The County of San Diego

Planning Commission Hearing Report

Date:	May 11, 2018	**Case/File No.:**	Valiano; PDS2013-SP-13-001, PDS2013-GPA-13-001, PDS2013-REZ-13-001, PDS2013-TM-5575, PDS2014-MUP-14-019, PDS2013-STP-13-003; PDS2013-ER-13-08-002
Place:	County Conference Center 5520 Overland Avenue San Diego, CA 92123	**Project:**	326-unit residential development, including 53 detached condominiums and 273 single family residential units; 31 acres of biological open space, 35 acres of agricultural easement; one 2.7-acre public park and two private parks; 2.6 miles of public trails and an on-site wastewater treatment facility
Time:	9:00 a.m.	**Applicant/Owner:**	The Eden Hills Project Owner, LLC
Agenda Item:	#2	**Appeal Status:**	Not applicable; Approval by the Board of Supervisors
Environmental:	Environmental Impact Report	**APNs:**	228-313-13, 232-013-01 thru 03, 232-020-55, 232-492-01, 232-500-18 thru 24

A. EXECUTIVE SUMMARY

Introduction

The purpose of this staff report is to provide the Planning Commission with the information necessary to consider the proposed General Plan Amendment (PDS2013-GPA-13-001), Specific Plan (PDS2013-SP-13-001), Zone Reclassification (PDS2013-REZ-13-001), Vesting Tentative Map (PDS2013-TM-5575), Site Plan (PDS2013-STP-13-003), Major Use Permit (PDS2014-MUP-14-019) conditions of approval and findings, and environmental findings prepared in accordance with the California Environmental Quality Act (CEQA) for the proposed Valiano project.

The proposed Valiano project consists of 239 acres in the San Dieguito Community Plan Area and includes 273 single family units, 53 detached condominium units, a total of 7.9 acres of recreational areas, 31 acres of biological open space, and 35 acres of agricultural easement. The project includes a proposed on-site wastewater treatment facility; other sewer connection options are also analyzed as alternatives to the on-site facility. During the processing of the application, the County received public comments and concerns from numerous stakeholders. Planning & Development Services (PDS) staff

conducted a careful and thorough review of the project for consistency with County codes, policies and ordinances as summarized in this report.

This is a request for the Planning Commission to evaluate and consider the application, and make a recommendation to the Board of Supervisors (Board) to approve the application as submitted, approve the project with modifications, or deny the application. Key requirements for requested actions include:

1. Is the proposed project consistent with the vision, goals, and polices of the General Plan?
2. Does the project comply with the policies set forth under the San Dieguito Community Plan?
3. Is the proposed project consistent with the County's Zoning Ordinance?
4. Is the proposed project consistent with the County's Subdivision Ordinance?
5. Is the proposed project consistent with other applicable County regulations?
6. Does the project comply with the California Environmental Quality Act (CEQA)?

Recommendations

After PDS's review and analysis, PDS staff supports the project as proposed and recommends certification of the Environmental Impact Report, approval of the General Plan Amendment (GPA), Specific Plan (SP), Zone Reclassification (REZ), Vesting Tentative Map (VTM), Site Plan and Major Use Permit (MUP) with the conditions as explained in the report and incorporated in the attached Resolutions and Form of Decisions. If the Planning Commission concurs in their review that the required findings can be made, then make the following recommendations to the Board:

1. Adopt the California Environmental Quality Act (CEQA) Findings, which include the certification and findings regarding significant effects of the project, the mitigation and monitoring program, the Statement of Overriding Considerations, and certify the Environmental Impact Report (EIR), REF: PDS2013-ER-13-08-002 (Attachment A).
2. Adopt the Resolution approving General Plan Amendment PDS2013-GPA-13-001 for the reasons stated therein and discussed in this report (Attachment B).
3. Adopt the Resolution approving Specific Plan PDS2013-SP-13-001 for the reasons stated therein and discussed in this report (Attachment C).
4. Adopt the Ordinance titled, AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE ELFIN FOREST-HARMONY GROVE SUBAREA AND THE SAN DIEGUITO COMMUNITY PLANNING AREA, REF: PDS2013-REZ-13-001 (Attachment D).
5. Adopt the Resolution approving the Vesting Tentative Map PDS2013-TM-5575 for 326 dwelling units, which includes those requirements and conditions necessary to ensure that the project is implemented in a manner consistent with State law and County of San Diego regulations (Attachment E).
6. Grant the accompanying Site Plan PDS2103-STP-13-003 and impose the requirements and conditions set forth in the Site Plan Form of Decision (Attachment F).

7. Grant Major Use Permit PDS2014-MUP-14-019 for an on-site wastewater treatment facility, make the findings, and impose the requirements and conditions as set forth in the Form of Decision (Attachment G).

B. BACKGROUND

1. Regional Location and Surrounding Land Uses

The Valiano project is located 6.5 miles south of the City of Carlsbad and 16 miles north of the University City community within the City of San Diego. The site is located immediately to the east and south of the City of San Marcos and one-quarter mile west of the City of Escondido. The site is two miles west of Interstate 15, 1.5 miles south of State Route 78 and directly north of the Harmony Grove Village community. The site lies within the unincorporated neighborhood known as Eden Valley, which is located between the City of Escondido and the project site.

The project site is surrounded by a mix of different uses, including residential, agriculture, industrial, civic uses and open space. The Sprinter Nordahl station is located 1.2 miles north of the project site. High density residential and commercial uses are located to the north of the site in the cities of San Marcos and Escondido. To the east, uses include residential, commercial, industrial, medical, brewery and a future boutique hotel. Immediately to the south of the project site are the under-construction Harmony Grove Village project and the proposed Harmony Grove Village South project.

Harmony Grove Village is a mixed use development that will be comprised of 742 residential units and 25,500 square feet of commercial spaces within the Village Center. The project is located north of the proposed Harmony Grove Village South project, which is also a mixed use project comprised of 453 residential units and 1,500 square feet of commercial uses. To the west is the City of San Marcos jurisdiction and the California State San Marcos campus is located 1.5 miles from the project site.

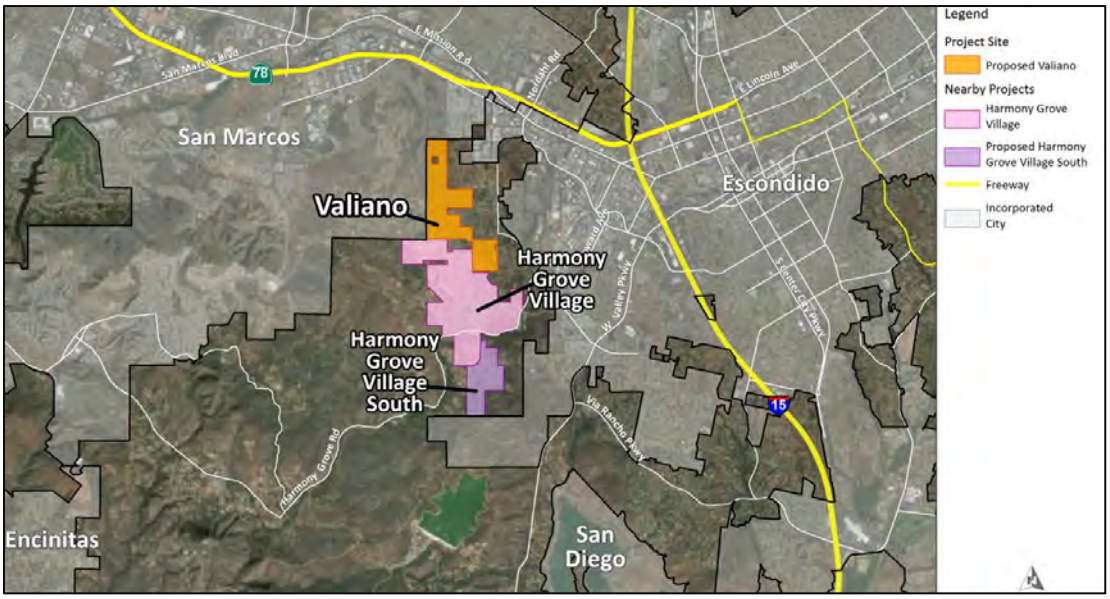

Figure 1: Vicinity Map

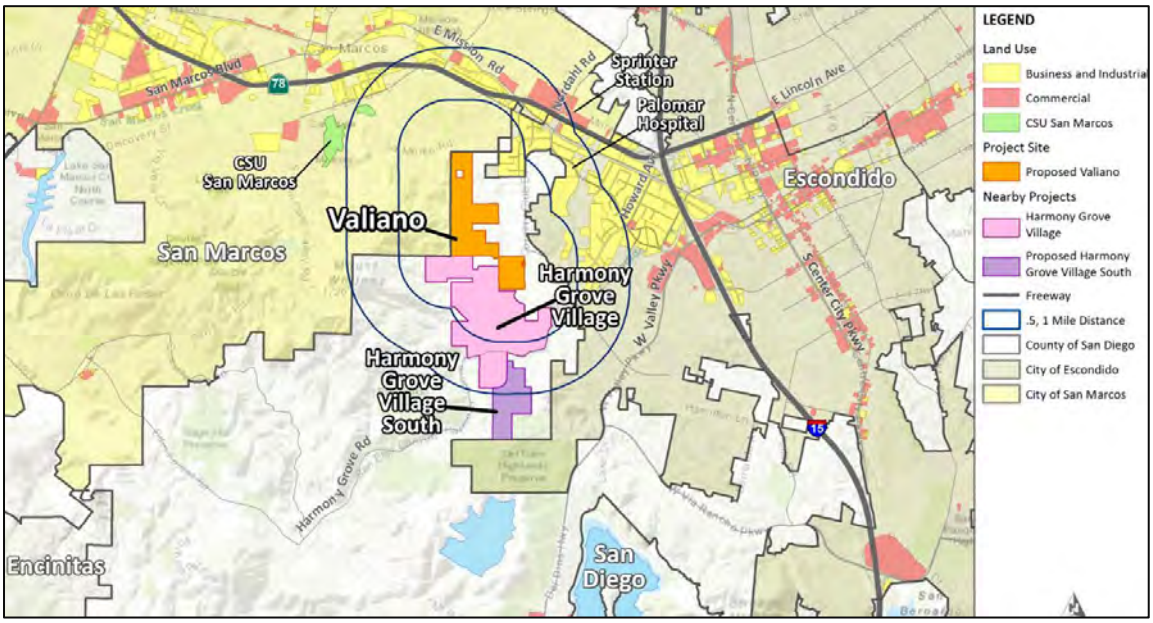

Figure 2: Surrounding Land Uses

Table B-1: Surrounding Zoning and Land Uses

Location	General Plan	Zoning	Description
North	City of San Marcos and City of Escondido	Residential and commercial San Marcos: Agricultural/Residential and Hillside Residential; Escondido: Residential Estates and Residential Agriculture	Single-family residential, mobile home parks, and commercial
East	Semi-Rural Residential (SR1, and SR2), Village Residential (VR -2), Public/Semi-Public Facilities, City of Escondido	Limited Agricultural (A70), Single-Family Residential (RS), Rural Residential (RR); City of Escondido commercial and industrial	single-family residential, commercial and industrial
South	Specific Plan Area, Semi-Rural Residential (SR2, SR10)	Limited Agricultural (A-70), General Agricultural (A-72), Specific Planning Area (S-88)	Residential and commercial
West	City of San Marcos	City of San Marcos Agricultural/Residential)	Estate residential and open space

2. Project Site

The project site is located in the San Dieguito Community Plan Area. A portion of the project, Neighborhood 5, is located within the Elfin Forest – Harmony Grove Subarea Plan Area, a subarea within the San Dieguito Community Plan Area. The project site contains several drainage features and varying terrain, with most of the steep slopes located in the western portion of the site, adjacent to the Rancho Coronado residential development in the City of San Marcos. The western portion of the site was used for avocado orchards with a few structures that supported the agricultural use. An existing, but closed equestrian center is located in the southern portion of the site. Portions of the equestrian center will remain and be reconfigured to allow for public use. There is one residence located in the center of the site that will be demolished if the proposed project is approved and constructed.

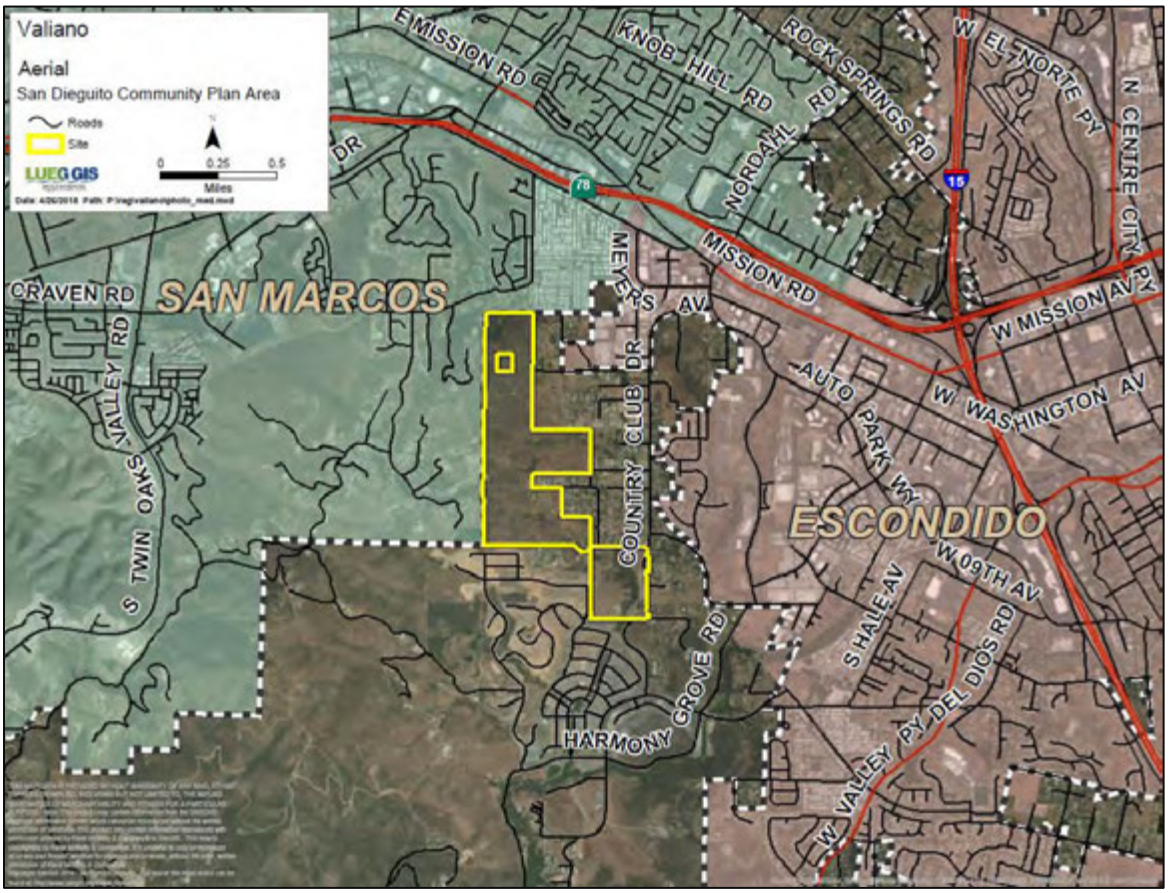

Figure 3: Aerial Photo

Figure 4: Recent View of Harmony Grove Village

3. Project Site History

According to historic aerial photos, agricultural operations, including avocado orchards and bee keeping, occurred on-site in the late 1960s or early 1970s. These operations have been abandoned since the 2014 Cocos Fire. The majority of the site is currently undeveloped, except for the portion of the site where the existing equestrian facility is located.

The 2011 General Plan Update assigned the Semi Rural 1 (SR1) that allows (1 unit per 1, 2, or 4 acres, depending on slope on-site) and Semi Rural 2 (SR2) (1 unit per 2, 4, or 8 acres) General Plan Land Use Designations to the project site. In 2012, the property owner submitted a Property Specific Request (PSR) to change the Land Use Designations to Village Residential 2 (VR2) (2 dwelling units/acre). The Board of Supervisors did not include this change and the 2011 GP Land Use Designations of SR1 and SR2 remained assigned to the property.

C. DEVELOPMENT PROPOSAL

1. Project Description

The application was submitted in February 2013. The proposed project includes 326 dwelling units in five neighborhoods, each with varying densities, lot sizes, and architectural styles. A multi-use trail traversing the community to provide recreational opportunities for a variety of users, including equestrian, is proposed. Thirty percent of the project site will be conserved as open space. This includes 31 acres of biological open space and 35 acres for an agricultural easement. In addition, 56 acres of common area open space and 27 acres of landscaped easements will provide for a total open space of 149 acres. The project also provides one public park, two private parks, a public

equestrian staging area, and a private trail turnaround area, 2.6 miles of trails and an on-site wastewater treatment facility. The project also proposes to develop a maximum of 51 accessory dwelling units (ADUs), which could be attached or detached from the main unit, resulting in a maximum of 377 units. All ADUs are required to comply with the applicable regulations when building permits are sought.

Specifically, the proposed project includes the following:

- 377 single-family dwelling units:
    - 273 single-family detached dwelling units, up to 51 of them may include an attached or detached ADU
- 53 detached condominiums units
- 7.9 acres of public and private recreational facilities (parks, equestrian facility, and other amenities)
- 2.6 miles of public multi-use trails and 1.1 miles of internal trails
- wastewater treatment facility
- 31.2 acres of biological resources open space
- 35.4 acres of agricultural easement

Additionally, the project has been designed to demonstrate sustainable design practices through a variety of measures including energy efficient home designs, native and drought tolerant landscaping, low impact development stormwater facilities. The project incorporates cool pavement technology, participation in the California Green Builder Program, installation electric vehicle charging stations, and providing 100 percent of residential electricity through renewable energy to help reduce energy consumption, air pollution, and greenhouse gas emissions.

Figure 5: View from project site looking north towards City of San Marcos

Figure 6: Westerly view from southeast corner of project site

Figure 7: Project site view from the intersection of Country Club Dr & Mt. Whitney Rd

a. Specific Plan

The project proposes a Specific Plan pursuant to Government Code sections 65450-65457. A Specific Plan is a tool to implement the General Plan. It effectively establishes a link between implementing policies of the General Plan and an individual development proposal on a specific site.

A Specific Plan must include text and diagrams which specific the following in details:

1. The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan.

2. The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan.

3. Standards and criteria by which development will proceed, and standards for the conservation, development, and use of natural resources, where applicable.

4. A program of implementation measures including regulations, programs, public worksprojects, and financing measures necessary to carry out paragraphs 1, 2, and 3.

A Specific Plan must also include a statement of the relationship of the Specific Plan to the General Plan. The proposed Valiano Specific Plan complies with the Government Code requirements and provides guidelines for the implementation of the proposed project, including guidelines for the preparation of subdivisions, improvement plans, permitted land uses, densities, maximum residential units, development standards, architectural design requirements, required public facilities, and compliance with the applicable County policies, including the General Plan.

As required by the Government Code, the Specific Plan identifies the location and extent of the uses of land, including open space within the area covered by the plan as shown below in Figure 8. The Specific Plan also explains the details of each of the neighborhood and provides conceptual plans for the development of the proposed land uses. The text of the Specific Plan explains how each of the neighborhood will be developed and the required permits. Each neighborhood or phase will require additional permits in order to implement the Specific Plan and will be required to comply with the provisions of the Specific Plan.

The Specific Plan includes design guidelines, which govern building setbacks, architectural design, parks, lot design, signage and lighting. The applicant will be required to submit an implementing Site Plan for review and approval by PDS. The implementing Site Plans will be required in the future prior to the issuance of building permits to ensure consistency with the guidelines and standards as identified in the Specific Plan.

Figure 8: Conceptual Development Plan

b. Neighborhoods and Phasing

The project is comprised of five different neighborhoods. The land use and development standards for each neighborhood are described below:

1. Neighborhood 1
    - 98 residential units
        i. 45 single-family residences 2,350 to 2,750 s.f.
        ii. 53 detached condominium units. 1,800 to 2,100 s.f.
    - minimum lot size 5,630 s.f.
    - average lot size 8,400 s.f.
    - amenities include a 2.3-acre Private Recreation Center , waste water treatment facility)
    - construction phase 2.

2. Neighborhood 2
    - 81 residential units
        i. 58 single-family residences 3,600 to 4,000 s.f.
        ii. maximum 23 accessory dwelling units (ADUs).
    - minimum lot size 8,620 s.f.
    - average lot size of 19,200 s.f.
    - amenities include a 1.2-acre Central Oak Park (private park)
    - construction phase 3

3. Neighborhood 3
    - 45 residential units
        i. 37 single-family residences 3,800 to 4,200 s.f.
        ii. maximum 8 ADUs
    - minimum lot size 9,680 s.f.
    - average lot size of over 14,600 s.f. (0.34 acre)
    - amenities include a 0.5-acre Trail Head Park (private park)
    - construction phase 4

4. Neighborhood 4
    - 78 single-family residences 3,200 to 3,600 s.f
    - minimum lot size of 7,000 s.f.
    - average lot size over 14,700 s.f.
    - amenities include 0.03–acre North Trail Turnaround area (private park)
    - construction phase 5

5. Neighborhood 5
    - 75 residential units
        i. 55 single-family residences 4,100 s.f. to 4,600 s.f.
        ii. maximum 20 ADUs
    - minimum lot size of 8,350 s.f.

- average lot size 17,200 s.f.
- animal enclosures on 33 lots
- amenities include a 2.6–acre public park and a 1.2–acre equestrian staging area
- wastewater treatment facility
- construction phase 1

c. Architectural Design and Standards

The project includes architectural standards to ensure compatibility with the existing community character. Building styles within the Valiano project will include a variety of architectural themes and styles, including Craftsman, European Cottage, Mission, Monterey, Spanish and Italian. By providing a variety of architectural styles, the future homes will feature varied facades which will create a visually appealing community. An implementing Site Plan is required prior to the issuance of building permits to ensure the units are designed according to the architectural themes.

Figure 9: Typical Architectural Themes for Neighborhoods 1, 2, and 4

Figure 10: Typical Architectural Themes for Neighborhoods 1, 2, and 4.

Figure 11: Typical Architectural Themes for Neighborhoods 3 and 5

Figure 12: Typical Architectural Themes for Neighborhoods 3 and 5

Figure 13: Condominium Units in Neighborhood 1

d. Landscape Design

The project is required to comply with the County of San Diego Landscaping Ordinance. A series of landscape features are proposed to be placed at key points in the community. These elements complement the landscape and include shade structures, creek crossings, documentation, signage, walls and fences.

Landscaping throughout the five neighborhoods will include parkway landscape, woodland landscape, orchard hillside landscape, typical enhanced hillside, natural hillside landscape, storm water basins, and buffer landscape. The natural hillside landscape and portion of the orchard hillside landscape will be consistent with a fuel management zone and will be located as such.

e. Grading

The project will require on-site grading and improvements on 124 acres of the site, resulting in a total of 928,000 cubic yards of balanced cut and fill. The maximum slope ratio for the manufactured slopes will be 2:1. The project will also include 6,200 cubic yards off-site grading to accommodate road improvements.

f. Access / Road Improvements

Project access is proposed at Eden Valley Lane, Mount Whitney Road, and two future access driveways south of Mount Whitney Road, all connecting to Country Club Drive. In the event of a emergency, access will be provided via Hill Valley Drive and Mount Whitney Road.

The project is conditioned to:

1. Provide northbound left-turn pockets at each of the four access locations along Country Club Drive, for Eden Valley Lane, Mount Whitney Road, Future Street 5A (north) and Future Street 5A (south).

2. Improve Hill Valley Drive, Eden Valley Lane, and Mount Whitney Road to County Standards for Private Roads.

3. Improve Kauana Loa Drive with the addition of two feet of pavement on the south side of the road and the installation of traffic calming measures.

4. Construct all internal roads to County public road standards.

5. Improve the intersection of Auto Park Way/Country Club Drive located within the City of Escondido. Improvements include restriping the eastbound approach to provide one left-turn lane, one shared left-turn/through lane, and one right-turn lane. Signal timing will be modified to change the east/west approach to “split” phasing to allow for an increased number of vehicles to make the left-turn movement onto northbound Auto Park Way.

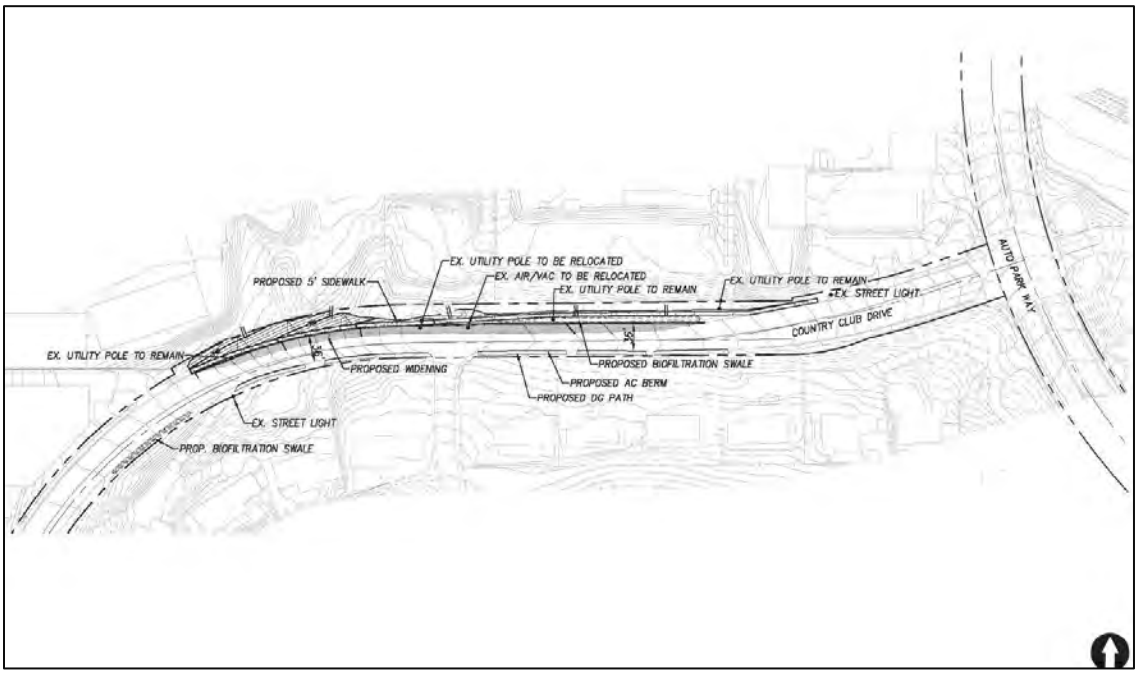

Figure 14: Conceptual improvements plan for the Intersection of Auto Park Way & Country Club Drive

g. Facilities and Services

The project has demonstrated that all necessary services and facilities will be provided to serve the project as required by the General Plan and Board of Supervisors Policy I-84 (Project Facility Availability and Commitment of Public Sewer, Water, School and Fire Services). The applicant is responsible for funding all necessary services and facilities to serve the project. Project Facility Availability Forms have been provided for water, sewer, school and fire services and are included as Attachment Q. The project will require annexation into a sewer district to obtain sewer service. A portion of Neighborhood 5 will need to be detached from the County Service Area (CSA) No. 107 and annexed into the San Marcos Fire Protection District so that the entire project site can be served by one fire district. Other facilities, such as water and school all indicate that the project is located within the service district and services are reasonably expected to be available within the next five years.

1. Schools
   School services will be provided by the Escondido Union School District for K-8 education, and the Escondido Union High School District for grades 9-12. The project, once occupied, will generate an estimated 150 students. The schools that will serve the project include: Rock Springs Elementary School, Del Dios Middle School, and San Pasqual High School.

2. Water Service
   Water service will be provided by the Rincon del Diablo Municipal Water District. Potable water service for the site will be primarily provided by connections to existing water main along the southern boundary of the site. Secondary source of water supply will be provided by a new water main located on Eden Valley Lane.

3. Sewer Service
   The project site is currently served by an on-site septic system and is not within a sewer district. Annexation into a sewer district will be required, either the San Diego County Sanitation District or Rincon del Diablo Municipal Water District (in the event that the activation of the MWD'S latent power for wastewater services is approved). A Major Use Permit for an on-site wastewater treatment facility is included to provide wastewater service for the project. If the on-site facility is selected by the Board of Supervisors, it will be operated by the chosen sewer district. The project also analyzed other sewer connection alternatives, including: City of Escondido Hale Avenue Resource Recovery Facility (HARRF), Harmony Grove Village Treatment Plant (HGV Plant), Vallecitos Water District Facilities, and combined on/off-site wastewater treatment.

4. Fire Protection
   The majority of the site is located within the San Marcos Fire Protection District (SMFPD), except one small portion in Neighborhood 5, which is located within the jurisdiction of CSA No. 107. This portion within Neighborhood 5 will be annexed into the San Marcos Fire Protection District prior to the approval of the Final Map. The project will be served by fire station #3 within the SMFPD's jurisdiction and the new fire station located within the Harmony Grove Village operated by the Rancho Santa Fe Fire Protection District (RSFFPD). The site is not located within the RSFFPD, the Harmony Grove Village fire station will service as the first-in engine company for the project through the established mutual and automatic aid agreements amongst neighboring fire districts, including SMFPD and RSFFPD.

5. Law Enforcement
   Law enforcement services for the project will be provided through the San Diego County Sheriff's Department, under contract with the City of San Marcos. The project will be served by existing San Marcos Station located at 182 Santar Place, which is located 1.5 miles from the site.

6. Parks and Recreation Space
   The County of San Diego Parkland Dedication Ordinance (PLDO) requires that projects that propose more than 50 dwelling units dedicate land for parks, pay PLDO fees or do a combination of both. The PLDO requires a total of 2.8 acres of parkland based on the number of dwelling units proposed by the project. The PLDO allows up to half of the parkland dedication to be satisfied through the construction of private parks. The project provides a total of 7.9 acres of private and public park area, in which 3.2 acres are considered applicable private and public park credit (private: 1.78 acres; public: 1.42 acres), exceeding the PLDO requirement of 2.8 acres. The project will include one public park, two private parks, a private recreational facility and an equestrian facility.

A multi-use trail system will connect the proposed recreational facilities to neighboring parks and the existing trail system in the Harmony Grove Village development.

Figure 15: Parks and Trails Plan

- Valiano Recreation Center: The center will be located in Neighborhood 1, off Mount Whitney Road. The 2.3-acre site will include a community building, swimming pool, open lawn area, picnic areas, and a children's play area.

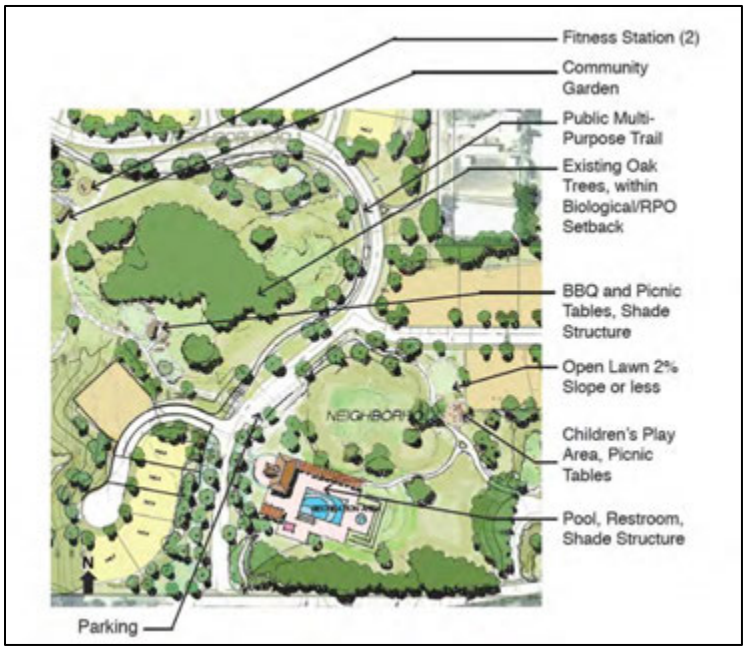

Figure 16: Valiano Recreation Center and Central Oak Parks

- Central Oak Park (private): The proposed 1.2-acre private park will be located in Neighborhood 2. The existing mature oaks grove will be preserved and integrated into the park's design and private active and passive recreation opportunities such as open lawn areas, picnic areas, two fitness nodes, and children's play areas.

- Trail Head Park (private): This 0.5-acre private park will be located within Neighborhood 3 to provide non-motorized access to the trail system. It will include amenities such as benches, picnic tables, and a trail map/area information kiosk.

- North Trail Turnaround (private): The proposed turnaround will be located in Neighborhood 4, at the north end of the multi-use trail. Amenities include shade trees, benches, and trail signage.

- Public Neighborhood Park: This 2.7-acre public park will be located in Neighborhood 5, adjacent to Country Club Drive. The park will include a variety of amenities, such as open lawn area, shade structure, picnic areas, children's play areas, a half-court basketball court, a horse hitching station, and a community garden.

- Equestrian Staging Area: A portion of the existing equestrian facility will be retained and be maintained by the homeowners' association but open to the public. The site will be reconfigured to allow public horse trailer parking and use of an exercise ring. The staging area will also be connected to the multi-use trail.

Figure 17: Proposed Public Neighborhood Park

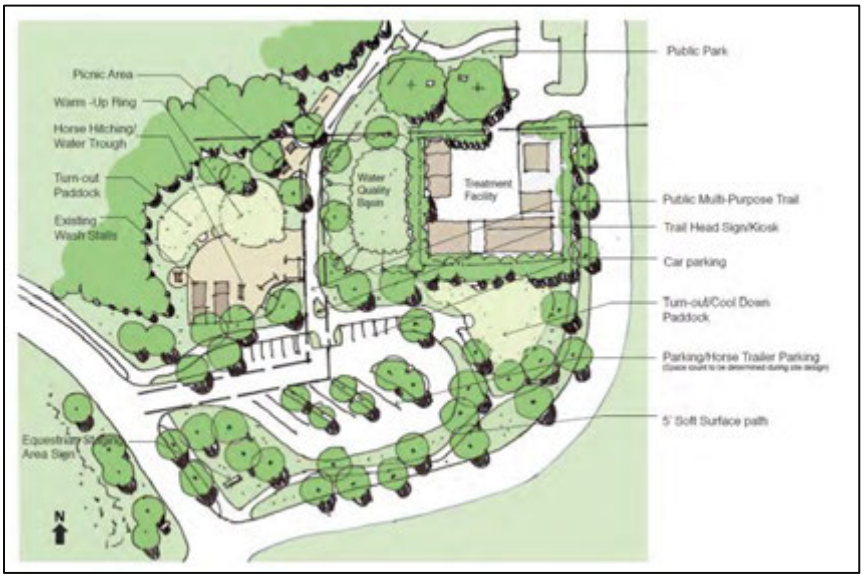

Figure 18: Equestrian Staging Area

h. Community Facilities District (CFD)

The project is conditioned to form a new County CFD to fund the operation and maintenance of public facilities including parks. Creating a new CFD will be required prior to the recordation of the Final Map. The Specific Plan includes a Public Facility and Financing Plan (PFFP) that provides the general framework for the financing and phasing of public improvements in the plan area, including the proposed mechanisms for financing the cost of construction together with the operation and maintenance of the facilities, as follows:

- Fire, Paramedic, and Law Enforcement Services: To fund the long-term availability of fire protection, the project is conditioned to join the existing San Marcos Fire Protection District CFD (CFD 2001-01) and participate in funding the CFD. For law enforcement services, the project will pay their fair share contribution to the City of San Marcos Community Facility District (CFD 98-01).

- Schools: The project includes two options for school fees: 1) School fees will be paid through the County of San Diego standard process at time of building permit processing; and/or 2) Creating a CFD where school fees will be assessed annually through property tax assessments for each of the future residents.

- Parks and Recreational Facilities: The proposed public park and public multi-use trails will be constructed by the developer, and will be owned and maintained by the County of San Diego Department of Parks and Recreation. The developer will be responsible for the private parks and amenities constructions, and they will be operated and maintained by the HOA.

2. General Plan Amendment (GPA)

Under the current General Plan Land Use Designation, a maximum 118 units are allowed. To develop the proposed project, a GPA is required to allow for increased residential density. The proposed amendment will change the project's current land use designation from Semi Rural 1 (1 unit per 1, 2, or 4 acres) and Semi Rural 2 (1 unit per 2, 4, or 8 acres) to Semi Rural 0.5 (1 unit per 0.5,1, or 2 acres).

3. Community Plan Amendment

The entire project site is located within the San Dieguito Community Plan Area. Neighborhood 5 is located within the Elfin Forest – Harmony Grove Subarea Plan, and Neighborhood 1 through 4 are located outside of the Subarea Plan. As part of the GPA, the San Dieguito Community Plan will be amended to remove Neighborhood 5 from the Elfin Forest – Harmony Grove Subarea Plan so that the entire project site will be located outside the subarea plan.

4. Zone Reclassification (Rezone)

The Rezone will change the existing A70 (Limited Agriculture) to S88 (Specific Plan Area) Use Regulation. The Rezone will also change the existing development regulations for the site, including density, minimum lot size, animal regulation, setback requirements, and Special Area Regulations. All development within the Valiano Specific Plan area, which requires an implementing Site Plan be approved by the Director of Planning & Development Services prior to building permit issuance. The

Site Plan will identify the location of all structures, setbacks, as well as provide architectural details and floor plans.

5. Vesting Tentative Map (VTM) and Site Plan (STP)

The project includes a VTM to authorize the subdivision of the entire 239-acre project site into 273 single family residential lots, 53 detached condominium units on 12 condominium lots, 149 acres of biological and agricultural open space lots, and five private and one public park lots, including an equestrian staging area.

Pursuant to Section 81.1203(b) of the Subdivision Ordinance, a Site Plan shall be filed with a VTM illustrating all proposed land uses intended to be vested on the lots to be created. At a minimum, the Site Plan shall show the lot dimensions, boundaries and square footage for each lot. The related Site Plan for the VTM and all vested development rights shall expire on the same day as the vesting tentative map expires.

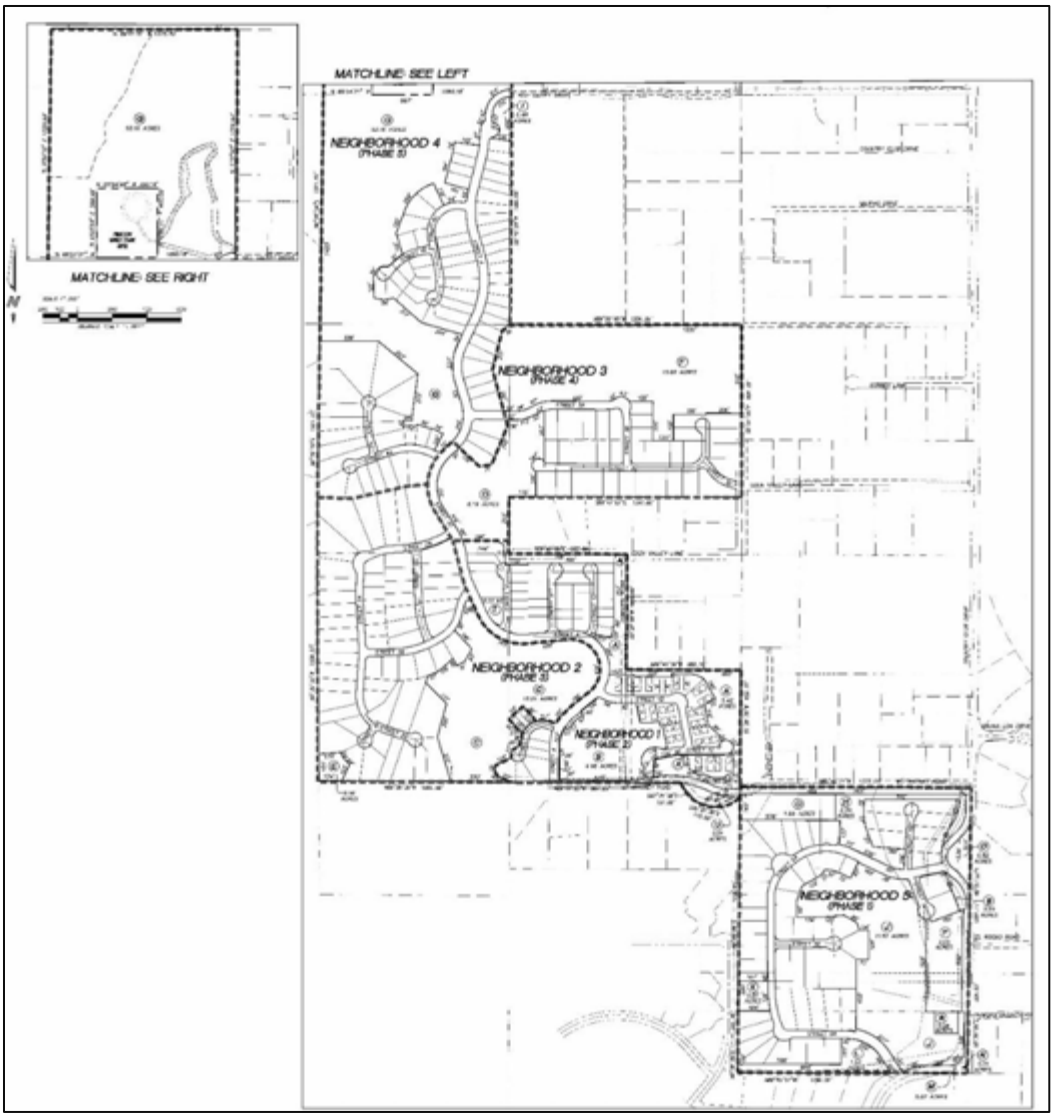

Figure 19: Subdivision Map

6. Major Use Permit (MUP)

A MUP is required for the proposed on-site wastewater treatment facility (Facility) located within Neighborhood 5. The Facility will be located on a 0.4-acre site, adjacent to the proposed public park. The Facility will be completely enclosed to minimize odor release. The architectural design for the Facility will adhere to the rural ranch style so that it will be consistent with other built components of the project. At build-out, the facility is sized to accommodate 72,000 gallons per day (gpd) or 50 gallons per minute (gpm) daily flow. Pursuant to Board of Supervisor Policy I-78, the facility will also provide 6.4 million gallons of recycled water storage, which will satisfy the permit requirements of the San Diego Water Quality Control Board. In addition to the on-site facility, several sewer connection alternatives are analyzed. The decision maker, which is the Board of Supervisors, has the authority to select the appropriate sewer option for the project.

D. ANALYSIS AND DISCUSSION

Introduction

PDS staff has conducted an evaluation of the proposed project through a comprehensive framework; including County's Plans and regulations, project specific issues and CEQA compliance.

1. Planning and Development Analysis

a. Specific Plan – Conceptual Design and Development

The County's General Plan is based on a vision to promote healthy and livable communities that protect natural resources for future generations. The vision is supported by ten interrelated principles that provide the supportive framework for the goals and policies that implement the vision. Specific Plans must include text and diagrams that provide standards and criteria by which development will proceed, including any subjects which in the judgement of the planning agency are necessary or desirable for its implementation.

County staff analyzed the design components of the project related to the General Plan including location and linkage, amenities, recreational opportunities including parks and trails, walkability, resource protection and the overall sustainable composition of the project.

- **Location and Linkage**

  The proposed project is located 10 miles north of Sorrento Valley, 15 miles north of the University Town Center area and 6 miles south of the City of Carlsbad. These communities are considered areas with some of the highest employment densities in the San Diego region. The site is located in close proximity to and within the Sphere of Influence of the cities of Escondido and San Marcos, where infrastructure and services are available. It is also surrounded by agricultural, commercial, light industrial and residential of various densities. Several major employers, including but not limited to the Palomar Medical Center, California State San Marcos, Kaiser Permanente, and Stone Brewing Company are located within 2 miles of the project site.

  The project site is located two miles west of Interstate 15 and 1.5 miles south of State Route 78. Although the project does not include any improvements to public transit, public

transportation, including Sprinter and bus routes are readily available. The Sprinter line, which is a 22-mile rail system, connecting Oceanside, Vista, San Marcos and Escondido, has a total of 15 stations along the Highway 78 corridor. The existing Nordahl Road Sprinter Station is located less than 1.5 miles from the project site. Park and Ride, and bus services to the City of Vista, Cal State San Marcos and Palomar Collage are also available at the station.

The project will also enhance the existing road network by improving Country Club Drive, Hill Valley Drive, Eden Valley Lane and Mount Whitney Road.

A system of public multi-use trails will also be installed. The trail will be 10 feet wide and will have a surface of native soil or similar material. The trail is intended to provide equestrian, hiking, biking, and jogging opportunities for the public and Valiano residents. The trail will also provide connection to the Harmony Grove Village neighborhood.

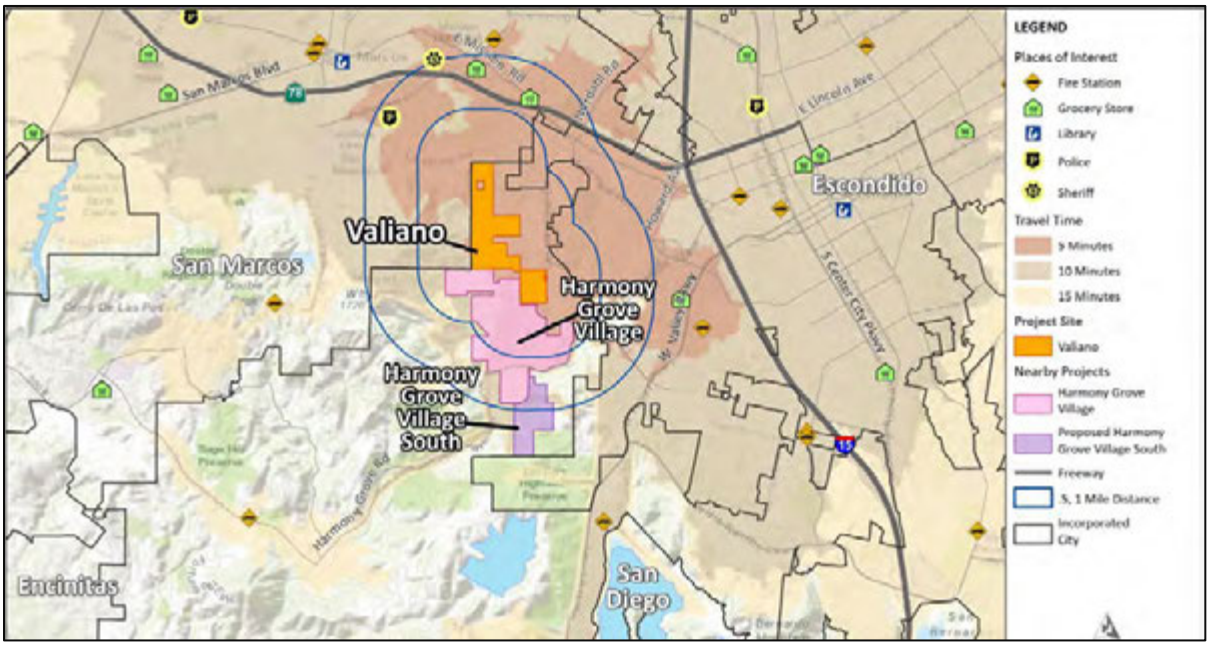

Figure 20: Essential Services Available

b. General Plan Amendment

1. General Plan Conformance

The project proposes the development of 326 dwelling units on a property that currently allows 118 dwelling units under the General Plan Land Use Designations. The additional 208 dwelling units will increase the housing supply in San Diego County and will provide construction-related jobs during the construction period. Other benefits include parks, recreational facilities, multi-use trails, permanent biological and agricultural open space areas, and improvements to multiple roadways and intersections. The design and requirements of the project ensures that the project will not be detrimental to public health, safety, and welfare.

2. Housing Element and Affordability

The General Plan Housing Element designates affordable housing at a density of 10.9 du/ac or greater. The project's proposed density will be a maximum of six dwelling units per acre, and as such is not defined as moderate to low income housing by the County's General Plan. In addition, the site is not identified as a Regional Housing Need Assessment (RHNA) site according to the current General Plan Housing Element Inventory.

The reduced rate of housing production during the current Housing Element planning period has resulted in increased demand for housing in the region. Housing Element Policy H-1.3 provides direction for siting and increasing housing opportunities in the unincorporated county and states, "Maximize housing in areas served by transportation networks, within close proximity to job centers, and where public services and infrastructure are available." The proposed Specific Plan amendment is consistent with Policy H-1.3 because it will accommodate housing within a job center where public services and infrastructure are available and because it will ease demand by providing new opportunities for a variety of housing types. The project will provide single-family residences in close proximity to urbanized areas, employment, and everyday conveniences. The project also allows for accessory dwelling units that could provide affordable housing.

The project includes a range of residential unit types. In terms of housing affordability, smaller lot and house sizes tend to be more affordable. The proposed project includes a range of lot sizes from 5,630 – 71,660 sq.f.t. Housing sizes range from 1,800 – 4,600 sq.ft. The 53 detached condominiums will range in size from 1,800 – 2,100 square feet. In addition, the project also provides for 51 accessory dwelling units.

c. Community Plan

The entire project area is located within the San Dieguito Community Plan area. Neighborhoods 1, 2, 3, and 4 are located in an area with no subarea. Neighborhood 5 is located within the Elfin Forest – Harmony Grove Subarea of the San Dieguito Community Plan area. As part of the GPA, Neighborhood 5 will be removed from the Elfin Forest – Harmony Grove Subarea so that the entire project will only be located only within the San Dieguito Community Plan Area with no subarea. Neighborhood 5 is currently subject to the policies of the Elfin Forest – Harmony Grove Subarea Plan Policy CM-10.2.1 (Sewer/Septic) that requires all proposed new development to use septic systems with one septic system per dwelling unit. The proposed project is not consistent with this policy. This proposed amendment will remove planning inconsistencies by removing Neighborhood 5 from the Subarea while maintaining the entire project within the San Dieguito Community Plan.

d. Zoning Ordinance

The project includes a Zoning Reclassification (Rezone) to change the land use regulations from RS (Single Family Residential), A70 (Limited Agricultural), and A72 (General Agricultural) to S88 (Specific Plan). The proposed Rezone will also change the minimum lot size requirements, animal regulations, setback schedule, and add a Design Review ("D") Special Area Regulation.

The project will be rezoned with a variable (V) setback that requires setbacks to be 12-15 feet for front yard and 15-20 feet for rear yard – dependent on product type, and 5 feet for side yard. The animal use type will be changed to modify the amount and the type of animals permitted within Neighborhoods 1, 2, and 4. Those animals that will no longer be allowed include: horses, kennels, poultry, and racing pigeons. The Rezone will assign a more restrictive animal designator in Neighborhoods 1, 2, and 4 to better suit the proposed lot sizes. Neighborhood 3 and Neighborhood 5 will retain the "L" animal designator to preserve the community's semi-rural character.

Finally, the Special Area Designators of "C" (Airport Land Use Compatibility Plan Area) and "D" (Design Review) will be applied to the property. The "C" designator requires review and compliance with the Airport Land Use Compatibility Plan regulations. The "D" designator requires that a Site Plan be processed for design review and requires approval from the Director of Planning & Development Services.

The proposed project complies with all applicable zoning requirements of the Specific Planning Area (S88) zone(s) with the incorporation of conditions of approval.

e. Subdivision Ordinance

The project has been reviewed for compliance with the Subdivision Ordinance. The project includes requirements and conditions of approval necessary to ensure that the project is implemented in a manner consistent with the Subdivision Map Act and the Subdivision Ordinance.

2. Project Issues

a. Community Character

Neighborhood Pattern

Residents have expressed concerns that the project will change their current lifestyle and the rural character of the community. The project is designed to create a transition from the more intensive neighborhood design of the Harmony Grove Village (HGV) to the less intensive surrounding semi-rural area**.** The project has allocated high density north to the HGV to provide a transition from the more intensive village use of the HGV and the less intensive surrounding semi-rural residential uses to the west and north. The majority of the proposed dwelling units will be placed within the valley areas and on the lower hillsides. In a few instances, the units will be located over the low rolling hills within the project site. The project will group the residential lots into five separate neighborhoods in a pattern to limit the impact footprint in order to provide large areas of open space and preserve some of the on-site visual resources, such as the existing mature trees, steep hillsides, riparian areas, and pond. As a result, the proposed residential lots will be of a smaller size than some of the surrounding residential developments. The proposed open space network and landscape design will provide visual buffers to reduce these impacts. This is consistent with the General Plan Community Development Model.

Architectural Design

Residential uses in the immediate area consist mostly of one-story ranch style structures with wooden or stucco exteriors. Residential neighborhoods east of Country Club Drive are generally located on smaller lots and consist of one and two-story homes with a variety of architectural styles. The estate residences on the hillsides to the west of the project are mostly comprised of large two-story homes with varied architectural styles. Therefore, there is not a single or unified architectural theme within the project vicinity, although the California ranch-style homes are the most commonly seen style in the area. The project will provide architectural styling that is consistent with the existing development in the community. Proposed architectural styles include Craftsman, European Cottage, Mission, Monterey, Spanish, and Italian vernaculars. All garages will be set back from the primary house and exterior facades will be painted in earth tones to visually blend with the surrounding area. Most of the proposed dwelling units will be two stories with a height of 35 feet or less, and is consistent with the current and proposed height designation (35' maximum height). In addition, the architectural style for the proposed wastewater treatment facility will include design elements that are similar to agrarian barn structures to blend in with the visual environment.

b. Fire & Emergency Evacuation

The community has expressed concerns that the proposed project will increase the number of people that will need to be evacuated during a wildfire event, and will increase the overall evacuation time. A Wildland Fire Evacuation Plan (Plan) has been prepared for the Valiano Community, which was reviewed for accuracy by the County Fire Authority, San Marcos Fire Protection District and Rancho Santa Fe Fire Protection District. Although wildland fire and other emergencies are often fluid events and the need for evacuations are typically determined by on-scene first responders or emergency response teams, the Plan evaluated the project's impact on emergency evacuation.

The area has experienced several significant large wildfires. Recently, the 2014 Cocos Fire burned 1,995 acres and destroyed over 40 structures in the San Marcos, Harmony Grove, Elfin Forest, and Del Dios area, including several acres in the southwestern portion of the project site. The residents evacuating experienced long evacuation times. These evacuation times are expected to be reduced by improved evacuation routes as a part of the project and the road improvements newly completed in the area since the Cocos Fire, including the extension of Harmony Grove Village Parkway, a bridge leading to Citracado Parkway, and the completed Harmony Grove Village road network. Also, the Rancho Santa Fe Fire Protection District temporary station, located in the Harmony Grove Village is operational and will serve a portion of the project site through a Mutual Aid Agreement, further reducing response times.

The project's primary evacuation routes are accessed through a series of internal neighborhood roadways, which connect with primary ingress/egress roads, such as Mount Whitney Road, Eden Valley Lane, and Hill Valley Drive. Based on the existing road network, project residents can evacuate to the north, south, east, and/or west depending on the nature of the emergency. The five primary ingress/egress routes and emergency access for the project are:

i. Eden Valley Lane – off Country Club Drive,
ii. Mt Whitney Road – off Country Club Drive,
iii. Unnamed direct access to County Club Drive,
iv. Unnamed direct access to Country Club Drive, and
v. Emergency Route: Hill Valley Drive – Gated access road that will be usable in an emergency when opened by law enforcement or fire personnel.

All on-site roadways, except a portion of Hill Valley Drive will be improved to a minimum width of 24 feet to meet the County's fire access requirements. Hill Valley Drive will be improved to 24 feet for the majority of the road length. One section of this road (185-195 feet) can only be improved to 20 feet due to an easement access issue. A design modification has been granted by both the San Marcos Fire Department and PDS for this segment. These improved roadways will help the project's residents and the adjacent neighbors evacuate more quickly.

Therefore, it is conservatively estimated that the community can be completely evacuated within approximately one hour travel time. This evacuation time may be reduced with early predictions of fire movement and proximity to the site.

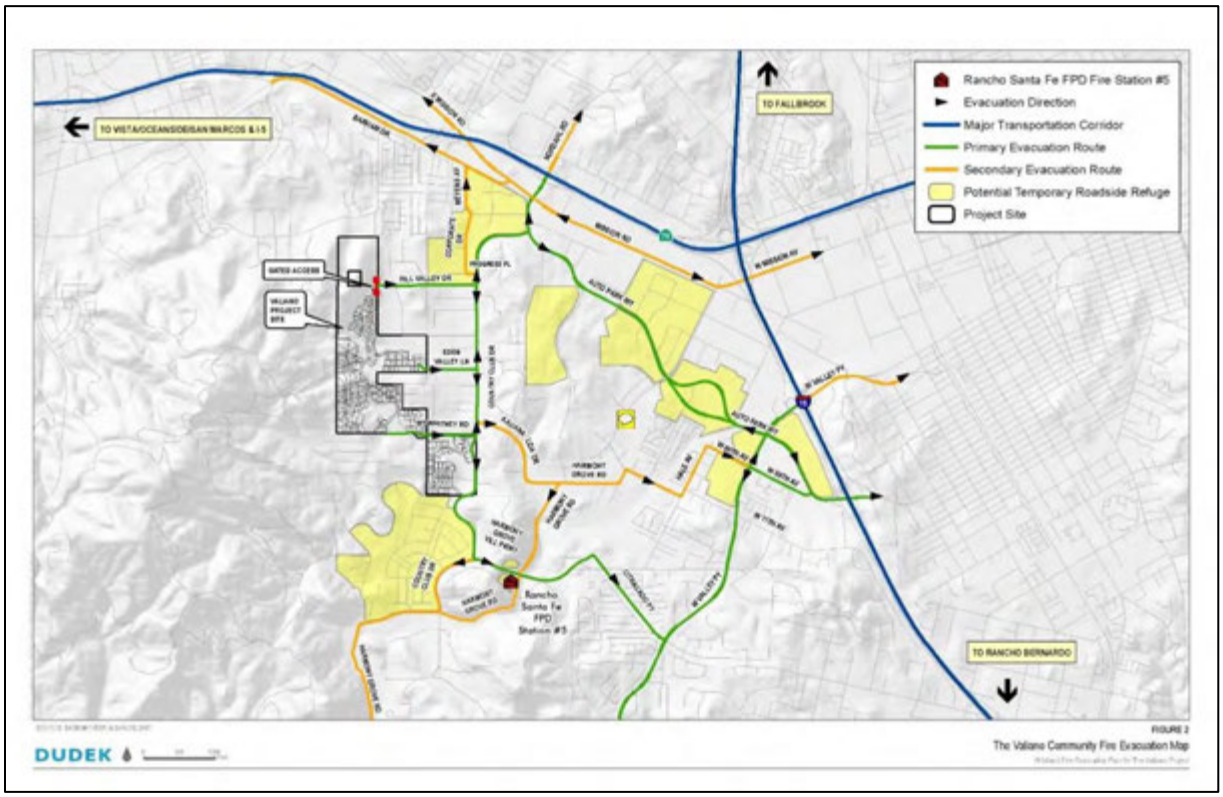

Figure 21: Emergency Evacuation Plan

In addition to road improvements, the proposed Valiano Homeowners Association (HOA) will be active in its outreach to residents regarding fire safety and general evacuation procedures. Outreach includes providing each homeowner with an emergency evacuation plan, and annual reminder notices. The HOA will also coordinate with the San Marcos Fire Department to hold an annual fire safety and evacuation preparedness informational meeting.

The project will also include fuel modification requirements to minimize the exposure of people, animals or structures from wildland fires. Fuel modification zones (50' – 150') will be achieved by removing, clearing, or modifying combustible vegetation and other flammable sources from the edge of all structures.

Multiple services will be provided by emergency response teams to residents during an emergency evacuation. These include evacuation points (shopping centers, libraries, and schools) and Shelters and Animal Evacuation Assistance. These points serve as temporary safe zones for evacuees and will provide basic needs such as food, water, and restrooms. Possible Shelters and assembly areas that provide short-term refuge include:

- Mission Hills High school at 1 Mission Hills County in San Marcos;
- Palomar College at 1140 West Mission Road in San Marcos;
- Hightech High off of Valley Parkway at Scenic Trail Way; and
- Del Dios Middle School on 9th Avenue.

Other refuge sites are available within urbanized areas of Carlsbad, Escondido, Vista, and Oceanside, and developed communities primarily to the north, south, and east of the Valiano community.

In this semi-rural area where large animals are permitted, animal evacuations will be necessary. The County Animal Control Offices, the San Diego Humane Society, and private animal care shelters will assist in the rescue, transport, and sheltering of small and large animals. The Valiano project will create a registration for owners of animals who cannot evacuate their animals without assistance, so that volunteer organization or individuals can provide resources. Horse owners will be encouraged to own a functional horse trailer for emergency events and to have barns/stalls constructed with the same ignition resistance levels as the other structures throughout the project.

The evacuation plan concluded that even with the additional traffic from the project, evacuation times will be reduced from what was experienced during the Coco's Fire. The reduced evacuation times are a result of the project's road improvements, the recent road improvements completed by the Harmony Grove Village project, the new nearby fire station, on-site fuel reduction, the fuel modification zones, and the more defined and coordinated evacuation plan.

c. Waste Water Facilities

The project site and general Eden Valley area is served by on-site septic systems. Harmony Grove Village is served by their own on-site sewer treatment facility. The project proposes an on-site wastewater treatment plant. Parcels within the Valiano project site with dwelling units present are served by existing septic systems. The applicant was required to conduct a Septic Study to evaluate the option of using septic. The site is over shallow granitic bedrock with low permeability or compacted rock/soil fill, the Septic Option alternative will result in the construction of 58 to 66 single-family residences distributed across the project site. Septic service is not feasible even for the current general plan designation of 118 dwelling units because of underlying granitic rocks.

In addition to septic, five other scenarios were evaluated for wastewater treatment and disposal for the project site. They include:

1. On-site wastewater treatment facility
2. City of Escondido Hale Avenue Resource Recovery Facility
3. Harmony Grove Village (HGV) Treatment Plant
4. Vallecitos Water District Facilities
5. Combined On-/Off-site Wastewater Treatment

The on-site wastewater treatment facility is a part of the development proposal. It will be located in Neighborhood 5 and requires the approval of a MUP. All infrastructure associated with the facility will be located within the project site. A "D" Designator Site Plan is required prior to the issuance of building permits.

The applicant negotiated with the City of Escondido to connect to the Hale Avenue Resource Recovery Facility. The City of Escondido approved a Memorandum of Understanding for sewer service (HARRF) at the December 9, 2015 City Council hearing (Resolution 2015-209). Infrastructure will include the installation of pipelines within existing city and county streets. A wet weather storage facility may be constructed in Neighborhood 5. If this is chosen as the wastewater treatment for the project, a modification to the MUP application will be required in the future.

The Rincon Del Diablo Municipal Water District is in the process to activate its latent power to provide sewer service in the Harmony Grove Area. The activation may be completed as early as Spring/Summer of 2018. If the activation is approved, the earliest the Harmony Grove Village Treatment Plant can be turned over to the Rincon del Diablo Municipal Water District will be late 2018. If this option is chosen, the project site will be required to annex into the Rincon del Diablo Municipal Water District sewer service boundary in order to obtain the service.

The Vallecitos Water District Facilities and Combined On-/Off-site Wastewater Treatment options were determined infeasible for economic, legal, social, technological or other considerations.

A combined HARRF and HGV on/off-site wastewater treatment was evaluated in the EIR. The project will connect the chosen facility, but part of the on-site treatment facility, such as the wet weather storage, will remain.

The on-site wastewater treatment plant is recommended as the treatment facility for the project. It will require annexation into a district and will be also maintained by that district.

d. Permanent Road Division Zones

A Permanent Road Division Zone (PRD Zone) is an area within the countywide Permanent Road Division that is established to provide on-going maintenance and repair for private roads. Once a PRD Zone is formed, ongoing maintenance of the roads are provided by the County using a special tax assessed on each parcel within the PRD Zone.

The project is proposing to use Mt. Whitney Road and Eden Valley Lane, both located within existing PRD Zones (PRD 24 and PRD 1005), to access the site. The proposed project will result in additional parcels recreated within an existing PRD Zone; therefore, in order to ensure that the project will be paying a fair-share for the maintenance and administration cost for the two PRD Zones, the applicant will be required to revise the existing PRD Zones or form a new PRD Zone in accordance with Board Policy J-16. A condition to that effect has been included in the Condition of Approval to require the action be completed prior to the approval of the Final Map.

3. CEQA Compliance

The Notice of Preparation (NOP) was circulated for public review from June 20, 2013 to July 19, 2013. During this time, input on the scope and content of the environmental information to be contained in the Draft EIR was received from the public and agencies.

The Draft EIR for the proposed project was initially circulated for public review from April 30, 2015 to June 15, 2015 (a 45-day public review period). All interested persons and organizations had an opportunity during this time to submit their written comments on the Draft EIR to the County of San Diego.

Comments received during the circulation of the Draft EIR resulted in several additions and/or changes that were made to the environmental analysis, including Greenhouse Gas (GHG) emissions and land use sections. The GHG analysis was revised to include additional mitigation to reduce GHG emissions to zero through the purchase of carbon offsets. In addition, the land use chapter was revised to remove Neighborhood 5 from the Elfin Forest-Harmony Grove Subarea Plan. The County recirculated a Draft Revised EIR from December 8, 2016 to January 30, 2017 and a longer review period was provided. Due to the holiday season, the review period was extended from 45 to 52 days.

A total of 176 comment letters were received during the public review periods for both the Draft EIR and Draft Revised EIR. Responses to these comments are included within the Final EIR. The Final EIR contains minor revisions including clarifications and changes to the project. A net-zero GHG emissions mitigation measure was incorporated, which ensures that the project will not cumulatively contribute to the GHG emissions impact.

<u>Significant and Mitigable Impacts</u>
Significant impacts were identified for the project and include the subject areas of agricultural resources, biological resources, cultural resources, noise, paleontological resources, hazards and hazardous materials, geology and soils, and greenhouse gas emissions. Impacts for these issue areas will be reduced to less than significant with the incorporation of required mitigation measures and project design features (design features).

GHG Emissions

On February 14, 2018, the County's Board of Supervisors adopted the Climate Action Plan (CAP), which included a threshold of significance for GHG emissions and revised Guidelines for Determining Significance for Climate Change (Guidelines). As described in the Guidelines, the threshold is: "A proposed project will have a less than significant cumulatively considerable contribution to climate change impacts if it is found to be consistent with the County's Climate Action Plan; and, will normally have a cumulatively considerable contribution to climate change impacts if it is found to be inconsistent with the County's Climate Action Plan." The CAP did not include emissions from General Plan Amendments in the CAP projections; therefore, any project that includes a General Plan Amendment must analyze and mitigate their own emissions from GHGs and cannot tier off the CAP as explained in Chapter 2.7 of the CAP Supplemental Environmental Impact Report (SEIR).

General Plan Amendment projects (such as the proposed project) that intensify GHG emissions beyond current designations are required to provide independent additional analysis. As specified in Mitigation Measure GHG-1 of the CAP's SEIR, the County shall require in process and future GPAs to reduce their emissions to ensure that CAP emission forecasts are not affected and do not prevent or interfere with the attainment of GHG reduction targets. Project applicants for GPAs could accomplish this through two options. Option 1 (No Net Increase) requires GPA projects to achieve no net increase in GHG emissions from additional density above the 2011 General Plan Update (GPU). This option requires GPA projects to quantify and reduce above the 2011 GPU forecasts through on-site design features and mitigation measures and off-site mitigation, including purchase of carbon offset credits. Option 2 (Net Zero) requires GPA projects to reduce all project GHG emissions to zero to achieve no net increase over baseline conditions (carbon neutrality).The project has selected to comply with Option 2. Project emissions shall be reduced to zero through onsite design features, mitigation measures, and offsite mitigation, including purchase of carbon offset credits." As the project will achieve carbon neutrality, it will comply with this option set forth within the CAP SEIR, which will not interfere or affect attainment of the CAP's GHG reduction targets.

The project is conditioned to ensure that it will result in net zero GHG emissions. The Final EIR includes an analysis of the project's impacts on GHG emissions, consistent with applicable policies and mitigation measures to reduce GHG emissions to net zero emissions. With the addition of a mitigation measure resulting in a net-zero increase in GHG emissions from the project as compared to the existing environmental setting, it has been concluded that that impacts associated with GHG emissions will be less than significant.

<u>Significant and Unmitigable Impacts</u>

Significant impacts were also identified for the areas of aesthetics, air quality, and transportation/traffic. Most of the impacts are reduced to less than significant with the incorporation of mitigation measures and design features; however, some impacts for these subject were identified as significant and unmitigable as described below.

Aesthetics

Temporary visual impacts during project construction related to grading and ongoing development will be substantial until buildout occurs and all vegetation is installed and attains an additional five years of maturity. Design features requires the installation of landscaping at the earliest point in time

for each construction phase to reduce impacts; however, the impacts will not be reduced to a level below significant. No mitigation beyond the identified design features is feasible.

Air Quality
Impacts associated with conformance to regional air quality plans will be potentially significant (direct and cumulative). To mitigate the impact, a revised housing forecast will be provided to SANDAG to ensure that any revisions to the population and employment projections used in updating the Regional Air Quality System (RAQS) and State Implementation Plan (SIP) will accurately reflect anticipated growth due to the project. The conflict with the current RAQS and SIP resulting from the density proposed for the project being inconsistent with current General Plan and SANDAG housing forecasts represents a significant impact only as a planning document conflict. Project emissions of criteria pollutants do not exceed threshold criteria on a direct impact basis, and there will be no significant impact to human health or the environment from the project's emissions.

Construction of the project and other projects that occur in the general vicinity will result in a cumulatively considerable net increase in volatile organic compounds (VOCs), NO_X, PM_{10} and $PM_{2.5}$. In addition, operation of the Project will result in net increases in criteria pollutants, which will also result in a cumulatively considerable contribution in criteria pollutants to the regional air quality. Design features will be implemented to substantially lessen these impacts but not to a level of less than significant. Design features are identified for both construction and operation periods that will reduce emissions in general, and permit issuance is conditioned upon completion of the design features. No other feasible mitigation measures have been identified that will mitigate the impacts to below a level of significance.

Transportation/Traffic
Project implementation will result in direct impacts to the intersection of Auto Park Way and Mission Road in the City of Escondido. This intersection is currently built to the City of Escondido General Plan design classification. No mitigation is feasible based on the City of Escondido assessment. The 2012 *Escondido General Plan Update FEIR* included intersection improvement treatments and adaptive signal control technology to improve traffic flow; however, impacts still remained significant and unavoidable after implementation of the improvements. As part of the Escondido's CEQA Findings of Significant Effects, the anticipated poor operations of the Auto Park Way/Mission Road intersection were deemed significant and unavoidable and a Statement of Overriding Considerations was approved. Therefore, the proposed project will result in significant cumulative impacts associated with traffic in the City of Escondido.

The applicant and the City of Escondido (City) have met and discussed infrastructure improvements that will ensure that the project's direct impacts relating to traffic within the City will not be significant. A Memorandum of Understanding (MOU) between the City and the applicant was approved by the City which authorizes the Mayor to execute a Traffic Mitigation Funding Agreement (Agreement) should the project be approved by the County. With the applicant's agreement to perform its obligations under the Agreement in the event the project is approved and carried out, the City agrees that it will not object to the County's approval of the project.

Overriding Considerations

A Statement of Overriding Consideration was prepared for the project. Project benefits include (1) additional housing for County residents, (2) increased generation of real estate taxes, (3) construction-related employment opportunities, (4) recreational benefits of new parks, equestrian staging area, and multi-use trail, (5) 67 acres of dedicated open space, and (6) roadway improvements within the jurisdictions of the County of San Diego and the City of Escondido. Each of these benefits provides the basis in which to approve the project even though adverse environmental impacts are not mitigable.

E. COMMUNITY PLANNING GROUP

The proposed project is located within the San Dieguito Community Plan area and a portion of the project (Neighborhood 5) is also located within the EFHG Subarea Plan Area.

On February 8, 2018, the San Dieguito Community Planning Group (SDCPG) recommended denial of the project by a vote of 11-0-0-2 (Attachment K). The SDCPG expressed concerns regarding removal of Neighborhood 5 from the EFHG Subarea Plan Area, emergency evacuation, the high fire hazard severity area around the project and increase in frequency of wildfires. In addition, they requested that the waivers from the California Fire Code granted by the San Marcos Fire District be re-examined, and that cumulative emergency evacuation be considered in the DEIR with recirculation of the DEIR. Furthermore, they requested that the project be conditioned to evaluate evacuation risks, scenarios, and plans; provide a true secondary access; and, that the applicant indemnify private road owners who may be negatively impacted by private road widening. Comments raised at the meeting include, but are not limited to, sewer connection for existing residents, the CDM, community character, fire safety/evacuation, traffic, pedestrian and equestrian endangerment, dust, noise, vineyard alternative, water supply, growth, greenhouse gas, road improvements, and urban densities.

F. PUBLIC INPUT

A total of 176 comment letters were received from neighboring property owners, agencies, and organizations during the public review periods for both the Draft EIR and Draft Revised EIR. Concerns raised include, but are not limited to, General Plan and Community Plan consistency, removal of Neighborhood 5 from the EFHG Subarea Plan Area, GHG, fire safety and evacuation, septic, traffic, biological resources, growth, density, community character, LAFCO actions, water supply, aesthetics, landscaping, wastewater treatment, alternatives, agriculture, road improvements, and project design feature enforceability. These concerns are addressed in the Final EIR and summarized earlier in this Report.

The Elfin Forest Harmony Grove Town Council submitted an additional alternative (Valiano Vineyard) for consideration. The alternative proposes the same density as the General Plan Density alternative and will replace housing on the eastern-facing slopes with a vineyard. The County as the Lead Agency is responsible for selecting a range of project alternatives (CEQA §15126.6). Because the Valiano Vineyard alternative is similar to the General Plan Density alternative, it was not included as an alternative.

G. RECOMMENDATIONS

Staff recommends that the Planning Commission make the following recommendations to the Board of Supervisors:

1. Adopt the Environmental Findings (Attachment A), which include the certification of an Environmental Impact Report (EIR), REF: PDS2013-ER-13-08-002.
2. Adopt the Resolution Approving General Plan Amendment PDS2013-GPA-13-001 (Attachment B) for the reasons stated therein and discussed in the report.
3. Adopt the Resolution Approving Specific Plan PDS2013-SP-13-001 (Attachment C) for the reasons stated therein and discussed in this report.
4. Adopt the Ordinance titled, AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE ELFIN FOREST-HARMONY GROVE SUBAREA AND THE SAN DIEGUITO COMMUNITY PLANNING AREA, REF: PDS2013-REZ-13-001 (Attachment D).
5. Adopt the Resolution approving the Vesting Tentative Map PDS2013-TM-5575 for 326 dwelling units, which includes those requirements and conditions necessary to ensure that the project is implemented in a manner consistent with State law and County of San Diego regulations (Attachment E).
6. Grant the accompanying Site Plan PDS2103-STP-13-003 and impose the requirements and conditions set forth in the Site Plan Form of Decision (Attachment F).
7. Grant Major Use Permit PDS2014-MUP-14-019 for an on-site wastewater treatment facility, make the findings, and impose the requirements and conditions as set forth in the Form of Decision (Attachment G).

Report Prepared By:	***Report Approved By:***
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AUTHORIZED REPRESENTATIVE: _____

MARK WARDLAW, DIRECTOR

ATTACHMENTS:
Attachment A – Environmental Findings
Attachment B – Resolution Approving General Plan Amendment PDS2013-GPA-13-001
Attachment C – Resolution Approving Specific Plan PDS2013-SP-13-001
Attachment D – PDS2013-REZ-13-001 titled AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE ELFIN FOREST-HARMONY GROVE SUBAREA AND THE SAN DIEGUITO COMMUNITY PLANNING AREA
Attachment E – Resolution of Approval for Vesting Tentative Map PDS2013-TM-5575
Attachment F – Form of Decision for Site Plan PDS2013-STP-13-003
Attachment G – Form of Decision for Major Use Permit PDS2014-MUP-14-019
Attachment H – Proposal Summary Table
Attachment I – Zoning Ordinance Analysis
Attachment J – Impacts and Mitigation Table
Attachment K – Public Documentation*
Attachment L – Valiano Vineyard Alternative
Attachment M – Planning Documentation (GIS Maps, GPA Maps, Rezone Map, TM, STP, MUP, PGP)
Attachment N – Final Environmental Impact Report and Notice of Determination **
Attachment O – CEQA Findings**
Attachment P – Ownership Disclosure
Attachment Q – Service Availability Forms
Attachment R – General Plan Consistency Table

*Comments received during the EIR public review periods are available at:
https://www.sandiegocounty.gov/content/sdc/pds/Current_Projects/valiano.html

** The Final EIR (including Technical Studies and Response to Comments) and CEQA Findings are available at: https://www.sandiegocounty.gov/content/sdc/pds/Current_Projects/valiano.html

Attachment A

Environmental Findings

ENVIRONMENTAL FINDINGS

I. CEQA FINDINGS

1) Find that the Planning Commission has reviewed and considered the Environmental Impact Report for the proposed project dated February 2018 on file with Planning & Development Services as Environmental Review Number PDS2013-ER-13-08-002 before making its recommendation on the project.

2) Certify that the Environmental Impact Report (EIR) dated February 2018 on file with Planning & Development Services as Environmental Review Number PDS2013-ER-13-08-002 has been completed in compliance with the California Environmental Quality Act and the State CEQA Guidelines, that the EIR was presented to the Board of Supervisors and that the Board of Supervisors reviewed and considered the information contained therein before approving the project, and that the EIR reflects the independent judgment and analysis of the Board of Supervisors.

3) Adopt the findings concerning mitigation of significant environmental effects pursuant to CEQA Guidelines section 15091. (Attachment O)

4) Adopt the Statement of Overriding Considerations pursuant to State CEQA Guidelines section 15093. (Attachment O)

5) Adopt the Decision and Explanation Regarding Recirculation of the Draft Environmental Impact Report pursuant to State CEQA Guidelines Section 15088.5(e). (Attachment O)

6) Adopt the Mitigation and Monitoring Program as incorporated into the project conditions of approval pursuant to CEQA Guidelines section 15091(d).

II. <u>OTHER ENVIRONMENTAL FINDINGS</u>

A. Find that the proposed project is consistent with the Resource Protection Ordinance (County Code, section 86.601 et seq.).

B. Find that plans and documentation have been prepared for the proposed project that demonstrate that the project complies with the Watershed Protection, Stormwater Management, and Discharge Control Ordinance (County Code, section 67.801 et seq.).

County of San Diego

MARK WARDLAW
DIRECTOR
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PLANNING & DEVELOPMENT SERVICES
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123
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ASSISTANT DIRECTOR
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PLEASE NOTE THAT A FORMAL APPLICATION FOR A HABITAT LOSS PERMIT HAS NOT BEEN FILED AT THIS TIME. THE FOLLOWING IS A DRAFT FORM OF DECISION FOR A HABITAT LOSS PERMIT SHOWING THE FORMAT AND POSSIBLE CONDITIONS FOR A FUTURE HABITAT LOSS PERMIT. BECAUSE A FORMAL APPLICATION HAS NOT BEEN FILED, CERTAIN DATES, FINDINGS AND OTHER INFORMATION IS ABSENT FROM THE DRAFT FORM OF DECISION, THIS INFORMATION WILL BE INCLUDED IN THE FINAL FORM OF DECISION.

April 22, 2015

Eden Hills Project Owner LLC
2235 Encinitas Blvd Suite 216
Encinitas, CA 92042

DRAFT
Habitat Loss Permit

APPLICATION NUMBER: HLP xx-xxx, ER PDS2013-ER-12-08-002

ASSOCIATED PERMIT(S): PDS2013-SP-13-001, PDS2013-GPA-13-001, PDS2013-REZ-13-001, PDS2013-TM-5575, PDS2013-STP-13-003, PDS2014-MUP-14-019

NAME OF APPLICANT: Integral Communities

DESCRIPTION/LOCATION OF LOSS:

The proposed project will directly and indirectly impact 1.8 acres of Coastal Sage Scrub (CSS) associated with the Valiano Specific Plan as shown on the attached Habitat Loss Exhibit dated April 23, 2015.

The proposed project is located in the Eden Valley area within the San Dieguito Community Planning Area, between the cities of San Marcos and Escondido. The site is accessed from

Country Club Drive, north of Harmony Grove Village and south of La Moree Road. The project location is indicated on the attached USGS map.

The proposed Habitat Loss Permit (HLP) is being considered as part of the Environmental Impact Report for the project and it would allow removal of habitat for a 326-unit residential subdivision. A Batching Meeting with the wildlife agencies occurred on November 21, 2013 to discuss the project design and the CSS loss.

DECISION:

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

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

2. Granting concurrence through written notification to the County prior to the conclusion of the 30-day period, initiated by their receipt of this decision, that the project is consistent with the Southern California CSS NCCP Process Guidelines or any approved subregional mitigation guidelines.

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

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

CONDITIONS OF APPROVAL:

The following conditions are being placed on the Tentative Map PDS2013-TM-5575. For the final Habitat Loss Permit, the list of conditions will be modified to require satisfaction of all conditions prior to use and reliance on the HLP.

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

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

BIO#1–BIOLOGICAL EASEMENT
INTENT: In order to protect sensitive biological resources, pursuant to the Resource Protection Ordinance (RPO), a biological open space easement shall be granted. **DESCRIPTION OF REQUIREMENT:** Grant to the County of San Diego an open space easement as shown on the approved Vesting 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.
2. 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.
4. Removal of invasive plants by the HOA as necessary under the supervision of a qualified biologist from the County's approved consultant list.
5. Trash removal and maintenance of open space fencing and signs by the HOA on at least a quarterly basis.

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

documents to *[PDS, PCC]* for satisfaction of the condition or if recorded on the map, the *[PDS LDR]* shall satisfy the condition after map recordation.

BIO#2–OAK TREE PROTECTION EASEMENT
INTENT: In order to protect oak trees, pursuant to CEQA, an oak tree protection easement shall be granted. **DESCRIPTION OF REQUIREMENT:** Grant to the County of San Diego an oak tree protection easement as shown on the approved Vesting Tentative Map. This easement is for the protection of oak trees and prohibits the removal of oak trees. 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. Fuel modification is limited to the understory vegetation (plants growing beneath the oak trees). This easement also prohibits the construction or placement of any structure designed or intended for occupancy by humans or animals.

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

BIO#3–LBZ EASEMENT
INTENT: In order to protect sensitive biological resources, pursuant to the Resource Protection Ordinance, 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 Vesting Tentative Map. The LBZ shall be 150 feet wide except in the limited areas identified in the approved Fire Protection Plan. Areas with structures located less than 150 feet from biological open space easements shall provide additional design features specified in the Fire Protection Plan. The purpose of this easement is to limit the need to clear or modify vegetation for fire protection purposes within the adjacent biological open space easement and prohibit the construction or placement of any structure designed or intended for occupancy by humans or animals. The only exceptions to this prohibition are:

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

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

BIO#4–OFFSITE MITIGATION – NON-NATIVE GRASSLAND

INTENT: In order to mitigate at a 1:1 ratio for the impacts to non-native grassland, raptor foraging, and grasshopper sparrow, which are sensitive biological resources pursuant to CEQA, offsite mitigation shall be acquired. **DESCRIPTION OF REQUIREMENT:** The applicant shall purchase habitat credit, or provide for the conservation of 53.1 acres of non-native grassland or like-functioning habitat, located within the NCMSCP PAMA boundaries, an approved mitigation bank such as Brook Forest Conservation Bank, or other location deemed acceptable by the County and Wildlife Agencies as indicated below. The 0.6 acre of mitigation for non-native grassland within the Elfin Forest Harmony Grove Community Plan (EFHGCP) shall demonstrate conformance with the EFHGCP to the satisfaction of the Director of PDS.

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

   1. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.

   2. If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.

   3. To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.

   4. An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.

b. **Option 2:** If habitat credit cannot be purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land and location described above, as indicated below:

1. The type of habitat and the location of the proposed mitigation, should be pre-approved by *[PDS, PCC]* before purchase or entering into any agreement for purchase.
2. A Resource Management Plan (RMP) shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Content Requirements to the satisfaction of the Director of PDS. If the offsite mitigation is proposed to be owned and/or managed by DPR, the RMP shall also be approved by the Director of DPR.
3. An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of PDS. The land shall be protected in perpetuity.
4. The final RMP cannot be approved until the following has been completed to the satisfaction of the Director of PDS: The land shall be purchased, the easements shall be dedicated, a Resource Manager shall be selected, and the RMP funding mechanism shall be in place.
5. In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource management to take fee title and manage the mitigation land Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

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

BIO#5–OFFSITE MITIGATION – EXTENSIVE AGRICULTURE

INTENT: In order to mitigate at a 0.5:1 ratio for the impacts to extensive agriculture, which is a sensitive biological resource pursuant to CEQA, offsite mitigation shall be acquired. **DESCRIPTION OF REQUIREMENT:** The applicant shall purchase habitat credit, or provide for the conservation of 10.3 acres of extensive agriculture, non-native grassland or like-functioning habitat, located within the NCMSCP PAMA boundaries, an approved mitigation bank such as Brook Forest Conservation Bank, or other location deemed acceptable by the County and Wildlife Agencies as indicated below. The

mitigation location shall demonstrate conformance with the EFHGCP to the satisfaction of the Director of PDS.

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

   1. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.

   2. If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.

   3. To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.

   4. An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.

b. **Option 2:** If habitat credit cannot be purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land and location described above, as indicated below:

   1. The type of habitat and the location of the proposed mitigation, should be pre-approved by *[PDS, PCC]* before purchase or entering into any agreement for purchase.

   2. A Resource Management Plan (RMP) shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Content Requirements to the satisfaction of the Director of PDS. If the offsite mitigation is proposed to be owned and/or managed by DPR, the RMP shall also be approved by the Director of DPR.

   3. An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of PDS. The land shall be protected in perpetuity.

   4. The final RMP cannot be approved until the following has been completed to the satisfaction of the Director of PDS: The land shall be purchased, the easements shall be dedicated, a Resource Manager shall be selected, and the RMP funding mechanism shall be in place.

   5. In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource management to take fee title and manage the mitigation land Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

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

BIO#6–OFFSITE MITIGATION – SOUTHERN RIPARIAN FOREST

INTENT: In order to mitigate at a 3:1 ratio for the impacts to southern riparian forest, which is a sensitive biological resource pursuant to CEQA and the RPO, offsite mitigation shall be acquired. **DESCRIPTION OF REQUIREMENT:** The applicant shall purchase habitat credit, or provide for the creation/restoration/enhancement of 0.51 acre of wetland, including at least 0.17 of creation, located at the San Luis Rey Mitigation Bank, or other location deemed acceptable by the County and Wildlife Agencies as indicated below.

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

   1. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.

   2. If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.

   3. To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.

   4. An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.

b. **Option 2:** If habitat credit cannot be purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land and location described above, as indicated below:

   1. The type of habitat and the location of the proposed mitigation, should be pre-approved by *[PDS, PCC]* before purchase or entering into any agreement for purchase.

2. A Resource Management Plan (RMP) shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Content Requirements to the satisfaction of the Director of PDS. If the offsite mitigation is proposed to be owned and/or managed by DPR, the RMP shall also be approved by the Director of DPR.

3. An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of PDS. The land shall be protected in perpetuity.

4. The final RMP cannot be approved until the following has been completed to the satisfaction of the Director of PDS: The land shall be purchased, the easements shall be dedicated, a Resource Manager shall be selected, and the RMP funding mechanism shall be in place.

5. In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource management to take fee title and manage the mitigation land Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

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

BIO#7–OFFSITE MITIGATION – SOUTHERN WILLOW SCRUB

INTENT: In order to mitigate at a 3:1 ratio for the impacts to southern willow scrub, which is a sensitive biological resource pursuant to CEQA and the RPO, offsite mitigation shall be acquired. **DESCRIPTION OF REQUIREMENT:** The applicant shall purchase habitat credit, or provide for the creation/restoration/enhancement of 0.12 acre of wetland, including at least 0.04 of creation, located at the San Luis Rey Mitigation Bank, or other location deemed acceptable by the County and Wildlife Agencies as indicated below.

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

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

b. **Option 2:** If habitat credit cannot be purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land and location described above, as indicated below:

1. The type of habitat and the location of the proposed mitigation, should be pre-approved by *[PDS, PCC]* before purchase or entering into any agreement for purchase.
2. A Resource Management Plan (RMP) shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Content Requirements to the satisfaction of the Director of PDS. If the offsite mitigation is proposed to be owned and/or managed by DPR, the RMP shall also be approved by the Director of DPR.
3. An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of PDS. The land shall be protected in perpetuity.
4. The final RMP cannot be approved until the following has been completed to the satisfaction of the Director of PDS: The land shall be purchased, the easements shall be dedicated, a Resource Manager shall be selected, and the RMP funding mechanism shall be in place.
5. In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource management to take fee title and manage the mitigation land Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

DOCUMENTATION: The applicant shall purchase the offsite mitigation credits and provide the evidence to the *[PDS, PCC]* for review and approval. If the offsite mitigation is proposed to be owned or managed by DPR, the applicant must provide evidence to the *[PDS PCC]* that *[DPR, GPM]* agrees to this proposal. It is recommended that the applicant submit the mitigation proposal to the *[PDS, PCC],* for a pre-approval. If an RMP is submitted in-lieu of purchasing credits (option 1), then the RMP shall be prepared and an application for the RMP shall be submitted to the *[PDS, ZONING].*
TIMING: Prior to the approval of the first Final Map and prior to the approval of any

plan and issuance of any permit, the mitigation shall be completed. **MONITORING: T**he *[PDS, PCC]* shall review the mitigation purchase for compliance with this condition. Upon request from the applicant *[PDS, PCC]* can preapprove the location and type of mitigation only. The credits shall be purchased before the requirement can be completed. If the applicant chooses option #2, then the *[PDS, ZONING]* shall accept an application for an RMP, and *[PDS, PPD]* shall review the RMP submittal for compliance with this condition and the RMP Guidelines.

BIO#8–OFFSITE MITIGATION – MULE FAT SCRUB

INTENT: In order to mitigate at a 3:1 ratio for the impacts to mule fat scrub, which is a sensitive biological resource pursuant to CEQA and the RPO, offsite mitigation shall be acquired. **DESCRIPTION OF REQUIREMENT:** The applicant shall purchase habitat credit, or provide for the creation/restoration/enhancement of 0.03 acre of wetland, including at least 0.01 of creation, located at the San Luis Rey Mitigation Bank, or other location deemed acceptable by the County and Wildlife Agencies as indicated below.

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

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

b. **Option 2:** If habitat credit cannot be purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land and location described above, as indicated below:

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

4. The final RMP cannot be approved until the following has been completed to the satisfaction of the Director of PDS: The land shall be purchased, the easements shall be dedicated, a Resource Manager shall be selected, and the RMP funding mechanism shall be in place.

5. In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource management to take fee title and manage the mitigation land Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

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

BIO#9–OFFSITE MITIGATION – HERBACEOUS WETLAND

INTENT: In order to mitigate at a 3:1 ratio for the impacts to herbaceous wetland, which is a sensitive biological resource pursuant to CEQA and the RPO, offsite mitigation shall be acquired. **DESCRIPTION OF REQUIREMENT:** The applicant shall purchase habitat credit, or provide for the creation/restoration/enhancement of 0.06 acre of wetland, including at least 0.02 of creation, located at the San Luis Rey Mitigation Bank, or other location deemed acceptable by the County and Wildlife Agencies as indicated below.

a. **Option 1:** If purchasing <u>Mitigation Credit</u> the mitigation bank shall be approved by the California Department of Fish & Game. The following evidence of purchase shall include the following information to be provided by the mitigation bank:

   1. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.

   2. If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.

3. To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.

4. An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.

b. **Option 2:** If habitat credit cannot be purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land and location described above, as indicated below:

1. The type of habitat and the location of the proposed mitigation, should be pre-approved by *[PDS, PCC]* before purchase or entering into any agreement for purchase.

2. A Resource Management Plan (RMP) shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Content Requirements to the satisfaction of the Director of PDS. If the offsite mitigation is proposed to be owned and/or managed by DPR, the RMP shall also be approved by the Director of DPR.

3. An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of PDS. The land shall be protected in perpetuity.

4. The final RMP cannot be approved until the following has been completed to the satisfaction of the Director of PDS: The land shall be purchased, the easements shall be dedicated, a Resource Manager shall be selected, and the RMP funding mechanism shall be in place.

5. In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource management to take fee title and manage the mitigation land Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

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

application for an RMP, and *[PDS, PPD]* shall review the RMP submittal for compliance with this condition and the RMP Guidelines.

BIO#10–OFFSITE MITIGATION – DISTURBED WETLAND
INTENT: In order to mitigate at a 3:1 ratio for the impacts to disturbed wetland, which is a sensitive biological resource pursuant to CEQA and the RPO, offsite mitigation shall be acquired. **DESCRIPTION OF REQUIREMENT:** The applicant shall purchase habitat credit, or provide for the creation/restoration/enhancement of 0.24 acre of wetland, including at least 0.08 acre of creation, located at the San Luis Rey Mitigation Bank, or other location deemed acceptable by the County and Wildlife Agencies as indicated below.

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

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

b. **Option 2:** If habitat credit cannot be purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land and location described above, as indicated below:

   1. The type of habitat and the location of the proposed mitigation, should be pre-approved by *[PDS, PCC]* before purchase or entering into any agreement for purchase.
   2. A Resource Management Plan (RMP) shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Content Requirements to the satisfaction of the Director of PDS. If the offsite mitigation is proposed to be owned and/or managed by DPR, the RMP shall also be approved by the Director of DPR.
   3. An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of PDS. The land shall be protected in perpetuity.
   4. The final RMP cannot be approved until the following has been completed to the satisfaction of the Director of PDS: The land shall be purchased, the easements shall be dedicated, a Resource Manager shall be selected, and the RMP funding mechanism shall be in place.

5. In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource management to take fee title and manage the mitigation land Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

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

BIO#11–OFFSITE MITIGATION – COAST LIVE OAK WOODLAND AND BUFFER
INTENT: In order to mitigate for the impacts to coast live oak woodland and oak root buffer, which is a sensitive biological resource pursuant to CEQA, offsite mitigation shall be acquired. **DESCRIPTION OF REQUIREMENT:** The mitigation ratio is 2:1 for oak woodland within the oak tree protection easement (2.4 acres) and 3:1 for other oak woodland (4.3) and root impacts (0.9). The applicant shall purchase habitat credit, or provide for the conservation of 20.4 acres of oak woodland or oak riparian forest, located within the NCMSCP PAMA boundaries, an approved mitigation bank such as Brook Forest Conservation Bank, or other location deemed acceptable by the County and Wildlife Agencies as indicated below. The 9.8 acres of mitigation for oak woodland within the EFHGCP shall demonstrate conformance with the EFHGCP to the satisfaction of the Director of PDS.

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

   1. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.

   2. If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.

   3. To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.

4. An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.

b. **Option 2:** If habitat credit cannot be purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land and location described above, as indicated below:

1. The type of habitat and the location of the proposed mitigation, should be pre-approved by *[PDS, PCC]* before purchase or entering into any agreement for purchase.

2. A Resource Management Plan (RMP) shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Content Requirements to the satisfaction of the Director of PDS. If the offsite mitigation is proposed to be owned and/or managed by DPR, the RMP shall also be approved by the Director of DPR.

3. An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of PDS. The land shall be protected in perpetuity.

4. The final RMP cannot be approved until the following has been completed to the satisfaction of the Director of PDS: The land shall be purchased, the easements shall be dedicated, a Resource Manager shall be selected, and the RMP funding mechanism shall be in place.

5. In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource management to take fee title and manage the mitigation land Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

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

BIO#12–OFFSITE MITIGATION – DIEGAN COASTAL SAGE SCRUB

INTENT: In order to mitigate at a 2:1 ratio for impacts to Diegan CSS, which is a sensitive biological resource pursuant to CEQA, offsite mitigation shall be acquired. **DESCRIPTION OF REQUIREMENT:** The applicant shall purchase habitat credit, or provide for the conservation of 3.6 acres of CSS, located within the NCMSCP PAMA boundaries, an approved mitigation bank such as Brook Forest Conservation Bank, or other location deemed acceptable by the County and Wildlife Agencies as indicated below. The 0.2 acre of mitigation for CSS within the EFHGCP shall demonstrate conformance with the EFHGCP to the satisfaction of the Director of PDS.

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

   1. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.

   2. If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.

   3. To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.

   4. An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.

b. **Option 2:** If habitat credit cannot be purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land and location described above, as indicated below:

   1. The type of habitat and the location of the proposed mitigation, should be pre-approved by *[PDS, PCC]* before purchase or entering into any agreement for purchase.

   2. A Resource Management Plan (RMP) shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Content Requirements to the satisfaction of the Director of PDS. If the offsite mitigation is proposed to be owned and/or managed by DPR, the RMP shall also be approved by the Director of DPR.

   3. An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of PDS. The land shall be protected in perpetuity.

   4. The final RMP cannot be approved until the following has been completed to the satisfaction of the Director of PDS: The land shall be purchased, the easements shall be dedicated, a Resource Manager shall be selected, and the RMP funding mechanism shall be in place.

   5. In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource management to take fee title and manage the mitigation land Evidence of satisfaction must include a copy of the contract with the

agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

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

BIO#13–OFFSITE MITIGATION – GRANITIC SOUTHERN MIXED CHAPARRAL
INTENT: In order to mitigate at a 0.5:1 ratio for impacts to granitic southern mixed chaparral, which is a sensitive biological resource pursuant to CEQA, offsite mitigation shall be acquired. **DESCRIPTION OF REQUIREMENT:** The applicant shall purchase habitat credit, or provide for the conservation of 1.6 acres of chaparral, located within the NCMSCP PAMA boundaries, an approved mitigation bank such as Brook Forest Conservation Bank, or other location deemed acceptable by the County and Wildlife Agencies as indicated below.

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

   1. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.

   2. If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.

   3. To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.

   4. An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.

b. **Option 2:** If habitat credit cannot be purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land and location described above, as indicated below:

1. The type of habitat and the location of the proposed mitigation, should be pre-approved by *[PDS, PCC]* before purchase or entering into any agreement for purchase.
2. A Resource Management Plan (RMP) shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Content Requirements to the satisfaction of the Director of PDS. If the offsite mitigation is proposed to be owned and/or managed by DPR, the RMP shall also be approved by the Director of DPR.
3. An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of PDS. The land shall be protected in perpetuity.
4. The final RMP cannot be approved until the following has been completed to the satisfaction of the Director of PDS: The land shall be purchased, the easements shall be dedicated, a Resource Manager shall be selected, and the RMP funding mechanism shall be in place.
5. In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource management to take fee title and manage the mitigation land Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

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

BIO#14–WETLAND PERMITS - USACE

INTENT: In order to comply with Federal Regulations for USACE jurisdictional areas, the following agency permits, or verification that they are not required shall be obtained. **DESCRIPTION OF REQUIREMENT:** Impacts to 0.02 acre of USACE herbaceous wetland will be mitigated at a 3:1 ratio as described in condition BIO#9. Impacts to 0.19 acre of non-wetland WUS will be mitigated by purchase of 0.19 credits at the San Luis Rey Mitigation Bank, or other location deemed acceptable by the County and Regulatory Agencies. All mitigation for WUS would occur in consultation with the USACE. 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.

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

BIO#15–WETLAND PERMITS - CDFW

INTENT: In order to comply with the State Regulations for CDFW jurisdictional areas, the following agency permits, or verification that they are not required shall be obtained. **DESCRIPTION OF REQUIREMENT:** Impacts to 0.66 acre of vegetated CDFW jurisdictional areas will be mitigated by the implementation of conditions BIO#6 (southern riparian forest), BIO#7 (southern willow scrub), BIO#8 (mule fat scrub), BIO#9 (herbaceous wetland), BIO#10 (disturbed wetland), and BIO#11 (coast live oak woodland). Impacts to 0.26 acre of CDFW streambed will be mitigated by the implementation of BIO#14, plus purchase of an additional 0.07 acre of credit at the San Luis Rey Mitigation Bank, or other location deemed acceptable by the County and Regulatory Agencies. All mitigation for CDFW jurisdictional areas would occur in consultation with the CDFW. 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 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 first Final Map and prior to the approval of any plan and issuance of any permit, the permits shall be obtained. **MONITORING:** The *[PDS, PCC]* shall review the permits/agreement for compliance with this condition. Copies of these permits should be transmitted to the *[DPW, ESU]*, for implementation on the grading plans

BIO#16–OPEN SPACE SIGNAGE

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 figures 16a and 16b of the approved Biological Technical Report. 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: PDS2013-SP-13-001

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

BIO#17–OPEN SPACE FENCING
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 figures 16a and 16b of the approved Biological Technical Report. The fencing/walls design shall consist of 3-strand wire. **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 first Final Map and prior to the approval of any plan and issuance of any permit, the fencing or walls shall be placed. **MONITORING:** The *[PDS, PCC]* shall review the photos and statement for compliance with this condition.

BIO#18–BIOLOGICAL MONITORING
INTENT: In order to prevent inadvertent disturbance to sensitive habitat within open space, all grading located within 100 feet of biological open space easements shall be monitored by a biologist. **DESCRIPTION OF REQUIREMENT:** A County approved biologist shall be contracted to perform biological monitoring during all grading, clearing, grubbing, trenching, and construction activities within 100 feet of biological open space easements. The following shall be completed:

a. The Biologist shall perform the monitoring duties before, during and after construction pursuant to the most current version of the County of San Diego Biological Report Format and Requirement Guidelines and this permit. The contract provided to the county shall include an agreement that this will be completed, and a Memorandum of Understanding (MOU) between the biological consulting company and the County of San Diego shall be executed. The contract shall include a cost estimate for the monitoring work and reporting.

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

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

B. Prior to approval of the any final map, the following conditions shall be placed on the face of all future grading permits or improvement plans:

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

BIO#GP1–BIOLOGICAL MONITORING
INTENT: In order to prevent inadvertent disturbance to sensitive habitat within open space, all grading located within 100 feet of biological open space easements shall be monitored by a biological monitor. **DESCRIPTION OF REQUIREMENT:** A County approved biologist shall perform biological monitoring during all grading, clearing, grubbing, trenching, and construction activities within 100 feet of biological open space easements. The Project Biologist shall also perform the following duties before construction to comply with the conditions of this Grading Plan and the Vesting Tentative Map:

1. Supervise and verify placement of temporary fencing of open space easements. The placement of such fencing shall be approved by the *[PDS, PCC].*
2. The Biologist shall attend the preconstruction meetings and other meetings to discuss construction requirements. Such meeting shall include the *[PDS, PCC].*

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

BIO#GP2–TEMPORARY FENCING
INTENT: In order to prevent inadvertent disturbance to biological open space easements, 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, if permanent open space fencing is not yet in place, temporary orange construction fencing shall be placed to protect from inadvertent disturbance of all open space easements that do not allow grading, brushing or clearing. The placement of such fencing shall be approved by the PDS, Permit Compliance Section. Upon approval, the fencing shall remain in place until the conclusion of grading activities after which the fencing shall be removed. **DOCUMENTATION:** The

applicant shall provide evidence that the fencing has been installed and have a California licensed surveyor certify that the fencing is located on the boundary of the open space easement(s). The applicant shall submit photos of the fencing along with the certification letter to the [*PDS, PCC*] for approval. **TIMING:** Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances the fencing shall be installed, and shall remain for the duration of the grading and clearing. **MONITORING:** The [*PDS, PCC*] shall either attend the preconstruction conference and approve the installation of the temporary fencing, or review the certification and pictures provided by the applicant."

BIO#GP3–BREEDING SEASON AVOIDANCE
INTENT: In order to avoid impacts to breeding migratory birds and raptors, which are a sensitive biological resource pursuant to CEQA, the MBTA and State Fish and Game Code, breeding season avoidance shall be implemented on all plans. **DESCRIPTION OF REQUIREMENT**: There shall be no brushing, clearing and/or grading such that none will be allowed during the general breeding season of migratory birds and raptors. The breeding season is defined as occurring between February 1 and September 1. The Director of PDS [PDS, PCC] may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Wildlife, provided that no nesting birds (or birds displaying breeding or nesting behavior) are present in the vicinity or within 300 feet of the brushing, clearing or grading based on the results of a pre-construction survey conducted by a County-approved biological consultant within 7 days prior to the start of clearing or grading. Concurrence may include additional conditions such as noise barriers at the discretion of the County and Wildlife Agencies. **DOCUMENTATION:** The applicant shall provide a letter of agreement with this condition; alternatively, the applicant may submit a written request for waiver of this condition. No Grading shall occur until concurrence is received from the County and the Wildlife Agencies. **TIMING:** Prior to preconstruction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout the duration of the grading and construction, compliance with this condition is mandatory unless the requirement is waived by the County upon receipt of concurrence from the Wildlife Agencies. **MONITORING:** The [*DPW, PDCI*] shall not allow any grading during the specified dates, unless concurrence from the [PDS, PCC] is received. The [PDS, PCC] shall review the concurrence letter."

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

BIO#GP4–BIOLOGICAL MONITORING
INTENT: In order to prevent inadvertent disturbance to wetlands and wetland buffers, all grading located within 100 feet of biological open space easements shall be monitored by a biological monitor. **DESCRIPTION OF REQUIREMENT:** A County approved biologist shall perform biological monitoring <u>during all</u> grading, clearing, grubbing, trenching, and construction activities within 100 feet of biological open space easements. The Project Biologist shall supervise and monitor grading activities to ensure against damage to biological resources that are intended to be protected and preserved. If there are disturbances, the monitor must report them immediately to the [*PDS PCC*]. Additionally, the biologist shall perform the following duties:

1. Perform weekly inspection of fencing and erosion control measures (daily during rain events) near proposed preservation areas and report deficiencies immediately to the DPW Construction Inspector;
2. Perform periodically monitor the work area for excessive dust generation in compliance with the County grading ordinance and report deficiencies immediately to the DPW Construction Inspector;
3. Conduct training for contractors and construction personnel, including the purpose for resource protection and the conservation measures that should be implemented during project construction;
4. Monitor construction lighting periodically to ensure lighting is the lowest illumination possible allowed for safety, selectively placed, shielded, and directed away from preserved habitat;
5. Monitor equipment maintenance, staging, and fuel dispensing areas to ensure there is no runoff to Waters of the US;
6. Stop or divert all work when deficiencies require mediation and notify DPW Construction Inspector and [*PDS PCC*] within 24 hours;
7. Produce periodic (monthly during grading) and final reports and submit to the Wildlife Agencies and the PDS (final report will release bond);
8. Confer with the Wildlife Agencies and [*PDS PCC*] within 24 hours any time protected habitat are being affected by construction;
9. Attend construction meetings and other meetings as necessary.

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

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

BIO#GP5–BIOLOGICAL MONITORING

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

a. Photos of the temporary fencing that was installed during the trenching, grading, or clearing activities.

b. Monitoring logs showing the date and time that the monitor was on site.

c. Photos of the site after the grading and clearing activities.

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

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

BIO#GP6–OPEN SPACE SIGNAGE & FENCING

INTENT: In order to comply with Conditions BIO#16 and BIO#17 pursuant to the adopted Mitigation Monitoring and Reporting Program (MMRP) for PDS2013-TM-5575, the fencing and signage shall be installed. **DESCRIPTION OF REQUIREMENT:** The permanent fences or walls, and open space signs shall be placed along the open space boundary as shown on approved Conceptual Grading and Development Plan for PDS2013-TM-5575.

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 and remain in good condition at the conclusion of grading.

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: PDS2013-TM-5575

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

BIO#GP7–EASEMENT AVOIDANCE

INTENT: In order to protect sensitive resources, pursuant to County Grading Ordinance Section 87.112 the open space easements shall be avoided. **DESCRIPTION OF REQUIREMENT:** The easement indicated on this plan is for the protection of sensitive environmental resources including wetlands and wetland buffers 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 exceptions 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.
2. 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.
4. Removal of invasive plants by the HOA as necessary under the supervision of a qualified biologist from the County's approved consultant list.
5. Trash removal and maintenance of open space fencing and signs by the HOA on at least a quarterly basis.

DOCUMENTATION: The applicant shall provide a letter statement to the [*PDS, PCC*] 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."

ENVIRONMENTAL FINDINGS:

A. CEQA Findings

1. TO BE PROVIDED

B. FINDINGS MADE IN SUPPORT OF THE ISSUANCE OF THE HABITAT LOSS PERMIT:

The following findings are made based upon all of the documents contained in the record for this project, and pursuant to Section 86.104 of County of San Diego Ordinance No. 8365 (N.S.) and Section 4.2.g of the CSS NCCP Process Guidelines (CDFW, November 1993):

Finding 1.a: The habitat loss does not exceed the five percent guideline.

The proposed project will impact 1.8 acres of CSS and zero pairs of California gnatcatcher (*Polioptia californica*). Approved CSS losses as of the date of February 6,

2013 and including this approval, for the entire unincorporated County, outside the boundaries of the Multiple Species Conservation Program (MSCP), are presented in the following table:

Unincorporated Area CSS Cumulative Losses

Total loss allowed under five percent guideline:	2953.30 acres
Cumulative loss of CSS to date:	1187.52 acres
Net loss due to this project:	1.8 acres
Total cumulative loss:	1189.32 acres
Remaining loss under five percent guideline:	1763.98 acres

Finding 1.b: The habitat loss will not preclude connectivity between areas of high habitat values.

The Project site is situated at the western edge of existing development with limited opportunity for wildlife movement to the east and north of the Project site. The construction of the Harmony Grove Village development further limits wildlife connectivity to the south of the Project site. Thus, the only area of substantial connectivity allowing local wildlife movement to off-site habitat is to the west of the site, where the project abuts large residential lots with slopes supporting southern mixed chaparral. The Project would conserve 48.6 acres of land in the northern portion of the site as a combination of biological and agricultural open space easements, thus continuing to allow for wildlife to access the Project site from the west. However, there is no existing regional corridor that continues across the site from the west to off-site preserved habitat because of existing urban and residential development to the north, east, and south of the Project site. The site is not adjacent to areas of high-value CSS, will not interfere with a regional wildlife corridor or linkage, and is not identified as potential future PAMA in the draft NCMSCP. Therefore, the project will not preclude connectivity between areas of high habitat values.

Finding 1.c: The habitat loss will not preclude or prevent the preparation of the subregional NCCP.

The site is substantially surrounded by residential development and the majority of the site has been impacted by past or current agricultural production. The most sensitive habitats on-site are the wetland areas, which will be preserved in compliance with the Resource Protection Ordinance. The area of CSS on-site is small, less than two areas, and represents about one percent of the project site. In addition, although the full 1.8 acres is considered impacted based on consultation with the Wildlife Agencies, only 1.0 acre would be directly impacted, while 0.7 acre would be preserved in a biological open space easement. The impact site is not identified as potential future PAMA in the draft NCMSCP. Conserved lands associated with Mt. Whitney/Double Peak are located approximately one mile to the west and portions of the Escondido Creek Resource Conservation Area are further to the southwest. The viability of these off-site conserved lands as habitat and movement corridors for wildlife would not be affected by the Project as they are part of larger, connected open space areas that do not extend across the Project site. Therefore, the project will not preclude or prevent the preparation of the subregional NCCP.

Finding 1.d: The habitat loss has been minimized and mitigated to the maximum extent practicable in accordance with Section 4.3 of the NCCP Process Guidelines.

As stated above, 0.7 acre of on-site CSS will be protected as part of a wetland buffer within a dedicated biological open space easement protected by fencing, signage, and a Limited Building Zone; nevertheless, the full 1.8 acres within the project will be mitigated off-site at a 2:1 ratio in an area with superior habitat connectivity and long-term viability, to the satisfaction of PDS and the Wildlife Agencies. Therefore, the habitat loss has been minimized and mitigated to the maximum extent practicable.

Finding 2 The habitat loss will not appreciably reduce the likelihood of survival and recovery of listed species in the wild.

The Project site is used by a variety of wildlife species but does not support core or critical populations of any special status species, nor have any listed species or narrow endemic plant or animal species been observed on site. The Project site contains non-continuous riparian areas interspersed primarily with orchard and non-native grassland and does not provide core wildlife habitat or linkage areas. The wetlands and wetland buffers are preserved, providing habitat for yellow warbler, Cooper's hawk, and red-shouldered hawk. The minor wetland impacts would be mitigated within the same watershed as feasible through agency permits. Habitat impacts would be mitigated off-site in the North County MSCP subarea at the standard ratios, with the exception of non-native grassland, which will be mitigated at an enhanced ratio of 1:1 to provide mitigation for special status species that use the on-site grasslands (grasshopper sparrow, northern harrier, prairie falcon, western bluebird, white-tailed kite, turkey vulture, and southern mule deer). Therefore, the habitat loss will not appreciably reduce the likelihood of survival and recovery of listed species in the wild.

Finding 3: The habitat loss is incidental to otherwise lawful activities.

The project will require grading plans and improvement plans from the County, as well as 401, 404, and 1600 permits for impacts to USACE and CDFW jurisdictional areas. The issuance of a Habitat Loss Permit by the County of San Diego, with the concurrence of the Department of Fish and Wildlife and U.S. Fish and Wildlife Service and approval by the County of San Diego of a Grading Permit, Clearing Permit, or Improvement Plan is required prior to the clearing of any CSS supported on the project site. No state or federal permits other than those mentioned above are identified as being required at this time. Construction and/or land use modification will not commence until all appropriate permits have been issued. The project has been found to be in conformance with Section 86.104 of the San Diego County Code. As such, the anticipated loss will be incidental to "otherwise lawful activities".

NCCP FLOWCHART

1. Is natural vegetation present? **Yes.**
2. Is Coastal sage scrub present? **Yes.**
3. Is Coastal sage scrub the most dense in the subregion? **No.**

4. Is the land close to high value district. **No.**
5. Is the land located in a corridor between higher value districts. **No.**
6. Does the land support high density of target species? **The site does not support gnatcatchers, but does support ten sensitive wildlife species: grasshopper sparrow, northern harrier, prairie falcon, western bluebird, white-tailed kite, turkey vulture, Cooper's hawk, yellow warbler, red-shouldered hawk, and southern mule deer.**

Based on the NCCP Logic Flow Chart, the quality of habitat supported on the Valiano project is defined as being "Intermediate Value."

MITIGATION MONITORING AND REPORTING PROGRAM:

The following shall be the Mitigation Monitoring or Reporting Program for this Habitat Loss Permit:

Public Resources Code Section 21081.6 requires the County to adopt a mitigation reporting or monitoring program for any project that is approved on the basis of a mitigated Negative Declaration or an Environmental Impact Report for which findings are required under Section 21081(a)(1). The program must be adopted for the changes to a project which the County has adopted, or made a condition of project approval, in order to mitigate or avoid significant effects on the environment. The program must be designed to ensure compliance during project implementation.

The mitigation monitoring program is comprised of all the environmental mitigation measures adopted for the project. The full requirements of the program (such as what is being monitored, method and frequency, who is responsible, and required time frames) are found within the individual project conditions. These conditions are referenced below by category under the mechanism which will be used to ensure compliance during project implementation.

- Subsequent Project Permits

  Compliance with the following conditions is assured because specified subsequent permits or approvals required for this project will not be approved until the conditions have been satisfied: **BIO#1 through BIO#18.**

- Ongoing Mitigation

  Compliance with the following conditions is assured because County staff will monitor the on-going requirements and, if necessary, pursue the remedies specified in the project permit, the security agreement, or the mitigation monitoring agreement: **BIO#GP1 through BIO#GP7.**

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.

DEFENSE OF LAWSUITS AND INDEMNITY: The applicant shall: (1) defend, indemnify and hold harmless the County, its agents, officers and employees from any claim, action or proceeding against the County, its agents, officers and employees to attack, set aside, void or annul this approval or any of the proceedings, acts or determinations taken, done or made prior to this approval; and (2) reimburse the County, its agents, officers or employees for any court costs and attorney's fees which the County, its agents, officers or employees may be required by a court to pay as a result of such approval. At its sole discretion, the County may participate at its own expense in the defense of any such action, but such participation shall not relieve the applicant of any obligation imposed by this condition. The County shall notify the applicant promptly of any claim or action and cooperate fully in the defense.

JUDICIAL REVIEW TIME LIMITATIONS: The time within which judicial review of this decision must be sought is governed by Code of Civil Procedure Section 1094.6, which has been made applicable in the County of San Diego by San Diego County Code Section 11.120. Any petition or other paper seeking judicial review must be filed in the appropriate court not later than the 90th day following the date on which this decision becomes final; however, if within 10 days after the decision becomes final a request for the record of the proceedings is filed and the required deposit in an amount sufficient to cover the estimated cost of preparation of such record is timely deposited, the time within which such petition may be filed in court is extended to not later than the 30th day following the date on which the record is either personally delivered or mailed to the party, or the party's attorney of record. A written request for the preparation of the record of the proceedings shall be filed with the Director, Planning & Development Services, 5510 Overland Avenue, Suite 110, San Diego, California 92123.

The foregoing decision was approved by the Director of Planning & Development Services on date of decision. A copy of this decision, and the documentation supporting the decision, is on file in the Planning & Development Services office at 5510 Overland Avenue, Suite 110, San Diego, California.

PLANNING & DEVELOPMENT SERVICES
MARK WARDLAW, DIRECTOR

BY:

SAMI REAL, Chief
Project Planning Division

Attachments

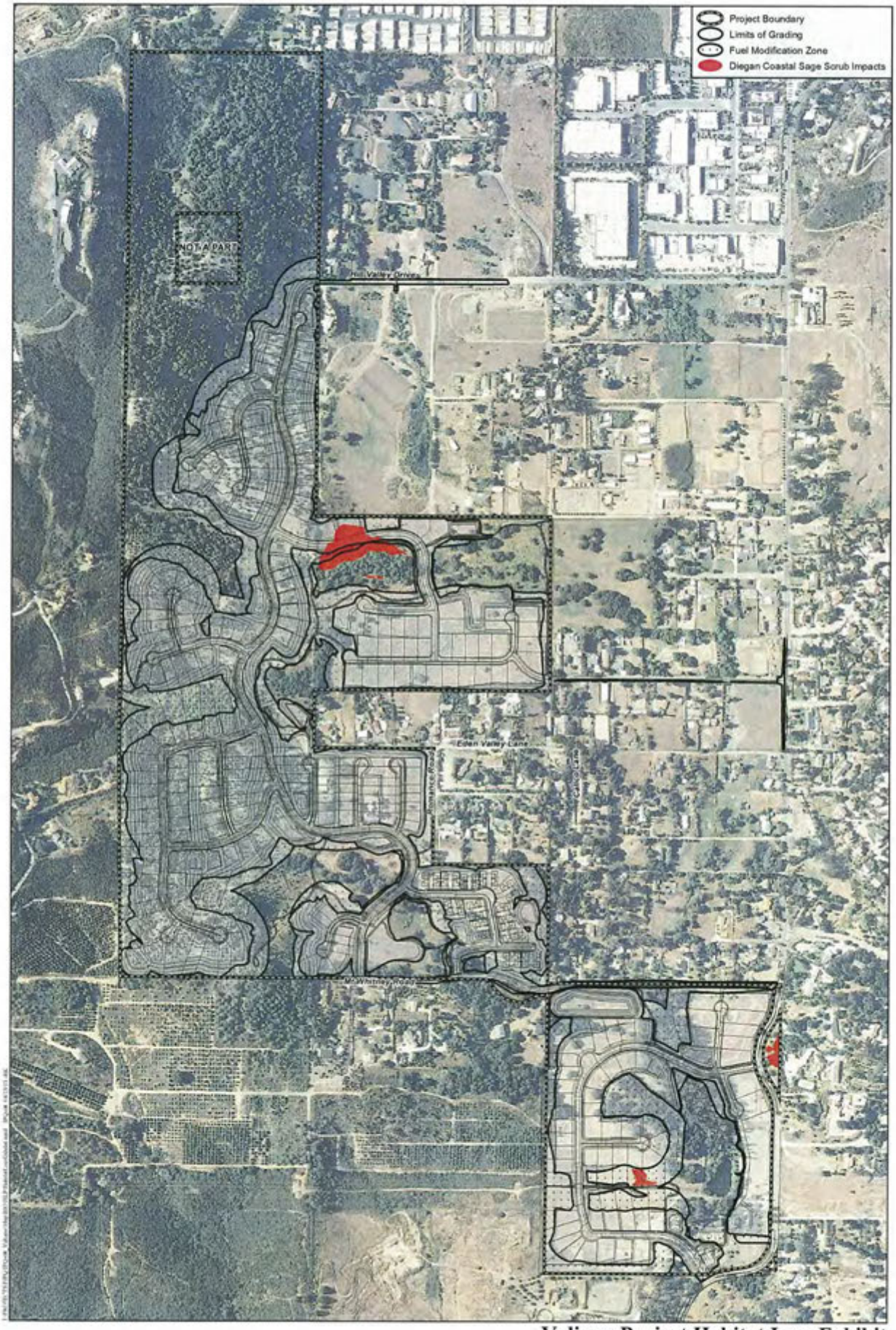
Habitat Loss Exhibit dated April 23, 2015
USGS Map
Biological Resource Report

cc: To be provided at issuance of Habitat Loss Permit

email cc:

Beth Ehsan, Project Manager, Project Planning, Planning & Development Services
Nick Ortiz, Team Leader, Land Development, Planning & Development Services
David Sibbet, Planning Manager, Project Planning, Planning & Development Services
San Dieguito Community Planning Group

Maggie Loy, HLP Coordinator, Project Planning, Planning & Development Services



Valiano Project Habitat Loss Exhibit

APRIL 23, 2015

HELIX Environmental Planning

0 500 Feet

Project No. PDS-2013-SP-13-001

Attachment B

Resolution Approving General Plan Amendment PDS2013-GPA-13-001

A RESOLUTION OF THE SAN DIEGO COUNTY)
BOARD OF SUPERVISORS ADOPTING)
GENERAL PLAN AMENDMENT (GPA) PDS2013-GPA-13-001)

WHEREAS, pursuant to Government Code Sections 65350 et seq, GPA PDS2013-GPA-13-001 has been prepared, being the first amendment to the Land Use Element Map of the San Dieguito Community Plan and second amendment to the Land Use Element of the County General Plan in the Calendar Year 2018; and

WHEREAS, GPA PDS2013-GPA-13-001 has been filed by the Valiano Project, consisting of an amendment to the Land Use Element, and the San Dieguito Community Plan; and

WHEREAS, pursuant to Government Code Sections 65860 et seq., an associated Zoning Reclassification (PDS2013-REZ-13-001) has been prepared together with a Specific Plan (PDS2013-SP-13-001), Tentative Map (PDS2013-TM-5575), Site Plan (PDS2013-STP-13-003); and Major Use Permit (PDS2014-MUP-14-019), and

WHEREAS, on May 4, 2018, the Planning Commission, pursuant to Government Code Sections 65351 and 65353 held a duly advertised public hearing on GPA PDS2013-GPA-13-001; and

WHEREAS, the Planning Commission has made its detailed recommendations concerning the above item; and

WHEREAS, the Planning Commission reviewed and considered the information contained in the Environmental Impact Report (EIR) dated February 2018, on file with Planning & Development Services as Environmental Review Number (ER) PDS2013-ER-13-08-002 prior to making its recommendation to approve the project; and

WHEREAS, on _____, the Board of Supervisors, pursuant to Government Code Section 65355 held a duly advertised public hearing on GPA, PDS2013-GPA-13-001; and

WHEREAS, on _____, the Board of Supervisors has made findings pursuant to Attachment A, Environmental Findings, of the Board of Supervisors Planning Report for the project.

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors takes the following actions:

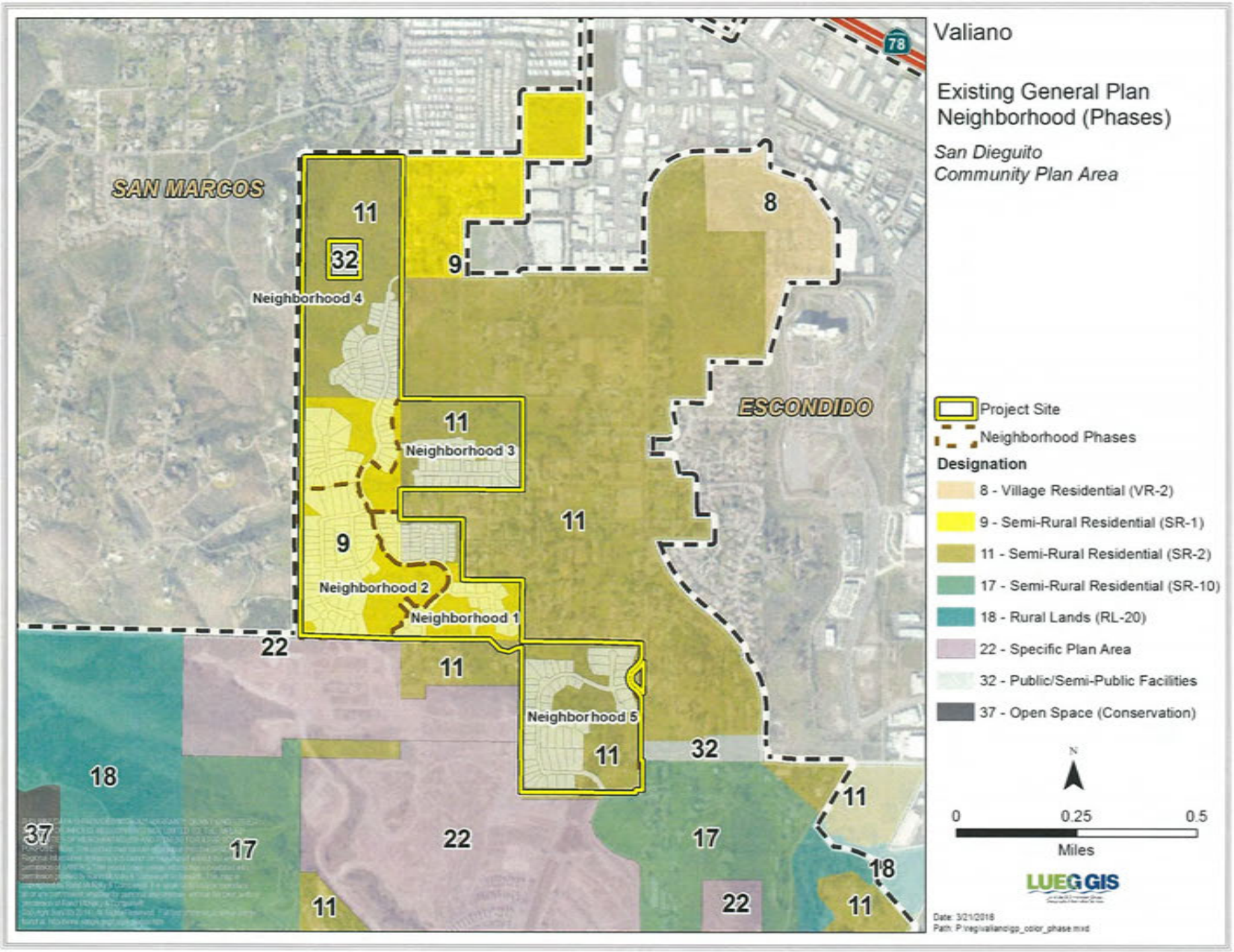
1. Approve GPA, PDS2013-GPA-13-001, which consists of amendments to the Land Use Element Map and the San Dieguito Community Plan, as identified in the exhibits below:

Exhibit A: Change to Land Use Element – Land Use Designations Map
Exhibit B: Change to San Dieguito Community Plan

BE IT FURTHER RESOLVED that the amended documents shall be endorsed in the manner provided by the Board of Supervisors.

BE IT FURTHER RESOLVED that the Board of Supervisors finds that the GPA PDS2013-GPA-13-001 is consistent with the San Diego County General Plan and the San Dieguito Community Plan in that the goals, objectives, and policies of all the elements of the plans have been or will be met.

BE IT FURTHER RESOLVED that this Resolution shall take effect and be in force from and after 30 days after its adoption.


Valiano
Existing General Plan
Neighborhood (Phases)
San Dieguito
Community Plan Area
SAN MARCOS
ESCONDIDO
78
Neighborhood 1
Neighborhood 2
Neighborhood 3
Neighborhood 4
Neighborhood 5
11
32
9
8
22
18
37
17
Project Site
Neighborhood Phases
Designation
8 - Village Residential (VR-2)
9 - Semi-Rural Residential (SR-1)
11 - Semi-Rural Residential (SR-2)
17 - Semi-Rural Residential (SR-10)
18 - Rural Lands (RL-20)
22 - Specific Plan Area
32 - Public/Semi-Public Facilities
37 - Open Space (Conservation)
N
0
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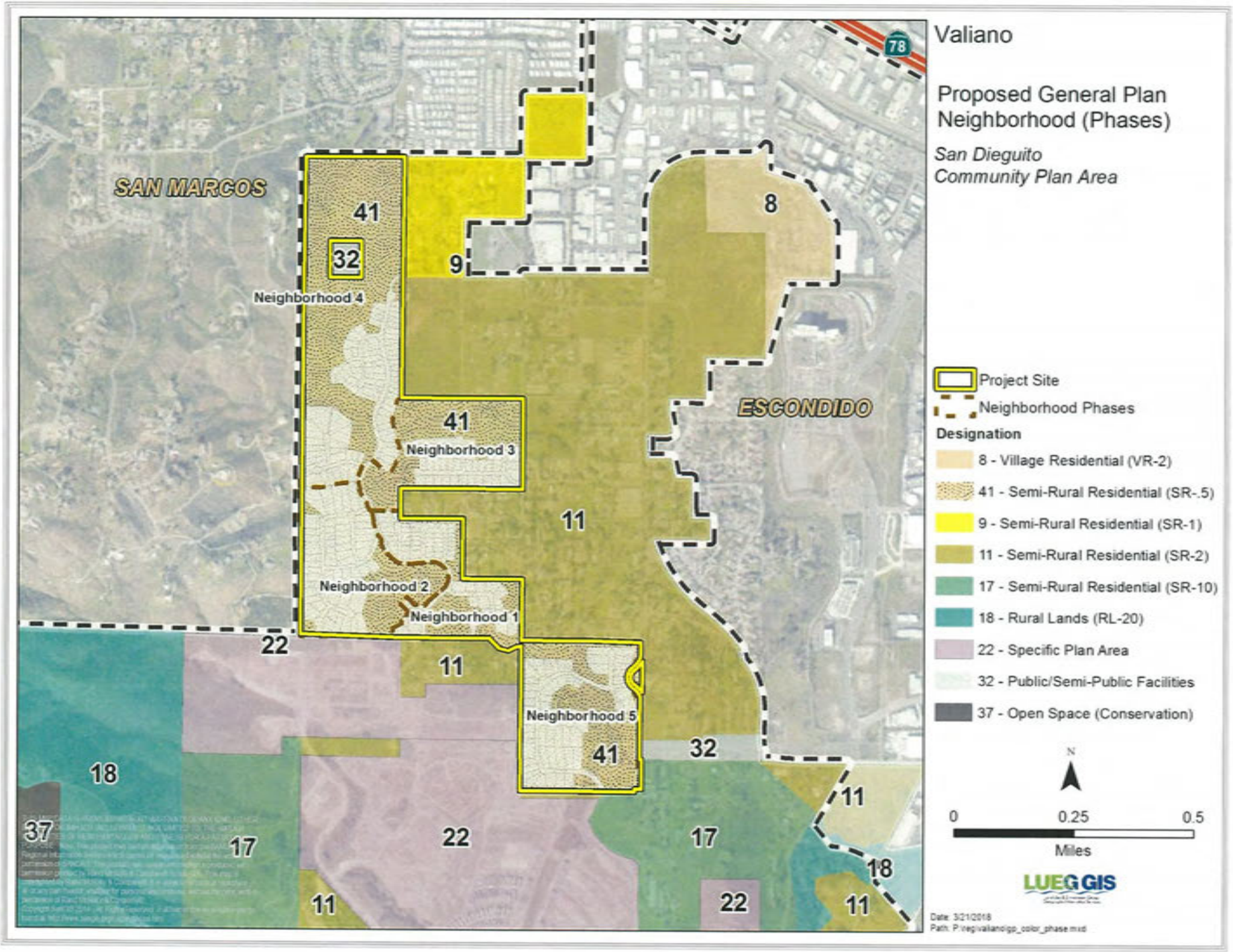
0.5
Miles
LUEG GIS
Date: 3/21/2018


Valiano
Proposed General Plan Neighborhood (Phases)
San Dieguito Community Plan Area
SAN MARCOS
ESCONDIDO
78
Neighborhood 1
Neighborhood 2
Neighborhood 3
Neighborhood 4
Neighborhood 5
41
32
9
8
11
22
18
17
37
Project Site
Neighborhood Phases
Designation
8 - Village Residential (VR-2)
41 - Semi-Rural Residential (SR-.5)
9 - Semi-Rural Residential (SR-1)
11 - Semi-Rural Residential (SR-2)
17 - Semi-Rural Residential (SR-10)
18 - Rural Lands (RL-20)
22 - Specific Plan Area
32 - Public/Semi-Public Facilities
37 - Open Space (Conservation)
N
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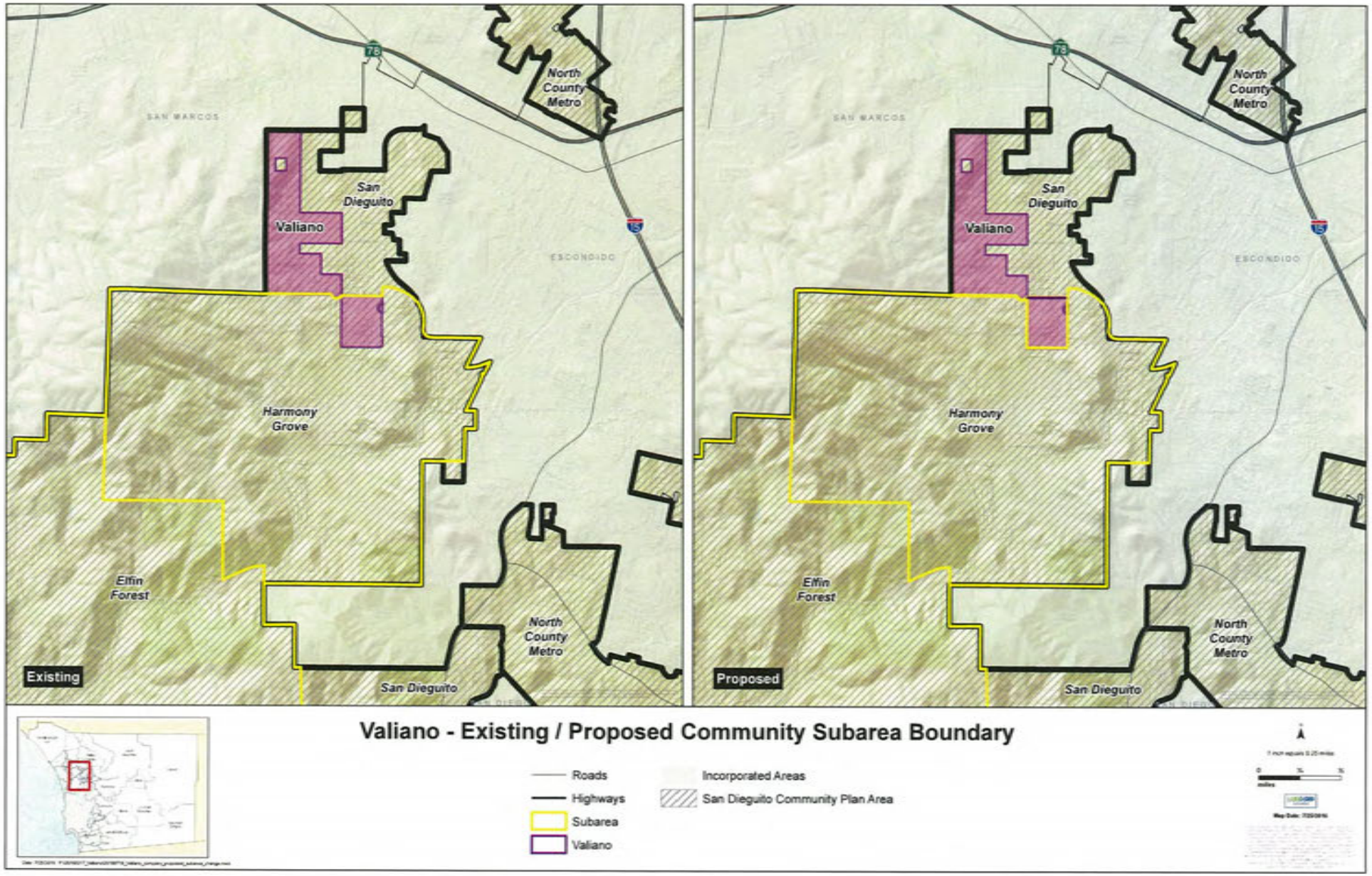
0.25
0.5
Miles
LUEG GIS


Existing
Proposed
North County Metro
San Dieguito
Valiano
Harmony Grove
Elfin Forest
SAN MARCOS
ESCONDIDO
Valiano - Existing / Proposed Community Subarea Boundary
Roads
Highways
Subarea
Valiano
Incorporated Areas
San Dieguito Community Plan Area

Attachment C

Resolution Approving Specific Plan PDS2013-SP-13-001

Hearing Date: _____

RESOLUTION OF THE SAN DIEGO COUNTY)
BOARD OF SUPERVISORS APPROVING)
SPECIFIC PLAN SP 13-001)
VALIANO SPECIFIC PLAN

ON MOTION of Supervisor _____, seconded by Supervisor _____, the following Resolution is adopted:

WHEREAS, The Valiano Specific Plan (hereinafter referred to as "applicant"), submitted a Specific Plan on February 28, 2013, pursuant to Section 65450 et seq. of the Government Code, for an area comprising a total of 238 acres located on Portions of Lots 1, 3 and 5 of Section 19, Township 12 South, Range 2 West, SBM together with Parcels 1, 2 and 3 of Parcel Map 3795, and a Portion of Lot 11 of Section 18, Township 12 South, Range 2 West, SBM in the County of San Diego, State of California; and

WHEREAS, said Specific Plan is based upon the San Dieguito Community Plan, which designates the site as General Plan Designation: Semi-Rural Residential (0.5, 1 or 2 dwelling units per acre), and provides for guidelines for developing the Specific Plan within the Community Plan texts; and

WHEREAS, the applicant has stated the intent to:

1. Prepare approximately 239 acres of land for 326 residential units.

2. Preserve 31.2 acres of biological open space and 35.4 acres of agricultural open space through dedications of easements to the County of San Diego.

3. Implement the development in five phases.

WHEREAS, implementation of said Specific Plan will occur in concurrent application(s) for PDS2013-GPA-13-001, PDS2013-REZ-13-001, PDS2013-TM-5575, PDS2014-MUP-14-019, PDS2013-STP-13-003; and

WHEREAS, pursuant to Section 65090, et seq. of the Government Code, the Planning Commission on May 4, 2018 conducted a duly advertised hearing on said Specific Plan and by a vote of _____ recommended that the Board of Supervisors approve the Valiano Specific Plan because it is consistent with the General Plan and the San Dieguito Comunity Plans; and

WHEREAS, Pursuant to Section 65355 of the Government Code, the Board of Supervisors on _____, conducted a duly advertised public hearing on said Specific Plan and considered the recommendations of the Planning Commission with respect thereto, and determined that the requirements hereinafter enumerated are necessary to ensure that said Specific Plan, and the implementation thereof, will conform to all ordinances, policies, rules, standards and improvement and design requirements of the County of San Diego; and

WHEREAS, on _____, the Board of Supervisors has made findings pursuant to Attachment A, Environmental Findings, of the Board of Supervisors Planning Report for the project; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors finds that the Valiano Specific Plan (PDS2013-SP-13-001) is consistent with the San Diego County General Plan and the San Dieguito Community Plan in that the goals, objectives, and policies of all the elements of the plans have been or will be met.

BE IT FURTHER RESOLVED that the Board of Supervisors hereby adopts the Valiano Specific Plan as PDS2013-SP-13-001, consisting of the text and map entitled PDS2013-TM-5575, and this Resolution.

BE IT FURTHER RESOLVED that the following conditions and requirements are imposed upon said Specific Plan (SP 13-001) and all development applications filed in order to implement said Specific Plan:

1. Unless specifically waived, the requirements of the San Diego County Subdivision Ordinance, The Zoning Ordinance, and the San Diego County Road Standards shall apply irrespective of what is stated in the applicant's Specific Plan text and none of the requirements included within this Resolution shall be deemed as exempting any permit filed pursuant to this Specific Plan from that review process and those conditions and requirements normally applied to such permit applications.

2. The applicant shall submit to Planning & Development Services within 30 days of the adoption of this Resolution revised copies of the Specific Plan text and map that include any additions, deletions, or modifications approved by this Resolution.

3. Specific mitigation measures and required conditions for development of the project are contained in the Resolution of Approval for Tentative Map, PDS2013-TM-5575; Major Use Permit, PDS2014-MUP-14-019; and Site Plan, PDS2013-STP-13-003.

BE IT FURTHER RESOLVED that all references within this Resolution to "applicant", "developer", or "subdivider" shall be equally applicable to the current property owner and to any successors-in-interest or assigns, whether such successors or assigns own, control, or otherwise have development authority for all, a portion, or portions of that property included within the Specific Plan.

BE IT FURTHER RESOLVED that the following evidence is incorporated herein by this reference and serves as further evidence to support the findings, requirements, and conclusions included herein: The maps, exhibits, written documents and materials contained in the files for the Valiano Specific Plan (SP 13-001), on record at the County of San Diego, the written documents referred to, and the oral presentation(s) made at the public hearing(s).

BE IT FURTHER RESOLVED that this Resolution shall take effect and be in force from and after 30 days after its adoption.

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

NOTICE: This subject property contains Coastal sage scrub plant community. Such plant community is habitat for the coastal California gnatcatcher. The Federal government recently listed the gnatcatcher as a threatened species under the Federal Endangered Species Act of 1973 (16 U.S.C. Section 1531 et seq.). THE LISTING MAY RESULT IN AN APPLICANT'S INABILITY TO PROCEED WITH HIS/HER PROJECT WITHOUT A PERMIT FROM THE FEDERAL GOVERNMENT IF THE SPECIES OR ITS HABITAT ARE PRESENT ON THE PROJECT SITE. It is advisable to contact the United States Fish and Wildlife Service to determine the applicability of the prohibitions under the Act to each applicant's property.

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

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

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

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

NOTICE: THE 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.

Attachment D

PDS2013-REZ-13-001 titled AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE ELFIN FOREST-HARMONY GROVE SUBAREA AND THE SAN DIEGUITO COMMUNITY PLANNING AREA

ORDINANCE NO. _____(NEW SERIES)

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION
OF CERTAIN PROPERTY WITHIN THE ELFIN FOREST-HARMONY GROVE
SUBAREA AND THE SAN DIEGUITO COMMUNITY PLAN AREA
REF: PDS2013-REZ-13-001

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. The zoning classification of certain real property is hereby changed as set forth herein, and more precisely delineated on the Rezone plat, as illustrated in Exhibit "A" of this ordinance and described in Exhibit A. All documents are on file with the Clerk of the Board of Supervisors of the County of San Diego.

Section 2. The zoning classification of the real property described below is hereby changed as follows:

The existing zoning classifications are as follows:

OLD ZONE:

APN	228-313-13	232-013-01	232-013-02	232-013-03	232-020-55	232-492-01	232-500-18	232-500-19	232-500-20	232-500-21	232-500-22	232-500-23	232-500-24
Use Regulations	RS	A70	A70	A70	A70	A70	A70	A70	A70	A70	A70	A70	A72
Animal Regula-tions	Q	L	L	L	L	L	L	L	L	L	L	L	N
Density	-	-	-	-	-	-	-	-	-	-	-	-	-
Lot Size	1AC	2AC	1AC	1AC	1AC	1AC	1AC	1AC	1AC	1AC	1AC/4AC	1AC/4AC	2AC
Building Type	C	C	C	C	C	C	C	C	C	C	C	C	C
Max Floor Area	-	-	-	-	-	-	-	-	-	-	-	-	-
Floor Area Ratio	-	-	-	-	-	-	-	-	-	-	-	-	-
Height	G	G	G	G	G	G	G	G	G	G	G	G	G
Lot Coverage	-	-	-	-	-	-	-	-	-	-	-	-	-
Setback	H	C	C	C	C	C	C	C	C	C	C	C	C
Open Space	-	-	-	-	-	-	-	-	-	-	-	-	-
Special Area Regs	C	C	-/C	-	-	-/C	-	-	-	-	-	-	-

The zoning classifications are changed to read as follows:

NEW ZONE:

Neighborhood 1:

APN(s)	232-013-02 (por.), 232-013-03 (por.), 232-020-55
Use Regulations	S88
Animal Regulations	S
Density	-
Lot Size	5,000
Building Type	C
Max Floor Area	-
Floor Area Ratio	-
Height	G
Lot Coverage	-
Setback	V
Open Space	-
Special Area Regulations	D

Neighborhood 2:

APN(s)	232-013-02 (por.), 232-013-03 (por.)
Use Regulations	S88
Animal Regulations	S
Density	-
Lot Size	8,000
Building Type	C
Max Floor Area	-
Floor Area Ratio	-
Height	G
Lot Coverage	-
Setback	V
Open Space	-
Special Area Regulations	D

NEW ZONE:

Neighborhood 3:

APN(s)	232-013-02 (por.), 232-492-01
Use Regulations	S88
Animal Regulations	L
Density	-
Lot Size	7,000
Building Type	C
Max Floor Area	-
Floor Area Ratio	-
Height	G
Lot Coverage	-
Setback	V
Open Space	-
Special Area Regulations	D

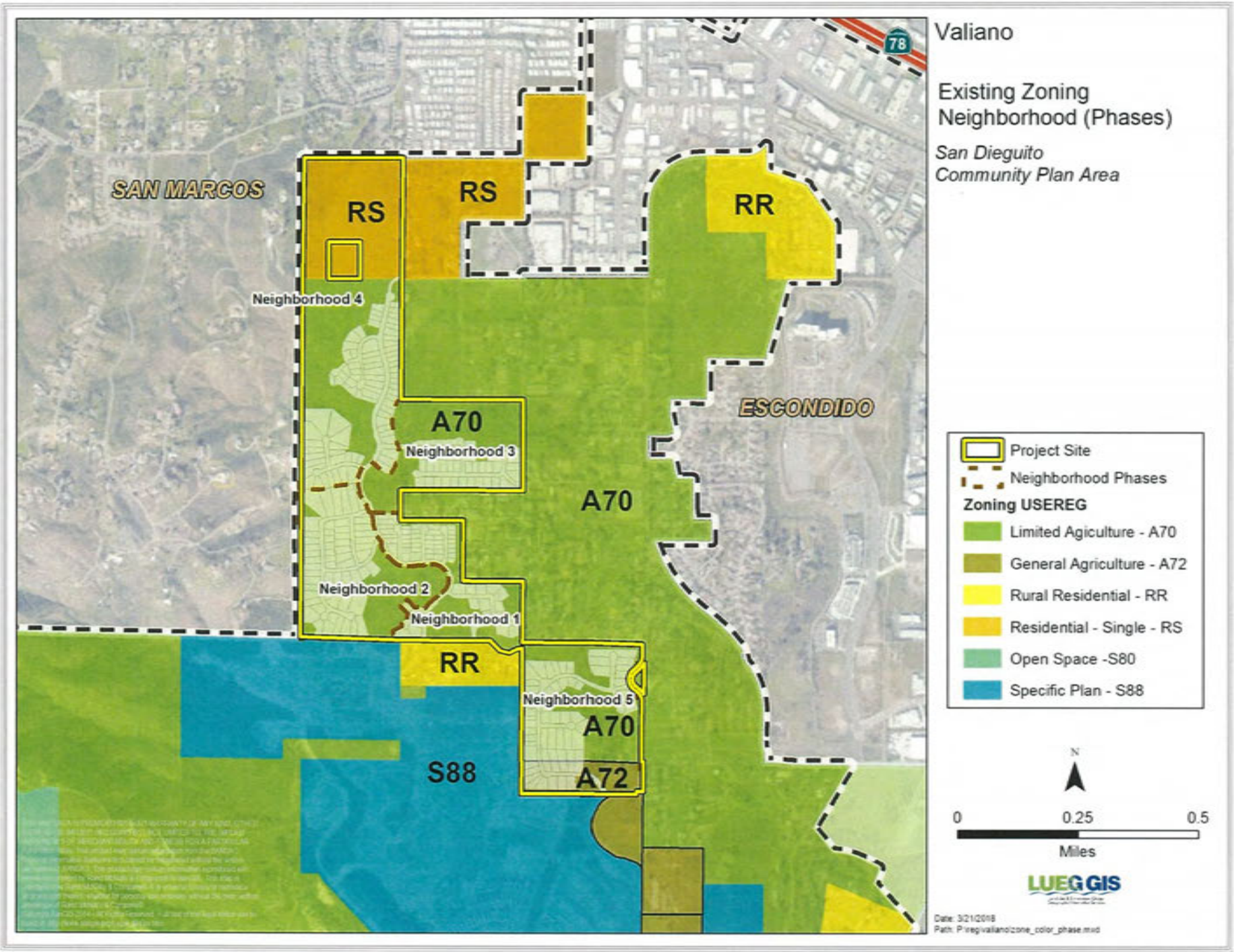
Neighborhood 4:

APN(s)	228-313-13, 232-013-01, 232-013-02 (por.)
Use Regulations	S88
Animal Regulations	S
Density	-
Lot Size	7,000
Building Type	C
Max Floor Area	-
Floor Area Ratio	-
Height	G
Lot Coverage	-
Setback	V
Open Space	-
Special Area Regulations	C,D

Neighborhood 5:

APN(s)	232-500-18, 232-500-19, 232-500-20, 232-500-21, 232-500-22, 232-500-23, 232-500-24
Use Regulations	S88
Animal Regulations	L
Density	-
Lot Size	6,000
Building Type	C
Max Floor Area	-
Floor Area Ratio	-
Height	G
Lot Coverage	-
Setback	V
Open Space	-
Special Area Regulations	C,D

Section 3. Effective Date. This Ordinance shall take effect and be in force thirty (30) days after the date of its passage, and before the expiration of fifteen (15) days after its passage, a summary shall be published once with the names of the members voting for and against the same in the San Diego Daily Transcript, a newspaper of general circulation published in the County of San Diego.


Valiano
Existing Zoning
Neighborhood (Phases)
San Dieguito
Community Plan Area
SAN MARCOS
ESCONDIDO
78
RS
RS
RR
A70
A70
RR
S88
A70
A72
Neighborhood 1
Neighborhood 2
Neighborhood 3
Neighborhood 4
Neighborhood 5
Project Site
Neighborhood Phases
Zoning USEREG
Limited Agiculture - A70
General Agriculture - A72
Rural Residential - RR
Residential - Single - RS
Open Space -S80
Specific Plan - S88
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Date: 3/21/2018
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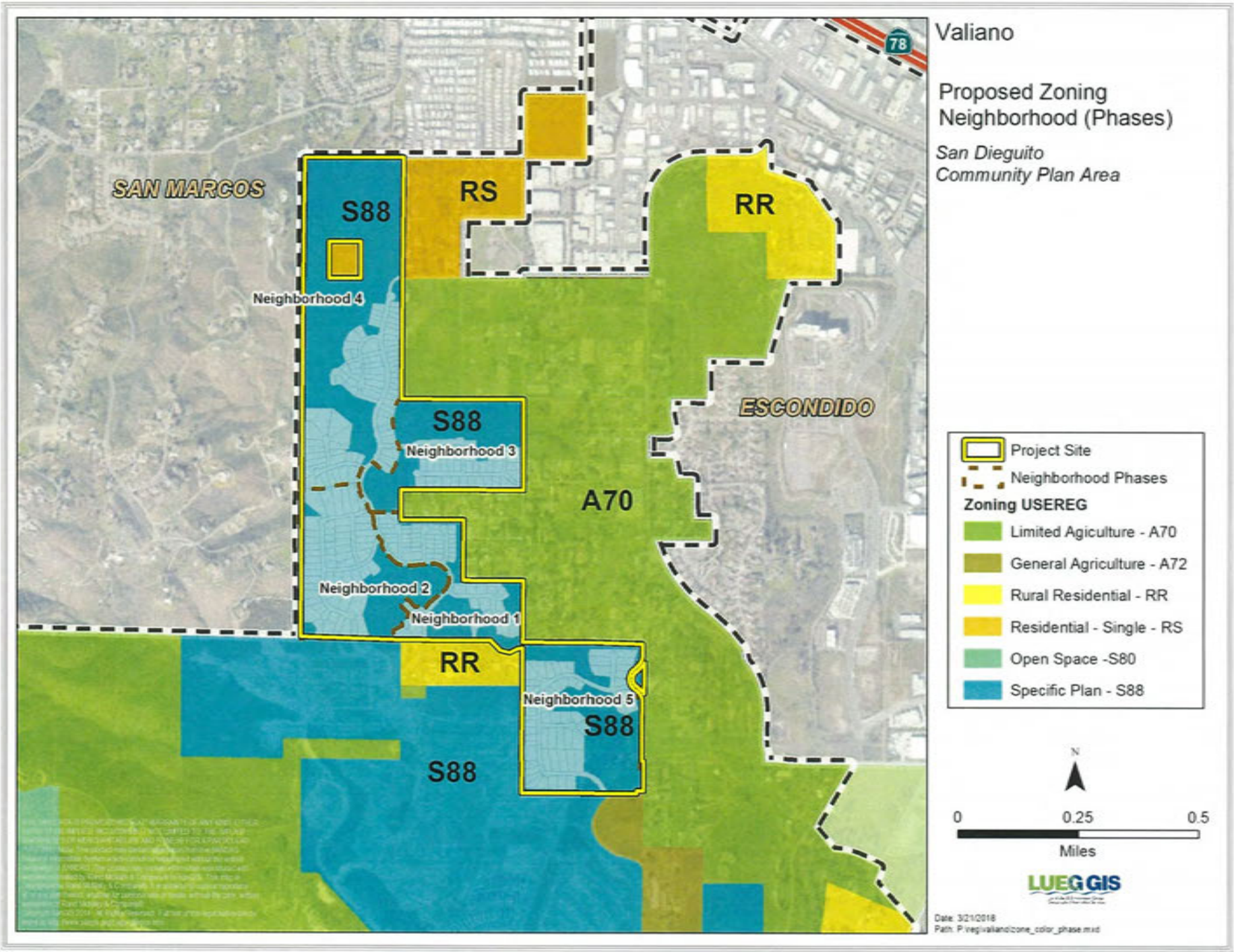
Valiano
Proposed Zoning
Neighborhood (Phases)
San Dieguito
Community Plan Area
SAN MARCOS
ESCONDIDO
78
S88
RS
RR
A70
Neighborhood 4
Neighborhood 3
Neighborhood 2
Neighborhood 1
Neighborhood 5
Project Site
Neighborhood Phases
Zoning USEREG
Limited Agiculture - A70
General Agriculture - A72
Rural Residential - RR
Residential - Single - RS
Open Space -S80
Specific Plan - S88
N
0
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0.5
Miles
LUEG GIS
Date: 3/21/2018

Attachment E

Resolution of Approval of Vesting Tentative Map PDS2013-TM-5575

Date

RESOLUTION OF SAN DIEGO COUNTY)
CONDITIONALLY APPROVING)
VESTING TENTATIVE MAP NO. 5575)

WHEREAS, Vesting Tentative Map No. 5575 proposing the division of property located adjacent to and west of Country Club Drive and adjacent to and north and south of Mt. Whitney Road in the San Dieguito Community Plan Area in the unincorporated area of San Diego County and generally described as:

> Portions of Lots 1, 3 and 5 of Section 19, Township 12 South, Range 2 West, SBM together with Parcels 1, 2 and 3 of Parcel Map 3795, and a Portion of Lot 11 of Section 18, Township 12 South, Range 2 West, SBM in the County of San Diego, State of California.

Tentative Map No. 5595 was filed with the County of San Diego pursuant to the Subdivision Map Act and San Diego County Subdivision Ordinance on February 28, 2013; and

WHEREAS, on _____, the Board of Supervisors of the County of San Diego pursuant to Section 81.306 of the San Diego County Subdivision Ordinance held a duly advertised public hearing on said Tentative Map and received for its consideration, documentation, written and oral testimony, recommendations from all affected public agencies, and heard from all interested parties present at said hearing; and

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

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 Vesting Tentative Map shall become effective 30 days after the adoption of this Resolution, provided that on that effective date General Plan Amendment, PDS2013-GPA-13-001, Specific Plan, PDS2013-SP-13-001, and Zoning Reclassification, PDS2013-REZ-13-001, have also become effective. This approval Expires Thirty-Six (36) Months from said effective date at 4:00 P.M. unless, prior to that date, an application for a Time Extension has been filed as provided by Section 81.313 of the County Subdivision Ordinance.

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

1. Standard Condition 10.a: Said condition states that all fixtures shall use a low pressure sodium (LPS) vapor light source. This waiver/modification allows the use of high pressure sodium (HPS) vapor light sources at the project site if desired or required. HPS vapor light sources are only prohibited within a 15 mile radius of Palomar or Mount Laguna observatories pursuant to direction from the Board of Supervisors [statement of proceedings of 1-29-03].

2. Standard Condition 22: Said condition pertains to private subsurface sewage disposal systems. This project proposes an on-site treatment plant/public sewer system.

3. Standard Condition 27: Said condition states that the Final Map shall include the entire area shown on the Tentative Map and shall not be filed as units or groups of units. The Final Map for this Tentative Map may be filed in units.

PRELIMINARY GRADING PLAN: The approval of this Tentative Map hereby adopts the Preliminary Grading and Improvement Plan dated March 1, 2018 consisting of 13 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 FINAL MAP IS APPROVED BY THE BOARD OF SUPERVISORS 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.

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 map shall be paid. **DESCRIPTION OF REQUIREMENT:** The applicant shall pay off all existing deficits associated with processing this map. **DOCUMENTATION:** The applicant shall provide evidence to *[PDS, Zoning Counter]*, which shows that all fees and trust account deficits have been paid. No map can be issued if there are deficit accounts. **TIMING:** Prior to the recordation of any map and prior to the approval of any plan and issuance of any permit, all fees and trust account deficits shall be paid. **MONITORING:** The PDS Zoning Counter shall review the evidence to verify compliance with this condition.

31. **GEN#2. GRADING PLAN CONFORMANCE**
INTENT: In order to implement the required mitigation measures for the project, the required grading plan and improvement plans shall conform to the approved Conceptual Grading and Development Plan. **DESCRIPTION OF REQUIREMENT:** The grading and/or improvement plans shall conform to the approved Conceptual Grading Plan, which includes all of the grading notes and mitigation measures, if applicable. **DOCUMENTATION:** The applicant shall submit the grading plans and improvement plans, which conform to the conceptual development plan for the project. **TIMING:** Prior to the recordation of the Map for any phase and prior to the approval of any plan and issuance of any permit, the notes and items shall be placed on the plans as required. **MONITORING:** The *[DPW, ESU, or PDS, BD for PDS Minor Grading, DPR, TC for trails and PP for park improvements]* shall verify that the grading and/or improvement plan requirements have been implemented on the final grading and/or improvement plans as applicable. The environmental mitigation notes shall be made conditions of the issuance of said grading or construction permit.

32. **GEN#3. STRUCTURE REMOVAL**
INTENT: In order to comply with County Zoning Ordinance Section 4800, the structure(s) on site shall be removed, relocated onsite, or demolished. **DESCRIPTION OF REQUIREMENT:** The existing structure(s) located on-site as shown on the approved Tentative Map, has/have been removed, relocated onsite, or demolished.

a. Evidence shall be a signed stamped statement from a registered professional; Engineer, Surveyor, Contractor, which states, that the structures have been removed, relocated onsite, or demolished. The letter report shall also include before and after pictures of the area and structure(s).

b. A Demolition Permit shall be obtained from the *[PDS BD]*. Compliance with hazards conditions to determine the presence or absence of Lead Based Paints and/or Asbestos shall be completed before any demolition permit can be issued.

DOCUMENTATION: The applicant shall submit to the [*PDS, PPD*] the signed statement and the photographic evidence that the structures have been removed, relocated, or demolished pursuant to this condition. **TIMING:** Prior to the recordation of the Map for any phase and prior to the approval of any plan and issuance of any permit (excluding demolition permit), and prior to recordation of the Parcel Map the applicant shall comply with this condition. **MONITORING:** The [*PDS, PPD*] shall review the statement and, photos, and any additional evidence for compliance with this condition.

33. **GEN#4. ESTABLISHMENT OF A FUNDING MECHANISM**
INTENT: In order to fund operation and maintenance of public facilities, a funding mechanism shall be established. **DESCRIPTION OF REQUIREMENT:** Establish a Community Facilities District (CFD) or other similar funding mechanism(s) approved by Planning & Development Services, County Fire Authority, Public Works, and Parks and Recreation to fully fund the acquisition, construction, operation, and maintenance of public facilities identified in the Public Facilities Financing Plan. The CFD or other funding mechanism shall have the capacity to generate enough revenue to fund the annual operation and maintenance of the defined public facilities. In addition to the tax on developed parcels, this CFD or other funding mechanism shall include an "undeveloped land tax" which will allow revenue to be generated on all undeveloped parcels/lots within the CFD. The amount is subject to change based on the actual need that arises and shall also be subject to an annual increase to cover any increase of maintenance needs and costs. **DOCUMENTATION:** The applicant shall create and fund the formation of the CFD or other funding mechanism to the satisfaction of PDS, DPW, DPR, and the County Fire Authority. **TIMING:** Prior to recordation of the first Final Map. **MONITORING:** The *[DPR, PP], [DPW]* and *[PDS, AP, LDR]* shall review the formation documentation and funding of the CFD or other funding mechanism.

34. **AGR#1 (M-AG-1). AGRICULTURAL PRESERVATION – PACE MITIGATION**
INTENT: To preserve agricultural resources, as defined by the Agricultural Resources Guidelines for Determining Significance. **DESCRIPTION OF REQUIREMENT:** The applicant shall acquire 13.14 acres or 13.19 acres (if the eastern route segment of the Vallecitos Water District off-site sewer option is implemented) mitigation credits (1:1 ratio) from the County of San Diego Purchase of Agricultural Conservation Easement (PACE) mitigation bank, or provide for the conservation of 13.14 acres or 13.19 acres (if the eastern route segment of the Vallecitos Water District off-site sewer option is implemented) of agricultural resources, as indicated below:

a. **Option 1:** If purchasing PACE mitigation credits from the County of San Diego, through the payment of in lieu fees to the PACE Program mitigation bank, evidence of the purchase shall include the following information:

1) A cashier's receipt of the in lieu fee payment, referencing the project name and numbers, total fee payment amount and the represented amount of acreage mitigated for by the payment. One mitigation credit from the PACE Program would equate to one acre of land permanently protected with an agricultural conservation easement within the PACE Program mitigation bank.

2) An accounting of the status of the County of San Diego PACE Program mitigation bank, which can be obtained from the PACE Program Manager. This shall include the total amount of credits available at the bank, the amount required by this project, and the amount remaining after utilization by this project (at time of in lieu fee payment).

b. **Option 2:** In the event that PACE mitigation credits are unavailable or the applicant elects not to participate; the applicant shall grant an Agricultural Preservation Easement in perpetuity to the County of San Diego, as shown on the approved Tentative Map. The preservation easement shall be located within the cumulative project area, or, at a location approved by the Director of PDS. The purpose of the easement is for the preservation and protection of agricultural resources to ensure that the land remains available for potential agricultural use in the future. The easement shall prohibit the construction or placement of any residence, garage, or any accessory structure that is designed or intended for occupancy by humans, and the placement of any recreational amenities; such as tennis courts or swimming pools. The only exceptions to this prohibition include but are not limited to:

1) Fences, walls, and similar structures, no higher than 6 feet or as regulated by zoning.

2) Landscaping and agricultural uses.

3) Roads, utilities, water wells, septic systems and leach lines as indicated on the approved Tentative Map, Preliminary Grading Plans, and/or Site Plan.

4) Percolation and observation test holes.

5) Irrigation water wells necessary for the support of the agriculture in the easement.

6) Grading or clearing for agricultural purposes only.

c. **Option 3:** The applicant may choose to mitigate through a combination of Options 1 and 2, so long as the total acreage of mitigation is equal to that specified above.

DOCUMENTATION: Under Option 1, the applicant shall provide a cashier's receipt of the in lieu fee payment to the *[PDS, PPD]* and an accounting of the status of the County of San Diego PACE Program mitigation bank. Under Option 2, the applicant shall prepare the draft plats and legal descriptions of the easements, then submit them for preparation and recordation with the *[DGS, RP]*, and pay all applicable fees associated with preparation of the documents. The *[DGS, RP]* shall prepare and approve the easement documents and send them to *[PDS, PPD]* for pre-approval. The *[PDS, PPD]* shall pre-approve the language and estimated location of the easements before they are released to the applicant for signature and subsequent recordation. Upon Recordation of the easements *[DGS, RP]* shall forward a copy of the recorded documents to *[PDS, PPD]* for satisfaction of the condition. **TIMING:** Prior to the recordation of the Final Map and prior to the issuance of any permit. **MONITORING:** The *[PDS, PPD]* shall review the documents provided for the satisfaction of this condition.

35. AGR#2. AGRICULTURAL EASEMENT

INTENT: In compliance with Tentative Map, PDS2013-TM-5575, a 35.4-acre agricultural easement consisting of avocado orchards shall be granted to the County of San Diego to protect associated agricultural uses. Allowed uses include retention of the existing viable avocado orchards, establishment of additional agricultural uses such as avocados, vineyards and/or other orchards (e.g., citrus, pomegranates, nuts and olives). **DESCRIPTION OF REQUIREMENT:** Grant to the County of San Diego an agricultural easement, as shown on the Tentative Map. This easement is for the protection of agricultural resources and prohibits all of the following on any portion of the land subject to said easement: development other than agriculture, uses incompatible with agriculture, and non-agricultural uses. The only exception(s) to this prohibition is:

a. Grading and construction for agricultural wells, water distribution systems, other activities/facilities required for agricultural operation.

b. Fuel management activities required by a written order from the Fire Marshal.

c. Water tank access road, pipes and related features.

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

36. AGR#3. AGRICULTURAL MAINTENANCE AGREEMENT
INTENT: In order to provide for the long-term management of the proposed onsite agricultural preserve (35.4 acres), an Agricultural Maintenance Agreement (Agreement) shall be executed between the Project Owner and/or the HOA and the County of San Diego. **DESCRIPTION OF REQUIREMENT:** Submit the Agreement to and receive approval from the Director of PDS. The Agreement shall include the following elements:

a. The Project Owner(s) and/or HOA shall retain an agricultural manager to oversee the continued maintenance of agricultural lands within the 35.4-acre easement area.

b. Agricultural fencing and signage shall be installed along the easement boundaries and shall be maintained, as necessary.

c. Signage shall be corrosion resistant, a minimum size of 6 inches by 9 inches, spaced 100 feet apart, attached to fencing not less than three feet in height from the ground surface, and shall state "County Easement: Agricultural Uses Only (Project Ref: 3100-5575 (TM))."

d. The wells and water distribution facilities used for the operations within the 35.4 -acre easement shall be properly maintained.

e. A security adequate to cover 10 years of maintenance of the 35.4-acre easement shall be provided, based on a cost estimate generated by the Project Applicant and/or HOA and approved by the Director of PDS.

f. Implement the County Agricultural Enterprises and Consumer Information Ordinance (County code Section 63.401). The Ordinance is intended to identify and limit the circumstances under which agricultural activities may constitute a nuisance. The Ordinance notes that agricultural uses may be converted to other uses or zones, whether or not the parcels are zoned for agricultural uses. It prohibits land use changes near existing agricultural uses that would result in existing agricultural uses to be deemed a nuisance. The Ordinance requires prospective property buyers (whether new sales or re-sales) to be notified in writing that agricultural activities may occur in the vicinity, and that associated inconveniences, irritations or discomforts could potentially result.

g. Irrigation for the agricultural operation may be provided from an existing on-site well and related facilities that have been used to irrigate the existing avocado orchards.

h. A minimum 150-foot setback between residential structures and off-site agricultural uses shall be implemented and maintained.

i. Transitional uses such as small private orchards and gardens would be allowable within applicable individual residential lots and HOA owned areas within the proposed development.

DOCUMENTATION: The applicant shall prepare the agreement and submit it to the *[PDS, ZONING]* and pay all applicable review fees. **TIMING:** Prior to the recordation of the Final Map and prior to the issuance of any permit, the Agreement shall be executed. **MONITORING:** The *[PDS, PPD]* shall review the Agreement for compliance with this condition.

37. AGR#4. SECURED AGREEMENT

INTENT: In order to ensure the availability and viability of the onsite agricultural easement for agricultural use pursuant to condition AGR#3 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 maintenance of the 35.4-acre agricultural easement for a period of 10 years.

b. Provide a 10 percent cash deposit for the maintenance of the 35.4-acre agricultural easement as reviewed and approved by the County.

c. The monitoring time and the length of time the Secured Agreement and cash deposit will be in effect starts at the time the Maintenance Agreement is accepted by a County staff representative. The Secured Agreement and cash deposit shall be released upon completion of 10 years of maintenance.

DOCUMENTATION: The applicant shall execute a Secured Agreement provided with the Maintenance Agreement, 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 recordation of the Final Map and prior to the issuance of any permit, and after the approval of the Maintenance Agreement, the Secured 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 Maintenance Agreement. 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.

38. AQ#1 (M-AQ-1). REVISED HOUSING FORECAST

INTENT: In order to mitigate for direct and cumulative air quality impacts associated with the Regional Air Quality Strategy (RAQS) and State Implementation Plan (SIP), a revised housing forecast shall be provided to SANDAG to ensure that any revisions to the population and employment projections used in updating the RAQS and SIP accurately reflect anticipated growth as a result of implementation of the project. **DESCRIPTION OF REQUIREMENT:** The applicant shall provide evidence that a revised housing forecast has been provided to SANDAG that includes any revisions to the population and employment projections to accurately reflect anticipated growth due to the Project. If outside the typical time frame in which the County provides the information to SANDAG, the applicant may initiate an update at the discretion of SANDAG. **DOCUMENTATION:** The applicant shall provide evidence in the form of documentation from SANDAG that a revised housing forecast has been provided to SANDAG. **TIMING:** Prior to the recordation of the Final Map and prior to the approval of any plan and issuance of any permit, the mitigation shall be completed. **MONITORING:** The *[PDS]* shall review the documentation for compliance with this condition.

39. BIO#1 (M-BI-3e, M-BI-5). BIOLOGICAL EASEMENT – OAK TREE PROTECTION EASEMENT

INTENT: In order to protect sensitive biological resources (Coast Live Oak Woodland – 2.1 acres), a biological open space easement (Oak Tree Protection Easement) shall be granted over the Coast Live Oak Woodland located within the Limited Building Zone. **DESCRIPTION OF REQUIREMENT:** Grant to the County of San Diego an open space easement as shown on the Open Space Exhibit 2.4-10a & 2.4-10b in the Final EIR. If the North County MSCP is approved at the time of open space dedication, the easement shall be granted to both the County of San Diego and the California Department of Fish and Wildlife as follows: Grant to the County of San Diego and the California Department of Fish and Wildlife by separate document, an open space easement, or grant to the California Department of Fish and Wildlife a conservation easement, as shown on the Open Space Exhibit dated 2.4-10a & 2.4-10b in the Final EIR. 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:

a. Selective clearing of vegetation by hand to the extent required by <u>written order</u> 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. Fuel modification is limited to the understory of the Coast Live Oak Woodland and prohibits the removal of mature oak trees. 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.

b. Activities conducted pursuant to a revegetation or habitat management plan approved by the Director of Planning & Development Services.

c. Vegetation removal or application of chemicals for vector control purposes where expressly required by written order of the Department of Environmental Health of the County of San Diego.

d. Uses, activities, and placement of structures expressly permitted by the Director of Planning and Land Use, whose permission may be given only after following the procedures and complying with all requirements applicable to an Administrative Permit pursuant to The Zoning Ordinance of the County of San Diego.

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

40. BIO#2. BIOLOGICAL EASEMENT

INTENT: In order to protect sensitive biological resources, pursuant to CEQA and the County of San Diego Significance Guidelines for Biological Resources, a biological open space easement shall be granted. **DESCRIPTION OF REQUIREMENT:** Grant to the County of San Diego an open space easement as shown on the Open Space Exhibit 2.4-10a & 2.4-10b in the Final EIR. If the North County MSCP is approved at the time of open space dedication, the easement shall be granted to both the County of San Diego and the California Department of Fish and Wildlife as follows: Grant to the County of San Diego and the California Department of Fish and Wildlife by separate document, an open space easement,

or grant to the California Department of Fish and Wildlife a conservation easement, as shown on the Open Space Exhibit 2.4-10a & 2.4-10b in the Final EIR. 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:

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.
b. Activities conducted pursuant to a revegetation or habitat management plan approved by the Director of Planning & Development Services, Parks and Recreation or Public Works.

c. Vegetation removal or application of chemicals for vector control purposes where expressly required by written order of the Department of Environmental Health of the County of San Diego.

d. Activities for the installation and maintenance of revegetation (Coast Live Oak Woodland) within Neighborhood 3 Biological Open Space pursuant to the approved Revegetation Plan. Such activities shall be approved in advance by the Director of Planning & Development Services, and shall not be inconsistent with the original intent of this easement.

e. Uses, activities, and placement of structures expressly permitted by the Director of Planning & Development Services, whose permission may be given only after following the procedures and complying with all requirements applicable to an Administrative Permit pursuant to The Zoning Ordinance of the County of San Diego.

f. Construction, use and maintenance of multi-use, non-motorized trails.

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

41. BIO#3. LBZ EASEMENT

INTENT: In order to protect sensitive biological resources, pursuant to CEQA and the County of San Diego Guidelines for Significance, a Limited Building Zone 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 Limited Building Zone Easement as shown on the Open Space Exhibit 2.4-10a & 2.4-10b in the Final EIR. 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:

a. Structures designed or intended for occupancy by humans or animals located no less than 100 feet from the nearest biological open space easement boundary, provided that the structures meet the minimum Fire-Resistive Construction Requirements as defined by the Fire Protection Authority (FPA) having jurisdiction over the property and that FPA has approved in writing a reduction in the vegetation clearing/fuel modification requirements so that they will not be required within any portion of the biological open space easement.

b. Decking, fences, and similar facilities.

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

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

42. BIO#4. BIOLOGICAL MONITORING

INTENT: In order to prevent inadvertent disturbance to sensitive resources, all grading located within and adjacent to the project site shall be monitored by a biologist. **DESCRIPTION OF REQUIREMENT:** A County approved biologist shall be contracted to perform biological monitoring during all grading, clearing, grubbing, trenching, and construction activities. The monitoring program shall include the following:

a. The Biologist shall perform the monitoring duties before, during and after construction pursuant to the most current version of the County of San Diego Biological Report Format and Requirement Guidelines. The contract or letter of acceptance provided to the county shall include an agreement that this monitoring will be completed, and a Memorandum of Understanding (MOU) between the biologist and the County of San Diego shall be executed. The contract shall include a cost estimate for the monitoring work and reporting.

b. The cost of the monitoring shall be added to the grading bonds or bond separately with Planning & Development Services.

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

43. CULT#1 (M-CR-2). ARCHAEOLOGICAL MONITORING

INTENT: In order to mitigate for potential impacts to undiscovered buried archaeological resources, an Archaeological Monitoring Program, potential Data Recovery Program, and Pre-Grading Survey 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. In addition, a Pre-Grade Survey shall also be conducted and fill soils shall be evaluated to determine that they are clean of cultural resources. 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 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 pre-grade survey, monitoring work and reporting.

b. The Project Archaeologist and Native American monitor shall conduct a pre-grade survey prior to any earth-disturbing activities.

c. The Project Archeologist shall provide evidence that a Luiseno Native American has been contracted to perform Native American Monitoring for the project.

d. 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 the recordation of the Final Map for PDS2013-TM-5575 and prior to the approval of any plan and issuance of any permit, the contract shall be provided. **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, LD]* 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.

44. FIRE#1. FIRE RESTRICTION ZONE (LIMITED BUILDING ZONE)
INTENT: In order to comply with the County of San Diego Fire Code Section 96.1.4907 for Defensible Space, a Limited Building Zone (LBZ) Restriction for Fire Protection purposes shall be established. **DESCRIPTION OF REQUIREMENT:** Grant to the County of San Diego by separate document, a Limited Building Zone Easement as shown on the Redlined Vesting Tentative Map dated December 11, 2017. The purpose of this easement is to limit the need to clear or modify vegetation for fire protection purposes 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:

a. Structures designed or intended for occupancy by humans or animals located less than 100 feet from the nearest biological open space easement boundary, provided that the structures meet the minimum Fire-Resistive Construction Requirements as defined by the Fire Authority Having Jurisdiction (FAHJ) over the property and that FAHJ has approved in writing a reduction in the vegetation clearing/fuel modification requirements so that they will not be required within any portion of the biological open space easement.

b. Decking, fences, and similar facilities.

c. 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 prepare the draft plats and legal descriptions of the easements, then submit them for preparation and recordation with the *[DGS, RP]*, and pay all applicable fees associated with preparation of the documents. Upon Recordation of the easements, the applicant shall provide copies of the recorded easement documents to *[PDS, PPD]* for approval. **TIMING:** Prior to the recordation of the map for each phase of the project the applicant shall comply with this condition. **MONITORING:** The *[DGS, RP]* shall prepare and approve the easement documents and send them to *[PDS, PPD]* for pre-approval. The *[PDS, PPD]* shall pre-approve the language and estimated location of the easements before they are released to the applicant for signature and subsequent recordation. Upon Recordation of the easements *[DGS, RP]* shall forward a copy of the recorded documents to *[PDS, PPD]* for satisfaction of the condition.

45. FIRE#2. FIRE SERVICES AND AVAILABILITY
INTENT: In order to assure long-term availability of adequate fire protection services, the project shall participate in the San Marcos Fire Protection District Community Facilities District (CFD) to fund fire protection. **DESCRIPTION OF REQUIREMENT:** The property shall be annexed into the San Marcos Fire Protection District CFD 2001-01. **DOCUMENTATION:** The applicant shall provide

written evidence, to the satisfaction of the County Fire Marshal and PDS Project Planning, demonstrating that the property has been annexed into the San Marcos Fire Protection District CFD 2001-01. **TIMING:** Prior to the recordation of the Final Map, the property shall be annexed into the CFD in accordance with the above documentation. **MONITORING:** The County Fire Marshal shall review the submitted documentation. If, upon review, PDS determines the documentation demonstrates conformance with this condition, the PDS shall approve the documentation and deem the condition satisfied.

46. HAZ#1 (M-HZ-1a, M-HZ-1b). CERTIFICATION OF COMPLETION

INTENT: In order to verify that all of the site remediation work was completed pursuant to the Site Assessment and Mitigation Program (SAM), a closure letter shall be provided. **DESCRIPTION OF REQUIREMENT:** All soil remediation shall be completed, and all contamination hazards removed pursuant to the Department of Environmental Health (DEH), Voluntary Assistance Program (VAP) or the DEH, Local Oversight Program (LOP) as determined. **DOCUMENTATION:** The applicant shall provide the "Closure Letter, or Concurrence Letter," to the *[PDS, PPD]* that the soil remediation has been completed to the satisfaction of the [*DEH, SAM*]. If the Director of PDS determines the remediation work will take an enormous amount of time that would be detrimental to ultimate project implementation, approval of other engineering plans and/or issuance of other project permits may be permitted as long as there is no risk of effects to public health and safety. Concurrence from the [DEH, SAM] is required, and the applicant shall enter into a secured agreement for the completion of the remediation work. **TIMING:** Prior to the recordation of the Final Map for any neighborhood where contamination remediation is required, the applicant shall comply with this condition. **MONITORING:** The [*DEH, SAM*], shall verify completion of the required remediation, and shall issue a Closure Letter to the applicant and to the [*PDS, PPD*]. The [*PDS, PPD*] shall review the "Closure Letter," for compliance with this condition.

47. HAZ#2 (M-HZ-4). MANURE MANAGEMENT AND FLY/VECTOR CONTROL PLAN

INTENT: In order to manage manure and avoid hazards associated with vectors and to comply with the project design, a Manure Management and Fly/Vector Control Plan shall be prepared. **DESCRIPTION OF REQUIREMENT:** A Manure Management and Fly/Vector Control Plan shall be prepared and shall include but is not limited to the following:

- Daily removal of manure from stables;
- Non-leak valves for troughs;
- Properly graded earth surfaces in paddocks and corrals for proper drainage;
- Weed control for sun penetration;
- Rodent baits; and
- Rodent-proof feed containers.

DOCUMENTATION: The property owner or their representative shall submit a Manure Management and Fly/Vector Control Plan for compliance with this condition. The applicant may provide evidence from the DEH County Vector Ecologist that a Manure Management or Fly/Vector Control plan is not required for the equestrian staging area which would satisfy the portion of the condition for the equestrian staging area only. **TIMING:** Prior to recordation of the Final Map for PDS2013-TM-5575, or prior to the approval of any plan or issuance of any permit the Manure Management and Fly/Vector Control Plan shall be approved. **MONITORING:** The *[PDS, PPD]* shall review the Manure Management and Fly/Vector Control Plan for compliance with this condition.

48. ROADS#1. PUBLIC ROAD IMPROVEMENTS

INTENT: In order to promote orderly development and to comply with the Subdivision Ordinance Sec. 81.404 and the Community Trails Master Plan Country Club Drive shall be improved. **DESCRIPTION OF REQUIREMENT:**

a. Improve or agree to improve and provide security for ***Country Club Drive***, to construct northbound left-turn pockets at each of the four (4) access locations along Country Club Drive, for Eden Valley Lane, Mount Whitney Road, Future street 5A (north) and Future Street 5A (south). Provide taper transitions to meet existing improvements along Country Club Drive. All of the above shall be to the satisfaction of the Director of PDS.

b. Improve or agree to improve and provide security for ***Country Club Drive***, to construct five foot (5') DG pathway from Eden Valley Lane southerly to end of the taper of the left turn pocket. All of the above shall be to the satisfaction of the Director of PDS.

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

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

d. Process and obtain approval of Improvement Plans to improve ***Country Club Drive***.

e. Provide Secured Agreements in accordance with Subdivision Ordinance Sec. 81.408

f. Upon approval of the plans, pay all applicable inspection fees with [*DPW, PDCI*].

g. If the applicant is a representative, then a one of the following is required: 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 any phase, the plans, agreements, and securities shall be approved. **MONITORING:** The [*PDS, LDR*] and [DPR, TC, PP] shall review the plans for consistency with the condition and County Standards. Upon approval of the plans [*PDS, LDR*] shall request the required securities and improvement agreements. The securities and improvement agreements shall be approved by the Director of PDS. **REFERENCES:** Appendix H - Traffic Impact Analysis (TIA) of the Final Environmental Impact Report (FEIR), prepared by Linscott Law & Greenspan Engineers (Section 13.3, Page 85), dated December 2015.

49. ROADS#2 (M-TR-1a, M-TR-1b, M-TR-4). PUBLIC ROAD IMPROVEMENTS - COUNTRY CLUB DRIVE BETWEEN AUTO PARK WAY & HILL VALLEY DRIVE WITHIN THE CITY OF ESCONDIDO
INTENT: To mitigate direct and cumulative impacts to Country Club Drive between Auto Park Way and Hill Valley Drive within the City of Escondido. **DESCRIPTION OF REQUIREMENT:**

a. Improve or agree to improve and provide security for the intersection of ***Auto Park Way/Country Club Drive***. Restripe the eastbound approach to provide one left-turn lane, one shared left-turn/through lane and one right-turn lane. Signal timing shall be modified to change the east/west approach to "split" phasing as recommended by the TIA (page 80).

b. Improve or agree to improve and provide security for ***Country Club Drive*** to a paved width of thirty six feet (36') consisting of two travel lanes and a 10-foot striped center turn lane starting 220 feet southwest of Auto Park Way for a length of approximately 830 feet.

DOCUMENTATION: The project applicant shall submit documentation from the City of Escondido demonstrating the requirements of this condition have been completed, as required by the Traffic Mitigation Funding Agreement approved by the City of Escondido on December 9, 2015 or provide evidence that securities are in place and acceptable to the City of Escondido. **TIMING:** Prior to recordation of the Final Map for any phase, provide evidence from the City of Escondido to show that the improvement requirements listed above are secured. **MONITORING:** The Director of PDS shall review the evidence provided by the applicant for compliance with this mitigation measure. Following review, the Director of PDS shall provide

the applicant with a letter of release. **REFERENCES:** Appendix H - TIA of the FEIR, prepared by Linscott Law & Greenspan Engineers (Section 13.1.2, Page 80), dated December 2015.

50. ROADS#3. SIGHT DISTANCE

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

a. A registered civil engineer or a licensed land surveyor provides a certified signed statement that: "There is _____feet of unobstructed intersectional sight distance in both directions along ***Country Club Drive*** from the proposed private road easements, ***Street 5A (North)*** and ***Street 5A (South)***, and existing private road easements, ***Mount Whitney Road*** and ***Eden Valley Lane*** in accordance with the methodology described in Table 5 of the March 2012 County of San Diego Public Road Standards. These sight distances exceed the required intersectional Sight Distance requirements of _____ as described in Table 5 based on a speed of _____, which I have verified to be the higher of the prevailing speed or the minimum design speed of the road classification. I have exercised responsible charge for the certification as defined in Section 6703 of the Professional Engineers Act of the California Business and Professions Code."

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

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

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

51. ROADS#4. ON-SITE CLEAR SPACE EASEMENT MARKERS

INTENT: In order to promote orderly development necessary for public health and safety of the area, and to comply with the County of San Diego Public Road Standards and County Standard Drawing, a clear space easement markers for an unobstructed view for safety while exiting the property and accessing a public road from the site shall be installed. **DESCRIPTION OF REQUIREMENT:**

a. The Final Map shall show on-site clear space easements along ***Country Club Drive*** at ***Mount Whitney Road***, proposed ***Street 5A (North)*** and proposed ***Street 5A (South)'s*** intersections.

b. Any dedication, offer of dedication, or grant of right-of-way shall be free of any burdens or encumbrances which would interfere with the purposes for which the granting, dedication or offer of dedication is required, per Subdivision Ordinance, at the time of recordation of the Final Map. All easements of any type must be plotted on the Final Map.

c. Install the clear space easement markers per DS-16 to the satisfaction of Director of Planning & Development Services (PDS).

DOCUMENTATION: The applicant shall have a Registered Civil Engineer, a Registered Traffic Engineer, or a Licensed Land Surveyor provide a signed statement that the clear space easement markers have been installed per DS-16 along with pictures, and plan. Show the on-site clear space easements on the Final Map. At final engineering, if it is determined that the on-site clear space easement markers are not required, the condition would be considered met. **TIMING:** Prior to the recordation of the Final Map for any phase, the clear space easement markers, and clear space easements shall be verified. **MONITORING:** The [*PDS, LDR*] shall verify the clear space easement markers certifications and clear space easement on the Final Map.

52. ROADS#5. OFF-SITE CLEAR SPACE EASEMENT MARKERS
INTENT: In order to promote orderly development necessary for public health and safety of the area, and to comply with the County of San Diego Public Road Standards and County Standard Drawing, ~~a~~ clear space easement markers for an unobstructed view for safety while exiting the property and accessing a public road from the site shall be installed. **DESCRIPTION OF REQUIREMENT:**

a. Cause to be granted the off-site clear space easements along ***Country Club Drive*** at ***Eden Valley Lane***, ***Mount Whitney Road***, and proposed ***Street 5A (South)'s*** intersections.

b. Any dedication, offer of dedication, or grant of right-of-way shall be free of any burdens or encumbrances which would interfere with the purposes for which the granting, dedication or offer of dedication is required, per Subdivision Ordinance, at the time of recordation of the Final Map. All easements of any type must be plotted on the Final Map.

c. Install the clear space easement markers per DS-16 to the satisfaction of Director of PDS.

DOCUMENTATION: The applicant shall prepare the legal descriptions of the easements and plats for the off-site clear space easement as indicated above by separate documents and submit to the [*DGS, RP*] for review and preparation. The applicant shall pay all applicable fees associated with review and preparation of the documents. The applicant shall have a Registered Civil Engineer, a Registered Traffic Engineer, or a Licensed Land Surveyor provide a signed statement that the clear space easement markers have been installed per DS-16 along with pictures, and plan. At final engineering, if it is determined that the off-site clear space easement markers are not required, the condition would be considered met. **TIMING:** Prior to the recordation of the Final Map for any phase, the off-site clear space easement and clear space easement markers shall be verified. **MONITORING:** The [*DGS, RP*] shall prepare, approve the easement documents for recordation, and forward the recorded copies to [*PDS, LDR*] for review and approval. The [*PDS, LDR*] shall review the offsite clear space easement granting and clear space easement markers certifications for compliance with this condition.

53. ROADS#6. 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 surfacing, and to comply with County Policy RO-7 adjacent property owners shall be notified and solicited for their participation in the extension of utilities. **DESCRIPTION OF REQUIREMENT:** All adjacent property owners shall be notified who may be affected by this policy and are considering development of applicable properties, this includes requesting their participation in the extension of utilities to comply with this policy. No trench cuts for undergrounding of utilities in all new, reconstructed, or resurfaced paved County-maintained roads for a period of three years following project surface. **DOCUMENTATION:** The applicant shall sign a statement that they are aware of the County of San Diego, Department of PDS, Pavement Cut Policy to the satisfaction of the Department of PDS, and submit it to the [*PDS LDR*] for review. **TIMING:** Prior to the approval of improvement plans and the recordation of the Final Map for any phase, the letters shall be submitted for approval. **MONITORING:** The *[PDS, LDR]* shall review the signed letters.

54. ROADS#7. PRIVATE ROAD IMPROVEMENTS

INTENT: In order to promote orderly development and to comply with the Subdivision Ordinance Sec. 81.404, all the proposed private road easements shall be improved. **DESCRIPTION OF REQUIREMENT:** Improve or agree to improve and provide security for the following on and off-site private road easements:

a. ***Hill Valley Drive***, from a proposed on-site emergency access road easterly to a publicly maintained portion of Hill Valley Drive, shall be graded a minimum of twenty-eight feet (28') wide and improved twenty-four feet (24') wide with asphalt concrete pavement over approved base or with pervious pavers or pervious concrete pavement. Except for the first 185 feet, shall be graded a

minimum of twenty feet (20') wide and improved twenty feet (20') wide with asphalt concrete pavement over approved base. The improvement and design standards of Section 3.1(C) of the San Diego County Standards for Private Roads for seven hundred fifty (750) to two thousand five hundred (2500) trips shall apply. The above shall be to the satisfaction of the San Marcos Fire Protection District and the Director of PDS.

If additional easements are obtained over the first 185 feet of Hill Valley Drive that allow for the construction of a twenty-eight foot (28') wide graded and twenty-four foot (24') wide paved section allowing for full access onto Hill Valley Drive, it shall be pursuant to the above standards to the satisfaction of the Director of PDS.

b. ***Eden Valley Lane***, from Street 3D easterly to Country Club Drive, shall be graded a minimum of twenty-eight feet (28') wide and improved twenty-four feet (24') wide with asphalt concrete pavement over approved base. The improvement and design standards of Section 3.1(C) of the San Diego County Standards for Private Roads for seven hundred fifty (750) to twenty-five hundred (2500) trips shall apply. (See cross-section I/2 of the Preliminary Grading Plan)

c. ***Mount Whitney Road***, from southwest corner of Neighborhood 2 easterly to Country Club Drive, shall be graded a minimum of twenty-eight feet (28') wide and improved twenty-four feet (24') wide with asphalt concrete pavement over approved base. The improvement and design standards of Section 3.1(C) of the San Diego County Standards for Private Roads for seven hundred fifty (750) to two thousand five hundred (2500) trips shall apply. (**Update cross section J/2 of the Preliminary Grading Plan to reflect this condition**)

d. ***Mount Whitney Road:*** Install a stop sign at Mount Whitney Road and Country Club Drive's intersection when warrants are met.

e. ***Proposed on-site Street 1A, 1D, 1E, 1F, 2C, 2D, 3C, 3D, 4B, 4D, 5C and portion of street 2A, 4A and 4C***, shall be graded a minimum of forty-three feet (43') wide and improved thirty-two feet (32') wide with asphalt concrete pavement over approved base. The improvement and design standards of Section 3.1(C) of the San Diego County Standards for Private Roads for one hundred or less trips shall apply. (See cross section A/2 of the Preliminary Grading Plan)

f. ***Proposed on-site Street 1B, 1C, 2B, 3B, and portion of street 2A, 4A, 4C, and 5A***, shall be graded a minimum of forty-one feet and a half (41.5') wide and improved thirty-two feet (32') wide with asphalt concrete pavement over approved base. The improvement and design standards of Section 3.1(C) of the San Diego County Standards for one hundred one (101) to seven hundred fifty (750) trips shall apply. (See cross section B/2 of the Preliminary Grading

Plan).

g. ***Proposed on-site Street 3A, 5D and portion of Street 1C and 5A***, shall be graded a minimum of forty-nine feet and a half (49.5') wide and improved thirty-two feet (32') wide with asphalt concrete pavement over approved base. The improvement and design standards of Section 3.1(C) of the San Diego County Standards for seven hundred fifty (750) to two thousand five hundred (2500) trips shall apply. (See cross section D/2 of the Preliminary Grading Plan).

h. ***Proposed on-site Street A***, shall be graded a minimum of fifty-three feet and a half (53.5') wide and improved a minimum twenty-four feet (24') wide with asphalt concrete pavement over approved base. The improvement and design standards of Section 3.1(C) of the San Diego County Standards for seven hundred fifty (750) to two thousand five hundred (2500) trips shall apply. (See cross section C/2 of the Preliminary Grading Plan).

i. ***Proposed on-site Street 5A***, from lot 276 easterly to Street 5B & 5D, and from lot 255 southerly to County Club Drive shall be graded a minimum of fifty-eight feet (58') wide and improved a minimum thirty-two feet (32') wide with asphalt concrete pavement over approved base. The improvement and design standards of Section 3.1(C) of the San Diego County Standards for seven hundred fifty (750) to two thousand five hundred (2500) trips shall apply. (See cross section E/2 of the Preliminary Grading Plan).

j. ***Proposed on-site emergency access road***, from Street 1C southerly to Mount Whitney Road, shall be graded a minimum of forty-nine feet and a half (49.5') wide and improved thirty-two feet (32') wide with asphalt concrete pavement over approved base. The improvement and design standards of Section 3.1(C) of the San Diego County Standards for seven hundred fifty (750) to two thousand five hundred (2500) trips shall apply. (See cross section F/2 of the Preliminary Grading Plan).

k. ***Proposed on-site emergency access road***, from Street A northeasterly to Hill Valley Drive, shall be graded a minimum of twenty-eight feet (28') wide and improved twenty-four feet (24') wide with asphalt concrete pavement over approved base. The improvement and design standards of Section 3.1(C) of the San Diego County Standards for seven hundred fifty (750) to two thousand five hundred (2500) trips shall apply. (See cross section G/2 of the Preliminary Grading Plan)

l. ***Proposed on-site Street 5B***, shall be graded a minimum of fifty-five feet (55') wide and improved a minimum thirty-two feet (32') wide with asphalt concrete pavement over approved base. The improvement and design standards of Section 3.1(C) of the San Diego County Standards for seven hundred fifty (750) to two thousand five hundred (2500) trips shall apply. (See cross section U/2 of the Preliminary Grading Plan).

m. All the ***proposed concrete sidewalks, DG pathways, trails*** shall be improved and designed per approved Valiano Specific Plan (PDS2013-SP-13-001) and Preliminary Grading Plan to the satisfaction of the Director of PDS.

n. All the ***proposed on-site cul-de-sacs*** shall be graded to a minimum radius of forty feet (40') and surfaced to a radius of thirty-six feet (36') with asphalt concrete pavement over approved base with asphalt concrete dike with face of dike at thirty-six feet (36') from the radius point.

o. All the ***proposed on-site knuckles*** shall be designed and improved per San Diego County Design Standards, DS-15.

p. Any proposed gate entries shall be in accordance with San Diego County Design Standard DS-17, DS-18, or DS-19 to the satisfaction of the Director of PDS.

q. 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, Private Road Standards, and the DPW Land Development Improvement Plan Checking Manual. The improvements plans, execution of the agreements, and acceptance of the securities shall be completed prior to approval of the Final Map. **DOCUMENTATION:** The applicant shall complete the following:

r. Process and obtain approval of Improvement Plans to improve the above listed private road easements.

s. Provide Secured Agreements in accordance with Subdivision Ordinance Sec. 81.408. The Secured Agreements for ***Hill Valley Drive***, ***Eden Valley Lane***, and ***Mount Whitney Road*** shall require the developer and the developer's successor(s) in interest to maintain the off-site roadway segments in perpetuity. If the developer's successor in interest is a Homeowners Association (HOA), the Agreement shall require the perpetual maintenance obligation to be contained in the Covenants, Conditions, and Restrictions of the HOA and prohibit the HOA or its members from revising or deleting the perpetual maintenance responsibility without the prior written consent of the County. The Secured Agreements for ***Eden Valley Lane*** and ***Mount Whitney Road*** shall also require dissolving the existing Permanent Road Divisions (PRDs) upon the completion of the off-site road improvements and establishment of a permanent maintenance mechanism, but prior to occupancy being granted for any homes in the subdivision."

t. Upon approval of the plans, pay all applicable inspection fees with [*DPW, PDCI*].

u. If the applicant is a representative, then a one of the following is required: a corporate certificate indicating those corporation officers authorized to sign for the corporation, or a partnership agreement recorded in this County indicating who is authorized to sign for the partnership.

TIMING: Prior to the recordation of the Final Map for any phase, 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.

55. ROADS#8. PRIVATE ROAD EASEMENT

INTENT: In order to promote orderly development and to comply with the County Subdivision Ordinance Section 81.402, the private road easements shall be provided. **DESCRIPTION OF REQUIREMENT:**

a. The Final Map shall show a minimum forty-three foot (43') wide for proposed on-site private road easements ***1A, 1D, 1E, 1F, 2C, 2D, 3D, 3C, 4B, 4C, 4D, 5C and portion of street 2A, 4A and 4C*** as shown in the Valiano Specific Plan (PDS2013-SP-13-001) and Tentative Map (PDS2013-TM-5575).

b. The Final Map shall show a minimum forty-one and half foot (41.5') wide for proposed on-site private road easements ***1B, 1C, 2B, 3B, and portion of street 2A, 4A, 4C, and 5A*** as shown in the Valiano Specific Plan (PDS2013-SP-13-001) and Tentative Map (PDS2013-TM-5575).

c. The Final Map shall show a minimum forty-nine and half foot (49.5') wide for proposed on-site private road easements ***3A, 5D and portion of Streets 1C and 5A*** as shown in the Valiano Specific Plan (PDS2013-SP-13-001) and Tentative Map (PDS2013-TM-5575).

d. The Final Map shall show a minimum fifty-three and half foot (53.5') wide for proposed on-site private road easements ***Street A*** as shown in the Valiano Specific Plan (PDS2013-SP-13-001) and Tentative Map (PDS2013-TM-5575).

e. The Final Map shall show a minimum fifty-eight foot (58') wide for proposed on-site private road easements ***Street 5A*** from lot 276 easterly to Street 5B & 5D as shown in the Valiano Specific Plan (PDS2013-SP-13-001) and Tentative Map (PDS2013-TM-5575).

f. The Final Map shall show a minimum forty-nine foot and a half (49.5') wide for proposed on-site private road easements, ***emergency access road***, from Street 1C southerly to Mount Whitney Road as shown in the Valiano Specific Plan (PDS2013-SP-13-001) and Tentative Map (PDS2013-TM-5575).

g. The Final Map shall show a minimum forty foot (40') wide for proposed on-site private road easements, ***emergency access road***, from Street A northeasterly to Hill Valley Drive as shown in the Valiano Specific Plan (PDS2013-SP-13-001) and Tentative Map (PDS2013-TM-5575).

h. The Final Map shall show a minimum fifty-five foot (55') wide for proposed on-site private road easements, ***Street 5B*** as shown in the Valiano Specific Plan (PDS2013-SP-13-001) and Tentative Map (PDS2013-TM-5575).

i. Provide documentation to show a minimum twenty-eight foot (28') wide off-site private road easement, ***Hill Valley Drive,*** from the first 185 feet off-site private road easement easterly to a publicly maintained portion of Hill Valley Drive.

j. The Final Map shall show a forty foot (40') minimum radius cul-de-sac or a minimum hammerhead turnaround located at the terminus of proposed private road easements, to the satisfaction of the San Marcos Fire Protection District and the Director of PDS.

DOCUMENTATION: The applicant shall show the easements on the Final Map. **TIMING:** Prior to approval of the Final Map, the easements shall be shown. **MONITORING:** The [*PDS, LDR*] shall review the Final Map to ensure that the fire turnout easement is indicated pursuant to this condition.

56. ROADS#9. PRIVATE ROAD MAINTENANCE AGREEMENT

INTENT: For roads that are not dedicated to public use and included in the PRD Zone, the applicant shall in accordance with County Subdivision Ordinance Sec. 81.402(c), assume responsibility for the maintenance of the of the private roads. **DESCRIPTION OF REQUIREMENT:** A private road maintenance agreement shall be executed that indicates the following:

a. Maintenance shall be provided through a private road maintenance agreement satisfactory to the Director of PDS. The agreement may cover portions of ***Hill Valley Drive***, ***Eden Valley Lane***, and ***Mt Whitney Road,*** if any, that are not dedicated to public use, and shall require the developer and the developer's successor(s) in interest to maintain the off-site roadway segments in perpetuity. If the developer's successor in interest is a Homeowners Association (HOA), the agreement shall require the perpetual maintenance obligation to be contained in the Covenants, Conditions, and Restrictions of the HOA and prohibit the HOA or its members from revising or deleting the perpetual maintenance responsibility without the prior written consent of the County.

In lieu of providing maintenance through a private road maintenance agreement, a PRD Zone may be used to maintain portions of Hill Valley Drive, Eden Valley Lane, and Mt Whitney Road, if any, that are not dedicated to public use, and shall require the developer and the developer's successor(s) in interest to maintain the off-site roadway segments in perpetuity.

b. The Director of PDS shall be notified as to the final disposition of title (ownership) to all the proposed on-site private easement roads, and place a note on the Final Map as to the final title status of said roads.

c. Access to each lot shall be provided by a private road easement not less than forty feet (40') wide unless it is demonstrated that a lesser easement is applicable to the satisfaction of the Director of PDS. A modification to this requirement has been accepted for Hill Valley Drive for a portion to be less than forty feet (40').

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

57. ROADS#10. PERMANENT ROAD DIVISION ZONES

INTENT: Applicant proposes to utilize portions of Eden Valley Road and Mt. Whitney Road, which are located within existing Permanent Road Division Zones (PRD Zones 24 and 1005), to access the subdivision. The existing PRD roads must be improved within the scope of the existing publicly dedicated right-of-way of the PRD Zones to mitigate traffic impacts from the subdivision. In accordance with County Subdivision Ordinance Sec. 81.402(c), the applicant shall ensure that the proposed subdivision will be financially responsible for the full cost of constructing and maintaining any additional improvements to Eden Valley Road and Mt. Whitey Road within the existing PRD Zones and for any additional maintenance costs to the existing portions of the roads resulting from the increased use of the roads for subdivision access. **DESCRIPTION OF REQUIREMENT:** Applicant shall be responsible for revising the existing PRD Zones or forming a new PRD Zone to impose an assessment or special tax, to the satisfaction of the Director, Department of Public Works, that shall at a minimum include the property within the applicant's subdivision and possibly but not necessarily the properties within PRD Zones 24 and 1005. The PRD Zone shall provide for the full cost of maintenance of the portions of Eden Valley Road and Mt. Whitney Road needed to serve the applicant's subdivision. Property owners within PRD Zones 24 and 1005 shall not be required to pay any amount for the cost of maintaining any sections of Eden Valley Road and Mt. Whitney Road expanded to serve the proposed subdivision and shall only pay a proportional share of the cost to maintain the existing portions of Eden Valley Road and Mt. Whitney Road consistent with the percentage of use of the roads made by the property owners

when compared to the use of the roads by the owners of property within the applicant's subdivision. If the applicants choose to form a new PRD Zone, then the applicant shall be responsible for dissolving, consolidating or annexing PRD Zones 24 and 1005 into the new PRD Zone. All costs incurred by the County to form the PRD Zone and dissolve, consolidate or annex PRD Zones 24 and 1005 shall be paid by applicant. **DOCUMENTATION:** The applicant shall submit an Engineer's Report prepared by a Third Party Assessment Engineer and such other documents as may reasonably be needed to form a PRD Zone, impose a special tax or assessment, and dissolve, consolidate or annex PRD Zones 24 and 1005, to the Director, Department of Public Works for review and approval. Developer shall enter into a an agreement with the County to guarantee payment of all County costs to perform this work and to ensure the PRD Zone is revised or new PRD Zoned is formed before any homes in the subdivision are sold to third parties which agreement may be included in a subdivision improvement agreement, should the applicant secure the cost to construct required improvements in accordance with the Subdivision Map Act and San Diego County Code of Regulatory Ordinances. **TIMING:** Prior to the approval of the map, the applicant shall petition the Board of Supervisors for a boundary adjustment, consolidation, annexation and/or dissolution of PRD Zones 24 and 1005, for the formation of a new PRD Zone, and to impose a new assessment(s) or special tax(es). The PRD Zones shall be revised or a new PRD Zone shall be formed prior to the sale of any lots in the subdivision. **MONITORING:** The Department of Public Works shall be responsible for taking action needed to obtain Board of Supervisors approvals of the proposed action.

58. ROADS#11. HILL VALLEY DRIVE ACCESS RIGHTS

INTENT: In order to demonstrate access rights for Hill Valley Drive. **REQUIREMENTS:** Provide evidence of access rights for Hill Valley Drive from the easterly side of the project site east to the first southerly private drive and submit a copy to the *[PDS, PPD]*. **DOCUMENTATION:** The applicant shall submit a copy of the access rights for Hill Valley Drive *[PDS, PPD]* for review and approval. **TIMING:** Prior to the approval of the map, evidence of access rights for Hill Valley Drive shall be submitted and approved. **MONITORING:** The [*PDS, PPD*] shall review the access rights documentation for Hill Valley Drive.

59. DRNG#1. ONSITE & OFFSITE DRAINAGE IMPROVEMENTS

INTENT: In order to promote orderly development and to comply with the Subdivision Ordinance Sec. 81.403 and to comply with the County Flood Damage Prevention Ordinance No. 10091 (Title 8, Division 11), County Watershed Protection Ordinance (WPO) No.10410, County Code Section 67.801 et. seq., and the County Resource Protection Ordinance (RPO) No. 9842, drainage improvements shall be completed. **DESCRIPTION OF REQUIREMENT:** Improve or agree to improve and provide security for Extended Detention Basins, Biofiltration, and Bioretention BMPs.

All drainage plan improvements shall be prepared and completed pursuant to the following ordinances and current standards: San Diego County Drainage Design

Manual, San Diego County Hydrology Manual, County of San Diego Grading Ordinance, Zoning Ordinance Sections 5300 through 5500, County Resource Protection Ordinance (RPO) No. 9842, Community Trails Master Plan and Parkland Dedication Ordinance and County Flood Damage Protection Ordinance No. 10091 (Title 8, Division 11), Low Impact Development (LID) and Hydromodification requirements and the Land Development Improvement Plan Checking Manual.

The improvements shall be completed within 24 months from the recordation of Final Map or Parcel Map pursuant to Subdivision Ordinance Sec. 81.403. The execution of the agreements and acceptance of the securities shall be completed before the approval of any subdivision map. **DOCUMENTATION:** The applicant shall complete the following:

a. Process and obtain approval of Improvement Plans to improve Extended Detention Basins, Biofiltration, and Bioretention BMPs.

b. Provide Secured agreements require posting security in accordance with Subdivision Ordinance Sec. 81.404 (a)(2).

c. Pay all applicable inspection fees with [*DPW, PDCI*].

d. If the applicant is a representative, then a one of the following is required: a corporate certificate indicating those corporation officers authorized to sign for the corporation, or a partnership agreement recorded in this County indicating who is authorized to sign for the partnership.

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

60. DRNG#2. 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 a residence, the subdivider shall take appropriate action so that each parcel does have a buildable flood free site. This pertains to watersheds having area of one hundred (100) or more acres. **DOCUMENTATION:** The applicant shall indicate the lines of inundation on the

non-title sheet of the Final Map as indicated above. **TIMING:** Prior to the recordation of the Final Map, the inundation lines shall be indicated and labeled on the map. **MONITORING:** The [*PDS, LDR*] shall verify that the inundation lines have been indicated pursuant to this condition.

61. TIF#1 (M-TR-2). TIF PROGRAM:
INTENT: In order to promote orderly development and comply with the County's TIF Program, the TIF Program shall be updated to include potential changes to the Land Use Element and Mobility Element. **DESCRIPTION OF REQUIREMENT:** Provide a fair share contribution towards the cost of updating the County's TIF program. The amount of the fair share contribution will be determined at the time the County begins the effort to update the TIF program. The cost of the TIF update will be shared by all of the approved GPAs that are being incorporated into the TIF Program to the satisfaction of the Director of Planning & Development Services: **TIMING:** Prior to the recordation of the First Final Map for any unit, provide a fair share contribution towards the cost of updating the County's TIF program. **MONITORING:** The [*PDS, LDR*] shall review the County's TIF Program and update it to allow the use of a TIF payment to mitigate cumulative traffic impacts. The County's TIF Program update shall be approved by the Board of Supervisors.

62. 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 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, all five to twelve foot (5-12') non-motorized multi-use trail easements as shown on the approved Vesting Tentative Map. **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 recordation of the map or on the map, the applicant shall dedicate the trail easements to the County of San Diego. **MONITORING:** [*PDS, LDR*] shall route the Final Map to [*DPR, TC*] *and* [*PDS, TC*] for preapproval and acceptance of the dedication on the map or prior to map recordation. [*PDS, LDR*] shall satisfy the condition after recordation.

63. TRAILS#2. TRAIL IMPROVEMENTS
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 and to comply with the Subdivision Ordinance Section 81.403. through 81.406.1, the applicant shall improve the dedicated trail easements. **DESCRIPTION OF REQUIREMENT:** Improve or agree to improve to the satisfaction of DPR and PDS a non-motorized public trail to a width of five to ten (5-10') feet within the non-motorized public trail as indicated on the approved Tentative Map. **DOCUMENTATION:** The applicant shall prepare improvement plans and provide

securities for the construction of the trail and all associated work. All plans and improvements shall be completed pursuant to the Community Trails Master Plan Design and Construction Guidelines, the County of San Diego Public Road Standards, and the Land Development Improvement Plan Checking Manual. The improvements shall be completed within 24 months from the approval of the improvement plans, execution of the agreements, and acceptance of the securities. The applicant shall complete the following:

a. Process and obtain approval of Grading Plans to improve the public non-motorized multi-use trail.

b. Provide Secured Agreements in accordance with Subdivision Ordinance Sec. 81.405 through 81.406.1.

c. Upon approval of the plans, pay all applicable inspection fees with [*DPW, PDCI*] and [*DPR, TC*]

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

64. LNDSCP#1 (M-AE-1, M-AE-2). LANDSCAPE DOCUMENTATION PACKAGE
INTENT: In order to provide adequate Landscaping that complies with the County of San Diego's Water Efficient Landscape Design Manual, the County's Water Conservation in Landscaping Ordinance, County Light Pollution Code, the Valiano Fire Protection Plan, and implements the landscape design standards in Section 2.0 and the Streetscape's Section 3.2.2 of the Valiano Specific Plan, a Landscape Plan shall be prepared. **DESCRIPTION OF REQUIREMENT:** The Landscape Documentation Package for all applicable phases of development shall be prepared by a California licensed Landscape Architect, Architect, or Civil Engineer and shall include the following information:

a. The plan shall indicate the proposed width of any adjacent public right-of-way, and the locations of any required improvements and any proposed plant materials to be installed or planted therein. The applicant shall obtain a tree permit and an encroachment permit through the Land Development Counter approving the variety, location, and spacing of all trees proposed to be planted within said right(s)-of-way. A copy of these permits 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.

b. A complete planting plan including the names, sizes, and locations of all plant materials, including trees, shrubs, and groundcover shall be included in the plans. 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. Strategic locations of deciduous trees and other vegetation shall be utilized to maximize shade and reduce the heat island effect.

c. All manufactured slopes within steep slopes shall be vegetated beyond the minimal erosion control vegetation (one one-gallon shrub per 100 s.f.) to provide one one-gallon shrub per each 75 s.f. in areas of exposed soil (i.e., non-rocky areas) and exposed newly cut rocks shall be stained to soften and screen the appearance of the manufactured slopes.

d. Retaining/Fire walls that will not be screened by landscaping shall be textured and stained to reduce visibility.

e. 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 shall be identified on the plans. The plans shall include the use of weather-based irrigation controllers, multi-programmable clocks, and high efficiency drip irrigation.

f. 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.

g. The plans shall include spot elevations of the hardscape, building and proposed fine grading of the installed landscape. Impervious surfaces shall be minimized and pervious pavers utilized where practical.

h. The location and detail of all walls, fences, and walkways shall be shown on the plans, including height from grade and type of material. A lighting plan and light standard details shall be included in the plans (if applicable) and shall be in compliance with the County's Light Pollution Code.

i. No landscaping material or irrigation or other infrastructure shall be located within a proposed trail easement or designated pathway.

j. Parking areas shall be landscaped and designed pursuant to the Off-street Parking Design Manual and the County Zoning Ordinance Section 6793.b

k. The following item shall be addressed as part of the Landscape Plan - in consultation with a California Certified Arborist and/or Biologist, a Tree Preservation Plan shall be prepared for each phase of development identifying the locations and protection techniques necessary for specific trees or groups

of trees, and other vegetation that are to remain and be preserved during all stages of development. The Plan shall include a discussion about transplanting existing small oak trees.

l. All tree canopies shall be spaced so that the crowns of all mature trees on level ground maintain a 20 foot separation and trees on slopes maintain a 30 foot horizontal separation in the fuel modification zones.

m. Parkway planting shall be established per Sections 2.0 and 3.2.2 of the Valiano Specific Plan, Section 4.0 of the Valiano Fire Protection Plan and Section 2.2.8 of the Visual Impact Analysis for Valiano.

n. All applicable Project Design Features listed in Section 7.0 of the EIR (Mitigation Measures and Project Design Features) related to landscape, irrigation, fire defensible space, preservation, erosion control, rock staining, outdoor accessory structures, low impact development BMP's, and maintenance identified in Section's 7.1.1, 7.2.1, 7.2.2, 7.2.3, 7.2.6, 7.2.10, 7.2.12, 7.2.13, and 7.2.14 shall be provided on all applicable Landscape Documentation Packages for each phase of development.

o. All irrigation plans for HOA maintained slopes and common areas shall be designed for the future use of reclaimed water from the wastewater treatment and water reclamation facility (should it be implemented as part of the project), and shall be reviewed and approved for this source of irrigation water from the Department of Environmental Health prior to approval by PDS. See Figure 6-2 of the Valiano Specific Plan.

p. The location of all Community Identity Elements shall be shown on the landscape plans with appropriate construction details and specifications. The developer/contractor is responsible for obtaining building permits for all improvements requiring permits under San Diego County Code.

q. All utility easements, including the SDG&E easement shall be shown on the landscape plans with all applicable setback requirements relating to planting and irrigation provided.

r. Prior to final approval of the particular phase that contains the SDG&E easement, the applicant shall provide evidence that SDG&E's Land Development Department has approved all proposed plant material, irrigation, and any particular notes/requirements.

DOCUMENTATION: The applicant shall prepare the Landscape Plans using the Landscape Documentation Package Checklist (PDS Form #404), submit them to the *[PDS, PPD]*, and pay all applicable review fees. **TIMING:** Prior to the recordation of the Final Map for each neighborhood and prior to the issuance of any associated permit for each neighborhood, the Landscape Plans shall be

prepared and approved. **MONITORING:** The *[PDS, LA] and [DPR, TC, PP]* shall review the Landscape Plans for compliance with this condition.

65. NOISE#1 (M-N-1). NOISE RESTRICTION EASEMENT
INTENT: In order to reduce the exposure to noise levels in excess of standards established by the County of San Diego General Plan Noise Element (Table N-1 & N-2) and the County of San Diego CEQA Noise Guidelines for Determining Significance, a noise restriction easement shall be placed on the parcel to reduce the noise exposure of land uses for sensitive receptors below levels of significance. **DESCRIPTION OF REQUIREMENT:** A Noise Restriction Easement shall be granted on the Final Map. The said easement shall include the entire areas of Lots 283 through 289 or as indicated in the Valiano Final EIR, and shall comply with the following:

a. Prior to issuance of any Building Permit, a County Approved Acoustical Consultant, shall perform an acoustical analysis, which demonstrates that the proposed residential use, as defined by the General Plan, will not be exposed to present and anticipated future noise levels exceeding the allowable sound level limit of the General Plan community noise equivalent levels (CNEL) of 45 dBA for interior noise, and a CNEL of 60 dBA for exterior noise levels.

   1) Future traffic noise level estimates must utilize a Level of Service "C" traffic flow for Country Club Drive which is its designated General Plan Mobility Element buildout roadway classification.

b. The acoustical analysis shall make recommendations that shall be implemented in the project design and building plans, so that the proposed structures and project site can comply with the noise standards referenced above.

c. The unauthorized removal of documented noise control measures at a future date after the initial condition is satisfied shall make the affected noise sensitive land use still subject to this building restriction for protection of these uses before any future building permits can be approved and issued.

d. Prior to issuance of any Building Permit, the applicant shall prepare the acoustic analysis and incorporate the proposed project design recommendations and mitigation measures, into the Building Plans. The applicant shall submit the acoustical analysis along with the building plans to the *[PDS, BD]* for review and approval before the building permits can be issued. The applicant shall revise the building plans or site design to incorporate any additional proposed mitigation measures to the satisfaction of *[PDS, PPD]*.

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 recordation of the Final Map for lots 283 through 289, the requirements of this condition shall be completed. **MONITORING:** The *[PDS, LDR]* shall verify that the easement is indicated on the map as specified and recorded.

66. PALEO#1 (M-P-1). PALEONTOLOGICAL GRADING MONITORING

INTENT: In order to mitigate for potential impacts to paleontological resources on the project site, 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:** The Project 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 within the moderate and high sensitivity soils and terrace deposits within the project site and off-site improvements. The following shall be completed:

a. The 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 provided to the County shall include an agreement that the grading and/or trenching and/or excavation monitoring will be completed, and a Memorandum of Understanding (MOU) between the Project Paleontologist, Property Owner or their representative, and the County of San Diego shall be executed. The contract shall include a cost estimate for the monitoring work and reporting.

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

DOCUMENTATION: The applicant shall provide a copy of the Paleontological 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 the recordation of the Final Map and prior to the issuance of any permit, the contract shall be provided. **MONITORING:** The *[PDS, PPD]* shall review the contract, MOU and cost estimate or separate bonds for compliance with this condition. The cost estimate shall be forwarded to *[PDS, LD]*, 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.

67. PARKS#1. DEDICATION OF PUBLIC PARK LAND

INTENT: In accordance with Title 8, Division 10 of the Code of Regulatory Ordinance also known as the Park Lands Dedication Ordinance (PLDO) and in order to comply with Section 810.105 and to receive PLDO credit, the public park known as the Public Neighborhood Park (located in the southeastern portion of the

plan area) shall be fully developed in accordance with PLDO criteria and an approved Final Park Site Plan. **DESCRIPTION OF REQUIREMENT:** Any and all parklands receiving PLDO credit shall comply with the following requirements:

a. A Final Park Site Plan (that includes grading, irrigation, landscaping, and improvement plans and construction documents) that conforms to the park concept plan in the approved Specific Plan PDS2013-SP-13-001, Tentative Map PDS2013-TM-5575, Major Use Permit PDS2014-MUP-14-019, and the park design and construction standards specified by the Department of Parks and Recreation (DPR) shall be approved by the Director of DPR.

b. The public park shall consist of 2.7 acres of active recreational uses as defined in the PLDO, including facilities and amenities identified on the approved park concept plan for Specific Plan PDS2013-SP-13-001, Tentative Map PDS2013-TM-5575, Major Use Permit PDS2014-MUP-14-019 all in conformance with the PLDO.

c. Park site improvements identified in the approved Final Park Site Plan shall be construed, and fee title to the public park site conveyed to the County by grant deed free of encumbrances, as evidenced by an Environmental Site Assessment and a California Land Title Association Policy proved by the applicant and approved by the Director of DPR.

or

d. The applicant may satisfy the preceding requirement by entering into a secured agreement with the County, prior to recordation of the first Final Map. The secured agreement shall require construction of the public park site to commence prior to issuance of the 100th building permit. The secure agreement shall comply with the requirements for improvement security as specified in the Subdivision Map Act at Government Code Section 66499 et. seq. and the County Subdivision Ordinance at County Code Section 81.407 et. seq. The agreement shall specify that the construction timeline for the public park site shall not exceed one and a half (1½) years from the first building permit. The secured agreement shall require the applicant to convey fee title to the public park site in the manner specified above. This agreement shall be accompanied by security sufficient to cover the cost of all improvements per the approved Final Park Site Plan and in the form and amount specified by the DPR Director to ensure the applicants performance of the terms of the agreement.

e. If there is less than 2.7 acres of active recreational uses in the approved Final Park Site Plan, a combination of public and private parkland shall be dedicated (as described above) and fees in-lieu of park land dedication shall be required pursuant to Section 810.107 (c) of the PLDO.

DOCUMENTATION: The applicant shall compete and provide the following:

f. Process and obtain approval from the Director for DPR for a Final Park Site Plan.

g. Process and obtain approval from the Director of DPR for the grading, irrigation, landscaping, and improvement plans and construction documents in compliance with the PLDO and the requirements mentioned above.

h. Construct park improvements identified in the Final Park Site Plan and the grading, irrigation, landscaping, and improvement plans and construction documents.

i. Submit Environmental Site Assessment and California Land Title Association Policy for approval by the Director of DPR prior to conveyance of public park fee title.

j. Convey fee title by Grant Deed of public park site that has been constructed in accordance with the Final Park Site Plan and is free of encumbrances.

or

k. Enter into a Secured Agreement with the County that ensures construction of park site, conveyance of public park fee title, and payment of in-lieu fees, as applicable, in the manner specified above; or pay in-lieu park fees, as applicable.

TIMING: Prior to the recordation of the first Final Map. **MONITORING:** The [DPR, PP] and [PDS, PCC, Landscape Architect] shall review the Park Site Plan, grading irrigation, landscaping, and improved plans, and construction documents. [DPR, PP] shall review the Secured Agreement. [DGS, RP] and [DPR, PP] shall review the Environmental Site Assessment and California Land Title Association Policy. The [PDS, BD] shall monitor building permit issuance.

68. PARKS#2. PLDO COMPLIANCE - DEDICATION OF PRIVATE PARK EASEMENTS

INTENT: Dedicate an easement to the County that restricts the use of all private parks to park and recreational purposes only to receive PLDO credit pursuant to PLDO Section 810.108 and ensure compliance with the County of San Diego PLDO. **DESCRIPTION OF REQUIREMENT:** Dedicate an easement to the County by separate document or on the Final Map that (a) restricts the use of the private parks to park and recreational purposes only; (b) specifies that the equestrian staging area is the only private park open to the public as identified within the Valiano Specific Plan (PDS2013-SP-13-001); (c) specifies that the private parks shall be maintained by the Home Owners' Association; and (d) includes a defense and indemnity provision in favor of the County that is

satisfactory to the DPR. **DOCUMENTATION:** The easement shall be submitted to the DPR for review and approval prior to recordation of the Final Map. The easement may be recorded by separate document or on the Final Map. **TIMING:** Prior to recordation of the Final Map and prior to approval of any grading permits. **MONITORING:** The *[DPR, PP]* shall review the documentation for conformance with this condition.

69. PARKS#3. PRIVATE PARKS – ESTABLISHMENT OF FUNDING MECHANISM
INTENT: In order to fully fund the operation and maintenance of all private parks, a funding mechanism shall be established to the satisfaction of the DPR. **DESCRIPTION OF REQUIREMENT:** Establish a funding mechanism for the operation and maintenance of all private parks to the satisfaction of the DPR. **DOCUMENTATION:** Provide written evidence to the satisfaction of the DPR that adequate operation and maintenance of all private parks will be provided by a funding mechanism, such as a Homeowners Association. An example of satisfactory written evidence is documentation of the formation of a Home Owners' Association that has adequate authority, obligations and funding to ensure maintenance of all private parks. **TIMING:** Prior to recordation of a Final Map and prior to approval of any grading permits. **MONITORING:** The *[DPR, PP]* shall review the documentation for conformance with this condition.

70. UTILITIES#1–SEWER ANNEXATION
INTENT: In order to promote orderly development by providing public sewer to the parcels, and to comply with the County Subdivision Ordinance Sec. 81.707 and 81.708 the sewer annexation shall be completed. **DESCRIPTION OF REQUIREMENT:** All of the land within this land division shall be annexed into the County of San Diego Sanitation District or Rincon Del Diablo Municipal Water District (in the event RDD MWD has activated latent power to provide sewer service) as decided upon by the Board of Supervisors. **DOCUMENTATION:** The applicant shall process the annexation and pay all required annexation fees, to the satisfaction of the County of San Diego Sanitation District. **TIMING:** Prior to recordation of the Final Map, the annexation shall be completed. **MONITORING:** The [*PDS, LDR*] shall review all documents provided to prove the annexation, to ensure compliance with this condition.

71. UTILITIES#2–COMMITMENT TO SERVE SEWER
INTENT: In order to promote orderly development by providing public sewer to the parcels, and to comply with the County Subdivision Ordinance Sec. 81.707 and 81.708, a sewer commitment shall be obtained. **DESCRIPTION OF REQUIREMENT:** A commitment to serve each parcel must be obtained/purchased from the County of San Diego Sanitation District or Rincon Del Diablo Municipal Water District (in the event RDD MWD has activated latent power to provide sewer service). In addition to the capacity commitment fees, the appropriate district fees shall be paid at the time of issuance of the waste-water discharge permit. No sewer permit shall be issued until all conditions in this Final Decision have been satisfied, the Final Map, grading plan, and improvement plan have been approved by PDS,

and all fees and deposits paid and improvement security posted. **DOCUMENTATION:** The applicant shall provide the commitment letter and pay all required fees, to the satisfaction of the County of San Diego Sanitation District or Rincon Del Diablo Municipal Water District as selected by the Board of Supervisors. **TIMING:** Prior to recordation of the Final Map, the sewer commitment letter shall be provided. **MONITORING:** The [*PDS, LDR*] shall review all documents provided to prove the sewer commitment has been completed, to ensure compliance with this condition.

Grading Plan Notes

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 note language.

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

(BIOLOGICAL RESOURCES)

1. **BIO#GR-1. TEMPORARY FENCING**
INTENT: In order to prevent inadvertent disturbance to open space areas, 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 all open space easements that do not allow grading, brushing or clearing. Temporary fencing is also required in all locations of the project where proposed grading or clearing is within 100 feet of an open space easement boundary. The placement of such fencing shall be approved by the Planning & Development Services. 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 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 review the certification and pictures provided by the applicant.

2. **BIO#GR-2. BIOLOGICAL MONITORING – TEMPORARY FENCING AND PRECONSTRUCTION MEETING**
INTENT: In order to prevent inadvertent disturbance to sensitive habitat, all clearing, grubbing, and/or grading shall be monitored by a biological monitor. **DESCRIPTION OF REQUIREMENT:** A County approved biologist shall perform

biological monitoring during all grading, clearing, grubbing, trenching, and construction activities. The Project Biologist shall also perform the following duties before construction to comply with the conditions of this Grading Plan and the County of San Diego Guidelines for Significance for Biological Resources:

a. Supervise and verify placement of temporary fencing of open space easements. The placement of such fencing shall be approved by Planning & Development Services.

a. The Biologist shall attend the preconstruction meetings and other meetings to discuss construction requirements.

DOCUMENTATION: The Biological Monitor shall prepare written documentation that certifies that the temporary fencing has been installed and that all construction staff has been trained on project sensitive biological resources that are to be avoided. **TIMING**: 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 verify the installation of the temporary fencing and approve the training documentation prepared by the biologist.

3. **BIO#GR-3 (M-BI-2). BREEDING SEASON AVOIDANCE - RAPTORS**
INTENT: In order to avoid impacts to raptors, which is a sensitive biological resource pursuant to County Guidelines and CEQA, 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 an active raptor nest during the breeding season as determined by preconstruction biological surveys. If grubbing, clearing or grading is proposed during the breeding season, a pre-grading survey shall be conducted three (3) days prior to start of work to determine the absence and/or presence of raptors. If raptors are nesting or displaying breeding/nesting behavior within the area, construction shall be postponed until (1) all nesting (or breeding/nesting behavior) has ceased or until after the end of the breeding season; or (2) a temporary noise barrier or berm is constructed at the edge of the development footprint to reduce noise levels below 60 dB L_{EQ} or ambient (if ambient is greater than 60 dB L_{EQ}) to the satisfaction of the Director of PDS with concurrence from USFWS and CDFW. The breeding season is defined as occurring between February 1st and July 15th. 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 no 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. No Grading shall occur within the RAA until concurrence is received from the County and the Wildlife Agencies. **TIMING:** 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.

4. **BIO#GR-4 (M-BI-7). BREEDING SEASON AVOIDANCE – MIGRATORY BIRD TREATY ACT (MBTA)**
INTENT: In order to avoid impacts to MBTA-covered species, which is a sensitive biological resource pursuant to County Guidelines and CEQA, grading and clearing shall occur outside of the breeding season of MBTA-covered species. **DESCRIPTION OF REQUIREMENT**: There shall be no brushing, clearing and/or grading within 100 feet of biological open space easements during the breeding season of MBTA-covered species. If grubbing, clearing or grading is proposed during the breeding season, a pre-grading survey shall be conducted seven (7) days prior to start of work to determine the absence and/or presence of migratory birds. Grading or clearing activities during the breeding season of MBTA-covered species may take place with PDS approval and Wildlife Agencies concurrence if it is determined that no nesting birds (or birds displaying breeding/nesting behavior are present immediately prior to clearing and grading. If migratory birds are nesting or displaying breeding/nesting behavior within the area, construction shall be postponed until all nesting (or breeding/nesting behavior) has ceased or until after the end of the breeding season as determined by a field survey and concurrence by the Director of PDS with concurrence from the US Fish and Wildlife Service and the California Department of Fish and Wildlife. The breeding season is defined as occurring between February 1st and September 1st. 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 no MBTA-covered species are present in the vicinity of the brushing, clearing or grading. **DOCUMENTATION:** The applicant shall provide a letter of agreement with this condition; alternatively, the applicant may submit a written request for waiver of this condition. No Grading shall occur until concurrence is received from the County and the Wildlife Agencies. **TIMING:** 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 unless a concurrence from the *[PDS, PPD]* is received. The *[PDS, PPD]* shall review the concurrence letter

5. **BIO#GR-5. FOCUSED BAT SURVEYS – STRUCTURE DEMOLITION AND REMOVAL OF TREES**
INTENT: In order to determine the absence and/or presence of bats within existing structures or hollow trees that are identified for removal, focused bat surveys shall be conducted. **DESCRIPTION OF REQUIREMENT:** Prior to the demolition of existing structures or removal of hollow trees, bat surveys shall be conducted to

determine the absence and/or presence of bat colonies and/or bat nursery sites. Surveys shall be conducted seven (7) days prior to structure demolition or tree removal and one survey shall be conducted immediately prior to initiation of work. If any bat colonies and/or bat nursery sites are found within any structure(s) or trees, demolition of the structure or removal of the tree(s) shall be postponed until the nursery/breeding activity ends. If bat roosting sites are found, demolition of the structure(s) or removal of the tree(s) shall be postponed until the bats are excluded from the structure(s). **DOCUMENTATION:** The applicant shall provide a copy of the survey results to the [*PDS, PPD*] for approval. **TIMING:** Prior to demolition of existing structure(s) or removal of hollow tree(s). **MONITORING:** The *[PDS, PPD]* shall review the survey results provided by the applicant

(CULTURAL RESOURCES)

6. **CULT#GR-1. RELOCATION OF BEDROCK MILLING FEATURES**
INTENT: In order to meet the intent of the County of San Diego Guidelines for Determining Significance for Cultural Resources and the California Environmental Quality Act (CEQA), the bedrock milling of sites CA-SDI-17507, CA-SDI-17509, CA-SDI-17510, CA-SDI-20762, CA-SDI-20763, CA-SDI-20858 and CA-SDI-20859 shall be incorporated into the open space or landscape areas of the Valiano project if the bedrock milling is to be impacted, and if feasible. **DESCRIPTION OF REQUIREMENT:** The bedrock milling of sites CA-SDI-17507, CA-SDI-17509, CA-SDI-17510, CA-SDI-20762, CA-SDI-20763, CA-SDI-20858 and CA-SDI-20859 are to be relocated to the onsite open space or landscape areas of the Valiano project, if feasible. The relocation effort for each site shall be conducted when earth disturbing activities are within 50 feet of that cultural site. **DOCUMENTATION:** The applicant shall:

a. Both a Luiseno and Kumeyaay Native American monitor are to be involved in the implementation of the bedrock relocation.

b. Provide a letter from the Project Archaeologist that the bedrock milling associated with sites CA-SDI-17507, CA-SDI-17509, CA-SDI-17510, CA-SDI-20762, CA-SDI-20763, CA-SDI-20858 and CA-SDI-20859 have been relocated. The letter shall identify where the bedrock milling was relocated onsite. If relocation is infeasible, the Project Archaeologist must provide justification prior to site destruction.

c. The Project Archaeologist shall prepare updated DPR site record forms identifying the new location of the bedrock milling. Evidence in the form of a letter from the South Coastal Information Center that the DPR forms have been submitted to the South Coastal Information Center shall be submitted to the *[PDS, PPD]*. Copies of the DPR forms shall be provided to the San Luis Rey Band of Mission Indians and any culturally-affiliated tribe who requests a copy.

TIMING: Prior to any clearing, grubbing, trenching, grading, or any land disturbances within 50 feet of CA-SDI-17507, CA-SDI-17509, CA-SDI-17510, CA-SDI-20762, CA-SDI-20763, CA-SDI-20858 and CA-SDI-20859, this condition shall be completed. **MONITORING:** The *[PDS, PPD]* shall review the letter from the Project Archaeologist and the South Coastal Information Center for compliance with this condition.

7. **CULT#GR-2 (M-CR-1). DATA RECOVERY PROGRAM**
INTENT: In order to mitigate for potential impacts to significant cultural resources pursuant to Section 15064.5 of the California Environmental Quality Act (CEQA), which are not determined to be significant pursuant to Section 86.602.o of the Resource Protection Ordinance (RPO), a data recovery program shall be implemented. **DESCRIPTION OF REQUIREMENT:** Implement the research design detailed in the archaeological extended study *Cultural Resources Inventory and Assessment: Valiano – San Diego County, California* prepared by Mary Robbins-Wade and Andrew Giletti. The implementation of the research design constitutes mitigation for the proposed destruction of site CA-SDI-17506. The data recovery program shall include the following and shall be completed prior to any earth-disturbing activities within 100 feet of the cultural site:

a. Prior to the beginning of Phase 1, the site boundaries of CA-SDI-17506 shall be adequately defined to determine whether the site can be avoided and eliminate the requirement for data recovery. Both a Luiseno and Kumeyaay Native American monitor shall be involved in the reassessment. If determined that the site can be avoided, a letter report shall be submitted to PDS which will serve as condition satisfaction for Data Recovery.

b. If CA-SDI-17506 cannot be avoided the following data recovery activities shall be implemented:

   1) **All Phases:** Both a Luiseno and Kumeyaay Native American monitor shall be involved in all phases of the data recovery program.

   2) **Phase One:** The data recovery program shall comply with research design and performance standards that are in the approved data recovery program in the report referenced above.

   3) **Phase One:** Upon completion a letter report shall be prepared, which evaluates 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 2 to 3 percent sample. Based on this assessment, the letter report shall recommend the need for and scope of a second phase of field investigations, not to exceed a total site hand excavated sample of 15 percent of the site deposits.

4) **Phase Two:** Implement Phase 2 fieldwork as necessary. For artifacts found during the phase one and phase two data recovery referenced above, conduct an artifact analysis, which includes the following: lithics, ceramics, faunal, floral, assemblage, and radiocarbon dating as referenced in the report above.

5) **Phase Three:** Phase 3 will be conducted regardless of whether Phase 2 excavations are required. Phase 3 will consist of mechanical stripping followed by hand excavation to identify, map, and sample buried cultural features. If cultural features are identified, flotation, radiocarbon, and obsidian analysis shall be conducted, as appropriate.

6) **Human Remains:** If any human remains are discovered, the Property Owner or their representative shall contact the County Coroner and the PDS Staff Archaeologist. Upon identification of human remains, no further disturbance shall occur in the area of the find until the County Coroner has made the necessary findings as to origin. If the remains are determined to be of Native American origin, the Most Likely Descendant (MLD), as identified by the Native American Heritage Commission (NAHC), shall be contacted by the Property Owner or their representative in order to determine proper treatment and disposition of the remains. The immediate vicinity where the Native American human remains are located is not to be damaged or disturbed by further development activity until consultation with the MLD regarding their recommendations as required by Public Resources Code Section 5097.98 has been conducted. Public Resources Code §5097.98, CEQA §15064.5 and Health & Safety Code §7050.5 shall be followed in the event that human remains are discovered.

7) **Artifact Conveyance:** Evidence that all cultural materials have been curated and/or repatriated as follows:

   (a) Evidence that all prehistoric materials collected during the data recovery 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. 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.

(b) 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.

DOCUMENTATION: Upon completion of the phase one data recovery referenced above, the applicant shall submit the letter report to the [*PDS, PPD*] for review and approval. A copy of the letter report shall be provided to the San Luis Rey Band of Mission Indians and any culturally-affiliated tribe who requests a copy. Upon completion of the phase three data recovery, the applicant shall provide a Final Technical Report from the Principal Investigator to the [*PDS, PPD*]. The final report shall include a letter from the curation facility or culturally affiliated tribe identifying that archaeological materials have been received. A copy of the Final Technical Report shall be provided to the South Coastal Information Center, the San Luis Rey Band of Mission Indians, and any culturally-affiliated tribe who requests a copy. **TIMING:** Prior to any earth-disturbing activities within 100 feet of CA-SDI-17506, the data recovery program shall be completed. **MONITORING:** The *[PDS, PPD]* shall review the phase one letter from the project archaeologist (PI) for compliance with this condition. Upon completion of the phase three data recovery, the [*PDS, PPD*] shall review the final data recovery program report for compliance with this condition.

8. CULT#GR-3 (M-CR-2). ARCHAELOGICAL MONITORING – PRECONSTRUCTION MEETING

INTENT: In order to comply with the County of San Diego Guidelines for Significance – Cultural Resources, an Archaeological Monitoring Program and Pre-Grading Survey shall be implemented for the development of each neighborhood and offsite improvements. **DESCRIPTION OF REQUIREMENT:** The County approved Project Archaeologist and Luiseno and Kumeyaay Native American monitors shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the archaeological monitoring program. The Project Archaeologist and Luiseno and Kumeyaay Native American monitors shall conduct a re-survey of the project site (each neighborhood and offsite improvements as they are developed) including off-site improvements as described below, and monitor the original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements.

The Project Archaeologist and Luiseno and Kumeyaay Native American monitors 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.

a. The Project Archaeologist and Luiseno and Kumeyaay Native American monitors shall resurvey areas of the project site (each neighborhood and offsite improvements as they are developed) including off-site improvements as determined by the Project Archaeologist in consultation with the Luiseno and Kumeyaay Native American monitors. The site boundaries of CA-SDI-17,506 shall be adequately defined to determine whether the site can be avoided and prevent the requirement for data recovery.

DOCUMENTATION: The applicant shall have the contracted Project Archeologist and Luiseno and Kumeyaay Native American monitors 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.

(GEOLOGICAL RESOURCES)

9. GEO#GR-1 (M-GE-1, M-GE-2, M-GE-3). GEOTECHNICAL HAZARDS MITIGATION MEASURES

INTENT: In order to ensure specific design and mitigation measures for geologic hazards are implemented into the grading plans. **DESCRIPTION OF REQUIREMENT:** All recommendations presented in Section 7 from *Update Geotechnical Investigation, Valiano (Eden Hills) – 48-Acre Fines, San Diego County, California* prepared by Geocon, Inc. dated May 13, 2014 and *Update Geotechnical Investigation, Valiano (Eden Hills), San Diego County, California,* prepared by Geocon, Inc. dated May 13, 2014 shall be incorporated into the grading plans and part of the grading notes to be observed during grading operations. **DOCUMENTATION:** The applicant shall prepare and submit the grading plans to [*PDS, BD*]. **TIMING:** Prior to the approval of any grading plans, the grading plans shall include required elements indicated in this condition. **MONITORING:** The [PDS, BD] shall review the Grading Plan to ensure all recommendations and notes are included per this condition. If there are any additional recommendations for slope stability, the [*PDS, BD*] shall ensure that they are incorporated into the grading plans for the project.

(PALEONTOLOGICAL RESOURCES)

10. PALEO#GR-1 (M-P-1). PALEONTOLOGICAL MONITORING - PRECONSTRUCTION

INTENT: In order to comply with Mitigation Monitoring and Reporting Program pursuant to PDS2013-TM-5575, PDS2014-MUP-14-019, and PDS2013-STP-13-003, a Paleontological Resource 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 Paleontological 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 Paleontological 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 the 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.

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

(AIR QUALITY)

11. AQ#GR-1. PROJECT DESIGN IMPLEMENTATION DURING CONSTRUCTION
INTENT: In order to mitigate impacts to Air Quality and comply with the California Environmental Quality Act, the following Project Design Features shall be implemented during construction:

Air Quality – Construction

a. In accordance with the SDAPCD Rule 55 - Fugitive Dust Control, no dust and/or dirt shall leave the property line. The following measures shall be implemented to ensure the requirements of this rule are met.

   1) No visible dust emissions shall be discharged into the atmosphere beyond the property line for a period or periods aggregating more than 3 minutes in any 60-minute period.

   2) Visible roadway dust as a result of active operations, spillage from transport trucks, erosion, or track-out/carry-out shall be minimized by the use of the following erosion control measures: (a) track-out grates or gravel beds at each egress point; (b) wheel-washing at each egress during muddy conditions, soil binders, chemical soil stabilizers, geotextiles, mulching, or seeding; and for outbound transport trucks; (c) secured tarps or cargo covering, watering, or treating of transported material.

3) Visible roadway dust as a result of active operations, spillage from transport trucks, erosion, or track-out/carry-out shall be removed at the conclusion of each work day when active operations cease, or every 24 hours for continuous operations. If a street sweeper is used to remove any track-out/carry-out, only particulate matter smaller than 10 microns in diameter (PM_{10})-efficient street sweepers certified to meet the most current South SCAQMD Rule 1186 requirements shall be used. The use of blowers for removal of track-out/carry-out shall be prohibited under any circumstances.

b. Two applications of water during grading between dozer/scraper passes shall be implemented.

c. Paving, chip sealing or chemical stabilization of internal roadways after completion of grading shall be implemented.

d. Dirt storage piles shall be stabilized by chemical binders, tarps, fencing or other erosion control.

e. The construction fleet shall use any combination of diesel catalytic converters, diesel oxidation catalysts, diesel particulate filters and/or utilize CARB/USEPA Engine Certification Tier 4, or other equivalent methods approved by the CARB.

f. Building products shall have at least a 10-percent recycled content.

g. Low VOC coatings shall be used during construction and maintenance in accordance with SDAPCD Rule 67 requirements.

h. A 15-mile per hour (mph) speed limit shall be enforced on unpaved surfaces.

i. On dry days, dirt and debris spilled onto paved surfaces shall be swept up immediately to reduce resuspension of particulate matter caused by vehicle movement. Approach routes to construction sites shall be cleaned daily of construction-related dirt in dry weather.

j. Disturbed areas shall be hydroseeded, landscaped, or developed as quickly as possible and as directed by the County and/or SDAPCD to reduce dust generation.

k. Grading shall be terminated if winds exceed 25 mph.

l. Any blasting areas shall be wetted down prior to initiating the blast.

DOCUMENTATION: The applicant shall implement the Air Quality Project Design Features pursuant to this condition. **TIMING:** The following actions shall occur throughout project construction for each neighborhood and offsite improvements.

MONITORING: The *[DPW, PDCI]* shall make sure that the Air Quality Project Design Features are implemented during project construction. The *[DPW, PDCI]* shall contact the *[PDS, PPD]* if the applicant or their representative fails to comply with this condition.

(BIOLOGICAL RESOURCES)

12. BIO#GR-6. BIOLOGICAL MONITORING – DURING CONSTRUCTION
INTENT: In order to prevent inadvertent disturbance to sensitive habitats, all grading shall be monitored by a biological monitor. **DESCRIPTION OF REQUIREMENT:** A County approved biologist shall perform biological monitoring during all grading, clearing, grubbing, trenching, and construction activities. The Project Biologist shall supervise and monitor grading activities to ensure against damage to biological resources that are intended to be protected and preserved. The monitor(s) shall be on site during all grading and clearing activities that are in or adjacent to any Biological Open Space areas or sensitive habitats. If there are disturbances, the monitor must report the occurrence(s) immediately to the [*PDS PPD*]. The biologist shall perform the following duties:

a. Prepare a California gnatcatcher-monitoring program to the satisfaction of PDS Permit Compliance Section and the Wildlife Agencies;

b. Perform weekly inspection of fencing and erosion control measures (daily during rain events) near proposed preservation areas and report deficiencies immediately to the DPW Construction Inspector;

c. Perform periodic monitoring of the work area for excessive dust generation in compliance with the County grading ordinance and report deficiencies immediately to the DPW Construction Inspector;

d. Conduct training for contractors and construction personnel, including the purpose for resource protection, a description of the gnatcatcher and its habitat, and the conservation measures that should be implemented during project construction;

e. Monitor construction lighting periodically to ensure lighting is the lowest illumination possible allowed for safety, is selectively placed and shielded, and is directed away from preserved habitat;

f. Monitor equipment maintenance, staging, and fuel dispensing areas to ensure there is no runoff to Waters of the US;

g. Stop or divert all work when deficiencies require mediation and notify DPW Construction Inspector and PDS Project Planning Division within 24 hours;

h. Produce periodic (monthly during grading) and final reports and submit to the Wildlife Agencies and PDS (final report will release bond);

i. Confer with the Wildlife Agencies and PDS Project Planning Division within 24 hours any time protected habitat or gnatcatchers are being affected by construction;

j. Attend construction meetings and other meetings as necessary.

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

13. BIO#GR-7. FOCUSED BAT SURVEYS – STRUCTURE DEMOLITION AND REMOVAL OF TREES

INTENT: In order to determine the absence and/or presence of bats within existing structures or hollow trees that are identified for removal, focused bat surveys shall be conducted. **DESCRIPTION OF REQUIREMENT:** Prior to the demolition of existing structures or removal of hollow trees, bat surveys shall be conducted to determine the absence and/or presence of bat colonies and/or bat nursery sites. Surveys shall be conducted seven (7) days prior to structure demolition or tree removal and one survey shall be conducted immediately prior to initiation of work. If any bat colonies and/or bat nursery sites are found within any structure(s) or trees, demolition of the structure or removal of the tree(s) shall be postponed until the nursery/breeding activity ends. If bat roosting sites are found, demolition of the structure(s) or removal of the tree(s) shall be postponed until the bats are excluded from the structure(s). **DOCUMENTATION:** The applicant shall provide a copy of the survey results to the [*PDS, PPD*] for approval. **TIMING:** Prior to demolition of existing structure(s) or removal of hollow tree(s). **MONITORING:** The *[PDS, PPD]* shall review the survey results provided by the applicant.

14. BIO#GR-8. PROJECT DESIGN IMPLEMENTATION DURING CONSTRUCTION

INTENT: In order to mitigate impacts to Biological Resources and comply with the California Environmental Quality Act, the following Project Design Features shall be implemented during construction:

a. Native topsoil (top three to five inches) shall be salvaged and stockpiled within a disturbed on-site location. Stockpiles shall not be greater than six feet high and shall not be mixed with other excavated materials. Following completion of

construction activities, stockpiled native topsoil shall be re-spread, as applicable.

b. The construction site shall maintain adequate storm water BMPs (erosion) and air quality control (dust).

c. The Project shall comply with wet weather grading restrictions (October 1 to April 30) to avoid habitat damage in applicable locations.

d. The Project shall not accelerate or increase storm water or non-storm water flows to sensitive downstream areas.

DOCUMENTATION: The applicant shall implement the Air Quality Project Design Features pursuant to this condition. **TIMING:** The following actions shall occur throughout project construction for each neighborhood and offsite improvements. **MONITORING:** The *[DPW, PDCI]* shall make sure that the Air Quality Project Design Features are implemented during project construction. The *[DPW, PDCI]* shall contact the *[PDS, PPD]* if the applicant or their representative fails to comply with this condition.

(CULTURAL RESOURCES)

15. CULT#GR-4 (M-CR-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 for the development of each neighborhood and offsite improvements. **DESCRIPTION OF REQUIREMENT:** The Project Archaeologist and Luiseno and Kumeyaay Native American monitors shall monitor the original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements. The archaeological monitoring program shall comply with the following requirements during earth-disturbing activities:

a. During the original cutting of previously undisturbed deposits, the Project Archaeologist and Luiseno and Kumeyaay Native American monitors 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 Luiseno and Kumeyaay Native American monitors. Monitoring of the cutting of previously disturbed deposits will be determined by the Project Archaeologist in consultation with the Luiseno and Kumeyaay Native American monitors.

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

c. If any tribal cultural resources are identified during earth-disturbing activities, the Project Archaeologist shall consult with culturally-affiliated tribes to determine appropriate mitigation. The preferred mitigation is preservation (avoidance).

d. If any human remains are discovered, the Property Owner or their representative shall contact the County Coroner and the PDS Staff Archaeologist. Upon identification of human remains, no further disturbance shall occur in the area of the find until the County Coroner has made the necessary findings as to origin. If the remains are determined to be of Native American origin, the Most Likely Descendant (MLD), as identified by the Native American Heritage Commission (NAHC), shall be contacted by the Property Owner or their representative in order to determine proper treatment and disposition of the remains. The immediate vicinity where the Native American human remains are located is not to be damaged or disturbed by further development activity until consultation with the MLD regarding their recommendations as required by Public Resources Code Section 5097.98 has been conducted. Public Resources Code §5097.98, CEQA §15064.5 and

Health & Safety Code §7050.5 shall be followed in the event that human remains are discovered.

e. The Project Archaeologist and Luiseno and Kumeyaay Native American monitors shall evaluate fill soils to determine that they are clean of cultural resources.

f. 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 for each neighborhood and offsite improvements. **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 *[PPD]* if the Project Archeologist or applicant fails to comply with this condition.

(NOISE)

16. NOISE#GR-1. TEMPORARY CONSTRUCTION NOISE CONTROL MEASURES
INTENT: In order to minimize temporary construction noise for grading operations associated with the project 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. Minimize the use of any back up alarm.

e. Equipment staging areas should be placed at locations away from noise sensitive receivers.

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, PPD*] if the applicant fails to comply with this condition.

17. NOISE#GR-2 (M-N-7). CONSTRUCTION NOISE IMPACT MEASURES

INTENT: In order to comply with the County of San Diego Noise Ordinance 36.409 & 36.410, the following noise attenuation measures shall be implemented to reduce the sound level generated from project construction equipment operations, specifically ripping, drilling and/or excavation. **DESCRIPTION OF REQUIREMENT:** The operations shall be limited to the following if ripping, drilling, or excavation is required within 180 feet of a residentially occupied off-site or on-site boundary line:

a. A 12-foot high barrier shall be erected along the length of the property line and/or work area, or length to the best extent possible to reduce noise. This barrier shall be of sufficient length to block the line of sight between the occupied property and any ripping operations within 180 feet of the property.

b. The barriers shall extend at least 10 feet beyond the horizontal line of sight in each direction. Figure 5 of the acoustical study (contained in Appendix G of this EIR) illustrates the 12-foot barrier noise mitigation noise contours. The final barrier must break the line of sight between the top of the equipment exhaust pipe and the residential receiver at all visible locations and when taking into consideration all topography in relevant areas.

c. If new information is provided to prove and certify that the construction equipment and noise measures being used is different prior to grading plan approval, then a new construction noise analysis may be reviewed to the satisfaction of the *[PDS, PPD]*. The supplemental noise analysis shall be prepared by a County Approved Noise Consultant and the report shall comply with the Noise Report Format and Content Requirements. Any proposed alternative methods, or the reduction or modification of measures may be approved if the construction activities are reduced to 75 dB and below at the occupied property line.

DOCUMENTATION: The applicant shall maintain the limited construction operations and incorporate the construction noise measures as indicated above until all grading activities have been completed. The applicant is responsible for implementing any further noise reducing measures to remain in compliance with this condition and comply with the requirements of the County Noise Ordinance, Section 36.409 & 36.410. **TIMING:** The aforementioned actions (Items a. thru c.) shall occur throughout the duration of the grading operations when construction operations are within 180 feet of any occupied boundary. **Monitoring:** The *[DPW, PDCI; PDS, CODES]* is responsible for enforcement of this condition.

18. NOISE#GR-3 (M-N-8). CONSTRUCTION NOISE SETBACK MEASURES

INTENT: In order to comply with the County of San Diego Noise Ordinance §36.409 & 36.410, the following noise attenuation measures shall be implemented to reduce the sound level generated from project breaker equipment operations (including but not limited to rock crushers). **DESCRIPTION OF REQUIREMENT:** The temporary breaker shall be limited to the following - if a breaker is required on-site during construction, then it shall not be used within 300 feet of property boundaries of occupied residences. If new information is provided to prove and certify that project breaker equipment (including but not limited to rock crushers) and noise measures being used is different prior to grading plan approval, then a new construction noise analysis may be reviewed to the satisfaction of the *[PDS, PPD]*. The supplemental noise analysis shall be prepared by a County Approved Noise Consultant and the report shall comply with the Noise Report Format and Content Requirements. Any proposed alternative methods, or the reduction or modification of measures may be approved if the construction activities are reduced to 75 dB and below at the occupied property line. **DOCUMENTATION:** The applicant shall maintain the setbacks for the breaker equipment operations. The applicant is responsible for implementing any further noise reducing measures to remain in compliance with this condition and comply with the requirements of the County Noise Ordinance, Section 36.409 & 36.410. **TIMING:** The breaker equipment setbacks shall be maintained throughout the duration of the grading operations and/or breaker activities. **MONITORING:** The *[DPW, PDCI; PDS, CODES]* is responsible for enforcement of this condition.

19. **NOISE#GR-4 (M-N-9). BLASTING PLAN AND CONSTRUCTION NOISE ORDINANCE COMPLIANCE**

INTENT: In order to comply with the County of San Diego Noise Ordinance §36.409 & 36.410, the following noise attenuation measures shall be implemented to reduce the sound level generated from construction equipment operations associated with blasting. **DESCRIPTION OF REQUIREMENT:** The project applicant shall conform to the blast plan which would be comprised of the following (but not limited to):

a. Prior to and during construction activities, the applicant shall prepare and implement a blast plan to reduce impacts associated with air blast over-pressure generated by project-related construction activities and incorporate any required noise reducing measures to comply with County Noise Ordinance regulations.

b. No blasting shall occur at a distance of less than 600 feet from any off-site structure without specific analysis by the blasting contractor showing less than significant vibration impacts to the structure.

c. All blast planning shall be conducted by a San Diego County Sheriff approved blaster, with the appropriate San Diego County Sheriff blasting permits, and all other applicable local, state, and federal permits, licenses, and bonding. The blasting contractor or owner shall conduct all notifications, inspections, and

monitoring, and major or minor blasting requirements planning, with seismograph reports as necessary.

d. Construction equipment associated with blasting (i.e. drilling, pre- and post-blasting work) shall comply with the County Noise Ordinance, Section 36.408, 36.409, and 36.410. The blast plan shall include any necessary noise measures such as (but not limited to) temporary noise barriers and blankets, increased setbacks, limiting construction equipment operations, and/or any other methods. The measures specified within the blasting plan shall be implemented to comply with County Noise Ordinance requirements.

e. If new information is provided to demonstrate and certify that the operations associated with blasting being used is different prior to grading plan approval, then a new construction noise analysis may be reviewed to the satisfaction of the *[PDS, PPD]*. The supplemental noise analysis shall be prepared by a County Approved Noise Consultant and the report shall comply with the Noise Report Format and Content Requirements. Any proposed alternative methods, or the reduction or modification of measures may be approved if the blasting activities comply with County noise standards at any occupied property line.

f. All residences within or partially within 600 feet of the blasting location shall be provided a 48-hour notification prior to a blasting activity.

g. Any livestock showing distress from blasting activity at any distance should be removed to a remote location for the duration of blasting operations. Initial planning shall consider livestock within 300 feet of a minor blast or 600 feet of a major blast to be removed to these minimum distances for the appropriate blast size prior to the commencement of blasting.

h. All equestrian trails within 600 feet of blasting operations shall have notification posted for the duration of the blasting. Warning tape as deemed necessary, and signage with specific blast information shall be placed at the trailhead and at the noise sensitive location.

If new information is provided to prove and certify that project blasting and noise measures being used is different prior to grading plan approval, then a new construction noise analysis may be reviewed to the satisfaction of the *[PDS, PPD]*. The supplemental noise analysis shall be prepared by a County Approved Noise Consultant and the report shall comply with the Noise Report Format and Content Requirements. Any proposed alternative methods, or the reduction or modification of measures may be approved if the construction activities are reduced to 75 dB and below at the occupied property line.

DOCUMENTATION: The applicant shall maintain and incorporate the construction noise measures as indicated above and within the plan until all blasting activities (including pre and post) have been completed. The applicant is responsible for

implementing any further noise reducing measures to remain in compliance with this condition and comply with the requirements of the County Noise Ordinance, Section 36.409 & 36.410. **TIMING:** This condition shall occur prior to and/or throughout the duration of all associated blasting activities. **MONITORING:** The *[DPW, PDCI; PDS, CODES]* is responsible for enforcement of this condition.

(PALEONTOLOGICAL RESOURCES)

20. PALEO#GR-2 (M-P-1). PALEONTOLOGICAL MONITORING – DURING CONSTRUCTION

INTENT: In order to comply with Mitigation Monitoring and Reporting Program pursuant to PDS2013-TM-5575, PDS2014-MUP-14-019, and PDS2013-STP-13-003, and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources, a Paleontological 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 Paleontological Monitoring Program shall comply with the following requirements during grading:

a. If paleontological resources are encountered during grading and/or excavation, the following shall be completed:

   1) The Paleontological Resources Monitor shall have the authority to direct, divert, or halt any grading and/or excavation activity until such time that the sensitivity of the resource can be determined and the appropriate salvage implemented.

   2) The Paleontological Monitor shall immediately contact the Project Paleontologist.

   3) The Project Paleontologist shall contact PDS 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.

3) Transport the collected specimens to a laboratory for processing (cleaning, curation, cataloging, etc.).

DOCUMENTATION: The applicant shall implement the Paleontological 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 or Paleontological Monitor 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).*

21. BIO#GR-9. BIOLOGICAL MONITORING REPORT

INTENT: In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) pursuant to PDS2013-TM-5575, PDS2013-STP-13-003, PDS2014-MUP-14-019, and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Biological Resources, a Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Biologist shall prepare and submit a final letter report substantiating their supervision of the grading activities and substantiating that grading did not impact additional areas of sensitive resources. The report shall conform to the County of San Diego Report Format Guidelines for Biological Resources. It shall also include but not be limited to the following items:

a. Photos of the temporary fencing that was installed during the trenching, grading, or clearing activities.

b. Monitoring logs showing the date and time that the monitor was on site.

c. Photos of the site after the grading and clearing activities.

DOCUMENTATION: The applicant shall submit the final biological monitoring 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 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.

22. CULT#GR-5 (M-CR-2). 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 for the development of each neighborhood and offsite improvements shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Archaeologist shall prepare one of the following reports upon completion of the earth-disturbing activities for each neighborhood and offsite improvements that require monitoring:

a. If no archaeological resources are encountered during earth-disturbing activities, then submit a final Negative Monitoring Report substantiating that earth-disturbing activities are completed and no cultural resources were encountered. Archaeological monitoring logs showing the date and time that the monitor was on site and any comments from the Luiseno and Kumeyaay Native American monitors must be included in the Negative Monitoring Report.

b. If archaeological resources were encountered during the earth disturbing activities, the Project Archaeologist shall provide an Archaeological Monitoring Report stating that the field monitoring activities have been completed, and that resources have been encountered. The report shall detail all cultural artifacts and deposits discovered during monitoring and the anticipated time schedule for completion of the curation and/or repatriation phase of the monitoring.

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

23. PALEO#GR-3 (M-P-1). PALEONTOLOGICAL MONITORING – ROUGH GRADING

INTENT: In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) pursuant to PDS2013-TM-5575, PDS2014-MUP-14-019, and PDS2013-STP-13-003, and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources, a Paleontological Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Paleontologist shall prepare one of the following letters for each neighborhood and/or offsite improvements upon completion of the grading activities that require monitoring:

a. If no paleontological resources were discovered, submit a "No Fossils Found" letter from the Project Paleontologist to the [*PDS, PPD*] stating that the monitoring has been completed and that no fossils were discovered. The letter report shall include 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 for each neighborhood and/or offsite improvement areas (Grading Ordinance SEC 87.421.a.2), the letter report for that neighborhood and/or offsite improvement area 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).*

24. BIO#GR-10. OPEN SPACE SIGNAGE & FENCING

INTENT: In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) for PDS2013-TM-5575, PDS2013-STP-13-003, and PDS2014-MUP-14-019, the permanent fencing and signage shall be installed. **DESCRIPTION OF REQUIREMENT:** The permanent fences and open space signs shall be installed along the open space boundary as shown on these plans.

a. Evidence shall be in the form of site photos and a statement from a California Registered Engineer, or licensed surveyor that the permanent 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:
(PDS2013-TM-5575, PDS2013-STP-13-003, PDS2014-MUP-14-019)

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 in reliance of PDS2013-STP-13-003 or PDS2014-MUP-14-019, 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.

25. BIO#GR-11. EASEMENT AVOIDANCE

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 easements indicated on this plan are for the protection of sensitive environmental 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. It is unlawful to grade or clear within an open space easement. Any disturbance shall constitute a violation of the County Grading Ordinance Section 87.112 and will result in enforcement action and restoration. The only exception(s) to this prohibition is:

a. Selective clearing of vegetation by hand to the extent required by written order of the fire authorities for the express purpose of reducing an identified fire hazard. 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.
b. Vegetation removal or application of chemicals for vector control purposes where expressly required by written order of the Department of Environmental Health of the County of San Diego.

c. Activities for the installation and maintenance of revegetation (Coast Live Oak Woodland) within Neighborhood 3 Biological Open Space pursuant to the approved Revegetation Plan. Such activities shall be approved in advance by the Director of Planning & Development Services, and shall not be inconsistent with the original intent of this easement.

d. Uses, activities, and placement of structures expressly permitted by the Director of Planning & Development Services, whose permission may be given only after following the procedures and complying with all requirements applicable to an Administrative Permit pursuant to The Zoning Ordinance of the County of San Diego.

DOCUMENTATION: The applicant shall provide a letter report 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.

26. CULT#GR-6 (M-CR-2). 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 for the development of each neighborhood and offsite improvements. **DESCRIPTION OF REQUIREMENT:** The Project Archaeologist shall prepare a final report for each neighborhood and offsite improvements as they are developed 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 curated and/or repatriated as follows:

1) Evidence that all prehistoric materials collected during the archaeological monitoring program have been submitted to a San Diego curation facility or a culturally affiliated Native American Tribal curation facility that meets federal standards per 36 CFR Part 79, and, therefore, would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records, including title, shall be transferred to the San Diego curation facility or culturally affiliated Native American Tribal curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that the prehistoric archaeological materials have been received and that all fees have been paid.

or

Evidence that all prehistoric materials collected during the grading monitoring program have been repatriated to a Native American group of appropriate tribal affinity. 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 for each neighborhood and/or offsite improvements and submit it to *[PPD]* for approval. Once approved, a final copy of the report shall be submitted to the South Coastal Information Center (SCIC), the San Luis Rey Band of Mission Indians, 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 for each neighborhood and/or offsite improvements, the final report for that neighborhood and/or offsite improvement area shall be prepared. **MONITORING:** *[PDS, PPD]* shall review the final report for compliance with this condition and the report format guidelines. Upon acceptance of all reports for all development areas, *[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.

27. PALEO#GR-4 (M-P-1). PALEONTOLOGICAL MONITORING – FINAL GRADING

INTENT: In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) pursuant to PDS2013-TM-5575, PDS2014-MUP-14-019, and PDS2013-STP-13-003, and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources, a Paleontological Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Paleontologist shall prepare a final report for each neighborhood and/or offsite improvements 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 and 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 and PDF 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 PDS by the Project Paleontologist.

DOCUMENTATION: The applicant shall submit the letter report for each neighborhood and/or offsite improvements to the [*PDS, PPD*] for review and approval. **TIMING:** Prior to the occupancy of any structure or use of the premises in reliance of PDS2014-MUP-14-019, and PDS2013-STP-13-003, and prior to Final Grading Release for each neighborhood and/or offsite improvement area (Grading Ordinance Sec. 87.421.a.3), the final report for that neighborhood and/or offsite improvement area 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.

.....

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

1. With the adoption of a General Plan Amendment, Specific Plan, and Zone Reclassification, the Vesting Tentative Map will be consistent with all elements of the San Diego County General Plan because a residential use type is proposed use which would comply with the General Plan and with the provisions of the State Subdivision Map Act and the Subdivision Ordinance of the San Diego County Code;

2. With the adoption of the Zone Reclassification, the Vesting Tentative Map will be consistent with the Zoning Ordinance because a semi-rural residential use type is proposed which meets the minimum net lot size for the S88 land use designation;

3. The design and improvements of the proposed subdivision are consistent with all elements of the San Diego County General Plan and with the San Dieguito Community Plan with the approval of the General Plan Amendment and Specific Plan, and comply with the provisions of the State Subdivision Act and the Subdivision Ordinance of the San Diego County Code;

4. The site is physically suitable for the residential use type of development because the residential lots have been clustered into five neighborhoods connected by a multi-use trail network and would reduce the amount of grading that would be required. An agricultural area (35.4 acres) will be designated as agricultural open space, 55.7 acres will be designated as common area open space, and 27.1 acres will be designated as landscaped easements. Additionally, 31.2 acres will be designated as biological open space, thereby preserving the most environmentally sensitive biological resources onsite;

5. The site is physically suitable for the proposed density of development because imported water will be provided by Rincon del Diablo Municipal Water District and sewer treatment and disposal will be provided by the onsite wastewater treatment plant;

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 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;

8. The discharge of sewage waste from the subdivision into the on-site wastewater treatment and water reclamation facility 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;

9. 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

10. Determinations and findings pursuant to the California Environmental Quality Act, the Resource Protection Ordinance, and the Watershed Protection, Stormwater Management, and Discharge Control Ordinance have been made by the Board of Supervisors.

WAIVER(S) AND MODIFICATION(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 Requirements:

1. Modification to the San Diego County Code of Regulatory Ordinances (Subdivision Ordinances) to reduce the off-site private road easement width from 40 feet to 20 feet for the first 185 feet east of the project site boundary and 28 feet for the remaining 478 feet of the private road, Hill Valley Drive. (See exception approval letter dated October 28, 2014).

County Public and Private Road Standards:

1. Modification to the San Diego Private Road Standards to reduce the off-site private road improvement requirements from 24 feet improved and 28 feet graded width to 20 feet improved and 20 feet graded width for the first 185 feet of the private road easement, Hill Valley Drive. (See exception approval letter dated October 28, 2014).

2. To the San Diego Public Road Standards to reduce design standards on Country Club Drive from a Residential Collector standard to existing condition with a minimum 25 mph design speed. (See exception approval letter dated February 17, 2015).

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

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

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

Section 21081(b) further states:

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

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

Intent: An explanation of why the mitigation measure (MM) was imposed on the project.
Description: A detailed description of the specific action(s) that must be taken to mitigate or avoid impacts.
Documentation: A description of the informational items that must be submitted by the applicant to the Lead Agency to demonstrate compliance with the COA.
Timing: The specific project milestone (point in progress) when the specific required actions are required to implemented.
Monitoring: This section describes the actions to be taken by the lead agency to assure implementation of the mitigation measure.

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

AGR#1, AQ#1, BIO#1, BIO#2, BIO#3, BIO#4, BIO#5, BIO#6, BIO#7, BIO#8, BIO#9, BIO#10, BIO#11, BIO#GR-3, BIO#GR-4, BIO#GR-7, CULT#1, CULT#2, CULT#3,

CULT#GR-2, CULT#GR-3, CULT#GR-4, CULT#GR-5,CULT#GR-6, GEO#GR-1, GHG#1, HAZ#1, HAZ#2, HAZ#4, HAZ#5, HAZ#6, LNDSCP#1, NOISE#1, NOISE#GR-2, NOISE#GR-3, NOISE#GR-4, PALEO#1, PALEO#GR-1, PALEO#GR-2, PALEO#GR-3, PALEO#GR-4, ROADS#2, TIF#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 Board of Supervisors, the subdivider shall provide Planning & Development Services with a copy of the deed by which the subject property was acquired and a Final Map report from a qualified title insurance company.

☐ The following notes shall appear on the Final Map:

- ☐ All parcels within this subdivision have a minimum of 100 square feet of solar access for each future dwelling unit allowed by this subdivision as required by Section 81.401(m) of the Subdivision Ordinance.
- ☐ At the time of recordation of the Final Map, the name of the person authorizing the map and whose name appears on the SURVEYOR'S CERTIFICATE as the person who requested the map, shall be the name of the owner of the subject property.
- ☐ The public and private easement roads serving this project shall be named. The responsible party shall contact the Street Address Section of Planning & Development Services (858-694-3797) to discuss the road naming requirements for the development. Naming of the roads is necessary for the health and safety of present and future residents.
- ☐ Certification by the Department of Environmental Health with respect to sewage disposal shall be shown on the Final Map.
- ☐ A portion of this map is a condominium project as defined in Section 1350 of the State of California Civil Code, the maximum number of dwelling units is 53. The amount of units shall be indicated on the final map.

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

NOTICE: 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.

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

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

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

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.

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.sdcounty.ca.gov/dplu/docs/LID-Handbook.pdf

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

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

GRADING PERMIT REQUIRED: A grading permit is required prior to commencement of grading when quantities of excavation or fill results in the movement of material

exceeding 200 cubic yards or eight feet (8') in vertical height of cut/fill, pursuant to Section 87.201 of Grading Ordinance.

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 PDS Construction/Road right-of-way Permits Services Section, (858) 694-3275, to coordinate County 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.

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: This subject property contains Coastal sage scrub plant community. Such plant community is habitat for the coastal California gnatcatcher. The Federal government recently listed the gnatcatcher as a threatened species under the Federal Endangered Species Act of 1973 (16 U.S.C. Section 1531 et seq.). THE LISTING MAY RESULT IN AN APPLICANT'S INABILITY TO PROCEED WITH HIS/HER PROJECT WITHOUT A PERMIT FROM THE FEDERAL GOVERNMENT IF THE SPECIES OR ITS HABITAT ARE PRESENT ON THE PROJECT SITE. It is advisable to contact the United States Fish and Wildlife Service to determine the applicability of the prohibitions under the Act to each applicant's property.

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

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

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

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

NOTICE: THE ISSUANCE OF THIS PERMIT BY THE COUNTY OF SAN DIEGO DOES NOT AUTHORIZE THE APPLICANT FOR SAID PERMIT TO VIOLATE ANY FEDERAL, STATE, OR

COUNTY LAWS, ORDINANCES, REGULATIONS, OR POLICIES INCLUDING, BUT NOT LIMITED TO, THE FEDERAL ENDANGERED SPECIES ACT AND ANY AMENDMENTS THERETO.

NOTICE: Fish and Wildlife Fees have been paid in the amount of $3,168.00 for the review of the EIR, Receipt number 37-03072018, dated March 7, 2018.

NOTICE: The 90 day period in which the applicant may file a protest of the fees, dedications or exactions begins on _____.

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

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

ON Motion of Supervisor _____, seconded by Supervisor _____, this Resolution is passed and approved by the Board of Supervisors

of the County of San Diego, State of California, at a regular meeting held on this _____ day of _____, in Board of Supervisors North Chamber Room 310, 1600 Pacific Highway, San Diego, California, by the following vote:

AYES:

NOES:

ABSENT:

DPL/WP 001-TM (06/29/09)

Attachment F

Form of Decision for Site Plan PDS2013-STP-13-003

FORM OF DECISION
SITE PLAN PDS2013-STP-13-003

Date

PROJECT NAME:	VALIANO SITE PLAN
SITE PLAN NO.:	PDS2013-STP-13-003
E.R. NUMBER:	PDS2013-ER-13-08-002
PROJECT ADDRESS:	MT. WHITNEY ROAD AT COUNTRY CLUB DRIVE, UNINCORPORATED SAN DIEGO COUNTY
APN(S):	228-313-13; 232-013-01, 02, 03; 232-020-55; 232-492-01; 232-500-18, 19, 20, 21, 22, 23, 24

FORM OF DECISION

Pursuant to Section 81.1206 of the San Diego County Subdivision Ordinance, a Vesting Site Plan (PDS2013-STP-13-003) for the Valiano Specific Plan is hereby adopted. This Vesting Site Plan illustrates those plans and designs, which are vested for this development. This permit authorizes the vesting of the following: lot design and size, location of building envelopes and pads, landscape plans, parks and recreational facilities, architectural design and elevations for residential and the wastewater treatment plant, and any other development details shown on the Vesting Site Plan.

Approval of this site plan also approves the Preliminary Grading and Improvement Plan dated March 1, 2018 consisting of 13 sheets. In accordance with the Section 87.207 of the County Grading Ordinance, Environmental Mitigation Measures or other conditions of approval required and identified on the plan(s), shall be completed or implemented on the final engineering plan before any final 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.)

SITE PLAN EXPIRATION:
This Site Plan shall expire concurrently with Tentative Map, PDS2013-TM-5575 or two years following the recordation of the Final Map except where construction and/or use of the property in reliance on this permit has commenced. Recordation of a Final Map pursuant to Tentative Map, PDS2013-TM-5575 and completion of (or entry into agreements to construct where permitted) all required improvements shall be deemed to establish such construction and/or use in reliance; provided, however, that the period within which such construction and/or use must be commenced may be extended as provided by Section 7168.

.....

SPECIFIC CONDITIONS: Compliance with the following Specific Conditions (Mitigation Measures when applicable) shall be established before the property can be used in reliance upon this Site Plan. Where specifically indicated, actions are required prior to approval of any grading, improvement, building plan and issuance of grading, construction, building, or other permits as specified:

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).*

1. **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.

2. **GEN#2. RECORDATION OF DECISION**
   INTENT: In order to comply with Section 7019 of the Zoning Ordinance, the Permit Decision shall be recorded to provide constructive notice to all purchasers, transferees, or other successors to the interests of the owners named, of the rights and obligations created by this permit. **DESCRIPTION OF REQUIREMENT:** The applicant shall sign, notarize with an 'all purpose acknowledgement' and return the original recordation form to PDS. **DOCUMENTATION:** Signed and notarized original recordation form. **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, a signed and notarized copy of the Decision shall be recorded by PDS at the County Recorder's Office. **MONITORING:** The PDS Zoning Counter shall verify that the Decision was recorded and that a copy of the recorded document is on file at PDS.

3. **BIO#1 (M-BI-1a, M-BI-3h, M-BI-8). OFF-SITE MITIGATION – NON-NATIVE GRASSLANDS**
   INTENT: In order to mitigate for the impacts to Non-Native Grasslands, which is a sensitive biological resource pursuant to County Guidelines and CEQA, off-site mitigation for impacts to 49.9 acres shall be acquired at an approved mitigation bank, or other location deemed acceptable to the County, the California Department of Fish & Wildlife and the U.S. Fish & Wildlife Service. **DESCRIPTION OF REQUIREMENT:** The applicant shall purchase habitat credit, or provide for the conservation of habitat of 49.1 acres of Non-Native Grasslands (1:1 ratio) as indicated below. Note – 0.8 acres shall be mitigated through oak woodland mitigation because 0.8 acres of non-native grasslands occur within the oak root zone within the Project site and are considered impacts to oak woodland.

   a. **Option 1:** If purchasing Mitigation Credit, the mitigation bank shall be deemed acceptable to the County, the California Department of Fish & Wildlife and the U.S.

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

1) A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.

2) If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.

3) To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.

4) An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.

or

b. **Option 2:** Provide for the conservation of habitat of the same amount and type of land located in San Diego County as indicated below. If this option is selected, the conservation of habitat shall be located within the North County MSCP PAMA.

1) The type of habitat and the location of the proposed mitigation, should be pre-approved by *[PDS, PPD]* before purchase or entering into any agreement for purchase.

2) A Resource Management Plan (RMP) shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Content Requirements to the satisfaction of the Director of PDS. If the offsite mitigation is proposed to be owned and/or managed by DPR, the RMP shall also be approved by the Director of DPR.

3) An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of PDS. The land shall be protected in perpetuity.

4) The final RMP cannot be approved until the following has been completed to the satisfaction of the Director of PDS: The land shall be purchased, the easements shall be dedicated, a Resource Manager shall be selected, and the RMP funding mechanism shall be in place.

5) In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource management to take fee title and manage the mitigation land Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the

specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

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

4. **BIO#2 (M-BI-1b, M-BI-3h, M-BI-8). OFF-SITE MITIGATION – EXTENSIVE AGRICULTURE**

INTENT: In order to mitigate for the impacts to Extensive Agriculture, which is a sensitive biological resource pursuant to County Guidelines and CEQA, off-site mitigation for impacts to 20.3 acres shall be acquired shall be acquired at an approved mitigation bank or other location deemed acceptable to the County, the California Department of Fish & Wildlife and the U.S. Fish & Wildlife Service. **DESCRIPTION OF REQUIREMENT:** The applicant shall purchase habitat credit, or provide for the conservation of habitat of 10.2 acres of Extensive Agriculture (0.5:1 ratio) as indicated below.

a. **Option 1:** If purchasing Mitigation Credit, the mitigation bank shall be deemed acceptable to the County, the California Department of Fish & Wildlife and the U.S. Fish & Wildlife Service. The following evidence of purchase shall include the following information to be provided by the mitigation bank:

1) A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.

2) If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.

3) To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.

4) An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.

b. **Option 2:** Provide for the conservation of habitat of the same amount and type of land located in San Diego County as indicated below. If this option is selected, the conservation of habitat shall be located within the North County MSCP PAMA.

1) The type of habitat and the location of the proposed mitigation, should be pre-approved by *[PDS, PPD]* before purchase or entering into any agreement for purchase.

2) A Resource Management Plan (RMP) shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Content Requirements to the satisfaction of the Director of PDS. If the offsite mitigation is proposed to be owned and/or managed by DPR, the RMP shall also be approved by the Director of DPR.

3) An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of PDS. The land shall be protected in perpetuity.

4) The final RMP cannot be approved until the following has been completed to the satisfaction of the Director of PDS: The land shall be purchased, the easements shall be dedicated, a Resource Manager shall be selected, and the RMP funding mechanism shall be in place.

5) In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource management to take fee title and manage the mitigation land Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

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

5. **BIO#3 (M-BI-3a, M-BI-5). OFF-SITE MITIGATION – SOUTHERN WILLOW SCRUB**
INTENT: In order to mitigate for the impacts to Southern Willow Scrub, which is a sensitive biological resource pursuant to County Guidelines and CEQA, off-site mitigation for impacts to 0.04 acres shall be acquired at the San Luis Rey Mitigation Bank, or other location deemed acceptable to the County, the California Department of Fish & Wildlife and the U.S. Fish & Wildlife Service. **DESCRIPTION OF REQUIREMENT:** The applicant shall purchase habitat credit, or provide for the conservation of habitat of 0.12 acres of Southern Willow Scrub (3:1 ratio) as indicated below.

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

1) A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.

2) If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.

3) To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.

4) An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.

or

b. **Option 2:** Provide for the conservation of habitat of the same amount and type of land located in San Diego County as indicated below:

1) The type of habitat and the location of the proposed mitigation, should be pre-approved by *[PDS, PPD]* before purchase or entering into any agreement for purchase.

2) A Resource Management Plan (RMP) shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Content Requirements to the satisfaction of the Director of PDS. If the offsite mitigation is proposed to be owned and/or managed by DPR, the RMP shall also be approved by the Director of DPR.

3) An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of PDS. The land shall be protected in perpetuity.

4) The final RMP cannot be approved until the following has been completed to the satisfaction of the Director of PDS: The land shall be purchased, the easements shall be dedicated, a Resource Manager shall be selected, and the RMP funding mechanism shall be in place.

5) In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource management to take fee title and manage the mitigation land Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

DOCUMENTATION: The applicant shall purchase the off-site mitigation credits and provide the evidenc9e to the *[PDS, PPD]* for review and approval. If the offsite mitigation is proposed to be owned or managed by DPR, the applicant must provide evidence to the *[PDS PPD]* that *[DPR, GPM]* agrees to this proposal. It is recommended that the applicant submit the mitigation proposal to the *[PDS, PPD],* for pre-approval. If an RMP is going to be submitted in-lieu of purchasing credits, then the RMP shall be prepared and an application for the RMP shall be submitted to the *[PDS, ZONING].* **TIMING:** Prior to issuance of any permit for the first neighborhood, the mitigation shall be completed. **MONITORING:** The *[PDS, PPD]* shall review the mitigation purchase for compliance with this condition. Upon request from the applicant *[PDS, PPD]* can pre-approve the location and type of mitigation only. The credits shall be purchased before the requirement can be completed. If the applicant chooses Option #2, then the *[PDS, ZONING]* shall accept an application for an RMP, and *[PDS, PPD]* shall review the RMP submittal for compliance with this condition and the RMP Guidelines.

6. **BIO#4 (M-BI-3b, M-BI-6). OFF-SITE MITIGATION – MULE FAT SCRUB**
INTENT: In order to mitigate for the impacts to Mule Fat Scrub, which is a sensitive biological resource pursuant to County Guidelines and CEQA, off-site mitigation for impacts to 0.01 acres shall be acquired at the San Luis Rey Mitigation Bank, or other location deemed acceptable to the County, the California Department of Fish & Wildlife and the U.S. Fish & Wildlife Service. **DESCRIPTION OF REQUIREMENT:** The applicant shall purchase habitat credit, or provide for the conservation of habitat of 0.03 acres of Mule Fat Scrub (3:1 ratio) as indicated below.

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

1) A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.

2) If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.

3) To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.

4) An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.

or

b. **Option 2:** Provide for the conservation of habitat of the same amount and type of land located in San Diego County as indicated below:

1) The type of habitat and the location of the proposed mitigation, should be pre-approved by *[PDS, PPD]* before purchase or entering into any agreement for purchase.

2) A Resource Management Plan (RMP) shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Content Requirements to the satisfaction of the Director of PDS. If the offsite mitigation is proposed to be owned and/or managed by DPR, the RMP shall also be approved by the Director of DPR.

3) An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of PDS. The land shall be protected in perpetuity.

4) The final RMP cannot be approved until the following has been completed to the satisfaction of the Director of PDS: The land shall be purchased, the easements shall be dedicated, a Resource Manager shall be selected, and the RMP funding mechanism shall be in place.

5) In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource management to take fee title and manage the mitigation land Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

DOCUMENTATION: The applicant shall purchase the off-site mitigation credits and provide the evidence to the *[PDS, PPD]* for review and approval. If the offsite mitigation is proposed to be owned or managed by DPR, the applicant must provide evidence to the *[PDS PPD]* that *[DPR, GPM]* agrees to this proposal. It is recommended that the applicant submit the mitigation proposal to the *[PDS, PPD],* for pre-approval. If an RMP is going to be submitted in-lieu of purchasing credits, then the RMP shall be prepared and an application for the RMP shall be submitted to the *[PDS, ZONING].* **TIMING:** Prior to issuance of any permit for the first neighborhood, the mitigation shall be completed. **MONITORING:** The *[PDS, PPD]* shall review the mitigation purchase for compliance with

this condition. Upon request from the applicant *[PDS, PPD]* can pre-approve the location and type of mitigation only. The credits shall be purchased before the requirement can be completed. If the applicant chooses Option #2, then the *[PDS, ZONING]* shall accept an application for an RMP, and *[PDS, PPD]* shall review the RMP submittal for compliance with this condition and the RMP Guidelines.

7. **BIO#5 (M-BI-3c, M-BI-5). OFF-SITE MITIGATION – HERBACEOUS WETLAND INTENT:** In order to mitigate for the impacts to Herbaceous Wetland, which is a sensitive biological resource pursuant to County Guidelines and CEQA, off-site mitigation for impacts to 0.02 acres shall be acquired at the San Luis Rey Mitigation Bank, or other location deemed acceptable to the County, the California Department of Fish & Wildlife and the U.S. Fish & Wildlife Service. **DESCRIPTION OF REQUIREMENT:** The applicant shall purchase habitat credit, or provide for the conservation of habitat of 0.06 acres of Herbaceous Wetland (3:1 ratio) as indicated below.

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

1) A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.

2) If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.

3) To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.

4) An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.

or

b. **Option 2:** Provide for the conservation of habitat of the same amount and type of land located in San Diego County as indicated below:

1) The type of habitat and the location of the proposed mitigation, should be pre-approved by *[PDS, PPD]* before purchase or entering into any agreement for purchase.

2) A Resource Management Plan (RMP) shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Content Requirements to the satisfaction of the Director of PDS. If the offsite mitigation is proposed to be owned and/or managed by DPR, the RMP shall also be approved by the Director of DPR.

3) An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of PDS. The land shall be protected in perpetuity.

4) The final RMP cannot be approved until the following has been completed to the satisfaction of the Director of PDS: The land shall be purchased, the easements shall be dedicated, a Resource Manager shall be selected, and the RMP funding mechanism shall be in place.

5) In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource management to take fee title and manage the mitigation land Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

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

8. **BIO#6 (M-BI-3d, M-BI-5). OFF-SITE MITIGATION – DISTURBED WETLAND**
INTENT: In order to mitigate for the impacts to Disturbed Wetland, which is a sensitive biological resource pursuant to County Guidelines and CEQA, off-site mitigation for impacts to 0.08 acres shall be acquired at the San Luis Rey Mitigation Bank, or other location deemed acceptable to the County, the California Department of Fish & Wildlife and the U.S. Fish & Wildlife Service. **DESCRIPTION OF REQUIREMENT:** The applicant shall purchase habitat credit, or provide for the conservation of habitat of 0.24 acres of Disturbed Wetland (3:1 ratio) as indicated below.

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

1) A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.

2) If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.

3) To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.

4) An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.

or

b. **Option 2:** Provide for the conservation of habitat of the same amount and type of land located in San Diego County as indicated below:

1) The type of habitat and the location of the proposed mitigation, should be pre-approved by *[PDS, PPD]* before purchase or entering into any agreement for purchase.

2) A Resource Management Plan (RMP) shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Content Requirements to the satisfaction of the Director of PDS. If the offsite mitigation is proposed to be owned and/or managed by DPR, the RMP shall also be approved by the Director of DPR.

3) An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of PDS. The land shall be protected in perpetuity.

4) The final RMP cannot be approved until the following has been completed to the satisfaction of the Director of PDS: The land shall be purchased, the easements shall be dedicated, a Resource Manager shall be selected, and the RMP funding mechanism shall be in place.

5) In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource management to take fee title and manage the mitigation land Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

DOCUMENTATION: The applicant shall purchase the off-site mitigation credits and provide the evidence to the *[PDS, PPD]* for review and approval. If the offsite mitigation is proposed to be owned or managed by DPR, the applicant must provide evidence to the *[PDS PPD]* that *[DPR, GPM]* agrees to this proposal. It is recommended that the applicant

submit the mitigation proposal to the *[PDS, PPD],* for pre-approval. If an RMP is going to be submitted in-lieu of purchasing credits, then the RMP shall be prepared and an application for the RMP shall be submitted to the *[PDS, ZONING].* **TIMING:** Prior to issuance of any permit for the first neighborhood, the mitigation shall be completed. **MONITORING:** The *[PDS, PPD]* shall review the mitigation purchase for compliance with this condition. Upon request from the applicant *[PDS, PPD]* can pre-approve the location and type of mitigation only. The credits shall be purchased before the requirement can be completed. If the applicant chooses Option #2, then the *[PDS, ZONING]* shall accept an application for an RMP, and *[PDS, PPD]* shall review the RMP submittal for compliance with this condition and the RMP Guidelines.

9. **BIO#7 (M-BI-3e, M-BI-5). OFF-SITE MITIGATION – COAST LIVE OAK WOODLAND AND OAK WOODLAND BUFFER**
INTENT: In order to mitigate for the impacts to Coast Live Oak Woodland and Oak Woodland Buffer, which are sensitive biological resources pursuant to County Guidelines and CEQA, 19.5 acres of off-site mitigation of Oak Woodland, Oak Riparian Woodland, or Oak Riparian Forest shall be acquired at the Brook Forest Conservation Bank, or other location deemed acceptable to the County, the California Department of Fish & Wildlife and the U.S. Fish & Wildlife Service. **DESCRIPTION OF REQUIREMENT:** The applicant shall purchase habitat credit, or provide for the conservation of habitat of 19.5 acres of Oak Woodland, Oak Riparian Woodland, or Oak Riparian Forest (2:1 ratio for LBZ impacts [2.1 acres]; 3:1 ratio for remaining areas of impact [5.1 acres]) as indicated below.

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

   1) A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.

   2) If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.

   3) To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.

   4) An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.

or

b. **Option 2:** Provide for the conservation of habitat of the same amount and type of land located within the North County MSCP PAMA as indicated below:

1) The type of habitat and the location of the proposed mitigation, should be pre-approved by *[PDS, PPD]* before purchase or entering into any agreement for purchase.

2) A Resource Management Plan (RMP) shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Content Requirements to the satisfaction of the Director of PDS. If the offsite mitigation is proposed to be owned and/or managed by DPR, the RMP shall also be approved by the Director of DPR.

3) An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of PDS. The land shall be protected in perpetuity.

4) The final RMP cannot be approved until the following has been completed to the satisfaction of the Director of PDS: The land shall be purchased, the easements shall be dedicated, a Resource Manager shall be selected, and the RMP funding mechanism shall be in place.

5) In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource management to take fee title and manage the mitigation land Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

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

10. BIO#8 (M-BI-3f). OFF-SITE MITIGATION – DIEGAN COASTAL SAGE SCRUB
INTENT: In order to mitigate for the impacts to Diegan Coastal Sage Scrub, which is a sensitive biological resources pursuant to County Guidelines and CEQA, off-site mitigation for impacts to 1.8 acres shall be acquired at the Brook Forest Conservation Bank, or other location deemed acceptable to the County, the California Department of Fish & Wildlife and the U.S. Fish & Wildlife Service. **DESCRIPTION OF REQUIREMENT:** The applicant shall purchase habitat credit, or provide for the

conservation of habitat of 3.6 acres of Diegan Coastal Sage Scrub (2:1 ratio) as indicated below.

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

   1) A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.

   2) If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.

   3) To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.

   4) An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.

or

b. **Option 2:** Provide for the conservation of habitat of the same amount and type of land located within the North County MSCP PAMA as indicated below:

   1) The type of habitat and the location of the proposed mitigation, should be pre-approved by *[PDS, PPD]* before purchase or entering into any agreement for purchase.

   2) A Resource Management Plan (RMP) shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Content Requirements to the satisfaction of the Director of PDS. If the offsite mitigation is proposed to be owned and/or managed by DPR, the RMP shall also be approved by the Director of DPR.

   3) An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of PDS. The land shall be protected in perpetuity.

   4) The final RMP cannot be approved until the following has been completed to the satisfaction of the Director of PDS: The land shall be purchased, the easements shall be dedicated, a Resource Manager shall be selected, and the RMP funding mechanism shall be in place.

   5) In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource

management to take fee title and manage the mitigation land Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

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

11. BIO#9 (M-BI-3g). OFF-SITE MITIGATION – GRANITIC SOUTHERN MIXED CHAPARRAL

INTENT: In order to mitigate for the impacts to Granitic Southern Mixed Chaparral, which is a sensitive biological resources pursuant to County Guidelines and CEQA, off-site mitigation for impacts to 3.0 acres shall be acquired at the Brook Forest Conservation Bank, or other location deemed acceptable to the County, the California Department of Fish & Wildlife and the U.S. Fish & Wildlife Service. **DESCRIPTION OF REQUIREMENT:** The applicant shall purchase habitat credit, or provide for the conservation of habitat of 1.5 acres of Granitic Southern Mixed Chaparral (0.5:1) as indicated below.

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

   1) A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.

   2) If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.

   3) To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.

4) An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.

or

b. **Option 2:** Provide for the conservation of habitat of the same amount and type of land located within the North County MSCP PAMA as indicated below:

1) The type of habitat and the location of the proposed mitigation, should be pre-approved by *[PDS, PPD]* before purchase or entering into any agreement for purchase.

2) A Resource Management Plan (RMP) shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Content Requirements to the satisfaction of the Director of PDS. If the offsite mitigation is proposed to be owned and/or managed by DPR, the RMP shall also be approved by the Director of DPR.

3) An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of PDS. The land shall be protected in perpetuity.

4) The final RMP cannot be approved until the following has been completed to the satisfaction of the Director of PDS: The land shall be purchased, the easements shall be dedicated, a Resource Manager shall be selected, and the RMP funding mechanism shall be in place.

5) In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource management to take fee title and manage the mitigation land Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

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

an application for an RMP, and *[PDS, PPD]* shall review the RMP submittal for compliance with this condition and the RMP Guidelines.

12. **BIO#10 (M-BI-4, M-BI-5). OFF-SITE MITIGATION – NON-WETLAND WATERS OF THE US AND CALIFORNIA DEPARTMENT OF FISH & WILDLIFE JURISDICTIONAL STREAMBED**
INTENT: In order to mitigate for the impacts to Non Wetland Waters (0.19 acres) of the US (WUS) and California Department of Fish & Wildlife (CDFW) Jurisdictional Streambed (0.26 acres) which overlap and are considered sensitive biological resources pursuant to County Guidelines and CEQA, off-site mitigation for impacts to 0.26 acres shall be acquired at the San Luis Rey Mitigation Bank, or other location deemed acceptable to the County, the CDFW and the U.S. Army Corps of Engineers (USACE). **DESCRIPTION OF REQUIREMENT:** The applicant shall purchase habitat credit of 0.26 acres of Non-Wetland WUS as indicated below.

a. The mitigation bank shall be deemed acceptable to the County, the California Department of Fish & Wildlife and the USACE. The mitigation shall be selected in consultation with the USACE and the CDFW. The following evidence of purchase shall include the following information to be provided by the mitigation bank:

1) A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.

2) If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.

3) To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.

4) An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.

DOCUMENTATION: The applicant shall purchase the off-site mitigation credits 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 pre-approval. **TIMING:** Prior to issuance of any permit for the first neighborhood, the mitigation shall be completed. **MONITORING:** The *[PDS, PPD]* shall review the mitigation purchase for compliance with this condition. Upon request from the applicant *[PDS, PPD]* can pre-approve the location and type of mitigation only. The credits shall be purchased before the requirement can be completed.

13. **HAZ#1 (M-HZ-1a, M-HZ-1b). SOIL REMEDIATION**
INTENT: In order to remediate for contaminated soils caused by a diesel above ground storage tank (AST) as identified in the Phase I Environmental Site Assessment (ESA) for APN 232-013-02, prepared by GEOCON Inc. (Study #1), dated July 2, 2013, remediation under the supervision of the Department of Environmental Health (DEH), Site

Assessment and Mitigation Program (SAM) is required. **DESCRIPTION OF REQUIREMENT:** A California Licensed Environmental Consultant shall prepare a Soil Management Plan (SMP), for the remediation of hazardous materials and contaminated soils as identified above. The plan shall be prepared and implemented pursuant to the DEH SAM Manual under direction from the DEH SAM and shall include the following:

a. Enrollment in the DEH, Voluntary Assistance Program (VAP) is required. If contamination is found to be from an underground storage tank (UST) then enrollment in the DEH, Local Oversight Program (LOP) is required in lieu of enrollment in the VAP. All soil remediation shall be completed under supervision of the VAP or LOP as required.

b. All underground storage tanks (UST) shall be removed under permit from [DEH, HMD]. If contamination is discovered from the UST, then compliance enrollment in the DEH, LOP is required.

c. All required grading work shall comply with the County of San Diego Grading Ordinance 87.101 et. al. If a grading permit is required for the remediation work, it shall be issued for the remediation work only.

d. The presence, locations and quantities of existing septic system(s) shall be evaluated. If present, the septic tanks shall be removed under permit and approval from the [DEH, LWQ].

e. If the Director of PDS determines the remediation work will take an enormous amount of time that would be detrimental to ultimate project implementation, approval of other engineering plans and/or issuance of other project permits may be permitted as long as there is no risk of effects to public health and safety. Concurrence from the *[DEH, SAM]* is required, and the applicant shall enter into a secured agreement for the completion of the remediation work.

DOCUMENTATION: The applicant shall contract with a California Licensed Environmental Consultant to prepare the SMP and implement any required work plan for soil remediation. The applicant shall also enroll in the VAP or LOP and pay all applicable fees for review and completion of this requirement. Upon completion of the VAP or LOP, a "Closure Letter" from [*DEH, SAM*] shall be submitted to the [*PDS, PPD*] for approval. **TIMING:** Prior to the issuance of any permit and prior to the Final Map for any neighborhood that requires soil remediation except for any grading permit required for the completion of remediation work only, the applicant shall comply with this condition. **MONITORING:** The [*DEH, SAM*] shall oversee the progress of the remediation project. Upon Completion of the remediation project the [*DEH, SAM*] shall issue a "Closure Letter" to the applicant and a copy to the [*PDS, PPD*]. The [*PDS, PPD*] shall review the closure letter for compliance with this condition.

14. HAZ#2. STRUCTURE REMOVAL

INTENT: In order to comply with the proposed project design for the structure(s) identified on the approved plan set that are to be removed or demolished. **DESCRIPTION OF REQUIREMENT:** The structure(s) as shown on the approved plan set shall be removed or demolished. A Demolition Permit shall be obtained from *[PDS, BD].* Compliance with

conditions HAZ #5 and HAZ #6 to determine the presence or absence of Lead Containing Materials and Asbestos Containing Materials shall be completed before the County can issue a Demolition Permit. **DOCUMENTATION:** The applicant shall submit to the [*PDS, PPD*] a signed stamped statement from a registered professional such as an Engineer, Surveyor, or Contractor, which states, that the structures have been removed or demolished. The letter report shall also include before and after pictures of the area and structure. **TIMING:** Prior to the issuance of any permit (excluding demolition permit), and prior to approval of the Final Map for any neighborhood where structure removal is required, the applicant shall comply with this condition. **MONITORING:** The [*PDS, PPD*] shall review the statement and, photos, and any additional evidence for compliance with this condition.

15. HAZ#3 (M-HZ-2). LEAD SURVEY

INTENT: In order to avoid hazards associated with lead based paint (LBP) and lead containing materials (LCM), and to mitigate below levels of significance as established in the County of San Diego Hazardous Materials and Existing Contamination Guidelines for Determining Significance, the structure(s) identified on the approved plan set for demolition or remodel shall be surveyed for the presence of LBP/LCM because the structures were built prior to 1980. **DESCRIPTION OF REQUIREMENT:** A facility survey shall be performed to determine the presence or absence of LCMs in the structure(s) identified for demolition or removal on the approved plan set. The survey shall be completed by a California Department of Health Services (DHS) certified lead inspector/risk assessor to determine the presence or absence of LBP and LCM located in the structure. The following conditions only apply if LBP and LCM are present:

a. All LBP and LCM shall be managed in accordance with applicable regulations including, at a minimum, the hazardous waste disposal requirements (Title 22 California Code of Regulations [CCR] Division 4.5), the worker health and safety requirements (Title 8 California Code of Regulations Section 1532.1), and the State Lead Accreditation, Certification, and Work Practice Requirements (Title 17 CCR Division 1, Chapter 8).

b. All LBP and LCM scheduled for demolition or disturbed during remodeling must comply with applicable regulations for demolition methods and dust suppression.

DOCUMENTATION: The applicant shall submit a letter or report prepared by a California DHS certified lead inspector/risk assessor to the [*DEH HAZ MAT, APCD*], which certifies that there was no LBP/LCM present, or all lead containing materials have been remediated pursuant to applicable regulations. **TIMING:** Prior to the issuance of any permit (excluding demolition permit), and prior to approval of the Final Map for any neighborhood that requires structure removal, the applicant shall comply with this condition. **MONITORING:** The [*DEH HAZ MAT, APCD*] shall review the report and any additional evidence for compliance with this condition. The [*PDS, PPD*] shall review the completed and stamped report and any additional evidence for compliance with this condition.

16. HAZ#4 (M-HZ-2). ASBESTOS SURVEY

INTENT: In order to avoid hazards associated with Asbestos Containing Materials (ACMs) and to mitigate below levels of significance as established by the County of San

Diego Hazardous Materials and Existing Contamination Guidelines for Determining Significance, the structure(s) identified on the approved plan set for demolition or removal shall be surveyed for the presence of ACMs because the structures were built prior to 1980. **DESCRIPTION OF REQUIREMENT:** A facility survey shall be performed to determine the presence or absence of ACMs in the structure(s) identified for demolition or remodel on the approved plan set. Suspect materials that will be disturbed by the demolition or removal activities shall be sampled and analyzed for asbestos content, or assumed to be asbestos containing. The survey shall be conducted by a person certified by Cal/OSHA pursuant to regulations implementing subdivision (b) of Section 9021.5 of the Labor Code, and shall have taken and passed an EPA-approved Building Inspector Course.

a. If ACMs are found present, they shall be handled and remediated in compliance with the San Diego County Air Pollution Control District Rule 361.145 – Standard for Demolition and Renovation.

DOCUMENTATION: The applicant shall submit to the [*DEH HAZ MAT, APCD*] a signed, stamped statement from the person certified to complete the facility survey indicating that the survey has been completed and that either regulated asbestos is present or absent. If regulated asbestos is present, the letter shall describe the procedures taken to remediate the hazard and certify that they have been remediated pursuant to code sections referenced above. **TIMING:** Prior to the issuance of any permit (excluding demolition permit), and prior to approval of the Final Map for any neighborhood that requires structure removal, the applicant shall comply with this condition. **MONITORING:** The [*DEH HAZ MAT, APCD*] shall review the report and any additional evidence for compliance with this condition. The [*PDS, PPD*] shall review the completed and stamped report and any additional evidence for compliance with this condition.

17. **LNDSCP#1 (M-AE-1, M-AE-2). LANDSCAPE DOCUMENTATION PACKAGE**
INTENT: In order to provide adequate Landscaping that complies with the County of San Diego's Water Efficient Landscape Design Manual, the County's Water Conservation in Landscaping Ordinance, County Light Pollution Code, the Valiano Fire Protection Plan, and implements the landscape design standards in Section 2.0 and the Streetscape's Section 3.2.2 of the Valiano Specific Plan, a Landscape Plan shall be prepared. **DESCRIPTION OF REQUIREMENT:** The Landscape Documentation Package for all applicable phases of development shall be prepared by a California licensed Landscape Architect, Architect, or Civil Engineer and shall include the following information:

a. The plan shall indicate the proposed width of any adjacent public right-of-way, and the locations of any required improvements and any proposed plant materials to be installed or planted therein. The applicant shall obtain a tree permit and an encroachment permit through the Land Development Counter approving the variety, location, and spacing of all trees proposed to be planted within said right(s)-of-way. A copy of these permits 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.

b. A complete planting plan including the names, sizes, and locations of all plant materials, including trees, shrubs, and groundcover shall be included in the plans. 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. Strategic locations of deciduous trees and other vegetation shall be utilized to maximize shade and reduce the heat island effect.

c. All manufactured slopes within steep slopes shall be vegetated beyond the minimal erosion control vegetation (one one-gallon shrub per 100 s.f.) to provide one one-gallon shrub per each 75 s.f. in areas of exposed soil (i.e., non-rocky areas) and exposed newly cut rocks shall be stained to soften and screen the appearance of the manufactured slopes.

d. Retaining/Fire walls that will not be screened by landscaping shall be textured and stained to reduce visibility.

e. 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 shall be identified on the plans. The plans shall include the use of weather-based irrigation controllers, multi-programmable clocks, and high efficiency drip irrigation.

f. 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.

g. The plans shall include spot elevations of the hardscape, building and proposed fine grading of the installed landscape. Impervious surfaces shall be minimized and pervious pavers utilized where practical.

h. The location and detail of all walls, fences, and walkways shall be shown on the plans, including height from grade and type of material. A lighting plan and light standard details shall be included in the plans (if applicable) and shall be in compliance with the County's Light Pollution Code.

i. No landscaping material or irrigation or other infrastructure shall be located within a proposed trail easement or designated pathway.

j. Parking areas shall be landscaped and designed pursuant to the Off-street Parking Design Manual and the County Zoning Ordinance Section 6793.b

k. The following item shall be addressed as part of the Landscape Plan - in consultation with a California Certified Arborist and/or Biologist, a Tree Preservation Plan shall be prepared for each phase of development identifying the locations and protection techniques necessary for specific trees or groups of trees, and other vegetation that are to remain and be preserved during all stages of development. The Plan shall include a discussion about transplanting existing small oak trees.

l. All tree canopies shall be spaced so that the crowns of all mature trees on level ground maintain a 20 foot separation and trees on slopes maintain a 30 foot horizontal separation in the fuel modification zones.

m. Parkway planting shall be established per Sections 2.0 and 3.2.2 of the Valiano Specific Plan, Section 4.0 of the Valiano Fire Protection Plan and Section 2.2.8 of the Visual Impact Analysis for Valiano.

n. All applicable Project Design Features listed in Section 7.0 of the EIR (Mitigation Measures and Project Design Features) related to landscape, irrigation, fire defensible space, preservation, erosion control, rock staining, outdoor accessory structures, low impact development BMP's, and maintenance identified in Section's 7.1.1, 7.2.1, 7.2.2, 7.2.3, 7.2.6, 7.2.10, 7.2.12, 7.2.13, and 7.2.14 shall be provided on all applicable Landscape Documentation Packages for each phase of development.

o. All irrigation plans for HOA maintained slopes and common areas shall be designed for the future use of reclaimed water from the wastewater treatment and water reclamation facility (should it be implemented as part of the project), and shall be reviewed and approved for this source of irrigation water from the Department of Environmental Health prior to approval by PDS. See Figure 6-2 of the Valiano Specific Plan.

p. The location of all Community Identity Elements shall be shown on the landscape plans with appropriate construction details and specifications. The developer/contractor is responsible for obtaining building permits for all improvements requiring permits under San Diego County Code.

q. All utility easements, including the SDG&E easement shall be shown on the landscape plans with all applicable setback requirements relating to planting and irrigation provided.

r. Prior to final approval of the particular phase that contains the SDG&E easement, the applicant shall provide evidence that SDG&E's Land Development Department has approved all proposed plant material, irrigation, and any particular notes/requirements.

DOCUMENTATION: The applicant shall prepare the Landscape Plans using the Landscape Documentation Package Checklist (PDS Form #404), submit them to the *[PDS, PPD]*, and pay all applicable review fees. **TIMING:** Prior to issuance of any permit for each neighborhood 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 Plans for compliance with this condition.

18. PLN#1. SEWER AND FIRE ANNEXATION

INTENT: In order to promote orderly development, the Project shall be annexed into the appropriate sewer district and the San Marcos Fire District for fire and sewer services. **DESCRIPTION OF REQUIREMENT:** Apply for and receive annexation approval from the Local Agency Formation Commission (LAFCO). **DOCUMENTATION:** The applicant

shall provide the annexation approval documents to Planning and Development Services. **TIMING:** 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, the applicant shall annex into the appropriate sewer district and the San Marcos Fire District. **MONITORING:** Upon request of the applicant, *[PDS, PPD]* shall provide a recommendation to LAFCO for the annexation into appropriate sewer district and the San Marcos Fire District. The [*PDS, PPD*] shall review the annexation documents for compliance with this condition.

IMPLEMENTING SITE PLAN: *(Prior to the approval of any Implementing Site Plan).*

19. GHG#1. CARBON OFFSET TABULATION
INTENT: In order to ensure operations-related GHG emissions are offset to zero. **DESCRIPTION OF REQUIREMENT:** A tabulation that identifies the overall carbon offsets required to mitigate the entire Project's GHG emissions, the amount of carbon offsets purchased to date, and the remaining carbon offsets required to reduce the Project's emissions to net zero shall be provided on the Implementing Site Plan. **DOCUMENTATION:** The applicant shall provide the carbon offset tabulation on the Implementing Site Plan to the satisfaction of the Director of PDS. **TIMING:** Prior to approval of any Implementing Site Plan. **MONITORING:** The *[PDS, PPD]* shall make sure that the carbon offset tabulation is provided on any Implementing Site Plan.

DEMOLITION PERMIT: *(Prior to approval or issuance of any demolition permit).*

20. BIO#11. FOCUSED BAT SURVEYS – STRUCTURE DEMOLITION
INTENT: In order to determine the absence and/or presence of bats within existing structures that are identified for removal, focused bat surveys shall be conducted. **DESCRIPTION OF REQUIREMENT:** Prior to the approval or issuance of any demolition permit for existing structures, bat surveys shall be conducted within any existing structure to be demolished to determine the absence and/or presence of bat colonies and/or bat nursery sites. Surveys shall be conducted seven (7) days prior to structure demolition and one survey shall be conducted immediately prior to initiation of work. If any bat colonies and/or bat nursery sites are found within any structure(s), demolition of the structure shall be postponed until the nursery/breeding activity ends. If bat roosting sites are found, demolition of the structure(s) shall be postponed until the bats are excluded from the structure(s). **DOCUMENTATION:** The applicant shall provide a copy of the survey results to the [*PDS, PPD*] for approval. **TIMING:** Prior to approval or issuance of any demolition permit. **MONITORING:** The *[PDS, PPD]* shall review the survey results provided by the applicant.

GRADING PERMIT: *(Prior to approval of any grading and or improvement plans and issuance of any Grading or Construction Permits).*

21. CULT#1 (M-CR-1). DATA RECOVERY PROGRAM
INTENT: In order to mitigate for potential impacts to significant cultural resources pursuant to Section 15064.5 of the California Environmental Quality Act (CEQA), which are not determined to be significant pursuant to Section 86.602.o of the Resource Protection Ordinance (RPO), a data recovery program shall be implemented. **DESCRIPTION OF REQUIREMENT:** Implement the research design detailed in the archaeological extended study *Cultural Resources Inventory and Assessment: Valiano –*

San Diego County, California prepared by Mary Robbins-Wade and Andrew Giletti. The implementation of the research design constitutes mitigation for the proposed destruction of site CA-SDI-17506. The data recovery program shall include the following and shall be completed prior to any earth-disturbing activities within 100 feet of the cultural site:

a. Prior to the beginning of Phase 1, the site boundaries of CA-SDI-17506 shall be adequately defined to determine whether the site can be avoided and eliminate the requirement for data recovery. Both a Luiseno and Kumeyaay Native American monitor shall be involved in the reassessment. If determined that the site can be avoided, a letter report shall be submitted to PDS which will serve as condition satisfaction for Data Recovery.

b. If CA-SDI-17506 cannot be avoided the following data recovery activities shall be implemented:

   1) **All Phases:** Both a Luiseno and Kumeyaay Native American monitor shall be involved in all phases of the data recovery program.

   2) **Phase One:** The data recovery program shall comply with research design and performance standards that are in the approved data recovery program in the report referenced above.

   3) **Phase One:** Upon completion a letter report shall be prepared, which evaluates 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 2 to 3 percent sample. Based on this assessment, the letter report shall recommend the need for and scope of a second phase of field investigations, not to exceed a total site hand excavated sample of 15 percent of the site deposits.

   4) **Phase Two:** Implement Phase 2 fieldwork as necessary. For artifacts found during the phase one and phase two data recovery referenced above, conduct an artifact analysis, which includes the following: lithics, ceramics, faunal, floral, assemblage, and radiocarbon dating as referenced in the report above.

   5) **Phase Three:** Phase 3 will be conducted regardless of whether Phase 2 excavations are required. Phase 3 will consist of mechanical stripping followed by hand excavation to identify, map, and sample buried cultural features. If cultural features are identified, flotation, radiocarbon, and obsidian analysis shall be conducted, as appropriate.

   6) **Human Remains:** If any human remains are discovered, the Property Owner or their representative shall contact the County Coroner and the PDS Staff Archaeologist. Upon identification of human remains, no further disturbance shall occur in the area of the find until the County Coroner has made the necessary findings as to origin. If the remains are determined to be of Native American origin, the Most Likely Descendant (MLD), as identified by the Native American Heritage Commission (NAHC), shall be contacted by the Property Owner or their representative in order to determine proper treatment and disposition of the remains. The immediate vicinity where the Native American human remains are

located is not to be damaged or disturbed by further development activity until consultation with the MLD regarding their recommendations as required by Public Resources Code Section 5097.98 has been conducted. Public Resources Code §5097.98, CEQA §15064.5 and Health & Safety Code §7050.5 shall be followed in the event that human remains are discovered.

7) **Artifact Conveyance:** Evidence that all cultural materials have been curated and/or repatriated as follows:

(a) Evidence that all prehistoric materials collected during the data recovery 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. 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.

(b) 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.

DOCUMENTATION: Upon completion of the phase one data recovery referenced above, the applicant shall submit the letter report to the [*PDS, PPD*] for review and approval. A copy of the letter report shall be provided to the San Luis Rey Band of Mission Indians and any culturally-affiliated tribe who requests a copy. Upon completion of the phase three data recovery, the applicant shall provide a Final Technical Report from the Principal Investigator to the [*PDS, PPD*]. The final report shall include a letter from the curation facility or culturally affiliated tribe identifying that archaeological materials have been received. A copy of the Final Technical Report shall be provided to the South Coastal Information Center, the San Luis Rey Band of Mission Indians, and any culturally-affiliated tribe who requests a copy. **TIMING:** Prior to any earth-disturbing activities within 100 feet of CA-SDI-17506, the data recovery program shall be completed. **MONITORING:** The *[PDS, PPD]* shall review the phase one letter from the project

archaeologist (PI) for compliance with this condition. Upon completion of the phase three data recovery, the [*PDS, PPD*] shall review the final data recovery program report for compliance with this condition.

22. CULT#2. RELOCATION OF BEDROCK MILLING FEATURES

INTENT: In order to meet the intent of the County of San Diego Guidelines for Determining Significance for Cultural Resources and the California Environmental Quality Act (CEQA), the bedrock milling of sites CA-SDI-17507, CA-SDI-17509, CA-SDI-17510, CA-SDI-20762, CA-SDI-20763, CA-SDI-20858 and CA-SDI-20859 shall be incorporated into the open space or landscape areas of the Valiano project if the bedrock milling is to be impacted, and if feasible. **DESCRIPTION OF REQUIREMENT:** The bedrock milling of sites CA-SDI-17507, CA-SDI-17509, CA-SDI-17510, CA-SDI-20762, CA-SDI-20763, CA-SDI-20858 and CA-SDI-20859 are to be relocated to the onsite open space or landscape areas of the Valiano project, if feasible. The relocation effort for each site shall be conducted when earth disturbing activities are within 50 feet of that cultural site. **DOCUMENTATION:** The applicant shall:

a. Both a Luiseno and Kumeyaay Native American monitor are to be involved in the implementation of the bedrock relocation.

b. Provide a letter from the Project Archaeologist that the bedrock milling associated with sites CA-SDI-17507, CA-SDI-17509, CA-SDI-17510, CA-SDI-20762, CA-SDI-20763, CA-SDI-20858 and CA-SDI-20859 have been relocated. The letter shall identify where the bedrock milling was relocated onsite. If relocation is infeasible, the Project Archaeologist must provide justification prior to site destruction.

c. The Project Archaeologist shall prepare updated DPR site record forms identifying the new location of the bedrock milling. Evidence in the form of a letter from the South Coastal Information Center that the DPR forms have been submitted to the South Coastal Information Center shall be submitted to the *[PDS, PPD]*. Copies of the DPR forms shall be provided to the San Luis Rey Band of Mission Indians and any culturally-affiliated tribe who requests a copy.

TIMING: Prior to any clearing, grubbing, trenching, grading, or any land disturbances within 50 feet of sites CA-SDI-17507, CA-SDI-17509, CA-SDI-17510, CA-SDI-20762, CA-SDI-20763, CA-SDI-20858 and CA-SDI-20859, this condition shall be completed. **MONITORING:** The *[PDS, PPD]* shall review the letter from the Project Archaeologist and the South Coastal Information Center for compliance with this condition.

23. GEO#1 (M-GE-1, M-GE-2, M-GE-3). GEOTECHNICAL HAZARDS MITIGATION MEASURES

INTENT: In order to ensure specific design and mitigation measures for geologic hazards are implemented into the grading plans. **DESCRIPTION OF REQUIREMENT:** All recommendations presented in Section 7 from *Update Geotechnical Investigation, Valiano (Eden Hills) – 48-Acre Fines, San Diego County, California* prepared by Geocon, Inc. dated May 13, 2014 and *Update Geotechnical Investigation, Valiano (Eden Hills), San Diego County, California,* prepared by Geocon, Inc. dated May 13, 2014 shall be incorporated into the grading plans and part of the grading notes to be observed during grading operations. **DOCUMENTATION:** The applicant shall prepare and submit the

grading plans to [*PDS, BD*]. **TIMING:** Prior to the approval of any grading plans, the grading plans shall include required elements indicated in this condition. **MONITORING:** The [PDS, BD] shall review the Grading Plan to ensure all recommendations and notes are included per this condition. If there are any additional recommendations for slope stability, the [*PDS, BD*] shall ensure that they are incorporated into the grading plans for the project.

24. GHG#2 (M-GHG-1). CARBON OFFSET – CONSTRUCTION-RELATED GHG
INTENT: In order to ensure construction-related GHG emissions are offset to zero. **DESCRIPTION OF REQUIREMENT:** The applicant or their designee shall provide evidence to the County of San Diego that they have obtained a one-time purchase of carbon credits sufficient to reduce the entire contribution of construction-related GHG emissions to zero for each neighborhood. The applicant shall provide a GHG analysis for each grading permit which shall include construction emissions including all grading, site preparation, building construction, architectural coatings related emissions, and the one-time loss of carbon sequestered in existing onsite vegetation.

or

The applicant or their designee shall provide evidence to the County of San Diego that they have obtained a one-time purchase of carbon credits (approximately 6,123 MT CO^2e) sufficient to reduce the entire contribution of construction-related GHG emissions to zero for all project development. The applicant shall provide a GHG analysis for the entire construction operations which shall include construction emissions including all grading, site preparation, building construction, architectural coatings related emissions, and the one-time loss of carbon sequestered in existing onsite vegetation.

Once the GHG analysis is approved, the applicant shall purchase carbon credits through:

a. A CARB-approved registry, such as the Climate Action Reserve, the American Carbon Registry, and the Verified Carbon Standard;

b. A CAPCOA GHG R_x; or

c. If no registry is in existence as identified under (1) and (2) above, then any other reputable registry or entity that issues carbon offsets consistent with Cal. Health & Safety Code section 38562(d)(1).

DOCUMENTATION: The applicant or their designee shall provide evidence in the form of documentation from the issuing registry to the satisfaction of the Director of PDS that carbon offsets have been purchased for construction-related GHG associated with the project. **TIMING:** Prior to issuance of each grading permit. **MONITORING:** The *[PDS, PPD]* shall make sure that carbon offsets for construction-related GHG has been purchased.

25. PLN#2. 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. 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.

26. STRMWTR#1. STORMWATER MAINTENANCE DOCUMENTATION

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:** 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 any deposit and applicable review fees. **TIMING:** Prior to recordation of any grading or improvement plan or construction permit, prior to use of the property in reliance of this permit; execution of the recorded agreements and securities shall be completed. **MONITORING:** The [*PDS, LDR*] shall review the agreements/mechanisms for consistency with the condition and County Standards.

27. 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 onsite 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 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 process an Erosion Control Plan and provide the letter of agreement and any additional security and/or cash deposit to the [*PDS, LDR*]. **TIMING:** Prior to approval of any grading or improvement plan or construction permit, and prior to use of the property in reliance of this permit, the Erosion Control Plan shall be approved and the agreement and securities shall be executed. **MONITORING:** The [*PDS, LDR*] shall ensure that the Erosion Control Plan adequately satisfies 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.

BUILDING PERMIT: *(Prior to approval of any building plan and the issuance of any building permit).*

28. GHG#3. CARBON OFFSET – OPERATIONS-RELATED GHG

INTENT: In order to ensure operations-related GHG emissions are offset to zero. **DESCRIPTION OF REQUIREMENT:** The applicant or their designee shall provide evidence to the County of San Diego that they have obtained carbon credits to offset the incremental portion of the Project within the approved Site Plan for a quantity sufficient to offset for a 30 year period, the operational GHG emissions to net-zero. The amount of carbon offsets required for each implementing Site Plan shall be based on the GHG emissions for each land use within the implementing Site Plan as identified Table 3.1.1-4 (Operational GHG Emissions and Off-Site Carbon Offsets per Land Use) of the Final EIR.

Carbon credits shall be purchased through:

a. A CARB-approved registry, such as the Climate Action Reserve, the American Carbon Registry, and the Verified Carbon Standard;

b. The CAPCOA GHG R_x; or

c. If no registry is in existence as identified under (1) and (2) above, then any other reputable registry or entity that issues carbon offsets consistent with Cal. Health & Safety Code section 38562(d)(1).

DOCUMENTATION: The applicant or their designee shall provide evidence in the form of documentation from the issuing registry to the satisfaction of the Director of PDS that carbon offsets have been purchased for operation-related GHG associated with the project. **TIMING:** Prior to approval of any building plan and the issuance of any building

permit. **MONITORING:** The *[PDS, PPD]* shall make sure that carbon offsets for construction-related GHG has been purchased.

29. GHG#4. ENERGY EFFICIENT DESIGN

INTENT: In order to implement a sustainable project design that would minimize energy consumption and greenhouse gas emissions. **DESCRIPTION OF REQUIREMENT:** The Project shall be designed with the Building Industry Association's California Green Builder program and shall include but is not limited to the following design features. Design features shall be shown on all Building Plans for the project.

a. The project shall be designed to meet 2016 Title 24 energy efficiency standards and shall include but is not limited to:

- Improved HVAC systems and duct seals;
- Enhanced ceiling, attic and wall insulation;
- Energy Star appliances;
- High efficiency water heaters;
- Energy efficient three-coat stucco exteriors;
- Energy efficient lighting;
- High efficiency window glazing.

b. Renewable energy shall supply 100 percent of the Project's electricity needs through the required installation of rooftop solar PV panels (a photovoltaic system) on all residential units to the extent feasible. As an alternative to the installation of PV panels on a particular building, enrollment in a renewables program similar to SDG&E's EcoChoice may be substituted if the program can be verified to supply 100 percent of the electricity needs from renewable sources for that building unit for the life of that building. The Service Provider must provide the County with documentation that the program meets the requirements stated herein by supplying the building with its electricity needs from renewable sources over the lifetime of the building. With each building permit, the estimated number of buildings/units requiring the installation of solar panel shall be provided to the County to determine the overall remaining number of buildings/units needed to comply with this measure.

c. Installation of electrical vehicle charging outlets in garages and common areas.

d. The Project shall install only natural gas fireplaces.

e. Project construction would utilize only Tier 4 certified equipment.

f. The Project shall use building products that have at least 10 percent recycled content.

DOCUMENTATION: The applicant shall comply with the energy efficiency requirements of this condition. These energy features would undergo independent third-party inspection and diagnostics as part of the California Green Builder (CGB) verification and commissioning process. The energy features would also be verified in the Title 24 Compliance Report submitted during the building permit process. **TIMING:** Prior to approval of any building plan and the issuance of any building permit, the following design measures shall be implemented on the building plans. **MONITORING:** The *[PDS, BPPR]*

shall make sure that the sustainable design measures are implemented on all building plans for the project.

30. GHG#5. WATER CONSERVATION

INTENT: In order to implement a sustainable project design that would minimize water consumption. **DESCRIPTION OF REQUIREMENT:** The following design features shall be implemented on all Building Plans for the project:

a. The project shall incorporate water conservation strategies to reduce water usage. These may include but are not limited to the following:

- Installation of advanced plumbing systems, such as parallel hot water piping or hot water recirculation systems, and fixtures such as ultra-low flow toilets, water saving showerheads and kitchen faucets, and buyer-optional high-efficiency clothes washers;
- Minimize turf, maximize drought-tolerant plants and incorporate weather-based irrigation controllers, multi-programmable irrigation clocks, and high efficiency drip irrigation systems;
- The use of reclaimed water for outdoor irrigation;
- Minimize impervious surfaces through the use of pervious pavers, where practical.

DOCUMENTATION: The applicant shall comply with the energy efficiency requirements of this condition. These energy features would undergo independent third-party inspection and diagnostics as part of the California Green Builder (CGB) verification and commissioning process. The energy features would also be verified in the Title 24 Compliance Report submitted during the building permit process. **TIMING:** Prior to approval of any building plan and the issuance of any building permit, the following design measures shall be implemented on the building plans. **MONITORING:** The *[PDS, BPPR]* shall make sure that the sustainable design measures are implemented on all building plans for the project.

31. GHG#6. SOLID WASTE REDUCTION

INTENT: In order to implement a sustainable project design that would minimize waste generation. **DESCRIPTION OF REQUIREMENT:** The following design features shall be implemented on all Building Plans for the project:

a. A Construction and Demolition Debris Management Plan shall be prepared to divert 90 percent of inerts and 70 percent of all other construction waste from landfills through reuse and recycling, in accordance with County Ordinance Sections 68.508 through 68.518.

b. In accordance with AB 341, at least 75 percent of operational waste shall be diverted from landfills through reuse and recycling

c. The project design shall provide areas for storage and collection of recyclables and yard waste.

DOCUMENTATION: The applicant shall comply with the requirements of this condition. **TIMING:** Prior to approval of any construction or building plan or the issuance of any

grading permit or any building permit, the following design measures shall be implemented on the building plans. **MONITORING:** The *[PDS, BPPR]* shall make sure that the sustainable design measures are implemented on all building plans for the project.

32. **PARKS#1. PRIVATE PARKS – CENTRAL OAK PARK**
INTENT: The private Central Oak Park shall be fully developed and a final Park Site Plan approved to ensure compliance with the County of San Diego Park Lands Dedication Ordinance (PLDO). **DESCRIPTION OF REQUIREMENT:** The applicant shall obtain DPR approval of detailed plans and specifications that conforms to the private Central Oak Park concept plan in the Valiano Specific Plan (PDS2013-SP-13-001). The final Park Site Plan shall include, at a minimum, the amenities listed in Table 2.2 of the Valiano Specific Plan (PDS2013-SP-13-001). **DOCUMENTATION:** Detailed plans and specifications for the private Central Oak Park shall be submitted to DPR for review and approval. **TIMING:** Prior to issuance of any building permit in Neighborhood 2. **MONITORING:** The [*PDS, PPD*] shall review the detailed plans and specifications and the approved Valiano Specific Plan (PDS2013-SP-13-001) for compliance with this condition.

33. **PARKS#2. PRIVATE PARKS – RECREATION FACILITY**
INTENT: The private recreation facility shall be fully developed and a final Park Site Plan approved to ensure compliance with the County of San Diego Park Lands Dedication Ordinance (PLDO). **DESCRIPTION OF REQUIREMENT:** The applicant shall obtain DPR approval of detailed plans and specifications that conform to the private recreation facility concept plan in the Valiano Specific Plan (PDS2013-SP-13-001). The final Park Site Plan shall include, at a minimum, the amenities listed in Table 2.2 of the Valiano Specific Plan (PDS2013-SP-13-001). **DOCUMENTATION:** Detailed plans and specifications for the private recreation facility shall be submitted to DPR for review and approval. **TIMING:** Prior to issuance of any building permit in Neighborhood 1. **MONITORING:** The [*PDS, PPD*] shall review the detailed plans and specifications and the approved Valiano Specific Plan (PDS2013-SP-13-001) for compliance with this condition.

34. **PARKS#3. PRIVATE PARKS – EQUESTRIAN STAGING AREA**
INTENT: In order to provide private parks for recreational purposes to serve future residents of the development in accordance with the Valiano Specific Plan (PDS2013-SP-13-001). **DESCRIPTION OF REQUIREMENT:** The applicant shall obtain DPR approval of detailed plans and specifications that conforms to the private equestrian staging area concept plan in the Valiano Specific Plan (PDS2013-SP-13-001). The final Park Site Plan shall include, at a minimum, the amenities listed in Table 2.2 of the Valiano Specific Plan (PDS2013-SP-13-001). **DOCUMENTATION:** Detailed plans and specifications for the private equestrian staging area shall be submitted to DPR for review and approval. **TIMING:** Prior to issuance of any building permit in Neighborhood 5. **MONITORING:** The [*PDS, PPD*] shall review the detailed plans and specifications and the approved Valiano Specific Plan (PDS2013-SP-13-001) for compliance with this condition.

35. **PARKS#4. PRIVATE PARKS – TRAIL HEAD PARK**

INTENT: In order to provide private parks for recreational purposes to serve future residents of the development in accordance with the Valiano Specific Plan (PDS2013-SP-13-001). **DESCRIPTION OF REQUIREMENT:** The applicant shall obtain DPR approval of detailed plans and specifications that conform to the private Trail Head Park concept plan in the Valiano Specific Plan (PDS2013-SP-13-001). The final Park Site Plan shall include, at a minimum, the amenities listed in Table 2.2 of the Valiano Specific Plan (PDS2013-SP-13-001). **DOCUMENTATION:** Detailed plans and specifications for the private Trail Head Park shall be submitted to DPR for review and approval. **TIMING:** Prior to issuance of any building permit in Neighborhood 3. **MONITORING:** The [*PDS, PPD*] shall review the detailed plans and specifications and the approved Valiano Specific Plan (PDS2013-SP-13-001) for compliance with this condition.

36. PARKS#5. PRIVATE PARKS – NORTH TRAIL TURNAROUND

INTENT: In order to provide private parks for recreational purposes to serve future residents of the development in accordance with the Valiano Specific Plan (PDS2013-SP-13-001). **DESCRIPTION OF REQUIREMENT:** The applicant shall obtain DPR approval of detailed plans and specifications that conform to the private North Trail Turnaround Concept Plan in the Valiano Specific Plan (PDS2013-SP-13-001). The final Park Site Plan shall include, at a minimum, the amenities listed in Table 2.2 of the Valiano Specific Plan (PDS2013-SP-13-001). **DOCUMENTATION:** Detailed plans and specifications for the private North Trail Turnaround Park shall be submitted to DPR for review and approval. **TIMING:** Prior to issuance of any building permit in Neighborhood 4. **MONITORING:** The [*PDS, PPD*] shall review the detailed plans and specifications and the approved Valiano Specific Plan (PDS2013-SP-13-001) for compliance with this condition.

37. PARKS#6. PUBLIC AND PRIVATE PARK PHASING

INTENT: In order to ensure that the public and private parks within each phase are constructed and operating prior to issuance of a building permit for 50 percent or more of the total number of dwelling units in a particular Final Map neighborhood unit. **DESCRIPTION OF REQUIREMENT:** No building permit shall be issued for any building that exceeds 50 percent of the total number of dwelling units in a particular Final Map neighborhood until the public and/or private parks within a particular Final Map neighborhood have been constructed and are operating. Pay the inspection fee(s) to *[PDS, ZC]* to cover the cost of DPR inspection(s) of the property to monitor compliance with this condition. In addition, submit a letter to *[PDS, ZC]* indicating who should be contacted to schedule the inspection(s). **DOCUMENTATION:** The applicant shall provide an accounting of the number of building permits issued within each Final Map neighborhood unit to *[PDS, PPD].* The applicant shall provide updated contact information and a receipt demonstrating payment of inspection fees [*PDS, PPD*]. **TIMING:** Prior to issuance of a building permit for 50 percent or more of the total number of dwelling units in a particular Final Map neighborhood, this condition shall be signed off on a permit-by-permit basis. **MONITORING:** The *[PDS, ZC]* shall process an invoice and collect the fees. The *[DPR, PP], [PDS, PPD]* shall review the evidence to verify compliance with this condition. *[DPR, FEE].*

38. AQ#1. PROJECT DESIGN IMPLEMENTATION - CONSTRUCTION

INTENT: In order to mitigate impacts to Air Quality and comply with the California Environmental Quality Act, the following Project Design Features shall be implemented for each structure:

a. Energy efficiency in compliance with 2013 Title 24 standards which achieves the 2016 Title 24 standards.

b. Installation of advanced plumbing systems, such as parallel hot water piping or hot water recirculation systems, and buyer-optional high-efficiency clothes washers.

c. Install natural gas fireplaces in the residences. No wood-burning fireplaces are allowed.

DOCUMENTATION: The applicant shall implement the Air Quality Project Design Features pursuant to this condition. **TIMING:** Prior to issuance of any building permit, the Air Quality Project Design Features shall be shown on the building plans. **MONITORING:** The *[PDS, BPPR]* shall verify that the specific notes and design elements have been placed on all sets of the building plans and made conditions of its issuance.

39. FIRE#1. PROJECT DESIGN IMPLEMENTATION – FIRE HAZARDS

INTENT: In order to mitigate impacts to Hazards and comply with the California Environmental Quality Act, the following Project Design Features shall be implemented for each structure:

a. All newly constructed structures shall be built to ignition-resistive building requirements, as specified in the FPP (Firewise 2015). The installation of automatic interior fire sprinkler systems shall be required. All glass or other transparent, translucent, or opaque materials, including skylights shall be constructed of tempered glass or dual glazed windows with minimally one pane of tempered glass.

b. The following Project Design Features shall be included for each dwelling within the Project that provides more than a 100-foot defensible space, but less than 150-foot defensible space as required by the San Marcos Fire Department (SMFD).

   1) The exterior walls of the dwelling unit facing the open space that fall within the area that is less than the 150-foot defensible space requirement shall be two-hour fire rated.

   2) All roofs shall be Class 'A' material. Roof or floor coverings for patio covers or balconies shall also be Class A' rated or non-combustible material.

   3) All eaves, overhangs or projections shall be non-combustible material. No exposed wood shall be allowed unless it is heavy timber in conformance with the code.

   4) All windows and glass sliding doors shall be dual pane, with both window panes being tempered glass on the side of the structure facing the fuel area. This also applies to all skylights.

5) All vents shall be Ember-Resistant type with Baffles; Brandguard, O'Hagan or equivalent.

6) Any accessory attachments or structures such as patio covers, decks, partially enclosed exterior patios, sheds, play structures, etc., shall be non-combustible or heavy timber and comply with OSFM and County requirements for fire resistive materials and this would only apply to that area of the lot that fall below the 150-foot setback requirement.

7) Exterior fire sprinklers shall be required for any projection from dwelling that exceeds four feet in width and/or length.

8) All spaces of dwelling shall be sprinklered throughout.

9) Metal window screens shall be provided on windows.

10) Exterior fences attached to the structures shall have at least 5-feet of non-combustible material to the wall of the structure.

11) No wood burning fire pits or fireplaces shall be allowed.

or

Provide evidence that each dwelling within the Project has 150 feet of defensible space as required by the SMFD.

c. The following Project Design Feature shall be included for each dwelling within the Project site that provides less than 100-foot defensible space required by the SMFD.

1) Construct a six-foot high ignition resistant fire deflection wall along the proposed property boundary facing the fuel load (the location of the proposed fire walls is shown on Figure 1-28). Fire deflection walls shall provide a non-combustible four-foot access gate for fire personnel every 150 linear feet.

or

Provide evidence that each dwelling within the Project has more than 100 feet of defensible space as required by the SMFD.

d. The following Project Design Features shall be included for each dwelling within the Project site that provides less than 50-foot defensible space required by the SMFD.

1) All openings on structures facing the perimeter fuels shall have one-hour rated doors with windows - FM or UL rating required.

2) Standard doors shall be self -closing on the side of the dwelling facing the fuel area.

3) All spaces of the residential unit including attic and enclosed spaces, closets and other spaces shall be sprinklered.

4) To augment the prescribed 6-foot high ignition-resistant fire deflection wall, a spray system shall be installed on the wall with an UV/IR control sensor (e.g., Firebreak Spray System's Fire Scout X3). The service to the sprinkler system shall be a separate supply from dwelling and landscape systems and shall be controlled by secured metal constructed automatic / manual valves. The sprinkler system shall be maintained by the HOA and inspected annually by fire personnel.

or

Provide evidence that each dwelling within the Project has more than 50 feet of defensible space as required by the SMFD.

e. Additional features that would reduce risks from wildland fires shall include the approval of a submitted grading plan by SMFD, the setback of single-story structures at a minimum of 15 horizontal feet from the top of a slope, and fire access roadways throughout the development free of speed control devices.

f. The potential septic tanks on site (utilized for some of the structures) shall be abandoned in accordance with San Diego County Requirements.

DOCUMENTATION: The applicant shall implement the Hazards Project Design Features pursuant to this condition. **TIMING:** Prior to issuance of any building permit, the Hazards Project Design Features shall be shown on the building plans. **MONITORING:** The *[PDS, BPPR]* shall verify that the specific notes and design elements have been placed on all sets of the building plans and made conditions of its issuance.

40. NOISE#1 (M-N-1). NOISE ELEMENT REQUIREMENT

INTENT: In order to reduce the exposure to noise levels in excess of standards established by the County of San Diego General Plan Noise Element (Table N-1 & N-2) and to mitigate the noise exposure to exterior noise sensitive land uses below levels of significance as evaluated in the County Noise Guidelines for Determining Significance for Lots 283 through 289, the following design measures shall be implemented on the building plans and incorporated into the site design. **DESCRIPTION OF REQUIREMENT:** The following noise attenuation measures shall be implemented and indicated on the building plans for Lots 283 through 289 and made conditions of its issuance. The applicant shall install the required permanent six foot high noise barriers referenced within the Noise Section of the EIR, Mitigation Measure M-N-1 under file number PDS2013-SP-13-001, PDS2013-TM-5575, and PDS2013-STP-13-003. The applicant is required to implement the proposed project design recommendations and mitigation measures, into the Building Plans (if necessary). **DOCUMENTATION:** The applicant shall place the design elements, or notes on the building plans and submit the plans to *[PDS, BPPR]* for review and approval. **TIMING:** Prior to issuance of any residential building permit associated with Lots 283 through 289, the permanent noise barrier shall be shown on the building plans. **MONITORING:** The *[PDS, BPPR]* shall verify that the specific notes, and design elements, and noise attenuation measures have been placed on all sets of the building plans and made conditions of its issuance.

41. **NOISE#2 (M-N-3). HVAC NOISE REQUIREMENT**
INTENT: In order to reduce the impacts of the exterior sound levels from the HVAC units and to comply with the County of San Diego Noise Ordinance §36.404 and the County of San Diego Noise Guidelines for Determining Significance, the following design measures shall be implemented on the building plans and in the site design. **DESCRIPTION OF REQUIREMENT:** The following design elements and noise attenuation measures shall be implemented and indicated on the building plans and made conditions of its issuance. Residential air conditioning units installed within 35 feet of a property line would require a 5.5 foot-high noise control barrier. The barrier shall be installed between the residential use areas and the condensers to reduce related noise impacts in the outdoor use areas to less than 45 dBA L_{EQ}. The barrier shall extend in each direction beyond the condenser location so that any location without a barrier at the adjacent property is at least 35 feet from the condenser unit. The applicant shall provide evidence that the installed condensers have a manufacturer's sound power noise rating of less than 75 dBA. If the condenser is placed beyond a distance of 35 feet from the property line or the applicant can demonstrate Noise Ordinance compliance with a supplemental Noise Report to the satisfaction of PDS, no mitigation would be required. **DOCUMENTATION:** The applicant shall place the design elements, or notes on the building plans and submit the plans to *[PDS, BPPR]* for review and approval. **TIMING:** Prior to issuance of project related residential building permits, the design elements and noise attenuation measures shall be incorporated into the building plans. **MONITORING:** The *[PDS, BPPR]* shall verify that the specific note(s), and design elements, and noise attenuation measures have been placed on all sets of the building plans and made conditions of its issuance.

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

42. **GHG#7. CONSTRUCTION ARCHITECTURAL COATINGS (SITE PLAN)**
INTENT: In order to reduce emissions of Volatile Organic Compounds (VOC). **DESCRIPTION OF REQUIREMENT:** The project shall comply with the following Air Quality measures:

a. Use of low-VOC coatings in accordance with, or exceeding, SDAPCD Rule 67.

b. Residential interior coatings shall be less than or equal to 50 grams of VOC per liter (g/L).

c. Residential exterior coatings are to be less than or equal to 100 g/L.

d. Non-residential interior/exterior coatings are to be less than or equal to 100 g/L.

e. No CFC-based refrigerants shall be used, and interior finishes, adhesives, sealants, paints and coatings, and carpet systems shall be low in VOCs and shall meet the testing and product requirements of one or more nationally recognized green product labeling programs.

DOCUMENTATION: The applicant shall comply with the Air Quality requirements of this condition. **TIMING:** The following actions shall occur throughout the duration of the

construction activities involving the application of architectural coatings. **MONITORING:** The *[PDS, BLDG]* shall make sure that the construction contractor complies with the Air Quality requirements of this condition. The *[DPW, PDCI]* shall contact the *[PDS, PPD]* if the applicant fails to comply with this condition.

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

43. BIO#12. PERMANENT OPEN SPACE FENCING
INTENT: In order to protect the proposed open space easement from entry, and disturbance, permanent fencing shall be installed. **DESCRIPTION OF REQUIREMENT:** Open space fencing shall be placed along the biological open space boundary as indicated on the Open Space Exhibit dated 2.4-10a & 2.4-10b in the Final EIR. The fencing design shall consist of 3 strand non-barbed wire. **DOCUMENTATION:** The applicant shall install the fencing as indicated above and provide site photos and a statement from a California Registered Engineer, or licensed surveyor that the open space fencing has been installed. **TIMING** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the fencing shall be installed. **MONITORING:** The *[PDS, PPD]* shall review the photos and statement for compliance with this condition.

44. BIO#13. OPEN SPACE SIGNAGE
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 Open Space Exhibit dated 2.4-10a & 2.4-10b in the Final EIR. 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: PDS2013-TM-5575, PDS2013-STP-13-003, PDS2014-MUP-14-019,
PDS2013-ER-13-08-002

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 any occupancy, final grading release, or use of the premises in reliance of this permit, the open space signs shall be installed. **MONITORING:** The *[PDS, PPD]* shall review the photos and statement for compliance with this condition.

45. BIO#14. BIOLOGICAL MONITORING REPORT
INTENT: In order to ensure that the biological monitoring occurred during the grading phase of the project, a final Biological Monitoring Report shall be prepared.

DESCRIPTION OF REQUIREMENT: The "Project Biologist" shall prepare final biological monitoring report. The report shall substantiate the supervision of the grading activities, and state that grading or construction activities did not impact any additional sensitive biological resources. The report shall conform to the County of San Diego Report Format Guidelines for Biological Resources, and include the following items:

a. Photos of the temporary fencing that was installed during the trenching, grading, or clearing activities.

b. Monitoring logs showing the date and time that the monitor was on site.

c. Photos of the site after the grading and clearing activities.

DOCUMENTATION: The Biologist shall prepare the final report and submit it to the *[PDS, PPD]* for review and approval. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the final report shall be approved. **MONITORING:** The *[PDS, PPD]* shall review the final report for compliance this condition and the report format guidelines. Upon approval 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, FISCAL]* to release the bond back to the applicant.

46. CULT#3 (M-CR-2). CULTURAL RESOURCES REPORT

INTENT: In order to ensure that the Archaeological Monitoring occurred during the earth-disturbing activities, a final report shall be prepared. **DESCRIPTION OF REQUIREMENT:** A final Archaeological Monitoring and Data Recovery Report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program shall be prepared. The report shall include the following items:

a. DPR Primary and Archaeological Site forms.

b. Daily Monitoring Logs

c. Evidence that all cultural materials collected during the survey, testing, and archaeological monitoring program have been curated and/or repatriated as follows:

1) All prehistoric cultural materials shall be curated at a San Diego curation facility or a culturally affiliated Tribal curation facility that meets federal standards per 36 CFR Part 79, and, therefore, would be professionally curated 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 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.

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

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

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

DOCUMENTATION: The applicant's archaeologist shall prepare the final report for each neighborhood and/or offsite improvements 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), San Luis Rey Band of Mission Indians, and any culturally-affiliated Tribe that requests a copy. **TIMING:** Prior to any occupancy or final grading release for each neighborhood and/or offsite improvements, the final report for each neighborhood and/or offsite improvements shall be prepared. **MONITORING:** The *[PDS, PPD]* shall review the final report for compliance this condition and the report format guidelines. Upon acceptance of the report, *[PDS, PPD]* shall inform *[PDS, LD]* 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.

47. GEN#3. INSPECTION FEE

Intent: In order to comply with Zoning Ordinance Section 7362.e the inspection fee shall be paid. **DESCRIPTION OF REQIREMENT:** 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.

48. GEN#4. EQUESTRIAN STAGING AREA

Intent: In order to comply with Zoning Ordinance Section 3130, the equestrian uses shall be verified or permitted. **DESCRIPTION OF REQIREMENT:** Obtain a Zoning Verification permit, <u>or other permit as required pursuant to the County's Zoning Ordinance</u>. **DOCUMENTATION:** Provide evidence that a Zoning Verification permit, Administrative Permit, or a Major Use Permit has been obtained pursuant to Zoning Ordinance Section

3130. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit. **MONITORING:** The *[PDS, PPD]* shall review the submitted documentation for compliance with this condition.

49. GHG#8. RENEWABLE ENERGY IMPLEMENTATION
INTENT: In order to ensure that renewable energy will supply 100 percent of the Project's electricity needs, the Project shall install rooftop solar to the extent feasible supplemented with mandatory continued enrollment in SDG&E's EcoChoice or equivalent renewables program. **DESCRIPTION OF REQUIREMENT:**

a. Provide evidence in the form of a signed statement from the Solar Contractor that rooftop solar has been installed and will provide 100 percent of the Project's electricity needs.

b. If rooftop solar does not provide 100 percent of the Project's electricity needs, in addition to evidence provided by the Solar Contractor, provide evidence that continued enrollment in SDG&E's EcoChoice or equivalent renewables program has been implemented.

Documentation shall include a matrix that identifies each unit/residence and the percentage of electricity provided by rooftop solar and SDG&E's EcoChoice or equivalent renewables program (if required).

DOCUMENTATION: The applicant's Solar Contractor shall prepare a signed statement and submit it to the *[PDS, PPD]* for approval. If rooftop solar does not provide 100 percent of the Project's electricity needs, then the applicant shall also provide evidence that continued enrollment in SDG&E's EcoChoice or equivalent renewables program has been completed and submit it to the *[PDS, PPD]* for approval. **TIMING:** Prior to any occupancy or use of the premises in reliance of this permit, the required evidence of meeting the Project's electrical needs with renewable energy shall be submitted. **MONITORING:** The *[PDS, PPD]* shall review the letter report or documentation for compliance this condition.

50. LNDSCP#2 (M-AE-1, M-AE-2). CERTIFICATION OF INSTALLATION
INTENT: In order to provide adequate Landscaping that addresses screening, and to comply with the COSD Water Efficient Landscape Design Manual, the COSD Water Conservation in Landscaping Ordinance, the COSD Off-Street Parking Design Manual, the COSD Grading Ordinance, County Light Pollution Code, the Valiano Specific Plan, and the requirements of the D Designator, all landscaping shall be installed. **DESCRIPTION OF REQUIREMENT:** All requirements of the landscaping plan shall be installed pursuant to the approved Landscape Documentation Package for each phase of development (final maps). 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, PPD] [DPR, TC, PP]*. **DOCUMENTATION:** The applicant shall submit to the *[PDS LA, PPD]*, 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 for each neighborhood, the landscaping shall be installed. Landscaping of manufactured slopes shall be completed prior to certification of completion of rough grading for each neighborhood. **MONITORING:** The *[PDS, LA]* shall verify the landscape installation upon notification of occupancy or use of the property, and notify the *[PDS, PPD] [DPR, TC, PP]* of compliance with the approved Landscape Documentation Package.

51. NOISE#3 (M-N-3). HVAC NOISE CONTROL DESIGN MEASURES

INTENT: In order to reduce the impacts of the exterior sound levels from the residential HVAC units on the adjacent parcels and to comply with the County of San Diego Noise Ordinance §36.404 and the County of San Diego Noise Guidelines for Determining Significance, the following design measures shall be verified that they are constructed. **DESCRIPTION OF REQUIREMENT:** The following noise control design measure(s) shall be constructed pursuant to the approved building plans. Residential air conditioning units installed within 35 feet of a property line would require a 5.5 foot-high noise control barrier. The barrier shall be installed between the residential use areas and the condensers to reduce related noise impacts in the outdoor use areas to less than 45dBA L_{EQ}. The barrier shall extend in each direction beyond the condenser location so that any location without a barrier at the adjacent property is at least 35 feet from the condenser unit. The applicant shall provide evidence that the installed condensers have a manufacturer's sound power noise rating of less than 75 dBA. If the condenser is placed beyond a distance of 35 feet from the property line or the applicant can demonstrate Noise Ordinance compliance with a supplemental Noise Report to the satisfaction of PDS, no mitigation would be required. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit for residential HVAC units, the noise control measures (including recommendations within the final noise impact analysis) shall be installed and operational. **MONITORING:** The *[PDS, BI]* shall verify that the noise control measures above have been constructed pursuant to the approved building plans for the residential HVAC units and this permit's conditions.

52. NOISE#4 (M-N-1). NOISE ELEMENT CONTROL DESIGN MEASURES

INTENT: In order to reduce the exposure to noise levels in excess of standards established by the County of San Diego General Plan Noise Element (Table N-1 & N-2) and to mitigate the noise exposure of exterior noise sensitive land uses below levels of significance as evaluated in the County Noise Guidelines for Determining Significance for Lots 283 through 289, the following design measures shall be verified that they are constructed. **DESCRIPTION OF REQUIREMENT**: The applicant shall provide photographic evidence that the required permanent six foot high noise barriers referenced within the Noise Section of the EIR, Mitigation Measure M-N-1 under file number PDS2013-SP-13-001, PDS2013-TM-5575, and PDS2013-STP-13-003 have been installed. The applicant is required to implement the proposed project design recommendations and mitigation measures. **TIMING:** Prior to any occupancy, final grading release, and/or use of the premises in reliance of this permit for Lots 283 through 289, the noise control measures (including recommendations within the final noise impact analysis) shall be installed. **MONITORING:** The *[PDS, BI]* shall verify that the noise

control measures above have been constructed pursuant to the approved plans and/or any relevant plans pursuant to this permit's condition.

53. **PALEO#1 (M-P-1). PALEONTOLOGICAL RESOURCES REPORT**
INTENT: In order to ensure that the Paleontological Monitoring occurred during the grading, trenching or other excavation phase of the project, a final report for each neighborhood and/or offsite improvements shall be prepared. **DESCRIPTION OF REQUIREMENT:** A final Paleontological Resource Mitigation Report for each neighborhood and/or offsite improvements that documents the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program shall be prepared. The report shall include the following items:

a. If **no** paleontological resources were discovered, submit a Negative letter report, which states that the monitoring has been completed and that no paleontological resources were discovered.

b. If resources **were** discovered and recovered during grading, a detailed report shall be prepared by the Project Paleontologist. The report shall comply with 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 and include proof of the 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.

DOCUMENTATION: The Project Paleontologist shall prepare the final report for each neighborhood and/or offsite improvements and submit it to the *[PDS, PPD]* for approval. If resources were discovered then the applicant shall complete the following:

c. 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

d. The applicant shall submit two hard copies of the final Paleontological Resources Mitigation Report to the *[PDS, PPD]* for final approval of the mitigation, and submit one electronic copy of the complete report in Microsoft Word and PDF 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.

TIMING: Prior to any occupancy, final grading release, or use of the premises in reliance of this permit for each neighborhood and/or offsite improvements, the final report for that neighborhood and/or offsite improvement area shall be prepared. **MONITORING:** The *[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, LD]* 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, FISCAL]* to release the bond back to the applicant.

54. **STRMWTR#3. VERIFICATION OF STRUCTURAL BMPs**
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., verification of Structural BMPs shall be completed. **DESCRIPTION OF REQUIREMENT:** Complete a Structural BMP Verification Form as shown in Attachment 4 of the PDP SWQMP. **DOCUMENTATION:** The applicant shall process the Structural BMP Verification Forms *with* [*DPW, PDCI*] *or* [*PDS, BLDG]*. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit; execution of the Structural BMP Verification Form shall be completed. **MONITORING:** The [*PDS, LDR*] and [*DPW, WPP*] shall review the Structural BMP Verification Forms for consistency with the condition and County Standards.

55. **STRMWTR#4. PROVISION OF STORMWATER DOCUMENTATION TO PROPERTY OWNER**
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., stormwater documentation shall be provided to property owner. **DESCRIPTION OF REQUIREMENT:** Demonstrate that copies of the following documents are provided to the property owner and initial occupants:

a. A copy of the project's approved SWQMP (with attached Operation & Maintenance Plan).

b. A copy of project's recorded Maintenance Notification Agreement and/or Stormwater Facilities Maintenance Agreement and/or Private Road Maintenance Agreement showing the Structural BMPs pertaining to the property.

c. Sample copies of the following:

   1) A Letter for Privately Owned Stormwater Treatment Control Best Management Practices Operation and Maintenance Verification.

   2) One Operation and Maintenance Verification Form for each type of Private Treatment Control BMP.

DOCUMENTATION: The applicant shall submit a letter stating that the above documentation has been submitted to the property owner and initial occupants. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit; provision of stormwater documents shall be completed. **MONITORING:** The [*PDS, LDR*] and [*DPW, WPP*] shall review the letter provided by the applicant for consistency with the condition and County Standards.

56. **STRMWTR#5. SELF-VERIFICATION OPERATION AND MAINTENANCE LETTER**
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., an operation and maintenance verification form for each Structural BMPs shall be completed. **DESCRIPTION OF REQUIREMENT:** Every year the property owner shall receive from the County a BMP Verification Form to be completed for each privately owned Structural BMP. **DOCUMENTATION:** Every year the property owner shall file with

the County the completed Structural BMP Verification Form stating the maintenance performed during the reporting period for each privately owned Structural BMP with *[DPW, WPP].* **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The [*DPW, WPP*] is responsible for compliance of this permit.

ONGOING: *(Upon establishment of use, the following conditions shall apply during the term of this permit).*

57. AQ#2. ONGOING AIR QUALITY PROJECT DESIGN IMPLEMENTATION
INTENT: In order to mitigate impacts to Air Quality and comply with the California Environmental Quality Act, the following Project Design Features shall be implemented during Project operations:

a. Educational materials (such as brochures) that provide information regarding the use of low-VOC paints and consumer products shall be provided to every residence.

b. No wood-burning fireplaces are allowed.

DOCUMENTATION: The applicant shall implement the Air Quality Project Design Features pursuant to this condition. **TIMING:** The following actions shall occur for the duration of this permit. **MONITORING:** Compliance with this condition shall be monitored by the PDS Code Enforcement Division through response to complaints. Compliance would also be monitored during the processing of any subsequent permit request filed by the property owner or their representative.

58. FIRE#3. ON-GOING FIRE PROTECTION - PROJECT DESIGN IMPLEMENTATION
INTENT: In order to assure fire safety in compliance with the County of San Diego Fire Code Sections 96.1.4903 and 96.1.4907. **REQUIREMENTS:** The requirements approved in the Fire Protection Plan shall be implemented and maintained which includes but is not limited to the following:

a. Each lot owner shall be individually responsible for the fuel modification maintenance on their own lots, including all measures included in the FPP. Property owners shall be members of a legally constituted HOA which shall maintain common areas (including roadsides) in perpetuity. See Appendix L of the Final EIR for specific requirements for the ongoing fuel modification maintenance.

b. The following Project Design Features shall be included for each dwelling within the Project that provides more than a 100-foot defensible space, but less than 150-foot defensible space required by the San Marcos Fire Department (SMFD).

   1) New trees shall be planted a minimum of 40 feet from any dwelling; no tree canopy at full maturity shall grow within 20 feet of any wall of a dwelling; and trees shall be planted in a manner that tree canopies at full maturity shall be spaced a minimum of 30 feet from each other.

   2) Any new vegetation planted shall be fire resistive, drought tolerant and meet San Diego County list of requirements for vines, shrubs, and trees. Vines can be

planted on the exterior side of the proposed fire deflector walls, provided they are irrigated and listed as acceptable in the San Diego County's Acceptable Plant List for Fire Prone Areas.

c. Fire access roadways throughout the development shall be free of speed control devices; the removal of brush and flammable vegetation shall be completed prior to the commencement of any construction activity; a lighted directory map shall be maintained near the entrance; County review of specific plans related to gates shall be completed should they be proposed; and a continuous water supply shall be maintained.

DOCUMENTATION: The applicant shall comply with the Hazards Project Design Features pursuant to this condition. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The [*PDS, PPD*] shall verify that the mitigation measures have been implemented pursuant to the approved building plans and the fire protection plan. The *[PDS, Code Enforcement Division]* is responsible for enforcement of this permit.

59. GHG#9. RENEWABLE ENERGY IMPLEMENTATION – ANNUAL REPORTING
INTENT: In order to ensure that renewable energy will supply 100 percent of the Project's electricity needs, the Project shall install rooftop solar to the extent feasible supplemented with mandatory continued enrollment in SDG&E's EcoChoice or equivalent renewables program. **DESCRIPTION OF REQUIREMENT:** If enrollment in SDG&E's EcoChoice or equivalent renewables program is required to supplement rooftop solar to meet 100 percent of the Project's electricity needs, continued enrollment shall remain in place during the term of this Site Plan (PDS2015-STP-15-006) for those units/residences identified as not meeting 100 percent electricity needs through the use of rooftop solar. **DOCUMENTATION:** The property owner and permittee shall ensure the continued enrollment in SDG&E's EcoChoice or equivalent renewables program. Prior to December 31st of each year, the property owner or permittee shall provide the County with a matrix that identifies each unit/residence and the percentage of electricity provided by rooftop solar and SDG&E's EcoChoice or equivalent renewables program (if required). A letter from the Service Provider shall be submitted to the County verifying the matrix. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The *[PDS, Code Enforcement Division]* is responsible for enforcement of this permit.

60. HAZ#5 (M-HZ-4). MANURE MANAGEMENT AND FLY/VECTOR CONTROL PLAN
INTENT: In order to manage manure and avoid hazards associated with vectors and to comply with the project design, the Manure Management and Fly/Vector Control Plan shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Manure Management and Fly/Vector Control Plan shall be implemented. Implementation shall include but is not limited to the following:

- Daily removal of manure from stables;
- Non-leak valves for troughs;
- Properly graded earth surfaces in paddocks and corrals for proper drainage;
- Weed control for sun penetration;
- Rodent baits; and

- Rodent-proof feed containers.

DOCUMENTATION: The property owner and permittee shall comply with the requirements of the Manure Management and Fly/Vector Control Plan and this condition. If the permittee or property owner choose to modify or deviate from the Manure Management and Fly/Vector Control Plan in any away, they must obtain approval from the County [*PDS, PPD*]. The applicant may provide evidence from the DEH County Vector Ecologist that a Manure Management or Fly/Vector Control plan is not required for the equestrian staging area which would satisfy the portion of the condition for the equestrian staging area only. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The *[PDS, Code Enforcement Division]* is responsible for enforcement of this permit.

61. LNDSCP#3 (M-AE-1). LANDSCAPING MAINTENANCE

INTENT: In order to mitigate for long-term visual impacts pursuant to the California Environmental Quality Act, all landscaping installed shall be maintained. **DESCRIPTION OF REQUIREMENT:** All landscaping shall be maintained pursuant to the approved landscaping plans. **DOCUMENTATION:** None required. **TIMING:** Upon establishment of use this condition shall apply during the term of this permit. **MONITORING:** Compliance with this condition shall be monitored by the PDS Code Enforcement Division through response to complaints. Compliance would also be monitored during the processing of any subsequent permit request filed by the property owner or their representative.

62. PLN#3. SITE CONFORMANCE

INTENT: In order to comply with Zoning Ordinance Section 7703, the site shall substantially comply with the approved plot plans and all deviations thereof, specific conditions and approved building plans. **DESCRIPTION OF REQUIREMENT:** The project shall conform to the approved landscape plan(s), building plans, and plot plan(s). This includes, but is not limited to maintaining the following: all parking, trails, parks and driveways areas, watering all landscaping at all times, painting all necessary aesthetics design features, and all lighting wall/fencing and required signage. Failure to conform to the approved plot plan(s); is an unlawful use of the land, and will result in enforcement action pursuant to Zoning Ordinance Section 7703. **DOCUMENTATION:** The property owner and permittee shall conform to the approved plot plan. If the permittee or property owner chooses to change the site design in any away, they must obtain approval from the County for a Minor Deviation or a Modification pursuant to the County of San Diego Zoning Ordinance. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The *[PDS, Code Enforcement Division]* is responsible for enforcement of this permit.

63. PLN#4. ACCESSORY USES

INTENT: A Minor Deviation or Modification to a Site Plan is not required for any building, structure or projection listed in Section 4835 or any use listed in the Accessory Use Regulations, section 6150-6199 (or as otherwise referenced), provided the building, structure, or projection or use meets the specific accessory use setbacks in the Site Plan and meets all other conditions and restriction in the Site Plan. This condition is intended to comply with Zoning Ordinance Section 7175, ensuring the ability to allow for structures as detailed in this section without Minor Deviation or Modification. **DESCRIPTION OF**

REQUIREMENT: The project shall conform to the approved landscape plan(s), building plans, and plot plan(s); should any accessory uses be proposed that do not meet the requirements as detailed in the Zoning Ordinance sections listed above, the property owner shall be responsible for obtaining all necessary permits. **DOCUMENTATION:** None. The property owner and permittee shall conform to the Zoning Ordinance requirements for Accessory Uses as detailed above and within the County Zoning Ordinance. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The *[PDS, Code Enforcement Division]* is responsible for enforcement of this permit.

64. ROADS#1. PRIVATE ROAD MAINTENANCE

INTENT: In order to ensure that the offsite private roads are maintained and not damaged during construction, the applicant shall assume responsibility. **DESCRIPTION OF REQUIREMENT:** The applicant is responsible for maintenance and repair, in case of damage caused by this project to the onsite and offsite private roads that serve the property during either construction or subsequent operations. **DOCUMENTATION:** The applicant shall assume responsibility pursuant to this condition. **TIMING:** Upon establishment of use, the following conditions shall apply during the term of this permit. **MONITORING:** The *[PDS, Code Enforcement Division]* is responsible for enforcement of this permit.

Grading Plan Notes

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 note language.

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

(BIOLOGICAL RESOURCES)

1. BIO#GR-1. TEMPORARY FENCING

INTENT: In order to prevent inadvertent disturbance to open space areas, 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 all open space easements that do not allow grading, brushing or clearing. Temporary fencing is also required in all locations of the project where proposed grading or clearing is within 100 feet of an open space easement boundary. The placement of such fencing shall be approved by the Planning & Development Services. 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 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 review the certification and pictures provided by the applicant.

2. **BIO#GR-2. BIOLOGICAL MONITORING – TEMPORARY FENCING AND PRECONSTRUCTION MEETING**
INTENT: In order to prevent inadvertent disturbance to sensitive habitat, all clearing, grubbing, and/or grading shall be monitored by a biological monitor. **DESCRIPTION OF REQUIREMENT:** A County approved biologist shall perform biological monitoring during all grading, clearing, grubbing, trenching, and construction activities. The Project Biologist shall also perform the following duties before construction to comply with the conditions of this Grading Plan and the County of San Diego Guidelines for Significance for Biological Resources:

a. Supervise and verify placement of temporary fencing of open space easements. The placement of such fencing shall be approved by Planning & Development Services.

b. The Biologist shall attend the preconstruction meetings and other meetings to discuss construction requirements.

DOCUMENTATION: The Biological Monitor shall prepare written documentation that certifies that the temporary fencing has been installed and that all construction staff has been trained on project sensitive biological resources that are to be avoided. **TIMING**: 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 verify the installation of the temporary fencing and approve the training documentation prepared by the biologist.

3. **BIO#GR-3 (M-BI-2). BREEDING SEASON AVOIDANCE - RAPTORS**
INTENT: In order to avoid impacts to raptors, which is a sensitive biological resource pursuant to County Guidelines and CEQA, 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 an active raptor nest during the breeding season as determined by preconstruction biological surveys. If grubbing, clearing or grading is proposed during the breeding season, a pre-grading survey shall be conducted three (3) days prior to start of work to determine the absence and/or presence of raptors. If raptors are nesting or displaying breeding/nesting behavior within the area, construction shall be postponed until (1) all nesting (or breeding/nesting behavior) has ceased or until after the end of the breeding season; or (2) a temporary noise barrier or berm is constructed at the edge of the development footprint to reduce noise levels below 60 dB L_{EQ} or ambient (if ambient is greater than 60 dB L_{EQ}) to the satisfaction of the Director of PDS with concurrence from USFWS and CDFW. The breeding season is defined as occurring between February 1st and July 15th. 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 no 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. No Grading shall occur within the RAA until concurrence is received from the County and the Wildlife Agencies. **TIMING:** 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.

4. **BIO#GR-4 (M-BI-7). BREEDING SEASON AVOIDANCE – MIGRATORY BIRD TREATY ACT (MBTA)**
INTENT: In order to avoid impacts to MBTA-covered species, which is a sensitive biological resource pursuant to County Guidelines and CEQA, grading and clearing shall occur outside of the breeding season of MBTA-covered species. **DESCRIPTION OF REQUIREMENT**: There shall be no brushing, clearing and/or grading within 100 feet of biological open space easements during the breeding season of MBTA-covered species. If grubbing, clearing or grading is proposed during the breeding season, a pre-grading survey shall be conducted seven (7) days prior to start of work to determine the absence and/or presence of migratory birds. Grading or clearing activities during the breeding season of MBTA-covered species may take place with PDS approval and Wildlife Agencies concurrence if it is determined that no nesting birds (or birds displaying breeding/nesting behavior are present immediately prior to clearing and grading. If migratory birds are nesting or displaying breeding/nesting behavior within the area, construction shall be postponed until all nesting (or breeding/nesting behavior) has ceased or until after the end of the breeding season as determined by a field survey and concurrence by the Director of PDS with concurrence from the US Fish and Wildlife Service and the California Department of Fish and Wildlife. The breeding season is defined as occurring between February 1st and September 1st. 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 no MBTA-covered species are present in the vicinity of the brushing, clearing or grading. **DOCUMENTATION:** The applicant shall provide a letter of agreement with this condition; alternatively, the applicant may submit a written request for waiver of this condition. No Grading shall occur until concurrence is received from the County and the Wildlife Agencies. **TIMING:** 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 unless a concurrence from the *[PDS, PPD]* is received. The *[PDS, PPD]* shall review the concurrence letter

5. **BIO#GR-5. FOCUSED BAT SURVEYS – STRUCTURE DEMOLITION AND REMOVAL OF TREES**
INTENT: In order to determine the absence and/or presence of bats within existing structures or hollow trees that are identified for removal, focused bat surveys shall be conducted. **DESCRIPTION OF REQUIREMENT:** Prior to the demolition of existing structures or removal of hollow trees, bat surveys shall be conducted to determine the absence and/or presence of bat colonies and/or bat nursery sites. Surveys shall be conducted seven (7) days prior to structure demolition or tree removal and one survey shall be conducted immediately prior to initiation of work. If any bat colonies and/or bat nursery sites are found within any structure(s) or trees, demolition of the structure or removal of the tree(s) shall be postponed until the nursery/breeding activity ends. If bat roosting sites are found, demolition of the structure(s) or removal of the tree(s) shall be

postponed until the bats are excluded from the structure(s). **DOCUMENTATION:** The applicant shall provide a copy of the survey results to the [*PDS, PPD*] for approval. **TIMING:** Prior to demolition of existing structure(s) or removal of hollow tree(s). **MONITORING:** The *[PDS, PPD]* shall review the survey results provided by the applicant

(CULTURAL RESOURCES)

6. **CULT#GR-1. RELOCATION OF BEDROCK MILLING FEATURES**
INTENT: In order to meet the intent of the County of San Diego Guidelines for Determining Significance for Cultural Resources and the California Environmental Quality Act (CEQA), the bedrock milling of sites CA-SDI-17507, CA-SDI-17509, CA-SDI-17510, CA-SDI-20762, CA-SDI-20763, CA-SDI-20858 and CA-SDI-20859 shall be incorporated into the open space or landscape areas of the Valiano project if the bedrock milling is to be impacted, and if feasible. **DESCRIPTION OF REQUIREMENT:** The bedrock milling of sites CA-SDI-17507, CA-SDI-17509, CA-SDI-17510, CA-SDI-20762, CA-SDI-20763, CA-SDI-20858 and CA-SDI-20859 are to be relocated to the onsite open space or landscape areas of the Valiano project, if feasible. The relocation effort for each site shall be conducted when earth disturbing activities are within 50 feet of that cultural site. **DOCUMENTATION:** The applicant shall:

a. Both a Luiseno and Kumeyaay Native American monitor are to be involved in the implementation of the bedrock relocation.

b. Provide a letter from the Project Archaeologist that the bedrock milling associated with sites CA-SDI-17507, CA-SDI-17509, CA-SDI-17510, CA-SDI-20762, CA-SDI-20763, CA-SDI-20858 and CA-SDI-20859 have been relocated. The letter shall identify where the bedrock milling was relocated onsite. If relocation is infeasible, the Project Archaeologist must provide justification prior to site destruction.

c. The Project Archaeologist shall prepare updated DPR site record forms identifying the new location of the bedrock milling. Evidence in the form of a letter from the South Coastal Information Center that the DPR forms have been submitted to the South Coastal Information Center shall be submitted to the *[PDS, PPD]*. Copies of the DPR forms shall be provided to the San Luis Rey Band of Mission Indians and any culturally-affiliated tribe who requests a copy.

TIMING: Prior to any clearing, grubbing, trenching, grading, or any land disturbances within 50 feet of CA-SDI-17507, CA-SDI-17509, CA-SDI-17510, CA-SDI-20762, CA-SDI-20763, CA-SDI-20858 and CA-SDI-20859, this condition shall be completed. **MONITORING:** The *[PDS, PPD]* shall review the letter from the Project Archaeologist and the South Coastal Information Center for compliance with this condition.

7. **CULT#GR-2 (M-CR-1). DATA RECOVERY PROGRAM**
INTENT: In order to mitigate for potential impacts to significant cultural resources pursuant to Section 15064.5 of the California Environmental Quality Act (CEQA), which are not determined to be significant pursuant to Section 86.602.o of the Resource Protection Ordinance (RPO), a data recovery program shall be implemented. **DESCRIPTION OF REQUIREMENT:** Implement the research design detailed in the archaeological extended study *Cultural Resources Inventory and Assessment: Valiano –*

San Diego County, California prepared by Mary Robbins-Wade and Andrew Giletti. The implementation of the research design constitutes mitigation for the proposed destruction of site CA-SDI-17506. The data recovery program shall include the following and shall be completed prior to any earth-disturbing activities within 100 feet of the cultural site:

a. Prior to the beginning of Phase 1, the site boundaries of CA-SDI-17506 shall be adequately defined to determine whether the site can be avoided and eliminate the requirement for data recovery. Both a Luiseno and Kumeyaay Native American monitor shall be involved in the reassessment. If determined that the site can be avoided, a letter report shall be submitted to PDS which will serve as condition satisfaction for Data Recovery.

b. If CA-SDI-17506 cannot be avoided the following data recovery activities shall be implemented:

   1) **All Phases:** Both a Luiseno and Kumeyaay Native American monitor shall be involved in all phases of the data recovery program.

   2) **Phase One:** The data recovery program shall comply with research design and performance standards that are in the approved data recovery program in the report referenced above.

   3) **Phase One:** Upon completion a letter report shall be prepared, which evaluates 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 2 to 3 percent sample. Based on this assessment, the letter report shall recommend the need for and scope of a second phase of field investigations, not to exceed a total site hand excavated sample of 15 percent of the site deposits.

   4) **Phase Two:** Implement Phase 2 fieldwork as necessary. For artifacts found during the phase one and phase two data recovery referenced above, conduct an artifact analysis, which includes the following: lithics, ceramics, faunal, floral, assemblage, and radiocarbon dating as referenced in the report above.

   5) **Phase Three:** Phase 3 will be conducted regardless of whether Phase 2 excavations are required. Phase 3 will consist of mechanical stripping followed by hand excavation to identify, map, and sample buried cultural features. If cultural features are identified, flotation, radiocarbon, and obsidian analysis shall be conducted, as appropriate.

   6) **Human Remains:** If any human remains are discovered, the Property Owner or their representative shall contact the County Coroner and the PDS Staff Archaeologist. Upon identification of human remains, no further disturbance shall occur in the area of the find until the County Coroner has made the necessary findings as to origin. If the remains are determined to be of Native American origin, the Most Likely Descendant (MLD), as identified by the Native American Heritage Commission (NAHC), shall be contacted by the Property Owner or their representative in order to determine proper treatment and disposition of the remains. The immediate vicinity where the Native American human remains are

located is not to be damaged or disturbed by further development activity until consultation with the MLD regarding their recommendations as required by Public Resources Code Section 5097.98 has been conducted. Public Resources Code §5097.98, CEQA §15064.5 and Health & Safety Code §7050.5 shall be followed in the event that human remains are discovered.

7) **Artifact Conveyance:** Evidence that all cultural materials have been curated and/or repatriated as follows:

(a) Evidence that all prehistoric materials collected during the data recovery 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. 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.

(b) 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.

DOCUMENTATION: Upon completion of the phase one data recovery referenced above, the applicant shall submit the letter report to the [*PDS, PPD*] for review and approval. A copy of the letter report shall be provided to the San Luis Rey Band of Mission Indians and any culturally-affiliated tribe who requests a copy. Upon completion of the phase three data recovery, the applicant shall provide a Final Technical Report from the Principal Investigator to the [*PDS, PPD*]. The final report shall include a letter from the curation facility or culturally affiliated tribe identifying that archaeological materials have been received. A copy of the Final Technical Report shall be provided to the South Coastal Information Center, the San Luis Rey Band of Mission Indians, and any culturally-affiliated tribe who requests a copy. **TIMING:** Prior to any earth-disturbing activities within 100 feet of CA-SDI-17506, the data recovery program shall be completed. **MONITORING:** The *[PDS, PPD]* shall review the phase one letter from the project

archaeologist (PI) for compliance with this condition. Upon completion of the phase three data recovery, the [*PDS, PPD*] shall review the final data recovery program report for compliance with this condition.

8. **CULT#GR-3 (M-CR-2). ARCHAELOGICAL MONITORING – PRECONSTRUCTION MEETING**
INTENT: In order to comply with the County of San Diego Guidelines for Significance – Cultural Resources, an Archaeological Monitoring Program and Pre-Grading Survey shall be implemented for the development of each neighborhood and offsite improvements. **DESCRIPTION OF REQUIREMENT:** The County approved Project Archaeologist and Luiseno and Kumeyaay Native American monitors shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the archaeological monitoring program. The Project Archaeologist and Luiseno and Kumeyaay Native American monitors shall conduct a re-survey of the project site (each neighborhood and offsite improvements as they are developed) including off-site improvements as described below, and monitor the original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements. The Project Archaeologist and Luiseno and Kumeyaay Native American monitors 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.

   a. The Project Archaeologist and Luiseno and Kumeyaay Native American monitors shall resurvey areas of the project site (each neighborhood and offsite improvements as they are developed) including off-site improvements as determined by the Project Archaeologist in consultation with the Luiseno and Kumeyaay Native American monitors. The site boundaries of CA-SDI-17,506 shall be adequately defined to determine whether the site can be avoided and prevent the requirement for data recovery.

DOCUMENTATION: The applicant shall have the contracted Project Archeologist and Luiseno and Kumeyaay Native American monitors 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.

(GEOLOGICAL RESOURCES)

9. **GEO#GR-1 (M-GE-1, M-GE-2, M-GE-3). GEOTECHNICAL HAZARDS MITIGATION MEASURES**
INTENT: In order to ensure specific design and mitigation measures for geologic hazards are implemented into the grading plans. **DESCRIPTION OF REQUIREMENT:** All recommendations presented in Section 7 from *Update Geotechnical Investigation, Valiano (Eden Hills) – 48-Acre Fines, San Diego County, California* prepared by Geocon, Inc. dated May 13, 2014 and *Update Geotechnical Investigation, Valiano (Eden Hills), San Diego County, California,* prepared by Geocon, Inc. dated May 13, 2014 shall be incorporated into the grading plans and part of the grading notes to be observed during grading operations. **DOCUMENTATION:** The applicant shall prepare and submit the

grading plans to [*PDS, BD*]. **TIMING:** Prior to the approval of any grading plans, the grading plans shall include required elements indicated in this condition. **MONITORING:** The [PDS, BD] shall review the Grading Plan to ensure all recommendations and notes are included per this condition. If there are any additional recommendations for slope stability, the [*PDS, BD*] shall ensure that they are incorporated into the grading plans for the project.

(PALEONTOLOGICAL RESOURCES)

10. PALEO#GR-1 (M-P-1). PALEONTOLOGICAL MONITORING - PRECONSTRUCTION

INTENT: In order to comply with Mitigation Monitoring and Reporting Program pursuant to PDS2013-TM-5575, PDS2014-MUP-14-019, and PDS2013-STP-13-003, a Paleontological Resource 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 Paleontological 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 onsite to monitor as determined necessary by the Qualified Paleontologist. The Paleontological 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 the 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.

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

(AIR QUALITY)

11. AQ#GR-1. PROJECT DESIGN IMPLEMENTATION DURING CONSTRUCTION

INTENT: In order to mitigate impacts to Air Quality and comply with the California Environmental Quality Act, the following Project Design Features shall be implemented during construction:

Air Quality – Construction

a. In accordance with the SDAPCD Rule 55 - Fugitive Dust Control, no dust and/or dirt shall leave the property line. The following measures shall be implemented to ensure the requirements of this rule are met.

   1) No visible dust emissions shall be discharged into the atmosphere beyond the property line for a period or periods aggregating more than 3 minutes in any 60-minute period.

2) Visible roadway dust as a result of active operations, spillage from transport trucks, erosion, or track-out/carry-out shall be minimized by the use of the following erosion control measures: (a) track-out grates or gravel beds at each egress point; (b) wheel-washing at each egress during muddy conditions, soil binders, chemical soil stabilizers, geotextiles, mulching, or seeding; and for outbound transport trucks; (c) secured tarps or cargo covering, watering, or treating of transported material.

3) Visible roadway dust as a result of active operations, spillage from transport trucks, erosion, or track-out/carry-out shall be removed at the conclusion of each work day when active operations cease, or every 24 hours for continuous operations. If a street sweeper is used to remove any track-out/carry-out, only particulate matter smaller than 10 microns in diameter (PM_{10})-efficient street sweepers certified to meet the most current South SCAQMD Rule 1186 requirements shall be used. The use of blowers for removal of track-out/carry-out shall be prohibited under any circumstances.

b. Two applications of water during grading between dozer/scraper passes shall be implemented.

c. Paving, chip sealing or chemical stabilization of internal roadways after completion of grading shall be implemented.

d. Dirt storage piles shall be stabilized by chemical binders, tarps, fencing or other erosion control.

e. The construction fleet shall use any combination of diesel catalytic converters, diesel oxidation catalysts, diesel particulate filters and/or utilize CARB/USEPA Engine Certification Tier 4, or other equivalent methods approved by the CARB.

f. Building products shall have at least a 10-percent recycled content.

g. Low VOC coatings shall be used during construction and maintenance in accordance with SDAPCD Rule 67 requirements.

h. A 15-mile per hour (mph) speed limit shall be enforced on unpaved surfaces.

i. On dry days, dirt and debris spilled onto paved surfaces shall be swept up immediately to reduce resuspension of particulate matter caused by vehicle movement. Approach routes to construction sites shall be cleaned daily of construction-related dirt in dry weather.

j. Disturbed areas shall be hydroseeded, landscaped, or developed as quickly as possible and as directed by the County and/or SDAPCD to reduce dust generation.

k. Grading shall be terminated if winds exceed 25 mph.

l. Any blasting areas shall be wetted down prior to initiating the blast.

DOCUMENTATION: The applicant shall implement the Air Quality Project Design Features pursuant to this condition. **TIMING:** The following actions shall occur throughout project construction for each neighborhood and offsite improvements. **MONITORING:** The *[DPW, PDCI]* shall make sure that the Air Quality Project Design Features are implemented during project construction. The *[DPW, PDCI]* shall contact the *[PDS, PPD]* if the applicant or their representative fails to comply with this condition.

(BIOLOGICAL RESOURCES)

12. BIO#GR-6. BIOLOGICAL MONITORING – DURING CONSTRUCTION

INTENT: In order to prevent inadvertent disturbance to sensitive habitats, all grading shall be monitored by a biological monitor. **DESCRIPTION OF REQUIREMENT:** A County approved biologist shall perform biological monitoring during all grading, clearing, grubbing, trenching, and construction activities. The Project Biologist shall supervise and monitor grading activities to ensure against damage to biological resources that are intended to be protected and preserved. The monitor(s) shall be on site during all grading and clearing activities that are in or adjacent to any Biological Open Space areas or sensitive habitats. If there are disturbances, the monitor must report the occurrence(s) immediately to the [*PDS PPD*]. The biologist shall perform the following duties:

a. Prepare a California gnatcatcher-monitoring program to the satisfaction of PDS Permit Compliance Section and the Wildlife Agencies;

b. Perform weekly inspection of fencing and erosion control measures (daily during rain events) near proposed preservation areas and report deficiencies immediately to the DPW Construction Inspector;

c. Perform periodic monitoring of the work area for excessive dust generation in compliance with the County grading ordinance and report deficiencies immediately to the DPW Construction Inspector;

d. Conduct training for contractors and construction personnel, including the purpose for resource protection, a description of the gnatcatcher and its habitat, and the conservation measures that should be implemented during project construction;

e. Monitor construction lighting periodically to ensure lighting is the lowest illumination possible allowed for safety, is selectively placed and shielded, and is directed away from preserved habitat;

f. Monitor equipment maintenance, staging, and fuel dispensing areas to ensure there is no runoff to Waters of the US;

g. Stop or divert all work when deficiencies require mediation and notify DPW Construction Inspector and PDS Project Planning Division within 24 hours;

h. Produce periodic (monthly during grading) and final reports and submit to the Wildlife Agencies and PDS (final report will release bond);

i. Confer with the Wildlife Agencies and PDS Project Planning Division within 24 hours any time protected habitat or gnatcatchers are being affected by construction;

j. Attend construction meetings and other meetings as necessary.

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

13. **BIO#GR-7. FOCUSED BAT SURVEYS – STRUCTURE DEMOLITION AND REMOVAL OF TREES**
INTENT: In order to determine the absence and/or presence of bats within existing structures or hollow trees that are identified for removal, focused bat surveys shall be conducted. **DESCRIPTION OF REQUIREMENT:** Prior to the demolition of existing structures or removal of hollow trees, bat surveys shall be conducted to determine the absence and/or presence of bat colonies and/or bat nursery sites. Surveys shall be conducted seven (7) days prior to structure demolition or tree removal and one survey shall be conducted immediately prior to initiation of work. If any bat colonies and/or bat nursery sites are found within any structure(s) or trees, demolition of the structure or removal of the tree(s) shall be postponed until the nursery/breeding activity ends. If bat roosting sites are found, demolition of the structure(s) or removal of the tree(s) shall be postponed until the bats are excluded from the structure(s). **DOCUMENTATION:** The applicant shall provide a copy of the survey results to the [*PDS, PPD*] for approval. **TIMING:** Prior to demolition of existing structure(s) or removal of hollow tree(s). **MONITORING:** The *[PDS, PPD]* shall review the survey results provided by the applicant.

14. **BIO#GR-8. PROJECT DESIGN IMPLEMENTATION DURING CONSTRUCTION**
INTENT: In order to mitigate impacts to Biological Resources and comply with the California Environmental Quality Act, the following Project Design Features shall be implemented during construction:

a. Native topsoil (top three to five inches) shall be salvaged and stockpiled within a disturbed onsite location. Stockpiles shall not be greater than six feet high and shall not be mixed with other excavated materials. Following completion of construction activities, stockpiled native topsoil shall be re-spread, as applicable.

b. The construction site shall maintain adequate storm water BMPs (erosion) and air quality control (dust).

c. The Project shall comply with wet weather grading restrictions (October 1 to April 30) to avoid habitat damage in applicable locations.

d. The Project shall not accelerate or increase storm water or non-storm water flows to sensitive downstream areas.

DOCUMENTATION: The applicant shall implement the Air Quality Project Design Features pursuant to this condition. **TIMING:** The following actions shall occur throughout project construction for each neighborhood and offsite improvements. **MONITORING:** The *[DPW, PDCI]* shall make sure that the Air Quality Project Design Features are implemented during project construction. The *[DPW, PDCI]* shall contact the *[PDS, PPD]* if the applicant or their representative fails to comply with this condition.

(CULTURAL RESOURCES)

15. CULT#GR-4 (M-CR-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 for the development of each neighborhood and offsite improvements. **DESCRIPTION OF REQUIREMENT:** The Project Archaeologist and Luiseno and Kumeyaay Native American monitors shall monitor the original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements. The archaeological monitoring program shall comply with the following requirements during earth-disturbing activities:

a. During the original cutting of previously undisturbed deposits, the Project Archaeologist and Luiseno and Kumeyaay Native American monitors 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 Luiseno and Kumeyaay Native American monitors. Monitoring of the cutting of previously disturbed deposits will be determined by the Project Archaeologist in consultation with the Luiseno and Kumeyaay Native American monitors.

b. In the event that previously unidentified potentially significant cultural resources are discovered, the Project Archaeologist or the Luiseno and Kumeyaay Native American monitors shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources. At the time of discovery, the Project Archaeologist shall contact the PDS Staff Archaeologist. The Project Archaeologist, in consultation with the PDS Staff Archaeologist and the Luiseno and Kumeyaay Native American monitors, shall determine the significance of the discovered resources. Construction activities will be allowed to resume in the affected area only after the PDS Staff Archaeologist has concurred with the evaluation. Isolates and clearly non-significant deposits shall be minimally documented in the field. Should the isolates and/or non-significant deposits not be collected by the Project Archaeologist, then the Luiseno and Kumeyaay Native American monitors may collect the cultural material for transfer to a Tribal Curation facility or repatriation program. A Research Design and Data Recovery Program (Program) is required to mitigate impacts to identified significant cultural resources.

The Research Design and Data Recovery Program shall be prepared by the Project Archaeologist in coordination with the Luiseno and Kumeyaay Native American monitors. The County Archaeologist shall review and approve the Program, which shall be carried out using professional archaeological methods. The Program shall include (1) reasonable efforts to preserve (avoidance) "unique" cultural resources or Sacred Sites; (2) the capping of identified Sacred Sites or unique cultural resources and placement of development over the cap, if avoidance is infeasible; and (3) data recovery for non-unique cultural resources. The preferred option is preservation (avoidance).

c. If any tribal cultural resources are identified during earth-disturbing activities, the Project Archaeologist shall consult with culturally-affiliated tribes to determine appropriate mitigation. The preferred mitigation is preservation (avoidance).

d. If any human remains are discovered, the Property Owner or their representative shall contact the County Coroner and the PDS Staff Archaeologist. Upon identification of human remains, no further disturbance shall occur in the area of the find until the County Coroner has made the necessary findings as to origin. If the remains are determined to be of Native American origin, the Most Likely Descendant (MLD), as identified by the Native American Heritage Commission (NAHC), shall be contacted by the Property Owner or their representative in order to determine proper treatment and disposition of the remains. The immediate vicinity where the Native American human remains are located is not to be damaged or disturbed by further development activity until consultation with the MLD regarding their recommendations as required by Public Resources Code Section 5097.98 has been conducted. Public Resources Code §5097.98, CEQA §15064.5 and Health & Safety Code §7050.5 shall be followed in the event that human remains are discovered.

e. The Project Archaeologist and Luiseno and Kumeyaay Native American monitors shall evaluate fill soils to determine that they are clean of cultural resources.

f. 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 for each neighborhood and offsite improvements. **MONITORING:** The *[DPW, PDCI]* shall make sure that the Project Archeologist is onsite performing the monitoring duties of this condition. The *[DPW, PDCI]* shall contact the *[PPD]* if the Project Archeologist or applicant fails to comply with this condition.

(NOISE)

16. NOISE#GR-1. TEMPORARY CONSTRUCTION NOISE CONTROL MEASURES
INTENT: In order to minimize temporary construction noise for grading operations associated with the project 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. Minimize the use of any back up alarm.

e. Equipment staging areas should be placed at locations away from noise sensitive receivers.

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, PPD*] if the applicant fails to comply with this condition.

17. NOISE#GR-2 (M-N-7). CONSTRUCTION NOISE IMPACT MEASURES
INTENT: In order to comply with the County of San Diego Noise Ordinance 36.409 & 36.410, the following noise attenuation measures shall be implemented to reduce the sound level generated from project construction equipment operations, specifically ripping, drilling and/or excavation. **DESCRIPTION OF REQUIREMENT:** The operations shall be limited to the following if ripping, drilling, or excavation is required within 180 feet of a residentially occupied off-site or onsite boundary line:

a. A 12-foot high barrier shall be erected along the length of the property line and/or work area, or length to the best extent possible to reduce noise. This barrier shall be of sufficient length to block the line of sight between the occupied property and any ripping operations within 180 feet of the property.

b. The barriers shall extend at least 10 feet beyond the horizontal line of sight in each direction. Figure 5 of the acoustical study (contained in Appendix G of this EIR) illustrates the 12-foot barrier noise mitigation noise contours. The final barrier must break the line of sight between the top of the equipment exhaust pipe and the residential receiver at all visible locations and when taking into consideration all topography in relevant areas.

c. If new information is provided to prove and certify that the construction equipment and noise measures being used is different prior to grading plan approval, then a new

construction noise analysis may be reviewed to the satisfaction of the *[PDS, PPD]*. The supplemental noise analysis shall be prepared by a County Approved Noise Consultant and the report shall comply with the Noise Report Format and Content Requirements. Any proposed alternative methods, or the reduction or modification of measures may be approved if the construction activities are reduced to 75 dB and below at the occupied property line.

DOCUMENTATION: The applicant shall maintain the limited construction operations and incorporate the construction noise measures as indicated above until all grading activities have been completed. The applicant is responsible for implementing any further noise reducing measures to remain in compliance with this condition and comply with the requirements of the County Noise Ordinance, Section 36.409 & 36.410. **TIMING:** The aforementioned actions (Items a. thru c.) shall occur throughout the duration of the grading operations when construction operations are within 180 feet of any occupied boundary. **MONITORING:** The *[DPW, PDCI; PDS, CODES]* is responsible for enforcement of this condition.

18. **NOISE#GR-3 (M-N-8). CONSTRUCTION NOISE SETBACK MEASURES**
INTENT: In order to comply with the County of San Diego Noise Ordinance §36.409 & 36.410, the following noise attenuation measures shall be implemented to reduce the sound level generated from project breaker equipment operations (including but not limited to rock crushers). **DESCRIPTION OF REQUIREMENT:** The temporary breaker shall be limited to the following - if a breaker is required onsite during construction, then it shall not be used within 300 feet of property boundaries of occupied residences. If new information is provided to prove and certify that project breaker equipment (including but not limited to rock crushers) and noise measures being used is different prior to grading plan approval, then a new construction noise analysis may be reviewed to the satisfaction of the *[PDS, PPD]*. The supplemental noise analysis shall be prepared by a County Approved Noise Consultant and the report shall comply with the Noise Report Format and Content Requirements. Any proposed alternative methods, or the reduction or modification of measures may be approved if the construction activities are reduced to 75 dB and below at the occupied property line. **DOCUMENTATION:** The applicant shall maintain the setbacks for the breaker equipment operations. The applicant is responsible for implementing any further noise reducing measures to remain in compliance with this condition and comply with the requirements of the County Noise Ordinance, Section 36.409 & 36.410. **TIMING:** The breaker equipment setbacks shall be maintained throughout the duration of the grading operations and/or breaker activities. **MONITORING:** The *[DPW, PDCI; PDS, CODES]* is responsible for enforcement of this condition.

19. **NOISE#GR-4 (M-N-9). BLASTING PLAN AND CONSTRUCTION NOISE ORDINANCE COMPLIANCE**
INTENT: In order to comply with the County of San Diego Noise Ordinance §36.409 & 36.410, the following noise attenuation measures shall be implemented to reduce the sound level generated from construction equipment operations associated with blasting. **DESCRIPTION OF REQUIREMENT:** The project applicant shall conform to the blast plan which would be comprised of the following (but not limited to):

a. Prior to and during construction activities, the applicant shall prepare and implement a blast plan to reduce impacts associated with air blast over-pressure generated by project-related construction activities and incorporate any required noise reducing measures to comply with County Noise Ordinance regulations.

b. No blasting shall occur at a distance of less than 600 feet from any off-site structure without specific analysis by the blasting contractor showing less than significant vibration impacts to the structure.

c. All blast planning shall be conducted by a San Diego County Sheriff approved blaster, with the appropriate San Diego County Sheriff blasting permits, and all other applicable local, state, and federal permits, licenses, and bonding. The blasting contractor or owner shall conduct all notifications, inspections, and monitoring, and major or minor blasting requirements planning, with seismograph reports as necessary.

d. Construction equipment associated with blasting (i.e. drilling, pre- and post-blasting work) shall comply with the County Noise Ordinance, Section 36.408, 36.409, and 36.410. The blast plan shall include any necessary noise measures such as (but not limited to) temporary noise barriers and blankets, increased setbacks, limiting construction equipment operations, and/or any other methods. The measures specified within the blasting plan shall be implemented to comply with County Noise Ordinance requirements.

e. If new information is provided to demonstrate and certify that the operations associated with blasting being used is different prior to grading plan approval, then a new construction noise analysis may be reviewed to the satisfaction of the *[PDS, PPD]*. The supplemental noise analysis shall be prepared by a County Approved Noise Consultant and the report shall comply with the Noise Report Format and Content Requirements. Any proposed alternative methods, or the reduction or modification of measures may be approved if the blasting activities comply with County noise standards at any occupied property line.

f. All residences within or partially within 600 feet of the blasting location shall be provided a 48-hour notification prior to a blasting activity.

g. Any livestock showing distress from blasting activity at any distance should be removed to a remote location for the duration of blasting operations. Initial planning shall consider livestock within 300 feet of a minor blast or 600 feet of a major blast to be removed to these minimum distances for the appropriate blast size prior to the commencement of blasting.

h. All equestrian trails within 600 feet of blasting operations shall have notification posted for the duration of the blasting. Warning tape as deemed necessary, and signage with specific blast information shall be placed at the trailhead and at the noise sensitive location.

If new information is provided to prove and certify that project blasting and noise measures being used is different prior to grading plan approval, then a new construction

noise analysis may be reviewed to the satisfaction of the *[PDS, PPD]*. The supplemental noise analysis shall be prepared by a County Approved Noise Consultant and the report shall comply with the Noise Report Format and Content Requirements. Any proposed alternative methods, or the reduction or modification of measures may be approved if the construction activities are reduced to 75 dB and below at the occupied property line.

DOCUMENTATION: The applicant shall maintain and incorporate the construction noise measures as indicated above and within the plan until all blasting activities (including pre and post) have been completed. The applicant is responsible for implementing any further noise reducing measures to remain in compliance with this condition and comply with the requirements of the County Noise Ordinance, Section 36.409 & 36.410. **TIMING:** This condition shall occur prior to and/or throughout the duration of all associated blasting activities. **MONITORING:** The *[DPW, PDCI; PDS, CODES]* is responsible for enforcement of this condition.

(PALEONTOLOGICAL RESOURCES)

20. PALEO#GR-2 (M-P-1). PALEONTOLOGICAL MONITORING – DURING CONSTRUCTION

INTENT: In order to comply with Mitigation Monitoring and Reporting Program pursuant to PDS2013-TM-5575, PDS2014-MUP-14-019, and PDS2013-STP-13-003, and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources, a Paleontological 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 onsite to monitor as determined necessary by the Qualified Paleontologist. The Paleontological Monitoring Program shall comply with the following requirements during grading:

a. If paleontological resources are encountered during grading and/or excavation, the following shall be completed:

   1) The Paleontological Resources Monitor shall have the authority to direct, divert, or halt any grading and/or excavation activity until such time that the sensitivity of the resource can be determined and the appropriate salvage implemented.

   2) The Paleontological Monitor shall immediately contact the Project Paleontologist.

   3) The Project Paleontologist shall contact PDS 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.

3) Transport the collected specimens to a laboratory for processing (cleaning, curation, cataloging, etc.).

DOCUMENTATION: The applicant shall implement the Paleontological 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 or Paleontological Monitor is onsite 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).*

(BIOLOGICAL RESOURCES)

21. BIO#GR-9. BIOLOGICAL MONITORING REPORT

INTENT: In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) pursuant to PDS2013-TM-5575, PDS2013-STP-13-003, PDS2014-MUP-14-019, and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Biological Resources, a Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Biologist shall prepare and submit a final letter report substantiating their supervision of the grading activities and substantiating that grading did not impact additional areas of sensitive resources. The report shall conform to the County of San Diego Report Format Guidelines for Biological Resources. It shall also include but not be limited to the following items:

a. Photos of the temporary fencing that was installed during the trenching, grading, or clearing activities.

b. Monitoring logs showing the date and time that the monitor was on site.

c. Photos of the site after the grading and clearing activities.

DOCUMENTATION: The applicant shall submit the final biological monitoring 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 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.

(CULTURAL RESOURCES)

22. CULT#GR-5 (M-CR-2). 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 for the development of each neighborhood and offsite improvements shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Archaeologist shall prepare one of the following reports upon completion of the earth-disturbing activities for each neighborhood and offsite improvements that require monitoring:

a. If no archaeological resources are encountered during earth-disturbing activities, then submit a final Negative Monitoring Report substantiating that earth-disturbing activities are completed and no cultural resources were encountered. Archaeological monitoring logs showing the date and time that the monitor was on site and any comments from the Luiseno and Kumeyaay Native American monitors must be included in the Negative Monitoring Report.

b. If archaeological resources were encountered during the earth disturbing activities, the Project Archaeologist shall provide an Archaeological Monitoring Report stating that the field monitoring activities have been completed, and that resources have been encountered. The report shall detail all cultural artifacts and deposits discovered during monitoring and the anticipated time schedule for completion of the curation and/or repatriation phase of the monitoring.

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

(PALEONTOLOGICAL RESOURCES)

23. PALEO#GR-3 (M-P-1). PALEONTOLOGICAL MONITORING – ROUGH GRADING
INTENT: In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) pursuant to PDS2013-TM-5575, PDS2014-MUP-14-019, and PDS2013-STP-13-003, and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources, a Paleontological Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Paleontologist shall prepare one of the following letters for each neighborhood and/or offsite improvements upon completion of the grading activities that require monitoring:

a. If no paleontological resources were discovered, submit a "No Fossils Found" letter from the Project Paleontologist to the [*PDS, PPD*] stating that the monitoring has been completed and that no fossils were discovered. The letter report shall include 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 for each neighborhood and/or offsite improvement areas (Grading Ordinance SEC 87.421.a.2), the letter report for that neighborhood and/or offsite improvement area 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).*

(BIOLOGICAL RESOURCES)

24. BIO#GR-10. OPEN SPACE SIGNAGE & FENCING

INTENT: In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) for PDS2013-TM-5575, PDS2013-STP-13-003, and PDS2014-MUP-14-019, the permanent fencing and signage shall be installed. **DESCRIPTION OF REQUIREMENT:** The permanent fences and open space signs shall be installed along the open space boundary as shown on these plans.

a. Evidence shall be in the form of site photos and a statement from a California Registered Engineer, or licensed surveyor that the permanent 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:
PDS2013-ER-13-08-002

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 in reliance of PDS2013-STP-13-003 or PDS2014-MUP-14-019, 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.

25. BIO#GR-11. EASEMENT AVOIDANCE

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 easements indicated on this plan are for the protection of sensitive environmental 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. It is unlawful to grade or clear within an open space easement. Any disturbance shall constitute a violation of the County Grading Ordinance Section 87.112 and will result in enforcement action and restoration. The only exception(s) to this prohibition is:

a. Selective clearing of vegetation by hand to the extent required by written order of the fire authorities for the express purpose of reducing an identified fire hazard. 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.
b. Vegetation removal or application of chemicals for vector control purposes where expressly required by written order of the Department of Environmental Health of the County of San Diego.

c. Activities for the installation and maintenance of revegetation (Coast Live Oak Woodland) within Neighborhood 3 Biological Open Space pursuant to the approved Revegetation Plan. Such activities shall be approved in advance by the Director of Planning & Development Services, and shall not be inconsistent with the original intent of this easement.

d. Uses, activities, and placement of structures expressly permitted by the Director of Planning & Development Services, whose permission may be given only after following the procedures and complying with all requirements applicable to an Administrative Permit pursuant to The Zoning Ordinance of the County of San Diego.

DOCUMENTATION: The applicant shall provide a letter report 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.

(CULTURAL RESOURCES)

26. CULT#GR-6 (M-CR-2). 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 for the development of each neighborhood and offsite improvements. **DESCRIPTION OF REQUIREMENT:** The Project Archaeologist shall prepare a final report for each neighborhood and offsite improvements as they are developed 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 curated and/or repatriated as follows:

1) Evidence that all prehistoric materials collected during the archaeological monitoring program have been submitted to a San Diego curation facility or a culturally affiliated Native American Tribal curation facility that meets federal standards per 36 CFR Part 79, and, therefore, would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records, including title, shall be transferred to the San Diego curation facility or culturally affiliated Native American Tribal curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that the prehistoric archaeological materials have been received and that all fees have been paid.

or

Evidence that all prehistoric materials collected during the grading monitoring program have been repatriated to a Native American group of appropriate tribal affinity. 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 for each neighborhood and/or offsite improvements and submit it to *[PPD]* for approval. Once approved, a final copy of the report shall be submitted to the South Coastal Information Center (SCIC), the San Luis Rey Band of Mission Indians, 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 for each neighborhood and/or offsite improvements, the final report for that neighborhood and/or offsite improvement area shall be prepared. **MONITORING:** *[PDS, PPD]* shall review the final report for compliance with this condition and the report format guidelines. Upon acceptance of all reports for all development areas, *[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.

(PALEONTOLOGICAL RESOURCES)

27. PALEO#GR-4 (M-P-1). PALEONTOLOGICAL MONITORING – FINAL GRADING
INTENT: In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) pursuant to PDS2013-TM-5575, PDS2014-MUP-14-019, and PDS2013-STP-13-003, and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources, a Paleontological Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Paleontologist shall prepare a final report for each neighborhood and/or offsite improvements 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 and 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 and PDF 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 PDS by the Project Paleontologist.

DOCUMENTATION: The applicant shall submit the letter report for each neighborhood and/or offsite improvements to the [*PDS, PPD*] for review and approval. **TIMING:** Prior to the occupancy of any structure or use of the premises in reliance of PDS2014-MUP-14-019, and PDS2013-STP-13-003, and prior to Final Grading Release for each neighborhood and/or offsite improvement area (Grading Ordinance Sec. 87.421.a.3), the final report for that neighborhood and/or offsite improvement area 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.

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SITE PLAN FINDINGS

a. With the adoption of the Zone Reclassification, the Project meets the intent and specific standards and criteria prescribed in Sections 7150 et. al. of the Zoning Ordinance. The Project is a residential development and is compatible with adjacent land uses. The Project includes five neighborhoods and would be developed in phases. A total of 277 single-family residential units on lots ranging in size from 5,000 to 71,000 square feet would be developed. In addition, a total of 53 condominium units would be developed on lots ranging in size from 5,630 to 22,050 square feet in Neighborhood 1. The height requirement of 35 feet and two stories would not change from current zoning.

Estate, rural and semi-rural residential development with some equestrian and agricultural uses are located within the vicinity of the Project site. Residences in this area are generally one- or two-story single-family detached structures ranging from relatively small (1600 s.f.) to larger estate homes located on lots that on average range from 0.33 to 1.0 acre in size (some lots are much larger). Larger lots in the area are generally used for horse-keeping and grazing purposes, or for small agricultural operations such as fruit orchards or groves. Denser residential subdivisions east of Country Club Drive in the City of Escondido are located between 0.25 and 0.5 mile east of the Project site. Lot sizes in this area are much smaller, with up to approximately eight residential units per acre.

Industrial and commercial development and mobile home communities are located north of the Project, extending to SR-78 and I-15 and beyond. Large parking lots and concrete buildings are typical of these industrial areas. In addition, the Palomar Hospital medical facilities are located northeast of the Project.

Based on the factors above, the Project would be compatible with the surrounding community.

b. With the approval of the General Plan Amendment, the Project is compatible with the San Dieguito Community Plan. The Project is a residential development that would include five neighborhoods and be developed in phases. The Project would construct a semi-rural residential community with associated park and recreational amenities. Residential lots would be grouped to limit the impact footprint and provide large areas of open space. Approximately 149.4 acres (or approximately 62.5 percent) of the project site would be placed in open space which would include biological open space, agricultural open space, fuel management zones, and parks/recreational/undeveloped areas.

The Project would be developed in accordance with the Valiano Specific Plan, which provides the framework for the orderly phased development of the Project site. The site design and layout of the Project would not substantially contrast with the existing character and quality of the Project area, and the Project would not introduce a new land use that does not currently exist in the immediate area. In addition, the proposed residences within the Project site would be grouped to allow more areas to be retained within open space. Curbs and sidewalks within the Project would be constructed along Project roadways; however, curbs would be wedge curbs, which are more consistent with a rural character, and sidewalks would be adjacent to Project-installed and maintained landscaping. Where appropriate, pathways would be soft textured (e.g., decomposed granite) rather than concrete. Additionally, consistent with the existing surrounding area, extensive use of streetlights is not proposed within the Project (primary intersections would be lighted). Grading would consist of approximately 928,000 cubic yards of cut and fill that would be balanced onsite. The project includes 35.4 acres of agricultural open space to be owned and operated by the HOA. Farming is also allowed as an accessory use on the residential lots.

The internal roads proposed by the Project would be two-lane, undivided roads. The roads have been designed to conform to the site's topography and would curve to create a meandering feel through the Project site and encourage reduced speeds. In addition, proposed multi-use trails along Project roadways would be separated from vehicular traffic by landscaped parkway or fencing. Development of the Proposed Project would result in potentially significant direct and cumulative traffic impacts to a few of the study area roadway segments and intersections; however, the Project would only have cumulative (and no direct) impacts to one roadway segment in the County. Implementation of improvements to Country Club Drive would adequately mitigate the roadway impacts.

Police and fire protection service demands would likely increase with implementation of the Proposed Project. It is anticipated, however, that expanded police and fire protection services would be funded, as necessary, from increased property taxes and other revenues to the County resulting from implementation of the Project. As a result, the

Project would not generate a significant impact to police protection. With regard to fire protection, substantial fire protection facilities are available in the Project vicinity with the construction of the proposed Harmony Grove Fire Station. The Project would contribute its fair share to construction and operation of the station. The Project would include the undergrounding of proposed utility lines on site. Residential units within the Project would include water conservation features that would reduce water use. In addition, the Project's landscape concept plan includes native and drought-tolerant species to reduce the amount of required irrigation and reclaimed water would be used in common areas.

An Environmental Impact Report (EIR) and associated technical studies were prepared that analyzed the environmental impacts of the Project. Appropriate mitigation measures were identified and are imposed on the Project. Significant, unmitigable impacts were identified for portions of aesthetics (short-term), air quality, and traffic (City of Escondido). Overriding considerations were prepared that explains how the Project's unavoidable potential significant environmental impacts are outweighed by the Project's considerable benefits.

Based on the factors above, the Project would be compatible with the San Dieguito Community Plan.

c. That any applicable standards or criteria waived by the Director pursuant to Section 7158d have been or will be fulfilled by the condition or conditions of a Use Permit or Variance. There have been no standards or criteria waived for the Valiano Vesting Site Plan.

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

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

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

Section 21081(b) further states:

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

As indicated above, a Mitigation Monitoring or Reporting Program is required to assure that a project is implemented in compliance with all required mitigation measures. The Mitigation Monitoring or Reporting Program (MMRP) for this project is incorporated into the mitigation

measures adopted as project conditions of approval. Each mitigation measure adopted as a condition of approval (COA) includes the following five components.

Intent: An explanation of why the mitigation measure (MM) was imposed on the project.
Description: A detailed description of the specific action(s) that must be taken to mitigate or avoid impacts.
Documentation: A description of the informational items that must be submitted by the applicant to the Lead Agency to demonstrate compliance with the COA.
Timing: The specific project milestone (point in progress) when the specific required actions are required to implemented.
Monitoring: This section describes the actions to be taken by the lead agency to assure implementation of the mitigation measure.

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

BIO#GR-3, BIO#GR-4, CULT#1, CULT#GR-2, CULT#GR-3, CULT#GR-4, CULT#GR-5, CULT#GR-6, GEO#1, GEO#GR-1, GHG#2, HAZ#1, LNDSCP#1, LNDSCP#2, LNDSCP#3, NOISE#1, NOISE#2, NOISE#3, NOISE#4, NOISE#GR-2, NOISE#GR-3, NOISE#GR-4, PALEO#1, PALEO#GR-1, PALEO#GR-2, PALEO#GR-3, PALEO#GR-4

.....

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

NOTICE: 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.

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

NOISE ORDINANCE COMPLIANCE: In order to comply with the County Noise Ordinance 36.401 et seq. and the Noise Standards pursuant to the General Plan Noise Element (Table N-1 & N-2), the property and all of its uses shall comply with the approved plot plan(s), specific

permit conditions and approved building plans associated with this permit. No loudspeakers, sound amplification systems, and project related noise sources shall produce noise levels in violation of the County Noise Ordinance. The property owner and permittee shall conform to the approved plot plan(s), specific permit conditions, and approved building plans associated with this permit as they pertain to noise generating devices or activities. If the permittee or property owner chooses to change the site design in any away, they must obtain approval from the County for a Minor Deviation or a Modification pursuant to the County of San Diego Zoning Ordinance.

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

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.

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.sdcounty.ca.gov/dplu/docs/LID-Handbook.pdf

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

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

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

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 PDS Construction/Road right-of-way Permits Services Section, (858) 694-3275, to coordinate County 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.

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: This subject property contains Coastal sage scrub plant community. Such plant community is habitat for the coastal California gnatcatcher. The Federal government recently listed the gnatcatcher as a threatened species under the Federal Endangered Species Act of 1973 (16 U.S.C. Section 1531 et seq.). THE LISTING MAY RESULT IN AN APPLICANT'S INABILITY TO PROCEED WITH HIS/HER PROJECT WITHOUT A PERMIT FROM THE FEDERAL GOVERNMENT IF THE SPECIES OR ITS HABITAT ARE PRESENT ON THE PROJECT SITE. It is advisable to contact the United States Fish and Wildlife Service to determine the applicability of the prohibitions under the Act to each applicant's property.

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

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

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

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

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

NOTICE: Fish and Wildlife Fees have been paid in the amount of $3,168.00 for the review of the EIR, Receipt number 37-03072018-041, dated March 7, 2018.

NOTICE: The 90 day period in which the applicant may file a protest of the fees, dedications or exactions begins on _____.

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

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

Vector Control	VCT	Hazmat Division	HMD
Department of Parks and Recreation (DPR)			
Trails Coordinator	TC	Group Program Manager	GPM
Parks Planner	PP		
Department of General Service (DGS)			
Real Property Division	RP		

ON Motion of Supervisor _____, seconded by Supervisor _____, this Site Plan Permit Resolution is passed and approved by the Board of Supervisors of the County of San Diego, State of California, at a regular meeting held on this _____ day of _____, in Board of Supervisors North Chamber Room 310, 1600 Pacific Highway, San Diego, California, by the following vote:

AYES:

NOES:

ABSENT:

Attachment G

Form of Decision for Major Use Permit PDS2014-MUP-14-019

FORM OF DECISION
MAJOR USE PERMIT PDS2014-MUP-14-019

DATE:

PERMITEE:	VALIANO WASTEWATER TREATMENT AND WATER RECLAMATION PLANT MAJOR USE PERMIT
MAJOR USE PERMIT:	PDS2014-MUP-14-019
E.R. NUMBER:	PDS2013-ER-13-08-002
PROPERTY:	MOUNT WHITNEY ROAD AT COUNTRY CLUB DRIVE IN THE SAN DIEGUITO COMMUNITY PLAN AREA, WITHIN UNINCORPORATED SAN DIEGO COUNTY
APN:	232-500-24

DECISION OF THE BOARD OF SUPERVISORS

This Major Use Permit is for a wastewater treatment and water reclamation plant, in association with a Vesting Tentative Map, PDS2013-VTM-5575, consisting of two sheets including a plot plan and conceptual landscape plan. The project consists of a (1) 1,200 square-foot operations building, (2) 625 square-foot headworks building, (3) 450 square-foot equalization tank with a flow distribution box, (4) 1,950 square feet of aero mod basins, (5) 600 square-foot chlorine contact/effluent PS structure, (6) 400 square-foot off-quality effluent storage structure, (7) 8-foot perimeter fencing, (8) 1.6 acres of wet weather storage, and (9) landscaping, pursuant to Sections 1350, 2888.b., 5750, 7150 and 7350 of the Zoning Ordinance.

MAJOR USE PERMIT EXPIRATION: This Major Use Permit shall expire concurrently with Vesting Tentative Map, PDS2013-VTM-5575, except where construction and/or use of the property in reliance on this permit has commenced. Recordation of a Final Map pursuant to Vesting Tentative Map, PDS2013-VTM-5575, and completion of (or entry into agreements to construct where permitted) all required improvements shall be deemed to establish such construction and/or use in reliance; provided however, that the period within which such construction and/or use must be commenced may be extended as provided by Section 7376 and provided further, that construction complies with zoning regulations in effect at the time of construction.

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SPECIFIC CONDITIONS: Compliance with the following Specific Conditions (Mitigation Measures when applicable) shall be established before the property can be used in reliance upon this Major Use Permit. Where specifically indicated, actions are required prior to approval of any grading, improvement, building plan and issuance of grading, construction, building, or other permits as specified:

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).*

1. **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.

2. **GEN#2. RECORDATION OF DECISION**
INTENT: In order to comply with Section 7019 of the Zoning Ordinance, the Permit Decision shall be recorded to provide constructive notice to all purchasers, transferees, or other successors to the interests of the owners named, of the rights and obligations created by this permit. **DESCRIPTION OF REQUIREMENT:** The applicant shall sign, notarize with an 'all-purpose acknowledgement' and return the original recordation form to PDS. **DOCUMENTATION:** Signed and notarized original recordation form. **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, a signed and notarized copy of the Decision shall be recorded by PDS at the County Recorder's Office. **MONITORING:** The PDS Zoning Counter shall verify that the Decision was recorded and that a copy of the recorded document is on file at PDS.

3. **LNDSCP#1 (M-AE-1, M-AE-2). LANDSCAPE DOCUMENTATION PACKAGE**
INTENT: In order to provide adequate Landscaping that complies with the County of San Diego's Water Efficient Landscape Design Manual, the County's Water Conservation in Landscaping Ordinance, County Light Pollution Code, the Valiano Fire Protection Plan, and implements the landscape design standards in Section 2.0 and the Streetscape's Section 3.2.2 of the Valiano Specific Plan, a Landscape Plan shall be prepared. **DESCRIPTION OF REQUIREMENT:** The Landscape Documentation Package for all applicable phases of development shall be prepared by a California licensed Landscape Architect, Architect, or Civil Engineer and shall include the following information:

   a. The plan shall indicate the proposed width of any adjacent public right-of-way, and the locations of any required improvements and any proposed plant materials to be installed or planted therein. The applicant shall obtain a tree permit and an encroachment permit through the Land Development Counter approving the variety, location, and spacing of all trees proposed to be planted within said right(s)-of-way. A copy of these permits and a letter stating that all landscaping within the said right(s)-of-way shall be maintained by the landowner(s) and shall be submitted to PDS.

b. A complete planting plan including the names, sizes, and locations of all plant materials, including trees, shrubs, and groundcover shall be included in the plans. 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. Strategic locations of deciduous trees and other vegetation shall be utilized to maximize shade and reduce the heat island effect.

c. All manufactured slopes within steep slopes shall be vegetated beyond the minimal erosion control vegetation (one one-gallon shrub per 100 s.f.) to provide one one-gallon shrub per each 75 s.f. in areas of exposed soil (i.e., non-rocky areas) and exposed newly cut rocks shall be stained to soften and screen the appearance of the manufactured slopes.

d. Retaining/Fire walls that will not be screened by landscaping shall be textured and stained to reduce visibility.

e. 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 shall be identified on the plans. The plans shall include the use of weather-based irrigation controllers, multi-programmable clocks, and high efficiency drip irrigation.

f. 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.

g. The plans shall include spot elevations of the hardscape, building and proposed fine grading of the installed landscape. Impervious surfaces shall be minimized and pervious pavers utilized where practical.

h. The location and detail of all walls, fences, and walkways shall be shown on the plans, including height from grade and type of material. A lighting plan and light standard details shall be included in the plans (if applicable) and shall be in compliance with the County's Light Pollution Code.

i. No landscaping material or irrigation or other infrastructure shall be located within a proposed trail easement or designated pathway.

j. Parking areas shall be landscaped and designed pursuant to the Off-street Parking Design Manual and the County Zoning Ordinance Section 6793.b

k. The following item shall be addressed as part of the Landscape Plan - in consultation with a California Certified Arborist and/or Biologist, a Tree Preservation Plan shall be prepared for each phase of development identifying the locations and protection techniques necessary for specific trees or groups of trees, and other vegetation that are to remain and be preserved during all stages of development. The Plan shall include a discussion about transplanting existing small oak trees.

l. All tree canopies shall be spaced so that the crowns of all mature trees on level ground maintain a 20 foot separation and trees on slopes maintain a 30 foot horizontal separation in the fuel modification zones.

m. Parkway planting shall be established per Sections 2.0 and 3.2.2 of the Valiano Specific Plan, Section 4.0 of the Valiano Fire Protection Plan and Section 2.2.8 of the Visual Impact Analysis for Valiano.

n. All applicable Project Design Features listed in Section 7.0 of the EIR (Mitigation Measures and Project Design Features) related to landscape, irrigation, fire defensible space, preservation, erosion control, rock staining, outdoor accessory structures, low impact development BMP's, and maintenance identified in Section's 7.1.1, 7.2.1, 7.2.2, 7.2.3, 7.2.6, 7.2.10, 7.2.12, 7.2.13, and 7.2.14 shall be provided on all applicable Landscape Documentation Packages for each phase of development.

o. All irrigation plans for HOA maintained slopes and common areas shall be designed for the future use of reclaimed water from the wastewater treatment and water reclamation facility (should it be implemented as part of the project), and shall be reviewed and approved for this source of irrigation water from the Department of Environmental Health prior to approval by PDS. See Figure 6-2 of the Valiano Specific Plan.

p. The location of all Community Identity Elements shall be shown on the landscape plans with appropriate construction details and specifications. The developer/contractor is responsible for obtaining building permits for all improvements requiring permits under San Diego County Code.

q. All utility easements, including the SDG&E easement shall be shown on the landscape plans with all applicable setback requirements relating to planting and irrigation provided.

r. Prior to final approval of the particular phase that contains the SDG&E easement, the applicant shall provide evidence that SDG&E's Land Development Department has approved all proposed plant material, irrigation, and any particular notes/requirements.

DOCUMENTATION: The applicant shall prepare the Landscape Plans using the Landscape Documentation Package Checklist (PDS Form #404), submit them to the *[PDS, PPD]*, and pay all applicable review fees. **TIMING:** Prior to issuance of any permit for each neighborhood 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 Plans for compliance with this condition.

GRADING PERMIT: *(Prior to or at the time approval of any grading and/or improvement plans and issuance of any Grading or Construction Permits).*

4. **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. 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.

5. **PALEO#1 (M-P-1). PALEONTOLOGICAL GRADING MONITORING**
INTENT: In order to mitigate for potential impacts to paleontological resources on the project site, a monitoring program during grading, trenching or other excavation into undisturbed rock layers beneath the soil horizons within the moderate and high sensitivity soils and terrace deposits within the project site and off-site improvements, 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:** The Project 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 within the moderate and high sensitivity soils and terrace deposits within the project site and offsite improvements. The Monitoring Program shall include the following:

a. The 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 provided to the County shall include an agreement that the grading and/or trenching and/or excavation monitoring will be completed, and a Memorandum of Understanding (MOU) between the Project Paleontologist, the Property Owner or their representative, and the County of San Diego shall be executed. The contract shall include a cost estimate for the monitoring work and reporting.

b. The cost of the monitoring shall be added to the grading bonds 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 the issuance of any Grading or Construction Permits. **MONITORING:** The *[PDS, PPD]* shall review the contract, MOU and cost estimate or separate bonds for compliance with this condition. The cost estimate should be forwarded to *[PDS, LD]*, 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.

6. **CULT#1 (M-CR-2). ARCHAEOLOGICAL MONITORING**
INTENT: In order to mitigate for potential impacts to undiscovered buried archaeological resources, an Archaeological Monitoring Program, potential Data Recovery Program, and Pre-Grading Survey 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. In addition, a Pre-Grade Survey shall also be conducted and fill soils shall be evaluated to determine that they are clean of cultural resources. 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 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 pre-grade survey, monitoring work and reporting.

b. The Project Archaeologist and Native American monitor shall conduct a pre-grade survey prior to any earth-disturbing activities.

c. The Project Archeologist shall provide evidence that a Luiseno Native American has been contracted to perform Native American Monitoring for the project.

d. 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, the contract or letter of acceptance shall be provided. **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, LD]* 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.

7. **HAZ#1 (M-HZ-1a, M-HZ-1b). SOIL REMEDIATION**
INTENT: In order to remediate for contaminated soils caused by a diesel above ground storage tank (AST) as identified in the Phase I Environmental Site Assessment (ESA) for APN 232-013-02, prepared by GEOCON Inc. (Study #1), dated July 2, 2013, remediation under the supervision of the Department of Environmental Health (DEH), Site Assessment and Mitigation Program (SAM) is required. **DESCRIPTION OF REQUIREMENT:** A California Licensed Environmental Consultant shall prepare a Soil Management Plan (SMP), for the remediation of hazardous materials and contaminated soils as identified above. The plan shall be prepared and implemented pursuant to the DEH SAM Manual under direction from the DEH SAM and shall include the following:

a. Enrollment in the DEH, Voluntary Assistance Program (VAP) is required. All soil remediation shall be completed under supervision of the SAM/VAP or LOP as required.

b. All above ground/underground storage tanks (AST/UST) shall be removed under permit from [*DEH, HMD*]. If contamination is discovered from the UST, then compliance enrollment in the DEH, LOP is required.

c. All required grading work shall comply with the County of San Diego Grading Ordinance 87.101 et al. If a grading permit is required for the remediation work, it shall be issued for the remediation work only.

d. The presence, locations and quantities of existing septic system(s) shall be evaluated. If present, the septic tanks shall be removed under permit and approval from the [DEH, LWQ].

e. If the Director of PDS determines the remediation work will take an enormous amount of time that would be detrimental to ultimate project implementation, approval of other engineering plans and/or issuance of other project permits may be permitted as long as there is no risk of effects to public health and safety. Concurrence from the [DEH, SAM] is required, and the applicant shall enter into a secured agreement for the completion of the remediation work.

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

8. **HAZ#2 (M-HZ-1a, M-HZ-1b). CERTIFICATION OF COMPLETION**
INTENT: In order to verify that all of the site remediation work was completed pursuant to the Site Assessment and Mitigation Program (SAM), a closure letter shall be provided. **DESCRIPTION OF REQUIREMENT:** All soil remediation shall be completed, and all contamination hazards removed pursuant to the Department of Environmental Health (DEH), Voluntary Assistance Program (VAP) or the DEH, Local Oversight Program (LOP) as determined. **DOCUMENTATION:** The applicant shall provide the "Closure Letter, or Concurrence Letter," to the *[PDS, PPD]* that the soil remediation has been completed to the satisfaction of the [*DEH, SAM*]. If the Director of PDS determines the remediation work will take an enormous amount of time that would be detrimental to ultimate project implementation, approval of other engineering plans and/or issuance of other project permits may be permitted as long as there is no risk of effects to public health and safety. Concurrence from the [DEH, SAM] is required, and the applicant shall enter into a secured agreement for the completion of the remediation work. **TIMING:** Prior to issuance of any construction, building, grading, improvement or any other permit (except for any grading plan or permit required for the remediation work) for any neighborhood where contamination remediation is required and prior to commencement of any construction, or use of the property in reliance on this permit, the applicant shall comply with this condition. **MONITORING:** The [*DEH, SAM*], shall verify completion of the required remediation, and shall issue a Closure Letter to the applicant and a copy to the [*PDS, PPD*]. The [*PDS, PPD*] shall review the "Closure Letter," for compliance with this condition.

9. **HAZ#3. STRUCTURE REMOVAL**
INTENT: In order to comply with the proposed project design for the structure(s) identified on the approved plan set that are to be removed or demolished. **DESCRIPTION OF REQUIREMENT:** The structure(s) as shown on the approved plan set shall be removed or demolished. A Demolition Permit shall be obtained from *[PDS, BD].* Compliance with conditions HAZ#4 and HAZ#5 to determine the presence or absence of Lead Containing Materials and Asbestos Containing Materials shall be completed before the County can issue a Demolition Permit. **DOCUMENTATION:** The applicant shall submit to the [*PDS, PPD*] a signed stamped statement from a registered professional, such as an Engineer, Surveyor, or Contractor, which states, that the structures have been removed or demolished. The letter report shall also include before and after pictures of the area and structure. **TIMING:** Prior to issuance of any grading or construction permits (excluding demolition permit) for any neighborhood where structure removal is required, the applicant shall comply with this condition. **MONITORING:** The [*PDS, PPD*] shall review the statement and, photos, and any additional evidence for compliance with this condition.

10. **HAZ #4 (M-HZ-2). LEAD SURVEY**
INTENT: In order to avoid hazards associated with lead based paint (LBP) and lead containing materials (LCM), and to mitigate below levels of significance as established in the County of San Diego Hazardous Materials and Existing Contamination Guidelines for Determining Significance, the structure(s) identified on the approved plan set for demolition or remodel shall be surveyed for the presence of LBP/LCM because the structures were built prior to 1980. **DESCRIPTION OF REQUIREMENT:** A facility survey shall be performed to determine the presence or absence of LCMs in the structure(s) identified for demolition or removal on the approved plan set. The survey shall be completed by a California Department of Health Services (DHS) certified lead

inspector/risk assessor to determine the presence or absence of LBP and LCM located in the structure. The following conditions only apply if LBP and LCM are present:

a. All LBP and LCM shall be managed in accordance with applicable regulations including, at a minimum, the hazardous waste disposal requirements (Title 22 California Code of Regulations [CCR] Division 4.5), the worker health and safety requirements (Title 8 California Code of Regulations Section 1532.1), and the State Lead Accreditation, Certification, and Work Practice Requirements (Title 17 CCR Division 1, Chapter 8).

b. All LBP and LCM scheduled for demolition or disturbed during remodeling must comply with applicable regulations for demolition methods and dust suppression.

DOCUMENTATION: The applicant shall submit a letter or report prepared by a California DHS certified lead inspector/risk assessor to the [*DEH HAZ MAT, APCD*], which certifies that there was no LBP/LCM present, or all lead containing materials have been remediated pursuant to applicable regulations. **TIMING:** Prior to issuance of any grading or construction permits (excluding demolition permit) for any neighborhood that requires structure removal, the applicant shall comply with this condition. **MONITORING:** The [*DEH HAZ MAT, APCD*] shall review the report and any additional evidence for compliance with this condition. The [*PDS, PPD*] shall review the completed and stamped report and any additional evidence for compliance with this condition.

11. HAZ #5 (M-HZ-2). ASBESTOS SURVEY

INTENT: In order to avoid hazards associated with Asbestos Containing Materials (ACMs) and to mitigate below levels of significance as established by the County of San Diego Hazardous Materials and Existing Contamination Guidelines for Determining Significance, the structure(s) identified on the approved plan set for demolition or removal shall be surveyed for the presence of ACMs because the structures were built prior to 1980. **DESCRIPTION OF REQUIREMENT:** A facility survey shall be performed to determine the presence or absence of ACMs in the structure(s) identified for demolition or remodel on the approved plan set. Suspect materials that will be disturbed by the demolition or removal activities shall be sampled and analyzed for asbestos content, or assumed to be asbestos containing. The survey shall be conducted by a person certified by Cal/OSHA pursuant to regulations implementing subdivision (b) of Section 9021.5 of the Labor Code, and shall have taken and passed an EPA-approved Building Inspector Course.

a. If ACMs are found present, they shall be handled and remediated in compliance with the San Diego County Air Pollution Control District Rule 361.145 – Standard for Demolition and Renovation.

DOCUMENTATION: The applicant shall submit to the [*DEH HAZ MAT, APCD*] a signed, stamped statement from the person certified to complete the facility survey indicating that the survey has been completed and that either regulated asbestos is present or absent. If regulated asbestos is present, the letter shall describe the procedures taken to remediate the hazard and certify that they have been remediated pursuant to code sections referenced above. **TIMING:** Prior to issuance of any grading or construction permits for any neighborhood that requires structure removal (excluding demolition permit), the applicant shall comply with this condition. **MONITORING:** The [*DEH HAZ*

MAT, APCD] shall review the report and any additional evidence for compliance with this condition. The [*PDS, PPD*] shall review the completed and stamped report and any additional evidence for compliance with this condition.

12. GEO#1 (M-GE-1, M-GE-2, M-GE-3). GEOTECHNICAL HAZARDS MITIGATION MEASURES

INTENT: In order to ensure specific design and mitigation measures for geologic hazards are implemented into the grading plans. **DESCRIPTION OF REQUIREMENT:** All recommendations presented in Section 7 from *Update Geotechnical Investigation, Valiano (Eden Hills) – 48-Acre Fines, San Diego County, California* prepared by Geocon, Inc. dated May 13, 2014 and *Update Geotechnical Investigation, Valiano (Eden Hills), San Diego County, California,* prepared by Geocon, Inc. dated May 13, 2014 shall be incorporated into the grading plans and part of the grading notes to be observed during grading operations. **DOCUMENTATION:** The applicant shall prepare and submit the grading plans to [*PDS, BD*]. **TIMING:** Prior to the approval of any grading plans, the grading plans shall include required elements indicated in this condition. **MONITORING:** The [PDS, BD] shall review the Grading Plan to ensure all recommendations and notes are included per this condition. If there are any additional recommendations for slope stability, the [*PDS, BD*] shall ensure that they are incorporated into the grading plans for the project.

BUILDING PERMIT: *(Prior to approval of any building plan and the issuance of any building permit).*

13. AQ#1. PROJECT DESIGN IMPLEMENTATION - CONSTRUCTION

INTENT: In order to mitigate impacts to Air Quality and comply with the California Environmental Quality Act, the following Project Design Features shall be implemented for each structure:

a. Energy efficiency in compliance with 2013 Title 24 standards which achieves the 2016 Title 24 standards.

b. Installation of advanced plumbing systems, such as parallel hot water piping or hot water recirculation systems.

c. The WTWRF shall include the following measures to control odor release:

- The facilities shall be covered to avoid uncontrolled odor release.
- Active odor control units shall be located to manage gases from the wet and solids stream treatment processes.
- All processes and equipment shall be housed (or otherwise contained) and ventilation controlled such that no objectionable odors would be discernible at the Project site boundaries.
- A misting system with odor neutralizing liquids to break down the foul smelling chemical compounds in the biogases shall be installed.

- Bio filters shall be utilized to capture odor causing compounds in a media bed where they are oxidized by naturally occurring micro-organisms.

DOCUMENTATION: The applicant shall implement the Air Quality Project Design Features pursuant to this condition. **TIMING:** Prior to issuance of any building permit, the Air Quality Project Design Features shall be shown on the building plans. **MONITORING:** The *[PDS, BPPR]* shall verify that the specific notes and design elements have been placed on all sets of the building plans and made conditions of its issuance.

14. FIRE#1. PROJECT DESIGN IMPLEMENTATION – FIRE HAZARDS
INTENT: In order to mitigate impacts to Hazards and comply with the California Environmental Quality Act, the following Project Design Features shall be implemented for each structure:

a. All newly constructed structures shall be built to ignition-resistive building requirements, as specified in the FPP (Firewise 2015). The installation of automatic interior fire sprinkler systems shall be required. All glass or other transparent, translucent, or opaque materials, including skylights shall be constructed of tempered glass or dual glazed windows with minimally one pane of tempered glass.

b. Additional features that would reduce risks from wildland fires shall include the approval of a submitted grading plan by SMFD, the setback of single-story structures at a minimum of 15 horizontal feet from the top of a slope, and fire access roadways throughout the development free of speed control devices.

c. The potential septic tanks on site (utilized for some of the structures) shall be abandoned in accordance with San Diego County Requirements.

DOCUMENTATION: The applicant shall implement the Hazards Project Design Features pursuant to this condition. **TIMING:** Prior to issuance of any building permit, the Hazards Project Design Features shall be shown on the building plans. **MONITORING:** The *[PDS, BPPR]* shall verify that the specific notes and design elements have been placed on all sets of the building plans and made conditions of its issuance.

15. NOISE#1 (M-N-4). WASTEWATER TREATMENT AND WATER RECLAMATION FACILITY (WTWRF)
INTENT: In order to reduce the impacts of the exterior sound levels from the project site to the adjacent parcels and to comply with the County of San Diego Noise Ordinance §36.404 and the County of San Diego Noise Guidelines for Determining Significance, the following design measures shall be implemented on the building plans and in the site design. **DESCRIPTION OF REQUIREMENT:** The following design elements and noise attenuation measures shall be implemented and indicated on the building plans and made conditions of its issuance:

a. Stationary equipment noise may be controlled by the following methods:

1) Provide a tall exterior enclosure wall and gate to control offsite noise impacts for all WTWRF equipment (excluding the diesel generator).

2) Enclose the WTWRF equipment inside a noise control Concrete Masonry Unit (CMU) structure or specific design enclosures.

3) Increase property line setbacks of WTWRF noise sources where feasible.

4) Locate WTWRF noise sources such that noise shielding would be provided from onsite buildings or structures.

5) Incorporate noise control measures such as acoustical louvers or paneling into the WTWRF design.

b. Diesel generator noise may be controlled by the following methods:

1) Enclose the diesel generator within a custom designed noise control structure (such as a steel enclosure).

2) Place the diesel generator within a CMU building that includes noise control features such as (but not limited to) acoustical louvers and paneling, etc.

DOCUMENTATION: The applicant shall place the design elements, or notes on the building plans and submit the plans to *[PDS, BPPR]* for review and approval. **TIMING:** Prior to issuance of any building permit associated with the Wastewater Treatment and/or Water Reclamation Facility (WTWRF), the design elements and noise attenuation measures shall be incorporated into the building plans. **MONITORING:** The *[PDS, BPPR]* shall verify that the specific notes, and design elements, and noise attenuation measures have been placed on all sets of the building plans and made conditions of its issuance.

16. NOISE#2 (M-N-5). WASTEWATER PUMP STATION & GENERATOR

INTENT: In order to reduce the impacts of the exterior sound levels from the project site to the adjacent parcels and to comply with the County of San Diego Noise Ordinance §36.404 and the County of San Diego Noise Guidelines for Determining Significance, the following design measures shall be implemented on the building plans and in the site design. **DESCRIPTION OF REQUIREMENT:** The following design elements and noise attenuation measures shall be implemented and indicated on the building plans and made conditions of its issuance:

The pump and diesel generator noise may be controlled by various methods, including but not limited to:

- Enclosing the diesel generator within a custom designed noise control structures (such as a steel enclosure);
- Placing the pump equipment and diesel generator within a CMU construction building;
- Increase property line setbacks;
- Locating noise sources such that noise shielding would be provided from onsite intervening structures and/or topography.

DOCUMENTATION: The applicant shall place the design elements, or notes on the building plans and submit the plans to *[PDS, BPPR]* for review and approval. **TIMING:** Prior to issuance of any building permit associated with the installation of the Wastewater Treatment and/or Water Reclamation Facility (WTWRF), the design elements and noise attenuation measures shall be incorporated into the building plans. **MONITORING:** The *[PDS, BPPR]* shall verify that the specific notes, and design elements, and noise attenuation measures have been placed on all sets of the building plans and made conditions of its issuance.

17. **NOISE#3 (M-N-6). WATER CIRCULATION BOOSTER PUMP STATION & GENERATOR**

INTENT: In order to reduce the impacts of the exterior sound levels from the project site on the adjacent parcels and to comply with the County of San Diego Noise Ordinance §36.404 and the County of San Diego Noise Guidelines for Determining Significance, the following design measures shall be implemented on the building plans and in the site design. **DESCRIPTION OF REQUIREMENT:** The following design elements and noise attenuation measures shall be implemented and indicated on the building plans and made conditions of its issuance.

The booster pump and diesel generator noise may be controlled by various methods, including but not limited to:

- Enclosing the diesel generator within a custom designed noise control structures (such as a steel enclosure);
- Placing the pump equipment and diesel generator within a CMU construction building;
- Increase property line setbacks;
- Locating noise sources such that noise shielding would be provided from onsite intervening structures and/or topography.

DOCUMENTATION: The applicant shall place the design elements, or notes on the building plans and submit the plans to *[PDS, BPPR]* for review and approval. **TIMING:** Prior to issuance of any building permit associated with the installation of the Water Circulation Booster Pump Station, the design elements and noise attenuation measures shall be incorporated into the building plans. **MONITORING:** The *[PDS, BPPR]* shall verify that the specific notes, and design elements, and noise attenuation measures have been placed on all sets of the building plans and made conditions of its issuance.

18. **NOISE#4 (M-N-4, M-N-5. M-N-6). ACOUSTICAL CERTIFICATION - WASTEWATER TREATMENT AND WATER RECLAMATION FACILITY, WASTEWATER PUMP STATION & GENERATOR, AND WATER CIRCULATION BOOSTER PUMP STATION & GENERATOR**

INTENT: In order to reduce the impact of noise generated from the project site on the adjacent parcels and to comply with the County of San Diego Noise Ordinance §36.404 as evaluated in the County of San Diego Noise Guidelines for Determining Significance, noise attenuation measures shall be incorporated into the project. **DESCRIPTION OF REQUIREMENT:** A noise study shall be prepared by a County-Approved Acoustical Consultant that evaluates the compliance of the project with County property line noise limits and identifies the noise attenuation design measures required to be in compliance with these limits. The final design of the Wastewater Treatment and/or Water Reclamation

Facility (WTWRF) and Water Circulation Booster Pump Station shall comply with the County property line noise limits in combination with the other project noise sources. Upon certification of the acoustical report, noise design measures shall be indicated on the building plans and made conditions of its issuance. **DOCUMENTATION:** The applicant shall provide the noise study to the *[PDS, PPD]* for review and approval. Upon determination by the County that the noise study is adequate (i.e. approved), the applicant shall incorporate all noise measures therein identified into the applicable building plans. The applicant shall submit the building plans to [*PDS, BPPR]* for review and approval. **TIMING:** Prior to the issuance of building permits for the Wastewater Treatment and/or Water Reclamation Facility (WTWRF) and/or Water Circulation Booster Pump Station, the design elements and noise measures must be incorporated into the building engineering plans. **MONITORING:** The *[PDS, PPD]* shall review the noise study for adequacy. Upon approval of the noise study by *[PDS, PPD]*, the *[PDS, BPPR]*, shall review the building plans to ensure that the design elements approved in the acoustical study are incorporated.

19. PLN#2. SITE PLAN D-DESIGNATOR

INTENT: In order to comply with the Valiano Specific Plan, the project shall be required to submit a D-Designator Site Plan. **DESCRIPTION OF REQUIREMENT:** A subsequent Site Plan is required by the "D" Special Area Designator to determine conformance to the Valiano Specific Plan and for the "V" Setback Designator to establish the setbacks. The site design shall conform to the approved Specific Plan, Major Use Permit, and certified Environmental Impact Report (See Chapter ____, Aesthetics). This permit application will be reviewed for with all pertinent development standards, design standards, mitigation measures identified during the environmental review process, and other applicable conditions of approval adopted as part of the Valiano Specific Plan. In acting to approve a subsequent permit, to the extent permitted by law, the County will impose conditions as are reasonably necessary to ensure the project is in compliance with the Valiano Specific Plan and all applicable plans/regulations. **DOCUMENTATION:** The applicant shall receive approval of a D-Designator Site Plan in compliance with this Major Use Permit. **TIMING:** Prior to issuance of any building permit, the site shall conform to the approved plans. **MONITORING:** The *[PDS, BI]* shall ensure that an Implementing Site Plan has been approved.

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

20. GEN#3. INSPECTION FEE

Intent: In order to comply with Zoning Ordinance Section 7362.e the inspection fee shall be paid. **DESCRIPTION OF REQIREMENT:** 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.

21. **LNDSCP#2 (M-AE-1, M-AE-2). CERTIFICATION OF INSTALLATION**
INTENT: In order to provide adequate Landscaping that addresses screening, and to comply with the COSD Water Efficient Landscape Design Manual, the COSD Water Conservation in Landscaping Ordinance, the COSD Off-Street Parking Design Manual, the COSD Grading Ordinance, County Light Pollution Code, the Valiano Specific Plan, and the requirements of the D Designator, all landscaping shall be installed. **DESCRIPTION OF REQUIREMENT:** All requirements of the landscaping plan shall be installed pursuant to the approved Landscape Documentation Package for each phase of development (final maps). 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, PPD] [DPR, TC, PP]*. **DOCUMENTATION:** The applicant shall submit to the *[PDS LA, PPD],* 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 for each neighborhood, the landscaping shall be installed. Landscaping of manufactured slopes shall be completed prior to certification of completion of rough grading for each neighborhood. **MONITORING:** The *[PDS, LA*] shall verify the landscape installation upon notification of occupancy or use of the property, and notify the *[PDS, PPD] [DPR, TC, PP]* of compliance with the approved Landscape Documentation Package.

22. **PLN#3. SITE PLAN IMPLEMENTATION**
INTENT: In order to comply with the approved project design indicated on the approved plot plan, the project shall be constructed as indicated on the approved building and construction plans. **DESCRIPTION OF REQUIREMENT:** The site shall conform to the approved Major Use Permit plot plan and the building plans. This includes, but is not limited to: improving all parking areas and driveways, installing all required design features, painting all structures with the approved colors, trash enclosures are properly screened, required and approved signage is installed and located properly, all temporary construction facilities have been removed from the site and the undeveloped eastern portion of the site, as shown on the approved plot plan, will remain undeveloped for the life of the permit. **DOCUMENTATION:** The applicant shall ensure that the site conforms to the approved plot plan and building plans. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the site shall conform to the approved plans. **MONITORING:** The *[PDS, BI]* and *[DPR TC, PP]* shall inspect the site for compliance with the approved Building Plans.

23. **BIO#1. PERMANENT OPEN SPACE FENCING**
INTENT: In order to protect the proposed open space easement from entry, and disturbance, permanent fencing shall be installed. **DESCRIPTION OF REQUIREMENT:** Open space fencing shall be placed along the biological open space boundary as indicated on the Open Space Exhibit dated 2.4-10a & 2.4-10b in the Final EIR. The fencing design shall consist of 3 strand non-barbed wire. **DOCUMENTATION:** The applicant shall install the fencing as indicated above and provide site photos and a statement from a California Registered Engineer, or licensed surveyor that the open

space fencing has been installed. **TIMING** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the fencing shall be installed. **MONITORING:** The *[PDS, PPD]* shall review the photos and statement for compliance with this condition.

24. BIO#2. OPEN SPACE SIGNAGE

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 Open Space Exhibit dated 2.4-10a & 2.4-10b in the Final EIR. 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:
PDS2013-ER-13-08-002

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 any occupancy, final grading release, or use of the premises in reliance of this permit, the open space signs shall be installed. **MONITORING:** The *[PDS, PPD]* shall review the photos and statement for compliance with this condition.

25. BIO#3. BIOLOGICAL MONITORING REPORT

INTENT: In order to ensure that the biological monitoring occurred during the grading phase of the project, a final Biological Monitoring Report shall be prepared. **DESCRIPTION OF REQUIREMENT:** The "Project Biologist" shall prepare final biological monitoring report. The report shall substantiate the supervision of the grading activities, and state that grading or construction activities did not impact any additional sensitive biological resources. The report shall conform to the County of San Diego Report Format Guidelines for Biological Resources, and include the following items:

a. Photos of the temporary fencing that was installed during the trenching, grading, or clearing activities.

b. Monitoring logs showing the date and time that the monitor was on site.

c. Photos of the site after the grading and clearing activities.

DOCUMENTATION: The Biologist shall prepare the final report and submit it to the *[PDS, PPD]* for review and approval. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the final report shall be approved. **MONITORING:** The *[PDS, PPD]* shall review the final report for compliance this condition and the report format guidelines. Upon approval 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, FISCAL]* to release the bond back to the applicant.

26. CULT#2 (M-CR-2). CULTURAL RESOURCES REPORT
INTENT: In order to ensure that the Archaeological Monitoring occurred during the earth-disturbing activities, a final report for each neighborhood and/or offsite improvements shall be prepared. **DESCRIPTION OF REQUIREMENT:** A final Archaeological Monitoring and Data Recovery Report for each neighborhood and/or offsite improvements that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program shall be prepared. The report shall include the following items:

a. DPR Primary and Archaeological Site forms.

b. Daily Monitoring Logs

c. Evidence that all cultural materials collected during the survey, testing, and archaeological monitoring program have been curated and/or repatriated as follows:

1) All prehistoric cultural materials shall be curated at a San Diego curation facility or a culturally affiliated Tribal curation facility that meets federal standards per 36 CFR Part 79, and, therefore, would be professionally curated 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 Tribal curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that the prehistoric archaeological materials have been received and that all fees have been paid.

or

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

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

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

DOCUMENTATION: The applicant's archaeologist shall prepare the final report for each neighborhood and/or offsite improvements and submit it to the PDS, *[PPD]* for approval. Once approved, a final copy of the report shall be submitted to the South Coastal Information Center (SCIC), San Luis Rey Band of Mission Indians, and any culturally-affiliated Tribe that requests a copy. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit for each neighborhood and/or offsite improvement area, the final report for that neighborhood and/or offsite improvement shall be prepared. **MONITORING:** The *[PDS, PPD]* shall review the final report for each neighborhood and/or offsite improvement for compliance with this condition and the report format guidelines. Upon acceptance of all reports for all neighborhoods and offsite improvement areas, *[PDS, PPD]* shall inform *[PDS, LD]* 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.

27. FIRE#2 (M-HZ-3). FIRE TRAVEL TIME

INTENT: In order to ensure that fire service meets the County's required 5 minute travel time, either (1) the Harmony Grove Fire Station must be in operation and providing service or (2) alternate mitigation measures must be implemented to the satisfaction of the County Fire Authority or Rancho Santa Fe Fire Protection District (if annexed) and the Director of Planning & Development Services. **DESCRIPTION OF REQUIREMENT:** Provide evidence that either (1) the Harmony Grove Fire Station is in operation, or (2) alternate mitigation measures have been implemented to the satisfaction of the County Fire Authority or Rancho Santa Fe Fire Protection District (if annexed) and the Director of Planning & Development Services. **DOCUMENTATION:** The applicant shall provide written evidence from the Harmony Grove Fire Station demonstrating that the Station is in operation or provide evidence from the County Fire Authority or Rancho Santa Fe Fire Protection District (if annexed) approving alternate mitigation measures that have been implemented to the satisfaction of the Director of Planning & Development Services *[PDS, PPD]*. **TIMING:** Prior to the occupancy of any structure that does not meet the five minute travel time according to Figure 7 of the Fire Protection Plan, this condition shall be satisfied. **MONITORING:** The *[PDS, PPD]* shall review the documentation for compliance with this condition.

28. HAZ#6. HEALTH AND SAFETY PLAN

INTENT: The possibility for onsite storage, use or transport of hazardous materials as a part of normal operations of the waste water facility will require the preparation of a Hazardous Materials Business Plan (HMBP) to protect workers from hazardous chemicals and to notify the public of potential hazardous chemicals and substances and to comply with the California Health and Safety Code, Chapter 6.95. A Health and Safety Plan and a HMBP shall be prepared and implemented. **DESCRIPTION OF REQUIREMENT**: A Health and Safety Plan and a HMBP that outlines worker safety and personal protection equipment appropriate for the chemicals of concern planned for the site regarding all onsite storage, handling, and disposal of potentially hazardous substances, such as chemical, solid or gas storage. The plan shall be submitted on-line to the California Environmental Reporting System (CERS) reviewed and approved by

[CALEPA] http://cers.calepa.ca.gov/. **DOCUMENTATION:** The applicant shall acquire on-line forms found at http://www.sandiegocounty.gov/content/sdc/deh/hazmat/hmd_forms.html , provide copies of the Health and Safety Plan into plan check at http://www.sandiegocounty.gov/content/sdc/deh/hazmat/hazmat/hmd_plan_check.html for review and approval. Once plan check is complete, the forms will be submitted to CERS on-line at http://cers.calepa.ca.gov/. Evidence shall be in the form of a letter from CERS, stating that the appropriate State and/or Federal permits are being pursued or have been obtained or that no further permits are required. **TIMING:** Prior to occupancy of the structure built in association with the waste water treatment facility permit, the Health and Safety Plan, and HMBP shall be prepared, approved and implemented. **MONITORING:** [DEH, HMD] shall verify and approve the Health and Safety Plan, and HMBP for compliance with this condition.

29. NOISE#5 (M-N-4). WTWRF NOISE CONTROL DESIGN MEASURES

INTENT: In order to reduce the impacts of the exterior sound levels from the Wastewater Treatment and Water Reclamation Facility (WTWRF) on the adjacent parcels and to comply with the County of San Diego Noise Ordinance §36.404 and the County of San Diego Noise Guidelines for Determining Significance, the following design measures shall be verified that they have been constructed. **DESCRIPTION OF REQUIREMENT:** The following noise control measure(s) shall be constructed pursuant to the approved building plans:

a. Stationary equipment noise may be controlled by the following methods:

1) Provide a tall exterior enclosure wall and gate to control offsite noise impacts for all WTWRF equipment (excluding the diesel generator).

2) Enclose the WTWRF equipment inside a noise control Concrete Masonry Unit (CMU) structure or specific design enclosures.

3) Increase property line setbacks of WTWRF noise sources where feasible.

4) Locating WTWRF noise sources such that noise shielding would be provided from onsite buildings or structures.

5) Incorporating noise control measures such as acoustical louvers or paneling into the WTWRF design.

b. Diesel generator noise may be controlled by the following methods:

1) Enclose the diesel generator within a custom designed noise control structure (such as a steel enclosure).

2) Place the diesel generator within a CMU building that includes noise control features such as (but not limited to) acoustical louvers and paneling, etc.

TIMING: Prior to any occupancy, final grading release, or use of the premises in reliance of this permit for the Wastewater Treatment and/or Water Reclamation Facility (WTWRF), selected noise control measures shall be installed and operational. **MONITORING:** The *[PDS, BI]* shall verify that the noise control measures above have been constructed pursuant to the approved building plans and this permit's conditions.

30. **NOISE#6 (M-N-5). WASTEWATER PUMP STATION & GENERATOR**
INTENT: In order to reduce the impacts of the exterior sound levels from the Wastewater Treatment and Water Reclamation Facility (WTWRF) on the adjacent parcels and to comply with the County of San Diego Noise Ordinance §36.404 and the County of San Diego Noise Guidelines for Determining Significance, the following design measures shall be verified that they have been constructed. **DESCRIPTION OF REQUIREMENT:** The following noise control measure(s) shall be constructed pursuant to the approved building plans:

The pump and diesel generator noise may be controlled by various methods, including but not limited to:

a. Enclosing the diesel generator within a custom designed noise control structures (such as a steel enclosure).

b. Placing the pump equipment and diesel generator within a CMU construction building.

c. Increase property line setbacks.

d. Locating noise sources such that noise shielding would be provided from onsite intervening structures and/or topography.

TIMING: Prior to any occupancy, final grading release, or use of the premises in reliance of this permit for the Wastewater Treatment and/or Water Reclamation Facility (WTWRF), selected noise control measures shall be installed and operational. **MONITORING:** The *[PDS, BI]* shall verify that the noise control measures above have been constructed pursuant to the approved building plans and this permit's conditions.

31. **NOISE#7 (M-N-6). WATER CIRCULATION BOOSTER PUMP STATION & GENERATOR**
INTENT: In order to reduce the impacts of the exterior sound levels from the Water Circulation Booster Pump Station on the adjacent parcels and to comply with the County of San Diego Noise Ordinance §36.404 and the County of San Diego Noise Guidelines for Determining Significance, the following design measures shall be verified that they are constructed. **DESCRIPTION OF REQUIREMENT:** The following noise control measures shall be constructed pursuant to the approved building plans.

The pump and diesel generator noise may be controlled by various methods, including but not limited to:

a. Enclosing the diesel generator within a custom designed noise control structures (such as a steel enclosure).

b. Placing the pump equipment and diesel generator within a CMU construction building.

c. Increase property line setbacks.

d. Locating noise sources such that noise shielding would be provided from onsite intervening structures and/or topography.

TIMING: Prior to any occupancy, final grading release, or use of the premises in reliance of this permit for the Water Circulation Booster Pump Station, selected noise control measures shall be installed and operational. **MONITORING:** The *[PDS, BI]* shall verify that the noise control measures above have been constructed pursuant to the approved building plans and this permit's conditions.

32. PALEO#2 (M-P-1). PALEONTOLOGICAL RESOURCES REPORT
INTENT: In order to ensure that the Paleontological Monitoring occurred during the grading, trenching or other excavation phase of the project, a final report for each neighborhood and/or offsite improvements shall be prepared. **DESCRIPTION OF REQUIREMENT:** A final Paleontological Resource Mitigation Report for each neighborhood and/or offsite improvements that documents the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program shall be prepared. The report shall and include the following items:

a. If no paleontological resources were discovered, submit a Negative letter report, which states that the monitoring has been completed and that no paleontological resources were discovered.

b. If resources were discovered and recovered during grading, a detailed report shall be prepared by the Project Paleontologist. The report shall comply with 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 and include proof of the 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.

DOCUMENTATION: The Project Paleontologist shall prepare the final report for each neighborhood and/or offsite improvements and submit it to the *[PDS, PPD]* for approval. If resources were discovered then the applicant shall complete the following:

c. 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

d. The applicant shall submit two hard copies of the final Paleontological Resources Mitigation Report to the *[PDS, PPD]* for final approval of the mitigation, and submit one electronic copy of the complete report in Microsoft Word and PDF 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.

TIMING: Prior to any occupancy, final grading release, or use of the premises in reliance of this permit for the wastewater treatment and reclamation facility, the final report for neighborhood five shall be prepared. **MONITORING:** The *[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, LD]* 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, FISCAL]* to release the bond back to the applicant.

ONGOING: *(Upon establishment of use the following conditions shall apply during the term of this permit).*

33. PLN#4. SITE CONFORMANCE

INTENT: In order to comply with Zoning Ordinance Section 7703, the site shall substantially comply with the approved plot plans and all deviations thereof, specific conditions and approved building plans. **DESCRIPTION OF REQUIREMENT:** The project shall conform to the approved landscape plan(s), building plans, and plot plan(s). This includes, but is not limited to maintaining the following: all parking, trails, parks and driveways areas, watering all landscaping at all times, painting all necessary aesthetics design features, and all lighting wall/fencing and required signage. Failure to conform to the approved plot plan(s); is an unlawful use of the land, and will result in enforcement action pursuant to Zoning Ordinance Section 7703. **DOCUMENTATION:** The property owner and permittee shall conform to the approved plot plan. If the permittee or property owner chooses to change the site design in any away, they must obtain approval from the County for a Minor Deviation or a Modification pursuant to the County of San Diego Zoning Ordinance. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The *[PDS, Code Enforcement Division]* is responsible for enforcement of this permit.

34. FIRE#3. PROJECT DESIGN IMPLEMENTATION

INTENT: In order to mitigate impacts to Hazards and comply with the California Environmental Quality Act, the following Project Design Features shall be implemented for each structure during the term of this permit:

a. Each lot owner shall be individually responsible for the fuel modification maintenance on their own lots, including all measures included in the FPP. Property owners shall be members of a legally constituted HOA which shall maintain common areas (including roadsides) in perpetuity. See Appendix L of the Final EIR for specific requirements for the ongoing fuel modification maintenance.

b. Fire access roadways throughout the development shall be free of speed control devices; the removal of brush and flammable vegetation shall be completed prior to the commencement of any construction activity; a lighted directory map shall be maintained near the entrance; County review of specific plans related to gates shall be completed should they be proposed; and a continuous water supply shall be maintained.

DOCUMENTATION: The applicant shall comply with the Hazards Project Design Features pursuant to this condition. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The *[PDS, Code Enforcement Division]* is responsible for enforcement of this permit.

35. LNDSCP#3 (M-AE-1). LANDSCAPING MAINTENANCE
INTENT: In order to mitigate for long-term visual impacts pursuant to the California Environmental Quality Act, all landscaping installed shall be maintained. **DESCRIPTION OF REQUIREMENT:** All landscaping shall be maintained pursuant to the approved landscaping plans. **DOCUMENTATION:** None required. **TIMING:** Upon establishment of use this condition shall apply during the term of this permit. **MONITORING:** Compliance with this condition shall be monitored by the PDS Code Enforcement Division through response to complaints. Compliance would also be monitored during the processing of any subsequent permit request filed by the property owner or their representative.

36. ROADS#1. PRIVATE ROAD MAINTENANCE
INTENT: In order to ensure that the offsite private roads are maintained and not damaged during construction, the applicant shall assume responsibility. **DESCRIPTION OF REQUIREMENT:** The applicant is responsible for maintenance and repair, in case of damage caused by this project to the onsite and offsite private roads that serve the property during either construction or subsequent operations. **DOCUMENTATION:** The applicant shall assume responsibility pursuant to this condition. **TIMING:** Upon establishment of use, the following conditions shall apply during the term of this permit. **MONITORING:** The *[PDS, Code Enforcement Division]* is responsible for enforcement of this permit.

37. AQ#2. PROJECT DESIGN IMPLEMENTATION
INTENT: In order to mitigate impacts to Air Quality and comply with the California Environmental Quality Act, the following Project Design Features shall be implemented for each structure for the duration of this permit:

a. The WTWRF will include the following measures to control odor release:

1) The facilities shall be covered to avoid uncontrolled odor release.

2) Active odor control units shall be located to manage gases from the wet and solids stream treatment processes.

3) All processes and equipment shall be housed (or otherwise contained) and ventilation controlled such that no objectionable odors would be discernible at the Project site boundaries.

4) A misting system with odor neutralizing liquids to break down the foul smelling chemical compounds in the biogases shall be maintained.

5) Bio filters shall be utilized to capture odor causing compounds in a media bed where they are oxidized by naturally occurring micro-organisms.

6) Wastewater operators shall routinely check the digester pressure relief valves to make sure they are not venting to the outdoors and that the waste gas burner is performing optimally.

DOCUMENTATION: The applicant shall implement the Air Quality Project Design Features pursuant to this condition. **TIMING:** The Air Quality Project Design Features shall be complied with for the entirety of the permit. **MONITORING:** The *[PDS, Code Enforcement Division]* is responsible for enforcement of this permit.

Grading Plan Notes

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 note language.

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

(CULTURAL RESOURCES)

1. **CULT#GR-1. RELOCATION OF BEDROCK MILLING FEATURES**
INTENT: In order to meet the intent of the County of San Diego Guidelines for Determining Significance for Cultural Resources and the California Environmental Quality Act (CEQA), the bedrock milling of sites CA-SDI-17507, CA-SDI-17509, CA-SDI-17510, CA-SDI-20762, CA-SDI-20763, CA-SDI-20858 and CA-SDI-20859 shall be incorporated into the open space or landscape areas of the Valiano project if the bedrock milling is to be impacted, and if feasible. **DESCRIPTION OF REQUIREMENT:** The bedrock milling of sites CA-SDI-17507, CA-SDI-17509, CA-SDI-17510, CA-SDI-20762, CA-SDI-20763, CA-SDI-20858 and CA-SDI-20859 are to be relocated to the onsite open space or landscape areas of the Valiano project, if feasible. The relocation effort for each site shall be conducted when earth disturbing activities are within 50 feet of that cultural site. **DOCUMENTATION:** The applicant shall:

a. Both a Luiseno and Kumeyaay Native American monitor are to be involved in the implementation of the bedrock relocation.

b. Provide a letter from the Project Archaeologist that the bedrock milling associated with sites CA-SDI-17507, CA-SDI-17509, CA-SDI-17510, CA-SDI-20762, CA-SDI-20763, CA-SDI-20858 and CA-SDI-20859 have been relocated. The letter shall identify where the bedrock milling was relocated onsite. If relocation is infeasible, the Project Archaeologist must provide justification prior to site destruction.

c. The Project Archaeologist shall prepare updated DPR site record forms identifying the new location of the bedrock milling. Evidence in the form of a letter from the South Coastal Information Center that the DPR forms have been submitted to the South Coastal Information Center shall be submitted to the *[PDS, PPD]*. Copies of the DPR forms shall be provided to the San Luis Rey Band of Mission Indians and any culturally-affiliated tribe who requests a copy.

TIMING: Prior to any clearing, grubbing, trenching, grading, or any land disturbances within 50 feet of CA-SDI-17507, CA-SDI-17509, CA-SDI-17510, CA-SDI-20762, CA-SDI-20763, CA-SDI-20858 and CA-SDI-20859, this condition shall be completed. **MONITORING:** The *[PDS, PPD]* shall review the letter from the Project Archaeologist and the South Coastal Information Center for compliance with this condition.

2. **CULT#GR-2 (M-CR-1). DATA RECOVERY PROGRAM**
INTENT: In order to mitigate for potential impacts to significant cultural resources pursuant to Section 15064.5 of the California Environmental Quality Act (CEQA), which are not determined to be significant pursuant to Section 86.602.o of the Resource Protection Ordinance (RPO), a data recovery program shall be implemented. **DESCRIPTION OF REQUIREMENT:** Implement the research design detailed in the archaeological extended study *Cultural Resources Inventory and Assessment: Valiano – San Diego County, California* prepared by Mary Robbins-Wade and Andrew Giletti. The implementation of the research design constitutes mitigation for the proposed destruction of site CA-SDI-17506. The data recovery program shall include the following and shall be completed prior to any earth-disturbing activities within 100 feet of the cultural site:

a. Prior to the beginning of Phase 1, the site boundaries of CA-SDI-17506 shall be adequately defined to determine whether the site can be avoided and eliminate the requirement for data recovery. Both a Luiseno and Kumeyaay Native American monitor shall be involved in the reassessment. If determined that the site can be avoided, a letter report shall be submitted to PDS which will serve as condition satisfaction for Data Recovery.

b. If CA-SDI-17506 cannot be avoided the following data recovery activities shall be implemented:

   1) **All Phases:** Both a Luiseno and Kumeyaay Native American monitor shall be involved in all phases of the data recovery program.

   2) **Phase One:** The data recovery program shall comply with research design and performance standards that are in the approved data recovery program in the report referenced above.

   3) **Phase One:** Upon completion a letter report shall be prepared, which evaluates 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 2 to 3 percent sample. Based on this assessment, the letter report shall recommend the need for and scope of a second phase of field investigations, not to exceed a total site hand excavated sample of 15 percent of the site deposits.

   4) **Phase Two:** Implement Phase 2 fieldwork as necessary. For artifacts found during the phase one and phase two data recovery referenced above, conduct an artifact analysis, which includes the following: lithics, ceramics, faunal, floral, assemblage, and radiocarbon dating as referenced in the report above.

5) **Phase Three:** Phase 3 will be conducted regardless of whether Phase 2 excavations are required. Phase 3 will consist of mechanical stripping followed by hand excavation to identify, map, and sample buried cultural features. If cultural features are identified, flotation, radiocarbon, and obsidian analysis shall be conducted, as appropriate.

6) **Human Remains:** If any human remains are discovered, the Property Owner or their representative shall contact the County Coroner and the PDS Staff Archaeologist. Upon identification of human remains, no further disturbance shall occur in the area of the find until the County Coroner has made the necessary findings as to origin. If the remains are determined to be of Native American origin, the Most Likely Descendant (MLD), as identified by the Native American Heritage Commission (NAHC), shall be contacted by the Property Owner or their representative in order to determine proper treatment and disposition of the remains. The immediate vicinity where the Native American human remains are located is not to be damaged or disturbed by further development activity until consultation with the MLD regarding their recommendations as required by Public Resources Code Section 5097.98 has been conducted. Public Resources Code §5097.98, CEQA §15064.5 and Health & Safety Code §7050.5 shall be followed in the event that human remains are discovered.

7) **Artifact Conveyance:** Evidence that all cultural materials have been curated and/or repatriated as follows:

   (a) Evidence that all prehistoric materials collected during the data recovery 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. 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.

   (b) 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.

DOCUMENTATION: Upon completion of the phase one data recovery referenced above, the applicant shall submit the letter report to the [*PDS, PPD*] for review and approval. A copy of the letter report shall be provided to the San Luis Rey Band of Mission Indians and any culturally-affiliated tribe who requests a copy. Upon completion of the phase three data recovery, the applicant shall provide a Final Technical Report from the Principal Investigator to the [*PDS, PPD*]. The final report shall include a letter from the curation facility or culturally affiliated tribe identifying that archaeological materials have been received. A copy of the Final Technical Report shall be provided to the South Coastal Information Center, the San Luis Rey Band of Mission Indians, and any culturally-affiliated tribe who requests a copy. **TIMING:** Prior to any earth-disturbing activities within 100 feet of CA-SDI-17506, the data recovery program shall be completed. **MONITORING:** The *[PDS, PPD]* shall review the phase one letter from the project archaeologist (PI) for compliance with this condition. Upon completion of the phase three data recovery, the [*PDS, PPD*] shall review the final data recovery program report for compliance with this condition.

3. **CULT#GR-3 (M-CR-2). ARCHAELOGICAL MONITORING – PRECONSTRUCTION MEETING**

INTENT: In order to comply with the County of San Diego Guidelines for Significance – Cultural Resources, an Archaeological Monitoring Program and Pre-Grading Survey shall be implemented for the development of each neighborhood and offsite improvements. **DESCRIPTION OF REQUIREMENT:** The County approved Project Archaeologist and Luiseno and Kumeyaay Native American monitors shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the archaeological monitoring program. The Project Archaeologist and Luiseno and Kumeyaay Native American monitors shall conduct a re-survey of the project site (each neighborhood and offsite improvements as they are developed) including off-site improvements as described below, and monitor the original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements. The Project Archaeologist and Luiseno and Kumeyaay Native American monitors 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.

a. The Project Archaeologist and Luiseno and Kumeyaay Native American monitors shall resurvey areas of the project site (each neighborhood and offsite improvements as they are developed) including off-site improvements as determined by the Project Archaeologist in consultation with the Luiseno and Kumeyaay Native American monitors. The site boundaries of CA-SDI-17,506 shall be adequately defined to determine whether the site can be avoided and prevent the requirement for data recovery.

DOCUMENTATION: The applicant shall have the contracted Project Archeologist and Luiseno and Kumeyaay Native American monitors 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.

(BIOLOGICAL RESOURCES)

4. **BIO#GR-1. TEMPORARY FENCING**
INTENT: In order to prevent inadvertent disturbance to open space areas, 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 all open space easements that do not allow grading, brushing or clearing. Temporary fencing is also required in all locations of the project where proposed grading or clearing is within 100 feet of an open space easement boundary. The placement of such fencing shall be approved by the Planning & Development Services. 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 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 review the certification and pictures provided by the applicant.

5. **BIO#GR-2. BIOLOGICAL MONITORING – TEMPORARY FENCING AND PRECONSTRUCTION MEETING**
INTENT: In order to prevent inadvertent disturbance to sensitive habitat, all clearing, grubbing, and/or grading shall be monitored by a biological monitor. **DESCRIPTION OF REQUIREMENT:** A County approved biologist shall perform biological monitoring during all grading, clearing, grubbing, trenching, and construction activities. The Project Biologist shall also perform the following duties before construction to comply with the conditions of this Grading Plan and the County of San Diego Guidelines for Significance for Biological Resources:

   a. Supervise and verify placement of temporary fencing of open space easements. The placement of such fencing shall be approved by Planning & Development Services.

   b. The Biologist shall attend the preconstruction meetings and other meetings to discuss construction requirements.

DOCUMENTATION: The Biological Monitor shall prepare written documentation that certifies that the temporary fencing has been installed and that all construction staff has been trained on project sensitive biological resources that are to be avoided. **TIMING**: 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 verify the installation of the temporary fencing and approve the training documentation prepared by the biologist.

6. **BIO#GR-3 (M-BI-2). BREEDING SEASON AVOIDANCE - RAPTORS**
INTENT: In order to avoid impacts to raptors, which is a sensitive biological resource pursuant to County Guidelines and CEQA, 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 an active raptor nest during the breeding season as determined by preconstruction biological surveys. If grubbing, clearing or grading is proposed during the breeding season, a pre-grading survey shall be conducted three (3) days prior to start of work to determine the absence and/or presence of raptors. If raptors are nesting or displaying breeding/nesting behavior within the area, construction shall be postponed until (1) all nesting (or breeding/nesting behavior) has ceased or until after the end of the breeding season; or (2) a temporary noise barrier or berm is constructed at the edge of the development footprint to reduce noise levels below 60 dB L_{EQ} or ambient (if ambient is greater than 60 dB L_{EQ}) to the satisfaction of the Director of PDS with concurrence from USFWS and CDFW. The breeding season is defined as occurring between February 1st and July 15th. 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 no 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. No Grading shall occur within the RAA until concurrence is received from the County and the Wildlife Agencies. **TIMING:** 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.

7. **BIO#GR-4 (M-BI-7). BREEDING SEASON AVOIDANCE – MIGRATORY BIRD TREATY ACT (MBTA)**
INTENT: In order to avoid impacts to MBTA-covered species, which is a sensitive biological resource pursuant to County Guidelines and CEQA, grading and clearing shall occur outside of the breeding season of MBTA-covered species. **DESCRIPTION OF REQUIREMENT**: There shall be no brushing, clearing and/or grading within 100 feet of biological open space easements during the breeding season of MBTA-covered species. If grubbing, clearing or grading is proposed during the breeding season, a pre-grading survey shall be conducted seven (7) days prior to start of work to determine the absence and/or presence of migratory birds. Grading or clearing activities during the breeding season of MBTA-covered species may take place with PDS approval and Wildlife Agencies concurrence if it is determined that no nesting birds (or birds displaying breeding/nesting behavior are present immediately prior to clearing and grading. If migratory birds are nesting or displaying breeding/nesting behavior within the area, construction shall be postponed until all nesting (or breeding/nesting behavior) has ceased or until after the end of the breeding season as determined by a field survey and concurrence by the Director of PDS with concurrence from the US Fish and Wildlife Service and the California Department of Fish and Wildlife. The breeding season is defined as occurring between February 1st and September 1st. 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 no MBTA-covered species are present in the vicinity of the brushing, clearing or grading. **DOCUMENTATION:** The applicant shall provide a letter of agreement with this condition; alternatively, the applicant may submit a written request for waiver of this condition. No Grading shall occur until concurrence is received from the County and the Wildlife Agencies. **TIMING:** 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 unless a concurrence from the *[PDS, PPD]* is received. The *[PDS, PPD]* shall review the concurrence letter

8. **BIO#GR-5. FOCUSED BAT SURVEYS – STRUCTURE DEMOLITION AND REMOVAL OF TREES**
INTENT: In order to determine the absence and/or presence of bats within existing structures or hollow trees that are identified for removal, focused bat surveys shall be conducted. **DESCRIPTION OF REQUIREMENT:** Prior to the demolition of existing structures or removal of hollow trees, bat surveys shall be conducted to determine the absence and/or presence of bat colonies and/or bat nursery sites. Surveys shall be conducted seven (7) days prior to structure demolition or tree removal and one survey shall be conducted immediately prior to initiation of work. If any bat colonies and/or bat nursery sites are found within any structure(s) or trees, demolition of the structure or removal of the tree(s) shall be postponed until the nursery/breeding activity ends. If bat roosting sites are found, demolition of the structure(s) or removal of the tree(s) shall be postponed until the bats are excluded from the structure(s). **DOCUMENTATION:** The applicant shall provide a copy of the survey results to the [*PDS, PPD*] for approval. **TIMING:** Prior to demolition of existing structure(s) or removal of hollow tree(s). **MONITORING:** The *[PDS, PPD]* shall review the survey results provided by the applicant.

(GEOLOGICAL RESOURCES)

9. **GEO#GR-1 (M-GE-1, M-GE-2, M-GE-3). GEOTECHNICAL HAZARDS MITIGATION MEASURES**
INTENT: In order to ensure specific design and mitigation measures for geologic hazards are implemented into the grading plans. **DESCRIPTION OF REQUIREMENT:** All recommendations presented in Section 7 from *Update Geotechnical Investigation, Valiano (Eden Hills) – 48-Acre Fines, San Diego County, California* prepared by Geocon, Inc. dated May 13, 2014 and *Update Geotechnical Investigation, Valiano (Eden Hills), San Diego County, California,* prepared by Geocon, Inc. dated May 13, 2014 shall be incorporated into the grading plans and part of the grading notes to be observed during grading operations. **DOCUMENTATION:** The applicant shall prepare and submit the grading plans to [*PDS, BD*]. **TIMING:** Prior to the approval of any grading plans, the grading plans shall include required elements indicated in this condition. **MONITORING:** The [PDS, BD] shall review the Grading Plan to ensure all recommendations and notes are included per this condition. If there are any additional recommendations for slope stability, the [*PDS, BD*] shall ensure that they are incorporated into the grading plans for the project.

(PALEONTOLOGICAL RESOURCES)

10. PALEO#GR-1 (M-P-1). PALEONTOLOGICAL MONITORING - PRECONSTRUCTION

INTENT: In order to comply with Mitigation Monitoring and Reporting Program pursuant to PDS2013-TM-5575, PDS2014-MUP-14-019, and PDS2013-STP-13-003, a Paleontological Resource 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 Paleontological 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 onsite to monitor as determined necessary by the Qualified Paleontologist. The Paleontological 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 the 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.

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

(AIR QUALITY)

11. AQ#GR-1. PROJECT DESIGN IMPLEMENTATION DURING CONSTRUCTION

INTENT: In order to mitigate impacts to Air Quality and comply with the California Environmental Quality Act, the following Project Design Features shall be implemented during construction:

Air Quality – Construction

a. In accordance with the SDAPCD Rule 55 - Fugitive Dust Control, no dust and/or dirt shall leave the property line. The following measures shall be implemented to ensure the requirements of this rule are met.

   1) No visible dust emissions shall be discharged into the atmosphere beyond the property line for a period or periods aggregating more than 3 minutes in any 60-minute period.

   2) Visible roadway dust as a result of active operations, spillage from transport trucks, erosion, or track-out/carry-out shall be minimized by the use of the following erosion control measures: (a) track-out grates or gravel beds at each egress point; (b) wheel-washing at each egress during muddy conditions, soil binders, chemical soil stabilizers, geotextiles, mulching, or seeding; and for outbound transport trucks; (c) secured tarps or cargo covering, watering, or treating of transported material.

3) Visible roadway dust as a result of active operations, spillage from transport trucks, erosion, or track-out/carry-out shall be removed at the conclusion of each work day when active operations cease, or every 24 hours for continuous operations. If a street sweeper is used to remove any track-out/carry-out, only particulate matter smaller than 10 microns in diameter (PM_{10})-efficient street sweepers certified to meet the most current South SCAQMD Rule 1186 requirements shall be used. The use of blowers for removal of track-out/carry-out shall be prohibited under any circumstances.

b. Two applications of water during grading between dozer/scraper passes shall be implemented.

c. Paving, chip sealing or chemical stabilization of internal roadways after completion of grading shall be implemented.

d. Dirt storage piles shall be stabilized by chemical binders, tarps, fencing or other erosion control.

e. The construction fleet shall use any combination of diesel catalytic converters, diesel oxidation catalysts, diesel particulate filters and/or utilize CARB/USEPA Engine Certification Tier 4, or other equivalent methods approved by the CARB.

f. Building products shall have at least a 10-percent recycled content.

g. Low VOC coatings shall be used during construction and maintenance in accordance with SDAPCD Rule 67 requirements.

h. A 15-mile per hour (mph) speed limit shall be enforced on unpaved surfaces.

i. On dry days, dirt and debris spilled onto paved surfaces shall be swept up immediately to reduce resuspension of particulate matter caused by vehicle movement. Approach routes to construction sites shall be cleaned daily of construction-related dirt in dry weather.

j. Disturbed areas shall be hydroseeded, landscaped, or developed as quickly as possible and as directed by the County and/or SDAPCD to reduce dust generation.

k. Grading shall be terminated if winds exceed 25 mph.

l. Any blasting areas shall be wetted down prior to initiating the blast.

DOCUMENTATION: The applicant shall implement the Air Quality Project Design Features pursuant to this condition. **TIMING:** The following actions shall occur throughout project construction for each neighborhood and offsite improvements. **MONITORING:** The *[DPW, PDCI]* shall make sure that the Air Quality Project Design Features are implemented during project construction. The *[DPW, PDCI]* shall contact the *[PDS, PPD]* if the applicant or their representative fails to comply with this condition.

(BIOLOGICAL RESOURCES)

12. **BIO#GR-6. BIOLOGICAL MONITORING – DURING CONSTRUCTION**
INTENT: In order to prevent inadvertent disturbance to sensitive habitats, all grading shall be monitored by a biological monitor. **DESCRIPTION OF REQUIREMENT:** A County approved biologist shall perform biological monitoring during all grading, clearing, grubbing, trenching, and construction activities. The Project Biologist shall supervise and monitor grading activities to ensure against damage to biological resources that are intended to be protected and preserved. The monitor(s) shall be on site during all grading and clearing activities that are in or adjacent to any Biological Open Space areas or sensitive habitats. If there are disturbances, the monitor must report the occurrence(s) immediately to the [*PDS PPD*]. The biologist shall perform the following duties:

a. Prepare a California gnatcatcher-monitoring program to the satisfaction of PDS Permit Compliance Section and the Wildlife Agencies;

b. Perform weekly inspection of fencing and erosion control measures (daily during rain events) near proposed preservation areas and report deficiencies immediately to the DPW Construction Inspector;

c. Perform periodic monitoring of the work area for excessive dust generation in compliance with the County grading ordinance and report deficiencies immediately to the DPW Construction Inspector;

d. Conduct training for contractors and construction personnel, including the purpose for resource protection, a description of the gnatcatcher and its habitat, and the conservation measures that should be implemented during project construction;

e. Monitor construction lighting periodically to ensure lighting is the lowest illumination possible allowed for safety, is selectively placed and shielded, and is directed away from preserved habitat;

f. Monitor equipment maintenance, staging, and fuel dispensing areas to ensure there is no runoff to Waters of the US;

g. Stop or divert all work when deficiencies require mediation and notify DPW Construction Inspector and PDS Project Planning Division within 24 hours;

h. Produce periodic (monthly during grading) and final reports and submit to the Wildlife Agencies and PDS (final report will release bond);

i. Confer with the Wildlife Agencies and PDS Project Planning Division within 24 hours any time protected habitat or gnatcatchers are being affected by construction;

j. Attend construction meetings and other meetings as necessary.

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

13. **BIO#GR-7. FOCUSED BAT SURVEYS – STRUCTURE DEMOLITION AND REMOVAL OF TREES**
INTENT: In order to determine the absence and/or presence of bats within existing structures or hollow trees that are identified for removal, focused bat surveys shall be conducted. **DESCRIPTION OF REQUIREMENT:** Prior to the demolition of existing structures or removal of hollow trees, bat surveys shall be conducted to determine the absence and/or presence of bat colonies and/or bat nursery sites. Surveys shall be conducted seven (7) days prior to structure demolition or tree removal and one survey shall be conducted immediately prior to initiation of work. If any bat colonies and/or bat nursery sites are found within any structure(s) or trees, demolition of the structure or removal of the tree(s) shall be postponed until the nursery/breeding activity ends. If bat roosting sites are found, demolition of the structure(s) or removal of the tree(s) shall be postponed until the bats are excluded from the structure(s). **DOCUMENTATION:** The applicant shall provide a copy of the survey results to the [*PDS, PPD*] for approval. **TIMING:** Prior to demolition of existing structure(s) or removal of hollow tree(s). **MONITORING:** The *[PDS, PPD]* shall review the survey results provided by the applicant.

14. **BIO#GR-8. PROJECT DESIGN IMPLEMENTATION DURING CONSTRUCTION**
INTENT: In order to mitigate impacts to Biological Resources and comply with the California Environmental Quality Act, the following Project Design Features shall be implemented during construction:

a. Native topsoil (top three to five inches) shall be salvaged and stockpiled within a disturbed onsite location. Stockpiles shall not be greater than six feet high and shall not be mixed with other excavated materials. Following completion of construction activities, stockpiled native topsoil shall be re-spread, as applicable.

b. The construction site shall maintain adequate storm water BMPs (erosion) and air quality control (dust).

c. The Project shall comply with wet weather grading restrictions (October 1 to April 30) to avoid habitat damage in applicable locations.

d. The Project shall not accelerate or increase storm water or non-storm water flows to sensitive downstream areas.

DOCUMENTATION: The applicant shall implement the Biological Resources Project Design Features pursuant to this condition. **TIMING:** The following actions shall occur throughout project construction for each neighborhood and offsite improvements. **MONITORING:** The *[DPW, PDCI]* shall make sure that the Air Quality Project Design Features are implemented during project construction. The *[DPW, PDCI]* shall contact the *[PDS, PPD]* if the applicant or their representative fails to comply with this condition.

(CULTURAL RESOURCES)

15. CULT#GR-4 (M-CR-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 for the development of each neighborhood and offsite improvements. **DESCRIPTION OF REQUIREMENT:** The Project Archaeologist and Luiseno and Kumeyaay Native American monitors shall monitor the original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements. The archaeological monitoring program shall comply with the following requirements during earth-disturbing activities:

a. During the original cutting of previously undisturbed deposits, the Project Archaeologist and Luiseno and Kumeyaay Native American monitors 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 Luiseno and Kumeyaay Native American monitors. Monitoring of the cutting of previously disturbed deposits will be determined by the Project Archaeologist in consultation with the Luiseno and Kumeyaay Native American monitors.

b. In the event that previously unidentified potentially significant cultural resources are discovered, the Project Archaeologist or the Luiseno and Kumeyaay Native American monitors shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources. At the time of discovery, the Project Archaeologist shall contact the PDS Staff Archaeologist. The Project Archaeologist, in consultation with the PDS Staff Archaeologist and the Luiseno and Kumeyaay Native American monitors, shall determine the significance of the discovered resources. Construction activities will be allowed to resume in the affected area only after the PDS Staff Archaeologist has concurred with the evaluation. Isolates and clearly non-significant deposits shall be minimally documented in the field. Should the isolates and/or non-significant deposits not be collected by the Project Archaeologist, then the Luiseno and Kumeyaay Native American monitors may collect the cultural material for transfer to a Tribal Curation facility or repatriation program. A Research Design and Data Recovery Program (Program) is required to mitigate impacts to identified significant cultural resources. The Research Design and Data Recovery Program shall be prepared by the Project Archaeologist in coordination with the Luiseno and Kumeyaay Native American monitors. The County Archaeologist shall review and approve the Program, which shall be carried out using professional archaeological methods. The Program shall

include (1) reasonable efforts to preserve (avoidance) "unique" cultural resources or Sacred Sites; (2) the capping of identified Sacred Sites or unique cultural resources and placement of development over the cap, if avoidance is infeasible; and (3) data recovery for non-unique cultural resources. The preferred option is preservation (avoidance).

c. If any tribal cultural resources are identified during earth-disturbing activities, the Project Archaeologist shall consult with culturally-affiliated tribes to determine appropriate mitigation. The preferred mitigation is preservation (avoidance).

d. If any human remains are discovered, the Property Owner or their representative shall contact the County Coroner and the PDS Staff Archaeologist. Upon identification of human remains, no further disturbance shall occur in the area of the find until the County Coroner has made the necessary findings as to origin. If the remains are determined to be of Native American origin, the Most Likely Descendant (MLD), as identified by the Native American Heritage Commission (NAHC), shall be contacted by the Property Owner or their representative in order to determine proper treatment and disposition of the remains. The immediate vicinity where the Native American human remains are located is not to be damaged or disturbed by further development activity until consultation with the MLD regarding their recommendations as required by Public Resources Code Section 5097.98 has been conducted. Public Resources Code §5097.98, CEQA §15064.5 and Health & Safety Code §7050.5 shall be followed in the event that human remains are discovered.

e. The Project Archaeologist and Luiseno and Kumeyaay Native American monitors shall evaluate fill soils to determine that they are clean of cultural resources.

f. 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 for each neighborhood and offsite improvements. **MONITORING:** The *[DPW, PDCI]* shall make sure that the Project Archeologist is onsite performing the monitoring duties of this condition. The *[DPW, PDCI]* shall contact the *[PPD]* if the Project Archeologist or applicant fails to comply with this condition.

(NOISE)

16. NOISE#GR-1. TEMPORARY CONSTRUCTION NOISE CONTROL MEASURES
INTENT: In order to minimize temporary construction noise for grading operations associated with the project 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. Minimize the use of any back up alarm.

e. Equipment staging areas should be placed at locations away from noise sensitive receivers.

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, PPD*] if the applicant fails to comply with this condition.

17. NOISE#GR-2 (M-N-7). CONSTRUCTION NOISE IMPACT MEASURES
INTENT: In order to comply with the County of San Diego Noise Ordinance 36.409 & 36.410, the following noise attenuation measures shall be implemented to reduce the sound level generated from project construction equipment operations, specifically ripping, drilling and/or excavation. **DESCRIPTION OF REQUIREMENT:** The operations shall be limited to the following if ripping, drilling, or excavation is required within 180 feet of a residentially occupied off-site or onsite boundary line:

a. A 12-foot high barrier shall be erected along the length of the property line and/or work area, or length to the best extent possible to reduce noise. This barrier shall be of sufficient length to block the line of sight between the occupied property and any ripping operations within 180 feet of the property.

b. The barriers shall extend at least 10 feet beyond the horizontal line of sight in each direction. Figure 5 of the acoustical study (contained in Appendix G of this EIR) illustrates the 12-foot barrier noise mitigation noise contours. The final barrier must break the line of sight between the top of the equipment exhaust pipe and the residential receiver at all visible locations and when taking into consideration all topography in relevant areas.

c. If new information is provided to prove and certify that the construction equipment and noise measures being used is different prior to grading plan approval, then a new construction noise analysis may be reviewed to the satisfaction of the *[PDS, PPD]*. The supplemental noise analysis shall be prepared by a County Approved Noise Consultant and the report shall comply with the Noise Report Format and Content Requirements. Any proposed alternative methods, or the reduction or modification of measures may be approved if the construction activities are reduced to 75 dB and below at the occupied property line.

DOCUMENTATION: The applicant shall maintain the limited construction operations and incorporate the construction noise measures as indicated above until all grading activities have been completed. The applicant is responsible for implementing any further noise reducing measures to remain in compliance with this condition and comply with the requirements of the County Noise Ordinance, Section 36.409 & 36.410. **TIMING:** The aforementioned actions (Items a. thru c.) shall occur throughout the duration of the grading operations when construction operations are within 180 feet of any occupied boundary. **Monitoring:** The *[DPW, PDCI; PDS, CODES]* is responsible for enforcement of this condition.

18. NOISE#GR-3 (M-N-8). CONSTRUCTION NOISE SETBACK MEASURES

INTENT: In order to comply with the County of San Diego Noise Ordinance §36.409 & 36.410, the following noise attenuation measures shall be implemented to reduce the sound level generated from project breaker equipment operations (including but not limited to rock crushers). **DESCRIPTION OF REQUIREMENT:** The temporary breaker shall be limited to the following - if a breaker is required onsite during construction, then it shall not be used within 300 feet of property boundaries of occupied residences. If new information is provided to prove and certify that project breaker equipment (including but not limited to rock crushers) and noise measures being used is different prior to grading plan approval, then a new construction noise analysis may be reviewed to the satisfaction of the *[PDS, PPD]*. The supplemental noise analysis shall be prepared by a County Approved Noise Consultant and the report shall comply with the Noise Report Format and Content Requirements. Any proposed alternative methods, or the reduction or modification of measures may be approved if the construction activities are reduced to 75 dB and below at the occupied property line. **DOCUMENTATION:** The applicant shall maintain the setbacks for the breaker equipment operations. The applicant is responsible for implementing any further noise reducing measures to remain in compliance with this condition and comply with the requirements of the County Noise Ordinance, Section 36.409 & 36.410. **TIMING:** The breaker equipment setbacks shall be maintained throughout the duration of the grading operations and/or breaker activities. **MONITORING:** The *[DPW, PDCI; PDS, CODES]* is responsible for enforcement of this condition.

19. NOISE#GR-4 (M-N-9). BLASTING PLAN AND CONSTRUCTION NOISE ORDINANCE COMPLIANCE

INTENT: In order to comply with the County of San Diego Noise Ordinance §36.409 & 36.410, the following noise attenuation measures shall be implemented to reduce the sound level generated from construction equipment operations associated with blasting. **DESCRIPTION OF REQUIREMENT:** The project applicant shall conform to the blast plan which would be comprised of the following (but not limited to):

a. Prior to and during construction activities, the applicant shall prepare and implement a blast plan to reduce impacts associated with air blast over-pressure generated by project-related construction activities and incorporate any required noise reducing measures to comply with County Noise Ordinance regulations.

b. No blasting shall occur at a distance of less than 600 feet from any off-site structure without specific analysis by the blasting contractor showing less than significant vibration impacts to the structure.

c. All blast planning shall be conducted by a San Diego County Sheriff approved blaster, with the appropriate San Diego County Sheriff blasting permits, and all other applicable local, state, and federal permits, licenses, and bonding. The blasting contractor or owner shall conduct all notifications, inspections, and monitoring, and major or minor blasting requirements planning, with seismograph reports as necessary.

d. Construction equipment associated with blasting (i.e. drilling, pre- and post-blasting work) shall comply with the County Noise Ordinance, Section 36.408, 36.409, and 36.410. The blast plan shall include any necessary noise measures such as (but not limited to) temporary noise barriers and blankets, increased setbacks, limiting construction equipment operations, and/or any other methods. The measures specified within the blasting plan shall be implemented to comply with County Noise Ordinance requirements.

e. If new information is provided to demonstrate and certify that the operations associated with blasting being used is different prior to grading plan approval, then a new construction noise analysis may be reviewed to the satisfaction of the *[PDS, PPD]*. The supplemental noise analysis shall be prepared by a County Approved Noise Consultant and the report shall comply with the Noise Report Format and Content Requirements. Any proposed alternative methods, or the reduction or modification of measures may be approved if the blasting activities comply with County noise standards at any occupied property line.

f. All residences within or partially within 600 feet of the blasting location shall be provided a 48-hour notification prior to a blasting activity.

g. Any livestock showing distress from blasting activity at any distance should be removed to a remote location for the duration of blasting operations. Initial planning shall consider livestock within 300 feet of a minor blast or 600 feet of a major blast to be removed to these minimum distances for the appropriate blast size prior to the commencement of blasting.

h. All equestrian trails within 600 feet of blasting operations shall have notification posted for the duration of the blasting. Warning tape as deemed necessary, and signage with specific blast information shall be placed at the trailhead and at the noise sensitive location.

DOCUMENTATION: The applicant shall maintain and incorporate the construction noise measures as indicated above and within the plan until all blasting activities (including pre and post) have been completed. The applicant is responsible for implementing any further noise reducing measures to remain in compliance with this condition and comply with the requirements of the County Noise Ordinance, Section 36.409 & 36.410. **TIMING:** This condition shall occur prior to and/or throughout the duration of all associated blasting activities. **MONITORING:** The *[DPW, PDCI; PDS, CODES]* is responsible for enforcement of this condition.

(PALEONTOLOGICAL RESOURCES)

20. PALEO#GR-2 (M-P-1). PALEONTOLOGICAL MONITORING – DURING CONSTRUCTION

INTENT: In order to comply with Mitigation Monitoring and Reporting Program pursuant to PDS2013-TM-5575, PDS2014-MUP-14-019, and PDS2013-STP-13-003, and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources, a Paleontological 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 onsite to monitor as determined necessary by the Qualified Paleontologist. The Paleontological Monitoring Program shall comply with the following requirements during grading:

a. If paleontological resources are encountered during grading and/or excavation, the following shall be completed:

   1) The Paleontological Resources Monitor shall have the authority to direct, divert, or halt any grading and/or excavation activity until such time that the sensitivity of the resource can be determined and the appropriate salvage implemented.

   2) The Paleontological Monitor shall immediately contact the Project Paleontologist.

   3) The Project Paleontologist shall contact PDS 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.

   3) Transport the collected specimens to a laboratory for processing (cleaning, curation, cataloging, etc.).

DOCUMENTATION: The applicant shall implement the Paleontological 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 or Paleontological Monitor is onsite 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).*

(BIOLOGICAL RESOURCES)

21. BIO#GR-9. BIOLOGICAL MONITORING REPORT

INTENT: In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) pursuant to PDS2013-TM-5575, PDS2013-STP-13-003, PDS2014-MUP-14-019, and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Biological Resources, a Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Biologist shall prepare and submit a final letter report substantiating their supervision of the grading activities and substantiating that grading did not impact additional areas of sensitive resources. The report shall conform to the County of San Diego Report Format Guidelines for Biological Resources. It shall also include but not be limited to the following items:

a. Photos of the temporary fencing that was installed during the trenching, grading, or clearing activities.

b. Monitoring logs showing the date and time that the monitor was on site.

c. Photos of the site after the grading and clearing activities.

DOCUMENTATION: The applicant shall submit the final biological monitoring 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 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.

22. CULT#GR-5 (M-CR-2). 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 for the development of each neighborhood and offsite improvements shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Archaeologist shall prepare one of the following reports upon completion of the earth-disturbing activities for each neighborhood and offsite improvements that require monitoring:

a. If no archaeological resources are encountered during earth-disturbing activities, then submit a final Negative Monitoring Report substantiating that earth-disturbing activities are completed and no cultural resources were encountered. Archaeological monitoring logs showing the date and time that the monitor was on site and any comments from the Luiseno and Kumeyaay Native American monitors must be included in the Negative Monitoring Report.

b. If archaeological resources were encountered during the earth disturbing activities, the Project Archaeologist shall provide an Archaeological Monitoring Report stating that the field monitoring activities have been completed, and that resources have been encountered. The report shall detail all cultural artifacts and deposits discovered during monitoring and the anticipated time schedule for completion of the curation and/or repatriation phase of the monitoring.

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

(PALEONTOLOGICAL RESOURCES)

23. PALEO#GR-3 (M-P-1). PALEONTOLOGICAL MONITORING – ROUGH GRADING
INTENT: In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) pursuant to PDS2013-TM-5575, PDS2014-MUP-14-019, and PDS2013-STP-13-003, and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources, a Paleontological Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Paleontologist shall prepare one of the following letters for each neighborhood and/or offsite improvements upon completion of the grading activities that require monitoring:

a. If no paleontological resources were discovered, submit a "No Fossils Found" letter from the Project Paleontologist to the [*PDS, PPD*] stating that the monitoring has been completed and that no fossils were discovered. The letter report shall include 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 for each neighborhood and/or offsite improvement areas (Grading Ordinance SEC 87.421.a.2), the letter report for that neighborhood and/or offsite improvement area 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).*

(BIOLOGICAL RESOURCES)

24. BIO#GR-10. OPEN SPACE SIGNAGE & FENCING

INTENT: In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) for PDS2013-TM-5575, PDS2013-STP-13-003, and PDS2014-MUP-14-019, the permanent fencing and signage shall be installed. **DESCRIPTION OF REQUIREMENT:** The permanent fences and open space signs shall be installed along the open space boundary as shown on these plans.

a. Evidence shall be in the form of site photos and a statement from a California Registered Engineer, or licensed surveyor that the permanent 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:
(PDS2013-TM-5575, PDS2013-STP-13-003, PDS2014-MUP-14-019)

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 in reliance of PDS2013-STP-13-003 or PDS2014-MUP-14-019, 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.

25. BIO#GR-11. EASEMENT AVOIDANCE

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 easements indicated on this plan are for the protection of sensitive environmental 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. It is unlawful to grade or clear within an open space easement. Any disturbance shall constitute a violation of the County Grading Ordinance Section 87.112 and will result in enforcement action and restoration. The only exception(s) to this prohibition is:

a. Selective clearing of vegetation by hand to the extent required by written order of the fire authorities for the express purpose of reducing an identified fire hazard. 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.
b. Vegetation removal or application of chemicals for vector control purposes where expressly required by written order of the Department of Environmental Health of the County of San Diego.

c. Activities for the installation and maintenance of revegetation (Coast Live Oak Woodland) within Neighborhood 3 Biological Open Space pursuant to the approved Revegetation Plan. Such activities shall be approved in advance by the Director of Planning & Development Services, and shall not be inconsistent with the original intent of this easement.

d. Uses, activities, and placement of structures expressly permitted by the Director of Planning & Development Services, whose permission may be given only after following the procedures and complying with all requirements applicable to an Administrative Permit pursuant to The Zoning Ordinance of the County of San Diego.

DOCUMENTATION: The applicant shall provide a letter report 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.

(CULTURAL RESOURCES)

26. CULT#GR-6 (M-CR-2). 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 for the development of each neighborhood and offsite improvements. **DESCRIPTION OF REQUIREMENT:** The Project Archaeologist shall prepare a final report for each neighborhood and offsite improvements as they are developed 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 curated and/or repatriated as follows:

1) Evidence that all prehistoric materials collected during the archaeological monitoring program have been submitted to a San Diego curation facility or a culturally affiliated Native American Tribal curation facility that meets federal standards per 36 CFR Part 79, and, therefore, would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records, including title, shall be transferred to the San Diego curation facility or culturally affiliated Native American Tribal curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that the prehistoric archaeological materials have been received and that all fees have been paid.

or

Evidence that all prehistoric materials collected during the grading monitoring program have been repatriated to a Native American group of appropriate tribal affinity. 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 for each neighborhood and/or offsite improvements and submit it to *[PPD]* for approval. Once approved, a final copy of the report shall be submitted to the South Coastal Information Center (SCIC), the San Luis Rey Band of Mission Indians, 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 for each neighborhood and/or offsite improvements, the final report for that neighborhood and/or offsite improvement area shall be prepared. **MONITORING:** *[PDS, PPD]* shall review the final report for compliance with this condition and the report format guidelines. Upon acceptance of all reports for all development areas, *[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.

(PALEONTOLOGICAL RESOURCES)

27. **PALEO#GR-4 (M-P-1). PALEONTOLOGICAL MONITORING – FINAL GRADING INTENT:** In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) pursuant to PDS2013-TM-5575, PDS2014-MUP-14-019, and PDS2013-STP-13-003, and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources, a Paleontological Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Paleontologist shall prepare a final report for each neighborhood and/or offsite improvements 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 and 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 and PDF 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 PDS by the Project Paleontologist.

DOCUMENTATION: The applicant shall submit the letter report for each neighborhood and/or offsite improvements to the [*PDS, PPD*] for review and approval. **TIMING:** Prior to the occupancy of any structure or use of the premises in reliance of PDS2014-MUP-14-019, and PDS2013-STP-13-003, and prior to Final Grading Release for each neighborhood and/or offsite improvement area (Grading Ordinance Sec. 87.421.a.3), the final report for that neighborhood and/or offsite improvement area 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.

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MAJOR USE PERMIT FINDINGS

Pursuant to Section 7358 of The Zoning Ordinance, the following findings in support of the granting of the Major Use Permit are made:

(a) *The location, size, design, and operating characteristics of the proposed use will be compatible with adjacent uses, residents, buildings, or structures with consideration given to:*

1. *Harmony in scale, bulk, coverage, and density*

Bulk, Scale and Coverage

The MUP is for the operation of a wastewater treatment and water reclamation plant on a .38 acre lot. The Project includes a (1) 1,200 square-foot operations building, (2) 625 square-foot headworks building, (3) 450 square foot equalization tank with a flow distribution box, (4) 1,950 square feet of aero mod basins, (5) 600 square-foot chlorine contact/effluent PS structure (wet weather storage), and (6) 400 square-foot off-quality effluent storage structure. The approximate lot coverage of the wastewater treatment and water reclamation plant is compatible with other wastewater treatment plants in the surrounding area such as Harmony Grove Wastewater Treatment Facility (40%), Santa Fe Valley Reclamation Plants (35%), Whispering Palms Reclamation Plant (42%), Rancho Santa Fe Reclamation (26%) and Fairbanks Ranch Water Pollution Control Facility (21%). The project is similar in bulk, scale, and lot coverage to other wastewater treatment plants in area as its lot coverage is approximately 30 percent.

The elevation of any future structure constructed onsite will not exceed twenty feet in height. Therefore, the proportional bulk, scale, and lot coverage of the proposed project would be consistent and compatible with public/semi-public and agricultural land uses in the San Dieguito community.

Density

The proposed project is a wastewater treatment and reclamation plant. As such, the project is not subject to the density requirements.

2. *The availability of public facilities, services, and utilities*

All necessary public facilities and services are available as detailed in the service availability letters submitted for the project. Fire protection services would be provided by the San Marcos Fire Protection District. Water service would be provided by the Rincon del Diablo Municipal Water District. As such, all necessary public facilities and services are available. If the project opts to connect to sewer service, it will annex to the County of San Diego or Rincon del Diablo sewer service.

3. *The harmful effect, if any, upon desirable neighborhood character*

The Project is a wastewater treatment and reclamation plant. With the adoption of the Specific Plan, the Project would be located within a Specific Plan zone. The Project is located within the San Dieguito Community Plan areas and is adjacent to and west of Country Club Drive and adjacent to and north and south of Mt. Whitney Road.

An Environmental Impact Report (EIR) and associated technical studies were prepared that analyzed the environmental impacts of the Project. Appropriate mitigation measures were identified and are imposed on the Project. Significant, unmitigable impacts were identified for portions of aesthetics (short-term), air quality, and traffic (City of Escondido). Overriding considerations were prepared that explains how the Project's unavoidable potential significant environmental impacts are outweighed by the Project's considerable benefits.

Visual and noise impacts are mitigated to a level below significant by designing the structures in a rural ranch style that is compatible with the community character. In addition, ample landscaping would be installed to provide natural screening of the project to the surrounding areas. Air quality, specifically the issue of odors would be mitigated through the inclusion of the following: (1) facilities would be covered to avoid uncontrolled odor release, (2) appropriate siting of active control units to manage gases from the wet and solids stream treatment processes, (3) all processes and equipment would be housed and ventilation controlled such that no objectionable odors will be discernible at the project site boundaries, (4) a misting system with odor neutralizing liquids to break down any noxious odors, (5) utilizing bio filters to capture odor causing compounds in a media bed where they are oxidized by naturally occurring micro-organisms, and (6) by having wastewater operators routinely check the digester pressure relief valves. The proposed project has been reviewed and approved for consistency with the Valiano Specific Plan and the San Dieguito Community Plan in terms of visual, landscaping, community character, and architectural design. Therefore, the project would not have a harmful effect upon the desirable neighborhood character.

If a proposed sewer connection alternative is chosen in lieu of the wastewater treatment plant, the impacts to the neighborhood character would be less than significant. This is based on the following: (1) the temporary nature of the construction impact: (2) the small footprint of the linear construction right-of-way and permanent pump stations; and (3) the lack of permanent visual change associated with the pipelines.

4. *The generation of traffic and the capacity and physical character of surrounding streets*

   The operation of the wastewater treatment and reclamation plant would not generate significant traffic. Average daily trips have been calculated at 10 for the maintenance, management, and supervision of the site as identified in the Traffic Impact Analysis. Traffic generated by the wastewater treatment and reclamation plant is less than significant. The road improvements required as part of the overall project will accommodate the proposed facility and all required parking will be provided onsite.

5. *The suitability of the site for the type and intensity of use or development, which is proposed*

   The Project is the construction and operation of a wastewater treatment and reclamation facility. The project design and site layout is similar to existing private and County facilities within the San Dieguito Community Plan area and conforms with both the San Dieguito Community Plan and the Valiano Specific Plan. The nearby commercial uses have finished pad elevations above and below the proposed project. With the incorporation of site grading, landscaping, and fencing, the site would be suitable for the type and intensity of development proposed and would be compatible with the surrounding community.

6. *Any other relevant impact of the proposed use*

   None identified.

(b) *The impacts, as described in Findings (a) above, and the location of the proposed use will be consistent with the San Diego County General Plan:*

With the adoption of the General Plan Amendment and Zoning Reclassification, the Project would be subject to the General Plan Land Use Designation Specific Plan and Zoning Use Regulation - Specific Plan (S88). A wastewater treatment and reclamation plant is typically associated with residential uses. In addition, the Project is consistent with provisions of the Wastewater Section of the Public Facility Element pertaining to privately proposed treatment plants. The findings regarding the treatment plant that are required to be made prior to approval of the Specific Plan are set forth in the Resolution approving the Valiano Specific Plan (SP-13-001). Therefore, for the reasons stated above, the project is consistent with the San Diego County General Plan.

The proposed wastewater treatment and water reclamation plant in Neighborhood 5 is not in conformance to the Harmony Grove and Elfin Forest Community Plan (HGEFCP) Policy D., which states "homes must be located on lots no smaller than two acres and must utilize septic systems for sewage management. However, once the General Plan Amendment to redesignate Neighborhood 5 from HGEFCP to the San Dieguito Community Plan, the wastewater treatment and water reclamation plant will be consistent with the General Plan. Additionally, the proposed MUP is in conformance with General Plan policy LU-14.2, which states a requirement that the "development provide for the adequate disposal of wastewater concurrent with the development and that the

infrastructure is designed and sized appropriately to meet reasonably expected demands." Overall, the MUP is consistent with the General Plan.

(c) *That the requirements of the California Environmental Quality Act have been complied with:*

The project has been reviewed and found in compliance with CEQA because an EIR for the Valiano Specific Plan has been prepared and certified by the Board of Supervisors.

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

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

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

Section 21081(b) further states:

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

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

Intent: An explanation of why the mitigation measure (MM) was imposed on the project.
Description: A detailed description of the specific action(s) that must be taken to mitigate or avoid impacts.
Documentation: A description of the informational items that must be submitted by the applicant to the Lead Agency to demonstrate compliance with the COA.
Timing: The specific project milestone (point in progress) when the specific required actions are required to implemented.
Monitoring: This section describes the actions to be taken by the lead agency to assure implementation of the mitigation measure.

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

BIO#GR-3, BIO#GR-4, CULT#1, CULT#2, CULT#GR-2, CULT#GR-3, CULT#GR-4, CULT#GR-5, CULT#GR-6, FIRE#2, GEO#1, GEO#GR-1, HAZ#1, HAZ#2, HAZ#4, HAZ#5, LNDSCP#1, LNDSCP#2, LNDSCP#3, NOISE#1, NOISE#2, NOISE#3, NOISE#4, NOISE#5, NOISE#6, NOISE#7, NOISE#GR-2, NOISE#GR-3, NOISE#GR-4, PALEO#1, PALEO#2, PALEO#GR-1, PALEO#GR-2, PALEO#GR-3, PALEO#GR-4

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

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

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

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

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.

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.sdcounty.ca.gov/dplu/docs/LID-Handbook.pdf

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

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

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

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 PDS Construction/Road right-of-way Permits Services Section, (858) 694-3275, to coordinate County 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.

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: This subject property contains Coastal sage scrub plant community. Such plant community is habitat for the coastal California gnatcatcher. The Federal government recently listed the gnatcatcher as a threatened species under the Federal Endangered Species Act of 1973 (16 U.S.C. Section 1531 et seq.). THE LISTING MAY RESULT IN AN APPLICANT'S INABILITY TO PROCEED WITH HIS/HER PROJECT WITHOUT A PERMIT FROM THE FEDERAL GOVERNMENT IF THE SPECIES OR ITS HABITAT ARE PRESENT ON THE PROJECT SITE. It is advisable to contact the United States Fish and Wildlife Service to determine the applicability of the prohibitions under the Act to each applicant's property.

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

U.S. Army Corps of Engineers: 6010 Hidden Valley Rd, Suite 105, Carlsbad, CA 92011-4219; (858) 674-5386; http://www.usace.army.mil/
Regional Water Quality Control Board: 9174 Sky Park Court, Suite 100, San Diego, CA 92123-4340; (858) 467-2952; http://www.waterboards.ca.gov/sandiego/
California Department of Fish and Wildlife: 3883 Ruffin Rd., San Diego, CA 92123; (858) 467-4201; http://www.dfg.ca.gov/

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

NOTICE: Fish and Wildlife Fees have been paid in the amount of $3,168.00 for the review of the EIR, Receipt number 37-03072018-041, dated March 7, 2018.

NOTICE: The 90 day period in which the applicant may file a protest of the fees, dedications or exactions begins on May 4, 2018.

NOTICE: The project will be required to pay Planning & Development Services Mitigation Monitoring and Condition Review Fee. The fee will be collected at the time of the first submittal for Condition Satisfaction to PDS, including Mitigation Monitoring requests. The amount of the fee will be determined by the current Fee Ordinance requirement at the time of the submittal for

conditions satisfaction and is based on the number of PDS conditions that need to be satisfied. The fee will not apply to subsequent project approvals that require a separate submittal fee such as, Revegetation and Landscape Plans, Resource (Habitat) Management Plans, Habitat Loss Permits, Administrative Permits, Site Plans, and any other discretionary permit applications.

EXPLANATION OF COUNTY DEPARTMENT AND DIVISION ACRONYMS			
Planning & Development Services (PDS)			
Project Planning Division	PPD	Land Development Project Review Teams	LDR
Permit Compliance Coordinator	PCC	Project Manager	PM
Building Plan Process Review	BPPR	Plan Checker	PC
Building Division	BD	Map Checker	MC
Building Inspector	BI	Landscape Architect	LA
Zoning Counter	ZO		
Department of Public Works (DPW)			
Private Development Construction Inspection	PDCI	Environmental Services Unit Division	ESU
Department of General Service (DGS)			
Real Property Division	RP		

ON MOTION of Supervisor _____, seconded by Supervisor _____, this Major Use Permit Form of Decision is passed by the Board of Supervisors, at a regular meeting held on this day _____ of _____, in the County Administration Center Hearing Room, 1600 Pacific Highway, Room 310, San Diego, California, by the following vote:

AYES:

NOES:

ABSENT:

Attachment H

Proposal Summary Table

Proposal Summary Table

		Existing General Plan	Project Proposal
Number of Allowable Units		118 units	326 units
Lot Sizes		Semi-Rural 1 (SR-1) – 1 unit per acre, Semi-Rural 2 (SR-2) – 1 unit per 2 acres	Average lot size of approximately 14,790 square feet (s.f.) with a minimum lot size of 5,000 s.f.
Density		1 DU/acre, 0.5 DU/acre	Maximum of 6 DU/acre
Residential	**Total Housing Units**	118	326
	Building Type	Detached Single-Family	Single-Family Dwelling Units
Commercial	**Square Footage**	N/A	N/A
	Use Type(s)	N/A	N/A
Industrial	**Square Footage**	N/A	N/A
	Use Type(s)	N/A	N/A
Facilities & Services	**Water**	Wells, Rincon del Diablo Water District, Olivenhain Water District	Rincon Del Diablo Municipal Water District
	Annexation?	N/A	No
	Extension of pipelines?	N/A	Extension of the 959 Pressure Zone terminating east of the project, a new 1030 Pressure Zone, Connection to 14-inch water main along southern site boundary, new connections at Eden Valley Lane, Mt. Whitney Road, and Country Club Drive, and a new backbone 16-inch water main to the north at Hill Valley Drive.
	Wastewater	Septic, Harmony Grove Village Water Reclamation Facility, Olivenhain Municipal Water District	San Diego County Sanitation District or Rincon del Diablo
	Annexation?	N/A	Yes

	Extension of pipelines?	Yes	If connecting to on-site WTWRF, new pipelines will be installed for the site and will connect to the WTWRF at the southeastern corner of the site
	School	N/A	Escondido High School District and Escondido Union School District
	Fire	San Marcos Fire Protection District	City of San Marcos Fire Protection District
	Maximum Travel Time	10-20 minutes	5 minutes with construction of the Harmony Grove Fire Station
	Maximum Dead-end Road Length	150 feet	150 feet
Parks and Open Spaces	**Parks**		
	Public	San Dieguito Park and San Dieguito River Valley Regional Open Space Park	2.7-acre Neighborhood Park and 1.2-acre Equestrian Staging Area
	Private	Generally privately owned recreational facilities such as equestrian trails and golf courses	• 1.2-acre park • 0.5-acre park • 2.3-acre Recreation Facility • 0.03-acre Turnaround Recreation Area
	Trails	Public and private multi-use trails through the San Dieguito CPA and the Elfin Forest-Harmony Grove Subarea plan	10-foot-wide, 2.65-mile long public multi-use trail along the community parkway, smaller private pedestrian trails will connect to the public trail
	Open Space	Abundant open space available through the San Dieguito CPA and the Elfin Forest-	149.4 acres

		Harmony Grove Subarea plan	
	Biological Resources	N/A	31.2 acres within a biological open space easement
	Agricultural Easement	N/A	35.4 acres of agricultural open space
	Other	N/A	55.7 acres of common open space and 27.1 acres of landscaped easements
Road Network/Traffic	**Total Daily Vehicle Trips**	N/A	3,786 ADT
	Proposed Road Improvement(s)	Non Specified	Road and/or Intersection improvements to off-site roads: Auto Park Way, Country Club Drive, Eden Valley Lane, Hill Valley Drive, Kauana Loa Drive, and Mount Whitney Road; and new road construction for on-site internal circulation roads
	Parking	2 parking spaces per dwelling unit	2 parking spaces per primary dwelling unit and 1 parking space per accessory dwelling unit

Attachment I

Zoning Ordinance Analysis

ATTACHMENT I
ZONING ORDINANCE ANALYSIS
FOR PURPOSES OF CONSIDERATION OF
PDS2013-SP-13-001, PDS2013-GPA-13-001, PDS2013-REZ-13-001, PDS2013-TM-5575, PDS2014-MUP-14-019, PDS2013-STP-13-003

Zoning Regulations	CURRENT ZONING							
APN(s)	228-313-13	232-013-01	232-013-02	232-013-03 & 232-020-55	232-492-01	232-500-18, 19, 20 & 21	232-500-22, 23	232-500-24
Use Regulations	RS	A70	A70	A70	A70	A70	A70	A72
Animal Regulations	Q	L	L	L	L	L	L	N
Density	-	-	-	-	-	-	-	-
Lot Size	1AC	2AC	1AC	1AC	1AC	1AC	1AC/4AC	2AC
Building Type	C	C	C	C	C	C	C	C
Max Floor Area	-	-	-	-	-	-	-	-
Floor Area Ratio	-	-	-	-	-	-	-	-
Height	G	G	G	G	G	G	G	G
Lot Coverage	-	-	-	-	-	-	-	-
Setback	H	C	C	C	C	C	C	C
Open Space	-	-	-	-	-	-	-	-
Special Area Regs	C	C	-/C	-	-/C	-	-	-

ZONING REGULATIONS	PROPOSED ZONING					
NEIGHBORHOOD	**1**	**2**	**3**	**4**	**5**	**CONSISTENT**
APN(s)	232-013-02 (por.), 232-013-03 (por.), 232-020-55	232-013-02 (por.), 232-013-03 (por.)	232-013-02 (por.), 232-492-01	228-313-13, 232-013-01, 232-013-02 (por.)	232-500-18, 19, 20, 21, 22, 23, 24	
Use Regulations	S88	S88	S88	S88	S88	**YES**
Animal Regulations	S	S	L	S	L	**YES**
Density	-	-	-	-	-	**YES**
Lot Size	5,000	8,000	7,000	7,000	6,000	**YES**
Building Type	C	C	C	C	C	**YES**
Max Floor Area	-	-	-	-	-	**YES**
Floor Area Ratio	-	-	-	-	-	**YES**
Height	G	G	G	G	G	**YES**
Lot Coverage	-	-	-	-	-	**YES**
Setback	V	V	V	V	V	**YES**
Open Space	-	-	-	-	-	**YES**
Special Area Regulations	D	D	D	C,D	C,D	**YES**

Attachment J

Impacts and Mitigation Table

Impacts and Required Mitigation Measures

Subject	Significant Impact	Mitigation
Aesthetics	AE-1: Contrast with existing visual elements.	M-AE-1: Vegetate all manufactured slopes within steep slopes beyond minimal erosion control vegetation (one one-gallon shrub/100 s.f.) to provide one one-gallon shrub/75 s.f. in areas of exposed soil (i.e. non-rocky areas) and exposed newly cut rocks shall be stained to soften and screen the appearance of the manufactured slope.
	AE-2: Contrast with the backdrop of rolling hillsides and steep ridgelines.	M-AE-2: Walls shall be textured and stained or colored to reduce visibility.
	AE-3: Temporary visual impacts during Project construction.	Significant and Unmitigable
Air Quality	AQ-1: Conformance to regional air quality plans.	M-AQ-1: Provide revised Housing forecast to SQNDAG to ensure that any revisions to the population and employment projections used in updating the RAQS and SIP accurately reflect anticipated growth due to the Project.
	AQ-2: Cumulatively considerable increase in VOC, NO_X, PM_{10}, and $PM_{2.5}$	Significant and Unmitigable
	AQ-3: Cumulatively considerable increase in criteria pollutants to the regional air quality.	Significant and Unmitigable
	AQ-4: Growth projected for the Project would result in a cumulatively considerable contribution to the RAQS.	See M-AQ-1

Agriculture	AG-1: 13.1 acres directly impacted.	M-AG-1: On or offsite preservation at 1:1 ratio.
Biological Resources	BI-1a: 49.9 acres NNG and 20.3 acres extensive agriculture.	M-BI-1a & 1b: Offsite purchase of 49.9 acres of NNG (1:1) and 10.2 acres of extensive agriculture (0.5:1). Onsite preservation of 0.8 Oak Woodland.
	BI-1b: Raptor foraging habitat – 49.9 acres NNG and 20.3 acres extensive agriculture.	See M-BI-1a & 1b.
	BI-2: Construction related noise effects may impact tree- or ground-nesting raptors.	M-BI-2: Breeding season avoidance (Feb 1 - July 15).
	BI-3a: 0.04 acres Southern willow scrub.	M-BI-3a: Offsite purchase of 0.12 acres (3:1) of Southern willow scrub.
	BI-3b: 0.01 acres Mule fat scrub.	M-BI-3b: Offsite purchase of 0.03 acres (3:1) of Mule fat scrub.
	BI-3c: 0.02 acres Herbaceous wetland.	M-BI-3c: Offsite purchase of 0.06 acres (3:1) of Herbaceous wetland.
	BI-3d: 0.08 acres Disturbed wetland.	M-BI-3d: Offsite purchase of 0.24 acres of Disturbed wetland.
	BI-3e: 6.2 acres Coast live oak woodland (CLOW) and 1.0 acre of CLOW buffer (consisting of 0.8 acre NNG, 0.1 acre Eucalyptus woodland, and 0.1 acre combined impacts to Extensive agriculture, Southern mixed chaparral, and Eucalyptus woodland).	M-BI-3e: Dedicate 2.1 acres of CLOW within the Limited Building Zone. Offsite purchase of 19.5 acres of CLOW (2:1 ratio for LBZ impacts [2.1 acres], 3:1 ratio for remaining areas of impact [5.1] acres)

	BI-3f: 0.2 acres (direct) isolated Diegan coastal sage scrub (CSS) and 1.6 acres (indirect) CSS. BI-3g: 3.0 Granitic southern mixed chaparral (SMC). BI-3h: 49.9 acres NNG. BI-4: 0.19 acre USACE non-wetland Waters of the US (WUS). BI-5: 0.76 acre CDFW jurisdictional habitat: 0.38 CLOW 0.02 So willow scrub 0.02 herbaceous wetland 0.08 disturbed wetland 0.26 streambed BI-6: 0.01 acre County RPO Wetland: 0.01 Mule fat scrub BI-7: Migratory Bird Treaty Act BI-8: Cumulatively contribute to sensitive wildlife that use the grassland and pasture, including grasshopper sparrows and raptors.	M-BI-3f: Offsite purchase of 3.6 acres (2:1) of CSS. M-BI-3g: Offsite purchase of 1.5 acres (0.5:1) of SMC. See M-BI-1a and 1b. M-BI-4: Offsite purchase 0.19 ac non-wetland WUS. M-BI-5: See M-BI-3a (Southern willow scrub); See M-BI-3b (Mule fat scrub); See M-BI-3c (Herbaceous wetland); M-BI-3d (disturbed wetland); M-BI-3e (CLOW); M-BI-6: See M-BI-3b (Mule fat scrub) M-BI-7: Breeding season avoidance (Feb 1 – Sept 1). M-BI-8: See M-BI-1a and 1b, and M-BI-3h.
Cultural Resources	CR-1: SDI-17506 (prehistoric site). CR-2: Buried Resources	M-CR-1: Data Recovery M-CR-2: Arch Monitoring including Pre-grade Survey and Cultural Report

Noise	N-1: Neighborhood 5 – Lots 283-289 – exterior noise levels in excess of 60 CNEL. N-2: Second stories of residences along Country Club Drive – interior noise levels in excess of 45 CNEL. N-3: Air conditioning condensers within 35 feet of a property line may create noise levels in excess of the County's nighttime allowable hourly limit of 45 dBA LEQ at adjacent residences. N-4: WTWRF equipment and generator may create a combined exterior noise level in excess of the allowed exterior one-hour average noise level of 45 dBA LEQ at residential property lines.	M-N-1: Traffic Noise Barriers – 6 foot noise control wall (Lots 283-289). M-N-2: Interior analysis - implement recommended measures. M-N-3: Noise control barrier - HVAC installed w/in 35 feet of a property line will require a 5 ½ foot noise barrier. M-N-4: Implement design options to reduce noise levels that may include the following: 1. Stationary equipment may be controlled by the following methods: a. Install exterior wall & gate; b. Place within a CMU; c. Increase property line setbacks; d. Locate WTWRF equipment to provide noise shielding from on-site buildings or structures; e. Incorporate noise control measures (e.g. acoustical louvers or paneling); 2. Diesel generator a. Enclose with custom noise control structure (e.g. steel enclosure) b. Place within a CMU that includes noise control features (e.g. acoustical louvers or paneling, etc.) A final noise analysis demonstrating compliance with the County property line requirements shall be prepared and submitted for

		approval.
	N-5: Wastewater pump station generators may create a combined exterior noise level in excess of the allowed exterior one-hour average noise level of 45 dBA LEQ at residential property lines.	M-N-5: Implement design options to reduce noise levels that may include the following: 1. The pump and diesel generator noise may be controlled by the following methods: a. Place within a custom designed noise control structure; b. Place within CMU that includes noise control features; c. Increase property line setbacks; d. Locate noise sources to provide noise shielding from on-site buildings or structures; A final noise analysis demonstrating compliance with the County property line requirements shall be prepared and submitted for approval.
	N-6: The pump and generator associated with the booster pump station (for water circulation) may create a combined exterior noise level in excess of the allowed exterior one-hour average noise level of 45 dBA LEQ at residential property lines.	M-N-6: Implement design options to reduce noise levels that may include the following: 1. The pump and diesel generator noise may be controlled by the following methods: a. Place within a custom designed noise control structure; b. Place within CMU that includes noise control features; c. Increase property line setbacks; d. Locate noise sources to provide noise shielding from on-site buildings or structures; A final noise analysis demonstrating compliance with the County property line requirements shall be prepared and submitted for approval.

	N-7: Ripping and or heavy dozer activities, use of a large excavator, or use of a rock drill within 180 feet of an occupied off-site or future on-site residential structure may exceed County standards for property line noise levels.	M-N-7: The following noise attenuation measures shall be implemented to reduce the sound level generated from project construction equipment operation associated with ripping, drilling, and/or excavation: a. Install a 12-foot high barrier along the length of the property line and/or work area or length to the best extent possible to reduce noise. This barrier shall be of sufficient length to block the line of sight between the occupied property and any ripping operations within 180 feet of the property. b. The barriers shall extend at least 10 feet beyond the horizontal line of sight in each direction. The final barrier must break the line of sight between the top of the equipment exhaust pipe and the residential receiver at all visible locations and when taking into consideration all topography in relevant areas. c. If new information is provided to prove and certify that the construction equipment and noise measures being used is different prior to grading plan approval, then a new construction noise analysis may be reviewed to the satisfaction of the [PDS, PPD]. Any proposed alternative methods, or the reduction or modification of measures may be approved if the construction activities are reduced to 75 dB and below at the occupied property line.
	N-8: Rock breaking within 300 feet of an occupied off-site or future on-site residential structure may exceed County standards for property line noise levels.	M-N-8: The following noise attenuation measures shall be implemented to reduce the sound level generated from project breaker equipment operations (including but not limited to rock crushers): a. The temporary breaker shall be limited to the following - if a breaker is required on-site during construction, then it shall not be used within 300 feet of property boundaries of occupied residences. b. If new information is provided to prove and certify that project breaker equipment (including but not limited to rock

		crushers) and noise measures being used is different prior to grading plan approval, then a new construction noise analysis may be reviewed to the satisfaction of the *[PDS, PPD]*. Any proposed alternative methods, or the reduction or modification of measures may be approved if the construction activities are reduced to 75 dB and below at the occupied property line.
	N-9: Blasting within 200 feet of an off-site or on-site residential structure may cause a significant vibration impact. Larger blasts at greater distances may also create significant impacts; however, potential impacts from larger impacts could not be analyzed in the Acoustical Analysis for the Proposed Project. This analysis cannot be conducted until the site is cleared of all surface material (including rippable material) in order to expose the specific type of material to be blasted, the extent of the area of blasting, and the required blasting charge type is known.	M-N-9: the following noise attenuation measures shall be implemented to reduce the sound level generated from construction equipment operations associated with blasting: a. Prior to and during construction activities, the applicant shall prepare and implement a blast plan to reduce impacts associated with air blast over-pressure generated by project-related construction activities and incorporate any required noise reducing measures to comply with County Noise Ordinance regulations. b. No blasting shall occur at a distance of less than 600 feet from any off-site structure without specific analysis by the blasting contractor showing less than significant vibration impacts to the structure. c. All blast planning shall be conducted by a San Diego County Sheriff approved blaster, with the appropriate San Diego County Sheriff blasting permits, and all other applicable local, state, and federal permits, licenses, and bonding. The blasting contractor or owner shall conduct all notifications, inspections, and monitoring, and major or minor blasting requirements planning, with seismograph reports as necessary. d. Construction equipment associated with blasting (i.e. drilling, pre- and post-blasting work) shall comply with the County Noise Ordinance, Section 36.408, 36.409, and 36.410. The blast plan shall include any necessary noise measures such as (but not limited to) temporary noise barriers and blankets,

		increased setbacks, limiting construction equipment operations, and/or any other methods. The measures specified within the blasting plan shall be implemented to comply with County Noise Ordinance requirements. e. If new information is provided to demonstrate and certify that the operations associated with blasting being used is different prior to grading plan approval, then a new construction noise analysis may be reviewed to the satisfaction of the *[PDS, PPD]*. The supplemental noise analysis shall be prepared by a County Approved Noise Consultant and the report shall comply with the Noise Report Format and Content Requirements. Any proposed alternative methods, or the reduction or modification of measures may be approved if the blasting activities comply with County noise standards at any occupied property line. f. All residences within or partially within 600 feet of the blasting location shall be provided a 48-hour notification prior to a blasting activity. g. Any livestock showing distress from blasting activity at any distance should be removed to a remote location for the duration of blasting operations. Initial planning shall consider livestock within 300 feet of a minor blast or 600 feet of a major blast to be removed to these minimum distances for the appropriate blast size prior to the commencement of blasting. h. All equestrian trails within 600 feet of blasting operations shall have notification posted for the duration of the blasting. Warning tape as deemed necessary, and signage with specific blast information shall be placed at the trailhead and at the noise sensitive location.
Paleontological Resources	P-1: Project grading for on-site facilities, including excavation and grading activities, could have a potentially significant impact to paleontological resources within	M-P-1: Paleontological grading 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.

	terrace deposits and the Santiago Formation. P-2: Project grading for off-site facilities could have a potentially significant impact to paleontological resources within terrace deposits.	 See M-P-1.
Transportation/Traffic	TR-1a & TR-1b: Country Club Drive from Auto Parkway to Hill Valley Drive (LOS F: Direct and Cumulative) – City of Escondido. TR-2: Country Club Drive from Hill Valley Drive to Kauana Loa Drive (LOS F: Cumulative Only) – County of San Diego.	M-TR-1a & M-TR-1b: Restripe the eastbound approach at the Auto Parkway/Country Club Drive intersection to provide one left-turn lane, one shared left-turn/through lane, and one right turn lane. The signal will be modified to change the east/west approach to "split" phasing. In addition, Country Club Drive will be widened to provide a paved width of 36 feet consisting of two travel lanes and a 10-foot striped center turn lane starting 220 feet southwest of Auto Park Way for a length of approximately 830 feet. Improvements will include connecting the existing sidewalk along the northern side of this roadway section with a 5-foot sidewalk complete with a 6-inch curb and gutter and providing a 4-foot decomposed granite pathway along the south side of this segment with a 6-inch asphalt berm. M-TR-2: Payment of the County TIF. A number of Project Design Features also contribute to improving capacity on Country Club Drive, including the following: a. Sight distance meeting County standards shall be provided at each of the four access locations along Country Club Drive. b. Northbound left-turn pockets shall be installed at each of the four access locations.

	TR-3: Auto Park Way/Mission Road (LOS D/D during the AM and PM peak periods) – City of Escondido. TR-4: Auto Park Way/Country Club Drive (LOS D during the AM peak period) – City of Escondido.	Significant and unmitigable. See M-TR-1a and M-TR-1b.
Hazards & Hazardous Materials	HZ-1: Historical release of diesel range organics (DRO) and oil range organics (ORO). Minimal staining observed adjacent to the 200-gallon diesel above ground storage tank (AST) located near the southeastern area (Neighborhood 5). HZ-2: Based on the age of onsite structures (approximately 60 years) there is the potential for the presence of asbestos containing material (ACM) and lead based paint (LBP) to be present in both the northern (Neighborhoods 1 through 4) and southern (Neighborhood 5). HZ-3: Potential conflicts with the Fire Protection Plan (FPP) could occur as certain Project areas (for occupation of structures in Neighborhoods 2, 4 and	M-HZ-1a: Excavation and/or grading activities near the location of the on-site AST in Neighborhood 5 shall be actively monitored by a Registered Environmental Assessor (REA) for the potential presence of hydrocarbon contaminated soils. In the event of encountering contaminated soils, these soils shall be properly tested, managed, and disposed of at a licensed facility in accordance with County DEH requirements. M-HZ-1b: Soils near the on-site AST within Neighborhood 1 shall be assessed to identify the vertical and lateral limits of DRO and ORO contaminated soils. Contaminated soils shall be disposed of at a licensed facility in accordance with County DEH requirements. M-HZ-2: Potential impacts related to the possible presence of ACM and/or LBP in the structures on site shall be mitigated by additional assessment in the form of an ACM and LBP survey conducted prior to demolition activities. This survey shall be utilized to confirm the absence or presence of these materials. Additionally, it shall be used to determine appropriate health and safety requirements for demolition, and appropriate disposal methods for demolition debris. M-HZ-3: Prior to occupancy of any structure that does not meet the five minute travel time according to Figure 7 of the approved FPP, either the Harmony Grove Fire Station must be in operation and providing service, or alternate mitigation measures must be

	portions of Neighborhood 3) do not currently have fire service meeting the County's required 5-minute travel time.	provided to the satisfaction of the County Fire Authority (or RSFFPD, if annexed) and the PDS Director.
	HZ-4: The equestrian staging area, WTWRF and wet weather storage ponds could have a significant public health and safety impact if vector populations are increased to a level that could harm the health of the public.	M-HZ-4: A Manure Management and Fly/Vector Control Plan shall be prepared according to applicable standards and submitted to the DEH for approval. The Plan would include operational procedures to minimize on-site fly, mosquito and vector production and would be enforced by DEH.
Geology and Soils	GE-1: Seismically-induced settlement hazard.	M-GE-1: A site-specific geotechnical investigation shall be conducted by a qualified engineer or engineering geologist during Project grading to assess potential impacts related to seismically-induced settlement and related effects. All recommendations provided by the Project engineer/geologist to address potential efftcts related to seismically-induced settlement shall be implemented as part of the Project design/construction efforts. , The applied site-specific geotechnical remedies would be inspected and verified through the plan review process.
	GE-2: Seismically-induced surface slope instability and rockfall hazard.	M-GE-2: A site-specific geotechnical investigation shall be conducted by a qualified engineer or engineering geologist during Project grading to assess potential impacts related to manufactured slope instability (including rock fall hazards). All recommendations provided by the Project engineer/geologist to address potential effects related to manufactured slope instability shall be implemented as part of the Project design/construction efforts. The applied site-specific geotechnical remedies will be inspected and verified through the plan review process.

	GE-3: Impacts from expansive soils.	M-GE-3: A site-specific geotechnical investigation shall be conducted by a qualified engineer or engineering geologist during Project grading to assess potential impacts related to expansive soils. All recommendations provided by the Project engineer/geologist to address potential effects related to expansive soils shall be implemented as part of the Project design/construction efforts. The applied site-specific geotechnical remedies will be inspected and verified through the plan review process.
Global Greenhouse Gases	GHG-1: The Project's total estimated construction and vegetation removal GHG emissions would be 6,123 MT CO_2e and the Project's estimated operational GHG emissions would be 4,493 MT CO_2e.	M-GHG-1: Achieve a net-zero level of GHG emissions (i.e., carbon neutrality) through the purchase of carbon offset credits.

Attachment K

Public Documentation

(Comments received during the EIR public review periods are available at: https://www.sandiegocounty.gov/content/sdc/pds/Current_Projects/valiano.html)

SAN DIEGUITO PLANNING GROUP

P.O. Box 2789, Rancho Santa Fe, CA, 92067

Minutes of Meeting

February 8th, 2018

1. CALL TO ORDER: 7:04 P.M. PLEDGE OF ALLEGIANCE
Present: D. Dill, T. Parillo, S. Biszantz (left at 10:40 pm), M. Hoppenrath, J. Zagara, P. Fisch, N. Christenfeld, S. Williams, J. Arsivaud-Benjamin, D. Willis, S. Thomas (arrived at 7:30 pm)
Absent: L. Lemarie

2. AGENDA REVIEW

3. APPROVAL OF MINUTES [Circulated to members during meeting for initials/comments]

4. OPEN FORUM: no comments.

5. GENERAL PLANNING ITEMS:

A. **2018 DPW San Dieguito Planning Area Road Improvement and Repair List.** Discuss suggestions for new items to add to list for 2018. Group members provided descriptions of candidate road segments in need of improvements/repair.

Motion: By D. Dill, **second** by J. Zagara, to approve list with additions suggested by group.
Vote: ayes = 10 nos = 0 abstain = 0 absent/vacant = 3

B. **Minor Deviation Sign Permit**; two new illuminate wall signs for Rubicon Deli at 4S Commons Town Center, 10550 Craftsman Way, Suite 8-F, San Diego, CA; APN: 678-670-0100. Applicant: Regency Centers, Karl Henning, 760.224.7700; PDS Planner: Jenna Roady, 858-495-5201; SDPG Member: Phil Fisch, 858-592-6758.

Motion: By P. Fisch, **second** by S. Thomas, to approve as presented.
Vote: ayes = 10 nos = 0 abstain = 0 absent/vacant = 3

6. MAJOR PROJECTS AND LAND USE ITEMS:

A. **VALIANO Final EIR. PDS2013-SP-13-001, PDS2013-GPA-13-001, PDS2013-REZ-13- 001, PDS2013- TM-5575, PDS2014-MUP-14-019, PDS2013-STP-13-003, PDS2013-ER-13-08- 002.** The proposed project is a residential development of 326 homes and up to 54 Secondary Dwelling Units (SDUs) on 239 acres. The property is currently zoned SR and A70 with minimum lots sizes of 1 and 2 acres, with 118 units allowed. The current General Plan designations are SR-1 and SR-2, and the Regional Category is Semi Rural. The project would require a General Plan Amendment to change the designations to SR-0.5 and to remove Neighborhood 5 from the Elfin Forest/Harmony Grove subarea. A Rezone would be required to reduce the minimum lot size and change the A70 areas to SR. A Major Use Permit is required for the on-site wastewater treatment plant. A Habitat Loss Permit is required because the project would impact Diegan coastal sage scrub. Proposed grading is 928,000 cubic yards of balanced cut and fill. The project also includes 36.5 acres of agricultural easement and 28.2 acres of biological open space, as well as fire clearing zones. The project would take access from Eden Valley Lane, Mount Whitney Road, and Country Club Drive, with emergency access to Hill Valley Drive. The project would also include public multi-use trails, private trails, public and private parks, and an equestrian center. Project contact: Michelle Chan, Michelle.Chan@sdcounty.ca.gov (858) 495-5428, SDPG member: Jacqueline Arsivaud-Benjamin (760) 855-0444.

David Sibbet, Manager, and Michelle Chan, Planner, of the County department of Planning and Land Use were

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present to answer questions.

Lance Waite, representing applicant Integral, gave an overview of the project. *J. Arsivaud-Benjamin* questioned Mr. Waite's statement that the Project would provide "extended evacuation time". He answered that the new homes, being less flammable than grasslands, would buffer existing residents from fire and thus provide more time for safe evacuation. She noted that while the homes may not be as flammable, adding hundreds more residents and vehicles clogging already congested evacuation routes would negate any net benefit and likely be an adverse effect. There was some discussion of homes burning while sprinklers were running in urban areas of Santa Rosa causing fatalities in the recent Tubbs fire. *J. Arsivaud-Benjamin* was concerned that widening private roads within the easement footprint could possibly create hardships for existing residents. *Mr. Waite* suggested the applicant would try to work with any affected residents who might have encroachments in the easements. *M. Hoppenrath* noted that the San Marcos Fire department had issued a waiver for Hill Valley Road to remain at a substandard width and asked how the applicant would prevent parked cars from creating an unsafe obstruction. *Mr. Waite* said there would be signage. He was not certain whether Hill Valley Road, which the project lists as an emergency access route, would be gated or open and how any closure would be maintained or operated. *S. Williams* noted that Country Club Drive is already congested during rush hour and was worried about traffic impacts of such increased density. *Mr. Waite* said they would work with the City of Escondido to investigate improving traffic light signaling. *J. Arsivaud-Benjamin* asked whether applicant was representing sewer lines could be exented to residents outside the project. She commented that although sewer lines from the Valiano project might run near existing residents' homes, LAFCO would have to hold public hearings and decide whether to create and extend a sewer district. She read a memo from LAFCO stating " any proposal to annex unserved territory to a sanitation district would have to provide a documented need for services to justify the request, such as a failed/failing septic system". In addition potential sewer service providers would have to agree to include these homes with appropriate charges and fees, and residents would have to pay to hook up to these lines, before they could have sewer service, so no guarantee. She mentioned that the revised Rincon Master Plan after community input specifically limited the size of the sewer district served by the Harmony Grove Village Water treatment facility to the Harmony Grove Village footprint,

Several residents from Harmony Grove, Elfin Forest, and Eden Valley gave a group presentation. *JP Theberge* of the EFHG Town Council, gave a brief history of the area and the concept of the Community Development Model (CDM) that featured in the consensus reached by the County and community as a way to accommodate the area's fair share of predicted population increase while preserving the historic rural community. He stressed how the density increase in Valiano destroyed the critical urban-rural balance that was achieved in the General Plan density map for the area. *Andy Laderman* spoke of the enduring rural community character, while *Janean Huston* believed that nearby high-density development defied the CDM and would make evacuating with large animals more difficult and dangerous, ultimately forcing out residents with horses and destroying the rural character the CDM was designed to preserve. *Bill Osborn*, a former firefighter, discussed the features that make the valley area susceptible to fast moving wildfires. He noted that all 6 access roads for Valiano lead to a single evacuation route, Country Club Drive, which would be downgraded from LOS A to LOS F by the project. He added that the proposed mitigation of 31 new fire hydrants would, because of the significant increase in density, actually provide only half as many hydrants for each home as currently exists. He said the new homes would not likely provide a fire buffer, as wildfires now routinely jump 8-lane highways and can cause spot fires as far away as one and half miles. *Bill Osborn* stated that the most recent and damaging area wildfire, the Cocos fire, was only mentioned once in the Valiano Fire Protection Plan (FPP) and was not studied or modeled in any analysis, instead the FPP is based on conditions in San Marcos, not Eden Valley. He felt this was a serious oversight, as the Cocos fire actually spread more quickly than anticipated downhill, and also in the Eden Valley/Harmony Grove area, was not driven by the usual Santa Ana winds. Further, the FPP incorrectly states there has been no major fire in the area in the last 50 years (there have been 12 wildfires). *Eric Anderson*, life-long farmer in the area, pointed out that nurseries can act as fire buffers and can help reduce greenhouse gases He was grateful that Valiano had saved some agricultural lands. *Scott Sutherland* of the EFHG Town Council said fire risk is so great that the number of new homes must be limited to a safe level taking into account the existing and proposed road infrastructure. He described the Valiano Vineyards, the community-developed suggested project alternative. This alternative does not exceed the GP-approved density, but features 80% of the number of affordable homes of Valiano while allowing neighborhood 5 to be fully compliant with the Harmony Grove Community Plan. There are also vineyards, trails, and community common areas. This alternative is superior to the Valiano preferred alternative in that it meets all the project objectives,, meets 6 of the project objectives better than Proposed Project , and lessens the impacts for 9 of 9 impact criteria.

Kevin Barnard is a retired police officer who stated that the evacuation plan described in the Harmony Grove

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Wildland Urban Interface Fire Emergency Response Plan (WUIFERP) was not realistic in apportioning police resources in the event of a wildfire. The WUI states that 100 officers are needed to guard local intersections during evacuations, but he notes that number exceeds the total number of officers on duty any given day in the city of San Diego. He believes it is unrealistic to think there will be enough officers to assist in a safe evacuation, as surrounding jurisdictions may realistically only be able to devote about 20 law enforcement personnel to the area in an emergency evacuation situation. He added that 70% of the people killed in wildfires lose their lives while evacuating in their vehicles.

Thirteen individual speakers told of their concerns with the project. *Jorge Gutierez* felt that too many more homes and resulting traffic would endanger equestrians and pedestrians who must use the narrow rural roads as there are no sidewalks. *Mickey Cross* noted there was no mention of adverse impacts to Harmony Grove Road or Elfin Forest Road, but effects of significantly increased traffic would surely cause gridlock and endanger motorists, bicyclist and pedestrians, as can already be observed with added traffic on Elfin Forest road from Harmony Grove Village and cut-through traffic from Escondido avoiding clogged arteries.. *Wendy Said* increased traffic not only makes evacuation difficult and dangerous but also can make it impossible for emergency vehicles and residents to return back to help neighbors evacuate – she stated that even at current density she could not return to her home during the Coco's evacuation. *Tony Alsnauer* praised the firefighters and said Eden Valley was a great place to live with no traffic and no road rage. He felt with Country Club Drive becoming LOS F, the long waits would ruin the peaceful character. He also worried about dust and noise during construction. *Kevin K.* lived in Del Dios and felt the traffic model was flawed; he stressed the importance of getting details, how long would it take to evacuate all residents? He said the impacts should take the microclimate into account. He wanted smart development. *Suzette Amon* wondered where the project was getting the water, saying such excess to accommodate the increased density takes water away from the existing residents. *Phyllis Laderman* felt there was too much uncertainly in the applicant's submission, for ex would Hill Valley Road be open or closed? She suggested applicant should only come to a vote when a stable project description was available for review, without any loose ends. She was concerned that the San Marcos Fire Dept. gave waivers in such a historic fire-threatened area that they themselves would not be responsible to respond to due to response time and wondered if there was "blood money" from Integral involved. *Richard Foster*, a former RSFFD firefighter, said sewer lines are growth inducing and can bring many more homes. He said quiet rural areas are necessary for residents' mental health. *Stacy McCline* felt the community plan should take precedence over the developers' plan. She said the residents placed their trust in the County and urged the County to hold to their General Plan. *Evon Flaig* thought Eden Valley was a beautiful place to live and wanted to maintain current zoning with 2-acre lots. *Richard Murphy* shared the fire evacuation concerns and thought the County did not need to bail out the developers' project to make up for the infrastructure improvement deficit. He also felt the GHG calculations were done incorrectly and should use "as is" conditions for baseline calculations. He reminded us that taxpayers pay for lawsuits against the County. *Wayne Veres* lives in Coronado Hills adjacent to the Valiano project. When he bought his home years ago, he never expected the County to consider adding urban densities in a rural area. He thought the project would ruin Eden Valley and Coronado Hills. *Barbara Isherwood* wanted to know how many trips the project would add to Eden Valley Lane per day? Mr Waite did not have the data on hand but directed her to the EIR on the County website. Others in the audience said it was 1600 from a current 240..

A further 22 attendees submitted slips in opposition to the project, but either did not wish to speak or felt their issues had already been mentioned: Marrilyn Johnson-Kozlow, John Batchik, Janet Horvath, Stan Alstrum, Tim McLarney, Bill and Merlyn Porter, Al Said, Janice Veres, Hazel Gray-Fornasdoro, Diane McMillen, Michael Fornasdoro, Linda and David Hizar, Terry and David Hizar, Laurilyn Burson, Clark Mahadt, Ben Ayers, Gigi Theberge, Pam Searles, and Braden Clemeshaw.

SDPG members briefly discussed the project. *N. Christenfeld* stated the record should show he had never seen such unified community stance in his years on the Planning Group. He said the issue of the Valiano project seemed to be more about who would make money than who would have to live with it. *J. Arsivaud-Benjamin* briefly explained the EIR and the alternatives. *M. Hoppenrath* voiced her serious concerns with the attempt to remove part of an established community of Harmony Grove from the County-approved Community Plan, and believed if that were allowed, it would render worthless every community plan County wide. *D. Willis* stated it was "shocking" that the County would consider allowing a project that violated the promise it made to the residents, remembering the hard choices that were made during the Harmony Grove Village public testimony.

> **Motion:** By J. Arsivaud-Benjamin, **second** by M. Hoppenrath, to deny project as detailed in attached motion (see appendix).

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Vote: ayes = 11 nos = 0 abstain = 0 absent/vacant = 2

B. **Hacienda Santa Fe Senior Facility**. Proposed project is located in the City of San Diego on the southeastern corner of Via de la Valle at El Camino Real. The developer will present an overview of the project with Q&A in preparation for the release of a draft EIR sometime in the first quarter of 2018. Project Developer: Milan Capital Management - Bret Bernard, AICP, Director of Planning & Development, 714-687-0000, ext119; SDPG member: Don Willis (858) 481-6922. ***Continued to March 8th***

C. **PDS2017-STP-17-042 RSF Village Gateway Center Site Plan.** Proposed retail, market, office project located at 6089 La Flecha on the triangular island between the intersections of La Flecha, La Granada, and Via De Santa Fe; APN 266-291-02, 266-291-01. 27,017-gross sq. ft., 25,620-net rentable floor area, two-story building includes 65,000 sq. ft. subterranean 135-car parking garage. Applicant: Landrock Development, Enrique Landa, 858-756-3349; Applicant's Representative: Jim Simmons, 760-471-2365; PDS Planner: Marisa Smith at 858 694-2621; SDPG Member: Joe Zagara, 858-756-4211. *Jim Simmons* gave a brief overview of the project. Previous building was a gas station and applicant must remove buried gas tanks and any contaminated ground. The plume of possible contamination does not extend beyond the property. *J. Zagara* noted that residents felt a market is needed in the community. The design was well received by the group.

Motion: By J. Zagara, **second** by T. Parillo, to approve as presented.
Vote: ayes = 11 nos = 0 abstain = 0 absent/vacant = 2

D. **Property Specific Request (SD15) to General Plan Amendment & Rezone (GPA12-005; REZ14-006)** PDS Planner Kevin Johnston answered questions concerning the proposed change from SR-1 to a combination of General Commercial (C-1), VR-10.9, and SR-0.5 bringing an estimated total potential dwelling unit increase of 301 units. The parcel(s) are located adjacent to a densely developed City of San Marcos suburban area and adjacent to a regional open space preserve, in the MSCP PAMA (Pre Approved Mitigation Area). Because a new EIR was issued in December 2017, and caused members of the public to request to testify after being notified by the County, the group decided to reconsider their motion and hear public input. Additional information on the project can be found on the project web page at - http://www.sandiegocounty.gov/content/dam/sdc/pds/advance/PSR/prelim-analysis-sd15.pdf ***Scheduled for April 12th agenda***

E. **PDS2018-AD-18-002 Kahatibi Open Space Encroachment Administrative Permit**. 16268 Via Cazadero, Rancho Santa Fe, CA 92067, APN 269-201-52-00. The project deviation is the installation of a boundary wall along the property lines. Applicant Representative: Kenneth Discenza, 619-540-7462; PDS Planner: Sean Oberbauer, 858-495-5747; SDPG Member: Steve Thomas, 858-232-8580. ***Continued to March 8th***

7. ADMINISTRATIVE MATTERS:

A. Community Reports
B. Consideration and comments on circulation mail
C. Future agenda items and planning
D. Prospective & returning Planning Group members
E. Supply orders and reimbursement of expenses

Adjourned at 10:47 pm.

NOTE: The San Dieguito Planning Group currently has one vacancy. If you wish to become a member of the SDPG, please provide the chair with your current resume and plan to attend 2 or 3 meetings in advance of processing your application for membership.

Future Meeting Dates: 3/8/18 4/12/18 5/10/18 6/14/18 7/12/18 8/9/18

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Doug Dill, Chair	760-736-4333	FAX 760-736-4333	e-mail:	theddills@att.net
Tim Parillo, Vice-Chair	415-238-6961		e-mail:	tparillo@gmail.com
Mid Hoppenrath, Secretary	760-747-1145		e-mail:	midhop@gmail.com

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Appendix

Motion for Valiano GPA – February 8, 2018 SDPG meeting

Motion is made to recommend denial of the Project as presented for the following key reasons, in addition to our previous comments which are incorporated herein.

The overwhelming issue of concern for residents and neighboring communities is the impact of additional residential density on safe emergency evacuation, given the specific local road infrastructure and topography, the valley's designation as a Very High Fire Hazard Severity Area around the Ptoject, and the history of repeated mandatory mass evacuations in the area. Residents are concerned about this issue because at least 12 wildfires have burnt through the area since 1980, half of those larger than 1,000 acres. And in the last 20 years as a result of climate change and human activity the frequency and ferocity of the fires have been increasing at an alarming rate. The most recent event, the Coco's fire, was uncontrollable for days, despite the advances in aerial firefighting, inter-agency communications and structure protection made during that period. Fires in the valley over the last two decades have destroyed homes on multiple occasions and taken lives.

In this context, requests for density increases beyond those allowed under the General Plan should be evaluated with the greatest prudence, and balanced with a critical look at whether the existing infrastructure can safely accommodate the added dwelling units.

1) This property has already benefited from a grant of additional density on 97 acres from SR2 to SR1 during the Property Specific Request (PSR) process, resulting in a grant of an additional 48 units. This represents approximately 136% increase in density, bringing it from a likely yield of less than 50 units under the old General Plan rules (maximum of 70) up to 118, without any analysis at the time of impact on emergency evacuation given the current road infrastructure;

2) The proposed increase beyond this density gift in a Very High Fire Hazard Severity Area would severely constrain the ability of both future and existing residents to evacuate to safety - evacuation on a single 2-lane road operating at LOS F under non-emergency conditions without a secondary egress is likely to lead to loss of life;

3) The evacuation of the entire community was not modeled nor analyzed in the Fire Protection Plan or the DEIR, making it impossible for decision makers to fairly evaluate the added risk they may expose residents to in the next wildfire;

4) The Project EIR evaluates various density alternatives from 38 units for septic-only option (closest to yield prior to PSR) up to 380 (Project including SDUs). Clearly 380 is not supported by the existing road infrastructure for safe evacuation of existing residents, including horse trailers for the 150+ existing large animals in Eden Valley and Harmony Grove, along with evacuating residents of Harmony Grove Village, rest of Harmony Grove, and potentially also Elfin Forest if egress to the West is blocked as it was during Coco's

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fire.

5) The merits of the additional density request from the applicant should be evaluated based on the existing evacuation infrastructure. The County should not allow additional residential density beyond that allowed by right in the General Plan, without first ensuring that the impact of the change would not impede the safe evacuation of existing and future residents in areas like this prone to major fire events.

6) In this specific project case, the Wildland Urban Interface Fire Emergency Plan (WUIFERP) recently commissioned by Cal Fire for the nearby HGVS project states that the only safe evacuation route without caveats for the entire area is Country Club Drive. As such the ability of Country Club Drive to handle the projected evacuating traffic must be fully analyzed before granting any request for additional density beyond the GP, which would add vehicles to that road in an emergency evacuation scenario. Not to match additional density to infrastructure capability would constitute irresponsible project planning.

7) As such, we request additional analysis prior to staff formulating a recommendation on the project, in order to match a given recommended project density (number of dus) to the road infrastructure that can safely support it. This additional analysis is necessary because a) information crucial to evaluating public safety risk is missing from the data presented so far, namely, project impact on evacuation scenarios, b) the extreme 2017 wildfires in California and their consequences have demonstrated the need for sound planning to avoid loss of life, and c) new data from the HGVS WUIFERP point to "a historic fire corridor with a history of loss of life & extensive structural loss", with the entire area evacuating on Country Club Drive in an emergency.

   Specifically, we request staff/applicant to analyze the following:

   a) Calculate the maximum current vehicle carrying capacity of Country Club Drive (CCD) and the Project access roads as built (Eden Valley Lane, Mt Whitney, Hill Drive) in a mass evacuation scenario, taking into account the number of existing large animals to be evacuated using the same road infrastructure;

   b) Conduct the same analysis adding a secondary Project egress through to La Moree, which would relieve congestion on CCD;

   c) From the vehicle capacity analysis in a) and b) above, derive the maximum number of evacuating dwelling units (dus) that can safely travel on CCD and access roads. For ex if each du is assumed 2 evacuating cars, maximum number of homes that can safely evacuate would be half the capacity that the infrastructure can carry;

   d) From the result of the analysis in c) (total number of dus evacuating safely), calculate how many additional residential units can safely be added to the area by deducting the existing and currently approved dus in Harmony Grove, Eden Valley and Elfin Forest.

   e) The remaining available density should be the maximum additional density from a planning perspective that can be approved outside the General Plan in order not to compromise safe evacuation.

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While the result of that analysis is not available to us as a Planning Group today to determine what project density to recommend, based on public testimony throughout the process we can only prudently recommend the lowest density onsite especially given the 136% increase in density already granted by the Board of Supervisors.

The Project alternative that best meet project objectives and preserves public safety while still granting applicant opportunity for economic rewards is the Valiano Vineyards alternative, which enjoys broad community support, as do the General Plan-conforming alternative and Septic-only alternative.

In addition,

- The waivers from California Fire Code granted by the San Marcos Fire District and the exception to road standards granted by PDS on Hill Drive should be re-examined in light of new fire behavior data from the recent fires throughout California, and the HGVS WUIFERP, data which was not available in March 2015 when the FPP was published;
- Because critical cumulative impact to emergency evacuation was not considered at all in original DEIR, consider recirculating the DEIR with the data requested so the public has the opportunity to review and comment on this vital analysis.

The following conditions of approval should be incorporated in order to preserve public safety for all area residents including Valiano's:

- Applicant should be required to perform a full analysis of evacuation risks and scenarios, which was not included in the 2015 FPP, prior to going to Planning Commission;
- Applicant should specifically commission a project-specific Wildland Urban Interface Fire Emergency Plan (WUIFERP) that analyzes ignition scenarios relevant to the specific Project area to fully disclose the most relevant wildfire evacuation scenarios, and which will be a key input for the analysis requested above;
- Applicant should be required to improve Country Club Drive to provide a left hand turn lane in Northbound direction towards Progress Place to provide another option for emergency evacuation traffic.
- Applicant should be required to provide a true secondary exit (not leading to Country Club Drive) such as through to La Moree in San Marcos.
- Applicant should indemnify the private road owners whose property may be negatively impacted by private road widening or improvement projects to serve the Project for any damage or modification to their existing fencing and landscaping.

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Chan, Michelle

From: J. Arsivaud <j.arsivaud@gmail.com>
Sent: Friday, February 16, 2018 6:56 PM
To: Sibbet, David
Cc: Chan, Michelle; Bill Osborn
Subject: Addition to earlier questions re: fire protection

Please add the following comments and questions which arise from the San Marcos Fire District letter clarifying the provision of public safety services that we just received. If the assumptions below from Bill are correct as to the existing standards for providing ALS, which the letter states would still be provided by San Marcos, can these response times be met?

Will the FEIR analyze whether the response times can be met given Country Club Drive operating at LOS F, including the planned double tracking of the Sprinter which will be in place by the time the project is built?

Thank you for incorporating these questions into the public record.

Please excuse brevity, sent from my phone
---------- Forwarded message ----------
From: "Bill Osborn" <billgosborn@gmail.com>
Date: Feb 16, 2018 5:05 PM
Subject: Re: FW: Valiano Fire Letter from San Marcos Fire Department
To: "J. Arsivaud" <j.arsivaud@gmail.com>

Something to note about the ALS (Advanced Life Support) comment in the letter. In 2011, the county of San Diego requested the following in regards to ALS response times:

- **10 minutes 90% of the time in urban areas.**
  - Given our surrounding I am not really sure which bucket we fall in rural or urban. Based on my reading, rural areas are more like Julian and Palomar. Thus, I suspect we are considered urban in this case and the required 5 minute fire response time lends me to that conclusion as well
- **In systems that incorporate ALS First Responders, the provider shall plan for a *maximum* ALS First Responder arrival time of 8 minutes 90% of the time with a maximum ALS ground transport response time of 12 minutes 90% of the time.**
  - This means that a paramedic must be able to arrive on the scene of a call within 8 minutes 90% of the time and an advanced life support ambulance must arrive within 12 minutes of the initial call 90% of the time.

I do not believe that with the added traffic loads and the double tracking of the Sprinter, that a San Marcos unit could keep the required 8 minute required time 90% of the time - as it stands their minimum response time is noted at 7.5 minutes and I don't believe that considered full build out of the area. I would even question if a SMFD ALS ambulance could respond within 10 or 12 minutes 90% of the time at build out given the expected traffic conditions.

Bill

---------- Forwarded message ----------
From: **J. Arsivaud** <j.arsivaud@gmail.com>
Date: Fri, Feb 16, 2018 at 3:39 PM
Subject: Re: FW: Valiano Fire Letter from San Marcos Fire Department
To: "Sibbet, David" <David.Sibbet@sdcounty.ca.gov>
Cc: "Chan, Michelle" <Michelle.Chan@sdcounty.ca.gov>

Thanks David.

Please consider the following as supplemental comments to those made during the public comment period, since this new information was not part of the public record at the time of the FEIR review.

I note that the SMFD memorandum dated 4/23/2015 states:

> "The Developer is required to obtain fire department services from the Harmony Grove Fire Station thru an agreement with the San Diego County Fire Authority. This agreement shall be reviewed by and acceptable to the San Marcos Fire protection District."

The letter you forwarded yesterday dated February 9, 2016 simply states that the existing automatic aid agreement will suffice, seemingly reversing the San Marcos Fire District position as outlined in the memorandum cited above. A couple questions based on this new information:

- Are there any jurisdictional issues from having one agency be the FAHJ (San Marcos), hence accepting the FPP, providing will serve letter, AND providing exception to Fire Code on Hill Dr, yet clearly not planning to provide services as a first responder because their facilities cannot meet the 5 minute response time mandate?
- Since the Project cannot go forward without a 5 minute response time, and only RSFFD facilities can meet that requirement, should the entire fire and public safety review, conditions of approval and "will serve" for the project be conducted by RSFFD under their own fire code and requirements?
- What is the role of the San Diego County Fire Authority in reviewing or being a part of provision of fire services in the unincorporated County, since they were originally named as the entity to contract with in the 4/23/15 memorandum?
- What happens to any fees assessed from future homeowners through property taxes towards fire protection (or collected from the applicant): do they go to SMFD because they are the FAHJ or to RSFFD because they are the agency that is burdened with providing service? Are/were there any fees paid by the developer upfront for provision of fire services, and if so, to whom?
- If fees are paid to SMFD but ongoing protection services provided by another agency, are there any issues with burdening the taxpayers contributing to the RSFFD with providing services on a permanent basis (as opposed to occasional mutual aid) to areas outside of

the Fire district who do not contribute to the ongoing expenses of the RSFFD? The argument could be made that the requirement to provide services within the 5 minutes response time can only be met with RSFFD as the provider, hence the basis of the County approval of the FPP is based on RSFFD taxpayers subsidizing this GPA's residents fire protection. As you know the former CSA107 residents now RSFFD taxpayers have voted a special assessment on themselves for fire protection, I believe the highest in any county area, and it seems utterly unfair that their tax dollars should be used to subsidize provision of emergency services to a GPA the community so vehemently opposes. Especially since a core basis for the opposition to the GPA is the impact on emergency evacuation that 380 dus will pose on an LOS F two-lane road. Should the EIR disclose and analyze the impact of the proposed fire protection arrangement to the RSFFD taxpayers?

- If the HGV station of the RSFFD is to become the primary responder for this GPA, as the letter you forwarded implies, should the EIR evaluate whether or not adequate resources are available from that station to serve another 380 dus, which today would represent roughly a doubling of population served?

- Should the EIR not have explicitly analyzed the alternative of annexing the Project area to the Rancho Santa Fe Fire District since it will be the first responder by San Marcos Fire District's own admission, hence providing for fair payment for provision of services instead of free riding on service from another agency? Part of Neighborhood 5 is already in the RSFFD service area, so following the logic used to have a single emergency services provider for an entire project that was used in HGV to detach the Northern portion of the Project and annex it to CSA107 at the time, should the entire project footprint not be detached from SMFD and annexed to RSFFD? Should the FEIR disclose the impact of that information prior to going to decision makers?

- I understand LAFCO is currently reviewing the Sphere of Influence boundaries as part of their 5-year review process; will the County request that this area be made a Special Study Area to determine the merits of removing the area best served by the new Harmony Grove Fire Station, which did not exist 35 years ago when the jurisdictional boundaries were drawn, and instead annex it to the RSFFD? Should that analysis be made available prior to the project going to decision makers?

Thank you for your assistance in navigating this very opaque and changing transaction - we look forward to a formal response as part of the public comment process.

Jacqueline Arsivaud
Board Chair, Elfin Forest Harmony Grove Town Council
20223 Elfin Forest Road
Elfin Forest, CA 92029
760-855-0444
j.arsivaud@gmail.com
www.efhgtc.org

On Fri, Feb 16, 2018 at 7:47 AM, Sibbet, David <David.Sibbet@sdcounty.ca.gov> wrote:

Jacqueline;

Here is the fire letter you requested.

Thanks

DAVID SIBBET, Planning Manager

COUNTY OF SAN DIEGO, Planning & Development Services

Office (858) 694-3091

Chan, Michelle

From: J. Arsivaud <j.arsivaud@gmail.com>
Sent: Friday, February 09, 2018 5:17 AM
To: Sibbet, David; Chan, Michelle
Cc: Mid Hoppenrath; Doug Dill
Subject: Fwd: Community Meeting - Public Comments - (Opposition to Valiano project, residential 388 dwellings, requires General Plan Amendment)

This was received too late to be incorporated into public testimony last night but forwarding to you as part of public record.

Please excuse brevity, sent from my phone
---------- Forwarded message ----------
From: "Patricia Borchmann" <patriciaborchmann@gmail.com>
Date: Feb 8, 2018 6:17 PM
Subject: Fwd: Community Meeting - Public Comments - (Opposition to Valiano project, residential 388 dwellings, requires General Plan Amendment)
To: "Elfin Forest Harmony Grove Town Council" <efhgtc@gmail.com>
Cc: "Patricia Borchmann" <patriciaborchmann@gmail.com>, "Laura Hunter" <earthlover@sbcglobal.net>

---------- Forwarded message ----------
From: **Patricia Borchmann** <patriciaborchmann@gmail.com>
Date: Thu, Feb 8, 2018 at 6:16 PM
Subject: Community Meeting - Public Comments - (Opposition to Valiano project, residential 388 dwellings, requires General Plan Amendment)
To: ashly mellor <ashlymellor@gmail.com>, Mark Jackson <jacksonmark92026@gmail.com>
Cc: Patricia Borchmann <patriciaborchmann@gmail.com>, Jerry Harmon <jerrycharmon@gmail.com>, Rick Mercurio <mercuriofamily@yahoo.com>, Ann Van Leer <ann@landconserve.com>, Laura Hunter <earthlover@sbcglobal.net>

If possible, please accept my email comments in opposition to proposed Valiano project, which requires General Plan Amendment for exeptions from SD County General Plan (updated 2011), for an extreme residential density increase, and multiple departures from common sense planning and engineering design. Unfortunately, I am unable to attend your Public Meeting tonight in person to present my comments verbally, however I am extremely grateful if my email comments can be read by EFHGTC member, or otherwise formally accepted in email format to become part of public record on Valiano project.

After reviewing earlier letters and thoughtful comments prepared by Elfin Forest Town Council, and San Dieguito Planning Group on this proposed Valiano project, I cannot overstate how valuable those comments and observations are, and how accurate the conlusions are that were developed by those authors, since they supported by evidence-based data.

Although I am not a resident living in Elfin Forest/Harmony Grove area myself, but I live in Escondido and am a visitor as often as possible at the Interpretive Center. Also , as an active member of The Escondido Creek Conservancy and Friends of Daley Ranch, I am aware of the extreme habitat value, wildlife corridor value for animals, ecosystem functionality of contiguous, that unfragmented parcels add to the value of open space on

contiguous or nearby parcels that are protected by conservation easements. I am a member of Escondido Chamber of Citizens (ECOC), that is a local nonprofit group of Volunteers, with interest and expertise in land use, environmental issues, social justice and quality of life. ECOC has worked with other local organizations in north San Diego county with shared interests in past years, and is an avid collaborative partner, with other organizations such as Sierra Club, Cleveland National Forest Foundation, Endangered Habitat League.

It is on that basis which reasonable arguments can be supported that biological/ecological value of existing habitat on Valiano property have not been fully quantified, to the extent that the profound impact of its habitat loss will have on the functionality of other open space properties nearby, that are protected by conservation easement, as contiguous open spaces are lost or become fragmented, as will be the case here, as these will suffer from detrimental edge effects which have not been fully analyzed or mitigated.

It appears that this Valiano project has many basic similarities with several other pending residential projects in San Diego County's north inland region where General Plan Amendments GPA's for extreme density increases would allow exponential increase in number of luxury estate sized homes, excessive grading, blasting, prolonged construction impacts though phased improvments, excessive traffic, noise, air quality degradation. Additionally project will cause loss of valued scenic and visual amenities, causing irreversible changes to community character. Most notably, because project location is in the same areas that were severely impacted by uncontained wildfires and readily foreseeable hazards, many existing residents living in nearby communities are already living in dangerous conditions, where insufficient transportation infrastructure and narrow roadways without sufficient widths, and the absence of roadway shoulders, turn lanes, emergency lanes or genuine secondary emergency access already present extreme threat and public liability, because in many cases during real emergency conditions (like before), emeregency evacuations were extremely problemmatic, and most homes do not meet standards for 'shelter in place'.structures. As this proposed 388 dwelling Valiano project does not propose to construct extreme transportation infrastructure upgrades onsite, and offsite that would be necessary , the additional traffic generated by 388 more dwellings at Valiano is an unacceptable impact that far exceeds capacity for emergency, and fire response, and is therefore an unfunded public liability. The extent of existing roadway deficiencies in the area's transportation system are extreme and severe, and would require right of way acquisitions, extensive offsite roadway and drainage improvements. Similar circumstances were confronted during 2016, when Ballot Measure "B" for Lilac Hills Ranch was overwhelmingly rejected by San Diego voters (countywide), and 3 other Ballot Measures in San Diego County were also rejected by voters since then.

Other major public infrastructure issues do not appear to have been fully resolved yet either, including water supply, both short and long term, as California last week just recently entered into another rought cycle. With cumulative impacts caused from countless future units 'in the pipeline' in San Diego County and the 18 cities , it has become far less credible that the typical 'service letters' prepared by water districts , in regions where excessive groundwater withdrawls are unrestricted, yet lack of rainfall, or precipitation systems which harvest rainfall for recycling, water availability is no longer an automatic assurance that water districts can continue to ignore, or downplay.

I wish I had time to develop more detailed comments to present during the Town Council Meeting tonight. Please underscore, and reinforce all the detailed comments that were previously prepared by Elfin Forest Town Council, and San Dieguuito Planning Group on this Valiano project, because those were developed using evidence-based data.

Thank you in advance for thoughtful consideration.

Patricia Borchmann
1141 carrotwood glengtc

escondido, ca 92026

760 580 7046

ps: When I 'sent this email" @6:05 pm tonight, the email system indicated an Error 0007 occurred. *I tried to send this email to : efhgtc@gmail.com
I don't know of another alternate email address to send this to. So, if there is another email recipient who receives this email on your smart phone, please forward my email to Elfin Forest/Harmony Grove Town Council.

Chan, Michelle

From: Nguyen, Khiem <Khiem.Nguyen@OrbitalATK.com>
Sent: Tuesday, January 16, 2018 11:26 AM
To: Chan, Michelle
Subject: Valiano Project

Hi Michelle.

It was nice talking to you today. Here is my contact information:

Khiem Nguyen
3221 Mt. Whitney Rd. Escondido. CA 92029
Email: khiem2000@hotmail.com
Cell phone: 858-205-8413.

I am working in Monterey CA but we live in Escondido for the last 30 years and we love it, the kids are free to roam around in the area because
Everything is wide open and we can walk around the area. But a couple years ago, the CoCo fire went through the area and burned everything except our house (Thanks God).

I have no objections to the Valiano project, I think it would be good for the community if a developer can clean up the area, fix and maintain the road "Mt. Whitney Rd"
Correctly and allow safe and easy access to the roads and facilities that they are going to build.

Currently, part of the Mt. Whitney road are private going through my property and it is not maintained at all but very little traffic so we can live with it but once the new
Community is build it will be very heavy travelled road. I am hoping developer will take care current residents and environment during and after construction of the
New community.

We have seen impacts from noises and dust and flooding from Harmony Grove Village development.

Please inform me with any decisions or public hearings regarding Valiano project.

Thank you so much.

Khiem Nguyen

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Thank you.
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Attachment L

Valiano Vineyard Alternative

Elfin Forest
Harmony Grove
Town Council
Keeping it Rural

20223 Elfin Forest Road
Elfin Forest, CA 92029

2017 Board Members
Jacqueline Arsivaud, Chair
JP Theberge, Vice Chair
Jan Denny, Secretary
Nancy Goodrich, Treasurer
Eric Anderson
Jon Dummer
Angelique Hartman
Dave Stainton
Scott Sutherland

David Sibbett, Planning Manager
COUNTY OF SAN DIEGO, Planning and Development Services

March 29, 2017

Subject: Valiano Project

Dear David,

As you know our community has a tradition of active involvement in shaping land use planning in our area, based on a core value of pragmatic, good faith citizen advocacy. We have demonstrated the ability to work with developers in the past on several projects: shaping the Harmony Grove Village project first with County staff, and eventually with New Urban West – a project which represented a radical departure from our established community character but safeguarded the rest of the valley; working towards a win-win solution with Lennar on the Bridges Unit Seven project; crafting other mutually beneficial outcomes on Sage Hills Preserve and University Heights.

On this project however we are facing an applicant that we can only describe as acting in bad faith throughout the negotiations we attempted to initiate on the Valiano project.

Despite initiating contact and meeting with their staff on multiple occasions, hiring a land use consultant and a land use attorney to guide us towards a potential compromise, after five years we have gotten nowhere. Although *the applicant already received a substantial upzone* in the General Plan Update process from SR2 to SR1, the proposed Project is still at 384 DUs including SDUs, and any modifications have been largely cosmetic and unsubstantial. The proposed density represents an existential threat because wildfire evacuation gridlock is a real danger. Sadly, the developer remains intransigent. Now their latest submission in the RDEIR seeks to undermine our Community Plan by proposing to change the very boundaries of our community in an unprecedented effort to avoid compliance with adopted GP policies they simply refuse to meet.

We remain willing to work towards a compromise. As such we have prepared a project alternative at significant expense, which we are enclosing for consideration by PDS in the Valiano Project FEIR. The alternative is *a balanced solution that would provide over 80% of the same affordable housing as the Proposed Project*, with a greater range of housing types, while *ensuring public safety* in the fire prone area by limiting the scope of the development to prudent densities, and *preserving the essential nature of our historic rural community.* The analysis shows that the alternative (1) meets the project objectives, in most cases better than the Proposed Project; (2) is feasible; and (3) would substantially lessen environmental effects compared to those of the Proposed Project.

We look forward to PDS support in evaluating this project alternative in the FEIR.

Sincerely,

Jacqueline Arsivaud, Board Chair

The Valiano Vineyards Alternative

a balanced solution to provide affordable housing,

ensure public safety

and preserve a historic rural community

PREPARED BY:

MEMBERS OF THE UNITED RURAL COMMUNITIES OF

EDEN VALLEY, HARMONY GROVE AND ELFIN FOREST

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Valiano Vineyards

Introduction

The Valiano Vineyards alternative is a balanced solution that would provide over 80% of the same affordable housing as the Proposed Project, with a greater range of housing types, while ensuring public safety in the fire-prone area by limiting the scope of the development to prudent densities, and preserving the essential nature of our historic rural community. The analysis shows that the alternative (1) meets the project objectives, in most cases better than the Proposed Project; (2) is feasible; and (3) would substantially lessen environmental effects compared to those of the Proposed Project.

The alternative would feasibly meet or exceed every planning objective of the Proposed Project while substantially lessening the significant environmental effects better than any other alternative considered. The alternative would have the same number of affordable homes as does the Proposed Project, as modified under the Biologically Enhanced alternative, contributing the same type of affordable homes needed in the San Diego area, while limiting total density to prudent General Plan levels in the wildfire-prone Plan area. Most significant impacts would be eliminated or reduced, and the lower total density would relieve daily traffic congestion enabling much safer egress in the event of an evacuation. The alternative would also preserve steep slope topography while returning adequate yield on investment and long term capital appreciation through value-added, brand-able agriculture. The expanded agricultural use of the Valiano Vineyards alternative compared to that seen in the Proposed Project would contribute a greater greenhouse gas sink to offset other project emissions and provide an irrigated buffer to shield the development and surrounding community from wildfire.

Valiano Vineyards

Executive Summary

The Valiano Vineyards alternative strikes a balance between providing affordable housing in San Diego County while ensuring public safety and preserving the essential nature of a historic rural community.

Description and Setting

Housing in the Valiano Vineyards alternative would be located on the relatively flat central section of the Project Site using parts of three alternatives considered in the DEIR with over 80% of density identical to the more affordable units from the Proposed Project and a greater range of housing types than the Proposed Project. Dwelling unit counts would be equivalent to General Plan levels. A vineyard and winery would occupy the eastern-facing slopes, or the current orchard use could be continued. Recreation amenities would be provided, and horse and market animal keeping would be allowed.

Rationale for Consideration

The Valiano Vineyards alternative is substantially superior to the Proposed Project, or any other alternative in the DEIR, in its balance of project objective attainment, feasibility and environmental effects. The alternative is composed of other feasible alternatives considered in the DEIR yet is substantially dissimilar as a whole from any other alternative. State CEQA Guidelines section 15126.6 (a) requires that the lead agency evaluate alternatives "which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives." The alternative meets these standards and therefore should be fully evaluated in the EIR. Moreover, under the rule of reason, the alternative must be considered to permit a reasoned choice; and the failure to consider it would preclude a reasoned choice.

Compliance with Project Objectives

The Valiano Vineyards alternative meets every project objective, in most cases better than does the Proposed Project, while limiting density to safe General Plan levels in the wildfire-prone Plan area. In addition, the alternative would provide a public facilities benefit, which the Proposed Project does not do, with a community commons at the proposed winery.

Feasibility

The Valiano Vineyards alternative proposes the same density as the General Plan Density alternative, which is feasible per the DEIR, and the Valiano Vineyards alternative is composed of portions of alternatives chosen for analysis in the DEIR in part for their feasibility and thus would be similarly feasible. In addition, the alternative would be more feasible than the Proposed Project in many ways because of reduced grading, infrastructure and entitlement expenses, as well as broad community support.

Impact Comparison

The environmental effects of the Valiano Vineyards alternative would be substantially lessened, and the alternative is environmentally superior to the Proposed Project. Every significant unmitigatable impact will be lessened, with 50% to 75% reduced substantially enough to be down-rated to significant mitigatable or less than significant. Significant mitigatable and less than significant impacts would also be substantially lessened.

Community Support and Endorsements

The Valiano Vineyards alternative enjoys broad support from members of the surrounding community and has been formally endorsed by local community organizations.

Valiano Vineyards

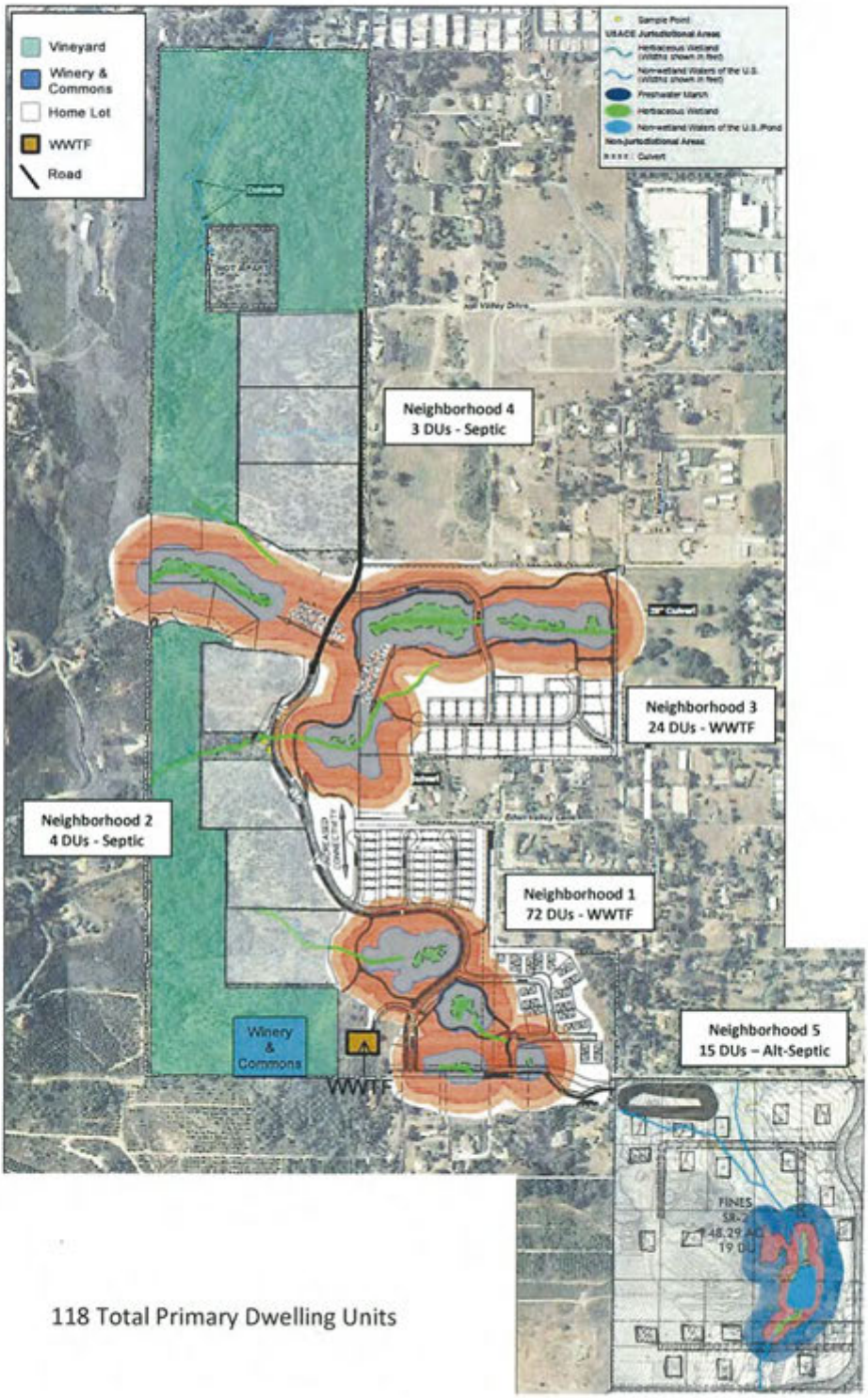
Description and Setting

The Valiano Vineyards alternative would drastically reduce the extent of areas to be graded within the Project site by replacing housing on the eastern-facing steep slopes with a vineyard, reducing the unit counts to General Plan compliant levels and allowing a greater variety of lot sizes and housing types than does the Proposed Project. The densest housing would be located on the relatively flat, central section in Neighborhoods 1 and 3, using the Biologically Enhanced Alternative layout. General Plan and Harmony Grove Community Plan compliant housing would be located in Neighborhood 5; and multi-acre rural homes would occupy the sloped sections of the Project site in Neighborhoods 2 and 4. Grading could be further reduced by employing stem wall construction for the multi-acre rural homes. Larger areas of open space than the Proposed Project would provide for wildlife movement throughout the Valiano Vineyards development similar to that provided by the Biologically Enhanced alternative. Unlike the Biologically Enhanced alternative, Valiano Vineyards would provide community recreation facilities and amenities for the equestrian community scoped to serve the unit count proportionately reduced from that of the Proposed Project, as well as allow horse and market animal keeping in the development. The agricultural easement portion of the northern parcel would be expanded to include the steep slopes in the western half of Neighborhoods 2 and 4. A vineyard would occupy the easement and a winery could be envisioned on the property near the Mt. Whitney Road entrance, or the current orchard use could be continued. The overall development footprint would be reduced from approximately 165 acres to about 95 acres. The Site Map on the following page illustrates the configuration.

This alternative would also reduce and centralize the WTWRF, associated pump stations and sewage lines that would only be needed to service 96 dwelling units in Neighborhoods 1 and 3. Neighborhood 5 homes would instead use alternative septic systems and Neighborhoods 2 and 4 homes would use traditional septic systems. Potable water lines and on-site roads would be significantly reduced because less capacity will be required to serve the lower density in Neighborhoods 2, 4 and 5, and to provide access for these homes to the recreational uses that would be constructed on site under the Valiano Vineyards alternative.

Valiano Vineyards

Site Map



118 Total Primary Dwelling Units

Rationale for Consideration of the Alternative

The Valiano Vineyards alternative should be added to and considered in the Proposed Project EIR as a matter of California law. State CEQA Guidelines section 15126.6 (a) requires that the lead agency evaluate alternatives "which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives." The Valiano Vineyards meets these standards and therefore should be fully evaluated in the EIR. Additionally, State CEQA Guidelines section 15126.6 (c) prescribes "The range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects (emphasis added)." Section (c) further specifies "Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts."

The following description and analysis, prepared by members of the surrounding community, will show that the Valiano Vineyards alternative meets and exceeds the requirements for inclusion in the range of alternatives considered in the EIR as per CEQA. Moreover, the alternative does not meet any of the factors that may be used to eliminate an alternative defined in CEQA Guideline15126.6(c).

Additionally, the alternative must be considered in the Proposed Project EIR in compliance with CEQA Guideline 15126.6(f) Rule of Reason that "requires the EIR to set forth only those alternatives necessary to permit a reasoned choice." The Valiano Vineyards alternative, which is composed of other feasible alternatives considered in the EIR yet is substantially dissimilar as a whole from any other alternative in its balance of relative impacts and attainment of objectives, would provide a significantly better balance of lessened impacts and fulfillment of project objectives than any other alternative, including the Proposed Project. Hence, inclusion of the alternative is necessary to permit a reasoned choice per Guideline (f) because exclusion of the alternative would lead to failure of the lead agency to provide decision makers with the range of alternatives necessary to make a reasoned choice that "shall include those that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects" as per 15126.6(c).

Because the CEQA guidelines clearly prescribe that alternatives to the proposed project *"shall include"* those that meet the requirements for consideration, which the Valiano Vineyards alternative does better than any other alternative considered, and the Valiano Vineyards alternative does not meet the specifications for exclusion from the EIR, and because the alternative should be considered per the rule of reason, the Valiano Vineyards alternative should be added to and considered in the Proposed Project EIR under California law.

Compliance with Project Objectives

The planning objectives of the Valiano Specific Plan are listed below with a description of how the Valiano Vineyards alternative meets every project objective, in most cases better than does the Proposed Project.

- **Develop a community which complements and responds to the unique topography and character of the Plan area and surrounding area**

  Valiano Vineyards meets this objective better than the Proposed Project

  The Valiano Vineyards alternative would be more complementary and responsive to the unique topography and character of the Plan area and surrounding area than the Proposed Project in several respects, meeting the project objective better than the Proposed Project. The topography of the Plan area is characterized by a north/south valley floor abutting a range of rugged hills to the west and north. The surrounding Eden Valley and Harmony Grove area is a small rural valley and a historically traditional vineyard region, as were many parts of San Diego County at one time. As former San Diego Planning Commissioner Peder Norby "said San Diego County – which before World War II was the highest grape producing county in the state – is experiencing a renaissance in wine making..." as reported March 22, 2014 in a San Diego Union Tribune article on Hill Springs Resort, home of the newly established Emerald Creek Winery near Warner Springs, the largest vineyard and winery in San Diego at 750 acres. Located in a historic vineyard area, Valiano Vineyards would be a natural addition to the growing revival of viniculture and winemaking in San Diego County.

  The alternative envisions a continuation of agricultural use on the steepest western slopes with a vineyard or the current orchard; denser housing concentrated in the center of the valley floor; multi-acre rural properties at the base and lower slopes of the hills; and ranchette properties in the adjoining, traditionally equine-centric, Neighborhood 5 area. The plan would require far less blasting and grading than the Proposed Project and, because of this, would naturally be more complementary and responsive to the unique topography of the Plan area bringing out the historical value and beauty of the topography.

  Because the total density would be much lower than that in the Proposed Project and equal to the total General Plan density, with higher density dwelling units concentrated in the valley floor in centrally located Neighborhoods 1 and 3 to allow for a variety of housing types, sizes and price ranges as specified in the Project Objectives, surrounded by lower density ranchette and multi-acre rural properties in Neighborhoods 2, 4 and 5, preserving the topography of the Plan area and consistent with the rural equine friendly character of nearby Eden Valley and Harmony Grove, Valiano Vineyards would be more complementary and responsive to the topography and character of the Plan area and surrounding area than the Proposed Project.

- **Utilizing Smart Growth concepts, provide a variety of housing opportunities, ranging in size and affordability, to meet the growing housing needs of the region**

  Valiano Vineyards meets this objective better than the Proposed Project

  The Valiano Vineyards alternative would embody smart growth concepts, providing a greater variety of housing opportunities, with a wider range of sizes and affordability, than does the Proposed Project and thereby meets and exceeds the fulfillment of this project objective compared to findings for the Proposed Project. Valiano Vineyards would contribute a similar number of affordable homes as does the Proposed Project, just the type of homes needed to fulfill the growing housing needs of the region, while maintaining more consistency with the character of the surrounding area than does the Proposed Project, and while limiting total density to prudent limits is this extreme fire risk area. Like the Proposed Project, Valiano Vineyards would provide smaller, more dense and consequently more affordable housing in Neighborhood 1; and moderately dense, moderately priced housing with some opportunity for horse and other animal keeping in Neighborhood 3. Unlike the Proposed Project, Valiano Vineyards would provide two additional types of housing opportunities the Proposed Project does not provide, ranchette size properties in Neighborhood 5 and multi-acre rural properties in Neighborhoods 2 and 4. Because the Valiano Vineyards alternative offers these additional housing types, types that are much more consistent with the types of housing in the surrounding area and are compliant with the subject area community plans, the alternative provides a greater variety of housing opportunities than does the Proposed Project, meeting the project objective better than the Proposed Project does while limiting over-all density to prudent General Plan levels. The alternative would provide additional housing while maintaining a safe environment for residents and neighbors in the surrounding area.

- **Provide a range of lot sizes to accommodate a full spectrum of housing sizes to meet the varied family make up**

  Valiano Vineyards meets this objective better than the Proposed Project

  Valiano Vineyards would provide a wider range of lot sizes than the Proposed Project does with a greater range of housing sizes as described above, meeting the project objective better than does the Proposed Project. Lots would range from the smallest lots of less than 10,000 square feet in Neighborhood 1, just as the Proposed Project provides, up to several acres, which the Proposed Project does not provide.

- **Provide for a range of for sale market rate, and detached housing types to accommodate broad market needs from singles to large families and across age groups**

  Valiano Vineyards meets this objective better than the Proposed Project

  Valiano Vineyards would provide for a wider range of housing types than does the Proposed Project, as described above, with property types more consistent with the surrounding market area thereby accommodating a broader section of market needs than does the Proposed Project and meeting the project objective better than the Proposed Project does. The Eden Valley and Harmony Grove area traditionally attracts buyers in the market for a rural home allowing horse and animal keeping relatively close to, but still separate from denser urban services and employment opportunities,

yet affordable relative to similar markets to the west. Other, denser, urban housing types have not sold well in Harmony Grove Village, and it may be anticipated that Valiano Vineyards would be generally more attractive to buyers than the Proposed Project because of the wider variety of housing types, and greater share of the type of large animal friendly properties buyers seek in the area.

- **Provide recreation areas to serve the recreation needs of the future Plan area residents**

  Valiano Vineyards meets this objective

  Valiano Vineyards will incorporate recreation areas similar to those in the Proposed Project, scoped proportionately to serve the reduced unit count, similarly meeting the project objective. It must also be noted that larger lots afford better on-site recreation opportunities such as private pools and private play areas that reduce the need for extensive common areas crucial in more urban densities.

- **Design a community that embraces and preserves the equestrian activities and the equestrian nature of the surrounding areas and provides amenities for the community area**

  Valiano Vineyards meets this objective better than the Proposed Project

  The Valiano Vineyards community would feature an extensive network of bridle trails, a public stable, and properties that would accommodate horse keeping, meeting the project objective in a manner similar to that of the Proposed Project. Unlike those of the Proposed Project, Valiano Vineyards properties would provide several varieties of horse property opportunities to accommodate a broad range of equine lifestyles exceeding the fulfillment of the project objective compared to the Proposed Project. Fourteen smaller horse properties in Neighborhood 3, similar to those in the Proposed Project as modified for the Biologically Enhanced alternative density, may be attractive to growing families who would like to enjoy an equestrian lifestyle in a traditionally equestrian area without the necessity to maintain the full suite of equine facilities on their property. Fifteen Neighborhood 5 ranchettes would have convenient access to the public stables, and would accommodate more horse keeping facilities on site than Neighborhood 3 lots with room for more extensive stables and exercise areas. The seven multi-acre rural properties in Neighborhoods 2 and 4 would be large enough for complete equestrian facilities on site including private riding arenas. The total of thirty-six horse properties in the Valiano Vineyards alternative represents thirty percent of the total primary dwelling units, significantly exceeding the seventeen percent ratio of horse properties in the Proposed Project and more generally consistent with the ratio and property size and type in the surrounding Eden Valley/Harmony Grove and Coronado Hills area. The ranchettes and multi-acre rural properties specifically would be directly consistent with the equestrian nature of the surrounding area, and these additional types of equine property are unavailable in the Proposed Project. It must be noted as well that the horse keeping properties in the Proposed Project are not at all consistent with surrounding equestrian properties in Eden Valley, Harmony Grove or Coronado Hills, as their available footprint for horse-related activities is relatively small. With equestrian amenities and a greater share and variety of horse keeping properties, the Valiano Vineyards community would better embrace and preserve the equestrian activities and the equestrian nature of the surrounding area than does the Proposed Project.

Valiano Vineyards

- **Provide a healthy living component including multi-use trail network that connects to other trails adjacent to the Plan area to encourage pedestrian and equestrian mobility and outdoor connectivity**

  Valiano Vineyards meets this objective better than the Proposed Project

  Valiano Vineyards would incorporate a multi-use trail network equivalent to that of the Proposed Project, similarly meeting the project objective. Unlike trails in the Proposed Project, the Valiano Vineyards trail network would be extended into the agricultural section on the western slopes of the Plan area providing a more extensive network with more opportunity for exercise on varied slopes with more attractive views exceeding the fulfillment of this project objective compared to what would be available in the Proposed Project.

- **Provide increased residential density close to the shopping, employment, and transportation centers of Escondido and San Marcos**

  Valiano Vineyards meets this objective

  Valiano Vineyards would provide increased residential density, meeting the project objective, with a broader range of housing types than does the Proposed Project and with density equivalent to prudent General Plan limits.

- **Set aside on-site biological and agricultural resources within open space areas**

  Valiano Vineyards meets this objective better than the Proposed Project

  On-site biological and agricultural resources would be much more extensive in the Valiano Vineyards project than in the Proposed Project, again meeting the project objective better than does the Proposed Project. Building upon the increased connectivity of the Biologically Enhance alternative for Neighborhoods 1 and 3, the adjoining open spaces of the agricultural easement on the western slopes and the abutting multi-acre residential properties would provide for much greater wildlife access and related biological diversity than does the Proposed Project. Agricultural resources would be greatly conserved and expanded on-site with approximately 60 acres dedicated to a vineyard or a continuation of the current orchard instead of purchasing mitigation agriculture land off-site. These features would allow for much greater biological and agricultural resource preservation and health than does the Proposed Project.

- **Design a safe and efficient circulation system that adequately supports the anticipated level of traffic in and around the Plan area that is pedestrian safe**

  Valiano Vineyards meets this objective better than the Proposed Project

  The reduced density of the Valiano Vineyards alternative from 326 primary dwelling units in the Proposed Project to 118 in the alternative would result in a far lower level of traffic in and around the Plan area, enabling the Valiano Vineyards alternative to meet the project objective better than does the Proposed Project. The Valiano Vineyards alternative would provide for pedestrian safety in

a manner similar to that of the Proposed Project, with reduced traffic impacts on the circulation system within the development and in the surrounding area because of the reduced density. Further, the Plan area and surrounding area would be much safer in the event of an emergency evacuation with the Valiano Vineyards alternative than with the Proposed Project because there would be far fewer evacuees, including residents and boarders with horse trailers, which would create less congestion on the limited evacuation routes out of the area.

- **Provide for adequate Public Services and facilities to accommodate the proposed residential uses**

  Valiano Vineyards meets this objective

  Adequate Public Services and facilities to accommodate the residential uses proposed in the Valiano Vineyards alternative would be provided in a manner similar to that of the Proposed Project meeting the project objective. The impact of these services, particularly the Water Treatment and Wastewater Reclamation Facility would be less than that of the Proposed Project because much less capacity would be required to serve the Valiano Vineyards community that proposes only 96 primary dwelling units on sewer, as compared to 326, with the balance on traditional septic or alternative septic.

- **Develop a financing and phasing plan that provides for the efficient and timely provision of infrastructure and public services as development occurs**

  Valiano Vineyards meets this objective

  Through detailed planning and engineering required to obtain necessary County approval and permitting of various aspects of the project similar to that required for the Proposed Project, or any project, the Valiano Vineyards alternative would meet the objective to develop a financing and phasing plan to provide for the efficient and timely provision of infrastructure and public services over the course of the development build out. Unlike the Proposed Project, Valiano Vineyards would require far less infrastructure and public services resulting in much lower impacts, lower costs, and less time to complete build-out with much less disruption to the residents of the surrounding area.

- **Provide for the significant preservation of resources and preservation of community character through implementation of the Valiano Specific Plan.**

  Valiano Vineyards meets this objective better than the Proposed Project

  As described above, Valiano Vineyards would meet the project objectives to preserve biological and agricultural resources and preserve community character better than would the Proposed Project, which would introduce urban densities in a primarily rural and equestrian valley.

Additional Project Objective

In addition to meeting or exceeding the Proposed Project planning objectives, Valiano Vineyards will also meet the following objective to provide public facilities in adherence to County planning guidelines for General Plan Amendments that the Proposed Project does not provide.

- **Provide a public gathering place for Eden Valley to foster shared identity and values among residents of Valiano Vineyards and the surrounding community.**

  The public facility would consist of an Eden Valley Commons at the winery. It would be a gathering place for the community with a moderately sized meeting room and outdoor patio area, similar to the firehouse in Elfin Forest, where public community meetings and events could be hosted. The space would also serve as a tasting room for the winery. In addition to providing a meeting space enabling the Eden Valley community to come together and discuss common concerns and participate in community events, the space could be used for educational opportunities for schools and others about grape growing and wine making, similar to the educational use of the Interpretive Center at the Elfin Forest Recreational Reserve. A community garden may also be envisioned where families in the more densely spaced homes, particularly in Neighborhood 1, could have an area to grow their own produce and participate in the rural farming tradition of Eden Valley.

Feasibility Analysis

The Valiano Vineyards alternative is made up of elements of feasible alternatives evaluated in the Proposed Project DEIR and would be similarly feasible. The *Valiano Project Draft Environmental Impact Report, Chapter 4.0 – Project Alternatives, 4.1 Rationale for Alternative Selection* regarding the six alternatives chosen for inclusion in the DEIR states "...six alternatives represent a reasonable range of alternatives, as defined in the State CEQA Guidelines, because they present feasible alternate development patterns that would reduce and/or eliminate significant impacts associated with the Proposed Project." (emphasis added) The six alternatives reviewed would reduce impacts and meet project objectives to differing degrees, with varying infrastructure requirements, grading, steep slope impact, and dwelling unit counts ranging from 35 to 326, but all are feasible as stated in the DEIR. The Valiano Vineyards alternative residential housing plan is composed of parts of three of the six feasible alternatives and by extension would also be feasible. The alternative would have the same 118 total number of primary dwelling units as the General Plan Density alternative, which is feasible per the DEIR and is described in the DEIR as follows: "Although this alternative would be lower in development intensity than the Proposed Project, the same infrastructure (i.e. potable water and sewage lines and on-site roads and focused off-site improvements) ...the WTWRF and associated pump stations...would be required to serve the Project site." (DEIR Chapter 4.0 Project Alternatives, Section 4.3.1 General Plan Density Alternative Description and Setting, page 4-7) With similar infrastructure required to serve the same number of 118 homes in the Proposed Project or the Valiano Vineyards alternative, the Valiano Vineyards alternative would also be feasible. Besides the residential development, the Proposed Project specific plan states, "36.5 acres will be preserved within an agricultural open space easement." The Valiano Vineyards alternative includes a similar, enlarged agricultural easement and would be similarly feasible.

CEQA Guideline 15126.6(f)(1) Feasibility specifies several factors to consider for evaluation of alternative feasibility including (1) site suitability, (2) economic viability, (3) availability of infrastructure, (4) general plan consistency, (5) other plan or regulatory limitations and (6) jurisdictional boundaries. The residential housing and agriculture aspects of the Valiano Vineyards alternative are analyzed below based on these factors and the alternative is shown to be feasible.

In addition, several aspects of the Valiano Vineyards alternative would make the alternative more feasible than the Proposed Project as described below. In sum, Valiano Vineyards would be practically and economically feasible in its own right, and would be more feasible in many ways than the Proposed Project, making Valiano Vineyards feasibly superior to the Proposed Project.

Residential Housing

The Valiano Vineyards Alternative Housing Plan Would Be Feasible

The Valiano Vineyard housing plan is comprised of three neighborhood density types. These types are based on types described in three alternatives evaluated in the DEIR: The Biologically Enhanced

alternative in Neighborhoods 1 and 3 with more dense housing requiring sewer service; the General Plan Density alternative in Neighborhood 5 not requiring sewer and a candidate for alternative septic; and the Septic Only alternative with multi-acre rural properties in Neighborhoods 2 and 4. Each of these three types of neighborhood, which make up the entirety of the Valiano Vineyards housing development, was included among the feasible alternatives evaluated in the DEIR, and has a feasible analog for comparison, either in the Proposed Project or in the surrounding area. Every one of these analogs is feasible, and by reasonable comparison the equivalent Valiano Vineyards neighborhood is also feasible, as is the entire Valiano Vineyards residential plan.

Neighborhoods 1 and 3 Based On Biologically Enhanced Alternative

Site suitability

The site and plan of Neighborhoods 1 and 3 are identical to the Proposed Project with dwelling unit counts reduced from 96 to 72 in Neighborhood 1 and reduced from 41 to 24 in Neighborhood 3 to improve biological open space as per the Biologically Enhanced alternative. The site would be identically feasible under the Valiano Vineyards alternative as under the Proposed Project.

Economic viability

About 81% of Valiano Vineyards density would be in Neighborhoods 1 and 3 and would be identical to the same units in the Proposed Project. Ninety-six of 118 Valiano Vineyards primary dwelling units comprise Neighborhoods 1 and 3 using the same unit design and neighborhood layout as shown in the Proposed Project. The only difference would be the unit count reduction as per the Biologically Enhanced alternative which is a feasible alternative as per inclusion in the DEIR. Because these units are equivalent to the same units in the Proposed Project, it is reasonable to assess they would be of equivalent economic viability to the same units in Proposed Project. Conversely, if the Neighborhood 1 and 3 units are economically unviable under the Valiano Vineyards alternative, they would also be economically unviable in the Proposed Project.

Availability of infrastructure

The same infrastructure will be available to serve Neighborhoods 1 and 3 in the Valiano Vineyards alternative as would be available to serve the same neighborhoods in the Proposed Project or the Biologically Enhanced alternative. As these are the only neighborhoods that would require sewer service in the Valiano Vineyards alternative, the WTWRF needed to serve 96 primary dwelling units compared to 326 in the Proposed Project would be much smaller, facilitating sewer infrastructure feasibility.

General plan consistency

With 25% fewer primary dwelling units in Neighborhood 1 and 41% fewer in Neighborhood 3, the Valiano Vineyards alternative is more consistent with the General Plan than the Proposed Project and, with total project density equivalent to General Plan levels, the alternative would not require a General Plan Amendment, as does the Proposed Project.

Other plan or regulatory limitations

Generally, the same other plan and regulatory limitations would apply to the Valiano Vineyards alternative as to the Proposed Project with the same effect on feasibility of the respective plans for Neighborhoods 1 and 3. As no other plan or regulatory limitations render the Proposed Project or the Biologically Enhanced alternative infeasible per the DEIR, the Valiano Vineyards alternative would also not be infeasible. It must be noted, the US Army Corp of Engineers applies regulatory limits governing impacts to Waters of the US that exist in Neighborhood 3. The Valiano Vineyards alternative is based on the Biologically Enhanced alternative that is modified from that in the Proposed Project to reduce biological impacts including impacts to wetland Waters of the US. Because these WUS impacts would be lessened compared to those in the Proposed Project, the Proposed Project may not be qualified to obtain a USACE permit and would be infeasible, whereas the Valiano Vineyards alternative would be feasible.

Jurisdictional boundaries

The same jurisdictional boundary limitations would apply to the Valiano Vineyards alternative as to the Proposed Project or the Biologically Enhanced alternative with no effect on the feasibility of the respective plans for Neighborhoods 1 and 3.

Neighborhood 5 Based On General Plan Density Alternative

Site suitability

The site of Neighborhood 5 has been an equine facility for many years and is more suitable for General Plan density housing conducive to horse keeping than it is for typical suburban sub-division density housing as in the Proposed Plan.

Economic viability

Almost 13 % of the Valiano Vineyards residential housing would be fifteen General Plan complaint density homes in Neighborhood 5. These homes would be similar to Groves Farmhouse homes on multi-acre parcels in The Groves neighborhood of Harmony Grove Village and would be equivalently feasible. The Groves planning area of Harmony Grove Village was found by the County to be feasible and approved as such with the certification of the Final EIR. Valiano Vineyards Neighborhood 5 homes are similar and would be similarly feasible. The primary difference between the Valiano Vineyards Neighborhood 5 properties and the multi-acre properties in The Groves approved with Harmony Grove Village is the plan for alternative septic use for the Valiano Vineyard homes. Alternative septic is approved by the County and is feasible. Alternative septic may increase market feasibility compared to that of the Proposed Project because monthly homeowner sewer bill expense would be eliminated, increasing the competitiveness of the homes.

Valiano Vineyards

Availability of infrastructure

The same infrastructure would be available to serve the Valiano Vineyards alternative Neighborhood 5 as would be available for the neighborhood in the Proposed Project with the same effect on feasibility. Less public infrastructure will be required to serve the neighborhood in the alternative because the plan calls for use of alternative septic systems instead of sewer. These systems are approved by the County and are available.

General plan consistency

Whereas the Proposed Project Neighborhood 5 plan is inconsistent with the General Plan and would be infeasible on this basis absent a General Plan Amendment, the Valiano Vineyards alternative is based on the General Plan Density alternative and would be consistent with the General Plan as well as the Elfin Forest/Harmony Grove Community Plan. The alternative would be feasible in terms of these plans without amendment.

Other plan or regulatory limitations

Generally, the same other plan and regulatory limitations would apply to the Valiano Vineyards alternative as to the Proposed Project with the same effect on feasibility of the respective plans for Neighborhood 5. As no other plan or regulatory limitations render the Proposed Project or the General Plan Density alternative infeasible per the DEIR, the Valiano Vineyards alternative would also not be infeasible. It must be noted, the US Army Corp of Engineers applies regulatory limits governing impacts to Waters of the US that exist in Neighborhood 5. Because these WUS impacts under the General Plan Density alternative plan for Neighborhood 5 in the Valiano Vineyards alternative would be lessened compared to the Proposed Project, the Proposed Project may not be qualified to obtain a USACE permit and would be infeasible, whereas the Valiano Vineyards alternative would be feasible.

Jurisdictional boundaries

The Valiano Vineyards alternative is in fact superior to the Proposed Project in that it does not suggest modifying the boundaries of the Harmony Grove Community Plan to accommodate deviations from its policies. As such it is more feasible than the Proposed Project in this regard.

Neighborhoods 2 and 4 Based On Septic Option Alternative

Site suitability

The sites of Neighborhoods 2 and 4 have historically been rural farming areas and the locations would better suit large rural properties, which would be consistent with land uses in the area and the surrounding area, rather than dense suburban single family homes as planned in the Proposed Project.

Valiano Vineyards

Economic viability

Nearly 6% of Valiano Vineyards residential housing would be seven multi-acre rural properties that would be equivalently feasible to other similar homes in the surrounding area. Virtually all homes in the surrounding Eden Valley, Harmony Grove and Elfin Forest communities are the same type of multi-acre rural properties on traditional septic. The type is the predominant form of residential development in the area, proven feasible through many years of success as a viable and desirable land use with demonstrable market demand.

Availability of infrastructure

The Neighborhood 2 and 4 homes in the Valiano Vineyards alternative would be on traditional septic requiring no access to community waste disposal infrastructure, reducing the overall waste infrastructure needed to serve the development. Other infrastructure needed to serve the homes would be available just as the infrastructure would be available to serve the Proposed Project. Traditional septic was found to be feasible for these homes as per the DEIR Septic Only alternative.

General plan consistency

The Valiano Vineyards alternative for Neighborhoods 2 and 4 would be consistent with the General Plan and therefore feasible for this factor. The Proposed Project is not consistent with the General Plan and would be infeasible unless a General Plan Amendment is passed.

Other plan or regulatory limitations

Generally, the same other plan and regulatory limitations would apply to the Valiano Vineyards alternative as to the Proposed Project with the same effect on feasibility of the respective plans for Neighborhoods 2 and 4. As no other plan or regulatory limitations rendered the Proposed Project or the Septic Only alternative infeasible per the DEIR, the Valiano Vineyards alternative would also not be infeasible. It must be noted, the US Army Corp of Engineers applies regulatory limits governing impacts to Waters of the US that exist in Neighborhoods 2 and 4. Because these WUS impacts under the Septic Option alternative plan for Neighborhoods 2 and 4 in the Valiano Vineyards alternative would be lessened compared to the Proposed Project, the Proposed Project may not be qualified to obtain a USACE permit alternative and would be infeasible, whereas the Valiano Vineyards alternative would be feasible.

Jurisdictional boundaries

The same jurisdictional boundary limitations would apply to the Valiano Vineyards alternative as to the Proposed Project or the Septic Option alternative with no effect on the feasibility of the respective plans for Neighborhoods 2 and 4.

Vineyard and Winery

The Valiano Vineyards Vineyard and Winery Would Be Feasible

Site suitability

The Eden Valley location of the project has been the site of viniculture for over 100 years, and the proposed agricultural easement location in the Valiano Vineyards alternative or the Proposed Project, which has been suitable and used for an orchard for many years, would be a similarly suitable site for viniculture. Acres of grapevines thrived wild and unattended in the fertile soils of Eden Valley and Harmony Grove for decades after vineyards were abandoned during Prohibition and right up into the 1970s within memory of long time area residents. The historical range of vineyards in the area extended to the western edge of Escondido directly east from the project site that is called the Vineyard District. In fact, San Diego County was the largest grape growing region of California to one time, and the industry is experiencing resurgence with many local vineyard managers installing new production throughout San Diego County. According to the Farm Bureau wine grape planting is the fastest growing commodity in acreage over the last ten years in San Diego County. There is currently an active vineyard/winery in close proximity to the project site; and, as for the specific Project Site agricultural easement soils and microclimate, local farmers who have reviewed the site all agree this is an excellent location to site wine producing vines.

Economic viability

The vineyard and winery industry is viable and growing in San Diego because many areas of the county are economically viable locations for viniculture and the location of the project is among these as a historic grape growing area. According to the San Diego County Vintners Association (SDCVA), there are 115 wineries in San Diego County (http://sandiegowineries.org/). Nearby the Project site, in the Escondido area, there are several successful vineyards and wineries. Orfila Vineyard and Winery lays claim to the honor of being the oldest active winery in San Diego with over 1300 medals in major national and international competitions and the honor of their wines being served at the White House. Other prominent up-and-coming wineries in the area include Vesper Vineyards, BKCellars, Hungry Hawk Vineyards, and nearby Tuscandido in Eden Valley. In addition to economic viability of the site, planning and execution resources necessary for feasible establishment and operation of the vineyard and winery are readily available through the Farm Bureau. Because the factors necessary to economic viability of a vineyard and winery exist on site or are readily available, and have been successfully applied at other nearby sites, the vineyard and winery use is economically feasible. Of course, the traditional orchard use that is planned for the agricultural easement in the Proposed Project would also be economically feasible for the agricultural easement in the Valiano Vineyards alternative.

In addition to the feasible economics of a vineyard and winery as a separate operation, independent of the business of the applicant as a residential housing developer, the presumptive principal investors of the applicant and of the Proposed Project, as identified based on publicly available sources, would be well positioned to add significant additional value to establishment of a vineyard and winery. More than

typical passive financial investors, and as associates of highly successful venture capital firms with strong track records of nurturing many prominent companies, like Quest, Apple, Google and Oracle, from development stage to multi-billion dollar enterprises, they would be in a position to provide guidance and thereby enhance realization of the value creation potential of the enterprise if they chose to actively participate. Further, the presumptive lead investor in the applicant has a key connection to one of the top wine collectors in the world who would be able to provide excellent wine industry expertise and guidance. The Proposed Project lead investor is also well positioned to support the vineyard and winery because the investment firm the investor is associated with is a patient value asset manager, associated with a prominent Silicon Valley venture capital firm. With a focus on long term commitment to developing a portfolio of businesses that build value for shareholders over the long term, the investor has the investment perspective that would be important to success of a vineyard. Although the vineyard and winery would be feasible without the participation of these principal investors, their particular characteristics afford them the opportunity to apply connections and expertise with the potential to dramatically increase the land value of the agricultural easement.

Availability of infrastructure

The site of the Valiano Vineyards alternative agricultural easement was an active orchard for many years and much of the infrastructure needed to support a vineyard or orchard, such as irrigation pipes, currently exists on site. Any additional infrastructure would be available, just as it would be for the agricultural easement planned for the Proposed Project, and would not impede feasible use of the land for agriculture or for a winery. In addition, less infrastructure may be needed to support a vineyard as compared to the continuation of avocado farming because grapevines use only about 3% of the water required by mature avocado trees as per the San Diego County Vintners Association (http://sandiegowineries.org/sd-wine-country/sdcva-history). With limited need for water, the water needs of the vineyard may possibly be entirely fulfilled by Project reclaimed water.

General plan consistency

The agricultural use planned for the Valiano Vineyards alternative would be consistent with the General Plan and therefore feasible for this factor just as the agricultural use planned for the Proposed Project would be compliant and feasible. The residential housing planned for the Proposed Project in the southwestern portion of the site where a vineyard is planned in the Valiano Vineyards alternative is not consistent with the General Plan and would be infeasible unless a General Plan Amendment is obtained.

Other plan or regulatory limitations

Because the Valiano Vineyards alternative plans continued agricultural use of the entire western portion of the Project site consistent with historic use of that section of the site, and consistent with relevant other plans and regulatory limitations governing use of the site, the site would be feasible in terms of these plans and regulatory limitations. The feasibility of the Valiano Vineyards alternative would be less constrained by the regulatory limits governing impacts to Waters of the US administered by the US Army Corp of Engineers than the Proposed Project. Sections of the agricultural easement in the Valiano

Vineyards alternative that fall within Waters of the US boundaries would be preserved as biological open space and would not be used for agriculture, thereby substantially lessening the impact of the land use on the WUS as compared to the Proposed Project that plans residential housing on the steep southwestern slopes and would significantly impact WUS as per the Project DEIR. If the Proposed Project is unqualified to obtain a USACE permit because the WUS impacts of the Valiano Vineyards alternative are substantially less, the Proposed Project would be infeasible due to other regulatory limitations, whereas the Valiano Vineyards alternative would be feasible.

Jurisdictional boundaries

The same jurisdictional boundary limitations would apply to the Valiano Vineyards alternative as to the Proposed Project with no effect on the feasibility of the respective plans.

Feasibility Comparison

Valiano Vineyards Would Be More Feasible Than the Proposed Project

- **Community support enhances feasibility of Valiano Vineyards**

  The Valiano Vineyards alternative has overwhelming community support, as demonstrated by letters of support from the Friends of Eden Valley for Responsible Development and the Elfin Forest Harmony Grove Town Council. With little or no community opposition, the alternative would move through the County planning and approval process more expeditiously and with greater chance of success, improving the feasibility of the alternative relative to the Proposed Project.

  Community opposition degrades Proposed Project feasibility

  The Proposed Project has no community support and has attracted vigorous, wide-spread active community opposition. The community will continue to vigorously oppose the Proposed Project to the limits of the law and this opposition will continue to increasingly degrade the feasibility of the Proposed Project. The prospect for ultimate County approval is reduced by the community opposition and the increased time and financial resources spent by the applicant degrades the economic feasibility of the Proposed Project. In the event the Proposed Project is approved despite community opposition, economic feasibility of the project in terms of cost and time to return on investment would be further impaired pending litigation on the approval.

- **Valiano Vineyards drastically reduced traffic impact would make the alternative more feasible than the Proposed Project**

  Everybody loathes traffic congestion. Especially the kind we *have to* sit in every day that inches along *f o r e v e r* .....and there's no way around. That's exactly what it would be like on Country Club Drive every workday under the Proposed Project, an irredeemable feature of the Proposed Project that could significantly dampen sales and impair economic feasibility. Valiano Vineyards would have 64% fewer ADTs, leading to a higher level of service on surrounding roads, reducing and

perhaps eliminating the traffic congestion concerns of prospective residents, making Valiano Vineyards more attractive to buyers and thus more economically feasible.

- **Less infrastructure required to support fewer homes would enhance feasibility of Valiano Vineyards**

  Substantially less infrastructure would be needed to serve far fewer homes on more accessible sections of the site under the Valiano Vineyards alternative, lowering the construction cost, time commitment, engineering complexity and disruption as compared to those of the Proposed Project. For these reasons, less infrastructure would improve the feasibility of Valiano Vineyards compared to that of the Proposed Project.

- **Far less grading would enhance Valiano Vineyards feasibility**

  The Valiano Vineyards alternative plans no steep slope residential development. The significantly reduced grading, blasting, and rock breaking needed to prepare the site for housing construction compared to that needed for the Proposed Project would improve the feasibility of the alternative, lowering the cost, time commitment, engineering complexity and disruption as compared to that of the Proposed Project. Consequently, the Valiano Vineyards alternative would be more feasible than would the proposed Project.

- **Faster buildout would enhance investor return and feasibility of Valiano Vineyards**

  With less infrastructure and grading required, at lower cost, and fewer homes to be built, and a reduced entitlement processing timeline, the Valiano Vineyards alternative would be finished and made available for sale much sooner than would the Proposed Project, providing return to investors more quickly and enhancing economic feasibility compared to that of the Proposed Project.

- **Proximity to vineyard/winery would enhance desirability and thereby economic feasibility of Valiano Vineyard residential units compared to the Proposed Project**

  The vineyard and winery would be an attractive feature of the Valiano Vineyards community and would enhance desirability, differentiation and thereby economic feasibility of Valiano Vineyard residential units. Also, the winery could be leveraged to increase attractiveness and exclusivity for the Valiano Vineyards community by creating a vintners coop for Valiano Vineyards residents who could take advantage of access to winery viniculture and winemaking expertise, as well as service personnel and processing equipment to establish vineyards on their own properties.

- **Lower entitlement processing expense would make Valiano Vineyards more feasible than the Proposed Project**

  The Valiano Vineyards alternative is far more consistent with the General Plan and related sub-area plans than is the Proposed Project and would not require a General Plan Amendment. Entitlement would be obtained at a much lower cost requiring less time and with a significantly greater chance

of success. The resources expended by the applicant over the last five years have been spent, at their own discretion, to attain support for a deeply flawed plan, vehemently opposed by the community. Their expense would have been much lower if they had pursued a development proposal like the Valiano Vineyard alternative that is more consistent with the General Plan and Community Plans with lower impacts. The speculation to date was their choice and is their responsibility to pay for. An equitable assessment of the entitlement expense of the Valiano Vineyards plan should include only the costs as if Valiano Vineyards had been the original plan, not the costs wasted pursuing the Proposed Project, which was pure speculation.

Comparison of the Effects of the Valiano Vineyards Alternative to the Proposed Project

The Valiano Vineyards alternative would substantially lessen the significant environmental effects of project site development compared to those found in the Proposed Project. Every impact assessed to be significant unmitigatable in the *Valiano Project Draft Environmental Impact Report* will be lessened, with 50% to75% reduced substantially enough to be down-rated to significant mitigatable or less than significant. Further, three of four of these unmitigatable significant impacts could reasonably be down-rated to less than significant as described in the comparison of impacts outline below. In this case, the only remaining unmitigatable impact would be one that is unmitigatable even with no development.

The environmental effect of the Proposed Project impacts assessed to be significant mitigatable and less than significant would also be substantially lessened under the Valiano Vineyards alternative. The effect would be less for 81% of the Proposed Project significant mitigatable impacts, and 11% to 14% of these would be lessened sufficiently to be down-rated to less than significant or no significant impact. Additionally, forty-four of eighty-eight less than significant impacts, 50%, would be less under the Valiano Vineyards alternative.

It may be reasonably concluded based on comparing the effects of Proposed Project impacts assessed in the *Valiano Project Draft Environmental Impact Report* to the effects of the Valiano Vineyards alternative, that the anticipated environmental effects of the Valiano Vineyards alternative would be substantially lessened, and that the alternative is environmentally superior to the Proposed Project.

The following table summarizes the impact comparison outlined below:

	Proposed Project	**Valiano Vineyards**	**Impact Comparison**			
Impact Rating	Count	Count	Change	Percentage Change	LESS Impact	Change
Significant Unmitigatable	4	1 - 2	-2 or 3	- 50 or 75%	4	-100%
Significant Mitigatable	37	32 - 33	-4 or 5	-11 or 14%	30	-81%
Less than Significant	88	92 - 94	+4 to 6	+5 to 7%	44	-50%
No Significant Impact	10	11	+1	+10%	0	0%

Aesthetics

The Valiano Vineyards alternative would substantially lessen aesthetic impacts

The aesthetic effects of the Valiano Vineyards alternative would be much less than those of the Proposed Project. The Valiano Project Draft Environmental Impact Report identified three significant aesthetic impacts of the Proposed Project and numerous less than significant impacts. Of the three

significant impacts, one was determined to be unmitigatable and two were determined to be mitigatable. The impacts of the Valiano Vineyards alternative would be less than those of the Proposed Project for all three of these impacts. The unmitigatable impact may be evaluated to be at least mitigatable in the Valiano Vineyards alternative and possibly less than significant as described below. One of the two mitigatable aesthetic impacts of the Proposed Project would be similarly mitigatable in the Valiano Vineyards alternative and the other mitigatable impact would be improved to less than significant impact. The less than significant aesthetic impacts of the Proposed Project would also be less than significant in the Valiano Vineyards alternative. Additionally, the impact of twenty of the thirty-three less than significant impacts summarized below would be less for the Valiano Vineyards alternative than for the Proposed Project. For these reasons, it is evident the Valiano Vineyards alternative would substantially lessen the significant aesthetic impacts of the Proposed Project, and is, therefore, environmentally superior.

Proposed Project Impact	Mitigation	Valiano Vineyards Impact	Comment
AESTHETIC IMPACTS			
Significant Unmitigatable Impact of Proposed Project vs. Valiano Vineyards			
Conflict with area visual character due to grading and development work	None	LESS; Significant Mitigatable or Less than Significant	The conflict of the Valiano Vineyards alternative with the visual character of the surrounding area will be much less than that for the Proposed Project. The alternative is a combination of the Biologically Enhanced, General Plan Density and Septic Option alternatives, and the Draft EIR found all of these alternatives to have less impact than those in the Proposed Project with impacts no more than significant mitigatable, or less than significant for the Septic Option alternative. It follows, the impact of the Valiano Vineyards alternative as to conflict with area visual character can be no more than the impact of any one of its component alternatives; no more than significant mitigatable. A finding of less than significant may also be reasonable because while the total density of the Valiano Vineyards alternative is the same as that of the General Plan Density alternative, the impact of which is significant mitigatable in this regard, Valiano Vineyards proposes no homes on the steep slopes and any conflict with area visual character will not occur on the highly visible steep slopes with commensurate reduction in visible loss of vegetation during the construction period. In addition, large open spaces of undeveloped land would exist within the multi-

Proposed Project Impact	Mitigation	Valiano Vineyards Impact	Comment
			acre rural properties in Neighborhoods 2 and 4 as well as the ranchette properties in Neighborhood 5. Indeed, Valiano Vineyards has even less short term visible construction impacts on the steep slopes than does the Septic Option alternative that has a less than significant impact. Consequently, Valiano Vineyards would lessen the significant unmitigatable aesthetic impact of the Proposed Project to significant mitigatable and possibly less than significant.
Significant Mitigatable Impacts of Proposed Project vs. Valiano Vineyards			
Manufactured slopes within steep slopes contrast with natural hillsides	Plant one shrub per 75 s.f. of exposed soil and stain cut rocks	LESS; Less than Significant	There will be no manufactured slopes within steep slopes in the Valiano Vineyards alternative. Rather, the steep slopes will be natural or planted with grape vines. Because there will be no manufactured slopes, the impact will be less than significant.
Retaining walls contrast with rolling hillsides and steep ridgelines	Texture and stain retaining walls	LESS; Significant Mitigatable	Valiano Vineyards will have far fewer, much lower and less visible retaining walls than will the Proposed Project because the development footprint will be much smaller; all development will occur on the valley floor or gradual slopes at the base of the hills; and no manufactured slopes within steep slopes will be required. The impact can be mitigated in the same manner as that in the Proposed Project.
Less Than Significant Impacts of Proposed Project vs. Valiano Vineyards			
Consistency with visual character and quality of surrounding area	n/a	LESS; Less than Significant	Valiano Vineyards is more consistent with visual character and quality of surrounding area as described above
Community identity walls and fencing; sound walls Neighborhood 5	n/a	SIMILAR; Less than Significant	
Construction period sound barriers	n/a	LESS; Less than Significant	Shorter construction period

Valiano Vineyards

Proposed Project Impact	Mitigation	Valiano Vineyards Impact	Comment
Key View 1 from Country Club Drive	n/a	LESS; Less than Significant	No homes on hillsides
Key View 2 from Country Club Drive	n/a	SIMILAR; Less than Significant	
Key View 3 from Country Club Drive	n/a	SIMILAR; Less than Significant	
Key View 4 from Seeforever Dr.	n/a	LESS; Less than Significant	Fewer, more widely separated homes in Neighborhood 2
View from Elfin Forest Recreational Reserve	n/a	LESS; Less than Significant	Smaller development footprint and no homes on steep slopes
View from Del Dios Highlands Preserve	n/a	LESS; Less than Significant	Smaller development footprint and no homes on steep slopes
Views from Country Club Drive	n/a	LESS; Less than Significant	Smaller development footprint and no homes on steep slopes
Views from nearby public roadways	n/a	LESS; Less than Significant	Fewer, more widely separated homes in Neighborhood 2 and 4, and no homes on steep slopes
Views from western ridgeline public roads	n/a	SIMILAR; Less than Significant	
Views from west and northwest ridgeline homes & roads	n/a	LESS; Less than Significant	Smaller development footprint and no homes on steep slopes
Views from south, Harmony Grove Village	n/a	SIMILAR; Less than Significant	
Views from eastern private homes	n/a	SIMILAR; Less than Significant	
Long-term Project impacts	n/a	LESS; Less than	Smaller development footprint and no homes on steep slopes

Valiano Vineyards

Proposed Project Impact	Mitigation	Valiano Vineyards Impact	Comment
re visual character		Significant	
Off-site visual effect:	n/a	SIMILAR; Less than Significant	
Conflicts with area visual quality	n/a	LESS; Less than Significant	Smaller development footprint and no homes on steep slopes
Conflicts with area visual character	n/a	LESS; Less than Significant	Smaller development footprint and no homes on steep slopes
Consistency with applicable design guidelines	n/a	LESS; Less than Significant	Neighborhood 5 will be consistent with the Harmony Grove Community Plan, which the Proposed Project will not be.
Detention and bioretention manufactured slopes	n/a	SIMILAR; Less than Significant	
Loss of eucalyptus and oak due to fire and drought	n/a	SIMILAR; Less than Significant	
Loss of avocado orchard	n/a	LESS; Less than Significant	Vineyard or orchard would provide a more historically consistent agricultural use and view of hillsides than homes in Neighborhoods 2 & 4
Loss of farm structures	n/a	SIMILAR; Less than Significant	
Loss of riparian habitat and non-native grasslands	n/a	SIMILAR; Less than Significant	
Visual impacts to view from scenic highway	n/a	SIMILAR; Less than Significant	
View from area trails	n/a	LESS; Less than Significant	Smaller development footprint and no homes on steep slopes
View from area public parks	n/a	LESS; Less than Significant	Smaller development footprint and no homes on steep slopes

Proposed Project Impact	Mitigation	Valiano Vineyards Impact	Comment
View from outlying areas	n/a	LESS; Less than Significant	Smaller development footprint and no homes on steep slopes
Consistency with applicable County Com-munity & Sub-regional Plan	n/a	LESS; Less than Significant	Neighborhood 5 will be consistent with the Harmony Grove Community Plan, which the Proposed Project will not be.
Visual impacts of nighttime lighting	n/a	LESS; Less than Significant	Smaller development footprint and no homes on steep slopes requiring less lighting and no lighting on the hillsides
Reflective building materials	n/a	SIMILAR; Less than Significant	
Cumulative visual impact to valley	n/a	LESS; Less than Significant	Smaller development footprint and no homes on steep slopes

Air Quality

The Valiano Vineyards alternative would substantially lessen air quality impacts

The air quality effects of the Valiano Vineyards alternative would be much less than those of the Proposed Project. The Valiano Project Draft Environmental Impact Report identified four significant air quality impacts of the Proposed Project and fifteen less than significant impacts. Of the four significant impacts, two were determined to be unmitigatable and two were determined to be mitigatable. The impacts of the Valiano Vineyards alternative would be less than those of the Proposed Project for all four of these impacts. One of the two unmitigatable impacts, while drastically reduced in the Valiano Vineyards alternative, may still be evaluated to be unmitigatable, similar that in to the Proposed Project; however, further expert analysis may also reasonably find the impact to be reduced to less than significant as described below. The other unmitigatable impact would be lessened to less than significant in the Valiano Vineyards alternative. The two mitigatable air quality impacts of the Proposed Project would be less than significant in the Valiano Vineyards alternative. The less than significant air quality impacts of the Proposed Project would also be less than significant in the Valiano Vineyards alternative. Additionally, the impact of nine of the fifteen less than significant impacts summarized below would be less for the Valiano Vineyards alternative than for those of the Proposed Project. For these reasons, it can be reasonably concluded the Valiano Vineyards alternative would substantially lessen the significant air quality impacts of the Proposed Project, and is, therefore, environmentally superior.

Proposed Project Impact	Mitigation	Valiano Vineyards Impact	Comment
AIR QUALITY			
Significant Unmitigatable Impact of Proposed Project vs. Valiano Vineyards			
Cumulative construction air quality impacts	None	LESS; Significant Unmitigatable or Less than Significant	Construction of 118 primary dwelling units in the Valiano Vineyards alternative with no steep slope grading or blasting would require far less construction activity over a shorter time compared to the activity required to produce 326 units including many in steep slope areas in the Proposed Project. Construction of 64% fewer homes would cause proportionally less emissions over less time than those of the Proposed Project and the cumulative short term construction air quality impact would be much lower than those of the Proposed Project. While mitigation of the short term construction related cumulative impact of a project is only possible by reducing the project scope, and the impacts of the Valiano Vineyards alternative may be unmitigatable similar to those of the Proposed Project even though the impacts are much less, it is possible that the reduced dwelling unit count and limitation of grading to the flat valley floor will result in the sufficient reduction of short term construction related emissions to a cumulatively less than significant level, similar to the Septic Option alternative. In any case, whether further expert analysis determines a finding of significant unmitigatable or less than significant, cumulative construction air quality impacts would be dramatically lessened under the Valiano Vineyards alternative.
Cumulative operational air quality impacts	None	LESS; Less than Significant	The Valiano Project Draft Environmental Impact Report Air Quality analysis concerning cumulative operational air quality impacts cites Table 2.2-15, *Additional Operational Emissions of Project Density as Compared to the General Plan Density Allowance* and finds, "....the Proposed Project would be inconsistent with the RAQS and SIP. As a result, there is a significant cumulative operational criteria air quality impact and the Project's contribution to the significant cumulative air quality impact would be considerable." The Valiano Vineyards alternative, in contrast, would include the same number of primary dwellings units as the General Plan density

Proposed Project Impact	Mitigation	Valiano Vineyards Impact	Comment
			alternative, and would be consistent with the RAQS and SIP. Because the Valiano Vineyards alternative would conform to the RAQS and SIP, and because the direct operational air quality impacts of the alternative would be less than significant, the cumulative operational air quality impacts of the Valiano Vineyards alternative would be less than significant.
Significant Mitigatable Impacts of Proposed Project vs. Valiano Vineyards			
Conflict with regional air quality plans - density exceeds General Plan density in 2009 RAQS	County revise housing forecast to SANDAG	LESS; Less than Significant	The Valiano Vineyards alternative would conform to density in 2009 RAQS
Cumulative air quality impact due to exceeding SANDAG forecast	County revise housing forecast to SANDAG	LESS; Less than Significant	The Valiano Vineyards alternative would be within the range projected by SANDAG and the alternative would be consistent with the RAQS and SIP.
Less Than Significant Impacts of Proposed Project vs. Valiano Vineyards			
Direct construction air quality impacts	n/a	LESS; Less than Significant	Less construction activity over a shorter time necessary to produce 118 primary dwelling units compared to 326 would cause proportionally less emissions over less time than those of the Proposed Project
Direct operational air quality impacts	n/a	LESS; Less than Significant	64% fewer primary dwelling units will cause proportionally less operational emissions
Combined construction & operational air quality impacts	n/a	LESS; Less than Significant	Less construction activity and less operational activity with far fewer dwelling units will produce far less combined emissions.
CO2 hot spot air quality impacts	n/a	LESS; Less than Significant	Far less traffic will cause far less direct vehicle exhaust emissions
Cumulative CO air quality impacts	n/a	LESS; Less than Significant	Far less traffic will cause less cumulative vehicle exhaust emissions

Valiano Vineyards

Proposed Project Impact	Mitigation	Valiano Vineyards Impact	Comment
WTWRF emissions air quality impacts	n/a	LESS; Less than Significant	WTWRF will be much smaller and cause far less TAC emissions
Diesel exhaust emissions air quality health risk impacts	n/a	LESS; Less than Significant	Less construction activity over a shorter time with no grading for homes on steep slopes would require far less diesel vehicle activity and emissions over less time than those for the Proposed Project
Operational residential development TAC emission air quality impacts	n/a	SIMILAR; Less than Significant	
Operational WTWRF TAC emission air quality impacts	n/a	SIMILAR; Less than Significant	
Construction odor impacts	n/a	LESS; Less than Significant	Less construction activity would produce less odors for less time
Operational odor impacts from equest-rian uses	n/a	SIMILAR; Less than Significant	
Operational odor impacts from WTWRF	n/a	SIMILAR; Less than Significant	
Operational odor impacts from sewer pump station	n/a	SIMILAR; Less than Significant	
Cumulative CO hot spot air quality impacts	n/a	LESS; Less than Significant	Far less traffic will cause far less direct vehicle exhaust emissions
Cumulative odor impacts	n/a	SIMILAR; Less than Significant	

Valiano Vineyards

Agricultural Resources

The Valiano Vineyards alternative would substantially lessen impacts to agricultural resources

The impacts of the Valiano Vineyards alternative on agricultural resources at the project site would be less than those for the Proposed Project because less agricultural land would be converted to residential uses and more of the site would be used for agriculture than under the Proposed Project. Under the Valiano Vineyards alternative, agricultural preservation in the north and western portions of the Project site would be significantly increased. Similar to areas in the Proposed Project, these areas would be preserved within an easement, but unlike the Proposed Project agricultural use of these areas could be developed as part of the project. When compared to the Proposed Project, this alternative would result in not only fewer impacts to agricultural resources, but an increase in active farming.

The impacts to off-site and cumulative agricultural resources would be similar to those of the Proposed Project. The Valiano Project Draft Environmental Impact Report identified one significant mitigatable impact to agricultural resources of the Proposed Project and six less than significant impacts. No impacts were determined to be unmitigatable. The impacts of the Valiano Vineyards alternative would be similar to those of the Proposed Project for all impacts analyzed in the DEIR. Beyond the scope of comparing the impact of Valiano Vineyards to impacts described In the DEIR, Valiano Vineyards would add productive use of land for agricultural purposes on site, whereas those of the Proposed Project would convert more of this land to residential use. Also, the vineyard proposed for the western portion of the site is consistent with the increase in vineyards and wineries in San Diego County and may be inducing, along with those vineyards, to further expansion of the industry in the region, thereby promoting the increase in the use of agricultural resources rather than the destruction of these lands for residential development. For these reasons, the Valiano Vineyards alternative would lessen the net impact to agricultural resources and is environmentally superior.

Proposed Project Impact	Mitigation	Valiano Vineyards Impact	Comment
AGRICULTURAL RESOURCES			
Significant Unmitigatable Impact of Proposed Project vs. Valiano Vineyards			
None			
Significant Mitigatable Impacts of Proposed Project vs. Valiano Vineyards			
Direct impacts to important agricultural resources within site	On/off-site preservation of agricultural resources at a 1:1 ratio	LESS; Significant Mitigatable	Smaller development area would lessen impact on sensitive farmland.

Proposed Project Impact	Mitigation	Valiano Vineyards Impact	Comment
Less Than Significant Impacts of Proposed Project vs. Valiano Vineyards			
Consistency with LAFCO goals and policies on conversion of prime agricultural lands	n/a	SIMILAR; No Significant Impact	
Indirect impacts to agricultural resources	n/a	SIMILAR; Less than Significant	
Conflict with Williamson Act provisions	n/a	SIMILAR; Less than Significant	
Project contribution to cumulative CDC candidate soils	n/a	SIMILAR; Less than Significant	
Cumulative impact to active regional agriculture	n/a	SIMILAR; Less than Significant	
Cumulative impacts to farm site loss	n/a	SIMILAR; Less than Significant	

Biological Resources

The Valiano Vineyards alternative would substantially lessen impacts to biological resources

The effects of the Valiano Vineyards alternative on biological resources would be much less than those of the Proposed Project. The Valiano Project Draft Environmental Impact Report identified eight significant biological resource impacts of the Proposed Project and numerous less than significant impacts. All of the eight significant impacts were determined to be mitigatable. The impacts of the Valiano Vineyards alternative would be less than those of the Proposed Project for seven out of eight of these impacts. The less than significant impacts to biological resources of the Proposed Project would also be less than significant in the Valiano Vineyards alternative. Additionally, the impact of eight of the fourteen less than significant impacts summarized below would be less for the Valiano Vineyards alternative than for the Proposed Project. For these reasons, it can be reasonably concluded the Valiano

Valiano Vineyards

Vineyards alternative would substantially lessen the significant biological resource impacts of the Proposed Project, and is, therefore, environmentally superior.

Proposed Project Impact	Mitigation	Valiano Vineyards Impact	Comment
BIOLOGICAL RESOURCES			
Significant Unmitigatable Impact of Proposed Project vs. Valiano Vineyards			
None			
Significant Mitigatable Impacts of Proposed Project vs. Valiano Vineyards			
Grassland / pastures habitat impact for seven County Group 1 animal species and raptor foraging	Off-site preservation of like habitat	LESS; Significant Mitigatable	Grassland impact would be lessened as no dwelling units would be constructed at the western central boundary or southern boundary at Mt Whitney.
Construction noise impacts to raptors nesting within 300 ft	No loud activity during breeding season and / or noise barrier / attenuation	LESS; Significant Mitigatable	Smaller development area requiring less construction time would lessen impact on nesting raptors due to loudness of construction activity
Construction impacts to southern riparian forest, southern willow scrub, mule fat scrub, herbaceous wetland, disturbed wetland, coast live oak woodland, Diegan coa-stal sage scrub, granitic southern mixed chaparral, non-native grasslands	Off-site preservation of like habitat	LESS; Significant Mitigatable	The development footprint of the Valiano Vineyards alternative is based primarily on the Biologically Enhanced alternative in Neighborhoods 1 and 3 and the impact to sensitive habitats in these areas would be less, as is assessed in the DEIR analysis of the Biologically Enhanced alternative. Neighborhoods 2 and 4 in the Valiano Vineyards alternative are based on the Septic Option alternative with only a few multi-acre rural homes and the impact to sensitive habitats in these areas would be greatly reduced, as described in the Septic Option alternative analysis. Neighborhood 5 is based on the General Plan Density alternative that would allow for more open space on private lots with less impact than the dense housing planned for the area in the Proposed Project.

Proposed Project Impact	Mitigation	Valiano Vineyards Impact	Comment
Impacts to USACE regulated herbaceous wetland WUS and non-wetland WUS	Off-site preservation of like habitat	LESS; Significant Mitigatable	Impacts to every USACE regulated WUS area on-site would be greatly reduced under the Valiano Vineyards alternative because no residential development exceeding current SR-1 and SR-2 zoned density would intersect these areas. Non-wetland WUS in the western half of the site would intersect only multi-acre rural properties in Neighborhoods 2 and 4, or open space areas. WUS in the central and southeastern areas of Neighborhoods 1 and 3 would be in open space dedicated RPO wetlands, buffers and fuel modification zones as per the Biologically Enhanced alternative. Non-wetland WUS in the far southeastern most area of the Project, Neighborhood 5, would intersect lots developed to the current General Plan consistent SR-2 zoning, and with fifteen homes instead of fifty-five, the impact will be greatly lessened compared to those of the Proposed Project.
Impacts to CDFW jurisdiction vegetated habitat, southern riparian forest, coast live oak woodland, southern willow scrub, mule fat scrub, herbaceous wetland and streambed	Off-site preservation of like habitat	LESS; Significant Mitigatable	CDFW jurisdiction habitats occur on -site together with USACE regulated habitats and the impact to the areas under CDFW jurisdiction would be reduced under the Valiano Vineyards alternative similarly to the reduced impact to USACE regulated WUS described above.
Impacts to County RPO wetlands, southern riparian fo-rest and mule fat scrub	Off-site preservation of like habitat	LESS; Significant Mitigatable	Impacts to County RPO wetlands would be reduced similarly to USACE and CDFW jurisdiction habitats as described above.

Proposed Project Impact	Mitigation	Valiano Vineyards Impact	Comment
Impacts to breeding migratory birds	No grading or clearing of vegetation during breeding season	LESS; Significant Mitigatable	Impacts to seasonal migratory bird breeding will be less because development will require less time and impact fewer breeding seasons
Cumulative impacts to sensitive wildlife	Off-site preservation of like habitat	SIMILAR; Significant Mitigatable	
Less Than Significant Impacts of Proposed Project vs. Valiano Vineyards			
Impacts to federal or state listed endangered & threatened species	n/a	SIMILAR; No Significant Impact	
Impacts to County Group C and D plant species and County Group 2 animal species	n/a	SIMILAR; Less than Significant	
Impacts to Arroyo Toad habitat	n/a	SIMILAR; No Significant Impact	
Impacts to Bald and Golden Eagle habitat	n/a	SIMILAR; Less than Significant	
Impacts to core wildlife area	n/a	SIMILAR; No Significant Impact	
Long term impacts to sensitive species resulting from indirect impacts/edge effects	n/a	LESS; Less than Significant	Far fewer homes and a smaller development foot print would result in less indirect edge effect impacts than those of the Proposed Project

Proposed Project Impact	Mitigation	Valiano Vineyards Impact	Comment
Impacts to occupied burrowing owl habitat	n/a	LESS; Less than Significant	Some non-native grassland burrowing owl habitat would be preserved in the Valiano Vineyards alternative resulting in less impact on burrowing owls.
Impacts to occupied coastal cactus wren habitat	n/a	SIMILAR; No Significant Impact	
Impacts to occupied Hermes copper butterfly habitat	n/a	SIMILAR; No Significant Impact	
Impacts to non-sensitive vegetation communities	n/a	LESS; Less than Significant	Far fewer homes and a smaller development foot print would result in less impact to non-sensitive vegetation. Also, the Valiano Vineyards alternative proposes to increase agricultural uses, not only reducing negative impacts but increasing positive impacts to these vegetation communities.
Impacts affecting groundwater table	n/a	SIMILAR; Less than Significant	
Indirect and cumulative impacts to sensitive vegetation communities	n/a	LESS; Less than Significant	Far fewer homes and a smaller development foot print would result in less impacts to sensitive vegetation communities
Impacts to wildlife access	n/a	LESS; Less than Significant	Far fewer homes and a smaller development foot print with more contiguous open space than the Proposed Project would result in less impact to wildlife access.
Impacts to core wildlife habitat and linkage areas	n/a	SIMILAR; Less than Significant	
Impacts to wildlife corridors	n/a	SIMILAR; Less than Significant	

Proposed Project Impact	Mitigation	Valiano Vineyards Impact	Comment
Impacts related to NCCP	n/a	SIMILAR; Less than Significant	
Impacts to connectivity between areas of high habitat value	n/a	SIMILAR; Less than Significant	
Impacts to narrow endemic species	n/a	SIMILAR; No Significant Impact	
Cumulative impacts to local policies, ordinances and adopted plans	n/a	SIMILAR; No Significant Impact	

Cultural Resources

The Valiano Vineyards alternative would lessen impacts to cultural resources

The effects of the Valiano Vineyards alternative on cultural resources would be less than those of the Proposed Project. The Valiano Project Draft Environmental Impact Report identified two significant cultural resource impacts of the Proposed Project and three less than significant impacts. Both of the significant impacts were determined to be mitigatable, and the impacts of the Valiano Vineyards alternative would be less than those of the Proposed Project for one of the two significant impacts. Impacts found to be less than significant would be similarly less than significant under the Valiano Vineyards alternative. With less impact for one of the significant impacts, the Valiano Vineyards alternative would lessen the significant cultural resource impacts of development compared to those of the Proposed Project, and is, therefore, environmentally superior.

Proposed Project Impact	Mitigation	Valiano Vineyards Impact	Comment
CULTURAL RESOURCES			
Significant Unmitigatable Impact of Proposed Project vs. Valiano Vineyards			
None			

Proposed Project Impact	Mitigation	Valiano Vineyards Impact	Comment
Significant Mitigatable Impacts of Proposed Project vs. Valiano Vineyards			
Impacts to archeological resources	Data recovery program executed prior to grading	SIMILAR; Significant Mitigatable	
Impacts to potentially buried on- and off-site cultural resources	Grading monitoring and data recovery program and pre-grading survey	LESS; Significant Mitigatable	Less impact potential due to less grading
Less Than Significant Impacts of Proposed Project vs. Valiano Vineyards			
Impacts to on-site historic resources	n/a	SIMILAR; Less than Significant	
Impacts to potentially important archeological or historic resources under County RPO	n/a	SIMILAR; No Significant Impact	
Cumulative impacts to cultural resources	n/a	SIMILAR; Less than Significant	

Noise

The Valiano Vineyards alternative would substantially lessen noise impacts

The noise effects of the Valiano Vineyards alternative would be much less than those of the Proposed Project. The Valiano Project Draft Environmental Impact Report identified nine significant noise impacts of the Proposed Project and four less than significant impacts. All of the nine significant impacts were determined to be mitigatable. The impacts of the Valiano Vineyards alternative would be less than those of the Proposed Project for all of these impacts with one reduced to no impact. The less than significant noise impacts of the Proposed Project would also be less than significant in the Valiano Vineyards

alternative and the impact of one of these would be less than in the Proposed Project. For these reasons, it can be reasonably concluded the Valiano Vineyards alternative would substantially lessen the significant noise impacts of the Proposed Project, and is, therefore, environmentally superior.

Proposed Project Impact	Mitigation	Valiano Vineyards Impact	Comment
NOISE			
Significant Unmitigatable Impact of Proposed Project vs. Valiano Vineyards			
None			
Significant Mitigatable Impacts of Proposed Project vs. Valiano Vineyards			
Impact of noise levels at exterior use areas of Neighbor-hood 5 ad-jacent to Country Club Drive	Installation of noise control wall	LESS; Significant Mitigatable	59% fewer ADTs will generate far less noise, lessening the traffic noise impact
Impact of noise levels at residential building facades facing Country Club Drive	Exterior-to-interior analysis to show interior noise levels below 45 CNEL	LESS; Significant Mitigatable	59% fewer ADTs will generate far less noise, lessening the traffic noise impact
Impact of re-sidential air conditioner noise within 35 feet of property line	Installation of HVAC noise barriers	LESS; Significant Mitigatable	The Valiano Vineyards alternative would have ninety-six primary dwelling units with density less than one acre, compared to over 300 for the Proposed Project, and would have far fewer primary dwelling units within 35 feet of property line, lessening the impact of residential HVAC noise.
Noise impacts related to WTWRF equipment & generators	Enclose WTWRF equipment inside noise control enclosures	LESS; Significant Mitigatable	Smaller WTWRF to serve ninety-six primary dwelling units compared to 326 units will produce less noise and lessen the impact
Noise impacts related to wastewater pump stations	Enclose pumps and generators inside noise control enclosures	LESS; Significant Mitigatable	No pump station will be required at the northern end of the development lessening the impact

Proposed Project Impact	Mitigation	Valiano Vineyards Impact	Comment
Noise impacts related to water circulation booster pump station	Enclose pumps and generators inside noise control enclosures	LESS; No Significant Impact	No impact would occur in the Valiano Vineyards alternative because no residential development on steep slopes would exist, eliminating the need for a water booster pump station.
Noise impacts from ripping, heavy dozer, excavator or rock drill activities within 180 feet of homes	Erect 12-foor high barrier	LESS; Significant Mitigatable	Elimination of steep slope heavy rock grading or excavation will greatly reduce related noise impacts, possibly to less than significant
Noise impacts related to operation of rock breaker equipment	No use of a breaker within 300 feet of occupied residence property line	LESS; Significant Mitigatable	Elimination of steep slope heavy rock grading or excavation will greatly reduce related noise impacts, possibly to less than significant
Impacts related to blasting	Blast plan; noise barriers and blankets	LESS; Significant Mitigatable	Elimination of steep slope heavy rock grading or excavation will greatly reduce related noise impacts, possibly to less than significant
Less Than Significant Impacts of Proposed Project vs. Valiano Vineyards			
Noise impacts of HVAC systems to off-site residential uses	n/a	SIMILAR; Less than Significant	
Noise impacts of construc-tion activities to on-site noise sensi-tive land uses	n/a	SIMILAR; Less than Significant	

Proposed Project Impact	Mitigation	Valiano Vineyards Impact	Comment
Impacts on-site and off-site due to construction related vibration caused by vibratory roller equipment	n/a	LESS; Less than Significant	64% fewer primary dwelling units requiring pad soil compaction will lessen the impact greatly.
Cumulative noise impacts to exterior off-site outdoor use areas	n/a	SIMILAR; Less than Significant	

Paleontological Resources

The Valiano Vineyards alternative would lessen impacts to paleontological resources

The effects of the Valiano Vineyards alternative on paleontological resources would be less than those of the Proposed Project. The Valiano Project Draft Environmental Impact Report identified two significant paleontological resource impacts of the Proposed Project and one less than significant impacts. Both of the significant impacts were determined to be mitigatable, and the impacts of the Valiano Vineyards alternative would be less than those of the Proposed Project for both of the significant impacts. The impact found to be less than significant would be similarly less than significant under the Valiano Vineyards alternative, and the impact would be lessened under the alternative. With less impact for the two significant impacts and the less than significant impact, the Valiano Vineyards alternative would lessen the significant paleontological resource impacts of development compared to those of the Proposed Project, and is, therefore, environmentally superior.

Proposed Project Impact	Mitigation	Valiano Vineyards Impact	Comment
PALEONTOLOGICAL RESOURCES			
Significant Unmitigatable Impact of Proposed Project vs. Valiano Vineyards			
None			

Proposed Project Impact	Mitigation	Valiano Vineyards Impact	Comment
Significant Mitigatable Impacts of Proposed Project vs. Valiano Vineyards			
On-site impacts to paleontological resources	Paleontological monitoring and report	LESS; Significant Mitigatable	Less impact potential due to less grading
Off-site impacts to paleontological resources	Paleontological monitoring and report	LESS; Significant Mitigatable	Less impact potential due to less grading
Less Than Significant Impacts of Proposed Project vs. Valiano Vineyards			
Cumulative impacts on paleontological resources	n/a	LESS; Less than Significant	Less impact potential due to less grading

Transportation/Traffic

The Valiano Vineyards alternative would substantially lessen transportation/traffic impacts

The transportation/traffic effects of the Valiano Vineyards alternative would be much less than those of the Proposed Project. The Valiano Project Draft Environmental Impact Report identified four significant transportation/traffic impacts of the Proposed Project and five less than significant impacts. Of the four significant impacts, one was determined to be unmitigatable and three were determined to be mitigatable. The impacts of the Valiano Vineyards alternative would be less than those of the Proposed Project for all of these impacts. The unmitigatable impact, while lessened, would also be unmitigatable in the Valiano Vineyards alternative. The five less than significant transportation/traffic impacts of the Proposed Project would also be less than significant in the Valiano Vineyards alternative, and the effect of four of these impacts would be less for the Valiano Vineyards alternative than for the Proposed Project. For these reasons, it is evident the Valiano Vineyards alternative would substantially lessen the significant transportation/traffic impacts of the Proposed Project, and is, therefore, environmentally superior.

Proposed Project Impact	Mitigation	Valiano Vineyards Impact	Comment
TRANSPORTATION/TRAFFIC			
Significant Unmitigatable Impact of Proposed Project vs. Valiano Vineyards			
Cumulative impacts to Auto Park	None	LESS; Significant Unmitigatable	The Valiano Vineyards alternative would generate a total of 1,234 ADT, which is 64% less than the 3,462 ADT that would be generated by the Proposed Project. The

Proposed Project Impact	Mitigation	Valiano Vineyards Impact	Comment
Way/Mission Road – LOS D/D during AM and PM peak periods			reduced ADT level would lessen the impact compared to that of the Proposed Project.
Significant Mitigatable Impacts of Proposed Project vs. Valiano Vineyards			
Direct and cumulative impacts to Country Club Dr. from Auto Park Way to Hill Valley Dr. - LOS F	Restriping to "split" phasing and parking prohibition	LESS; Significant Mitigatable	The Valiano Vineyards alternative would generate a total of 1,234 ADT, which is 64% less than the 3,462 ADT that would be generated by the Proposed Project. The reduced ADT level would lessen the impact compared to that of the Proposed Project.
Direct and cumulative impacts to Country Club Dr. from Hill Valley Dr. to Kauana Loa Dr. – LOS F	Applicant shall pay the appropriate TIF amount	LESS; Significant Mitigatable	The Valiano Vineyards alternative would generate a total of 1,234 ADT, which is 64% less than the 3,462 ADT that would be generated by the Proposed Project. The reduced ADT level would lessen the impact compared to that of the Proposed Project.
Cumulative impacts to Auto Park Way/Country Club Dr. – LOS D during AM peak period	Restriping to "split" phasing and parking prohibition	LESS; Significant Mitigatable	The Valiano Vineyards alternative would generate a total of 1,234 ADT, which is 64% less than the 3,462 ADT that would be generated by the Proposed Project. The reduced ADT level would lessen the impact compared to that of the Proposed Project.
Less Than Significant Impacts of Proposed Project vs. Valiano Vineyards			
Impacts to Valley Park-way/9th Av & Valley Park-way/I-15 SB ramps – LOS D/D AM/PM peak hrs.	n/a	LESS; Less than Significant	The Valiano Vineyards alternative would generate a total of 1,234 ADT, which is 64% less than the 3,462 ADT that would be generated by the Proposed Project. The reduced ADT level would lessen the impact compared to that of the Proposed Project.
Impacts to unsignalized intersections	n/a	LESS; Less than Significant	The Valiano Vineyards alternative would generate a total of 1,234 ADT, which is 64% less than the 3,462 ADT that would be generated by the Proposed Project. The reduced ADT level would lessen the impact compared to that of the Proposed Project.

Proposed Project Impact	Mitigation	Valiano Vineyards Impact	Comment
Impacts to pedestrian, equestrian, and bicyclist safety	n/a	LESS; Less than Significant	The Valiano Vineyards alternative would generate a total of 1,234 ADT, which is 64% less than the 3,462 ADT that would be generated by the Proposed Project. The reduced ADT level would lessen the impact compared to that of the Proposed Project.
Impacts to alternative transportation	n/a	SIMILAR; Less than Significant	
Impacts associated with traffic hazards due to existing transportation design features	n/a	LESS; Less than Significant	The Valiano Vineyards alternative would generate a total of 1,234 ADT, which is 64% less than the 3,462 ADT that would be generated by the Proposed Project. The reduced ADT level would lessen the impact compared to that of the Proposed Project.

Hazards and Hazardous Materials

The Valiano Vineyards alternative would substantially lessen hazard & hazardous materials impacts

The hazards and hazardous materials effects of the Valiano Vineyards alternative would be much less than those of the Proposed Project. The Valiano Project Draft Environmental Impact Report identified five significant hazard and hazardous materials impacts of the Proposed Project and eight less than significant impacts. All five significant impacts were determined to be mitigatable. The impacts of the Valiano Vineyards alternative for four of these five impacts would be similarly significant mitigatable, and one would be reduced to less than significant. The eight less than significant hazards and hazardous materials impacts of the Proposed Project would also be less than significant in the Valiano Vineyards alternative. Additionally, the impact of four of the eight less than significant impacts summarized below would be less for the Valiano Vineyards alternative than for the Proposed Project. For these reasons, it can be reasonably concluded the Valiano Vineyards alternative would substantially lessen the significant hazards and hazardous materials impacts of the Proposed Project, and is, therefore, environmentally superior.

Proposed Project Impact	Mitigation	Valiano Vineyards Impact	Comment
HAZARDS AND HAZARDOUS MATERIALS			
Significant Unmitigatable Impact of Proposed Project vs. Valiano Vineyards			
None			

Valiano Vineyards

Proposed Project Impact	Mitigation	Valiano Vineyards Impact	Comment
Significant Mitigatable Impacts of Proposed Project vs. Valiano Vineyards			
Impacts related to soils contaminated with gasoline range organics and petroleum hydrocarbons	Monitoring, testing, removal and proper disposal	SIMILAR; Significant Mitigatable	
Impacts related to demolition of structures potentially containing asbestos and/or lead paint	ACM and LBP survey; determination of safety requirements; proper disposal	SIMILAR; Significant Mitigatable	
Impacts related to conflicts with FPP due to lack of access to off-site APNs for fuel modification	Complete City of San Marcos Grant of Easement forms	LESS; Less than Significant	No fuel modification would be required on APNs 232-491-01-00, 232-491-42-00 or 232-492-02-00 because no dense housing would be located near these neighboring properties in the Valiano Vineyards alternative
Impacts related to fire service maximum travel time	Harmony Grove Fire Station in operation or approved alternate mitigation	SIMILAR; Significant Mitigatable	
Vector populations impacts due to equestrian facility, WTWRF and wet weather storage pond	DEH manure management and fly/vector control plan enforced by DEH	SIMILAR; Significant Mitigatable	

Proposed Project Impact	Mitigation	Valiano Vineyards Impact	Comment
Less Than Significant Impacts of Proposed Project vs. Valiano Vineyards			
Impacts associated with airport hazards	n/a	SIMILAR; Less than Significant	
Impacts associated with groundwater contamination	n/a	SIMILAR; Less than Significant	
Impacts related to hazardous waste associated with on-site WTWRF	n/a	LESS; Less than Significant	The WTWRF would be sized to serve only 96 primary dwelling units in the Valiano Vineyards alternative, compared to 326 in the Proposed Project, proportionally lessening the potential impact of hazardous waste associated with a WTWRF.
Impacts related to hazardous waste associated with on-site WTWRF and agricultural uses	n/a	SIMILAR; Less than Significant	
Impacts associated with wildland fire hazards	n/a	LESS; Less than Significant	The potential hazardous impact of wildland fire will be proportionally lessened with 64% fewer homes in the Valiano Vineyards alternative compared to the number in the Proposed Project. Additionally, the impact on the evacuation routes and surrounding area of evacuating Valiano residents in the event of a wildfire would be greatly reduced.
Impacts associated with emergency response	n/a	LESS; Less than Significant	Impacts to emergency response would be lessened with fewer dwelling units and residents. Also, in the event of an emergency evacuation, the impact of evacuating Valiano residents to area road congestion would be lessened and would present less of an impediment to emergency responders accessing the area.
Cumulative impacts from hazardous	n/a	SIMILAR; Less than Significant	

Proposed Project Impact	Mitigation	Valiano Vineyards Impact	Comment
materials			
Cumulative impacts from wildland fire hazards	n/a	LESS; Less than Significant	In the event of an emergency evacuation, the cumulative impact to area road congestion of evacuating Valiano, Harmony Grove Village, Harmony Grove Village South as well as other area residents in Eden Valley, Harmony Grove and Elfin Forest would be greatly lessened and would present less of an impediment to emergency responders accessing the area.

Geology and Soils

The Valiano Vineyards alternative would substantially lessen geology and soils related impacts

The geology and soils related effects of the Valiano Vineyards alternative would be less than those of the Proposed Project. The Valiano Project Draft Environmental Impact Report identified three significant geology and soils impacts of the Proposed Project and three less than significant impacts. All three of the significant impacts were determined to be mitigatable, and the impacts of the Valiano Vineyards alternative would be less than the Proposed Project for two of the significant impacts. The three impacts found to be less than significant would be similarly less than significant under the Valiano Vineyards alternative. With less impact for two of the three significant impacts, the Valiano Vineyards alternative would lessen the significant geology and soils related impacts of development compared to those of the Proposed Project, and is, therefore, environmentally superior.

Proposed Project Impact	Mitigation	Valiano Vineyards Impact	Comment
GEOLOGY AND SOILS			
Significant Unmitigatable Impact of Proposed Project vs. Valiano Vineyards			
None			
Significant Mitigatable Impacts of Proposed Project vs. Valiano Vineyards			
Seismically induced settlement hazards	Site specific expert investigation, recommendation and remediation	LESS; Significant Mitigatable	Less impact potential due to less grading with little or no blasting
Seismically induced surface slope instability and rockfall	Site specific expert investigation, recommendation and remediation	LESS; Significant Mitigatable	Less impact potential due to less grading with little or no blasting and no residential development on steep slopes.

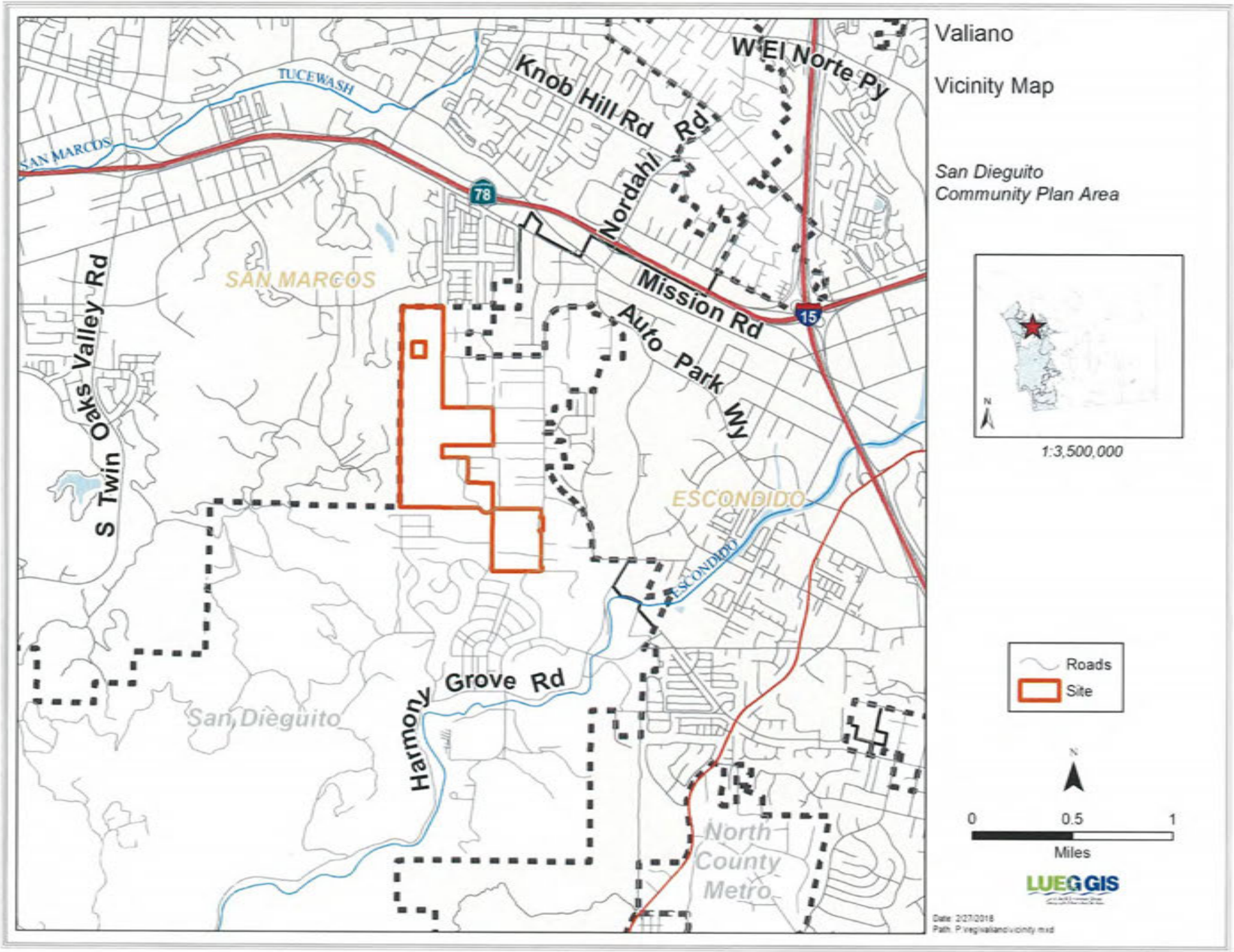
Proposed Project Impact	Mitigation	Valiano Vineyards Impact	Comment
hazards			
Impacts from expansive soils	Site specific expert investigation, recommendation and remediation	SIMILAR; Significant Mitigatable	
Less Than Significant Impacts of Proposed Project vs. Valiano Vineyards			
Impacts associated with seismic ground rupture	n/a	SIMILAR; Less than Significant	
Seismic ground acceleration hazards	n/a	SIMILAR; Less than Significant	
Cumulative geologic hazard impacts	n/a	SIMILAR; Less than Significant	

Community Support and Endorsements

The Valiano Vineyards alternative has been prepared by members of the Eden Valley, Harmony Grove and Elfin Forest communities which surround the Plan area. The community has a long tradition of active engagement in land use issues and has worked diligently with the County of San Diego over the years to advocate for a balanced approach to growth to provide needed housing while ensuring public safety and preserving the heritage of the community. The alternative is offered in this positive spirit of cooperation and is unanimously endorsed by Board resolution of the two community organizations representing residents of the area, Friends of Eden Valley for Responsible Development and The Elfin Forest Harmony Grove Town Council.

Attachment M

Planning Documentation


Valiano
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San Dieguito
Community Plan Area
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Roads
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Miles
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Knob Hill Rd
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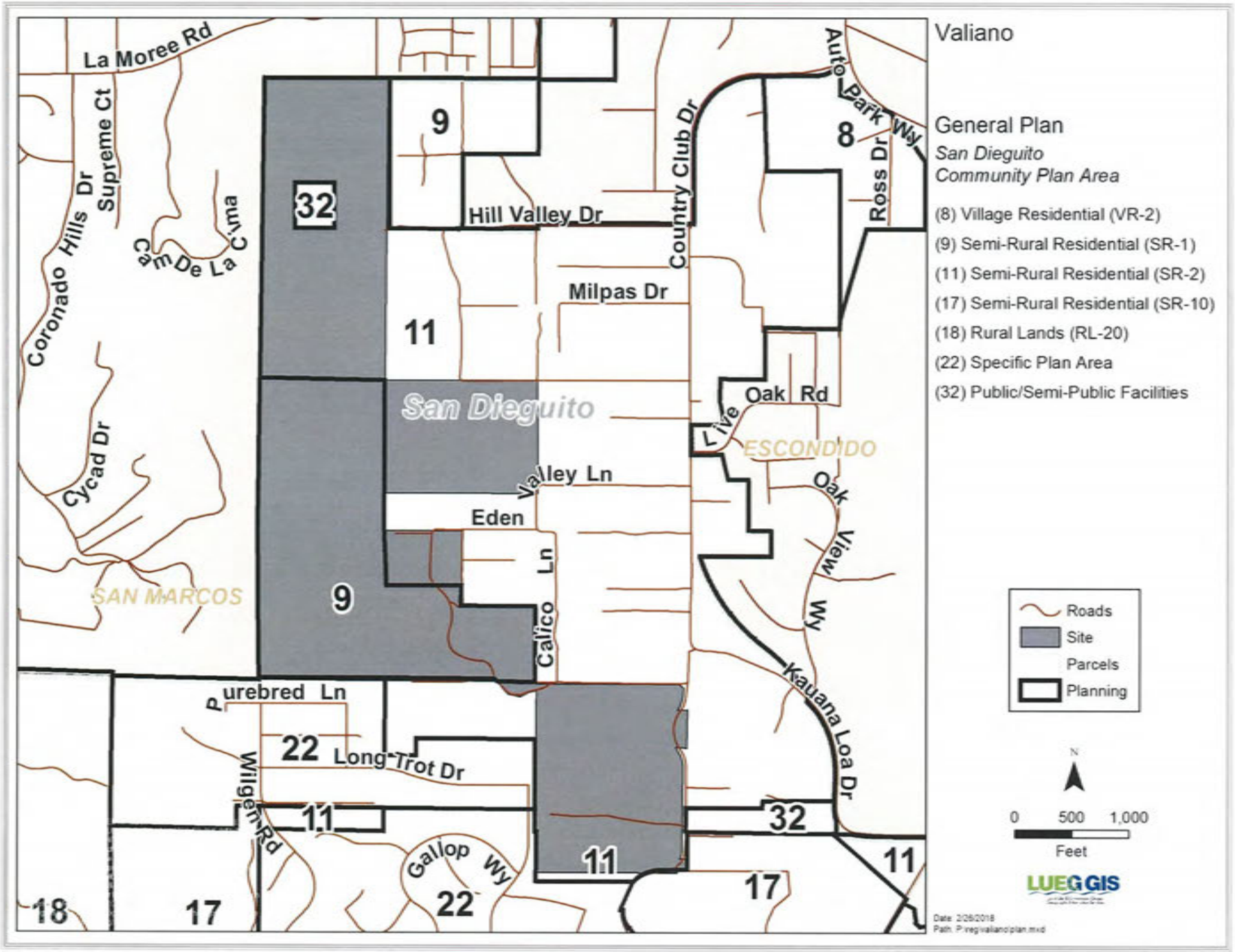
Nordahl Rd
Mission Rd
Auto Park Wy
S Twin Oaks Valley Rd
SAN MARCOS
ESCONDIDO
ESCONDIDO
Harmony Grove Rd
San Dieguito
North County Metro
78
15


Valiano
General Plan
San Dieguito
Community Plan Area
(8) Village Residential (VR-2)
(9) Semi-Rural Residential (SR-1)
(11) Semi-Rural Residential (SR-2)
(17) Semi-Rural Residential (SR-10)
(18) Rural Lands (RL-20)
(22) Specific Plan Area
(32) Public/Semi-Public Facilities
Roads
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Cam De La Cima
Cycad Dr
SAN MARCOS
San Dieguito
ESCONDIDO
Hill Valley Dr
Milpas Dr
Country Club Dr
Auto Park Way
Ross Dr
Oak Rd
Live Oak Vlew Wy
Valley Ln
Eden Ln
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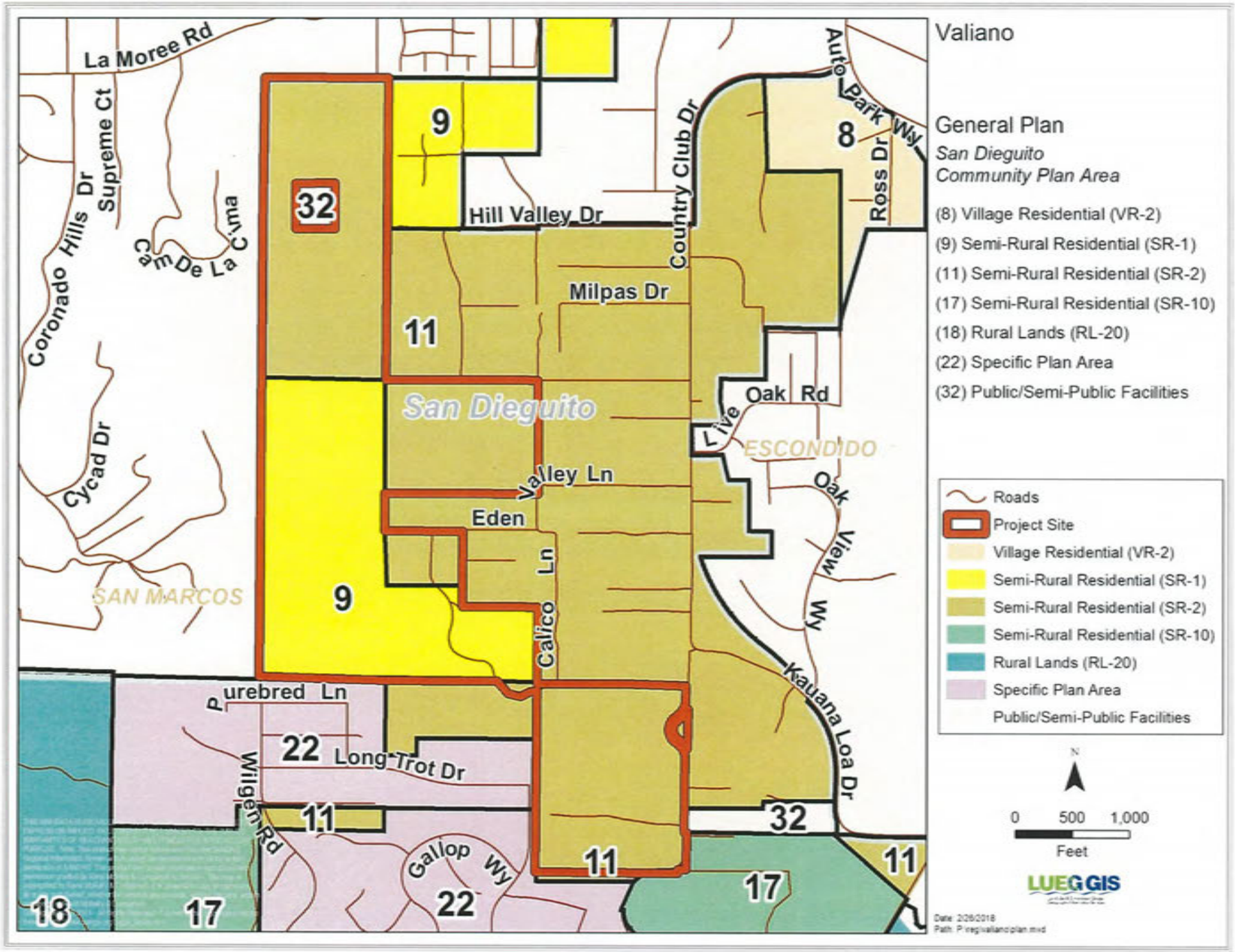
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Cycad Dr
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Milpas Dr
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Ross Dr
Oak Rd
Live Oak Way
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Valley Ln
Eden Ln
Calico Ln
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Long Trot Dr
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Kauana Loa Dr
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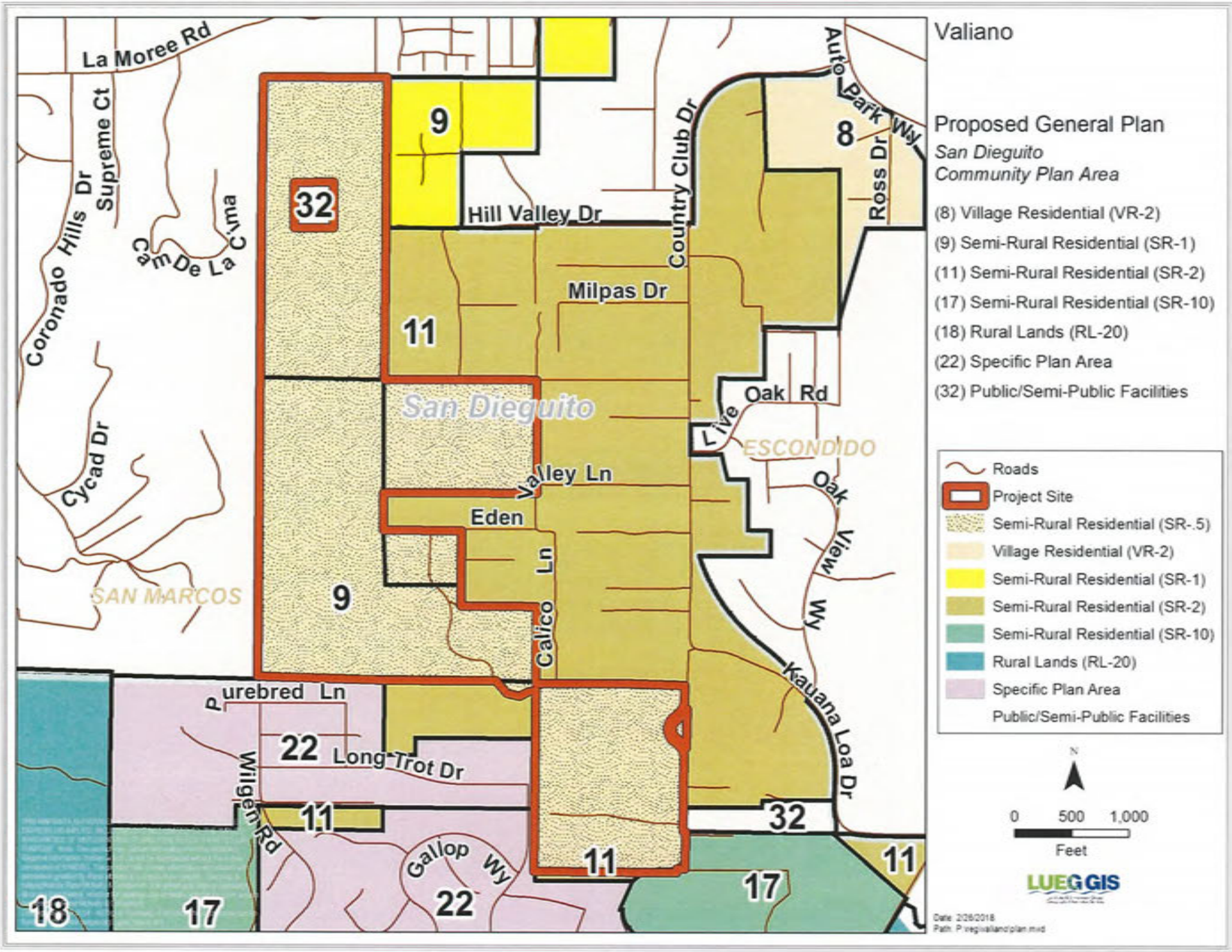
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San Dieguito
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(32) Public/Semi-Public Facilities
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Village Residential (VR-2)
Semi-Rural Residential (SR-1)
Semi-Rural Residential (SR-2)
Semi-Rural Residential (SR-10)
Rural Lands (RL-20)
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Cycad Dr
Hill Valley Dr
Milpas Dr
Country Club Dr
Auto Park Way
Ross Dr
Oak Rd
Live Oak View Way
Valley Ln
Eden Ln
Calico Ln
Kauana Loa Dr
Purebred Ln
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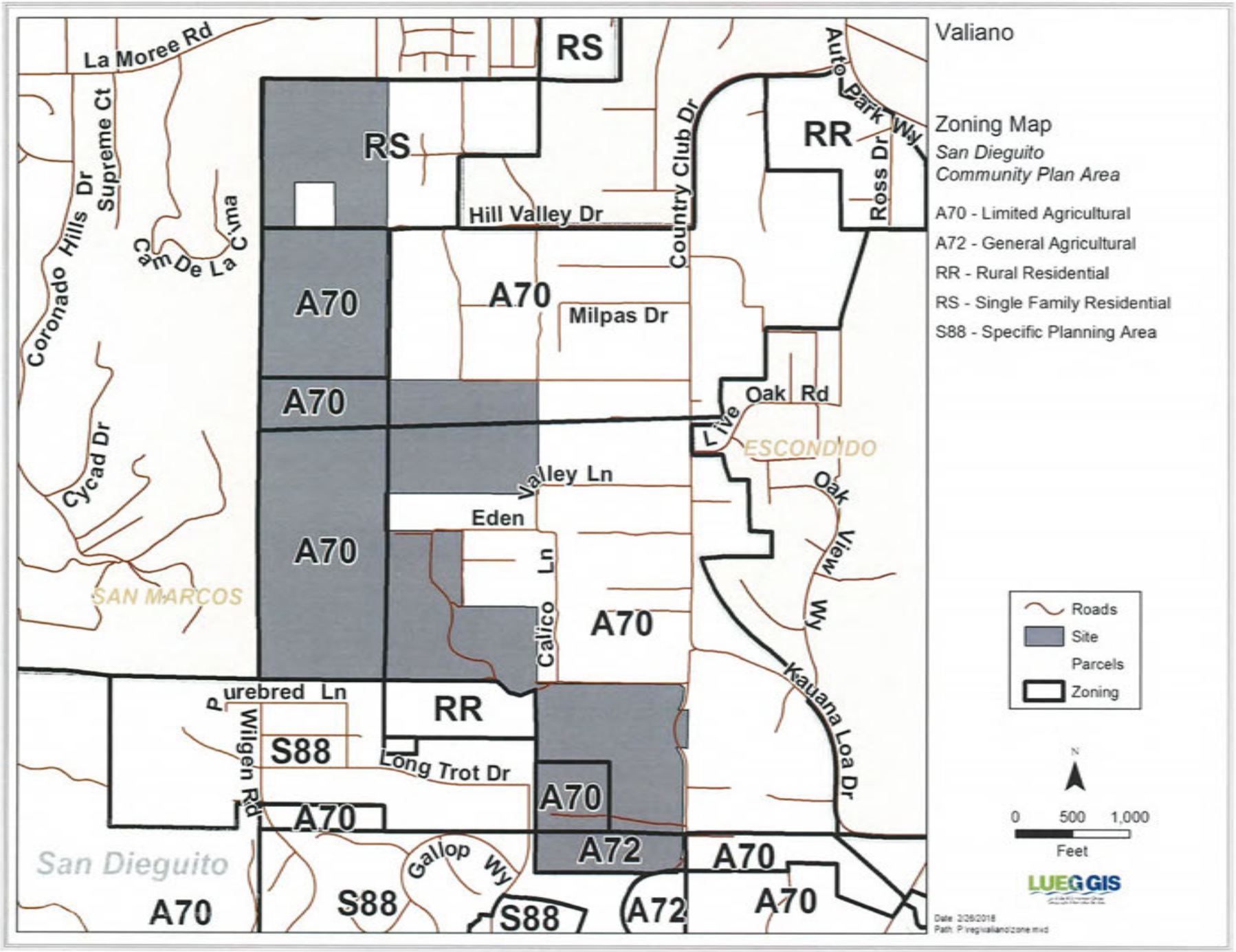
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Zoning Map
San Dieguito
Community Plan Area
A70 - Limited Agricultural
A72 - General Agricultural
RR - Rural Residential
RS - Single Family Residential
S88 - Specific Planning Area
Roads
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Country Club Dr
Auto Park Way
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Milpas Dr
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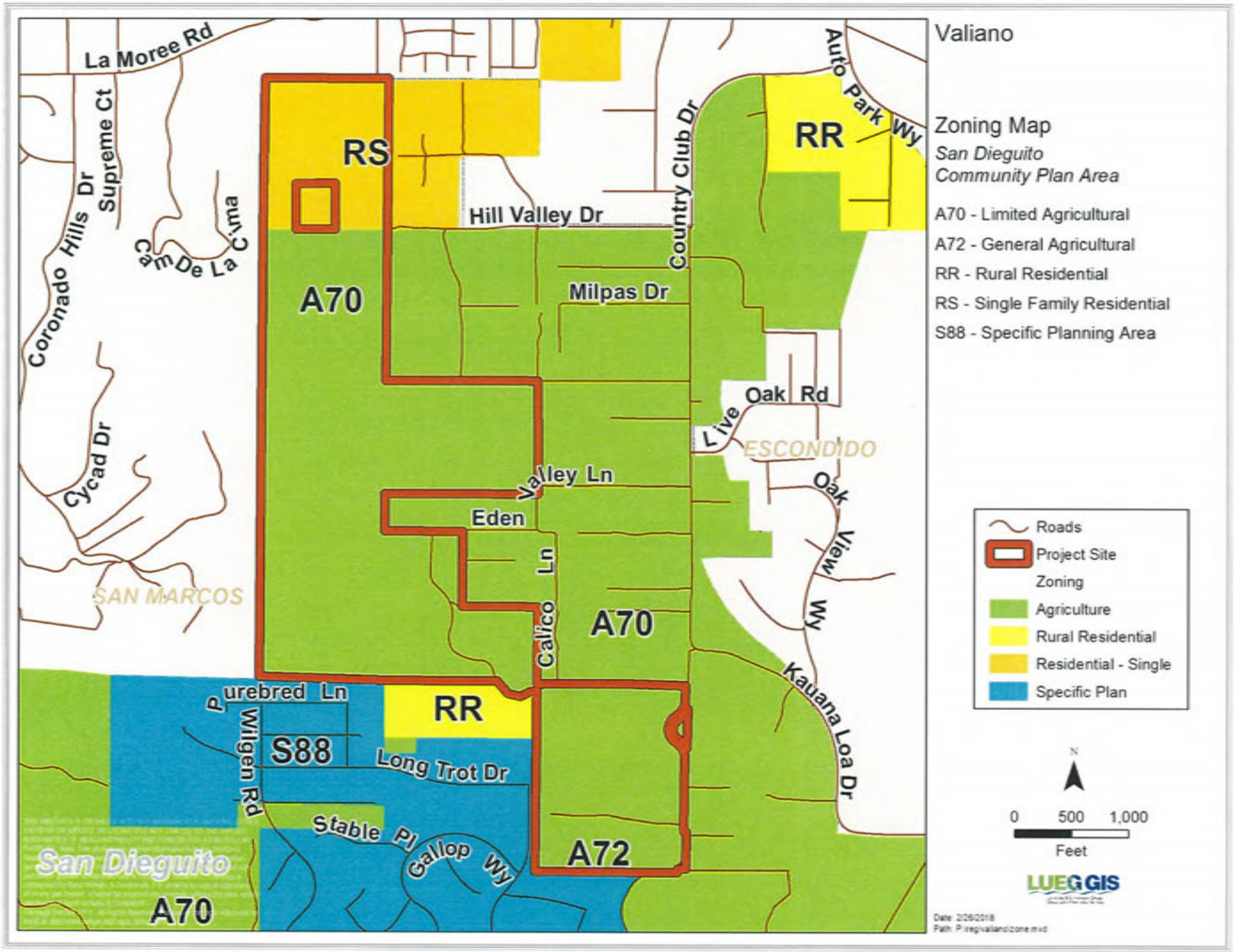
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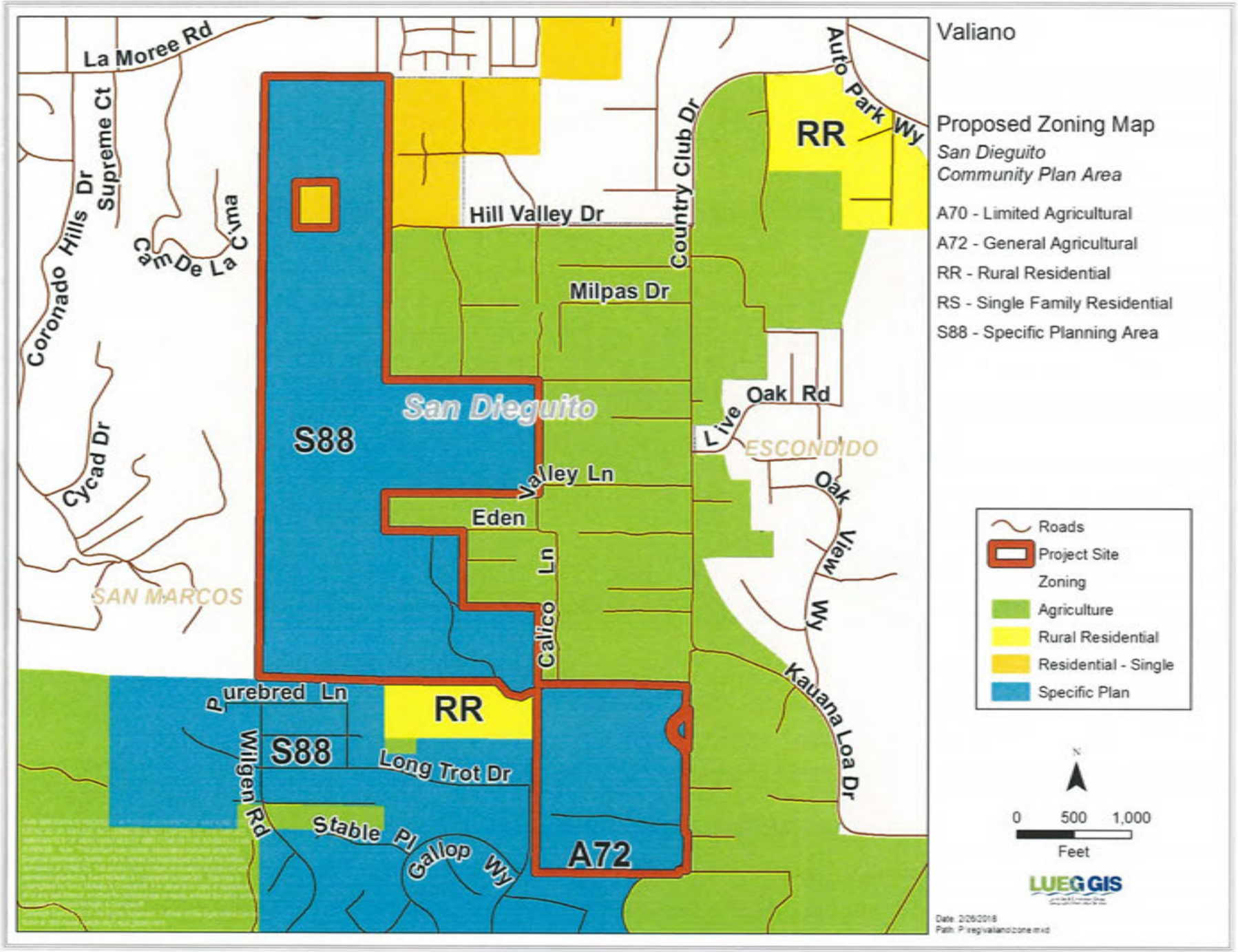
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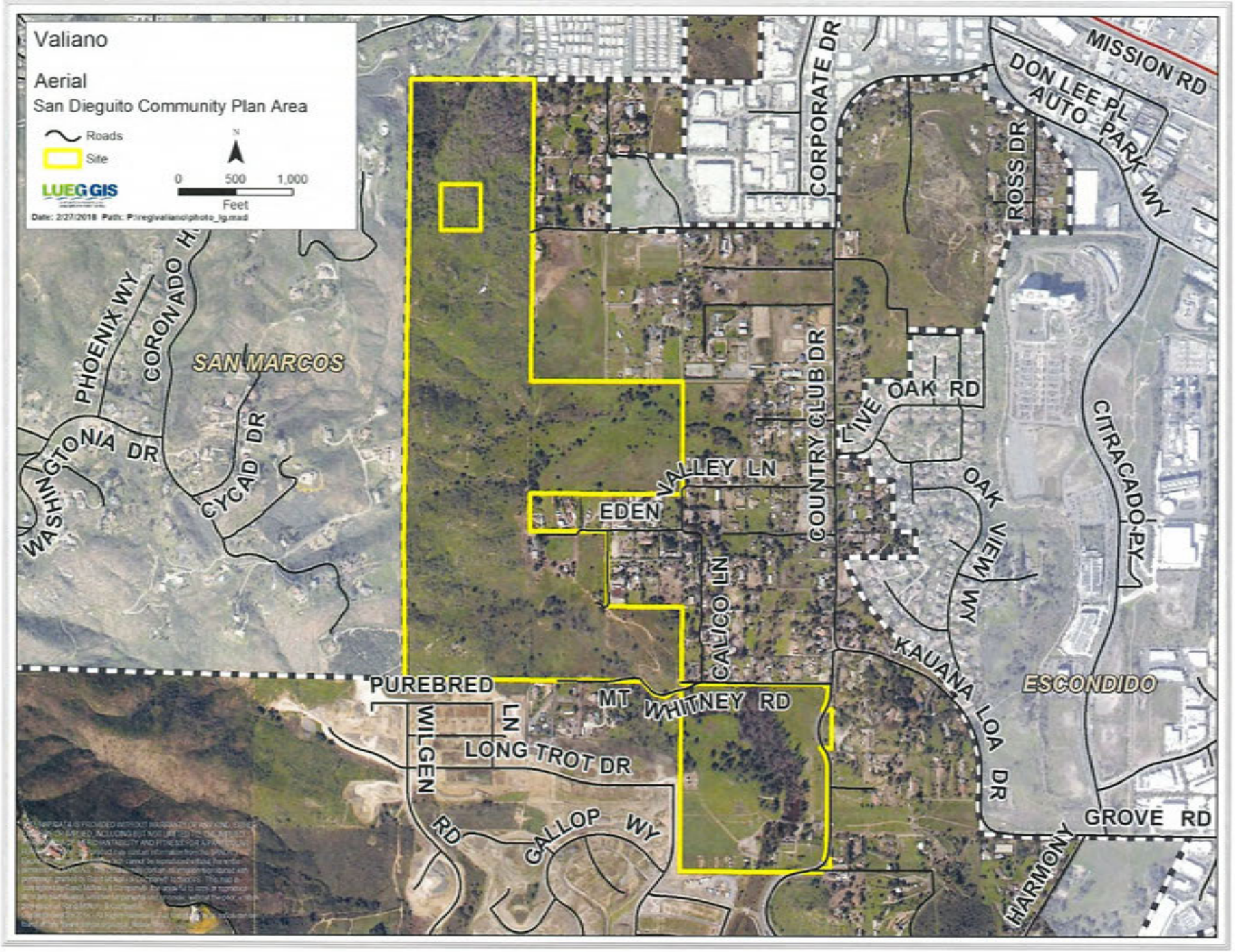
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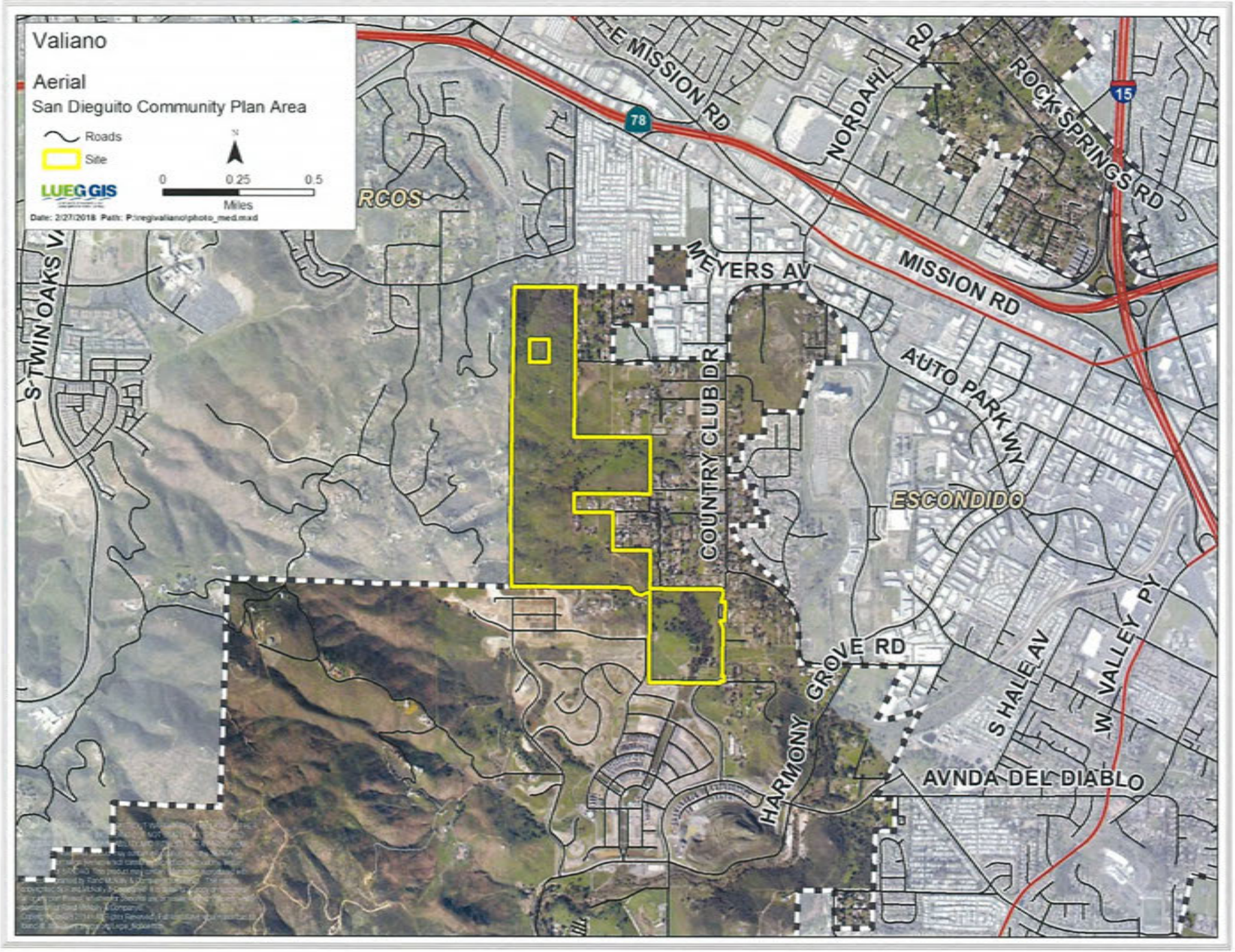
ROSS DR
SAN MARCOS
PHOENIX WY
CORONADO H
WASHINGTONIA DR
CYCAD DR
COUNTRY CLUB DR
OAK RD
VALLEY LN
EDEN
CALICO LN
OAK VIEW WY
CITRACADO PY
KAUANA LOA DR
ESCONDIDO
PUREBRED
MT WHITNEY RD
WILGEN LN
LONG TROT DR
GALLOP WY
RD
GROVE RD
HARMONY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ESCONDIDO
HARMONY GROVE RD
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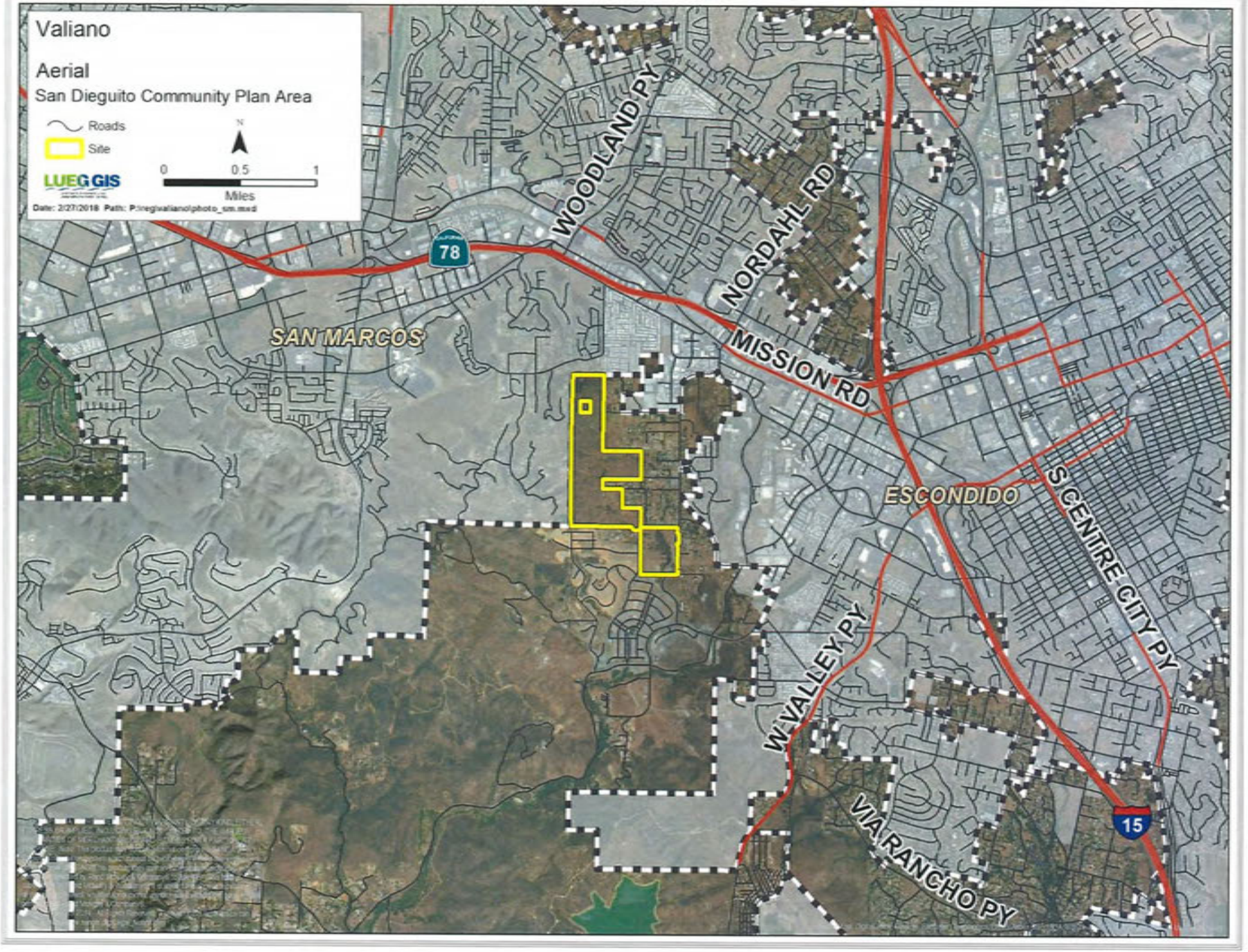
AVNDA DEL DIABLO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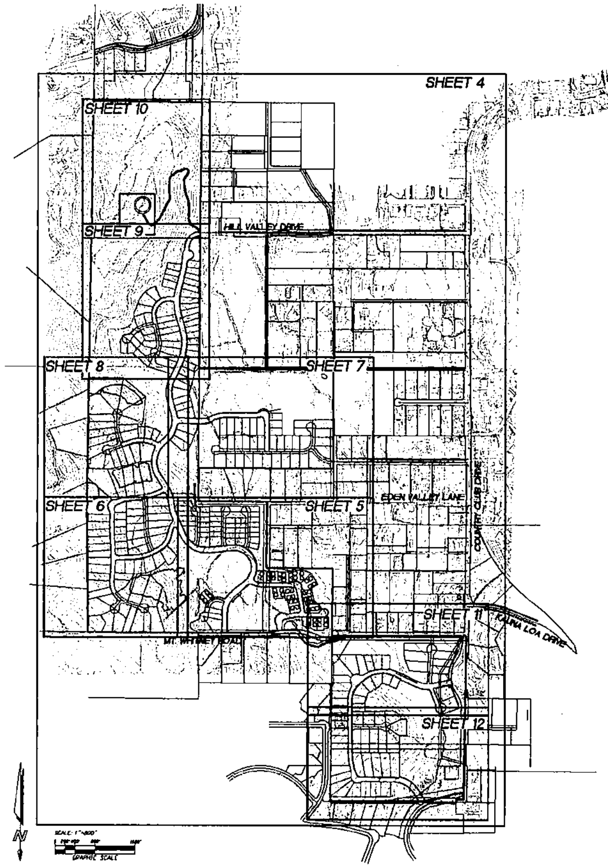
WOODLAND PY
NORDAHL RD
MISSION RD
SAN MARCOS
ESCONDIDO
S CENTRE CITY PY
W VALLEY PY
VIA RANCHO PY
15

COUNTY OF SAN DIEGO TRACT TM 5575 RPL4
VESTING TENTATIVE MAP
VALIANO

NOTE: DESIGN LEVEL HYDROLOGY AND HYDRAULICS, PIPE SIZES AND LOCATIONS ARE TO BE DETERMINED UPON SUBMITTAL AND APPROVAL OF THE IMPROVEMENT PLANS.



INDEX MAP
SCALE: 1"=800'

TOPOGRAPHY

AERIAL TOPOGRAPHY BY:
SPENCER B. GROSS
5301 LONGLEY LN #11
RENO NV 89511
(775)826-1240
FLIGHT DATE: 10-08-12

PROPOSED GRADING

CUT: 978,000 CY
FILL: 978,000 CY
ENGINEER'S ESTIMATE ONLY, NOT FOR BID PURPOSES

PROPOSED IMPROVEMENTS

PROPOSED IMPROVEMENTS INCLUDE THE CONSTRUCTION OF PRIVATE SEWER, WATER AND STORM DRAIN SYSTEMS, AND PRIVATE ROADS AS INDICATED ON THESE PLANS.

OWNER/APPLICANT

THE EDEN HILLS PROJECT OWNER, LLC
2235 ENCINITAS BOULEVARD, SUITE 216
ENCINITAS, CALIFORNIA 92024
(760) 944-7511

ENGINEER

FUSCOE ENGINEERING SAN DIEGO, INC.
6390 GREENWICH DRIVE, STE. 170
SAN DIEGO, CA 92122
(858)554-1500

OWNER/DEVELOPER

THE EDEN HILLS PROJECT OWNER, LLC
2235 ENCINITAS BOULEVARD, SUITE 216
ENCINITAS, CALIFORNIA 92024
(760) 944-7511

LANCE WAITE

LEGAL DESCRIPTION

PORTIONS OF LOTS 1, 3 AND 5 OF SECTION 19, TOWNSHIP 12 SOUTH, RANGE 2 WEST, SBM TOGETHER WITH PARCELS 1, 2 AND 3 OF PARCEL MAP 3785, AND A PORTION OF LOT 11 OF SECTION 18, TOWNSHIP 12 SOUTH, RANGE 2 WEST, SBM IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA

SOLAR ACCESS NOTE

ALL LOTS WITHIN THIS SUBDIVISION HAVE A MINIMUM OF 100 SQUARE FEET OF SOLAR ACCESS FOR EACH FUTURE DWELLING UNIT/COMMERCIAL UNIT ALLOWED BY THIS SUBDIVISION

SPECIAL ASSESSMENT ACT STATEMENT:

THE SUBDIVIDER MAY MAKE A REQUEST TO THE BOARD OF SUPERVISORS FOR PERMISSION TO INITIATE PROCEEDINGS UNDER A SPECIAL ASSESSMENT ACT FOR CONSTRUCTION OF MAJOR UTILITY AND TRANSPORTATION INFRASTRUCTURE

STREET LIGHT STATEMENT:

STREET LIGHTING SHALL BE DESIGNED TO COMPLY WITH THE DARK SKIES POLICIES OF THE SAN DIEGUITO COMMUNITY PLAN. THIS INCLUDES INSTALLING STREET LIGHTING ONLY WHEN NECESSARY FOR PUBLIC SAFETY AT ROAD INTERSECTIONS, AS WELL AS UTILIZING LIGHTS THAT ARE LOW LEVEL, FIXED, DIRECTED DOWNWARD, AND SCREENED TO MINIMIZE THE IMPACTS ON THE DARK SKY AND TO MINIMIZE SPILLOVER ONTO ADJACENT PROPERTIES. THE REQUIRED LIGHTING SYSTEM SHALL BE INSTALLED ACCORDING TO COUNTY ROAD STANDARDS. THE PUBLIC WORKS DEPARTMENT SHALL ADMINISTER THE COMPLIANCE PROCEDURES TO ASSURE PROPER INSTALLATION AND CONTINUED OPERATION.

PARK LAND DEDICATION STATEMENT:

THE SUBDIVIDER INTENDS TO COMPLY WITH THE PARK LANDS DEDICATION ORDINANCE THROUGH A COMBINATION OF THE DEDICATION OF PARK LAND AND BY THE PAYMENT OF FEES AS ALLOWED AND REQUIRED BY THE ORDINANCE.

CONDOMINIUM NOTE:

PORTIONS OF THIS MAP ARE A CONDOMINIUM PROJECT AS DEFINED BY SECTION 1350 OF THE STATE OF CALIFORNIA CIVIL CODES. THE MAXIMUM NUMBER OF CONDOMINIUM UNITS PROPOSED IS 53.

ASSESSOR'S PARCEL NUMBERS:	LAND USE DESIGNATION	COMMUNITY PLAN	TAX RATE
228-313-13	SEMI-RURAL RESIDENTIAL (SR-2)	SAN DIEGUITO	76011
232-013-01	SEMI-RURAL RESIDENTIAL (SR-2)	SAN DIEGUITO	74035
232-013-02	SEMI-RURAL RESIDENTIAL (SR-1)	SAN DIEGUITO	74035
232-013-03	SEMI-RURAL RESIDENTIAL (SR-1)	SAN DIEGUITO	74094
232-070-55	SEMI-RURAL RESIDENTIAL (SR-1)	SAN DIEGUITO	74094
232-492-01	SEMI-RURAL RESIDENTIAL (SR-2)	SAN DIEGUITO	74035
232-500-18	SEMI-RURAL RESIDENTIAL (SR-2)	SAN DIEGUITO	74094
232-500-19	SEMI-RURAL RESIDENTIAL (SR-2)	SAN DIEGUITO	74094
232-500-20	SEMI-RURAL RESIDENTIAL (SR-2)	SAN DIEGUITO	74094
232-500-21	SEMI-RURAL RESIDENTIAL (SR-2)	SAN DIEGUITO	74035
232-500-22	SEMI-RURAL RESIDENTIAL (SR-2)	SAN DIEGUITO	74035
232-500-23	SEMI-RURAL RESIDENTIAL (SR-2)	SAN DIEGUITO	74035
232-500-24	SEMI-RURAL RESIDENTIAL (SR-2)	SAN DIEGUITO	74228

WATER AND SEWER

WATER:
RINCON DEL DIABLO MUNICIPAL WATER DISTRICT
1920 IRIS LANE
ESCONDIDO, CA 92026
(760)745-5522

SEWER:
ON SITE TREATMENT PLANT

SCHOOL DISTRICTS

ESCONDIDO
ELEMENTARY
1330 E. GRAND AVENUE
ESCONDIDO CA 92027
(760)432-2400

HIGH SCHOOL
302 N. MIDWAY DRIVE
ESCONDIDO, CA 92027
(760)291-3200

FIRE DISTRICT

CITY OF SAN MARCOS FIRE PROTECTION DISTRICT
1 CIVIC CENTER DRIVE
SAN DIEGO, CA 92069
(760) 744-1050

EXISTING ZONING

SEE SHEET 2 FOR TABULATION OF EXISTING ZONING FOR EXISTING PARCELS.

PROPOSED ZONING

SEE SHEET 2 FOR TABULATION OF PROPOSED ZONING FOR PROPOSED PLANNING AREAS.

GROSS/NET AREA

239 ± ACRES

NUMBER OF LOTS

SINGLE FAMILY RESIDENTIAL	273
DETACHED CONDOMINIUM	13
OPEN SPACE	21
TOTAL	307

LEGEND

ITEMS	STAD. DWGS.	SYMBOL
WATER		
FIRE HYDRANT	(W-01)	
SEWER		SS
SEWER MANHOLE	(SM - 02)	
SEWER LIFT STATION		L
STORM DRAIN	(D - 50)	SD
EXISTING CONTOUR		
CURB INLET	(D - 02)	
STORM DRAIN CLEANOUT	(D - 09)	
RIP RAP ENERGY DISSIPATER	(D - 40)	
HEADWALL	(D - 34, D - 35)	
DETENTION BASIN RISER		
STREET LIGHT	(E - 1)	
100 YEAR LINE OF INUNDATION		
TRACT BOUNDARY		
EASEMENT		
OPEN SPACE EASEMENT		
OPEN SPACE LOT		E
RESIDENTIAL LOT		47
PAD ELEVATION		749.8
LOT SIZE		5,307 SF
LOT LINE		
UNIT / NEIGHBORHOOD BOUNDARY		
FUEL MANAGEMENT ZONE 1		
FUEL MANAGEMENT ZONE 2		
PROPOSED LIMIT CUT		
4" ROCK CURB TYPE E AND R.O.W.	(G-5)	
PUBLIC TRAIL WITH 12' EASEMENT		
EXISTING TRAIL		
PRIVATE TRAIL		
BIOLOGICAL OPEN SPACE EASEMENT		
LIMITED BUILDING ZONE		
R.P.O. SETBACK		
AGRICULTURAL PRESERVE		
STEEP SLOPE EASEMENT		
5' DECOMPOSED GRANITE TRAIL		

NOTE:
SAN DIEGO REGIONAL STANDARD DRAWINGS (2012) APPLY FOR THIS PROJECT

MINIMUM PROPOSED LOT SIZE: 5,000 s.f.

TOTAL NUMBER OF DWELLING UNITS: 326

GRADING PLAN NOTE:

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

DESIGN STANDARDS:

1. STANDARDS FOR PR ROADWAY DESIGN WITHIN THIS PROJECT SHALL CONFORM WITH THE PARAMETERS LISTED FOR EACH ROADWAY SECTION ON SHEET TWO OF THIS MAP AND THE GUIDELINES OF THE VALIANO SPECIFIC PLAN. ELEMENTS SUCH AS DESIGN SPEED, MAXIMUM GRADE AND MINIMUM HORIZONTAL CURVE RADIUS MAY VARY FROM THE COUNTY OF SAN DIEGO PUBLIC ROAD STANDARDS.

EMERGENCY ACCESS GATE NOTE:

1. AUTOMATIC GATES REQUIRE A KNOX RAPID ENTRY SYSTEM AND EMERGENCY VEHICLE STROBE DETECTOR.
2. AUTOMATIC GATES REQUIRE SDG&E KEYED BYPASS.
3. NO GATE IS PROPOSED FOR THE EMERGENCY ACCESS TO MOUNT WHITNEY ROAD.

RELINQUISHMENT OF INGRESS AND EGRESS RIGHTS

THE FOLLOWING LOTS SHALL RELINQUISH ALL RIGHTS TO INGRESS AND EGRESS FROM THE FOLLOWING PRIVATE STREETS TO PREVENT CREATION OF "THROUGH LOTS":

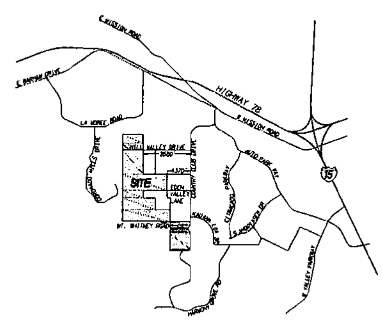
LOT NUMBERS	STREET TO WHICH ACCESS RIGHTS ARE RELINQUISHED
13-19	MT. WHITNEY ROAD
15-18, 54-59,	STREET A
113-114, 171-180	STREET A
28-29	STREET 1E
20-27	ROMANCE ROAD
115-117	STREET 20
283-289	COUNTRY CLUB DRIVE

FIRE DEPARTMENT NOTES

1. SIGNS READING "NO PARKING FIRE LANE" ARE REQUIRED FOR PUBLIC AND PRIVATE STREETS THAT ARE 24 FEET OR LESS IN WIDTH PER CA. VEHICLE CODE, SECTION 22500.1, 22658(a) AND SAN MARCOS FIRE PROTECTION DISTRICT.
2. PROVIDE MONUMENT SIGNS IN KEY LOCATIONS AS DETERMINED BY THE SAN MARCOS FIRE DEPARTMENT.
3. FIRE HYDRANT BLUE DOT MARKERS SHALL BE INSTALLED TO INDICATE LOCATION OF ALL FIRE HYDRANTS SERVED BY THIS PROJECT.
4. INSTALL BRONZE RESIDENTIAL FIRE HYDRANTS AT LOCATIONS REQUIRED BY THE FIRE DEPARTMENT. THE MINIMUM FIRE FLOW REQUIRED IS 1,500 GPM FOR TWO HOURS.
5. ALL FIRE HYDRANTS FOR THIS PROJECT SHALL BE INSTALLED PER LOCAL WATER DISTRICT AND FIRE DEPARTMENT SPECIFICATIONS. FIRE HYDRANT TYPE SHALL BE JONES OR CLOW WITH ONE 4-INCH CONNECTION AND ONE 2-1/2 INCH CONNECTION.
6. ROADS SHALL BE DESIGNED TO SUPPORT THE IMPOSED LOADS OF FIRE APPARATUS WHICH IS APPROXIMATELY 75,000 LBS.

SAN DIEGO GAS AND ELECTRIC NOTE

1. OPEN SPACE EASEMENTS GRANTED ON THIS MAP OR AS A REQUIREMENT OF THIS MAP ARE GRANTED SUBJECT TO THE PRIOR EASEMENT RIGHTS OF SDG&E INCLUDING BUT NOT LIMITED TO ACCESS BY PRACTICAL ROUTE OR ROUTES TO SDG&E PRESENT AND FUTURE FACILITIES.
2. ALL FENCING IN THE SDG&E EASEMENT TO BE REVIEWED AND APPROVED BY SDG&E INCLUDING TRAIL FENCING IF ANY.
3. PUBLIC TRAILS WITHIN SDG&E EASEMENTS ARE SUBJECT TO SDG&E AND COUNTY OF SAN DIEGO TRAILS AGREEMENT ENTITLED "CONSENT TO USE OF LAND" APPROVED BY THE COUNTY ON OCTOBER 27, 2004.
4. PRIOR TO ISSUANCE OF A PERMIT FOR ANY GRADING OR CONSTRUCTION ON THE LOTS ON THE MAP, PLANS SHALL BE SUBMITTED TO SDG&E LAND MANAGEMENT DEPARTMENT FOR REVIEW AND ISSUANCE OF A "LETTER OF PERMISSION TO GRADE CONSTRUCT IMPROVEMENTS".



VICINITY MAP
NOT TO SCALE

ENGINEER OF WORK

FUSCOE ENGINEERING INC
6390 GREENWICH DRIVE, STE. 170
SAN DIEGO, CA 92122
(858)554-1500

KENNETH T. KOZLIK RCE 71883 DATE

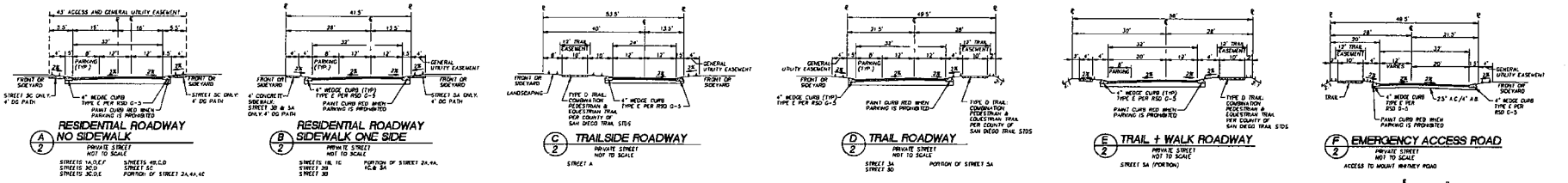
KENNETH T. KOZLIK No. RCE 71883 Exp. 12-31-18 Civil STATE OF CALIFORNIA

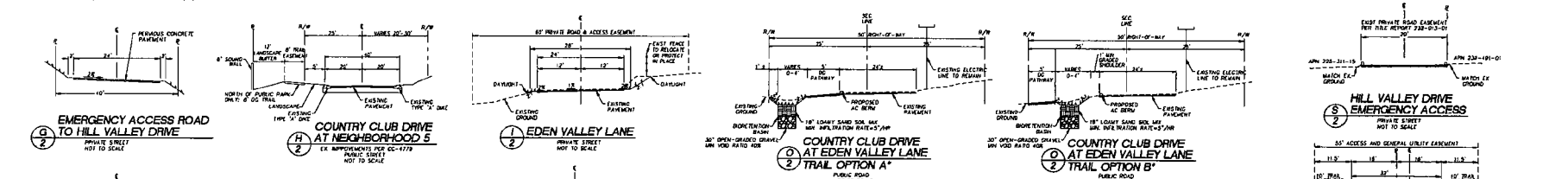
VESTING TENTATIVE MAP
SHEET 1 OF 12

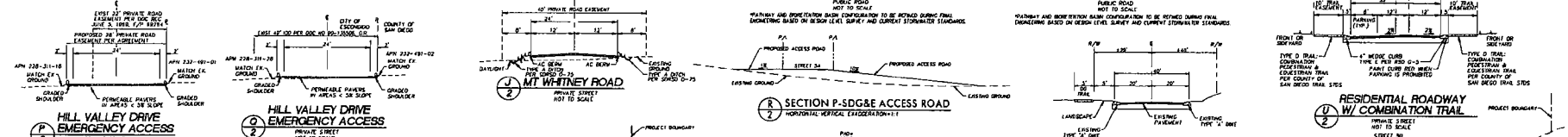
NO.	DATE	REVISION

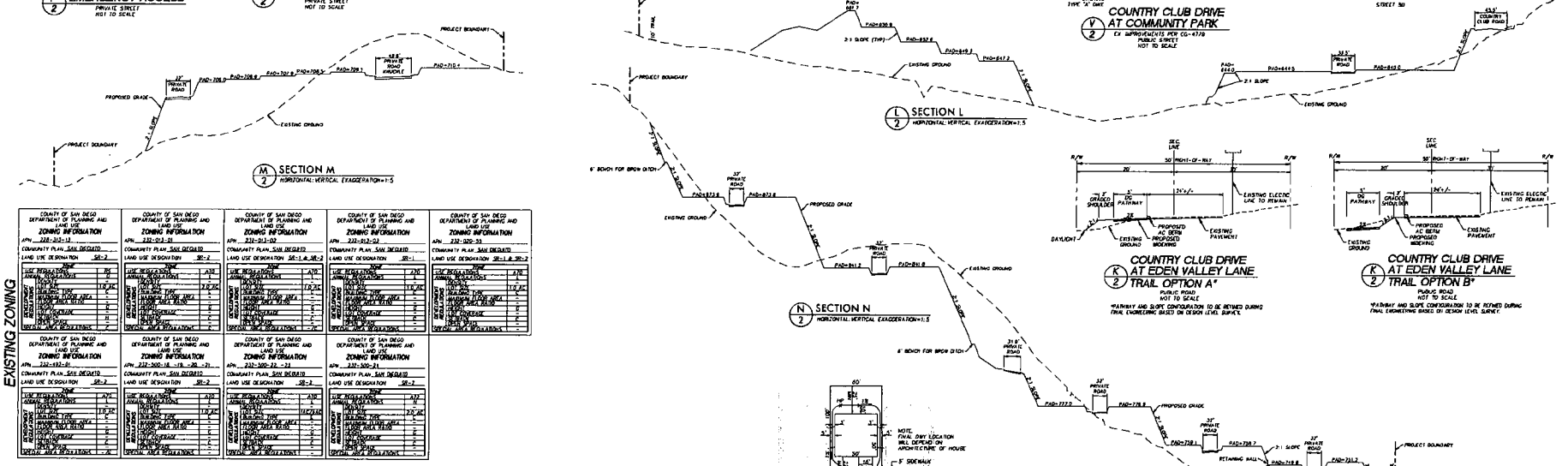
FUSCOE ENGINEERING
6390 Greenwich Drive, Suite 170
San Diego, California 92122
tel 858.554.1500 • fax 858.597.0335
www.fuscoe.com

COUNTY OF SAN DIEGO TRACT TM 5575 RPL[4]
VESTING TENTATIVE MAP
VALIANO









EXISTING ZONING

COUNTY OF SAN DIEGO DEPARTMENT OF PLANNING AND LAND USE ZONING INFORMATION APN 228-313-13 COMMUNITY PLAN SAN DEGUITO LAND USE DESIGNATION SR-2 ZONE: USE REGULATIONS A70; ANIMAL REGULATIONS L; DEVELOPMENT REGULATIONS: LOT SIZE 10 AC; BUILDING TYPE C; MAXIMUM FLOOR AREA -; MAXIMUM HEIGHT G; LOT COVERAGE -; SETBACK H; OPEN SPACE -; SPECIAL AREA REGULATIONS P2	COUNTY OF SAN DIEGO DEPARTMENT OF PLANNING AND LAND USE ZONING INFORMATION APN 232-013-01 COMMUNITY PLAN SAN DEGUITO LAND USE DESIGNATION SR-2 ZONE: USE REGULATIONS A70; ANIMAL REGULATIONS L; DEVELOPMENT REGULATIONS: LOT SIZE 10 AC; BUILDING TYPE C; MAXIMUM FLOOR AREA -; MAXIMUM HEIGHT G; LOT COVERAGE -; SETBACK H; OPEN SPACE -; SPECIAL AREA REGULATIONS P2	COUNTY OF SAN DIEGO DEPARTMENT OF PLANNING AND LAND USE ZONING INFORMATION APN 232-013-02 COMMUNITY PLAN SAN DEGUITO LAND USE DESIGNATION SR-1 & SR-2 ZONE: USE REGULATIONS A70; ANIMAL REGULATIONS L; DEVELOPMENT REGULATIONS: LOT SIZE 10 AC; BUILDING TYPE C; MAXIMUM FLOOR AREA -; MAXIMUM HEIGHT G; LOT COVERAGE -; SETBACK H; OPEN SPACE -; SPECIAL AREA REGULATIONS P2	COUNTY OF SAN DIEGO DEPARTMENT OF PLANNING AND LAND USE ZONING INFORMATION APN 232-013-03 COMMUNITY PLAN SAN DEGUITO LAND USE DESIGNATION SR-1 ZONE: USE REGULATIONS A70; ANIMAL REGULATIONS L; DEVELOPMENT REGULATIONS: LOT SIZE 10 AC; BUILDING TYPE C; MAXIMUM FLOOR AREA -; MAXIMUM HEIGHT G; LOT COVERAGE -; SETBACK H; OPEN SPACE -; SPECIAL AREA REGULATIONS P2	COUNTY OF SAN DIEGO DEPARTMENT OF PLANNING AND LAND USE ZONING INFORMATION APN 232-020-55 COMMUNITY PLAN SAN DEGUITO LAND USE DESIGNATION SR-1 & SR-2 ZONE: USE REGULATIONS A70; ANIMAL REGULATIONS L; DEVELOPMENT REGULATIONS: LOT SIZE 10 AC; BUILDING TYPE C; MAXIMUM FLOOR AREA -; MAXIMUM HEIGHT G; LOT COVERAGE -; SETBACK H; OPEN SPACE -; SPECIAL AREA REGULATIONS P2
COUNTY OF SAN DIEGO DEPARTMENT OF PLANNING AND LAND USE ZONING INFORMATION APN 232-492-01 COMMUNITY PLAN SAN DEGUITO LAND USE DESIGNATION SR-2 ZONE: USE REGULATIONS A70; ANIMAL REGULATIONS L; DEVELOPMENT REGULATIONS: LOT SIZE 10 AC; BUILDING TYPE C; MAXIMUM FLOOR AREA -; MAXIMUM HEIGHT G; LOT COVERAGE -; SETBACK H; OPEN SPACE -; SPECIAL AREA REGULATIONS P2	COUNTY OF SAN DIEGO DEPARTMENT OF PLANNING AND LAND USE ZONING INFORMATION APN 232-300-16, -19, -20, -21 COMMUNITY PLAN SAN DEGUITO LAND USE DESIGNATION SR-2 ZONE: USE REGULATIONS A70; ANIMAL REGULATIONS L; DEVELOPMENT REGULATIONS: LOT SIZE 10 AC; BUILDING TYPE C; MAXIMUM FLOOR AREA -; MAXIMUM HEIGHT G; LOT COVERAGE -; SETBACK H; OPEN SPACE -; SPECIAL AREA REGULATIONS P2	COUNTY OF SAN DIEGO DEPARTMENT OF PLANNING AND LAND USE ZONING INFORMATION APN 232-300-22, -23 COMMUNITY PLAN SAN DEGUITO LAND USE DESIGNATION SR-2 ZONE: USE REGULATIONS A70; ANIMAL REGULATIONS L; DEVELOPMENT REGULATIONS: LOT SIZE 1 AC; BUILDING TYPE C; MAXIMUM FLOOR AREA -; MAXIMUM HEIGHT G; LOT COVERAGE -; SETBACK H; OPEN SPACE -; SPECIAL AREA REGULATIONS P2	COUNTY OF SAN DIEGO DEPARTMENT OF PLANNING AND LAND USE ZONING INFORMATION APN 232-300-31 COMMUNITY PLAN SAN DEGUITO LAND USE DESIGNATION SR-2 ZONE: USE REGULATIONS A70; ANIMAL REGULATIONS L; DEVELOPMENT REGULATIONS: LOT SIZE 2.5 AC; BUILDING TYPE C; MAXIMUM FLOOR AREA -; MAXIMUM HEIGHT G; LOT COVERAGE -; SETBACK H; OPEN SPACE -; SPECIAL AREA REGULATIONS P2

PROPOSED ZONING

COUNTY OF SAN DIEGO DEPARTMENT OF PLANNING AND LAND USE ZONING INFORMATION NEIGHBORHOOD 1 COMMUNITY PLAN SAN DEGUITO LAND USE DESIGNATION SR-5 ZONE: USE REGULATIONS S88; ANIMAL REGULATIONS L; DEVELOPMENT REGULATIONS: LOT SIZE 7,000; BUILDING TYPE C; MAXIMUM FLOOR AREA -; MAXIMUM HEIGHT G; LOT COVERAGE -; SETBACK H; OPEN SPACE -; SPECIAL AREA REGULATIONS P2	COUNTY OF SAN DIEGO DEPARTMENT OF PLANNING AND LAND USE ZONING INFORMATION NEIGHBORHOOD 3 COMMUNITY PLAN SAN DEGUITO LAND USE DESIGNATION SR-5 ZONE: USE REGULATIONS S88; ANIMAL REGULATIONS L; DEVELOPMENT REGULATIONS: LOT SIZE 8,000; BUILDING TYPE C; MAXIMUM FLOOR AREA -; MAXIMUM HEIGHT G; LOT COVERAGE -; SETBACK H; OPEN SPACE -; SPECIAL AREA REGULATIONS P2	COUNTY OF SAN DIEGO DEPARTMENT OF PLANNING AND LAND USE ZONING INFORMATION NEIGHBORHOOD 4 COMMUNITY PLAN SAN DEGUITO LAND USE DESIGNATION SR-1 ZONE: USE REGULATIONS S88; ANIMAL REGULATIONS L; DEVELOPMENT REGULATIONS: LOT SIZE 7,000; BUILDING TYPE C; MAXIMUM FLOOR AREA -; MAXIMUM HEIGHT G; LOT COVERAGE -; SETBACK H; OPEN SPACE -; SPECIAL AREA REGULATIONS P2	COUNTY OF SAN DIEGO DEPARTMENT OF PLANNING AND LAND USE ZONING INFORMATION NEIGHBORHOOD 5 COMMUNITY PLAN SAN DEGUITO LAND USE DESIGNATION SR-5 ZONE: USE REGULATIONS S88; ANIMAL REGULATIONS L; DEVELOPMENT REGULATIONS: LOT SIZE 7,000; BUILDING TYPE C; MAXIMUM FLOOR AREA -; MAXIMUM HEIGHT G; LOT COVERAGE -; SETBACK H; OPEN SPACE -; SPECIAL AREA REGULATIONS P2	COUNTY OF SAN DIEGO DEPARTMENT OF PLANNING AND LAND USE ZONING INFORMATION NEIGHBORHOOD 6 COMMUNITY PLAN SAN DEGUITO LAND USE DESIGNATION SR-5 ZONE: USE REGULATIONS S88; ANIMAL REGULATIONS L; DEVELOPMENT REGULATIONS: LOT SIZE 8,000; BUILDING TYPE C; MAXIMUM FLOOR AREA -; MAXIMUM HEIGHT G; LOT COVERAGE -; SETBACK H; OPEN SPACE -; SPECIAL AREA REGULATIONS P2

STREET LANDSCAPING STANDARDS:

1. STREET LANDSCAPING SHALL CONFORM WITH THE "STREETSCAPE" SECTION OF THE SPECIFIC PLAN PREPARED FOR THIS PROJECT, WHERE THAT DOCUMENT IS SILENT, PLANTING SHALL CONFORM WITH THE COUNTY OF SAN DIEGO'S LANDSCAPE GUIDELINES
2. FINAL LANDSCAPE PLACEMENT SHALL BE SUBJECT TO APPROVAL OF "CLEAR ZONE" SPACING AT THE TIME OF IMPROVEMENT PLAN REVIEW.
3. LANDSCAPE MAINTENANCE SHALL BE THE RESPONSIBILITY OF THE PROJECT, AS DESCRIBED IN THE SPECIFIC PLAN.

ENGINEER OF WORK
FUSCOE ENGINEERING INC.
4390 GREENBACK DRIVE, STE. 170
SAN DIEGO, CA 92123
(858)571-1300

VESTING TENTATIVE MAP
SHEET 2 OF 12

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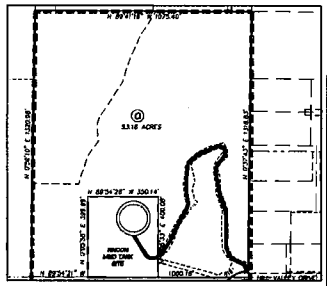
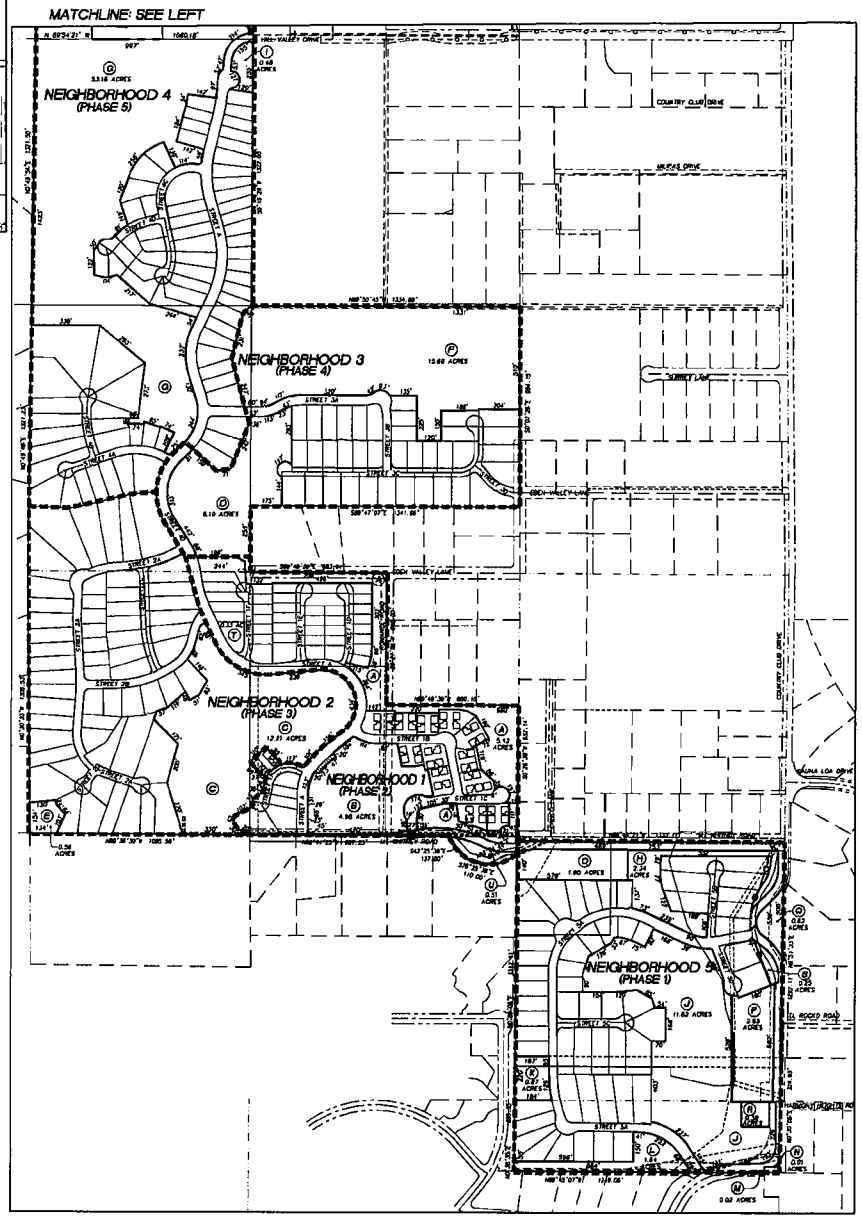
tel 858 554 1500 • fax 858 597 0313
www.fuscoe.com

COUNTY OF SAN DIEGO TRACT TM 5575 RPL[4]
VESTING TENTATIVE MAP
VALIANO





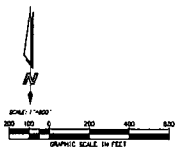
NEIGHBORHOOD 1	
LOT #	AREA (sf)
1	19,310
2	14,790
3	14,400
4	14,420
5	14,650
6	18,110
7	12,700
8	16,520
9	18,590
10	12,120
11	12,640
12	18,530
13	17,090
14	17,450
15	10,790
16	8,210
17	12,360
18	11,640
19	6,770
20	5,290
21	7,530
22	5,790
23	5,670
24	5,340
25	6,010
26	5,790
27	6,010
28	6,140
29	6,090
30	6,140
31	5,490
32	4,410
33	5,490
34	4,590
35	4,590
36	6,090
37	6,090
38	5,490
39	7,370
40	8,470
41	8,540
42	6,450
43	6,500
44	6,550
45	6,590
46	6,630
47	3,370
48	4,210
49	5,500
50	7,760
51	5,210
52	11,490
53	19,470
54	16,330
55	13,330
56	10,130
57	7,460
58	8,120

NEIGHBORHOOD 2	
LOT #	AREA (sf)
59	17,670
60	13,570
61	16,340
62	14,940
63	12,850
64	12,780
65	12,120
66	12,820
67	21,870
68	41,990
69	16,330
70	25,650
71	14,420
72	24,930
73	20,010
74	17,180
75	21,440
76	20,740
77	22,600
78	18,410
79	16,720
80	20,930
81	16,090
82	19,510
83	16,180
84	16,330
85	16,320
86	16,090
87	16,150
88	17,340
89	16,000
90	21,950
91	39,190
92	34,260
93	33,650
94	20,920
95	74,700
96	46,820
97	10,810
98	8,120
99	9,350
100	9,830
101	8,420
102	8,810
103	9,240
104	10,020
105	13,480
106	13,650
107	12,340
108	15,370
109	16,570
110	17,670
111	24,150
112	16,740
113	18,270
114	17,790
115	16,000
116	20,150

NEIGHBORHOOD 3	
LOT #	AREA (sf)
117	13,140
118	13,160
119	13,170
120	13,000
121	13,170
122	13,140
123	9,880
124	9,490
125	9,630
126	9,840
127	15,260
128	12,210
129	19,460
130	13,170
131	15,160
132	15,210
133	15,310
134	15,017
135	15,510
136	15,510
137	15,510
138	13,780
139	20,120
140	24,170
141	17,910
142	17,260
143	17,460
144	17,780
145	12,670
146	16,340
147	11,630
148	11,810
149	11,810
150	12,390
151	13,980
152	13,900
153	9,710

NEIGHBORHOOD 4	
LOT #	AREA (sf)
154	9,700
155	8,020
156	8,010
157	10,030
158	12,210
159	10,090
160	14,370
161	9,620
162	12,460
163	9,270
164	9,710
165	11,140
166	10,610
167	10,110
168	9,410
169	11,320
170	12,430
171	11,160
172	10,190
173	10,110
174	10,260
175	10,030
176	10,280
177	11,410
178	10,390
179	11,870
180	11,320
181	9,440
182	8,990
183	8,870
184	8,870
185	8,540
186	8,540
187	12,870
188	11,320
189	17,020
190	9,360
191	8,760
192	8,760
193	8,760
194	8,810
195	9,320
196	7,970
197	8,020
198	9,540
199	8,140
200	12,210
201	10,540
202	11,980
203	14,470
204	13,080
205	10,820
206	15,700
207	18,360
208	13,440
209	17,500
210	7,050
211	8,220
212	7,000
213	18,180
214	13,220
215	18,150
216	13,750
217	27,450
218	17,690
219	19,930
220	22,250
221	14,520
222	20,140
223	21,900
224	20,750
225	21,480
226	12,690
227	14,970
228	12,270
229	12,870
230	11,960
231	23,010

NEIGHBORHOOD 5	
LOT #	AREA (sf)
232	17,610
233	16,770
234	17,360
235	16,480
236	16,000
237	26,000
238	29,930
239	13,870
240	13,610
241	12,770
242	12,170
243	12,260
244	12,360
245	12,430
246	12,370
247	15,050
248	15,090
249	15,010
250	15,010
251	15,010
252	15,090
253	15,090
254	15,010
255	21,930
256	21,880
257	21,880
258	21,780
259	22,340
260	21,780
261	22,090
262	22,220
263	22,320
264	22,220
265	22,060
266	22,210
267	22,060
268	22,020
269	22,020
270	9,370
271	10,750
272	12,270
273	22,340
274	21,830
275	9,220
276	9,220
277	22,210
278	29,180
279	20,790
280	20,950
281	20,000
282	14,190
283	13,000
284	13,840
285	22,020
286	22,140



VESTING TENTATIVE MAP
SHEET 3 OF 12

ENGINEER OF WORK

FUSCOE ENGINEERING INC.
4390 GREENWICH DRIVE, STE. 170
SAN DIEGO, CA 92123
(858)874-1200

KENNETH E. HUSEUM — RCE 71883 — 04/11

FUSCOE ENGINEERING
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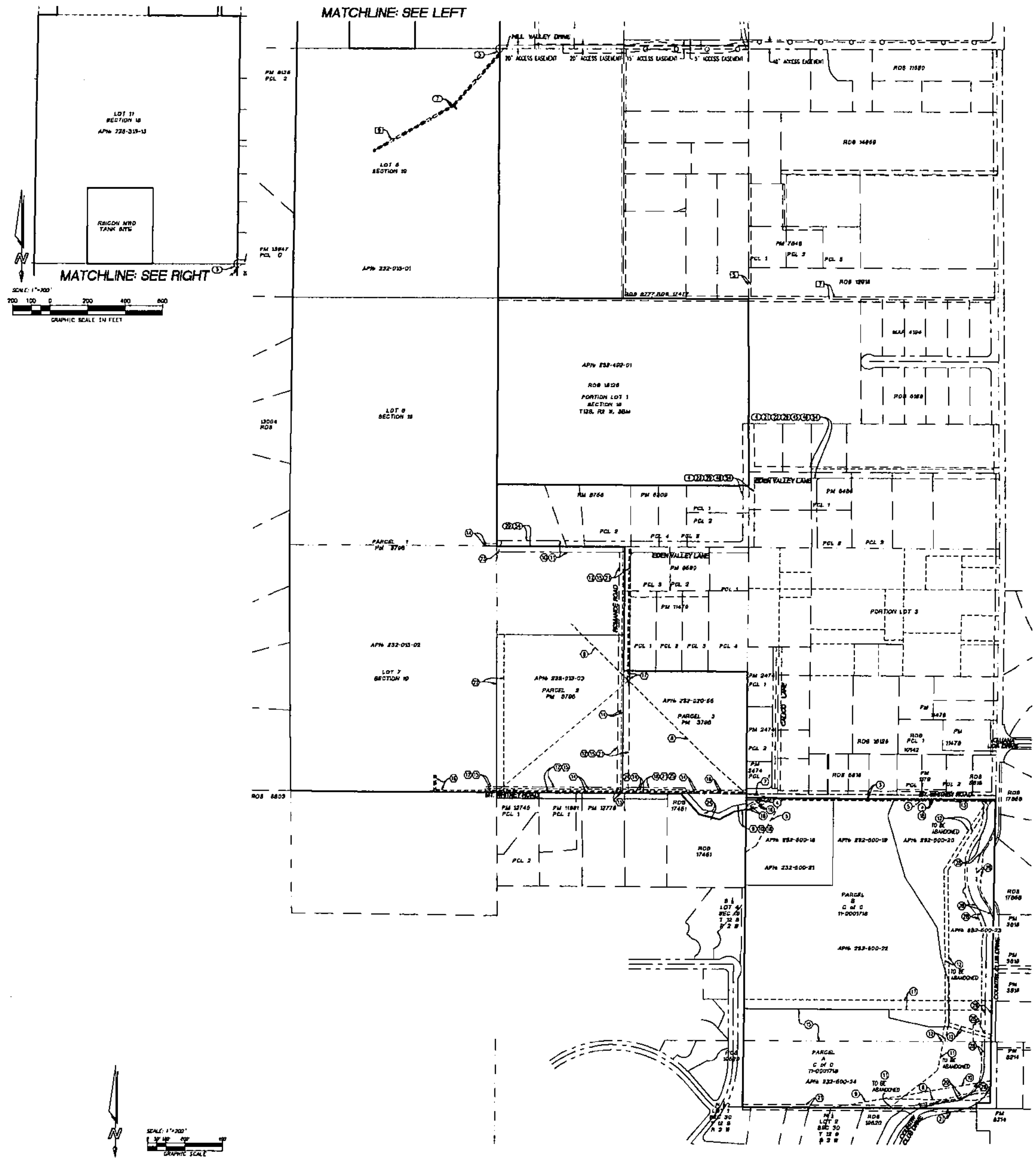
2 - 400

COUNTY OF SAN DIEGO TRACT TM 5575 RPL[4]
VESTING TENTATIVE MAP
VALIANO



EASEMENT NOTES:

EXCEPTIONS

ITEMS 1 AND 2 RELATE TO TAXES AND ASSESSMENTS

(3) 3. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT.
GRANTED TO: CAROLINE A. COOK, A WIDOW
PURPOSE: RIGHT OF WAY FOR TRAVEL
RECORDED: JANUARY 18, 1887 IN BOOK 260, PAGE 3 OF DEEDS
AFFECTS: THE EXACT LOCATION AND EXTENT OF SAID EASEMENT IS NOT DISCLOSED OF RECORD

SAID EASEMENT HAS BEEN CONVEYED AND/OR RESERVED IN VARIOUS OTHER INSTRUMENTS OF RECORD

SURVEYOR'S NOTE: THIS DOCUMENT RESERVES A 20 FOOT RIGHT-OF-WAY ALONG AN EXISTING ROAD, BUT DOES NOT PROVIDE A LOCATION FOR THE ROAD THAT CAN BE PLOTTED FROM RECORD. THIS DOCUMENT ALSO GRANTS A RIGHT-OF-WAY FOR TRAVEL TO THE 20 FEET IMMEDIATELY NORTH OF THE SUBJECT PROPERTY AND IT WOULD APPEAR ALLOWS THE PROPERTY TO ACCESS AT LEAST A PORTION OF MT. WHITNEY ROAD. THE MT. WHITNEY ACCESS RIGHTS ARE THE PORTION PLOTTED ON THIS SURVEY.

(4) 4. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT
GRANTED TO: L. H. CARLSHAW
PURPOSE: TRAVEL
RECORDED: SEPTEMBER 5, 1919 IN BOOK 794, PAGE 181 OF DEEDS
AFFECTS: THE ROUTE THEREOF AFFECTS A PORTION OF SAID LAND AND IS MORE FULLY DESCRIBED IN SAID DOCUMENT

(5) 5. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT.
GRANTED TO: SAN DIEGO GAS AND ELECTRIC COMPANY
PURPOSE: PUBLIC UTILITIES, INGRESS, EGRESS
RECORDED: OCTOBER 18, 1941 IN BOOK 1244, PAGE 201 OF OFFICIAL RECORDS
AFFECTS: THE ROUTE THEREOF AFFECTS A PORTION OF SAID LAND AND IS MORE FULLY DESCRIBED IN SAID DOCUMENT

6. THE RIGHTS OF THE PUBLIC IN AND TO THAT PORTION OF THE HEREIN DESCRIBED LAND LYING WITHIN COUNTRY CLUB DRIVE AND MISCELLANEOUS SURVEY 438.

7. INTENTIONALLY OMITTED.

(8) 8. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT.
GRANTED TO: SAN DIEGO GAS AND ELECTRIC COMPANY
PURPOSE: PUBLIC UTILITIES, INGRESS, EGRESS
RECORDED: NOVEMBER 18, 1948 IN BOOK 3018, PAGE 463 OF OFFICIAL RECORDS
AFFECTS: THE ROUTE THEREOF AFFECTS A PORTION OF SAID LAND AND IS MORE FULLY DESCRIBED IN SAID DOCUMENT

(9) 9. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT.
GRANTED TO: SAN DIEGO GAS AND ELECTRIC COMPANY
PURPOSE: PUBLIC UTILITIES, INGRESS, EGRESS
RECORDED: FEBRUARY 14, 1955 IN BOOK 5530, PAGE 311 OF OFFICIAL RECORDS
AFFECTS: THE ROUTE THEREOF AFFECTS A PORTION OF SAID LAND AND IS MORE FULLY DESCRIBED IN SAID DOCUMENT

(10) 10. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT.
GRANTED TO: SAN DIEGO GAS AND ELECTRIC COMPANY
PURPOSE: PUBLIC UTILITIES, INGRESS, EGRESS
RECORDED: FEBRUARY 11, 1955 IN BOOK 5530, PAGE 548 OF OFFICIAL RECORDS
AFFECTS: THE ROUTE THEREOF AFFECTS A PORTION OF SAID LAND AND IS MORE FULLY DESCRIBED IN SAID DOCUMENT

(11) 11. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT.
GRANTED TO: RINCON DEL DIABLO MUNICIPAL WATER DISTRICT
PURPOSE: PIPELINE
RECORDED: OCTOBER 24, 1955 IN BOOK 5841, PAGE 499 AND 504, BOTH OF OFFICIAL RECORDS
AFFECTS: THE ROUTE THEREOF AFFECTS A PORTION OF SAID LAND AND IS MORE FULLY DESCRIBED IN SAID DOCUMENT

(12) 12. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT.
GRANTED TO: RINCON DEL DIABLO MUNICIPAL WATER DISTRICT
PURPOSE: PIPELINE
RECORDED: OCTOBER 24, 1955 IN BOOK 5842, PAGE 18 OF OFFICIAL RECORDS
AFFECTS: THE ROUTE THEREOF AFFECTS A PORTION OF SAID LAND AND IS MORE FULLY DESCRIBED IN SAID DOCUMENT

(13) 13. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT.
GRANTED TO: SAN DIEGO GAS AND ELECTRIC COMPANY
PURPOSE: PUBLIC UTILITIES, INGRESS, EGRESS
RECORDED: JULY 10, 1956 IN BOOK 6179, PAGE 61 OF OFFICIAL RECORDS
AFFECTS: THE ROUTE THEREOF AFFECTS A PORTION OF SAID LAND AND IS MORE FULLY DESCRIBED IN SAID DOCUMENT

14. INTENTIONALLY OMITTED

(15) 15. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT.
GRANTED TO: SAN DIEGO GAS AND ELECTRIC COMPANY
PURPOSE: PUBLIC UTILITIES, INGRESS, EGRESS
RECORDED: MARCH 10, 1958 IN BOOK 7538, PAGE 494 OF OFFICIAL RECORDS
AFFECTS: THE ROUTE THEREOF AFFECTS A PORTION OF SAID LAND AND IS MORE FULLY DESCRIBED IN SAID DOCUMENT

(16) 16. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT.
GRANTED TO: LLOYD C. THIEL AND ... THIEL
PURPOSE: ROAD AND PUBLIC UTILITIES
RECORDED: MAY 12, 1972 AS INSTRUMENT NO. 120034 OF OFFICIAL RECORDS
AFFECTS: THE ROUTE THEREOF AFFECTS A PORTION OF SAID LAND AND IS MORE FULLY DESCRIBED IN SAID DOCUMENT

(17) 17. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT.
GRANTED TO: SAN DIEGO GAS AND ELECTRIC COMPANY
PURPOSE: PUBLIC UTILITIES, INGRESS, EGRESS
RECORDED: JUNE 29, 1972 AS INSTRUMENT NO. 72-166533 OF OFFICIAL RECORDS
AFFECTS: THE ROUTE THEREOF AFFECTS A PORTION OF SAID LAND AND IS MORE FULLY DESCRIBED IN SAID DOCUMENT

(18) 18. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT.
GRANTED TO: RINCON DEL DIABLO MUNICIPAL WATER DISTRICT
PURPOSE: PIPELINE
RECORDED: MARCH 6, 1985 AS INSTRUMENT NO. 85-74813 OF OFFICIAL RECORDS
AFFECTS: THE ROUTE THEREOF AFFECTS A PORTION OF SAID LAND AND IS MORE FULLY DESCRIBED IN SAID DOCUMENT

19. ANY RIGHTS, INTERESTS OR CLAIMS WHICH MAY EXIST OR ARISE BY REASON OF THE FOLLOWING MATTERS DISCLOSED BY INFORMATION PROVIDED BY RINCON DEL DIABLO MUNICIPAL WATER DISTRICT

THE FACT THAT THERE EXISTS A ROAD AND A WATER PIPELINE ACROSS THE EASTERLY PORTION OF SAID LAND IN FAVOR OF RINCON DEL DIABLO MUNICIPAL WATER DISTRICT.

20. INTENTIONALLY OMITTED

(21) 21. AN AGREEMENT, AND THE TERMS AND CONDITIONS AS CONTAINED THEREIN
DATED: FEBRUARY 27, 2009
BY AND BETWEEN: NEW D RANCH, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY AND RANCHO PACIFIC GROUP LLC, A DELAWARE LIMITED LIABILITY COMPANY
RECORDED: FEBRUARY 27, 2009 AS INSTRUMENT NO. 2009-0100273 OF OFFICIAL RECORDS
REGARDING: ACCESS EASEMENT AGREEMENT

REFERENCE IS HEREBY MADE TO SAID DOCUMENT FOR FULL PARTICULARS

22. INTENTIONALLY OMITTED.

23. INTENTIONALLY OMITTED.

24. WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT SHOWN BY THE PUBLIC RECORDS.

25. A DOCUMENT ENTITLED "ROADWAY IMPROVEMENT EASEMENT AGREEMENT", DATED, MARCH 20, 2012, EXECUTED BY NEW D RANCH, LLC. A CALIFORNIA LIMITED LIABILITY COMPANY, AND DEERFIELD LAND INVESTMENT, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AND STANDARD PACIFIC CORP., A CALIFORNIA CORPORATION, SUBJECT TO ALL THE TERMS, PROVISIONS AND CONDITIONS THEREIN CONTAINED, RECORDED SEPTEMBER 10, 2012, AS INSTRUMENT NO. 2012-0542161 OF OFFICIAL RECORDS.

26. ANY RIGHTS, INTERESTS, OR CLAIMS WHICH MAY EXIST OR ARISE BY REASON OF THE FOLLOWING FACTS SHOWN ON A SURVEY PLAT ENTITLED "ALTA/ACSM LAND TITLE SURVEY" DATED DECEMBER 4, 2012 PREPARED BY FUSCOE ENGINEERING:
[26-A] A) THE FACT THAT A FENCE MEANDERS ACROSS THE WESTERLY BOUNDARY OF THE LAND.
[26-B] B) THE FACT THAT THE FENCE ALONG THE SOUTHERLY BOUNDARY IS LOCATED NORTH OF THE SOUTH PROPERTY LINE.
[26-C] C) ENCROACHMENT OF A DRIVEWAY ONTO LAND ADJACENT ON THE SOUTH.
[26-D] D) ENCROACHMENT OF A RETAINING WALL, FENCE AND CONCRETE DRIVEWAY ONTO THE SOUTHEASTERLY CORNER OF THE LAND.
[26-E] E) ENCROACHMENT OF A FENCED YARD ONTO THE NORTHWESTERLY CORNER OF THE LAND.

27. INTENTIONALLY OMITTED.

(28) 28. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT.
GRANTED TO: COUNTY OF SAN DIEGO
PURPOSE: PUBLIC HIGHWAY, EXCAVATION, EMBANKMENT SLOPES AND DRAINAGE STRUCTURES
RECORDED: NOVEMBER 2, 2012, AS INSTRUMENT NO. 2012-0684367 OF OFFICIAL RECORDS
AFFECTS: THE ROUTE THEREOF AFFECTS A PORTION OF SAID LAND AND IS MORE FULLY DESCRIBED IN SAID DOCUMENT.

SURVEYOR'S NOTE: RECORD OF SURVEY 18870 SHOWS THE LOCATION OF A 40 FOOT RIGHT-OF-WAY BASED ON EXISTING PUBLICLY MAINTAINED ROAD IMPROVEMENTS. NOT SHOWN ON THIS SURVEY FOR CLARITY.

(29) 29. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT.
GRANTED TO: SAN DIEGO GAS & ELECTRIC COMPANY
PURPOSE: PUBLIC UTILITIES, INGRESS AND EGRESS
RECORDED: DECEMBER 7, 2012, AS INSTRUMENT NO. 2012-0768862 OF OFFICIAL RECORDS
AFFECTS: THE ROUTE THEREOF AFFECTS A PORTION OF SAID LAND AND IS MORE FULLY DESCRIBED IN SAID DOCUMENT.

30. DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, CREATED, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES FOR VALUE OF RECORD THE ESTATE OR INTEREST OR MORTGAGE THEREON COVERED BY THIS COMMITMENT.

(#) INDICATES PLOTTED EASEMENTS

[26-#] INDICATES LOCATION OF EXCEPTION FROM PREVIOUS SURVEY, SEE SHEETS 2 AND 3 FOR LOCATION.

EASEMENT NOTES:

ITEM NO. THE FOLLOWING EASEMENT DATA WAS OBTAINED FROM CHICAGO TITLE COMPANY PRELIMINARY TITLE REPORT ORDER NO 930013383-U50, DATED JANUARY 19, 2012, REVISED.

(5) EASEMENT TO THE COUNTY OF SAN DIEGO FOR COUNTY ROAD PURPOSES RECORDED IN BOOK 14, PAGE 289 OF MISCELLANEOUS RECORDS HAS NO SPECIFIC LOCATION SET FORTH AND IS NOT PLOTTED HEREON.

(7) LINE EASEMENT (NO WIDTH GIVEN) FOR PUBLIC UTILITIES, INGRESS AND EGRESS TO SAN DIEGO GAS AND ELECTRIC COMPANY PER DOCUMENT RECORDED JULY 29, 1946 IN BOOK 2187, PAGE 416 OF OFFICIAL RECORDS.

(8) LINE EASEMENT (NO WIDTH GIVEN) FOR PUBLIC UTILITIES, INGRESS AND EGRESS TO SAN DIEGO GAS AND ELECTRIC COMPANY PER DOCUMENT RECORDED JULY 29, 1946 IN BOOK 2183 PAGE 231 OF OFFICIAL RECORDS

(9) EASEMENT FOR ROAD AND PUBLIC UTILITIES, INGRESS AND EGRESS AS GRANTED /RESERVED BY VARIOUS INSTRUMENTS OF RECORD, ONE OF WHICH WAS RECORDED AUGUST 27, 1956 IN BOOK 6235, PAGE 108 OF OFFICIAL RECORDS.

(10) EASEMENT FOR ROAD AND PUBLIC UTILITIES, INGRESS AND EGRESS RECORDED FEBRUARY 25,1958 IN BOOK 7015 PAGE 61 OF OFFICIAL RECORDS.

(11) ROAD AND PUBLIC UTILITIES AND INGRESS AND EGRESS AS GRANTED/RESERVED BY VARIOUS INSTRUMENTS OF RECORD, ONE OF WHICH WAS RECORDED MAY 7, 1959 IN BOOK 7648, PAGE 538 OF OFFICIAL RECORDS DOES NOT INCLUDE PLAT AND LEGAL REFERENCED THEREIN AND CANNOT BE PLOTTED.

(12) EASEMENT FOR ROAD, SEWER, WATER, GAS, POWER AND TELEPHONE LINES AS GRANTED AND RESERVED IN VARIOUS INSTRUMENTS OF RECORD, ONE OF WHICH WAS RECORDED AUGUST 2, 1963 AS INSTRUMENT NO. 63-138778 OF OFFICIAL RECORDS

(13) EASEMENT FOR PIPELINE TO RINCON DIABLO MUNICIPAL WATER DISTRICT PER DOCUMENT RECORDED OCTOBER 21, 1963 AS INSTRUMENT NO. 63-188148 OF OFFICIAL RECORDS

(14) EASEMENT OF RIGHT OF WAY FOR ROAD, SEWER, WATER, GAS, POWER, AND TELEPHONE LINES GRANTED TO RANCHO ESTATES PER DOCUMENT RECORDED MAY 27, 1965 AS INSTRUMENT NO. 65-94977 OF OFFICIAL RECORDS.

(16) EASEMENT FOR PUBLIC UTILITIES, INGRESS AND EGRESS TO SAN DIEGO GAS AND ELECTRIC COMPANY PER DOCUMENT RECORDED SEPTEMBER 26, 1972 AS INSTRUMENT NO. 72-258470 OF OFFICIAL RECORDS

(17) EASEMENT FOR ROAD AND PUBLIC UTILITIES, INGRESS AND EGRESS TO SAN DIEGO GAS & ELECTRIC COMPANY RECORDED MARCH 14, 1975 AS INSTRUMENT NO. 75-056184 OF OFFICIAL RECORDS

(18) IRREVOCABLE OFFER OF DEDICATION FOR PUBLIC HIGHWAY PER DOCUMENT RECORDED APRIL 21, 1975 AS INSTRUMENT NO. 75-092338 OF OFFICIAL RECORDS.

(21) EASEMENT FOR ROAD AND PUBLIC UTILITIES TO AS GRANTED/RESERVED BY VARIOUS INSTRUMENTS OF RECORD, ONE OF WHICH WAS RECORDED FEBRUARY 7, 1980 AS INSTRUMENT NO 80-043831 OFFICIAL RECORDS

(22) EASEMENT FOR UTILITY, WATER SUPPLY, INGRESS AND EGRESS RECORDED OCTOBER 14, 1977 AS INSTRUMENT NO. 77-423157 OF OFFICIAL RECORDS.

(23) EASEMENT FOR PUBLIC UTILITIES, INGRESS, AND EGRESS TO SAN DIEGO GAS AND ELECTRIC COMPANY PER DOCUMENT RECORDED JUNE 27, 1978 AS INSTRUMENT NO. 78-267798 OF OFFICIAL RECORDS.

(24) EASEMENT FOR FOR WATER PIPELINE TO RINCON DEL DIABLO MUNICIPAL WATER DISTRICT PER DOCUMENT RECORDED ON MAY 28, 1985 AS INSTRUMENT NO 85-177518 OF OFFICIAL RECORDS

(25) PROPOSED PRIVATE ROAD EASEMENT PER PM 3789

(30) EASEMENT FOR FOR WATER DITCHES OR CANALS RESERVED BY THE UNITED STATES OF AMERICA PER DOCUMENT RECORDED ON APRIL 20, 1915 IN BOOK 14, PAGE 304 OF PATENTS HAS NO SPECIFIC LOCATION SET FORTH AND IS NOT PLOTTED HEREON.

EASEMENT NOTES:

EASEMENT LEGEND
BASED ON DATA FROM TITLE REPORT BY CHICAGO TITLE COMPANY, ORDER NO. 930014346-U50, DATED FEBRUARY 26, 2009

ITEM NO. EASEMENT

(5) EASEMENT FOR INGRESS AND EGRESS FOR ROAD RECORDED FEBRUARY 17, 1953 IN BOOK 4751, PAGE 379 OF OFFICIAL RECORDS

(7) EASEMENT FOR ROAD AND UTILITY PURPOSES RECORDED NOVEMBER 1, 1955 IN BOOK 5853, PAGE 46 OF OFFICIAL RECORDS.

EASEMENT LEGEND
BASED ON DATA FROM TITLE REPORT BY LANDAMERICA COMMONWEALTH ORDER #4603005-54, DATED DECEMBER 15, 2004

ITEM NO. EASEMENT

(4)(10)(4) ROAD AND PUBLIC UTILITIES AND INGRESS AND EGRESS AS GRANTED/RESERVED BY VARIOUS INSTRUMENTS OF RECORD, ONE OF WHICH WAS RECORDED MAY 7, 1959 IN BOOK 7648, PAGE 538 OF OFFICIAL RECORDS.

(12)(13) EASEMENT FOR ROAD, SEWER, WATER, GAS, POWER AND TELEPHONE LINES AS GRANTED AND RESERVED IN VARIOUS INSTRUMENTS OF RECORD, ONE OF WHICH WAS RECORDED AUGUST 22, 1963 AS FILE 63-138778 OF OFFICIAL RECORDS.

(20)(21) EASEMENT FOR ROAD AND PUBLIC UTILITIES, INGRESS AND EGRESS AS GRANTED /RESERVED BY VARIOUS INSTRUMENTS OF RECORD, ONE OF WHICH WAS RECORDED SEPTEMBER 8, 1977 AS FILE 77-367475 OF OFFICIAL RECORDS.

EASEMENT LEGEND
BASED ON DATA FROM TITLE REPORT BY LANDAMERICA COMMONWEALTH ORDER NO. 4603005-54, DATED DECEMBER 15, 2004

ITEM NO. EASEMENT

[5] EASEMENT FOR PIPELINE TO RINCON DIABLO MUNICIPAL WATER DISTRICT PER DOCUMENT RECORDED SEPTEMBER 23, 1959 IN BOOK 7907 PAGE 336 OF OFFICIAL RECORDS.

[7] EASEMENTS FOR INGRESS AND EGRESS PER DOCUMENT RECORDED OCTOBER 7, 1959 IN BOOK 5627, PAGE 150 OF OFFICIAL RECORDS.

[8] EASEMENT TO SAN DIEGO GAS AND ELECTRIC FOR POWER POLES RECORDED DECEMBER 12, 1968 AS 68-218141 OF OFFICIAL RECORDS

DISPOSITION OF EXISTING EASEMENTS

ALL EXISTING EASEMENTS, EXCEPT EASEMENTS 15 & 17 IDENTIFIED HEREON, MAY BE QUITCLAIMED, VACATED OR RECONNECTED TO MORE PRACTICALLY CONFORM TO THE FINAL PROJECT DESIGN AS NECESSARY. EASEMENTS 15 & 17 SHALL REMAIN

ENGINEER OF WORK

FUSCOE ENGINEERING INC
6390 GREENWICH DRIVE, STE. 170
SAN DIEGO, CA 92122
(858)554-1500

KENNETH T. KOLLIK RCE 71663 DATE

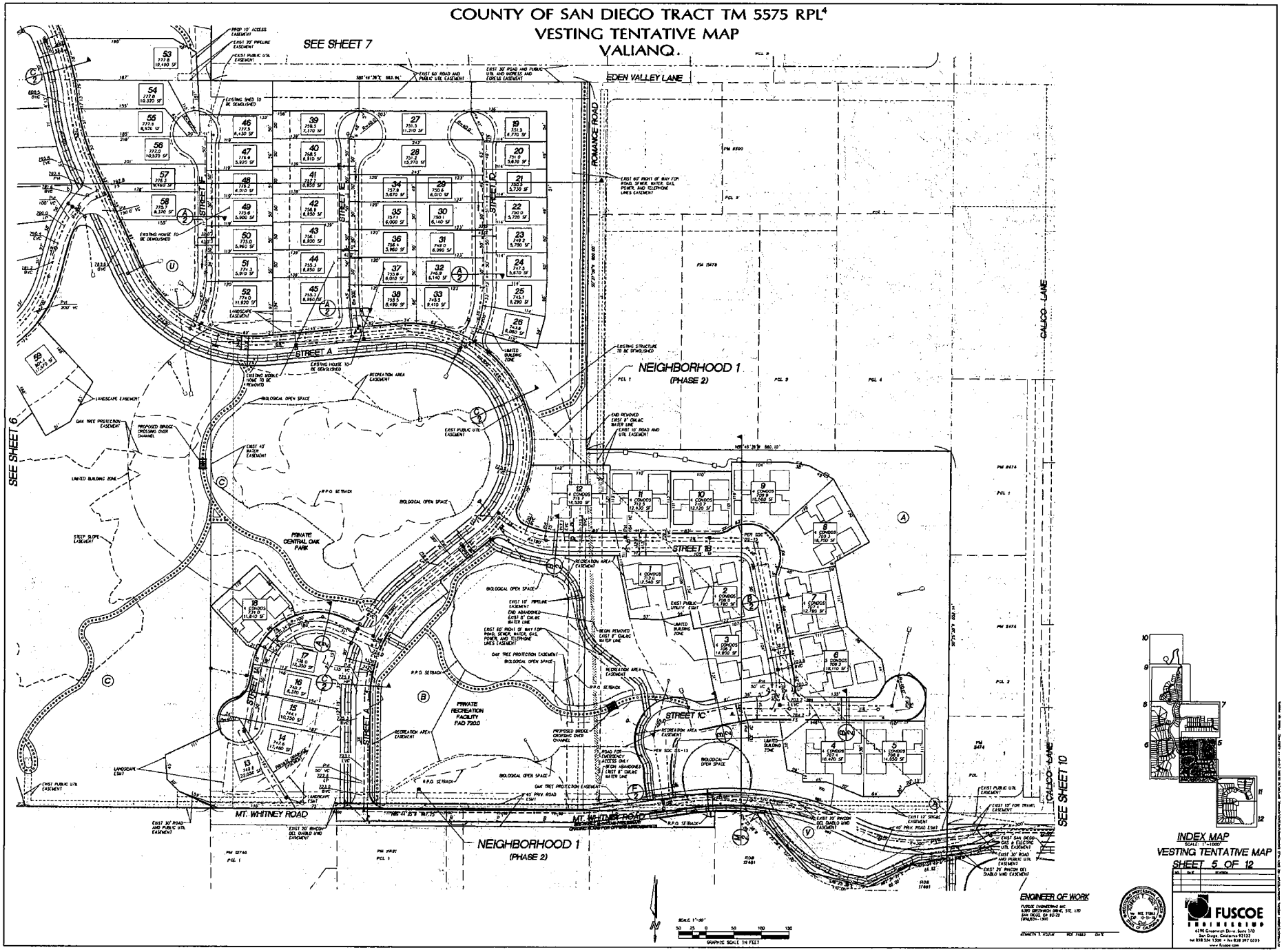
REGISTERED PROFESSIONAL ENGINEER KENNETH T. KOLLIK No. RCE 71663 EXP. 12-31-18 CIVIL STATE OF CALIFORNIA

VESTING TENTATIVE MAP
SHEET 4 OF 12

NO.	DATE	REVISION

FUSCOE ENGINEERING
6190 Greenwich Drive, Suite 170
San Diego, California 92122
tel 858 554 1500 • fax 858 597 0335
www.fuscoe.com

COUNTY OF SAN DIEGO TRACT TM 5575 RPL[4]
VESTING TENTATIVE MAP
VALIANO.



INDEX MAP
SCALE: 1"=1000'
VESTING TENTATIVE MAP
SHEET 5 OF 12

ENGINEER OF WORK
FUSCOE ENGINEERING INC.
6390 GREENWICH DRIVE, STE. 170
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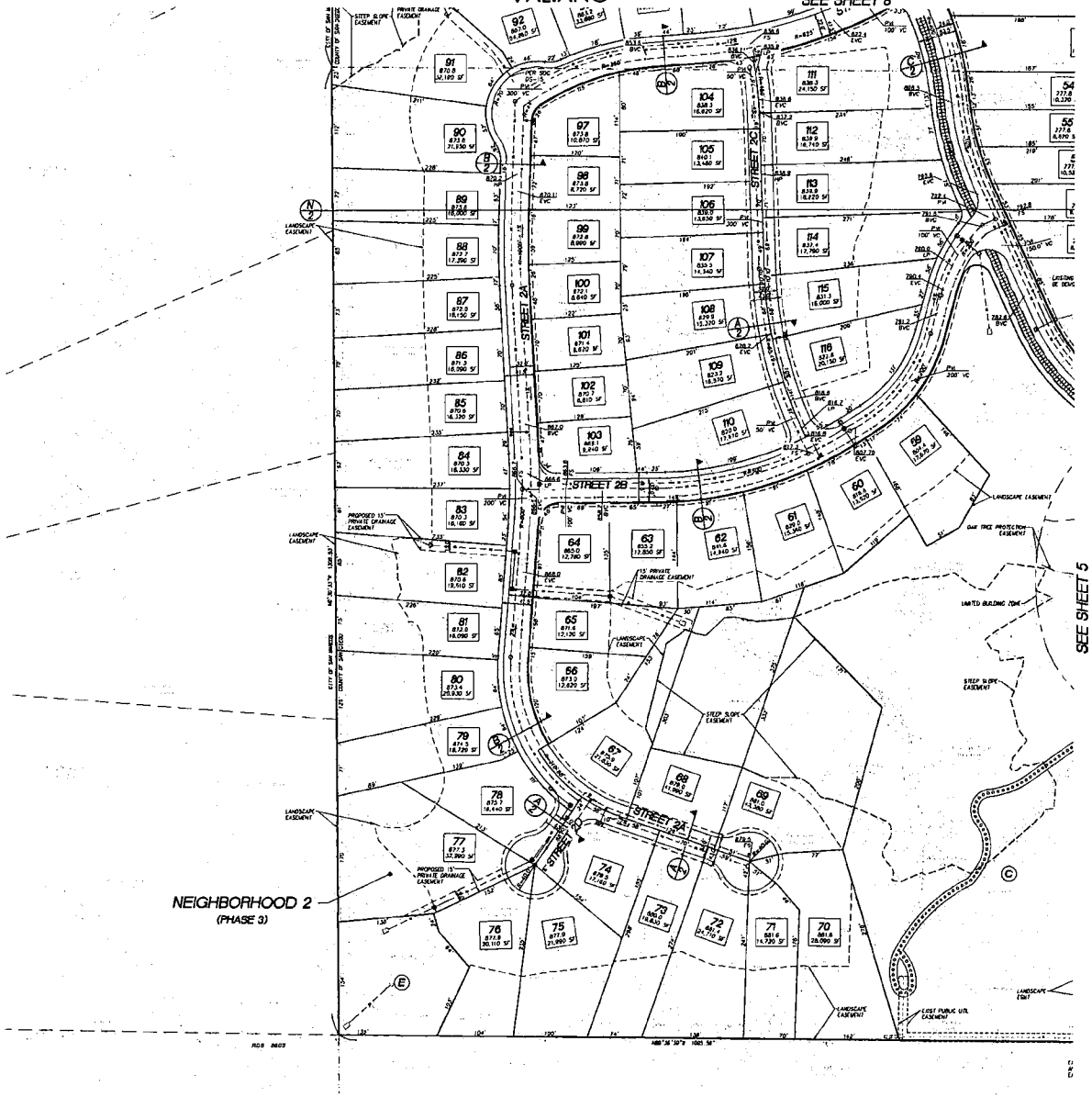
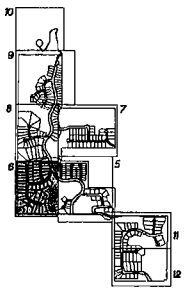
San Diego, California 92122
tel 858 554 1500 • fax 858 597 0335
www.fuscoe.com

COUNTY OF SAN DIEGO TRACT TM 5575 RPL[4]
VESTING TENTATIVE MAP
VALIANO





INDEX MAP
SCALE: 1"=1000'

VESTING TENTATIVE MAP
SHEET 6 OF 12

ENGINEER OF WORK

FUSCOE ENGINEERING INC.
6390 GREENWICH DRIVE, STE. 170
SAN DIEGO, CA 92122
(858)554-1500

KENNETH T. FUSCOE RCE 21883 DATE

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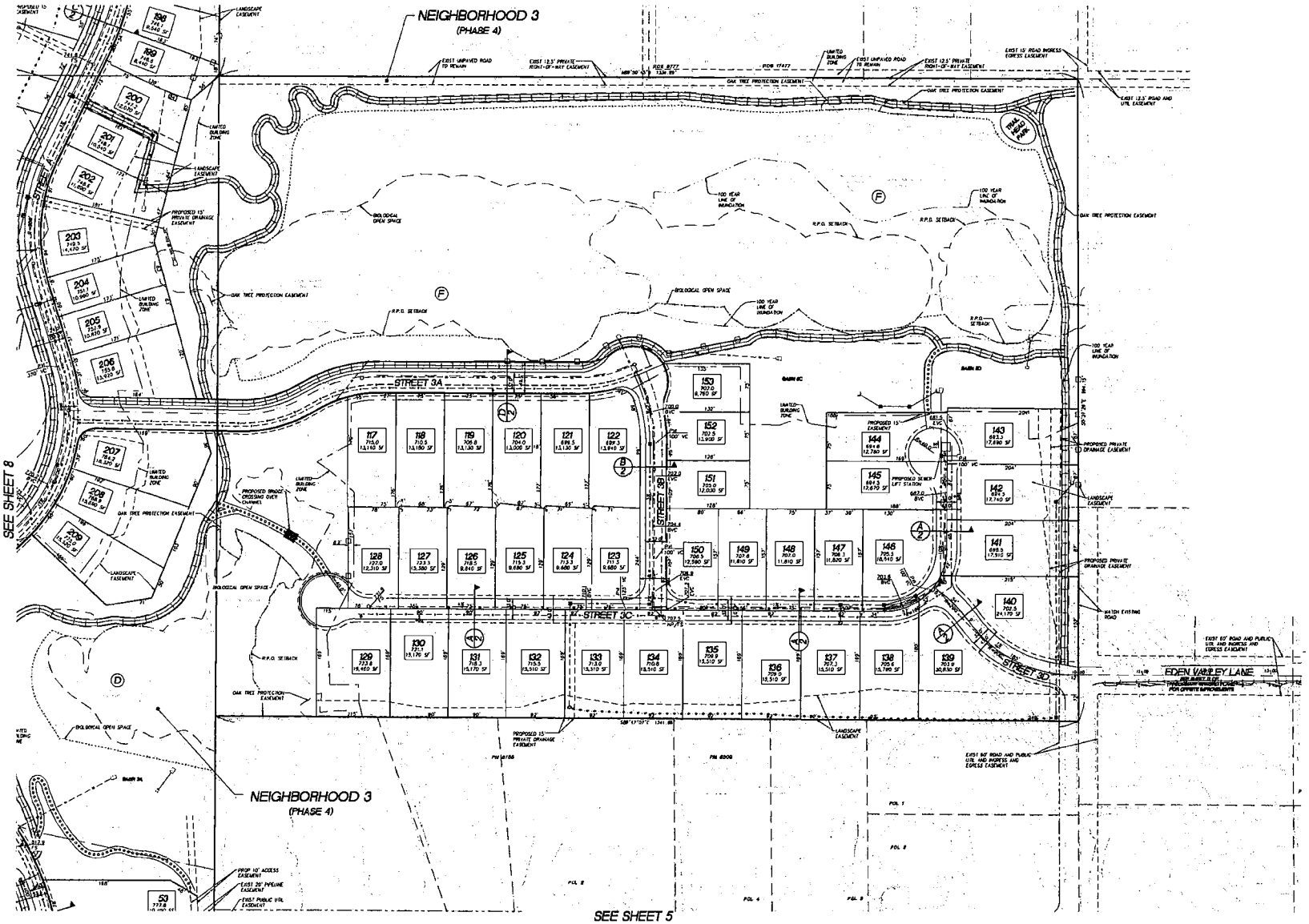
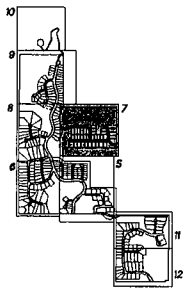
6390 Greenwich Drive, Suite 170
San Diego, California 92122
tel 858 554 1500 • fax 858 597 0231
www.fuscoe.com

COUNTY OF SAN DIEGO TRACT TM 5575 RPL[4]
VESTING TENTATIVE MAP
VALIANO





INDEX MAP
SCALE: 1"=1000'
VESTING TENTATIVE MAP
SHEET 7 OF 12

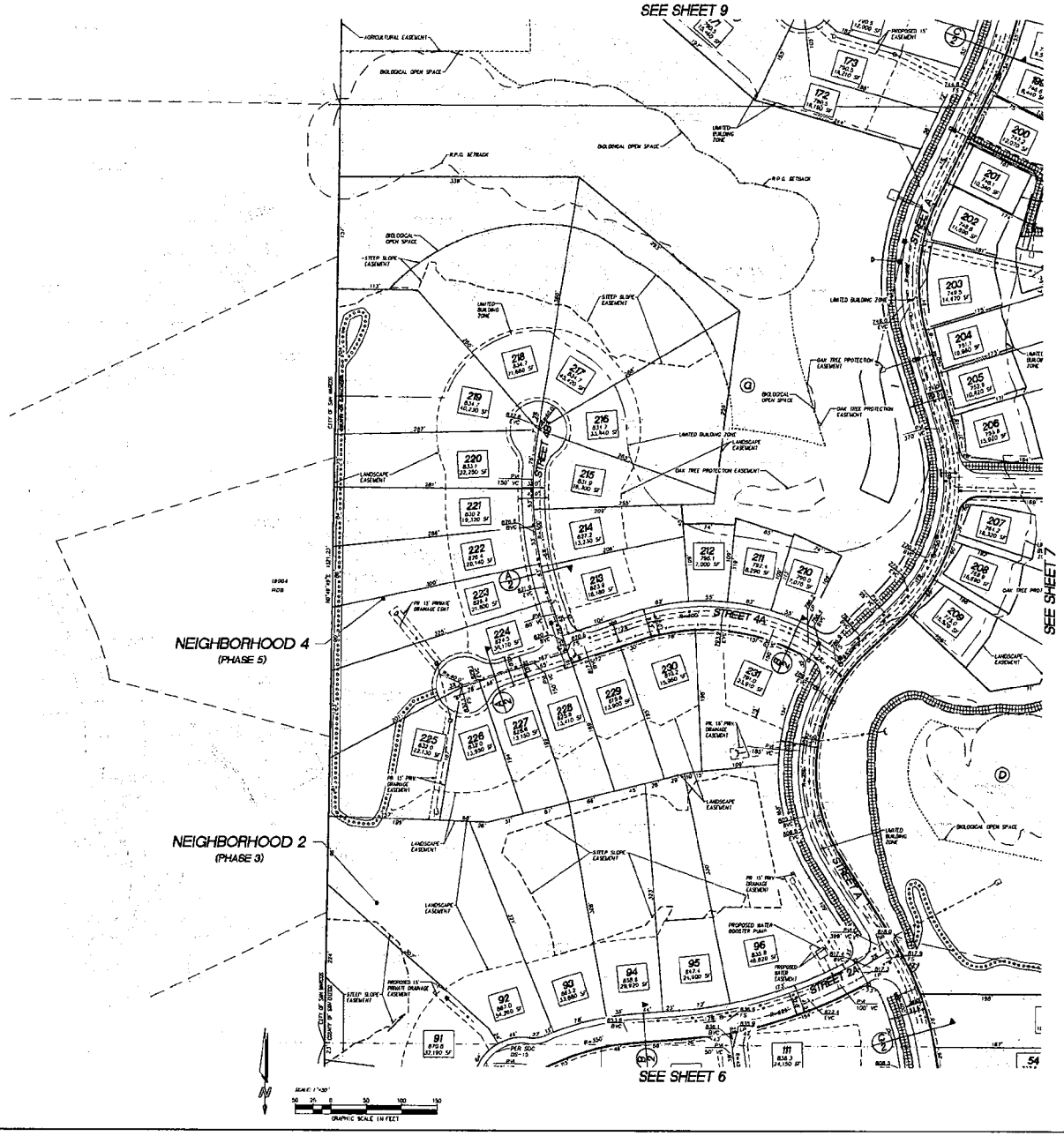
ENGINEER OF WORK

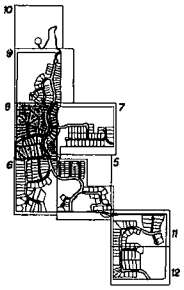
FUSCOE ENGINEERING INC.
6390 GREENWICH DRIVE, STE. 170
SAN DIEGO, CA 92122
(858)254-1500

FUSCOE ENGINEERING

GRAPHIC SCALE IN FEET

COUNTY OF SAN DIEGO TRACT TM 5575 RPL[4]
VESTING TENTATIVE MAP
VALIANO





INDEX MAP
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VESTING TENTATIVE MAP
SHEET 8 OF 12

ENGINEER OF WORK
FUSCOE ENGINEERING INC
6390 GREENWICH DRIVE, STE 170
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KENNETH T. FUSCOE RCE 21883 DATE

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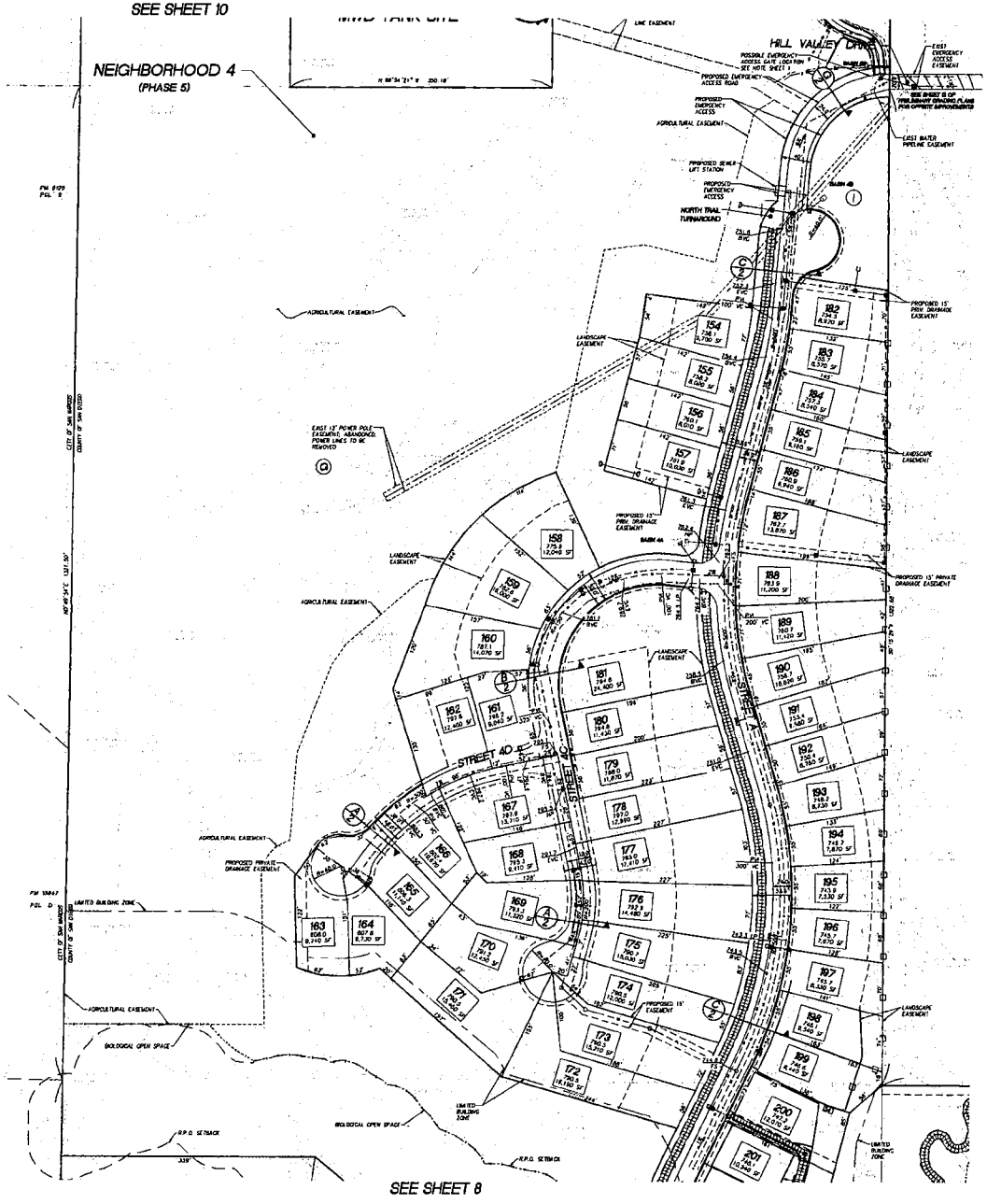
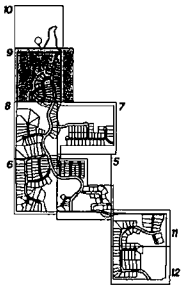
COUNTY OF SAN DIEGO TRACT TM 5575 RPL[4]
VESTING TENTATIVE MAP
VALIANO





VESTING TENTATIVE MAP
SHEET 9 OF 12

ENGINEER OF WORK
FUSCOE ENGINEERING INC.
5390 GREENWICH DRIVE, STE. 170
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(858)541-1200

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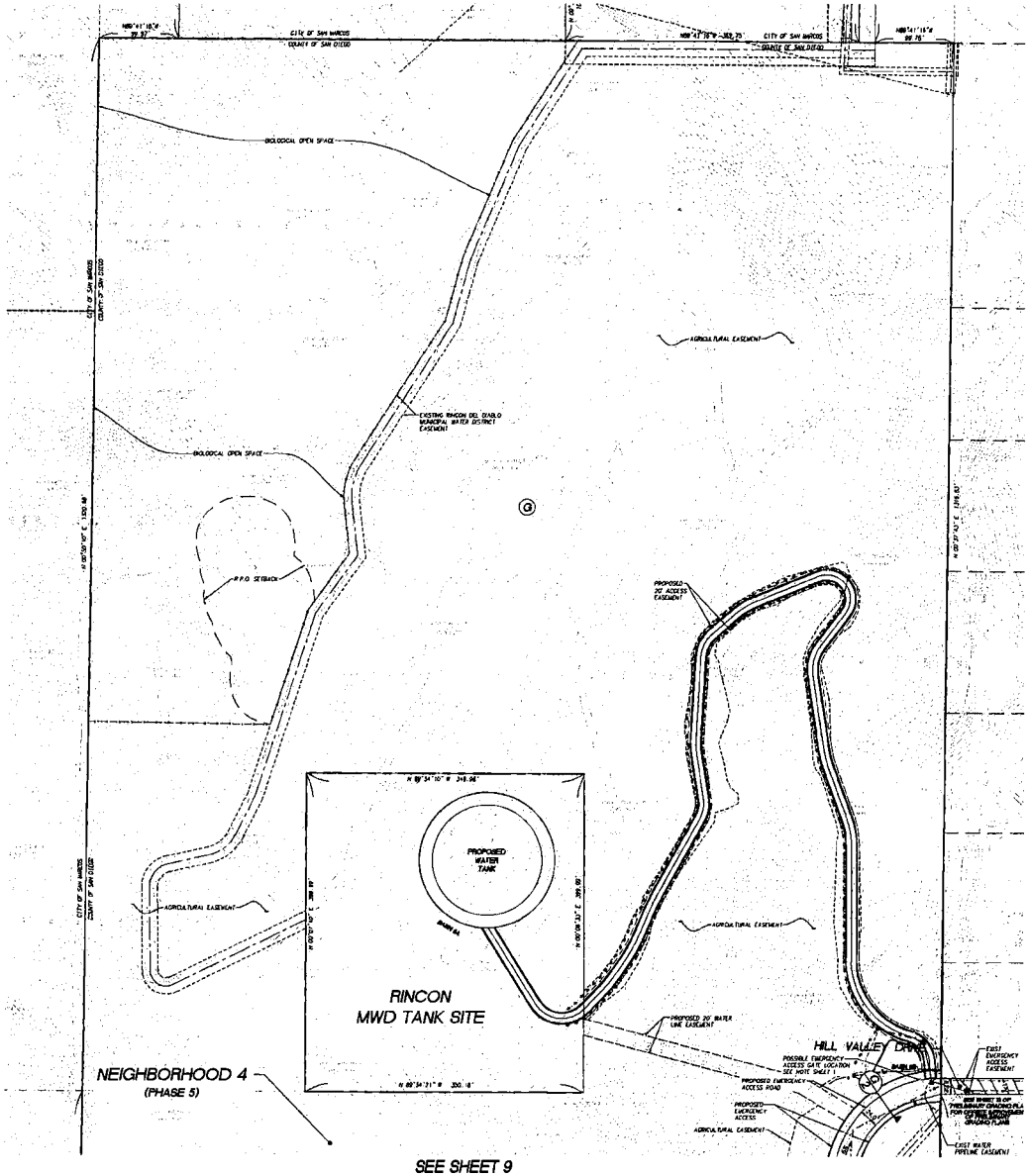
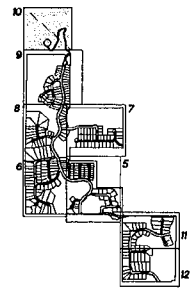
www.fuscoe.com

COUNTY OF SAN DIEGO TRACT TM 5575 RPL[4]
VESTING TENTATIVE MAP
VALIANO





INDEX MAP
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VESTING TENTATIVE MAP
SHEET 10 OF 12

ENGINEER OF WORK

FUSCOE ENGINEERING INC.
6390 GREENWICH DRIVE, STE 170
SAN DIEGO, CA 92122
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KENNETH E. FUSCOE — REG. NO. 21863 — DATE

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www.fuscoe.com

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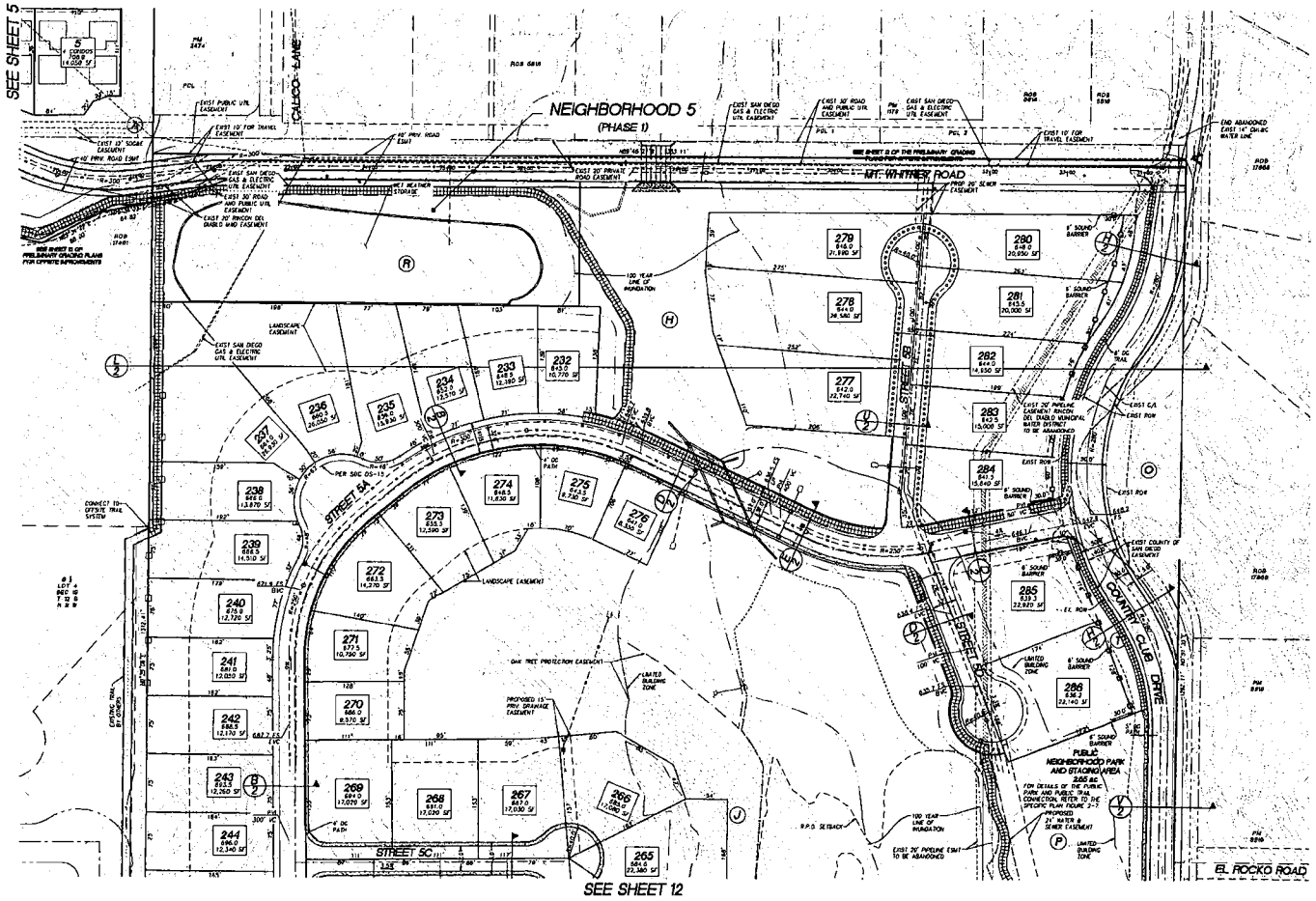
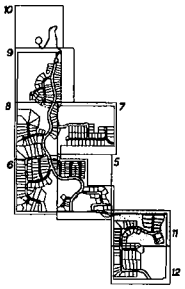
GRAPHIC SCALE IN FEET

COUNTY OF SAN DIEGO TRACT TM 5575 RPL[4]
VESTING TENTATIVE MAP
VALIANO





INDEX MAP
SCALE: 1"=1000'

VESTING TENTATIVE MAP
SHEET 11 OF 12

ENGINEER OF WORK
FUSCOE ENGINEERING INC
6390 GREENWICH DRIVE, STE. 170
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tel 858 554 1500 • fax 858 597 0323
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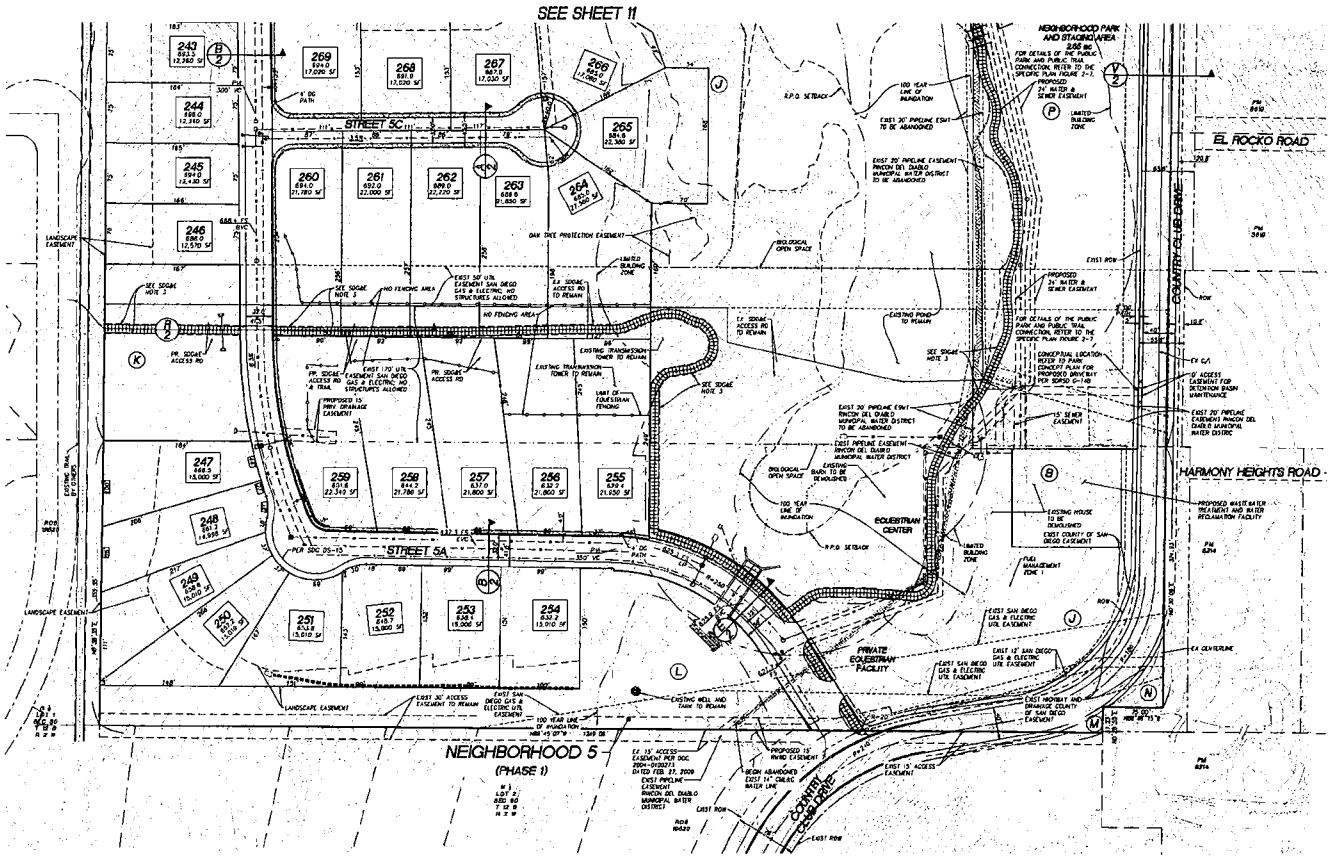
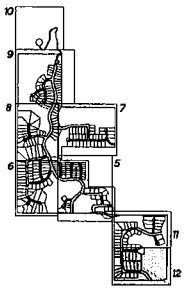
COUNTY OF SAN DIEGO TRACT TM 5575 RPL[4]
VESTING TENTATIVE MAP
VALIANO





INDEX MAP
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VESTING TENTATIVE MAP
SHEET 12 OF 12

ENGINEER OF WORK

FUSCOE ENGINEERING INC.
6390 GREENWICH DRIVE, STE. 170
SAN DIEGO, CA 92122
(858)554-1500

REVISED: T. FOGLIA RCE 71883 EXP. 12-31-10

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San Diego, California 92122
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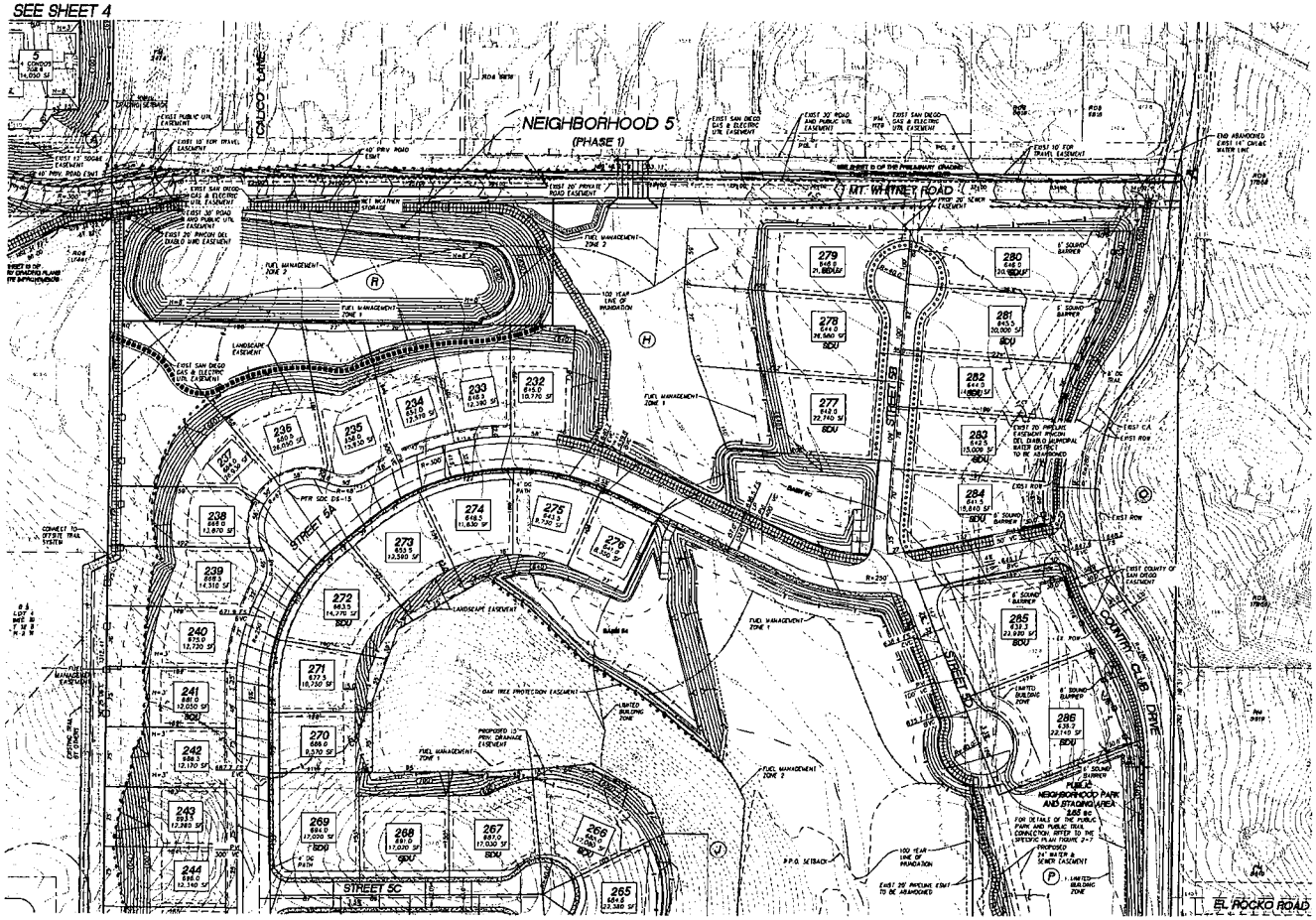
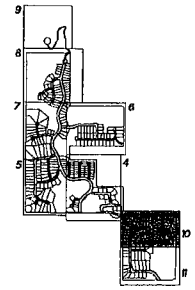
COUNTY OF SAN DIEGO TRACT TM 5575 RPL[4]
VESTING SITE PLAN
VALIANO





INDEX MAP
SCALE: 1"=1000'

VESTING SITE PLAN
SHEET 10 OF 11

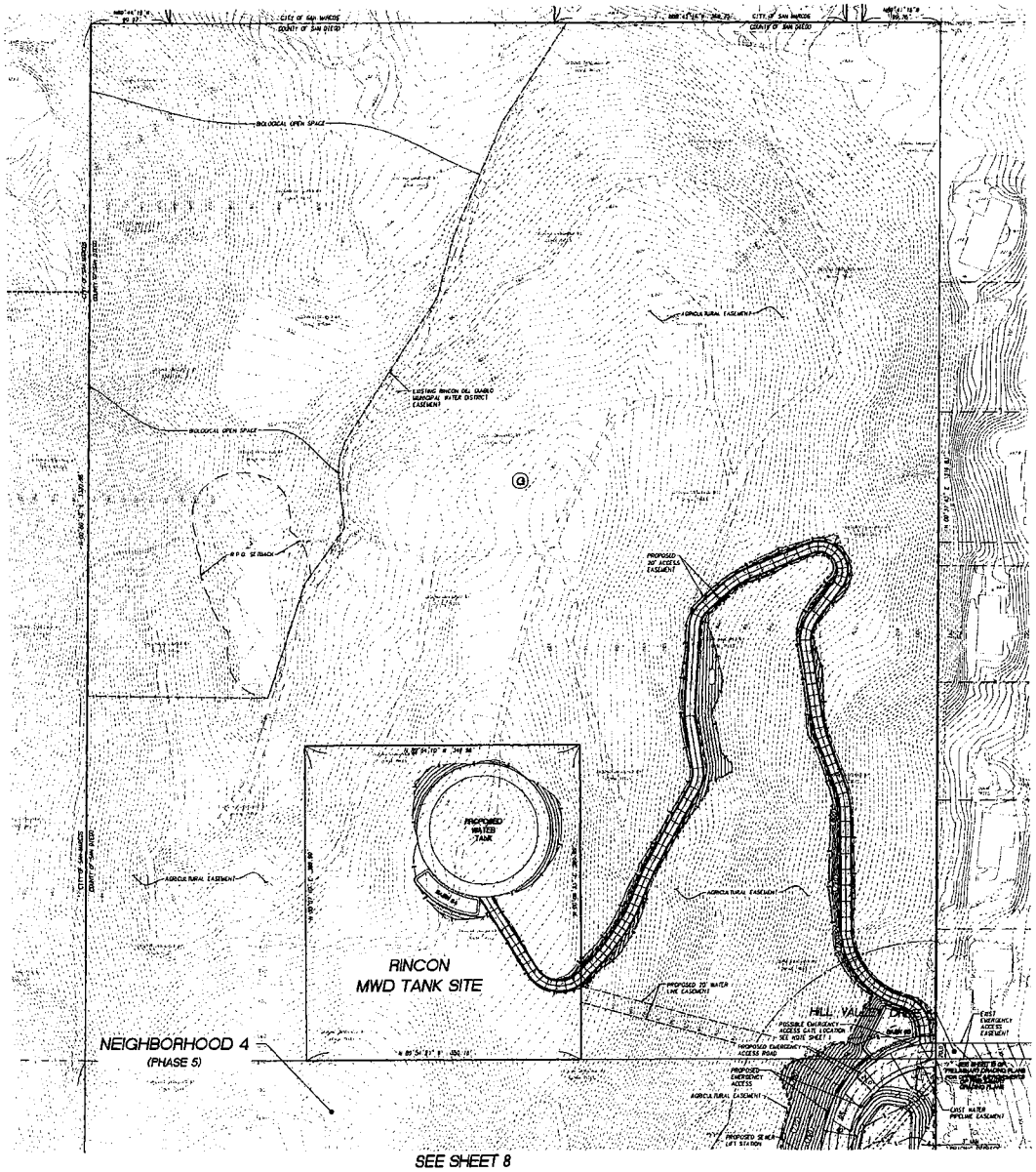
ENGINEER OF WORK

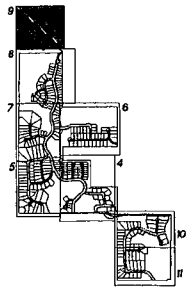
FUSCOE ENGINEERING INC
6390 GREENWICH DRIVE, STE 170
SAN DIEGO, CA 92122
(858)554-1500

FUSCOE ENGINEERING
6390 Greenwich Drive, Suite 170
San Diego, California 92122
tel 858 554 1500 • fax 858 597 0323

SCALE: 1"=200'
GRAPHIC SCALE IN FEET

COUNTY OF SAN DIEGO TRACT TM 5575 RPL[4]
VESTING SITE PLAN
VALIANO





INDEX MAP
SCALE: 1"=1000'

VESTING SITE PLAN
SHEET 9 OF 11

No.	DATE	REVISION

SCALE: 1"=100'
50 25 0 50 100 150
GRAPHIC SCALE IN FEET

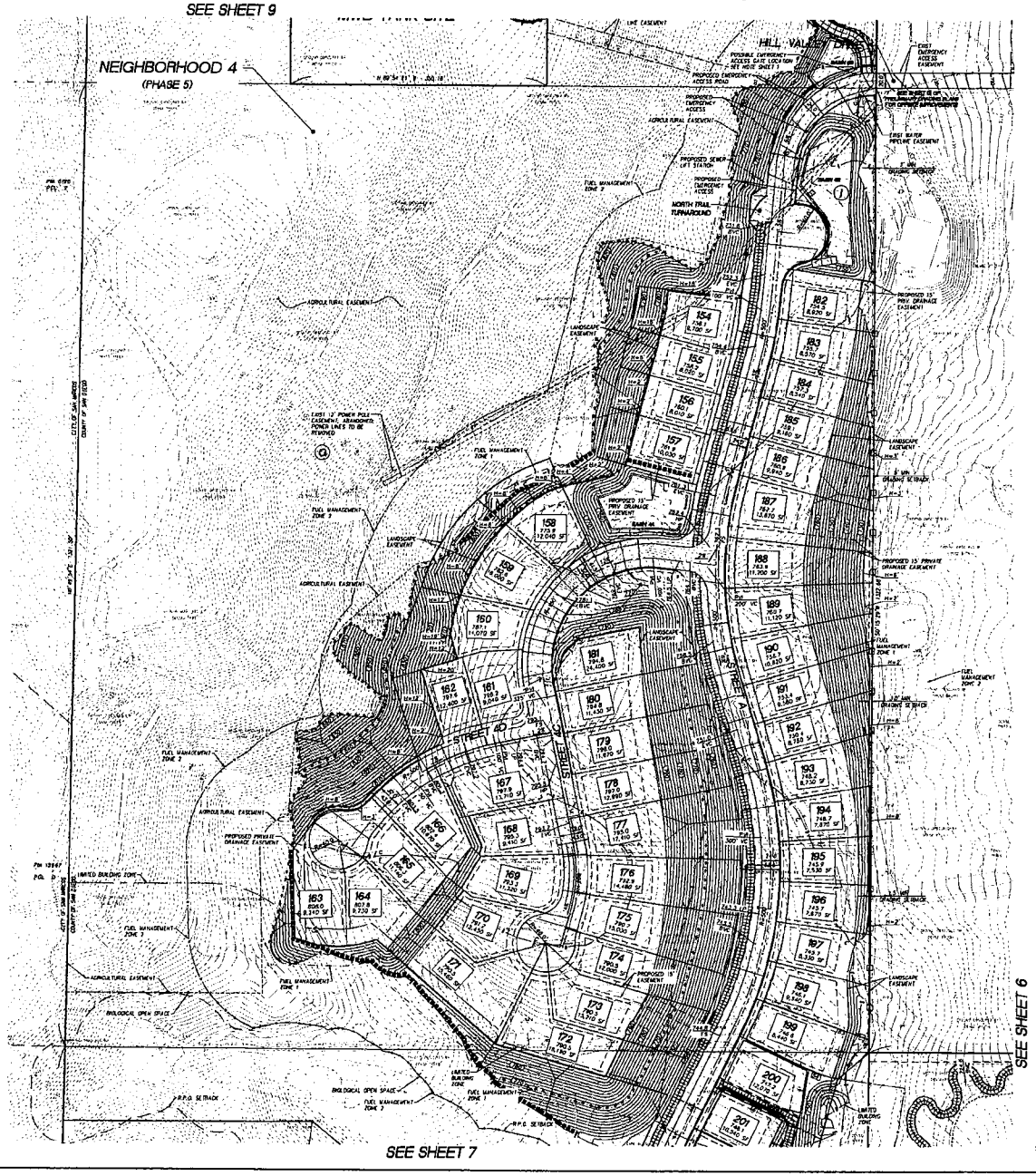
ENGINEER OF WORK
FUSCOE ENGINEERING INC
6390 GREENWICH DRIVE, STE. 170
SAN DIEGO, CA 92122
(858)452-1500

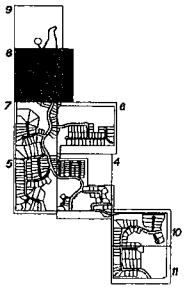
REGISTERED PROFESSIONAL ENGINEER
No. RCE 71883
EXP. 12-31-10
STATE OF CALIFORNIA

KENNETH T. WOOLAM RCE 71883 DATE

FUSCOE ENGINEERING
6390 Greenwich Drive, Suite 170
San Diego, California 92122
tel 858 554 1500 / fax 858 597 0335
www.fuscoe.com

COUNTY OF SAN DIEGO TRACT TM 5575 RPL[4]
VESTING SITE PLAN
VALIANO





INDEX MAP
SCALE: 1"=1000'

VESTING SITE PLAN
SHEET 8 OF 11

ENGINEER OF WORK
FUSCOE ENGINEERING INC
4390 GREENWICH DRIVE, STE. 170
SAN DIEGO, CA 92123
(858)554-1800

FUSCOE ENGINEERING
4390 Greenwich Drive, Suite 170
San Diego California 92123
tel 858 551-1500 • fax 858 597 0325
www.fuscoe.com

SCALE: 1"=50'
GRAPHIC SCALE IN FEET
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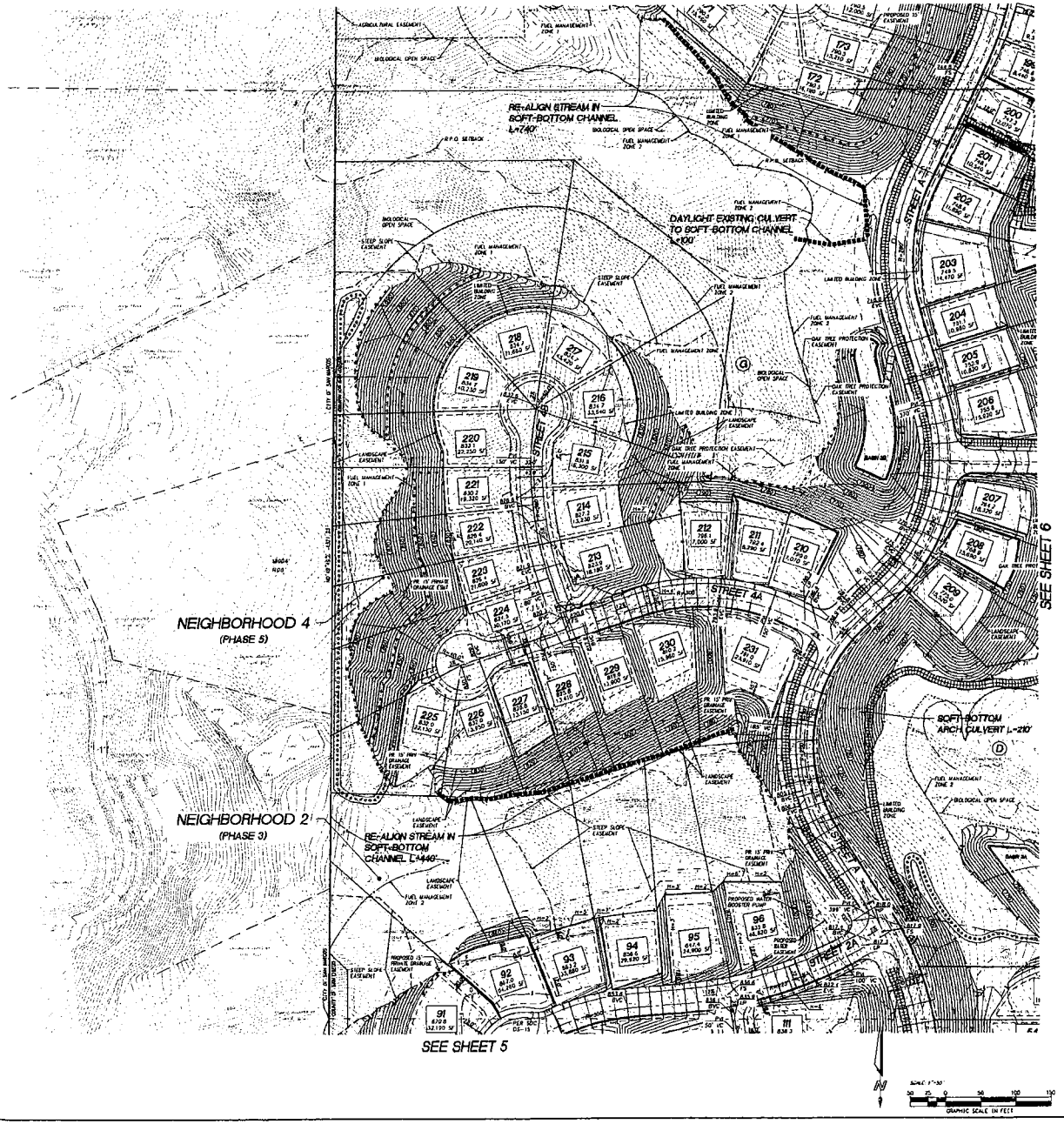
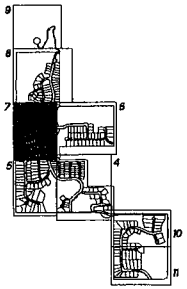
COUNTY OF SAN DIEGO TRACT TM 5575 RPL[4]
VESTING SITE PLAN
VALIANO



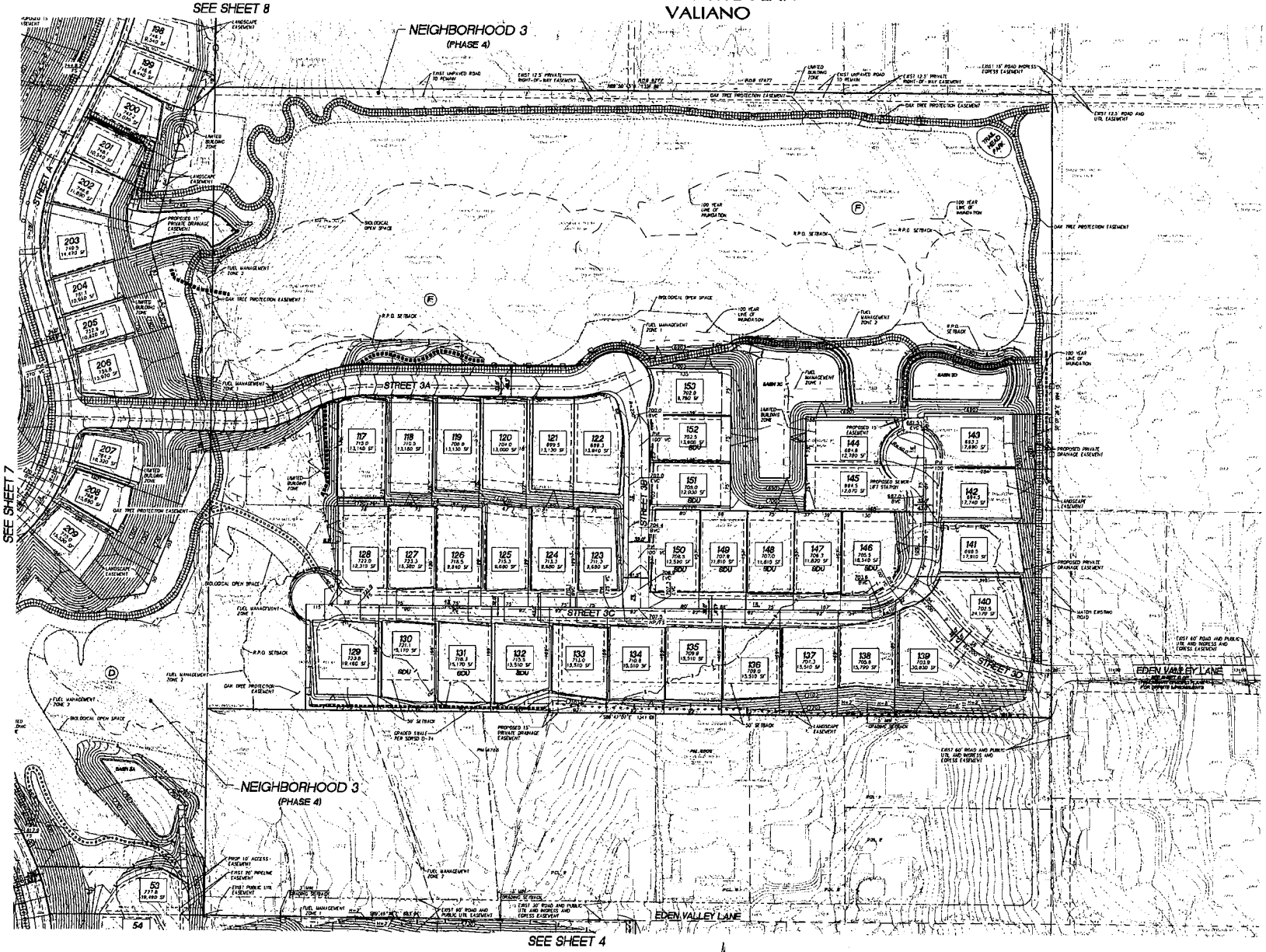


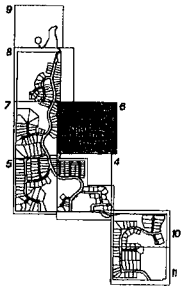
INDEX MAP
SCALE 1"=1000'
VESTING SITE PLAN
SHEET 7 OF 11

ENGINEER OF WORK

FUSCOE ENGINEERING

COUNTY OF SAN DIEGO TRACT TM 5575 RPL[4]
VESTING SITE PLAN
VALIANO



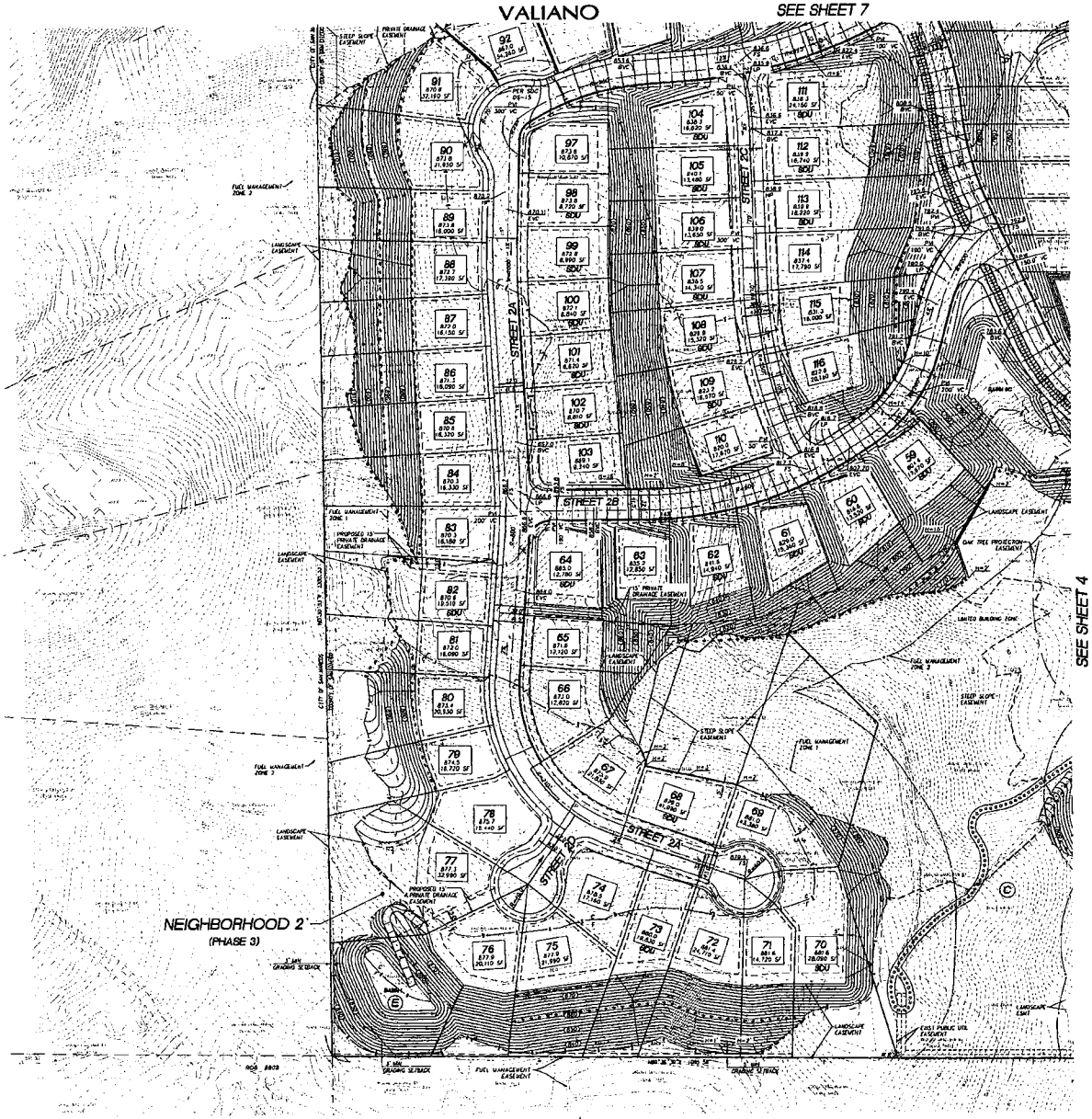


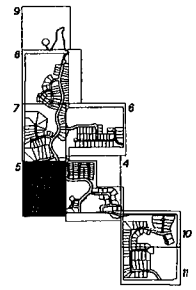
ENGINEER OF WORK

FUSCOE ENGINEERING INC
6390 GREENWICH DRIVE, STE. 170
SAN DIEGO, CA 92122
(858)635-1500

FUSCOE ENGINEERING

COUNTY OF SAN DIEGO TRACT TM 5575 RPL[4]
VESTING SITE PLAN
VALIANO





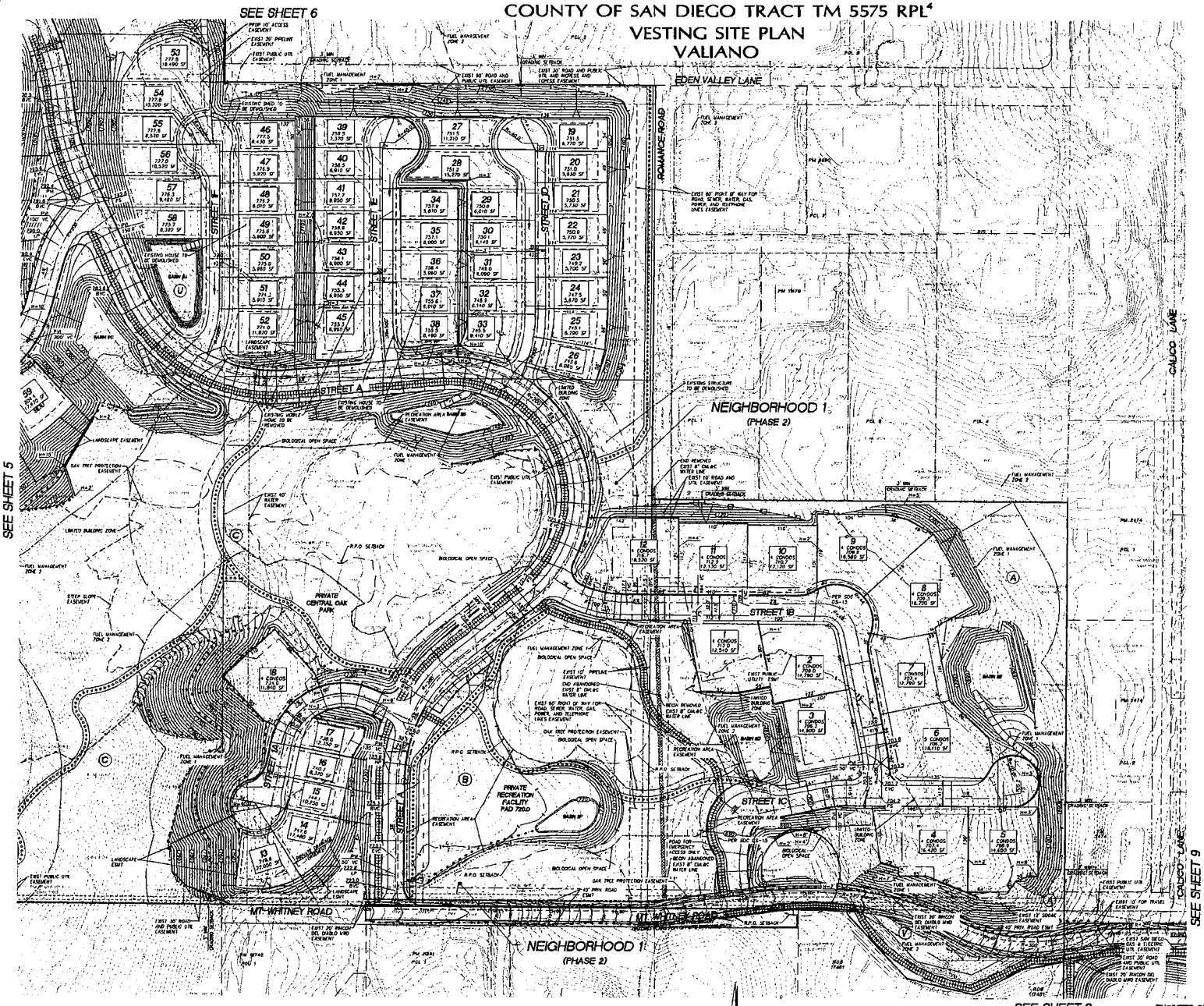
VESTING SITE PLAN
SHEET 5 OF 11

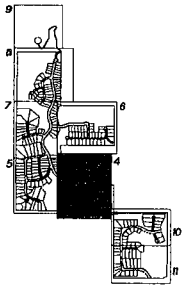
ENGINEER OF WORK

FUSCOE ENGINEERING INC
6390 GREENWICH DRIVE, STE. 170
SAN DIEGO, CA 92122
(858)554-1500

FUSCOE ENGINEERING
6390 Greenwich Drive, Suite 170
San Diego, California 92122
tel 858 554 1500 • fax 858 597 0123
www.fuscoe.com

COUNTY OF SAN DIEGO TRACT TM 5575 RPL[4]
VESTING SITE PLAN
VALIANO





INDEX MAP
SCALE: 1"=1000'

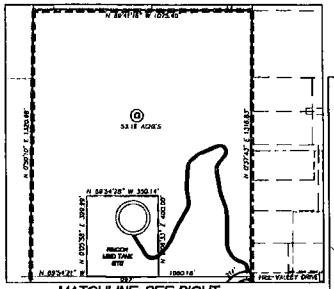
VESTING SITE PLAN
SHEET 4 OF 11

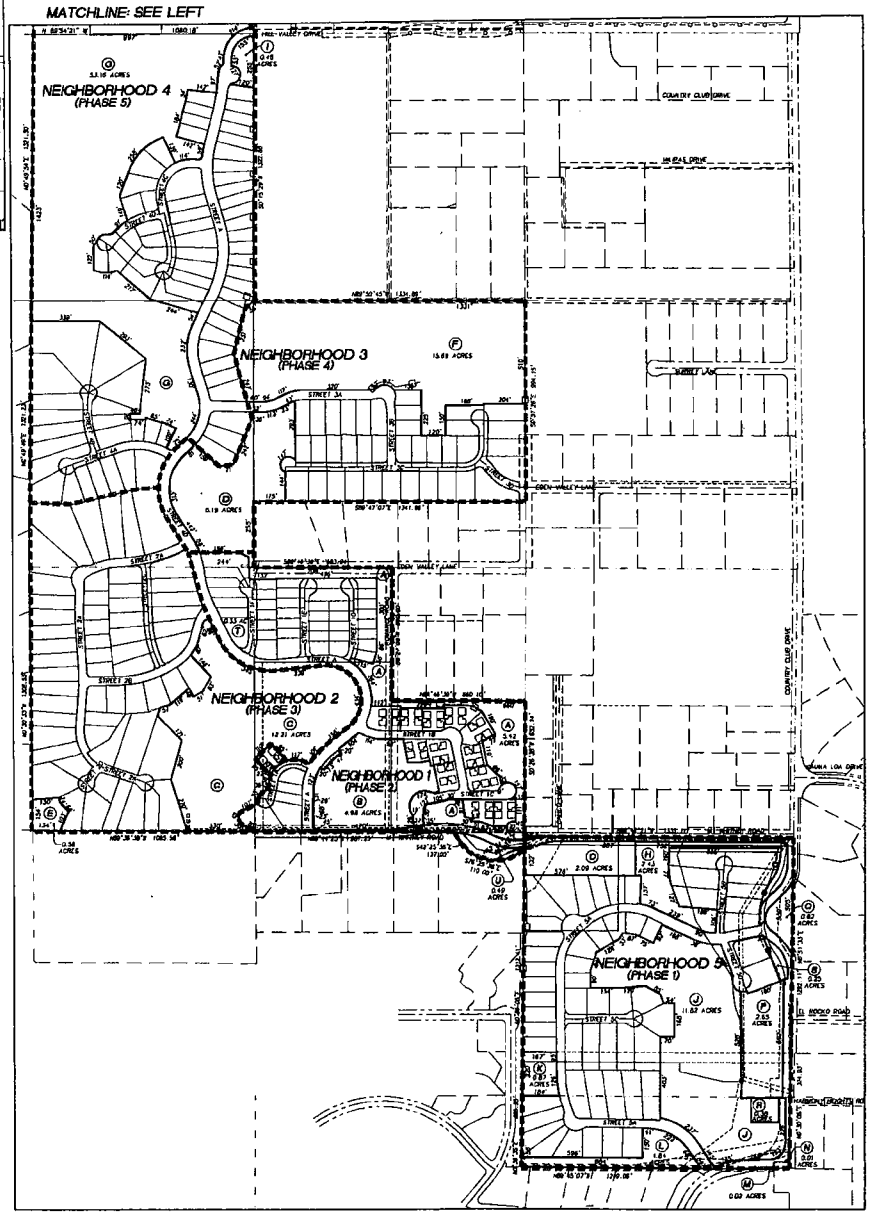
ENGINEER OF WORK

FUSCOE ENGINEERING INC.
6390 GREENWICH DRIVE, STE. 170
SAN DIEGO, CA 92122
(858)554-1500

FUSCOE ENGINEERING
6390 Greenwich Drive, Suite 170
San Diego, California 92122
tel 858 554 1500 • fax 858 597 0335
www.fuscoe.com

COUNTY OF SAN DIEGO TRACT TM 5575 RPL[4]
VESTING SITE PLAN
VALIANO





NEIGHBORHOOD 1	
LOT #	AREA (s.f.)
1	12,350
2	11,790
3	14,550
4	9,450
5	9,000
6	8,110
7	12,700
8	14,700
9	13,500
10	12,300
11	14,450
12	13,500
13	14,500
14	13,750
15	13,750
16	8,170
17	7,350
18	7,350
19	7,350
20	7,350
21	7,350
22	7,350
23	7,350
24	7,350
25	7,350
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52	7,350
53	7,350
54	7,350
55	7,350
56	7,350
57	7,350
58	7,350

NEIGHBORHOOD 2	
LOT #	AREA (s.f.)
59	17,670
60	13,570
61	13,360
62	14,940
63	17,930
64	17,789
65	17,199
66	17,835
67	21,810
68	11,990
69	11,130
70	21,060
71	14,450
72	24,950
73	20,810
74	17,190
75	21,940
76	29,970
77	37,000
78	18,490
79	16,170
80	20,930
81	16,000
82	19,910
83	16,180
84	18,330
85	18,370
86	16,090
87	16,190
88	17,300
89	16,000
90	21,890
91	32,190
92	34,260
93	33,860
94	29,990
95	24,990
96	40,800
97	10,870
98	8,720
99	8,990
100	8,840
101	6,520
102	6,810
103	9,240
104	14,600
105	13,480
106	13,840
107	14,310
108	15,320
109	16,570
110	17,610
111	24,130
112	16,710
113	18,220
114	17,370
115	16,000
116	20,150

NEIGHBORHOOD 3	
LOT #	AREA (s.f.)
117	11,210
118	11,180
119	11,110
120	13,040
121	13,110
122	12,910
123	9,480
124	9,470
125	9,680
126	9,890
127	15,300
128	12,270
129	19,420
130	13,170
131	13,110
132	13,110
133	13,210
134	11,570
135	13,110
136	13,110
137	13,110
138	13,110
139	13,110
140	24,170
141	17,010
142	17,110
143	17,000
144	17,000
145	32,470
146	41,140
147	11,610
148	11,610
149	11,610
150	11,610
151	11,610
152	11,610
153	9,710

NEIGHBORHOOD 4	
LOT #	AREA (s.f.)
154	9,750
155	9,540
156	9,540
157	9,540
158	10,280
159	16,780
160	14,030
161	9,620
162	9,620
163	9,620
164	9,710
165	11,110
166	10,610
167	10,710
168	9,410
169	9,320
170	12,450
171	12,180
172	16,160
173	15,110
174	15,590
175	15,310
176	14,410
177	15,110
178	9,990
179	11,170
180	11,160
181	11,160
182	8,910
183	8,910
184	8,540
185	9,110
186	9,540
187	10,470
188	11,120
189	11,150
190	10,650
191	9,860
192	9,760
193	9,710
194	7,810
195	7,510
196	7,510
197	9,300
198	9,210
199	9,160
200	10,510
201	10,510
202	11,180
203	14,780
204	10,540
205	10,610
206	14,520
207	15,520
208	15,520
209	15,520
210	15,670
211	8,320
212	7,920
213	16,180
214	13,250
215	15,610
216	15,700
217	17,250
218	21,690
219	20,270
220	20,210
221	15,320
222	20,210
223	21,600
224	20,750
225	17,490
226	17,250
227	17,690
228	17,690
229	17,690
230	17,690
231	21,810

NEIGHBORHOOD 5	
LOT #	AREA (s.f.)
232	16,750
233	17,370
234	17,410
235	16,030
236	26,800
237	26,530
238	19,870
239	13,530
240	13,210
241	12,070
242	12,170
243	12,410
244	12,310
245	12,130
246	12,570
247	13,000
248	13,000
249	13,000
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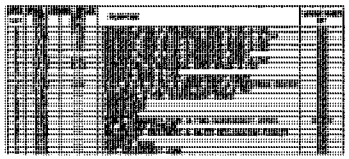
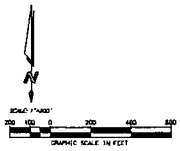
281	17,000
282	17,000





ENGINEER OF WORK

FUSCOE ENGINEERING INC.
4390 GRANDMAX DRIVE, STE. 170
SAN DIEGO, CA 92123
(858)541-1000

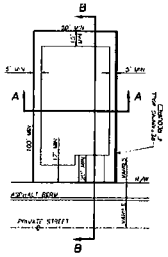
KENNETH T. FUSCOE RCE 19881 DATE

VESTING SITE PLAN
SHEET 3 OF 11

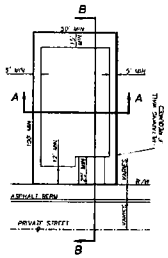
NO.	DATE	REVISION

FUSCOE ENGINEERING
4390 Grandmax Drive, Suite 170
San Diego, California 92123
tel 858 541 1000 • fax 858 597 0233
www.fuscoe.com

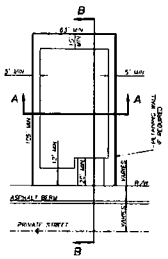
COUNTY OF SAN DIEGO TRACT TM 5575 RPL[4]
VESTING SITE PLAN
VALIANO



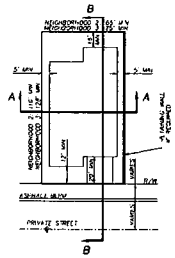
PRODUCT 1, INTERIOR LOTS
5000 SF MIN.
NEIGHBORHOOD 1
NO SCALE



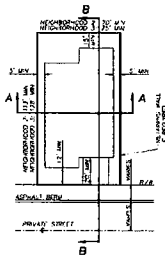
PRODUCT 2, INTERIOR LOTS
8000 SF MIN
NEIGHBORHOOD 5
NO SCALE



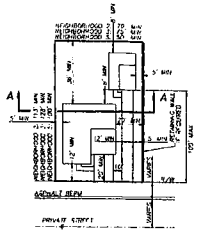
PRODUCT 3, INTERIOR LOTS
7000 SF MIN
NEIGHBORHOOD 4
NO SCALE



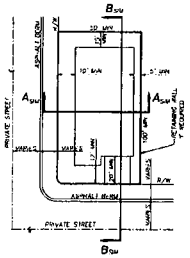
PRODUCT 4, INTERIOR LOT
NEIGHBORHOOD 2: 65'x115' MIN, 7,350 SF MIN
NEIGHBORHOOD 3: 75'x128' MIN, 9,650 SF MIN
NO SCALE



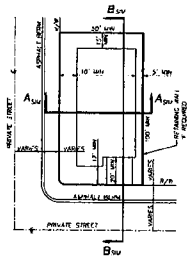
PRODUCT 4, INTERIOR LOT
NEIGHBORHOOD 2: 70'x113' MIN, 7,350 SF MIN
NEIGHBORHOOD 3: 75'x128' MIN, 9,650 SF MIN
NO SCALE



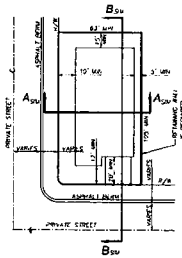
PRODUCT 4, INTERIOR LOT
SECOND DWELLING UNIT SETBACK DETACHED W/ GARAGE
NEIGHBORHOOD 2: 70'x113' MIN, 7,350 SF MIN
NEIGHBORHOOD 3: 75'x128' MIN, 9,650 SF MIN
NEIGHBORHOOD 5: 50'x100' MIN, 8,000 SF MIN
NO SCALE



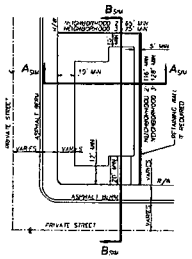
PRODUCT 1, EXTERIOR LOTS
5000 SF MIN.
NEIGHBORHOOD 1
NO SCALE



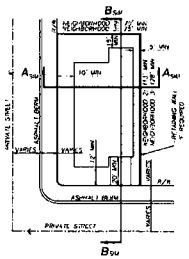
PRODUCT 2, EXTERIOR LOTS
8000 SF MIN
NEIGHBORHOOD 5
NO SCALE



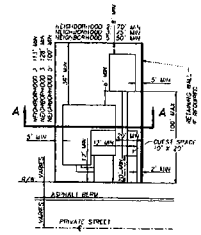
PRODUCT 3, EXTERIOR LOTS
7000 SF MIN
NEIGHBORHOOD 4
NO SCALE



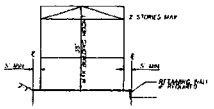
PRODUCT 4, EXTERIOR LOTS
NEIGHBORHOOD 2: 65'x115' MIN, 7,350 SF MIN
NEIGHBORHOOD 3: 75'x128' MIN, 9,650 SF MIN
NO SCALE



PRODUCT 4, EXTERIOR LOTS
NEIGHBORHOOD 2: 70'x113' MIN, 7,350 SF MIN
NEIGHBORHOOD 3: 75'x128' MIN, 9,650 SF MIN
NO SCALE



PRODUCT 4, INTERIOR LOTS
SECOND DWELLING UNIT SETBACK
DETACHED W/ GUEST SPACE
NEIGHBORHOOD 2: 70'x113' MIN, 7,350 SF MIN
NEIGHBORHOOD 3: 75'x128' MIN, 9,650 SF MIN
NEIGHBORHOOD 5: 50'x100' MIN, 8,000 SF MIN
NO SCALE



SECTION 'A'-'A'
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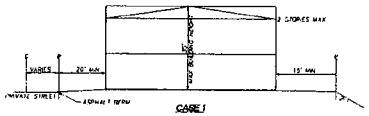
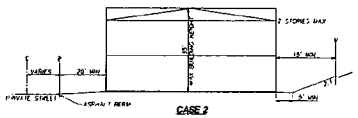


CASE 1



CASE 2

SECTION 'B'-'B'
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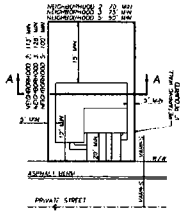
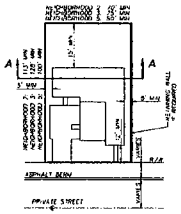
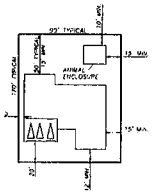


PRODUCT 4, INTERIOR LOTS
SECOND DWELLING UNIT SETBACK
ATTACHED ABOVE GARAGE
NEIGHBORHOOD 2: 70'x113' MIN, 7,350 SF MIN
NEIGHBORHOOD 3: 75'x128' MIN, 9,650 SF MIN
NEIGHBORHOOD 5: 50'x100' MIN, 8,000 SF MIN
NO SCALE



PRODUCT 4, INTERIOR LOTS
SECOND DWELLING UNIT SETBACK
ATTACHED ABOVE GARAGE
NEIGHBORHOOD 2: 70'x113' MIN, 7,350 SF MIN
NEIGHBORHOOD 3: 75'x128' MIN, 9,650 SF MIN
NEIGHBORHOOD 5: 50'x100' MIN, 8,000 SF MIN
NO SCALE



PRODUCT 5
EQUESTRIAN LOTS
15,000 SF MIN.
NEIGHBORHOOD 3,5
NO SCALE

NOTES:

- MIN. YARD & LOT DIMENSIONS ARE TO PROPERTY LINE, TOE OF SLOPE OR RETAINING WALL
- SETBACKS ARE TYPICAL UNLESS DIMENSIONED OTHERWISE ON PLOT PLAN
- WHERE LOT EXTENDS TO CENTERLINE OF PRIVATE STREET, HEIGHT & SETBACK SHALL BE 10' FROM PRIVATE STREET EASEMENT

VESTING SITE PLAN
SHEET 2 OF 11

NO.	DATE	REVISION

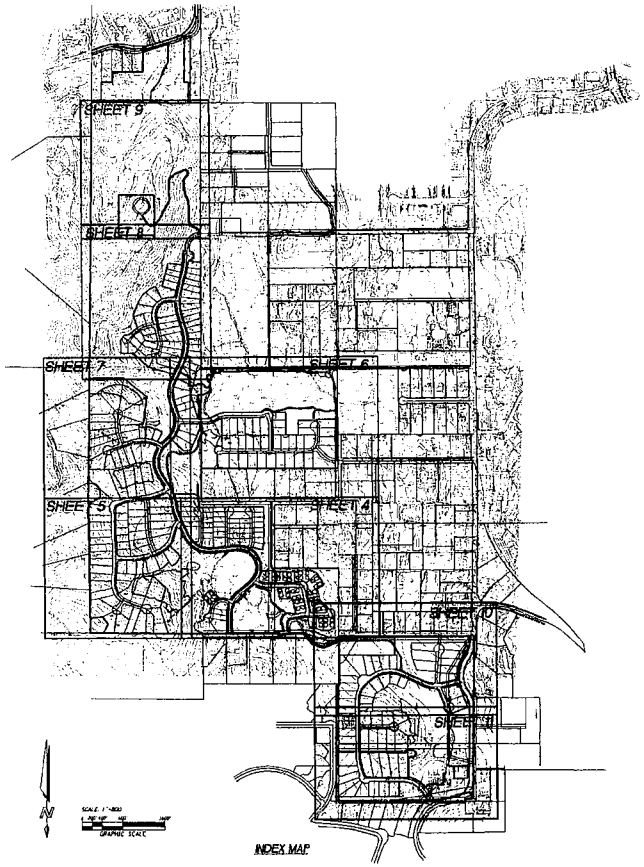
ENGINEER OF WORK

FUSCOE ENGINEERING INC.
4390 GREENWICH DRIVE, STE. 120
SAN DIEGO, CA 92122
(858)454-1500

REVISED 1 YEAR NO FEES SITE

FUSCOE ENGINEERING

COUNTY OF SAN DIEGO TRACT TM 5575 RPL[4]
VESTING SITE PLAN
VALIANO



INDEX MAP

TOPOGRAPHY

AERIAL TOPOGRAPHY BY:
SPENCER B. GROSS
5371 LINDLEY AVE #11
RESEDA, CA 91335
(714)-620-9882
FLIGHT DATE: 10-08-12

PROPOSED GRADING

CUT: 638,000 CY
FILL: 638,000 CY
ENGINEER'S ESTIMATE ONLY, NOT FOR BID PURPOSES

PROPOSED IMPROVEMENTS

PROPOSED IMPROVEMENTS INCLUDE THE CONSTRUCTION OF PRIVATE STREET, WATER AND STORM DRAIN SYSTEMS, AND PRIVATE ROADS AS INDICATED ON THESE PLANS

OWNER/APPLICANT

THE EDEN HILLS PROJECT OWNER, LLC
3230 CHEMIKAS BOULEVARD, SUITE 210
ESCONDIDO, CALIFORNIA 92029
(760) 844-2511

ENGINEER

FUSCOE ENGINEERING SAN DIEGO, INC
6390 GREENWICH DRIVE, STE. 170
SAN DIEGO, CA 92122
(858)558-1500

OWNER/DEVELOPER

THE EDEN HILLS PROJECT OWNER, LLC
3230 CHEMIKAS BOULEVARD, SUITE 210
ESCONDIDO, CALIFORNIA 92029
(760) 844-2511

LANCE GATES

LEGAL DESCRIPTION

PORTIONS OF LOTS 1, 2 AND 3 OF SECTION 19, TOWNSHIP 13 SOUTH, RANGE 2 WEST, SBM TOGETHER WITH PARCELS 1, 2 AND 3 OF PARCEL MAP 3786, AND A PORTION OF LOT 13 OF SECTION 18, TOWNSHIP 13 SOUTH, RANGE 2 WEST, SBM IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA.

SOLAR ACCESS NOTE

ALL LOTS WITHIN THIS SUBDIVISION HAVE A MINIMUM OF 100 SQUARE FEET OF SOLAR ACCESS FOR EACH FUTURE DWELLING UNIT/COMMERCIAL UNIT ALLOWED BY THIS SUBDIVISION

SPECIAL ASSESSMENT ACT STATEMENT:

THE SUBDIVIDER WILL MAKE A REQUEST TO THE BOARD OF SUPERVISORS FOR PERMISSION TO INITIATE PROCEEDINGS UNDER A SPECIAL ASSESSMENT ACT FOR CONSTRUCTION OF MAJOR UTILITIES AND TRANSPORTATION INFRASTRUCTURE

STREET LIGHT STATEMENT:

STREET LIGHTING SHALL BE DESIGNED TO COMPLY WITH THE DARK SKIES PRO TECTS OF THE SAN DIEGUITO COMMUNITY PLAN. THIS INCLUDES INSTALLING STREET LIGHTING ONLY WHEN NECESSARY FOR PUBLIC SAFETY AT ROAD INTERSECTIONS, AS WELL AS UTILIZING LIGHTS THAT ARE LOW LEVEL, FIXED, DIRECTED DOWNWARD, AND SHIELDED TO MINIMIZE LIGHT POLLUTION. THE PROPOSED STREET LIGHTS SHALL BE INSTALLED ACCORDING TO COUNTY ROAD STANDARDS. THE PUBLIC WORKS DEPARTMENT SHALL ADMINISTER THE COMPLIANCE PROCEDURES TO ENSURE PROPER INSTALLATION AND CONTINUED OPERATION

PARK LAND DEDICATION STATEMENT:

THE SUBDIVIDER INTENDS TO COMPLY WITH THE PARK LAND DEDICATION ORDINANCE THROUGH A COMBINATION OF THE DEDICATION OF PARK LAND AND BY THE PAYMENT OF FEES AS ALLOWED AND REQUIRED BY THE ORDINANCE

SHEET INDEX:

1. TITLE SHEET-INDEX MAP, LEGEND & NOTES
2. FOOTPRINTS AND SETBACKS
3. NEIGHBORHOOD MAP
4. SITE PLAN
5. SITE PLAN
6. SITE PLAN
7. SITE PLAN
8. SITE PLAN
9. SITE PLAN
10. SITE PLAN
11. SITE PLAN

WATER AND SEWER

WATER
RINCON DEL DIABLO MUNICIPAL WATER DISTRICT
1920 CRIS LANE
ESCONDIDO, CA 92026
(760)745-5522

SEWER
ON SITE TREATMENT PLANT

SCHOOL DISTRICTS

ESCONDIDO
ELEMENTARY
1330 E. GRAND AVENUE
ESCONDIDO, CA 92027
(760)432-2400

HIGH SCHOOL
300 W. MURRAY DRIVE
ESCONDIDO, CA 92027
(760)751-3000

FIRE DISTRICT

CITY OF SAN DIEGO FIRE PROTECTION DISTRICT
1 CIVIC CENTER DRIVE
SAN DIEGO, CA 92108
(760) 744-1000

EXISTING ZONING

SEE SHEET 2 FOR TABULATION OF EXISTING ZONING FOR EXISTING PARCELS

PROPOSED ZONING

SEE SHEET 2 FOR TABULATION OF PROPOSED ZONING FOR PROPOSED PLANNING AREAS

GROSS/NET AREA

238.8 ACRES GROSS AND NET

NUMBER OF LOTS

SINGLE FAMILY RESIDENTIAL	323
DETACHED CONDOMINIUM	13
OPEN SPACE	21
TOTAL	357

LANDSCAPE PLANS

BONICA SIMPSON ARLA
LANDSCAPE ARCHITECTURE/PLANNING
LAGUNA BEACH, CA
(949)229-0243

LEGEND

ITEMS	STAD. DWGS.	SYMBOL
RETAINING WALL	(D-1)	
EXISTING CONTOUR		
PROPOSED CONTOUR		(370)
DRAIN DITCH	(D-75)	
BOUNDARY		
EASEMENT		
RESIDENTIAL LOT		47
PAD ELEVATION		748.8
LOT SIZE		5,507 SF
OPEN SPACE LOT		(E)
TOP REAR LINE OF FOUNDATION		
EASEMENT		
LOT LINE		
UNIT / NEIGHBORHOOD BOUNDARY		
SETBACK		
DRAINAGE LINE		
CUT/FILL SLOPE 2:1 OR AS NOTED		
PUBLIC TRAILS		
EXISTING TRAIL		
PRIVATE TRAIL		
FUEL MANAGEMENT ZONE 1		
FUEL MANAGEMENT ZONE 2		
PROPOSED EMA ELC		
4' SCENIC CURB TYPE C AND R.O.W.	(P-5)	
BIOLOGICAL OPEN SPACE EASEMENT		
LIMITED BUILDING ZONE		
R.P.S. SETBACK		
AGRICULTURAL PRESERVE		
ACCESS TO OPEN EASEMENT		
SECONDARY DWELLING UNIT		SDU

NOTE:
SAN DIEGO STANDARD DETAILS, STANDARD DRAWINGS APPLY FOR THIS PROJECT
A TRAIL IS LOCATED ON A PUBLIC TRAIL EASEMENT WHEN ADJACENT TO A PRIVATE ROAD

SAN DIEGO GAS AND ELECTRIC NOTE

1. THE GRANTING OF OPEN SPACE WITHIN SDG&E EASEMENTS IS SUBJECT TO APPROVAL BY SDG&E

MINIMUM PROPOSED LOT SIZE: 5,000 s.f.

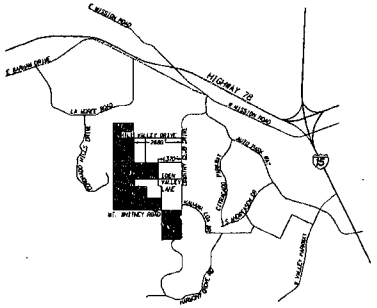
TOTAL NUMBER OF DWELLING UNITS: 326

SECONDARY DWELLING UNITS

TOTAL 54 SDUs

NOTE: THE LOTS THAT COULD ACCOMMODATE SECOND DWELLING UNITS ARE MARKED SDU ON THE PLAN SHEETS

ASSESSOR'S PARCEL NUMBERS:	LAND USE DESIGNATION	COMMUNITY PLAN	TAX RATE
228-313-13	SEMI-RURAL RESIDENTIAL (SR-2)	SAN DIEGUITO	76011
232-013-01	SEMI-RURAL RESIDENTIAL (SR-2)	SAN DIEGUITO	74035
232-013-02	SEMI-RURAL RESIDENTIAL (SR-1)	SAN DIEGUITO	74032
232-013-03	SEMI-RURAL RESIDENTIAL (SR-1)	SAN DIEGUITO	74094
232-020-33	SEMI-RURAL RESIDENTIAL (SR-1)	SAN DIEGUITO	74094
232-087-01	SEMI-RURAL RESIDENTIAL (SR-2)	SAN DIEGUITO	74035
232-500-18	SEMI-RURAL RESIDENTIAL (SR-2)	SAN DIEGUITO	74094
232-500-19	SEMI-RURAL RESIDENTIAL (SR-2)	SAN DIEGUITO	74094
232-500-20	SEMI-RURAL RESIDENTIAL (SR-2)	SAN DIEGUITO	74094
232-500-21	SEMI-RURAL RESIDENTIAL (SR-2)	SAN DIEGUITO	74032
232-500-23	SEMI-RURAL RESIDENTIAL (SR-2)	SAN DIEGUITO	74035
232-500-23	SEMI-RURAL RESIDENTIAL (SR-2)	SAN DIEGUITO	74032
232-500-24	SEMI-RURAL RESIDENTIAL (SR-2)	SAN DIEGUITO	74228



VICINITY MAP
NOT TO SCALE

ENGINEER OF WORK

FUSCOE ENGINEERING INC
6390 GREENWICH DRIVE, STE. 170
SAN DIEGO, CA 92122
(858)558-1500

KENNETH T. WILBUR RCE 71883 DATE

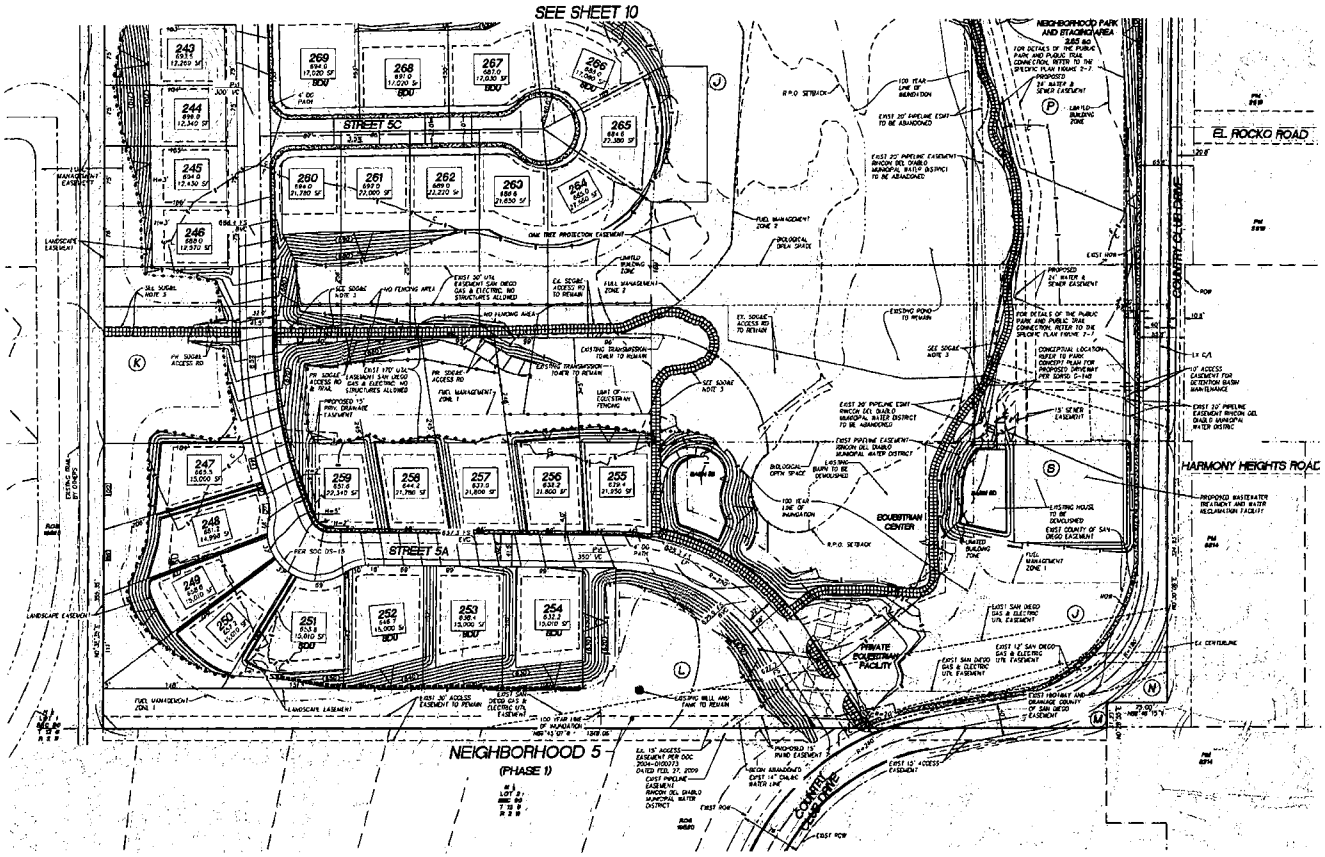
REGISTERED PROFESSIONAL ENGINEER
KENNETH T. WILBUR
No. RCE 71883
EXP. 12-31-14
Civil
STATE OF CALIFORNIA

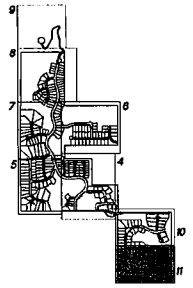
VESTING SITE PLAN
SHEET 1 OF 11

NO.	DATE	REVISION

FUSCOE ENGINEERING
6390 Greenwich Drive, Suite 170
San Diego, California 92122
tel 858 558 1500 • fax 858 597 0335
www.fuscoe.com

COUNTY OF SAN DIEGO TRACT TM 5575 RPL[4]
VESTING SITE PLAN
VALIANO





INDEX MAP
SCALE: 1"=1000'

VESTING SITE PLAN
SHEET 11 OF 11

NO.	DATE	REVISION

ENGINEER OF WORK

FUSCOE ENGINEERING INC.
5390 GREENWICH DRIVE, STE 170
SAN DIEGO, CA 92123
(858)637-1300

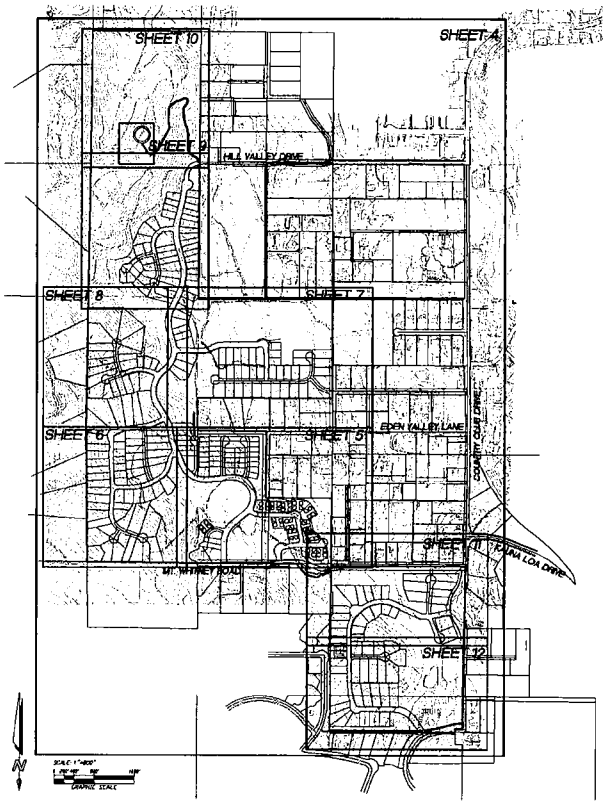
STEPHEN L. KOZAK RCE 71683 DATE

FUSCOE ENGINEERING
5390 Greenwich Drive, Suite 170
San Diego, California 92123
tel 858.554.1500 • fax 858.597.0335
www.fuscoe.com

SCALE 1"=50'
50 25 0 50 100 150
GRAPHIC SCALE IN FEET

COUNTY OF SAN DIEGO TRACT TM 5575 RPL[4]
PRELIMINARY GRADING PLAN
VALIANO

NOTE: DETAIL LEVEL HYDROLOGY AND HYDRAULICS, PIPE SIZES AND LOCATIONS ARE TO BE DETERMINED UPON SUBMITTAL AND APPROVAL OF THE IMPROVEMENT PLANS.



INDEX MAP
SCALE 1"=800'

TOPOGRAPHY
AERIAL TOPOGRAPHY BY:
PHOTOGRAPHY EXPRESS
5353 BALLOY LN #11
ROSE Ho 95811
(775)688-1746
FLIGHT DATE: 10-08-12

PROPOSED GRADING
CUT: 638,000 CY
FILL: 638,000 CY
CONTRACTOR'S ESTIMATE ONLY, NOT FOR BID PURPOSES.

PROPOSED IMPROVEMENTS
PROPOSED IMPROVEMENTS INCLUDE THE CONSTRUCTION OF PRIVATE SEWER, WATER AND STORM DRAIN SYSTEMS, AND PRIVATE ROADS AS INDICATED ON THESE PLANS.

OWNER/APPLICANT
THE EDEN HILLS PROJECT OWNER, LLC
2330 CHESTNUT BOULEVARD, SUITE 210
CHULA VISTA, CALIFORNIA 91914
(760) 944-7011

ENGINEER
FUSCOE ENGINEERING SAN DIEGO, INC.
6390 GREENWICH DRIVE, STE. 170
SAN DIEGO, CA 92122
(858)554-1500

OWNER/DEVELOPER
THE EDEN HILLS PROJECT OWNER, LLC
2330 CHESTNUT BOULEVARD, SUITE 210
CHULA VISTA, CALIFORNIA 91914
(760) 944-7011

LANCE RAITER

LEGAL DESCRIPTION
PORTIONS OF LOTS 1, 2 AND 3 OF SECTION 18, TOWNSHIP 13 SOUTH, RANGE 2 EAST, SBB TOGETHER WITH PARCELS 1, 2 AND 3 OF PARCEL MAP 3095, AND A PORTION OF LOT 11 OF SECTION 16, TOWNSHIP 13 SOUTH, RANGE 2 EAST, SBB IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA

SOLAR ACCESS NOTE
ALL LOTS WITHIN THIS SUBDIVISION HAVE A MINIMUM OF 100 SQUARE FEET OF SOLAR ACCESS FOR EACH FUTURE DWELLING AND NON-RESIDENTIAL UNIT ALLOWED BY THIS SUBDIVISION.

SPECIAL ASSESSMENT ACT STATEMENT:
THE SUBDIVIDER MAY MAKE A REQUEST TO THE BOARD OF SUPERVISORS FOR PERMISSION TO INITIATE PROCEEDINGS UNDER A SPECIAL ASSESSMENT ACT FOR CONSTRUCTION OF MAJOR UTILITY AND TRANSPORTATION INFRASTRUCTURE.

STREET LIGHT STATEMENT:
STREET LIGHTING SHALL BE DESIGNED TO COMPLY WITH THE DARK SKIES POLICIES OF THE SAN DIEGUITO COMMUNITY PLAN. THIS INCLUDES INSTALLING STREET LIGHTING ONLY WHEN NECESSARY FOR PUBLIC SAFETY AT ROAD INTERSECTIONS, AS WELL AS UTILITIES LIGHTS THAT ARE LOW LEVEL, TIMED, DIRECTED DOWNWARD, AND SHIELDED TO MINIMIZE THE IMPACTS ON THE DARK SKY AND TO MINIMIZE SPILLOVER ONTO ADJACENT PROPERTIES. THE REQUIRED LIGHTING SYSTEM SHALL BE INSTALLED ACCORDING TO COUNTY ROAD STANDARDS. THE DEVELOPER OF HOME OWNERS SHALL ADMINISTER THE COMPLIANCE PROCEDURES TO ASSURE PROPER INSTALLATION AND CONTINUED OPERATION.

PARK LAND DEDICATION STATEMENT:
THE SUBDIVIDER INTENDS TO COMPLY WITH THE PARK LANDS DEDICATION ORDINANCE THROUGH A COMBINATION OF THE DEDICATION OF PARK LAND AND BY THE PAYMENT OF FEES AS ALLOWED AND REQUIRED BY THE ORDINANCE.

WATER AND SEWER
WATER
RANCHO SAN DIEGO MUNICIPAL WATER DISTRICT
1920 APRIL LANE
ESCONDIDO, CA 92029
(760)745-0157

SEWER
ONSITE SEWER PLANT

SCHOOL DISTRICTS
ESCONDIDO
ELEMENTARY
1330 E. GRAND AVENUE
ESCONDIDO CA 92027
(760)742-2400

HIGH SCHOOL
302 N. BROADWAY DRIVE
ESCONDIDO, CA 92027
(760)291-3202

FIRE DISTRICT
CITY OF SAN MARCOS FIRE PROTECTION DISTRICT
1 CIVIC CENTER DRIVE
SAN DIEGO, CA 92069
(760) 744-1050

EXISTING ZONING
SEE SHEET 2 FOR TABULATION OF EXISTING ZONING FOR EXISTING PARCELS.

PROPOSED ZONING
SEE SHEET 2 FOR TABULATION OF PROPOSED ZONING FOR PROPOSED PLANNING AREAS.

GROSS/NET AREA
246.8 ACRES

NUMBER OF LOTS

SINGLE FAMILY RESIDENTIAL	272
DETACHED CONDOMINIUM	13
OPEN SPACE	27
TOTAL	307

LEGEND

ITEMS	STAD. DWGS.	SYMBOL
WATER		W
FIRE HYDRANT	(W-01)	
SEWER		SS
SEWER MANHOLE	(SW - 02)	
SEWER LIFT STATION		L
STORM DRAIN	(D - 60)	SD
RETAINING WALL	(C-1)	
ROAD BARRIER RAIL		
EXISTING CONTOUR		
PROPOSED CONTOUR		1200
BROW DITCH	(D-75)	
CURB INLET	(D - 02)	
STORM DRAIN CLEANOUT	(D - 08)	
MAP BAR ENERGY DISSIPATOR	(D - 40)	
HEADWALL	(D - 34, D - 35)	
DETENTION BASIN INTAKE		
TRACT BOUNDARY		
EASEMENT		
100 YEAR LINE OF INUNDATION		
OPEN SPACE EASEMENT		
OPEN SPACE LOT		E
RESIDENTIAL LOT AND ELEVATION AND SIZE		47 749.8 5,507 SF
LOT LINE		
UNIT / RECOMMENDED ROADWAY		
BRUSH MANAGEMENT EASEMENT		
PROPOSED EDGE OF PAVEMENT		
4" WIDE CURB TYPE E AND R-0 B	(B-3)	
GRADING LIMIT		
CUTOFF BERM 2' X 1' OR AS NOTED		
PUBLIC TRAIL WITHIN 12' EASEMENT		
EXISTING PUBLIC TRAIL		
PRIVATE TRAIL		
HISTORICAL OPEN SPACE EASEMENT		
LIMITED BUILDING ZONE		
R.P.O. SETBACK		
AGRICULTURAL PRESERVE		
STEEP SLOPE EASEMENT		
FUEL MANAGEMENT ZONE 1		
FUEL MANAGEMENT ZONE 2		
8' WIDE BENCH FOR DRAINAGE		
FORCED MAIN		FM
5' RECONVEYED TRAILS		
PROPOSED CHANNEL		

NOTE:
SAN DIEGO REGIONAL STANDARD DRAWINGS (2012) APPLY FOR THIS PROJECT

MINIMUM PROPOSED LOT SIZE: 5,000 s.f.

TOTAL NUMBER OF DWELLING UNITS: 326

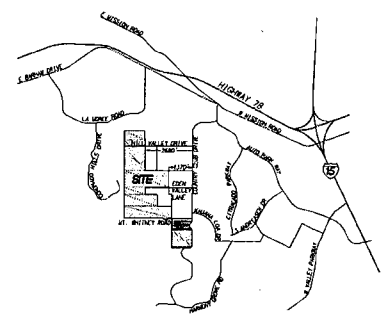
GRADING PLAN NOTE:
THIS TENTATIVE MAP IS ALSO A PRELIMINARY GRADING PLAN PROVIDED TO ALLOW FOR THE FULL AND ADEQUATE DISCRETIONARY REVIEW OF THE PROPOSED DEVELOPMENT. THE PROPERTY OWNER ACKNOWLEDGES THAT ACCEPTANCE OR APPROVAL OF THIS PLAN DOES NOT CONSTITUTE AN INDIVIDUAL TO PERFORM ANY GRADING SHOWN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

DESIGN STANDARDS:
1. STANDARDS FOR PRIVATE ROADWAY DESIGN WITHIN THIS PROJECT SHALL CONFORM WITH THE PARAMETERS LISTED FOR EACH ROADWAY SECTION ON SHEET TWO OF THIS MAP AND THE GUIDELINES OF THE VALIANO SPECIFIC PLAN. ELEMENTS SUCH AS DESIGN SPEED, MAXIMUM GRADE AND MINIMUM HORIZONTAL CURVE RADIUS MAY VARY FROM THE COUNTY OF SAN DIEGO PUBLIC ROAD STANDARDS.

CONSTRUCTION NOISE NOTES:
1. IF PAVING, GRADING, OR EXCAVATION IS REQUIRED WITHIN 150 FEET OF A RESIDENTIALLY OCCUPIED OFF-SITE OR ON-SITE PROPERTY LINE, A 12-FOOT HIGH BARRIER SHALL BE ERECTED ALONG A LENGTH OF THE PROPERTY LINE THIS BARRIER SHALL BE OF SUFFICIENT LENGTH TO BLOCK THE LINE OF SIGHT BETWEEN THE OCCUPIED PROPERTY AND ANY PAVING OPERATIONS WITHIN 150 FEET OF THE PROPERTY. ADDITIONALLY, THE BARRIERS SHALL EXTEND AT LEAST 10 FEET BEYOND THE HORIZONTAL LINE OF SIGHT IN EACH DIRECTION. REFER TO THE STORM WATER STANDARDS CAP FOR TEMPORARY CONSTRUCTION NOISE MITIGATION MEASURES.

2. IF A BREAKER IS REQUIRED ON-SITE DURING CONSTRUCTION, THEN IT SHALL NOT BE USED WITHIN 300 FEET OF PROPERTY LINES OF OCCUPIED RESIDENCES.

SAN DIEGO GAS AND ELECTRIC NOTE
1. OPEN SPACE EASEMENTS GRANTED ON THIS MAP OR AS A REQUIREMENT OF THIS MAP ARE GRANTED SUBJECT TO THE PRIOR EASEMENT RIGHTS OF SDG&E INCLUDING BUT NOT LIMITED TO ACCESS BY PRACTICAL ROUTE OR ROUTES TO SDG&E PRESENT AND FUTURE FACILITIES.
2. ALL FENCING IN THE SDG&E EASEMENT TO BE REVIEWED AND APPROVED BY SDG&E RESIDENT TRAIL FENCING 8' HIGH.
3. PUBLIC TRAILS WITHIN SDG&E EASEMENTS ARE SUBJECT TO SDG&E AND COUNTY OF SAN DIEGO TRAILS AGREEMENT ENTITLED "CONSENT TO USE OF LAND" APPROVED BY THE COUNTY ON OCTOBER 27, 2004.
4. PRIOR TO ISSUANCE OF A PERMIT FOR ANY GRADING OR CONSTRUCTION ON THE LOTS ON THE MAP, PLANS SHALL BE SUBMITTED TO SDG&E LAND MANAGEMENT DEPARTMENT FOR REVIEW AND ISSUANCE OF A "LETTER OF PERMISSION TO GRADE CONSTRUCT IMPROVEMENTS".



VICINITY MAP
NOT TO SCALE

San Diego Gas & Electric Company

Received By _____ Date _____
Jeff Sarar
Land Land Manager
"This approval applies only to the proposed grades shown on this map and does not constitute approval of any other improvements or facilities. Any other work must be submitted for SDG&E Land Management department for review and issuance of a "Letter of Permission to Grade and Construct Improvements".

ENGINEER OF WORK
FUSCOE ENGINEERING INC.
6390 GREENWICH DRIVE, STE. 170
SAN DIEGO, CA 92122
(858)554-1500

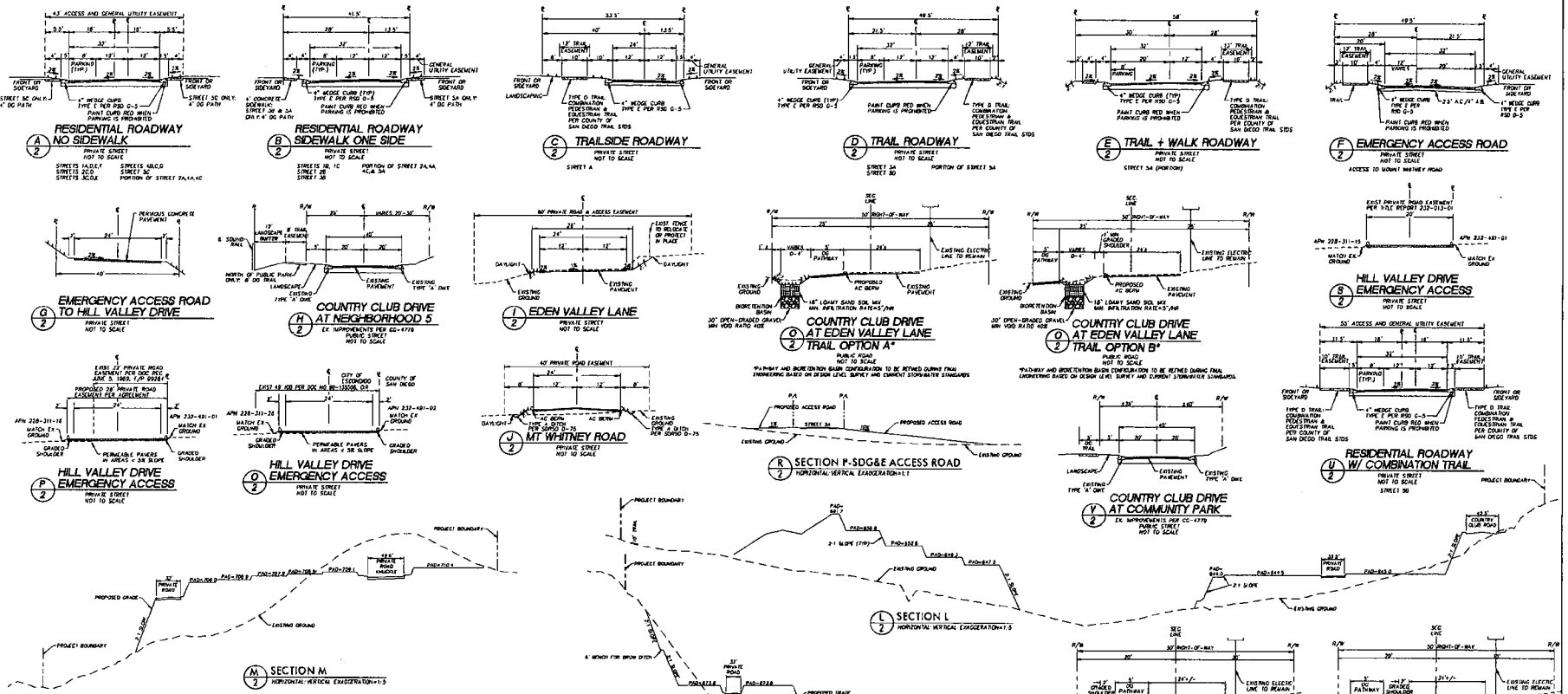
KENNETH T. WOOLPERT RCE 71683 DATE

PRELIMINARY GRADING PLAN
SHEET 1 OF 13

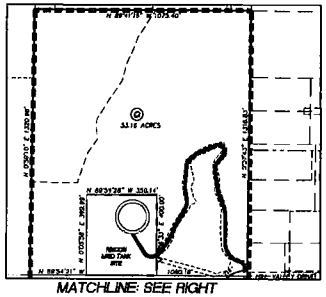
NO.	DATE	REVISION

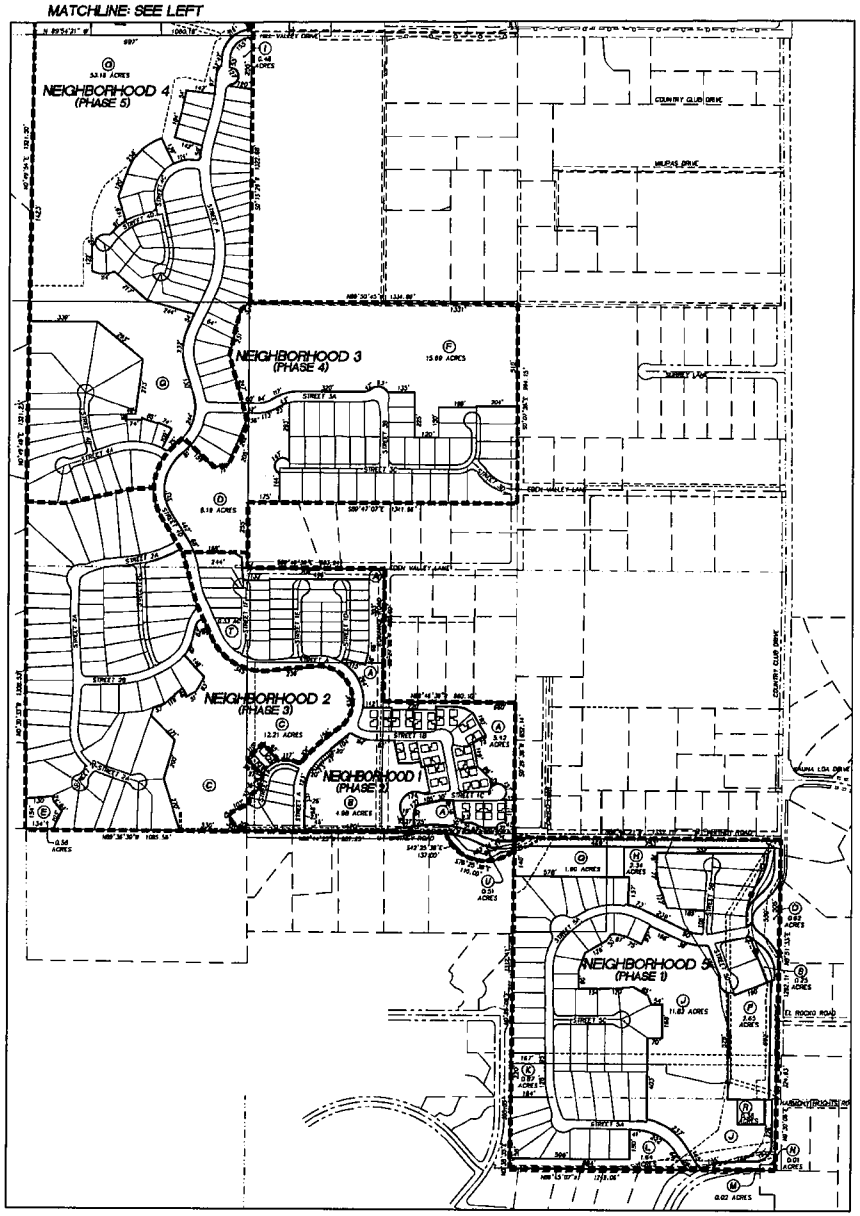
FUSCOE
6390 Greenwich Drive, Suite 170
San Diego, California 92122
tel 858 554 1500 • fax 858 597 0313
www.fuscoe.com

COUNTY OF SAN DIEGO TRACT TM 5575 RPL[4]
PRELIMINARY GRADING PLAN
VALIANO



COUNTY OF SAN DIEGO TRACT TM 5575 RPL[4]
PRELIMINARY GRADING PLAN
VALIANO





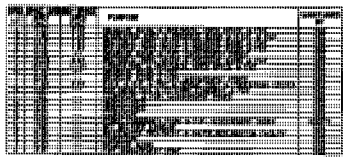
NEIGHBORHOOD 1 LOT #	AREA (sf)
1	17,560
2	14,790
3	14,300
4	14,250
5	14,050
6	18,115
7	15,790
8	14,700
9	10,500
10	13,120
11	12,655
12	18,305
13	22,815
14	17,460
15	10,250
16	9,570
17	12,335
18	11,840
19	6,750
20	5,620
21	5,730
22	5,720
23	5,700
24	5,670
25	6,780
26	5,640
27	13,210
28	13,270
29	6,010
30	6,140
31	6,010
32	5,100
33	9,410
34	5,870
35	6,006
36	5,940
37	6,010
38	6,470
39	7,570
40	8,210
41	8,578
42	7,950
43	6,900
44	6,978
45	6,920
46	6,430
47	5,010
48	5,010
49	5,470
50	5,940
51	5,610
52	11,920
53	14,490
54	10,500
55	8,520
56	10,500
57	9,600
58	5,520

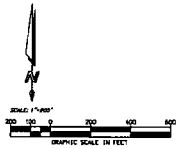
NEIGHBORHOOD 2 LOT #	AREA (sf)
59	17,610
60	12,590
61	15,360
62	14,940
63	13,850
64	12,740
65	12,120
66	12,820
67	21,820
68	41,990
69	46,320
70	30,880
71	31,420
72	24,910
73	20,010
74	17,160
75	21,640
76	20,740
77	32,600
78	16,490
79	16,790
80	20,930
81	16,090
82	19,510
83	16,180
84	18,210
85	16,320
86	16,000
87	16,150
88	17,380
89	16,060
90	23,230
91	20,490
92	19,740
93	33,860
94	29,890
95	24,900
96	46,820
97	10,870
98	8,220
99	8,990
100	8,840
101	8,670
102	8,810
103	9,240
104	16,690
105	13,680
106	13,650
107	14,340
108	13,320
109	16,970
110	17,670
111	24,150
112	16,720
113	18,220
114	17,790
115	16,000
116	20,150

NEIGHBORHOOD 3 LOT #	AREA (sf)
117	17,140
118	12,170
119	13,130
120	13,400
121	13,120
122	12,840
123	9,990
124	9,640
125	9,450
126	9,610
127	10,350
128	12,210
129	19,640
130	15,170
131	13,170
132	16,110
133	15,510
134	13,310
135	15,550
136	15,210
137	13,310
138	13,240
139	20,930
140	24,170
141	13,910
142	11,740
143	17,490
144	10,280
145	19,270
146	19,540
147	11,270
148	11,510
149	11,810
150	12,980
151	12,050
152	13,900
153	9,720

NEIGHBORHOOD 4 LOT #	AREA (sf)
154	6,000
155	6,400
156	8,015
157	12,020
158	12,010
159	16,050
160	14,000
161	8,940
162	7,490
163	9,230
164	9,250
165	11,100
166	14,870
167	12,710
168	9,410
169	11,350
170	10,430
171	11,400
172	14,750
173	13,210
174	10,610
175	10,600
176	11,450
177	12,410
178	12,990
179	11,870
180	10,450
181	12,400
182	8,970
183	8,510
184	8,340
185	9,120
186	9,440
187	11,870
188	10,190
189	10,230
190	10,670
191	9,580
192	9,760
193	8,730
194	8,670
195	7,530
196	7,670
197	8,030
198	9,310
199	8,440
200	12,790
201	15,540
202	12,380
203	12,470
204	10,030
205	10,620
206	10,450
207	8,290
208	9,210
209	11,520
210	874
211	8,790
212	900
213	14,180
214	13,020
215	21,150
216	22,700
217	21,900
218	20,270
219	20,270
220	19,320
221	25,410
222	21,820
223	20,450
224	20,280
225	21,450
226	17,610
227	14,000
228	12,710
229	9,870
230	14,920
231	22,910

NEIGHBORHOOD 5 LOT #	AREA (sf)
232	19,370
233	12,380
234	13,480
235	11,030
236	20,060
237	16,300
238	12,870
239	14,510
240	12,720
241	14,000
242	13,720
243	12,240
244	12,360
245	13,270
246	17,100
247	12,000
248	11,040
249	15,010
250	15,040
251	19,010
252	15,000
253	15,500
254	15,710
255	20,890
256	17,340
257	21,840
258	21,870
259	21,380
260	20,100
261	21,900
262	22,100
263	21,900
264	21,220
265	22,000
266	17,740
267	12,040
268	12,000
269	12,000
270	10,870
271	10,760
272	14,270
273	17,560
274	11,550
275	8,310
276	8,320
277	20,740
278	20,510
279	21,900
280	22,120
281	20,900
282	19,750
283	19,750
284	15,000
285	17,840
286	12,870
287	12,780
288	22,110





ENGINEER OF WORK

FUSCOE ENGINEERING INC.
6390 GREENWICH DRIVE, SUITE 170
SAN DIEGO, CA 92122
(858)554-1500

KENNETH L. KASZA RCE 31883 DATE

PRELIMINARY GRADING PLAN

SHEET 3 OF 13

NO.	DATE	REVISION

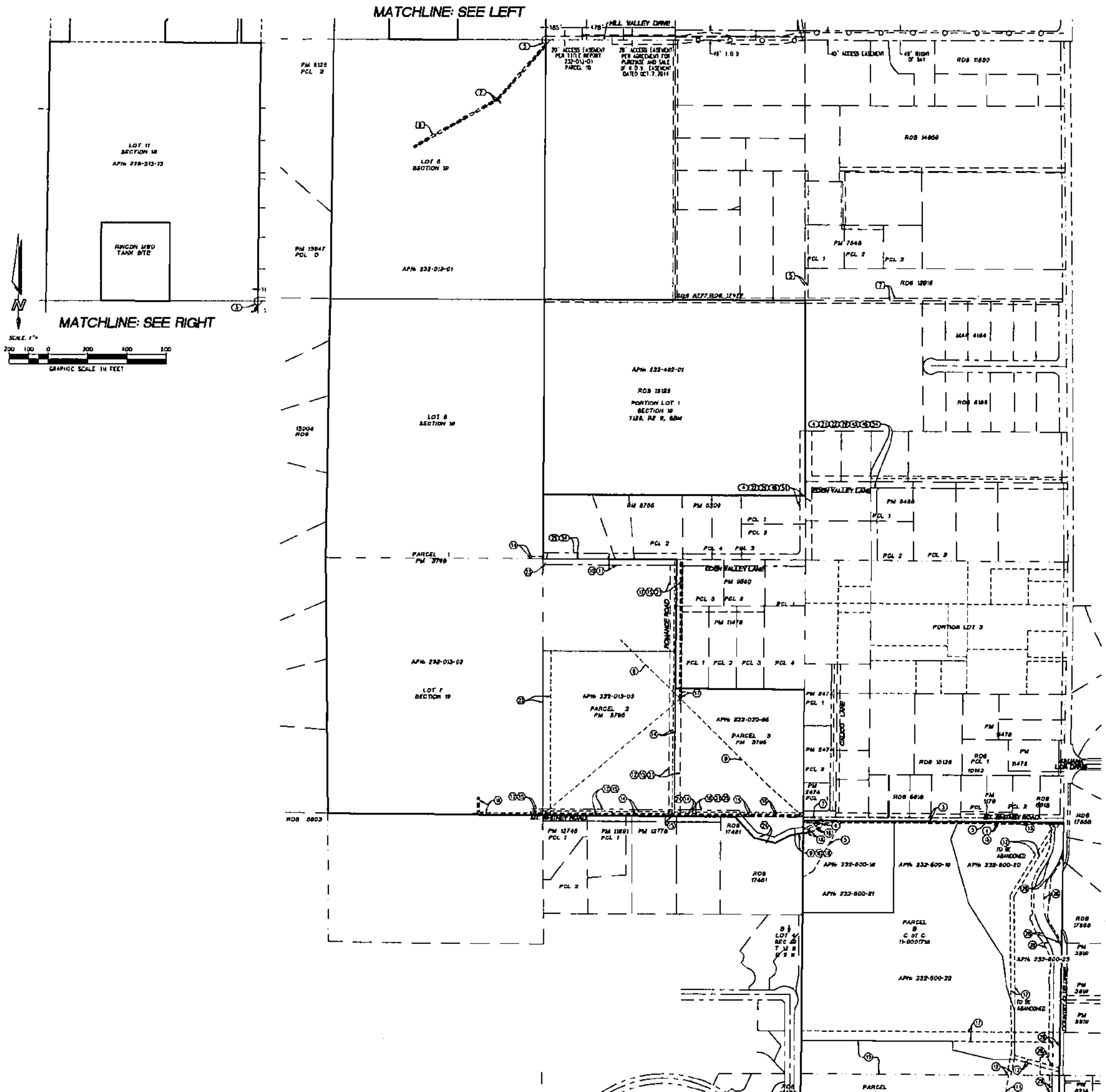
FUSCOE ENGINEERING
6390 Greenwich Drive, Suite 170
San Diego, California 92122
tel 858 554 1500 • fax 858 597 0253
www.fuscoe.com

San Diego Gas & Electric Company

Reviewed by _____ Date _____
Land Land Manager

*This approval applies only to parcel maps, tract maps or other maps which are being processed by the County of San Diego and only to the extent that it cannot be construed to deprive Local Agencies of their discretion to make land decisions or to "Carve" Easements in Grant and Dedicate approximately.

COUNTY OF SAN DIEGO TRACT TM 5575 RPL[4]
PRELIMINARY GRADING PLAN
VALIANO



EASEMENT NOTES:

EXCEPTIONS

ITEMS 1 AND 2 RELATE TO TAXES AND ASSESSMENTS

(3) 3. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT.
GRANTED TO: CAROLINE A. COOK, A WIDOW
PURPOSE: RIGHT OF WAY FOR TRAVEL
RECORDED: JANUARY 18, 1887 IN BOOK 280, PAGE 3 OF DEEDS
AFFECTS: THE EXACT LOCATION AND EXTENT OF SAID EASEMENT IS NOT DISCLOSED OF RECORD

SAID EASEMENT HAS BEEN CONVEYED AND/OR RESERVED IN VARIOUS OTHER INSTRUMENTS OF RECORD

SURVEYOR'S NOTE: THIS DOCUMENT RESERVES A 20 FOOT RIGHT-OF-WAY ALONG AN EXISTING ROAD, BUT DOES NOT PROVIDE A LOCATION FOR THE ROAD THAT CAN BE PLOTTED FROM RECORD. THIS DOCUMENT ALSO GRANTS A RIGHT-OF-WAY FOR TRAVEL TO THE 20 FEET IMMEDIATELY NORTH OF THE SUBJECT PROPERTY AND IT WOULD APPEAR ALLOWS THE PROPERTY TO ACCESS AT LEAST A PORTION OF MT. WHITNEY ROAD. THE MT. WHITNEY ACCESS RIGHTS ARE THE PORTION PLOTTED ON THIS SURVEY

(4) 4. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT.
GRANTED TO: L. W. CARASHAN
PURPOSE: TRAVEL
RECORDED: SEPTEMBER 3, 1919 IN BOOK 794, PAGE 191 OF DEEDS
AFFECTS: THE ROUTE THEREOF AFFECTS A PORTION OF SAID LAND AND IS MORE FULLY DESCRIBED IN SAID DOCUMENT.

(5) 5. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT.
GRANTED TO: SAN DIEGO GAS AND ELECTRIC COMPANY
PURPOSE: PUBLIC UTILITIES, INGRESS, EGRESS
RECORDED: OCTOBER 16, 1941 IN BOOK 1244, PAGE 251 OF OFFICIAL RECORDS
AFFECTS: THE ROUTE THEREOF AFFECTS A PORTION OF SAID LAND AND IS MORE FULLY DESCRIBED IN SAID DOCUMENT.

6. THE RIGHTS OF THE PUBLIC IN AND TO THAT PORTION OF THE HEREIN DESCRIBED LAND LYING WITHIN COUNTRY CLUB DRIVE AND MISCELLANEOUS SURVEY 450.

7. INTENTIONALLY OMITTED.

(8) 8. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT.
GRANTED TO: SAN DIEGO GAS AND ELECTRIC COMPANY
PURPOSE: PUBLIC UTILITIES, INGRESS, EGRESS
RECORDED: NOVEMBER 18, 1948 IN BOOK 3018, PAGE 463 OF OFFICIAL RECORDS
AFFECTS: THE ROUTE THEREOF AFFECTS A PORTION OF SAID LAND AND IS MORE FULLY DESCRIBED IN SAID DOCUMENT.

(9) 9. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT.
GRANTED TO: SAN DIEGO GAS AND ELECTRIC COMPANY
PURPOSE: PUBLIC UTILITIES, INGRESS, EGRESS
RECORDED: FEBRUARY 14, 1955 IN BOOK 5530, PAGE 571 OF OFFICIAL RECORDS
AFFECTS: THE ROUTE THEREOF AFFECTS A PORTION OF SAID LAND AND IS MORE FULLY DESCRIBED IN SAID DOCUMENT.

(10) 10. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT
GRANTED TO: SAN DIEGO GAS AND ELECTRIC COMPANY
PURPOSE: PUBLIC UTILITIES, INGRESS, EGRESS
RECORDED: FEBRUARY 14, 1955 IN BOOK 5530, PAGE 549 OF OFFICIAL RECORDS
AFFECTS: THE ROUTE THEREOF AFFECTS A PORTION OF SAID LAND AND IS MORE FULLY DESCRIBED IN SAID DOCUMENT.

(11) 11. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT.
GRANTED TO: RINCON DEL DIABLO MUNICIPAL WATER DISTRICT
PURPOSE: PIPELINE
RECORDED: OCTOBER 24, 1955 IN BOOK 5841, PAGE 499 AND 504, BOTH OF OFFICIAL RECORDS
AFFECTS: THE ROUTE THEREOF AFFECTS A PORTION OF SAID LAND AND IS MORE FULLY DESCRIBED IN SAID DOCUMENT.

(12) 12. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT.
GRANTED TO: RINCON DEL DIABLO MUNICIPAL WATER DISTRICT
PURPOSE: PIPELINE
RECORDED: OCTOBER 21, 1955 IN BOOK 5842, PAGE 18 OF OFFICIAL RECORDS
AFFECTS: THE ROUTE THEREOF AFFECTS A PORTION OF SAID LAND AND IS MORE FULLY DESCRIBED IN SAID DOCUMENT.

(13) 13. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT.
GRANTED TO: SAN DIEGO GAS AND ELECTRIC COMPANY
PURPOSE: PUBLIC UTILITIES, INGRESS, EGRESS
RECORDED: JULY 10, 1956 IN BOOK 6172, PAGE 61 OF OFFICIAL RECORDS
AFFECTS: THE ROUTE THEREOF AFFECTS A PORTION OF SAID LAND AND IS MORE FULLY DESCRIBED IN SAID DOCUMENT.

14. INTENTIONALLY OMITTED

(15) 15. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT.
GRANTED TO: SAN DIEGO GAS AND ELECTRIC COMPANY
PURPOSE: PUBLIC UTILITIES, INGRESS, EGRESS
RECORDED: MARCH 10, 1959 IN BOOK 7538, PAGE 484 OF OFFICIAL RECORDS
AFFECTS: THE ROUTE THEREOF AFFECTS A PORTION OF SAID LAND AND IS MORE FULLY DESCRIBED IN SAID DOCUMENT.

(16) 16. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT.
GRANTED TO: LLOYD C. THIEL AND AVA M. THIEL
PURPOSE: ROAD AND PUBLIC UTILITIES
RECORDED: MAY 12, 1972 AS INSTRUMENT NO. 120334 OF OFFICIAL RECORDS
AFFECTS: THE ROUTE THEREOF AFFECTS A PORTION OF SAID LAND AND IS MORE FULLY DESCRIBED IN SAID DOCUMENT.

(17) 17. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT.
GRANTED TO: SAN DIEGO GAS AND ELECTRIC COMPANY
PURPOSE: PUBLIC UTILITIES, INGRESS, EGRESS
RECORDED: JUNE 29, 1972 AS INSTRUMENT NO. 72-168523 OF OFFICIAL RECORDS
AFFECTS: THE ROUTE THEREOF AFFECTS A PORTION OF SAID LAND AND IS MORE FULLY DESCRIBED IN SAID DOCUMENT.

(18) 18. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT.
GRANTED TO: RINCON DEL DIABLO MUNICIPAL WATER DISTRICT
PURPOSE: PIPELINE
RECORDED: MARCH 9, 1985 AS INSTRUMENT NO. 85-79313 OF OFFICIAL RECORDS
AFFECTS: THE ROUTE THEREOF AFFECTS A PORTION OF SAID LAND AND IS MORE FULLY DESCRIBED IN SAID DOCUMENT.

19. ANY RIGHTS, INTERESTS OR CLAIMS WHICH MAY EXIST OR ARISE BY REASON OF THE FOLLOWING MATTERS DISCLOSED BY INFORMATION PROVIDED BY RINCON DEL DIABLO MUNICIPAL WATER DISTRICT.

THE FACT THAT THERE EXISTS A ROAD AND A WATER PIPELINE ACROSS THE EASTERLY PORTION OF SAID LAND IN FAVOR OF RINCON DEL DIABLO MUNICIPAL WATER DISTRICT

20. INTENTIONALLY OMITTED

(21) 21. AN AGREEMENT, AND THE TERMS AND CONDITIONS AS CONTAINED THEREIN
DATED: FEBRUARY 27, 2009
BY AND BETWEEN: NEW D RANCH, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY AND RANCHO PACIFIC GROUP LLC, A DELAWARE LIMITED LIABILITY COMPANY
RECORDED: FEBRUARY 27, 2009 AS INSTRUMENT NO. 2009-0100271 OF OFFICIAL RECORDS
REGARDING: ACCESS EASEMENT AGREEMENT

REFERENCE IS HEREBY MADE TO SAID DOCUMENT FOR FULL PARTICULARS

22. INTENTIONALLY OMITTED

23. INTENTIONALLY OMITTED

24. WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT SHOWN BY THE PUBLIC RECORDS.

25. A DOCUMENT ENTITLED "ROADWAY IMPROVEMENT EASEMENT AGREEMENT", DATED, MARCH 20, 2012, EXECUTED BY NEW D RANCH, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, AND DEERFIELD LAND INVESTMENT, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AND STANDARD PACIFIC CORP., A CALIFORNIA CORPORATION, SUBJECT TO ALL THE TERMS, PROVISIONS AND CONDITIONS THEREIN CONTAINED. RECORDED SEPTEMBER 10, 2012, AS INSTRUMENT NO. 2012-0547161 OF OFFICIAL RECORDS.

26. ANY RIGHTS, INTERESTS, OR CLAIMS WHICH MAY EXIST OR ARISE BY REASON OF THE FOLLOWING FACTS SHOWN ON A SURVEY PLAT ENTITLED "ALTA/ACSM LAND TITLE SURVEY" DATED DECEMBER 4, 2012 PREPARED BY FUSCOE ENGINEERING
[26-A] A) THE FACT THAT A FENCE MEANDERS ACROSS THE WESTERLY BOUNDARY OF THE LAND.
[26-B] B) THE FACT THAT THE FENCE ALONG THE SOUTHERLY BOUNDARY IS LOCATED NORTH OF THE SOUTH PROPERTY LINE.
[26-C] C) ENCROACHMENT OF A DRIVEWAY ONTO LAND ADJACENT ON THE SOUTH
[26-D] D) ENCROACHMENT OF A RETAINING WALL, FENCE AND CONCRETE DRIVEWAY ONTO THE SOUTHEASTERLY CORNER OF THE LAND.
[26-E] E) ENCROACHMENT OF A FENCED YARD ONTO THE NORTHWESTERLY CORNER OF THE LAND.

27. INTENTIONALLY OMITTED

(28) 28. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT.
GRANTED TO: COUNTY OF SAN DIEGO
PURPOSE: PUBLIC HIGHWAY, EXCAVATION, EMBANKMENT SLOPES AND DRAINAGE STRUCTURES
RECORDED: NOVEMBER 2, 2017, AS INSTRUMENT NO. 2017-0504567 OF OFFICIAL RECORDS
AFFECTS: THE ROUTE THEREOF AFFECTS A PORTION OF SAID LAND AND IS MORE FULLY DESCRIBED IN SAID DOCUMENT.

SURVEYOR'S NOTE: RECORD OF SURVEY 11520 SHOWS THE LOCATION OF A 40 FOOT RIGHT-OF-WAY BASED ON EXISTING PUBLICLY MAINTAINED ROAD IMPROVEMENTS. NOT SHOWN ON THIS SURVEY FOR CLARITY.

(29) 29. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT.
GRANTED TO: SAN DIEGO GAS & ELECTRIC COMPANY
PURPOSE: PUBLIC UTILITIES, INGRESS AND EGRESS
RECORDED: DECEMBER 7, 2017, AS INSTRUMENT NO. 2017-0568862 OF OFFICIAL RECORDS
AFFECTS: THE ROUTE THEREOF AFFECTS A PORTION OF SAID LAND AND IS MORE FULLY DESCRIBED IN SAID DOCUMENT.

30. DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, CREATED, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES FOR VALUE OF RECORD THE ESTATE OR INTEREST OR MORTGAGE THEREON COVERED BY THIS COMMITMENT

(1) INDICATES PLOTTED EASEMENTS

[26-A] INDICATES LOCATION OF EXCEPTION FROM PREVIOUS SURVEY. SEE SHEETS 2 AND 3 FOR LOCATION.

EASEMENT NOTES:

ITEM NO. THE FOLLOWING EASEMENT DATA WAS OBTAINED FROM CHICAGO TITLE COMPANY PRELIMINARY TITLE REPORT ORDER NO. 130023369-U50, DATED JANUARY 18, 2013, REVISED

(5) EASEMENT TO THE COUNTY OF SAN DIEGO FOR COUNTY ROAD PURPOSES RECORDED IN BOOK 14, PAGE 299 OF MISCELLANEOUS RECORDS HAS NO SPECIFIC LOCATION SET FORTH AND IS NOT PLOTTED HEREON

(7) LINE EASEMENT (NO WIDTH GIVEN) FOR PUBLIC UTILITIES, INGRESS AND EGRESS TO SAN DIEGO GAS AND ELECTRIC COMPANY PER DOCUMENT RECORDED JULY 22, 1946 IN BOOK 2187, PAGE 418 OF OFFICIAL RECORDS

(8) LINE EASEMENT (NO WIDTH GIVEN) FOR PUBLIC UTILITIES, INGRESS AND EGRESS TO SAN DIEGO GAS AND ELECTRIC COMPANY PER DOCUMENT RECORDED JULY 29, 1946 IN BOOK 2183 PAGE 231 OF OFFICIAL RECORDS

(9) EASEMENT FOR ROAD AND PUBLIC UTILITIES, INGRESS AND EGRESS AS GRANTED /RESERVED BY VARIOUS INSTRUMENTS OF RECORD, ONE OF WHICH WAS RECORDED AUGUST 27, 1958 IN BOOK 6233, PAGE 106 OF OFFICIAL RECORDS

(10) EASEMENT FOR ROAD AND PUBLIC UTILITIES, INGRESS AND EGRESS RECORDED FEBRUARY 26, 1959 IN BOOK 7518 PAGE 94 OF OFFICIAL RECORDS

(11) ROAD AND PUBLIC UTILITIES AND INGRESS AND EGRESS AS GRANTED/RESERVED BY VARIOUS INSTRUMENTS OF RECORD, ONE OF WHICH WAS RECORDED MAY 7, 1959 IN BOOK 7648, PAGE 538 OF OFFICIAL RECORDS DOES NOT INCLUDE PLAT AND LEGAL REFERENCED THEREON AND CANNOT BE PLOTTED

(12) EASEMENT FOR ROAD, SEWER, WATER, GAS, POWER AND TELEPHONE LINES AS GRANTED AND RESERVED IN VARIOUS INSTRUMENTS OF RECORD, ONE OF WHICH WAS RECORDED AUGUST 2, 1963 AS INSTRUMENT NO. 63-138778 OF OFFICIAL RECORDS

(14) EASEMENT FOR PIPELINE TO RINCON DIABLO MUNICIPAL WATER DISTRICT PER DOCUMENT RECORDED OCTOBER 21, 1963 AS INSTRUMENT NO. 63-188144 OF OFFICIAL RECORDS

(15) EASEMENT OF RIGHT OF WAY FOR ROAD, SEWER, WATER, GAS, POWER, AND TELEPHONE LINES GRANTED TO RANCHO ESTATES PER DOCUMENT RECORDED MAY 27, 1965 AS INSTRUMENT NO. 65-94927 OF OFFICIAL RECORDS

(16) EASEMENT FOR PUBLIC UTILITIES, INGRESS AND EGRESS TO SAN DIEGO GAS AND ELECTRIC COMPANY PER DOCUMENT RECORDED SEPTEMBER 25, 1972 AS INSTRUMENT NO 72-256470 OF OFFICIAL RECORDS

(17) EASEMENT FOR ROAD AND PUBLIC UTILITIES, INGRESS AND EGRESS TO SAN DIEGO GAS & ELECTRIC COMPANY RECORDED MARCH 14, 1975 AS INSTRUMENT NO. 75-058164 OF OFFICIAL RECORDS

(18) IRREVOCABLE OFFER OF DEDICATION FOR PUBLIC HIGHWAY PER DOCUMENT RECORDED APRIL 21, 1975 AS INSTRUMENT NO. 75-089236 OF OFFICIAL RECORDS

(20) EASEMENT FOR ROAD AND PUBLIC UTILITIES TO AS GRANTED/RESERVED BY VARIOUS INSTRUMENTS OF RECORD, ONE OF WHICH WAS RECORDED FEBRUARY 7, 1980 AS INSTRUMENT NO 80-043631 OFFICIAL RECORDS

(22) EASEMENT FOR UTILITY, WATER SUPPLY, INGRESS AND EGRESS RECORDED OCTOBER 14, 1977 AS INSTRUMENT NO 77-421957 OF OFFICIAL RECORDS

(23) EASEMENT FOR PUBLIC UTILITIES, INGRESS, AND EGRESS TO SAN DIEGO GAS AND ELECTRIC COMPANY PER DOCUMENT RECORDED JUNE 27, 1978 AS INSTRUMENT NO 78-297298 OF OFFICIAL RECORDS

(24) EASEMENT FOR FOR WATER PIPELINE TO RINCON DEL DIABLO MUNICIPAL WATER DISTRICT PER DOCUMENT RECORDED ON MAY 16, 1985 AS INSTRUMENT NO. 85-172518 OF OFFICIAL RECORDS

(25) PROPOSED PRIVATE ROAD EASEMENT PER PM 3795

(26) EASEMENT FOR FOR WATER DITCHES OR CANALS RESERVED BY THE UNITED STATES OF AMERICA PER DOCUMENT RECORDED ON APRIL 20, 1875 IN BOOK 14, PAGE 304 OF PATENTS HAS NO SPECIFIC LOCATION SET FORTH AND IS NOT PLOTTED HEREON

EASEMENT NOTES:

EASEMENT LEGEND
BASED ON DATA FROM TITLE REPORT BY CHICAGO TITLE COMPANY, ORDER NO. 930014248-U50, DATED FEBRUARY 28, 2009

ITEM NO. EASEMENT

(2) EASEMENT FOR INGRESS AND EGRESS FOR ROAD RECORDED FEBRUARY 17, 1953 IN BOOK 4751, PAGE 578 OF OFFICIAL RECORDS

(7) EASEMENT FOR ROAD AND UTILITY PURPOSES RECORDED NOVEMBER 1, 1955 IN BOOK 5852, PAGE 46 OF OFFICIAL RECORDS

EASEMENT LEGEND

BASED ON DATA FROM TITLE REPORT BY LANDAMERICA COMMONWEALTH ORDER 8003225-34, DATED DECEMBER 15, 2004

ITEM NO. EASEMENT

(4)(11)(13) ROAD AND PUBLIC UTILITIES AND INGRESS AND EGRESS AS GRANTED/RESERVED BY VARIOUS INSTRUMENTS OF RECORD, ONE OF WHICH WAS RECORDED MAY 7, 1959 IN BOOK 7648, PAGE 538 OF OFFICIAL RECORDS

(22)(48) EASEMENT FOR ROAD, SEWER, WATER, GAS, POWER AND TELEPHONE LINES AS GRANTED AND RESERVED IN VARIOUS INSTRUMENTS OF RECORD, ONE OF WHICH WAS RECORDED AUGUST 22, 1963 AS FILE 63-138778 OF OFFICIAL RECORDS

(20)(52) EASEMENT FOR ROAD AND PUBLIC UTILITIES, INGRESS AND EGRESS AS GRANTED /RESERVED BY VARIOUS INSTRUMENTS OF RECORD, ONE OF WHICH WAS RECORDED SEPTEMBER 8, 1977 AS FILE 77-367875 OF OFFICIAL RECORDS

EASEMENT LEGEND

BASED ON DATA FROM TITLE REPORT BY LANDAMERICA COMMONWEALTH ORDER NO. 4003005-34, DATED DECEMBER 15, 2004

ITEM NO. EASEMENT

[5] EASEMENT FOR PIPELINE TO RINCON DIABLO MUNICIPAL WATER DISTRICT PER DOCUMENT RECORDED SEPTEMBER 23, 1958 IN BOOK 7287 PAGE 238 OF OFFICIAL RECORDS.

[7] EASEMENTS FOR INGRESS AND EGRESS PER DOCUMENT RECORDED OCTOBER 7, 1955 IN BOOK 5822, PAGE 130 OF OFFICIAL RECORDS.

[9] EASEMENT TO SAN DIEGO GAS AND ELECTRIC FOR POWER POLES RECORDED DECEMBER 12, 1988 AS 88-218141 OF OFFICIAL RECORDS

OPEN SPACE FENCING AND SIGNAGE NOTES

San Diego Gas & Electric Company

Reviewed By ______________ Date ______
Jeff Spras
lead Land Manager

SCALE: 1"=200'
GRAPHIC SCALE

DISPOSITION OF EXISTING EASEMENTS

ALL EXISTING EASEMENTS, EXCEPT EASEMENTS 15 & 17 IDENTIFIED HEREON, MAY BE QUITCLAIMED, VACATED OR RECONVEYED TO MORE PRACTICALLY CONFORM TO THE FINAL PROJECT DESIGN AS NECESSARY. EASEMENTS 15 & 17 SHALL REMAIN

ENGINEER OF WORK

FUSCOE ENGINEERING INC
6390 GREENWICH DRIVE, STE 170
SAN DIEGO, CA 92122
(858)554-1500

KENNETH T. KOZLIK RCE 71883 DATE

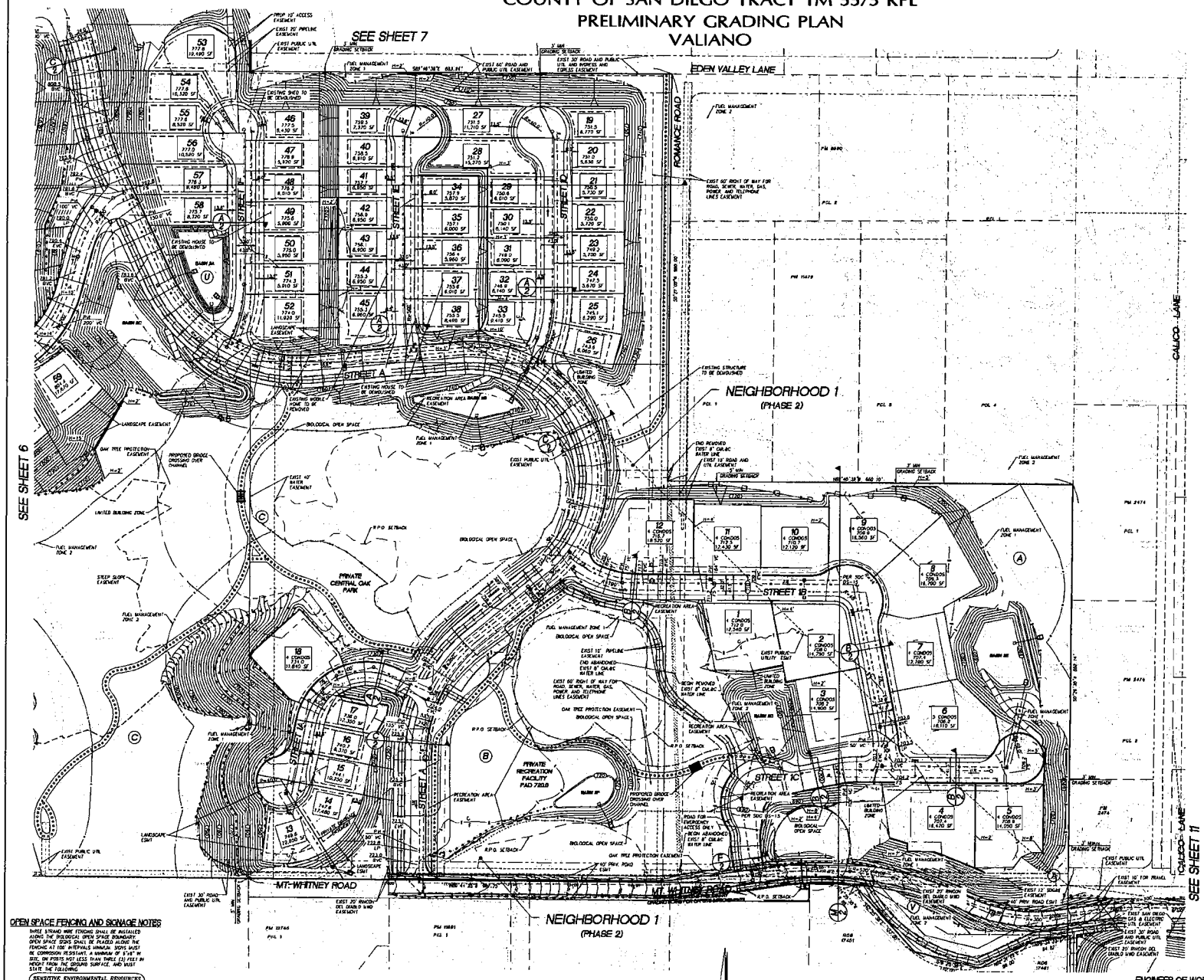
PRELIMINARY GRADING PLAN

SHEET 4 OF 13

NO.	DATE	REVISION

FUSCOE ENGINEERING
6390 Greenwich Drive, Suite 170
San Diego, California 92122
tel 858 554 1500 • fax 858 597 0335

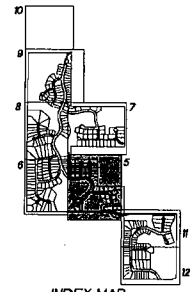
COUNTY OF SAN DIEGO TRACT TM 5575 RPL[4]
PRELIMINARY GRADING PLAN
VALIANO



OPEN SPACE FENCING AND SIGNAGE NOTES

THREE STRAND WIRE FENCING SHALL BE INSTALLED ALONG THE BIOLOGICAL OPEN SPACE BOUNDARY. OPEN SPACE SIGNS SHALL BE PLACED ALONG THE FENCING AT 100' INTERVALS MINIMUM. SIGNS MUST BE CORROSION RESISTANT, A MINIMUM OF 8"x8" 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 AND DEVELOPMENT SERVICES. REFERENCE RESOLUTION SP-13-001



INDEX MAP
NO SCALE

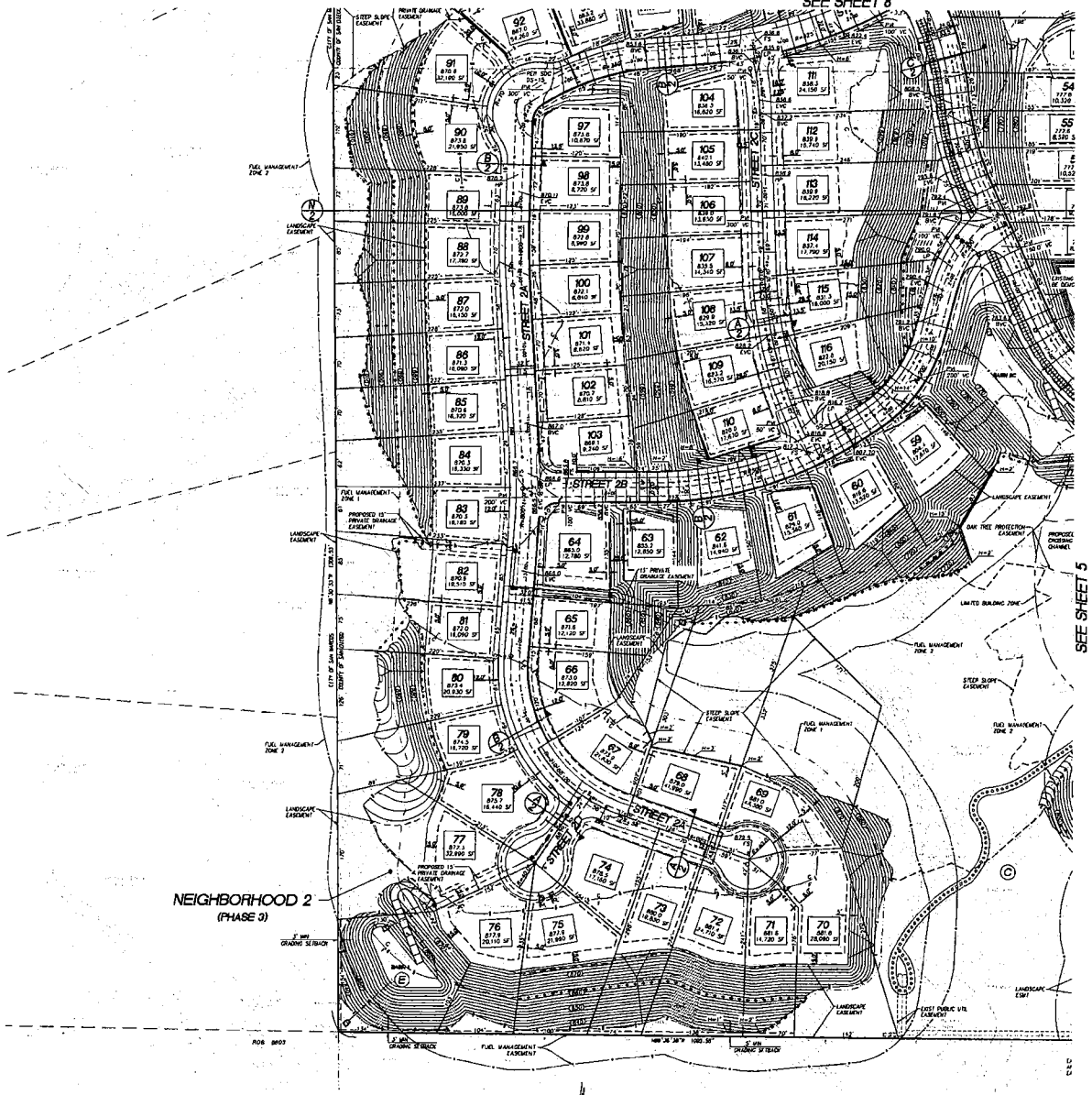
PRELIMINARY GRADING PLAN
SHEET 5 OF 13

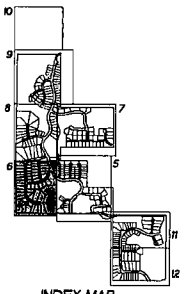
ENGINEER OF WORK
FUSCOE ENGINEERING INC.
6390 GREENWICH DRIVE, STE. 170
SAN DIEGO, CA 92122
(858)554-1500

REGISTERED PROFESSIONAL ENGINEER
RICHARD T. FUSCOE
No. RCE 21863
EXP. 12-31-13
STATE OF CALIFORNIA

FUSCOE ENGINEERING
6390 Greenwich Drive, Suite 170
San Diego, California 92122
tel 858 554 1500 • fax 858 597 0335
www.fuscoe.com

COUNTY OF SAN DIEGO TRACT TM 5575 RPL[4]
PRELIMINARY GRADING PLAN
VALIANO





PRELIMINARY GRADING PLAN
SHEET 6 OF 13

OPEN SPACE FENCING AND SIGNAGE NOTES

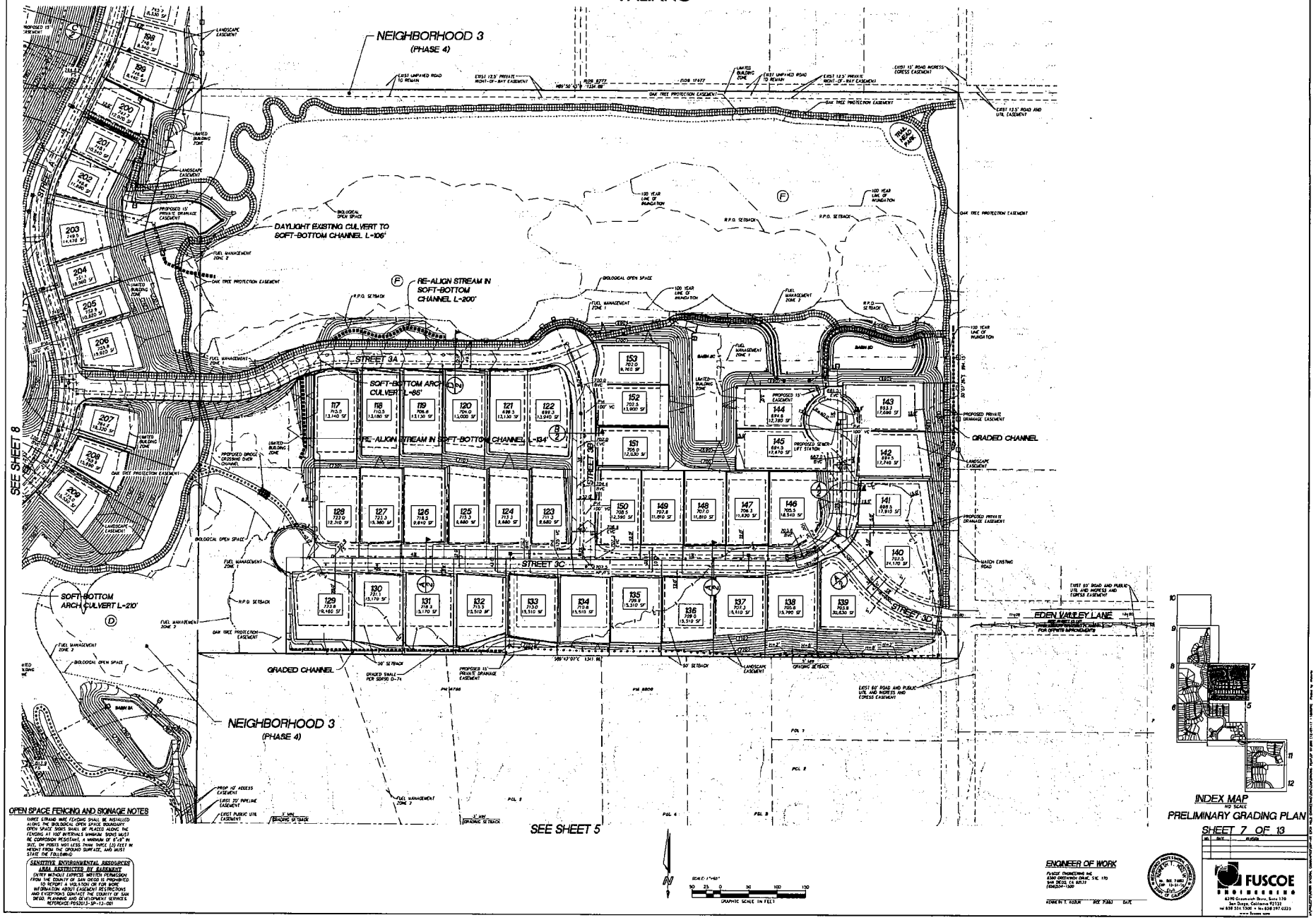
ENGINEER OF WORK

FUSCOE ENGINEERING INC.
5300 GREENWICH DRIVE, STE. 170
SAN DIEGO, CA 92122
(858)554-1500

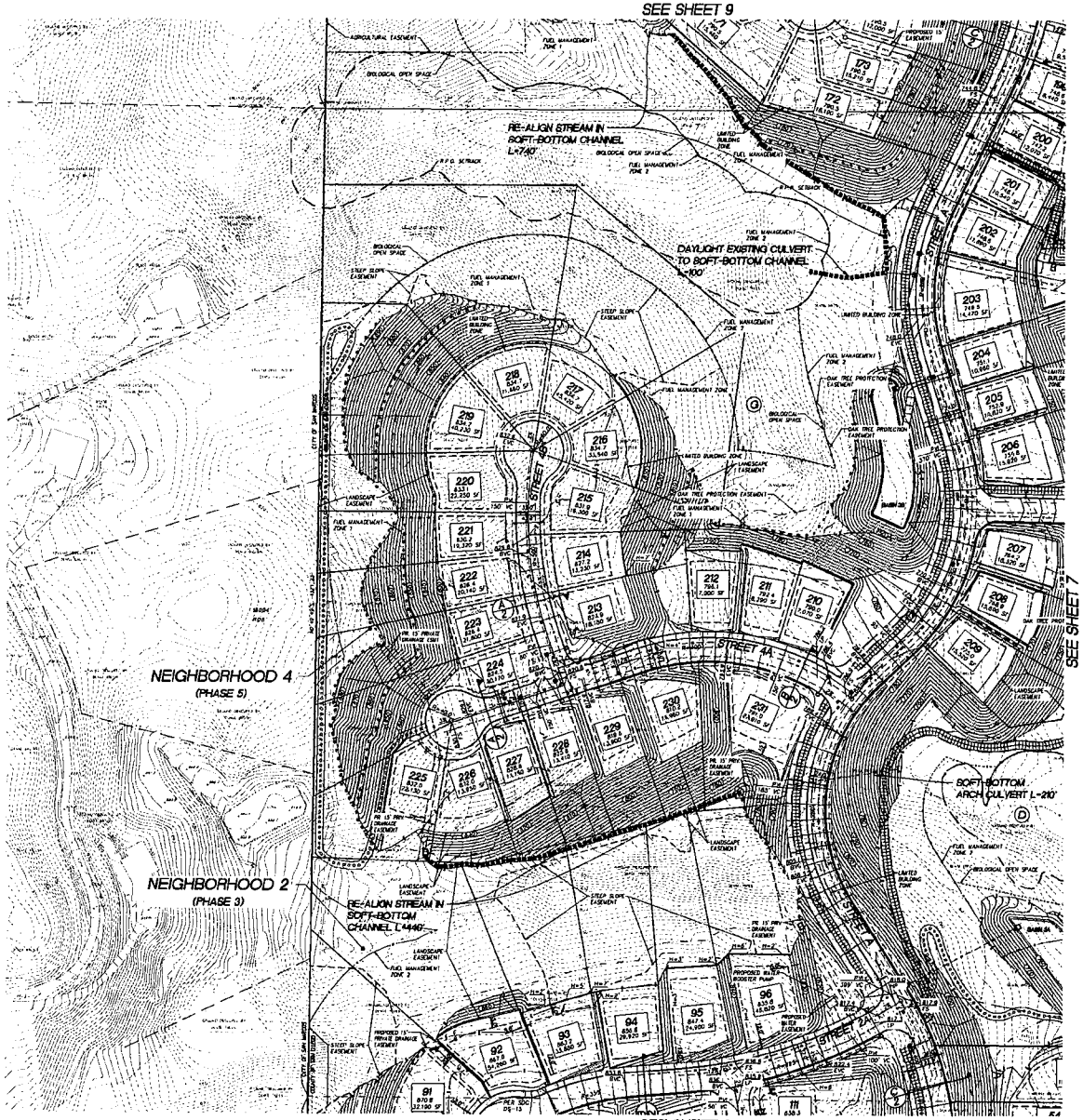
FUSCOE ENGINEERING
6390 Greenwich Drive, Suite 170
San Diego, California 92122
tel 858 554 1500 • fax 858 597 0335
www.fuscoe.com

2 - 426

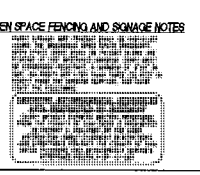
COUNTY OF SAN DIEGO TRACT TM 5575 RPL[4]
PRELIMINARY GRADING PLAN
VALIANO

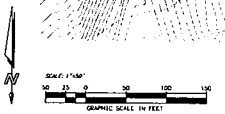


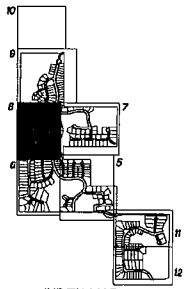
COUNTY OF SAN DIEGO TRACT TM 5575 RPL[4]
PRELIMINARY GRADING PLAN
VALIANO



OPEN SPACE FENCING AND SIGNAGE NOTES







INDEX MAP
NO SCALE

PRELIMINARY GRADING PLAN
SHEET 8 OF 13

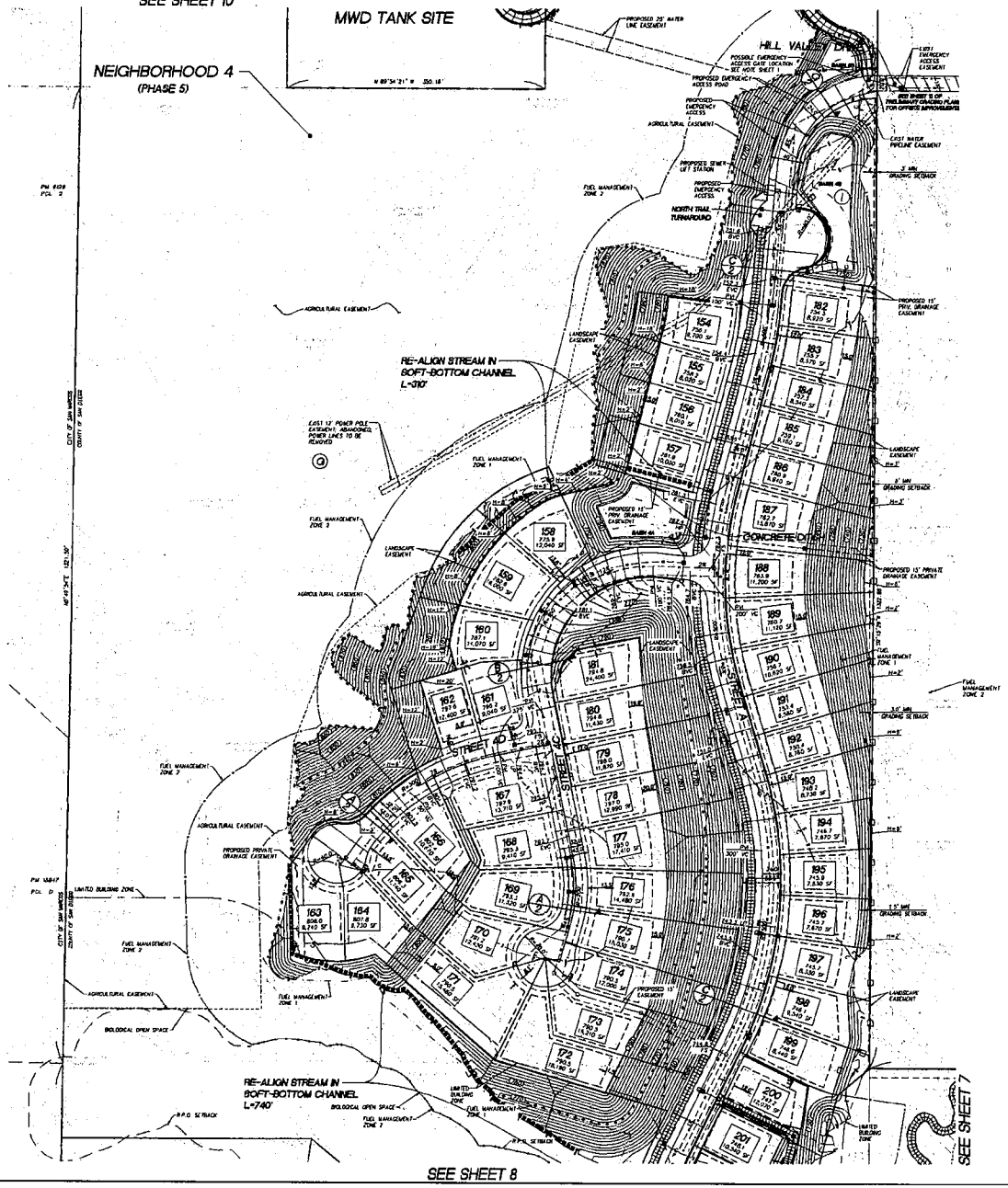
ENGINEER OF WORK

FUSCOE ENGINEERING INC
5390 GREENWICH DRIVE, STE. 170
SAN DIEGO, CA 92123
(858)541-1200

KENNETH T. FOULK RCE 71883 DATE

FUSCOE ENGINEERING
4100 Greenwich Drive, Suite 170
San Diego, California 92123
tel 858 554 1500 • fax 858 597 0335
www.fuscoe.com

COUNTY OF SAN DIEGO TRACT TM 5575 RPL[4]
PRELIMINARY GRADING PLAN
VALIANO



OPEN SPACE FENCING AND SIGNAGE NOTES

THREE STRAND WIRE FENCING SHALL BE INSTALLED ALONG THE BIOLOGICAL OPEN SPACE BOUNDARY. OPEN SPACE SIGNS SHALL BE PLACED ALONG THE FENCING AT 100' INTERVALS MINIMUM. SIGNS MUST BE COMPOSED IN DESIGN, A MINIMUM OF 8"x8" 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

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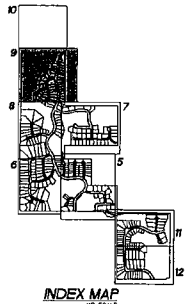
N

SCALE: 1"=50'

50 25 0 50 100 150

GRAPHIC SCALE IN FEET



INDEX MAP
NO SCALE

PRELIMINARY GRADING PLAN
SHEET 9 OF 13

No.	Date	Revision

ENGINEER OF WORK

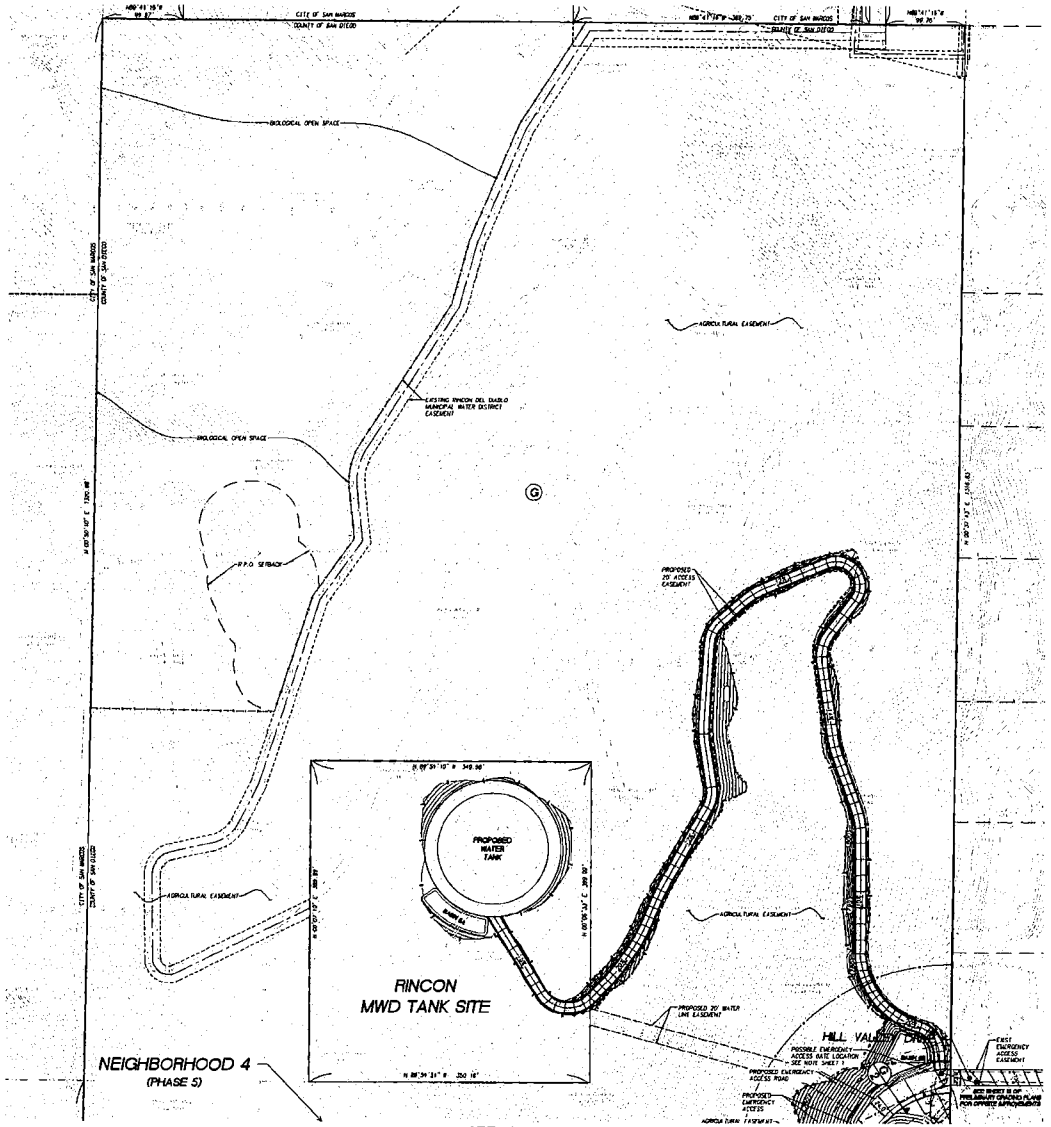
FUSCOE ENGINEERING INC.
9690 GROSSMONT DRIVE, STE 170
SAN DIEGO, CA 92123
(858)557-1400

REGISTERED PROFESSIONAL ENGINEER
No. 71883
Exp. 12-31-14
STATE OF CALIFORNIA
CIVIL

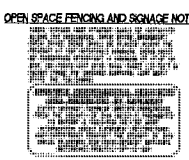
ENGINEER'S SIGNATURE | REG. NUMBER | DATE

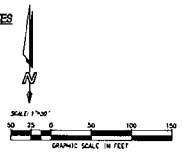
FUSCOE ENGINEERING
6390 Greenwich Drive, Suite 170
San Diego, California 92122
tel 858 554 1500 • fax 858 597 0225
www.fuscoe.com

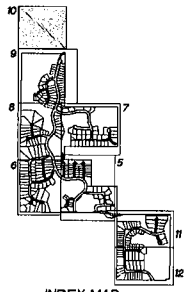
COUNTY OF SAN DIEGO TRACT TM 5575 RPL[4]
PRELIMINARY GRADING PLAN
VALIANO



OPEN SPACE FENCING AND SIGNAGE NOTES







INDEX MAP
NO SCALE

PRELIMINARY GRADING PLAN
SHEET 10 OF 13

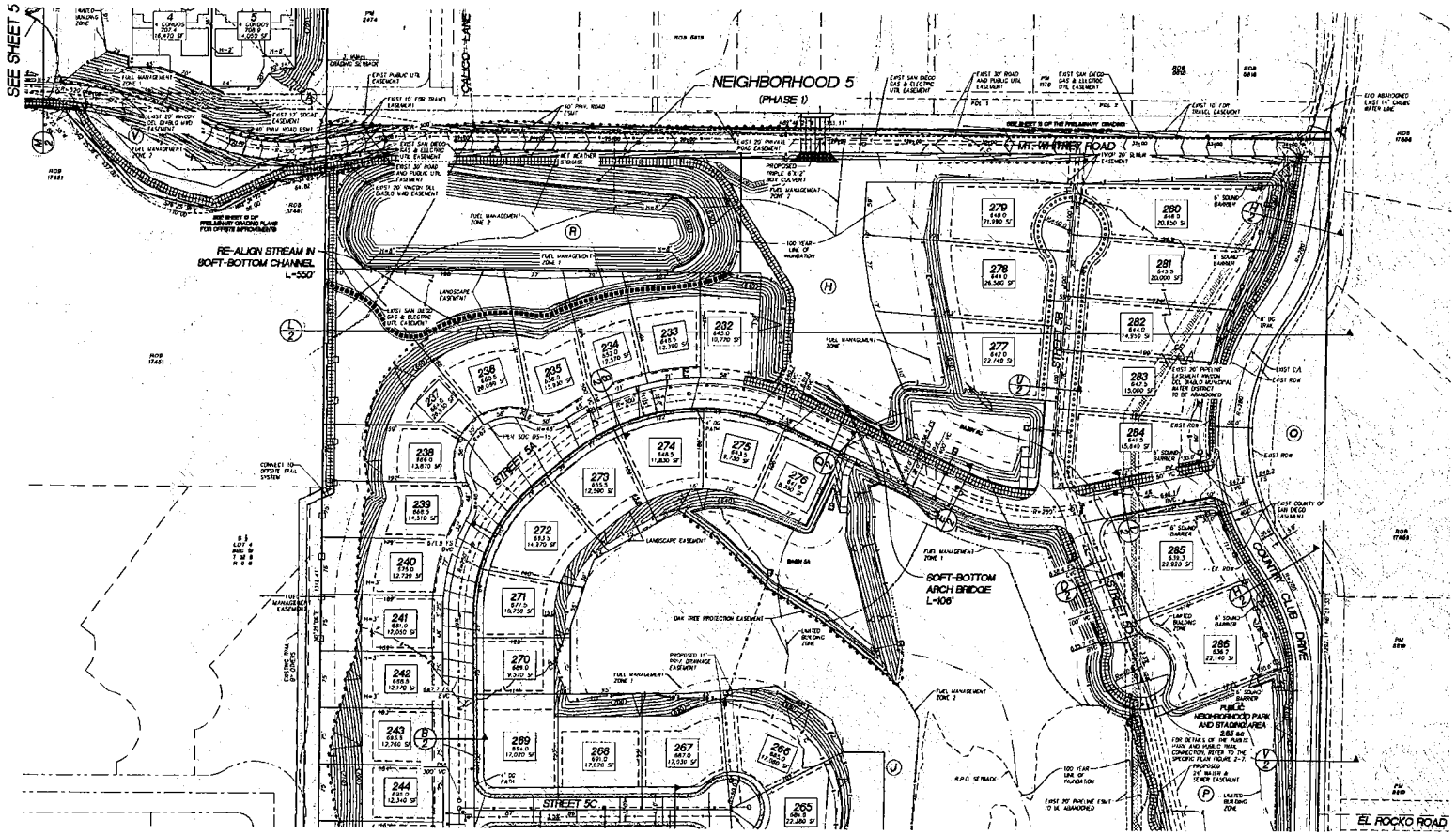
ENGINEER OF WORK
FUSCOE ENGINEERING INC.
6390 GREENWICH DRIVE, STE 170
SAN DIEGO, CA 92122
(858)558-1500

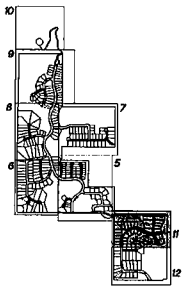
KENNETH T. FUSCOE RCE 11883 DATE

NO.	DATE	REVISION

FUSCOE ENGINEERING
6390 Greenwich Drive, Suite 170
San Diego, California 92122
tel 858 554 1500 • fax 858 597 0335
www.fuscoe.com

COUNTY OF SAN DIEGO TRACT TM 5575 RPL[4]
PRELIMINARY GRADING PLAN
VALIANO





INDEX MAP
SCALE: 1"=1000'

PRELIMINARY GRADING PLAN
SHEET 11 OF 13

OPEN SPACE FENCING AND SIGNAGE NOTES

THREE STRAND WIRE FENCING SHALL BE INSTALLED ALONG THE BIOLOGICAL OPEN SPACE BOUNDARY. OPEN SPACE SIGNS SHALL BE PLACED ALONG THE FENCING AT 100' INTERVALS MINIMUM. SIGNS MUST BE CORROSION RESISTANT A MINIMUM OF 8"x8" IN SIZE, ON POSTS NOT LESS THAN THREE (3) FEET IN HEIGHT FROM THE GROUND SURFACE, AND MUST STATE THE FOLLOWING:

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AREA RESTRICTED BY EASEMENT
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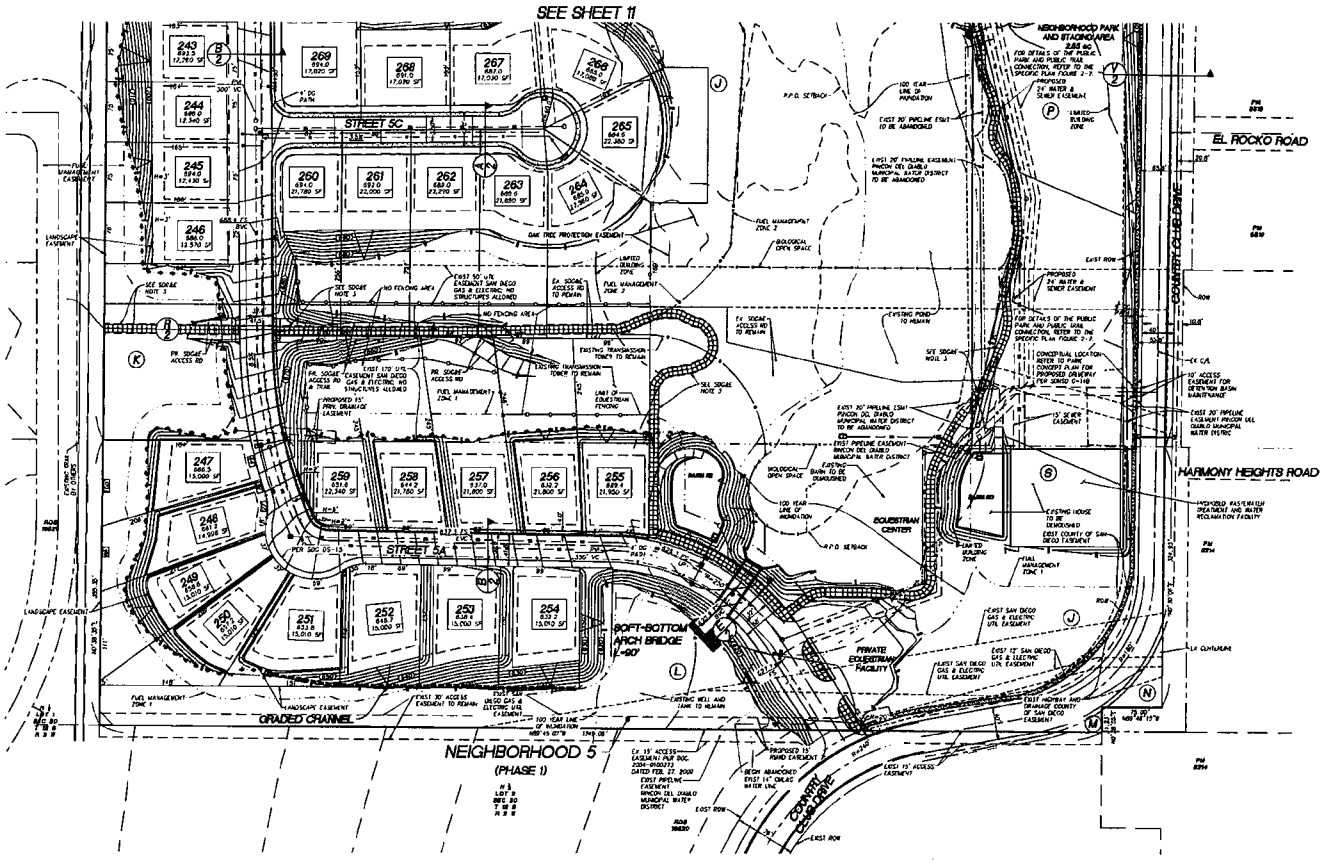
GRAPHIC SCALE IN FEET

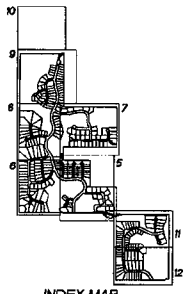
ENGINEER OF WORK

FUSCOE ENGINEERING INC.
6390 GREENWICH DRIVE, STE 170
SAN DIEGO, CA 92123
(858)554-1500

FUSCOE

COUNTY OF SAN DIEGO TRACT TM 5575 RPL[4]
PRELIMINARY GRADING PLAN
VALIANO





INDEX MAP
NO SCALE

PRELIMINARY GRADING PLAN
SHEET 12 OF 13

OPEN SPACE FENCING AND SIGNAGE NOTES

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San Diego Gas & Electric Company

Prepared By: _____ Date: _____
Jeff Sykes
Land Land Manager
Please fax to 1-858-654-1788 Attention:
This signature approves the preliminary grading plan only and is in no way a permit to cut, grade, or construct improvements on any lots or any open space shall be submitted to SDGE Land Management Department for review and approval prior to the issuance of Plan-Ready or Grade-and Construct improvements

N

SCALE 1"=50'
50 25 0 50 100 150
GRAPHIC SCALE IN FEET

ENGINEER OF WORK
FUSCOE ENGINEERING INC.
6390 GREENWICH DRIVE, STE. 170
SAN DIEGO, CA 92122
(858)554-1500

REGISTERED PROFESSIONAL ENGINEER
No. RCE 71883
EXP. 12-31-14
CIVIL
STATE OF CALIFORNIA

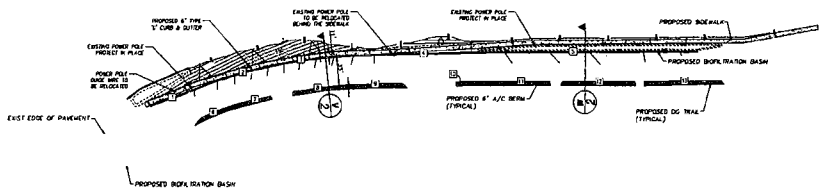
REGISTERED ENGINEER — AGE TITLE — DATE

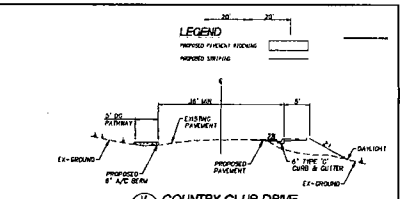
No.	DATE	REVISION

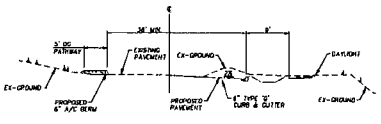
FUSCOE ENGINEERING
6390 Greenwich Drive, Suite 170
San Diego, California 92122
tel 858 554 1500 • fax 858 597.0333
www.fuscoe.com

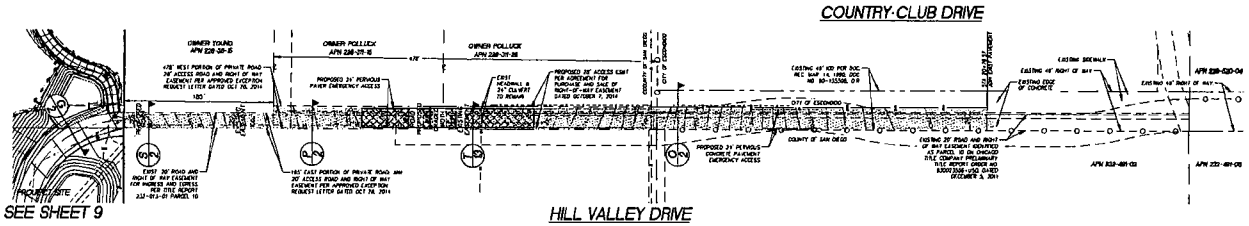
COUNTY OF SAN DIEGO TRACT TM 5575 RPL[4]
PRELIMINARY GRADING PLAN
VALIANO

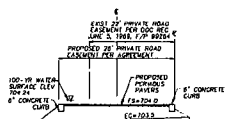
COUNTRY CLUB CURB & BERM DATA				
NO	DELTA/BRG	RADIUS	LENGTH	REMARKS
(1)	N89°52' 18"E	--	54.72'	8" TYPE-G CURB
(2)	A=31°13' 3"	355.00'	31.22'	8" TYPE-G CURB
(3)	A=16°28' 53"	635.00'	260.14'	8" TYPE-G CURB
(4)	N88°24' 06"E	--	108.98'	8" TYPE-G CURB
(5)	N89°40' 39"E	--	293.25'	8" TYPE-G CURB
(6)	A=13°2' 8"	271.55'	61.78'	6" AC BERM
(7)	A=2°8' 38"	801.04'	30.28'	6" AC BERM
(8)	A=2°8' 1"	880.39'	33.15'	6" AC BERM
(9)	N89°10' 23"E	--	83.42'	6" AC BERM
(10)	N84°48' 24"E	--	8.96'	6" AC BERM
(11)	N89°49' 30"E	--	107.78'	6" AC BERM
(12)	N89°45' 18"E	--	90.75'	6" AC BERM
(13)	N88°35' 28"E	--	96.15'	6" AC BERM

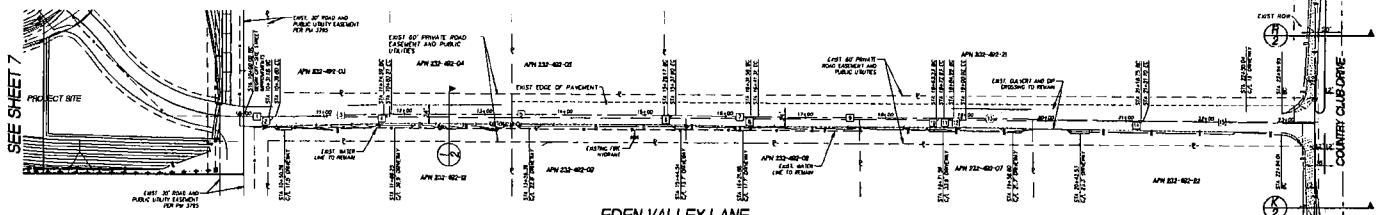




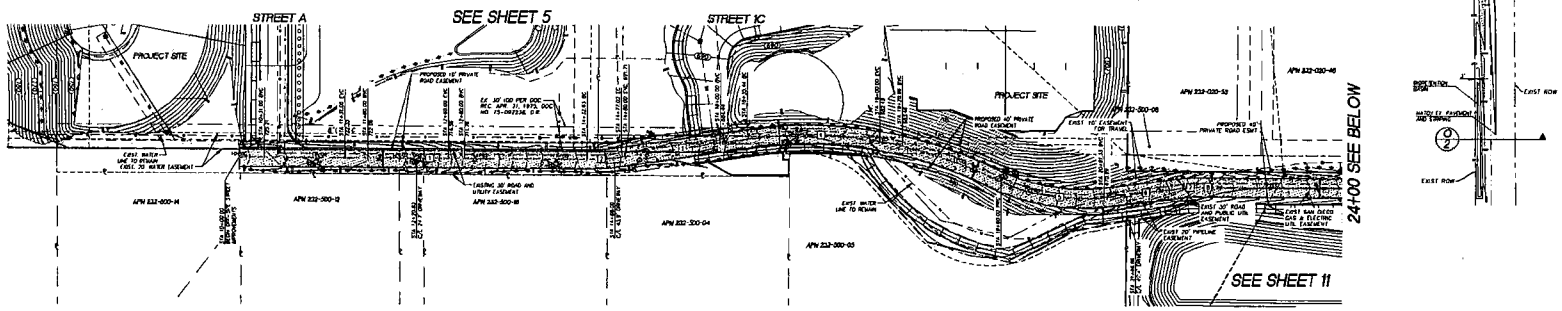


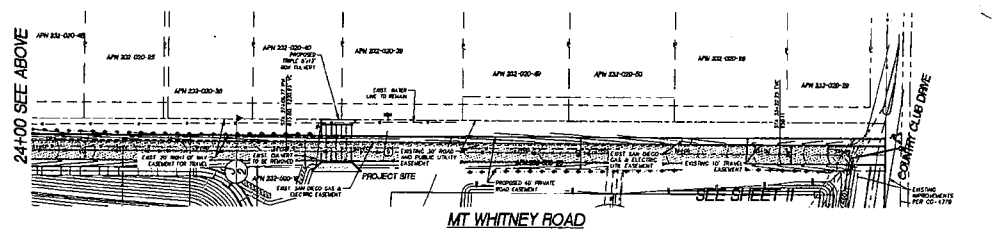






EDEN VALLEY CENTERLINE DATA				
NO	DELTA/BRG	RADIUS	LENGTH	REMARKS
(1)	N89°49' 27"E	--	31.18'	C/L
(2)	A= 1°38' 45"	300.00	8.68	C/L
(3)	N88°32' 49"E	--	134.79'	C/L
(4)	A= 1°38' 45"	300.00	8.87'	C/L
(5)	N89°49' 27"E	--	344.96'	C/L
(6)	A= 1°4' 56"	300.00	9.73'	C/L
(7)	N88°41' 31"E	--	93.98'	C/L
(8)	A= 1°6' 56"	300.00	9.73'	C/L
(9)	N89°49' 27"E	--	221.93'	C/L
(10)	A= 1°4' 42"	300.00	9.70'	C/L
(11)	N89°04' 53"E	--	12.06'	C/L
(12)	A= 1°43' 18"	300.00	15.07'	C/L
(13)	N89°11' 51"E	--	210.74'	C/L
(14)	A= 0°10' 8"	1000.00	2.95'	C/L
(15)	N89°21' 59"E	--	214.01'	C/L





MT. WHITNEY CENTERLINE DATA				
NO	DELTA/BRG	RADIUS	LENGTH	REMARKS
(1)	N89°44' 29"E	--	432.83'	C/L
(2)	A= 98°29' 44"	500.00'	44.40'	C/L
(3)	N81°48' 51"E	--	158.41'	C/L
(4)	A= 34°09' 56"	522.00'	311.32'	C/L
(5)	A= 32°33' 53"	281.25'	150.00'	C/L
(6)	A= 00°19' 46"	15418.83'	84.98'	C/L
(7)	A= 00°32' 36"	220.00'	20.01'	C/L
(8)	N89°45' 21"E	--	33.35'	C/L
(9)	N89°45' 26"E	--	1219.12'	C/L

OPEN SPACE FENCING AND SIGNAGE NOTES

PERIMETER STRAND BARB FENCING SHALL BE INSTALLED ALONG THE BIOLOGICAL OPEN SPACE BOUNDARY. OPEN SPACE SIGNS SHALL BE PLACED ALONG THE FENCING AT 100' INTERVALS MAXIMUM. SIGNS MUST BE CORROSION RESISTANT, A MINIMUM OF 8"x8" IN SIZE, ON POSTS NOT LESS THAN THREE (3) FEET IN HEIGHT FROM THE GROUND SURFACE, AND MUST STATE THE FOLLOWING:

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ENGINEER OF WORK

FUSCOE ENGINEERING INC.
4370 GREENBACK DRIVE, STE 170
SAN DIEGO, CA 92123
(858)541-1500

KENNETH E. KOSCHE RCE 71882 DATE

OFFSITE IMPROVEMENTS
PRELIMINARY GRADING PLAN
SHEET 13 OF 13

NO.	DATE	REVISION

FUSCOE ENGINEERING
4370 Greenback Drive, Suite 170
San Diego, California 92123
tel 858 554 1500 • fax 858 317 0223
www.fuscoe.com

Attachment N

Final Environmental Impact Report & Notice of Determination

(Final EIR, including Techncial Studies and Response to Comments are available at https://www.sandiegocounty.gov/content/sdc/pds/Current_Projects/valiano.html)

NOTICE OF DETERMINATION

TO: ☒ Recorder/County Clerk
Attn: James Scott
1600 Pacific Highway, M.S. A33
San Diego, CA 92101

☒ Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812

FROM: County of San Diego
Planning & Development Services, M.S. O650
Attn: Project Planning Section Secretary
5510 Overland Avenue, Suite 110
San Diego, CA 92123

SUBJECT: FILING OF NOTICE OF DETERMINATION IN COMPLIANCE WITH PUBLIC RESOURCES CODE SECTION 21108 OR 21152

Project Name and Number(s): Valiano Specific Plan; PDS2013-GPA-13-001; PDS2013-SP-13-001; PDS2013-TM-5575; PDS2013-STP-13-003; PDS2014-MUP-14-009; PDS2013-ER-13-08-002

State Clearinghouse No.: 2013061042

Project Location: Adjacent to and west of Country Club Drive and adjacent to and north and south of Mt. Whitney Road in the San Dieguito Community Plan area in the unincorporated area of San Diego County, California; APN: 228-313-13-00, 232-013-01-00, 232-013-02-00, 232-013-03-00, 232-020-55-00, 232-492-01-00, 232-500-18-00, 232-500-19-00, 232-500-020-00, 232-500-21-00, 232-500-22-00, 232-500-23-00, and 232-500-24-00

Project Applicant: Integral Communities Address: 2235 Encinitas Blvd., Suite 216, Encinitas, CA 92024; Telephone Number: 760-944-7511

Project Description: Master Planned community consisting of a General Plan Amendment, Specific Plan, Rezone, Vesting Tentative Map, Vesting Site Plan, and Major Use Permit. Project components include: 326 single-family residential units, biological and agricultural open space, public and private parks, recreational uses, and an onsite wastewater treatment and water reclamation facility.

Agency Approving Project: County of San Diego

County Contact Person: Donna Beddow

Date Form Completed: March 19, 2018

This is to advise that the County of San Diego Board of Supervisors approved the above described project on May 4, 2018/Item#_____ and has made the following determinations:

1. The project ☒ will ☐ will not have a significant effect on the environment.
2. ☒ An Environmental Impact Report was prepared and certified for this project pursuant to the provisions of the CEQA.
   ☐ A Negative Declaration or Mitigated Negative Declaration was adopted for this project pursuant to the provisions of the CEQA.
   ☐ An Addendum to a previously certified Environmental Impact Report, or to a previously adopted Negative Declaration or Mitigated Negative Declaration, was prepared and considered for this project pursuant to the provisions of CEQA.
3. Mitigation measures ☒ were ☐were not made a condition of the approval of the project.
4. A Mitigation reporting or monitoring plan ☒ was ☐ was not adopted for this project.

The following determinations are only required for projects with Environmental Impact Reports:
5. A Statement of Overriding Considerations ☒ was ☐ was not adopted for this project.
6. Findings ☒ were ☐were not made pursuant to the provisions of State CEQA Guidelines Section 15091.

Project status under Fish and Wildlife Code Section 711.4 (Department of Fish and Wildlife Fees):
☐ Certificate of Fee Exemption (attached)
☒ Proof of Payment of Fees (attached)

The Environmental Impact Report or Negative Declaration with any comments and responses and record of project approval may be examined at the County of San Diego, Planning & Development Services, Project Processing Counter, 5510 Overland Avenue, Suite 110, San Diego, California.

Date received for filing and posting at OPR: _____

Signature: _____ Telephone: (858) 694-3656

Name (Print): Donna Beddow Title: Environmental Coordinator

This notice must be filed with the Recorder/County Clerk within five working days after project approval by the decision-making body. The Recorder/County Clerk must post this notice within 24 hours of receipt and for a period of not less than 30 days. At the termination of the posting period, the Recorder/County Clerk must return this notice to the Department address listed above along with evidence of the posting period. The originating Department must then retain the returned notice for a period of not less than twelve months. Reference: CEQA Guidelines Section 15075 or 15094.

Attachment O

CEQA Findings

(CEQA Findings are available at https://www.sandiegocounty.gov/content/sdc/pds/Current_Projects/valiano.html)

Attachment P

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) PDS 2013 - SP - 13 - 001

Assessor's Parcel Number(s) 232·013·01, 02, 03, 232·020·55, 232·492·01, 232·500·18 thru 23
235·031·41

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.

The Eden Hills Project Owner, LLC
a Delaware Limited Liability Company

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.

The Eden Hills operator, LLC
SCHF (M) ECI, L.P.

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

Lance Waite
Print Name

10-21-15
Date

5510 OVERLAND AVE, SUITE 110, SAN DIEGO, CA 92123 • (858) 565-5981 • (888) 267-8770
http://www.sdcounty.ca.gov/pds

Attachment Q

Service Availability Forms

County of San Diego, Planning & Development Services

PROJECT FACILITY AVAILABILITY - SCHOOL

ZONING DIVISION

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

Eden Hills Project Owner, LLC — 760-944-7511
Owner's Name — Phone

2235 Encinitas Blvd., suite 216
Owner's Mailing Address — Street

Encinitas — CA — 92024
City — State — Zip

ORG_____
ACCT_____
ACT_____
TASK_____
DATE_____

Sc

ELEMENTARY_____
HIGH SCHOOL_____
UNIFIED_____

DISTRICT CASHIER'S USE ONLY

SECTION 1. PROJECT DESCRIPTION — TO BE COMPLETED BY APPLICANT

A. **LEGISLATIVE ACT**
- [x] Rezones changing Use Regulations or Development Regulations
- [x] General Plan Amendment
- [x] Specific Plan
- [ ] Specific Plan Amendment

B. **DEVELOPMENT PROJECT**
- [ ] Rezones changing Special Area or Neighborhood Regulations
- [x] Major Subdivision (TM)
- [ ] Minor Subdivision (TPM)
- [ ] Boundary Adjustment
- [ ] Major Use Permit (MUP), purpose:
- [ ] Time Extension...Case No.
- [ ] Expired Map...Case No.
- [ ] Other

C. [x] Residential ..... Total number of dwelling units 326
- [ ] Commercial ..... Gross floor area
- [ ] Industrial ..... Gross floor area
- [ ] Other ..... Gross floor area

D. [ ] Total Project acreage 238 Total number lots 326

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

232-020-055	228-313-13
232-492-01	232-313-14
232-500-18 to 24	232-013-01 to 03

Thomas Guide Page 1129 Grid B, 2,3,4

3240 Mt. Whitney Road
Project address — Street

San Dieguito Planning Group — 92091
Community Planning Area/Subregion — Zip

Applicant's Signature: [signature] Date: 2/21/2018

Address: 2235 Encinitas Blvd., suite 216, Encinitas, CA 92024 Phone: 760-944-7511

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

SECTION 2: FACILITY AVAILABILITY — TO BE COMPLETED BY DISTRICT

District Name: Escondido Union High School District

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

Indicate the location and distance of proposed schools of attendance.

Elementary: _____ miles: _____
Junior/Middle: _____ miles: _____
High school: San Pasqual High School miles: 9

- [x] This project will result in the overcrowding of the [ ] elementary [ ] junior/school [x] high school. ***(Check)***
- [x] Fees will be levied or land will be dedicated in accordance with Education Code Section 17620 prior to the issuance of building permits.
- [x] Project is located entirely within the district and is eligible for service.
- [ ] The project is not located entirely within the district and a potential boundary issue may exist with the _____ school district.

[signature] — Michael Simonson
Authorized Signature — *Print Name*

Asst. Superintendent Business Services — (760) 291-3210
Print Title — *Phone*

On completion of Section 2 by the district, applicant is to submit this form with application to:
Planning & Development Services, Zoning Counter, 5510 Overland Ave. Suite 110 San Diego, CA 92123

Escondido Union High School District

District Service Center
302 North Midway Drive • Escondido, CA 92027-2741
Telephone (760) 291-3200 • FAX (760) 480-3163
Steve Boyle, Superintendent

BOARD OF EDUCATION
Bill Durney
Christi Knight
Jon Petersen
Tina Pope
Dane White

February 22, 2018

Eden Hills Project Owner, LLC
2235 Encinitas Blvd., Suite #216
Encinitas, CA 92024

RE: Eden Hills Porject (Parcel #'s 232-020-055, 232-492-01, 232-500-18 to 24, 228-313-13, 14, 232-013-01 to 03))
Address: 3240 Mt. Whitney Rd, Escondido, CA

This letter will serve as the project service availability letter for the City of Escondido. Escondido Union High School District continues to experience enrollment growth from new developments such as yours. This growth has created an increased demand for new school facilities within the District.

The District is committed to providing educational services to students generated by the above-described development. However, without the mitigation of student housing needs, the District is unable to comply with the Quality of Life Standards approved within the City of Escondido General Plan and is unable to provide school facilities for the students generated by new development. Mitigation of the impact of new development on school facilities is possible through the payment of school fees prior to the issuance of building permits. These fees, which are set by State law, do not fully mitigate the impact of new residential development on the District.

The area of the proposed project is within the 2017-2018 attendance boundaries of San Pasqual High School, 3300 Bear Valley Parkway, Escondido, (760) 291-6000, serving grades 9-12. There is no guarantee, however, that the boundaries will not be adjusted to meet school housing needs in future school years. Transportation is provided for special education students if required through their Individual Education Plan.

If we can provide any additional information, please contact me at (760) 291-3210.

Sincerely,

Mike Simonson
Assistant Superintendent
Business Services

County of San Diego, Planning & Development Services

PROJECT FACILITY AVAILABILITY - SCHOOL

ZONING DIVISION

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

Eden Hills Project Owner, LLC — 760-944-7511
Owner's Name — Phone

2235 Encinitas Blvd., suite 216
Owner's Mailing Address — Street

Encinitas — CA — 92024
City — State — Zip

ORG_____
ACCT_____
ACT_____
TASK_____
DATE_____

Sc

ELEMENTARY_____
HIGH SCHOOL_____
UNIFIED_____

DISTRICT CASHIER'S USE ONLY

SECTION 1. PROJECT DESCRIPTION — TO BE COMPLETED BY APPLICANT

A. **LEGISLATIVE ACT**
- [x] Rezones changing Use Regulations or Development Regulations
- [x] General Plan Amendment
- [x] Specific Plan
- [ ] Specific Plan Amendment

B. **DEVELOPMENT PROJECT**
- [ ] Rezones changing Special Area or Neighborhood Regulations
- [x] Major Subdivision (TM)
- [ ] Minor Subdivision (TPM)
- [ ] Boundary Adjustment
- [ ] Major Use Permit (MUP), purpose:_____
- [ ] Time Extension...Case No._____
- [ ] Expired Map...Case No._____
- [ ] Other_____

C. [x] Residential ..... Total number of dwelling units 326
- [ ] Commercial ..... Gross floor area_____
- [ ] Industrial ..... Gross floor area_____
- [ ] Other ..... Gross floor area_____

D. [ ] Total Project acreage 288 Total number lots 326

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

232-020-055	228-313-13
232-492-01	232-313-14
232-500-18 to 24	232-013-01 to 03

Thomas Guide Page 1129 Grid B 2, 3,4

3240 Mt. Whitney Rd.
Project address — Street

San Dieguito Planning Group — 92091
Community Planning Area/Subregion — Zip

Applicant's Signature: [signature] Date: 2/21/2018

Address: 2235 Encinitas Blvd., suite 216, Encinitas, CA 92024 Phone: 760-944-7511

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

SECTION 2: FACILITY AVAILABILITY — TO BE COMPLETED BY DISTRICT

District Name: Escondido Union School District

If not in a unified district, which elementary or high school district must also fill out a form?
Escondido Union High School District

Indicate the location and distance of proposed schools of attendance.

Elementary: Rock Springs miles: 3.48
Junior/Middle: Del Dios miles: 2.47
High school:_____ miles:_____

- [x] This project will result in the overcrowding of the [x] elementary [x] junior/school [ ] high school. ***(Check)***
- [x] Fees will be levied or land will be dedicated in accordance with Education Code Section 17620 prior to the issuance of building permits.
- [x] Project is located entirely within the district and is eligible for service.
- [ ] The project is not located entirely within the district and a potential boundary issue may exist with the _____ school district.

Cindy Kroon — Cindy Kroon — 2/22/2018
Authorized Signature — *Print Name*

Administrative Analyst II — 760-432-2195
Print Title — *Phone*

On completion of Section 2 by the district, applicant is to submit this form with application to:
Planning & Development Services, Zoning Counter, 5510 Overland Ave. Suite 110 San Diego, CA 92123

PLANNING & CONSTRUCTION
ESCONDIDO UNION SCHOOL DISTRICT
10 ALDERGROVE AVENUE
ESCONDIDO, CA 92029

County of San Diego, Planning & Development Services

PROJECT FACILITY AVAILABILITY - SEWER

ZONING DIVISION

Please type or use pen

Owner's Name: Eden Hills Project Owner LLC — Phone: 760.944.7511

Owner's Mailing Address: 2235 Encinitas Blvd, Ste. 216 — Street

City: Encinitas — State: CA — Zip: 92024

ORG ____ ACCT ____ ACT ____ TASK ____ DATE ____ AMT $ ____

S

DISTRICT CASHIER'S USE ONLY

SECTION 1. PROJECT DESCRIPTION — TO BE COMPLETED BY APPLICANT

A. [X] Major Subdivision (TM) [ ] Certificate of Compliance: ____
[ ] Minor Subdivision (TPM) [ ] Boundary Adjustment
[X] Specific Plan or Specific Plan Amendment
[ ] Rezone (Reclassification) from ____ to ____ zone
[ ] Major Use Permit (MUP), purpose: ____
[ ] Time Extension Case No. ____
[ ] Expired Map...Case No. ____
[ ] Other ____

B. [X] Residential. Total number of dwelling units 390
[ ] Commercial. Gross floor area ____
[ ] Industrial. Gross floor area ____
[ ] Other. Gross floor area ____

C. Total Project acreage 255 Total lots 390 Smallest proposed lot 5000

D. Is the project proposing its own wastewater treatment plant? Yes [X] No [ ]
Is the project proposing the use of reclaimed water? Yes [X] No [ ]

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

232.013.02	228.313.13
232.013.03	228.313.18 232.492.01
232.020.55	232.500.18, 19, 20, 21, 22, 23
232.492.01	235.031.41

Thomas Guide Page 1129 Grid B2, 3, 4

Project address: 32240 Mt Whitney Rd — Street

Community Planning Area/Subregion: San Dieguito Plan Group — Zip: 92091

Owner/Applicant agrees to pay all necessary construction costs and dedicate all district required easements to extend service to the project.
OWNER/APPLICANT MUST COMPLETE ALL CONDITIONS REQUIRED BY THE DISTRICT.

Applicant's Signature: [signature] Date: 2-21-14

Address: 2235 Encinitas Blvd, Ste 216, Encinitas CA 92024 Phone: 760.944.7511

(On completion of above, present to the district that provides sewer protection to complete Section 2 below.)

SECTION 2: FACILITY AVAILABILITY — TO BE COMPLETED BY DISTRICT

District name: San Diego County Sanitation District — Service area: N/A

A [ ] Project is in the District.
[ ] Project is not in the District but is within its Sphere of Influence boundary, owner must apply for annexation.
[X] Project is not in the District and is not within its Sphere of Influence boundary.
[ ] Project is not located entirely within the District and a potential boundary issue exists with the ____ District.

B [X] Facilities to serve the project [X] ARE [ ] ARE NOT reasonably expected to be available within the next 5 years based on the capital facility plans of the district. Explain in space below or on attached. Number of sheets attached: (Conditional-See Attachment)

[ ] Project will not be served for the following reason(s): ____

C. [ ] **District conditions are attached. Number of sheets attached:** ____
[ ] **District has specific water reclamation conditions which are attached. Number of sheets attached:**
[X] **District will submit conditions at a later date.**

D. [ ] **How far will the pipeline(s) have to be extended to serve the project?** ____

This Project Facility Availability Form is valid until final discretionary action is taken pursuant to the application for the proposed project or until it is withdrawn, unless a shorter expiration date is otherwise noted.

Authorized Signature: [signature] Print Name and Title: Daniel S. Brogadir, OPW Manager Phone: (858) 654-2714 Date: 3/10/14

THIS DOCUMENT IS NOT A COMMITMENT OF FACILITIES OR SERVICE BY THE DISTRICT *On completion of Section 2 by the district, applicant is to submit this form with application to: Planning & Development Services, Zoning Counter, 5510 Overland Ave. Suite 110 San Diego, CA 92123*

PDS-399S (Rev. 09/21/2012)

SDC PDS RCVD 05-15-14
SP13-001, GPA13-001,
STP13-003, TM5575,
REZ13-001, ER13-08-002

Eden Hills LLC
Sewer Availability Form
Residential 390 DU
APNs: 232-013-02, 03; 232-020-55; 232-492-01; 228-313-13, 18; 232-492-01; 232-500-18-23; 235-031-41
March 10, 2014

ATTACHMENT

Sewer facilities to serve the project will be available subject to the following conditions:

1. Applicant must identify and evaluate all potential sewer service providers/agencies and demonstrate that the San Diego County Sanitation District ("District") is the superior preferred alternative based on economic and operational considerations.

2. Project must be annexed into the District and its Sphere of Influence by the Local Agency Formation Commission (LAFCO) in conformance with the California Government Code.

3. District approval of a project sewer study that addresses, at a minimum, the following elements: estimated sewage generation; identification of all required wastewater collection, treatment/reclamation, and storage facilities; preliminary design and layout of the facilities; identification of all costs associated with on-going maintenance and operation of the facilities; and financial analysis demonstrating how on-going facility costs could be funded by revenue generated from within the project without charging unreasonable fees to customers, as determined by the District.

4. Applicant will be responsible to fund and construct required facilities; to fund all plans, designs, and required studies; to obtain and pay for all necessary regulatory and operational permits; and to pay all costs associated with easement acquisition, annexation into the District, and any necessary agreements/improvements required by other agencies.

5. Applicant will also be responsible for all future conditions that may be placed on the project, including but not limited to: submission of facility plans, construction plans, and permitting plans, all to the satisfaction of the District.

6. Applicant must satisfy all conditions of map approval and improvement agreements, including construction by the developer and acceptance by the District of any necessary on-site or off-site sewerage facilities, property, and easements.

County of San Diego, Planning & Development Services

PROJECT FACILITY AVAILABILITY - FIRE

ZONING DIVISION

Please type or use pen

Eden Hills Project Owner LLC — 760-944-7511
Owner's Name — Phone

2235 Encinitas Boulevard Suite 216
Owner's Mailing Address — Street

Encinitas — CA — 92024
City — State — Zip

ORG
ACCT
ACT
TASK
DATE — AMT $

F

DISTRICT CASHIER'S USE ONLY

SECTION 1. PROJECT DESCRIPTION — TO BE COMPLETED BY APPLICANT

A
- [X] Major Subdivision (TM)
- [X] Specific Plan or Specific Plan Amendment
- [ ] Minor Subdivision (TPM)
- [ ] Certificate of Compliance
- [ ] Boundary Adjustment
- [ ] Rezone (Reclassification) from ____ to ____ zone
- [ ] Major Use Permit (MUP) purpose
- [ ] Time Extension Case No
- [ ] Expired Map Case No
- [ ] Other

B
- [X] Residential — Total number of dwelling units 326
- [ ] Commercial — Gross floor area
- [ ] Industrial — Gross floor area
- [ ] Other — Gross floor area

C Total Project Acreage 239 Total lots 326 Smallest proposed lot 5,000

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

228-313-13	232-020-55
232-013-01	232-492-01
232-013-02	232-500-18,
232-013-03	Thru 24

Thomas Guide Page 1129 Grid B,2,3,4

3240 Mount Whitney Road
Project Address — Street

San Dieguito Planning Group — 92091
Community Planning Area/Subregion — Zip

OWNER/APPLICANT AGREES TO COMPLETE ALL CONDITIONS REQUIRED BY THE DISTRICT

Applicant's Signature — Date 7/19/2016

Address 2235 Encinitas Boulevard, Suite 216 Encinitas, CA 92024 — Phone 760-944-7511

(On completion of above, present to the district that provides fire protection to complete Section 2 and 3 below.)

SECTION 2: FACILITY AVAILABILITY — TO BE COMPLETED BY DISTRICT

District Name

Indicate the location and distance of the primary fire station that will serve the proposed project

A
- [✓] Project is in the District and eligible for service
- [ ] Project is not in the District but is within its Sphere of Influence boundary, owner must apply for annexation
- [ ] Project is not in the District and not within its Sphere of Influence boundary
- [ ] Project is not located entirely within the District and a potential boundary issue exists with the ____ District

B
- [✓] Based on the capacity and capability of the District's existing and planned facilities fire protection facilities are currently adequate or will be adequate to serve the proposed project. The expected emergency travel time to the proposed project is 4-6 minutes
- [ ] Fire protection facilities are not expected to be adequate to serve the proposed development within the next five years

C
- [ ] District conditions are attached Number of sheets attached
- [ ] District will submit conditions at a later date

SECTION 3. FUELBREAK REQUIREMENTS

Note. The fuelbreak requirements prescribed by the fire district for the proposed project do not authorize any clearing prior to project approval by Planning & Development Services.

- [✓] Within the proposed project 150 feet of clearing will be required around all structures.
- [ ] The proposed project is located in a hazardous wildland fire area, and additional fuelbreak requirements may apply. Environmental mitigation requirements should be coordinated with the fire district to ensure that these requirements will not pose fire hazards

This Project Facility Availability Form is valid until final discretionary action is taken pursuant to the application for the proposed project or until it is withdrawn, unless a shorter expiration date is otherwise noted

Authorized Signature	Print Name and Title	Phone	Date
	Robert Scott DIV. chief/Fire Marshal	(760) 744-1050	7/20/16

On completion of Section 2 and 3 by the District, applicant is to submit this form with application to Planning & Development Services – Zoning Counter, 5510 Overland Ave, Suite 110, San Diego, CA 92123

PDS-399F (Rev. 09/21/2012)

County of San Diego, Planning & Development Services

PROJECT FACILITY AVAILABILITY - WATER

ZONING DIVISION

W

Please type or use pen

Eden Hills Project Owner, LLC — 760-944-7511
Owner's Name — Phone

2235 Encinitas Boulevard, Suite 216
Owner's Mailing Address — Street

Encinitas — CA — 92024
City — State — Zip

ORG _____
ACCT _____
ACT _____
TASK _____
DATE _____ AMT $ _____

DISTRICT CASHIER'S USE ONLY

SECTION 1. PROJECT DESCRIPTION — TO BE COMPLETED BY APPLICANT

A
- [X] Major Subdivision (TM)
- [X] Specific Plan or Specific Plan Amendment
- [ ] Minor Subdivision (TPM)
- [ ] Certificate of Compliance _____
- [ ] Boundary Adjustment
- [ ] Rezone (Reclassification) from _____ to _____ zone.
- [ ] Major Use Permit (MUP), purpose _____
- [ ] Time Extension Case No. _____
- [ ] Expired Map. Case No. _____
- [ ] Other _____

B
- [X] Residential . . . . Total number of dwelling units 326
- [ ] Commercial . . . . . Gross floor area _____
- [ ] Industrial . . Gross floor area _____
- [ ] Other . . . . Gross floor area _____

C. [X] Total Project acreage 239 Total number of lots 326

D. Is the project proposing the use of groundwater? [X] Yes [ ] No
Is the project proposing the use of reclaimed water? [X] Yes [ ] No

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

228-313-13	232-020-55
232-013-01	232-492-01
232-013-02	232-500-18
232-013-03	Thru-24

Thomas Guide Page 1129 Grid B,2,3,4

3240 Mount Whitney Rd.
Project address — Street

San Dieguito Planning Group — 92091
Community Planning Area/Subregion — Zip

Owner/Applicant agrees to pay all necessary construction costs, dedicate all district required easements to extend service to the project and COMPLETE ALL CONDITIONS REQUIRED BY THE DISTRICT

Applicant's Signature [signature] Date 5/31/2016

Address 2235 Encinitas Boulevard, Suite 216 Encinitas CA Phone: 760-944-7511

(On completion of above, present to the district that provides water protection to complete Section 2 below.)

SECTION 2: FACILITY AVAILABILITY — TO BE COMPLETED BY DISTRICT

District Name: Rincon del Diablo Municipal Water District Service area Improvement District 1

A.
- [X] Project is in the district
- [ ] Project is not in the district but is within its Sphere of Influence boundary. owner must apply for annexation
- [ ] Project is not in the district and is not within its Sphere of Influence boundary
- [ ] The project is not located entirely within the district and a potential boundary issue exists with the _____ District

B. [X] Facilities to serve the project [X] ARE [ ] ARE NOT reasonably expected to be available within the next 5 years based on the capital facility plans of the district. Explain in space below or on attached 1 (Number of sheets)
- [ ] Project will not be served for the following reason(s): _____

C.
- [X] **District conditions are attached. Number of sheets attached:** _____
- [ ] **District has specific water reclamation conditions which are attached. Number of sheets attached:** _____
- [ ] **District will submit conditions at a later date.**

D. [X] **How far will the pipeline(s) have to be extended to serve the project?** Further design required

This Project Facility Availability Form is valid until final discretionary action is taken pursuant to the application for the proposed project or until it is withdrawn, unless a shorter expiration date is otherwise noted.

Authorized Signature [signature] Print Name Clint Baze

Print Title Director of Engineering & Ops Phone 760-745-5522 Date 6-20-2016

NOTE: THIS DOCUMENT IS NOT A COMMITMENT OF SERVICE OR FACILITIES BY THE DISTRICT

On completion of Section 2 and 3 by the District, applicant is to submit this form with application to:
Planning & Development Services – Zoning Counter, 5510 Overland Ave, Suite 110 San Diego, CA 92123

Attachment R

General Plan Consistency Table

Valiano - General Plan Conformance		
General Plan Guiding Principles		
Guiding Principle 1	Support a reasonable share of projected regional population growth.	**Consistent.** By increasing the density from SR-1 and SR-2 to SR-0.5 in an area near existing urban areas and the planned Harmony Grove Village, the project would help support projected regional population growth.
Guiding Principle 2	Promote health and sustainability by locating new growth near existing and planned infrastructure, services, and jobs in a compact pattern of development.	**Consistent.** The General Plan states, "Locating housing closer to retail, services, schools, and jobs and on smaller lots within communities can reduce the size of required infrastructure improvements and number and length of automobile trips, while increase the efficiency of delivering police, fire, and other public services and enhancing community livability. A more compact form of development in the County would reduce the amount of developed land, or its "footprint," increasing the amount of open space, natural habitat, and agriculture that can be preserved, as well as reducing pressure on groundwater resources." The project would promote these benefits by locating new homes near existing and planned infrastructure, services, and jobs, as further detailed in the Specific Plan and EIR. The project follows the Community Development Model by locating semi-rural density as a transitional zone between the high density Harmony Grove Village and the larger lots in Eden Valley. The project also uses a compact development pattern that avoids large areas of biological and agricultural open space.
Guiding Principle 3	Reinforce the vitality, local economy, and individual character of existing communities when planning new housing, employment, and recreational opportunities.	**Consistent.** The project was designed to reinforce and enhance the existing community character with carefully planned residential neighborhoods that retain significant open space and buffer landscaping. The project also provides recreational opportunities including public and private parks and a multi-use public and private trail network.
Guiding Principle 4	Promote environmental stewardship that protects the range of natural resources and habitats that uniquely define the County's character and ecological importance.	**Consistent.** The project includes approximatelty 32 acres of biological open space easements that protect the most sensitive habitats including Resource Protection Ordinance (RPO) wetlands. All habitat impacts will be mitigated off-site in areas of higher habitat value and connectivity.
Guiding Principle 5	Ensure that development accounts for physical constraints and the natural hazards of the land.	**Consistent.** The project's grading avoids steep slopes, wetlands and floodplains in compliance with the Resource Protection Ordinance. A geotechnical report and fire protection plan were prepared to identify and mitigate potential hazards.

Guiding Principle 6	Provide and support a multi-modal transportation network that enhances connectivity and supports community development patterns and, when appropriate, plan for development which supports public transportation.	**Consistent.** The project includes private roads, sidewalks, public and private trails with multiple points of connection to the surrounding road and trail network. Located in close proximity to mass transit such as Sprinter and BREEZE.
Guiding Principle 7	Maintain environmentally sustainable communities and reduce greenhouse gas emissions that contribute to climate change.	**Consistent.** The project will use sustainable development practices and reduce greenhouse gas emissions as further detailed in the Specific Plan and EIR.
Guiding Principle 8	Preserve agriculture as an integral component of the region's economy, character, and open space network.	**Consistent.** The project will retain 36.5 acres of existing avocado groves in an agricultural easement to be maintained by an agricultural manager hired by the HOA. The proposed lots will also allow for individual homeowners to practice small-scale agriculture.
Guiding Principle 9	Minimize public costs of infrastructure and services and correlate their timing with new development.	**Consistent.** The project will construct all necessary roads, trails, parks, water and sewer facilities within the project area, and pay TIF to cover cumulative traffic impacts.
Guiding Principle 10	Recognize community and stakeholder interests while striving for consensus.	**Consistent.** The applicant presented the project and solicited feedback at community planning group meetings, a public EIR scoping meeting, and their own community workshops. Comments from the community were reflected in design changes such as removing gates from the proposed private roads.

General Plan Policies		
LU-2.3	**Development Densities and Lot Sizes.** Assign densities and minimum lot sizes in a manner that is compatible with the character of each unincorporated community.	**Consistent.** The character of the surrounding area is varied and complex. It includes a large mobile home park adjacent to the northeastern corner of the site in San Marcos, a small lot single-family housing tract 600 feet north of the site in San Marcos, an industrial park 1300 feet east of the nothernmost parcel in Escondido, large estate lots to the west in San Marcos, equestrian lots to the east in Eden Valley (County), avocado groves on-site and to the south (County), a new hospital less than a mile east of the site (Escondido), and planned industrial and office parks around the hospital (Escondido). The Harmony Gove Village development that includes lot sizes similar to the proposed project is adjacent to the project site to the south. Lot sizes in Eden Valley are mostly 1-2 acres, with a few larger lots and a row of half-acre lots along Mount Whitney Road. The project site is located within a Semi-Rural Regional Category and the current Land Use Designation is SR-1 and SR-2. The proposed designation is SR-0.5, which allows a density of 0.5 to 2 du/gross acre, depending on slope. The project area is 238 acres and 326 dwelling units and 51 accessory dwelling units are proposed. This represents a density of 1.4 du/gross acre. The smallest proposed lot is 5,870 sf, and average lot size ranges from 10,240 sf in Neighborhood 1 to 17,210 sf in Neighborhood 5. The proposed lot sizes are smaller than the existing lots in Eden Valley but similar to Harmony Grove Village. In order to improve views into the project, landscaped buffers would be created for transitional purposes on the project boundaries. The landscaped buffers would provide an attractive visual and physicial separation between the existing adjacent residential lots and the new proposed residential lots. Landscaping would visually screen and soften views of the development, and would interrupt structure massing effects of the homes and thus their apparent density. The project also includes landscaping along the streets, on HOA-maintained slopes, and in public and private parks. This landscaping would improve views of the site from nearby community vantage points, as shown in the visual study and EIR.

LU-2.4	**Relationship of Land Uses to Community Character.**Ensure that the land uses and densities within any Regional Category or Land Use Designation depicted on the Land Use Map reflect the unique issues, character, and development objectives for a Community Plan area, in addition to the General Plan Guiding Principles.	This policy ensures projects will be reviewed against the applicable Community Plan. See the Community Plan Policies listed below. Guiding Principles are discussed above.
LU-2.6	**Development near Neighboring Jurisdictions.**Require that development in the proximity of neighboring jurisdictions retain the character of the unincorporated community and use buffers or other techniques where development in the neighboring jurisdiction is incompatible.	**Consistent.** The proposed lot sizes are more similar to development in adjacent jurisdictions than to the adjacent unincorporated community of Eden Valley. Therefore, a buffer landscape edge would be planted along the property boundaries to provide an attractive visual and dimensional separation between existing adjacent lots and the proposed residential lots (see Figures 2-15a through 2-15c in Draft Specific Plan). Trees and shrubs would be planted to provide a soft and appealing edge to the project. The planting would also help maintain a sense of privacy and physical separation highly valued in Eden Valley. Trees such as pines and oaks would be used along with native and adapted shrubs. Any walls or fences proposed along the edges would be softened and screened with plant material. Fence or wall design would be compatible with the semi-rural character of the adjacent homes (see Figures 2-11a and 2-11b in Specific Plan).

LU-3.1	**Diversity of Residential Designations and Building Types.** Maintain a mixture of residential land use designations and development regulations that accommodate various building types and styles.	**Consistent.** All 326 units would be single family homes, in keeping with the character of the community. The proposed home square footage range is as follows: Neighborhood 1 condo lots - 1,450-1,750 sf Neighborhood 1 regular lots – 2,100-2,500 sf Neighborhood 2 – 3,200-3,600 sf Neighborhood 3 – 3,800-4,200 sf Neighborhood 4 – 3,000-3,300 sf Neighborhood 5 – 2,600-4,200 sf Neighborhood 1 includes detached condo lots with 4 homes surrounding a courtyard. These homes would be accessible to first-time buyers and empty-nesters who are ready to downsize. Also, neighborhoods 2, 3 and 5 would allow secondary units for multi-generational or rental housing on larger lots that would also accomodate leisure and market animals. The development would include a variety of building styles. A few of the proposed home styles include: Craftsman, European Cottage, Mission, Monterey, Spanish, and Italian.

LU-3.2	**Mix of Housing Units in Large Projects.** Require new large residential developments (generally greater than 200 dwelling units) to integrate a range of housing types and lot and building sizes. [See applicable community plan for possible relevant policies.]	**Consistent.** See the response to policy LU-3.1 for housing types and building sizes. The project includes a range of lot sizes appropriate to the community, from 5,870 square feet up to 1 acre. The detached condo lots would accommodate multiple single-family homes on lots of 12,210 to 22,680 square feet. Proposed average lot size per neighborhood is as follows: Neighborhood 1 – 11,380 sf (10,240 excluding condo lots) Neighborhood 2 – 19,230 sf Neighborhood 3 – 17,210 sf Neighborhood 4 – 14,850 sf Neighborhood 5 – 17,210 sf Staff recommends incorporating 2-acre lots in Neighborhood 5 in order to provide a range of lot sizes would accommodate homeowners with different needs, from those seeking a more affordable home with minimal yard maintenance to those desiring a larger estate type lot with room for semi-rural uses including recreational amenities, multi-generational housing, gardens, orchards, animal raising, and horse keeping.
LU-5.3	**Rural Land Preservation.** Ensure the preservation of existing open space and rural areas (e.g., forested areas, agricultural lands, wildlife habitat and corridors, wetlands, watersheds, and groundwater recharge areas) when permitting development under the Rural and Semi Rural Land Use Designations.	**Consistent.** The development plan concentrates residences to protect sensitive habitats, steep slopes, and agricultural lands. Onsite open space areas were selected primarily to avoid and preserve RPO wetlands and steep slopes. Mitigation would occur off-site in areas of higher-quality wildlife habitat that allow for wildlife movement and provide carbon sequestration benefits for the region.

LU-6.4	**Sustainable Subdivision Design.**Require that residential subdivisions be planned to conserve openspace and natural resources, protect agricultural operations including grazing, increase fire safety and defensibility, reduce impervious footprints, use sustainable development practices, and, when appropriate, provide public amenities. [See applicable community plan for possible relevant policies.]	**Consistent.** Conservation of open space and natural resources: As noted previously in response to LU 5.3, Valiano has been planned to conserve significant areas of open space and natural resources. Protect agricultural operations: A 36.5-acre agricultural open space is proposed, and residents would have the opportunity to continue agricultural activities. Figure 4-2 shows the proposed open space. The retention of at least 36.5 acres of agriculture retains a connection to past uses within the Plan area. Increase fire safety and defensibility: Please refer to the Fire Protection Plan (FPP) for the details of fire protection for future development within the Plan area. The Fire Protection Plan must be reviewed and accepted by the San Marcos Fire Protection District and the San Diego County Fire Authority prior to project approval. Reduce impervious footprint: The project would comply with the County's Watershed Protection Ordinance as demonstrated in the Stormwater Management Plan. Sustainable development practices: see response to policy COS-14.3. Provision of public amenities: An equestrian trail head available for public use is proposed in the northern portion of the Plan area, as well as a public multi-use trail network, public and private parks.

LU-6.7	**Open Space Network.** Require projects with open space to design contiguous open space areas that protect wildlife habitat and corridors; preserve scenic vistas and areas; and connect with existing or planned recreational opportunities.	**Consistent.** The project site does not function as a regional wildlife corridor. The only dedicated open space adjacent to the site preserves a small wetland in the Harmony Grove Village development joining the south of the project site. This open space does not connect to larger open space areas with long-term conservation value. The planned on-site open space areas are for ordinance compliance, not mitigation, and would preserve the most sensitive habitats. Besides the vegetated drainages, the largest concentration of native upland vegetation occurs in the northwest corner. This upland area has been proposed as biological open space adjacent to an agricultural easement, covering a combined area of 48.6 acres, and would continue to provide areas for mule deer to access the site. The remainder of the site is characterized by varying topography punctuated by small drainage features, and the project design responds to this fractured habitat layout by concentrating development into discrete neighborhoods that avoid the most sensitive areas of the site. Although the open space design is somewhat fragmented, the project would be conditioned to purchase 59 acres of off-site mitigation in areas of contiguous open space that support wildlife corridors and would have higher long term conservation value. The proposed open space would preserve most of the on-site trees that contribute to the site's scenic character as viewed from nearby trails, as described in the Visual Impact Analysis and EIR. Planned open space connects to planned trails and parks.

LU-6.9	**Development Conformance with Topography.** Require development to conform to the natural topography to limit grading; incorporate and not significantly alter the dominant physical characteristics of a site; and to utilize natural drainage and topography in conveying stormwater to the maximum extent practicable.	**Consistent.** The proposed project has been designed to adapt to the natural topography of the site and limit grading. The development footprint has been designed to protect natural drainage channels, while natural high points have been preserved as high points within the development. The development has been laid out in organic shapes where feasible to avoid a "grid" appearance. Although the preliminary grading plan shows some tall cut slopes, up to about 60 feet, these cuts represent the re-contouring of the existing slope and not a wholesale change in topography. In addition, the landscape plan would be carefully reviewed to ensure that all graded slopes receive suitable and adequate landscaping. Especially in Neighborhood 4, development has been restricted to below the natural ridgeline and peak. In neighborhood 2, the natural ridgeline is off-site to the west and is not affected by project grading. Below is a breakdown of the quantity of earthwork per lot: o Neighborhood 1: 1,500 CY/lot o Neighborhood 2: 5,000 CY/lot o Neighborhood 3: 4,500 CY/lot o Neighborhood 4: 3,600 CY/lot o Neighborhood 5: 3,100 CY/lot

LU-14.4	**Sewer Facilities.** Prohibit sewer facilities that would induce unplanned growth. Require sewer systems to be planned, developed, and sized to serve the land use pattern and densities depicted on the Land Use Map. Sewer systems and services shall not be extended beyond either Village boundaries or extant Urban Limit Lines, whichever is more restrictive, except: ■ When necessary for public health, safety, or welfare; ■ When within existing sewer district boundaries; ■ When necessary for a conservation subdivision adjacent to existing sewer facilities; or ■ Where specifically allowed in the community plan.	**Consistent.** The project is including a wasterwater treatment facility, which will serve homes outside the Village boudaries and the Urban Limit Line. The policy does include exceptions for projects that include a conservation subdivision and are adjacent to existing sewer facilities. The Valiano project does include a conservation subdivision and is adjacent to existing sewer facilities located in the Harmony Grove Village project.
H-1.8	**Variety of Lot Sizes in Large-Scale Residential Developments.** Promote large-scale residential development in Semi-Rural that include a range of lot sizes to improve housing choice.	**Consistent.** Refer to the discussion of policy LU-3.2.

H-1.9	**Affordable Housing through General Plan Amendments.** Require developers to provide an affordable housing component when requesting a General Plan amendment for a large-scale residential project when this is legally permissible.	**Consistent.** The project does not conflict with this policy. Consistent with other General Plan Amendment projects approved by the County Board of Supervisors since the adoption of the General Plan on August 3, 2011, the project does not include an affordable housing component as the County of San Diego does not have an inclusionary housing ordinance or other legal mechanism to require affordable housing units.
H-2.1	**Development that Respects Community Character.** Require that development in existing residential neighborhoods be well designed so as not to degrade or detract from the character of surrounding development consistent with the Land Use Element. [See applicable community plan for possible relevant policies.]	**Consistent.** The project is well designed so as not to degrade or detract from the character of surrounding development. Homes in Valiano are clustered into 5 distinct neighborhoods to emulate smaller scale development rather than lotting out the entire property. This "cluster" design results in sizable communal open space. Open space is designated in areas where it best serves to protect the semi-rural character and quality of the existing landscape. Multi use trails and amenities help link the planning area and further protect the open and semi-rural feel of the planning area. Each neighborhood is surrounded by or incorporates large areas of open space and natural landscape to create better-defined neighborhoods. Green buffers between existing and proposed homes planted with native and adapted landscape mimics the existing landscape character of the planning area.

S-6.4	**Fire Protection Services for Development.** Require that new development demonstrate that fire services can be provided that meets the minimum travel times.	**Consistent .** The FPP now states that the proposed project is approximately 7.0 minutes travel time from San Marcos FD's Station #3 to the furthest structure, which would be in planned Neighborhood 2. San Marcos Fire Protection District maintains a mutual aid agreement with the City of Escondido to provide secondary service for this proposed project. Escondido FD has 7 fire stations in the vicinity of the proposed Valiano development, with stations 6 and 1 being the closest. EFD's Fire Station #6, located at 1735 Del Dios Road, is 3.1 miles and approximately 5.9 minutes travel time to the Valiano Project, and has one Paramedic engine and an OES brush engine that the crew cross staffs. EFD's Fire Station #1, located at 310 North Quince, is 4.2 miles and approximately 7.75 minutes travel time. Station #1 includes 1 paramedic Engine, 1 truck company, 1 ambulance, an additional 12 hour non-safety ambulance, and 12 personnel per each shift. This robust group of personnel (including a Battalion Chief) and apparatus would have the capability to respond with four different emergency apparatus, including a truck company. Through automatic aid, EFD would provide a single unit on a first alarm assignment for emergency incidents which occur on the Valiano development. Any additional units needed would be requested through mutual aid, and provided if they are available. There is a temporary fire station located in the Harmony Grove Village project immediately to the south of Valiano. This station would be within the 5-minute travel time, although it is not within the San Marcos Fire Protection District,. An agreement has been reached with the Rancho Santa Fe Fire Protection District to serve the portion of the property beyond the 5-miunte travel time from the nearest San Marcos station.

COS-11.3	**Development Siting and Design.** Require development within visually sensitive areas to minimize visual impacts and to preserve unique or special visual features, particularly in rural areas, through the following: ■ Creative site planning ■ Integration of natural features into the project ■ Appropriate scale, materials, and design to complement the surrounding natural landscape ■ Minimal disturbance of topography ■ Clustering of development so as to preserve a balance of open space vistas, natural features, and community character. ■ Creation of contiguous open space networks	**Consistent.** The site is visually sensitive based on the sloping topography and visibility from Eden Valley. Visual impacts and mitigation are discussed in the project's Visual study and EIR. The project includes substantial grading and rows of homes extending up the hillside, but also includes open space. Through creative site planning the primary roads have been carefully located to reinforce the community's rural character. Their alignments bend and weave through natural open space, while comfortably connecting residential neighborhoods. Natural features such as existing riparian areas and oak groves are integrated into the project by being preserved in biological open space adjacent to homes. The public park, private recreation center, oak grove park, and trailhead are all located adjacent to biological open space areas. The alternation of natural open space with homes creates an appropriate scale of development to complement the natural landscape. Walls and fences would use natural materials such as stone and wood. The project's grading plan minimizes disturbance of topography through careful design in compliance with the steep slope provisions of the Resource Protection Ordinance. Open space and trails act as the nucleus of neighborhoods and promote community interaction. The natural landscape of the surrounding community extends into the project along roads, on slopes, in protected open space and on edges of home sites to create an informal rustic atmosphere and preserve a balance of open space vistas, natural features, and community character. By clustering and situating the development around oak riparian areas, significant land forms, and steep slopes the project creates an organic open space design based on the unique features and layout of the site.

COS-14.5	**Building Siting and Orientation in Subdivisions.** Require that buildings be located and oriented in new subdivisions and multi-structure non-residential projects to maximize passive solar heating during cool seasons, minimize heat gains during hot periods, enhance natural ventilation, and promote the effective use of daylight.	**Consistent.** The site has been designed to minimize the impact to the natural topography by avoiding steep slopes; therefore, the lots orient in different directions. As a result, the individual home plans must be flexible in their ability to provide shade for interior/exterior spaces intended for informal gatherings around the home. Opposing window placement is critical throughout each room to allow for adequate cross ventilation and daylighting. Covered decks, porches or "California" rooms shall be integrated throughout each home type or lot size. Building plans shall show that buildings are located and oriented to maximize passive solar heating during cool seasons, minimize heat gains during hot periods, enhance natural ventilation, and promote the effective use of daylight.
COS-14.12	**Heat Island Effect.** Require that development be located and designed to minimize the "heat island" effect as appropriate to the location and density of development, incorporating such elements as cool roofs, cool pavements, and strategically placed shade trees.	**Consistent.** The project's landscaping plan would be reviewed to ensure the proposed trees are adequate to provide shade. In addition, cool pavements for roadways and sidewalks would be used and can indirectly help reduce energy consumption, air pollution, and greenhouse gas emissions. Depending on the technology used, cool pavements can improve stormwater management and water quality, increase surface durability, enhance nighttime illumination, and reduce noise. The locations of cool pavement would be determined during final engineering.
COS-15.1	**Design and Construction of New Buildings.** Require that new buildings be designed and constructed in accordance with "green building" programs that incorporate techniques and materials that maximize energy efficiency, incorporate the use of sustainable resources and recycled materials, and reduce emissions of GHGs and toxic air contaminants.	**Consistent.** The Project proposes sustainability and efficiency features consistent with the California Green Building Code and County of San Diego Climate Action Plan, as detailed in the Greehouse Gas study. The Project proposes implementing energy efficiency features of at least 15 percent beyond 2008 Title 24 requirements.

COS-20	**Governance and Administration.** Reduction of community-wide (i.e., unincorporated County) and County Operations greenhouse gas emissions contributing to climate change that meet or exceed requirements of the Global Warming Solutions Act of 2006, as amended by Senate Bill 32 (as amended, Pavley. California Global Warming Solutions Act of 2006: emissions limit).	**Consistent.** The proposed project would reduce GHG emissions contributing to climate change by exceeding requirements of the Global Warming Solutions Act of 2006 (AB 32), as well as Senate Bill 32. SB 32 established a mid-term target critical to help frame updates to the Scoping Plan needed to continue driving down emissions and achieve the long-term target. Through the integration of project design features and the purchase of carbon credits, the Project would attain a net zero increase in GHG emissions, which is consistent with the AB 32 2020 reduction target, and on track for meeting the SB 32 and EO S-3-05 reduction targets.
COS-21-1	**Climate Change Action Plan.** Prepare, maintain, and implement a Climate Action Plan for the reduction of community-wide (i.e., unincorporated County) and County Operations greenhouse gas emissions consistent with the California Environmental Quality Act (CEQA) Guidelines Section 15183.5.	**Consistent.** The proposed project did not rely on the CAP; however, it is consistent with and does not conflict with the CAP. The Project would achieve carbon neutral no net increase in GHG emissions over existing baseline conditions with the implementation of the recommended design features and purchase of carbon offset credits. Also, the Project is consistent with and would not conflict with the County's CAP because the Project would implement all feasible and applicable CAP measures.

Community Plan Policies		
HGCP Policy LU-1.5.1	Policy LU-1.5.1 Require minimum lot sizes of two acres outside the Village Boundary as the standard, unless significant preservation of resources is achieved; and specific findings are met for the preservation of community character with the utilization of lot area averaging, planned residential developments, or specific plans.	**Consistent.** The Valiano project is inconsistent with this Policy since the project's lot sizes are less than 2 acres. The entire project is within the San Dieguito Community Plan, but only the southernmost area (Neighborhood 5) is within the Harmony Grove/ Elfin Forest Subarea Plan that includes this Policy. Since the majority of the project is located in an area not within any Subarea, the proposal includes removing Neighborhood 5 from the Harmony Grove/ Elfin Forest Subarea. Therefore the entire project would not be included in a Subarea and only need to be consistent with the San Dieguito policies.
San Dieguito Community Plan Soils Policy #8	Soils Policy #8 - Unaltered land greater than 25% slope and at least 1000 square feet in area shall be retained in its natural state.	**Consistent.** A steep slope analysis has been provided for review. Primary protection for steep slopes is provided by the Resource Protection Ordinance, which protects land greater than 25% slope with a vertical rise of at least 50 feet. The project complies with the RPO steep slope provisions. In addition, the majority of the steep slopes on site have been disturbed by agricultural uses, and thus do not qualify as unaltered land under this policy. After complying with the RPO and excluding agricultural land from the calculation, the project would impact only 1.44 acres of unaltered land greater than 25% slope and at least 1000 square feet in area. This impact is less than 1% of the total project site; therefore, the project is in substantial conformance with this policy.

SDCP Vegetative and Wildlife Habitat - Policy #3	The following guidelines shall be used to evaluate proposals for development on parcels of ten acres or more located within the environmentally sensitive coastal mixed chaparral and coastal sage scrub habitats. a. All such development shall be subject to the Planned Development Procedures of the County Zoning Ordinance. b. Development should be sited away from slopes of 25% or more. c. Open space shall be designed as a contiguous network within the project and linked with open space areas on adjacent parcels; or linked with other open space corridors of community of regional significance. d. Create or maintain local wildlife movement corridors. e. Retain all types of plant habitats that occur naturally on the site to achieve the best possible representation of the original habitat. f. Integrate the design of the	**Consistent.** a. The project has a Specific Plan, thus it is a planned development. b. The project complies with the steep slope protections of the Resource Protection Ordinance. c and d. The project site does not function as a regional wildlife corridor. The site is located at the western edge of existing development with little opportunity for wildlife movement to the east and north. The Harmony Grove Village development is under construction to the south. The only dedicated open space adjacent to the site preserves a small wetland in Harmony Grove Village joining the south of the project site. This open space does not connect to larger open space areas with long-term conservation value; however, the road crossing in this area will be designed to allow wildlife movement between the off-site open space and the Neighborhood 5 open space. The planned, on-site open space areas are for ordinance compliance, not mitigation, and would preserve the most sensitive habitats. Besides the vegetated drainages, very little native upland vegetation occurs on site with the largest concentration occurring in the northwest corner. This upland area has been proposed as biological open space adjacent to an agricultural easement, covering a combined area of 48.6 acres, and would continue to provide areas for mule deer to access the site. The remainder of the site is characterized by varying topography punctuated by small drainage features, and the project design responds to this fractured habitat layout by concentrating development into discrete neighborhoods that avoid the most sensitive areas of the site. Although the project design does not create or maintain local wildlife corridors all the way across the project site, it does maintain mammal access to the RPO wetland areas within Neighborhood 4, and birds would still have access to the larger riparian area within Neighborhood 3. In the batching meeting with the USFWS and CDFW on November 21, 2013, the agencies concluded that the project design adequately addressed wildlife movement across the site, and that all habitat mitigation should occur off-site due to the limited connectivity of

	development with the uses and activities of adjacent parcels. g. Preserve rare and endangered species on site and in their natural habitat.	on-site habitats. Therefore, the project will be conditioned to purchase off-site mitigation in areas of contiguous open space that support wildlife corridors and would have higher long term conservation value. e. All of the native plant habitats on the site are included in the proposed biological open space. f. The integration of the project with the surrounding area is discussed thoroughly in the Specific Plan. g. No rare plants and no listed threatened or endangered species were observed on the site. All County sensitive wildlife species observed on-site will be able to use the proposed on-site open space as well as the off-site mitigation, as discussed in the biology report.