall indicate the centerlines on the map as indicated above. **Timing:** Prior to the approval of the Final Map the centerlines shall be indicated on the map. **Monitoring:** The [PDS, LDR] shall verify that the centerlines are indicated on the map.

#### 42. **ROADS#13 - ENCROACHMENT PERMIT.**

**Intent:** In order ensure that improvements for the private road comply with the County of San Diego Public Road Standards, and The Caltrans Facility Standards and Requirements, an encroachment permit shall be obtained and implemented. **Description of Requirement:** A permit shall be obtained from CALTRANS for the improvements to be made within the public right-of-way. A copy of the permit and evidence from the issuing agency that all requirements of the permit have been met shall be submitted to the [PDS, LDR]. **Documentation:** The applicant shall obtain the encroachment permit(s) and provide a copy of the permit, proof of payment, and evidence that all the requirements of the permit have been met, to the [PDS, LDR]. The subdivider shall obtain an encroachment permit from CALTRANS authorizing access onto **SR 78/79**. This will allow CALTRANS to set conditions such as sight distance and road improvements. The applicant should contact the CALTRANS Permit Office at (619) 688-6843 for additional details. **Timing:** Prior to the approval of the Map, the permit shall be obtained. **Monitoring:** The [PDS, LDR] shall review the permit for compliance with this condition and the applicable improvement plans, and implement any conditions of the permit in the County improvement plans.

#### **(DRAINAGE)**

#### 43. **DRNG#1 - ONSITE & OFFSITE DRAINAGE IMPROVEMENTS:**

**Intent:** In order to promote orderly development and to comply with the Subdivision Ordinance Sec. 81.403 and to comply with the County Flood Damage Prevention Ordinance (Title 8, Division 11), County Watershed Protection Stormwater Management and Discharge Control Ordinance (WPO) No.10385, County Code Section 67.801 et. seq., and the County Resource Protection Ordinance (RPO) No. 9842, drainage improvements shall be completed. **Description of requirement:** Improve or agree to improve and provide security for the onsite and offsite culverts and associated drainage



improvements as shown on the Preliminary Grading Plan and CEQA Level Preliminary Drainage Analysis.

All drainage plan improvements shall be prepared and completed pursuant to the following ordinances and standards: San Diego County Drainage Design Manual, San Diego County Hydrology Manual, San Diego County Hydraulic Design Manual, County of San Diego Grading Ordinance, Zoning Ordinance Sections 5300 through 5500, County Resource Protection Ordinance (RPO) No. 9842, Community Trails Master Plan and Parkland Dedication Ordinance and County Flood Damage Protection Ordinance (Title 8, Division 11), Low Impact Development (LID) and Hydromodification requirements and the Land Development Improvement Plan Checking Manual.

The improvements shall be completed within 24 months from the recordation of Final Map or Parcel Map pursuant to Subdivision Ordinance Sec. 81.405, The execution of the agreements, and acceptance of the securities shall be completed before the approval of any subdivision map. **Documentation:** The applicant shall complete the following:

- a. Process and obtain approval of Improvement Plans to improve the onsite and offsite culverts and associated drainage improvements as shown on the Preliminary Grading Plan and CEQA Level Preliminary Drainage Analysis.
- b. Provide Secured agreements require posting security in accordance with Subdivision Ordinance Sec. 81.407 through 81.409.
- c. Pay all applicable inspection fees with [*PDS*, *PDCI*].
- d. If the applicant is a representative, then a one of the following is required: a corporate certificate indicating those corporation officers authorized to sign for the corporation, or a partnership agreement recorded in this County indicating who is authorized to sign for the partnership.

**Timing:** Prior to the approval of the map the plans, agreements, and securities shall be approved. **Monitoring:** The [*PDS*, *LDR*] [*DPR TC*, *PP*] shall review the plans for consistency with the condition and County Standards. Upon approval of the plans [*PDS*, *LDR*] shall request the required securities and improvement agreements. The securities and improvement agreements shall be approved by the Director of PDS.

#### 44. **DRNG#2 - LINES OF INUNDATION:**

**Intent:** In order to prevent future development in the flood prone areas the Lines of Inundation shall be shown on the map. **Description of requirement:** Lines of inundation to the limits of the 100-year flood along the watercourse shall be

shown and labeled "Subject To Inundation By The 100-Year Flood" on the Parcel Map.

- a. A Civil Engineer shall provide the necessary hydrology and hydraulics to define the 100-year flood inundation limits and annotate the limits on a copy of the approved Tentative Map.
- b. 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.

**Documentation:** The applicant shall indicate the drainage swales on the Map as indicated above. **Timing:** Prior to the approval of the Map, the inundation lines shall be indicated and labeled on the map. **Monitoring:** The [PDS, LDR] shall verify that the inundation lines have been indicated pursuant to this condition.

#### 45. **DRNG#3 - WAIVER AND RELEASE LETTERS:**

**Intent:** In order to comply with the County Flood Damage Prevention Ordinance (Title 8, Division 11), County Watershed Protection Ordinance (WPO) No.10385, County Code Section 67.801 et. seq., adjacent property owners downstream shall be notified that there will be changes to the drainage features that could have effects on their property; letter(s) of permission shall be obtained. **Description of requirement:** A recorded waiver and release letter shall be obtained from each property owner impacted by significant changes (including diversion and concentration) in downstream flow characteristics resulting from grading, private roads, or other improvements. **Documentation:** The applicant shall obtain the letters of approval from each downstream neighbor, and submit them to the [PDS, LDR] for review and approval. Upon approval, the letters shall be recorded by the County recorder. **Timing:** Prior to the approval of the map and prior to approval of any grading or improvement plan and prior to issuance of any grading or construction permit the letters shall be obtained. **Monitoring:** The letters of permission shall be reviewed by the [PDS, LDR] for compliance with this condition.

#### **(STORMWATER)**

#### 46. **STRMWTR#1 - STORMWATER FACILITIES MAINTENANCE AGREEMENT:**

**Intent:** In order to promote orderly development and to comply with the Subdivision Ordinance Sec. 81.404 and to comply with the County Flood Damage Prevention Ordinance (Title 8, Division 11), County Watershed Protection Ordinance (WPO) No.10385, County Code Section 67.801 et. seq., the maintenance agreements shall be completed. **Description of requirement:**

- a. The private storm drain system shall be maintained by a maintenance mechanism such as a homeowners association or other private entity to the satisfaction of the Director of PDS.
- b. Establish a maintenance agreement / mechanism (to include easements) to assure maintenance of the Category 2 post-construction best management practices (BMP's). Provide security to back up the maintenance pursuant to the County Maintenance Plan Guidelines to the satisfaction of the Director of PDS.

**Documentation:** The applicant shall complete the following process and obtain approval of the engineers report, and pay the deposit and applicable review fees.

**Timing:** Prior to the approval of the map the agreements, and securities shall be approved.

**Monitoring:** The [DPW,LDR] shall review the agreements/mechanisms for consistency with the condition and County Standards.

#### 47. STRMWTR#2 - STORMWATER NOTE:

**Intent:** In order to acknowledge future processing requirements for projects which were deemed complete pursuant to Subdivision Map Act Section 66474.2 prior to the implementation date of the County BMP Design Manual, a note shall be placed on the map. **Description of Requirement:** The following note shall be shown as the first note in the Non-Title sheet of the map and labeled "Stormwater Note":

"Approval of a map does not guarantee that subsequent governmental permits and approvals needed to develop the property can be issued based on laws, regulations or standards in place at the time the subdivision was approved. Changes in the law, regulations or standards that occur or become effective prior to the time development permits are sought can adversely impact the ability to develop a subdivision. In some instances, it may be necessary to redesign or remap a subdivision to address these changes, which can be a costly and time consuming process. Without limiting the generality of the foregoing, it is specifically noted that starting on the implementation date of the County BMP Design Manual, updated storm water requirements implemented by the California Regional Water Quality Control Board, San Diego Region, became applicable to priority development projects in the County pursuant to Regional Board Order No. R9-2013-0001, NPDES No. CAS0109266. Subdivisions in process prior to this implementation date may not have been designed to address these requirements which may include updated Hydromodification criteria, and avoidance of critical coarse sediment yield areas or implementation of mitigation measures. In order to issue grading, building, and other development permits, it may be necessary to address these new requirements even if such considerations were not required to approve the map."



**Documentation:** The applicant shall add the Storm Water Note on the Non-Title sheet of the map as indicated above. **Timing:** Prior to the approval of the map, the note shall be shown on the map. **Monitoring:** The [PDS, LDR] shall verify that the note has been added to the map pursuant to this condition.

**48. STRMWTR#3 - EROSION CONTROL:**

**Intent:** In order to Comply with all applicable stormwater regulations 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 No. 10385 and all other applicable ordinances and standards for this priority project. **Description of Requirement:** The applicant shall maintain the appropriate on-site and offsite Best Management Practices pursuant to the approved Stormwater Management Plan (SWMP) and Stormwater Pollution Prevention Plan (SWPPP) including, but not limited to the erosion control measures, irrigation systems, slope protection, drainage systems, desilting basins, energy dissipaters, and silt control measure.

- a. An agreement and instrument of credit shall be provided pursuant to Subdivision Ordinance 81.407 through 81.409, for an amount equal to the cost of this work as determined or approved by the [PDS, LDR], in accordance with the County of San Diego Grading Ordinance Section 87.304(e). 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 PDS authorizing the use of this deposit for emergency measures.
- b. 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 PDS by the date agreed.

**Documentation:** The applicant shall provide the letter of agreement and any additional security and or cash deposit to the [PDS, LDR] for approval with the final submittal of all grading and improvement plans for the subdivision and required improvements as indicated above. **Timing:** Prior to approval of the subdivision map for all phases, and the approval of any plan and the issuance of any permit, the agreement and securities shall be executed. **Monitoring:** The [PDS, LDR] shall ensure that the agreement and the securities provided adequately satisfy the requirements of this condition, to potentially perform the required erosion control and stormwater control measures proposed on all construction and grading plans. The [DPW, PDCI] shall use the securities pursuant to the agreement to implement and enforce the required stormwater

and erosion control measures pursuant to this condition during all construction phases as long as there are open and valid permits for the site.

**(BIOLOGICAL RESOURCES)**

**49. BIO#1 – OPEN SPACE EASEMENT: [PDS, PCC] [DPR TC, GPM] [DGS, RP] [MA, GP, IP] [PDS, FEE X2]. INTENT:** In order to protect sensitive biological and cultural resources, pursuant to CEQA and the RPO, an open space easement shall be granted. **DESCRIPTION OF REQUIREMENT:** Grant to the County of San Diego an open space easement as shown on the approved Tentative Map. This easement is for the protection of biological and cultural 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 natural open space. Granting of this open space easement authorizes the County and its agents to periodically access the land to perform management and monitoring activities for the purposes of cultural resource, species, and habitat conservation. The only exception(s) to this prohibition are:

1. Selective clearing of vegetation by hand to the extent required by written order of the fire authorities for the express purpose of reducing a specifically 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 applicable fire code of the Fire Authority Having Jurisdiction 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 plan approved by the Director of Planning & Development Services, based on the draft outline revegetation plan on file with Planning & Development Services under TM 5312 RPL<sup>3</sup>, Log No. 03-10-005.
3. Activities conducted pursuant to a Resource Management Plan approved by the Director of Planning & Development Services, based on the draft conceptual RMP on file with Planning & Development Services under TM 5312 RPL<sup>3</sup>, Log No. 03-10-005.
4. Activities conducted pursuant to a Conservation Grazing Management Plan approved by the Director of Planning & Development Services, based on the draft CGMP on file with Planning & Development Services under TM 5312 RPL<sup>3</sup>, Log No. 03-10-005.
5. 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.

**DOCUMENTATION:** The applicant shall show the easement on the Final Map with the appropriate granting language on the title sheet concurrent with Final Map Review - OR - The applicant shall prepare the draft plats and legal

descriptions of the easement, then submit it for preparation and recordation with the [DGS, RP], and pay all applicable fees associated with preparation of the document. Upon Recordation of the easement, the applicant shall provide a copy of the recorded easement document to [PDS, PCC] for approval. **TIMING:** Prior to the approval of the Final Map and prior to the approval of any plan and issuance of any permit, the easement shall be executed and recorded. **MONITORING:** For recordation on the map, [PDS, LDR] shall route the Final Map to [PDS, PCC] for approval prior to map recordation – OR - for recordation by separate document, the [DGS, RP] shall prepare and approve the easement document and send it to [PDS, PCC] and [DPR TC, GPM] for preapproval. The [PDS, PCC] shall preapprove the language and estimated location of the easement before it is released to the applicant for signature and subsequent recordation. Upon Recordation of the easement [DGS, RP] shall forward a copy of the recorded document to [PDS, PCC] for satisfaction of the condition or if recorded on the map, the [PDS LDR] shall satisfy the condition after map recordation.

- 50. BIO#2 – LBZ EASEMENT: [PDS, PCC] [DGS, RP][MA, GP, IP] [PDS, FEE X2]**  
**INTENT:** In order to protect sensitive biological resources, pursuant to CEQA and the RPO, a Limited Building Zone Easement shall be granted to limit the need to clear or modify vegetation for fire protection purposes within the adjacent Open Space Easement. **DESCRIPTION OF REQUIREMENT:** Grant to the County of San Diego a Limited Building Zone Easement 100 feet from every interior edge of the Open Space Easement as shown on the Tentative Map. 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 prohibit the construction or placement of any structure designed or intended for occupancy by humans or animals. The only exceptions to this prohibition are:
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.

**DOCUMENTATION:** The applicant shall show the easement on the Final Map with the appropriate granting language on the title sheet concurrent with Final Map Review - OR - The applicant shall prepare the draft plats and legal descriptions of the easements, then submit them for preparation and recordation with the [DGS, RP], and pay all applicable fees associated with preparation of the documents. Upon Recordation of the easements, the applicant shall provide copies of the recorded easement documents to [PDS, PCC] for approval. **TIMING:** Prior to the approval of the Final Map and prior to the approval of any plan and issuance of any permit, the easements shall be recorded. **MONITORING:** For recordation on the map, [PDS, LDR] shall route the Final Map to [PDS, PCC] for approval prior to map recordation – OR - for recordation



by separate document, the [DGS, RP] shall prepare and approve the easement documents and send them to [PDS, PCC] for pre-approval. The [PDS, PCC] shall pre-approve the language and estimated location of the easements before they are released to the applicant for signature and subsequent recordation. Upon Recordation of the easements [DGS, RP] shall forward a copy of the recorded documents to [PDS, PCC] for satisfaction of the condition or if recorded on the map, the [PDS LDR] shall satisfy the condition after map recordation.

51. **BIO#3 – RIPARIAN SCRUB MITIGATION: [PDS, PCC] [MA, GP, IP] [PDS, FEE X2] [DPR, GPM] INTENT:** In order to mitigate for the impacts to 0.25 acre of riparian scrub, which is a sensitive biological resource pursuant to CEQA and the RPO, the project shall create and enhance wetland habitat either on-site or off-site. **DESCRIPTION OF REQUIREMENT:** The applicant shall purchase habitat credit, or provide for the creation of 0.25 acre of riparian scrub and the enhancement of 0.50 acre of riparian scrub located on-site or within the same watershed to the satisfaction of the County and Wildlife Agencies as indicated below.

- a. **Option 1:** If purchasing Mitigation Credit the choice of mitigation bank shall be approved by the County and the California Department of Fish & Wildlife. The following evidence of purchase shall include the following information to be provided by the mitigation bank:
  1. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
  2. 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.
  3. 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.
  4. 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.
- b. **Option 2:** If habitat credit cannot be purchased in a mitigation bank, then the applicant shall provide for the conservation, creation and enhancement of habitat of the same amount and type of land located on-site as indicated below:
  1. The type of habitat and the location of the proposed mitigation, should be pre-approved by [PDS, PCC] before purchase or entering into any agreement for purchase.
  2. The creation and enhancement site(s) shall be managed under the Resource Management Plan required by condition **BIO#14**.

3. The creation and enhancement site(s) shall be located within the Open Space Easement dedicated to the County pursuant to condition **BIO#1**. The land shall be protected in perpetuity.
4. The creation and enhancement site(s) shall be located in an area protected from cattle grazing pursuant to the Conservation Grazing Management Plan.
5. Approval by PDS of a Landscape Revegetation Plan is required in order to use this option. See condition **BIO#4** for details.

**DOCUMENTATION:** The applicant shall purchase the off-site mitigation credits or complete the on-site creation and enhancement and provide the evidence to the [PDS, PCC] for review and approval. **TIMING:** Prior to the approval of the Final Map and prior to the approval of any plan and issuance of any permit, the mitigation shall be completed. **MONITORING:** The [PDS, PCC] shall review the mitigation purchase for compliance with this condition. Upon request from the applicant [PDS, PCC] can preapprove the location and type of mitigation only. The credits shall be purchased before the requirement can be completed. If the applicant chooses option #2, then the [PDS, ZONING] shall accept an application for an LPR, and [PDS, PPD] shall review the submittal for compliance with this condition and the Guidelines.

**52. BIO#4 – RIPARIAN SCRUB REVEGETATION PLAN: [PDS, PPD] [MA, GP, IP]**

**INTENT:** Per condition **BIO#3** above, in order to mitigate for the impacts to riparian scrub, which is a sensitive biological resource pursuant to CEQA and the RPO, if off-site mitigation is not available, revegetation shall occur.

**DESCRIPTION OF REQUIREMENT:** A Revegetation Plan shall be prepared, which mitigates impacts to riparian scrub by creating 0.25 acre of riparian scrub and enhancing 0.50 acre of riparian scrub. The revegetation shall occur on-site within the Open Space Easement, in an area protected from cattle grazing, to the satisfaction of the Director of PDS. The revegetation plan shall conform to the outline Conceptual Wetland Revegetation Plan and the most current version of the County of San Diego Report Format and Content Requirements for Revegetation Plans. The Revegetation Plan shall include the following:

- a. The monitoring plan shall be for a length of five years and have at least an 80 percent success criterion.
- b. A preservation plan over the land to be revegetated shall be included in the Revegetation Plan. The preservation plan shall include evidence of dedication of an open space easement to the County of San Diego or evidence of protection in perpetuity by some other means to the satisfaction of the Director of PDS.
- c. The report shall be prepared by a County approved biologist and the construction plans shall be prepared by a State of California Licensed Landscape Architect.

- d. Revegetation objectives, revegetation site biological resource map, 24"x 36" landscape plan, map showing revegetation areas according to mitigation type and amount, site preparation information, type of planting materials (e.g. species ratios, source, size material, etc.), planting program, 80 percent success criteria, and a detailed cost estimate.
- e. A cost estimate based on a 3 percent annual inflation rate shall be submitted and approved, which includes the cost of the plant stock and its installation, irrigation system and installation, cost of monitoring and maintenance of the revegetation area for the required monitoring period, and report preparation and staff time to review.

**DOCUMENTATION:** The applicant shall prepare the Revegetation Plan, submit it to the [PDS, ZONING] and pay all the applicable review fees and deposits. Alternatively, if condition **BIO#3** was satisfied through purchase of mitigation bank credits, this condition shall also be deemed satisfied. **TIMING:** Prior to the approval of the Final Map and prior to the approval of any plan and issuance of any permit, the Revegetation Plan shall be approved. **MONITORING:** The [PDS, LA] shall review the Revegetation Plan for conformance with this condition and the Report Format and Content Requirements for Revegetation Plans. Upon approval of the Plan, a Director's Decision of approval shall be issued to the applicant, and a request for compliance with Condition Number **BIO#5** shall be made to enter into a Secured Agreement for the implementation of the Plan.

**53. BIO#5 – RIPARIAN SCRUB SECURED AGREEMENT: [PDS, PPD] [MA, GP, IP] INTENT:** In order to assure project completion and success of the Revegetation Plan in condition **BIO#4**, a surety shall be provided and an agreement shall be executed. **DESCRIPTION OF REQUIREMENT:** The applicant shall enter into a Secured Agreement with the County of San Diego as follows:

- a. The security shall consist of a letter of credit, bond, or cash for 100 percent of the estimated costs associated with the implementation of the Revegetation Plan and,
- b. Provide a 10 percent cash deposit of the cost of all improvements, but no less than \$3,000 and no more than \$30,000.
- c. The monitoring time and the length of time the Secured Agreement and cash deposit will be in effect starts at the time the installation is accepted by a County staff representative. The Secured Agreement and cash deposit shall be released upon completion of the Revegetation Plan implementation provided the installed vegetation is in a healthy condition and meets the 80 percent success criteria. Eighty- percent success rate and one hundred percent vegetative cover, excluding herbaceous species, shall be considered satisfactory completion of the Revegetation Plan.

**DOCUMENTATION:** The applicant shall execute a Secured Agreement provided with the Revegetation Plan Final Decision, and provide the approved securities and the cash deposit for County monitoring time. The executed



Agreement, cash deposit, and the securities shall be submitted to the [PDS, Landscape Architect] for final review and approval. Alternatively, if condition **BIO#3** was satisfied through purchase of mitigation bank credits, this condition shall also be deemed satisfied. **TIMING:** Prior to the approval of the Final Map and prior to the approval of any plan and issuance of any permit, and after the approval of the Revegetation Plan, the agreement shall be executed and the securities provided for the revegetation plan implementation. **MONITORING:** The [PDS, LA] shall review the Agreement cash deposit and securities provided are in compliance with this condition, and the Revegetation Plan Final Decision. The [PDS, LA] shall sign the Agreement for the Director of PDS and ensure the cash deposit is collected by [PDS, FISCAL]. Upon acceptance of the Agreement, securities and cash deposit, the [PDS, LA], shall provide a confirmation letter-acknowledging acceptance of securities.

54. **BIO#6 – JURISDICTIONAL WETLAND MITIGATION: [PDS, PCC] [MA, GP, IP] [PDS, FEE X2] [DPR, GPM] INTENT:** In order to mitigate for the impacts to 0.14 acre of federal jurisdictional wetland, which is a sensitive biological resource pursuant to state and federal law, the project shall create and enhance wetland habitat either on-site or off-site. Alternatively, if the applicant can provide documentation from a County-approved biological consultant demonstrating that part or all of the impacted federal jurisdictional wetland is the same riparian scrub habitat mitigated by conditions **BIO#3** through **BIO#5**, the satisfaction of those conditions shall satisfy part or all of this condition. **DESCRIPTION OF REQUIREMENT:** The applicant shall purchase habitat credit, or provide for the creation of 0.14 acre of wetland and the enhancement of 0.28 acre of wetland located on-site or within the same watershed to the satisfaction of the County and Wildlife Agencies as indicated below.

- a. **Option 1:** If purchasing Mitigation Credit the choice of mitigation bank shall be approved by the County and the California Department of Fish & Wildlife. The following evidence of purchase shall include the following information to be provided by the mitigation bank:
1. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
  2. 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.
  3. 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.
  4. 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.

- b. **Option 2:** If habitat credit cannot be purchased in a mitigation bank, then the applicant shall provide for the conservation, creation and enhancement of habitat of the same amount and type of land located on-site as indicated below:
1. The type of habitat and the location of the proposed mitigation, should be pre-approved by [PDS, PCC] before purchase or entering into any agreement for purchase.
  2. The creation and enhancement site(s) shall be managed under the Resource Management Plan required by condition **BIO#14**.
  3. The creation and enhancement site(s) shall be located within the Open Space Easement dedicated to the County pursuant to condition **BIO#1**. The land shall be protected in perpetuity.
  4. The creation and enhancement site(s) shall be located in an area protected from cattle grazing pursuant to the Conservation Grazing Management Plan.
  5. Approval by PDS of a Landscape Revegetation Plan is required in order to use this option. See condition **BIO#7** for details.

**DOCUMENTATION:** The applicant shall purchase the off-site mitigation credits or complete the on-site creation and enhancement and provide the evidence to the [PDS, PCC] for review and approval. Alternatively, if the applicant can provide documentation from a County-approved biological consultant demonstrating that part or all of the impacted federal jurisdictional wetland is the same riparian scrub habitat mitigated by conditions **BIO#3** through **BIO#5**, the satisfaction of those conditions shall satisfy part or all of this condition. **TIMING:** Prior to the approval of the Final Map and prior to the approval of any plan and issuance of any permit, the mitigation shall be completed. **MONITORING:** The [PDS, PCC] shall review the mitigation purchase for compliance with this condition. Upon request from the applicant [PDS, PCC] can preapprove the location and type of mitigation only. The credits shall be purchased before the requirement can be completed. If the applicant chooses option #2, then the [PDS, ZONING] shall accept an application for an LPR, and [PDS, PPD] shall review the submittal for compliance with this condition and the Guidelines.

55. **BIO#7 – JURISDICTIONAL WETLAND REVEGETATION PLAN: [PDS, PPD] [MA, GP, IP] INTENT:** Per condition **BIO#6** above, in order to mitigate for the impacts to 0.14 acre of federal jurisdictional wetland, if mitigation credits are not purchased off-site, revegetation shall occur. **DESCRIPTION OF REQUIREMENT:** A Revegetation Plan shall be prepared, which mitigates impacts to jurisdictional wetland by creating 0.14 acre of wetland and enhancing 0.28 acre of wetland. The revegetation shall occur on-site within the Open Space Easement, in an area protected from cattle grazing, to the satisfaction of the Director of PDS. The revegetation plan shall conform to the outline Conceptual Wetland Revegetation Plan and the most current version of the County of San

Diego Report Format and Content Requirements for Revegetation Plans. The Revegetation Plan shall include the following:

- a. The monitoring plan shall be for a length of five years and have at least an 80 percent success criterion.
- b. A preservation plan over the land to be revegetated shall be included in the Revegetation Plan. The preservation plan shall include evidence of dedication of an open space easement to the County of San Diego or evidence of protection in perpetuity by some other means to the satisfaction of the Director PDS.
- c. The report shall be prepared by a County approved biologist and the construction plans shall be prepared by a State of California Licensed Landscape Architect.
- d. Revegetation objectives, revegetation site biological resource map, 24"x 36" landscape plan, map showing revegetation areas according to mitigation type and amount, site preparation information, type of planting materials (e.g. species ratios, source, size material, etc.), planting program, 80 percent success criteria, and a detailed cost estimate.
- e. A cost estimate based on a 3 percent annual inflation rate shall be submitted and approved, which includes the cost of the plant stock and its installation, irrigation system and installation, cost of monitoring and maintenance of the revegetation area for the required monitoring period, and report preparation and staff time to review.

**DOCUMENTATION:** The applicant shall prepare the Revegetation Plan, submit it to the [PDS, ZONING] and pay all the applicable review fees and deposits. Alternatively, if condition **BIO#6** was satisfied through purchase of mitigation bank credits, this condition shall also be deemed satisfied. **TIMING:** Prior to the approval of the Final Map and prior to the approval of any plan and issuance of any permit, the Revegetation Plan shall be approved. **MONITORING:** The [PDS, LA] shall review the Revegetation Plan for conformance with this condition and the Report Format and Content Requirements for Revegetation Plans. Upon approval of the Plan, a Director's Decision of approval shall be issued to the applicant, and a request for compliance with condition **BIO#8** shall be made to enter into a Secured Agreement for the implementation of the Plan.

- 56. BIO#8 – JURISDICTIONAL WETLAND SECURED AGREEMENT: [PDS, PPD] [MA, GP, IP] INTENT:** In order to assure project completion and success of the Revegetation Plan in condition **BIO#7**, a surety shall be provided and an agreement shall be executed. **DESCRIPTION OF REQUIREMENT:** The applicant shall enter into a Secured Agreement with the County of San Diego as follows:

- a. The security shall consist of a letter of credit, bond, or cash for 100 percent of the estimated costs associated with the implementation of the Revegetation Plan and,



- b. Provide a 10 percent cash deposit of the cost of all improvements, but no less than \$3,000 and no more than \$30,000.
- d. The monitoring time and the length of time the Secured Agreement and cash deposit will be in effect starts at the time the installation is accepted by a County staff representative. The Secured Agreement and cash deposit shall be released upon completion of the Revegetation Plan implementation provided the installed vegetation is in a healthy condition and meets the 80 percent success criteria. Eighty- percent success rate and one hundred percent vegetative cover, excluding herbaceous species, shall be considered satisfactory completion of the Revegetation Plan.

**DOCUMENTATION:** The applicant shall execute a Secured Agreement provided with the Revegetation Plan Final Decision, and provide the approved securities and the cash deposit for County monitoring time. The executed Agreement, cash deposit, and the securities shall be submitted to the [PDS, Landscape Architect] for final review and approval. Alternatively, if condition **BIO#6** was satisfied through purchase of mitigation bank credits, this condition shall also be deemed satisfied. **TIMING:** Prior to the approval of the Final Map and prior to the approval of any plan and issuance of any permit, and after the approval of the Revegetation Plan, the agreement shall be executed and the securities provided for the revegetation plan implementation. **MONITORING:** The [PDS, LA] shall review the Agreement cash deposit and securities provided are in compliance with this condition, and the Revegetation Plan Final Decision. The [PDS, LA] shall sign the Agreement for the Director of PDS and ensure the cash deposit is collected by [PDS, FISCAL]. Upon acceptance of the Agreement, securities and cash deposit, the [PDS, LA], shall provide a confirmation letter-acknowledging acceptance of securities.

57. **BIO#9 – RPO WETLAND MITIGATION: [PDS, PCC] [MA, GP, IP] [PDS, FEE X2] [DPR, GPM] INTENT:** In order to mitigate for the impacts to 0.03 acre of wet meadow, which is a sensitive biological resource pursuant to the RPO, the project shall create and enhance wet meadow habitat either on-site or off-site. The remaining 0.06 acre of RPO wetland impact is covered by riparian scrub mitigation conditions **BIO#3** through **BIO#5**. **DESCRIPTION OF REQUIREMENT:** The applicant shall purchase habitat credit, or provide for the creation of 0.03 acre of wet meadow and the enhancement of 0.06 acre of wet meadow located on-site or within the same watershed to the satisfaction of the County and Wildlife Agencies as indicated below.

- a. **Option 1:** If purchasing Mitigation Credit the choice of mitigation bank shall be approved by the County and the California Department of Fish & Wildlife. The following evidence of purchase shall include the following information to be provided by the mitigation bank:
  - 1. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.

2. 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.
  3. 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.
  4. 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.
- b. **Option 2:** If habitat credit cannot be purchased in a mitigation bank, then the applicant shall provide for the conservation, creation and enhancement of habitat of the same amount and type of land located on-site as indicated below:
1. The type of habitat and the location of the proposed mitigation, should be pre-approved by [PDS, PCC] before purchase or entering into any agreement for purchase.
  2. The creation and enhancement site(s) shall be managed under the Resource Management Plan required by condition **BIO#14**.
  3. The creation and enhancement site(s) shall be located within the Open Space Easement dedicated to the County pursuant to condition **BIO#1**. The land shall be protected in perpetuity.
  4. The creation and enhancement site(s) shall be located in an area protected from cattle grazing pursuant to the Conservation Grazing Management Plan.
  5. Approval by PDS of a Landscape Revegetation Plan is required in order to use this option. See condition **BIO#10** for details.

**DOCUMENTATION:** The applicant shall purchase the off-site mitigation credits or complete the on-site creation and enhancement and provide the evidence to the [PDS, PCC] for review and approval. **TIMING:** Prior to the approval of the Final Map and prior to the approval of any plan and issuance of any permit, the mitigation shall be completed. **MONITORING:** The [PDS, PCC] shall review the mitigation purchase for compliance with this condition. Upon request from the applicant [PDS, PCC] can preapprove the location and type of mitigation only. The credits shall be purchased before the requirement can be completed. If the applicant chooses option #2, then the [PDS, ZONING] shall accept an application for an LPR, and [PDS, PPD] shall review the submittal for compliance with this condition and the Guidelines.

58. **BIO#10 – RPO WETLAND REVEGETATION PLAN: [PDS, PPD] [MA, GP, IP]**  
**INTENT:** Per condition **BIO#9** above, in order to mitigate for the impacts to 0.03 acre of RPO wet meadow, if mitigation credits are not purchased off-site, revegetation shall occur. **DESCRIPTION OF REQUIREMENT:** A Revegetation

Plan shall be prepared, which mitigates impacts to RPO wetland by creating 0.03 acre of wet meadow and enhancing 0.06 acre of wet meadow. The revegetation shall occur on-site within the Open Space Easement, in an area protected from cattle grazing, to the satisfaction of the Director of PDS. The revegetation plan shall conform to the outline Conceptual Wetland Revegetation Plan and the most current version of the County of San Diego Report Format and Content Requirements for Revegetation Plans. The Revegetation Plan shall include the following:

- a. The monitoring plan shall be for a length of five years and have at least an 80 percent success criterion.
- b. A preservation plan over the land to be revegetated shall be included in the Revegetation Plan. The preservation plan shall include evidence of dedication of an open space easement to the County of San Diego or evidence of protection in perpetuity by some other means to the satisfaction of the Director PDS.
- c. The report shall be prepared by a County approved biologist and the construction plans shall be prepared by a State of California Licensed Landscape Architect.
- d. Revegetation objectives, revegetation site biological resource map, 24"x 36" landscape plan, map showing revegetation areas according to mitigation type and amount, site preparation information, type of planting materials (e.g. species ratios, source, size material, etc.), planting program, 80 percent success criteria, and a detailed cost estimate.
- e. A cost estimate based on a 3 percent annual inflation rate shall be submitted and approved, which includes the cost of the plant stock and its installation, irrigation system and installation, cost of monitoring and maintenance of the revegetation area for the required monitoring period, and report preparation and staff time to review.

**DOCUMENTATION:** The applicant shall prepare the Revegetation Plan, submit it to the [PDS, ZONING] and pay all the applicable review fees and deposits. Alternatively, if condition **BIO#9** was satisfied through purchase of mitigation bank credits, this condition shall also be deemed satisfied. **TIMING:** Prior to the approval of the Final Map and prior to the approval of any plan and issuance of any permit, the Revegetation Plan shall be approved. **MONITORING:** The [PDS, LA] shall review the Revegetation Plan for conformance with this condition and the Report Format and Content Requirements for Revegetation Plans. Upon approval of the Plan, a Director's Decision of approval shall be issued to the applicant, and a request for compliance with condition **BIO#11** shall be made to enter into a Secured Agreement for the implementation of the Plan.

59. **BIO#11 – JURISDICTIONAL WETLAND SECURED AGREEMENT:** [PDS, PPD] [MA, GP, IP] **INTENT:** In order to assure project completion and success of the Revegetation Plan in condition **BIO#10**, a surety shall be provided and an agreement shall be executed. **DESCRIPTION OF REQUIREMENT:** The



applicant shall enter into a Secured Agreement with the County of San Diego as follows:

- a. The security shall consist of a letter of credit, bond, or cash for 100 percent of the estimated costs associated with the implementation of the Revegetation Plan and,
- b. Provide a 10 percent cash deposit of the cost of all improvements, but no less than \$3,000 and no more than \$30,000.
- e. The monitoring time and the length of time the Secured Agreement and cash deposit will be in effect starts at the time the installation is accepted by a County staff representative. The Secured Agreement and cash deposit shall be released upon completion of the Revegetation Plan implementation provided the installed vegetation is in a healthy condition and meets the 80 percent success criteria. Eighty- percent success rate and one hundred percent vegetative cover, excluding herbaceous species, shall be considered satisfactory completion of the Revegetation Plan.

**DOCUMENTATION:** The applicant shall execute a Secured Agreement provided with the Revegetation Plan Final Decision, and provide the approved securities and the cash deposit for County monitoring time. The executed Agreement, cash deposit, and the securities shall be submitted to the [PDS, Landscape Architect] for final review and approval. Alternatively, if condition **BIO#9** was satisfied through purchase of mitigation bank credits, this condition shall also be deemed satisfied. **TIMING:** Prior to the approval of the Final Map and prior to the approval of any plan and issuance of any permit, and after the approval of the Revegetation Plan, the agreement shall be executed and the securities provided for the revegetation plan implementation. **MONITORING:** The [PDS, LA] shall review the Agreement cash deposit and securities provided are in compliance with this condition, and the Revegetation Plan Final Decision. The [PDS, LA] shall sign the Agreement for the Director of PDS and ensure the cash deposit is collected by [PDS, FISCAL]. Upon acceptance of the Agreement, securities and cash deposit, the [PDS, LA], shall provide a confirmation letter-acknowledging acceptance of securities.

60. **BIO#12 – OPEN SPACE SIGNAGE: [PDS, PCC] [MA, GP, IP] [PDS, FEE].**  
**INTENT:** In order to protect the proposed open space easement from entry, informational signs shall be installed. **DESCRIPTION OF REQUIREMENT:** Open space signs shall be placed at 100-foot intervals along all segments of the permanent fence along the biological open space boundaries as indicated on the Preliminary Grading Plan. 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. The signs may be attached to the fence itself in lieu of being attached to separate posts. They must state the following:

**Sensitive Environmental Resources  
Area Restricted by Easement**

Entry without express written permission from the County of San Diego is prohibited. To report a violation or for more information about easement restrictions and exceptions contact the County of San Diego,  
Planning & Development Services  
Reference: PDS2003-3100-5312

**DOCUMENTATION:** The applicant shall install the signs as indicated above and provide site photos and a statement from a California Registered Engineer, or licensed surveyor, that the open space signs have been installed at the boundary of the open space easement(s). **TIMING:** Prior to the approval of the Final Map and prior to the approval of any plan and issuance of any permit, the open space signs shall be installed. **MONITORING:** The [PDS, PCC] shall review the photos and statement for compliance with this condition.

61. **BIO#13 – OPEN SPACE FENCING: [PDS, PCC] [MA, GP, IP] [PDS, FEE].**  
**INTENT:** In order to protect the proposed open space easement from entry, and disturbance, permanent fencing shall be installed. **DESCRIPTION OF REQUIREMENT:** Open space fencing or walls shall be placed along the biological open space boundary as indicated on the Preliminary Grading Plan, and at interior locations to protect sensitive areas from cattle grazing, as shown on the Grazing and Fencing plan, figures 4a through 4c in the Conservation Grazing Management Plan. The fencing shall consist of wildlife-friendly high-tensile smooth-wire fencing. Strand 1 at the top is 40-42" from the ground. Strand 2 is 12" below this and strand 3 is 18" off the ground. The top strand will consist of white vinyl-coated high tensile wire that is highly visible to wildlife. Any deviations from this fencing design shall be approved by PDS prior to installation. Initial fencing shown in red on figures 4a through 4c will be established by the developer. Fencing of the open space boundary may be deferred until each lot is developed with a home, at the expense of the lot owner, if a Site Implementation Permit is approved for this project. **DOCUMENTATION:** The applicant shall install the fencing as indicated above and provide site photos and a statement from a California Registered Engineer, or licensed surveyor that the open space fencing has been installed. **TIMING** Prior to the approval of the Final Map and prior to the approval of any plan and issuance of any permit, all fencing shall be installed – OR - if a Site Implementation Permit is approved for this project, the initial fencing shall be installed prior to Final Map and the boundary fencing on each lot shall be installed prior to building permit issuance on that lot. **MONITORING:** The [PDS, PCC] shall review the photos and statement for compliance with this condition. If boundary fencing is delayed until building permit, the Site Implementation Permit will be used to enforce the lot-by-lot open space fencing requirement.
62. **BIO#14 – RESOURCE MANAGEMENT PLAN: [PDS, PPD] [DPR, GPM] [MA, GP, IP]** **INTENT:** In order to provide for the long-term management of the proposed open space preserve, a Resource Management Plan (RMP) shall be

prepared and implemented. **DESCRIPTION OF REQUIREMENT:** Submit to and receive approval from the Director of Planning & Development Services, a Resource Management Plan (RMP). The RMP shall be for the perpetual management of biological and cultural resources. The RMP shall be consistent with the conceptual/draft RMP on file with Planning & Development Services under TM 5312, Log. No. 03-10-005. The RMP shall be prepared and approved pursuant to the most current version of the County of San Diego Biological Report Format and Content Requirements. The final RMP cannot be approved until the following has been completed to the satisfaction of the Director of PDS and in cases where DPR has agreed to be the owner and/or manager, to the satisfaction of the Director of DPR.

- a. The plan shall be prepared and approved pursuant to the most current version of the County of San Diego Biological Report Format and Content Requirements.
- b. The habitat land to be managed shall be completely purchased.
- c. The easements shall be dedicated to ensure that the land is protected in perpetuity.
- d. A Resource Manager shall be selected and evidence provided by applicant as to the acceptance of this responsibility by the proposed Resource Manager.
- e. The RMP funding endowment shall be approved by the County and funded by the applicant to fund annual costs for basic stewardship.
- f. An agreement between the Applicant, Habitat Manager, and County shall be executed for the implementation of the RMP.
- g. The RMP shall include the requirements of the adopted Grazing Management Plan, as found in the Hoskings Ranch EIR Appendices.

**DOCUMENTATION:** The applicant shall prepare the RMP and submit it to the [PDS, ZONING] and pay all applicable review fees. **TIMING:** Prior to the approval of the Final Map and prior to the approval of any plan and issuance of any permit, the RMP shall be approved. **MONITORING:** The [PDS, PPD] shall review the RMP for compliance with the content guidelines, the conceptual RMP, and this condition.

63. **BIO#15 – BIOLOGICAL MONITORING: [PDS, PCC] [DPW, LDR] [GP, IP, MA] [PDS, FEE X2]. INTENT:** In order to prevent inadvertent disturbance to the open space easement, all grading located within 100 feet of the open space easement boundary shall be monitored by a biologist. **DESCRIPTION OF REQUIREMENT:** A County approved biologist "Project Biologist" shall be contracted to perform biological monitoring during all grading, clearing, grubbing, trenching, and construction activities on-site. The following shall be completed:
- a. The Biologist shall perform the monitoring duties before, during and after construction pursuant to the most current version of the County of San Diego Biological Report Format and Requirement Guidelines and this



permit. The contract provided to the county shall include an agreement that this will be completed, and a Memorandum of Understanding (MOU) between the biological consulting company and the County of San Diego shall be executed. The contract shall include a cost estimate for the monitoring work and reporting.

- b. The cost of the monitoring shall be added to the grading bonds that will be posted with the Department of Public Works, or bond separately with Planning & Development Services.

**DOCUMENTATION:** The applicant shall provide a copy of the biological monitoring contract, cost estimate, and MOU to the [PDS, PCC]. Additionally, the cost amount of the monitoring work shall be added to the grading bond cost estimate. **TIMING:** Prior to the approval of any plan, issuance of any permit, and prior to approval of the map, the requirement shall be completed. **MONITORING:** The [PDS, PCC] shall review the contract, MOU and cost estimate or separate bonds for compliance with this condition. The cost estimate should be forwarded to [DPW, Project Manager], for inclusion in the grading bond cost estimate, and grading bonds. The [DPW, PC] shall add the cost of the monitoring to the grading bond costs.

64. **BIO#16 – HABITAT LOSS PERMIT: [PDS, PCC] [PDS, BPPR] [DPW, LDR] [GP, IP, MA - ANY PHASE] [PDS, FEE X2]. INTENT:** A Habitat Loss Permit (HLP) shall be prepared, legally advertised and approved by the Director of PDS to ensure the regional conservation of Coastal Sage Scrub, as required by the Coastal Sage Scrub Natural Communities Conservation Planning Act and the San Diego County Habitat Loss Permit Ordinance. **DESCRIPTION OF REQUIREMENT:** The applicant shall obtain approval of a Habitat Loss Permit by the Director of PDS, in consultation with State and Federal Wildlife Agencies. Findings in support of the Habitat Loss Permit shall be advertised for public review, for not less than 45 days, prior to any approval of the HLP. **NOTE:** Evidence of an Endangered Species Take Permit (Section 7 or Section 10) also satisfies this requirement. **DOCUMENTATION:** The Director of PDS requires evidence of the approved HLP and concurrence by the State and Federal Wildlife Agencies prior approval of grading and improvement plans for any phase. **TIMING:** Prior to the approval of the first grading and improvement plan of any portion of the project. **MONITORING:** The [PDS, PCC, BPPR] shall review the grading plans for compliance with this condition. **NOTE:** Evidence of an Endangered Species Take Permit (Section 7 or Section 10) also satisfies this requirement.

**(NOISE)**

65. **NOI#1 - NOISE RESTRICTION EASEMENT: [PDS, BPPR] [PDS, PCC] [MA] [PDS, FEE X2] INTENT:** In order to reduce the exposure to noise levels in excess of standards established by the County of San Diego General Plan Noise Element, and the County of San Diego CEQA Noise Guidelines for Determining Significance, a noise restriction easement shall be placed on the parcel to reduce

the noise exposure of land uses for sensitive receptors below levels of significance. **DESCRIPTION OF REQUIREMENT:** A Noise Restriction Easement, as indicated on the Noise Study and prepared by LDN Consulting, shall be granted on the Final Map. The said easement shall include and shall comply with the following:

- a. Prior to the approval of any Building Plan and issuance of any Building Permit, a County Approved Acoustical Consultant, shall perform an acoustical analysis, which demonstrates that the proposed **residential dwelling** unit(s) will not be exposed to present and anticipated future noise levels exceeding the allowable sound level limit of the General Plan community noise equivalent levels (CNEL) of 45 dB for interior noise, and a (CNEL) of 60dB for exterior noise levels. Exterior noise sensitive land uses include all Group or Private Usable Open Space as defined by the General Plan Noise Element.
  1. Future traffic noise level estimates, must utilize a Level of Service "C" traffic flow for a Highway for State Route 78, which is its designated General Plan buildout roadway classification.
  2. Future traffic noise level estimates, must utilize a Level of Service "C" traffic flow for a Light Collector roadway for Pine Hills Road, which is its designated General Plan buildout roadway classification.
- b. The acoustical analysis shall make recommendations that shall be implemented in the project design and building plans, so the proposed structures and project site can comply with the noise standards referenced above.
- c. The unauthorized removal of documented noise control measures at a future date after the initial condition is satisfied shall make the affected noise sensitive land use still subject to this building restriction for protection of these uses before any future building permits can be approved and issued.
- d. Prior to the approval of any Building Plan and issuance of any Building Permit, the applicant shall prepare the acoustic analysis and incorporate the proposed project design recommendations and mitigation measures, into the Building Plans. The applicant shall submit the acoustical analysis along with the building plans to the [PDS, BD] for review and approval before the building permits can be issued. To the satisfaction of the [PDS, PCC], the applicant shall revise the building plans or site design to incorporate any additional proposed mitigation measures.

**Documentation:** The applicant shall indicate the noise restriction easement on the map as indicated on the tentative map. **TIMING:** Prior to the approval of the map, the requirements of this condition shall be completed. **MONITORING:** The [DPW, LDR] shall verify that the easement is indicated on the map, and that the map details the language above.

**(AGRICULTURE)**

66. **AG#1 – AGRICULTURAL OPEN SPACE EASEMENT: [PDS, BPPR] [PDS, PCCI] [DGS, RP] [MA, GP, IP] [PDS, FEE X2] INTENT:** In order to assure the project site will be available for agricultural production; to ensure that the project complies with the existing Williamson Act Contract, as amended; and to require that any future residential development be incidental to the lot agricultural operations. **DESCRIPTION OF REQUIREMENT:** The applicant and its assigns shall prepare, execute and record an agricultural open space easement, to the benefit of the County of San Diego. That easement shall also be placed on the Final Map. An agricultural open space easement shall include and shall comply with the following:

A Land Conservation Contract (County of San Diego Contract No. 7793-4900-A), dated February 19, 1974, as amended, entered into pursuant to the California Land Conservation Act of 1965 is recorded against the Subject Property (the "Contract"). The Contract establishes an agricultural preserve and limits the authorized use of the Subject Property to certain agricultural and compatible uses more particularly specified therein (collectively, "Agricultural Uses"). Agricultural Uses allowed within the agricultural preserve include, but are not limited to, the production, cultivation, growing, replanting, and harvesting of crops used for food or fiber, horticulture, the raising of livestock, cattle breeding, cattle grazing, the keeping of certain poultry and animals, single family dwellings, buildings and structures incidental to agriculture. The allowable uses of the Subject Property shall be limited to Agricultural Uses, notwithstanding the subdivision of the Subject Property, and the County shall have the right, but not the obligation, to enforce such use restrictions against the current and future owners of the Subject Property, or any portion thereof, through any and all lawful means available. The provisions of this Easement shall remain in effect only during the time that the Subject Property is subject to the terms of the Contract. This Easement shall apply only to a parcel, or that part of any parcel, subject to the Contract, and shall terminate and have no further force and effect upon the termination or expiration of the Contract.

**DOCUMENTATION:** The applicant shall prepare and provide the agricultural open space easement documents and the Final Map, with the easement delineated thereon, to PDS for review and to the satisfaction of the Director of PDS. **TIMING:** Prior to the approval of the Map for, and prior to the approval of



any grading or improvement plan, and prior to the issuance of any grading or construction permit, the easement shall be recorded after this easement is reviewed by, and is determined to be to the satisfaction of, the Director of PDS. **MONITORING:** The [DGS, RP] shall determine its agreement of, and its satisfaction to, the easement documents and if satisfactory shall approve the easement documents, and send them to [PDS, PCC] for pre-approval. The [PDS, PCC] shall pre-approve the language and the location of the easement on the Final Map, before releasing the easement documents to the applicant, for signature and subsequent recordation. Upon recordation of the easement [DGS, RP] shall forward a copy of the recorded documents to [PDS, PCC] for satisfaction of the condition.

**(CULTURAL)**

**67. CULT#1 - DATA RECOVERY PROGRAM: [PDS, PCC] [MA, GP, IP] [PDS, FEE] INTENT:** In order to mitigate for potential impacts to significant cultural resources pursuant to Section 15064.5 of the California Environmental Quality Act (CEQA), which are not determined to be significant pursuant to Section 86.602.o of the Resource Protection Ordinance (RPO), a data recovery program shall be implemented. **DESCRIPTION OF REQUIREMENT:** Submit a Data Recovery Program for archaeological site, CA-SDI-16881/H. The Data Recovery Program shall include, but is not limited to the following performance standards:

- a. The presence of a Kumeyaay Native American monitor shall be required for the duration of the excavation portion of the data recovery.
- b. Phase 1 data recovery shall include mechanical trenching (optional) and a percentage hand excavated sample of the subsurface artifact concentrations for CA-SDI-16881/H to be determined by the Project Archaeologist.
- c. At the completion of Phase 1, a letter report shall be submitted to Planning & Development Services. The letter report shall evaluate the issues of site integrity, data redundancy, spatial and temporal patterning, features, and other relevant topics in order to assess the adequacy of the initial sample. Based on this assessment, the letter report shall recommend the need for and scope of a second phase of field investigations. If a second phase is required, the sample size shall be determined in coordination with the PDS Staff Archaeologist.
- d. Implement Phase 2 of fieldwork, as necessary.
- e. Conduct artifact analysis, including lithics analysis, ceramics analysis, faunal analysis, floral analysis, assemblage analysis, and radiocarbon dating, as necessary. In addition, the historic artifacts shall be identified and analyzed using historical archaeological analytical techniques such as artifact function patterning, bottled products pattern analysis and ceramic economic indexing.

Additional historic research shall be conducted as necessary to aid in analyzing and explaining the significance of patterns.

f. The disposition of cultural materials collected during data recovery shall be completed as follows:

1. Prehistoric materials shall be submitted to a San Diego curation facility or a culturally affiliated Native American Tribal curation facility that meets federal standards per 36 CFR Part 79.

or

All prehistoric materials collected during the data recovery shall be returned to a Native American group of appropriate tribal affinity.

2. Historic materials shall be curated at a San Diego curation facility and shall not be curated at a Tribal curation facility or repatriated.

**DOCUMENTATION:** Submit a Data Recovery Program to Planning & Development Services for approval. **TIMING:** Prior to the approval of any plan, issuance of any permit and prior to approval of any map, the data recovery program shall be prepared and approved. **MONITORING:** The [PDS, PCC] shall review the Data Recovery Program for compliance with this condition.

68. **CULT#2 - DATA RECOVERY PROGRAM IMPLEMENTATION: [PDS, PCC] [MA, GP, IP] [PDS, FEE] INTENT:** In order to mitigate for potential impacts to significant cultural resources pursuant to Section 15064.5 of the California Environmental Quality Act (CEQA), which are not determined to be significant pursuant to Section 86.602.o of the Resource Protection Ordinance (RPO), a data recovery program shall be implemented. **DESCRIPTION OF REQUIREMENT:** Implement the Data Recovery Program for archaeological site, CA-SDI-16881/H, as approved under Condition Number 66 - CULT#1. **DOCUMENTATION:** Upon completion of the Phase One data recovery referenced under CULT#1, the applicant shall submit the Final Technical Report to the [PDS, PCC] for review and approval, unless a Phase Two Data Recovery Program is required. If a Phase Two Data Recovery Program is required, the applicant shall provide a letter report upon completion of the Phase One Data Recovery and a Final Technical Report upon the completion of the Phase Two Data Recovery. The final report shall include a letter from the curation facility or culturally affiliated Tribe identifying that archaeological materials have been received, and that all fees have been paid, if required. **TIMING:** Prior to the approval of any plan, issuance of any permit and prior to approval of any map, the data recovery program shall be completed. **MONITORING:** The [PDS, PCC] shall review the Phase One Technical Report from the project archaeologist (PI) for compliance with this condition. If a Phase Two data recovery program is

required, the [PDS, PCC] shall review the final data recovery program report for compliance with this condition.

**69. CULT#3 - ARCHAEOLOGICAL MONITORING [PDS, FEE X2]**

**INTENT:** In order to mitigate for potential impacts to undiscovered buried archaeological resources, an Archaeological Monitoring Program and potential Data Recovery Program shall be implemented pursuant to the County of San Diego Guidelines for Determining Significance for Cultural Resources and the California Environmental Quality Act (CEQA). **DESCRIPTION OF REQUIREMENT:** A County Approved Principal Investigator (PI) known as the "Project Archaeologist," shall be contracted to perform archaeological monitoring and a potential data recovery program during all grading, clearing, grubbing, trenching, and construction activities. The archaeological monitoring program shall include the following:

- a. The Project Archaeologist shall perform the monitoring duties before, during and after construction pursuant to the most current version of the County of San Diego Guidelines for Determining Significance and Report Format and Requirements for Cultural Resources, and this permit. The contract or letter of acceptance provided to the County shall include an agreement that the archaeological monitoring will be completed, and a Memorandum of Understanding (MOU) between the Project Archaeologist and the County of San Diego shall be executed. The contract or letter acceptance shall include a cost estimate for the monitoring work and reporting.
- b. The Project Archeologist shall provide evidence that a Kumeyaay Native American has been contracted to perform Native American Monitoring for the project.
- c. The cost of the monitoring shall be added to the grading bonds or bonded separately.

**DOCUMENTATION:** The applicant shall provide a copy of the Archaeological Monitoring Contract or letter of acceptance, cost estimate, and MOU to the [PDS, PCC]. Additionally, the cost amount of the monitoring work shall be added to the grading bond cost estimate. **TIMING:** Prior to the approval of the Map for PDS2003-3100-5312 RPL<sup>3</sup> and prior to the approval of any plan and issuance of any permit, the contract shall be provided. **MONITORING:** The [PDS, PCC] shall review the contract or letter of acceptance, MOU and cost estimate or separate bonds for compliance with this condition. The cost estimate should be forwarded to [PDS, LDR], for inclusion in the grading bond cost estimate, and grading bonds and the grading monitoring requirement shall be made a condition of the issuance of the grading or construction permit.



70. **CULT#4 - CULTURAL RESOURCES REPORT [PDS, FEE X2] INTENT:** In order to ensure that the Archaeological Monitoring occurred during the earth-disturbing activities, a final report shall be prepared. **DESCRIPTION OF REQUIREMENT:** A final Archaeological Monitoring and Data Recovery Report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program shall be prepared. The report shall include the following items:

- a. DPR Primary and Archaeological Site forms.
- b. Daily Monitoring Logs
- c. Evidence that the disposition of all cultural materials collected during the survey, evaluation, data recovery, and archaeological monitoring program have been completed as follows:
  1. All prehistoric cultural materials shall be curated at a San Diego curation facility or a culturally affiliated Tribal curation facility that meets federal standards per 36 CFR Part 79, and, therefore, would be professionally curated. The collections and associated records, including title, shall be transferred to the San Diego curation facility or culturally affiliated Tribal curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that the prehistoric archaeological materials have been received and that all fees have been paid.

or

Evidence that all prehistoric materials collected during the archaeological monitoring program have been returned to a Native American group of appropriate tribal affinity. Evidence shall be in the form of a letter from the Native American tribe to whom the cultural resources have been repatriated identifying that the archaeological materials have been received.

2. Historic materials shall be curated at a San Diego curation facility as described above and shall not be curated at a Tribal curation facility or repatriated. The collections and associated records, including title, shall be transferred to the San Diego curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that the historic materials have been received and that all fees have been paid.

- d. If no cultural resources are discovered, a Negative Monitoring Report must be submitted stating that the grading monitoring activities have been completed. Grading Monitoring Logs must be submitted with the negative monitoring report.

**DOCUMENTATION:** The applicant's archaeologist shall prepare the final report and submit it to the *[PDS, PCC]* for approval. Once approved, a final copy of the report shall be submitted to the South Coastal Information Center (SCIC) and the culturally-affiliated Tribe. **TIMING:** Prior to any occupancy or final grading release, the final report shall be prepared. **MONITORING:** The *[PDS, PCC]* shall review the final report for compliance this condition and the report format guidelines. Upon acceptance of the report, *[PDS, PCC]* shall inform *[PDS, LDR]* and *[DPW, PDCI]*, that the requirement is complete and the bond amount can be relinquished. If the monitoring was bonded separately, then *[PDS, PCC]* shall inform *[PDS or DPW FISCAL]* to release the bond back to the applicant.

Prior to use and reliance on this permit the following conditions shall be placed on the face of all future grading permits and / or improvement plans:

**PRE-CONSTRUCTION GRADING AND/OR IMPROVMENTS OR MEETING:** *(Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances.)*

**(BIOLOGICAL RESOURCES)**

**71. BIO GP#1 - BIOLOGICAL MONITORING: [PDS, PCC] [DPW, PDCI] [PC] [PDS, FEE X3]. INTENT:** In order to prevent inadvertent disturbance to sensitive resources protected within open space, all grading located within 100 feet of the open space easement boundary shall be monitored by a biological monitor. **DESCRIPTION OF REQUIREMENT:** A County approved biologist shall perform biological monitoring during all grading, clearing, grubbing, trenching, and construction activities within 100 feet of the open space easement boundary. "The Project Biologist shall also perform the following duties before construction to comply with the conditions of this Grading Plan and Tentative Map 5312:

- a. Supervise and verify placement of temporary fencing of open space easements. The placement of such fencing shall be approved by the PDS, Permit Compliance Section.
- b. Supervise and verify placement of permanent fencing and signage of open space easements to ensure they are on the development side and do not impact the open space. The placement of such fencing shall be approved by the PDS, Permit Compliance Section.
- c. The Biologist shall attend the preconstruction meetings and other meetings to discuss construction requirements. Such meeting shall include the PDS Permit Compliance Section.

**DOCUMENTATION:** The Biological Monitor shall prepare written documentation that certifies that the temporary fencing has been installed and that all construction staff has been trained on the site sensitive biological resources that are to be avoided. **TIMING:** Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be completed. **MONITORING:** The [DPW, PDCI] shall invite the [PDS, PCC] to the preconstruction conference to coordinate the Biological Monitoring requirements of this condition. The [PDS, PCC] shall attend the preconstruction conference and verify the installation of the temporary fencing and approve the training documentation prepared by the biologist.

**72. BIO GP#2 - TEMPORARY FENCING: [PDS, PCC] [DPW,PDCI] [PC] [PDS, FEE]. INTENT:** In order to prevent inadvertent disturbance to open space, temporary construction fencing shall be installed wherever permanent fencing was not installed. **DESCRIPTION OF REQUIREMENT:** Prior to the commencement of any grading and/or clearing in association with this grading



plan, temporary orange construction fencing shall be placed to protect from inadvertent disturbance of all open space easements that do not allow grading, brushing or clearing. Temporary fencing is also required in all locations of the project where proposed grading or clearing is within 100 feet of an open space easement boundary. The placement of such fencing shall be approved by the PDS, Permit Compliance Section. Upon approval, the fencing shall remain in place until the conclusion of grading activities after which the fencing shall be removed. **DOCUMENTATION:** The applicant shall provide evidence that the fencing has been installed and have a California licensed surveyor certify that the fencing is located on the boundary of the open space easement(s). The applicant shall submit photos of the fencing along with the certification letter to the [PDS, PCC] for approval. **TIMING:** Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances the fencing shall be installed, and shall remain for the duration of the grading and clearing. **MONITORING:** The [PDS, PCC] shall either attend the preconstruction conference and approve the installation of the temporary fencing, or review the certification and pictures provided by the applicant.

73. **BIO GP#3 - BREEDING SEASON AVOIDANCE: [PDS, PCC] [DPW, PDCI] PDS, FEE X2]. INTENT:** In order to avoid impacts to the numerous sensitive species observed on-site, breeding season avoidance shall be implemented on all plans. **DESCRIPTION OF REQUIREMENT:** There shall be no brushing, clearing and/or grading allowed within 500 feet of any potential nesting habitat during the avian breeding season as indicated on these plans. The breeding season is defined as occurring between January 1 and August 31. The Director of Planning & Development Services [PDS, PCC] may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Wildlife, provided that no nesting or breeding birds are present in the vicinity of the brushing, clearing or grading. **DOCUMENTATION:** The applicant shall provide a letter of agreement with this condition; alternatively, the applicant may submit a written request for waiver of this condition. No grading shall occur between January 1 and August 31 until concurrence is received from the County and the Wildlife Agencies. **TIMING:** Prior to preconstruction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout the duration of the grading and construction, compliance with this condition is mandatory unless the requirement is waived by the County upon receipt of concurrence from the Wildlife Agencies. **MONITORING:** The [DPW, PDCI] shall not allow any grading during the specified dates, unless a concurrence from the [PDS, PCC] is received. The [PDS, PCC] shall review the concurrence letter.”

#### **(CULTURAL RESOURCES)**

74. **CULT GP#1 - ARCHAEOLOGICAL MONITORING – PRECONSTRUCTION MEETING [PDS, FEE X2] INTENT:** In order to comply with the County of San Diego Guidelines for Significance – Cultural Resources, an Archaeological

Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The County approved Project Archaeologist, Kumeyaay Native American Monitor, and [PDS, PCC], shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the archaeological monitoring program. The Project Archaeologist and Kumeyaay Native American Monitor shall monitor the original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements. The archaeological monitoring program shall comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources. **DOCUMENTATION:** The applicant shall have the contracted Project Archeologist and Kumeyaay Native American attend the preconstruction meeting to explain the monitoring requirements. **TIMING:** Prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be completed. **MONITORING:** The [DPW, PDCI] shall invite the [PDS, PCC] to the preconstruction conference to coordinate the Archaeological Monitoring requirements of this condition. The [PDS, PCC] shall attend the preconstruction conference and confirm the attendance of the approved Project Archaeologist.

**DURING CONSTRUCTION:** *(The following actions shall occur throughout the duration of the grading construction).*

**(BIOLOGICAL RESOURCES)**

75. **BIO GP#1 - BIOLOGICAL MONITORING:** [PDS, PCC] [DPW,PDCI] [PC] [PDS, FEE X3]. **INTENT:** In order to prevent inadvertent disturbance to sensitive resources protected within open space, all grading located within 100 feet of open space easements shall be monitored by a biological monitor. **DESCRIPTION OF REQUIREMENT:** A County approved biologist shall perform biological monitoring during all grading, clearing, grubbing, trenching, and construction activities within 100 feet of open space easements. The Project Biologist shall supervise and monitor grading activities to ensure against damage to biological resources that are intended to be protected and preserved. If there are disturbances, the monitor must report them immediately to the [PDS PCC]. Additionally, the biologist shall perform the following duties: [PDS, FEE]
- a. Perform weekly inspection of fencing and erosion control measures (daily during rain events) near proposed preservation areas and report deficiencies immediately to the DPW Construction Inspector;
  - b. Perform periodically monitor the work area for excessive dust generation in compliance with the County grading ordinance and report deficiencies immediately to the DPW Construction Inspector;
  - c. Conduct training for contractors and construction personnel, including the purpose for resource protection, a description of the species of concern, and the conservation measures that should be implemented during project construction;

- d. Monitor construction lighting periodically to ensure lighting is the lowest illumination possible allowed for safety, selectively placed, shielded, and directed away from preserved habitat;
- e. Monitor equipment maintenance, staging, and fuel dispensing areas to ensure there is no runoff to Waters of the US;
- f. Stop or divert all work when deficiencies require mediation and notify DPW Construction Inspector and PDS Permit Compliance Section within 24 hours; (8) produce periodic (monthly during grading) and final reports and submit to the Wildlife Agencies and the PDS (final report will release bond);
- g. Confer with the Wildlife Agencies and PDS Permit Compliance Coordinator within 24 hours any time protected habitat or listed species are being affected by construction;
- h. Attend construction meetings and other meetings as necessary.

**DOCUMENTATION:** The Project Biologist shall prepare and submit to the satisfaction of the [PDS, PCC] monitoring reports, which indicate that the monitoring has occurred as indicated above. **TIMING:** The following actions shall occur throughout the duration of the grading construction. **MONITORING:** The [DPW, PDCI] shall assure that the Project Biologist is on-site performing the Monitoring duties of this condition during all applicable grading activities as determined by the Biologist. The [DPW, PDCI] shall contact the [PDS, PCC] if the Project Biologist or applicant fails to comply with this condition. The [PDS, PCC] shall review and approve the monitoring reports for compliance with this condition.

### (AIR QUALITY)

#### 76. AQ GP#1 - AIR QUALITY GRADING AND CONSTRUCTION MITIGATION:

[PDS, PCC] [DPW, PDCI] [PC] [PDS, FEE X3]. **Intent:** In Order to mitigate for air quality impacts during construction **Description of Requirement:** The project shall comply with the following Air Quality measures:

- a. All haul/dump trucks entering or leaving the site with soil or fill material must maintain at least 2 feet of freeboard or cover loads of all haul/dump trucks securely (unnumbered design measure).
- b. Dust control measures of the Grading Ordinance shall be enhanced with a minimum of three (3) daily applications of water to the construction areas, between dozer/scrapper passes and on any unpaved roads within the project limits.
- c. Grading shall be terminated in winds exceed 25 mph.
- d. Sweepers and water trucks shall be used to control dust and debris at public street access points.
- e. Dirt storage piles shall be stabilized by chemical binders, tarps, fencing or other suppression measures.



- f. Internal construction-roadways shall be stabilized by paving, chip sealing or chemicals after rough grading.
- g. A minimum of four - 15 mph signs shall be posted and enforced on unpaved areas during construction.
- h. During construction activities, construction equipment shall be properly maintained to ensure proper timing and tuning of engines. Equipment maintenance records and equipment design specification data sheets shall be kept on-site during construction activity.
- i. During construction activities, contractor shall ensure that all equipment on-site will not idle for more than five (5) minutes.
  - a. Contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB).

**Documentation:** The applicant shall comply with the Air Quality requirements of this condition. **Timing:** The following actions shall occur throughout the duration of construction **Monitoring:** The [DPW, PDCI] shall make sure that the grading contractor complies with the Air Quality requirements of this condition. The [DPW, PDCI] shall contact the [PDS, PCC] if the applicant fails to comply with this condition.

#### **(CULTURAL RESOURCES)**

**77. CULT GP#1 - ARCHAEOLOGICAL MONITORING - DURING CONSTRUCTION [PDS, FEE X2] INTENT:** In order to comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources, a Cultural Resource Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Archaeologist and Kumeyaay Native American Monitor shall monitor the original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements. The archaeological monitoring program shall comply with the following requirements during earth-disturbing activities:

- a. During the original cutting of previously undisturbed deposits, the Project Archaeologist and Kumeyaay Native American Monitor shall be onsite as determined necessary by the Project Archaeologist. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined by the Project Archaeologist in consultation with the Kumeyaay Native American Monitor. Monitoring of cutting of previously disturbed deposits will be determined by the Project Archaeologist in consultation with the Kumeyaay Native American Monitor.
- b. In the event that previously unidentified potentially significant cultural resources are discovered, the Project Archaeologist or the Kumeyaay Native American monitor shall have the authority to divert or temporarily

halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources. At the time of discovery, the Project Archaeologist shall contact the PDS Staff Archaeologist. The Project Archaeologist, in consultation with the PDS Staff Archaeologist and the Kumeyaay Native American Monitor, shall determine the significance of the discovered resources. Construction activities will be allowed to resume in the affected area only after the PDS Staff Archaeologist has concurred with the evaluation. Isolates and clearly non-significant deposits shall be minimally documented in the field. Should the isolates and/or non-significant deposits not be collected by the Project Archaeologist, then the Kumeyaay Native American monitor may collect the cultural material for transfer to a Tribal Curation facility or repatriation program. A Research Design and Data Recovery Program (Program) is required to mitigate impacts to identified significant cultural resources. The Research Design and Data Recovery Program shall be prepared by the Project Archaeologist in coordination with the Kumeyaay Native American Monitor. The County Archaeologist shall review and approve the Program, which shall be carried out using professional archaeological methods. The Program shall include (1) reasonable efforts to preserve (avoidance) "unique" cultural resources or Sacred Sites; (2) the capping of identified Sacred Sites or unique cultural resources and placement of development over the cap, if avoidance is infeasible; and (3) data recovery for non-unique cultural resources. The preferred option is preservation (avoidance).

- c. If any human remains are discovered, the Property Owner or their representative shall contact the County Coroner and the PDS Staff Archaeologist. Upon identification of human remains, no further disturbance shall occur in the area of the find until the County Coroner has made the necessary findings as to origin. If the remains are determined to be of Native American origin, the Most Likely Descendant (MLD), as identified by the Native American Heritage Commission (NAHC), shall be contacted by the Property Owner or their representative in order to determine proper treatment and disposition of the remains. The immediate vicinity where the Native American human remains are located is not to be damaged or disturbed by further development activity until consultation with the MLD regarding their recommendations as required by Public Resources Code Section 5097.98 has been conducted. Public Resources Code §5097.98, CEQA §15064.5 and Health & Safety Code §7050.5 shall be followed in the event that human remains are discovered.
- d. The Project Archaeologist shall submit monthly status reports to the Director of Planning and Development Services starting from the date of the Notice to Proceed to termination of implementation of the archaeological monitoring program. The report shall briefly summarize all activities during the period and the status of progress on overall plan

implementation. Upon completion of the implementation phase, a final report shall be submitted describing the plan compliance procedures and site conditions before and after construction.

**DOCUMENTATION:** The applicant shall implement the Archaeological Monitoring Program pursuant to this condition. **TIMING:** The following actions shall occur throughout the duration of the earth disturbing activities. **MONITORING:** The [DPW, PDCI] shall make sure that the Project Archeologist is on-site performing the monitoring duties of this condition. The [DPW, PDCI] shall contact the [PDS, PCC] if the Project Archeologist or applicant fails to comply with this condition.

**ROUGH GRADING:** *(Prior to rough grading approval and issuance of any building permit).*

**(BIOLOGICAL RESOURCES)**

- 78. BIO GP#1 - BIOLOGICAL MONITORING: [PDS, PCC] [RG, BP] [PDS, FEE].**  
**INTENT:** In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) pursuant to Tentative Map 5312, and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Biological Resources, a Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Biologist shall prepare and submit a final letter report substantiating his/her supervision of the grading activities and substantiating that grading did not impact additional areas of open space easement or other sensitive biological resources. The report shall conform to the County of San Diego Report Format Guidelines for Biological Resources. It shall also include but not be limited to the following items:
- a. Photos of the temporary fencing that was installed during the trenching, grading, or clearing activities.
  - b. Monitoring logs showing the date and time that the monitor was on site.
  - c. Photos of the site after the grading and clearing activities.
  - d. Provide a letter stating that all Sensitive Resource Easements were avoided during the grading construction, and that no impacts or encroachment into the open space occurred.

**DOCUMENTATION:** The applicant shall submit the final biological monitoring report to the [PDS, PCC] for review and approval. **TIMING:** Upon completion of all grading activities, and prior to Rough Grading final Inspection (Grading Ordinance SEC 87.421.a.2), the final report shall be completed. **MONITORING:** The [PDS, PCC] shall review the final report for compliance with the project MMRP, and inform [DPW, PDCI] that the requirement is completed.



**(CULTURAL)**

- 79. CULT GP#1 - ARCHAEOLOGICAL MONITORING – ROUGH GRADING [PDS, FEE] INTENT:** In order to comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources, an Archaeological Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Archaeologist shall prepare one of the following reports upon completion of the earth-disturbing activities that require monitoring:

- a. If no archaeological resources are encountered during earth-disturbing activities, then submit a final Negative Monitoring Report substantiating that earth-disturbing activities are completed and no cultural resources were encountered. Archaeological monitoring logs showing the date and time that the monitor was on site and any comments from the Kumeyaay Native American Monitor must be included in the Negative Monitoring Report.
- b. If archaeological resources were encountered during the earth disturbing activities, the Project Archaeologist shall provide an Archaeological Monitoring Report stating that the field monitoring activities have been completed, and that resources have been encountered. The report shall detail all cultural artifacts and deposits discovered during monitoring and the anticipated time schedule for completion of the curation and/or repatriation phase of the monitoring.

**DOCUMENTATION:** The applicant shall submit the Archaeological Monitoring Report to the [PDS, PCC] for review and approval. Once approved, a final copy of the report shall be submitted to the South Coastal Information Center and the culturally-affiliated Tribe. **TIMING:** Upon completion of all earth-disturbing activities, and prior to Rough Grading Final Inspection (Grading Ordinance SEC 87.421.a.2), the report shall be completed. **MONITORING:** The [PDS, PCC] shall review the report or field monitoring memo for compliance with the project MMRP, and inform [DPW, PDCI] that the requirement is completed.

**FINAL GRADING RELEASE:** *(Prior to any occupancy, final grading release, or use of the premises in reliance of this permit).*

**(BIOLOGICAL RESOURCES)**

- 80. BIO GP#1 - OPEN SPACE SIGNAGE & FENCING: [PDS, PCC] [DPW, PDCI] [FG, UO] [PDS, FEE]. INTENT:** In order to comply with Condition **BIO#12** and **BIO#13** pursuant to the adopted Mitigation Monitoring and Reporting Program (MMRP) for Tentative Map 5312, the fencing and signage shall be installed. **DESCRIPTION OF REQUIREMENT:** The permanent fences or walls, and open

space signs shall be placed along the open space boundary as shown on these plans and the approved Conceptual Grading and Development Plan for TM 5312.

- a. 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.
- b. 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**

**Area Restricted by Easement**

Entry without express written permission from the County of San Diego is prohibited. To report a violation or for more information about easement restrictions and exceptions contact the County of San Diego, Planning & Development Services  
Reference: PDS2003-3100-5312

**DOCUMENTATION:** The applicant shall install the fencing and signage and provide the documentation photos and certification statement to the [PDS, PCC].

**TIMING:** Prior to the occupancy of any structure or use of the premises, and prior to Final Grading Release (Grading Ordinance Sec. 87.421.a.3) the fencing and signage shall be installed. **MONITORING:** The [PDS, PCC] shall review the photos and statement for compliance with this condition.

**(CULTURAL)**

- 81. CULT GP#1 - ARCHAEOLOGICAL MONITORING – FINAL GRADING [PDS, FEE] INTENT:** In order to comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources, an Archaeological Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Archaeologist shall prepare a final report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program if cultural resources were encountered during earth-disturbing activities. The report shall include the following, if applicable:

- a. Department of Parks and Recreation Primary and Archaeological Site forms.
- b. Daily Monitoring Logs
- c. Evidence that the disposition of all cultural materials has been completed as follows:
  1. Evidence that all prehistoric materials collected during the survey, evaluation, data recovery, and archaeological monitoring program have been submitted to a San Diego curation facility or a culturally affiliated Native American Tribal curation facility that meets federal

standards per 36 CFR Part 79. The collections and associated records, including title, shall be transferred to the San Diego curation facility or culturally affiliated Native American Tribal curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that the prehistoric archaeological materials have been received and that all fees have been paid.

or

Evidence that all prehistoric materials collected during the archaeological monitoring program have been returned to a Native American group of appropriate tribal affinity. Evidence shall be in the form of a letter from the Native American tribe to whom the cultural resources have been repatriated identifying that the archaeological materials have been received.

2. Historic materials shall be curated at a San Diego curation facility and shall not be curated at a Tribal curation facility or repatriated. The collections and associated records, including title, shall be transferred to the San Diego curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that the historic materials have been received and that all fees have been paid.

- d. If no cultural resources are discovered, a Negative Monitoring Report must be submitted stating that the archaeological monitoring activities have been completed. Grading Monitoring Logs must be submitted with the negative monitoring report.

**DOCUMENTATION:** The applicant's archaeologist shall prepare the final report and submit it to the [PDS, PCC] for approval. Once approved, a final copy of the report shall be submitted to the South Coastal Information Center (SCIC) and the culturally-affiliated Tribe. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the final report shall be prepared. **MONITORING:** The [PDS, PCC] shall review the final report for compliance with this condition and the report format guidelines. Upon acceptance of the report, [PDS, PCC] shall inform [PDS, LDR] and [DPW, PDCI], that the requirement is complete and the bond amount can be relinquished. If the monitoring was bonded separately, then [PDS, PCC] shall inform [PDS or DPW FISCAL] to release the bond back to the applicant.



**(AGRICULTURE)**

- 82. AG GP#1 – AGRICULTURAL USES: [PDS, BPPR] [PDS, PCCI] [DGS, RP] [MA, GP, IP] [PDS, FEE X2] INTENT:** To ensure that each lot includes and incorporates an agricultural component, as any residential uses are and remain incidental to the agricultural use of the property in compliance with the adopted and amended Williamson Act Contract. **DESCRIPTION OF REQUIREMENT:** Each future lot owner shall sign a disclosure statement that describes the Williamson Act Contract requirement that agriculture shall be established prior to construction of a residence to anyone leasing or buying a parcel in the Hoskings Ranch subdivision. **DOCUMENTATION:** The applicant or its assigns shall submit the signed disclosure statements from property purchasers to [PDS, BPPR] in a form that is acceptable to the Director of PDS. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the draft disclosure forms shall be submitted for review and shall be prepared to the satisfaction of the Director of PDS. Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the signed disclosure forms shall be submitted to [PDS, PCC]. **MONITORING:** The [PDS, PCC] shall review the final disclosure forms for compliance with this condition.

**(FIRE PROTECTION)**

- 83. FIRE GP#1 – FIRE LIMITED BUILDING AND FUEL MODIFICATION RESTRICTION ZONES [PDS, FEE X2] INTENT:** In order to provide Defensible Space for the project, a Limited Building Zone (LBZ) Restriction for Fire Protection purposes shall be established to comply with the County of San Diego Fire Code Section 96.1.4707 for Defensible Space. **DESCRIPTION OF REQUIREMENT:** Grant to the County of San Diego an LBZ Easement and manage the LBZ according to specified Fuel Management Zones FMZ1, 2 and 3 (found described within the project Fire Protection Plan). The Fuel Management Zones shall be managed to ensure that fifty percent of the existing native combustible vegetation is cleared. Trees may remain provided that the horizontal distance between the crowns of trees is not less than ten feet. Orchards, groves, and vineyards shall be maintained, as per Section 4707.3.2 of the San Diego County Consolidated Fire Code, adopted and effective on November 20, 2014. Fire resistive plant materials shall only be planted on the site, as listed in the project Fire Protection Plan. Fuel Modification Zones shall be delineated with permanent markers, until such time they no longer needed, as determined by the County of San Diego Fire Authority Fire Marshal.

a. Fuel Management Zone 3 - Road and Driveway Clearance

Fuel Management Zone 3 (FMZ3) shall relate to roadside fuel modification and shall be located at the area from the edge of the road or driveway to a

width of 30 feet, on each side of the road. The following design measures are part of FMZ3:

1. All vegetation must be maintained at a height of 4 to 6 inches with all dead and down vegetation removed.
2. Any plants within this area shall be from the San Diego County Acceptable Plant List and maintained per the requirements of FMZ1.
3. Any off-site fuel management along Daley Flat Road and Hoskings Ranch Road shall be pledged memorialized and attached to the parcels through a Private Road Maintenance agreement through the San Diego County Department of Public Works.
4. FMZ3 shall be delineated with permanent markers (e.g., metal fence post with orange paint finish on the top half of the post) until such time it is no longer needed, as determined by the Fire Marshal.

b. Construction Measures

1. Roofs shall be a Class "A" noncombustible material and shall meet San Diego County Department of Planning and Development Services (DPS) standards.
2. Eaves and balconies shall be on noncombustible material and meet San Diego County Building Code
3. Exterior walls shall be a noncombustible or ignition resistive material and meet the San Diego Building Code Chapter 7A.
4. All habitable structures and attached garages shall be equipped with automatic fire sprinklers per the County Consolidated Fire Code requirements (NFPA-13D). All sprinkler systems shall be approved by the Fire Protection District with jurisdiction prior to installation.
5. All future outbuildings must be approved by the Fire Protection District with jurisdiction prior to installation.
6. All structures shall comply with the wildland area structural requirements of the San Diego Building Code Chapter 7A in affect at the time of a building permit application.

c. Maintenance Activities

1. Each lot owner shall be personally responsible for all irrigation and landscaping FMZs within their property boundaries.
2. The JCFPD/County Fire Authority will hold each lot owner accountable for enforcement of all wildland fire protection issues discussed in the FPP.
3. Each lot owner shall not allow trash dumping or disposal of any yard trimmings in the FMZs.
4. The Fire Protection District with jurisdiction or its designated representative shall decide any disputes related to individual lot landscaping or fuel treatment, with respect to interpretation of the FPP. Decisions shall be final and binding to the lot owner.

5. Should modifications to the Tentative Map occur, any and/or all of the FPP may be revised at the discretion of the Fire Protection District with jurisdiction.
6. All exterior boundaries of FMZ1 and FMZ2 shall be permanently marked on the ground for purposes of guiding annual fuel maintenance and inspection operations. These markers must be spaced so that the markers to either side of any individual marker are visible.

d. Emergency Access

1. Dead end roads shall not exceed the 2,640 feet maximum allowable length.
2. All new roads and driveways throughout the Proposed Project shall have a minimum vegetation clearance of 30 feet, as required in FMZ3, and shall meet or exceed all San Diego County and Fire Protection District with jurisdiction requirements, by complying with the San Diego County Consolidated Fire Code.
3. Road requirements shall include all-weather road surfaces suitable for travel by 50,000 pound fire apparatuses.
4. All driveways or roads exceeding 15 percent grade shall be surfaced in Portland cement concrete with deep broom finish perpendicular to the direction of travel to enhance traction.
5. Roads shall not exceed 20 percent grade.
6. All gates shall comply with section 503.6 of the San Diego County Consolidated Fire Code.

e. Water Supplies

1. Onsite water tanks and wells shall supply water for firefighting. Water storage required for firefighting shall comply with the conditions identified in Table 507.2.2 of the County Consolidated Fire Code.

**DOCUMENTATION:** The applicant shall prepare the Final Map and legal descriptions of the LBZ and FMZ easements, and then submit them for preparation and recordation with the [DGS, RP], and pay all applicable fees associated with preparation of the documents. **TIMING:** Prior to approval of any plan or issuance of any permit, and prior to use of the premises in reliance of this permit, the easements shall be recorded. **MONITORING:** The [DGS, RP] shall prepare and approve the easement documents and send them to [PDS, PCC] for pre-approval. The [PDS, PCC] shall pre-approve the language and estimated location of the easements before they are released to the applicant for signature and subsequent recordation. Upon Recordation of the easements [DGS, RP] shall forward a copy of the recorded documents to [PDS, PCC] for satisfaction of the condition.

IT IS FURTHER RESOLVED, THEREFORE, that the Planning Commission of the County of San Diego hereby makes the following findings as supported by the minutes, maps, exhibits, and documentation of said Tentative Map all of which are herein incorporated by reference:

1. The Tentative Map is consistent with all elements of the San Diego County Pre-2011 General Plan for a pipelined project and with the Land Use Designation of Environmentally Constrained Area (ECA)/Intensive Agriculture (19) (1 dwelling unit per 8 acres) because it proposes an agricultural subdivision use type at a minimum density of 1 dwelling unit per 40 acres, as it includes minimum lot sizes of 40 acres, in compliance with the existing Williamson Act Contract. The Tentative Map complies with the provisions of the State Subdivision Map Act and the Subdivision Ordinance of the San Diego County Code;
2. The Tentative Map is consistent with The Zoning Ordinance because it proposes an agricultural use type, with a minimum net lot size of 40 acres, in the A-72 General Agriculture Use Regulation, which requires a minimum lot size of 1 dwelling unit per 8 acres;
3. The design and improvements of the proposed subdivision are consistent with all elements of the San Diego County Pre-2011 General Plan and the Post-2011 General Plan Update, and with the Julian Community Plan, and comply with the provisions of the State Subdivision Map Act and the Subdivision Ordinance of the San Diego County Code;
4. The site is physically suitable for the agricultural use type of development because the project is subject to the Williamson Act Contract Number 73-34, as amended by Williamson Act Contract Number 81-17, which requires agricultural uses, as well as incidental single-family homes; the site is comprised of gently rolling hills and relatively flat areas for development and those areas that are very steep will not be used; the proposed project will avoid the Resource Protection Ordinance wetlands and water bodies; the minimum 40-acre lot sizes will preserve 85 percent of the project site, after approval of the Tentative Map;
5. The site is physically suitable for the proposed density of development because the property water supply is an individual lot well system and the project complies with the Groundwater Ordinance. The required individual on-site sewer disposal systems are allowed and will comply with all health regulations;
6. The design of the subdivision and the type of improvements will not cause public health problems because adequate water supply and sewage disposal services have been found to be available or can be provided concurrent with need;
7. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, based upon the findings of



An Environmental Impact Report, dated September 2015 and on file with PDS as PDS2003-3910-03-10-005;

8. The design of the subdivision or the type of improvements do not conflict with easements, acquired by the public at large, for access through, or use of property within the proposed subdivision, as defined under Section 66474 of the Government Code, State of California; and

The division and development of the property in the manner set forth on the approved Tentative Map will not unreasonably interfere with the free and complete exercise of the public entity or public utility right-of-way or easement;

9. The discharge of sewage waste from the subdivision into the individual private subsurface sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the Water Code, as specified by Government Code Section 66474.6;
10. Because adequate facilities and services have been assured and adequate environmental review and documentation have been prepared, the regional housing opportunities afforded by the subdivision outweigh the impacts upon the public service needs of County residents and fiscal and environmental resources; and
11. Determinations and findings pursuant to the California Environmental Quality Act, the Resource Protection Ordinance, and the Watershed Protection, Stormwater Management, and Discharge Control Ordinance have been made by the Planning Commission.

**MITIGATION MONITORING OR REPORTING PROGRAM (MMRP):** Public Resources Code Section 21081.6 requires the County to adopt a Mitigation Monitoring or Reporting Program for any project approved with the adoption of a Mitigated Negative Declaration or with the certification of an Environmental Impact Report, for which changes in the project are required in order to avoid significant impacts.

Section 21081.6(a)(1) states, in part:

*The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation.*

Section 21081(b) further states:

*A public agency shall provide [that] the measures to mitigate or avoid significant effects on the environment are fully enforceable through permit conditions, agreements, or other measures.*

As indicated above, a Mitigation Monitoring or Reporting Program is required to assure that a project is implemented in compliance with all required mitigation measures. The Mitigation Monitoring or Reporting Program (MMRP) for this project is incorporated into the mitigation measures adopted as project conditions of approval. Each mitigation measure adopted as a condition of approval (COA) includes the following five components.

**Intent:** An explanation of why the mitigation measure (MM) was imposed on the project.

**Description:** A detailed description of the specific action(s) that must be taken to mitigate or avoid impacts.

**Documentation:** A description of the informational items that must be submitted by the applicant to the Lead Agency to demonstrate compliance with the COA.

**Timing:** The specific project milestone (point in progress) when the specific required actions are required to implemented.

**Monitoring:** This section describes the actions to be taken by the lead agency to assure implementation of the mitigation measure.

The conditions of approval required to mitigate or avoid significant impacts to the environment are listed below and constitute the MMRP for this project:

**Condition Numbers 30 – 83, inclusive.**

**MAP PROCESSING REQUIREMENTS:** The parcel map shall comply with the following processing requirements pursuant to the Sections 81.801 through 81.811 of the Subdivision Ordinance and the Subdivision Final Map Processing Manual.

- ☐ The Final map shall show an accurate and detailed vicinity map.
- ☐ The Basis of Bearings for the Final Map shall comply with Section 81.506 of the Subdivision Ordinance.
- ☐ Prior to the approval of the Final 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 Final Map report from a qualified title insurance company.
- ☐ The following notes shall appear on the Final 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.
- ☐ At the time of recordation of the Final 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.
- ☐ The public and private easement roads serving this project shall be named. The responsible party shall contact the Street Address Section of Planning & Development Services (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.
- ☐ Certification by the Department of Environmental Health with respect to water supply and sewage disposal shall be shown on the Final Map.
- ☐ The General Agricultural (A-72) Zoning regulations require that each parcel shall contain a minimum net area of eight acres. The RL-40, RL-80 Land Use Designation of the Post-2011 General Plan and the Intensive Agricultural 19 Land Use Designation of the Pre-2011 General Plan, requires that each parcel shall contain a minimum gross area of 40 acres. If, as a result of survey calculations, required easements, or for any other reason, the area of any parcel shown on this Tentative 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 subject property also proposes to use groundwater as the potable water source for this project. Pursuant to the County's Groundwater Ordinance, No. 7994 (N.S.), each parcel shall contain the required a minimum gross area (4 acres and above for 21 lots or more), which TM 5312 RPL<sup>3</sup> complies with, as the minimum required lot size of that TM is 40 acres. 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.
- ☐ Cause the centerline of Pine Hills Road 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.
- ☐ 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.

**ORDINANCE COMPLIANCE AND NOTICES:** The project is subject to, but not limited to the following County of San Diego, State of California, and US Federal Government, Ordinances, Permits, and Requirements:

**STORMWATER ORDINANCE COMPLIANCE:** In order to Comply with all applicable stormwater regulations 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 No. 10385 and all other applicable ordinances and standards for the life of this permit. The project site shall be in compliance with all applicable stormwater regulations referenced above and all other applicable ordinances and standards. This includes compliance with the approved Stormwater Management Plan, all requirements for Low Impact Development (LID), Hydromodification, 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. The property owner and permittee shall comply with the requirements of the stormwater regulations referenced above.

**LOW IMPACT DEVELOPMENT NOTICE:** The San Diego Regional Water Quality Control Board (SDRWQCB) issued a new Municipal Stormwater Permit under the National Pollutant Discharge Elimination System (NPDES). The requirements of the Municipal Permit were implemented beginning May 8, 2013. *Project design shall be in compliance with the new Municipal Permit regulations.* The Low Impact Development (LID) Best Management Practices (BMP) Requirements of the Municipal Permit can be found at the following link:

[http://www.waterboards.ca.gov/sandiego/water\\_issues/programs/stormwater/docs/sd\\_permit/r9\\_2007\\_0001/2007\\_0001final.pdf](http://www.waterboards.ca.gov/sandiego/water_issues/programs/stormwater/docs/sd_permit/r9_2007_0001/2007_0001final.pdf)

<http://www.sdcountry.ca.gov/PDS/docs/LID-Handbook.pdf>

The County has provided a LID Handbook as a source for LID information and is to be utilized by County staff and outside consultants for implementing LID in our region. See link above.

**GRADING PERMIT:** A grading permit is required prior to commencement of grading per criteria of Section 87.201 of the County Code.

**CONSTRUCTION/IMPROVEMENT PERMIT:** A Construction Permit is required for any and all work within the County road rights-of-way. Contact Construction/Road right-of-way Permits Services Section, (858) 694-3275, to coordinate departmental requirements. In addition, before trimming, removing or planting trees or shrubs in the County Road rights-of-way, the applicant must first obtain a permit to remove plant or trim shrubs or trees from the Permit Services Section.

**ENCROACHMENT PERMIT:** An Encroachment Permit from the County of San Diego



is required for any and all work and for any and all proposed/existing facilities within the County rights-of-way. Documentation of approval from the Director of Public Works shall be provided to the satisfaction of the Director of Planning & Development Services.

**TRANSPORTATION IMPACT FEE:** The project is subject to County of San Diego Transportation Impact Fee (TIF) pursuant to County TIF Ordinance number 77.201 – 77.223. The Transportation Impact Fee (TIF) shall be paid. The fee is required for the entire project, or it can be paid at building permit issuance for each phase of the project. The fee is calculated pursuant to the ordinance at the time of building permit issuance. The applicant shall pay the TIF at the *[PDS, Land Development Counter]* and provide a copy of the receipt to the *[PDS, Building Division Technician]* at time of permit issuance.

**NOTICE:** THE ISSUANCE OF THIS PERMIT BY THE COUNTY OF SAN DIEGO DOES NOT AUTHORIZE THE APPLICANT FOR SAID PERMIT TO VIOLATE ANY FEDERAL, STATE, OR COUNTY LAWS, ORDINANCES, REGULATIONS, OR POLICIES INCLUDING, BUT NOT LIMITED TO, THE FEDERAL ENDANGERED SPECIES ACT AND ANY AMENDMENTS THERETO.

**NOTICE:** Fish and Wildlife Fees County Administrative Fees have been paid in the amount of \$~~XXXXXX~~ for the review of the CEQA EIR, Receipt Number ~~XXXXX~~, dated January ~~XX~~, 2016.

**NOTICE:** The 90 day period in which the applicant may file a protest of the fees, dedications or exactions begins on the date of issuance of the Final Notice of Decision.

**NOTICE:** The project will be required to pay Planning & Development Services Mitigation Monitoring and Condition Review Fee. The fee will be collected at the time of the first submittal for Condition Satisfaction to PDS, including Mitigation Monitoring requests. The amount of the fee will be determined by the current Fee Ordinance requirement, at the time of the first submittal, and is based on the **56** PDS conditions that need to be satisfied. The fee amount will only be paid one time for those conditions that are indicated with the **[PDS, FEE]** designator. The fee will not apply to subsequent project approvals that require a separate submittal fee such as, Revegetation and Landscape Plans, Resource (Habitat) Management Plans, Habitat Loss Permits, Administrative Permits, Site Plans, and any other discretionary permit applications.

**NOTICE:** Time Extension requests cannot be processed without updated project information including new Department of Environmental Health certification of septic systems. Since Department of Environmental Health review may take several months, applicants anticipating the need for Time Extensions for their projects are advised to submit applications for septic certification to the Department of Environmental Health several months prior to the expiration of their Tentative Maps.

EXPLANATION OF COUNTY DEPARTMENT AND DIVISION ACRONYMS			
<b>Planning &amp; Development Services (PDS)</b>			
Project Planning Division	PPD	Land Development Project Review Teams	LDR
Permit Compliance Coordinator	PCC	Project Manager	PM
Building Plan Process Review	BPPR	Plan Checker	PC
Building Division	BD	Map Checker	MC
Building Inspector	BI	Landscape Architect	LA
Zoning Counter	ZO		
<b>Department of Public Works (DPW)</b>			
Private Development Construction Inspection	PDCI	Environmental Services Unit	ESU
<b>Department of Environmental Health (DEH)</b>			
Land and Water Quality Division	LWQ	Local Enforcement Agency	LEA
Vector Control	VCT	Hazmat Division	HMD
<b>Department of Parks and Recreation (DPR)</b>			
Trails Coordinator	TC	Group Program Manager	GPM
Parks Planner	PP		
<b>Department of General Service (DGS)</b>			
Real Property Division	RP		

**APPEAL PROCEDURE:** Within ten days after adoption of this Resolution, these findings and conditions may be appealed in accordance with Section 81.307 of the Subdivision Ordinance and as provided in Section 66452.5 of the Government Code. An appeal shall be filed with the appellant body and/or the Board of Supervisors within TEN CALENDAR DAYS of the date of this Resolution AND MUST BE ACCOMPANIED BY THE DEPOSIT OR FEE AS PRESCRIBED IN THE DEPARTMENT'S FEE SCHEDULE, PDS FORM #369, pursuant to Section 362 of the San Diego County Administrative Code. If the tenth day falls on a weekend or County holiday, an appeal will be accepted until 4:00 p.m. on the following day the County is open for business. No Final Map shall be approved, no grading permit issues, and no building permits for model homes or other temporary uses as permitted by Section 6116 of the Zoning Ordinance shall be issued pursuant to said Tentative Map until after the expiration of the 10th day following adoption of this Resolution, or if an appeal is taken, until the appeal board has sustained the determination of this advisory body. Furthermore, the 90-day period in which the applicant may file a protest of the fees, dedications or exactions begins on the date of adoption of this Resolution.

cc: Mark Thompson Principal, TRS Consulting, 12409 Robison Blvd, Poway CA 92064  
Dave Pettycord, 1477 Ferrara Ct, Escondido CA 92025  
Gary L. Jackson President, Genesee Properties Inc, Post Office Box 63, Berthoud CO 80513  
Chris Brown, 11216 Deprise Cove, San Diego CA 92131

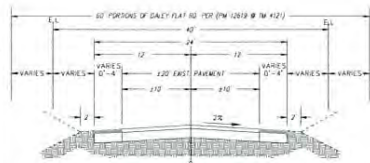
email cc:

Cara Lacey, Chief Project Planning, Planning & Development Services  
Ed Sinsay, Project Manager, Planning & Development Services, Land Development

# COUNTY OF SAN DIEGO TRACT NO. TM 5312 RPL 3 HOSKINGS RANCH, JULIAN - TENTATIVE MAP - LOG NO. 03-10-005

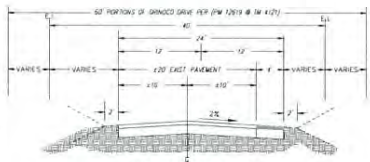
SHEET 1 OF 4

## TYPICAL STREET SECTIONS



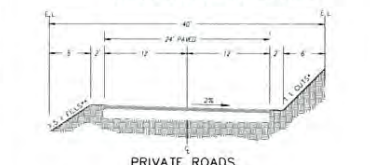
DALEY FLAT ROAD  
NOT TO SCALE

NOTE:  
1. 12" PAVEMENT FROM 20' TO 24'  
2. RECONSTRUCT IN ITS ENTIRETY. THOSE AREAS IDENTIFIED AS SUBSTANDARD PER SOILS ENGINEER'S RECOMMENDATION.



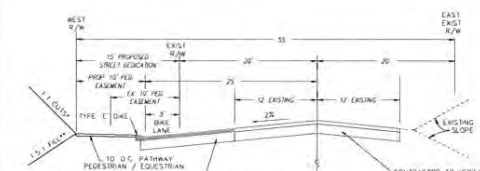
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NOTE:  
1. 12" PAVEMENT FROM 20' TO 24'  
2. RECONSTRUCT IN ITS ENTIRETY. THOSE AREAS IDENTIFIED AS SUBSTANDARD PER SOILS ENGINEER'S RECOMMENDATION.



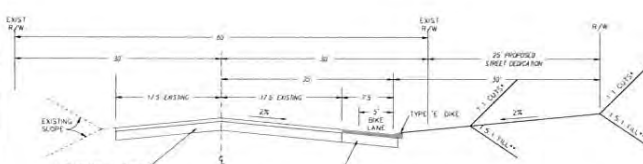
PRIVATE ROADS  
NOT TO SCALE

NOTE:  
1. 1 CUTS WHERE NECESSARY  
2. 1.5' FILL USING GEOTEXTILE WHERE NECESSARY



PINE HILLS ROAD  
PUBLIC STREET  
NOT TO SCALE

NOTE:  
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2. 1.5' FILL USING GEOTEXTILE WHERE NECESSARY



HIGHWAY 78/79  
PUBLIC  
NOT TO SCALE

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## NOTE

THE (FDS) FOREST CONSERVATION INTRINSIC INCLUDED LANGUAGE THAT OVERLAYS THE #22 GENERAL PLAN DESIGNATION OVER TO DESIGNATED LANDS. HOWEVER THAT TO EXPIRE ON DECEMBER 31, 2010 AND NO LONGER APPLIES.

APN # 289-030-12, 289-100-12, 289-470-38, 289-082-07, 289-120-38, 289-081-08, 289-082-34 AND 289-083-04 ARE PART OF AN EXISTING WILLAMSON AGRICULTURAL CONTRACT 40 ACRES MINIMUM LOT SIZE IS REQUIRED.

## STRUCTURAL SECTION CHART FOR PRIVATE ROADS

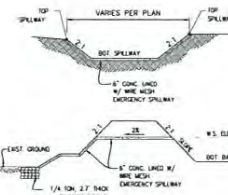
STREET GRADES	STRUCTURAL SECTION
0% TO 10%	DECOMPOSED GRANITE
10% TO 15%	3" AC OVER 8" CLASS # 48 (MINIMUM) OR PER SOILS ENGINEER'S RECOMMENDATIONS
15% TO 20%	3" AC OVER 7" CLASS # 48 (MINIMUM) OR PER SOILS ENGINEER'S RECOMMENDATIONS

## EARTHWORK QUANTITIES\*

RAW EARTHWORK	CUT	FILL
	103,127 CY	103,568 CY
IMPORT REQUIRED*		(8,080 CY)

\* NOTE: EARTHWORK QUANTITIES INDICATED ARE RAW VOLUMES TO FINISHED SURFACE AND ARE ESTIMATES FOR PERMIT PURPOSES ONLY. QUANTITIES DO NOT INCLUDE ANY ALLOWANCES FOR STREET UNDERCUT, FOOTING/TRENCHING, SPILLS, ETC.

CONTRACTOR RESPONSIBLE FOR REVIEWING AND IMPLEMENTING THE RECOMMENDATIONS IN THE SOILS REPORT AND VERIFYING QUANTITIES PRIOR TO BIDDING.



EMERGENCY SPILLWAY BASIN  
NOT TO SCALE

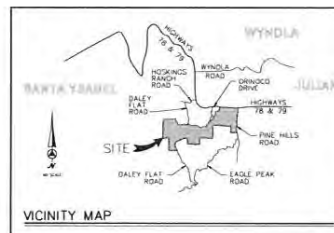
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VICINITY MAP  
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2. 1.5' FILL USING GEOTEXTILE WHERE NECESSARY

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## OWNER/SUBDIVIDER

GENESEE PROPERTIES, INC.  
P.O. BOX 63  
NEWPORT CO 92053  
(951) 455-4563

*Robert S. Jones*  
Assistant Secretary

## ENGINEER

MASSON & ASSOCIATES, INC.  
230 E. WASHINGTON AVE. SUITE 200  
ESCONDIDO, CA 92025  
(760) 741-3570

*Robert S. Jones*  
08/05/2013  
APR 12/31/2014  
EXP. 12/31/2014



## PLANNERS

THE CONSULTANTS  
438 CAMINO DEL RIO SOUTH, SUITE 223  
SAN DIEGO, CA 92108  
(619) 299-2525

## ZONING

USE REGULATIONS	A72
NEIGHBORHOOD REGS.	
DENSITY	125
LOT SIZE	8 AC
BUILDING TYPE	E
MAX FLP AREA	-
FLR AREA RATIO	-
HEIGHT	-
COVERAGE	-
SETBACK	-
OPEN SPACE	-
ANIMAL REGULATIONS	-
SPECIAL AREA REGS.	-

## LEGAL DESCRIPTION

PORTIONS OF PARCELS 7, 9-15, OF PARCEL MAP 12519 & SECTION 11, T.13.5, R.3, E. 15.8W. IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA

## NOTES

1. ZONING - EXISTING A72
2. GENERAL PLAN LAND USE DESIGNATION: #19 / INTENSIVE AGG.
3. COMMUNITY PLAN: JULIAN
4. GENERAL PLAN CATEGORY: ECA
5. MINIMUM LOT SIZE: 40 AC (GROSS)
6. TOTAL LOTS: 24
7. SITE AREA: 1,416.3 AC (GROSS)
8. SITE ADDRESS: HWY 79 JULIAN
9. CALIFORNIA COORDINATE INDEX 322-1872
10. SOURCE OF TOPOGRAPHY: MONUMENT PEAK LAND SURVEYING P.O. BOX 1926, 2015-C MAIN ST. ATTN: ROBERT LEE WILSON, P.L.S. JULIAN, CA 92036
11. ASSESSOR'S PARCEL NOS. 289-030-12, 289-100-12, 289-470-38, 289-082-07, 289-120-38, 289-081-08, 289-082-34 AND 289-083-04
12. WATER SUPPLIED BY INDIVIDUAL WELLS
13. SEWAGE SUPPLIED BY SEPTIC SYSTEMS
14. GAS AND ELECTRIC SUPPLIED BY SAN DIEGO GAS & ELECTRIC
15. FIRE PROTECTION: JULIAN FIRE PROTECTION DISTRICT
16. SCHOOL DISTRICTS: JULIAN ELEMENTARY SCHOOL, JULIAN HIGH SCHOOL DISTRICT
17. LEGAL ACCESS: HWY 79 & PINE HILLS ROAD
18. BOUNDARY INFORMATION HAS BEEN COMPILED FROM RECORD DATA
19. GRADING AS SHOWN, AND PURSUANT TO THE COUNTY GRADING ORDINANCE
20. ALL IMPROVEMENTS TO COUNTY OF SAN DIEGO STANDARDS
21. PROPOSED PRIVATE DRIVEWAYS NOT TO EXCEED 15% GRADE, AND GRADED TO A 2% WIDTH WITH 1% PAVING PER COUNTY STANDARD DS-7
22. GRADING OF DRIVEWAYS AND PADS SHALL BE DONE INDIVIDUALLY
23. TAX RATE AREA #1059

## SPECIAL ASSESSMENT STATEMENT

THE SUBDIVIDER DOES NOT PROPRIETOR TO REQUEST THE BOARD OF SUPERVISORS FOR PERMISSION TO INITIATE PROCEEDINGS UNDER A SPECIAL ACT FOR CONSTRUCTION OF ANY OF THE SUBDIVISION IMPROVEMENTS.

## SOLAR ACCESS STATEMENT

THIS IS A SOLAR SUBDIVISION AS REQUIRED BY SECTION 9100-1 OF THE SUBDIVISION ORDINANCE. ALL LOTS WITHIN THIS SUBDIVISION HAVE A MINIMUM OF 100 SQUARE FEET OF UNSHADESTRUCT ACCESS TO SUNLIGHT ON THE BUILDABLE PORTION OF THE LOT.

## PARK LAND DEDICATION STATEMENT

NO PARKLAND IS TO BE DESIGNATED ON THIS MAP. PARK FEES WILL BE PAID AT THE TIME OF BUILDING PERMIT ISSUANCE.

## ACCESS NOTE

IT IS THE RESPONSIBILITY OF THE SUBDIVIDER TO PROVIDE INSURABLE ACCESS TO EACH PARCEL CREATED BY THIS MAP.

## GRADING NOTE

THIS PLAN IS PROVIDED TO ALLOW FOR FULL AND ADEQUATE DISCRETIONARY REVIEW OF A PROPOSED DEVELOPMENT PROJECT. THE PROPERTY OWNER ACKNOWLEDGES THAT ACCEPTANCE OR APPROVAL OF THIS PLAN DOES NOT CONSTITUTE AN APPROVAL TO PERFORM ANY GRADING SHOWN HEREON, AND AGREES TO OBTAIN A VALID GRADING PERMIT BEFORE COMMENCING SUCH ACTIVITY.

## SHEET INDEX

SCALE: N.T.S.



P.N. 02-040a

Exhibit A

6-119



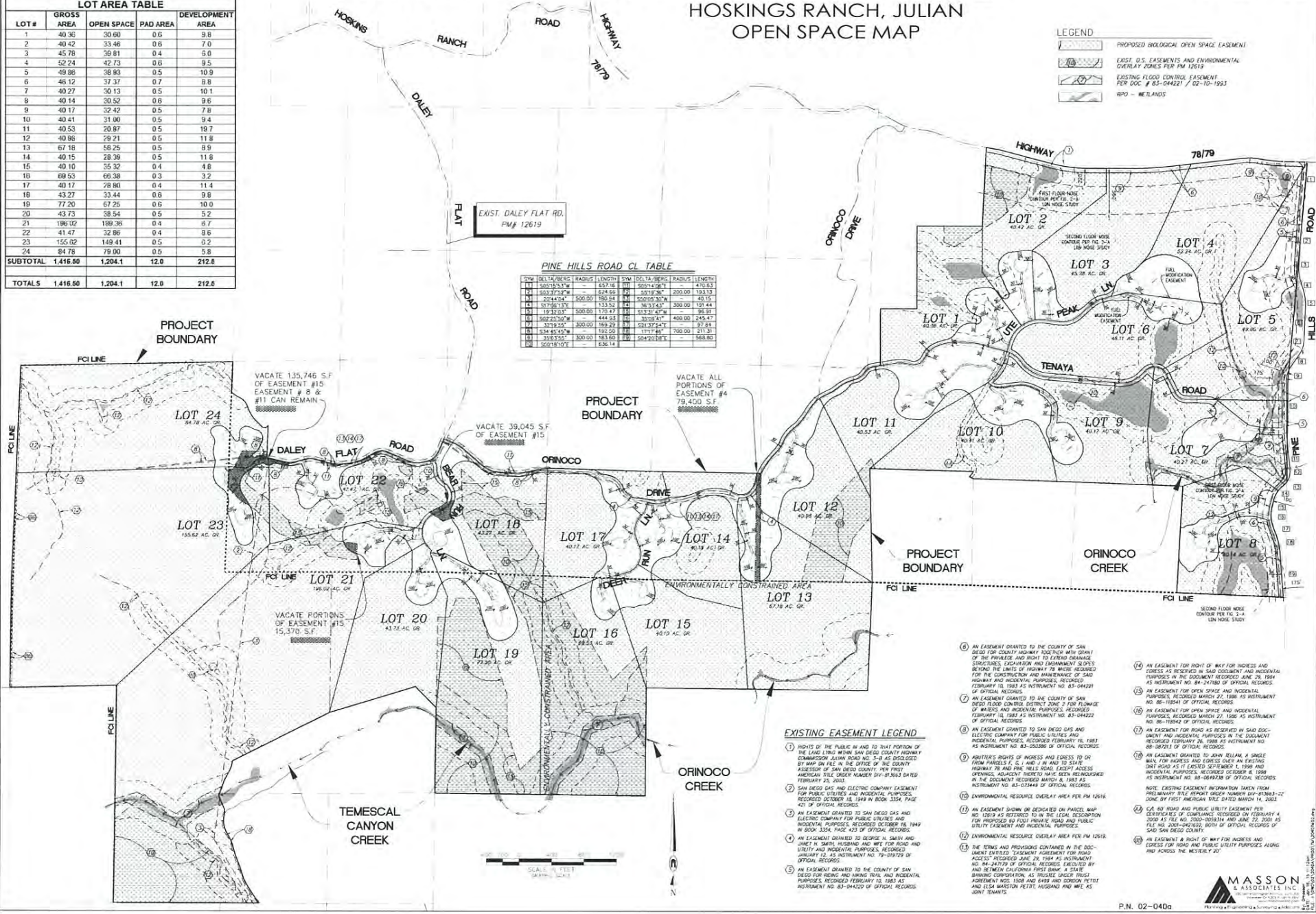
# COUNTY OF SAN DIEGO TRACT NO. TM 5312 RPL 3

SHEET 2 OF 4

## HOSKINGS RANCH, JULIAN OPEN SPACE MAP

LOT AREA TABLE				
LOT #	GROSS AREA	OPEN SPACE	PAD AREA	DEVELOPMENT AREA
1	40.36	30.60	0.6	9.8
2	40.42	33.46	0.6	7.0
3	45.78	38.91	0.4	6.0
4	52.24	42.73	0.6	9.5
5	49.86	38.93	0.5	10.9
6	46.12	37.37	0.7	8.8
7	40.27	30.13	0.5	10.1
8	40.14	30.52	0.6	9.6
9	40.17	32.42	0.5	7.8
10	40.41	31.00	0.5	9.4
11	40.53	20.87	0.5	19.7
12	40.86	29.21	0.5	11.8
13	67.18	58.25	0.5	8.9
14	40.15	28.38	0.5	11.8
15	40.10	35.32	0.4	4.8
16	69.53	66.38	0.3	3.2
17	40.17	29.80	0.4	11.4
18	43.27	33.44	0.6	9.8
19	77.20	67.25	0.6	10.0
20	43.73	38.54	0.5	5.2
21	186.02	189.35	0.4	6.7
22	41.47	32.86	0.4	8.6
23	155.02	149.41	0.5	0.2
24	84.78	78.00	0.5	5.8
SUBTOTAL 1,416.50 1,204.1 12.0 212.6				
TOTALS 1,416.50 1,204.1 12.0 212.6				

PINE HILLS ROAD CL TABLE					
STW	DELTA/BERG	RADIUS	LENGTH	STW	DELTA/BERG
11	500.19	5.51	16	500.14	6.71
12	500.37	5.51	16	500.14	6.71
13	500.37	5.51	16	500.14	6.71
14	500.37	5.51	16	500.14	6.71
15	500.37	5.51	16	500.14	6.71
16	500.37	5.51	16	500.14	6.71
17	500.37	5.51	16	500.14	6.71
18	500.37	5.51	16	500.14	6.71
19	500.37	5.51	16	500.14	6.71
20	500.37	5.51	16	500.14	6.71
21	500.37	5.51	16	500.14	6.71
22	500.37	5.51	16	500.14	6.71
23	500.37	5.51	16	500.14	6.71
24	500.37	5.51	16	500.14	6.71
25	500.37	5.51	16	500.14	6.71
26	500.37	5.51	16	500.14	6.71
27	500.37	5.51	16	500.14	6.71
28	500.37	5.51	16	500.14	6.71
29	500.37	5.51	16	500.14	6.71
30	500.37	5.51	16	500.14	6.71
31	500.37	5.51	16	500.14	6.71
32	500.37	5.51	16	500.14	6.71
33	500.37	5.51	16	500.14	6.71
34	500.37	5.51	16	500.14	6.71
35	500.37	5.51	16	500.14	6.71
36	500.37	5.51	16	500.14	6.71
37	500.37	5.51	16	500.14	6.71
38	500.37	5.51	16	500.14	6.71
39	500.37	5.51	16	500.14	6.71
40	500.37	5.51	16	500.14	6.71
41	500.37	5.51	16	500.14	6.71
42	500.37	5.51	16	500.14	6.71
43	500.37	5.51	16	500.14	6.71
44	500.37	5.51	16	500.14	6.71
45	500.37	5.51	16	500.14	6.71
46	500.37	5.51	16	500.14	6.71
47	500.37	5.51	16	500.14	6.71
48	500.37	5.51	16	500.14	6.71
49	500.37	5.51	16	500.14	6.71
50	500.37	5.51	16	500.14	6.71
51	500.37	5.51	16	500.14	6.71
52	500.37	5.51	16	500.14	6.71
53	500.37	5.51	16	500.14	6.71
54	500.37	5.51	16	500.14	6.71
55	500.37	5.51	16	500.14	6.71
56	500.37	5.51	16	500.14	6.71
57	500.37	5.51	16	500.14	6.71
58	500.37	5.51	16	500.14	6.71
59	500.37	5.51	16	500.14	6.71
60	500.37	5.51	16	500.14	6.71
61	500.37	5.51	16	500.14	6.71
62	500.37	5.51	16	500.14	6.71
63	500.37	5.51	16	500.14	6.71
64	500.37	5.51	16	500.14	6.71
65	500.37	5.51	16	500.14	6.71
66	500.37	5.51	16	500.14	6.71
67	500.37	5.51	16	500.14	6.71
68	500.37	5.51	16	500.14	6.71
69	500.37	5.51	16	500.14	6.71
70	500.37	5.51	16	500.14	6.71
71	500.37	5.51	16	500.14	6.71
72	500.37	5.51	16	500.14	6.71
73	500.37	5.51	16	500.14	6.71
74	500.37	5.51	16	500.14	6.71
75	500.37	5.51	16	500.14	6.71
76	500.37	5.51	16	500.14	6.71
77	500.37	5.51	16	500.14	6.71
78	500.37	5.51	16	500.14	6.71
79	500.37	5.51	16	500.14	6.71
80	500.37	5.51	16	500.14	6.71
81	500.37	5.51	16	500.14	6.71
82	500.37	5.51	16	500.14	6.71
83	500.37	5.51	16	500.14	6.71
84	500.37	5.51	16	500.14	6.71
85	500.37	5.51	16	500.14	6.71
86	500.37	5.51	16	500.14	6.71
87	500.37	5.51	16	500.14	6.71
88	500.37	5.51	16	500.14	6.71
89	500.37	5.51	16	500.14	6.71
90	500.37	5.51	16	500.14	6.71
91	500.37	5.51	16	500.14	6.71
92	500.37	5.51	16	500.14	6.71
93	500.37	5.51	16	500.14	6.71
94	500.37	5.51	16	500.14	6.71
95	500.37	5.51	16	500.14	6.71
96	500.37	5.51	16	500.14	6.71
97	500.37	5.51	16	500.14	6.71
98	500.37	5.51	16	500.14	6.71
99	500.37	5.51	16	500.14	6.71
100	500.37	5.51	16	500.14	6.71



### EXISTING EASEMENT LEGEND

1. RIGHTS OF THE PUBLIC IN AND TO THAT PORTION OF THE LAND LING WITHIN SAN DIEGO COUNTY HIGHWAY COMMISSION JULIAN ROAD NO. 3-B AS DECLARED BY MAP ON FILE IN THE OFFICE OF THE COUNTY ASSESSOR OF SAN DIEGO COUNTY NEW FIRST AMERICAN TITLE ORDER NUMBER 89-100148 ON FEBRUARY 25, 2003.
2. SAN DIEGO GAS AND ELECTRIC COMPANY EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, RECORDED OCTOBER 18, 1949 IN BOOK 3354, PAGE 421 OF OFFICIAL RECORDS.
3. AN EASEMENT GRANTED TO SAN DIEGO GAS AND ELECTRIC COMPANY FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, RECORDED OCTOBER 18, 1949 IN BOOK 3354, PAGE 421 OF OFFICIAL RECORDS.
4. AN EASEMENT GRANTED TO GEORGE H. SMITH AND JAMES H. SMITH, HUSBAND AND WIFE FOR ROAD AND UTILITY AND INCIDENTAL PURPOSES, RECORDED JANUARY 12, 1950 IN INSTRUMENT NO. 79-019729 OF OFFICIAL RECORDS.
5. AN EASEMENT GRANTED TO THE COUNTY OF SAN DIEGO FOR HIGHWAY AND PUBLIC UTILITY PURPOSES, RECORDED FEBRUARY 10, 1983 AS INSTRUMENT NO. 83-044222 OF OFFICIAL RECORDS.
6. AN EASEMENT GRANTED TO THE COUNTY OF SAN DIEGO FOR COUNTY HIGHWAY TOGETHER WITH GRANT OF THE PREROGATIVE AND RIGHT TO BUILT DRAINAGE STRUCTURES, EXCAVATION AND EMBANKMENT SLOPES BEYOND THE LIMITS OF HIGHWAY 78 WERE RESERVED FOR THE CONSTRUCTION AND MAINTENANCE OF SAID HIGHWAY AND INCIDENTAL PURPOSES, RECORDED FEBRUARY 10, 1983 AS INSTRUMENT NO. 83-044221 OF OFFICIAL RECORDS.
7. AN EASEMENT GRANTED TO THE COUNTY OF SAN DIEGO FLOOD CONTROL DISTRICT NO. 2 FOR FLOWAGE OF WATERS AND INCIDENTAL PURPOSES, RECORDED FEBRUARY 10, 1983 AS INSTRUMENT NO. 83-044222 OF OFFICIAL RECORDS.
8. AN EASEMENT GRANTED TO SAN DIEGO GAS AND ELECTRIC COMPANY FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, RECORDED FEBRUARY 16, 1983 AS INSTRUMENT NO. 83-044223 OF OFFICIAL RECORDS.
9. OWNER'S RIGHTS OF INGRESS AND EGRESS TO OR FROM PARCELS F, G, H, AND I IN AND TO SHARE HIGHWAY AND PUBLIC UTILITY, EXCEPT ACCESS OPENINGS, ADJACENT INTERESTS HAVE BEEN REINTEGRATED IN THE DOCUMENT RECORDED MARCH 16, 1983 AS INSTRUMENT NO. 83-054448 OF OFFICIAL RECORDS.
10. ENVIRONMENTAL RESOURCE OVERLAY AREA PER PM 12619.
11. AN EASEMENT SHOWN ON DEDICATED ON PARCEL MAP NO. 12619 AS REFERRED TO IN THE LEGAL DESCRIPTION FOR PROPOSED 60 FOOT PRIVATE ROAD AND PUBLIC UTILITY EASEMENT AND INCIDENTAL PURPOSES.
12. ENVIRONMENTAL RESOURCE OVERLAY AREA PER PM 12619.
13. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "EASEMENT AGREEMENT FOR ROAD ACCESS" RECORDED JUNE 29, 1984 AS INSTRUMENT NO. 84-247880 OF OFFICIAL RECORDS, DECEASED BY AND BETWEEN CALIFORNIA FIRST BANK A STATE BANKING CORPORATION, AS TRUSTEE UNDER TRUST AGREEMENT NOS. 1908 AND 8498 AND GORDON PETER AND LISA MARSHON PETER, HUSBAND AND WIFE AS JOINT TENANTS.
14. AN EASEMENT FOR RIGHT OF WAY FOR INGRESS AND EGRESS AS RESERVED IN SAID DOCUMENT AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED JUNE 29, 1984 AS INSTRUMENT NO. 84-247880 OF OFFICIAL RECORDS.
15. AN EASEMENT GRANTED TO SHARON DELANEY A SINGLE MAN, FOR INGRESS AND EGRESS OVER AN EXISTING HIGHWAY AS IT EXISTED SEPTEMBER 1, 1988 AND INCIDENTAL PURPOSES, RECORDED OCTOBER 8, 1988 AS INSTRUMENT NO. 88-105441 OF OFFICIAL RECORDS.
16. AN EASEMENT FOR OPEN SPACE AND INCIDENTAL PURPOSES, RECORDED MARCH 27, 1986 AS INSTRUMENT NO. 86-105442 OF OFFICIAL RECORDS.
17. AN EASEMENT FOR ROAD AS RESERVED IN SAID DOCUMENT AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED FEBRUARY 16, 1983 AS INSTRUMENT NO. 83-044223 OF OFFICIAL RECORDS.
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51. AN EASEMENT GRANTED TO SHARON DELANEY A SINGLE MAN, FOR INGRESS AND EGRESS OVER AN EXISTING HIGHWAY AS IT EXISTED SEPTEMBER 1, 1988 AND INCIDENTAL PURPOSES, RECORDED OCTOBER 8, 1988 AS INSTRUMENT NO. 88-105441 OF OFFICIAL RECORDS.
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56. AN EASEMENT GRANTED TO SHARON DELANEY A SINGLE MAN, FOR INGRESS AND EGRESS OVER AN EXISTING HIGHWAY AS IT EXISTED SEPTEMBER 1, 1988 AND INCIDENTAL PURPOSES, RECORDED OCTOBER 8, 1988 AS INSTRUMENT NO. 88-105441 OF OFFICIAL RECORDS.
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58. AN EASEMENT GRANTED TO SHARON DELANEY A SINGLE MAN, FOR INGRESS AND EGRESS OVER AN EXISTING HIGHWAY AS IT EXISTED SEPTEMBER 1, 1988 AND INCIDENTAL PURPOSES, RECORDED OCTOBER 8, 1988 AS INSTR



# COUNTY OF SAN DIEGO TRACT NO. TM 5312 RPL 3

## HOSKINGS RANCH, JULIAN

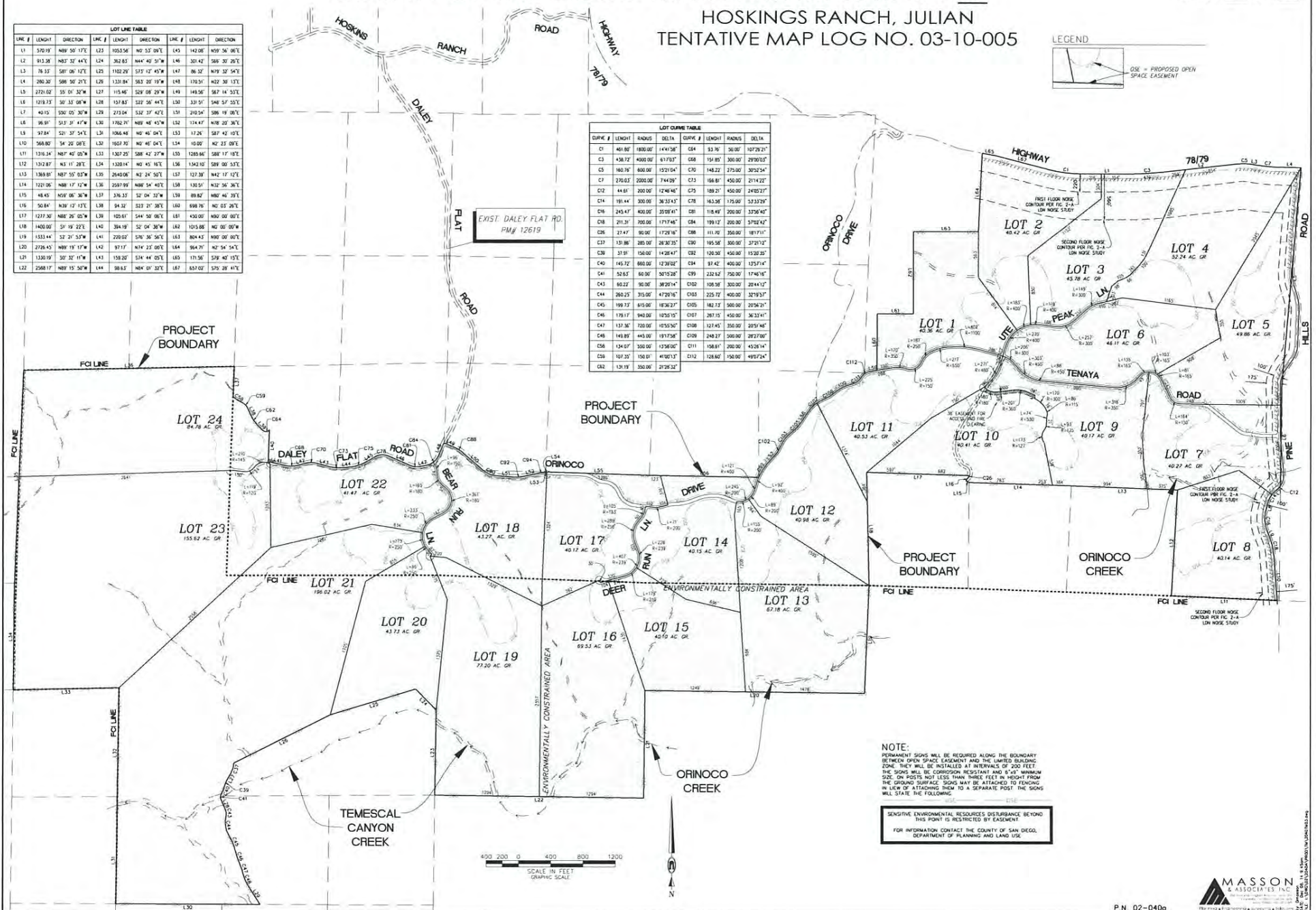
### TENTATIVE MAP LOG NO. 03-10-005

SHEET 3 OF 4

LINE #	LENGTH	DIRECTION	LINE #	LENGTH	DIRECTION	LINE #	LENGTH	DIRECTION	LINE #	LENGTH	DIRECTION
L1	570.19	N89° 50' 17"E	L23	1053.56	N62° 53' 09"E	L45	142.06	N59° 36' 06"E			
L2	815.28	N87° 52' 47"E	L24	261.83	N44° 40' 37"W	L46	320.42	S88° 30' 07"E			
L3	76.32	S87° 06' 12"E	L25	1102.29	S77° 12' 45"W	L47	86.32	N79° 32' 50"E			
L4	280.30	S88° 30' 07"E	L26	1339.84	S63° 20' 19"W	L48	170.31	N22° 36' 12"E			
L5	273.02	S5° 01' 37"W	L27	115.46	S29° 08' 29"W	L49	149.56	S67° 14' 33"E			
L6	1218.33	S2° 33' 08"W	L28	137.83	S22° 56' 44"E	L50	331.51	S46° 57' 33"E			
L7	40.15	S20° 02' 30"W	L29	273.04	S22° 57' 47"E	L51	240.34	S86° 19' 08"E			
L8	96.91	S13° 31' 47"W	L30	1782.21	N89° 48' 42"W	L52	174.47	N08° 20' 36"E			
L9	97.84	S21° 37' 54"E	L31	1066.48	N0° 40' 04"E	L53	17.26	S87° 42' 10"E			
L10	568.80	S4° 20' 08"E	L32	1650.70	N0° 45' 04"E	L54	10.00	N02° 23' 08"E			
L11	1316.24	N87° 40' 05"W	L33	1307.25	S88° 42' 27"W	L55	1285.66	S88° 17' 18"E			
L12	1312.87	N3° 11' 28"E	L34	1308.14	N0° 45' 16"E	L56	1342.10	S89° 00' 53"E			
L13	1368.81	N87° 55' 03"W	L35	2640.06	N02° 24' 50"E	L57	127.38	N42° 17' 12"E			
L14	1221.06	N88° 17' 12"W	L36	2581.89	N88° 54' 40"E	L58	130.51	N32° 36' 30"E			
L15	48.45	N59° 08' 36"W	L37	376.33	S2° 04' 32"E	L59	89.82	N88° 46' 39"E			
L16	50.84	N38° 12' 13"E	L38	84.32	S23° 21' 38"E	L60	688.78	N0° 03' 28"E			
L17	1277.30	N88° 26' 02"W	L39	1025.61	S44° 50' 06"E	L61	430.00	N90° 00' 00"E			
L18	1400.00	S1° 19' 22"E	L40	384.19	S2° 04' 36"W	L62	1053.88	N0° 00' 00"W			
L19	1533.44	S2° 21' 57"E	L41	220.02	S70° 36' 56"E	L63	804.43	N90° 00' 00"E			
L20	2726.45	N89° 19' 17"W	L42	97.17	N14° 23' 00"E	L64	964.71	N02° 54' 54"E			
L21	1330.19	S02° 32' 11"W	L43	158.20	S14° 44' 05"E	L65	171.56	S18° 40' 15"E			
L22	2588.17	N89° 15' 50"W	L44	588.63	N84° 01' 32"E	L67	657.02	S75° 28' 47"E			

CURVE #	LENGTH	RADIUS	DELTA	CURVE #	LENGTH	RADIUS	DELTA
C1	481.87	1800.00	144° 15'	C24	93.76	50.00	107° 20' 21"
C2	438.72	4500.00	61° 17' 53"	C25	159.85	300.00	29° 50' 12"
C3	160.76	600.00	152° 01' 54"	C26	148.22	270.00	30° 56' 54"
C4	270.02	2000.00	74° 40' 01"	C27	186.87	450.00	21° 14' 22"
C5	44.61	300.00	12° 46' 48"	C28	189.21	450.00	24° 02' 33"
C6	191.44	300.00	36° 33' 43"	C29	163.26	175.00	52° 32' 39"
C7	243.47	400.00	35° 09' 41"	C30	116.49	250.00	37° 56' 42"
C8	211.31	350.00	17° 17' 48"	C31	199.12	250.00	57° 02' 42"
C9	27.47	90.00	17° 29' 18"	C32	111.76	250.00	18° 17' 11"
C10	131.86	285.00	28° 30' 32"	C33	165.56	300.00	37° 21' 21"
C11	31.91	150.00	14° 28' 47"	C34	120.30	450.00	15° 30' 35"
C12	145.72	600.00	12° 38' 02"	C35	97.42	400.00	13° 51' 14"
C13	52.83	60.00	50° 52' 28"	C36	232.62	750.00	17° 40' 18"
C14	60.22	90.00	36° 29' 14"	C37	108.56	300.00	20° 44' 12"
C15	260.25	315.00	47° 29' 16"	C38	225.72	400.00	32° 19' 57"
C16	198.73	615.00	18° 36' 27"	C39	182.72	500.00	20° 56' 21"
C17	176.17	940.00	10° 55' 12"	C40	287.15	450.00	36° 33' 41"
C18	131.36	720.00	10° 55' 50"	C41	127.45	350.00	20° 51' 48"
C19	145.89	445.00	19° 17' 38"	C42	248.27	500.00	28° 27' 00"
C20	134.07	550.00	13° 38' 00"	C43	158.61	200.00	43° 26' 14"
C21	167.35	150.00	41° 07' 13"	C44	128.86	150.00	49° 57' 24"
C22	129.19	350.00	21° 26' 32"				

LEGEND

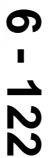


NOTE:  
PERMANENT SIGNS WILL BE REQUIRED ALONG THE BOUNDARY BETWEEN OPEN SPACE EASEMENT AND THE LIMITED BUILDING ZONE. THEY WILL BE INSTALLED AT INTERVALS OF 200 FEET. THE SIGNS WILL BE CORROSION RESISTANT AND 6"X18" MINIMUM SIZE. ON POSTS NOT LESS THAN THREE FEET IN HEIGHT FROM THE GROUND SURFACE. SIGNS MAY BE ATTACHED TO FENCING IN LIEU OF ATTACHING THEM TO A SEPARATE POST. THE SIGNS WILL STATE THE FOLLOWING:

SENSITIVE ENVIRONMENTAL RESOURCES DISTURBANCE BEYOND THIS POINT IS RESTRICTED BY EASEMENT.  
FOR INFORMATION CONTACT THE COUNTY OF SAN DIEGO, DEPARTMENT OF PLANNING AND LAND USE.



SHEET 4 OF 4





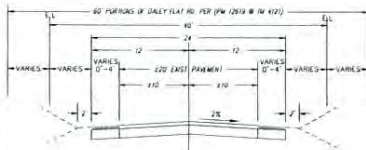
# COUNTY OF SAN DIEGO TRACT NO. TM 5312 RPL 3

## HOSKINGS RANCH, JULIAN PRELIMINARY GRADING PLAN

### LOG NO. 03-10-005

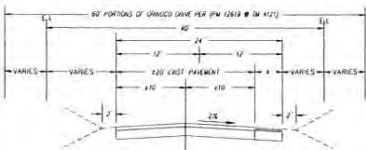
SHEET 1 OF 12

#### TYPICAL STREET SECTIONS



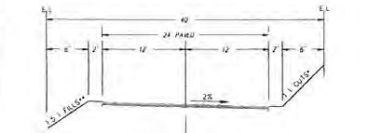
DALEY FLAT ROAD

NOTE:  
1. AREA PAVEMENT FROM 20 TO 24  
2. RECONSTRUCT IN ITS ENTIRETY THOSE AREAS IDENTIFIED AS  
SUBSTANDARD PER SOILS ENGINEER'S RECOMMENDATION



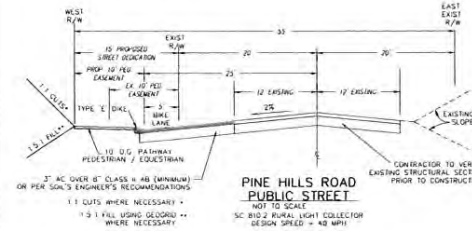
ORINOCO DRIVE AT  
EXISTING PAVEMENT

NOTE:  
1. AREA PAVEMENT FROM 20 TO 24  
2. RECONSTRUCT IN ITS ENTIRETY THOSE AREAS IDENTIFIED AS  
SUBSTANDARD PER SOILS ENGINEER'S RECOMMENDATION



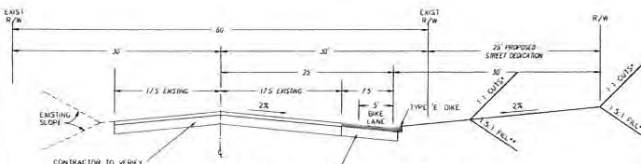
PRIVATE ROADS

• 1:1 CUTS WHERE NECESSARY  
• 1.5:1 FILL USING GEOTECH  
WHERE NECESSARY



PINE HILLS ROAD  
PUBLIC STREET

SC 810.2 RURAL LIGHT COLLECTION  
DESIGN SPEED = 40 MPH



HIGHWAY 78/79  
PUBLIC

SC 810.2 RURAL MOUNTAIN ROAD  
DESIGN SPEED = 40 MPH

#### TYPICAL CUL DE SAC DETAIL

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#### NOTE

THE (F) FOREST CONSERVATION INITIATIVE INCLUDED LANGUAGE THAT  
OVERRULED THE 2003 GENERAL PLAN DESIGNATION OVER TO  
DESIGNATED LANDS, HOWEVER THAT FO EXPIRED ON DECEMBER 31,  
2010 AND NO LONGER APPLIES

APN 4 289-030-12, 289-100-12, 289-470-38, 289-082-07,  
289-120-32, 289-082-08, 289-082-34 and 289-083-04 ARE  
PART OF AN EXISTING WILLAMSON AGRICULTURAL CONTRACT 43  
ACRE MINIMUM LOT SIZE IS REQUIRED

#### STRUCTURAL SECTION CHART FOR PRIVATE ROADS

STREET GRADES

10% TO 15% DECOMPOSED GRANITE

10% TO 15% 3" AC OVER 6" CLASS # 48 (MINIMUM) OR  
PER SOILS ENGINEER'S RECOMMENDATIONS

15% TO 20% 3" AC OVER 7" CLASS # 48 (MINIMUM) OR  
PER SOILS ENGINEER'S RECOMMENDATIONS

#### LEGEND

- SUBDIVISION BOUNDARY
- NEIGHBORHOOD REGS
- OPEN SPACE DELINEATION
- LAND USE DESIGNATION BOUNDARY
- 100 YEAR FLOOD LINES OF HOUSING
- EXISTING POWER POLE
- EXISTING PARCEL LINES
- LOT NUMBER
- PROPOSED LOT SLOPE
- PROPOSED FILL SLOPE
- DIRECTION OF DRAINAGE
- SWIM SWIM
- LEACH FIELD
- HYDRO-WALL / M/F

#### EARTHWORK QUANTITIES\*

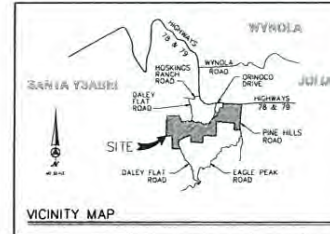
RAW EARTHWORK	CUT	FILL
	103,127 CY	103,568 CY

#### IMPORT REQUIRED\*

(1,080 CY)

\* NOTE: EARTHWORK QUANTITIES INDICATED ARE RAW VOLUMES TO  
FINISHED SURFACE AND ARE ESTIMATES FOR PERMIT PURPOSES ONLY.  
QUANTITIES DO NOT INCLUDE ANY ALLOWANCES FOR STREET UNDERCUT,  
FOOTING/TRENCHING SPILLS, ETC.

CONTRACTOR RESPONSIBLE FOR REVIEWING AND IMPLEMENTING THE  
RECOMMENDATIONS IN THE SOILS REPORT AND VERIFYING QUANTITIES  
PRIOR TO BIDDING.



#### OWNER/SUBDIVIDER

GENESEE PROPERTIES, INC.  
210 E. BOKER RD. SUITE 200  
BETHESDA, MD 20813  
(855) 455-4863

*Robert S. Johnson*  
Assistant Secretary

#### ENGINEER

MASSON & ASSOCIATES INC.  
435 CHANDLER RD. SUITE 200  
ESCONDIDO, CA 92025  
(760) 741-3570

*Brayce* 08/05/2013  
BRUCE A. TAIT P.E. E032247  
EXP. 12/31/2014



#### PLANNERS

TRIS CONSULTANTS  
435 CHANDLER RD. SUITE 223  
SAN DIEGO, CA 92108  
(619) 299-2525

#### ZONING

USE REGULATIONS	A72
NEIGHBORHOOD REGS	
DENSITY	125
LOT SIZE	8 AC
BUILDING TYPE	C
MAX. FILL AREA	-
FUR. AREA RATIO	-
HEIGHT	C
COVERAGE	C
SETBACK	-
OPEN SPACE	-
ANNUAL REGULATIONS	D
SPECIAL AREA REGS	A

#### LEGAL DESCRIPTION

PORTIONS OF PARCELS 2, 3, 13 OF PARCEL MAP 12019 AND SECTION 11 T 1 S, R 3 E  
S 8 M IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA

#### NOTES

- EXISTING A72
- GENERAL PLAN LAND USE DESIGNATION: #18 / INTENSIVE AGG.
- COMMITMENT PLAN: JULIAN
- GENERAL PLAN CATEGORY: ECA
- MINIMUM LOT SIZE: 40 AC (ORROSS)
- TOTAL LOTS: 24
- SITE AREA: 1,116.8 AC (ORROSS)
- SITE ADDRESS: HWY 78, JULIAN
- CALIFORNIA COORDINATE NORTH: 3272-1872
- SOURCE OF TOPOGRAPHY:  
FLORA 1990 BY GEODETIC CORP. DATED 1/28/2002  
BOUNDARY SURVEY: MONUMENT PEAK LAND SURVEYING  
P.O. BOX 1956, 2015-C, MAIN ST., JULIAN, CA 92036
- ASSESSOR'S PARCEL NOS.: 289-030-12, 289-100-12, 289-470-38,  
289-082-34, 289-120-32, 40, 41 289-082-07, 08 and 289-083-04
- WATER SUPPLIED BY: MONUMENT PEAKS
- SEWERAGE SUPPLIED BY: SEPTIC SYSTEMS
- GAS SUPPLIED BY: SAN DIEGO GAS & ELECTRIC
- FIRE PROTECTION: JULIAN FIRE PROTECTION DISTRICT
- SCHOOL DISTRICT: JULIAN ELEMENTARY SCHOOL
- LOCAL ACCESS: HWY 78 & PINE HILLS ROAD
- BOUNDARY INFORMATION HAS BEEN COMPILED FROM RECORD DATA  
GRADING AS SHOWN, AND PURSUANT TO THE COUNTY GRADING ORDINANCE
- ALL IMPROVEMENTS TO COUNTY OF SAN DIEGO STANDARDS
- PROPOSED PRIVATE DRIVEWAYS NOT TO EXCEED 15% GRADE, AND GRADED TO  
A 2% WIDTH WITH 18% PAVING, PER COUNTY STANDARD DS-7
- GRADING OF DRIVEWAYS AND PADS SHALL BE DONE INDIVIDUALLY
24. TAX RATE AREA #1058

#### SPECIAL ASSESSMENT STATEMENT

THE SUBDIVIDER DOES NOT PROPOSE TO REQUEST THE BOARD OF SUPERVISORS  
FOR PERMISSION TO INITIATE PROCEEDINGS UNDER A SPECIAL ACT FOR  
CONSTRUCTION OF ANY OF THE SUBDIVISION IMPROVEMENTS

#### SOLAR ACCESS STATEMENT

THIS IS A SOLAR SUBDIVISION AS REQUIRED BY SECTION 81(4)(c) OF THE SUBDIVISION  
ORDINANCE. ALL LOTS WITHIN THIS SUBDIVISION SHALL BE A MINIMUM OF 100 SQUARE FEET  
OF UNRESTRICTED ACCESS TO SUNLIGHT ON THE BUILDABLE PORTION OF THE LOT

#### PARK LAND DEDICATION STATEMENT

NO PARKLAND IS TO BE DESIGNATED ON THIS MAP. PARK FEES WILL BE PAID  
AT THE TIME OF BUILDING PERMIT ISSUANCE.

#### ACCESS NOTE

IT IS THE RESPONSIBILITY OF THE SUBDIVIDER TO PROVIDE INSURABLE ACCESS  
TO EACH PARCEL CREATED BY THIS MAP.

#### GRADING NOTE

THIS PLAN IS PROVIDED TO ALLOW FOR FULL AND ADEQUATE DISCRETIONARY REVIEW OF  
A PROPOSED DEVELOPMENT PROJECT. THE PROPERTY OWNER ACKNOWLEDGES THAT  
ACCEPTANCE OR APPROVAL OF THIS PLAN DOES NOT CONSTITUTE AN APPROVAL TO  
PERFORM ANY GRADING SHOWN HEREON, AND AGREES TO OBTAIN A VALID GRADING  
PERMIT BEFORE COMMENCING SUCH ACTIVITY.

#### SHEET INDEX

SCALE: N.T.S.

P.N. 02-0400



6 - 123

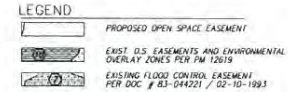
Exhibit B



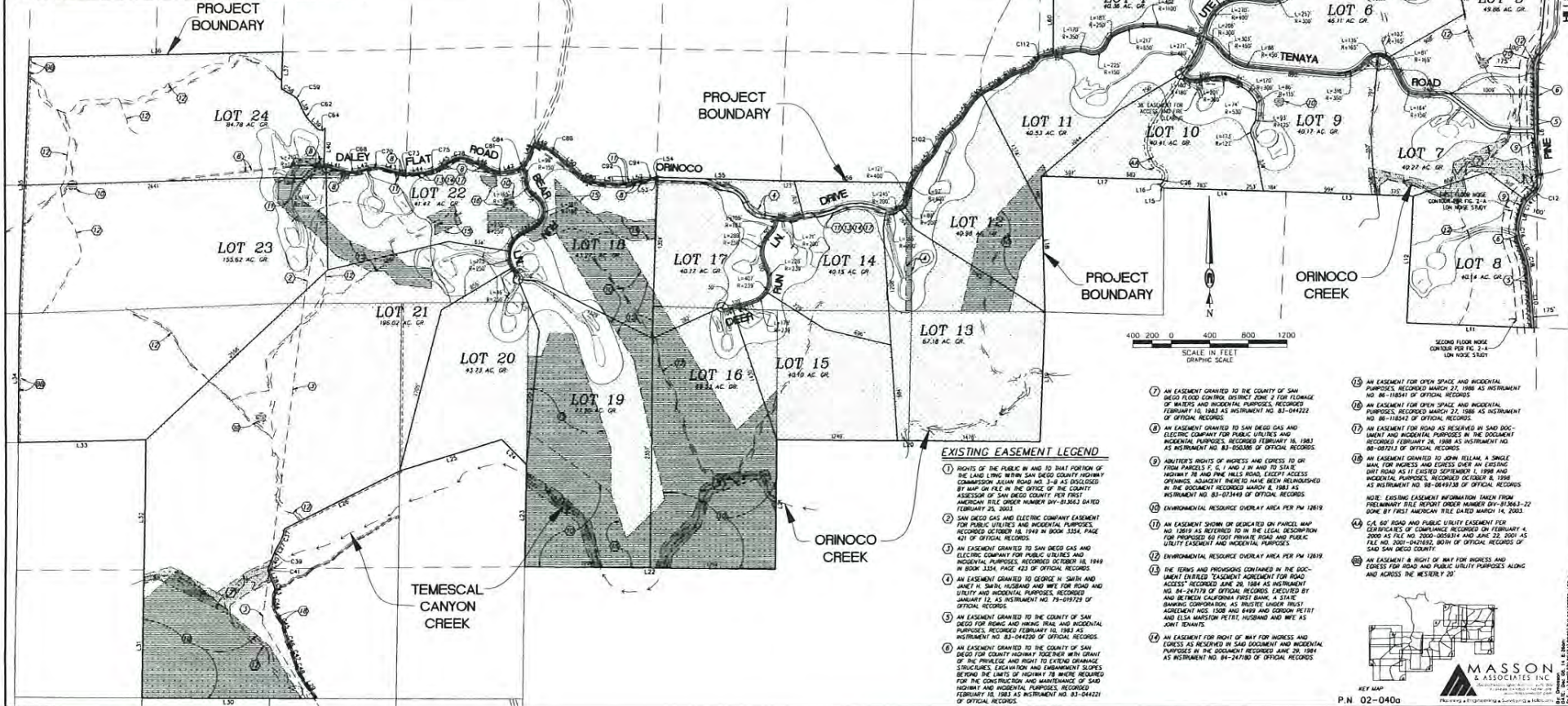
# COUNTY OF SAN DIEGO TRACT NO. TM 5312 RPL 3

SHEET 2 OF 12

## HOSKINGS RANCH, JULIAN PRELIMINARY GRADING PLAN LOG NO. 03-10-005



LOT LINE TABLE				LOT CORNER TABLE			
LINE #	LENGTH	DIRECTION	LINE #	LENGTH	DIRECTION	LINE #	LENGTH
L1	50.17	N 89° 57' 17" E	L21	103.38	N 42° 50' 50" E	C1	40.86
L2	34.36	N 42° 50' 50" E	L22	36.83	N 44° 46' 54" E	C2	43.82
L3	76.31	S 81° 08' 12" E	L23	102.29	S 72° 12' 43" W	C3	48.76
L4	280.35	S 88° 30' 27" E	L24	123.84	S 81° 20' 15" W	C4	270.03
L5	272.02	S 81° 20' 15" W	L25	115.46	S 29° 08' 28" W	C5	44.81
L6	129.72	S 29° 08' 28" W	L26	157.83	S 22° 36' 44" E	C6	181.44
L7	40.13	S 22° 36' 44" E	L27	213.04	S 12° 37' 43" E	C7	245.47
L8	76.81	S 12° 37' 43" E	L28	178.72	N 88° 48' 45" W	C8	211.32
L9	93.84	S 12° 37' 43" E	L29	188.46	N 80° 46' 54" E	C9	22.47
L10	368.87	S 4° 30' 08" E	L30	160.70	N 40° 46' 54" E	C10	121.86
L11	129.34	N 40° 46' 54" E	L31	130.25	S 88° 42' 37" W	C11	37.81
L12	124.87	N 40° 46' 54" E	L32	130.24	N 40° 46' 54" E	C12	140.12
L13	130.89	N 40° 46' 54" E	L33	264.08	N 24° 34' 43" E	C13	52.87
L14	121.08	N 24° 34' 43" E	L34	259.08	N 88° 54' 43" E	C14	40.12
L15	48.45	N 88° 54' 43" E	L35	256.32	S 12° 37' 43" W	C15	360.32
L16	30.84	N 88° 12' 11" E	L36	84.32	S 12° 37' 43" W	C16	260.32
L17	127.72	N 88° 36' 07" W	L37	105.07	S 44° 56' 56" E	C17	178.17
L18	140.00	S 1° 19' 22" E	L38	264.19	S 2° 04' 38" W	C18	137.30
L19	123.44	S 2° 04' 38" W	L39	220.02	S 76° 36' 36" E	C19	148.86
L20	278.44	N 88° 19' 17" W	L40	81.17	N 14° 23' 00" E	C20	154.07
L21	138.18	S 32° 32' 17" W	L41	138.20	S 14° 44' 00" E	C21	107.32
L22	228.17	N 89° 13' 30" W	L42	86.52	N 89° 01' 32" E	C22	129.19



### EXISTING EASEMENT LEGEND

- RIGHTS OF THE PUBLIC AND TO THAT PORTION OF THE LAND LING WITHIN SAN DIEGO COUNTY HIGHWAY COMMISSION ALIEN ROAD AND 1/4 AS DISCLOSED BY MAP ON FILE IN THE OFFICE OF THE COUNTY ASSessor OF SAN DIEGO COUNTY PER FIRST AMERICAN TITLE ORDER NUMBER DV-13663 DATED FEBRUARY 28, 2002.
- SAN DIEGO GAS AND ELECTRIC COMPANY EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, RECORDED OCTOBER 18, 1989 IN BOOK 3354, PAGE 423 OF OFFICIAL RECORDS.
- SAN DIEGO GAS AND ELECTRIC COMPANY EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, RECORDED OCTOBER 18, 1989 IN BOOK 3354, PAGE 423 OF OFFICIAL RECORDS.
- AN EASEMENT GRANTED TO GEORGE H. SMITH AND JANE H. SMITH, HUSBAND AND WIFE FOR ROAD AND UTILITY AND INCIDENTAL PURPOSES, RECORDED JANUARY 12, 45 INSTRUMENT NO. 79-09172 OF OFFICIAL RECORDS.
- AN EASEMENT GRANTED TO THE COUNTY OF SAN DIEGO FOR RIDING AND HIKING TRAIL AND INCIDENTAL PURPOSES, RECORDED FEBRUARY 10, 1983 AS INSTRUMENT NO. 83-044220 OF OFFICIAL RECORDS.
- AN EASEMENT GRANTED TO THE COUNTY OF SAN DIEGO FOR COUNTY HIGHWAY RIGHT-OF-WAY AND TO THE PRIVILEGE AND RIGHT TO EXTEND DRAINAGE STRUCTURES, LOCATION AND MAINTENANCE OF SAN HIGHWAY AND INCIDENTAL PURPOSES, RECORDED FEBRUARY 10, 1983 AS INSTRUMENT NO. 83-044221 OF OFFICIAL RECORDS.

- AN EASEMENT GRANTED TO THE COUNTY OF SAN DIEGO FLOOD CONTROL DISTRICT ZONE 4 FOR FLOODING OF WATERS AND INCIDENTAL PURPOSES, RECORDED FEBRUARY 10, 1983 AS INSTRUMENT NO. 83-044222 OF OFFICIAL RECORDS.
  - AN EASEMENT GRANTED TO SAN DIEGO GAS AND ELECTRIC COMPANY FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, RECORDED FEBRUARY 10, 1983 AS INSTRUMENT NO. 83-044223 OF OFFICIAL RECORDS.
  - PROPERTY RIGHTS OF INTEREST AND EGRESS TO OR FROM PARCELS F, G, H AND J AND TO STATE HIGHWAY 78 AND THE RAILS ROAD, EGRESS ACCESS, OPENINGS, ADJACENT PARCELS HAVE BEEN RECORDED IN THE DOCUMENT RECORDED MARCH 8, 1988 AS INSTRUMENT NO. 88-012448 OF OFFICIAL RECORDS.
  - ENVIRONMENTAL RESOURCE OVERLAY AREA PER PM 12019
  - AN EASEMENT SHOWN OR DEDICATED ON PARCEL MAP NO. 12019 AS REFERRED TO IN THE LEGAL DESCRIPTION FOR PROPOSED 40 FOOT PRIVATE ROAD AND PUBLIC UTILITY EASEMENT AND INCIDENTAL PURPOSES.
  - ENVIRONMENTAL RESOURCE OVERLAY AREA PER PM 12019
  - THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "EASEMENT AGREEMENT FOR ROAD ACCESS" RECORDED JUNE 28, 1988 AS INSTRUMENT NO. 88-041719 OF OFFICIAL RECORDS, EXECUTED BY AND BETWEEN CALIFORNIA FIRST BANK, A STATE BANKING CORPORATION, AND THE UNDER TRUST AGREEMENT NOS. 1308 AND 8499 AND GORDON PETIT AND LISA MARION PETIT, HUSBAND AND WIFE AS JOINT TENANTS.
  - AN EASEMENT FOR RIGHT OF WAY FOR HIGHWAYS AND EGRESS AS REFERRED IN SAN DOCUMENT AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED JUNE 28, 1988 AS INSTRUMENT NO. 88-247180 OF OFFICIAL RECORDS.
  - AN EASEMENT FOR OPEN SPACE AND INCIDENTAL PURPOSES, RECORDED MARCH 27, 1988 AS INSTRUMENT NO. 88-118847 OF OFFICIAL RECORDS.
  - AN EASEMENT FOR OPEN SPACE AND INCIDENTAL PURPOSES, RECORDED MARCH 27, 1988 AS INSTRUMENT NO. 88-118847 OF OFFICIAL RECORDS.
  - AN EASEMENT FOR ROAD AS REFERRED IN SAN DOCUMENT AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED FEBRUARY 28, 1988 AS INSTRUMENT NO. 88-007517 OF OFFICIAL RECORDS.
  - AN EASEMENT GRANTED TO JOHN TELLAM, A SINGLE MAN, FOR HIGHWAYS AND EGRESS OVER AN EXISTING DIRT ROAD AS IT EXISTED SEPTEMBER 1, 1988 AND INCIDENTAL PURPOSES, RECORDED OCTOBER 8, 1988 AS INSTRUMENT NO. 88-041818 OF OFFICIAL RECORDS.
- N.B. - EXISTING EASEMENT INFORMATION TAKEN FROM PRELIMINARY TITLE REPORT ORDER NUMBER DV-13663-22 DATED BY FIRST AMERICAN TITLE DATED MARCH 14, 2003.
- C.A. 60 ROAD AND PUBLIC UTILITY EASEMENT FOR CERTIFICATES OF COMPLIANCE RECORDED FEBRUARY 4, 2003 AS FILE NO. 2003-000004 AND JUNE 22, 2001 AS FILE NO. 2001-004263, BOTH OF OFFICIAL RECORDS OF SAN DIEGO COUNTY.
  - AN EASEMENT & RIGHT OF WAY FOR HIGHWAYS AND EGRESS FOR ROAD AND PUBLIC UTILITY PURPOSES ALONG AND ACROSS THE HIGHWAY 78.



6 - 124



COUNTY OF SAN DIEGO TRACT NO. TM 5312 RPL 3  
HOSKINGS RANCH, JULIAN PRELIMINARY GRADING PLAN  
LOG NO. 03-10-005

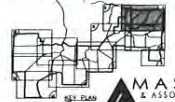
SHEET 3 OF 12



SEE SHEET 5

SEE SHEET 4

RPO - METLANDS



P.N. 02-040a

6 - 125



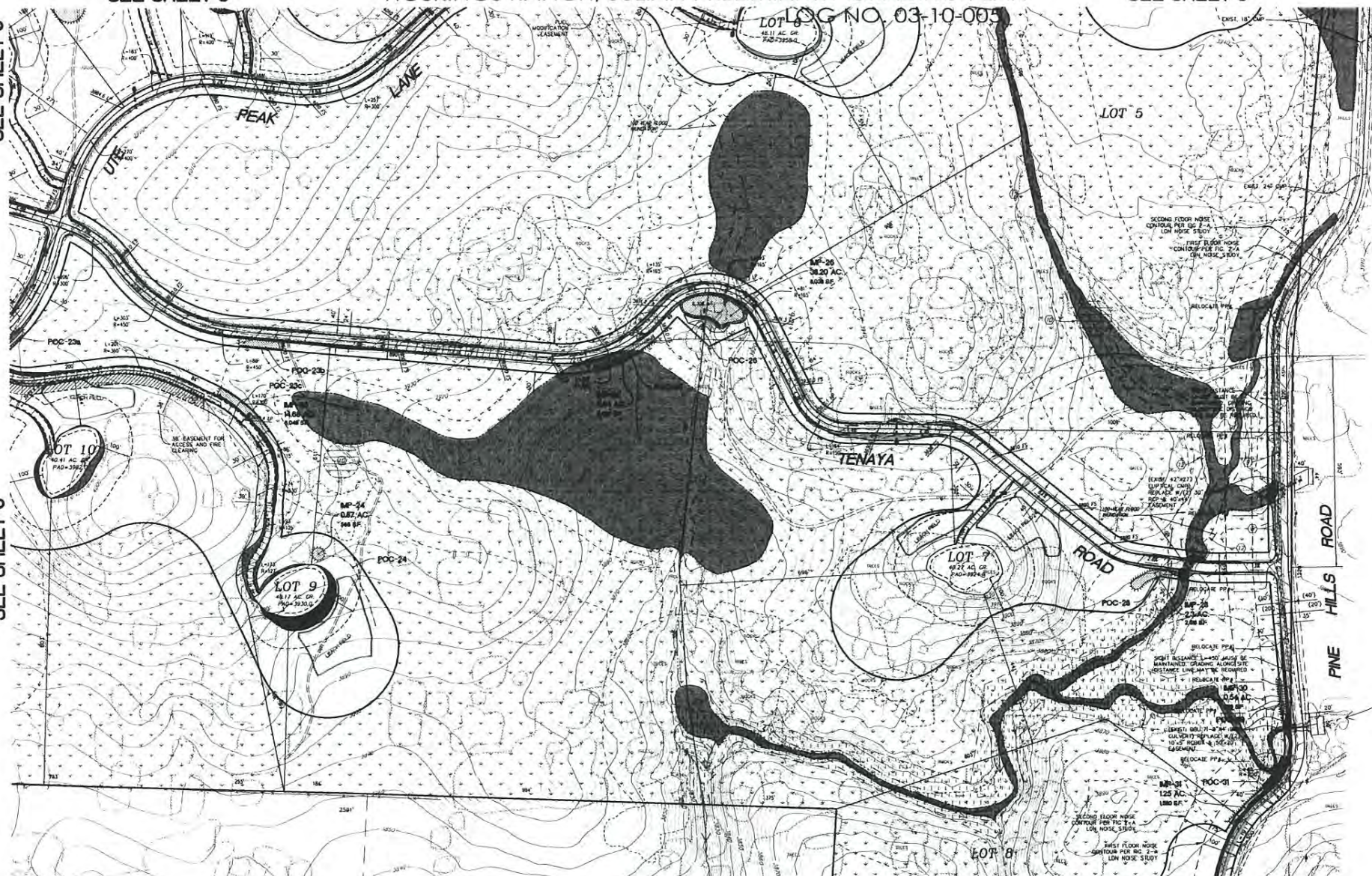
## HOSKINGS RANCH, JULIAN PRELIMINARY GRADING PLAN

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**SEE SHEET 3**

**SEE SHEET 5**

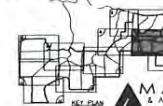
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**SEE SHEET 5**



RPO - WETLANDS

SCALE:  $r^2 = 0.99$ 

P.N. 02-0400

**MASSON & ASSOCIATES INC.**  
140 EAST 10TH ST., SUITE 200, CHICAGO, IL 60605  
TEL: (312) 467-1100 FAX: (312) 467-1101  
WWW.MASSON-AND-ASSOCIATES.COM

**6 - 126**



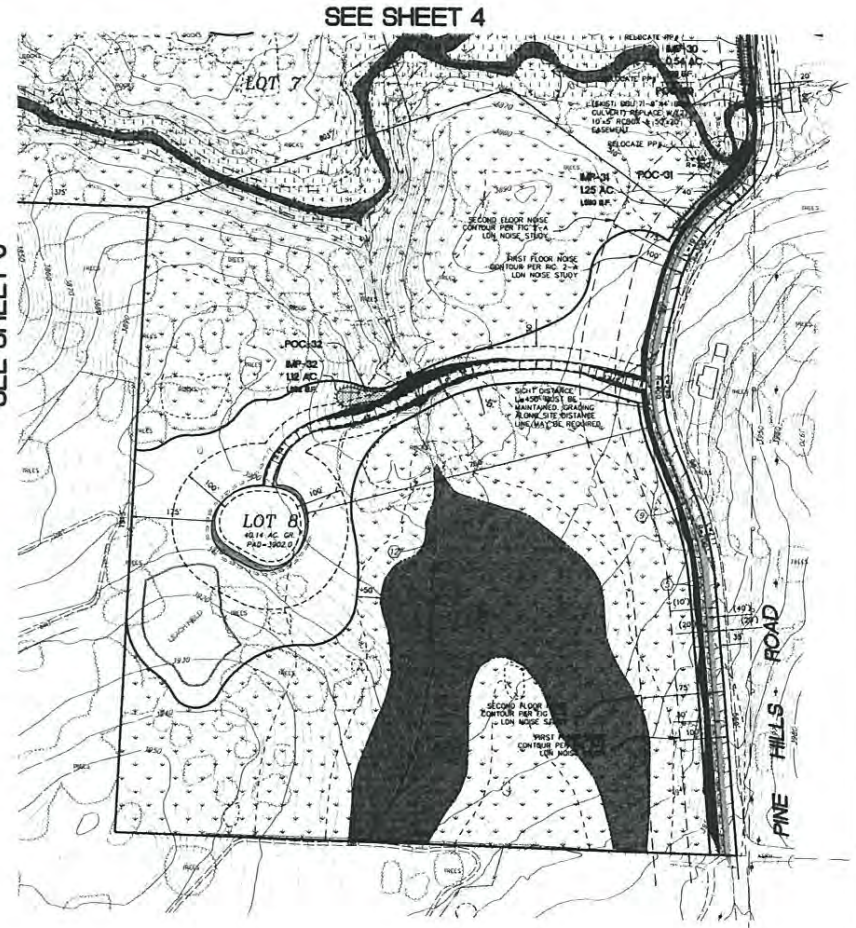
COUNTY OF SAN DIEGO TRACT NO. TM 5312 RPL 3  
HOSKINGS RANCH, JULIAN PRELIMINARY GRADING PLAN  
LOG NO. 03-10-005

SHEET 5 OF 12

SEE SHEET 3

SEE SHEET 6

SEE SHEET 4



RPG - METLANDS



P.N. 02-040a

Planning & Engineering & Surveying & Consulting

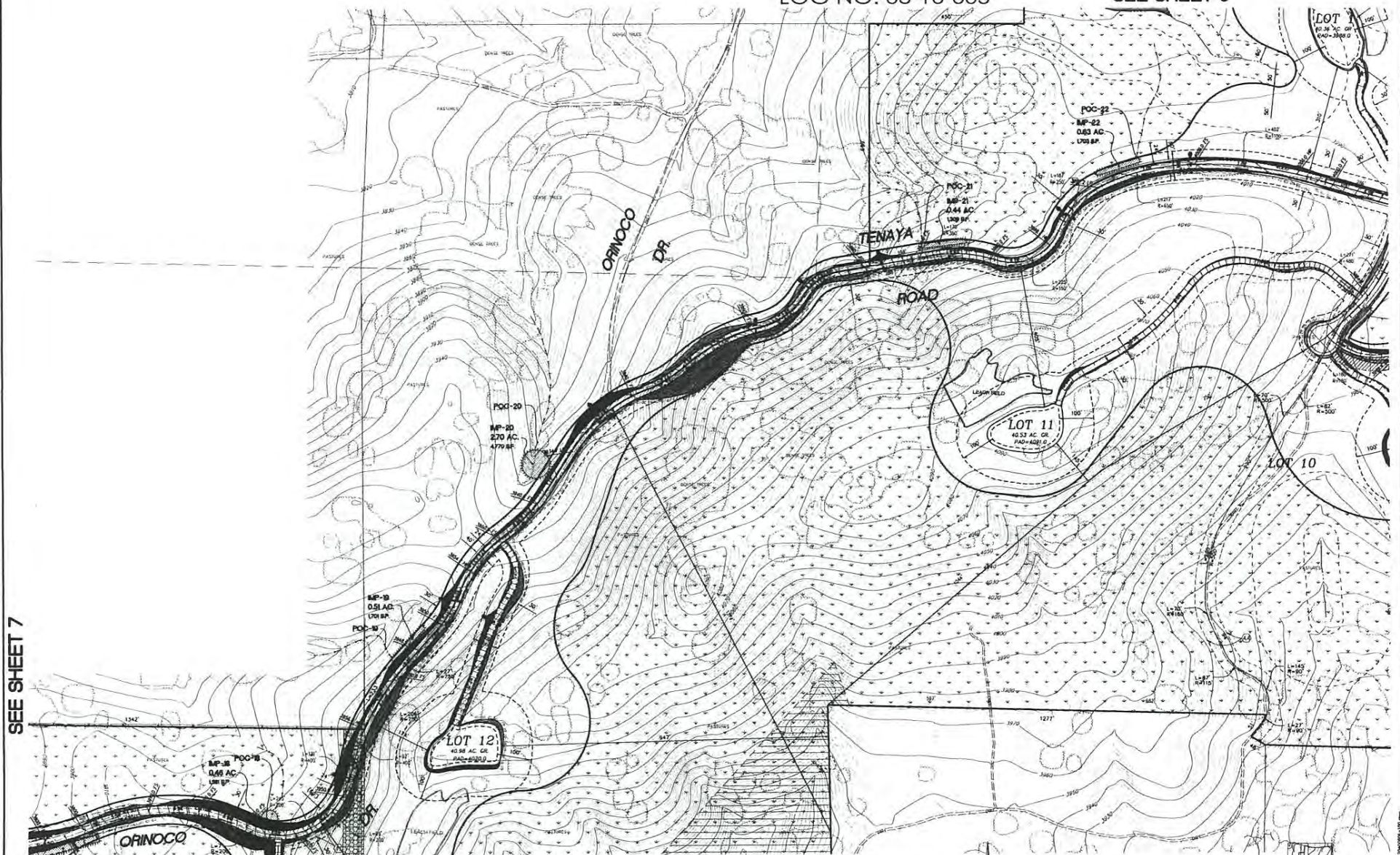
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COUNTY OF SAN DIEGO TRACT NO. TM 5312 RPL 3  
HOSKINGS RANCH, JULIAN PRELIMINARY GRADING PLAN  
LOG NO. 03-10-005

SHEET 6 OF 12

SEE SHEET 5



SEE SHEET 7

SEE SHEET 7

RPO - WETLANDS



6 - 128



COUNTY OF SAN DIEGO TRACT NO. TM 5312 RPL 3  
HOSKINGS RANCH, JULIAN PRELIMINARY GRADING PLAN  
LOG NO. 03-10-005

SHEET 7 OF 12

SEE SHEET 6



6 - 129

SEE SHEET 9

RD - WELANDS



P.N. 02-0400



COUNTY OF SAN DIEGO TRACT NO. TM 5312 RPL 3  
HOSKINGS RANCH, JULIAN PRELIMINARY GRADING PLAN  
LOG NO. 03-10-005

SHEET 8 OF 12

SEE SHEET 10

SEE SHEET 10

SEE SHEET 11

SEE SHEET 11

SEE SHEET 9

SEE SHEET 7

SEE SHEET 7

6 - 130



RPO - METLANDS



P.N. 02-040s

MASSON & ASSOCIATES INC.  
Professional Engineer  
10000 San Diego Avenue, Suite 100  
San Diego, CA 92126  
Phone: (619) 594-1100  
Fax: (619) 594-1101  
E-mail: info@massoninc.com



# COUNTY OF SAN DIEGO TRACT NO. TM 5312 RPL 3

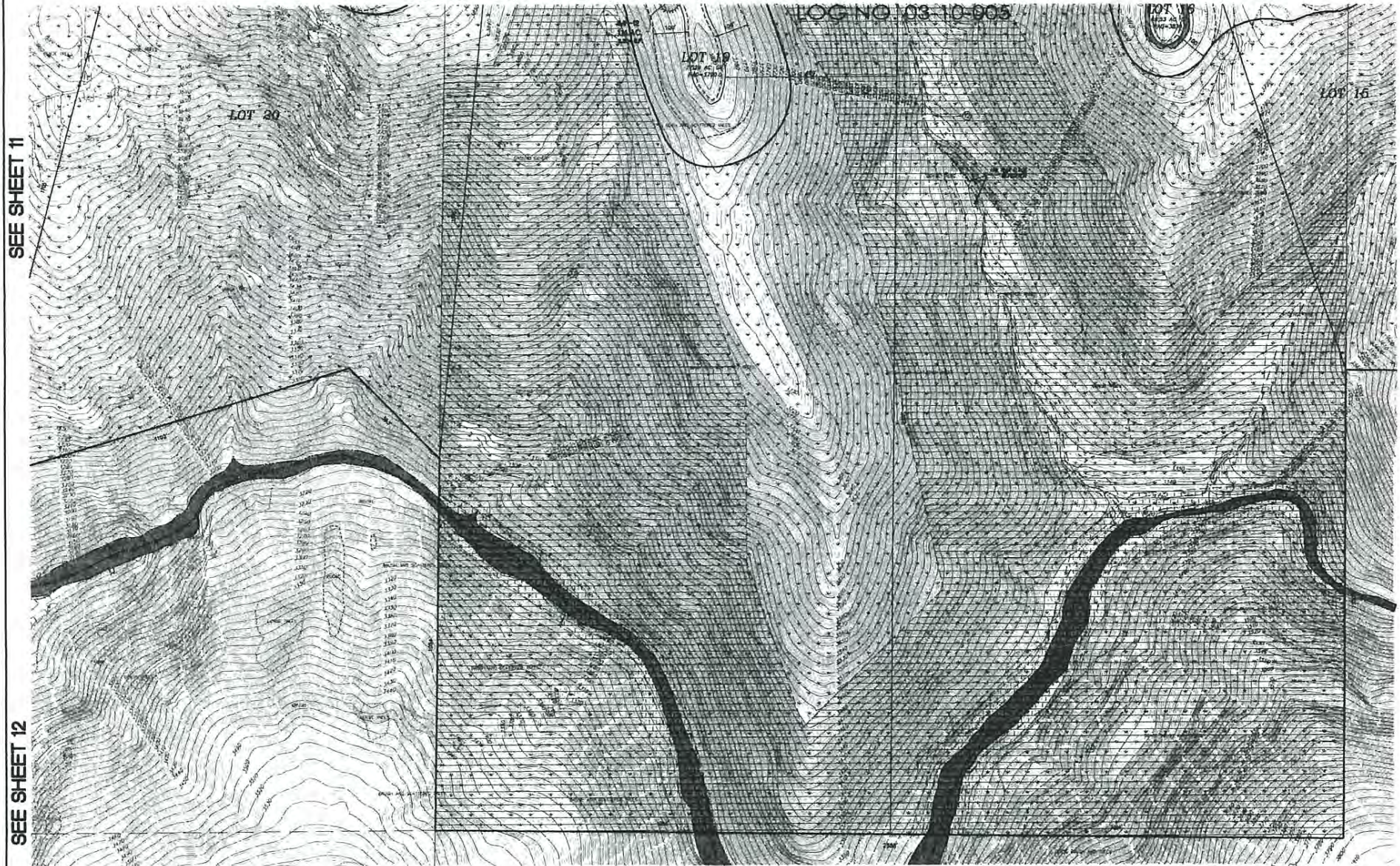
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SEE SHEET 8

HOSKINGS RANCH, JULIAN PRELIMINARY GRADING PLAN

SEE SHEET 7

LOG NO. 03-10-005



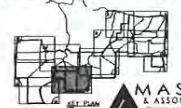
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SEE SHEET 12

RPO - WETLANDS



P.N. 02-0400

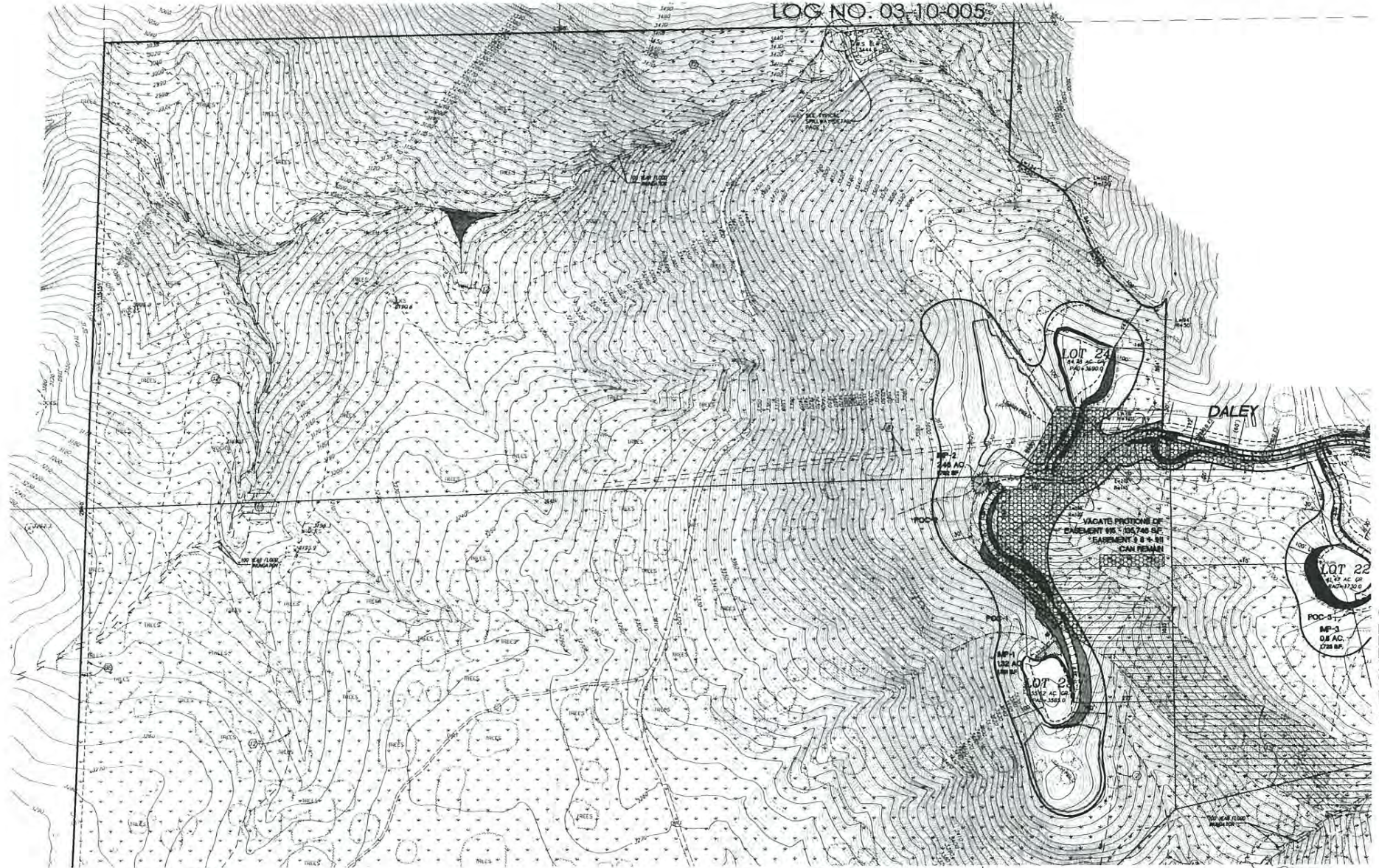
Planning & Engineering & Surveying & Related Services



COUNTY OF SAN DIEGO TRACT NO. TM 5312 RPL 3  
HOSKINGS RANCH, JULIAN PRELIMINARY GRADING PLAN

SHEET 10 OF 12

LOG NO. 03-10-005



SEE SHEET 11

SEE SHEET 11

RPO - MEILANDS



P.N. 02-040a

Planning & Engineering & Surveying & Fabrication

6 - 132

SEE SHEET 8



# COUNTY OF SAN DIEGO TRACT NO. TM 5312 RPL 3

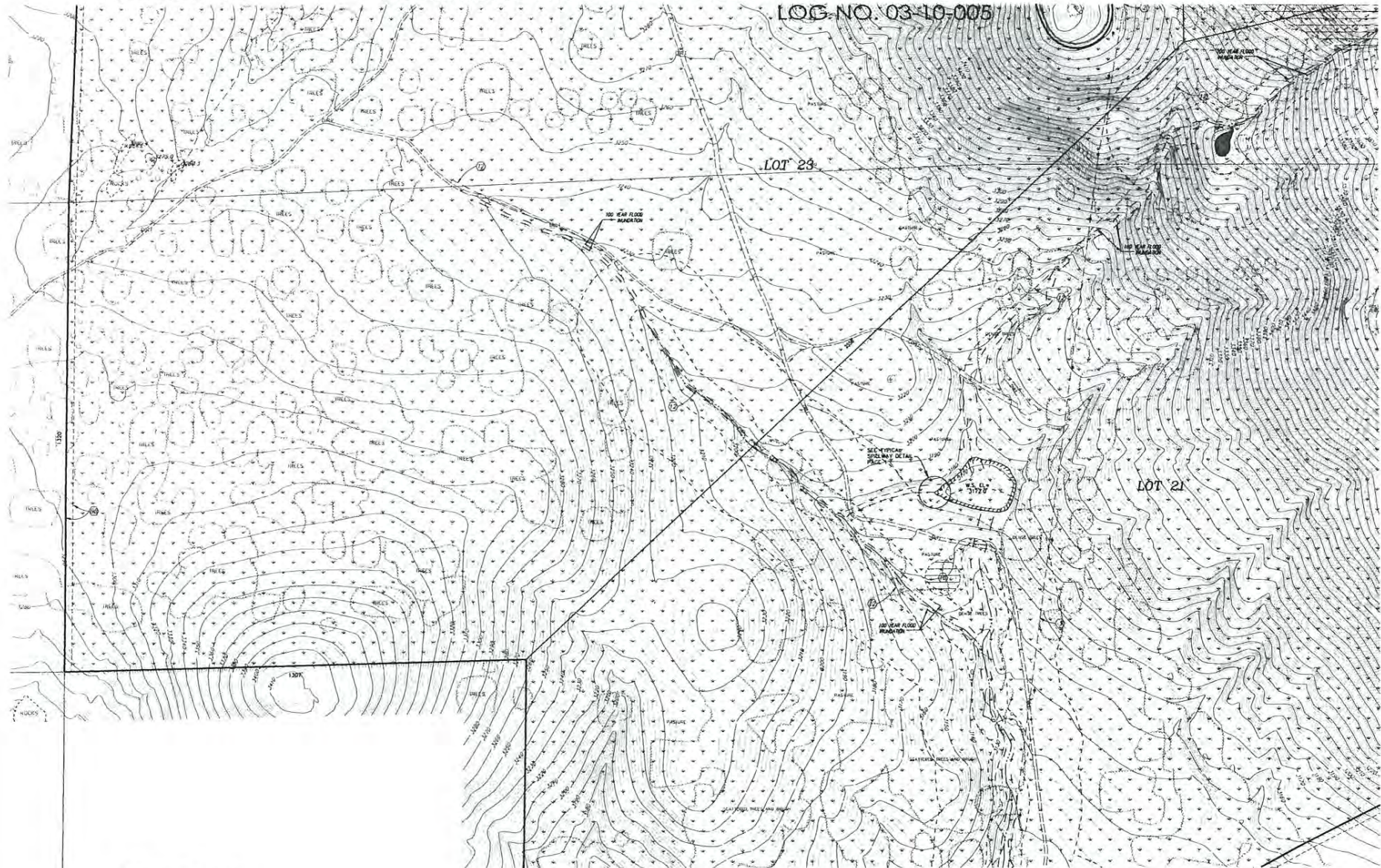
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SEE SHEET 10

HOSKINGS RANCH, JULIAN PRELIMINARY GRADING PLAN

SEE SHEET 10

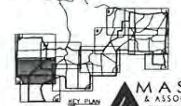
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SEE SHEET 12

SEE SHEET 12

RPD - WELANDS



P.N. 02-040a

MASSON & ASSOCIATES, INC.  
PLANNING & ENGINEERING & SURVEYING & MAPPING

SEE SHEET 8

SEE SHEET 9

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COUNTY OF SAN DIEGO TRACT NO. TM 5312 RPL 3

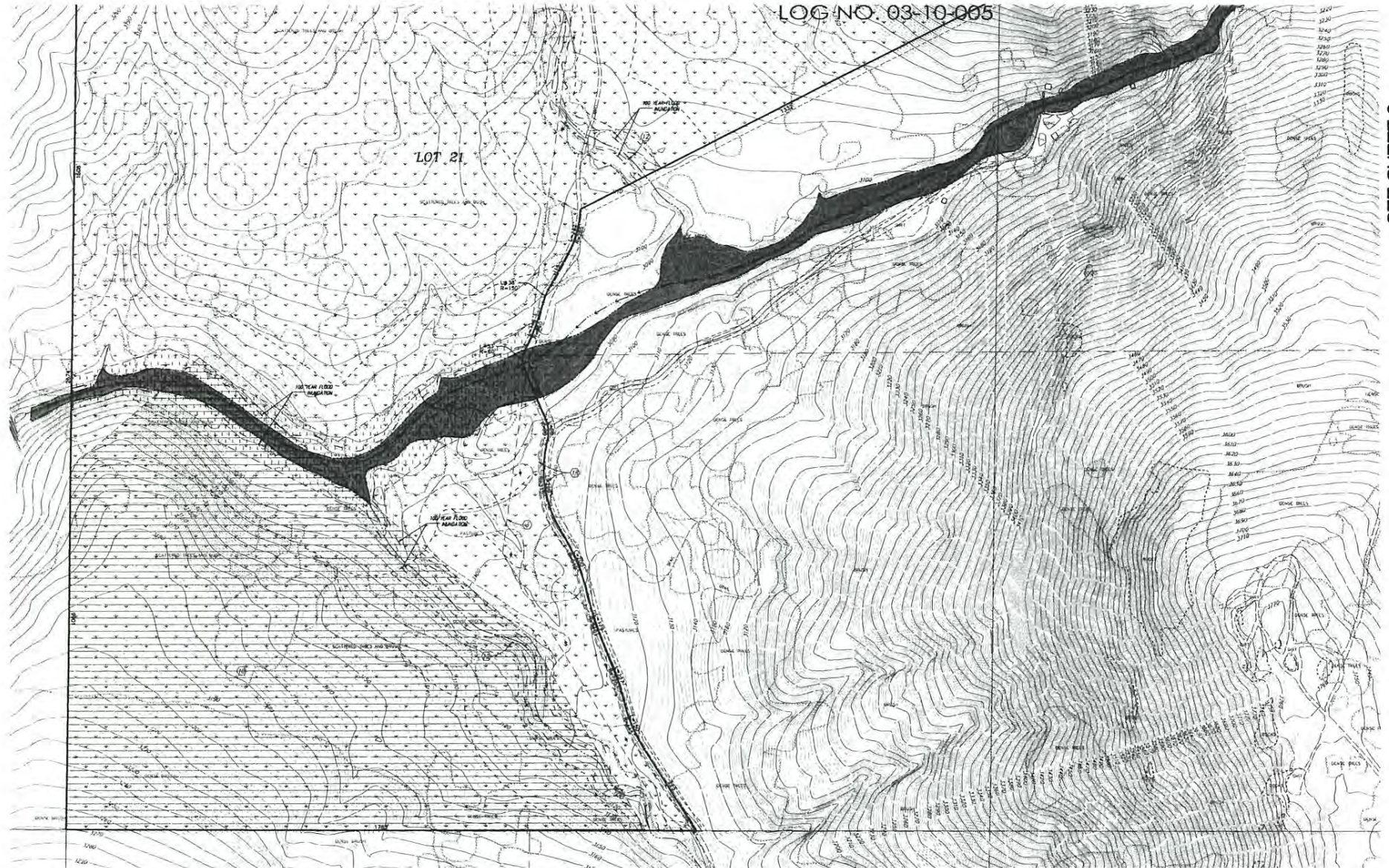
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SEE SHEET 11

HOSKINGS RANCH, JULIAN PRELIMINARY GRADING PLAN

SEE SHEET 11

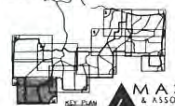
LOG NO. 03-10-005



SEE SHEET 9

6 - 134

JPD - WEILANDS



P.N. 02-040a

MASSON & ASSOCIATES INC.



**Attachment C – Amendment to Williamson Act  
Contract AP73-34**

WHEN RECORDED, PLEASE MAIL THIS  
INSTRUMENT TO:

Clerk, Board of Supervisors  
San Diego County Administration Center  
1600 Pacific Highway  
San Diego, California 92101

-----SPACE ABOVE FOR RECORDER'S USE ONLY-----

THIRD AMENDMENT TO LAND CONSERVATION CONTRACT (AP 15-01)

(Pine Hills – Boulder Creek Agricultural Preserve No. 28)

THIS THIRD AMENDMENT to that certain Land Conservation Contract made and entered into this 19th day of 1974, by and between Southern California First National Bank, a National Banking Association Owner, and the County of San Diego, on file in the Office of the Board of Supervisors of the County of San Diego as Contract No. 7991-4900-A, and filed in the office of the San Diego County Recorder on March 1, 1974 as File/Page No. 74-052719.

WITNESSETH:

WHEREAS, the parties specified hereinabove entered into a Land Conservation Contract on the date above mentioned pursuant to the provisions of the Land Conservation Act of 1965 (Gov. Code, Section 51200, et seq.); and

WHEREAS, on July 21, 1980, a First Amendment to said Land Conservation Contract was recorded in the office of the San Diego County Recorder, as File/Page No. 80-228416. The purpose of the First Amendment was to allow minimum ownership and conveyances of 15 acres as applied to Parcel 2 of said Land Conservation Contract. Parcel 2 was sold to Gordon Pettit and Elsa Marston Pettit according to a Grant Deed recorded on January 12, 1979, as File/Page No. 79-019732 in the office of the San Diego County Recorder; and

WHEREAS, on March 24, 1982, a Second Amendment to said Land Conservation Contract was recorded in the office of the San Diego County Recorder, as File/Page No. 82-079614. The purpose of the Second Amendment was to allow minimum ownership and conveyances of 40 acres as applied to Parcel 1 of said Land Conservation Contract. Parcel 1 was owned by California 1<sup>st</sup> Bank, a Banking Corporation, as vested owners of Parcel 1; and

WHEREAS, on the date of execution of this Third Amendment to the Land Conservation Contract, Genesee Properties, Inc., is the vested owner of Parcel J (Lots

6 and 7) of Parcel Map 12619 described in said Land Conservation Contract; said Parcel J being more particularly described in Exhibit "A" hereto and included herein; and

WHEREAS, Genesee Properties, Inc. desires to modify said Land Conservation Contract as it applies to the land described in Exhibit "A" to allow minimum ownership and minimum conveyances of 40 acres based upon Board of Supervisors action as summarized in Minute Order XXX, dated MONTH DAY, 2016 (BOS ITEM NO.) conforming to the "Resolution Establishing Pine Hills-Boulder Creek Agricultural Preserve No. 28" to Board of Supervisors' Policy I-38, which permits 40-acre minimum lot sizes for cattle breeding, the use made of said land under the Contract; and

WHEREAS, the County of San Diego has no objection to such modification in the belief that it would be in compliance with the terms of said Land Conservation Act of 1965 and in the best interest of the public.

NOW, THEREFORE, IT IS AGREED by and between Genesee Properties and the County of San Diego as follows:

1. Section 2 of Exhibit "B" to said Land Conservation Contract is hereby amended to read as follows:

"Section 2. Notwithstanding the provisions of Section 1, no dwelling, guest house, farm employee housing or farm labor camp shall be constructed, erected or maintained upon any premises containing an area of less than 40 acres; provided, however, one single family dwelling may be constructed and maintained on the premises subject to this Contract."

2. Section 4 of Exhibit "B" to said Land Conservation Contract is hereby amended to read as follows:

"Section 4. The premises subject to this Contract shall not be divided so as to create a parcel of land having an area of less than 40 acres, provided that this restriction shall not be construed as prohibiting the owner of premises having an area of more than 40 acres (hereinafter referred to as the Grantor) from conveying to the owner of contiguous premises where the remainder of the Grantor's premises after such conveyance has an area of not less than 40 acres."

3. Except as hereinabove amended and superseded, said Land Conservation Contract shall continue in full force and effect.



IN WITNESS WHEREOF, the Owner and the County have executed this Contract on the

\_\_\_\_ Day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Genesee Properties, Inc.

By \_\_\_\_\_

By \_\_\_\_\_

County of San Diego

By \_\_\_\_\_

XXXXXXXXXX, Deputy Director  
Department of General Services  
Real Property Division

This is to certify that the foregoing contract is hereby executed on behalf of the Board of Supervisors of said County of San Diego pursuant to authority conferred by Policy I-38 of said Board, adopted on August 22, 1989 (Minute Item 47) and the County consents to recordation thereof by its duly authorized officer.

Date \_\_\_\_\_

By \_\_\_\_\_

, Director  
Department of Real Property

NOTE: All signatures of owners must be acknowledged before a notary public officer authorized to take acknowledgements.

EXHIBIT "A"  
LEGAL DESCRIPTION OF PROPERTY

The Northeast Quarter of the Southwest Quarter; the Northwest Quarter of the Southeast Quarter; that portion of the Northwest Quarter of the Southwest Quarter lying Easterly of the Westerly line of the Easterly 10 acres of said Northwest Quarter of the Southwest Quarter; and lots 6 and 7 of Section 1, Township 13 South, Range 3 West, San Bernardino Base and Meridian, in the County of San Diego, State of California, according to the Official Plat thereof.

Excepting from Lots 6 and 7 of said Section 1 that portion thereof lying easterly of the center line of the County Road, known as Road Survey No. 286, on file in the office of the County Recorder of San Diego County, said portion being described as follows:

Commencing at the Southeast corner of said Section 1, thence North 89 degrees 48 minutes 00 seconds West, 24.40 feet; thence northerly following the center line of the County Road to the intersection of the same with the easterly line of said Section 1; thence South 00 degrees 22 minutes 00 seconds East, 1407 feet to the point of commencement.

## **Attachment D - Environmental Findings**



**ATTACHMENT D**

**ENVIRONMENTAL FINDINGS**

**DRAFT FINAL ENVIRONMENTAL REPORT  
HOSKING'S RANCH TM 5312 RPL<sup>3</sup>**

1. Find that the Planning Commission has reviewed and considered the Draft Final Environmental Report for the proposed project dated September 2015, on file with Planning & Development Services as Environmental Review Number PDS2003-3910-03-10-005 before making its recommendation on the project.
2. The Planning Commission recommends the Board of Supervisors certify that the Draft Final Environmental Report dated August 12, 2011, on file with the Department of Planning & Development Services as PDS2003-3910-03-10-005, has been completed in compliance with CEQA and the State CEQA Guidelines.
3. The Planning Commission recommends the Board of Supervisors adopt the findings concerning mitigation of significant environmental effects pursuant to CEQA Guidelines section 15091 (Attachment E).
4. The Planning Commission recommends the Board of Supervisors adopt the Decision and Explanation Regarding Recirculation of the Draft Final Environmental Report pursuant to State CEQA Guidelines Section 15088.5(e) (Attachment E)
5. The Planning Commission recommends the Board of Supervisors adopt the Mitigation and Monitoring Program as incorporated into the project conditions of approval pursuant to CEQA Guidelines Section 15091(d).
6. Find that the proposed project is consistent with the Resource Protection Ordinance (County Code, Section 86.601 et seq.).
7. Find that the groundwater resources are adequate to meet the groundwater demands of the project.
8. Find that plans and documentation have been prepared for the proposed project that demonstrate that the project complies with the Watershed Protection, Stormwater Management, and Discharge Control Ordinance (County Code, Section 67.801 et seq.).

**HOSKINGS RANCH**  
**PDS2003 3100-5312 RPL<sup>3</sup> (TM); PDS2003 3910-03-10-005 (ER)**  
**State Clearinghouse No. 2003081154**

**CEQA FINDINGS CONCERNING MITIGATION OF SIGNIFICANT EFFECTS**

The following Findings are made for the Hoskings Ranch Proposed Project, which is recommended for approval by County of San Diego staff and the Planning Commission based on consideration of the alternatives, project objectives, project benefits, environmental impacts, and numerous other factors. The environmental effects of the Hoskings Ranch Project (hereinafter referred to as the "Proposed Project") are addressed in the Final Environmental Impact Report (FEIR) dated November 2015

The FEIR prepared for the Hoskings Ranch Project consists of:

- The DEIR which evaluated the Proposed Project and a reasonable range of alternatives, Comment Letters and Responses to Comments on the Draft EIR; and
- 19 Technical Appendices to the DEIR.

The FEIR evaluates potentially significant effects for the following environmental areas of potential concern: 1) Visual Resources; 2) Air Quality/Global Climate Change; 3) Traffic; 4) Cultural Resources; 5) Noise; 6) Biology; 7) Geologic Resources; 8) Groundwater Resources; 9) Agricultural Resources; 10) Fire Hazard; 11) Surface Water Resources.

Of these 11 environmental subject areas, the County of San Diego Planning Commission concurs with the conclusions in the FEIR that Visual Resources, Air Quality/Global Climate Change, Transportation/Traffic, Noise, Geologic Resources, Groundwater Resources, Agricultural Resources, Fire Hazard, Surface Water Resources, and Noise will not involve potentially significant impacts. The remaining environmental issues (biology, cultural resources, traffic) evaluated include impacts that are significant and mitigable.

The California Environmental Quality Act (CEQA) (California Public Resources Code §21000 *et seq.* and the State CEQA Guidelines (Title 14, California Code of Regulations, §15000 *et seq.*) require that no public agency shall approve or carry out a project which identifies one or more significant environmental effects of a project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

Finding (1): Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effects on the environment;

Finding (2): Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been or can or should be adopted by that other agency; or

Finding (3): Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR (CEQA §21081(a); Guidelines §15091(a)).

For each significant effect identified for the Proposed Project, one of the above three findings applies. Therefore, the discussion of significant impacts, and mitigation measures where possible, are organized below by finding rather than by environmental subject area.

#### Section A – Finding (1)

Pursuant to Section 15091(a)(1) of the State CEQA Guidelines, the County of San Diego Board of Supervisors finds that, for each of the following significant effects as identified in the FEIR, changes or alterations (mitigation measures) have been required in, or incorporated into, the Proposed Project which avoid or substantially lessen each of the significant environmental effects as identified in the FEIR. The significant effects (impacts) and mitigation measures are stated fully in the FEIR. The following section identifies all issue areas in the EIR for which changes or alternations (mitigation measures) have been required in, or incorporated into, the Proposed Project which avoid or substantially lessen each of the significant environmental effects as identified in the FEIR. The rationale for this finding follows each impact and mitigation summary.

### BIOLOGICAL RESOURCES

#### Impacts to Special Status Species

- BI-1 Indirect long-term (permanent) impacts to Swainson's Hawk and Cuyamaca Meadowfoam, which are Threatened or state-listed Endangered Species, due to habitat loss.
- BI-2 Direct and indirect impacts to County Group A or B plant species, County Group I animal species, or state Species of Special Concern. Direct impacts: San Diego Gumplant, Two-striped Garter Snake, and Large-blotched Salamander. Indirect impacts: Velvety False Lupine, San Diego Milk-vetch, Grasshopper Sparrow, Golden Eagle, Red-shouldered Hawk, Turkey Vulture, Northern Harrier, White-tailed Kite, Southwestern Pond Turtle, Cooper's Hawk, and Sharp-shinned Hawk. Impacts are the result of project implementation.
- BI-3 Direct and indirect impacts to County Group C or D plant Species, or County Group II animal species. Direct impacts: Banner Dudleya, Engelmann Oak, San Diego Desert Woodrat, Silvery Legless Lizard, Orange-throated Whiptail, San Diego Ringneck Snake, Coronado Skink, San Diego Horned Lizard, Coastal Western Whiptail, Coastal Rosy Boa, San Diego Mountain Kingsnake, and Northern Red Diamond Rattlesnake. Indirect impacts: Great Blue Heron, California Horned Lark, Western Bluebird, Barn Owl, Mountain Lion, Mule Deer, and Monarch Butterfly. Impacts are the result of project implementation.
- BI-4 Direct and indirect long-term (permanent) impacts to Golden Eagle habitat due to habitat conversion.
- BI-5 Direct long-term (permanent) impacts to up to 201.9 acres of potential foraging habitat for the site's resident and potentially-resident raptor species, including Golden Eagle, Swainson's Hawk, Red-shouldered Hawk, and White-tailed Kite, due to the loss of habitat.



- BI-6 Indirect long-term (permanent) impacts to special status species due to human presence or intrusion into sensitive habitat.
- BI-7 Indirect short-term (temporary) impacts to nesting success of special status species due to grading and other noise-generating activities.

Impacts to Riparian Habitat or Sensitive Natural Communities

- BI-8 Direct long-term (permanent) onsite impacts to sensitive native or naturalized habitat resulting from construction, grading, or clearing of the following habitat types: Southern Mixed Chaparral, Chamise Chaparral, Diegan Coastal Sage Scrub, Inland Form, Flat-top Buckwheat, Coast Live Oak Woodland, Engelmann Oak Woodland, Mixed Oak Woodland, Non-native Grassland, Montane Meadow, and Riparian Scrub.
- BI-9 Project-related future construction, grading, clearing, or other activities would result in direct long-term (permanent) impacts to jurisdictional wetlands and/or riparian habitats, as defined by CRWQCB, CDFW, and the County of San Diego Resource Protection Ordinance. Hydrophytic areas of the Non-native Grassland, Montane Meadow, and Riparian Scrub also impacted.
- BI-10 Indirect long-term (permanent) impacts due to increased human access or competition from domestic animals, pests or exotic species to levels proven to adversely affect sensitive habitats.

Impacts to Federal Jurisdictional Wetland and Waterways

- BI-11 Project-related future construction, grading, clearing, or other activities would result in direct long-term (permanent) impacts to federal jurisdictional wetlands and/or waterways, as defined by ACOE.

Impacts to Local Policies, Ordinances, Adopted Plans

- BI-12 Direct long-term (permanent) impacts to a measurable amount of RPO-sensitive habitat lands, including Southern Mixed Chaparral, Chamise Chaparral, Diegan Coastal Sage Scrub, Inland Form of Flat-top Buckwheat, Coast Live Oak Woodland, Engelmann Oak Woodland, Mixed Oak Woodland, Non-native Grassland, Montane Meadow, and Riparian Scrub onsite.
- BI-13 Direct long-term (permanent) and indirect long-term (permanent) impacts due to the loss of migratory birds or destruction of active migratory bird nests and/or eggs as a result of construction-related activities such as brushing, clearing, and grading of the site.
- BI-14 Indirect long-term (permanent) and direct impact to Golden Eagles due to the loss of foraging habitat and/or due to grading activities during the breeding season.

Mitigation Measures for Biological Resource Impacts

- M-BI-1 Mitigation for Impacts BI-1 through BI-14.

In order to protect sensitive biological (and cultural resources), an open space easement shall be granted, covering approximately 1,215 acres. This easement is for the

protection of biological (and cultural 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 natural open space. Granting of this open space easement authorizes the County and its agents to periodically access the land to perform management and monitoring activities for the purposes of cultural resource, species, and habitat conservation. Exceptions to this prohibition include: 1. Selective clearing of vegetation by hand to the extent required by written order of the fire authorities for the express purpose of reducing a specifically identified fire hazard; 2. Activities conducted pursuant to a Wetland Revegetation Plan approved by the Director of Planning & Development Services; 3. Activities conducted pursuant to a Resource Management Plan approved by the Director of Planning & Development Services; 4. Activities conducted pursuant to a Conservation Grazing Management Plan approved by the Director of Planning & Development Services; 5. 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.

Rationale:

This mitigation would provide open space protection that preserves sensitive habitats due to the preclusion of development and continuance of open space use in perpetuity coupled with the requirement for open space management consistent with the Resource Management Plan. Protections consist of fencing and signage, as needed, to deter intrusions. Professional management and reporting would be incorporated to ensure that protections remain effective and that the open space is monitored on an on-going basis.

M-BI-2 Mitigation for Impacts BI-1 through BI-14.

A Resource Management Plan (RMP) to address adequate mitigation for Proposed Project impacts shall be prepared, approved by the Director of Planning & Development Services, and implemented as a condition of project approval. The RMP would contain guidelines for the stewardship, maintenance, biological monitoring, and overall funding and management of the onsite open space. The RMP would eliminate future unauthorized intrusion into biologically sensitive areas through several methods, including fencing, signage, and restrictions to recreational use of the open space.

The RMP shall contain provisions to ensure long-term viability of the habitat for County Group I and II animals, Group A, B, C, and D Plants, and potentially other sensitive animals. The RMP would specify remediation as necessary, in perpetuity, to maintain habitat viability.

Project impacts to Riparian Habitats or Other Sensitive Natural Communities shall be mitigated either through the purchase of mitigation credits from a County approved wetland mitigation bank in the region acceptable to the Wildlife Agencies, or the preparation and implementation of a Wetlands Restoration Plan (WRP) subject to review and approval by the Director of Planning & Development Services. The WRP would guide the revegetation of degraded and disturbed areas of the site with native wetland vegetation in order to mitigate for project impacts to jurisdictional wetland and Waters of the U.S. and/or RPO wetlands. The WRP identifies standards, methodologies, and protocols that have demonstrated success in past wetland revegetation projects.

The protections provided by the RMP over the open space easement area would provide protections for raptors (including Golden Eagle, specifically), migratory birds, and other sensitive bird species' and their habitats

Rationale:

The RMP will specify management activities and reporting within the open space to ensure maintenance of the natural resources. The Grazing Manager and the Habitat Manager would work in tandem, through the prescriptions provided by their respective resource management plans, to ensure that grazing activities are harmonious with the onsite resources.

**M-BI-3 Mitigation for Impacts BI-7, BI-13 and BI-14.**

To avoid and mitigate impacts to the nesting success of sensitive bird species, site brushing, grading, and/or the removal of native vegetation within 500 feet of any potential nesting location shall not take place during the native bird breeding season, defined as from 1 January through September 1, each year. This is required in order to ensure compliance with the federal Migratory Bird Treaty Act and Sections 3505, 3505.5, and 3513 of the California Fish and Game Code, which prevent the 'take' of eggs, nests, feathers, or other parts of most native bird species. Should it be necessary to conduct brushing, grading, or other construction activities during the bird breeding season, a biologist with experience conducting bird breeding surveys will conduct a preconstruction nesting survey of all areas within 500 feet of the proposed construction activities. The results of the survey would be provided in a report to the Director of Planning & Development Services and the Wildlife agencies for concurrence with the conclusions and recommendations. If an active nest is detected, no grading or other construction activity will be allowed within the 500 foot buffer until the fledged birds have left the nest. The buffer distance may be altered with the preparation and approval by the Director of Planning & Development Services, of a site specific Nest Protection Plan. The Nest Protection Plan would include detailed methodologies and definitions to enable a qualified avian biologist to monitor and implement nest-specific buffers based on the individual species involved, site conditions, level of human activity, and other activity in the area.

Rationale:

Limiting ground and vegetation disturbing activities to time periods that are outside of the nesting season will ensure that no sensitive or migratory bird species are negatively affected. In effort to allow for construction activities within the nesting season, the project may engage in preconstruction surveys to identify specific areas to avoid until there is no risk of upset to nesting birds and/or the nesting season has ended.

**M-BI-4 Mitigation for Impacts BI-9, and BI-11.**

Preparation and implementation of a Wetland Revegetation Plan (WRP) reviewed and approved by the Director of PDS, shall guide the revegetation of degraded and disturbed areas of the site with native wetland vegetation in order to mitigate for project impacts to jurisdictional wetlands. The WRP shall identify standards, methodologies, and protocols that have demonstrated success in past wetland revegetation projects. A concerted



effort to create suitable planting densities, species composition, and other related factors shall be considered during the design of the WRP.

Rationale:

Implementation of the WRP will provide on-site restoration of currently degraded wetland areas thereby providing improved habitat for wetland associated plant, animal and bird species.

M-BI-5 Mitigation for Impacts BI-1, BI-2, BI-3, BI-6, and BI-10.

A Conservation Grazing Management Plan (CGMP), reviewed and approved by the Director of Planning & Development Services for the Proposed Project shall contain site-specific conservation measures and practices that address multiple resource concerns on areas where grazing related activities or practices would be planned and applied. The CGMP identifies predicted effects and desired conditions, including the consequences of grazing and related management of special resources, non-grazing (but related) management of special resources, alternative feasible management scenarios, and timeline of management requirements of special resources affected by grazing. The CGMP shall define the monitoring of site conditions and the planned effects on resources related to grazing, including monitoring variables, methods, a schedule, evaluation standards and analysis, adaptation of management actions, and reporting.

Rationale:

The CGMP will ensure the natural resources associated with the grazing area are not compromised and the open space values necessary for sensitive plant, animal and bird species are maintained. The CGMP will incorporate corrective measures and apply an adaptive management philosophy to address ever changing climatic, economic and social conditions.

M-BI-7 For Impacts BI-9, and BI-11.

Unavoidable impacts to RPO wetlands shall be mitigated at a 3-to-1 ratio, with at least 1-to-1 of this ratio consisting of wetlands creation, and the balance (a 2-to-1 ratio) consisting of wetlands creation and/or enhancement. This could occur at an off-site County-approved mitigation bank, if available, and/or onsite via habitat creation, restoration, and/or enhancement within the open space easement area. Any onsite wetlands creation, restoration, and/or enhancement activities would be subject to approval by the Director of Planning & Development Services.

Rationale:

Three-to-one (3:1) wetland mitigation consistent with the RPO will provide on the ground restoration of degraded wetland areas and creation of new wetland habitat, thereby providing improved habitat for wetland associated plant, animal and bird species.

M-BI-8 For impacts BI-8, and BI-12.

Prior to construction, apply for and obtain a Habitat Loss Permit from the County of San Diego for the 16.7 acres of impacted Diegan Coastal Sage Scrub and related Scrub habitats.

Rationale:

The Hoskings Ranch property and offsite impact areas support six broad categories of plant communities, each divisible into discrete subcategories requiring compensatory mitigation at specific ratios. As an element of this mitigation, 85 percent of the Proposed Project site will be preserved via easement in managed and monitored open space.

## **CULTURAL RESOURCES**

### Impacts to Historical Resources

- CR-1 Brushing and grading activities associated with construction could result in the discovery of previously unrecorded, potentially significant historical resources as defined in Section 15064.5 of the State CEQA Guidelines.
- CR-2 Brushing and grading activities associated with construction could result in the discovery of previously unrecorded, potentially RPO-significant resources.

### Impacts to Archaeological Resources

- CR-3 Brushing and grading activities associated with the construction could result in the discovery of previously unrecorded archaeological resources.
- CR-4 CA-SDI-16881/H is a historic trash deposit that contains important Archaeological data that is being lost as the site erodes away from exposure to the elements.
- CR-5 Brushing and grading activities associated with construction could result in the discovery of previously unrecorded, potentially RPO-significant archaeological resources.
- CR-6 Brushing and grading activities associated with the construction could result in the discovery of previously unrecorded, potentially significant human remains.

### Mitigation Measures for Cultural Resource Impacts

M-CR-1 Mitigation for impacts CR-1 through CR-6

A monitoring program will be implemented for any grading or other ground-disturbing activity. The monitoring program will be required not only for ground-disturbing activities as part of the Tentative Map, but also any development that occurs subsequent to approval of the TM. The monitoring and data recovery program must be provided to the satisfaction of the Director of Planning & Development Services, and must include monitoring by a County-approved archaeologist and a Kumeyaay Native American monitor. The monitoring program includes data discovery, recovery, and documentation; notes to the Grading Plan; and necessary sign-offs and documentation proving adherence to the program.

Prehistoric archaeological materials will be either curated at a San Diego curation facility or culturally affiliated Tribal curation facility, or repatriated to a culturally affiliated Tribe. Historic materials will be curated at a San Diego curation facility.

Temporary fencing and signage plan would be implemented along the perimeter of the open space during periods of construction activity to ensure that workers and equipment do not inadvertently encroach into the open space and onto any of the archaeological sites.

Rationale:

To avoid impacts to known and unknown cultural resources (historic and archaeological) during grading activities, a County approved archaeological and Native American monitor is required to conduct monitoring during brushing and grading activities to ensure no resources are damaged. Temporary fencing and signage would be installed to deter inadvertent intrusions to the open space by construction workers or equipment. Monitoring would ensure that unknown cultural resources would be adequately documented and curated or repatriated if necessary, because monitors would halt grading and evaluate resources, if any are found.

In the long-term, the open space easement is an additional and effective mitigation because resources would be retained in an undisturbed state in a protected area.

M-CR-2 Mitigation for impact CR-4

The Proposed Project is not directly responsible for the eroding condition of CA-SDI-16881/H, however, mitigation for this impact is a condition of project approval. A data-recovery excavation would be conducted to collect a sample of cultural material. This material would be cataloged and analyzed, and a report would be prepared to detail the methods and results of the data-recovery program.

Rationale:

Data-recovery excavation of CA-SDI-16881/H will preserve important archaeological data which will be lost due to the continued erosional state of the site. Preservation of the site data in a formal report will contribute to the local and regional knowledge of archaeological resources. Therefore, with the preparation of a report of findings, scientific data will be available for future research.

## TRANSPORTATION

Impacts to Transportation

TR-1 In the cumulative condition, the Proposed Project contributes vehicle trips to roadways that operate at inadequate levels of service.



Mitigation Measure for Transportation Impact

M-TR-1 Prior to Final Map recordation, the project applicant shall pay a TIF fee toward improvements to the local roadway network as determined by the Director of Planning and Development Services.

Rationale:

The County of San Diego has adopted an overarching programmatic approach to address existing and projected future road deficiencies in the unincorporated area of San Diego County. This program includes the adoption of a Transportation Impact Fee (TIF) to fund improvements to roadways in order to mitigate cumulative impacts anticipated by traffic from development.

**Section B – Finding (2)**

Pursuant to Section 15091(a)(2) of the State CEQA Guidelines, staff and the County of San Diego Board of Supervisors find that, for each of the following significant effects as identified in the FSEIR, changes or alterations which would avoid or substantially lessen these significant effects are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. The significant effects (impacts) and mitigation measures are stated fully in the FSEIR. The following are brief explanations of the rationale for this finding for each impact:

M-BI-6 Mitigation for Impact BI-11

Prior to construction, prepare and submit for approval by the ACOE a Wetlands and Waters of the U.S. Delineation Report. Obtain and comply with Clean Water Act Section 404 permits as determined by the ACOE.

Rationale:

Compliance with section 404 of the Clean Water Act will require the issuance of a Section 404 permit that will require the project to implement mitigation as determined by the ACOE for any and all Wetlands and Waters of the U.S.

**Section C – Finding (3)**

Pursuant to Section 15091(a)(3) of the State CEQA Guidelines, the County of San Diego Board of Supervisors finds that, for each of the following significant effects identified in the FSEIR, specific economic, legal, social, technological, or other considerations make the mitigation measures or project alternatives infeasible:

No applicable mitigation measures



**DECISION AND EXPLANATION REGARDING RECIRCULATION OF  
DRAFT ENVIRONMENTAL IMPACT REPORT  
HOSKINGS RANCH PROJECT  
TM5312 RPL<sup>3</sup>; ER 3910-03-10-005;  
SCH #2003081154**

**November 23, 2015**

**BACKGROUND**

A Draft Environmental Impact Report (EIR) for the Hoskings Ranch Project (hereafter referred to as "Proposed Project" or "Project") was circulated for public review for 45-days (August 29 through October 15, 2013). Several federal, state and, private organizations submitted comment letters on the Draft EIR. A total of nine comment letters were received by the County of San Diego (County). The County prepared responses to all comments received, which are included in the Final EIR. After public review, the Draft EIR was changed or modified in several places; either in response to public comments received, or the Project Applicant's or the County's desire to clarify a matter, or due to Project modifications. Pursuant to the State's California Environmental Quality Act (CEQA) Guidelines Section 15088.5(a), the County is required to recirculate a Draft EIR if significant new information is added after public review of a Draft EIR, but before certification. New information added to a Draft EIR is not significant unless the Draft EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse effect of the Project or a feasible way to mitigate or avoid such an effect (including feasible alternatives) that the Project's proponents have declined to implement.

**DECISION**

The Board of Supervisors has reviewed the changes made to the Draft EIR following public review, and determines that no "significant new information" has been added and therefore, recirculation of the Draft EIR is not required. The following provides an explanation of the modifications made to the Draft EIR.

**PROJECT DESCRIPTION/ DESIGN CHANGES**

**1. Public Service**

- A 5.0 acre lot that was originally to be granted to the Julian/Cuyamaca Fire Protection District (JCFPD) for use as a Fire and Emergency Services station is no longer proposed. The site was anticipated to have a 20 x 40 foot garage served by a separate well and septic system. The District determined there was no need for the property and the community would be better served from their existing facility. The FEIR has been edited to remove references, discussions, analysis and conclusions related to the now not-proposed Fire and Emergency Services station throughout the entire EIR.
- The 5.0 acres of land that was to be granted to the JCFPD was shifted into the Open Space portion of the proposed project. The Open Space acreage increased from 1,209.8 to 1,214.8 acres. Likewise, the amount of acreage potentially impacted by development



decreased by 5.0 acres, from 206.9 to 201.9. The EIR has been updated throughout to reflect the increased acreage of Open Space and decreased acreage of disturbance.

## 2. Other Minor Project Description/Design Changes and Clarifications

A number of other minor changes and clarifications have been made to the *Executive Summary*, and *Chapter 1.0, Project Description, Location and Environmental Setting*, in the Final EIR, described below. All of these changes reflect minor additions or clarifications, and do not involve "significant new information" (with related explanations and/or references to additional discussion in other portions of the Final EIR provided where appropriate).

- Section 1.7 Energy Conservation; was added to Chapter 1 of the Final EIR. This section describes the projects intentions for "avoiding or reducing inefficient, wasteful and unnecessary consumption of energy" consistent with Appendix F of the CEQA guidelines. This section summarizes the projects direct and indirect energy use information that is found throughout the Draft EIR in the Air Quality, Climate Change, Water and Wastewater and Transportation discussions and associated resource analysis sections. Consistent with CEQA guideline Appendix F, no impacts or mitigation are identified as the discussion only includes information related to the projects efficient use of energy.

## ENVIRONMENTAL ANALYSIS CHANGES

The Final EIR includes a number of modifications to the introduction, background or analysis sections of Chapters 2.0 (Significant Environmental Effects of the Proposed Project), and 3.0 (Environmental Effects Found Not to be Significant). These changes are associated with comments received during public review of the Draft EIR, or the previously noted design modification (removal of the fire station site).

### 1. Modifications to Chapter 2.0, Significant Environmental Effects of the Proposed Project

The following discussion includes changes in the Final EIR Subchapters 2.1, Biology; 2.2, Cultural Resources; 2.3 Traffic.

#### a. *Subsection 2.1 Biology*

- Page 2-1. The dates of biological surveys were extended to 2014 from 2010 to reflect the duration of the more recent survey efforts.
- Page 2-3. The following sentence was added, "Where applicable, CNDDDB forms for each of the observed special status plant species were completed and provided in attachment to the Biology report in Appendix A."
- Pages 2-3 and 2-4. The following results of field surveys conducted in 2014 were added:

*"Stephen's Kangaroo Rat is a State and Federally-listed "Threatened Species". This secretive, nocturnal mammal is known to occur in open habitats dominated by low forbs such as Red-stem Filaree (Erodium cicutarium) with scattered, low*

*perennial shrubs, including Flat-top Buckwheat (Eriogonum fasciculatum), California Sagebrush (Artemisia californica), and others. This species is known to be sensitive to "edge effects", and their survival is dependent on a habitat containing appropriate soil for burrowing, open spaces for foraging and breeding, and the appropriate mix of annual forbs to annual grasses. Field surveys in May 2014 concluded that SKR does not occur on the Proposed Project site."*

The addition of this survey information is responsive to the Draft EIR Review Comment (Comment #7) provided by the California Department of Fish and Wildlife, dated October 9, 2013.

- Page 2-7. The San Diego Mountain Kingsnake was added to the list of potentially impacted Group II animal species affected by the proposed project; no new mitigation is required. The addition of this species is responsive to the Draft EIR Review Comment (Comment #15) provided by the California Department of Fish and Wildlife, dated October 9, 2013.
- Page 2-25. The San Diego Mountain Kingsnake was added to Impact BI-3 and the Horned Lark was clarified to be the California Horned Lark. The Kingsnake was added to the list of potentially impacted species after a review of the California Fish and Wildlife's comment letter on the Draft EIR, specifically comment #15, which caused a review of the roster of special status species that could be present on site given the types of habitat found on the project site. No new mitigation is required.
- Page 2-29 and 2-30. The following corrections were made:
  - The bird breeding season was corrected to extend to September 1 rather than August 31<sup>st</sup> as originally described.
  - The qualifications to conduct bird surveys when construction activities are proposed to occur during bird breeding season was clarified that the surveys must be performed by a "biologist with experience conducting bird breeding surveys."
  - Additional detail was added to the mitigation measure to clarify the necessary actions should construction activities occur within the 500-foot nesting buffer.
- Page 2-30. The Following text was added to the mitigation requirement to clarify that if grazing was not to occur on the project site, the CGMP would not be developed and implemented: "The CGMP will be applied if grazing occurs in the open space area."

b. *Subchapter 2.2, Cultural Resources*

- Throughout the Entirety of Subchapter 2.2 Cultural Resources. The sub-section numbering has been corrected.
- Page 2-35. The following corrections were made:
  - The analysis results were clarified to distinguish the known impacted and not-impacted cultural resources so those resources potentially impacted are specifically identified and mitigated.

- An explanation of the purpose of the proposed Hoskings Ranch Rural Landscape District has been added to the text.
- Clarity is also provided by deleting the reference to open space and indicating that it is the potential for clearing and brushing that may cause impacts to unknown resources.
- Page 2-38. Edits have been made to the text to provide greater clarity regarding the information used for impact determination, the results of the San Diego County database search and identifying an additional project that was reviewed for cumulative impacts.
- Page 2-40 and 2-41. Additional text was added to Mitigation CR-1 (M-CR-1) to clarify that the archaeological consultant, County staff and a Native American representative will work collaboratively to determine the proper disposition of Native American cultural materials if any are discovered during grading and ground disturbing construction activities. Further, "archaeological monitor" shall be onsite during grading activities.
- Table 2-2-1. Historical Resource identification was corrected to the proper resource on site. The previously identified resource was an error. The resource exists, but not within the project boundaries.

*c. Subchapter 2.3, Traffic*

- Page 2-43. Text was added to in response to the review of Appendix H, Hoskings Ranch Traffic Impact Study, to evaluate the impact of 'agricultural trips' associated with the potential for grazing on the project site: "A memo updating agricultural traffic numbers was provided on November 14, 2014 and included at Appendix H of that study."
- Page 2-44. ADT and Peak Hour trips have been updated to reflect the revised traffic impact analysis that was conducted in response to County Staff's request for agricultural trips to be accounted for in the projects climate change analysis. The results are also relevant to transportation as well. Text was added which states: "No peak hour agricultural traffic is anticipated as these activities take place at random times of the day and are not linked to rush hour traffic".
- Page 2-45. Text was added to the description of project trip generation and the routes the trips would be associated with. The percent of trips associated with the travel routes was also updated. No new mitigation is required.
- Page 2-47. Text was revised to clarify the results of the analysis to determine if the sight distance is obstructed. Additionally, text was added to explain how the sight distance meets requirements as demonstrated on Figure 2-3-3 "Sight Distance Constraints". These changes are response to the DEIR review comments made by Caltrans, specifically comment #1.
- Page 2-49. Reference to Figure 2-3-3 was added to the text regarding sight distance obstructions. This change is in response to the DEIR review comments made by Caltrans, specifically comment #1.



## **2. Modifications to Chapter 3.0, Environmental Effects Found Not to be Significant**

The following discussion includes changes in the Final EIR Subchapter 3.1, Visual Resources;

### *Subchapter 3.1 Visual Resources*

- Page 3-1. Text was added to the existing conditions of the visual character to clarify the project site and its relation to the Cleveland National Forest.
- Page 3-5. Figure 3-1-12 was corrected to Figure 3-1-10.
- Page 3-6. Figure 3-1-13 was twice corrected to Figure 3-1-11.
- Page 3-8. Figure 3-1-14 was corrected to Figure 3-1-12; the date of the *Agricultural Conversion Analysis for Hoskings Ranch* was corrected from June to August 2013.
- Pages 3-14. The approximate head of cattle allowed on site was revised from 80 head to 60 head of cattle in response to the updated Climate Change Analysis.
- Page 3-16. The acres of Farmland were corrected from 25 to 27 acres.
- Page 3-16. The authors and date of the Air Quality and Climate Change Analyses reports were corrected.
- Pages 3-19 through 3-22. The text has been revised to reflect the updated Climate Change Analysis results. Introduction, Regulatory Framework, and Existing on-site conditions have been revised. No impacts were identified, no mitigation required.
- Pages 3-30 through 3-38. The text has been revised to discuss the County's January 2015 GHG Guidance for evaluating climate change impacts within environmental analysis documents; significance guidelines; direct effects and cumulative analysis results. No new mitigation measures are required.
- Page 3-47. The sentence "This includes the 24 proposed residences" has been added to clarify the projected use of groundwater results relates to the proposed project rather than one of the alternatives.
- Page 3-62. The date for the Major Stormwater Management Plan has been updated.
- Page 3-74. The date for the Noise Study has been updated.

## **3. Modifications to Chapter 4.0, Project Alternatives**

The following discussion includes changes in the Final EIR to Subchapter 4.4, Reduced Project Alternative.

### *a. Subchapter 4.4, Reduced Project Alternative*

- Page 4.6. Text was added to clarify who and what process will be undertaken should unknown archaeological materials be uncovered during grading or ground disturbing activities.
- Page 4-15. The acreages of potential impacts is updated to reflect the removal of the fire station site from the project description; the figure numbers have been updated. The description of RPO wetlands was clarified.
- Page 4-16. Text has been added regarding the Southwestern Pond Turtle's regional significance and management via the projects Resource Management Plan.
- Page 4-17. San Diego Mountain Kingsnake was added to the list of Group II animal species that may be present and thus impacted by the project due to the presence of suitable habitat. The words "recreational trails" were deleted from the list of uses proposed for development because there would be no improvements to existing trails.
- Page 4-22. The consolidated project alternative figure numbers have been corrected.
- Page 4-31. Additional text was added to Mitigation CR-1 (M-CR-1) to clarify that the archaeological consultant, County staff and a Native American representative will work collaboratively to determine the proper disposition of Native American cultural materials if any are discovered during grading and ground disturbing construction activities.

## **LIST OF MITIGATION MEASURES AND ENVIRONMENTAL DESIGN CONSIDERATIONS**

The MMRP has been revised to reflect all previously addressed changes to clarify both project design and mitigation measures.

## **CONCLUSIONS**

Modifications to the Draft EIR for inclusion in the Final EIR are considered minor clarifications. Modifications do not show: (1) new significant environmental impacts from the Project or from new mitigation measures; (2) a substantial increase in the severity of environmental impacts; (3) feasible project alternatives or mitigation measures considerably different from others previously analyzed in the Draft EIR, and which the Project proponents decline to adopt; or (4) that the Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded. Modifications to the Draft EIR clarify and amplify information already contained in the document.

Based on the above discussions, none of the changes contained in the Final EIR constitute "significant new information" as defined in Section 15088.5 of the State CEQA Guidelines. Failure to recirculate would not deprive the public of a meaningful opportunity to comment on substantial adverse effects or feasible mitigation measures or alternatives. The described revisions in the Final EIR therefore do not require recirculation.

## **Attachment E – Environmental Documentation**



PLEASE NOTE THAT A FORMAL APPLICATION FOR A HABITAT LOSS PERMIT HAS NOT BEEN FILED AT THIS TIME. THE FOLLOWING IS A DRAFT FORM OF DECISION FOR A HABITAT LOSS PERMIT SHOWING THE FORMAT AND POSSIBLE CONDITIONS FOR A FUTURE HABITAT LOSS PERMIT. BECAUSE A FORMAL APPLICATION HAS NOT BEEN FILED, CERTAIN DATES, FINDINGS AND OTHER INFORMATION IS ABSENT FROM THE DRAFT FORM OF DECISION, THIS INFORMATION WILL BE INCLUDED IN THE FINAL FORM OF DECISION.

DATE (to be determined)

Genesee Properties, Inc.  
Attn: Ms. Lettie Flower  
3550 General Atomics Court  
San Diego, CA 92121-1122

**DRAFT DECISION OF THE DIRECTOR  
Habitat Loss Permit**

APPLICATION NUMBER: HLP xx-xxx, ER 03-10-005

ASSOCIATED PERMIT(S): PDS2003-3100-5312 (TM 5312)

NAME OF APPLICANT: Genessee Properties, Inc.

DESCRIPTION/LOCATION OF LOSS:

This document presents findings required for the issuance of a Habitat Loss Permit under the Endangered Species Act Section 4(d) rule for the California gnatcatcher (*Polioptila californica californica*). The action being addressed within these findings is the removal of coastal sage scrub (CSS) associated with the Hoskings Ranch project. The proposed project will remove 3.8 acres of Diegan CSS and 12.8 acres of flat-top buckwheat, as shown on the attached Habitat Loss Exhibit dated August 16, 2013.

The proposed project is located south of SR 78/79, west of Pine Hills Road, and south of Orinoco Drive, near the community of Julian in unincorporated San Diego County. The project location is indicated on the attached USGS map.

The Hoskings Ranch project, Tentative Map (TM) 5312 RPL3, consists of the subdivision of the approximately 1,417-acre Hoskings Ranch property (289-030-7, 8, & 11; 289-060-34; 289-062-3, 4, & 6; 289-061-1, 3; 289-100-4, 10, & 11; 289-120-32, 40, & 41; and 289-470-18 & 19) into 24 parcels, ranging in size between approximately 40 and 196 acres each. Single family homes would likely be constructed on each of the new parcels at some point in the future. The TM 5312 RPL3 application includes

grading for onsite roads and an open space easement vacation in three areas, although pad grading and home construction are not included in the project. Portions of each lot are proposed for agricultural use. Approval and implementation of the TM 5312 RPL3 project will result in direct and indirect impacts to biological resources due to proposed road grading and future build out, including pad grading, home construction, landscaping, fire clearing, and related site improvements. Primary access to the TM 5312 RPL3 site is from Pine Hills Road to the east and the project includes minor offsite road improvements along Pine Hills Road. Secondary access to the site will be from Daley Flat Road to the north. Daley Flat Road and Pine Hills Road are existing, improved roadways. There is also a consolidated project alternative in the EIR which might be selected by the hearing body. The consolidated project alternative would create 34 lots and would impact 202.2 acres, versus 210.5 impacted by the proposed project.

Vincent Scheidt evaluated the biological resources on the property in a Biological Technical Report (Scheidt, [20132014](#)) which found that the Hoskings Ranch property and offsite impact areas support six broad categories of plant communities, including (1) Chaparrals, (2) Scrubs, (3) Woodlands, (4) Herbaceous Uplands, (5) Wetlands, and (6) Unvegetated habitats. Each of these is divisible into discrete subcategories requiring compensatory mitigation at ratios shown in Table 1 below. As an element of this mitigation, between 86 percent (Consolidated Project Alternative) and 85 percent (primary project) of the site will be preserved in managed and monitored open space. Other impact-avoidance mitigation measures include an avian nesting survey and/or seasonal restrictions on site development. These are required to provide project consistency with the Migratory Bird Treaty Act, the Federal Endangered Species Act, and the California Fish and Game Code. Also required is the preparation and implementation of a final Resource Management Plan and a Wetland Revegetation Plan.

Six special status plant species were observed on the TM 5312 RPL3 property. These are San Diego Milk-vetch, Banner Dudleya, San Diego Gumplant, Cuyamaca Meadowfoam, Engelmann Oak, and Velvety False Lupine. Twenty-seven species of special status animals were observed on the TM 5312 RPL3 project site during the field surveys. These are Grasshopper Sparrow, Golden Eagle, Great Blue Heron, Red-shouldered Hawk, Swainson's Hawk, Green Heron, Turkey Vulture, Northern Harrier, White-tailed Kite, Horned Lark, Blue-gray Gnatcatcher, Western Bluebird, Bewick's Wren, Barn Owl, Mountain Lion, Bobcat, San Diego Desert Woodrat, Mule Deer, Silvery Legless Lizard, Southwestern Pond Turtle, Orange-throated Whiptail, San Diego Ringneck Snake, Coronado Skink, Two-striped Garter Snake, San Diego Horned Lizard, Coastal Western Whiptail, and Monarch Butterfly. Sensitive species impacts and mitigation are shown in Table 2 below.



Table 1: Proposed Project Habitat Impacts and Mitigation

Habitat	Existing	Development Impact	OSE Vacation Impact	Development Impact	OSE Vacation Impact	Development Impacts	- OSE Vacation	Acres Preserved	Acres Preserved	Total Open	Offsite
	Acres	Acres	Acres	Mitigation Ratio	Mitigation Ratio	Mitigation Required	Mitigation Required	Onsite: Grazed	Ungrazed Impact Neutral	Space	Mitigation
<u>Southern Mixed Chaparral</u>	117.5	12.6	0.00	0.5:1	n/a	6.3	0.00	77.9	26.9	104.9	none
<u>Chamise Chaparral</u>	96.9	0.8	0.00	0.5:1	n/a	0.4	0.00	83.4	12.7	96.1	none
<u>Diegan Coastal Sage Scrub</u>	40.6	3.8	0.00	2:1	n/a	7.6	0.00	35.3	1.5	36.8	none
<u>Flat-top Buckwheat</u>	71.4	12.8	0.00	2:1	n/a	25.6	0.00	52.5	6.0	58.6	none
<u>Coastal Sage-Chaparral Scrub</u>	38.3	0.00	0.00	n/a	n/a	0.00	0.00	14.5	23.8	38.3	none
<u>Coast Live Oak Woodland</u>	175.8	4.6	0.00	3:1	n/a	13.8	0.00	119.4	51.8	171.2	none
<u>Engelmann Oak Woodland</u>	246.0	45.9	2.2	3:1	6:1	131.1	13.2	158.1	44.2	200.1	none
<u>Mixed Oak Woodland</u>	114.9	15.3	0.00	3:1	n/a	45.9	0.00	54.2	45.4	99.7	none
<u>Mixed Oak/.../Coulter</u>	8.7	0.8	0.00	3:1	n/a	2.4	0.00	5.1	2.8	7.9	none
<u>Non-native Grassland</u>	375.8	102.8	1.3	0.5:1	1:1	52.1	1.3	259.2	13.8	273.0	none
<u>Montane Meadow</u>	76.3	7.3	0.00	3:1	n/a	21.9	0.00	66.8	2.3	69.0	none
<u>Southern CLO Riparian Forest</u>	49.53	0.00	0.00	n/a	n/a	0.00	0.00	1.96	47.54	49.53	none
<u>Open Water</u>	0.07	0.00	0.00	n/a	n/a	0.00	0.00	0.07	0.00	0.07	none
<u>CVF Marsh/Emergent Wetland</u>	0.85	0.00	0.00	n/a	n/a	0.00	0.00	0.68	0.17	0.85	none
<u>Riparian Scrub</u>	3.21	0.25	0.00	3:1	n/a	0.75	0.00	0.00	2.96	2.96	TBD
<u>Disturbed Wetland</u>	0.07	0.00	0.00	n/a	n/a	0.00	0.00	0.07	0.00	0.07	none
<u>Urban/Developed Habitat</u>	0.80	0.00	0.00	n/a	n/a	0.00	0.00	0.8	0.02	0.80	none
	1416.8	207.0	3.5	0.00	0.00	307.9	14.5	930.0	281.9	1209.9	



Table 2: Proposed Project Species Impacts

Species/County List or Group	Estimated Population on Site	Mitigation Type Required	Percent Impacted	Percent Preserved	Mitigation Provided
San Diego Milk-vetch – List A	280 specimens	Species-based	none	100%	OSE avoidance
Banner Dudleya – List C	hundreds	Habitat-based	5%	95%	OSE avoidance
San Diego Gumplant – List A	10,000+	Species-based	15%	85%	OSE avoidance
Cuyamaca Meadowfoam – List A	50 specimens	Species-based	none	100%	OSE avoidance
Engelmann Oak – List D	thousands	Habitat-based	15%	85%	OSE avoidance
Velvety False Lupine – List A	thousands	Species-based	none	100%	OSE avoidance
Grasshopper Sparrow– Group I	three specimens	Species-based	15%	85%	OSE avoidance
Golden Eagle (foraging) – Group I	one specimen	Species-based	10%	90%	OSE avoidance
Great Blue Heron– Group II	several	Habitat-based	1%	99%	OSE avoidance
Red-shouldered Hawk – Group I	several	Species-based	none	100%	OSE avoidance
Swainson's Hawk	unknown	Species-based	10%	90%	OSE avoidance
Green Heron – Group II	one specimen	Habitat-based	1%	99%	OSE avoidance
Turkey Vulture – Group I	10+ specimens	Species-based	10%	90%	OSE avoidance
Northern Harrier– Group I	several	Species-based	10%	90%	OSE avoidance
White-tailed Kite – Group I	unknown	Species-based	10%	90%	OSE avoidance
Cooper's Hawk – Group I	(anticipated)	Species-based	7%	93%	OSE avoidance
Sharp-shinned Hawk – Group I	(anticipated)	Species-based	10%	90%	OSE avoidance
Horned Lark– Group II	several	Habitat-based	15%	85%	OSE avoidance
Blue-gray Gnatcatcher - none	one specimen	n/a	n/a	n/a	n/a
Western Bluebird	100+	Habitat-based	10%	90%	OSE avoidance
Bewick's Wren – none	undetermined	n/a	n/a	n/a	n/a
Barn Owl– Group II	several	Habitat-based	10%	90%	OSE avoidance
Mountain Lion– Group II	one specimen	Habitat-based	10%	90%	OSE avoidance
Bobcat - none	undetermined	n/a	n/a	n/a	n/a
San Diego Desert Woodrat– Group II	undetermined	Habitat-based	10%	90%	OSE avoidance
Mule Deer – Group II	numerous	Habitat-based	10%	90%	OSE avoidance
Silvery Legless Lizard – Group II	one specimen	Habitat-based	10%	90%	OSE avoidance
Southwestern Pond Turtle – Group I	one specimen	Species-based	none	100%	OSE avoidance
Large-blotched Salamander– Group I	(anticipated)	Species-based	15%	85%	OSE avoidance
San Diego Ringneck Snake– Group II	one specimen	Habitat-based	10%	90%	OSE avoidance
Orange-throated Whiptail– Group II	(misidentification)	n/a	n/a	n/a	n/a
Coastal Rosy Boa– Group II	(anticipated)	Species-based	10%	90%	OSE avoidance
Red-diamond Rattlesnake– Group II	(anticipated)	Species-based	10%	90%	OSE avoidance
Coronado Skink– Group II	two specimens	Habitat-based	10%	90%	OSE avoidance
Two-striped Garter Snake – Group I	numerous	Species-based	1%	99%	OSE avoidance
San Diego Horned Lizard – Group II	several	Habitat-based	10%	90%	OSE avoidance
Coastal Western Whiptail – Group II	numerous	Habitat-based	10%	90%	OSE avoidance
Monarch Butterfly – Group II	several	Habitat-based	10%	90%	OSE avoidance



The project was discussed at Agency Batching on February 16, 2012, and comments concentrated on developing a Conservation Grazing Management Plan (CGMP). A site visit was held on July 18, 2012, and a follow-up meeting was held on July 19, 2012. Agreement was reached concerning livestock grazing with details to be included in a final CGMP to be reviewed by the agencies. Livestock will be fenced out of riparian areas. State-listed plant avoidance areas will be protected from grazing and managed to maintain habitat quality. Figures 4a through 4c of the CGMP demonstrate that grazing is excluded from the riparian areas, and that the locations of Cuyamaca meadowfoam, velvety false lupine, and San Diego milk vetch have been avoided. The CSS in open space will be monitored under the CGMP. The CSS in open space far exceeds the required 2:1 mitigation ratio; the open space includes 36.8 acres of Diegan CSS and 58.6 acres of flattop buckwheat scrub, which represents more than a 9:1 mitigation ratio for Diegan CSS and more than 4:1 for flattop buckwheat scrub. The managed grazing within the open space is comparable to the successional type of CSS that currently exists on the project site and that needed to maintain the mitigation habitat.

#### DECISION:

The Director of Planning & Development Services has approved your application for a HABITAT LOSS PERMIT. This Habitat Loss Permit approval does not become final until both the United States Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW) concur with the Director's approval, by the either of the following:

1. Concurrence implied by allowing a 30-day period, initiated by their receipt of this decision, to lapse without presenting written notification to the County that the decision is inconsistent with the Southern California Coastal Sage Scrub (CSS) Natural Community Conservation Planning (NCCP) Process Guidelines (CDFW, November 1993) or any approved subregional mitigation guidelines; or
2. Granting concurrence through written notification to the County prior to the conclusion of the 30-day period, initiated by their receipt of this decision, that the project is consistent with the Southern California CSS NCCP Process Guidelines or any approved subregional mitigation guidelines.

Pending the issuance of an associated Grading Permit, Clearing Permit or Improvement Plan from the County of San Diego, this Habitat Loss Permit allows for the loss of the above-described coastal sage scrub habitat (see attached Habitat Loss Exhibit) and incidental take of the California gnatcatcher for a period of one calendar year commencing the day concurrence is given by both the USFWS and CDFW. If the loss of habitat, as authorized by this Habitat Loss Permit, has not occurred within this one-year period, this Habitat Loss Permit and the authorization for the loss of coastal sage scrub habitat expires.



This Habitat Loss Permit cannot be relied upon for the clearing, grading or removal of any vegetation until a valid Grading Permit, Clearing Permit or Improvement Plan has been issued from the County of San Diego authorizing such vegetation removal. Furthermore, use and reliance upon this Habitat Loss Permit cannot occur until all of the requirements as specified within the "Conditions of Approval" section of this permit have been satisfied.

CONDITIONS OF APPROVAL:

The following conditions are being placed on the Tentative Map. For the final Habitat Loss Permit, the list of conditions will be modified to require satisfaction of all conditions prior to use and reliance on the HLP.

Prior to use and reliance on this Habitat Loss Permit, the following conditions shall be met:

1. Obtain approval from the County of San Diego of a Grading Permit, Clearing Permit, or Improvement Plan that authorizes the clearing and/or grading of the area addressed by this Habitat Loss Permit.

**APPROVAL OF MAP:** The 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 approval of any plans, and issuance of any grading or other permits as specified):

**BIO#1-OPEN SPACE EASEMENT: [PDS, PCC] [DPR TC, GPM] [DGS, RP] [MA, GP, IP] [PDS, FEE X 2]. INTENT:** In order to protect sensitive biological and cultural resources, pursuant to CEQA and the RPO, an open space easement shall be granted. **DESCRIPTION OF REQUIREMENT:** Grant to the County of San Diego an open space easement as shown on the approved Tentative Map. This easement is for the protection of biological and cultural 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 natural open space. Granting of this open space easement authorizes the County and its agents to periodically access the land to perform management and monitoring activities for the purposes of cultural resource, species, and habitat conservation. The only exception(s) to this prohibition are:

1. Selective clearing of vegetation by hand to the extent required by written order of the fire authorities for the express purpose of reducing a specifically 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 applicable fire code of the Fire



Authority Having Jurisdiction and the Memorandum of Understanding dated February 26, 1997, between the wildlife agencies and the fire districts and any subsequent amendments thereto.

2. Activities conducted pursuant to a revegetation plan approved by the Director of Planning & Development Services, based on the draft outline revegetation plan on file with Planning & Development Services under TM 5312, Log No. 03-10-005.
3. Activities conducted pursuant to a Resource Management Plan approved by the Director of Planning & Development Services, based on the draft conceptual RMP on file with Planning & Development Services under TM 5312, Log No. 03-10-005.
4. Activities conducted pursuant to a Conservation Grazing Management Plan approved by the Director of Planning & Development Services, based on the draft CGMP on file with Planning & Development Services under TM 5312, Log No. 03-10-005.
5. 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.

**DOCUMENTATION:** The applicant shall show the easement on the Final Map with the appropriate granting language on the title sheet concurrent with Final Map Review - OR - The applicant shall prepare the draft plats and legal descriptions of the easement, then submit it for preparation and recordation with the [DGS, RP], and pay all applicable fees associated with preparation of the document. Upon Recordation of the easement, the applicant shall provide a copy of the recorded easement document to [PDS, PCC] for approval. **TIMING:** Prior to the approval of the Final Map and prior to the approval of any plan and issuance of any permit, the easement shall be executed and recorded. **MONITORING:** For recordation on the map, [PDS, LDR] shall route the Final Map to [PDS, PCC] for approval prior to map recordation – OR - for recordation by separate document, the [DGS, RP] shall prepare and approve the easement document and send it to [PDS, PCC] and [DPR TC, GPM] for preapproval. The [PDS, PCC] shall preapprove the language and estimated location of the easement before it is released to the applicant for signature and subsequent recordation. Upon Recordation of the easement [DGS, RP] shall forward a copy of the recorded document to [PDS, PCC] for satisfaction of the condition or if recorded on the map, the [PDS LDR] shall satisfy the condition after map recordation.

**BIO#2-LBZ EASEMENT:** [PDS, PCC] [DGS, RP][MA, GP, IP] [PDS, FEEX 2]

**INTENT:** In order to protect sensitive biological resources, pursuant to CEQA and the RPO, a Limited Building Zone Easement shall be granted to limit the need to clear or modify vegetation for fire protection purposes within the adjacent Open Space Easement. **DESCRIPTION OF REQUIREMENT:** Grant to the County of San Diego a Limited Building Zone Easement 100 feet from every



interior edge of the Open Space Easement as shown on the Tentative Map. 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 prohibit the construction or placement of any structure designed or intended for occupancy by humans or animals. The only exceptions to this prohibition are:

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.

**DOCUMENTATION:** The applicant shall show the easement on the Final Map with the appropriate granting language on the title sheet concurrent with Final Map Review - OR - The applicant shall prepare the draft plats and legal descriptions of the easements, then submit them for preparation and recordation with the [DGS, RP], and pay all applicable fees associated with preparation of the documents. Upon Recordation of the easements, the applicant shall provide copies of the recorded easement documents to [PDS, PCC] for approval.

**TIMING:** Prior to the approval of the Final Map and prior to the approval of any plan and issuance of any permit, the easements shall be recorded.

**MONITORING:** For recordation on the map, [PDS, LDR] shall route the Final Map to [PDS, PCC] for approval prior to map recordation – OR - for recordation by separate document, the [DGS, RP] shall prepare and approve the easement documents and send them to [PDS, PCC] for pre-approval. The [PDS, PCC] shall pre-approve the language and estimated location of the easements before they are released to the applicant for signature and subsequent recordation. Upon Recordation of the easements [DGS, RP] shall forward a copy of the recorded documents to [PDS, PCC] for satisfaction of the condition or if recorded on the map, the [PDS LDR] shall satisfy the condition after map recordation.

**BIO#3–RIPARIAN SCRUB MITIGATION: [PDS, PCC] [MA, GP, IP] [PDS, FEE X2]**

**[DPR, GPM] INTENT:** In order to mitigate for the impacts to 0.25 acre of riparian scrub, which is a sensitive biological resource pursuant to CEQA and the RPO, the project shall create and enhance wetland habitat either on-site or off-site. **DESCRIPTION OF REQUIREMENT:** The applicant shall purchase habitat credit, or provide for the creation of 0.25 acre of riparian scrub and the enhancement of 0.50 acre of riparian scrub located on-site or within the same watershed to the satisfaction of the County and Wildlife Agencies as indicated below.

- a. **Option 1:** If purchasing Mitigation Credit the choice of mitigation bank shall be approved by the County and the California Department of Fish & Wildlife. The following evidence of purchase shall include the following information to be provided by the mitigation bank:



1. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
  2. 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.
  3. 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.
  4. 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.
- b. **Option 2:** If habitat credit cannot be purchased in a mitigation bank, then the applicant shall provide for the conservation, creation and enhancement of habitat of the same amount and type of land located on-site as indicated below:
1. The type of habitat and the location of the proposed mitigation, should be pre-approved by [PDS, PCC] before purchase or entering into any agreement for purchase.
  2. The creation and enhancement site(s) shall be managed under the Resource Management Plan required by condition **BIO#14**.
  3. The creation and enhancement site(s) shall be located within the Open Space Easement dedicated to the County pursuant to condition **BIO#1**. The land shall be protected in perpetuity.
  4. The creation and enhancement site(s) shall be located in an area protected from cattle grazing pursuant to the Conservation Grazing Management Plan.
  5. Approval by PDS of a Landscape Revegetation Plan is required in order to use this option. See condition **BIO#4** for details.

**DOCUMENTATION:** The applicant shall purchase the off-site mitigation credits or complete the on-site creation and enhancement and provide the evidence to the [PDS, PCC] for review and approval. **TIMING:** Prior to the approval of the Final Map and prior to the approval of any plan and issuance of any permit, the mitigation shall be completed. **MONITORING:** The [PDS, PCC] shall review the mitigation purchase for compliance with this condition. Upon request from the applicant [PDS, PCC] can preapprove the location and type of mitigation only. The credits shall be purchased before the requirement can be completed. If the applicant chooses option #2, then the [PDS, ZONING] shall accept an application for an LPR, and [PDS, PPD] shall review the submittal for compliance with this condition and the Guidelines.



**BIO#4-RIPARIAN SCRUB REVEGETATION PLAN: [PDS, PPD] [MA, GP, IP]**

**INTENT:** Per condition **BIO#3** above, in order to mitigate for the impacts to riparian scrub, which is a sensitive biological resource pursuant to CEQA and the RPO, if off-site mitigation is not available, revegetation shall occur.

**DESCRIPTION OF REQUIREMENT:** A Revegetation Plan shall be prepared, which mitigates impacts to riparian scrub by creating 0.25 acre of riparian scrub and enhancing 0.50 acre of riparian scrub. The revegetation shall occur on-site within the Open Space Easement, in an area protected from cattle grazing, to the satisfaction of the Director of PDS. The revegetation plan shall conform to the outline Conceptual Wetland Revegetation Plan and the most current version of the County of San Diego Report Format and Content Requirements for Revegetation Plans. The Revegetation Plan shall include the following:

- a. The monitoring plan shall be for a length of five years and have at least an 80 percent success criterion.
- b. A preservation plan over the land to be revegetated shall be included in the Revegetation Plan. The preservation plan shall include evidence of dedication of an open space easement to the County of San Diego or evidence of protection in perpetuity by some other means to the satisfaction of the Director of PDS.
- c. The report shall be prepared by a County approved biologist and the construction plans shall be prepared by a State of California Licensed Landscape Architect.
- d. Revegetation objectives, revegetation site biological resource map, 24"x 36" landscape plan, map showing revegetation areas according to mitigation type and amount, site preparation information, type of planting materials (e.g. species ratios, source, size material, etc.), planting program, 80 percent success criteria, and a detailed cost estimate.
- e. A cost estimate based on a 3 percent annual inflation rate shall be submitted and approved, which includes the cost of the plant stock and its installation, irrigation system and installation, cost of monitoring and maintenance of the revegetation area for the required monitoring period, and report preparation and staff time to review.

**DOCUMENTATION:** The applicant shall prepare the Revegetation Plan, submit it to the [PDS, ZONING] and pay all the applicable review fees and deposits. Alternatively, if condition **BIO#3** was satisfied through purchase of mitigation bank credits, this condition shall also be deemed satisfied. **TIMING:** Prior to the approval of the Final Map and prior to the approval of any plan and issuance of any permit, the Revegetation Plan shall be approved. **MONITORING:** The [PDS, LA] shall review the Revegetation Plan for conformance with this condition and the Report Format and Content Requirements for Revegetation Plans. Upon approval of the Plan, a Director's Decision of approval shall be issued to the applicant, and a request for compliance with condition **BIO#5** shall be made to enter into a Secured Agreement for the implementation of the Plan.



**BIO#5–RIPARIAN SCRUB SECURED AGREEMENT: [PDS, PPD] [MA, GP, IP]**

**INTENT:** In order to assure project completion and success of the Revegetation Plan in condition **BIO#4**, a surety shall be provided and an agreement shall be executed. **DESCRIPTION OF REQUIREMENT:** The applicant shall enter into a Secured Agreement with the County of San Diego as follows:

- a. The security shall consist of a letter of credit, bond, or cash for 100 percent of the estimated costs associated with the implementation of the Revegetation Plan and,
- b. Provide a 10 percent cash deposit of the cost of all improvements, but no less than \$3,000 and no more than \$30,000.
- c. The monitoring time and the length of time the Secured Agreement and cash deposit will be in effect starts at the time the installation is accepted by a County staff representative. The Secured Agreement and cash deposit shall be released upon completion of the Revegetation Plan implementation provided the installed vegetation is in a healthy condition and meets the 80 percent success criteria. Eighty- percent success rate and one hundred percent vegetative cover, excluding herbaceous species, shall be considered satisfactory completion of the Revegetation Plan.

**DOCUMENTATION:** The applicant shall execute a Secured Agreement provided with the Revegetation Plan Final Decision, and provide the approved securities and the cash deposit for County monitoring time. The executed Agreement, cash deposit, and the securities shall be submitted to the *[PDS, Landscape Architect]* for final review and approval. Alternatively, if condition **BIO#3** was satisfied through purchase of mitigation bank credits, this condition shall also be deemed satisfied. **TIMING:** Prior to the approval of the Final Map and prior to the approval of any plan and issuance of any permit, and after the approval of the Revegetation Plan, the agreement shall be executed and the securities provided for the revegetation plan implementation. **MONITORING:** The *[PDS, LA]* shall review the Agreement cash deposit and securities provided are in compliance with this condition, and the Revegetation Plan Final Decision. The *[PDS, LA]* shall sign the Agreement for the Director of PDS and ensure the cash deposit is collected by *[PDS, FISCAL]*. Upon acceptance of the Agreement, securities and cash deposit, the *[PDS, LA]*, shall provide a confirmation letter-acknowledging acceptance of securities.

**BIO#6–JURISDICTIONAL WETLAND MITIGATION: [PDS, PCC] [MA, GP, IP] [PDS, FEE X2] [DPR, GPM] INTENT:** In order to mitigate for the impacts to 0.14 acre of federal jurisdictional wetland, which is a sensitive biological resource pursuant to state and federal law, the project shall create and enhance wetland habitat either on-site or off-site. Alternatively, if the applicant can provide documentation from a County-approved biological consultant demonstrating that part or all of the impacted federal jurisdictional wetland is the same riparian scrub habitat



mitigated by conditions **BIO#3** through **BIO#5**, the satisfaction of those conditions shall satisfy part or all of this condition. **DESCRIPTION OF REQUIREMENT:** The applicant shall purchase habitat credit, or provide for the creation of 0.14 acre of wetland and the enhancement of 0.28 acre of wetland located on-site or within the same watershed to the satisfaction of the County and Wildlife Agencies as indicated below.

- a. **Option 1:** If purchasing Mitigation Credit the choice of mitigation bank shall be approved by the County and the California Department of Fish & Wildlife. The following evidence of purchase shall include the following information to be provided by the mitigation bank:
  1. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
  2. 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.
  3. 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.
  4. 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.
- b. **Option 2:** If habitat credit cannot be purchased in a mitigation bank, then the applicant shall provide for the conservation, creation and enhancement of habitat of the same amount and type of land located on-site as indicated below:
  1. The type of habitat and the location of the proposed mitigation, should be pre-approved by [PDS, PCC] before purchase or entering into any agreement for purchase.
  2. The creation and enhancement site(s) shall be managed under the Resource Management Plan required by condition **BIO#14**.
  3. The creation and enhancement site(s) shall be located within the Open Space Easement dedicated to the County pursuant to condition **BIO#1**. The land shall be protected in perpetuity.
  4. The creation and enhancement site(s) shall be located in an area protected from cattle grazing pursuant to the Conservation Grazing Management Plan.
  5. Approval by PDS of a Landscape Revegetation Plan is required in order to use this option. See condition **BIO#7** for details.



**DOCUMENTATION:** The applicant shall purchase the off-site mitigation credits or complete the on-site creation and enhancement and provide the evidence to the [PDS, PCC] for review and approval. Alternatively, if the applicant can provide documentation from a County-approved biological consultant demonstrating that part or all of the impacted federal jurisdictional wetland is the same riparian scrub habitat mitigated by conditions **BIO#3** through **BIO#5**, the satisfaction of those conditions shall satisfy part or all of this condition. **TIMING:** Prior to the approval of the Final Map and prior to the approval of any plan and issuance of any permit, the mitigation shall be completed. **MONITORING:** The [PDS, PCC] shall review the mitigation purchase for compliance with this condition. Upon request from the applicant [PDS, PCC] can preapprove the location and type of mitigation only. The credits shall be purchased before the requirement can be completed. If the applicant chooses option #2, then the [PDS, ZONING] shall accept an application for an LPR, and [PDS, PPD] shall review the submittal for compliance with this condition and the Guidelines.

**BIO#7—JURISDICTIONAL WETLAND REVEGETATION PLAN: [PDS, PPD] [MA, GP, IP] INTENT:** Per condition **BIO#6** above, in order to mitigate for the impacts to 0.14 acre of federal jurisdictional wetland, if mitigation credits are not purchased off-site, revegetation shall occur. **DESCRIPTION OF REQUIREMENT:** A Revegetation Plan shall be prepared, which mitigates impacts to jurisdictional wetland by creating 0.14 acre of wetland and enhancing 0.28 acre of wetland. The revegetation shall occur on-site within the Open Space Easement, in an area protected from cattle grazing, to the satisfaction of the Director of PDS. The revegetation plan shall conform to the outline Conceptual Wetland Revegetation Plan and the most current version of the [County of San Diego Report Format and Content Requirements for Revegetation Plans](#). The Revegetation Plan shall include the following:

- a. The monitoring plan shall be for a length of five years and have at least an 80 percent success criterion.
- b. A preservation plan over the land to be revegetated shall be included in the Revegetation Plan. The preservation plan shall include evidence of dedication of an open space easement to the County of San Diego or evidence of protection in perpetuity by some other means to the satisfaction of the Director PDS.
- c. The report shall be prepared by a County approved biologist and the construction plans shall be prepared by a State of California Licensed Landscape Architect.
- d. Revegetation objectives, revegetation site biological resource map, 24"x 36" landscape plan, map showing revegetation areas according to mitigation type and amount, site preparation information, type of planting materials (e.g. species ratios, source, size material, etc.), planting program, 80 percent success criteria, and a detailed cost estimate.



- e. A cost estimate based on a 3 percent annual inflation rate shall be submitted and approved, which includes the cost of the plant stock and its installation, irrigation system and installation, cost of monitoring and maintenance of the revegetation area for the required monitoring period, and report preparation and staff time to review.

**DOCUMENTATION:** The applicant shall prepare the Revegetation Plan, submit it to the [PDS, ZONING] and pay all the applicable review fees and deposits. Alternatively, if condition **BIO#6** was satisfied through purchase of mitigation bank credits, this condition shall also be deemed satisfied. **TIMING:** Prior to the approval of the Final Map and prior to the approval of any plan and issuance of any permit, the Revegetation Plan shall be approved. **MONITORING:** The [PDS, LA] shall review the Revegetation Plan for conformance with this condition and the Report Format and Content Requirements for Revegetation Plans. Upon approval of the Plan, a Director's Decision of approval shall be issued to the applicant, and a request for compliance with condition **BIO#8** shall be made to enter into a Secured Agreement for the implementation of the Plan.

**BIO#8—JURISDICTIONAL WETLAND SECURED AGREEMENT: [PDS, PPD] [MA, GP, IP] INTENT:** In order to assure project completion and success of the Revegetation Plan in condition **BIO#7**, a surety shall be provided and an agreement shall be executed. **DESCRIPTION OF REQUIREMENT:** The applicant shall enter into a Secured Agreement with the County of San Diego as follows:

- a. The security shall consist of a letter of credit, bond, or cash for 100 percent of the estimated costs associated with the implementation of the Revegetation Plan and,
- b. Provide a 10 percent cash deposit of the cost of all improvements, but no less than \$3,000 and no more than \$30,000.
- d. The monitoring time and the length of time the Secured Agreement and cash deposit will be in effect starts at the time the installation is accepted by a County staff representative. The Secured Agreement and cash deposit shall be released upon completion of the Revegetation Plan implementation provided the installed vegetation is in a healthy condition and meets the 80 percent success criteria. Eighty- percent success rate and one hundred percent vegetative cover, excluding herbaceous species, shall be considered satisfactory completion of the Revegetation Plan.

**DOCUMENTATION:** The applicant shall execute a Secured Agreement provided with the Revegetation Plan Final Decision, and provide the approved securities and the cash deposit for County monitoring time. The executed Agreement, cash deposit, and the securities shall be submitted to the [PDS, Landscape Architect] for final review and approval. Alternatively, if condition **BIO#6** was satisfied through purchase of mitigation bank credits, this condition



shall also be deemed satisfied. **TIMING:** Prior to the approval of the Final Map and prior to the approval of any plan and issuance of any permit, and after the approval of the Revegetation Plan, the agreement shall be executed and the securities provided for the revegetation plan implementation. **MONITORING:** The [PDS, LA] shall review the Agreement cash deposit and securities provided are in compliance with this condition, and the Revegetation Plan Final Decision. The [PDS, LA] shall sign the Agreement for the Director of PDS and ensure the cash deposit is collected by [PDS, FISCAL]. Upon acceptance of the Agreement, securities and cash deposit, the [PDS, LA], shall provide a confirmation letter-acknowledging acceptance of securities.

**BIO#9-RPO WETLAND MITIGATION: [PDS, PCC] [MA, GP, IP] [PDS, FEE X2] [DPR, GPM] INTENT:** In order to mitigate for the impacts to 0.03 acre of wet meadow, which is a sensitive biological resource pursuant to the RPO, the project shall create and enhance wet meadow habitat either on-site or off-site. The remaining 0.06 acre of RPO wetland impact is covered by riparian scrub mitigation conditions **BIO#3** through **BIO#5**. **DESCRIPTION OF REQUIREMENT:** The applicant shall purchase habitat credit, or provide for the creation of 0.03 acre of wet meadow and the enhancement of 0.06 acre of wet meadow located on-site or within the same watershed to the satisfaction of the County and Wildlife Agencies as indicated below.

- a. **Option 1:** If purchasing Mitigation Credit the choice of mitigation bank shall be approved by the County and the California Department of Fish & Wildlife. The following evidence of purchase shall include the following information to be provided by the mitigation bank:
  1. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
  2. 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.
  3. 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.
  4. 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.
- b. **Option 2:** If habitat credit cannot be purchased in a mitigation bank, then the applicant shall provide for the conservation, creation and enhancement of habitat of the same amount and type of land located on-site as indicated below:



1. The type of habitat and the location of the proposed mitigation, should be pre-approved by [PDS, PCC] before purchase or entering into any agreement for purchase.
2. The creation and enhancement site(s) shall be managed under the Resource Management Plan required by condition **BIO#14**.
3. The creation and enhancement site(s) shall be located within the Open Space Easement dedicated to the County pursuant to condition **BIO#1**. The land shall be protected in perpetuity.
4. The creation and enhancement site(s) shall be located in an area protected from cattle grazing pursuant to the Conservation Grazing Management Plan.
5. Approval by PDS of a Landscape Revegetation Plan is required in order to use this option. See condition **BIO#10** for details.

**DOCUMENTATION:** The applicant shall purchase the off-site mitigation credits or complete the on-site creation and enhancement and provide the evidence to the [PDS, PCC] for review and approval. **TIMING:** Prior to the approval of the Final Map and prior to the approval of any plan and issuance of any permit, the mitigation shall be completed. **MONITORING:** The [PDS, PCC] shall review the mitigation purchase for compliance with this condition. Upon request from the applicant [PDS, PCC] can preapprove the location and type of mitigation only. The credits shall be purchased before the requirement can be completed. If the applicant chooses option #2, then the [PDS, ZONING] shall accept an application for an LPR, and [PDS, PPD] shall review the submittal for compliance with this condition and the Guidelines.

**BIO#10–RPO WETLAND REVEGETATION PLAN: [PDS, PPD] [MA, GP, IP]**

**INTENT:** Per condition **BIO#9** above, in order to mitigate for the impacts to 0.03 acre of RPO wet meadow, if mitigation credits are not purchased off-site, revegetation shall occur. **DESCRIPTION OF REQUIREMENT:** A Revegetation Plan shall be prepared, which mitigates impacts to RPO wetland by creating 0.03 acre of wet meadow and enhancing 0.06 acre of wet meadow. The revegetation shall occur on-site within the Open Space Easement, in an area protected from cattle grazing, to the satisfaction of the Director of PDS. The revegetation plan shall conform to the outline Conceptual Wetland Revegetation Plan and the most current version of the [County of San Diego Report Format and Content Requirements for Revegetation Plans](#). The Revegetation Plan shall include the following:

- a. The monitoring plan shall be for a length of five years and have at least an 80 percent success criterion.
- b. A preservation plan over the land to be revegetated shall be included in the Revegetation Plan. The preservation plan shall include evidence of dedication of an open space easement to the County of San Diego or



evidence of protection in perpetuity by some other means to the satisfaction of the Director PDS.

- c. The report shall be prepared by a County approved biologist and the construction plans shall be prepared by a State of California Licensed Landscape Architect.
- d. Revegetation objectives, revegetation site biological resource map, 24"x 36" landscape plan, map showing revegetation areas according to mitigation type and amount, site preparation information, type of planting materials (e.g. species ratios, source, size material, etc.), planting program, 80 percent success criteria, and a detailed cost estimate.
- e. A cost estimate based on a 3 percent annual inflation rate shall be submitted and approved, which includes the cost of the plant stock and its installation, irrigation system and installation, cost of monitoring and maintenance of the revegetation area for the required monitoring period, and report preparation and staff time to review.

**DOCUMENTATION:** The applicant shall prepare the Revegetation Plan, submit it to the [PDS, ZONING] and pay all the applicable review fees and deposits. Alternatively, if condition **BIO#9** was satisfied through purchase of mitigation bank credits, this condition shall also be deemed satisfied. **TIMING:** Prior to the approval of the Final Map and prior to the approval of any plan and issuance of any permit, the Revegetation Plan shall be approved. **MONITORING:** The [PDS, LA] shall review the Revegetation Plan for conformance with this condition and the Report Format and Content Requirements for Revegetation Plans. Upon approval of the Plan, a Director's Decision of approval shall be issued to the applicant, and a request for compliance with condition **BIO#11** shall be made to enter into a Secured Agreement for the implementation of the Plan.

**BIO#11—JURISDICTIONAL WETLAND SECURED AGREEMENT: [PDS, PPD] [MA, GP, IP] INTENT:** In order to assure project completion and success of the Revegetation Plan in condition **BIO#10**, a surety shall be provided and an agreement shall be executed. **DESCRIPTION OF REQUIREMENT:** The applicant shall enter into a Secured Agreement with the County of San Diego as follows:

- a. The security shall consist of a letter of credit, bond, or cash for 100 percent of the estimated costs associated with the implementation of the Revegetation Plan and,
- b. Provide a 10 percent cash deposit of the cost of all improvements, but no less than \$3,000 and no more than \$30,000.
- e. The monitoring time and the length of time the Secured Agreement and cash deposit will be in effect starts at the time the installation is accepted by a County staff representative. The Secured Agreement and cash deposit shall be released upon completion of the Revegetation Plan implementation provided the installed vegetation is in a healthy condition



and meets the 80 percent success criteria. Eighty- percent success rate and one hundred percent vegetative cover, excluding herbaceous species, shall be considered satisfactory completion of the Revegetation Plan.

**DOCUMENTATION:** The applicant shall execute a Secured Agreement provided with the Revegetation Plan Final Decision, and provide the approved securities and the cash deposit for County monitoring time. The executed Agreement, cash deposit, and the securities shall be submitted to the *[PDS, Landscape Architect]* for final review and approval. Alternatively, if condition **BIO#9** was satisfied through purchase of mitigation bank credits, this condition shall also be deemed satisfied. **TIMING:** Prior to the approval of the Final Map and prior to the approval of any plan and issuance of any permit, and after the approval of the Revegetation Plan, the agreement shall be executed and the securities provided for the revegetation plan implementation. **MONITORING:** The *[PDS, LA]* shall review the Agreement cash deposit and securities provided are in compliance with this condition, and the Revegetation Plan Final Decision. The *[PDS, LA]* shall sign the Agreement for the Director of PDS and ensure the cash deposit is collected by *[PDS, FISCAL]*. Upon acceptance of the Agreement, securities and cash deposit, the *[PDS, LA]*, shall provide a confirmation letter-acknowledging acceptance of securities.

**BIO#12-OPEN SPACE SIGNAGE: [PDS, PCC] [MA, GP, IP] [PDS, FEE]. INTENT:** In order to protect the proposed open space easement from entry, informational signs shall be installed. **DESCRIPTION OF REQUIREMENT:** Open space signs shall be placed at 100-foot intervals along all segments of the permanent fence along the biological open space boundaries as indicated on the Preliminary Grading Plan. 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. The signs may be attached to the fence itself in lieu of being attached to separate posts. They must state the following:

**Sensitive Environmental Resources  
Area Restricted by Easement**

Entry without express written permission from the County of San Diego is prohibited. To report a violation or for more information about easement restrictions and exceptions contact the County of San Diego,  
Planning & Development Services  
Reference: PDS2003-3100-5312

**DOCUMENTATION:** The applicant shall install the signs as indicated above and provide site photos and a statement from a California Registered Engineer, or licensed surveyor, that the open space signs have been installed at the boundary of the open space easement(s). **TIMING:** Prior to the approval of the Final Map and prior to the approval of any plan and issuance of any permit, the open space



signs shall be installed. **MONITORING:** The [PDS, PCC] shall review the photos and statement for compliance with this condition.

**BIO#13–OPEN SPACE FENCING: [PDS, PCC] [MA, GP, IP] [PDS, FEE].**

**INTENT:** In order to protect the proposed open space easement from entry, and disturbance, permanent fencing shall be installed. **DESCRIPTION OF REQUIREMENT:** Open space fencing or walls shall be placed along the biological open space boundary as indicated on the Preliminary Grading Plan, and at interior locations to protect sensitive areas from cattle grazing, as shown on the Grazing and Fencing plan, figures 4a through 4c in the Conservation Grazing Management Plan. The fencing shall consist of wildlife-friendly high-tensile smooth-wire fencing. Strand 1 at the top is ~~6040-42~~" from the ground. Strand 2 is ~~2212~~" below this and strand 3 is ~~22" below strand 2, 1618~~" off the ground. The top strand will consist of white vinyl-coated high tensile wire that is highly visible to wildlife. Any deviations from this fencing design shall be approved by PDS prior to installation. Initial fencing shown in red on figures 4a through 4c will be established by the developer. Fencing of the open space boundary may be deferred until each lot is developed with a home, at the expense of the lot owner, if a Site Implementation Permit is approved for this project. **DOCUMENTATION:** The applicant shall install the fencing as indicated above and provide site photos and a statement from a California Registered Engineer, or licensed surveyor that the open space fencing has been installed. **TIMING** Prior to the approval of the Final Map and prior to the approval of any plan and issuance of any permit, all fencing shall be installed – OR - if a Site Implementation Permit is approved for this project, the initial fencing shall be installed prior to Final Map and the boundary fencing on each lot shall be installed prior to building permit issuance on that lot. **MONITORING:** The [PDS, PCC] shall review the photos and statement for compliance with this condition. If boundary fencing is delayed until building permit, the Site Implementation Permit will be used to enforce the lot-by-lot open space fencing requirement.

**BIO#14–RESOURCE MANAGEMENT PLAN: [PDS, PPD] [DPR, GPM] [MA, GP, IP]**

**INTENT:** In order to provide for the long-term management of the proposed open space preserve, a Resource Management Plan (RMP) shall be prepared and implemented. **DESCRIPTION OF REQUIREMENT:** Submit to and receive approval from the Director of Planning & Development Services, a Resource Management Plan (RMP). The RMP shall be for the perpetual management of biological and cultural resources. The RMP shall be consistent with the conceptual/draft RMP on file with Planning & Development Services under TM 5312, Log. No. 03-10-005. The plan shall be prepared and approved pursuant to the most current version of the County of San Diego Biological Report Format and Content Requirements. The final RMP cannot be approved until the following has been completed to the satisfaction of the Director of PDS and in cases where DPR has agreed to be the owner and/or manager, to the satisfaction of the Director of DPR.



- a. The plan shall be prepared and approved pursuant to the most current version of the County of San Diego Biological Report Format and Content Requirements.
- b. The habitat land to be managed shall be completely purchased.
- c. The easements shall be dedicated to ensure that the land is protected in perpetuity.
- d. A Resource Manager shall be selected and evidence provided by applicant as to the acceptance of this responsibility by the proposed Resource Manager.
- e. The RMP funding ~~mechanism—endowment~~ shall be ~~identified—and~~ approved by the County and funded by the applicant to fund annual costs for basic stewardship.
- f. An agreement between the Applicant, Habitat Manager, and County shall be executed for the implementation of the RMP.

**DOCUMENTATION:** The applicant shall prepare the RMP and submit it to the [PDS, ZONING] and pay all applicable review fees. **TIMING:** Prior to the approval of the Final Map and prior to the approval of any plan and issuance of any permit, the RMP shall be approved. **MONITORING:** The [PDS, PPD] shall review the RMP for compliance with the content guidelines, the conceptual RMP, and this condition.

**BIO#15—BIOLOGICAL MONITORING:** [PDS, PCC] [DPW, LDR] [GP, IP, MA] [PDS, FEE X2]. **INTENT:** In order to prevent inadvertent disturbance to the open space easement, all grading located within 100 feet of the open space easement boundary shall be monitored by a biologist. **DESCRIPTION OF REQUIREMENT:** A County approved biologist "Project Biologist" shall be contracted to perform biological monitoring during all grading, clearing, grubbing, trenching, and construction activities on-site. The following shall be completed:

- a. The Biologist shall perform the monitoring duties before, during and after construction pursuant to the most current version of the County of San Diego Biological Report Format and Requirement Guidelines and this permit. The contract provided to the county shall include an agreement that this will be completed, and a Memorandum of Understanding (MOU) between the biological consulting company and the County of San Diego shall be executed. The contract shall include a cost estimate for the monitoring work and reporting.
- b. The cost of the monitoring shall be added to the grading bonds that will be posted with the Department of Public Works, or bond separately with Planning & Development Services.

**DOCUMENTATION:** The applicant shall provide a copy of the biological monitoring contract, cost estimate, and MOU to the [PDS, PCC]. Additionally, the cost amount of the monitoring work shall be added to the grading bond cost



estimate. **TIMING:** Prior to the approval of any plan, issuance of any permit, and prior to approval of the map, the requirement shall be completed. **MONITORING:** The [PDS, PCC] shall review the contract, MOU and cost estimate or separate bonds for compliance with this condition. The cost estimate should be forwarded to [DPW, Project Manager], for inclusion in the grading bond cost estimate, and grading bonds. The [DPW, PC] shall add the cost of the monitoring to the grading bond costs.

Prior to use and reliance on this permit the following conditions shall be placed on the face of all future grading permits or improvement plans:

**PRE-CONSTRUCTION MEETING:** *(Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances.)*

### **(BIOLOGICAL RESOURCES)**

**BIO GP1-BIOLOGICAL MONITORING: [PDS, PCC] [DPW,PDCI] [PC] [PDS, FEE X3]. INTENT:** In order to prevent inadvertent disturbance to sensitive resources protected within open space, all grading located within 100 feet of the open space easement boundary shall be monitored by a biological monitor. **DESCRIPTION OF REQUIREMENT:** A County approved biologist shall perform biological monitoring during all grading, clearing, grubbing, trenching, and construction activities within 100 feet of the open space easement boundary. "The Project Biologist shall also perform the following duties before construction to comply with the conditions of this Grading Plan and Tentative Map 5312:

- a. Supervise and verify placement of temporary fencing of open space easements. The placement of such fencing shall be approved by the PDS, Permit Compliance Section.
- b. Supervise and verify placement of permanent fencing and signage of open space easements to ensure they are on the development side and do not impact the open space. The placement of such fencing shall be approved by the PDS, Permit Compliance Section.
- c. The Biologist shall attend the preconstruction meetings and other meetings to discuss construction requirements. Such meeting shall include the PDS Permit Compliance Section.

**DOCUMENTATION:** The Biological Monitor shall prepare written documentation that certifies that the temporary fencing has been installed and that all construction staff has been trained on the site sensitive biological resources that are to be avoided. **TIMING:** Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be completed. **MONITORING:** The [DPW, PDCI] shall invite the [PDS, PCC] to the preconstruction conference to coordinate the Biological Monitoring requirements of this condition. The [PDS, PCC] shall attend the



preconstruction conference and verify the installation of the temporary fencing and approve the training documentation prepared by the biologist.

**BIO GP2-TEMPORARY FENCING: [PDS, PCC] [DPW,PDCI] [PC] [PDS, FEE].**

**INTENT:** In order to prevent inadvertent disturbance to open space, temporary construction fencing shall be installed wherever permanent fencing was not installed. **DESCRIPTION OF REQUIREMENT:** Prior to the commencement of any grading and/or clearing in association with this grading plan, temporary orange construction fencing shall be placed to protect from inadvertent disturbance of all open space easements that do not allow grading, brushing or clearing. Temporary fencing is also required in all locations of the project where proposed grading or clearing is within 100 feet of an open space easement boundary. The placement of such fencing shall be approved by the PDS, Permit Compliance Section. Upon approval, the fencing shall remain in place until the conclusion of grading activities after which the fencing shall be removed.

**DOCUMENTATION:** The applicant shall provide evidence that the fencing has been installed and have a California licensed surveyor certify that the fencing is located on the boundary of the open space easement(s). The applicant shall submit photos of the fencing along with the certification letter to the [PDS, PCC] for approval. **TIMING:** Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances the fencing shall be installed, and shall remain for the duration of the grading and clearing.

**MONITORING:** The [PDS, PCC] shall either attend the preconstruction conference and approve the installation of the temporary fencing, or review the certification and pictures provided by the applicant.

**BIO GP3-BREEDING SEASON AVOIDANCE: [PDS, PCC] [DPW, PDCI] PDS, FEE X2].**

**INTENT:** In order to avoid impacts to the numerous sensitive species observed on-site, breeding season avoidance shall be implemented on all plans.

**DESCRIPTION OF REQUIREMENT:** There shall be no brushing, clearing and/or grading allowed within 500 feet of any potential nesting habitat during the avian breeding season as indicated on these plans. The breeding season is defined as occurring between January 1 and August 31. The Director of Planning & Development Services [PDS, PCC] may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Wildlife, provided that no nesting or breeding birds are present in the vicinity of the brushing, clearing or grading. **DOCUMENTATION:**

The applicant shall provide a letter of agreement with this condition; alternatively, the applicant may submit a written request for waiver of this condition. No grading shall occur between January 1 and August 31 until concurrence is received from the County and the Wildlife Agencies. **TIMING:** Prior to preconstruction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout the duration of the grading and construction, compliance with this condition is mandatory unless the requirement is waived by the County upon receipt of concurrence from the Wildlife Agencies.



**MONITORING:** The [DPW, PDCI] shall not allow any grading during the specified dates, unless a concurrence from the [PDS, PCC] is received. The [PDS, PCC] shall review the concurrence letter."

**DURING CONSTRUCTION:** *(The following actions shall occur throughout the duration of the grading construction).*

### **(BIOLOGICAL RESOURCES)**

**BIO GP4-BIOLOGICAL MONITORING: [PDS, PCC] [DPW,PDCI] [PC] [PDS, FEE X3]. INTENT:** In order to prevent inadvertent disturbance to sensitive resources protected within open space, all grading located within 100 feet of open space easements shall be monitored by a biological monitor. **DESCRIPTION OF REQUIREMENT:** A County approved biologist shall perform biological monitoring during all grading, clearing, grubbing, trenching, and construction activities within 100 feet of open space easements. The Project Biologist shall supervise and monitor grading activities to ensure against damage to biological resources that are intended to be protected and preserved. If there are disturbances, the monitor must report them immediately to the [PDS PCC]. Additionally, the biologist shall perform the following duties: **[PDS, FEE]**

- a. Perform weekly inspection of fencing and erosion control measures (daily during rain events) near proposed preservation areas and report deficiencies immediately to the DPW Construction Inspector;
- b. Perform periodically monitor the work area for excessive dust generation in compliance with the County grading ordinance and report deficiencies immediately to the DPW Construction Inspector;
- c. Conduct training for contractors and construction personnel, including the purpose for resource protection, a description of the species of concern, and the conservation measures that should be implemented during project construction;
- d. Monitor construction lighting periodically to ensure lighting is the lowest illumination possible allowed for safety, selectively placed, shielded, and directed away from preserved habitat;
- e. Monitor equipment maintenance, staging, and fuel dispensing areas to ensure there is no runoff to Waters of the US;
- f. Stop or divert all work when deficiencies require mediation and notify DPW Construction Inspector and PDS Permit Compliance Section within 24 hours; (8) produce periodic (monthly during grading) and final reports and submit to the Wildlife Agencies and the PDS (final report will release bond);
- g. Confer with the Wildlife Agencies and PDS Permit Compliance Coordinator within 24 hours any time protected habitat or listed species are being affected by construction;



- h. Attend construction meetings and other meetings as necessary.

**DOCUMENTATION:** The Project Biologist shall prepare and submit to the satisfaction of the [PDS, PCC] monitoring reports, which indicate that the monitoring has occurred as indicated above. **TIMING:** The following actions shall occur throughout the duration of the grading construction. **MONITORING:** The [DPW, PDCI] shall assure that the Project Biologist is on-site performing the Monitoring duties of this condition during all applicable grading activities as determined by the Biologist. The [DPW, PDCI] shall contact the [PDS, PCC] if the Project Biologist or applicant fails to comply with this condition. The [PDS, PCC] shall review and approve the monitoring reports for compliance with this condition.

**ROUGH GRADING:** *(Prior to rough grading approval and issuance of any building permit).*

### (BIOLOGICAL RESOURCES)

#### BIO GP5-BIOLOGICAL MONITORING: [PDS, PCC] [RG, BP] [PDS, FEE].

**INTENT:** In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) pursuant to Tentative Map 5312, and the [County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Biological Resources](#), a Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Biologist shall prepare and submit a final letter report substantiating his/her supervision of the grading activities and substantiating that grading did not impact additional areas of open space easement or other sensitive biological resources. The report shall conform to the [County of San Diego Report Format Guidelines for Biological Resources](#). It shall also include but not be limited to the following items:

- a. Photos of the temporary fencing that was installed during the trenching, grading, or clearing activities.
- b. Monitoring logs showing the date and time that the monitor was on site.
- c. Photos of the site after the grading and clearing activities.
- d. Provide a letter stating that all Sensitive Resource Easements were avoided during the grading construction, and that no impacts or encroachment into the open space occurred.

**DOCUMENTATION:** The applicant shall submit the final biological monitoring report to the [PDS, PCC] for review and approval. **TIMING:** Upon completion of all grading activities, and prior to Rough Grading final Inspection ([Grading Ordinance SEC 87.421.a.2](#)), the final report shall be completed. **MONITORING:** The [PDS, PCC] shall review the final report for compliance with the project MMRP, and inform [DPW, PDCI] that the requirement is completed.



**FINAL GRADING RELEASE:** *(Prior to any occupancy, final grading release, or use of the premises in reliance of this permit).*

**(BIOLOGICAL RESOURCES)**

**BIO GP6-OPEN SPACE SIGNAGE & FENCING: [PDS, PCC] [DPW, PDCI] [FG, UO] [PDS, FEE]. INTENT:** In order to comply with Condition **BIO#12** and **BIO#13** pursuant to the adopted Mitigation Monitoring and Reporting Program (MMRP) for Tentative Map 5312, the fencing and signage shall be installed. **DESCRIPTION OF REQUIREMENT:** The permanent fences or walls, and open space signs shall be placed along the open space boundary as shown on these plans and the approved Conceptual Grading and Development Plan for TM 5312.

- a. 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.
- b. 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  
Area Restricted by Easement**

Entry without express written permission from the County of San Diego is prohibited. To report a violation or for more information about easement restrictions and exceptions contact the County of San Diego, Planning & Development Services  
Reference: PDS2003-3100-5312

**DOCUMENTATION:** The applicant shall install the fencing and signage and provide the documentation photos and certification statement to the [PDS, PCC]. **TIMING:** Prior to the occupancy of any structure or use of the premises, and prior to Final Grading Release ([Grading Ordinance Sec. 87.421.a.3](#)) the fencing and signage shall be installed. **MONITORING:** The [PDS, PCC] shall review the photos and statement for compliance with this condition.

**ENVIRONMENTAL FINDINGS:**

- A. CEQA Findings: TO BE PROVIDED WITH PROJECT DECISION
- B. FINDINGS MADE IN SUPPORT OF THE ISSUANCE OF THE HABITAT LOSS PERMIT:

The following findings are made based upon all of the documents contained in the record for this project, and pursuant to Section 86.104 of County of San Diego Ordinance No. 8365 (N.S.) and Section 4.2.g of the CSS NCCP Process Guidelines (CDFW, November 1993):



Finding 1.a: The habitat loss does not exceed the five percent guideline.

The proposed project will impact 16.63 acres of coastal sage scrub and zero pairs of California gnatcatcher. Approved coastal sage scrub losses as of the date of February 6, 2013 and including this approval, for the entire unincorporated County, outside the boundaries of the Multiple Species Conservation Program (MSCP), are presented in the following table:

Unincorporated Area Coastal Sage Scrub Cumulative Losses

Total loss allowed under five percent guideline:	2953.30 acres
Cumulative loss of Coastal sage scrub to date:	1187.52 acres
Net loss due to this project:	16.63 acres
Total cumulative loss:	1204.15 acres
Remaining loss under five percent guideline:	1749.15 acres

Finding 1.b: The habitat loss will not preclude connectivity between areas of high habitat values.

The project will not preclude connectivity between areas of high habitat values, as defined by the Southern California Coastal Sage Scrub Natural Communities Conservation Planning Process (NCCP) Guidelines. The project site is split half in and half outside of the Subregional CSS NCCP Planning Unit Focus Area and is at the eastern and upper limit of the potential habitat use area for California gnatcatcher. In addition, there is a limited amount of CSS on the subject site and as noted in the Biological Resource Report, most of this habitat is associated with former human uses of the site, including prehistoric uses around some of the site's larger rock outcrops and due to its successional nature, the scrub vegetation exhibits limited offsite habitat connectivity. Therefore, while the site contains many areas of high and very high value habitats, the CSS in particular is successional, patchy and of lower conservation value, per se. Nonetheless, the project was designed to maintain connectivity between areas of high value habitat by preserving a large block of high value habitat on the southwestern and southern central portions of the site. This conserves the regional wildlife corridor associated with Temescal Canyon Creek and maintains large-block habitat connectivity between the project site and the high value lands of the Cleveland National Forest to the south. The project also preserves blocks of habitat along the western and northern property boundaries, which maintains the connectivity between the onsite habitats and undeveloped, high value habitats offsite to the west and northwest.

Finding 1.c: The habitat loss will not preclude or prevent the preparation of the subregional NCCP.

The project is located in a proposed FCA of the draft East County Subarea MSCP Plan, meaning that the site is important to future regional preserve



design. This is because the project site will likely be designated as PAMA in the final East County Plan. PAMA lands are identified as being of high biological importance, and are “pre-approved” as being suitable for conservation. Furthermore, the site is located partially within and adjoining Cleveland National Forest lands. However, although impacts will occur, the project will not preclude or prevent the preparation of the subregional NCCP because 85 percent of the site will be conserved in managed open space. In addition, the homes are clustered primarily along the main access road, leaving a large block of high value habitat on the southwestern and southern central portions of the site, as well as blocks of habitat along the western and northern property boundaries. The proposed open space design will maintain habitat connectivity and wildlife movement and contribute to the future MSCP preserve.

Finding 1.d: The habitat loss has been minimized and mitigated to the maximum extent practicable in accordance with Section 4.3 of the NCCP Process Guidelines.

The project will minimize and/or mitigate CSS habitat loss in accordance with Section 4.3 of the NCCP Guidelines. The project has been designed to minimize impacts to CSS to the maximum extent practicable, impacting only 9 percent of Diegan CSS and 18 percent of flattop buckwheat scrub on the site. In addition, the project will mitigate for all unavoidable impacts to CSS via the dedication of on-site open space easements and the implementation of management agreements, both of which are acceptable mitigation options listed in Section 4.3 of the NCCP Guidelines.

Finding 2 The habitat loss will not appreciably reduce the likelihood of survival and recovery of listed species in the wild.

The site was evaluated for California gnatcatcher. The scrub habitat on the TM 5312 RPL3 site is poorly developed, with low floral-species diversity and clear signs of a successional origin. Also, the elevations on the site (ca. 3,100 and 4,100 feet MSL) are well above those normally associated with California gnatcatchers. Gnatcatchers normally occur below 1,800 feet MSL, with most populations below 1,000 feet. Finally, there are no locality records for this species from the immediate vicinity, with the nearest sighting several miles to the west at lower elevations. For these reasons, California gnatcatcher is not expected to occur on this property.

A protocol Quino Checkerspot butterfly survey was conducted in 2009 due to the presence of small patches of *P. erecta*, *O. purpurascens*, and other larval host plant indicators (members of the Scrophularaceae family) on-site. The protocol Quino survey was negative and the site is considered “unoccupied” by this federally-listed Endangered Species.

The site was also assessed for potential occupation by the Laguna Mountains Skipper (*Pyrgus ruralis lagunae*). The larva of Laguna Mountains Skipper



appears to feed primarily on *Horkelia clevelandii*, a plant in the rose family, or possibly related species, including *Potentilla glandulosa*. The limiting factor in the distribution of Laguna Mountains Skipper is apparently the presence or absence of the larval host plants, particularly *Horkelia clevelandii*. *H. clevelandii* was not seen during the directed botanical surveys of this site completed by REC in the spring of 2002 or during the spring rare plant surveys conducted in the spring of 2008, although *P. glandulosa* is occasional on the site in proximity to several of the montane meadow areas. No signs of Laguna Mountains Skipper were detected during the 2009 Quino Checkerspot Butterfly survey of the site. A protocol flight season survey for the extremely rare Laguna Mountains Skipper was not conducted due to the lack of *H. clevelandii* and other factors, such as lack of proximity to known localities and historical distribution. Laguna Mountains Skipper is not expected to occur on the TM 5312 RPL3 project site.

A directed field survey for Stephens' kangaroo rat was conducted by Stephen J. Montgomery (Permit TE45541-10) in May 2014. Two areas of the site showed clear signs of kangaroo rat, so trapping was limited to those two areas. The results of trapping showed that the kangaroo rats on the site are *Dulzura kangaroo rat*, not Stephens' kangaroo rat. The survey concluded that the site is currently unoccupied by Stephens' kangaroo rat, and unlikely to ever be colonization by the species.

All drainages on the TM 5312 RPL3 property were carefully searched for potential Arroyo Toad breeding habitat indicators, including sunny openings, sandy/gravelly banks, and shallow flows. Most of the onsite drainages are unsuitable, lacking one or more of the aforementioned requisite indicators. However, two drainages were identified that support potential Arroyo Toad habitat. These are Temescal Canyon Creek, near the site's extreme southwestern corner, and Orinoco Creek, which runs mostly offsite along the southeast property edge. A series of six Arroyo Toad presence/absence field surveys, pursuant to the current USFWS protocol, were completed for the sections of Orinoco Creek and Temescal Canyon Creek that cross the TM 5312 RPL3 project site in April, May, and June of 2008. No localities from the immediate vicinity of this site were found during the records search. No Arroyo Toads were detected during any of the nocturnal surveys for this species. Thus, Arroyo Toad is not considered a resident breeding species on the TM 5312 RPL3 project site. In addition, the chances for *B. californicus* to occur onsite as an upland aestivator (within 1 km of a breeding area) are also considered low, as this species is not known to breed onsite or within 1 km of the site. The subject site is therefore considered "unoccupied" by this federally-listed Endangered Species.

The project site does support six special status plant species and 27 special status animal species. The project will completely avoid impacts to Cuyamaca meadowfoam, San Diego milk vetch, velvety false lupine, and Southwestern pond turtle. As shown in Table 2 above, all other sensitive species will have at



least 85 percent of their on-site population or foraging habitat preserved in a dedicated open space easement. The open space will be managed under a Resource Management Plan and Conservation Grazing Management Plan. Open space fencing and signage will be installed to keep people out of the open space and keep livestock out of the most sensitive areas. The open space will be surrounded by a Limited Building Zone to ensure that fire clearing does not extend into the open space. All clearing and grading will occur outside of the bird breeding season, and all grading near open space will be monitored by a biologist. Therefore, the habitat loss will not appreciably reduce the likelihood of survival and recovery of listed species in the wild.

Finding 3: The habitat loss is incidental to otherwise lawful activities.

The project will require grading and improvement plans for project roads, as well as an Individual Section 404 Permit from ACOE, a Section 401 Permit from RWQCB and a Streambed Alteration Agreement from CDFW. The issuance of a Habitat Loss Permit by the County of San Diego, with the concurrence of the Department of Fish and Wildlife and U.S. Fish and Wildlife Service and approval by the County of San Diego of a Grading Permit, Clearing Permit, or Improvement Plan is required prior to the clearing of any coastal sage scrub supported on the project site. No state or federal permits other than those mentioned above are identified as being required at this time. Construction and/or land use modification will not commence until all appropriate permits have been issued. The project has been found to be in conformance with Section 86.104 of the San Diego County Code. As such, the anticipated loss will be incidental to "otherwise lawful activities".

#### NCCP FLOWCHART

1. Is natural vegetation present? **Yes.**
2. Is coastal sage scrub present? **Yes.**
3. Is coastal sage scrub the most dense in the subregion? **No.**
4. Is the land close to high value district? **Yes.**
5. Is the land located in a corridor between higher value districts? **No.**
6. Does the land support high density of target species? **No.**

Based on the NCCP Logic Flow Chart, the quality of habitat supported on the Hoskings Ranch project is defined as being "Intermediate Value."

#### MITIGATION MONITORING AND REPORTING PROGRAM:

The following shall be the Mitigation Monitoring or Reporting Program for this Habitat Loss Permit:



Public Resources Code Section 21081.6 requires the County to adopt a mitigation reporting or monitoring program for any project that is approved on the basis of a mitigated Negative Declaration or an Environmental Impact Report for which findings are required under Section 21081(a)(1). The program must be adopted for the changes to a project which the County has adopted, or made a condition of project approval, in order to mitigate or avoid significant effects on the environment. The program must be designed to ensure compliance during project implementation.

The mitigation monitoring program is comprised of all the environmental mitigation measures adopted for the project. The full requirements of the program (such as what is being monitored, method and frequency, who is responsible, and required time frames) are found within the individual project conditions. These conditions are referenced below by category under the mechanism which will be used to ensure compliance during project implementation.

- Subsequent Project Permits

Compliance with the following conditions is assured because specified subsequent permits or approvals required for this project will not be approved until the conditions have been satisfied:

BIO#1 through BIO#15, BIO GP1 through BIO GP6

- Enforcement

Compliance with the following conditions is assured because complaints of non-compliance may be provided by the public to the County which may then investigate the status of compliance and pursue enforcement:

N/A

- Ongoing Mitigation

Compliance with the following conditions is assured because County staff will monitor the on-going requirements and, if necessary, pursue the remedies specified in the project permit, the security agreement, or the mitigation monitoring agreement:

BIO#4, BIO#5, BIO#7, BIO#8, BIO#10, BIO#11, BIO#14

**NOTICE:** The issuance of this permit by the County of San Diego does not authorize the applicant for said permit to violate any federal, state, or county laws, ordinances, regulations, or policies, including but not limited to, the federal Endangered Species Act and any amendments thereto.



**NOTIFICATION TO APPLICANT:** Because your project has an effect on native biological resources, State law requires the payment of a \$ \_\_\_\_\_ fee to the California Department of Fish and Wildlife for their review of the Environmental Impact Report (Fish and Wildlife Code §711.4) and a \$50 administrative fee to the County (\$ \_\_\_\_\_ total). If you made this payment at the time of public review of the environmental document pursuant to Administrative Code Section 362, Article XX, effective August 27, 1992, you have met this obligation. If the fee has not been paid, to comply with State law, the applicant should remit to the County Planning & Development Services, within two (2) working days of the effective date of this approval (the “effective date” being the end of the appeal period, if applicable). **The payment must be by certified check or cashier’s check payable to the “County of San Diego” and can be submitted to the cashier at the PDS office or directly to the County Clerk.** The fees (excluding the administrative fee) may be waived for projects that are found by the Planning & Development Services and the California Department of Fish and Wildlife to have a no effect impact on fish and wildlife resources. Failure to remit the required fee in full within the time specified above will result in County notification to the State that a fee was required but not paid, and could result in State imposed penalties and recovery under the provisions of the Revenue and Taxation Code. In addition, Section 21089(b) of the Public Resources Code and Section 711.4(c) of the Fish and Wildlife Code provide that no project shall be operative, vested, or final until the required filing fee is paid.

**NOTICE:** The subject property contains wetlands, a lake, a stream, and/or waters of the U.S. which may be subject to regulation by State and/or federal agencies, including, but not limited to, the Regional Water Quality Control Board, U.S. Army Corps of Engineers and the California Department of Fish and Wildlife. It is the applicant’s responsibility to consult with each agency to determine if a permit, agreement or other approval is required and to obtain all necessary permits, agreements or approvals before commencing any activity which could impact the wetlands, lake, stream, and/or waters of the U.S. on the subject property. The agency contact information is provided below.

U.S. Army Corps of Engineers: 6010 Hidden Valley Rd, Suite 105, Carlsbad, CA 92011-4219; (858) 674-5386; <http://www.usace.army.mil/>

Regional Water Quality Control Board: 9174 Sky Park Court, Suite 100, San Diego, CA 92123-4340; (858) 467-2952; <http://www.waterboards.ca.gov/sandiego/>

California Department of Fish and Wildlife: 3883 Ruffin Rd., San Diego, CA 92123; (858) 467-4201; <http://www.dfg.ca.gov/>

**JUDICIAL REVIEW TIME LIMITATIONS:** The time within which judicial review of this decision must be sought is governed by Code of Civil Procedure Section 1094.6, which has been made applicable in the County of San Diego by San Diego County Code Section 11.120. Any petition or other paper seeking judicial review must be filed in the appropriate court not later than the 90th day following the date on which this decision becomes final; however, if within 10 days after the decision becomes final a request for



the record of the proceedings is filed and the required deposit in an amount sufficient to cover the estimated cost of preparation of such record is timely deposited, the time within which such petition may be filed in court is extended to not later than the 30th day following the date on which the record is either personally delivered or mailed to the party, or the party's attorney of record. A written request for the preparation of the record of the proceedings shall be filed with the Director, Planning & Development Services, 5510 Overland Avenue, Suite 110, San Diego, California 92123.

The foregoing decision was approved by the Director of Planning & Development Services on date of decision. A copy of this decision, and the documentation supporting the decision, is on file in the Planning & Development Services office at 5510 Overland Avenue, Suite 110, San Diego, California.

PLANNING & DEVELOPMENT SERVICES  
MARK WARDLAW, DIRECTOR

BY:

~~SAMI REAL~~CARA LACEY, Chief  
Project Planning Division

MW:SRCL:be

Attachments:

Habitat Loss Exhibit dated August 16, 2013  
Biological Technical Report, including USGS Map, RMP, CGMP

cc: To be provided at issuance of Habitat Loss Permit  
email cc:

Mark Thompson, [Mark@trs-sandiego.com](mailto:Mark@trs-sandiego.com)  
Dennis Campbell, Project Manager, Project Planning, Planning & Development Services

~~Kristin Blackson~~Peter Eichar, EIR Coordinator, Project Planning, PDS  
Ed Sinsay, Team Leader, Land Development, PDS  
Mindy Fogg, Planning Manager, Project Planning, PDS  
Julian Community Planning Group  
Maggie Loy, HLP Coordinator, Project Planning, PDS

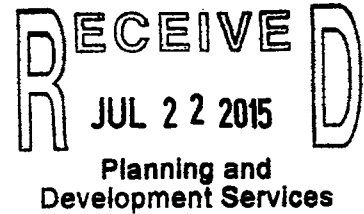
## **Attachment F – Public Documentation**





Julian Community  
Planning Group

P.O. Box 249, Julian, CA 92036



June 15, 2015

San Diego County Planning Commission  
1600 Pacific Highway  
San Diego, California 92101

**SUBJECT: Hoskings Ranch Proposed Subdivision; TM 5312**

The Julian Community Planning Group at its June 8, 2015 regularly scheduled meeting voted to reaffirm its previous preference, with Barnes and Brown abstaining, for the "40 acre" proposal as opposed to the "clustering" proposal.

A handwritten signature in black ink, appearing to read "Patrick Brown". The signature is written in a cursive, flowing style.

Patrick Brown, Chair

PB/lid



# Julian Community Planning Group

P.O. Box 249, Julian, CA 92036

December 19, 2011

Mr. Dennis Campbell  
Department of Planning and Land Use  
5201 Ruffin Road, Suite B  
San Diego CA 92123

Dear Mr. Campbell;

Enclosed is the "Results of Planning/Sponsor Group Review" form regarding Hoskings Ranch, Genesee Properties, TM Case Number 3100-5312 (TM5312RPL3)

The Julian Community Planning Group was asked to comment on the tentative map that contains 24 proposed parcels and a grading plan that includes road improvement requirements on Pine Hills Road and State Highway 78/79.

The Group agreed by a vote of six in favor, one opposed, one abstaining, and three absent to the following recommendation/conditions of approval:

1. The Group is aware that there is an alternate map that may be introduced that proposes thirty five parcels that would include several small parcels and one very large parcel. We have reviewed both maps and our vote was to recommend either map with the caveat that we prefer the 24 parcel map.
2. We recommend one condition to the alternative map if it is considered, which is to reconfigure lots 1, 2, 3, and 4 so that lot 3 consists of at least ten (10) acres.
3. We recommend three conditions that would apply to either map. One. That any and all open space easements on the parcels be so designated that future owners have maximum flexibility to pursue a variety of agricultural pursuits on the easements, especially the ability to graze farm animals on the property, in the interests of fire safety. Two. That the grading plan be modified to remove all road widening and installation of bike lanes on Pine Hills Road. Given the two relatively short stretches of Pine Hills Road adjacent to the applicants property and the intermittent nature of the proposed widening and improvements we believe that would be a traffic and bicycle hazard rather than an improvement. We also believe that the proposed widening would destroy the rural character of Pine Hills Road adjacent to the applicants property and would result in the removal of many native oak trees and large boulders that give the roadside its rural



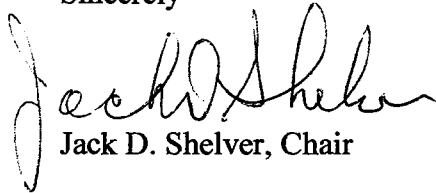
character. Three. With the increased traffic on Pine Hills Road and entering Pine Hills Road from State Highway 78/79 we would recommend installation of a protected right turn lane on eastbound Hwy 78/79 at the intersection of Pine Hills Road. The condition of that intersection is already dangerous with vehicles slowing to make a right turn with traffic moving in excess of 50 miles per hour on the highway, causing the risk of rear end collisions. Vehicles have been noted swerving across the double line into the oncoming lane to avoid a rear end collision thus risking a head on collision.

We have spent considerable time with the representatives of the applicant and they have been very responsive to our requests for modification of both maps to improve community acceptance of the subdivision map. We believe that they are in agreement with us on the three conditions that are not at their discretion to make. We have been assured that they will consider our recommendation on the alternative map regarding lot number 3.

This would appear to be the last opportunity for the Planning Group to review the Map under consideration. If significant changes are made to either Map we would request the right to review those changes and to discuss them with the applicant.

For your information, the one dissenting vote was because the motion included approval of both maps and the member voting no was opposed to the 35 lot alternative map. He did not object to the primary map as it has evolved to its present configuration (along with our recommendations for change, particularly the caveat about broad flexibility for agricultural uses on the open space easements) but could not support the motion as long as it included support for the 35 lot alternative map. The abstention was from a member who has done work for the applicant on the property and therefore recused himself from the discussion and the vote.

Sincerely

A handwritten signature in cursive script, appearing to read "Jack D. Shelver".

Jack D. Shelver, Chair



**COUNTY OF SAN DIEGO  
DEPARTMENT OF PLANNING AND LAND USE: Zoning  
COMMUNITY PLANNING OR SPONSOR GROUP  
PROJECT RECOMMENDATION**

HOSKINGS RANCH,

**PROJECT NAME:** GENESEE PROPERTIES, TM **Case Number:** 3100-5312 (TM5312RPL3)

Results of Planning / Sponsor Group Review

Planning / Sponsor Group: Julian CPG

Meeting date: December 12, 2011

A. Comments made by the group on the proposed project.

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B. **Advisory Vote:** The Group ☒ did or ☐ did not make a formal recommendation, approval or denial on the project at this time.

If a formal recommendation was made, please check the appropriate box below:

**MOTION:**

- ☐ Approve without conditions  
☒ Approve with recommended conditions  
☐ Deny  
☐ Continue

**VOTE:** 6 Yes 1 No 1 Abstain

C. Recommended conditions of approval:

See Attached Letter

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Reported by: JACIS Shelver Position: Chair Date: 12/19/11

Please email recommendations to: [CommunityGroups.LUEG@sdcounty.ca.gov](mailto:CommunityGroups.LUEG@sdcounty.ca.gov)



DPLU-534 (02/10)



## Julian Community Planning Group

P.O. Box 249, Julian, CA 92036

June 10, 2003

Sami Raya  
Project Planner  
County of San Diego  
DPLU  
Fax: 858-694-3373

Dear Sami:

I have been unable to get in touch with Dave Bittner, co-chair of the land use subcommittee so you may be receiving this same information from him.

At the regular meeting of the Julian Community Planning Group on June 9, 2003, the Genesee Properties proposed subdivision, TM5312 was not acted upon. The lack of action should not be interpreted as either approval or rejection of the project. Because of the length of the meeting and the preference of the Genesee representatives, no action was taken. The project will be on the agenda for the July 14<sup>th</sup> meeting of the JCPG. We agreed to forward to you the minutes of the land use subcommittee. The issues raised at the subcommittee meeting should be viewed as points of discussion and not JCPG's recommendations. You may include these points of discussion in your scooping letter if you choose.

Thank you for your help.

  
Eugene V. Helsel, Chair.  
JCPG



For Sami Raza  
(2 pages)

# Land Use Sub Committee

Meeting : June 05, 2003

Agenda: to review the Hoskings Ranch Subdivision and parcel 41 in the Julian Estates.

The meeting was convened at the Hoskings Ranch Gate on Pine Hills Road. The tour was conducted by three of the developers representatives (Thure Stedt, Dave Pettycord, Lee McComb). Five committee members were on the tour (Ray Meyers, Julie Zerbe, Gail Tucker, Bonnie Gendron, Dave Bittner). Gene Helsel went to the town hall to notify anyone who came that the public meeting would start late due to a change in the time of the tour. The ranch tour start time conflicted with the already posted meeting time of 10:00AM.

The Town Hall meeting was called to order at 11:30 AM with only two of the public in attendance (Kenny Mushet, and Joyce Hastings). Four Sub Committee members were there (Gene Helsel, Bonnie Gengron, Gail Tucker, and Dave Bittner) along with the Hoskings Ranch representatives. The other two sub committee members had to leave for other business.

The main topics were

- 1) We discussed the proposed 80 acre parcel designation that might affect the project.
- 2) Development limited to two or three acres around the houses with no fences outside this area.  
Land is to be designated open space for all landowners in subdivision.
- 3) Development and open space didn't match up so the committee asked that the numbers which varied from initially 90% to 50% be addressed and that actual numbers or percent of open space be addressed and finalized so we would know what we are being asked to approve.
- 4) Concern about Access. The current proposed entrance is in a potentially dangerous curve area.
- 5) The Committee requested a Biological Report that the developer stated was already done so that we could assess impact of the proposed Development.
- 6) Two additional access areas are in the plans but not addressed in the proposal. We asked the developers to include these in the plan and address any and all potential advantages or potential access problems these accesses might present. Then show us the plan after this is done.
  - a) access on Rt 78 approximately 1 mile west of Pine Hills Rd
  - b) access through existing Hoskings Ranch gate on Rt 78 across from Meyers Orchard
- 7) At least 7 other 40 acre parcels are adjacent to this proposed subdivision and were a part of the ranch when it was purchased by the current owner proposing subdivision. All these

properties will use or have access to the proposed roads and access entrances. We felt that these properties should be addressed in the proposal since it will affect the ingress and egress and overall change to the area. These properties according to the developers representatives have already been approved for 40 acre subdivision. We pointed out that these parcels do not have roads to them and would be using the infrastructure of the proposed Development. Likewise the proposed Development would be using access through some of these parcels so we felt that they were integrated and should be addressed as such.

8). Other discussed items included

- a) Clustering
- b) Land Use Goals of JCPL
- c) H2O use by different activities
- d) One public comment that suggested that none of us were qualified to be on these committees because we didn't own enough property.
- e) The placement of C, C + Rs on the property

## **Attachment G – Ownership Disclosure**





COUNTY OF SAN DIEGO • DEPARTMENT OF PLANNING AND LAND USE

**APPLICANT'S STATEMENT OF DISCLOSURE OF CERTAIN OWNERSHIP  
INTERESTS ON APPLICATIONS FOR LAND USE AMENDMENTS  
AND PERMITS PURSUANT TO ORDINANCE NO. 4544 (N.S.)**

The ordinance requires that the following information must be disclosed at the time of filing of this discretionary permit.

- A. List the names of all persons having an *interest* in the application.

GENESSE PROPERTIES INC

_____	_____
_____	_____
_____	_____

List the names of all persons having any *ownership interest* in the property involved.

GENESSE PROPERTIES INC

_____	_____
_____	_____
_____	_____

- B. If any person identified pursuant to (A) above is a corporation or partnership, list the names of all individuals owning more than 10% of the shares in the corporation or owning any partnership interest in the partnership.

_____	_____
_____	_____
_____	_____

- C. If any person identified pursuant to (A) above is a non-profit organization or a trust, list the names of any persons serving as director of the non-profit organization or as trustee or beneficiary or trustor of the trust.

_____	_____
_____	_____
_____	_____

**NOTE:** Section 1127 of The Zoning Ordinance defines *Person* as: "Any individual, firm, copartnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver, syndicate, this and any other county, city and county, city, municipality, district or other political subdivision, or any other group or combination acting as a unit."

**NOTE:** Attach additional pages if necessary.

DPL/UN305 (8/97)

*Signature of Applicant*

*Date*

5201 RUFFIN ROAD, SUITE B, SAN DIEGO, CA 92123-1666 • (619) 565-5981

**Attachment H – September 27, 2006  
BOS Hearing Transcript**

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HOSKINGS RANCH - BOARD OF SUPERVISORS MEETING OF

10

SEPTEMBER 27, 2006

11

HEARING NO. 1

12

13

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TRANSCRIBED BY REGINA L. WILLIAMS, CSR NO. 12921

23

24



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1 CHAIRMAN HORN: Let me call this meeting of

2 the Board of Supervisors to order. Please  
(inaudible).

3 MR. PASTUSZKA: Thank you, Mr. Chairman.

4 Supervisor Slater-Price.

5 Supervisor Jacob.

6 SUPERVISOR JACOB: Here.

7 MR. PASTUSZKA: Supervisor Cox.

8 SUPERVISOR COX: Here.

9 MR. PASTUSZKA: Vice Chairman Roberts.

10 SUPERVISOR ROBERTS: Here.

11 MR. PASTUSZKA: And Chairman Horn.

12 CHAIRMAN HORN: Here.

13 Start with the communication speakers.

14 MR. PASTUSZKA: Mr. Chairman, no request  
15 under public communication this morning.

16 CHAIRMAN HORN: Items polled by the public  
on

17 the regular agenda.

18 MR. PASTUSZKA: Thank you, Mr. Chairman.

19 Item No. 1 has been polled by the public.

the 20 Item No. 2 may go on consent with the  
21 deletion of Condition 8.2 of Attachment C, which is  
22 form of major use permit.

map 23 On Item No. 15, that item may go on consent  
24 with the additional recommendation to authorize the  
25 Chairman to execute the joint-use agreement on the

2

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to 1 and authorize the Clerk of the Board of Supervisors  
also 2 acknowledge this agreement on the map. That item  
3 relates to Sanitation District Item No. 1.

4 Item 16 has been polled by the public.

5 Item 17 has been polled by the public.

6 I note, for the record, Item 16 is a  
7 10:00 o'clock time certain.

results 8 On Item No. 18, we have received the

9 of the ballot for Item 18, the proposed San Diego  
10 County wide permanent road division, Zone No. 1017,  
11 branching to roads in the Alpine area. The weighted  
12 ballot results were 13 percent in favor and 87  
percent

and

13 against formation. No further action is required,  
14 the zone will not be formed.

on

15 All the remaining items on the Board of  
16 Supervisors -- air pollution control district, flood  
17 control, and sanitation district agendas are placed  
18 the consent calendar for your consideration.

19 Thank you, Mr. Chairman.

20 CHAIRMAN HORN: Isn't the -- on the BPRs,  
21 No. 5, isn't that a presentation?

22 UNIDENTIFIED WOMAN: It should be a  
23 presentation.

24 MR. PASTUSZKA: Do you want to presume --  
25 because we have members of the public who have

3

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it's

1 submitted speaker slips, and they'll only speak if  
2 polled. But if you want a presentation, poll that --

3 CHAIRMAN HORN: I think -- yeah.

4 MR. PASTUSZKA: So Item 5 is now polled for  
5 presentation.

6 CHAIRMAN HORN: All right.

7 Supervisor Slater-Price?



8 SUPERVISOR SLATER-PRICE: No items.

9 CHAIRMAN HORN: Supervisor Jacob?

10 SUPERVISOR JACOB: No items, Mr. Chairman.

11 I do have comments on Item No. 7, which is  
 12 the procurement of consulting services for the  
 13 community rating system application, which, in simple  
 14 terms -- it means that the County is taking the  
 15 necessary steps to implement flood plan management  
 16 activities. These efforts will further reduce the  
 17 risks associated with flooding and bring affordable  
 18 flood insurance to property owners.

would 19 It is possible, under what this action  
 a 20 result in, that individuals could receive as much as  
 rates. 21 20-percent reduction in their insurance premium  
 this 22 So I would really like to thank Staff for bringing  
 23 item forward, and I think it's really important that  
 24 the County continue to participate in assisting  
 25 property owners within the San Diego County area with

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 Services

doing

1 low-cost flood insurance. And this is our way of  
2 just that.

back

3 In the end, the region will be safer,  
4 property will be protected, and money will be put  
5 into the pockets of the consumers.

6 That's all I have. Thank you.

7 CHAIRMAN HORN: Supervisor Cox?

8 SUPERVISOR COX: Thank you, Mr. Chair.

9 No items to poll, and I would move for  
10 approval of the consent calendar.

11 CHAIRMAN HORN: Supervisor Roberts?

12 SUPERVISOR ROBERTS: No items to poll, and  
13 I'll second Supervisor Cox's motion.

14 CHAIRMAN HORN: All right.

15 Do you want to read the consent calendar?

16 MR. PASTUSZKA: Thank you, Mr. Chairman.

17 Item 1 is polled by the public.

18 Item 2 will go on consent with the deletion  
19 of Condition 8.2.

We

20 Item 5 has been polled for presentation.

21 also have members of the public to address that item.

22 Item 15 will go on consent with the  
23 additional recommendation, which I've read into the  
24 record.

25 Item 16 and 17 have been polled by the

5

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The

1 public.

2 Item 18, no further action is required.

3 zone will not be formed on that item.

4 And all the remaining items on the Board of  
5 Supervisors -- air pollution control district, flood  
6 control and sanitation district agendas are placed on  
7 the consent calendar.

8 CHAIRMAN HORN: If you have a motion to  
9 second, please vote.

10 MR. PASTUSZKA: Mr. Chairman, the motion on  
11 consent passed as unanimously with all board members  
12 being present and voting aye.

of

13 The first item will be Item No. 1: Notice

14 Public Hearing, the appeal of the Planning  
Commission's

15 decision to deny the Hoskings Ranch, Tentative  
16 Map 5312, in the Julian Community Planning Area. We  
17 have one organized presentation, two individuals on  
18 this item.

19 Thank you.

20 CHAIRMAN HORN: Do you have a presentation?



21 presentation?

UNIDENTIFIED WOMAN: Mr. Pryor,

22 out

MR. MUTO: Good morning. We are handing

23 be

a version of a longer presentation. We're going to

24

providing a summary presentation this morning.

25

Item No. 1 is an appeal of the Planning

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located

1

Commission's denial of the Hoskings Ranch tentative

2

map. The project site encompasses 1,416 acres

State

3

west of the town of Julian at the intersection of

4

Route 78 and Pine Hills Road.

5

This is an aerial view of the project site,

6

which is currently vacant. The project is a 33-lot

7

subdivision with lots ranging from 40 to 62 acres.

As

8

shown here, the project includes roads and building

9

pads that are sized and designed for residences.

10

The project site is subject to a

11

Williamson Act Contract, the purpose of which is to

12

preserve agricultural and open-space lands. Private

13

landowners voluntarily entered into the contract, and

14 in return, landowner receives a reduction in property  
15 taxes. In this case, that reduction is approximately  
16 \$37,000 a year.

17 On July 14th, 2006, the Planning Commission  
18 denied the tentative map as required by the  
Subdivision  
19 Map Act and because the project is inconsistent with  
20 the General Plan.

21 The Subdivision Map Act states: "For lands  
22 under Williamson Act Contract, a tentative map shall  
be  
23 denied if the subdivision will result in residential  
24 development not incidental to the commercial,  
25 agricultural use of the land."

7

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1 Additionally, the County General Plan  
states  
2 that the purpose of the agricultural land use  
3 designation is to facilitate and protect agriculture  
as  
4 the principal, dominant, and primary land use.

5 As discussed in detail on the planning  
6 report, it's clear that not all of the proposed lots  
7 would be able to accommodate a commercially viable

8 agricultural operation, which is what must be  
9 demonstrated in order to approve the project.

10 Here is another look at the project map.

11 Areas preserved in open space that could not be used  
12 for agriculture are highlighted in green. As you can  
13 see, the site is severely constrained, and it's

obvious

14 that the project is designed as a residential  
15 subdivision. Therefore, clearly neither subdivision

of

16 the land or the project design facilitates

agriculture

17 as the primary use on the site.

18 On July 20th, the applicant submitted an  
19 appeal to the Planning Commission's denial of the  
20 project. In the appeal application and following  
21 correspondence, the applicant has offered the

following

22 points in support of their appeal:

23 One, the applicant is willing to enter into  
24 "no build" easement that would prohibit residences as  
25 long as the land is under contract.

8

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1 Two, the project is an agricultural  
2 subdivision, not a residential subdivision.

3 Three, the agricultural preserve language  
4 allows for a minimum of 40-acre lots.

that 5 Four, the County has stated in the past  
6 40-acre parcels promote agriculture.

Julian 7 And five, on September 11th, 2006, the  
8 Planning Group voted in support of the applicant's  
9 appeal.

10 However, the problem with these points is  
11 that they fail to address the fundamental mandatory  
12 finding required by state law. The questions are the  
13 same: Will the subdivided parcels eventually result  
in 14 residences that are not incidental to commercial  
15 agricultural use of the land? And is the project  
under 16 Williamson Act Contract?

17 Staff and the Planning Commission have both  
18 found that the answers to these questions are yes;  
19 therefore, our recommendation is to deny the project.

20 This concludes Staff's presentation. And  
21 Staff from the Department of Planning and Land Use  
and 22 Agriculture, Weights and Measures are available to  
23 respond to questions. Thank you.

24 CHAIRMAN HORN: Do you want to go to the  
25 public speakers first? All right.

9

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Stet

1 MR. PASTUSZKA: Thank you.

2 We'll begin, first, with the organized  
3 presentation. The speakers are Jeff Chine, Thorry

4 (phonetic), Greg Kirkpatrick. The organized  
5 presentation will be given 15 minutes. All speakers  
6 need to address the Board, and you need to regulate  
7 your time. There is a timer on the podium.

8 If you would state your name as you begin,  
9 that would be helpful. Thank you, sir.

10 MR. CHINE: Thank you.

11 Good morning. My name is Jeff Chine. I'm  
12 here on behalf of the applicant, Genesee Properties.  
13 We have a PowerPoint presentation that I'd like to  
14 briefly run through, if we could.

15 Next slide, please.

16 We're here today to ask for the opportunity  
17 to continue to work with Staff to try to resolve our  
18 differences with regard to this project. We're here  
19 today on a summary denial, so the screen check EIR  
20 that's been submitted has not been reviewed by Staff.

impasse 21 And at some point in the process, we reached an  
22 with Staff over this issue of the nature of the  
23 project. Is this an agricultural subdivision? Is it  
a 24 residential subdivision?  
25 Next slide, please.

10

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to 1 This is an unusual project. I myself had  
2 look through the County Codes to find the provisions  
3 that dealt with an agricultural subdivision. But, in  
4 fact, they do exist. Perhaps they have not been  
5 processed in the County of late, but they do exist in  
6 the County Code. They exist in state law.

7 There are Williamson Act Contracts on the  
8 particular property at issue, which themselves  
9 contemplate the potential subdivision of the property  
10 for purposes of agricultural use. Those contracts  
11 specify a minimum of 40-acre contracts.

12 Also, state law under the Williamson Act  
13 provides that there is a presumption that lots of a  
14 minimum of 40 acres are presumed to be adequate for  
15 agricultural use. A slide was made -- shown to you



16 during the Staff presentation that showed building  
 17 pads. In the County, in order to submit a  
 subdivision  
 18 map, you must show building pads. I think that's  
 19 because the County is not accustomed to seeing an  
 20 agricultural subdivision.

21 So in order to have our application  
 accepted,  
 22 we were told that we must show these pads. Now the  
 23 pads are being shown as evidence that this is a  
 24 residential subdivision. When we reached an impasse  
 25 with Staff on this issue, the applicant offered up  
 what

11

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1 I think is an unnecessary and far-reaching concession  
 2 here: And that is we will agree not to build any  
 3 houses out here.

4 If Staff's concern is that this is a  
 5 disguised residential subdivision -- and, remember,  
 the  
 6 average lot size is over 40 acres, so this would be  
 an  
 7 unusual residential subdivision. But if you believe  
 8 that's the case, we will agree to a "no build"

9 provision that says "While the Williamson Act is in  
10 effect, we won't build any houses." That should  
remove  
11 the issue.  
12 Initially, Staff's response was positive,  
and  
13 we came in to talk about moving the project forward.  
14 Then the direction came from County Counsel's office  
15 that that would not be acceptable, that some day when  
16 the Williamson Act Contract is long expired, someone  
17 might build a house out here. That would make it a  
18 residential subdivision and violate the Williamson  
Act,  
19 even though the Williamson Act no longer applies to  
the  
20 property.  
21 We had a lot of dialogue on that, and at  
the  
22 end of the day, we just agreed to disagree. Our  
23 consultants tell us that this "no build" provision  
24 actually might not be a good idea; that on small  
farms,  
25 you need a farmer, and the farmer needs a place to

12

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1 live. And the Williamson Act allows for a single

2 residence on a lot for that very purpose.

3 Now, in order to build a house, you must  
4 prove that that residence is incidental to  
agriculture.

5 And the County regulates that. The County has the  
6 right to do that, both under state law and the  
7 Williamson Act Contract that's on the property  
itself.

8 You can regulate that. You can ensure that the  
9 Williamson Act is not violated.

10 At the end of the day, we reached impasse.  
11 We have differences with Staff. We respectfully  
12 disagreed with them. Staff has worked with us.  
13 Staff's intention, I believe, is to protect the  
County's  
14 interest, and we respect that. However, we had a  
15 disagreement at the end of the day.

16 That's the end of my presentation. The  
more  
17 important speakers follow me. Thorry Stet will talk  
18 about what we've done with the Community Planning  
19 Group, which unanimously supports this project. And  
20 then, finally, Greg Kirkpatrick, who is our  
21 agricultural consultant, who has submitted studies to  
22 the County demonstrating the viability of agriculture  
23 on these lots, would like to address you.

24 And then we're available to answer any  
25 questions. Thank you.



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of

1 MR. STET: Good morning, Chairman, Members  
2 the Board. My name is Thorry Stet with Harris  
3 Consultants. I'm here today representing Genesee  
4 Properties.

to

5 I do want to discuss the history of the  
6 property and the project because it's very important.  
7 We've actually met in the last four years ten times  
8 with the Julian Planning Group and, as of the 11th of  
9 September of this year, received unanimous approval  
10 go forward with the project. And a letter's in your  
11 file from the Group asking that this project be  
12 remanded back to Staff for consideration.

of

in

13 A number of the items that were discussed  
14 with the Planning Group -- there certainly is concern  
15 in Julian with how this area develops.  
16 Greg Kirkpatrick, who follows me, will discuss more  
17 the agricultural aspect of it. But the community is  
18 very, very concerned about how agriculture develops  
19 the area, agritourism, and the visibility from the  
20 major roads.

21                   A couple of the items which were addressed  
22                   through these many meetings -- in fact, two of the  
23                   meetings were actually caravans of the Planning Group  
24                   going onto the site and taking a site visit and  
looking  
25                   at the site firsthand.

14

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1                   A number of the issues were -- for  
instance,  
2                   because residences can be placed on the site  
incidental  
3                   to agriculture according to ag preserve contract,  
they  
4                   were concerned with how those residences might appear  
5                   from the major roads, Highway 78, 79, and Pine Hills  
6                   Road. We actually took 35-foot story poles out to  
the  
7                   site and demonstrated that we could place these  
8                   residences incidental to agriculture well out of site  
9                   of the tourists or the residents who are driving  
along  
10                   the major roads.

11                   A full groundwater study was another issue.  
12                   Obviously, you know, groundwater is precious in the  
13                   Julian community. Access was another issue.

14                   There were many concerns, all of which were  
15                   incorporated into the application made to the County  
of  
16                   San Diego, culminating in the approval on the 11th of  
17                   September for us to be remanded back to Staff to work  
18                   out our differences. We believe we can. We believe  
19                   there are opportunities to design the project to meet  
20                   the Staff's concern.

21                   All of the open space that Staff showed is  
22                   not prohibited open space. As you're well aware,  
there  
23                   are numbered types of open space, including steep-  
slope  
24                   open space, which might accommodate agricultural  
25                   activities.

15

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to                   1                   At this point, I will turn the podium over  
2                   Greg Kirkpatrick. Thank you.  
3                   MR. KIRKPATRICK: Good morning. I'm  
4                   Greg Kirkpatrick, and I am the owner of a business  
5                   called "Farmland Conservation Strategies." But more  
6                   importantly, I'm also a small farm owner. My  
family's  
7                   grown citrus and olives in the Exitur (phonetic) and



8 Lindsey area for over 95 years, and we have a very  
9 small farm of about 40 acres. We're trying to make  
10 sure that that remains viable. So we're a small  
11 farming operation. I think it's similar to what you  
12 see in many of these Julian farms.

13 I'd like to talk about Julian agriculture a  
14 little bit because it's very different from  
15 commodity-based production that we see, you know, in  
16 the San Joaquin Valley or even in Riverside County.  
17 It's really driven by a marketplace, and that is the  
18 Julian market. It's an agritourism destination that  
19 provides opportunities -- significant opportunities

for

20 small farmers and entrepreneurs, I think, to direct  
21 market products and to grow specialty crops that are

of

22 interest to those -- sure -- and also, these farms

are

23 owner-operated.

24 Next slide.

25 I think, as we look at the Julian area --

and

16

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1 I was retained by TRS and the (inaudible) to evaluate

feasible

2 the ag viability of the Hoskings Ranch and how  
3 agricultural production might occur on the ranch.

4 When you look in the Julian area, there are  
5 not many opportunities for small ag parcels to be  
6 purchased and owned. And again, I think the real key  
7 to these kinds of operations is that they are very  
8 owner and management intensive.

9 Next slide, please.

of

10 In the ag study, we explored the viability  
11 a number of small farming scenarios. And actually,  
12 when we went up to Julian, we found them all there as  
13 well. Small wineries of two to three to four acres  
14 producing high-quality wines and adding value to the  
15 product by turning those grapes into wine. And we  
16 found a number of other small farming operations.

often

17 We also found that -- in looking at the  
18 Hoskings Ranch -- that the soil/water characteristics  
19 of the ranch itself are very similar to the -- the  
20 farms that are located in the area. And what you

well

21 find is that small portions of these farms are  
22 dedicated to the orchards where they can develop a  
23 and water and -- that you can find the right soils,  
24 slope situations, et cetera. And those opportunities  
25 exist on the Hoskings Ranch as well.

17

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small

this

a

can

And

a

agricultural

labor

we

1 Next slide, please.

2 We also found that farming operations,

3 operations of two to 20 acres, in the Julian area are

4 operationally viable. They -- and the reason for

5 is that they can demand higher prices than they would

6 get selling for commodity. You can sell an apple on

7 commodity market for 15 to 25 cents a pound, or you

8 sell it direct to the public for a \$1.50 a pound.

9 that's what makes these farms viable and why this is

10 very unique agricultural situation.

11 Also, the current -- the cost of

12 production can be reduced often through reducing

13 costs of harvesting with "you pick" operations,

14 particularly with berries and apples. So if -- and

15 also found that this is in high demand when we spoke

16 with the Julian Chamber of Commerce, that people call

17 them daily: "Where can I find a 'you pick' operation



with 18 to come pick apples and berries and take them home  
19 me and make some of my own pies for the weekend?"  
20 And then, finally, there's the ability to  
21 have value-added production -- products. What do you  
22 think of when you think of Julian? Apple pie; apple  
23 cider; and as we've seen with these small boutique  
24 wineries, an emerging wine industry as well.

entire 25 Finally, we looked at -- looked at the

18

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also 1 farming operation and envisioned in our agricultural  
2 plan that much of the open space, which is really  
3 slope-restricted open space -- it's not habitat  
4 sensitive. There are portions of the property that  
5 are -- could be utilized in the Common Grazing Lease.  
6 This could improve fire management in the area and  
7 provide additional income to those small farming  
8 operations.

scenario 9 So we envision that the entire ranch, in  
10 exercising or initiating and moving through a  
11 like this, will become operationally viable. Thank

12 you.

13 MR. CHINE: Very briefly, in summary, we're

14 asking, today, for an opportunity. We're asking for

an

15 opportunity to have the project processed, to have

16 these issues flushed out in an environmental impact

17 report, and it's about fairness. It's been our

approval

18 opportunity to come to you with a project for

19 or denial. Not simply for denial.

20 We understand that there are issues that

21 still need to be resolved with Staff. We are very

22 willing to work with the Staff to address these --

23 whatever those issues may be.

24 We think it is a viable project. It is

25 unique. It is cutting edge. It's something that

19

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1 perhaps the Staff and the County are not used to, but

2 we think that this project proposal will promote

3 agriculture in this area.

4 We're here. We have our consulting team.

5 We're available to answer any questions. And we

6 appreciate your time. Thank you.

individual 7 MR. PASTUSZKA: We'll now move to  
8 speakers, Eric Larson and Michael Fitts.  
9 MR. LARSON: Chairman Horn and Members of  
the 10 Board, I'm Eric Larson, executive director of the  
11 San Diego County Farm Bureau, and our organization  
12 stands before you today in support of the appeal by  
the 13 applicant.  
14 We looked at this very carefully because  
the 15 integrity and the value of the Williamson Act is  
16 extremely important to us, as you might guess. But  
in 17 looking at this application, we made two  
observations.  
18 The first one was that agriculture has left  
19 this site. And the farmers in our organization  
looked 20 at this, and they said that they believe that no  
21 reasonable person would believe that in the current  
22 configuration would these 1460 acres return to  
23 agriculture. It left for reasonable reasons, for  
24 economical reasons. And in its configuration, we  
can't 25 expect agriculture to return to this site.

20

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1                   Second, the applicant's offer to place a  
2                   dedicated easement prohibiting residential  
development  
3                   while the Williamson Act Contract is enforced, we  
4                   believe that sets aside the concern that the  
5                   application would result in residential development  
not  
6                   incidental to commercial agriculture as stated in the  
7                   State's statutes. And for those reasons, then, we  
ask  
8                   you to approve the appeal by the applicant.

9                   Thank you.

10                  MR. PASTUSZKA: Mr. Fitts?

11                  MR. FITTS: Good morning. My name is  
12                  Michael Fitts, staff attorney for the Endangered  
13                  Habitats League, and I'm here before you today to  
14                  express Endangered Habitat League's support for the  
15                  Staff's and the Planning Commission's recommendations  
16                  that this subdivision be denied.

17                  It's our strong view that this is not a  
18                  matter that is a subject of the Board's discretion,  
but  
19                  it is required by state law because the Subdivision  
Map  
20                  Act mandates that the County shall deny a subdivision  
21                  application for Williamson Act Contract lands, which  
22                  these are, for residential development not incidental

23 to agriculture.

24 You've heard some testimony discussing some  
25 speculative agricultural uses for the parcels as

21

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extensive

and

rejected

1 subdivided. The County's own experts, in an  
2 analysis by the Department of Agriculture, Weights  
3 Measures, has addressed each one of these potential  
4 uses and found, for various reasons -- some of them  
5 elevation, some of them location next to the roads --  
6 for example, for apples, which would make it very  
7 difficult to do direct sales -- each one of these  
8 potential uses has been addressed and has been  
9 as speculative and unfeasible by the County's own  
10 expert staff.

very

does

11 Based on this record, we believe that the  
12 County has a mandatory duty to deny this application.  
13 And the Act does not talk about approval with  
14 conditions; it talk -- it says "shall deny." It's  
15 clear about that so that this Board, in our view,  
16 not have the discretion to approve this conditional

17 upon a "no build" easement. That's not an option  
 18 permitted in state law.

19 Moreover, it would undermine the purpose of  
 20 the Act to permit a subdivision to move forward.

That

21 is inconsistent with agricultural use, and,  
 irrevocably

22 so, while there's nine years remaining on a  
 23 Williamson Act Contract.

24 Moreover, it would undermine the fiscal  
 25 bargain that is set forth in the Williamson Act

where,

22

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1 in exchange for preferential property tax treatment,  
 2 the landowner commits not to take any action,

including

3 subdivision of land, regardless of a "no build"  
 4 easement. That is inconsistent with the Act.

5 So, for all these reasons, we would ask

that

6 the Board deny the appeal and concur with the Staff

and

7 DPL -- and Planning Commission's recommendations to  
 8 deny the subdivision. Thank you.

9 MR. PASTUSZKA: That concludes testimony on



10 this side, Mr. Chairman.

11 CHAIRMAN HORN: Supervisor Jacob.

12 SUPERVISOR JACOB: Thank you, Mr. Chairman.

13 A couple of questions at Staff: Has a  
notice

14 of nonrenewal been filed?

15 MR. PRYOR: Not that we know of.

16 SUPERVISOR JACOB: The last speaker  
mentioned

17 there's nine years left. It's a ten-year rolling, as  
I

18 understand, on a Williamson Act Contract. Has a  
notice

19 of nonrenewal been filed?

20 MR. STET: (Inaudible).

21 SUPERVISOR JACOB: Thank you.

22 It seems like the problem that we have --  
the

23 community is supporting 40-acre parcel sizes, I  
recall,

24 when we went through the GPA2020 process. So they're

25 supporting 40-acre parcel sizes in some parts of the

23

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1 Julian area, including this area.

the 2 So, in my opinion, the parcel size is not  
3 problem here. The problem is that there's no current  
4 agricultural use, and agriculture must be the primary  
5 use according -- at least, the County Council's  
6 interpretation -- state law.

7 Would that be accurate?

8 MR. PRYOR: Through the Chair, that is  
9 correct.

ag 10 SUPERVISOR JACOB: How long ago was there  
11 use on this property?

12 MR. PRYOR: As far as we know, that use  
13 ceased five to ten years ago.

the 14 SUPERVISOR JACOB: So if we roll the clock  
15 back, which I know we can't -- but if we could roll  
16 clock back and they were coming in to subdivide this  
17 property and there was a current agricultural use on  
18 the property, would Staff be recommending approval,  
all 19 other things being okay?

20 MR. PRYOR: Yes.

read 21 SUPERVISOR JACOB: Well, Mr. Chairman, I  
22 through the contract itself, and the contract was  
23 entered into back in 1974 originally. And then the  
24 most recent amendment was March 16th of 1982, and it  
25 does allow 40-acre parcel sizes in the contract. And

24

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1 think it's quite evident what the problem is here:  
2 There is no current agricultural use on the property;  
3 therefore, the agricultural use would not be the  
4 primary use on the property.

what

5 I'm inclined to go with the wishes of the  
6 Julian Community Planning Group on this item. And  
7 my motion would be is to continue this item, direct  
8 Staff to work with the applicant, continue processing  
9 this project, and bring it back upon resolution of  
the  
10 unresolved issues.

seconded.

11 CHAIRMAN HORN: I'll second (inaudible).

12 SUPERVISOR JACOB: Okay.

13 CHAIRMAN HORN: Motion was made and

have

14 I will make comments here. I happen to

the

15 a Williamson Act Contract, which I entered in with

if

16 County in 1972. And I've always had the feeling that  
17 if I changed from -- I currently grow avocados. But  
18 I couldn't grow avocados anymore, I'd switch to crops



19 or something else. There is a time there when you  
20 wouldn't be in ag and taken out.

21 I think that their 40 acres is totally  
22 consistent. My Williamson Act, when I entered into  
it,

23 I had less than -- I had 38 acres to start with. And  
24 because of the provision of orchards, I was allowed  
to

25 do so. I don't think it's inconsistent with the

25

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1 Williamson Act. I mean, it's the way I understand  
it,

2 so I'm going to agree with Supervisor Jacob here.

3 I think we ought to be able to resolve this  
4 issue. These are very large parcels, and I know the  
5 crops that they grow in that area don't necessarily  
6 need 1,000 acres to make it happen. There's a Julian  
7 apple farm and all kinds of things. And I don't know  
8 what the crops are, but that's the farmers' business.

9 So I will agree with you here.

10 SUPERVISOR JACOB: If I could just make a  
11 couple of closing comments. It seems like there's  
two

12 choices here: Either the applicant files a notice of

13 nonrenewal, which takes ten years then for it to get  
 14 out of the ag preserve contract; or plant some trees  
 --  
 15 you know, obviously a 40-acre parcel in this area is  
 16 very appropriate for an agricultural use.  
 17 If you've been to Julian and you look at  
 that  
 18 area, there are apple orchards, and there -- there  
 are  
 19 other kinds of trees, too, in that area that are very  
 20 productive. And who knows? It may be that the  
 reason  
 21 that this property went out of ag use is because it  
 was  
 22 too big, and it was no longer profitable to do a  
 23 grazing operation.  
 24 But it may be, today, the difficulty is  
 25 whether or not the applicant working with Staff can

26

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1 meet the requirements of state law or not, and I  
 think  
 2 we ought to give them a chance to try. And that's  
 why  
 3 I made the motion.

4 CHAIRMAN HORN: Supervisor Roberts.

5 SUPERVISOR ROBERTS: Thank you.

6 First of all, I support Supervisor Jacob's  
7 motion. But I have one question because it seems to  
me  
8 that if -- the question I haven't heard a clear  
answer  
9 to was the statement that we don't have discretion in  
10 this in that -- the way that the laws are written.  
If  
11 that is true, in fact, no matter how long we continue  
12 it, we'll come back to that.  
13 So is there somebody that's prepared to  
14 comment on that?  
15 UNIDENTIFIED MAN: Yes, I'd like to comment  
16 on that. This is underlying a factual issue: Can  
you  
17 support agriculture on these lots? Staff has taken  
the  
18 position that you can't. And if you were to agree  
with  
19 that, then you would be mandated by law not to allow  
20 the subdivision.  
21 But if you were to disagree and if you were  
22 to agree with the applicant's position, you certainly  
23 could approve the subdivision. So it's truly an  
24 underlying factual issue. It's not a mandatory legal  
25 issue.

27

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1                   SUPERVISOR ROBERTS: So a continuance here  
2                   could be proper, and these issues could be resolved  
and  
3                   brought back, or maybe we'll find out they can't be.  
4                   UNIDENTIFIED MAN: That's correct.  
5                   SUPERVISOR ROBERTS: Okay.  
6                   CHAIRMAN HORN: Well, I have another  
question  
7                   then: When they entered into the contract, was this  
8                   under a grazing contract or orchard contract?  
9                   Grazing. That's a bigger -- so they're  
10                  switching -- they're switching crops here. And if  
they  
11                  go to orchards, they can go to smaller parcels.  
12                  All right. Okay. We have a motion.  
13                  Supervisor Cox.  
14                  Oh, Slater-Price. I'm sorry.  
15                  SUPERVISOR SLATER-PRICE: I just had a  
16                  question. If the Staff has gone and reviewed the  
17                  potential use that has -- rather, "uses" that have  
been  
18                  suggested -- I'm familiar with Julian, too, and there  
19                  are a lot of boutique farms and direct sales and  
things  
20                  like that. What would lead them to believe that this  
21                  would not be a viable use?  
22                  MR. PRYOR: Through the Chair, basically  
what

place  
23 we were concerned with was the fact that this has not  
24 been in production for a number of years and the fact  
25 that there is no current agriculture on -- taking

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weighed  
1 on the property, was part of the facts that we  
2 when we made this decision.

looked  
3 Additionally, Ag Weights and Measures

had  
4 at it as well and said that many of the crops that  
5 been indicated in their proposal were not going to be  
6 sustainable in that particular area. That's not to  
say

7 that orchards wouldn't work, or some other activity,  
8 but we didn't have the evidence to base our decision  
9 on. So we had to go with the best available  
10 information.

11 CHAIRMAN HORN: Supervisor Cox.

12 SUPERVISOR COX: Thank you, Mr. Chair.

on  
13 Just an observation, and I hope I'm right

14 this. If I'm not, I'm sure Supervisor Horn will  
15 correct me. But every year I --

hammer. 16 CHAIRMAN HORN: That's why I get the

17 SUPERVISOR COX: I know.

18 Every year, I do enjoy getting the annual  
19 crop report, and I appreciate Eric Larson being here  
20 from the Farm Bureau. But my recollection is that ag  
21 in this County is actually growing not only in dollar  
22 amount, but also in the amount of acreage and  
23 production to the tune of about a 1.5 billion  
24 dollar part of our economy in San Diego.

25 And if I'm not mistaken -- and I can't

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it's 1 remember what the exact percentage is, but I think  
2 over 75 percent of the farms in San Diego County or  
ag 3 operations are nine acres or less. So, you know, I  
4 think -- that's something I think that has to be  
5 evaluated, the Staff, as taking another look at this.

motion 6 CHAIRMAN HORN: All right. We have a  
7 and second. Please vote.

8 MR. PASTUSZKA: Mr. Chairman, that motion



present 9 passes unanimously with all board members being

10 and voting aye.

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## **Attachment I – Property Williamson Act Contracts**

1722

AP73-3

Pa. 74-021

## LAND CONSERVATION CONTRACT

PINE HILLS-  
 ( BOULDER CREEK Agricultural Preserve No. 28 )

THIS CONTRACT, made and entered into this 19<sup>th</sup> day  
 of February, 1974, by and between George H. Smith and Janet  
H. Smith, husband and wife as community property

hereinafter referred to as "Owner", and the County of San Diego, a  
 political subdivision of the State of California, hereinafter referred  
 to as "County":

## W I T N E S S E T H:

WHEREAS, the Owner represents that he is the owner of certain  
 land located in the County of San Diego, State of California, which  
 land is presently devoted to agricultural uses, recreational uses,  
 open space, or combination thereof, as authorized in Exhibit "B"  
 attached hereto and lies within an agricultural preserve heretofore  
 established or to be established and designated the \_\_\_\_\_

PINE HILLS- BOULDER CREEK Agricultural Preserve No. 28,  
 said land being more particularly described in Exhibit "A" attached  
 hereto and hereinafter referred to as the Premises; and

WHEREAS, the Owner has made application to the County of San Diego  
 to enter into a contract pursuant to the California Land Conservation  
 Act of 1965 (Section 51200 et seq., Government Code) with respect to  
 the Premises; and

WHEREAS, the Owner and the County desire to limit the use of  
 Premises to agricultural and compatible uses, recreational uses or  
 open space uses or some combination thereof; NOW THEREFORE

IT IS AGREED by and between the Owner and the County as follows:

Section 1. CONTRACT. This is a "Contract" made pursuant to the  
 California Land Conservation Act of 1965, as amended as of the date  
 first above written, including amendments enacted at the 1970 Regular  
 Session of the California Legislature, (hereinafter referred to as  
 the "Act") and is applicable to the Premises.

COUNTY OF SAN DIEGO  
 CONTRACT  
 NUMBER 7993-4900-A  
 (Reference above number)



Section 2. TERM. This Contract shall take effect on \_\_\_\_\_  
FEBRUARY 28, 1974, and shall remain in effect for a period  
of ten years therefrom and during any renewals of this Contract.

Section 3. RENEWAL. NOTICE OF NONRENEWAL. This Contract shall be automatically renewed for a period of one year on the first day of the first January after the effective date, and on the first day of each January thereafter unless written notice of nonrenewal is served by the Owner on the County at least 90 days prior to said date or written notice of nonrenewal is served by the County on the Owner at least 60 days prior to said date. Under no circumstances shall a notice of renewal to either party be required to effectuate the automatic renewal of this Contract.

Upon receipt by Owner of a notice from County of nonrenewal, the Owner may make written protest of such nonrenewal. County may at any time prior to the renewal date withdraw the notice of nonrenewal. Upon request of Owner, the Board of Supervisors may authorize Owner to serve a notice of nonrenewal on a portion of the land which is the subject of this Contract. If either party serves notice of intent in any year not to renew this Contract, this Contract shall remain in effect for the balance of the period remaining on the term since the original execution or the last renewal of this Contract as the case may be.

Section 4. AUTHORIZED USES. During the term of this Contract and any and all renewals thereof, the Premises shall be devoted to agricultural uses and compatible uses and shall not be used for any purposes other than agricultural uses or compatible uses as specified in Exhibit "B" attached hereto.

Section 5. ADDITION OR ELIMINATION OF AUTHORIZED USES. The Board of Supervisors of the County, by resolution, may from time to time during the term of this Contract or any renewals thereof amend the resolution establishing said Agricultural Preserve to add to those authorized uses or eliminate a use listed in Exhibit "B" which authorized uses shall be uniform throughout said Agricultural Preserve; provided, however, no amendment of such resolution during the term of this Contract or any renewal thereof so as to eliminate any use shall be applicable to this Contract unless the Owner consents to such elimination.

Section 6. POLICE POWER. Nothing in this Contract shall be construed to limit the exercise by the Board of Supervisors of the police power or the adoption or readoption or amendment of any zoning

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ordinance or land use ordinance, regulation or restriction pursuant to the Planning and Zoning Law (Sections 65000 et seq., Government Code) or otherwise.

Section 7. ZONING. This Contract shall not be construed to authorize the establishment or continuation of a use of real property contrary to any provision of The Zoning Ordinance (Ordinance No. 1402 (New Series)), including any amendments thereto, heretofore or hereafter adopted.

Section 8. EMINENT DOMAIN. (a) Except as provided in subdivision (d) of this Section 8, when any action in eminent domain for the condemnation of the fee title of an entire parcel of land subject to this Contract is filed or when such land is acquired in lieu of eminent domain for a public improvement by a public agency or person or whenever there is any such action or acquisition by the Federal government or any person, instrumentality or agency acting under authority or power of the Federal government, this Contract shall be deemed null and void as to the land actually being condemned or so acquired as of the date the action is filed and for the purposes of establishing the value of such land, this Contract shall be deemed never to have existed. Upon the termination of such proceeding, this Contract shall be null and void as to all land actually taken or acquired.

(b) Except as provided in subdivision (d) of this Section 8, when such an action to condemn or acquire less than all of a parcel of land subject to this Contract is commenced, this Contract shall be deemed null and void as to the land actually condemned or acquired and shall be disregarded in the valuation process only as to the land actually being taken, unless the remaining land subject to this Contract will be adversely affected by the condemnation, in which case the value of that damage shall be computed without regard to this Contract.

(c) The land actually taken shall be removed from this Contract. Under no circumstances shall land be removed that is not actually taken, except as otherwise provided in the Act.

(d) The provisions of subdivisions (a) and (b) of this Section 8 shall not apply to or have any force or effect with respect to (1) the filing of any action in eminent domain for the condemnation of any easement for the erection, construction, alteration, maintenance, or repair of any gas, electric, water or communication facilities by any public agency (including the County) or public utility or to the acquisition of any such easement by any public agency (including the County) or public utility, or (2) the filing of any action in eminent domain by any public agency (including the County) for the

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condemnation of the fee title or lesser estate for the establishment, construction (including the widening and realignment) and maintenance of any road, street or highway, whether existing or planned for the future, depicted on the circulation element of the San Diego County General Plan adopted by the San Diego County Board of Supervisors (including any amendments thereto adopted by said Board prior to the date of this Contract) or depicted on the plat attached to this Contract and marked Exhibit "C" or to the acquisition of any such fee title or lesser estate for such purposes by the State of California or any public agency (including the County); and the filing of any such action in eminent domain for the condemnation of or the acquisition of any such easement, fee title or lesser estate shall not terminate, nullify or void this Contract and in the event of the filing of any such action in eminent domain or acquisition this Contract shall be considered in the valuation process.

Section 9. NO PAYMENT BY COUNTY. The Owner shall not receive any payment from the County in consideration of the obligations imposed hereunder, it being recognized and agreed that the consideration for the execution of the Contract is the substantial public benefit to be derived therefrom, and the advantage which will accrue to the Owner as a result of the effect on the assessed valuation of land described herein due to the imposition of the limitations on its use contained herein.

Section 10. CANCELLATION. (a) The Owner may petition the Board of Supervisors for cancellation of this Contract as to all or any portion of the land which is subject to this Contract but this Contract may not be canceled in whole or in part except by mutual agreement of the Owner and County pursuant to Section 51282 of the Act (Government Code). County may only consent to the cancellation of this Contract in whole or in part when, after a public hearing has been held in accordance with the provisions of Section 51284 of the Act (Government Code), the Board finds (1) that the cancellation is not inconsistent with the purposes of the Act, (2) that the cancellation is in the public interest, and (3) that it is neither necessary nor desirable to continue the restrictions imposed by this Contract; provided, however, this Contract shall not be canceled until the hereinafter specified cancellation fee has been paid, unless such fee or some portion thereof is waived or deferred pursuant to subdivision (c) of Section 51283 of the Act (Government Code). As provided in said Section 51282, the existence of an opportunity for another use of the land involved (Premises) shall not be sufficient reason for cancellation and a potential alternative use of the land may be considered only if there is no proximate, noncontracted land suitable for the use to which it is proposed the land (Premises) be put. The uneconomic character of an existing agricultural use shall likewise not be



sufficient reason for cancellation and the uneconomic character of the existing use may be considered only if there is no other reasonable or comparable agricultural use to which the land (Premises) may be put.

(b) Prior to any action by the Board of Supervisors giving tentative approval to the cancellation of this Contract, the County Assessor shall determine the full cash value of the land as though it were free from the restrictions of this Contract. The Assessor shall multiply such value by the most recent County ratio announced pursuant to Section 401 of the Revenue and Taxation Code and shall certify the product to the Board of Supervisors as the cancellation valuation of the land for the purpose of determining the cancellation fee hereinafter specified.

(c) Prior to giving tentative approval to the cancellation of this Contract the Board of Supervisors shall determine and certify to the County Auditor the amount of the cancellation fee which the Owner must pay the County Treasurer as deferred taxes upon cancellation. Notwithstanding the provisions of subdivision (b) of Section 51283 of the Act (Government Code), if cancellation occurs within the first five-year period of the term of this Contract, the cancellation fee shall be 100% of the cancellation valuation of the land; if cancellation occurs after the expiration of the first five-year period of the term of this Contract the cancellation fee shall be an amount equal to 100% of the cancellation valuation of the land less 5% of said cancellation valuation for each year this Contract has remained in effect in excess of the aforementioned first five-year period; provided, however, in no event shall the cancellation fee be less than an amount equal to 50% of the cancellation valuation of the land. If after the date this Contract is initially entered into the publicly announced County ratio of assessed to full cash value is changed, the percentage payment specified in this paragraph shall be changed so no greater percentage of full cash value will be paid than would have been paid had there been no change in such ratio.

(d) The Board of Supervisors may waive or defer payment of the cancellation fee or any portion thereof in accordance with subdivision (c) of Section 51283 of the Act (Government Code).

(e) Upon approval by the Board of Supervisors of the above mentioned cancellation petition and payment of the cancellation fee, the Clerk of the Board of Supervisors shall record in the office of the County Recorder a certificate which shall set forth the name of the owner of such land at the time the Contract is canceled with the amount of the cancellation fee specified by the Board of Supervisors pursuant to Article 5 of the Act (Section 51281 et seq., Government

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Code) and a legal description of the property. From the date of recording of such certificate, this Contract or such portion thereof as is appropriate shall be finally canceled.

(f) Upon tentative approval by the Board of Supervisors of the above mentioned cancellation petition and waiver or deferment in whole or in part of the cancellation fee, the Clerk of the Board of Supervisors shall record in the office of the County Recorder a certificate which shall set forth the name of the owner of such land at the time the contract is canceled with the amount of the cancellation fee specified by the Board of Supervisors as being due pursuant to Article 5 of the Act (Section 51281 et seq., Government Code), the contingency of such waiver or deferment of payments, and a legal description of the property. From the date of recording of such certificate the Contract shall be finally canceled, and to the extent the cancellation fee has not yet been paid or waived, a lien shall be created and attached against the real property described therein and any other real property owned by the person named therein as the owner and located within this County. Such lien shall be in favor of the County, shall have the force, effect and priority of a judgment lien and shall remain in effect until the unwaived portion of the cancellation fee is paid in full. Upon the payment of the cancellation fee or any portion thereof, the Clerk of the Board of Supervisors shall record with the County Recorder a written certificate of the release in whole or in part of said lien.

Section 12. DIVISION OF LAND - MINIMUM SIZE PARCELS. The Owner shall not divide the Premises contrary to the restrictions on the division of Premises as set forth in Exhibit "B" attached hereto.

Section 13. CONTRACT BINDS SUCCESSORS. The term "Owner" as used in this Contract shall include the singular and plural and this Contract shall be binding upon and inure to the benefit of all successors in interest of the Owner including but not limited to heirs, executors, administrators and assignees. In the event the land under this Contract or any portion thereof is divided, the Owner of any parcel may exercise, independent of any other owner of a portion of the divided land, any of the rights of the Owner in the original Contract including the right to give notice of nonrenewal and to petition for cancellation. The effect of any such action by the owner of a parcel created by the division of land or any portion thereof subject to this Contract shall not be imputed to the owners of the remaining parcels and shall have no effect on this Contract as it applies to the remaining parcels of the divided land.

Section 14. REMOVAL OF LAND FROM PRESERVE. Removal of any land under this Contract from an agricultural preserve, either by change

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of boundaries of the preserve or disestablishment of the preserve shall be the equivalent of a notice of nonrenewal by the County; provided, however, that the County shall, at least 60 days prior to the next renewal date following the removal, serve a notice of nonrenewal as provided in Section 51245 of the Act (Government Code). Such notice of nonrenewal shall be recorded as provided in Section 51248 of the Act (Government Code).

Section 15. CONVEYANCE CONTRARY TO CONTRACT. Any conveyance, contract or authorization (whether oral or written) by the Owner or his successors in interest which would permit the use of the Premises or create a division of the Premises contrary to the terms of this Contract, or any renewal thereof may be declared void by the Board of Supervisors of the County; such declaration or the provisions of this Contract may be enforced by the County by an action filed in the Superior Court of the County for the purpose of compelling compliance or restraining a breach thereof.

Section 16. OWNER TO PROVIDE INFORMATION. The Owner, upon request of the County, shall provide information relating to the Owner's obligations under this Contract.

Section 17. NOTICE. Any notice given pursuant to this Contract may, in addition to any other method authorized by law, be given by United States mail, postage prepaid. Notice to the County shall be addressed as follows:

Clerk of the Board of Supervisors  
Room 306 County Administration Center  
1600 Pacific Highway  
San Diego, California 92101

Notice to the Owner shall be addressed as follows:

Mr. and Mrs. George H. Smith  
c/o Southern California First National Bank, Trust Dept.  
530 "B" Street

San Diego, California



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IN WITNESS WHEREOF, the Owner and the County have executed this Contract on the day first above written.

Approved and/or authorized by the Board  
of Supervisors of the County of San Diego

FEB 19 1974 #26

*Porter D. Cremann*  
Clerk of the Board of Supervisors

APPROVED AS TO FORM:  
ROBERT G. DENNEY  
County Counsel

By *John McEvoy*  
Deputy

*George H. Smith*  
George H. Smith

*Janet H. Smith*  
Janet H. Smith

Owner

COUNTY OF SAN DIEGO

*Porter D. Cremann*  
Clerk, Board of Supervisors

NOTE: All signatures of owners must be acknowledged before a notary public or public officer authorized to take acknowledgments.

STATE OF CALIFORNIA

COUNTY OF San Diego ss.On February 26, 1974

before me, the undersigned, a Notary Public in and for  
said State, personally appeared George H. Smith and Janet H. Smith

known to me to be the person s whose name s are

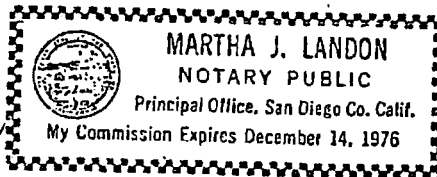
subscribed to the within instrument and acknowledged to me  
that they executed the same.

WITNESS my hand and official seal.

Signature

*Martha J. Landon*  
MARTHA J. LANDON

Name (Typed or Printed)



(This area for official notarial seal)

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LAST

The Northeast Quarter of the Southwest Quarter; the Northwest Quarter of the Southeast Quarter; that portion of the Northwest Quarter of the Southwest Quarter lying Easterly of the Westerly line of the Easterly 10 acres of said Northwest Quarter of the Southwest Quarter; and Lots 6 and 7 of Section 1, Township 13 South, Range 3 West, San Bernardino Base and Meridian, in the County of San Diego, State of California, according to the Official Plat thereof.

EXCEPTING from said Lots 6 and 7 of said Section 1 that portion thereof lying Easterly of the center line of the County Road, known as Road Survey No. 286, on file in the Office of the County Recorder of said San Diego County, said portion being described as follows:

ed Commencing at the Southeast corner of said Section 1; thence North 89°40'00"  
74 West, 24.40 feet; thence Northerly following the center line of the County  
201 Road to the intersection of the same with the Easterly line of said Section 1;  
thence South 00°22'00" East, 1407.41 feet to the point of commencement.

*Primary contract*

**EXHIBIT A**

(For use in Agricultural Preserve Zoned A-4)

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## EXHIBIT B

PINE HILLS -

BOULDER CREEKAgricultural Preserve No. 28

Section 1. In the above named Agricultural Preserve only the following uses are permitted:

## A. The following agricultural uses:

1. Agricultural crops.
2. Fruit trees, nut trees, vines and horticultural stock for producing trees, vines and other horticultural stock.
3. Flowers and vegetables.
4. The keeping of the following poultry and animals:
  - (a) Poultry, rabbits, chinchillas, hamsters, and other small animals.
  - (b) Horses as a private stable.
  - (c) Bovine animals, sheep, goats and swine as follows:
    - (1) On any premises having a net area of less than one and one-half (1-1/2) acres there may be kept a maximum of two (2) of any one or combination of said animals.
    - (2) On any premises having a net area of more than one and one-half (1-1/2) acres but not more than four (4) acres, there may be kept a maximum of eight (8) of any one or combination of said animals provided that the number of such animals shall not exceed one animal per half (1/2) acre of area.
    - (3) On any premises having a net area of more than four (4) acres such animals may be kept without limitation as to the number of animals.
5. Buildings and structures necessary and incidental to the agricultural use of the land. ✓



## B. The following compatible uses:

1. One-family dwellings incidental to the agricultural use of the land for the residence of the owner and his family or the lessee of the owner and the lessee's family. Owner or lessee shall be construed to include:
  - (a) Stockholders in a family corporation.
  - (b) Beneficiaries of family trusts and estates.
  - (c) Owners of individual interests in the fee.
2. The following accessory buildings and structures:  
Private garages, swimming pools, children's playhouses, radio and television receiving antennas, shops, offices, and other required for the conduct of the compatible uses as permitted by this section.
3. Guest houses for the sole use of persons employed on the premises or for temporary use by guests of the occupants of the premises. A guest house shall have no kitchen facility and shall not be rented or otherwise used as a separate dwelling.
4. Home occupations. Home occupation means an occupation customarily conducted entirely within a dwelling by the occupant of the dwelling as a secondary use in connection with which there is no display, no stock in trade or commodity sold upon the premises, and no person employed.
5. Processing for market of crops raised on premises, or on other property owned or leased by the processor.
6. One stand for the display and sale of only those products produced on the premises, or on other property owned or leased by the vendor; provided that it does not exceed an area of two-hundred (200) square feet, and is located not nearer than fifteen (15) feet to any street or highway.
7. Farm employee housing, exclusive of trailer coaches and mobilehomes.
8. Farm labor camps, exclusive of trailer coaches and mobilehomes, on premises having a net area of not less than 10 acres.

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9. The following signs:
  - (a) One (1) unlighted sign not larger than twelve (12) square feet in area pertaining only to the sale, lease or hire of only the particular building, property or premises upon which displayed.
  - (b) One (1) sign not larger than twelve (12) square feet in area identifying and advertising products produced on the premises.
  - (c) One (1) sign not larger than four (4) square feet in area identifying the premises as being associated with a trade organization, or as producing products under a registered trade name.
  - (d) One (1) name plate not exceeding two (2) square feet in area containing the name and occupation of the occupant of the premises.
10. The erection, construction, alteration or maintenance of gas, electric, water or communication utility facilities, unless the Board of Supervisors makes a finding after notice and hearing that any or all such facilities are not a compatible use.
11. The following uses, provided a special use permit authorizing such use is issued by the Planning Commission or Board of Supervisors of the County of San Diego. Such special use permit shall be applied for, considered, granted or denied in the manner prescribed by The Zoning Ordinance of the County of San Diego for the application for, consideration, granting or denying of applications for special use permits under that ordinance.
  - (a) Packing or processing plants for farm crops.
  - (b) Aviaries.
  - (c) The following farm employee housing and farm labor camps:
    - (1) Farm employee housing containing one or more trailer coaches or mobilehomes.
    - (2) Farm labor camps containing one or more trailer coaches or mobilehomes.
    - (3) Farm labor camps on premises having a net area of 10 acres or less.
  - (d) Public stables.
  - (e) Kennels.

1736

Any fee charged for the recreational use of land as defined herein shall be in a reasonable amount and shall not have the effect of unduly limiting its use by the public.

- D. The use or maintenance of the land within said agricultural preserve in such a manner as to preserve its natural characteristics, beauty and openness for the benefit and enjoyment of the public, to provide essential habitat for wildlife or for the solar evaporation of sea water in the course of salt production for commercial purposes is authorized and such use shall be defined as "Open Space Uses" if such land is within:
1. A scenic highway corridor, as defined in subdivision (i) of Section 51201, Government Code.
  2. A wildlife habitat area, as defined in subdivision (j) of Section 51201, Government Code.
  3. A saltpond, as defined in subdivision (k) of Section 51201, Government Code.
  4. A managed wetland area, as defined in subdivision (l) of Section 51201, Government Code.
  5. A submerged area, as defined in subdivision (m) of Section 51201, Government Code.

Section 2. Notwithstanding the provisions of Section 1, no dwelling guest house, farm employee housing or farm labor camp shall be constructed or maintained upon any premises containing an area of less than 160 acres; provided, however, one single family dwelling may be constructed and maintained on the premises subject to this Contract.

Section 3. Nothing herein shall be construed to authorize the establishment or continuation of a use of real property contrary in any provision of The Zoning Ordinance (Ordinance No. 1402 (New Series) of the County of San Diego) including any amendments thereto, heretofore or hereafter adopted.

Section 4. The premises subject to this Contract shall not be divided so as to create a parcel of land having an area of less than 160 acres, provided that this restriction shall not be construed as prohibiting the owner of premises having an area of more than 160 acres (hereinafter referred to as the Grantor) from conveying to the owner of contiguous premises subject to a Contract of equal or longer unexpired term a parcel containing less than 160 acres for the purpose of enlarging such contiguous premises where the remainder of the Grantor's premises after such conveyance has an area of not less than 160 acres.



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- (f) Chinchillas.
  - (g) Radio or television transmitter.
  - (h) Airport (landing strip).
  - (i) Livestock auction yard.
  - (j) Animal waste processing.
12. The establishment, widening, realignment or improvement of any road, street or highway, whether existing or planned for the future, depicted on the circulation element of the San Diego County General Plan including any amendment thereto heretofore adopted by the Board of Supervisors.
13. The location and construction of any improvements specified in Section 51238 of the Government Code when located or constructed by a public agency or public utility, unless the Board of Supervisors makes a finding pursuant to said Section 51238 that such improvements are not compatible uses.
- C. The following recreational uses, provided a special use permit authorizing such use is issued by the Planning Commission or Board of Supervisors of the County of San Diego. Such special use permit shall be applied for, considered, granted or denied in the manner prescribed by The Zoning Ordinance of the County of San Diego for the application for, consideration, granting or denying of applications for special use permits under that ordinance.
1. Use of land by the public, with or without charge, for any of the following:
- (a) Walking
  - (b) Hiking
  - (c) Picnicking
  - (d) Camping
  - (e) Swimming
  - (f) Boating
  - (g) Fishing
  - (h) Hunting
  - (i) Other outdoor games or sports for which facilities are provided for public participation.

1737

Section 5. "Area" means an area of land inclusive of that land within easements or rights of way for roads, streets and/or highways.

Section 6. Definitions. The definition of words set forth in The Zoning Ordinance of the County of San Diego shall apply to the words used herein unless otherwise specifically defined herein.

AGRICULTURAL PRESERVE No. 28

SIZE (acres) 37,640

**SECRET**

PUBLIC LANDS

### Prime Arterials

**●●●●●●●●●●**

Major Road

Collector Road

⑦

SAN DIEGO COUNTY CALIFORNIA

1' = 2 MILES

ADDITION JAN. 22, 1974

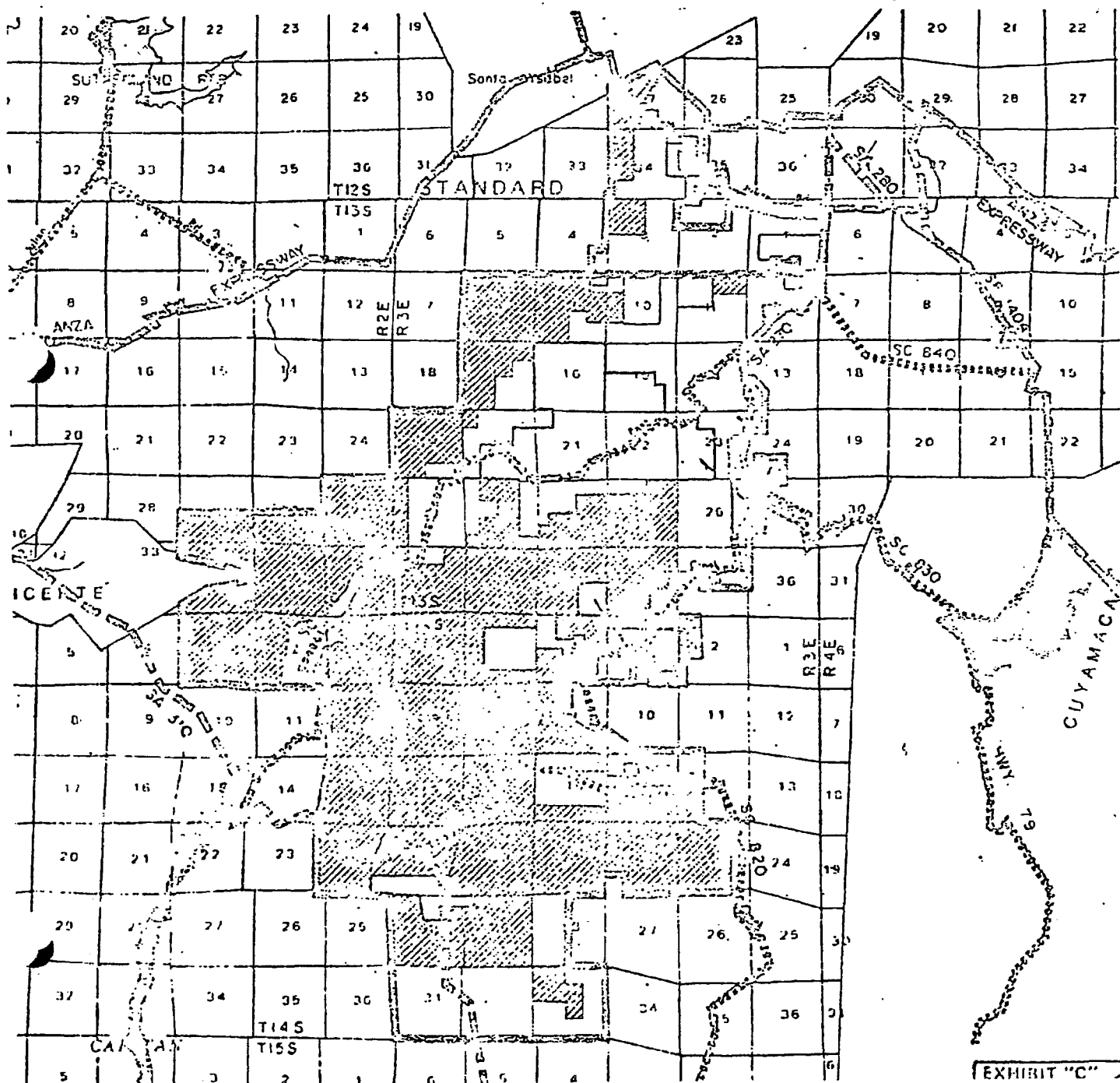


EXHIBIT "C"



FILE/PAGE NO. **74-052721**

BOOK 1974

RECORDED REQUEST OF

1739

County Board of Supervisors

MAR 19 58 AM '74

OFFICIAL RECORDS  
SAN DIEGO COUNTY, CALIF.  
HARLEY F. BLOOM  
RECORDER

NO FEE

#8

2185

When Recorded, Please Mail This  
Instrument to:

Clerk, Board of Supervisors  
San Diego County Administration Center  
1600 Pacific Highway  
San Diego, California 92101

SD-228416  
FILE/PAGE NO. \_\_\_\_\_  
BOOK 1899  
RECORDED REQUEST OF  
County of San Diego  
Department of General Services

JUL 21 1 32 PM '86

OFFICIAL RECORDS  
SAN DIEGO CO., CALIF.  
VERA L. LYLE  
RECORDER

NO FEE

SPACE ABOVE FOR RECORDER'S USE ONLY

# FIRST AMENDMENT TO LAND CONSERVATION CONTRACT (AP 80-01)

(Pine Hills-Boulder Creek Agricultural Preserve No. 28)

This First Amendment to that certain Land Conservation Contract made and entered into on the 19th day of February 1974, by and between Southern California First National Bank, a National Banking Association, Owner, and the County of San Diego, on file in the Office of the Board of Supervisors of the County of San Diego as Contract No. 7991-4900-A, and filed in the office of the San Diego County Recorder on March 1, 1974 as file/page No. 74-052719.

## WITNESSETH:

WHEREAS, the parties specified hereinabove entered into a Land Conservation Contract on the date above mentioned pursuant to the provisions of the Land Conservation Act of 1963 (Gov. Code, 51200 et seq.); and

WHEREAS, on the date of execution of this First Amendment to Land Conservation Contract, according to a Grant Deed recorded in the office of the San Diego County Recorder January 12, 1979 as file/page No. 79-019732, Gordon Pettit and Elsa Marston Pettit are the vested owners of a 160 acre portion of the property described in said Land Conservation Contract; said 160 acre portion being more particularly described in Exhibit "A" hereto and included herein; and

WHEREAS, as vested owners, Gordon Pettit and Elsa Marston Pettit are successors in interest to Southern California First National Bank and any and all interim owners of said 160 acres, as parties to said Land Conservation Contract; and

WHEREAS, Gordon Pettit and Elsa Marston Pettit desire to modify said Land Conservation Contract as it applies to said 160 acre portion to allow minimum ownership and minimum conveyances of 15 acres based upon a change in agricultural use from cattle breeding, which requires a minimum of 160 acres, to tree crops which requires a minimum of 15 acres; and

one owner w/  
Total 160 acres

Subdivide to  
15 acre lots  
in tree  
crops

th

FCC 00292

OFFICIAL RECORDS, SAN DIEGO COUNTY, VERA L. LYLE, RECORDER

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WHEREAS, the County of San Diego has no objection to such a modification in the belief that it would be in compliance with the terms of said Land Conservation Act of 1965 and in the best interest of the public, NOW THEREFORE,

IT IS AGREED by and between the Owner and the County as follows:

1. Section 2 of Exhibit "B" to said Land Conservation Contract is hereby amended to read as follows:

"Section 2. Notwithstanding the provisions of Section 1, no dwelling, guest house, farm employee housing or farm labor camp shall be constructed, erected or maintained upon any premises containing an area of less than 15 acres; provided, however, one single family dwelling may be constructed and maintained on the premises subject to this contract."

2. Section 4 of Exhibit "B" to said Land Conservation Contract is hereby amended to read as follows:

"Section 4. The premises subject to this Contract shall not be divided so as to create a parcel of land having an area of less than 15 acres, provided that this restriction shall not be construed as prohibiting the owner of premises having an area of more than 15 acres (hereinafter referred to as the Grantor) from conveying to the owner of contiguous premises subject to a Contract of equal or longer unexpired term a parcel containing less than 15 acres for the purpose of enlarging such contiguous premises where the remainder of the Grantor's premises after such conveyance has an area of not less than 15 acres."

3. Except as hereinabove amended and superseded, said Land Conservation Contract shall continue in full force and effect.

IN WITNESS WHEREOF, the Owner and the County have executed this First Amendment to Land Conservation Contract on the \_\_\_\_ day of \_\_\_\_\_, 1980.

OWNER

By

Gordon Pettit  
GORDON PETTIT

By

Elsa Marston Pettit  
ELSA MARSTON PETTIT

COUNTY OF SAN DIEGO

By

William L. Sullins, Acting Director  
WILLIAM L. SULLINS, Deputy Director  
Facility & Real Property Division  
Department of General Services

OFFICIAL RECORDS, SAN DIEGO COUNTY, VERA L. LYLE, RECORDER

FCC 00293



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AP 80-01

## EXHIBIT "A"

The Southwest Quarter of the Northeast Quarter; the Northwest Quarter of the Southeast Quarter; the Northeast Quarter of the Southwest Quarter and the Southeast Quarter of the Northwest Quarter all within Section 2, Township 13 South, Range 3 East, San Bernardino Base and Meridian in the County of San Diego, State of California according to official map.

OFFICIAL RECORDS, SAN DIEGO COUNTY, VERA L. LYLE, RECORDER

TO 401 C  
(Individuals)

STATE OF CALIFORNIA

COUNTY OF San DiegoOn July 15, 1980Before me, the undersigned a Notary Public in and for said State, personally appeared Gordon Pettit and Elsa Marston Pettit

STAPLE HERE

to the person whose name & age subscribed to the within instrument and acknowledged that executed the same.

WITNESS my hand and official seal.

Signature Carmen Erickson

Carmen Erickson

Name (Typed or Printed)



(This space for official notarial seal)

FCC 00294

When Recorded, Please Mail This  
Instrument to:

1820

Clerk, Board of Supervisors  
San Diego County Administration Center  
1600 Pacific Highway  
San Diego, California 92101

82-079614

RECORDED IN  
OFFICIAL RECORDS  
OF SAN DIEGO COUNTY, CALIF.

MAR 24 PM 1:15

VERA L. LYLE  
COUNTY RECORDER

RECORDED REQUEST OF  
DEPT. GENERAL SERVICES

SPACE ABOVE FOR RECORDER'S USE ONLY

NO FEE

## SECOND AMENDMENT TO LAND CONSERVATION CONTRACT (AP 81-17)

(Pine Hills-Boulder Creek Agricultural Preserve No. 28)

This Second Amendment to that certain Land Conservation Contract made and entered into on the 19th day of February 1974, by and between Southern California First National Bank, a National Banking Association, Owner, and the County of San Diego, on file in the Office of the Board of Supervisors of the County of San Diego as Contract No. 7991-4900-A, and filed in the office of the San Diego County Recorder on March 1, 1974, as file/page No. 74-052719.

## WITNESSETH:

WHEREAS, the parties specified hereinabove entered into a Land Conservation Contract on the date above mentioned pursuant to the provisions of the Land Conservation Act of 1965 (Gov. Code, 51200 et seq.); and

WHEREAS, on July 21, 1980, a First Amendment to said Land Conservation Contract was recorded in the office of the San Diego County Recorder as File/Page No. 80-228416. The purpose of the First Amendment was to allow minimum ownership and conveyances of 15 acres as applied to Parcel 2 of said Land Conservation Contract. Parcel 2 was sold to Gordon Pettit and Elsa Marston Pettit according to a Grant Deed recorded January 12, 1979, as file/page No. 79-019732 in the office of the San Diego County Recorder; and

WHEREAS, on the date of execution of this Second Amendment to Land Conservation Contract, Southern California First National Bank, now known as California 1st Bank, a California Banking Corporation, are the vested owners of Parcel 1 described in said Land Conservation Contract; said Parcel 1 being more particularly described in Exhibit "A" hereto and included herein; and

WHEREAS, California First Bank desires to modify said Land Conservation Contract as it applies to the land described in Exhibit "A" to allow minimum ownership and minimum conveyances of 40 acres based upon Board of Supervisors Resolution dated October 7, 1981 (No. 3) conforming the "Resolution Establishing Pine Hills-Boulder Creek Agricultural Preserve No. 28" to Board of Supervisors Policy I-38 which permits 40 acre minimum lot sizes for cattle breeding, the use made of said land under the Contract; and

WHEREAS, the County of San Diego has no objection to such a modification in the belief that it would be in compliance with the terms of said Land Conservation Act of 1965 and in the best interest of the public, NOW THEREFORE,

No 79614

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IT IS AGREED by and between the California 1st Bank and the County as follows:

1. Section 2 of Exhibit "B" to said Land Conservation Contract is hereby amended to read as follows:

"Section 2. Notwithstanding the provisions of Section 1, no dwelling, guest house, farm employee housing or farm labor camp shall be constructed, erected or maintained upon any premises containing an area of less than 40 acres; provided, however, one single family dwelling may be constructed and maintained on the premises subject to this contract."

2. Section 4 of Exhibit "B" to said Land Conservation Contract is hereby amended to read as follows:

"Section 4. The premises subject to this Contract shall not be divided so as to create a parcel of land having an area of less than 40 acres, provided that this restriction shall not be construed as prohibiting the owner of premises having an area of more than 40 acres (hereinafter referred to as the Grantor) from conveying to the owner of contiguous premises subject to a Contract of equal or longer unexpired term a parcel containing less than 40 acres for the purpose of enlarging such contiguous premises where the remainder of the Grantor's premises after such conveyance has an area of not less than 40 acres."

3. Except as hereinabove amended and superseded, said Land Conservation Contract shall continue in full force and effect.

IN WITNESS WHEREOF, the Owner and the County have executed this Second Amendment to Land Conservation Contract on the 16<sup>th</sup> day of March 19 82

CALIFORNIA 1ST BANK, OWNER

By H. L. Anderson

By Gene Mitchell

COUNTY OF SAN DIEGO

By Ralph W. Anderson

RALPH W. ANDERSON, Deputy Director  
Department of General Services  
Facility & Real Property Division

NO  
79614

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IT IS AGREED by and between the California 1st Bank and the County as follows:

1. Section 2 of Exhibit "B" to said Land Conservation Contract is hereby amended to read as follows:

"Section 2. Notwithstanding the provisions of Section 1, no dwelling, guest house, farm employee housing or farm labor camp shall be constructed, erected or maintained upon any premises containing an area of less than 40 acres; provided, however, one single family dwelling may be constructed and maintained on the premises subject to this contract."

2. Section 4 of Exhibit "B" to said Land Conservation Contract is hereby amended to read as follows:

"Section 4. The premises subject to this Contract shall not be divided so as to create a parcel of land having an area of less than 40 acres, provided that this restriction shall not be construed as prohibiting the owner of premises having an area of more than 40 acres (hereinafter referred to as the Grantor) from conveying to the owner of contiguous premises subject to a Contract of equal or longer unexpired term a parcel containing less than 40 acres for the purpose of enlarging such contiguous premises where the remainder of the Grantor's premises after such conveyance has an area of not less than 40

TO 1942 CA (9-74)  
(Corporation)

STATE OF CALIFORNIA

COUNTY OF SAN DIEGO } SS. 1822

On MARCH 16, 1982

State, personally appeared H. J. MAHER before me, the undersigned, a Notary Public in and for said

known to me to be the VICE President, and JANE MITCHELL

known to me to be the TRUST ADMINISTRATOR of the corporation that executed the within Instrument, known to me to be the persons who executed the within Instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors.

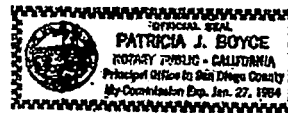
WITNESS my hand and official seal.

Signature Patricia J. Boyce  
PATRICIA J. BOYCE



rvation

Second



(This area for official notarial seal)

COUNTY OF SAN DIEGO

By

Ralph W. Anderson  
RALPH W. ANDERSON, Deputy Director  
Department of General Services  
Facility & Real Property Division

No 79614

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## EXHIBIT "A"

## PARCEL 1:

All of Section 1, Township 13 South, Range 3 East, San Bernardino Base and Meridian, in the County of San Diego, State of California.

EXCEPTING therefrom the Southeast Quarter of the Southwest quarter and the Southwest Quarter of the Southeast Quarter of said Section 1.

ALSO EXCEPTING from Lots 1, 2, 3 and 4 in said Section 1, that portion lying Northerly of the centerline of the public highway known as San Diego County Highway Commission Julian Road No. 3-B, according to Survey thereof, on file in the Office of the County Surveyor of said County.

ALSO EXCEPTING Lots 6 and 7 and the Northeast Quarter of the Southwest Quarter and the Northwest Quarter of the Southeast Quarter of said Section 1.

ALSO EXCEPTING that portion of the Northwest Quarter of the Southwest Quarter lying Easterly of the Westerly line of the Easterly 10 acres of said Northwest Quarter of the Southwest Quarter of said Section 1.

ALSO EXCEPTING from Lot 2 and the Southeast Quarter of the Northwest Quarter of said Section 1, that portion thereof conveyed by Mrs. Annie Crase and Mary A. Duffy to San Diego County by Deed dated November 29, 1889, and recorded in Book 153, Page 412 of Deeds, said excepted portion being more particularly described as follows:

A strip of land 40.00 feet wide, beginning at the County Road on Lot 2 in said Section 1 at a point between Lots 1 and 2 running thence South to the Half Section line, said road being along the line between Lot 2 and the Southeast Quarter of the Northwest Quarter on one side, Lot 1 and the Southwest Quarter of the Northwest Quarter of said Section 1 on the other side of the road, being on Lot 2 and the Southeast Quarter of the Northwest Quarter of said Section.

ALSO Lot 1, the Southeast Quarter of the Northeast Quarter, the East Half of the Southeast Quarter; the Southwest Quarter of the Southeast Quarter; the South Half of the Southwest Quarter; the Northwest Quarter of the Southwest Quarter; and the Southwest Quarter of the Northwest Quarter, all in Section 2, Township 13 South, Range 3 East, San Bernardino Base and Meridian, in the County of San Diego, State of California.

ALSO all of Section 3, Township 13 South, Range 3 East, San Bernardino Base and Meridian, in the County of San Diego, State of California.

EXCEPTING therefrom the Northwest Quarter of said Section 3.

ALSO, the Southeast Quarter of the Southeast Quarter of Section 4, Township 13 South, Range 3 East, San Bernardino Base and Meridian, in the County of San Diego, State of California.

No 79614

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ALSO, the Northeast Quarter of the Northeast Quarter of Section 9, Township 13 South, Range 3 East, San Bernardino Base and Meridian, in the County of San Diego, State of California.

ALSO, the Northwest Quarter of the Northwest Quarter; the East Half of the Northwest Quarter; the West Half of the Northeast Quarter; the Northwest Quarter of the Southeast Quarter; and the Northeast Quarter of the Southwest Quarter, all in Section 10, Township 13 South, Range 3 East, San Bernardino Base and Meridian, in the County of San Diego, State of California.

ALSO, the East Half of the Northwest Quarter, the West Half of the Northeast Quarter; the West Half of the Southeast Quarter; the Southeast Quarter of the Southwest Quarter; and the Southwest Quarter of the Southwest Quarter, all in Section 34, Township 12 South, Range 3 East, San Bernardino Base and Meridian, in the County of San Diego, State of California.

ALSO, the Southwest Quarter of the Southwest Quarter, EXCEPT the East 15.00 acres of the South Half thereof, in Section 35, Township 12 South, Range 3 East, San Bernardino Base and Meridian, in the County of San Diego, State of California, TOGETHER WITH that portion of the Southeast Quarter of the Southwest Quarter of Section 35, Township 12 South, Range 3 East, San Bernardino Meridian, described as follows:

Commencing at a point on the West line of said 40.00 acre Tract of land, 210.00 feet South of the Northwest corner thereof; thence South on said West line 450.00 feet to the South line of the Northwest Quarter of the Southeast Quarter of the Southwest Quarter of said Section 35; thence East along the South line of the Northwest Quarter of the Southeast Quarter of the Southwest Quarter of said Section, 56.00 feet; thence Northwesterly in a straight line to the point of commencement.

EXCEPTING from all of the above described property, that portion lying within the State Highway X1-SD-788, as described in Deed of the State of California, recorded November 26, 1946, in Book 2306, page 14 of Official Records.

ALSO, the Northwest Quarter of Section 11, Township 13, South, Range 3 East, San Bernardino Meridian, in the County of San Diego, State of California.

No  
79614

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## **Attachment J – Board of Supervisors' Policy I-38**

**COUNTY OF SAN DIEGO, CALIFORNIA**  
**BOARD OF SUPERVISORS POLICY**

**Subject**

Agricultural Preserves

**Policy  
Number**

I-38

**Page**

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**Purpose**

To set forth policies for the implementation of the California Land Conservation Act of 1965, the Williamson Act.

**Background**

In 1965 the State Legislature added to the Government Code Sections 51200 et. seq. which authorized the County to establish agricultural preserves. An agricultural preserve is an area devoted to either agricultural use, open space use, recreational use, or any combination of such uses, and compatible uses which are designated by the County. Preserves are established for the purpose of defining the boundaries of those areas within which the County will be willing to enter into contracts pursuant to the Act. Landowners within a preserve may enter into a Contract with the County to restrict their land to the uses stated above whereby the assessment on their land will be based on its restricted use rather than on its market value.

**Policy**

It is the policy of the Board of Supervisors that:

**1. CRITERIA FOR ESTABLISHMENT OF PRESERVES**

- a. **PUBLIC BENEFIT.** An agricultural preserve shall be created only when its establishment will be of benefit to the public.
- b. **ELIGIBLE AREAS.** Subject to the other requirements set forth in these criteria, applications shall be accepted from all geographical areas of the County. However, it is the intent of the Board of Supervisors to look more favorably upon applications for agricultural preserves for areas which are in the path of development. Areas in the path of development would include those areas designated as being within an urban land use classification in the General Plan or areas presently having such urban level services such as sewer and water or a reasonable expectation of having those services in the near future.
- c. **UNREASONABLE TAX BURDEN NOT CREATED.** The establishment of the agricultural preserve and consequent reduction in assessed value of land, if any, shall not place an unreasonable tax burden on other property owners. To assist in determining any possible tax burden, the Auditor and Controller prior to establishment of a preserve, shall make a study of the potential impact of the preserve on local taxing agencies and submit a report thereon to the Board of Supervisors.

**COUNTY OF SAN DIEGO, CALIFORNIA**  
**BOARD OF SUPERVISORS POLICY**

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d. **MINIMUM PRESERVE SIZE.** The minimum size of an agricultural preserve shall be 100 acres, provided that in order to meet this requirement the preserve may include two or more ownerships if they are contiguous. Consideration will be given to the establishment of smaller preserves where there are exceptional circumstances. Exceptional circumstances shall include those situations where smaller preserves are justified due to the unique characteristics of the agricultural enterprises of the County and where such preserves would be consistent with the County General Plan. The minimum size preserve to be considered under this provision shall be in accordance with the minimum ownership size specified in paragraph three below.

2. **HEARINGS PREREQUISITE TO ESTABLISHMENT.** Agriculture preserves shall be established by resolution of the Board of Supervisors. The same procedure shall apply to any proposal to expand boundaries of or to disestablish a preserve or to diminish the size of or otherwise remove all land from an agricultural preserve.

3. **MINIMUM OWNERSHIP SIZE.** The resolution authorizing each agricultural preserve shall prescribe minimum ownership sizes that landowners must meet to be eligible for a contract. For improved agricultural land and on which there may be a dwelling or dwellings, provided said dwellings are for the use of the immediate family or employees engaged in the agricultural production of the premises, the recommended minimum ownership size for the various agricultural activities are:

Grazing	80 acres
Dairy Farming	40 acres
Cattle Breeding	40 acres
Horse Breeding	40 acres
Poultry	10 acres
Dairies	20 acres
Tree Crops	10 acres
Truck Crops	10 acres
Flowers (Field)	10 acres
Flowers (Hothouse)	10 acres

For recreation use or open space the recommended minimum ownership size is 20 acres. Any of the above specified minimum acreages may be reduced when there are exceptional circumstances that warrant a reduction in the required areas. Ownerships existing at the time of establishment of a preserve shall be exempted from the foregoing minimum acreages.



**COUNTY OF SAN DIEGO, CALIFORNIA**  
**BOARD OF SUPERVISORS POLICY**

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4. ZONING REGULATIONS. Zoning regulations shall be applied to all lands included in agricultural preserve and shall permit only agricultural uses, open space use, recreational use and other uses determined to be compatible with such uses. The application of such zoning regulations shall be considered concurrently with any action to establish or expand an agricultural preserve so that both shall become effective simultaneously.

**5.CONTRACT CRITERIA**

a. ELIGIBLE LAND. To be eligible to file an application for an agricultural preserve and enter in a contract with the County an applicant must meet all the following criteria:

- (1) Own land which was subject to a density reduction as a result of the General Plan Update, adopted by the Board of Supervisors August 3, 2011
- (2) Own land which was sufficient in size to allow for subdivision when considering the density assigned by the applicable land use designation under the previous General Plan (that was in effect prior to August 3, 2011).
- (3) Own land devoted to agricultural use, open space use, as defined in subdivision (o), Section 51201 Government Code, recreational use, as defined in subdivision (n), Section 51201 Government Code, or combination thereof.
- (4) The owner must be willing to restrict the use of his/her land to the uses set forth in the standard contract form which is made part of the resolution establishing an agricultural preserve. Summary definitions of these uses are:
  - (a)Agricultural use means use of the land for the purpose of producing agricultural commodities for commercial purposes.
  - (b)Open space means the use of the land to preserve its natural characteristic beauty, or openness for the benefit of the public, if such land is in:
    - (i) A scenic highway corridor
    - (ii) A wildlife habitat
    - (iii) A saltpond
    - (iv) A managed wetland

**COUNTY OF SAN DIEGO, CALIFORNIA**  
**BOARD OF SUPERVISORS POLICY**

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(v) A submerged area

(c) Recreational use means the use of the land by the public with or without charge, for uses such as: walking, hiking, picnicking, camping, swimming, boating, fishing, hunting, or other outdoor games or sports. Any fee charged for recreational use of land shall be in a reasonable amount and shall not have the effect of unduly limiting its use by the public. Owners who file an application for the purpose of using their land for recreational use must apply for and obtain approval of a use permit in accordance with the County Zoning Ordinance.

b. ELIGIBLE OWNERSHIPS. To be eligible to enter into a contract with the County, an applicant must comply with the recommended minimum ownership size provisions of Section 3, above.

c. LIMITATION ON DIVISION OF LAND. Each contract shall contain a provision prohibiting an owner from dividing his/her land so as to create a parcel of land having a net area of less than a prescribed minimum to be determined by the Board of Supervisors. The Director of the Department of Planning and Development Services shall recommend a prescribed minimum in accordance with the minimums specified in Section 3, above, and in relation to the characteristic and use of the land.

d. NONCONFORMING USES TO BE ELIMINATED. All land in an agricultural preserve shall be used only for agricultural purposes for producing agricultural commodities, or for recreational or open space uses and uses compatible therewith. Any other uses which may have existed prior to the establishment of a preserve shall be treated as legal nonconforming uses as such uses are defined in the Zoning Ordinance, provided that any nonconforming use shall be eliminated from any land with respect to which a contract is executed, and such contract shall not be effective until such nonconforming use is eliminated.

e. TERM. The initial term of contract shall be for a minimum period of 10 years. An initial term of more than 10 years may be required by the Board of Supervisors for certain preserves where it is determined to be in the public interest. Also, an initial term of more than 10 years may be authorized by the Board upon request by a property owner.

f. AUTOMATIC RENEWAL. When the initial term of contract is for less than 20 years, beginning with the first day of January after the effective date of the contract, a year shall be added automatically to the initial term and on each succeeding anniversary thereafter unless or until a notice of non-renewal is given as provided below. When the initial term of contract is for 20 years or more, beginning with the

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**BOARD OF SUPERVISORS POLICY**

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anniversary date on which the contract will have an unexpired term of nine years, a year shall be added automatically to the initial term on each succeeding anniversary date thereafter unless or until a notice of nonrenewal is given as provided below.

g. NONRENEWAL. If either the owner or the County desires in any year not to renew the contract, the party shall serve written notice of non-renewal upon the other party in advance of the annual renewal date. A notice of non-renewal of a contract shall be given in the same manner as provided in Section 51245 of the Government Code, and such notice, whether by a property owner or the County, shall be recorded with the County Recorder by the Clerk of the Board of Supervisors prior to the January 1 renewal date.

**6.CANCELLATION OF CONTRACT**

A. MUTUAL CONSENT AND NECESSARY FINDINGS. An owner may petition the Board of Supervisors for cancellation of a contract as to all or any portion of the land which is subject to the contract, but the contract may not be canceled, in whole or in part, except by mutual agreement of the owner and County pursuant to Section 51282 of the Act (Government Code). The County may only consent to the cancellation of a contract, in whole or in part, when after a public hearing has been held in accordance with the provisions of Section 51284 of the Act (Government Code), the Board finds (1) that the cancellation is consistent with the purposes of the Act, or (2) that the cancellation is in the public interest. The cancellation is consistent with the purposes of the Act if all of the following findings are made:

1. A Notice of Nonrenewal (Government Code 51245) has been served.
2. Cancellation is not likely to result in the removal of adjacent lands from agricultural use.
3. Cancellation is for an alternative use which is consistent with the applicable provisions of the County General Plan.
4. Cancellation will not result in discontinuous patterns of urban development.
5. There is no proximate, non-contracted land which is both available and suitable for the same proposed use, or that the development of the contracted land would provide a more contiguous pattern of urban development than development of proximate, non-contracted land.

The cancellation is in the public interest only if the Board of Supervisors finds that other public concerns substantially outweigh the objectives of the Act and there is no

**COUNTY OF SAN DIEGO, CALIFORNIA**  
**BOARD OF SUPERVISORS POLICY**

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proximate non-contracted land which is both available and suitable for the proposed use or that the development of the contracted land would provide a more contiguous pattern of urban development than development of proximate non-contracted land.

A contract shall not be canceled until the hereinafter specified cancellation fee has been paid.

B. CANCELLATION FEE. In determining the State portion of the contract cancellation fee collected pursuant to Government Code 51283, the County Assessor shall determine the full cash value of the land as though it were free of the contractual restriction. The Assessor shall certify to the Board the cancellation valuation of the land for the purpose of determining the cancellation fee.

Prior to giving tentative approval to the cancellation of any contract, the Board shall determine and certify to the County Auditor the amount of the cancellation fee which the property owner must pay the County Treasurer. That fee shall be an amount equal to 12-1/2% of the cancellation valuation of the property.

The Board of Supervisors may waive said fee or portions thereof pursuant to Section 51283c of the Government Code.

#### 7. EMINENT DOMAIN

a. Except as provided in subdivision d. below, when any action in eminent domain for the condemnation of the fee title of an entire parcel of land subject to a contract is filed or when such land is acquired in lieu of eminent domain for a public improvement, the contract shall be deemed null and void as to the land actually being condemned or so acquired as of the date the action is filed and for the purposes of establishing the value of such land, the contract shall be deemed never to have existed.

b. Except as provided in subdivision d. below, when such an action to condemn or acquire less than all of a parcel of land subject to a contract is commenced the contract shall be deemed null and void as to the land actually condemned or acquired and shall be disregarded in the valuation process only as to the land actually being taken, unless the remaining land subject to the contract will be adversely affected by the condemnation, in which case the value of that damage shall be computed without regard to the contract.

c. The land actually taken shall be removed from the contract. Under no circumstances shall land be removed that is not actually taken, except as otherwise provided in the Act.



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d. The provisions of subdivisions a. and b. and the provisions of Section 51295 of the Act shall not apply to or have any force or effect with respect to (1) the filing of any action in eminent domain for the condemnation of any easement for the erection, construction, alteration, maintenance, or repair of any gas, electric water of communication facilities by any public agency or to the acquisition of any such easement by any public agency or (2) the filing of any action in eminent domain by any public agency for the condemnation of the fee title or lesser estate for the establishment, construction (including the widening and realignment) and maintenance of any road, street or highway, whether existing or planned for the future, depicted on the circulation element of the San Diego County General Plan adopted by said Board prior to the date of the contract, and in the event of the filing of any such action in eminent domain or acquisition the contract shall be considered in the valuation process.

**8. PROCESSING APPLICATIONS**

Any application filed pursuant to this policy shall be accompanied by a written statement disclosing the following information:

- a. The names of all persons having an interest in the application as well as the names of all persons having any ownership interest in the property involved.
- b. If any person identified pursuant to paragraph a. above is a corporation or partnership, the names of all persons owning more than 10% of the shares in the corporation or owning any partnership interest in the partnership.
- c. If any person identified pursuant to paragraph a. above is a non-profit organization or a trust, the names of any person serving as director of the non-profit organization or as trustee or beneficiary or trustor of the trust.

**9. APPLICATION FEES****a. ESTABLISHMENT OF PRESERVE**

The fee for filing an application for the establishment of an agricultural preserve consisting of a single ownership shall be as prescribed in a resolution adopted by the Board of Supervisors.

**b. INCLUSION WITHIN A PRESERVE BY EXTENSION OF PRESERVE BOUNDARIES**

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The fee for filing an application for extending the boundaries of an established agricultural preserve to include a single ownership, shall be as prescribed in a resolution adopted by the Board of Supervisors.

**c. APPLICATION FOR CONTRACT COVERING LAND INCLUDED WITHIN AN ESTABLISHED PRESERVE**

Where an owner has filed an application for establishment of his/her land as an agricultural preserve or for inclusion of such land in an agricultural preserve, the fee for such application shall be deemed to have included the fee for an application to enter into a contract covering such land. Where the owner of land which is included within an established agricultural preserve, but which is not covered by a contract makes application with the County to enter into a contract covering such ownership, the fee for filing such application shall be as prescribed by a resolution adopted by the Board of Supervisors.

**d. REFUND OF FEES**

(1) REFUND OF FEES UPON WITHDRAWAL OF APPLICATION. At any time prior to final action on any application filed pursuant to this policy the applicant by written request filed with the Planning Department, or with the Board of Supervisors may withdraw the application and terminate further consideration thereof. Where such written request has been filed and the application withdrawn, there shall be refunded to any applicant who paid a fee the total amount of such fee less any costs incurred by the County incidental to action or proposed action on the application, provided that where no hearing on the application has been set before the Board of Supervisors the amount refunded shall not be less than 50% of the fee.

(2) REFUND OF FEES UPON TERMINATION OF PROCESSING OF APPLICATION BY BOARD OF SUPERVISORS. Where the Board of Supervisors determines that processing of any application should be terminated in the public interest, it may order such processing terminated and may thereon refund to the applicant all or a portion of the fees paid for said application.

**e. ESTABLISHMENT OF TRUST FUND.** The Director of Planning and Development Services shall establish a trust fund, into which all fees received from applicants shall be deposited. Each such fee shall remain in the trust fund until one of the following events occurs: (1) the application is rejected; (2) the application is withdrawn; or (3) the application is heard by the Board of Supervisors. At that time, the Director of Planning and Development Services shall compute and pay from the

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trust fund any refund which is due to the applicant pursuant to paragraph 7.d, above.  
 The portion of the fee which is not refunded shall be transferred to the General Fund.

**10. APPLICATION TO REMOVE LAND FROM A PRESERVE**

If an owner of land in an agricultural preserve that is or is not subject to a contract wishes to remove his/her land from the preserve he/she must file an application. The same procedures shall be followed for the removal of land from the preserve that is followed for the enlargement of a preserve and in compliance with all provisions specified in the Act. The filing fee for such application shall be computed the same as paragraph 9.b above. However, if the owner is also making application for the reclassification of land to a different zone category the filing fee shall be waived in favor of the fee which is paid for the processing of the rezone application.

**11. EXECUTION OF CONTRACTS COVERING LAND INCLUDED WITHIN AN ESTABLISHED PRESERVE**

Where the owner of land which is included within an established agricultural preserve, but which is not covered by a contract, makes application with the County to enter into a contract covering such ownership, the contract will be processed by the Real Property Division. The Director of the Department of General Services is authorized to execute such contracts in the name of the County.

**Sunset Date**

This policy will be reviewed for continuance by 12-31-15.

**Board Action**

9-11-68 (5)

9-30-68 (61)

7-22-69 (143)

11-11-71 (6)

11-23-71 (10)

6-25-74 (116)

7-8-75 (59b)

7-19-77 (17)

8-2-77 (85)

10-19-77 (14)

8-15-78 (25)

4-14-82 (27)

12-15-82 (39), operative 3-1-83

10-8-86 (6)

8-22-89 (47)

6-22-05 (21)

12-09-08 (33)

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Board Actions (continued)  
09-28-2010 (17)

Resolution No. 10-178, temporarily suspends the Williamson Act/County Agricultural Preserve Program and applicable provisions of this Policy until September 28, 2015, or the date on which the Board of Supervisors acts to end the temporary suspension, whichever occurs earlier.

08-03-2011 (1)

Resolution No. 11-115 ends the temporary suspension authorized under Resolution No. 10-178 and establishes new contract criteria for participating in the program.

09-25-12 (11)

CAO Reference

1. Department of Planning and Development Services
2. Auditor and Controller
3. Assessor
4. Department of Agriculture, Weights and Measures
5. County Counsel
6. Department of General Services



## **Attachment K – Lot-by-Lot Analysis**

**Lot by Lot Analysis  
of the Agricultural Capacity  
of a 24-Lot Design  
for  
Hoskings Ranch  
TM 5312 RPL3  
Log No. 03-10-005**

<b>Prepared for:</b>	<b>County of San Diego Contact: Dennis Campbell 5510 Overland Avenue, Suite 310 San Diego, CA 92123</b>
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<b>Prepared by:</b>	<b>TRS Consultants 438 Camino del Rio South, Ste. 223 San Diego, CA 92108</b>

**March 2013**

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**TABLES**

<b>Table No.</b>	<b>Title</b>
Table 1-1	Summary of Areas, Soils, Topography and Agricultural Uses, by Lot

## ABBREVIATIONS

AMSL	Above Mean Sea Level	EW	Emergent Wetland
AUP	Agricultural Use Plan	FC	Field Capacity
AW	Available Water	FMMP	Farmland Mapping and Monitoring Program
CCH	Chamise Chapparal	FTB	Flat-Topped Buckwheat
CLO	Coast Live Oak Woodland	GP	General Plan
CSCS	Coastal Sage – Chapparal Scrub	gpm	gallons per minute
CSS	Diegan Coastal Sage Scrub	HmD	Holland fine sandy loam, 5 to 15 % slope
CtE	Crouch sandy loam, 5 to 30 % slope	HmE	Holland fine sandy loam, 15 to 30 % slope
CuE	Crouch rocky course sandy loam, 8 to 30 % slope	Hne	Holland stony fine sandy loam, 5 to 30 % slope
CuG	Crouch rocky course sandy loam, 30 to 70 % slope	HnG	Holland stony fine sandy loam, 30 to 60 % slope
DEV	Urban/Developed Habitat	JCPA	Julian Community Planning Area
DOC	California Department of Conservation	Lu	Loamy Alluvial Land
DPLU	Department of Planning and Land Use	MCBC	Mixed Oak/Coniferous/Bigcone/Coulter Woodland
DW	Disturbed Wetland	MM	Montane Meadow
ECA	Environmentally Constrained Area	MOW	Mixed Oak Woodland
EIR	Environmental Impact Report	NNG	Non-native Grassland
EOW	Engelmann Oak Woodland	NOP	Notice of Intent to Prepare an EIR
ERO	Environmental Resource Overlays	OW	Open Water
ETC	Evapotranspiration		

RIP	Riparian Scrub
RkC	Reiff fine sandy loam, 5 to 9% slope
SCLORF	Southern Coast Live Oak Riparian Forest
SMC	Southern Mixed Chapparal
SpG2	Sheephead rocky fine sandy loam, 30 to 65% slope
SWMP	Stormwater Management Plan
TM	Tentative Map

## SUMMARY

### S.1 Executive Summary

The 1,416.5-acre Hoskings Ranch was evaluated for potential agricultural sites on each of its 24 lots. The project proposes approximately 1,208.9 acres in a combined agricultural/biological open space suitable for cattle grazing/ breeding. Lot sizes range in size from 40 to 196 acres.

The project was examined for twelve constraints that can affect agricultural activity: archaeology, biology, climate, easements, fire clearing requirements, pad locations, roads and driveways, septic sites, slopes, soils, water availability, and wetlands. The absence of constraints in a given area defined that area as one where agriculture could be established. Sixteen of 24 lots are analyzed in greater detail. Scaled maps of these lots are used to show the location of agricultural areas in relation to the constraints listed above. A range of agricultural uses are considered. The analysis focuses on cattle grazing/breeding because this is the current and historic agricultural use on the site and because that is the activity explicitly allowed by the Williamson Act contract. Additional agricultural uses are reviewed, specifically orchards and vineyards.

Three constraints were evaluated for the site as a whole.

Water use was judged to not be a constraint due to several factors.

- The results of the hydrogeologic analysis demonstrated that wells recently drilled on the site meet County of San Diego requirements for minimum yields, indicating they can be relied upon to supply water. The analysis analyzed overall water use in the basin, and included a water use figure of 1.6 acre feet per year (afy) for grazing approximately 80 cattle on the site. In accordance with the County of San Diego Guidelines for Determining Significance – Groundwater Resources, storage cannot drop below 50 percent of maximum storage. The lowest percent of maximum groundwater in storage for the project with cattle grazing/breeding is estimated to be 56 percent. Based on the groundwater in storage calculations, the study area could sustain development and cattle grazing/breeding at maximum buildout under the historic GP and the current GP.
- Runoff is currently impounded on the site to water cattle. There are currently four ponds on the site for this purpose. The hydrogeologic study reviewed the source of water used for the four onsite ponds. All ponds use runoff rather than groundwater as a source of water. The area's relatively high rainfall (25.89 inches per year) provides a ready source of replenishment for onsite ponds.
- Water use for orchards or vineyards would be higher than for cattle. For example, water use for a vineyard is estimated to be 2.0 afy/acre. Some of the wells drilled on the site produced ample water for such activities, while others would be hard pressed to support extensive vineyards. These activities must be approached on a case by case basis by each lot owner.



Pesticide use was judged not to be a constraint because pesticide application is effectively regulated in San Diego County through the Department of Agriculture, Weights and Measures (AWM). For pesticide application near residences, for example, application will be restricted to hand sprayers and will not be permitted on windy days. An extensive open space area is proposed that preserves a 500 foot separation between on- and off-site uses.

Pesticide, herbicide, or fertilizer use onsite is also regulated by the United States Environmental Protection Agency (USEPA) and the California Department of Pesticide Regulation (DPR) to ensure their use does not degrade environmental resources and to protect public health and property. Prior to using any pesticide or herbicide, a permit for this use must be secured from the County Agricultural Commission. (California Code of Regulations, Title 3 §6420(a)). Prior to issuing any permit to use a pesticide or herbicide, the County Agricultural Commissioner must determine that issuance of the permit will not cause any substantial adverse environmental effect and has the authority to impose measures to ensure that no adverse impacts occur from the pesticide use. (§6432). Pest control operators must secure a license and pass an examination demonstrating their knowledge of pesticides and how to use them (§§6500 - 6504). Each person using a pesticide must use pest control equipment which is in good repair and safe, must perform all pest control in a careful and effective manner, and must exercise reasonable precautions to avoid contamination of the environment (§6600). Prior to using a pesticide, notice must be given of the use to persons on site, and the discharge of a pesticide onto a property without the consent of the owner or operator of that property is prohibited (§§6618, 6616). All pesticides must be properly labeled with detailed instructions for their use (§§6235 – 6243). Due to these pesticides restrictions and prohibitions, the future use of pesticides or herbicides onsite will not result in any significant impacts to onsite or offsite residents, or onsite or offsite properties.

Pads and septic systems were judged not to be a constraint on agriculture based on the current design because adequate area on each site is provided for agriculture. The agricultural areas are designed to flow through and around pads, integrating them into a functional design. As such, the project strikes a balance between agricultural use and preservation. In some cases, agriculture surrounds residential areas, while in others, residences and agriculture are removed from one another. Residences on individual lots would complement agricultural uses because the location of residences on agricultural land facilitates the small farm model prominent in San Diego County. Septic systems were deemed not to be a constraint to cattle grazing due to the low density of cattle anticipated for the site, which is approximately 17.7 acres per head. Septic areas would generally not be acceptable for orchards and vineyards. Due to the smaller area of cultivation attributed to these uses, ample area would remain on each lot for these activities.

The resulting analysis, presented below, identified acceptable agricultural areas on each of the 24 lots. The total area identified as suitable for grazing/cattle breeding is approximately 1,208.9 acres. The configurations shown on each lot are estimates and are not the only designs possible. For example, soils could dictate alternate uses or locations. Ultimate designs will vary according to the intentions of farm owners and a detailed onsite analysis of soils and other factors. Lot areas allocated to agricultural use were found to be consistent with the average farm size in San Diego County, which varies from between one and nine acres, with an average farm size of four acres.

The current report concludes that Hoskings Ranch could be subdivided into 40-acre minimum lots without detriment to the agricultural potential of the lots because ample area exists on all lots for a variety of agricultural activities.



## CHAPTER 1.0 PROJECT DESCRIPTION

### 1.1 Introduction

Hoskings Ranch is a 1,416.5-acre area located in central San Diego County approximately one mile southwest of the town of Julian. Its general location is shown in Figure 1, “Regional Location Map.” The majority of the property has been under a Williamson Act Contract for more than 30 years. The contract stipulates that any residences built on the property must be incidental to commercial agricultural use of the property. The contract was amended on March 24, 1982, to allow a minimum parcel size of 40 acres for cattle breeding. The amendment applied to 1,255.27 acres of the site. The remaining 161.23 acres were omitted from the contract modification and a 160-acre minimum lot size still applies to that area. It is proposed that the 161.23 acres be included under the Williamson Act contract with a 40-acre minimum lot size. The site currently supports cattle grazing/ breeding. The current owner has an application pending with the County to divide the property into parcels with a minimum area of 40 acres, consistent with the above-mentioned contract.

### 1.2 Background

The Hoskings Ranch (TM5213) proposed an agricultural subdivision consistent with the Williamson Act to the County of San Diego in May of 2003. In the course of preparing an Environmental Impact Report (EIR), the County of San Diego Department of Planning and Development Services (PDS), formerly Department of Planning and Land Use (DPLU) issued a Notice of Intent to Prepare an EIR (NOP). In responding to the NOP, the California Department of Conservation (DOC) expressed concerns that the proposed subdivision would create a situation in which residential use would not be incidental to the agricultural use of the property. The County then requested an Agricultural Use Plan (AUP) in order to ascertain the ‘incidental’ nature of any future residential uses.

An analysis was prepared that resulted in a report titled, “Agricultural Use Plan for Hoskings Ranch TM 5312 RPL, Log No. 03-10-005,” (AUP), dated March 2005. The plan studied the agricultural potential of the proposed subdivision, focusing on the climate, topography, and soils, as well as other agricultural variables that affect agricultural land use decision-making. A range of potential activities was presented that took into consideration the constraints of the site. The plan came to the conclusion that “commercial agricultural use with 40-acre minimum lots is feasible,” and that small-scale agricultural uses could be economically viable on the Hoskings Ranch.

Staff disagreed with the conclusions of the AUP and recommended denial of the project to the Planning Commission on July 14, 2006. The Commission concurred with staff, and the applicants appealed the decision to the Board of Supervisors. In a hearing on September 26, 2006, the Board disagreed with staff and unanimously directed staff to work with the applicant to move the project forward. On October 9, 2006, the project was brought before the Julian Planning Group, which supported it unanimously.

A scope of work was defined in response to Board direction to staff to provide a subsequent analysis, which was provided in a letter dated December 29, 2006. The study, *Hoskings*



*Ranch: The Physical and Market Benefits of Creating Agricultural Opportunities in the Julian Area*, completed in June 2007, analyzed both market conditions and individual lot characteristics for a 30-lot project. In a scoping letter dated August 20, 2007, County staff accepted the marketing portion of the study and asked for more information related to the agricultural potential on individual lots proposed for the subdivision.

A detailed review of relevant agricultural information was undertaken that encompassed the major constraints to agriculture on each lot. This entailed examination of eleven constraints, listed above. As a result of the analysis, the project was redesigned to improve the agricultural potential of lots in the central portion of the site, where constraints were found to be most limiting. The project scope was reduced from 30 to 28 lots. Lot lines in the central part of the site were also adjusted. Lot designs in the east and west were retained. The redesigned project was overlain on a series of constraints maps, and selected lots were subjected to a detailed analysis. The current document is an analysis of the agricultural potential of the redesigned project. The study was submitted in 2009 and staff issued a letter on July 31, 2009 which included a review of the technical aspects of the lot by lot analysis. This revision is responsive to those comments.

In 2011 the project was further reduced in size to 24 lots. Cattle grazing/breeding was also resumed on the site at that time.

## CHAPTER 2.0 PROJECT LOCATION, VISION AND DESIGN, AND PLANNING STATUS

### 2.1 Location

The project site is located approximately one mile southwest of the Julian town center within the Julian Community Planning Area (JCPA). The general site location can be found in *The Thomas Guide (2007) - San Diego County*, page 1135. Pine Hills Road provides the primary access to the site, while secondary access is provided from SR 78/79 to Hoskings Ranch Road to Daley Flat Road to Orinoco Drive. Figure 2, “USGS Quadrangle Map,” shows topographic features and major access points. Site topography ranges from relatively flat open land in the northeast near SR 78/79, to steep slopes in the central portion of the site. Moderately sloping land predominates in the west at Daley Flat. Elevations range from 3100 to 4200 feet AMSL.

The site is surrounded by undeveloped land, some of which is used for agricultural purposes. Cattle breeding/ grazing occur north, east, and south of the site. Apple orchards occur within a quarter of a mile of the site to the southeast. Vineyards are found within a mile of the site to the north. Other development in the area include the town of Julian, one mile to the northeast, and the residential community of Pine Hills a half mile south and east of Hoskings Ranch. Residences are common along Hoskings Ranch Road and SR-78/79 north of the site, and along Pine Hills Road on the east. Open land is evident on the north, south, and west, and steep slopes are evident along the south. Orinoco/Temescal Creek runs east to west along the southern boundary of the site. Figure 3, “Aerial Photograph,” provides a visual context for Hoskings Ranch.

### 2.2 Vision and Design

The vision for the project is to allow for continued cattle grazing and cattle breeding on the site. While the site will be divided into 24 house sites, continuation of the grazing operation is envisioned. Prospective lot owners will be made aware of the existing Williamson Act contract and the provision that a cessation of agriculture will require disengagement from contract benefits over a 10 year period. The joint grazing activity will also be disclosed. New owners will have the option to discontinue participation in grazing with appropriate notice, but they will be made aware that agriculture in some form is required on the site or they must opt out of the Williamson Act contract. Orchards and vineyards analyzed in this study demonstrate alternatives to cattle grazing/breeding, which might be available to future lot owners.

Key variables considered in developing the design are:

1. Each site should be able to participate in the grazing/cattle breeding activity
2. Home sites are considered an important adjunct to the small farm setting, which is a characteristic common to most small farms in San Diego County
3. Sufficient area should be provided on most lots to support a range of agricultural activities.

To achieve this vision, the project proposes the subdivision of Hoskings Ranch into 24 lots suitable for cattle breeding/grazing or another type of agricultural use. Figure 4A, “24-Lot Design,” shows the proposed project design. The minimum lot size is 40 acres and lots range in size from 40.0 to 196.02 acres. Average lot size is 59 acres. The project is accessed from two points on SR 78/79, the major roadway in the region, from Pine Hills Road on the east, and from Daley Flat Road on the northwest.

The project proposes several conditions designed to prevent significant environmental impacts to or from agriculture. These measures are:

1. Disclosure of the Williamson Act Contract to anyone leasing or buying a parcel in the project.
2. That grazing can occur in non-residential areas of the site. Homeowners can fence residential areas within the development area as desired. Cattle are expected to remain in areas where food is available and are not expected to damage sensitive areas of the site. Sensitive plant species and Orinoco Creek will be fenced to protect these resources from intrusions by cattle or people.
3. A site design that conforms to steep slope encroachment allowances of the Resource Protection Ordinance.
4. Project Compliance with the project’s Hydromodification and Storm Water Management Plans (SWMP), to control all aspects of runoff related to agricultural operations and residential use. Best Management Practices (BMPs) such as detention basins and Low Impact Development practices (LID) will be used to control runoff prior to it leaving the property.
5. Fencing will be used to keep grazing away from the onsite creek and wetlands.
6. A Construction Management Plan will be used to minimize construction dust and vehicle emissions.
7. A Resources Management Plan and a Conservation Grazing Management Plan will be provided and approved by the County and Wildlife Agencies. These plans will provide for the coordinated management of both agricultural and biological resources and will encourage collaboration and preservation of these two important resources.

### **2.3 Planning Status**

The project is designated (19) Intensive Agricultural in the County of San Diego Historic General Plan (HGP), which allows for one dwelling unit per 4, 8, or 20 acre lots based upon slope. The site is zoned A72, with an eight- (8-) acre minimum. The A72 Zone is an agricultural use type that accommodates residential uses. The (19) land use designation is intended to allow for the compatibility of residential and agricultural land uses. The project is subject to Agricultural Preserve No. 28 (February 19, 1974), and is currently under Williamson Act Contract. The contract was amended on March 24, 1982 to reduce the minimum lot size from 160 to 40 acres.

The *California Government Code* (Section 66474.4(b)(2)) states that 40 acres are presumed to be adequate for agricultural use, in the case where the land is not prime agricultural land. Subdivision into parcels with a minimum of 40 acres will enhance the potential for

agricultural production by creating 24 smaller-scale sites that could engage in cattle breeding or transition to more intensive activities such as orchards and vineyards.

Part of the site is subject to the Environmentally Constrained Areas (ECA) Regional Category of the HGP first because it is under Williamson Act Contract. Development in these areas, according to the General Plan, “should be preceded by thorough environmental review and implementation of appropriate measures to mitigate adverse impacts” (Regional Land Use Element, December 10, 2003, page II-12). The requirements of the ECA are a minimum parcel size of 40 acres; identification of resources responsible for the ECA designation; stabilization of flood-prone areas, or their preservation in open space; and designation of ECA areas on appropriate mapping. The project fulfills these requirements through project design.





### CHAPTER 3.0 ENVIRONMENTAL SETTING

The site is undeveloped and is characterized by rolling, open pasture in the north and steep slopes in the south. Elevations on the site range from 3,100 feet Above Mean Sea Level (AMSL) in the southwestern gorge to 4,200 feet AMSL on the knoll in the northeastern part of the site. Hoskings Ranch can be characterized as having three distinct areas. The eastern area is relatively flat to moderately sloping. Soils consist largely of the Crouch series, characterized by medium fertility and good drainage, and are deep to moderately deep. The central part of the site consists of moderately-sloped land along the northern boundary and steeply-sloped land in the south. This area supports mostly Holland series soils which are of medium to high fertility, are well-drained, and are moderately-deep to deep. The western third of the site is steeply-sloped in the north, dropping to Daley Flat, in the south, an area of open pasture, rolling hills and scattered moderate slopes. Daley Flat is cut by Orinoco Creek, which flows east to west. Daley Flat continues on the south side of the water course.

Sensitive resources are distributed throughout the site. Forty-five archaeological sites occur, from minor grinding sites to camp areas. All significant archaeological sites on the Hoskings Ranch have been identified and are preserved. Sensitive biological resources occur throughout the site. The eastern area is dominated by Non-Native Grassland (NNG), with Coast Live Oaks (CLO) and Mixed Oak Woodlands (MOW) scattered throughout. Large areas of sensitive Montane Meadow (MM) are found near the prominent onsite knoll and along the eastern boundary. The central area encompasses a large mix of habitats. Engelmann Oak Woodland (EOW) and CLO become much more common in this area. Flat Topped Buckwheat (FTB), Coastal Sage Scrub (CSS), Coastal Sage – Chaparral Scrub (CSCS), and Southern Mixed Chaparral (SMC) occur throughout. In the west, NNG again becomes more prominent in the middle elevations. SMC is common in the lower elevations while EOW continues to dominate higher elevations. Impacts to habitats have occurred over time. Grazing activity may have altered habitat in the Daley Flat area and in the northeast. The Cedar Fire of 2003 swept through the area and burned large areas of the site.

The climate is characterized by four moderate, distinct seasons. Cool Spring and Fall contrast with hot Summer days and cool nights. Winter snowfall is occasional between December and March. Rainfall averages 25.89 inches, generated in the area of the west-facing mountains to the north, where moist sea-borne moisture is trapped by desert high pressure systems, resulting in high levels of rainfall. Average annual high and low temperatures are 70.8° F and 41.7° F, respectively. Average January high and low temperatures are 55.6° F and 34.5° F, respectively. Average July high and low temperatures are 90.1° F and 53.0° F, respectively.



## CHAPTER 4.0 SCREENING LEVEL ANALYSIS

### 4.1 Basic Findings

Agriculture can occur on all 24 lots. The site is primarily suitable for cattle grazing/breeding, but other types of agriculture can be pursued. Table 1, “Summary of Areas, Soils, Topography, and Agricultural Uses, by Lot,” tabulates data for each lot.

### 4.2 Methodology

The analysis used colored slope maps to isolate the flattest parts of the site (areas of 0 to 15 percent slope). These areas became the focus of the agricultural design. Some steeper areas were eventually included for continuity and to minimize habitat impacts. Each agricultural area was evaluated in terms of twelve constraints discussed below.

In the course of developing the first lot by lot analysis, review of slope, soil, biological, and wetland overlays revealed that not all lots proposed initially could sustain agriculture. The project was redesigned by combining and reconfiguring lots in the constrained central portion of the site. The redesign maintained the road network previously proposed. Some access roads were eliminated or shortened as pads were eliminated, and pads were generally pulled back toward the main project roadway.

In this iteration, the cattle grazing/breeding area was redesigned to be minimally restricted. The result is to allow for more agricultural area and less fragmentation of the agricultural areas from lot to lot. An additional review of topography and soils was undertaken to better define some of the variables used in the analysis.

### 4.3 Constraints

The areas shown take into account factors relevant to defining an agricultural use: archaeology, biology, climate, easements, fire clearing requirements, pad locations, roads and driveways, septic sites, slopes, soils, water availability, and wetlands. Each is summarized below. Slopes, soils, climate, and water resources are discussed first, followed by an alphabetical listing of the remaining variables:

1. *Slopes:* A slope analysis map was used as a basis for isolating the most viable agricultural areas. Relatively flat areas (0 to 15 percent slope) were the primary focus for identifying agricultural lands. In some cases these areas were expanded to include steeper slopes (generally 15 to 25 percent slopes) to provide continuity and account for a range of agricultural uses. Isolated steeper slopes (25 to 50 percent) are included to avoid habitat fragmentation, simplify boundaries, allow for buffers to biological areas, or to take advantage of particularly favorable soils. Areas suitable for vineyards generally encompass areas of 0 to 15 percent slope, but include some steeper areas where other conditions such as soil and slope orientation are ideal. The lot design on a slope map is shown in Figures 5 through 7, focusing on the east, central, and west parts of the site respectively.”



2. *Soils:* The soils on the Hoskings Ranch site have been mapped by the USDA Soils Conservation Service. Overlays provided by the California Farmland Mapping and Monitoring Program (FMMP) are used to isolate Prime Soils and Soils of Statewide Importance. Soils are classified into distinct categories based on a range of characteristics including slope, soil depth, permeability, fertility, elevation and expected rainfall. Soils found on Hosking Ranch are discussed in more detail in Appendix A. While the soil classification system is a general guide, soil boundaries are not precise. For example, soil series may include pockets of other soils which have different characteristics. Site-specific soils analysis is essential in determining the area's suitability for a crop. Finally, local conditions will vary from the broad generalizations in the soils analysis, which by definition takes into account soils found over entire regions. The lot design on a soils map is shown in Figure 4B, "Project on Soils Map," page 31. The site supports three types of soil on 250.2 acres that are classified as Prime Soils or Soils of Statewide Importance by the California Department of Conservation. These are Holland fine sandy loam, 5 to 15 percent slope (HmD), Loamy Alluvial Land (Lu), and Reiff fine sandy loam, 5 to 9 percent slope (RkC), and are indicated on Figure 4B. An effort has been made to preserve these soils in agricultural areas. Specific preservation and impacts are discussed in the lot by lot analysis. The majority of the site (1,166.2 acres or 82 percent) consists of less important types of soils. Soil types are shown on Figures 5 through 7.
3. *Climate:* General climate characteristics for Julian have been discussed above. Soils classification incorporates some general climate constraints, such as frost-free days, rainfall, and general elevation. Local climate is instrumental in defining the potential for some crops. For example, even though citrus and avocado are supported on RkG soils, a review of climate data indicates that Hoskings Ranch is too cold for these crops.
4. *Water Resources:* It is expected that farmers will make use of water rights in their decisions to use groundwater resources. Test wells have been drilled at Hoskings Ranch that produced an average yield of three gallons per minute (gpm). Yields varied from 1.5 to 40 gallons per minute (gpm). All of the pump-tested wells were capable of producing at least 3 gpm as required by the County of San Diego Groundwater Ordinance. While three gallons per minute is a modest rate, water can be pumped into holding tanks or catchment basins for use later.

The annual average precipitation in Julian is approximately 25 inches. Recharge is a significant source of water on the ranch that can be used to irrigate or water stock. Total recharge on the ranch has been calculated at approximately 705 acre feet of water over the entire site, with 303 acre feet falling on relatively flat or moderately sloping land, where possible agricultural areas are concentrated. The capacity of onsite soils to hold moisture varies, but holding capacity in many soils common on the site varies from 3 to 9.5 inches. Additional capacity can be created on individual lots by use of catchment features.

Several of the common soils on the ranch have been evaluated as needing little or no irrigation based on the USDA Soil Survey assessment that takes into account rainfall. Holland fine sandy loam, 5 to 15 percent slopes (HmD) and Crouch sandy loam, 5 to 30

percent slopes, occur within agriculture areas on several lots. This is because the soil survey takes into account the general amount of rainfall that is expected for a given soil type. Specific experience will vary with the area and crop type. Mike Menghini, of Menghini Winery, confirmed in an interview that the irrigation requirements for his vineyard and orchard are minimal, amounting to approximately three acre feet per year.

5. *Existing Easements:* No agricultural use is proposed where easements prohibit agricultural activity. Eighteen easements exist on the Hoskings Ranch site and were taken into account. Most of them provide for private right of access at a single location. Some are related to access for utility maintenance and flood control purposes. Still others are open space easements created to protect sensitive resources. Environmental Resources Overlays (EROs) occur in several locations. These were generally created prior to the availability of open space programs in the County of San Diego for the protection of a range of sensitive resources and other uses. The reader is referred to Figure 4A, “24-Lot Design,” for the location of easements.
6. *Biology:* “Open range” grazing/cattle breeding is proposed over the site. Cattle are expected to graze in areas where their natural foods occur, such as Non-native grasslands. These areas tend not to be harmed by cattle grazing when the overall number of cattle is controlled. Research supporting this type of use is provided in the biology report for the project. Sensitive areas of the site will be fenced to keep cattle from damaging those resources. These areas will include Orinoco/Temescal Creek, and locations of sensitive plants that are on the protected species lists of either the California Department of Fish and Game or the U.S. Fish and Wildlife Service. Biological and topographic data are shown on Figures 8 through 10, covering the east, central, and west parts of the site, respectively.

Mitigation for project impacts is proposed in the form of open space protection for sensitive biological resources. Grazing/breeding will be permitted in the open space areas but other activities such as structures and clearing will be prohibited.

7. *Archaeological Sites:* Forty-five significant or potentially significant archaeological sites have been identified on the site as the result of an extensive archaeological survey by a County-qualified archaeologist. The project archaeologist has designed buffers around these sites. These sites are generally compatible with cattle grazing/breeding according to the archaeologist. However, no residences, septic systems, or agricultural plantings are proposed in these areas.
8. *Septic Locations:* *Septic system placement* has been designed by a registered civil engineer. Areas of approximately 10,000 square feet have been proposed. Slope, soil, and proximity to water were taken into account in evaluating the suitability of septic systems. Agricultural uses have not been excluded from septic areas. The compatibility of a proposed use should be determined on a case by case basis. Low density cattle grazing over septic areas is allowed, while orchards and vineyards are precluded.

9. *Fire Clearing and Limited Building Zones:* A fire clearing area of 100 feet has been provided around pads in accordance with current fire code regulations. Pad-specific clearing requirements have been developed in the fire protection plan that will limit the types of vegetation that can be planted within it. Cattle grazing and breeding were not excluded from fire clearing areas because grazing can help control vegetation and therefore diminish fire danger. Other uses such as orchards would have to be irrigated within fire clearing areas.

A Limited Building Zone (LBZ) of 100' has been located along open space boundaries and development areas. The LBZ restricts the types of structures that can be located within it. The LBZ will not function as a restriction on grazing, orchards or vineyards.

10. *Pesticide Use:* Agricultural operations using hazardous materials in excess of 55 gallons of liquid, 500 pounds of solid, or 200 cubic feet of gas, or which have on hand extremely hazardous chemicals above the threshold quantity, must register with the County of San Diego Agriculture Department of Weights and Measures (AWM), which maintains a database of pesticide use on County properties. Application methods using hand sprayers and booms can be effective for limited acreages. Aerial spraying would not be an effective method over large parts of the site due to the wide variation in topography. This method can be barred from use on Hoskings Ranch. The Environmental Protection Agency (EPA) and other agencies work with pesticide manufacturers to provide pesticide users with guidelines that help to minimize drift. General guidelines for manual pesticide application include using low drift nozzles, settings for larger droplet sizes, and limiting use to conditions when wind speeds are below 10 miles per hour. Furthermore, the California Code of Regulations (Title 3.Food and Agriculture) Division 6. Pesticides and Pest Control Operations describes other requirements for applying pesticides such as buffer zones, signage to warn against trespassing during application periods, prior notification to surrounding residents prior to pesticide application, and requirements that depend on soil types. In the event pesticides, herbicides, or fertilizer are used on-site in the future, this use is regulated by the United States Environmental Protection Agency (USEPA) and the California Department of Pesticide Regulation (DPR) to ensure their use does not degrade environmental resources and to protect public health and property. Prior to using any pesticide or herbicide a permit for this use must be secured from the County Agricultural Commission. (California Code of Regulations, Title 3 §6420(a)). Prior to issuing any permit to use a pesticide or herbicide, the County Agricultural Commissioner must determine that issuance of the permit will not cause any substantial adverse environmental effect and has the authority to impose measures to ensure that no adverse impacts occur from the pesticide use. (§6432). Pest control operators must secure a license and pass an examination demonstrating their knowledge of pesticides and how to use them. (§§6500 - 6504). Each person using a pesticide must use pest control equipment which is in good repair and safe, perform all pest control in a careful and effective manner and exercise reasonable precautions to avoid contamination of the environment. (§6600). Prior to using a pesticide notice must be given of the use to persons on site and the discharge of a pesticide onto a property without the consent of the owner or operator of that property is prohibited. (§§6618, 6616). All pesticides must be properly labeled with detailed instructions for their use. (§§6235 – 6243). Due to these

pesticides restrictions and prohibitions the future use of pesticides or herbicides on-site will not result in any significant impacts to off-site residents or off-site properties.

Given the policies in place for control of pesticides, and the ability to control application methods, pesticide use should not be a constraint to agriculture, where residences are nearby.



## CHAPTER 5.0 DETAILED LOT ANALYSIS

Seventeen lots are individually analyzed as requested by the County in their scoping letter dated December 23, 2011. Figure 4A, “24-Lot Design” shows pad locations and easements. Figure 4B, “Prime Soils on Site,” shows the location of Prime Soils and Soils of Statewide Importance on the site. Figures 5 through 7 show “Slope Analysis and Soil Types on 24-Lot Design” for the east, central, and west parts of the site respectively. Figures 8 through 10 show “Biology and Topo on 24-Lot Design,” for the east, central, and west parts of the site respectively.

### 5.1 Lot 5

Lot 5 encompasses 49.8 acres, the bulk of which is suitable for agriculture. Figure 5 shows the lot with an overlay of soils and slope categories. Figure 8 shows the biological resources and topography on the lot.

The lot is well suited for grazing and orchards. The lot consists predominantly of areas in the 0 to 15 percent slope category. Two soil types exist on Lot 5, Crouch sandy loam, 5 to 30 percent slopes (CtE) and Crouch rocky coarse sandy loam, 5 to 30 percent slopes (CuE). These soils are suitable for range, with some areas on lower slopes used for apple and pear orchards. Surface layer soils range in depth to about 30 inches, and depth to weathered rock is 48 to 60 inches. Soil fertility is medium and available water holding capacity is 4.5 to 7.5 inches. There are small easements in the northeast corner of the site that will not interfere with grazing.

Sensitive biological resources consist predominantly of Non-Native Grassland (NNG) and Coast Live Oak Woodland (CLO). Smaller areas of Montane Meadow (MM), Mixed Oak Woodland (MOW) and are present in small patches along the periphery of the lot. Grazing and orchards are most probable in NNG areas, avoiding the more sensitive habitats on the site in the southeast corner where Resource Protection Ordinance (RPO) wetlands are located..

Lot 5 has direct access onto Pine Hills Road, an advantage for operations focused on agri-tourism and u-pick opportunities. Access points can be established which are adjacent to relatively flat, straight portions of the road and would avoid sensitive habitats.

Lot 5 has excellent prospects for agriculture due to the availability of extensive flat areas of the site, suitable soils, and ready access to markets via Pine Hills Road.

### 5.2 Lot 6

Lot 6 encompasses 46.07 acres, the bulk of which is suitable for agriculture. Figure 5 shows the lot with an overlay of soils and slope categories while Figure 8 shows the biological resources and open space on the lot. Figure 4B shows Prime Soils on the lot.

The lot consists predominantly of areas in the 0 to 15 percent slope category, with scattered areas in the 15 to 25 percent category. Three soil types are found on Lot 6: Crouch sandy loam, 5 to 30 percent slopes (CtE), Crouch rocky coarse sandy loam, 5 to 30 percent slopes

(CuE), and Loamy Alluvial Land (Lu). These first two soil types are suitable for range, with some areas on lower slopes used for apple and pear orchards. Surface layer soils range in depth to about 30 inches, and depth to weathered rock is 48 to 60 inches. Soil fertility is medium and available water holding capacity is 4.5 to 7.5 inches. Lu fertility is medium to high with approximately 6 to 9 inches of moisture available in the 60 inches of effective rooting depth. This soil is typically used for range and pasture. Loamy Alluvial Land is a Prime Soil according to the California Farmland Mapping and monitoring Program (FMMP). The project design utilizes most of this soil type for agriculture. See Figure 5. There are no existing easements on the lot.

Sensitive biological resources consist predominantly of NNG, CLO, and MM. Grazing and orchards are most probable in NNG and CLO, avoiding the more sensitive habitats on the site in the east-central part of the lot where Resource Protection Ordinance (RPO) wetlands are located.

Lot 6 has direct access onto Tenaya Road, the project's main road. The nearest exit point will be Pine Hills Road.

Lot 6 has excellent prospects for agriculture due to the availability of extensive flat areas of the site, suitable soils, and ready access to markets via Pine Hills Road.

### **5.3 Lot 9**

Lot 9 encompasses 40.2 acres, approximately half of which is suitable for agriculture. The lot is shown on Figures 5 and 8 in more detail. Figure 4B shows Prime Soils on the lot.

Slopes on this lot are mixed, with predominantly shallow slopes (0 to 15 percent). Three soil types occur on the site: Crouch sandy loam, 5 to 30 percent slopes (CtE) and Crouch rocky coarse sandy loam, 5 to 30 percent slopes (CuE), and Loamy Alluvial Land (Lu).

Agricultural areas are located in all three soils categories. CtE and CuE have a fertility that is medium with moderate permeability. Loamy Alluvial Land fertility is medium to high with approximately 6 to 9 inches of moisture available in the 60 inches of effective rooting depth. This soil is typically used for range and pasture. These lands were formerly wet meadows but were drained and are now seldom saturated, although winter overflow can be a hazard. Loamy Alluvial Land soils are Prime Farmland Soils according to the FMMP. Most of the Lu soils are located within a wetland area that can be used for grazing.

Sensitive resource constraints consist of archaeology and biological habitats that are primarily NNG, MOW, and MM. Southern Coast Live Oak Riparian Forest (SCLORF) extends northeast to southwest in the eastern part of the site. This area will be fenced to protect riparian resources. The agricultural areas are focused in areas of NNG FTB, and MM. The lot has direct access to the main project road and frontage along the road is relatively flat.

#### 5.4 Lot 12

Lot 12 encompasses 40.9 acres, of which approximately 15.1 acres are suitable for agriculture. The reader is referred to Figure 6 for an overlay of Lot 12 on slope categories and soil types. Figure 9 details biological resources and topography.

The agricultural area is moderately to steeply-sloped, with slopes in the 0 to 25 percent range located in the north central and southeastern part of the site. Steep slopes on the lot are associated with the descent toward Orinoco Creek to the south. Three soil types are present on this lot. The proposed agricultural area contains the Holland Series soils exclusively: Holland stony fine sandy loam, 5 to 30 percent slopes (HnE), and Holland stony fine sandy loam, 30 to 60 percent slopes (HnG). Fertility for both is medium. Both areas are stony fine sandy loam, with varying portions of stone and cobblestone, with between 40 and 60 inches of surface and sub-soil. HnE areas are suitable for pear or apple orchards on a selective basis. HnG areas are good for range, recreation, and wildlife habitat. The third soil type, Crouch rocky coarse sandy loam, 30 to 70 percent slopes (CuG), is located in the southern part of the lot. No agricultural areas are associated with this soil type.

Biological habitats on the site consist predominantly of FTB and CLOW. Englemann Oak Woodland (EOW) is prominent in the west, while NNG is found along the lot's boundary with the main project road. MOW and Southern Mixed Chaparral (SMC) occur on the periphery of the lot.

Proposed agricultural areas in Lot 12 have been focused in the northern areas of the lot where slopes are less pronounced. These areas consist of CLO, and EOW. Riparian habitat has been avoided entirely, based on a review of the wetland delineation carried out for the project.. Lot 12 has direct access to Orinoco Drive, and proposed agricultural areas run adjacent to the road. An environmental resource overlay crosses the lot in the south. No agriculture is anticipated in this area due to its steepness.

#### 5.5 Lot 13

Lot 13 consists of 67.1 acres, approximately a quarter of which are suitable for agriculture. The reader is referred to Figure 6 for an overlay onto slopes and soils, and Figure 9 for an overlay onto biology and topography.

Slopes on the lot are predominantly in the 25 percent or steeper category, with the southernmost area of the lot dropping steeply to Orinoco/Temescal Creek. Slopes in the 0 to 25 percent range are located in the north of the site.

This lot supports HnE, HnG, CuG, and Sheephead rocky fine sandy loam, 30 to 65 percent Slopes, eroded (SpG2) soils. HnE areas are suitable for pear or apple orchards on a selective basis and are otherwise suitable for range, recreational areas, and wildlife habitat. HnG areas are usually steep to very steep with medium fertility. Water holding capacity is 2.5 to 3 inches. It is good for range, recreation, and wildlife habitat. The third soil type, Crouch rocky coarse sandy loam, 30 to 70 percent slopes (CuG), is located in the southern part of the lot. Suitable for range, recreation or wildlife habitat, no agricultural areas are associated with this

soil type. SpG2 soil is associated with steep slopes and consists of well drained shallow fine sandy loams. These soils are used for limited range, wildlife habitat, and watershed.

Biological habitats on the site consist predominantly of CLO and EOW. NNG is found along the lot's boundary with the main project road. FTB and Diegan Coastal Sage Scrub (CSS) also occur in this northern area. Habitats in the south consist of Chamise Chaparral (CCH), Southern Mixed chaparral (SMC), MOW and Southern Coast Live Oak Riparian Forset (SCLORF). This southern area is very steep and no agriculture is anticipated in these habitats. An environmental resource overlay crosses the lot in the south. No agriculture is anticipated in this re due to its steepness.

A residential pad is shown in the north central part of the site where slopes range from 0-25 percent. Agriculture on this lot would occur in this vicinity and on the slopes north of the pad where NNG is located, as well as to the east and south where EOW is located.

### **5.6 Lot 14**

Lot 14 consists of 40.2 acres. Most of the lot is suitable for agriculture. The reader is referred to Figures 6 and 9 for detailed site characteristics. Figure 4B shows Prime Soils on the lot.

Slopes on the lot are predominantly in the 0 to 15 percent category, with the eastern-most area of the lot consisting of slopes in the 25 to 50 percent range

This lot supports Holland fine sandy loam, 5 to 15 percent slopes (HmD) and HnE soils. These soil types can support a wide range of crops including orchard crops similar to those that are currently grown in the Julian area. HmD is a Prime Soil and with the exception of the main access road, is preserved for agricultural use by this design. The HmD area north and south of Orinoco Drive is particularly well suited for vineyards due to its south facing slopes. HnE is selectively suitable for orchards, and is mainly used for range, recreation, or wildlife areas. Grazing/cattle breeding is suitable throughout the site.

Biological habitats on the site consist predominantly of NNG, EOW, and FTB. A catchment pond is also located on the lot. Grazing is expected in the NNG and EOW areas predominantly. An access easement runs along the eastern boundary of the lot that is not expected to interfere with agricultural activity.

The two general agricultural areas are immediately north and south of Orinoco Drive, which provides ready access to markets.

Lot 14 is an excellent location for agricultural activity, due to its favorable soils, flat to gentle slopes, and slope orientation.

### **5.7 Lot 15**

Lot 15 consists of 40.1 acres, of which approximately a quarter are suitable for agriculture. The reader is referred to Figures 6 and 9 for detailed site characteristics.



The agricultural area is moderately to steeply-sloped, with slopes in the 0 to 25 percent range located in the north and southeastern part of the site. Steep slopes on the lot are associated with the descent toward Orinoco Creek to the south. This lot consists of HnE and SpG2 soils. As mentioned previously, HnE soils are selectively suitable for orchards and often support rangeland.

Biological habitats on the site consist predominantly of EOW, FTB, CLO, and CCH. Grazing is expected in the EOW and CLO in the north and central part of the site. An access easement runs along the eastern boundary of the lot that is not expected to interfere with agricultural activity. A small environmental resource overlay area in the southwest is located on very steep slopes and will not be used for agriculture.

### **5.8 Lot 16**

Lot 16 consists of 69.5 acres, of which approximately 20 percent are suitable for agriculture. The reader is referred to Figures 6 and 9 for detailed site characteristics.

The agricultural area is moderately to steeply-sloped, with slopes in the 0 to 25 percent range located in the north and southeastern part of the site. Steep slopes on the lot are associated with the descent toward Orinoco Creek to the south. This lot consists of HnE and SpG2 soils. As mentioned previously, HnE soils are selectively suitable for orchards and often support rangeland. The HnE soils are located on the less steep slopes of the site. SpG2 soils are associated with the steep slopes of the Orinoco/Temescal Creek Gorge and are not planned for agricultural use.

Biological habitats on the site consist predominantly of EOW, FTB, and CLO in the north and MOW, SMC, and SCLORF in the south. Grazing is expected in the EOW and CLO in the north while habitats in the south will not be used due to the steep slopes there. An environmental resource overlay area encompasses the southern two thirds of the lot. It is located on very steep slopes and will not be used for agriculture.

### **5.9 Lot 17**

Lot 17 encompasses 40.1 acres, of which approximately three quarters are suitable for agriculture. The reader is referred to Figures 6 and 9 for detailed site characteristics. Figure 4B shows Prime Soils on the lot.

The agricultural area on Lot 17 falls into two slope types. Areas on the east are generally 0 to 25 percent slope while areas north and northwest are 15 to 50 percent slope.

Four soil types are present: predominantly the site supports HnG soil in the north and HnE soil in the south. Small areas of HnE and HmD soils occur on the north side of Orinoco Drive. Most of the agricultural area is located on the HnG and HnE soil types. HnG soils are on steep slopes here and are 20 to 32 inches deep. Fertility is medium. HnE soil typically contains up to 12 inches of loam, with sub-layers of clay, clay loam, and sandy loam. Available water capacity ranges from 0.13 to 0.16 inches per inch of soil present. This soil is used for apple and pear orchards, range, and recreation.

Several easements exist on the lot, or are proposed for the protection of sensitive resources. Agriculture has been excluded from these areas.

Sensitive resource constraints consist of archaeology as well as biological habitats such as EOW, CLO, and NNG. Grazing can occur throughout the site, while orchards or vineyards would best be selectively located, to minimize impacts to oaks.

#### **5.10 Lot 18**

Lot 18 encompasses 43.3 acres, approximately half of which are suitable for agriculture. The reader is referred to Figures 6 and 9 for details of site characteristics. Figure 4B shows Prime Soils on the lot. Agricultural areas are located primarily in the 0 to 50 percent slope range is a series of rolling hillsides that slope down to the Orinoco/Temescal Creek area. The agricultural area would be focused in the north and north central areaa, in areas containing HnE soils.

Biological habitats consist of EOW, FTB, CLO, and SMC. A strip of SCLORF follows a drainage from north to southeast across much of the lot. Grazing can take place throughout the site, with the exception of the SCLRf areas, which will be protected as a biological resource. A residence should be located on the flatter areas of the site on the west. Orchards or vineyards would best be located to minimize impacts to oaks.

One easement exists in the central part of Lot 18. Agriculture will be excluded from this area.

#### **5.11 Lot 19**

Lot 19 encompasses 77.2 acres, of which approximately 20 percent is suitable for agriculture. The reader is referred to Figures 6 and 9 for details of site characteristics.

Soil types on the site are predominantly SpG2, with the northern area consisting of HnE soils. Sheephead rocky fine sandy loam, 30 to 65 percent slopes, eroded soils are steep with rocks over approximately 10 percent of the area. Soils occur in two layers, with a surface of typically 6 to 16 inches, while the underlying stratum is from 14 to 48 inches in depth. Gravel, stone, or coarse fragments occur in both layers. Fertility is low, permeability is moderately rapid, and water-holding capacity is 2 to 3 inches. The most fertile part of the soil is the sub-surface layer and rooting depth is 20 to 55 inches. Runoff is rapid to very rapid, and the erosion hazard is high to very high. This soil is best used for range, preserved wildlife habitat, and watershed. The agricultural area encompasses moderate to steep slopes, ranging from 0 to 50 percent, with most of the agricultural area located along the top and upper slopes of a long plateau extending south toward the creek.

Biological habitats on the lot are, from north to south, EOW, SMC, CCH, and Coastal Sage-Chaparral Scrub (CSCS). Areas most compatible with grazing are the EOW, while orchard areas could extend along the plateau toward the south.

### **5.12 Lot 20**

Lot 20 encompasses 43.7 acres, approximately a third of which is suitable for agriculture. The reader is referred to Figures 6 and 9 for details of site characteristics. Figure 4B shows the location of Prime Soils on the lot.

The proposed agricultural area has been focused in the northern part of the site where slopes are moderate, ranging from 0 to 25 percent with some areas in the 25 to 50 percent category. Most of the site on the south is too steep for grazing or orchards. Three soil types are present on this lot: HmD is located in the northwest, HnE is located in the northeast, and SpG2 encompasses most of the site from approximately the pad area south. HmD soils are typically 23 to 50 inches deep. Crop types include vineyards, apple and pear orchards, range, and recreational uses. This is a Prime Soil and all of it will be available for agriculture. SpG2 is generally suitable for range, watershed, and wildlife habitat.

Biological resources consist of NNG, EOW, and CCH. Grazing can take place in the NNG and EOW areas, while orchards could be focused on the NNG areas. A sliver to the adjoining open space easement is located along the southeast boundary of the site. No agriculture is planned for this area. The lot does not have access to the main project road.

### **5.13 Lot 21**

Lot 21 consists of 196.0 acres, approximately two thirds of which are suitable for agriculture. The reader is referred to Figures 6, 7, 9 and 10 for details of site characteristics. Figure 4B shows the location of Prime Soils on the site.

Slopes on the lot vary widely. Northern areas consist predominantly of 15 to 50 percent slopes with some 0 to 15 percent slopes present. A central band of steep slopes separates the north and south areas of the site. The southern area is at a lower elevation in an area known as Daley Flat. This area is characterized by flatter land in the 0 to 15 percent slope category and is ideal for grazing.

Lot 21 supports four soils types: From north to south they are HnE, HmD, SpG2, Reiff sandy Loam, 5 to 9 percent slope (RkC), Lu and HnG. Holland fine sandy loam, 5 to 15 percent slopes soils occur in the northern tip of the lot and across the broad flat plain of Daley Flat. Holland fine sandy loam, 5 to 15 percent slopes soils are typically 23 to 50 inches deep. Crop types include vineyards, apple and pear orchards, range, and recreational uses. This is a Prime Soil and all of it will be available for agriculture with the exception of the pad area and an existing open space easement in the north and the creek area in the south, which will be set aside as a biological resource. Reiff fine sandy loam (RkC) soils are moderately-sloping, with slow to medium runoff and little erosion hazard. The surface soils are fine sandy loam, sandy loam, or loam in texture, and range from 9 to 19 inches in thickness. Secondary and tertiary layers can extend up to 60 inches. This soil is suitable for a wide range of crops, vineyards being the most relevant to Hoskings Ranch. Some crops, such as citrus, are precluded due to the elevation and low temperatures expected in winter. Dry farming is common on this soil type. This is also a Prime Soil and all of it will be available for agriculture with the exception of wetland areas. Loamy Alluvial Land (Lu) areas will be available for agriculture with the exception of the area along Orinoco/Temescal Creek.

Sheephead rocky fine sandy loam (SpG2) is located in a small area in the southwest part of the site. SpG2 crops are restricted to range, watershed, and wildlife habitat.

Sensitive habitats consist of extensive areas of NNG and EOW in the north, and areas of CCH, SMC, CLO, MOW, and NNG in the south. SCLORF occurs in the creek area and will be excluded from grazing or cultivation. The agricultural areas would encompass largely NNG habitat, with areas of EOW, CLO, and MOW.

#### **5.14 Lot 22**

Lot 22 consists of 41.4 acres and approximately a third of the lot is suitable for agriculture. The reader is referred to Figures 6 and 9 for details of site characteristics. Figure 4B depicts the location of Prime Soils on the site.

Lot 22 is relatively flat with rolling hills, with steeper slopes along the western boundary. Lot 22 supports three soils types: HnE soils are located near the east and north boundaries. Most of this lot is composed of HmD soils. Crop types include vineyards, apple and pear orchards, range, and recreational uses. There is a small are of SpG2 soils in the south west. HmD is a Prime Soil and the majority of this soil will be available for agriculture. Exceptions are the wetland areas and the pad for Lot 22.

Sensitive habitats consist largely of NNG and EOW, with isolated RPO wetland areas in the center and south central parts of the lot. Prime agricultural resources on the site are the NNG, the flat lands on the east half of the lot, and the EOW (for grazing). Wetland areas and existing open space easements will exclude agriculture.

#### **5.15 Lot 23**

Lot 23 encompasses 155.6 acres and approximately two thirds of the site is suitable for agriculture. The reader is referred to Figures 7 and 10 for detailed characteristics of the lot. Figure 4B shows the location of Prime Soils on the site.

The agricultural area encompasses flat to moderate slopes, ranging from 0 to 25 percent located in a small area in the northeast and a very large relatively flat area on the south. Two soil types are present: Holland fine sandy loam, 5 to 15 percent slopes (HmD), and Sheephead rocky fine sandy loam, 30 to 65 percent slopes (SpG2). Holland fine sandy loam, 5 to 15 percent slopes soil, as noted above, is typically 23 to 50 inches deep. Crop types include vineyards, apple and pear orchards, range, and recreational uses. This is a Prime Soil and all of it will be available for agriculture in the south. In the north, some HmD areas will be limited by a house pad. Sheephead rocky fine sandy loam, 30 to 65 percent slopes soils are steep with rocks over approximately 10 percent of the area. Soils occur in two layers, with a surface of typically 6 to 16 inches, while the underlying stratum is from 14 to 48 inches in depth. Gravel, stone, or coarse fragments occur in both layers. Fertility is low, permeability is moderately rapid, and water-holding capacity is 2 to 3 inches. The most fertile part of the soil is the sub-surface layer. Rooting depth is 20 to 55 inches. Runoff is rapid to very rapid, and the erosion hazard is high to very high. This soil is used for range and preserving wildlife habitat, and the watershed.



Sensitive-resources include, from east to west, EOW, CSS, CCH, NNG, SMC, MOW, and CLO. Biological habitats where grazing would take place consist of NNG and EOW predominantly. The lot does not have access to the main project road, and u-pick operations would not be feasible.

#### **5.16 Lot 24**

Lot 24 encompasses 84.8 acres and approximately a third of the site would be available for agriculture. The reader is referred to Figures 7 and 10 for detailed characteristics of the lot. Figure 4B shows the location of Prime Soils on the site.

The lot consists generally of steep slopes, with the 25 to 50 percent slope range the most common. Flatter areas in the 0 to 15 percent range encompass the south central and south eastern parts of the lot.

Two soil types are present: HmD, a Prime Soil, is located over the eastern most third of the lot. The remainder is SpG2, HmD soils will be impacted by a house pad, but extensive areas will remain available for grazing, orchards, or vineyards.

Sensitive resource constraints include biological habitats from east to west consisting of EOW, NNG, CSS, CLO, SMC, and CCH. An area of SCLORF follows the flow of a stream north to south. Agriculture would be focused in the HmD areas on the east, and in the upper Daley Flat areas, where slopes are minimal to moderate. Habitats in these areas consist of EOW, NNG, and CLO, as well as some SMC. The lot does not have access to the main project road, and u-pick operations would not be feasible.



## **CHAPTER 6.0 CONCLUSION**

Hoskings Ranch was evaluated for the potential for establishing agriculture on each of its 24 proposed lots. Agricultural sites were tested on each lot against a range of constraints, as discussed above, and were modified accordingly. The purpose of the analysis was to determine if some type of agriculture was feasible on certain lots within the project.

Residences, fire clearing, and septic systems on each lot were taken into account. Other constraints were considered such as biological resources, slopes, soils, and existing easements. The analysis then discussed the remaining areas that might be used for agriculture.

The analysis concluded that a range of agricultural uses can be supported on each site. All sites were found to be able to support cattle grazing/breeding. Planting of orchards and vineyards is also widely supported, though not suitable for all lots. Direct marketing opportunities such as u-pick operations also exist. Other configurations are possible, and would await a lot-specific examination by a future lot owner to be more clearly defined, and to demonstrate enough lot area existed on each lot, even when these uses are considered.





**CHAPTER 7.0 REFERENCES**

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*A Biological Resources Survey Report for the Hoskings Ranch Project TM 5312*, Vincent N. Scheidt, July 2004

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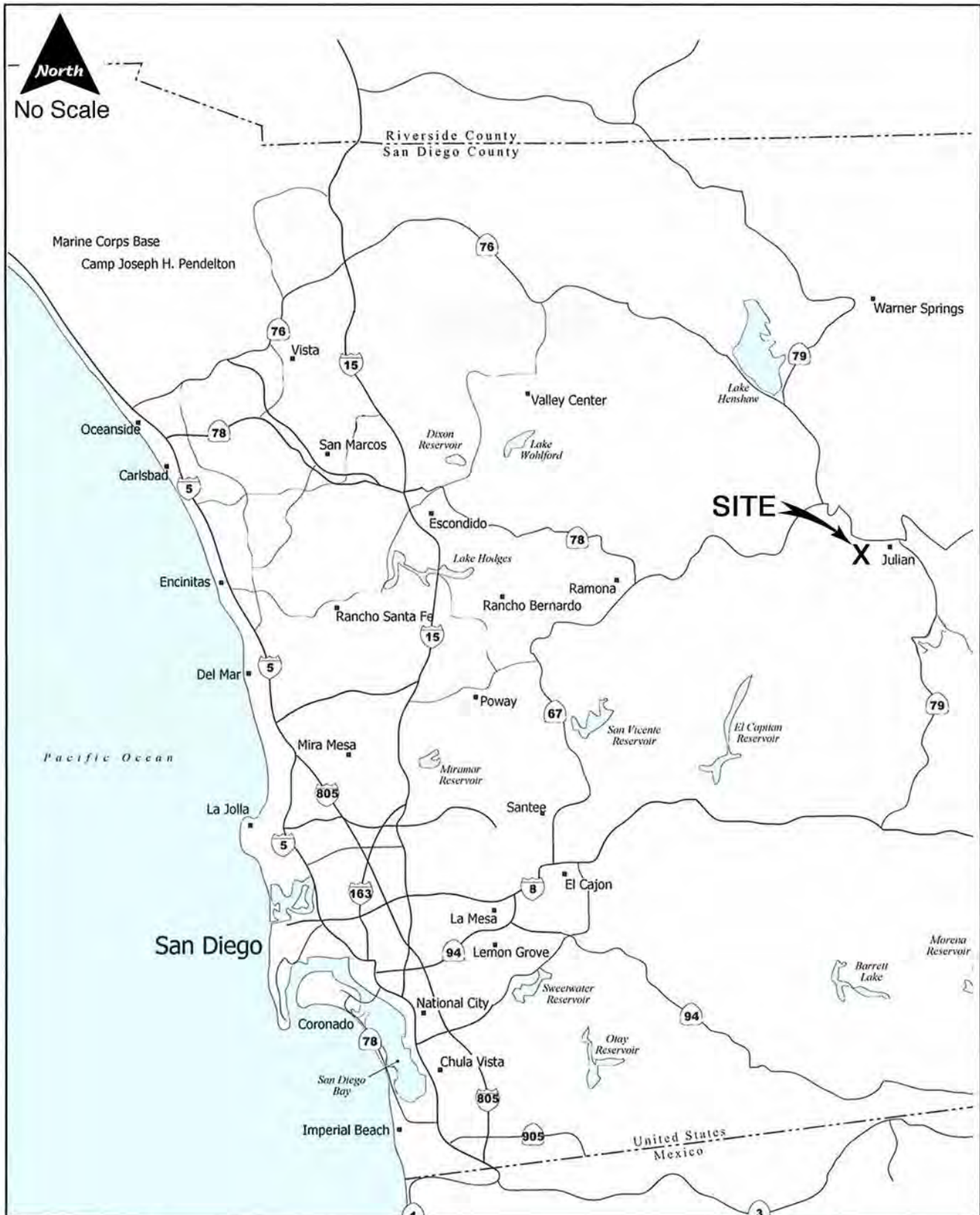
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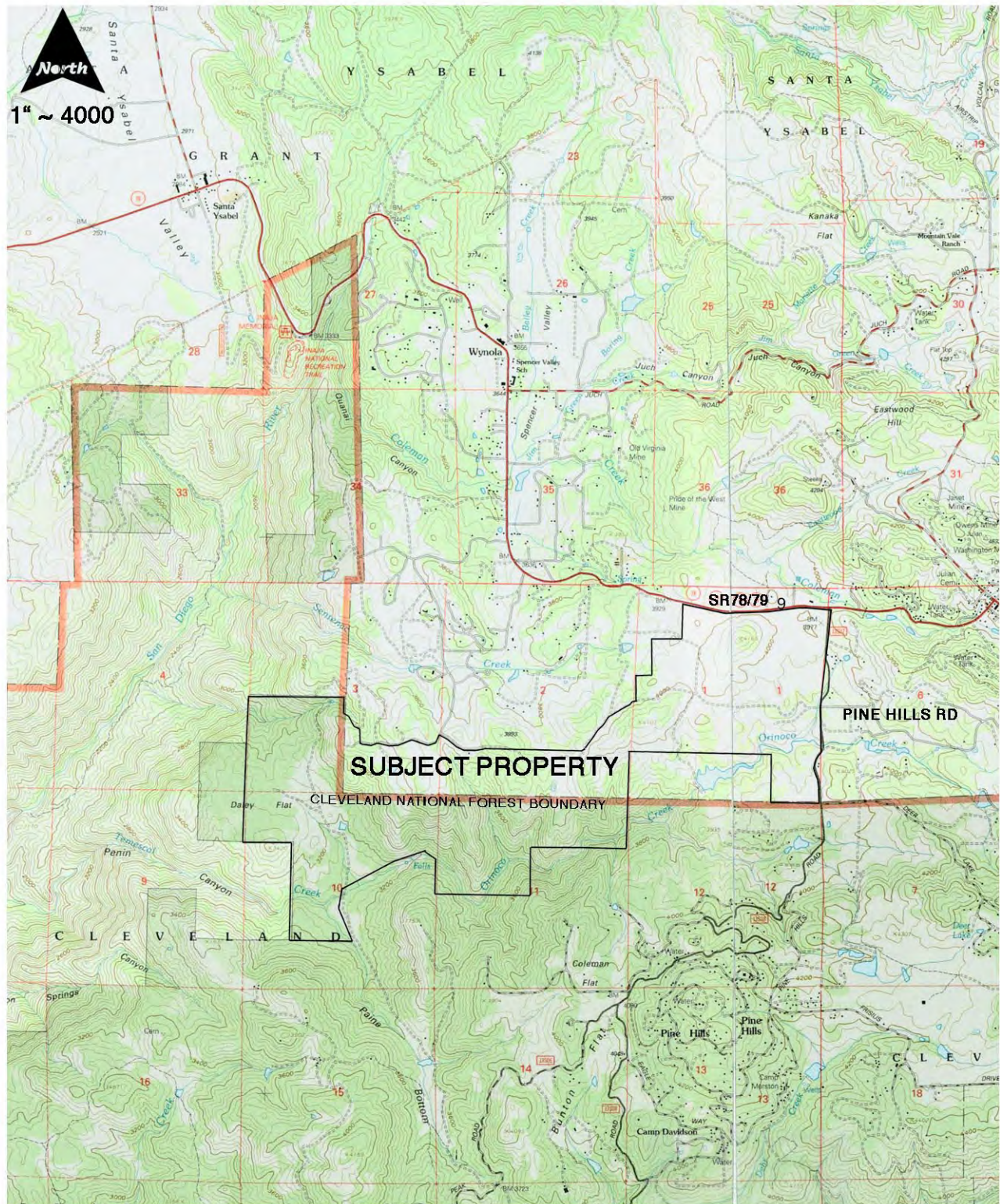
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*Soil Survey, San Diego Area, California, Part II*, United States Department of Agriculture Soil Conservation Service and Forest Service in cooperation with University of California Agricultural Experiment Station, United States Department of the Interior, Bureau of Indian Affairs, Department of the Navy, United States Marine Corps, December 1973.









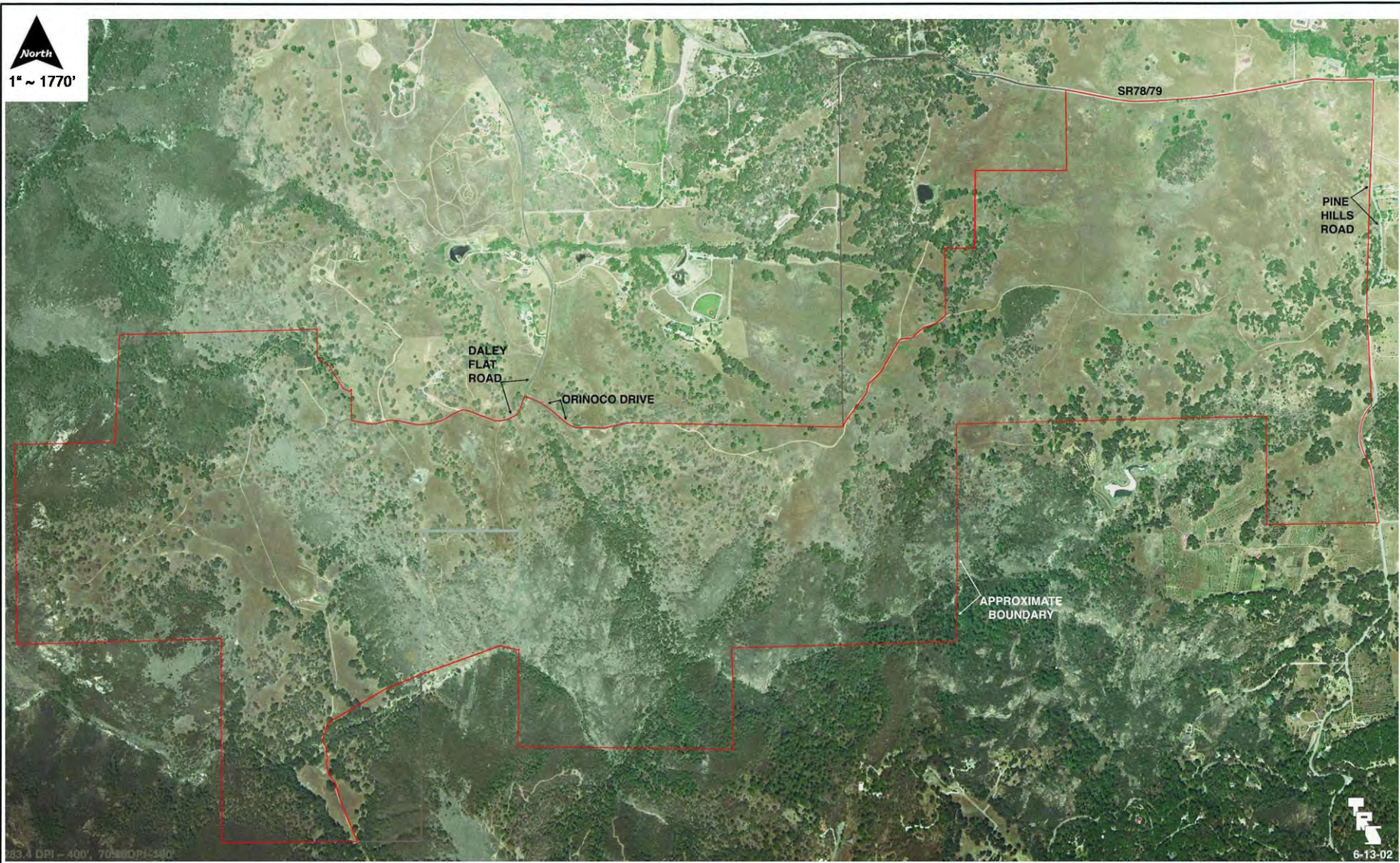


Figure  
3

Aerial Photograph

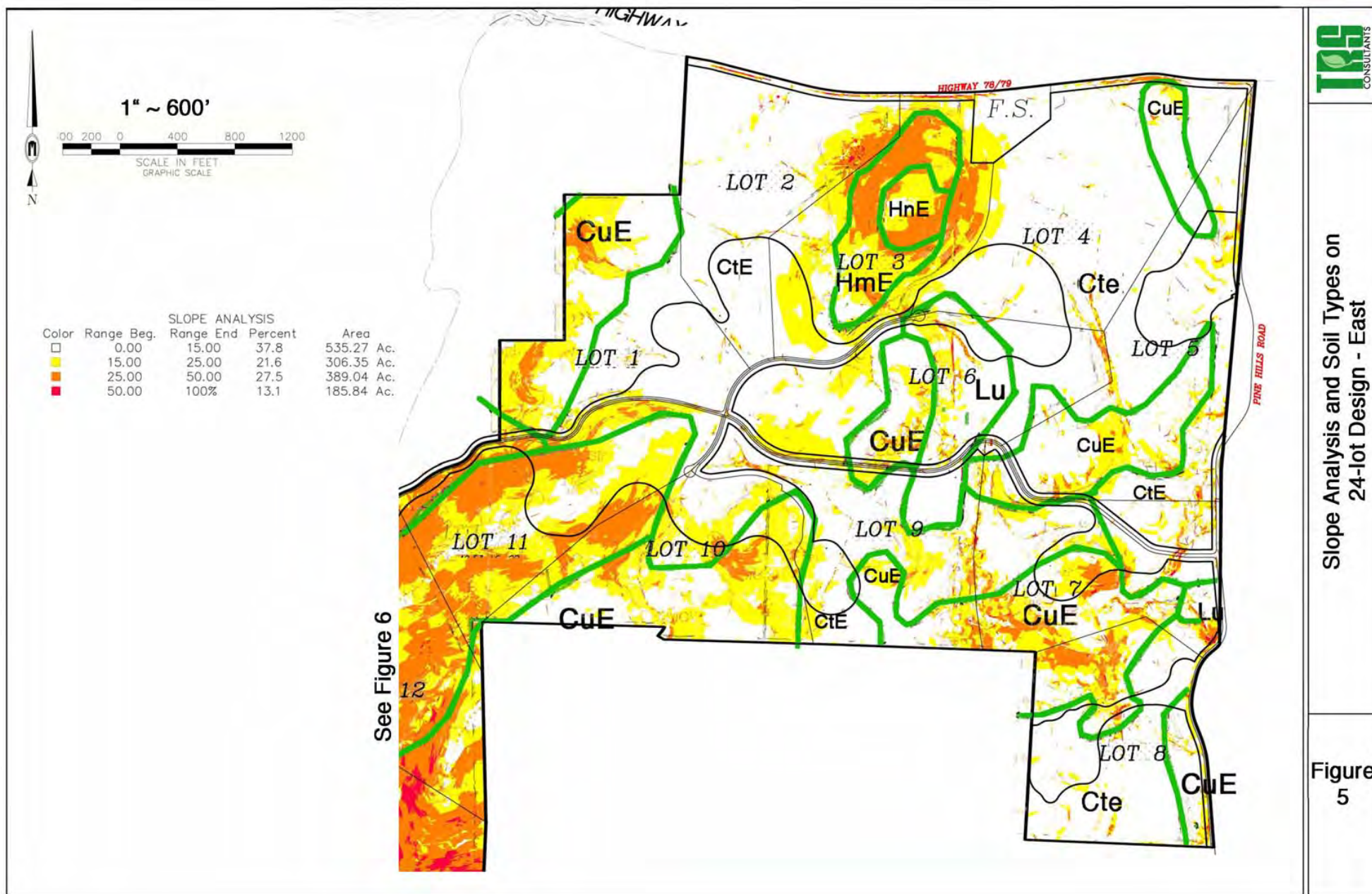








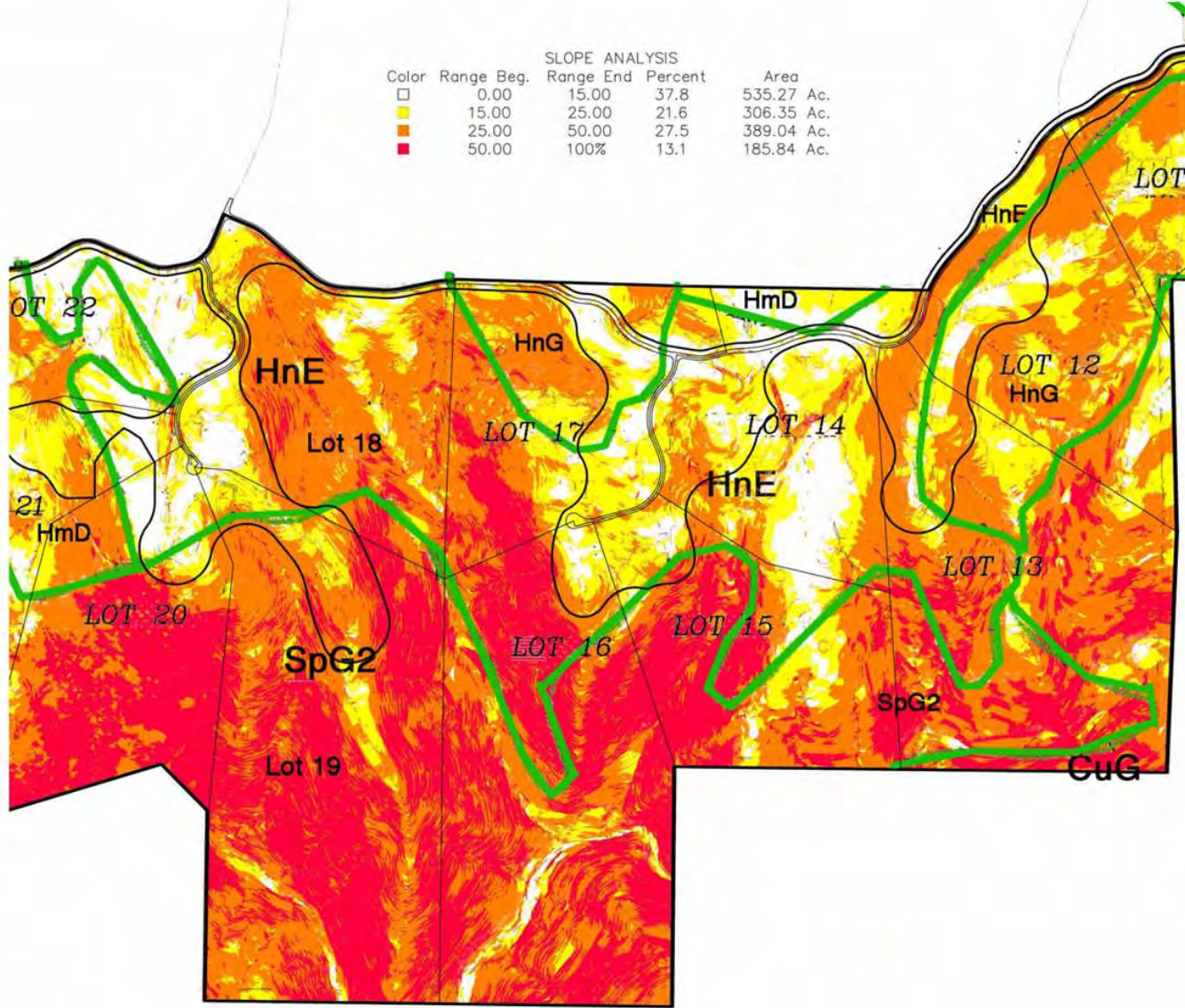






1" ~ 600'

See Figure 7



See Figure 5



Slope Analysis and Soil Types on 24-lot Design - Central

Figure 6



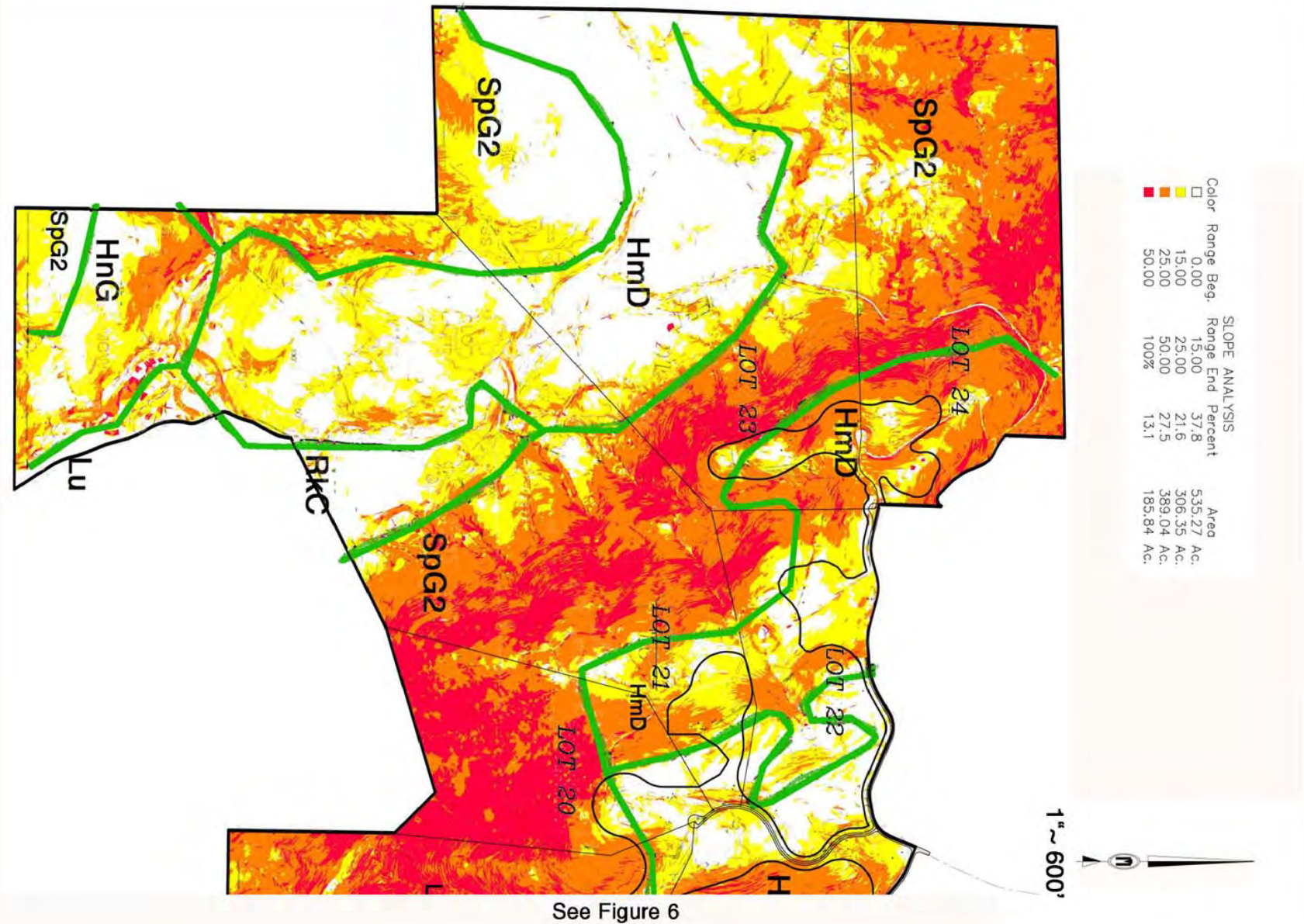
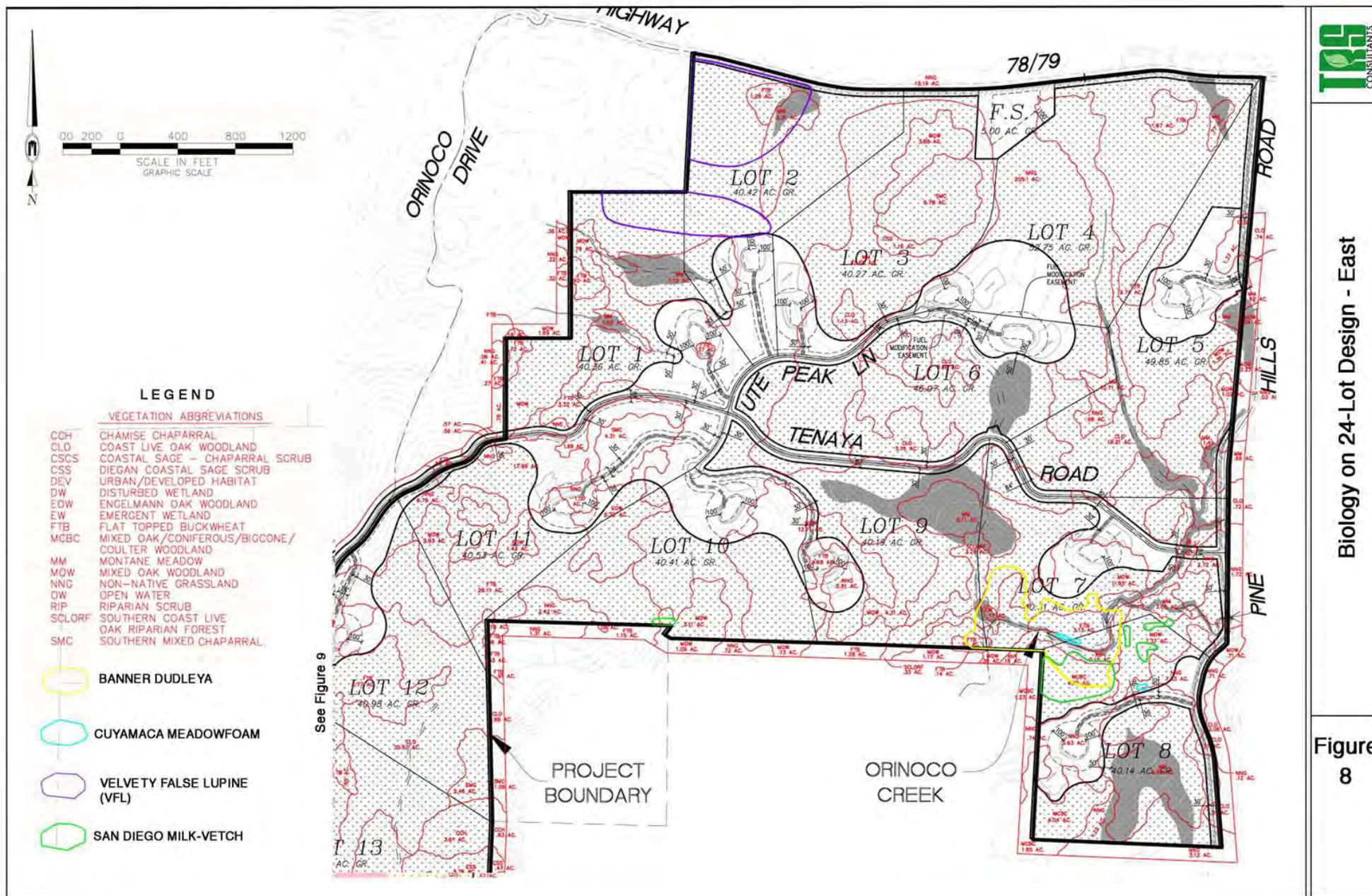


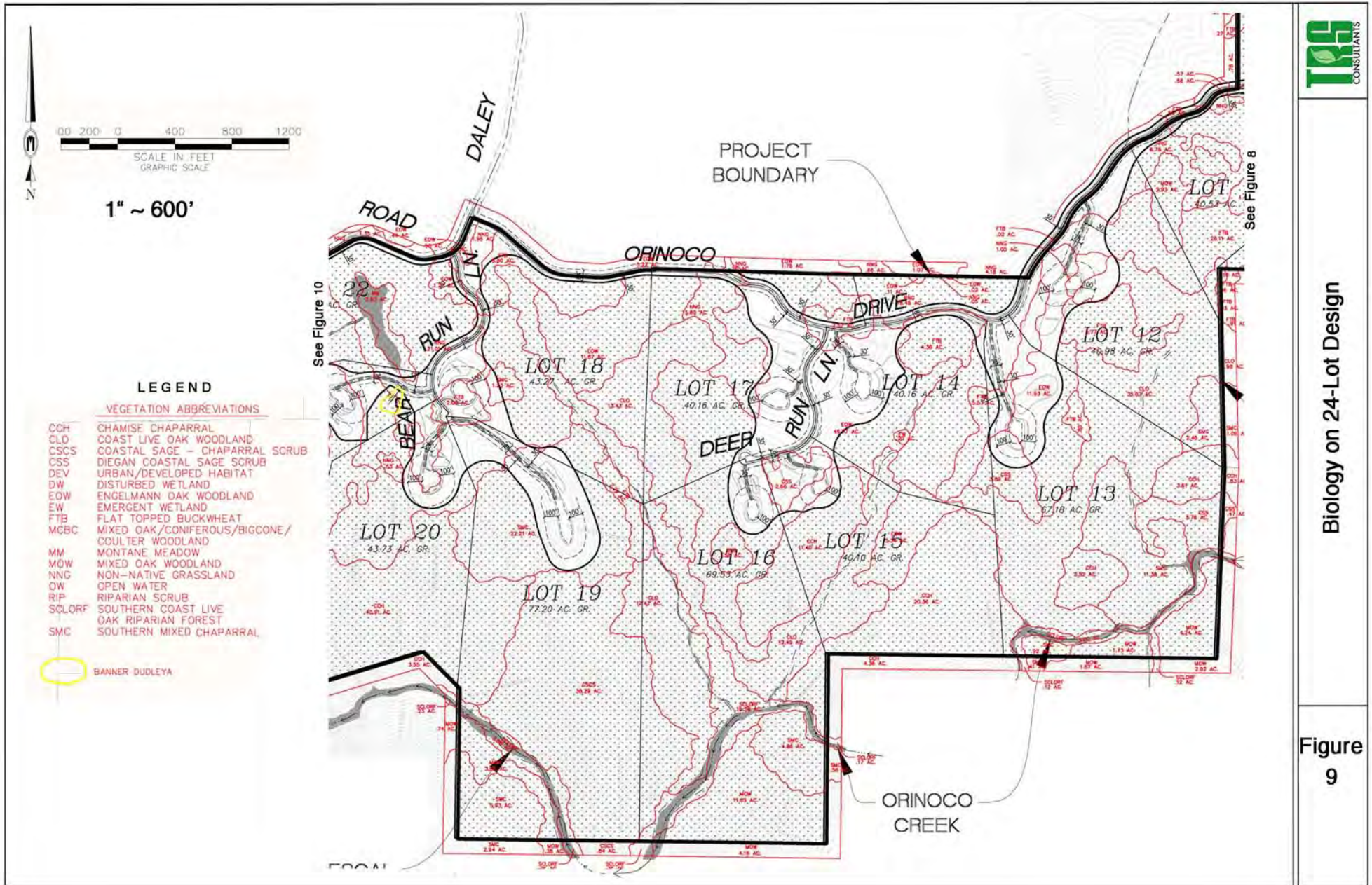
Figure 7 Slope Analysis and Soil Types on 24-lot Design













# LEGEND



BANNER DOUBLE LINE

## VEGETATION ABBREVIATIONS

COH	CHAMISE CHAPARRAL
CLO	COAST LIVE OAK WOODLAND
CSCS	COASTAL SAGE - CHAPARRAL SCRUB
CSS	DIEGAN COASTAL SAGE SCRUB
DEV	URBAN/DEVELOPED HABITAT
DW	DISTURBED WETLAND
EW	ENGELMANN OAK WOODLAND
FTB	EMERGENT WETLAND
MCBC	FLAT TOPPED BUCKWHEAT
	MIXED OAK/CONIFEROUS/BIGCONE/
	COULTER WOODLAND
MW	MONTANE WE ADOCK
MOW	MIXED OAK WOODLAND
NNG	NON-NATIVE GRASSLAND
OW	OPEN WATER
RIP	RIPIARIAN SCRUB
SCLORF	SOUTHERN COAST LIVE OAK
SMC	SOUTHERN MIXED CHAPARRAL

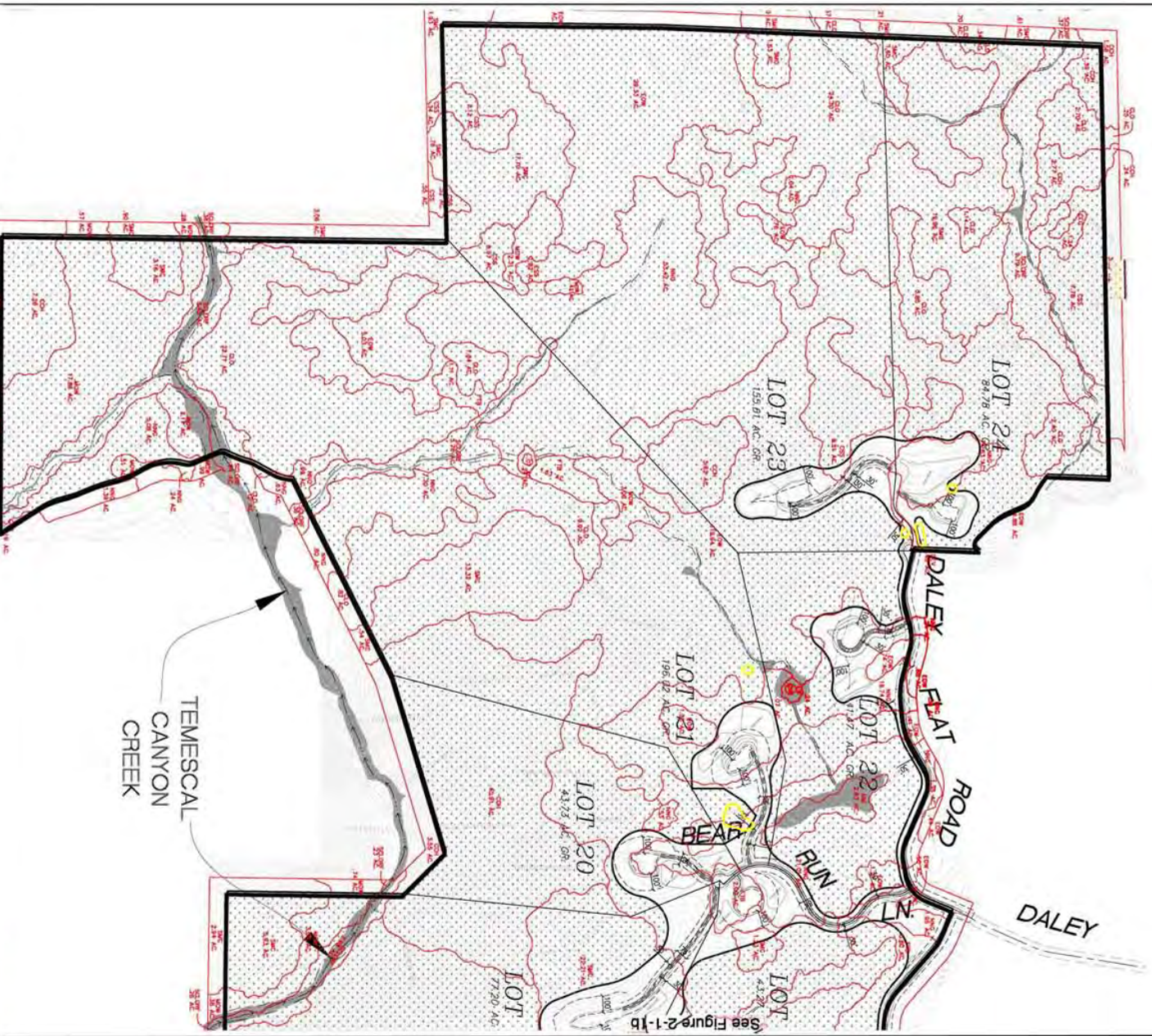


Figure 10

Biological Resources Map - West



## **Attachment L – Project Conformance to 2011 Updated General Plan**

The proposed project is generally consistent with the majority of the Updated General Plan. All relevant 2011 Updated General Plan goals, policies, and actions. The following policies are highlighted in Table 1.

*Table 1: Project Conformance to The 2011 Updated General Plan*

General Plan Policy	Explanation of Project Conformance
<p><b>LU-1.9 Achievement of Planned Densities</b> Recognizing that the General Plan was created with the concept that subdivisions will be able to achieve densities shown on the Land Use Map, planned densities are intended to be achieved through the subdivision process except in cases where regulations or site specific characteristics render such densities infeasible.</p>	<p>The site is subject to General Plan Land Use Designation RL-40, which allows a maximum density of one dwelling unit per 40 acres. Each of the proposed 24 lots is a minimum of 40 acres in size. Therefore, the 24-lot single family project conforms to the allowed General Plan density for the site.</p> <p>Within the RL-80 Land Use designation, the project meets that density requirement of one dwelling unit per 80 acres when the lot sizes are averaged. However, the project does not meet this requirement as the majority of the project lot sizes are 40 acres or more and not 80 acres.</p> <p>The project site is subject to a Williamson Act Contract and if housing is constructed on the individual lots, they would be incidental to the agricultural production on the lots. An agricultural easement shall be placed over all lots to reserve in perpetuity the lots for agricultural production. This could be in the form of cattle breeding and grazing, orchards, vineyards, or other such agricultural production.</p>
<p><b>LU-2.8 Mitigation of Development Impacts</b> Require measures that minimize significant impacts to surrounding areas from uses or operations that cause excessive noise, vibrations, dust, odor, aesthetic impairment and/or are detrimental to human health and safety.</p>	<p>The project is designed to minimize significant impacts to surrounding areas. The project proposes a agricultural subdivision and would not introduce a new use that would create or cause excessive noise or vibrations. The design of the project would utilize Best Management Plans to reduce dust and odor.</p>
<p><b>LU-5.3 - Rural Land Preservation.</b> Ensure the preservation of existing open space and rural areas (e.g., forested areas, agricultural lands, wildlife habitat and corridors, wetlands, watersheds, and groundwater recharge areas) when permitting development under the Rural and Semi- Rural Land Use Designations. Open space and rural lands are primary areas that provide carbon sequestration benefits for the Region.</p>	<p>Based on the project biology report, the mitigation measures require both on- and off-site mitigation. Further, the project is placing 85 percent of the project site into biological open space. The on-site mitigation will create contiguous areas of preserved sensitive species.</p>

General Plan Policy	Explanation of Project Conformance
<p><b>LU-5.5 - Projects that Impede Non-Motorized Travel.</b> Ensure that development projects and road improvements do not impede bicycle and pedestrian access. Where impacts to existing planned routes would occur, ensure that impacts are mitigated and acceptable alternative routes are implemented. Examples include large parking areas that cannot be crossed by non-motorized vehicles, and new developments that block through access on existing or potential bicycle and pedestrian routes.</p>	<p>As part of the project, bike lanes will be installed at Pine Hills Road. This will enhance the existing conditions for bikers who currently use and will use in the future.</p>
<p><b>LU-6.1 Environmental Sustainability</b> Require the protection of intact or sensitive natural resources in support of the long-term sustainability of the natural environment.</p>	<p>The project is placing 85 percent of the subject site, into biological open space. The on-site mitigation will create contiguous areas of preserved sensitive species. The site's RPO Wetlands and Jurisdictional Waters will either be preserved or impacts mitigated. An agricultural easement will require the continued agricultural operations after future lot sales.</p>
<p><b>LU-6.4 - Sustainable Subdivision Design.</b> Require that residential subdivisions be planned to conserve open space and natural resources, protect agricultural operations including grazing, increase fire safety and defensibility, reduce impervious footprints, use sustainable development practices, and, when appropriate, provide public amenities consistent with the applicable community plan.</p>	<p>The project includes protection of the area from fire hazards by the requirement for each lot to include a 100-foot wide Fire Modification Zone. The project Fire Protection Plan requires the installation of on-site fire hydrants to better protect the neighborhood. Ember resistant vents will be installed on all structures and building construction features will reflect the enhanced requirements of the County Building Code. The project will comply with the Watershed Protection Ordinance and incorporates on-site stormwater management techniques. No public amenities are required by a project of this size.</p>
<p><b>LU-6.5 Sustainable Stormwater Management</b> Ensure that development minimizes the use of impervious surfaces and incorporates other Low Impact Development (LID) techniques and a combination of site design, source control, and stormwater best management practices, where applicable and consistent with the County's LID Handbook.</p>	<p>The project incorporates LID techniques, as explained in the Stormwater Management Plan (SWMP). The project proposes LID design techniques, such as the installation of a bioretention area.</p>
<p><b>LU-6.9 Development Conformance with Topography</b> Require development to conform to the natural topography to limit grading; incorporate and not significantly alter the dominate physical characteristics of a site; and to utilize natural drainage and topography in conveying stormwater to the maximum extent practicable.</p>	<p>The project would involve an amount of grading that is standard for projects of this size and location. The site slopes down to the south and west. However, the applicant has designed the pads to utilize the flattest areas of each proposed parcel; thereby, reducing the amount of grading while preserving the natural topography.</p>

General Plan Policy	Explanation of Project Conformance
<p><b>LU-6.10 - Protection from Hazards.</b> Require that development be located and designed to protect property and residents from the risks of natural and man-induced hazards.</p>	<p>The project site was analyzed for agricultural hazardous wastes and airport hazards. Neither potential hazard was found to be CEQA significant. The property does not possess evidence of recognized toxins associated with past agricultural properties. Additionally, the project protects the area from fire hazards by installing fire hydrants to better protect the neighborhood. Ember resistant vents will be installed on all structures and building construction features will reflect the enhanced requirements of the County Building Code, Chapter 7A.</p>
<p><b>LU-10.1 - Residential Connectivity.</b> Require residential development in Semi-Rural areas to be integrated with existing neighborhoods by providing connected and continuous street, pathway/trail, and recreational open space networks.</p>	<p>The project will improve sight distance, at both SR-78/79 and Pine Hills Road, as well as adding a bicycle lane and pathway, to Pine Hills Road. This continues the existing connectivity to the southern residential neighborhood and to the Village of Julian to the east.</p>
<p><b>LU-10.2 - Development - Environmental Resource Relationship.</b> Require development in Semi-Rural and Rural areas to respect and conserve the unique natural features and rural character, and avoid sensitive or intact environmental resources and hazard areas.</p>	<p>While the project site is mainly surrounded by development and does not have unique natural resources, it does support agriculture and foraging habitat. The project has been conditioned to preserve agriculture and non-native grasslands off site, to mitigate the potential loss of on-site resources.</p>
<p><b>LU-13.2 Commitment of Water Supply</b> Require new development to identify adequate water resources, in accordance with State law, to support the development prior to approval.</p>	<p>The project would use on-site, individual wells to provide potable water.</p>



General Plan Policy	Explanation of Project Conformance
<p><b>LU-14.2 Wastewater Disposal</b> Require that development provide for the adequate disposal of wastewater concurrent with the development and that the infrastructure is designed and sized appropriately to meet reasonably expected demands.</p>	<p>The project wastewater disposal will be handled via individual, on-site sewer disposal systems. The project has been conditioned to obtain approval of the design and installation of those systems by the County Department of Environmental Health (DEH).</p>
<p><b>COS-4.1 Water Conservation</b> Require development to reduce the waste of potable water through use of efficient technologies and conservation efforts that minimize the County's dependence on imported water and conserve groundwater resources.</p>	<p>The project complies with the Groundwater Ordinance, as the individual wells are required to obtain permits from the County DEH and well production will not exceed the threshold provided within that Ordinance. The project would be required to comply with San Diego County's <i>Water Conservation in Landscaping Ordinance</i> and the County of San Diego <i>Water Efficient Landscape Design Manual</i>, which includes water conservation requirements and water efficient landscaping. These policies are enforced at the Building Permit phase.</p>
<p><b>COS-14.3 Sustainable Development</b> Require design of residential subdivisions and nonresidential development through "green" and sustainable land development practices to conserve energy, water, open space, and natural resources.</p>	<p>The project has been designed using sustainable land development practices, including the installation of bio-retention basins to treat stormwater runoff.</p>
<p><b>COS-19.1 Sustainable Development Practices</b> Require land development, building design, landscaping, and operational practices that minimize water consumption.</p>	<p>The proposed TM would include conditions to require that planning, funding and construction efforts shall consider ways to minimize water consumption, regardless of whether water is deemed to be readily available by applicable water authorities at local, county, and/or state levels.</p>
<p><b>S-3.6 Fire Protection Measures</b> Ensure that development located within fire threat areas implement measures that reduce the risk of structural and human loss due to wildfire.</p>	<p>The project Fire Protection Plan has been reviewed and approved by the County Fire Marshal and the Julian/Cuyamaca Fire Protection District. .</p>
<p><b>S-6.4 Fire Protection Services for Development</b> Require that new development demonstrate that fire services can be provided that meets the minimum travel times identified in Table S-1 (Travel Time Standards from Closest Fire Station).</p>	<p>The maximum travel time based on the Regional Category (Rural - RL-40 and RL-80) is 10 minutes. The project Fire Protection Plan demonstrates a response time of nine minutes, based on Form 399F and County Fire Marshal review. The project has secondary access via the western private roads known as Daley Flat Road and Hoskings Ranch Road.</p>