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MITIGATED NEGATIVE DECLARATION

Project Name: Alpine Boulevard (McKany)

Project Number(s): TPM 21044; ER 06-14-054

**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
Traffic Impact
Noise Impact
Fire Protection

1. California Environmental Quality Act 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:

Conditions 18 & 19; Off-site Biological Mitigation

Mitigation Impacts during Construction (30 & 31)

Noise – temporary noise attenuation barriers (30)

Biology – resources avoidance - during the breeding season of migratory birds and raptors (18, 19, & 31)

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

1. **COST RECOVERY: [DPLU, DPW, DEH, DPR], [MA, GP, IP]**

Intent: In order to comply with [Section 362 of Article XX of the San Diego County Administrative Code](#), Schedule B.5 existing deficit accounts associated with processing this permit shall be paid. **Description of requirement:** The applicant shall pay off all existing deficit accounts associated with processing this permit. **Documentation:** The applicant shall provide a receipt to the Department of Planning and Land Use, Zoning Counter, which shows that all discretionary deposit accounts have been paid. No permit can be issued if there are deficit deposit accounts. **Timing:** Prior to the approval of any map and prior to the approval of any plan and issuance of any permit, all fees and discretionary deposit accounts shall be paid. **Monitoring:** The DPLU Zoning Counter shall review the receipts and verify that all DPLU, DPW, DEH, and DPR deposit accounts have been paid.

2. **GRADING PLAN CONFORMANCE: [DPW, ESU] [DPR, TC PP] [GP, IP, MA]**

Intent: In order to implement the required mitigation measures for the project, the required grading plan and improvement plans shall conform to the approved Conceptual Grading and Development Plan. **Description of requirement:** The grading and or improvement plans shall conform to the approved Conceptual Grading Plan, which includes all of the following mitigation measures: breeding season avoidance (biology) and temporary noise barrier (noise). **Documentation:** The applicant shall submit the grading plans and improvement plans, which conform to the conceptual development plan for the project. **Timing:** Prior to the approval of the map and prior to the approval of any plan

and issuance of any permit, the notes and items shall be placed on the plans as required. **Monitoring:** The [DPW, ESU, or DPLU, BD for DPLU Minor Grading, [DPR, TC for trails and PP for park improvements] shall verify that the grading and or improvement plan requirements have been implemented on the final grading and or improvement plans as applicable. The environmental mitigation notes shall be made conditions of the issuance of said grading or construction permit.

3. 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.

4. 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](#), an unobstructed view for safety while exiting the property and accessing a public road from the project private road and the driveway, shall be verified. **Description of requirement:** There shall physically be minimum unobstructed sight distance based upon prevailing operating speed of traffic on Alpine Boulevard in both directions along Alpine Boulevard from private road and driveway for Parcel 1 and 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 sight distance shall be verified. **Monitoring:** The [DPW, LDR] shall verify the sight distance certifications.

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

Intent: In order to provide the appropriate fire turnarounds pursuant to the Alpine 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 minimum hammerhead turnaround located on Parcel 4 and Remainder Parcel, to the satisfaction of the Alpine 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 [DPW, LDR] shall review the parcel map to ensure that the fire turnout easement is indicated pursuant to this condition.

6. 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\(a\)](#), (l) the easement(s) shall be provided.

Description of Requirement: Provide the following private road easements as indicated below

- a) The Parcel Map shall show a minimum forty foot (40') wide onsite/ offsite private road easement from Alpine Boulevard to a point approximately 227' southerly along the boundary of the land division.
- b) The Parcel Map shall show a thirty-two foot (32') wide onsite private road easement as an extension of the point approximately 227' southerly of Alpine Boulevard, thence southerly to the Remainder Parcel for that portion within the boundary 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.

7. RELINQUISH ACCESS: [DPW, LDR] [DGS, RP] [MA]

Intent: In order to promote orderly development and to comply with the [Public Facilities Element and the Circulation element of the General Plan](#), access shall be relinquished. **Description of requirement:** Relinquish access rights onto Alpine Boulevard except for private easement road and driveway for Parcel 1 as shown on the approved Tentative Parcel Map. The access relinquishment shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required. Only the two access points are permitted along Alpine Boulevard for this project. **Documentation:** The applicant shall prepare the legal descriptions and documents and present them for review and to *[DGS, RP]*. Upon execution of the relinquishment documents, the applicant shall provide copies of the documents to *[DPW, LDR]* for review. **Timing:** Prior to the approval of the parcel map, the access shall be relinquished. **Monitoring:** The *[DGS, RP]* shall prepare and execute the relinquishment documents and forward a copy of the recorded documents to *[DPW, LDR]* for review and approval.

8. **CENTERLINE LOCATION: [DPW, LDR] [MA].**

Intent: In order to promote orderly development and to comply with the [Subdivision Ordinance Sec. 81.704](#), the centerline of Alpine Boulevard shall be shown on the subdivision map. **Description of requirement:** The desired location of the centerline for Alpine Boulevard shall be determined, which is shown on the Circulation Element of the County General Plan as a Collector Road with bicycle line. The following shall be shown on the Parcel Map:

- a. The centerline location as approved by the Department of Public Works.

Documentation: the engineer or surveyor preparing the map shall contact the County of San Diego, Department of Public Works, to determine the desired location of the centerline for Alpine Boulevard (SC 1883), which is shown on the Circulation Element of the County General Plan as a Collector Road with bicycle line. The applicant shall indicate the centerlines on the map as indicated above. **Timing:** Prior to the approval of the parcel map for the centerlines shall be indicated on the map. **Monitoring:** The *[DPW, LDR]* shall verify that the centerlines are indicated on the map.

9. **PUBLIC SEWER IMPROVEMENT: [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](#) the sewer shall be dedicated and installed. **Description of Requirement:** A sewer system, which is to be public sewer shall be dedicate on the map, and installed the portion of the sewer system which is to be public as shown on the approved plans and specifications, to the satisfaction of the Alpine Sanitation District. A graded access road to maintain any public sewer constructed within easements and may be required to dedicate additional access

easements to maintain the public sewers. **Documentation:** The applicant shall dedicate the sewer easement on the parcel map, and provide improvement plans for the sewer system construction to the [DPW, LDR] and the sewer district for review and approval. **Timing:** Prior to approval of the parcel map, the sewer shall be dedicated and installed. **Monitoring:** The [DPW, LDR] shall review the parcel map to ensure that the sewer easement has been dedicated. The [DPW, LDR] shall review the improvement plans to ensure compliance with this condition.

10. 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 Alpine Sanitation 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 Alpine Sanitation 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.

11. 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.

12. 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.

13. 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.

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

15. INSTALL STREETLIGHTS: [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

street lights shall be installed and energized. **Description of requirement:** Install or arrange to install streetlights to County standards and the satisfaction of the Director of Public Works, and deposit with the County of San Diego, through the Department of Public Works, a cash deposit sufficient to energize and operate the street lights until the property has been transferred into Zone A and the street light has been accepted by the County. **Documentation:** The applicant shall pay the Zone A Lighting District Annexation Fee at the [DPLU, ZONING], and arrange for the installation and energizing of the streetlights. **Timing:** Prior to approval of the parcel map, the streetlights shall be installed and all fees paid. **Monitoring:** The [DPLU, ZONING] shall calculate the fee pursuant to this condition and provide a receipt of payment for the applicant. The [DPW, LDR] shall ensure that the streetlights have been installed and all fees have been paid.

16. STREET NAME: [DPW, LDR] [MA].

Intent: In order to provide a name for the proposed private road, naming of the roads is necessary for the health and safety of present and future residents. **Description of Requirement:** The private easement road serving this project shall be named. **Documentation:** The applicant shall contact the Street Address Section of the Department of Planning and Land Use (858-694-3797) to discuss the road naming requirements for the development. The applicant shall pay all applicable processing fees for the naming of the street. **Timing:** Prior to approval and preparation of the Parcel Map, the street shall be named. **Monitoring:** The [DPLU, BD] shall provide a name to the applicant. Upon issuance of the street name, the street section shall provide [DPW, LDR] the street name information. The [DPW, LDR] Map Processing, shall ensure that the appropriate street name has been added to the parcel map.

17. PRIVATE ROAD MAINTENANCE AGREEMENT: [DPW, LDR] [MA].

Intent: In order to ensure that the subdivision's accesses comply with the County Subdivision Ordinance Section 81.703, and the private road approved with this subdivision is maintained, the applicant shall assume responsibility of the private road. **Description of Requirement:** A maintenance agreement shall be executed that indicates the following:

- a. Maintenance shall be provided for on-site and off-site private street that serves the project through a private road maintenance agreement to satisfactory to the Director of Public Works.

Documentation: The applicant shall sign the private road maintenance agreement to the satisfaction of the Director of DPW and indicate the ownership on the map as indicated above. **Timing:** Prior to the approval of the map for the agreement shall be executed and the ownership shall be indicated on the map.

Monitoring: The [DPW, LDR] shall review the executed agreement and the map for compliance with this condition.

18. OFF-SITE MITIGATION: [DPLU, PCC] [MA, GP, IP] [DPLU, FEE X2] [DPR, GPM] Intent: In order to mitigate for the impacts to southern cottonwood-willow riparian forest habitat, which is a sensitive biological resource pursuant to the [Biological Mitigation Ordinance \(BMO\)](#) and [Resource Protection Ordinance \(RPO\)](#), off-site mitigation shall be acquired. **Description of Requirement:** The applicant shall purchase habitat credit, or provide for the conservation of habitat of 0.17 acres of Tier I habitat, located within the Multiple Species Conservation Program (MSCP) as indicated below.

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

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

b. **Option 2:** If habitat credit cannot be purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land located within the Multiple Species Conservation Program (MSCP) as indicated below:

1. The type of habitat and the location of the proposed mitigation, should be pre-approved by [DPLU, PCC] before purchase or entering into any agreement for purchase.
2. A Resource Management Plan (RMP) shall be prepared and approved pursuant to the County of San Diego Biological Report

Format and Content Requirements to the satisfaction of the Director of DPLU. If the offsite mitigation is proposed to be owned and/or managed by DPR, the RMP shall also be approved by the Director of DPR.

3. An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of DPLU. The land shall be protected in perpetuity.
4. The final RMP can not be approved until the following has been completed to the satisfaction of the Director of DPLU: The land shall be purchased, the easements shall be dedicated, a Resource Manager shall be selected, and the RMP funding mechanism shall be in place.
5. In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource management to take fee title and manage the mitigation land. Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

Documentation: The applicant shall purchase the off-site mitigation credits and provide the evidence to the [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 preapprove the location and type of mitigation only. The credits shall be purchased before the requirement can be completed. If the applicant chooses option #2, then the [DPLU, ZONING] shall accept an application for an RMP, and [DPLU, PPD] shall review the RMP submittal for compliance with this condition and the RMP Guidelines.

- 19. OFF-SITE MITIGATION: [DPLU, PCC] [MA, GP, IP] [DPLU, FEE X2] [DPR, GPM] Intent:** In order to mitigate for the impacts to southern mixed chaparral, which is a sensitive biological resource pursuant to the [Biological Mitigation Ordinance \(BMO\)](#) and [Resource Protection Ordinance \(RPO\)](#), off-site mitigation shall be acquired. **Description of Requirement:** The applicant shall purchase habitat credit, or provide for the conservation of habitat of 0.64 acres of Tier III habitat, located within the Multiple Species Conservation Program (MSCP) as indicated below.
- a. **Option 1:** If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish & Game. The following evidence of purchase shall include the following information to be provided by the mitigation bank:
1. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
 2. If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.
 3. To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.
 4. An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.
- b. **Option 2:** If habitat credit cannot be purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land located within the Multiple Species Conservation Program (MSCP) as indicated below:
1. The type of habitat and the location of the proposed mitigation, should be pre-approved by [DPLU, PCC] before purchase or entering into any agreement for purchase.
 2. A Resource Management Plan (RMP) shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Content Requirements to the satisfaction of the Director of DPLU. If the offsite mitigation is proposed to be owned

and/or managed by DPR, the RMP shall also be approved by the Director of DPR.

3. An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of DPLU. The land shall be protected in perpetuity.
4. The final RMP can not be approved until the following has been completed to the satisfaction of the Director of DPLU: The land shall be purchased, the easements shall be dedicated, a Resource Manager shall be selected, and the RMP funding mechanism shall be in place.
5. In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource management to take fee title and manage the mitigation land. Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

Documentation: The applicant shall purchase the off-site mitigation credits and provide the evidence to the [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 preapprove the location and type of mitigation only. The credits shall be purchased before the requirement can be completed. If the applicant chooses option #2, then the [DPLU, ZONING] shall accept an application for an RMP, and [DPLU, PPD] shall review the RMP submittal for compliance with this condition and the RMP Guidelines.

PUBLIC IMPROVEMENTS: *(The following Public Improvements shall be completed before the approval of the Parcel map, or enter into a secured agreement for their completion).*

20. PUBLIC ROAD IMPROVEMENTS (DEFERRED): [DPW, LDR] [MA]

Intent: In order to promote orderly development necessary for public health and safety of the area, and to comply with the [County of San Diego Subdivision Ordinance sections 81.706 through 81.707](#) and the Community Trails Master Plan, the public improvements shall be completed. **Description of requirement:** Improve or agree to improve and provide security for Alpine Boulevard along the project frontage as a Collector road plus bike lane to:

- a. 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 sidewalk with face of curb at thirty-eight feet (38') from centerline and taper transition to match existing pavement (both easterly and westerly) per County Public Road Standards, to the satisfaction of the Department of Public Works.
- b. The exact depth of improved base material shall be based on soil tests approved by the County of San Diego, Director of Public Works.
- c. Install a street name sign.
- d. The subdivider shall construct a public street lighting system to the satisfaction of the County of San Diego, Director of Public Works. Contact Special District Services (694- 2198) for details.
- 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.
- f. A construction permit shall be obtained for the work within the right-of-way.
- g. All plans and improvements shall be completed pursuant to the [County of San Diego Public Road Standards](#), the DPW [Land Development Improvement Plan Checking Manual](#) and the Community Trails Master Plan. The improvements 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:

- 1) Process and obtain approval of Improvement Plans to improve the road mentioned above. Upon approval of the plans, pay all applicable inspection fees with [DPW, PDC] to the satisfaction of the Director of DPW. If the improvements are deferred, then the fees can be paid upon time of construction permit issuance.
- 2) 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 secured agreement to complete the improvements within twenty-four (24) months from the recording of the parcel map.

Timing: Prior to the approval of the parcel map, the improvements shall be completed or deferred as indicated above. Processing the securities can take up to 2 months, so the applicant should initiate the process at least two months before the anticipated map approval date. **Monitoring:** The [DPW, LDR] [DPR, TC, PP] shall review the plans for constancy with the condition and County Standards. Upon approval of the plans [DPW, LDR] shall request the required securities and improvement agreements. The securities and improvement agreements shall be approved by the Director of DPW.

21. UTILITY IMPROVEMENTS (DEFERRED): [DPW, LDR] [MA]

Intent: In order to promote orderly development and to comply with the [Subdivision Ordinance Sec. 81.706\(b\)](#) the utilities shall be undergrounded.

Description of requirement: All new and existing utility distribution facilities, including cable television lines, shall be placed underground. All utility installations shall be completed before surfacing the streets and installing concrete curbs, gutters, and sidewalks. **Documentation:** Improvements Plans shall show the undergrounding of new and existing utility distribution facilities and submitted to utility company for approval. **Timing:** Prior to the approval of the parcel map, the improvements shall be completed or deferred as indicated above. Processing the securities can take up to 2 months, so the applicant should initiate the process at least two months before the anticipated map approval date. **Monitoring:** The [DPW, LDR] shall review the plans for constancy with the condition and County Standards. Upon approval of the plans [DPW, LDR] shall request the required securities and improvement agreements. The securities and improvement agreements shall be approved by the Director of DPW.

22. ONSITE & OFFSITE DRAINAGE IMPROVEMENTS: [DPW, LDR], [DPR, TC, PP] [MA]

Intent: In order to promote orderly development and to comply with the [Subdivision Ordinance Sec. 81.706](#) and to comply with the [County Flood](#)

[Damage Prevention Ordinance \(Title 8, Division 11\)](#), [County Watershed Protection Ordinance \(WPO\) No.9926, County Code Section 67.801 et. seq.](#), and the [County Resource Protection Ordinance \(RPO\) No. 9842](#), Community Trails Master Plan and Parkland Dedication Ordinance the drainage improvements shall be completed. **Description of requirement:** Improve or agree to improve and provide security for the culverts, drainage structures, and drainage channels to carry the peak run-off from a 100- year flood on the watercourse which flow through the property.

- a. Construct a drainage system capable of handling and disposing of all surface waters originating within the land division and all surface waters that may flow onto the land division from adjacent lands. Said drainage system shall include any easements and structures required by the County of San Diego, Director of Public Works to properly handle the drainage.

All drainage plan improvements shall be prepared and completed pursuant to the following ordinances and standards: [San Diego County Drainage Design Manual](#), [San Diego County Hydrology Manual](#), [County of San Diego Grading Ordinance](#), [Zoning Ordinance Sections 5300 through 5500](#), [County Resource Protection Ordinance \(RPO\) No. 9842](#), Community Trails Master Plan and Parkland Dedication Ordinance, and [County Flood Damage Protection Ordinance \(Title 8, Division 11\)](#), Low Impact Development (LID) and Hydromodification requirements and the [Land Development Improvement Plan Checking Manual](#).

The improvements shall be completed within 24 months from the recordation of final map or parcel map pursuant to [Subdivision Ordinance Sec. 81.707](#), The execution of the agreements, and acceptance of the securities shall be completed before the approval of any subdivision map. **Documentation:** The applicant shall complete the following:

- a. Process and obtain approval of Improvement Plans to improve culverts, drainage structures, and drainage channels
- b. Provide Secured agreements require posting security in accordance with [Subdivision Ordinance Sec. 81.706 through 81.712](#)
- c. Pay all applicable inspection fees with [DPW, PDC] [DPR, TC, PP].
- d. If the applicant is a representative, then a one of the following is required: a corporate certificate indicating those corporation officers authorized to sign for the corporation, or a partnership agreement recorded in this County indicating who is authorized to sign for the partnership.

Timing: Prior to the approval of the map for the plans, agreements, and securities shall be approved. **Monitoring:** The [DPW, LDR] shall review the plans for constancy with the condition and County Standards. Upon approval of the plans [DPW, LDR] shall request the required securities and improvement agreements. The securities and improvement agreements shall be approved by the Director of DPW.

PRIVATE IMPROVEMENTS: *(The following Private Improvements shall be completed before the approval of the Parcel Map, or a covenant of improvements shall be executed and recorded).*

23. COVENANT OF IMPROVEMENTS: [DPW, LDR] [MA]

Intent: In order to allow the deferment of the private improvements required by [Subdivision Ordinance Sec. 81.706](#), a covenant of improvements shall be executed and recorded if the private improvements listed in this decision are not completed before approval of the tentative parcel map. **Description of requirement:** The applicant shall complete all of the private improvements or execute a Covenant of improvements pursuant to the [County Subdivision Ordinance Section 81.709.1](#), which lists conditions 20 through 24 that remain to be completed. An improvement plan and cost estimate shall be prepared for the private improvements and the estimated costs of the improvements shall be included in the Covenant. The Covenant shall be recorded and noted on the parcel map.

- a. Said Covenant shall be titled, "Covenant of Improvement Requirement, a Building Permit Prohibition." No Building permit or further grant of approval for the development can be issued until the applicant completes the required improvements and applies for and receives a release of improvements from the Director of Public Works pursuant to [County Subdivision Ordinance Section 81.709.2](#), except a grading or construction permit and or permit to install utilizes within a the private easement may be issued.

Documentation: The applicant shall prepare the improvement plans, provide a cost estimate as indicated below:

- a. Improvement Plans with sufficient detail shall be prepared for the purposes of providing the required estimate of cost for the private improvements. The covenant shall note the estimate of cost to install and/or construct any deferred improvements. The estimate of costs shall be based upon the approved improvement plans.

- b. The plans shall include a signed statement by the private engineer-of-work which states, "The plans are sufficient for the purpose of providing the required estimate of the cost for the private easement roads, private facilities, and any other private improvements deemed necessary pursuant to the [County Subdivision Ordinance Section 81.706](#)."
- c. The estimate shall have the engineer's signature and stamp on the front page along with a statement that reads, "The estimate of the approximate costs as of the date the estimate was prepared for the private improvements required by the final notice of approval and the County of San Diego Private Road Standards."

The applicant shall prepare the map with the covenant. The Covenant shall be placed on the face of the parcel map, and recorded with the map. **Timing:** Prior to the approval of the parcel map, the plans and the cost estimate shall be prepared and approved. **Monitoring:** The [DPW, LDR] shall verify that the cost estimate's validity, and that the plans can be approved, but shall stamped, "Not approved for construction," pursuant to this condition. The [DPW, LDR] Map Processing shall verify that the covenant is recorded on the map.

24. PRIVATE ROAD IMPROVEMENTS (COVENANT): [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](#), the required private improvements shall be completed or deferred. **Description of Requirement:** Complete the following private road improvements as indicated below:

- a. The hammerhead turnaround shall be twenty-four feet (24') wide and 35 feet in length with a thirty feet (30') turning radius graded and improved with asphalt concrete to the satisfaction of the Alpine Fire Protection District and the County of San Diego, Director of Public Works. [FIRE]
- b. The private easement road (to-be-name), from a point approximately 227' southerly of Alpine Boulevard, thence southerly thence southerly to the Remainder Parcel, shall be graded twenty-eight feet (28') wide and improved twenty-four feet (24') wide with asphalt concrete. The Improvement and Design Standards of Section 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. The private easement road (to-be-name), from Alpine Boulevard to a point approximately 227' southerly, 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() of the County Standards for Private Streets for one hundred (100) or less trips shall to the satisfaction of the Director of Public Works.

- 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.
- e. In the event these improvements are deferred, the subdivider shall execute such documents as deemed necessary by the County of San Diego, Director of Public Works, indemnifying the County from liability arising from the improvement of any off-site easement. This indemnification shall also be noted on the Parcel Map.
- f. 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.
- g. 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.

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.

Map Timing: Prior to approval and recordation of the parcel map, this requirement shall be completed or a recorded in the covenant of improvements.

Covenant Timing: No Building permit or further grant of approval for the

development can be issued until the applicant completes the required improvements and applies for and receives a release of improvements from the Director of Public Works pursuant to [County Subdivision Ordinance Section 81.709.2](#), except a grading or construction permit and or permit to install utilizes within a the private easement may be issued. **Monitoring:** The [DPW, LDR] shall review the plans for constancy with the condition and County Standards. Upon approval of the plans and cost estimate [DPW, LDR] shall have this condition placed in the covenant of improvements and recorded with the map.

25. STREET SIGNS: (DEFERRED) [DPW, LDR] [DPW, PDCI] [MA]

Intent: In order to provide a name for the private streets, placing street signs is necessary for the health and safety of present and future residents. **Description of Requirement:** A street name sign, with a County approved street name, shall be installed and located at the intersection of Alpine Boulevard and private road per [San Diego County Design Standards DS 13](#). **Documentation:** The applicant shall install street signs pursuant to this condition, and provide evidence to the [DPW, LDR] that they are installed. **Map Timing:** Prior to approval and recordation of the parcel map, this requirement shall be completed or recorded in the covenant of improvements. **Covenant Timing:** No Building permit or further grant of approval for the development can be issued until the applicant completes the required improvements and applies for and receives a release of improvements from the Director of Public Works pursuant to [County Subdivision Ordinance Section 81.709.2](#), except a grading or construction permit and or permit to install utilities within a the private easement may be issued. **Monitoring:** The [DPW, LDR] shall verify that the streets signs are indicated on the plans. The [DPW, PDCI] shall verify the installation of the required street signs before final grading release.

26. FIRE LANES: (DEFERRED) [DPW, LDR] [DPW, PDCI] [FIRE] [MA]

Intent: In order to provide proper clearance for fire apparatus on the [to-be-named] private easement road, 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:** The [to-be-named] 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 Alpine 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. **Map Timing:** Prior to approval and recordation of the parcel map, this requirement shall be completed or recorded in the covenant of improvements. **Covenant Timing:** No Building permit or further grant of approval for the development can be issued until the applicant completes the required improvements and applies for and receives a release of improvements from the Director of Public Works pursuant to [County Subdivision Ordinance Section](#)

[81.709.2](#), except a grading or construction permit and or permit to install utilities within a the private easement may be issued. **Monitoring:** The [DPW, LDR] shall verify that the Fire Protection District is satisfied with the implementation of the no-parking zones before final grading release of the grading plans and before release of the covenant.

27. PAVEMENT CUT POLICY: (DEFERRED) [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. **Map Timing:** Prior to approval and recordation of the parcel map, this requirement shall be completed or recorded in the covenant of improvements. **Covenant Timing:** Prior to the approval grading and improvement plans for the private road easement, the letters shall be submitted for approval. **Monitoring:** The [DPW, LDR] shall review the signed letters.

28. IMPROVEMENT CERTIFICATION: (DEFERRED) [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, including all slopes and 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. **Map Timing:** Prior to approval and recordation of the parcel map, this requirement shall be completed or recorded in the covenant of improvements. **Covenant**

Timing: No Building permit or further grant of approval for the development can be issued until the applicant completes the required improvements and applies for and receives a release of improvements from the Director of Public Works pursuant to [County Subdivision Ordinance Section 81.709.2](#), except a grading or construction permit and or permit to install utilities within a the private easement may be issued. **Monitoring:** The [DPW, LDR] shall verify that this requirement has been placed in the Covenant of improvements for the parcel map. Upon completion of the improvements, the [DPW, LDR] shall verify the accuracy of the certification letter pursuant to this condition.

29. ENCROACHMENT PERMIT: (DEFERRED) [DPW, LDR] [MA].

Intent: In order ensure that improvements for the private road comply with the [County of San Diego Public Road Standards](#), and to comply with Section 71 (Highway and Traffic) of the San Diego County Code of Regulatory Ordinances encroachment permit(s) shall be obtained and implemented. **Description of Requirement:** A permit shall be obtained from the County of San Diego, Department of Public Works for the improvements to be made within the public right-of-way. The connection of the private easement road to the County road will have to match the construction of the public road. **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 [DPW, LDR]. **Map Timing:** Prior to approval and recordation of the parcel map, this requirement shall be completed or recorded in the covenant of improvements. **Covenant Timing:** No Building permit or further grant of approval for the development can be issued until the applicant completes the required improvements and applies for and receives a release of improvements from the Director of Public Works pursuant to [County Subdivision Ordinance Section 81.709.2](#), except a grading or construction permit and or permit to install utilities within a the private easement may be issued. **Monitoring:** The [DPW, LDR] shall verify that this requirement has been placed in the Covenant of improvements for the parcel map. Upon completion of the improvements, the [DPW, LDR] shall verify the evidence provided pursuant to this condition.

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

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

(NOISE)

30. TEMPORARY NOISE IMPACTS: [DPLU, PCC] [DPW, PDCI] [DPLU, FEE X1].

Intent: In order to comply with the [County of San Diego Noise Ordinance 36.409](#) for TPM21044, the following noise attenuation measures shall be implemented to reduce the sound level generated from project construction.

Description of Requirement: The **temporary noise attenuation barrier(s)** shall remain in place as indicated on this plan, for compliance with this condition. The mitigation is designed and placed to reduce construction noise that potentially will affect the adjacent residential use located on the eastern, western and southern property line.

- 1) The barrier shall be maintained for the duration of the construction activities that will create noise greater than 75 dB at the property line indicated above.
- 2) The temporary construction noise wall along the eastern, western and southern property lines will be twelve feet (12') high with a minimum surface density of 3.5 pounds per square foot, consisting of masonry, wood, berm, plastic, fiberglass, steel or a combination of these material with no cracks or gaps through or below the wall. If wood is used, temporary barrier design shall incorporate tongue and groove with a minimum thickness of 7/8 of an inch. As alternative materials, the temporary construction noise wall may be constructed using readily available three (3') foot high K-rail and four (4') foot by eight (8') foot ply wood sheets.
- 3) Temporary construction noise barrier details and location are shown on Sections: 6.3 Temporary Construction Noise and Figure 10 in the noise report prepared by Eilar Associates received on July 5, 2007. The temporary noise barrier located along the eastern, western and southern property lines will remain during the pad grading phases. Noise report is on file with the Department of Planning and Land Use as case number tentative parcel map TPM21044.

Documentation: The applicant shall maintain the sound attenuation mitigation as indicated above until all grading activities have been completed. The applicant shall submit a signed, stamped statement from a California Registered Engineer or licensed surveyor, and photographic evidence that the twelve (12') foot high temporary construction noise barrier(s) has been constructed pursuant to the approved grading plan. **Timing:** The following actions shall occur throughout the duration of the grading construction respectively. **Monitoring:** The [DPLU, PCC] shall review the signed, stamped statement from a California Registered Engineer or licensed surveyor, and photographic evidence that the

twelve (12') foot high temporary construction noise barrier(s) has been constructed pursuant to the approved grading plan. If an alternative methods, or reduced equipment proposal is provided, [DPLU, PCC] shall review the new mitigation for compliance with this condition. The [DPW, PDCI] shall ensure that the noise mitigation barriers remain in place as indicated on this plan.

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

(BIOLOGICAL RESOURCES)

31. RESOURCE AVOIDANCE: [DPLU, PCC] [DPW, PDCI] DPLU, FEE X2].

Intent: In order to avoid impacts to migratory birds and raptors, which are sensitive biological resources pursuant to the Migratory Bird Treaty Act, a Resource Avoidance Area (RAA), shall be implemented on all plans. **Description of Requirement:** There shall be no brushing, clearing and/or grading such that none will be allowed during the breeding season of migratory birds and raptors within Resource Avoidance Area (RAA) as indicated on these plans. The breeding season is defined as occurring between February 1 and August 31. The Director of Planning and Land Use [DPLU, PCC] may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Game, provided that no migratory birds or raptors are present in the vicinity of the brushing, clearing or grading. **Documentation:** The applicant shall provide a letter of agreement with this condition; alternatively, the applicant may submit a written request for waiver of this condition. Although, No Grading shall occur within the RAA until concurrence is received from the County and the Wildlife Agencies. **Timing:** Prior to preconstruction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout the duration of the grading and construction, compliance with this condition is mandatory unless the requirement is waived by the County upon receipt of concurrence from the Wildlife Agencies. **Monitoring:** The [DPW, PDCI] shall not allow any grading in the RAA during the specified dates, unless a concurrence from the [DPLU, PCC] is received. The [DPLU, PCC] shall review the concurrence letter.”

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.

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

on _____

Rosemary Rowan, Planning Manager
Project Planning Division

RR:kh