



County of San Diego

DAHVIA LYNCH
DIRECTOR

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

VINCE NICOLETTI
ASSISTANT DIRECTOR

January 19, 2024

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 International Industrial Park Tentative Map 5549 (District: 1, Item #H-1)

TENTATIVE MAP TIME EXTENSION INFORMATIONAL ITEM #H-1

PURPOSE

The purpose of this informational item is to provide the Planning Commission notice of a decision of the Director of Planning & Development Services (Director) to extend the period of time (Time Extension) for the International Industrial Park Tentative Map (TM 5549) to allow completion of the Final Map. The Time Extension does not propose, nor does the applicant request, any changes or revisions to TM 5549 or to the conditions in the Resolution of Approval dated September 18, 2020.

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

BACKGROUND

The project is located north of Lone Star Road, between Vann Centre Boulevard and Alta Road in the East Otay Mesa Business Park Specific Plan in the Otay Subregional Plan area.

On September 18, 2020, the Planning Commission approved TM 5549 to subdivide approximately 170 acres into eight lots, two of which will be preserved in an open space

easement. The project site is zoned Specific Plan (S88) and subject to the Village General Plan Regional Category and Specific Plan Area (SPA) General Plan Land Use Designation. The Otay Mesa Business Park Specific Plan designates the majority of the site as Technology Business Park, with the northwest of the site designated Conservation/Limited Use. The site is also subject to the “B” (Community Design Review) and “C” (Airport Land Use Compatibility Plan Area) Special Area Designators. In addition, a portion of the site is subject to the “G” (Sensitive Resource) special area designator for sensitive biological resources.

The applicant filed a request on September 8, 2023, for a six-year Tentative Map Time Extension to allow more time to satisfy several of the conditions of approval for the Final Map. Improvements to the site were put on hold when unpermitted earthwork was identified on the site. The applicant is currently working on obtaining the correct permits. The new expiration date would be September 18, 2029. Staff considered this request and support a six-year extension. On September 11, 2023, as required by the County of San Diego Subdivision Ordinance, properties within 4,000 feet of the exterior boundaries of the project site were notified that the application for a Time Extension for TM 5549 was filed. No comments were received regarding the Tentative Map Time Extension.

The Director reviewed the application for a Time Extension with consideration to the following requirements: conformance with all Federal, State, and County regulations, including the East Otay Mesa Business Park Specific Plan, County General Plan, Zoning Ordinance, and California Environmental Quality Act (CEQA). No significant changes were found to density, zoning, or CEQA requirements. The Time Extension was found to comply with the originally certified CEQA document. The project is required to comply with all updated requirements such as municipal separate storm sewer system (MS4) stormwater regulations.

In accordance with the County of San Diego Subdivision Ordinance Section 81.317(c), the January 9, 2024, Notice of the Preliminary Decision of the Director of Planning & Development Services to approve Tentative Map Time Extension PDS2023-TM-5449TE (Attachment B), has been issued and filed with the Planning Commission as an Administrative Item.

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 PDS2008-TM-5549

Attachment C – Environmental Documentation

Attachment D – Ownership Disclosure

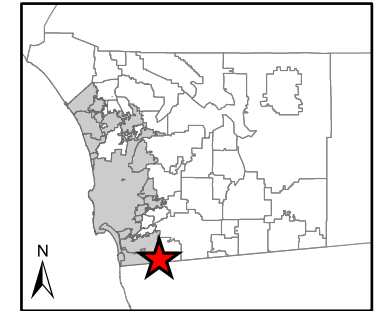
Attachment A – Planning Documentation

H1 - 4

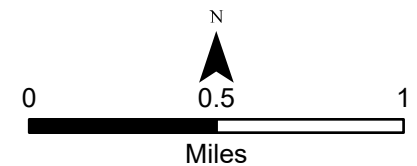
IIP Tentative Map Time Extension
PDS2023-TM-5549TE

Vicinity Map

Otay Community Plan Area

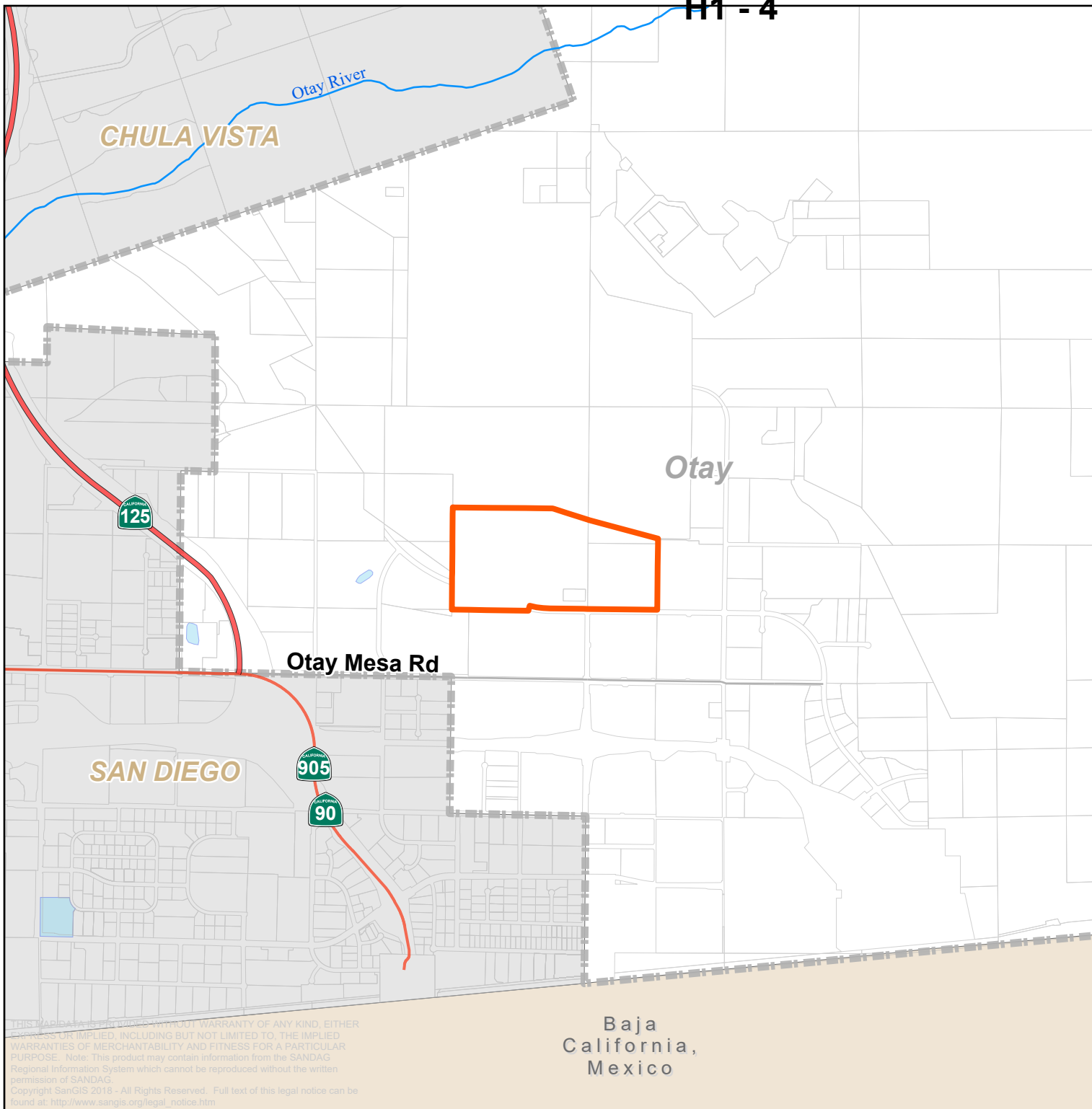


1:3,500,000



LUEGGIS
Land Use & Environment Group
Geographic Information Services

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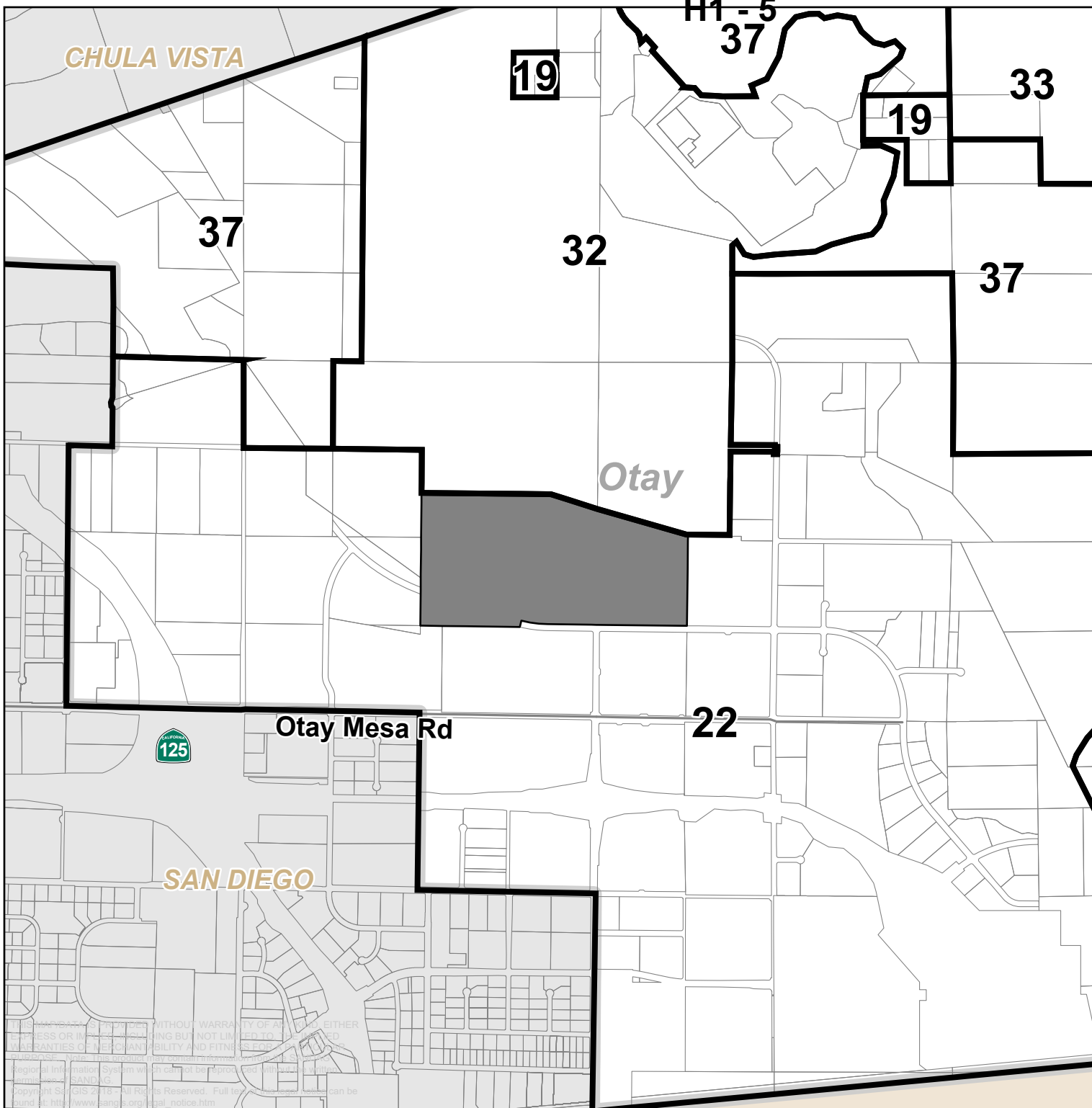
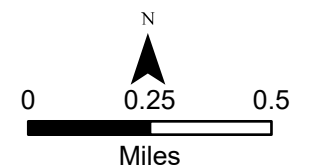
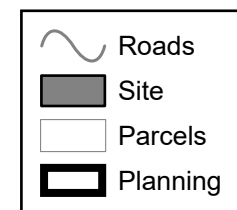
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Baja
California,
Mexico

General Plan

Otay Community Plan Area

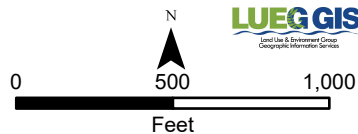
- (19) Rural Lands (RL-40)
- (22) Specific Plan Area
- (32) Public/Semi-Public Facilities
- (33) Public Agency Lands
- (37) Open Space (Conservation)



IIP Tentative Map Time Extension
PDS2023-TM-5549TE
Otay Community Plan Area

Roads

Site



LUEGGIS
Land Use & Environment Group
Geographic Information Services

Date: 11/15/2023 Path: P:\reg\2023-TM-5549TE_111523\graphicsPackageMaps\p20\PDS2023-TM-5549TE.aprx

H1 - 6

Otay

Otay Mesa Rd

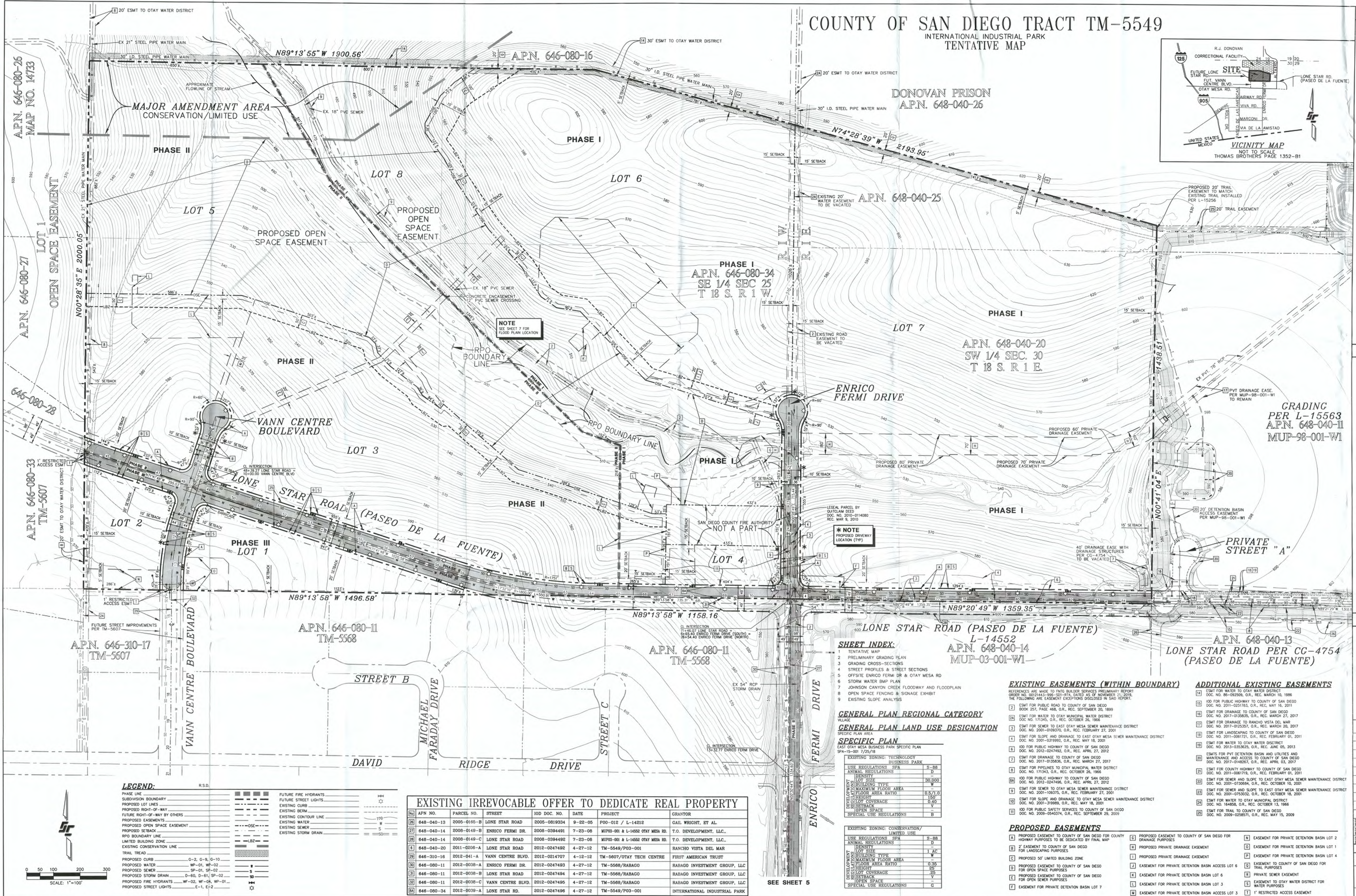
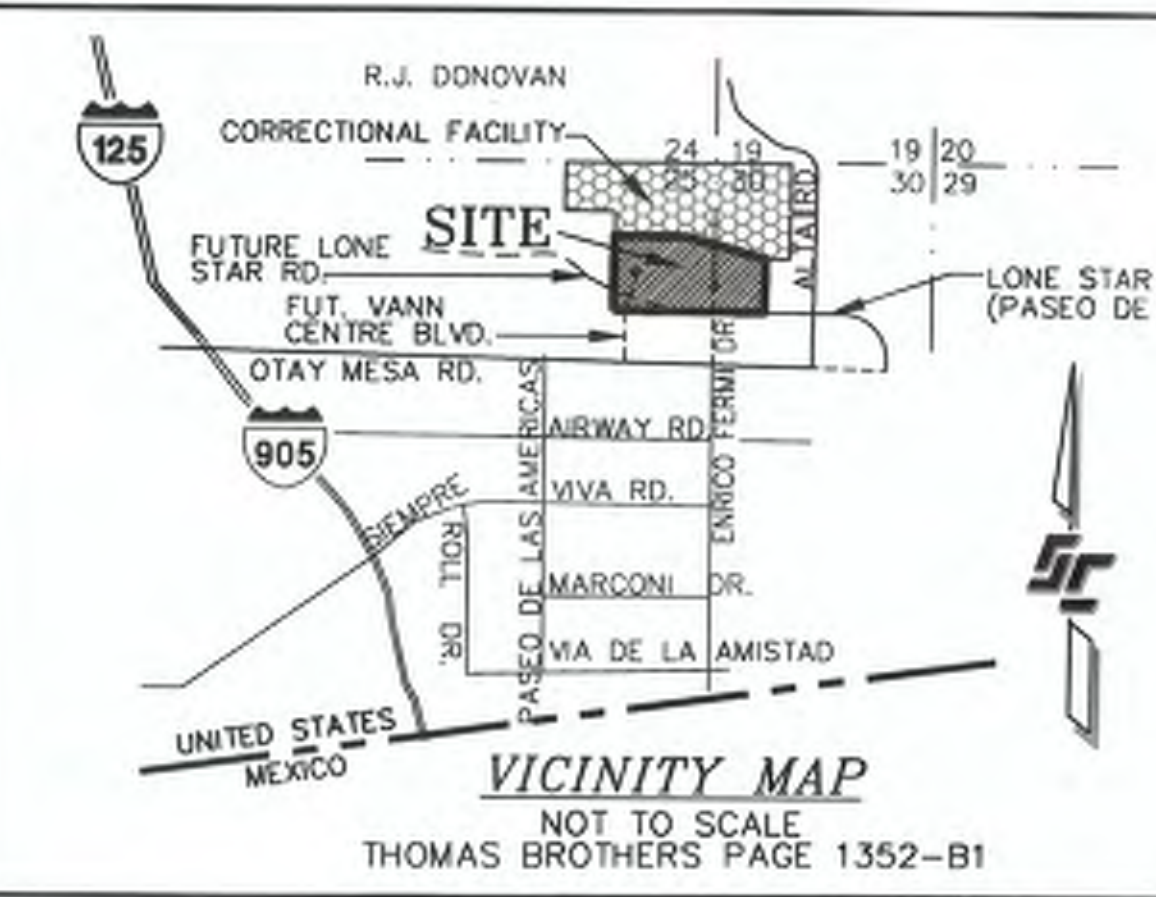
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SAN DIEGO

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COUNTY OF SAN DIEGO TRACT TM-5549

INTERNATIONAL INDUSTRIAL PARK
TENTATIVE MAP



GENERAL NOTES

1. TAX ASSESSOR'S NUMBERS 648-040-20 & 25, 648-080-34 & 35
2. TAX MAP AREA 64088
3. LEGAL DESCRIPTION OF THE LAND SHOWN ON THIS TENTATIVE MAP BEING A PORTION OF SECTION 30, TOWNSHIP 18 SOUTH, RANGE 1 EAST, S.B.M. & A PORTION OF SECTION 25, T18S, R1E, S.B.M. IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO OFFICIAL RECORDS THEREOF.
4. GENERAL PLAN REGIONAL CATEGORY: VILLAGE
5. ZONING: TECHNOLOGY BUSINESS PARK & CONSERVATION/LIMITED USE
6. COMMUNITY/SUBREGIONAL PLAN AREA: EAST OTAY MESA
7. STATUS OF LEGAL ACRES: LONE STAR RD. IS DEDICATED TO THE WESTERN AND EASTERN BOUNDARY OF THE SITE
8. WATER SOURCE/WATER DISTRICT: OTAY MUNICIPAL WATER DISTRICT
9. SEWER DISTRICT: EAST OTAY MESA SEWER MAINTENANCE DISTRICT
10. FIRE DISTRICT: SAN DIEGO RURAL FIRE PROTECTION DISTRICT
11. SCHOOL DISTRICT(S): SWEETWATER HIGH SCHOOL DISTRICT / SAN YSIDRO SCHOOL DISTRICT
12. TOPOGRAPHY: SANJO ADRIAL JOB NO. 1333-1-5, 4979 VIEWBRIDGE AVE, SAN DIEGO, CA 92123-1607, PHONE: 655-565-1024, FLOW ON AUGUST 28, 2009
13. SPECIAL ASSESSMENT ACT STATEMENT: NO SPECIAL ASSESSMENT ACT IS BEING REQUESTED
14. PARK LAND DEDICATION: OPEN SPACE WILL BE DEDICATED ON SITE
15. STREETS:
 - PHASE I: LONE STAR ROAD HALF WIDTH IMPROVEMENTS WILL BE CONSTRUCTED FROM ENRICO FERMI DRIVE EAST TO THE SITE'S EASTERN BOUNDARY MATCHING CC-4754 IMPROVEMENTS WHICH CONNECT TO ALTA RD. ENRICO FERMI DRIVE HALF WIDTH IMPROVEMENTS WILL BE CONSTRUCTED ON THE WESTERN SIDE BETWEEN OTAY MESA ROAD AND LONE STAR ROAD. ENRICO FERMI DRIVE FULL WIDTH IMPROVEMENTS WILL BE CONSTRUCTED NORTH OF LONE STAR ROAD.
 - PHASE II: LONE STAR ROAD (NORTH SIDE) HALF WIDTH IMPROVEMENTS WILL BE CONSTRUCTED FROM ENRICO FERMI DRIVE WEST TO THE SITE'S WESTERN BOUNDARY MATCHING IMPROVEMENTS PROPOSED BY TM-5607 AND THE STREET DEDICATIONS PER MAP NO. 14753 VANN CENTRE BOULEVARD FULL WIDTH IMPROVEMENTS WILL BE CONSTRUCTED SOUTH OF LONE STAR ROAD TO THE PROJECT SOUTHERLY BOUNDARY AND NORTH OF LONE STAR ROAD.
 - PHASE III: LONE STAR ROAD (SOUTH SIDE) HALF WIDTH IMPROVEMENTS WILL BE CONSTRUCTED FROM PASO SAN JOSE WEST TO THE SITE'S WESTERN BOUNDARY MATCHING IMPROVEMENTS PROPOSED BY TM-5607 AND THE STREET DEDICATIONS PER MAP NO. 14753 VANN CENTRE BOULEVARD FULL WIDTH IMPROVEMENTS WILL BE CONSTRUCTED SOUTH OF LONE STAR ROAD TO THE SITE'S SOUTHERN BOUNDARY MATCHING IMPROVEMENTS PROPOSED BY TM-5607 AND TM-5549 AT THE SITE'S SOUTHERN BOUNDARY.
16. STREET LIGHTS AS REQUIRED BY COUNTY STANDARDS
17. SOLAR ACCESS: ALL BUILDABLE LOTS WITHIN THIS SUBDIVISION HAVE A MINIMUM OF 100 SQUARE FEET OF SOLAR ACCESS FOR EACH FUTURE STRUCTURE ALLOWED BY THE SUBDIVISION.
18. TOTAL NUMBER OF LOTS: 8, 6 BUILDABLE LOTS AND 2 OPEN SPACE LOTS.
19. MINIMUM LOT SIZE BEING CREATED: 1.5 ACRES
20. ALL EXISTING IMPROVEMENTS ARE TO REMAIN UNLESS IDENTIFIED ON THIS MAP.
21. FOR EXISTING TOPOGRAPHY, GRADING, SECTIONS, STREET PROFILES AND
22. FOR OFF SITE IMPROVEMENT PROFILES PLEASE SEE SHEET 4.
23. FOR DETAILS OF THE FLOODPLAIN AND FLOODPLAIN SEE SHEET 7.
24. FOR WATER QUALITY AND STORM WATER BMP'S SEE SHEET 6.

LAND DIVISION STATEMENT

I HEREBY CERTIFY THAT I AM THE RECORD OWNER AS SHOWN ON THE LATEST EQUALIZED COUNTY ASSESSMENT OF THE PROPERTY SHOWN ON THE TENTATIVE MAP. ALL OF MY CONTIGUOUS OWNERSHIP WITHIN AND BEYOND THE BOUNDARIES OF THE TENTATIVE MAP ARE SHOWN. THE BASIS OF CREATION OF LOTS IN MY OWNERSHIP (E.G. PARCELS, MAP, FINAL MAP, CERTIFICATE OF COMPLIANCE, RECORDED DEED PRIOR TO 2/1/1979) IS INDICATED ON THE TENTATIVE MAP. I UNDERSTAND THAT PROPERTY IS CONSIDERED CONTIGUOUS EVEN IF IT IS SEPARATED BY ROADS, STREETS, UTILITY EASEMENTS OR RAILROADS. RIGHTS OF WAY, TRAILWAYS, HIGHWAYS, OR OTHER RIGHTS OF WAY ARE SEPARATED BY HIGHWAY CODE SHALL NOT BE CONSIDERED AS ROADS OR STREETS.

I, FURTHER CERTIFY THAT I WILL NOT BY THIS APPLICATION, CREATE OR CAUSE TO BE CREATED, OR BE PARTICIPATED IN THE CREATION OF MORE THAN FOUR PARCELS ON CONTIGUOUS PROPERTY UNLESS SUCH CONTIGUOUS PARCELS ARE IDENTIFIED BY MAP OR SUBDIVISION. FOR PURPOSES OF THIS CERTIFICATION, THE TERM "PARTICIPATED" MEANS HAVING COOPERATED WITH OR ACTED IN PLANNING, COORDINATING OR DECISION-MAKING CAPACITY IN ANY FORMAL OR IN FORMAL ASSOCIATION OR PARTNERSHIP FOR THE PURPOSE OF DIVIDING THE PROPERTY.

I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

APN: 648-080-34 & 648-040-25
OWNER: INTERNATIONAL INDUSTRIAL PARK
ADDRESS: 6440 MOREHOUSE DRIVE SUITE 4000
SAN DIEGO, CALIFORNIA 92121
TELEPHONE: (650) 628-9000

BY: DAVID WICK
EXECUTED THIS 3rd DAY OF SEPTEMBER 2020.

APN: 648-040-20
OWNER: RANCHO VISTA DEL MAR
ADDRESS: 6440 MOREHOUSE DRIVE SUITE 4000
SAN DIEGO, CALIFORNIA 92121
TELEPHONE: (650) 628-9000

BY: DAVID WICK
EXECUTED THIS 3rd DAY OF SEPTEMBER 2020.

ENGINEER OF WORK

STEVENS-CRESTO ENGINEERING, INC.
CIVIL ENGINEERS - LAND PLANNERS - LAND SURVEYORS
9545 CHESTERFAKE DRIVE SUITE 200 SAN DIEGO, CA 92123-1352
PHONE: 659-694-5660 FAX: 659-694-5661
WWW.STEVENS-CRESTO.COM

BY: [Signature]
DATE: 9/3/20

Gross and Net Areas per Lot

LOT NO.	GROSS AREA	NET AREA	DIST. BASIN AREAS	OPEN SPACE AREA
1	4.33 AC	3.85 AC	0.48 AC	-
2	2.98 AC	2.52 AC	0.48 AC	-
3	27.51 AC	24.76 AC	2.75 AC	-
4	1.52 AC	1.13 AC	0.39 AC	-
5	27.91 AC	27.91 AC	-	27.91 AC
6	28.53 AC	23.83 AC	4.70 AC	-
7	48.49 AC	48.34 AC	0.15 AC	-
8	18.05 AC	18.05 AC	-	18.05 AC
LOT TOTALS	159.32 AC	150.39 AC	8.93 AC	45.96 AC
STREETS	3.39 AC	-	-	-
PHASE I	3.10 AC	-	-	-
PHASE II	2.66 AC	-	-	-
TOTALS	168.47 AC	150.39 AC	8.93 AC	45.96 AC

DATE: 9/3/20 SHEET 1 OF 9

TENTATIVE MAP 5549

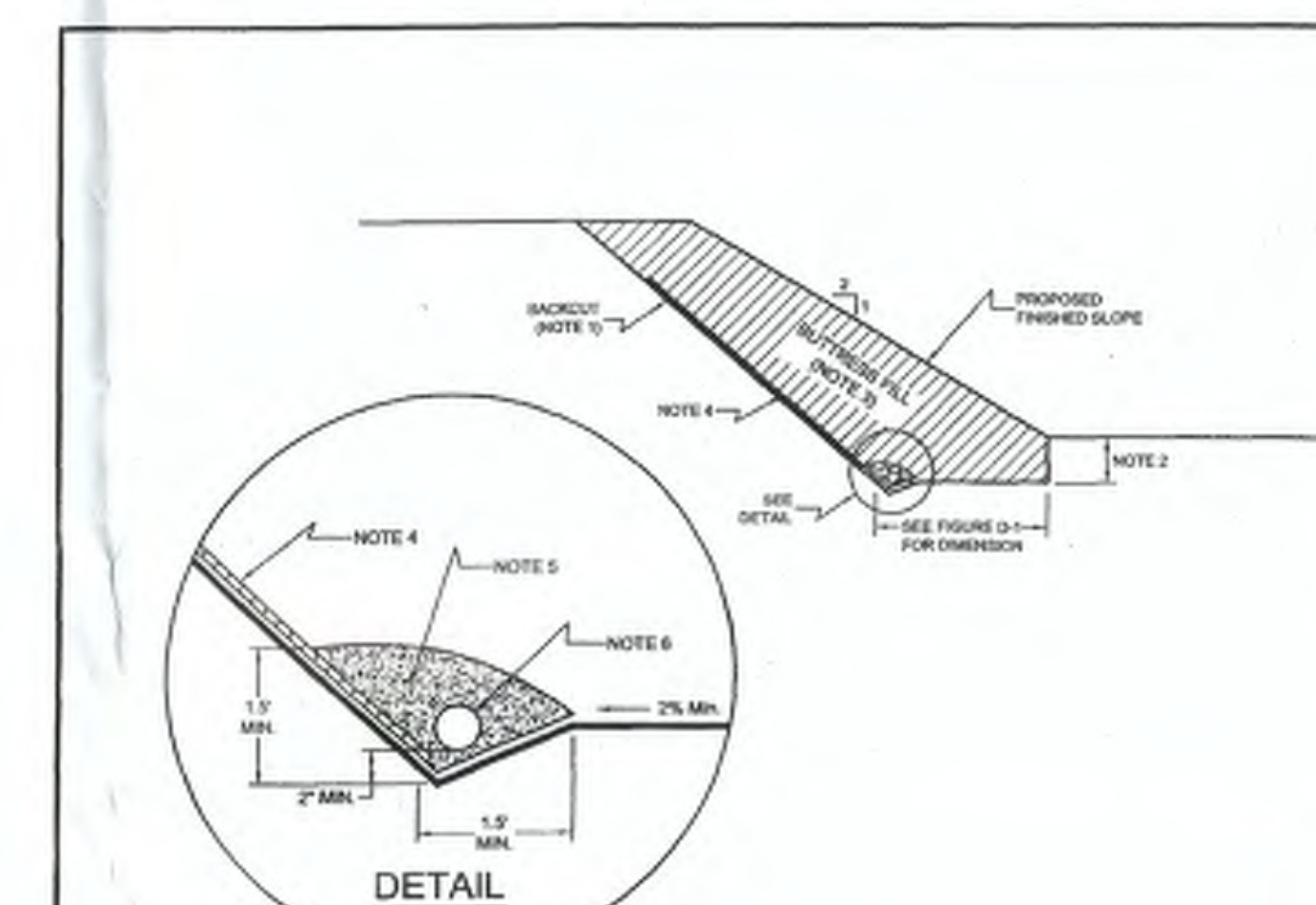
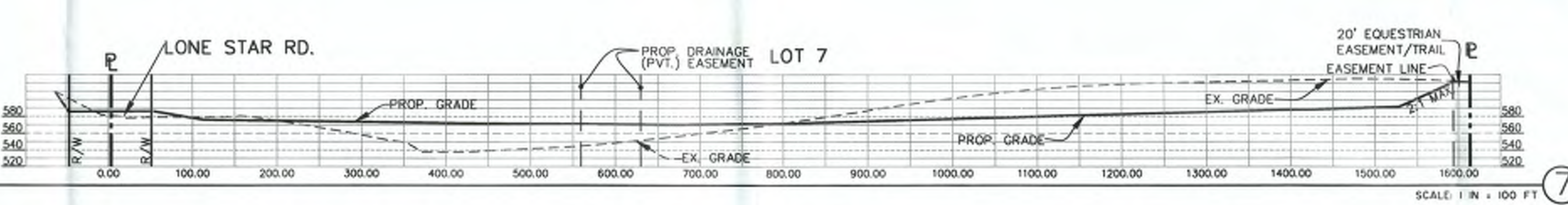
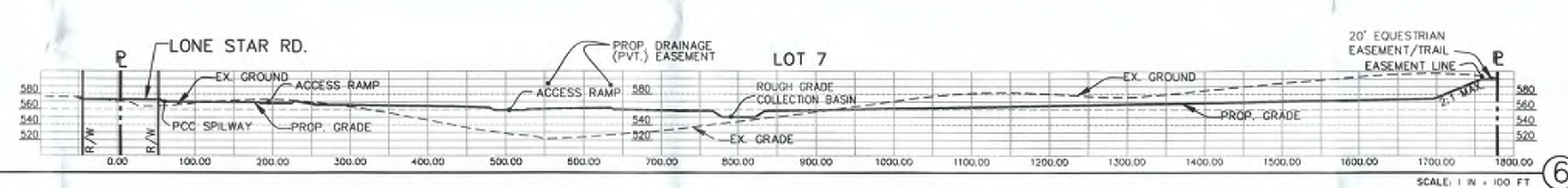
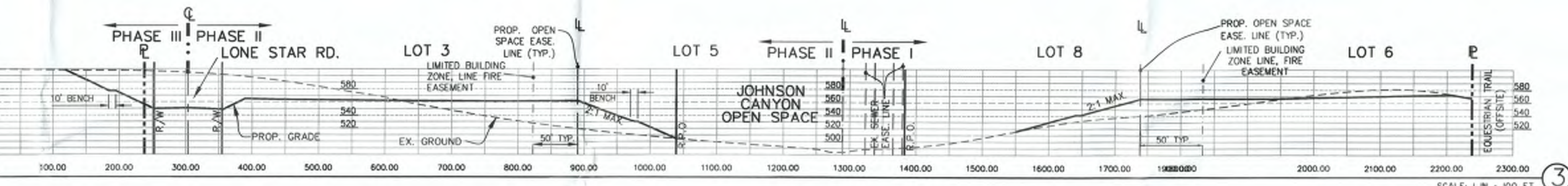
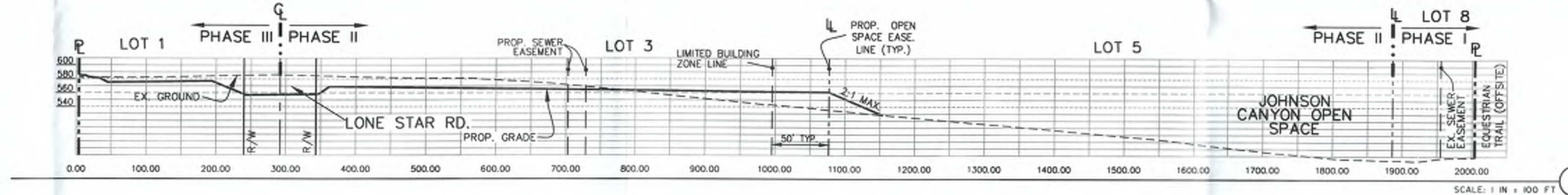
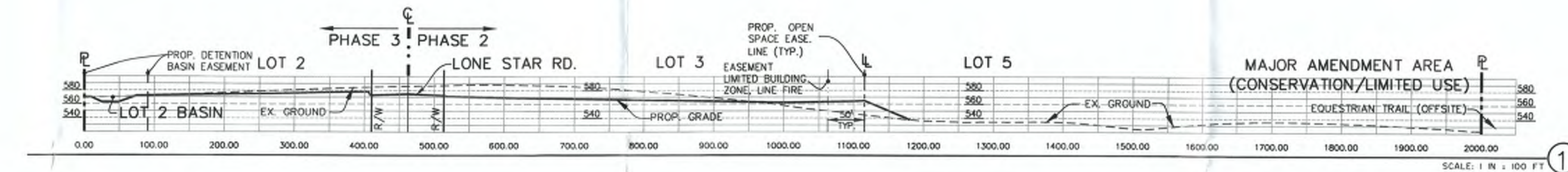
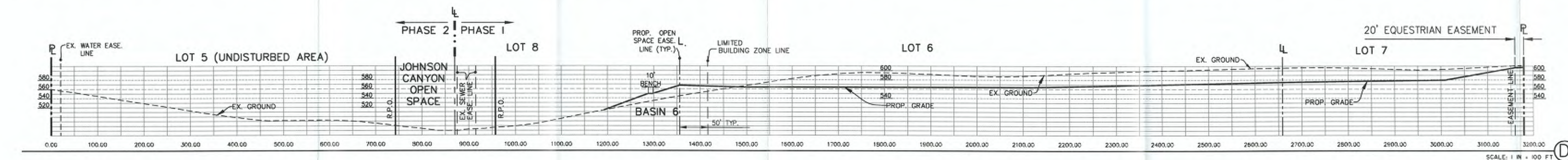
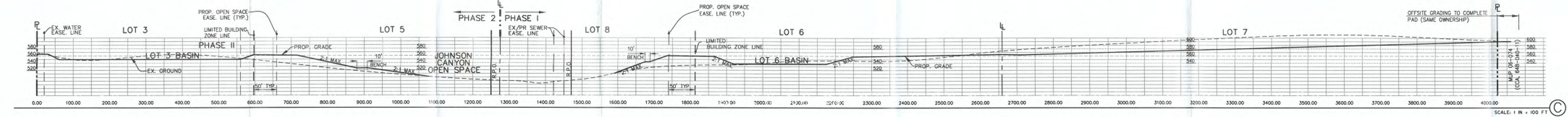
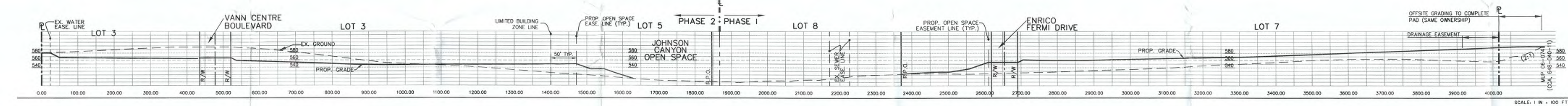
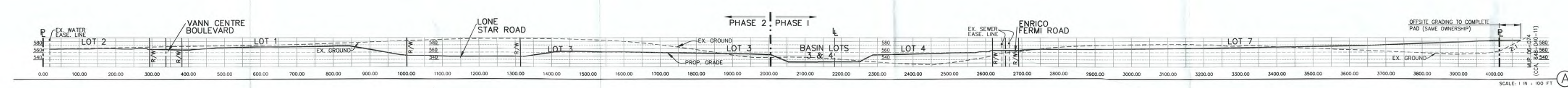
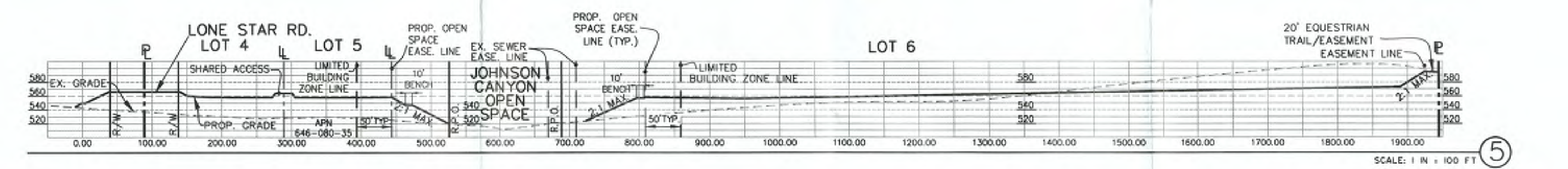
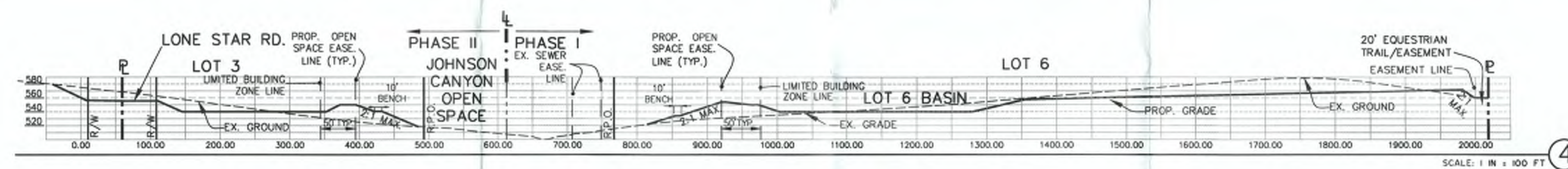
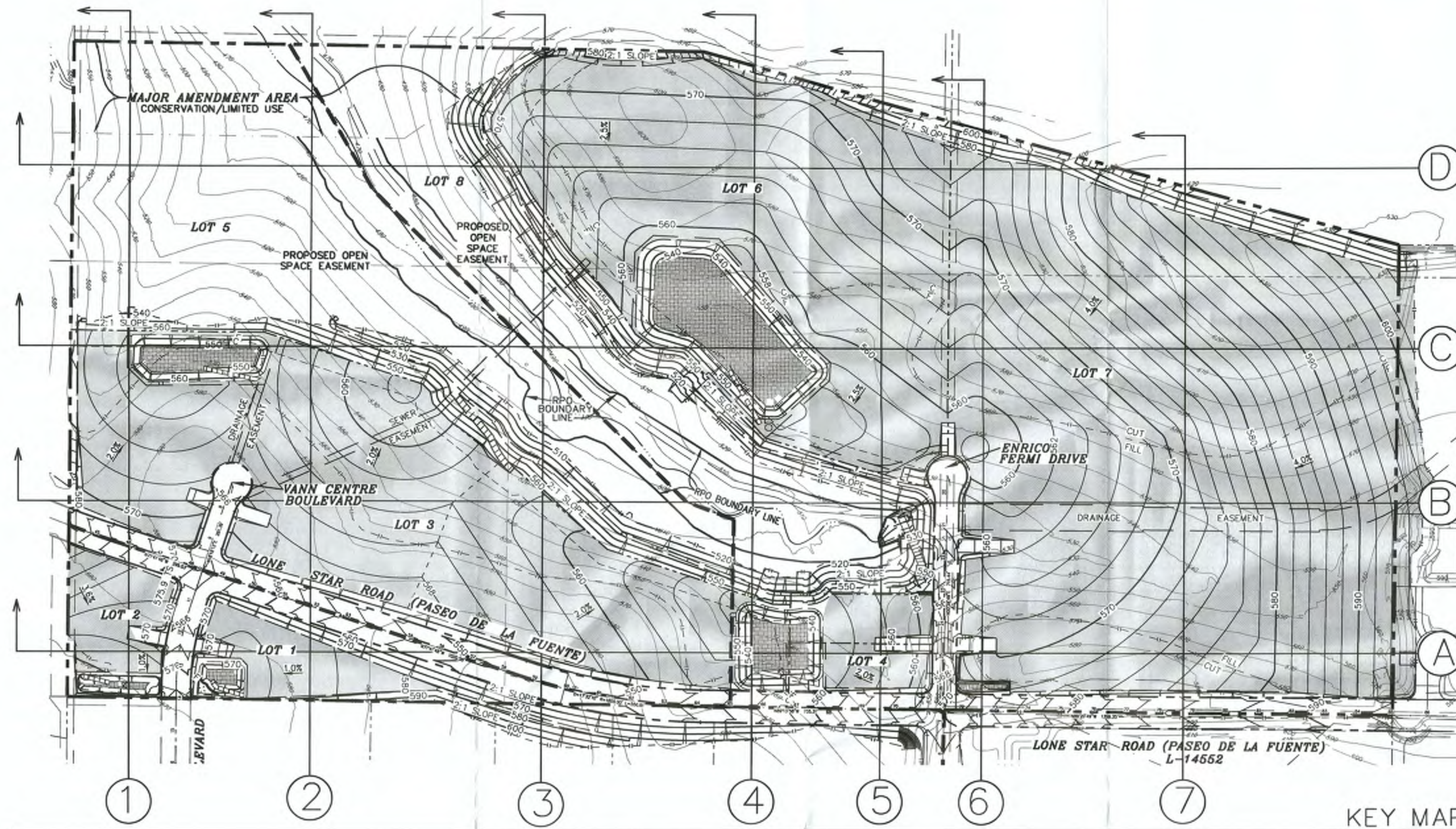
INTERNATIONAL INDUSTRIAL PARK

RECORD ID: PDS2008-3100-5549
ENV. LOG NO. PDS2008-3910-9313005FF

COUNTY OF SAN DIEGO TRACT TM-5549

INTERNATIONAL INDUSTRIAL PARK

GRADING CROSS-SECTIONS

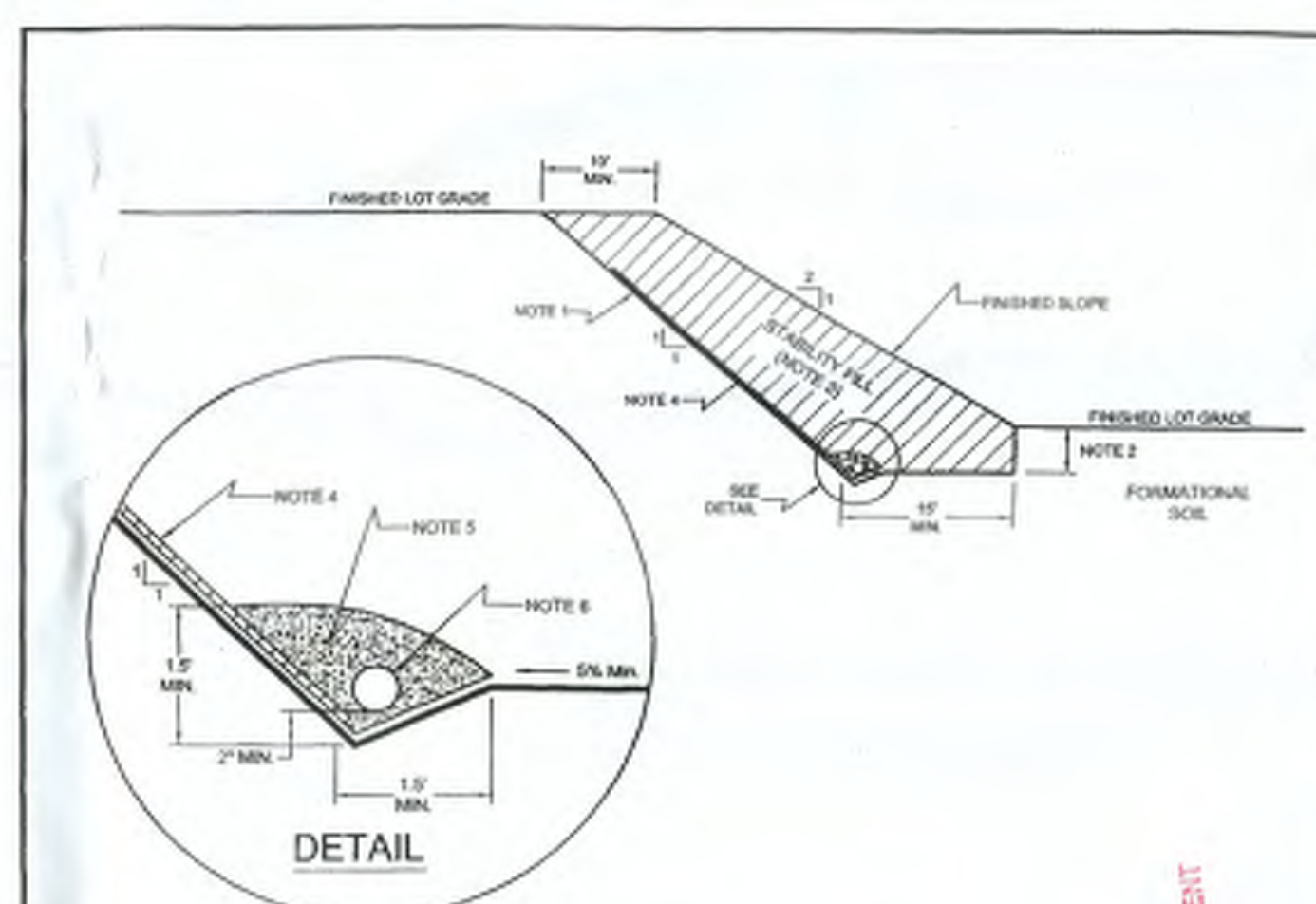


- NOTES:
1. EXCAVATE BACKFILL AT 1:1 INCLINATION SUCH THAT THE KEY AREA AT FINISHED PAD GRADE IS PROTECTED BY THE EXISTING CONCRETE.
 2. BASE OF BUTRESS FILL TO BE SET TO 1:1 INCLINATION. FINISHED SOIL SLOPED AT MINIMUM 1% WITH 1:1 SLOPE.
 3. BUTRESS FILL TO BE COMPOSED OF PROPERLY COMPACTED GRANULAR SOIL WITH MINIMUM 95% PROCTOR DENSITY.
 4. FINISHED GRADE TO BE APPROVED. UNAPPROVED CHANGES TO FINISHED GRADE WILL BE REJECTED. FINISHED GRADE TO BE APPROVED. UNAPPROVED CHANGES TO FINISHED GRADE WILL BE REJECTED.
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GEOCON
INCORPORATED
GEOTECHNICAL CONSULTANTS
6800 LAUREL DRIVE, SAN DIEGO, CALIFORNIA 92121-2974
PHONE 619 558-6900 FAX 619 558-6109



INTERNATIONAL INDUSTRIAL PARK
SAN DIEGO COUNTY, CALIFORNIA
DATE: 10-08-2008 PROJECT NO: G1152-42-01 FIG. 7

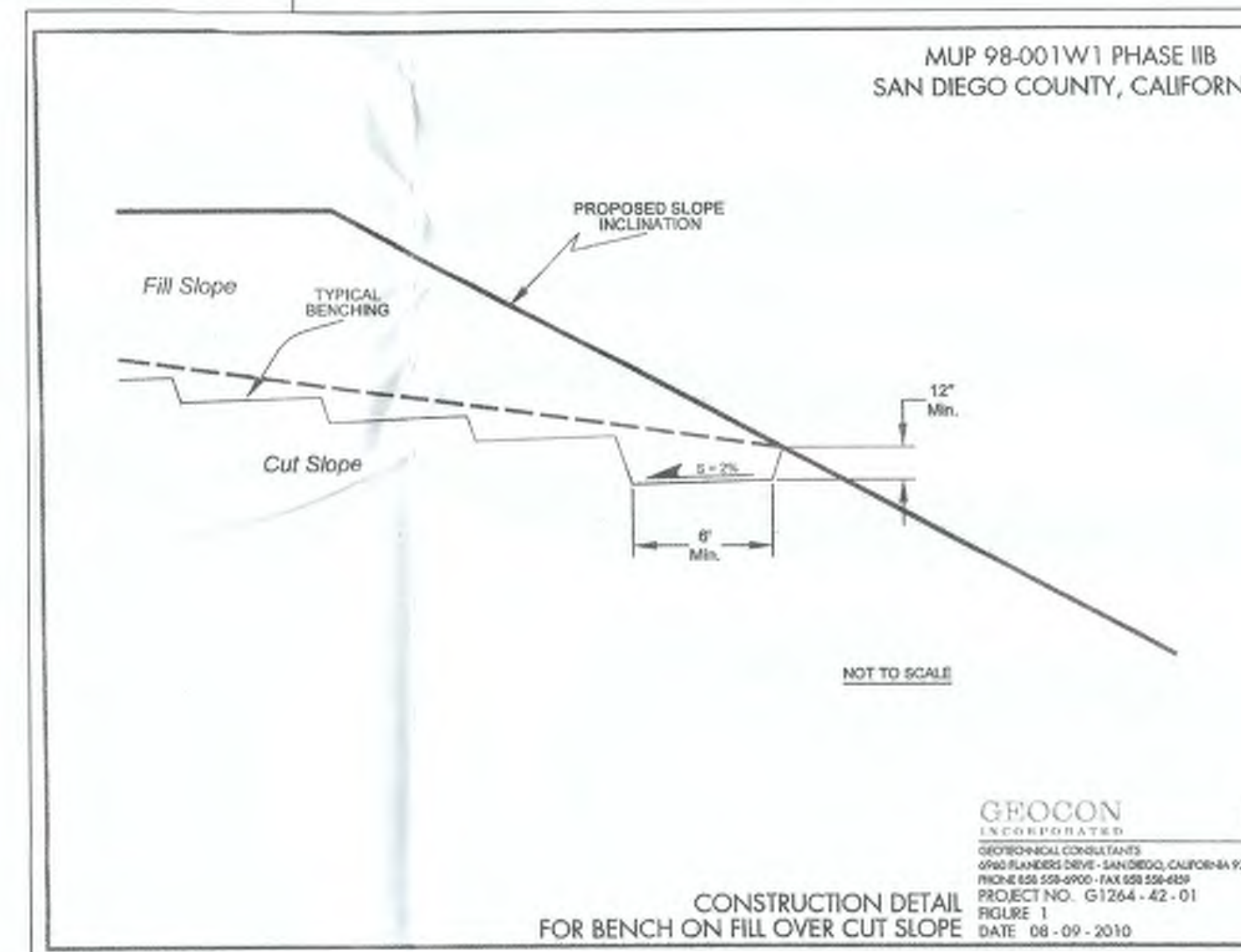


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6800 LAUREL DRIVE, SAN DIEGO, CALIFORNIA 92121-2974
PHONE 619 558-6900 FAX 619 558-6109



INTERNATIONAL INDUSTRIAL PARK
SAN DIEGO COUNTY, CALIFORNIA
DATE: 10-08-2008 PROJECT NO: G1152-42-01 FIG. 8



STEVENS-CRESTO ENGINEERING, INC.
CIVIL ENGINEERS - LAND PLANNERS - LAND SURVEYORS
9645 CHESTER AVE. SUITE 200
SAN DIEGO, CA 92123-1352
PHONE: 619 694 5660
FAX: 619 694 5661
www.StevensCresto.com

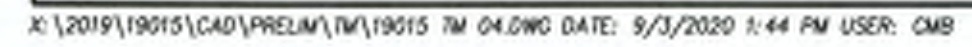
TENTATIVE MAP 5549

INTERNATIONAL INDUSTRIAL PARK

Date: 9/3/20

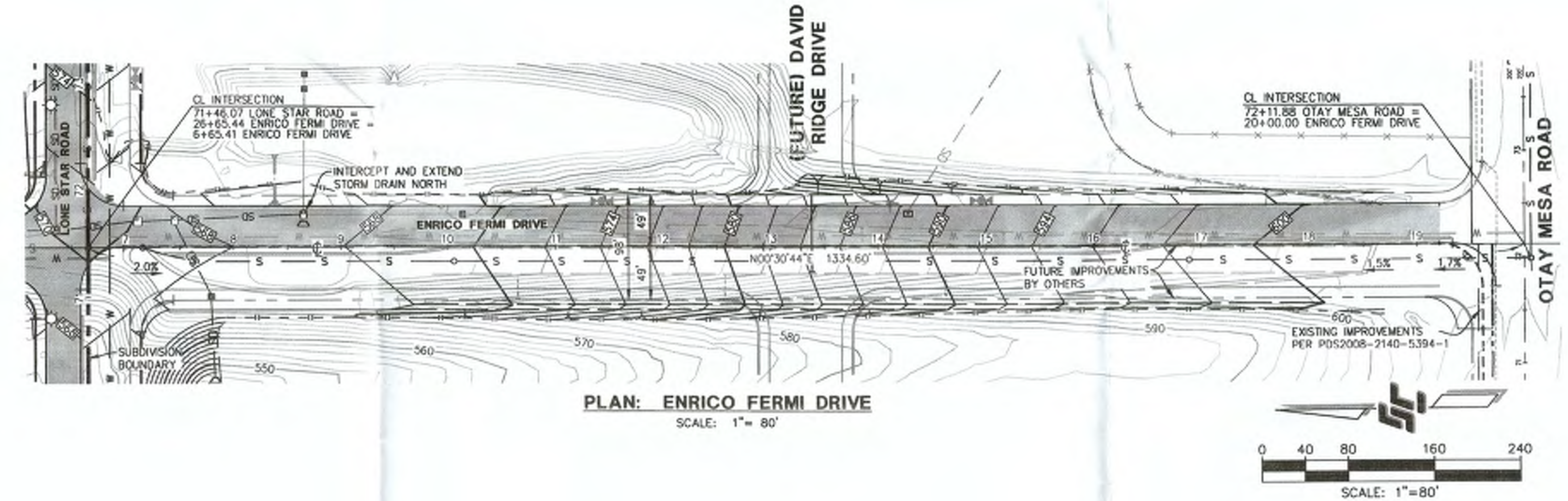
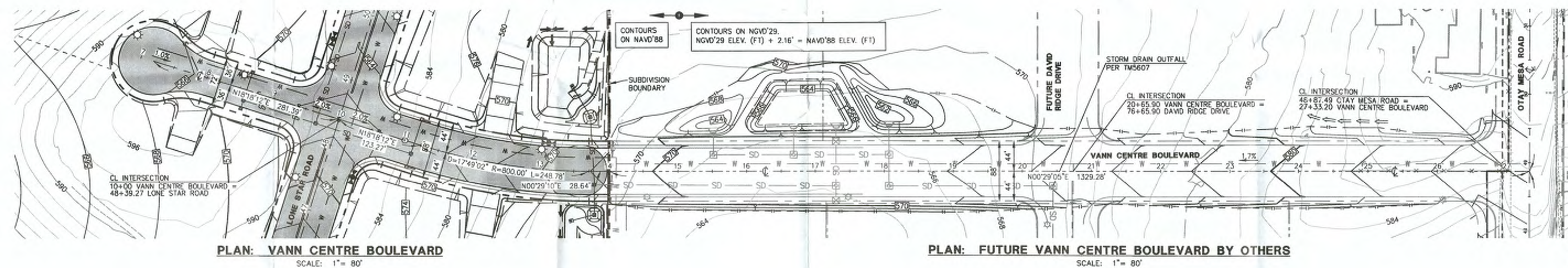
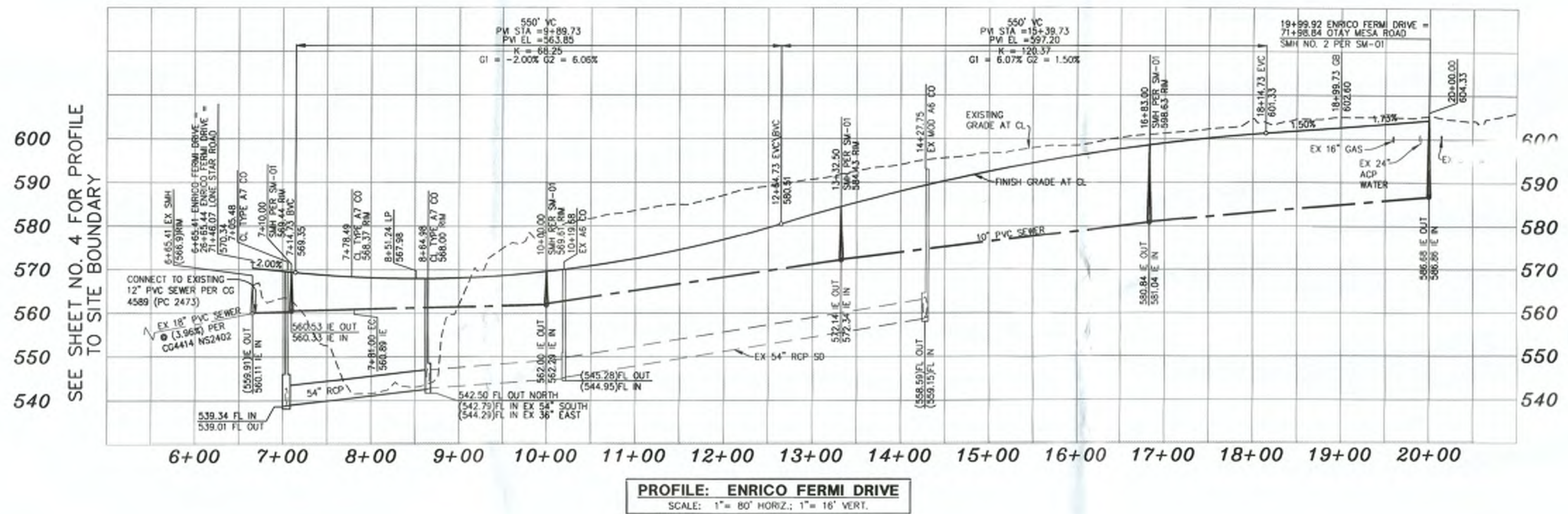
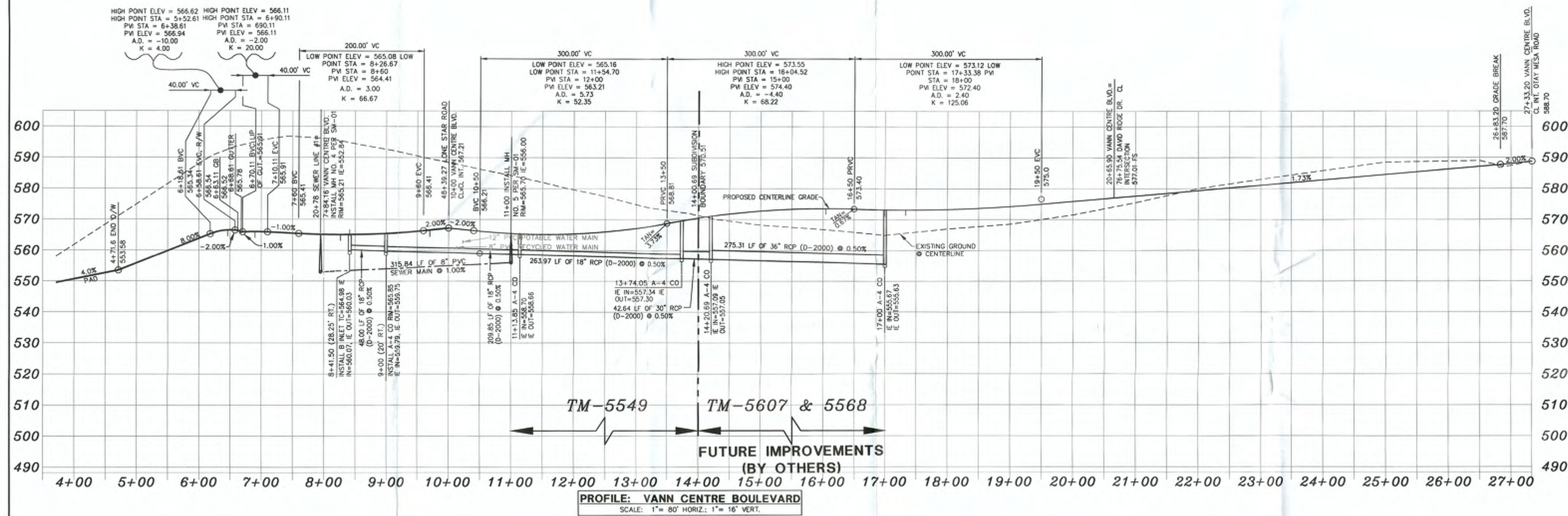
SHEET 3 OF 9

RECORD ID: PDS2008-3100-5549
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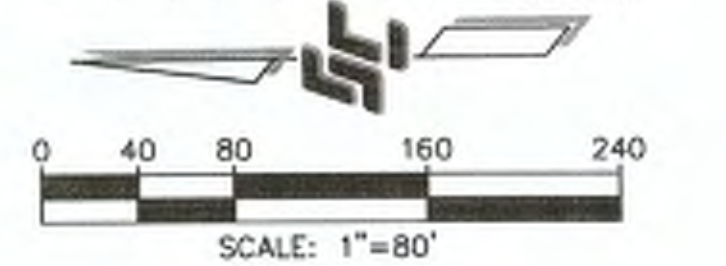
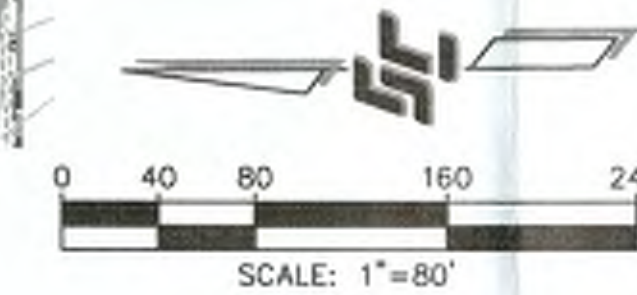


COUNTY OF SAN DIEGO TRACT TM-5549

INTERNATIONAL INDUSTRIAL PARK
OFFSITE ENRICO FERMI DR & OTAY MESA RD



NOTE
SEE SHEET 4 FOR STREET
TYPICAL SECTIONS



COUNTY OF SAN DIEGO TRACT TM-5549

INTERNATIONAL INDUSTRIAL PARK

STORM WATER BMP PLAN

LEGEND

EXISTING CONTOUR		PROPOSED PAD (100% IMPERVIOUS)	
PROPOSED CONTOUR		LANDSCAPE (PERVIOUS)	
PROPOSED STORM DRAIN		PROPOSED STREET/IMPERVIOUS SURFACE	
RUNOFF FLOW DIRECTION		EXISTING STREET, IMPERVIOUS SURFACE (RUN-ON)	
BIOFILTRATION/STORM WATER DETENTION FACILITY (FACILITIES WILL CONTAIN PLANTS TOLERANT OF SATURATED SOIL CONDITIONS)		SELF MITIGATING AREA	
DRAINAGE MANAGEMENT AREA BOUNDARY AND LABEL			

POST DEVELOPMENT DMA SUMMARY TABLE

DMA ID	AREA (SF)	TYPE
BF-1	80,340	80,340 SF PROPOSED STREET (IMPERVIOUS)
BF-2	16,630	16,630 SF PROPOSED PAD (IMPERVIOUS)
BF-3	2,520	2,520 SF PROPOSED PAD (IMPERVIOUS)
BF-4	3,090	3,090 SF PROPOSED PAD (IMPERVIOUS)
BF-5	24,880	24,880 SF PROPOSED PAD (IMPERVIOUS)
BF-6	1,740	1,740 SF PROPOSED PAD (IMPERVIOUS)
SM-1	38,860	38,860 SF SELF-MITIGATING
SM-2	485,740	485,740 SF SELF-MITIGATING
TOTAL	614,280	614,280 SF PROPOSED PAD (IMPERVIOUS)

CRITICAL COURSE SEDIMENT YIELD AREAS:

NO AREAS IDENTIFIED UPSTREAM, DOWNSTREAM, OR ON SITE CONTAIN CRITICAL COURSE SEDIMENT YIELD AREAS.

UNDERLYING HYDROLOGIC SOIL GROUP:

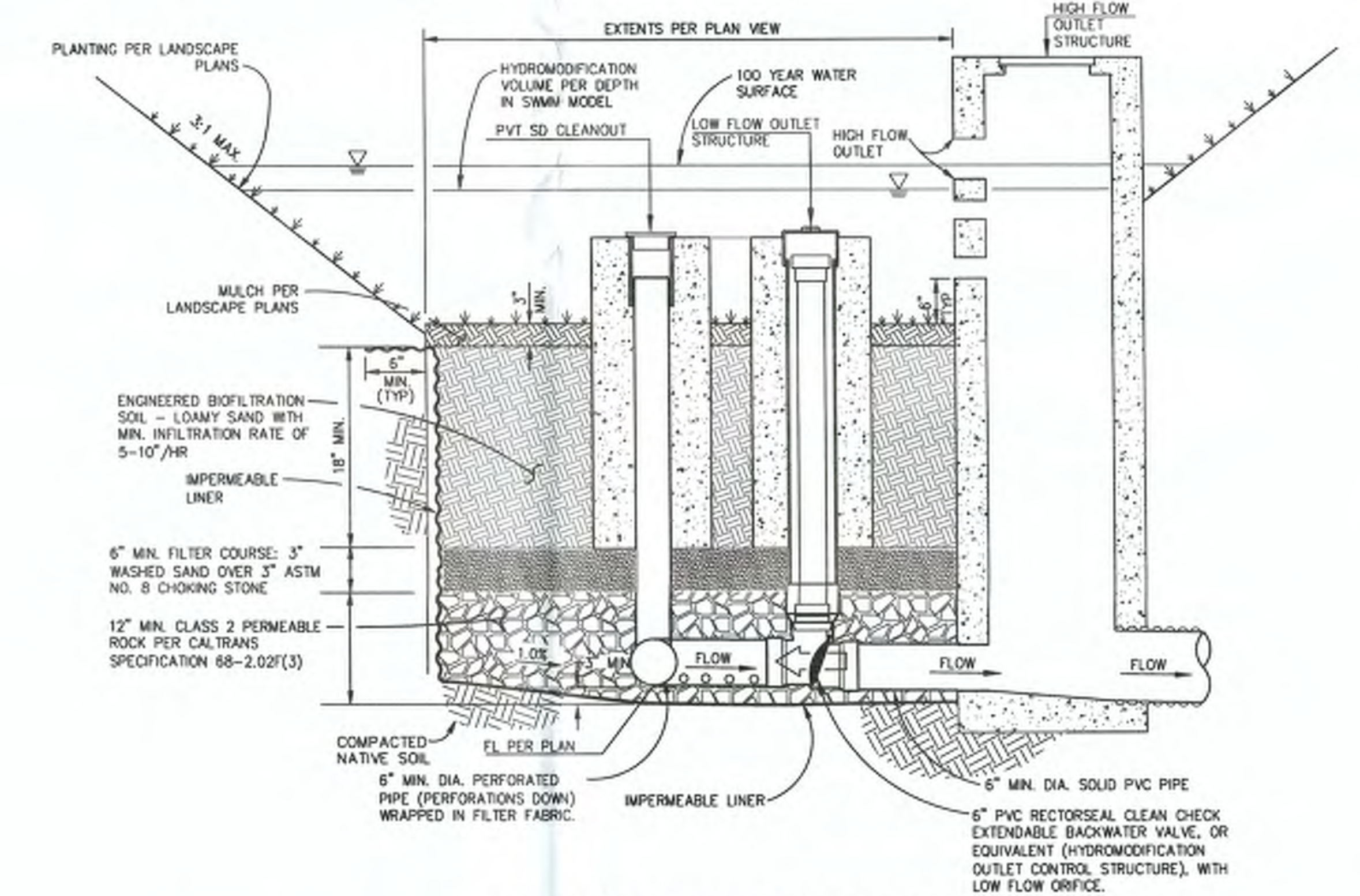
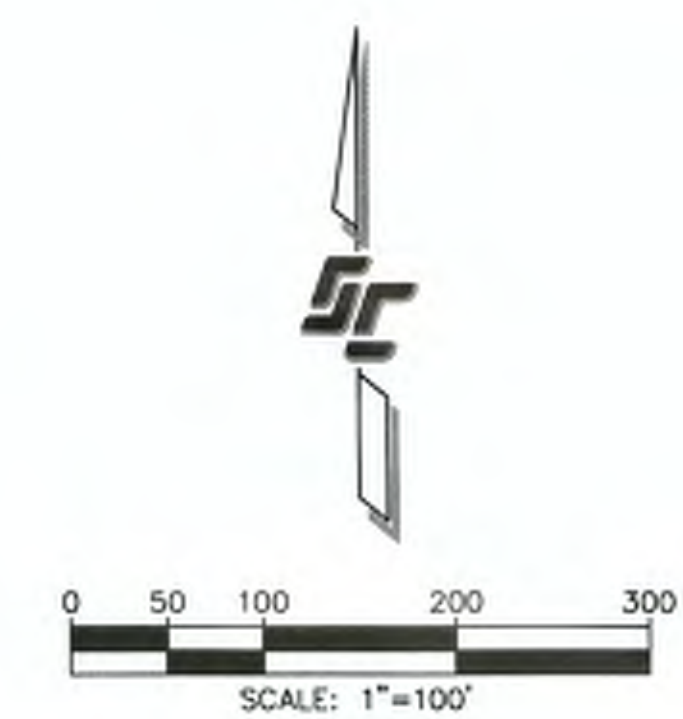
PER THE COUNTY HYDROLOGIC SOILS GROUP MAP, THE SITE IS DOMINATED BY HYDROLOGIC SOIL TYPE D. TYPE D SOILS HAVE VERY SLOW INFILTRATION RATES WHEN THOROUGHLY WETTED. AS SUCH, INFILTRATION BMPs ARE NOT PROPOSED TO BE USED AT THE SITE.

APPROXIMATE DEPTH TO GROUNDWATER:

GREATER THAN 20 FEET

SOURCE CONTROL AND SITE DESIGN BMP NOTES

- PROJECT WILL UTILIZE NATIVE AND DROUGHT TOLERANT PLANTS TO MINIMIZE THE USE OF FERTILIZERS AND PESTICIDES THAT CAN CONTRIBUTE TO STORM WATER POLLUTION. THE IRRIGATION SYSTEM WILL BE DESIGNED TO MINIMIZE WATER USE AND RUNOFF.
- THE PROJECT MINIMIZES SOILS COMPACTION BY RIPING AND LOOSENING THE TOP 12 INCHES OF SOILS IN ALL LANDSCAPED AREAS. SOIL AMENDMENTS WILL BE ADDED FOR THE LANDSCAPE PLAN.

**BIOFILTRATION PLANTER BF1 - BF6**

TENTATIVE MAP 5549

INTERNATIONAL INDUSTRIAL PARK

Date: 9/3/20

SHEET 6 OF 9

STEVENS + CRESTO ENGINEERING, INC.
 CIVIL ENGINEERS • LAND PLANNERS • LAND SURVEYORS
 1645 CHESAPEAKE DRIVE
 SUITE 200
 SAN DIEGO, CA 92121-1352

PHONE: 619.494.5640
 FAX: 619.494.5641
 www.StevensCresto.com

RECORD ID: PDS2008-3100-5549
 ENV. LOG NO. PDS2008-3910-9313006FF

POST DEVELOPMENT CONDITION

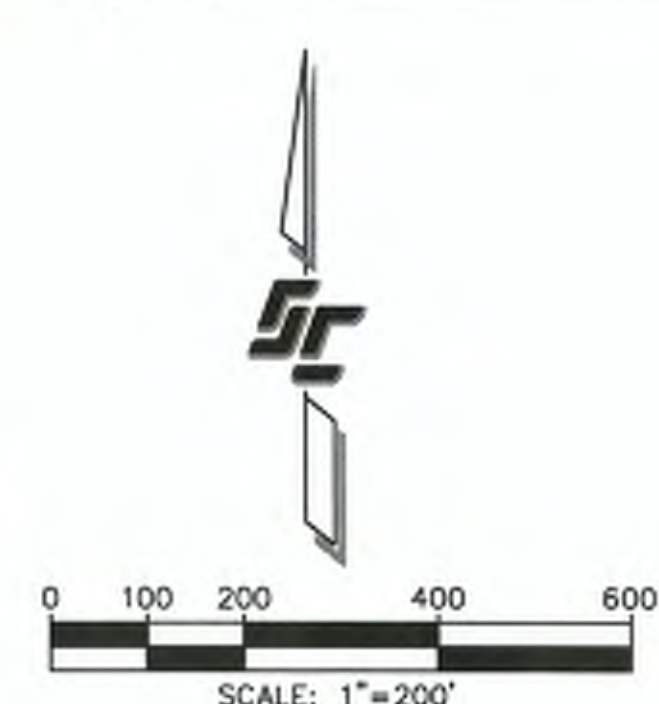
SCALE: 1"=100'

LEGEND

UNDEVELOPED (PERVIOUS, TYPE D SOILS)

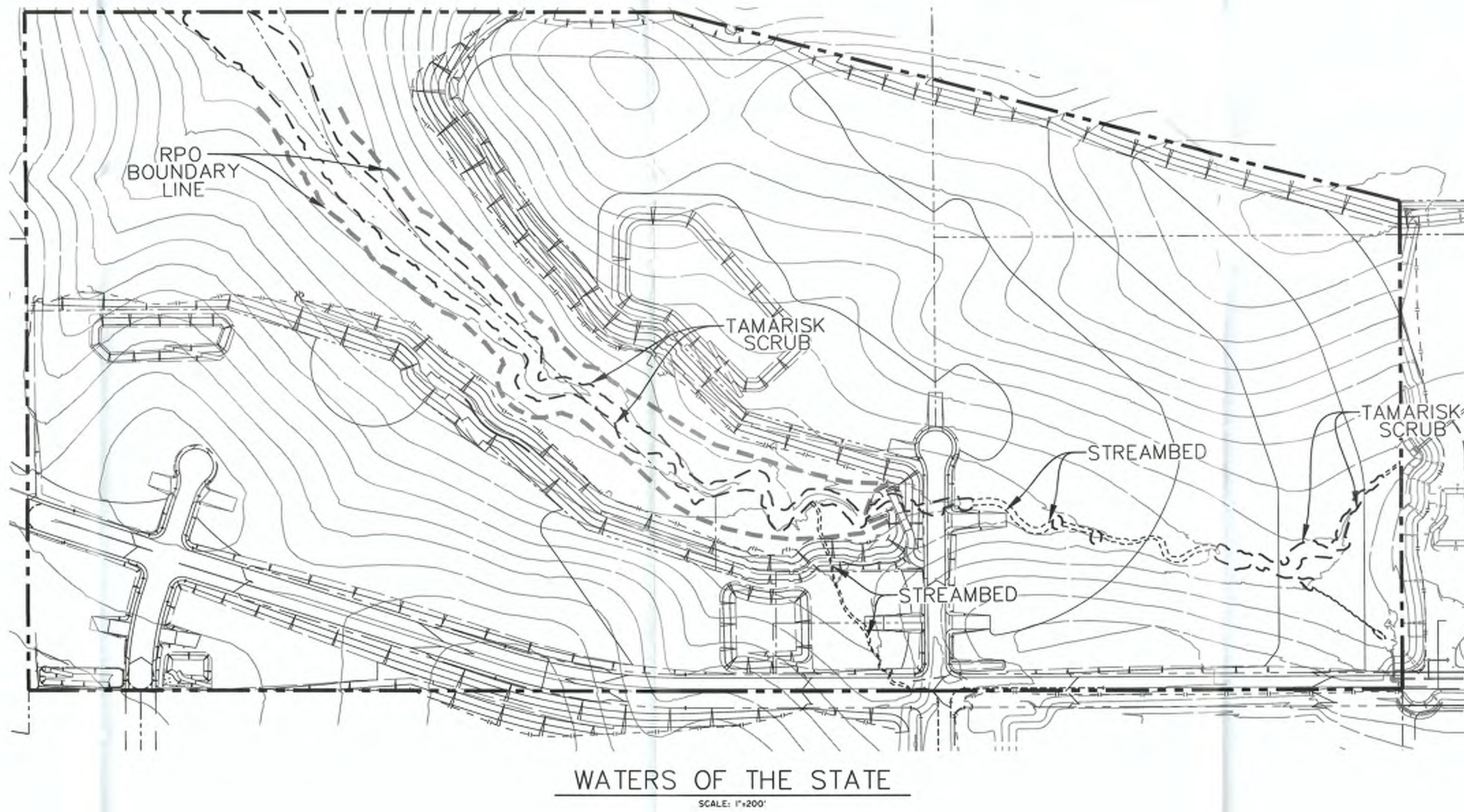
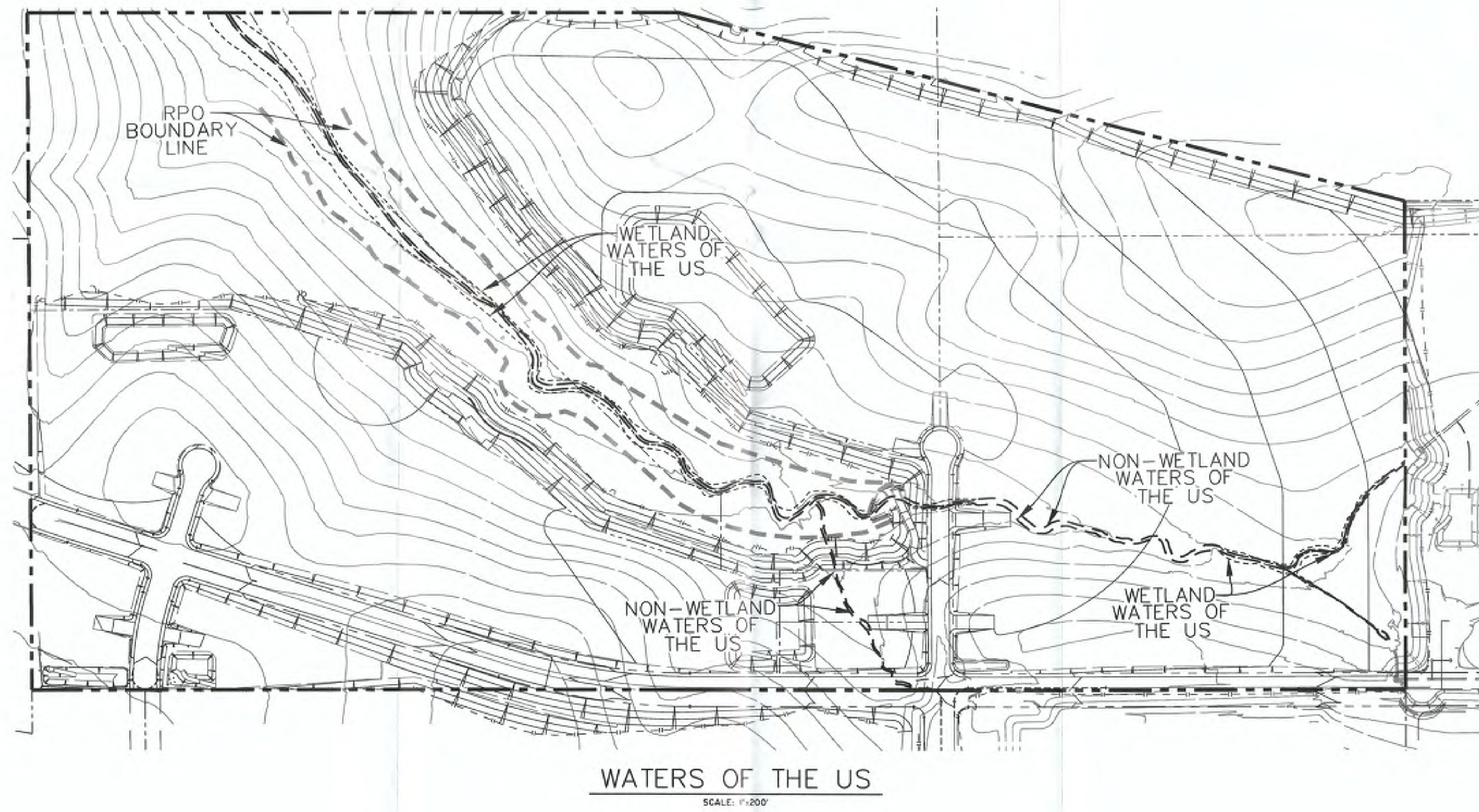
PRE-DEVELOPMENT DMA SUMMARY TABLE

AREA (SF)	TYPE
7,437,470	UNDEVELOPED (PERVIOUS, TYPE D SOILS)

**PRE-DEVELOPMENT CONDITION**

SCALE: 1"=200'

COUNTY OF SAN DIEGO TRACT TM-5549

INTERNATIONAL INDUSTRIAL PARK
JOHNSON CANYON CREEK FLOODWAY AND FLOODPLAIN

SC STEVENS + CRESTO ENGINEERING, INC.
CIVIL ENGINEERS • LAND PLANNERS • LAND SURVEYORS
1665 CHESAPEAKE DRIVE
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TENTATIVE MAP 5549

INTERNATIONAL INDUSTRIAL PARK

Date: 9/3/20

SHEET 7 OF 9

RECORD ID: PDS2008-3100-5549
ENV. LOG NO. PDS2008-3910-9313006FF

APPROVED
SEP 13 2020
PLANNING AND ENVIRONMENT

September 18, 2020

RESOLUTION OF SAN DIEGO COUNTY)
CONDITIONALLY APPROVING)
TENTATIVE MAP NO. PDS2008-3100-5549)

WHEREAS, Tentative Map No. PDS2008-3100-5549 proposing the division of property located at North of Lone Star Road, between Vann Centre Blvd and Alta Road and generally described as:

A portion of Section 30, Township 18 South, Range 1 East, S.B.M, & a portion of Section 25, T18S, R1W, S.B.M.

was filed with the County of San Diego pursuant to the Subdivision Map Act and San Diego County Subdivision Ordinance on February 1, 2008; and

WHEREAS, on September 18, 2020, 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, the Planning Commission of the County of San Diego has determined that the conditions hereinafter enumerated are necessary to ensure that the subdivision and the improvement thereof will comply with the Subdivision Map Act and conform to all ordinances, plans, rules, standards, and improvement and design requirements of San Diego County.

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

MAP EXPIRATION: The approval of this Tentative Map Expires Thirty-Six (36) Months after the date of the approval of this Resolution at 4:00 P.M. Unless, prior to that date, an application for a Time Extension has been filed as provided by [Section 81.313 of the County Subdivision Ordinance](#).

PRELIMINARY GRADING PLAN: The approval of this Tentative Map here by adopts the Preliminary Grading and Improvement Plan dated April 9, 2020 consisting of nine sheets pursuant to [Section 81.305 of the County Subdivision Ordinance](#). In accordance with the [Section 87.207 of the County Grading Ordinance](#), Environmental Mitigation Measures or other conditions of approval required and identified on this plan, shall be completed or implemented on the final engineering plan before any improvement or grading plan can be approved and any permit issued in reliance of the approved plan. Any Substantial deviation therefrom the Preliminary Grading and Improvement Plan may cause the need for further environmental review. Additionally, approval of the preliminary

plan does not constitute approval of a final engineering plan. A final engineering plan shall be approved pursuant to [County of San Diego Grading Ordinance \(Sec 87.701 et. al.\)](#)

APPROVAL OF MAP: THE FOLLOWING SPECIFIC CONDITIONS SHALL BE COMPLIED WITH BEFORE A FINAL MAP IS APPROVED BY THE BOARD OF SUPERVISORS AND FILED WITH THE COUNTY RECORDER OF SAN DIEGO COUNTY (AND, WHERE SPECIFICALLY, INDICATED, SHALL ALSO BE COMPLIED WITH PRIOR TO APPROVAL OF ANY PLANS, AND ISSUANCE OF ANY GRADING OR OTHER PERMITS AS SPECIFIED):

1-29. 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 sole exceptions to the aforementioned are:

A. County Subdivision Ordinance:

(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 LED light fixtures per County of San Diego Street Lighting Specifications dated April 2019.

(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 conditions apply to a private subsurface sewage disposal system. The project proposes a public sewer system.

(4) Standard Condition 27: Said condition states that the Final Map may not be filed as units or groups of units. The Final Map for this Tentative Map is proposed to be filed in three units.

~~B. County Public Road Standards:~~

~~(1) County Public Road Standards Section 4.5.I. requires a maximum 1,000 Average Daily Trips (ADT) for an Industrial/Commercial Cul-de-sac. The project will be allowed to exceed the maximum for Vann Centre Boulevard and Enrico Fermi Drive as approved by the Request for Design Exception to a Road Standard and/or Modification to Project Conditions dated June 18, 2012.~~

ANY PERMIT: (Prior to the approval of any plan, issuance of any permit, and prior to occupancy or use of the premises in reliance of this permit).

ALL UNITS: Conditions that apply to all Units (Units 1, 2, and 3) are listed after the conditions for the individual units.

UNIT 1: PRIOR TO APPROVAL OF FINAL MAP

The Final Map for this Tentative Map is to be filed in units. The order of the filing of Final Maps shall be sequential. The first Final Map to be filed shall be Unit 1, followed by Units 2, and 3. In addition, conditions that apply to all units (Units 1, 2, and 3) are listed in a separate section at the end, following the conditions for Unit 3.

30. 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 permit shall be paid. **DESCRIPTION OF REQUIREMENT:** The applicant shall pay off all existing deficit accounts associated with processing this permit. **DOCUMENTATION:** The applicant shall provide evidence to Planning & Development Services, Zoning Counter, which shows that all fees and trust account deficits have been paid. No permit can be issued if there are deficit trust accounts. **TIMING:** Prior to the approval of any plan and prior to the issuance of any permit and prior to use in reliance of this permit, all fees and trust account deficits shall be paid. **MONITORING:** The PDS Zoning Counter shall verify that all fees and trust account deficits have been paid.

31. GEN#2–FILING OF NOD

INTENT: In order to comply with CEQA and State law, the permit NOD shall be filed at the County Recorder's Office. **DESCRIPTION OF REQUIREMENT:** The applicant shall take the original NOD and required fees to the San Diego County Recorder's Office and file the document within five (5) days of permit approval and return a copy of the filed document to PDS. **DOCUMENTATION:** The filed NOD form. **TIMING:** Within the first five (5) days of the appeal period, the applicant/owner shall take the original NOD form and required filing fees to the San Diego County Recorder's Office and file the document. **MONITORING:** The PDS Zoning Counter shall verify that the NOD was filed and that a copy of the document is on file at PDS.

32. PLN#1–PLAN CONFORMANCE

INTENT: In order to implement the required mitigation measures for the project, the required Grading and Improvement Plans shall conform to the approved Conceptual Grading and Development Plan pursuant to Section 87.207 of the County Grading Ordinance. **DESCRIPTION OF REQUIREMENT:** The Grading and Improvement Plans shall conform to the approved Conceptual Grading and Development Plan, which includes all of the following mitigation measures: operation hours, avoidance areas, archaeological monitoring. All conditions, requirements, mitigation measures and information stated on the sheets of the plans shall be made conditions of the permit's issuance and shall be implemented pursuant to the adopted Mitigation Monitoring and Reporting Program (MMRP) of

this Permit. No deviation of the requirements can be made without modification of this permit. **DOCUMENTATION:** The applicant shall submit the grading plans and improvement plans, which conform to the conceptual development plan for the project. **TIMING:** Prior to approval of any grading or improvement plan and prior to issuance of any grading or construction permit, the notes and items shall be placed on the plans as required. **MONITORING:** The [DPW, ESU, DPR, TC, or PDS, BD for Minor Grading] 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.

33. ROADS#1–PUBLIC ROAD IMPROVEMENTS

INTENT: In order to promote orderly development and to comply with the [Subdivision Ordinance Sec. 81.404](#), the Community Trails Master Plan, and the East Otay Mesa Specific Plan, **Enrico Fermi Drive (SA 1105)** and **Lone Star Road (SC 2340)** shall be improved. **DESCRIPTION OF REQUIREMENT:**

- a. Improve or agree to improve and provide security for onsite **Enrico Fermi Drive (SA 1105)**, from Lone Star Road (SC 2340) northerly to the terminus at Lot 6 and 7, along the north side in accordance with Public Road Standards for an Industrial/Commercial ~~Collector Cul-de-sac~~ Road to a graded width of ~~eighty-eight~~ ~~seventy-six~~ feet (~~8876'~~) with ~~sixty-eight~~ ~~fifty-two~~ feet (~~6852'~~) of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and detached sidewalk with face of curb at ~~thirty-four~~ ~~twenty-six~~ feet (~~3426'~~) from centerline. The width of detached sidewalk shall be four feet (4') and the distance between face of curb and edge of sidewalk shall be three feet (3'). Provide transition for all widenings, tapers, and traffic striping to match existing pavement. ~~–If a Design Exception Request is processed to the satisfaction of DPW and PDS to allow an Industrial/Collector Cul-de-sac Road, then graded width and the improved width can be reduced in accordance with Public Road Standards for an Industrial/Commercial Cul-de-sac Road.~~ All of the above shall be to the satisfaction of the Director of Public Work/PDS.
- b. Improve or agree to improve and provide security for the northern half of **Lone Star Road (SC 2340)** from the eastern project boundary to the western limit of Unit 1, along the project frontage in accordance with Public Road Standards and the East Otay Mesa Specific Plan for 4.1A Major Road with Raised Median and Bike Lane to a graded width of forty-nine feet (49') with thirty-two feet (32') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and detached sidewalk with face of curb at thirty-nine feet (39') from centerline. The width of detached sidewalk shall be four feet (4') and the distance between face of curb and edge of sidewalk shall be three feet (3'). **Lone Star Road (SC 2340)** shall be planted with large-sized evergreen/or deciduous trees spaced every 30 feet and located 10 feet from the face of the curb. Provide transition for all

widenings, tapers, and traffic striping to match existing pavement. If **Lone Star Road (SC 2340)** is fully improved on the south side along APN 646-080-11 and 648-040-14, construct a fourteen-foot (14') wide raised median from the eastern project boundary to the western limit of Unit 1, with face of median curb at seven feet (7') from centerline. Median shall be paved with Sandstone colored concrete (Davis Sandstone or equivalent) and stamped with a Dry Creek Bed Pattern or similar. If a Design Exception Request is processed to the satisfaction of DPW and PDS and the median is replaced with striping, then that portion of this condition can be determined satisfied. All of the above shall be to the satisfaction of the Director of Public Works and Planning & Development Services.

NOTE: *If this road segment is previously constructed by Unit #2 or #3 and is in operation, this condition will be deemed satisfied.*

- c. **Enrico Fermi Drive (SA 1105)** shall terminate with a cul-de-sac graded to a radius of sixty feet (60') and surfaced to a radius of fifty feet (50') with asphalt concrete pavement over approved base with Portland cement concrete curb gutter and sidewalk/asphalt concrete dike with face of curb/dike at fifty feet (50') from the radius point.
- 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 Community Trails Master Plan. The improvements shall be completed within 24 months from the approval of the improvement plans, execution of the agreements, and acceptance of the securities.

DOCUMENTATION: The applicant shall complete the following:

- e. Process and obtain approval of Improvement Plans to improve **Enrico Fermi Drive (SA 1105)**, and **Lone Star Road (SC 2340)**.
- f. Provide Secured Agreement and post security in accordance with [Subdivision Ordinance Sec. 81.408](#).
- g. Upon approval of the plans, pay all applicable inspection fees/deposits with [DPW, PDC].
- h. 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.

TIMING: Prior to the recordation of the Final Map for Unit 1 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.

34. **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), Table 5, of the [County of San Diego Public Road Standards](#), an unobstructed sight distance shall be verified. **DESCRIPTION OF REQUIREMENT:**

- a. A Registered Civil Engineer or a Licensed Land Surveyor shall provide a certified signed statement: "I, _____ (C _____ or LS _____) certify that there is _____ feet of unobstructed intersectional sight distance in both directions along **Lone Star Road (SC 2340)** from the public road, **Enrico Fermi Drive (SA 1105)** measured in accordance with the methodology described in Section 6.1.(E), 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 shall provide a certified signed statement: "I, _____ (C _____ or LS _____) certify that there is _____ feet of unobstructed intersectional sight distance in both directions along **Enrico Fermi Drive (SA 1105)** from the public road, **Lone Star Road (SC 2340)** measured in accordance with the methodology described in Section 6.1.(E), 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. If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify that: "Said lines of sight fall within the existing right-of-way and a clear space easement is not required."

DOCUMENTATION: The applicant shall have a Registered Civil Engineer, or a Licensed Land Surveyor provide a signed statement as detailed above, and submit them to the [PDS, LDR] for review. **TIMING:** Prior to the approval of the Final Map for Unit 1, the sight distance shall be verified. **MONITORING:** The [PDS, LDR] shall verify the sight distance certifications.

35. ROADS#3—ROAD DEDICATION (ONSITE)

INTENT: In order to promote orderly development and to comply with the [Subdivision Ordinance Sec. 81.402](#) and the East Otay Mesa Specific Plan, 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 total right-of-way width of ~~eighty-eight~~ ~~seventy-two~~ feet (~~88~~~~72~~') along the centerline of **Enrico Fermi Drive (SA 1105)**, from Lone Star Road (SC 2340) northerly to the terminus at Lot 6 and 7, in accordance with Public Road Standards for an Industrial/Commercial ~~Collector~~ ~~Cul-de-sac~~ Road, with thirty foot (30') radius corner rounding at the Lone Star Road (SC 2340) intersection, together with right to construct and maintain slopes and drainage facilities to the satisfaction of the Director of Planning and Development Services and DPW. If a Design Exception Request is processed to the satisfaction of DPW and PDS to allow an Industrial/Collector Cul-de-sac Road, then the dedication can be reduced in accordance with Public Road Standards for an Industrial/Commercial Cul-de-sac Road.
- 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-nine feet (49') from the ultimate centerline of **Lone Star Road (SC 2340)** from the eastern project boundary to the western limit of Unit 1, along the project frontage in accordance with Public Road Standards and the East Otay Mesa Specific Plan for 4.1A Major Road with Raised Median and Bike Lane together with right to construct and maintain slopes and drainage facilities to the satisfaction of the Director of PDS and DPW.
- c. Dedicate onsite a two foot (2') wide landscape easement along **Enrico Fermi Drive (SA 1105)** and **Lone Star Road (SC 2340)** within the landscaped building setback and adjacent to the parkway in order to provide adequate space for street trees in accordance with the [East Otay Mesa Business Park Specific Plan](#).
- d. The dedication shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required, and shall be accepted for public use. The affected utility company/district shall enter into a joint use agreement with the County of San Diego to the satisfaction of the Director of PDS.

DOCUMENTATION: The applicant shall dedicate the easement on the map and show it as Accepted. **TIMING:** Prior to the recordation of the Final Map for Unit 1 the onsite dedication shall be provided for roads with the recordation of the unit the road is within, abuts or provides access to. **MONITORING:** The [PDS, LDR] shall verify that the dedication is indicated on the map and Accepted by the County.

36. **ROADS#4–RELINQUISH ACCESS**

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

- a. Relinquish access rights in and to ***Lone Star Road (SC 2340)*** along the project frontage except for the opening for Enrico Fermi Drive (SA 1105) as shown on the approved Tentative Map.
- b. Relinquish access rights in and to ***Enrico Fermi Drive (SA 1105)*** along the project frontage except for the driveway access openings as shown on the approved Tentative Map.
- c. 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 show the Relinquishment on the Final Map for Unit 1. **TIMING:** Concurrently with the approval of the Final Map for Unit 1, the access shall be relinquished. **MONITORING:** The applicant shall show the relinquishment of access rights on the Final Map for Unit 1 and forward a copy to [PDS, LDR] for preapproval. The [PDS, LDR] shall review the Final Map for Unit 1 for compliance with this condition.

37. **BIO#1–BIOLOGICAL EASEMENT [PDS, FEE X 2]**

INTENT: In order to protect sensitive biological resources, pursuant to the County's Guidelines for Determining Significance for Biological Resources, a biological open space easement shall be granted. **DESCRIPTION OF REQUIREMENT:** Grant to the County of San Diego and the California Department of Fish & Wildlife by separate document, an open space easement, or grant to the California Department of Fish & Wildlife a conservation easement, as shown on the approved Tentative Map. This easement is for the protection of biological resources and prohibits all of the following on any portion of the land subject to said easement: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than as open space. Granting of this open space authorizes the County and its agents to periodically access the land to perform management and monitoring activities for the purposes of species and habitat conservation. The only exception(s) to this prohibition are:

1. Selective clearing of vegetation by hand to the extent required by written order of the fire authorities for the express purpose of reducing 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 revegetation or habitat management plan approved by the Director of PDS, DPR and DPW.
3. 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 show the easement on the Final Map with the appropriate granting language on the title sheet concurrent with the Final Map review. **TIMING:** Prior to the approval of the map and prior to the approval of any plan and issuance of any permit, the easements shall be executed and recorded.

MONITORING: 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.

38. **BIO#2-LBZ EASEMENT [PDS, FEEX 2]**

INTENT: In order to protect sensitive biological resources, pursuant to the County's Guidelines for Determining Significance for Biological Resources, a Limited Building Zone (LBZ) Easement 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 Tentative Map. The purpose of this easement is to limit the need to clear or modify vegetation for fire protection purposes within the adjacent biological open space easement and prohibit the construction or placement of any structure designed or intended for occupancy by humans or animals. The only exceptions to this prohibition are:

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

DOCUMENTATION: The applicant shall show the easement on the Final Map with the appropriate granting language on the title sheet concurrent with Final Map review. **TIMING:** Prior to the approval of the map and prior to the approval of any plan and issuance of any permit, the easements shall be recorded. **MONITORING:** 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.

39. BIO#3–MONETARY CONTRIBUTION [PDS, FEE X2]

INTENT: In order to mitigate for the impacts to non-native grassland, which is a sensitive biological resource pursuant to the Biological Mitigation Ordinance (BMO), a monetary contribution shall be provided. **DESCRIPTION OF REQUIREMENT:** The applicant shall provide a monetary contribution of \$1,567,421.68 to the Otay Mesa Grassland Mitigation Fund; Fund #6649, based on the cost of 101.86 acres of upland habitat credit at the Crestridge Conservation Bank. **DOCUMENTATION:** The applicant shall provide the monetary contribution and provide the evidence to the [PDS, PPD] for review and approval. It is recommended that the applicant submit the mitigation proposal to the [PDS, PPD], for a pre-approval. **TIMING:** Prior to the approval of the map and prior to the approval of any plan and issuance of any permit, the mitigation shall be completed. **MONITORING:** The [PDS, PPD] shall review the evidence of monetary contribution and confirm that the monetary contribution has been made.

40. BIO#4–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 shall be placed along the biological open space boundary as indicated on the approved Tentative Map for PDS2008-3100-5549. The signs must be corrosion resistant, a minimum of 6" x 9" in size, on posts not less than three (3) feet in height from the ground surface, and must state the following:

**Sensitive Environmental Resources
Area Restricted by Easement**

Entry without express written permission from the County of San Diego
is prohibited. To report a violation or for more information about easement
restrictions and exceptions contact the County of San Diego,
Planning & Development Services
Reference: PDS2008-3100-5549

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 map and prior to the approval of any plan and issuance of any permit, the open space signs shall be installed. **MONITORING:** The [PDS, PPD] shall review the photos and statement for compliance with this condition.

41. BIO#5–OPEN SPACE FENCING [PDS, FEE]

INTENT: In order to protect the proposed open space easement from entry, and disturbance, permanent fencing or walls shall be installed. **DESCRIPTION OF REQUIREMENT:** Open space fencing or walls shall be placed along the biological open space boundary as indicated on the approved Tentative Map for PDS2008-3100-5549. The fencing/walls design shall consist of heavy gauge three strand barbless wire fencing. **DOCUMENTATION:** The applicant shall install the fencing or walls 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 map and prior to the approval of any plan and issuance of any permit, the fencing or walls shall be placed. **MONITORING:** The [PDS, PPD] shall review the photos and statement for compliance with this condition.

42. **BIO#6–NON-NATIVE GRASSLAND REVEGETATION PLAN**

INTENT: In order to mitigate for the impacts to non-native grassland, which is a sensitive biological resource pursuant to the Biological Mitigation Ordinance (BMO), revegetation shall occur. **DESCRIPTION OF REQUIREMENT:** A Revegetation Plan, shall be prepared, which describes the 9.86 acres of non-native grassland revegetation occurring along the slopes of Johnson Canyon. The revegetation plan shall conform to the Conceptual TM 5549 Non-native Grassland Revegetation Plan dated May 21, 2020, and the most current version of the [County of San Diego Report Format and Content Requirements for Revegetation Plans](#). The Revegetation Plan shall include the following:

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

DOCUMENTATION: The applicant shall prepare the Revegetation Plan, submit it to the [PDS, ZONING] and pay all the applicable review fees and deposits. **TIMING:** Prior to the approval of any plan and issuance of any permit, the

Revegetation Plan shall be approved. **MONITORING:** The [PDS, LA] shall review the Revegetation Plan for conformance with this condition and the Report Format and Content Requirements for Revegetation Plans. Upon approval of the Plan, a Director's Decision of approval shall be issued to the applicant, and a request for compliance with condition Bio#7 shall be made to enter into a Secured Agreement for the implementation of the Plan.

43. BIO#7–SECURED AGREEMENT

INTENT: In order to assure project completion and success of the Revegetation Plan in condition Bio#6, a surety shall be provided, and an agreement shall be executed. **DESCRIPTION OF REQUIREMENT:** The applicant shall enter into a Secured Agreement with the County of San Diego as follows:

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

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

44. BIO#8–WETLAND MITIGATION REVEGETATION PLAN

INTENT: In order to mitigate for the impacts to waters of the U.S. (WUS) and waters of the State (WS) under the jurisdiction of the U.S. Army Corps of Engineers (USACE), the Regional Water Quality Control Board (RWQCB), CDFW, and the County, which are sensitive biological resources pursuant to the Biological Mitigation Ordinance (BMO), revegetation shall occur. **DESCRIPTION OF REQUIREMENT:** A Revegetation Plan, shall be prepared, which mitigates impacts

to waters of the U.S. (WUS), waters of the State (WS), and RPO wetlands. The revegetation shall occur in the upper end of Johnson Canyon. The revegetation plan shall conform to the Conceptual TM 5549 and TPM 21140 Wetland Habitat Mitigation Plan dated March 2, 2020, and the most current version of the [County of San Diego Report Format and Content Requirements for Revegetation Plans](#).

The Revegetation Plan shall include the following:

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

DOCUMENTATION: The applicant shall prepare the Revegetation Plan, submit it to the [PDS, ZONING] and pay all the applicable review fees and deposits.

TIMING: Prior to the approval of any plan and issuance of any permit, the Revegetation Plan shall be approved. **MONITORING:** The [PDS, LA] shall review the Revegetation Plan for conformance with this condition and the Report Format and Content Requirements for Revegetation Plans. Upon approval of the Plan, a Director's Decision of approval shall be issued to the applicant, and a request for compliance with condition Bio#9 shall be made to enter into a Secured Agreement for the implementation of the Plan.

45. **BIO#9—SECURED AGREEMENT**

INTENT: In order to assure project completion and success of the Revegetation Plan in condition Bio#8, a surety shall be provided and an agreement shall be executed. **DESCRIPTION OF REQUIREMENT:** The applicant shall enter into a Secured Agreement with the County of San Diego as follows:

- a. The security shall consist of a letter of credit, bond, or cash for 100 percent of the estimated costs associated with the implementation of the Revegetation Plan and,
- b. Provide a 10 percent cash deposit of the cost of all improvements, but no less than \$3,000 and no more than \$30,000.

- c. The monitoring time and the length of time the Secured Agreement and cash deposit will be in effect starts at the time the installation is accepted by a County staff representative. The Secured Agreement and cash deposit shall be released upon completion of the Revegetation Plan implementation provided the installed vegetation is in a healthy condition and meets the 80 percent success criteria. Eighty- percent success rate and one hundred percent vegetative cover, excluding herbaceous species, shall be considered satisfactory completion of the Revegetation Plan.

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

46. **BIO#10–UPLAND HABITAT RESOURCE MANAGEMENT PLAN**

INTENT: In order to provide for the long-term management of the proposed five-acre open space preserve, a Resource Management Plan (RMP) shall be prepared and implemented. **DESCRIPTION OF REQUIREMENT:** Submit to and receive approval from the Director of PDS, an RMP. The RMP shall be for the perpetual management of non-native grassland. The RMP shall be consistent with the conceptual/draft RMP/HMP dated May 21, 2020 on file with PDS as Environmental Review Number PDS2020-ER-93-19-006ZZ0. The plan shall be prepared and approved pursuant to the most current version of the [County of San Diego Biological Report Format and Content Requirements](#). The final RMP cannot be approved until the following has been completed to the satisfaction of the Director of PDS and in cases where DPR has agreed to be the owner and/or manager, to the satisfaction of the Director of DPR.

- a. The plan shall be prepared and approved pursuant to the most current version of the [County of San Diego Biological Report Format and Content Requirements](#).
- b. The habitat land to be managed shall be completely purchased.
- c. The easements shall be dedicated to ensure that the land is protected in perpetuity.
- d. A Resource Manager shall be selected and evidence provided by applicant as to the acceptance of this responsibility by the proposed Resource Manager.
- e. The RMP funding mechanism shall be identified and approved by the County to fund annual costs for basic stewardship.

- f. A contract between applicant and County shall be executed for the implementation of the RMP.

DOCUMENTATION: The applicant shall prepare the RMP and submit it to the [PDS, ZONING] and pay all applicable review fees. **TIMING:** Prior to the approval of the 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.

47. **BIO#11–WETLAND RESOURCE MANAGEMENT PLAN**

INTENT: In order to provide for the long-term management of the wetland mitigation area, a Resource Management Plan (RMP) shall be prepared and implemented. **DESCRIPTION OF REQUIREMENT:** Submit to and receive approval from the Director of PDS, an RMP. The RMP shall be for the perpetual management of the wetland mitigation area. The RMP shall be consistent with the Conceptual Wetland Habitat Resource Management Plan for the TM 5549 and TPM 21140 Projects dated March 7, 2019 on file with PDS as Environmental Review Number PDS2020-ER-93-19-006ZZ0. The plan shall be prepared and approved pursuant to the most current version of the [County of San Diego Biological Report Format and Content Requirements](#). The final RMP cannot be approved until the following has been completed to the satisfaction of the Director of PDS and in cases where DPR has agreed to be the owner and/or manager, to the satisfaction of the Director of DPR.

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

DOCUMENTATION: The applicant shall prepare the RMP and submit it to the [PDS, ZONING] and pay all applicable review fees. **TIMING:** Prior to the approval of the 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.

48. **BIO#12–WETLAND PERMITS: [PDS, FEE X2]**

INTENT: In order to comply with the State and Federal Regulations for jurisdictional features, 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:

- a. 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.
- b. A Section 1602 Streambed Alteration Agreement issued by the California Department of Fish and Wildlife for all project related disturbances of any streambed.

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 map and prior to the approval of any plan and issuance of any permit, the permits shall be obtained. **MONITORING:** The [PDS, PPD] 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.

49. **CULT#1 - DATA RECOVERY AND INDEX SAMPLING PLAN – CA-SDI-10071**

INTENT: In order to mitigate for potential impacts to significant cultural resources that cannot be feasibly avoided or preserved in place, pursuant to Section 15064.5 of the California Environmental Quality Act (CEQA), which are not subject to Section 86.602.o of the Resource Protection Ordinance (RPO), a data recovery and index sampling plan shall be implemented. **DESCRIPTION OF REQUIREMENT:** Implement the research design detailed in the archaeological extended study *Cultural Resources Survey and Test Report for the TM 5549 Project* (Appendix H) prepared by Dennis Gallegos (October 2012). The implementation of the research design constitutes mitigation for the proposed destruction of portions of CA-SDI-10071. The data recovery program shall include the following:

- A. Phase I and Phase II:** The Data Recovery and Index Sampling Plan shall comply with the research design and performance standards that are in Appendix H of the cultural study titled, *Cultural Resources Survey and Test Report for the TM 5549 Project* prepared by Dennis Gallegos (October 2012).
- B. Phase I & Phase II:** For artifacts found during the Phase I and Phase II data recovery, conduct an artifact analysis, which includes the following: lithics, ceramics, faunal, floral, and assemblage analysis as referenced in the Data Recovery Work Plan (Appendix H). All identified features shall be 50 to 100 percent exposed and analyzed. Column samples shall be excavated for the collection of soil samples for pollen and phytolith analysis and flotation shall be conducted for the collection of plant seeds. Specialized studies shall be conducted after the initial sorting and cataloguing of cultural materials and may

include lithic, groundstone, ceramic, shell obsidian hydration and sourcing, and radiocarbon dating.

Historical artifacts shall be identified and analyzed using historical archaeological analytical techniques such as artifact function patterning, bottled products pattern analysis and ceramic economic indexing. Additional historic research shall be conducted as necessary to aid in analyzing and explaining the significance of patterns.

C. Artifact Conveyance: All Native American cultural materials recovered during the survey, significance testing, pre-grade, and data recovery phases, shall be submitted to a San Diego curation facility or a culturally affiliated Native American Tribal curation facility that meets federal standards per 36 CFR Part 79, 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.

All historic archaeological materials recovered during the survey, significance testing, and data recovery phases, shall be curated at a San Diego facility that meets federal standards per 36 CFR Part 79. The collections and associated records shall be transferred, including title, to an appropriate curation facility within San Diego County, to be accompanied by payment of the fees necessary for permanent curation.

DOCUMENTATION: Upon completion of the Phase I and Phase II data recovery referenced above, the applicant shall submit a letter report to the [PDS, PPD] identifying that data recovery field work has been completed for review and approval. **TIMING:** Prior to the approval of any plan, issuance of any permit and prior to approval of any map, the field activities associated with the data recovery program shall be completed. **MONITORING:** The [PDS, PPD] shall review the letter report for compliance with this condition.

50. CULT#2 - PRE-GRADE AND DATA RECOVERY – CA-SDI-10070

INTENT: In order to mitigate for potential impacts to buried resources associated with CA-SDI-10070, a pre-grade data recovery program shall be implemented.

DESCRIPTION OF REQUIREMENT: Implement the research design detailed in the archaeological extended study (Section 9.0 – List of Mitigation Measures and Design Features) prepared by Dennis Gallegos (October 2012). The implementation of the pre-grade and data recovery program constitutes mitigation for impacts to buried resources associated with CA-SDI-10070. The pre-grade and data recovery program shall include the following:

- a. **Phase I:** Implement a combination of controlled 1x1 meter excavation units and backhoe excavation followed by the screening of soils. Upon completion of Phase I, a full technical or letter report shall be prepared (dependent upon findings) evaluating the issues of site integrity, data redundancy, spatial and temporal patterning, features, and other relevant topics in order to assess the adequacy of the initial pre-grade work. The report shall make a recommendation regarding the need for and scope of a second phase of field investigations. If no artifacts or features are identified, then a Phase II Pre-grade Program will not be required.
- b. **Phase II:** A Phase II Pre-Grade Program shall be implemented if intact deposits, features, or areas are found that will contribute to the research questions identified in the cultural study prepared by Dennis Gallegos (October 2012).
- c. **Artifact Analysis:** For artifacts found during the Phase I and Phase II data recovery, conduct an artifact analysis, which includes the following: lithics, ceramics, faunal, floral, and assemblage analysis as referenced in the Data Recovery Work Plan (Appendix H). All identified features shall be 50 to 100 percent exposed and analyzed. Column samples shall be excavated for the collection of soil samples for pollen and phytolith analysis and flotation shall be conducted for the collection of plant seeds. Specialized studies shall be conducted after the initial sorting and cataloguing of cultural materials and may include lithic, groundstone, ceramic, shell obsidian hydration and sourcing, and radiocarbon dating.

Historical artifacts shall be identified and analyzed using historical archaeological analytical techniques such as artifact function patterning, bottled products pattern analysis and ceramic economic indexing. Additional historic research shall be conducted as necessary to aid in analyzing and explaining the significance of patterns.

- d. **Artifact Conveyance:** All Native American cultural materials recovered during the survey, significance testing, pre-grade, and data recovery phases, shall be submitted to a San Diego curation facility or a culturally affiliated Native American Tribal curation facility that meets federal standards per 36 CFR Part 79, 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.

All historic archaeological materials recovered during the survey, significance testing, and data recovery phases, shall be curated at a San Diego facility that meets federal standards per 36 CFR Part 79. The collections and associated records shall be transferred, including title, to an appropriate curation facility within San Diego County, to be accompanied by payment of the fees necessary for permanent curation.

DOCUMENTATION: Upon completion of the pre-grade and data recovery phase referenced above, the applicant shall submit a final report to [PDS, PPD]. The final report shall include a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid. **TIMING:** Prior to the approval of any plan, issuance of any permit and prior to approval of the final map, the pre-grade and data recovery program shall be completed. **MONITORING:** The [PDS, PPD] shall review the final pre-grade and data recovery program report for compliance with this condition.

51. CULT#3 - 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:

- a. The Project Archaeologist shall perform the monitoring duties before, during and after construction pursuant to the most current version of the County of

San Diego Guidelines for Determining Significance and Report Format and Requirements for Cultural Resources. 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.

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

DOCUMENTATION: The applicant shall provide a copy of the Archaeological Monitoring Contract or letter of acceptance, cost estimate, and MOU to [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.

52. FIRE#1 – FIRE PROTECTION PLAN

INTENT: The map shall comply with the fire requirements from the fire protection plan as shown on the map and the grading plan pursuant to the 2020 San Diego County Consolidated Fire Code. **DESCRIPTION OF REQUIREMENT:** The following requirements shall be included on the map: all structures shall met the ignition resistant building requirements, adequate access to each lot, the required limited building zones, and all other requirements as required in the April 20, 2012 Fire Protection Plan with the June 23, 2020 Addendum. **DOCUMENTATION:** The applicant shall include the fire requirements on the map and grading plan and obtain a letter of approval from the San Diego Fire Authority. **TIMING:** Prior to recordation of the final map, the applicant shall obtain a letter from the San Diego Fire Authority stating that the above requirements have been satisfied. **MONITORING:** The fire requirements shall be checked by the building inspector prior to occupancy of each building and annual inspections may occur (fuel modification) by the Fire District.

53. LNDSCP#1–LANDSCAPE DOCUMENTATION PACKAGE

INTENT: In order to provide adequate Landscaping that addresses screening and streetscapes, and to comply with the East Otay Mesa Business Park Specific Plan (EOMBSP), 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 most current version of the COSD Water Conservation in Landscaping Ordinance (10675), the COSD Grading Ordinance, and the requirements of the East Otay Mesa Business Park Specific Plan. All Plans shall be prepared by a California licensed Landscape Architect, Architect, or Civil Engineer, and include the following information:

- a. Indication of the proposed width of any adjacent public right-of-way, and the locations of any required improvements including all parkway planting as required by the Public Landscaping section (2.3.7) within Chapter 2 of the EOMBSP and any proposed plant materials to be installed or planted therein. The applicant shall also obtain an Encroachment Maintenance and Removal Agreement for any and all proposed landscaping within the public right-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. All Streetscape and Major Intersection plantings shall be per Appendix 1, Streetscape Plant List within the EOMBSP. Clearance Zones and the use of root barriers (per Section's 2.3.9 and 2.3.10 of the EOMBSP) shall also be established as identified within the Public Landscaping Section.
- b. 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. All applicable Site Planning Standards (Table 3.2-1) and Landscaping Standards (Table 3.2-2) as required within Chapter 3 of the EOMBSP, including Building Setback Landscaping for all Circulation Element and Specific Plan roads shall be addressed within the Landscape Documentation Package.
- c. 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.
- d. 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.
- e. Spot elevations of the hardscape, building and proposed fine grading of the installed landscape.
- f. The location and detail of all walls, fences, pathways, and walkways shall be shown on the plans, including height from grade and type of material. Along the north side of Lone Star Road, from the boundary with the Otay 250 project, east to Vann Centre Boulevard, a 10-foot decomposed granite pathway shall be provided as identified in Section 2.3.7 (Gateway Roads, Major) of the EOMBSP. Parkway planting shall be provided on the north side of this

pathway. 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.

- g. No landscaping material or irrigation or other infrastructure shall be located within a proposed trail easement or designated pathway.
- h. Additionally, the following items shall be addressed as part of the Landscape Documentation Package: A mandatory dedication of the 2' Landscape Easement along Lone Star Road, Vann Centre Blvd., and Enrico Fermi Drive shall include the County's right to convey the easements to any future Landscape Maintenance District formed within the Specific Plan area. Confirmation of the easements being dedicated to the County shall be provided prior to final approval of the Landscape Documentation Package for each phase.
- j. Project landscaping shall not include species known to invade San Diego natural habitat, or species ranked as 'High' in the California Invasive Plant Council Inventory (<https://www.cal-ipc.org/plants/inventory/>).
- k. All planting adjacent to the Open Space Easement Lot, the Major Amendment Area, the proposed Open Space Easement, and the Resource Protection Ordinance boundary line shall be typical to that habitat type and not include any ornamental plantings.
- l. All storm water basins, including the toe of slopes shall be equipped with soil moisture probes/sensors as required by Section 86.709 (i) of the Water Conservation in Landscaping Ordinance. Coordinate with standing water elevation for biofiltration basins with civil engineer.
- m. All trees shall be irrigated independently of other surrounding vegetation per Section 86.709 (h) of the Water Conservation in Landscaping Ordinance.
- n. All planting shall be compliant with the Defensible Space and Vegetation Management sections of the most current version of the projects' Fire Protection Plan and those same sections within the 2020 Consolidated Fire Code. Show location and dimensions of all applicable Fuel Modification Zones.
- o. Water budget calculations shall be compliant with Section 86.712 (Maximum Applied Water Allowance) and 86.713 (Estimated Total Water Use) of the Water Conservation in Landscaping Ordinance (10675) and the Water Efficient Landscape Worksheet.
- p. All landscaping within storm water basins and adjacent to area storm drains shall not contain any invasive or fire prone vegetation.
- q. All manufactured slopes shall be planted per the requirements of the County's Grading Ordinance in addition to the minimum standards within Table 3.2-2 of the EOMBSP.
- r. All storm water basins shall contain a minimum of 3" of non-floating mulch.
- s. Provide construction details of median tree planting basins, tree grates, irrigation, and concrete color and texture per the requirements within Section 2.3.7 (Public Landscaping) of the EOMBSP. Provide specifications and notes as needed, including soil mix.

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 approval of any plan, issuance of any permit, and prior to use of the premises in reliance of this permit, 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.

54. NOISE#1 – TEMPORARY CONSTRUCTION NOISE: [DPW, PDCI].

INTENT: In order to minimize temporary construction noise for grading operations associated with the project subdivision and to comply with County Noise Ordinance 36.409. **DESCRIPTION OF REQUIREMENT:** The project shall comply with the following temporary construction noise control measures:

- a. Turn off equipment when not in use.
- b. Equipment used in construction should be maintained in proper operating condition, and all loads should be properly secured, to prevent rattling and banging.
- c. Use equipment with effective mufflers.
- d. Ensure that when feasible, electrical power shall be used to run air compressors and similar power tools.
- e. Minimize the use of back up alarm.
- f. Equipment staging areas should be placed at locations away from noise sensitive receivers.
- g. Noise attenuation techniques shall be employed as needed to ensure that noise levels remain below 75 dBA Leq at existing noise sensitive land uses. This step shall apply to all construction activity on and off the proposed project site.
- h. If clearing, grubbing, and grading activities are proposed during the period of February 1 to August 31 of any year, and the Biological Monitor has determined that there are sensitive bird nests that may be affected by the construction activity noise levels, the following recommendations would apply:
 - a. If the construction noise levels at the nest sites during the breeding season are anticipated to exceed the 60 dBA Leq or ambient condition, whichever is higher, noise attenuation measures including, but not limited to, noise barriers and noise reducing features on construction equipment shall be implemented as necessary to maintain construction noise at acceptable levels at nest sites.

DOCUMENTATION: The applicant shall comply with the temporary construction noise measures of this condition. **TIMING:** The following actions shall occur throughout the duration of the grading construction. **MONITORING:** The [DPW, PDC] shall make sure that the grading contractor complies with the construction noise control measures of this condition. The [DPW, PDC] shall contact the [PDS, PCC] if the applicant fails to comply with this condition.

55. TRAILS#1–TRAIL EASEMENT

INTENT: In order to promote orderly development by providing a trail connection pursuant to the County of San Diego General Plan, Community Master Trails Plan, East Otay Mesa Specific Plan, and to comply with the County Subdivision Ordinance Sections 81.401(n) and 81.402.v, the applicant shall identify the current alignment of existing water pipes owned by the Otay Water District within the proposed trail easement alignment. **DESCRIPTION OF REQUIREMENT:** The applicant shall identify the existing location of water pipes located within Otay Water Districts thirty-foot (30') easement (86-092509) and the twenty-foot (20') easement (171343) to the west. **DOCUMENTATION:** The applicant shall show the location of the existing water lines on the non-title sheet of the map clearly identified as "approximate location of existing (insert facility description here)". **TIMING:** Prior to the satisfaction of Trail Conditions 2, 3 and 4, the applicant shall submit the location of these facilities to the Department of Planning and Development Services, Otay Water District, and the State of California (Donovan State Prison) for approval. **MONITORING:** [PDS, LDR] shall route the Final Map to [DPR, TC] and [PDS, TC] for preapproval and acceptance prior to map recordation. [PDS, LDR] shall satisfy the condition after recordation.

56. TRAILS#2–TRAIL EASEMENT (Applicant)

INTENT: In order to promote orderly development by providing a trail connection pursuant to the County of San Diego General Plan, Community Master Trails Plan, East Otay Mesa Specific Plan, and to comply with the County Subdivision Ordinance Sections 81.401(n) and 81.402.v, the applicant shall dedicate a public non-motorized multi-use trail easement. **DESCRIPTION OF REQUIREMENT:** The applicant shall dedicate to the County of San Diego, a ten-foot (10') to twenty-foot (20') non-motorized multi-use trail easement extending from the project's northeastern boundary approximately 2,700 feet west, terminates at the boundary with APN 646-080-16, and allows for the construction of a buildable trail. The trail easement should not be wider than ten-feet (10') where possible. Where physical characteristics require a wider trail easement, the easement shall not exceed twenty feet (20') and the applicant will obtain concurrence from PDS and DPR. **DOCUMENTATION:** The applicant shall dedicate by separate document the easement and show and tie the on-site portions of the easement on the title sheet and appropriate mapping sheet(s) of the Final Map. **TIMING:** Prior to the approval of the map the applicant shall submit the trail easement dedication to the Department of General Services (DGS), Real Estate Services Division for approval. **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.

57. TRAILS#3–TRAIL EASEMENT (State)

INTENT: In order to promote orderly development by providing a trail connection pursuant to the County of San Diego General Plan, Community Master Trails Plan, East Otay Mesa Specific Plan, and to comply with the County Subdivision Ordinance Sections 81.401(n) and 81.402.v, the State of California shall dedicate a public non-motorized multi-use trail easement. **DESCRIPTION OF REQUIREMENT:** The proposed trail alignment sits within property owned by the State of California and is within an existing Otay Water District easement (86-092509). The applicant shall coordinate with the State of California and Donovan State Prison to dedicate to the County of San Diego, a ten-foot (10') to twenty-foot (20') non-motorized multi-use trail easement approximately 1,900 feet in length, is located entirely within the State's property, and allows for the construction of a buildable trail. The trail easement should not be wider than ten-feet (10') where possible and be located as far from Otay Water District facilities as is reasonably possible. Where physical characteristics require a wider trail easement, the easement shall not exceed twenty feet (20') and the applicant will obtain concurrence from PDS, DPR, the State and Otay Water District. In certain circumstances, this may require the trail easement to be located further north, but directly adjacent to Otay Water District easement (86-092509). **DOCUMENTATION:** The State of California shall dedicate by separate document the easement and **the applicant shall** show and tie the off-site portions of the easement on the appropriate mapping **sheet(s)** of the Final Map. The applicant shall provide **written** evidence that the Otay Water District does not oppose the proposed easement. **TIMING:** Prior to the approval of the map the State of California shall submit the trail easement dedication to the Department of General Services (DGS), Real Estate Services Division for approval. **MONITORING:** *[PDS, LDR]* shall route the **document** to *[DPR, TC]*, *[PDS, TC]* and the Otay Water District for preapproval and acceptance of the dedication prior to map recordation. *[PDS, LDR]* shall satisfy the condition after recordation.

58. TRAILS#4–TRAIL EASEMENT (Applicant)

INTENT: In order to promote orderly development by providing a trail connection pursuant to the County of San Diego General Plan, Community Master Trails Plan, East Otay Mesa Specific Plan, and to comply with the County Subdivision Ordinance Sections 81.401(n) and 81.402.v, the State of California shall dedicate a public non-motorized multi-use trail easement. **DESCRIPTION OF REQUIREMENT:** The proposed trail alignment sits within an existing Otay Water District easement (171343). The applicant shall dedicate to the County of San Diego, a ten-foot (10') to twenty-foot (20') non-motorized multi-use trail easement extending from the project's northwestern boundary approximately 150 feet south, terminates at the boundary with APN 646-080-26, and allows for the construction of a buildable trail. The trail easement should not be wider than ten-feet (10')

where possible and be located as far from Otay Water District facilities as is reasonably possible. Where physical characteristics require a wider trail easement, the easement shall not exceed twenty feet (20') and the applicant will obtain **written** concurrence from PDS, DPR and Otay Water District prior to recordation. **DOCUMENTATION:** The applicant shall dedicate by separate document the easement and show and tie the on-site portions of the easement on the title sheet and appropriate mapping **sheet(s)** of the Final Map. **TIMING:** Prior to the approval of the **map** the applicant shall submit the trail easement dedication to the Department of General Services (DGS), Real Estate Services Division for approval. **MONITORING:** [PDS, LDR] shall route the **document** to [DPR, TC], [PDS, TC] and the Otay Water District for preapproval and acceptance of the dedication prior to map recordation. [PDS, LDR] shall satisfy the condition after recordation.

UNIT 2: PRIOR TO APPROVAL OF FINAL MAP

The Final Map for this Tentative Map is to be filed in units. The order of the filing of Final Maps shall be sequential. The first Final Map to be filed shall be Unit 1, followed by Units 2, and 3. In addition, conditions that apply to all units (Units 1, 2, and 3) are listed in a separate section at the end, following the conditions for Unit 3.

59. ROADS#5–PUBLIC ROAD IMPROVEMENTS

INTENT: In order to promote orderly development and to comply with the [Subdivision Ordinance Sec. 81.404](#), the Community Trails Master Plan, and the East Otay Mesa Specific Plan **Lone Star Road (SC 2340)**, and **Vann Centre Boulevard**, and shall be improved. **DESCRIPTION OF REQUIREMENT:**

- a. Improve or agree to improve and provide security for offsite **Enrico Fermi Drive (1105)**, from Lone Star Road (SC 2340) southerly to Otay Mesa Road along the east side in accordance with Public Road Standards and the East Otay Mesa Specific Plan for a 4.1A Major Road with Raised Median and Bike Lane to a graded width of forty-nine feet (49') with thirty-nine feet (39') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and detached sidewalk with face of curb at thirty-nine feet (39') from centerline. The width of detached sidewalk shall be four feet (4') and the distance between face of curb and edge of sidewalk shall be three feet (3'). **Enrico Fermi Drive (1105)** shall be planted with large-sized evergreen/or deciduous trees spaced every 30 feet and located 10 feet from the face of the curb. Provide transition for all widenings, tapers, and traffic striping to match existing pavement. If **Enrico Fermi Drive (1105)** is fully improved on the east side along APN 648-040-14, construct a fourteen-foot (14') wide raised median from Lone Star Road (SC 2340) to Otay Mesa Road, with face of median curb at seven feet (7') from centerline. Median shall be paved with Sandstone colored concrete (Davis Sandstone or equivalent) and stamped with a Dry Creek Bed Pattern or similar. If a Design Exception Request is processed to the satisfaction of DPW and PDS and the median is replaced with striping, then that portion of this condition can

be determined satisfied. All of the above shall be to the satisfaction of the Director of Public Works and Planning & Development Services.

NOTE: *If this road segment is already constructed and is in operation, this condition will be deemed satisfied.*

- b. Improve or agree to improve and provide security for **Lone Star Road (SC 2340)** on the project side from Enrico Fermi Drive (SA 1105) to the western project boundary, along the north side in accordance with Public Road Standards and the East Otay Mesa Specific Plan for 4.1A Major Road with Raised Median and Bike Lane to a graded width of forty-nine feet (49') with thirty-two feet (32') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and detached sidewalk with face of curb at thirty-nine feet (39') from centerline. The width of detached sidewalk shall be four feet (4') and the distance between face of curb and edge of sidewalk shall be three feet (3'). **Lone Star Road (SC 2340)** shall be planted with large-sized evergreen/or deciduous trees spaced every 30 feet and located 10 feet from the face of the curb. Provide transition for all widenings, tapers, and traffic striping to match existing pavement. If **Lone Star Road (SC 2340)** is fully improved on the south side along Unit 3, construct a fourteen-foot (14') wide raised median along the limits of Unit 3, with face of median curb at seven feet (7') from centerline, with left turn lane openings at the intersection with Vann Centre Boulevard. Median shall be paved with Sandstone colored concrete (Davis Sandstone or equivalent) and stamped with a Dry Creek Bed Pattern or similar. If a Design Exception Request is processed to the satisfaction of DPW and PDS and the median is replaced with striping, then that portion of this condition can be determined satisfied. All of the above shall be to the satisfaction of the Director of Public Works and Planning & Development Services.

NOTE: *If this road segment is already constructed and is in operation, this condition will be deemed satisfied.*

- c. Improve or agree to improve and provide security for **Vann Center Boulevard**, from Lone Star Road (SC 2340) northerly to the terminus at Lot 3, in accordance with Public Road Standards for an Industrial/Commercial ~~Collector Cul-de-sac~~ Road to a graded width of ~~eighty-eight seventy-six~~ feet (~~8876~~') with ~~sixty-eight fifty-two~~ feet (~~6852~~') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and detached sidewalk with face of curb at ~~thirty-four twenty-six~~ feet (~~3426~~') from centerline. The width of detached sidewalk shall be four feet (4') and the distance between face of curb and edge of sidewalk shall be three feet (3'). Provide transition for all widenings, tapers, and traffic striping to match existing pavement. If a Design Exception Request is processed to the satisfaction of DPW and PDS to allow an Industrial/Collector Cul-de-sac Road, then graded width and the improved width can be reduced in

accordance with Public Road Standards for an Industrial/Commercial Cul-de-sac Road. All of the above shall be to the satisfaction of the Director of Public Work/PDS.

- d. **Vann Center Boulevard** shall terminate with a cul-de-sac graded to a radius of sixty feet (60') and surfaced to a radius of fifty feet (50') with asphalt concrete pavement over approved base with Portland cement concrete curb gutter and sidewalk/asphalt concrete dike with face of curb/dike at fifty feet (50') from the radius point.
- 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 Community Trails Master Plan. The improvements shall be completed within 24 months from the approval of the improvement plans, execution of the agreements, and acceptance of the securities.

DOCUMENTATION: The applicant shall complete the following:

- f. Process and obtain approval of Improvement Plans to improve **Lone Star Road (SC 2340)** and **Vann Centre Boulevard**.
- g. Provide Secured Agreement and post security in accordance with [Subdivision Ordinance Sec. 81.408](#).
- h. Upon approval of the plans, pay all applicable inspection fees/deposits with [DPW, PDC].
- i. 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.

TIMING: Prior to the recordation of the Final Map for Unit 2 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.

60. ROADS#6–SIGHT DISTANCE

INTENT: In order to provide an unobstructed view for safety while exiting the property and accessing a public road from the site, and to comply with the Design Standards of Section 6.1.(E), Table 5, of the [County of San Diego Public Road Standards](#), an unobstructed sight distance shall be verified. **DESCRIPTION OF REQUIREMENT:**

- a. A Registered Civil Engineer or a Licensed Land Surveyor shall provide a certified signed statement: "I, _____ (C ____ or LS ____) certify that there is _____ feet of unobstructed intersectional sight distance in both directions along **Lone Star Road (SC 2340)** from the public road, **Vann Centre Boulevard** measured in accordance with the methodology described in Section 6.1.(E), 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 shall provide a certified signed statement: "I, _____ (C ____ or LS ____) certify that there is _____ feet of unobstructed intersectional sight distance in both directions along **Vann Centre Boulevard** from the public road, **Lone Star Road (SC 2340)** measured in accordance with the methodology described in Section 6.1.(E), 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. If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify that: "Said lines of sight fall within the existing right-of-way and a clear space easement is not required."

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

61. ROADS#7–ROAD DEDICATION (ONSITE)

INTENT: In order to promote orderly development and to comply with the [Subdivision Ordinance Sec. 81.402](#) and the East Otay Mesa Specific Plan, 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 one-half right-of-way width of forty-nine feet (49') from the ultimate centerline of **Lone Star Road (SC 2340)** from the western limit of Unit 1 to the western project boundary, along the north side in accordance with Public Road Standards and the East Otay Mesa Specific Plan for 4.1A Major Road with Raised Median and Bike Lane together with right to construct and maintain slopes and drainage facilities to the satisfaction of the Director of PDS and DPW.
- b. Dedicate on the Final Map to the County of San Diego an easement for road purposes that provides a total right-of-way width of ~~eighty-eight~~ ~~seventy-two~~ feet (~~88~~~~72~~') along the centerline of **Vann Centre Boulevard**, from Lone Star Road (SC 2340) northerly to the terminus at Lot 3, in accordance with Public Road Standards for an Industrial/Commercial ~~Collector Cul-de-sac~~ Road, with thirty foot (30') radius corner rounding at the Lone Star Road (SC 2340) intersection, together with right to construct and maintain slopes and drainage facilities to the satisfaction of the Director of Planning and Development Services and DPW. If a Design Exception Request is processed to the satisfaction of DPW and PDS to allow an Industrial/Collector Cul-de-sac Road, then the dedication can be reduced in accordance with Public Road Standards for an Industrial/Commercial Cul-de-sac Road.
- c. Dedicate onsite a two foot (2') wide landscape easement along **Vann Centre Boulevard** and **Lone Star Road (SC 2340)** within the landscaped building setback and adjacent to the parkway in order to provide adequate space for street trees in accordance with the [East Otay Mesa Business Park Specific Plan](#).
- d. The dedication shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required, and shall be accepted for public use. The affected utility company/district shall enter into a joint use agreement with the County of San Diego to the satisfaction of the Director of PDS.

DOCUMENTATION: The applicant shall dedicate the easement on the map and show it as Accepted. **TIMING:** Prior to the recordation of the Final Map for Unit 2 the onsite dedication shall be provided for roads with the recordation of the unit the road is within, abuts or provides access to. **MONITORING:** The [PDS, LDR] shall verify that the dedication is indicated on the map and Accepted by the County.

62. ROADS#8–RELINQUISH ACCESS

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

- a. Relinquish access rights in and to ***Lone Star Road (SC 2340)*** along the project frontage except for the opening for Vann Centre Boulevard as shown on the approved Tentative Map.
- b. Relinquish access rights in and to ***Vann Centre Boulevard*** along the project frontage except for the driveway access openings as shown on the approved Tentative Map.
- c. 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 show the Relinquishment on the Final Map for Unit 2. **TIMING:** Concurrently with the approval of the Final Map for Unit 2, the access shall be relinquished. **MONITORING:** The applicant shall show the relinquishment of access rights on the Final Map for Unit 2 and forward a copy to [PDS, LDR] for preapproval. The [PDS, LDR] shall review the Final Map for Unit 2 for compliance with this condition.

63. ROADS#9–ONE FOOT ACCESS DEDICATION

INTENT: In order to ensure that the subdivision's accesses comply with the [County Subdivision Ordinance Section 81.402 \(h\)](#), the subdivider shall dedicate and relinquish access rights to public roads. **DESCRIPTION OF REQUIREMENT:**

- a. Show a one foot dedication to the County of San Diego for road purposes and access restriction easement extending across ***Lone Star Road (SC 2340)*** at its point of termination at the subdivision boundary.

DOCUMENTATION: The applicant shall show the easement on the Final Map for Unit 2. **TIMING:** Prior to recordation of the Final Map for Unit 2, the easement shall be depicted on the Final Map. **MONITORING:** The [PDS, LDR] shall review the Final Map to ensure that one foot dedication and access restriction easement are indicated pursuant to this condition.

64. ROADS#10–OFFSITE ROAD MONUMENTATION

INTENT: In order to promote orderly development and to comply with the [Subdivision Ordinance Sec. 81.406](#), the centerline shall be shown on the map. **DESCRIPTION OF REQUIREMENT:** The centerline of ***Enrico Fermi Drive (SA 1105)*** to be surveyed and monumented. Monumentation shall consist of street survey monuments, per Drawing M-10 Regional Standard Drawings when the road, as improved, is at ultimate line and grade and 2" x 24" pipe when the road is

not at ultimate line and grade. The Director of DPW will assign a road survey number to the offsite public roads being created. If the offsite road is not shown on the Map, the developer shall file with the County Recorder a Record of Survey after approval of the Director of DPW showing the centerline Monumentation set with ties to adjacent property. **DOCUMENTATION:** The applicant shall perform the required surveying work indicated above. **TIMING:** Prior to the recordation of the Final Map for Unit 2 the surveying monumenting shall be completed. **MONITORING:** The [PDS, LDR] shall verify that the surveying has been completed pursuant to this condition.

UNIT 3: PRIOR TO APPROVAL OF FINAL MAP

The Final Map for this Tentative Map is to be filed in units. The order of the filing of Final Maps shall be sequential. The first Final Map to be filed shall be Unit 1, followed by Units 2, and 3. In addition, conditions that apply to all units (Units 1, 2, and 3) are listed in a separate section at the end, following the conditions for Unit 3.

65. ROADS#11–PUBLIC ROAD IMPROVEMENTS

INTENT: In order to promote orderly development and to comply with the [Subdivision Ordinance Sec. 81.404](#), the Community Trails Master Plan, and the East Otay Mesa Specific Plan **Lone Star Road (SC 2340)** and **Vann Centre Boulevard** shall be improved. **DESCRIPTION OF REQUIREMENT:**

- a. Improve or agree to improve and provide security for offsite **Enrico Fermi Drive (1105)**, from Lone Star Road (SC 2340) southerly to Otay Mesa Road along the east side in accordance with Public Road Standards and the East Otay Mesa Specific Plan for a 4.1A Major Road with Raised Median and Bike Lane to a graded width of forty-nine feet (49') with thirty-nine feet (39') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and detached sidewalk with face of curb at thirty-nine feet (39') from centerline. The width of detached sidewalk shall be four feet (4') and the distance between face of curb and edge of sidewalk shall be three feet (3'). **Enrico Fermi Drive (1105)** shall be planted with large-sized evergreen/or deciduous trees spaced every 30 feet and located 10 feet from the face of the curb. Provide transition for all widenings, tapers, and traffic striping to match existing pavement. If **Enrico Fermi Drive (1105)** is fully improved on the west side along APN 648-040-14, construct a fourteen-foot (14') wide raised median from Lone Star Road (SC 2340) to Otay Mesa Road, with face of median curb at seven feet (7') from centerline. Median shall be paved with Sandstone colored concrete (Davis Sandstone or equivalent) and stamped with a Dry Creek Bed Pattern or similar. If a Design Exception Request is processed to the satisfaction of DPW and PDS and the median is replaced with striping, then that portion of this condition can be determined satisfied. All of the above shall be to the satisfaction of the Director of Public Works and Planning & Development Services.

NOTE: *If this road segment is already constructed and is in operation, this condition will be deemed satisfied.*

- b. Improve or agree to improve and provide security for **Lone Star Road (SC 2340)** on the south side from the southerly project boundary northwesterly to the westerly project boundary, along the project frontage in accordance with Public Road Standards and the East Otay Mesa Specific Plan for 4.1A Major Road with Raised Median and Bike Lane to a graded width of forty-nine feet (49') with thirty-two feet (32') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and detached sidewalk with face of curb at thirty-nine feet (39') from centerline. The width of detached sidewalk shall be four feet (4') and the distance between face of curb and edge of sidewalk shall be three feet (3'). **Lone Star Road (SC 2340)** shall be planted with large-sized evergreen/or deciduous trees spaced every 30 feet and located 10 feet from the face of the curb. Provide transition for all widenings, tapers, and traffic striping to match existing pavement. If **Lone Star Road (SC 2340)** is fully improved on the north side along Unit 2, provide a fourteen-foot (14') wide raised median from the southerly project boundary northwesterly to the westerly project boundary, with face of median curb at seven feet (7') from centerline, with left turn lane openings at the intersection with Vann Centre Boulevard. Median shall be paved with Sandstone colored concrete (Davis Sandstone or equivalent) and stamped with a Dry Creek Bed Pattern or similar. If the median is replaced with striping, as agreed upon by the Director of DPW, then that portion of this condition can be determined satisfied. All of the above shall be to the satisfaction of the Director of Public Work/PDS.
- c. Improve or agree to improve and provide security for **Lone Star Road (SC 2340)** along the north side from Enrico Fermi Drive (SA 1105) to the limit of Unit 3 to provide a connection to the improvements on the south side of **Lone Star Road (SC 2340)** in accordance with Public Road Standards and the East Otay Mesa Specific Plan for 4.1A Major Road with Raised Median and Bike Lane to a graded width of forty-nine feet (49') with thirty-two feet (32') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and detached sidewalk with face of curb at thirty-nine feet (39') from centerline. The width of detached sidewalk shall be four feet (4') and the distance between face of curb and edge of sidewalk shall be three feet (3'). **Lone Star Road (SC 2340)** shall be planted with large-sized evergreen/or deciduous trees spaced every 30 feet and located 10 feet from the face of the curb. Provide transition for all widenings, tapers, and traffic striping to match existing pavement. All of the above shall be to the satisfaction of the Director of Public Work/PDS.

NOTE: *If this road segment is already constructed and is in operation, this condition will be deemed satisfied.*

- d. Improve or agree to improve and provide security for **Vann Centre Boulevard**, from Lone Star Road (SC 2340) southerly to the project boundary, in accordance with Public Road Standards for an Industrial/Commercial/Mixed Use Collector with Bike Lane to a graded width of eighty-eight feet (88') with sixty-eight feet (68') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and detached sidewalk with face of curb at thirty-four feet (34') from centerline. The width of detached sidewalk shall be four feet (4') and the distance between face of curb and edge of sidewalk shall be three feet (3'). Provide transition for all widenings, tapers, and traffic striping to match existing pavement. All of the above shall be to the satisfaction of the Director of Public Work/PDS.
- 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 Community Trails Master Plan. The improvements shall be completed within 24 months from the approval of the improvement plans, execution of the agreements, and acceptance of the securities.
DOCUMENTATION: The applicant shall complete the following:

- f. Process and obtain approval of Improvement Plans to improve **Lone Star Road (SC 2340)** and **Vann Centre Boulevard**.
- g. Provide Secured Agreement and post security in accordance with [Subdivision Ordinance Sec. 81.408](#).
- h. Upon approval of the plans, pay all applicable inspection fees/deposits with [DPW, PDC].
- i. 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.

TIMING: Prior to the recordation of the Final Map for Unit 3 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.

66. ROADS#12-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), Table 5, of the [County of San Diego Public Road Standards](#), an unobstructed sight distance shall be verified. **DESCRIPTION OF REQUIREMENT:**

- a. A Registered Civil Engineer or a Licensed Land Surveyor shall provide a certified signed statement: "I, _____ (C____ or LS____) certify that there is _____ feet of unobstructed intersectional sight distance in both directions along **Lone Star Road (SC 2340)** from the public road, **Vann Centre Boulevard** measured in accordance with the methodology described in Section 6.1.(E), 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 shall provide a certified signed statement: "I, _____ (C____ or LS____) certify that there is _____ feet of unobstructed intersectional sight distance in the southerly direction along **Vann Centre Boulevard** from the public road, **Lone Star Road (SC 2340)** measured in accordance with the methodology described in Section 6.1.(E), 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. If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify that: "Said lines of sight fall within the existing right-of-way and a clear space easement is not required."

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

67. **ROADS#13–ROAD DEDICATION (ONSITE)**

INTENT: In order to promote orderly development and to comply with the [Subdivision Ordinance Sec. 81.402](#) and the East Otay Mesa Specific Plan, 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 total right-of-way width of eighty-eight feet (88') along the centerline of **Vann Centre Boulevard**, from Lone Star Road (SC 2340) southerly to the project boundary, in accordance with Public Road Standards for an Industrial/Commercial/Mixed Use Collector Road with Bike Lane, with thirty foot (30') radius corner rounding at the Lone Star Road (SC 2340) intersection, together with right to construct and maintain slopes and drainage facilities to the satisfaction of the Director of Planning and Development Services and DPW.
- 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-nine feet (49') from the ultimate centerline of **Lone Star Road (SC 2340)** on the south side from the southerly project boundary northwesterly to the westerly project boundary, along the project frontage in accordance with Public Road Standards and the East Otay Mesa Specific Plan for 4.1A Major Road with Raised Median and Bike Lane together with right to construct and maintain slopes and drainage facilities to the satisfaction of the Director of PDS and DPW.
- c. Dedicate onsite a two foot (2') wide landscape easement along **Vann Centre Boulevard** and **Lone Star Road (SC 2340)** within the landscaped building setback and adjacent to the parkway in order to provide adequate space for street trees in accordance with the [East Otay Mesa Business Park Specific Plan](#).
- d. The dedication shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required, and shall be accepted for public use. The affected utility company/district shall enter into a joint use agreement with the County of San Diego to the satisfaction of the Director of PDS.

DOCUMENTATION: The applicant shall dedicate the easement on the map and show it as Accepted. **TIMING:** Prior to the recordation of the Final Map for Unit 3 the onsite dedication shall be provided for roads with the recordation of the unit the road is within, abuts or provides access to. **MONITORING:** The [PDS, LDR] shall verify that the dedication is indicated on the map and Accepted by the County.

68. ROADS#14–RELINQUISH ACCESS

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

- a. Relinquish access rights in and to **Lone Star Road (SC 2340)** along the project frontage except for the opening for Vann Centre Boulevard as shown on the approved Tentative Map.

- b. Relinquish access rights in and to **Vann Centre Boulevard** along the project frontage except for the driveway access openings as shown on the approved Tentative Map.
- c. 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 show the Relinquishment on the Final Map for Unit 3. **TIMING:** Concurrently with the approval of the Final Map for Unit 3, the access shall be relinquished. **MONITORING:** The applicant shall show the relinquishment of access rights on the Final Map for Unit 3 and forward a copy to [PDS, LDR] for preapproval. The [PDS, LDR] shall review the Final Map for Unit 3 for compliance with this condition.

69. **ROADS#15–ONE FOOT ACCESS DEDICATION**

INTENT: In order to ensure that the subdivision's accesses comply with the [County Subdivision Ordinance Section 81.402 \(h\)](#), the subdivider shall dedicate and relinquish access rights to public roads. **DESCRIPTION OF REQUIREMENT:**

- a. Show a one foot dedication to the County for road purposes and access restriction easement extending across **Vann Centre Boulevard** at its point of termination at the subdivision boundary.

DOCUMENTATION: The applicant shall show the easement on the Final Map for Unit 3. **TIMING:** Prior to recordation of the Final Map for Unit 3, the easement shall be depicted on the Final Map. **MONITORING:** The [PDS, LDR] shall review the Final Map to ensure that one foot dedication and access restriction easement are indicated pursuant to this condition.

70. **ROADS#16–OFFSITE ROAD MONUMENTATION**

INTENT: In order to promote orderly development and to comply with the [Subdivision Ordinance Sec. 81.406](#), the centerline shall be shown on the map.

DESCRIPTION OF REQUIREMENT: The centerline of **Enrico Fermi Drive (SA 1105)** to be surveyed and monumented. Monumentation shall consist of street survey monuments, per Drawing M-10 Regional Standard Drawings when the road, as improved, is at ultimate line and grade and 2" x 24" pipe when the road is not at ultimate line and grade. The Director of DPW will assign a road survey number to the offsite public roads being created. If the offsite road is not shown on the Map, the developer shall file with the County Recorder a Record of Survey after approval of the Director of DPW showing the centerline Monumentation set with ties to adjacent property. **DOCUMENTATION:** The applicant shall perform the required surveying work indicated above. **TIMING:** Prior to the recordation of the Final Map for Unit 3 the surveying monumenting shall be completed. **MONITORING:** The [PDS, LDR] shall verify that the surveying has been completed pursuant to this condition.

PRIOR TO APPROVAL OF ALL MAPS FOR ALL UNITS/PHASES

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

71. ROADS#17–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 RO-7 adjacent property owners shall be notified and solicited for their participation in the extension of utilities. **DESCRIPTION OF REQUIREMENT:** All adjacent property owners shall be notified who may be affected by this policy and are considering development of applicable properties, this includes requesting their participation in the extension of utilities to comply with this policy. No trench cuts for undergrounding of utilities in all new, reconstructed, or resurfaced paved County-maintained roads for a period of three years following project surface. **DOCUMENTATION:** The applicant shall sign a statement that they are aware of the County of San Diego Pavement Cut Policy and submit it to the [PDS, LDR] for review. **TIMING:** Prior to the approval of improvement plans or the approval of the Final Map for any Unit, the Acknowledgement of Department of Public Works Pavement Cut Policy shall be submitted for approval. **MONITORING:** The [PDS, LDR] shall review the acknowledgement letter.

72. ROADS#18–TRAFFIC CONTROL PLAN

INTENT: In order to mitigate below levels of significance for temporary traffic impacts, a Traffic Control Plan (TCP) shall be prepared and implemented. **DESCRIPTION OF REQUIREMENT:** Have A Registered Civil Engineer or licensed Traffic Control Contractor prepare a TCP to the satisfaction of Director of DPW. **DOCUMENTATION:** The applicant shall have the TCP prepared by a Registered Civil Engineer or a licensed Traffic Control Contractor and submit it to [PDS, LDR] for review by [DPW, Traffic]. **TIMING:** Prior to recordation of the Final Map for any Unit, a TCP shall be prepared and approved. **MONITORING:** The [PDS, LDR] shall review the TCP for compliance with this condition.

73. ROADS#19–HAUL ROUTE PLAN

INTENT: In order to ensure the roads are not damaged by heavy loads that loaded trucks place on the construction route or subsequent operations, a Haul Route Plan (HRP) shall be prepared and implemented. **DESCRIPTION OF REQUIREMENT:** A HRP shall be prepared that addresses the following, but is not limited to: haul routes, truck types and capacity, number of trips per day, estimated quantity of import & export, destination, duration of the haul, and hours of operation.

- a. The implementation of the HRP shall be a condition of any grading, construction, or excavation permit issued by the County. The applicant is

responsible for the road maintenance (sweeping as necessary) and repair of any damage caused to the on-site and offsite County maintained roads that serve the property either during construction or subsequent operations.

- b. The applicant will repair those portions of the roads that are damaged by the heavy loaded trucks. An agreement shall be executed, to require (1) a cash deposit for emergency traffic safety repairs; (2) long-term security for road maintenance and repair of any damage caused by the project to the County maintained roads that serve the project during construction phase on the route identified; and (3) All the roads as identified on the haul route plan shall be returned to the existing condition or better.
- c. Prior to import/export, all affected property owners in the residential neighborhood shall be notified; no equipment or material storage on public roads will be allowed, and sweeping to be performed at the end of each week or more depending on the frequency of hauling.

DOCUMENTATION: The applicant shall have the HRP prepared by a Registered Civil Engineer or a licensed Traffic Control Contractor and submit it to [PDS, LDR] for review by [DPW, Road Maintenance]. The applicant shall also execute a secured agreement for any potential damages caused by heavy trucks on the construction route. The agreement and securities shall be approved to the satisfaction of the [DPW, Road Maintenance]. **TIMING:** Prior to recordation of the Final Map for any Unit an HRP shall be prepared and approved. **MONITORING:** The [PDS, LDR] shall review the HRP for compliance with this condition.

74. **ROADS#20-GRADING MATERIAL DIVERSION (DPW RECYCLING)**

INTENT: This program is intended to increase diversion of grading, land clearing, and brushing materials from landfills, extend the useful life of local landfills, and support construction and demolition project compliance with State waste diversion requirements. This includes grading, clearing and brushing material for grading projects over 5,000 cubic yards. **DESCRIPTION OF REQUIREMENT:** To divert (recycle, reuse, repurpose) 100% of excavated soils, trees, stumps, rocks, and associated vegetation and soils from the following types of projects: non-residential excavation and grading projects; and, residential projects that require Major Grading permits. No Major Grading (projects >5,000 cu.yds) permit shall be issued nor shall grading plans be approved unless a Debris Management Plan (DMP) has been submitted to a Compliance Official.

If grading project is not a single lot, Conditions of Approval are required on a lot-by-lot basis for subdivisions or pad-by-pad basis for multiple building pads.

Exemption:

- a. Excavated soil and land-clearing debris that is contaminated by disease or pests are not required to be reused on- or off-site, provided that: (I) the

County Agricultural Commissioner has made a determination of disease or pest contamination and permittee follows commissioner's direction for recycling or disposal of the material, (ii) the materials are generated in a known pest and/or disease quarantine zone identified by the California Department of Food and Agriculture, or (iii) the materials are otherwise not required to be reused under the CalGreen Code.

DOCUMENTATION:**1. PRIOR TO GRADING:**

A Debris Management Plan (DMP) is required prior to approval of the grading plan and issuance of the grading permit.

2. DURING GRADING PROJECT:

For all grading projects >5,000 cubic yards, a Daily Log of all grading, land clearing, and brushing material that is exported or reused/repurposed must be retained onsite. The Daily Log must include all export receipts from an inert processing facility, green material processing operation, a C&D processing facility, or other vendor or disposal or transfer station facility that accepted grading material from the approved grading project. If material was reused onsite, other forms of documentation (such as photos) will be accepted in lieu of receipts. The Daily Log can be inspected at any time during regular business hours.

3. AT THE END OF GRADING PROJECT:

(To be completed prior to project close out)

An end of the grading project, prior to the release of Rough Inspection, Final Debris Management Report must be submitted. This report shall include three items:

- a. Signed Self-Certification Letter (see template)
- b. Debris Management Report (see template)
- c. Export, recycling, reuse, or disposal documentation (i.e. facility receipts, export tickets, photo evidence of onsite reuse).

DOCUMENTATION DETAILS:**DEBRIS MANAGEMENT PLAN (DMP)**

- a. The type of project.
- b. The total cubic yardage of the project.
- c. The estimated weight of grading or land clearing debris by material type, that the project is expected to generate.
- d. The estimated maximum weight of grading or land clearing debris that can feasibly be diverted via reuse, salvage, or recycling.
- e. The estimated weight of grading or land clearing debris that is planned to be disposed of in a landfill.
- f. The name of facility (or facilities) which debris will be exported.

DAILY LOG

- a. Identify the project location
- b. Log date that material was transported off the site

- c. Log type of grading or clearing material
- d. Weight of the material or its approximate tonnage or cubic yards
- e. Name of the party transporting the materials
- f. Name of the receiving facility or exporter, and whether the material was disposed of in a landfill, salvaged for future use off-site, or recycled.
- g. Each log entry shall correspond with a receipt issued by the party that transported the material off-site or by facility that accepted the materials. If the materials were hauled by the grading contractor, export receipts shall be compiled within 90 days of the date of the log entry.
- h. The Daily Log shall include separate entries for each occurrence of materials reused on-site.
- i. The Daily Log and all receipts shall be maintained at the project site and made available to any County inspector responsible to ensure compliance with this requirement

DEBRIS MANAGEMENT REPORT (DMR)

- a. Project name
- b. List total cubic yardage of material (by type) recycled or disposed for project
- c. Provide backup receipts for export facilities, haulers, or reuse on site.

Exceptions of those projects not meeting with requirements would be reported to DPW Recycling.

Templates for all forms required are available at:
https://www.sandiegocounty.gov/content/sdc/dpw/recycling/NewCD_Grading.html

For additional questions, please call (858) 694-2463 or email CDRecycling@sdcounty.ca.gov

75. DRNG#1—LINES OF INUNDATION

INTENT: In order to comply with [Grading Ordinance No. 10179, Section 87.803 \(38\)](#) and prevent future development in flood-prone areas the Lines of Inundation shall be shown on the map. **DESCRIPTION OF REQUIREMENT:** Lines of inundation to the limits of the 100-year flood along the watercourse, which flows through the property, shall be shown and labeled "Subject to Inundation By The 100-Year Flood" on the Final Map. Each parcel shall have a flood free building site to the satisfaction of the Director of PDS. If any of the parcels are found to be devoid of a buildable, flood free site for an industrial use, the subdivider shall take appropriate action so that each parcel does have a buildable flood free site. This pertains to watersheds having area of one hundred (100) or more acres. **DOCUMENTATION:** The applicant shall indicate the lines of inundation on the non-title sheet of the Final Map for any unit as indicated above. **TIMING:** Prior to the approval of the Final Map for any unit, the inundation lines shall be indicated and labeled on the map. **MONITORING:** The [PDS, LDR] shall verify that the inundation lines have been indicated pursuant to this condition.

76. DRNG#2–FLOODPLAIN COMPLIANCE

INTENT: As required by the Code of Federal Regulations (CFR) and to protect persons and property from harm in an area of special flood hazard in the unincorporated County by ensuring compliance with the more restrictive of the Flood Damage Prevention Ordinance (FDPO), Section 811.101, et seq. of the San Diego County Code, of Regulatory Ordinances (County Code) or the National Flood Insurance Program requirements set forth at 44 Code of Federal Regulations, (CFR) Section 60.1 et seq. References to the 44 CFR Section 60.1 et seq. are for convenience only and are not intended to limit the applicability of other federal laws or regulations that comprise the National Flood Insurance Program. **DOCUMENTATION:** The applicant shall complete the following:

DESCRIPTION OF REQUIREMENT: The project site is located within an AE Flood Zone as indicated on FEMA Flood Insurance Rate Map (FIRM) map panel #2183 of 2375 (Map No. 06073C2183). FEMA mapped AE Zones are required to be developed and used in accordance with restrictions set forth in the County's Flood Damage Prevention Ordinance for "special flood hazard areas." These requirements were developed to allow for continued County participation in the National Flood Insurance Program (NFIP) in accordance with 44 CFR 60.1 et seq. Consistent with these requirements, the following must be complied with:

1. Determine, to the satisfaction of the County Flood Plain Administrator through hydraulic analyses acceptable to Public Works Flood Control performed by a licensed engineer in accordance with standard engineering practice, the base flood elevation (BFE) and flood plain boundary during the occurrence of the base flood of the Johnson Canyon Creek both before and after all proposed work. Demonstrate compliance with all NFIP and FDPO requirements to the satisfaction of the County Flood Plain Administrator and Public Works Flood Control. If it is demonstrated that the post project BFEs differ from the pre by more than 0.5', or that the post floodplain delineation differs from the FEMA effective mapping, a Conditional Letter of Map Revision (CLOMR) and Letter of Map Revision (LOMR) from FEMA will be required in accordance with the FDPO. NOTE: If after hydraulic analysis and grading plan review it is determined that changes to lot design or pad elevations are needed or the design will impact off-site properties and/or necessitate obtaining off-site easements or waivers for drainage or grading purposes then the applicant may be required to revise their project and go through the discretionary approval process again.
2. Demonstrate to the satisfaction of the County Flood Plain Administrator through acceptable hydrologic and hydraulic analyses, acceptable to DPW Flood Control and performed by a California licensed engineer in accordance with standard engineering practice, that all proposed structures will be reasonably safe from flooding of the one percent annual chance event as calculated following the methodology described in the County Hydrology Manual.

3. All structures to be constructed, substantially improved or placed within the subdivision shall comply with the more restrictive of the County's Flood Damage Prevention Ordinance or the criteria set forth in 44 CFR 60.1 *et seq.*
4. Show and label existing drainage easements on the plans.
5. Elevation Certificates for structures located in the Special Flood Hazard Area (SFHA).

TIMING: Elevation Certificates required prior to Certificate of Occupancy, all other items required prior to the approval of any Final Map for any unit or any grading and/or improvement plans (whichever comes first). **MONITORING:** The [PDS, LDR, DPW, FCE] shall review the hydraulic analysis, and associated plans and maps for compliance with this condition.

77. **STRMWTR#1–STORMWATER MAINTENANCE DOCUMENTATION**

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

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

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

78. **STRMWTR#2–EROSION CONTROL**

INTENT: In order to Comply with all applicable stormwater regulations the activities proposed under this application are subject to enforcement under permits from the [State Construction General Permit, Order No. 2009-00090-DWQ](#), or subsequent order and the [County Watershed Protection Ordinance \(WPO\) No.10410, County Code Section 67.801 et. seq.](#) and all other applicable ordinances and standards for this priority project. **DESCRIPTION OF REQUIREMENT:** The applicant shall maintain the appropriate on-site and offsite Best Management Practices pursuant to the approved Stormwater Quality Management Plan (SWQMP) and Erosion Control Plan including, but not limited to the erosion control measures, irrigation

systems, slope protection, drainage systems, desilting basins, energy dissipators, and silt control measure.

- a. An agreement and instrument of credit shall be provided pursuant to [Subdivision Ordinance 81.408](#), for an amount equal to the cost of this work as determined or approved by the [PDS, LDR], in accordance with the [County of San Diego Grading Ordinance Section 87.304](#). The cash deposit collected for grading, per the grading ordinance, will be used for emergency erosion measures. The developer shall submit a letter to [PDS, LDR] authorizing the use of this deposit for emergency measures.
- b. An agreement in a form satisfactory to County Counsel shall accompany the Instrument of Credit to authorize the County to unilaterally withdraw any part of or all the Instrument of Credit to accomplish any of the work agreed to if it is not accomplished to the satisfaction of the County PDS and/or DPW by the date agreed.

DOCUMENTATION: The applicant shall provide the letter of agreement and any additional security and/or cash deposit to the [PDS, LDR]. **TIMING:** Prior to recordation of the 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.

The following Grading and/or Improvement Plan Notes shall be placed on the Preliminary Grading Plan and made conditions of the issuance of said permits. An email or disc will be provided with an electronic copy of the grading plan language.

79. AQ#1-CONSTRUCTION EXHAUST EMISSIONS

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

- a. The project shall require the construction contractor to provide a construction fleet that uses heavy-duty diesel-powered equipment equipped with Tier 3 or better diesel engines. An exemption from these requirements may be granted by the County in the event that the applicant documents that equipment with the required tier is not reasonably available and corresponding reductions in criteria air pollutant emissions are achieved from other construction equipment. Before an exemption may be considered by the County, the applicant shall be required to demonstrate that three construction fleet owners/operators in the

San Diego Region were contacted and that those owners/operators confirmed Tier 3 equipment could not be located within the San Diego region.

- b. The primary contractor shall be responsible for ensuring that all construction equipment is properly tuned and maintained in accordance with manufacturer's specifications before and for the duration of on-site operation.
- c. Simultaneous operation of multiple construction equipment units shall be minimized. During construction, vehicles in loading and unloading queues shall not idle for more than 5 minutes and shall turn their engines off when not in use to reduce vehicle emissions.
- d. Electrical hookups shall be provided on site for the use of hand tools such as saws, drills, and compressors used for building construction to reduce the need for electric generators and other fuel-powered equipment. The use of electrical construction equipment shall be employed, where feasible.
- e. Construction equipment shall be outfitted with best available control technology (BACT) devices certified by the California Air Resources Board. A copy of each unit's BACT documentation shall be provided to the County of San Diego at the time of mobilization of each applicable unit of equipment.
- f. Haul truck staging areas shall be provided for loading and unloading soil and materials, and shall be located away from sensitive receptors at the furthest feasible distance (at least 1,000 feet).
- g. A Construction Traffic Control Plan shall be developed to ensure construction traffic and equipment use is minimized to the extent practicable. The Construction Traffic Control Plan shall include measures to reduce the amount of large pieces of equipment operating simultaneously during peak construction periods, scheduling of vendor and haul truck trips to occur during non-peak hours, establish dedicated construction parking areas to encourage carpooling and efficiently accommodate construction vehicles, identify alternative routes to reduce traffic congestion during peak activities and increase construction employee carpooling.

DOCUMENTATION: The applicant shall comply with the Air Quality requirements of this condition. The applicant shall show compliance with this measure by providing the construction bid/estimate from the construction contractor that will be used. **TIMING:** Prior to approval of any grading and or improvement plans and issuance of any Grading or Construction Permits. **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.

80. AQ#2-FUGITIVE DUST PLAN

INTENT: In order to mitigate for fugitive dust. **DESCRIPTION OF REQUIREMENT:** The project applicant or designee shall prepare and implement a Fugitive Dust Plan demonstrating compliance with San Diego Air Pollution Control District (SDAPCD) Rule 55 and County Code Section 87.428 (Grading Ordinance), to the satisfaction of the County. Measures shall include but not limited to:

- a. Water, or utilize another SDAPCD-approved dust control non-toxic agent on the grading areas at least three times daily to minimize fugitive dust.
- b. All main roadways shall be constructed and paved as early as possible in the construction process to reduce construction vehicle travel on unpaved roads.
- c. Building pads shall be finalized as soon as possible following site preparation and grading activities to reduce fugitive dust from earth moving operations.
- d. Grading areas shall be stabilized as quickly as possible to minimize fugitive dust.
- e. Chemical stabilizer shall be applied, a gravel pad shall be installed, or the last 100 feet of internal travel path shall be paved within the construction site prior to public road entry, and for all haul roads.
- f. Wheel washers shall be installed adjacent to the apron for tire inspection and washing prior to vehicle entry on public roads.
- g. Any visible track-out into traveled public streets shall be removed with the use of sweepers, water trucks or similar method within 30 minutes of occurrence.
- h. Sufficient perimeter erosion control shall be provided to prevent washout of silty material onto public roads.
- i. Unpaved construction site egress points shall be graveled to prevent track-out.
- j. Construction access points shall be wet-washed at the end of the workday if any vehicle travel on unpaved surfaces has occurred.
- k. Transported material in haul trucks shall be watered or treated with SDAPCD-approved non-toxic dust control agent.
- l. Haul trucks shall be covered or shall maintain at least two feet of freeboard to reduce blow-off during hauling.
- m. All soil disturbance and travel on unpaved surfaces shall be suspended if winds exceed 25 miles per hour (mph).
- n. On-site stockpiles of excavated material shall be covered.
- o. A 15-mph speed limit on unpaved surfaces shall be enforced.
- p. Haul truck staging areas shall be provided for loading and unloading of soil and materials.
- q. Construction Traffic Control Plans shall route delivery and haul trucks required during construction away from sensitive receptor locations and congested intersections to the extent feasible. Construction Traffic Control plans shall be finalized and approved prior to issuance of grading permits.

DOCUMENTATION: The applicant or designee shall comply with the Air Quality requirements of this condition. **TIMING:** The Fugitive Dust Plan shall be prepared prior to approval of any grading permits and the following actions shall occur throughout the duration of construction. **MONITORING:** The [DPW, PDCI] shall make sure that the grading contractor complies with the Air Quality requirements of this condition. The [DPW, PDCI] shall contact the [DPLU, PCC] if the applicant fails to comply with this condition.

81. **AQ#3-CONTRUSTION RELATIONS OFFICER**

INTENT: In order to provide public notification and contact for project related construction activities. **DESCRIPTION OF REQUIREMENT:** Prior to construction activities, the project applicant shall employ a construction relations officer who will

address Community concerns regarding on-site construction activity. The applicant shall provide public notification in the form of a visible sign containing the contact information of the construction relations officer who will document complaints and concerns regarding on-site construction activity. The sign shall be placed in easily accessible locations along Otay Mesa Road and noted on grading and improvement plans. **DOCUMENTATION:** The applicant shall comply with the requirements of this condition. **TIMING:** Prior to issuance of the grading or improvement permits and throughout the duration of the grading and construction. **MONITORING:** The [DPW, PDC] shall make sure the contractor complies with the requirements of this condition and shall contact the [PDS, PCC] if the applicant fails to comply with this condition.

82. FIRE-GR#1 – GRADING PLAN

INTENT: The grading plan shall include notes with the fire requirements in order to comply with the 2020 San Diego County Consolidated Fire Code. **DESCRIPTION OF REQUIREMENT:** The following requirements shall be included on the map: **DOCUMENTATION:** The grading notes on grading plan shall include all the fire requirements: all structures shall met the ignition resistant building requirements, adequate access to each lot, the required limited building zones, and all other requirements as required in the April 20, 2012 Fire Protection Plan with the June 23, 2020 Addendum. **TIMING:** Prior to issuance of the grading plan, it shall be confirmed that the grading notes are included to demonstrate compliance with all the fire requirements. **MONITORING:** The fire requirements shall be checked by the building inspector prior to occupancy of each structure and annual inspections may occur (fuel modification) by the Fire District.

83. PALEO#1 - PALEO GRADING MONITORING

INTENT: In order to mitigate for potential impacts to paleontological resources, a monitoring program during grading, trenching or other excavation into undisturbed rock layers beneath the soil horizons and a fossil recovery program, if significant paleontological resources are encountered, shall be implemented pursuant to the [County of San Diego Guidelines for Determining Significance for Paleontological Resources](#). **DESCRIPTION OF REQUIREMENT:** A Qualified Paleontologist shall be contracted to perform paleontological resource monitoring and a fossil recovery program if significant paleontological resources are encountered during all grading, trenching, or other excavation into undisturbed rock layers beneath the soil horizons. The monitoring program shall include the following:

- a. A Qualified Paleontologist ("Project Paleontologist") shall perform the monitoring duties pursuant to the most current version of the [County of San Diego Guidelines for Determining Significance for Paleontological Resources](#), and this permit. The contract or letter of acceptance provided to the County shall include an agreement that the grading/ trenching/excavation monitoring will be completed, and a [Memorandum of Understanding \(MOU\)](#) between the Project Paleontologist 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.

- b. The cost of the monitoring shall be added to the grading bonds or bonded separately.

DOCUMENTATION: The applicant shall provide a copy of the Grading Monitoring Contract or letter of acceptance, cost estimate, and [MOU](#) to the [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:** The [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, LDR], for inclusion in the grading bond cost estimate and grading bonds and the grading monitoring requirement shall be made a condition of the issuance of the grading or construction permit.

84. PLAN CONDITIONS NOTES: [DPW, PDS].

INTENT: In order to implement the required mitigation measures for which was the basis for approval of this project pursuant to the County Subdivision Ordinance Section 81.303, County Subdivision Ordinance Section 81.604, the condition notes shall be implemented on the grading and improvement plans and made conditions of the permit issuance. **DESCRIPTION OF REQUIREMENT:**

GRADING PERMIT: (Prior to approval of any grading and/or improvement plans, and issuance of any grading or construction permits).

Prior to construction, a Conditional Letter of Map Revision (CLOMR) is required to be processed through the County and FEMA for this project that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). The CLOMR does not revise an effective FEMA Flood Insurance Rate Map (FIRM), it indicates whether the project, if built as proposed, would be recognized by FEMA. A Letter of Map Revision (LOMR) issued by FEMA is required at record plan / as-build stage and is FEMA's modification to an effective FIRM.

Changes to effective maps shall be made in writing by the County Flood Plan Administrator / Director of Public Works, official designated by County Chief Executive Officer (CEO).

PRE-CONSTRUCTION MEETING: (Prior to any clearing, grubbing, trenching, grading, or any land disturbances.)

85. BIO#13–TEMPORARY FENCING [PDS, FEE]

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

86. BIO#14-RESOURCE AVOIDANCE [PDS, FEE X2]

INTENT: In order to avoid impacts to migratory birds and raptors, including northern harriers, which are a sensitive biological resource pursuant to the Migratory Bird Treaty Act (MBTA), a Resource Avoidance Area (RAA), shall be implemented on all plans. **DESCRIPTION OF REQUIREMENT:** There shall be no brushing, clearing and/or grading such that none will be allowed within 300 feet of migratory bird and raptor nesting habitat, 300 feet of occupied owl burrows, and 900 feet of northern harrier nesting habitat during the breeding season within RRA as indicated on these plans. The breeding season is defined as occurring between February 1 and August 31. The Director of PDS [PDS, PPD] may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Wildlife, provided that migratory birds or raptors 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, PPD] is received. The [PDS, PPD] shall review the concurrence letter.

87. BIO#15-BURROWING OWL MONITORING [PDS, FEE X3]

INTENT: In order to prevent inadvertent disturbance to burrowing owl, a pre-construction burrowing owl survey shall be conducted within the project area.

DESCRIPTION OF REQUIREMENT: A County-approved biologist shall perform burrowing owl surveys within 72 hours of the start of any grading, clearing, and/or grubbing within and adjacent to the development area and the vicinity of any revegetation and restoration activities, including relocation sites. No disturbance may occur until concurrence on the survey result is received from the respective resource agencies (i.e. County, USFWS, and CDFW). 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 pre-construction survey 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](#).

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, grading, or any land disturbances, this condition shall be completed and approved. **MONITORING:** The [DPW, PDCI] shall not allow any grading, unless a concurrence from the [PDS, PPD] is received. The [PDS, PPD] shall review the concurrence letter.

88. PALEO-GR#1 - PALEONTOLOGICAL MONITORING

INTENT: In order to comply with Mitigation Monitoring and Reporting Program pursuant to PDS2008-3100-5549 (TM), a Paleontological Resources Grading Monitoring Program shall be implemented.

DESCRIPTION OF REQUIREMENT: The Project Paleontologist shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the grading monitoring program. The Project Paleontologist shall monitor during the original cutting of previously undisturbed deposits for the project, both on and off site, the Qualified Paleontological Resources Monitor shall be on-site to monitor as determined necessary by the Qualified Paleontologist. The grading monitoring program shall comply with the [County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources](#).

DOCUMENTATION: The applicant shall have the contracted Project Paleontologist attend the preconstruction meeting to explain the monitoring requirements. **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 attend the preconstruction conference and confirm the attendance of the approved Project Paleontologist.

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

89. CULT#GR-1 - 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.

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

90. CULT#GR-2 - 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.

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.

91. PALEO-GR#2 - PALEONTOLOGICAL MONITORING

INTENT: In order to comply with Mitigation Monitoring and Reporting Program pursuant to PDS2008-3100-5549 (TM), and the [County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources](#), a Grading Monitoring Program shall be implemented.

DESCRIPTION OF REQUIREMENT: The Project Paleontologist shall monitor during the original cutting of previously undisturbed deposits for the project, both on and off site. The Qualified Paleontological Resources Monitor shall be on-site to monitor as determined necessary by the Qualified Paleontologist. The grading monitoring program shall comply with the following requirements during grading:

- a. If paleontological resources are encountered during grading/excavation, the following shall be completed:
 1. The Paleontological Resources Monitor shall have the authority to direct, divert, or halt any grading/excavation activity until such time that the sensitivity of the resource can be determined and the appropriate salvage implemented.
 2. The Monitor shall immediately contact the Project Paleontologist.

3. The Project Paleontologist shall contact the Planning & Development Services immediately.
 4. The Project Paleontologist shall determine if the discovered resource is significant. If it is not significant, grading and/or excavation may resume.
- b. If the paleontological resource is significant or potentially significant, the Project Paleontologist or Paleontological Resources Monitor, under the supervision of the Project Paleontologist, shall complete the following tasks in the field:
1. Salvage unearthed fossil remains, including simple excavation of exposed specimens or, if necessary, plaster-jacketing of large and/or fragile specimens or more elaborate quarry excavations of richly fossiliferous deposits;
 2. Record stratigraphic and geologic data to provide a context for the recovered fossil remains, typically including a detailed description of all paleontological localities within the project site, as well as the lithology of fossil-bearing strata within the measured stratigraphic section, if feasible, and photographic documentation of the geologic setting; and
 3. Transport the collected specimens to a laboratory for processing (cleaning, curation, cataloging, etc.).

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

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

92. 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. **Archaeological Monitoring - 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 Monitoring - 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.
- C. **Data Recovery Final Report.** A final data recovery report for the completion of the data recovery program as detailed in the archaeological extended study *Cultural Resources Survey and Test Report for the TM 5549 Project* (Appendix H) prepared by Dennis Gallegos (October 2012) shall be submitted for review and approval. The final study shall provide the results, analysis, and conclusions of the data recovery program for CA-SDI-10071.

DOCUMENTATION: The applicant shall submit the Archaeological Monitoring Report and the Final Data Recovery Report to [PDS, PPD] for review and approval. Once approved, a final copy of the reports 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), these reports shall be completed. **MONITORING:** [PDS, PPD] shall review the reports and/or field monitoring memo for compliance with the project MMRP, and inform [DPW, PDCI] that the requirement is completed.

93. PALEO-GR#3 - PALEONTOLOGICAL MONITORING

INTENT: In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) pursuant to PDS2008-3100-5549 (TM), and the [County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources](#), a Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Paleontologist shall prepare one of the following letters upon completion of the grading activities that require monitoring:

- a. If no paleontological resources were discovered, submit a "No Fossils Found" letter from the grading contractor to the [PDS, PPD] stating that the monitoring has been completed and that no fossils were discovered, and including the names and signatures from the fossil monitors. The letter shall be in the format of Attachment E of the County of San Diego Guidelines for Determining Significance for Paleontological Resources.
- b. If Paleontological Resources were encountered during grading, a letter shall be prepared stating that the field grading monitoring activities have been completed, and that resources have been encountered. The letter shall detail the anticipated time schedule for completion of the curation phase of the monitoring.

DOCUMENTATION: The applicant shall submit the letter report to the [PDS, PPD] 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 letter report shall be completed. **MONITORING:** The [PDS, PPD] shall review the final negative letter report or field monitoring memo for compliance with the project MMRP, and inform [DPW, PDC] 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).

94. BIO#16–OPEN SPACE SIGNAGE & FENCING [PDS, FEE]

INTENT: In order to protect the onsite open space for PDS2008-3100-5549, fencing and signage shall be installed. **DESCRIPTION OF REQUIREMENT:** The permanent fences or walls, and open space signs shall be placed along the open space boundary as shown on these plans and the approved Conceptual Grading and Development Plan for PDS2008-3100-5549.

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

**Sensitive Environmental Resources
Area Restricted by Easement**

Entry without express written permission from the County of San Diego is prohibited. To report a violation or for more information about easement restrictions and exceptions contact the County of San Diego,
Planning & Development Services
Reference: PDS2008-3100-5549

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

95. BIO#17–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 non-native grassland and jurisdictional features, 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 are:

1. Selective clearing of vegetation by hand to the extent required by written order of the fire authorities for the express purpose of reducing 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 revegetation or habitat management plan approved by the Director of PDS, DPR and DPW. 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, PPD] stating that all Sensitive Resource 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.

96. 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:

- A. Department of Parks and Recreation Primary and Archaeological Site forms.
- B. Daily Monitoring Logs
- C. Evidence that all cultural materials have been conveyed 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.

97. PALEO-GR#4 - PALEONTOLOGICAL MONITORING

INTENT: In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) pursuant to PDS2008-3100-5549 (TM), and the [County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources](#), a Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Paleontologist shall prepare a final report that documents the results, analysis, and

conclusions of all phases of the Paleontological Monitoring Program if resources were encountered during grading. The report shall include the following:

- a. If paleontological resources were discovered, the following tasks shall be completed by or under the supervision of the Project Paleontologist:
 1. Prepare collected fossil remains for curation, to include cleaning the fossils by removing the enclosing rock material, stabilizing fragile specimens using glues and other hardeners, if necessary, and repairing broken specimens;
 2. Curate, catalog and identify all fossil remains to the lowest taxon possible, inventory specimens, assigning catalog numbers, and enter the appropriate specimen and locality data into a collection database;
 3. Submit a detailed report prepared by the Project Paleontologist in the format provided in Appendix D of the County of San Diego's Guidelines for Determining Significance for Paleontological Resources. The report shall identify which accredited institution has agreed to accept the curated fossils. Submit two hard copies of the final Paleontological Resources Mitigation Report to the Director of PDS for final approval of the mitigation, and submit an electronic copy of the complete report in Microsoft Word on a USB drive. In addition, submit one copy of the report to the San Diego Natural History Museum and one copy to the institution that received the fossils.
 4. Transfer the cataloged fossil remains and copies of relevant field notes, maps, stratigraphic sections, and photographs to an accredited institution (museum or university) in California that maintains paleontological collections for archival storage and/or display, and submit Proof of Transfer of Paleontological Resources, in the form of a letter, from the director of the paleontology department of the accredited institution to the Director of PDS verifying that the curated fossils from the project site have been received by the institution.
- b. If no resources were discovered, a brief letter to that effect and stating that the grading monitoring activities have been completed, shall be sent to the Director of Planning and Land Use by the Project Paleontologist.

DOCUMENTATION: The applicant shall submit the letter report to the [PDS, PPD] for review and approval. **TIMING:** Prior to the occupancy of any structure or use of the premises, and prior to Final Grading Release ([Grading Ordinance Sec. 87.421.a.3](#)), the final report shall be completed. **MONITORING:** The [PDS, PPD] shall review the final report for compliance with the project MMRP, and inform [DPW, PDCI] that the requirement is completed.

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

98. AQ#4-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. The project shall use architectural coatings with a VOC content of 100 grams per liter (g/l) or less for exterior coatings and 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.

99. **CAP#1-California Air Pollution Control Officers Association Control Measure Compliance**

INTENT: In order to implement a sustainable project design that would minimize energy consumption and greenhouse gas emissions. **DESCRIPTION OF REQUIREMENT:** As identified in the project's Greenhouse Gas Emissions Assessment, the project would implement project design features consistent with the control measures identified by the California Air Pollution Control Officers Association (CAPCOA):

Building Envelope

- a. The project will install modestly enhanced window insulation (0.4 U-factor, 0.32 SHGC)
- b. The project will install greatly enhanced cool roofs (CRRC Rate 0.35 aged solar reflectance, 0.75 thermal emittance)

Indoor Space Efficiencies

- c. The project will install enhanced heating/cooling duct insulation (R-8)
- d. The project will install improved efficiency HVAC (EER 14/78% AFUE or 8 HSPF)
- e. The project will install very high efficiency water heaters (0.92 Energy Factor)
- f. The project will design the building so that all peripheral rooms within the building have at least one window or skylight
- g. The project will install very high efficiency indoor lights (100% of in-unit fixtures are high efficiency)
- h. The project will install Star Commercial Refrigerators (new)

Miscellaneous Building Efficiencies

- i. The project will install solar ready roofs (sturdy roofs with electrical hookups)

Irrigation and Landscaping

- j. Only low water using plants would be included on-site as demonstrated by the project's landscaping plan
- k. The project will install weather-based irrigation control systems combined with drip irrigation (demonstrate 20 percent reduction in water use)

Potable Water

- l. The project will install water efficient toilets/urinals (1.5 gpm)
- m. The project will install water efficient faucets (1.28 gpm)

Transportation Alternatives

- n. The project will provide bicycle path linkages between project site and other land uses

DOCUMENTATION: The applicant shall comply with the requirements of this condition. **TIMING:** Prior to approval of any building plan or the issuance of any building permit, these design measures shall be implemented on the building plans and landscape plans. **MONITORING:** The [PDS, BPPR] shall make sure that the sustainable design measures are implemented on all building plans for the project.

100. CAP#2-County Climate Action Plan Satisfaction

INTENT: The project shall include the following features. **DESCRIPTION OF REQUIREMENT:** The project shall implement or install the following measures or features.

- a. **Measure 6:** Reduce Outdoor Water Use. The project would submit a Landscape Document Package that is compliant with the County's Water Conservation in Landscaping Ordinance that demonstrates a 40 percent reduction in current MAWA for outdoor use.

No other measures identified in the CAP Checklist would apply to the project.

DOCUMENTATION: The applicant shall comply with the requirements of this condition. **TIMING:** Prior to the approval of the final map and prior to the approval of any plan and issuance of any permit. **MONITORING:** The [PDS, LA] and [DPR, TC, PP] shall review the Landscape Plans for compliance with **Measure 6** of this condition.

101. GEN#3-INSPECTION FEE

Intent: In order to comply with Zoning Ordinance Section 7362.e the inspection fee shall be paid. **DESCRIPTION OF REQUIREMENT:** Pay the inspection fee at the [PDS, ZC] to cover the cost of inspection(s) of the property to monitor ongoing conditions associated with this permit. In addition, submit a letter indicating who should be contacted to schedule the inspection. **DOCUMENTATION:** The applicant shall provide a receipt showing that the inspection fee has been paid along with updated contact information [PDS, PCC]. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit. **MONITORING:** The [PDS, ZC] shall process an invoice and collect the fee. PDS will schedule an inspection within one year from the date that occupancy or use of the site was established.

102. LNDSCP#2-CERTIFICATION OF INSTALLATION

INTENT: In order to provide adequate Landscaping that complies with the East Otay Mesa Business Park Specific Plan, and to comply with the COSD Water Efficient Landscape Design Manual, the COSD Water Conservation in

Landscaping Ordinance (10675), the COSD Grading ordinance, and the requirements of the East Otay Mesa Business Park Specific Plan, 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.

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

1. The Tentative Map is consistent with all elements of the San Diego County General Plan and with the Specific Plan Area Land Use Designation of the East Otay Mesa Specific Plan within the Otay Subregional Plan because it proposes a subdivision of land and future development will be subject to comply 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 eight new lots that meet the minimum lot size requirements, ranging from 1.5 acres to 48.5 acres in the Technology Business Park and Conservation/Limited Use designations;
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 subdivision because the open space easement lots are located in an existing open space area, and the lots located in

the Technology Business Park area are appropriately sized to support commercial and industrial development;

5. The site is physically suitable for the proposed subdivision because all public facilities are available to serve the subdivision. The project has received service availability forms for water, sewer, schools and fire.
6. The design of the subdivision and the type of improvements will not cause public health problems because adequate water supply and sewage disposal services have been found to be available or can be provided concurrent with need;
7. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat based upon the findings of CEQA Section 15162 & 15164 addendum, dated September 18, 2020, to a previously certified Environmental Impact Report dated July 27, 1994;
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 San Diego County Sanitation sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the Water Code, as specified by Government Code Section 66474.6;
10. Because adequate facilities and services have been assured and adequate environmental review and documentation have been prepared, the regional housing opportunities afforded by the subdivision outweigh the impacts upon the public service needs of County residents and fiscal and environmental resources; and
11. Determinations and findings pursuant to the California Environmental Quality Act, the Resource Protection Ordinance, and the Watershed Protection, Stormwater Management, and Discharge Control Ordinance have been made by the Planning Commission.

WAIVER(S) AND EXCEPTION(S): This subdivision is hereby approved pursuant to the provisions of the State Subdivision Map Act, the County Subdivision Ordinance, the

County Public and Private Road Standards, and all other required ordinances of San Diego County except for a waiver or modification of the:

County Subdivision Ordinance to permit:

1. County Subdivision Ordinance Section 81.401(i) requires that lot shall be designed so the lot is at least 90 feet deep and the average lot depth, excluding any areas encumbered by any open space, drainage, flood control or right-of-way easement, shall not be greater than three times the average lot width. Lot 1 has a ratio of 3.34:1, which is greater than that which is allowed. Due to the large size of the lot and access from Vann Center Boulevard, staff supports the applicants request for a waiver pursuant to Subdivision Ordinance Section 81.308(a)(1).

County Public and Private Road Standards to permit:

1. County Public Road Standards Section 4.5.I. requires a maximum 1,000 Average Daily Trips (ADT) for an Industrial/Commercial Cul-de-sac. The project will be allowed to exceed the maximum for Vann Centre Boulevard and Enrico Fermi Drive as approved by the Request for Design Exception to a Road Standard and/or Modification to Project Conditions dated June 18, 2012.

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

STORMWATER ORDINANCE COMPLIANCE: In order to Comply with all applicable stormwater regulations the activities proposed under this application are subject to enforcement under permits from the [San Diego Regional Water Quality Control Board \(RWQCB\)](#) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control [Ordinance No. 10410](#) and all other applicable ordinances and standards for the life of this permit. The project site shall be in compliance with all applicable stormwater regulations referenced above and all other applicable ordinances and standards. This includes compliance with the approved Stormwater Management Plan, all requirements for Low Impact Development (LID), Hydromodification, materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas 1 acre or greater require that during construction the property owner keeps the Storm Water Pollution Prevention Plan (SWPPP) onsite and update it as needed. The property owner and permittee shall comply with the requirements of the stormwater regulations referenced above.

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), noise generating equipment and project related noise sources associated with the future use and discretionary actions shall be subject to further noise evaluation. The owner or applicant of the project shall demonstrate that the proposed project complies with the sound level limits pursuant to the Noise Ordinance Section 36.404 and the General Plan Noise Elements.

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

http://www.sandiegocounty.gov/content/dam/sdc/dpw/WATERSHED_PROTECTION_PROGRAM/susmppdf/lid_handbook_2014sm.pdf

The County has provided a LID Handbook as a source for LID information and is to be

utilized by County staff and outside consultants for implementing LID in our region. See link below: <http://www.sdcountry.ca.gov/dplu/docs/LID-Handbook.pdf>

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

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

GRADING PERMIT REQUIRED: A grading permit is required prior to commencement of grading when quantities 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. Linea Del Cielo (ME Route # SC 1524/S-8) is shown as a 2.2F Light Collector Road on the Mobility Element of the County General Plan. 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.

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

APPEAL PROCEDURE: Within ten days after adoption of this Resolution, these findings and conditions may be appealed in accordance with [Section 81.310 of the Subdivision Ordinance](#) and as provided in Section 66452.5 of the Government Code. An appeal shall be filed with the appellant body and/or the Board of Supervisors within TEN CALENDAR

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

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

AYES:

NOES:

ABSENT:

International Industrial Park
PDS2008-3100-5549

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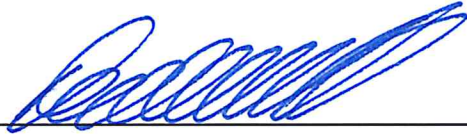
September 2, 2020

The applicant shall pay the TIF at the *[PDS, LD Counter]* and provide a copy of the receipt to the *[PDS, BD]* at time of permit issuance.

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

NOTICE: 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.

By:



Date 9/2/2020

David Wick, Vice President (Print Name and Title)

**Attachment B –
Notice of Preliminary Decision**



County of San Diego

DAHVIA LYNCH
DIRECTOR

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

VINCE NICOLETTI
ASSISTANT DIRECTOR

January 19, 2024

REFERENCE: TENTATIVE MAP TIME EXTENSION PDS2023-TM5549TE

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 PDS2023-TM-5549TE. A copy of this Notice of Preliminary Decision will be filed with the Planning Commission as an informational agenda item on January 19, 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

January 19, 2024

REFERENCE: TENTATIVE MAP TIME EXTENSION PDS2023-TM-5549TE

FINAL NOTICE OF ACTION OF
THE PLANNING COMMISSION APPROVING
A TIME EXTENSION FOR PDS2023-TM-5549TE

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

1. The approval of this Tentative Map expires on ~~September 18, 2020~~ September 18, 2029 at 4:00 p.m.

PDS-Land Development has no comments on TM 5549TE. The conditions within the Resolution of San Diego County, Conditionally Approving Tentative Map No. 5549 dated September 18, 2020 are still applicable.

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):

The conditions within the Resolution of San Diego County, Conditionally Approving Tentative Map No. 5549 dated September 18, 2020 are still applicable.

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

A. County Subdivision Ordinance:

(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 LED light fixtures per County of San Diego Street Lighting Specifications dated April 2019.

(2) Standard Condition 11: Said condition pertains to condominium units or a planned development. This subdivision is neither a condominium nor a planned development.

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(3) Standard Condition 22: Said conditions apply to a private subsurface sewage disposal system. The project proposes a public sewer system.

(4) Standard Condition 27: Said condition states that the Final Map may not be filed as units or groups of units. The Final Map for this Tentative Map is proposed to be filed in three units.

PRELIMINARY GRADING PLAN: The approval of this Tentative Map here by adopts the Preliminary Grading and Improvement Plan dated April 9, 2020 consisting of four sheets (Attached Herein as Exhibit B) pursuant to [Section 81.305 of the County Subdivision Ordinance](#). In accordance with the [Section 87.207 of the County Grading Ordinance](#), Environmental Mitigation Measures or other conditions of approval required and identified on this plan, shall be completed or implemented on the final engineering plan before any improvement or grading plan can be approved and any permit issued in reliance of the approved plan. Any Substantial deviation therefrom the Preliminary Grading and Improvement Plan may cause the need for further environmental review. Additionally, approval of the preliminary plan does not constitute approval of a final engineering plan. A final engineering plan shall be approved pursuant to [County of San Diego Grading Ordinance \(Sec 87.701 et. al.\)](#)

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

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

ANY PERMIT: (Prior to the approval of any plan, issuance of any permit, and prior to occupancy or use of the premises in reliance of this permit).

ALL UNITS: Conditions that apply to all Units (Units 1, 2, and 3) are listed after the conditions for the individual units.

UNIT 1: PRIOR TO APPROVAL OF FINAL MAP

The Final Map for this Tentative Map is to be filed in units. The order of the filing of Final Maps shall be sequential. The first Final Map to be filed shall be Unit 1, followed by Units 2, and 3. In addition, conditions that apply to all units (Units 1, 2, and 3) are listed in a separate section at the end, following the conditions for Unit 3.

30. 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 permit shall be paid. **DESCRIPTION OF REQUIREMENT:** The applicant shall pay off all existing deficit accounts associated with processing this permit. **DOCUMENTATION:** The applicant shall provide evidence to Planning & Development Services, Zoning Counter, which shows that all fees and trust account deficits have been paid. No permit can be issued if there are deficit trust accounts. **TIMING:** Prior to the

approval of any plan and prior to the issuance of any permit and prior to use in reliance of this permit, all fees and trust account deficits shall be paid. **MONITORING:** The PDS Zoning Counter shall verify that all fees and trust account deficits have been paid.

31. GEN#2–FILING OF NOD

INTENT: In order to comply with CEQA and State law, the permit NOD shall be filed at the County Recorder's Office. **DESCRIPTION OF REQUIREMENT:** The applicant shall take the original NOD and required fees to the San Diego County Recorder's Office and file the document within five (5) days of permit approval and return a copy of the filed document to PDS. **DOCUMENTATION:** The filed NOD form. **TIMING:** Within the first five (5) days of the appeal period, the applicant/owner shall take the original NOD form and required filing fees to the San Diego County Recorder's Office and file the document. **MONITORING:** The PDS Zoning Counter shall verify that the NOD was filed and that a copy of the document is on file at PDS.

32. PLN#1–PLAN CONFORMANCE

INTENT: In order to implement the required mitigation measures for the project, the required Grading and Improvement Plans shall conform to the approved Conceptual Grading and Development Plan pursuant to Section 87.207 of the County Grading Ordinance. **DESCRIPTION OF REQUIREMENT:** The Grading and Improvement Plans shall conform to the approved Conceptual Grading and Development Plan, which includes all of the following mitigation measures: operation hours, avoidance areas, archaeological monitoring. All conditions, requirements, mitigation measures and information stated on the sheets of the plans shall be made conditions of the permit's issuance and shall be implemented pursuant to the adopted Mitigation Monitoring and Reporting Program (MMRP) of this Permit. No deviation of the requirements can be made without modification of this permit. **DOCUMENTATION:** The applicant shall submit the grading plans and improvement plans, which conform to the conceptual development plan for the project. **TIMING:** Prior to approval of any grading or improvement plan and prior to issuance of any grading or construction permit, the notes and items shall be placed on the plans as required. **MONITORING:** The [DPW, ESU, DPR, TC, or PDS, BD for Minor Grading] 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.

33. ROADS#1–PUBLIC ROAD IMPROVEMENTS

INTENT: In order to promote orderly development and to comply with the [Subdivision Ordinance Sec. 81.404](#), the Community Trails Master Plan, and the East Otay Mesa Specific Plan, **Enrico Fermi Drive (SA 1105)** and **Lone Star Road (SC 2340)** shall be improved. **DESCRIPTION OF REQUIREMENT:**

- a. Improve or agree to improve and provide security for onsite **Enrico Fermi Drive (SA 1105)**, from Lone Star Road (SC 2340) northerly to the terminus at Lot 6 and 7, along the north side in accordance with Public Road Standards for an Industrial/Commercial Collector Road to a graded width of eighty-eight feet (88') with sixty-eight feet (68') of asphalt concrete pavement over approved base with

Portland cement concrete curb, gutter and detached sidewalk with face of curb at thirty-four feet (34') from centerline. The width of detached sidewalk shall be four feet (4') and the distance between face of curb and edge of sidewalk shall be three feet (3'). Provide transition for all widenings, tapers, and traffic striping to match existing pavement. If a Design Exception Request is processed to the satisfaction of DPW and PDS, then the improvement widths may be reduced. All of the above shall be to the satisfaction of the Director of Public Work/PDS.

- b. Improve or agree to improve and provide security for the northern half of **Lone Star Road (SC 2340)** from the eastern project boundary to the western limit of Unit 1, along the project frontage in accordance with Public Road Standards and the East Otay Mesa Specific Plan for 4.1A Major Road with Raised Median and Bike Lane to a graded width of forty-nine feet (49') with thirty-two feet (32') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and detached sidewalk with face of curb at thirty-nine feet (39') from centerline. The width of detached sidewalk shall be four feet (4') and the distance between face of curb and edge of sidewalk shall be three feet (3'). **Lone Star Road (SC 2340)** shall be planted with large-sized evergreen/or deciduous trees spaced every 30 feet and located 10 feet from the face of the curb. Provide transition for all widenings, tapers, and traffic striping to match existing pavement. If **Lone Star Road (SC 2340)** is fully improved on the south side along APN 646-080-11 and 648-040-14, construct a fourteen-foot (14') wide raised median from the eastern project boundary to the western limit of Unit 1, with face of median curb at seven feet (7') from centerline. Median shall be paved with Sandstone colored concrete (Davis Sandstone or equivalent) and stamped with a Dry Creek Bed Pattern or similar. If a Design Exception Request is processed to the satisfaction of DPW and PDS and the median is replaced with striping, then that portion of this condition can be determined satisfied. All of the above shall be to the satisfaction of the Director of Public Works and Planning & Development Services.

NOTE: *If this road segment is previously constructed by Unit #2 or #3 and is in operation, this condition will be deemed satisfied.*

- c. **Enrico Fermi Drive (SA 1105)** shall terminate with a cul-de-sac graded to a radius of sixty feet (60') and surfaced to a radius of fifty feet (50') with asphalt concrete pavement over approved base with Portland cement concrete curb gutter and sidewalk/asphalt concrete dike with face of curb/dike at fifty feet (50') from the radius point.
- 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 Community Trails Master Plan. The improvements shall be completed within 24 months from the approval of the improvement plans, execution of the agreements, and acceptance of the securities. **DOCUMENTATION:** The applicant shall complete the following:

- e. Process and obtain approval of Improvement Plans to improve **Enrico Fermi Drive (SA 1105)**, and **Lone Star Road (SC 2340)**.
- f. Provide Secured Agreement and post security in accordance with [Subdivision Ordinance Sec. 81.408](#).
- g. Upon approval of the plans, pay all applicable inspection fees/deposits with [DPW, PDCI].
- h. 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.

TIMING: Prior to the recordation of the Final Map for Unit 1 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.

34. **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), Table 5, of the [County of San Diego Public Road Standards](#), an unobstructed sight distance shall be verified. **DESCRIPTION OF REQUIREMENT:**

- a. A Registered Civil Engineer or a Licensed Land Surveyor shall provide a certified signed statement: “I, _____ (C _____ or LS _____) certify that there is _____ feet of unobstructed intersectional sight distance in both directions along **Lone Star Road (SC 2340)** from the public road, **Enrico Fermi Drive (SA 1105)** measured in accordance with the methodology described in Section 6.1.(E), 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 shall provide a certified signed statement: “I, _____ (C _____ or LS _____) certify that there is _____ feet of unobstructed intersectional sight distance in both directions along **Enrico Fermi Drive (SA 1105)** from the public road, **Lone Star Road (SC 2340)** measured in accordance

with the methodology described in Section 6.1.(E), 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. If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify that: “Said lines of sight fall within the existing right-of-way and a clear space easement is not required.”

DOCUMENTATION: The applicant shall have a Registered Civil Engineer, or a Licensed Land Surveyor provide a signed statement as detailed above, and submit them to the [PDS, LDR] for review. **TIMING:** Prior to the approval of the Final Map for Unit 1, the sight distance shall be verified. **MONITORING:** The [PDS, LDR] shall verify the sight distance certifications.

35. **ROADS#3–ROAD DEDICATION (ONSITE)**

INTENT: In order to promote orderly development and to comply with the [Subdivision Ordinance Sec. 81.402](#) and the East Otay Mesa Specific Plan, 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 total right-of-way width of eighty-eight feet (88') along the centerline of **Enrico Fermi Drive (SA 1105)**, from Lone Star Road (SC 2340) northerly to the terminus at Lot 6 and 7, in accordance with Public Road Standards for an Industrial/Commercial Collector Road, with thirty foot (30') radius corner rounding at the Lone Star Road (SC 2340) intersection, together with right to construct and maintain slopes and drainage facilities to the satisfaction of the Director of Planning and Development Services and DPW. If a Design Exception Request is processed to the satisfaction of DPW and PDS, then the right-of-way width may be reduced.
- 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-nine feet (49') from the ultimate centerline of **Lone Star Road (SC 2340)** from the eastern project boundary to the western limit of Unit 1, along the project frontage in accordance with Public Road Standards and the East Otay Mesa Specific Plan for 4.1A Major Road with Raised Median and Bike Lane together with right to construct and maintain slopes and drainage facilities to the satisfaction of the Director of PDS and DPW.
- c. Dedicate onsite a two foot (2') wide landscape easement along **Enrico Fermi Drive (SA 1105)** and **Lone Star Road (SC 2340)** within the landscaped building setback and adjacent to the parkway in order to provide adequate space for street trees in accordance with the [East Otay Mesa Business Park Specific Plan](#).
- d. The dedication shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required, and shall be accepted for public use. The

affected utility company/district shall enter into a joint use agreement with the County of San Diego to the satisfaction of the Director of PDS.

DOCUMENTATION: The applicant shall dedicate the easement on the map and show it as Accepted. **TIMING:** Prior to the recordation of the Final Map for Unit 1 the onsite dedication shall be provided for roads with the recordation of the unit the road is within, abuts or provides access to. **MONITORING:** The [PDS, LDR] shall verify that the dedication is indicated on the map and Accepted by the County.

36. **ROADS#4–RELINQUISH ACCESS**

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

- a. Relinquish access rights in and to ***Lone Star Road (SC 2340)*** along the project frontage except for the opening for Enrico Fermi Drive (SA 1105) as shown on the approved Tentative Map.
- b. Relinquish access rights in and to ***Enrico Fermi Drive (SA 1105)*** along the project frontage except for the driveway access openings as shown on the approved Tentative Map.
- c. 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 show the Relinquishment on the Final Map for Unit 1. **TIMING:** Concurrently with the approval of the Final Map for Unit 1, the access shall be relinquished. **MONITORING:** The applicant shall show the relinquishment of access rights on the Final Map for Unit 1 and forward a copy to [PDS, LDR] for preapproval. The [PDS, LDR] shall review the Final Map for Unit 1 for compliance with this condition.

37. **BIO#1–BIOLOGICAL EASEMENT [PDS, FEE X 2]**

INTENT: In order to protect sensitive biological resources, pursuant to the County's Guidelines for Determining Significance for Biological Resources, a biological open space easement shall be granted. **DESCRIPTION OF REQUIREMENT:** Grant to the County of San Diego and the California Department of Fish & Wildlife by separate document, an open space easement, or grant to the California Department of Fish & Wildlife a conservation easement, as shown on the approved Tentative Map. This easement is for the protection of biological resources and prohibits all of the following on any portion of the land subject to said easement: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than as open space. Granting of this open space authorizes the County and its agents to periodically access the land to perform management and monitoring activities for the purposes of species and habitat conservation. The only exception(s) to this prohibition are:

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- 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 revegetation or habitat management plan approved by the Director of PDS, DPR and DPW.
- c. 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 show the easement on the Final Map with the appropriate granting language on the title sheet concurrent with the Final Map review.

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

38. **BIO#2-LBZ EASEMENT [PDS, FEEX 2]**

INTENT: In order to protect sensitive biological resources, pursuant to the County's Guidelines for Determining Significance for Biological Resources, a Limited Building Zone (LBZ) Easement 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 Tentative Map. The purpose of this easement is to limit the need to clear or modify vegetation for fire protection purposes within the adjacent biological open space easement and prohibit the construction or placement of any structure designed or intended for occupancy by humans or animals. The only exceptions to this prohibition are:

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

DOCUMENTATION: The applicant shall show the easement on the Final Map with the appropriate granting language on the title sheet concurrent with Final Map review.

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

39. **BIO#3-MONETARY CONTRIBUTION [PDS, FEE X2]**

INTENT: In order to mitigate for the impacts to non-native grassland, which is a sensitive biological resource pursuant to the Biological Mitigation Ordinance (BMO), a monetary contribution shall be provided. **DESCRIPTION OF REQUIREMENT:** The applicant shall provide a monetary contribution of \$1,567,421.68 to the Otay Mesa Grassland Mitigation Fund; Fund #6649, based on the cost of 101.86 acres of upland habitat credit at the Crestridge Conservation Bank. **DOCUMENTATION:** The applicant shall provide the monetary contribution and provide the evidence to the [PDS, PPD] for review and approval. It is recommended that the applicant submit the mitigation proposal to the [PDS, PPD], for a pre-approval. **TIMING:** Prior to the approval of the map and prior to the approval of any plan and issuance of any permit, the mitigation shall be completed. **MONITORING:** The [PDS, PPD] shall review the evidence of monetary contribution and confirm that the monetary contribution has been made.

40. BIO#4–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 shall be placed along the biological open space boundary as indicated on the approved Tentative Map for PDS2008-3100-5549. The signs must be corrosion resistant, a minimum of 6" x 9" in size, on posts not less than three (3) feet in height from the ground surface, and must state the following:

**Sensitive Environmental Resources
Area Restricted by Easement**

Entry without express written permission from the County of San Diego
is prohibited. To report a violation or for more information about easement
restrictions and exceptions contact the County of San Diego,
Planning & Development Services
Reference: PDS2008-3100-5549

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 map and prior to the approval of any plan and issuance of any permit, the open space signs shall be installed. **MONITORING:** The [PDS, PPD] shall review the photos and statement for compliance with this condition.

41. BIO#5–OPEN SPACE FENCING [PDS, FEE]

INTENT: In order to protect the proposed open space easement from entry, and disturbance, permanent fencing or walls shall be installed. **DESCRIPTION OF REQUIREMENT:** Open space fencing or walls shall be placed along the biological open space boundary as indicated on the approved Tentative Map for PDS2008-3100-5549. The fencing/walls design shall consist of heavy gauge three strand barbless wire fencing. **DOCUMENTATION:** The applicant shall install the fencing or walls 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 map and prior to the approval of any plan and issuance of any permit, the

fencing or walls shall be placed. **MONITORING:** The [PDS, PPD] shall review the photos and statement for compliance with this condition.

42. **BIO#6–NON-NATIVE GRASSLAND REVEGETATION PLAN**

INTENT: In order to mitigate for the impacts to non-native grassland, which is a sensitive biological resource pursuant to the Biological Mitigation Ordinance (BMO), revegetation shall occur. **DESCRIPTION OF REQUIREMENT:** A Revegetation Plan, shall be prepared, which describes the 9.86 acres of non-native grassland revegetation occurring along the slopes of Johnson Canyon. The revegetation plan shall conform to the Conceptual TM 5549 Non-native Grassland Revegetation Plan dated May 21, 2020, and the most current version of the [County of San Diego Report Format and Content Requirements for Revegetation Plans](#). The Revegetation Plan shall include the following:

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

DOCUMENTATION: The applicant shall prepare the Revegetation Plan, submit it to the [PDS, ZONING] and pay all the applicable review fees and deposits. **TIMING:** Prior to the approval of any plan and issuance of any permit, the Revegetation Plan shall be approved. **MONITORING:** The [PDS, LA] shall review the Revegetation Plan for conformance with this condition and the Report Format and Content Requirements for Revegetation Plans. Upon approval of the Plan, a Director's Decision of approval shall be issued to the applicant, and a request for compliance with condition Bio#7 shall be made to enter into a Secured Agreement for the implementation of the Plan.

43. **BIO#7–SECURED AGREEMENT**

INTENT: In order to assure project completion and success of the Revegetation Plan in condition Bio#6, a surety shall be provided, and an agreement shall be executed.

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

- a. The security shall consist of a letter of credit, bond, or cash for 100 percent of the estimated costs associated with the implementation of the Revegetation Plan and,
- b. Provide a 10 percent cash deposit of the cost of all improvements, but no less than \$3,000 and no more than \$30,000.

- c. The monitoring time and the length of time the Secured Agreement and cash deposit will be in effect starts at the time the installation is accepted by a County staff representative. The Secured Agreement and cash deposit shall be released upon completion of the Revegetation Plan implementation provided the installed vegetation is in a healthy condition and meets the 80 percent success criteria. Eighty- percent success rate and one hundred percent vegetative cover, excluding herbaceous species, shall be considered satisfactory completion of the Revegetation Plan.

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

44. **BIO#8–WETLAND MITIGATION REVEGETATION PLAN**

INTENT: In order to mitigate for the impacts to waters of the U.S. (WUS) and waters of the State (WS) under the jurisdiction of the U.S. Army Corps of Engineers (USACE), the Regional Water Quality Control Board (RWQCB), CDFW, and the County, which are sensitive biological resources pursuant to the Biological Mitigation Ordinance (BMO), revegetation shall occur. **DESCRIPTION OF REQUIREMENT:** A Revegetation Plan, shall be prepared, which mitigates impacts to waters of the U.S. (WUS), waters of the State (WS), and RPO wetlands. The revegetation shall occur in the upper end of Johnson Canyon. The revegetation plan shall conform to the Conceptual TM 5549 and TPM 21140 Wetland Habitat Mitigation Plan dated March 2, 2020, and the most current version of the [County of San Diego Report Format and Content Requirements for Revegetation Plans](#).

The Revegetation Plan shall include the following:

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

species ratios, source, size material, etc.), planting program, 80 percent success criteria, and a detailed cost estimate.

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

DOCUMENTATION: The applicant shall prepare the Revegetation Plan, submit it to the [PDS, ZONING] and pay all the applicable review fees and deposits. **TIMING:** Prior to the approval of any plan and issuance of any permit, the Revegetation Plan shall be approved. **MONITORING:** The [PDS, LA] shall review the Revegetation Plan for conformance with this condition and the Report Format and Content Requirements for Revegetation Plans. Upon approval of the Plan, a Director's Decision of approval shall be issued to the applicant, and a request for compliance with condition Bio#9 shall be made to enter into a Secured Agreement for the implementation of the Plan.

45. BIO#9—SECURED AGREEMENT

INTENT: In order to assure project completion and success of the Revegetation Plan in condition Bio#8, a surety shall be provided and an agreement shall be executed.

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

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

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

46. BIO#10—UPLAND HABITAT RESOURCE MANAGEMENT PLAN

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INTENT: In order to provide for the long-term management of the proposed five-acre open space preserve, a Resource Management Plan (RMP) shall be prepared and implemented. **DESCRIPTION OF REQUIREMENT:** Submit to and receive approval from the Director of PDS, an RMP. The RMP shall be for the perpetual management of non-native grassland. The RMP shall be consistent with the conceptual/draft RMP/HMP dated May 21, 2020 on file with PDS as Environmental Review Number PDS2020-ER-93-19-006ZZ0. The plan shall be prepared and approved pursuant to the most current version of the [County of San Diego Biological Report Format and Content Requirements](#). The final RMP cannot be approved until the following has been completed to the satisfaction of the Director of PDS and in cases where DPR has agreed to be the owner and/or manager, to the satisfaction of the Director of DPR.

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

DOCUMENTATION: The applicant shall prepare the RMP and submit it to the [PDS, ZONING] and pay all applicable review fees. **TIMING:** Prior to the approval of the 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.

47. **BIO#11–WETLAND RESOURCE MANAGEMENT PLAN**

INTENT: In order to provide for the long-term management of the wetland mitigation area, a Resource Management Plan (RMP) shall be prepared and implemented.

DESCRIPTION OF REQUIREMENT: Submit to and receive approval from the Director of PDS, an RMP. The RMP shall be for the perpetual management of the wetland mitigation area. The RMP shall be consistent with the Conceptual Wetland Habitat Resource Management Plan for the TM 5549 and TPM 21140 Projects dated March 7, 2019 on file with PDS as Environmental Review Number PDS2020-ER-93-19-006ZZ0. The plan shall be prepared and approved pursuant to the most current version of the [County of San Diego Biological Report Format and Content Requirements](#). The final RMP cannot be approved until the following has been completed to the satisfaction of the Director of PDS and in cases where DPR has agreed to be the owner and/or manager, to the satisfaction of the Director of DPR.

- a. The plan shall be prepared and approved pursuant to the most current version of the [County of San Diego Biological Report Format and Content Requirements](#).
- b. The habitat land to be managed shall be completely purchased.
- c. The easements shall be dedicated to ensure that the land is protected in perpetuity.

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- d. A Resource Manager shall be selected and evidence provided by applicant as to the acceptance of this responsibility by the proposed Resource Manager.
- e. The RMP funding mechanism shall be identified and approved by the County to fund annual costs for basic stewardship.
- f. A contract between applicant and County shall be executed for the implementation of the RMP.

DOCUMENTATION: The applicant shall prepare the RMP and submit it to the [PDS, ZONING] and pay all applicable review fees. **TIMING:** Prior to the approval of the 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.

48. BIO#12-WETLAND PERMITS: [PDS, FEE X2]

INTENT: In order to comply with the State and Federal Regulations for jurisdictional features, 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:

- a. 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.
- b. A Section 1602 Streambed Alteration Agreement issued by the California Department of Fish and Wildlife for all project related disturbances of any streambed.

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 map and prior to the approval of any plan and issuance of any permit, the permits shall be obtained. **MONITORING:** The [PDS, PPD] 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.

49. CULT#1 - DATA RECOVERY AND INDEX SAMPLING PLAN – CA-SDI-10071

INTENT: In order to mitigate for potential impacts to significant cultural resources that cannot be feasibly avoided or preserved in place, pursuant to Section 15064.5 of the California Environmental Quality Act (CEQA), which are not subject to Section 86.602.o of the Resource Protection Ordinance (RPO), a data recovery and index sampling plan shall be implemented. **DESCRIPTION OF REQUIREMENT:** Implement the research design detailed in the archaeological extended study *Cultural Resources Survey and Test Report for the TM 5549 Project* (Appendix H) prepared by Dennis Gallegos (October 2012). The implementation of the research design constitutes mitigation for the proposed destruction of portions of CA-SDI-10071. The data recovery program shall include the following:

- A. Phase I and Phase II:** The Data Recovery and Index Sampling Plan shall comply with the research design and performance standards that are in Appendix H of the cultural

study titled, *Cultural Resources Survey and Test Report for the TM 5549 Project* prepared by Dennis Gallegos (October 2012).

- B. Phase I & Phase II:** For artifacts found during the Phase I and Phase II data recovery, conduct an artifact analysis, which includes the following: lithics, ceramics, faunal, floral, and assemblage analysis as referenced in the Data Recovery Work Plan (Appendix H). All identified features shall be 50 to 100 percent exposed and analyzed. Column samples shall be excavated for the collection of soil samples for pollen and phytolith analysis and flotation shall be conducted for the collection of plant seeds. Specialized studies shall be conducted after the initial sorting and cataloguing of cultural materials and may include lithic, groundstone, ceramic, shell obsidian hydration and sourcing, and radiocarbon dating.

Historical artifacts shall be identified and analyzed using historical archaeological analytical techniques such as artifact function patterning, bottled products pattern analysis and ceramic economic indexing. Additional historic research shall be conducted as necessary to aid in analyzing and explaining the significance of patterns.

- C. Artifact Conveyance:** All Native American cultural materials recovered during the survey, significance testing, pre-grade, and data recovery phases, shall be submitted to a San Diego curation facility or a culturally affiliated Native American Tribal curation facility that meets federal standards per 36 CFR Part 79, 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.

All historic archaeological materials recovered during the survey, significance testing, and data recovery phases, shall be curated at a San Diego facility that meets federal standards per 36 CFR Part 79. The collections and associated records shall be transferred, including title, to an appropriate curation facility within San Diego County, to be accompanied by payment of the fees necessary for permanent curation.

DOCUMENTATION: Upon completion of the Phase I and Phase II data recovery referenced above, the applicant shall submit a letter report to the [PDS, PPD] identifying that data recovery field work has been completed for review and approval. **TIMING:** Prior to the approval of any plan, issuance of any permit and prior to approval of any map, the

field activities associated with the data recovery program shall be completed.
MONITORING: The [PDS, PPD] shall review the letter report for compliance with this condition.

50. CULT#2 - PRE-GRADE AND DATA RECOVERY – CA-SDI-10070

INTENT: In order to mitigate for potential impacts to buried resources associated with CA-SDI-10070, a pre-grade data recovery program shall be implemented.

DESCRIPTION OF REQUIREMENT: Implement the research design detailed in the archaeological extended study (Section 9.0 – List of Mitigation Measures and Design Features) prepared by Dennis Gallegos (October 2012). The implementation of the pre-grade and data recovery program constitutes mitigation for impacts to buried resources associated with CA-SDI-10070. The pre-grade and data recovery program shall include the following:

- a. **Phase I:** Implement a combination of controlled 1x1 meter excavation units and backhoe excavation followed by the screening of soils. Upon completion of Phase I, a full technical or letter report shall be prepared (dependent upon findings) evaluating the issues of site integrity, data redundancy, spatial and temporal patterning, features, and other relevant topics in order to assess the adequacy of the initial pre-grade work. The report shall make a recommendation regarding the need for and scope of a second phase of field investigations. If no artifacts or features are identified, then a Phase II Pre-grade Program will not be required.
- b. **Phase II:** A Phase II Pre-Grade Program shall be implemented if intact deposits, features, or areas are found that will contribute to the research questions identified in the cultural study prepared by Dennis Gallegos (October 2012).
- c. **Artifact Analysis:** For artifacts found during the Phase I and Phase II data recovery, conduct an artifact analysis, which includes the following: lithics, ceramics, faunal, floral, and assemblage analysis as referenced in the Data Recovery Work Plan (Appendix H). All identified features shall be 50 to 100 percent exposed and analyzed. Column samples shall be excavated for the collection of soil samples for pollen and phytolith analysis and flotation shall be conducted for the collection of plant seeds. Specialized studies shall be conducted after the initial sorting and cataloguing of cultural materials and may include lithic, groundstone, ceramic, shell obsidian hydration and sourcing, and radiocarbon dating.

Historical artifacts shall be identified and analyzed using historical archaeological analytical techniques such as artifact function patterning, bottled products pattern analysis and ceramic economic indexing. Additional historic research shall be conducted as necessary to aid in analyzing and explaining the significance of patterns.

- d. **Artifact Conveyance:** All Native American cultural materials recovered during the survey, significance testing, pre-grade, and data recovery phases, shall be submitted to a San Diego curation facility or a culturally affiliated Native American Tribal curation facility that meets federal standards per 36 CFR Part 79, 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

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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.

All historic archaeological materials recovered during the survey, significance testing, and data recovery phases, shall be curated at a San Diego facility that meets federal standards per 36 CFR Part 79. The collections and associated records shall be transferred, including title, to an appropriate curation facility within San Diego County, to be accompanied by payment of the fees necessary for permanent curation.

DOCUMENTATION: Upon completion of the pre-grade and data recovery phase referenced above, the applicant shall submit a final report to *[PDS, PPD]*. The final report shall include a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid. **TIMING:** Prior to the approval of any plan, issuance of any permit and prior to approval of the final map, the pre-grade and data recovery program shall be completed. **MONITORING:** The *[PDS, PPD]* shall review the final pre-grade and data recovery program report for compliance with this condition.

51. CULT#3 - 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:

- a. The Project Archaeologist shall perform the monitoring duties before, during and after construction pursuant to the most current version of the County of San Diego Guidelines for Determining Significance and Report Format and Requirements for Cultural Resources. 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.

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

DOCUMENTATION: The applicant shall provide a copy of the Archaeological Monitoring Contract or letter of acceptance, cost estimate, and MOU to [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.

52. FIRE#1 – FIRE PROTECTION PLAN

INTENT: The map shall comply with the fire requirements from the fire protection plan as shown on the map and the grading plan pursuant to the 2020 San Diego County Consolidated Fire Code. **DESCRIPTION OF REQUIREMENT:** The following requirements shall be included on the map: all structures shall met the ignition resistant building requirements, adequate access to each lot, the required limited building zones, and all other requirements as required in the April 20, 2012 Fire Protection Plan with the June 23, 2020 Addendum. **DOCUMENTATION:** The applicant shall include the fire requirements on the map and grading plan and obtain a letter of approval from the San Diego Fire Authority. **TIMING:** Prior to recordation of the final map, the applicant shall obtain a letter from the San Diego Fire Authority stating that the above requirements have been satisfied. **MONITORING:** The fire requirements shall be checked by the building inspector prior to occupancy of each building and annual inspections may occur (fuel modification) by the Fire District.

53. LNDSCP#1–LANDSCAPE DOCUMENTATION PACKAGE

INTENT: In order to provide adequate Landscaping that addresses screening and streetscapes, and to comply with the East Otay Mesa Business Park Specific Plan (EOMBSP), 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 most current version of the COSD Water Conservation in Landscaping Ordinance (10675), the COSD Grading Ordinance, and the requirements of the East Otay Mesa Business Park Specific Plan. All Plans shall be prepared by a California licensed Landscape Architect, Architect, or Civil Engineer, and include the following information:

- a. Indication of the proposed width of any adjacent public right-of-way, and the locations of any required improvements including all parkway planting as required by the Public Landscaping section (2.3.7) within Chapter 2 of the EOMBSP and any proposed plant materials to be installed or planted therein. The applicant shall also obtain an

Encroachment Maintenance and Removal Agreement for any and all proposed landscaping within the public right-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. All Streetscape and Major Intersection plantings shall be per Appendix 1, Streetscape Plant List within the EOMBSP. Clearance Zones and the use of root barriers (per Section's 2.3.9 and 2.3.10 of the EOMBSP) shall also be established as identified within the Public Landscaping Section.

- b. 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. All applicable Site Planning Standards (Table 3.2-1) and Landscaping Standards (Table 3.2-2) as required within Chapter 3 of the EOMBSP, including Building Setback Landscaping for all Circulation Element and Specific Plan roads shall be addressed within the Landscape Documentation Package.
- c. 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.
- d. 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.
- e. Spot elevations of the hardscape, building and proposed fine grading of the installed landscape.
- f. The location and detail of all walls, fences, pathways, and walkways shall be shown on the plans, including height from grade and type of material. Along the north side of Lone Star Road, from the boundary with the Otay 250 project, east to Vann Centre Boulevard, a 10-foot decomposed granite pathway shall be provided as identified in Section 2.3.7 (Gateway Roads, Major) of the EOMBSP. Parkway planting shall be provided on the north side of this pathway. 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.
- g. No landscaping material or irrigation or other infrastructure shall be located within a proposed trail easement or designated pathway.
- h. Additionally, the following items shall be addressed as part of the Landscape Documentation Package: A mandatory dedication of the 2' Landscape Easement along Lone Star Road, Vann Centre Blvd., and Enrico Fermi Drive shall include the County's right to convey the easements to any future Landscape Maintenance District formed within the Specific Plan area. Confirmation of the easements being dedicated to the County shall be provided prior to final approval of the Landscape Documentation Package for each phase.
- j. Project landscaping shall not include species known to invade San Diego natural habitat, or species ranked as 'High' in the California Invasive Plant Council Inventory (<https://www.cal-ipc.org/plants/inventory/>).

- k. All planting adjacent to the Open Space Easement Lot, the Major Amendment Area, the proposed Open Space Easement, and the Resource Protection Ordinance boundary line shall be typical to that habitat type and not include any ornamental plantings.
- l. All storm water basins, including the toe of slopes shall be equipped with soil moisture probes/sensors as required by Section 86.709 (i) of the Water Conservation in Landscaping Ordinance. Coordinate with standing water elevation for biofiltration basins with civil engineer.
- m. All trees shall be irrigated independently of other surrounding vegetation per Section 86.709 (h) of the Water Conservation in Landscaping Ordinance.
- n. All planting shall be compliant with the Defensible Space and Vegetation Management sections of the most current version of the projects' Fire Protection Plan and those same sections within the 2020 Consolidated Fire Code. Show location and dimensions of all applicable Fuel Modification Zones.
- o. Water budget calculations shall be compliant with Section 86.712 (Maximum Applied Water Allowance) and 86.713 (Estimated Total Water Use) of the Water Conservation in Landscaping Ordinance (10675) and the Water Efficient Landscape Worksheet.
- p. All landscaping within storm water basins and adjacent to area storm drains shall not contain any invasive or fire prone vegetation.
- q. All manufactured slopes shall be planted per the requirements of the County's Grading Ordinance in addition to the minimum standards within Table 3.2-2 of the EOMBPSP.
- r. All storm water basins shall contain a minimum of 3" of non-floating mulch.
- s. Provide construction details of median tree planting basins, tree grates, irrigation, and concrete color and texture per the requirements within Section 2.3.7 (Public Landscaping) of the EOMBPSP. Provide specifications and notes as needed, including soil mix.

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 approval of any plan, issuance of any permit, and prior to use of the premises in reliance of this permit, 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.

54. NOISE#1 – TEMPORARY CONSTRUCTION NOISE: [DPW, PDCI].

INTENT: In order to minimize temporary construction noise for grading operations associated with the project subdivision and to comply with County Noise Ordinance 36.409. **DESCRIPTION OF REQUIREMENT:** The project shall comply with the following temporary construction noise control measures:

- a. Turn off equipment when not in use.
- b. Equipment used in construction should be maintained in proper operating condition, and all loads should be properly secured, to prevent rattling and banging.
- c. Use equipment with effective mufflers.

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- d. Ensure that when feasible, electrical power shall be used to run air compressors and similar power tools.
- e. Minimize the use of back up alarm.
- f. Equipment staging areas should be placed at locations away from noise sensitive receivers.
- g. Noise attenuation techniques shall be employed as needed to ensure that noise levels remain below 75 dBA Leq at existing noise sensitive land uses. This step shall apply to all construction activity on and off the proposed project site.
- h. If clearing, grubbing, and grading activities are proposed during the period of February 1 to August 31 of any year, and the Biological Monitor has determined that there are sensitive bird nests that may be affected by the construction activity noise levels, the following recommendations would apply:
 - a. If the construction noise levels at the nest sites during the breeding season are anticipated to exceed the 60 dBA Leq or ambient condition, whichever is higher, noise attenuation measures including, but not limited to, noise barriers and noise reducing features on construction equipment shall be implemented as necessary to maintain construction noise at acceptable levels at nest sites.

DOCUMENTATION: The applicant shall comply with the temporary construction noise measures 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 construction noise control measures of this condition. The [DPW, PDCI] shall contact the [PDS, PCC] if the applicant fails to comply with this condition.

55. TRAILS#1–TRAIL EASEMENT

INTENT: In order to promote orderly development by providing a trail connection pursuant to the County of San Diego General Plan, Community Master Trails Plan, East Otay Mesa Specific Plan, and to comply with the County Subdivision Ordinance Sections 81.401(n) and 81.402.v, the applicant shall identify the current alignment of existing water pipes owned by the Otay Water District within the proposed trail easement alignment. **DESCRIPTION OF REQUIREMENT:** The applicant shall identify the existing location of water pipes located within Otay Water Districts thirty-foot (30') easement (86-092509) and the twenty-foot (20') easement (171343) to the west. **DOCUMENTATION:** The applicant shall show the location of the existing water lines on the non-title sheet of the map clearly identified as "approximate location of existing (insert facility description here)". **TIMING:** Prior to the satisfaction of Trail Conditions 2, 3 and 4, the applicant shall submit the location of these facilities to the Department of Planning and Development Services, Otay Water District, and the State of California (Donovan State Prison) for approval. **MONITORING:** [PDS, LDR] shall route the Final Map to [DPR, TC] and [PDS, TC] for preapproval and acceptance prior to map recordation. [PDS, LDR] shall satisfy the condition after recordation.

56. TRAILS#2–TRAIL EASEMENT (Applicant)

INTENT: In order to promote orderly development by providing a trail connection pursuant to the County of San Diego General Plan, Community Master Trails Plan, East Otay Mesa Specific Plan, and to comply with the County Subdivision Ordinance Sections 81.401(n) and 81.402.v, the applicant shall dedicate a public non-motorized multi-use trail easement. **DESCRIPTION OF REQUIREMENT:** The applicant shall dedicate to the County of San Diego, a ten-foot (10') to twenty-foot (20') non-motorized multi-use trail easement extending from the project's northeastern boundary approximately 2,700 feet west, terminates at the boundary with APN 646-080-16, and allows for the construction of a buildable trail. The trail easement should not be wider than ten-feet (10') where possible. Where physical characteristics require a wider trail easement, the easement shall not exceed twenty feet (20') and the applicant will obtain concurrence from PDS and DPR. **DOCUMENTATION:** The applicant shall dedicate by separate document the easement and show and tie the on-site portions of the easement on the title sheet and appropriate mapping **sheet(s)** of the Final Map. **TIMING:** Prior to the approval of the map the applicant shall submit the trail easement dedication to the Department of General Services (DGS), Real Estate Services Division for approval. **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.

57. TRAILS#3–TRAIL EASEMENT (State)

INTENT: In order to promote orderly development by providing a trail connection pursuant to the County of San Diego General Plan, Community Master Trails Plan, East Otay Mesa Specific Plan, and to comply with the County Subdivision Ordinance Sections 81.401(n) and 81.402.v, the State of California shall dedicate a public non-motorized multi-use trail easement. **DESCRIPTION OF REQUIREMENT:** The proposed trail alignment sits within property owned by the State of California and is within an existing Otay Water District easement (86-092509). The applicant shall coordinate with the State of California and Donovan State Prison to dedicate to the County of San Diego, a ten-foot (10') to twenty-foot (20') non-motorized multi-use trail easement approximately 1,900 feet in length, is located entirely within the State's property, and allows for the construction of a buildable trail. The trail easement should not be wider than ten-feet (10') where possible and be located as far from Otay Water District facilities as is reasonably possible. Where physical characteristics require a wider trail easement, the easement shall not exceed twenty feet (20') and the applicant will obtain concurrence from PDS, DPR, the State and Otay Water District. In certain circumstances, this may require the trail easement to be located further north, but directly adjacent to Otay Water District easement (86-092509). **DOCUMENTATION:** The State of California shall dedicate by separate document the easement and **the applicant shall** show and tie the off-site portions of the easement on the appropriate mapping **sheet(s)** of the Final Map. The applicant shall provide **written** evidence that the Otay Water District does not oppose the proposed easement. **TIMING:** Prior to the approval of the map the State of California shall submit the trail easement dedication to the Department of General Services (DGS), Real Estate Services Division for approval. **MONITORING:** *[PDS, LDR]* shall route the **document** to *[DPR, TC]*, *[PDS, TC]* and the Otay Water District for preapproval and acceptance of the

dedication prior to map recordation. *[PDS, LDR]* shall satisfy the condition after recordation.

58. **TRAILS#4–TRAIL EASEMENT (Applicant)**

INTENT: In order to promote orderly development by providing a trail connection pursuant to the County of San Diego General Plan, Community Master Trails Plan, East Otay Mesa Specific Plan, and to comply with the County Subdivision Ordinance Sections 81.401(n) and 81.402.v, the State of California shall dedicate a public non-motorized multi-use trail easement. **DESCRIPTION OF REQUIREMENT:** The proposed trail alignment sits within an existing Otay Water District easement (171343). The applicant shall dedicate to the County of San Diego, a ten-foot (10') to twenty-foot (20') non-motorized multi-use trail easement extending from the project's northwestern boundary approximately 150 feet south, terminates at the boundary with APN 646-080-26, and allows for the construction of a buildable trail. The trail easement should not be wider than ten-feet (10') where possible and be located as far from Otay Water District facilities as is reasonably possible. Where physical characteristics require a wider trail easement, the easement shall not exceed twenty feet (20') and the applicant will obtain **written** concurrence from PDS, DPR and Otay Water District prior to recordation. **DOCUMENTATION:** The applicant shall dedicate by separate document the easement and show and tie the on-site portions of the easement on the title sheet and appropriate mapping **sheet(s)** of the Final Map. **TIMING:** Prior to the approval of the **map** the applicant shall submit the trail easement dedication to the Department of General Services (DGS), Real Estate Services Division for approval. **MONITORING:** *[PDS, LDR]* shall route the **document** to *[DPR, TC]*, *[PDS, TC]* and the Otay Water District for preapproval and acceptance of the dedication prior to map recordation. *[PDS, LDR]* shall satisfy the condition after recordation.

UNIT 2: PRIOR TO APPROVAL OF FINAL MAP

The Final Map for this Tentative Map is to be filed in units. The order of the filing of Final Maps shall be sequential. The first Final Map to be filed shall be Unit 1, followed by Units 2, and 3. In addition, conditions that apply to all units (Units 1, 2, and 3) are listed in a separate section at the end, following the conditions for Unit 3.

59. **ROADS#5–PUBLIC ROAD IMPROVEMENTS**

INTENT: In order to promote orderly development and to comply with the [Subdivision Ordinance Sec. 81.404](#), the Community Trails Master Plan, and the East Otay Mesa Specific Plan **Lone Star Road (SC 2340)**, and **Vann Centre Boulevard**, and shall be improved. **DESCRIPTION OF REQUIREMENT:**

- a. Improve or agree to improve and provide security for offsite **Enrico Fermi Drive (1105)**, from Lone Star Road (SC 2340) southerly to Otay Mesa Road along the east side in accordance with Public Road Standards and the East Otay Mesa Specific Plan for a 4.1A Major Road with Raised Median and Bike Lane to a graded width of forty-nine feet (49') with thirty-nine feet (39') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and detached sidewalk with face of curb at thirty-nine feet (39') from centerline. The width of detached sidewalk shall be four feet (4') and the distance between face of curb

and edge of sidewalk shall be three feet (3'). **Enrico Fermi Drive (1105)** shall be planted with large-sized evergreen/or deciduous trees spaced every 30 feet and located 10 feet from the face of the curb. Provide transition for all widenings, tapers, and traffic striping to match existing pavement. If **Enrico Fermi Drive (1105)** is fully improved on the east side along APN 648-040-14, construct a fourteen-foot (14') wide raised median from Lone Star Road (SC 2340) to Otay Mesa Road, with face of median curb at seven feet (7') from centerline. Median shall be paved with Sandstone colored concrete (Davis Sandstone or equivalent) and stamped with a Dry Creek Bed Pattern or similar. If a Design Exception Request is processed to the satisfaction of DPW and PDS and the median is replaced with striping, then that portion of this condition can be determined satisfied. All of the above shall be to the satisfaction of the Director of Public Works and Planning & Development Services.

NOTE: *If this road segment is already constructed and is in operation, this condition will be deemed satisfied.*

- b. Improve or agree to improve and provide security for **Lone Star Road (SC 2340)** on the project side from Enrico Fermi Drive (SA 1105) to the western project boundary, along the north side in accordance with Public Road Standards and the East Otay Mesa Specific Plan for 4.1A Major Road with Raised Median and Bike Lane to a graded width of forty-nine feet (49') with thirty-two feet (32') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and detached sidewalk with face of curb at thirty-nine feet (39') from centerline. The width of detached sidewalk shall be four feet (4') and the distance between face of curb and edge of sidewalk shall be three feet (3'). **Lone Star Road (SC 2340)** shall be planted with large-sized evergreen/or deciduous trees spaced every 30 feet and located 10 feet from the face of the curb. Provide transition for all widenings, tapers, and traffic striping to match existing pavement. If **Lone Star Road (SC 2340)** is fully improved on the south side along Unit 3, construct a fourteen-foot (14') wide raised median along the limits of Unit 3, with face of median curb at seven feet (7') from centerline, with left turn lane openings at the intersection with Vann Centre Boulevard. Median shall be paved with Sandstone colored concrete (Davis Sandstone or equivalent) and stamped with a Dry Creek Bed Pattern or similar. If a Design Exception Request is processed to the satisfaction of DPW and PDS and the median is replaced with striping, then that portion of this condition can be determined satisfied. All of the above shall be to the satisfaction of the Director of Public Works and Planning & Development Services.

NOTE: *If this road segment is already constructed and is in operation, this condition will be deemed satisfied.*

- c. Improve or agree to improve and provide security for **Vann Center Boulevard**, from Lone Star Road (SC 2340) northerly to the terminus at Lot 3, in accordance with Public Road Standards for an Industrial/Commercial Collector Road to a graded width of eighty-eight feet (88') with sixty-eight feet (68') of asphalt concrete

pavement over approved base with Portland cement concrete curb, gutter and detached sidewalk with face of curb at thirty-four feet (34') from centerline. The width of detached sidewalk shall be four feet (4') and the distance between face of curb and edge of sidewalk shall be three feet (3'). Provide transition for all widenings, tapers, and traffic striping to match existing pavement. If a Design Exception Request is processed to the satisfaction of DPW and PDS, then the improvement widths may be reduced. All of the above shall be to the satisfaction of the Director of Public Work/PDS.

- d. **Vann Center Boulevard** shall terminate with a cul-de-sac graded to a radius of sixty feet (60') and surfaced to a radius of fifty feet (50') with asphalt concrete pavement over approved base with Portland cement concrete curb gutter and sidewalk/asphalt concrete dike with face of curb/dike at fifty feet (50') from the radius point.
- 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 Community Trails Master Plan. The improvements shall be completed within 24 months from the approval of the improvement plans, execution of the agreements, and acceptance of the securities. **DOCUMENTATION:** The applicant shall complete the following:

- f. Process and obtain approval of Improvement Plans to improve **Lone Star Road (SC 2340)** and **Vann Centre Boulevard**.
- g. Provide Secured Agreement and post security in accordance with [Subdivision Ordinance Sec. 81.408](#).
- h. Upon approval of the plans, pay all applicable inspection fees/deposits with [DPW, PDC].
- i. 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.

TIMING: Prior to the recordation of the Final Map for Unit 2 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.

60. ROADS#6–SIGHT DISTANCE

INTENT: In order to provide an unobstructed view for safety while exiting the property and accessing a public road from the site, and to comply with the Design Standards of Section 6.1.(E), Table 5, of the [County of San Diego Public Road Standards](#), an unobstructed sight distance shall be verified. **DESCRIPTION OF REQUIREMENT:**

- a. A Registered Civil Engineer or a Licensed Land Surveyor shall provide a certified signed statement: “I, _____(C____or LS____) certify that there is _____feet of unobstructed intersectional sight distance in both directions along ***Lone Star Road (SC 2340)*** from the public road, ***Vann Centre Boulevard*** measured in accordance with the methodology described in Section 6.1.(E), 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 shall provide a certified signed statement: “I, _____(C____or LS____) certify that there is _____feet of unobstructed intersectional sight distance in both directions along ***Vann Centre Boulevard*** from the public road, ***Lone Star Road (SC 2340)*** measured in accordance with the methodology described in Section 6.1.(E), 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. If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify that: “Said lines of sight fall within the existing right-of-way and a clear space easement is not required.”

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

61. ROADS#7–ROAD DEDICATION (ONSITE)

INTENT: In order to promote orderly development and to comply with the [Subdivision Ordinance Sec. 81.402](#) and the East Otay Mesa Specific Plan, 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 one-half right-of-way width of forty-nine feet (49') from the ultimate centerline of **Lone Star Road (SC 2340)** from the western limit of Unit 1 to the western project boundary, along the north side in accordance with Public Road Standards and the East Otay Mesa Specific Plan for 4.1A Major Road with Raised Median and Bike Lane together with right to construct and maintain slopes and drainage facilities to the satisfaction of the Director of PDS and DPW.
- b. Dedicate on the Final Map to the County of San Diego an easement for road purposes that provides a total right-of-way width of eighty-eight feet (88') along the centerline of **Vann Centre Boulevard**, from Lone Star Road (SC 2340) northerly to the terminus at Lot 3, in accordance with Public Road Standards for an Industrial/Commercial Collector Road, with thirty foot (30') radius corner rounding at the Lone Star Road (SC 2340) intersection, together with right to construct and maintain slopes and drainage facilities to the satisfaction of the Director of Planning and Development Services and DPW. If a Design Exception Request is processed to the satisfaction of DPW and PDS, then the right-of-way widths may be reduced.
- c. Dedicate onsite a two foot (2') wide landscape easement along **Vann Centre Boulevard** and **Lone Star Road (SC 2340)** within the landscaped building setback and adjacent to the parkway in order to provide adequate space for street trees in accordance with the [East Otay Mesa Business Park Specific Plan](#).
- d. The dedication shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required, and shall be accepted for public use. The affected utility company/district shall enter into a joint use agreement with the County of San Diego to the satisfaction of the Director of PDS.

DOCUMENTATION: The applicant shall dedicate the easement on the map and show it as Accepted. **TIMING:** Prior to the recordation of the Final Map for Unit 2 the onsite dedication shall be provided for roads with the recordation of the unit the road is within, abuts or provides access to. **MONITORING:** The [PDS, LDR] shall verify that the dedication is indicated on the map and Accepted by the County.

62. ROADS#8–RELINQUISH ACCESS

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

- a. Relinquish access rights in and to **Lone Star Road (SC 2340)** along the project frontage except for the opening for Vann Centre Boulevard as shown on the approved Tentative Map.
- b. Relinquish access rights in and to **Vann Centre Boulevard** along the project frontage except for the driveway access openings as shown on the approved Tentative Map.

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- c. 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 show the Relinquishment on the Final Map for Unit 2. **TIMING:** Concurrently with the approval of the Final Map for Unit 2, the access shall be relinquished. **MONITORING:** The applicant shall show the relinquishment of access rights on the Final Map for Unit 2 and forward a copy to [PDS, LDR] for preapproval. The [PDS, LDR] shall review the Final Map for Unit 2 for compliance with this condition.

63. **ROADS#9–ONE FOOT ACCESS DEDICATION**

INTENT: In order to ensure that the subdivision's accesses comply with the [County Subdivision Ordinance Section 81.402 \(h\)](#), the subdivider shall dedicate and relinquish access rights to public roads. **DESCRIPTION OF REQUIREMENT:**

- a. Show a one foot dedication to the County of San Diego for road purposes and access restriction easement extending across ***Lone Star Road (SC 2340)*** at its point of termination at the subdivision boundary.

DOCUMENTATION: The applicant shall show the easement on the Final Map for Unit 2. **TIMING:** Prior to recordation of the Final Map for Unit 2, the easement shall be depicted on the Final Map. **MONITORING:** The [PDS, LDR] shall review the Final Map to ensure that one foot dedication and access restriction easement are indicated pursuant to this condition.

64. **ROADS#10–OFFSITE ROAD MONUMENTATION**

INTENT: In order to promote orderly development and to comply with the [Subdivision Ordinance Sec. 81.406](#), the centerline shall be shown on the map. **DESCRIPTION OF REQUIREMENT:** The centerline of ***Enrico Fermi Drive (SA 1105)*** to be surveyed and monumented. Monumentation shall consist of street survey monuments, per Drawing M-10 Regional Standard Drawings when the road, as improved, is at ultimate line and grade and 2" x 24" pipe when the road is not at ultimate line and grade. The Director of DPW will assign a road survey number to the offsite public roads being created. If the offsite road is not shown on the Map, the developer shall file with the County Recorder a Record of Survey after approval of the Director of DPW showing the centerline Monumentation set with ties to adjacent property. **DOCUMENTATION:** The applicant shall perform the required surveying work indicated above. **TIMING:** Prior to the recordation of the Final Map for Unit 2 the surveying monumenting shall be completed. **MONITORING:** The [PDS, LDR] shall verify that the surveying has been completed pursuant to this condition.

UNIT 3: PRIOR TO APPROVAL OF FINAL MAP

The Final Map for this Tentative Map is to be filed in units. The order of the filing of Final Maps shall be sequential. The first Final Map to be filed shall be Unit 1, followed by Units 2, and 3. In addition, conditions that apply to all units (Units 1, 2, and 3) are listed in a separate section at the end, following the conditions for Unit 3.

65. **ROADS#11–PUBLIC ROAD IMPROVEMENTS**

INTENT: In order to promote orderly development and to comply with the [Subdivision Ordinance Sec. 81.404](#), the Community Trails Master Plan, and the East Otay Mesa Specific Plan **Lone Star Road (SC 2340)** and **Vann Centre Boulevard** shall be improved. **DESCRIPTION OF REQUIREMENT:**

- a. Improve or agree to improve and provide security for offsite **Enrico Fermi Drive (1105)**, from Lone Star Road (SC 2340) southerly to Otay Mesa Road along the east side in accordance with Public Road Standards and the East Otay Mesa Specific Plan for a 4.1A Major Road with Raised Median and Bike Lane to a graded width of forty-nine feet (49') with thirty-nine feet (39') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and detached sidewalk with face of curb at thirty-nine feet (39') from centerline. The width of detached sidewalk shall be four feet (4') and the distance between face of curb and edge of sidewalk shall be three feet (3'). **Enrico Fermi Drive (1105)** shall be planted with large-sized evergreen/or deciduous trees spaced every 30 feet and located 10 feet from the face of the curb. Provide transition for all widenings, tapers, and traffic striping to match existing pavement. If **Enrico Fermi Drive (1105)** is fully improved on the west side along APN 648-040-14, construct a fourteen-foot (14') wide raised median from Lone Star Road (SC 2340) to Otay Mesa Road, with face of median curb at seven feet (7') from centerline. Median shall be paved with Sandstone colored concrete (Davis Sandstone or equivalent) and stamped with a Dry Creek Bed Pattern or similar. If a Design Exception Request is processed to the satisfaction of DPW and PDS and the median is replaced with striping, then that portion of this condition can be determined satisfied. All of the above shall be to the satisfaction of the Director of Public Works and Planning & Development Services.

NOTE: *If this road segment is already constructed and is in operation, this condition will be deemed satisfied.*

- b. Improve or agree to improve and provide security for **Lone Star Road (SC 2340)** on the south side from the southerly project boundary northwesterly to the westerly project boundary, along the project frontage in accordance with Public Road Standards and the East Otay Mesa Specific Plan for 4.1A Major Road with Raised Median and Bike Lane to a graded width of forty-nine feet (49') with thirty-two feet (32') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and detached sidewalk with face of curb at thirty-nine feet (39') from centerline. The width of detached sidewalk shall be four feet (4') and the distance between face of curb and edge of sidewalk shall be three feet (3'). **Lone Star Road (SC 2340)** shall be planted with large-sized evergreen/or deciduous trees spaced every 30 feet and located 10 feet from the face of the curb. Provide transition for all widenings, tapers, and traffic striping to match existing pavement. If **Lone Star Road (SC 2340)** is fully improved on the north side along Unit 2, provide a fourteen-foot (14') wide raised median from the southerly project boundary northwesterly to the westerly project boundary, with face of median curb at seven feet (7') from centerline, with left turn lane openings at the intersection with Vann Centre Boulevard. Median shall be paved with Sandstone colored concrete (Davis Sandstone or equivalent) and stamped with a Dry Creek Bed Pattern or similar. If the median is replaced with striping, as

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agreed upon by the Director of DPW, then that portion of this condition can be determined satisfied. All of the above shall be to the satisfaction of the Director of Public Work/PDS.

- c. Improve or agree to improve and provide security for **Lone Star Road (SC 2340)** along the north side from Enrico Fermi Drive (SA 1105) to the limit of Unit 3 to provide a connection to the improvements on the south side of **Lone Star Road (SC 2340)** in accordance with Public Road Standards and the East Otay Mesa Specific Plan for 4.1A Major Road with Raised Median and Bike Lane to a graded width of forty-nine feet (49') with thirty-two feet (32') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and detached sidewalk with face of curb at thirty-nine feet (39') from centerline. The width of detached sidewalk shall be four feet (4') and the distance between face of curb and edge of sidewalk shall be three feet (3'). **Lone Star Road (SC 2340)** shall be planted with large-sized evergreen/or deciduous trees spaced every 30 feet and located 10 feet from the face of the curb. Provide transition for all widenings, tapers, and traffic striping to match existing pavement. All of the above shall be to the satisfaction of the Director of Public Work/PDS.

NOTE: *If this road segment is already constructed and is in operation, this condition will be deemed satisfied.*

- d. Improve or agree to improve and provide security for **Vann Centre Boulevard**, from Lone Star Road (SC 2340) southerly to the project boundary, in accordance with Public Road Standards for an Industrial/Commercial/Mixed Use Collector with Bike Lane to a graded width of eighty-eight feet (88') with sixty-eight feet (68') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and detached sidewalk with face of curb at thirty-four feet (34') from centerline. The width of detached sidewalk shall be four feet (4') and the distance between face of curb and edge of sidewalk shall be three feet (3'). Provide transition for all widenings, tapers, and traffic striping to match existing pavement. All of the above shall be to the satisfaction of the Director of Public Work/PDS.
- 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 Community Trails Master Plan. The improvements shall be completed within 24 months from the approval of the improvement plans, execution of the agreements, and acceptance of the securities. **DOCUMENTATION:** The applicant shall complete the following:

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- f. Process and obtain approval of Improvement Plans to improve **Lone Star Road (SC 2340)** and **Vann Centre Boulevard**.
- g. Provide Secured Agreement and post security in accordance with [Subdivision Ordinance Sec. 81.408](#).
- h. Upon approval of the plans, pay all applicable inspection fees/deposits with [DPW, PDC].
- i. 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.

TIMING: Prior to the recordation of the Final Map for Unit 3 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.

66. ROADS#12–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), Table 5, of the [County of San Diego Public Road Standards](#), an unobstructed sight distance shall be verified. **DESCRIPTION OF REQUIREMENT:**

- a. A Registered Civil Engineer or a Licensed Land Surveyor shall provide a certified signed statement: "I, _____ (C _____ or LS _____) certify that there is _____ feet of unobstructed intersectional sight distance in both directions along **Lone Star Road (SC 2340)** from the public road, **Vann Centre Boulevard** measured in accordance with the methodology described in Section 6.1.(E), 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 shall provide a certified signed statement: "I, _____ (C _____ or LS _____) certify that there is _____ feet of unobstructed intersectional sight distance in the southerly direction along **Vann Centre Boulevard** from the public road, **Lone Star Road (SC 2340)** measured in accordance with the methodology described in Section 6.1.(E), 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

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

- c. If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify that: “Said lines of sight fall within the existing right-of-way and a clear space easement is not required.”

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

67. **ROADS#13–ROAD DEDICATION (ONSITE)**

INTENT: In order to promote orderly development and to comply with the [Subdivision Ordinance Sec. 81.402](#) and the East Otay Mesa Specific Plan, 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 total right-of-way width of eighty-eight feet (88') along the centerline of **Vann Centre Boulevard**, from Lone Star Road (SC 2340) southerly to the project boundary, in accordance with Public Road Standards for an Industrial/Commercial/Mixed Use Collector Road with Bike Lane, with thirty foot (30') radius corner rounding at the Lone Star Road (SC 2340) intersection, together with right to construct and maintain slopes and drainage facilities to the satisfaction of the Director of Planning and Development Services and DPW.
- 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-nine feet (49') from the ultimate centerline of **Lone Star Road (SC 2340)** on the south side from the southerly project boundary northwesterly to the westerly project boundary, along the project frontage in accordance with Public Road Standards and the East Otay Mesa Specific Plan for 4.1A Major Road with Raised Median and Bike Lane together with right to construct and maintain slopes and drainage facilities to the satisfaction of the Director of PDS and DPW.
- c. Dedicate onsite a two foot (2') wide landscape easement along **Vann Centre Boulevard** and **Lone Star Road (SC 2340)** within the landscaped building setback and adjacent to the parkway in order to provide adequate space for street trees in accordance with the [East Otay Mesa Business Park Specific Plan](#).
- d. The dedication shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required, and shall be accepted for public use. The affected utility company/district shall enter into a joint use agreement with the County of San Diego to the satisfaction of the Director of PDS.

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DOCUMENTATION: The applicant shall dedicate the easement on the map and show it as Accepted. **TIMING:** Prior to the recordation of the Final Map for Unit 3 the onsite dedication shall be provided for roads with the recordation of the unit the road is within, abuts or provides access to. **MONITORING:** The [PDS, LDR] shall verify that the dedication is indicated on the map and Accepted by the County.

68. ROADS#14–RELINQUISH ACCESS

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

- a. Relinquish access rights in and to **Lone Star Road (SC 2340)** along the project frontage except for the opening for Vann Centre Boulevard as shown on the approved Tentative Map.
- b. Relinquish access rights in and to **Vann Centre Boulevard** along the project frontage except for the driveway access openings as shown on the approved Tentative Map.
- c. 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 show the Relinquishment on the Final Map for Unit 3. **TIMING:** Concurrently with the approval of the Final Map for Unit 3, the access shall be relinquished. **MONITORING:** The applicant shall show the relinquishment of access rights on the Final Map for Unit 3 and forward a copy to [PDS, LDR] for preapproval. The [PDS, LDR] shall review the Final Map for Unit 3 for compliance with this condition.

69. ROADS#15–ONE FOOT ACCESS DEDICATION

INTENT: In order to ensure that the subdivision's accesses comply with the [County Subdivision Ordinance Section 81.402 \(h\)](#), the subdivider shall dedicate and relinquish access rights to public roads. **DESCRIPTION OF REQUIREMENT:**

- a. Show a one foot dedication to the County for road purposes and access restriction easement extending across **Vann Centre Boulevard** at its point of termination at the subdivision boundary.

DOCUMENTATION: The applicant shall show the easement on the Final Map for Unit 3. **TIMING:** Prior to recordation of the Final Map for Unit 3, the easement shall be depicted on the Final Map. **MONITORING:** The [PDS, LDR] shall review the Final Map to ensure that one foot dedication and access restriction easement are indicated pursuant to this condition.

70. ROADS#16–OFFSITE ROAD MONUMENTATION

INTENT: In order to promote orderly development and to comply with the [Subdivision Ordinance Sec. 81.406](#), the centerline shall be shown on the map. **DESCRIPTION OF REQUIREMENT:** The centerline of **Enrico Fermi Drive (SA 1105)** to be surveyed and monumented. Monumentation shall consist of street survey monuments, per Drawing M-

10 Regional Standard Drawings when the road, as improved, is at ultimate line and grade and 2" x 24" pipe when the road is not at ultimate line and grade. The Director of DPW will assign a road survey number to the offsite public roads being created. If the offsite road is not shown on the Map, the developer shall file with the County Recorder a Record of Survey after approval of the Director of DPW showing the centerline Monumentation set with ties to adjacent property. **DOCUMENTATION:** The applicant shall perform the required surveying work indicated above. **TIMING:** Prior to the recordation of the Final Map for Unit 3 the surveying monumenting shall be completed. **MONITORING:** The [PDS, LDR] shall verify that the surveying has been completed pursuant to this condition.

PRIOR TO APPROVAL OF ALL MAPS FOR ALL UNITS/PHASES

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

71. ROADS#17–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 RO-7 adjacent property owners shall be notified and solicited for their participation in the extension of utilities. **DESCRIPTION OF REQUIREMENT:** All adjacent property owners shall be notified who may be affected by this policy and are considering development of applicable properties, this includes requesting their participation in the extension of utilities to comply with this policy. No trench cuts for undergrounding of utilities in all new, reconstructed, or resurfaced paved County-maintained roads for a period of three years following project surface. **DOCUMENTATION:** The applicant shall sign a statement that they are aware of the County of San Diego Pavement Cut Policy and submit it to the [PDS, LDR] for review. **TIMING:** Prior to the approval of improvement plans or the approval of the Final Map for any Unit, the Acknowledgement of Department of Public Works Pavement Cut Policy shall be submitted for approval. **MONITORING:** The [PDS, LDR] shall review the acknowledgement letter.

72. ROADS#18–TRAFFIC CONTROL PLAN

INTENT: In order to mitigate below levels of significance for temporary traffic impacts, a Traffic Control Plan (TCP) shall be prepared and implemented. **DESCRIPTION OF REQUIREMENT:** Have A Registered Civil Engineer or licensed Traffic Control Contractor prepare a TCP to the satisfaction of Director of DPW. **DOCUMENTATION:** The applicant shall have the TCP prepared by a Registered Civil Engineer or a licensed Traffic Control Contractor and submit it to [PDS, LDR] for review by [DPW, Traffic]. **TIMING:** Prior to recordation of the Final Map for any Unit, a TCP shall be prepared and approved. **MONITORING:** The [PDS, LDR] shall review the TCP for compliance with this condition.

73. ROADS#19–HAUL ROUTE PLAN

INTENT: In order to ensure the roads are not damaged by heavy loads that loaded trucks place on the construction route or subsequent operations, a Haul Route Plan (HRP) shall be prepared and implemented. **DESCRIPTION OF REQUIREMENT:** A HRP shall be

prepared that addresses the following, but is not limited to: haul routes, truck types and capacity, number of trips per day, estimated quantity of import & export, destination, duration of the haul, and hours of operation.

- a. The implementation of the HRP shall be a condition of any grading, construction, or excavation permit issued by the County. The applicant is responsible for the road maintenance (sweeping as necessary) and repair of any damage caused to the on-site and offsite County maintained roads that serve the property either during construction or subsequent operations.
- b. The applicant will repair those portions of the roads that are damaged by the heavy loaded trucks. An agreement shall be executed, to require (1) a cash deposit for emergency traffic safety repairs; (2) long-term security for road maintenance and repair of any damage caused by the project to the County maintained roads that serve the project during construction phase on the route identified; and (3) All the roads as identified on the haul route plan shall be returned to the existing condition or better.
- c. Prior to import/export, all affected property owners in the residential neighborhood shall be notified; no equipment or material storage on public roads will be allowed, and sweeping to be performed at the end of each week or more depending on the frequency of hauling.

DOCUMENTATION: The applicant shall have the HRP prepared by a Registered Civil Engineer or a licensed Traffic Control Contractor and submit it to [PDS, LDR] for review by [DPW, Road Maintenance]. The applicant shall also execute a secured agreement for any potential damages caused by heavy trucks on the construction route. The agreement and securities shall be approved to the satisfaction of the [DPW, Road Maintenance]. **TIMING:** Prior to recordation of the Final Map for any Unit an HRP shall be prepared and approved. **MONITORING:** The [PDS, LDR] shall review the HRP for compliance with this condition.

74. ROADS#20-GRADING MATERIAL DIVERSION (DPW RECYCLING)

INTENT: This program is intended to increase diversion of grading, land clearing, and brushing materials from landfills, extend the useful life of local landfills, and support construction and demolition project compliance with State waste diversion requirements. This includes grading, clearing and brushing material for grading projects over 5,000 cubic yards. **DESCRIPTION OF REQUIREMENT:** To divert (recycle, reuse, repurpose) 100% of excavated soils, trees, stumps, rocks, and associated vegetation and soils from the following types of projects: non-residential excavation and grading projects; and, residential projects that require Major Grading permits. No Major Grading (projects >5,000 cu.yds) permit shall be issued nor shall grading plans be approved unless a Debris Management Plan (DMP) has been submitted to a Compliance Official.

If grading project is not a single lot, Conditions of Approval are required on a lot-by-lot basis for subdivisions or pad-by-pad basis for multiple building pads.

Exemption:

- a. Excavated soil and land-clearing debris that is contaminated by disease or pests are not required to be reused on- or off-site, provided that: (i) the County Agricultural Commissioner has made a determination of disease or pest contamination and permittee follows commissioner's direction for recycling or disposal of the material, (ii) the materials are generated in a known pest and/or disease quarantine zone identified by the California Department of Food and Agriculture, or (iii) the materials are otherwise not required to be reused under the CalGreen Code.

DOCUMENTATION:

1. PRIOR TO GRADING:

A Debris Management Plan (DMP) is required prior to approval of the grading plan and issuance of the grading permit.

2. DURING GRADING PROJECT:

For all grading projects >5,000 cubic yards, a Daily Log of all grading, land clearing, and brushing material that is exported or reused/repurposed must be retained onsite. The Daily Log must include all export receipts from an inert processing facility, green material processing operation, a C&D processing facility, or other vendor or disposal or transfer station facility that accepted grading material from the approved grading project. If material was reused onsite, other forms of documentation (such as photos) will be accepted in lieu of receipts. The Daily Log can be inspected at any time during regular business hours.

3. AT THE END OF GRADING PROJECT:

(To be completed prior to project close out)

An end of the grading project, prior to the release of Rough Inspection, Final Debris Management Report must be submitted. This report shall include three items:

- a. Signed Self-Certification Letter (see template)
- b. Debris Management Report (see template)
- c. Export, recycling, reuse, or disposal documentation (i.e. facility receipts, export tickets, photo evidence of onsite reuse).

DOCUMENTATION DETAILS:

DEBRIS MANAGEMENT PLAN (DMP)

- a. The type of project.
- b. The total cubic yardage of the project.
- c. The estimated weight of grading or land clearing debris by material type, that the project is expected to generate.
- d. The estimated maximum weight of grading or land clearing debris that can feasibly be diverted via reuse, salvage, or recycling.
- e. The estimated weight of grading or land clearing debris that is planned to be disposed of in a landfill.
- f. The name of facility (or facilities) which debris will be exported.

DAILY LOG

- a. Identify the project location

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- b. Log date that material was transported off the site
- c. Log type of grading or clearing material
- d. Weight of the material or its approximate tonnage or cubic yards
- e. Name of the party transporting the materials
- f. Name of the receiving facility or exporter, and whether the material was disposed of in a landfill, salvaged for future use off-site, or recycled.
- g. Each log entry shall correspond with a receipt issued by the party that transported the material off-site or by facility that accepted the materials. If the materials were hauled by the grading contractor, export receipts shall be compiled within 90 days of the date of the log entry.
- h. The Daily Log shall include separate entries for each occurrence of materials reused on-site.
- i. The Daily Log and all receipts shall be maintained at the project site and made available to any County inspector responsible to ensure compliance with this requirement

DEBRIS MANAGEMENT REPORT (DMR)

- a. Project name
- b. List total cubic yardage of material (by type) recycled or disposed for project
- c. Provide backup receipts for export facilities, haulers, or reuse on site.

Exceptions of those projects not meeting with requirements would be reported to DPW Recycling.

Templates for all forms required are available at:
https://www.sandiegocounty.gov/content/sdc/dpw/recycling/NewCD_Grading.htm
 |

For additional questions, please call (858) 694-2463 or email
CDRecycling@sdcounty.ca.gov

75. DRNG#1—LINES OF INUNDATION

INTENT: In order to comply with [Grading Ordinance No. 10179, Section 87.803 \(38\)](#) and prevent future development in flood-prone areas the Lines of Inundation shall be shown on the map. **DESCRIPTION OF REQUIREMENT:** Lines of inundation to the limits of the 100-year flood along the watercourse, which flows through the property, shall be shown and labeled "Subject to Inundation By The 100-Year Flood" on the Final Map. Each parcel shall have a flood free building site to the satisfaction of the Director of PDS. If any of the parcels are found to be devoid of a buildable, flood free site for an industrial use, the subdivider shall take appropriate action so that each parcel does have a buildable flood free site. This pertains to watersheds having area of one hundred (100) or more acres. **DOCUMENTATION:** The applicant shall indicate the lines of inundation on the non-title sheet of the Final Map for any unit as indicated above. **TIMING:** Prior to the approval of the Final Map for any unit, the inundation lines shall be indicated and labeled on the map. **MONITORING:** The [PDS, LDR] shall verify that the inundation lines have been indicated pursuant to this condition.

76. DRNG#2—FLOODPLAIN COMPLIANCE

INTENT: As required by the Code of Federal Regulations (CFR) and to protect persons and property from harm in an area of special flood hazard in the unincorporated County by ensuring compliance with the more restrictive of the Flood Damage Prevention Ordinance (FDPO), Section 811.101, et seq. of the San Diego County Code, of Regulatory Ordinances (County Code) or the National Flood Insurance Program requirements set forth at 44 Code of Federal Regulations, (CFR) Section 60.1 et seq. References to the 44 CFR Section 60.1 *et seq.* are for convenience only and are not intended to limit the applicability of other federal laws or regulations that comprise the National Flood Insurance Program. **DOCUMENTATION:** The applicant shall complete the following:

DESCRIPTION OF REQUIREMENT: The project site is located within an AE Flood Zone as indicated on FEMA Flood Insurance Rate Map (FIRM) map panel #2183 of 2375 (Map No. 06073C2183). FEMA mapped AE Zones are required to be developed and used in accordance with restrictions set forth in the County's Flood Damage Prevention Ordinance for "special flood hazard areas." These requirements were developed to allow for continued County participation in the National Flood Insurance Program (NFIP) in accordance with 44 CFR 60.1 *et seq.* Consistent with these requirements, the following must be complied with:

1. Determine, to the satisfaction of the County Flood Plain Administrator through hydraulic analyses acceptable to Public Works Flood Control performed by a licensed engineer in accordance with standard engineering practice, the base flood elevation (BFE) and flood plain boundary during the occurrence of the base flood of the Johnson Canyon Creek both before and after all proposed work. Demonstrate compliance with all NFIP and FDPO requirements to the satisfaction of the County Flood Plain Administrator and Public Works Flood Control. If it is demonstrated that the post project BFEs differ from the pre by more than 0.5', or that the post floodplain delineation differs from the FEMA effective mapping, a Conditional Letter of Map Revision (CLOMR) and Letter of Map Revision (LOMR) from FEMA will be required in accordance with the FDPO. NOTE: If after hydraulic analysis and grading plan review it is determined that changes to lot design or pad elevations are needed or the design will impact off-site properties and/or necessitate obtaining off-site easements or waivers for drainage or grading purposes then the applicant may be required to revise their project and go through the discretionary approval process again.
2. Demonstrate to the satisfaction of the County Flood Plain Administrator through acceptable hydrologic and hydraulic analyses, acceptable to DPW Flood Control and performed by a California licensed engineer in accordance with standard engineering practice, that all proposed structures will be reasonably safe from flooding of the one percent annual chance event as calculated following the methodology described in the County Hydrology Manual.
3. All structures to be constructed, substantially improved or placed within the subdivision shall comply with the more restrictive of the County's Flood Damage Prevention Ordinance or the criteria set forth in 44 CFR 60.1 *et seq.*
4. Show and label existing drainage easements on the plans.

5. Elevation Certificates for structures located in the Special Flood Hazard Area (SFHA).

TIMING: Elevation Certificates required prior to Certificate of Occupancy, all other items required prior to the approval of any Final Map for any unit or any grading and/or improvement plans (whichever comes first). **MONITORING:** The [PDS, LDR, DPW, FCE] shall review the hydraulic analysis, and associated plans and maps for compliance with this condition.

77. STRMWTR#1–STORMWATER MAINTENANCE DOCUMENTATION

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

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

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

78. STRMWTR#2–EROSION CONTROL

INTENT: In order to Comply with all applicable stormwater regulations the activities proposed under this application are subject to enforcement under permits from the [State Construction General Permit, Order No. 2009-00090-DWQ](#), or subsequent order and the [County Watershed Protection Ordinance \(WPO\) No.10410, County Code Section 67.801 et. seq.](#) and all other applicable ordinances and standards for this priority project. **DESCRIPTION OF REQUIREMENT:** The applicant shall maintain the appropriate on-site and offsite Best Management Practices pursuant to the approved Stormwater Quality Management Plan (SWQMP) and Erosion Control Plan including, but not limited to the erosion control measures, irrigation systems, slope protection, drainage systems, desilting basins, energy dissipators, and silt control measure.

- a. An agreement and instrument of credit shall be provided pursuant to [Subdivision Ordinance 81.408](#), for an amount equal to the cost of this work as determined or approved by the [PDS, LDR], in accordance with the [County of San Diego Grading Ordinance Section 87.304](#). The cash deposit collected for grading, per the grading ordinance, will be used for emergency erosion measures. The developer shall submit a letter to [PDS, LDR] authorizing the use of this deposit for emergency measures.

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- b. An agreement in a form satisfactory to County Counsel shall accompany the Instrument of Credit to authorize the County to unilaterally withdraw any part of or all the Instrument of Credit to accomplish any of the work agreed to if it is not accomplished to the satisfaction of the County PDS and/or DPW by the date agreed.

DOCUMENTATION: The applicant shall provide the letter of agreement and any additional security and/or cash deposit to the [PDS, LDR]. **TIMING:** Prior to recordation of the 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.

The following Grading and/or Improvement Plan Notes shall be placed on the Preliminary Grading Plan and made conditions of the issuance of said permits. An email or disc will be provided with an electronic copy of the grading plan language.

79. AQ#1-CONSTRUCTION EXHAUST EMISSIONS

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

- a. The project shall require the construction contractor to provide a construction fleet that uses heavy-duty diesel-powered equipment equipped with Tier 3 or better diesel engines. An exemption from these requirements may be granted by the County in the event that the applicant documents that equipment with the required tier is not reasonably available and corresponding reductions in criteria air pollutant emissions are achieved from other construction equipment. Before an exemption may be considered by the County, the applicant shall be required to demonstrate that three construction fleet owners/operators in the San Diego Region were contacted and that those owners/operators confirmed Tier 3 equipment could not be located within the San Diego region.
- b. The primary contractor shall be responsible for ensuring that all construction equipment is properly tuned and maintained in accordance with manufacturer's specifications before and for the duration of on-site operation.
- c. Simultaneous operation of multiple construction equipment units shall be minimized. During construction, vehicles in loading and unloading queues shall not idle for more than 5 minutes and shall turn their engines off when not in use to reduce vehicle emissions.
- d. Electrical hookups shall be provided on site for the use of hand tools such as saws, drills, and compressors used for building construction to reduce the need for electric generators and other fuel-powered equipment. The use of electrical construction equipment shall be employed, where feasible.
- e. Construction equipment shall be outfitted with best available control technology (BACT) devices certified by the California Air Resources Board. A copy of each unit's

BACT documentation shall be provided to the County of San Diego at the time of mobilization of each applicable unit of equipment.

- f. Haul truck staging areas shall be provided for loading and unloading soil and materials, and shall be located away from sensitive receptors at the furthest feasible distance (at least 1,000 feet).
- g. A Construction Traffic Control Plan shall be developed to ensure construction traffic and equipment use is minimized to the extent practicable. The Construction Traffic Control Plan shall include measures to reduce the amount of large pieces of equipment operating simultaneously during peak construction periods, scheduling of vendor and haul truck trips to occur during non-peak hours, establish dedicated construction parking areas to encourage carpooling and efficiently accommodate construction vehicles, identify alternative routes to reduce traffic congestion during peak activities and increase construction employee carpooling.

DOCUMENTATION: The applicant shall comply with the Air Quality requirements of this condition. The applicant shall show compliance with this measure by providing the construction bid/estimate from the construction contractor that will be used. **TIMING:** Prior to approval of any grading and or improvement plans and issuance of any Grading or Construction Permits. **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.

80. **AQ#2-FUGITIVE DUST PLAN**

INTENT: In order to mitigate for fugitive dust. **DESCRIPTION OF REQUIREMENT:** The project applicant or designee shall prepare and implement a Fugitive Dust Plan demonstrating compliance with San Diego Air Pollution Control District (SDAPCD) Rule 55 and County Code Section 87.428 (Grading Ordinance), to the satisfaction of the County. Measures shall include but not limited to:

- a. Water, or utilize another SDAPCD-approved dust control non-toxic agent on the grading areas at least three times daily to minimize fugitive dust.
- b. All main roadways shall be constructed and paved as early as possible in the construction process to reduce construction vehicle travel on unpaved roads.
- c. Building pads shall be finalized as soon as possible following site preparation and grading activities to reduce fugitive dust from earth moving operations.
- d. Grading areas shall be stabilized as quickly as possible to minimize fugitive dust.
- e. Chemical stabilizer shall be applied, a gravel pad shall be installed, or the last 100 feet of internal travel path shall be paved within the construction site prior to public road entry, and for all haul roads.
- f. Wheel washers shall be installed adjacent to the apron for tire inspection and washing prior to vehicle entry on public roads.
- g. Any visible track-out into traveled public streets shall be removed with the use of sweepers, water trucks or similar method within 30 minutes of occurrence.
- h. Sufficient perimeter erosion control shall be provided to prevent washout of silty material onto public roads.
- i. Unpaved construction site egress points shall be graveled to prevent track-out.
- j. Construction access points shall be wet-washed at the end of the workday if any vehicle travel on unpaved surfaces has occurred.

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- k. Transported material in haul trucks shall be watered or treated with SDAPCD-approved non-toxic dust control agent.
- l. Haul trucks shall be covered or shall maintain at least two feet of freeboard to reduce blow-off during hauling.
- m. All soil disturbance and travel on unpaved surfaces shall be suspended if winds exceed 25 miles per hour (mph).
- n. On-site stockpiles of excavated material shall be covered.
- o. A 15-mph speed limit on unpaved surfaces shall be enforced.
- p. Haul truck staging areas shall be provided for loading and unloading of soil and materials.
- q. Construction Traffic Control Plans shall route delivery and haul trucks required during construction away from sensitive receptor locations and congested intersections to the extent feasible. Construction Traffic Control plans shall be finalized and approved prior to issuance of grading permits.

DOCUMENTATION: The applicant or designee shall comply with the Air Quality requirements of this condition. **TIMING:** The Fugitive Dust Plan shall be prepared prior to approval of any grading permits and the following actions shall occur throughout the duration of construction. **MONITORING:** The [DPW, PDCI] shall make sure that the grading contractor complies with the Air Quality requirements of this condition. The [DPW, PDCI] shall contact the [DPLU, PCC] if the applicant fails to comply with this condition.

81. **AQ#3-CONTRUSTION RELATIONS OFFICER**

INTENT: In order to provide public notification and contact for project related construction activities. **DESCRIPTION OF REQUIREMENT:** Prior to construction activities, the project applicant shall employ a construction relations officer who will address Community concerns regarding on-site construction activity. The applicant shall provide public notification in the form of a visible sign containing the contact information of the construction relations officer who will document complaints and concerns regarding on-site construction activity. The sign shall be placed in easily accessible locations along Otay Mesa Road and noted on grading and improvement plans. **DOCUMENTATION:** The applicant shall comply with the requirements of this condition. **TIMING:** Prior to issuance of the grading or improvement permits and throughout the duration of the grading and construction. **MONITORING:** The [DPW, PDCI] shall make sure the contractor complies with the requirements of this condition and shall contact the [PDS, PCC] if the applicant fails to comply with this condition.

82. **FIRE-GR#1 – GRADING PLAN**

INTENT: The grading plan shall include notes with the fire requirements in order to comply with the 2020 San Diego County Consolidated Fire Code. **DESCRIPTION OF REQUIREMENT:** The following requirements shall be included on the map: **DOCUMENTATION:** The grading notes on grading plan shall include all the fire requirements: all structures shall meet the ignition resistant building requirements, adequate access to each lot, the required limited building zones, and all other requirements as required in the April 20, 2012 Fire Protection Plan with the June 23, 2020 Addendum. **TIMING:** Prior to issuance of the grading plan, it shall be confirmed that the grading notes are included to demonstrate compliance with all the fire

requirements. **MONITORING:** The fire requirements shall be checked by the building inspector prior to occupancy of each structure and annual inspections may occur (fuel modification) by the Fire District.

83. PALEO#1 - PALEO GRADING MONITORING

INTENT: In order to mitigate for potential impacts to paleontological resources, a monitoring program during grading, trenching or other excavation into undisturbed rock layers beneath the soil horizons and a fossil recovery program, if significant paleontological resources are encountered, shall be implemented pursuant to the [County of San Diego Guidelines for Determining Significance for Paleontological Resources](#).

DESCRIPTION OF REQUIREMENT: A Qualified Paleontologist shall be contracted to perform paleontological resource monitoring and a fossil recovery program if significant paleontological resources are encountered during all grading, trenching, or other excavation into undisturbed rock layers beneath the soil horizons. The monitoring program shall include the following:

- a. A Qualified Paleontologist ("Project Paleontologist") shall perform the monitoring duties pursuant to the most current version of the [County of San Diego Guidelines for Determining Significance for Paleontological Resources](#), and this permit. The contract or letter of acceptance provided to the County shall include an agreement that the grading/ trenching/excavation monitoring will be completed, and a [Memorandum of Understanding \(MOU\)](#) between the Project Paleontologist 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.
- b. The cost of the monitoring shall be added to the grading bonds or bonded separately.

DOCUMENTATION: The applicant shall provide a copy of the Grading Monitoring Contract or letter of acceptance, cost estimate, and [MOU](#) to the [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:** The [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, LDR], for inclusion in the grading bond cost estimate and grading bonds and the grading monitoring requirement shall be made a condition of the issuance of the grading or construction permit.

84. PLAN CONDITIONS NOTES: [DPW, PDS].

INTENT: In order to implement the required mitigation measures for which was the basis for approval of this project pursuant to the County Subdivision Ordinance Section 81.303, County Subdivision Ordinance Section 81.604, the condition notes shall be implemented on the grading and improvement plans and made conditions of the permit issuance.

DESCRIPTION OF REQUIREMENT:

GRADING PERMIT: (Prior to approval of any grading and/or improvement plans, and issuance of any grading or construction permits).

Prior to construction, a Conditional Letter of Map Revision (CLOMR) is required to be processed through the County and FEMA for this project that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). The CLOMR does not revise an effective FEMA Flood Insurance Rate Map (FIRM), it indicates whether the project, if built as proposed, would be recognized by FEMA. A Letter of Map Revision (LOMR) issued by FEMA is required at record plan / as-built stage and is FEMA's modification to an effective FIRM.

Changes to effective maps shall be made in writing by the County Flood Plan Administrator / Director of Public Works, official designated by County Chief Executive Officer (CEO).

PRE-CONSTRUCTION MEETING: (Prior to any clearing, grubbing, trenching, grading, or any land disturbances.)

85. BIO#13–TEMPORARY FENCING [PDS, FEE]

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

86. BIO#14–RESOURCE AVOIDANCE [PDS, FEE X2]

INTENT: In order to avoid impacts to migratory birds and raptors, including northern harriers, which are a sensitive biological resource pursuant to the Migratory Bird Treaty Act (MBTA), a Resource Avoidance Area (RAA), shall be implemented on all plans. **DESCRIPTION OF REQUIREMENT:** There shall be no brushing, clearing and/or grading such that none will be allowed within 300 feet of migratory bird and raptor nesting habitat, 300 feet of occupied owl burrows, and 900 feet of northern harrier nesting habitat during the breeding season within RRA as indicated on these plans. The breeding season is

defined as occurring between February 1 and August 31. The Director of PDS [PDS, PPD] may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Wildlife, provided that migratory birds or raptors 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, PPD] is received. The [PDS, PPD] shall review the concurrence letter.

87. BIO#15-BURROWING OWL MONITORING [PDS, FEE X3]

INTENT: In order to prevent inadvertent disturbance to burrowing owl, a pre-construction burrowing owl survey shall be conducted within the project area. **DESCRIPTION OF REQUIREMENT:** A County-approved biologist shall perform burrowing owl surveys within 72 hours of the start of any grading, clearing, and/or grubbing within and adjacent to the development area and the vicinity of any revegetation and restoration activities, including relocation sites. No disturbance may occur until concurrence on the survey result is received from the respective resource agencies (i.e. County, USFWS, and CDFW). 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 pre-construction survey 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](#). **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, grading, or any land disturbances, this condition shall be completed and approved. **MONITORING:** The [DPW, PDCI] shall not allow any grading, unless a concurrence from the [PDS, PPD] is received. The [PDS, PPD] shall review the concurrence letter.

88. PALEO-GR#1 - PALEONTOLOGICAL MONITORING

INTENT: In order to comply with Mitigation Monitoring and Reporting Program pursuant to PDS2008-3100-5549 (TM), a Paleontological Resources Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Paleontologist shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the grading monitoring program. The Project Paleontologist shall monitor during the original cutting of previously undisturbed deposits for the project, both on and off site, the Qualified Paleontological Resources Monitor shall be on-site to monitor as determined necessary by the Qualified Paleontologist. The grading monitoring program shall comply with the [County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources](#). **DOCUMENTATION:** The applicant shall have the contracted Project

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Paleontologist attend the preconstruction meeting to explain the monitoring requirements.

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 attend the preconstruction conference and confirm the attendance of the approved Project Paleontologist.

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

89. CULT#GR-1 - 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.

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

90. CULT#GR-2 - 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

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- 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.

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.

91. **PALEO-GR#2 - PALEONTOLOGICAL MONITORING**

INTENT: In order to comply with Mitigation Monitoring and Reporting Program pursuant to PDS2008-3100-5549 (TM), and the [County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources](#), a Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Paleontologist shall monitor during the original cutting of previously undisturbed deposits for the project, both on and off site. The Qualified Paleontological Resources Monitor shall be on-site to monitor as determined necessary by the Qualified Paleontologist. The grading monitoring program shall comply with the following requirements during grading:

- a. If paleontological resources are encountered during grading/excavation, the following shall be completed:
 1. The Paleontological Resources Monitor shall have the authority to direct, divert, or halt any grading/excavation activity until such time that the sensitivity of the resource can be determined and the appropriate salvage implemented.
 2. The Monitor shall immediately contact the Project Paleontologist.
 3. The Project Paleontologist shall contact the Planning & Development Services immediately.

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4. The Project Paleontologist shall determine if the discovered resource is significant. If it is not significant, grading and/or excavation may resume.
- b. If the paleontological resource is significant or potentially significant, the Project Paleontologist or Paleontological Resources Monitor, under the supervision of the Project Paleontologist, shall complete the following tasks in the field:
 1. Salvage unearthed fossil remains, including simple excavation of exposed specimens or, if necessary, plaster-jacketing of large and/or fragile specimens or more elaborate quarry excavations of richly fossiliferous deposits;
 2. Record stratigraphic and geologic data to provide a context for the recovered fossil remains, typically including a detailed description of all paleontological localities within the project site, as well as the lithology of fossil-bearing strata within the measured stratigraphic section, if feasible, and photographic documentation of the geologic setting; and
 3. Transport the collected specimens to a laboratory for processing (cleaning, curation, cataloging, etc.).

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

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

92. 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. **Archaeological Monitoring - 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 Monitoring - 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

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during monitoring and the anticipated time schedule for completion of the curation and/or repatriation phase of the monitoring.

- C. **Data Recovery Final Report.** A final data recovery report for the completion of the data recovery program as detailed in the archaeological extended study *Cultural Resources Survey and Test Report for the TM 5549 Project* (Appendix H) prepared by Dennis Gallegos (October 2012) shall be submitted for review and approval. The final study shall provide the results, analysis, and conclusions of the data recovery program for CA-SDI-10071.

DOCUMENTATION: The applicant shall submit the Archaeological Monitoring Report and the Final Data Recovery Report to [PDS, PPD] for review and approval. Once approved, a final copy of the reports 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), these reports shall be completed. **MONITORING:** [PDS, PPD] shall review the reports and/or field monitoring memo for compliance with the project MMRP, and inform [DPW, PDCI] that the requirement is completed.

93. PALEO-GR#3 - PALEONTOLOGICAL MONITORING

INTENT: In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) pursuant to PDS2008-3100-5549 (TM), and the [County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources](#), a Grading Monitoring Program shall be implemented.

DESCRIPTION OF REQUIREMENT: The Project Paleontologist shall prepare one of the following letters upon completion of the grading activities that require monitoring:

- a. If no paleontological resources were discovered, submit a "No Fossils Found" letter from the grading contractor to the [PDS, PPD] stating that the monitoring has been completed and that no fossils were discovered, and including the names and signatures from the fossil monitors. The letter shall be in the format of Attachment E of the County of San Diego Guidelines for Determining Significance for Paleontological Resources.
- b. If Paleontological Resources were encountered during grading, a letter shall be prepared stating that the field grading monitoring activities have been completed, and that resources have been encountered. The letter shall detail the anticipated time schedule for completion of the curation phase of the monitoring.

DOCUMENTATION: The applicant shall submit the letter report to the [PDS, PPD] 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 letter report shall be completed. **MONITORING:** The [PDS, PPD] shall review the final negative letter 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).

94. BIO#16–OPEN SPACE SIGNAGE & FENCING [PDS, FEE]

INTENT: In order to protect the onsite open space for PDS2008-3100-5549, fencing and signage shall be installed. **DESCRIPTION OF REQUIREMENT:** The permanent fences or walls, and open space signs shall be placed along the open space boundary as shown on these plans and the approved Conceptual Grading and Development Plan for PDS2008-3100-5549.

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

**Sensitive Environmental Resources
Area Restricted by Easement**

Entry without express written permission from the County of San Diego is prohibited. To report a violation or for more information about easement restrictions and exceptions contact the County of San Diego, Planning & Development Services
Reference: PDS2008-3100-5549

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

95. BIO#17–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 non-native grassland and jurisdictional features, 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 are:

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

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property. All fire clearing shall be pursuant to the applicable fire code of the Fire Authority Having Jurisdiction and the Memorandum of Understanding dated February 26, 1997, between the wildlife agencies and the fire districts and any subsequent amendments thereto. Activities conducted pursuant to a revegetation or habitat management plan approved by the Director of PDS, DPR and DPW. 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, PPD] stating that all Sensitive Resource 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.

96. **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:

- A. Department of Parks and Recreation Primary and Archaeological Site forms.
- B. Daily Monitoring Logs
- C. Evidence that all cultural materials have been conveyed 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.

97. PALEO-GR#4 - PALEONTOLOGICAL MONITORING

INTENT: In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) pursuant to PDS2008-3100-5549 (TM), and the [County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources](#), a Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Paleontologist shall prepare a final report that documents the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program if resources were encountered during grading. The report shall include the following:

- a. If paleontological resources were discovered, the following tasks shall be completed by or under the supervision of the Project Paleontologist:
 1. Prepare collected fossil remains for curation, to include cleaning the fossils by removing the enclosing rock material, stabilizing fragile specimens using glues and other hardeners, if necessary, and repairing broken specimens;
 2. Curate, catalog and identify all fossil remains to the lowest taxon possible, inventory specimens, assigning catalog numbers, and enter the appropriate specimen and locality data into a collection database;
 3. Submit a detailed report prepared by the Project Paleontologist in the format provided in Appendix D of the County of San Diego's Guidelines for Determining Significance for Paleontological Resources. The report shall identify which accredited institution has agreed to accept the curated fossils. Submit two hard copies of the final Paleontological Resources Mitigation Report to the Director of

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PDS for final approval of the mitigation, and submit an electronic copy of the complete report in Microsoft Word on an USB drive. In addition, submit one copy of the report to the San Diego Natural History Museum and one copy to the institution that received the fossils.

4. Transfer the cataloged fossil remains and copies of relevant field notes, maps, stratigraphic sections, and photographs to an accredited institution (museum or university) in California that maintains paleontological collections for archival storage and/or display, and submit Proof of Transfer of Paleontological Resources, in the form of a letter, from the director of the paleontology department of the accredited institution to the Director of PDS verifying that the curated fossils from the project site have been received by the institution.

- b. If no resources were discovered, a brief letter to that effect and stating that the grading monitoring activities have been completed, shall be sent to the Director of Planning and Land Use by the Project Paleontologist.

DOCUMENTATION: The applicant shall submit the letter report to the [PDS, PPD] for review and approval. **TIMING:** Prior to the occupancy of any structure or use of the premises, and prior to Final Grading Release ([Grading Ordinance Sec. 87.421.a.3](#)), the final report shall be completed. **MONITORING:** The [PDS, PPD] shall review the final report for compliance with the project MMRP, and inform [DPW, PDCI] that the requirement is completed.

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

AQ#4-CONSTRUCTION ARCHITECTUAL 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. The project shall use architectural coatings with a VOC content of 100 grams per liter (g/l) or less for exterior coatings and 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.

98. CAP#1-California Air Pollution Control Officers Association Control Measure Compliance

INTENT: In order to implement a sustainable project design that would minimize energy consumption and greenhouse gas emissions. **DESCRIPTION OF REQUIREMENT:** As identified in the project's Greenhouse Gas Emissions Assessment, the project would implement project design features consistent with the control measures identified by the California Air Pollution Control Officers Association (CAPCOA):

Building Envelope

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- a. The project will install modestly enhanced window insulation (0.4 U-factor, 0.32 SHGC)
- b. The project will install greatly enhanced cool roofs (CRRC Rate 0.35 aged solar reflectance, 0.75 thermal emittance)

Indoor Space Efficiencies

- c. The project will install enhanced heating/cooling duct insulation (R-8)
- d. The project will install improved efficiency HVAC (EER 14/78% AFUE or 8 HSPF)
- e. The project will install very high efficiency water heaters (0.92 Energy Factor)
- f. The project will design the building so that all peripheral rooms within the building have at least one window or skylight
- g. The project will install very high efficiency indoor lights (100% of in-unit fixtures are high efficiency)
- h. The project will install Star Commercial Refrigerators (new)

Miscellaneous Building Efficiencies

- i. The project will install solar ready roofs (sturdy roofs with electrical hookups)

Irrigation and Landscaping

- j. Only low water using plants would be included on-site as demonstrated by the project's landscaping plan
- k. The project will install weather-based irrigation control systems combined with drip irrigation (demonstrate 20 percent reduction in water use)

Potable Water

- l. The project will install water efficient toilets/urinals (1.5 gpm)
- m. The project will install water efficient faucets (1.28 gpm)

Transportation Alternatives

- n. The project will provide bicycle path linkages between project site and other land uses

DOCUMENTATION: The applicant shall comply with the requirements of this condition.

TIMING: Prior to approval of any building plan or the issuance of any building permit, these design measures shall be implemented on the building plans and landscape plans.

MONITORING: The [PDS, BPPR] shall make sure that the sustainable design measures are implemented on all building plans for the project.

99. CAP#2-County Climate Action Plan Satisfaction

INTENT: The project shall include the following features. **DESCRIPTION OF**

REQUIREMENT: The project shall implement or install the following measures or features.

- a. **Measure 6:** Reduce Outdoor Water Use. The project would submit a Landscape Document Package that is compliant with the County's Water Conservation in Landscaping Ordinance that demonstrates a 40 percent reduction in current MAWA for outdoor use.

No other measures identified in the CAP Checklist would apply to the project.

DOCUMENTATION: The applicant shall comply with the requirements of this condition.

TIMING: Prior to the approval of the final map and prior to the approval of any plan and issuance of any permit. **MONITORING:** The [PDS, LA] and [DPR, TC, PP] shall review the Landscape Plans for compliance with **Measure 6** of this condition.

100. GEN#3–INSPECTION FEE

Intent: In order to comply with Zoning Ordinance Section 7362.e the inspection fee shall be paid. **DESCRIPTION OF REQUIREMENT:** Pay the inspection fee at the [PDS, ZC] to cover the cost of inspection(s) of the property to monitor ongoing conditions associated with this permit. In addition, submit a letter indicating who should be contacted to schedule the inspection. **DOCUMENTATION:** The applicant shall provide a receipt showing that the inspection fee has been paid along with updated contact information [PDS, PCC]. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit. **MONITORING:** The [PDS, ZC] shall process an invoice and collect the fee. PDS will schedule an inspection within one year from the date that occupancy or use of the site was established.

101. LNDSKP#2–CERTIFICATION OF INSTALLATION

INTENT: In order to provide adequate Landscaping that complies with the East Otay Mesa Business Park Specific Plan, and to comply with the COSD Water Efficient Landscape Design Manual, the COSD Water Conservation in Landscaping Ordinance (10675), the COSD Grading ordinance, and the requirements of the East Otay Mesa Business Park Specific Plan, 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.

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

1. The Tentative Map is consistent with all elements of the San Diego County General Plan and with the Specific Plan Area Land Use Designation of the East Otay Mesa Specific Plan within the Otay Subregional Plan because it proposes a subdivision of land and future development will be subject to comply 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 eight new lots that meet the minimum lot size requirements, ranging from 1.5 acres to 48.5 acres in the Technology Business Park and Conservation/Limited Use designations;
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 subdivision because the open space easement lots are located in an existing open space area, and the lots located in the Technology Business Park area are appropriately sized to support commercial and industrial development;
5. The site is physically suitable for the proposed subdivision because all public facilities are available to serve the subdivision. The project has received service availability forms for water, sewer, schools and fire.
6. The design of the subdivision and the type of improvements will not cause public health problems because adequate water supply and sewage disposal services have been found to be available or can be provided concurrent with need;
7. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat based upon the findings of CEQA Section 15162 & 15164 addendum, dated September 18, 2020, to a previously certified Environmental Impact Report dated July 27, 1994;
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 San Diego County Sanitation sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the Water Code, as specified by Government Code Section 66474.6;
10. Because adequate facilities and services have been assured and adequate environmental review and documentation have been prepared, the regional housing opportunities afforded by the subdivision outweigh the impacts upon the public service needs of County residents and fiscal and environmental resources; and

11. Determinations and findings pursuant to the California Environmental Quality Act, the Resource Protection Ordinance, and the Watershed Protection, Stormwater Management, and Discharge Control Ordinance have been made by the Planning Commission.

WAIVER(S) AND EXCEPTION(S): This subdivision is hereby approved pursuant to the provisions of the State Subdivision Map Act, the County Subdivision Ordinance, the County Public and Private Road Standards, and all other required ordinances of San Diego County except for a waiver or modification of the:

County Subdivision Ordinance to permit:

1. County Subdivision Ordinance Section 81.401(i) requires that lot shall be designed so the lot is at least 90 feet deep and the average lot depth, excluding any areas encumbered by any open space, drainage, flood control or right-of-way easement, shall not be greater than three times the average lot width. Lot 1 has a ratio of 3.34:1, which is greater than that which is allowed. Due to the large size of the lot and access from Vann Center Boulevard, staff supports the applicants request for a waiver pursuant to Subdivision Ordinance Section 81.308(a)(1).

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

STORMWATER ORDINANCE COMPLIANCE: In order to Comply with all applicable stormwater regulations the activities proposed under this application are subject to enforcement under permits from the [San Diego Regional Water Quality Control Board \(RWQCB\)](#) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control [Ordinance No. 10410](#) and all other applicable ordinances and standards for the life of this permit. The project site shall be in compliance with all applicable stormwater regulations referenced above and all other applicable ordinances and standards. This includes compliance with the approved Stormwater Management Plan, all requirements for Low Impact Development (LID), Hydromodification, materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas 1 acre or greater require that during construction the property owner keeps the Storm Water Pollution Prevention Plan (SWPPP) onsite and update it as needed. The property owner and permittee shall comply with the requirements of the stormwater regulations referenced above.

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), noise generating equipment and project related noise sources associated with the future use and discretionary actions shall be subject to further noise evaluation. The owner or applicant of the project shall demonstrate that the proposed project complies with the sound level limits pursuant to the Noise Ordinance Section 36.404 and the General Plan Noise Elements.

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

http://www.sandiegocounty.gov/content/dam/sdc/dpw/WATERSHED_PROTECTION_PROGRAM/susmppdf/lid_handbook_2014sm.pdf

The County has provided a LID Handbook as a source for LID information and is to be utilized by County staff and outside consultants for implementing LID in our region. See link below: <http://www.sdcountry.ca.gov/dplu/docs/LID-Handbook.pdf>

STORMWATER COMPLIANCE NOTICE: Updated studies, including Hydro-modification Management Plans for Priority Development Projects, will be required prior to approval of grading and improvement plans for construction pursuant to [County of San Diego Watershed](#)

Protection, Stormwater Management and Discharge Control Ordinance No. 10410 (N.S.), dated February 26, 2016 and BMP Design Manual. These requirements are subject to the MS4 Permit issued by the Regional Water Quality Control Board, Order No. R9-2013-0001 and any subsequent order. Additional studies and other action may be needed to comply with future MS4 Permits.

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

GRADING PERMIT REQUIRED: A grading permit is required prior to commencement of grading when quantities 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. Linea Del Cielo (ME Route # SC 1524/S-8) is shown as a 2.2F Light Collector Road on the Mobility Element of the County General Plan. 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.

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.

**Attachment C –
Environmental Documentation**



County of San Diego

DAHVIA LYNCH
DIRECTOR

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

VINCE NICOLETTI
ASSISTANT DIRECTOR

**Environmental Review Update Checklist Form
For projects with Previously Approved Environmental Documents
For Purposes of Consideration of
International Industrial Park Time Extension,
PDS2023-TM 5549TE, Log No. 93-19-006ZZZI**

November 13, 2023

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

Project: The project is a Tentative Map Time Extension for the previously approved International Industrial Park Tentative Map (TM-5549) which was approved by the Planning Commission on September 18, 2020. The applicant has requested an extension of 6 years for the Tentative Map to complete the required conditions and record the Final Map. The project is a proposal to subdivide approximately 170 acres into eight lots, two of which will be preserved in an open space easement. The project site is zoned Specific Plan (S88) and subject to the Village General Plan Regional Category and Specific Plan Area (SPA) General Plan Land Use Designation. The Otay Mesa Business Park Specific Plan designates the majority of the site as Technology Business Park, with the northwest of the site designated Conservation/Limited Use. The site is also subject to the "B" (Community Design Review) and "C" (Airport Land Use Compatibility Plan Area) Special Area Designators. In addition, a portion of the site is subject to the "G" (Sensitive Resource) special area designator for sensitive biological resources. As explained below, no additional environmental review is required.

Location: The Tentative Map Time Extension (TM5549TE) is located north of Lone Star Road, between Vann Centre Blvd and Alta Road in the East Otay Mesa Business Park Specific Plan in the Otay Subregional Plan area, within unincorporated San Diego County (APN: [No.]).

Background: An Environmental Impact Report (EIR) for the East Otay Mesa Specific Plan (SP 93-004); GPA 94-02; Log No. 93-19-6 was certified by the County of San Diego Board of Supervisors on July 27, 1994. The certified EIR found significant effects to Biological Resources, Noise, 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 except for effects on Biological Resources and Noise.

Furthermore, the following addenda and associated determinations were reviewed:

- a. Addendum #1 dated January 13, 1999; SPA 98-002; Log No. 93-19-016; was approved by the County of San Diego Board of Supervisors on January 13, 1999 (4). This addendum allowed for the sales of gasoline in land use areas as Support Commercial.
- b. Addendum #2 dated July 1, 1999; GPA 99-CE; Log No. 93-19-006 was approved by the Board of Supervisors on December 15, 1999 (2). This addendum added Highway SR-11 to the County Circulation Element.
- c. Reliance on the existing EIR with no modification was approved by the Planning Commission on June 20, 2000, for the East Otay Mesa Truck Travel Plaza; P98-024; Log No. 98-19-020.
- d. Addendum #3 dated June 21, 2000; Log No. 93-19-006; approved by the adoption of Interim Ordinance No. 9226 restricting certain uses within the East Otay Mesa Specific Plan.
- e. Reliance on the existing EIR with no modification was approved by the County of San Diego Board of Supervisors on July 26, 2000 (4); adoption of Ordinance No. 9235 approved the first extension of Interim Ordinance No. 9226. Used Addendum #3 (dated June 21, 2000) as the environmental document.
- f. A Supplemental EIR dated December 15, 2000 was approved by the Planning Commission on December 15, 2000, for the Sun Road Centrum project; TM 5139RPL6; Log No. 93-19-013.
- g. Addendum #4 dated March 12, 2001 was approved by the Board of Supervisors on April 3, 2001. This project approved an agreement with PG&E Generating Company for acquisition and dedication of sewer easement. On May 1, 2001, the Board of Supervisors adopted Resolution 01-027 consenting to acquisition of easements by means of eminent domain.
- h. Addendum #5 dated February 23, 2001 was approved by the Zoning Administrator on May 1, 2001. This addendum was for the Burke Truck Parking and Storage project; ZAP 99-029; Log No. 99-19-016.

- i. Reliance on the existing EIR for adoption of Ordinance No. 9344 was approved by the County of San Diego Board of Supervisors on June 13, 2001 (5), amending and extending the Interim Ordinance No. 9226 as previously amended by Ordinance No. 9235. Used Addendum #3 (dated June 21,2000) as the environmental document.
- j. Addendum #6 dated March 28, 2002 was approved the Board of Supervisors on June 12, 2002 (4), for the Amendment to the East Otay Mesa Specific Plan. The purpose of the amendment was to update the land use plan and permit processing requirements and split the Specific Plan Area into Subareas 1 and 2. SPA 00-005; GPA 02-CE1; Log No. 93-19-006A. Documents associated with this project are on the "East Otay Mesa Specific Plan" CD.
- k. Reliance on the existing EIR with no modification was approved by the County of San Diego Director of Planning and Land Use on December 4, 2002, for the PG&E Subdivision, TPM 20570Rp13, Log No. 00-19-027. The project split a 79-acre parcel into 3 parcels having 22.67, 46.02, and 13.10 acres, respectively. Parcel 2 (46.02 acres) was the location for the Otay Mesa Generating Project certified by the California Energy Commission on April 23, 2001.
- l. Reliance on the existing EIR with no modification was approved by the County of San Diego Board of Supervisors on July 9, 2003, for East Otay Auto Storage, POO-012, Log No. 00-19-007. The project was for an insurance auto auction and storage yard.
- m. Addendum #7 dated March 4, 2003 was approved by the Planning Commission on April 11, 2003 for the Revised Tentative Map for the Sunroad Tech Centre project, TM 5139RPL6R2, ER 98-19-013A. This was an addendum to the previously certified EIR for the East Otay Mesa Specific Plan (GPA 94-02, Log No. 93-19-6) and the Supplemental EIR for the Sunroad Tech Centre Tentative Map, TM 5139RPL6, Log No. 93-19-013.
- n. Reliance on the existing EIR with no modification was approved by the Director of Planning and Land Use on October 2, 2003 for TPM 20701, ER #93-19-006A, Burke. The project is a minor subdivision of 39.31 gross acres into four parcels of 9.48,9.37,8.80 and 11.66 acres each.
- o. Reliance on the existing EIR with no modification was approved by the County of San Diego Director of Public Works on January 28, 2004, for East Otay Mesa Parcel B Grading Plan, L14456. The grading plan was for the grading of a 20.68 acre pad for future development.
- p. Reliance on the existing EIR with no modification was approved by the County of San Diego Director of Planning and Land Use on April 16, 2004 for Otay Mesa Property, LP/D&D Landholdings Boundary Adjustment/Certificate of Compliance BC 02-0150, Log No. 02-19-020. The Boundary Adjustment changed the boundaries of four existing parcels (APNs 648-040-21, 22 and 648-050-15,16) to create more

marketable parcels for future development pursuant to the East Otay Mesa Specific Plan.

- q. Reliance on the existing EIR with no modification was approved by the County of San Diego Board of Supervisors on February 2, 2005 (4) for an amendment to the East Otay Mesa Specific Plan (SPA 04-002), Log No. 93-19-0060, approved by Resolution No. 05-11. The Environmental Review Update Checklist Form was dated November 24, 2004. The Specific Plan Amendment revised the public landscaping requirements for Subarea 1 to improve safety.
- r. Addendum #8 dated May 20, 2005 was approved by the Planning Commission on June 24, 2005 for Otay Mesa Auto Transfer, Major Use Permit P03-001, ER 93-19-006C. This was an addendum to the previously certified EIR for the East Otay Mesa Specific Plan (GPA 94-02, Log No. 93-19-6).
- s. Reliance on the existing EIR with no modification was approved by the County of San Diego Board of Supervisors on November 2, 2005 (3) for an Amendment to the East Otay Mesa Specific Plan (SPA 05-005, Log No. 93-19-006U), approved by Resolution No. 05-216. The Environmental Review Update Checklist Form was dated August 8, 2005. The Specific Plan Amendment revised the parking requirements in Subarea 1 to conform to the standards in place for Subarea 2.
- t. Reliance on the existing EIR with no modification was approved by the Director of Planning and Land Use on December 2, 2005 for a boundary adjustment and certificate of compliance for the Pilot Travel Center (BC 05-0118, Log No. 93-19-006V).
- u. Addendum #9 dated January 31, 2006 was approved by the Planning Commission on March 10, 2006 for the Dillard and Judd Roll County Tentative Map, TM 5394RPL3, ER 93-19-006P. This was an addendum to the previously certified EIR for the East Otay Mesa Specific Plan (GPA 94-02, Log No. 93-19-6).
- v. Addendum #10 dated March 27, 2006 was approved by the Planning Commission on April 21, 2006 for the Airway Business Center Tentative Map, TM 5304RP, ER 93-19-006A. This was an addendum to the previously certified EIR for the East Otay Mesa Specific Plan (GPA 94-02, Log No. 93-19-6).
- w. Reliance on the existing EIR with no modification was approved by the Director of Planning and Land Use on April 12, 2006 for an Administrative Permit for clearing for the TPO LLC property (AD 04-025, Log No. 04-19-010).
- x. Reliance on the existing EIR with no modification was approved by the Director of Public Works on April 21, 2006 for Improvement Plans for Paseo de La Fuente (CG 4530); for 20.68 acres of grading for future development of the Border Patrol Site (L14456); and, for 73.5 acres of grading for future development of the Travel Plaza Site (L14632).

- y. Reliance on the existing EIR with no modification was approved by the Director of Public Works on May 19, 2006 for 13.5 acres of grading for future development of the Power Plant Laydown Site (L14208).
- z. Reliance on the existing EIR with no modification was approved by the Director of Public Works on June 30, 2006 for 13.45 acres of grading for future development of the Vulcan Site (L14625).
- aa. Addendum #11 dated August 7, 2006 was approved by the Director of Planning and Land Use on August 29, 2006 for the Otay Logistics Industrial Park (Trammell Crow) Site Plan, S05-018, ER 93-19-006S. This was an addendum to the previously certified EIR for the East Otay Mesa Specific Plan (GPA 94-02, Log No. 93-19-6).
- bb. Addendum #12 dated November 17, 2006 was approved by the Director of Planning and Land Use on November 17, 2006 for the Pilot Travel Center Site Plan, S05-021, ER 93-19-006T. This was an addendum to the previously certified EIR for the East Otay Mesa Specific Plan (GPA 94-02, Log No. 93-19-6).
- cc. Addendum #13 dated November 8, 2006 was approved by the Director of Planning and Land Use on December 1, 2006 for the Calpine Minor Subdivision, TPM 21012, ER 00-19-27B. This was an addendum to the previously certified EIR for the East Otay Mesa Specific Plan (GPA 94-02, Log No. 93-19-6).
- dd. Addendum #14 dated June 15, 2007 was approved by the Board of Supervisors on August 1, 2007 (1) for the East Otay Mesa Update, SPA 06-003, GPA 06-013, ER 93-19-006Y. This was an addendum to the previously certified EIR for the East Otay Mesa Specific Plan (GPA 94-02, Log No. 93-19-6).
- ee. Addendum #15 dated March 10, 2008 was approved by the Planning Commission on June 13, 2008 for the Travel Plaza, P 98-024W1, LOG NO. 93-19-006N. This was an addendum to the previously certified EIR for the East Otay Mesa Specific Plan (GPA 94-02, Log No. 93-19-6).
- ff. Reliance on the existing EIR with no modification was approved by the Board of Supervisors on April 8, 2009(1) for an Amendment to the East Otay Mesa Specific Plan (SPA 06-005), approved by Resolution No. 09-055. The amendment was for minor modifications to the East Otay Mesa Business Park Specific Plan Subarea 1 to correct minor issues related to landscaping requirements for public roads, modify the land use plan for the Heavy Industrial area, define development standards for correctional facilities in the Heavy Industrial, and miscellaneous corrections
- gg. Addendum #16 dated June 1, 2010 was approved by the County of San Diego Board of Supervisors on September 15, 2010 for an Amendment to the East Otay Mesa Specific Plan (SPA 10-001), approved by Resolution No. 10-168. The Environmental Review Update Checklist Form was dated June 1, 2010. The Specific Plan

Amendment combined Subareas 1 and 2 and revised and clarified certain development standards and requirements.

- hh. A Supplemental EIR (SEIR) for Otay Crossings Commerce Park, Tentative Map 5405, a 59-lot industrial subdivision, was certified by the Planning Commission on October 7, 2011. The certified EIR found significant effects to Biology, Cultural Resources, Paleontological Resources, Public Services and Utilities, and Noise. These effects were determined to be mitigated to a level below significance. Impacts to Transportation/Circulation and Air Quality could not be fully mitigated.

The specific transportation impacts that were unmitigated consisted of cumulative impacts to the Airway Road/Sanyo Road intersection (TI-14) and Siempre Viva Road/Michael Faraday Drive intersection (TI-16). These intersections lie in the jurisdiction of the City of San Diego and thus improvements could not be guaranteed.

The specific air quality impacts (direct) that were unmitigated consisted of emissions of fugitive dust and NO_x during construction (AQI-1), operational emissions of CO, NO_x and VOCs during the near term (AQI-2), operational emissions of CO and VOCs for build-out traffic conditions (AQI-3), and emissions of ozone precursors prior to build-out in 2030 which would not be consistent with the RAQs.

- ii. A Supplemental EIR (SEIR) for California Crossings, Major Use Permit 3300 06-102, Tentative Parcel Map 3200 21046, ER 3910 93-19-006AA) was certified on March 9, 2012, for a 325,500 square foot regional shopping center.
- jj. An Addendum dated March 13, 2013 for Otay Crossings Commerce Park Revised Map was adopted by the Department of Planning & Development Services on April 2, 2013. The project tentative map was revised to accommodate revisions to the planned SR-11 right-of-way and Port of Entry. This caused the adjustment to the location of internal roads and raising Alta Road from an at-grade facility to an above-grade road to accommodate a future overpass over SR-11. In addition, the footprint of the Port of Entry was expanded. Proposed lot sizes increased in general such that the Revised Map proposed 47 total lots rather than the 59 originally approved.
- kk. Reliance on the existing EIR with no modification was approved by the Planning Commission on December 9, 2016, for the Otay Crossings Commerce Park Tentative Map Time Extension (PDS2016-TM-5405TE, PDS2016-ER-93-19-006WX). No changes were proposed by the project; only a time extension to allow sufficient time to satisfy conditions and record final maps.
- ll. A Supplemental EIR (SEIR) for Otay 250, (PDS2015-SPA-15-001, PDS2015-GPA-15-008, PDS2015-REZ-15-007, PDS2015-TM-5607, LOG No. PDS2015-ER-15-98-190-13G), was certified on July 25, 2018, for a Specific Plan Amendment (SPA) to the East Otay Mesa Business Park Specific Plan to establish a new Mixed-Use Village Core area within the Specific Plan Area, which would allow for the construction of a mix of employment, retail and residential uses. Significant impacts

were identified but all impacts would be mitigated to below a level of significance, with the exception of impacts associated with air quality.

Project Changes and Impacts: The applicant has requested an extension of six years for Tentative Map 5549 to complete the required conditions and record the Final Map. The Tentative Map was approved on September 18, 2020 with an expiry date of September 18, 2023. The Time Extension application was filed on September 8, 2023. With approval of the Time Extension, the Tentative Map will expire on September 18, 2029

A time extension is a discretionary action that allows an applicant to extend the expiration date of an approved map to allow additional time for processing the Final Map. There are no changes to the project design or development footprint, and the time extension would not change the significance determinations of the previous Environmental Impact Report (EIR).

Findings: The Tentative Map Time Extension TM5549TE, Log No. 93-19-006ZZZI meets the requirements listed in CEQA Guidelines Sections 15162 through 15164, which set forth the criteria for determining the appropriate additional environmental documentation, if any, to be completed when there is a previously adopted ND or a previously certified EIR for the project.

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

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or ND 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 ND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the ND was adopted, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR or ND; or
 - b. Significant effects previously examined will be substantially more severe than shown in the previously adopted ND or previously certified EIR; or
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

- d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous ND or 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 an Addendum to a previously certified EIR may be prepared if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a Subsequent or Supplemental EIR have occurred.

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

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.

Discretionary processing of the International Industrial Park Tentative Map Time Extension (TM5549TE, Log No. 93-19-006ZZZI) may proceed with the understanding that any substantial changes to the project may be subject to further environmental review.

DETERMINATION:

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

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

Daniella Hofreiter

Signature

November 13, 2023

Date

Daniella Hofreiter

Printed Name

Land Use/Environmental
Planner III

Title

REVIEW FOR APPLICABILITY OF/COMPLIANCE WITH ORDINANCES/POLICIES

FOR PURPOSES OF CONSIDERATION OF
INTERNATIONAL INDUSTRIAL PARK; PDS2023-TM-5549TE;
Log No. 93-19-006ZZZI

November 13, 2023

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

YES
☐

NO
☐

NOT APPLICABLE/EXEMPT
☒

Discussion:

The proposed project and any off-site improvements are located within the boundaries of the Multiple Species Conservation Program. Therefore, conformance to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings is not required.

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

YES
☒

NO
☐

NOT APPLICABLE/EXEMPT
☐

Discussion:

The proposed project and any off-site improvements related to the proposed project are within the boundaries of the Multiple Species Conservation Program. The project conforms with the Multiple Species Conservation Program and the Biological Mitigation Ordinance as discussed in the MSCP Findings for TM5549 dated February 14, 2020.

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

YES
☐

NO
☐

NOT APPLICABLE/EXEMPT
☒

The project will obtain potable water from the Otay Water District that obtains water from surface reservoirs and/or other imported sources. The project will not use any groundwater for any purpose, including irrigation or domestic supply.

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

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

Discussion:

Wetland and Wetland Buffers:

Even though wetlands and/or wetland buffer areas have been identified on the project, the project has been found to be consistent with Article IV of the Resource Protection Ordinance, due to the following reasons: a) the project will not place any non-permitted uses within wetlands; b) the project will not allow grading, filling, construction, or placement of structures within identified wetlands; and c) the project will not allow any non-permitted uses within wetland buffer areas. Therefore, it has been found that the proposed project complies with Sections 86.604(a) and (b) of the Resource Protection Ordinance.

Floodways and Floodplain Fringe:

The project is located near a floodway and floodplain fringe (Johnson Creek) and will be conditioned to provide a "No Rise Certification" or a Conditional Letter of Map Revision (CLOMR) to the satisfaction of DPW Flood Control and FEMA prior to issuance of the grading permit.

Steep Slopes:

Slopes with a gradient of 25 percent or greater and 50 feet or higher in vertical height are required to be placed in open space easements by the San Diego County RPO. There are no steep slopes on the property. Therefore, it has been found that the proposed project complies with Sections 86.604(e) of the RPO.

Sensitive Habitats:

Sensitive habitat lands include unique vegetation communities and/or habitat that is either necessary to support a viable population of sensitive species, is critical to the proper functioning of a balanced natural ecosystem, or which serves as a functioning wildlife

corridor. No sensitive habitat lands were identified on the site. Therefore, it has been found that the proposed project complies with Section 86.604(f) of the RPO.

Significant Prehistoric and Historic Sites:

The property has been surveyed by a County of San Diego approved archaeologist and historian, Dennis Gallegos and Carrie Gregory, respectively, and it has been determined that the property does not contain any archaeological/historical sites. As such, the project complies with the RPO.

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

YES
☒

NO
☐

NOT APPLICABLE
☐

Discussion:

The project Storm Water Quality Management Plan and Hydromodification Management Study has/have been reviewed and are found to be complete and in compliance with the WPO.

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

YES
☒

NO
☐

NOT APPLICABLE
☐

Discussion:

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

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

The project is also subject to the County Noise Ordinance which regulates temporary construction noise associated with the project, Sections 36.408 and 36.409. Section 36.409 of the County Noise Ordinance states that construction noise shall not exceed 75 dBA at the property line during an eight-hour period between 7 a.m. to 7 p.m. It is unlawful to operate construction equipment between 7 pm and 7 am and no work shall be done on Sundays and Holidays, per Section 36.408. In addition, the project will be conditioned with a "Good Practice Measures," to ensure compliance with the Noise Ordinance, Sections 36.408 and 36.409. Based on the information provided, the noise level

generated from the construction activities is not anticipated to exceed the standards and therefore compliance with the Noise Ordinance, Sections 36.408 and 36.409.

MULTIPLE SPECIES CONSERVATION PROGRAM CONFORMANCE STATEMENT For INTERNATIONAL INDUSTRIAL PARK Tentative Map PDS2008-3100-5549

APN (s) 648-040-20, 648-040-25, 646-080-34, and 646-080-35

February 18, 2020

I. Introduction

The project is the subdivision of 170.8 acres of vacant land into eight lots. Development will require the grading of 135.2 acres on-site and may require the grading of 5.6 acres off-site.

The off-site impact is due to a graded slope that extends beyond the southern boundary of the property and road improvements associated with Enrico Fermi Drive. These off-site impacts will not occur if the neighboring property owner, known as “Rabago”, proceeds to grade before the TM 5549 subdivider grades. In that event, Rabago will raise the grade on its property and no graded slopes associated with TM 5549 will extend onto Rabago’s property.

The 170.8-acre site supports 157.6 acres of non-native grassland, 5.4 acres of tamarisk scrub, and 7.8 acres of disturbed land. One County List B plant species was noted onsite: San Diego marsh elder (*Iva hayesiana*). Sensitive wildlife included northern harriers (*Circus cyaneus*), black shouldered kites (*Elanus leucurus*), and red-tailed hawks (*Buteo jamaicensis*). The project would impact 135.2 acres on-site and could potentially impact 5.6 acres off-site. The impacted area will consist of 0.76 acres of tamarisk scrub on-site, 127.9 acres of non-native grassland habitat on-site and potentially 2.5 acres off-site, and 6.6 acres of disturbed land on-site and potentially 3.1 acres off-site. All individuals of San Diego marsh elder are within the proposed open space and would not be impacted.

The site is located in a Minor Amendment Area of the South County Subarea of the MSCP. The project site is not considered a BRCA. The land is not shown as pre-approved mitigation area (PAMA) on the wildlife agencies pre-approved mitigation area map. Currently the site does not function as a viable wildlife corridor as Alta Road and developed lands to the east would prevent wildlife from moving from the east towards the northwest. However, the western portion of the on-site drainage in its present condition may allow for wildlife movement. A small portion of the site is mapped as Major Amendment Area, but will not be impacted by the project except for a County trail easement within an easement to the Otay Water District, dedicated in 1966, that enters the western boundary of the property near the northern property boundary and continues north along the boundary, through the existing water line easement and through the Major Amendment Area. The trail alignment was developed based upon the location of the existing dedicated trail easement on the adjacent property to the west.

Mitigation for project impacts to non-native grassland will be comprised of a combination of 17.62 acres of non-native grassland habitat to be preserved and managed on-site, and a monetary contribution to the Otay Mesa Grassland Mitigation Fund, The San Diego Foundation Fund No.6649. The 17.62 acres on non-native grassland habitat is comprised of three components. A five-acre area of existing non-native grassland habitat will be preserved on-site as a component

of the overall non-native grassland mitigation requirement and will be managed in conjunction with the adjacent TPM 21140 non-native grassland mitigation area. An additional 2.76 acres of existing non-native grassland will be preserved, and 9.86 acres of manufactured slopes will be revegetated with non-native grassland species after the project is developed. These slopes will be placed into a standard County of San Diego open space easement.

In addition to the on-site areas, the project will provide a monetary contribution of \$1,567,421.68 to the Otay Mesa Grassland Mitigation Fund, The San Diego Foundation Fund No. 6649 as the final component of the non-native grassland mitigation package. The cost per acre credit was based on the purchase cost of upland (Tier III) credits in the Crestridge Conservation Bank (\$15,388/credit), based on the cost of 101.86 acres of upland habitat credit.

Impacts to the eastern portion of the drainage will be mitigated through the removal of tamarisk scrub, creation, enhancement and revegetation of riparian habitat. The mitigation measures will be required as a condition of approval listed in the Tentative Map Resolution of Approval. The on-site riparian biological open space will be preserved and managed in perpetuity according to an approved Resource Management Plan, and revegetation will be subject to an approved Landscape Revegetation Plan with bonding and 5-year success criteria.

The mitigation ratio required for non-native grassland impacts at TM 5549 is 0.5:1. The 0.5:1 ratio is appropriate for the following reasons:

- The BMO specifies 0.5:1 as the mitigation ratio for non-native grassland that is not occupied by the Burrowing owl. The BMO does not include a definition of “occupied” by the Burrowing owl.
- The County’s Strategy for Mitigating Impact to Burrowing Owls in the Unincorporated County states that all non-native grassland in East Otay Mesa is considered occupied by the Burrowing owl; however, the Strategy does not apply to TM 5549 because the application for TM 5549 was deemed complete by operation of law on March 2, 2008, and the Strategy did not take effect until September 15, 2010. The applicable County guidelines on the date that the application was deemed complete were the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements, First Revision (“2007 County Guidelines”) adopted and put into effect in 2007. At that time, the mitigation ratio for non-native grassland unoccupied by Burrowing owls was 0.5:1, and there was no definition of “occupied” by the Burrowing owl.
- Since there is no specific definition for Burrowing owl occupation that applies to TM 5549, the County made a determination based on knowledge of the area and the biological evidence in the Biological Technical Report prepared by REC and the Biological Technical Report Addendum prepared by Alden Environmental for this project.
- REC conducted a protocol survey on the property in 2010 with negative results for the species. Small mammal burrows onsite were examined for owl signs and no signs of Burrowing owl presence were detected. During the 28 different biologically related visits to the site conducted between 2003 and 2010, no Burrowing owls and no signs of Burrowing owl presence were observed.

- Tall and dense non-native grassland vegetation over nearly all of the site impede the use of the site by Burrowing owls. TM 5549 is densely covered in non-native grassland mustard year-round, which does not facilitate foraging or protecting burrowing owl nests from predators. In many areas, these species are so thick that there are no other plants. In contrast, Burrowing owls require habitats that are low growing (less than six inches) or are sparse in cover for adequate hunting and prefer elevated perches. In the case of the project site, the vegetation is considerably higher than two inches, with the majority exceeding 24 inches, and perches are minimal to non-existent.
- Additionally, Burrowing owls require burrows created by other mammals, as well as abundant prey. There were no natural or manmade burrows observed on-site that are large enough to support Burrowing owls, and the few small mammal burrows that were found on the property did not indicate evidence of owl presence. This finding is consistent with conclusions in published studies, given the site's dense non-native grasslands coverage. Furthermore, prey species noted onsite were not in abundance.
- The adjacent Sunroad and Rabago projects have never had owls observed either and Salvage Yards only had one burrow near Alta Road, about 300 feet from the project boundary.
- For the reasons listed above, the TM 5549 site is not anticipated to be used by Burrowing owls either for nesting or foraging, and therefore the site is not occupied and the 0.5:1 mitigation ratio is appropriate.

Nevertheless, by agreement with the County and the wildlife agencies, the project will mitigate for impacts to non-native grasslands at a mitigation ratio of 0.9:1. As stated above, the project will preserve 17.62 acres of existing or re-vegetated non-grassland on-site and will contribute \$1,567,421.68 to the Otay Mesa Grassland Mitigation Fund, The San Diego Foundation Fund No. 6649. The contribution amount is equivalent to the cost of upland (Tier III) 101.86 acre-credits in the Crestridge Conservation Bank.

Table 1. Impacts to Upland Habitat and Required Mitigation

Habitat Type	Tier Level	Existing On-site (ac.)	Proposed Impacts (ac.)	Mitigation Ratio	Required Mitigation
Non-Native Grassland	III	157.6	127.9	0.9:1	119.48
Tamarisk Scrub (RPO)	I	5.423	0.76	3:1	2.29
Disturbed	IV	7.8	7.8	0	0
Total:	--	170.8	135.2	--	121.77

The findings contained within this document are based on County records, staff field site visits, the Biological Technical Report prepared by REC Consultants dated August 2013, and the Biological Technical Report Addendum prepared by Alden Environmental dated February 2020. The information contained within these Findings is correct based on the current version of the Biological Technical Report and Biological Technical Report Addendum at the time the findings were completed. If final revisions to the Biological Technical Report or Biological Technical Report Addendum change any of the impacts, mitigation, or conclusions in these findings, the findings will be updated and re-sent. Any subsequent environmental review completed due to

changes in the proposed project or changes in circumstance shall need to have new findings completed based on the environmental conditions at that time.

The project has been found to conform to the County's Multiple Species Conservation Program (MSCP) Subarea Plan, the Biological Mitigation Ordinance (BMO) and the Implementation Agreement among the County of San Diego, the California Department of Fish and Wildlife, and the US Fish and Wildlife Service. Third Party Beneficiary Status and the associated take authorization for incidental impacts to sensitive species (pursuant to County's Section 10 Permit under the Endangered Species Act) shall be conveyed only after concurrence is received from the Wildlife Agencies, the project has been approved by the County, these MSCP Findings are adopted by the hearing body and all MSCP-related conditions placed on the project have been satisfied.

II. Biological Resource Core Area Determination

The impact area and the mitigation site shall be evaluated to determine if either or both sites qualify as a Biological Resource Core Area (BRCA) pursuant to the BMO, Section 86.506(a)(1).

A. Report the factual determination as to whether the proposed Impact Area qualifies as a BRCA. The Impact Area shall refer only to that area within which project-related disturbance is proposed, including any on and/or off-site impacts.

The Impact Area does not qualify as a BRCA since it does not meet any of the following BRCA criteria:

i. The land is shown as Pre-Approved Mitigation Area on the wildlife agencies' Pre-Approved Mitigation Area map.

The site is not mapped as PAMA.

ii. The land is located within an area of habitat that contains biological resources that support or contribute to the long-term survival of sensitive species and is adjacent or contiguous to the preserved habitat that is within the Pre-Approved Mitigation Area on the wildlife agencies' Pre-Approved Mitigation Area map.

The site is not adjacent or contiguous to PAMA.

iii. The land is part of a regional linkage/corridor. A regional linkage/corridor is either:

- a. Land that contains topography that serves to allow for the movement of all sizes of wildlife, including large animals on a regional scale; and contains adequate vegetation cover providing visual continuity so as to encourage the use of the corridor by wildlife; or**

- b. Land that has been identified as the primary linkage/corridor between the northern and southern regional populations of the California gnatcatcher in the population viability analysis for the California gnatcatcher, MSCP Resource Document Volume II, Appendix A-7 (Attachment I of the BMO).**

Although the tamarisk scrub habitat on-site connects to Johnson Canyon on the northwest side, the drainage decreases in value and loses RPO status as it crosses the project site to the southeast. The project is bordered by the developed Rowland Major Use Permit to the southeast and the graded Salvage Yards Major Use Permit to the east, blocking wildlife movement onto the site from the east/southeast. Therefore, the site is not part of a regional linkage/corridor.

- iv. The land is shown on the Habitat Evaluation Map (Attachment J to the BMO) as very high or high and links significant blocks of habitat, except that land which is isolated or links small, isolated patches of habitat and land that has been affected by existing development to create adverse edge effects shall not qualify as BRCA.**

The site is shown entirely as agriculture on the Habitat Evaluation Map.

- v. The land consists of or is within a block of habitat greater than 500 acres in area of diverse and undisturbed habitat that contributes to the conservation of sensitive species.**

The site is not within a block of habitat greater than 500 acres in area of diverse and undisturbed habitat that contributes to the conservation of sensitive species.

- vi. The land contains a high number of sensitive species and is adjacent or contiguous to surrounding undisturbed habitats, or contains soil derived from the following geologic formations which are known to support sensitive species:**

- a. Gabbroic rock;**
- b. Metavolcanic rock;**
- c. Clay;**
- d. Coastal sandstone**

Although the site supports Diablo clay soils, a spring rare plant survey was conducted and it was determined that the site does not support a high number of sensitive species.

B. Report the factual determination as to whether the Mitigation Site qualifies as a BRCA.

The project will mitigate for project impacts to non-native grassland at a 0.9:1 ratio through a combination of non-native grassland habitat preservation and management

on-site and a contribution to the Otay Mesa Grassland Mitigation Fund, The San Diego Foundation Fund #6649. Five acres of existing, on-site non-native grassland will be preserved and managed in conjunction with the adjacent OMC TPM 21140 non-native grassland mitigation area. An additional 2.76 acres of existing, on-site non-native grassland will be preserved and 9.86 acres of on-site manufactured slopes will be revegetated with non-native grassland species after the project is developed. In total, 17.62 acres of non-native grassland will be preserved on-site through recordation of one or more open space easements. For the reasons discussed above, as with the Impact Area, the adjacent Mitigation Site, within the same project area, does not qualify as a BRCA.

The project will contribute \$1,567,421.68 to the Otay Mesa Grassland Mitigation Fund, The San Diego Foundation Fund #6649. The amount of the contribution is based on the cost of 101.86 acres of upland habitat credit at the Crestridge Conservation Bank. The funds contributed to the Grassland Mitigation Fund are expected to be used to manage and improve the quality of non-native grassland habitat suitable for occupation by the burrowing owl within one or more BRCA's in the Otay Mesa area.

III. Biological Mitigation Ordinance Findings

A. Project Design Criteria (Section 86.505(a))

The following findings in support of Project Design Criteria, including Attachments G and H (if applicable), must be completed for all projects that propose impacts to Critical Populations Sensitive Plant Species (Attachment C), Significant Populations of Narrow Endemic Animal Species (Attachment D), Narrow Endemic Plant Species (Attachment E) or Sensitive Plants (San Diego County Rare Plant List) or propose impacts within a Biological Resource Core Area.

The project does not propose impacts to Critical Populations of Sensitive Plant Species (Attachment C), Significant Populations of Narrow Endemic Animal Species (Attachment D), Narrow Endemic Plant Species (Attachment E) or Sensitive Plants (San Diego County Rare Plant List), or within a Biological Resource Core Area.

B. Preserve Design Criteria (Attachment G)

In order to ensure the overall goals for the conservation of critical core and linkage areas are met, the findings contained within Attachment G shall be required for all projects located within Pre-Approved Mitigation Areas or areas designated as Preserved as identified on the Subarea Plan Map.

The project is not located within PAMA or Preserved land as identified on the Subarea Plan Map.

C. Design Criteria for Linkages and Corridors (Attachment H)

For project sites located within a regional linkage and/or that support one or more potential local corridors, the following findings shall be required to protect the biological value of these resources:

The project site is not located within a regional linkage. Wildlife might access the on-site drainage feature from the northwest, but there is no connectivity to the southeast due to existing development to the east and southeast. The proposed open space easement and tamarisk removal would improve the site's habitat value and connectivity to the northwest.

IV. Subarea Plan Findings

Conformance with the objectives of the County Subarea Plan is demonstrated by the following findings:

1. The project will not conflict with the no-net-loss-of-wetlands standard in satisfying State and Federal wetland goals and policies.

The project will cause no net loss of wetlands because all wetland impacts will be mitigated at a 2:1 or 3:1 mitigation ratio with at least 1:1 creation. Wetland creation will be achieved on-site through the creation of 0.76 acres of native wetland/riparian habitat and 1.52 acres of wetland habitat enhancement.

2. The project includes measures to maximize the habitat structural diversity of conserved habitat areas including conservation of unique habitats and habitat features.

The project will maximize the habitat structural diversity of conserved habitat areas by preserving all of the RPO wetland on-site along with 17.62 acres of non-native grassland adjacent to the wetland. All five individuals of San Diego marsh elder observed on-site will be included in the preserved open space.

3. The project provides for conservation of spatially representative examples of extensive patches of Coastal sage scrub and other habitat types that were ranked as having high and very high biological values by the MSCP habitat evaluation model.

The project site does not include Coastal sage scrub or other habitat types that were ranked as having high biological values by the MSCP habitat evaluation model.

4. The project provides for the creation of significant blocks of habitat to reduce edge effects and maximize the ratio of surface area to the perimeter of conserved habitats.

The proposed on-site open space follows the course of the existing RPO wetland and connects to conserved habitat off-site to the west, thus maximizing the ratio of surface area to perimeter given the linear nature of the resource.

5. The project provides for the development of the least sensitive habitat areas.

The project develops the less sensitive non-native grassland and disturbed land, while preserving the more sensitive RPO wetland area.

6. The project provides for the conservation of key regional populations of covered species, and representations of sensitive habitats and their geographic sub-associations in biologically functioning units.

The project does not support key regional populations of covered species; however, the project would preserve the on-site wetland and adjacent non-native grassland, with connectivity to the preserved land to the west.

7. Conserves large interconnecting blocks of habitat that contribute to the preservation of wide-ranging species such as Mule deer, Golden eagle, and predators as appropriate. Special emphasis will be placed on conserving adequate foraging habitat near Golden eagle nest sites.

Although small, the on-site open space has connectivity to the west.

8. All projects within the San Diego County Subarea Plan shall conserve identified critical populations and narrow endemics to the levels specified in the Subarea Plan. These levels are generally no impact to the critical populations and no more than 20 percent loss of narrow endemics and specified rare and endangered plants.

The project site does not support critical populations or narrow endemics, and thus the project will not impact them.

9. No project shall be approved which will jeopardize the possible or probable assembly of a preserve system within the Subarea Plan.

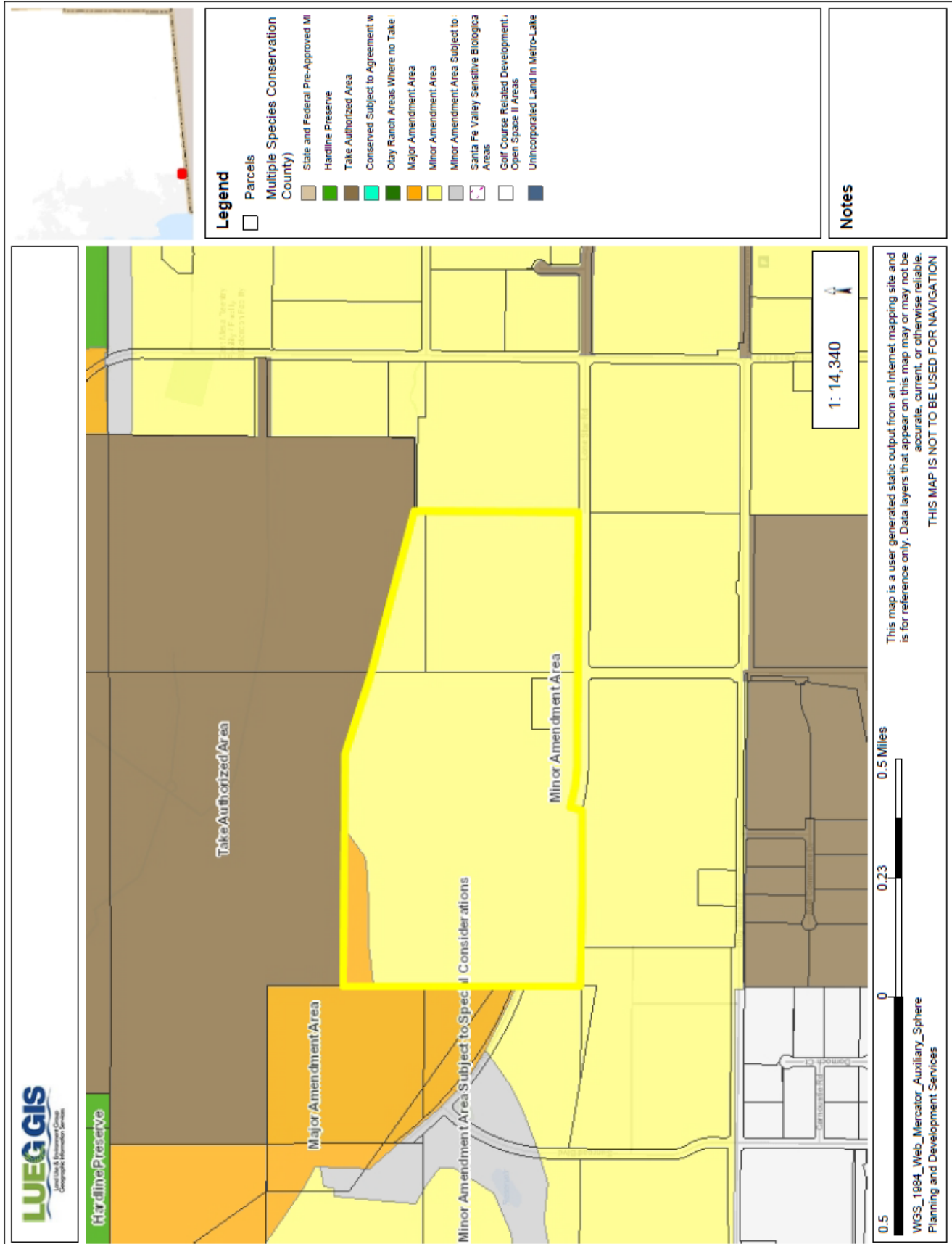
The project will not jeopardize the assembly of a preserve system because the impact area is not designated as PAMA or Preserved land, does not support a regional wildlife corridor, and does not qualify as a BRCA. In addition, the portion of the site that could potentially be used as a local movement corridor will be preserved in biological open space, with the appropriate buffer area as well as revegetated slopes. The only sensitive plant species found on-site, San Diego marsh elder, would be preserved within the proposed open space. In addition, the mitigation measures for the project include creation and restoration of native wetland and riparian habitat in areas currently supporting non-native grassland and tamarisk scrub, thus increasing habitat value of the preserved area.

10. All projects that propose to count on-site preservation toward their mitigation responsibility must include provisions to reduce edge effects.

The proposed on-site open space follows the course of the existing RPO wetland and connects to conserved habitat off-site to the west, thus maximizing the ratio of surface area to perimeter given the linear nature of the resource. The open space will be protected with open space fencing and signage, and the applicant will provide for the maintenance and monitoring in perpetuity pursuant to an approved Resource Management Plan. The open space is surrounded by a 50-foot limited building zone to protect the open space from fire clearing. These provisions will reduce edge effects to on-site open space.

11. Every effort has been made to avoid impacts to BRCAs, to sensitive resources, and to specific species as defined in the BMO.

The project site is not located within a BRCA. The project site does support San Diego marsh elder; however, all observed marsh elder locations will be preserved in the proposed biological open space. All RPO wetland will be preserved in open space, with the exception of one public sewer easement what would be mitigated at a 3:1 ratio with at least 1:1 creation. The RPO wetland, which may also serve as a local wildlife corridor to the northwest, will be surrounded by an open space buffer of at least 50 feet, with revegetated slopes, open space fencing, signage, and a 50-foot limited building zone. The proposed open space would provide habitat for norther harriers (*Circus cyaneus*), black shouldered kites (*Elanus leucurus*), and red-tailed hawks (*Buteo jamaicensis*). The project's impacts to non-native grasslands and raptor foraging habitat would be mitigated at a 0.9:1 ratio with a combination of preserved and revegetated non-native grasslands on-site and a monetary contribution of \$1,567,421.68 to the Otay Mesa Grassland Mitigation Fund, The San Diego Foundation Fund No. 6649.



Attachment D – Ownership Disclosure



County of San Diego, Planning & Development Services

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

Record ID(s) TM-5549TE

Assessor's Parcel Number(s) 646-080-34 & 35 and 648-040-20 & 25

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.

International Industrial Park

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

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

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

Signature of Applicant

David Wick, Vice President of International

Print Name

Industrial Park, Inc.

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

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

For any questions, please email us at: PDSZoningPermitCounter@sdcounty.ca.gov

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

