

RESOLUTION OF SAN DIEGO COUNTY)  
CONDITIONALLY APPROVING                    )  
TENTATIVE MAP NO. TM5522RPL<sup>2</sup>            )

WHEREAS, Tentative Map No. 5522RPL<sup>2</sup> proposing the division of property located in the 2800 block of Eltinge Drive, immediately west of Bay Meadows Drive, in the Alpine community, within unincorporated San Diego County, and generally described as:

All that portion of the Southwest Quarter of the Southeast Quarter of Section 27, Township 15 South, Range 2 East, S.B.M., in the County of San Diego, State of California according to the US Government Survey approved September 11, 1879, described as follows:

Beginning at the Northwest corner of said Southwest Quarter of said Southeast Quarter; thence Easterly along the Northerly line of said West Quarter, a distance of 500.0 feet; thence Southerly parallel with the Westerly line of said Southwest Quarter a distance of 500 feet; thence Westerly parallel with the Northerly line of said Southwest Quarter a distance of 500 feet to the Westerly line of said Southwest Quarter; thence Northerly along said Westerly line 500 feet to the Point of Beginning.

was filed with the County of San Diego pursuant to the Subdivision Map Act and San Diego County Subdivision Ordinance on January 30, 2009; and

WHEREAS, on September 11, 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 and with the (6) Residential Land Use Designation of the Alpine Community Plan because it proposes a residential use type at a density of less than 7.3 dwelling units per gross acre and complies with the provisions of the State Subdivision Map Act and the Subdivision Ordinance of the San Diego County Code;
2. The Tentative Map is consistent with the Zoning Ordinance because it proposes a residential use type with a minimum net lot size of more than 6,000 sq. ft. in the RS-7 (Single-Family Residential) Use Regulation;
3. The design and improvements of the proposed subdivision are consistent with all elements of the San Diego County General Plan and with the Alpine Community Plan, and 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 project fully mitigates impacts to sensitive resources, the project has been designed to reduce necessary grading, and the project proposes adequate pad sizes and meets all setback requirements without the need for variances;
5. The site is physically suitable for the proposed density of development because the site is of sufficient area and configuration to accommodate the proposed density, while complying with all County standards and regulations for a development of this type, and while not creating significant impacts to neighboring properties;
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 June 18, 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 Alpine Sanitation District sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the Water Code, as specified by Government Code Section 66474.6;
10. Because adequate facilities and services have been assured and adequate environmental review and documentation have been prepared, the regional housing opportunities afforded by the subdivision outweigh the impacts upon the public service needs of County residents and fiscal and environmental resources; and;
11. It is hereby found that the use or development permitted by the application is consistent with the provisions of the Resource Protection Ordinance.
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.
13. The "Multiple Species Conservation Planning Conformance Findings" dated March 18, 2009 on file with DPLU as Environmental Review Number 06-15-051 is hereby adopted.
14. It is hereby found that the Planning Commission has reviewed and considered the information contained in the Mitigated Negative Declaration dated June 18, 2009, on file with the Department of Planning and Land Use as Environmental Review Number 06-15-051, prior to approving the project.

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

The approval of this Tentative Map shall become effective 30 days after the adoption of this Resolution, provided that on that effective date Zone Reclassification R06-018 has also become effective. This approval expires 36 months from said effective date, 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.**

- 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 and Access)

- 1. Standard Conditions 1 through 10 and 12.
- 2. Specific Conditions [DPW]:
  - a. Improve or agree to improve and provide security for Eltinge Drive in accordance with Public Road Standards for a Residential Collector, to a graded width of sixty-feet (60') with forty-feet (40') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter, and sidewalk (northerly side), and a minimum of 5 feet disintegrated granite (DG) pathway contiguous to the curb on southerly side. Face of curb shall be at twenty feet (20') from centerline. The existing pavement may remain and shall be widened with asphalt concrete to provide a constant width of twenty-feet (20') from centerline to the property boundaries northerly and easterly. All distressed sections shall be replaced. Provide all necessary traffic striping for one through lane and a shoulder, berm and taper transitions, and retaining walls as required matching the existing improvements (both easterly and westerly). Construct the intersections with the proposed private easement roads, Sunset View Circle (west and east). All of the foregoing shall be to the satisfaction of the Director of Public Works and the Director of Parks and Recreation.

- b. Improve or agree to improve and provide security for the private easement roads, Sunset View Circle, (west and east) to a graded width of forty feet (40') and to an improved width of thirty two feet (32') with asphalt concrete pavement over approved base with asphalt concrete dike as necessary. The improvement and design standards of Section 3.1(C) of the County Standards for Private Streets for one hundred (100) or less trips shall apply to the satisfaction of the Director of Public Works and Alpine Fire Protection District. [FIRE]
- c. Sunset View Circle, (west and east) shall terminate with a cul-de-sacs graded to a radius of forty-two feet (42') and surfaced to a radius of thirty-eight feet (38') with asphalt concrete pavement over approved base with asphalt concrete dike with face of dike at thirty-eight feet (38') from the radius point to the satisfaction of the Director of Public Works and Alpine Fire Protection District. [FIRE]
- d. The subdivider shall construct to the satisfaction of the Director of Public Works, a public street lighting system that complies with the following to the satisfaction of the director of public works: [DPW - Development Review Section]
  - 1) All fixtures shall use a high pressure sodium (HPS) vapor light source unless within 15 miles radius of Palomar or Mount Laguna observatories in which case fixtures shall use a low pressure sodium vapor light source.
  - 2) Deposit with the County of San Diego, through the Department of Public Works, a cash deposit sufficient to:
    - (a) Energize, maintain and operate the street lighting system until tax revenues begin accruing from the subdivision for those purposes.
    - (b) Pay the cost to process lighting district administration of this project. After recording of the Final Map, the subdivision shall be transferred without notice or hearing, to Zone A of the lighting district to operate and maintain the system.
- e. Asphalt concrete surfacing material shall be hand-raked and compacted to form smooth tapered connections along all edges including those edges adjacent to soil. The edges of asphalt concrete shall be hand-raked at 45 degrees or flatter, so as to provide a smooth transition next to existing soil, including those areas scheduled for shoulder backing. The above shall be done to the satisfaction of the Director of Public Works.

- f. A Registered Civil Engineer, Registered Traffic Engineer, or Licensed Land Surveyor shall provide a certified signed statement that, "physically, there is a minimum unobstructed sight distance in both directions along Eltinge Drive from both private roads (Sunset View Circle, west and east) and driveway on Lot 18, for the prevailing operating traffic speed on Eltinge Drive per the Design Standards of Section 6.1.E of the County of San Diego Public Road Standards (approved July 14, 1999)", to the satisfaction of the Director of Public Works. 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."
- g. Where height of downsloping bank for a 2:1 slope is greater than twelve feet (12'); or where height of downsloping bank for a 1.5:1 slope is greater than ten feet (10'), guardrail shall be installed, as deemed necessary by the County Engineer per CALTRANS standards to the satisfaction of the Director of Public Works.
- h. Road widths less than thirty-six foot (36') improved width may require posting and red striping to the satisfaction of the Alpine Fire Protection District. If so, this information shall be shown on the Final Map as "Non Title Information." [FIRE]

(Drainage and Flood Control)

- 3. Standard Conditions 13 through 18.
- 4. Specific Conditions [DPW]:
  - a. The private storm drain systems, including bioswales, perforated drain pipes, rock rip-raps energy dissipators and check dams, shall be maintained by a maintenance mechanism such as a homeowners association or other private entity to the satisfaction of the Director of Public Works.

(Grading Plans)

- 5. Standard Conditions 19(a-e).
- 6. Specific Conditions [DPW]:
  - a. For the duration of this project-Comply with all applicable stormwater regulations at all times. The activities proposed under this application are

subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (Ordinance No. 9926) and all other applicable ordinances and standards. This includes requirements for **Low Impact Development (LID)**, materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas greater than one (1) acre require that the property owner keep additional and updated information onsite concerning stormwater runoff. This requirement shall be to the satisfaction of the Director of Public Works.

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

7. Specific Trail and Pathway Conditions: [DPR]

- a. Improve or agree to improve, to the satisfaction of the Directors of Public Works and/or Parks and Recreation, a pathway to a width of ten (10) feet within the outer edge of the south side of the road right of way of Eltinge Drive, as indicated on the Tentative Map 5522RPL<sup>2</sup> dated January 30, 2009 on file with the Department of Planning and Land Use. The pathway shall be constructed pursuant to the Community Trails Master Plan Design and Construction Guidelines.

Provide evidence, to the satisfaction of the Director of Public Works (DPW) that the following "Specific Items" have been placed on the grading, and/or improvement plans.

- 1) Pathway location shown, pursuant to the above map.

- 2) Notes: Aboveground utilities/obstructions are not permitted within the 10-foot wide pathway. The pathway surface shall consist of four-inches of compacted decomposed granite.

8. Specific Biological Conditions: [DPLU]

- a. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Public Works (DPW) that the following "Specific Environmental Notes" have been placed on the grading, and or improvement plans:

(Biological)

- 1) Restrict all brushing, clearing and/or grading such that none will be allowed on-site during the migratory bird breeding season. This is defined as occurring between February 15 and August 31. The Director of Planning and Land Use may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Game, that no nesting or breeding birds are present in the vicinity of the brushing, clearing or grading. **[DPLU, FEE]**

9. Specific Cultural Conditions: [DPLU]

- a. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Public Works (DPW) that the following "Specific Environmental Notes" have been placed on the grading, and or improvement plans:

(Cultural)

- 1) The County approved Project Archaeologist, the Native American Monitor, and the DPLU Permit Compliance Coordinator (PCC), shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the monitoring program.
- 2) The Project Archaeologist (and Native American Monitor, if contracted) shall monitor original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements.
- 3) During the original cutting of previously undisturbed deposits, the Project Archaeologist and Native American monitor shall be onsite as determined necessary by the Project Archaeologist. Inspections will vary based on the rate of excavation, the materials excavated,



and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined by the Project Archaeologist in consultation with the Native American monitor. Monitoring of cutting of previously disturbed deposits will be determined by the Project Archaeologist.

- 4) In the event that previously unidentified potentially significant cultural resources are discovered, the Project Archaeologist shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources. At the time of discovery, the Project Archaeologist shall contact the DPLU Staff Archaeologist. The Project Archaeologist, in consultation with the Staff Archaeologist, shall determine the significance of the discovered resources. Construction activities will be allowed to resume in the affected area only after the Staff Archaeologist has concurred with the evaluation. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the Project Archaeologist and approved by the Staff Archaeologist, then carried out using professional archaeological methods.
- 5) If any human bones are discovered, the Project Archaeologist shall contact the County Coroner. If the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted by the Project Archaeologist in order to determine proper treatment and disposition of the remains.
- 6) The Project Archaeologist shall submit monthly status reports to the Director of Planning and Land Use starting from the date of the notice to proceed to termination of implementation of the grading monitoring program. The reports shall briefly summarize all activities during the period and the status of progress on overall plan implementation. Upon completion of the implementation phase, a final report shall be submitted describing the plan compliance procedures and site conditions before and after construction. **[DPLU, FEE]**
- 7) Prior to rough grading inspection sign-off for each phase, the Project Archaeologist shall provide evidence that the field grading monitoring activities have been completed. Evidence shall be in the form of a letter to the Director of the Department of Planning and Land Use. **[DPLU, FEE]**

- 8) Prior to Final Grading Release for each phase, submit to the satisfaction of the Director of Planning and Land Use, a final report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program. The report shall include the following: **[DPLU, FEE X2]**
- (a) Department of Parks and Recreation Primary and Archaeological Site forms.
  - (b) Evidence that all cultural resources collected during the grading monitoring program have been submitted to a San Diego curation facility that meets federal standards per 36 CFR Part 79, and, therefore, would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records, including title, shall be transferred to the San Diego curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that archaeological materials have been received and that all fees have been paid.
  - (c) If no cultural resources are discovered, a brief letter to that effect and stating that the grading monitoring activities have been completed, shall be sent to the Director of Planning and Land Use by the Project Archaeologist..

## FAIR HOUSING

10. Standard Condition 20.

## SANITATION

11. Standard Condition 21.

12. Specific Conditions [DPW Wastewater]:

- a. Prior to issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Public Works that:
  - 1) Applicant must submit, concurrently with the sewer improvement plans, a sewer capacity study that analyzes the existing sewer flows plus project sewer flows that will impact the immediate downstream sewer facilities from proposed point of connection to Alpine Blvd.

Offsite sewer segments determined to be under-sized per County sewer design standards shall be replaced with pipe segments designed for ultimate flow.

The sewer study shall at a minimum address the following:

- (a) Projected sewer flows from the proposed project plus existing flows.
  - (b) Project impacts on downstream capacity of the existing sewer facilities based on County's Facility Plan Study for Alpine and Lakeside Sanitation Districts (2002). Relevant excerpts from the report can be made available upon request.
  - (c) Required offsite sewer facility improvements to mitigate impacts of the project on the existing downstream sewer facilities.
- 2) Facility Plan Study for Alpine Sanitation District indicates that pipe reach P-20 along Alpine Trunk 1 currently exceeds the 50% design criteria for Peak Dry Weather Flow (PDWF). Pipe reach P-20 and several other pipe reaches in the District are scheduled for replacement in approximately six to seven years as part of the District's Capital Improvement Project (CIP) program. To meet the operational requirements for Ultimate flow conditions, the 8-inch diameter pipe reach P-20 must be replaced with 12-inch diameter pipe. If the proposed project's improvements are constructed prior to the scheduled CIP work, then replacement of the 8-inch diameter pipe reach P-20 to a 12-inch diameter pipe shall be installed as part of the project.

A "Fair Share" reimbursement agreement between the District and the developer will be negotiated to reimburse the developer for construction of downstream Capital Improvement Project (CIP) improvements if the developer constructs the CIP to accommodate the proposed project. Amount reimbursed shall be for that portion of the CIP that is planned by the District only. It shall not include any additional sewer main and other improvements that are implemented by the developer to accommodate the proposed project.

- 3) Plans and specifications for the installation of sewer system serving each lot must be approved by Alpine Sanitation District. The

developer shall dedicate all necessary easements along with that portion of the sewer system which is to be public sewer.

- 4) A commitment to serve each parcel must be purchased from the Alpine Sanitation District. In addition to the capacity commitment fees, the developer shall pay all the appropriate fees at time of issuance of the Wastewater Discharge Permit.
- 5) The developer shall install the sewer system and dedicate the sewer system which is to be public sewer as shown on the approved plans and specifications.
- 6) The developer may be required to grade an access road to maintain any public sewers constructed within easements and may be required to dedicate additional access easements to maintain the public sewers.

#### FIRE PROTECTION AND WATER SUPPLY

13. Standard Condition 23.1 and 23.2.

#### PLANNING AND ZONING ADMINISTRATION

14. Specific Conditions:

- a. Obtain a Zone Reclassification (R 06-018) to the RS-7 use regulation by the Board of Supervisors. [DPLU – Regulatory Planning Division]

The County Department of Public Works shall notify the Clerk of the Board of Supervisors and the Director of Planning and Land Use to delete the provisional classification affixed to the zoning encompassed by this subdivision.

#### DEVELOPMENT IMPACT FEES

15. Specific Conditions [DPW]:

- a. Deposit with the County Department of Public Works sufficient funds to cover the cost of inspection of the private road improvements.
- b. Participate in the cost of a traffic signal installation at the intersection of Alpine Boulevard at Victoria Drive. The amount of the developer's portion of the entire cost of the signal shall be \$2025. The Planning Commission hereby determines that:

- 1) The fee is to assist in financing the construction of a traffic signal to mitigate the impact of this project on traffic safety;
  - 2) The fee will be used to contribute toward the installation of a traffic signal at the intersection of Alpine Boulevard and Victoria Drive.
  - 3) The traffic signal will help mitigate the additional traffic impact on this these intersection caused by the residential subdivision;
  - 4) This residential subdivision will contribute additional traffic to the intersection of Alpine Boulevard and Victoria Drive.
  - 5) The fee of \$2025 is based on an estimate of the percentage of traffic this project will contribute to this these intersection.
- c. Participate in the cost of a traffic signal installation at the intersection of Alpine Boulevard at South Grade Road and Victoria Drive. The amount of the developer's portion of the entire cost of the signal shall be \$380. The Planning Commission hereby determines that:
- 1) The fee is to assist in financing the construction of a traffic signal to mitigate the impact of this project on traffic safety;
  - 2) The fee will be used to contribute toward the installation of a traffic signal at the intersection of Alpine Boulevard at South Grade Road and Victoria Drive.
  - 3) The traffic signal will help mitigate the additional traffic impact on this these intersection caused by the residential subdivision;
  - 4) This residential subdivision will contribute additional traffic to the intersection of Alpine Boulevard at South Grade Road and Victoria Drive.
  - 5) The fee of \$380 is based on an estimate of the percentage of traffic this project will contribute to this these intersection.
- d. Participate in the cost of a traffic signal installation at the intersection of Tavern Road at Arnold Way. The amount of the developer's portion of the entire cost of the signal shall be \$127. The Planning Commission hereby determines that:

- 1) The fee is to assist in financing the construction of a traffic signal to mitigate the impact of this project on traffic safety;
- 2) The fee will be used to contribute toward the installation of a traffic signal at the intersection of Tavern Road at Arnold Way.
- 3) The traffic signal will help mitigate the additional traffic impact on this these intersection caused by the residential subdivision;
- 4) This residential subdivision will contribute additional traffic to the intersection of Tavern Road at Arnold Way.
- 5) The fee of \$127 is based on an estimate of the percentage of traffic this project will contribute to this these intersection.

#### 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)

16. Specific Conditions [DPW]:

- a. With the Final Map, dedicate onsite and cause to be granted offsite Eltinge Drive along the project frontages in accordance with Public Road Standards for a Residential Collector to a right-of-way width of sixty feet (60') together with right to construct and maintain slopes and drainage facilities, including a twenty-foot (20') radius property line corner rounding at the street intersection to the satisfaction of the Director of Public Works.
- b. 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 Sunset View Circle (west and east), 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.
- c. If the private roads are separate lots, they shall have lot numbers consecutive with the other lot numbers. A road lot will have a different lot number.
- d. Prior to approval of improvement and/or grading plans, issuance of excavation permits, and issuance of any further grant of approval, the owners of this project will be required to sign a statement that they are aware of the County of San Diego, Department of Public Works, Pavement Cut Policy and that they have contacted all adjacent property owners and solicited their participation in the extension of utilities.
- e. The Basis of Bearings for the Subdivision Map shall be in terms of the California Coordinate System Zone 6 NORTH AMERICAN DATUM OF 1983 by use of existing Horizontal Control. **To be in compliance with the Public Resources Code, all Subdivision Map surveys performed after January 1, 2000 must use a Basis of Bearings established from existing Horizontal Control Stations with first order accuracy.**
- f. If conducted prior to January 1, 2000, a survey for any Subdivision Map that is to be based on state plane coordinates shall show two measured ties from the boundary of the subject property to existing Horizontal Control station(s) having California coordinate values of Third order accuracy or better, as published in the County of San Diego's Horizontal Control book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e. Grid bearings and Grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of Ground-to-Grid distances shall be shown on the map, all to the satisfaction of the Director of Public Works (Ref. San Diego County Subdivision Ordinance Section 81.506(j)).

If conducted after December 31, 1999, a survey for any Subdivision Map that is to be based on state plane coordinates shall show two measured ties from the boundary of the subject property to existing Horizontal Control station(s) having California Coordinate values of first order accuracy or better, as published in the County of San Diego's Horizontal Control book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e. Grid bearings and Grid distances). All other distances shown on the map are to be shown as Ground distances. A combined factor for conversion of Grid-to-Ground distances shall be shown on the map.

For purposes of this section, the date of survey for the field observed connections shall be the date of survey as indicated in the surveyor's/engineer's certificate as shown on the final map.

(Miscellaneous)

17. Standard Conditions 25, 26, 27, 28 and 29.

18. Specific General Plan/Zoning Conditions:

- a. No lot shall contain a net area of less than 6,000 sq. ft. [DPLU - Regulatory Planning Division]

19. Specific Biological Conditions [DPLU]:

- a. Prior to approval of grading and/or improvement plans, and prior to approval of the Final Map, Grant by separate document to the County of San Diego a Limited Building Zone Easement as shown on TM 5522RPL<sup>2</sup> dated **1/30/09** on file with the Department of Planning and Land Use as Environmental Review Number 06-14-051. The purpose of this easement is to limit the need to clear or modify vegetation for fire protection purposes within the adjacent native habitat and prohibits the construction or placement of any structure designed or intended for occupancy by humans or animals. The only exceptions to this prohibition are: **[DPLU, FEE]**
  - 1) Decking, fences, and similar facilities.
  - 2) Sheds, gazebos, and detached garages, less than 250 square feet in total floor area, that are designed, constructed and placed so that they do not require clearing or fuel modification within the biological open space easement, beyond the clearing/fuel modification required for the primary structures on the property.
- b. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Planning and Land Use that 1.97 acres of Tier III habitat credit has been secured in a mitigation bank approved by the California Department of Fish & Game, located within the approved MSCP. Evidence of purchase shall include the following information to be provided by the mitigation bank: **[DPLU, FEE X2]**
  - 1) A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.



- 2) If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.
- 3) To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.
- 4) An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.

**-OR-**

Provide for the conservation and habitat management of a minimum of 1.97 acres of southern mixed chaparral habitat located within the MSCP in an area designated as PAMA or meeting the definition of a BRCA. A Resource Management Plan (RMP) for the southern mixed chaparral habitat must be submitted and approved by the Director of the Department of Planning and Land Use. The plan shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Requirement Guidelines. An open space easement over the acquired habitat must be dedicated to the County of San Diego prior to or immediately following the approval of the RMP. Alternatively, proof that a federal, state or local government agency with the primary mission of resource management has taken fee title to the land will be accepted in lieu of an easement.

- c. Prior to approval of grading and/or improvement plans, and prior to approval of the Final Map, provide evidence to the satisfaction of the Director of Planning and Land Use that the following "Agency Permits" have been obtained and all mitigation required to obtain these permits has been completed:

- 1) Provide the Director of Planning and Land Use with a copy of a Clean Water Act, Section 401/404 permit issued by the California Regional Water Quality Control Board and the U.S. Army Corps of Engineers for all project related disturbances of waters of the U.S. and/or associated wetlands or provide evidence satisfactory to the Director of Planning and Land Use that such permit is not required before the approval of the final map. If grading is not proposed in the near future, the Section 401/404 permits shall be obtained prior to the issuance of any grading permit. **[DPLU, FEE]**
- 2) Provide the Director of Planning and Land Use with a copy of a Streambed Alteration Agreement issued by the California

Department of Fish and Game for all project related disturbances of any streambed or provide evidence satisfactory to the Director of Planning and Land Use that such an agreement is not required before the approval of the final map. If grading is not proposed in the near future, the Streambed Alteration Agreement shall be obtained prior to the issuance of any grading permit. **[DPLU, FEE]**

20. Specific Cultural Conditions: **[DPLU]**

- a. Prior to recordation of the final map(s) and prior to approval of any grading or improvement plans or issuance of any grading or construction permits, the subdivider shall implement the following conditions relating to the grading monitoring program to mitigate potential impacts to undiscovered buried archaeological resources on the Project site. The following conditions shall be implemented to the satisfaction of the Director of the Department of Planning and Land Use: **[DPLU, FEE X2]**
  - 1) Provide evidence that a County approved archaeologist ("Project Archaeologist") has been contracted to implement a grading monitoring and potential data recovery program that complies with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements, to the satisfaction of the Director of Planning and Land Use. Also, provide evidence that a Native American Monitor has been contracted to monitor grading, or evidence that no Native American Monitor was available, in which case the Project Archaeologist shall perform that function.
  - 2) The Contract shall include a cost estimate of the required monitoring; this estimate shall be submitted to the Director of Public Works and included in the Bond Cost Estimate for the required Grading.
- b. Prior to recordation of the final map(s) and prior to approval of any grading or improvement plans or issuance of any grading or construction permits, the applicant shall provide evidence to the satisfaction of the Director of Planning and Land Use that all archaeological materials recovered by Laguna Mountain Environmental during the work reported in: "*Cultural Resource Survey and Testing of the Sunset View Estates TM Project*" dated October 2008, have been curated at a San Diego facility that meets federal standards per 36 CFR Part 79, and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate

curation facility within San Diego County, to be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid. **[DPLU, FEE]**

21. Specific Trail and Pathway Conditions: [DPR]

- a. On the final map, designate and show as non-title information, a 10-foot wide pathway along the outer edge of the road right of way on the north and south sides of Eltinge Drive as shown on the Tentative Map #5522RPL<sup>2</sup> dated January 30, 2009 on file with the Department of Planning and Land Use.

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 Conditions 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]. The project is more than 15 miles from both observatories. Therefore, this condition does not apply.
- (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 22: Said condition pertains to projects served by septic systems. This subdivision will use public sewer.
- (4) Standard Condition 23.3: Said condition pertains to project which are provided fire services from the California Department of Forestry. This subdivision would be served by the Alpine Fire Protection District.

- (5) Standard Condition 24: Said condition pertains to projects outside the boundaries of a fire protection agency. This subdivision is within the Alpine Fire Protection District.
  - (6) 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.
- b. County Subdivision Ordinance
- (1) Section 81.402 (a) (1) requires public road right-of-way width on-site not less than 52 feet. This waiver will permit a private road easement of 40 feet for Sunset View Circle (west and east). Both roads ultimately serve not more than 100 ADT and terminate on the property with no feasibility of current or future connection to another public road.
- NOTE: A modification request for the reduction in easement requirements on-site for public road right-of-way width of fifty-two feet (52') to private road easement forty-feet (40') in width for Sunset View Circle is supported by the Director of DPW, dated July 5, 2007.
- c. County Public Road and Private Road Standards:
- (1) Section 6.1.C requires a non-Circulation Element roads entering into a non-Circulation Element Road shall have their centerline separated by at least 200 feet. This waiver will permit private easement road, Sunset View Circle (east) and proposed driveway on Lot 18, along Eltinge Drive to have the centerlines separation of less than 200'. The steepness of the lot (15% gradient), and large difference in elevation between the pad and the road, does not allow other driveway locations along the lot frontage.
- NOTE: A modification request for reduction of centerline separations between the driveway on Lot 18 and centerline of Sunset View Circle along Eltinge Drive is supported by DPW, dated March 6, 2009.

The following shall be the Mitigation Monitoring or Reporting Program for TM 5522RPL<sup>2</sup>, Sunset View Estates.

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:

C.8, C.9, C.19 and C.20.

**NOTICE** - The 90 day period in which the applicant may file a protest of the fees, dedications or exactions begins on September 11, 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>

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.

**NOTICE** - This project has been found to conform to the San Diego County Multiple Species Conservation Program Subarea Plan, Biological Mitigation Ordinance and Implementing Agreement. Upon fulfillment of the requirements for permanent mitigation and management of preserved areas as outlined in Section 17.1 (A) of the County's Implementing Agreement for the Multiple Species Conservation Program (MSCP) Plan, Third Party Beneficiary Status can be attained for the project. Third party beneficiary status allows the property owner to perform "incidental take" under the State and Federal Endangered Species Acts, of species covered by the MSCP Plan while undertaking land development activities in conformance with an approval granted by the County in compliance with the County's Implementing Agreement."

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 the Department of Planning and Land Use Mitigation Monitoring and Condition Review Fee. The fee will be collected at the time of the first submittal for Condition Satisfaction to DPLU, 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 biological and cultural DPLU conditions that need to be satisfied (nine total). The fee amount will only be paid one time for those conditions that are indicated with the [DPLU, 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.

ON MOTION of Commissioner Riess, seconded by Commissioner Day, 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 11th day of September 2009, in the Department of Planning and Land Use Hearing Room, 5201 Ruffin Road, Suite B, San Diego, California, by the following vote:

AYES: Day; Norby; Pallinger; Riess

NOES: None

ABSENT: Beck; Brooks; Woods

[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)

**PROJECT ISSUES CHECKLIST**

Summary of Document Requests and Reviews					Last Updated:		
Item No.	Who Requested?	Study Request	Status of Review	Date Requested	Date of Study	Date Accepted	
1.001	Standard	Tentative Map	Department of Planning and Land Use has reviewed the Tentative Map prepared by Snipes-Dye Associates, received 1/30/09, and has the following comment: Provide a 100 ft. Limited Building Zone easement adjacent to the exterior lot lines on lot 18 to insure that no structures will create the need for off-site fuel management.	3/5/09			
1.002	Standard	Preliminary Grading Plan	Department of Public Works (DPW) has reviewed the Preliminary Grading Plan prepared by Snipes-Dye Associates, received 1/30/09. The concerns of our letters dated 7/15/08 are addressed and DPW has no further comments.			3/5/09	
1.002	DPLU	Biological Resource Report	Staff has reviewed the Biological Resource Report prepared by Robin Church and submitted to the County on January 30, 2009. A site visit was conducted on July 25, 2008.				
			Please revise the Report and Biological Resources Map to address the following comments:				
1.003			1. Revise the Summary and project description (pages 1 and 2) to refer to 18 residential lots and one non-buildable lot.	3/5/09			
1.004			2. Delete the reference to off-site fire clearing in the Summary, page 1.	3/5/09			
1.005			3. Revise page 2 to state that the site is about 850 feet north of the Wright's Field PAMA.	3/5/09			
1.006			4. The proposed vegetated swale is a stormwater BMP, not a biological mitigation measure. The swale would be maintained for stormwater control and would not be protected by a biological open space easement. Therefore, the County does not accept this swale as mitigation for impacts to the ephemeral drainage. The project will be conditioned to obtain appropriate permits from the ACOE and CDFG. Any mitigation requirements which result from such permits must be accomplished prior to recordation of the Final Map. It is recommended that you consult with the ACOE and CDFG as soon as possible to determine the mitigation requirements.	3/5/09			
1.007			5. All changes to the document must be in <del>strikeout</del> / <u>underline</u> format	3/5/09			



## PROJECT ISSUES CHECKLIST

## 1 Summary of Document Requests and Reviews

Last Updated:

Item No.	Who Requested?	Study Request	Status of Review	Date Requested	Date of Study	Date Accepted
1.008	DPLU	Cultural Resource Report (Archaeology)	Staff has reviewed the cultural resources report titled, "Cultural Resource Survey and Testing of the Sunset View Estates TM Project," dated October 2008, prepared by Andrew Pignolo of Laguna Mountain Environmental. The report provides the results of a cultural resource survey to determine the presence of cultural resources. The 5.75 acre parcel had not been previously surveyed. The cultural resource survey resulted in the identification of a bedrock milling station, CA-SDI-18923, with three milling features. No artifacts were found during the survey. The site will be directly impacted by the proposed development. Eleven shovel test pits were excavated to determine whether the site was significant. None of the test pits contained artifacts. The site was determined not significant based on the fact that it contained no subsurface deposit and was disturbed by modern activities. A Native American monitor was present during the survey effort.  The following corrections need to be made to the study:	3/5/09		
1.009			NAD-B Sheet, Add "New sites" and list CA-SDI-18923	3/5/09		
1.010			Page ix, 4th paragraph, remove "no further work needed" since grading monitoring is recommended.	3/5/09		
1.011			Page ix, 4th paragraph, delete "does not appear to qualify", This statement should be definitive based on the testing program and survey results	3/5/09		
1.012			Page 4, remove Figure 10 since it is confidential or remove the arch site from the graphic	3/5/09		
1.013			Page 11, 2nd paragraph, remove "Most of the investigations were for private and public development"	3/5/09		
1.014			Page 12, Table 1, the Hanna reference is incorrect and should be a TM	3/5/09		
1.015			Page 32, 1st sentence, revise this sentence since it does not make sense	3/5/09		
1.016			Page 33, 3rd bullet point, remove "probably"	3/5/09		
1.017			Page 36, 1st sentence, Add CA-SDI-18923 instead of the temporary number	3/5/09		
1.018			Page 36, 2nd paragraph, last sentence, change "is" to "as"	3/5/09		
1.019			Page 38, 1st paragraph, revise "2006" County guidelines to "2007"	3/5/09		
1.020			Page 45, 2nd paragraph, Refer to page 12 of San Diego County Guidelines for Determining Significance (2007) on how to evaluate cultural resources according to RPO.	3/5/09		
1.021			Page 47, 2nd paragraph, remove "no further work is recommended at this site" since grading monitoring is recommended	3/5/09		
1.022			Page 51, Table 9.0, remove design considerations and add "testing and recordation of the site has determined that the resource is not important, therefore no design considerations are required"	3/5/09		
1.023			The title page for Appendix B is missing from Confidential Appendix	3/5/09		

**PROJECT ISSUES CHECKLIST**

Summary of Document Requests and Reviews							Last Updated:	
Item No.	Who Requested?	Study Request	Status of Review	Date Requested	Date of Study	Date Accepted		
1.024			Remove the primary record submitted prior to testing (the one that does not have the trinomial listed on it)	3/5/09				
1.025			Primary Record, add a photo to the site record	3/5/09				
1.026			Archaeological Site Record, check human remains "absent" since testing was conducted and none were found	3/5/09				
1.027	DPLU	Fire Protection Plan (FPP)	The DPLU Fire Marshal has reviewed the subject Fire Protection Plan (FPP) dated April, 2008 by RC Biological Consulting for compliance with CCR Title 24 part 9, California Fire Code, CCR Title 14, SRA Fire Safe Regulations, and the County Fire and Building Codes.  Alpine FPD has forwarded a letter accepting revisions they required in the FPP. With their acceptance, DPLU accepts the FPP as revised.  Off-site easement for fire clearing is proposed. Map should not be processed without the easement in effect. FPP accepted.			8/18/08		
1.028	DPW	Preliminary Drainage Study	Department of Public Works has reviewed the Preliminary Drainage Study, prepared by Snipes-Dye Associates, received 1/30/09. The concerns of our letters dated 7/15/08 are addressed and DPW has no further comments.			3/5/09		
1.029	DPW	Stormwater Management Plan	Department of Public Works has reviewed the Stormwater Management Plan, prepared by Snipes-Dye Associates, received 1/30/09. The concerns of our letters dated 7/15/08 are addressed and DPW has no further comments.			3/5/09		