



County of San Diego

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MITIGATED NEGATIVE DECLARATION

February 4, 2010

Project Name: Levie Minor Subdivision

Project Number(s): 3200 21065 (TPM), Environmental Log No. 07-08-005

**This Document is Considered Draft Until it is Adopted by the Appropriate
County of San Diego Decision-Making Body.**

This Mitigated Negative Declaration is comprised of this form along with the Environmental Initial Study that includes the following:

- a. Initial Study Form
 - b. Environmental Analysis Form and attached extended studies for Biological Resources, Cultural Resources, Stormwater Management, Drainage, and Fire Protection
1. California Environmental Quality Act Mitigated Negative Declaration Findings:
Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; and that revisions in the project plans or proposals made by or agreed to by the project applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and, on the basis of the whole record before the decision-making body (including this Mitigated Negative Declaration) that there is no substantial evidence that the project as revised will have a significant effect on the environment.

2. Required Mitigation Measures:

Refer to the attached Environmental Initial Study for the rationale for requiring the following measures:

BIOLOGICAL RESOURCES

- A. BIOLOGICAL EASEMENT: [DPLU, PCC] [DPR, TC] [DGS, RP] [BP, GP, CP, UO] [DPLU, FEE X 2]. Intent:** In order to protect sensitive biological resources, pursuant to the [Biological Mitigation Ordinance \(BMO\)](#), 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 Game by separate document, an open space easement, or grant to the California Department of Fish and Game a conservation easement, as shown on the Approved Tentative Parcel Map and Grading Plan. 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 is:
- a. Selective clearing of vegetation by hand to the extent required by written order of the fire authorities for the express purpose of reducing an identified fire hazard. While clearing for fire management is not anticipated with the creation of this easement, such clearing may be deemed necessary in the future for the safety of lives and property. All fire clearing shall be pursuant to the Uniform Fire Code and the Memorandum of Understanding dated February 26, 1997, (<http://www.sdcounty.ca.gov/dplu/docs/MemoofUnder.pdf>) between the wildlife agencies and the fire districts and any subsequent amendments thereto.
 - b. Activities conducted pursuant to a revegetation or habitat management plan approved by the Director of Planning and Land Use or the Director of Public Works or Department of Parks and Recreation.

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

Documentation: The applicant shall prepare the draft plats and legal descriptions of the easements, then submit them for preparation and recordation with the *[DGS, Real Property Division]*, and pay all applicable fees associated with preparation of the documents. Upon Recordation of the easements, the applicant shall provide copies of the recorded easement documents to *[DPLU, PCC]* for approval. **Timing** Prior to the approval of the map for and prior to the approval of any plan and issuance of any permit, the easements shall be executed and recorded.

Monitoring: The *[DGS, RP]* shall prepare and approve the easement documents and send them to *[DPLU, PCC]* for pre-approval. The *[DPLU, 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, Real Property Division]* shall forward a copy of the recorded documents to *[DPLU, PCC]* *[DPR, TC]* for satisfaction of the condition.

- B. LBZ EASEMENT: [DPLU, PCC] [DGS, RP] [BP, GP, CP, UO] [DPLU, FEE X 2]. Intent:** In order to protect sensitive biological resources, pursuant to the [Biological Mitigation Ordinance \(BMO\)](#) a Limited Building Zone Easement shall be granted to limit the need to clear or modify vegetation for fire protection purposes within an adjacent biological resource area. **Description of Requirement:** Grant to the County of San Diego a Limited Building Zone Easement as shown on the Tentative Parcel Map and Grading Plan. The purpose of this easement is to limit the need to clear or modify vegetation for fire protection purposes within the adjacent biological open space easement and prohibit the construction or placement of any structure designed or intended for occupancy by humans or animals. The only exceptions to this prohibition are:

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

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

Documentation: The applicant shall prepare the draft plats and legal descriptions of the easements, then submit them for preparation and recordation with the *[DGS, Real Property Division]*, and pay all applicable fees associated with preparation of the documents. Upon Recordation of the easements, the applicant shall provide copies of the recorded easement documents to *[DPLU, PCC]* for approval. **Timing:** Prior to the approval of the map for and prior to the approval of any plan and issuance of any permit, the easements shall be executed and recorded. **Monitoring:** The *[DGS, RP]* shall prepare and approve the easement documents and send them to *[DPLU, PCC]* for pre approval. The *[DPLU, 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, Real Property Division]* shall forward a copy of the recorded documents to *[DPLU, PCC]* for satisfaction of the condition.

- C. OFF-SITE MITIGATION: [DPLU, PCC] [BP, GP, CP, UO] [DPR, GPM] [DPLU,FEE X2] Intent:** In order to mitigate for the impacts to Four (4) California Adolpia species which is a sensitive biological resource pursuant to [Biological Mitigation Ordinance \(BMO\)](#), off-site mitigation shall be acquired totaling 0.10 acres of credit within Deer Canyon Mitigation Bank .
- Description of Requirement:** The applicant shall purchase habitat credit, or provide for the conservation of habitat of 0.10 acres of California Adolpia Habitat, located within Deer Canyon Mitigation Bank.

- a. **Option 1:** If purchasing Mitigation Credit, the mitigation bank shall be approved by the California Department of Fish & Game. The following evidence of purchase shall include the following information to be provided by the mitigation bank:
 - 1. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.

2. If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.
 3. To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.
 4. An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.
- b. **Option 2:** If habitat credit cannot be purchased in a mitigation bank, then the applicant shall provide for the conservation habitat of the same amount and type of land located in San Diego County as indicated below:
1. Prior to purchasing the land for the proposed mitigation, the location should be pre-approved by [DPLU].
 2. A Resource Management Plan (RMP) shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Content Requirements to the satisfaction of the Director of DPLU. If the offsite-mitigation is proposed to be managed by DPR, the RMP shall also be prepared and approved to the satisfaction of the Director of DPR.
 3. An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of DPLU. The land shall be protected in perpetuity.
 4. The purchase and dedication of the land and the selection of the Resource Manager and establishment of an endowment to ensure funding of annual ongoing basic stewardship costs shall be complete prior to the approval of the RMP.

Documentation: The applicant shall purchase the off-site mitigation credits and provide the evidence to the [DPLU, PCC] for review and approval. If the offsite mitigation is proposed to be owned or managed by DPR, the applicant must provide evidence to the [DPLU PCC] that [DPR,

GPM] agrees to this proposal. It is recommended that the applicant submit the mitigation proposal to the [DPLU, PCC], for a pre-approval. If an RMP is going to be submitted in-lieu of purchasing credits, then the RMP shall be prepared and an application for the RMP shall be submitted to the [DPLU, ZONING]. **Timing** Prior to the approval of the map and prior to the approval of any plan and issuance of any permit, the mitigation shall be completed. **Monitoring:** The [DPLU, PCC] shall review the mitigation purchase for compliance with this condition. Upon request from the applicant [DPLU, PCC] can pre-approve the location and type of mitigation only. The credits shall be purchased before the requirement can be completed. If the applicant chooses option #2, then the [DPLU, ZONING] shall accept an application for an RMP, and [DPLU, REG] [DPR, GPM] shall review the RMP submittal for compliance with this condition and the RMP Guidelines.

D. OPEN SPACE SIGNAGE: [DPLU, PCC] [BP, GP, CP, UO] [DPLU, FEE].

Intent: In order to protect the proposed open space easement from entry, informational signs shall be installed. **Description of Requirement:** Open space signs shall be placed along the biological open space boundary of lots(s) 1 and 2 as indicated on the approved Tentative Parcel Map and Grading Plan. The signs must be corrosion resistant, a minimum of 6" x 9" in size, on posts not less than three (3) feet in height from the ground surface, and must state the following:

**Sensitive Environmental Resources
Area Restricted by Easement**

Entry without express written permission from the County of San Diego is prohibited. To report a violation or for more information about easement restrictions and exceptions contact the County of San Diego,
Department of Planning and Land Use
Reference: (TPM 21065)

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 easment(s). **Timing:** Prior to the approval of the map and prior to the approval of any plan and issuance of any permit, the open space signs shall be installed. **Monitoring:** The [DPLU, PCC] shall review the photos and statement for compliance with this condition.

E. OPEN SPACE FENCING: [DPLU, PCC] [UO, FG] [DPLU, FEE].

Intent: In order to protect the proposed open space easement from entry, or disturbance, permanent fencing or walls shall be installed. **Description of Requirement:** Open space fencing or walls shall be placed along the biological open space boundary as indicated on the Grading Plan. The fencing/walls design shall consist of split rail. **Documentation:** The applicant shall install the fencing or walls as indicated above and provide site photos and a statement from a California Registered Engineer, or licensed surveyor that the open space fencing has been installed at the open space easement boundary. **Timing** Prior to the approval of the map and prior to the approval of any plan and issuance of any permit, the fencing or walls shall be placed. **Monitoring:** The [DPLU, PCC] shall review the photos and statement for compliance with this condition.

CULTURAL RESOURCES

F. ARCHAEOLOGICAL GRADING MONITORING: [DPLU, PCC] [DPW, ESU] [MA, GP, IP] [DPLU, FEE X 2]

Intent: In order to mitigate for potential impacts to undiscovered buried archaeological resources on the project site, a grading monitoring program and potential data recovery program shall be implemented pursuant to the [County of San Diego Guidelines for Determining Significance for Cultural Resources](#) and [CEQA Section 15064.5 an 15064.7](#). **Description of Requirement:** A County approved Principal Investigator (PI) known as the "Project Archaeologist" and Native American Monitor shall be contracted to perform cultural resource grading monitoring and a potential data recovery program during all grading, clearing, grubbing, trenching, and construction activities. The following shall be completed:

- a. The 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](#), and this permit. The contract provided to the County shall include an agreement that the grading monitoring will be completed, and a [Memorandum of Understanding \(MOU\)](#) between the County approved Archaeologist and the County of San Diego shall be executed. The contract shall include a cost estimate for the monitoring work and reporting.

- b. The Project Archeologist shall provide Evidence that a Qualified Native American of the appropriate tribal affiliation has also been contracted to perform Native American Grading Monitoring for the project.
- c. The cost of the monitoring shall be added to the grading bonds that will be posted with the Department of Public Works, or bond separately with the Department of Planning and Land Use.

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

PAEONTOLOGICAL RESOURCES

G. PALEONTOLOGICAL MONITORING: [DPW, PDCI] [DPLU, PCC] [PC] [DPLU, FEE X2] Intent: In order to comply with Mitigation Monitoring and Reporting Program pursuant to Levie TPM 21065, a Paleontological Resource Grading Monitoring Program shall be implemented. **Description of Requirement:** This project site has marginal to low levels of sensitive Paleontological resources. All grading activities are subject to the [County of San Diego Grading Ordinance Section 87.430](#), if any significant resources (Fossils) are encountered during grading activities.

- a. The grading contractor is responsible to monitor for paleontological resources during all grading activities. If any fossils are found greater than 12 inches in any dimension, stop all grading activities and contact the [DPLU, PCC] before continuing grading operations.
- b. If **any** paleontological resources are discovered and salvaged, the monitoring, recovery, and subsequent work determined necessary shall be completed by or under the supervision of a Qualified Paleontologist pursuant to the [San Diego County Guidelines for Determining Significance for Paleontological Resources](#).

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

TRANSPORTATION

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

3. Critical Project Design Elements That Must Become Conditions of Approval:

The following project design elements were either proposed in the project application or the result of compliance with specific environmental laws and regulations and were essential in reaching the conclusions within the attached Environmental Initial Study. While the following are not technically mitigation measures, their implementation must be assured to avoid potentially significant environmental effects.

FIRE PROTECTION

I. FIRE RESTRICTION ZONE: [DPLU, PCC] [DGS, RP] [MA] [DPLU, FEE X 2]. Intent: In order to comply with the [County of San Diego Fire Code Section 96.1.4707 for Defensible Space](#), a Limited Building Zone (LBZ) Restriction for Fire Protection purposes shall be established. **Description of Requirement:** Grant to the County of San Diego by separate document, a Limited Building Zone Easement as shown on the Tentative Parcel Map. The purpose of this easement is to limit the need to clear or modify vegetation for fire protection purposes and prohibit the construction or placement of any structure designed or intended for occupancy by humans or animals. The only exceptions to this prohibition are:

- a. Structures designed or intended for occupancy by humans or animals located no less than 100 feet from the nearest biological open space easement boundary, provided that the structures meet the minimum Fire-Resistive Construction Requirements as defined by the Fire Protection Authority (FPA) having jurisdiction over the property and that FPA has approved in writing a reduction in the vegetation clearing/fuel modification requirements so that they will not be required within any portion of the biological open space easement.
- b. Decking, fences, and similar facilities.
- c. Sheds, gazebos, and detached garages, less than 250 square feet in total floor area, that are designed, constructed and placed so that they do not require clearing or fuel modification within the biological open space easement, beyond the clearing/fuel modification required for the primary structures on the property.

Documentation: The applicant shall prepare the draft plats and legal descriptions of the easements, then submit them for preparation and recordation with the [DGS, RP], and pay all applicable fees associated with preparation of the documents. Upon Recordation of the easements, the applicant shall provide copies of the recorded easement documents to [DPLU, PCC] for approval. **Timing:** Prior to the approval of the map, the applicant shall comply with this condition. **Monitoring:** The [DGS, RP] shall prepare and approve the easement documents and send them to [DPLU, PCC] for pre approval. The [DPLU, 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 [DPLU, PCC] for satisfaction of the condition.

J. FIRE TURNOUT EASEMENT: [DPW, LDR] [FIRE] [MA].

Intent: In order to provide the appropriate fire turnarounds pursuant to the Rancho Santa Fe Fire Protection District Standards and to comply with the [County Subdivision Ordinance Section 81.703](#) the easement(s) shall be provided. **Description of Requirement:** The Parcel Map shall show a thirty-eight foot (38') minimum radius cul- de- sac or a minimum hammerhead turnaround located at the Parcel 1, to the satisfaction of the Rancho Santa Fe Fire Protection District and the County of San Diego, Director of Public Works. **Documentation:** The applicant shall show the easement on the parcel map. **Timing:** Prior to approval of the parcel map, the easement shall be indicated on the parcel map. **Monitoring:** The

The [DPW, LDR] shall review the parcel map to ensure that the fire turnout easement is indicated pursuant to this condition.

K. FIRE LANES: [DPW, LDR] [DPW, PDCI] [FIRE] [MA]

Intent: In order to provide proper clearance for fire apparatus on the private easement road (PRD No. 9B) Rancho Del Rio, which is necessary for the health and safety of present and future residents the curbs shall be painted red and the signs shall be installed. **Description of Requirement:**

Rancho Del Rio private easement road shall either be posted with "NO PARKING" signs or improved with red-painted curbs marked "No Parking Fire Lane" to the satisfaction of the Rancho Santa Fe Fire Protection District. **Documentation:**

The applicant shall indicate the fire lane requirement on the plans, and implement the requirements pursuant to the timing of this condition. **Timing:** Prior to approval and recordation of the parcel map, this requirement shall be completed

Monitoring: The [DPW, LDR] shall verify that the Rancho Santa Fe Fire Protection District is satisfied with the implementation of the no-parking zones before final release of the private road improvements plans.

ROADS

L. PUBLIC ROAD CONNECTION: [DPW, LDR] [MA].

Intent: In order to ensure that the subdivision is connected to a publicly maintained road and to comply with the [County Subdivision Ordinance Section 81.703\(a\) and/or \(b\)\(1\)](#), recorded documentation shall be provided.

Description of requirement: Recorded documentation showing that the land division is connected to a publicly maintained road by an easement for road purposes shall be provided. The easement shall be forty feet (40') wide as specified in County Subdivision Ordinance Section [81.703\(a\) and/or \(b\)\(1\)](#), unless proof is furnished that a lesser width is applicable under Section 81.703(l) or Section 81.703(m) of the County Code, and shall be for the benefit and use of the property being divided. Recordation data for said easement shall be shown on the Parcel Map. This requirement applies to off-site access to all proposed parcels.

Documentation: The applicant shall submit to the [DPW, LDR], proof that the subdivision is connected to a publicly maintained road, and indicate the access on the parcel map.

Timing: Prior to the approval of the parcel map, the connection shall be verified. **Monitoring:** The [DPW, LDR] shall verify that the evidence provided meets the requirement of this condition.

M. SIGHT DISTANCE: [DPW, LDR] [MA]

Intent: In order to comply with the Design Standards of Section 6.1.(E) of the [County of San Diego Public Road Standards](#) at intersection of Del Dios Highway and Rancho Del Rio, an unobstructed view for safety while exiting the property and accessing a public road from the site, an unobstructed sight distance shall be verified. **Description of requirement:** There shall physically be minimum unobstructed sight distance based upon prevailing traffic speeds in both directions along Del Dios Highway from Rancho Del Rio including the following:

- a. If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify that: Said lines of sight fall within the existing right-of-way and a clear space easement is not required.”
- b. The engineer or surveyor shall further certify that the sight distance of adjacent driveways and street openings will not be adversely affected by this project.

Documentation: The applicant shall have a Registered Civil Engineer, a Registered Traffic 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 [DPW, LDR] for review. **Timing:** Prior to the approval of the parcel map the site distance shall be verified.

Monitoring: The [DPW, LDR] shall verify the site distance certifications.

N. PRIVATE ROAD EASEMENTS: [DPW, LDR] [FIRE] [MA].

Intent: In order to promote orderly development and to comply with the [County Subdivision Ordinance Section 81.703](#) the easements shall be provided. **Description of Requirement:** Provide the following private road easements as indicated below

The Parcel Map shall show a minimum forty foot (40') wide existing offsite private road easement, Rancho Del Rio from Del Dios Highway to Parcel 1 for the benefit of the land division.

Documentation: The applicant shall show the easement(s) on the parcel map. **Timing:** Prior to approval of the parcel map, the easement(s) shall be indicated on the parcel map. **Monitoring:** The [DPW, LDR] shall review the parcel map to ensure that the fire turnout easement is indicated pursuant to this condition.

O. PRD ANNEXATION: [DPW, LDR] [DPW, SPECIAL DIST.] [MA].

Intent: In order to provide access to the proposed land division and to ensure maintenance to the roads, and to comply with Permanent Road Division (PRD) No. 9B, the subdivision shall annex into the permanent Road Division (PRD). **Description of Requirement:** Access to this land division is by a road maintained at the expense of Permanent Road Division (PRD) No. 9B. The newly created Parcel 2 shown on this Tentative Parcel Map shall be annexed into PRD No. 9B for the purposes of sharing in cost of roads now being maintained by the PRD. The subdivider shall pay all required annexation fees. **Documentation:** The applicant shall annex into the PRD and pay all applicable annexation fees at the [DPW, Special Assessment Districts]. **Timing:** Prior to approval of the parcel map, the annexation shall be completed. **Monitoring:** [The [DPW, LDR] shall verify that the subdivision has been annexed into the PRD.

P. PRIVATE ROAD IMPROVEMENTS: [DPW, LDR] [MA]

Intent: In order to promote orderly development necessary for public health and safety of the area, and to comply with the [Subdivision Ordinance Sec. 81.706 through 81.707 and 81.709.1](#), and Rancho Santa Fe Fire Protection District, the required private improvements shall be completed. In order to ensure compliance with the Fire requirements which is necessary for the health and safety of present residents no covenant of private road improvements are allowed. **Description of Requirement:** Complete the following private road improvements as indicated below:

- a. Rancho Del Rio shall terminate with a cul-de-sac at proposed Parcel 1 graded to a radius of thirty-eight feet (38') and surfaced to a radius of thirty-six feet (36'), or a hammerhead turnaround with asphalt concrete pavement over approved base to the satisfaction of the Rancho Santa Fe Fire Protection District and the County of San Diego, Director of Public Works. [FIRE]
- b. The private easement road, Rancho Del Rio from end of existing maintained road (PRD No. 9B) to end of cul-de-sac shall be graded twenty-eight feet (28') wide and improved twenty-four feet (24') wide with asphalt concrete. The existing pavement may remain and shall be widened with asphalt concrete to provide a constant width of twenty-four feet (24'). All distressed sections shall be replaced. The Improvement and Design Standards of Section 3.1(C) of the

3.1(C) of the County Standards for Private Streets for one hundred (100) or less trips shall to the satisfaction of the Director of Public Works.

- 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.
- d. The County of San Diego, Department of Public Works, shall be notified before any private road construction. Copies of the blueline plans shall be submitted and an inspection deposit shall be posted.
- e. The structural section, both new and existing, for the private road shall be approved by the County of San Diego, Department of Public Works Materials Laboratory, before construction activities commence pursuant to Section 3.2/3.11 of the San Diego County Standards for Private Roads.
- f. The existing/proposed private easement road, Rancho Del Rio, shall have an unobstructed vertical clearance of thirteen feet, six inches (13' 6") to the satisfaction of the Rancho Santa Fe Fire Protection District. [FIRE]

Documentation: The applicant shall complete the following:

- a. Plans and processing deposit for process and obtain approval of the Improvement Plans to improve the [to-be-named] private easement road, and provide the cost estimate. All plans and improvements shall be completed pursuant to the [County of San Diego Private Road Standards](#) and the DPW [Land Development Improvement Plan Checking Manual](#).
- b. The improvements shall be completed and a secured agreement shall be executed pursuant to [Subdivision Ordinance Sec. 81.706.1 through 81.707](#), for the required improvements, or execute a covenant of improvements to defer the requirements until after the map is recorded.

Timing: Prior to approval and recordation of the parcel map, this requirement shall be completed. **Monitoring:** The [DPW, LDR] shall review the plans for constancy with the condition and County Standards.

Q. IMPROVEMENT CERTIFICATION: [DPW, LDR] [MA].

Intent: In order ensure that the proposed work on the private road easement stays within the private road easement, and to comply with the Private road Standards and Subdivision Ordinance 81.703, a letter of certification shall be provided. **Description of Requirement:** The private easement road, Rancho Del Rio, including all slopes and cul-de-sac/hammerhead turnaround, shall be constructed entirely within the easement, including drainage structures, for the benefit of the land division.

If the slopes for the improvement fall outside of the easement, mitigating structures shall be utilized so the improvement is within the easement or a letter of permission shall be obtained and an engineer or surveyor shall further certify that letter(s) of permission have been obtained for work outside of the easement limits. **Documentation:** The applicant shall have a Registered Civil Engineer or a Licensed Land Surveyor provide a signed statement, which certifies that the improvements were constructed entirely within the easement, including drainage structures, for the benefit of the land division pursuant to this condition. **Timing:** Prior to approval and recordation of the parcel map, this requirement shall be completed. **Monitoring:** The [DPW, LDR] shall verify the accuracy of the certification letter pursuant to this condition.

UTILITY SERVICES

R. COMMITMENT TO SERVE SEWER: [DPW, LDR] [SEWER DIST.] [MA].

Intent: In order to promote orderly development by providing public sewer to the parcels, and to comply with the [Subdivision Ordinance Sec. 81.703 through Section 81.706](#), a sewer commitment shall be obtained.

Description of Requirement: A commitment to serve each parcel must be purchased from the Rancho Santa Fe Community Services District. In addition to the capacity commitment fees, the appropriate district fees shall be paid at the time of issuance of the waste-water discharge permit.

Documentation: The applicant shall provide the commitment letter and pay all required fees, to the satisfaction of the Rancho Santa Fe Community Services District. **Timing:** Prior to approval of the parcel map, the sewer commitment letter shall be provided. **Monitoring:** The [DPW, LDR] shall review all documents provided to prove the sewer commitment has been completed, to ensure compliance with this condition.

S. PAVEMENT CUT POLICY: [DPW, LDR] [GP, IP, MA]

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 surface, and to comply with County Policy RO-7 adjacent property owners shall be notified and solicited for their participation in the extension of utilities. **Description of requirement:** All adjacent property owners shall be notified who may be affected by this policy and are considering development of applicable properties, this includes requesting their participation in the extension of utilities to comply with this policy. No trench cuts for undergrounding of utilities in all new, reconstructed, or resurfaced paved County-maintained roads for a period of three years following project surface. **Documentation:** The applicant shall sign a statement that they are aware of the County of San Diego, Department of Public Works, Pavement Cut Policy to the satisfaction of the Department of Public Works (DPW), and submit it to the [DPW LDR] for review. **Timing:** Prior to the approval improvement plans and the approval of the parcel map, the letters shall be submitted for approval. **Monitoring:** The [DPW, LDR] shall review the signed letters.

T. PAVEMENT CUT POLICY: [DPW, LDR] [GP, IP, MA]

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 surface, and to comply with County Policy RO-7 adjacent property owners shall be notified and solicited for their participation in the extension of utilities. **Description of requirement:** All adjacent property owners shall be notified who may be affected by this policy and are considering development of applicable properties, this includes requesting their participation in the extension of utilities to comply with this policy. No trench cuts for undergrounding of utilities in all new, reconstructed, or resurfaced paved County-maintained roads for a period of three years following project surface. **Documentation:** The applicant shall sign a statement that they are aware of the County of San Diego, Department of Public Works, Pavement Cut Policy to the satisfaction of the Department of Public Works (DPW), and submit it to the [DPW LDR] for review. **Timing:** Prior to approval and recordation of the parcel map, this requirement shall be completed. **Monitoring:** The [DPW, LDR] shall review the signed letters.

U. UTILITY CONCURRENCE LETTERS: [DPW, LDR] [GP, IP,MA]

Intent: In order to provide adequate notice to the serving utility companies that the improvements of private road easement are going to possibly affect their utilities, letters of concurrence shall be provided. **Description of requirement:** Where private easement roads are not being dedicated, or where each of the proposed parcels is not on a public street, letters shall be obtained from each serving utility company. The letters shall state that the arrangements are satisfactory to the utility for which the parcels being created serve. No letter will be required from the following: AT&T/SBC, Olivenhain Municipal Water District, Yucca Mutual Water Company, and the Rainbow Municipal Water District. **Documentation:** The applicant shall obtain the letters and submit them to the [DPW LDR] for review and approval. **Timing:** Prior to the approval improvement plans and the approval of the parcel map, the letters shall be submitted for approval. **Monitoring:** The [DPW, LDR] shall review the signed letters.

V. UTILITY CONCURRENCE LETTERS: [DPW, LDR] [GP, IP,MA]

Intent: In order to inform the local public entities and utility companies that the parcel map is going to be approved by the County, and to comply with Section 66436 of the Government Code, letters of concurrence for signature of on the map shall be provided. **Description of requirement:** A certification from each public utility and each public entity owning easements within the proposed land division shall be provided to the County. **Documentation:** The applicant shall obtain the letters, which state that: They have received a copy of the proposed Parcel Map, and that they object or do not object to the filing of the Map without their signature. The applicant shall submit the letters to the [DPW LDR] for review and approval. **Timing:** Prior to the approval improvement plans and the approval of the parcel map, the letters shall be submitted for approval. **Monitoring:** The [DPW, LDR] shall review the signed letters.

LIGHTING

W. ANNEX TO LIGHTING DISTRICT: [DPW, LDR] [DPLU, ZONING] [UO].

Intent: In order to promote orderly development and to comply with the Street Lighting Requirements of the [County Subdivision Ordinance Section 81.706](#) the property shall transfer into the lighting district. **Description of requirement:** Allow the transfer of the property subject of this permit into Zone A of the San Diego County Street Lighting District without notice or hearing, and pay the cost to process such transfer. **Documentation:** The applicant shall pay the Zone A Lighting District Annexation Fee at the [DPLU, ZONING]. **Timing:** Prior to approval of the parcel map, the fee

parcel map, the fee shall be paid. **Monitoring:** The [DPLU, ZONING] shall calculate the fee pursuant to this condition and provide a receipt of payment for the applicant.

FLOOD PLAIN

X. LINES OF INUNDATION: [DPW, LDR] [MA]

Intent: In order to prevent future development in the flood plain and to comply with Flood Damage Prevention Ordinance, the Flood Lines of Inundation shall be shown on the map. **Description of requirement:** Lines of inundation to the limits of the 100- year flood along the watercourse, which flows through the property, shall be shown and labeled "Subject To Inundation By The 100- Year Flood" on the Parcel Map.

- a. A Civil Engineer shall provide the necessary hydrology and hydraulics to define the 100 year floodplain inundation limits and annotate the limits on a copy of the approved Tentative Parcel Map.
- b. Each parcel shall have a flood free building site to the satisfaction of the County of San Diego, Director of Public Works. If any of the parcels are found to be devoid of a buildable, flood free site for a residence, the subdivider shall take appropriate action so that each parcel does have a buildable flood free site. This pertains to watersheds having area of twenty five (25) or more acres.

Documentation: The applicant shall indicate the drainage swales on the parcel map as indicated above. **Timing:** Prior to the approval of the parcel map, the inundation lines shall be indicated and labeled on the map. **Monitoring:** The [DPW, LDR] shall verify that the inundation lines have been indicated pursuant to this condition.

Y. FLOWAGE EASEMENT: [DPW, LDR] [MA]

Intent: In order to prevent future development in the floodplain or watercourse, and to comply with Flood Damage Prevention Ordinance, a flowage easement shall be dedicated on the parcel map. **Description of requirement:** A flowage easement encompassing the limits of either the 100- year flood plain or floodway, as defined in Section 1110 of the Zoning Ordinance, on the watercourse which flows through the property shall be dedicated to the County of San Diego. This pertains to watersheds having areas of one (1) square mile or more. **Documentation:** The applicant shall dedicate a flowage easement to the County of San Diego

County of San Diego on the parcel map as indicated above. **Timing:** Prior to the approval of the parcel map, the easement shall be dedicated on the map. **Monitoring:** The [*DPW, LDR*] shall verify that the flowage easement has been dedicated on the map.

ADOPTION STATEMENT: This Mitigated Negative Declaration was adopted and above California Environmental Quality Act findings made by the:

on _____

Donna Beddow, Planning Manager
Project Planning Division

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