



## County of San Diego

PLANNING & DEVELOPMENT SERVICES  
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123  
(858) 505-6445 General • (858) 694-2705 Codes  
(858) 565-5920 Building Services  
[www.SDCPDS.org](http://www.SDCPDS.org)

**DAHVIA LYNCH**  
DIRECTOR

March 24, 2023

TO: Planning Commission

FROM: Dahvia Lynch, Director  
Planning & Development Services

SUBJECT: Notice of Preliminary Decision of the Director of Planning & Development Services and Final Notice of Action of the Planning Commission Approving a Six-Year Time Extension for Otay 250 Tentative Map 5607R (District: 1)

### **TENTATIVE MAP TIME EXTENSION INFORMATIONAL ITEM H-1**

#### **PURPOSE**

The purpose of this informational report is to provide the Planning Commission preliminary notice of a decision of the Director of Planning & Development Services (Director) to extend the period of time (Time Extension) for the Otay 250 Tentative Map (TM 5607R) for six years to allow completion of the Final Map. The Time Extension does not propose, nor does the applicant request any changes or revisions to TM 5607R, or to the conditions in the Resolution of Approval.

The Director's notice of 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.

#### **BACKGROUND**

This Project was initially approved by the Board of Supervisors on July 25, 2018, with a Tentative Map (TM), General Plan Amendment, Specific Plan Amendment, and conditions of approvals, which were subsequently modified in 2021 under a Revised TM, (TM 5607R) and remain in effect. The Time Extension (TM 5607RTE) relies on an Addendum to the Environmental Impact Report for the Otay 250 Specific Plan Amendment (PDS2015-ER-15-98-190-13G) and the East Otay Mesa Specific Plan EIR (ER 93-19-6).

The Project consists of subdividing approximately 253 gross acres into a master planned community to include a mixed-use residential and employment use allowing for a maximum of 3,158 dwelling units, 78,000 square feet of commercial and 765,000 square feet of employment uses. The subject property will also be subdivided into 29 lots, and one 51.3-acre permanent biological open space lot within the East Otay Mesa Specific Plan area. The Project is located

# H1 - 2

generally north of Otay Lakes Road, east of State Route (SR)-125, and west of the proposed Lone Star Avenue extension. The Project is surrounded by light industrial uses to the south and west, and vacant parcels located to the north and east.

The Project is required to comply with all updated requirements such as municipal separate storm sewer system (MS4) stormwater regulations. In addition, the Director reviewed the justification from the applicant which states that the project has been in the process of satisfying some of the conditions of approvals. There are no changes to circumstances associated with the Project that would preclude approval of the Time Extension and no changes to the Project conditions are warranted.

In accordance with the County of San Diego Subdivision Ordinance Section 81.317(c), the March 14, 2023, Notice of Preliminary Decision of the Director of Planning & Development Services to Approve Tentative Map Time Extension PDS2020-TM-5607RTE (Attachment B) has been issued and filed with the Planning Commission as an Administrative Item.

## **Time Extension**

The original residential Project was approved by the Board of Supervisors on July 25, 2018, which included Tentative Map No. 5607 (TM 5607), which set the TM expiration date to July 25, 2021. On May 4, 2021, the applicant obtained Board of Supervisors approval for a revised Tentative Map No. 5607R (PDS2020-TM5607R) which revised lots sizes, to remove certain internal roads, and decrease the number of lots. However, during this same period of time, Assembly Bill 1561 (AB1561) passed and automatically extended the Tentative Map No. 5607R expiration date eighteen months from July 25, 2021, to January 25, 2023.

The applicant filed a request on December 2, 2022, for a six-year Tentative Map Time Extension to allow more time to satisfy conditions of approval and obtain the Final Map for the property. The existing map was to expire on January 25, 2023. Pursuant to California Government Code 66452.6(e), the Project is eligible for an automatic 60-day extension during which the tentative map extension can be processed. If the Time Extension is approved, the Project's TM 5607R will be set to expire on January 25, 2029. Since TM approval in 2018 and Revised TM in 2021, the applicant has been processing final engineering documents, landscape plans, submitted a Resource Management Plan and Wetland Mitigation Plan (fairy shrimp) for staff reviews. Staff considered these circumstances in their analysis of the Time Extension and supports the request for a six-year extension.

On December 5, 2022, as required by the County of San Diego Subdivision Ordinance, properties within 3,800 feet of the exterior boundaries of the Project site were notified that the application for a Time Extension for TM 5607R was filed. The Project site is in an area of the Otay Subregional Plan Area that is not represented by a community planning group or sponsor group. The County has reached out to the Otay Mesa Chamber of Commerce for community stakeholder input.

The Director reviewed the application for a Time Extension and determined that it conformed with all federal, State, and County regulations, including the County General Plan, East Otay Mesa Specific Plan, Otay Subregional Plan, and the Zoning Ordinance. The Director's Preliminary Notice of Decision to Approve the Time Extension was based upon the findings that the Project would not change the type of use, zoning, or increase the intensity of use that was previously reviewed during the processing of the original project. The applicant is required to comply with any new State or local requirements prior to approval of the Final Map and construction.

# H1 - 3

The Project is required to comply with all updated requirements such as municipal separate storm sewer system (MS4) stormwater regulations. In addition, the Director reviewed the justification from the applicant which states that the project has been in the process of satisfying some of the conditions of approvals. There are no changes to circumstances associated with the Project that would preclude approval of the Time Extension and no changes to the Project conditions are warranted.

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## ATTACHMENTS:

Attachment A – Planning Documentation

Attachment B – Notice of Preliminary Decision of the Director of Planning & Development Services and Final Notice of Action of the Planning Commission Approving a Time Extension for Tentative Map 5607R

Attachment C – Environmental Documentation

Attachment D – Ownership Disclosure

## Attachment A – Planning Documentation

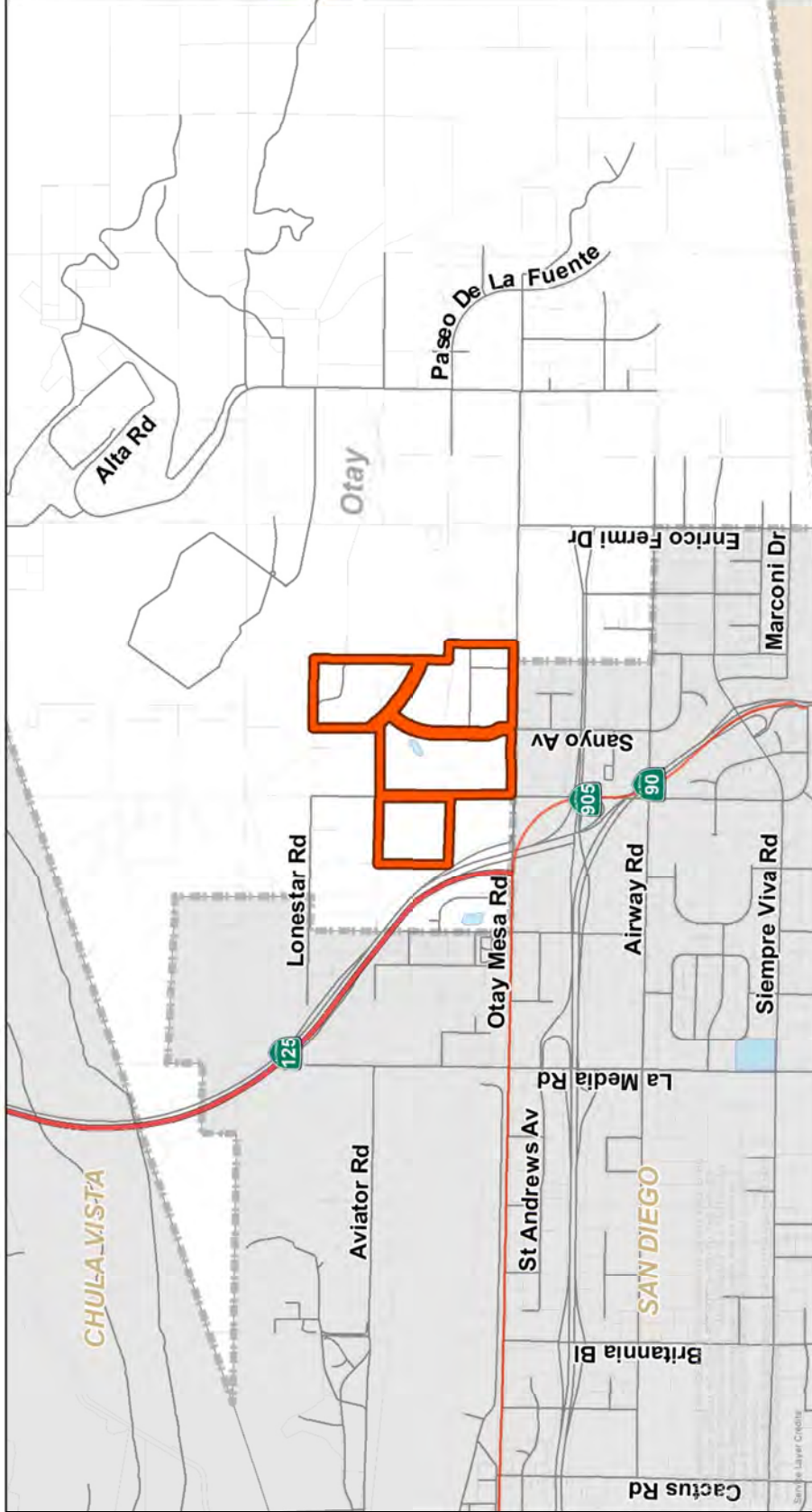
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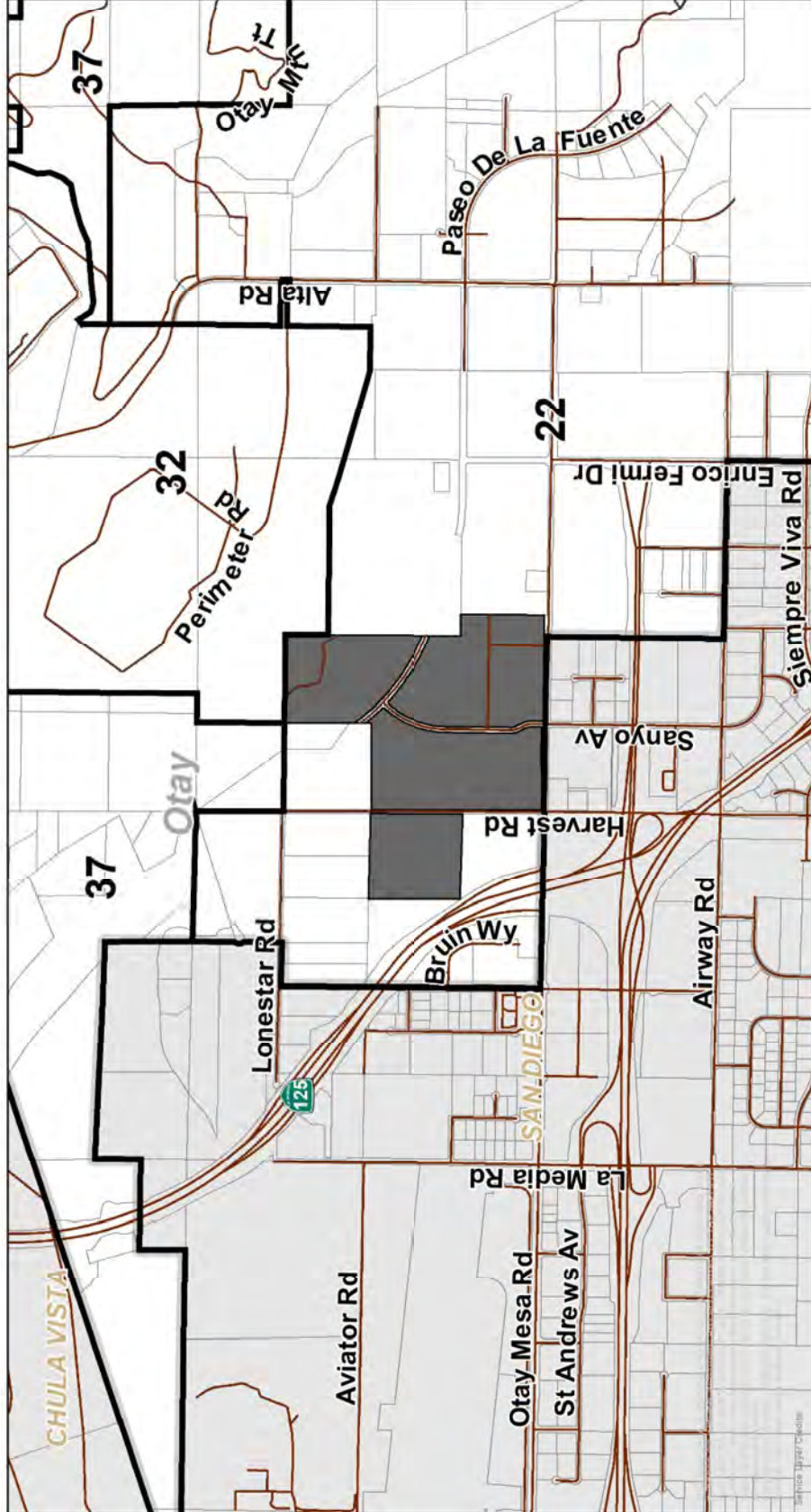
TM-5607R

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Otay  
Community Plan Area



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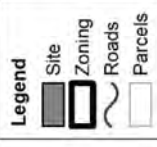




TM-5607R

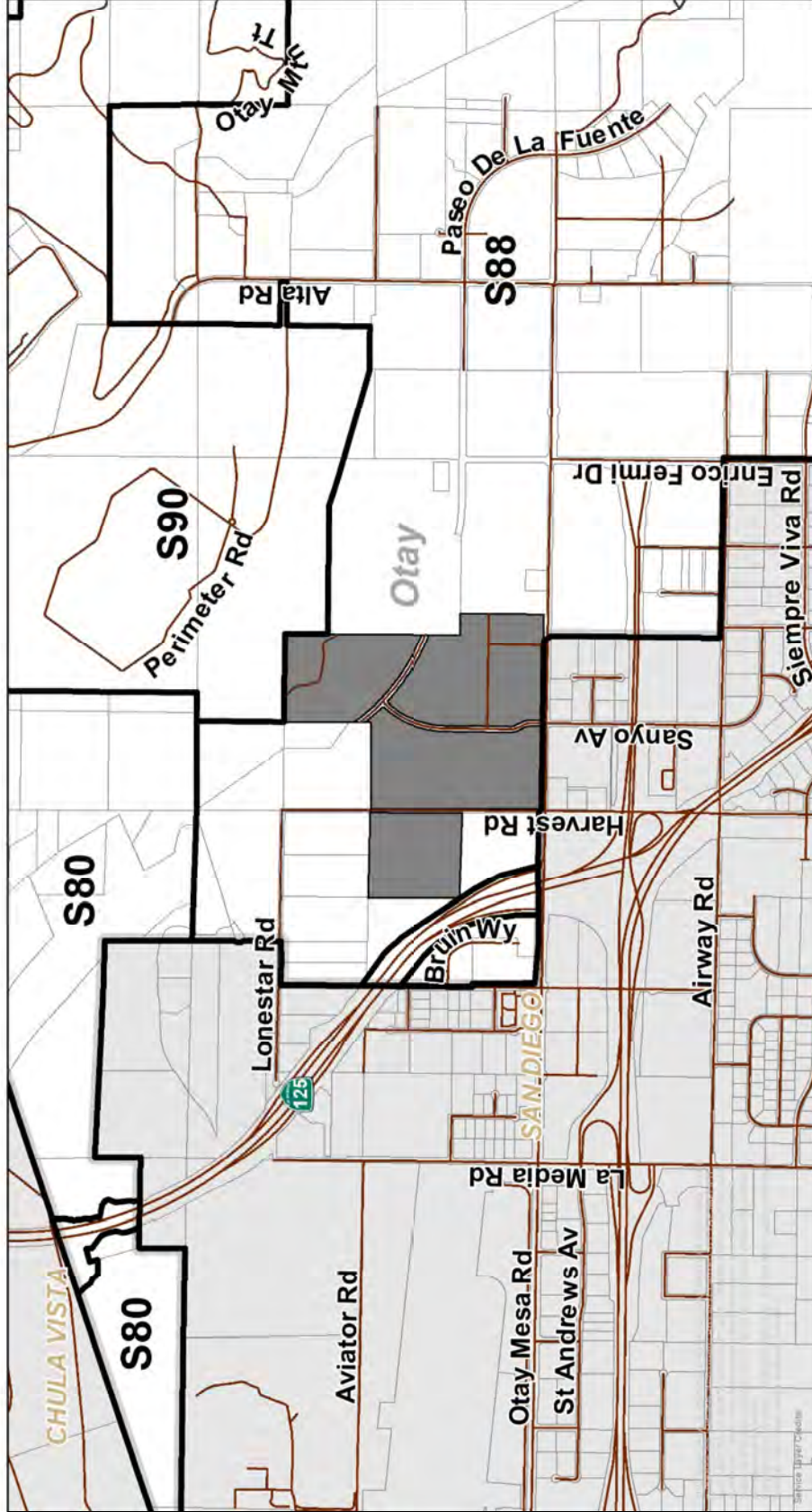
Zoning  
Otay  
Community Plan Area

S80 - Open Space  
S88 - Specific Planning Area  
S90 - Holding Area  
S94 - Transportation/Utility  
Corridor



LUEG GIS  
City of San Diego

2017 10 10 10:00 AM 10/10/2017 10:00 AM



TM 5607R

Otay  
Community Plan Area

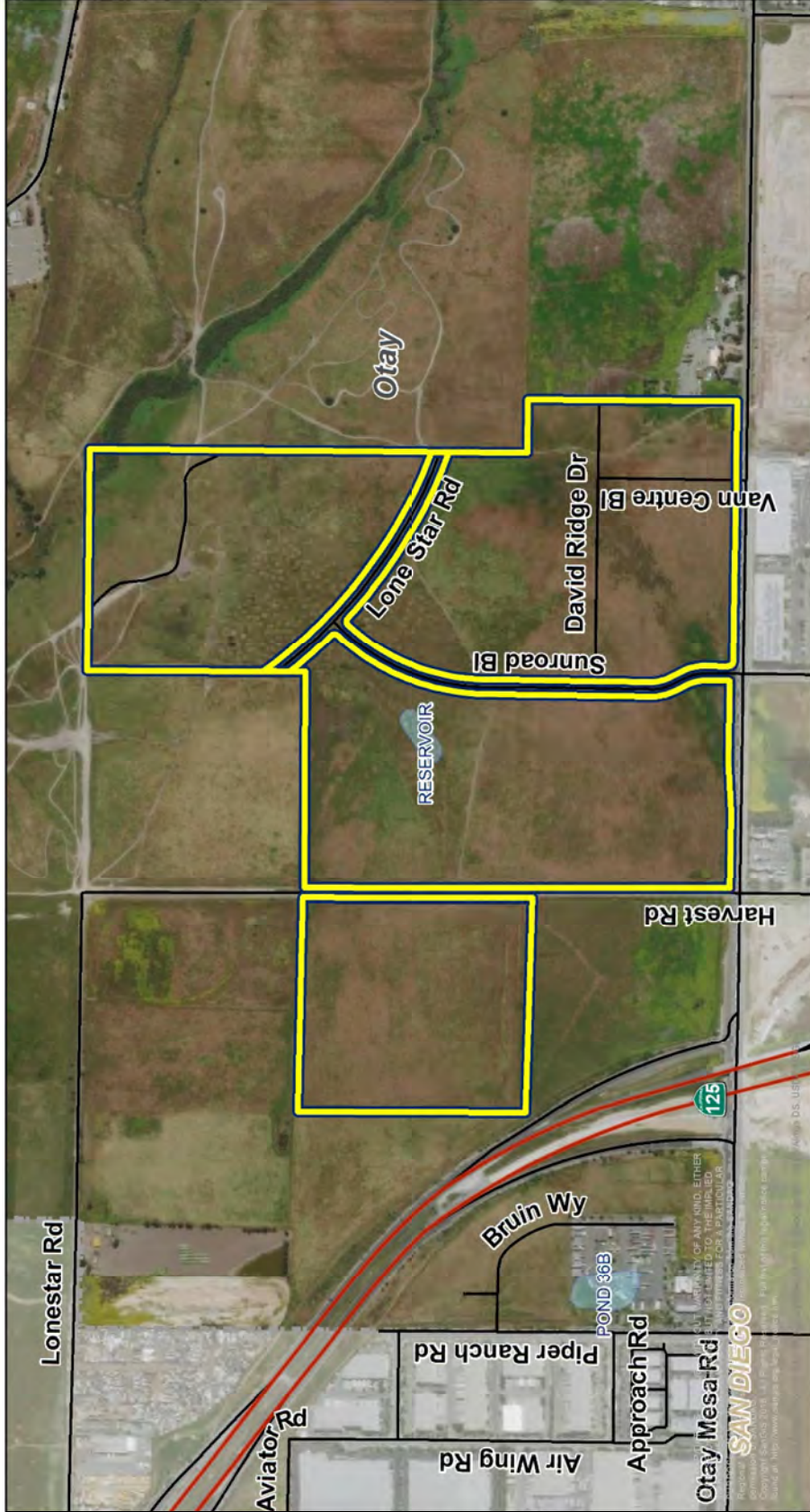
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Roads



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Feet

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Creating Smart Maps for Smart People

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TM 5607R

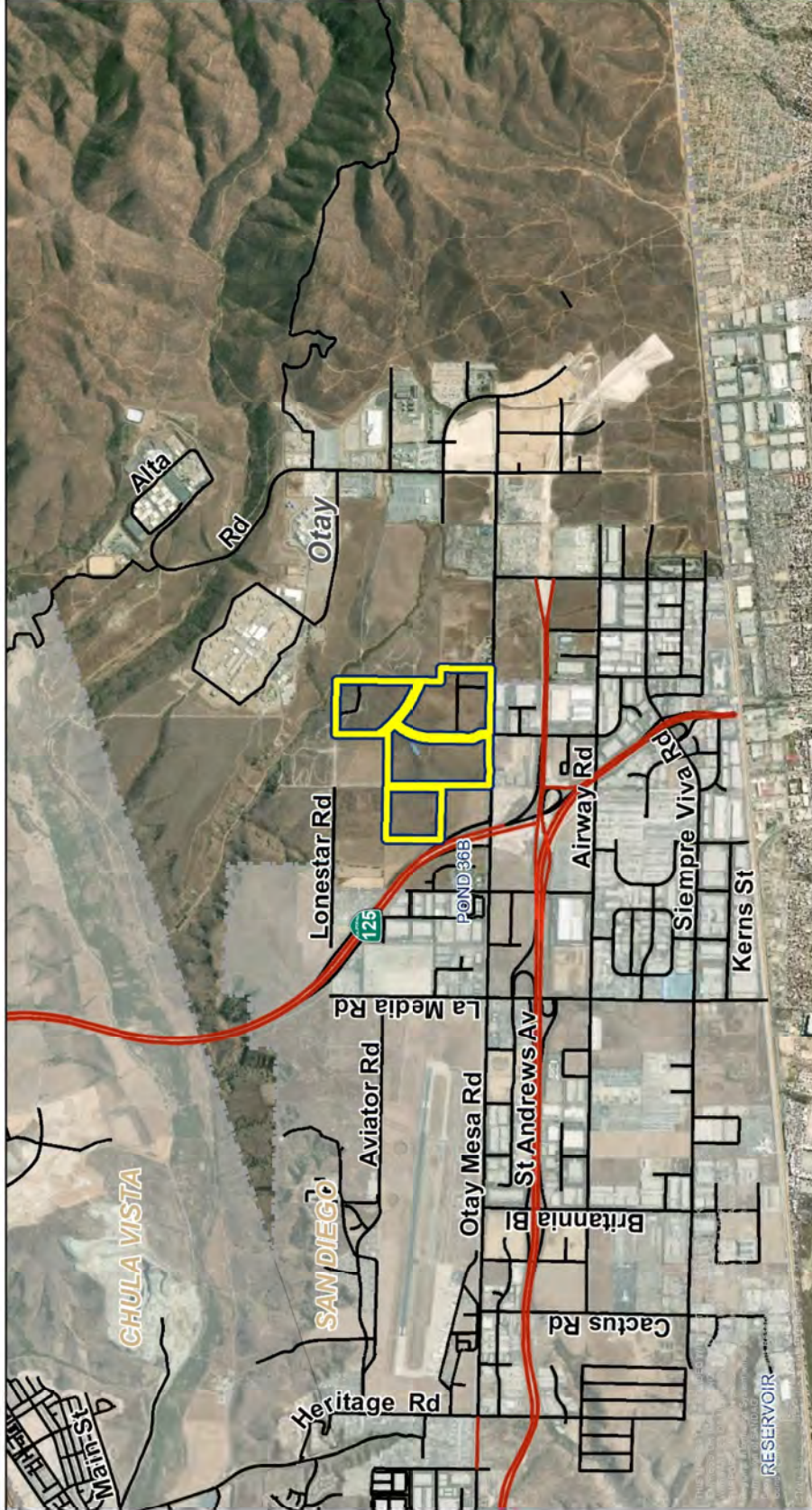
Otay  
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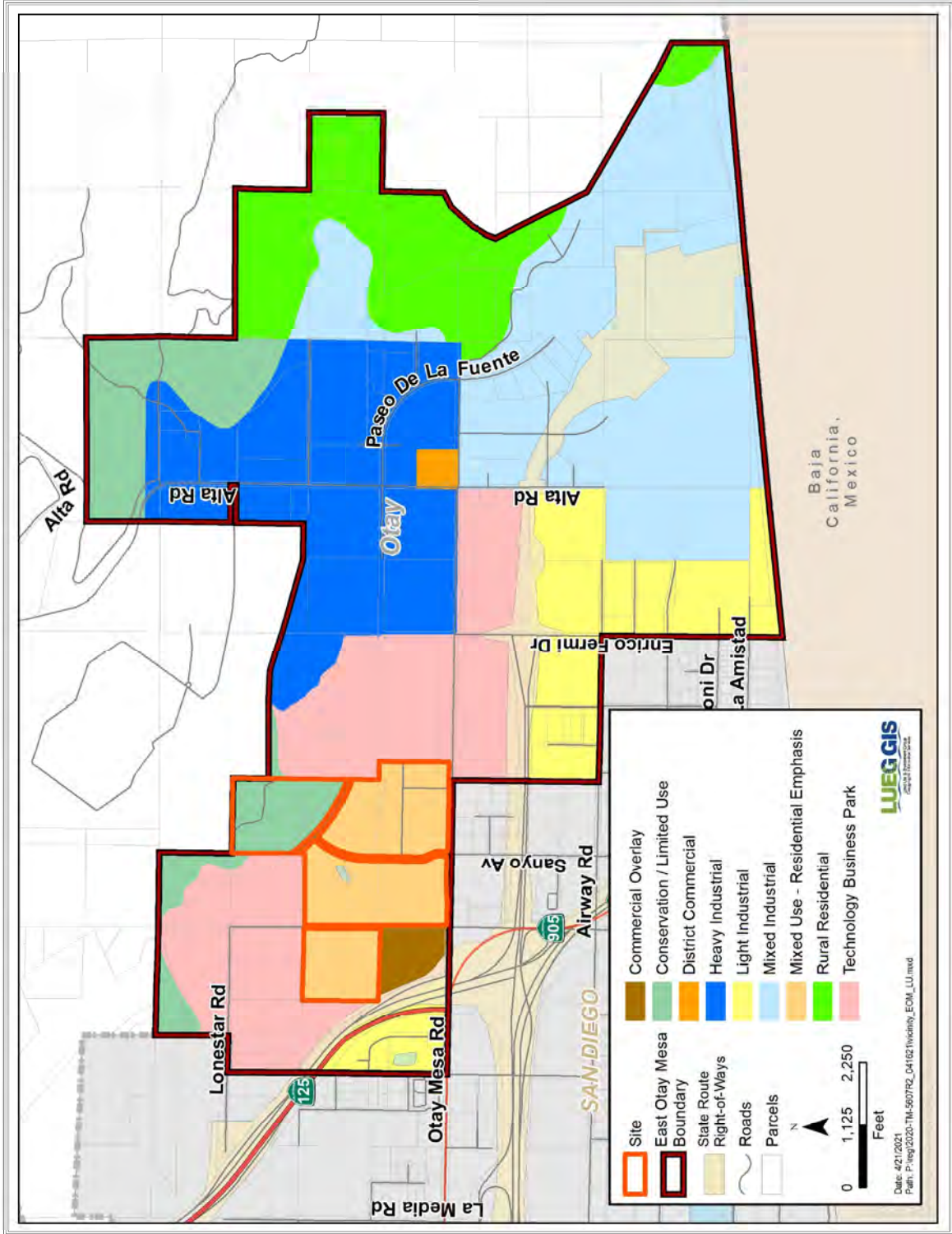
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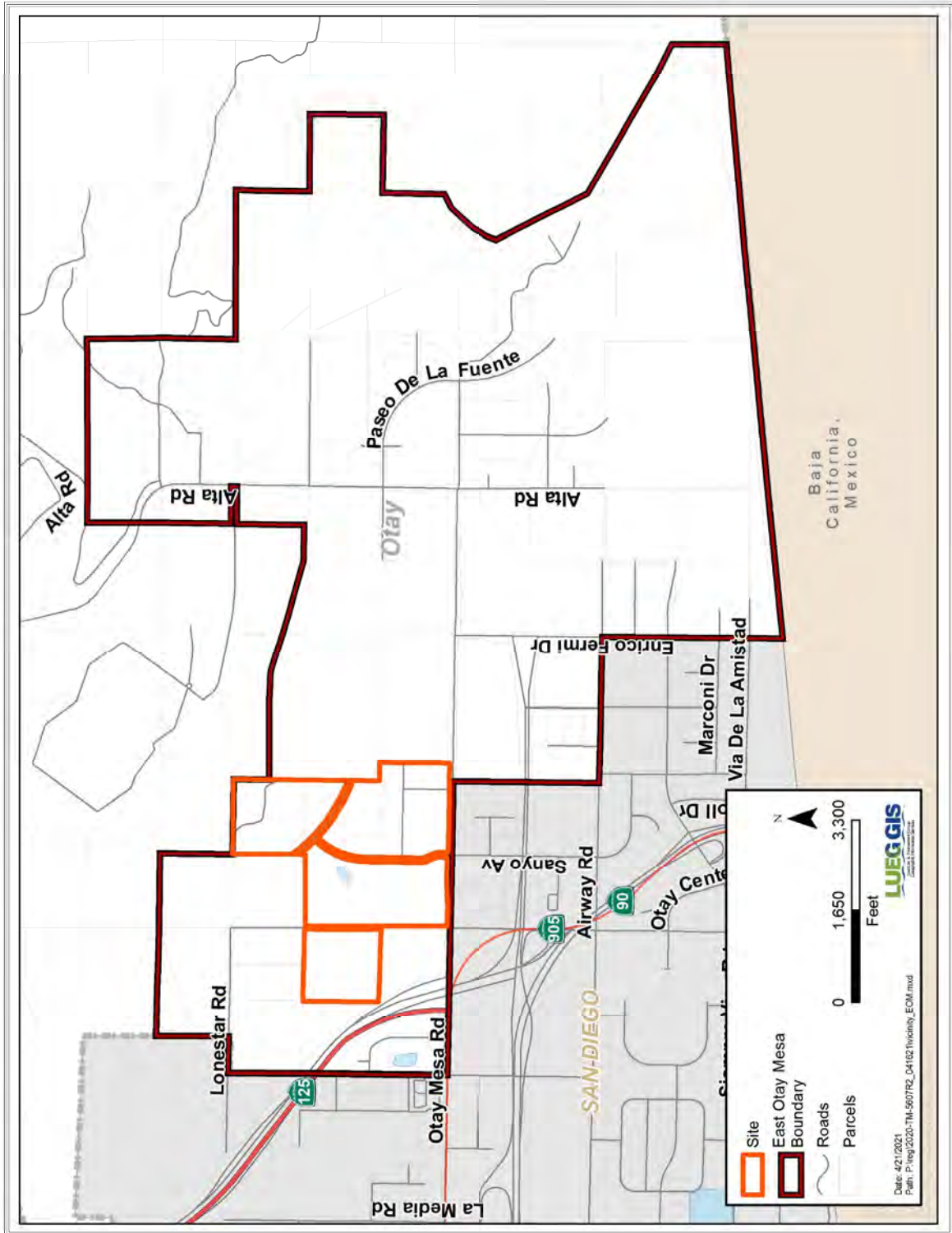
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CITY OF OTAY

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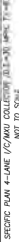
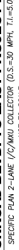


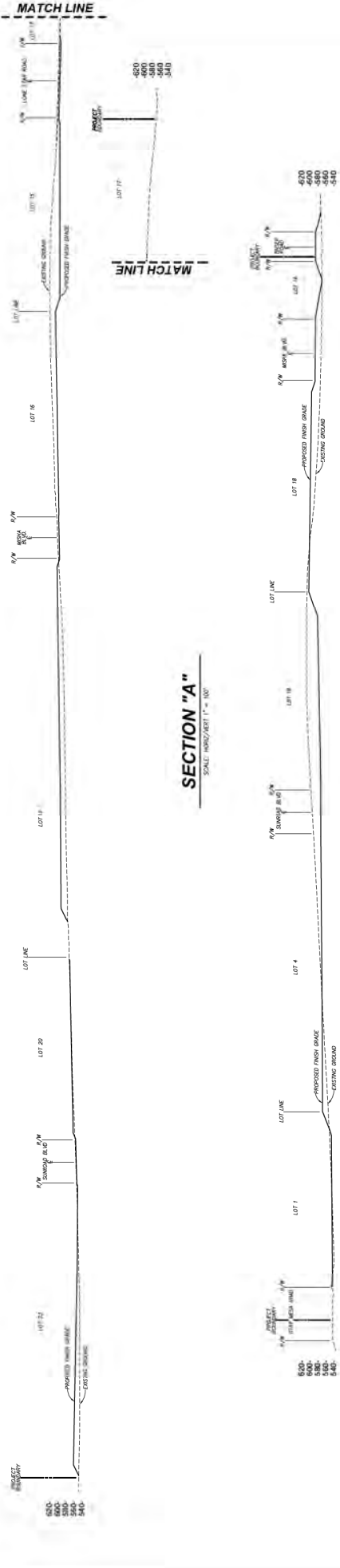




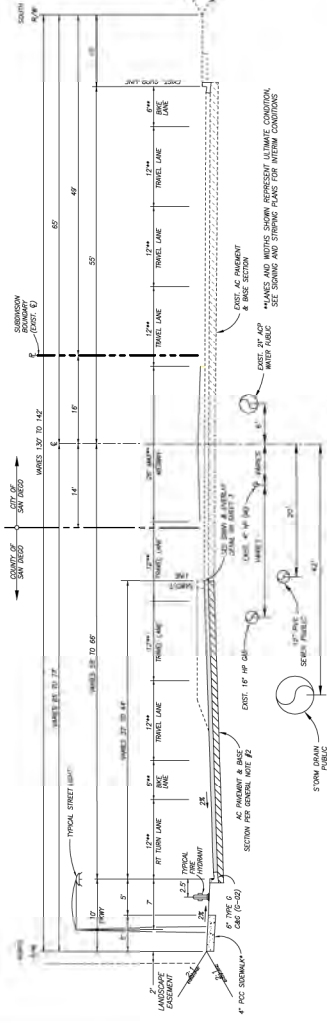




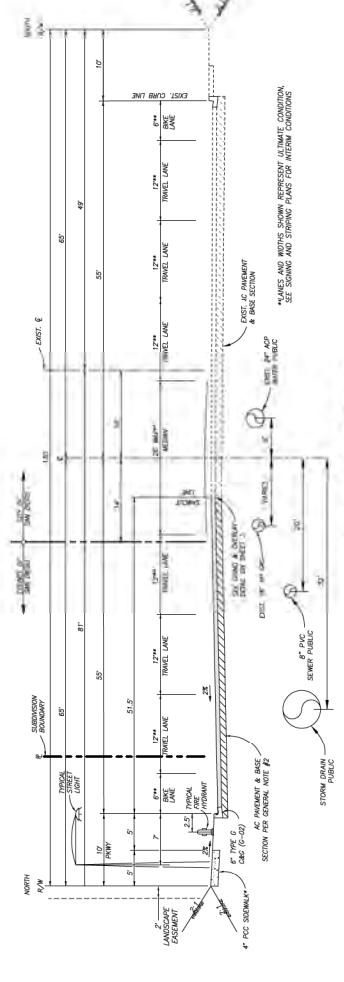




**SECTION "B"**  
SCALE: HORIZ/VERT 1" = 100'



**OTAY MESA ROAD (PUBLIC)**  
(HARVEST RD. TO SUNROAD BLVD.)  
SPECIFIC PLAN NUMBER: ELEVARY 4-LANE MAJOR (12.5-40 MPH, 11-40 ft)



**LAND USE PLAN FOR SPECIFIC PLAN**  
NOT TO SCALE

PREPARED BY: **HUNSAKER & ASSOCIATES**  
PLANNING, ENGINEERING, ARCHITECTURE, ENVIRONMENTAL SCIENCE

**STREET / SITE SECTIONS**  
**OTAY 250**  
COUNTY OF SAN DIEGO, CALIFORNIA

SHEET 3 OF 12

**OTAY MESA ROAD (PUBLIC)**  
(SUNROAD BLVD. TO VANN CENTRE BLVD.)  
SPECIFIC PLAN NUMBER: ELEVARY 4-LANE MAJOR (12.5-40 MPH, 11-40 ft)





# DESIGN NOTES

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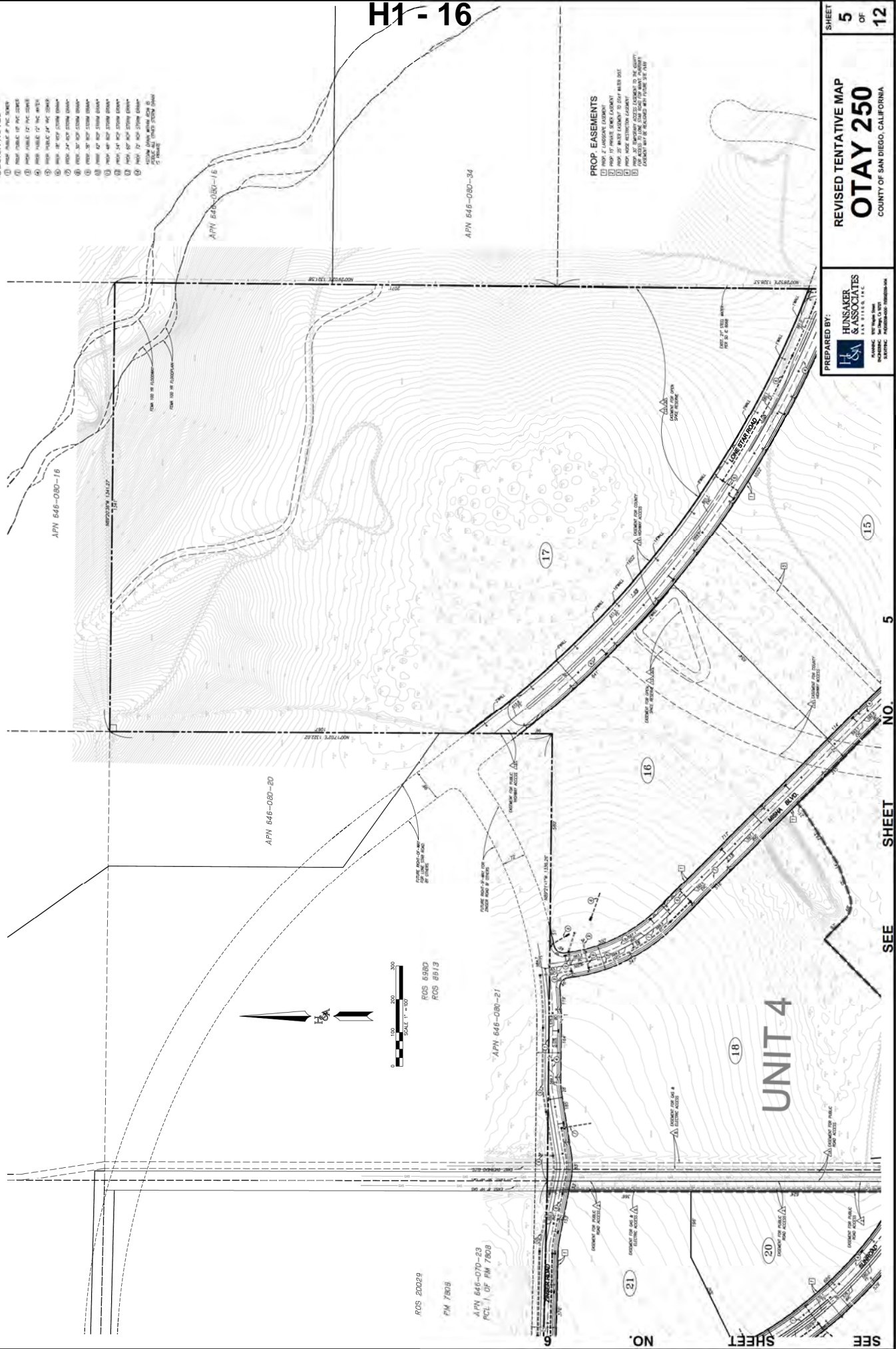
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REVISED TENTATIVE MAP  
**OTAY 250**  
COUNTY OF SAN DIEGO, CALIFORNIA

PREPARED BY:  
**HUNSAKER & ASSOCIATES**  
PLANNING ENGINEERS  
ARCHITECTS

SHEET 5 OF 12

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SEE SHEET NO. 5

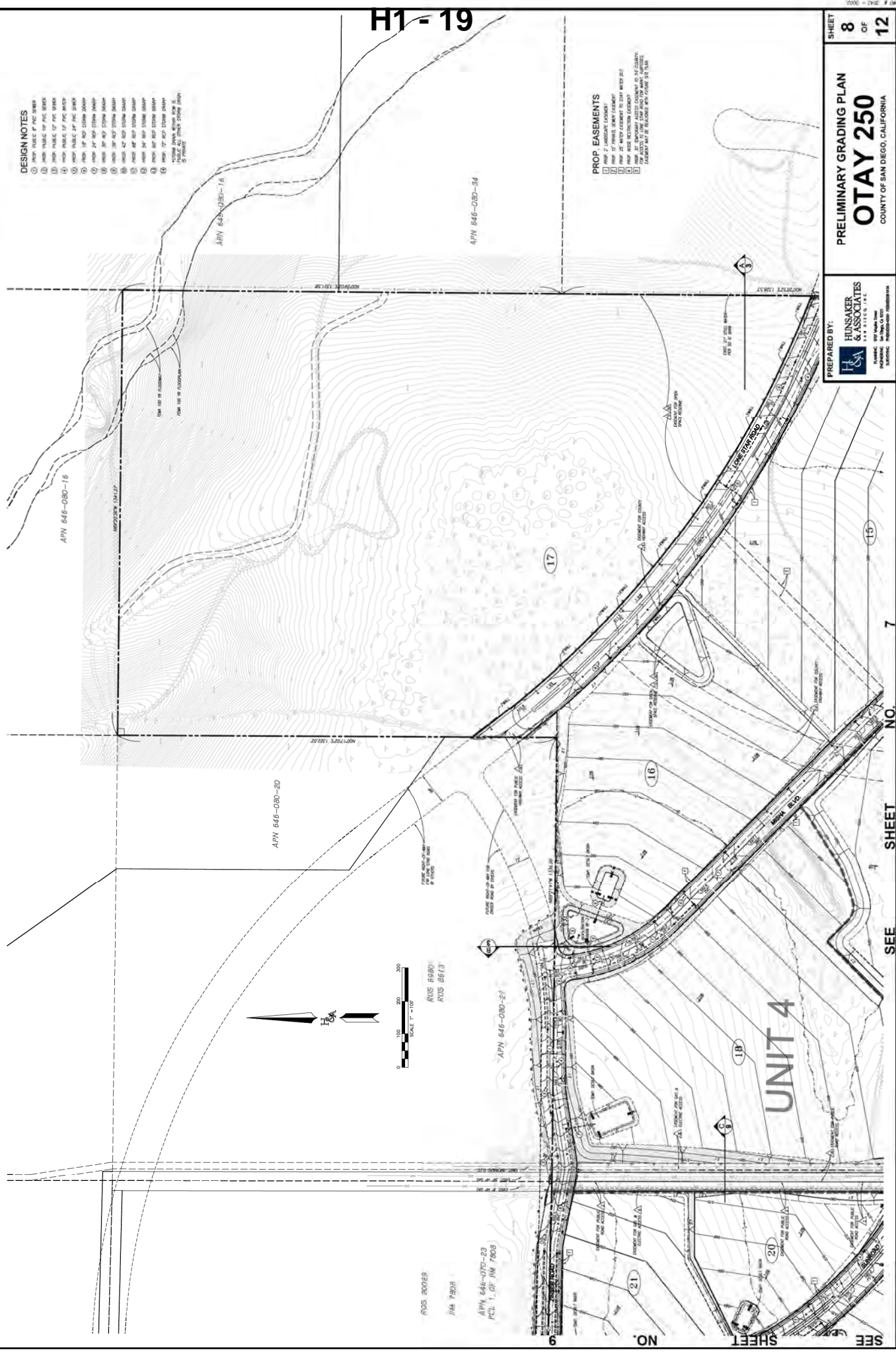








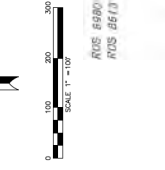
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H1 - 19

SHEET 8 OF 12  
 PRELIMINARY GRADING PLAN  
 OTAY 250  
 COUNTY OF SAN DIEGO, CALIFORNIA

PREPARED BY:  
 HUNSAKER & ASSOCIATES  
 10000 San Diego Ave.  
 San Diego, CA 92121  
 (619) 594-1100  
 HUNSAKER.COM



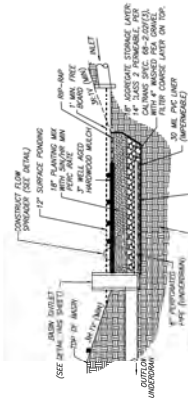
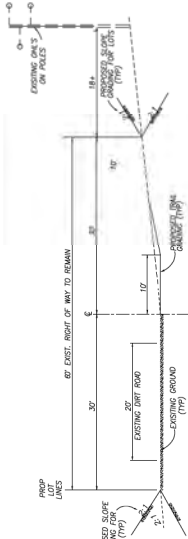
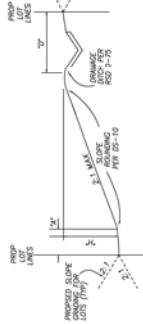
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 PCL 1 OF 100

SEE SHEET NO. 7

SEE SHEET NO. 9

NOTE: SETBACK TO BE MEASURED FROM THE ULTIMATE RIGHT-OF-WAY OR PROPERTY LINE

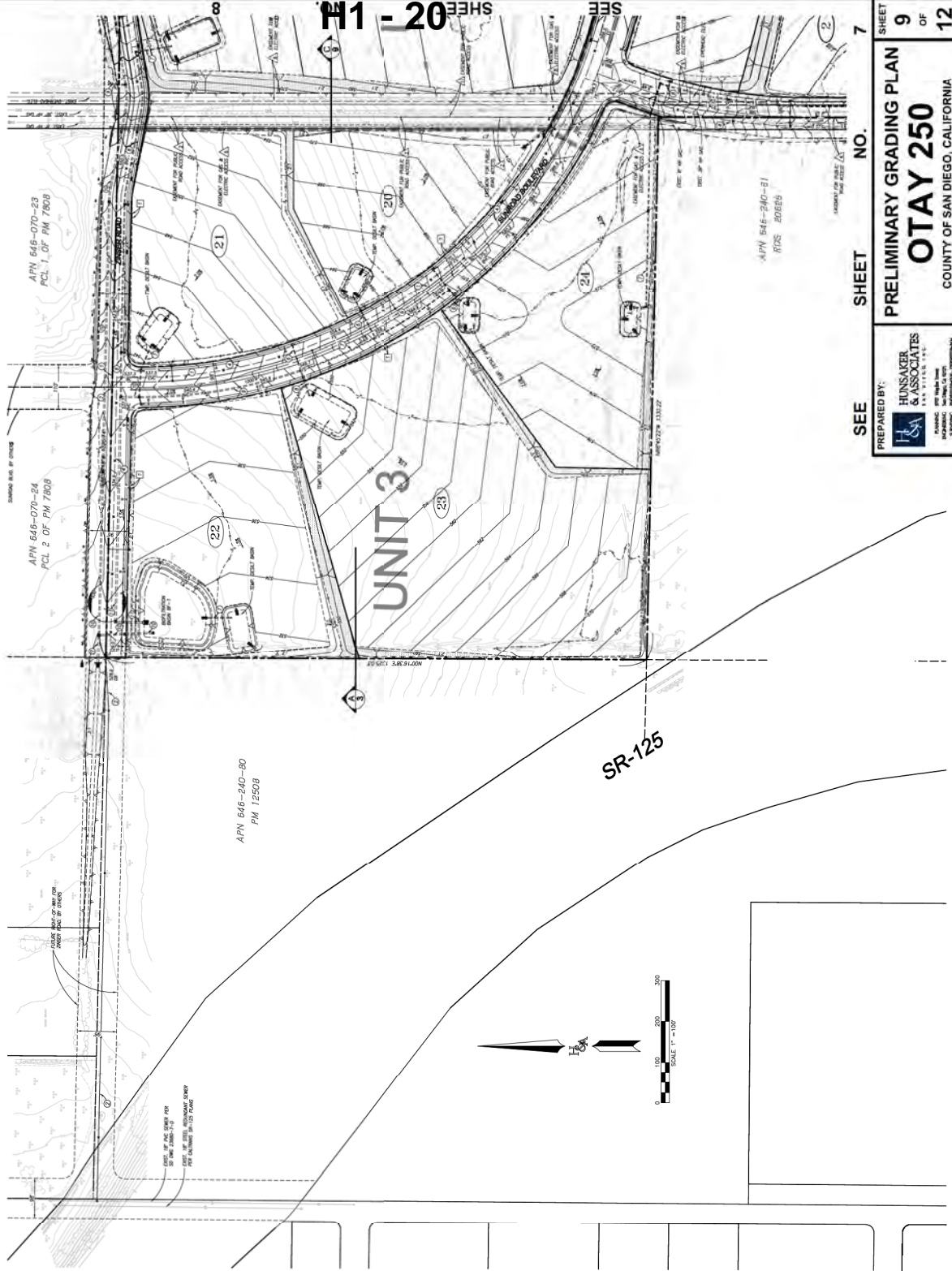
NOTE: SETBACK TO BE MEASURED FROM THE ULTIMATE RIGHT-OF-WAY OR PROPERTY LINE



### **TYPICAL BIOFILTRATION BASIN DETAIL (PVT)**

## SECTION C

**P/L SETBACK DETAIL**



- [illegible]

- 1 PROP. 27 LANDSCAPE LIGHTING
- 2 PROP. 15 PRIVATE STREET LIGHTING
- 3 PROP. 70 WATER TREATMENT TO CLAY WATER DIST.
- 4 PROP. HOUSE WITH SECTION EASEMENT
- 5 PROP. 80 BOUNDARY ACCESS EASEMENT TO THE COUNTY FOR ACCESS TO LONE STAR ROAD FOR WALT. PURPOSES EASEMENT MAY BE RECALLED WITH FUTURE SITE PLAN

SEE SHEET NO.

**PREPARED BY:-**[illegible]

PRELIMINARY GRADING PLAN  
**OTAY 250**  
COUNTY OF SAN DIEGO, CALIFORNIA

SHEET 9 OF 12

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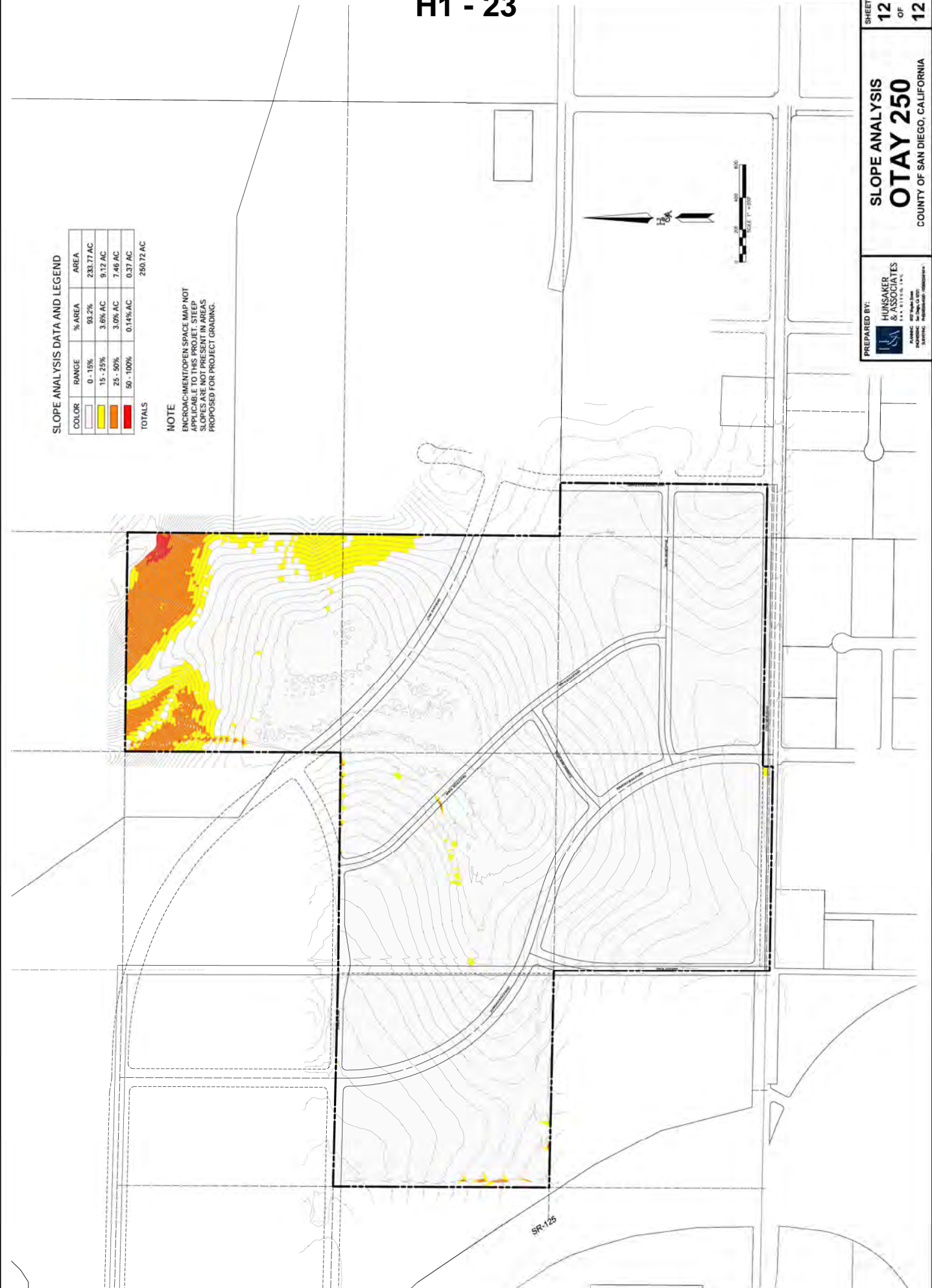


SLOPE ANALYSIS DATA AND LEGEND

COLOR	RANGE	% AREA	AREA
	0 - 15%	93.2%	233.77 AC
	15 - 25%	3.6%	9.12 AC
	25 - 50%	3.0%	7.46 AC
	50 - 100%	0.14%	0.37 AC
TOTALS			250.72 AC

NOTE

ENCROACHMENT/OPEN SPACE MAP NOT APPLICABLE TO THIS PROJECT. STEEP SLOPES ARE NOT PRESENT IN AREAS PROPOSED FOR PROJECT GRADING.



**Attachment B – Notice of Preliminary Decision  
of the Director of Planning & Development  
Services and  
Final Notice of Action of the Planning  
Commission Approving a Time Extension for  
Tentative Map 5607R**





## County of San Diego

PLANNING & DEVELOPMENT SERVICES  
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123  
(858) 505-6445 General • (858) 694-2705 Codes • (858) 565-5920 Building Services  
[www.SDCPDS.org](http://www.SDCPDS.org)

**DAHVIA LYNCH**  
DIRECTOR

March 14, 2023

Sunroad Otay Partners, L.P.  
c/o Dan Feldman & Lisa Gordon  
8620 Spectrum Center Blvd., Suite 1100  
San Diego, CA 92123

### REFERENCE: TENTATIVE MAP TIME EXTENSION PDS2022-TM-5607RTE 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 PDS2022-TM-5607RTE. A copy of this Notice of Preliminary Decision will be filed with the Planning Commission as an informational agenda item on March 24, 2023. 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, Dahvia Lynch, 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  
DAHVIA LYNCH, DIRECTOR

By:

MARK SLOVICK, DEPUTY DIRECTOR  
PLANNING & DEVELOPMENT SERVICES

March 24, 2023

REFERENCE: TENTATIVE MAP TIME EXTENSION PDS2022-TM-5607RTE

FINAL NOTICE OF ACTION OF THE PLANNING COMMISSION APPROVING  
A TIME EXTENSION FOR TENTATIVE MAP 5607R

Pursuant to Section 81.317(f) of the Subdivision Ordinance, the Tentative Map Time Extension has been placed on the March 24, 2023, Planning Commission Agenda as an action item. On the above date, the San Diego Planning Commission adopted this final action approving Tentative Map Time Extension PDS2022-TM-5607RTE.

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

1. The approval of this Tentative Map expires on January 25, 2029, at 4:00 p.m.

***The conditions within the Resolution of San Diego County, Conditionally Approving Tentative Map No. 5607 dated July 25, 2018, Revised Tentative Map No. 5607R dated May 4, 2021, are still applicable.***

July 25, 2018  
Revised May 14, 2021

RESOLUTION OF THE SAN DIEGO )  
COUNTY BOARD OF SUPERVISORS )  
APPROVING CONDITONS FOR )  
TENTATIVE MAP TM-5607 )

WHEREAS, Tentative Map No. PDS2015-TM-5607 proposing the division of property located at the northwestern corner of the intersection of Otay Mesa Road and Vann Centre Road and generally described as:

The northeast quarter of the southeast quarter of Section 26, Township 18 south, Range 1 west, San Bernardino Meridian, in the County of San Diego, State of California, according to the official plat thereof.

Together with the southwest quarter, and the west 330 feet of the southwest quarter of the southeast quarter of the southeast quarter and the southeast quarter of the northwest quarter, all in Section 25 Township 18 south, Range 1 west, San Bernardino Meridian, in the County of San Diego, State of California, according to the official plat thereof. Excepting therefrom the following: The westerly 30 feet of the northwest quarter of the southwest quarter.

was filed with the County of San Diego pursuant to the Subdivision Map Act and San Diego County Subdivision Ordinance on August 10, 2015; and

WHEREAS, on April 13, 2018, the Planning Commission of the County of San Diego pursuant to [Section 81.306 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, on July 25, 2018, the Board of Supervisors of the County of San Diego pursuant to [Section 81.306 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 Board of Supervisors 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.



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

**MAP EXPIRATION:** ~~The approval of this Tentative Map Expires Thirty-Six (36) Months after the date of the approval of this Resolution at 4:00 P.M. The approval of this Tentative Map is automatically extended by 18 months per Assembly Bill 1561 to January 25, 2023 at 4:00 P.M. Unless, prior to that date, an application for a Time Extension has been filed as provided by Section 81.313 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 the effective date General Plan Amendment Resolution (PDS2015-GPA-15-008); Specific Plan Amendment Resolution (PDS2015-SPA-15-001); and Rezone Ordinance PDS2015-REZ-15-007 has also become effective. This approval Expires Thirty-Six (36) Months from said effective date at 4:00 P.M. unless, prior to that date, an application for a Time Extension has been filed as provided by [Section 81.313 of the County Subdivision Ordinance](#).

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

- (1) Standard Condition 10.a: Said condition states that all fixtures shall use a low pressure sodium (LPS) vapor light source. This waiver/modification allows the use of high pressure sodium (HPS) vapor light sources at the project site if desired. HPS vapor light sources are only prohibited within a 15-mile radius of Palomar or Mount Laguna observatories 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 22: Said condition pertains to construction of private subsurface sewage disposal system. The project is serviced by public sewer system. Please note the project is responsible to install sewer systems both onsite as well as offsite along Zinser Road from the westerly project boundary to provide connection to the existing sewer line on Piper Ranch Road.
- (4) Standard Condition 27: Said condition states that the Final Map shall include the entire area shown on the Tentative Map and shall not be filed as units or groups of units. The Final Map for this Tentative Map may be filed in units.

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

## **PRIOR TO APPROVAL OF FINAL MAP**

The Final Map for this Tentative Map is to be filed in 1, 2, 3, 4, or 5 units, in any sequence, at the discretion of the subdivider. ~~The first Final Map to be filed shall be Unit #1 followed by Units 2 and 3 in order. The remaining units 4 and 5 can be filed in any order. In addition, conditions that apply to all units (Units 1, 2, 3, 4 and 5) are listed in a separate section at the end, following the conditions for Unit 5.~~

***PRIOR TO THE RECORDATION OF THE FINAL MAP FOR UNIT 1, THE FOLLOWING CONDITIONS SHALL BE COMPLETED TO THE SATISFACTION OF DIRECTOR OF PLANNING & DEVELOPMENT SERVICES (PDS) AND DIRECTOR OF PUBLIC WORKS (DPW).***

## **1. ROADS#1–PUBLIC ROAD IMPROVEMENTS**

**INTENT:** In order to promote orderly development and to comply with the [Subdivision Ordinance Sec. 81.404](#) and the [Community Trails Master Plan](#), all the public roads shall be improved. **DESCRIPTION OF REQUIREMENT:** Improve or agree to improve and provide security for:

- a. **Otay Mesa Road**, on the project side, from Harvest Road easterly to Vann Centre Boulevard in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for Prime Arterial Road with bike lane to a minimum one-half graded width of sixty-five (65') with fifty-five feet (55') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and five-foot (5') detached sidewalk. Face of curb shall be at fifty-five feet (55') from the ultimate centerline. Provide extended PCC pavement five feet (5') by eight feet (8') along the northern sidewalk of Otay Mesa Road between Harvest Road and Sunroad Boulevard/Sanyo Avenue to accommodate a future Metropolitan Transit System (MTS) bus stop to the satisfaction of MTS.

The striping of the Otay Mesa Road to its ultimate 6-lane classification will not be required as part of mitigations for this project.

1. If the proposed development creates impacts that triggers the levels identified in table 11-4 of the approved Traffic Impact Study (TIS), additional pavement widening will be required at the intersections to accommodate the lane configurations described below:

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a. Otay Mesa Road/Harvest Road:

- Southbound: One dedicated right turn lane with overlap phasing and shared thru/left turn lane.
- Westbound: One shared thru/right turn lane, one dedicated thru lane and one dedicated left turn lane.
- Northbound: One shared thru/right turn/left turn lane.
- Eastbound: One shared thru/right turn lane, one dedicated thru lane and two dedicated left turn lanes.
- Install a traffic signal at the intersection, if one is warranted.

b. Otay Mesa Road/Sunroad Boulevard:

- Southbound: Two dedicated right turn lanes with overlap phasing, one thru lane and one dedicated left turn lane
- Westbound: One shared thru/right turn lane, one dedicated thru lane and one dedicated left turn lane.
- Northbound: One shared thru/right turn lane and one dedicated left turn lane.
- Eastbound: One shared thru/right turn lane, one dedicated thru lane and two dedicated left turn lanes.
- Install a traffic signal at the intersection, if one is warranted.

c. Otay Mesa Road/ Vann Centre Boulevard:

- Southbound: one dedicated right turn lane with overlap phasing and one dedicated left turn lane.
- Westbound: One shared thru/right turn lane.
- Eastbound: One thru lane and one dedicated left turnlane. • Install a traffic signal at the intersection, if one is warranted.

2. Provide transition for all widenings, dike tapers, and traffic striping to match existing pavement.

3. Install traffic signals at the intersections of **Otay Mesa Road** with **Sunroad Boulevard**, **Harvest Road** and



**Vann Center Boulevard** to the satisfaction of Director of Public Works and Caltrans.

All of the foregoing to the satisfaction of the City of San Diego and the Director of PDS & DPW.

- c. **Vann Centre Boulevard** on the project side and along the project frontage in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for Specific Plan 4-Lane Road-I/C Collector with bike lane to a minimum one-half graded width of forty-eight (48') with thirty-eight feet (38') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and five-foot (5') detached sidewalk. Face of curb shall be at thirty-eight feet (38') from centerline. Provide transition for all widenings, dike tapers, and traffic striping to match existing pavement.

1. **Vann Centre Boulevard** on the west side shall have interim improvements in accordance with Public Road Standards to provide for two (12') southbound lanes, a six foot (6') bike lane and eight foot (8') shoulder with asphalt concrete pavement over approved base with an AC berm within the thirty-eight (38') of improved width.

- ~~b. **Harvest Road**, on the project side, from Otay Mesa Road northerly to Sunroad Boulevard in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Specific Plan 4-Lane Road-MXU Collector with bike lane, to a one half graded width of forty eight feet (48') with thirty-eight feet (38') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and 10' pathway. Face of curb shall be at thirty-eight feet (38') from centerline. Provide transition for all widenings, dike tapers, and traffic striping to match existing pavement.~~

- ~~1. **Harvest Road** on east side shall have ultimate improvements in accordance with Public Road Standards to provide for two (2) twelve feet (12') northbound lanes, a six-foot (6') bike lane and an eight-foot (8') shoulder area for northbound traffic to an improved width of thirty-eight feet (38') with asphalt concrete pavement over approved base with an AC berm to the west of the ultimate centerline location of **Harvest Road**.~~

- ~~c. **Sunroad Boulevard** from Otay Mesa Road to northwesterly corner of lot 26 in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Major Road with raised median (4.1A) and bike lane, to a graded width of ninety-eight feet (98') with seventy-eight feet (78') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and five-foot (5')~~

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~~detached sidewalk. Face of curb shall be at thirty-nine feet (39') from centerline. Provide transition for all widenings, dike tapers, and traffic striping to match existing pavement.~~

~~1. **Sunroad Boulevard** shall have ultimate improvements in accordance with Public Road Standards to provide for four (4) twelve feet (12') travel lanes, two eight foot (8') bike lane and a fourteen feet (14') raised median to an improved width of seventy- eight feet (78') with asphalt concrete pavement over approved base.~~

- d. Asphalt concrete surfacing material shall be hand-raked and compacted to form smooth tapered connections along all edges including those edges adjacent to soil. The edges of asphalt concrete shall be hand- raked at 45 degrees or flatter, so as to provide a smooth transition next to existing soil, including those areas scheduled for shoulder backing.

All plans and improvements shall be completed pursuant to the [County of San Diego Public Road Standards](#), the [Land Development Improvement Plan Checking Manual](#), and the [East Otay Mesa Business Park Specific Plan](#). The improvements shall be completed within 24 months from the approval of the improvement plans, execution of the agreements, and acceptance of the securities.

**DOCUMENTATION:** The applicant shall complete the following:

- a. Process and obtain approval of Improvement Plans to improve all the public road segments and intersections as indicated above.
- b. Provide Secured Agreements in accordance with [Subdivision Ordinance Sec. 81.408](#).
- c. Upon approval of the plans, pay all applicable inspection fees with [DPW, PDC].
- d. If the applicant is a representative, then one of the following is required: a corporate certificate indicating those corporation officers authorized to sign for the corporation, or a partnership agreement recorded in this County indicating who is authorized to sign for the partnership.
- e. The subdivider/applicant shall obtain an Encroachment Permit for the installation of landscaping within the Public Road Right-of-Way.

**TIMING:** Prior to the recordation of the Final Map for the specific unit as indicated above, the plans, agreements, and securities shall be approved. **MONITORING:** The [PDS, LDR] shall review the plans for consistency with the condition and County Standards. Upon approval of the plans [PDS, LDR] shall request the required securities and improvement agreements. The securities and improvement agreements shall be approved by the Director of PDS.

## 2. ROADS#2–SIGHT DISTANCE

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

- a. A registered civil engineer or a licensed land surveyor provides a certified signed statement that: “There is\_\_feet of unobstructed intersectional sight distance along **Otay Mesa Road** from the proposed roadway, Harvest Road, in accordance with the methodology described in Table 5 of the March 2012 County of San Diego Public Road Standards. These sight distances exceed the required intersectional Sight Distance requirements of\_\_\_ as described in Table 5 based on a speed of, which I have verified to be the higher of the prevailing speed or the minimum design speed of the road classification. I have exercised responsible charge for the certification as defined in Section 6703 of the Professional Engineers Act of the California Business and Professions Code.”
- b. A registered civil engineer or a licensed land surveyor provides a certified signed statement that: “There is\_\_feet of unobstructed intersectional sight distance along **Otay Mesa Road** from the proposed roadway, Sunroad Boulevard, in accordance with the methodology described in Table 5 of the March 2012 County of San Diego Public Road Standards. These sight distances exceed the required intersectional Sight Distance requirements of\_\_\_ as described in Table 5 based on a speed of\_\_\_\_\_, which I have verified to be the higher of the prevailing speed or the minimum design speed of the road classification. I have exercised responsible charge for the certification as defined in Section 6703 of the Professional Engineers Act of the California Business and Professions Code.”
- c. ~~A registered civil engineer or a licensed land surveyor provides a certified signed statement that: “There is\_\_feet of unobstructed intersectional sight distance along **Sunroad**~~



~~**Boulevard** from the proposed roadway, Harvest Road, in accordance with the methodology described in Table 5 of the March 2012 County of San Diego Public Road Standards. These sight distances exceed the required intersectional Sight Distance requirements of \_\_\_\_\_ as described in Table 5 based on a speed of \_\_\_\_\_, which I have verified to be the higher of the prevailing speed or the minimum design speed of the road classification. I have exercised responsible charge for the certification as defined in Section 6703 of the Professional Engineers Act of the California Business and Professions Code."~~

- c. A registered civil engineer or a licensed land surveyor provides a certified signed statement that: "There is \_\_\_\_\_ feet of unobstructed intersectional sight distance along **Misha Boulevard** from the proposed roadway, David Ridge Drive along in accordance with the methodology described in Table 5 of the March 2012 County of San Diego Public Road Standards. These sight distances exceed the required intersectional Sight Distance requirements of \_\_\_\_\_ as described in Table 5 based on a speed of \_\_\_\_\_, which I have verified to be the higher of the prevailing speed or the minimum design speed of the road classification. I have exercised responsible charge for the certification as defined in Section 6703 of the Professional Engineers Act of the California Business and Professions Code."
- d. A registered civil engineer or a licensed land surveyor provides a certified signed statement that: "There is \_\_\_\_\_ feet of unobstructed intersectional sight distance along **Vann Centre Boulevard** from the proposed roadway, David Ridge Drive, along in accordance with the methodology described in Table 5 of the March 2012 County of San Diego Public Road Standards. These sight distances exceed the required intersectional Sight Distance requirements of \_\_\_\_\_ as described in Table 5, based on a speed of \_\_\_\_\_, which I have verified to be the higher of the prevailing speed or the minimum design speed of the road classification. I have exercised responsible charge for the certification as defined in Section 6703 of the Professional Engineers Act of the California Business and Professions Code."
- e. A registered civil engineer or a licensed land surveyor provides a certified signed statement that: "There is \_\_\_\_\_ feet of unobstructed intersectional sight distance along **Otay Mesa Road** from the proposed roadway, Vann Centre Boulevard, along in accordance with the methodology described in Table 5 of the March 2012 County of San Diego Public Road Standards. These sight distances exceed the required intersectional Sight Distance

requirements of \_\_\_\_\_ as described in Table 5, based on a speed of \_\_\_\_\_, which I have verified to be the higher of the prevailing speed or the minimum design speed of the road classification. I have exercised responsible charge for the certification as defined in Section 6703 of the Professional Engineers Act of the California Business and Professions Code.”

- f. 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.”

**DOCUMENTATION:** The applicant shall have a Registered Civil Engineer, or a Licensed Land Surveyor provide a signed statement that physically, there is minimum unobstructed sight distance as detailed above, and submit them to the [PDS, LDR] for review. **TIMING:** Prior to the recordation of the Final Map for unit 2 the sight distance shall be verified. **MONITORING:** The [PDS, LDR] shall verify the sight distance certifications.

### 3. ROADS#3–ROAD DEDICATION

**INTENT:** In order to improve the quality of the roads, promote orderly development, and to comply with the [Subdivision Ordinance Sec. 81.402](#), road right of way shall be dedicated to the County. **DESCRIPTION OF REQUIREMENT:**

- a. Dedicate on the Final Map to the County of San Diego an easement for road purposes that provides a minimum one-half right-of-way width of fifty-one feet (51') from the County/City boundary line for **Otay Mesa Road** from Harvest Road easterly to Van Centre Boulevard in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for Prime Arterial Road with bike lane. Additional right-of-way on the project side will be required to accommodate the improvements at the Otay Mesa Road with Harvest Road, Sunroad Boulevard Road, and Vann Centre Road intersections. Dedicate thirty-foot (30') radius corner rounding at Otay Mesa Road intersection with Harvest Road, Sunroad Boulevard and Vann Centre Road, plus slope rights and drainage easements.
- b. Dedicate on the Final Map to the County of San Diego an easement for road purposes that provides a right-of-way width of seventy-two feet (72') for **David Ridge Drive**, from Sunroad Boulevard easterly to Vann Centre Boulevard, in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Specific Plan 2-Lane Road-Local MXU Collector with bike lane; with thirty-foot (30') radius corner rounding at David Ridge Drive/Sunroad Boulevard and David

Ridge Drive/Vann Centre Boulevard's intersections, plus slope rights and drainage easements.

Please note relinquishment of access along David Ridge Drive along the project frontage will be processed during the Site Plan Review to the satisfaction of the Director of the PDS.

- c. Dedicate on the Final Map to the County of San Diego an easement for road purposes that provides a minimum one-half right-of-way width of forty-eight feet (48') from the centerline of **Harvest Road**, from Otay Mesa Road to Sunroad Boulevard; along the project frontage in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for Specific Plan 4-Lane Road-MXU Collector with bike lane plus slope rights and drainage easements.

Please note relinquishment of access along **Harvest Road** along the project frontage will be processed during the Site Plan Review to the satisfaction of the Director of the PDS.

~~Dedicate on the Final Map to the County of San Diego an easement for road purposes that provides a right-of-way width of ninety-eight feet (98') for **Sunroad Boulevard** from Otay Mesa Road to northwesterly corner of Lot 26 in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Major Road with raised median (4.1A) and bike lane; with thirty-foot (30') radius corner rounding at Sunroad Boulevard/Otay Mesa Road, and Sunroad Boulevard/Harvest Road intersections, plus slope rights and drainage easements. Please note relinquishment of access along **Sunroad Boulevard** along the project frontage will be processed during the Site Plan Review to the satisfaction of the Director of the PDS.~~

- d. The grant of right-of-way shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required and shall be accepted for public use.
- e. With the approval of each Final Map, dedicate a two-foot (2') wide landscape easement along Circulation Element and Specific Plan public roads outside of the right-of-way and within the landscaped setback in order to provide adequate space for street trees in accordance with the East Otay Mesa Business Park Specific Plan.

**DOCUMENTATION:** The applicant shall dedicate the project side of the easement on the Final Map and show it as Accepted. **TIMING:** Prior to the recordation of the Final Map for unit 1, the on-site dedication shall be provided



for roads with the recordation of the unit the road is within, abuts or provides access to. If any portion of the required improvements or right-of-way dedications are completed by previous unit(s), they will be deemed complete and will no longer be applicable to this unit. **MONITORING:** The [PDS, LDR] shall verify that the dedication is indicated on the Final Map and Accepted by the County.

#### 4. ROADS#4–RELINQUISH ACCESS

**INTENT:** In order to promote orderly development and to comply with the [Mobility Element of the General Plan](#) and [County Subdivision Ordinance Section 81.401\(g\)](#), access shall be relinquished. **DESCRIPTION OF REQUIREMENT:**

- a. Relinquish access rights onto ***Otay Mesa Road*** along the project frontage from Harvest Road easterly to Vann Center Boulevard to the satisfaction of the Director of the PDS.
- b. The access relinquishment shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required.

**DOCUMENTATION:** The applicant shall prepare the pages of the Final Map and present them for review to [PDS, LDR]. **TIMING:** With the recordation of the Final Map for unit 1, the access shall be relinquished. **MONITORING:** The [PDS, LDR] shall prepare and process the relinquishment of access with the Final Map.

#### 5. ADA ACCESSIBLE PATHWAY

**INTENT:** In order to provide an accessible pathway in compliance with Americans with Disabilities Act (ADA) requirements. **DESCRIPTION OF REQUIREMENT:** The applicant shall provide a 8 foot by 5 foot pathway for at least 5 feet in length along the north side of Otay Mesa Road. **DOCUMENTATION:** The applicant shall implement the pathway requirement shown on the Tentative Map and the Final Map. **TIMING:** Prior to recordation of the Final Map for the unit including said pathway, the plans, agreements and securities shall be approved. **MONITORING:** [PDS] shall verify the requirement has been implemented on the final grading and/or improvement plans as applicable.

***PRIOR TO THE RECORDATION OF THE FINAL MAP FOR UNIT 2, THE FOLLOWING CONDITIONS SHALL BE COMPLETED TO THE SATISFACTION OF DIRECTOR OF PDS AND DPW.***

#### 6. ROADS#1–PUBLIC ROAD IMPROVEMENTS

**INTENT:** In order to promote orderly development and to comply with the [Subdivision Ordinance Sec. 81.404](#) and the [Community Trails Master Plan](#),

all the public roads shall be improved. **DESCRIPTION OF REQUIREMENT:**  
Improve or agree to improve and provide security for:

- a. **Harvest Road**, on the project side, from Otay Mesa Road northerly to Sunroad Boulevard in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Specific Plan 4-Lane Road-MXU Collector with bike lane, to a one half graded width of forty eight feet (48') with thirty- eight feet (38') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and 10' pathway. Face of curb shall be at thirty- eight feet (38') from centerline. Provide transition for all widenings, dike tapers, and traffic striping to match existing pavement.
  1. **Harvest Road** on east side shall have ultimate improvements in accordance with Public Road Standards to provide for two (2) twelve feet (12') northbound lanes, a six-foot (6') bike lane and an eight-foot (8') shoulder area for northbound traffic to an improved width of thirty-eight feet (38') with asphalt concrete pavement over approved base with an AC berm to the west of the ultimate centerline location of **Harvest Road**.
- b. **Sunroad Boulevard** from Otay Mesa Road to northwesterly corner of lot 26 Harvest Road in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Major Road with raised median (4.1A) and bike lane, to a graded width of ninety-eight feet (98') with seventy-eight feet (78') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and five-foot (5') detached sidewalk. Face of curb shall be at thirty-nine feet (39') from centerline. Provide transition for all widenings, dike tapers, and traffic striping to match existing pavement.
  1. **Sunroad Boulevard** shall have ultimate improvements in accordance with Public Road Standards to provide for four (4) twelve feet (12') travel lanes, two eight-foot (8') bike lane and a fourteen feet (14') raised median to an improved width of seventy- eight feet (78') with asphalt concrete pavement over approved base
- b. **David Ridge Drive** from Sunroad Boulevard easterly to Vann Centre Boulevard in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Specific Plan 2-Lane Road-Local MXU Collector with bike lane, to a graded width of seventy-two feet (72') with fifty- two feet (52') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and five-foot (5') detached sidewalk. Face of curb shall be at twenty-six feet (26') from centerline. Provide transition for all widenings, dike tapers, and traffic

striping to match existing pavement. The improvements and striping will be required to accommodate 2 twelve-foot (12') through lanes, two six-foot (6') bike lanes and two eight-foot (8') shoulders within the improved width of 52'.

- c. ***Sunroad View Drive*** from Sunroad Boulevard northeasterly to ~~Alejandro Drive~~ Misha Boulevard in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Specific Plan 2-Lane Road Local MXU Collector with bike lane, to a graded width of seventy-two feet (72') with fifty-two feet (52') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and five-foot (5') detached sidewalk. Face of curb shall be at twenty-six feet (26') from centerline. Provide transition for all widenings, dike tapers, and traffic striping to match existing pavement. The improvements and striping will be required to accommodate 2 twelve-foot (12') through lanes, two six-foot (6') bike lanes and two eight-foot (8') shoulders within the improved width of 52'.

- d. ~~***Alejandro Drive***~~ ***Misha Boulevard*** from David Ridge Drive northerly to Sunroad View Drive in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Specific Plan 2-Lane Road- Local MXU Collector with bike lane, to a graded width of seventy-two feet (72') with fifty-two feet (52') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and five-foot (5') detached sidewalk. Face of curb shall be at twenty-six feet (26') from centerline. Provide transition for all widenings, dike tapers, and traffic striping to match existing pavement.

4. The improvements and striping will be required to accommodate 2 twelve-foot (12') through lanes, two six-foot (6') bike lanes and two eight-foot (8') shoulders within the improved width of 52'.

- e. ~~***Vann Centre Boulevard***~~ on the project side and along the project frontage in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for Specific Plan 4-Lane Road-I/G Collector with bike lane to a minimum one-half graded width of forty-eight (48') with thirty-eight feet (38') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and five-foot (5') detached sidewalk. Face of curb shall be at thirty-eight feet (38') from centerline. Provide transition for all widenings, dike tapers, and traffic striping to match existing pavement.

1. ~~***Vann Centre Boulevard***~~ on the west side shall have interim improvements in accordance with Public Road Standards to provide for two (12') southbound lanes, a six foot (6') bike lane and eight foot (8') shoulder with

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~~asphalt concrete pavement over approved base with an AC berm within the thirty-eight (38') of improved width.~~

- 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.

All plans and improvements shall be completed pursuant to the [County of San Diego Public Road Standards](#), the [Land Development Improvement Plan Checking Manual](#), and the [East Otay Mesa Business Park Specific Plan](#). The improvements shall be completed within 24 months from the approval of the improvement plans, execution of the agreements, and acceptance of the securities. **DOCUMENTATION:** The applicant shall complete the following:

- a. Process and obtain approval of Improvement Plans to improve all the public road segments and intersections as indicated above.
- b. Provide Secured Agreements in accordance with [Subdivision Ordinance Sec. 81.408](#).
- c. Upon approval of the plans, pay all applicable inspection fees with [DPW, PDC].
- d. If the applicant is a representative, then one of the following is required: a corporate certificate indicating those corporation officers authorized to sign for the corporation, or a partnership agreement recorded in this County indicating who is authorized to sign for the partnership.
- e. The subdivider/applicant shall obtain an Encroachment Permit for the installation of landscaping within the Public Road Right-of-Way.

**TIMING:** Prior to the recordation of the Final Map for the specific unit as indicated above, the plans, agreements, and securities shall be approved. If any portion of the required improvements or right-of-way dedications are completed by previous unit(s), they will be deemed complete and will no longer be applicable to this unit. **MONITORING:** The [PDS, LDR] shall review the plans for consistency with the condition and County Standards. Upon approval of the plans [PDS, LDR] shall request the required securities and improvement agreements. The securities and improvement agreements shall be approved by the Director of PDS.



## 7. ROADS#2–SIGHT DISTANCE

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

### DESCRIPTION OF REQUIREMENT:

- a. A registered civil engineer or a licensed land surveyor provides a certified signed statement that: “There is \_\_\_\_\_ feet of unobstructed intersectional sight distance along **Sunroad Boulevard** from the proposed roadway, Harvest Road, in accordance with the methodology described in Table 5 of the March 2012 County of San Diego Public Road Standards. These sight distances exceed the required intersectional Sight Distance requirements of as described in Table 5 based on a speed of \_\_\_\_\_, which I have verified to be the higher of the prevailing speed or the minimum design speed of the road classification. I have exercised responsible charge for the certification as defined in Section 6703 of the Professional Engineers Act of the California Business and Professions Code.”
- b. A registered civil engineer or a licensed land surveyor provides a certified signed statement that: “There is \_\_\_\_\_feet of unobstructed intersectional sight distance along **David Ridge Drive** from the proposed roadway, ~~Alejandro Drive~~ Misha Boulevard along in accordance with the methodology described in Table 5 of the March 2012 County of San Diego Public Road Standards. These sight distances exceed the required intersectional Sight Distance requirements of\_as described in Table 5 based on a speed of\_\_\_\_\_, which I have verified to be the higher of the prevailing speed or the minimum design speed of the road classification. I have exercised responsible charge for the certification as defined in Section 6703 of the Professional Engineers Act of the California Business and Professions Code.”
- c. A registered civil engineer or a licensed land surveyor provides a certified signed statement that: “There is\_\_\_\_\_feet of unobstructed intersectional sight distance along ~~Alejandro Drive~~ **Misha Boulevard** from the proposed roadway, Sunroad View Drive along in accordance with the methodology described in Table 5 of the March 2012 County of San Diego Public Road Standards. These sight distances exceed the required intersectional Sight Distance requirements of\_\_\_\_\_as described in Table 5 based on a speed of\_\_\_\_\_, which I have verified to be the higher of the prevailing speed or the minimum design speed of the road classification. I have exercised responsible

charge for the certification as defined in Section 6703 of the Professional Engineers Act of the California Business and Professions Code.”

- d. ~~A registered civil engineer or a licensed land surveyor provides a certified signed statement that: “There is \_\_\_\_\_ feet of unobstructed intersectional sight distance along **Vann Centre Boulevard** from the proposed roadway, David Ridge Drive, along in accordance with the methodology described in Table 5 of the March 2012 County of San Diego Public Road Standards. These sight distances exceed the required intersectional Sight Distance requirements of \_\_\_\_\_ as described in Table 5 based on a speed of \_\_\_\_\_, which I have verified to be the higher of the prevailing speed or the minimum design speed of the road classification. I have exercised responsible charge for the certification as defined in Section 6703 of the Professional Engineers Act of the California Business and Professions Code.”~~
- e. A registered civil engineer or a licensed land surveyor provides a certified signed statement that: “There is \_\_\_\_\_ feet of unobstructed intersectional sight distance along **Sunroad Boulevard** from the proposed roadway, Sunroad View Drive, along in accordance with the methodology described in Table 5 of the March 2012 County of San Diego Public Road Standards. ~~These~~ sight distances exceed the required intersectional Sight Distance requirements of \_\_\_\_\_ as described in Table 5 based on a speed of \_\_\_\_\_, which I have verified to be the higher of the prevailing speed or the minimum design speed of the road classification. I have exercised responsible charge for the certification as defined in Section 6703 of the Professional Engineers Act of the California Business and Professions Code.”
- f. A registered civil engineer or a licensed land surveyor provides a certified signed statement that: “There is \_\_\_\_\_ feet of unobstructed intersectional sight distance along **Sunroad Boulevard** from the proposed roadway, David Ridge Drive, along in accordance with the methodology described in Table 5 of the March 2012 County of San Diego Public Road Standards. These sight distances exceed the required intersectional Sight Distance requirements of \_\_\_\_\_ as described in Table 5 based on a speed of \_\_\_\_\_, which I have verified to be the higher of the prevailing speed or the minimum design speed of the road classification. I have exercised responsible charge for the certification as defined in Section 6703 of the Professional

Engineers Act of the California Business and Professions Code.”

- g. ~~A registered civil engineer or a licensed land surveyor provides a certified signed statement that: “There is \_\_\_feet of unobstructed intersectional sight distance along **Otay Mesa Road** from the proposed roadway, Vann Centre Boulevard, along in accordance with the methodology described in Table 5 of the March 2012 County of San Diego Public Road Standards. These sight distances exceed the required intersectional Sight Distance requirements of \_\_\_\_\_ as described in Table 5 based on a speed of \_\_, which I have verified to be the higher of the prevailing speed or the minimum design speed of the road classification. I have exercised responsible charge for the certification as defined in Section 6703 of the Professional Engineers Act of the California Business and Professions Code.”~~
- h. 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.”

**DOCUMENTATION:** The applicant shall have a Registered Civil Engineer, or a Licensed Land Surveyor provide a signed statement that physically, there is minimum unobstructed sight distance as detailed above, and submit them to the [PDS, LDR] for review. **TIMING:** Prior to the recordation of the Final Map for unit 2 the sight distance shall be verified. **MONITORING:** The [PDS, LDR] shall verify the sight distance certifications.

## 8. ROADS#3–ROAD DEDICATION

**INTENT:** In order to improve the quality of the roads, promote orderly development, and to comply with the [Subdivision Ordinance Sec. 81.402](#), road right of way shall be dedicated to the County. **DESCRIPTION OF REQUIREMENT:**

- a. Dedicate on the Final Map to the County of San Diego an easement for road purposes that provides a minimum one-half right-of-way width of forty-eight feet (48') from the centerline of **Harvest Road**, from Otay Mesa Road to Sunroad Boulevard; along the project frontage in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for Specific Plan 4-Lane Road-MXU Collector with bike lane plus slope rights and drainage easements.

Please note relinquishment of access along **Harvest Road** along the project frontage will be processed during the Site Plan Review to the satisfaction of the Director of the PDS.

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- b. Dedicate on the Final Map to the County of San Diego an easement for road purposes that provides a right-of-way width of ninety-eight feet (98') for **Sunroad Boulevard** from Otay Mesa Road to northwesterly corner of Lot 26 in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Major Road with raised median (4.1A) and bike lane; with thirty-foot (30') radius corner rounding at Sunroad Boulevard/Otay Mesa Road, and Sunroad Boulevard/Harvest Road intersections, plus slope rights and drainage easements.

Please note relinquishment of access along **Sunroad Boulevard** along the project frontage will be processed during the Site Plan Review to the satisfaction of the Director of the PDS.

- c. Dedicate on the Final Map to the County of San Diego an easement for road purposes that provides a right-of-way width of seventy-two feet (72') for **David Ridge Drive**, from Sunroad Boulevard easterly to Vann Centre Boulevard, in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Specific Plan 2-Lane Road-Local MXU Collector with bike lane; with thirty-foot (30') radius corner rounding at David Ridge Drive/Sunroad Boulevard and David Ridge Drive/Vann Centre Boulevard's intersections, plus slope rights and drainage easements.

Please note relinquishment of access along **David Ridge Drive** along the project frontage will be processed during the Site Plan Review to the satisfaction of the Director of the PDS.

- d. Dedicate on the Final Map to the County of San Diego an easement for road purposes that provides a right-of-way width of seventy-two feet (72') for ~~**Sunroad View Drive**~~ **Misha Boulevard**, from Sunroad Boulevard northeasterly to Alejandro Drive Misha Boulevard, in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Specific Plan 2-Lane Road-Local MXU Collector with bike lane; with thirty-foot (30') radius corner rounding at Sunroad View Drive/Sunroad Boulevard and Sunroad View Drive/Alejandro Drive's intersections, plus slope rights and drainage easements.

- e. Dedicate on the Final Map to the County of San Diego an easement for road purposes that provides a right-of-way width of seventy-two feet (72') for ~~**Alejandro Drive**~~ **Misha Boulevard**, from David Ridge Drive northerly to Sunroad View Drive, in accordance with Public Road Standards and the East Otay



Mesa Business Park Specific Plan for a Specific Plan 2-Lane Road-Local MXU Collector with bike lane; with thirty-foot (30') radius corner rounding at Sunroad View Drive/Alejandro Drive and David Ridge Drive/Alejandro Drive's intersections, plus slope rights and drainage easements.

- f. ~~Dedicate on the Final Map to the County of San Diego an easement for road purposes that provides a one-half right-of-way width of forty-eight feet (48') from the centerline of **Vann Centre Boulevard**, along the project frontage, in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for Specific Plan 4-Lane Road I/C Collector with bike lane; with thirty-foot (30') radius corner rounding at Vann Centre Boulevard/Otay Mesa Road's intersections, plus slope rights and drainage easements.~~

~~Please note relinquishment of access along **Vann Centre Boulevard** along the project frontage will be processed during the Site Plan Review to the satisfaction of the Director of the PDS.~~

- g. The grant of right-of-way shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required and shall be accepted for public use.
- h. With the approval of each Final Map, dedicate a two-foot (2') wide landscape easement along Circulation Element and Specific Plan public roads outside of the right-of-way and within the landscaped setback in order to provide adequate space for street trees in accordance with the East Otay Mesa Business Park Specific Plan.

**DOCUMENTATION:** The applicant shall dedicate the project side of the easement on the Final Map and show it as Accepted. For the offsite portions of the easement, the applicant shall prepare the legal descriptions of the easements, and submit them for preparation with the [DGS, RP], and pay all applicable fees associated with preparation of the documents. **TIMING:** Prior to the recordation of the Final Map for unit 2. The on-site dedication and the off-site granting shall be provided for roads with the recordation of the unit the road is within, abuts or provides access to. If any portion of the required improvements or right-of-way dedications are completed by previous unit(s), they will be deemed complete and will no longer be applicable to this unit. **MONITORING:** The [PDS, LDR] shall verify that the dedication is indicated on the Final Map and accepted by the County. The [DGS, RP] shall prepare, approve the easement documents for recordation, and forward the recorded copies to [PDS, LDR] for review and approval. The [PDS, LDR] shall review the offsite granting for compliance with this condition.

**PRIOR TO THE RECORDATION OF THE FINAL MAP FOR UNIT 3, THE FOLLOWING CONDITIONS SHALL BE COMPLETED TO THE SATISFACTION OF DIRECTOR OF PDS AND DPW.**

## **9. ROADS#1–PUBLIC ROAD IMPROVEMENTS**

**INTENT:** In order to promote orderly development and to comply with the [Subdivision Ordinance Sec. 81.404](#) and the [Community Trails Master Plan](#), all the public roads shall be improved. **DESCRIPTION OF**

**REQUIREMENT:** Improve or agree to improve and provide security for:

- a. **Sunroad Boulevard** from ~~northwest corner of lot 26~~ Harvest Road to Zinser Road in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Major Road with raised median (4.1A) and bike lane, to a graded width of ninety-eight feet (98') with seventy-eight feet (78') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and five-foot (5') detached sidewalk. Face of curb shall be at thirty- nine feet (39') from centerline. Provide transition for all widenings, dike tapers, and traffic striping to match existing pavement.
  1. **Sunroad Boulevard** shall have ultimate improvements in accordance with Public Road Standards to provide for four (4) twelve feet (12') travel lanes, two eight-foot (8') bike lane and a fourteen feet (14') raised median to an improved width of seventy-eight feet (78') with asphalt concrete pavement over approved base.
- b. **Zinser Road** on the project side, from westerly project boundary easterly to Sunroad Boulevard in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Specific Plan 4-Lane Road-I/C MXU Collector with bike lane to a minimum one-half graded width of forty-eight feet (48') with thirty-eight feet (38') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and five-foot (5') detached sidewalk. Face of curb shall be at thirty-eight feet (38') from centerline. Provide transition for all widenings, dike tapers, and traffic striping to match existing pavement. In the interim conditions, Zinser Road shall terminate with a temporary cul-de-sac graded to a radius of forty-two feet (42') to the satisfaction of Director of PDS and the Fire Department.
- c. **Zinser Road** on the project side, from Sunroad Boulevard to ~~easterly lot 27 boundary~~ Misha Boulevard in accordance with Public Road Standards and the East Otay Mesa Business Park

Specific Plan for a Specific Plan 2-Lane Road-I/C MXU Collector with bike lane to a minimum one-half graded width of thirty-six feet (36') with twenty-six feet (26') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and five-foot (5') detached sidewalk. Face of curb shall be at twenty-six feet (26') from centerline. Provide transition for all widenings, dike tapers, and traffic striping to match existing pavement.

- d. ~~**Harvest Road**, from Sunroad Boulevard northeasterly to Alejandro Drive in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Specific Plan 2-Lane Road-Local MXU Collector with bike lane, to a graded width of seventy-two feet (72') with fifty-two feet (52') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and five foot (5') detached sidewalk. Face of curb shall be at twenty-six feet (26') from the centerline. Provide transition for all widenings, dike tapers, and traffic striping to match existing pavement.~~
- e. ~~**Alejandro Drive**, from Sunroad View Drive northerly to Zinser Road in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Specific Plan 2-Lane Road-Local MXU Collector with bike lane, to a graded width of seventy-two feet (72') with fifty-two feet (52') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and five foot (5') detached sidewalk. Face of curb shall be at twenty-six feet (26') from the centerline. Provide transition for all widenings, dike tapers, and traffic striping to match existing pavement.~~
- f. ~~**Zinser Road** on the project side, from easterly property line of lot 27 to Alejandro Drive in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Specific Plan 2-Lane Road-I/C MXU Collector with bike lane to a minimum one-half graded width of thirty-six feet (36') with twenty-six feet (26') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and five foot (5') detached sidewalk. Face of curb shall be at twenty-six feet (26') from the centerline. Provide transition for all widenings, dike tapers, and traffic striping to match existing pavement.~~
- g. 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

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provide a smooth transition next to existing soil, including those areas scheduled for shoulder backing.

All plans and improvements shall be completed pursuant to the [County of San Diego Public Road Standards](#), the [Land Development Improvement Plan Checking Manual](#), and the [East Otay Mesa Business Park Specific Plan](#). The improvements shall be completed within 24 months from the approval of the improvement plans, execution of the agreements, and acceptance of the securities. **DOCUMENTATION:** The applicant shall complete the following:

- a. Process and obtain approval of Improvement Plans to improve all the public road segments and intersections as indicated above.
- b. Provide Secured Agreements in accordance with [Subdivision Ordinance Sec. 81.408](#).
- c. Upon approval of the plans, pay all applicable inspection fees with [DPW, PDC].
- d. If the applicant is a representative, then one of the following is required: a corporate certificate indicating those corporation officers authorized to sign for the corporation, or a partnership agreement recorded in this County indicating who is authorized to sign for the partnership.
- e. The subdivider/applicant shall obtain an Encroachment Permit for the installation of landscaping within the Public Road Right-of-Way.

**TIMING:** Prior to the recordation of the Final Map for the specific unit as indicated above, the plans, agreements, and securities shall be approved. If any portion of the required improvements or right-of-way dedications are completed by previous unit(s), they will be deemed complete and will no longer be applicable to this unit. **MONITORING:** The [PDS, LDR] shall review the plans for consistency with the condition and County Standards. Upon approval of the plans [PDS, LDR] shall request the required securities and improvement agreements. The securities and improvement agreements shall be approved by the Director of PDS.

## 10. ROADS#2–SIGHT DISTANCE

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

**DESCRIPTION OF REQUIREMENT:**



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

~~San Diego Public Road Standards. These sight distances exceed the required intersectional Sight Distance requirements of \_\_\_\_\_ as described in Table 5 based on a speed of \_\_\_\_\_, which I have verified to be the higher of the prevailing speed or the minimum design speed of the road classification. I have exercised responsible charge for the certification as defined in Section 6703 of the Professional Engineers~~

~~Act of the California Business and Professions Code.”~~

- e. 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.”

**DOCUMENTATION:** The applicant shall have a Registered Civil Engineer, or a Licensed Land Surveyor provide a signed statement that physically, there is minimum unobstructed sight distance as detailed above, and submit them to the [PDS, LDR] for review. **TIMING:** Prior to the recordation of the Final Map for unit 3, the sight distance shall be verified. **MONITORING:** The [PDS, LDR] shall verify the sight distance certifications.

## 11. ROADS#3–ROAD DEDICATION

**INTENT:** In order to improve the quality of the roads, promote orderly development, and to comply with the [Subdivision Ordinance Sec. 81.402](#), road right of way shall be dedicated to the County. **DESCRIPTION OF REQUIREMENT:**

- a. Dedicate on the Final Map to the County of San Diego an easement for road purposes that provides a right-of-way width of ninety-eight feet (98') for **Sunroad Boulevard** from Northwest corner of lot 26 to Zinser Road in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Major Road with raised median (4.1A) and bike lane; with thirty-foot (30') radius corner rounding at Sunroad Boulevard/Otay Mesa Road, and Sunroad Boulevard/Harvest Road intersections, plus slope rights and drainage easements.

Please note relinquishment of access along **Sunroad Boulevard** along the project frontage will be processed during the Site Plan Review to the satisfaction of the Director of the PDS.

- b. Dedicate on the Final Map to the County of San Diego an easement for road purposes that provides a one-half right-of-way width of forty-eight feet (48') from the centerline of **Zinser Road** on the project side, from westerly project boundary

easterly to Sunroad Boulevard in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Specific Plan 4-Lane Road-I/C MXU Collector with bike lane; plus slope rights and drainage easements.

Please note relinquishment of access along **Zinser Road** along the project frontage will be processed during the Site Plan Review to the satisfaction of the Director of the PDS.

- c. Dedicate on the Final Map to the County of San Diego an easement for road purposes that provides a one-half right-of-way width of thirty-six feet (36') from the centerline of **Zinser Road** on the project side, from Sunroad Boulevard to Misha Boulevard in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Specific Plan 2-Lane Road-I/C MXU Collector with bike lane; plus slope rights and drainage easements.

Please note relinquishment of access along **Zinser Road** along the project frontage will be processed during the Site Plan Review to the satisfaction of the Director of the PDS.

- d. ~~Dedicate on the Final Map to the County of San Diego an easement for road purposes that provides a right-of-way width of seventy-two feet (72') for **Harvest Road** from Sunroad Boulevard northeasterly to Alejandro Drive in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Specific Plan 2-Lane Road-Local MXU Collector with bike lane; with thirty-foot (30') radius corner rounding at Harvest Road/Sunroad Boulevard and Harvest Road/ Alejandro Drive's intersections, plus slope rights and drainage easements.~~
- e. ~~Dedicate on the Final Map to the County of San Diego an easement for road purposes that provides a right-of-way width of seventy-two feet (72') for **Alejandro Drive**, from Sunroad View Drive northerly to Zinser Road in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Specific Plan 2-Lane Road-Local MXU Collector with bike lane; with thirty-foot (30') radius corner rounding at Alejandro Drive/Sunroad View Drive and Alejandro Drive/ Zinser Road's intersections, plus slope rights and drainage easements.~~
- f. ~~Dedicate on the Final Map to the County of San Diego an easement for road purposes that provides a one-half right-of-~~

~~way width of thirty-six feet (36') from the centerline of **Zinser Road** on the project side, from the easterly property line of lot 27 to Alejandro Drive, in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Specific Plan 2-Lane Road-I/C MXU Collector with bike lane; plus slope rights and drainage easements.~~

~~Please note relinquishment of access along **Zinser Road** along the project frontage will be processed during the Site Plan Review to the satisfaction of the Director of the PDS.~~

- d. The grant of right-of-way shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required and shall be accepted for public use.
- e. With the approval of each Final Map, dedicate a two-foot (2') wide landscape easement along Circulation Element and Specific Plan public roads outside of the right-of-way and within the landscaped setback in order to provide adequate space for street trees in accordance with the East Otay Mesa Business Park Specific Plan.

**DOCUMENTATION:** The applicant shall dedicate the project side of the easement on the Final Map and show it as Accepted. **TIMING:** Prior to the recordation of the Final Map for unit 3, the on-site dedication granting shall be provided for roads with the recordation of the unit the road is within, abuts or provides access to. If any portion of the required improvements or right-of-way dedications are completed by previous unit(s), they will be deemed complete and will no longer be applicable to this unit. **MONITORING:** The [PDS, LDR] shall verify that the dedication is indicated on the Final Map and Accepted by the County.

## 12.ROADS#4–PUBLIC SEWER IMPROVEMENTS

**INTENT:** In order to promote orderly development by providing public sewer to the lots, and to comply with the [Subdivision Ordinance Sec. 81.703 through Sec. 81.707](#) and the [East Otay Mesa Business Park Specific Plan](#). **DESCRIPTION OF REQUIREMENT:** A sewer system, which is to be public sewer shall be shown within dedicated right-of-way on the Final Map, and the portion of the sewer system which is to be public shall be installed as shown on the approved plans and specifications, to the satisfaction of the San Diego County Sanitation District [SDCSD]. As needed, a graded access road and easement to maintain the public sewer, shall be required to be constructed within easements or right-of-way. Please note the required sewer improvements for Unit 3, includes offsite improvements along Zinser Road from the westerly project boundary to the existing sewer line in Piper Ranch Road. NOTE: The above shall be to the satisfaction of the Director of Public Works. **DOCUMENTATION:**



The applicant shall dedicate the sewer easement on the Final Map, and provide improvement plans for the sewer system construction to the [PDS, LDR] and [SDCSD] for review and approval. **TIMING:** Prior to approval of the Final Map for the applicable unit, the offsite sewer and the sewer for the applicable unit shall be dedicated and installed. Prior to approval of the Final Map for each subsequent unit, the sewer shall be dedicated and installed. **MONITORING:** The [PDS, LDR] shall review the Final Map to ensure that the sewer easement has been dedicated. The [PDS, LDR] and [DPW, WWM] shall review the improvement plans to ensure compliance with this condition.

***PRIOR TO THE RECORDATION OF THE FINAL MAP FOR UNIT 4, THE FOLLOWING CONDITIONS SHALL BE COMPLETED TO THE SATISFACTION OF DIRECTOR OF PDS AND DPW.***

### **13. ROADS#1–PUBLIC ROAD IMPROVEMENTS**

**INTENT:** In order to promote orderly development and to comply with the [Subdivision Ordinance Sec. 81.404](#) and the [Community Trails Master Plan](#), all the public roads shall be improved. **DESCRIPTION OF REQUIREMENT:** Improve or agree to improve and provide security for:

- a. ***Misha Boulevard***, from Sunroad View Drive northerly to Zinser Road in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Specific Plan 2-Lane Road-Local MXU Collector with bike lane, to a graded width of seventy-two feet (72') with fifty-two feet (52') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and five-foot (5') detached sidewalk. Face of curb shall be at twenty-six feet (26') from the centerline. Provide transition for all widenings, dike tapers, and traffic striping to match existing pavement.
- b. ***Lone Star Road*** in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a 4-Lane Major Road with raised median (4.1A) and bike lane, to a graded width of ninety-eight feet (98') with seventy-eight feet (78') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and five-foot (5') detached sidewalk. Face of curb shall be at thirty-nine feet (39') from centerline. Provide transition for all widenings, dike tapers, and traffic striping to match existing pavement. In the interim conditions, Lone Star Road shall terminate with a cul-de-sac, at both terminuses, graded to a radius of forty-two feet (42') to the satisfaction of Director of PDS and the Fire Department

- c. ~~**Sunroad Boulevard** from northwest corner of lot 26 to Zinser Road in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Major Road with raised median (4.1A) and bike lane, to a graded width of ninety-eight feet (98') with seventy-eight feet (78') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and five-foot (5') detached sidewalk. Face of curb shall be at thirty-nine feet (39') from centerline. Provide transition for all widenings, dike tapers, and traffic striping to match existing pavement.~~
- 1. ~~**Sunroad Boulevard** shall have ultimate improvements in accordance with Public Road Standards to provide for four (4) twelve feet (12') travel lanes, two eight-foot (8') bike lane and a fourteen feet (14') raised median to an improved width of seventy-eight feet (78') with asphalt concrete pavement over approved base.c.~~
- c. **Zinser Road** on the project side, from Sunroad Boulevard to Misha Boulevard in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Specific Plan 2-Lane Road-I/C MXU Collector with bike lane to a minimum one-half graded width of thirty-six feet (36') with twenty-six feet (26') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and five-foot (5') detached sidewalk. Face of curb shall be at twenty-six feet (26') from centerline. Provide transition for all widenings, dike tapers, and traffic striping to match existing pavement.
- d. ~~**Zinser Road** on the project side, from westerly project boundary easterly to Sunroad Boulevard in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Specific Plan 4-Lane Road-I/C MXU Collector with bike lane to a minimum one-half graded width of forty-eight feet (48') with thirty-eight feet (38') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and five-foot (5') detached sidewalk. Face of curb shall be at thirty-eight feet (38') from centerline. Provide transition for all widenings, dike tapers, and traffic striping to match existing pavement. In the interim conditions, Zinser Road shall terminate with a temporary cul-de-sac graded to a radius of forty-two feet (42') to the satisfaction of Director of PDS and the Fire Department.~~
- e. ~~**Zinser Road** on the project side, from Sunroad Boulevard to easterly lot 27 boundary in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan~~

~~for a Specific Plan 2-Lane Road I/C MXU Collector with bike lane to a minimum one-half graded width of thirty-six feet (36') with twenty-six feet (26') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and five-foot (5') detached sidewalk. Face of curb shall be at twenty-six feet (26') from centerline. Provide transition for all widenings, dike tapers, and traffic striping to match existing pavement.~~

- d. Asphalt concrete surfacing material shall be hand-raked and compacted to form smooth tapered connections along all edges including those edges adjacent to soil. The edges of asphalt concrete shall be hand-raked at 45 degrees or flatter, so as to provide a smooth transition next to existing soil, including those areas scheduled for shoulder backing.

All plans and improvements shall be completed pursuant to the [County of San Diego Public Road Standards](#), the [Land Development Improvement Plan Checking Manual](#), and the [East Olay Mesa Business Park Specific Plan](#). The improvements shall be completed within 24 months from the approval of the improvement plans, execution of the agreements, and acceptance of the securities.  
**DOCUMENTATION:** The applicant shall complete the following:

- a. Process and obtain approval of Improvement Plans to improve all the public road segments and intersections as indicated above.
- b. Provide Secured Agreements in accordance with [Subdivision Ordinance Sec. 81.408](#).
- c. Upon approval of the plans, pay all applicable inspection fees with [DPW, PDC].
- d. If the applicant is a representative, then one of the following is required: a corporate certificate indicating those corporation officers authorized to sign for the corporation, or a partnership agreement recorded in this County indicating who is authorized to sign for the partnership.
- e. The subdivider/applicant shall obtain an Encroachment Permit for the installation of landscaping within the Public Road Right-of-Way.

**TIMING:** Prior to the recordation of the Final Map for the specific unit as indicated above, the plans, agreements, and securities shall be approved. If

any portion of the required improvements or right-of-way dedications are completed by previous unit(s), they will be deemed complete and will no longer be applicable to this unit. **MONITORING:** The [PDS, LDR] shall review the plans for consistency with the condition and County Standards. Upon approval of the plans [PDS, LDR] shall request the required securities and improvement agreements. The securities and improvement agreements shall be approved by the Director of PDS.

## 14. ROADS#2–SIGHT DISTANCE

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

### **DESCRIPTION OF REQUIREMENT:**

- a. A registered civil engineer or a licensed land surveyor provides a certified signed statement that: “There is \_\_\_\_\_ feet of unobstructed intersectional sight distance along **Misha Boulevard** from the proposed road, Zinser Road in accordance with the methodology described in Table 5 of the March 2012 County of San Diego Public Road Standards. These sight distances exceed the required intersectional Sight Distance requirements of \_\_\_\_\_ as described in Table 5 based on a speed of \_\_\_\_\_, which I have verified to be the higher of the prevailing speed or the minimum design speed of the road classification. I have exercised responsible charge for the certification as defined in Section 6703 of the Professional Engineers Act of the California Business and Professions Code.”
- b. A registered civil engineer or a licensed land surveyor provides a certified signed statement that: “There is \_\_\_\_\_ feet of unobstructed intersectional sight distance along **Misha Boulevard** from the proposed road, Sunroad View Drive, in accordance with the methodology described in Table 5 of the March 2012 County of San Diego Public Road Standards. These sight distances exceed the required intersectional Sight Distance requirements of \_\_\_\_\_ as described in Table 5 based on a speed of \_\_\_\_\_, which I have verified to be the higher of the prevailing speed or the minimum design speed of the road classification. I have exercised responsible charge for the certification as defined in Section 6703 of the Professional Engineers Act of the California Business and Professions Code.”
- c. A registered civil engineer or a licensed land surveyor provides a certified signed statement that: “There is \_\_\_\_\_ feet of unobstructed intersectional sight distance along **Lone Star Road** from the proposed road, ~~Sunroad View Drive~~ Zinser Road in accordance with the methodology described in Table 5 of the



March 2012 County of San Diego Public Road Standards. These sight distances exceed the required intersectional Sight Distance requirements of as described in Table 5 based on a speed of \_\_\_\_\_, which I have verified to be the higher of the prevailing speed or the minimum design speed of the road classification. I have exercised responsible charge for the certification as defined in Section 6703 of the Professional Engineers Act of the California Business and Professions Code.”

- d. ~~A registered civil engineer or a licensed land surveyor provides a certified signed statement that: “There is \_\_\_\_\_ feet of unobstructed intersectional sight distance along **Zinser Road** from the proposed road, Sunroad Boulevard in accordance with the methodology described in Table 5 of the March 2012 County of San Diego Public Road Standards. These sight distances exceed the required intersectional Sight Distance requirements of \_\_\_\_\_ as described in Table 5 based on a speed of \_\_\_\_\_, which I have verified to be the higher of the prevailing speed or the minimum design speed of the road classification. I have exercised responsible charge for the certification as defined in Section 6703 of the Professional Engineers Act of the California Business and Professions Code.”~~
- e. 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.”

**DOCUMENTATION:** The applicant shall have a Registered Civil Engineer, or a Licensed Land Surveyor provide a signed statement that physically, there is minimum unobstructed sight distance as detailed above, and submit them to the [PDS, LDR] for review. **TIMING:** Prior to the recordation of the Final Map for unit 4, the sight distance shall be verified. **MONITORING:** The [PDS, LDR] shall verify the sight distance certifications.

## 15. ROADS#3–ROAD DEDICATION

**INTENT:** In order to improve the quality of the roads, promote orderly development, and to comply with the [Subdivision Ordinance Sec. 81.402](#), road right of way shall be dedicated to the County. **DESCRIPTION OF REQUIREMENT:**

- a. Dedicate on the Final Map to the County of San Diego an easement for road purposes that provides a right-of-way width of ninety-eight feet (98’) for **Lone Star Road** in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Major Road with raised median (4.1A) and bike lane; plus slope rights and drainage easements.

Please note relinquishment of access along **Lone Star Road** along the project frontage will be processed during the Site Plan Review to the satisfaction of the Director of the PDS.

- b. Dedicate on the Final Map to the County of San Diego an easement for road purposes that provides a right-of-way width of seventy-two feet (72') for **Misha Boulevard**, from Sunroad View Drive northerly to Zinser Road in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Specific Plan 2-Lane Road-Local MXU Collector with bike lane; with thirty-foot (30') radius corner rounding at Alejandro Drive/Sunroad View Drive and Alejandro Drive/ Zinser Road's intersections, plus slope rights and drainage easements.

Please note relinquishment of access along **Misha Boulevard** along the project frontage will be processed during the Site Plan Review to the satisfaction of the Director of the PDS.

- c. Dedicate on the Final Map to the County of San Diego an easement for road purposes that provides a one-half right-of-way width of thirty-six feet (36') from the centerline of **Zinser Road** on the project side, from Sunroad Boulevard to Misha Boulevard in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Specific Plan 2Lane Road-I/C MXU Collector with bike lane; plus slope rights and drainage easements.

Please note relinquishment of access along **Zinser Road** along the project frontage will be processed during the Site Plan Review to the satisfaction of the Director of the PDS.

- d. ~~Dedicate on the Final Map to the County of San Diego an easement for road purposes that provides a right-of-way width of ninety-eight feet (98') for **Sunroad Boulevard** from Northwest corner of lot 26 to Zinser Road in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Major Road with raised median (4.1A) and bike lane; with thirty-foot (30') radius corner rounding at Sunroad Boulevard/Otay Mesa Road, and Sunroad Boulevard/Harvest Road intersections, plus slope rights and drainage easements.~~

~~Please note relinquishment of access along **Sunroad Boulevard** along the project frontage will be processed during the Site Plan Review to the satisfaction of the Director of the PDS.~~

- e. ~~Dedicate on the Final Map to the County of San Diego an easement for road purposes that provides a one-half right-of-way width of forty-eight feet (48') from the centerline of **Zinser Road** on the project side, from westerly project boundary easterly to Sunroad Boulevard in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Specific Plan 4-Lane Road I/C MXU Collector with bike lane; plus slope rights and drainage easements.~~

~~Please note relinquishment of access along **Zinser Road** along the project frontage will be processed during the Site Plan Review to the satisfaction of the Director of the PDS.~~

- f. ~~Dedicate on the Final Map to the County of San Diego an easement for road purposes that provides a one-half right-of-way width of thirty-six feet (36') from the centerline of **Zinser Road** on the project side, from Sunroad Boulevard to easterly boundary of lot 27 in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Specific Plan 2-Lane Road I/C MXU Collector with bike lane; plus slope rights and drainage easements.~~

~~Please note relinquishment of access along **Zinser Road** along the project frontage will be processed during the Site Plan Review to the satisfaction of the Director of the PDS.~~

- g. The grant of right-of-way shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required and shall be accepted for public use.
- h. With the approval of each Final Map, dedicate a two-foot (2') wide landscape easement along Circulation Element and Specific Plan public roads outside of the right-of-way and within the landscaped setback in order to provide adequate space for street trees in accordance with the East Otay Mesa Business Park Specific Plan.

**DOCUMENTATION:** The applicant shall dedicate the project side of the easement on the Final Map and show it as Accepted. For the offsite portions of the easement, the applicant shall prepare the legal descriptions of the easements, and submit them for preparation with the [DGS, RP], and pay all applicable fees associated with preparation of the documents. If any portion of the required improvements or right-of-way dedications are completed by previous unit(s), they will be deemed complete and will no longer be applicable to this unit. **TIMING:** Prior to the recordation of the Final Map for unit 4, the on-site dedication and the offsite granting shall be provided for roads with the recordation of the unit the road is within, abuts or provides access to.

**MONITORING:** The [PDS, LDR] shall verify that the dedication is indicated on the Final Map and Accepted by the County.

~~**PRIOR TO THE RECORDATION OF THE FINAL MAP FOR UNIT 5, THE FOLLOWING CONDITIONS SHALL BE COMPLETED TO THE SATISFACTION OF DIRECTOR OF PDS AND DPW.**~~

## ~~**16. ROADS#1-PUBLIC ROAD IMPROVEMENTS**~~

~~**INTENT:**~~ In order to promote orderly development and to comply with the [Subdivision Ordinance Sec. 81.404](#) and the [Community Trails Master Plan](#), all the public roads shall be improved. ~~**DESCRIPTION OF REQUIREMENT:**~~ Improve or agree to improve and provide security for:

- a. ~~**Sunroad View Drive**~~, from Alejandro Drive to Lone Star Road in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Specific Plan 2-Lane Road-Local MXU Collector with bike lane, to a graded width of seventy-two feet (72') with fifty-two feet (52') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and five-foot (5') detached sidewalk. Face of curb shall be at twenty-six feet (26') from centerline. Provide transition for all widenings, dike tapers, and traffic striping to match existing pavement.
  1. The improvements and striping will be required to accommodate 2 twelve-foot (12') through lanes, two six-foot (6') bike lanes and two eight-foot (8') shoulders within the improved width of 52'.
- b. ~~**Lone Star Road**~~ in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a 4-Lane Major Road with raised median (4.1A) and bike lane, to a graded width of ninety-eight feet (98') with seventy-eight feet (78') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and five-foot (5') detached sidewalk. Face of curb shall be at thirty-nine feet (39') from centerline. Provide transition for all widenings, dike tapers, and traffic striping to match existing pavement. In the interim conditions, Lone Star Road shall terminate with a cul-de-sac, at both terminuses, graded to a radius of forty-two feet (42') to the satisfaction of Director of PDS and the Fire Department.
- c. ~~Asphalt concrete surfacing material shall be hand-raked and compacted to form smooth tapered connections along all edges including those edges adjacent to soil. The edges of asphalt concrete shall be hand-raked at 45 degrees or flatter, so as to~~

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~~provide a smooth transition next to existing soil, including those areas scheduled for shoulder backing.~~

~~All plans and improvements shall be completed pursuant to the [County of San Diego Public Road Standards](#), the [Land Development Improvement Plan Checking Manual](#), and the [East Otay Mesa Business Park Specific Plan](#). The improvements shall be completed within 24 months from the approval of the improvement plans, execution of the agreements, and acceptance of the securities.~~  
**DOCUMENTATION:** ~~The applicant shall complete the following:~~

- ~~a. Process and obtain approval of Improvement Plans to improve all the public road segments and intersections as indicated above.~~
- ~~b. Provide Secured Agreements in accordance with [Subdivision Ordinance Sec. 81.408](#).~~
- ~~c. Upon approval of the plans, pay all applicable inspection fees with [DPW, PDC].~~
- ~~d. If the applicant is a representative, then one of the following is required: a corporate certificate indicating those corporation officers authorized to sign for the corporation, or a partnership agreement recorded in this County indicating who is authorized to sign for the partnership.~~
- ~~e. The subdivider/applicant shall obtain an Encroachment Permit for the installation of landscaping within the Public Road Right-of-Way.~~

~~**TIMING:** Prior to the recordation of the Final Map for the specific unit as indicated above, the plans, agreements, and securities shall be approved. If any portion of the required improvements or right-of-way dedications are completed by previous unit(s), they will be deemed complete and will no longer be applicable to this unit. **MONITORING:** The [PDS, LDR] shall review the plans for consistency with the condition and County Standards. Upon approval of the plans [PDS, LDR] shall request the required securities and improvement agreements. The securities and improvement agreements shall be approved by the Director of PDS.~~

## 17. ROADS#2-SIGHT DISTANCE

**INTENT:** ~~In order to provide an unobstructed view for safety while exiting the property and accessing a public road from the site, and to comply with the Design Standards of Section 6.1.E of the [County of San Diego Public Road](#)~~



Standards, an unobstructed sight distance shall be verified. **DESCRIPTION OF REQUIREMENT:**

- a. ~~A registered civil engineer or a licensed land surveyor provides a certified signed statement that: "There is \_\_\_feet of unobstructed intersectional sight distance along **Lone Star Road** from the proposed road, Sunroad View Drive in accordance with the methodology described in Table 5 of the March 2012 County of San Diego Public Road Standards. These sight distances exceed the required intersectional Sight Distance requirements of \_\_\_ as described in Table 5 based on a speed of \_\_, which I have verified to be the higher of the prevailing speed or the minimum design speed of the road classification. I have exercised responsible charge for the certification as defined in Section 6703 of the Professional Engineers Act of the California Business and Professions Code."~~
- ~~b. 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."~~

**DOCUMENTATION:** ~~The applicant shall have a Registered Civil Engineer, or a Licensed Land Surveyor provide a signed statement that physically, there is minimum unobstructed sight distance as detailed above, and submit them to the [PDS, LDR] for review. **TIMING:** Prior to the recordation of the Final Map for unit 5, the sight distance shall be verified. **MONITORING:** The [PDS, LDR] shall verify the sight distance certifications.~~

## 18. ~~ROADS#3~~ ROAD DEDICATION

**INTENT:** ~~In order to improve the quality of the roads, promote orderly development, and to comply with the Subdivision Ordinance Sec. 81.402, road right of way shall be dedicated to the County. **DESCRIPTION OF REQUIREMENT:**~~

- a. ~~Dedicate on the Final Map to the County of San Diego an easement for road purposes that provides a right-of-way width of ninety-eight feet (98') for **Lone Star Road** in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Major Road with raised median (4.1A) and bike lane; plus slope rights and drainage easements.~~

~~Please note relinquishment of access along **Lone Star Road** along the project frontage will be processed during the Site Plan Review to the satisfaction of the Director of the PDS.~~

- ~~b. Dedicate on the Final Map to the County of San Diego an easement for road purposes that provides a right-of-way width of seventy-two feet (72') for~~  
~~**Sunroad View Drive** from Alejandro Drive to Lone Star Road in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Specific Plan 2-Lane Road-Local MXU Collector with bike lane; with thirty-foot (30') radius corner rounding at Sunroad View Drive/ Alejandro Drive's intersections, plus slope rights and drainage easements.~~
- ~~c. The grant of right-of-way shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required, and shall be accepted for public use.~~
- ~~d. With the approval of each Final Map, dedicate a two-foot (2') wide landscape easement along Circulation Element and Specific Plan public roads outside of the right-of-way and within the landscaped setback in order to provide adequate space for street trees in accordance with the East Otay Mesa Business Park Specific Plan.~~

~~**DOCUMENTATION:** The applicant shall dedicate the project side of the easement on the Final Map and show it as Accepted. If any portion of the required improvements or right-of-way dedications are completed by previous unit(s), they will be deemed complete and will no longer be applicable to this unit. **TIMING:** Prior to the recordation of the Final Map for unit 5, the on-site dedication shall be provided for roads with the recordation of the unit the road is within, abuts or provides access to. **MONITORING:** The [PDS, LDR] shall verify that the dedication is indicated on the Final Map and Accepted by the County.~~

## **PRIOR TO APPROVAL OF ANY UNIT (ALL PHASES)**

The following conditions apply to all units (Units 1, 2, 3 & 4 & 5) or they apply to multiple units and shall be checked at each Final Map stage.

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

**INTENT:** In order to promote orderly development and to comply with the [Subdivision Ordinance Sec. 81.404](#) and the [Community Trails Master Plan](#), all the public roads shall be improved. **DESCRIPTION OF REQUIREMENT:** Improve or agree to improve and provide security for:

- e. With each unit to be recorded, submit an ADT/EDU tracking table based on the project scope. If the proposed development creates impacts that triggers the levels identified in table 11-4 of the approved Traffic Impact Study (TIS), the following

intersections need to be improved to accommodate the lane configurations described below:

- i. Otay Mesa Road/Harvest Road:
  - Southbound: One dedicated right turn lane with overlap phasing and shared thru/left turn lane.
  - Westbound: One shared thru/right turn lane, one dedicated thru lane and one dedicated left turn lane.
  - Northbound: One shared thru/right turn/left turn lane.
  - Eastbound: One shared thru/right turn lane, one dedicated thru lane and two dedicated left turn lanes.
  - Install a traffic signal at the intersection, if one is warranted.
- ii. Otay Mesa Road/Sunroad Boulevard:
  - Southbound: Two dedicated right turn lanes with overlap phasing, one thru lane and one dedicated left turn lane
  - Westbound: One shared thru/right turn lane, one dedicated thru lane and one dedicated left turn lane.
  - Northbound: One shared thru/right turn lane and one dedicated left turn lane.
  - Eastbound: One shared thru/right turn lane, one dedicated thru lane and two dedicated left turn lanes.
  - Install a traffic signal at the intersection, if one is warranted.
- iii. Otay Mesa Road/ Vann Centre Boulevard:
  - Southbound: one dedicated right turn lane with overlap phasing and one dedicated left turn lane.
  - Westbound: One shared thru/right turn lane.
  - Eastbound: One thru lane and one dedicated left turn lane.
  - Install a traffic signal at the intersection, if one is warranted.

Provide transition for all widenings, dike tapers, and traffic striping to match existing pavement.

All of the foregoing to the satisfaction of the City of San Diego and the Director of PDS & DPW.

- f. With the last unit to be recorded, construct the ultimate width of the raised median with the concrete curb and gutter on both side

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of the centerline as required for **Otay Mesa Road** along the project frontage from Harvest Road to Vann Centre Boulevard.

- g. With the approval of each Final Map, for the drainage to Mexico, easements shall be dedicated to the County of San Diego over detention basins, appurtenant structures and access routes (said routes necessary to maintain the foregoing) to a County maintained road. This requires hydrologic and hydraulic reports to ensure appropriate private stormwater detention facilities such that peak stormwater flows from the site remain the same as before the project was developed. This requirement applies to all property as shown on the approved project.
- h. With the approval of each Final Map, unless stated otherwise, easements shall be provided for roads with the recordation of the unit the road is within, abuts or provides access to.

All plans and improvements shall be completed pursuant to the [County of San Diego Public Road Standards](#), the [Land Development Improvement Plan Checking Manual](#), and the [East Otay Mesa Business Park Specific Plan](#). The improvements shall be completed within 24 months from the approval of the improvement plans, execution of the agreements, and acceptance of the securities. **DOCUMENTATION:** The applicant shall complete the following:

- i. Process and obtain approval of Improvement Plans to improve all the public road segments and intersections as indicated above.
- j. Provide Secured Agreements in accordance with [Subdivision Ordinance Sec. 81.408](#).
- k. Upon approval of the plans, pay all applicable inspection fees with [DPW, PDC].
- l. If the applicant is a representative, then one of the following is required: a corporate certificate indicating those corporation officers authorized to sign for the corporation, or a partnership agreement recorded in this County indicating who is authorized to sign for the partnership.
- m. The subdivider/applicant shall obtain an Encroachment Permit for the installation of landscaping within the Public Road Right-of-Way.

**TIMING:** Prior to the recordation of the Final Map for the specific unit as indicated above, the plans, agreements, and securities shall be approved.

**MONITORING:** The [PDS, LDR] shall review the plans for consistency with the condition and County Standards. Upon approval of the plans [PDS, LDR]

shall request the required securities and improvement agreements. The securities and improvement agreements shall be approved by the Director of PDS.

## 17. ROADS#2–FAIR SHARE CONTRIBUTION TO CITY OF SAN DIEGO

**INTENT:** In order to mitigate the impact of this project on traffic safety below levels of less than significant for City of San Diego, and to comply with City of San Diego's requirements, a fair share contribution shall be paid. **DESCRIPTION OF REQUIREMENT:** A fair share contribution shall be paid to the City of San Diego to improve the following intersections to reduce the direct and cumulative impact to below a level of significance.

- n. Otay Mesa Road/La Media Road
- o. Airway Road/Sanyo Avenue
- p. Siempre Via Road/Paseo de las Americas. **DOCUMENTATION:** The applicant shall pay the fair share contribution to City of San Diego, and provide proof of payment and a copy of satisfaction letter from City of San Diego to the [PDS, LDR]. **TIMING:** Prior to the recordation of the Final Map, the fair share contribution shall be paid. **MONITORING:** The [PDS, ZONING] shall review the proof of payment and a copy of satisfaction letter from City of San Diego.

## 18. ROADS#3–PAVEMENT CUT POLICY

**INTENT:** In order to prohibit trench cuts for undergrounding of utilities in all new, reconstructed, or resurfaced paved County-maintained roads for a period of three years following project pavement treatment, and to comply with [County Policy RO7](#), adjacent property owners shall be notified and solicited for their participation in the extension of utilities. **DESCRIPTION OF REQUIREMENT:** All adjacent property owners shall be notified who may be affected by this policy and are considering development of applicable properties, this includes requesting their participation in the extension of utilities to comply with this policy. No trench cuts for undergrounding of utilities in all new, reconstructed, or resurfaced paved County-maintained roads for a period of three years following project surface. **DOCUMENTATION:** The applicant shall sign a statement that they are aware of the County of San Diego Pavement Cut Policy and submit it to the [PDS, LDR] for review. **TIMING:** Prior to the approval of improvement plans or the recordation of the Final Map for any unit, whichever comes first, the Acknowledgement of Department of Public Works Pavement Cut Policy shall be submitted for approval. **MONITORING:** The [PDS, LDR] shall review the acknowledgement letter.



## 19. ROADS#4-LANDSCAPE MAINTENANCE

**INTENT:** In order to ensure that landscape improvements per the [East Otay Mesa Business Park Specific Plan](#) are maintained, a Landscape Maintenance Agreement shall be executed. **DESCRIPTION OF**

**REQUIREMENT:** An Encroachment Maintenance and Removal Agreement for any and all proposed landscaping within the Public Road Right-of-Way shall be executed with the County of San Diego. A copy of the agreement shall be submitted to the [PDS, LDR] in addition to obtaining an Encroachment Permit; **OR** contribute or agree to contribute the project's fair share to a Community Facilities District (CFD), approved by the County, established for the purpose of maintaining the landscape improvements within the Public Road Right-of-Way in addition to an Encroachment Permit to the satisfaction of the [PDS, LDR].

**DOCUMENTATION:** The applicant shall execute an Encroachment Maintenance and Removal Agreement in addition to an Encroachment Permit **OR** provide proof of Payment into the CFD, to the [PDS, LDR] in addition to an Encroachment Permit. **TIMING:** Prior to approval of the Final Map for each of the units execution of the Encroachment Maintenance and Removal Agreement **OR** payment into the CFD must be made.

**MONITORING:** The [PDS, LDR] shall review the Encroachment Maintenance and Removal Agreement **OR** proof of payment into the CFD shall be reviewed for compliance with this condition.

## 20. DRNG#1-LINES OF INUNDATION

**INTENT:** In order to prevent future development in flood-prone areas the Lines of Inundation shall be shown on the Final Map. **DESCRIPTION OF**

**REQUIREMENT:** Lines of inundation to the limits of the 100-year flood over the entire property shall be shown and labeled "Flood-Prone Area" on the Final Map.

- a. A Civil Engineer shall provide this information through an analysis performed as part of a drainage study.
- b. Each parcel shall have a flood-free building site. Since all parcels are found to be devoid of a buildable flood-free site for residence/ commercial use/ industrial use, the subdivider shall construct graded pads pursuant to an L- Grading Plan. Proposed pads shall be elevated above the one hundred- year inundation elevation as determined by the applicant's Civil Engineer and to the satisfaction of the Director of PDS.

**DOCUMENTATION:** A Civil Engineer shall provide the necessary hydrology and hydraulics to define the 100-year floodplain inundation limits and indicate the lines of inundation on the non-title sheet of the Final Map as indicated above. **TIMING:** Prior to the approval of the Final Map, the inundation lines shall be indicated and labeled on the Final Map. **MONITORING:** The [PDS,

*LDR*] shall verify that the inundation lines have been indicated pursuant to this condition.

## 21.STRMWTR#1-EROSION CONTROL

**INTENT:** In order to Comply with all applicable stormwater regulations the activities proposed under this application are subject to enforcement under permits from the [San Diego Regional Water Quality Control Board \(RWQCB\)](#) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control [Ordinance No. 10410](#) 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 Quality Management Plan (SWQMP) and Stormwater Protection Plan (SWPP) including, but not limited to the erosion control measures, irrigation systems, slope protection, drainage systems, desilting basins, energy dissipators, and silt control measure.

- c. 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 authorizing the use of this deposit for emergency measures.
- d. 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 Final Map for all phases, and the approval of any plan and the issuance of any permit, the agreement and securities shall be executed. **MONITORING:** The [*PDS*, *LDR*] shall ensure that the agreement and the securities provided adequately satisfy the requirements of 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.

## 22. STRMWTR#2–STORMWATER FACILITIES MAINTENANCE AGREEMENT

**INTENT:** In order to promote orderly development and to comply with the [County Flood Damage Prevention Ordinance No. 10091 \(Title 8, Division 11\)](#), [County Watershed Protection Ordinance \(WPO\) No.10410](#), [County Code Section 67.801 et. seq.](#), the maintenance agreements shall be completed. **DESCRIPTION OF REQUIREMENT:** Under the “State General Permit”.

- e. Establish a maintenance agreement / mechanism (to include easements) to assure maintenance of the Category 2 post-construction best management practices (BMP’s). Provide security to back up the maintenance pursuant to the County Maintenance Plan Guidelines.

**DOCUMENTATION:** The applicant shall process the agreement forms with [PDS, LDR] and pay the deposit and applicable review fees to the satisfaction of the Director of DPW and/or PDS. **TIMING:** Prior to the recordation of the Parcel Map, execution of the agreements and securities shall be completed. If improvement will be under covenant, a maintenance agreement will be required prior to approval of the improvement plans. **MONITORING:** The [PDS, LDR] shall review the agreements/mechanisms for consistency with the condition and County Standards.

## 23. LNDSCP#1–LANDSCAPE DOCUMENTATION PACKAGE

**INTENT:** In order to provide adequate landscaping that provides adequate screening, and to comply with the specific plan amendment, a landscape plan shall be prepared. **DESCRIPTION OF REQUIREMENT:** The Landscape Plans shall be prepared pursuant to the [COSD Water Efficient Landscape Design Manual](#) and the [COSD Water Conservation in Landscaping Ordinance](#), the [COSD Parking Design Manual](#), the Specific Plan Amendment and the COSD Grading Ordinance. All Plans shall be prepared by a California licensed Landscape Architect, Architect, or Civil Engineer, and include the following information:

- f. The landscape plan shall be prepared with a Water Exhibit in accordance with the County's Landscape Design Guidelines to demonstrate compliance with CAP requirement to achieve a 40% reduction in current Maximum Applied Water Allowance for outdoor use. The water exhibit shall identify baseline water use, the maximum allowable water usage on a lot by lot basis, as well as for common and open space areas, and the reduced water use in compliance with CAP measure.
- g. Indication of the proposed width of any adjacent public right-of-way, and the locations of any required improvements and any proposed plant materials to be installed or planted therein. The applicant shall also obtain a permit approving the variety,

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location, and spacing of all trees proposed to be planted within said right(s)-of-way. A copy of this permit and a letter stating that all landscaping within the said right(s) -of-way shall be maintained by the landowner(s) shall be submitted to PDS.

- h. A complete planting plan including the names, sizes, and locations of all plant materials, including trees, shrubs, and groundcover. Wherever appropriate, native or naturalizing plant materials shall be used which can thrive on natural moisture. These plants shall be irrigated only to establish the plantings.
- i. A complete watering system including the location, size, and type of all backflow prevention devices, pressure, and non-pressure water lines, valves, and sprinkler heads in those areas requiring a permanent, and/or temporary irrigation system.
- j. The watering system configuration shall indicate how water flow, including irrigation runoff, low head drainage, overspray or other similar conditions will not impact adjacent property, non-irrigated areas, structures, walkways, roadways or other paved areas, including trails and pathways by causing water to flow across, or onto these areas.
- k. Spot elevations of the hardscape, building and proposed fine grading of the installed landscape.
- l. The location and detail of all walls, fences, and walkways shall be shown on the plans, including height from grade and type of material. A lighting plan and light standard details shall be included in the plans (if applicable) and shall be in compliance with the [County's Light Pollution Code](#).
- m. No landscaping material or irrigation or other infrastructure shall be located within a proposed trail easement or designated pathway.
- n. Parking areas shall be landscaped and designed pursuant to the [Parking Design Manual](#) and the County Zoning Ordinance Section 6793.b.

**DOCUMENTATION:** The applicant shall prepare the Landscape Plans using the [Landscape Documentation Package Checklist](#) (PDS Form #404) and pay all applicable review fees. **TIMING:** Prior to recordation of any Final Map, the Landscape Documentation Package shall be prepared and approved. **MONITORING:** The [PDS, LA] and [DPR, TC, PP] shall review the Landscape Documentation Package for compliance with this condition.

## 24. GEN#1–COST RECOVERY

**INTENT:** In order to comply with [Section 362 of Article XX of the San Diego County Administrative Code](#), Schedule B.5 existing deficit accounts associated with processing this map shall be paid. **DESCRIPTION OF REQUIREMENT:** The applicant shall pay off all existing deficits associated with processing this map. **DOCUMENTATION:** The applicant shall provide evidence to *[PDS, Zoning Counter]*, which shows that all fees and trust account deficits have been paid. No map can be issued if there are deficit accounts. **TIMING:** Prior to the approval of any map and prior to the approval of any plan and issuance of any permit, all fees and trust account deficits shall be paid. **MONITORING:** The PDS Zoning Counter shall review the evidence to verify compliance with this condition.

## 25. GEN#2–GRADING PLAN CONFORMANCE

**INTENT:** In order to implement the required mitigation measures for the project, the required grading plan and improvement plans shall conform to the approved Conceptual Grading and Development Plan. **DESCRIPTION OF REQUIREMENT:** The grading and/or improvement plans shall conform to the approved Conceptual Grading Plan, which includes all of the following grading plan note mitigation measures: biological, cultural, landscaping, air quality, and noise requirements. **DOCUMENTATION:** The applicant shall submit the grading plans and improvement plans, which conform to the conceptual development plan for the project. **TIMING:** Prior to the recordation of any map the notes and items shall be placed on the plans as required. **MONITORING:** The *[DPW, ESU, or PDS, BD for PDS Minor Grading, DPR, TC for trails and PP for park improvements]* shall verify that the grading and/or improvement plan requirements have been implemented on the final grading and/or improvement plans as applicable. The environmental mitigation notes shall be made conditions of the issuance of said grading or construction permit.

## 26. GEN#3 – ESTABLISHMENT OF A FUNDING MECHANISM

**INTENT:** In order to fund operation and maintenance of public facilities, a funding mechanism shall be established. **DESCRIPTION OF REQUIREMENT:** Establish a Community Facilities District (CFD) or other funding mechanism(s) approved by Planning & Development Services, County Fire Authority, Public Works, and Parks and Recreation to fully fund the acquisition, construction, operation, and/or maintenance of public facilities identified in the Public Facilities Financing Plan. In addition, the CFD or other funding mechanism shall have the following requirement:

- a) The CFD or other funding mechanism shall mitigate for the loss of industrial and commercial assessment through the existing East Otay Mesa CFD 0901 to the satisfaction of Planning & Development Services and County Fire Authority.



**TIMING:** Prior to recordation of the first Final Map for residential development or approval of the first site plan for residential uses. **MONITORING:** The [DPR, PP] and [PDS, PCC] shall review the formation documentation and funding of the CFD or other funding mechanism.

## **27. NOISE#1–NOISE RESTRICTION EASEMENT: [PDS, BPPR] [PDS, PCC] [MA] [PDS, FEE X 1]**

**Intent:** In order to reduce the exposure to noise levels in excess of standards established by the County of San Diego General Plan Noise Element, and the County of San Diego CEQA Noise Guidelines for Determining Significance, a noise restriction easement shall be placed on the project parcels to reduce the noise exposure of land uses for sensitive receptors below levels of significance.

**Description of requirement:** A Noise Restriction Easement as indicated on the approved Tentative Map shall be granted on the Final Map. The said easement shall include the entire property and shall comply with the following:

- a. Prior to the approval of any Building Plan and issuance of any Building Permit, a County Approved Acoustical Consultant, shall perform an acoustical analysis, which demonstrates that the proposed **residential dwelling** unit(s) will not be exposed to present and anticipated future noise levels exceeding the allowable sound level limit of the General Plan community noise equivalent levels (CNEL) of 45 dBA for interior noise, and a (CNEL) of 65 dBA for exterior noise levels. Exterior noise sensitive land uses include all Group or Private Usable Open Space as defined by the General Plan Noise Element.

Future traffic noise level estimates must utilize a Level of Service “C” traffic flow for the respective County roadway classifications for Harvest Road, Sunroad Boulevard, Zinser Road, Street A, David Ridge Road, Vann Centre Boulevard, Tech Centre Way, Lone Star Road, and Otay Mesa Road.

- b. The acoustical analysis shall make recommendations that shall be implemented in the project design and building plans, so the proposed structures and project site demonstrate compliance with the noise standards referenced above.
- c. The unauthorized removal of documented noise control measures at a future date after the initial condition is satisfied shall make the affected noise sensitive land use still subject to this building restriction for protection of these uses before any future building permits can be approved and issued.
- d. Prior to the approval of any Building Plan and issuance of any Building Permit, the applicant shall prepare the acoustic analysis and incorporate the proposed project design

recommendations and mitigation measures into the Building Plans. The applicant shall submit the acoustical analysis along with the building plans to the [PDS, BD] for review and approval before the building permits can be issued. To the satisfaction of the [PDS, PCC], the applicant shall revise the building plans or site design to incorporate any additional proposed mitigation measures.

**DOCUMENTATION:** The applicant shall show the easement on the Final Map with the appropriate granting language on the title sheet concurrent with Final Map Review. **TIMING:** Prior to the approval of any Final Map, the requirements of this condition shall be completed. **MONITORING:** The [DPW, LDR] shall verify that the easement is indicated on the map, and that the map details the language above.

## 28. TRAILS#1–TRAIL EASEMENT

**INTENT:** In order to promote orderly development by providing trail connections pursuant to the County of San Diego General Plan, [Community Master Trails Plan](#) and to comply with the County Subdivision Ordinance Sections 81.401(n) and 81.402.v, the applicant shall dedicate public non-motorized multi-use trail easements. **DESCRIPTION OF REQUIREMENT:** The applicant shall dedicate to the County of San Diego, a twenty foot (20') non-motorized multi-use trail easements as shown on the approved Tentative Map. **DOCUMENTATION:** The applicant shall show the easements on the Final Map with the appropriate granting language on the title sheet concurrent with Final Map Review. **TIMING:** Prior to the approval of any Final Map the applicant shall dedicate the trail easements to the County of San Diego. **MONITORING:** [PDS, LDR] shall route the Final Map to [DPR, TC] and [PDS, TC] for preapproval and acceptance of the dedication prior to map recordation. [PDS, LDR] shall satisfy the condition after recordation.

## 29. TRAILS#2–TRAIL IMPROVEMENTS

**INTENT:** In order to promote orderly development by providing trail connections pursuant to the County of San Diego General Plan, [Community Master Trails Plan](#) and to comply with the [Subdivision Ordinance Section 81.403. through 81.406.1](#), the applicant shall improve the dedicated trail easements. **DESCRIPTION OF REQUIREMENT:** Improve or agree to improve to the satisfaction of DPR and PDS non-motorized public trails to a width of ten feet (10') within the non-motorized public trail easements as indicated on the approved Tentative Map. **DOCUMENTATION:** The applicant shall prepare improvement plans and provide securities for the construction of the trails and all associated work. All plans and improvements shall be completed pursuant to the [Community Trails Master Plan Design and Construction Guidelines](#), the [County of San Diego Public Road Standards](#), and the [Land Development Improvement Plan Checking Manual](#). The improvements shall be completed within 24 months from the approval of the improvement plans,

execution of the agreements, and acceptance of the securities. The applicant shall complete the following:

- e. Process and obtain approval of Grading Plans to improve the public non- motorized multi-use trails.
- f. Provide Secured agreements require posting security in accordance with [Subdivision Ordinance Sec. 81.405 through 81.406.1.](#)
- g. Upon approval of the plans, pay all applicable inspection fees with [DPW, PDC] and [DPR, TC]

The plans shall be submitted to [DPR, TC] and [PDS, LDR], for review and approval. **TIMING:** Prior to the approval of any Final Map, the trails shall be improved **or** the trails plan, associated agreements and securities shall be approved. **MONITORING:** The [DPR, TC] and [PDS, LDR] shall review the plans for conformance and approve all financial securities for the construction of the trail.

### 30. ARPRT#1–OVERFLIGHT AGREEMENT

**INTENT:** In order to comply with the Brown Field [Airport Land Use Compatibility Plan](#) an Overflight Agreement shall be recorded.

**DESCRIPTION OF REQUIREMENT:** Record, by separate document, an Overflight Agreement over the those portions of the property within Airport Safety Zone 4 – Outer Approach/Departure Zone as shown on the approved Specific Plan Development Map. The agreement shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required. **DOCUMENTATION:** The applicant shall prepare the agreement on form PDS-206, submit the completed and notarized form to the County Recorder's office, pay all applicable fees associated with the recordation of the documents and submit a copy of the recorded agreement to PDS. **TIMING:** Prior to approval of any Final Map, the Overflight Agreement shall be executed and recorded. **MONITORING:** The [PDS Zoning] shall review the recorded document for compliance with this condition.

### 31. BIO#2–LBZ EASEMENT [PDS, FEEX 2]

**INTENT:** In order to protect sensitive biological resources, pursuant to BMO, a Limited Building Zone (LBZ) easement of 30 feet established at the edge of each biological open space easement as shown in the Biological Technical Report (Figures 7a and 7b) dated March 2017 shall be granted to limit the need to clear or modify vegetation for fire protection purposes within an adjacent biological resource area. **DESCRIPTION OF REQUIREMENT:** Grant to the County of San Diego a LBZ easement as shown on the approved Tentative Map. The purpose of this easement is to limit the need to clear or modify vegetation for fire protection purposes within the adjacent biological open space easement and prohibit the

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construction or placement of any structure designed or intended for occupancy by humans or animals. The only exceptions to this prohibition are:

- h. Decking, fences, and similar facilities.
- i. Sheds, gazebos, and detached garages, less than 250 square feet in total floor area, that are designed, constructed and placed so that they do not require clearing or fuel modification within the biological open space easement, beyond the clearing/fuel modification required for the primary structures on the property.

**DOCUMENTATION:** The applicant shall show the easement on the Final Map for Unit #5 with the appropriate granting language on the title sheet concurrent with the Final Map for Unit #5 Review - OR - The applicant shall prepare the draft plats and legal descriptions of the easements, then submit them for preparation and recordation with the [DGS, RP], and pay all applicable fees associated with preparation of the documents. **TIMING:** Prior to the approval of the Final Map for Unit #5 and prior to the approval of any plan and issuance of any permit, the easements shall be recorded. **MONITORING:** For recordation on the map, the [PDS, LDR] shall route the Final Map for Unit #5 to [PDS, PCC] for approval prior to map recordation OR for recordation by separate document, the [DGS, RP] shall prepare and approve the easement documents and send them to [PDS, PCC] and [DPR GPM] for preapproval. The [PDS, PCC] shall preapprove the language and estimated location of the easements prior to recordation. Upon Recordation of the easements [DGS, RP] shall forward a copy of the recorded documents to [PDS, PCC] for satisfaction of the condition - OR - if recorded on the map, the [PDS LDR] shall satisfy the condition after map recordation.

## 32. BIO#4—OFFSITE MITIGATION (VARIEGATED DUDLEYA) [PDS, FEE X2]

**INTENT:** In order to mitigate for the impacts to variegated dudleya, which is a sensitive biological resource pursuant to BMO, offsite mitigation credits shall be acquired. **DESCRIPTION OF REQUIREMENT:** In order to mitigate for the impacts to variegated dudleya, which is a sensitive biological resource pursuant to BMO, offsite mitigation credits shall be acquired. **DESCRIPTION OF REQUIREMENT:** The applicant shall purchase habitat credit, or provide for the conservation of habitat for 80 individual variegated dudleya at a location within the BRCA in the MSCP and approved by the County. This number will be proportionately reduced based upon the number of translocated variegated dudleya onsite, which is the preferred option. Offsite mitigation for variegated dudleya shall be provided as indicated below.

- j. **Option 1:** If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish and

Wildlife. The following evidence of purchase shall include the following information to be provided by the mitigation bank:

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

k. **Option 2:** If habitat credit cannot be purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land located in within the BRCA in the MSCP as indicated below:

- 1) The type of habitat and the location of the proposed mitigation, should be pre-approved by [PDS, PCC] before purchase or entering into any agreement for purchase.
- 2) A Resource Management Plan (RMP) shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Content Requirements to the satisfaction of the Director of PDS unless it can be demonstrated that the mitigation lands are managed under an existing County-approved RMP. If the offsite mitigation is proposed to be owned and/or managed by DPR, the RMP shall also be approved by the Director of DPR.
- 3) An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of PDS. The land shall be protected in perpetuity.



- 4) The final RMP cannot be approved until the following has been completed to the satisfaction of the Director of PDS: The land shall be purchased, the easements shall be dedicated, a Resource Manager shall be selected, and the RMP funding mechanism shall be in place.
- 5) In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource management to take fee title and manage the mitigation land. Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

**DOCUMENTATION:** The applicant shall purchase the offsite mitigation credits and provide the evidence to the [PDS, PCC] for review and approval. If the offsite mitigation is proposed to be owned or managed by DPR, the applicant must provide evidence to the [PDS PCC] that [DPR, GPM] agrees to this proposal. It is recommended that the applicant submit the mitigation proposal to the [PDS, PCC], for a pre-approval. If an RMP is submitted in-lieu of purchasing credits (option 1), then the RMP shall be prepared and an application for the RMP shall be submitted to the [PDS, ZONING]. **TIMING:** Prior to the approval of the first final map and prior to the approval of any plan and issuance of any permit, the mitigation shall be completed. **MONITORING:** The [PDS, PCC] shall review the mitigation purchase for compliance with this condition. Upon request from the applicant [PDS, PCC] can preapprove the location and type of mitigation only. The credits shall be purchased before the requirement can be completed. If the applicant chooses option #2, then the [PDS, ZONING] shall accept an application for an RMP, and [PDS, PPD] shall review the RMP submittal for compliance with this condition and the RMP Guidelines.

### 33. BIO#5–OPEN SPACE SIGNAGE [PDS, FEE]

**INTENT:** In order to protect the proposed open space easement from entry, informational signs shall be installed. **DESCRIPTION OF REQUIREMENT:** Open space signs in English and Spanish shall be placed every 100 feet along the permanent fencing as indicated in the Biological Technical Report dated March 2017. The signs must be corrosion resistant, a minimum of 6" x 9" in size, on posts not less than three (3) feet in height from the ground surface, and must state the following:

**Sensitive Environmental Resources**  
**Area Restricted by Easement**  
RECURSOS AMBIENTALMENTE SENSIBLES

## Prohibida Su Entrada

Entry without express written permission from the County of San Diego is prohibited. To report a violation or for more information about easement restrictions and exceptions contact the County of San Diego, Planning & Development Services  
Reference: (ER-15-98-190-13G)

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

### 34. BIO#6—OPEN SPACE FENCING [PDS, FEE]

**INTENT:** In order to protect the proposed open space easement from entry and disturbance, permanent fencing shall be installed. **DESCRIPTION OF REQUIREMENT:** Open space fencing shall be placed along the biological open space boundary as indicated in the Biological Technical Report dated March 2017. The fencing design shall consist of 4-foot chain-link fencing around the perimeter of the vernal pool's watershed on the south of Lone Star Road and along the edge of the biological open space on the north side of Lone Star Road. Additionally, three-strand wire fencing will extend 200 feet beyond the biological open space along Lone Star Road to deter trespassers without blocking wildlife use. The biologist shall check fencing for damage after grading is completed. **DOCUMENTATION:** The applicant shall install the fencing as indicated above and provide site photos and a statement from a California Registered Engineer or licensed surveyor that the open space fencing has been installed. **TIMING:** Prior to the approval of the first Final Map and prior to the approval of any plan and issuance of any permit, the fencing shall be placed. **MONITORING:** The [PDS, PCC] shall review the photos and statement for compliance with this condition.

### 35. BIO#7—WETLAND CREATION AND ENHANCEMENT PLAN

**INTENT:** In order to mitigate for the impacts to wetlands, which is a sensitive biological resource pursuant to BMO, the applicant shall provide for the creation and enhancement of wetlands. **DESCRIPTION OF REQUIREMENT:** A Wetlands Creation and Enhancement Plan, shall be prepared, which mitigates impacts to 0.22 acres of wetland habitat. Wetland mitigation shall consist of 0.11 acres of wetland creation and 0.11 acres of enhancement within the northern biological open space. The Wetland Creation and Enhancement Plan shall conform to the approved Resource Conservation Plan (REC 2003) and the most current version of the [County of San Diego Report Format and Content](#)

[Requirements, including Monitoring, Revegetation Plans, and Enhancement of Open Space.](#) The Wetlands Creation and Enhancement Plan shall include the following:

- a. The monitoring plan shall be for a length of 5 years and have an 80 percent success criterion.
- b. A preservation plan over the land to be revegetated shall be included in the Wetland Creation and Enhancement Plan. The preservation plan shall include evidence of dedication of an open space easement to the County of San Diego or evidence of protection in perpetuity by some other means to the satisfaction of the Director of PDS.
- c. The report shall be prepared by a County approved biologist and the construction plans shall be prepared by a State of California Licensed Landscape Architect.
- d. Revegetation objectives, revegetation site biological resource map, 24"x 36" landscape plan, map showing revegetation areas according to mitigation type and amount, site preparation information, type of planting materials (e.g. species ratios, source, size material, etc.), planting program, 80 percent success criteria, and a detailed cost estimate.
- e. A cost estimate based on a 3% annual inflation rate shall be submitted and approved, which includes the cost of the plant stock and its installation, irrigation system and installation, cost of monitoring and maintenance of the wetland creation and enhancement area for the required monitoring period, and report preparation and staff time to review.

**DOCUMENTATION:** The applicant shall prepare the Wetland Creation and Enhancement Plan, submit it to the *[PDS, ZONING]*, and pay all the applicable review fees and deposits. **TIMING:** Prior to the approval of the first Final Map and prior to the approval of any plan and issuance of any permit, the Wetland Creation and Enhancement Plan shall be approved. **MONITORING:** The *[PDS, LA]* shall review the Wetland Creation and Enhancement Plan for conformance with the [County of San Diego Report Format and Content Requirements, including Monitoring, Revegetation Plans, and Enhancement of Open Space.](#) Upon approval of the Plan, a Director's Decision of approval shall be issued to the applicant, and a request for compliance with condition **BIO#8-SECURED AGREEMENT** shall be made to enter into a Secured Agreement for the implementation of the Plan.

## 36. BIO#8—SECURED AGREEMENT (WETLAND CREATION AND ENHANCEMENT PLAN)

**INTENT:** In order to assure project completion and success of the Wetland Creation and Enhancement Plan in condition BIO#7—WETLAND CREATION AND ENHANCEMENT PLAN, a surety shall be provided, and an agreement shall be executed. **DESCRIPTION OF REQUIREMENT:** The applicant shall enter into a Secured Agreement with the County of San Diego as follows:

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

**DOCUMENTATION:** The applicant shall execute a Secured Agreement provided with the Wetland Creation and Enhancement Plan Final Decision, and provide the approved securities and the cash deposit for County monitoring time. The executed Agreement, cash deposit, and the securities shall be submitted to the [PDS, LA] for final review and approval. **TIMING:** Prior to the approval of the first Final Map and prior to the approval of any plan and issuance of any permit, and after the approval of the Wetland Creation and Enhancement Plan, the agreement shall be executed, and the securities provided for plan implementation. **MONITORING:** The [PDS, LA] shall review the Agreement cash deposit and securities provided are in compliance with this condition, the Wetland Creation and Enhancement Final Decision. The [PDS, LA] shall sign the Agreement for the Director of PDS and ensure the cash deposit is collected. Upon acceptance of the Agreement, securities and cash deposit, the [PDS, LA], shall provide a confirmation letter-acknowledging acceptance of securities.

### 37. BIO#9—TRANSLOCATION AND FIVE-YEAR MITIGATION AND MONITORING PLAN

**INTENT:** In order to mitigate for the impacts to fairy shrimp, San Diego button celery, variegated dudleya, and coastal barrel cactus, which are sensitive biological resources pursuant to BMO, translocation of individuals shall occur. **DESCRIPTION OF REQUIREMENT:** A Translocation and Five Year Mitigation and Monitoring Plan, shall be prepared and approved, which mitigates impacts to San Diego fairy shrimp, San Diego button celery, and coastal barrel cactus. The plan shall be reviewed by the County and Wildlife Agencies. This mitigation measure shall transplant from the project impact area to the same habitat within the biological open space. The Translocation and Five Year Mitigation and Monitoring Plan shall conform to the most current version of the [County of San Diego Report Format and Content Requirements: Biological Resources, including Guidelines for Cactus Salvage \(Attachment C\)](#). The Translocation and Five Year Mitigation and Monitoring Plan shall include the following:

- o. Fairy shrimp (cysts) shall be translocated from the agricultural pondbasin via collection of inoculum and distribution in newly created basins as described in the December 2003 Fairy Shrimp Translocation and Five Year Mitigation and Monitoring Plan (Fairy Shrimp Plan). The pools shall be maintained and monitored for a five-year period or until success criteria are achieved. If the success criteria provided in the Fairy Shrimp Plan are not achieved, the permittee's maintenance and monitoring obligations shall continue until the County gives final mitigation success clearance. At least 0.11 acres of the 0.22 total wetlands created/enhanced shall support fairy shrimp.
- b. A San Diego Button Celery Translocation and Mitigation and Monitoring Plan for individuals that would be impacted by project development shall be prepared and provided as an addendum to the approved Fairy Shrimp Translocation and Five Year Mitigation and Monitoring Plan. This plan will be reviewed by the County and Wildlife Agencies. All San Diego button- celery individuals within the biological open space shall be preserved onsite.
- c. A Variegated Dudleya Translocation and Mitigation and Monitoring Plan for individuals that would be impacted by the project development shall be prepared and implemented. The Translocation Plan shall provide for the translocation of all variegated dudleya detected during preconstruction surveys. If final success criterion of 80% survivorship is not achieved by the end of the fifth year, the responsible party's maintenance and



monitoring obligations shall continue until the County of San Diego gives final project confirmation.

- d. At least 47 barrel cacti shall be translocated, maintained, and monitored as described in the December 2003 Barrel Cactus Transplantation Plan. If final success criterion of 80% survivorship (38 individuals) is not achieved by the end of the fifth year, the responsible party's maintenance and monitoring obligations shall continue until the County of San Diego gives final project confirmation.
- e. A preservation plan over the land to be revegetated shall be included in the Translocation and Five Year Mitigation and Monitoring Plan. The preservation plan shall incorporate evidence of dedication of the existing open space easement (Doc # 2003-1392967) to the County of San Diego.
- f. The report shall be prepared by a County approved biologist and the construction plans shall be prepared by a State of California Licensed Landscape Architect.
- g. Revegetation objectives, revegetation site biological resource map, 24"x 36" landscape plan, map showing revegetation areas according to mitigation type and amount, site preparation information, type of planting materials (e.g. species ratios, source, size material, etc.), planting program, 80 percent success criteria, and a detailed cost estimate.
- h. A cost estimate based on a 3% annual inflation rate shall be submitted and approved, which includes the cost of the plant stock and its installation, irrigation system and installation, cost of monitoring and maintenance of the translocation area for the required monitoring period, and report preparation and staff time to review.

**DOCUMENTATION:** The December 2003 Barrel Cactus Transplantation Plan has been partially implemented. Verification that this condition has been fully satisfied will be completed prior to project approval. The applicant shall prepare the Translocation and Five Year Mitigation and Monitoring Plan, submit it to the [PDS, ZONING] and pay all the applicable review fees and deposits. **TIMING:** Prior to the approval of the first Final Map and prior to the approval of any plan and issuance of any permit, the Translocation and Five Year Mitigation and Monitoring Plan shall be approved. **MONITORING:** The [PDS, LA] shall review the Translocation and Five Year Mitigation and Monitoring Plan for conformance with this condition and the [County of San Diego Report Format and Content Requirements: Biological Resources, including Guidelines for Cactus Salvage \(Attachment C\)](#). Upon approval of

the Plan, a Director's Decision of approval shall be issued to the applicant, and a request for compliance with condition BIO#10– SECURED AGREEMENT shall be made to enter into a Secured Agreement for the implementation of the Plan.

### **38. BIO#10–SECURED AGREEMENT (TRANSLOCATION AND FIVE YEAR MITIGATION AND MONITORING PLAN)**

**INTENT:** In order to assure project completion and success of the Translocation and Five Year Mitigation and Monitoring Plan in condition BIO#9–TRANSLOCATION AND NINE YEAR MITIGATION AND MONITORING PLAN, a surety shall be provided and an agreement shall be executed. **DESCRIPTION OF REQUIREMENT:** The applicant shall enter into a Secured Agreement with the County of San Diego as follows:

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

**DOCUMENTATION:** The applicant shall execute a Secured Agreement provided with the Translocation and Five Year Mitigation and Monitoring Plan Final Decision, and provide the approved securities and the cash deposit for County monitoring time. The executed Agreement, cash deposit, and the securities shall be submitted to the [PDS, LA] for final review and approval.

**TIMING:** Prior to the approval of the first Final Map and prior to the approval of any plan and issuance of any permit, and after the approval of the Translocation and Five Year Mitigation and Monitoring Plan, the agreement shall be executed and the securities provided for plan implementation.

**MONITORING:** The [PDS, LA] shall review the Agreement cash deposit and securities provided are in compliance with this condition, the Translocation and Five Year Mitigation and Monitoring Plan Final Decision. The [PDS, LA]

shall sign the Agreement for the Director of PDS and ensure the cash deposit is collected. Upon acceptance of the Agreement, securities and cash deposit, the [PDS, LA], shall provide a confirmation letter- acknowledging acceptance of securities.

### 39. BIO#11–RESOURCE CONSERVATION PLAN

**INTENT:** In order to implement the Resource Conservation Plan (RCP) dated December 2003 on file with PDS as Environmental Review Number ER-15-98190-13G. **DESCRIPTION OF REQUIREMENT:** Submit to and receive approval from the Director of PDS, a completed RCP. The final RCP cannot be approved until the following has been completed to the satisfaction of the Director of PDS and in cases where DPR has agreed to be the owner and/or manager, to the satisfaction of the Director of DPR.

- s. The habitat land to be managed shall be completely purchased.
- t. The easements shall be dedicated to ensure that the land is protected in perpetuity.
- u. A Resource Manager shall be selected and evidence provided by applicant as to the acceptance of this responsibility by the proposed Resource Manager.
- v. The RCP funding mechanism shall be identified and approved by the County to fund annual costs for basic stewardship.
- w. A contract between applicant and County shall be executed for the implementation of the RCP.
- x. In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource management to take fee title and manage the mitigation land. Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

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

## 40. BIO#12–WETLAND PERMIT: [PDS, FEE X2]

**INTENT:** In order to comply with the State and Federal Regulations for wetlands, the following agency permits, or verification that they are not required shall be obtained. **DESCRIPTION OF REQUIREMENT:** The following permit and agreement shall be obtained, or provide evidence from the respective resource agency satisfactory to the Director of PDS that such an agreement or permit is not required:

- y. 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.

**DOCUMENTATION:** The applicant shall consult each agency to determine if a permit or agreement is required. Upon completion of the agency review of this project, the applicant shall provide a copy of the permit(s)/agreement(s), or evidence from each agency that such an agreement or permit is not required to the [PDS, PCC] for compliance. **TIMING:** Prior to the approval of the first Final Map and prior to the approval of any plan and issuance of any permit, the permits shall be obtained. **MONITORING:** The [PDS, PCC] shall review the permits/agreement for compliance with this condition. Copies of these permits should be transmitted to the [DPW, ESU], for implementation on the grading plans.

## 41. BIO#13–ENDANGERED SPECIES ACT SECTION & PERMITS: [PDS, PCC, GP, CP, UO]

**INTENT:** In order to comply with the State and Federal Endangered Species Act for impacts to species not covered by the MSCP (i.e. San Diego fairy shrimp), the following agency permits shall be obtained, or verification that they are not required shall be obtained. **DESCRIPTION OF REQUIREMENT:** The following “take” permit and agreement shall be obtained from the respective resource agency satisfactory to the Director of Planning & Development Services or that such an agreement or permit is not required. **DOCUMENTATION:** The applicant shall consult each agency to determine if a permit or agreement is required. Upon completion of the agency review of this project, the applicant shall provide a copy of the permit(s)/agreement(s), or evidence from each agency that such an agreement or permit is not required to the [PDS, PCC] for compliance. **TIMING:** Prior to the approval of the first Final Map and prior to the approval of any plan and issuance of any permit. **MONITORING:** The [PDS, PCC] shall review the permits/agreement for compliance with this condition. Copies of these permits should be transmitted to the [DPW, ESU], for implementation on the grading plans.

## 42. BIO#14–BIOLOGICAL MONITORING [PDS, FEE X2]

**INTENT:** In order to prevent inadvertent disturbance to sensitive habitats, jurisdictional waters, and special status plants and wildlife, all grading located within or adjacent to sensitive habitats, jurisdictional waters, and

special status plants and wildlife (e.g. San Diego sunflower, prostrate navarretia, San Diego button celery, coastal barrel cactus, variegated dudleya, fairy shrimp, San Diego ring-neck snake, and burrowing owl) shall be monitored by a biologist. **DESCRIPTION OF REQUIREMENT:** A County approved biologist shall be contracted to perform biological monitoring during all grading, clearing, grubbing, trenching, and construction activities within or adjacent to sensitive habitats, jurisdictional waters, and special status plants and wildlife. The following shall be completed:

- z. The Biologist shall perform the monitoring duties before, during and after construction pursuant to the most current version of the [County of San Diego Report Format and Requirement Guidelines: Biological Resources](#) and this permit. The contract provided to the county shall include an agreement that this will be completed, and a [Memorandum of Understanding \(MOU\)](#) between the biological consulting company and the County of San Diego shall be executed. The contract shall include a cost estimate for the monitoring work and reporting.
- aa. The cost of the monitoring shall be added to the grading bonds or bond separately.

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

**43. PARKS #1– PARK LAND DEDICATION (PLDO) PUBLIC PARK LAND DEDICATION: [PDS, PPC] [DPR, PP] [DGS, RP] [PDS, FEE] [DPR, FEE]**  
**INTENT:** In accordance with Title 8, Division 10 of the Code of Regulatory Ordinances and in order to comply with the Park Lands Dedication Ordinance (PLDO) Section 810.105 and in order to receive PLDO credit, public parks shall be fully developed in accordance with PLDO criteria and an approved Final Park Site Plan. 8.6 acres of park land shall be identified and dedicated within the East Otay Mesa Specific Plan Area and 4.3 acres of park land shall be improved for the first 500 dwelling units to ensure compliance with the East Otay Mesa Specific Plan (PDS2015-SP-15-001). **DESCRIPTION OF REQUIREMENT:** The location of the 8.6 acres of park land must be clearly identified and dedicated. 4.3 acres of park land shall be improved for the first 500 dwelling units pursuant to PLDO acreage requirements. Any and all parklands receiving PLDO credit shall comply with the following requirements:



- a. A Final Park Site Plan (that includes grading, irrigation, landscaping, and improvement plans and construction documents) that conforms to the requirements of the East Otay Mesa Specific Plan (PDS2015-SP-15-001), and the park design and construction standards specified by DPR shall be approved by the Director of Parks and Recreation for any public parks.
- b. The public parks for the East Otay Mesa Specific Plan (PDS2015-SP-15001) shall consist of active recreational uses in compliance with the PLDO.
- c. Park site improvements identified in the approved Final Park Site Plan shall be constructed, and fee title to the public parks conveyed to the County by grant deed free of encumbrances as evidenced by an Environmental Site Assessment and a California Land Title Association Policy provided by the applicant and approved by the Director of DPR.

OR

- d. The applicant may satisfy the preceding requirement by entering into a secured agreement with the County, prior to recordation of the first Final Map. The secured agreement shall require construction of the public park pursuant to a Park Phasing Plan for East Otay Mesa Specific Plan (PDS2015-SP-15-001) that is approved by the Director of Park and Recreation. The secured agreement shall comply with the requirements for improvement security as specified in the Subdivision Map Act at Government Code section 66499 et seq. and the County Subdivision Ordinance at County Code section 81.407 et seq. The agreement shall specify that the construction timeline for the public parks for the East Otay Mesa Specific Plan (PDS2015-SP-15-001) shall not exceed one and a half years. The secured agreement shall require the applicant to convey fee title to the public parks in the manner specified above. This agreement shall be accompanied by security sufficient to cover the cost of all improvements per the approved Final Park Site Plan and in the form and amount specified by the DPR Director to ensure the applicant's performance of the terms of the agreement.

**DOCUMENTATION:** The applicant shall complete and provide the following:

- e. Process and obtain approval from the Director of DPR for Final Park Site Plans and the location of 8.6 acres of park land.

- f. Process and obtain approval from the Director of DPR for grading, irrigation, landscaping, and improvement plans and construction documents in compliance with the PLDO and the requirements mentioned above.
- g. Construct 4.3 acres of park improvements identified in a Final Park Site Plan and grading, irrigation, landscaping, and improvement plans and construction documents.
- h. Submit Environmental Site Assessment and California Land Title Association Policy for approval by Director of DPR prior to conveyance of public park fee title.
- i. Convey fee title by Grant Deed of public park sites that have been constructed in accordance with a Final Park Site Plan and is free of encumbrances.

OR

Enter into a Secured Agreement with the County that ensures construction of park site and conveyance of public park fee title in the manner specified above.

**TIMING:** Prior to the recordation of the first Final Map for residential development or approval of the first site plan for residential uses.

**MONITORING:** The [DPR, PP] and [PDS, PCC, Landscape Architect] shall review the Park Site Plan, grading, irrigation, landscaping, and improvement plans, and construction documents. [DPR, PP] shall review the Secured Agreement and the location of the 8.6 acres of park land. [DGS, RP] and [DPR, PP] shall review the Environmental Site Assessment and California Land Title Association Policy. The [DPR, PP] shall determine amount of park land dedication required. The [PDS, BD] shall monitor building permit issuance.

#### **44. PARKS#2– PARK LAND DEDICATION (PLDO) ESTABLISHMENT OF FUNDING MECHANISM FOR PUBLIC PARKS AND TRAILS: [PDS, PPC] [DPR, PP].**

**INTENT:** A funding mechanism shall be established to the satisfaction of the DPR Director in order to fully fund the operation and maintenance of the public park and trails. **DESCRIPTION OF REQUIREMENT:** Establish a Community Facilities District (CFD) or other funding mechanism approved by DPR to fully fund the operation and maintenance of the public park and trails. The CFD or other funding mechanism shall have the capacity to generate enough revenue to fund the annual operation and maintenance of the public park and trails as determined by DPR. In addition to the tax on developed parcels, this CFD or other funding mechanism shall include an “undeveloped land tax” which will allow revenue to be generated on all undeveloped parcels/lots within the CFD.

**DOCUMENTATION:** The applicant shall create and fund formation of the

CFD or other funding mechanism to the satisfaction of DPR. **TIMING:** Prior to recordation of the first Final Map for residential development or approval of the first site plan for residential uses. **MONITORING:** The [DPR, PP] and [PDS, PCC] shall review the formation documentation and funding of the CFD or other funding mechanism.

## **45. PARKS#3 – PARK LAND DEDICATION (PLDO) PRIVATE PARK LAND DEDICATION: [PDS, PPC] [DPR, PP] [DGS, RP] [PDS, FEE] [DPR, FEE].**

**INTENT:** In accordance with Title 8, Division 10 of the Code of Regulatory Ordinances and in order to comply with the Park Lands Dedication Ordinance (PLDO) Sections 810.105 and 810.108 and in order to receive PLDO credit, any private parks shall be restricted to park and recreational purposes only with an easement or other mechanism approved by the DPR. **DESCRIPTION OF REQUIREMENT:** The applicant shall dedicate an open space easement or other instrument approved by DPR, DGS and County Counsel on any private park lots that a) restricts the use of the lots to park and recreational purposes only, b) specifies that the private ownership and maintenance of the private parks will be adequately provided for by recorded written agreement, covenants, or restrictions, and c) Includes a defense and indemnity provision in favor of the County of San Diego. **DOCUMENTATION:** The easement may be recorded by separate document or on the Final Map for the unit in which the private parks are located. The easement shall be submitted to the DPR and DGS for review and approval. **TIMING:** Prior to recordation of the first Final Map for residential development or approval of the first site plan for residential uses. **MONITORING:** The [PDS, PPC] [DGS, RP] and [DPR, PP] shall review the documentation for conformance with this condition.

## **46. PARKS#4 – PARK LAND DEDICATION (PLDO) ESTABLISHMENT OF FUNDING MECHANISM FOR PRIVATE PARKS AND TRAILS: [PDS, PPC] [DPR, PP].**

**INTENT:** A funding mechanism shall be established to fully fund the operation and maintenance of all private parks and trails to the satisfaction of the DPR to ensure ongoing compliance with the County of San Diego PLDO. **DESCRIPTION OF REQUIREMENT:** Establish a funding mechanism for the operation and maintenance of all private parks and trails to the satisfaction of the DPR. **DOCUMENTATION:** The applicant shall provide written evidence to the satisfaction of the DPR that adequate operation and maintenance of all private parks and trails will be provided by a funding mechanism, such as a Homeowners Association. An example of satisfactory written evidence is documentation of the formation of a Home Owners' Association that has adequate authority, obligations and funding to ensure operation and maintenance of all private parks, trails, and the private recreation facility. **TIMING:** Prior to recordation of the first Final Map for residential development or approval of the first site plan for residential uses. **MONITORING:** The [DPR, PP] and [PDS, PCC] shall review the formation documentation for a Homeowners Association or other funding mechanism.

## **47. PARKS #5 – PARK LAND DEDICATION (PLDO) PARK PHASING PLAN: [PDS, PPC] [DPR, PP].**

**INTENT:** A Park Phasing Plan shall be submitted for review and approval to ensure that the public and private parks are constructed and operating to ensure compliance with Park Lands Dedication Ordinance (PLDO) Section 810.105 and the East Otay Mesa Business Park Specific Plan (PDS2015-SP15- 001). **DESCRIPTION OF REQUIREMENT:** A Park Phasing Plan shall be submitted to the County Departments of Parks and Recreation and Planning and Development Services for review and approval. The Phasing Plan shall include milestones for commencing public and private park improvements, and public parkland dedication, and payment of fees. **DOCUMENTATION:** The applicant shall provide a Park Phasing Plan. **TIMING:** Prior to recordation of the first Final Map for residential development or approval of the first site plan for residential uses. **MONITORING:** The *[DPR, PP]*, *[PDS, PCC]* shall review the Park Phasing Plan to verify compliance with this condition.

## **48. CULT#1 - CULTURAL OPEN SPACE EASEMENT**

**INTENT:** In order to protect sensitive Cultural Resources CA-SDI-9975, CA-SDI12730, and a portion of CA-SDI-12337, a Cultural Resource Open Space Easement shall be granted. **DESCRIPTION OF REQUIREMENT:** Grant to the County of San Diego an Environmentally Sensitive Open Space Easement over portions of Lot 20 as shown on the approved Tentative Map. This easement is for the protection of archaeological site CA-SDI-9975, CA-SDI-12730, and a portion of CA-SDI-12337 and prohibits all of the following on any portion of the land subject to said easement: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than as open space. The sole exceptions to this prohibition are:

- bb. Scientific investigations conducted pursuant to a research design prepared by an archeologist certified by the Register of Professional Archaeologists and approved by the Director of PDS.
- cc. Implementation of a site-capping plan approved by the Director of PDS, if necessary.
- dd. Selective clearing of vegetation by hand to the extent required by written order of the fire authorities for the express purpose of reducing an identified fire hazard.
- ee. Activities required to be conducted pursuant to a revegetation, habitat management, or landscaping plan approved by the Director of PDS.

- ff. Vegetation removal or application of chemicals for vector control purposes where expressly required by written order of the Department of Environmental Health, in a location and manner approved in writing by the Director of PDS.

**DOCUMENTATION:** The applicant shall show the easement on the Final map with the appropriate granting language on the title sheet concurrent with the Final Map Review - or - The applicant shall prepare the legal descriptions of the easements, then submit them for preparation and recordation with the [DGS, RP], and pay all applicable fees associated with preparation of the documents. **TIMING:** Prior to the approval of the map for PDS2015-TM-5607, or on the map, and prior to the approval of any plan and issuance of any permit. **MONITORING:** For recordation on the map, the [PDS, LDR] shall route the Final Map to [PDS, PPD] for approval prior to map recordation OR for recordation by separate document, the [DGS, RP] shall prepare and approve the easement documents and send them to [PDS, PPD] and [DPR GPM] for preapproval. The [PDS, PPD] shall preapprove the language and estimated location of the easements prior to recordation. Upon Recordation of the easements [DGS, RP] shall forward a copy of the recorded documents to [PDS, PPD] for satisfaction of the condition - OR - if recorded on the map, the [PDS LDR] shall satisfy the condition after map recordation.

## 49. CULT#2 - ARCHAEOLOGICAL MONITORING

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

- gg. The Project Archaeologist shall perform the monitoring duties before, during and after construction pursuant to the most current version of the County of San Diego Guidelines for Determining Significance and Report Format and Requirements for Cultural Resources. The Project Archaeologist and Kumeyaay Native American monitor shall also evaluate fill soils to determine that they are clean of cultural resources. The contract or letter of acceptance provided to the County shall include an agreement that the archaeological monitoring will be completed, and a Memorandum of Understanding (MOU) between the Project Archaeologist and the County of San Diego



shall be executed. The contract or letter of acceptance shall include a cost estimate for the monitoring work and reporting.

- hh. The Project Archeologist shall provide evidence that a Kumeyaay Native American has been contracted to perform Native American Monitoring for the project.
- ii. The cost of the monitoring shall be added to the grading bonds or bonded separately.

**DOCUMENTATION:** The applicant shall provide a copy of the Archaeological Monitoring Contract or letter of acceptance, cost estimate, and MOU to [PDS, PPD]. Additionally, the cost amount of the monitoring work shall be added to the grading bond cost estimate. **TIMING:** Prior to approval of any grading and or improvement plans and issuance of any Grading or Construction Permits. **MONITORING:** [PDS, PPD] shall review the contract or letter of acceptance, MOU and cost estimate or separate bonds for compliance with this condition. The cost estimate should be forwarded to [PDS, PPD] for inclusion in the grading bond cost estimate, and grading bonds and the grading monitoring requirement shall be made a condition of the issuance of the grading or construction permit.

*The following notes shall be placed on the Preliminary Grading Plan and Grading/Improvement Plans and shall be conditions of approval:*

**PRE-CONSTRUCTION GRADING AND/OR IMPROVEMENTS:** *(Prior to any clearing, grubbing, trenching, grading, or any land disturbances.)*

- 1) **CULT#GR-1 - TEMPORARY FENCING – OPEN SPACE BOUNDARY**  
**INTENT:** In order to mitigate for potential impacts to sites CA-SDI-9975, CA-SDI12730, and a portion of CA-SDI-12337 during construction, a temporary fencing plan shall be implemented pursuant to the [County of San Diego Guidelines for Determining Significance for Cultural Resources](#) and [CEQA Section 15064.5 and 15064.7](#).  
**DESCRIPTION OF REQUIREMENT:** Prepare and implement a temporary fencing plan for the protection of archaeological site(s) CA-SDI-9975, CA-SDI-12730, and a portion of CA-SDI-12337 during any grading activities within one hundred feet (100') of these archaeological site(s), as shown on the temporary fencing exhibit provided in the confidential appendix of the cultural study. The temporary fencing plan shall be prepared in consultation with a County approved archaeologist and the Kumeyaay Native American monitor. The fenced area shall include a buffer sufficient to protect the archaeological site(s). The fence shall be installed under the supervision of the County approved archaeologist prior to commencement of grading or brushing and be removed only after grading operations have been completed. The temporary fencing plan shall include the following requirements:

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- a. Provide evidence to the Director of Planning & Development Services that the following notes have been placed on the Grading and/or Improvement Plan:
- (1) In the event that construction activities are to take place within 100 feet of archaeological site(s) CA-SDI-9975, CA-SDI-12730, and a portion of CA-SDI-12337, the temporary fencing plan shall be implemented under the supervision of a County approved archaeologist that consists of the following:
- The project archaeologist shall identify the site boundaries.
  - The project archaeologist shall determine an adequate buffer for the protection of the site(s) in consultation with the County archaeologist and the Kumeyaay Native American monitor.
  - Upon approval of buffers, install fencing under the supervision of the project archaeologist.
  - Submit to Planning & Development Services for approval, a signed and stamped statement from a California Registered Engineer, or licensed surveyor that temporary fences have been installed in all locations of the project where proposed grading or clearing is within 100 feet of the archaeological site(s), CA-SDI-9975, CA-SDI-12730, and a portion of CA-SDI-12337.
  - Fencing may be removed after the conclusion of construction activities.

**DOCUMENTATION:** Submit to the Planning & Development Services for approval, a signed and stamped statement from a California Registered Engineer, or licensed surveyor that temporary fences have been installed in all locations of the project where proposed grading or clearing is within 100 feet of the archaeological site(s), CA-SDI-9975, CA-SDI-12730, and a portion of CA-SDI- 12337. **TIMING:** Prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be completed. **MONITORING:** The [PDS, PPD] shall review the signed and stamped statement for compliance this condition.

## 2) **BIO#GR-1-BURROWING OWL MONITORING [PDS, FEE X3]**

**INTENT:** In order to prevent inadvertent disturbance to burrowing owl, a preconstruction burrowing owl survey shall be conducted within the project area. **DESCRIPTION OF REQUIREMENT:** A County approved biologist shall perform burrowing owl surveys within 7 days of the start of any grading, clearing, grubbing, trenching, and construction activities area within and adjacent to the development area and a preconstruction burrowing owl survey shall be conducted in the

biological open space prior to disturbance within the biological open space (such as excavation of new vernal pools). If any active burrows are found, clearing shall not proceed until after consultation with County and Wildlife Agency staff and implementation of any protective measures required. The burrowing owl preconstruction surveys shall conform to the most current version of the [County of San Diego Report Format and Content Requirements: Biological Resources, including Strategy for Mitigating Impacts to Burrowing Owls in the Unincorporated County \(Attachment A\)](#). **DOCUMENTATION:** The Biological Monitor shall prepare written documentation that certifies that the burrowing owl survey has been completed and that burrowing owls have been avoided. **TIMING:** Prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be completed. **MONITORING:** The [DPW, PDCI] shall not allow any grading, unless a concurrence from the [PDS, PCC] is received. The [PDS, PCC] shall review the concurrence letter.”

### 3) **BIO#GR-2-BIOLOGICAL MONITORING [PDS, FEE X3]**

**INTENT:** In order to prevent inadvertent disturbance to sensitive habitat, all grading located adjacent to biological open space shall be monitored by a biological monitor. **DESCRIPTION OF REQUIREMENT:** A County approved biologist shall perform biological monitoring during all grading, clearing, grubbing, trenching, and construction activities within 100 feet of biological open space. The Project Biologist shall also perform the following duties before construction to comply with the conditions of this Grading Plan and Tentative Map:

- a. Supervise and verify placement of temporary fencing of open space easements in accordance with the Biological Technical Report. The placement of such fencing shall be approved by the [PDS, PCC].
- b. The Biologist shall attend the preconstruction meetings and other meetings to discuss construction requirements, biological constraints, and biological sensitivities of the project. Such meeting shall include the [PDS, PCC].

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

the temporary fencing and approve the training documentation prepared by the biologist.

**4) BIO#GR-3–TEMPORARY FENCING [PDS, FEE]**

**INTENT:** In order to prevent inadvertent disturbance to the biological open space and vernal pool, temporary construction fencing shall be installed. **DESCRIPTION OF REQUIREMENT:** Prior to the commencement of any grading and/or clearing in association with this grading plan, four-foot temporary orange construction fencing shall be placed to protect from inadvertent disturbance of all open space easements and vernal pool habitat that do not allow grading, brushing, clearing or other disturbance. Temporary fencing is also required in all locations of the project where proposed grading or clearing is within 100 feet of an open space easement boundary and designated Resource Avoidance Areas (RAAs). The placement of such fencing shall be along the southern boundary of the biological open space area north of Lone Star Road and around the vernal pool watershed to the south of Lone Star Road and be approved by the PDS, Permit Compliance Section. Upon approval, the fencing shall remain in place until the conclusion of grading activities after which the fencing shall be removed. **DOCUMENTATION:** The applicant shall provide evidence that the fencing has been installed and have a California licensed surveyor certify that the fencing is located on the boundary of the open space easement(s). The applicant shall submit photos of the fencing along with the certification letter to the [PDS, PCC] for approval. **TIMING:** Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances the fencing shall be installed, and shall remain for the duration of the grading and clearing. **MONITORING:** The [PDS, PCC] shall either attend the preconstruction conference and approve the installation of the temporary fencing, or review the certification and pictures provided by the applicant.”

**5) BIO#GR-4–RESOURCE AVOIDANCE (AVIAN SPECIES) [PDS, FEE X2]**

**INTENT:** In order to avoid impacts to raptors and migratory birds, which is a sensitive biological resource pursuant to BMO and the Migratory Bird Treaty Act (MBTA), avian breeding avoidance measures and a Resource Avoidance Area (RAA), shall be implemented on all plans. **DESCRIPTION OF REQUIREMENT:** There shall be no brushing, clearing and/or grading during the general avian breeding season. If brushing, clearing, and/or grading must occur during the breeding season, a nesting bird survey shall be conducted within 7 days of the start of clearing. If an active nest is found during the nesting bird survey or during clearing/grading activities, the monitoring biologist shall notify and coordinate with County staff (and Wildlife Agencies if appropriate) to establish an acceptable buffer between the nest location and clearing/grading activities. Additionally, there shall be no brushing, clearing and/or grading such that none will be allowed within 300 feet of

the biological open space during the breeding season of migratory birds within RAA as indicated on these plans. The breeding season is defined as occurring between February 15 and August 31. The Director of PDS [PDS, PCC] may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Wildlife, provided that no migratory birds are present in the vicinity of the brushing, clearing, or grading. **DOCUMENTATION:** The applicant shall provide a letter of agreement with this condition; alternatively, the applicant may submit a written request for waiver of this condition. Although, no grading shall occur within the RAA until concurrence is received from the County and the Wildlife Agencies. **TIMING:** Prior to preconstruction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout the duration of the grading and construction, compliance with this condition is mandatory unless the requirement is waived by the County upon receipt of concurrence from the Wildlife Agencies. **MONITORING:** The [DPW, PDC] shall not allow any grading in the RAA during the specified dates, unless a concurrence from the [PDS, PCC] is received. The [PDS, PCC] shall review the concurrence letter.

6) **BIO#GR-5-RESOURCE AVOIDANCE (QUINO CHECKERSPOT BUTTERFLY) [PDS, FEE X2]**

**INTENT:** In order to avoid impacts to Quino checkerspot butterfly, which is a sensitive biological resource pursuant to the RPO and U.S. Endangered Species Act (ESA), preconstruction surveys will occur to define Resource Avoidance Areas (RAA) or to define the need for ESA Take Permits, if necessary. The RAA shall be implemented on all plans.

**DESCRIPTION OF REQUIREMENT:** The following surveys are required prior to approval of each phase of grading: 1) A qualified Quino checkerspot butterfly biologist will examine the impact areas to determine if any portions of the impact area have suitable habitat for occupation by Quino checkerspot butterfly and will prepare a survey report. Upon written agreement with USFWS, a protocol survey may or may not be required. If it is determined that the site is occupied, the RAA will be defined and marked on all plans. If the project requires a “take,” evidence that an ESA Take Permit will be submitted to the Director of Planning and Development Services. 2) There shall be no brushing, clearing and/or grading such that none will be allowed within Quino checkerspot butterfly habitat RAAs year-round, including areas that support suitable host plants such as the dotseed plantain (*Plantago erecta*) as indicated on these plans. The Director of PDS [PDS, PCC] may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Wildlife, provided that no Quino checkerspot butterfly are present in the vicinity of the brushing, clearing or grading. **DOCUMENTATION:** The applicant shall provide a letter of agreement with this condition; alternatively, the applicant may submit a written request for waiver of this condition. Although, NO grading shall occur within the RAA until concurrence is

received from the County and the Wildlife Agencies. **TIMING:** Prior to preconstruction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout the duration of the grading and construction, compliance with this condition is mandatory unless the requirement is waived by the County upon receipt of concurrence from the Wildlife Agencies. **MONITORING:** The [DPW, PDCI] shall not allow any grading in the RAA during the specified dates, unless a concurrence from the [PDS, PCC] is received. The [PDS, PCC] shall review the concurrence letter.”

## 7) CULT#GR-2 - ARCHAEOLOGICAL MONITORING – PRECONSTRUCTION

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

## 8) AQ#GR-1 – CONSTRUCTION EXHAUST EMISSIONS

**INTENT:** In order to mitigate for exhaust emissions. **DESCRIPTION OF REQUIREMENT:** The project shall comply with the following Air Quality measure:

## 9) HAZ#GR-1–SOIL REMEDIATION [PDS, FEE X 2]

**INTENT:** In order to remediate contaminated soils caused from historic agricultural uses as identified in the Limited Phase II ESA, prepared by SCS Engineers, dated March 2, 2016, remediation under the supervision of the Department of Environmental Health (DEH), [Site Assessment and Mitigation Program \(SAM\)](#) is required. **DESCRIPTION OF REQUIREMENT:** A California Licensed Environmental Consultant company shall prepare a Soil Management Plan (SMP), for the remediation of hazardous materials as identified



above. The plan shall be prepared and implemented pursuant to the [DEH SAM Manual](#) under direction from the DEH [SAM](#):

- a. Enrollment in the DEH, [Voluntary Assistance Program \(VAP\)](#) is required. All soil remediation shall be completed under supervision of the SAM/VAP as required.
- b. All required grading work shall comply with the [County of San Diego Grading Ordinance 87.101 et. al.](#) If a grading permit is required for the remediation work, it shall be issued for the remediation work only.
- c. If the Director of PDS determines the remediation work will take an enormous amount of time that would be detrimental to ultimate project implementation, approval of other engineering plans and/or issuance of other project permits may be permitted as long as there is no risk of effects to public health and safety. Concurrence from the [DEH, SAM] is required, and the applicant shall enter into a secured agreement for the completion of the remediation work.

**DOCUMENTATION:** The applicant shall contract with a California Licensed Environmental Consultant to prepare the SMP and implement any required work plan for possible soil remediation. The applicant shall also enroll in the VAP and pay all applicable fees for review and completion of this requirement. Upon completion of the VAP a "Closure Letter" from [DEH, SAM] shall be submitted to the [PDS, PCC] for approval. **TIMING:** Prior to approval of any grading and/or improvement plans, issuance of any construction, building or any other permit (except for any grading plan or permit required for the remediation work), and prior to commencement of any construction, or use of the property in reliance on this permit, the applicant shall comply with this condition. **MONITORING:** The [DEH, SAM] shall oversee the progress of the remediation project. Upon Completion of the remediation project the [DEH, SAM] shall issue a "Closure Letter" to the applicant. The [PDS, PCC] shall review the closure letter for compliance with this condition.

## 10) HAZ#GR-2–SOIL TESTING [PDS, FEE X 2]

**INTENT:** In order to comply with the County of San Diego Hazardous Materials and Existing Contamination Guidelines for Determining Significance, and to follow the recommendation identified in the Limited Phase II ESA for this project, soil sampling will be conducted, as required, and analyzed for pesticide contamination. **DESCRIPTION OF REQUIREMENT:** A signed, stamped addendum to the Limited Phase II ESA shall be prepared by a Registered Engineer or Professional Geologist. The addendum shall include the following information or as modified by DEH:

# H1 - 99

- a. Documentation that the soil sampling occurred between six inches to 1.5 feet BGS.
- b. Findings which identify the location of on-site soils exceeding the residential RSLs for pesticides.
- c. For contaminated soils, provide a letter from DEH stating that a VAP work plan has been prepared and approved to remediate contaminated soils.
- d. For contaminated soils remediation, provide a copy of the contract and a signed sealed statement from the Registered Engineer or Professional Geologist, which states that they will implement the VAP work plan as part of the grading required to implement the site remediation activities as permitted.
- e. Provide evidence that all required work has been fully incorporated into the Grading Plans pursuant to the County Grading Ordinance 87.101 et. al.

**DOCUMENTATION:** Upon completion of the soil testing, the applicant shall submit copies of the assessment (and a work plan for soil remediation, if applicable) to the [PDS, PCC] for approval. **TIMING:** Prior to final grading release, commencement of construction, or use of the property in reliance on this permit, the applicant shall comply with this condition. **MONITORING:** The [PDS, PCC] shall review the report and any additional evidence for compliance with this condition. The work plan shall be approved by DEH.

## 11) HAZ#GR-3 – RIGHT OF ENTRY AGREEMENT [PDS, FEE X 2]

**INTENT:** In order to complete all proposed or existing remediation of the site and to comply with the Department of Environmental Health (DEH), [Site Assessment and Mitigation Program \(SAM\)](#) requirements access shall be granted to complete ongoing site cleanup.

**DESCRIPTION OF REQUIREMENT:** Grant to the County of San Diego a Right of Entry (ROE) to allow ongoing access to the remediation for contaminated soils. Upon completion of remediation activities, the ROE Agreement will become null and void.

**DOCUMENTATION:** The applicant shall prepare, and execute the ROE with the [DGS, RP], and pay all applicable fees associated with preparation of the documents. Upon Recordation of the ROE, the applicant shall provide copies of the executed documents to [PDS, PCC] for approval. **TIMING:** Prior to any grading activities on the premises, the agreement shall be executed. **MONITORING:** The [DGS, RP] shall prepare and approve the ROE Agreement and release them to the applicant for signature and subsequent recordation. Upon Recordation of the ROE [DGS, RP] shall forward a copy of the recorded

documents to [DEH, LWQ] and [PDS, PCC] for satisfaction of the condition.

**12) GHG EMISSIONS#GR-1 - INTENT:** In order to mitigate for GHG construction emissions. Description of Requirement:

**a. Option 1 (No Net Increase)**

Prior to County's issuance of any grading or improvement plan the applicant, or its designee, shall provide evidence to the satisfaction of the Director PDS that the project applicant or its designee has purchased and retired carbon offset credits in a quantity sufficient to offset any net increase of construction emissions from the previously entitled TM 5139.

Carbon offset credits must be purchased through any of the following: (i) a CARB-approved registry, such as the Climate Action Reserve, the American Carbon Registry, and the Verified Carbon Standard, (ii) any registry approved by CARB to act as a registry under the state's cap-and-trade program, (iii) through the CAPCOA GHG Reduction Exchange (Rx) and the San Diego Air Pollution Control District (SDAPCD), or (iv) if no registry is in existence as identified in options (i), (ii), or (iii), above, then any other reputable registry or entity that issues carbon offsets consistent with California Health & Safety Code section 38562(d)(1), to the satisfaction of the Director of PDS.

**b. Option 2 (Net Zero)**

Prior to the County's issuance of the project's first grading permit or improvement plan the applicant, or its designee, shall provide evidence to the satisfaction of the Director of PDS that the project applicant or its designee has purchased and retired carbon offset credits in a quantity sufficient to offset all construction and operations GHG emissions generated by the project.

Carbon offset credits must be purchased through any of the following: (i) a CARB-approved registry, such as the Climate Action Reserve, the American Carbon Registry, and the Verified Carbon Standard, (ii) any registry approved by CARB to act as a registry under the state's cap-and-trade program, (iii) through the CAPCOA GHG Rx and the SDAPCD, or (iv) if no registry is in existence as identified in options (i), (ii), or (iii), above, then any other reputable registry or entity that issues carbon offsets consistent with California Health & Safety Code section 38562(d)(1), to the satisfaction of the Director of PDS.

**DOCUMENTATION:** The applicant shall provide evidence to the Satisfaction of the Director of PDS that GHG emissions have been offset. **TIMING:** Prior to any grading or construction activities on the premises. **MONITORING:** The

[DPW, PDC/] shall not allow any grading unless concurrence from the [PDS, PCC] is received. The [PDS, PCC] shall review the concurrence letter.

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

**13) BIO#GR-6–BIOLOGICAL MONITORING [PDS, FEE X3]**

**INTENT:** In order to prevent inadvertent disturbance to sensitive habitat, all grading located adjacent to biological open space shall be monitored by a biological monitor. **DESCRIPTION OF**

**REQUIREMENT:** A County approved biologist shall perform biological monitoring during all grading, clearing, grubbing, trenching, and construction activities within 100 feet of biological open space. The Project Biologist shall supervise and monitor grading activities to ensure against damage to biological resources that are intended to be protected and preserved. The monitor(s) shall be on site during all grading and clearing activities that are in or adjacent to any biological open space areas or sensitive habitats. If there are disturbances, the monitor must report them immediately to the [PDS PCC]. Additionally, the biologist shall perform the following duties:

- a. Perform weekly inspection of fencing and erosion control measures (daily during rain events) near proposed preservation areas and report deficiencies immediately to the DPW Construction Inspector;
- b. Perform periodically monitor the work area for excessive dust generation in compliance with the County grading ordinance and report deficiencies immediately to the DPW Construction Inspector;
- c. Conduct training for contractors and construction personnel, including the purpose for resource protection, a description of the gnatcatcher and its habitat, and the conservation measures that should be implemented during project construction;
- d. Monitor construction lighting periodically to ensure lighting is the lowest illumination possible allowed for safety, selectively placed, shielded, and directed away from preserved habitat;
- e. Monitor equipment maintenance, staging, and fuel dispensing areas to ensure there is no runoff to Waters of the US, including designation of a “no- fueling” zone within 25 feet of all drainages and storm drains;

- f. Stop or divert all work when deficiencies require mediation and notify DPW Construction Inspector and [PDS PCC] within 24 hours; (8) produce periodic (monthly during grading) and final reports and submit to the Wildlife Agencies and the PDS (final report will release bond);
- g. Confer with the Wildlife Agencies and [PDS PCC] within 24 hours any time protected habitat are being affected by construction;
- h. Attend construction meetings and other meetings as necessary;
- i. Designate a “no-fueling” zone within 25 feet of all drainages during the construction period.

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

## 14) **BIO#GR-7 - ARCHAEOLOGICAL MONITORING – DURING CONSTRUCTION**

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

- a. **Monitoring.** During the original cutting of previously undisturbed deposits, the Project Archaeologist and Kumeyaay Native American Monitor shall be onsite as determined necessary by the Project Archaeologist. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined by the Project Archaeologist in consultation with the Kumeyaay Native American Monitor. Monitoring of the cutting of previously

disturbed deposits will be determined by the Project Archaeologist in consultation with the Kumeyaay Native American Monitor.

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



unique cultural resources. The preferred option is preservation (avoidance).

- c. **Human Remains.** If any human remains are discovered:
  - 1. The Property Owner or their representative shall contact the County Coroner and the PDS Staff Archaeologist.
  - 2. Upon identification of human remains, no further disturbance shall occur in the area of the find until the County Coroner has made the necessary findings as to origin. If the human remains are to be taken offsite for evaluation, they shall be accompanied by the Kumeyaay Native American monitor.
  - 3. If the remains are determined to be of Native American origin, the NAHC shall immediately contact the Most Likely Descendant (MLD).
  - 4. The immediate vicinity where the Native American human remains are located is not to be damaged or disturbed by further development activity until consultation with the MLD regarding their recommendations as required by Public Resources Code Section 5097.98 has been conducted.
  - 5. The MLD may with the permission of the landowner, or their authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site.
  - 6. Public Resources Code §5097.98, CEQA §15064.5 and Health & Safety Code §7050.5 shall be followed in the event that human remains are discovered.
- d. **Fill Soils.** The Project Archaeologist and Kumeyaay Native American monitor shall evaluate fill soils to determine that they are clean of cultural resources.
- e. **Monthly Reporting.** The Project Archaeologist shall submit monthly status reports to the Director of Planning and Development Services starting from the date of the Notice to Proceed to termination of implementation of the archaeological monitoring program. The report shall briefly summarize all activities during the

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

- f. **Disagreements.** The County Archaeologist shall make a determination for any disagreements between the Project Archaeologist and the Kumeyaay Native American monitor related to archaeological monitoring.

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

## 15) AQ#GR-2 CONSTRUCTION DUST

**INTENT:** In order to mitigate for fugitive dust. **DESCRIPTION OF REQUIREMENT:** The project shall comply with the following Air Quality measures:

- a. All haul/dump trucks entering or leaving the site with soil or fill material must maintain at least 2 feet of freeboard or cover loads of all haul/dump trucks securely.
- b. Dust control measures of the Grading Ordinance will be enhanced with a minimum of three daily applications of water to the construction areas, between dozer/scrapper passes and on any unpaved roads within the project limits.
- c. Grading is to be terminated in winds exceed 25 miles per hour (mph).
- d. Sweepers and water trucks shall be used to control dust and debris at public street access points and paved roads.
- e. Dirt storage piles will be stabilized by chemical binders, tarps, fencing or other suppression measures.
- f. Internal construction-roadways will be stabilized by paving, chip sealing or chemicals after rough grading.
- g. A minimum of nine (9) - 15 mph sign shall be posted and enforced on unpaved areas during construction.

**DOCUMENTATION:** The applicant shall comply with the Air Quality requirements of this condition. **TIMING:** The following actions shall occur throughout the duration of the grading construction. **MONITORING:** The [DPW, PDCI] shall make sure that the grading contractor complies with the Air Quality requirements of this condition. The [DPW, PDCI] shall contact the [Department of Planning and Land Use (DPLU), Permit Compliance Coordinator (PCC)] if the applicant fails to comply with this condition.

**16) AQ#GR-3 CONSTRUCTION ARCHITECTURAL COATINGS**

**INTENT:** In order to reduce emissions of volatile organic compounds (VOC). **DESCRIPTION OF REQUIREMENT:** The project shall comply with the following Air Quality measure:

- a. Use architectural coatings with a VOC content of 100 grams per liter (g/l) or less for exterior coatings or 50 g/l or less for interior coatings.

**DOCUMENTATION:** The applicant shall comply with the Air Quality requirements of this condition. **TIMING:** The following action shall occur throughout the duration of the construction activities involving the application of architectural coatings. **MONITORING:** The [DPW, PDCI] shall make sure that the construction contractor complies with the Air Quality requirement of this condition. The [DPW, PDCI] shall contact the [PDS, PCC] if the applicant fails to comply with this condition.

**17) NOISE#GR-1 TEMPORARY CONSTRUCTION NOISE: [DPW, PDCI].**

**INTENT:** In order to minimize temporary construction noise for grading operations associated with SPA-15-001 and to comply with County Noise Ordinance 36.409. **DESCRIPTION OF REQUIREMENT:** The project shall comply with the following temporary construction noise control measures and shall comply with the eight hour average sound level of 75 dBA pursuant to Noise Ordinance Section 36.408 & 36.409:

- a. Select equipment capable of performing the necessary tasks with the lowest sound level and the lowest acoustic height possible.
- b. Implement alternatives to the standard backup beepers as feasible. These alternatives include strobe lights or products such as the Brigade Electronics, Inc. Broadband Sound system, which is equally effective while generating a lower noise level.
- c. Use specially-quieted equipment, such as quieted and enclosed air compressors and properly-working manufacturer-recommended mufflers on all engines.
- d. Construct enclosures around noise-producing stationary sources such as generators used for night lighting.

- e. Perform construction vehicle maintenance off site or between 7:00 a.m. and 7:00 p.m.
- f. Place the laydown area as far as possible from the closest noise sensitive receptors.
- g. Limit the delivery of material (with the exception of concrete) to the hours between 7:00 a.m. and 7:00 p.m.
- h. Turn off equipment when not in use.
- i. Temporary construction equipment operations shall comply with the County Noise Ordinance Sections 36.408, 409, and 410.

**DOCUMENTATION:** The applicant shall comply with the temporary construction noise measures and the County Noise Ordinance as described within this condition. **TIMING:** The following actions shall occur throughout the duration of the grading construction and construction equipment operations. **MONITORING:** The [DPW, PDCI] shall make sure that the grading contractor complies with the construction noise control measures of this condition. The [DPW, PDCI] shall contact the [PDS, PCC] if the applicant fails to comply with this condition.

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

## 18) **BIO#GR-8–BIOLOGICAL MONITORING [PDS, FEE]**

**INTENT:** In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) pursuant to SPA-15-001 and TM-5607, and the [County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements: Biological Resources](#), a Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Biologist shall prepare and submit a final letter report substantiating his/her supervision of the grading activities and substantiating that grading did not impact additional areas of sensitive habitats, burrowing owls, migratory birds, or other sensitive biological resources. The report shall conform to the [County of San Diego Report Format Guidelines: Biological Resources, including Monitoring](#). It shall also include but not be limited to the following items:

- a. Photos of the temporary fencing that was installed during the trenching, grading, or clearing activities.
- b. Monitoring logs showing the date and time that the monitor was on site.
- c. Photos of the site after the grading and clearing activities.

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

## 19) CULT#GR-3 - ARCHAEOLOGICAL MONITORING – ROUGH GRADING

**INTENT:** In order to comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources, an Archaeological Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Archaeologist shall prepare one of the following reports upon completion of the earth-disturbing activities that require monitoring:

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

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

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

**20) BIO#GR-9—OPEN SPACE SIGNAGE & FENCING [PDS, FEE]**

**INTENT:** In order to comply with Condition BIO#5—OPEN SPACE SIGNAGE and BIO#6—OPEN SPACE FENCING pursuant to the adopted Mitigation Monitoring and Reporting Program (MMRP) for SPA-15-001 and TM 5607, the fencing and signage shall be installed.

**DESCRIPTION OF REQUIREMENT:** Permanent fences shall be installed along the open space boundary and open space signs shall be placed every 100 feet on the permanent fencing as discussed in the Biological Technical Report dated March 2017 as shown on these plans and the approved Conceptual Grading and Development Plan for TM-5607.

- a. Evidence shall be site photos and a statement from a California Registered Engineer, or licensed surveyor that the permanent walls or fences, and open space signs have been installed.
- b. The signs must be corrosion resistant, a minimum of 6" x 9" in size, on posts not less than three (3) feet in height from the ground surface, and must state the following:

**Sensitive Environmental Resources**

**Area Restricted by Easement**

RECURSOS AMBIENTALMENTE SENSIBLES

Prohibida Su Entrada

Entry without express written permission from the County of San Diego is prohibited. To report a violation or for more information about easement restrictions and exceptions contact the County of San Diego, Planning & Development Services  
Reference: (ER-15-98-190-13G)

**DOCUMENTATION:** The applicant shall install the fencing and signage and provide the documentation photos and certification statement to the [PDS, PCC]. **TIMING:** Prior to the occupancy of any structure or use of the premises in reliance of Specific Plan Amendment 15-001 Environmental Review 15-98-190-13G, Rezone 15-007, General Plan Amendment 15-008, and Tentative Map 5607, and prior to Final Grading Release ([Grading Ordinance Sec. 87.421.a.3](#)) the fencing and signage shall be installed. **MONITORING:** The [PDS, PCC] shall review the photos and statement for compliance with this condition.

**21) BIO#GR-10—EASEMENT AVOIDANCE [PDS, FEE]**

**INTENT:** In order to protect sensitive resources, pursuant to [County Grading Ordinance Section 87.112](#) the open space easements shall be avoided. **DESCRIPTION OF REQUIREMENT:** The easement



indicated on this plan is for the protection of sensitive environmental resources, including wetlands, vernal pools, and sensitive plant and wildlife species and prohibits all of the following on any portion of the land subject to said easement: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than as open space. It is unlawful to grade or clear within an open space easement, any disturbance shall constitute a violation of the [County Grading Ordinance Section 87.112](#) and will result in enforcement action and restoration. The only exception(s) to this prohibition is:

- a. Selective clearing of vegetation by hand to the extent required by written order of the fire authorities for the express purpose of reducing an identified fire hazard. While clearing for fire management is not anticipated with the creation of this easement, such clearing may be deemed necessary in the future for the safety of lives and property. All fire clearing shall be pursuant to the applicable fire code of the Fire Authority Having Jurisdiction and the Memorandum of Understanding dated February 26, 1997, between the Wildlife Agencies and the fire districts and any subsequent amendments thereto; Activities conducted pursuant to a restoration/enhancement, translocation, or habitat management plan approved by the Director of PDS;
- b. Vegetation removal or application of chemicals for vector control purposes where expressly required by written order of the County of San Diego DEH.

**DOCUMENTATION:** The applicant shall provide a letter statement to the [PDS, PCC] stating that all biological open space easements were avoided during the grading construction, and that no impacts or encroachment into the open space occurred. **TIMING:** Prior to Final Grading Release the letter verifying the easements were not disturbed shall be submitted. **MONITORING:** The [DPW, PDCI] shall not allow any grading, clearing or encroachment into the open space easement.

## 22) **CULT#GR-4 - ARCHAEOLOGICAL MONITORING – FINAL GRADING**

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

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- a. Department of Parks and Recreation Primary and Archaeological Site forms.
- b. Daily Monitoring Logs
- c. Evidence that all cultural materials have been curated and/or repatriated as follows:
  - (1) Evidence that all prehistoric materials collected during the archaeological monitoring program have been submitted to a San Diego curation facility or a culturally affiliated Native American Tribal curation facility that meets federal standards per 36 CFR Part 79, 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 or culturally affiliated Native American Tribal curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that the prehistoric archaeological materials have been received and that all fees have been paid.

## OR

- Evidence that all prehistoric materials collected during the grading monitoring program have been repatriated to a Native American group of appropriate tribal affinity and shall be accompanied by payment of the fees necessary, if required. Evidence shall be in the form of a letter from the Native American tribe to whom the cultural resources have been repatriated identifying that the archaeological materials have been received.
- (2) Historic materials shall be curated at a San Diego curation facility and shall not be curated at a Tribal curation facility or repatriated. The collections and associated records, including title, shall be transferred to the San Diego curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that the historic materials have been received and that all fees have been paid.
- d. If no cultural resources are discovered, a Negative Monitoring Report must be submitted stating that the archaeological

monitoring activities have been completed. Grading Monitoring Logs must be submitted with the negative monitoring report.

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

## 23) **LNDCP#GR-1–CERTIFICATION OF INSTALLATION**

**INTENT:** In order to provide adequate Landscaping that provides adequate screening, and to comply with the [COSD Water Efficient Landscape Design Manual](#), the [COSD Water Conservation in Landscaping Ordinance](#), the [COSD Parking Design Manual](#), the Specific Plan Amendment and the COSD Grading ordinance, all landscaping shall be installed. **DESCRIPTION OF REQUIREMENT:** All of the landscaping shall be installed pursuant to the approved Landscape Documentation Package. This does not supersede any erosion control plantings that may be applied pursuant to [Section 87.417 and 87.418 of the County Grading Ordinance](#). These areas may be overlapping, but any requirements of a grading plan shall be complied with separately. The installation of the landscaping can be phased pursuant to construction of specific buildings or phases to the satisfaction of the *[PDS, LA, PCC]* *[DPR, TC, PP]*.

**DOCUMENTATION:** The applicant shall submit to the *[PDS LA, PCC]*, a Landscape Certificate of Completion from the project California licensed Landscape Architect, Architect, or Civil Engineer, that all landscaping has been installed as shown on the approved Landscape Documentation Package. The applicant shall prepare the Landscape Certificate of Completion using the Landscape Certificate of Completion Checklist, PDS Form #406. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the landscaping shall be installed. **MONITORING:** The *[PDS, LA]* shall verify the landscape installation upon notification of occupancy or use of the property, and notify the *[PDS, PCC]* *[DPR, TC, PP]* of compliance with the approved Landscape Documentation Package.

## 24) **HAZ#GR-4–CERTIFICATION OF COMPLETION [PDS, FEE]**

**INTENT:** In order to verify that all of the site remediation work was completed pursuant to the [Site Assessment and Mitigation Program](#)

([SAM](#)), a closure letter shall be provided. **DESCRIPTION OF REQUIREMENT:** All soil remediation shall be completed pursuant to the Department of Environmental Health (DEH), [Voluntary Assistance Program \(VAP\)](#). **DOCUMENTATION:** The applicant shall provide the "Closure Letter, or Concurrence Letter," to the [PDS, PCC] that the soil remediation has been completed to the satisfaction of the [DEH, SAM]. If the Director of PDS determines the remediation work will take an enormous amount of time that would be detrimental to ultimate project implementation, approval of other engineering plans and/or issuance of other project permits may be permitted as long as there is no risk of effects to public health and safety. Concurrence from the [DEH, SAM] is required, and the applicant shall enter into a secured agreement for the completion of the remediation work. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the applicant shall comply with this condition. **MONITORING:** The [DEH, SAM], shall verify completion of the required remediation, and shall issue a Closure Letter to the applicant and a copy to the [PDS, PCC]. The [PDS, PCC] shall review the "Closure Letter," for compliance with this condition.

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

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

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

Section 21081(b) further states:

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

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

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

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

**Documentation:** A description of the informational items that must be submitted by the applicant to the Lead Agency to demonstrate compliance with the COA. **Timing:** The specific project milestone (point in progress) when the specific required actions are required to implemented.

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

IT IS FURTHER RESOLVED, THEREFORE, that the Board of Supervisors 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 Specific Plan Area General Plan Land Use Designation because it proposes a business technology, commercial, and residential use types at a maximum density of 40 dwelling units an 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 mixed-use planned development in a Specific Plan 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 Otay Subregional 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 and commercial use types of development because the site is large enough to accommodate the proposed development, and is located near existing infrastructure and development;
5. The site is physically suitable for the proposed density of development because water and sewer services are available from the Otay Water District and the County of San Diego Sanitation District.
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 Environmental Findings from the Final Supplemental Environmental Impact Report dated March 2018;

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 Otay 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. Determinations and findings pursuant to the California Environmental Quality Act, the Resource Protection Ordinance, and the Watershed Protection, Stormwater Management, and Discharge Control Ordinance have been made by the Board of Supervisors. **MAP PROCESSING REQUIREMENTS:** The final map shall comply with the following processing requirements pursuant to the [Sections 81.501 through 81.517 of the Subdivision Ordinance](#) and the [Subdivision Final Map Processing Manual](#).

☐ The Final map shall show an accurate and detailed vicinity map.

☐ The Basis of Bearings for the Final Map shall comply with [Section 81.507 of the Subdivision Ordinance](#).

☐ Prior to the approval of the Final Map by the Department of Public Works, the subdivider shall provide the Department of Public Works with a copy of the deed by which the subject property was acquired and a Final Map report from a qualified title insurance company.

☐ The following notes shall appear on the Final Map:

☐ All parcels within this subdivision have a minimum of 100 square feet of solar access for each future dwelling unit allowed by this



subdivision as required by [Section 81.401\(m\) of the Subdivision Ordinance](#).

- ☐ At the time of recordation of the Final Map, the name of the person authorizing the map and whose name appears on the SURVEYOR'S CERTIFICATE as the person who requested the map, shall be the name of the owner of the subject property.
- ☐ The public and private easement roads serving this project shall be named. The responsible party shall contact the Street Address Section of Planning & Development Services (858-694-3797) to discuss the road naming requirements for the development. Naming of the roads is necessary for the health and safety of present and future residents.

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

**STORMWATER ORDINANCE COMPLIANCE:** In order to Comply with all applicable stormwater regulations the activities proposed under this application are subject to enforcement under permits from the [San Diego Regional Water Quality Control Board \(RWQCB\)](#) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control [Ordinance No. 10385](#) and all other applicable ordinances and standards for the life of this permit. The project site shall be in compliance with all applicable stormwater regulations referenced above and all other applicable ordinances and standards. This includes compliance with the approved Stormwater Management Plan, all requirements for Low Impact Development (LID), BMP Design Manual, Hydromodification, materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas 1 acre or greater require that the property owner keep additional and updated information onsite concerning stormwater runoff. The property owner and permittee shall comply with the requirements of the stormwater regulations referenced above.

**LOW IMPACT DEVELOPMENT NOTICE:** On June 27, 2013, 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 February 26, 2016. *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/2013\\_-0523\\_Order\\_No.\\_R9-2013-0001\\_COMPLETE.pdf](http://www.waterboards.ca.gov/sandiego/water_issues/programs/stormwater/docs/2013_-0523_Order_No._R9-2013-0001_COMPLETE.pdf).

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

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

**GRADING PERMIT REQUIRED:** A grading permit is required prior to commencement of grading when quantities exceed 200 cubic yards of excavation or eight feet (8') of cut/fill per criteria of [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.

**ENCROACHMENT PERMIT REQUIRED:** An Encroachment Permit is required for any and all proposed/existing facilities within the County right-of-way. At the time of construction of future road improvements, the proposed facilities shall be relocated at no cost to the County, to the satisfaction of the Director of Public Works.

**EXCAVATION PERMIT REQUIRED:** An excavation permit is required for undergrounding and/or relocation of utilities within the County right-of-way.

**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.

**LIGHTING ORDINANCE COMPLIANCE:** In order to comply with the [County Lighting Ordinance 59.101](#) et seq. and Zoning Ordinance Sections 6322, 6324, and 6326, the onsite lighting shall comply with the approved plot plan(s), specific permit conditions and approved building plans associated with this permit. All light fixtures shall be designed and adjusted to reflect light downward, away from any road or street, and away from adjoining premises, and shall otherwise conform to the [County Lighting Ordinance 59.101](#) et seq. and Zoning Ordinance Sections 6322, and 6324. The property owner and permittee shall conform to the approved plot plan(s), specific permit conditions, and approved building plans associated with this permit as they pertain to lighting. No additional lighting is permitted. If the permittee or property owner chooses to change the site design in any way, they must obtain approval

from the County for a Minor Deviation or a Modification pursuant to the County of San Diego Zoning Ordinance.

**NOISE ORDINANCE COMPLIANCE:** In order to comply with the [County Noise Ordinance 36.401](#) et seq. and the Noise Standards pursuant to the General Plan Noise Element (Table N-1 & N-2), the property and all of its uses shall comply with the approved plot plan(s), specific permit conditions and approved building plans associated with this permit. No loudspeakers, sound amplification systems, and project related noise sources shall produce noise levels in violation of the County Noise Ordinance. The property owner and permittee shall conform to the approved plot plan(s), specific permit conditions, and approved building plans associated with this permit as they pertain to noise generating devices or activities. If the permittee or property owner chooses to change the site design in any way, they must obtain approval from the County for a Minor Deviation or a Modification pursuant to the County of San Diego Zoning Ordinance.

**COMPLIANCE INSPECTION:** In order to comply with Zoning Ordinance Section 7362.e the County shall inspect the Use Permit property for compliance with the terms of this Use Permit. The County Permit Compliance Officer will perform a site inspection and review the on-going conditions associated with this permit. The inspection shall be scheduled no later than the six months subsequent to establishing the intended use of the permit. If the County determines the applicant is not complying with the Major Use Permit terms and conditions the applicant shall allow the County to conduct follow up inspections more frequently than once every twelve months until the County determines the applicant is in compliance. The Property Owner/Permittee shall allow the County to inspect the property for which the Major Use Permit has been granted, at least once every twelve months, to determine if the Property Owner/Permittee is complying with all terms and conditions of the Use Permit. This requirement shall apply during the term of this permit.

**NOTICE:** The subject property contains wetlands, a lake, a stream, and/or waters of the U.S. which may be subject to regulation by State and/or federal agencies, including, but not limited to, the Regional Water Quality Control Board, U.S. Army Corps of Engineers and the California Department of Fish and Wildlife. It is the applicant's responsibility to consult with each agency to determine if a permit, agreement or other approval is required and to obtain all necessary permits, agreements or approvals before commencing any activity which could impact the wetlands, lake, stream, and/or waters of the U.S. on the subject property. The agency contact information is provided below.

U.S. Army Corps of Engineers: 6010 Hidden Valley Rd, Suite 105, Carlsbad, CA 92011- 4219; (858) 674-5386; <http://www.usace.army.mil/>

Regional Water Quality Control Board: 9174 Sky Park Court, Suite 100, San Diego, CA 92123-4340; (858) 467-2952; <http://www.waterboards.ca.gov/sandiego/>

California Department of Fish and Wildlife: 3883 Ruffin Rd., San Diego, CA 92123; (858) 467-4201; <http://www.dfg.ca.gov/>

**Notice:** The subject property contains habitat which may be used for nesting by migratory birds. Any grading, brushing or clearing conducted during the migratory bird breeding season, February 1 – August 31, has a potential to impact nesting or breeding birds in violation of the Migratory Bird Treaty Act. The applicant may submit evidence that nesting or breeding migratory birds will not be affected by the grading, brushing or clearing to these agencies: California Department of Fish and Wildlife, 3883 Ruffin Rd., San Diego, CA 92123, (858) 467-4201, <http://www.dfg.ca.gov/>; and United States Fish and Wildlife Service, 2177 Salk Avenue, Suite 250, Carlsbad, California 92008, (760) 431-9440, <http://www.fws.gov/>.

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

EXPLANATION OF COUNTY DEPARTMENT AND DIVISION ACRONYMS			
Planning & Development Services (PDS)			
Project Planning Division	PPD	Land Development Project Review Teams	LDR
Permit Compliance Coordinator	PCC	Project Manager	PM
Building Plan Process Review	BPPR	Plan Checker	PC
Building Division	BD	Map Checker	MC
Building Inspector	BI	Landscape Architect	LA
Zoning Counter	ZO		
Department of Public Works (DPW)			
Private Development Construction Inspection	PDCI	Environmental Services Unit Division	ESU
Department of Environmental Health (DEH)			
Land and Water Quality Division	LWQ	Local Enforcement Agency	LEA
Vector Control	VCT	Hazmat Division	HMD
Department of Parks and Recreation (DPR)			

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Trails Coordinator	TC	Group Program Manager	GPM
Parks Planner	PP		
<b>Department of General Service (DGS)</b>			
Real Property Division	RP		

ON MOTION of Supervisor Cox, seconded by Supervisor Roberts, this Resolution is passed and approved by the Board of Supervisors of the County of San Diego, State of California, at a regular meeting held on this 25<sup>th</sup> day of July 2018 by the following vote: AYES: Cox, Gasper, Roberts, Horn NOES: ABSENT: Jacob

APPROVED AS TO FORM AND  
LEGALITY  
COUNTY COUNSEL  
BY

Inga Lintvedt, Senior Deputy

cc: Uri Feldman, Sunroad Otay Partners, L.P., 4445 Eastgate Mall, Ste. 400,  
San Diego, CA 92121  
Andrea Rosati, Sunroad Otay Partners, L.P., 4445 Eastgate Mall, Ste. 400,  
San Diego, CA 92121  
Mark Stevens, Stevens Cresto Engineering, Inc, 9665 Chesapeake Dr. Ste  
200, San Diego, CA 92123

## **Attachment C – Environmental Documentation**





## County of San Diego

PLANNING & DEVELOPMENT SERVICES  
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123  
(858) 505-6445 General • (858) 694-2705 Codes  
(858) 565-5920 Building Services  
[www.SDCPDS.org](http://www.SDCPDS.org)

**DAHVIA LYNCH**  
DIRECTOR

March 14, 2023

### **An Addendum to the Previously Certified Environmental Impact Report for the Otay 250 Sunroad - East Otay Mesa Business Park Specific Plan Amendment**

#### **FOR PURPOSES OF CONSIDERATION OF OTAY 250 TENTATIVE MAP TIME EXTENSION**

**PDS2022-TM-5607RTE**

The California Environmental Quality Act (CEQA) Guidelines Sections 15162 through 15164 set forth the criteria for determining what additional environmental documentation, if any, must be completed when a previously certified environmental impact report (EIR) covers the project for which a subsequent discretionary action (or actions) 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 actions.

#### **1. Background on previously certified EIRs:**

An EIR for the East Otay Mesa Business Park Specific Plan (SP 93-004, Log No. 93-19-006) was certified by the San Diego County Board of Supervisors on July 17, 1994. The certified EIR found significant and mitigated effects to Land Use, Landform Alteration/Visual Quality, Cultural Resources, Geology and Soils, Hydrology and Water Quality, Transportation and Circulation, Air Quality, Health and Safety, Public Services and Utilities, and Population/Housing/Employment. These effects were determined to be mitigated or avoided to a level below significance. Additionally, the certified EIR found significant and unmitigable (i.e., unavoidable) impacts to Biological Resources and Noise, requiring a Statement of Overriding Considerations.

In the years since certification of the original EIR, several addenda and one Supplemental EIR (Sunroad Centrum Tech Center) have been processed and approved by the County for projects located within the East Otay Mesa Business Park Specific Plan area. Of those, the ones that have specific application to the proposed project as they pertain to the project

site and/or the evaluation of environmental impacts associated with the proposed Project are describe below.

## SUNROAD OTAY INDUSTRIAL SUBDIVISION / SUNROAD CENTRUM SUPPLEMENTAL EIR (2000 SUPPLEMENTAL EIR)

A Supplemental EIR for Sunroad Otay Industrial Subdivision, TM 5139RPL6, ER 98-19-013 was certified by the County Planning Commission on December 15, 2000. The certified Supplemental EIR found that the project would cause significant effects to Land Use, Biological Resources, Cultural Resources, Transportation/Circulation, and Air Quality. Impacts to Traffic and Air Quality required a Statement of Overriding Considerations for significant and unavoidable impacts. The other effects were avoided or mitigated to a level below significance.

## SUNROAD TECH CENTRE REVISED TENTATIVE MAP (2003 ADDENDUM)

An Addendum to the previously certified EIR for the East Otay Mesa Business Park Specific Plan and Supplemental EIR for the East Otay Mesa Business Park Specific Plan Sunroad Centrum was approved by the Planning Commission for the Revised Sunroad Otay Project, TM5139RPL6R2, ER 98-19-103A, on April 11, 2003. A Specific Plan Amendment was processed to update the land use plan and permit processing requirements, affecting approximately 2,017 acres. Land use changes included:

- Change 241 cares previously identified as Hillside Residential to Conservation/Limited Use.
- Change 947 acres previously identified as Commercial and Mixed Industrial uses to Technology Business Park.
- Change 699 acres previously designated Mixed Industrial to 410 acres of Light Industrial and 289 acres of Heavy Industrial.
- Replace Regional and District Commercial uses with a Commercial Center Overlay (underlying Technology Business Park land use designation) not to exceed 40 acres located.

Additionally, a Minor Amendment to the Multiple Species Conservation Program was processed. No new significant effects were identified, although biological mitigation measures were modified due to change in circumstances associated with the Minor Amendment and the requirement that future projects adhere to the Biological Mitigation Ordinance, both of which were not in effect at the time of the 1994 EIR.

## OTAY 250 SUNROAD- EAST OTAY MESA BUSINESS PARK SPECIFIC PLAN AMENDMENT (2018 SUPPLEMENTAL EIR)

A Supplemental EIR was certified by the Board of Supervisors on July 25, 2018 for the Otay 250 Sunroad – East Otay Mesa Business Park Specific Plan Amendment (PDS2015-SPA-15-001, PDS2015-GPA-15-008, PDS2015-REZ-15-007, PDS2015-TM-5607 Log No. PDS2015-ER-15-98-190-13G). The certified Supplemental EIR found significant mitigated effects to Biological Resources, Cultural Resources, Greenhouse Gases, Hazards and Hazardous Materials, Noise, Paleontological Resources, and Traffic/Transportation. These effects were determined to be mitigated or avoided to a level below significance. Additionally, the certified EIR found significant and unavoidable impacts to Air Quality.

## OTAY 250 SUNROAD – REVISED TENTATIVE MAP (2021)

The Otay 250 revision to Tentative Map No. 5607 (PDS2021-TM-5607R) (which remove certain internal roads, revise lot sizes, and decrease the number of lots) and Environmental Impact Report PDS2015-ER-15-98-190-13G was approved by the Planning Commission on May 14, 2021. The Planning Commission determined the TM amendments and modifications to the conditions of approval did not result in changes in the project or in the circumstances under which the project is undertaken that involve significant new environmental impacts which were not considered in the previously certified EIR dated July 25, 2018, that there is no substantial increase in the severity of previously identified significant effects, and that no new information of substantial importance has become available since the EIR was certified.

The Specific Plan Amendment amended the East Otay Mesa Business Park Specific Plan to establish a new mixed-use land use category within the Specific Plan, which would allow for residential, commercial, and employment uses at a maximum of 3,158 dwelling units, 78,000 square feet of commercial, and approximately 765,000 square feet of employment use.

The EIRs and Addenda are on file with PDS.

### **2. Lead agency name and address:**

County of San Diego,  
Planning & Development Services  
5510 Overland Avenue, Suite 310  
San Diego, California 92123

- a. Contact: Greg Mattson, Project Manager
- b. Phone number: (619) 895-7177
- c. Email: [gmattson@sdcounty.ca.gov](mailto:gmattson@sdcounty.ca.gov)

### **3. Project applicant's name and address:**

Sunroad Otay Partners, L.P.  
8620 Spectrum Center Blvd. Suite 1100  
San Diego, CA 92123

- a. Contacts: Dan Feldman and Lisa Gordon
- b. Phone number: (858) 362-8500

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

The previously approved project involves an Amendment to the East Otay Mesa Business Park Specific Plan to add a new land use designation (Mixed-Use Designation) for an approximately 253-acre portion of the 3,012.7-acre Specific Plan area, a Rezone to retain the existing S-88 zoning designation for the project site but change the land use designation and the regulatory site standards within the Specific Plan to Mixed-Use to allow for development of the project site as a Village Core; a new Tentative Map; and an Amendment to the Otay Subregional Plan to allow residential mixed-uses that would support the

development of industrial uses in the area by providing live/work and commercial service opportunities.

The approved Tentative Map subdivides approximately 253 acres into 30 lots with residential mixed-uses. The Mixed-Use Designation would include a range of densities and a variety of civic uses and commercial uses across the project area to catalyze employment within the East Otay Mesa area. The Specific Plan Amendment and Tentative Map would result in up to 3,158 residential units, 78,000 square feet of commercial space, and 765,000 square feet of employment uses.

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

The applicant proposes a 6-year Time Extension to an approved Tentative Map. There are no other changes to the Project.

**6. Subject areas determined to have new or substantially more severe significant environmental effects compared to those identified in the previous Negative Declaration (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

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Aesthetics                    | <input type="checkbox"/> Agriculture and Forest Resources | <input type="checkbox"/> Air Quality                        |
| <input type="checkbox"/> Biological Resources          | <input type="checkbox"/> Cultural Resources               | <input type="checkbox"/> Energy                             |
| <input type="checkbox"/> Geology and Soils             | <input type="checkbox"/> Greenhouse Gas Emissions         | <input type="checkbox"/> Hazards and Hazardous Materials    |
| <input type="checkbox"/> Hydrology and Water Quality   | <input type="checkbox"/> Land Use and Planning            | <input type="checkbox"/> Mineral Resources                  |
| <input type="checkbox"/> Noise                         | <input type="checkbox"/> Population and Housing           | <input type="checkbox"/> Public Services                    |
| <input type="checkbox"/> Recreation                    | <input type="checkbox"/> Transportation                   | <input type="checkbox"/> Tribal Cultural Resources          |
| <input type="checkbox"/> Utilities and Service Systems | <input type="checkbox"/> Wildfire                         | <input type="checkbox"/> 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 EIR or 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 certified EIR 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 an 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.

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Signature

Greg Mattson, AICP

Printed Name

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Date

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 Negative Declaration (ND) or a previously certified Environmental Impact Report (EIR) for the project.

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

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or Negative Declaration 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 EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
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 EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
  - a. The project will have one or more significant effects not discussed in the previous EIR or Negative Declaration;
  - b. Significant effects previously examined will be substantially more severe than shown in the previously certified EIR;
  - 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 EIR 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(a) states that the lead agency or responsible agency shall prepare an Addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a Subsequent EIR have occurred.

If the factors listed in CEQA Guidelines Sections 15162, 15163, or 15164 have not occurred or are not met, no changes to the previously certified EIR or previously adopted ND 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 Checklist Update



- I. **AESTHETICS:** Since the previous EIR was certified, 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

☐☒

The applicant proposes a 6-year Time Extension to an approved Tentative Map. There are no other changes to the Project.

The analysis and Project conditions which were initially approved by the Board of Supervisors on July 25, 2018, and conditions further amended on May 14, 2021, remain applicable. The 2018 Supplemental EIR found that the project would not result in significant visual impacts (see Section 3.1.1, *Aesthetics* of the 2018 Supplemental EIR).

The Project would not cause any new significant environmental effects or a substantial increase in the severity of previously identified significant effects to aesthetics. There are no changes in circumstances under which the Project is undertaken, and/or “new information of substantial importance” that would cause one or more effects to aesthetics and visual resources.

- II. **AGRICULTURAL RESOURCES:** Since the previous EIR was certified, 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

☐☒

The applicant proposes a 6-year Time Extension to an approved Tentative Map. There are no other changes to the Project.

The analysis and Project conditions which were initially approved by the Board of Supervisors on July 25, 2018, and conditions further amended on May 14, 2021, remain applicable. The Initial Study prepared for the 2018 Supplemental EIR found that the Project would not result in significant impacts agricultural and forestry resources (see Section 3.2.1, *Agricultural and Forestry Resources* of the 2018 Supplemental EIR).

The Project would not cause any new significant environmental effects or a substantial increase in the severity of previously identified significant effects to agricultural resources. There are no changes in circumstances under which the Project is undertaken and/or “new information of substantial importance” that would cause one or more effects to agricultural resources.

- III. AIR QUALITY:** Since the previous EIR was certified, 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 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  
☐ ☒

The applicant proposes a 6-year Time Extension to an approved Tentative Map. There are no other changes to the Project.

The analysis and Project conditions which were initially approved by the Board of Supervisors on July 25, 2018, and conditions further amended on May 14, 2021, remain applicable. The 2018 Supplemental EIR found that the Project would result in significant and unavoidable air quality impacts associated with construction and operation of the project (see Section 2.1, *Air Quality* of the 2018 Supplemental EIR).

The Project would not cause any new significant environmental effects or a substantial increase in the severity of previously identified significant air quality impacts. There are no changes in circumstances under which the Project is undertaken and/or “new information of substantial importance” that would cause one or more air quality impacts.

- IV. BIOLOGICAL RESOURCES:** Since the previous EIR was certified, 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 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  
☐ ☒

The applicant proposes a 6-year Time Extension to an approved Tentative Map. There are no other changes to the Project.

The analysis and Project conditions which were initially approved by the Board of Supervisors on July 25, 2018, and conditions further amended on May 14, 2021, remain applicable. The 2018 Supplemental EIR found that the project would result in significant but mitigable impacts to biological resources (see Section 2.2, *Biological Resources* of the 2018 Supplemental EIR).

The Project would not cause any new significant environmental effects or a substantial increase in the severity of previously identified significant effects to biology and biological resources. There are no changes in circumstances under which the Project is undertaken and/or “new information of substantial importance” that would cause one or more effects to biology and biological resources.

- V. CULTURAL RESOURCES:** Since the previous EIR was certified, 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**

☐      ☒

The applicant proposes a 6-year Time Extension to an approved Tentative Map. There are no other changes to the Project.

The analysis and Project conditions which were initially approved by the Board of Supervisors on July 25, 2018, and conditions further amended on May 14, 2021, remain applicable. The 2018 Supplemental EIR found that the Project would result in significant but mitigable impacts to cultural resources (see Section 2.3, *Cultural Resources* of the 2018 Supplemental EIR).

The Project would not cause any new significant environmental effects or a substantial increase in the severity of previously identified significant effects to cultural resources. There are no changes in circumstances under which the Project is undertaken and/or “new information of substantial importance” that would cause one or more effects to cultural resources.

- VI. ENERGY:** Since the previous EIR was certified, 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 energy including: resulting in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation, and/or conflicts with or obstruct a state or local plan for renewable energy or energy efficiency?

**YES      NO**

☐      ☒

The Final EIR for the EOM SP did not include an energy analysis as it was not required by CEQA at that time. However, the Project would be required to comply with the following regulations and requirements, which require sustainable design and energy requirements:

- 2022 Title 24 Energy Code
- 2022 California Green Building Standards (CALGreen)
- Reduction of potable water use by 20 percent
- Low-flow water and bathroom fixtures
- Reduction of wastewater generation by 20 percent
- Provide areas for storage and collection of recyclables and yard waste

The applicant proposes a 6-year Time Extension to an approved Tentative Map. There are no other changes to the Project.

The analysis and Project conditions which were initially approved by the Board of Supervisors on July 25, 2018, and conditions further amended on May 14, 2021, remain applicable.

The Project would not cause any new significant environmental effects or a substantial increase in the severity of previously identified significant energy impacts. There are no changes in circumstances under which the Project is undertaken and/or “new information of substantial importance” that would cause one or more energy impacts.

**VII. GEOLOGY AND SOILS:** Since the previous EIR was certified, 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

☐ ☒

The applicant proposes a 6-year Time Extension to an approved Tentative Map. There are no other changes to the Project.

The analysis and Project conditions which were initially approved by the Board of Supervisors on July 25, 2018, and conditions further amended on May 14, 2021, remain applicable. The Initial Study prepared for the 2018 Supplemental EIR found that the project would not result in significant impacts geology and soils (see Section 3.2.3, *Geology and Soils* of the 2018 Supplemental EIR).

The Project does not propose any changes that would cause any new significant environmental effects or a substantial increase in the severity of previously identified

significant effects to geologic resources. There are no changes in circumstances under which the Project is undertaken and/or “new information of substantial importance” that would cause one or more effects to geologic resources.

**VIII. GREENHOUSE GAS EMISSIONS:** Since the previous EIR was certified, 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 new significant effects or a substantial increase in the severity of previously identified significant 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 applicant proposes a 6-year Time Extension to an approved Tentative Map. There are no other changes to the Project.

The analysis and Project conditions which were initially approved by the Board of Supervisors on July 25, 2018, and conditions further amended on May 14, 2021, remain applicable. The 2018 Supplemental EIR found that the project would result in significant but mitigable impacts associated with generation of greenhouse gas emissions (see Section 2.4, *Greenhouse Gas Emissions* of the 2018 Supplemental EIR).

The Project would not cause any new significant environmental effects or a substantial increase in the severity of previously identified significant greenhouse gas emissions impacts. There are no changes in circumstances under which the Project is undertaken and/or “new information of substantial importance” that would cause one or more greenhouse gas emissions impacts.

**IX. HAZARDS AND HAZARDOUS MATERIALS:** Since the previous EIR was certified, 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**

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The applicant proposes a 6-year Time Extension to an approved Tentative Map. There are no other changes to the Project.

The analysis and Project conditions which were initially approved by the Board of Supervisors on July 25, 2018, and conditions further amended on May 14, 2021, remain applicable. The 2018 Supplemental EIR found that the project would result in significant and mitigable impacts associated with potential soil contamination in the Project area (see Section 2.5, *Hazards and Hazardous Materials* of the 2018 Supplemental EIR).

The Project would not cause any new significant environmental effects or a substantial increase in the severity of previously identified significant effects to hazards and hazardous materials, and wildfire risk. There are no changes in circumstances under which the Project is undertaken and/or “new information of substantial importance” that would cause one or more effects to hazards and hazardous materials, or wildfire risk.

- X. HYDROLOGY AND WATER QUALITY:** Since the previous EIR was certified, 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 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**

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The applicant proposes a 6-year Time Extension to an approved Tentative Map. There are no other changes to the Project.

The analysis and Project conditions which were initially approved by the Board of Supervisors on July 25, 2018, and conditions further amended on May 14, 2021, remain applicable. The Initial Study prepared for the 2018 Supplemental EIR found that the project would not result in significant impacts hydrology and water quality (see Section 3.2.2, *Hydrology and Water Quality* of the 2018 Supplemental EIR).

The Project would not cause any new significant environmental effects or a substantial increase in the severity of previously identified significant effects to hydrology and water quality. There are no changes in circumstances under which the Project is undertaken and/or



“new information of substantial importance” that would cause one or more effects to hydrology and water quality.

**XI. LAND USE AND PLANNING:** Since the previous EIR was certified, 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  
☐ ☒

The applicant proposes a 6-year Time Extension to an approved Tentative Map. There are no other changes to the Project.

The analysis and Project conditions which were initially approved by the Board of Supervisors on July 25, 2018, and conditions further amended on May 14, 2021, remain applicable. The 2018 Supplemental EIR found that the project would not result in significant impacts land use and planning (see Section 3.1.2, *Land Use* of the 2018 Supplemental EIR).

The Project would not cause any new significant environmental effects or a substantial increase in the severity of previously identified significant effects to land use and planning. There are no changes in circumstances under which the Project is undertaken and/or “new information of substantial importance” that would cause one or more effects to land use and planning.

**XII. MINERAL RESOURCES:** Since the previous EIR was certified, 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  
☐ ☒

The applicant proposes a 6-year Time Extension to an approved Tentative Map. There are no other changes to the Project.

The analysis and Project conditions which were initially approved by the Board of Supervisors on July 25, 2018, and conditions further amended on May 14, 2021, remain applicable. The Initial Study prepared for the 2018 Supplemental EIR found that the project would not result in significant impacts mineral resources (see Section 3.2.4, *Mineral Resources* of the 2018 Supplemental EIR).

The Project would not cause any new significant environmental effects or a substantial increase in the severity of previously identified significant effects to mineral resources. There are no changes in circumstances under which the Project is undertaken and/or “new

information of substantial importance” that would cause one or more effects to mineral resources.

**XIII. NOISE:** Since the previous EIR was certified, 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 ground borne vibration or ground borne 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**

☐☒

The applicant proposes a 6-year Time Extension to an approved Tentative Map. There are no other changes to the Project.

The analysis and Project conditions which were initially approved by the Board of Supervisors on July 25, 2018, and conditions further amended on May 14, 2021, remain applicable. The 2018 Supplemental EIR found that the project would result in significant but mitigable noise impacts associated with operation of the project (see Section 2.6, *Noise* of the 2018 Supplemental EIR).

The Project would not cause any new significant environmental effects or a substantial increase in the severity of previously identified significant noise impacts. There are no changes in circumstances under which the Project is undertaken and/or “new information of substantial importance” that would cause one or more noise impacts.

**XIV. PALEONTOLOGICAL RESOURCES:** Since the previous EIR was certified, 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 paleontological resources including project-related grading or excavation that will disturb the substratum or parent material below the major soil horizons in any paleontologically sensitive area of the County, as shown on the County’s Paleontological Resources Potential and Sensitivity Map that is included in the County Guidelines (County of San Diego 2009)?

**YES      NO**

☐☒

The applicant proposes a 6-year Time Extension to an approved Tentative Map. There are no other changes to the Project.

The analysis and Project mitigation measures which were initially approved by the Board of Supervisors on July 25, 2018, and conditions further amended on May 14, 2021, remain applicable. The 2018 Supplemental EIR found that the project would result in significant but

mitigable impacts to paleontological resources associated with construction of the project (see Section 2.7, *Paleontological Resources* of the 2018 Supplemental EIR).

The Project would not cause any new significant environmental effects or a substantial increase in the severity of previously identified significant effects to paleontological resources. There are no changes in circumstances under which the Project is undertaken and/or “new information of substantial importance” that would cause one or more effects to paleontological resources.\

**XV. POPULATION AND HOUSING:** Since the previous EIR was certified, 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**

☐☒

The applicant proposes a 6-year Time Extension to an approved Tentative Map. There are no other changes to the Project.

The analysis and Project conditions which were initially approved by the Board of Supervisors on July 25, 2018, and conditions further amended on May 14, 2021, remain applicable. The 2018 Supplemental EIR found that the project would not result in significant impacts population and housing (see Section 3.1.3, *Population and Housing* of the 2018 Supplemental EIR).

The Project would not cause any new significant environmental effects or a substantial increase in the severity of previously identified significant effects to population and housing. There are no changes in circumstances under which the Project is undertaken and/or “new information of substantial importance” that would cause one or more effects to population and housing.

**XVI. PUBLIC SERVICES:** Since the previous EIR was certified, 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**

☐☒

The applicant proposes a 6-year Time Extension to an approved Tentative Map. There are no other changes to the Project.

The analysis and Project conditions which were initially approved by the Board of Supervisors on July 25, 2018, and conditions further amended on May 14, 2021, remain applicable. The

Initial Study prepared for the 2018 Supplemental EIR found that the project would not result in significant impacts public utilities and services (see Section 3.2.5, *Public Utilities and Services* of the 2018 Supplemental EIR).

The Project would not cause any new significant environmental effects or a substantial increase in the severity of previously identified significant effects to public services. There are no changes in circumstances under which the Project is undertaken and/or “new information of substantial importance” that would cause one or more effects to public services.

**XVII. RECREATION:** Since the previous EIR was certified, 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**

☐      ☒

The applicant proposes a 6-year Time Extension to an approved Tentative Map. There are no other changes to the Project.

The analysis and Project conditions which were initially approved by the Board of Supervisors on July 25, 2018, and conditions further amended on May 14, 2021, remain applicable. The Initial Study prepared for the 2018 Supplemental EIR found that the project would not result in significant impacts parks and recreation (see Section 3.2.5, *Public Utilities and Services* of the 2018 Supplemental EIR).

The Project would not cause any new significant environmental effects or a substantial increase in the severity of previously identified significant effects to recreation. There are no changes in circumstances under which the Project is undertaken and/or “new information of substantial importance” that would cause one or more effects to recreation.

**XVIII. TRANSPORTATION:** Since the previous EIR was certified, 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**

☐      ☒

The Project is not subject to vehicle miles travelled (VMT) standards or thresholds because the 2018 Supplemental EIR was certified before CEQA Guidelines were changed in 2020 to require VMT analysis.

The applicant proposes a 6-year Time Extension to an approved Tentative Map. There are no other changes to the Project.

The analysis and Project conditions which were initially approved by the Board of Supervisors on July 25, 2018, and conditions further amended on May 14, 2021, remain applicable. The 2018 Supplemental EIR found that the project would result in significant but mitigable transportation impacts associated with operation of the project (see Section 2.8, *Transportation and Traffic* of the 2018 Supplemental EIR).

The Project would not cause any new significant environmental effects or a substantial increase in the severity of previously identified significant effects to tribal cultural resources. There are no changes in circumstances under which the Project is undertaken and/or “new information of substantial importance” that would cause one or more effects to tribal cultural resources.

**XIX. TRIBAL CULTURAL RESOURCES:** Since the previous EIR was certified, 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 tribal cultural resources including: causing a change in the significance of a tribal cultural resource as defined in Public Resource Code §21074?

YES	NO
<input type="checkbox"/>	<input checked="" type="checkbox"/>

The applicant proposes a 6-year Time Extension to an approved Tentative Map. There are no other changes to the Project.

The analysis and Project conditions which were initially approved by the Board of Supervisors on July 25, 2018, and conditions further amended on May 14, 2021, remain applicable. The 2018 Supplemental EIR found that the project would result in significant but mitigable impacts to tribal cultural resources associated with construction of the project (see Section 2.3, *Cultural Resources* of the 2018 Supplemental EIR).

The Project would not cause any new significant environmental effects or a substantial increase in the severity of previously identified significant effects to cultural resources. There are no changes in circumstances under which the Project is undertaken and/or “new information of substantial importance” that would cause one or more effects to cultural resources.

**XX. UTILITIES AND SERVICE SYSTEMS:** Since the previous EIR was certified, 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**

☐      ☒

The applicant proposes a 6-year Time Extension to an approved Tentative Map. There are no other changes to the Project.

The analysis and Project conditions which were initially approved by the Board of Supervisors on July 25, 2018, and conditions further amended on May 14, 2021, remain applicable. The Initial Study prepared for the 2018 Supplemental EIR found that the project would not result in significant impacts utilities (see Section 3.2.5, *Public Utilities and Services* of the 2018 Supplemental EIR).

The Project would not cause any new significant environmental effects or a substantial increase in the severity of previously identified significant effects to utilities and service systems. There are no changes in circumstances under which the Project is undertaken and/or “new information of substantial importance” that would cause one or more effects to utilities and service systems.

**XXI. WILDFIRE:** Since the previous EIR was certified, are there any changes in the project, changes in circumstances under which the project is undertaken and/or “new information of substantial importance” that would result in an increased risk of wildfire to persons or property.

**YES      NO**

☐      ☒

Wildfire impacts were assessed in Section 2.5, *Hazards and Hazardous Materials* of the 2018 Supplemental EIR.

The applicant proposes a 6-year Time Extension to an approved Tentative Map. There are no other changes to the Project.

The analysis and Project conditions which were initially approved by the Board of Supervisors on July 25, 2018, and conditions further amended on May 14, 2021, remain applicable. The 2018 Supplemental EIR found that the project would not result in significant impacts



associated with wildfires (see Section 2.5, *Hazards and Hazardous Materials* of the 2018 Supplemental EIR).

The Project would not cause any new significant environmental effects or a substantial increase in the severity of previously identified significant effects to wildfire. There are no changes in circumstances under which the Project is undertaken and/or “new information of substantial importance” that would cause one or more effects to wildfire.

**XXII. MANDATORY FINDINGS OF SIGNIFICANCE:** Since the previous EIR was certified, 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?*

<b>YES</b>	<b>NO</b>
<input type="checkbox"/>	<input checked="" type="checkbox"/>

***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?***

The applicant proposes a 6-year Time Extension to an approved Tentative Map. There are no other changes to the Project.

The analysis and Project conditions which were initially approved by the Board of Supervisors on July 25, 2018, and conditions further amended on May 14, 2021, remain applicable.

As described in this Addendum, there are no changes in the Project, no changes in circumstances under which the Project is undertaken, and no “new information of substantial importance” that results in any of the mandatory findings of significance.

## **REFERENCES**

Otay 250 Sunroad – East Otay Mesa Business Park Specific Plan Amendment Environmental Impact Report. SCH # 2016031028.

## **Attachment D – Ownership Disclosure**



# H1 - 143

County of San Diego, Planning & Development Services

## APPLICANT'S DISCLOSURE OF OWNERSHIP INTERESTS ON APPLICATION FOR ZONING PERMITS/ APPROVALS ZONING DIVISION

Record ID(s) PDS2022-TM-5607RTE

Assessor's Parcel Number(s) 646-240-30; 646-080-26 through 29; 646-080-31 through 33; 646-310-17

Ordinance No. 4544 (N.S.) requires that the following information must be disclosed at the time of filing of this discretionary permit. The application shall be signed by all owners of the property subject to the application or the authorized agent(s) of the owner(s), pursuant to Section 7017 of the Zoning Ordinance. **NOTE:** Attach additional pages if necessary.

A. List the names of all persons having any *ownership interest* in the property involved.


Sunroad GP, Inc.

B. If any person identified pursuant to (A) above is a corporation or partnership, list the names of all individuals owning more than 10% of the shares in the corporation or owning any partnership interest in the partnership.

Dan Feldman, President

C. If any person identified pursuant to (A) above is a non-profit organization or a trust, list the names of any persons serving as director of the non-profit organization or as trustee or beneficiary or trustor of the trust.

**NOTE: Section 1127 of The Zoning Ordinance defines Person as:** "Any individual, firm, copartnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver syndicate, this and any other county, city and county, city, municipality, district or other political subdivision, or any other group or combination acting as a unit."

  
Signature of Applicant

DAN FELDMAN  
Print Name

----- OFFICIAL USE ONLY -----

5510 OVERLAND AVE, SUITE 110, SAN DIEGO, CA 92123

For any questions, please email us at: [PDSZoningPermitCounter@sdcounty.ca.gov](mailto:PDSZoningPermitCounter@sdcounty.ca.gov)

<http://www.sdcounty.ca.gov/pds>

