



# County of San Diego

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**VINCE NICOLETTI**  
ASSISTANT DIRECTOR

May 29, 2024

**PERMITTEE:** OTAY MAJESTIC  
**SITE PLAN No.:** PDS2023-STP-23-007  
**PROPERTY:** 0 OTAY MESA ROAD, EAST OTAY MESA  
**APN(S):** 646-310-17, 646-080-26 thru 29, 646-080-31 thru 33 and  
646-240-30

## FORM OF DECISION

This Site Plan for Otay Majestic consists of plot plans, floor plans, elevations, architectural plans described and illustrated in the Improvement Plans, dated February 19, 2024. A Master Landscape Plan shall be prepared for entire project in accordance with the Specific Plan Amendment, Site Plan, and supporting attachments.

This permit authorizes: Otay Majestic to construct of up to 2,850,000 square feet of industrial manufacturing buildings (Parcels 1 to 12) and roadways spread out over five phases. The Project would include approximately 51.3 acres of permanently conserved biological open space at the northeastern corner of the site (Parcel D) northeast of Lone Star Road, and a combination of permanently conserved open space and manufactured slope on 13.1 acres (Parcels A, B, and C) southwest of the future intersection of Lone Star Road and Zinser Road. The Project is located on an approximately 253-acre stie within the East Otay Mesa Business Park Specific Plan and within the Otay Regional Plan Area.

Approval of this site plan also approves the Preliminary Grading Plan and Utility Plans dated December 8, 2023, consisting of 11 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 Utility 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 \(Sec 87.701 et. al.\)](#)

The lots created by the Vesting Tentative Map will require additional discretionary permits to be developed in accordance with the Specific Plan and pursuant to Sections 5750-5799 of the Zoning Ordinance.

This Site Plan has been reviewed and approved. The Otay Majestic site has an existing “G” Designator Special Area Regulation for open space preservation. The Specific Plan Amendment PDS2023-SPA-23-007 and a Vesting Tentative Map PDS2023-VTM-5651 processed concurrently with the subject Site Plan, PDS2022-STP-22-001.

**SITE PLAN EFFECTIVE DATE AND EXPIRATION:** This Site Plan shall become effective upon the effective date of expire concurrently with Vesting Tentative Map, PDS2023-VTM-5651, as described in the conditions for the Vesting Tentative Map. This Site Plan shall expire concurrently with the Vesting Tentative Map or one year following the recordation of the last Final Map except where construction and/or use of the property in reliance on this permit has commenced. Recordation of each Final Map pursuant to Vesting Tentative Map, PDS2023-VTM-5651 and completion of all required improvements and satisfaction of all conditions 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.

This Form of Decision to grant this Site Plan (PDS2023-STP-23-007) is based upon an accompanying legislative action for the Specific Plan Amendment PDS2022-SPA-22-001 shall be approved prior to the Site Plan becoming effective.

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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 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:

**PRIOR TO APPROVAL OF THE FINAL MAP FOR ALL UNITS (PHASES) THE FOLLOWING CONDITIONS SHALL BE COMPLETED TO THE SATISFACTION OF DIRECTOR OF PLANNING & DEVELOPMENT SERVICES (PDS) AND PUBLIC WORK (DPW).**

**PRIOR TO APPROVAL OF ALL MAPS FOR ALL UNITS/PHASES**

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

***PRIOR TO THE RECORDATION OF THE FINAL MAP FOR UNITS 2, 3, 4, OR 5; THE FOLLOWING CONDITIONS FOR UNIT 1 SHALL BE COMPLETED TO THE SATISFACTION OF DIRECTOR OF PDS AND DPW.***

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

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

- a. **Otay Mesa Road**, on the project side, from Sunroad Boulevard easterly to Vann Centre Boulevard in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for Prime Arterial Road with bike lane to a minimum one-half graded

width of sixty-seven (67') to seventy-nine feet (79') at turn pocket with fifty-seven feet (57') to sixty-nine feet (69') at turn pocket of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and five-foot (5') non-contiguous sidewalk. Face of curb shall be at fifty-seven feet (57') to sixty-nine feet (69') at turn pocket from the ultimate centerline.

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

1. Per the County's Mobility Element, pavement widening will be required at the intersections to accommodate the lane configurations described below:

i. Otay Mesa Road/Sanyo Avenue/Sunroad Boulevard:

- The Project will construct the north leg of the intersection to provide one northbound lane into the site and the following striping at the southbound approach: one dedicated left-turn lane, one through lane, and one dedicated right-turn lane with overlap signal phasing.
- The Project will restripe the westbound approach to provide one dedicated left-turn lane and one shared through/right-turn lane.
- The Project will restripe the northbound approach to provide one dedicated left-turn lane and one shared left-turn/through/right-turn lane.
- The Project will restripe the eastbound approach to provide one dedicated left-turn lane, one through lane, and one shared through/right lane.

ii. Otay Mesa Road/ Vann Centre Boulevard:

- The Project will construct the north leg of the intersection to provide one northbound lane into the site and the following striping at the southbound approach: one dedicated right-turn lane with overlap signal phasing and one shared through/left-turn lane.
- The Project will restripe the westbound approach to provide one dedicated left-turn lane and one shared through/right-turn lane.
- The Project will restripe the northbound approach to provide one shared left-turn/through/right-turn lane.
- The Project will restripe the eastbound approach to provide one dedicated left-turn lane, one through lane, and one shared through/right-turn lane.

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

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

- b. **Sunroad Boulevard**, on both sides, from Otay Mesa Road northerly to Future Road in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a General Plan Mobility Element and Specific Plan 4-Lane Road- Collector with bike lane, to a graded width of ninety-six feet (96') with seventy-six feet (76') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and five-foot (5') non-contiguous sidewalk. Face of curb shall be at thirty-eight feet (38') from

centerline on both sides of the street. Provide transition for all widenings, dike tapers, and traffic striping to match existing pavement.

1. **Sunroad Boulevard** on both sides of the ultimate centerline location shall have ultimate improvements in accordance with Public Road Standards to provide for two (2) twelve feet (12') northbound lanes, a six-foot (6') bike lane and a eight-foot (8') shoulder area for northbound traffic to an improved width of thirty-eight feet (38') with asphalt concrete pavement over approved base with an AC berm on both sides of the ultimate centerline location of **Sunroad Boulevard**.
- c. **Vann Centre Boulevard** from Otay Mesa Road northerly to Future Road in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan 4-Lane Road Collector with bike lane, to a one half graded width of forty-eight feet (48') with thirty-eight feet (38') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and five-foot (5') non-contiguous sidewalk. Face of curb shall be at thirty-eight feet (38') from centerline. Provide transition for all widenings, dike tapers, and traffic striping to match existing pavement.
1. **Vann Centre Boulevard** shall have ultimate improvements in accordance with Public Road Standards to provide for two (2) twelve-foot (12') travel lanes, one (1) eight-foot (8') bike lane and one (1) eight-foot (8') shoulder area and a seven foot (7') raised median to an improved width of thirty-eight feet (38') with asphalt concrete pavement over approved base.
  2. If the parking prohibition along the project frontage is recommended and approved by the County Traffic Advisory Committee and Board of Supervisors prior to approval of the final improvement plan processing, the eight-foot (8') shoulder areas will be eliminated.
- d. **Future Road** on both sides, from Sunroad Boulevard easterly to Vann Centre Boulevard in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Specific Plan 4-Lane Road Collector with bike lane, to a graded width of ninety-six feet (96') with seventy-six feet (76') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and five-foot (5') non-contiguous sidewalk. Face of curb shall be at thirty-eight feet (38') from centerline on both sides of the street. Provide transition for all widenings, dike tapers, and traffic striping to match existing pavement.
1. **Future Road** on both sides of the ultimate centerline location shall have ultimate improvements in accordance with Public Road Standards to provide for two (2) twelve feet (12') northbound lanes, a six-foot (6') bike lane and a eight-foot (8') shoulder area for northbound traffic to an improved width of thirty-eight feet (38') with asphalt concrete pavement over approved base with an AC berm on both sides of the ultimate centerline location of **Future Road**.
- e. **Asphalt** concrete surfacing material shall be hand-raked and compacted to form smooth tapered connections along all edges including those edges adjacent to soil. The edges of asphalt concrete shall be hand-raked at 45 degrees or flatter, so as to provide a smooth transition next to existing soil, including those areas scheduled for shoulder backing.

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

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

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

## 2. ROADS#2-ENCROACHMENT PERMIT

**INTENT:** In order to ensure that public road improvements comply with the [County of San Diego Public Road Standards](#), and the [City of San Diego Transportation and Storm Water Design Manuals](#) an encroachment permit(s) shall be obtained and implemented.

**DESCRIPTION OF REQUIREMENT:** A permit shall be obtained from the City of San Diego for the improvements to be made within the City of San Diego right-of-way. A copy of the permit and evidence from the issuing agency that all requirements of the permit have been met shall be submitted to the [PDS, LDR]. **DOCUMENTATION:** The applicant shall obtain the encroachment permit(s) and provide a copy of the permit, proof of payment, and evidence that all the requirements of the permit have been met, to the [PDS, LDR]. The applicant should contact the City of San Diego Development Services at (619) 446-5000 for additional details. **TIMING:** Prior to the approval of any plan, issuance of any County permit, and prior to occupancy or use of the premises in reliance of this permit, the encroachment permit shall be obtained. **MONITORING:** The [PDS, LDR] shall review the permit for compliance with this condition and the applicable improvement plans and implement any conditions of the permit in the County improvement plans.

### 3. ROADS#3–ROAD DEDICATION

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

- a. Dedicate on the Final Map to the County of San Diego an easement for road purposes that provides a minimum one-half right-of-way width of sixty-seven feet (67') to seventy-nine feet (79') at turn pocket from the County/City boundary line for **Otay Mesa Road** from Sunroad Boulevard easterly to Vann Centre Boulevard in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for Prime Arterial Road with bike lane. Additional right-of-way on the project side will be required to accommodate the improvements at the Otay Mesa Road with Harvest Road, Sunroad Boulevard Road, and Vann Centre Road intersections. Dedicate thirty-foot (30') radius corner rounding at Otay Mesa Road intersection with Sunroad Boulevard and Vann Centre Road, plus slope rights and drainage easements.
- b. Dedicate on the Final Map to the County of San Diego an easement for road purposes that provides a minimum right-of-way width of ninety-six feet (96') **Sunroad Boulevard** from Otay Mesa Road to Future Road; along the project frontage in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for Specific Plan 4-Lane Road- Collector with bike lane plus slope rights and drainage easements.
- c. Dedicate on the Final Map to the County of San Diego an easement for road purposes that provides a right-of-way width of ninety-six feet (96') for **Vann Centre Boulevard** from Otay Mesa Road to Future Road in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Specific Plan 4-Lane Road- Collector with bike lane plus slope rights and drainage easements.
- d. Dedicate on the Final Map to the County of San Diego an easement for road purposes that provides a right-of-way width of ninety-six feet (96') for **Future Road** from Sunroad Boulevard to Vann Centre Boulevard in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Specific Plan 4-Lane Road- Collector with bike lane plus slope rights and drainage easements.
- e. If the parking prohibition along the project frontage is recommended and approved by the County Traffic Advisory Committee and Board of Supervisors prior to approval of the final improvement plan processing, the eight-foot (8') shoulder areas will be eliminated from the right-of-way dedication.
- f. The grant of right-of-way shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required and shall be accepted for public use.

**DOCUMENTATION:** The applicant shall dedicate the project side of the easement on the Final Map and show it as Accepted. **TIMING:** Prior to the recordation of the Final Map the on-site dedication for Unit 1, shall be provided for roads with the recordation of the unit the road is within, abuts or provides access to. If any portion of the required improvements or right-of-way dedications are completed by previous unit(s), they will be deemed complete



and will no longer be applicable to this unit. **MONITORING:** The [*PDS, LDR*] shall verify that the dedication is indicated on the Final Map and Accepted by the County.

#### 4. ROADS#4–SIGHT DISTANCE

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

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

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

- e. The engineer or surveyor shall further certify that: "Said lines of sight fall within the existing right-of-way and a clear space easement is not required."

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

## 5. ROADS#5–RELINQUISH ACCESS

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

- a. Relinquish access rights onto **Otay Mesa Road** along the project frontage from Sunroad Boulevard easterly to Vann Centre Boulevard except for the driveway openings as shown on the approved Vesting Tentative Map.
- b. Relinquish access rights onto **Sunroad Boulevard** along the project frontage from Otay Mesa Road northerly to Future Road except for the driveway openings as shown on the approved Vesting Tentative Map.
- c. Relinquish access rights onto **Vann Centre Boulevard** along the project frontage from Otay Mesa Road northerly to Future Road except for the driveway openings as shown on the approved Vesting Tentative Map.
- d. Relinquish access rights onto **Future Road** along the project frontage from Sunroad Boulevard easterly to Vann Centre Boulevard except for the driveway openings as shown on the approved Vesting Tentative Map.
- e. The access relinquishment shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required.

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

**PRIOR TO THE RECORDATION OF THE FINAL MAP FOR UNITS 2, 3, 4, OR 5; THE FOLLOWING CONDITIONS FOR UNIT 2 SHALL BE COMPLETED TO THE SATISFACTION OF DIRECTOR OF PDS AND DPW.**



## 6. ROADS#6–PUBLIC ROAD IMPROVEMENTS

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

a. **Otay Mesa Road**, on the project side, from Harvest Road easterly Sunroad Boulevard in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for Prime Arterial Road with bike lane to a minimum one-half graded width of sixty-seven (67') to seventy-nine feet (79') at turn pocket with fifty-seven feet (57') to sixty-nine feet (69') at turn pocket of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and five-foot (5') non-contiguous sidewalk. Face of curb shall be at fifty-seven feet (57') to sixty-nine feet (69') at turn pocket from the ultimate centerline. The striping of the Otay Mesa Road to its ultimate 6-lane classification will not be required as part of mitigations for this project.

1. Per the County's Mobility Element, pavement widening will be required at the intersections to accommodate the lane configurations described below:
  - i. Otay Mesa Road/Harvest Road:
    - The Project will Install a traffic signal at the intersection.
    - The Project will restripe the eastbound approach to provide one dedicated left-turn lane, one through lane and one shared through/right-turn lane.
    - The Project will restripe the southbound approach to provide one dedicated right-turn lane with overlap phasing and one shared through/left-turn lane.
2. Provide transition for all widenings, dike tapers, and traffic striping to match existing pavement.

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

b. **Harvest Road**, on both sides, from Otay Mesa Road northerly to Future Road in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Specific Plan 4-Lane Road- Collector with bike lane, to a graded width of ninety-seven feet (97) with seventy-nine feet (79') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and five-foot (5') non-contiguous sidewalk. Face of curb shall be at thirty-eight feet (38') from centerline on the east side and thirty-nine feet (39') from centerline on the west side. Provide transition for all widenings, dike tapers, and traffic striping to match existing pavement.

- i. **Harvest Road** on the east side shall have ultimate improvements in accordance with Public Road Standards to provide for two (2) twelve feet (12') northbound lanes, a six-foot (6') bike lane and a eight-foot (8') shoulder area for northbound traffic to an improved width of thirty-eight feet (38') with asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and five-foot (5') non-contiguous sidewalk. Face of curb shall be at thirty-eight feet (38') from centerline on the east side of **Harvest Road**.

- c. Future Road** on both sides, from Harvest Road easterly to Sunroad Boulevard in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Specific Plan 4-Lane Road- Collector with bike lane, to a graded width of ninety-six feet (96') with seventy-six feet (76') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and five-foot (5') non-contiguous sidewalk. Face of curb shall be at thirty-eight feet (38') from centerline on both sides of the street. Provide transition for all widenings, dike tapers, and traffic striping to match existing pavement.
- i. Future Road** on both sides of the ultimate centerline **location** shall have ultimate improvements in accordance with Public Road Standards to provide for two (2) twelve feet (12') through lanes, a six-foot (6') bike lane and a eight-foot (8') shoulder area for traffic in both directions to an improved width of thirty-eight feet (38') with asphalt concrete pavement over approved base Portland cement concrete curb, gutter and five-foot (5') non-contiguous sidewalk. Face of curb shall be at thirty-eight feet (38') from centerline on both sides of **f Future Road**.
- d. Asphalt** concrete surfacing material shall be hand-raked and compacted to form smooth tapered connections along all edges including those edges adjacent to soil. The edges of asphalt concrete shall be hand-raked at 45 degrees or flatter, so as to provide a smooth transition next to existing soil, including those areas scheduled for shoulder backing.

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

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

**TIMING:** Prior to the recordation of the Final Map the plans, agreements, and securities for Unit 2 shall be approved. If any portion of the required improvements or right-of-way dedications are completed by previous unit(s), they will be deemed complete and will no longer be applicable to this unit. **MONITORING:** The [PDS, LDR] shall review the plans for

consistency with the condition and County Standards. Upon approval of the plans [*PDS, LDR*] shall request the required securities and improvement agreements. The securities and improvement agreements shall be approved by the Director of PDS.

#### 7. ROADS#7–ENCROACHMENT PERMIT

**INTENT:** In order to ensure that public road improvements comply with the [County of San Diego Public Road Standards](#), and the [City of San Diego Transportation and Storm Water Design Manuals](#) an encroachment permit(s) shall be obtained and implemented.

**DESCRIPTION OF REQUIREMENT:** A permit shall be obtained from the City of San Diego for the improvements to be made within the City of San Diego right-of-way. A copy of the permit and evidence from the issuing agency that all requirements of the permit have been met shall be submitted to the [*PDS, LDR*]. **DOCUMENTATION:** The applicant shall obtain the encroachment permit(s) and provide a copy of the permit, proof of payment, and evidence that all the requirements of the permit have been met, to the [*PDS, LDR*]. The applicant should contact the City of San Diego Development Services at (619) 446-5000 for additional details. **TIMING:** Prior to the approval of any plan, issuance of any County permit, and prior to occupancy or use of the premises in reliance of this permit, the encroachment permit shall be obtained. **MONITORING:** The [*PDS, LDR*] shall review the permit for compliance with this condition and the applicable improvement plans and implement any conditions of the permit in the County improvement plans.

#### 8. ROADS#8–SIGHT DISTANCE

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

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

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

- c. A registered civil engineer or a licensed land surveyor provides a certified signed statement that: “There is (applicant’s engineer to complete) feet of unobstructed intersectional sight distance in both directions along **Harvest Road** from the proposed roadways and access driveways, along in accordance with the methodology described in Table 5 of the March 2012 County of San Diego Public Road Standards. These sight distances exceed the required intersectional Sight Distance requirements of (applicant’s engineer to complete) as described in Table 5 based on a speed of (applicant’s engineer to complete) which I have verified to be the higher of the prevailing speed or the minimum design speed of the road classification. I have exercised responsible charge for the certification as defined in Section 6703 of the Professional Engineers Act of the California Business and Professions Code.”
- d. A registered civil engineer or a licensed land surveyor provides a certified signed statement that: “There is (applicant’s engineer to complete) feet of unobstructed intersectional sight distance in both directions along **Future Road** from the proposed roadways and access driveways, along in accordance with the methodology described in Table 5 of the March 2012 County of San Diego Public Road Standards. These sight distances exceed the required intersectional Sight Distance requirements of (applicant’s engineer to complete) as described in Table 5 based on a speed of (applicant’s engineer to complete), which I have verified to be the higher of the prevailing speed or the minimum design speed of the road classification. I have exercised responsible charge for the certification as defined in Section 6703 of the Professional Engineers Act of the California Business and Professions Code.”
- e. The engineer or surveyor shall further certify that: “Said lines of sight fall within the existing right-of-way and a clear space easement is not required.”

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

## 9. ROADS#9—ROAD DEDICATION

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

- a. Dedicate on the Final Map to the County of San Diego an easement for road purposes that provides a minimum one-half right-of-way width of sixty-seven feet (67) to seventy-nine feet (79’) at turn pocket from the County/City boundary line for **Otay Mesa Road** from Harvest Road easterly to Sunroad Boulevard in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for Prime Arterial Road with bike lane. Additional right-of-way on the project side will be required to accommodate the improvements at the Otay Mesa Road with Harvest Road, Sunroad Boulevard Road, and Vann Centre Road intersections. Dedicate thirty-foot (30’) radius corner rounding at

Otay Mesa Road intersection with Harvest Road, plus slope rights and drainage easements.

- b. Dedicate on the Final Map to the County of San Diego an easement for road purposes that provides a half right-of-way width of forty-eight feet (48') for **Harvest Road**, from Otay Mesa Road northerly to Future Road, in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Specific Plan four-Lane Road-Local Collector with bike lane; with thirty-foot (30') radius corner rounding at Harvest Road Future Road intersection, plus slope rights and drainage easements.
- c. Dedicate on the Final Map to the County of San Diego an easement for road purposes that provides a right-of-way width of ninety-six feet (96') for **Future Road** from Harvest Road to Sunroad Boulevard in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Specific Plan 4-Lane Road Collector with bike lane plus slope rights and drainage easements.
- d. The grant of right-of-way shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required and shall be accepted for public use.

**DOCUMENTATION:** The applicant shall dedicate the project side of the easement on the Final Map and show it as Accepted. For the offsite portions of the easement, the applicant shall prepare the legal descriptions of the easements, and submit them for preparation with the [DGS, RP], and pay all applicable fees associated with preparation of the documents.

**TIMING:** Prior to the recordation of the Final Map on-site dedication and the off-site granting for Unit 2 shall be provided for roads with the recordation of the unit the road is within, abuts or provides access to. If any portion of the required improvements or right-of-way dedications are completed by previous unit(s), they will be deemed complete and will no longer be applicable to this unit. **MONITORING:** The [PDS, LDR] shall verify that the dedication is indicated on the Final Map and accepted by the County. The [DGS, RP] shall prepare, approve the easement documents for recordation, and forward the recorded copies to [PDS, LDR] for review and approval. The [PDS, LDR] shall review the offsite granting for compliance with this condition.

## 10. ROADS#10–RELINQUISH ACCESS

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

- a. Relinquish access rights onto **Otay Mesa Road** along the project frontage from Harvest Road easterly to Sunroad Boulevard except for the approved driveways as shown on the Vesting Tentative Map.
- b. Relinquish access rights onto **Sunroad Boulevard** along the project frontage from Otay Mesa Road northerly to Future Road except for the approved driveways shown on the Vesting Tentative Map.
- c. Relinquish access rights onto **Harvest Road** along the project frontage from Otay Mesa Road northerly to Future Road except for the approved driveways as shown on the Vesting Tentative Map.



- d. Relinquish access rights onto **Future Road** from Harvest Road easterly to Sunroad Boulevard along the project frontage except for the approved driveways as shown on the Vesting Tentative Map.
- e. The access relinquishment shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required.

**DOCUMENTATION:** The applicant shall prepare the pages of the Final Map and present them for review to [PDS, LDR]. **TIMING:** With the recordation of the Final Map for Unit 2, the access shall be relinquished. **MONITORING:** The [PDS, LDR] shall prepare and process the relinquishment of access with the Final Map.

**PRIOR TO THE RECORDATION OF THE FINAL MAP FOR UNITS 3, 4, OR 5; THE FOLLOWING CONDITIONS FOR UNIT 3, SHALL BE COMPLETED TO THE SATISFACTION OF DIRECTOR OF PDS AND DPW.**

#### **11. ROADS#11—PUBLIC ROAD IMPROVEMENTS**

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

- a. **Sunroad Boulevard**, on both sides, from Future Road northeasterly to Lone Star Road in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Specific Plan 4-Lane Road Collector with bike lane, to a graded width of ninety-six feet (96') with seventy-six feet (76') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and five-foot (5') non-contiguous sidewalk. Face of curb shall be at thirty-eight feet (38') from centerline on both sides of the street. Provide transition for all widenings, dike tapers, and traffic striping to match existing pavement.
- b. **Lone Star Road**, from Sunroad Boulevard southeasterly to the easterly project boundary in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Specific Plan 4.1A Major Road with a raised median and a Class IV Bike Way, to a graded width of ninety-eight feet (98') with seventy-eight feet (78') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and five-foot (5') non-contiguous sidewalk. Face of curb shall be at thirty-nine feet (39') from the centerline on both sides of the street. Face of median shall be at seven feet (7') from centerline on both sides of the street. Provide transition for all widenings, dike tapers, and traffic striping to match existing pavement. Provide transition for all widenings, dike tapers, and traffic striping to match existing pavement. In the interim conditions, both ends of **Lone Star Road** shall terminate with a cul-de-sac graded to a radius of forty-two feet (42') to the satisfaction of Director of PDS and the Fire Department.
- c. **Asphalt** concrete surfacing material shall be hand-raked and compacted to form smooth tapered connections along all edges including those edges adjacent to soil. The edges of asphalt concrete shall be hand-raked at 45 degrees or flatter, so as to provide a smooth transition next to existing soil, including those areas scheduled for shoulder backing.



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

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

**TIMING:** Prior to the recordation of the Final Map the plans, agreements, and securities for Unit 3 shall be approved. If any portion of the required improvements or right-of-way dedications are completed by previous unit(s), they will be deemed complete and will no longer be applicable to this unit. **MONITORING:** The [PDS, LDR] shall review the plans for consistency with the condition and County Standards. Upon approval of the plans [PDS, LDR] shall request the required securities and improvement agreements. The securities and improvement agreements shall be approved by the Director of PDS.

## 12. ROADS#12–SIGHT DISTANCE

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

- a. A registered civil engineer or a licensed land surveyor provides a certified signed statement that: “There is (applicant’s engineer to complete) feet of unobstructed intersectional sight distance along **Sunroad Boulevard** from the proposed road, and driveways 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 (applicant’s engineer to complete) as described in Table 5 based on a speed of (applicant’s engineer to complete), which I have verified to be the higher of the prevailing speed or the minimum design speed of the road classification. I have exercised responsible charge for the certification as defined in Section 6703 of the Professional Engineers Act of the California Business and Professions Code.”

- b. A registered civil engineer or a licensed land surveyor provides a certified signed statement that: “There is (applicant’s engineer to complete) feet of unobstructed intersectional sight distance along **Lone Star Road** from the proposed road, Harvest Road in accordance with the methodology described in Table 5 of the March 2012 County of San Diego Public Road Standards. These sight distances exceed the required intersectional Sight Distance requirements of (applicant’s engineer to complete) as described in Table 5 based on a speed of (applicant’s engineer to complete), which I have verified to be the higher of the prevailing speed or the minimum design speed of the road classification. I have exercised responsible charge for the certification as defined in Section 6703 of the Professional Engineers Act of the California Business and Professions Code.”
- c. The engineer or surveyor shall further certify that: “Said lines of sight fall within the existing right-of-way and a clear space easement is not required.”

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

### 13. ROADS#13–ROAD DEDICATION

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

- a. Dedicate on the Final Map to the County of San Diego an easement for road purposes that provides a minimum right-of-way width of ninety-six feet (96’) **Sunroad Boulevard** from Otay Mesa Road to Future Road; along the project frontage in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for Specific Plan 4-Lane Road Collector with bike lane plus slope rights and drainage easements.
- b. Dedicate on the Final Map to the County of San Diego an easement for road purposes that provides a right-of-way width of ninety-eight feet (98’) for **Lone Star Road**, from Sunroad Boulevard southeasterly towards Vann Centre Boulevard in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Specific Plan 2-Lane Road-Local Collector with bike lane, with thirty-foot (30’) radius corner rounding at the intersection of Lone Star Road and Sunroad Boulevard, plus slope rights and drainage easements.
- c. The grant of right-of-way shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required and shall be accepted for public use.

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

*LDR*] shall verify that the dedication is indicated on the Final Map and Accepted by the County.

#### 14. ROADS#14–RELINQUISH ACCESS

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

- a. Relinquish access rights onto **Sunroad Boulevard** along the project frontage from Future Road to Lone Star Road except for the approved driveways as shown on the Vesting Tentative Map.
- b. Relinquish access rights onto **Lone Star Road** along the project frontage from Sunroad Boulevard southeasterly to Vann Centre Boulevard.
- c. The access relinquishment shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required.

**DOCUMENTATION:** The applicant shall prepare the pages of the Final Map and present them for review to [*PDS, LDR*]. **TIMING:** With the recordation of the Final Map for Unit 3, the access shall be relinquished. **MONITORING:** The [*PDS, LDR*] shall prepare and process the relinquishment of access with the Final Map.

***PRIOR TO THE RECORDATION OF THE FINAL MAP FOR UNITS 4 OR 5; THE FOLLOWING CONDITIONS FOR UNIT 4, SHALL BE COMPLETED TO THE SATISFACTION OF DIRECTOR OF PDS AND DPW.***

#### 15. ROADS#15–PUBLIC ROAD IMPROVEMENTS

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

- a. **Harvest Road** from Future Road to Zinser Road in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan a Specific Plan 4-Lane Road-Collector with bike lane, to a graded width of ninety-six feet (96') with seventy-six feet (76') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and five-foot (5') non-contiguous sidewalk. Face of curb shall be at thirty-eight feet (38') from centerline. Provide transition for all widenings, dike tapers, and traffic striping to match existing pavement.
  1. **Harvest Road** shall have ultimate improvements in accordance with Public Road Standards to provide for four (4) twelve feet (12') travel lanes, two eight-foot (8') bike lane and two eight-foot (8') shoulder area to an improved width of ninety-six feet (96') with asphalt concrete pavement over approved base.
  2. If the parking prohibition along the project frontage is recommended and approved by the County Traffic Advisory Committee and Board of Supervisors prior to

approval of the final improvement plan processing; the eight-foot (8') shoulder areas will be eliminated.

- b. **Zinser Road** on the project side, from westerly project boundary easterly to Harvest Road in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Specific Plan 4-Lane Road-I/C Collector with bike lane to a minimum one-half graded width of forty-four feet (44') with thirty-four feet (34') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and five-foot (5') non-contiguous sidewalk. Face of curb shall be at thirty-four feet (34') from centerline. Provide transition for all widenings, dike tapers, and traffic striping to match existing pavement. In the interim conditions, Zinser Road shall terminate with a cul-de-sac graded to a radius of forty-two feet (42') to the satisfaction of Director of PDS and the Fire Department.
- c. **Zinser Road** on the north side of the centerline, from the westerly project boundary easterly to Harvest in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Specific Plan 2-Lane Road-I/C Collector with bike lane to a minimum one-half graded width of forty-four feet (44') with sixteen feet (16') of asphalt concrete pavement over approved base an asphalt concrete berm. Face of berm shall be sixteen feet (16') from centerline. Provide transition for all widenings, dike tapers, and traffic striping to match existing pavement.
- d. **Asphalt** concrete surfacing material shall be hand-raked and compacted to form smooth tapered connections along all edges including those edges adjacent to soil. The edges of asphalt concrete shall be hand-raked at 45 degrees or flatter, so as to provide a smooth transition next to existing soil, including those areas scheduled for shoulder backing.

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

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

**TIMING:** Prior to the recordation of the Final Map the plans, agreements, and securities for Unit 4 shall be approved. If any portion of the required improvements or right-of-way dedications are completed by previous unit(s), they will be deemed complete and will no longer be applicable to this unit. **MONITORING:** The [PDS, LDR] shall review the plans for consistency with the condition and County Standards. Upon approval of the plans [PDS, LDR] shall request the required securities and improvement agreements. The securities and improvement agreements shall be approved by the Director of PDS.

## 16. ROADS#16–SIGHT DISTANCE

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

- a. A registered civil engineer or a licensed land surveyor provides a certified signed statement that: “There is (applicant’s engineer to complete) feet of unobstructed intersectional sight distance in both directions along **Harvest Road** from the proposed roads and driveways 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 (applicant’s engineer to complete) as described in Table 5 based on a speed of (applicant’s engineer to complete) which I have verified to be the higher of the prevailing speed or the minimum design speed of the road classification. I have exercised responsible charge for the certification as defined in Section 6703 of the Professional Engineers Act of the California Business and Professions Code.”
- b. A registered civil engineer or a licensed land surveyor provides a certified signed statement that: “There is (applicant’s engineer to complete) feet of unobstructed intersectional sight distance in westerly direction along **Zinser Road** from the proposed roads and driveways, 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 as described in Table 5 based on a speed of (applicant’s engineer to complete), which I have verified to be the higher of the prevailing speed or the minimum design speed of the road classification. I have exercised responsible charge for the certification as defined in Section 6703 of the Professional Engineers Act of the California Business and Professions Code.”
- c. The engineer or surveyor shall further certify that: “Said lines of sight fall within the existing right-of-way and a clear space easement is not required.”

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



**17. ROADS#17–ROAD DEDICATION**

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

- a. Dedicate on the Final Map to the County of San Diego an easement for road purposes that provides a right-of-way width of ninety-six feet (96') for **Harvest Road** from Future Road to Zinser Road in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Major Road with raised median (4.1A) and bike lane; with thirty-foot (30') radius corner rounding at the intersection of Harvest Road and Zinser Road, plus slope rights and drainage easements.

If the parking prohibition along the project frontage is recommended and approved by the County Traffic Advisory Committee and Board of Supervisors prior to approval of the final improvement plan processing; the eight-foot (8') shoulder areas will be eliminated from the right-of-way dedication.

- b. Dedicate on the Final Map to the County of San Diego an easement for road purposes that provides a full right-of-way width of eighty-eight feet (88') for **Zinser Road**, from westerly project boundary easterly to Harvest Road in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Specific Plan 4-Lane Road-I/C Collector with bike lane; plus, slope rights and drainage easements.
- c. The grant of right-of-way shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required and shall be accepted for public use.

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

**TIMING:** Prior to the recordation of the Final Map the on-site dedication and the offsite granting for Unit 4, shall be provided for roads with the recordation of the unit the road is within, abuts or provides access to. **MONITORING:** The [PDS, LDR] shall verify that the dedication is indicated on the Final Map and Accepted by the County.

**18. ROADS#18–RELINQUISH ACCESS**

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

- a. Relinquish access rights onto **Harvest Road** along the project frontage from Future Road to Zinser Road except for the approved driveways as shown on the Vesting Tentative Map.



- b. Relinquish access rights onto **Zinser Road** along the project frontage from the westerly project boundary to Harvest Road except for the approved driveways as shown on the Vesting Tentative Map.
- c. The access relinquishment shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required.

**DOCUMENTATION:** The applicant shall prepare the pages of the Final Map and present them for review to [PDS, LDR]. **TIMING:** With the recordation of the Final Map for Unit 4, the access shall be relinquished. **MONITORING:** The [PDS, LDR] shall prepare and process the relinquishment of access with the Final Map.

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

**19. ROADS#19–PUBLIC ROAD IMPROVEMENTS**

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

- a. **Zinser Road**, on the project side, from Harvest Road northeasterly to northern project boundary in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan for a Specific Plan 4-Lane Road-I/C Collector with bike lane to a minimum one-half graded width of forty-four feet (44') with thirty-four feet (34') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and five-foot (5') non-contiguous sidewalk. Face of curb shall be at thirty-four feet (34') from centerline. Provide transition for all widenings, dike tapers, and traffic striping to match existing pavement.
  - 1. The improvements and striping will be required to accommodate 2 twelve-foot (12') through lanes, and two five-foot (5') bike lanes within the improved width of 34'.
- b. Asphalt concrete surfacing material shall be hand-raked and compacted to form smooth tapered connections along all edges including those edges adjacent to soil. The edges of asphalt concrete shall be hand-raked at 45 degrees or flatter, so as to provide a smooth transition next to existing soil, including those areas scheduled for shoulder backing.

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

- a. Process and obtain approval of Improvement Plans to improve all the public road segments and intersections as indicated above.

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

**TIMING:** Prior to the recordation of the Final Map, the plans, agreements, and securities for Unit 5 shall be approved. If any portion of the required improvements or right-of-way dedications are completed by previous unit(s), they will be deemed complete and will no longer be applicable to this unit. **MONITORING:** The [PDS, LDR] shall review the plans for consistency with the condition and County Standards. Upon approval of the plans [PDS, LDR] shall request the required securities and improvement agreements. The securities and improvement agreements shall be approved by the Director of PDS.

## 20. ROADS#20–SIGHT DISTANCE

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

- a. A registered civil engineer or a licensed land surveyor provides a certified signed statement that: “There is (applicant’s engineer to complete) feet of unobstructed intersectional sight distance in both directions along **Zinser Road** from the proposed roads and driveways, 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 (applicant’s engineer to complete) as described in Table 5 based on a speed of (applicant’s engineer to complete), which I have verified to be the higher of the prevailing speed or the minimum design speed of the road classification. I have exercised responsible charge for the certification as defined in Section 6703 of the Professional Engineers Act of the California Business and Professions Code.”
- b. The engineer or surveyor shall further certify that: “Said lines of sight fall within the existing right-of-way and a clear space easement is not required.”

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

**21. ROADS#21–ROAD DEDICATION**

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

- a. Dedicate on the Final Map to the County of San Diego an easement for road purposes that provides a right-of-way width of eighty-eight feet (88') for **Zinser Road** in accordance with Public Road Standards and the East Otay Mesa Business Park Specific Plan Specific Plan 4-Lane Road-I/C Collector with bike lane easements.
- b. The grant of right-of-way shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required and shall be accepted for public use.

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

**22. ROADS#22–RELINQUISH ACCESS**

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

- a. Relinquish access rights onto **Zinser Road** along the project frontage from Harvest Road northeasterly to the northern project boundary.
- b. The access relinquishment shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required.

**DOCUMENTATION:** The applicant shall prepare the pages of the Final Map and present them for review to [*PDS, LDR*]. **TIMING:** With the recordation of the Final Map, the access for Unit 5 shall be relinquished. **MONITORING:** The [*PDS, LDR*] shall prepare and process the relinquishment of access with the Final Map.

**23. ROADS#23–FAIR SHARE CONTRIBUTION TO CITY OF SAN DIEGO**

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

1. Otay Mesa Road/La Media Road
2. Airway Road/Sanyo Avenue

### 3. Siempre Via Road/Paseo de las Americas

**DOCUMENTATION:** The applicant shall pay the fair share contribution to City of San Diego and provide proof of payment and a copy of satisfaction letter from City of San Diego to the [PDS, LDR]. **TIMING:** Prior to the recordation of the Final Map, the fair share contribution shall be paid. **MONITORING:** The [PDS, ZONING] shall review the proof of payment and a copy of satisfaction letter from City of San Diego.

## 24. ROADS#24–TRAFFIC CONTROL PLAN

**INTENT:** To mitigate below levels of significance for temporary traffic impacts, a traffic control plan shall be prepared and implemented. **DESCRIPTION OF REQUIREMENT:** Have Registered Civil Engineer or licensed Traffic Control Contractor prepare a Traffic Control Plan (TCP) to the satisfaction of the Director of Department of Public Works (DPW). **DOCUMENTATION:** The applicant shall have the TCP prepared by a Registered Civil Engineer or a licensed Traffic Control Contractor and submit it to [PDS, LDR] for review by [DPW, Traffic]. **TIMING:** Prior to the approval of any encroachment permit-related plan or issuance of any permit, a TCP shall be prepared and approved. **MONITORING:** The [PDS, LDR] shall review the TCP for compliance with this condition.

## 25. ROADS#25–HAUL ROUTE PLAN

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

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

**DOCUMENTATION:** The applicant shall have the HRP prepared by a Registered Civil Engineer or a licensed Traffic Control Contractor and submit it to [PDS, LDR] for review by [DPW, Road Maintenance]. The applicant shall also execute a secured agreement for any

potential damages caused by heavy trucks on the construction route. The agreement and securities shall be approved to the satisfaction of the [DPW, Road Maintenance]. **TIMING:** Prior to the approval of any encroachment permit-related plan or issuance of any permit, a HLP shall be prepared and approved. **MONITORING:** The [PDS, LDR] shall review the HRP for compliance with this condition.

## 26. ROADS#26–PAVEMENT CUT POLICY

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

## 27. ROADS#27–PUBLIC SEWER IMPROVEMENTS

**INTENT:** To promote orderly development by providing public sewer to the lots, and to comply with the [Subdivision Ordinance Sec. 81.703 through Sec. 81.707](#) and the [East Otay Mesa Business Park Specific Plan](#). **DESCRIPTION OF REQUIREMENT:** A sewer system, which is to be public sewer shall be shown within dedicated right-of-way on the Final Map, and the portion of the sewer system which is to be public shall be installed as shown on the approved plans and specifications, to the satisfaction of the San Diego County Sanitation District [SDCSD]. A graded access road to maintain any public sewer constructed within easements shall be required.

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

## 28. DRNG#28–LINES OF INUNDATION

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

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

- a. A Civil Engineer shall provide this information through an analysis performed as part of a drainage study.

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

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

## 29. ROADS#29-LANDSCAPE MAINTENANCE

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

**DESCRIPTION OF REQUIREMENT:** An Encroachment Maintenance and Removal Agreement for all proposed landscaping within the Public Road Right-of-Way shall be executed with the County of San Diego. A copy of the agreement shall be submitted to the [PDS, LDR] in addition to obtaining an Encroachment Permit; **OR** contribute or agree to contribute the project's fair share to a Community Facilities District (CFD), approved by the County, established for the purpose of maintaining the landscape improvements within the Public Road Right-of-Way in addition to an Encroachment Permit to the satisfaction of the [PDS, LDR]. **DOCUMENTATION:** The applicant shall execute an Encroachment Maintenance and Removal Agreement in addition to an Encroachment Permit **OR** provide proof of Payment into the CFD, to the [PDS, LDR] in addition to an Encroachment Permit. **TIMING:** Prior to approval of each Final Map and prior to any plan approval the execution of the Encroachment Maintenance and Removal Agreement for each of the units **OR** payment into the CFD must be made. **MONITORING:** The [PDS, LDR] shall review the Encroachment Maintenance and Removal Agreement **OR** proof of payment into the CFD shall be reviewed for compliance with this condition.

## 30. STRMWTR#1-EROSION CONTROL

**INTENT:** In order to Comply with all applicable stormwater regulations the activities proposed under this application are subject to enforcement under permits from the [San Diego Regional Water Quality Control Board \(RWQCB\)](#) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control [Ordinance No. 10410](#) and all other applicable ordinances and standards for this priority project. **DESCRIPTION OF REQUIREMENT:** The applicant shall maintain the appropriate on-site and offsite Best Management Practices pursuant to the approved Stormwater Quality Management Plan (SWQMP) and Stormwater Protection Plan (SWPP) including, but not limited to the erosion control measures, irrigation systems, slope protection, drainage systems, desilting basins, energy dissipators, and silt control measure.

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



ordinance, will be used for emergency erosion measures. The developer shall submit a letter to PDS authorizing the use of this deposit for emergency measures.

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

**DOCUMENTATION:** The applicant shall provide the letter of agreement and any additional security and/or cash deposit to the [PDS, LDR]. **TIMING:** Prior to approval of any plan and the issuance of any permit, the agreement and securities shall be executed. **MONITORING:** The [PDS, LDR] shall ensure that the agreement and securities provided adequately satisfy the requirements of the conditions to potentially perform the required erosion control and stormwater control measures proposed on all construction and grading plans. [DPW, PDC] 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.

### 31. STRMWTR#2–STORMWATER MAINTENANCE DOCUMENTATION

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

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

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

**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).*

### 32. GEN#1–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 or its designee 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

### 33. GEN#2 - 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 or its designee shall pay off all existing deficit accounts associated with processing this plan/map. **DOCUMENTATION:** The applicant or its designee shall provide evidence to [PDS, Zoning Counter], which shows that all fees and trust account deficits have been paid. No map can be issued if there are deficit accounts. **TIMING:** Prior to the approval of the 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.

### 34. GEN#3—FILING OF NOD

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

### 35. ROADS#30- DEBRIS MANAGEMENT PLAN (DMP)

**INTENT:** In order to comply with the Grading Material Diversion Program, project recycling and diversion is designed to increase diversion of grading, land clearing, and brushing materials from landfills, extend the useful life of local landfills, and support construction and demolition project compliance with State waste diversion requirements. This includes grading, clearing and brushing material for grading projects over 5,000 cubic yards. For additional questions, please call (858) 694-2463 or email [CDRecycling@sdcounty.ca.gov](mailto:CDRecycling@sdcounty.ca.gov), **DESCRIPTION OF REQUIREMENT:** To divert (recycle, reuse, repurpose) 100% of excavated soils, trees, stumps, rocks, and associated vegetation and soils from the following types of projects: (1) non-residential excavation and grading projects; (2) residential projects that require Major Grading permits. Grading projects greater than 5,000 cubic yards shall prepare a Debris Management Plan (DMP) prior to plan approval. All documentation must be submitted and approved by a DPW Compliance Official. Specific requirements are as follows:

- a. Prior to Grading plan approval, a Debris Management Plan (DMP) is required, consisting of:
  - The type of project.
  - The total cubic yardage for the project.
  - The estimated weight of grading or land clearing debris, by material type, that the project is expected to generate.

- The estimated maximum weight of grading or land clearing debris that can feasibly be diverted via reuse, salvage, or recycling.
  - The estimated weight of grading or land clearing debris that is planned to be disposed of in a landfill.
  - The name of the facility (or facilities) which debris will be exported to.
- b. During grading activities, a Daily Log of all grading, land clearing, and brushing material that is exported or reused/repurposed, must be prepared and retained onsite. The Daily Log must include all export receipts from an inert processing facility, green material processing operation, a C&D processing facility, or other vendor or disposal or transfer station facility that accepted grading material from the approved grading project. If material was reused onsite, other forms of documentation (such as photos) will be accepted in lieu of receipts. Daily logs shall include:
- Identify the project location.
  - Log the date that material was transported off site.
  - Log the type of graded or cleared material.
  - Estimated material weight, tonnage, or cubic yards.
  - Name of entity transporting the material.
  - Name of the receiving facility or exporter, and detailing whether the material was salvaged, recycled, or disposed of in a landfill.
  - Daily log entries shall correspond to receipts by materials transporter or receiving facility. If grading contractor exported materials off-site, receipts shall be compiled within 90 days of the receipts.
  - Daily logs shall include separate entries for each occurrence of materials reused on site.
  - Daily logs and all receipts shall be maintained at the project site and made available to any County Inspector for compliance with this condition.
- c. Exemption:
- Excavated soil and land-clearing debris that is contaminated by disease or pests are not required to be reused on- or off-site, provided that: (i) the County Agricultural Commissioner has made a determination of disease or pest contamination and permittee follows commissioner's direction for recycling or disposal of the material, (ii) the materials are generated in a known pest and/or disease quarantine zone identified by the California Department of Food and Agriculture, or (iii) the materials are otherwise not required to be reused under the CalGreen Code

**DOCUMENTATION:** The applicant shall prepare the Debris Management Plan (DMP) and submit the plan for review and approval by the DPW Recycling Compliance Official. During grading operations, a daily log shall be prepared and kept on-site. For additional questions, please call (858) 694-2463 or email [CDRecycling@sdcountry.ca.gov](mailto:CDRecycling@sdcountry.ca.gov). Templates for all forms required are available at: [https://www.sandiegocounty.gov/content/sdc/dpw/recycling/NewCD\\_Grading.html](https://www.sandiegocounty.gov/content/sdc/dpw/recycling/NewCD_Grading.html).

**TIMING:** Prior to approval for the Grading Plan or issuance of any permit, the Debris Management Plan shall be prepared and submitted to the DPW Recycling Official [DPW CO] for review and approval. **MONITORING:** The [DPW, CO] shall review and approve the DMP

documents for the project. The [DPW, CO], shall forward the approval of the DMP to [PDS, LDR] for compliance with this condition.

### **36. LNDSCP#1–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, the County's Climate Action Plan and the Specific Plan Amendment (PDS2022-SPA-22-001). **DESCRIPTION OF REQUIREMENT:** As part of the Landscape Documentation Package a landscape plan shall be prepared for each phase by a California licensed Landscape Architect, Architect, or Civil Engineer and include the following information:

- a. Indication of the proposed width of any adjacent public right-of-way, and the locations of any required improvements and any proposed plant materials to be installed or planted therein. The applicant or its designee shall obtain a permit from DPW approving the variety, location, and spacing of all trees proposed to be planted within said right(s)-of-way. A copy of this permit and a letter stating that all landscaping within the said right(s)-of-way shall be maintained by the landowner(s) shall be submitted to PDS.
- b. A complete planting plan including the names, sizes, and locations of all plant materials, including trees, shrubs, and groundcover. Wherever appropriate, native or naturalizing plant materials shall be used, which can thrive on natural moisture. Planting shall be selected from plant palettes within the approved East Otay Mesa Business Park Specific Plan.
- c. A complete watering system including the location, size, and type of all backflow prevention devices, pressure, and non-pressure water lines, valves, and sprinkler heads in those areas requiring a permanent, and/or temporary irrigation system.
- d. The watering system configuration shall indicate how water flow, including irrigation runoff, low head drainage, overspray or other similar conditions will not impact adjacent property, non-irrigated areas, structures, walkways, roadways, or other paved areas, including trails and pathways by causing water to flow across, or onto these areas.
- e. Spot elevations of the hardscape, building and proposed fine grading of the installed landscape.
- f. The location and detail of all walls, fences, 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.
- g. No landscaping material or irrigation or other infrastructure shall be located within a proposed trail easement or designated pathway, unless otherwise allowed under the Specific Plan Amendment.
- h. Additionally, the following items, a master landscape plan shall be submitted for review and approval prior to submitting any subsequent landscape plans, or prior to issuance of any grading permits.
- i. The title sheet to the Master Landscape Plan, and all subsequent landscape plan submittals, shall contain the following note, no invasive plant species as included on the most recent version of the California Invasive Plant Council's California Invasive Plant Inventory for the Proposed Project region shall be included, and the plant palette shall be composed of native drought tolerant species that do not require high irrigation rates. The Proposed Project biologist shall periodically check landscape products for compliance with these requirements.

- j. The Master Landscape Plan shall address the use of heat deflecting landscape view walls and show the location of the proposed parking spaces, lots and provide details and specifications.
- k. All landscape plans shall be compliant with Specific Plan Amendment, dated February 19, 2024, or the most currently approved version.
- l. Master Landscape Plans shall be submitted in coordination with applicable construction phasing as identified in the most currently approved version.
- m. The title sheet of all Landscape Documentation Package submittals shall clearly identify all landscape maintenance responsibilities as identified in the Specific Plan Amendment dated February 19, 2024, or the most currently approved version. Provide supporting documentation that shows proof of formation of these entities.
- n. In addition to water conservation measures identified shall be further reduced with the Board of Supervisor's approval of the Climate Action Plan, dated February 14, 2018. Measure W-1.2 (Reduce Outdoor Water Use) requires a 40% reduction from 2014 outdoor water use budgets for all landscapes (residential uses and applicable public facilities). The ETAF value within the MAWA formula shall now be 0.42 for both residential and non-residential applications, and the value for use with a Special Landscape Area is now 0.58. The County's MAWA formula is now:  $(ETo) (0.62) (0.42 \times LA) + (0.58 \times SLA)$ .
- o. Parkway planting shall be consistent with applicable sections within the Specific Plan Amendment, including buffering streets with landscaping. All species and spacing shall be compliant with the Fire Protection Plan and sight line requirements. Sight line requirements, per Section 86.709(c)(9) of the Water Conservation in Landscaping Ordinance shall be complied with for all proposed streetscapes.
- p. Any vegetated structural BMP's associated with the project's Storm Water Quality Management Plan shall be shown on all Landscape Plans prepared in conjunction with the submittal of grading permit applications.
- q. Any proposed trails and pathways shall be shown on the Master Landscape Plan with applicable notes, specifications, and construction details.
- r. Any proposed walls and fences shall be shown on the Landscape Plans with applicable notes, specifications, and construction details.
- s. Tree species shall be selected from the County of San Diego and/or the East Otay Mesa Business Park Specific Plan approved plant palette. All trees shall be irrigated independently of all other landscape plantings and be controlled by a separate valve.

**DOCUMENTATION:** The applicant or its designee shall prepare the Landscape Plans using the [Landscape Documentation Package Checklist](#) (PDS Form #404), submit them to the [PDS, PCC], and pay all applicable review fees. **TIMING:** Prior to the approval of any Final Map and prior to the approval of any plan and issuance of any permit, for each development phase a Master Landscape Plan shall be prepared and approved. **MONITORING:** The [PDS, LA] and [DPR, TC, PP] shall review the Master Landscape Plan and determine if the individual landscape plans are in compliance with this condition.

### 37. CULT#1 - CULTURAL OPEN SPACE EASEMENT

**INTENT:** In order to protect sensitive Cultural Resources CA-SDI-9975, CA-SDI12730, and the portion of CA-SDI-12337 located northeast of Lone Star Road, a Cultural Resource Open Space Easement shall be granted. **DESCRIPTION OF REQUIREMENT:** Grant to the County of San Diego an Environmentally Sensitive Open Space Easement over portions of Lot 20 as shown on the approved Tentative Map. This easement is for the protection of archaeological site CA-SDI-9975, CA-SDI-12730, and a portion of CA-SDI-12337 and



prohibits all of the following on any portion of the land subject to said easement: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than as open space. The sole exceptions to this prohibition are:

- a. Scientific investigations conducted pursuant to a research design prepared by an archeologist certified by the Register of Professional Archaeologists and approved by the Director of PDS.
- b. Implementation of a site-capping plan approved by the Director of PDS, if necessary.
- c. 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.
- d. Activities required to be conducted pursuant to a revegetation, habitat management, or landscaping plan approved by the Director of PDS.
- e. Vegetation removal or application of chemicals for vector control purposes where expressly required by written order of the Department of Environmental Health Quality, in a location and manner approved in writing by the Director of PDS.

**DOCUMENTATION:** \The applicant shall show the easement on the Final map with the appropriate granting language on the title sheet concurrent with the Final Map Review - or - The applicant shall prepare the legal descriptions of the easements, then submit them for preparation and recordation with the *[DGS, RP]*, and pay all applicable fees associated with preparation of the documents. **TIMING:** Prior to the approval of any Final Map for PDS2023-VTM-5651, or on the map, and prior to the approval of any plan and issuance of any permit. **MONITORING:** For recordation on the map, the *[PDS, LDR]* shall route the Final Map to *[PDS, PPD]* for approval prior to map recordation OR for recordation by separate document, the *[DGS, RP]* shall prepare and approve the easement documents and send them to *[PDS, PPD]* and *[DPR GPM]* for preapproval. The *[PDS, PPD]* shall preapprove the language and estimated location of the easements prior to recordation. Upon Recordation of the easements *[DGS, RP]* shall forward a copy of the recorded documents to *[PDS, PPD]* for satisfaction of the condition - OR - if recorded on the map, the *[PDS LDR]* shall satisfy the condition after map recordation.

### 38. STRMWTR#3–EROSION CONTROL

**INTENT:** In order to Comply with all applicable stormwater regulations the activities proposed under this application are subject to enforcement under permits from the [State Construction General Permit, Order No. 2009-00090-DWQ](#), or subsequent order and the [County Watershed Protection Ordinance \(WPO\) No.10410, County Code Section 67.801 et. seq.](#), and all other applicable ordinances and standards for this priority project.

**DESCRIPTION OF REQUIREMENT:** The applicant shall maintain the appropriate on-site and off-site 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\(e\)](#). The cash deposit collected for grading, per the grading ordinance, will be used for emergency erosion measures. The

developer shall submit a letter to [PDS, 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.

### 39. BIO#1–BIOLOGICAL EASEMENT

**INTENT:** In order to protect sensitive biological resources, pursuant to the [Biological Mitigation Ordinance \(BMO\)](#) and [Resource Protection Ordinance \(RPO\)](#), a biological open space easement shall be granted. **DESCRIPTION OF REQUIREMENT:** 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 approved Tentative Map. This easement is for the protection of biological resources and prohibits all of the following on any portion of the land subject to said easement: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than as open space. Granting of this open space authorizes the County and its agents to periodically access the land to perform management and monitoring activities for the purposes of species and habitat conservation. The only exception(s) to this prohibition are:

1. Selective clearing of vegetation by hand to the extent required by written order of the fire authorities for the express purpose of reducing an identified fire hazard. Uses, activities, and placement of structures expressly permitted by the Director of the Department of Planning & Development Services of the County of San Diego, 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.
3. Activities conducted pursuant to a revegetation, habitat management, or landscaping plan approved by the Director of PDs.
4. Vegetation removal or application of chemicals for vector control purposes where expressly required by written order of the Department of Environmental Health Quality of the County of San Diego, in a location and manner approved by the Director of PDS.
5. Continued use and maintenance of the existing dirt road for trail purposes.

6. Construction, use, and maintenance of Lone Star Road, including grading, embankments, slopes, and drainage structures necessary to build said road.

**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 approval of any plan or issuance of any permit, and prior to use of the premises in reliance of this permit the easements shall be recorded. **MONITORING:** The *[DGS, RP]* shall prepare and approve the easement documents and send them to *[PDS, PCC]* for pre-approval. The *[PDS, PCC]* 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, PCC]* *[DPR, TC]* for satisfaction of the condition.

#### 40. BIO#2–LBZ EASEMENT

**INTENT:** In order to protect sensitive biological resources, pursuant to the Biological Mitigation Ordinance (BMO), a Limited Building Zone Easement of 20 feet, established at the edge of each biological open space easement as shown in the Biological Technical Report (Figures 7a and 7b) dated March 2017, shall be granted to limit the need to clear or modify vegetation for fire protection purposes within an adjacent biological resource area.

**DESCRIPTION OF REQUIREMENT:** Grant to the County of San Diego a Limited Building Zone Easement as shown on the approved Tentative Map. The purpose of this easement is to limit the need to clear or modify vegetation for fire protection purposes within the adjacent biological open space easement and prohibit the construction or placement of any structure designed or intended for occupancy by humans or animals. The only exceptions to this prohibition are:

- 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.

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

**41. BIO#3—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 in English and Spanish shall be placed every 100 feet along the permanent fencing as indicated in the Biological Technical Report dated March 2017. The signs must be corrosion resistant, a minimum of 6" x 9" in size, on posts not less than three (3) feet in height from the ground surface, and must state the following:

**Sensitive Environmental Resources  
Area Restricted by Easement  
RECURSOS AMBIENTALMENTE SENSIBLES  
Prohibida Su Entrada**

Entry without express written permission from the County of San Diego is prohibited. To report a violation or for more information about easement restrictions and exceptions contact the County of San Diego,  
Planning & Development Services  
Reference: PDS2022-SPA-22-001

**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 Final Map for phase 5, 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.

**42. BIO#4—OPEN SPACE FENCING**

**INTENT:** In order to protect the proposed open space easement from entry, or disturbance, permanent fencing shall be installed. **DESCRIPTION OF REQUIREMENT:** Open space fencing shall be placed along the biological open space boundary as indicated in the Biological Technical Report dated March 2017. The fencing design shall consist of 4-foot chain-link fencing around the perimeter of the vernal pool's watershed on the south of Lone Star Road and along the edge of the biological open space on the north side of Lone Star Road. Additionally, three-strand wire fencing will extend 200 feet beyond the biological open space along Lone Star Road to deter trespassers without blocking wildlife use. The biologist shall check fencing for damage after grading is completed. **DOCUMENTATION:** The applicant shall install the fencing as indicated above and provide site photos and a statement from a California Registered Engineer or licensed surveyor that the open space fencing has been installed. **TIMING:** Prior to the approval of the Unit 5 Final Map and prior to Rough Grade approval the permanent fencing shall be placed. **MONITORING:** The [PDS, PCC] shall review the photos and statement for compliance with this condition.

**43. BIO#5—WETLAND CREATION AND ENHANCEMENT PLAN**

**INTENT:** In order to mitigate for the impacts to wetlands, which are a sensitive biological resource pursuant to the Biological Mitigation Ordinance (BMO) and Resource Protection Ordinance (RPO), the applicant shall provide for the creation and enhancement of wetlands. **DESCRIPTION OF REQUIREMENT:** A Wetland Creation and Enhancement Plan shall be prepared, which mitigates impacts to 0.45 acres of wetland habitat. Wetland mitigation shall consist of 0.45 acres of wetland creation and 0.21 acres of enhancement within the northern biological open space. The Wetland Creation and Enhancement Plan shall conform to the most current version of the County of San Diego Report Format and Content Requirements

for Revegetation Plans. The Wetlands Creation and Enhancement Plan shall include the following:

- a. The monitoring plan shall be for a length of 5 years and have an 80 percent success criterion.
- b. A preservation plan over the land to be revegetated shall be included in the Wetland Creation and Enhancement Plan. The preservation plan shall include evidence of dedication of an open space easement to the County of San Diego or evidence of protection in perpetuity by some other means to the satisfaction of the Director of PDS.
- c. The report shall be prepared by a County approved biologist and the construction plans shall be prepared by a State of California Licensed Landscape Architect.
- d. Revegetation objectives, revegetation site biological resource map, 24"x36" landscape plan, map showing revegetation areas according to mitigation type and amount, site preparation information, type of planting materials (e.g. species ratios, source, size material, etc.), planting program, 80 percent success criteria, and a detailed cost estimate.
- e. A cost estimate based on a 3% annual inflation rate shall be submitted and approved, which includes the cost of the plant stock and its installation, irrigation system and installation, cost of monitoring and maintenance of the wetland creation and enhancement area for the required monitoring period, and report preparation and staff time to review.

**DOCUMENTATION:** The applicant shall prepare the Wetland Creation and Enhancement Plan pursuant to this condition and by using the Applicants Guide to Preparing Revegetation Plans, PDS Form #717, then submit it to the [PDS, ZONING] and pay all the applicable review fees and deposits. **TIMING:** Prior to the approval of any Final Map and prior to the approval of any plan and issuance of any permit, the Wetland Creation and Enhancement Plan shall be approved. **MONITORING:** The [PDS, LA] shall review the Wetland Creation and Enhancement Plan for conformance with the County of San Diego Report Format and Content Requirements for Revegetation Plans. Upon approval of the Plan, a Director's Decision of approval shall be issued to the applicant, and a request for compliance with condition BIO#6–SECURED AGREEMENT shall be made to enter into a Secured Agreement for the implementation of the Plan.

#### **44. BIO#6–SECURED AGREEMENT (WETLAND CREATION AND ENHANCEMENT PLAN)**

**INTENT:** In order to assure project completion and success of the Wetland Creation and Enhancement Plan in condition BIO#5–WETLAND CREATION AND ENHANCEMENT PLAN, a surety shall be provided, and an agreement shall be executed. **DESCRIPTION OF REQUIREMENT:** The applicant shall enter into a Secured Agreement with the County of San Diego as follows:

- a. The security shall consist of a letter of credit, bond, or cash for 100 percent of the estimated costs associated with the implementation of the Wetland Creation and Enhancement Plan.
- b. Provide a 10 percent cash deposit of the cost of all improvements, but no less than \$3,000 and no more than \$30,000.
- c. The monitoring time and the length of time the Secured Agreement and cash deposit will be in effect starts at the time the installation is accepted by a County staff representative.



The Secured Agreement and cash deposit shall be released upon completion of the Wetland Creation and Enhancement Plan implementation provided the installed vegetation is in a healthy condition and meets the 80 percent success criteria. Eighty-percent success rate and one hundred percent vegetative cover, excluding herbaceous species, shall be considered satisfactory completion of the Wetland Creation and Enhancement Plan.

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

#### **45. BIO#7–TRANSLOCATION AND FIVE-YEAR MITIGATION AND MONITORING PLAN**

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

- a. A San Diego Button Celery Translocation and Mitigation and Monitoring Plan for individuals that would be impacted by project development shall be prepared and provided as an addendum to the approved Fairy Shrimp Translocation and Five-Year Mitigation and Monitoring Plan. This plan will be reviewed by the County and Wildlife Agencies. All San Diego button-celery individuals within the biological open space shall be preserved onsite.
- b. A preservation plan over the land to be revegetated shall be included in the Translocation and Five-Year Mitigation and Monitoring Plan. The preservation plan shall incorporate evidence of dedication of the existing open space easement (Doc # 2003-1392967) to the County of San Diego.
- c. The report shall be prepared by a County approved biologist and the construction plans shall be prepared by a State of California Licensed Landscape Architect.
- d. Revegetation objectives, revegetation site biological resource map, 24"x 36" landscape plan, map showing revegetation areas according to mitigation type and amount, site

preparation information, type of planting materials (e.g., species ratios, source, size material, etc.), planting program, 80 percent success criteria, and a detailed cost estimate.

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

**DOCUMENTATION:** The applicant shall prepare the Translocation and Five-Year Mitigation and Monitoring Plan pursuant to this condition and by using the Applicants Guide to Preparing Revegetation Plans, PDS Form #717, then submit it to the [PDS, ZONING] and pay all the applicable review fees and deposits. **TIMING:** Prior to the approval of any Final Map and prior to the approval of any plan and issuance of any permit, the Translocation and Five-Year Mitigation and Monitoring Plan shall be approved. **MONITORING:** The [PDS, LA] shall review the Translocation and Five-Year Mitigation and Monitoring Plan for conformance with this condition and the County of San Diego Report Format and Content Requirements: Biological Resources, including Guidelines for Cactus Salvage (Attachment C). Upon approval of the Plan, a Director's Decision of approval shall be issued to the applicant, and a request for compliance with condition BIO#8–SECURED AGREEMENT shall be made to enter into a Secured Agreement for the implementation of the Plan.

#### **46. BIO#8–SECURED AGREEMENT (TRANSLOCATION AND FIVE-YEAR MITIGATION AND MONITORING PLAN)**

**INTENT:** In order to assure project completion and success of the Translocation and Five-Year Mitigation and Monitoring Plan in condition BIO#7–TRANSLOCATION AND FIVE-YEAR MITIGATION AND MONITORING PLAN, a surety shall be provided, and an agreement shall be executed. **DESCRIPTION OF REQUIREMENT:** The applicant shall enter into a Secured Agreement with the County of San Diego as follows:

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

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

and Five-Year Mitigation and Monitoring Plan, the agreement shall be executed, and the securities provided for plan implementation. **MONITORING:** The [PDS, LA] shall review the Agreement cash deposit and securities provided are in compliance with this condition and the Translocation and Five-Year Mitigation and Monitoring Plan Final Decision. The [PDS, LA] shall sign the Agreement for the Director of PDS and ensure the cash deposit is collected by [PDS, FISCAL]. Upon acceptance of the Agreement, securities, and cash deposit, the [PDS, LA], shall provide a confirmation letter-acknowledging acceptance of securities.

#### 47. BIO#9–RESOURCE MANAGEMENT PLAN

**INTENT:** In order to provide for the long-term management of the proposed open space, a Resource Management Plan (RMP) shall be prepared and implemented. **DESCRIPTION OF REQUIREMENT:** Submit to and receive approval from the Director of PDS, an RMP consistent with the Conceptual RMP dated April 19, 2021. The final RMP cannot be approved until the following has been completed to the satisfaction of the Director of PDS and in cases where DPR has agreed to be the owner and/or manager, to the satisfaction of the Director of DPR.

- a. The plan shall be prepared and approved pursuant to the most current version of Attachment E of the County of San Diego [Report Format and Content Requirements for Biological Resources](#).
- b. The habitat land to be managed shall be completely purchased.
- c. The easements shall be dedicated to ensure that the land is protected in perpetuity.
- d. A Resource Manager shall be selected, and evidence provided by applicant as to the acceptance of this responsibility by the proposed Resource Manager.
- e. The RMP funding mechanism to fund annual costs for basic stewardship shall be identified and approved by the County.
- f. A contract between applicant and County shall be executed for the implementation of the RMP.
- g. In lieu of providing a private habitat manager, the applicant may contract with a federal, state, or local government agency with the primary mission of resource management to take fee title and manage the mitigation land. Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

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

#### 48. BIO#10–WETLAND PERMITS:

**INTENT:** To comply with the State and Federal Regulations for wetlands, the following agency permits, or verification that they are not required, shall be obtained. **DESCRIPTION OF REQUIREMENT:** The following permit and agreement shall be obtained, or provide

evidence from the respective resource agency satisfactory to the Director of PDS that such an agreement or permit is not required:

- a. A Clean Water Act, **Section 401/404** permit issued by the California Regional Water Quality Control Board and the U.S. Army Corps of Engineers for all project related disturbances of waters of the U.S. and/or associated wetlands.
- b. A Section **1602** Streambed Alteration Agreement issued by the California Department of Fish and Wildlife for all project related disturbances of any streambed.

**DOCUMENTATION:** The applicant shall consult each agency to determine if a permit or agreement is required. Upon completion of the agency review of this project, the applicant shall provide a copy of the permit(s)/agreement(s), or evidence from each agency that such an agreement or permit is not required to the *[PDS, PCC]* for compliance. **TIMING:** Prior to the approval of any 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 *[PDS, LDR]*, for implementation on the grading plans.

#### **49. BIO#11—ENDANGERED SPECIES ACT SECTION & PERMITS**

**INTENT:** In order to comply with applicable regulations, including the State and Federal Endangered Species Act (ESA), for impacts to federally or state-listed species not covered by the MSCP (ie; San Diego fairy shrimp), Section 7 or Section 10(a)(1)(B) Consultation shall be obtained or verification from the respective resource agencies (USFWS) that a permit is not required shall be provided. **DESCRIPTION OF REQUIREMENT:** The following “take” permit and agreement shall be obtained from the respective resource agency satisfactory to the Director of Planning & Development Services or that such an agreement or permit is not required. **DOCUMENTATION:** The applicant or its designee shall consult the respective resource agency to determine if a permit or agreement is required. Upon completion of the agency review of this project, the applicant or its designee 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 any Final Map and prior to the approval of any plan and issuance of any permit. **MONITORING:** The project applicant or its designee shall demonstrate, to the satisfaction of the Director of Planning and Development Services (or his/her designee), that it has secured any necessary take authorization from the respective resource agencies. The *[PDS, PPC]* 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.

#### **50. BIO#12—BIOLOGICAL MONITORING**

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

- 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 Report Format and Requirement Guidelines: Biological Resources](#) and this permit. The contract provided to the county shall include an agreement that this will be completed, and a [Memorandum of Understanding \(MOU\)](#) between the biological consulting company and the County of San Diego shall be executed. The contract shall include a cost estimate for the monitoring work and reporting.
- 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, 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 or issuance of any permit, and prior to approval of the map, the requirement shall be completed. **MONITORING:** The [PDS, PCC] shall review the contract, MOU, and cost estimate or separate bonds for compliance with this condition. The cost estimate should be forwarded to [PDS, LDR], for inclusion in the grading bond cost estimate, and grading bonds.

## 51. CULT#2 ARCHAEOLOGICAL MONITORING

**INTENT:** In order to mitigate for potential impacts to undiscovered buried archaeological resources, an Archaeological Monitoring Program and potential Data Recovery Program shall be implemented pursuant to the County of San Diego Guidelines for Determining Significance for Cultural Resources and the California Environmental Quality Act (CEQA).

**DESCRIPTION OF REQUIREMENT:** A County Approved Principal Investigator (PI) known as the "Project Archaeologist," shall be contracted to perform archaeological monitoring and a potential data recovery program during all grading, clearing, grubbing, trenching, and construction activities. The archaeological monitoring program shall include the following:

- a. The Project Archaeologist shall perform the monitoring duties before, during and after construction pursuant to the most current version of the County of San Diego Guidelines for Determining Significance and Report Format and Requirements for Cultural Resources. The Project Archaeologist and monitor from the Jamul Band shall also evaluate fill soils to determine that they are clean of cultural resources. The contract or letter of acceptance provided to the County shall include an agreement that the archaeological monitoring will be completed, and a Memorandum of Understanding (MOU) between the Project Archaeologist and the County of San Diego shall be executed. The contract or letter of acceptance shall include a cost estimate for the monitoring work and reporting.
- b. The Project Archeologist shall provide evidence that a Kumeyaay Native American from the Jamul Band has been contracted to perform Native America Monitoring for the project.
- c. The cost of the monitoring shall be added to the grading bonds or bonded separately.

**DOCUMENTATION:** The applicant shall provide a copy of the Archaeological Monitoring Contract or letter of acceptance, cost estimate, and MOU to [PDS, PPD]. Additionally, the cost amount of the monitoring work shall be added to the grading bond cost estimate. **TIMING:** Prior to approval of any grading and or improvement plans and issuance of any Grading or Construction Permits. **MONITORING:** [PDS, PPD] shall review the contract or



letter of acceptance, MOU and cost estimate or separate bonds for compliance with this condition. The cost estimate should be forwarded to [PDS, PPD] for inclusion in the grading bond cost estimate, and grading bonds and the grading monitoring requirement shall be made a condition of the issuance of the grading or construction permit.

## 52. PALEO#1 - PALEO GRADING MONITORING

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

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

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

**PRIOR TO BUILDING PERMIT:** (Prior to approval of any building plan and the issuance of any building permit).

## 53. PLN#1-SITE PLAN 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, as described in the Specific Plan Amendment conditions and approved building plans. **DESCRIPTION OF REQUIREMENT:** The Project future sites shall be in substantial conformance to the approved landscape plan(s), building plans, and plot plan(s). This includes but is not limited to maintaining the following: all private patio areas, stormwater facilities, parking, and driveways areas, watering all landscaping at all times, 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 applicant or its designee and permittee shall conform to the approved plot plan. 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. **TIMING:** Prior of issuance of building permit, 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.

#### 54. AQ/GHG#1 - SITE DESIGN

**INTENT:** In order to implement a sustainable project design that would minimize energy consumption and Air Quality and Greenhouse Gas emissions. **DESCRIPTION OF REQUIREMENT:** The Project design elements or aspirational features shall be identified on all Building Plans for the project. **DOCUMENTATION:** The applicant or its designee or its designee shall comply with the requirements of this condition. **TIMING:** Prior to approval of any building plan or the issuance of any building permit, these Project design elements shall be identified on the building plans. **MONITORING:** The [PDS, BPPR] shall make sure that the Project design elements are identified on all building plans for the project. The [DPW, PDCI] shall contact the [PDS, PCC] if the applicant or its designee or its designee fails to comply with this condition.

#### 55. ROADS#31 - DEBRIS MANAGEMENT REPORT (DMR)

**INTENT:** In order to comply with the Grading Material Diversion Program, project recycling and diversion is designed to increase diversion of grading, land clearing, and brushing materials from landfills, extend the useful life of local landfills, and support construction and demolition project compliance with State waste diversion requirements. This includes grading, clearing and brushing material for grading projects over 5,000 cubic yards. For additional questions, please call (858) 694-2463 or email [CDRecycling@sdcounty.ca.gov](mailto:CDRecycling@sdcounty.ca.gov). **DESCRIPTION OF REQUIREMENT:** Prior to Rough Grade Inspection and release, and prior to issuance of any building permit, a Final Debris Management Report must be submitted for review and approval by the DPW Recycling Compliance Official. The report shall include:

- Project name.
- List of total weight, tonnage, or cubic yards of materials, by type, which was recycled, salvaged, or disposed of in a landfill.
- Provide copies of receipts for export facilities, haulers, or materials reused on site.
- Signed self-certification letter (see template).

**DOCUMENTATION:** Prior to Rough Grade Release and prior to issuance of any building permit, a final report shall be prepared and submitted for review and approval to the DPW Recycling Compliance Official. For additional questions, please call (858) 694-2463 or email [CDRecycling@sdcounty.ca.gov](mailto:CDRecycling@sdcounty.ca.gov). Templates for all forms required are available at: [https://www.sandiegocounty.gov/content/sdc/dpw/recycling/NewCD\\_Grading.html](https://www.sandiegocounty.gov/content/sdc/dpw/recycling/NewCD_Grading.html).

**TIMING:** Prior to building permit issuance, and Rough Grading release, the Debris Management Final Report shall be prepared and submitted to DPW Recycling Official [DPW CO] for review and approval. **MONITORING:** The [DPW, CO] shall review and approve the DMR documents for the project. The [DPW, CO], shall forward the approval of the DMR to [DPW, PDCI] and [PDS, Building PCC] for compliance with this condition.

**56. AQ/GHG#2 - WATER USE REDUCTION**

**INTENT:** In order to reduce impacts related to project water use, air quality and GHG emissions. **DESCRIPTION OF REQUIREMENTS:** The following design features shall be identified on all building Plans for the project:

- a. All hot water pipes shall be insulated, and hot and cold-water piping shall be separated.
- b. The maximum service pressure shall be set to 60 pounds per square inch to reduce potential leakage and prevent excessive flow of water from appliances.
- c. The project shall comply with the Model Water Efficient Landscape Ordinance, California Code of Regulations Title 23, Division 2, Chapter 2.7 (Section 490 et seq.).
- d. Majestic Management Company shall appropriately regulate the use of water for cleaning outdoor surfaces and vehicles through the Covenants, Conditions, and Restrictions.

**DOCUMENTATION:** The applicant or its designee shall comply with the requirements of this condition. **TIMING:** Prior to approval of any building plan and the issuance of any building permit, the following design measures shall be identified on the building plans. **MONITORING:** The [PDS, BPPR] shall make sure that the sustainable design measures are identified on all building plans for the project. The [DPW, PDCI] shall contact the [PDS, PCC] if the applicant or its designee fails to comply with this condition.

**57. AQ&GHG#3–ENERGY EFFICIENT DESIGN (SITE PLAN) CAL Solar**

**INTENT:** In order to implement a sustainable project design that would minimize energy consumption, greenhouse gas emissions. **DESCRIPTION OF REQUIREMENT:** The following design elements shall be implemented on all Building Plans for the project:

- a. The Project shall be designed to meet 2019 Title 24 energy efficiency standards.
- b. The Project shall be designed to meet current CalSolar energy efficiency standards for new industrial structures.
- c. Renewable energy would supply 100 percent of the Project's electricity needs through the required installation of rooftop solar PV panels (a photovoltaic system) on all light industrial buildings to the extent feasible. As an alternative to the installation of PV panels on a particular building unit, 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 unit. The applicant or its designee must provide the County with documentation that the program meets the requirements stated herein by supplying the building unit with its electricity needs from renewable sources over the lifetime of the building. With each building permit, the estimated number of units requiring the installation of solar panel will be provided to the County to determine the overall remaining number of units needed to comply with this measure. Installation of energy efficient appliances (Energy Star™ or equivalent) and water heaters.

**DOCUMENTATION:** The applicant or its designee shall comply with the energy efficiency requirements. 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 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.

#### **58.AQ&GHG#4–WATER CONSERVATION (SITE PLAN)**

**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 not limited to, the following:
  - i. Use of sustainably designed plumbing systems and low-flow water fixtures;
  - ii. Incorporation of smart, weather-based, irrigation control systems; and
  - iii. High-efficiency drip irrigation system, drought-tolerant landscaping, use of reclaimed water for outdoor irrigation

**DOCUMENTATION:** The applicant or its designee 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.

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

#### **59.GEN#4- INSPECTION FEE**

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

#### **60.PLN#2–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 Site Plan and the building plans. This includes, but is not limited to: improving parking areas, trails, parks 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, and all temporary construction facilities have been removed from the site. **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.

#### **61. FLEET ELECTRIFICATION AND NET ZERO BUILDING – OPERATIONS-RELATED GHG**

**INTENT:** This project goal is provided in order to encourage the project applicant to strive to reduce greenhouse gas emissions and achieve project fleet electrification by 2030 and net zero building related GHG emissions by 2045. **DESCRIPTION OF GOAL:** As to operational GHG emissions, as an ongoing objective to strive to reduce GHG emissions, the project applicant is encouraged to strive to implement measures to electrify the project fleet by 2030 through mechanisms including, but not limited to, fleet conversion to electric. The applicant is encouraged to strive to upgrade the project building and operations to try and achieve 50% of the building powered by renewable energy by 2030, and 100% by 2045; and is encouraged to strive to install the necessary electrical infrastructure for accommodating solar panels, with anticipated conversion to solar energy in the future pending FAA approval, consistent with the performance standards set forth below.

1. Construct the building to the most recent CALGreen certified standards, which include both mandatory and voluntary sustainability measures for distribution facilities in areas of planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and environmental quality.
2. Project applicant or designee is encouraged to strive to achieve net zero requirements by 2045:
  - To reduce the annual emissions through upgrades to the building, overall project energy efficiency, and converting to a 100% electric fleet.
  - To increase the number of EV stalls for full fleet electrification by 2030.
  - To exceed the 2019 CalGreen requirements to provide electrical infrastructure to accommodate EV charging stations for the entire fleet of delivery vans operating from the facility at full buildout.
  - To support the addition of electrical infrastructure for accommodating EV charging stations for the fleet of delivery vans operating from the facility to be powered by renewable energy by 2030.
  - To explore “efficient travel routes” to ensure all routes assigned to delivery vans are as efficient as possible (e.g., most fuel-efficient route).
3. The Project includes several Project Design Features (PDFs) that would result in the reduction of GHG emissions. The PDFs are incorporated into the Project design and would be implemented with approval of the Project.
  - No chilled, cold, or freezer warehouse space inside the facilities that would attract tractor trailers with transport refrigeration units.
  - Installation of electric vehicle charging infrastructure for passenger vehicles
  - Installation of sidewalk and bikeway improvements from the County’s Active Transportation Plan
  - No natural gas to serve the buildings.
  - Utilization of renewable energy and installation of energy-efficient features in compliance with CALGreen Title 24 requirements



- Utilization of water efficiency and conservation requirements and installation of water-efficient features in compliance with CALGreen Title 24 requirements
- Planting of 3,316 trees on-site
- Cargo handling equipment would be electric.
- All vehicle operators are required to comply with CARB Rule 2485 and CARB Rule 2449, which limits nonessential idling of diesel-fueled commercial vehicle engines and diesel-powered off-road equipment to five minutes or less. Prior to issuance of occupancy permits for buildings with loading dock areas, the County shall verify that signs are posted in these areas that inform vehicle and equipment operators about the requirements of these Rules except that such signs shall post a 3-minute idling restriction (instead of the 5-minutes required by CARB).

**DOCUMENTATION:** The project applicant is encouraged to strive to reduce GHG emissions associated with the project and is encouraged to implement measures during operation to reduce GHG emissions including fleet electrification and zero net energy building requirements. The applicant and subsequent owners are encouraged to strive to reduce GHG emissions through the incorporation of measures outlined herein. **TIMING:** Upon establishment of the use, this goal encourages the applicant to strive and reduce GHG emissions for the duration of the term of this permit. **MONITORING:** The [PDS, DPW, PDCI] will work with the project applicant to reduce GHG emissions for this goal.

## 62. PALEO#2 - PALEO RESOURCES REPORT

**INTENT:** In order to ensure that the Grading Monitoring occurred during the grading, trenching or other excavation phase of the project, a final report shall be prepared.

**DESCRIPTION OF REQUIREMENT:** A final Paleontological Resources Mitigation Report that documents the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program shall be prepared. The report shall include the following:

- 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.
- 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 and submit it to the [PDS, PPD] for approval. If resources were discovered then the following shall be completed:

- 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

- b. 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 an electronic copy of the complete report in Microsoft Word on an USB disk. 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, the final report 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, 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.

### 63. LNDSCP#2–CERTIFICATION OF INSTALLATION

**INTENT:** In order to provide adequate Landscaping that addresses screening and water conservation, and to comply with the [COSD Water Efficient Landscape Design Manual](#), the [COSD Water Conservation in Landscaping Ordinance](#), the [COSD Parking Design Manual](#), the COSD Grading ordinance, the Design Guidelines within the East Otay Mesa Business Park Specific Plan, and all landscaping shall be installed per applicable requirements. **DESCRIPTION OF REQUIREMENT:** All of the landscaping shall be installed pursuant to the approved Landscape Documentation Package. This does not supersede any erosion control plantings that may be applied pursuant to [Section 87.417 and 87.418 of the County Grading Ordinance](#). These areas may be overlapping, but any requirements of a grading plan shall be complied with separately. The installation of the landscaping can be phased pursuant to construction of specific buildings or phases to the satisfaction of the [PDS, LA, PCC] [DPR, TC, PP]. **DOCUMENTATION:** The applicant or its designee shall submit to the [PDS LA, PCC], a Landscape Certificate of Completion from the project California licensed Landscape Architect, Architect, or Civil Engineer, that all landscaping has been installed as shown on the approved Landscape Documentation Package. The applicant or its designee shall prepare the Landscape Certificate of Completion using the Landscape Certificate of Completion Checklist, PDS Form #406. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the landscaping shall be installed for each development phase. **MONITORING:** The [PDS, LA] shall verify the landscape installation upon notification of occupancy or use of the property, and notify the [PDS, PCC] [DPR, TC, PP] of compliance with the approved Landscape Documentation Package.

### 64. AQ&GHG#5–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. Light Industrial 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

**DOCUMENTATION:** The applicant or its designee 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 [PDS, BI] shall contact the [PDS, PCC] if the applicant or its designee fails to comply with this condition.

**ONGOING:** *(The following conditions shall apply during the term of this permit).*

#### **65. PLN#3–ACCESSORY USES**

**INTENT:** A Minor Deviation or Modification to a Site Plan is not required for any building, structure or projection listed in Zoning Ordinance Section 4835 or any use listed in the Accessory Use Regulations, Sections 6150-6199 (or as otherwise referenced), provided the building, structure, or projection or use meets the specific accessory use setbacks either in the Site Plan or in the Specific Plan Amendment 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 plans, building plans, and plot plans; should any accessory uses be proposed that do not meet the requirements as detailed in the Specific Plan Amendment and referenced in the sections above, the property owner shall be responsible for obtaining all necessary permits. **DOCUMENTATION:** None. The applicant or its designee and permittee shall conform in the Specific Plan requirements for Accessory Uses as detailed in the Specific Plan Amendment noted above. **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.

#### **66. 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 plans and building plans. This includes but is not limited to maintaining the following: all parking and driveways areas, watering all landscaping at all times, painting all necessary aesthetics design features, site lighting, wall/fencing, approved signage, and the undeveloped northeastern portion of the site, as shown on the approved site plan, will remain undeveloped for the life of the permit. Failure to conform to the approved site plans; 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 site plan. 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. **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.

#### **67. ROADS#3-SITE DISTANCE**

**INTENT:** In order to provide an unobstructed view for safety while exiting the property and accessing a public road from the site, and to comply with the Design Standards of Section 6.1E of the [County of San Diego Public Road Standards](#) an unobstructed sight distance shall be maintained for the life of this permit. **Description of Requirement:** There shall be a minimum unobstructed sight distance in both directions along public from any proposed

project driveway accesses opening serving the project for the life of this permit. **DOCUMENTATION:** A minimum unobstructed sight shall be maintained. The sight distance of adjacent driveways and street openings shall not be adversely affected by this project at any time. **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.

**68. STRMWTR#4–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 or designee 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.

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**GRADING AND IMPROVEMENT PLAN NOTES**

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

**1. CULT#GR-1 ARCHAEOLOGICAL MONITORING – PRECONSTRUCTION MEETING**

**INTENT:** In order to comply with the County of San Diego Guidelines for Significance – Cultural Resources, an Archaeological Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The County approved Project Archaeologist and Jamul Indian Village Monitor (“Jamul Monitor”) shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the archaeological monitoring program. The Project Archaeologist and Jamul Monitor shall monitor the original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements. The Project Archaeologist and Jamul Monitor shall also evaluate fill soils to determine that they are clean of cultural resources. The archaeological monitoring program shall comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources. **DOCUMENTATION:** The applicant shall have the contracted Project Archeologist and the Jamul Monitor for a 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.

**2. PALEO-GR#1 - PALEONTOLOGICAL MONITORING**

**INTENT:** In order to comply with the County of San Diego Significance and Report Format Guidelines for Paleontological Resources, a Paleontological Resources Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project

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

**DOCUMENTATION:** The applicant shall have the contracted Project Paleontologist attend the preconstruction meeting to explain the monitoring requirements. **TIMING:** Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be completed. **MONITORING:** The [DPW, PDCI] shall attend the preconstruction conference and confirm the attendance of the approved Project Paleontologist.

### 3. CULT#GR-2 - TEMPORARY FENCING – Archaeological Sites

**INTENT:** In order to mitigate for potential impacts to sites CA-SDI-9975, CA-SDI-12730, and a portion of CA-SDI-12337 located northeast of Lone Star Road during construction, a temporary fencing plan shall be implemented pursuant to the County of San Diego Guidelines for Determining Significance for Cultural Resources and CEQA Section 15064.5 and 15064.7.

**DESCRIPTION OF REQUIREMENT:** Prepare and implement a temporary fencing plan for the protection of archaeological site(s) CA-SDI-9975, CA-SDI-12730, and a portion of CA-SDI-12337 during any grading activities within one hundred feet (100') of these archaeological site(s). The temporary fencing plan shall be prepared in consultation with a County approved archaeologist and the Kumeyaay Native American monitor from the Jamul Band (Jamul Monitor). The fenced area shall include a buffer sufficient to protect the archaeological site(s). The fence shall be installed under the supervision of the County approved archaeologist prior to commencement of grading or brushing and be removed only after grading operations have been completed. The temporary fencing plan shall include the following requirements:

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



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

#### 4. **BIO#GR-1–BURROWING OWL MONITORING**

**INTENT:** In order to prevent inadvertent disturbance to burrowing owl, a preconstruction burrowing owl survey shall be conducted within the project area. **DESCRIPTION OF REQUIREMENT:** A County approved biologist shall perform burrowing owl surveys within 7 days of the start of any grading, clearing, grubbing, trenching, and construction activities area within and adjacent to the development area and a preconstruction burrowing owl survey shall be conducted in the biological open space prior to disturbance within the biological open space (such as excavation of new vernal pools). If any active burrows are found, clearing shall not proceed until after consultation with County and Wildlife Agency staff and implementation of any protective measures required. The burrowing owl preconstruction surveys shall conform to the most current version of the [County of San Diego Report Format and Content Requirements: Biological Resources, including Strategy for Mitigating Impacts to Burrowing Owls in the Unincorporated County \(Attachment A\)](#). **DOCUMENTATION:** The Biological Monitor shall prepare written documentation that certifies that the burrowing owl survey has been completed and that burrowing owls have been avoided. **TIMING:** Prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be completed. **MONITORING:** The [DPW, PDC] shall not allow any grading, unless a concurrence from the [PDS, PCC] is received. The [PDS, PCC] shall review the concurrence letter.

#### 5. **BIO#GR-2–BIOLOGICAL MONITORING**

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

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

**DOCUMENTATION:** The Biological Monitor shall prepare written documentation that certifies that the temporary fencing has been installed and that all construction staff has been trained on the site sensitive biological resources that are to be avoided. **TIMING:** Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be completed. **MONITORING:** The [DPW, PDC] 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.

#### 6. **BIO#GR-3—TEMPORARY FENCING – BIO OPEN SPACE AREAS**

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

#### 7. **BIO#GR-4—RESOURCE AVOIDANCE (AVIAN SPECIES)**

**INTENT:** In order to avoid impacts to raptors and migratory birds, which are a sensitive biological resource pursuant to the Biological Mitigation Ordinance (BMO) and the Migratory Bird Treaty Act (MBTA), avian breeding avoidance measures and a Resource Avoidance Area (RAA) shall be implemented on all plans. **DESCRIPTION OF REQUIREMENT:** There shall be no brushing, clearing and/or grading during the general avian breeding season. If brushing, clearing, and/or grading must occur during the breeding season, a nesting bird survey shall be conducted within 3 days of the start of clearing. If an active nest is found during the nesting bird survey or during clearing/grading activities, the monitoring biologist shall notify and coordinate with County staff (and Wildlife Agencies if appropriate) to establish an acceptable buffer between the nest location and clearing/grading activities. Additionally, there shall be no brushing, clearing and/or grading such that none will be allowed within 300 feet of the biological open space during the breeding season of migratory birds within RAA as indicated on these plans. The breeding season is defined as occurring between February 1 and August 31. The Director of PDS [PDS, PCC] may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Wildlife, provided that no migratory birds are present in the vicinity of the brushing, clearing, or grading. **DOCUMENTATION:** The applicant shall provide a letter of agreement with this condition; alternatively, the applicant may submit a written request for waiver of this condition. Although, no grading shall occur within the RAA until concurrence is received from the County and the Wildlife Agencies. **TIMING:** Prior to preconstruction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout

the duration of the grading and construction, compliance with this condition is mandatory unless the requirement is waived by the County upon receipt of concurrence from the Wildlife Agencies. **MONITORING:** The [DPW, PDCI] shall not allow any grading in the RAA during the specified dates, unless a concurrence from the [PDS, PCC] is received. The [PDS, PCC] shall review the concurrence letter.

#### 8. **BIO#GR-5—RESOURCE AVOIDANCE (QUINO CHECKERSPOT BUTTERFLY)**

**INTENT:** In order to avoid impacts to Quino checkerspot butterfly, which is a sensitive biological resource pursuant to the Resource Protection Ordinance (RPO) and Endangered Species Act (ESA), preconstruction surveys will occur to define Resource Avoidance Areas (RAA) or to define the need for ESA Take Permits, if necessary. The RAA shall be implemented on all plans. **DESCRIPTION OF REQUIREMENT:** The following surveys are required prior to approval of each phase of grading: 1) A qualified Quino checkerspot butterfly biologist will examine the impact areas to determine if any portions of the impact area have suitable habitat for occupation by Quino checkerspot butterfly and will prepare a survey report. Upon written agreement with USFWS, a protocol survey may or may not be required. If it is determined that the site is occupied, the RAA will be defined and marked on all plans. If the project requires a “take,” evidence that an ESA Take Permit will be submitted to the Director of Planning and Development Services. 2) There shall be no brushing, clearing and/or grading such that none will be allowed within Quino checkerspot butterfly habitat RAAs year-round, including areas that support suitable host plants such as the dotseed plantain (*Plantago erecta*) as indicated on these plans. The Director of PDS [PDS, PCC] may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Wildlife, provided that no Quino checkerspot butterfly are present in the vicinity of the brushing, clearing or grading. **DOCUMENTATION:** The applicant shall provide a letter of agreement with this condition; alternatively, the applicant may submit a written request for waiver of this condition. Although, no grading shall occur within the RAA until concurrence is received from the County and the Wildlife Agencies. **TIMING:** Prior to preconstruction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout the duration of the grading and construction, compliance with this condition is mandatory unless the requirement is waived by the County upon receipt of concurrence from the Wildlife Agencies. **MONITORING:** The [DPW, PDCI] shall not allow any grading in the RAA during the specified dates, unless a concurrence from the [PDS, PCC] is received. The [PDS, PCC] shall review the concurrence letter.

#### 9. **AQ/GHG#6—CONSTRUCTION EXHAUST EMISSIONS**

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

- a. The project shall require the construction contractor to provide a construction fleet that uses heavy-duty diesel-powered equipment equipped with Tier 4 diesel engines. An exemption from these requirements may be granted by the County in the event that the applicant documents that equipment with the required tier is not reasonably available and corresponding reductions in criteria air pollutant emissions are achieved from other construction equipment. Before an exemption may be considered by the County, the applicant shall be required to demonstrate that three construction fleet owners/operators in the San Diego Region were contacted and that those owners/operators confirmed Tier 4 equipment could not be located within the San Diego region.

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

**DOCUMENTATION:** The applicant shall comply with the Air Quality requirements of this condition. The applicant shall show compliance with this measure by providing the construction bid/estimate from the construction contractor that will be used. **TIMING:** Prior to issuance of any Grading or Construction Permits. **MONITORING:** The [DPW, PDCI] shall make sure that the construction contractor complies with the Air Quality requirement of this condition. The [DPW, PDCI] shall contact the [PDS, PCC] if the applicant fails to comply with this condition.

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

#### **10. AIR#1 – AIR QUALITY CONSTRUCTION EXHAUST**

**INTENT:** In order to mitigate for exhaust emissions (NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>) from heavy duty construction equipment. **DESCRIPTION OF REQUIREMENT:** The project shall comply with the following Air Quality measures:

- a. The entire construction fleet will be required to utilize California Air Resources Board (CARB)-certified Tier 3 or better equipment and equipped with diesel particulate filters.

**DOCUMENTATION:** The applicant shall comply with the Air Quality requirements of this condition. **TIMING:** The following actions shall occur throughout the duration of all construction activities. **MONITORING:** The [DPW, PD CI] shall make sure that the construction contractor complies with the Air Quality requirements of this condition of this

condition. The [DPW, PDCI] shall contact the [PDS, PCC] if the applicant fails to comply with this condition.

## 11. AIR#2 – AIR QUALITY CONSTRUCTION DUST

**INTENT:** In order to mitigate for fugitive dust emissions (PM10 and PM2.5) **DESCRIPTION**

**OF REQUIREMENT:** The project shall comply with the following Air Quality measures:

- a. A minimum of two applications of water will be applied during grading/grubbing activities between dozer/scrapper passes, as necessary.
- b. Water will be applied at least two times daily to all onsite unpaved roadways.
- c. Paving, chip sealing or chemical stabilization of internal roadways will be applied after completion of grading.
- d. Grading and earthmoving activities will be terminated if wind speeds exceed 25 mph.
- e. Haul trucks hauling dirt, sand, soil, or other loose materials will be covered or two feet of freeboard will be maintained.
- f. All long-term stockpiles must have a landscaped cover to reduce dust. All short-term stockpiles must be wetted daily.
- g. When active construction ceases on the site, 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.
- h. Sweepers or water trucks will be used to remove “track-out” at any point of public street access.
- i. In accordance with the SDAPCD Rule 55 – Fugitive Dust Control, no dust and/or dirt will leave the property line. The following measures would be implemented to ensure the requirements of this rule are met:
  1. Airborne Dust Beyond the Property Line: No person will engage in construction or demolition activity subject to this rule in a manner that discharges visible dust emissions into the atmosphere beyond the property line for a period or periods aggregating more than 3 minutes in any 60-minute period.
  2. Track-out/Carry-out: Visible roadway dust as a result of active operations, spillage for transport trucks, erosion, or track-out/carry-out will be minimized by the use of any of the following erosion control measures:
    - i. Track-out grates or gravel beds at each egress point.
    - ii. Wheel-washing at each egress during muddy conditions, soil binders, chemical soil stabilizers, geotextiles, mulching, or seeding; and for outbound transport trucks.
    - iii. Secured tarps or cargo covering, watering, or treating of transported material.
    - iv. Removed at the conclusion of each workday 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 (PM10)-efficient street sweepers certified to meet the most current South Coast Air Quality Management District (SCAQMD) Rule 1186 requirements will be used. The use of blowers for removal of track-out/carry-out will be prohibited under any circumstances.

**DOCUMENTATION:** The applicant shall comply with the Air Quality requirements of this condition. **TIMING:** The following actions shall occur throughout the duration of all construction activities. **MONITORING:** The [DPW, PDCI] shall make sure that the

construction contractor complies with the Air Quality requirements of this condition of this condition. The [DPW, PDCI] shall contact the [PDS, PCC] if the applicant fails to comply with this condition.

## **12. BIO#GR-6–BIOLOGICAL MONITORING – DURING CONSTRUCTION**

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

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

- a. Perform weekly inspection of fencing and erosion control measures (daily during rain events) near proposed preservation areas and report deficiencies immediately to the DPW Construction Inspector;
- b. Perform periodically monitor the work area for excessive dust generation in compliance with the County grading ordinance and report deficiencies immediately to the DPW Construction Inspector;
- c. Conduct training for contractors and construction personnel, including the purpose for resource protection, a description of the gnatcatcher and its habitat, and the conservation measures that should be implemented during project construction;
- d. Monitor construction lighting periodically to ensure lighting is the lowest illumination possible allowed for safety, selectively placed, shielded, and directed away from preserved habitat. Monitor equipment maintenance, staging, and fuel dispensing areas to ensure there is no runoff to Waters of the US, including designation of a “no- fueling” zone within 25 feet of all drainages and storm drains;
- e. Stop or divert all work when deficiencies require mediation and notify DPW Construction Inspector and [PDS PCC] within 24 hours; (8) produce periodic (monthly during grading) and final reports and submit to the Wildlife Agencies and the PDS (final report will release bond);
- f. Confer with the Wildlife Agencies and [PDS PCC] within 24 hours any time protected habitat are being affected by construction;
- g. Attend construction meetings and other meetings as necessary;
- h. Designate a “no-fueling” zone within 25 feet of all drainages during the construction period.

**DOCUMENTATION:** The Project Biologist shall prepare and submit to the satisfaction the [PDS, PCC] monitoring reports, which indicate that the monitoring has occurred as indicated

above. **TIMING:** The following actions shall occur throughout the duration of the grading construction. **MONITORING:** The [DPW, 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.

### 13. CULT#GR-4 - ARCHAEOLOGICAL MONITORING – DURING CONSTRUCTION

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

- a. **Monitoring:** During the original cutting of previously undisturbed deposits, the Project Archaeologist and Jamul 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 Jamul Monitor. Monitoring of the cutting of previously disturbed deposits will be determined by the Project Archaeologist in consultation with the Jamul Monitor.
- b. **Inadvertent Discoveries:** In the event that previously unidentified potentially significant cultural resources are discovered:
  1. The Project Archaeologist or the Jamul Monitor shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources. at the time of discovery, the Project Archaeologist shall contact the PDS Staff Archaeologist.
  2. The Project Archaeologist, in consultation with the PDS Staff Archaeologist and the Jamul Monitor, shall determine the significance of the discovered resources.
  3. Construction activities will be allowed to resume in the affected area only after the PDS Staff Archaeologist has concurred with the evaluation.
  4. 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 Jamul Monitor may collect the cultural material for transfer to a Tribal Curation facility or repatriation program.
  5. If cultural resources are determined to be significant, a Research Design and Data Recovery Program (Program) shall be prepared by the Project Archaeologist in consultation with the Jamul Monitor. The County Archaeologist shall review and approve the Program, which shall be carried out using professional archaeological methods. The Program shall include (1) reasonable efforts to preserve (avoidance) “unique” cultural resources or Sacred Sites; (2) the capping of identified Sacred Sites or unique cultural resources and placement of development over the cap, if avoidance is infeasible; and (3) data recovery for non-unique cultural resources. The preferred option is preservation (avoidance).



**c. Human Remains.** If any human remains are discovered:

1. The Property Owner or their representative shall contact the County Coroner and the PDS Staff Archaeologist.
2. Upon identification of human remains, no further disturbance shall occur in the area of the find until the County Coroner has made the necessary findings as to origin. If the human remains are to be taken offsite for evaluation, they shall be accompanied by the Jamul Monitor.
3. If the remains are determined to be of Native American origin, the NAHC shall immediately contact the Most Likely Descendant (MLD).
4. The immediate vicinity where the Native American human remains are located is not to be damaged or disturbed by further development activity until consultation with the MLD regarding their recommendations as required by Public Resources Code Section 5097.98 has been conducted.
5. The MLD may with the permission of the landowner, or their authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site.
6. Public Resources Code §5097.98, CEQA §15064.5 and Health & Safety Code §7050.5 shall be followed in the event that human remains are discovered.

**d. Fill Soils.** The Project Archaeologist and Jamul Monitor shall evaluate fill soils to determine that they are clean of cultural resources.

**e. Monthly Reporting.** The Project Archaeologist shall submit monthly status reports to the **Director** of Planning and Development Services starting from the date of the Notice to Proceed to termination of implementation of the archaeological monitoring program. The report shall briefly summarize all activities during the period and the status of progress on overall plan implementation. Upon completion of the implementation phase, a final report shall be submitted describing the plan compliance procedures and site conditions before and after construction.

**f. Disagreements.** The County Archaeologist shall make a determination for any disagreements between the Project Archaeologist and the Jamul Monitor related to archaeological monitoring.

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

#### 14. PALEO-GR#2 PALEONTOLOGICAL MONITORING

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

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

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

**15. DPW RECYCLING - GRADING MATERIAL DIVERSION:**

**INTENT:** In order to comply with the Grading Material Diversion Program, project recycling and diversion is designed to increase diversion of grading, land clearing, and brushing materials from landfills, extend the useful life of local landfills, and support construction and demolition project compliance with State waste diversion requirements. **DESCRIPTION OF REQUIREMENT:** For all grading projects >5,000 cubic yards, a Daily Log of all grading, land clearing, and brushing material that is exported or reused/repurposed must be retained onsite. The Daily Log must include all export receipts or other vendor or disposal or transfer station facility information that accepted grading material from the approved grading project. **DOCUMENTATION:** Daily Logs shall be prepared and kept on-site for inspection and include the following:

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

**TIMING:** The following actions and logs shall occur throughout the duration of the earth disturbing activities. **MONITORING:** The [DPW, PDCI] shall ensure that the grading contractor is preparing and maintaining the daily logs on-site. The [DPW, PDCI] shall contact the [DPW, CO] if the grading contractor or applicant fails to comply with this condition.

**16. BIO#1-CONSTRUCTION BIOLOGICAL RESTRICTIONS**

**INTENT:** In order to prevent indirect project construction impacts to the vernal pools and buffer biological open space area restrictions shall be in place during construction activities. **DESCRIPTION OF REQUIREMENT:** During construction, the following measures shall be complied with to ensure indirect project construction impacts do not occur:

- a. No storage or fueling of construction equipment within 100 feet of the vernal pool and biological open space area.
- b. No storage or fueling of construction equipment within these areas.
- c. Only use of low sodium lighting is permitted. Lighting shall be selectively placed and/or shielded to avoid light directly entering into these areas from the proposed development and/or construction.
- d. Removal of invasive exotic species within these area as required and shall be performed without the use of mechanized equipment.

**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.

#### 17. NOISE#GR-1 TEMPORARY CONSTRUCTION NOISE:

**INTENT:** In order to minimize temporary construction noise for grading operations associated with SPA-22-001 and to comply with County Noise Ordinance 36.409. **DESCRIPTION OF REQUIREMENT:** The project shall comply with the following temporary construction noise control measures and shall comply with the eight-hour average sound level of 75 dBA pursuant to Noise Ordinance Section 36.408 & 36.409:

- a. Select equipment capable of performing the necessary tasks with the lowest sound level and the lowest acoustic height possible.
- b. Implement alternatives to the standard backup beepers as feasible. These alternatives include strobe lights or products such as the Brigade Electronics, Inc. Broadband Sound system, which is equally effective while generating a lower noise level.
- c. Use specially quieted equipment, such as quieted and enclosed air compressors and properly working manufacturer-recommended mufflers on all engines.
- d. Construct enclosures around noise-producing stationary sources such as generators used for night lighting.
- e. Perform construction vehicle maintenance off site or between 7:00 a.m. and 7:00 p.m.
- f. Place the laydown area as far as possible from the closest noise sensitive receptors.
- g. Limit the delivery of material (with the exception of concrete) to the hours between 7:00 a.m. and 7:00 p.m.
- h. Turn off equipment when not in use.
- i. Temporary construction equipment operations shall comply with the County Noise Ordinance Sections 36.408, 409, and 410.

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

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

#### 18. BIO#GR-7-BIOLOGICAL MONITORING

**INTENT:** In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) pursuant to SPA-22-001, and the [County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements: Biological Resources](#), a Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Biologist shall prepare and submit a final letter report substantiating his/her supervision of

the grading activities and substantiating that grading did not impact additional areas of sensitive habitats, burrowing owls, migratory birds, or other sensitive biological resources. The report shall conform to the [County of San Diego Report Format Guidelines: Biological Resources](#). It shall also include but not be limited to the following items:

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

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

#### 19. CULT#GR-4 - ARCHAEOLOGICAL MONITORING – ROUGH GRADING

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

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

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

## 20. PALEO-GR#3 - PALEONTOLOGICAL MONITORING

**INTENT:** In order to comply with the County of San Diego Significance and Report Format Guidelines for Paleontological Resources, a Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Paleontologist shall prepare one of the following letters upon completion of the grading activities that require monitoring:

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

**DOCUMENTATION:** The applicant shall submit the letter report to the [PDS, PPD] for review and approval. **TIMING:** Upon completion of all grading activities, and prior to Rough Grading Final Inspection ([Grading Ordinance SEC 87.421.a.2](#)), the letter report shall be completed.

**MONITORING:** The [PDS, PPD] shall review the final negative letter report or field monitoring memo for compliance with the project MMRP, and inform [DPW, PDC] that the requirement is completed.

## 21. DPW RECYCLING - GRADING MATERIAL DIVERSION – ROUGH GRADING

**INTENT:** In order to comply with the Grading Material Diversion Program, project recycling and diversion is designed to increase diversion of grading, land clearing, and brushing materials from landfills, extend the useful life of local landfills, and support construction and demolition project compliance with State waste diversion requirements. **DESCRIPTION OF REQUIREMENT:** At the conclusion of the grading activities and prior to the release of Rough Grade Inspection, and prior to issuance of any building permit, the Final Debris Management Report (DMR) must be prepared and submitted for review and approval.

**DOCUMENTATION:** The DMR final report (see template) shall be prepared and submitted for review and approval by the [DPW, CO] and shall include:

- A. Project name.
- B. List of total weight, tonnage, or cubic yards of materials, by type, which was recycled, salvaged, or disposed of in a landfill.
- C. Provide copies of receipts for export facilities, haulers, or materials reused on site.
- D. Signed self-certification letter (see template).

**TIMING:** The final report shall be prepared and submitted at Rough Grade inspection.

**MONITORING:** The [DPW, PDC] shall ensure that the grading contractor has prepared and submitted the final report to [DPW, CO]. The [DPW, PDC] shall contact the [DPW, CO] if the grading contractor or applicant fails to comply with this condition.



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

## 22. BIO#GR-8–OPEN SPACE SIGNAGE & FENCING

**INTENT:** In order to comply with Condition BIO#5–OPEN SPACE SIGNAGE and BIO#6–OPEN SPACE FENCING pursuant to the adopted Mitigation Monitoring and Reporting Program (MMRP) for PDS2022-SPA-22-001, the fencing and signage shall be installed.

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

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

Sensitive Environmental Resources  
Area Restricted by Easement  
RECURSOS AMBIENTALMENTE SENSIBLES  
Prohibida Su Entrada

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

**DOCUMENTATION:** The applicant shall install the fencing and signage and provide the documentation photos and certification statement to the [PDS, PCC]. **TIMING:** Prior to the occupancy of any structure or use of the premises in reliance of Specific Plan Amendment 22-001, 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.

## 23. BIO#GR-9–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, vernal pools, and sensitive plant and wildlife species and prohibits all of the following on any portion of the land subject to said easement: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than as open space. It is unlawful to grade or clear within an open space easement, any disturbance shall constitute a violation of the [County Grading Ordinance Section 87.112](#) and will result in enforcement action and restoration. The only exception(s) to this prohibition 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. Uses, activities, and placement of structures expressly permitted by the Director of the Department of Planning & Development Services (PDS) of the County of San Diego, 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.
3. Activities conducted pursuant to a revegetation, habitat management, or landscaping plan approved by the Director of PDS.
4. Vegetation removal or application of chemicals for vector control purposes where expressly required by written order of the Department of Environmental Health Quality of the County of San Diego, in a location and manner approved by the Director of PDS.
5. Continued use and maintenance of the existing dirt road for trail purposes.
6. Construction, use, and maintenance of Lone Star Road, including grading, embankments, slopes, and drainage structures necessary to build said road.

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

#### **24. CULT#GR-6 - ARCHAEOLOGICAL MONITORING – FINAL GRADING**

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

- Department of Parks and Recreation Primary and Archaeological Site forms.
- Daily Monitoring Logs
- Evidence that all cultural materials have been curated and/or repatriated as follows:
  - (1) Evidence that all prehistoric materials collected during the archaeological monitoring program have been submitted to a San Diego curation facility or a culturally affiliated Native American Tribal curation facility that meets federal standards per 36 CFR Part 79, and, therefore, would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records, including title, shall be transferred to the San Diego curation facility or culturally affiliated Native American Tribal curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form

of a letter from the curation facility stating that the prehistoric archaeological materials have been received and that all fees have been paid.

**OR**

Evidence that all prehistoric materials collected during the grading monitoring program have been repatriated to a Native American group of appropriate tribal affinity and shall be accompanied by payment of the fees necessary, if required. Evidence shall be in the form of a letter from the Native American tribe to whom the cultural resources have been repatriated identifying that the archaeological materials have been received.

(2) Historic materials shall be curated at a San Diego curation facility and shall not be curated at a Tribal curation facility or repatriated. The collections and associated records, including title, shall be transferred to the San Diego curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that the historic materials have been received and that all fees have been paid.

- If no cultural resources are discovered, a Negative Monitoring Report must be submitted stating that the archaeological monitoring activities have been completed. Grading Monitoring Logs must be submitted with the negative monitoring report.

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

## 25. PALEO-GR#4 PALEONTOLOGICAL MONITORING

**INTENT:** In order to comply with the County of San Diego Significance and Report Format Guidelines for Paleontological Resources, a Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Paleontologist shall prepare a final report that documents the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program if resources were encountered during grading. The report shall include the following:

- a. If paleontological resources were discovered, the following tasks shall be completed by or under the supervision of the Project Paleontologist:
  1. Prepare collected fossil remains for curation, to include cleaning the fossils by removing the enclosing rock material, stabilizing fragile specimens using glues and other hardeners, if necessary, and repairing broken specimens;

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

**DOCUMENTATION:** The applicant shall submit the letter report to the [PDS, PPD] for review and approval. **TIMING:** Prior to the occupancy of any structure or use of the premises, and prior to Final Grading Release ([Grading Ordinance Sec. 87.421.a.3](#)), 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.

## 26. LNDSCP#GR-1–CERTIFICATION OF INSTALLATION

**INTENT:** In order to provide adequate Landscaping that provides adequate screening, and to comply with the COSD Water Efficient Landscape Design Manual, the COSD Water Conservation in Landscaping Ordinance, the COSD Parking Design Manual, the Specific Plan Amendment and the COSD Grading ordinance, all landscaping shall be installed.

**DESCRIPTION OF REQUIREMENT:** All of the landscaping shall be installed pursuant to the approved Landscape Documentation Package. This does not supersede any erosion control plantings that may be applied pursuant to Section 87.417 and 87.418 of the County Grading Ordinance. These areas may be overlapping, but any requirements of a grading plan shall be complied with separately. The installation of the landscaping can be phased pursuant to construction of specific buildings or phases to the satisfaction of the [PDS, LA, PCC] [DPR, TC, PP]. **DOCUMENTATION:** The applicant shall submit to the [PDS LA, PCC], a Landscape Certificate of Completion from the project California licensed Landscape Architect, Architect, or Civil Engineer, that all landscaping has been installed as shown on the approved Landscape Documentation Package. The applicant shall prepare the Landscape Certificate of Completion using the Landscape Certificate of Completion Checklist, PDS Form #406. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the landscaping shall be installed. **MONITORING:**

The [PDS, LA] shall verify the landscape installation upon notification of occupancy or use of the property, and notify the [PDS, PCC] [DPR, TC, PP] of compliance with the approved Landscape Documentation Package.

## 27. HAZ#GR-3—SOIL TESTING

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

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

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

## 28. HAZ#GR-4—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 pursuant to the Department of Environmental Health Quality (DEHQ), Voluntary Assistance Program (VAP). **DOCUMENTATION:** The applicant shall provide the "Closure Letter, or Concurrence Letter," to the [PDS, PCC] that the soil remediation has been completed to the satisfaction of the [DEHQ, 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 [DEHQ, SAM] is required, and the applicant shall enter into a secured agreement for the completion of the remediation work. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the applicant shall comply with this condition. **MONITORING:** The [DEHQ, SAM], shall verify completion of the required remediation, and shall issue a Closure Letter to the applicant and a copy to the [PDS, PCC]. The [PDS, PCC] shall review the "Closure Letter," for compliance with this condition.

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**SITE PLAN FINDINGS:**

Otay Majestic Specific Plan Amendment establishes design standards, roadway standards, setbacks, site plan criteria, building mass, materials, heights, signage/lighting, and provisions of native landscaping palettes.

- a. That the proposed development meets the intent and specific standards and criteria prescribed in Specific Plan Amendment and applicable Zoning Ordinance sections.
- b. That the proposed development is consistent with the San Diego County General Plan, Otay Subregional Plan and East Otay Mesa Business Park Specific Plan, considering all aspects of the General Plan and Otay Subregional Plans, the Specific Plan will further the goals, objectives, and policies of all the elements of the plans and not obstruct their attainment.

In addition, the proposed development is in substantial conformance with the Otay Subregional Plan because the Specific Plan provides detailed site design, addresses the existing rural character of the area and encourages development that meets the intent of the Otay Subregional 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. No standard or criteria has been waived.

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

**STORMWATER ORDINANCE COMPLIANCE:** In order to Comply with all applicable stormwater regulations the activities proposed under this application are subject to enforcement under permits from the [San Diego Regional Water Quality Control Board \(RWQCB\)](#) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control [Ordinance No. 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 Quality Management Plan (SWQMP), 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 the property owner keep the Storm Water Pollution Prevention Plan (SWPPP) onsite and updated 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 (RWQCB) 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 and amended in November 2015. *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](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/PDS/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.

**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 the County Code](#).

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

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

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

**TRANSPORTATION IMPACT FEE:** The project is subject to County of San Diego Transportation Impact Fee (TIF) pursuant to [County TIF Ordinance number 77.201 – 77.223](#). The Transportation Impact Fee (TIF) shall be paid. The fee is required for the entire project, or it can be paid at building permit issuance for each phase of the project. The fee is calculated pursuant to the ordinance at the time of building permit issuance. The applicant shall pay the TIF at the [PDS, LD Counter] and provide a copy of the receipt to the [PDS, BD] at time of permit issuance.

**NOTICE:** This subject property may contain Quino checkerspot butterfly and/or San Diego fairy shrimp. The Federal government has listed both species as *endangered* under the Federal Endangered Species Act of 1973 (16 U.S.C. Section 1531 et seq.). THE LISTING STATUS OF ONE OR BOTH SPECIES MAY RESULT IN AN APPLICANT'S INABILITY TO PROCEED WITH HIS/HER PROJECT WITHOUT A PERMIT FROM THE FEDERAL GOVERNMENT IF THE SPECIES IN QUESTION OR ITS HABITAT IS PRESENT ON THE PROJECT SITE. The applicant is advised 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:** This project has been found to conform to the San Diego County Multiple Species Conservation Program Subarea Plan, Biological Mitigation Ordinance and Implementing Agreement. Upon fulfillment of the requirements for permanent mitigation and management of preserved areas as outlined in Section 17.1 (A) of the County's Implementing Agreement for the Multiple Species Conservation Program (MSCP) Plan, Third Party Beneficiary Status can be attained for the project. Third party beneficiary status allows the property owner to perform "incidental take" under the State and Federal Endangered Species Acts, of species covered by the MSCP Plan while undertaking land development activities in conformance with an approval granted by the County in compliance with the County's Implementing Agreement.

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

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

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

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

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

**NOTICE:** THE ISSUANCE OF THIS PERMIT BY THE COUNTY OF SAN DIEGO DOES NOT AUTHORIZE THE APPLICANT FOR SAID PERMIT TO VIOLATE ANY FEDERAL, STATE, OR COUNTY LAWS, ORDINANCES, REGULATIONS, OR POLICIES INCLUDING, BUT NOT

LIMITED TO, THE FEDERAL ENDANGERED SPECIES ACT AND ANY AMENDMENTS THERETO.

<b>EXPLANATION OF COUNTY DEPARTMENT AND DIVISION ACRONYMS</b>			
<b>Planning &amp; Development Services (PDS)</b>			
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		
<b>Department of Public Works (DPW)</b>			
Private Development Construction Inspection	PDCI	Land Development Project Review Teams	LDR
<b>Department of Environmental Health Quality (DEHQ)</b>			
Land and Water Quality Division	LWQ	Local Enforcement Agency	LEA
Vector Control	VCT	Hazmat Division	HMD
<b>Department of Parks and Recreation (DPR)</b>			
Trails Coordinator	TC	Group Program Manager	GPM
Parks Planner	PP		
<b>Department of General Service (DGS)</b>			
Real Property Division	RP		

ON MOTION of Supervisor \_\_\_\_\_, Seconded by Supervisor \_\_\_\_\_, this Site Plan Permit is approved by the Board of Supervisors of the County of San Diego, State of California, at a regular meeting held on this \_\_\_\_\_<sup>th</sup> day of \_\_\_\_\_ 2024 by the following vote:

AYES:

ABSENT:

Approved as to Form and Legality  
County Counsel

By: \_\_\_\_\_

Claudia Silva, County Counsel  
Justin Crumley, Senior Deputy County Counsel