



County of San Diego

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Hearing Date: May 12, 2017

TO: Planning Commission

FROM: Mark Wardlaw, Director
Planning & Development Services

SUBJECT: Notice of Preliminary Decision of the Director of PDS and Final Notice of Action of the Planning Commission Approving A Time Extension for Daniels Grey Rabbit Hollow TM 5364

TENTATIVE MAP TIME EXTENSION INFORMATIONAL ITEM

Report of the Director of Planning & Development Services (PDS) Preliminary Decision:

PURPOSE

The purpose of this informational report is to provide the Planning Commission notice of a decision of the Director to extend the period of time (Time Extension) for the Daniels Grey Rabbit Hollow Tentative Map (TM 5364) to allow completion of the Final Map. The Time Extension does not propose, nor does the applicant request, a revision or any changes to TM 5364.

The Director's decision will become final and effective unless the Planning Commission takes action to schedule the Time Extension for the Planning Commission's consideration at a noticed hearing. If the Planning Commission schedules the matter for a public hearing, the Planning Commission will be the decision-making authority for the Time Extension.

Provided the Director's decision will become final, the expiration date of TM 5364 will be extended to May 22, 2022.

In accordance with the County of San Diego Subdivision Ordinance Section 81.317(c), the April 28, 2017 Notice of the Director's Preliminary Decision to Approve Tentative Map (TM) Time Extension PDS2016-TM-5364TE (Attachment B), has been issued and filed with the Planning Commission as an Administrative Item.

BACKGROUND

TM 5364 was approved by the Planning Commission on May 22, 2009, for three years with an expiration date of November 4, 2012. Assembly Bill 208 automatically extended the TM 5364 expiration date to November 4, 2014. Assembly Bill 116 automatically extended the TM 5364 expiration date to November 4, 2016. The Planning Commission approved the TM to subdivide

11.2 gross acres into 10 residential lots located at 2045 Green Canyon Road in the Fallbrook Community Plan Area.

A Revised Map was approved by the Planning Commission on January 22, 2016, which amended several road improvements along Green Canyon Road. However, this approval did not extend the expiration date of TM 5364.

The applicant filed an application to extend TM 5364 on April 28, 2016. On April 28, 2016, as required by the County of San Diego Subdivision Ordinance, properties within 300 feet of the exterior boundaries of the project site were notified that an application for a TM Time Extension for TM 5364 was to be filed.

Please note that conditions were added to the originally approved Resolution (Condition 1, 2 and 3 of the Final Notice of Action of the Planning Commission Approving a Time Extension for Tentative Map 5364). However, this is not due to a change in design, rather it is required in order for the project to comply with Watershed Protection and Stormwater Management regulations for the County of San Diego and State of California.

COMMUNITY PLANNING/SPONSOR GROUP AND PUBLIC INPUT

The Fallbrook Community Planning Group considered the Time Extension and took no action because there were no proposed changes from the previously approved project. No comments were received as a result of the public notification on April 28, 2016.

ATTACHMENTS:

Attachment A – Planning Documentation and Original Resolution

Attachment B – Notice of Preliminary Decision of the Director of PDS and Final Notice of Action of the Planning Commission Approving A Time Extension for TM 5364

Attachment C – Environmental Documentation

**Attachment A – Planning Documentation
and Original Resolution**

RESOLUTION OF SAN DIEGO COUNTY)
CONDITIONALLY APPROVING)
TENTATIVE MAP NO. 5364)

WHEREAS, Tentative Map No. 5364 proposing the division of property located at 2045 Green Canyon Road, Fallbrook and generally described as:

That portion of lots 1 and 2 in the subdivision of tract "D" of a portion of Rancho Monserate per Map No. 821 more particularly described as follows: Parcels A, B, C & D of Division of Land Plat No. 106-220-3, dated 01/11/72, excepting therefrom parcels A, B, and C as shown on Boundary Adjustment No. B/C 03-0212

was filed with the County of San Diego pursuant to the Subdivision Map Act and San Diego County Subdivision Ordinance on April 21, 2009; and

WHEREAS, on May 22, 2009, the Planning Commission of the County of San Diego pursuant to Section 81.307 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, 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 General Plan, the Fallbrook Community Plan, and the (2) Residential Land Use Designation of the Fallbrook Community Plan because it proposes a residential use type at a density of 1 dwelling unit per gross acre, which is consistent with the maximum density permitted by the (2) Residential designation;
2. The Tentative Map is consistent with The Zoning Ordinance because it proposes a residential use type with a minimum net lot size of 1 acre in the A70 (Limited Agriculture) Use Regulation;

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3. The design and improvements of the proposed subdivision comply with the provisions of the State Subdivision Act and the Subdivision Ordinance of the San Diego County Code;
4. The site is physically suitable for the residential type of development because the site is generally flat and minimal grading is needed to provide appropriately sized residential pads which do not require setback variances or impact sensitive resources;
5. The site is physically suitable for the proposed density of development because it has access to Green Canyon Road, is served with water by the Fallbrook Public Utility District, and can accommodate individual septic systems on each lot;
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 a Mitigated Negative Declaration dated February 10, 2009;
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;

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11. It is hereby found that the use or development permitted by the application is consistent with the provisions of the Resource Protection Ordinance; and
12. It is hereby found that the project proposed by the application has prepared plans and documentation demonstrating compliance with the provisions of the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance.

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

- A. The approval of this Tentative Map expires 36 months from the date of this resolution, unless prior to that date an application for a Time Extension has been filed and is subsequently approved as provided by Section 81.308 of the County Subdivision Ordinance

PLEASE NOTE: Condition compliance, preparation of grading and improvement plans and final mapping may take a year or more to complete. Applicants are advised to begin this process at least one year prior to expiration of this Tentative Map.

PLEASE NOTE: 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.

- B. The "Standard Conditions 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 those exceptions to the Standard Conditions set forth in this Resolution or shown on the Tentative Map will be authorized.
- C. The following conditions shall be complied with before a Final Map is approved by the Board of Supervisors and filed with the County Recorder of San Diego County (and, where specifically, indicated, shall also be complied with prior to issuance of grading or other permits as specified):

PLANS AND SPECIFICATIONS

Street Improvements

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1. Standard Conditions 1 through 10.
2. Specific Conditions:
 - a. Improve or agree to improve and provide security for Green Canyon Road (SC 71), a Circulation Element Light Collector, along the easterly boundary of Boundary Adjustment / Certificate of Compliance Plat B/C 03-0212 to a one-half graded width of thirty feet (30') with twenty feet (20') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter, and nine and one-half feet (9.5') wide Class II walkway/pathway with face of curb at twenty feet (20') from centerline. The centerline of Green Canyon Road shall be realigned as necessary to conform to County Public Light Collector Road Standards, with traffic striping, with traffic control, and with taper transitions constructed to meet existing improvements. All the foregoing shall be to the satisfaction of the Director of Public Works.
 - b. Improve or agree to improve and provide security for the private easement road, Street 'A', from Green Canyon Road improvements westerly to access driveways to Lots 6 and 7 to a graded width of twenty-eight feet (28') and to an improved width of twenty-four feet (24') with asphalt concrete pavement over approved base with asphalt concrete dike where necessary to control drainage. The improvement and design standards of Section 3.1(C) of the County Standards for Private Streets for one hundred one (101) to seven hundred fifty (750) trips shall apply. All of the above shall be to the satisfaction of the Director of Public Works.
 - c. Hand-rake and compact asphalt concrete surfacing material to form smooth tapered connections along all edges including those edges adjacent to soil. The edges of asphalt concrete shall be hand-raked at 45 degrees or flatter, so as to provide a smooth transition next to existing soil, including those areas scheduled for shoulder backing. The above shall be done to the satisfaction of the Director of Public Works.
 - d. Have a registered civil engineer, a registered traffic engineer, or a licensed surveyor provide a signed statement that: "Physically, there is a minimum adequate unobstructed sight distance in both directions along Green Canyon Road from the proposed private easement road, Street A serving the project, for the prevailing operating speed of traffic on Green Canyon Road, per Section 6.1.E of the County Public Road Standards (approved July 14, 1999)". If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify that said lines of sight fall within the existing right-of-way and a clear space

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easement is not required. These certifications shall be to the satisfaction of the Director of Public Works.

- e. Terminate Street A at Lots 6 and 7 with a cul-de-sac graded to a radius of forty feet (40') and surfaced to a radius of thirty-six feet (36') with asphalt concrete pavement over approved base with asphalt concrete dike with the face of dike at thirty-six feet (36') from the radius point to the satisfaction of the North County Fire Protection District and the Director of Public Works.
- f. If guarded access is used along Street A, improve it in accordance with San Diego County Design Standards DS-17, DS-18 or DS-19 to the satisfaction of the North County Fire Protection District, and the Director of Public Works. Gates installed across Street 'A' and emergency access road to conform to NCFPD standards for electric gates, to include opticom strobe sensor, exit loop detectors, battery backup, and knox key switch. Gate across emergency access road must be an electric gate, to conform to same standards as noted above.
- g. Posting and red stripe road less than thirty-six foot (36') improved width to the satisfaction of the North County Fire Protection District. Show this information on the Final Map as "Non Title Information".

Access/Flood Control

- 3. Standard Conditions 13 through 18.
- 4. Specific Conditions:
 - a. On-site and Off-site drainage easements shall be provided to the satisfaction of the Director of Public Works.
 - b. Comply with applicable storm water regulations at all times. The activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Storm water Management, and Discharge Control Ordinance (Ordinance No. 9926) and all other applicable ordinances and standards. This includes requirements for materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas greater than 1 acre require that the property owner keep additional and updated information onsite concerning storm water runoff. This requirement shall be to the satisfaction of the Director of Public Works.

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- c. It is determined that the project includes category 2 post-construction BMPs, the applicant will be required to establish a maintenance agreement/mechanism (to include easements) to assure maintenance of these BMPs and to provide security to back up maintenance pursuant to the County Maintenance Plan Guidelines to the satisfaction of the Director of Public Works.

FAIR HOUSING

5. Standard Condition 20.

SANITATION

6. Standard Condition 22.
7. Specific Conditions:
 - a. Prior to recordation of a Final Map, the subdivider shall provide evidence that the existing septic system serving the existing home and guest house on parcel 5 of the Tentative Map has been abandoned and a new septic system has been installed to the satisfaction of the Director of Environmental Health.

FIRE PROTECTION AND WATER SUPPLY

8. Standard Conditions 23.1 and 23.2.

PLANNING AND ZONING ADMINISTRATION

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

DEVELOPMENT IMPACT FEES

10. Specific Conditions:

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

FINAL MAP RECORDATION

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

Streets and Dedication

11. Specific Conditions:

- a. Prior to approval of the Final Map, cause to be granted that portion of Green Canyon Road (SC 71), a Circulation Element Light Collector, which lies within the boundary of the related Boundary Adjustment / Certificate of Compliance Plat B/C 03-0212 to a one-half width of thirty feet (30') each side of centerline in accordance with Public Light Collector Road Standards, together with right to construct and maintain slopes and drainage facilities to the satisfaction of the Director of Public Works.
- b. Contact the Department of Public Works to determine the desired location of the centerline for Green Canyon Road (SC 71), which is shown on the Circulation Element of the County General Plan as a Light Collector. The following shall be shown on the Final Map:
 - (1) The centerline location as approved by the Department of Public Works.
- c. Because private roads are approved as a condition of this subdivision, the following shall apply:
 - (1) Maintenance shall be provided through a private road maintenance agreement satisfactory to the Director of Public Works.

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- (2) The Director of Public Works shall be notified as to the final disposition of title (ownership) to each private road, and place a note on the Final Map as to the final title status of said roads.
- (3) Access to each lot shall be provided by private road easement not less than forty feet (40') wide.
- d. If the private roads are separate lots, they shall have lot numbers consecutive with the other lot numbers.
- e. Road widths less than thirty-six foot (36') improved width will require posting and red striping to the satisfaction of the North County Fire Protection District. This information shall be shown on the Final Map as "Non Title Information".
- f. Prior to approval of improvement and/or grading plans, issuance of excavation permits, and issuance of any further grant of approval, the owners of this project will be required to sign a statement that they are aware of the County of San Diego, Department of Public Works, Pavement Cut Policy and that they have contacted all adjacent property owners and solicited their participation in the extension of utilities.
- g. The Basis of Bearings for the Subdivision Map shall be in terms of the California Coordinate System Zone 6 NORTH AMERICAN DATUM OF 1983 by use of existing Horizontal Control stations with first order accuracy to the satisfaction of the Director of Public Works (Ref. San Diego County Subdivision Ordinance Section 81.811).
- h. The Subdivision Map shall be prepared to show two measured ties from the boundary of the subject property to existing Horizontal Control station(s) having California coordinate values of first order accuracy as published in the County of San Diego's Horizontal Control book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e. Grid bearings and Grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of Ground-to-Grid distances shall be shown on the map, all to the satisfaction of the Director of Public Works (Ref. San Diego County Subdivision Ordinance Section 81.811 and 81.506(j)).

MISCELLANEOUS

12. Standard Conditions 25-29.

WAIVER AND EXCEPTIONS

Said subdivision is hereby approved pursuant to the provisions of the State Subdivision Map Act, the County Subdivision Ordinance, the County Public and Private Road Standards, and all other required Ordinances of San Diego County except for a waiver or modification of the:

A. Standard Condition(s) for Tentative Maps:

- (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 15 miles 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 12: Said condition pertains to projects with dedicated trail easements. The proposed pathway along Green Canyon Road is within the road right-of-way and will not be dedicated.
- (4) Standard Conditions 19 (a-e): Said conditions pertain to projects for which lot grading is required. No grading plan is required because no lot grading is proposed.
- (5) Standard Condition 21: Said condition pertains to projects that propose to be served by a public sewer system. This project will use private subsurface sewage disposal systems.
- (6) Standard Condition 23.3: Said condition pertains to satisfying requirements of the California Department of Forestry and Fire Protection. This project is located within the boundaries of the North County Fire Protection District.
- (7) Standard Condition 24: This condition pertains to projects located outside the boundaries of a fire protection agency. This project is located within the boundaries of the North County Fire Protection District.

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- (8) 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.

Miscellaneous

The following shall be the Mitigation Monitoring or Reporting Program for TM 5364, Daniels Tentative Map.

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.

A. 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:

Payment of the TIF will be required prior to building permit on each lot.

NOTICE - The 90 day period in which the applicant may file a protest of the fees, dedications or exactions begins on May 22, 2009.

NOTICE: Low Impact Development (LID) requirements apply to all priority projects as of March 25, 2008. These requirements can be found at the following link beginning on Page 32, Section 67.812, of the Municipal Stormwater Permit:

<http://www.sdcounty.ca.gov/cob/ordinances/ord9926.doc>

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The draft LID Handbook is a source for LID information and is to be utilized by County staff and outside consultants for implementing LID in our region. The handbook gives an overview of LID. Section 2.2 reviews County DPW planning strategies as they relate to requirements from the Municipal Permit. The Fact Sheets in the Appendix may be useful for information on all of the engineered techniques. Additional information can be found in the extensive Literature Index. You can access the Handbook at the following DPLU web address:

<http://www.co.san-diego.ca.us/dplu/docs/LID-Handbook.pdf>

NOTICE: On January 24, 2007, 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 must be implemented beginning March 25, 2008. The Low Impact Development (LID) Best Management Practices (BMP) Requirements of the Municipal Permit can be found at the following link beginning on Page 32, Section 67.812, of the Municipal Stormwater Permit:

<http://www.sdcounty.ca.gov/cob/ordinances/ord9926.doc>

All priority projects must minimize directly connected impervious areas and promote biofiltration. Section 67.812 includes the minimal site design requirements that project applicants must address and implement. These can be summarized into the following four requirements: Disconnect impervious surfaces, Design impervious surfaces to drain into properly designed pervious areas, Use pervious surfaces wherever appropriate, Implement site design BMPs. The applicant / engineer must determine the applicability and feasibility of each requirement for the proposed project and include them in the project design, unless it can be adequately demonstrated which (if any) of the requirements do not apply.

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 Game Fees have been paid in the amount of \$1,993.00 for the review of the Mitigated Negative Declaration, Receipt number 365206 dated 1/12/09.

ON MOTION of Commissioner Brooks, seconded by Commissioner Pallinger, this Resolution is passed and approved by the Planning Commission of the County of San Diego, State of California, at a regular meeting held on this 22nd day of May 2009.

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in the Department of Planning and Land Use Hearing Room, 5201 Ruffin Road, Suite B, San Diego, California, by the following vote:

AYES: 6 - Brooks, Day, Norby, Pallinger, Riess, Woods

NOES: 0 - None

ABSENT: 1 - Beck

[NOTE: 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 to the appellant body and/or the Board of Supervisors. 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.]

DPL/WP 001-TM (06/13/08)



MARK WARDLAW
Director

DARREN GRETHER
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COMMISSIONERS

Bryan Woods (Chairman)
Michael Beck (Vice Chairman)
Douglas Barnhart
Leon Brooks
Peder Norby
David Pfallinger
Michael Sellar

January 22, 2015

REFERENCE: TENTATIVE MAP SUBDIVISION PDS2014-TM-5364R

REVISED MAP

NOTICE OF ACTION OF
THE PLANNING COMMISSION APPROVING A REVISED MAP
FOR TENTATIVE MAP PDS2014-TM-5364R

On the above date, the Planning Commission adopted this decision approving a Revised Map for the above referenced Tentative Map.

PLEASE NOTE THAT THE ONLY CHANGES (AMENDMENTS) HEREBY AUTHORIZED ARE AS FOLLOWS AND THAT ALL OTHER CONDITIONS REMAIN AS ORIGINALLY ADOPTED [Strikeout indicates deletion, underline indicates addition.]

Remove Condition C.2.a:

2. Specific Conditions:

- a. ~~Improve or agree to improve and provide security for Green Canyon Road (SG 71), a Circulation Element Light Collector, along the easterly boundary of Boundary Adjustment / Certificate of Compliance Plat B/C 03-0212 to a one-half graded width of thirty feet (30') with twenty feet (20') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter, and nine and one-half feet (9.5') wide Class II walkway/pathway with face of curb at twenty feet (20') from centerline. The centerline of Green Canyon Road shall be realigned as necessary to conform to County Public Light Collector Road Standards, with traffic striping, with traffic control, and with taper transitions constructed to meet existing improvements. All the foregoing shall be to the satisfaction of the Director of Public Works.~~
- b. Improve or agree to improve and provide security for the private road easement ~~road, Street 'A' Gray Rabbit Hollow Lane,~~ from Green Canyon Road improvements westerly to access driveways to Lots 6 and 7 to a graded width of twenty-eight feet (28') and to an improved width of twenty-four feet (24') with asphalt concrete pavement over approved base with asphalt concrete dike where necessary to control drainage. The improvement and design standards of Section 3.1(C) of the County Standards for Private Streets for one hundred one

(101) to seven hundred fifty (750) trips shall apply. All of the above shall be to the satisfaction of the Director of Public Works Planning & Development Services (PDS).

- c. Hand-rake and compact asphalt concrete surfacing material to form smooth tapered connections along all edges including those edges adjacent to soil. The edges of asphalt concrete shall be hand-raked at 45 degrees or flatter, so as to provide a smooth transition next to existing soil, including those areas scheduled for shoulder backing. The above shall be done to the satisfaction of the Director of Planning & Development Services (PDS) Public Works.
- d. Have a registered civil engineer, a registered traffic engineer, or a licensed surveyor provide a signed statement that: "There is _____ feet of unobstructed intersectional sight distance in the both directions along **Green Canyon Road** from the existing private road easement, Gray Rabbit Hollow Lane in accordance with the methodology described in Table 5 of the March 2012 County of San Diego Public Road Standards. This sight distance exceeds the required intersectional Sight Distance requirements of _____ feet as described in Table 5 based on a speed of _____ mph, 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."
~~"Physically, there is a minimum adequate unobstructed sight distance in both directions along Green Canyon Road from the proposed private easement road, Street A serving the project, for the prevailing operating speed of traffic on Green Canyon Road, per Section 6.1.E of the County Public Road Standards (approved July 14, 1999)".~~ If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify that said lines of sight fall within the existing right-of-way and a clear space easement is not required. These certifications shall be to the satisfaction of the Director of Planning & Development Services (PDS) Public Works.
- e. ~~Terminate Street A~~ Gray Rabbit Hollow Lane at Lots 4, 5, 6, and 7 and 8 intersection with a cul-de-sac graded to a radius of forty feet (40') and surfaced to a radius of thirty-six feet (36') with asphalt concrete pavement over approved base with asphalt concrete dike with the face of dike at thirty-six feet (36') from the radius point to the satisfaction of the North County Fire Protection District and the Director of Planning & Development Services (PDS) Public Works.

Remove Condition C.2.f:

- f. ~~If guarded access is used along Street A, improve it in accordance with San Diego County Design Standards DS-17, DS-18 or DS-19 to the satisfaction of the North County Fire Protection District, and the Director of Public Works. Gates installed across Street 'A' and emergency access road to conform to NCFPD standards for electric gates, to include opticom strobe sensor, exit loop detectors, battery backup, and knox key switch. Gate across emergency access road must~~

~~be an electric gate, to conform to same standards as noted above.~~

Revise Condition C.2.g as follows:

- g. Posting and red stripe road for "No-Parking" for less than thirty-six feet (36') improved width to the satisfaction of the North County Fire Protection District. ~~Show this information on the Final Map as "Non Title Information".~~

Revise the Section titled "Access/Flood Control" to "Drainage and Flood Control."

Remove Condition C.4.a:

4. Specific Conditions:

- ~~a. On site and Off site drainage easements shall be provided to the satisfaction of the Director of Public Works.~~

Revise Condition C.5.b as follows:

b. Comply with applicable storm water regulation at all times. The activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Storm water Management, and Discharge Control Ordinance (Ordinance No. 10096 ~~9926~~) and all other applicable ordinance and standards. This includes requirements for materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas greater than 1 acre required that the property owner keep additional and updated information onsite concerning stormwater runoff. This requirement shall be to the satisfaction of the Director of Public Works.

Revise Condition C.9.a as follows:

9. Specific Conditions:

- a. No lot shall contain a net area of less than one acre. [DPLUPDS - Regulatory Project Planning Division]

Remove Condition C.9.b:

- ~~b. Prior to approval of a Final Map, the subdivider shall provide evidence that the "existing barn to be removed" on parcel 4 of the Tentative Map has been removed to the satisfaction of the Director of Public Works.~~

Remove Conditions C.11.a, b, c (2), d:

11. Specific Conditions:

- ~~a. Prior to approval of the Final Map, cause to be granted that portion of Green Canyon Road (SC 71), a Circulation Element Light Collector, which lies within the~~

~~boundary of the related Boundary Adjustment / Certificate of Compliance Plat B/C 03-0212 to a one half width of thirty feet (30') each side of centerline in accordance with Public Light Collector Road Standards, together with right to construct and maintain slopes and drainage facilities to the satisfaction of the Director of Public Works.~~

- b. ~~Contact the Department of Public Works to determine the desired location of the centerline for Green Canyon Road (SC 71), which is shown on the Circulation Element of the County General Plan as a Light Collector. The following shall be shown on the Final Map:~~

~~(1) The centerline location as approved by the Department of Public Works.~~

- c. Because private roads are approved as a condition of this subdivision, the following shall apply:

~~(2) The Director of Public Works shall be notified as to the final disposition of title (ownership) to each private road, and place a note on the Final Map as to the final title status of said roads.~~

- d. ~~If the private roads are separate lots, they shall have lot numbers consecutive with the other lot numbers.~~

Revise Condition C.11.g and h as follows:

- g. The Basis of Bearings for the Subdivision Map shall be in terms of the California Coordinate System Zone 6 NORTH AMERICAN DATUM OF 1983 by use of existing Horizontal Control stations with first order accuracy to the satisfaction of the Director of Public Works (Ref. San Diego County Subdivision Ordinance Section 81.844507).
- h. The Subdivision Map shall be prepared to show two measured ties from the boundary of the subject property to existing Horizontal Control station(s) having California coordinate values of first order accuracy as published in the County of San Diego's Horizontal Control book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e. Grid bearings and Grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of Ground-to-Grid distances shall be shown on the map, all to the satisfaction of the Director of Public Works (Ref. San Diego County Subdivision Ordinance Section 81.844507 and 81.506(ij)).

Remove Standard Condition A(3):

- ~~(3) Standard Condition 12: Said condition pertains to projects with dedicated trail easements. The proposed pathway along Green Canyon Road is within the road right-of-way and will not be dedicated.~~
-

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:

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 number of 1 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.

LOW IMPACT DEVELOPMENT NOTICE: On January 24, 2007, 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 January 25, 2008. 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 on Page 19, Section D.1.d (4), subsections (a) and (b):

http://www.waterboards.ca.gov/sandiego/water_issues/programs/stormwater/docs/sd_permit/r9_2007_0001/2007_0001final.pdf

<http://www.sdcounty.ca.gov/dplu/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.

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 [DPW, 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.

ON MOTION of Commissioner Brooks, seconded by Commissioner Norby, this Form of Decision is passed and approved by the Planning Commission of the County of San Diego, State of California, at a regular meeting held on this 22nd day of January, 2016, in Planning & Development Services Conference Center Hearing Room, 5520 Overland Avenue, San Diego, California, by the following vote:

AYES: 7

NOES: 0

ABSENT: 0

COUNTY OF SAN DIEGO PLANNING COMMISSION
MARK WARDLAW, SECRETARY

[NOTE: Within ten days after adoption of this Resolution, these findings and conditions may be appealed in accordance with Section 81.310 of the Subdivision Ordinance to the appellant body and/or the Board of Supervisors. No Final Map shall be approved, no grading permit issued, 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.]

cc: Geoffrey Daniels, 185 Farm to Market Ct, Whitefish, MT 59937
Dave Lowen, 145 N. Melrose Dr #200, Vista, CA 92083

email cc: Ken Brazell, Team Leader, PDS
David Sibbet, Planning Manager, PDS
Fallbrook CPG

**Attachment B –
Notice of Preliminary Decision of the Director of PDS
and
Final Notice of Action of the Planning Commission
Approving A Time Extension for TM 5364**



County of San Diego

MARK WARDLAW
DIRECTOR

PLANNING & DEVELOPMENT SERVICES
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123
www.sdcountry.ca.gov/pds
PHONE (858) 694-2962 FAX (858) 694-2555

April 28, 2017

REFERENCE: TENTATIVE MAP TIME EXTENSION PDS2016-TM-5364TE

NOTICE OF PRELIMINARY DECISION OF THE DIRECTOR OF PLANNING & DEVELOPMENT SERVICES

On the above date, the Director of Planning & Development Services (PDS) adopted this preliminary decision approving Time Extension PDS2016-TM-5364TE. A copy of this Notice of Preliminary Decision will be filed with the Planning Commission as an informational agenda item on May 12, 2017. In the event the Planning Commission takes no action to initiate a public hearing on the preliminary decision, the preliminary decision shall become a final decision of the Planning Commission that is effective immediately.

I, Mark Wardlaw, Director of PDS, San Diego County, State of California, hereby certify that this is a copy of the official document authorizing an amendment to the referenced Tentative Map.

PLANNING & DEVELOPMENT SERVICES
MARK WARDLAW, DIRECTOR

By:

A handwritten signature in black ink, appearing to be "Lisa Gordon", written over a horizontal line.

LISA GORDON, DEPUTY DIRECTOR
PLANNING & DEVELOPMENT SERVICES

May 12, 2017

REFERENCE: TENTATIVE MAP TIME EXTENSION PDS2016-TM-5364TE

FINAL NOTICE OF ACTION OF
THE PLANNING COMMISSION APPROVING
A TIME EXTENSION FOR TENTATIVE MAP 5364

PLEASE NOTE: THIS LETTER EXTENDS THAT DATE UPON WHICH THE TENTATIVE MAP WILL EXPIRE AND MAKES CERTAIN OTHER CHANGES AS LISTED BELOW. ALL OTHER RESOLUTION LANGUAGE AND CONDITIONS REMAIN AS ORIGINALLY ADOPTED. [Strikeout indicates deletion, underline indicates addition.]

1. The Tentative Map is consistent with all elements of the San Diego County General Plan, the Fallbrook Community Plan, and the ~~(2) Residential~~ Semi-Rural (SR-1) Land Use Designation of the Fallbrook Community Plan because it proposes a residential use type at a density of 1 dwelling unit per gross acre, which is consistent with the maximum density permitted by the ~~(2) Residential~~ Semi-Rural (SR-1) designation;
2. The approval of this Tentative Map expires on May 22, 2022 at 4:00 p.m.

The conditions within the Resolution of San Diego County, Conditionally Approving Tentative Map No. 5364 dated June 1, 2009 and decision to adopt Revised Map TM No. 5364R on January 22, 2015 are still applicable.

1. STRMWTR#1-STORMWATER FACILITIES (COVENANT) FOR EACH LOT

INTENT: In order to promote orderly development for each parcel and to comply with the County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance No. 10410, the required private stormwater facilities (structural BMPs) improvements shall be completed or deferred. **DESCRIPTION OF REQUIREMENT:**

- a. Improve or agree to improve and provide security for the construction of the stormwater facilities to comply with the Municipal Stormwater Permit (MS4).
- b. Add the following note to the Final Map: "Updated studies, including Hydro-modification Management Plans for Priority Development Projects, will be required prior to approval of grading and improvement plans for construction pursuant to County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance No. 10410 (N.S.), dated February 26, 2016 and BMP Design Manual. These requirements are subject to the MS4 Permit issued by the Regional Water Quality Control Board, Order No.

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R9-2013-0001 and any subsequent order Additional studies and other action may be needed to comply with future MS4 Permits."

- c. Execute maintenance agreements for the proposed stormwater facilities for structural BMPs.

DOCUMENTATION: The applicant shall complete the following:

- d. Process and obtain approval of the grading to improve all the on and offsite private road easements listed above, and provide the cost estimate. All plans and improvements shall be completed pursuant to the County of San Diego Watershed Protection, and Stormwater Management and Discharge Control Ordinance No. 10410.
- e. The improvements shall be completed and a secured agreement shall be executed pursuant to County Subdivision Ordinance Sec. 81.707 and 81.708, for the required improvements, or execute a covenant of improvements to defer the requirements until after the map is recorded.

MAP TIMING: Prior to recordation of the Final Map, this requirement shall be completed or recorded in the covenant of improvements. **COVENANT TIMING:** No Building permit or further grant of approval for the development of each parcel can be issued until the applicant completes the required improvements and applies for each parcel and receives a release of improvements from the Director of PDS. **MONITORING:** The [PDS, LDR] shall review the plans for consistency with the condition and County Standards. Upon approval of the plans and cost estimate [PDS, LDR] shall have this condition placed in the covenant of improvements and recorded with the map.

2. STRMWTR#2-STORMWATER MAINTENANCE DOCUMENTATION

INTENT: In order to promote orderly development and to comply with the County Watershed Protection Ordinance (WPO) No.10410, County Code Section 67.801 et. seq., the maintenance agreements shall be completed. **DESCRIPTION OF REQUIREMENT:** To the satisfaction of the Director of PDS, complete the following:

Process a Stormwater Facilities Maintenance Agreement (SWMA) to assure maintenance of the Category 2 Structural BMPs and provide security to back up the maintenance pursuant to the County Maintenance Plan Guidelines to the satisfaction of the Director of DPW and/or PDS. The SWMA shall be signed and notarized by the applicant and recorded by the County.

DOCUMENTATION: The applicant shall process the agreement forms with [PDS, LDR] and pay the deposit and applicable review fees. **TIMING:** Prior to the recordation of the Map, execution of the agreements and securities shall be completed. **MONITORING:** The [PDS, LDR] shall review the agreements/mechanisms for consistency with the condition and County Standards.

3. 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 State Construction General Permit, Order No. 2009-00090-DWQ, or subsequent order and the County Watershed Protection Ordinance (WPO) No.10410, County Code Section 67.801 et. seq. 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 Erosion Control Plan including, but not limited to the erosion control measures, irrigation systems, slope protection, drainage systems, desilting basins, energy dissipators, and silt control measure.

- a. An agreement and instrument of credit shall be provided pursuant to Subdivision Ordinance 81.408, 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 [PDS, LDR] 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 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 PDS and/or DPW 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]. **TIMING:** Prior to recordation of the Map, 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 the conditions to potentially perform the required erosion control and stormwater control measures proposed on all construction and grading plans. [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.

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. 10410 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 Quality Management Plan (SWQMP), 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 during construction the property owner keeps the Storm Water Pollution Prevention Plan (SWPPP) onsite and update it as needed. 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 in May 2013 and amended in November 2015. *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.sandiegocounty.gov/content/dam/sdc/dpw/WATERSHED_PROTECTION_PROGRAM/susmppdf/lid_handbook_2014sm.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 below

<http://www.sdcounty.ca.gov/dplu/docs/LID-Handbook.pdf>

STORMWATER COMPLIANCE NOTICE: Updated studies, including Hydro-modification Management Plans for Priority Development Projects, will be required prior to approval of grading and improvement plans for construction pursuant to County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance No. 10410 (N.S.), dated February 26, 2016 and BMP Design Manual. These requirements are subject to the MS4 Permit issued by the Regional Water Quality Control Board, Order No. R9-2013-0001 and any subsequent order. Additional studies and other action may be needed to comply with future MS4 Permits.

DRAINAGE: The project shall be in compliance with the County of San Diego Flood Damage Prevention Ordinance No. 10091, adopted December 8, 2010.

GRADING PERMIT REQUIRED: A grading permit is required prior to commencement of grading when quantities of excavation or fill results in the movement of material exceeding 200 cubic yards or eight feet (8') in vertical height of cut/fill pursuant to Section 87.201 of the County Code.

CONSTRUCTION PERMIT REQUIRED: A Construction Permit and/or Encroachment Permit are required for any and all work within the County road right-of-way. Contact DPW 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 right-of-way, the applicant must first obtain a permit to remove plant or trim shrubs or trees from the Permit Services Section.

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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, LD Counter*] and provide a copy of the receipt to the [*PDS, BD*] 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: 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 number of 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.

cc: Geoffrey Daniels, 185 Farm to Market Ct., Whitefish, MT 59937

email cc:

Ken Brazell, Land Development, Team Leader, Planning & Development Services
David Sibbet, Planning Manager, Planning & Development Services
Marisa Smith, Project Manager, Planning & Development Services
Fallbrook Planning Group

Attachment C – Environmental Documentation



County of San Diego

MARK WARDLAW
DIRECTOR
PHONE (858) 694-2962
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PLANNING & DEVELOPMENT SERVICES
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123
www.sdcountry.ca.gov/pds

AN ADDENDUM TO THE PREVIOUSLY APPROVED MITIGATED NEGATIVE DECLARATION FOR PURPOSES OF CONSIDERATION OF PDS2016-TM-5364TE

May 12, 2017

CEQA Guidelines, Section 15164(b) states that an Addendum to a previously adopted Mitigated Negative Declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 or 15163 calling for the preparation of a subsequent Mitigated Negative Declaration have occurred.

There are some minor changes and additions, which need to be included in an Addendum to the previously adopted Mitigated Negative Declaration to accurately cover the new project. The additions are underlined and deletions are struck out. The changes and additions consist of the following:

1. To the Project Name add: Daniels Gray Rabbit Hollow Tentative Map Time Extension
2. To the Project Number(s) add: PDS2016-TM-5364TE; PDS2016-ER-04-02-009B
3. To the first paragraph add as indicated: The Mitigated Negative Declaration for this project is comprised of this form along with the Environmental Review Update Checklist Form for Projects with a Previously Approved Environmental Document dated May 12, 2017 which includes the following forms attached.
 - A. An Addendum to the previously approved Mitigated Negative Declaration with an Environmental Review Update Checklist Form for Projects with a Previously Approved Environmental Document dated May 12, 2017.
 - B. An Ordinance Compliance Checklist
 - C. An updated Major Stormwater Quality Management Plan (Major SWQMP) prepared by Chang Consultants, dated December 21, 2016.



County of San Diego

MARK WARDLAW
DIRECTOR

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May 12, 2017

Environmental Review Update Checklist Form For projects with Previously Approved Environmental Documents

FOR PURPOSES OF CONSIDERATION OF DANIELS GRAY RABBIT HOLLOW TENTATIVE MAP (TM) TIME EXTENSION PDS2016-TM-5364TE

The California Environmental Quality Act (CEQA) Guidelines Sections 15162 through 15164 set forth the criteria for determining the appropriate additional environmental documentation, if any, to be completed when there is a previously adopted Mitigated Negative Declaration (MND) covering the project for which a subsequent discretionary action is required. This Environmental Review Update Checklist Form has been prepared in accordance with CEQA Guidelines Section 15164(e) to explain the rationale for determining whether any additional environmental documentation is needed for the subject discretionary action.

1. Background on the previously adopted MND:

A MND for Daniels Tentative Map, PDS2004-3100-5364, was adopted by the Planning Commission on May 22, 2009. The adopted MND found the project would have potentially significant effects to traffic that were clearly mitigated. The potentially significant effect that was clearly mitigated consisted of the following: cumulative impact from the addition of 120 average daily trips, mitigated by the payment of TIF.

A preliminary decision by the Director, Department of PDS approving a Revised Tentative Map for TM-5364 became final at the Planning Commission hearing on January 22, 2016. The Revised Map allowed removal of the following conditions: dedicate the right-of-way on Green Canyon Road, improve the western portion of Green Canyon Road with pavement and a decomposed granite pathway, and remove the existing barn on Lot 4.

2. Lead agency name and address:

County of San Diego, Planning & Development Services
5510 Overland Avenue, Suite 110
San Diego, CA 92123

- a. Contact Marisa Smith, Project Manager
- b. Phone number: (858) 694-2621
- c. E-mail: marisa.smith@sdcounty.ca.gov

Daniels Grey Rabbit Hollow
Tentative Map Time Extension
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May 12, 2017

3. Project applicant's name and address:

Geoffrey Daniels, 185 Farm to Market Ct. Whitefish, Montana 59937

4. Summary of the activities authorized by present permit/entitlement application(s):

The present permit application would extend the expiration date of the approved Tentative Map by the maximum allowed by the Subdivision Map Act (six years) so that the expiration date would become May 22, 2022.

5. Does the project for which a subsequent discretionary action is now proposed differ in any way from the previously approved project?

YES
☐

NO
☒

If yes, describe **ALL** differences.

No changes are proposed to the project or to protect conditions of approval.

6. **SUBJECT AREAS DETERMINED TO HAVE NEW OR SUBSTANTIALLY MORE SEVERE SIGNIFICANT ENVIRONMENTAL EFFECTS COMPARED TO THOSE IDENTIFIED IN THE PREVIOUS ND OR EIR.** The subject areas checked below were determined to be new significant environmental effects or to be previously identified effects that have a substantial increase in severity either due to a change in project, change in circumstances or new information of substantial importance, as indicated by the checklist and discussion on the following pages.

☒ NONE

☐ Aesthetics

☐ Biological Resources

☐ Greenhouse Gas Emissions

☐ Land Use & Planning

☐ Population & Housing

☐ Transportation/Traffic

☐ Agriculture and Forest Resources

☐ Cultural Resources

☐ Hazards & Haz Materials

☐ Mineral Resources

☐ Public Services

☐ Utilities & Service Systems

☐ Air Quality

☐ Geology & Soils

☐ Hydrology & Water Quality

☐ Noise

☐ Recreation

☐ Mandatory Findings of Significance

DETERMINATION:

On the basis of this analysis, Planning & Development Services has determined that:

- ☒ No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous MND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, the previously adopted MND is adequate upon completion of an Addendum.
- ☐ No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous EIR or ND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, because the project is a residential project in conformance with, and pursuant to, a Specific Plan with a EIR completed after January 1, 1980, the project is exempt pursuant to CEQA Guidelines Section 15182.
- ☐ Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous ND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). However all new significant environmental effects or a substantial increase in severity of previously identified significant effects are clearly avoidable through the incorporation of mitigation measures agreed to by the project applicant. Therefore, a SUBSEQUENT ND is required.
- ☐ Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous ND or EIR due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, a SUBSEQUENT or SUPPLEMENTAL EIR is required.



Signature

May 12, 2017

Date

Marisa Smith

Printed Name

Project Manager

Title

INTRODUCTION

CEQA Guidelines Sections 15162 through 15164 set forth the criteria for determining the appropriate additional environmental documentation, if any, to be completed when there is a previously adopted MND for the project.

CEQA Guidelines, Section 15162(a) and 15163 state that when an MND has been adopted, no Subsequent MND shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole public record, one or more of the following:

1. Substantial changes are proposed in the project which will require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous MND was adopted, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous MND; or
 - b. Significant effects previously examined will be substantially more severe than shown in the previously adopted MND; or
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous MND would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

CEQA Guidelines, Section 15164(b) states that an Addendum to a previously adopted MND may be prepared if only minor technical changes or additions are necessary.

The following responses detail any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that may cause one or more effects to environmental resources. The responses support the "Determination," above, as to the type of environmental documentation required, if any.

ENVIRONMENTAL REVIEW UPDATE CHECKLIST

I. AESTHETICS -- Since the previous MND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to aesthetic resources including: scenic vistas; scenic resources including, but not limited to, trees, rock outcroppings, or historic buildings within a state scenic highway; existing visual character or quality of the site and its surroundings; or day or nighttime views in the area?

YES

☐

NO

☒

II. AGRICULTURE AND FORESTRY RESOURCES -- Since the previous MND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to agriculture or forestry resources including: conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use, conflicts with existing zoning for agricultural use or Williamson Act contract, or conversion of forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

YES

☐

NO

☒

III. AIR QUALITY -- Since the previous MND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to air quality including: conflicts with or obstruction of implementation of the San Diego Regional Air Quality Strategy (RAQS) or applicable portions of the State Implementation Plan (SIP); violation of any air quality standard or substantial contribution to an existing or projected air quality violation; a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard; exposure of sensitive receptors to substantial pollutant concentrations; or creation of objectionable odors affecting a substantial number of people?

YES

☐

NO

☒

IV. BIOLOGICAL RESOURCES -- Since the previous MND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to biological resources including: adverse effects on any sensitive natural community (including riparian habitat) or species identified as a candidate, sensitive, or special status species in a local or regional plan, policy, or regulation, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service; adverse effects to federally protected wetlands as defined by Section 404 of the Clean Water Act; interference with the movement of any native resident or migratory fish or wildlife species or with wildlife corridors, or impeding the use of native wildlife nursery sites; and/or

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conflicts with the provisions of any adopted Habitat Conservation Plan, Natural Communities Conservation Plan, or other approved local, regional or state habitat conservation plan, policies or ordinances?

☐ YES ☒ NO

V. CULTURAL RESOURCES -- Since the previous MND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to cultural resources including: causing a change in the significance of a historical or archaeological resource as defined in State CEQA Guidelines Section 15064.5; destroying a unique paleontological resource or site or unique geologic feature; and/or disturbing any human remains, including those interred outside of formal cemeteries?

☐ YES ☒ NO

VI. GEOLOGY AND SOILS -- Since the previous MND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects from geology and soils including: exposure of people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, seismic-related ground failure, including liquefaction, strong seismic ground shaking, or landslides; result in substantial soil erosion or the loss of topsoil; produce unstable geological conditions that will result in adverse impacts resulting from landslides, lateral spreading, subsidence, liquefaction or collapse; being located on expansive soil creating substantial risks to life or property; and/or having soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

☐ YES ☒ NO

VII. GREENHOUSE GAS EMISSIONS -- Since the previous EIR was certified or previous ND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects related to environmental effects associated with greenhouse gas emissions or compliance with applicable plans, policies or regulations adopted for the purpose of reducing greenhouse gas emissions?

☐ YES ☒ NO

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The California Air Pollution Control Officers Association (CAPCOA) CEQA Climate Change White Paper (CAPCOA White Paper) dated January 2008 recommends using a 900 metric tons (MT) screening level to determine GHG impacts. As stated in the CAPCOA White Paper, 900MT of GHG emissions are generally produced by a 50-unit single family residential or 70-unit multifamily development. Since the project propose eight single family residential lots, the project's GHG emissions would be below the CAPCOA-recommended 900MT screening level and impacts would be less than significant. The proposed Time Extension would not result in significant impacts related to GHG emissions. Further, there are no changes in circumstance under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects relating to GHG emissions.

VIII. HAZARDS AND HAZARDOUS MATERIALS -- Since the previous MND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects from hazards and hazardous materials including: creation of a significant hazard to the public or the environment through the routine transport, storage, use, or disposal of hazardous materials or wastes; creation of a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; production of hazardous emissions or handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; location on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 creating a hazard to the public or the environment; location within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport; within the vicinity of a private airstrip resulting in a safety hazard for people residing or working in the project area; impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; and/or exposure of people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

YES

☐

NO

☒

IX. HYDROLOGY AND WATER QUALITY -- Since the previous MND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to hydrology and water quality including: violation of any waste discharge requirements; an increase in any listed pollutant to an impaired water body listed under section 303(d) of the Clean Water Act ; cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses; substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level; substantially alter the existing drainage pattern of the site or area in a manner which would result in substantial erosion, siltation or flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems; provide substantial additional sources of polluted runoff; place housing or other structures which would impede or redirect flood flows within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map, including County Floodplain Maps; expose

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people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; and/or inundation by seiche, tsunami, or mudflow?

YES NO
☒ ☐

A Stormwater Quality Management Plan (SWQMP) was prepared for the project by Wayne Chang dated December 21, 2016. The SMQWP was reviewed and determined to comply with current stormwater regulations.

X. LAND USE AND PLANNING -- Since the previous MND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to land use and planning including: physically dividing an established community; and/or conflicts with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect?

YES NO
☐ ☒

XI. MINERAL RESOURCES -- Since the previous MND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to mineral resources including: the loss of availability of a known mineral resource that would be of value to the region and the residents of the state; and/or loss of locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

YES NO
☐ ☒

XII. NOISE -- Since the previous MND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects from noise including: exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels; a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project; a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project; for projects located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, or for projects within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

YES NO
☐ ☒

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XIII. POPULATION AND HOUSING -- Since the previous MND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more effects to population and housing including displacing substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere?

YES NO
☐ ☒

XIV. PUBLIC SERVICES -- Since the previous MND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services: fire protection, police protection, schools, parks, or other public facilities?

YES NO
☐ ☒

XV. RECREATION -- Since the previous MND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in an increase in the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or that include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

YES NO
☐ ☒

XVI. TRANSPORTATION/TRAFFIC -- Since the previous MND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause effects to transportation/traffic including: an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system; exceedance, either individually or cumulatively, of a level of service standard established by the county congestion management agency for designated roads or highways; a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks; substantial increase in hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); inadequate emergency access; inadequate parking capacity; and/or a conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

YES NO
☐ ☒

XVII. UTILITIES AND SERVICE SYSTEMS -- Since the previous MND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause effects to utilities and service systems including: exceedance of wastewater treatment requirements of the applicable Regional Water Quality Control Board; require or result in the construction of new water or wastewater treatment facilities, new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; require new or expanded entitlements to water supplies or new water resources to serve the project; result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments; be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs; and/or noncompliance with federal, state, and local statutes and regulations related to solid waste?

YES
☐

NO
☒

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE: Since the previous MND was adopted, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in any mandatory finding of significance listed below?

Does the project degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

YES
☐

NO
☒

Attachments

- Previous environmental documentation
- Addendum to the previously adopted MND

**XVIII. REFERENCES USED IN THE COMPLETION OF THE ENVIRONMENTAL REVIEW
UPDATE CHECKLIST FORM**

California Department of Fish and Wildlife. Fish and Wildlife Code, Section 1600 *et. seq.*

California Environmental Quality Act, CEQA Guidelines

California Environmental Quality Act. 2001. California Code of Regulations, Title 14, Chapter 3, Section 15382.

California Integrated Waste Management Board, Title 14, Natural Resources, Division 7

California Integrated Waste Management Board, Title 27, Environmental Protection, Division 2, Solid Waste

California Public Resources Code, CPRC, Sections 40000-41956

County Code of Regulatory Ordinances, Title 3, Division 5, Chapter 3

County of San Diego Zoning Ordinance (Agricultural Use Regulation, Sections 2700-2720)

County of San Diego. Resource Protection Ordinance, Article II (16-17). October 10, 1991

County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (WPO) (Ordinance Nos. 9424 and 9426, County Codes §§ 67801 *et seq.*)

Farmland Mapping and Monitoring Program, California Department of Conservation, Division of Land Resource Protection

Order No. 2001-01, NPDES No. CAS 0108758, California Regional Water Quality Control Board, San Diego Region

Ordinance 8334, An Ordinance to amend the San Diego County Code of Regulatory Ordinances relating to Flood Damage Prevention, Adopted by the Board of Supervisors on 12/7/93

Public Resources Code Sections 4290 and 4291

San Diego County Light Pollution Code (San Diego County Code Section 59.101)

The Importance of Imperviousness from *Watershed Protection Techniques* Vol. 1, No. 3 - Fall 1994 by Tom Schueler Center for Watershed Protection

The Resource Conservation and Recovery Act (RCRA), 1976

Uniform Fire Code, Article 9 and Appendix II-A, Section 16

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Water Quality Control Plan for the San Diego Basin (9), California Regional Water Quality Control
Board, San Diego Region



ERIC GIBSON
DIRECTOR

County of San Diego

DEPARTMENT OF PLANNING AND LAND USE

5201 RUFFIN ROAD, SUITE B, SAN DIEGO, CALIFORNIA 92123-1666
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MITIGATED NEGATIVE DECLARATION

February 10, 2009

Project Name: Daniels Tentative Map

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

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

- a. Initial Study Form
- b. Attached extended studies for Grading, Hydrology, Agriculture, Archaeology, Traffic, and Stormwater Management

1. California Environmental Quality Act Mitigated Negative Declaration Findings:

Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; and that revisions in the project plans or proposals made by or agreed to by the project applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and, on the basis of the whole record before the decision-making body (including this Mitigated Negative Declaration) that there is no substantial evidence that the project as revised will have a significant effect on the environment.

2. Required Mitigation Measures:

Refer to the attached Environmental Initial Study for the rationale for requiring the following measures:

TRANSPORTATION: The payment of the Transportation Impact Fee, which will be required at issuance of building permits, in combination with other components of this program, will mitigate potential cumulative traffic impacts to less than significant.

3. Critical Project Design Elements That Must Become Conditions of Approval:

The following project design elements were either proposed in the project application or the result of compliance with specific environmental laws and regulations and were essential in reaching the conclusions within the attached Environmental Initial Study. While the following are not technically mitigation measures, their implementation must be assured to avoid potentially significant environmental effects.

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

PLANS AND SPECIFICATIONS**Street Improvements**

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

- b. Improve or agree to improve and provide security for the private easement road, Street 'A', from Green Canyon Road improvements westerly to access driveways to Lots 6 and 7 to a graded width of twenty-eight feet (28') and to an improved width of twenty-four feet (24') with asphalt concrete pavement over approved base with asphalt concrete dike where necessary to control drainage. The improvement and design standards of Section 3.1(C) of the County Standards for Private Streets for one hundred one (101) to seven hundred fifty (750) trips shall apply. All of the above shall be to the satisfaction of the Director of Public Works.
- c. Hand-rake and compact asphalt concrete surfacing material to form smooth tapered connections along all edges including those edges adjacent to soil. The edges of asphalt concrete shall be hand-raked at 45 degrees or flatter, so as to provide a smooth transition next to existing soil, including those areas scheduled for shoulder backing. The above shall be done to the satisfaction of the Director of Public Works.
- d. Have a registered civil engineer, a registered traffic engineer, or a licensed surveyor provide a signed statement that: "Physically, there is a minimum adequate unobstructed sight distance in both directions along Green Canyon Road from the proposed private easement road, Street A serving the project, for the prevailing operating speed of traffic on Green Canyon Road, per Section 6.1.E of the County Public Road Standards (approved July 14, 1999)". If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify that said lines of sight fall within the existing right-of-way and a clear space easement is not required. These certifications shall be to the satisfaction of the Director of Public Works.
- e. Terminate Street A at Lots 6 and 7 with a cul-de-sac graded to a radius of forty feet (40') and surfaced to a radius of thirty-six feet (36') with asphalt concrete pavement over approved base with asphalt concrete dike with the face of dike at thirty-six feet (36') from the radius point to the satisfaction of the North County Fire Protection District and the Director of Public Works.
- f. If guarded access is used along Street A, improve it in accordance with San Diego County Design Standards DS-17, DS-18 or DS-19 to the satisfaction of the North County Fire Protection District, and the Director of Public Works. Gates installed across Street 'A' and emergency access road to conform to NCFPD standards for electric gates, to include opticom strobe sensor, exit loop detectors, battery backup, and knox key switch. Gate across emergency access road must be an electric gate, to conform

to same standards as noted above.

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

Access/Flood Control

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

FAIR HOUSING

- 5. Standard Condition 20.

SANITATION

- 6. Standard Condition 22.

7. Specific Conditions:

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

FIRE PROTECTION AND WATER SUPPLY

8. Standard Conditions 23.1 and 23.2.

PLANNING AND ZONING ADMINISTRATION

9. Specific Conditions:

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

DEVELOPMENT IMPACT FEES

10. Specific Conditions:

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

FINAL MAP RECORDATION

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

Streets and Dedication

11. Specific Conditions:

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

owners of this project will be required to sign a statement that they are aware of the County of San Diego, Department of Public Works, Pavement Cut Policy and that they have contacted all adjacent property owners and solicited their participation in the extension of utilities.

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

MISCELLANEOUS

12. Standard Conditions 25-29.

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

Planning Commission

on May 22, 2009



Brian Baca, Chief
Project Planning Division

BB:BE:be

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

**FOR PURPOSES OF CONSIDERATION OF
Daniels Gray Rabbit Hollow Tentative Map Time Extension
PDS2016-TM-5364TE**

May 12, 2017

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
☒

The project site and locations of any off-site improvements do not contain habitats subject to the Habitat Loss Permit/Coastal Sage Scrub Ordinance. Therefore, conformance to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings is not required.

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

YES
☐

NO
☐

NOT APPLICABLE/EXEMPT
☒

The proposed project and any off-site improvements related to the proposed project are located within the boundaries of the draft North County Multiple Species Conservation Program which has not yet been adopted and the site is not within lands designated as a Pre-approved Mitigation Area. 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
☒

The project will obtain its water supply from the Fallbrook Public Utilities District, which obtains water from surface reservoirs and/or imported sources. The project will not use any groundwater for any purpose, including irrigation or domestic supply.

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 checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Steep Slope 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"/>

Wetland and Wetland Buffers: The site contains no wetland habitats as defined by the San Diego County Resource Protection Ordinance. The site does not have a substratum of predominately undrained hydric soils; the land does not support, even periodically, hydric plants; nor does the site have a substratum that is non-soil and is saturated with water or covered by water at some time during the growing season of each year.

Floodways and Floodplain Fringe: This project is not located in a Floodway or Floodplain.

Steep Slopes: The average slope for the property is 9.70 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 no steep slopes on the property.

Sensitive Habitats: No sensitive habitat lands were identified on the site as determined during a site visit conducted by Bobbie Stephenson on September 14, 2007. Therefore, the proposed project complies with Section 86.604(f) of the Resource Protection Ordinance.

Significant Prehistoric and Historic Sites: Based on an analysis of County of San Diego archaeology resource files, archaeological records, maps, and aerial photographs, and a survey by County of San Diego staff archaeologist, Gail Wright, on May 26, 2004, it has been determined that the project site does not contain any archaeological resources.

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

☐

The project Storm Water Management Plan for this project has been submitted, and DPW has reviewed it and found it in compliance with the Watershed Protection Ordinance (WPO). The plan is adequate for CEQA purposes.

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

☐

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.