

## Attachment B – Planning Documentation

April 30, 2010

RESOLUTION OF SAN DIEGO COUNTY)  
 CONDITIONALLY APPROVING )  
 TENTATIVE MAP NO. 3100 5545 (TM) )

WHEREAS, Tentative Map No. 5545 proposing the division of property located at 32979 Temet Drive, Pauma Valley CA 92061 located off Cole Grade Road in the Pala Pauma Community Planning Area, within San Diego County and generally described as:

A PORTION OF PAUMA RANCHO, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF ATTACHED TO THE RECORD OF THE PATENT IN BOOK 1, PAGE 67 OF PATENTS, RECORDS OF SAID COUNTY.

was filed with the County of San Diego pursuant to the Subdivision Map Act and San Diego County Subdivision Ordinance on December 5, 2007; and

WHEREAS, on April 30, 2010, the Planning Commission of the County of San Diego pursuant to Section 81.304 of the San Diego County Subdivision Ordinance held a duly advertised public hearing on said Tentative Map and received for its consideration, documentation, written and oral testimony, recommendations from all affected public agencies, and heard from all interested parties present at said hearing; and

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

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

**MAP EXPIRATION:** The approval of this Tentative Map Expires Thirty-Six (36) Months after the date of the approval of this Resolution at 4:00 P.M. Unless, prior to that date, an application for a Time Extension has been filed as provided by Section 81.308 of the County Subdivision Ordinance.

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



- (1) Standard Condition 10: Said condition requires the construction of a public street lighting system, however, the project is located within a dark skies policy due to proximity to the Mount Palomar Observatory. Therefore, this condition is waived.
- (2) Standard Condition 11: Said condition pertains to condominium units or a planned development. This subdivision is neither a condominium nor a planned development.
- (3) Standard Condition 12: Said condition pertains to specific design standards associated with riding and hiking trails. The project does not include riding or hiking trails.
- (4) Standard Conditions 19 (a-e): Said conditions pertain to grading permits. The project is not proposing grading.
- (5) Standard Condition 22: Said condition pertains to subsurface sewage disposal systems (Septic Systems). The project would be served by the Pauma Valley Community Services District.
- (6) Standard Condition 23.3: Said condition pertains to projects that have been conditioned to satisfy the requirements of the California Department of Forestry and said Department has submitted no such requirements for this project.
- (7) Standard Condition 23.4: Said condition pertains to projects that are outside the boundaries of a fire protection agency and this project will not be required to annex into the district boundaries of a fire protection agency.
- (8) Condition 27.1: Said condition states that the Final Map may be filed as units or groups of units. The Final Map for this project is required to include the entire area shown on the Tentative Map and shall not be filed as units or groups of units.

**PRELIMINARY GRADING PLAN:** The approval of this Tentative Map here by adopts the Preliminary Grading and Improvement Plan dated November 3, 2009 consisting of 3 sheets (Attached Herein as Exhibit B) pursuant to Section 81.303 of the County Subdivision Ordinance. In accordance with the Section 87.207 of the County Grading Ordinance, Environmental Mitigation Measures or other conditions of approval required and identified on this plan, shall be completed or implemented on the final engineering plan before any improvement or grading plan can be approved and any permit issued in reliance of the approved plan. Any Substantial deviation therefrom the Preliminary Grading and Improvement Plan may cause the need for further environmental review. Additionally, approval of the preliminary plan does not constitute approval of a final



engineering plan. A final engineering plan shall be approved pursuant to County of San Diego Grading Ordinance (Sec 87.701 et. al.)

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

#### PLANS AND SPECIFICATIONS

(Street Improvements and Access)

1. Standard Conditions 1 through 9 and 12.
2. Specific Conditions:
  - a. Improve, or agree to improve and provide security for the off-site private road **Temet Drive**, from the existing portion per grading plan, L-8336, to the project's northwesterly boundary to a graded width of twenty-eight feet (28') and to an improved width of twenty-four feet (24') with asphalt concrete over approved base and sixteen-foot wide fuel buffers on both sides of the easement. The Improvement and Design Standards of Section 3.1(C) of the County Standards for Private Roads for seven hundred fifty (751) to two thousand five hundred (2500) trips shall apply. Provide transitions, drainage and other provisions on- and offsite to meet the existing improvements of Pauma Valley Drive. All of the above shall be to the satisfaction of the Director of Public Works.
  - b. Improve, or agree to improve and provide security for the private easement road, **Temet Drive** on-site from the northwest boundary to a terminus cul-de-sac at the driveway access to Lot 10 to a graded width of twenty-eight feet (28') and to an improved width of twenty-four feet (24'), with asphalt concrete pavement over approved base. The Improvement and Design Standards of Section 3.1(C) of the County Standards for Private Roads for one hundred one (101) to seven hundred fifty (750) trips. All of the above shall be to the satisfaction of the Director of Public Works.
  - c. **Temet Drive** shall terminate with a graded cul-de-sac to a radius of forty feet (40') and surfaced to a radius of thirty-six feet (36') with asphalt concrete pavement over approved base with asphalt concrete dike as required for drainage control. All of the above shall be to the satisfaction of the Director of Public Works.



TM 5545

- 4 -

April 30, 2010

- d. Gates, if provided, shall meet County Design Standard DS-17, DS-18 or DS-19, and County Fire Department requirements, to the satisfaction of the Director of Public Works. All automatic gates must meet Fire Department Policies deemed necessary by the County Fire Marshal for rapid, reliable access.
- e. Asphalt concrete surfacing material shall be hand-raked and compacted to form smooth tapered connections along all edges including those edges adjacent to soil. The edges of asphalt concrete shall be hand-raked at 45 degrees or flatter, so as to provide a smooth transition next to existing soil, including those areas scheduled for shoulder backing. The above shall be done to the satisfaction of the Director of Public Works.
- f. Pauma Valley Drive and Temet Drive shall have an unobstructed vertical clearance of thirteen feet, six inches (13' 6") to the satisfaction of County Fire.

(Drainage and Flood Control)

- 3. Standard Conditions 13 through 18.
- 4. Specific Conditions.
  - a. Provide on-site and off-site drainage easements to the satisfaction of the Director of Public Works.
  - b. A Waiver and Release Agreement shall be obtained from each property owner who is impacted by significant changes (to include diversion, concentration, and/or increases) in downstream flow characteristics resulting from grading, private roads, utility easements or access roads, or other improvements, to the satisfaction of the Director of Public Works.
  - c. The private storm drain system shall be maintained by a private maintenance mechanism such as a homeowners association or other entity acceptable to the Director of Public Works.

(Stormwater)

- 5. On January 24, 2007, the San Diego Regional Water Quality Control Board (SDRWQCB) issued a new Municipal Stormwater Permit under the National Pollutant Discharge Elimination System (NPDES). The requirements of the Municipal Permit were implemented beginning January 25, 2008. *Project design shall be in compliance with the new Municipal Permit regulations.* The Low Impact Development (LID) Best Management Practices (BMP) Requirements of the Municipal Permit can be found at the following link on Page 19, Section D.1.d (4), subsections (a) and (b):

[http://www.waterboards.ca.gov/sandiego/water\\_issues/programs/stormwater/docs/sd\\_permit/r9\\_2007\\_0001/2007\\_0001final.pdf](http://www.waterboards.ca.gov/sandiego/water_issues/programs/stormwater/docs/sd_permit/r9_2007_0001/2007_0001final.pdf)

All priority projects must minimize directly connected impervious areas and promote biofiltration. D.1.d(4) subsections (a) and (b) are the minimal site design requirements that project applicants must address and implement. These can be summarized into the following four requirements:

- 1) Disconnect impervious surfaces.
- 2) Design impervious surfaces to drain into properly designed pervious areas.
- 3) Use pervious surfaces wherever appropriate.
- 4) Implement site design BMP's.

The applicant / engineer must determine the applicability and feasibility of each requirement for the proposed project and include them in the project design, unless it can be adequately demonstrated which (if any) of the requirements do not apply.

(Grading Plans)

6. Standard Conditions 19 (a-e).

7. Specific Conditions:

- a. For the duration of this project, comply with all applicable stormwater regulations at all times. The activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (Ordinance No. 9926) and all other applicable ordinances and standards. This includes requirements for **Low Impact Development (LID)** materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas greater than 1 acre require that the property owner keep additional and updated information onsite concerning stormwater runoff. This requirement shall be to the satisfaction of the Director of Public Works.
- b. All of the work described above pertaining to erosion control, irrigation system, slope protection, drainage systems, desilting basins, energy dissipators, and silt control shall be secured by an Instrument of Credit in a form satisfactory to County Counsel for an amount equal to the cost of this work as determined or approved by the County Department of Public Works, in accordance with the County of San Diego Grading Ordinance. An agreement in a form satisfactory to County Counsel shall accompany the Instrument of Credit to authorize the County Department of Public



Works to unilaterally withdraw any part of or all the Instrument of Credit to accomplish any of the work agreed to if it is not accomplished to the satisfaction of the County Department of Public Works by the date agreed. The cash deposit collected for grading, per the grading ordinance, will be used for emergency erosion measures. The developer shall submit a letter to the County Department of Public Works authorizing the use of this deposit for emergency measures.

#### DEVELOPMENT IMPACT FEES

8. Specific Conditions:

- a. Deposit with the County Department of Public Works sufficient funds to cover the cost of inspection of the development improvements.

#### FINAL MAP RECORDATION

(Streets and Dedications):

9. Specific Conditions:

- a. Dedicate on-site and off-site drainage easements to the satisfaction of the Director of Public Works.
- b. Because private roads are approved as a condition of this subdivision, the following shall apply:
  - (1) Maintenance shall be provided through a private road maintenance agreement satisfactory to the Director of Public Works.
  - (2) The Director of Public Works shall be notified as to the final disposition of title (ownership) to all private streets, and a note shall be placed on the Final Map as to the final title status of said streets.
  - (3) Access to each lot shall be provided by private road easement not less than forty feet (40') wide.
- c. The Basis of Bearings for the Subdivision Map shall be in terms of the California Coordinate System Zone 6 NORTH AMERICAN DATUM OF 1983 by use of existing Horizontal Control. **To be in compliance with the Public Resources Code, all Subdivision Map surveys performed after January 1, 2000 must use a Basis of Bearings established from existing Horizontal Control Stations with first order accuracy.**
- d. If conducted prior to January 1, 2000, a survey for any Subdivision Map

that is to be based on state plane coordinates shall show two measured ties from the boundary of the subject property to existing Horizontal Control station(s) having California coordinate values of Third order accuracy or better, as published in the County of San Diego's Horizontal Control book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e. Grid bearings and Grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of Ground-to-Grid distances shall be shown on the map, all to the satisfaction of the Director of Public Works (Ref. San Diego County Subdivision Ordinance Section 81.506(j)).

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

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

#### MISCELLANEOUS:

10. Standard Conditions 25, 26, 27, and 28.

#### **A. TRANSPORTATION**

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

#### **B. BIOLOGY**

1. Prior to the approval of any plans, issuance of any permits, and approval of any final map(s), provide evidence to the satisfaction of the Director of Public Works (DPW) that the following "Specific Environmental Items" have been indicated on the grading, and or improvement plans:
  - a. The grading, and or improvement plans, shall indicate permanent fences or walls along the southern boundary of the open space easement (Lot 17 and northeastern portion of Lot 9), as shown on



the Preliminary Grading Plan dated **September 2009** on file with the Department of Planning and Land Use as Environmental Review Number 07-03-002. In addition, a permanent toad barrier wall that is a minimum of 18-inches above-ground height and a minimum of 2-inches below-ground depth shall be shown between the open space (Lot 17) and the limited building zones (Lots 1, 2, and 10-16) as shown on the Preliminary Grading Plan dated **September 2009** on file with the Department of Planning and Land Use as Environmental Review Number 07-03-002.

1. Lot 16 will consist of a 6 foot non-combustible, fire resistive barrier wall. Lots 1, 2, and 9-15 will consist of a fence or wall that is a minimum of four feet (4') high and consist of three strand wire, split rail, or other suitable material. Any change in construction materials and fence or wall design shall be approved by the Department of Planning and Land Use prior to installation.
- b. The grading, and or improvement plans shall indicate open space signs to be placed along the southern boundary of the open space easement (Lot 17 and northeastern portion of Lot 9), as shown on the Preliminary Grading Plan dated **September 2009** on file with the Department of Planning and Land Use as Environmental Review Number 07-03-002.
  1. 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**

Unauthorized Entry is Restricted. To report a violation or  
for more information about easement restrictions and  
exceptions contact the County of San Diego,  
Department of Planning and Land Use  
Reference: (TM 5545 & ER 07-03-002)"

- c. The grading, and or improvement plans, shall indicate Temporary Orange Construction fencing to protect from inadvertent disturbance all open space easements that do not allow grading, brushing or clearing. The fencing shall be placed between the open space (Lot 17) and the limited building zones (Lots 1, 2, and 10-16) as shown on the Preliminary Grading Plan dated **September 2009** on file with the Department of Planning and Land Use as Environmental Review Number 07-03-002.

2. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Public Works (DPW) that the following "Specific Environmental Notes" have been placed on the grading, and or improvement plans:
  - a. "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 of 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 temporary fencing shall be located within the Limited Building Zone south of Lot 17 and shall be removed after the conclusion of such activity."
  - b. "Prior to the commencement of any grading and or clearing in association with this grading plan, a minimum 18-inch permanent toad barrier wall shall be placed along the southern boundary of the open space easement (Lot 17 and northeastern portion of Lot 9), as shown on the Preliminary Grading Plan dated **September 2009.**"
  - c. "Restrict all brushing, clearing and/or grading such that none will be allowed within 300 feet of Diegan coastal sage scrub or coast live oak woodland habitat (Lots 6-14) during the breeding season of migratory birds. This is defined as occurring between February 1<sup>st</sup> and August 31<sup>st</sup>. The Director of Planning and Land Use may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Game, per the results of a pre-construction nesting survey certifying that no active nests are present in the vicinity of the brushing, clearing or grading."
  - d. "Restrict all brushing, clearing and/or grading such that none will be allowed within 500 feet of the offsite eucalyptus woodland habitat (Lots 1-4, 15, and 16 and proposed offsite access road) during the breeding season of raptors. This is defined as occurring between January 15<sup>th</sup> and July 15<sup>th</sup>. The Director of Planning and Land Use may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Game, per the results of a pre-construction nesting survey certifying that no active nests are present in the vicinity of the brushing, clearing or grading."



e. "Prior to the conclusion of grading activities and Final Grading Release, provide evidence to the satisfaction of the Director of Planning and Land Use that the toad barrier wall, the other permanent fences or walls, and open space signs have been placed along the southern boundary of the open space easement (Lot 17 and northeastern portion of Lot 9) as shown on these plans and the Preliminary Grading Plan dated **September 2009** on file with the Department of Planning and Land Use as Environmental Review Number 07-03-002. "

1. 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.
2. 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**

Unauthorized Entry is Restricted. To report a violation or  
for more information about easement restrictions and  
exceptions contact the County of San Diego,  
Department of Planning and Land Use  
Reference: (TM 5545 & ER 07-03-002)"

3. Prior to approval of grading and/or improvement plans, and prior to approval of the Final Map, the applicant shall grant to the County of San Diego by separate document, an open space easement as shown on the Tentative Map dated **September 2009** on file with the Department of Planning and Land Use as Environmental Review Number 07-03-002. 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. **[DPLU, FEE]**

The sole 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 Uniform Fire Code 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 Planning and Land Use or the Director of Public Works.
  3. 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.
- 
2. Prior to approval of grading and/or improvement plans, and prior to approval of the Final Map, Grant by separate document to the County of San Diego a Limited Building Zone Easement as shown on the Tentative Map dated **September 2009** on file with the Department of Planning and Land Use as Environmental Review Number 07-03-002. 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 prohibits the construction or placement of any structure designed or intended for occupancy by humans or animals. The only exceptions to this prohibition are: DPLU, FEE]
    - a. Decking, fences, and similar facilities.
    - b. 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.
  3. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Planning and Land Use that 2.7 acres of oak woodland habitat credit has been secured in a mitigation bank approved by the California Department of Fish & Game, located in the Northern Foothills Eco-region. Evidence of purchase shall include the following information to be provided by the mitigation bank:  
**[DPLU, FEE X2]**
    - a. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.



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

-OR-

Provide for the conservation and habitat management of a minimum of 2.7 acres of oak woodland habitat located in the Northern Foothills Eco-region. A Resource Management Plan (RMP) for the oak woodland habitat must be submitted and approved by the Director of the Department of Planning and Land Use. The plan shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Requirement Guidelines. An open space easement over the acquired habitat must be dedicated to the County of San Diego prior to or immediately following the approval of the RMP. Alternatively, proof that a federal, state or local government agency with the primary mission of resource management has taken fee title to the land will be accepted in lieu of an easement.

- 4. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Planning and Land Use that 0.4 acre of coastal sage scrub habitat credit has been secured in a mitigation bank approved by the California Department of Fish & Game, located in the Northern Foothills Eco-region. Evidence of purchase shall include the following information to be provided by the mitigation bank: **[DPLU, FEE X2]**
  - a. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
  - b. 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.
  - c. 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.
  - d. An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required



by this project and the amount remaining after utilization by this project.

-OR-

Provide for the conservation and habitat management of a minimum of 0.4 acre of coastal sage scrub habitat located in the Northern Foothills Eco-region. A Resource Management Plan (RMP) for the coastal sage scrub habitat must be submitted and approved by the Director of the Department of Planning and Land Use. The plan shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Requirement Guidelines. An open space easement over the acquired habitat must be dedicated to the County of San Diego prior to or immediately following the approval of the RMP. Alternatively, proof that a federal, state or local government agency with the primary mission of resource management has taken fee title to the land will be accepted in lieu of an easement.

5. Prior to approval of grading and/or improvement plans, and prior to approval of the Final Map, provide evidence to the satisfaction of the Director of Planning and Land Use that the following "Agency Permits" have been obtained:
  - a. Provide to the satisfaction of the Director of Planning and Land Use, one of the following: **[DPLU, FEE X2]**
    - (1). Evidence that an Endangered Species Act Section 10a and or a Section 7 Permit has been obtained for the take of arroyo toad. This includes the following:
      - a. A copy of the Biological Opinion or Section 10 permit from the United States Fish and Wildlife Service (USFWS).
      - b. A Letter from the Army Corps of Engineers (ACOE)
    - (2). Documentation from USFWS and ACOE that the permits are not required.
6. Prior to approval of grading and/or improvement plans, and prior to approval of the Final Map, submit to and receive approval from the Director of the Department of Planning and Land Use and United States Fish and Wildlife Service, a Revegetation Plan which mitigates impacts to arroyo toad habitat. The Revegetation Plan shall conform to the County of San Diego Report Format Guidelines. The plan shall also include a success criteria of at least 80 percent by the end of the monitoring period. The revegetation shall occur on open space Lot 17. Habitat created pursuant to the Revegetation Plan must be placed within an open space



easement dedicated to the County of San Diego prior to or immediately following the approval of the Revegetation Plan.

7. Prior to approval of grading and/or improvement plans, and prior to approval of the Final Map, enter into a Secured Agreement with the County of San Diego Department of Planning and Land Use consisting of a letter of credit, bond, or cash for 100 percent of the estimated costs associated with the implementation of the Revegetation Plan and a 10 percent cash deposit not to exceed \$30,000. A cost estimate based on a 3% annual inflation rate shall be submitted and approved by the Director of Planning and Land Use which includes the cost of the plant stock and its installation, irrigation system and installation, cost of monitoring and maintenance of the revegetation area for the required five year period, and report preparation and staff time to review. This agreement is intended to guarantee commitment to project completion and success. The monitoring time and the length of time the Secured Agreement and cash deposit will be in effect starts at the time the installation is accepted by a County staff representative. The Secured Agreement and cash deposit shall be released upon completion of the Revegetation Plan implementation provided the installed vegetation is in a healthy condition and meets the 80 percent success criteria. Eighty- percent success rate shall be considered satisfactory completion of the Revegetation Plan. Because the Revegetation Plan focuses on creating Arroyo Toad habitat, the restoration area shall be maintained as sparsely vegetated to prevent the build-up of fuels and a closed vegetative cover. This is essential for the creation of optimal Arroyo Toad aestivation and foraging habitat.
8. Prior to approval of grading or improvement plans, and prior to approval of the Final Map, the applicant shall submit to and receive approval from the Director of the Department of Planning and Land Use and United States Fish and Wildlife Service, a Resource Management Plan (RMP). The RMP shall be for the perpetual management of Lot 17. The RMP shall be consistent with the conceptual/draft RMP/HMP dated **September 2009** (Attachment B of Vincent N. Scheidt Biological Resources Report) on file with the Department of Planning and Land Use as Environmental Review Number 07-03-002. The plan shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Requirement Guidelines.

#### **C. CULTURAL**

**APPROVAL OF MAP:** The conditions shall be complied with before a Tentative Map is approved by the Board of Supervisors and filed with the County Recorder of San Diego County (and, where specifically, indicated, shall also be complied with prior to approval of any plans, and issuance of any grading or other permits as specified):

1. **ARCHAEOLOGICAL GRADING MONITORING: [DPLU, PCC] [DPW, ESU] [GP, IP, UO] [DPLU, FEE X 2] Intent:** In order to mitigate for potential impacts to undiscovered buried archaeological resources on the project site, a grading



monitoring program and potential data recovery program shall be implemented pursuant to the County of San Diego Guidelines for Determining Significance for Cultural Resources and CEQA Section 15064.5 and 15064.7. **Description of Requirement:** A County approved Principal Investigator (PI) known as the "Project Archaeologist," shall be contracted to perform cultural resource grading monitoring and a potential data recovery program during all grading, clearing, grubbing, trenching, and construction activities. The following shall be completed:

- a. The County approved 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, and this permit. The contract provided to the County shall include an agreement that the grading monitoring will be completed, and a Memorandum of Understanding (MOU) between the County approved Archaeologist and the County of San Diego shall be executed. The contract shall include a cost estimate for the monitoring work and reporting.
- b. The Project Archeologist shall provide Evidence that a Qualified Native American of the appropriate tribal affiliation has also been contracted to perform Native American Grading Monitoring for the project.
- c. The cost of the monitoring shall be added to the grading bonds that will be posted with the Department of Public Works, or bond separately with the Department of Planning and Land Use.

**Documentation:** The applicant shall provide a copy of the Grading Monitoring Contract, cost estimate, and MOU to the [DPLU, PCC]. Additionally, the cost amount of the monitoring work shall be added to the grading bond cost estimate.

**Timing:** Prior to the approval of the map and prior to the approval of any plan and issuance of any permit, the contract shall be provided. **Monitoring:** The [DPLU, PCC] shall review the contract, MOU and cost estimate or separate bonds for compliance with this condition. The cost estimate should be forwarded to [DPW, LDR], for inclusion in the grading bond cost estimate, and grading bonds. The [DPW, PC] shall add the cost of the monitoring to the grading bond costs, and the grading monitoring requirement shall be made a condition of the issuance of the grading or construction permit.

2. **ARCHAEOLOGICAL MONITORING: [DPW, PDCI] [DPLU, PCC] [PC] [DPLU, FEE X2] Intent:** In order to comply with Mitigation Monitoring and Reporting Program pursuant to TM 5545, a Cultural Resource Grading Monitoring Program shall be implemented. **Description of Requirement:** The County approved 'Project Archaeologist,' Native American Monitor, and the DPLU Permit Compliance Coordinator (PCC), shall attend the pre-construction meeting with



the contractors to explain and coordinate the requirements of the grading monitoring program. The Project Archaeologist (and Native American Monitor, if contracted) shall monitor original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements. The grading monitoring program shall comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Archeological and Historic Resources. **Documentation:** The applicant shall have the contracted Project Archeologist and Native American attend the preconstruction meeting to explain the monitoring requirements. Timing: Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be completed. **Monitoring:** The [DPW, PDCI] shall invite the [DPLU, PCC] to the preconstruction conference to coordinate the Cultural Resource Monitoring requirements of this condition. The [DPLU, PCC] shall attend the preconstruction conference and confirm the attendance of the approved Project Archeologist.

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

3. **ARCHAEOLOGICAL MONITORING: [DPW, PDCI] [DPLU, PCC] [DPLU, FEE X2] Intent:** In order to comply with Mitigation Monitoring and Reporting Program pursuant to TM 5545, and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Archeological and Historic Resources, Cultural Resource Grading Monitoring Program shall be implemented. **Description of Requirement:** The Project Archaeologist (and Native American Monitor, if contracted) shall monitor original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements. The grading monitoring program shall comply with the following requirements during grading:
  - a. "During the original cutting of previously undisturbed deposits, the Project Archaeologist and Native American Monitor shall be onsite as determined necessary by the Project Archaeologist. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined by the Project Archaeologist in consultation with the Native American Monitor. Monitoring of cutting of previously disturbed deposits will be determined by the Project Archaeologist."
  - b. "In the event that previously unidentified potentially significant cultural resources are discovered, the Project Archaeologist shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources. At the time of discovery, the Project Archaeologist shall contact the DPLU Staff Archaeologist. The Project Archaeologist, in consultation with the Staff Archaeologist, shall determine the significance of the discovered resources. Construction activities will be allowed to resume in the affected area only after the Staff Archaeologist has



concluded with the evaluation. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the Project Archaeologist and approved by the Staff Archaeologist, then carried out using professional archaeological methods."

- c. "If any human bones are discovered, the Project Archaeologist shall contact the County Coroner. If the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted by the Project Archaeologist in order to determine proper treatment and disposition of the remains."
- d. "The Project Archaeologist shall submit monthly status reports to the Director of Planning and Land Use starting from the date of the Notice to Proceed to termination of implementation of the grading monitoring program. The reports shall briefly summarize all activities during the period and the status of progress on overall plan implementation. Upon completion of the implementation phase, a final report shall be submitted describing the plan compliance procedures and site conditions before and after construction."

**Documentation:** The applicant shall implement the grading monitoring program pursuant to this condition. **Timing:** The following actions shall occur throughout the duration of the grading construction. **Monitoring:** The [DPW, PDCI] shall make sure that the Project Archeologist is on-site performing the Monitoring duties of this condition. The [DPW, PDCI] shall contact the [DPLU, PCC] if the Project Archeologist or applicant fails to comply with this condition.

3. **ARCHAEOLOGICAL MONITORING: [DPLU, PCC] [RG, BP] [DPLU, FEE].**

**Intent:** In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) pursuant to TM 5545, and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Archaeological Resources, a Grading Monitoring Program shall be implemented.

**Description of Requirement:** The Project Archaeologist shall prepare one of the following letters upon completion of the grading activities that require monitoring:

- a. If **no archaeological resources** are encountered during grading, then the Project Archaeologist shall submit a final Negative letter report substantiating the grading activities did not affect any archaeological resources. The report shall conform to the County of San Diego Report Format Guidelines for Archaeological Resources. Monitoring logs showing the date and time that the monitor was on site.
- b. If archaeological **resources were encountered** during grading, the Project Archaeologist shall provide a letter 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 [DPLU, 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 letter report shall be completed. **Monitoring:** The [DPLU, PCC] 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).*

**4. ARCHAEOLOGICAL MONITORING: [DPLU, PCC] [RG, BP] [DPLU, FEE].**

**Intent:** In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) pursuant to TM 5545, and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Archaeological Resources, a Grading Monitoring Program shall be implemented.

**Description of Requirement:** The Project Archaeologist shall prepare a final report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program if cultural resources were encountered during grading. The report shall include the following:

- a. Department of Parks and Recreation Primary and Archaeological Site forms.
- b. Evidence that all cultural resources collected during the grading monitoring program have been submitted to a San Diego curation facility that meets federal standards per 36 CFR Part 79, and, therefore, would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records, including title, shall be transferred to the San Diego curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that archaeological materials have been received and that all fees have been paid.
- c. If no cultural resources were discovered, a brief letter to that effect and stating that the grading monitoring activities have been completed, shall be sent to the Director of Planning and Land Use by the Project Archaeologist.

**Documentation:** The applicant shall submit the letter report to the [DPLU, PCC] for review and approval. **Timing:** Prior to the occupancy of any structure and prior to Final Grading Release (Grading Ordinance Sec. 87.421.a.3), the final report shall be completed. **Monitoring:** The [DPLU, PCC] shall review the final



report for compliance with the project MMRP, and inform [DPW, PDCI] that the requirement is completed.

**D**     **FIRE**

1. Prior to approval of the Final Map, the applicant shall provide evidence to the DPLU Director that flashing beacons have been installed (e.g. flashing amber lights activated for emergency responses), to the east and west of the CALFIRE Rincon Fire Station OR provide evidence that CALTRANS will not permit warning lights within their right-of-way. The SR-76 eastbound warning light shall be located in the vicinity of 500 feet to 1000 feet west of the station and the westbound warning light system shall be in the vicinity of 500 ft east of the station.
2. Prior to approval of grading and/or improvement plans, and prior to approval of the Final Map, the applicant shall provide evidence to the DPLU Director that emergency traffic control-activating strobe light sensors have been installed at the main Pauma Valley Rd Gate and the North Pauma Valley Rd secondary gate.
3. Prior to approval of the Final Map, the applicant shall provide a letter of commitment to the DPLU Director that they will participate in the formation of a Community Facilities District or similar funding mechanism for fire services staffing in perpetuity, if such a mechanism is established by the fire authority having jurisdiction prior to Final Map approval.

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

1. The Tentative Map is consistent with all elements of the San Diego County General Plan and with the (5) Residential and a (24) Impact Sensitive Land Use Designation of the Pala Pauma Community Plan because it proposes a residential use type at a density of 4.3 dwelling units per acre and an open space lot and complies with the provisions of the State Subdivision Map Act and the Subdivision Ordinance of the San Diego County Code;
2. The Tentative Map is consistent with The Zoning Ordinance because it proposes a residential use type with a minimum net lot size of 10,000 square feet in the RS4 Use Regulation and an open space lot in the A70 zone;
3. The design and improvements of the proposed subdivision are consistent with all elements of the San Diego County General Plan and with the Pala Pauma Community Plan, and comply with the provisions of the State Subdivision Act and the Subdivision Ordinance of the San Diego County Code;



4. The site is physically suitable for the residential type of development because the site is generally flat and minimal grading is needed to provide appropriately sized residential pads which do require setback variances or impact sensitive resources;
5. The site is physically suitable for the proposed density of development because all required services and utilities are available to serve the project;
6. The design of the subdivision and the type of improvements will not cause public health problems because adequate water supply and sewage disposal services have been found to be available or can be provided concurrent with need;
7. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat based upon the findings of a Negative Declaration dated November 12, 2009;
8. The design of the subdivision or the type of improvements do not conflict with easements, acquired by the public at large, for access through, or use of property within the proposed subdivision, as defined under Section 66474 of the Government Code, State of California; and  
  
The division and development of the property in the manner set forth on the approved Tentative Map will not unreasonably interfere with the free and complete exercise of the public entity or public utility right-of-way or easement;
9. The discharge of sewage waste from the subdivision into the Pauma Valley Community Services District sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the Water Code, as specified by Government Code Section 66474.6;
10. Because adequate facilities and services have been assured and adequate environmental review and documentation have been prepared, the regional housing opportunities afforded by the subdivision outweigh the impacts upon the public service needs of County residents and fiscal and environmental resources; and
11. It is hereby found that the use or development proposed by the application is consistent with the provisions of the Resource Protection Ordinance;
12. It is hereby found that the project proposed by the application has prepared plans and documentation demonstrating compliance with the provisions of the County of San Diego Watershed Protection Ordinance, Stormwater Management and Discharge Control Ordinance;



13. Find that the Planning Commission has reviewed and accepted information contained in the Mitigated Negative Declaration dated November 12, 2009 on file with DPLU as environmental review number 07-03002 prior to making its recommendation;

**County Subdivision Ordinance design requirements:**

N/A.

**County Zoning Ordinance design requirements:**

N/A

**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:

A1, B1, B2, B3, B4, B5, B6, B7, B8, B9, B10, C1, C2, C3, C4, C5, D1, D2, D3

**MAP PROCESSING REQUIREMENTS:** The parcel map shall comply with the following processing requirements pursuant to the Sections 81.801 through 81.811 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 81.506 of the Subdivision Ordinance.
- ☐ Prior to the approval of the Final Map by the Department of Public Works, the subdivider shall provide the Department of Public Works with a copy of the deed by which the subject property was acquired and a Final Map report from a qualified title insurance company.
- ☐ The following notes shall appear on the Final Map:
  - ☐ All parcels within this subdivision have a minimum of 100 square feet of solar access for each future dwelling unit allowed by this subdivision as required by Section 81.401(m) of the Subdivision Ordinance.
  - ☐ At the time of recordation of the Final Map, the name of the person authorizing the map and whose name appears on the SURVEYOR'S CERTIFICATE as the person who requested the map, shall be the name of the owner of the subject property.
  - ☐ The public and private easement roads serving this project shall be named. The responsible party shall contact the Street Address Section of the Department of Planning and Land Use (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.
- ☐ The Zoning regulations require that parcels 1 through 16 shall contain a minimum net area of 10,000 square feet and parcel 17 shall contain a minimum net area of 4-acres. The (5) Residential Designation of the Pala Pauma Community Plan for parcels 1 through 16 shall contain a minimum gross area of



4.3 dwelling units per acre and the (24) Impact Sensitive Designation for parcel 17 shall contain a minimum gross area of 4-acres. If, as a result of survey calculations, required easements, or for any other reason, the area of any parcel shown on this Tentative Map is determined by the Department of Public Works to be below the zoning minimum, it becomes the responsibility of the subdivider to meet zoning requirements by lot redesign, or other applicable technique. The subdivider shall comply with the zoning area requirements in full before the Department of Public Works may file a Parcel Map with the County Recorder.

- ☐ The Director of Public Works will assign a road survey number to the off-site public roads being created. If the off-site road is not shown on the Final Map, the developer shall file with the County Recorder a Record of Survey after approval of the Director of Public Works showing the centerline Monumentation set with ties to adjacent property.

**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:

**LIGHTING ORDINANCE COMPLIANCE:** In order to comply with the County Lighting Ordinance 59.101 et. al. 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. al. and Zoning Ordinance Sections 6322, and 6324. The property owner and permittee shall conform to the approved plot plan(s), specific permit conditions, and approved building plans associated with this permit as they pertain to lighting. No additional lighting is permitted. If the permittee or property owner chooses to change the site design in any way, they must obtain approval from the County for a Minor Deviation or a Modification pursuant to the County of San Diego Zoning Ordinance.

**NOISE ORDINANCE COMPLIANCE:** In order to comply with the County Noise Ordinance 36.401 et. al. and the Noise Standards pursuant to the General Plan Noise Element (Policy 4.b), 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 loudspeaker or sound amplification system shall be used to produce sounds in violation of the County Noise Ordinance. The property owner and permittee shall conform to the approved plot plan(s), specific permit conditions, and approved building plans associated with this permit as they pertain to noise generating devices or activities. If the permittee or property owner chooses to change the site design in any way, they must obtain approval from the County for a Minor Deviation or a Modification pursuant to the County of San Diego Zoning Ordinance.



**COMPLIANCE INSPECTION:** In order to comply with Zoning Ordinance Section 7362.e the County shall inspect the Use Permit property for compliance with the terms of this Use Permit. The County Permit Compliance Officer will perform a site inspection and review the on-going conditions associated with this permit. The inspection shall be scheduled no later than the six months subsequent to establishing the intended use of the permit. If the County determines the applicant is not complying with the Major Use Permit terms and conditions the applicant shall allow the County to conduct follow up inspections more frequently than once every twelve months until the County determines the applicant is in compliance. The Property Owner/Permittee shall allow the County to inspect the property for which the Major Use Permit has been granted, at least once every twelve months, to determine if the Property Owner/Permittee is complying with all terms and conditions of the Use Permit. This requirement shall apply during the term of this permit. LUEG Condition of Approval Manual May 7, 2009 Page 209 of 214

**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. 9926 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 date , all requirements for Low Impact Development (LID), materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas 1 acre or greater require that the property owner keep additional and updated information onsite concerning stormwater runoff. The property owner and permittee shall comply with the requirements of the stormwater regulations referenced above.

**LOW IMPACT DEVELOPMENT NOTICE:** Low Impact Development (LID) requirements apply to all priority projects as of March 25, 2008. These requirements can be found at the following link beginning on Page 32, Section 67.812, of the Municipal Stormwater Permit: <http://www.sdcounty.ca.gov/cob/ordinances/ord9926.doc>. The draft LID Handbook is a source for LID information and is to be utilized by County staff and outside consultants for implementing LID in our region. The handbook gives an overview of LID. Section 2.2 reviews County DPW planning strategies as they relate to requirements from the Municipal Permit. The Fact Sheets in the Appendix may be useful for information on all of the engineered techniques. Additional information can be found in the extensive Literature Index. You can access the Handbook at the following DPLU web address: <http://www.co.san-diego.ca.us/dplu/docs/LID-Handbook.pdf>

**LOW IMPACT DEVELOPMENT NOTICE:** On January 24, 2007, the San Diego Regional Water Quality Control Board (SDRWQCB) issued a new Municipal Stormwater Permit under the National Pollutant Discharge Elimination System (NPDES). The requirements of the Municipal Permit must be implemented beginning March 25, 2008. The Low Impact Development (LID) Best Management Practices



(BMP) Requirements of the Municipal Permit can be found at the following link beginning on Page 32, Section 67.812, of the Municipal Stormwater Permit: <http://www.sdcounty.ca.gov/cob/ordinances/ord9926.doc>. All priority projects must minimize directly connected impervious areas and promote biofiltration. Section 67.812 includes the minimal site design requirements that project applicants must address and implement. These can be summarized into the following four requirements: Disconnect impervious surfaces, Design impervious surfaces to drain into properly designed pervious areas, Use pervious surfaces wherever appropriate, Implement site design BMPs. The applicant / engineer must determine the applicability and feasibility of each requirement for the proposed LUEG Condition of Approval Manual May 7, 2009 Page 210 of 214

project and include them in the project design, unless it can be adequately demonstrated which (if any) of the requirements do not apply.

**PLAN ORDINANCE COMPLIANCE:** All improvement plans and grading plans shall be in conformance with the following:

1. Section 51.511 of Ordinance No. 7113 pertaining to the current San Diego County Standards specified in Section 81.102.15 "San Diego County Standards" of the Subdivision Ordinance
2. Section 5.11 "Drainage Improvements" of Ordinance No. 9062 "Public Road Standards"
3. Sections 811.201 through 811.602 of Ordinance No. 8334 pertaining to Flood Hazards
4. Sections 88.100 through 88.500 of Ordinance No. 3172 (amendments by Ordinances No. 5147, 5150, 5406, 5521, 5827, 6051, 7141, 7801, 7986) pertaining to Drainage and Watercourses
5. Sections 87.101 through 87.717 of Ordinance 2925 (amendments by Ordinances No. 3281, through 8691) pertaining to Excavation and Grading

**GRADING PERMIT REQUIRED:** A grading permit is required prior to commencement of grading when quantities exceed 200 cubic yards of excavation or eight feet (5') of cut/fill per criteria of Section 87.201 of the County Code.

**ENCROACHMENT PERMIT REQUIRED:** A Construction Permit and/or Encroachment Permit for any and all work within the County road right-of-way. Contact DPW Construction/Road right-of-way Permits Services Section, (858) 694-3275, to coordinate departmental requirements. In addition, before trimming, removing or planting trees or shrubs in the County Road right-of-way, the applicant must first obtain a permit to remove plant or trim shrubs or trees from the Permit Services Section.



**ENCROACHMENT PERMIT REQUIRED:** An Encroachment Permit from the Department of Public Works for any and all proposed/existing facilities within the County right-of-way. (CE Route # ) is shown as a Road on the Circulation Element of the County General Plan. At the time of construction of future road improvements, the proposed facilities shall be relocated at no cost to the County, to the satisfaction of the Director of Public Works. LUEG Condition of Approval Manual May 7, 2009 Page 211 of 214

**EXCAVATION PERMIT REQUIRED:** Obtain an excavation permit from the County Department of Public Works for undergrounding and/or relocation of utilities within the County right-of-way.

**TRANSPORTATION IMPACT FEE:** The project is subject to County of San Diego Transportation Impact Fee (TIF) pursuant to County TIF Ordinance number 77.201 – 77.219. The Transportation Impact Fee (TIF) shall be paid. The fee is required for the entire project, or it can be paid at building permit issuance for each phase of the project. The fee is calculated pursuant to the ordinance at the time of building permit issuance. The applicant shall pay the TIF at the [DPW, Land Development Counter] and provide a copy of the receipt to the [DPLU, Building Division Technician] at time of permit issuance.

## **II. FEDERAL AND STATE LAW COMPLIANCE:**

**NOTICE:** This subject property is known to contain 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 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.

## **III. FISH AND GAME FEE NOTICES:**

**NOTICE:** - Fish and Game Fees have been paid for the review of the Negative Declaration, in the amount of \$1,993.00 per Receipt number 377914 dated November 3, 2009 and in the amount of \$17.25 per Receipt number 399007 dated April 28, 2010. Total Fish and Game Fees paid is equal to \$2010.25.

## **IV. GENERAL COUNTY PERMIT NOTICES:**



**NOTICE:** The 90 day period in which the applicant may file a protest of the fees, dedications or exactions begins on April 30, 2010.

**NOTICE:** The project will be required to pay the Department of Planning and Land Use Mitigation Monitoring and Condition Review Fee. The fee will be collected at the time of the first submittal for Condition Satisfaction to DPLU, including Mitigation Monitoring requests. The amount of the fee will be determined by the current Fee Ordinance requirement at the time of the first submittal and is based on the number of DPLU conditions that need to be satisfied. The fee amount will only be paid one time for those conditions that are indicated with the **[DPLU, FEE]** designator. The fee will not apply to subsequent project approvals that require a separate submittal fee such as, Revegetation and Landscape Plans, Resource (Habitat) Management Plans, Habitat Loss Permits, Administrative Permits, Site Plans, and any other discretionary permit applications.

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

| EXPLANATION OF COUNTY DEPARTMENT AND DIVISION ACRONYMS |             |                                                              |                 |
|--------------------------------------------------------|-------------|--------------------------------------------------------------|-----------------|
| Department of Planning and Land Use                    | <u>DPLU</u> | Department of Public Works                                   | <u>DPW</u>      |
| 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          | Private Development Construction Inspection                  | PDCI            |
| Landscape Architect                                    | LA          | Environmental Services Unit Division                         | ESU             |
| Zoning Counter                                         | ZO          |                                                              |                 |
| Department of Environmental Health                     | <u>DEH</u>  | Department of Parks and Recreation                           | <u>DPR</u>      |
| Land and Water Quality Division                        | LWQ         | Trails Coordinator<br>Group Program Manager<br>Parks Planner | TC<br>GPM<br>PP |
| Vector Control                                         | VCT         | Department of General Service                                | <u>DGS</u>      |
| Local Enforcement Agency                               | LEA         | Real Property Division                                       | RP              |
| Hazmat Division                                        | HMD         |                                                              |                 |



TM 5545

- 28 -

April 30, 2010

**APPEAL PROCEDURE:** Within ten days after adoption of this Resolution, these findings and conditions may be appealed in accordance with Section 81.307 of the Subdivision Ordinance and as provided in Section 66452.5 of the Government Code. An appeal shall be filed with the appellant body and/or the Board of Supervisors within TEN CALENDAR DAYS of the date of this Resolution AND MUST BE ACCOMPANIED BY THE DEPOSIT OR FEE AS PRESCRIBED IN THE DEPARTMENT'S FEE SCHEDULE, DPLU FORM #369, pursuant to Section 362 of the San Diego County Administrative Code. If the tenth day falls on a weekend or County holiday, an appeal will be accepted until 4:00 p.m. on the following day the County is open for business. No Final Map shall be approved, no grading permit issues, and no building permits for model homes or other temporary uses as permitted by Section 6116 of the Zoning Ordinance shall be issued pursuant to said Tentative Map until after the expiration of the 10th day following adoption of this Resolution, or if an appeal is taken, until the appeal board has sustained the determination of this advisory body. Furthermore, the 90-day period in which the applicant may file a protest of the fees, dedications or exactions begins on the date of adoption of this Resolution.

ON MOTION of Commissioner Day, seconded by Commissioner Reiss, this Resolution is passed and approved by the Planning Commission of the County of San Diego, State of California, at a regular meeting held on this 30th day of April 2010, in the Department of Planning and Land Use Hearing Room, 5201 Ruffin Road, Suite B, San Diego, California, by the following vote:

AYES: Commissioner Beck, Commissioner Brooks, Commissioner Day, Commissioner Norby, Commissioner Pallinger, Commissioner Reiss, Commissioner Woods

NOES: *None*

ABSENT: *None*

DPL/WP 001-TM (06/29/09)

cc: Susan Turnbull, 825 Leah Lane, Escondido, CA 92029  
Larry Paxton, 934 S. Andreasen Drive Suite I, Escondido, CA 92029  
Tenant, 32979 Temet Drive, Pauma Valley, CA 92061  
Jarrett Ramaiya, Planning Manager, DPLU, M.S. 0650  
Richard Grunow, Planning Manager, DPLU, M.S. 0650  
Pala Pauma Community Sponsor Group  
File

email cc:  
Rick Lantis, DPW Team Leader  
Greg Carlton, DPW Staff



TM 5545

- 29 -

April 30, 2010

Ralph Steinhoff, County Fire Marshall  
James Pine, County Fire Services Division  
Nick Ortiz, DPW Traffic Specialist  
Everett Hauser, DPW Traffic Specialist  
Diane Buell, DPLU Cultural Specialist  
Emmet Aquino, DPLU Noise Specialist  
Lisa Robles, Case Closure