



County of San Diego

VINCE NICOLETTI
INTERIM DIRECTOR

PLANNING & DEVELOPMENT SERVICES
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123
www.sdcounty.ca.gov/pds

December 19, 2024

PROJECT NAME: Passerelle

RECORD ID: PDS2021-SPA-21-001; PDS2021-GPA-21-003; PDS2021-TM-5338R; PDS2021-STP-21-013

ENVIRONMENTAL LOG NO.: PDS2021-ER-03-02-059C

PROJECT ADDRESS: Northeast Quadrant of the SR-76 and I-15 Interchange adjacent to Horse Ranch Creek Road within the Fallbrook Community Planning Area within unincorporated San Diego County

PASSERELLE PROJECT CONDITIONS FOR PUBLIC DISCLOSURE

The Passerelle Project includes the processing of a Revised Tentative Map and a Site Plan permit. The proposed Revised Tentative Map conditions are included on the following pages in strikethrough-underline compared to the original Tentative Map Conditions indicated on Tentative Map Resolution 5338 for ease of review. The Site Plan permit conditions are indicated on the following pages in a separate section. Any previous references on the original Tentative Map conditions to the Department of Planning and Land Use (DPLU) shall be considered referenced to the Department of Planning and Development Services (PDS).

Attachments:

- Revised Tentative Map Conditions TM-5338R
- Site Plan Conditions
- Original Tentative Map 5338 Resolution

REVISED TENTATIVE MAP CONDITIONS (TM-5338R)

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

The following Standard Subdivision Conditions are hereby waived:

- (1) ~~Standard Condition 11: Said condition applies to condominium units and planned developments. The applicant for the subdivision does not propose condominium units or a planned development at this time. Therefore, Standard Condition 11 is not applicable.~~
- (2) ~~Standard Condition 19(e): Said condition applies to grading permits for condominium units and planned developments at this time. The subdivision does not propose condominium units or a planned development. Therefore, Standard Condition 19(e) is not applicable.~~
- (3) Standard Condition 10.a: Said condition states that all fixtures shall use a low pressure sodium (LPS) vapor light source. This waiver/modification allows the use of high pressure sodium (HPS) vapor light sources at the project site if desired or required. HPS vapor light sources are only prohibited within a 15 mile radius of Palomar or Mount Laguna observatories pursuant to direction from the Board of Supervisors [statement of proceedings of 1-29-03]. The project is located beyond the 15 mile radius. Therefore, Standard Condition 10 is not applicable.
- (4) ~~(3) Standard Condition 22: Said condition applies to subdivisions proposing private subsurface sewage disposal systems. The conditions of the subdivision require the individual lots to connect to public sewer. Therefore, Standard Condition 22 is not applicable.~~
- (5) ~~(4) Standard Condition 23.3: Said condition applies to subdivisions within the boundaries of the California Department of Forestry and Fire Protection. This subdivision is located within the boundaries of the North County Fire Protection District. Therefore, Standard Condition 23.3 is not applicable.~~
- (6) ~~(5) Standard Condition 24: Said condition applies to subdivisions outside the boundaries of a fire protection agency. Said subdivision is located within the boundaries of a fire protection agency (North County Fire Protection District). Therefore, Standard Condition 24 is not applicable.~~

- (7) ~~(6)~~ Standard Condition 27: Said condition states that the Final Map may include the entire area shown on the Vesting Tentative Map and shall not be filed as units or groups of units. The Final Map for this Vesting Tentative Map may be filed in units. The applicant for the Campus Park Master Planned Community is planning to file the Final Map as a phased development, as described in the Specific Plan Amendment Report. Therefore, Condition 27 is not applicable.

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

THE FOLLOWING REVISED CONDITIONS (STRIKEOUT / UNDERLINE) APPLY TO THE AREA INDICATED AS PARCELS 1 and 2 ON THE REVISED VESTING TENTATIVE MAP (PDS2021-TM-5338R) AND SHALL BE COMPLIED WITH BEFORE A MAP IS APPROVED BY THE DEPARTMENT OF PUBLIC WORKS AND FILED WITH THE COUNTY OF SAN DIEGO RECORDER.

1. PUBLIC ROAD IMPROVEMENTS: [DPW, LOR], [DPR, TC] [MA]

Intent: In order to promote orderly development and to comply with the Subdivision Ordinance Sec. 81.4034 and the Community Trails Master Plan, all the on-site and off-site roads/intersections listed below shall be improved.
Description of requirement: The applicant or its successors and assigns shall improve or agree to improve and provide security for all the on-site and off-site roads/intersections listed below:

- a. In addition, form a Landscape Maintenance District for perpetual maintenance (including any irrigation) of all proposed landscaping in the on- and off-site public right of way, within the limits identified in 1.b below, to the satisfaction of the Director of Public Works.
- b. In the following requirements, wherever the term "other traffic" is used, it refers to traffic from other projects in the quadrant between Horse Ranch Creek Road to Old Highway 395 and Stewart Canyon Road to SR-76 including any developments, in the proposed Tentative Map 5424 (Campus Park West project), at the southeast corner of SR76 and Interstate 15.
- c. Prior to the approval of the first Final Map (irrespective of the Phase #, Unit #, or ownership of the area covered by that Final Map) for any unit of this project or any Remainder Parcel that files for a Conditional Certificate of Compliance that, together with traffic from prior approved Final Map(s) and other traffic, generates a combined ADT of 16,180 or more as determined by an updated focus traffic study using SANDAG Trip Generation Rates, based on already recorded lots at that time, improve or agree to improve

and provide security for on-site and offsite **Pankey Road** from a four-way intersection with SR 76, northwesterly to an acceptable Tee intersection with Pankey Place, as follows: The road shall be improved to the following standard: Public Light Collector Road Standards with Bike Lane, improved to a graded width of sixty feet (60') and to an improved width of forty feet (40') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter, and sidewalk, with face of curb at twenty feet (20') from centerline, with street light(s), drainage, and forty-foot (40') curb returns. In addition, one all-weather, 100-year flood free roadway bridge and stabilized embankments for Horse Ranch Creek crossing shall be constructed. The agreement shall require that the improvements shall be operational prior to the issuance of rough grading certification for the first building permit for any construction within the Vesting Tentative Map that, together with traffic from prior approved Final Map(s) and other traffic, generates a combined ADT of 16,180 or more as determined by an updated focus traffic study using SANDAG trip generation rates, based on already recorded lots at that time. Said focused traffic study shall be prepared by the applicant or its successors and assigns. A Local Mobility Analysis (April 15, 2021), Trip Generation Memo (February 15, 2022), and Traffic Conditions Memo (March 2, 2022), addendums were provided for the Campus Park (TM 5338) Final Environmental Impact Report (FEIR) Traffic Impact Study (February 19, 2009) to address transportation conditions related to trip generation thresholds and street segment and intersection deficiencies for Parcels 1 and 2 of the Revised Tentative Map 5338. Based on the project changes and updates to trip generation and project traffic analysis, the 16,180 ADT threshold is not met for residential Parcels 1 and 2. All of the above shall be to the satisfaction of the Director of Public Works.

- d. Prior to the approval of the first Final Map (irrespective of the Phase #, Unit #, or ownership of the area covered by that Final Map) for any unit of this project or any Remainder Parcel that files for a Conditional Certificate of Compliance that, together with traffic from prior approved Final Map(s) and other traffic, generates a combined ADT of 16,180 or more as determined by an updated focus traffic study using SANDAG Trip Generation Rates, which shall be prepared by the applicant or its successors and assigns, based on already recorded lots at that time, improve or agree to improve and provide security for off-site **Pala Mesa Drive** (Pankey Road) from an acceptable four-way intersection with Old Highway 395, thence southeasterly to a Tee intersection with Pankey Place, as follows: The road shall be improved to the following standard: Public Light Collector Road to an interim graded width of forty feet (40') with twenty-eight feet (28') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and sidewalk with face of curb at twenty feet (20') from centerline on the ultimate location and with AC Dike eight feet (8') from

centerline on the other side. The graded and improved width of the offsite portion may be reduced to acceptable interim improvement standards in accordance with traffic volumes and with VTM 5338 RPL⁷ development phasing. Cause to be dedicated a sixty foot right of way. The agreement shall require that the improvements shall be operational prior to the issuance of rough grading certification for the first building permit for any construction within the Vesting Tentative Map that, together with traffic from prior approved Final Map(s) and other traffic, generates a combined ADT of 16,180 or more as determined by an updated focus traffic study using SANDAG Trip Generation Rates, based on already recorded lots at that time. A Local Mobility Analysis (April 15, 2021), Trip Generation Memo (February 15, 2022), and Traffic Conditions Memo (March 2, 2022), addendums were provided for the Campus Park (TM 5338) Final Environmental Impact Report (FEIR) Traffic Impact Study (February 19, 2009) to address transportation conditions related to trip generation thresholds and street segment and intersection deficiencies for Parcels 1 and 2 of the Revised Tentative Map 5338. Based on the project changes and updates to trip generation and project traffic analysis, the 16,180 ADT threshold is not met for residential Parcels 1 and 2. All of the above shall be to the satisfaction of the Director of Public Works.

- e. Prior to the approval of the first Final Map (irrespective of the Phase #, Unit #, or ownership of the area covered by that Final Map) for any unit of this project or any Remainder Parcel that files for a Conditional Certificate of Compliance that, together with traffic from prior approved Final Map(s) and other traffic, generates a combined ADT of 16,180 or more as determined by an updated focus traffic study using SANDAG Trip Generation Rates, which shall be prepared by the applicant or its successors and assigns, based on already recorded lots at that time, improve or agree to improve and provide security for **Pankey Place** from a Tee intersection with Horse Ranch Creek Road westerly to a Tee intersection with Pankey Road. The onsite segment shall be improved as follows: The road shall be improved to the following standard: Public Light Collector Road Standards to a graded width of sixty feet (60') with forty feet (40') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and sidewalk with face of curb at twenty feet (20') from centerline. The offsite segment shall be improved to interim public road standards with 28' / 40' improved/graded width. Cause to be granted the full width right of way. At the intersections of Pankey Place / Horse Ranch Creek Road and of Pankey Place / Pankey Road provide forty-foot (40') curb returns. The agreement shall require that the improvements shall be operational prior to the issuance of rough grading certification for the first building permit for any construction within the Vesting Tentative. Map that, together with traffic from prior approved Final Map(s) and other traffic, generates a combined ADT of 16,180 or more as determined by an updated focus traffic study using SANDAG Trip Generation Rates, based on already recorded lots at

that time. A Local Mobility Analysis (April 15, 2021), Trip Generation Memo (February 15, 2022), and Traffic Conditions Memo (March 2, 2022), addendums were provided for the Campus Park (TM 5338) Final Environmental Impact Report (FEIR) Traffic Impact Study (February 19, 2009) to address transportation conditions related to trip generation thresholds and street segment and intersection deficiencies for Parcels 1 and 2 of the Revised Tentative Map 5338. Based on the project changes and updates to trip generation and project traffic analysis, the 16,180 ADT threshold is not met for residential Parcels 1 and 2. All of the above shall be done to the satisfaction of the Director of Public Works.

- f. Prior to the approval of the first Final Map (irrespective of the Phase #, Unit #, or ownership of the area covered by that Final Map) for any unit of this project or any Remainder Parcel that files for a Conditional Certificate of Compliance that, together with traffic from prior approved Final Map(s) and other traffic, generates a combined ADT of 16,180 or more as determined by an updated focus traffic study, which shall be prepared by the applicant or its successors and assigns, using SANDAG Trip Generation Rates, based on already recorded lots at that time, improve or agree to improve and provide security for on- and off-site **Horse Ranch Creek Road** from an acceptable Tee intersection with State Route 76 northwesterly to **Baltimore Oriole Road** as follows: The road shall be improved to the following standard: Public Boulevard Road with Raised Median Standards to a graded width of one hundred six feet (106') with seventy-eight feet (78') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and sidewalk with face of curb at thirty-nine feet (39') from centerline. Construct a fourteen foot (14') wide raised median with concrete curbs with face of median curb at seven feet (7') from centerline, including transition northerly to existing Pankey Road improvements. Provide additional grading and paving as required to provide additional left- and right turn lanes, and pathways or trails. Provide traffic signals when traffic warrants are met, and provide transitions on- and off-site. Improvements shall include an all-weather, 100-year flood free roadway along adjoining or crossing portions of Horse Ranch Creek. Please show the proposed access locations for Palomar College North Education Center (which has a Certified EIR) and provide intersectional separations and operations with the VTM 5338 RPL⁷ (and VTM 5354) accesses according to the Public Road Standards. Provide transitions to existing Pankey Road to the north. Provide road widenings to accommodate any project related truck traffic northbound on Horse Ranch Creek Road (extending northerly on Pankey Road and westerly on Stewart Canyon Road onto south and northbound Old Highway 395). A Local Mobility Analysis (April 15, 2021), Trip Generation Memo (February 15, 2022), and Traffic Conditions Memo (March 2, 2022), addendums were provided for the Campus Park (TM 5338) Final Environmental Impact Report (FEIR) Traffic Impact Study (February 19, 2009) to address transportation

conditions related to trip generation thresholds and street segment and intersection deficiencies for Parcels 1 and 2 of the Revised Tentative Map 5338. Based on the project changes and updates to trip generation and project traffic analysis, the 16,180 ADT threshold is not met for residential Parcels 1 and 2. All of the above shall be to the satisfaction of Caltrans and the Director of Public Works.

- g. Prior to the approval of first Final Map (irrespective of the Phase#, Unit#, or ownership of the area covered by that Final Map) for any unit of this project that, together with traffic from prior approved Final Map(s) and other traffic, generates a combined ADT of 4,740 or more as determined by an updated focus traffic study using SANDAG Trip Generation Rates, based on already recorded lots at that time, improve or agree to improve and provide security for the Horse Ranch Creek Road / SR 76 intersection to include Eastbound to Northbound dual left turn lane. Said focused traffic study shall be prepared by the applicant or its successors and assigns. All of the above shall be to the satisfaction of Caltrans and the Director of Public Works. The following condition does not apply to the Revised Tentative Map 5338 because the improvements/ infrastructure have been completed in previous phases of the Campus Park Master Planned Development (PDS2015-LDPIIP-60012).
- h. Prior to the approval of the first Final Map for MF-1, MF-2 or TC-1 improve or agree to improve and provide security for **Harvest Glen Lane** easterly from a Tee intersection with Horse Ranch Creek Road easterly and northerly to an interim/temporary cul-de-sac at the project's easterly boundary near east corner of Lot 524 as follows: The road shall be improved to the following standard: Public Residential Collector Road Standards, to a graded width of sixty feet (60'), with forty feet (40') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk and trail/pathway, with face of curb at twenty feet (20') from centerline. Widen grading and improvements to provide separate left turn and right turn lanes Westbound at Horse Ranch Creek Road. Provide additional pavement and grading widening (additional six feet) on the north side of centerline along the town center lot (Lot 548) to Industrial/Commercial Road Standards. At the intersection of Harvest Glen Road / Horse Ranch Creek Road provide forty-foot (40') curb returns. Provide transitions for all widenings and turn lanes. All of the above shall be to the satisfaction of the Director of Public Works. This condition does not apply to the Revised Tentative Map 5338 because the improvements/ infrastructure have been completed in previous phases of the Campus Park Master Planned Development (PDS2012-2140-5338-1).
- i. Prior to the approval of the first Final Map for TC-1, MF-1, R-1, R-2 or R-3 improve or agree to improve and provide security for **Longspur Road** easterly from a Tee intersection with Horse Ranch Creek Road easterly and

northerly to a four-way intersection with Baltimore Oriole Road and Belted Kingfisher Road near northeast corner of Lot 62 as follows: The road shall be improved to the following standard: Public Residential Collector Road Standards, to a graded width of sixty feet (60'), with forty feet (40') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk and trail/pathway, with face of curb at twenty feet (20') from centerline. Widen grading and improvements to provide separate left turn and right turn lanes Westbound at Horse Ranch Creek Road. Provide additional pavement and grading widening (additional six feet) on the south side of centerline along the town center lot (no. 567) to Industrial/Commercial Road Standards. At the intersection of Longspur Road /Baltimore Oriole Road provide forty-foot (40') curb returns. Provide transitions for all widenings and turn lanes. All of the above shall be to the satisfaction of the Director of Public Works. This condition does not apply to the Revised Tentative Map 5338 because the improvements/ infrastructure have been completed in previous phases of the Campus Park Master Planned Development (PDS2012-2140-5338-1).

- j. Prior to the approval of the first Final Map for PO-2, R-4 or R-5, improve or agree to improve and provide security for **Baltimore Oriole Road** easterly from a Tee intersection with Horse Ranch Creek Road easterly to a Tee intersection with Song Sparrow Drive near southwest corner of Lot 413 as follows: The road shall be improved to the following standard: Public Residential Collector Road Standards, to a graded width of sixty feet (60'), with forty feet (40') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk and trail/pathway, with face of curb at twenty feet (20') from centerline. Widen grading and improvements to provide separate left turn and right turn lanes Westbound at Horse Ranch Creek Road. Provide additional pavement and grading widening (additional six feet) on both sides of centerline along the professional /office lots to Industrial/Commercial Road Standards. At the intersection of Baltimore Oriole Road / Horse Ranch Creek Road provide forty-foot (40') curb returns. Provide transitions for all widenings and turn lanes. All of the above shall be to the satisfaction of the Director of Public Works. This condition does not apply to the Revised Tentative Map 5338 because the improvements/ infrastructure have been completed in previous phases of the Campus Park Master Planned Development (PDS2012-2140-5338-1).
- k. Prior to the approval of the first Final Map for R-4 or R-5, improve or agree to improve and provide security for Old Highway 395 / Stewart Canyon Road / Canonita Drive, and Stewart Canyon Road / Horse Ranch Creek Road (Pankey Road) intersections to serve project-related traffic (including truck traffic) to the satisfaction of the Director of Public Works This condition does not apply to the Revised Tentative Map 5338 because the improvements/ infrastructure has been completed in previous phases of the

Campus Park Master Planned Development.

- i. Prior to the approval of the first Final Map for R-5 improve or agree to improve and provide security for **Belted Kingfisher Road** from a Tee intersection with Whistling Swan Way near the northwest corner of Lot 461 southeasterly, southerly and easterly to a four-way intersection with Baltimore Oriole Road and Longspur Road near the southeast corner of Lot 521 as follows: The road shall be improved to the following standard: Public Residential Collector Road Standards, to a graded width of sixty feet (60'), with forty feet (40') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk, with face of curb at twenty feet (20') from centerline to the satisfaction of the Director of Public Works. This condition does not apply to the Revised Tentative Map 5338 because the improvements/ infrastructure have been completed in previous phases of the Campus Park Master Planned Development (PDS2012-2140-5338-6).
- m. Prior to the approval of the first Final Map for R-5 improve or agree to improve and provide security for **Belted Kingfisher Road** from a Tee intersection with Whistling Swan Way near the northeast corner of Lot 460 westerly to a terminus cul-de-sac at the driveway accesses to Lots 451 and 452 as follows: The road shall be improved to the following standard: Public Residential Road Standards, to a graded width of fifty-six feet (56'), with thirty-six feet (36') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk, with face of curb at eighteen feet (18') from centerline to the satisfaction of the Director of Public Works. This condition does not apply to the Revised Tentative Map 5338 because the improvements/ infrastructure have been completed in previous phases of the Campus Park Master Planned Development (PDS2012-2140-5338-6).
- n. Prior to the approval of the first Final Map for R-5 improve or agree to improve and provide security for **Whistling Swan Way** from a Tee intersection with Belted Kingfisher Road near the northwest corner of Lot 461 southwesterly to a Tee intersection with Frigatebird Road near the southeast corner of Lot 337 as follows: The road shall be improved to the following standard: Public Residential Collector Road Standards, to a graded width of sixty feet (60'), with forty feet (40') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk, with face of curb at twenty feet (20') from centerline to the satisfaction of the Director of Public Works. This condition does not apply to the Revised Tentative Map 5338 because the improvements/ infrastructure have been completed in previous phases of the Campus Park Master Planned Development (PDS2012-2140-5338-6).
- o. Prior to the approval of the first Final Map for R-4 improve or agree to

improve and provide security for **Frigatebird Road** from the northeast corner of Lot 550 at Jaeger Road northwesterly, looping northerly, easterly, southerly and thence westerly to the northwest corner of Lot Cat Jaeger Road to a graded width of sixty feet (60'), with forty feet (40') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk, with face of curb at twenty feet (20') from centerline. All of the above shall be done to the satisfaction of the Director of Public Works. This condition does not apply to the Revised Tentative Map 5338 because the improvements/ infrastructure have been completed in previous phases of the Campus Park Master Planned Development (PDS2012-2140-5338-5).

- p. Prior to the approval of the first Final Map for R-4 improve or agree to improve and provide security for **Bird Watcher Court** from a Tee intersection with Frigatebird Road near the northwest corner of Lot 375 easterly to a 360 degree loop that starts and terminates near the northeast corner of Lot 376 as follows: The road shall be improved to the following standard: Public Residential Road Standards, to a graded width of fifty-six feet (56'), with thirty-six feet (36') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk, with face of curb at eighteen feet (18') from centerline. The Loop segment of Bird Watcher Court that starts and ends near the northeast corner of Lot 376 and extends counterclockwise around ParkLot 549 shall be graded to a width of fifty-six feet (56'), with thirty-six feet (36') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk, with face of curb at eighteen feet (18') from centerline; the loop segment shall be striped for one-way traffic and parking along one side. Provide a minimum 45-foot centerline radius at the curves with a super-elevation of 1.5% to achieve a 15 mph design speed (reference: Exhibit 3-16 of AASHTO's Geometric Design of Highways and Streets). Efforts shall be made during the final plans phase to incorporate traffic calming features to discourage drivers from "cutting the corners" as they traverse the circular roadway segment. All of the above shall be done to the satisfaction of the Director of Public Works. This condition does not apply to the Revised Tentative Map 5338 because the improvements/ infrastructure have been completed in previous phases of the Campus Park Master Planned Development (PDS2012-2140-5338-5).
- q. Prior to the approval of the first Final Map for R-5 improve or agree to improve and provide security for **Grey Goose Lane** from a Tee intersection with Spotted Sandpiper Street near the west corner of Lot 508, northeasterly to a Tee intersection with Belted Kingfisher Road near the north corner of Lot 509 as follows: The road shall be improved to the following standard: Public Residential Collector Road Standards, to a graded width of sixty feet (60'), with forty feet (40') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter

and sidewalk, with face of curb at twenty feet (20') from centerline to the satisfaction of the Director of Public Works. This condition does not apply to the Revised Tentative Map 5338 because the improvements/ infrastructure have been completed in previous phases of the Campus Park Master Planned Development (PDS2012-2140-5338-6).

- r. Prior to the approval of the first Final Map for R-5 improve or agree to improve and provide security for **Spotted Sandpiper Street** from a Tee intersection with Grey Goose Lane near the west corner of Lot 508, northwesterly to a Tee intersection with Frigatebird Road near the north corner of Lot 317 as follows: The road shall be improved to the following standard: Public Residential Collector Road Standards, to a graded width of sixty feet (60'), with forty feet (40') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk, with face of curb at twenty feet (20') from centerline to the satisfaction of the Director of Public Works. This condition does not apply to the Revised Tentative Map 5338 because the improvements/ infrastructure have been completed in previous phases of the Campus Park Master Planned Development (PDS2012-2140-5338-6).

- s. Prior to the approval of the first Final Map for R-5 improve or agree to improve and provide security for **Spotted Sandpiper Street** from a Tee intersection with Grey Goose Lane near the west corner of Lot 508, thence southerly to a terminus cul-de-sac at the driveway accesses to Lots 497 and 498 as follows: The road shall be improved to the following standard: Public Residential Road Standards, to a graded width of fifty-six feet (56'), with thirty-six feet (36') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk, with face of curb at eighteen feet (18') from centerline. All of the above shall be done to the satisfaction of the Director of Public Works. This condition does not apply to the Revised Tentative Map 5338 because the improvements/ infrastructure have been completed in previous phases of the Campus Park Master Planned Development (PDS2012-2140-5338-6).

- t. Prior to the approval of the first Final Map for R-4 improve or agree to improve and provide security for **Falcon View Way** from a Tee intersection with Frigatebird Road near the northwest corner of Lot 314 southerly to a knuckle at the driveway accesses to Lots 294 and 295 thence easterly to a knuckle at the driveway accesses to Lots 301 and 302, thence northwesterly to a Tee intersection with Frigatebird Road near the northwest corner of Lot 314 as follows: The road shall be improved to the following standard: Public Residential Road Standards, to a graded width of fifty-six feet (56'), with thirty-six feet (36') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk, with face of curb at eighteen feet (18') from centerline to the satisfaction of the Director of Public Works. This condition does not apply

to the Revised Tentative Map 5338 because the improvements/infrastructure have been completed in previous phases of the Campus Park Master Planned Development (PDS2012-2140-5338-5).

- u. Prior to the approval of the first Final Map for PO-1 or R-4 improve or agree to improve and provide security for **Jaeger Street** from a Tee intersection with Baltimore Oriole Road near the southeast corner of Lot 541 northerly to a Tee intersection with Frigatebird Road near the northeast corner of Lot 550 as follows: The road shall be improved to the following standard: Public Residential Collector Road Standards, to a graded width of sixty feet (60'), with forty feet (40') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk, with face of curb at twenty feet (20') from centerline. Provide additional pavement and grading widening (additional six feet) on the south side of centerline along the office professional lot (Lot 541) to Industrial/Commercial Road Standards. At the intersection of Jaeger Street /Baltimore Oriole Road provide forty-foot (40') curb returns. Provide transitions for all widenings and turn lanes. All of the above shall be to the satisfaction of the Director of Public Works. This condition does not apply to the Revised Tentative Map 5338 because the improvements/infrastructure have been completed in previous phases of the Campus Park Master Planned Development (PDS2012-2140-5338-5).

- v. Prior to the approval of the first Final Map for R-5 improve or agree to improve and provide security for **Song Sparrow Drive** from a Tee intersection with Baltimore Oriole Road southeasterly to intersect and provide acceptable access for traffic to and from Pala Mesa Heights (private) Road as follows: The road shall be improved to the following standard: Public Residential Collector Interim Street Road Standards, to a graded width of forty feet (40') improved with twenty-eight feet (28') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk, with face of curb at twenty feet (20') from ultimate centerline; and thence continuing southeasterly to an knuckle or other accepted intersection with Phalarope Street near the northeast corner of Lot 170). All of the above shall be to the satisfaction of the Director of Public Works. This condition does not apply to the Revised Tentative Map 5338 because the improvements/ infrastructure have been completed in previous phases of the Campus Park Master Planned Development (PDS2012-2140-5338-1).

- w. Prior to the approval of the first Final Map for R-5 improve or agree to improve and provide security for **Song Sparrow Drive** northwesterly 'from a Tee intersection with Baltimore Oriole Road to a terminus cul-de-sac at the driveway accesses to Lots 399 and 398 as follows: The road shall be improved to the following standard: Public Residential cul de sac Street Road Standards, to a graded width of fifty-two feet (52'), with thirty-two feet

(32') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk, with face of curb at sixteen feet (16'). All of the above shall be done to the satisfaction of the Director of Public Works. This condition does not apply to the Revised Tentative Map 5338 because the improvements/ infrastructure have been completed in previous phases of the Campus Park Master Planned Development (PDS2012-2140-5338-6).

- x. Prior to the approval of the first Final Map for R-3 improve or agree to improve and provide security for **Ruffled Grouse Road** from a Tee intersection with Longspur Road near the southwest corner of Lot 212 thence easterly, southeasterly, and westerly to a Tee intersection with Longspur Road near the north corner of Lot 199. All of the above shall be done to the satisfaction of the Director of Public Works. This condition does not apply to the Revised Tentative Map 5338 because the improvements/ infrastructure have been completed in previous phases of the Campus Park Master Planned Development (PDS2012-2140-5338-3).
- y. Prior to the approval of the first Final Map for R-3 improve or agree to improve and provide security for **Dusky Wing Lane** from a Tee intersection with Ruffled Grouse Road near the northwest corner of Lot 265, thence southeasterly to a knuckle at the driveway accesses to Lots 254 and 255, thence northeasterly to a Tee intersection with Ruffled Grouse Road, near the northeasterly corner of Lot 249 as follows: The road shall be improved to the following standard: Public Residential Road Standards, to a graded width of fifty-six feet (56'), with thirty-six feet (36') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk, with face of curb at eighteen feet (18') from centerline to the satisfaction of the Director of Public Works. This condition does not apply to the Revised Tentative Map 5338 because the improvements/ infrastructure have been completed in previous phases of the Campus Park Master Planned Development (PDS2012-2140-5338-4).
- z. Prior to the approval of the 'first Final Map for R-3 improve or agree to improve and provide security for **Ponyfoot Court** from a Tee intersection with Ruffled Grouse Road near the east corner of Lot 248 southwesterly to a terminus cul-de-sac at the driveway accesses to Lots 241 and 242 as follows: The road shall be improved to the following standard: Public Residential Road Standards to a graded width of fifty-six feet (56'), with thirty-six feet (36') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk, with face of curb at eighteen feet (18') from centerline. All of the above shall be done to the satisfaction of the Director of Public Works. This condition does not apply to the Revised Tentative Map 5338 because the improvements/ infrastructure have been completed in previous phases of the Campus Park Master Planned Development (PDS2012-2140-5338-4).

- aa. Prior to the approval of the first Final Map for R-2 improve or agree to improve and provide security for **Phalarope Street** from a Tee intersection with Ruffled Grouse Road near the northwest corner of Lot 556, thence southerly to a knuckle at the driveway accesses to Lots 187 to 188 thence northeasterly offsite to a knuckle intersection with Song Sparrow Drive near the northeast corner of Lot 170 as follows: The road shall be improved to the following standard: Public Residential Road Standards, to a graded width of fifty-six feet (56'), with thirty-six feet (36') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk, with face of curb at eighteen feet (18') from centerline. All of the above shall be done to the satisfaction of the Director of Public Works. This condition does not apply to the Revised Tentative Map 5338 because the improvements/ infrastructure have been completed in previous phases of the Campus Park Master Planned Development (PDS2012-2140-5338-3).
- bb. Prior to the approval of the first Final Map for R-1 improve or agree to improve and provide security for **Ostrich Way** from a Tee intersection with Snowy Egret Street near the northwest corner of Lot 1 southerly and westerly to a knuckle at the north line of Lot 21, thence northerly to a knuckle near the driveway access to Lot 51 thence easterly to a terminus cul-de-sac at the driveway access to Lots 62 and 63 as follows: The road shall be improved to the following standard: Public Residential Road Standards, to a graded width of fifty-six feet (56'), with thirty-six feet (36') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk, with face of curb at eighteen feet (18') from centerline to the satisfaction of the Director of Public Works. This condition does not apply to the Revised Tentative Map 5338 because the improvements/ infrastructure have been completed in previous phases of the Campus Park Master Planned Development (PDS2012-2140-5338-2).
- cc. Prior to the approval of the first Final Map for R-1 improve or agree to improve and provide security for **Snowy Egret Lane** from a Tee intersection with Longspur Road near the northeast corner of Lot 1 westerly to a Tee intersection with Ostrich Way near the southwest corner of Lot 104 as follows: The road shall be improved to the following standard: Public Residential Collector Road Standards, to a graded width of sixty feet (60'), with forty feet (40') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk, with face of curb at twenty feet (20') from centerline to the satisfaction of the Director of Public Works. This condition does not apply to the Revised Tentative Map 5338 because the improvements/ infrastructure have been completed in previous phases of the Campus Park Master Planned Development

(PDS2012-2140-5338-2).

- dd. Prior to the approval of the first Final Map for R-1 improve or agree to improve and provide security for **Ringlet Court** from a Tee intersection with Snowy Egret Street near the northwest corner of Lot 136 southerly to a terminus cul-de-sac at the driveway accesses to Lots 132 and 133 as follows: The road shall be improved to the following standard: Public Residential cul de sac Street Road Standards, to a graded width of fifty-two feet (52'), with thirty-two feet (32') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk, with face of curb at sixteen feet (16') from centerline to the satisfaction of the Director of Public Works. This condition does not apply to the Revised Tentative Map 5338 because the improvements/ infrastructure have been completed in previous phases of the Campus Park Master Planned Development (PDS2012-2140-5338-2).
- ee. Prior to the approval of the first Final Map for R-1 improve or agree to improve and provide security for **Caracara Court** from a Tee intersection with Ostrich Way near the northwest corner of Lot 103 easterly to a terminus cul-de-sac at the driveway accesses to Park Lot 553 to a graded width of fifty-six feet (56'), with thirty-six feet (36') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk, with face of curb at eighteen feet (18') from centerline. All of the above shall be done to the satisfaction of the Director of Public Works. This condition does not apply to the Revised Tentative Map 5338 because the improvements/ infrastructure have been completed in previous phases of the Campus Park Master Planned Development (PDS2012-2140-5338-2).
- ff. Prior to the approval of the first Final Map for R-1 improve or agree to improve and provide security for **Night Owl Street** from a Tee intersection with Longspur Road near the northeast corner of Lot 79 westerly to a Tee intersection with Ostrich Way near the southwest corner of Lot 71 as follows: The road shall be improved to the following standard: Public Residential Collector Road Standards, to a graded width of sixty feet (60'), with forty feet (40') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk, with face of curb at twenty feet (20') from centerline to the satisfaction of the Director of Public Works. This condition does not apply to the Revised Tentative Map 5338 because the improvements/ infrastructure have been completed in previous phases of the Campus Park Master Planned Development (PDS2012-2140-5338-2).
- gg. Improve or agree to improve and provide security for **Belted Kingfisher Road, Spotted Sandpiper Street, Song Sparrow Drive, Ostrich Way,**

Caracara Court, Ringlet Court, and Ponyfoot Court terminations with a **cul-de-sac** graded to a radius of fifty-two feet (52') and improved to a radius of forty-two feet (42'), with asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk, with face of curb at forty-two feet (42') from the center point, to the satisfaction of the Director of Public Works. This condition does not apply to the Revised Tentative Map 5338 because the improvements/infrastructure have been completed in previous phases of the Campus Park Master Planned Development (PDS2012-2140-5338-2, PDS2012-2140-5338-4 and PDS2012-2140-5338-6).

- hh. Improve or agree to improve and provide security for turn lanes, and traffic signals when traffic warrants are met, at the intersections of **Horse Ranch Creek Road** with the following roads:
- a. SR -76 (see map below);
 - b. Pankey Place;
 - c. Harvest Glen Lane;
 - d. Longspur Road;
 - e. Baltimore Oriole Road.

These intersectional improvements shall include traffic signals as warranted as specified in Table 48 of the Traffic Study dated May 12, 2009. All of the above shall be done to the satisfaction of the Director of Public Works. A Local Mobility Analysis (April 15, 2021), Trip Generation Memo (February 15, 2022), and Traffic Conditions Memo (March 2, 2022), addendums were provided for the Campus Park (TM 5338) Final Environmental Impact Report (FEIR) Traffic Impact Study (February 19, 2009) to address transportation conditions related to trip generation thresholds and street segment and intersection deficiencies for Parcels 1 and 2 of the Revised Tentative Map 5338. Based on the project changes and updates to trip generation and project traffic analysis, no impacts warranting a signal and/or turn lane were identified at the intersections of Horse Ranch Creek Road and the following roads: SR-76, Harvest Glen Lane, Longspur Road, and Baltimore Oriole Road for Parcels 1 and 2 of the Revised Tentative Map 5338.

- ii. Prior to the approval of first Final Map (irrespective of the Phase #, Unit #, or ownership of the area covered by that Final Map) for any unit of this project that, together with traffic from prior approved Final Map(s) generates a combined ADT of 3,700 or more as determined by an updated focus traffic study using SANDAG Trip Generation Rates, which shall be prepared by the applicant or its successors and assigns, based on already recorded lots at that time, improve or agree to improve and provide security for traffic signalization facilities when traffic warrants are met, and provide associated intersectional improvements at the Tee intersection: **Old**

Highway 395 / Reche Road (see sheet 10 of VTM 5338 RPL⁷ to the satisfaction of the Director of Public Works. [The TIS identifies the signalization of this intersection as being a "direct impact".] The agreement shall require that the improvements shall be operational prior to the issuance of the first building permit for any construction within Vesting Tentative Map 5338 RPL⁷ that, together with traffic from prior approved Final Map(s) and other traffic, generates a combined ADT of 3,700 or more as determined by an updated focus traffic study using SANDAG Trip Generation Rates, based on already recorded lots at that time. All of the above shall be done to the satisfaction of the Director of Public Works. This condition does not apply to the Revised Tentative Map 5338 because the improvements/ infrastructure have been completed in previous phases of the Campus Park Master Planned Development (PDS2012-2140-5338-2, PDS2012-2140-5338-4 and PDS2012-2140-5338-6).

- jj. Prior to the approval of final map for Planning Areas R-4 and R-5, improve or agree to improve and provide security for traffic signalization facilities, when traffic warrants are met, and provide associated intersectional improvements at the 4-legged intersection: **Old Highway 395 / Stewart Canyon Road / Canonita Road** (see sheet 10 of the Vesting Tentative Map, VTM 5338 RPL⁷) to the satisfaction of the Director of Public Works. This condition does not apply to the Revised Tentative Map 5338 because Parcel 1, 2 and the Remainder Lot of Revised Tentative Map 5338 are not located in Planning Areas R-4 or R-5.
- kk. Prior to the approval of first Final Map (irrespective of the Phase #, Unit #, or ownership of the area covered by that Final Map) for any unit of this project or any Remainder Parcel that files for a Conditional Certificate of Compliance that, together with traffic from prior approved Final Map(s) and other traffic, generates a combined ADT of 16,180 or more as determined by an updated focus traffic study using SANDAG Trip Generation Rates, which shall be prepared by the applicant or its successors and assigns, based on already recorded lots at that time, improve or agree to improve and provide security for intersectional improvements at **Pala Mesa Drive/Old Highway 395** including separate left, through, and right turn lanes on NB Old Hwy 395 and separate left and combination right/through and left on SB Old Hwg 395; and separate left and combination right/thru lane on WB Pala Mesa Drive. Works (see sheet 8 of the Vesting Tentative Map, VTM 5338 RPL⁷). Provide associated grading and traffic signalization facilities as warranted. The agreement shall require that the improvements shall be operational prior to the issuance of the first building permit for any construction within the Vesting Tentative Map that, together with traffic from prior approved Final Map(s) and other traffic,

generates a combined ADT of 16,180 or more as determined by the required updated focus traffic study using SANDAG Trip Generation Rates, referenced above and based on already recorded lots at that time. A Local Mobility Analysis (April 15, 2021), Trip Generation Memo (February 15, 2022), and Traffic Conditions Memo (March 2, 2022), addendums were provided for the Campus Park (TM 5338) Final Environmental Impact Report (FEIR) Traffic Impact Study (February 19, 2009) to address transportation conditions related to trip generation thresholds and street segment and intersection deficiencies for Parcels 1 and 2 of the Revised Tentative Map 5338. Based on the project changes and updates to trip generation and project traffic analysis, the 16,180 ADT threshold is not met for residential Parcels 1 and 2. All of the above shall be to the satisfaction of the Director of Public Works.

- ii. Prior to the approval of final map for any unit of this project improve or agree to improve and provide security for traffic signalization when traffic warrants are met, with southbound left, combination left-through-right, and right turn lanes, and eastbound and westbound left turn lanes and west bound deceleration lane at the **SR-76 / Horse Ranch Creek Road** intersection to the satisfaction of Caltrans and the Director of Public Works. This condition does not apply to the Revised Tentative Map 5338 because the improvements/ infrastructure have been completed in previous phases of the Campus Park Master Planned Development (PDS2017-LDMJIP-50037).
- mm. Asphalt concrete surfacing material shall be hand-raked and compacted to form smooth tapered connections along all edges including those edges adjacent to soil. The edges of asphalt concrete shall be hand-raked at 45 degrees or flatter, so as to provide a smooth transition next to existing soil, including those areas scheduled for shoulder backing. The above shall be done to the satisfaction of the Director of Public Works.
- nn. Falcon View Way, Ostrich Way, Dusky Wing Lane, and Phalarope Street knuckles shall be in accordance with County of San Diego Design Standard D-15 to the satisfaction of the Director of Public Works. This condition does not apply to the Revised Tentative Map 5338 because the improvements/ infrastructure have been completed in previous phases of the Campus Park Master Planned Development (PDS2012-2140-5338-2, PDS2012-2140-5338-3, PDS2012-2140-5338-4 and PDS2012-2140-5338-5).
- oo. Install Guardrail where height of down sloping bank for a 2:1 slope is greater than twelve feet (12'); or where height of down sloping bank for a 1.5:1 slope is greater than ten feet (10'), guardrail to meet CALTRANS

standards; if required by and to the satisfaction of the Director of Public Works.

- pp. Improve or agree to improve and provide security for trails (and pathways) as applicable to the satisfaction of the Department of Parks and Recreation. This condition does not apply to the Revised Tentative Map 5338 because the improvements/ infrastructure have been completed in previous phases of the Campus Park Master Planned Development (PDS2012-2700-15682).
- qq. Unless stated otherwise, improve roads or agree to improve and provide security for them with the approval of the unit the road is within, abuts, or provides access, to the satisfaction of the Director of Public Works.
- rr. Prior to the approval of the first Final Map (irrespective of the Phase #, Unit#, or ownership of the area covered by that Final Map) for any unit of this project that, together with traffic from prior approved Final Map(s) generates a combined ADT of 2,180 or more as determined by an updated focus traffic study using SANDAG Trip Generation Rates, which shall be prepared by the applicant or its successors and assigns, based on already recorded lots at that time, improve or agree to improve and provide security for the **I-15/SR 76 interchange** improvements shown on Vesting Tentative Map 5338 RPL⁷ to the satisfaction of Caltrans and the Director of Public Works. If completion of the improvements will occur prior to the issuance of the 1st building permit that will cause direct impacts to the interchange (2,180 ADT from residential units or any portion of the commercial/office component), then the project will contribute a "fair share" towards the cost of the improvements. The Fair Share Contribution shall be equal to an amount proportional to this project's impact to the interchange construction project. The estimated fair share amount for this project is \$1,622,142.00. If the I-15/SR 76 interchange project is not constructed, the agreement for direct impact mitigation shall require that the improvements shown on Vesting Tentative Map 5338 RPL⁷ (as indicated below) shall be operational prior to issuance of the first building permit of the unit that first causes direct impacts to the interchange for any construction within the Vesting Tentative Map . An updated focus traffic study using SANDAG Trip Generation Rates, which shall be prepared by the applicant or its successors and assigns, based on already recorded lots at that time shall be submitted prior to the approval of the final map of each phase or unit. All of the above shall be to the satisfaction of Caltrans and the Director of Public Works.[VTM 5338 RPL 7 indicates the following improvements (see VTM 5338RPL7 sheet 11):
 - 1) Improve the 1-15 NB ramps / SR 76 intersection with: i) signing, striping and pavement widening of the NB off ramp to accommodate 3 lanes at the intersection (a left turn, left/thru/right

- turn, and right lane), ii) pavement widening, signing striping of the WB SR76 approach to accommodate three lanes at the intersection: 2 thru lanes, and 1 right turn to NB 115 on ramp;
- 2) Restriping of the segment between SB and NR ramps including across the bridge to accommodate 4 through travel lanes (2-EB and 2-WB); across the bridge to accommodate the clover leaf loop on-ramps to southbound and northbound 1-15]
 - 3) Installation of two loop connections: i) from WB SR-76 onto 1-15 SB, and ii) from EB SR-76 onto 1-15 NB].

The conditions above do not apply to the Revised Tentative Map 5338 because the improvements/ infrastructure have been completed in previous phases of the Campus Park Master Planned Development.

- ss. Prior to the approval of the first Final Map (irrespective of the Phase #, Unit #, or ownership of the area covered by that Final Map) improve or agree to improve and provide security for on- and off-site **Horse Ranch Creek Road** from an acceptable Tee intersection with State Route 76 northwesterly to **Baltimore Oriole Road** as follows: The road shall be improved to the following standard: Interim Public Roads Boulevard Standard to a graded width of one hundred and six feet (106') and sixteen foot (16') wide trail easement with thirty-two feet (32') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter, meandering trail easement, adjacent to the public road easement, on the west side of the centerline, with face of curb at thirty-nine feet (39') from the centerline and asphalt concrete berm and five foot (5') wide asphalt concrete walkway, on the east side of the centerline. The ten-foot (10') wide meandering trail easement shall be constructed with decomposed granite (DG). Provide additional grading and paving as required to provide additional left- and right turn lanes, and pathways or trails. Provide traffic signals when traffic warrants are met, and provide transitions on- and off-site. Improvements shall include an all-weather, 100-year flood free roadway along adjoining or crossing portions of Horse Ranch Creek. Please show the proposed access locations for Palomar College North Education Center (which has a Certified EIR) and provide intersectional separations and operations with the VTM 5338 RPL⁷ (and VTM 5354) accesses according to the Public Road Standards. Provide transitions to existing Pankey Road to the north. Provide road widenings to accommodate any project related truck traffic northbound on Horse Ranch Creek Road (extending northerly on Pankey Road and westerly on Stewart Canyon Road onto south and northbound Old Highway 395). All of the above shall be to the satisfaction of Caltrans and the Director of Public Works. The conditions above do not apply to the Revised Tentative Map 5338 because the improvements/ infrastructure have been completed in previous phases of the Campus Park Master Planned Development (CG-4718).

- tt. Prior to the approval of any Final Map (irrespective of the Phase #, Unit #, or ownership of the area covered by that Final Map) for any unit of this project improve or agree to improve and provide security for on- and off-site Horse Ranch Creek Road from Gold Palomino Way northwesterly to Friesian Way as follows: The road shall be improved to the following standard: Public Boulevard Road with Raised Median Standards to a graded width of one hundred six feet (106') with seventy-eight feet (78') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and sidewalk with face of curb at thirty-nine feet (39') from centerline. Construct a fourteen foot (14') wide raised median with concrete curbs with face of median curb at seven feet (7') from centerline, including transition northerly of Friesian Way to existing Pankey Road improvements and southerly of Gold Palomino Way along the Remainder Parcel. Provide additional grading and paving as required to provide additional left- and right turn lanes, and pathways or trails. Provide traffic signals when traffic warrants are met, and provide transitions on- and off-site. Improvements shall include an all-weather, 100-year flood free roadway along adjoining or crossing portions of Horse Ranch Creek. Please show the proposed access locations for Palomar College North Education Center (which has a Certified EIR) and provide intersectional separations and operations with the VTM 5338 RPL⁷ (and VTM 5354) accesses according to the Public Road Standards. All of the above shall be to the satisfaction of the Director of Public Works. The above condition has been added to reflect the specific requirements of the Revised Tentative Map 5338.

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

2. TRANSIT STOPS/TURNOUTS: [DPLU, DPR] [DPW, PDCI] [DPLU, FEE]

Intent: The Project is pedestrian and bicycle friendly to encourage reduction in vehicle usage and trips. The mixed-use Town Center would be within a 10- minute walk (1/2 mile) of the majority of proposed residences. **Description of Requirement:** Transit stops shall be located along Horse Ranch Creek Road. The bus route also would include a loop along Baltimore Oriole Road and Longspur Road. North County Transit District turnouts would be provided in the vicinity of each intersection along Horse Ranch Creek Road and off site on the north side of SR 76 between Horse Ranch Creek Road and the Project site. Transit improvements will include shelters, route information, benches and lighting. **Documentation:** The bus stops and turnouts will offer residents of this

development and future developments alternative transportation other than the use of the automobile. **Timing:** Prior to the approval of each Final Map and prior to the approval of any plan and issuance of any permit, the turnouts shall be shown on the plans. **Monitoring:** The [DPLU, DPW, PCC] shall review the Final Maps applicable to the above-listed streets and verify that the bus stops and turnouts are included on those Final Maps.

3. 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 of improvement plans for any unit of a map and the approval of the map the letters shall be submitted for approval. **Monitoring:** The [DPW, LDR] shall review the signed letter.

4. SIGHT DISTANCE: [DPW, LDR] [MA] Comply with the Design Standards of Section 6.1. Table 5 of the County of San Diego Public Road Standards. Provide intersectional sight distances along all public road entrances and at driveways to all public roads as determined by sight distance studies and to the satisfaction of Caltrans and the Director of Public Works

- 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."
- c. A registered civil engineer or a licensed land surveyor will provide a certified signed statement as follows: "There is _____ feet of unobstructed intersectional sight distance in both directions from: the proposed private driveways along **Messara Street, Friesian Way, and Horse Ranch Creek Road, and the modified intersection of Friesian Way and Gold Palomino Way with Horse Ranch Creek Road**, in accordance with the methodology

described in Table 5 of the March 2012 County of San Diego Public Road Standards. These sight distances exceed the required intersectional Sight Distance requirements of _____ as described in Table 5 based on a speed of _____, which I have verified to be the higher of the prevailing speed or the minimum design speed of the road classification. I have exercised responsible charge for the certification as defined in Section 6703 of the Professional Engineers Act of the California Business and Professions Code.” The above condition has been added to reflect the specific requirements of the Revised Tentative Map 5338.

Documentation: The applicant shall complete the certifications and submit them to the [DPW, LDR] for review. **Timing:** Prior to the approval of the final map for each phase the sight distance of all affected intersections shall be certified. **Monitoring:** The [DPW, LDR] shall verify the sight distance certifications.

5. **DRAINAGE MAINTENANCE AGREEMENTS: [DPW, LDR], [MA] Intent:** In order to promote orderly development and to comply with the Subdivision Ordinance Sec. 81.403 and to comply with the County Flood Damage Prevention Ordinance (Title 8, Division 11), County Watershed Protection Ordinance (WPO) No.9926, County Code Section 67.801 et. seq., the maintenance agreements shall be completed.
- a. The private storm drain system shall be maintained by a maintenance mechanism such as a homeowners association or other funding mechanism such as private entity or form a Community Facilities District (CFD) to fund its fair share portion for the maintenance of the private storm drain to the satisfaction of the Director of Public Works.
 - b. Establish a maintenance agreement/ mechanism (to include easements) to assure maintenance of the Category 2 post-construction best management practices (BMPs). Provide security to back up the maintenance pursuant to the County Maintenance Plan Guidelines to the satisfaction of the Director of Public Works.
 - c. Process a Stormwater Facilities Maintenance Agreement (SWMA) to assure maintenance of the Category 2 Structural BMPs and provide security to back up the maintenance pursuant to the County Maintenance Plan Guidelines to the satisfaction of the Director of DPW and/or PDS. The SWMA shall be signed and notarized by the applicant and recorded by the County. The above condition has been added to reflect the specific requirements of the Revised Tentative Map 5338.

Documentation: The applicant shall complete the following process and obtain approval of the engineers report, and pay the deposit and applicable review fees. **Timing:** Prior to the approval of the map, the agreements, and securities or

financing mechanism shall be approved. **Monitoring:** The [DPW, LDR] shall review the agreements/mechanisms for consistency with the condition and County Standards.

6. **WAIVER AND RELEASE LETTERS: [DPW, LOR] [MA, GP, IP] Intent:** In order 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., adjacent property owners downstream shall be notified that there will be changes to the drainage features that could have effects on their property; letter(s) of permission shall be obtained. **Description of requirement:** A recorded waiver and release letter shall be obtained from each property owner impacted by significant changes (including diversion and concentration) in downstream flow characteristics resulting from grading, private roads, or other improvements. **Documentation:** The applicant shall obtain the letters of approval from each downstream neighbor, and submit them to the [DPW, LDR] for review and approval. Upon approval, the *letters* shall be recorded by the County recorder. **Timing:** Prior to the approval of the map and prior to approval of any grading or improvement plan and prior to issuance of any grading or construction permit, the letters shall be obtained. **Monitoring:** The letters of permission shall be reviewed by the [DPW, LDR] for compliance with this condition.

7. **LINES OF INUNDATION: [DPW, LOR] [MA]**
Intent: In order to prevent future development in the flood plain and to comply with Flood Control 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 Final 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 the Final Map.
- b. Each lot shall have a flood free building site to the satisfaction of the County of San Diego, Director of Public Works. If any of the lots are found to be devoid of a buildable, flood free site for a residence, the subdivider shall take appropriate action so that each lot 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 final map as indicated above. **Timing:** Prior to the approval of the 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.

8. **HYDROMODIFICATION: [DPW, LDR], [MA] Intent:** In order to promote orderly development and to comply with the County Flood Damage Prevention Ordinance (Title 81 Division 11), County Watershed Protection Ordinance (WPO) No.9926, County Code Section 67.801 et. seq., the Hydromodification requirements shall be completed. **Description of requirement:** Final Hydromodification Requirements shall apply for all priority projects. Low-Impact Development (LID) and extended detention facilities are required to meet peak flow and duration controls as follows:

- a. For flow rates ranging from 10 percent, 30 percent or 50 percent of the pre-project 2-year runoff event (0.1Q2, 0.3Q2, or 0.5Q2) to the pre-project 10-year runoff event (Q10), the post-project discharge rates and durations shall not deviate above the pre-project rates and durations by more than 10 percent over and more than 10 percent of the length of the flow duration curve. The specific lower flow threshold will depend on results from the SCCWRP channel screening study and the critical flow calculator.
- b. For flow rates ranging from the lower flow threshold to 05, the post-project peak flows shall not exceed pre-project peak flows. For flow rates from 05 to Q10, post-project peak flows may exceed pre-project flows by up to 10 percent for a 1-year frequency interval. For example, post-project flows could exceed pre-project flows by up to 10 percent for the interval from 09 to 010 or from Q5.5 to Q6.5, but not from QB to 010.

Please refer to Section 6 of the Final Hydromodification Management Plan of the Watershed Protection Ordinance for further procedures, requirements, and standards for priority development projects. **Documentation:** The applicant shall complete the Hydromodification requirements, process and obtain approval of the engineers report, and pay the applicable review fees. **Timing:** Prior to the approval of the map for each phase the agreements and securities shall be approved. **Monitoring:** The [DPW, LDR] shall review the Hydromodification report for consistency with the condition and County Standards.

9. **EROSION CONTROL: [DPW, LDR] [DPW, PDCI] [MA, IP, GP].**
Intent: In order to Comply with all applicable stormwater regulations the activities proposed under this application are subject to enforcement under permits from the State Construction General Permit, Order No. 2022-0057-DWQ, or subsequent order and the County Watershed Protection Ordinance (WPO) No. 10410, County Code Section 67. 801 et. seq ~~San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance No. 9926~~ and all other applicable ordinances and standards for this priority project. **Description of Requirement:** The applicant shall maintain the appropriate on-site and offsite Best Management

Practices pursuant to the approved Stormwater Quality Management Plan (SWQMP) and Erosion Control Plan Stormwater Protection Plan (SWPP) including, but not limited to the erosion control measures, irrigation systems, slope protection, drainage systems, desilting basins, energy dissipators, and silt control measure.

- a. An agreement and instrument of credit shall be provided pursuant to Subdivision Ordinance 81.408, for an amount equal to the cost of this work as determined or approved by the [DPW, LDR], in accordance with the County of San Diego Grading Ordinance Section 87.304. The cash deposit collected for grading, per the grading ordinance, will be used for emergency erosion measures. The developer shall submit a letter to the County Department of Public Works authorizing the use of this deposit for emergency measures.
- b. An agreement in a form satisfactory to County Counsel shall accompany the Instrument of Credit to authorize the County Department of Public Works to unilaterally withdraw any part of or all the Instrument of Credit to accomplish any of the work agreed to if it is not accomplished to the satisfaction of the County Department of Public Works by the date agreed.

Documentation: The applicant shall provide the letter of agreement and any additional security and or cash deposit to the [DPW, LDR] for approval with the final submittal of all grading and improvement plans for the subdivision and required improvements as indicated above. **Timing:** Prior to approval of the subdivision map for all phases, and the approval of any plan and the issuance of any permit, the agreement and securities shall be executed. **Monitoring:** The [DPW, LDR] shall ensure that the agreement and the securities provided adequately satisfy the requirements of this conditions to potentially perform the required erosion control and stormwater control measures proposed on all construction and grading plans. The [DPW, PDC] shall use the securities pursuant to the agreement to implement and enforcement the required stormwater and erosion control measures pursuant to this condition during all construction phases as long as there are open and valid permits for the site.

9a. DEBRIS MANAGEMENT PLAN (DMP)

INTENT: In order to comply with the Grading Material Diversion Program, project recycling and diversion is designed to increase diversion of grading, land clearing, and brushing materials from landfills, extend the useful life of local landfills, and support construction and demolition project compliance with State waste diversion requirements. This includes grading, clearing and brushing material for grading projects over 5,000 cubic yards. For additional questions, please call (858) 694-2463 or email CDRecycling@sdcounty.ca.gov, **DESCRIPTION OF REQUIREMENT:** To divert (recycle, reuse, repurpose) 100% of excavated soils,

trees, stumps, rocks, and associated vegetation and soils from the following types of projects: (1) non-residential excavation and grading projects; (2) residential projects that require Major Grading permits. Grading projects greater than 5,000 cubic yards shall prepare a Debris Management Plan (DMP) prior to plan approval. All documentation must be submitted and approved by a DPW Compliance Official. Specific requirements are as follows:

- a. Prior to Grading plan approval, a Debris Management Plan (DMP) is required, consisting of:
 - The type of project.
 - The total cubic yardage for the project.
 - The estimated weight of grading or land clearing debris, by material type, that the project is expected to generate.
 - The estimated maximum weight of grading or land clearing debris that can feasibly be diverted via reuse, salvage, or recycling.
 - The estimated weight of grading or land clearing debris that is planned to be disposed of in a landfill.
 - The name of the facility (or facilities) which debris will be exported to.

- b. During grading activities, a Daily Log of all grading, land clearing, and brushing material that is exported or reused/repurposed, must be prepared and retained onsite. The Daily Log must include all export receipts from an inert processing facility, green material processing operation, a C&D processing facility, or other vendor or disposal or transfer station facility that accepted grading material from the approved grading project. If material was reused onsite, other forms of documentation (such as photos) will be accepted in lieu of receipts. Daily logs shall include:
 - Identify the project location.
 - Log the date that material was transported off site.
 - Log the type of graded or cleared material.
 - Estimated material weight, tonnage, or cubic yards.
 - Name of entity transporting the material.
 - Name of the receiving facility or exporter, and detailing whether the material was salvaged, recycled, or disposed of in a landfill.
 - Daily log entries shall correspond to receipts by materials transporter or receiving facility. If grading contractor exported materials off-site, receipts shall be compiled within 90 days of the receipts.
 - Daily logs shall include separate entries for each occurrence of materials reused on site.
 - Daily logs and all receipts shall be maintained at the project site and made available to any County Inspector for compliance with this condition.

c. Exemption:

- Excavated soil and land-clearing debris that is contaminated by disease or pests are not required to be reused on- or off-site, provided that: (I) the County Agricultural Commissioner has made a determination of disease or pest contamination and permittee follows commissioner's direction for recycling or disposal of the material, (ii) the materials are generated in a known pest and/or disease quarantine zone identified by the California Department of Food and Agriculture, or (iii) the materials are otherwise not required to be reused under the CalGreen Code

DOCUMENTATION: The applicant shall prepare the Debris Management Plan (DMP) and submit the plan for review and approval by the DPW Recycling Compliance Official. During grading operations a daily log shall be prepared and kept on-site. For additional questions, please call (858) 694-2463 or email CDRecycling@sdcounty.ca.gov. Templates for all forms required are available at: https://www.sandiegocounty.gov/content/sdc/dpw/recycling/NewCD_Grading.htm
I. **TIMING:** Prior to approval of any plan or issuance of any permit, the Debris Management Plan shall be prepared and submitted to the DPW Recycling Official [DPW, CO] for review and approval. **MONITORING:** The [DPW, CO] shall review and approve the DMP documents for the project. The [DPW, CO], shall forward the approval of the DMP to [PDS, LDR] for compliance with this condition. The above condition has been added to reflect the specific requirements of the Revised Tentative Map 5338.

9b. **DEBRIS MANAGEMENT REPORT (DMR)**

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

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

DOCUMENTATION: Prior to Rough Grade Release and prior to issuance of any building permit, a final report shall be prepared and submitted for review and approval to the DPW Recycling Compliance Official. For additional questions, please call (858) 694-2463 or email . Templates for all forms required are available at:

https://www.sandiegocounty.gov/content/sdc/dpw/recycling/NewCD_Grading.htm

TIMING: Prior to building permit issuance, and Rough Grading release, the Debris Management Final Report shall be prepared and submitted to DPW Recycling Official [DPW CO] for review and approval. **MONITORING:** The [DPW, CO] shall review and approve the DMR documents for the project. The [DPW, CO], shall forward the approval of the DMR to [DPW, PDCI] and [PDS, Building PCC] for compliance with this condition. The above condition has been added to reflect the specific requirements of the Revised Tentative Map 5338.

10. ROAD DEDICATION (ON&OFFSITE): [DPW, LDR] [DGS, RP] [MA].

Intent: In order to improve the quality of the roads, promote orderly development, and to comply with the Subdivision Ordinance Sec. 81.403 and County of San Diego Public Road Standards, road right of way shall be dedicated to the County.

Description of requirement:

- a. Dedicate on-site, and cause to be granted off-site, right of way for State Route 76 along the project frontage and westerly and easterly as indicated in the approved traffic study, including left- and right-turn lanes, bike lanes, trails, traffic signals where warranted, and transitions on- and off-site. Width of grants and dedications shall be as per requirements forthcoming from Caltrans. All of the above shall be to the satisfaction of Caltrans and the Director of Public Works.
- b. Dedicate on-site and cause to be granted off-site all easements associated with the streets to be improved per the requirements of the above public road improvement conditions (1.a, 1.b, etc.) above.
- c. With the recordation of the Final Map(s), dedicate corner roundings, cul-de-sacs and street knuckles, as indicated in the public road conditions (1.a, 1.b, etc.) above on-site and cause these to be dedicated off-site to the satisfaction of the Director of Public Works.
- d. With the recordation of the Final Map(s) for Parcels 1 and 2 relinquish access rights into all on-site circulation element roads except for one approved access to each lot where accesses are not shown on approved plot plan, and to access locations shown on approved plot plans (for multi-residential and/or commercial lots). This shall be done to the satisfaction of the Director of Public Works. This condition does not apply to the Remainder Parcel until such time as a certificate of compliance is obtained

for the development of the site at which time relinquishment of access rights for applicable driveways along the frontage will be required.

- e. Unless stated otherwise, easements and relinquishments shall be provided for roads with the recordation of the unit the road is within, abuts, or provides access.
- f. Trails (and pathways) are required to be dedicated to the satisfaction of the Department of Parks and Recreation.
- g. Dedicate onsite with the map to the County of San Diego, an easement for road purposes that provides one hundred six feet (106') for **Horse Ranch Creek Road** along the project frontage in accordance with [County of San Diego Public Road Standards](#) and the Community Trails Master Plan for a Public Boulevard Road with Raised Median with a bike lane and sidewalk to a right-of-way width of one hundred six feet (106') together with right to construct and maintain slopes and drainage facilities to the satisfaction of the Director of PDS. The above condition has been added to reflect the specific requirements of the Revised Tentative Map 5338.
- h. (Previously g) The grant of right-of-way shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required, and shall be accepted for public use. The affected utility company/district shall enter into a joint use agreement with the County of San Diego to the satisfaction of the County of San Diego, Director of Public Works.

Documentation: The applicant shall dedicate the project side of the easement on the map and show it as accepted. For the off-site portions of the easement, the applicant shall prepare the legal descriptions of the easements, and submit them for preparation with the [DGS, RP], and pay all applicable fees associated with preparation of the documents. Upon Recordation of the easements, the applicant shall provide copies of the easement documents to the [DPW, LDR] for review. **Timing:** Prior to the approval of the map the onsite dedication and the offsite granting shall be provided for roads with the recordation of the unit the road is within, abuts or provides access to. **Monitoring:** The [DPW, LDR] shall verify that the dedication is indicated on the map and accepted by the County. The [DGS, RP] shall prepare, approve the easement documents for recordation, and forward the recorded copies to [DPW, LDR] for review and approval. The [DPW, LDR] shall review that that the off-site granting complies with this condition. The above conditions have been revised to reflect the specific requirements of the Revised Tentative Map 5338.

10a. RELINQUISH ACCESS

INTENT: In order to promote orderly development and to comply with the [Mobility Element of the General Plan](#), access shall be relinquished as described below for only Parcels 1 and 2 of this Revised Vesting Tentative Map. This condition does not apply to the Remainder Parcel until such time as a certificate of compliance or Final Map is obtained for development purposes at which time relinquishment of access rights for applicable driveways along the frontage will be required as applicable.

DESCRIPTION OF REQUIREMENT:

- a. Relinquish access rights onto *Messara Street, Friesian Way, and Horse Ranch Creek Road* along the project frontage of Parcels 1 and 2 of the Revised Tentative Map 5338 except for the proposed driveways, as shown on the approved Tentative Map.
- b. The access relinquishment shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required.

DOCUMENTATION: The applicant shall show the Relinquishment on the Final Map. **TIMING:** Concurrently with the approval of the Final Map, the access shall be relinquished. **MONITORING:** The applicant shall show the relinquishment of access rights on the Final Map and forward a copy to [PDS, LDR] for preapproval. The [PDS, LDR] shall review the Final Map for compliance with this condition. The above conditions have been added to reflect the specific requirements of the Revised Tentative Map 5338.

10b. GEN#1–UTILITY CONCURRENCE LETTERS

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 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 the public entities affected by this project have received a copy of the proposed Final 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 [PDS, LDR] for review and approval. **TIMING:** Prior to the approval improvement plans and the recordation of the Final Map, the letters shall be submitted for approval. **MONITORING:** The [PDS, LDR] shall review the signed letters. The above condition has been added to reflect the specific requirements of the Remainder Tentative Map 5338.

10c. GEN#2–COMMUNITY FACILITIES DISTRICT MAINTENANCE

INTENT: In order to comply with the Parkland Dedication Ordinance, North County

Fire Protection District service requirements, and existing flood control/stormwater treatment infrastructure, the following condition related to the formation of a Community Facilities District (CFD) shall apply. **DESCRIPTION OF REQUIREMENT:** The applicant shall form a new CFD or modify/join the existing Horse Creek Ridge CFD (CFD 2013-01) in order to fund its fair share portion of the following as detailed in the Horse Creek Ridge CFD:

1. Operations and Maintenance and use of the Sports Complex adjacent to the project site.
2. North County Fire Protection District Services.
3. Operations and Maintenance of Flood Control/Stormwater Facilities *only if applicable and utilized in the design of Final Engineering for the project.*

DOCUMENTATION: The applicant shall process the formation of a new CFD or modify/join the existing CFD in order to fulfill the three requirements of the CFD with the County of San Diego. **TIMING:** Prior to the approval of any map and prior to the approval of any plan and issuance of any permit, the CFD requirements shall be fulfilled. **MONITORING:** The PDS Zoning Counter and *[PDS, LDR]* shall review the evidence to verify compliance with this condition. The Department of Parks and Recreation, the Department of Public Works, and the North County Fire Protection District shall review the submitted documentation in order to verify that the CFD requirements are fulfilled. The above condition has been added to reflect the specific requirements of the Revised Tentative Map 5338.

10.d GEN#1-AFFORDABLE HOUSING

INTENT: In order to comply with General Plan policies related to Affordable and Inclusionary Housing associated with General Plan Amendments and General Plan policies related to a forthcoming Inclusionary Housing Ordinance, the following condition shall apply. **DESCRIPTION OF REQUIREMENT:** The applicant shall execute an Affordable Housing Agreement with the County of San Diego Department of Housing and Community Development (HCD) upon coordination with PDS. The Affordable Housing Agreement will include payment of in-lieu fees to an applicable entity and funding source *or* construction of on-site affordable housing units equal to 5% of the total units (e.g. 7 units calculated as 5% of 138 total units) at the applicant's discretion. The Affordable Housing Component of the project is based on a draft of the Inclusionary Housing Ordinance using a 5% Very Low-Income Unit Requirement. The fee amount would be calculated based on the rate of \$11.63 per livable area square foot which would result in approximately +/- \$2.5 million of in-lieu fees. This is calculated using the following formula: $((\text{Total Square Footage of Livable Area} - (\text{Average Square Footage of Market-Rate Units} \times \text{Inclusionary Housing Unit Requirements})) \times \text{Living Area Square Footage Fee})$. An estimate of 1,900 square feet of livable units shall be used to calculate the approximate in-lieu fee amount. The funding source or entity that the in-lieu fees will be paid into will be identified upon coordination with HCD and PDS. In the event that the Inclusionary Housing Ordinance or a similar ordinance is adopted that results in the creation of a funding source, the applicant can pay the required fees to the applicable funding source upon coordination with HCD and PDS. If the

option to construct units on-site is chosen, the timing of construction of units, location of units, and occupancy of units shall be outlined in the Affordable Housing Agreement. **DOCUMENTATION:** The applicant shall coordinate with the Department of Housing and Community Development and PDS in order to execute an applicable Affordable Housing Agreement based on the options outlined in this condition and the Passerelle Specific Plan Amendment Document. The Affordable Housing Agreement shall be executed and recorded. **TIMING:** Prior to the approval of any map and prior to the approval of any plan and issuance of any permit, the Affordable Housing Agreement shall be executed upon coordination with PDS and the County of San Diego Department of Housing and Community Development. The building plans submitted during the building permit process shall match the square footage calculations that are used to determine the payment of fees. **MONITORING:** The PDS Zoning Counter and [PDS, LDR] shall review the evidence to verify compliance with this condition upon coordination the County of San Diego Department of Housing and Community Development. The above condition has been added to reflect the specific requirements of the Revised Tentative Map 5338.

11. **OFF-SITE MITIGATION (COAST LIVE OAK WOODLAND): [DPLU, PCC] [MA, GP, IP] [DPLU, FEE X2] [DPR, GPM] Intent:** In order to mitigate for the impacts to coast live oak woodland, which is a sensitive biological resource pursuant to CEQA, off-site mitigation shall be acquired. **Description of Requirement:** The applicant shall purchase habitat credit, or provide for the conservation of 1.4 acres of southern oak woodland. The location of the off-site mitigation shall be in the North County MSCP planning area. The applicant shall focus efforts at acquiring off-site mitigation habitat credits within Rice Canyon proposed Pre-Approved Mitigation Area (PAMA) of the North County MSCP:
- a. Option 1: If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish & Game, or the credit shall conform to Board of Supervisors' Policy 1-138 and be approved by the Director of Parks and Recreation (DPR). 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. If DPR mitigation lands are used, no dedicated conservation easement or similar land constraint is necessary.

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 is not purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land located in San Diego County as indicated below:
1. The type of habitat and the location of the proposed mitigation, should be pre-approved by [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..
 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 cannot 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, secured agreement with the County of San Diego established, 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: The mitigation shall be completed, prior to the approval of any Final Map related to, and prior to the approval of any plan and issuance of any permit for, each of the following:

1. Planning Unit Residential 4 (122 du);
2. Planning Unit Residential 5 (124 du); and
3. Planning Unit Professional/Office 1.

As shown on VTM 5338 RPL7, dated November 16, 2010. **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. This condition does not apply to the Revised Tentative Map 5338 because the improvements/ infrastructure have been completed in previous phases of the Campus Park Master Planned Development.

- 12. OFF-SITE MITIGATION (COASTAL SAGE SCRUB): [DPLU, PCC] [MA, GP, IP] [DPLU, FEE X2] [DPR, GPM] Intent:** In order to mitigate for the impacts to Diegan coastal sage scrub, which is a sensitive biological resource pursuant to the CEQA, off-site mitigation shall be acquired. **Description of Requirement:** The applicant shall purchase habitat credit, or obtain and provide for the conservation of, 4.1 acres of Diegan coastal sage scrub occupied by California gnatcatcher located in the North County MSCP planning area. The applicant shall focus efforts at acquiring off-site mitigation within Rice Canyon proposed Pre-Approved Mitigation Area (PAMA) of the North County MSCP:
- a. Option 1: If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish & Game, or the credit shall conform to Board of Supervisors' Policy 1-138 and be approved by the Director of Parks and Recreation (DPR). 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. If DPR mitigation lands are used, no dedicated conservation easement or similar land constraint is necessary.
 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.
5. Verification that credits purchased are occupied by California gnatcatcher.
- b. Option 2: If habitat credit is not purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land located in San Diego County as indicated below:
1. The type of habitat and the location of the proposed mitigation, should be pre-approved by [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.
 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 cannot 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, secured agreement with the County of San Diego established, 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 provide the evidence of compliance 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 required 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

any Final Map related to, and prior to the approval of any plan and issuance of any permit, for each of the following:

1. Planning Unit Residential 4 (122 du);
2. Planning Unit Residential 5 (124 du); and
3. Planning Unit Professional/Office 1.

As shown on VTM 5338 RPL7, dated November 16, 2010. **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. This condition does not apply to the Revised Tentative Map 5338 because the improvements/ infrastructure have been completed in previous phases of the Campus Park Master Planned Development.

- 13. OFF-SITE MITIGATION (COASTAL SAGE SCRUB): [DPLU, PCC] [MA, GP, IP][DPLU, FEE X2] [DPR, GPM] Intent:** In order to mitigate for the impacts to Diegan coastal sage scrub, which is a sensitive biological resource pursuant to the CEQA, off-site mitigation shall be acquired. Description of Requirement: The applicant shall purchase habitat credit, or obtain and provide for the conservation of, 0.6 acres of Diegan coastal sage scrub occupied by California gnatcatcher located in the North County MSCP planning area. The applicant shall focus efforts at acquiring off-site mitigation within Rice Canyon proposed Pre-Approved Mitigation Area (PAMA) of the North County MSCP:
- a. Option 1: If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish & Game, or the credit shall conform to Board of Supervisors' Policy 1-138 and be approved by the Director of Parks and Recreation (DPR). 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. If DPR mitigation lands are used, no dedicated conservation easement or similar land constraint is necessary.
 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.
5. Verification that credits purchased are occupied by California gnatcatcher.
- b. Option 2: If habitat credit is not purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land located in San Diego County as indicated below:
1. The type of habitat and the location of the proposed mitigation, should be pre-approved by [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.
 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 cannot 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, secured agreement with the County of San Diego established, 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 provide the evidence of compliance 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 required 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 any Final Map, and prior to the approval of any plan and issuance of any permit, related to any project improvements that trigger the reconstruction of the Interstate-

15 On- or Off-Ramp (Condition 1.rr herein and EIR Mitigation TR-1 and TR-2).
 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, PPDJ] shall review the RMP submittal for compliance with this condition and the RMP Guidelines. This condition does not apply to the Revised Tentative Map because the improvements/ infrastructure have been completed in previous phases of the Campus Park Master Planned Development.

14. OFF-SITE MITIGATION (COASTAL SAGE SCRUB): [DPLU, PCC] [MA, GP, IP][DPLU, FEE X2] [DPR, GPM] Intent: In order to mitigate for the impacts to Diegan coastal sage scrub, which is a sensitive biological resource pursuant to the CEQA, off-site mitigation shall be acquired. **Description of Requirement:** The applicant shall purchase habitat credit, or provide for the conservation of 0.2 acres of Diegan coastal sage scrub occupied by California gnatcatcher located in the North County MSCP planning area. The applicant shall focus efforts at acquiring off-site mitigation within Rice Canyon proposed Pre-Approved Mitigation Area (PAMA) of the North County MSCP:

- a. Option 1: If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish & Game or the credit shall conform to Board of Supervisors' Policy 1-138 and be approved by the Director of Parks and Recreation (DPR). 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. If DPR mitigation lands are used, no dedicated conservation easement or similar land constraint is necessary.
 - 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.
 - 5. Verification that credits purchased are occupied by California gnatcatcher.
- b. Option 2: If habitat credit is not purchased in a mitigation bank, then the

applicant shall provide for the conservation of habitat of the same amount and type of land located in San Diego County as indicated below:

1. The type of habitat and the location of the proposed mitigation, should be pre-approved by [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.
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 cannot 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, secured agreement with the County of San Diego established, 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 provide the evidence of compliance 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 required 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 any Final Map related to any project improvements that trigger the reconstruction of, and prior to the approval of any plan and issuance of any permit for, Old Highway 395/Pala Mesa Drive Intersection (Condition 1.kk herein and EIR Mitigation TR-6a - 8a). 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, PPDJ] shall review the RMP submittal for compliance with this condition and the RMP Guidelines. This condition does not apply to Parcels 1 and 2 of the Revised Tentative Map 5338; however, future phases of the Campus Park Master Planned Development may trigger these improvements and the application of this condition.

- 15. OFF-SITE MITIGATION (COASTAL SAGE SCRUB): [DPLU, PCC] [MA, GP, IP][DPLU, FEE X2] [DPR, GPM] Intent:** In order to mitigate for the impacts to Diegan coastal sage scrub, which is a sensitive biological resource pursuant to the CEQA, off-site mitigation shall be acquired. **Description of Requirement:** The applicant shall purchase habitat credit, or obtain and provide for the conservation of 0.4 acres of Diegan coastal sage scrub occupied by California gnatcatcher located in the North County MSCP planning area. The applicant shall focus efforts at acquiring off-site mitigation within Rice Canyon proposed Pre-Approved Mitigation Area (PAMA) of the North County MSCP:
- a. Option 1: If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish & Game or the credit shall conform to Board of Supervisors' Policy 1-138 and be approved by the Director of Parks and Recreation (DPR). 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. If DPR mitigation lands are used, no dedicated conservation easement or similar land constraint is necessary.
 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.
 5. Verification that credits purchased are occupied by California gnatcatcher.
 - b. Option 2: If habitat credit is not purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land located in San Diego County as indicated below:

1. The type of habitat and the location of the proposed mitigation, should be pre-approved by [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.
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 cannot 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, secured agreement with the County of San Diego established, 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 provide the evidence of compliance 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 required 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 any Final Map related to any project improvements that trigger the reconstruction of, and prior to the approval of any plan and issuance of any permit for, Old Highway 395 Stewart Canyon Intersection, (Condition 1.jj herein and EIR Mitigation TR-6a - 8a) 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, PPDJ] shall review the RMP submittal for compliance with this condition and the RMP Guidelines. This condition does not apply to Parcels 1 and 2 of the Revised Tentative Map 5338; however, future phases of the Campus Park Master Planned Development may trigger these improvements and the application of this condition.

- 16. OFF-SITE MITIGATION (NON-NATIVE GRASSLAND): [DPLU, PCC] [MA, GP, IP] [DPLU, FEE X2] [DPR, GPM] Intent:** In order to mitigate for the impacts to non-native grassland, which provides foraging habitat for raptors, and therefore is considered a sensitive biological resource pursuant to the CEQA, off-site mitigation shall be acquired. **Description of Requirement:** The applicant shall purchase habitat credit, or obtain and provide for the conservation of 14.5 acres of habitat that is equal to or "like functioning" to the impacted non-native grasslands located in the North County MSCP planning area. The applicant shall focus efforts at acquiring off-site mitigation within Rice Canyon proposed Pre-Approved Mitigation Area (PAMA) of the North County MSCP:

- a. Option 1: If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish & Game or the credit shall conform to Board of Supervisors' Policy 1-138 and be approved by the Director of Parks and Recreation (DPR). 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. If DPR mitigation lands are used, no dedicated conservation easement or similar land constraint is necessary.
 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 is not purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land located in the in the North County MSCP planning area 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.
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 cannot 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, secured agreement with the County of San Diego established, 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 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 required, 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 any Final Map, and prior to the approval of any plan and issuance of any permit for, each of the following:

1. Planning Unit Multi-Family 1 (189 du);
2. Planning Unit Multi-Family 2 (41 du);
3. Planning Unit Residential 1 (136 du);
4. Planning Unit Residential 2 (75 du);
5. Planning Unit Residential 3 (64 du); and
6. Planning Unit Professional/Office 2.

As shown on VTM 5338 RPL7, dated November 16, 2010. 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 RIVIP Guidelines. This condition does not apply to the Revised Tentative Map 5338 because the improvements/ infrastructure have been completed in previous phases of the Campus Park Master Planned Development.

- 17. OFF-SITE MITIGATION (NON-NATIVE GRASSLAND): [DPLU, PCC] [MA, GP, IP] [DPLU, FEE X2] [DPR, GPM] Intent:** In order to mitigate for the impacts to non-native grassland, which provides foraging habitat for raptors, and therefore is considered a sensitive biological resource pursuant to the CEQA, off-site mitigation shall be acquired. **Description of Requirement:** The applicant shall purchase habitat credit, or obtain and provide for the conservation of 0.6 acres of habitat that is equal to or "like functioning" to the impacted non-native grasslands located in the North County MSCP planning area. The applicant shall focus efforts at acquiring off-site mitigation within Rice Canyon proposed Pre-Approved Mitigation Area (PAMA) of the North County MSCP:
- a. Option 1: If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish & Game or the credit shall conform to Board of Supervisors' Policy 1-138 and be approved by the Director of Parks and Recreation (DPR). 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. If DPR mitigation lands are used, no dedicated conservation easement or similar land constraint is necessary.
 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 is not purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land located in the in the North County MSCP planning area 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.
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 cannot 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, secured agreement with the County of San Diego established, 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 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 required, 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 any Final Map for any project improvements that trigger the reconstruction of, and prior to the approval of any plan and issuance of any permit for, the Interstate-15 On- and / or Off-Ramp (Condition 1.rr herein and EIR Mitigation TR-1 and TR-2). 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, PPDJ] shall review the RMP submittal for compliance with this condition and the RMP Guidelines. This condition does not apply to the Revised Tentative Map 5338 because the improvements/ infrastructure have been completed in previous phases of the Campus Park Master Planned Development.

- 18. OFF-SITE MITIGATION (NON-NATIVE GRASSLAND): [DPLU, PCC] [MA, GP, IP] [DPLU, FEE X2] [DPR, GPM] Intent:** In order to mitigate for the impacts to non-native grassland, which provides foraging habitat for raptors, and therefore is considered a sensitive biological resource pursuant to the CEQA, off-site mitigation shall be acquired. **Description of Requirement:** The applicant shall purchase habitat credit, or obtain and provide for the conservation of 1.7 acres of habitat that is equal to or "like functioning" to the impacted non-native grasslands located in the North County MSCP planning area. The applicant shall focus efforts at acquiring off-site mitigation within Rice Canyon proposed Pre-Approved Mitigation Area (PAMA) of the North County MSCP:
- a. Option 1: If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish & Game or the credit shall conform to Board of Supervisors' Policy 1-138 and be approved by the Director of Parks and Recreation (DPR). 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. If DPR mitigation lands are used, no dedicated conservation easement or similar land constraint is necessary.
 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 is not purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land located in the in the North County MSCP planning area 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.
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 cannot 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, secured agreement with the County of San Diego established, 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 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 required, 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 any Final Map for any project improvements that trigger the reconstruction of, and prior to the approval of any plan and issuance of any permit for, the Pankey Road and Pala Mesa Drive Offsite Improvements (Conditions 1.c and .d herein and EIR Mitigation TR-6a - 8a). 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, PPDJ] shall review the RMP submittal for compliance with this condition and the RMP Guidelines. This condition does not apply to Parcels 1 and 2 of the Revised Tentative Map 5338; however, future phases of the Campus Park Master Planned Development may trigger these improvements and the application of this condition.

19. **OFF-SITE MITIGATION (AGRICULTURE/PASTURE LAND): [DPLU, PCC] [MA, GP, IP] [DPLU, FEE X2] [DPR, GPM] Intent:** In order to mitigate for the

impacts to agriculture/pasture land, which provides foraging habitat for raptors, and therefore is considered a sensitive biological resource pursuant to the CEQA, off-site mitigation shall be acquired. **Description of Requirement:** The applicant shall purchase habitat credit, or obtain and provide for the conservation of 71.2 acres of habitat that is equal to or "like functioning" to the impacted agriculture/pasture lands located in the North County MSCP planning area. The applicant shall focus efforts at acquiring off-site mitigation within Rice Canyon proposed Pre-Approved Mitigation Area (PAMA) of the North County MSCP:

- a. Option 1: If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish & Game or the credit shall conform to Board of Supervisors' Policy 1-138 and be approved by the Director of Parks and Recreation (DPR). 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. If DPR mitigation lands are used, no dedicated conservation easement or similar land constraint is necessary.
 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 is not purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land located in the Ramona area or central foothills ecoregion 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.
 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 cannot 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, secured agreement with the County of San Diego established, 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 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 required then the RMP shall be prepared and an application for the RMP shall be submitted to the [DPLU, ZONING]. Timing: The mitigation shall be completed, prior to the approval of any Final Map for, and prior to the approval of any plan and issuance of any permit for, each of the following:

1. Planning Unit Multi-Family 1 (189 du);
2. Planning Unit Multi-Family 2 (41 du);
3. Planning Unit Residential 1 (136 du);
4. Planning Unit Residential 2 (75 du);
5. Planning Unit Residential 3 (64 du); and
6. Planning Unit Professional/Office 2.

As shown on VTM 5338 RPL7, dated November 16, 2010. 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. This condition does not apply to the Revised Tentative Map 5338 because the improvements/ infrastructure have been completed in previous phases of the

Campus Park Master Planned Development.

- 20. OFF-SITE MITIGATION (AGRICULTURE/PASTURE LAND): [DPLU, PCC] [MA, GP, IP] [DPLU, FEE X2] [DPR, GPM] Intent:** In order to mitigate for the impacts to agriculture/pasture land, which provides foraging habitat for raptors, and therefore is considered a sensitive biological resource pursuant to the CEQA, off-site mitigation shall be acquired. **Description of Requirement:** The applicant shall purchase habitat credit, or obtain and provide for the conservation of 0.65 acres of habitat that is equal to or "like functioning" to the impacted agriculture/pasture lands located in the North County MSCP planning area. The applicant shall focus efforts at acquiring off-site mitigation within Rice Canyon proposed Pre-Approved Mitigation Area (PAMA) of the North County MSCP:
- a. Option 1: If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish & Game or the credit shall conform to Board of Supervisors' Policy 1-138 and be approved by the Director of Parks and Recreation (DPR). 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. If DPR mitigation lands are used, no dedicated conservation easement or similar land constraint is necessary.
 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 is not purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land located in the Ramona area or central foothills ecoregion 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.

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 cannot 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, secured agreement with the County of San Diego established, 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 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 required 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 any Final Map for any project improvements that trigger the installation of, and prior to the approval of any plan and issuance of any permit for, Pankey Place (Condition 1.e herein). 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, PPDJ] shall review the RMP submittal for compliance with this condition and the RMP Guidelines. This condition does not apply to the Revised Tentative Map 5338 because the improvements/ infrastructure have been completed in previous phases of the Campus Park Master Planned Development.

21. **OFF-SITE MITIGATION (AGRICULTURE/PASTURE LAND): [DPLU, PCC] [MA, GP, IP] [DPLU, FEE X2] [DPR, GPM] Intent:** In order to mitigate for the

impacts to agriculture/pasture land, which provides foraging habitat for raptors, and therefore is considered a sensitive biological resource pursuant to the CEQA, off-site mitigation shall be acquired. **Description of Requirement:** The applicant shall purchase habitat credit, or obtain and provide for the conservation of 0.45 acre of habitat that is equal to or "like functioning" to the impacted agriculture/pasture lands located in the North County MSCP planning area. The applicant shall focus efforts at acquiring off-site mitigation within Rice Canyon proposed Pre-Approved Mitigation Area (PAMA) of the North County MSCP:

- a. Option 1: If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish & Game or the credit shall conform to Board of Supervisors' Policy 1-138 and be approved by the Director of Parks and Recreation (DPR). 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. If DPR mitigation lands are used, no dedicated conservation easement or similar land constraint is necessary.
 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 is not purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land located in the Ramona area or central foothills ecoregion 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.
 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 cannot 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, secured agreement with the County of San Diego established, 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 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 required 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 any Final Map for any project improvements that trigger the construction of, and prior to the approval of any plan and issuance of any permit for, the installation of the Horse Ranch Creek Road Improvements (Condition 1.f, 1.hh, 1.11). 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, PPDJ] shall review the RMP submittal for compliance with this condition and the RMP Guidelines. This condition does not apply to the Revised Tentative Map 5338 because the improvements/infrastructure have been completed in previous phases of the Campus Park Master Planned Development.

22. **WETLAND CREATION/ENHANCEMENT: [DPLU, PPD] [MA, GP, IP] [DPR GPM] Intent:** In order to mitigate for the impacts to southern riparian forest, southern willow scrub, and freshwater marsh, which are sensitive biological resources pursuant to the CEQA, the applicant shall obtain and provide for wetland

creation/enhancement and conservation. **Description of Requirement:** the applicant shall submit, have approved, and provide for installation of a revegetation plan or purchase mitigation credits. The applicant shall purchase 1.8 acres of wetland creation credit (1:1 ratio) and 3.6 acres (2:1 ratio) of wetland enhancement credit as indicated in Option 1, below;

OR

Provide for the creation of 1.8 acres (1:1 ratio) of wetland (including riparian forest, southern willow scrub and freshwater marsh) and enhancement of 3.6 acres (2:1 ratio) of wetland through a Revegetation Plan as indicated in Option 2, below.

- a. Option 1: If purchasing Mitigation Credit, the wetland creation mitigation bank shall be approved by the California Department of Fish & Game or the credit shall conform to Board of Supervisors' Policy 1-138 and be approved by the Director of Parks and Recreation (DPR). 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. If DPR mitigation lands are used, no dedicated conservation easement or similar land constraint is necessary.
 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 wetland creation/enhancement credit is not purchased in a mitigation bank, then the applicant shall provide for the creation, enhancement, preservation and management of said lands in San Diego County. A Revegetation Plan, shall be prepared in accordance with County Requirements and shall occur either on the Project site or at an off-site area approved by the Director of DPLU. The Revegetation Plan shall include the following:
 1. The monitoring plan shall be for a length of 5 years and have an 80 percent success criterion.
 2. A preservation plan over the land to be revegetated shall be included in the Revegetation Plan. The preservation plan shall include evidence of dedication of an open space easement to the County of

- San Diego or evidence of protection in perpetuity by some other means to the satisfaction of the Director of DPLU.
3. The report shall be prepared by a County approved biologist and the construction plans shall be prepared by a State of California Licensed Landscape Architect.
 4. Revegetation objectives, revegetation site biological resource map, 24"x 36" landscape plan, map showing revegetation areas according to mitigation type and amount, site preparation information, type of planting materials (e.g. species ratios, source, size material, etc.), and planting program.
 5. A cost estimate based on a 3% annual inflation rate shall be submitted and approved, which includes the cost of the plant stock and its installation, irrigation system and installation, cost of monitoring and maintenance of the revegetation area for the required monitoring period, and report preparation and staff time to review.
 6. 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 an adequate management plan does not cover the mitigation site.
 7. The final RMP cannot 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, secured agreement with the County of San Diego established, and the RMP funding mechanism shall be in place.

Documentation: The applicant shall prepare an RMP and Revegetation Plan for the revegetation site, submit it to the [DPLU, ZONING] and pay all the applicable review fees and deposits. **Timing:** Prior to the approval of the map and prior to the approval of any plan and issuance of any permit. **Monitoring:** The [DPLU, LA] shall review the RMP and Revegetation Plan for conformance with this condition and the applicable Report Format and Content Requirements. Upon approval of the RMP, if required, the applicant shall demonstrate that the plan is funded in perpetuity, and a Director's Decision of Approval will be issued to the applicant. Upon approval of the Revegetation Plan, the applicant shall post a Secured Agreement for the implementation of the Revegetation Plan, and a Director's Decision of approval will be issued to the applicant. The above condition does not apply to the Revised Tentative Map 5338 as other developers have largely fulfilled the condition in previous phases of the Campus Park Master Planned Community.

23. **WETLAND CREATION/ENHANCEMENT: [DPLU, PPD] [MA, GP, IP] [DPR GPM] Intent:** In order to mitigate for the impacts to southern riparian forest, southern willow scrub, and freshwater marsh, which are sensitive biological resources pursuant to the CEQA, the applicant shall obtain and provide for wetland

creation/enhancement and conservation. **Description of Requirement:** The applicant shall submit, have approved, and provide for installation of a revegetation plan or purchase mitigation credits. The applicant shall purchase 1.2 acres of wetland creation credit (1:1 ratio) and 2.4 acres (2:1 ratio) of wetland enhancement credit as indicated in Option 1, below;

OR

[Provide for the creation of 1.2 acres (1:1 ratio) of wetland (including riparian forest, southern willow scrub and freshwater marsh) and enhancement of 2.4 acres (2:1 ratio) of wetland, through a Revegetation Plan, as indicated in Option 2, below.

- a. **Option 1:** If purchasing Mitigation Credit, the wetland creation mitigation bank shall be approved by the California Department of Fish & Game or the credit shall conform to Board of Supervisors' Policy 1-138 and be approved by the Director of Parks and Recreation (DPR). 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. If DPR mitigation lands are used, no dedicated conservation easement or similar land constraint is necessary.
 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 wetland creation/enhancement credit is not purchased in a mitigation bank, then the applicant shall provide for the creation, enhancement, preservation and management of said lands in San Diego County. A Revegetation Plan, shall be prepared in accordance with County Requirements and shall occur either on the Project site or at an off-site area approved by the Director of DPLU. The Revegetation Plan shall include the following:
 1. The monitoring plan shall be for a length of 5 years and have an 80 percent success criterion.
 2. A preservation plan over the land to be revegetated shall be included in the Revegetation Plan. The preservation plan shall include evidence of

dedication of an open space easement to the County of San Diego or evidence of protection in perpetuity by some other means to the satisfaction of the Director of DPLU.

3. The report shall be prepared by a County approved biologist and the construction plans shall be prepared by a State of California Licensed Landscape Architect.
4. Revegetation objectives, revegetation site biological resource map, 24"x 36" landscape plan, map showing revegetation areas according to mitigation type and amount, site preparation information, type of planting materials (e.g. species ratios, source, size material, etc.), and planting program.
5. A cost estimate based on a 3% annual inflation rate shall be submitted and approved, which includes the cost of the plant stock and its installation, irrigation system and installation, cost of monitoring and maintenance of the revegetation area for the required monitoring period, and report preparation and staff time to review.
6. 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 an adequate management plan does not cover the mitigation site.
7. The final RMP cannot 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, secured agreement with the County of San Diego established, and the RMP funding mechanism shall be in place.

Documentation: The applicant shall prepare an RMP and Revegetation Plan for each revegetation site or a three-phased RMP and Revegetation Plan if occurring at one site, submit it to the [DPLU, ZONING] and pay all the applicable review fees and deposits. **Timing:** Prior to the approval of any Final Map for, and prior to the approval of any plan and issuance of any permit for, each of the following:

1. Planning Unit Multi-Family 1 (189 du);
2. Planning Unit Multi-Family 2 (41 du);
3. Planning Unit Residential 2 (75 du); and
4. Planning Unit Professional/Office 2.

As shown on VTM 5338 RPL⁷, dated November 16, 2010. **Monitoring:** The [DPLU, LA] shall review the RMP and Revegetation Plan for conformance with

this condition and the applicable Report Format and Content Requirements. Upon approval of the RMP, if required, the applicant shall demonstrate that the plan is funded in perpetuity, and a Director's Decision of Approval will be issued to the applicant. Upon approval of the Revegetation Plan, the applicant shall post a Secured Agreement for the implementation of the Revegetation Plan, and a Director's Decision of approval will be issued to the applicant. The above condition does not apply to the Revised Tentative Map 5338 as other developers have largely fulfilled the condition in previous phases of the Campus Park Master Planned Community.

- 24. WETLAND CREATION/ENHANCEMENT: [DPLU, PPD] [MA, GP, IP] [DPR GPM] Intent:** In order to mitigate for the impacts to southern riparian forest, southern willow scrub, and freshwater marsh, which are sensitive biological resources pursuant to the CEQA, the applicant shall obtain and provide for wetland creation/enhancement and conservation. **Description of Requirement:** The applicant shall submit, have approved, and provide for installation of a revegetation plan or purchase mitigation credits. The applicant shall purchase 1.5 acres of wetland creation credit (1:1 ratio) and 3.0 acres (2:1 ratio) of wetland enhancement credit as indicated in Option 1, below;
- OR
- Provide for the creation of 1.5 acres (1:1 ratio) of wetland (including riparian forest, southern willow scrub and 'freshwater marsh) and enhancement of 3.0 acres (2:1 ratio) of wetland through a Revegetation Plan as indicated in Option 2, below.
- a. **Option 1:** If purchasing Mitigation Credit, the wetland creation mitigation bank shall be approved by the California Department of Fish & Game or the credit shall conform to Board of Supervisors' Policy 1-138 and be approved by the Director of Parks and Recreation (DPR). 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. If DPR mitigation lands are used, no dedicated conservation easement or similar land constraint is necessary.
 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 wetland creation/enhancement credit is not purchased in a mitigation bank, then the applicant shall provide for the creation, enhancement, preservation and management of said lands in San Diego County. A Revegetation Plan, shall be prepared in accordance with County Requirements and shall occur either on the Project site or at an off-site area approved by the Director of DPLU. The Revegetation Plan shall include the following:
1. The monitoring plan shall be for a length of 5 years and have an 80 percent success criterion.
 2. A preservation plan over the land to be revegetated shall be included in the Revegetation Plan. The preservation plan shall include evidence of dedication of an open space easement to the County of San Diego or evidence of protection in perpetuity by some other means to the satisfaction of the Director of DPLU.
 3. The report shall be prepared by a County approved biologist and the construction plans shall be prepared by a State of California Licensed Landscape Architect.
 4. Revegetation objectives, revegetation site biological resource map, 24"x 36" landscape plan, map showing revegetation areas according to mitigation type and amount, site preparation information, type of planting materials (e.g. species ratios, source, size material, etc.), and planting program.
 5. A cost estimate based on a 3% annual inflation rate shall be submitted and approved, which includes the cost of the plant stock and its installation, irrigation system and installation, cost of monitoring and maintenance of the revegetation area for the required monitoring period, and report preparation and staff time to review.
 6. 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 an adequate management plan does not cover the mitigation site.
 7. The final RMP cannot 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, secured agreement with the County of San Diego established, and the RMP funding mechanism shall be

in place.

Documentation: The applicant shall prepare an RMP and Revegetation Plan for each revegetation site or a three phased RMP and Revegetation Plan if occurring at one site, submit it to the [DPLU, ZONING] and pay all the applicable review fees and deposits. **Timing:** Prior to the approval of any Final Map for any project improvements that trigger the construction of, and prior to the approval of any plan and issuance of any permit for, the Pankey Road and Pala Mesa Drive Offsite Improvements (Conditions 1.c and 1.d herein and EIR Mitigation TR-6a - Ba). **Monitoring:** The [DPLU, LA] shall review the RMP and Revegetation Plan for conformance with this condition and the applicable Report Format and Content Requirements. Upon approval of the RMP, if required, the applicant shall demonstrate that the plan is funded in perpetuity, and a Director's Decision of Approval will be issued to the applicant. Upon approval of the Revegetation Plan, the applicant shall post a Secured Agreement for the implementation of the Revegetation Plan, and a Director's Decisions of approval will be issued to the applicant. This condition does not apply to Parcels 1 and 2 of the Revised Tentative Map 5338; however, future phases of the Campus Park Master Planned Development may trigger these improvements and the application of this condition.

- 25. BIOLOGICAL EASEMENT: [DPLU, PCC] [DGS, RP] [MA, GP, IP] [DPLU, FEE X 2]. Intent:** In order to protect sensitive biological resources and to mitigate significant impacts to sensitive vegetation communities, habitat for sensitive species and jurisdictional waters of the U.S., a biological open space easement shall be granted. **Description of Requirement:** Grant to the County of San Diego an open space easement as shown on the Approved Vesting Tentative Map. The open space easement will include the following acreages and types of vegetation communities: 1.5 acres of coast live oak woodland, 87.3 acres of Diegan coastal sage scrub, and 5.6 acres of non-native grassland, and the vegetation communities associated with the site's wetlands, including southern riparian forest, southern **willow** scrub, and freshwater marsh. 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 exceptions to this prohibition are:
1. Selective clearing of vegetation by hand to the extent required by written order of the fire authorities for the express purpose of reducing an identified fire hazard. While clearing for fire management is not anticipated with the creation of this easement, such clearing may be deemed necessary in the

future for the safety of lives and property. All fire clearing shall be pursuant to the Uniform Fire Code and the Memorandum of Understanding dated February 26, 1997, between the wildlife agencies and the fire districts and any subsequent amendments thereto. Activities conducted pursuant to a revegetation or habitat management plan approved by the Director of Planning and Land Use, the Director Parks and Recreation (related to trails) or the Director of Public Works.

3. Vegetation removal or application of chemicals for vector control purposes where expressly required by written order of the Department of Environmental Health of the County of San Diego.
4. Construction, use and maintenance of multi-use, non-motorized trails, as shown in the VTM 5338 RPL⁷, dated November 16, 2010.
5. Activities for the maintenance and repairs of landscaping pursuant to the approved Landscaping Plan. Such activities shall be approved in advance by the Director of Planning and Land Use and the Director or DPR (related to parks and trails), and shall not be inconsistent with the original intent of this easement.

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 first map 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 preapproval. The [DPLU, PCC] shall preapprove 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. The above condition does not apply to Revised Tentative Map 5338 as other developers have largely fulfilled the condition in previous phases of the Campus Park Master Planned Community.

26. **WETLAND PERMITS: [DPLU, PCC] [GP, CP, MA] [DPLU, FEE X2] Intent:** In order to comply with the State and Federal Regulations for jurisdictional waters and streambeds, the following agency permits, or verification that they are not required shall be obtained. Description of Requirement: The following permit and agreement shall be obtained, or provide evidence from the respective resource agency satisfactory to the Director of Planning and Land Use that such an agreement or permit is not required:
- a. A Clean Water Act, Section 401/404 permit issued by the California Regional Water Quality Control Board and the U.S. Army Corps of Engineers for all

project related disturbances of waters of the U.S. and/or associated wetlands.

- b. A Section 1602 Streambed Alteration Agreement issued by the California Department of Fish and Game for all project related disturbances of any streambed.

Documentation: The applicant shall consult each agency to determine if a permit or agreement is required. Upon completion of the agency review of this project, the applicant shall provide a copy of the permit(s)/agreement(s), or evidence from each agency that such an agreement or permit is not required to the [DPLU, PCC] for compliance. **Timing:** Prior to the approval of any map and prior to the approval of any plan and issuance of any permit, the permits shall be obtained. **Monitoring:** The [DPLU, PCC] shall review the permits/agreement for compliance with this condition. Copies of these permits should be transmitted to the [DPW, ESU], for implementation on the grading plans. The above condition has largely been satisfied by previous phases of the Campus Park Master Planned Community. This condition does not apply to Parcels 1 and 2 of the Revised Tentative Map 5338; however, future phases of the Campus Park Master Planned Development may trigger these improvements and the application of this condition.

27. RESOURCE MANAGEMENT PLAN: [DPLU, PPD] [MA, GP, IP]

Intent: In order to provide for the long-term management of the proposed open space preserve, a Resource Management Plan (RMP) shall be prepared and implemented. **Description of Requirement:** Submit to and receive approval from the Director of the Department of Planning and Land Use for a Resource Management Plan (RMP). The RMP shall be for the perpetual management of on-site open space including the following sensitive habitats: Southern oak woodland, Diegan coastal sage scrub including occupied gnatcatcher habitat, southern mixed chaparral, chamise chaparral, non-native grassland, raptor foraging habitat, riparian forest, and wetlands. The RMP shall be updated to reflect the 751-dwelling unit project and shall be consistent with the conceptual/draft RMP/HMP dated December 3, 2010, on file with the Department of Planning and Land Use as Environmental Review Number 03-02-059. The plan shall be prepared and approved pursuant to the most current version of the County of San Diego Biological Report Format and Content Requirements. The final RMP cannot be approved until the following has been completed to the satisfaction of the Director of DPLU: The plan shall be prepared and approved pursuant to the most current version of the County of San Diego Biological Report Format and Content Requirements.

- a. The habitat land to be managed shall be completely purchased.
- b. The easements shall be dedicated to ensure that the land is protected in perpetuity.

- c. A qualified Resource Manager shall be selected and approved by DPLU and evidence shall be provided by applicant as to the acceptance of this responsibility by the proposed Resource Manager.
- d. The RMP funding mechanism (landscape maintenance district is proposed) shall be identified, approved by the County and secured to provide adequate annual costs for basic stewardship.
- e. A contract between applicant and County shall be executed for the implementation of the RMP.
- f. Exotic plant species shall be removed from high value woodlands, wetlands, grasslands and revegetation areas, on an as-needed basis, and at a minimum, shall be assessed every five years.
- g. Sensitive plant population boundaries shall be mapped every three years.
- h. Trash shall be removed from open space annually.
- i. All habitats and sensitive plant and animal species shall be monitored annually.
- k. Biological surveys shall be conducted every five years for sensitive plant and animal species and the data inventories updated.
- l. Annual reports shall be submitted to the County demonstrating that appropriate habitat monitoring and management has occurred.

Documentation: The applicant shall prepare the RMP and submit it to the [DPLU, ZONING] and pay all applicable review fees. **Timing:** Prior to the approval of the first map and prior to the approval of any plan and issuance of any permit, the permits shall be obtained. **Monitoring:** The [DPLU, PPDJ] shall review the RMP for compliance with the content guidelines, the conceptual RMP, and this condition. The above condition does not apply to the Revised Tentative Map 5338 as other developers have largely fulfilled the condition in previous phases of the Campus Park Master Planned Community.

28. **BIOLOGICAL MONITORING: [DPLU, PCC] [DPW, LDR] [GP, IP, MA] [DPLU, FEE X2]. Intent:** In order to prevent inadvertent disturbance to sensitive habitats, jurisdictional waters, and special-status plant and wildlife species, all grading located within or adjacent to sensitive habitats, jurisdictional waters, and special-status plant and wildlife species shall be monitored by a biologist. Description of Requirement: A County approved biologist "Project Biologist" shall be contracted to perform biological monitoring during all grading, clearing,

grubbing, trenching, and construction activities within or adjacent to sensitive habitats, jurisdictional waters, and special-status plant and wildlife species . The following shall be completed:

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

b. The cost of the monitoring shall be added to the grading bonds 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 biological 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 any plan, issuance of any permit, and prior to approval of the map, the requirement shall be completed. **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, Project Manager], 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. The above condition does not apply to the Revised Tentative Map 5338 as other developers have largely fulfilled the condition in previous phases of the Campus Park Master Planned Community. The above condition does not apply to the Revised Tentative Map 5338 as other developers have largely fulfilled the condition in previous phases of the Campus Park Master Planned Community.

29. LBZ EASEMENT: [DPLU, PCC] [DGS, RP] [MA, GP, IP] [DPLU, FEEX 2]

Intent: In order to protect sensitive biological resources, pursuant to the Certified EIR, 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 Vesting Tentative Map. The purpose of this easement is to limit the need to clear or modify vegetation for fire protection purposes within the adjacent biological open space easement and prohibit the construction or placement of any structure designed or intended for occupancy by humans or animals. The only exceptions to this prohibition are:

1. 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.

2. Decking, fences, and similar facilities.
3. 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 and prior to the approval of any plan and issuance of any permit, the easements shall be 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 preapprove 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. The above condition does not apply to the Revised Tentative Map 5338 as other developers have largely fulfilled the condition in previous phases of the Campus Park Master Planned Community.

30. **PALEO GRADING MONITORING: [DPLU, PCC] [DPW, LDR] [GP, IP, MA] [DPLU, FEE X 2]** **Intent:** In order to mitigate for potential impacts to paleontological resources on the project site, a monitoring program during grading, trenching or other excavation into undisturbed rock layers beneath the soil horizons and a fossil recovery program, if significant paleontological resources are encountered, shall be implemented pursuant to the County of San Diego Guidelines for Determining Significance for Paleontological Resources. **Description of Requirement:** A County approved Paleontologist "Project Paleontologist" shall be contracted to perform paleontological resource monitoring and a fossil recovery program if significant paleontological resources are encountered during grading, trenching, or other excavation into undisturbed rock layers beneath the soil horizons. The following shall be completed:
 - a. A County approved Paleontologist ("Project Paleontologist") shall perform the monitoring duties pursuant to the most current version of the County

of San Diego Guidelines for Determining Significance for Paleontological Resources, and this permit. The contract provided to the county shall include an agreement that the grading/ trenching/excavation monitoring will be completed, and a Memorandum of Understanding (MOU) between the approved Paleontologist and the County of San Diego shall be executed. The contract shall include a cost estimate for the monitoring work and reporting.

- b. The cost of the monitoring shall be added to the grading bonds that will be posted with the Department of Public Works, or bond separately with the Department of Planning and Land Use.

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

Timing: Prior to the approval of the map and prior to the approval of any plan and issuance of any permit, the contract shall be provided. **Monitoring:** The *[DPLU, PCC]* shall review the contract, MOU and cost estimate or separate bonds for compliance with this condition. The cost estimate shall be forwarded to *[DPW, LOR]*, 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. The above condition does not apply to Revised Tentative Map 5338 as other developers have largely fulfilled the condition in previous phases of the Campus Park Master Planned Community.

31. **BIOLOGICAL MONITORING: [DPLU, PCC] [DPW, LDR] [GP, IP, MA] [DPLU, FEE X2].** **Intent:** In order to prevent inadvertent disturbance to sensitive habitats, jurisdictional waters, and special-status plant and wildlife species, clearing and grading located within or adjacent to sensitive habitats, jurisdictional waters, and special-status plant and wildlife species shall be monitored by a biologist. **Description of Requirement:** A County approved biologist shall be contracted to perform biological monitoring during all grading, clearing, grubbing, trenching, and construction activities within or adjacent to sensitive habitats, jurisdictional waters, and special-status plant and wildlife species. The following shall be completed:

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

2. 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 biological 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 any plan, issuance of any permit, and prior to approval of the map, the requirement shall be completed. **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, Project Manager], 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. The above condition does not apply to the Revised Tentative Map 5338 as other developers have largely fulfilled the condition in previous phases of the Campus Park Master Planned Community.

32. **ARCHAEOLOGICAL AND TRIBAL MONITORING: Intent:** In order to mitigate for potential impacts to undiscovered buried archaeological resources on the project site, an Archaeological and Tribal Monitoring Program and potential Data Recovery Program shall be implemented pursuant to the County of San Diego Guidelines for Determining Significance for Cultural Resources and the California Environmental Quality Act (CEQA). **Description of Requirement:** A County Approved Principal Investigator (PI) known as the "Project Archaeologist," shall be contracted to perform archaeological monitoring and a potential data recovery program during all grading, clearing, grubbing, trenching, and construction activities. The archaeological monitoring program shall include the following:
 - a. The Project Archaeologist shall perform the monitoring duties before, during and after construction pursuant to the most current version of the County of San Diego Guidelines for Determining Significance and Report Format and Requirements for Cultural Resources. The Project Archaeologist and Luiseno Native American Monitor shall also evaluate fill soils to determine that they are clean of cultural resources. The contract or letter of acceptance provided to the County shall include an agreement that the archaeological monitoring will be completed, and a Memorandum of Understanding (MOU) between the Project Archaeologist and the County of San Diego shall be executed. The contract or letter of acceptance shall include a cost estimate for the monitoring work and reporting.
 - b. The Project Archaeologist shall provide evidence that a Luiseno Native American of the appropriate tribal affiliation has been contracted to perform Native American Monitoring for the project.
 - c. The cost of the monitoring shall be added to the grading bonds or bonded

separately.

Documentation: The applicant shall provide a copy of the Archaeological Monitoring Contract or letter of acceptance, cost estimate, and MOU to the [PDS, PPD]. Additionally, the cost amount of the monitoring work shall be added to the grading bond cost estimate. **Timing:** Prior to the approval of any grading and or improvement plans and issuance of any Grading or Construction Permits. **Monitoring:** [PDS, PPD] shall review the contract or letter of acceptance, MOU and cost estimate or separate bonds for compliance with this condition. The cost estimate should be forwarded to [PDS, PPD], for inclusion in the grading bond cost estimate, and grading bonds. The grading monitoring requirement shall be made a condition of the issuance of the grading or construction permit. The above condition has been revised to reflect the specific requirements of the Revised Tentative Map 5338 project.

33. NOISE RESTRICTION EASEMENT:

Intent: In order to reduce the exposure to noise levels in excess of standards established by the County of San Diego General Plan Noise Element (Policy 4.b), and the County of San Diego CEQA Noise Guidelines for Determining Significance, a noise restriction easement shall be placed on the parcel entire area of the site to reduce the noise exposure of land uses for sensitive receptors below levels of significance. **Description of requirement:** A Noise Restriction Easement as indicated in the Supplemental Noise Assessment report prepared by Ldn Consulting, Inc. on the approved Vesting Tentative Map, shall be granted on the map. The said easement shall include and shall comply with the following:

- a. Prior to the approval of any Building Plan and issuance of any Building Permit, a County Approved Acoustical Consultant, shall perform an acoustical analysis, which demonstrates that the proposed residential dwelling unit(s) will not be exposed to present and anticipated future noise levels exceeding the allowable sound level limit of the General Plan community noise equivalent levels (CNEL) of 45 dB for interior noise, and a (CNEL) of 60dB for exterior noise levels. Exterior noise sensitive land uses include all Group or Private Usable Open Space as defined by the General Plan Noise Element (Policy 4.b).
 - ~~1. Future traffic noise level estimates, must utilize a Level of Service "C" traffic flow for Interstate 15, an Interstate Highway, and Horse Ranch Creek Road, a Boulevard Standard roadway, which are their designated General Plan Circulation Element buildout roadway classifications.~~
- b. The acoustical analysis shall make recommendations that shall be implemented in the project design and building plans, so the proposed structures and project site can comply with the noise standards referenced

above.

- c. The unauthorized removal of documented noise control measures at a future date after the initial condition is satisfied shall make the affected noise sensitive land use still subject to this building restriction for protection of these uses before any future building permits can be approved and issued.
- d. Prior to the approval of any Building Plan and issuance of any Building Permit, the applicant shall prepare the acoustic analysis and incorporate the proposed project design recommendations and mitigation measures, into the Building Plans. The applicant shall submit the acoustical analysis along with the building plans to the [PDS,BD] for review and approval before the building permits can be issued. To the satisfaction of the [PDS, PCC], the applicant shall revise the building plans or site design to incorporate any additional proposed mitigation measures.

Documentation: The applicant shall show the noise restriction easement on the Final Map and the appropriate granting language on the title sheet concurrent with Final Map Review map as indicated on the Vesting Tentative Map. **Timing:** Prior to the approval of the Final Map, the requirements of this condition shall be completed. **Monitoring:** The [PDS, LDR] shall verify that the easement is indicated on the map as specific and recorded and that the map details the language above. The above condition has been revised to reflect the specific requirements of the Revised Tentative Map 5338.

- 34. FINAL SPORTS COMPLEX PARK SITE: [DPLU, DPR] [DPW, PDCI] [DPLU, FEE]. Intent:** In order to comply with the County of San Diego Park Land Dedication Ordinance (PLDO) Section 810.105(a) and in to receive PLDO credit, the Sports Complex and the neighborhood pocket parks shall be fully developed in accordance with PLDO criteria and an approved Final Park Site Plan.. **Description of Requirement:** This condition shall require the compliance with the following requirements: A. The applicant shall obtain approval, by the Director of Parks and Recreation (DPR), of a Final Park Site Plan that includes grading and improvement plans, as well as construction documents, in accordance with the public park concept plan, dated November 16, 2010, and on file with the Department of Planning and Land Use (reference Environmental Review Number 03-02-059). The Final Park Site Plan shall include, at a minimum, the following components:
- 1. one full-size youth baseball field;
 - 2. One multipurpose field 180 x 300 feet;
 - 3. 5-foot wide concrete walkways,
 - 4. maintenance and storage facilities;
 - 5. restrooms with drinking fountains;

6. trash and recycling containers;
7. bike racks;
8. one paved parking lot with adequate parking spaces; and
9. a volunteer pad and designated parking in the vicinity of the proposed public park; AND

B. The park site improvements identified in A. above, shall be constructed and this public park site shall be conveyed in Fee Title to the County by Grant Deed, and such conveyance shall be free of encumbrances, as evidenced by a Phase I Environmental Site Assessment and a California Land Title Association Policy, which shall be provided by the applicant and approved by the Director of DPR. The applicant may satisfy the preceding requirement by entering into an agreement with the County, to construct the public park site improvements and convey Fee Title, to this public park site. This agreement shall be accompanied by security, which shall be sufficient to cover the cost of all park site improvements, pursuant to the approved Final Park Site Plan, and in a form and amount that shall be specified, by the Director of DPR, to ensure the applicant's performance of the terms of agreement. **Documentation:** The applicant shall comply with the following:

1. Process and obtain approval by the Director of DPR for the Final Park Site Plan;
2. Submit an Environmental Site Assessment and California Land Title Association Policy for the public park site, to the Director of DPR;
3. Upon construction of the Final Park Site, pursuant to the Final Park Site Plan, convey Fee Title of the public park site free of encumbrances, by Grant Deed;
4. Enter into a Secured Agreement with the County that ensures construction of the public park site and conveyance of the public park in Fee Title in the manner above-specified.

Timing: Prior to the approval of the map and prior to the approval of any plan and issuance of any permit. **Monitoring:** The *[DPLU, PCC, Landscape Architect] and [DPR, PP]* shall review the Final Park Site Plan. *[DPR, GPM]* shall review the Secured Agreement. *[DGS]* shall review the Environmental Site Assessment and California Land Title Association Policy. The *[BC]* shall monitor building permit issuance. This condition does not apply to the Revised Tentative Map 5338 as the Parkland Dedication Ordinance requirements shall be satisfied by the Community Facilities District condition.

35. **LANDSCAPE MAINTENANCE DISTRICT FORMATION (LMD): [DPLU, DPR] [DPW, PDCI] [DPLU, FEE] Intent:** The Landscape Maintenance District (LMD) is proposed to be the maintenance entity and maintenance funding source for VTM 5338. **Description of Requirement:** The applicant shall form and fund the LMD or establish a Community Facilities District (CFD) or join the existing Horse Creek Ridge CFD (CFD 2013-01), to fund its fair share portion of the operations and maintenance of the park facilities consistent with the terms of the existing Horse Creek Ridge CFD (CFD 2013-01), including the Rate and Method of

Apportionment of Special Taxes, as applicable. Funding may include as applicable:

- Operation and maintenance costs for features that are built to park design standards (e.g., native vegetation landscaping and use of sustainable building materials), and those cited in the engineering report.
- Other operation and maintenance costs, including stormwater management.
- Maintenance of any and trail or trail elements, within the proposed parks.
- Maintenance and on-going stewardship of preserved open space, cultural resources and any other improvements or land transferred to DPR.
- A two percent yearly increase shall be included in the funding for the LMD.

Documentation: The applicant shall create and fund the LMD, as determined during the project processing, in compliance with this condition. **Timing:** Prior to the approval of the map and prior to the approval of any plan and issuance of any permit, the LIVID shall be formed. **Monitoring:** The [DPR, DPLU, PCC] shall review the formation and funding of the LMD, as required by this condition. The [DPW, DPR, PDCI] shall ensure that the LIVID is formed and fully funded with a two percent yearly increase, as cited, in this condition. The above condition has been revised to reflect the specific requirements of the Revised Tentative Map 5338.

36. **SHERIFF'S STATION: [DPLU, DPR] [DPW, PDCI] [DPLU, FEE] Intent:** The County Sheriff's Department has indicated a need for a regional Sheriff's Station at this Quadrant of the 1-15 and SR-76 Interchange. **Description of Requirement:** To obtain this Station, the earlier of either prior to recordation of the last Final Map of TM 5338, or when a location and such need is identified by the County, the applicant and (or) its successors-in-interest and assigns shall pay a proportionate fair share contribution to the siting, design and construction of such a regional Sheriff's Station. **Documentation:** This requirement ensures the protection of the future residents of this project and other potential future developments. **Timing:** Prior to the approval of each Final Map and prior to the approval of any plan and issuance of any permit, the proportionate fair share shall be paid or a letter shall be provided from the San Diego County Sheriff's Department stating that payment is not required. **Monitoring:** The [DPLU, PCC] shall review the County Sheriff's required location and identified need for this regional County Sheriff's Station, and at such time shall require the proportionate fair share contribution, the latest time for such contribution being the approval and recordation of the last Final Map for TM 5338 RPL⁷. The above condition will remain applies to the Passerelle project.
37. **TRANSIT NODE: [DPLU, DPR] [DPW, PDCI] [DPLU, FEE] Intent:** This project is located within a transit node and a multi-modal facility will be needed in the future for public transit functions. Such a facility should include a bus transit transfer station, parking for commuters, bus stops and other facilities as may be identified.

Description of Requirement: To obtain this transit node, the earlier of either prior to recordation of the last Final Map of TM 5338, or when a location and such need is identified by the County and the North County Transit District (NCTD), the applicant and (or) its successors-in-interest and assigns shall pay a proportionate fair share contribution to the siting, design and construction of such a transit node.

Documentation: The transit node will serve all proposed development and residents thereof, at a future date. **Timing:** The proportionate fair share contribution shall be paid at the earliest of either the approval of the first Final Map and every Final Map thereafter or when a location and such need is identified by the County and the NCTD. **Monitoring:** The [DPLU, PCC] shall review with the County and the NCTD a required location and identified need for this transit node, and at such time shall require the proportionate fair share contribution, the latest time for such contribution being the approval and recordation of the last Final Map for TM 5338 RPL⁷. The above condition will remain and applies to the Parcels 1 & 2 and the Remainder Parcel of Revised Tentative Map 5338 RPL⁷.

38. **PROVISION OF AN INTERIM TRANSIT FACILITY: [DPLU, PCC DPLU, PPD] [DPLU, BD] [DPLU, FEE] Intent:** To comply with the Planning Commission recommendation that prior to the siting, design and construction of a final, permanent transit facility, a temporary transit service should be provided by all surrounding project proponents. **Description of Requirement:** The applicant shall work with the developers, at the I-15/SR-76 Interchange to provide an interim transit facility (private or public), which provides transit service, such as a lifeline service, one to two days per week, until the ultimate transit node is constructed. **Documentation:** The applicant shall submit verifiable documentation to the Director of the Department of Planning and Land Use, which shows that such cooperation with the other surrounding developers has occurred and what methods will be initiated that meet this requirement. **Timing:** Prior to the approval of any plan, issuance of any permit, and prior to occupancy or use of the premises in reliance of this permit. **Monitoring:** The [DPLU, PPD, DPLU, PCC] shall review the verifiable documentation of cooperation and the described transit methods, for compliance with this requirement. The condition above does not apply to the Revised Tentative Map 5338 because the improvements/ infrastructure have largely been completed in previous phases of the Campus Park Master Planned Development.
39. **FIRE STATION: [DPLU] [DPW, PDCI] [DPLU, FEE] Intent:** The North County Fire Protection District has indicated a need for a local Fire Station at this Quadrant of the 1-15 and SR-76 Interchange. **Description of Requirement:** To obtain the necessary funds to construct this Station, the applicant and (or) its successors-in-interest shall enter into an agreement with the North County Fire Protection District and pay a proportionate fair share contribution to the siting, design and construction of such a local Fire Station. **Documentation:** This condition ensures that adequate fire protection services continue to be available during construction, occupancy and operation of the proposed project. **Timing:** Prior to the recordation

of the map, the applicant shall enter into an agreement with the North County Fire Protection District. **Monitoring:** The [PDS, PCC] shall review the North County Fire Protection District Fire Station agreement prior to the approval of the map.

- 40. NORTH COUNTY FIRE PROTECTION DISTRICT TAX RATE AREA (TRA) ADJUSTMENT: [DPLU] [DPW, PDCI] [DPLU, FEE] Intent:** The North County Fire Protection District requires an increase to the existing Tax Rate in order to serve the Campus Park project. **Intent:** Form a Community Facilities District (CFD) or join the existing Horse Creek Ridge CFD (CFD 2013-01) consistent with the existing Horse Creek Ridge CFD (CFD 2013-01), including the Rate and Method of Apportionment of Special Taxes, as applicable, to fund its fair share portion of the fire protection services that are provided by the North County Fire Protection District. If said CFD is not approved by the County, another financing mechanism such as a Master Homeowners Association, shall be established to fund its fair share portion of the fire protection services. The applicant shall enter into an agreement with the North County Fire Protection District and the County Tax Collector to increase the existing TRA, not to exceed five percent over the current tax rate, for the Campus Park Specific Plan Amendment area. Such terms of the agreement shall be fulfilled prior to the recordation of the first Final Map. **Documentation:** This condition ensures that adequate fire protection services continue to be available during construction, occupancy and operation of the proposed project. **Timing:** Prior to the approval of the map and prior to the approval of any plan and issuance of any permit. **Monitoring:** The [DPLU, PCC] shall review the TRA agreement application package for formation or annexation to a CFD or other financing mechanism prior to the approval of the map. The above condition has been revised to reflect the specific requirements of the Revised Tentative Map 5338. See new modified CFD conditions.
- 41. TENTATIVE MAP TRAIL IMPROVEMENTS**
Intent: In order to promote orderly development by providing a trail/pathway connection pursuant to Section 21 of the County of San Diego General Plan, [Community Master Trails Plan](#) and to comply with the [Subdivision Ordinance Section 81.403. through 81.406.1](#), the applicant shall improve the trails. **Description of requirement:** Improve or agree to improve to the satisfaction of the Department of Parks and Recreation and/or the Department of Public Works, all natural trails, pathways, pedestrian walkways as shown on the Vesting Tentative Map 5338 RPL⁷ as well as those found in the Specific Plan Amendment, as adopted by the Board of Supervisors. All trails and pathways shall be constructed pursuant to the [Community Trails Master Plan Design and Construction Guidelines](#), and in the case of a pathway, the [County of San Diego Public Road Standards](#). **Documentation:** The applicant shall prepare improvement plans and provide securities for the construction of the trail/pathway and all associated work. All plans and improvements shall be completed pursuant to the [Community Trails Master Plan Design and Construction Guidelines](#), and/or

the [County of San Diego Public Road Standards](#) and the DPW [Land Development Improvement Plan Checking Manual](#). The improvements shall be completed within 24 months from the approval of the improvement plans, execution of the agreements, and acceptance of the securities. The applicant shall complete the following: The applicant shall complete the following:

- a. Process and obtain approval of Improvement Plans to improve the nature trails, trail staging area and pedestrian walkways.
- b. Provide Secured agreements requiring posting security in accordance with Subdivision Ordinance Sec. 81.405 through 81.406.1.
- c. Upon approval of the plans, pay all applicable inspection fees with [DPW, PDC] and the [DPR, TC]

The plans shall be submitted to [DPR, TC, DPW, LOR], for review and approval. Plans shall include the following:

- a. Traffic signs denoting equestrian crossings will be located along applicable roadways to promote safety. Equestrian paths will be provided along Horse Ranch Creek Road south of Baltimore Oriole Road, Pankey Road north of SR 76, Pankey Place, Baltimore Oriole Road, and Harvest Glen Road.
- b. Equestrian push buttons for crossing will be provided at signalized intersections.
- c. Regional trails crossing roads will be designed to cross at or near a right angle.
- d. Project trails will be aligned on existing paths, roads, and utility easements, and within otherwise disturbed areas to the extent feasible in order to minimize impacts to sensitive resources.
- e. Trails will avoid fragile root areas of trees and shrubs, where feasible. Where trails cross natural terrain, width may be reduced to four feet for a short distance to protect sensitive resources.

Timing: Prior to the approval of the Final Maps within which said trails are shown on the Revised Tentative Map, the applicant shall improve or agree to improve the trail/pathways. **Monitoring:** The [OPR, Trails Coordinator] and/or [OPW, LOR] shall review the plans for conformance with the Community Trails Master Plan Design and Construction Guidelines, County of San Diego Public Road Standards and approve all financial securities for the construction of the trail/pathway facility. The condition above does not apply to the Revised Tentative Map 5338 because the improvements/ infrastructure have largely been completed in previous phases of the Campus Park Master Planned Development.

42. 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 map shall be paid. **Description of requirement:** The applicant shall pay off all existing deficit accounts associated with processing this map. **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 map 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.

- 43. 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: biological notes, cultural notes, paleontological notes, noise walls. **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 Final 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. This condition does not apply to the Revised Tentative Map 5338 because the improvements/ infrastructure have been completed in previous phases of the Campus Park Master Planned Development.
- 44. STRUCTURE REMOVAL: [DPLU, PCC] [GP, IP, MA] [DPLU, FEE]** **Intent:** In order to comply with [County Zoning Ordinance Section 4800](#), in order to comply with the project design, the structure(s) on site shall be demolished and removed. **Description of Requirement:** The existing foundations and stem walls located on-site and discussed within the Hazards Report, as Appendix “M” of the EIR shall be demolished and removed.
- a. Evidence of said demolition and debris removal shall be by a signed, stamped statement from a registered professional: Engineer, Surveyor, Contractor, which states that the structure(s) have been removed, and demolished. The letter report shall also include before and after pictures of the area and structure(s). This condition does not apply to the Revised

Tentative Map 5338 because the improvements/ infrastructure have been completed in previous phases of the Campus Park Master Planned Development.

- 45. LANDSCAPE DOCUMENTATION PACKAGE: [DPLU, PPD] [DPR, TC, PP] [GP, IP, MA] Intent:** In order to provide adequate Landscaping that complies with the [County of San Diego's Water Efficient Landscape Design Manual](#) and the County's Water Conservation in Landscaping Ordinance, conformance with the Campus Park Specific Plan, as well as for mitigation for impacts related to aesthetics and for compliance with the "B" Designator for potential impacts to the I-15 Corridor, a Landscape Plan shall be prepared. **Description of requirement:** The Landscape Documentation Package shall be prepared pursuant to the COSD Water Efficient Landscape Design Manual, the COSD Grading Ordinance, and the Campus Park Specific Plan and Passerelle Specific Plan Amendment. All plans shall be prepared by a California licensed Landscape Architect, Architect, or Civil Engineer and include the following information:
- a. Indication of the proposed width of any adjacent public right-of-way, and the locations of any required improvements and any proposed plant materials to be installed or planted therein. The applicant shall also obtain a permit from [DPW, LDR] approving the variety, location, and spacing of all trees proposed to be planted within said right(s)-of-way. A copy of this permit and a letter stating that all landscaping within the said right(s)-of-way shall be maintained by the landowner(s) shall be submitted to the Department of Planning and Land Use.
 - b. A complete planting plan including the names, sizes, and locations of all plant materials, including trees, shrubs, and groundcover. Wherever appropriate, native or naturalizing plant materials shall be used, which can thrive on natural moisture. These plants shall be irrigated only to establish the plantings.
 - c. A complete watering system including the location, size, and type of all backflow prevention devices, pressure, and non-pressure water lines, valves, and sprinkler heads in those areas requiring a permanent, and/or temporary irrigation system.
 - d. The watering system configuration shall indicate how water flow, including irrigation runoff, low head drainage, overspray or other similar conditions will not impact adjacent property, non-irrigated areas, structures, walkways, roadways or other paved areas, including trails and pathways by causing water to flow across, or onto these areas.
 - e. Spot elevations of the hardscape, building and proposed fine grading of the installed landscape.

- f. The location and detail of all walls, fences, and walkways shall be shown on the plans, including height from grade and type of material. Fences and walls over 3 feet high which face public streets shall provide a fully landscaped buffer, at least 5 feet deep on the street facing side of the wall. A lighting plan and light standard details shall be included in the plans (if applicable) and shall be in compliance with the [County's Light Pollution Code](#).
- g. No landscaping material or irrigation or other infrastructure shall be located within a proposed trail easement or designated pathway.
- h. Parking areas shall be landscaped and designed pursuant to the off-street parking design manual and the County Zoning Ordinance Section 6793.b.
- i. Slope trees shall be planted at 15 gallon and 24-inch box container sizes.
- j. The community common landscape areas shall include the requirement of planting two trees per each single family residential unit to address carbon sequestration and compliance with Section 86.709 (b) (10) of the Water Conservation in Landscaping Ordinance.
- k. All fencing and materials shall comply with Section 6708 of the Zoning Ordinance and shall be located outside County of San Diego Right-of-Way.
- l. All signage changes shall be indicated on an approved Site Plan or Site Plan Minor Deviation/Modification.
- i. Additionally, the following items shall be addressed as part of the Landscape Plan:
 - 1. All public/HOA planting areas will be permanently irrigated and use low water consumptive plant material wherever practical.
 - 2. Varied heights of trees, shrubs, and groundcover will be planted on modified slopes to result in "visual undulation."
 - 3. All non-preserved areas not covered by structures or hardscape/paving will be appropriately and professionally landscaped.
 - 4. Larger specimen trees will be installed at entries and key locations throughout the development.
 - 5. Areas around buildings will incorporate a mixture of trees, shrubs, vines, and groundcover designed to complement the overall design theme of the Project.
 - 6. The Project landscaping palette will include drought-tolerant trees, emphasizing evergreens on the north and west sides of buildings and

- deciduous trees on the south sides of buildings. These plantings will contribute to on-site carbon storage, provide shade, and reduce heating from impervious surfaces.
7. The Project will provide shade within five years or use light-colored materials or open grid pavement for at least 30 percent of the site's non-roofed impervious surfaces.
 8. Landscape design shall define areas through the creation of a focal point at entries, screening of unsightly areas, softening of expanses of pavement and buildings, and provision of transition and separations, between the project development and the surrounding community. Edges of development shall be softened through use of contour grading.
 - ~~9. Within the Town Center, both stone/stone product and native and/or locally occurring plant materials shall be widely used in Village entries and other features as one of its unique, identifying design theme elements. The following items shall be required:~~
 - ~~a. A minimum of 20 percent of the total vertical exterior building surface area will be concrete, natural or cut stone, or stone veneer. Quarried and eroded granite, sandstone, flagstone, or metamorphic stone may be used to satisfy the requirements of these guidelines. Lava rock or artificial stone products will be evaluated on a case-by-case basis.~~
 - ~~b. The requirement in the above item may be waived, provided an equal square footage of landscape walls, terraces, or other features is provided within the landscaping. Any such elements will be designed as extension of the building walls to "tie" the structure into the landscape, repeat architectural forms, and help ensure reinforcement of this unique identifying theme.~~
 - ~~c. Poured in place concrete also is an acceptable exterior surface material. Concrete panels may be sandblasted exposed aggregate, battered, or board- or earth-formed.~~
 - ~~10.9.~~ Project landscape design shall exclude all prohibited plant materials listed in the Prohibited Plant Materials list in the Conceptual Fire Protection Plan/Fuel Modification Plan (Appendix J of the Campus Park EIR). The prohibited trees, shrubs, vines, and groundcovers shall not be planted or retained in any community vegetation management zone, landscaped area, as street trees, or in any median or planter.
 - ~~11.8.~~ Project landscape shall be consistent with the planting, spacing, and maintenance guidelines in the Conceptual Fire Protection Plan/Fuel Modification Plan (Appendix J of the Campus Park EIR).
 - ~~12.9.~~ A hydroseed mix that incorporates native species, is appropriate to the area, and is without invasive species, shall be used for slope stabilization in all transitional zones. No invasive, non native species shall be allowed adjacent to any biological open space areas.
 - ~~13.10.~~ "California" pepper trees (*Schinus molle*) will not be permitted within the Project plant palette.

- ~~44-11.~~ Native oaks shall be preserved in open spaces to the maximum extent possible.
- ~~45-12.~~ The project shall use reclaimed water, as available, to the maximum extent possible.
- ~~46-13.~~ Where feasible, noise barriers may incorporate a landscaped berm or non-glare glass or glass panel combination and wall height shall not exceed ten feet.
- ~~47-14.~~ Where sound walls are built that would be visible from Horse Ranch Creek Road, the wall will be screened by Project-planted vegetation. These walls shall be subject to long-term maintenance, through the HOA.
- ~~48-15.~~ All landscaping and irrigation plans shall conform to the Community Design and Operation Element of the Campus Park Specific Plan Amendment Report, as well as all applicable government regulations and standards, including those for sight line visibility and access.
- ~~49-16.~~ Landscaping shall be installed within each constructed phase as it is finished.
- ~~20.~~ Screen plantings shall be used to visually buffer office professional uses from the I-15 Corridor.
- ~~21-17.~~ Screen plantings shall be used to visually buffer parking lots from the I-15 Corridor.
- ~~22.~~ All business identification signs shall comply in terms of size, number of colors and materials with the standards specified in the Fallbrook Community Plan Design Guidelines. One sign shall be allowed per business, on each building wall.
- ~~23-18.~~ Tree plantings in the common landscape areas front yard areas of multi-family housing shall be varied to provide visual interest in the landscape and follow the Fallbrook Design Guidelines.
- ~~24-19.~~ As applicable, transit improvements will include shelters, route information, benches and lighting.
- ~~25.~~ Where the rear of a single family lot abuts a street, the design shall provide for a privacy wall and landscaping consistent with the Campus Park streetscape theme.
- ~~26-20.~~ Grade differences within neighborhoods shall be used to add variety and enhance the sense of open space between residences.
- ~~27-21.~~ Multi-family buildings shall be connected by landscaped sidewalks.
- ~~28-22.~~ Utilitarian areas, including parking, loading, mechanical equipment, and trash enclosures shall be screened from public views. Transformers and cable boxes shall be located to be unobtrusive and screened from public view with plantings as applicable.
- ~~29-23.~~ Site design BMPs shall include the use of native and drought tolerant plantings, permeable pavers, minimal use of chemical applications, minimizing and controlling irrigation runoff, directing any runoff towards landscaped areas.
24. Large expanses of asphalt paving shall be avoided, and the appearance softened by landscape screening. Exposed vehicular use areas (all

parking lots greater than 6,000 square feet) shall include a minimum of 10 percent of the paved areas in landscaping, dispersed throughout the parking area, such that every designated parking space will be within 30 feet of the trunk of a tree.

Documentation: The applicant shall prepare the Landscape Plans using the [Landscape Documentation Package Checklist](#) (DPLU Form #404), submit them to the [DPLU, ZONING], and pay all applicable review fees. **Timing:** Prior to the approval of the Final Map and prior to the approval of any plan and issuance of any permit, the Landscape Plans shall be prepared and approved. **Monitoring:** The [DPLU, Landscape Architect] and [DPR, TC, PP] shall review the Landscape Plans for compliance with this condition. The above conditions have been revised to reflect the specific requirements of the Revised Tentative Map 5338.

46. **WELL DESTRUCTION: [DEH, LWQ] [GP, BP, MA] Intent:** In order to ensure that the water well located on the property is removed, and to comply with the County Regulatory Code Section 67.431, the well shall be properly destroyed. **Description of Requirement:** Existing water well(s) shall be properly destroyed by a California C-57 licensed well driller. A Well Destruction Permit shall be obtained from the [DEH, LWQJ and all applicable inspection fees shall be paid. **Documentation:** The applicant shall provide copies of the Well Destruction Logs to [DEH, LWQJ upon completion of the well destruction. **Timing:** Prior to the approval of the map and prior to the approval of any plan, issuance of any permit (Excluding Well Destruction Permit), the applicant shall destroy the well. **Monitoring:** Upon submittal of the well destruction logs, [DEH, LWQ] shall perform a field inspection to verify that the well has been properly destroyed. The destruction logs shall be stamped and returned to the applicant. The condition above does not apply to the Revised Tentative Map 5338 because the improvements/ infrastructure have been completed in previous phases of the Campus Park Master Planned Development.
47. **SEPTIC ABANDONMENT: [DEH, LWQ] [GP, BP, MA] Intent:** In order to comply with County Regulatory Code Section 68.313.1 the on-site waste water system (Septic System) shall be properly abandoned. **Description of Requirement:** The existing septic system shall be pumped and properly abandoned under DEH guidelines. **Documentation:** Upon completion of the septic removal, the applicant shall contact [DEH, LWQJ to schedule a field verification inspection. The applicant shall submit proof of the septic tank pumping and pay all applicable inspection fees. **Timing:** Prior to the approval of the map and prior to the approval of any plan, issuance of any permit, the applicant shall have the septic system abandoned. **Monitoring:** Upon request of the applicant, [DEH, LWQ] shall perform a field inspection to verify that the septic system has been properly abandoned pursuant to this condition. The condition above does not apply to the Revised Tentative Map 5338 because the improvements/ infrastructure have been completed in previous phases of the Campus Park Master

Planned Development.

48. **PLAN CONDITIONS NOTES: [DPW, ESU] [DPLU, BD] [DPR, TC, GPM, PP] [GP, IP, MA] Intent:** In order to implement the required mitigation measures, for which was the basis for approval of this project pursuant to the County Subdivision Ordinance Section 81.303, County Subdivision Ordinance Section 81.605, the condition notes shall be implemented on the grading and Improvement plans and made conditions of the permit issuance. **Description of requirement:** The Grading and Improvement plans shall include the following. condition notes and made conditions of the issuance of said permit:

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

- a. **PALEONTOLOGICAL MONITORING: [DPW, PDCI] [DPLU, PCC] [PC] [DPLU, FEE X2] Intent:** In order to comply with Mitigation Monitoring and Reporting Program pursuant to TM5338Rpl7/Log No. 03-02-059 and the [County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources](#), a Grading Monitoring Program shall be implemented. **Description of Requirement:** The Project Paleontologist shall monitor During the original cutting of previously undisturbed deposits for the project, both on and off site, the Qualified Paleontological Resources Monitor shall be on-site to monitor as determined necessary by the Qualified Paleontologist. The grading monitoring program shall comply with the following requirements during grading:
- 1). If paleontological resources are encountered during grading/excavation, the following shall be completed:
 - a. The Qualified Paleontological Resources Monitor shall have the authority to direct, divert, or halt any grading/excavation activity until such time that the sensitivity of the resource can be determined and the appropriate salvage implemented.
 - b. The Qualified Monitor shall immediately contact the Qualified Paleontologist.
 - c. The Qualified Paleontologist shall contact the County's Permit Compliance Coordinator immediately.
 - d. The Qualified Paleontologist shall determine if the discovered resource is significant. If it is not significant, grading/excavation shall resume."

2). If the paleontological resource is significant or potentially significant, the Qualified Paleontologist or Qualified Paleontological Resources Monitor, under the supervision of the Qualified Paleontologist, shall complete the following tasks in the field:

- a. Salvage unearthed fossil remains, including simple excavation of exposed specimens or, if necessary, plaster-jacketing of large and/or fragile specimens or more elaborate quarry excavations of richly fossiliferous deposits;
- b. Record stratigraphic and geologic data to provide a context for the recovered fossil remains, typically including a detailed description of all paleontological localities within the project site, as well as the lithology of fossil-bearing strata within the measured stratigraphic section, if feasible, and photographic documentation of the geologic setting; and
- b) Transport the collected specimens to a laboratory for processing
 - a. (cleaning, curation, cataloging, etc.).

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

- b. **ARCHAEOLOGICAL AND TRIBAL MONITORING DURING CONSTRUCTION: Intent:** In order to comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources, a Cultural Resource Grading Monitoring Program shall be implemented. **Description of Requirement:** The Project Archaeologist and Luiseno Native American Monitor shall monitor original cutting of previously undisturbed deposits in all areas identified for development including off- site improvements. The monitoring program shall comply with the following requirements during earth-disturbing activities:
 - a. **Monitoring.** During the original cutting of previously undisturbed deposits, the Project Archaeologist and Luiseno Native American Monitor shall be onsite as determined necessary by the Project Archaeologist. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined by the Project Archaeologist in consultation with the

Luiseno Native American Monitor. Monitoring of cutting of previously disturbed deposits will be determined by the Project Archaeologist in consultation with the Luiseno Native American Monitor.

b. Inadvertent Discoveries. "In the event that previously unidentified potentially significant cultural resources are discovered:

1. The Project Archaeologist, in consultation with the Luiseno Native American monitor, shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources.

2. At the time of discovery, the Project Archaeologist shall contact the PDS Staff Archaeologist.

3. The Project Archaeologist, in consultation with the PDS Staff Archaeologist and the Luiseno Native American Monitor, shall determine the significance of the discovered resources.

4. Construction activities will be allowed to resume in the affected area only after the PDS Staff Archaeologist has concurred with the evaluation.

5. Isolates and clearly non-significant deposits shall be minimally documented in the field. Should the isolates and/or non-significant deposits not be collected by the Project Archaeologist, then the Luiseno Native American monitor may collect the cultural material for transfer to a Tribal Curation facility or repatriation program.

6. If cultural resources are determined to be significant, a Research Design and Data Recovery Program (Program) shall be prepared by the Project Archaeologist in consultation with the Luiseno Native American Monitor. The County Archaeologist shall review and approve the Program, which shall be carried out using professional archaeological methods. The program shall include (1) reasonable efforts to preserve (avoidance) "unique" cultural resources or Sacred Sites; (2) the capping of identified Sacred Sites or unique cultural resources and placement of development over the cap, if avoidance is infeasible; and (3) data recovery for non-unique cultural resources. The preferred option is preservation (avoidance).

c. Human Remains. If any ~~bones~~ human remains are discovered:

1. The Property Owner or their representative ~~the project archaeologist~~ shall contact the County Coroner and the DPS Staff Archaeologist.

2. Upon identification of human remains, no further disturbance shall occur in the area of the find until the County Coroner has made the necessary findings as to origin. If the human remains are to be taken offsite for evaluation, they shall be accompanied by the Luiseno Native American Monitor.

3. If the remains are determined to be of Native American origin, ~~the~~

NAHC shall immediately contact the Most Likely Descendant (MLD).

4. The immediate vicinity where the Native American human remains are located is not to be damaged or disturbed by further development activity until consultation with the MLD regarding their recommendations as required by Public Resources Code Section 5097.98 has been conducted.

5. The MLD may with the permission of the landowner, or their authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site.

6. Public Resources Code §5097.98, CEQA §15064.5 and Health & Safety Code §7050.5 shall be followed in the event that human remains are discovered.

- d. **Fill Soils.** The Project Archaeologist and Luiseno Native American Monitor shall evaluate fill soils to determine that they are clean of cultural resources.
- e. **Monthly Reporting.** The Project Archaeologist shall submit monthly status reports to the Director of Planning and Development Services starting from the date of the Notice to Proceed to termination of implementation of the archaeological grading monitoring program. The reports shall briefly summarize all activities during the period and the status of progress on overall plan implementation. Upon completion of the implementation phase, a final report shall be submitted describing the plan compliance procedures and site conditions before and after construction.
- Documentation:** The applicant shall implement the Archaeological Monitoring Program ~~grading monitoring program~~ pursuant to this condition. **Timing:** The following actions shall occur throughout the duration of earth disturbing grading ~~construction~~ activities.
- Monitoring:** The [DPW, PDCI] shall make sure that the Project Archeologist is on-site performing the Monitoring duties of this condition. The [DPW, PDCI] shall contact the [DPLU, PCC] if the [PDS, PDD] if the Project Archeologist or applicant fails to comply with this condition. The above conditions have been revised to reflect the specific requirements of the Revised Tentative Map 5338. The above conditions have been revised to reflect the specific requirements of the Revised Tentative Map 5338.

48. DPW-GR1 DPW#2-RECYCLING - GRADING MATERIAL DIVERSION:

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

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

TIMING: The following actions and logs shall occur throughout the duration of the earth disturbing activities. **MONITORING:** The [DPW, PDCI] shall ensure that the grading contractor is preparing and maintaining the daily logs on-site. The [DPW, PDCI] shall contact the [DPW, CO] if the grading contractor or applicant fails to comply with this condition. The above condition has been added to reflect the specific requirements of the Revised Tentative Map 5338.

- c. **TEMPORARY NOISE IMPACTS: [DPLU, PCC] [DPW, PDCI] [DPLU, FEE X 3].** **Intent:** In order to comply with the [County of San Diego Noise Ordinance 36.409](#) and the adopted Mitigation Monitoring and Reporting Program (MMRP) for Vesting Tentative Map 5338 RPL⁷, the following noise attenuation measures shall be implemented to reduce the sound level

generated from project construction. **Description of Requirement:** The temporary noise attenuation measures shall remain in place and shall be monitored for compliance with this condition. The following mitigation is designed and placed to reduce construction noise that potentially will affect the adjacent residential property lines.

- a. All construction equipment shall use properly operating mufflers.
- b. All construction staging shall be performed as far as possible from occupied dwellings units.
- c. Anticipated heavy equipment operations for full workdays within 300 feet of any occupied dwelling shall require a noise control plan that either ensures that the residence is unoccupied during the workday or reduce the hours of allowable operation such that the 75 dBA property line noise standard is met. Alternatively, temporary, movable barriers could be utilized to mitigate noise impacts to residents adjacent to the proposed off-site road and utilities improvements.

Documentation: The applicant shall maintain the sound attenuation measures and mitigation as indicated above until all grading activities have been completed. The applicant shall submit the noise control plan to the [DPLU, PCC] for review and approval. The applicant is responsible for implementing any further mitigation to remain in compliance with this condition. **Timing:** The following actions shall occur throughout the duration of the grading construction. **Monitoring:** The [DPLU, PCC] shall review the monthly monitoring reports for compliance with this condition. 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. The above condition has been retained and additional standard noise conditions have been included in the Site Plan Conditions to reflect the specific requirements of the Passerelle project.

- d. **AIR QUALITY: [DPW, PDCI]. Intent:** To mitigate for the potential air quality effects which may be caused by construction activities. **Description of Requirement:** The project shall comply with the following Air Quality measures:
 - a. All haul/dump trucks entering or leaving the site with soil or fill material must maintain at least 2 feet of freeboard or cover loads of all haul/dump trucks securely (unnumbered design measure).
 - b. Dust control measures of the Grading Ordinance will be enhanced with a minimum of three (3) daily applications of water to the

- construction areas, between dozer/scrapper passes and on any unpaved roads within the project limits.
- c. Grading is to be terminated in winds exceed 25 mph.
 - d. Sweepers and water trucks shall be used to control dust and debris at public street access points.
 - e. Dirt storage piles will be stabilized by chemical binders, tarps, fencing or other suppression measures.
 - f. Internal construction-roadways will be stabilized by paving, chip sealing or chemicals after rough grading.
 - g. A minimum of 25 - 15 mph signs shall be posted and enforced on unpaved areas during construction.
 - h. Paving, chip, sealing or chemical stabilization of internal roadways will occur after completion of grading.
 - i. Residential slopes will be hydroseeded if lots are not developed soon after grading.
 - j. Construction vehicles will use low-sulfur diesel fuels.
 - k. The project will require separation and recycling of construction waste.
 - l. Grading will be balanced on-site, with no import or export. Any rock generated due to on-site blasting, during construction, will be used on-site.

Documentation: The applicant shall comply with the Air Quality requirements of this condition. **Timing:** The above actions shall occur throughout the duration of the grading construction. **Monitoring:** The [DPW, PDCI] shall make sure that the grading contractor complies with the Air Quality requirements of this condition. The [DPW, PDCI] shall contact the [DPLU, PCC] if the applicant fails to comply with this condition. The above condition does not apply to the Revised Tentative Map 5338. It was removed and replaced with updated and more detailed condition language. The above condition does not apply to the Revised Tentative Map 5338. Air Quality measures have been replaced with updated and more detailed condition language in the Site Plan conditions.

- e. **HAZARDOUS MATERIALS AND WATER QUALITY: [DPLU, PCC] [MA, GP, IP] [DPLU, FEE]. Intent:** To protect the public from exposure to potentially hazardous materials and to protect the County of San Diego groundwater and surface water supplies **Description of Requirement:** The following conditions shall be satisfied during grading and construction of the development delineated on VTM RPL⁷:
 - a. Paving operations will be restricted during wet weather and sediment control devices will be used downstream of paving activities.
 - b. Paving wastes and slurry (e.g., use of properly designed and contained concrete washout areas) will be properly contained and

- disposed of.
- c. The amount of hazardous materials used and stored on-site will be minimized, and storage/use locations will be restricted to areas at least 50 feet from storm drains and surface waters.
 - d. Raised (e.g., on pallets), covered, and/or enclosed storage facilities will be used for all hazardous materials.
 - e. Mobile fueling/maintenance units for construction equipment will be used whenever feasible to avoid/reduce on-site fuel/lubricant storage.
 - f. Accurate and up-to-date written inventories and labels will be maintained for all stored hazardous materials.
 - g. Berms, ditches and/or impervious liners (or other applicable methods) will be used in material storage and vehicle/equipment maintenance and fueling areas to provide a containment volume of 1.5 times the volume of stored/used materials and prevent discharge in the event of a spill.
 - h. Warning signs will be placed in areas of hazardous material use or storage and along drainages and storm drains (or other appropriate locations) to avoid inadvertent hazardous material disposal.
 - i. All construction equipment and vehicles will be properly maintained.
 - j. Solid waste management efforts such as proper containment and disposal of construction debris (e.g., use of watertight dumpsters and daily trash collection/removal) and street sweeping/vacuuming will be implemented.
 - k. Training will be provided to applicable employees in the proper use, handling, and disposal of hazardous materials, as well as appropriate action to take in the event of a spill.
 - a. Absorbent and clean-up materials will be stored in appropriate on-site locations where they are readily accessible.
 - m. Wastewater facilities will be properly located and maintained.
 - n. Recycled or less hazardous materials will be used wherever feasible.
 - o. Regulatory agency telephone numbers and a summary guide of clean-up procedures will be placed in a conspicuous location at or near the job site trailer.
 - p. Hazardous material use/storage facilities and operations will be regularly (at least weekly) monitored and maintained to ensure proper working order.
 - q. A Stormwater Sampling and Analysis strategy will be implemented pursuant to regulatory guidelines.
 - r. Where planned fills are 10 feet or greater in depth, methane probes will be required to assess methane concentrations in site soils. If methane gas is detected at concentrations greater than 12,500 parts per million (ppm), a methane remediation system designed by an engineer experienced in methane remediation will be approved prior to issuance of building permits.
 - s. During Project construction and demolition of existing structures on the site, asbestos and lead paint surveys will be conducted and, if

- present, a licensed contractor will remove and properly dispose of these materials. If fluorescent lights are present, the ballast and light tubes will be disposed of in accordance with current regulations.
- t. Construction debris storage areas will be restricted to appropriate locations at least 50 feet from storm drain inlets and watercourses.
 - u. Appropriate storage facilities for construction debris will be used, including adequately sized watertight dumpsters covers to preclude rain from contacting waste materials impervious liners and surface containment features such as berms, dikes, or ditches to prevent runoff and runoff.
 - v. A licensed waste disposal operator will be employed to regularly (at least once a week) remove and dispose of construction debris in an authorized off-site location.
 - w. Appropriate (i.e., non-hazardous) construction debris will be recycled for on- or off-site use, whenever feasible.
 - x. Dust-control measures such as watering will be used to reduce particulate generation for pertinent locations and activities (e.g., concrete removal).
 - y. Erosion prevention and sediment control measures will be used downstream of all demolition activities.

Documentation: The applicant shall comply with the applicable conditions listed above and the project engineer shall provide certifications that show that such conditions are satisfied [DPW, PDCI, PCC, BI] **Timing:** The above actions shall occur throughout the duration of the grading construction. **Monitoring:** The [DPW, PDCI] shall coordinate the Monitoring requirements of this condition.

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

- f. **NOISE MONITORING REPORT: [DPLU, PCC] [DPLU, FEE]. Intent:** In order to comply with the County of San Diego Noise Ordinance 36.409 and the adopted Mitigation Monitoring and Reporting Program (MMRP) for Vesting Tentative Map 5338, the following noise attenuation measures shall be implemented to reduce the sound level generated from project construction. **Description of Requirement:** A County approved Acoustician shall prepare a final noise monitoring report and/or noise control plan, which summarizes the noise levels generated by the project construction. If the project noise levels are/were not in compliance, the report shall detail all actions taken to minimize the noise impacts and the alternative noise mitigation methods used. **Documentation:** The applicant shall submit the final noise monitoring report to the [DPLU, PCC] for review and approval. **Timing:** Prior to rough grading approval and issuance of any building permit the final report shall be provided and approved. **Monitoring:** The [DPLU, PCC] shall review the final monitoring report for compliance with this condition, and notify the [DPW, PDCI] when it is completed.

g. PALEONTOLOGICAL MONITORING [DPLU, PCC] [RG,BP] [DPLU,FEE]:

Intent: In order to comply with the ~~adopted Mitigation Monitoring and Reporting Program (MMRP) pursuant to TM 5338/Log No. 03-02-059 and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources,~~ a Paleontological Monitoring Program shall be implemented. **Description of Requirement:** ~~The Project Paleontologist shall prepare~~ One of the following letters shall be prepared upon completion of the grading activities that require monitoring:

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

Documentation: The applicant shall submit the letter report to PDS for review and approval. **Timing:** Upon completion of all grading activities, and prior to Rough Grading Final Inspection (Grading Ordinance SEC 87.421.a.2), the letter report shall be completed. **Monitoring:** PDS shall review the final negative letter report or field monitoring memo for compliance with the project MMRP, and inform [DPW, PDCI] that the requirement is completed. The above condition has been revised to reflect the specific requirements of the Revised Tentative Map 5338.

h. ARCHAEOLOGICAL AND TRIBAL MONITORING – ROUGH GRADING

Intent: In order to comply with the ~~adopted Mitigation Monitoring and Reporting Program (MMRP) pursuant to 3100 5388 (TM), and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources,~~ a Archaeological Monitoring Program shall be implemented. **Description of Requirement:** The Project Archaeologist shall prepare one of the following reports upon completion of the earth-disturbing grading activities that require monitoring:

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

Documentation: The applicant shall submit the Archaeological Monitoring report to the [PDS, PPD] for review and approval. Once approved, a final copy of the report shall be submitted to the South Coastal Information Center and any culturally-affiliated Tribe who requests a copy.

Timing: Upon completion of all earth-disturbing grading activities, and prior to Rough Grading Final Inspection (Grading Ordinance SEC 87.421.a.2), the report shall be completed. **Monitoring:** [PDS, PPD] shall review the report or field monitoring memo for compliance with the project MMRP, and inform [DPW, PDCI] that the requirement is completed. The above condition has been revised to reflect the specific requirements of the Revised Tentative Map 5338.

- i. **BIOLOGICAL MONITORING: [DPLU, PCC] [DPW,PDCI] [PC] [DPLU, FEE X3]. Intent:** In order to prevent inadvertent disturbance to sensitive habitats, clearing and grading located within or adjacent to sensitive habitats shall be monitored by a biologist. **Description of Requirement:** The biologist shall supervise and monitor grading activities to ensure against damage to biological resources that are intended to be protected and preserved. The biologist and/or employed biological professionals shall be on site during clearing activities that are in native biological habitat or within 100 feet of biological open space easements during clearing and grading activities. If there are disturbances, the biologist must report them immediately to the [DPLU PCC]. Additionally, the biologist shall perform the duties specified in the most current version of the County of San Diego Biological Report Format and Requirement Guidelines. **Documentation:** The biologist shall prepare and submit to the satisfaction the [DPLU, PCC] monitoring reports, which indicate that the monitoring has occurred as

indicated above. **Timing:** The following actions shall occur throughout the duration of the grading construction. **Monitoring:** The [DPW, PDCI] shall assure that the biologist is on-site performing the monitoring duties of this condition during all applicable grading activities as determined by the biologist. The [DPW, PDCI] shall contact the [DPLU, PCC] if the biologist or applicant fails to comply with this condition. The [DPLU, PCC] shall review and approve the monitoring reports for compliance with this condition. The above condition does not apply to the Passerelle project and revised grading plan monitoring conditions related to breeding season avoidance have been included as conditions of approval of the project.

48. DPW GR2 DPW#1-RECYCLING - GRADING MATERIAL DIVERSION:

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

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

TIMING: The final report shall be prepared and submitted at Rough Grade inspection. **MONITORING:** The [DPW, PDCI] shall ensure that the grading contractor has prepared and submitted the final report to [DPW, CO]. The [DPW, PDCI] shall contact the [DPW, CO] if the grading contractor or applicant fails to comply with this condition. The above condition has been added to reflect the specific requirements of the Revised Tentative Map 5338.

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

- j. **OPEN SPACE SIGNAGE & FENCING:** [DPLU, PCC] [DPW, PDCI] [FG, UO] [DPLU, FEE]. **Intent:** In order to comply with Condition 21, pursuant

to the adopted Mitigation Monitoring and Reporting Program (MMRP) for VTM 5338 RPL⁷, the fencing and signage shall be installed. **Description of Requirement:** The permanent fences or walls, and open space signs shall be placed along the open space boundary of lots(s) "T", "U", "X", "Y", 557 and 558, as shown on these plans and the Approved Conceptual Grading and Development Plan for VTM 5338 RPL⁷.

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

Sensitive Environmental Resources Area Restricted by Easement
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: (3100 5338 (VTM))

Documentation: The applicant shall install the fencing and signage and provide the documentation photos and certification statement to the [DPLU, PCC]. **Timing:** Prior to the occupancy of any structure or use of the premises in reliance of VTM 5338 RPL⁷, and prior to Final Grading Release (Grading Ordinance Sec. 87.421.a.3) the fencing and signage shall be installed. **Monitoring:** The [DPLU, PCC] shall review the photos and statement for compliance with this condition. The above condition does not apply to the Revised Tentative Map 5338 because the improvements/infrastructure have been completed in previous phases of the Campus Park Master Planned Development.

- k. **PALEONTOLOGICAL MONITORING: [DPLU, PCC] [RG, BP] [DPLU, FEE]. Intent:** In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) pursuant to TM5338Rpl /Log No. 03-02-059 and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources, a Grading Monitoring Program shall be implemented. **Description of Requirement:** The Project Paleontologist shall prepare a final report that documents the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program if resources were encountered during grading. The report shall include the following:
 - a. If paleontological resources were discovered, the Following tasks shall be completed by or under the supervision of the Project Paleontologist:

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

Documentation: The applicant shall submit the letter report to the [DPLU, PCC] for review and approval. **Timing:** Prior to the occupancy of any structure or use of the premises in reliance of TM5338Rpi7tLog No. 03-02-059 and prior to Final Grading Release (Grading Ordinance Sec. 87.421.a.3), the final report shall be completed. **Monitoring:** The [DPLU, PCC] shall review the final report for compliance with the project MMRP,

and inform [DPW, PDCI] that the requirement is completed.

I. **ARCHAEOLOGICAL AND TRIBAL MONITORING – FINAL GRADING:**

Intent: In order to comply with the ~~adopted Mitigation Monitoring and Report Program (MMRP) pursuant to 3100 5338 RPL7 (VTM) and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Archaeological Resources,~~ an Archaeological Grading Monitoring Program shall be implemented.

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

- a. Department of Parks and Recreation Primary and Archaeological Site forms.
- b. Daily Monitoring Logs
- c. Evidence that all cultural materials have been conveyed as follows:
- d. (1) Evidence that all prehistoric materials cultural resources collected during the archaeological grading monitoring program have been submitted to a San Diego curation facility or a culturally-affiliated Native American Tribal curation facility that meets federal standards per 36 CFR Part 79, and, therefore, would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records, including title, shall be transferred to the San Diego curation facility or culturally-affiliated Native American Tribal curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that prehistoric archaeological materials have been received and that all fees have been paid.
Or
- e. Evidence that all prehistoric materials collected during the grading monitoring program have been repatriated to a Native American group of appropriate tribal affinity and shall be accompanied by payment of the fees necessary, if required. Evidence shall be in the form of a letter from the Native American tribe to whom the cultural resources have been repatriated identifying that the archaeological materials have been received.
(2) Historic materials shall be curated at a San Diego curation facility and shall not be curated at a Tribal curation facility or repatriated.

The collections and associated records, including title, shall be transferred to the San Diego curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that the historic materials have been received and that all fees have been paid.

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

Documentation: The applicant's archaeologist shall prepare the final report and submit it to the [PDS, PPD] for approval. Once approved, a final copy of the report shall be submitted to the South Coastal Information Center (SCIC) and any culturally-affiliated Tribe who requests a copy.

Timing: Prior to any occupancy, final grading release, or use of the premises in reliance of this permit ~~of any structure or use of premises in reliance of 3100 5338 RPL (VTM) and prior to Final Grading Release~~ the final report shall be prepared. **Monitoring:** The [PDS, PPD] shall review the final report for compliance with this condition and the report format guidelines. Upon acceptance of the report, [PDS, PPD] shall inform [PDS, LDR] and [DPW, PDCI] that the requirement is complete and that the bond amount can be relinquished. If the monitoring was bonded separately, then [PDS, PPD] shall inform [PDS or DPW FISCAL] to release the bond back to the applicant ~~a project MMRP, and inform [DPW, PDCI] that the requirement is completed.~~ The above condition has been revised to reflect the specific requirements of the Revised Tentative Map 5338.

- m. **BIOLOGICAL MONITORING: [DPLU, PCC] [UO, FG] [DPLU, FEE X2].**
Intent: In order to ensure that the biological monitoring occurred during the grading phase of the project, a final Biological Monitoring Report shall be prepared. **Description of Requirement:** The biologist shall prepare final biological monitoring report. The report shall substantiate the supervision of the grading activities, and state that grading or construction activities did not impact any additional areas of sensitive habitats, jurisdictional waters, special-status plant and wildlife species, or any other sensitive biological resources. The report shall conform to the County of San Diego Report Format Guidelines for Biological Resources, and include the following items:
1. Photos of the temporary fencing that was installed during the trenching, grading, or clearing activities.

2. Monitoring logs showing the date, time, and persons (biologist and/or employed qualified biologists) were on site.
3. Photos of the site after the grading and clearing activities.

Documentation: The biologist shall prepare the final report and submit it to the [DPLU, PCC] for review and approval. **Timing:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the final report shall be approved. **Monitoring:** The [DPLU, PCC] shall review the final report for compliance this condition and the report format guidelines. Upon approval of the report, [DPLU, PCC] shall inform [DPW, LOR] and [DPW, PDCI], that the requirement is complete and the bond amount can be relinquished. If the monitoring was bonded separately, then [DPLU, PCC] shall inform [DPLU, FISCAL] to release the bond back to the applicant. The above condition does not apply to the Passerelle project and revised grading plan monitoring conditions related to breeding season avoidance have been included as conditions of approval of the project.

- n. **NOISE REQUIREMENT: [DPLU, PCC] [RG, BP] [DPLU, FEE]. Intent:** In order to reduce the exposure to noise levels in excess of standards established by the County of San Diego General Plan Noise Element (Policy 4.b), as evaluated in the County of San Diego Noise Guidelines for Determining Significance, permanent nine foot high noise attenuation barriers shall be installed along the property boundaries of lots 285 through 301 within PA R-4, the HOA recreational facility (PA P-3) and along the western side of the northern half of PA P-3, as specified in the Final EIR, Figure 3.1-8, Location of Noise Attenuation Barriers, to mitigate the noise exposure of land uses for sensitive receptors below levels of significance. The designed noise screening may only be accomplished if the barrier weight is at least 3.5 pounds per square foot of face area and if barriers have no decorative cutouts or line-of-site openings between shielded areas and the roadways. All gaps (except for weep holes) should be filled with grout or caulking. Recommended noise attenuation barriers may be constructed using one of the following alternative materials:
1. Masonry block;
 2. Stucco veneer over wood framing (or foam core), or one-inch-thick tongue and groove wood of sufficient weight per square foot;
 3. Glass (¼ inch thick), or other transparent material with sufficient weight per square foot;
 4. Earthen berm; and/or

5. Any combination of these construction materials.

Description of Requirement: A signed, stamped statement from a California Registered Engineer or licensed surveyor, and photographic evidence that the nine foot high sound barriers have been constructed along the property boundaries of lots 285 through 301 within PA R-4 and the HOA recreational facility (PA P-3) pursuant to the approved grading plan.

Documentation: The applicant shall submit the certification and the letter to the [DPLU, PCC] for review and approval. **Timing:** Prior to Final Grading Release (Grading Ordinance Sec. 87.421.a.3), the certification shall be completed. **Monitoring:** The [DPLU, PCC] shall review the certification and the photos for compliance with this condition, and shall inform [DPW, PDC/] that the requirement is completed. This condition does not apply to the Revised Tentative Map 5338 because the improvements/ infrastructure have been completed in previous phases of the Campus Park Master Planned Development.

- o. **NOISE REQUIREMENT: [DPLU, PCC] [RG, BP] [DPLU, FEE]. Intent:** In order to reduce the exposure to noise levels in excess of standards established by the County of San Diego General Plan Noise Element (Policy 4.b), as evaluated in the County of San Diego Noise Guidelines for Determining Significance, permanent ten foot high noise attenuation barriers shall be installed along the property boundaries of lots 21 through 52 within PA R-1 as specified in the Final EIR, Figure 3.1-8, Location of Noise Attenuation Barriers, to mitigate the noise exposure of land uses for sensitive receptors below levels of significance. The designed noise screening may only be accomplished if the barrier weight is at least 3.5 pounds per square foot of face area and if barriers have no decorative cutouts or line-of-site openings between shielded areas and the roadways. All gaps (except for weep holes) should be filled with grout or caulking. Recommended noise attenuation barriers may be constructed using one of the following alternative materials:
1. Masonry block;
 2. Stucco veneer over wood framing (or foam core), or one-inch-thick tongue and groove wood of sufficient weight per square foot;
 3. Glass (¼ inch thick), or other transparent material with sufficient weight per square foot;
 4. Earthen berm; and/or
 5. Any combination of these construction materials.

Description of Requirement: A signed, stamped statement from a California Registered Engineer or licensed surveyor, and photographic evidence that the nine foot high sound barriers have been constructed along the property boundaries of lots 21 through 52 within PA R-1 pursuant to the

approved grading plan. **Documentation:** The applicant shall submit the certification and the letter to the [DPLU, PCC] for review and approval. **Timing:** Prior to Final Grading Release (Grading Ordinance Sec. 87.421.a.3), the certification shall be completed. **Monitoring:** The [DPLU, PCC] shall review the certification and the photos for compliance with this condition, and shall inform [DPW, PDCij that the requirement is completed. This condition does not apply to the Revised Tentative Map 5338 because the improvements/ infrastructure have been completed in previous phases of the Campus Park Master Planned Development.

- p. **NOISE REQUIREMENT: [DPLU, PCC] [RG, BP] [DPLU, FEE]. Intent:** In order to reduce the exposure to noise levels in excess of standards established by the County of San Diego General Plan Noise Element (Policy 4.b), as evaluated in the County of San Diego Noise Guidelines for Determining Significance, permanent ten foot high noise attenuation barriers shall be installed along portions of MF-1 that front the Town Center and a portion of Longspur Road as specified in the Final EIR, Figure 3.1-8, Location of Noise Attenuation Barriers, to mitigate the noise exposure of land uses for sensitive receptors below levels of significance. The designed noise screening may only be accomplished if the barrier weight is at least 3.5 pounds per square foot of face area and if barriers have no decorative cutouts or line-of-site openings between shielded areas and the roadways. All gaps (except for weep holes) should be filled with grout or caulking. Recommended noise attenuation barriers may be constructed using one of the following alternative materials:

1. Masonry block;
2. Stucco veneer over wood framing (or foam core), or one-inch-thick tongue and groove wood of sufficient weight per square foot;
3. Glass (¼ inch thick), or other transparent material with sufficient weight per square foot;
4. Earthen berm; and/or
5. Any combination of these construction materials.

Description of Requirement: A signed, stamped statement from a California Registered Engineer or licensed surveyor, and photographic evidence that the nine foot high sound barriers have been constructed along portions of MF-1 that front the Town Center and a portion of Longspur Road pursuant to the approved grading plan. **Documentation:** The applicant shall submit the certification and the letter to the [DPLU, PCC] for review and approval. **Timing:** Prior to Final Grading Release (Grading Ordinance Sec. 87.421.a.3), the certification shall be completed. **Monitoring:** The [DPLU, PCC] shall review the certification and the photos for compliance

with this condition, and shall inform [DPW, PDCI] that the requirement is completed. This condition does not apply to the Revised Tentative Map 5338 because the improvements/ infrastructure have been completed in previous phases of the Campus Park Master Planned Development.

q.

NOISE REQUIREMENT: [DPLU, PCC] [RG, BP] [DPLU, FEE]. Intent: In order to reduce the exposure to noise levels in excess of standards established by the County of San Diego General Plan Noise Element (Policy 4.b), as evaluated in the County of San Diego Noise Guidelines for Determining Significance, permanent ten foot high noise attenuation barriers shall be installed along portions of MF-2 that front Horse Ranch Creek Road and Harvest Glen Lane, as specified in the Final EIR, Figure 3.1-8, Location of Noise Attenuation Barriers, to mitigate the noise exposure of land uses for sensitive receptors below levels of significance. The designed noise screening may only be accomplished if the barrier weight is at least 3.5 pounds per square foot of face area and if barriers have no decorative cutouts or line-of-site openings between shielded areas and the roadways. All gaps (except for weep holes) should be filled with grout or caulking. Recommended noise attenuation barriers may be constructed using one of the following alternative materials:

1. Masonry block;
2. Stucco veneer over wood framing (or foam core), or one-inch-thick tongue and groove wood of sufficient weight per square foot;
3. Glass (¼ inch thick), or other transparent material with sufficient weight per square foot;
4. Earthen berm; and/or
5. Any combination of these construction materials.

Description of Requirement: A signed, stamped statement from a California Registered Engineer or licensed surveyor, and photographic evidence that the nine foot high sound barriers have been constructed along portions of MF-2 that front Horse Ranch Creek Road and Harvest Glen Lane pursuant to the approved grading plan. **Documentation:** The applicant shall submit the certification and the letter to the [DPLU, PCC] for review and approval. **Timing:** Prior to Final Grading Release (Grading Ordinance Sec. 87.421.a.3), the certification shall be completed. **Monitoring:** The [DPLU, PCC] shall review the certification and the photos for compliance with this condition, and shall inform [DPW, PDCI] that the requirement is completed. This condition does not apply to the Revised Tentative Map 5338 because the improvements/ infrastructure have been completed in previous phases of the Campus Park Master Planned Development.

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

- r. **BIOLOGICAL MONITORING:** [DPLU, PCC] [DPW, LDR] [GP, IP, MA] [DPLU, FEE X2]. **Intent:** In order to prevent inadvertent disturbance to sensitive habitats, clearing and grading located within or adjacent to sensitive habitats, shall be monitored by a biologist. **Description of Requirement:** A County approved biologist shall be contracted to perform preconstruction biological monitoring duties. The following shall be completed:

1. Supervise and verify placement of temporary fencing of open space easements. The placement of such fencing shall be approved by the DPLU, Permit Compliance Section.
2. The biologist shall attend the preconstruction meetings and other meetings to discuss construction requirements. Such meeting shall include the DPLU Permit Compliance Section.

Documentation: The biologist shall prepare written documentation that certifies that the temporary fencing has been installed and that all construction staff has been trained on the site sensitive biological resources that are to be avoided. **Timing:** Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be completed. **Monitoring:** The [DPW, PDCI] shall invite the [DPLU, PCC] to the preconstruction conference to coordinate the biological monitoring requirements of this condition. The [DPLU, PCC] shall attend the preconstruction conference and verify the installation of the temporary fencing and approve the training documentation- prepared by the biologist. This condition only applies to Parcels 1 and 2 and the Remainder Parcel of the project and various stages of the Campus Park overall development only if construction occurs adjacent to biological open space easements.

- s. **TEMPORARY FENCING:** [DPLU, PCC] [DPW, PDCI] [PC] [DPLU, FEE]. **Intent:** In order to prevent inadvertent disturbance to all on-site biological open space, temporary construction fencing shall be installed. **Description of Requirement:** Prior to the commencement of any grading and or clearing in association with the grading plan, temporary orange construction fencing shall be placed to protect from inadvertent disturbance of all open space easements that do not allow grading, brushing or clearing:

1. Temporary fencing is also required in all locations of the project where proposed grading or clearing is within 100 feet of an open space easement boundary.

2. The placement of such fencing shall be approved by the DPLU, Permit Compliance Section. Upon approval, the fencing shall remain in place until the conclusion of grading activities after which the fencing shall be removed.

Documentation: The applicant shall provide evidence that the fencing has been installed and have a California licensed surveyor certify that the fencing is located on the boundary of the open space easement(s). The applicant shall submit photos of the fencing along with the certification letter to the [DPLU, PCC] for approval. **Timing:** Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances the fencing shall be installed, and shall remain for the duration of the grading and clearing. **Monitoring:** The [DPLU, PCC] shall either attend the preconstruction conference and approve the installation of the temporary fencing, or review the certification and pictures provided by the applicant." This condition does not apply to the Revised Tentative Map 5338 because the improvements/infrastructure have been completed in previous phases of the Campus Park Master Planned Development.

t. **RESOURCE AVOIDANCE (COASTAL SAGE SCRUB): [PDS, PCC] [DPW, PDCI] PDS, FEE X2].**

INTENT: In order to avoid impacts to nesting coastal California gnatcatcher and southern California rufous-crowned sparrow, which are a sensitive biological resource pursuant to RPO, a Resource Avoidance Area (RAA), shall be implemented on all plans where applicable. **DESCRIPTION OF REQUIREMENT:** There shall be no brushing, clearing and/or grading such that none will be allowed within 300 feet of coastal sage scrub habitat during the breeding season of the coastal California gnatcatcher and southern California rufous-crowned sparrow. The breeding season is defined as occurring between February 15 through August 30 of any year. Planning & Development Services [PDS, PCC] may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Wildlife Game, provided that no Gnatcatchers 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 [PDS, PCC] is received. The [PDS, PCC] shall review the concurrence letter. The above condition has been revised to reflect the specific requirements of the Revised Tentative Map 5338. Breeding season avoiding grading plan notes have been made conditions of approval of the project.

- u. **RESOURCE AVOIDANCE (RIPARIAN HABITAT): [DPLU, PCC] [DPW, PDCI] DPLU, FEE X2]. Intent:** In order to avoid impacts to nesting least Bell's vireo, yellow warbler and yellow breasted-chat, which are a sensitive biological resource pursuant to RPO, a Resource Avoidance Area (RAA), shall be implemented on all plans. **Description of Requirement:** There shall be no brushing, clearing and/or grading such that none will be allowed within 300 feet of riparian habitat during the breeding season of the least Bell's vireo, yellow warbler and yellow breasted-chat. The breeding season is defined as occurring between March 15th to September 15th. 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 Gnatcatchers 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 above condition does not apply to the Revised Tentative Map 5338 as no riparian habitat is present within 300 feet. The condition may apply to future phases of the Campus Park Development in the event that offsite improvements require construction near riparian habitat.
- v. **RESOURCE AVOIDANCE (RAPTOR NESTING HABITAT): [DPLU, PCC] [DPW, PDCI] DPLU, FEE X2]. Intent:** In order to avoid impacts to nesting raptors, which are a sensitive biological resource pursuant to RPO, a pre-construction survey will be required and if present a Resource Avoidance Area (RAA), shall be implemented on all plans. **Description of Requirement:** There shall be no brushing, clearing and/or grading allowed within 300 feet of documented raptor nests during the breeding season. The breeding season is defined as occurring between February 1 and July 15. 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 Gnatcatchers or Raptors are present in the vicinity of the brushing, clearing or grading. **Documentation:** The applicant shall provide a letter report of a recent preconstruction survey with the locations of raptor nests and 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 above condition does not apply to the Revised Tentative Map 5338 as there is limited raptor breeding habitat is present in the vicinity of Parcels 1 and 2. Any potential for breeding birds will be determined by the required pre-construction surveys.

- w. **PALEONTOLOGICAL MONITORING: [DPW, PDCI] [DPLU, PCC] [PC] [DPLU, FEE X2] Intent:** In order to comply with Mitigation Monitoring and Reporting Program pursuant to TM5338Rpl⁷/Log No. 03-02-059 a Paleontological Resource Grading Monitoring Program shall be implemented. **Description of Requirement:** The County approved Project Paleontologist, and the DPLU Permit Compliance Coordinator (PCC), shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the grading monitoring program. The Project Paleontologist shall monitor During the original cutting of previously undisturbed deposits for the project, both on and off site, the Qualified Paleontological Resources Monitor shall be on-site to monitor as determined necessary by the Qualified Paleontologist. The grading monitoring program shall comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources. **Documentation:** The applicant shall have the contracted Project Paleontologist attend the preconstruction meeting to explain the monitoring requirements. **Timing:** Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be completed. **Monitoring:** The [DPW, PDCI] shall invite the [DPLU, PCC] to the preconstruction conference to coordinate the Paleontological Resource Monitoring requirements of this condition. The [DPLU, PCC] shall attend the preconstruction conference and confirm the attendance of the approved Project Paleontologist.

- x. **TEMPORARY FENCING: [DPLU, PCC] [DPW, PDCI] [PC] [DPLU, FEE]. Intent:** In order to prevent inadvertent disturbance to CA-SDI-682, temporary construction fencing shall .be installed. **Description of Requirement:** Prior to the commencement of any grading and or clearing in association with this grading plan, temporary orange construction fencing shall be placed to protect from inadvertent disturbance of CA-SDI- 682 during the road improvements of Horse Ranch Creek Road that do not allow grading, brushing or clearing.

1. The placement of such fencing shall be approved by the DPLU, Permit Compliance Section. Upon approval, the fencing shall remain in place until the conclusion of grading activities after which the fencing shall be removed.

Documentation: The applicant shall have a California licensed surveyor install and certify the installation of the temporary fencing. The applicant shall submit photos of the fencing along with the certification letter to the [DPLU, PCC] for approval. **Timing:** Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances the fencing shall be installed, and shall remain for the duration of the grading and clearing. **Monitoring:** The [DPLU, PCC] shall either attend the preconstruction conference and approve the installation of the temporary fencing, or review the certification and pictures provided by the applicant's surveyor. The above condition does not apply to the Revised Tentative Map 5338 as the referenced cultural site is not located near or associated with the project. Protection of this cultural site was completed in previous phases of the Campus Park Master Planned Development.

- y. **ARCHAEOLOGICAL AND TRIBAL MONITORING – PRECONSTRUCTION MEETING Intent:** In order to comply with the County of San Diego Guidelines for Significance for Cultural Resources, an Archaeological Mitigation Monitoring and Reporting Program pursuant to 3100 5338 (TM), a Cultural Resource Grading Monitoring Program shall be implemented. **Description of Requirement:** The County approved Project Archaeologist and Luiseño Native American Monitor and the DPLU Permit Compliance Coordinator (PCC) shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the grading archaeological monitoring program. The Project Archaeologist and Luiseño Native American Monitor shall also evaluate fill soils to determine that they are clean of cultural resources ~~monitor original cutting of previously undisturbed deposits in all areas identified for development including off site improvements.~~ The archaeological grading monitoring program shall comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources Archaeological and Historic Resources. **Documentation:** The

applicant shall have the contracted Project Archeologist and Luiseño Native American Monitor attend the preconstruction meeting to explain the monitoring requirements. **Timing:** ~~Prior to Pre-Construction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be completed.~~ **Monitoring:** ~~The [DPW, PDCI] shall confirm the attendance of the approved Project Archeologist invite the [DPLU, PCC] to the preconstruction conference to coordinate the Culture Resource Monitoring requirements of this condition. The [DPLU, PCC] shall attend the preconstruction conference and confirm the attendance of the approved Project archaeologist. The above condition has been revised to reflect the specific requirements of the Revised Tentative Map 5338.~~

- z. TEMPORARY FENCING: [DPLU, PCC] [DPW, PDCI] [PC] [DPLU, FEE].**
Intent: In order to prevent inadvertent disturbance to on-site biological open space, temporary construction fencing shall be installed. **Description of Requirement:** Prior to the commencement of any grading and or clearing in association with the grading plan, temporary orange construction fencing shall be placed to protect from inadvertent disturbance of all open space easements that do not allow grading, brushing or clearing:

1. Temporary fencing is also required in all locations of the project where proposed grading or clearing is within 100 feet of an open space easement boundary.
2. The placement of such fencing shall be approved by the DPLU, Permit Compliance Section. Upon approval, the fencing shall remain in place until the conclusion of grading activities after which the fencing shall be removed.

Documentation: The fencing shall protect all biological preservation open space from construction activities and disturbance. **Timing:** Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be completed. **Monitoring:** The [DPW, PDCI] shall make sure that the Project Biologist is on-site performing the Monitoring duties of this condition. The [DPW, PDCI] shall contact the [DPW, PCC] if the Project Biologist or applicant fails to comply with this condition. Permanent open space fencing has been installed by other developers of the Campus Park development. This condition only applies to the project in areas that do not have permanent open space fencing.

Documentation: The applicant shall submit the Grading and Improvement plans, which shall include the above reference condition notes. The condition notes shall be in addition to what is already approved on the Conceptual Grading and Improvement Plan, unless indicated in this

condition that it is superseding. **Timing:** Prior to the approval of any grading and or improvement plans and issuance of any Grading or Construction Permits) and prior to the approval of any map for each phase, the notes and items shall be placed on the plans. **Monitoring:** The [DPW, ESU, or DPLU, BD for DPLU Minor Grading and DPR, TC and PP for trail and park improvements] shall verify that the grading and or improvement plan requirements have been implemented on the final grading and or improvement plans. The environmental mitigation notes shall be made conditions of the issuance of said grading or construction permit.

49. TRAFFIC CONTROL PLAN: [DPW, LDR] GP, IP, UO. **Intent:** In order to mitigate below levels of significance for temporary traffic impacts, a traffic control plan shall be prepared and implemented. **Description of Requirement:** A Traffic Control Plan (TCP) shall be prepared that addresses the following, but is not only limited to: haul routes, number of trips per day, and destination.

a. The implementation of the TCP shall be a condition of any grading, construction, or excavation permit issued by the County. Any additional County Traffic Control Permits shall be obtained as required and any CALTRANS Encroachment Permits for work within the State of California Rights of Way as identified in the TCP. The applicant is responsible for the maintenance and repair of any damage caused by them to the on-site and off-site private roads that serve the property either during construction or subsequent operations."

b. The applicant will repair those portions of the route that would be damaged by the heavy loads that loaded trucks place on the route identified. An agreement shall be executed, which will also include an agreement is to include (1) a cash deposit for emergency traffic safety repairs; (2) long-term security for expected increased maintenance on the route identified; and (3) possible future asphaltic overlay requirements on the route identified.

Documentation: The applicant shall have the TCP prepared by a licensed Traffic Engineer and submit it to [DPW, LDR] for review. The applicant shall also execute a secured agreement for any potential damages caused by heavy trucks on road mentioned above. The agreement and securities shall be approved to the satisfaction of the [DPW, LOR]. The applicant is responsible for obtaining any additional permits as identified in the TCP.

Timing: Prior to approval of any grading and or improvement plans and issuance of any Grading, Construction, or Excavation Permits, a TCP shall be prepared and approved. **Monitoring:** The [DPW, LDR] shall review the TCP for compliance with this condition, and require any additional traffic or encroachment permits before any approval of the TCP. The TCP shall be

implemented and made a condition of any associated County Construction, Grading or Encroachment Permit.

DRAFT

SITE PLAN CONDITIONS

ANY PERMIT: (Prior to the approval of any plan, issuance of any permit, and prior to occupancy or use of the premises in reliance of this permit).

GEN#1–COST RECOVERY

INTENT: In order to comply with Section 362 of Article XX of the San Diego County Administrative Code, Schedule B.5, existing deficit accounts associated with processing this permit shall be paid. **DESCRIPTION OF REQUIREMENT:** The applicant shall pay off all existing deficit accounts associated with processing this permit. **DOCUMENTATION:** The applicant shall provide evidence to Planning & Development Services, Zoning

Counter, which shows that all fees and trust account deficits have been paid. No permit can be issued if there are deficit trust accounts. **TIMING:** Prior to the approval of any plan and prior to the issuance of any permit, all fees and trust account deficits shall be paid. **MONITORING:** The PDS Zoning Counter shall verify that all fees and trust account deficits have been paid.

GEN#2-RECORDATION OF DECISION

INTENT: In order to comply with Section 7019 of the Zoning Ordinance, the Permit Decision shall be recorded to provide constructive notice to all purchasers, transferees, or other successors to the interests of the owners named, of the rights and obligations created by this permit. **DESCRIPTION OF REQUIREMENT:** The applicant shall sign, notarize with an 'all-purpose acknowledgement' and return the original recordation form to PDS. **DOCUMENTATION:** Signed and notarized original recordation form. **TIMING:** Prior to the approval of any plan and prior to the issuance of any permit, a signed and notarized copy of the Decision shall be recorded by PDS at the County Recorder's Office. **MONITORING:** The PDS Zoning Counter shall verify that the Decision was recorded and that a copy of the recorded document is on file at PDS.

LNDCP#1-LANDSCAPE DOCUMENTATION PACKAGE

INTENT: In order to provide adequate Landscaping that addresses screening, and to comply with the Water Conservation in Landscaping Ordinance, a landscape plan shall be prepared. **DESCRIPTION OF REQUIREMENT:** The Landscape Plans shall be prepared pursuant to the [COSD Water Efficient Landscape Design Manual](#) and the [COSD Water Conservation in Landscaping Ordinance](#), the [COSD Parking Design Manual](#), the COSD Grading Ordinance, and the Campus Park Specific Plan and Passerelle Specific Plan Amendment. All Plans shall be prepared by a California licensed Landscape Architect, Architect, or Civil Engineer, and include the following information:

- a. Indication of the proposed width of any adjacent public right-of-way, and the locations of any required improvements and any proposed plant materials to be installed or planted therein. The applicant shall also obtain a permit approving the variety, location, and spacing of all trees proposed to be planted within said right(s)-of-way. A copy of this permit and a letter stating that all landscaping within the said right(s) -of-way shall be maintained by the landowner(s) shall be submitted to PDS.
- b. A complete planting plan including the names, sizes, and locations of all plant materials, including trees, shrubs, and groundcover. Wherever appropriate, native or naturalizing plant materials shall be used which can thrive on natural moisture. These plants shall be irrigated only to establish the plantings.
- c. A complete watering system including the location, size, and type of all backflow prevention devices, pressure, and non-pressure water lines, valves, and sprinkler heads in those areas requiring a permanent, and/or temporary irrigation system.
- d. The watering system configuration shall indicate how water flow, including irrigation runoff, low head drainage, overspray or other similar conditions will not impact adjacent property, non-irrigated areas, structures, walkways, roadways or other paved areas, including trails and pathways by causing water to flow across, or onto these areas.

- e. Spot elevations of the hardscape, building and proposed fine grading of the installed landscape.
- f. The location and detail of all walls, fences, and walkways shall be shown on the plans, including height from grade and type of material. A lighting plan and light standard details shall be included in the plans (if applicable) and shall be in compliance with the [County's Light Pollution Code](#).
- g. No landscaping material or irrigation or other infrastructure shall be located within a proposed trail easement or designated pathway.
- h. Parking areas shall be landscaped and designed pursuant to the [Parking Design Manual](#) and the County Zoning Ordinance Section 6793.b
- i. Slope trees shall be planted at 15 gallon and 24-inch box container sizes.
- j. The community common landscape areas shall include the requirement of planting two trees per each residential unit to address carbon sequestration and compliance with Section 86.709 (b) (10) of the Water Conservation in Landscaping Ordinance.
- k. All fencing and materials shall comply with Section 6708 of the Zoning Ordinance and shall be located outside County of San Diego Right-of-Way.
- l. All signage changes shall be indicated on an approved Site Plan or Site Plan Minor Deviation/Modification.
- m. Additionally, the following items shall be addressed as part of the Landscape Plan:
 - 1. All public/HOA planting areas shall be permanently irrigated and use low water consumptive plant material wherever practical.
 - 2. Varied heights of trees, shrubs, and groundcover shall be planted on modified slopes to result in "visual undulation."
 - 3. All non-preserved areas not covered by structures or hardscape/paving will be appropriately and professionally landscaped.
 - 4. Larger specimen trees shall be installed at entries and key locations throughout the development.
 - 5. Areas around buildings shall incorporate a mixture of trees, shrubs, vines, and groundcover designed to complement the overall design theme of the Project.
 - 6. The Project landscaping palette shall include drought-tolerant trees, emphasizing evergreens on the north and west sides of buildings and deciduous trees on the south sides of buildings. These plantings shall contribute to on-site carbon storage, provide shade, and reduce heating from impervious surfaces.
 - 7. The Project shall provide shade within five years or use light-colored materials or open grid pavement for at least 30 percent of the site's non-roofed impervious surfaces.
 - 8. Landscape design shall define areas through the creation of a focal point at entries, screening of unsightly areas, softening of expanses of pavement and buildings, and provision of transition and separations, between the project development and the surrounding community. Edges of development shall be softened through use of contour grading.
 - 9. Project landscape design shall exclude all prohibited plant materials listed in the Prohibited Plant Materials list in the Conceptual Fire Protection Plan/Fuel

Modification Plan (Appendix J of the Campus Park EIR). The prohibited trees, shrubs, vines, and groundcovers shall not be planted or retained in any community vegetation management zone, landscaped area, as street trees, or in any median or planter.

10. Project landscape shall be consistent with the planting, spacing, and maintenance guidelines in the Conceptual Fire Protection Plan/Fuel Modification Plan (Appendix J of the Campus Park EIR).
11. A hydroseed mix that incorporates native species, is appropriate to the area, and is without invasive species, shall be used for slope stabilization in all transitional zones. No invasive, non native species shall be allowed adjacent to any biological open space areas.
12. "California" pepper trees (*Schinus molle*) will not be permitted within the Project plant palette.
13. Native oaks shall be preserved in open spaces to the maximum extent possible.
14. The project shall use reclaimed water, as available, to the maximum extent possible.
15. Where sound walls are built that would be visible from Horse Ranch Creek Road, the wall will be screened by Project-planted vegetation. These walls shall be subject to long-term maintenance, through the HOA.
16. All landscaping and irrigation plans shall conform to the Community Design and Operation Element of the Campus Park Specific Plan Amendment Report, as well as all applicable government regulations and standards, including those for sight line visibility and access.
17. Landscaping shall be installed within each constructed phase as it is finished.
18. Screen plantings shall be used to visually buffer parking lots from the I-15 Corridor.
19. Tree plantings in the common landscape areas shall be varied to provide visual interest in the landscape and follow the Fallbrook Design Guidelines.
20. Transit improvements will include shelters, route information, benches and lighting.
21. Multi-family buildings shall be connected by landscaped sidewalks.
22. Utilitarian areas, including parking, loading, mechanical equipment, and trash enclosures shall be screened from public views. Transformers and cable boxes shall be located to be unobtrusive and screened from public view with plantings as applicable.
23. Site design BMPs shall include the use of native and drought tolerant plantings, permeable pavers, minimal use of chemical applications, minimizing and controlling irrigation runoff, directing any runoff towards landscaped areas.
24. Grade differentials within neighborhoods shall be used to add variety and enhance the sense of open space, between residences.
25. Transformers and cable boxes will be located to be unobtrusive and screened from view, with plantings.
26. Large expanses of asphalt paving shall be avoided, and the appearance softened by landscape screening. Exposed vehicular use areas (all parking lots greater than 6,000 square feet) shall include a minimum of 10 percent of

the paved areas in landscaping, dispersed throughout the parking area, such that every designated parking space will be within 30 feet of the trunk of a tree.

DOCUMENTATION: The applicant shall prepare the Landscape Plans using the [Landscape Documentation Package Checklist](#) (PDS Form #404), and pay all applicable review fees. **TIMING:** Prior to approval of the landscape plan, the Landscape Documentation Package shall be prepared and approved. **MONITORING:** The [PDS, LA] and [DPR, TC, PP] shall review the Landscape Documentation Package for compliance with this condition.

GRADING PERMIT: *(Prior to approval of any grading and/or improvement plans and issuance of any Grading or Construction Permits).*

EASEMENTS#1–EASEMENT CONCURRENCE LETTERS

INTENT: In order to ensure work is constructed within easements through authorization of the public entity or grantee of the easement. **DESCRIPTION OF REQUIREMENT:** A letter of authorization or documentation shall be provided demonstrating that work or construction can occur within applicable easements on the subject property.

DOCUMENTATION: The applicant shall provide letters of authorization from a grantee of an easement or documentation demonstrating that work or construction can occur within applicable easements on the subject property. The applicant shall submit the documentation to the [PDS, LDR] for review and approval. **TIMING:** Prior to the approval of the improvement plans or grading plan, the documentation shall be submitted.

MONITORING: The [PDS, LDR] shall review the documentation.

CULT#1 - ARCHAEOLOGICAL AND TRIBAL MONITORING

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

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

- a. The Project Archaeologist shall perform the monitoring duties before, during and after construction pursuant to the most current version of the County of San Diego Guidelines for Determining Significance and Report Format and Requirements for Cultural Resources. The Project Archaeologist and Luiseño Native American monitor shall also evaluate fill soils to determine that they are clean of cultural resources. The contract or letter of acceptance provided to the County shall include an agreement that the archaeological monitoring will be completed, and a Memorandum of Understanding (MOU) between the Project Archaeologist and the County of San Diego shall be executed. The contract or

letter of acceptance shall include a cost estimate for the monitoring work and reporting.

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

c. The cost of the monitoring shall be added to the grading bonds or bonded separately.

DOCUMENTATION: The applicant shall provide a copy of the Archaeological Monitoring Contract or letter of acceptance, cost estimate, and MOU to [PDS, PPD]. Additionally, the cost amount of the monitoring work shall be added to the grading bond cost estimate.

TIMING: Prior to approval of any grading and or improvement plans and issuance of any Grading or Construction Permits. **MONITORING:** [PDS, PPD] shall review the contract or letter of acceptance, MOU and cost estimate or separate bonds for compliance with this condition. The cost estimate should be forwarded to [PDS, PPD] for inclusion in the grading bond cost estimate, and grading bonds and the grading monitoring requirement shall be made a condition of the issuance of the grading or construction permit.

CULT#2 - CULTURAL RESOURCES TREATMENT AGREEMENT AND PRESERVATION PLAN

INTENT: In order to mitigate for impacts to Traditional Cultural Properties, develop and enter into a Cultural Resources Treatment Agreement and Preservation Plan with a culturally-affiliated consulting Tribe (Rincon). **DESCRIPTION OF REQUIREMENT:** A single Cultural Resources Treatment Agreement and Preservation Plan shall be developed between the applicant or their representative, and a culturally-affiliated consulting Tribe (Rincon). The Cultural Resources Treatment Agreement and Preservation Plan shall be reviewed and agreed to by the County prior to final signature and authorization. The Cultural Resources Treatment Agreement and Preservation Plan shall include but is not limited to the following:

- a. Parties entering into the agreement and contact information.
- b. Responsibilities of the Property Owner or their representative, Principal Investigator, archaeological monitors, Luiseño Native American monitors, County, and consulting tribes.
- c. Requirements of the Archaeological Monitoring Program including unanticipated discoveries. The requirements shall address grading and grubbing requirements including controlled grading and controlled vegetation removal in areas of cultural sensitivity, analysis of identified cultural materials, and onsite storage of cultural materials.

- d. Excavated soils. No soils are proposed for export. Consultation with the culturally-affiliated tribes shall occur should excavated soils need to be exported offsite.
- e. Treatment of identified Native American cultural materials.
- f. Treatment of Native American human remains and associated grave goods.
- g. Confidentiality of cultural information including location and data.
- h. Regulations that apply to cultural resources that have been identified or may be identified during project construction.

Note: The Treatment Agreement and Preservation Plan cannot conflict with regulations that apply to the project.

DOCUMENTATION: A copy of the implemented agreement shall be submitted to the [PDS, PPD] for approval. **TIMING:** Prior to approval of any grading and or improvement plans and issuance of any Grading or Construction Permits. **MONITORING:** The [PDS, PPD] shall review the implemented agreement for compliance with this condition. The above condition has been modified to reflect the specific requirements of the Revised Tentative Map 5338.

STRMWTR#1–STORMWATER MAINTENANCE DOCUMENTATION

INTENT: In order to promote orderly development and to comply with the [County Watershed Protection Ordinance \(WPO\) No.10410, County Code Section 67.801 et. seq.](#), the maintenance agreements shall be completed. **DESCRIPTION OF REQUIREMENT:** Process a Stormwater Facilities Maintenance Agreement (SWMA) to assure maintenance of the _____ BMPs and provide security to back up the maintenance pursuant to the County Maintenance Plan Guidelines to the satisfaction of the Director of DPW and/or PDS. The SWMA shall be signed and notarized by the applicant and recorded by the County. **DOCUMENTATION:** The applicant shall process the agreement forms with [PDS, LDR] and pay any deposit and applicable review fees. **TIMING:** Prior to approval of any grading or improvement plan, execution of the recorded agreements and securities shall be completed. **MONITORING:** The [PDS, LDR] shall review the agreements/mechanisms for consistency with the condition and County Standards.

STRMWTR#2–EROSION CONTROL

INTENT: In order to Comply with all applicable stormwater regulations the activities proposed under this application are subject to enforcement under permits from the [State Construction General Permit, Order No. 2022-0057-DWQ](#), or subsequent order and the [County Watershed Protection Ordinance \(WPO\) No.10410, County Code Section 67.801 et. seq.](#) and all other applicable ordinances and standards for this priority project. **DESCRIPTION OF REQUIREMENT:** The applicant shall maintain the appropriate on-site and offsite Best Management Practices pursuant to the approved Stormwater Quality Management Plan (SWQMP) and Erosion Control Plan including, but not limited to the

erosion control measures, irrigation systems, slope protection, drainage systems, desilting basins, energy dissipators, and silt control measure.

- a. An agreement and instrument of credit shall be provided for an amount equal to the cost of this work as determined or approved by the [PDS, LDR], in accordance with the [County of San Diego Grading Ordinance Section 87.304](#). The cash deposit collected for grading, per the grading ordinance, will be used for emergency erosion measures. The developer shall submit a letter to [PDS, LDR] authorizing the use of this deposit for emergency measures.
- b. An agreement in a form satisfactory to County Counsel shall accompany the Instrument of Credit to authorize the County to unilaterally withdraw any part of or all the Instrument of Credit to accomplish any of the work agreed to if it is not accomplished to the satisfaction of the County PDS and/or DPW by the date agreed.

DOCUMENTATION: The applicant shall process an Erosion Control Plan and provide the letter of agreement and any additional security and/or cash deposit to the [PDS, LDR].

TIMING: Prior to approval of any grading or improvement plan, the Erosion Control Plan shall be approved, and the agreement and securities shall be executed. **MONITORING:**

The [PDS, LDR] shall ensure that the Erosion Control Plan adequately satisfies the requirements of the conditions to potentially perform the required erosion control and stormwater control measures proposed on all construction and grading plans. [DPW, PDCI] shall use the securities pursuant to the agreement to implement and enforce the required stormwater and erosion control measures pursuant to this condition during all construction phases as long as there are open and valid permits for the site.

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

AQ&GHG#1- AIR QUALITY AND GREENHOUSE GAS EMISSIONS DESIGN FEATURES:

INTENT: To comply with the air quality project design features cited within the previously approved project Environmental Impact Report (EIR) and to comply with the County of San Diego Guidelines for Determining Significance, the following measures shall apply.

DESCRIPTION OF REQUIREMENT: The project air quality design features shall include the below listed design features and these features shall be included in the project:

- a. Buildings at the Project will achieve energy performance equivalent to at least 20 percent better than current Title 24 standards.
- b. The Project will install energy reducing programmable thermostats that automatically adjust temperature settings.
- c. The Project will install low-energy traffic signals and energy efficient (sodium) street lighting.
- d. The Project will install energy reducing passive heating and cooling systems (e.g., insulation and ventilation).

- e. The Project will install energy reducing daylighting systems (e.g., skylights, light shelves and interior transom windows).
- f. The Project will increase interior wall and roof insulation.
- g. Project buildings will be designed using double-paned windows, door sweeps and weather stripping, electric light dimming controls where feasible, and high-efficiency heating and cooling systems.
- h. Residents at the Project will be offered a choice of energy efficient appliances (including washer/dryers, refrigerators) and appliances installed by builders would be Energy Star (including dishwashers).
- i. The Project will provide educational materials for residents discussing strategies for reducing GHG emissions associated with the operation of their buildings.
- j. The Project will provide residents with separate recycling and waste receptacles to support the 50 percent state-wide solid waste diversion goal.
- k. The Project will require separation and recycling of construction waste.
- l. The Project will provide electrical outlets at building exterior areas.
- m. The Project shall provide low-flow appliances (including toilets, shower heads, washing machines), as well as a drought-tolerant landscape palette, water-saving irrigation systems (i.e., weather-based irrigation controllers), and other water conservation measures.
- n. Residential buildings will provide a space for recharge of batteries for both small (hand-held) and large (e.g., electric lawnmower or car) equipment (laundry rooms and garages).
- o. Paving, chip sealing, or chemical stabilization of internal roadways will occur, after completion of grading.
- p. Sweepers or water trucks will remove "track-out," at any point of public street access.
- q. Dirt storage piles will be stabilized by chemical binders, tarps, fencing, or other erosion control and suppression measures.
- r. Grading will terminate if winds exceed 25 miles per hour.
- s. Residential slopes will be hydroseeded if lots are not developed soon after grading.
- t. Construction vehicles will use low-sulfur diesel fuels.
- u. Install solar panels (250 sf minimum) for each unit per the California Green Code.
- v. Install one electric vehicle charger for each unit per the California Building Code.
- w. Install windows with minimum dual-pane glazing per the California Energy Code.
- x. Install smart thermostats for peak energy efficiency.
- y. Install energy efficient appliances.
- z. Install tankless water heaters.
- aa. Install energy-efficient light emitting diode (LED) lighting.
- bb. Examine residences for air leaks around caulking, insulation, and weather stripping.
- cc. Encourage the use of warm water in two-cycle clothes waste for 500-pound reduction of carbon dioxide (CO₂) emissions.
- dd. Plant native landscaping around residences to increase carbon neutrality.
- ee. Encourage the use of household products with reduced toxics.
- ff. Encourage maximum recycling.
- gg. Multiple applications of water during grading between dozer/scrapper passes.

- hh. Paving, chip sealing, or chemical stabilization of internal roadways after completion of grading.
- ii. Use of sweepers or water trucks to remove “track-out” at any point of public street access.
- jj. Termination of grading if winds exceed 25 mph.
- kk. Stabilization of dirt storage piles by chemical binders, tarps, fencing, or other erosion control.
- ll. Hydroseeding of graded residential slopes, unless lots are developed immediately after grading.
- mm. Use of low-sulfur fuels in construction equipment.
- nn. Where possible, the Project has incorporated use of low-VOC coatings that meet the requirements of APCD Rule 67.0.
- oo. The Project would require 10 percent of the construction fleet to use any combination of diesel catalytic converters, diesel oxidation catalysts, diesel particulate filters, and/or ARB certified Tier I, II, or III equipment.
- pp. Install solar panels (250 sf minimum) for each unit per the California Green Code
- qq. Install one electric vehicle charger for each unit per the California Building Code
- rr. Install windows with minimum dual-pane glazing per the California Energy Code
- ss. Install smart thermostats for peak energy efficiency
- tt. Install energy efficient appliances
- uu. Install tankless water heaters
- vv. Install energy efficient light emitting diode (LED) lighting
- ww. Examine residences for air leaks around caulking, insulation, and weather stripping
- xx. Encourage the use of warm water in two-cycle clothes waste for 500-pound reduction of CO₂ emissions
- yy. Buildings will achieve energy performance equivalent to 15% better than current Title 24 standards.
- zz. Residents will be offered a choice of energy-efficient appliances (including washer/dryers, refrigerators) and appliances installed by builders will be Energy Star (including dishwashers).

DOCUMENTATION: The applicant shall provide evidence to the satisfaction of the Director of PDS that the following notes are placed on the site plans. **TIMING:** Prior to the approval of the site plan, . **MONITORING:** Upon the applicant’s submittal of the Site Plan, the [PDS, PCC, DPW] shall review the notes for these features described in this condition.

FIRE#1–NORTH COUNTY FIRE PROTECTION DISTRICT

INTENT: In order to promote orderly development and to comply with the County Consolidated Fire Code. **DESCRIPTION OF REQUIREMENT:** The building permit plans for the Site Plan shall be reviewed and approved by the North County Fire Protection District. In addition to standard County Consolidated Fire Code items, the following elements shall be reviewed by the North County Fire Protection:

- A. Location of fire hydrants

- B. Location of parking spaces in order to ensure that a minimum of 24-feet is maintained along the roads within the development.

TIMING: Prior to approval of any building permits, the North County Fire Protection District shall review the building plans and the applicable building design measures shall be included. **MONITORING:** The North County Fire Protection District shall review the building plans and the [PDS, BPPR] shall review the plans for consistency with the North County Fire Protection District requirements.

FIRE#2–FIRE PROTECTION PLAN DESIGN FEATURES:

INTENT: To comply with the requirements of the Fire Protection Plan and the project design features that are cited in the previously approved project Environmental Impact Report (EIR), fire protection design features shall be included as notes on the grading and/or building plan. **DESCRIPTION OF REQUIREMENT:** The project fire protection features shall include the below listed design features and these features shall be included in the project, prior to the approval of any plan, issuance of any permit:

- a. Project design shall incorporate appropriate fuel management zones (100 to 200 feet wide) in designated areas (e.g., adjacent to all structures), pursuant to the San Diego County Fire Code and as detailed in the Conceptual Fire Protection Plan/Fuel Modification Plan.
- b. Project design shall meet all general vegetation management requirements of the Conceptual Fire Protection Plan/Fuel Modification Plan.
- c. Fuel management zones shall be appropriately maintained by the Project HOA, which will include efforts such as inspecting/repairing irrigation systems, vegetation thinning/pruning, and weed removal.
- d. Multi-family buildings exceeding 30 feet in height shall have an approved stairway access to roofs for fire fighters.
- e. All structures exceeding 200 square feet shall be equipped with sprinkler systems.
- f. The design and operation of all access-related facilities such as streets, driveways, alleys, gates, speed bumps, walkways, and emergency access roads shall comply with applicable requirements of the San Diego County Fire Code or other pertinent standards.
- g. Fire-related water supplies and access facilities within the site shall conform to associated requirements identified in the Conceptual FPP, including measures such as providing emergency truck access, providing adequate fire flow within the site (2,500 gpm for two hours), and using approved fire hydrant design and spacing (per requirements in the San Diego County Fire Code).
- h. All residential units shall be equipped with smoke detectors.
- i. All Project locations/facilities with uses exhibiting potential fire safety issues, such as hazardous or flammable/combustible material storage sites, and battery storage/charging areas, shall comply with appropriate sections of the California Fire Code.

DOCUMENTATION: The applicant shall provide evidence to the satisfaction of the Director of DPW and the Director of PDS that the following notes are placed on the grading plan and/or building plans. **TIMING:** prior to the approval of any plan, issuance of any permit. **MONITORING:** Upon the applicant's submittal of the grading plan and/or building plan, the [PDS, PCC, DPW] shall review the notes for these features described in this condition.

NOISE#1–NOISE REQUIREMENT

INTENT: In order to reduce the exposure to noise levels in excess of standards established by the County of San Diego General Plan Noise Element (Table N-1 & N-2) and to mitigate the noise exposure of multi-family exterior noise sensitive land uses below levels of significance as evaluated in the County Noise Guidelines for Determining Significance, the following design measures shall be implemented on the building plans and incorporated into the site design. **DESCRIPTION OF REQUIREMENT:** The following design elements and noise attenuation measures shall be implemented and indicated on the building plans and made conditions of its issuance:

1. Noise barriers 8-feet and 5-feet in height shall be constructed in locations (primarily along Horse Ranch Creek Road and Friesian Way) as identified in the Noise Assessment Report by LDN Consulting, Inc. dated August 31, 2023. The materials of the noise barriers shall be designed consistent with the materials (non-gapping material, 1/2 inch thick glass, earthen berm or any combination of these materials) identified in the Noise Assessment Report by LDN Consulting, Inc. dated August 31, 2023 and of compatible design of the noise barriers within the Horse Creek Ridge residential community.
2. Noise barrier design shall be consistent with the noise measures specified within the Supplemental Noise Assessment report prepared by LDN Consulting, Inc. dated August 31, 2023.
3. 6-foot high solid perimeter and side yard fencing shall be installed for each unit.

DOCUMENTATION: The applicant shall place the design elements, or notes on the building plans and submit the plans to [PDS, BPPR] for review and approval. **TIMING:** Prior to issuance of any building permit, the design elements and noise attenuation measures shall be incorporated into the building plans. **MONITORING:** The [PDS, BPPR] shall verify that the specific note(s), and design elements, and noise attenuation measures have been placed on all sets of the building plans and made conditions of its issuance.

ROADS#1–DEBRIS MANAGEMENT REPORT (DMR)

INTENT: In order to comply with the Grading Material Diversion Program, project recycling and diversion is designed to increase diversion of grading, land clearing, and brushing materials from landfills, extend the useful life of local landfills, and support construction and demolition project compliance with State waste diversion requirements. This includes grading, clearing and brushing material for grading projects over 5,000

cubic yards. For additional questions, please call (858) 694-2463 or email CDRecycling@sdcountry.ca.gov. **DESCRIPTION OF REQUIREMENT:** Prior to Rough Grade Inspection and release, and prior to issuance of any building permit, a Final Debris Management Report must be submitted for review and approval by the DPW Recycling Compliance Official. The report shall include:

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

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

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

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

ROADS#2–SIGHT DISTANCE

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

- a. A registered civil engineer or a licensed land surveyor provides a certified signed statement as follows: “There is _____ feet of unobstructed intersectional sight distance in both directions from: the proposed private driveways along **Messara Street, Friesian Way, and Horse Ranch Creek Road, and the modified intersection of Friesian Way and Gold Palomino Way with Horse Ranch Creek Road**, in accordance with the methodology described in Table 5 of the March 2012 County of San Diego Public Road Standards. These sight distances exceed the required intersectional Sight Distance requirements of _____ as described in Table 5 based on a speed of _____, which I have verified to be the higher of the prevailing speed or the minimum design speed of the road classification. I have exercised responsible charge for the certification as defined in Section 6703 of the Professional Engineers Act of the California Business and Professions Code.”

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

DOCUMENTATION: The applicant shall complete the certifications and submit them to the [PDS, LDR] for review. **TIMING:** Prior to occupancy of the first structure built in association with this permit, and annually after that until the project is completely built, the sight distance shall be verified. **MONITORING:** The [PDS, LDR] shall verify the sight distance certifications for compliance with this condition.

CULT#3 - CULTURAL RESOURCES MONITORING REPORT

INTENT: In order to ensure that the Archaeological Monitoring occurred during the earth-disturbing activities, a final report shall be prepared. **DESCRIPTION OF**

REQUIREMENT: A final Archaeological Monitoring and Data Recovery Report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program shall be prepared. The report shall include the following items:

- a. DPR Primary and Archaeological Site forms.
- b. Daily Monitoring Logs
- c. Evidence that all cultural materials collected during the survey, testing, and archaeological monitoring program have been conveyed as follows:

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

or

Evidence that all prehistoric materials collected during the archaeological monitoring program have been returned to a Native American group of appropriate tribal affinity. Evidence shall be in the form of a letter from the Native American tribe to whom the cultural resources have been repatriated identifying that the archaeological materials have been received.

(2) Historic materials shall be curated at a San Diego curation facility as described above and shall not be curated at a Tribal curation facility or repatriated. The collections and associated records, including title, shall be transferred to the San Diego curation

facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that the historic materials have been received and that all fees have been paid.

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

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

NOISE#2–NOISE CONTROL DESIGN MEASURES [PDS FEE X1]

INTENT: In order to reduce the impacts of the exterior sound levels from the project site on the adjacent parcels and to comply with the [County of San Diego Noise Ordinance 36.404](#) as evaluated in the [County of San Diego Noise Guidelines for Determining Significance](#), the following design measures shall be verified that they are constructed.

DESCRIPTION OF REQUIREMENT: The following noise control design measure(s) shall be constructed pursuant to the approved building plans:

1. Noise barriers 8-feet and 5-feet in height shall be constructed in locations (primarily along Horse Ranch Creek Road and Friesian Way) as identified in the Noise Assessment Report by LDN Consulting, Inc. dated August 31, 2023. The materials of the noise barriers shall be designed consistent with the materials (non-gapping material, 1/2 inch thick glass, earthen berm or any combination of these materials) identified in the Noise Assessment Report by LDN Consulting, Inc. dated August 31, 2023 and of compatible design of the noise barriers within the Horse Creek Ridge residential community.
2. Noise barrier design shall be consistent with the noise measures specified within the Supplemental Noise Assessment report prepared by LDN Consulting, Inc. dated August 31, 2023.
3. 6-foot high solid perimeter and side yard fencing shall be installed for each unit.

TIMING: Prior to any occupancy or use of the premises in reliance of this permit, the noise control measure shall be installed and operational. **MONITORING:** The [PDS, BI] shall verify that the noise control measures above have been constructed pursuant to the approved building plans and this permit's conditions.

LNDSCP#2–CERTIFICATION OF INSTALLATION

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

PLN#1–EASEMENT VERIFICATION

Intent: In order to promote orderly development necessary for public health and safety of the area and to comply with the easements required for development of the property. **DESCRIPTION OF REQUIREMENT:** Prior to occupancy of the first structure associated with the Site Plan, all easements shall be recorded by separate document or dedicated on the Final Map associated with Revised Tentative Map 5338R to the satisfaction of the Director of PDS. **DOCUMENTATION:** The applicable information shall be indicated on the map. **TIMING:** Prior to occupancy of the first structure built in association with this permit, or use of the premises in reliance of this permit. **MONITORING:** The [PDS, LDR] shall review the easements and documents for compliance with this condition.

PLN#2–AFFORDABLE HOUSING VERIFICATION

INTENT: In order to promote orderly development and implement the Affordable Housing measures associated with the project. **DESCRIPTION OF REQUIREMENT:** Prior to occupancy of the first structure associated with the Site Plan, or the Affordable Housing Agreement with HCDS shall be executed in order to be implemented. **DOCUMENTATION:** The Affordable Housing Agreement with HCDS shall be executed and provided to the PDS reviewer. **TIMING:** Prior to occupancy of the first structure built in association with this permit, or use of the premises in reliance of this permit. **MONITORING:** The [PDS, LDR] shall review the documents for compliance with this condition.

STRMWTR#3—PROVISION OF STORMWATER DOCUMENTATION TO PROPERTY OWNER:

INTENT: In order to promote orderly development and to comply with the [County Watershed Protection Ordinance \(WPO\) No.10410, County Code Section 67.801 et. seq.](#), stormwater documentation shall be provided to property owner. **DESCRIPTION OF REQUIREMENT:** Demonstrate that copies of the following documents are provided to the property owner and initial occupants:

- a. A copy of the project's approved SWQMP (with attached Operation & Maintenance Plan).
- b. A copy of project's recorded Maintenance Notification Agreement and/or Stormwater Facilities Maintenance Agreement and/or Private Road Maintenance Agreement showing the Structural BMPs pertaining to the property.
- c. Sample copies of the following:
 - 1) A Letter for Privately Owned Stormwater Treatment Control Best Management Practices Operation and Maintenance Verification.
 - 2) One Operation and Maintenance Verification Form for each type of Private Treatment Control BMP.

DOCUMENTATION: The applicant shall submit a letter stating that the above documentation has been submitted to the property owner and initial occupants. **TIMING:** Prior to any occupancy, , or use of the premises in reliance of this permit; provision of stormwater documents shall be completed. **MONITORING:** The [PDS, LDR] and [DPW, WPP] shall review the letter provided by the applicant for consistency with the condition and County Standards.

PLN#3—SITE PLAN IMPLEMENTATION

INTENT: In order to comply with the approved project design indicated on the approved plot plan, the project shall be constructed as indicated on the approved building and construction plans. **DESCRIPTION OF REQUIREMENT:** The site shall conform to the approved plot plan and the building plans. This includes, but is not limited to: installing all required design features, painting all structures with the approved colors, and all temporary construction facilities have been removed from the site. **DOCUMENTATION:** The applicant shall ensure that the site conforms to the approved plot plan and building plans. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the site shall conform to the approved plans. **MONITORING:** The [PDS, BI] shall inspect the site for compliance with the approved Building Plans.

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

PLN#4–SITE CONFORMANCE

INTENT: In order to comply with Zoning Ordinance Section 7703, the site shall substantially comply with the approved plot plans and all deviations thereof, specific conditions and approved building plans. **DESCRIPTION OF REQUIREMENT:** The project shall conform to the approved landscape plan(s), building plans, and plot plan(s). This includes, but is not limited to, maintaining the following: all parking, and driveways areas, recreational/park areas, trash enclosures, removal of graffiti from walls, watering all landscaping at all times, painting all necessary aesthetics design features, and all lighting, wall/fencing and required signage. Failure to conform to the approved plot plan(s); is an unlawful use of the land, and will result in enforcement action pursuant to Zoning Ordinance Section 7703. **DOCUMENTATION:** The property owner and permittee shall conform to the approved plot plan. If the permittee or property owner chooses to change the site design in any way, they must obtain approval from the County for a Minor Deviation or a Modification pursuant to the County of San Diego Zoning Ordinance. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The *[PDS, Code Enforcement Division]* is responsible for enforcement of this permit.

PLN#5–ACCESSORY USES

INTENT: A Minor Deviation or Modification to a Site Plan is not required for any building, structure or projection listed in Section 4835 or any use listed in the Accessory Use Regulations, section 6150-6199 (or as otherwise referenced), provided the building, structure, or projection or use meets the specific accessory use setbacks in the Site Plan and meets all other conditions and restriction in the Site Plan. This condition is intended to comply with Zoning Ordinance Section 7175, ensuring the ability to allow for structures as detailed in this section without Minor Deviation or Modification. **DESCRIPTION OF REQUIREMENT:** The project shall conform to the approved landscape plan(s), building plans, and plot plan(s); should any accessory uses be proposed that do not meet the requirements as detailed in the Zoning Ordinance sections listed above, the property owner shall be responsible for obtaining all necessary permits. **DOCUMENTATION:** None. The property owner and permittee shall conform to the Zoning Ordinance requirements for Accessory Uses as detailed above and within the County Zoning Ordinance. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The *[PDS, Code Enforcement Division]* is responsible for enforcement of this permit.

FIRE#3–FIRE PROTECTION ONGOING AND V SETBACK DESIGNATOR

INTENT: In order to comply with the Consolidated Fire Code, Fire Protection Plan, the Specific Plan, and the intent of the “V” Setback Designator, the following condition shall apply throughout the duration of this permit. **DESCRIPTION OF REQUIREMENT:** In accordance with the “V” Setback Designator, the Specific Plan, and the Fire Protection Plan, any property owners subject to this permit shall comply with the Project Fire Protection Plan. In the event that a building permit is submitted for the subject property that requires a deviation from the approved site plan or encroachment into the setback, the local fire district shall review for fire safety issues. A Site Plan Minor Deviation and

other applicable permits from DPW may be required for any future proposed setback encroachments. **DOCUMENTATION:** The property owners subject to this permit are responsible for being compliant with the Fire Protection Plan. Documentation of approval from the local fire protection district is required for any structure requiring a building permit that requires the application of a setback as identified within the Zoning Ordinance. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The *[PDS, Code Enforcement Division]* and *[County Fire Authority]* are responsible for enforcement of this permit.

NOISE#3–ON-GOING SOUND LEVEL COMPLIANCE:

INTENT: In order to comply with the applicable sections of Title 3, Division 6, Chapter 4 ([County of San Diego Noise Ordinance](#)), the site shall comply with the requirements of this condition. **DESCRIPTION OF REQUIREMENT:** Site Plan associated activities shall comply with the one-hour average sound level limit property line requirement pursuant to the County Noise Ordinance, Section 36.404. **DOCUMENTATION:** The property owner(s) and applicant shall conform to the ongoing requirements of this condition. Failure to conform to this condition may result in disturbing, excessive or offensive noise interfering with a person's right to enjoy life and property and is detrimental to the public health and safety pursuant to the applicable sections of Chapter 4. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit.

NOISE#4–NOISE WALL SCREENING [PDS, LA, CODE ENFORCEMENT DIVISION]:

INTENT: In order to ensure that the project noise walls are adequately screened, throughout the life of the project, the project Homeowners' Association (HOA) shall assume responsibility. **DESCRIPTION OF REQUIREMENT:** Where sound walls are installed as required by the project, the wall shall be screened by Project-planted vegetation. These walls shall be subject to long-term maintenance, through the HOA. **DOCUMENTATION:** The project HOA shall assume responsibility, pursuant to this condition. **TIMING:** Upon establishment of use, this condition shall apply during the term of this permit. **MONITORING:** *The [PDS, Code Enforcement Division] is responsible for enforcement of this permit.*

ROADS#3–SIGHT DISTANCE

INTENT: In order to provide an unobstructed view for safety while exiting the property and accessing a public road from the site, and to comply with the Design Standards of Section 6.1.(E) of the [County of San Diego Public Road Standards](#), an unobstructed sight distance shall be maintained for the life of this permit. **DESCRIPTION OF REQUIREMENT:** There shall be a minimum of _____ feet of unobstructed intersectional sight distance in both directions from: the proposed private driveways along ***Messara Street, Friesian Way, and Horse Ranch Creek Road, and the modified intersection of Friesian Way and Gold Palomino Way with Horse Ranch Creek Road*** in accordance with the methodology described in Table 5 of the March 2012 County of San Diego Public Road Standards. for the life of this permit. **DOCUMENTATION:** A minimum unobstructed sight shall be maintained. The sight distance of adjacent driveways and street openings shall not be adversely affected by this project at any time.

TIMING: Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The [*PDS, Code Compliance Division*] is responsible for compliance with this permit.

STRMWTR#4–VERIFICATION OF STRUCTURAL BMPs

INTENT: In order to promote orderly development and to comply with the [County Watershed Protection Ordinance \(WPO\) No.10410, County Code Section 67.801 et. seq.](#), verification of Structural BMPs shall be completed. **DESCRIPTION OF REQUIREMENT:** Complete a Structural BMP Verification Form as shown in Attachment 4 of the PDP SWQMP. **DOCUMENTATION:** The applicant shall process the Structural BMP Verification Forms *with [DPW, PDC] or [PDS, BLDG]*. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit; execution of the Structural BMP Verification Form shall be completed. **MONITORING:** The [*PDS, LDR*] and [*DPW, WPP*] shall review the Structural BMP Verification Forms for consistency with the condition and County Standards.

STRMWTR#5–SELF-VERIFICATION OPERATION AND MAINTENANCE LETTER

INTENT: In order to promote orderly development and to comply with the [County Watershed Protection Ordinance \(WPO\) No.10410, County Code Section 67.801 et. seq.](#), an operation and maintenance verification form for each Structural BMPs shall be completed. **DESCRIPTION OF REQUIREMENT:** Every year the property owner shall receive from the County a BMP Verification Form to be completed for each privately owned Structural BMP. **DOCUMENTATION:** Every year the property owner shall file with the County the completed Structural BMP Verification Form stating the maintenance performed during the reporting period for each privately owned Structural BMP with [*DPW, WPP*]. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The [*DPW, WPP*] is responsible for compliance with this permit.

ROADS#X–PRIVATE ROAD MAINTENANCE

INTENT: In order to ensure that the onsite private roads/driveways are maintained and not damaged during construction and during the term of the permit, the applicant shall assume responsibility. **DESCRIPTION OF REQUIREMENT:** The applicant is responsible for the repair of any damage caused by this Project during construction and subsequent operations during the term of this permit to on-site/off-site private roads that serve the Project. Furthermore, the applicant is responsible for maintenance on a proportional basis (number of trips) during the term of this permit to on-site private roads that serve the Project. **DOCUMENTATION:** The applicant shall assume responsibility pursuant to this condition. **TIMING:** Upon establishment of use, this condition shall apply during the term of this permit. **MONITORING:** The [*PDS, Code Enforcement Division*] is responsible for enforcement of this permit.

GRADING PLAN NOTES **(Tied to both the Revised Tentative Map**

and the Site Plan Grading Plans)

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

BIO#1-RESOURCE AVOIDANCE (COASTAL SAGE SCRUB): [PDS, PCC] [DPW, PDCI] PDS, FEE X2]. INTENT: In order to avoid impacts to nesting coastal California gnatcatcher and southern California rufous-crowned sparrow, which are a sensitive biological resource pursuant to RPO, a Resource Avoidance Area (RAA), shall be implemented on all plans. **DESCRIPTION OF REQUIREMENT:** There shall be no brushing, clearing and/or grading such that none will be allowed within 300 feet of coastal sage scrub habitat during the breeding season of the coastal California gnatcatcher and southern California rufous-crowned sparrow. The breeding season is defined as occurring between February 15 through August 30 of any year. Planning & Development Services [PDS, PCC] may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Wildlife, provided that no Gnatcatchers 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 [PDS, PCC] is received. The [PDS, PCC] shall review the concurrence letter.

CULT#GR-1 - ARCHAEOLOGICAL AND TRIBAL MONITORING - PRECONSTRUCTION MEETING

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

meeting to explain the monitoring requirements. **TIMING:** Prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be completed. **MONITORING:** The [DPW, PDCI] shall confirm the attendance of the approved Project Archaeologist.

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

AQ#1–AIR QUALITY FUGITIVE DUST

INTENT: In order to mitigate for fugitive dust during construction activities.

DESCRIPTION OF REQUIREMENT: The project applicant or designee shall comply with the San Diego County Air Pollution Control District (SDAPCD) Rule 55 and County Code Section 87.428 (Grading Ordinance), and implement the following dust control measures during construction:

- a. Maintain at least 12 inches of freeboard, cover loads, or secure material by watering or treating in all haul/dump trucks entering or leaving the site with soil import/export material.
- b. Water construction areas between dozer/scrapper passes and on any unpaved roads within the project limits a minimum of two (2) times daily.
- c. Terminate grading activities in winds in excess of 25 miles per hour (mph).
- d. Use sweepers and water trucks to control dust and debris at public street access points and approach routes to construction sites.
- e. Stabilize dirt storage piles with chemical binders, tarps, fencing, or other suppression measures.
- f. Stabilize internal construction-roadways by paving, chip sealing or chemicals after rough grading.
- g. Enforce a 15-mph speed limit on unpaved surfaces.
- h. Hydroseed, landscape, or develop disturbed areas as quickly as possible and as directed by the County and/or SDAPCD to reduce dust generation.
- i. Visible roadway dust as a result of active operations, spillage from transport trucks, erosion, or track-out/carry-out shall be minimized by the use of track-out grates, gravel beds, or wheel-washing at each egress point and be removed at the conclusion of each workday when active operations cease, or every 24 hours for continuous operations. If a street sweeper is used to remove any track-out/carry-out, only respirable particulate matter (PM₁₀) - efficient street sweepers certified to meet the most current South Coast Air Quality Management District (SCAQMD) Rule 1186 requirements shall be used. The use of blowers for removal of track-out/carry-out is prohibited under any circumstances.

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

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

NOISE#5-TEMPORARY NOISE IMPACTS:

INTENT: In order to comply with the County of San Diego Noise Ordinance 36.409 and the adopted Mitigation Monitoring and Reporting Program (MMRP) for the Campus Park Specific Plan development, the following noise attenuation measures shall be implemented to reduce the sound level generated from project construction.

Description of Requirement: The temporary noise attenuation measures shall remain in place and shall be monitored for compliance with this condition. The following mitigation is designed and placed to reduce construction noise that potentially will affect the adjacent residential property lines.

1. All construction equipment shall use properly operating mufflers.
2. All construction staging shall be performed as far as possible from occupied dwellings units.
3. Anticipated heavy equipment operations for full workdays within 300 feet of any occupied dwelling shall require a noise control plan that either ensures that the residence is unoccupied during the workday or reduce the hours of allowable operation such that the 75 dBA property line noise standard is met. Alternatively, temporary, movable barriers could be utilized to mitigate noise impacts to residents adjacent to the proposed off-site road and utilities improvements.
4. Where feasible, noise barriers may incorporate a berm or non-glare glass/“lexon” panel combination. Wall height will not exceed 10 feet.
5. No more than two drills will operate simultaneously, and no more than two blasts per day will occur in any one area. No rock crushing will occur on site.
6. The blasting contractor will conduct a pre-blast survey to determine if any sensitive uses need to be monitored during blasting operations.
7. Noise barriers may consist of a wall and berm combination. The wall height in a combination barrier will not exceed 10 feet.

DOCUMENTATION: The applicant shall maintain the sound attenuation measures and mitigation as indicated above until all grading activities have been completed. The applicant shall submit the noise control plan to the [PDS, PCC] for review and approval. The applicant is responsible for implementing any further mitigation to remain in compliance with this condition. **TIMING:** The following actions shall occur throughout the duration of the grading construction. **MONITORING:** The [PDS, PCC] shall review the monthly monitoring reports for compliance with this condition. If an alternative methods, or reduced equipment proposal is provided, [PDS, PCC] shall review the new mitigation for compliance

with this condition. The [DPW, PDC] shall ensure that the noise mitigation barriers remain in place as indicated on this plan.

PALEO#GR-1 - PALEONTOLOGICAL MONITORING

INTENT: In order to comply with the [San Diego County Guidelines for Determining Significance for Paleontological Resources](#), a Paleontological Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** This project site has marginal 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 PDS 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, PDC] shall make sure that the grading contractor is on-site performing the Monitoring duties of this condition. The [DPW, PDC] shall contact PDS if the grading contractor or applicant fails to comply with this condition.

CULT#GR-2 - ARCHAEOLOGICAL AND TRIBAL MONITORING – DURING CONSTRUCTION

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

- a. **Monitoring.** During the original cutting of previously undisturbed deposits, the Project Archaeologist and Luiseño Native American Monitor shall be onsite as determined necessary by the Project Archaeologist. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined by the Project Archaeologist in consultation with the Luiseño Native American Monitor. Monitoring of the cutting of previously disturbed

deposits will be determined by the Project Archaeologist in consultation with the Luiseño Native American Monitor.

b. **Inadvertent Discoveries.** In the event that previously unidentified potentially significant cultural resources are discovered:

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

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

1. The Property Owner or their representative shall contact the County Coroner and the PDS Staff Archaeologist.
2. Upon identification of human remains, no further disturbance shall occur in the area of the find until the County Coroner has made the necessary findings as to origin. If the human remains are to be taken offsite for evaluation, they shall be accompanied by the Luiseño Native American monitor.
3. If the remains are determined to be of Native American origin, the NAHC shall immediately contact the Most Likely Descendant (MLD).
4. The immediate vicinity where the Native American human remains are located is not to be damaged or disturbed by further development activity

until consultation with the MLD regarding their recommendations as required by Public Resources Code Section 5097.98 has been conducted.

5. The MLD may with the permission of the landowner, or their authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site.
 6. Public Resources Code §5097.98, CEQA §15064.5 and Health & Safety Code §7050.5 shall be followed in the event that human remains are discovered.
- d. **Fill Soils.** The Project Archaeologist and Luiseño Native American monitor shall evaluate fill soils to determine that they are clean of cultural resources.
- e. **Monthly Reporting.** The Project Archaeologist shall submit monthly status reports to the Director of Planning and Development Services starting from the date of the Notice to Proceed to termination of implementation of the archaeological monitoring program. The report shall briefly summarize all activities during the period and the status of progress on overall plan implementation. Upon completion of the implementation phase, a final report shall be submitted describing the plan compliance procedures and site conditions before and after construction.

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

DPW#2–RECYCLING - GRADING MATERIAL DIVERSION:

INTENT: In order to comply with the Grading Material Diversion Program, project recycling and diversion is designed to increase diversion of grading, land clearing, and brushing materials from landfills, extend the useful life of local landfills, and support construction and demolition project compliance with State waste diversion requirements.

DESCRIPTION OF REQUIREMENT: For all grading projects >5,000 cubic yards, a Daily Log of all grading, land clearing, and brushing material that is exported or reused/repurposed must be retained onsite. The Daily Log must include all export receipts or other vendor or disposal or transfer station facility information that accepted grading material from the approved grading project. **DOCUMENTATION:** Daily Logs shall be prepared and kept on-site for inspection and include the following:

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

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

NOISE#6-TEMPORARY CONSTRUCTION NOISE: [DPW, PDCI].

INTENT: In order to minimize temporary construction noise for grading operations associated with the project subdivision and to comply with County Noise Ordinance 36.408 and 36.409. **DESCRIPTION OF REQUIREMENT:** The project shall comply with the following temporary construction noise control measures:

- a. Turn off equipment when not in use.
- b. Equipment used in construction should be maintained in proper operating condition, and all loads should be properly secured, to prevent rattling and banging.
- c. Use equipment with effective mufflers
- d. Minimize the use of back up alarm.
- e. Equipment staging areas should be placed at locations away from noise sensitive receivers.

DOCUMENTATION: The applicant shall comply with the temporary construction noise measures of this condition. **TIMING:** The following actions shall occur throughout the duration of the grading construction. **MONITORING:** The [DPW, PDCI] shall make sure that the grading contractor complies with the construction noise control measures of this

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

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

PALEO#GR-2 - PALEONTOLOGICAL MONITORING

INTENT: In order to comply with the [County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources](#), a Paleontological Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** One of the following letters shall be performed upon completion of the grading activities that require monitoring:

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

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

CULT#GR-3 - ARCHAEOLOGICAL AND TRIBAL MONITORING – ROUGH GRADING

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

- a. **No Archaeological Resources Encountered.** If no archaeological resources are encountered during earth-disturbing activities, then submit a final Negative Monitoring Report substantiating that earth-disturbing activities are completed and no cultural resources were encountered. Archaeological monitoring logs

showing the date and time that the monitor was on site and any comments from the Native American Monitor must be included in the Negative Monitoring Report.

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

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

DPW#1–RECYCLING - GRADING MATERIAL DIVERSION:

INTENT: In order to comply with the Grading Material Diversion Program, project recycling and diversion is designed to increase diversion of grading, land clearing, and brushing materials from landfills, extend the useful life of local landfills, and support construction and demolition project compliance with State waste diversion requirements.

DESCRIPTION OF REQUIREMENT: At the conclusion of the grading activities and prior to the release of Rough Grade Inspection, and prior to issuance of any building permit, the Final Debris Management Report (DMR) must be prepared and submitted for review and approval. **DOCUMENTATION:** The DMR final report (see template) shall be prepared and submitted for review and approval by the [DPW, CO] and shall include:

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

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

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

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

CULT#GR-4 - ARCHAEOLOGICAL AND TRIBAL MONITORING – FINAL GRADING

INTENT: In order to comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources, an Archaeological Monitoring Program shall be implemented.

DESCRIPTION OF REQUIREMENT: The Project Archaeologist shall prepare a final report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program if cultural resources were encountered during earth-disturbing activities. The report shall include the following, if applicable:

- a. Department of Parks and Recreation Primary and Archaeological Site forms.
- b. Daily Monitoring Logs
- c. Evidence that all cultural materials have been conveyed as follows:

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

or

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

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

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

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

ORDINANCE COMPLIANCE NOTIFICATIONS

ORDINANCE COMPLIANCE NOTIFICATIONS: The project is subject to, but not limited to the following County of San Diego, State of California, and U.S. Federal Government, Ordinances, Permits, and Requirements:

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

U.S. Army Corps of Engineers: 915 Wilshire Blvd., Suite 1101, Los Angeles, CA 90017; (213) 452-3333; <http://www.usace.army.mil/>

Regional Water Quality Control Board: 2375 Northside Drive, Suite 100, San Diego, CA 92108; RB9_DredgeFill@waterboards.ca.gov; <http://www.waterboards.ca.gov/sandiego/>

California Department of Fish and Wildlife: 3883 Ruffin Rd., San Diego, CA 92123; (858) 636-3160; AskR5@wildlife.ca.gov; <http://www.dfg.ca.gov/>

NOTICE: The subject property contains habitat which may be used for nesting by migratory birds. Any grading, brushing or clearing conducted during the migratory bird breeding season, February 1 – September 15, has a potential to impact nesting or

breeding birds in violation of the Migratory Bird Treaty Act. The applicant may submit evidence that nesting or breeding migratory birds will not be affected by the grading, brushing or clearing to these agencies: California Department of Fish and Wildlife, 3883 Ruffin Rd., San Diego, CA 92123, (858) 467-4201, <http://www.dfg.ca.gov/>; and United States Fish and Wildlife Service, 2177 Salk Avenue, Suite 250, Carlsbad, California 92008, (760) 431-9440, <http://www.fws.gov/>.

STORMWATER ORDINANCE COMPLIANCE: In order to Comply with all applicable stormwater regulations the activities proposed under this application are subject to enforcement under permits from the [San Diego Regional Water Quality Control Board \(SDRWQCB\)](#) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control [Ordinance No. 10410](#) and all other applicable ordinances and standards for the life of this permit. The project site shall be in compliance with all applicable stormwater regulations referenced above and all other applicable ordinances and standards. This includes compliance with the approved Stormwater Management Plan, all requirements for Low Impact Development (LID), Hydromodification, materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas 1 acre or greater require that during construction the property owner keeps the Storm Water Pollution Prevention Plan (SWPPP) onsite and update it as needed. The property owner and permittee shall comply with the requirements of the stormwater regulations referenced above.

LOW IMPACT DEVELOPMENT NOTICE: The San Diego Regional Water Quality Control Board (SDRWQCB) issued a new Municipal Stormwater Permit under the National Pollutant Discharge Elimination System (NPDES). The requirements of the Municipal Permit were implemented beginning in May 2013. *Project design shall be in compliance with the new Municipal Permit regulations.* The Low Impact Development (LID) Best Management Practices (BMP) Requirements of the Municipal Permit can be found at the following link:

http://www.sandiegocounty.gov/content/dam/sdc/dpw/WATERSHED_PROTECTION_PROGRAM/susmppdf/lid_handbook_2014sm.pdf

The County has provided a LID Handbook as a source for LID information and is to be utilized by County staff and outside consultants for implementing LID in our region. See link below. <http://www.sdcounty.ca.gov/dplu/docs/LID-Handbook.pdf>

STORMWATER COMPLIANCE NOTICE: Updated studies, including Hydro-modification Management Plans for Priority Development Projects, will be required prior to approval of grading and improvement plans for construction pursuant to [County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance No. 10410](#) (N.S.), dated February 26, 2016 and BMP Design Manual. These requirements are subject to the MS4 Permit issued by the Regional Water Quality Control Board, Order No. R9-2013-0001 and any subsequent order. Additional studies and other action may be needed to comply with future MS4 Permits.

DRAINAGE: The project shall be in compliance with the County of San Diego [Flood Damage Prevention Ordinance](#) No. 10091, adopted December 8, 2010.

GRADING PERMIT: A grading permit is required prior to commencement of grading when quantities exceed 200 cubic yards of excavation or eight feet (8') of cut/fill per criteria of [Section 87.202 \(a\) of the County Code](#).

CONSTRUCTION PERMIT REQUIRED: A Construction Permit and/or Encroachment Permit are required for any and all work within the County road right-of-way. Contact PDS Construction/Road right-of-way Permits Services Section, (858) 694-3284, to coordinate departmental requirements. In addition, before trimming, removing or planting trees or shrubs in the County Road right-of-way, the applicant must first obtain a permit to remove plant or trim shrubs or trees from the Permit Services Section.

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

BUILDING PERMITS: Please note that this permit does not permit any unpermitted structures on the subject property. A building permit is required for any unpermitted structures.

LIGHTING ORDINANCE COMPLIANCE: In order to comply with the [County Lighting Ordinance 59.101](#) et seq. and Zoning Ordinance Sections 6322, 6324, and 6326, the onsite lighting shall comply with the approved plot plan(s), specific permit conditions and approved building plans associated with this permit. All light fixtures shall be designed and adjusted to reflect light downward, away from any road or street, and away from adjoining premises, and shall otherwise conform to the [County Lighting Ordinance 59.101](#) et seq. and Zoning Ordinance Sections 6322, and 6324. The property owner and permittee shall conform to the approved plot plan(s), specific permit conditions, and approved building plans associated with this permit as they pertain to lighting. No additional lighting is permitted. If the permittee or property owner chooses to change the site design in any way, they must obtain approval from the County for a Minor Deviation or a Modification pursuant to the County of San Diego Zoning Ordinance.

NOISE ORDINANCE COMPLIANCE: In order to comply with the [County Noise Ordinance 36.401](#) et seq. and the Noise Standards pursuant to the General Plan Noise Element (Table N-1 & N-2), the property and all of its uses shall comply with the approved plot plan(s), specific permit conditions and approved building plans associated with this permit. No loudspeakers, sound amplification systems, and project related noise sources shall produce noise levels in violation of the County Noise Ordinance. The property owner and permittee shall conform to the approved plot plan(s), specific permit conditions, and approved building plans associated with this permit as they pertain to noise generating devices or activities. If the permittee or property owner chooses to change the site design in any way, they must obtain approval from the County for a Minor Deviation or a Modification pursuant to the County of San Diego Zoning Ordinance.

NOTICE: THE ISSUANCE OF THIS PERMIT BY THE COUNTY OF SAN DIEGO DOES NOT AUTHORIZE THE APPLICANT FOR SAID PERMIT TO VIOLATE ANY FEDERAL, STATE, OR COUNTY LAWS, ORDINANCES, REGULATIONS, OR POLICIES INCLUDING, BUT NOT LIMITED TO, THE FEDERAL ENDANGERED SPECIES ACT AND ANY AMENDMENTS THERETO.

EXPLANATION OF COUNTY DEPARTMENT AND DIVISION ACRONYMS			
Planning & Development Services (PDS)			
Project Planning Division	PPD	Land Development Project Review Teams	LDR
Permit Compliance Coordinator	PCC	Project Manager	PM
Building Plan Process Review	BPPR	Plan Checker	PC
Building Division	BD	Map Checker	MC
Building Inspector	BI	Landscape Architect	LA
Zoning Counter	ZO		
Department of Public Works (DPW)			
Private Development Construction Inspection	PDCI	Environmental Services Unit Division	ESU
Department of Environmental Health and Quality (DEHQ)			
Land and Water Quality Division	LWQ	Local Enforcement Agency	LEA
Vector Control	VCT	Hazmat Division	HMDS HMD
Department of Parks and Recreation (DPR)			
Trails Coordinator	TC	Group Program Manager	GPM
Parks Planner	PP		
Department of General Service (DGS)			
Real Property Division	RP		

May 11, 2011

RESOLUTION OF SAN DIEGO COUNTY)
CONDITIONALLY APPROVING)
VESTING TENTATIVE MAP NO. 3100-5338 RPL⁷(VTM))

WHEREAS, Vesting Tentative Map No. 5338 RPL⁷ proposing the division of property located at the Campus Park Master Planned Development and generally described as:

PARCEL B OF BOUNDARY ADJUSTMENT PLAT No. 04-0253, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, UNDER CERTIFICATE OF COMPLIANCE RECORDED DECEMBER 11, 2006 AS DOC. NO. 2006-0876284 AND PARCEL 2 OF PARCEL MAP 13703, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, FEBRUARY 28, 1985, AS FILE NO. 85-066725, ALL OF OFFICIAL RECORDS.

was filed with the County of San Diego pursuant to the Subdivision Map Act and San Diego County Subdivision Ordinance on November 16, 2010; and

WHEREAS, on February 4, 2011, the Planning Commission of the County of San Diego pursuant to Section 81.304 of the San Diego County Subdivision Ordinance held a duly advertised public hearing on said Vesting Tentative Map and received for its consideration, documentation, written and oral testimony, recommendations from all affected public agencies, and heard from all interested parties present at said hearing; and

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

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

MAP EXPIRATION: The approval of this Vesting Tentative Map expires Thirty-Six (36) Months, after the date of the approval of this Resolution, at 4:00 P.M., unless, prior to that date, an application for a Time Extension has been filed, as provided by Section 81.313 of the County Subdivision Ordinance. The approval of this Vesting Tentative Map shall become effective 30 days after the adoption of this Resolution, provided that on that effective date, General Plan Amendment 03-004, Specific Plan Amendment 03-008 and Rezoning 03-014 have also become effective.

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

- (1) Standard Condition 11: Said condition applies to condominium units and planned developments. The applicant for the subdivision does not propose condominium units or a planned development at this time. Therefore, Standard Condition 11 is not applicable.
- (2) Standard Condition 19(e): Said condition applies to grading permits for condominium units and planned developments at this time. The subdivision does not propose condominium units or a planned development. Therefore, Standard Condition 19(e) is not applicable.
- (3) Standard Condition 22: Said condition applies to subdivisions proposing private subsurface sewage disposal systems. The conditions of the subdivision require the individual lots to connect to public sewer. Therefore, Standard Condition 22 is not applicable.
- (4) Standard Condition 23.3: Said condition applies to subdivisions within the boundaries of the California Department of Forestry and Fire Protection. This subdivision is located within the boundaries of the North County Fire Protection District. Therefore, Standard Condition 23.3 is not applicable.
- (5) Standard Condition 24: Said condition applies to subdivisions outside the boundaries of a fire protection agency. Said subdivision is located within the boundaries of a fire protection agency (North County Fire Protection District). Therefore, Standard Condition 24 is not applicable.
- (6) Standard Condition 27: Said condition states that the Final Map may include the entire area shown on the Vesting Tentative Map and shall not be filed as units or groups of units. The Final Map for this Vesting Tentative Map may be filed in units. The applicant for the Campus Park Master Planned Community is planning to file the Final Map as a phased development, as described in the Specific Plan Amendment Report. Therefore, Condition 27 is not applicable.

PRELIMINARY GRADING PLAN: The approval of this Vesting Tentative Map hereby adopts the Preliminary Grading and Improvement Plan, dated October 7, 2010, consisting of ten sheets (Attached Herein as Exhibit B), pursuant to Section 81.303 of the County Subdivision Ordinance. In accordance with the Section 87.207 of the County Grading Ordinance, Environmental Mitigation Measures or other conditions of approval required and identified on this plan, shall be completed or implemented and

acknowledgement of this completion shall be shown, on the final engineering plan before any improvement or grading plan can be approved and any permit issued in reliance of the approved plan. Any Substantial deviation from the Preliminary Grading and Improvement Plan shall be evaluated to determine if it causes the need for further environmental review. Additionally, approval of the preliminary plan does not constitute approval of a final engineering plan. A final engineering plan shall be approved pursuant to County of San Diego Grading Ordinance (Sec 87.701 et. al.)

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

1. PUBLIC ROAD IMPROVEMENTS: [DPW, LDR], [DPR, TC] [MA]

Intent: In order to promote orderly development and to comply with the Subdivision Ordinance Sec. 81.403 and the Community Trails Master Plan, all the on-site and off-site roads/intersections listed below shall be improved.

Description of requirement: The applicant or its successors and assigns shall improve or agree to improve and provide security for all the on-site and off-site roads/intersections listed below:

- a. In addition, form a Landscape Maintenance District for perpetual maintenance (including any irrigation) of all proposed landscaping in the on- and off-site public right of way, within the limits identified in 1.b below, to the satisfaction of the Director of Public Works.
- b. In the following requirements, wherever the term "other traffic" is used, it refers to traffic from other projects in the quadrant between Horse Ranch Creek Road to Old Highway 395 and Stewart Canyon Road to SR-76 including any developments, in the proposed Tentative Map 5424 (Campus Park West project), at the southeast corner of SR76 and Interstate 15.
- c. Prior to the approval of the first Final Map (irrespective of the Phase #, Unit #, or ownership of the area covered by that Final Map) for any unit of this project that, together with traffic from prior approved Final Map(s) and other traffic, generates a combined ADT of 16,180 or more as determined by an updated focus traffic study using SANDAG Trip Generation Rates, based on already recorded lots at that time, improve or agree to improve and provide security for on-site and offsite **Pankey Road** from a four-way intersection with SR 76, northwesterly to an acceptable Tee intersection with Pankey Place, as follows: The road shall be improved to the following standard: Public Light Collector Road Standards with Bike Lane, improved to a graded width of sixty feet (60') and to an improved width of forty feet (40') of asphalt concrete pavement over approved base with Portland

cement concrete curb, gutter, and sidewalk, with face of curb at twenty feet (20') from centerline, with street light(s), drainage, and forty-foot (40') curb returns. In addition, one all-weather, 100-year flood free roadway bridge and stabilized embankments for Horse Ranch Creek crossing shall be constructed. The agreement shall require that the improvements shall be operational prior to the issuance of rough grading certification for the first building permit for any construction within the Vesting Tentative Map that, together with traffic from prior approved Final Map(s) and other traffic, generates a combined ADT of 16,180 or more as determined by an updated focus traffic study using SANDAG trip generation rates, based on already recorded lots at that time. Said focused traffic study shall be prepared by the applicant or its successors and assigns. All of the above shall be to the satisfaction of the Director of Public Works.

- d. Prior to the approval of the first Final Map (irrespective of the Phase #, Unit #, or ownership of the area covered by that Final Map) for any unit of this project that, together with traffic from prior approved Final Map(s) and other traffic, generates a combined ADT of 16,180 or more as determined by an updated focus traffic study using SANDAG Trip Generation Rates, which shall be prepared by the applicant or its successors and assigns, based on already recorded lots at that time, improve or agree to improve and provide security for off-site **Pala Mesa Drive** (Pankey Road) from an acceptable four-way intersection with Old Highway 395, thence southeasterly to a Tee intersection with Pankey Place, as follows: The road shall be improved to the following standard: Public Light Collector Road to a interim graded width of forty feet (40') with twenty-eight feet (28') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and sidewalk with face of curb at twenty feet (20') from centerline on the ultimate location and with AC Dike eight feet (8') from centerline on the other side. The graded and improved width of the offsite portion may be reduced to acceptable interim improvement standards in accordance with traffic volumes and with VTM 5338 RPL⁷ development phasing. Cause to be dedicated a sixty foot right of way. The agreement shall require that the improvements shall be operational prior to the issuance of rough grading certification for the first building permit for any construction within the Vesting Tentative Map that, together with traffic from prior approved Final Map(s) and other traffic, generates a combined ADT of 16,180 or more as determined by an updated focus traffic study using SANDAG Trip Generation Rates, based on already recorded lots at that time. All of the above shall be to the satisfaction of the Director of Public Works.
- e. Prior to the approval of the first Final Map (irrespective of the Phase #, Unit #, or ownership of the area covered by that Final Map) for any unit of this project that, together with traffic from prior approved Final Map(s) and other traffic, generates a combined ADT of 16,180 or more as determined

by an updated focus traffic study using SANDAG Trip Generation Rates, which shall be prepared by the applicant or its successors and assigns, based on already recorded lots at that time, improve or agree to improve and provide security for **Pankey Place** from a Tee intersection with Horse Ranch Creek Road westerly to a Tee intersection with Pankey Road. The onsite segment shall be improved as follows: The road shall be improved to the following standard: Public Light Collector Road Standards to a graded width of sixty feet (60') with forty feet (40') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and sidewalk with face of curb at twenty feet (20') from centerline. The offsite segment shall be improved to interim public road standards with 28' / 40' improved/graded width. Cause to be granted the full width right of way. At the intersections of Pankey Place / Horse Ranch Creek Road and of Pankey Place / Pankey Road provide forty-foot (40') curb returns. The agreement shall require that the improvements shall be operational prior to the issuance of rough grading certification for the first building permit for any construction within the Vesting Tentative Map that, together with traffic from prior approved Final Map(s) and other traffic, generates a combined ADT of 16,180 or more as determined by an updated focus traffic study using SANDAG Trip Generation Rates, based on already recorded lots at that time. All of the above shall be done to the satisfaction of the Director of Public Works.

- f. Prior to the approval of the first Final Map (irrespective of the Phase #, Unit #, or ownership of the area covered by that Final Map) for any unit of this project that, together with traffic from prior approved Final Map(s) and other traffic, generates a combined ADT of 16,180 or more as determined by an updated focus traffic study, which shall be prepared by the applicant or its successors and assigns, using SANDAG Trip Generation Rates, based on already recorded lots at that time, improve or agree to improve and provide security for on- and off-site **Horse Ranch Creek Road** from an acceptable Tee intersection with State Route 76 northwesterly to **Baltimore Oriole Road** as follows: The road shall be improved to the following standard: Public Boulevard Road with Raised Median Standards to a graded width of one hundred six feet (106') with seventy-eight feet (78') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and sidewalk with face of curb at thirty-nine feet (39') from centerline. Construct a fourteen foot (14') wide raised median with concrete curbs with face of median curb at seven feet (7') from centerline, including transition northerly to existing Pankey Road improvements. Provide additional grading and paving as required to provide additional left- and right turn lanes, and pathways or trails. Provide traffic signals when traffic warrants are met, and provide transitions on- and off-site. Improvements shall include an all-weather, 100-year flood free roadway along adjoining or crossing portions of Horse Ranch Creek. Please show the proposed access locations for Palomar

College North Education Center (which has a Certified EIR) and provide intersectional separations and operations with the VTM 5338 RPL⁷ (and VTM 5354) accesses according to the Public Road Standards. Provide transitions to existing Pankey Road to the north. Provide road widenings to accommodate any project related truck traffic northbound on Horse Ranch Creek Road (extending northerly on Pankey Road and westerly on Stewart Canyon Road onto south and northbound Old Highway 395). All of the above shall be to the satisfaction of Caltrans and the Director of Public Works.

- g. Prior to the approval of first Final Map (irrespective of the Phase #, Unit #, or ownership of the area covered by that Final Map) for any unit of this project that, together with traffic from prior approved Final Map(s) and other traffic, generates a combined ADT of 4,740 or more as determined by an updated focus traffic study using SANDAG Trip Generation Rates, based on already recorded lots at that time, improve or agree to improve and provide security for the Horse Ranch Creek Road / SR 76 intersection to include Eastbound to Northbound dual left turn lane. Said focused traffic study shall be prepared by the applicant or its successors and assigns. All of the above shall be to the satisfaction of Caltrans and the Director of Public Works.
- h. Prior to the approval of the first Final Map for MF-1, MF-2 or TC-1, improve or agree to improve and provide security for **Harvest Glen Lane** easterly from a Tee intersection with Horse Ranch Creek Road easterly and northerly to an interim/temporary cul-de-sac at the project's easterly boundary near east corner of Lot 524 as follows: The road shall be improved to the following standard: Public Residential Collector Road Standards, to a graded width of sixty feet (60'), with forty feet (40') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk and trail/pathway, with face of curb at twenty feet (20') from centerline. Widen grading and improvements to provide separate left turn and right turn lanes Westbound at Horse Ranch Creek Road. Provide additional pavement and grading widening (additional six feet) on the north side of centerline along the town center lot (Lot 548) to Industrial/Commercial Road Standards. At the intersection of Harvest Glen Road / Horse Ranch Creek Road provide forty-foot (40') curb returns. Provide transitions for all widenings and turn lanes. All of the above shall be to the satisfaction of the Director of Public Works.
- i. Prior to the approval of the first Final Map for TC-1, MF-1, R-1, R-2 or R-3, improve or agree to improve and provide security for **Longspur Road** easterly from a Tee intersection with Horse Ranch Creek Road easterly and northerly to a four-way intersection with Baltimore Oriole Road and Belted Kingfisher Road near northeast corner of Lot 62 as follows: The road shall be improved to the following standard: Public Residential

Collector Road Standards, to a graded width of sixty feet (60'), with forty feet (40') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk and trail/pathway, with face of curb at twenty feet (20') from centerline. Widen grading and improvements to provide separate left turn and right turn lanes Westbound at Horse Ranch Creek Road. Provide additional pavement and grading widening (additional six feet) on the south side of centerline along the town center lot (no. 567) to Industrial/Commercial Road Standards. At the intersection of Longspur Road /Baltimore Oriole Road provide forty-foot (40') curb returns. Provide transitions for all widenings and turn lanes. All of the above shall be to the satisfaction of the Director of Public Works.

- j. Prior to the approval of the first Final Map for PO-2, R-4 or R-5, improve or agree to improve and provide security for **Baltimore Oriole Road** easterly from a Tee intersection with Horse Ranch Creek Road easterly to a Tee intersection with Song Sparrow Drive near southwest corner of Lot 413 as follows: The road shall be improved to the following standard: Public Residential Collector Road Standards, to a graded width of sixty feet (60'), with forty feet (40') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk and trail/pathway, with face of curb at twenty feet (20') from centerline. Widen grading and improvements to provide separate left turn and right turn lanes Westbound at Horse Ranch Creek Road. Provide additional pavement and grading widening (additional six feet) on both sides of centerline along the professional /office lots to Industrial/Commercial Road Standards. At the intersection of Baltimore Oriole Road / Horse Ranch Creek Road provide forty-foot (40') curb returns. Provide transitions for all widenings and turn lanes. All of the above shall be to the satisfaction of the Director of Public Works.
- k. Prior to the approval of the first Final Map for R-4 or R-5, improve or agree to improve and provide security for Old Highway 395 / Stewart Canyon Road / Canonita Drive, and Stewart Canyon Road / Horse Ranch Creek Road (Pankey Road) intersections to serve project-related traffic (including truck traffic) to the satisfaction of the Director of Public Works.
- l. Prior to the approval of the first Final Map for R-5 improve or agree to improve and provide security for **Belted Kingfisher Road** from a Tee intersection with Whistling Swan Way near the northwest corner of Lot 461 southeasterly, southerly and easterly to a four-way intersection with Baltimore Oriole Road and Longspur Road near the southeast corner of Lot 521 as follows: The road shall be improved to the following standard: Public Residential Collector Road Standards, to a graded width of sixty feet (60'), with forty feet (40') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk, with face

of curb at twenty feet (20') from centerline to the satisfaction of the Director of Public Works.

- m. Prior to the approval of the first Final Map for R-5 improve or agree to improve and provide security for **Belted Kingfisher Road** from a Tee intersection with Whistling Swan Way near the northeast corner of Lot 460 westerly to a terminus cul-de-sac at the driveway accesses to Lots 451 and 452 as follows: The road shall be improved to the following standard: Public Residential Road Standards, to a graded width of fifty-six feet (56'), with thirty-six feet (36') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk, with face of curb at eighteen feet (18') from centerline to the satisfaction of the Director of Public Works.
- n. Prior to the approval of the first Final Map for R-5 improve or agree to improve and provide security for **Whistling Swan Way** from a Tee intersection with Belted Kingfisher Road near the northwest corner of Lot 461 southwesterly to a Tee intersection with Frigatebird Road near the southeast corner of Lot 337 as follows: The road shall be improved to the following standard: Public Residential Collector Road Standards, to a graded width of sixty feet (60'), with forty feet (40') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk, with face of curb at twenty feet (20') from centerline to the satisfaction of the Director of Public Works.
- o. Prior to the approval of the first Final Map for R-4 improve or agree to improve and provide security for **Frigatebird Road** from the northeast corner of Lot 550 at Jaeger Road northwesterly, looping northerly, easterly, southerly and thence westerly to the northwest corner of Lot C at Jaeger Road to a graded width of sixty feet (60'), with forty feet (40') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk, with face of curb at twenty feet (20') from centerline. All of the above shall be done to the satisfaction of the Director of Public Works.
- p. Prior to the approval of the first Final Map for R-4 improve or agree to improve and provide security for **Bird Watcher Court** from a Tee intersection with Frigatebird Road near the northwest corner of Lot 375 easterly to a 360 degree loop that starts and terminates near the northeast corner of Lot 376 as follows: The road shall be improved to the following standard: Public Residential Road Standards, to a graded width of fifty-six feet (56'), with thirty-six feet (36') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk, with face of curb at eighteen feet (18') from centerline. The Loop segment of Bird Watcher Court that starts and ends near the northeast corner of Lot 376 and extends counterclockwise around Park

Lot 549 shall be graded to a width of fifty-six feet (56'), with thirty-six feet (36') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk, with face of curb at eighteen feet (18') from centerline; the loop segment shall be striped for one-way traffic and parking along one side. Provide a minimum 45-foot centerline radius at the curves with a super-elevation of 1.5% to achieve a 15 mph design speed (reference: Exhibit 3-16 of AASHTO's Geometric Design of Highways and Streets). Efforts shall be made during the final plans phase to incorporate traffic calming features to discourage drivers from "cutting the corners" as they traverse the circular roadway segment. All of the above shall be done to the satisfaction of the Director of Public Works.

- q. Prior to the approval of the first Final Map for R-5 improve or agree to improve and provide security for **Grey Goose Lane** from a Tee intersection with Spotted Sandpiper Street near the west corner of Lot 508, northeasterly to a Tee intersection with Belted Kingfisher Road near the north corner of Lot 509 as follows: The road shall be improved to the following standard: Public Residential Collector Road Standards, to a graded width of sixty feet (60'), with forty feet (40') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk, with face of curb at twenty feet (20') from centerline to the satisfaction of the Director of Public Works.
- r. Prior to the approval of the first Final Map for R-5 improve or agree to improve and provide security for **Spotted Sandpiper Street** from a Tee intersection with Grey Goose Lane near the west corner of Lot 508, northwesterly to a Tee intersection with Frigatebird Road near the north corner of Lot 317 as follows: The road shall be improved to the following standard: Public Residential Collector Road Standards, to a graded width of sixty feet (60'), with forty feet (40') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk, with face of curb at twenty feet (20') from centerline to the satisfaction of the Director of Public Works.
- s. Prior to the approval of the first Final Map for R-5 improve or agree to improve and provide security for **Spotted Sandpiper Street** from a Tee intersection with Grey Goose Lane near the west corner of Lot 508, thence southerly to a terminus cul-de-sac at the driveway accesses to Lots 497 and 498 as follows: The road shall be improved to the following standard: Public Residential Road Standards, to a graded width of fifty-six feet (56'), with thirty-six feet (36') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk, with face of curb at eighteen feet (18') from centerline. All of the above shall be done to the satisfaction of the Director of Public Works.

- t. Prior to the approval of the first Final Map for R-4 improve or agree to improve and provide security for **Falcon View Way** from a Tee intersection with Frigatebird Road near the northwest corner of Lot 314 southerly to a knuckle at the driveway accesses to Lots 294 and 295 thence easterly to a knuckle at the driveway accesses to Lots 301 and 302, thence northwesterly to a Tee intersection with Frigatebird Road near the northwest corner of Lot 314 as follows: The road shall be improved to the following standard: Public Residential Road Standards, to a graded width of fifty-six feet (56'), with thirty-six feet (36') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk, with face of curb at eighteen feet (18') from centerline to the satisfaction of the Director of Public Works.
- u. Prior to the approval of the first Final Map for PO-1 or R-4 improve or agree to improve and provide security for **Jaeger Street** from a Tee intersection with Baltimore Oriole Road near the southeast corner of Lot 541 northerly to a Tee intersection with Frigatebird Road near the northeast corner of Lot 550 as follows: The road shall be improved to the following standard: Public Residential Collector Road Standards, to a graded width of sixty feet (60'), with forty feet (40') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk, with face of curb at twenty feet (20') from centerline. Provide additional pavement and grading widening (additional six feet) on the south side of centerline along the office professional lot (Lot 541) to Industrial/Commercial Road Standards. At the intersection of Jaeger Street /Baltimore Oriole Road provide forty-foot (40') curb returns. Provide transitions for all widenings and turn lanes. All of the above shall be to the satisfaction of the Director of Public Works.
- v. Prior to the approval of the first Final Map for R-5 improve or agree to improve and provide security for **Song Sparrow Drive** from a Tee intersection with Baltimore Oriole Road southeasterly to intersect and provide acceptable access for traffic to and from Pala Mesa Heights (private) Road as follows: The road shall be improved to the following standard: Public Residential Collector Interim Street Road Standards, to a graded width of forty feet (40') improved with twenty-eight feet (28') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk, with face of curb at twenty feet (20') from ultimate centerline; and thence continuing southeasterly to an knuckle or other accepted intersection with Phalarope Street near the northeast corner of Lot 170). All of the above shall be to the satisfaction of the Director of Public Works.
- w. Prior to the approval of the first Final Map for R-5 improve or agree to improve and provide security for **Song Sparrow Drive** northwesterly from a Tee intersection with Baltimore Oriole Road to a terminus cul-de-sac at

the driveway accesses to Lots 399 and 398 as follows: The road shall be improved to the following standard: Public Residential cul de sac Street Road Standards, to a graded width of fifty-two feet (52'), with thirty-two feet (32') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk, with face of curb at sixteen feet (16'). All of the above shall be done to the satisfaction of the Director of Public Works.

- x. Prior to the approval of the first Final Map for R-3 improve or agree to improve and provide security for **Ruffled Grouse Road** from a Tee intersection with Longspur Road near the southwest corner of Lot 212 thence easterly, southeasterly, and westerly to a Tee intersection with Longspur Road near the north corner of Lot 199. All of the above shall be done to the satisfaction of the Director of Public Works.
- y. Prior to the approval of the first Final Map for R3 improve or agree to improve and provide security for **Dusky Wing Lane** from a Tee intersection with Ruffled Grouse Road near the northwest corner of Lot 265, thence southeasterly to a knuckle at the driveway accesses to Lots 254 and 255, thence northeasterly to a Tee intersection with Ruffled Grouse Road, near the northeasterly corner of Lot 249 as follows: The road shall be improved to the following standard: Public Residential Road Standards, to a graded width of fifty-six feet (56'), with thirty-six feet (36') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk, with face of curb at eighteen feet (18') from centerline to the satisfaction of the Director of Public Works.
- z. Prior to the approval of the first Final Map for R-3 improve or agree to improve and provide security for **Ponyfoot Court** from a Tee intersection with Ruffled Grouse Road near the east corner of Lot 248 southwesterly to a terminus cul-de-sac at the driveway accesses to Lots 241 and 242 as follows: The road shall be improved to the following standard: Public Residential Road Standards to a graded width of fifty-six feet (56'), with thirty-six feet (36') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk, with face of curb at eighteen feet (18') from centerline. All of the above shall be done to the satisfaction of the Director of Public Works.
- aa. Prior to the approval of the first Final Map for R-2 improve or agree to improve and provide security for **Phalarope Street** from a Tee intersection with Ruffled Grouse Road near the northwest corner of Lot 556, thence southerly to a knuckle at the driveway accesses to Lots 187 to 188 thence northeasterly offsite to a knuckle intersection with Song Sparrow Drive near the northeast corner of Lot 170 as follows: The road shall be improved to the following standard: Public Residential Road Standards, to a graded width of fifty-six feet (56'), with thirty-six feet (36')

of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk, with face of curb at eighteen feet (18') from centerline. All of the above shall be done to the satisfaction of the Director of Public Works.

- bb. Prior to the approval of the first Final Map for R-1 improve or agree to improve and provide security for **Ostrich Way** from a Tee intersection with Snowy Egret Street near the northwest corner of Lot 1 southerly and westerly to a knuckle at the north line of Lot 21, thence northerly to a knuckle near the driveway access to Lot 51 thence easterly to a terminus cul-de-sac at the driveway access to Lots 62 and 63 as follows: The road shall be improved to the following standard: Public Residential Road Standards, to a graded width of fifty-six feet (56'), with thirty-six feet (36') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk, with face of curb at eighteen feet (18') from centerline to the satisfaction of the Director of Public Works.
- cc. Prior to the approval of the first Final Map for R-1 improve or agree to improve and provide security for **Snowy Egret Lane** from a Tee intersection with Longspur Road near the northeast corner of Lot 1 westerly to a Tee intersection with Ostrich Way near the southwest corner of Lot 104 as follows: The road shall be improved to the following standard: Public Residential Collector Road Standards, to a graded width of sixty feet (60'), with forty feet (40') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk, with face of curb at twenty feet (20') from centerline to the satisfaction of the Director of Public Works.
- dd. Prior to the approval of the first Final Map for R-1 improve or agree to improve and provide security for **Ringlet Court** from a Tee intersection with Snowy Egret Street near the northwest corner of Lot 136 southerly to a terminus cul-de-sac at the driveway accesses to Lots 132 and 133 as follows: The road shall be improved to the following standard: Public Residential cul de sac Street Road Standards, to a graded width of fifty-two feet (52'), with thirty-two feet (32') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk, with face of curb at sixteen feet (16') from centerline to the satisfaction of the Director of Public Works.
- ee. Prior to the approval of the first Final Map for R-1 improve or agree to improve and provide security for **Caracara Court** from a Tee intersection with Ostrich Way near the northwest corner of Lot 103 easterly to a terminus cul-de-sac at the driveway accesses to Park Lot 553 to a graded width of fifty-six feet (56'), with thirty-six feet (36') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk, with face of curb at eighteen feet (18') from centerline. All

of the above shall be done to the satisfaction of the Director of Public Works.

- ff. Prior to the approval of the first Final Map for R-1 improve or agree to improve and provide security for **Night Owl Street** from a Tee intersection with Longspur Road near the northeast corner of Lot 79 westerly to a Tee intersection with Ostrich Way near the southwest corner of Lot 71 as follows: The road shall be improved to the following standard: Public Residential Collector Road Standards, to a graded width of sixty feet (60'), with forty feet (40') of asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk, with face of curb at twenty feet (20') from centerline to the satisfaction of the Director of Public Works.
- gg. Improve or agree to improve and provide security for **Belted Kingfisher Road, Spotted Sandpiper Street, Song Sparrow Drive, Ostrich Way, Caracara Court, Ringlet Court, and Ponyfoot Court** terminations with a **cul-de-sac** graded to a radius of fifty-two feet (52') and improved to a radius of forty-two feet (42'), with asphalt concrete pavement over approved base, with Portland cement concrete curb, gutter and sidewalk, with face of curb at forty-two feet (42') from the center point, to the satisfaction of the Director of Public Works.
- hh. Improve or agree to improve and provide security for turn lanes, and traffic signals when traffic warrants are met, at the intersections of **Horse Ranch Creek Road** with the following roads:
 - a. SR -76 (see nn below);
 - b. Pankey Place;
 - c. Harvest Glen Lane;
 - d. Longspur Road,
 - e. Baltimore Oriole Road,These intersectional improvements shall include traffic signals as warranted as specified in Table 48 of the Traffic Study dated May 12, 2009, All of the above shall be done to the satisfaction of the Director of Public Works.
- ii. Prior to the approval of first Final Map (irrespective of the Phase #, Unit #, or ownership of the area covered by that Final Map) for any unit of this project that, together with traffic from prior approved Final Map(s) generates a combined ADT of 3,700 or more as determined by an updated focus traffic study using SANDAG Trip Generation Rates, which shall be prepared by the applicant or its successors and assigns, based on already recorded lots at that time, improve or agree to improve and provide security for traffic signalization facilities when traffic warrants are met, and provide associated intersectional improvements at the Tee intersection: **Old Highway 395 / Reche Road** (see sheet 10 of VTM 5338

RPL⁷), to the satisfaction of the Director of Public Works. [The TIS identifies the signalization of this intersection as being a “direct impact”.] The agreement shall require that the improvements shall be operational prior to the issuance of the first building permit for any construction within Vesting Tentative Map 5338 RPL⁷ that, together with traffic from prior approved Final Map(s) and other traffic, generates a combined ADT of 3,700 or more as determined by an updated focus traffic study using SANDAG Trip Generation Rates, based on already recorded lots at that time. All of the above shall be done to the satisfaction of the Director of Public Works.

- jj. Prior to the approval of final map for Planning Areas R-4 and R-5, improve or agree to improve and provide security for traffic signalization facilities, when traffic warrants are met, and provide associated intersectional improvements at the 4-legged intersection: **Old Highway 395 / Stewart Canyon Road / Canonita Road** (see sheet 10 of the Vesting Tentative Map, VTM 5338 RPL⁷) to the satisfaction of the Director of Public Works.
- kk. Prior to the approval of first Final Map (irrespective of the Phase #, Unit #, or ownership of the area covered by that Final Map) for any unit of this project that, together with traffic from prior approved Final Map(s) and other traffic, generates a combined ADT of 16,180 or more as determined by an updated focus traffic study using SANDAG Trip Generation Rates, which shall be prepared by the applicant or its successors and assigns, based on already recorded lots at that time, improve or agree to improve and provide security for intersectional improvements at **Pala Mesa Drive/Old Highway 395** including separate left, through, and right turn lanes on NB Old Hwy 395 and separate left and combination right/through and left on SB Old Hwg 395; and separate left and combination right/thru lane on WB Pala Mesa Drive. Works (see sheet 8 of the Vesting Tentative Map, VTM 5338 RPL⁷). Provide associated grading and traffic signalization facilities as warranted. The agreement shall require that the improvements shall be operational prior to the issuance of the first building permit for any construction within the Vesting Tentative Map that, together with traffic from prior approved Final Map(s) and other traffic, generates a combined ADT of 16,180 or more as determined by the required updated focus traffic study using SANDAG Trip Generation Rates, referenced above and based on already recorded lots at that time. All of the above shall be to the satisfaction of the Director of Public.
- ll. Prior to the approval of final map for any unit of this project improve or agree to improve and provide security for traffic signalization when traffic warrants are met, with southbound left, combination left-through-right, and right turn lanes, and eastbound and westbound left turn lanes and west bound deceleration lane at the **SR-76 / Horse Ranch Creek Road**

intersection to the satisfaction of Caltrans and the Director of Public Works.

- mm. Asphalt concrete surfacing material shall be hand-raked and compacted to form smooth tapered connections along all edges including those edges adjacent to soil. The edges of asphalt concrete shall be hand-raked at 45 degrees or flatter, so as to provide a smooth transition next to existing soil, including those areas scheduled for shoulder backing. The above shall be done to the satisfaction of the Director of Public Works.
- nn. Falcon View Way, Ostrich Way, Dusky Wing Lane, and Phalarope Street knuckles shall be in accordance with County of San Diego Design Standard D-15 to the satisfaction of the Director of Public Works.
- oo. Install Guardrail where height of down sloping bank for a 2:1 slope is greater than twelve feet (12'); or where height of down sloping bank for a 1.5:1 slope is greater than ten feet (10'), guardrail to meet CALTRANS standards; if required by and to the satisfaction of the Director of Public Works.
- pp. Improve or agree to improve and provide security for trails (and pathways) to the satisfaction of the Department of Parks and Recreation.
- qq. Unless stated otherwise, improve roads or agree to improve and provide security for them with the approval of the unit the road is within, abuts, or provides access, to the satisfaction of the Director of Public Works.
- rr. Prior to the approval of the first Final Map (irrespective of the Phase #, Unit #, or ownership of the area covered by that Final Map) for any unit of this project that, together with traffic from prior approved Final Map(s) generates a combined ADT of 2,180 or more as determined by an updated focus traffic study using SANDAG Trip Generation Rates, which shall be prepared by the applicant or its successors and assigns, based on already recorded lots at that time, improve or agree to improve and provide security for the **I-15/SR 76 interchange** improvements shown on Vesting Tentative Map 5338 RPL⁷ to the satisfaction of Caltrans and the Director of Public Works. If completion of the improvements will occur prior to the issuance of the 1st building permit that will cause direct impacts to the interchange (2,180 ADT from residential units or any portion of the commercial/office component), then the project will contribute a "fair share" towards the cost of the improvements. The Fair Share Contribution shall be equal to an amount proportional to this project's impact to the interchange construction project. The estimated fair share amount for this project is \$1,622,142.00. If the I-15/SR 76 interchange project is not constructed, the agreement for direct impact mitigation shall require that the improvements shown on Vesting Tentative

Map 5338 RPL⁷ (as indicated below) shall be operational prior to issuance of the first building permit of the unit that first causes direct impacts to the interchange for any construction within the Vesting Tentative Map. An updated focus traffic study using SANDAG Trip Generation Rates, which shall be prepared by the applicant or its successors and assigns, based on already recorded lots at that time shall be submitted prior to the approval of the final map of each phase or unit. All of the above shall be to the satisfaction of Caltrans and the Director of Public Works.

[VTM 5338 RPL 7 indicates the following improvements (see VTM 5338RPL7 sheet 11):

- 1) Improve the I-15 NB ramps / SR 76 intersection with: i) signing, striping and pavement widening of the NB off ramp to accommodate 3 lanes at the intersection (a left turn, left/thru/right turn, and right lane), ii) pavement widening, signing striping of the WB SR76 approach to accommodate three lanes at the intersection: 2 thru lanes, and 1 right turn to NB I15 on ramp;
- 2) Restriping of the segment between SB and NR ramps including across the bridge to accommodate 4 through travel lanes (2-EB and 2-WB); across the bridge to accommodate the clover leaf loop on-ramps to southbound and northbound I-15]
- 3) Installation of two loop connections: i) from WB SR-76 onto I-15 SB, and ii) from EB SR-76 onto I-15 NB].

- ss. Prior to the approval of the first Final Map (irrespective of the Phase #, Unit #, or ownership of the area covered by that Final Map) improve or agree to improve and provide security for on- and off-site **Horse Ranch Creek Road** from an acceptable Tee intersection with State Route 76 northwesterly to **Baltimore Oriole Road** as follows: The road shall be improved to the following standard: Interim Public Roads Boulevard Standard to a graded width of one hundred and six feet (106') and sixteen foot (16') wide trail easement with thirty-two feet (32') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter, meandering trail easement, adjacent to the public road easement, on the west side of the centerline, with face of curb at thirty-nine feet (39') from the centerline and asphalt concrete berm and five foot (5') wide asphalt concrete walkway, on the east side of the centerline. The ten-foot (10') wide meandering trail easement shall be constructed with decomposed granite (DG). Provide additional grading and paving as required to provide additional left- and right turn lanes, and pathways or trails. Provide traffic signals when traffic warrants are met, and provide transitions on- and off-site. Improvements shall include an all-weather, 100-year flood free roadway along adjoining or crossing portions of Horse Ranch Creek. Please show the proposed access locations for Palomar College North Education Center (which has a Certified EIR) and provide intersectional separations and operations with the VTM 5338 RPL⁷ (and VTM 5354) accesses according to the Public Road Standards. Provide

transitions to existing Pankey Road to the north. Provide road widenings to accommodate any project related truck traffic northbound on Horse Ranch Creek Road (extending northerly on Pankey Road and westerly on Stewart Canyon Road onto south and northbound Old Highway 395). All of the above shall be to the satisfaction of Caltrans and the Director of Public Works.

Timing: Prior to the approval of the map, the plans, agreements, and securities shall be approved. **Monitoring:** The [DPW, LDR] and [DPR, TC, PP] shall review the plans for consistency 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.

2. TRANSIT STOPS/TURNOUTS: [DPLU, DPR] [DPW, PDCI] [DPLU, FEE]

Intent: The Project is pedestrian and bicycle friendly to encourage reduction in vehicle usage and trips. The mixed-use Town Center would be within a 10-minute walk (1/2 mile) of the majority of proposed residences. **Description of Requirement:** Transit stops shall be located along Horse Ranch Creek Road. The bus route also would include a loop along Baltimore Oriole Road and Longspur Road. North County Transit District turnouts would be provided in the vicinity of each intersection along Horse Ranch Creek Road and off site on the north side of SR 76 between Horse Ranch Creek Road and the Project site. Transit improvements will include shelters, route information, benches and lighting. **Documentation:** The bus stops and turnouts will offer residents of this development and future developments alternative transportation other than the use of the automobile. **Timing:** Prior to the approval of each Final Map and prior to the approval of any plan and issuance of any permit, the turnouts shall be shown on the plans. **Monitoring:** The [DPLU, DPW, PCC] shall review the Final Maps applicable to the above-listed streets and verify that the bus stops and turnouts are included on those Final Maps.

3. 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 map the letters shall be submitted for approval. **Monitoring:** The [*DPW, LDR*] shall review the signed letters.

4. **SIGHT DISTANCE: [DPW, LDR] [MA] Intent:** Comply with the Design Standards of Section 6.1.Table 5 of the County of San Diego Public Road Standards. Provide intersectional sight distances along all public road entrances and at driveways to all public roads as determined by sight distance studies and to the satisfaction of Caltrans and the Director of Public Works.

- 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 complete the certifications and submit them to the [*DPW, LDR*] for review. **Timing:** Prior to the approval of the final map for each phase the sight distance of all affected intersections shall be certified. **Monitoring:** The [*DPW, LDR*] shall verify the sight distance certifications

5. **DRAINAGE MAINTENANCE AGREEMENTS: [DPW, LDR], [MA] Intent:** In order to promote orderly development and to comply with the Subdivision Ordinance Sec. 81.403 and to comply with the County Flood Damage Prevention Ordinance (Title 8, Division 11), County Watershed Protection Ordinance (WPO) No.9926, County Code Section 67.801 et. seq., the maintenance agreements shall be completed.

- a. The private storm drain system shall be maintained by a maintenance mechanism such as a homeowners association or other private entity to the satisfaction of the Director of Public Works.
- b. Establish a maintenance agreement / mechanism (to include easements) to assure maintenance of the Category 2 post-construction best management practices (BMP's). Provide security to back up the maintenance pursuant to the County Maintenance Plan Guidelines to the satisfaction of the Director of Public Works.

Documentation: The applicant shall complete the following process and obtain approval of the engineers report, and pay the deposit and applicable review fees. **Timing:** Prior to the approval of the map, the agreements, and securities shall be approved. **Monitoring:** The [*DPW,LDR*] shall review the

agreements/mechanisms for consistency with the condition and County Standards.

6. **WAIVER AND RELEASE LETTERS: [DPW, LDR]. [MA, GP, IP] Intent:** In order 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., adjacent property owners downstream shall be notified that there will be changes to the drainage features that could have effects on their property; letter(s) of permission shall be obtained. **Description of requirement:** A recorded waiver and release letter shall be obtained from each property owner impacted by significant changes (including diversion and concentration) in downstream flow characteristics resulting from grading, private roads, or other improvements. **Documentation:** The applicant shall obtain the letters of approval from each downstream neighbor, and submit them to the [DPW, LDR] for review and approval. Upon approval, the letters shall be recorded by the County recorder. **Timing:** Prior to the approval of the map and prior to approval of any grading or improvement plan and prior to issuance of any grading or construction permit, the letters shall be obtained. **Monitoring:** The letters of permission shall be reviewed by the [DPW, LDR] for compliance with this condition.

7. **LINES OF INUNDATION: [DPW, LDR] [MA]**

Intent: In order to prevent future development in the flood plain and to comply with Flood Control 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 Final 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 the Final Map.
- b. Each lot shall have a flood free building site to the satisfaction of the County of San Diego, Director of Public Works. If any of the lots are found to be devoid of a buildable, flood free site for a residence, the subdivider shall take appropriate action so that each lot 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 final map as indicated above. **Timing:** Prior to the approval of the 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.

8. **HYDROMODIFICATION: [DPW, LDR], [MA]** **Intent:** In order to promote orderly development 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., the Hydromodification requirements shall be completed. **Description of requirement:** Final Hydromodification Requirements shall apply for all priority projects. Low-Impact Development (LID) and extended detention facilities are required to meet peak flow and duration controls as follows:
- a. For flow rates ranging from 10 percent, 30 percent or 50 percent of the pre-project 2-year runoff event (0.1Q2, 0.3Q2, or 0.5Q2) to the pre-project 10-year runoff event (Q10), the post-project discharge rates and durations shall not deviate above the pre-project rates and durations by more than 10 percent over and more than 10 percent of the length of the flow duration curve. The specific lower flow threshold will depend on results from the SCCWRP channel screening study and the critical flow calculator.
 - b. For flow rates ranging from the lower flow threshold to Q5, the post-project peak flows shall not exceed pre-project peak flows. For flow rates from Q5 to Q10, post-project peak flows may exceed pre-project flows by up to 10 percent for a 1-year frequency interval. For example, post-project flows could exceed pre-project flows by up to 10 percent for the interval from Q9 to Q10 or from Q5.5 to Q6.5, but not from Q8 to Q10.

Please refer to Section 6 of the Final Hydromodification Management Plan of the Watershed Protection Ordinance for further procedures, requirements, and standards for priority development projects. **Documentation:** The applicant shall complete the Hydromodification requirements, process and obtain approval of the engineers report, and pay the applicable review fees. **Timing:** Prior to the approval of the map for each phase the agreements and securities shall be approved. **Monitoring:** The [DPW, LDR] shall review the Hydromodification report for consistency with the condition and County Standards.

9. **EROSION CONTROL: [DPW, LDR] [DPW, PDCI] [MA, IP, GP].**
Intent: In order to Comply with all applicable stormwater regulations the activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance No. 9926 and all other applicable ordinances and standards for this priority project. **Description of Requirement:** The applicant shall maintain the appropriate on-site and offsite Best Management Practices pursuant to the approved Stormwater Management Plan (SWMP) and Stormwater Protection Plan (SWPP) including, but not limited to the erosion control measures, irrigation systems, slope protection, drainage systems, desilting basins, energy dissipators, and silt control measure.

- a. An agreement and instrument of credit shall be provided pursuant to Subdivision Ordinance 81.406, for an amount equal to the cost of this work as determined or approved by the [DPW, LDR], in accordance with the County of San Diego Grading Ordinance Section 87.304(e). The cash deposit collected for grading, per the grading ordinance, will be used for emergency erosion measures. The developer shall submit a letter to the County Department of Public Works authorizing the use of this deposit for emergency measures.
- b. An agreement in a form satisfactory to County Counsel shall accompany the Instrument of Credit to authorize the County Department of Public Works to unilaterally withdraw any part of or all the Instrument of Credit to accomplish any of the work agreed to if it is not accomplished to the satisfaction of the County Department of Public Works by the date agreed.

Documentation: The applicant shall provide the letter of agreement and any additional security and or cash deposit to the [DPW, LDR] for approval with the final submittal of all grading and improvement plans for the subdivision and required improvements as indicated above. **Timing:** Prior to approval of the subdivision map for all phases, and the approval of any plan and the issuance of any permit, the agreement and securities shall be executed. **Monitoring:** The [DPW, LDR] shall ensure that the agreement and the securities provided adequately satisfy the requirements of this conditions to potentially perform the required erosion control and stormwater control measures proposed on all construction and grading plans. The [DPW, PDCI] shall use the securities pursuant to the agreement to implement and enforcement the required stormwater and rosin control measures pursuant to this condition during all construction phases as long as there are open and valid permits for the site.

10. ROAD DEDICATION (ON&OFFSITE): [DPW, LDR] [DGS, RP] [MA].

Intent: In order to improve the quality of the roads, promote orderly development, and to comply with the Subdivision Ordinance Sec. 81.403 and County of San Diego Public Road Standards, road right of way shall be dedicated to the County. **Description of requirement:**

- a. Dedicate on-site, and cause to be granted off-site, right of way for State Route 76 along the project frontage and westerly and easterly as indicated in the approved traffic study, including left- and right-turn lanes, bike lanes, trails, traffic signals where warranted, and transitions on- and off-site. Width of grants and dedications shall be as per requirements forthcoming from Caltrans. All of the above shall be to the satisfaction of Caltrans and the Director of Public Works.
- b. Dedicate on-site and cause to be granted off-site all easements

associated with the streets to be improved per the requirements of above conditions 1.a, 1.b, etc above.

- c. With the recordation of the Final Map(s), dedicate corner roundings, cul-de-sacs and street knuckles as indicated in conditions 1.a, 1.b, etc above on-site and cause these to be dedicated off-site to the satisfaction of the Director of Public Works.
- d. With the recordation of the Final Map(s) relinquish access rights into all on-site circulation element roads except for one approved access to each lot where accesses are not shown on approved plot plan, and to access locations shown on approved plot plans (for multi-residential and/or commercial lots). This shall be done to the satisfaction of the Director of Public Works.
- e. Unless stated otherwise, easements and relinquishments shall be provided for roads with the recordation of the unit the road is within, abuts, or provides access.
- f. Trails (and pathways) are required to be dedicated to the satisfaction of the Department of Parks and Recreation.
- g. The grant of right-of-way shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required, and shall be accepted for public use. The affected utility company/district shall enter into a joint use agreement with the County of San Diego to the satisfaction of the County of San Diego, Director of Public Works.

Documentation: The applicant shall dedicate the project side of the easement on the map and show it as accepted. For the off-site portions of the easement, the applicant shall prepare the legal descriptions of the easements, and submit them for preparation with the [DGS, RP], and pay all applicable fees associated with preparation of the documents. Upon Recordation of the easements, the applicant shall provide copies of the easement documents to the [DPW, LDR] for review. **Timing:** Prior to the approval of the map the onsite dedication and the offsite granting shall be provided for roads with the recordation of the unit the road is within, abuts or provides access to. **Monitoring:** The [DPW, LDR] shall verify that the dedication is indicated on the map and accepted by the County. The [DGS, RP] shall prepare, approve the easement documents for recordation, and forward the recorded copies to [DPW, LDR] for review and approval. The [DPW, LDR] shall review that that the off-site granting complies with this condition.

11. **OFF-SITE MITIGATION (COAST LIVE OAK WOODLAND): [DPLU, PCC] [MA, GP, IP] [DPLU, FEE X2] [DPR, GPM] Intent:** In order to mitigate for the impacts to coast live oak woodland, which is a sensitive biological resource

pursuant to CEQA, off-site mitigation shall be acquired. **Description of Requirement:** The applicant shall purchase habitat credit, or provide for the conservation of 1.4 acres of southern oak woodland. The location of the off-site mitigation shall be in the North County MSCP planning area. The applicant shall focus efforts at acquiring off-site mitigation habitat credits within Rice Canyon proposed Pre-Approved Mitigation Area (PAMA) of the North County MSCP:

- a. **Option 1:** If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish & Game, or the credit shall conform to Board of Supervisors' Policy I-138 and be approved by the Director of Parks and Recreation (DPR). 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. If DPR mitigation lands are used, no dedicated conservation easement or similar land constraint is necessary.
 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 is not purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land located in San Diego County as indicated below:
 1. The type of habitat and the location of the proposed mitigation, should be pre-approved by [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.
 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 cannot 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, secured agreement with the County of San Diego established, 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:** The mitigation shall be completed, prior to the approval of any Final Map related to, and prior to the approval of any plan and issuance of any permit for, each of the following:

1. Planning Unit Residential 4 (122 du);
2. Planning Unit Residential 5 (124 du); and
3. Planning Unit Professional/Office 1.

As shown on VTM 5338 RPL⁷, dated November 16, 2010. **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.

12. **OFF-SITE MITIGATION (COASTAL SAGE SCRUB):** [DPLU, PCC] [MA, GP, IP] [DPLU, FEE X2] [DPR, GPM] **Intent:** In order to mitigate for the impacts to Diegan coastal sage scrub, which is a sensitive biological resource pursuant to the CEQA, off-site mitigation shall be acquired. **Description of Requirement:** The applicant shall purchase habitat credit, or obtain and provide for the

conservation of, 4.1 acres of Diegan coastal sage scrub occupied by California gnatcatcher located in the North County MSCP planning area. The applicant shall focus efforts at acquiring off-site mitigation within Rice Canyon proposed Pre-Approved Mitigation Area (PAMA) of the North County MSCP:

- a. **Option 1:** If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish & Game, or the credit shall conform to Board of Supervisors' Policy I-138 and be approved by the Director of Parks and Recreation (DPR). 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. If DPR mitigation lands are used, no dedicated conservation easement or similar land constraint is necessary.
 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.
 5. Verification that credits purchased are occupied by California gnatcatcher.
- b. **Option 2:** If habitat credit is not purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land located in San Diego County as indicated below:
 1. The type of habitat and the location of the proposed mitigation, should be pre-approved by [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.
 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 cannot 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, secured agreement with the County of San Diego established, 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 provide the evidence of compliance 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 required 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 any Final Map related to, and prior to the approval of any plan and issuance of any permit, for each of the following:

1. Planning Unit Residential 4 (122 du);
2. Planning Unit Residential 5 (124 du); and
3. Planning Unit Professional/Office 1.

As shown on VTM 5338 RPL⁷, dated November 16, 2010. **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.

13. **OFF-SITE MITIGATION (COASTAL SAGE SCRUB):** [DPLU, PCC] [MA, GP, IP] [DPLU, FEE X2] [DPR, GPM] **Intent:** In order to mitigate for the impacts to Diegan coastal sage scrub, which is a sensitive biological resource pursuant to the CEQA, off-site mitigation shall be acquired. **Description of Requirement:** The applicant shall purchase habitat credit, or obtain and provide for the

conservation of, 0.6 acres of Diegan coastal sage scrub occupied by California gnatcatcher located in the North County MSCP planning area. The applicant shall focus efforts at acquiring off-site mitigation within Rice Canyon proposed Pre-Approved Mitigation Area (PAMA) of the North County MSCP:

- a. **Option 1:** If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish & Game, or the credit shall conform to Board of Supervisors' Policy I-138 and be approved by the Director of Parks and Recreation (DPR). 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. If DPR mitigation lands are used, no dedicated conservation easement or similar land constraint is necessary.
 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.
 5. Verification that credits purchased are occupied by California gnatcatcher.
- b. **Option 2:** If habitat credit is not purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land located in San Diego County as indicated below:
 1. The type of habitat and the location of the proposed mitigation, should be pre-approved by [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.
 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 cannot 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, secured agreement with the County of San Diego established, 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 provide the evidence of compliance 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 required 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 any Final Map, and prior to the approval of any plan and issuance of any permit, related to any project improvements that trigger the reconstruction of the Interstate-15 On- or Off-Ramp (Condition 1.rr herein and EIR Mitigation TR-1 and TR-2). **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.

14. **OFF-SITE MITIGATION (COASTAL SAGE SCRUB):** [DPLU, PCC] [MA, GP, IP] [DPLU, FEE X2] [DPR, GPM] **Intent:** In order to mitigate for the impacts to Diegan coastal sage scrub, which is a sensitive biological resource pursuant to the CEQA, off-site mitigation shall be acquired. **Description of Requirement:** The applicant shall purchase habitat credit, or provide for the conservation of 0.2 acres of Diegan coastal sage scrub occupied by California gnatcatcher located in the North County MSCP planning area. The applicant shall focus efforts at acquiring off-site mitigation within Rice Canyon proposed Pre-Approved Mitigation Area (PAMA) of the North County MSCP:

- a. **Option 1:** If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish & Game or the credit shall conform to Board of Supervisors' Policy I-138 and be approved by the Director of Parks and Recreation (DPR). 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. If DPR mitigation lands are used, no dedicated conservation easement or similar land constraint is necessary.
 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.
 5. Verification that credits purchased are occupied by California gnatcatcher.
- b. **Option 2:** If habitat credit is not purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land located in San Diego County as indicated below:
1. The type of habitat and the location of the proposed mitigation, should be pre-approved by [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.
 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 cannot 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, secured agreement with the County of

San Diego established, 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 provide the evidence of compliance 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 required 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 any Final Map related to any project improvements that trigger the reconstruction of, and prior to the approval of any plan and issuance of any permit for, Old Highway 395/Pala Mesa Drive Intersection (Condition 1.kk herein and EIR Mitigation TR-6a - 8a). **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.

15. **OFF-SITE MITIGATION (COASTAL SAGE SCRUB): [DPLU, PCC] [MA, GP, IP] [DPLU, FEE X2] [DPR, GPM]** **Intent:** In order to mitigate for the impacts to Diegan coastal sage scrub, which is a sensitive biological resource pursuant to the CEQA, off-site mitigation shall be acquired. **Description of Requirement:** The applicant shall purchase habitat credit, or obtain and provide for the conservation of 0.4 acres of Diegan coastal sage scrub occupied by California gnatcatcher located in the North County MSCP planning area. The applicant shall focus efforts at acquiring off-site mitigation within Rice Canyon proposed Pre-Approved Mitigation Area (PAMA) of the North County MSCP:
 - a. **Option 1:** If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish & Game or the credit shall conform to Board of Supervisors' Policy I-138 and be approved by the Director of Parks and Recreation (DPR). 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. If DPR mitigation lands are used, no dedicated conservation easement or similar land constraint is necessary.
 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.
 5. Verification that credits purchased are occupied by California gnatcatcher.
- b. **Option 2:** If habitat credit is not purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land located in San Diego County as indicated below:
1. The type of habitat and the location of the proposed mitigation, should be pre-approved by [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.
 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 cannot 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, secured agreement with the County of San Diego established, 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 provide the evidence of compliance 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 required 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 any Final Map related to any project improvements that trigger the reconstruction of, and prior to the approval of any plan and issuance of any permit for, Old Highway 395 Stewart Canyon Intersection, (Condition 1.jj herein and EIR Mitigation TR-6a – 8a) **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.

16. **OFF-SITE MITIGATION (NON-NATIVE GRASSLAND): [DPLU, PCC] [MA, GP, IP] [DPLU, FEE X2] [DPR, GPM]** **Intent:** In order to mitigate for the impacts to non-native grassland, which provides foraging habitat for raptors, and therefore is considered a sensitive biological resource pursuant to the CEQA, off-site mitigation shall be acquired. **Description of Requirement:** The applicant shall purchase habitat credit, or obtain and provide for the conservation of 14.5 acres of habitat that is equal to or "like functioning" to the impacted non-native grasslands located in the North County MSCP planning area. The applicant shall focus efforts at acquiring off-site mitigation within Rice Canyon proposed Pre-Approved Mitigation Area (PAMA) of the North County MSCP:

- a. **Option 1:** If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish & Game or the credit shall conform to Board of Supervisors' Policy I-138 and be approved by the Director of Parks and Recreation (DPR). 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. If DPR mitigation lands are used, no dedicated conservation easement or similar land constraint is necessary.
 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 is not purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land located in the in the North County MSCP planning area 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.
 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 cannot 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, secured agreement with the County of San Diego established, 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 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 required, 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 any Final Map, and prior to the approval of any plan and issuance of any permit for, each of the following:

- 1 Planning Unit Multi-Family 1 (189 du);
2. Planning Unit Multi-Family 2 (41 du);
3. Planning Unit Residential 1 (136 du);
4. Planning Unit Residential 2 (75 du);
5. Planning Unit Residential 3 (64 du); and
6. Planning Unit Professional/Office 2.

As shown on VTM 5338 RPL⁷, dated November 16, 2010. **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.

- 17. OFF-SITE MITIGATION (NON-NATIVE GRASSLAND): [DPLU, PCC] [MA, GP, IP] [DPLU, FEE X2] [DPR, GPM] Intent:** In order to mitigate for the impacts to non-native grassland, which provides foraging habitat for raptors, and therefore is considered a sensitive biological resource pursuant to the CEQA, off-site mitigation shall be acquired. **Description of Requirement:** The applicant shall purchase habitat credit, or obtain and provide for the conservation of 0.6 acres of habitat that is equal to or "like functioning" to the impacted non-native grasslands located in the North County MSCP planning area. The applicant shall focus efforts at acquiring off-site mitigation within Rice Canyon proposed Pre-Approved Mitigation Area (PAMA) of the North County MSCP:

- a. **Option 1:** If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish & Game or the credit shall conform to Board of Supervisors' Policy I-138 and be approved by the Director of Parks and Recreation (DPR). 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. If DPR mitigation lands are used, no dedicated conservation easement or similar land constraint is necessary.
 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 is not purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land located in the in the North County MSCP planning area 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.
 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 cannot 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, secured agreement with the County of San Diego established, 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 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 required, 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 any Final Map for any project improvements that trigger the reconstruction of, and prior to the approval of any plan and issuance of any permit for, the Interstate-15 On- and / or Off-Ramp (Condition 1.rr herein and EIR Mitigation TR-1 and TR-2). **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.

18. OFF-SITE MITIGATION (NON-NATIVE GRASSLAND): [DPLU, PCC] [MA, GP, IP] [DPLU, FEE X2] [DPR, GPM] Intent: In order to mitigate for the impacts to non-native grassland, which provides foraging habitat for raptors, and therefore is considered a sensitive biological resource pursuant to the CEQA, off-site mitigation shall be acquired. **Description of Requirement:** The applicant shall purchase habitat credit, or obtain and provide for the conservation of 1.7 acres of habitat that is equal to or "like functioning" to the impacted non-native grasslands located in the North County MSCP planning area. The applicant shall focus efforts at acquiring off-site mitigation within Rice Canyon proposed Pre-Approved Mitigation Area (PAMA) of the North County MSCP:

- a. **Option 1:** If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish & Game or the credit shall conform to Board of Supervisors' Policy I-138 and be approved by the Director of Parks and Recreation (DPR). 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. If DPR mitigation lands are used, no dedicated conservation easement or similar land constraint is necessary.
 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 is not purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land located in the in the North County MSCP planning area 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.
 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 cannot 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, secured agreement with the County of San Diego established, 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 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 required, 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 any Final Map for any project improvements that trigger the reconstruction of, and prior to the approval of any plan and issuance of any permit for, the Pankey Road and Pala Mesa Drive Offsite Improvements (Conditions 1.c and 1.d herein and EIR Mitigation TR-6a – 8a). **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 (AGRICULTURE/PASTURE LAND): [DPLU, PCC] [MA, GP, IP] [DPLU, FEE X2] [DPR, GPM] Intent:** In order to mitigate for the impacts to agriculture/pasture land, which provides foraging habitat for raptors, and therefore is considered a sensitive biological resource pursuant to the CEQA, off-site mitigation shall be acquired. **Description of Requirement:** The applicant shall purchase habitat credit, or obtain and provide for the conservation of 71.2 acres of habitat that is equal to or “like functioning” to the impacted agriculture/pasture lands located in the North County MSCP planning area. The applicant shall focus efforts at acquiring off-site mitigation within Rice Canyon proposed Pre-Approved Mitigation Area (PAMA) of the North County MSCP:

- a. **Option 1:** If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish & Game or the credit shall conform to Board of Supervisors’ Policy I-138 and be approved by the Director of Parks and Recreation (DPR). 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. If DPR

mitigation lands are used, no dedicated conservation easement or similar land constraint is necessary.

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 is not purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land located in the Ramona area or central foothills ecoregion 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.
 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 cannot 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, secured agreement with the County of San Diego established, 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 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 required then the RMP shall be prepared and an application for the RMP shall be submitted to the [DPLU, ZONING]. **Timing:** The mitigation shall be completed, prior to the approval of any Final Map for, and prior to the approval of any plan and issuance of any permit for, each of the following:

1. Planning Unit Multi-Family 1 (189 du);
2. Planning Unit Multi-Family 2 (41 du);
3. Planning Unit Residential 1 (136 du);
4. Planning Unit Residential 2 (75 du);
5. Planning Unit Residential 3 (64 du); and
6. Planning Unit Professional/Office 2.

As shown on VTM 5338 RPL⁷, dated November 16, 2010. **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.

20. **OFF-SITE MITIGATION (AGRICULTURE/PASTURE LAND): [DPLU, PCC] [MA, GP, IP] [DPLU, FEE X2] [DPR, GPM]** **Intent:** In order to mitigate for the impacts to agriculture/pasture land, which provides foraging habitat for raptors, and therefore is considered a sensitive biological resource pursuant to the CEQA, off-site mitigation shall be acquired. **Description of Requirement:** The applicant shall purchase habitat credit, or obtain and provide for the conservation of 0.65 acres of habitat that is equal to or "like functioning" to the impacted agriculture/pasture lands located in the North County MSCP planning area. The applicant shall focus efforts at acquiring off-site mitigation within Rice Canyon proposed Pre-Approved Mitigation Area (PAMA) of the North County MSCP:

- a. **Option 1:** If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish & Game or the credit shall conform to Board of Supervisors' Policy I-138 and be approved by the Director of Parks and Recreation (DPR). 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. If DPR mitigation lands are used, no dedicated conservation easement or similar land constraint is necessary.
 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 is not purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land located in the Ramona area or central foothills ecoregion 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.
 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 cannot 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, secured agreement with the County of San Diego established, 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 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 required 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 any Final Map for any project improvements that trigger the installation of, and prior to the approval of any plan and issuance of any permit for, Pankey Place (Condition 1.e herein). **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.

21. **OFF-SITE MITIGATION (AGRICULTURE/PASTURE LAND): [DPLU, PCC] [MA, GP, IP] [DPLU, FEE X2] [DPR, GPM]** **Intent:** In order to mitigate for the impacts to agriculture/pasture land, which provides foraging habitat for raptors, and therefore is considered a sensitive biological resource pursuant to the CEQA, off-site mitigation shall be acquired. **Description of Requirement:** The applicant shall purchase habitat credit, or obtain and provide for the conservation of 0.45 acre of habitat that is equal to or "like functioning" to the impacted agriculture/pasture lands located in the North County MSCP planning area. The applicant shall focus efforts at acquiring off-site mitigation within Rice Canyon proposed Pre-Approved Mitigation Area (PAMA) of the North County MSCP:

a. **Option 1:** If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish & Game or the credit shall conform to Board of Supervisors' Policy I-138 and be approved by the Director of Parks and Recreation (DPR). 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. If DPR mitigation lands are used, no dedicated conservation easement or similar land constraint is necessary.
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 is not purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land located in the Ramona area or central foothills ecoregion 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.
 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 cannot 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, secured agreement with the County of San Diego established, 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 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 required 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 any Final Map for any project improvements that trigger the construction of, and prior to the approval of any plan and issuance of any permit for, the installation of the

Horse Ranch Creek Road Improvements (Condition 1.f, 1.hh, 1.ii). **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.

22. **WETLAND CREATION/ENHANCEMENT: [DPLU, PPD] [MA, GP, IP] [DPR GPM] Intent:** In order to mitigate for the impacts to southern riparian forest, southern willow scrub, and freshwater marsh, which are sensitive biological resources pursuant to the CEQA, the applicant shall obtain and provide for wetland creation/enhancement and conservation. **Description of Requirement:** the applicant shall submit, have approved, and provide for installation of a revegetation plan or purchase mitigation credits. The applicant shall purchase 1.8 acres of wetland creation credit (1:1 ratio) and 3.6 acres (2:1 ratio) of wetland enhancement credit as indicated in Option 1, below;

OR

Provide for the creation of 1.8 acres (1:1 ratio) of wetland (including riparian forest, southern willow scrub and freshwater marsh) and enhancement of 3.6 acres (2:1 ratio) of wetland through a Revegetation Plan as indicated in Option 2, below.

- a. **Option 1:** If purchasing Mitigation Credit, the wetland creation mitigation bank shall be approved by the California Department of Fish & Game or the credit shall conform to Board of Supervisors' Policy I-138 and be approved by the Director of Parks and Recreation (DPR). 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. If DPR mitigation lands are used, no dedicated conservation easement or similar land constraint is necessary.
 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 wetland creation/enhancement credit is not purchased in a mitigation bank, then the applicant shall provide for the creation, enhancement, preservation and management of said lands in San Diego County. A Revegetation Plan, shall be prepared in accordance with County Requirements and shall occur either on the Project site or at an off-site area approved by the Director of DPLU. The Revegetation Plan shall include the following:
1. The monitoring plan shall be for a length of 5 years and have an 80 percent success criterion.
 2. A preservation plan over the land to be revegetated shall be included in the Revegetation Plan. The preservation plan shall include evidence of dedication of an open space easement to the County of San Diego or evidence of protection in perpetuity by some other means to the satisfaction of the Director of DPLU.
 3. The report shall be prepared by a County approved biologist and the construction plans shall be prepared by a State of California Licensed Landscape Architect.
 4. Revegetation objectives, revegetation site biological resource map, 24"x 36" landscape plan, map showing revegetation areas according to mitigation type and amount, site preparation information, type of planting materials (e.g. species ratios, source, size material, etc.), and planting program.
 5. A cost estimate based on a 3% annual inflation rate shall be submitted and approved, which includes the cost of the plant stock and its installation, irrigation system and installation, cost of monitoring and maintenance of the revegetation area for the required monitoring period, and report preparation and staff time to review.
 6. 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 an adequate management plan does not cover the mitigation site.
 7. The final RMP cannot 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, secured agreement with the County of San Diego established, and the RMP funding mechanism shall be in place.

Documentation: The applicant shall prepare an RMP and Revegetation Plan for the revegetation site, submit it to the [DPLU, ZONING] and pay all the applicable review fees and deposits. **Timing:** Prior to the approval of the map and prior to the approval of any plan and issuance of any permit. **Monitoring:** The [DPLU, LA] shall review the RMP and Revegetation Plan for conformance with this condition and the applicable Report Format and Content Requirements. Upon approval of the RMP, if required, the applicant shall demonstrate that the plan is funded in perpetuity, and a Director's Decision of Approval will be issued to the applicant. Upon approval of the Revegetation Plan, the applicant shall post a Secured Agreement for the implementation of the Revegetation Plan, and a Director's Decision of approval will be issued to the applicant.

23. **WETLAND CREATION/ENHANCEMENT:** [DPLU, PPD] [MA, GP, IP] [DPR GPM] **Intent:** In order to mitigate for the impacts to southern riparian forest, southern willow scrub, and freshwater marsh, which are sensitive biological resources pursuant to the CEQA, the applicant shall obtain and provide for wetland creation/enhancement and conservation. **Description of Requirement:** The applicant shall submit, have approved, and provide for installation of a revegetation plan or purchase mitigation credits. The applicant shall purchase 1.2 acres of wetland creation credit (1:1 ratio) and 2.4 acres (2:1 ratio) of wetland enhancement credit as indicated in Option 1, below;

OR

[Provide for the creation of 1.2 acres (1:1 ratio) of wetland (including riparian forest, southern willow scrub and freshwater marsh) and enhancement of 2.4 acres (2:1 ratio) of wetland, through a Revegetation Plan, as indicated in Option 2, below.

- a. **Option 1:** If purchasing Mitigation Credit, the wetland creation mitigation bank shall be approved by the California Department of Fish & Game or the credit shall conform to Board of Supervisors' Policy I-138 and be approved by the Director of Parks and Recreation (DPR). 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. If DPR mitigation lands are used, no dedicated conservation easement or similar land constraint is necessary.

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 wetland creation/enhancement credit is not purchased in a mitigation bank, then the applicant shall provide for the creation, enhancement, preservation and management of said lands in San Diego County. A Revegetation Plan, shall be prepared in accordance with County Requirements and shall occur either on the Project site or at an off-site area approved by the Director of DPLU. The Revegetation Plan shall include the following:
1. The monitoring plan shall be for a length of 5 years and have an 80 percent success criterion.
 2. A preservation plan over the land to be revegetated shall be included in the Revegetation Plan. The preservation plan shall include evidence of dedication of an open space easement to the County of San Diego or evidence of protection in perpetuity by some other means to the satisfaction of the Director of DPLU.
 3. The report shall be prepared by a County approved biologist and the construction plans shall be prepared by a State of California Licensed Landscape Architect.
 4. Revegetation objectives, revegetation site biological resource map, 24"x 36" landscape plan, map showing revegetation areas according to mitigation type and amount, site preparation information, type of planting materials (e.g. species ratios, source, size material, etc.), and planting program.
 5. A cost estimate based on a 3% annual inflation rate shall be submitted and approved, which includes the cost of the plant stock and its installation, irrigation system and installation, cost of monitoring and maintenance of the revegetation area for the required monitoring period, and report preparation and staff time to review.
 6. 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 an adequate management plan does not cover the mitigation site.
 7. The final RMP cannot 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, secured agreement with the County of San Diego established, and the RMP funding mechanism shall be in place.

Documentation: The applicant shall prepare an RMP and Revegetation Plan for each revegetation site or a three-phased RMP and Revegetation Plan if occurring at one site, submit it to the [DPLU, ZONING] and pay all the applicable review fees and deposits. **Timing:** Prior to the approval of any Final Map for, and prior to the approval of any plan and issuance of any permit for, each of the following:

1. Planning Unit Multi-Family 1 (189 du);
2. Planning Unit Multi-Family 2 (41 du);
3. Planning Unit Residential 2 (75 du); and
4. Planning Unit Professional/Office 2.

As shown on VTM 5338 RPL⁷, dated November 16, 2010. **Monitoring:** The [DPLU, LA] shall review the RMP and Revegetation Plan for conformance with this condition and the applicable Report Format and Content Requirements. Upon approval of the RMP, if required, the applicant shall demonstrate that the plan is funded in perpetuity, and a Director's Decision of Approval will be issued to the applicant. Upon approval of the Revegetation Plan, the applicant shall post a Secured Agreement for the implementation of the Revegetation Plan, and a Director's Decision of approval will be issued to the applicant.

24. **WETLAND CREATION/ENHANCEMENT: [DPLU, PPD] [MA, GP, IP] [DPR GPM] Intent:** In order to mitigate for the impacts to southern riparian forest, southern willow scrub, and freshwater marsh, which are sensitive biological resources pursuant to the CEQA, the applicant shall obtain and provide for wetland creation/enhancement and conservation. **Description of Requirement:** The applicant shall submit, have approved, and provide for installation of a revegetation plan or purchase mitigation credits. The applicant shall purchase 1.5 acres of wetland creation credit (1:1 ratio) and 3.0 acres (2:1 ratio) of wetland enhancement credit as indicated in Option 1, below;

OR

Provide for the creation of 1.5 acres (1:1 ratio) of wetland (including riparian forest, southern willow scrub and freshwater marsh) and enhancement of 3.0 acres (2:1 ratio) of wetland through a Revegetation Plan as indicated in Option 2, below.

- a. **Option 1:** If purchasing Mitigation Credit, the wetland creation mitigation bank shall be approved by the California Department of Fish & Game or the credit shall conform to Board of Supervisors' Policy I-138 and be approved by the Director of Parks and Recreation (DPR). 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. If DPR mitigation lands are used, no dedicated conservation easement or similar land constraint is necessary.
 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 wetland creation/enhancement credit is not purchased in a mitigation bank, then the applicant shall provide for the creation, enhancement, preservation and management of said lands in San Diego County. A Revegetation Plan, shall be prepared in accordance with County Requirements and shall occur either on the Project site or at an off-site area approved by the Director of DPLU. The Revegetation Plan shall include the following:
1. The monitoring plan shall be for a length of 5 years and have an 80 percent success criterion.
 2. A preservation plan over the land to be revegetated shall be included in the Revegetation Plan. The preservation plan shall include evidence of dedication of an open space easement to the County of San Diego or evidence of protection in perpetuity by some other means to the satisfaction of the Director of DPLU.
 3. The report shall be prepared by a County approved biologist and the construction plans shall be prepared by a State of California Licensed Landscape Architect.
 4. Revegetation objectives, revegetation site biological resource map, 24"x 36" landscape plan, map showing revegetation areas according to mitigation type and amount, site preparation information, type of planting materials (e.g. species ratios, source, size material, etc.), and planting program.

5. A cost estimate based on a 3% annual inflation rate shall be submitted and approved, which includes the cost of the plant stock and its installation, irrigation system and installation, cost of monitoring and maintenance of the revegetation area for the required monitoring period, and report preparation and staff time to review.
6. 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 an adequate management plan does not cover the mitigation site.
7. The final RMP cannot 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, secured agreement with the County of San Diego established, and the RMP funding mechanism shall be in place.

Documentation: The applicant shall prepare an RMP and Revegetation Plan for each revegetation site or a three phased RMP and Revegetation Plan if occurring at one site, submit it to the [DPLU, ZONING] and pay all the applicable review fees and deposits. **Timing:** Prior to the approval of any Final Map for any project improvements that trigger the construction of, and prior to the approval of any plan and issuance of any permit for, the Pankey Road and Pala Mesa Drive Offsite Improvements (Conditions 1.c and 1.d herein and EIR Mitigation TR-6a – 8a). **Monitoring:** The [DPLU, LA] shall review the RMP and Revegetation Plan for conformance with this condition and the applicable Report Format and Content Requirements. Upon approval of the RMP, if required, the applicant shall demonstrate that the plan is funded in perpetuity, and a Director's Decision of Approval will be issued to the applicant. Upon approval of the Revegetation Plan, the applicant shall post a Secured Agreement for the implementation of the Revegetation Plan, and a Director's Decisions of approval will be issued to the applicant.

25. **BIOLOGICAL EASEMENT: [DPLU, PCC] [DGS, RP] [MA, GP, IP] [DPLU, FEE X 2]. Intent:** In order to protect sensitive biological resources and to mitigate significant impacts to sensitive vegetation communities, habitat for sensitive species and jurisdictional waters of the U.S., a biological open space easement shall be granted. **Description of Requirement:** Grant to the County of San Diego an open space easement as shown on the Approved Vesting Tentative Map. The open space easement will include the following acreages and types of vegetation communities: 1.5 acres of coast live oak woodland, 87.3 acres of Diegan coastal sage scrub, and 5.6 acres of non-native grassland, and the vegetation communities associated with the site's wetlands, including southern

riparian forest, southern willow scrub, and freshwater marsh. 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 exceptions to this prohibition are:

1. Selective clearing of vegetation by hand to the extent required by written order of the fire authorities for the express purpose of reducing an identified fire hazard. While clearing for fire management is not anticipated with the creation of this easement, such clearing may be deemed necessary in the future for the safety of lives and property. All fire clearing shall be pursuant to the Uniform Fire Code and the Memorandum of Understanding dated February 26, 1997, between the wildlife agencies and the fire districts and any subsequent amendments thereto. Activities conducted pursuant to a revegetation or habitat management plan approved by the Director of Planning and Land Use, the Director Parks and Recreation (related to trails) or the Director of Public Works.
3. Vegetation removal or application of chemicals for vector control purposes where expressly required by written order of the Department of Environmental Health of the County of San Diego.
4. Construction, use and maintenance of multi-use, non-motorized trails, as shown in the VTM 5338 RPL⁷, dated November 16, 2010.
5. Activities for the maintenance and repairs of landscaping pursuant to the approved Landscaping Plan. Such activities shall be approved in advance by the Director of Planning and Land Use and the Director or DPR (related to parks and trails), and shall not be inconsistent with the original intent of this easement.

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 first map 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 preapproval. The [DPLU, PCC] shall preapprove 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.

26. **WETLAND PERMITS: [DPLU, PCC] [GP, CP, MA] [DPLU, FEE X2] Intent:** In order to comply with the State and Federal Regulations for jurisdictional waters and streambeds, the following agency permits, or verification that they are not required shall be obtained. **Description of Requirement:** The following permit and agreement shall be obtained, or provide evidence from the respective resource agency satisfactory to the Director of Planning and Land Use that such an agreement or permit is not required:
- a. A Clean Water Act, Section 401/404 permit issued by the California Regional Water Quality Control Board and the U.S. Army Corps of Engineers for all project related disturbances of waters of the U.S. and/or associated wetlands.
 - b. A Section 1602 Streambed Alteration Agreement issued by the California Department of Fish and Game for all project related disturbances of any streambed.

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

27. **RESOURCE MANAGEMENT PLAN: [DPLU, PPD] [MA, GP, IP] Intent:** In order to provide for the long-term management of the proposed open space preserve, a Resource Management Plan (RMP) shall be prepared and implemented. **Description of Requirement:** Submit to and receive approval from the Director of the Department of Planning and Land Use for a Resource Management Plan (RMP). The RMP shall be for the perpetual management of on-site open space including the following sensitive habitats: Southern oak woodland, Diegan coastal sage scrub including occupied gnatcatcher habitat, southern mixed chaparral, chamise chaparral, non-native grassland, raptor foraging habitat, riparian forest, and wetlands. The RMP shall be updated to reflect the 751-dwelling unit project and shall be consistent with the conceptual/draft RMP/HMP dated December 3, 2010, on file with the Department of Planning and Land Use as Environmental Review Number 03-02-059. The plan shall be prepared and approved pursuant to the most current version of the County of San Diego Biological Report Format and Content Requirements. The final RMP cannot be approved until the following has been completed to the satisfaction of the Director of DPLU:

- a. The plan shall be prepared and approved pursuant to the most current version of the County of San Diego Biological Report Format and Content Requirements.
- b. The habitat land to be managed shall be completely purchased.
- c. The easements shall be dedicated to ensure that the land is protected in perpetuity.
- d. A qualified Resource Manager shall be selected and approved by DPLU and evidence shall be provided by applicant as to the acceptance of this responsibility by the proposed Resource Manager.
- e. The RMP funding mechanism (landscape maintenance district is proposed) shall be identified, approved by the County and secured to provide adequate annual costs for basic stewardship.
- f. A contract between applicant and County shall be executed for the implementation of the RMP.
- g. Exotic plant species shall be removed from high value woodlands, wetlands, grasslands and revegetation areas, on an as-needed basis, and at a minimum, shall be assessed every five years.
- h. Sensitive plant population boundaries shall be mapped every three years.
- i. Trash shall be removed from open space annually.
- j. All habitats and sensitive plant and animal species shall be monitored annually.
- k. Biological surveys shall be conducted every five years for sensitive plant and animal species and the data inventories updated.
- l. Annual reports shall be submitted to the County demonstrating that appropriate habitat monitoring and management has occurred.

Documentation: The applicant shall prepare the RMP and submit it to the [DPLU, ZONING] and pay all applicable review fees. **Timing:** Prior to the approval of the first map and prior to the approval of any plan and issuance of any permit, the permits shall be obtained. **Monitoring:** The [DPLU, PPD] shall review the RMP for compliance with the content guidelines, the conceptual RMP, and this condition.

28. **BIOLOGICAL MONITORING: [DPLU, PCC] [DPW, LDR] [GP, IP, MA] [DPLU, FEE X2]. Intent:** In order to prevent inadvertent disturbance to sensitive

habitats, jurisdictional waters, and special-status plant and wildlife species, all grading located within or adjacent to sensitive habitats, jurisdictional waters, and special-status plant and wildlife species shall be monitored by a biologist. **Description of Requirement:** A County approved biologist "Project Biologist" shall be contracted to perform biological monitoring during all grading, clearing, grubbing, trenching, and construction activities within or adjacent to sensitive habitats, jurisdictional waters, and special-status plant and wildlife species. The following shall be completed:

- a. The Biologist shall perform the monitoring duties before, during and after construction pursuant to the most current version of the County of San Diego Biological Report Format and Requirement Guidelines and this permit. The contract provided to the county shall include an agreement that this will be completed, and a Memorandum of Understanding (MOU) between the biological consulting company and the County of San Diego shall be executed. The contract shall include a cost estimate for the monitoring work and reporting.
- b. The cost of the monitoring shall be added to the grading bonds 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 biological 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 any plan, issuance of any permit, and prior to approval of the map, the requirement shall be completed. **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, Project Manager], 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.

29. LBZ EASEMENT: [DPLU, PCC] [DGS, RP] [MA, GP, IP] [DPLU, FEEX 2]

Intent: In order to protect sensitive biological resources, pursuant to the Certified EIR, 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 Vesting Tentative Map. The purpose of this easement is to limit the need to clear or modify vegetation for fire protection purposes within the adjacent biological open space easement and prohibit the construction or placement of any structure designed or intended for occupancy by humans or animals. The only exceptions to this prohibition are:

1. 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.
2. Decking, fences, and similar facilities.
3. 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 and prior to the approval of any plan and issuance of any permit, the easements shall be 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 preapprove 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.

30. **PALEO GRADING MONITORING: [DPLU, PCC] [DPW, LDR] [GP, IP, MA] [DPLU, FEE X 2]** **Intent:** In order to mitigate for potential impacts to paleontological resources on the project site, a monitoring program during grading, trenching or other excavation into undisturbed rock layers beneath the soil horizons and a fossil recovery program, if significant paleontological resources are encountered, shall be implemented pursuant to the County of San Diego Guidelines for Determining Significance for Paleontological Resources. **Description of Requirement:** A County approved Paleontologist "Project Paleontologist" shall be contracted to perform paleontological resource monitoring and a fossil recovery program if significant paleontological resources are encountered during grading, trenching, or other excavation into undisturbed rock layers beneath the soil horizons. The following shall be completed:
- a. A County approved Paleontologist ("Project Paleontologist") shall perform the monitoring duties pursuant to the most current version of the County of San Diego Guidelines for Determining Significance for Paleontological

Resources, and this permit. The contract provided to the county shall include an agreement that the grading/ trenching/excavation monitoring will be completed, and a Memorandum of Understanding (MOU) between the approved Paleontologist and the County of San Diego shall be executed. The contract shall include a cost estimate for the monitoring work and reporting.

- b. The cost of the monitoring shall be added to the grading bonds that will be posted with the Department of Public Works, or bond separately with the Department of Planning and Land Use.

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

Timing: Prior to the approval of the map and prior to the approval of any plan and issuance of any permit, the contract shall be provided. **Monitoring:** The [DPLU, PCC] shall review the contract, MOU and cost estimate or separate bonds for compliance with this condition. The cost estimate shall 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.

31. **BIOLOGICAL MONITORING: [DPLU, PCC] [DPW, LDR] [GP, IP, MA] [DPLU, FEE X2].** **Intent:** In order to prevent inadvertent disturbance to sensitive habitats, jurisdictional waters, and special-status plant and wildlife species, clearing and grading located within or adjacent to sensitive habitats, jurisdictional waters, and special-status plant and wildlife species shall be monitored by a biologist. **Description of Requirement:** A County approved biologist shall be contracted to perform biological monitoring during all grading, clearing, grubbing, trenching, and construction activities within or adjacent to sensitive habitats, jurisdictional waters, and special-status plant and wildlife species. The following shall be completed:

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

2. 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 biological 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 any plan, issuance of any permit, and prior to approval of the map, the requirement shall be completed. **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, Project Manager], 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.

32. 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 and 15064.7.

Description of Requirement: A County approved Principal Investigator (PI) known as the "Project Archaeologist," shall be contracted to perform cultural resource grading monitoring and a potential data recovery program during all grading, clearing, grubbing, trenching, and construction activities. The following shall be completed:

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

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

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

33. NOISE RESTRICTION EASEMENT: [DPLU, BPPR] [DPLU, PCC] [MA] [DPLU, FEE X 39] Intent: In order to reduce the exposure to noise levels in excess of standards established by the County of San Diego General Plan Noise Element (Policy 4.b), and the County of San Diego CEQA Noise Guidelines for Determining Significance, a noise restriction easement shall be placed on the entire area of the site, to reduce the noise exposure of land uses for sensitive receptors below levels of significance. **Description of requirement:** A Noise Restriction Easement as indicated on the approved Vesting Tentative Map, shall be granted on the map. The said easement shall include and shall comply with the following:

- a. Prior to the approval of any Building Plan and issuance of any Building Permit, a County Approved Acoustical Consultant, shall perform an acoustical analysis, which demonstrates that the proposed **residential dwelling** unit(s) will not be exposed to present and anticipated future noise levels exceeding the allowable sound level limit of the General Plan community noise equivalent levels (CNEL) of 45 dB for interior noise, and a (CNEL) of 60dB for exterior noise levels. Exterior noise sensitive land uses include all Group or Private Usable Open Space as defined by the General Plan Noise Element (Policy 4.b).
 1. Future traffic noise level estimates, must utilize a Level of Service "C" traffic flow for Interstate 15, an Interstate Highway, and Horse Ranch Creek Road, a Boulevard Standard roadway, which are their designated General Plan Circulation Element buildout roadway classifications.
- b. The acoustical analysis shall make recommendations that shall be implemented in the project design and building plans, so the proposed structures and project site can comply with the noise standards referenced above.
- c. The unauthorized removal of documented noise control measures at a future date after the initial condition is satisfied shall make the affected

noise sensitive land use still subject to this building restriction for protection of these uses before any future building permits can be approved and issued.

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

Documentation: The applicant shall indicate the noise restriction easement on the map as indicated on the Vesting Tentative Map. **Timing:** Prior to the approval of the map, the requirements of this condition shall be completed. **Monitoring:** The [DPW, LDR] shall verify that the easement is indicated on the map, and that the map details the language above.

34. **FINAL SPORTS COMPLEX PARK SITE: [DPLU, DPR] [DPW, PDCI] [DPLU, FEE]. Intent:** In order to comply with the County of San Diego Park Land Dedication Ordinance (PLDO) Section 810.105(a) and in to receive PLDO credit, the Sports Complex and the neighborhood pocket parks shall be fully developed in accordance with PLDO criteria and an approved Final Park Site Plan.. **Description of Requirement:** This condition shall require the compliance with the following requirements: A. The applicant shall obtain approval, by the Director of Parks and Recreation (DPR), of a Final Park Site Plan that includes grading and improvement plans, as well as construction documents, in accordance with the public park concept plan, dated November 16, 2010, and on file with the Department of Planning and Land Use (reference Environmental Review Number 03-02-059). The Final Park Site Plan shall include, at a minimum, the following components:
1. one full-size youth baseball field;
 2. One multipurpose field 180 x 300 feet;
 3. 5-foot wide concrete walkways,
 4. maintenance and storage facilities;
 5. restrooms with drinking fountains;
 6. trash and recycling containers;
 7. bike racks;
 8. one paved parking lot with adequate parking spaces; and
 9. a volunteer pad and designated parking in the vicinity of the proposed public park;

AND

B. The park site improvements identified in A. above, shall be constructed and this public park site shall be conveyed in Fee Title to the County by Grant Deed,

and such conveyance shall be free of encumbrances, as evidenced by a Phase I Environmental Site Assessment and a California Land Title Association Policy, which shall be provided by the applicant and approved by the Director of DPR. The applicant may satisfy the preceding requirement by entering into an agreement with the County, to construct the public park site improvements and convey Fee Title, to this public park site. This agreement shall be accompanied by security, which shall be sufficient to cover the cost of all park site improvements, pursuant to the approved Final Park Site Plan, and in a form and amount that shall be specified, by the Director of DPR, to ensure the applicant's performance of the terms of agreement. **Documentation:** The applicant shall comply with the following:

1. Process and obtain approval by the Director of DPR for the Final Park Site Plan;
2. Submit an Environmental Site Assessment and California Land Title Association Policy for the public park site, to the Director of DPR;
3. Upon construction of the Final Park Site, pursuant to the Final Park Site Plan, convey Fee Title of the public park site free of encumbrances, by Grant Deed;
4. Enter into a Secured Agreement with the County that ensures construction of the public park site and conveyance of the public park in Fee Title in the manner above-specified.

Timing: Prior to the approval of the map and prior to the approval of any plan and issuance of any permit. **Monitoring:** The [DPLU, PCC, Landscape Architect] and [DPR, PP] shall review the Final Park Site Plan. [DPR, GPM] shall review the Secured Agreement. [DGS] shall review the Environmental Site Assessment and California Land Title Association Policy. The [BC] shall monitor building permit issuance.

- 35. LANDSCAPE MAINTENANCE DISTRICT FORMATION (LMD): [DPLU, DPR] [DPW, PDCI] [DPLU, FEE] Intent:** The Landscape Maintenance District (LMD) is proposed to be the maintenance entity and maintenance funding source for VTM 5338. **Description of Requirement:** The applicant shall form and fund the LMD and funding shall encompass the following:

- Operation and maintenance costs for features that are built to park design standards (e.g., native vegetation landscaping and use of sustainable building materials), and those cited in the engineering report.
- Other operation and maintenance costs, including stormwater management.
- Maintenance of any and trail or trail elements, within the proposed parks.
- Maintenance and on-going stewardship of preserved open space, cultural resources and any other improvements or land transferred to DPR.
- A two percent yearly increase shall be included in the funding for the LMD.

Documentation: The applicant shall create and fund the LMD, as determined during the project processing, in compliance with this condition. **Timing:** Prior to the approval of the map and prior to the approval of any plan and issuance of

- any permit, the LMD shall be formed. **Monitoring:** The [DPR, DPLU, PCC] shall review the formation and funding of the LMD, as required by this condition. The [DPW, DPR, PDCI] shall ensure that the LMD is formed and fully funded with a two percent yearly increase, as cited, in this condition.
36. **SHERIFF'S STATION: [DPLU, DPR] [DPW, PDCI] [DPLU, FEE]** **Intent:** The County Sheriff's Department has indicated a need for a regional Sheriff's Station at this Quadrant of the I-15 and SR-76 Interchange. **Description of Requirement:** To obtain this Station, the earlier of either prior to recordation of the last Final Map of TM 5338, or when a location and such need is identified by the County, the applicant and (or) its successors-in-interest and assigns shall pay a proportionate fair share contribution to the siting, design and construction of such a regional Sheriff's Station. **Documentation:** This requirement ensures the protection of the future residents of this project and other potential future developments. **Timing:** Prior to the approval of each Final Map and prior to the approval of any plan and issuance of any permit, the proportionate fair share shall be paid or a letter shall be provided from the San Diego County Sheriff's Department stating that payment is not required. **Monitoring:** The [DPLU, PCC] shall review the County Sheriff's required location and identified need for this regional County Sheriff's Station, and at such time shall require the proportionate fair share contribution, the latest time for such contribution being the approval and recordation of the last Final Map for TM 5338 RPL⁷.
37. **TRANSIT NODE: [DPLU, DPR] [DPW, PDCI] [DPLU, FEE]** **Intent:** This project is located within a transit node and a multi-modal facility will be needed in the future for public transit functions. Such a facility should include a bus transit transfer station, parking for commuters, bus stops and other facilities as may be identified. **Description of Requirement:** To obtain this transit node, the earlier of either prior to recordation of the last Final Map of TM 5338, or when a location and such need is identified by the County and the North County Transit District (NCTD), the applicant and (or) its successors-in-interest and assigns shall pay a proportionate fair share contribution to the siting, design and construction of such a transit node. **Documentation:** The transit node will serve all proposed development and residents thereof, at a future date. **Timing:** The proportionate fair share contribution shall be paid at the earliest of either the approval of the first Final Map and every Final Map thereafter or when a location and such need is identified by the County and the NCTD. **Monitoring:** The [DPLU, PCC] shall review with the County and the NCTD a required location and identified need for this transit node, and at such time shall require the proportionate fair share contribution, the latest time for such contribution being the approval and recordation of the last Final Map for TM 5338 RPL⁷.
38. **PROVISION OF AN INTERIM TRANSIT FACILITY: [DPLU, PCC DPLU, PPD] [DPLU, BD] [DPLU, FEE]** **Intent:** To comply with the Planning Commission recommendation that prior to the siting, design and construction of a final, permanent transit facility, a temporary transit service should be provided by all

- surrounding project proponents. **Description of Requirement:** The applicant shall work with the developers, at the I-15/SR-76 Interchange to provide a interim transit facility (private or public), which provides transit service, such as a lifeline service, one to two days per week, until the ultimate transit node is constructed. **Documentation:** The applicant shall submit verifiable documentation to the Director of the Department of Planning and Land Use, which shows that such cooperation with the other surrounding developers has occurred and what methods will be initiated that meet this requirement. **Timing:** Prior to the approval of any plan, issuance of any permit, and prior to occupancy or use of the premises in reliance of this permit. **Monitoring:** The [DPLU, PPD, DPLU, PCC] shall review the verifiable documentation of cooperation and the described transit methods, for compliance with this requirement.
39. **FIRE STATION: [DPLU] [DPW, PDCI] [DPLU, FEE] Intent:** The North County Fire Protection District has indicated a need for a local Fire Station at this Quadrant of the I-15 and SR-76 Interchange. **Description of Requirement:** To obtain the necessary funds to construct this Station, the applicant and (or) its successors-in-interest shall enter into an agreement with the North County Fire Protection District and pay a proportionate fair share contribution to the siting, design and construction of such a local Fire Station. **Documentation:** This condition ensures that adequate fire protection services continue to be available during construction, occupancy and operation of the proposed project. **Timing:** Prior to the recordation of the map, the applicant shall enter into an agreement with the North County Fire Protection District. **Monitoring:** The [DPLU, PCC] shall review the North County Fire Protection District Fire Station agreement prior to the approval of the map.
40. **NORTH COUNTY FIRE PROTECTION DISTRICT TAX RATE AREA (TRA) ADJUSTMENT: [DPLU] [DPW, PDCI] [DPLU, FEE] Intent:** The North County Fire Protection District requires an increase to the existing Tax Rate, in order to serve the Campus Park project. **Description of Requirement:** The applicant shall enter into an agreement with the North County Fire Protection District and the County Tax Collector to increase the existing TRA, not to exceed five percent over the current tax rate, for the Campus Park Specific Plan Amendment area. Such terms of the agreement shall be fulfilled prior to the recordation of the first Final Map. **Documentation:** This condition ensures that adequate fire protection services continue to be available during construction, occupancy and operation of the proposed project. **Timing:** Prior to the approval of the map and prior to the approval of any plan and issuance of any permit. **Monitoring:** The [DPLU, PCC] shall review the TRA agreement prior to the approval of the map.
41. **TENTATIVE MAP TRAIL IMPROVEMENTS [DPR, TC] [DPW, LDR] [MA] Intent:** In order to promote orderly development by providing a trail/pathway connection pursuant to Section 21 of the County of San Diego General Plan, Community Master Trails Plan and to comply with the Subdivision Ordinance Section 81.403. through 81.406.1, the applicant shall improve the trails.

Description of requirement: Improve or agree to improve to the satisfaction of the Department of Parks and Recreation and/or the Department of Public Works, all natural trails, pathways, pedestrian walkways as shown on the Vesting Tentative Map 5338 RPL⁷ as well as those found in the Specific Plan Amendment, as adopted by the Board of Supervisors. All trails and pathways shall be constructed pursuant to the Community Trails Master Plan Design and Construction Guidelines, and in the case of a pathway, the County of San Diego Public Road Standards. **Documentation:** The applicant shall prepare improvement plans and provide securities for the construction of the trail/pathway and all associated work. All plans and improvements shall be completed pursuant to the Community Trails Master Plan Design and Construction Guidelines, and/or the County of San Diego Public Road Standards and the DPW Land Development Improvement Plan Checking Manual. The improvements shall be completed within 24 months from the approval of the improvement plans, execution of the agreements, and acceptance of the securities. The applicant shall complete the following:

- a. Process and obtain approval of Improvement Plans to improve the nature trails, trail staging area and pedestrian walkways.
- b. Provide Secured agreements requiring posting security in accordance with Subdivision Ordinance Sec. 81.405 through 81.406.1.
- c. Upon approval of the plans, pay all applicable inspection fees with [DPW, PDC] and the [DPR, TC]

The plans shall be submitted to [DPR, TC, DPW, LDR], for review and approval. Plans shall include the following:

- a. Traffic signs denoting equestrian crossings will be located along applicable roadways to promote safety. Equestrian paths will be provided along Horse Ranch Creek Road south of Baltimore Oriole Road, Pankey Road north of SR 76, Pankey Place, Baltimore Oriole Road, and Harvest Glen Road.
- b. Equestrian push buttons for crossing will be provided at signalized intersections.
- c. Regional trails crossing roads will be designed to cross at or near a right angle.
- d. Project trails will be aligned on existing paths, roads, and utility easements, and within otherwise disturbed areas to the extent feasible in order to minimize impacts to sensitive resources.
- e. Trails will avoid fragile root areas of trees and shrubs, where feasible. Where trails cross natural terrain, width may be reduced to four feet for a short distance to protect sensitive resources.

- Timing:** Prior to the approval of the Final Maps within which said trails are shown on the TM 5338 RPL⁷, the applicant shall improve or agree to improve the trail/pathways. **Monitoring:** The [DPR, Trails Coordinator] and/or [DPW, LDR] shall review the plans for conformance with the Community Trails Master Plan Design and Construction Guidelines, County of San Diego Public Road Standards and approve all financial securities for the construction of the trail/pathway facility.
42. **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 map shall be paid. **Description of requirement:** The applicant shall pay off all existing deficit accounts associated with processing this map. **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 map 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.
43. **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: biological notes, cultural notes, paleontological notes, noise walls. **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 Final 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.
44. **STRUCTURE REMOVAL: [DPLU, PCC] [GP, IP, MA] [DPLU, FEE] Intent:** In order to comply with County Zoning Ordinance Section 4800, in order to comply with the project design, the structure(s) on site shall be demolished and removed. **Description of Requirement:** The existing foundations and stem walls located on-site and discussed within the Hazards Report, as Appendix "M" of the EIR shall be demolished and removed.

- a. Evidence of said demolition and debris removal shall be by a signed, stamped statement from a registered professional: Engineer, Surveyor, Contractor, which states that the structure(s) have been removed, and demolished. The letter report shall also include before and after pictures of the area and structure(s).

45. LANDSCAPE DOCUMENTATION PACKAGE: [DPLU, PPD] [DPR, TC, PP] [GP, IP, MA] Intent: In order to provide adequate Landscaping that complies with the County of San Diego's Water Efficient Landscape Design Manual and the County's Water Conservation in Landscaping Ordinance, conformance with the Community Design and Operation Element of the Campus Park Specific Plan Amendment and General Plan Amendment, including all Figures, the Fallbrook Design Guidelines, the I-15 Corridor Scenic Preservation Guidelines, the County's Off Street Parking Design Manual, as well as for mitigation for impacts related to aesthetics and for compliance with the "B" Designator for potential impacts to the I-15 Corridor, a Landscape Plan shall be prepared. Description of Requirement: The Landscape Documentation Package shall be prepared by a California licensed Landscape Architect, Architect, or Civil Engineer and shall include the following information:

- a. Indication of the proposed width of any adjacent public right-of-way, and the locations of any required improvements and any proposed plant materials to be installed or planted therein. The applicant shall also obtain a permit from [DPW, LDR] approving the variety, location, and spacing of all trees proposed to be planted within said right(s)-of-way. A copy of this permit and a letter stating that all landscaping within the said right(s)-of-way shall be maintained by the landowner(s) shall be submitted to the Department of Planning and Land Use.
- b. A complete planting plan including the names, sizes, and locations of all plant materials, including trees, shrubs, and groundcover. Wherever appropriate, native or naturalizing plant materials shall be used, which can thrive on natural moisture. These plants shall be irrigated only to establish the plantings.
- c. A complete watering system including the location, size, and type of all backflow prevention devices, pressure, and non-pressure water lines, valves, and sprinkler heads in those areas requiring a permanent, and/or temporary irrigation system.
- d. The watering system configuration shall indicate how water flow, including irrigation runoff, low head drainage, overspray or other similar conditions will not impact adjacent property, non-irrigated areas, structures, walkways, roadways or other paved areas, including trails and pathways by causing water to flow across, or onto these areas.

- e. Spot elevations of the hardscape, building and proposed fine grading of the installed landscape.
- f. The location and detail of all walls, fences, and walkways shall be shown on the plans, including height from grade and type of material. Fences and walls over 3 feet high which face public streets shall provide a fully landscaped buffer, at least 5 feet deep on the street facing side of the wall. A lighting plan and light standard details shall be included in the plans (if applicable) and shall comply with the County's Light Pollution Code.
- g. No landscaping material or irrigation or other infrastructure shall be located within a proposed trail easement or designated pathway.
- h. Parking areas shall be landscaped and designed pursuant to the Off-street Parking Design Manual and the County Zoning Ordinance Section 6793.b
- i. Additionally, the following items shall be addressed as part of the Landscape Plan:
 - 1. All public/HOA planting areas shall be permanently irrigated and use low water consumptive plant material wherever practical.
 - 2. Varied heights of trees, shrubs, and groundcover shall be planted on modified slopes to result in "visual undulation."
 - 3. All non-preserved areas not covered by structures or hardscape/paving will be appropriately and professionally landscaped.
 - 4. Larger specimen trees shall be installed at entries and key locations throughout the development.
 - 5. Areas around buildings shall incorporate a mixture of trees, shrubs, vines, and groundcover designed to complement the overall design theme of the Project.
 - 6. The Project landscaping palette shall include drought-tolerant trees, emphasizing evergreens on the north and west sides of buildings and deciduous trees on the south sides of buildings. These plantings shall contribute to on-site carbon storage, provide shade, and reduce heating from impervious surfaces.
 - 7. The Project shall provide shade within five years or use light-colored materials or open grid pavement for at least 30 percent of the site's non-roofed impervious surfaces.
 - 8. Landscape design shall define areas through the creation of a focal point at entries, screening of unsightly areas, softening of expanses of pavement and buildings, and provision of transition and separations, between the project development and the surrounding community.

- Edges of development shall be softened through use of contour grading.
9. Within the Town Center, both stone/stone product and native and/or locally occurring plant materials shall be widely used in Village entries and other features as one of its unique, identifying design theme elements. The following items shall be required:
 - a. A minimum of 20 percent of the total vertical exterior building surface area will be concrete, natural or cut stone, or stone veneer. Quarried and eroded granite, sandstone, flagstone, or metamorphic stone may be used to satisfy the requirements of these guidelines. Lava rock or artificial stone products will be evaluated on a case-by-case basis.
 - b. The requirement in the above item may be waived, provided an equal square footage of landscape walls, terraces, or other features is provided within the landscaping. Any such elements will be designed as extension of the building walls to "tie" the structure into the landscape, repeat architectural forms, and help ensure reinforcement of this unique identifying theme.
 - c. Poured-in-place concrete also is an acceptable exterior surface material. Concrete panels may be sandblasted exposed aggregate, battered, or board- or earth-formed.
 10. Project landscape design shall exclude all prohibited plant materials listed in the Prohibited Plant Materials list in the Conceptual Fire Protection Plan/Fuel Modification Plan (Appendix J of the EIR). The prohibited trees, shrubs, vines, and groundcovers shall not be planted or retained in any community vegetation management zone, landscaped area, as street trees, or in any median or planter.
 11. Project landscape shall be consistent with the planting, spacing, and maintenance guidelines in the Conceptual Fire Protection Plan/Fuel Modification Plan (Appendix J of the EIR).
 12. A hydroseed mix that incorporates native species, is appropriate to the area, and is without invasive species, shall be used for slope stabilization in all transitional zones. No invasive, non native species shall be allowed adjacent to any biological open space areas.
 13. "California" pepper trees (*Schinus molle*) will not be permitted within the Project plant palette.
 14. Native oaks shall be preserved in open spaces to the maximum extent possible.
 15. The project shall use reclaimed water, as available, to the maximum extent possible.
 16. Where feasible, noise barriers may incorporate a landscaped berm or non-glare glass or glass panel combination and wall height shall not exceed ten feet.

17. Where sound walls are built that would be visible from Horse Ranch Creek Road, the wall will be screened by Project-planted vegetation. These walls shall be subject to long-term maintenance, through the HOA.
18. All landscaping and irrigation plans shall conform to the Community Design and Operation Element of the Campus Park Specific Plan Amendment Report, as well as all applicable government regulations and standards, including those for sight line visibility and access.
19. Landscaping shall be installed within each constructed phase as it is finished.
20. Screen plantings shall be used to visually buffer office professional uses from the I-15 Corridor.
21. Screen plantings shall be used to visually buffer parking lots from the I-15 Corridor.
22. All business identification signs shall comply in terms of size, number of colors and materials with the standards specified in the Fallbrook Community Plan Design Guidelines. One sign shall be allowed per business, on each building wall.
23. Tree plantings in the front yard areas of multi-family housing shall be varied to provide visual interest in the landscape and follow the Fallbrook Design Guidelines.
24. Transit improvements will include shelters, route information, benches and lighting.
25. Where the rear of a single family lot abuts a street, the design shall provide for a privacy wall and landscaping consistent with the Campus Park streetscape theme.
26. Grade differences within neighborhoods shall be used to add variety and enhance the sense of open space between residences.
27. Multi-family buildings shall be connected by landscaped sidewalks.
28. Utilitarian areas, including parking, loading, mechanical equipment, and trash enclosures shall be screened from public views. Transformers and cable boxes shall be located to be unobtrusive and screened from public view with plantings as applicable.
29. Site design BMP's shall include the use of native and drought tolerant plantings, permeable pavers, minimal use of chemical applications, minimizing and controlling irrigation runoff, directing any runoff towards landscaped areas.

Documentation: The applicant shall prepare the Landscape Plans using the Landscape Documentation Package Checklist (DPLU Form #404), submit them to the [DPLU, ZONING], and pay all applicable review fees. **Timing:** Prior to the approval of the Final Map and prior to the approval of any plan and issuance of any permit, the Landscape Plans shall be prepared and approved. **Monitoring:**

The [DPLU, Landscape Architect] and [DPR, TC, PP] shall review the Landscape Plans for compliance with this condition.

46. **WELL DESTRUCTION: [DEH, LWQ] [GP, BP, MA] Intent:** In order to ensure that the water well located on the property is removed, and to comply with the County Regulatory Code Section 67.431, the well shall be properly destroyed. **Description of Requirement:** Existing water well(s) shall be properly destroyed by a California C-57 licensed well driller. A Well Destruction Permit shall be obtained from the [DEH, LWQ] and all applicable inspection fees shall be paid. **Documentation:** The applicant shall provide copies of the Well Destruction Logs to [DEH, LWQ] upon completion of the well destruction. **Timing:** Prior to the approval of the map and prior to the approval of any plan, issuance of any permit (Excluding Well Destruction Permit), the applicant shall destroy the well. **Monitoring:** Upon submittal of the well destruction logs, [DEH, LWQ] shall perform a field inspection to verify that the well has been properly destroyed. The destruction logs shall be stamped and returned to the applicant.
47. **SEPTIC ABANDONMENT: [DEH, LWQ] [GP, BP, MA] Intent:** In order to comply with County Regulatory Code Section 68.313.1 the on-site waste water system (Septic System) shall be properly abandoned. **Description of Requirement:** The existing septic system shall be pumped and properly abandoned under DEH guidelines. **Documentation:** Upon completion of the septic removal, the applicant shall contact [DEH, LWQ] to schedule a field verification inspection. The applicant shall submit proof of the septic tank pumping and pay all applicable inspection fees. **Timing:** Prior to the approval of the map and prior to the approval of any plan, issuance of any permit, the applicant shall have the septic system abandoned. **Monitoring:** Upon request of the applicant, [DEH, LWQ] shall perform a field inspection to verify that the septic system has been properly abandoned pursuant to this condition.
48. **PLAN CONDITIONS NOTES: [DPW, ESU] [DPLU, BD] [DPR, TC, GPM, PP] [GP, IP, MA] Intent:** In order to implement the required mitigation measures, for which was the basis for approval of this project pursuant to the County Subdivision Ordinance Section 81.303, County Subdivision Ordinance Section 81.605, the condition notes shall be implemented on the grading and Improvement plans and made conditions of the permit issuance. **Description of requirement:** The Grading and Improvement plans shall include the following condition notes and made conditions of the issuance of said permit:

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

- a. **PALEONTOLOGICAL MONITORING: [DPW, PDCI] [DPLU, PCC] [PC] [DPLU, FEE X2] Intent:** In order to comply with Mitigation Monitoring and Reporting Program pursuant to TM5338Rp⁷/Log No. 03-02-059 and the County of San Diego Guidelines for Determining Significance and Report

Format and Content Requirements for Paleontological Resources, a Grading Monitoring Program shall be implemented. **Description of Requirement:** The Project Paleontologist shall monitor During the original cutting of previously undisturbed deposits for the project, both on and off site, the Qualified Paleontological Resources Monitor shall be on-site to monitor as determined necessary by the Qualified Paleontologist. The grading monitoring program shall comply with the following requirements during grading:

1). If paleontological resources are encountered during grading/excavation, the following shall be completed:

- a. The Qualified Paleontological Resources Monitor shall have the authority to direct, divert, or halt any grading/excavation activity until such time that the sensitivity of the resource can be determined and the appropriate salvage implemented.
- b. The Qualified Monitor shall immediately contact the Qualified Paleontologist.
- c. The Qualified Paleontologist shall contact the County's Permit Compliance Coordinator immediately.
- d. The Qualified Paleontologist shall determine if the discovered resource is significant. If it is not significant, grading/excavation shall resume."

2). If the paleontological resource is significant or potentially significant, the Qualified Paleontologist or Qualified Paleontological Resources Monitor, under the supervision of the Qualified Paleontologist, shall complete the following tasks in the field:

- a. Salvage unearthed fossil remains, including simple excavation of exposed specimens or, if necessary, plaster-jacketing of large and/or fragile specimens or more elaborate quarry excavations of richly fossiliferous deposits;
- b) Record stratigraphic and geologic data to provide a context for the recovered fossil remains, typically including a detailed description of all paleontological localities within the project site, as well as the lithology of fossil-bearing strata within the measured stratigraphic section, if feasible, and photographic documentation of the geologic setting; and
- c) Transport the collected specimens to a laboratory for processing (cleaning, curation, cataloging, etc.).

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

- b. **ARCHAEOLOGICAL MONITORING: [DPW, PDCI] [DPLU, PCC] [DPLU, FEE X2] Intent:** In order to comply with Mitigation Monitoring and Reporting Program pursuant to 3100 5338 (TM), and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Archeological and Historic Resources, Cultural Resource Grading Monitoring Program shall be implemented. **Description of Requirement:** The Project Archaeologist (and Luiseño Native American Monitor) shall monitor original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements. The grading monitoring program shall comply with the following requirements during grading:
- a. "During the original cutting of previously undisturbed deposits, the Project Archaeologist and Luiseño Native American Monitor shall be onsite as determined necessary by the Project Archaeologist. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined by the Project Archaeologist in consultation with the Luiseño Native American Monitor. Monitoring of cutting of previously disturbed deposits will be determined by the Project Archaeologist."
 - b. "In the event that previously unidentified potentially significant cultural resources are discovered, the Project Archaeologist, in consultation with the Luiseño Native American monitor, shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources. At the time of discovery, the Project Archaeologist shall contact the DPLU Staff Archaeologist. The Project Archaeologist, in consultation with the DPLU Staff Archaeologist, shall determine the significance of the discovered resources. Construction activities will be allowed to resume in the affected area only after the DPLU Staff Archaeologist has concurred with the evaluation. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the Project Archaeologist and approved by the Staff Archaeologist, then carried out using professional archaeological methods."

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

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

- c. **TEMPORARY NOISE IMPACTS: [DPLU, PCC] [DPW, PDCI] [DPLU, FEE X 3]. Intent:** In order to comply with the County of San Diego Noise Ordinance 36.409 and the adopted Mitigation Monitoring and Reporting Program (MMRP) for Vesting Tentative Map 5338 RPL⁷, the following noise attenuation measures shall be implemented to reduce the sound level generated from project construction. **Description of Requirement:** The temporary noise attenuation measures shall remain in place and shall be monitored for compliance with this condition. The following mitigation is designed and placed to reduce construction noise that potentially will affect the adjacent residential property lines.
 - a. All construction equipment shall use properly operating mufflers.
 - b. All construction staging shall be performed as far as possible from occupied dwellings units.
 - c. Anticipated heavy equipment operations for full workdays within 300 feet of any occupied dwelling shall require a noise control plan that either ensures that the residence is unoccupied during the workday or reduce the ours of allowable operation such that the 75 dBA property line noise standard is met. Alternatively, temporary, movable barriers could be utilized to mitigate noise impacts to

residents adjacent to the proposed off-site road and utilities improvements.

Documentation: The applicant shall maintain the sound attenuation measures and mitigation as indicated above until all grading activities have been completed. The applicant shall submit the noise control plan to the [DPLU, PCC] for review and approval. The applicant is responsible for implementing any further mitigation to remain in compliance with this condition. **Timing:** The following actions shall occur throughout the duration of the grading construction. **Monitoring:** The [DPLU, PCC] shall review the monthly monitoring reports for compliance with this condition. 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.

- d. **AIR QUALITY: [DPW, PDCI]. Intent:** To mitigate for the potential air quality effects which may be caused by construction activities. **Description of Requirement:** The project shall comply with the following Air Quality measures:
- a. All haul/dump trucks entering or leaving the site with soil or fill material must maintain at least 2 feet of freeboard or cover loads of all haul/dump trucks securely (unnumbered design measure).
 - b. Dust control measures of the Grading Ordinance will be enhanced with a minimum of three (3) daily applications of water to the construction areas, between dozer/scrapper passes and on any unpaved roads within the project limits.
 - c. Grading is to be terminated in winds exceed 25 mph.
 - d. Sweepers and water trucks shall be used to control dust and debris at public street access points.
 - e. Dirt storage piles will be stabilized by chemical binders, tarps, fencing or other suppression measures.
 - f. Internal construction-roadways will be stabilized by paving, chip sealing or chemicals after rough grading.
 - g. A minimum of 25 - 15 mph signs shall be posted and enforced on unpaved areas during construction.
 - h. Paving, chip, sealing or chemical stabilization of internal roadways will occur after completion of grading.
 - i. Residential slopes will be hydroseeded if lots are not developed soon after grading.
 - j. Construction vehicles will use low-sulfur diesel fuels.
 - k. The project will require separation and recycling of construction waste.

- i. Grading will be balanced on-site, with no import or export. Any rock generated due to on-site blasting, during construction, will be used on-site.

Documentation: The applicant shall comply with the Air Quality requirements of this condition. **Timing:** The above actions shall occur throughout the duration of the grading construction. **Monitoring:** The [DPW, PDCI] shall make sure that the grading contractor complies with the Air Quality requirements of this condition. The [DPW, PDCI] shall contact the [DPLU, PCC] if the applicant fails to comply with this condition.

- e. **HAZARDOUS MATERIALS AND WATER QUALITY: [DPLU, PCC] [MA, GP, IP] [DPLU, FEE]. Intent:** To protect the public from exposure to potentially hazardous materials and to protect the County of San Diego groundwater and surface water supplies **Description of Requirement:** The following conditions shall be satisfied during grading and construction of the development delineated on VTM RPL⁷:
 - a. Paving operations will be restricted during wet weather and sediment control devices will be used downstream of paving activities.
 - b. Paving wastes and slurry (e.g., use of properly designed and contained concrete washout areas) will be properly contained and disposed of.
 - c. The amount of hazardous materials used and stored on-site will be minimized, and storage/use locations will be restricted to areas at least 50 feet from storm drains and surface waters.
 - d. Raised (e.g., on pallets), covered, and/or enclosed storage facilities will be used for all hazardous materials.
 - e. Mobile fueling/maintenance units for construction equipment will be used whenever feasible to avoid/reduce on-site fuel/lubricant storage.
 - f. Accurate and up-to-date written inventories and labels will be maintained for all stored hazardous materials.
 - g. Berms, ditches and/or impervious liners (or other applicable methods) will be used in material storage and vehicle/equipment maintenance and fueling areas to provide a containment volume of 1.5 times the volume of stored/used materials and prevent discharge in the event of a spill.
 - h. Warning signs will be placed in areas of hazardous material use or storage and along drainages and storm drains (or other appropriate locations) to avoid inadvertent hazardous material disposal.
 - i. All construction equipment and vehicles will be properly maintained.
 - j. Solid waste management efforts such as proper containment and disposal of construction debris (e.g., use of watertight dumpsters and daily trash collection/removal) and street sweeping/vacuuming will be implemented.

- k. Training will be provided to applicable employees in the proper use, handling, and disposal of hazardous materials, as well as appropriate action to take in the event of a spill.
- l. Absorbent and clean-up materials will be stored in appropriate on-site locations where they are readily accessible.
- m. Wastewater facilities will be properly located and maintained.
- n. Recycled or less hazardous materials will be used wherever feasible.
- o. Regulatory agency telephone numbers and a summary guide of clean-up procedures will be placed in a conspicuous location at or near the job site trailer.
- p. Hazardous material use/storage facilities and operations will be regularly (at least weekly) monitored and maintained to ensure proper working order.
- q. A Stormwater Sampling and Analysis strategy will be implemented pursuant to regulatory guidelines.
- r. Where planned fills are 10 feet or greater in depth, methane probes will be required to assess methane concentrations in site soils. If methane gas is detected at concentrations greater than 12,500 parts per million (ppm), a methane remediation system designed by an engineer experienced in methane remediation will be approved prior to issuance of building permits.
- s. During Project construction and demolition of existing structures on the site, asbestos and lead paint surveys will be conducted and, if present, a licensed contractor will remove and properly dispose of these materials. If fluorescent lights are present, the ballast and light tubes will be disposed of in accordance with current regulations.
- t. Construction debris storage areas will be restricted to appropriate locations at least 50 feet from storm drain inlets and watercourses.
- u. Appropriate storage facilities for construction debris will be used, including adequately sized watertight dumpsters covers to preclude rain from contacting waste materials impervious liners and surface containment features such as berms, dikes, or ditches to prevent runoff.
- v. A licensed waste disposal operator will be employed to regularly (at least once a week) remove and dispose of construction debris in an authorized off-site location.
- w. Appropriate (i.e., non-hazardous) construction debris will be recycled for on- or off-site use, whenever feasible.
- x. Dust-control measures such as watering will be used to reduce particulate generation for pertinent locations and activities (e.g., concrete removal).
- y. Erosion prevention and sediment control measures will be used downstream of all demolition activities.

Documentation: The applicant shall comply with the conditions listed above and the project engineer shall provide certifications that show that each condition is satisfied [DPW, PDCI, PCC, BI].

Timing: The above actions shall occur throughout the duration of the grading construction. **Monitoring:** The [DPW, PDCI] shall coordinate the Monitoring requirements of this condition.

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

- f. **NOISE MONITORING REPORT: [DPLU, PCC] [DPLU, FEE]. Intent:** In order to comply with the County of San Diego Noise Ordinance 36.409 and the adopted Mitigation Monitoring and Reporting Program (MMRP) for Vesting Tentative Map 5338, the following noise attenuation measures shall be implemented to reduce the sound level generated from project construction. **Description of Requirement:** A County approved Acoustician, shall prepare a final noise monitoring report and/or noise control plan, which summarizes the noise levels generated by the project construction. If the project noise levels are were not in compliance, the report shall detail all actions taken to minimize the noise impacts and the alternative noise mitigation methods used. **Documentation:** The applicant shall submit the final noise monitoring report to the [DPLU, PCC] for review and approval. **Timing:** Prior to rough grading approval and issuance of any building permit the final report shall be provided and approved. **Monitoring:** The [DPLU, PCC] shall review the final monitoring report for compliance with this condition, and notify the [DPW, PDCI] when it is completed.
- g. **PALEONTOLOGICAL MONITORING: [DPLU, PCC] [RG, BP] [DPLU, FEE]. Intent:** In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) pursuant to TM5338Rpl⁷/Log No. 03-02-059 and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources, a Grading Monitoring Program shall be implemented. **Description of Requirement:** The Project Paleontologist shall prepare one of the following letters upon completion of the grading activities that require monitoring:
- a. If **no** paleontological resources were discovered, submit a "No Fossils Found" letter from the grading contractor to the [DPLU, PCC] stating that the monitoring has been completed and that no fossils were discovered, and including the names and signatures from the fossil monitors. The letter shall be in the format of Attachment E of the County of San Diego Guidelines for Determining Significance for Paleontological Resources.
- b. If Paleontological **resources were encountered** during grading, a letter shall be prepared stating that the field grading monitoring activities have been completed, and that resources have been

encountered. The letter shall detail the anticipated time schedule for completion of the curation phase of the monitoring.

Documentation: The applicant shall submit the letter report to the [DPLU, PCC] for review and approval. **Timing:** Upon completion of all grading activities, and prior to Rough Grading final Inspection (Grading Ordinance SEC 87.421.a.2), the letter report shall be completed. **Monitoring:** The [DPLU, PCC] shall review the final negative letter report or field monitoring memo for compliance with the project MMRP, and inform [DPW, PDCI] that the requirement is completed.

- h. **ARCHAEOLOGICAL MONITORING: [DPLU, PCC] [RG, BP] [DPLU, FEE]. Intent:** In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) pursuant to 3100 5388 (TM), and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Archaeological Resources, a Grading Monitoring Program shall be implemented. **Description of Requirement:** The Project Archaeologist shall prepare one of the following reports upon completion of the grading activities that require monitoring:

- a. **If no archaeological resources** are encountered during grading, then submit a final Negative Monitoring Report substantiating that grading activities are completed and no cultural resources were encountered. Monitoring logs showing the date and time that the monitor was on site must be included in the Negative Monitoring Report.
- b. **If archaeological resources were encountered** during grading, the Project Archaeologist shall provide a Monitoring Report stating that the field grading monitoring activities have been completed, and that resources have been encountered. The report shall detail all cultural artifacts and deposits discovered during monitoring and the anticipated time schedule for completion of the curation phase of the monitoring.

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

- i. **BIOLOGICAL MONITORING: [DPLU, PCC] [DPW,PDCI] [PC] [DPLU, FEE X3]. Intent:** In order to prevent inadvertent disturbance to sensitive

habitats, clearing and grading located within or adjacent to sensitive habitats shall be monitored by a biologist. **Description of Requirement:** The biologist shall supervise and monitor grading activities to ensure against damage to biological resources that are intended to be protected and preserved. The biologist and/or employed biological professionals shall be on site during clearing activities that are in native biological habitat or within 100 feet of biological open space easements during clearing and grading activities. If there are disturbances, the biologist must report them immediately to the [DPLU PCC]. Additionally, the biologist shall perform the duties specified in the most current version of the County of San Diego Biological Report Format and Requirement Guidelines. **Documentation:** The biologist shall prepare and submit to the satisfaction the [DPLU, PCC] monitoring reports, which indicate that the monitoring has occurred as indicated above. **Timing:** The following actions shall occur throughout the duration of the grading construction. **Monitoring:** The [DPW, PDCI] shall assure that the biologist is on-site performing the monitoring duties of this condition during all applicable grading activities as determined by the biologist. The [DPW, PDCI] shall contact the [DPLU, PCC] if the biologist or applicant fails to comply with this condition. The [DPLU, PCC] shall review and approve the monitoring reports for compliance with this condition.

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

- j. **OPEN SPACE SIGNAGE & FENCING:** [DPLU, PCC] [DPW, PDCI] [FG, UO] [DPLU, FEE]. **Intent:** In order to comply with Condition 21, pursuant to the adopted Mitigation Monitoring and Reporting Program (MMRP) for VTM 5338 RPL⁷, the fencing and signage shall be installed. **Description of Requirement:** The permanent fences or walls, and open space signs shall be placed along the open space boundary of lots(s) "T", "U", "X", "Y", 557 and 558, as shown on these plans and the Approved Conceptual Grading and Development Plan for VTM 5338 RPL⁷.
- a. Evidence shall be site photos and a statement from a California Registered Engineer, or licensed surveyor that the permanent walls or fences, and open space signs have been installed.
 - b. The signs must be corrosion resistant, a minimum of 6" x 9" in size, on posts not less than three (3) feet in height from the ground surface, and must state the following:

**Sensitive Environmental Resources
Area Restricted by Easement**

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: (3100 5338 (VTM))

Documentation: The applicant shall install the fencing and signage and provide the documentation photos and certification statement to the [DPLU, PCC]. **Timing:** Prior to the occupancy of any structure or use of the premises in reliance of VTM 5338 RPL⁷, and prior to Final Grading Release (Grading Ordinance Sec. 87.421.a.3) the fencing and signage shall be installed. **Monitoring:** The [DPLU, PCC] shall review the photos and statement for compliance with this condition.

- k. **PALEONTOLOGICAL MONITORING: [DPLU, PCC] [RG, BP] [DPLU, FEE]. Intent:** In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) pursuant to TM5338Rpl⁷/Log No. 03-02-059 and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources, a Grading Monitoring Program shall be implemented. **Description of Requirement:** The Project Paleontologist shall prepare a final report that documents the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program if resources were encountered during grading. The report shall include the following:
- a. If paleontological resources were discovered, the Following tasks shall be completed by or under the supervision of the Project Paleontologist:
 1. Prepare collected fossil remains for curation, to include cleaning the fossils by removing the enclosing rock material, stabilizing fragile specimens using glues and other hardeners, if necessary, and repairing broken specimens;
 2. Curate, catalog and identify all fossil remains to the lowest taxon possible, inventory specimens, assigning catalog numbers, and enter the appropriate specimen and locality data into a collection database;
 3. Submit a detailed report prepared by the Project Paleontologist in the format provided in Appendix D of the County of San Diego's Guidelines for Determining Significance for Paleontological Resources and identifying which accredited institution has agreed to accept the curated fossils. Submit TWO hard copies of the final Paleontological

Resources Mitigation Report to the Director of DPLU for final approval of the mitigation, and submit an electronic copy of the complete report in Microsoft Word on a CD. In addition, submit one copy of the report to the San Diego Natural History Museum and one copy to the institution that received the fossils.

4. Transfer the cataloged fossil remains and copies of relevant field notes, maps, stratigraphic sections, and photographs to an accredited institution (museum or university) in California that maintains paleontological collections for archival storage and/or display, and submit Proof of Transfer of Paleontological Resources, in the form of a letter, from the director of the paleontology department of the accredited institution to the Director of DPLU verifying that the curated fossils from the project site have been received by the institution.”
- b. If no resources were discovered, a brief letter to that effect and stating that the grading monitoring activities have been completed, shall be sent to the Director of Planning and Land Use by the Project Paleontologist.

Documentation: The applicant shall submit the letter report to the [DPLU, PCC] for review and approval. **Timing:** Prior to the occupancy of any structure or use of the premises in reliance of TM5338Rpl⁷/Log No. 03-02-059 and prior to Final Grading Release (Grading Ordinance Sec. 87.421.a.3), the final report shall be completed. **Monitoring:** The [DPLU, PCC] shall review the final report for compliance with the project MMRP, and inform [DPW, PDCI] that the requirement is completed.

- I. **ARCHAEOLOGICAL MONITORING: [DPLU, PCC] [RG, BP] [DPLU, FEE]. Intent:** In order to comply with the adopted Mitigation Monitoring and Reporting Program (MMRP) pursuant to 3100 5338 RPL⁷ (VTM), and the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Archaeological Resources, a Grading Monitoring Program shall be implemented. **Description of Requirement:** The Project Archaeologist shall prepare a final report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program if cultural resources were encountered during grading. The report shall include the following:
 - a. Department of Parks and Recreation Primary and Archaeological Site forms.
 - b. Daily Monitoring Logs

- c. Evidence that all cultural resources collected during the grading monitoring program have been submitted to a San Diego curation facility that meets federal standards per 36 CFR Part 79, and, therefore, would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records, including title, shall be transferred to the San Diego curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that archaeological materials have been received and that all fees have been paid.
- c. If no cultural resources are discovered, a brief letter to that effect must be submitted stating that the grading monitoring activities have been completed. Daily Monitoring Logs must be submitted with the negative monitoring report.

Documentation: The applicant shall submit the report to the [DPLU, PCC] for review and approval. **Timing:** Prior to the occupancy of any structure or use of the premises in reliance of 3100 5388 RPL⁷ (VTM), and prior to Final Grading Release (Grading Ordinance Sec. 87.421.a.3), the final report shall be completed. **Monitoring:** The [DPLU, PCC] shall review the final report for compliance with the project MMRP, and inform [DPW, PDCI] that the requirement is completed.

- m. **BIOLOGICAL MONITORING: [DPLU, PCC] [UO, FG] [DPLU, FEE X2].**
Intent: In order to ensure that the biological monitoring occurred during the grading phase of the project, a final Biological Monitoring Report shall be prepared. **Description of Requirement:** The biologist shall prepare final biological monitoring report. The report shall substantiate the supervision of the grading activities, and state that grading or construction activities did not impact any additional areas of sensitive habitats, jurisdictional waters, special-status plant and wildlife species, or any other sensitive biological resources. The report shall conform to the County of San Diego Report Format Guidelines for Biological Resources, and include the following items:
 - 1. Photos of the temporary fencing that was installed during the trenching, grading, or clearing activities.
 - 2. Monitoring logs showing the date, time, and persons (biologist and/or employed qualified biologists) were on site.
 - 3. Photos of the site after the grading and clearing activities.

Documentation: The biologist shall prepare the final report and submit it to the [DPLU, PCC] for review and approval. **Timing:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the final report shall be approved. **Monitoring:** The [DPLU, PCC] shall review the final report for compliance this condition and the report format guidelines. Upon approval of the report, [DPLU, PCC] shall inform [DPW, LDR] and [DPW, PDCI], that the requirement is complete and the bond amount can be relinquished. If the monitoring was bonded separately, then [DPLU, PCC] shall inform [DPLU, FISCAL] to release the bond back to the applicant.

- n. **NOISE REQUIREMENT: [DPLU, PCC] [RG, BP] [DPLU, FEE]. Intent:** In order to reduce the exposure to noise levels in excess of standards established by the County of San Diego General Plan Noise Element (Policy 4.b), as evaluated in the County of San Diego Noise Guidelines for Determining Significance, permanent nine foot high noise attenuation barriers shall be installed along the property boundaries of lots 285 through 301 within PA R-4, the HOA recreational facility (PA P-3) and along the western side of the northern half of PA P-3, as specified in the Final EIR, Figure 3.1-8, Location of Noise Attenuation Barriers, to mitigate the noise exposure of land uses for sensitive receptors below levels of significance. The designed noise screening may only be accomplished if the barrier weight is at least 3.5 pounds per square foot of face area and if barriers have no decorative cutouts or line-of-site openings between shielded areas and the roadways. All gaps (except for weep holes) should be filled with grout or caulking. Recommended noise attenuation barriers may be constructed using one of the following alternative materials:

1. Masonry block;
2. Stucco veneer over wood framing (or foam core), or one-inch-thick tongue and groove wood of sufficient weight per square foot;
3. Glass (¼ inch thick), or other transparent material with sufficient weight per square foot;
4. Earthen berm; and/or
5. Any combination of these construction materials.

Description of Requirement: A signed, stamped statement from a California Registered Engineer or licensed surveyor, and photographic evidence that the nine foot high sound barriers have been constructed along the property boundaries of lots 285 through 301 within PA R-4 and the HOA recreational facility (PA P-3) pursuant to the approved grading plan. **Documentation:** The applicant shall submit the certification and the letter to the [DPLU, PCC] for review and approval. **Timing:** Prior to Final Grading Release (Grading Ordinance Sec. 87.421.a.3), the

certification shall be completed. **Monitoring:** The [DPLU, PCC] shall review the certification and the photos for compliance with this condition, and shall inform [DPW, PDCI] that the requirement is completed.

- o. **NOISE REQUIREMENT: [DPLU, PCC] [RG, BP] [DPLU, FEE]. Intent:** In order to reduce the exposure to noise levels in excess of standards established by the County of San Diego General Plan Noise Element (Policy 4.b), as evaluated in the County of San Diego Noise Guidelines for Determining Significance, permanent ten foot high noise attenuation barriers shall be installed along the property boundaries of lots 21 through 52 within PA R-1 as specified in the Final EIR, Figure 3.1-8, Location of Noise Attenuation Barriers, to mitigate the noise exposure of land uses for sensitive receptors below levels of significance. The designed noise screening may only be accomplished if the barrier weight is at least 3.5 pounds per square foot of face area and if barriers have no decorative cutouts or line-of-site openings between shielded areas and the roadways. All gaps (except for weep holes) should be filled with grout or caulking. Recommended noise attenuation barriers may be constructed using one of the following alternative materials:

1. Masonry block;
2. Stucco veneer over wood framing (or foam core), or one-inch-thick tongue and groove wood of sufficient weight per square foot;
3. Glass (¼ inch thick), or other transparent material with sufficient weight per square foot;
4. Earthen berm; and/or
5. Any combination of these construction materials.

Description of Requirement: A signed, stamped statement from a California Registered Engineer or licensed surveyor, and photographic evidence that the nine foot high sound barriers have been constructed along the property boundaries of lots 21 through 52 within PA R-1 pursuant to the approved grading plan. **Documentation:** The applicant shall submit the certification and the letter to the [DPLU, PCC] for review and approval. **Timing:** Prior to Final Grading Release (Grading Ordinance Sec. 87.421.a.3), the certification shall be completed. **Monitoring:** The [DPLU, PCC] shall review the certification and the photos for compliance with this condition, and shall inform [DPW, PDCI] that the requirement is completed.

- p. **NOISE REQUIREMENT: [DPLU, PCC] [RG, BP] [DPLU, FEE]. Intent:** In order to reduce the exposure to noise levels in excess of standards established by the County of San Diego General Plan Noise Element (Policy 4.b), as evaluated in the County of San Diego Noise Guidelines for Determining Significance, permanent ten foot high noise attenuation

barriers shall be installed along portions of MF-1 that front the Town Center and a portion of Longspur Road as specified in the Final EIR, Figure 3.1-8, Location of Noise Attenuation Barriers, to mitigate the noise exposure of land uses for sensitive receptors below levels of significance. The designed noise screening may only be accomplished if the barrier weight is at least 3.5 pounds per square foot of face area and if barriers have no decorative cutouts or line-of-site openings between shielded areas and the roadways. All gaps (except for weep holes) should be filled with grout or caulking. Recommended noise attenuation barriers may be constructed using one of the following alternative materials:

1. Masonry block;
2. Stucco veneer over wood framing (or foam core), or one-inch-thick tongue and groove wood of sufficient weight per square foot;
3. Glass (¼ inch thick), or other transparent material with sufficient weight per square foot;
4. Earthen berm; and/or
5. Any combination of these construction materials.

Description of Requirement: A signed, stamped statement from a California Registered Engineer or licensed surveyor, and photographic evidence that the nine foot high sound barriers have been constructed along portions of MF-1 that front the Town Center and a portion of Longspur Road pursuant to the approved grading plan. **Documentation:** The applicant shall submit the certification and the letter to the [DPLU, PCC] for review and approval. **Timing:** Prior to Final Grading Release (Grading Ordinance Sec. 87.421.a.3), the certification shall be completed. **Monitoring:** The [DPLU, PCC] shall review the certification and the photos for compliance with this condition, and shall inform [DPW, PDCI] that the requirement is completed.

- q. **NOISE REQUIREMENT: [DPLU, PCC] [RG, BP] [DPLU, FEE]. Intent:** In order to reduce the exposure to noise levels in excess of standards established by the County of San Diego General Plan Noise Element (Policy 4.b), as evaluated in the County of San Diego Noise Guidelines for Determining Significance, permanent ten foot high noise attenuation barriers shall be installed along portions of MF-2 that front Horse Ranch Creek Road and Harvest Glen Lane, as specified in the Final EIR, Figure 3.1-8, Location of Noise Attenuation Barriers, to mitigate the noise exposure of land uses for sensitive receptors below levels of significance. The designed noise screening may only be accomplished if the barrier weight is at least 3.5 pounds per square foot of face area and if barriers have no decorative cutouts or line-of-site openings between shielded areas and the roadways. All gaps (except for weep holes) should be filled

with grout or caulking. Recommended noise attenuation barriers may be constructed using one of the following alternative materials:

1. Masonry block;
2. Stucco veneer over wood framing (or foam core), or one-inch-thick tongue and groove wood of sufficient weight per square foot;
3. Glass ($\frac{1}{4}$ inch thick), or other transparent material with sufficient weight per square foot;
4. Earthen berm; and/or
5. Any combination of these construction materials.

Description of Requirement: A signed, stamped statement from a California Registered Engineer or licensed surveyor, and photographic evidence that the nine foot high sound barriers have been constructed along portions of MF-2 that front Horse Ranch Creek Road and Harvest Glen Lane pursuant to the approved grading plan. **Documentation:** The applicant shall submit the certification and the letter to the [DPLU, PCC] for review and approval. **Timing:** Prior to Final Grading Release (Grading Ordinance Sec. 87.421.a.3), the certification shall be completed. **Monitoring:** The [DPLU, PCC] shall review the certification and the photos for compliance with this condition, and shall inform [DPW, PDC] that the requirement is completed.

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

- r. **BIOLOGICAL MONITORING:** [DPLU, PCC] [DPW, LDR] [GP, IP, MA] [DPLU, FEE X2]. **Intent:** In order to prevent inadvertent disturbance to sensitive habitats, clearing and grading located within or adjacent to sensitive habitats, shall be monitored by a biologist. **Description of Requirement:** A County approved biologist shall be contracted to perform preconstruction biological monitoring duties. The following shall be completed:

1. Supervise and verify placement of temporary fencing of open space easements. The placement of such fencing shall be approved by the DPLU, Permit Compliance Section.
2. The biologist shall attend the preconstruction meetings and other meetings to discuss construction requirements. Such meeting shall include the DPLU Permit Compliance Section.

Documentation: The biologist shall prepare written documentation that certifies that the temporary fencing has been installed and that all construction staff has been trained on the site sensitive biological

resources that are to be avoided. **Timing:** Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be completed. **Monitoring:** The [DPW, PDCI] shall invite the [DPLU, PCC] to the preconstruction conference to coordinate the biological monitoring requirements of this condition. The [DPLU, PCC] shall attend the preconstruction conference and verify the installation of the temporary fencing and approve the training documentation prepared by the biologist.

- s. **TEMPORARY FENCING: [DPLU, PCC] [DPW, PDCI] [PC] [DPLU, FEE].**
Intent: In order to prevent inadvertent disturbance to all on-site biological open space, temporary construction fencing shall be installed.
Description of Requirement: Prior to the commencement of any grading and or clearing in association with the grading plan, temporary orange construction fencing shall be placed to protect from inadvertent disturbance of all open space easements that do not allow grading, brushing or clearing:
1. Temporary fencing is also required in all locations of the project where proposed grading or clearing is within 100 feet of an open space easement boundary.
 2. The placement of such fencing shall be approved by the DPLU, Permit Compliance Section. Upon approval, the fencing shall remain in place until the conclusion of grading activities after which the fencing shall be removed.

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

- t. **RESOURCE AVOIDANCE (COASTAL SAGE SCRUB): [DPLU, PCC] [DPW, PDCI] DPLU, FEE X2].**
Intent: In order to avoid impacts to nesting coastal California gnatcatcher and southern California rufous-crowned sparrow, which are a sensitive biological resource pursuant to RPO, a Resource Avoidance Area (RAA), shall be implemented on all plans. **Description of Requirement:** There shall be no brushing, clearing and/or grading such that none will be

allowed within 300 feet of coastal sage scrub habitat during the breeding season of the coastal California gnatcatcher and southern California rufous-crowned sparrow. The breeding season is defined as occurring between February 15 through August 30 of any year.. 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 Gnatcatchers 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.

- u. **RESOURCE AVOIDANCE (RIPARIAN HABITAT): [DPLU, PCC] [DPW, PDCI] DPLU, FEE X2]. Intent:** In order to avoid impacts to nesting least Bell's vireo, yellow warbler and yellow breasted-chat, which are a sensitive biological resource pursuant to RPO, a Resource Avoidance Area (RAA), shall be implemented on all plans. **Description of Requirement:** There shall be no brushing, clearing and/or grading such that none will be allowed within 300 feet of riparian habitat during the breeding season of the least Bell's vireo, yellow warbler and yellow breasted-chat. The breeding season is defined as occurring between March 15th to September 15th. 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 Gnatcatchers 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.

- v. **RESOURCE AVOIDANCE (RAPTOR NESTING HABITAT): [DPLU, PCC] [DPW, PDCI] DPLU, FEE X2]. Intent:** In order to avoid impacts to nesting raptors, which are a sensitive biological resource pursuant to RPO, a pre-construction survey will be required and if present a Resource Avoidance Area (RAA), shall be implemented on all plans. **Description of Requirement:** There shall be no brushing, clearing and/or grading allowed within 300 feet of documented raptor nests during the breeding season. The breeding season is defined as occurring between February 1 and July 15. 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 Gnatcatchers or Raptors are present in the vicinity of the brushing, clearing or grading. **Documentation:** The applicant shall provide a letter report of a recent preconstruction survey with the locations of raptor nests and 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.
- w. **PALEONTOLOGICAL MONITORING: [DPW, PDCI] [DPLU, PCC] [PC] [DPLU, FEE X2] Intent:** In order to comply with Mitigation Monitoring and Reporting Program pursuant to TM5338Rpl⁷/Log No. 03-02-059 a Paleontological Resource Grading Monitoring Program shall be implemented. **Description of Requirement:** The County approved Project Paleontologist, and the DPLU Permit Compliance Coordinator (PCC), shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the grading monitoring program. The Project Paleontologist shall monitor During the original cutting of previously undisturbed deposits for the project, both on and off site, the Qualified Paleontological Resources Monitor shall be on-site to monitor as determined necessary by the Qualified Paleontologist. The grading monitoring program shall comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Paleontological Resources. **Documentation:** The applicant shall have the contracted Project Paleontologist attend the

preconstruction meeting to explain the monitoring requirements. **Timing:** Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be completed. **Monitoring:** The [DPW, PDCI] shall invite the [DPLU, PCC] to the preconstruction conference to coordinate the Paleontological Resource Monitoring requirements of this condition. The [DPLU, PCC] shall attend the preconstruction conference and confirm the attendance of the approved Project Paleontologist.

- x. **“TEMPORARY FENCING: [DPLU, PCC] [DPW, PDCI] [PC] [DPLU, FEE]. Intent:** In order to prevent inadvertent disturbance to CA-SDI-682, temporary construction fencing shall be installed. **Description of Requirement:** Prior to the commencement of any grading and or clearing in association with this grading plan, temporary orange construction fencing shall be placed to protect from inadvertent disturbance of CA-SDI-682 during the road improvements of Horse Ranch Creek Road that do not allow grading, brushing or clearing.

1. The placement of such fencing shall be approved by the DPLU, Permit Compliance Section. Upon approval, the fencing shall remain in place until the conclusion of grading activities after which the fencing shall be removed.

Documentation: The applicant shall have a California licensed surveyor install and certify the installation of the temporary fencing. The applicant shall submit photos of the fencing along with the certification letter to the [DPLU, PCC] for approval. **Timing:** Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances the fencing shall be installed, and shall remain for the duration of the grading and clearing. **Monitoring:** The [DPLU, PCC] shall either attend the preconstruction conference and approve the installation of the temporary fencing, or review the certification and pictures provided by the applicant’s surveyor.

- y. **ARCHAEOLOGICAL MONITORING: [DPW, PDCI] [DPLU, PCC] [PC] [DPLU, FEE X2] Intent:** In order to comply with Mitigation Monitoring and Reporting Program pursuant to 3100 5338 (TM), a Cultural Resource Grading Monitoring Program shall be implemented. **Description of Requirement:** The County approved ‘Project Archaeologist,’ Luiseño Native American Monitor, and the DPLU Permit Compliance Coordinator (PCC), shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the grading monitoring program. The Project Archaeologist (and Luiseño Native American Monitor) shall monitor original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements. The grading monitoring program shall comply with the County of San Diego

Guidelines for Determining Significance and Report Format and Content Requirements for Archeological and Historic Resources. **Documentation:** The applicant shall have the contracted Project Archeologist and Native American attend the preconstruction meeting to explain the monitoring requirements. **Timing:** Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be completed. **Monitoring:** The [DPW, PDCI] shall invite the [DPLU, PCC] to the preconstruction conference to coordinate the Cultural Resource Monitoring requirements of this condition. The [DPLU, PCC] shall attend the preconstruction conference and confirm the attendance of the approved Project Archeologist.

z. **TEMPORARY FENCING: [DPLU, PCC] [DPW, PDCI] [PC] [DPLU, FEE].**

Intent: In order to prevent inadvertent disturbance to all on-site biological open space, temporary construction fencing shall be installed. **Description of Requirement:** Prior to the commencement of any grading and or clearing in association with the grading plan, temporary orange construction fencing shall be placed to protect from inadvertent disturbance of all open space easements that do not allow grading, brushing or clearing:

1. Temporary fencing is also required in all locations of the project where proposed grading or clearing is within 100 feet of an open space easement boundary.
2. The placement of such fencing shall be approved by the DPLU, Permit Compliance Section. Upon approval, the fencing shall remain in place until the conclusion of grading activities after which the fencing shall be removed.

Documentation: The fencing shall protect all biological preservation open space from construction activities and disturbance. **Timing:** Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be completed. **Monitoring:** The [DPW, PDCI] shall make sure that the Project Biologist is on-site performing the Monitoring duties of this condition. The [DPW, PDCI] shall contact the [DPLU, PCC] if the Project Biologist or applicant fails to comply with this condition..

Documentation: The applicant shall submit the Grading and Improvement plans, which shall include the above reference condition notes. The condition notes shall be in addition to what is already approved on the Conceptual Grading and Improvement Plan, unless indicated in this condition that it is superseding. **Timing:** Prior to the approval of any grading and or improvement plans and

issuance of any Grading or Construction Permits) and prior to the approval of any map for each phase, the notes and items shall be placed on the plans. **Monitoring:** The [DPW, ESU, or DPLU, BD for DPLU Minor Grading and DPR, TC and PP for trail and park improvements] shall verify that the grading and or improvement plan requirements have been implemented on the final grading and or improvement plans. The environmental mitigation notes shall be made conditions of the issuance of said grading or construction permit.

49. TRAFFIC CONTROL PLAN: [DPW, LDR] GP, IP, UO]. Intent: In order to mitigate below levels of significance for temporary traffic impacts, a traffic control plan shall be prepared and implemented. **Description of Requirement:** A Traffic Control Plan (TCP) shall be prepared that addresses the following, but is not only limited to: haul routes, number of trips per day, and destination.

a. The implementation of the TCP shall be a condition of any grading, construction, or excavation permit issued by the County. Any additional County Traffic Control Permits shall be obtained as required and any CALTRANS Encroachment Permits for work within the State of California Rights of Way as identified in the TCP. The applicant is responsible for the maintenance and repair of any damage caused by them to the on-site and off-site private roads that serve the property either during construction or subsequent operations.”

b. The applicant will repair those portions of the route that would be damaged by the heavy loads that loaded trucks place on the route identified. An agreement shall be executed, which will also include an agreement is to include (1) a cash deposit for emergency traffic safety repairs; (2) long-term security for expected increased maintenance on the route identified; and (3) possible future asphaltic overlay requirements on the route identified.

Documentation: The applicant shall have the TCP prepared by a licensed Traffic Engineer and submit it to [DPW, LDR] for review. The applicant shall also execute a secured agreement for any potential damages caused by heavy trucks on road mentioned above. The agreement and securities shall be approved to the satisfaction of the [DPW, LDR]. The applicant is responsible for obtaining any additional permits as identified in the TCP. **Timing:** Prior to approval of any grading and or improvement plans and issuance of any Grading, Construction, or Excavation Permits, a TCP shall be prepared and approved. **Monitoring:** The [DPW, LDR] shall review the TCP for compliance with this condition, and require any additional traffic or encroachment permits before any approval of the TCP. The TCP shall be implemented and made a condition of any associated County Construction, Grading or Encroachment Permit.

IT IS FURTHER RESOLVED, THEREFORE, that the Planning Commission of the County of San Diego hereby makes the following findings as supported by the minutes,

maps, exhibits, and documentation of said Vesting Tentative Map all of which are herein incorporated by reference:

1. The Vesting Tentative Map is consistent with all elements of the San Diego County General Plan and with the Current Urban Development Area (CUDA) Regional Designation and the (21) Specific Plan Area (1.9) Land Use Designation of the Fallbrook Community Plan because it proposes a mixed-use development at an overall density of 1.9 dwelling units per acre and complies with the provisions of the State Subdivision Map Act and the Subdivision Ordinance of the San Diego County Code;
2. The Vesting Tentative Map is consistent with the Zoning Ordinance because it proposes a mixed-use development, comprised of residential and commercial development, which is governed by a Specific Plan Amendment that identifies appropriate lot area, setbacks and design guidelines and is consistent with the provisions of the S-88 Specific Planning Area Use Regulation;
3. The design and improvements of the proposed subdivision are consistent with all elements of the San Diego County General Plan and with the Fallbrook Community Plan, and comply with the provisions of the State Subdivision Map Act and the Subdivision Ordinance of the San Diego County Code;
4. The site is physically suitable for mixed-use residential and commercial type of development because the proposed development is outside the majority of the sensitive environmental areas on the property and impacts thereto are mitigated. Site grading will be balanced and minimized as appropriate;
5. The site is physically suitable for the proposed density of development because both imported water supply and sewer treatment and disposal will be serviced by the Rainbow Municipal Water District;
6. The design of the subdivision and the type of improvements will not cause public health problems because adequate water supply and sewage disposal services have been found to be available or can be provided concurrent with need;
7. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat based upon the findings of a Subsequent Environmental Impact Report, dated May 11, 2011;
8. The design of the subdivision or the type of improvements do not conflict with easements, acquired by the public at large, for access through, or use of property within the proposed subdivision, as defined under Section 66474 of the Government Code, State of California; and

- The division and development of the property in the manner set forth on the approved Vesting Tentative Map will not unreasonably interfere with the free and complete exercise of the public entity or public utility right-of-way or easement;
9. The discharge of sewage waste from the subdivision into the Rainbow Municipal Water District's sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the Water Code, as specified by Government Code Section 66474.6;
 10. Because adequate facilities and services have been assured and adequate environmental review and documentation have been prepared, the regional housing opportunities afforded by the subdivision outweigh the impacts upon the public service needs of County residents and fiscal and environmental resources; and

WAIVER(S) AND EXCEPTION(S): This subdivision is hereby approved pursuant to the provisions of the State Subdivision Map Act, the County Subdivision Ordinance, the County Public and Private Road Standards, and all other required ordinances of San Diego County except for a waiver or modification of the:

County Subdivision Ordinance design requirements:

- A. Section 81.401(a) states that no lots shall include land in more than a single tax code area. This Section of the Subdivision Ordinance has been waived in order to permit the development of a master planned community.
- B. Section 81.401(b) requires every lot to contain a net area of no less than 6,000 square feet. The Specific Plan for this project specifies that lots may measure less than 6,000 square feet of net area, and may measure a minimum of 4,000 square feet. This exclusion is consistent with Section 81.401(o).
- C. Section 81.401(d) requires every lot to measure at least 60 feet wide, when measured at the right-of-way line. The Specific Plan for this project specifies that lots measuring less than 6,000 square feet shall measure no less than 40 feet when measured, at the Right-of-way line. This exclusion is consistent with Section 81.401(o).

County Public and Private Road Standards to permit:

- A. Section 6.1.C.1 and Section 6.1.C.2 of County standards for Public Roads require a minimum separation between driveways and between driveways and roads entering non-Circulation Element roads of two hundred feet (200'). DPW was able to support requested modification of Section 6.1.C.1 and

Section 6.1.C.2 to permit locations of driveways serving lots of less than 100 feet frontage on local streets to have driveways within 200 feet of each other provided consideration should be given to separating the driveway from the intersections as far as lot lines will allow to avoid a driveway being hidden around a corner by landscaping.

- B. Section 6.1.C.1 of the County Public Road Standards of March 3, 2010, indicates: "Non-Circulation Element roads entering into other Non-Circulation Element roads shall have their centerlines separated by at least 200 feet". DPW was able to support requested modification of the 200 feet minimum separation between adjoining centerline intersections of non-Circulation Element roads to permit intersectional separations along Ruffled Grouse Rd of 1) 184 feet between Longspur Rd and Dusky Wing Lane; and 2) 151 feet between Phalarope St and Longspur Rd and along Snowy Egret St 3) a separation of 169 feet between Ostrich Way and Longspur Road.
- C. Section 4.5.C.1 and .2, as well as Table 2.B, Residential Streets of the County Public Road Standards, as represented in Condition 1.p - Bird Watcher Court, herein, to allow a minimum centerline radius of 45 feet, one-way travel and a 15 mile-per-hour speed (mph) limit, as opposed to 30 mph. To comply with this Standard will result in disproportionate hardship and the waiver does not adversely affect the safety flow of traffic. .

MITIGATION MONITORING OR REPORTING PROGRAM (MMRP): Public Resources Code Section 21081.6 requires the County to adopt a Mitigation Monitoring or Reporting Program for any project approved with the adoption of a Mitigated Negative Declaration or with the certification of an Environmental Impact Report, for which changes in the project are required in order to avoid significant impacts.

Section 21081.6(a)(1) states, in part:

The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation.

Section 21081(b) further states:

A public agency shall provide [that] the measures to mitigate or avoid significant effects on the environment are fully enforceable through permit conditions, agreements, or other measures.

As indicated above, a Mitigation Monitoring or Reporting Program is required to assure that a project is implemented in compliance with all required mitigation measures. The Mitigation Monitoring or Reporting Program (MMRP) for this project is incorporated into the mitigation measures adopted as project conditions of approval. Each mitigation

measure adopted as a condition of approval (COA) includes the following five components.

Intent: An explanation of why the mitigation measure (MM) was imposed on the project.

Description: A detailed description of the specific action(s) that must be taken to mitigate or avoid impacts.

Documentation: A description of the informational items that must be submitted by the applicant to the Lead Agency to demonstrate compliance with the COA.

Timing: The specific project milestone (point in progress) when the specific required actions are required to be implemented.

Monitoring: This section describes the actions to be taken by the lead agency to assure implementation of the mitigation measure.

The conditions of approval required to mitigate or avoid significant impacts on the environment are listed below and constitute the MMRP for this project:

All inclusive: Condition Nos. 2, 8-12, 22- 41, 43, 45, 48-49.

MAP PROCESSING REQUIREMENTS: The parcel map shall comply with the following processing requirements pursuant to the Sections 81.801 through 81.811 of the Subdivision Ordinance and the Subdivision Final Map Processing Manual.

- The Final map shall show an accurate and detailed vicinity map.
- The Basis of Bearings for the Final Map shall comply with Section 81.506 of the Subdivision Ordinance.
- Prior to the approval of the Final Map by the Department of Public Works, the subdivider shall provide the Department of Public Works with a copy of the deed by which the subject property was acquired and a Final Map report from a qualified title insurance company.
- The following notes shall appear on the Final Map:
 - All parcels within this subdivision have a minimum of 100 square feet of solar access for each future dwelling unit allowed by this subdivision as required by Section 81.401(m) of the Subdivision Ordinance.
 - At the time of recordation of the Final Map, the name of the person authorizing the map and whose name appears on the SURVEYOR'S CERTIFICATE as the person who requested the map, shall be the name of the owner of the subject property.
 - Certification by the Department of Environmental Health with respect to water supply and sewage disposal shall be shown on the Final Map.

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

LIGHTING ORDINANCE COMPLIANCE: In order to comply with the County Lighting Ordinance 59.101 et seq. and Zoning Ordinance Sections 6322, 6324, and 6326, the onsite lighting shall comply with the approved plot plan(s), specific permit conditions and approved building plans associated with this permit. All light fixtures shall be designed and adjusted to reflect light downward, away from any road or street, and away from adjoining premises, and shall otherwise conform to the County Lighting Ordinance 59.101 et seq. and Zoning Ordinance Sections 6322, and 6324. The property owner and permittee shall conform to the approved plot plan(s), specific permit conditions, and approved building plans associated with this permit as they pertain to lighting. No additional lighting is permitted. If the permittee or property owner chooses to change the site design in any way, they must obtain approval from the County for a Minor Deviation or a Modification pursuant to the County of San Diego Zoning Ordinance.

NOISE ORDINANCE COMPLIANCE: In order to comply with the County Noise Ordinance 36.401 et seq. and the Noise Standards pursuant to the General Plan Noise Element (Policy 4.b), the property and all of its uses shall comply with the approved plot plan(s), specific permit conditions and approved building plans associated with this permit. No loudspeaker or sound amplification system shall be used to produce sounds in violation of the County Noise Ordinance. The property owner and permittee shall conform to the approved plot plan(s), specific permit conditions, and approved building plans associated with this permit as they pertain to noise generating devices or activities. If the permittee or property owner chooses to change the site design in any way, they must obtain approval from the County for a Minor Deviation or a Modification pursuant to the County of San Diego Zoning Ordinance.

STORMWATER ORDINANCE COMPLIANCE: In order to Comply with all applicable stormwater regulations the activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance No. 9926 and all other applicable ordinances and standards for the life of this permit. The project site shall be in compliance with all applicable stormwater regulations referenced above and all other applicable ordinances and standards. This includes compliance with the approved Stormwater Management Plan, all requirements for Low Impact Development (LID), materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas one (1) acre or greater require that the property owner keep additional and updated information onsite concerning stormwater runoff. The property owner and permittee shall comply with the requirements of the stormwater regulations referenced above.

LOW IMPACT DEVELOPMENT NOTICE: The San Diego Regional Water Quality Control Board (SDRWQCB) issued a new Municipal Stormwater Permit under the National Pollutant Discharge Elimination System (NPDES). The requirements of the Municipal Permit were implemented beginning March 25, 2010. *Project design shall be in compliance with the new Municipal Permit regulations.* The Low Impact Development (LID) Best Management Practices (BMP) Requirements of the Municipal Permit can be found at the following links:

http://www.waterboards.ca.gov/sandiego/water_issues/programs/stormwater/docs/sd_permit/r9_2007_0001/2007_0001final.pdf.

<http://www.sdcounty.ca.gov/dplu/docs/LID-Handbook.pdf>.

<http://www.sdcounty.ca.gov/dpw/watersheds/susmp/susmp.html>

The County has provided a LID Handbook as a source for LID information and is to be utilized by County staff and outside consultants for implementing LID in our region. See links above.

GRADING PERMIT REQUIRED: A grading permit is required prior to commencement of grading when quantities exceed 200 cubic yards of excavation or eight feet (8') of cut/fill per criteria of Section 87.202 (a) of the County Code.

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

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

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

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

copy of the receipt to the [DPLU, Building Division Technician] at time of permit issuance.

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

NOTICE: THE ISSUANCE OF THIS PERMIT BY THE COUNTY OF SAN DIEGO DOES NOT AUTHORIZE THE APPLICANT FOR SAID PERMIT TO VIOLATE ANY FEDERAL, STATE, OR COUNTY LAWS, ORDINANCES, REGULATIONS, OR POLICIES INCLUDING, BUT NOT LIMITED TO, THE FEDERAL ENDANGERED SPECIES ACT AND ANY AMENDMENTS THERETO.

NOTICE: Fish and Game Fees have been paid in the amount of \$2,839.25 for the review of the EIR, Receipt number 399122, dated January 25, 2011.

NOTICE: The 90-day period in which the applicant may file a protest of the fees, dedications or exactions begins on the date of adoption of this Resolution.

NOTICE: The project will be required to pay the Department of Planning and Land Use Mitigation Monitoring and Condition Review Fee. The fee will be collected at the time of the first submittal for Condition Satisfaction to DPLU, including Mitigation Monitoring requests. The amount of the fee will be determined by the current Fee Ordinance requirement at the time of the first submittal and is based on the number of 119 DPLU conditions that need to be satisfied. The fee amount will only be paid one time for those conditions that are indicated with the [DPLU, FEE] designator. The fee will not apply to subsequent project approvals that require a separate submittal fee such as, Revegetation and Landscape Plans, Resource (Habitat) Management Plans, Habitat Loss Permits, Administrative Permits, Site Plans, and any other discretionary permit applications.

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

EXPLANATION OF COUNTY DEPARTMENT AND DIVISION ACRONYMS

Department of Planning and Land Use	<u>DPLU</u>	Department of Public Works	<u>DPW</u>
Project Planning Division	PPD	Land Development Project Review Teams	LDR
Permit Compliance Coordinator	PCC	Project Manager	PM
Building Plan Process Review	BPPR	Plan Checker	PC
Building Division	BD	Map Checker	MC
Building Inspector	BI	Private Development Construction Inspection	PDCI
Landscape Architect	LA	Environmental Services Unit Division	ESU
Zoning Counter	ZO		
Department of Environmental Health	<u>DEH</u>	Department of Parks and Recreation	<u>DPR</u>
Land and Water Quality Division	LWQ	Trails Coordinator Group Program Manager Parks Planner	TC GPM PP
Vector Control	VCT	Department of General Service	<u>DGS</u>
Local Enforcement Agency	LEA	Real Property Division	RP
Hazmat Division	HMD		

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

ON MOTION of Supervisor Horn, seconded by Supervisor Roberts, the above Resolution was passed and adopted by the Board of Supervisors, County of San Diego, State of California, on this 11th day of May, 2011, by the following vote:

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

- - -

STATE OF CALIFORNIA)
County of San Diego)^{SS}

I hereby certify that the foregoing is a full, true and correct copy of the Original Resolution entered in the Minutes of the Board of Supervisors.

THOMAS J. PASTUSZKA
Clerk of the Board of Supervisors

By: 
Catherine Santos, Deputy



Resolution No. 11-045
Meeting date: 5/11/11 (1)