



County of San Diego

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MITIGATED NEGATIVE DECLARATION

PROJECT NAME: Aventine @ Sweetwater Springs

RECORD ID: PDS2018-SPA-18-002, GPA-18-004, TM-5627, REZ-18-002, STP-18-013, MUP-70-299W1M32

ENVIRONMENTAL LOG NO.: PDS2018-ER-18-19-003

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

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

- a. Initial Study – Environmental Checklist Form
 - b. Technical Studies and Reports as referenced
1. California Environmental Quality Act Mitigated Negative Declaration Findings:

Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; and that revisions in the project plans or proposals made by or agreed to by the project applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and, on the basis of the whole record before the decision-making body (including this Mitigated Negative Declaration) that there is no substantial evidence that the project as revised will have a significant effect on the environment.

2. Required Mitigation Measures:

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

NOISE

1. **NOISE#1–NOISE REQUIREMENT [PDS, FEE X 92]**

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 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: Noise barriers in height of six (6) feet to be located along Sweetwater Springs Boulevard and noise barriers in height of five (5) feet to be located along Austin Drive. **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.

2. NOISE#2–NOISE RESTRICTION EASEMENT [PDS, FEE X 92]

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 the [County of San Diego CEQA Noise Guidelines for Determining Significance](#), a noise restriction easement shall be placed on the parcel 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 TM-5627, 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 use that is occupied for only part of the day (**part time use**); as defined by the General Plan, 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 dBA for interior noise, and a (CNEL) of 60 dBA for exterior noise levels (or 65 dB for exterior multi-family). Exterior noise sensitive land uses include all Group or [Private Usable Open Space as defined by the General Plan Noise Element \(Table N-1 & N-2\)](#).
 1. Future traffic noise level estimates must utilize a Level of Service “C” traffic flow for a roadway for Sweetwater Springs Boulevard, which is its designated General Plan Mobility Element buildout roadway classification.
- 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 easement on the Final plan with the appropriate granting language on the title sheet concurrent with Final Map Review. **TIMING:** Prior to the approval of the map, identify and label the “Noise Restriction Easement” locations within 375 feet from the centerline of Sweetwater Springs Boulevard. Note that the 65 dBA CNEL contour directly adjacent to Sweetwater Springs Boulevard shall be labeled as a Noise Restriction Easement on the SPA plot plan. The requirements of this condition shall be completed. **MONITORING:** The [PDS, LDR] shall verify that the easement is indicated on the map as specified and recorded.

HAZARDOUS MATERIALS

3. HAZ #1–LEAD SURVEY [PDS, FEE X 2]

INTENT: In order to avoid hazards associated with lead based paint (LBP) and lead containing materials (LCM) to mitigate below levels of significance as established in the [County of San Diego Hazardous Materials and Existing Contamination Guidelines for Determining Significance](#), the structures identified on the approved plan set for demolition shall be surveyed for the presence of LBP/LCM because the structures were built prior to 1980. **DESCRIPTION OF REQUIREMENT:** A facility survey shall be performed to determine the presence or absence of LBP/LCM in the structures identified for demolition on the approved plan set. The survey shall be completed by a California Department of Health Services (DHS) certified lead inspector/risk assessor to determine the presence or absence of LBP and LCM located in the structure. The following conditions only apply if LBP and LCM are present:

- a. All LBP and LCM shall be managed in accordance with applicable regulations including, at a minimum, the hazardous waste disposal requirements (Title 22 California Code of Regulations [CCR] Division 4.5), the worker health and safety requirements (Title 8 California Code of Regulations Section 1532.1), and the State Lead Accreditation, Certification, and Work Practice Requirements (Title 17 CCR Division 1, Chapter 8).
- b. All LBP and LCM scheduled for demolition or disturbed during remodeling must comply with applicable regulations for demolition methods and dust suppression.

DOCUMENTATION: The applicant shall submit a letter or report prepared by a California DHS certified lead inspector/risk assessor to the [DEH HAZ MAT, APCD], which certifies that there was no LBP/LCM present, or all lead containing materials have been remediated pursuant to applicable regulations. **TIMING:** Prior to grading or improvement permit (excluding demolition permit), the applicant shall comply with this condition. **MONITORING:** The [DEH HAZ MAT, APCD] shall review the report and any additional evidence for compliance with this condition. The [PDS, PPD] shall review the completion letter from APCD and any additional evidence for compliance with this condition.

4. HAZ #2–ASBESTOS SURVEY [PDS, FEE X 2]

INTENT: In order to avoid hazards associated with Asbestos Containing Materials (ACMs) and to mitigate below levels of significance as established by the [County of San Diego Hazardous Materials and Existing Contamination Guidelines for Determining Significance](#), the structures identified on the approved plan set for demolition or remodel shall be surveyed for the presence of ACMs. **DESCRIPTION OF REQUIREMENT:** A facility survey shall be performed to determine the presence or absence of ACMs in the structures identified for demolition on the approved plan set. Suspect materials that will be disturbed by the demolition activities shall be sampled and analyzed for asbestos content, or assumed to be asbestos containing. The survey shall be conducted by a person certified by Cal/OSHA pursuant to regulations implementing subdivision (b) of Section 9021.5 of the Labor Code, and shall have taken and passed an EPA-approved Building Inspector Course.

- a. If ACMs are found present, they shall be handled and remediated in compliance with the San Diego County Air Pollution Control District Rule 361.145 – Standard for Demolition and Renovation.

DOCUMENTATION: The applicant shall submit to the [*DEH HAZ MAT, APCD*] a signed, stamped statement from the person certified to complete the facility survey indicating that the survey has been completed and that either regulated asbestos is present or absent. If regulated asbestos is present, the letter shall describe the procedures taken to remediate the hazard and certify that they have been remediated pursuant to code sections referenced above. **TIMING:** Prior to grading or improvement permit (excluding demolition permit), the applicant shall comply with this condition. **MONITORING:** The [*DEH HAZ MAT, APCD*] shall review the report and any additional evidence for compliance with this condition. The [*PDS, PPD*] shall review the completion letter from APCD and any additional evidence for compliance with this condition.

5. HAZ #3–STRUCTURE REMOVAL [PDS, FEE]

INTENT: In order to comply with the proposed project design for PDS2018-TM-5627 the structures identified on the approved plan set is to be removed or demolished. **DESCRIPTION OF REQUIREMENT:** The structures as shown on the approved plan set shall be removed or demolished. A Demolition Permit shall be obtained from [*PDS, BD*]. Compliance with conditions HAZ #1 and HAZ #2 to determine the presence or absence of Lead Containing Materials and Asbestos Containing Materials shall be completed before the County can issue a Demolition Permit. **DOCUMENTATION:** The applicant shall submit to the [*PDS, PPD*] a signed stamped statement from a registered professional; Engineer, Surveyor, Contractor, which states, that the structures have been removed or demolished. The letter report shall also include before and after pictures of the area and structure. **TIMING** Prior to grading or improvement permit (excluding demolition permit), the applicant shall comply with this condition. **MONITORING:** The [*PDS, PPD*] shall review the statement and, photos, and any additional evidence for compliance with this condition.

6. HAZ#4–SOIL TESTING AND REMEDIATION [PDS, FEE X 2]

INTENT: In order to test for and remediate potential contamination caused from the dry cleaning facility, as identified in the Phase I and Phase II Environmental Site Assessment (ESA) prepared by EEI and Geosyntec, dated September 28, 2017 and September 20, 2018, a targeted excavation of soil around the former dry cleaning establishment,

chemical storage area and sewer lateral must be completed. Additionally, remediation under the supervision of the Department of Environmental Health (DEH), [Site Assessment and Mitigation Program \(SAM\)](#) is required. The excavated soil should be stockpiled, tested, characterized for disposal and transported off-site to an appropriate disposal facility. **DESCRIPTION OF REQUIREMENT:** For soil testing, a signed, stamped addendum to the Limited Phase II ESA shall be prepared by a Registered Engineer or Professional Geologist. The addendum shall include the following information or as modified by DEH:

- a. Documentation that the soil sampling occurred between six inches to 2-3 feet in depth.
- b. Findings which identify whether onsite soils in this location exceed regulatory screening levels for soil vapors, petroleum, heavy metals, or other contaminants (PCEs and TCEs).
- c. If contaminated soils are detected, provide a copy of the contract and a signed sealed statement from the Registered Engineer or Professional Geologist, which states that they will implement the VAP work plan. Grading required to implement the site remediation activities is permitted.

For remediation, a California Licensed Environmental Consultant company shall prepare a Soil Management Plan (SMP), for the remediation of hazardous materials as identified above. The plan shall be prepared and implemented pursuant to the [DEH SAM Manual](#) under direction from the DEH [SAM](#):

- a. Enrollment in the DEH, [Voluntary Assistance Program \(VAP\)](#) is required. If contamination is found to be from an underground storage tank (UST) then enrollment in the DEH, [Local Oversight Program \(LOP\)](#) is required in lieu of enrollment in the VAP. All soil remediation shall be completed under supervision of the SAM/VAP or LOP as required.
- b. All required grading work shall comply with the [County of San Diego Grading Ordinance 87.101 et. al.](#) If a grading permit is required for the remediation work, it shall be issued for the remediation work only.
- c. The presence, locations and quantities of septic system(s) shall be evaluated. If present, the septic tanks shall be removed under permit and approval from the [DEH, LWQ].
- d. If the Director of PDS determines the remediation work will take an enormous amount of time that would be detrimental to ultimate project implementation, approval of other engineering plans and/or issuance of other project permits may be permitted as long as there is no risk of effects to public health and safety. Concurrence from the [DEH, SAM] is required, and the applicant shall enter into a secured agreement for the completion of the remediation work.

DOCUMENTATION: The applicant shall contract with a California Licensed Environmental Consultant to prepare the SMP and implement any required work plan for soil remediation. The applicant shall also enroll in the VAP or LOP and pay all applicable fees for review and completion of this requirement. Upon completion of the VAP or LOP, a "Closure Letter" from [DEH, SAM] shall be submitted to the [PDS, PPD] for approval. **TIMING:** Prior to approval of any grading and/or improvement plans, issuance of any construction, building or any other permit (except for any grading plan or permit required

for the remediation work), and prior to commencement of any construction, or use of the property in reliance on this permit, the applicant shall comply with this condition. **MONITORING:** The [DEH, SAM] shall oversee the progress of the remediation project. Upon completion of the remediation project the [DEH, SAM] shall issue a "Closure Letter" to the applicant, and the [PDS, PPD] shall review the closure letter for compliance with this condition.

TRANSPORTATION

7. TIF#1 – TIF PROGRAM

INTENT: In order to promote orderly development and comply with the County's TIF Program, the TIF Program shall be updated to include potential changes to the Land Use Element and Mobility Element. **DESCRIPTION OF REQUIREMENT:** Provide a fair share contribution towards the cost of updating the County's TIF program. The amount of the fair share contribution will be determined at the time the County begins the effort to update the TIF program. The cost of the TIF update will be shared by all of the approved GPAs that are being incorporated into the TIF Program to the satisfaction of the Director of PDS. **TIMING:** Prior to the recordation of the First Final Map for any unit, provide a fair share contribution towards the cost of updating the County's TIF program. **MONITORING:** The [PDS, LDR] shall review the County's TIF Program and update it to allow the use of a TIF payment to mitigate cumulative traffic impacts. The County's TIF Program update shall be approved by the Board of Supervisors.

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

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

1. GEN #1—COST RECOVERY: [PDS, 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 Planning & Development Services, 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 PDS Zoning Counter shall review the receipts and verify that all PDS, DEH, and DPR deposit accounts have been paid.

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

INTENT: In order to implement the required mitigation measures for the project, the required grading plan and improvement plans shall conform to the approved Conceptual Grading and Development Plan. **DESCRIPTION OF REQUIREMENT:** The grading and or improvement plans shall conform to the approved Conceptual Grading Plan.

DOCUMENTATION: The applicant shall submit the grading plans and improvement plans, which conform to the conceptual development plan for the project. **TIMING:** Prior to the approval of the map and prior to the approval of any plan and issuance of any permit, the notes and items shall be placed on the plans as required. **MONITORING:** The [DPW, ESU, or PDS, BD for PDS Minor Grading, [DPR, TC for trails and PP for park improvements] shall verify that the grading and or improvement plan requirements have been implemented on the final grading and or improvement plans as applicable. The environmental mitigation notes shall be made conditions of the issuance of said grading or construction permit.

3. WATER#1–WATER SERVICES & AVAILABILITY

INTENT: In order to ensure that the proposed subdivision has the required water protection services, and to comply with [County Subdivision Ordinance Sections 81.706](#), water service availability letter from Otay Municipal Water District shall be provided and required improvements made. **DESCRIPTION OF REQUIREMENT:** Obtain a “written verification” and supporting documents from the water supplier indicating the availability of a “sufficient water supply” as required by Section 66473.7 of the Subdivision Map Act (Senate Bill 221) shall be provided to the satisfaction of County departments. **DOCUMENTATION:** The applicant shall obtain a “written verification” and supporting documents from the water supplier indicating the availability of a “sufficient water supply” as required by Section 66473.7 of the Subdivision Map Act (Senate Bill 221) shall be provided to the satisfaction of County departments. **TIMING:** Prior to the recordation of the Final Map, the applicant shall comply with this condition. **MONITORING:** The [PDS, LDR] shall review the commitment letter for compliance with this condition.

4. LNDSKP#1–LANDSCAPE DOCUMENTATION PACKAGE

INTENT: In order to provide adequate Landscaping, and to comply with the Spring Valley Design Guidelines, the Rancho San Diego Specific Plan 74-01 (Sweetwater Avocado) Amendment, the [County of San Diego’s Water Efficient Landscape Design Manual](#), and the County’s 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, the Spring Valley Design Guidelines, and the requirements of the B Designator. 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

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 any plan, issuance of any permit, and prior to use of the premises in reliance of this permit, 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.

5. ROADS#1—PUBLIC ROAD IMPROVEMENTS

INTENT: In order to promote orderly development and to comply with the [Subdivision Ordinance Sec. 81.404](#) and the Community Trails Master Plan **Sweetwater Springs Blvd (SA 970)** shall be improved. **DESCRIPTION OF REQUIREMENT:**

- a. Improve or agree to improve and provide security for **Sweetwater Springs Boulevard (SA 970)**, in accordance with the Public Road Standards for a modified 4.1A Major Road with a raised median and a Class II bike lane, to a minimum total graded width of one-hundred-twelve feet (112'); fifty-six feet (56') from the centerline on the project side and improved to a minimum total width of eighty-two feet (82'); forty-one feet (41') along the project side with asphalt concrete pavement over approved base. Provide two twelve-foot (12') southbound travel lanes, a three-foot (3') buffer and a six-foot (6') bike lane. Provide an eight-foot (8') raised Portland Cement Concrete (PCC) median along the project frontage on west side from the centerline of Sweetwater Springs Boulevard. Provide an eight foot (8') striped median along the project frontage on the east side from the centerline of Sweetwater Springs Boulevard. Provide a one hundred-foot (100') northbound left turn pocket with a ninety-foot (90') taper transition for Private Road A. Provide a northbound one hundred thirty-foot (130') left turn pocket with a ninety-foot (90') taper transition at the intersection of Austin Drive. All of the above shall be to the satisfaction of the Director of Public Work and the Director of PDS.

- b. Improve or agree to improve and provide security for the southwest and northwest corners of the intersection of **Sweetwater Springs Boulevard (SA 970)**, and **Austin Drive (SC 2130)** in accordance with the Americans with Disability Act (ADA) Standards per the Manual on Uniform Traffic Control Devices (MUTCD). The project will be conditioned to provide truncated domes for the existing pedestrian ramps, ADA compliant push buttons with installation of pedestrian push button poles to meet ADA audio separation requirements, and signal heads (on the southwest and northwest corners only). Additionally, the project will be responsible to maintain the existing continental crosswalks for the southwest and northwest corners only and upgrade the 170 controller to a Flex controller with Omni Software (ATS-Flex). All of the above shall be to the satisfaction of the Director of Public Work and the Director of PDS.
- c. Improve or agree to improve and provide security for **Austin Drive (SC 2130)** in accordance with the Public Road Standards, for a 2.2B Light Collector with continuous turn lane and Class II bike lane. Restripe Austin Drive to provide a minimum of two foot (2') buffer zone with an eight foot (8') shoulder to provide safe movement for the bicyclists along the project frontage. All of the above shall be to the satisfaction of the Director of Public Work and the Director of PDS

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

- a. Process and obtain approval of Improvement Plans to improve **Sweetwater Springs Boulevard (SA 970)** and **Austin Drive (SC 2130)**.
- b. Provide Secured Agreement and post security in accordance with [Subdivision Ordinance Sec. 81.408](#).
- c. Upon approval of the plans, pay all applicable inspection fees/deposits with [DPW, PDC].
- d. If the applicant is a representative, then one of the following is required: a corporate certificate indicating those corporation officers authorized to sign for the corporation, or a partnership agreement recorded in this County indicating who is authorized to sign for the partnership.
- e. Obtain approval for the design and construction of all driveways, turnarounds, and private easement road improvements to the satisfaction of the San Miguel Fire Protection District and the [PDS, LDR].

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

6. ROADS#2-INTERNAL PRIVATE ROAD IMPROVEMENTS

INTENT: In order to promote orderly development and to comply with the [Subdivision Ordinance Sec. 81.404](#), internal private road serving the condominium shall be improved.

DESCRIPTION OF REQUIREMENT: Improve or agree to improve and provide security for internal private road serving the condominium in conformance with the following requirements to the satisfaction of the San Miguel Consolidated Fire Protection District and the director of PDS:

1. Minimum unobstructed private road width (face to face of curb) shall be 24 feet, except in the private courtyard driveways, where an exception was approved by PDS and San Miguel Fire Protection District for a 20-foot minimum road width.
2. Private road structural section shall be a minimum of two inches of asphalt concrete over four inches of approved base. Grades shall be a minimum of 1.0 percent and a maximum of 15 percent and designed to drain the surface water properly. Adequacy of the structural section and surface drainage shall be inspected and certified by the Director of Public Works.
3. Property owners shall agree to preserve and save harmless the County of San Diego and each officer and employee thereof from any liability or responsibility for any accident, loss or damage to persons or property, happening or occurring as the proximate result of any of the work undertaken to complete this work, and that all of said liabilities are hereby assumed by the property owner.
4. The applicant shall deposit with the County Department of Public Works sufficient funds to cover the cost of inspection of the private improvements.
5. Private roads shall be marked with signage/ground markings stating "Fire Lane – Do Not Block". Exit driveways shall not be obstructed or limited.

The improvements shall be completed within 24 months from the approval of the improvement plans, execution of the agreements, and acceptance of the securities.

DOCUMENTATION: The applicant shall complete the following:

- a. Process and obtain approval of Improvement Plans to construct the internal private road serving the condominium.
- b. Provide Secured Agreement and post security in accordance with [Subdivision Ordinance Sec. 81.408](#).
- c. Upon approval of the plans, pay all applicable inspection deposits/fees with [DPW, PDCI].
- d. If the applicant is a representative, then one of the following is required: a corporate certificate indicating those corporation officers authorized to sign for the corporation, or a partnership agreement recorded in this County indicating who is authorized to sign for the partnership.

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

7. ROADS#3—ONSITE IRREVOCABLE OFFER OF DEDICATION

INTENT: In order to promote orderly development and to comply with the [Subdivision Ordinance Sec. 81.402](#), an irrevocable offer of dedication (IOD) shall be granted by separate document prior to map recordation. **DESCRIPTION OF REQUIREMENT:** Grant an IOD for real property for public highway as indicated below:

- a. Grant the onsite right-of-way of Austin Drive to the County of San Diego for road purposes that provides a forty-four-foot one-half right-of-way width, 64' curb to curb 32' half width, one-half right-of-way width from the centerline, plus the right to construct and maintain slopes and drainage improvements as required beyond the forty-four-foot (44') limit for that portion within the land division for Major Road with Raised Median, including a twenty-foot (20') radius property line corner rounding at the street intersection.
- b. Any dedication, offer of dedication, or grant of right-of-way shall be free of any burdens or encumbrances which would interfere with the purposes for which the granting, dedication or offer of dedication is required, at the time of recordation of the Final Map. All easements of any type must be plotted on the Map. Or, the affected utility company/district shall enter into a joint use agreement with the County of San Diego to the satisfaction of the Director of PDS.

DOCUMENTATION: The applicant shall prepare a separate document for the IOD as indicated above and submit to the [DGS, RP] for review and preparation. The applicant shall pay all applicable fees associated with review and preparation of the documents. **TIMING:** Prior to the recordation of the Final Map, the IOD shall be granted. **MONITORING:** The [DGS, RP] shall prepare, approve the easement documents for recordation, and forward the recorded copies to [PDS, LDR] for review and approval. The [PDS, LDR] shall review the onsite granting for compliance with this condition.

8. ROADS#4—RELINQUISH ACCESS

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

- a. Relinquish access rights onto **Sweetwater Springs Blvd** along the project frontage except for at the existing Austin Drive intersection and the proposed opening for the on-site Private Drive 'A'.
- b. Relinquish access rights onto **Austin Drive** along the project frontage except for at the existing Sweetwater Springs Boulevard intersection and the proposed opening for the on-site Private Drive 'D'.

- c. The access relinquishment shall be free of any burdens or encumbrances, which would interfere with the purpose for which it is required.

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

9. ROADS#5–PAVEMENT CUT POLICY

INTENT: In order to prohibit trench cuts for undergrounding of utilities in all new, reconstructed, or resurfaced paved County-maintained roads for a period of three years following project 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 Pavement Cut Policy and submit it to the [PDS, LDR] for review. **TIMING:** Prior to the approval improvement plans and the approval of the Final Map the letters shall be submitted for approval. **MONITORING:** The [PDS, LDR] shall review the signed letters.

10. ROADS#6–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 provide a certified signed statement that: “There is _____feet of unobstructed intersectional sight distance looking north along **Sweetwater Springs Boulevard** from the proposed on-site Private Drive ‘A’ connection in accordance with the methodology described in Section 6.1 E, 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. A registered civil engineer or a licensed land surveyor provide a certified signed statement that: “There is _____feet of unobstructed intersectional sight distance in both directions along **Austin Drive** from the proposed on-site Private Drive ‘D’ connection in accordance with the methodology described in Section 6.1 E, 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.”

- c. 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.”

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

11.AQ #1—CONSTRUCTION EXHAUST EMISSIONS

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

- a. The project shall require the construction contractor to provide a construction fleet that uses heavy-duty diesel-powered equipment equipped with Tier 4 diesel engines. An exemption from these requirements may be granted by the County in the event that the applicant documents that equipment with the required tier is not reasonably available and corresponding reductions in criteria air pollutant emissions are achieved from other construction equipment. Before an exemption may be considered by the County, the applicant shall be required to demonstrate that three construction fleet owners/operators in the San Diego Region were contacted and that those owners/operators confirmed Tier 4 equipment could not be located within the San Diego region.
- b. The primary contractor shall be responsible for ensuring that all construction equipment is properly tuned and maintained in accordance with manufacturer’s specifications before and for the duration of on-site operation.
- c. Simultaneous operation of multiple construction equipment units shall be minimized. During construction, vehicles in loading and unloading queues shall not idle for more than 5 minutes and shall turn their engines off when not in use to reduce vehicle emissions.
- d. Electrical hookups shall be provided on site for the use of hand tools such as saws, drills, and compressors used for building construction to reduce the need for electric generators and other fuel-powered equipment. The use of electrical construction equipment shall be employed, where feasible.
- e. Construction equipment shall be outfitted with best available control technology (BACT) devices certified by the California Air Resources Board. A copy of each unit’s BACT documentation shall be provided to the County of San Diego at the time of mobilization of each applicable unit of equipment.
- f. Haul truck staging areas shall be provided for loading and unloading soil and materials, and shall be located away from sensitive receptors at the furthest feasible distance (at least 1,000 feet when feasible)

- g. A Construction Traffic Control Plan shall be developed to ensure construction traffic and equipment use is minimized to the extent practicable. The Construction Traffic Control Plan shall include measures to reduce the amount of large pieces of equipment operating simultaneously during peak construction periods, scheduling of vendor and haul truck trips to occur during non-peak hours, establish dedicated construction parking areas to encourage carpooling and efficiently accommodate construction vehicles, identify alternative routes to reduce traffic congestion during peak activities and increase construction employee carpooling.

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

12.AQ #2—FUGITIVE DUST PLAN

INTENT: In order to limit fugitive dust. **DESCRIPTION OF REQUIREMENT:** The project applicant or designee shall prepare and implement a Fugitive Dust Plan demonstrating compliance with San Diego Air Pollution Control District (SDAPCD) Rule 55 and County Code Section 87.428 (Grading Ordinance), to the satisfaction of the County. Measures shall include but not limited to:

- a. Water, or utilize another SDAPCD-approved dust control non-toxic agent on the grading areas at least three times daily to minimize fugitive dust.
- b. All main roadways shall be constructed and paved as early as possible in the construction process to reduce construction vehicle travel on unpaved roads.
- c. Building pads shall be finalized as soon as possible following site preparation and grading activities to reduce fugitive dust from earth moving operations.
- d. Grading areas shall be stabilized as quickly as possible to minimize fugitive dust.
- e. Chemical stabilizer shall be applied, a gravel pad shall be installed, or the last 100 feet of internal travel path shall be paved within the construction site prior to public road entry, and for all haul roads.
- f. Wheel washers shall be installed adjacent to the apron for tire inspection and washing prior to vehicle entry on public roads.
- g. Any visible track-out into traveled public streets shall be removed with the use of sweepers, water trucks or similar method within 30 minutes of occurrence.
- h. Sufficient perimeter erosion control shall be provided to prevent washout of silty material onto public roads.
- i. Unpaved construction site egress points shall be graveled to prevent track-out.
- j. Construction access points shall be wet-washed at the end of the workday if any vehicle travel on unpaved surfaces has occurred.
- k. Transported material in haul trucks shall be watered or treated with SDAPCD-approved non-toxic dust control agent.
- l. Haul trucks shall be covered or shall maintain at least two feet of freeboard to reduce blow-off during hauling.
- m. All soil disturbance and travel on unpaved surfaces shall be suspended if winds exceed 25 miles per hour (mph).

- n. On-site stockpiles of excavated material shall be covered.
- o. A 15-mph speed limit on unpaved surfaces shall be enforced.
- p. Haul truck staging areas shall be provided for loading and unloading of soil and materials.
- q. Construction Traffic Control Plans shall route delivery and haul trucks required during construction away from sensitive receptor locations and congested intersections to the extent feasible. Construction Traffic Control plans shall be finalized and approved prior to issuance of grading permits.

DOCUMENTATION: The applicant or designee shall comply with the Air Quality requirements of this condition. **TIMING:** The Fugitive Dust Plan shall be prepared prior to approval of any grading permits and the following actions shall occur throughout the duration of construction. **MONITORING:** The [DPW, PDC] 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.

13. AQ #3—CONSTRUCTION RELATIONS OFFICER

INTENT: In order to provide public notification and contact for project related construction activities. **DESCRIPTION OF REQUIREMENT:** Prior to construction activities, the project applicant shall employ a construction relations officer who will address Community concerns regarding on-site construction activity. The applicant shall provide public notification in the form of a visible sign containing the contact information of the construction relations officer who will document complaints and concerns regarding on-site construction activity. The sign shall be placed in easily accessible locations along Otay Mesa Road and noted on grading and improvement plans. **DOCUMENTATION:** The applicant shall comply with the requirements of this condition. **TIMING:** Prior to issuance of the any grading or improvement permits and throughout the duration of the grading and construction. **MONITORING:** The [DPW, PDC] shall make sure the contractor complies with the requirements of this condition and shall contact the [PDS, PCC] if the applicant fails to comply with this condition.

14. 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:** To the satisfaction of the Director of PDS, complete the following: Process a Stormwater Facilities Maintenance Agreement (SWMA) to assure maintenance of the Category 2 Structural BMPs and provide security to back up the maintenance pursuant to the County Maintenance Plan Guidelines to the satisfaction of the Director of DPW and/or PDS. The SWMA shall be signed and notarized by the applicant and recorded by the County. **DOCUMENTATION:** The applicant shall process the agreement forms with [PDS, LDR] and pay the deposit and applicable review fees. **TIMING:** Prior to the recordation of the Final Map, execution of the agreements and securities shall be completed. **MONITORING:** The [PDS, LDR] shall review the agreements/mechanisms for consistency with the condition and County Standards.

15. 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. 2009-00090-DWQ](#), or subsequent order and the [County Watershed Protection Ordinance \(WPO\) No.10410, County Code Section 67.801 et. seq.](#) and all other applicable ordinances and standards for this priority project.

DESCRIPTION OF REQUIREMENT: The applicant shall maintain the appropriate on-site and offsite Best Management Practices pursuant to the approved Stormwater Management Plan (SWMP) 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 pursuant to [Subdivision Ordinance 81.408](#), for an amount equal to the cost of this work as determined or approved by the [PDS, LDR], in accordance with the [County of San Diego Grading Ordinance Section 87.304\(e\)](#). The cash deposit collected for grading, per the grading ordinance, will be used for emergency erosion measures. The developer shall submit a letter to [PDS, 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 provide the letter of agreement and any additional security and/or cash deposit to the [PDS, LDR]. **TIMING:** Prior to recordation of the Map, and the approval of any plan and the issuance of any permit, the agreement and securities shall be executed. **MONITORING:** The [PDS, LDR] shall ensure that the agreement and the securities provided adequately satisfy the requirements of the conditions to potentially perform the required erosion control and stormwater control measures proposed on all construction and grading plans. [DPW, PDC] shall use the securities pursuant to the agreement to implement and enforce the required stormwater and erosion control measures pursuant to this condition during all construction phases as long as there are open and valid permits for the site.

16.AQ #1—SITE DESIGN AND TRANSPORTATION DEMAND MANAGEMENT

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

- a. Every residential unit shall be plumbed for the future installation of a Level 2 electric vehicle (EV) charging station.
- b. All street and area lighting installed shall be high-efficiency LED lighting
- c. One 1.8 kWh solar photovoltaic system shall be installed on each residential unit.
- d. At least one short-term bicycle parking rack shall be installed at the recreation areas on-site.
- e. Natural gas and electrical outlets shall be provided in all private rear yards.

- f. At least 184 trees (two per dwelling unit) shall be planted throughout the site.
- g. Informational material shall be provided to all residents as part of the project's Home Owners Association Covenants, Conditions, and Restrictions on ridershare programs and SANDAGs iCommute program.
- h. Parking areas shall include landscaped areas to screen parking areas, consistent with the County's *Parking Design Manual*.

DOCUMENTATION: The applicant shall comply with the requirements of this condition.

TIMING: Prior to approval of any building plan or the issuance of any building permit, these design measures shall be implemented on the building plans and landscape plans.

MONITORING: The [*PDS, BPPR*] shall make sure that the sustainable design measures are implemented on all building plans for the project.

17.AQ #2—WATER USE REDUCTION

INTENT: In order to reduce the impacts related to project water use and GHG emissions.

DESCRIPTION OF REQUIREMENT: The following design features shall be implemented on all Building Plans for the project.

- a. Rain barrels shall be installed at each residential unit if incentives/rebates are available for purchase.
- b. Weather-based irrigation systems with rain sensing timers shall be installed on-site, where applicable.

DOCUMENTATION: The applicant shall comply with the requirements of this condition.

TIMING: Prior to approval of any building plan or the issuance of any building permit, these design measures shall be implemented on the building plans and landscape plans.

MONITORING: The [*PDS, BPPR*] shall make sure that the sustainable design measures are implemented on all building plans for the project.

18.AQ #3—COUNTY CLIMATE ACTION PLAN SATISFACTION

INTENT: In order to comply with the County's Climate Action Plan (CAP) measures, the project shall include the following features. **DESCRIPTION OF REQUIREMENT:** The project shall implement or install the following measures or features as required within Step 2 of the CAP Measure Consistency Checklist.

- a. **Measure 3:** Tankless electric or gas water heaters shall be installed at each residential unit.
- b. **Measure 4:** Low-flow faucets, kitchen faucets, toilets, and showers shall be installed at each residential unit with maximum flow rates of 1.5 gallons per minute at 60 psi. All appliances installed in residential units shall be ENERGY STAR certified.
- c. **Measure 5:** Rain barrels shall be installed at each residential unit if incentives or rebates are available, as determined through communication with County staff and the regional/local water district.
- d. **Measure 6:** A Landscape Document Package shall be submitted that complies with the County's *Water Conservation in Landscaping Ordinance* and demonstrates a 40 percent reduction in current Maximum Applied Water Allowance for outdoor use.

- e. **Measure 9:** Trees shall be planted on-site at a rate of two (2) trees per home. At a minimum, the project shall plant 184 total trees.

DOCUMENTATION: The applicant shall comply with the requirements of this condition.

TIMING: Prior to the approval of the final map and prior to the approval of any plan and issuance of any permit. **MONITORING:** The [PDS, LA] and [DPR, TC, PP] shall review the Landscape Plans for compliance with **Measure 6** of this condition. The [PDS, BPPR] shall verify that the Building Plans comply with **Measure 3, Measure 4, Measure 5, and Measure 9** of this condition.

19.AQ #4–SOLID WASTE REDUCTION

INTENT: In order to implement a sustainable project design that would minimize waste generation **DESCRIPTION OF REQUIREMENT:** The following design features shall be implemented on all Building Plans for the project:

- a. A Construction and Demolition Debris Management Plan will be prepared to divert at least 50 percent of on-site construction waste from landfills through reuse and recycling. In accordance with County Ordinance Sections 68.508 through 68.518, 90 percent of inerts and 70 percent of all other materials from the Project will be recycled.
- b. In accordance with AB 341, at least 75 percent of operational waste shall be diverted from landfills through reuse and recycling
- c. The project design shall provide areas for storage and collection of recyclables and yard waste

DOCUMENTATION: The applicant shall comply with the requirements of this condition.

TIMING: Prior to approval of any construction or building plan or the issuance of any grading permit or of any building permit, the following design measures shall be implemented on the building plans. **MONITORING:** The [PDS, BPPR] shall make sure that the sustainable design measures are implemented on all building plans for the project.

20.PLN#1–SITE PLAN IMPLEMENTATION

INTENT: In order to comply with the approved project design indicated on the approved plot plan, the project shall be constructed as indicated on the approved building and construction plans. **DESCRIPTION OF REQUIREMENT:** The site shall conform to the approved site plan and the building plans. This includes but is not limited to: improving all parking areas, trails and walkways, parks and driveways, installing all required design features, painting all structures with the approved colors, ensuring trash enclosures are properly screened, installing all approved signage in the correct locations, and removing all temporary construction facilities from the site. **DOCUMENTATION:** The applicant shall ensure that the site conforms to the approved plot plan and building plans. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the site shall conform to the approved plans. **MONITORING:** The [PDS, BI] and [DPR TC, PP] shall inspect the site for compliance with the approved Building Plans.

21.LNDSCP#1–CERTIFICATION OF INSTALLATION

INTENT: In order to provide adequate Landscaping that addresses the Landscape Character of the Sweetwater Springs District, and to comply with the Landscape Design

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

22. STRMWTR#1–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.

23. STRMWTR#2–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, final grading release, 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.

24. AQ #5—CONSTRUCTION ARCHITECTURAL COATINGS

INTENT: In order to reduce emissions of volatile organic compounds (VOC). **DESCRIPTION OF REQUIREMENT:** The project shall comply with the following Air Quality measure:

- a. The project shall use architectural coatings with a VOC content of 100 grams per liter (g/l) or less for exterior coatings and 50 g/l or less for interior coatings.

DOCUMENTATION: The applicant shall comply with the Air Quality requirements of this condition. **TIMING:** The following action shall occur throughout the duration of the construction activities involving the application of architectural coatings. **MONITORING:** The [DPW, PDCI] shall make sure that the construction contractor complies with the Air Quality requirement of this condition. The [DPW, PDCI] shall contact the [PDS, PCC] if the applicant fails to comply with this condition.

25. PLN#2—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, trails, parks and driveways areas, 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.

26. PLN#3—ACCESSORY USES

INTENT: A Minor Deviation or Modification to a Site Plan is not required for any building, structure or projection listed in 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 plans, building plans, and plot plans; 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.

27. STRMWTR#3–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 of this permit.

28. NOISE#1–ON-GOING SOUND LEVEL COMPLIANCE: [PDS, CODES]

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:** The project shall conform to the following requirements:

- a. **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.
- b. All mechanical equipment may incorporate (if needed for noise ordinance compliance) noise reducing measures such as, but not limited to, screen walls, noise barriers, increased setbacks to the property line, placement of equipment behind structures, etc.

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. **MONITORING:** The [PDS, CODES] is responsible for enforcement of this permit.

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

on _____

Ashley Smith, Planning Manager
Project Planning Division

MW:AS:dr