COUNTY OF SAN DIEGO • DEPARTMENT OF PLANNING AND LAND USE

DATE: October 9, 2009

TO: Planning Commission

SUBJECT: MERRIAM MOUNTAINS MASTER PLANNED COMMUNITY; GPA 04-006 / SP 04-006 / R04-013 / VTM5381RPL[4] / STP 04-035 / ER 04-08-028; NORTH COUNTY METROPOLITAN SUBREGIONAL and BONSALL COMMUNITY PLANNING AREAS; DISTRICT 5

SUMMARY:

Overview

The Merriam Mountains project is a planned master planned community on 2,327 acres of land consisting of 2,700 residences, up to 110,000 square feet of neighborhood commercial, a fire station, and recreational facilities. The project also includes the preservation of more than 50% of the project site in a biological open space easement. Deer Springs Road, Twin Oaks Valley Road, I-15 north and south bound ramps at Deer Springs Road, and various other intersection improvements would be completed throughout the community as a part of project implementation. Applications to be considered by the County decision-makers include a General Plan Amendment, Specific Plan, a Zone Reclassification, Vesting Tentative Map, and Site Plan. Other County actions requested by the applicant include an amendment the San Diego County Resource Protection Ordinance and the adoption of a Statement of Reasons to extinguish access to mineral resources of statewide significance.

The project site is located northwest of the I-15/Deer Springs Road interchange and within the North County Metropolitan Subregional and Bonsall Community Planning areas.

Recommendation(s)

DEPARTMENT OF PLANNING AND LAND USE

That the Planning Commission recommend that the Board of Supervisors take the following actions:

1. Adopt the Statement of Reasons (Attachment B) to permit the proposed use and extinguish access to mineral resources of statewide significance as required by Sections 2762 and 2763 of the California Surface Mining and Reclamation Act.

2. Adopt the Resolution of Approval of GPA04-006 (Attachment C) to amend the

General Plan and make the required CEQA Findings for this project, for the reasons stated therein and discussed in this report.

3. Adopt the attached Form of Ordinance (Attachment D)

   AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY IN THE NORTH COUNTY METROPOLITAN SUBREGIONAL AND BONSALL COMMUNITY PLANNING AREAS; REF. 04-013.

4. Adopt the attached Form of Ordinance (Attachment E)

   AN ORDINANCE CODIFYING AND AMENDING THE RESOURCE PROTECTION ORDINANCE, RELATING TO THE ADDITION OF AN EXEMPTION FOR THE MERRIAM MOUNTAINS SPECIFIC PLAN.

5. Adopt the Resolution of Approval of SP04-006 (Attachment F) to make the required findings and impose those requirements and conditions of approval necessary to ensure that the project is implemented in a manner consistent with State Law.

6. Adopt the Resolution of Approval of VTM5381RPL[4] (Attachment G) to make the required findings and impose those requirements and conditions of approval necessary to ensure that the project is implemented in manner consistent with State Law and the San Diego County Subdivision Ordinance.

7. Approve Site Plan S04-035 (Attachment H), make the required findings, and impose those requirements and conditions of approval necessary to ensure that the project is implemented in a manner consistent with State Law and the San Diego County Zoning Ordinance.

Fiscal Impact
N/A

Business Impact Statement
N/A

Advisory Board Statement

SUBJECT: MERRIAM MOUNTAINS MASTER PLANNED COMMUNITY

N/A

Involved Parties
Stonegate Merriam Mountains LLC (applicant; Application Date – 6/30/04);
Bob Chase, FUSCOE Engineering (engineer)
June Collins, DUDEK (EIR Consultant)
See Ownership Disclosure in Attachment K.

BACKGROUND:
The Merriam Mountains project site is comprised of 58 separate parcels, held under 19 different ownerships that encompass 3.6 square miles of land within the North County Metropolitan Subregional and Bonsall Community Planning areas. The project area is bordered by Interstate 15 to the east, Deer Springs Road on the south, Lawrence Welk Drive to the north, and Twin Oaks Valley Road to the west. The project site is characterized by largely undisturbed vegetated mountains and ridgelines and intervening steep valleys. Portions of the subject property have been disturbed from past and current uses including an abandoned quarry and air landing strip, two water tanks, and a variety of dirt trails and water lines. Distinctive landscape features on the site, commonly recognized in the community, include Deer Springs Ridge, a stand of mature oak trees in the southeastern corner of the site, Twin Peaks, Lusardi Mountain, Merriam Valley, Merriam Mountain, and the rock outcroppings that form the Crown of Rocks.

On July 9, 2003, the project applicant, Stonegate Merriam Mountains LLC, submitted an application for a Plan Amendment Authorization (PAA). The applicant proposed an amendment to the Regional Land Use Element and Planning Maps for the North County Metropolitan Subregional and Bonsall Community Plans to allow for the development of 2,391 residences of various types, 48 acres of commercial land, and the preservation of 1,091 acre of open space. On September 11, 2003, the Department of Planning and Land Use granted the PAA that allowed the applicant to proceed with the processing of a General Plan Amendment in accordance with Policy I-63.

On June 30, 2004, the project applicant submitted applications for a General Plan Amendment, a Zone Reclassification, Specific Plan, Vesting Tentative Map, and four Site Plans. The Sites Plans were submitted in accordance with the "B" and "D" Special Area Designators of the Zoning Ordinance, the proposed "V" Setback Designator of the Zoning Ordinance, and Section 81.1206(b) of the Subdivision Ordinance for Vesting Tentative Maps. At the time of this submittal, the project included the placement of the (21) Specific Plan Area (1.03) designation on the General Plan land use map, the removal of the "B" Special Area Designator for those portions of the property not visible from I-15, the removal of the "D" Special Area Designator from the land currently designated for industrial uses, and the development of 2,391 residences of various types, 12.9 acres of land dedicated to neighborhood commercial uses, 24 private parks, 1 public park, and 21.3 miles of trails.

Since the submittal of the original applications, the project design and overall description has been refined, resulting in the submittal of a new application for an Administrative Permit, the abandonment of some applications, and new proposals for consideration. Changes to the

entitlements include the submittal of an Administrative Permit to establish a Homeowners Association and to allow for increases in wall heights at specific locations, and amendment to the General Plan Circulation Element and an the San Diego County Resource Protection Ordinance. Refinements to the project description also resulted in identifying that three of the four Site Plan applications and the Administrative Permit were no longer necessary.

After numerous project refinements, the current project clusters the development in the southern half of the project site. This type of design reflects the applicant's coordination efforts with the Department of Planning and Land Use, State and Federal wildlife agencies, and other interested parties. The clustered design reflects the constraints of the site, the recommendations of the wildlife agencies to create a vital habitat corridor of 1,192 acres in size, the intent to cttea a development compatible with the community, and the desire of the applicant to address issues of housing affordability, transportation, and declining energy and water resources.

With the clustered design, the proposed project would be bisected in a north/south fashion by the 1,192 acres of biological open space. The northern edge of the project site would be developed with 10 residential estate lots while the southern half of the project site would be developed with 2,690 residences of various housing types, 10.1 acres of land for neighborhood commercial and civic uses, and 88.83 acres of land for public and private parks. Approximately, 18.3 miles of trails would traverse the entire project site.

Development in the southern portion of the project site would occur within 5 distinct neighborhoods with housing types varying from attached multi-family to detached single-family residences. Neighborhood 1, located just east of the Deer Springs Road / I-15 Interchange, would be comprised of seven planning areas and is proposed to be developed with 270 multi-family residences, 743 variable residential homes, a maximum of 110,000 square feet of neighborhood commercial uses, a fire station, 1 public park, and 8 private parks. Neighborhood 2, located west of Neighborhood 1 and just north of Deer Springs Road, would be comprised of 3 planning areas and is proposed to be developed with 528 variable residential homes, 3 public parks, and 5 private parks. Neighborhood 3, located north of Neighborhood 1 and east of Neighborhood 2, would be comprised of three planning areas and is proposed to be developed with 248 single-family residences, 3 public parks, and 2 private parks. Neighborhood 4, located north of Neighborhood 3, would be comprised of 3 planning areas and is proposed to be developed with 371 single-family residences, 3 public parks, and 2 private parks. Neighborhood 5, located west of Neighborhood 4, would be comprised of 5 planning areas and is proposed to be developed with 530 single-family residences, and with 6 public, and 4 private parks.

The applicant proposes to address housing affordability by offering to make the multi-family residences in Neighborhood 1 available to low-moderate income levels. The applicant also proposes to provide a range of housing types that include attached and detached variable residential housing, and single-family housing on lots ranging in size from 4,000 to 7,000 square feet in the southern portion of the site and a minimum of 5 acres to the north. The applicant also proposes to incorporate environmentally friendly ("green") design into the project by building all residences and commercial structures to Green Standards, provide a community website to

encourage carpooling and ridesharing, and install drought tolerant landscaping and rain control sprinkler devices where landscaping is proposed.

Because the project site is located in a high fire hazard area, the clustered development area is proposed to be protected through the creation and maintenance of an extensive fuel modification zone. These zones would encompass a total of 537 acres of land and would reaches distances of 150 feet to over 200 feet from the edge of building pads. These zones would include manufactured slopes, natural slopes, parks, and other open space areas and would be irrigated at select locations. To further ensure the safety of the residents within the Merriam Mountains development, a emergency access road is proposed to connect the development to Twin Oaks Valley Road to the west via Camino Mayor, the community website would include information on emergency preparedness and points of project egress/ingress, and a member of the Homeowners Association would become a member of the Deer Springs Fire Safe Council and provide educational material and/or seminars to the residents.

Deer Springs Road fronts the project site and would serve to provide access into the project via two new main north/south backbone roads; Merriam Mountains Parkway, located immediately west of the Deer Springs Road/I-15 interchange, and Meadow Park Lane, located approximately 6,000 feet west of Merriam Mountains Parkway. These new roads travel northward and connect to interior residential streets. Lawrence Welk Court would intersect Merriam Mountains Parkway and provides access through the biological open space to the northern estate lots. Lawrence Welk Court connects to Lawrence Welk Drive, which, in turn, intersects to the east with Champagne Boulevard. Road improvements in the surrounding community would include the widening of the I-15/Deer Springs Road interchange, Deer Springs Road, and Twin Oaks Valley Road with in the City of San Marcos. These improvements would occur prior to the occupancy of the first unit within this development. The project would also result in the improvement of many other intersections throughout the community.

A more detailed project description and list of actions required to approve the proposed development as described above is provided in Attachment A.

PROJECT ISSUES:
The proposed project has been found to have significant and unavoidable impacts on such subject areas as transportation, noise, air quality, mineral resources, and cultural resources. Other subject areas that were addressed during project processing included aesthetics, biological resources, hazards (including fire hazards), hydrology and water quality, land use planning, geology and soils, utilities and public services, recreation, and agricultural resources. All of these subject areas were addressed in the environmental documentation, Attachment I.

A summary of concerns expressed in letters received regarding the project proposal is provided in Attachment J to this report.

WAIVERS AND EXCEPTIONS:
The following is a comprehensive list of all exemptions and waivers for the consideration of the County decision making body:

a. Standard Condition(s) for Tentative Maps:

1) Standard Condition 23.3. Said condition requires the provision of a letter from the California Department of Forestry stating that all project conditions have been met. This project is not located within the boundaries of the California Department of Forestry.

2) Standard Condition 24: Said condition is applicable to those projects outside the boundaries of the fire protection district. This project is located within the boundaries of the Deer Springs Fire Protection District and San Marcos Fire Department.

3) Standard Condition 27: Said condition states that the Final Map shall include the entire area shown on the Tentative Map and shall not be filed as units. The Final Map will be recorded in phases.

b. County Public Road Standards to permit:

1) A reduction in design speed and curve radii has been granted for Deer Springs Road at Sarver Lane. See approved modification request dated September 29, 2008 (see Attachment G).

(2 A reduction in median, shoulder, and parkway width has been granted for Deer Springs Road along and adjacent to APN 187-540-47 (Mandaric property). See approved modification request and letter dated September 22, 2009 (see Attachment G).

(3 A reduction in parkway and right-of-way width has been granted for Twin Oaks Valley Road through the project's westerly property boundary. See approved modification request and letter dated September 21, 2009 (see Attachment G).

c. County Subdivision Ordinance design requirements to accommodate a master planned community pursuant to SP04-006 to permit:

1) 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.

2) 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 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).

3) Section 81.401(e) requires every lot, whose side lines are radial to the center of a cul-de-sac or the center of the intersection of two dead-end roads to measure at least 33 feet wide when measured at the right-of-way line. The Specific Plan for this project specifies that lots measuring less 6,000 square feet and whose side lines are radial to the center of a cul-de-sac or the center of the intersection of two dead-end roads shall measure no less than 24 feet when measured at the right-of-way line. This exclusion is consistent with Section 81.401(o).

4) Section 81.401(i) requires every lot to have a lot depth of at least 90 feet. The Specific Plan for this project specifies that lots measuring less than 6,000 square feet shall measure no less than 80 feet in depth. This exclusion is consistent with Section 81.401(o).

d. County Resource Protection Ordinance pursuant to Section 86.605(m) to permit:

1) The subdivision of the property because it has been determined to be consistent with the comprehensive Resource Protection Plan, which has been recognized by the Board of Supervisors as the functional equivalent of RPO.

ENVIRONMENTAL STATUS:
A Statement of Potential Reasons for the elimination of access to mineral resources of statewide significance was circulated for public review and comment for a 60-day period commencing on March 20, 2008. See Attachment B.

An EIR has been prepared for this project, including Findings Regarding Significant Effects of the Project pursuant to Section 15091 and Findings of Recirculation pursuant to Section 15088.5. These documents are on file with the Department of Planning and Land Use as Log No. 04-08-028. The public review period for the DEIR was August 30, 2007 to October 15, 2007 (45-day public review period). The public review period for the RDEIR and Revised Habitat Loss Permit was March 12, 2009 to April 27, 2009 (45-day public review).

Pursuant to comments received during the second public review period of the EIR, an additional alternative, Alternative G, was added to the project EIR. This alternative includes the current project description and results in the preservation of a home currently under construction along Deer Springs Road. This alternative would meet the project objectives, and does not identify any significant new information or introduce mitigation measures that were not previously identified. As a result of the analysis completed on this alternative, Alternative G is the preferred alternative. See Attachment I for the environmental documentation.

PREVIOUS ACTIONS:
None.

ACTIVITIES UNDERTAKEN WITHOUT APPROPRIATE PERMITS:
N/A

SUBJECT: MERRIAM MOUNTAINS MASTER PLANNED COMMUNITY

PUBLIC INPUT:
The Bonsall Community Planning Group and Hidden Meadows Sponsor Group have met several times and have sent numerous letters to the Department stating their reasons for opposing the project.

In response to the processing of the proposed project, many letters in support and opposition of the project were received. Those letters which expressed support of the project welcomed proposals for completing extensive road improvements in the area, the construction of much needed neighborhood serving commercial uses, the increase in property values, and the management of vegetation in the area. Those letters stating their opposition of the project expressed concerns regarding planning conformance, environmental considerations, and infrastructure improvements.

All letters received outside the public review periods of the project EIR are provided in Attachment J, to this report.

DEPARTMENT REASONS FOR RECOMMENDATION:

1. The project is consistent with the (21) Specific Plan Land Use Designation of the General Plan because it proposes residential, commercial, and open space uses in compliance with the Merriam Mountains Specific Plan which permits for a maximum density of 1.16 dwelling units per acre.

2. The project would be consistent with the North County Metropolitan Subregional and Bonsall Community Plans because it proposes residential, commercial and civic uses, and private and parks in an area that is adjacent to two major transportation corridors, has all necessary public facilities and services, and because more than half the project site would be preserved in biological open space.

3. The project would be consistent with the S-88 Specific Plan, C-36 General Commercial and, RM22 Multi-family Residential Use Regulations because it proposes residential uses of various types, commercial, civic, and open space uses.

4. The Vesting Tentative Map has been reviewed in compliance with all the required findings of the Subdivision Map Act and County Subdivision Ordinance as described and incorporated in the attached Resolution, Attachment G.

5. The project has been reviewed in compliance with Sections 2762 and 2763 of the California Surface Mining and Reclamation Act because a Statement of Potential Reasons dated March 9, 2008 as Environmental Review No. ER 04-08-028 was circulated for public review for 60 days commencing on March 20, 2008, and is proposed for adoption by the Board of Supervisors.

6. The project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and State and County CEQA Guidelines because a EIR dated _____ and on file with the Department of Planning and Land Use as Environmental Review No. ER

04-08-028 has been prepared, was advertised for public review, and is proposed for certification by the Board of Supervisors.

cc: Joseph Perring, 27071 Cabot Road, Suite 106, Laguna Hills, California 92653
Deborah Rosenthal, Sheppard Mullin, 650 Town Center Drive, 4th Floor, Costa Mesa, CA 92626-1993
Brice Bossler, Bossler Group, 3835 Wildwood Road, San Diego CA 92107
Bob Chase, Fuscoe Engineering, 6390 Greenwich, Suite 170, San Diego CA 92606
June Collins, DUDEK, 605 Third Street, Encinitas CA 92024
California State and Geology Board, 801 K Street, Sacramento, CA 95814
Jerry Backhoff, City of San Marcos, 1 Civic Center Drive, San Marcos CA 92069
Deer Springs Fire Protection District, 8709 Circle R Drive, Escondido CA 92069
San Marcos Fire Protection District, 1 Civic Center Drive, San Marcos CA 92069
Rainbow Municipal Water District, 3707 Old Highway 395, Fallbrook CA 92028
Vallecitos Water District, 201 Vallecitos de Oro, San Marcos CA 92069
Bonsall Community Planning Group, Margarete Morgan, 2056 Camino Cantera, Vista CA 92084
Twin Oaks Valley Sponsor Group, Gill Jemmott, P.O. Box 455, San Marcos, CA 92079
Hidden Meadows Sponsor Group, Bob Frey, 9885 North View Court, Escondido CA 92026
I-15 Design Review Board, Joan Van Ingen, 8975-315 Lawrence Welk Drive, Escondido CA 92026
California Geological Survey Headquarters, Office of the State Geologist 801 K Street, MS 12-30, Sacramento, CA 95814
Sami Real, Planning Manager, Department of Planning and Land Use, M.S. O650
Ed Sinsay, DPW Team Leader, Department of Public Works, M.S. O336

e-mail cc:
Maryanne Vancio, Department of Parks and Recreation, M.S. 029
Judy Tjiong, Department of Parks and Recreation, M.S. 5662
Greg Carlton, Department of Public Works, M.S. 0336

ATTACHMENTS:
Attachment A – Planning Documentation
Attachment B – Statement of Reasons
Attachment C – General Plan Amendment Resolution
Attachment D – Zone Reclassification Form of Ordinance
Attachment E – Resource Protection Ordinance Amendment Form of Ordinance
Attachment F – Specific Plan Resolution
Attachment G – Vesting Tentative Map Resolution
Attachment H – Site Plan Form of Decision
Attachment I – Environmental Documentation
Attachment J –Correspondence / Summary of Concerns
Attachment K- Ownership Disclosure

SUBJECT: MERRIAM MOUNTAINS MASTER PLANNED COMMUNITY

CONTACT PERSON:

Sami Real	Maggie Loy
Name	Name
(858) 694-3722	(858) 694-3736
Phone	Phone
(858) 694-3733	(858) 694-3733
Fax	Fax
O650	O650
Mail Station	Mail Station
Sami.real@sdcounty.ca.gov.	Maggie.loy@sdcounty.ca.gov.
E-mail	E-mail

AUTHORIZED REPRESENTATIVE: _____

ERIC GIBSON, DIRECTOR

Attachment A
Planning Documentation

The Merriam Mountains Specific Plan/General Plan Amendment Report has been distributed separately to Planning Commissioners. A copy of the Specific Plan/General Plan Amendment Report is available for public review at the Department of Planning and Land Use.

ADDITIONAL INFORMATION
CASE SHEET

APPLICATION Meeting Date: October 9, 2009

Type: General Plan Amendment / Zone Reclassification / Specific Plan / Vesting Tentative Map / Site Plan	Case No. 3800 04-006 (GPA), 3810 04-006 (SP), 3600 04-013 (R) 3100 5381RPL[4] (VTM), and 3500 04-035 (STP)
Owner/Applicant: Stonegate Merriam Mountains Agent: Joe Perring,	ENVIRONMENTAL STATUS: EIR has been prepared for the project and is on file with DPLU.
Project Manager: Sami Real Account No. 04-0023514	Environmental Coordinator: Maggie Loy Environmental Log No.: 3910 04-08-028 (ER)

SITE/PROJECT DESCRIPTION

Community/Subregional Plan: North County Metropolitan and Bonsall	Location: NW quadrant of I-15/ Deer Springs Rd.	Thomas Bros.: 1089/A1-7, 1089/B4-6, 1089/C5-7, 1088/F3-4, 1088/G2-3, 1088/H2-4, and 1088/J1-5

Project: A master planned community consisting of 2700 residential units of varying types, commercial and civic land uses, permanent biological open space, managed fuel treatment areas, and the construction of a fire station, trails, and park land.

Site: The site is currently vacant and vegetation on site consists of various sensitive and non-sensitive flora and fauna.

SURROUNDING LAND USES & ZONING: North: Single-Family Residential Uses RR and A70	South: Multiple and Single Family Residential, Fire Station, & Resort/Spa Uses RR and A70	East: Interstate 15, Multiple and Single Family Residential, Golf Course, & Resort/Spa Uses A70, RMH, RS, S90, C36, S88, and RV	West: Single-family Residential and Agricultural Uses S82, A72, S92, and RR

PROJECT STATISTICS

Total Area: 2,327 acres	Proposed Density: 1.16 du/ac
Lot Size:	Number of Lots/Units: 2700 units

DISTRICT	NEAREST FACILITY	SERVICE LETTER AVAILABILITY
Sanitation:	Vallecitos Water District (south) / O-site Sewage Disposal Systems (north)	Yes ☒ No ☐
Water:	Vallecitos Water District (south) / Rainbow Municipal Water District (north)	Yes ☒ No ☐
Fire:	Deer Springs Fire Protection District / San Marcos Fire Department	Yes ☒ No ☐
Elementary School:	Bonsall Union / Escondido Union	Yes ☒ No ☐
High School:	Fallbrook Union / San Marcos Unified / Escondido Union	Yes ☒ No ☐
Other:	N/A	Yes ☐ No ☐

Sphere of Influence: City of San Marcos / City of Escondido

SUMMARY OF PROPOSED LEGISLATIVE ACTIONS

Are any Legislative actions proposed: Yes ☒ No ☐

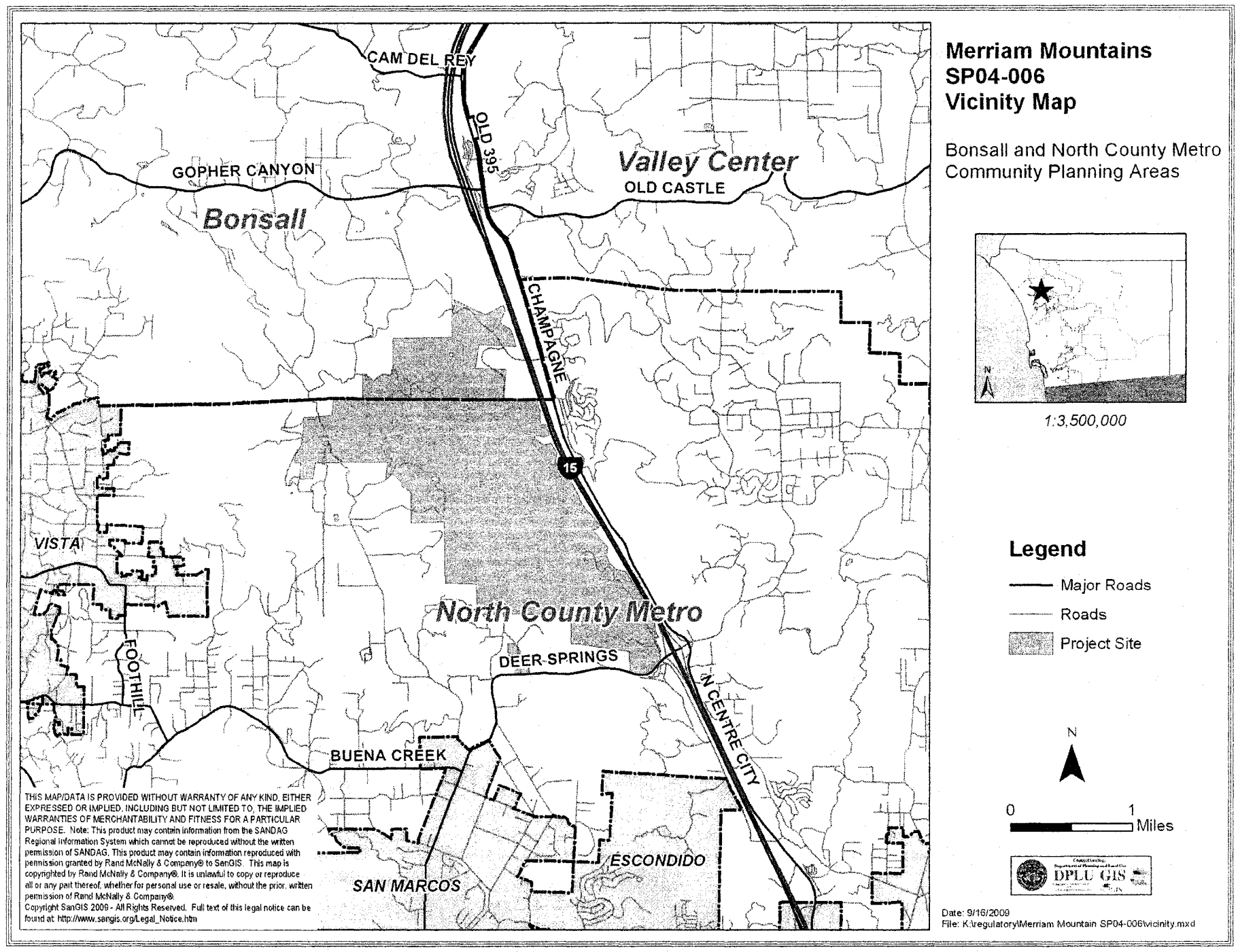
GENERAL PLAN

Existing	Proposed	Description of Change
(CUDA) Current Urban Development Area (31 acres)	(CUDA) Current Urban Development Area (812.33 acres)	Project would result in the northerly shift of the CUDA Regional Category.
(EDA) Estate Development Area (2,289 acres)	(EDA) Estate Development Area (1,514.67 acres)	Project would result in the northerly shift of the EDA Regional Category.

(1) Residential (13) General Commercial (15) Limited Impact Industrial (17) Estate Residential (18) Multiple Rural Use (19) Intensive Agricultural (26) Visitor Serving Commercial	(21) Specific Plan (1.16 du/ac)	2,327 acres of land to be designated to (21) Specific Plan Area Land Use Designation to allow for the proper implementation of the Merriam Mountains Specific Plan.

ZONING

Existing	Proposed	Description of Change
S82 Extractive S92 General Rural Use A70 Limited Agricultural RR.25 Rural Residential RR.5 Rural Residential M52 Limited Impact Industrial C36 General Commercial	S88 Specific Plan RM22 Multiple Family Residential C36 General Commercial	New designation of 13.32 acres to RM22 to allow for the development of multi-family uses. Increase in C36 land to 10.70 acres to allow for the development of neighborhood commercial and civic land uses. New S88 designation over the remaining 2,302.98 acres to allow for the implementation of the Merriam Mountains Specific Plan.


Merriam Mountains
SP04-006
Vicinity Map
Bonsall and North County Metro
Community Planning Areas
1:3,500,000
Legend
Major Roads
Roads
Project Site
N
0
1
Miles
DPLU GIS
Date: 9/16/2009
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CAM DEL REY
OLD 395
GOPHER CANYON
Valley Center
OLD CASTLE
Bonsall
CHAMPAGNE
15
VISTA
North County Metro
FOOTHILL
DEER SPRINGS
N CENTRE CITY
BUENA CREEK
ESCONDIDO
SAN MARCOS
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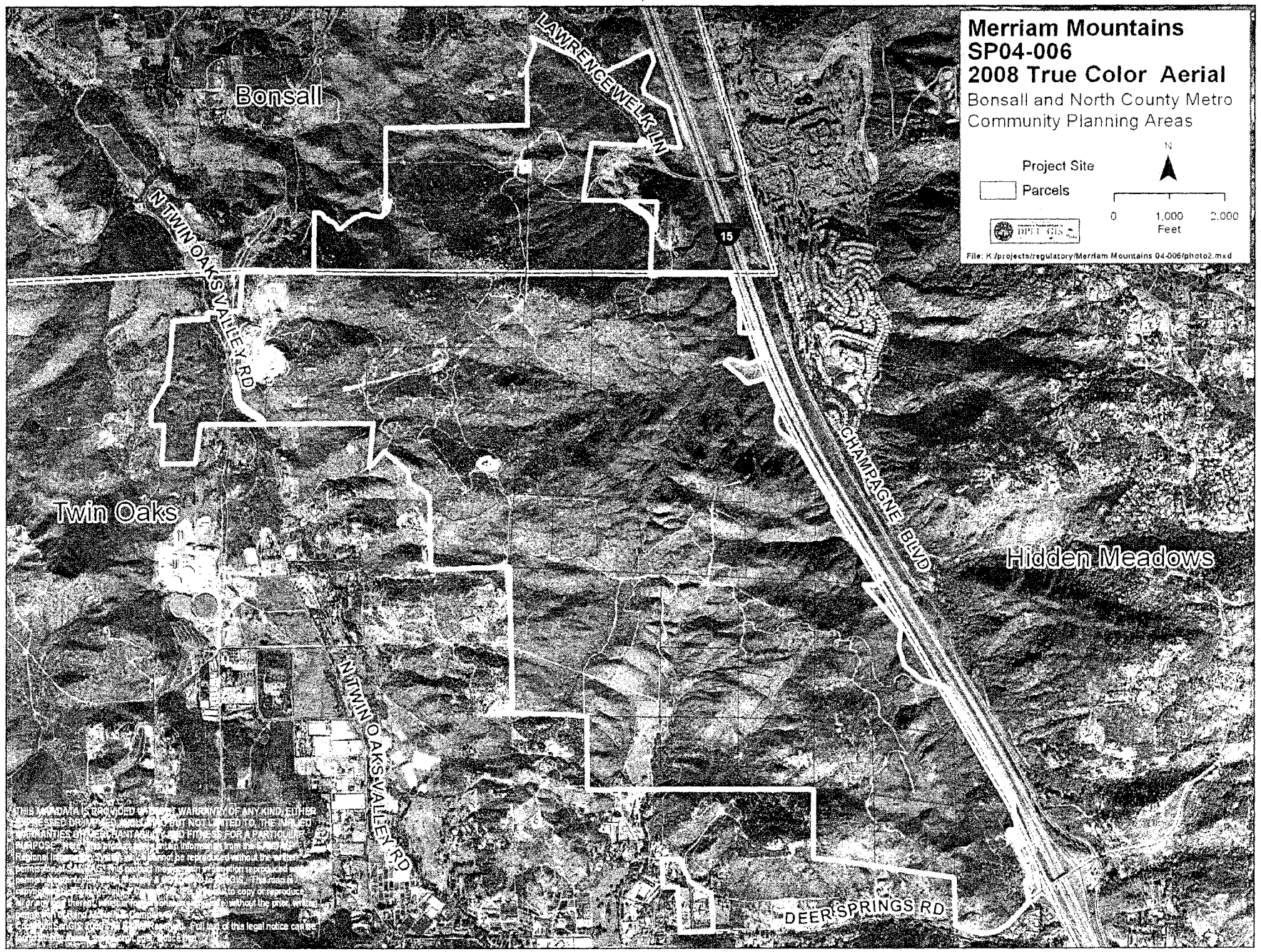
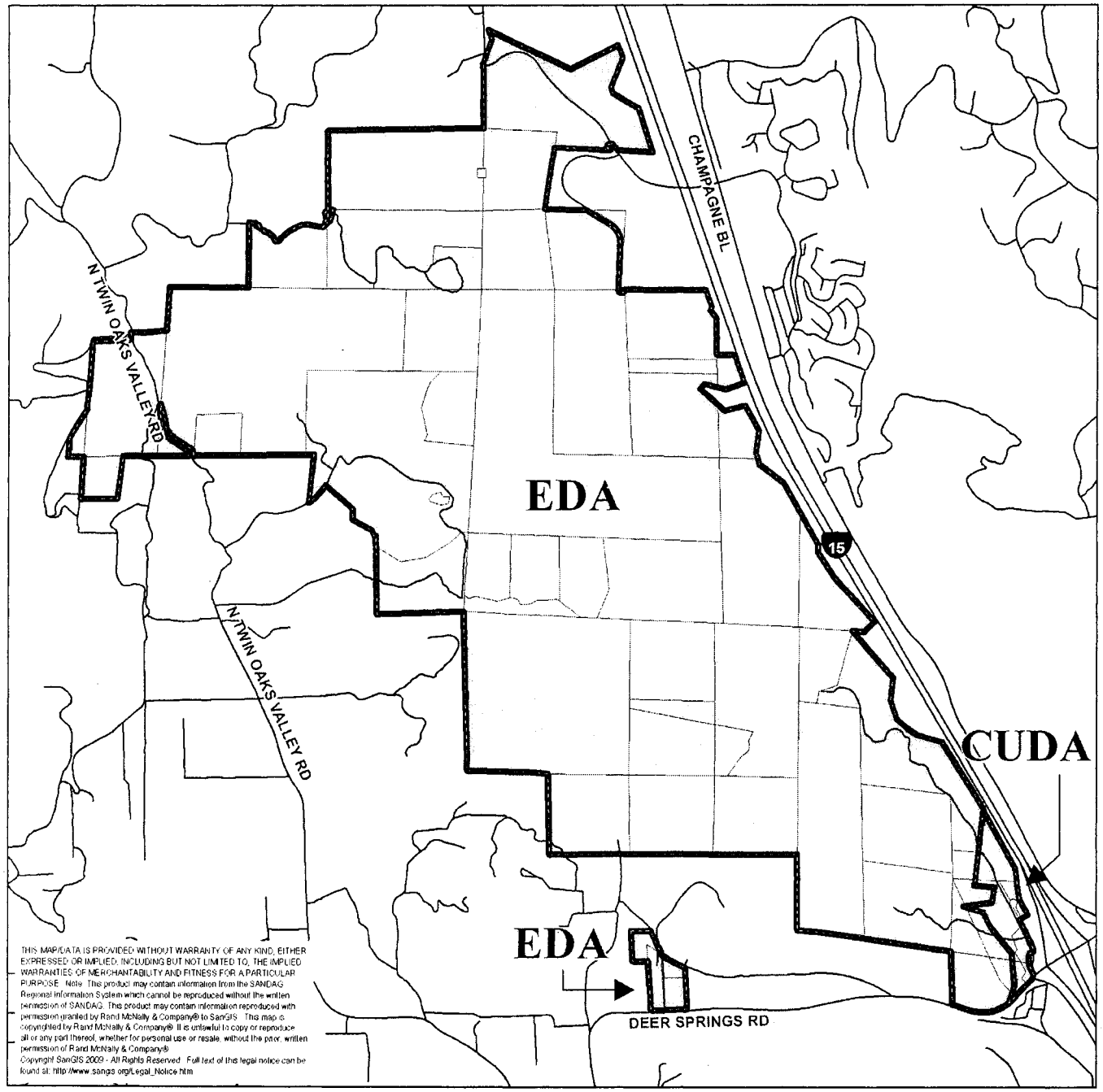

Merriam Mountains
SP04-006
2008 True Color Aerial
Bonsall and North County Metro
Community Planning Areas
Project Site
Parcels
N
0
1,000
2,000
Feet
DPLU GIS
File: K:/projects/regulatory/Merriam Mountains 04-006/photo2.mxd
Bonsall
LAWRENCE WELK LN
N TWIN OAKS VALLEY RD
15
CHAMPAGNE BLVD
Twin Oaks
Hidden Meadows
N TWIN OAKS VALLEY RD
DEER SPRINGS RD

Merriam Mountains SP04-006 Existing Regional Categories

Bonsall and North County Metro Community Planning Area



EDA - Estate Development Area

CUDA - Current Urban Development Area

Roads
Parcels
Site

N

0 1,000 2,000 Feet

DPLU GIS

Date: 9/16/2009
File: /projects/regulatory/Merriam Mountain SP04-006/exist_regcat.mxd

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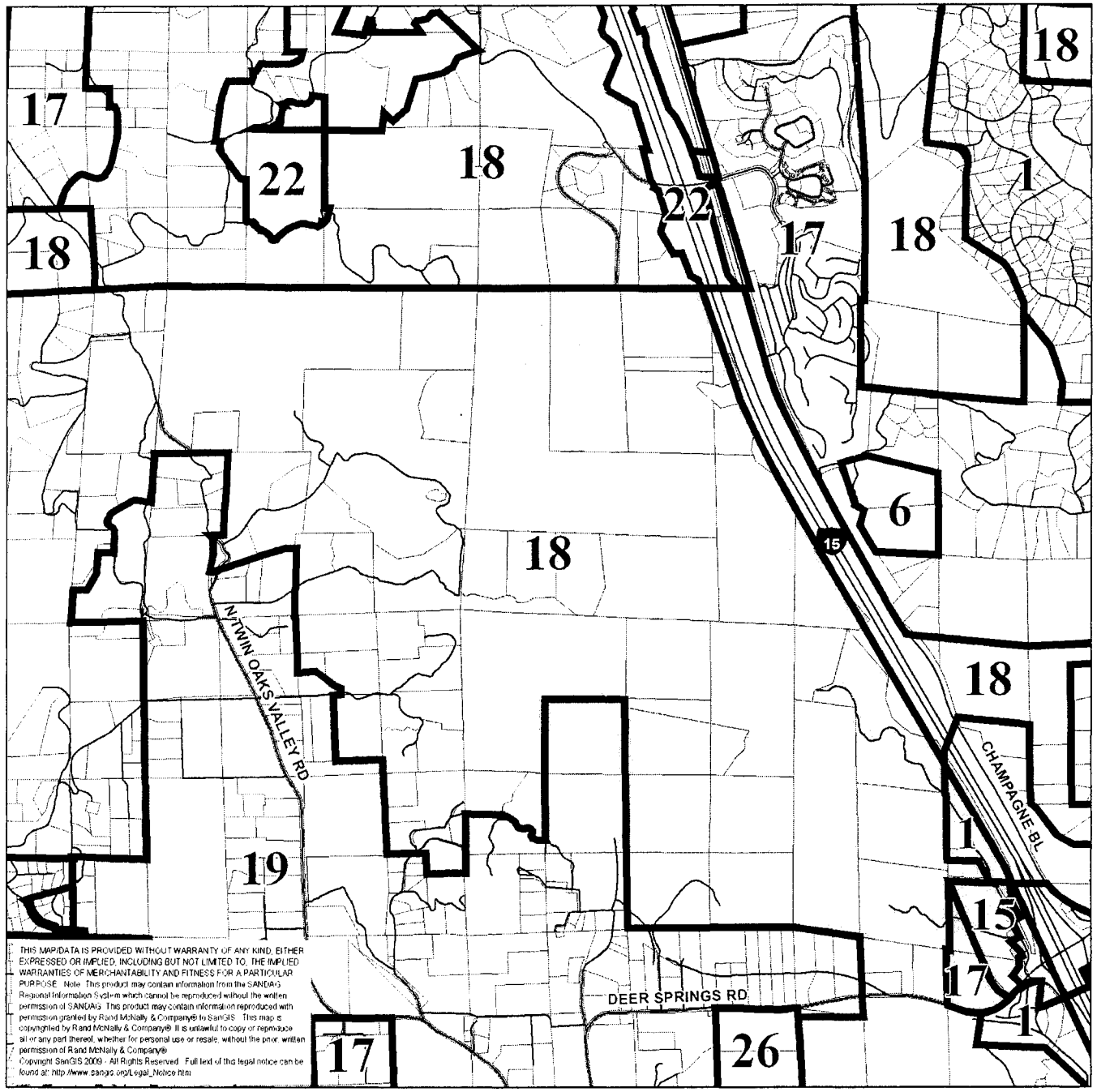

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Merriam Mountains
SP04-006
Existing General Plan

Bonsall and North County Metro Community Planning Area

(1) Residential
1 DU/ 1,2,4 Acres
(6) Residential
7.3 DU/ Acre
(13) General Commercial
(15) Limited Impact Industrial
(17) Estate Residential
1 DU/ 2,4 Acres
(18) Multiple Rural Use
1 DU/ 4,8,20 Acres
(19) Intensive Agiculture
1 DU/ 4,8 Acres
(21) Specific Plan Area
(22) Public/Semi-Public Lands
(26) Visitor Serving Commercial

Roads
Site
Parcels
Planning

N

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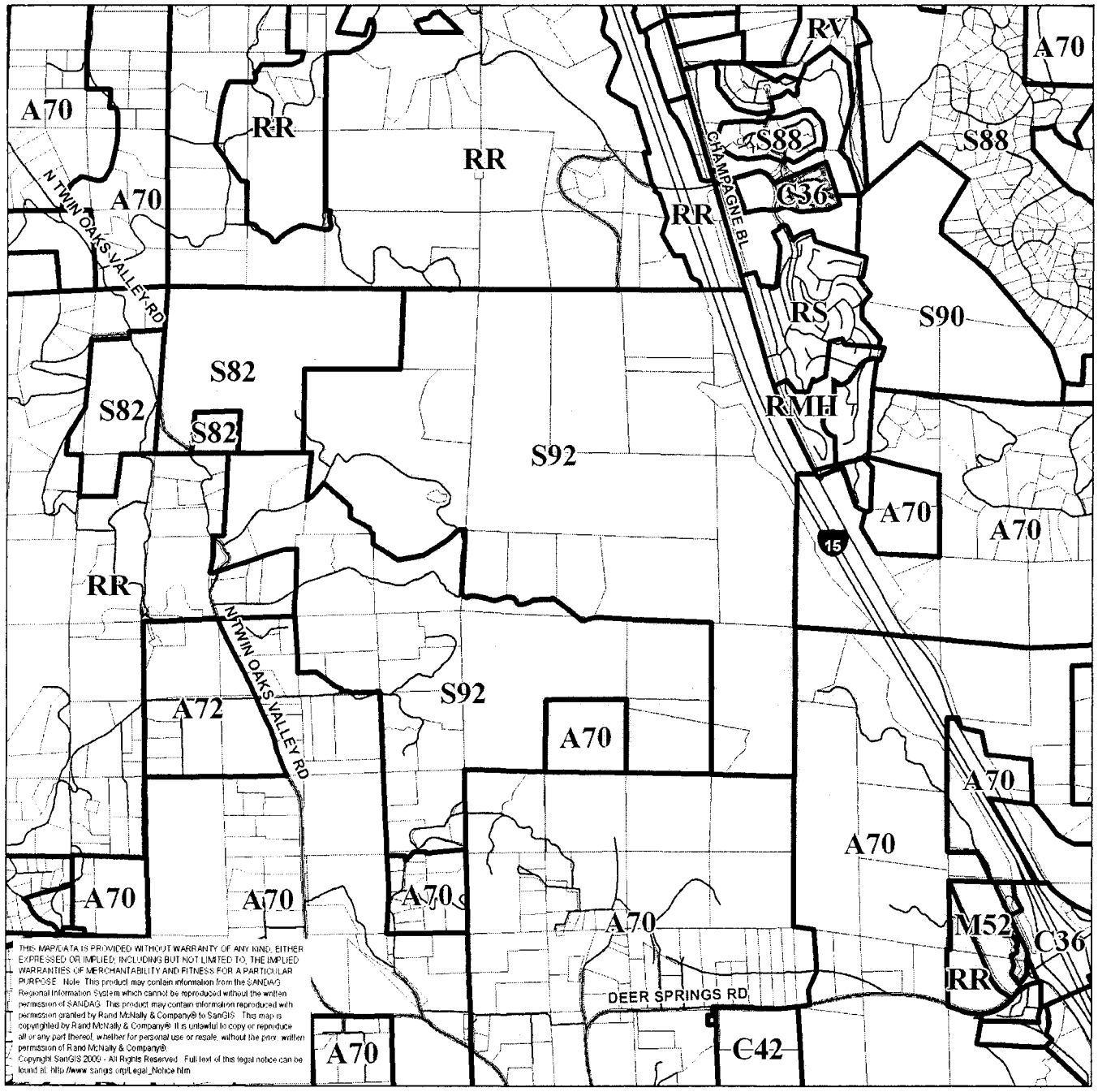

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Merriam Mountains
SP04-006
Existing Zoning

Bonsall and North County Metro Community Planning Area

A70 - Limited Agriculture
A72 - General Agriculture
C36 - General Commercial
C42 - Visitor Serving Commercial
M52 - Limited Industrial
RMH- Residential Mobilhomes
RR - Rural Residential
RS - Residential-Single
S82 - Extractive Use
S88 - Specific Plan
S90 - Holding Area
S92 - General Rural

Roads
Site
Parcels
Zoning

N

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Date: 9/16/2009
File: /projects/regulatory/Merriam Mountain SP04-006/zone2.mxd

Attachment A

MERRIAM MOUNTAINS
DETAILED PROJECT DESCRIPTION

ACTIONS REQUIRED

General Plan Circulation Element

The project site fronts along Deer Springs Road. This road is currently classified on the Circulation Map as a 4-lane Major Road from the I-15/Deer Springs Road interchange to the limits of the City of San Marcos/Twin Oaks Valley Road. The applicant proposes to change the classification of Deer Springs Road to a six-lane Prime Arterial and a slight modification to the roadway alignment near Sarver Lane.

The project site also lies east of an unimproved segment of Buena Creek Road (SA1414) that runs from the intersection of Deer Springs Road/Sarver Lane to the intersection of Sugar Bush Drive/Buena Creek Road. This road is currently classified on the Circulation Map as a Major Road with a planned bikeway path. The applicant proposes to eliminate this segment of roadway and bikeway path.

The amendment to the Circulation Element is necessary for the accommodation of traffic that would be generated in the build-out scenario of the existing land use element of the GP, even without additional traffic generated by the project. See Attachment A, Circulation Element Existing and Proposed exhibit, and C for more detailed information.

General Plan Regional Land Use Element- Regional Category

The project site is currently split into two Regional Categories, (CUDA) Current Urban Development Area and (EDA) Estate Development Area. The southeasterly 31 acres of the site is currently within the CUDA boundary and the remainder of the property is located within the EDA boundary. The applicant proposes a northerly shift of the CUDA boundary, thus resulting in 812.33 acres being within the CUDA and 1,514.67 acres being within the EDA. This shift results in an increase of 781.33 acres of land into the CUDA. This shift is reflected in Attachment A to this report which depicts the existing and proposed Regional Land Use Categories. See Attachment A, Proposed Regional Categories exhibit, and C for more detailed information.

The northerly shift of the CUDA boundary is proposed to accommodate the proposal to develop the southern portion of the project site at a density slightly higher than encouraged under the EDA. The CUDA boundary line will also be consistent with the boundary line of the City of San Marcos Sphere of Influence.

General Plan Regional Land Use Element- Land Use Designation

The project site is currently split into the following seven land use designations:

(1) Residential
(13) General Commercial
(15) Limited Impact Industrial
(17) Estate Residential
(18) Multiple Rural Use
(19) Intensive Agricultural
(26) Visitor Serving Commercial.

The applicant proposes to change the land use designation of the whole project site to (21) Specific Plan Area (1.16 du/ac). See Attachment A, Proposed Land Use Designations exhibit, and C for more detailed information.

The change to the (21) Specific Plan Area, along with the adoption of the Merriam Mountains Specific Plan, will allow for the systematic implementation of the proposed project.

Zoning Ordinance- Development Regulations

Use Regulation

The project site is currently split into the following seven Use Regulations:

S82 Extractive
S92 General Rural Use
A70 Limited Agricultural
M52 Limited Impact Industrial
C36 General Commercial
RR.25 Rural Residential
RR.5 Rural Residential

The proposed Zone reclassification would apply a RM22 Multiple-Family Residential (22 du/acre) to the multi-family residences proposed within Neighborhood 1, the C36 General Commercial Use Regulation to the 10.1 acres of commercial land proposed in Neighborhood 1, and S88 Specific Plan Use Regulation to the remainder of the project site. See Attachment A, Proposed Zoning exhibit, and D for more detailed information.

The change to the applicable Use Regulations will allow for the development of single family residences on lots ranging in size from 4,000 square feet to 5 acres, multi-family residential development up to 22 dwellings to the acre, commercial and civic land uses, and active and passive recreational land uses in accordance with the Merriam Mountains Specific Plan.

Special Area Designator

Portions of the project site are currently subject to Special Area Regulations "B" Community Design Review Area and/or "D" Design Review. The "B" Special Area Designator requires Site Plan review and approval in accordance with the I-15 Corridor Scenic Preservation Guidelines. The area subject to review with the I-15 Corridor Scenic Preservation Guidelines currently spans a distance of a ¾ mile to over 1½ miles from the I-15. The area currently designated M52 and C36

is encumbered by the "D" Special Area Designator which requires Site Plan review in accordance with Section 5900 et. al. of the Zoning Ordinance.

The proposed Zone reclassification will result in a decrease in the total amount of area subject to the "B" Special Area Designator. The decrease in the area subject to the "B" Special Area Designator Regulation is consistent with those Neighborhoods within the Specific Plan that are either wholly or partially visible to travelers along I-15. The "B" Special Area Designator will require the submittal of a Site Plan application which will be reviewed for conformance with the I-15 Corridor Scenic Preservation Guidelines.

The proposed Zone reclassification will also result in an increase in area subject to the "D" Special Area Designator Regulation. This area corresponds to those areas within the Specific Plan that are proposed to be developed with multi-family residences, variable family residences, and commercial land uses. A "D1" Special Area Designator would be applied over the multi-family and commercial properties and would require the submittal of a Site Plan application to be reviewed for conformance with the County Noise Ordinance, County Noise Element, and with the standards provided in the Specific Plan for setbacks. The "D2" Special Area Designator would be applied to the variable residential properties within Neighborhood 2, Planning Areas 1-3. This designator would require the submittal of a Site Plan application to be reviewed for conformance with Section 5906 and 5910 of the Zoning Ordinance. Planning Area 3, which is located adjacent to Deer Springs Road and existing larger lot single-family residences, be subject to additional specific design criteria that specifies buildings height maximums of 35', limits structures to containing no more than 4 residences, requires buildings to be setback at least 100' from exterior property lines.

Setback Designator
The project site is currently subject to numerous setback designator requirements. The Zone reclassification would change the setback designator to "V" which requires the submittal of a Site Plan to establish setbacks. A Site Plan application has been submitted and is described in more detail below.

Other Development Regulations
The Zone reclassification proposes additional changes to such regulations as the height, floor area ratios, animal designator, and more. The Zone reclassification proposes changes to these regulations where necessary to assist with implementing the Merriam Mountains Specific Plan.

See Attachment D for more detailed information.

Resource Protection Ordinance

The applicant proposes an amendment to Section 86.605 the San Diego County Resource Protection Ordinance to add an exemption for the development Merriam Mountains Specific Plan. The applicant has prepared a Resource Protection Plan for the project which addresses all resources covered by the San Diego County Resource Protection Ordinance, which include wetlands, steep slope lands, sensitive habitats, cultural resources, and floodplains. The Resource Protection Plan also included an extensive Resource Management Plan. The exemption will require the development of the Merriam Mountains Specific Plan to be developed in accordance with the Resource Protection Plan, the functional equivalent of the San Diego County Resource Protection Ordinance. See Attachment E for more information.

Specific Plan

A Specific Plan is proposed for the systematic implementation of the master planned community. This plan identifies permitted uses, their planned locations, project phasing, and site design criteria. See Attachment A, General Plan Amendment/Specific Plan Report for more information.

Statement of Reasons

The project site currently contains 610 acres of MRZ-2 lands. These areas are proposed to be located within either the biological open space easement, common open space, or the development footprint of the southern portion of the project. Due to the current project design, these areas would no longer be available for mining. As a result, and in accordance with SMARA Sections 2762 and 2763, a Statement of Reasons has been prepared and was advertised for review; see Attachment B to this report. During the decision making process, the County decision maker must consider the loss of access to mineral resources on the project site and weigh the importance of the site's mineral resources to the region and balance these mineral values against the proposed land uses. The Statement of Reasons, combined with the information in the project EIR, provides reasons to permit the project and to eliminate access to important mineral resources that ht decision maker may adopt or modify.

Vesting Tentative Map

A subdivision of 58 lots is proposed to create a total of 1,235 lots. The applicant proposes to create 2 lots for the commercial land uses, 1 lot for the multi-family residences, 20 lots for the variable residential uses, 1,159 for the single-family residences, and various other lots for such uses as parks, opens space, and water storage tanks. The subdivision map shows the proposed design, improvements, lot grading, internal circulation, drainage, and a utility plan.

Pursuant to Section 66498.1 of the State Map Act and Section 81.1209 of the San Diego County Subdivision Ordinance, when a local agency approves or conditionally approves a Vesting Tentative Map, that the approval shall confer a vested right to proceed with the development in substantial compliance with the ordinances, policies, and standards in effect at the time the applicant was deemed complete. Additionally, pursuant to Section 81.1206, at the time a Vesting Tentative Map is filed, a subdivider shall also file a Site Plan application. A Site Plan application has been filed and is described in more detail below.

A copy of the Vesting Tentative Map is included within Attachment A. See Attachment G for the Vesting Tentative Map Resolution.

Site Plan

A Site Plan application has been filed pursuant to the "B" Special Area Designator, the proposed "V" Setback Designator, and Section 81.1206 of the Subdivision Ordinance.

The "B" Special Area Designator required the submittal of a Site Plan application to be reviewed for conformance with the I-15 Corridor Scenic Preservation Guidelines. Because no structures are proposed at this time, the project grading, proposed planned land uses, and design criteria contained within the Specific Plan were reviewed for conformance with the I-15 Corridor Scenic Preservation Guidelines.

The "V" Setback Designator requires the submittal of a Site Plan application to establish setbacks for a project. The Site Plan submitted establishes the building envelop for each developable lot proposed within the subdivision.

In accordance with Section 81.1206 of the Subdivision Ordinance, a Site Plan was submitted to illustrate the all building and structure locations, and proposed land uses, intended to be vested on the lots to be created by filing a Final Map. The submitted Site Plan illustrates the building envelope on each single-family lot, establishes the height for each single-family residence, and designates building areas and maximum numbers of dwelling units for the multi-family planning area.

A copy of the Site Plan is included within Attachment A. See Attachment H for the Site Plan Form of Decision.

NEIGHBORHOOD DESIGN

The project consists of 5 Neighborhoods within the southern half of the project site and an area along the northernmost boundary that is to be developed with residential uses on estate sized lots. A description of each of these areas is as follows:

Neighborhood 1

This neighborhood totals 318.2 acres and is located in the southeastern portion of the Merriam Mountains Specific Plan. This area is divided into seven planning areas and is planned for the following:

- A maximum of 110,000 square feet of commercial uses and a fire station;
- 270 multifamily dwellings (rental)
- 743 variable residential dwellings
- 197.2 acres of common open space
- 9 parks over 6.57 acres of park land as follows:
  - One public 2.16-acre Natural Park
  - One private 1.16-acre Natural Park
  - Two private Half-Acre Parks
  - One private One-Acre Park
  - Four private Pocket Parks
  - 1-acre private one-acre park

The variable residential dwellings may include such types of housing as town homes, stacked flats, cluster homes, and courtyard homes. These dwellings would be constructed so that buildings do not exceed three-stories and 40 feet in height with a maximum of one to six residential dwellings per building. The multi-family dwellings would be developed within buildings that do not exceed three stories in height and are developed with a maximum 28 dwellings per building. All seven planning areas for Neighborhood 1 would be subject to conformance with the "B" Special Area Designator. The multi-family development in planning area 2 and the commercial development within planning area 1 would also be subject "D1" Special Area Designator.

Access to this neighborhood could be provided via Deer Springs Road and future Merriam Mountains Parkway from the south and Lawrence Welk Court from the north.

Neighborhood 2

This neighborhood totals 241.1 acres and is located in the southern portion of the Merriam Mountains Specific Plan. This area is divided into three planning areas and would consist of the following:

- 528 variable residential dwellings
- 175.4 acres of common open space
- 7 parks over 5.57 acres of park land as follows:
  - One public Meadow Park (athletic field)
  - One public Pocket Park

- o Two private Half-Acre Parks
- o Three private Pocket Parks

The variable residential dwellings would be designed so that buildings do not exceed three-stories and 40 feet in height, with the exception of Neighborhood 2, Planning Area 3, adjacent to Deer Springs Road, which is designed so that buildings do not exceed twos-stories and 35 feet in height with a maximum of one to six residential dwellings per building. All three planning areas within Neighborhood 2 would be subject to conformance with the "D2" Special Area Designator.

Access to this neighborhood would be provided via Deer Springs Road and future Meadow Park Lane to the south and Lawrence Welk Court to the north.

Neighborhood 3

This neighborhood totals 114.4 acres and is located north of Neighborhood 1. This area is divided into three planning areas and would consist of the following:

- 248 single-family residences on lots ranging from 4,000 to 5,500 square feet in size
- 56.1 acres of common open space
- 5 parks over 44.36 acres of park land as follows:
  - o Two private Pocket Parks
  - o Two public Half-Acre Parks
  - o One public Natural Park

This neighborhood is not planned to be encumbered by a Special Area Designator.

Access to this neighborhood is provided via Deer Springs Road and future Merriam Mountains Parkway to the south and Lawrence Welk Court to the north. Many of the residences within this neighborhood would also travel on interior streets in order to access their homes.

Neighborhood 4

This neighborhood totals 92.6 acres and is located north of Neighborhood 2 and northwest of Neighborhood 3. This area is divided into three planning areas and would consist of the following:

- 371 single-family residences on lots ranging from 4,500 to 6,000 square feet in size
- 6 parks over 4.63 acres of park land as follows:
  - o Three public Pocket Parks
  - o One public One-Acre Park
  - o Two private Half-Acre Parks

Portions of planning areas 1 and 3 within this neighborhood are subject to conformance with the "B" Special Area Designator. No common open space is proposed to be provided within this neighborhood.

Access to this neighborhood is provided via Deer Springs Road and future Merriam Mountains Parkway and Meadow Park Lane to the south and Lawrence Welk Court to the north. Many of the residences within this neighborhood would also travel on interior streets in order to access their homes.

Neighborhood 5

This neighborhood totals 310.0 acres and is the most northwestern neighborhood within the Specific Plan. This area is divided into five planning areas and would consist of the following:

- 530 single-family residences on lots ranging in size from 4,000 to 7,000 square feet in size
- 147.0 acres of common open space
- 10 parks developed over 27.7 acres of land as follows:
  - One semi-public Community Park
  - Three public Pocket Parks
  - One private Pocket Park
  - One public Natural Park
  - One public One-Acre Park
  - One private One-Acre Park
  - One private Half-Acre Park

A portion of planning areas 5 is subject to conformance with the "B" Special Area Designator.

Access to this neighborhood would be provided via Deer Springs Road and future Merriam Mountains Parkway and Meadow Park Lane to the south and Lawrence Welk Court to the north. Many of the residences within this neighborhood would also travel on interior streets in order to access their homes.

Estate Lots

The northernmost edge of the project area is planned for 10 estate sized lots for development of single-family residences and 5.3 acres of common open space. These homes would be constructed on lots measuring no less than 5 acres in size and would be designed so that buildings do not exceed one-story and 25' in height. A portion of this area would be subject to conformance with the "B" Special Area Designator.

Access to the estate lots would be provided via Lawrence Welk Lane to the east and Lawrence Welk Court to Deer Springs Road to the south.

ROAD AND INFRASTRUCTURE IMPROVEMENTS

The project would result the improvement of off-site existing roadways and intersections and the construction of new on-site roads. A description of these improvements is as follows:

On-Site Road Improvements

The Merriam Mountains Specific Plan includes three main north-south road segments, numerous internal roadways to serve the residential lots, an emergency access road, and a private road to serve the 10 northern estate lots. The three main primary road segments and all internal roads, which include Merriam Mountains Parkway, Meadow Park Lane, Lawrence Welk Court, would be constructed in accordance with the County Public Road Standards. The emergency access road and Lawrence Welk Lane would be constructed to County Standards for Private Streets.

Merriam Mountains Parkway, is accessed from the south via Deer Springs Road at the southeast corner of the property closest to I-15 and serves as a main north-south backbone roads through the project area. This road serves as the main access road for the commercial and multifamily lots within Neighborhood 1. At the intersection of Deer Springs Road, Merriam Mountains Parkway would be improved to a 4-lane, median divided road, and would narrow down to a 2-lane roadway with a striped median as the roadway traverses north.

Meadow Park Lane is accessed from the south via Deer Springs Road at the southwest corner of the property and serves as the second north-south backbone road. At the intersection of Deer Springs Road, Meadow Park Lane would be improved to a 4-lane divided road and improvement would change down to an undivided 4-lane road as the road traverses to the north.

Lawrence Welk Court is accessed from the north via the off-site portion of Lawrence Welk Drive and from the south via an internal roadway within Neighborhood 5. Lawrence Welk Court traverses through the biological preserve and serves as north-south connection open for use by the general public and is found to be a roadway of vital importance in the event of an emergency.

Lawrence Welk Lane, a proposed private road, is located in the northern portion of the project area, is accessed via an extension of Lawrence Welk Drive (public), and serves as the primary access for the 10 estate lots.

Access to all residential lots is restricted along both Merriam Mountains Parkway and Meadow Park Lane, as such all lots have been designed to take access via an internal roadway system. A majority of the internal roads used to access the residential lost are designed to provide multiple means of egress and ingress. There are less than 20 roads within the project that terminate with a cul-de-sac greater and all cul-de-sacs have been designed to have a greater radius than required.

Camino Mayor, an existing off-site private road, is located approximately at the mid-section of the project area and is proposed to be extended within the project area and utilized as a gated emergency access. This roadway would be improved from Lawrence Welk Court to Twin Oaks Valley Road, to the west.

Off-Site Road Improvements

The project would result in the improvement of many off-site roadways and intersections both along the project frontage and at various other locations within the surrounding community.

Deer Springs Road would be widened, from Twin Oaks Valley Road to I-15, from its current 2-lane configuration to a 4-lane Major Road. To the east, at the intersection of Mesa Rock Road and Deer Springs Road, eastbound and westbound auxiliary lanes will be provided to the I-15 ramps. To the west, the roadway will be widened along its current centerline, with a slight deviation to the west, south of Sarver Lane/Deer Springs Road intersection, which is necessary to ensure an efficient and safe turning radius as a result of creating a higher traveling speed along this segment of roadway. Various intersection improvements will also be completed within Deer Springs Road.

The Deer Springs Road/I-15 interchange will be improved with widening improvements consisting of various east/west turn lanes and through lanes at both the I-15 northbound and southbound ramps and bridge. Improvements within the jurisdiction of Caltrans are planned to be completed in accordance a Project Study Report (PSR), approved by Caltrans.

Twin Oaks Valley Road will be widened, between Buena Creek Road and 1,000 feet south of the Cassou/ Twin Oaks Valley Road intersection, from its current 2-lane configuration to 4-lanes within the City of San Marcos. Various intersection improvements will also be completed within Twin Oaks Valley Road. Improvements within the City of San Marcos are planned to be completed in accordance with a future agreement executed between the City of San Marcos and the project applicant.

Other off-site improvements include the on-site segment of Twin Oaks Valley Road to the west, Gopher Canyon Road/I-15 intersection to the north, Monte Vista Drive/Buena Creek Road intersection to the west, Robelini Drive/South Santa Fe Avenue intersection to the west, and Buena Creek Road/South Santa Fe Avenue intersection to the west.

Utility Improvements

The project will result in the provision of on-site and off-site extensions of existing utilities.

The southern portion of the project will be provided water from the Vallecitos Municipal Water District, while the 10 estate lots to the north will be served by the Rainbow Municipal Water District. To serve the southern project area, waterline upgrades are required to be extended within Deer Springs Road and connections will be made at the intersections of Merriam Mountains Parkway and Meadow Park Lane to serve to the

proposed development. Waterlines will also be extended from the two existing, and two new, water reservoirs. To serve the estate lots to the north, a waterline extension will be required from Buckshot Canyon Road to Lawrence Welk Drive.

The southern portion of the project will be served with public sewer from the Vallecitos Municipal Water District, while the 10 estate lots to the north will utilize on-site septic systems. To serve the southern project area, sewerline upgrades, realignment, and extensions are necessary. Improvements will occur within Twin Oaks Valley Road, Deer Springs Road, and Sarver Lane.

PARKS, TRAILS, AND OPEN SPACE

Merriam Mountains Specific Plan will provide 18.3 miles of trails and 37 parks of various categories within 88.83 acres of park land. The project also proposes 537 acres of managed fuel zones and 1,192 acres of biological open space.

Community Park

The Community Park is planned to be developed with a community building, pool, spa, and barbeque area for use by residents of the Merriam Mountains Specific Plan. Public amenities will also be provided which are likely to include athletic fields, a parking area, and other accessory uses such as a gazebo, playground, and more. In total, this park measures 10 acres will be located in Planning Area 5.

Meadow Park (Athletic Field)

A public Athletic Field is planned to be developed with facilities that will allow for active uses for such sporting events like little league and soccer, and passive uses such as picnics, sightseeing, and others. This park measures 3.57 acres and will be located in Neighborhood 2.

One-Acre Park

Four One-Acre Parks will be located in Neighborhoods 1, 4 and 5 and vary in size from 0.93 to 2.76 acres. These parks will be fully landscaped and may include such amenities as a pool, barbeque area, fields or courts for sporting games, playgrounds, gazebos, and open areas which can be used for various types of leisurely activities.

Half-Acre Park

Nine Half-Acre Parks will be provided throughout all the Neighborhoods within the Specific Plan area and vary in size from 0.50 to 0.71 acres. These parks will be fully landscaped and may include such amenities as a sport courts, playground, and open turf area for various leisurely activities.

Pocket Park

Seventeen Pocket Parks will be provided throughout all the Neighborhoods within the Specific Plan area and vary in size from 0.13 to 0.29 acres. These parks will be fully landscaped and may include such amenities as a playground and seating area.

Natural Park

Four Natural Parks will be provided in Neighborhoods 1, 3, and 5 and range in size from 1.41 to 42.93 acres. These parks will primarily remain in their natural state, however such amenities may be provided like fitness apparatuses and seating at overlook points.

Trails

18.3 miles of trails will be provided through the Merriam Mountains Specific Plan. Trails will be provided adjacent to interior roads, within the 1,192 acre biological preserve and common open space areas, and over existing utility easements.

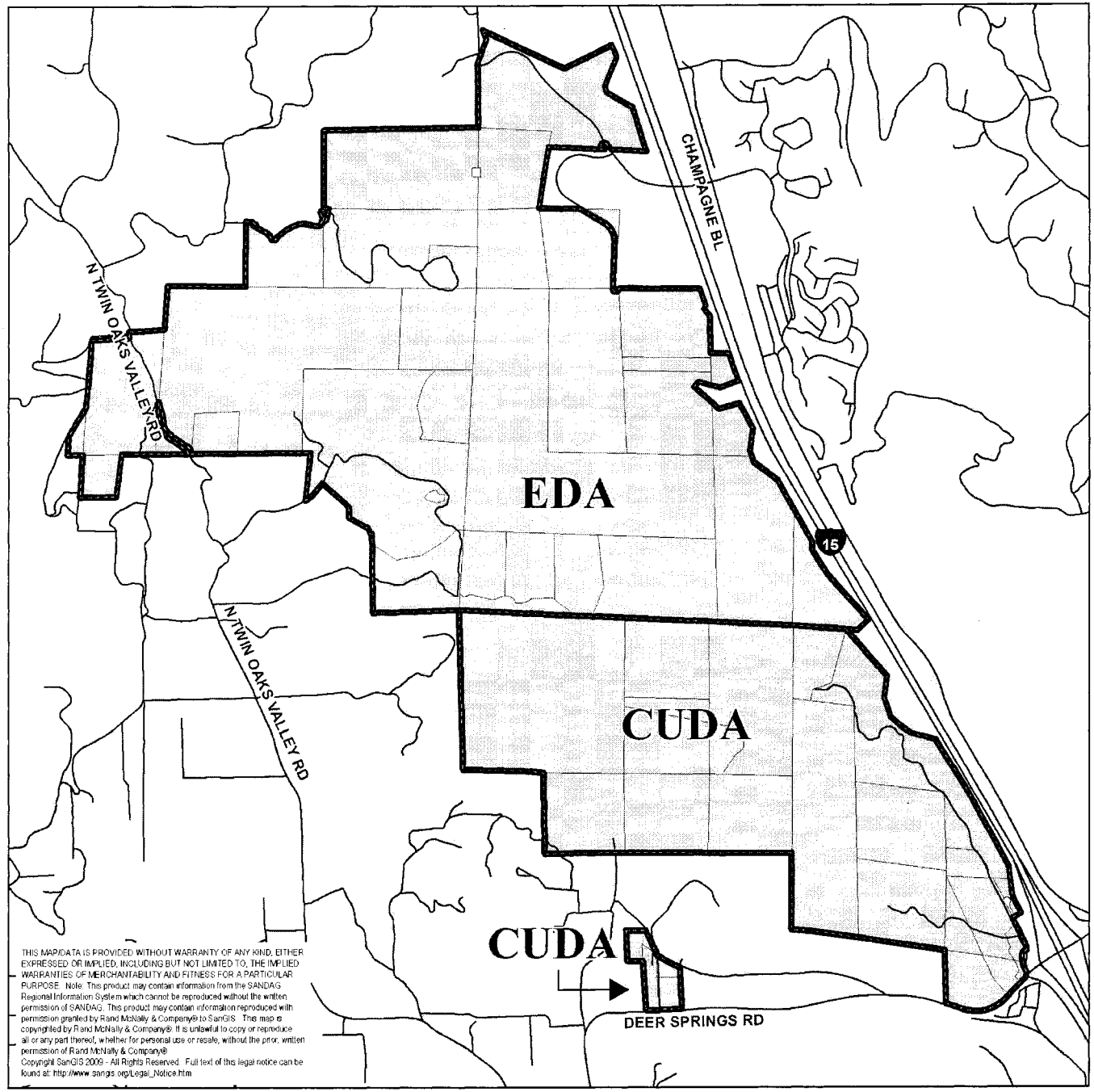
Common Open Space

The project includes 537 acres of irrigated and non-irrigated fuel management areas in the southern portion of the project area. These areas are located outside the footprint of the development areas within Neighborhoods 1-5 and serve as a means of identifying and managing areas of future landscaping and existing natural habitat. Lands included within this area include graded slopes, natural areas, parks, and other commonly owned land.

Biological Open Space Preserve

The project will result in the preservation of 1,192 acres (approximately 51% of the total project area) of contiguous land in the northern half of the project area, north of Neighborhood 5 and south of the estate lots. Although Lawrence Welk Court bisects the preserve area, through negotiations and agreement (included in Attachment J) with the wildlife agencies, the project has demonstrated conformance with the general principals of the draft NCMSCP and has established that the project footprint is consistent with the preserve design principals under the Natural Community Conservation Planning Act of 1991 (NCCP).

The project will also result in the acquisition of 32-acre off-site parcel, north of the subject project and east of Interstate 15, known as the Captains Associate Parcel. This parcel would be preserved in perpetuity, is being purchased as mitigation for impacts to Costal Sage Scrub and California gnatcatchers, and contributes to the assembly of the North County Multiple Species Conservation Program (NCMSCP).



Merriam Mountains SP04-006 Proposed Regional Categories

Bonsall and North County Metro Community Planning Area

EDA - Estate Development Area

CUDA - Current Urban Development Area

Roads
Parcels
Site

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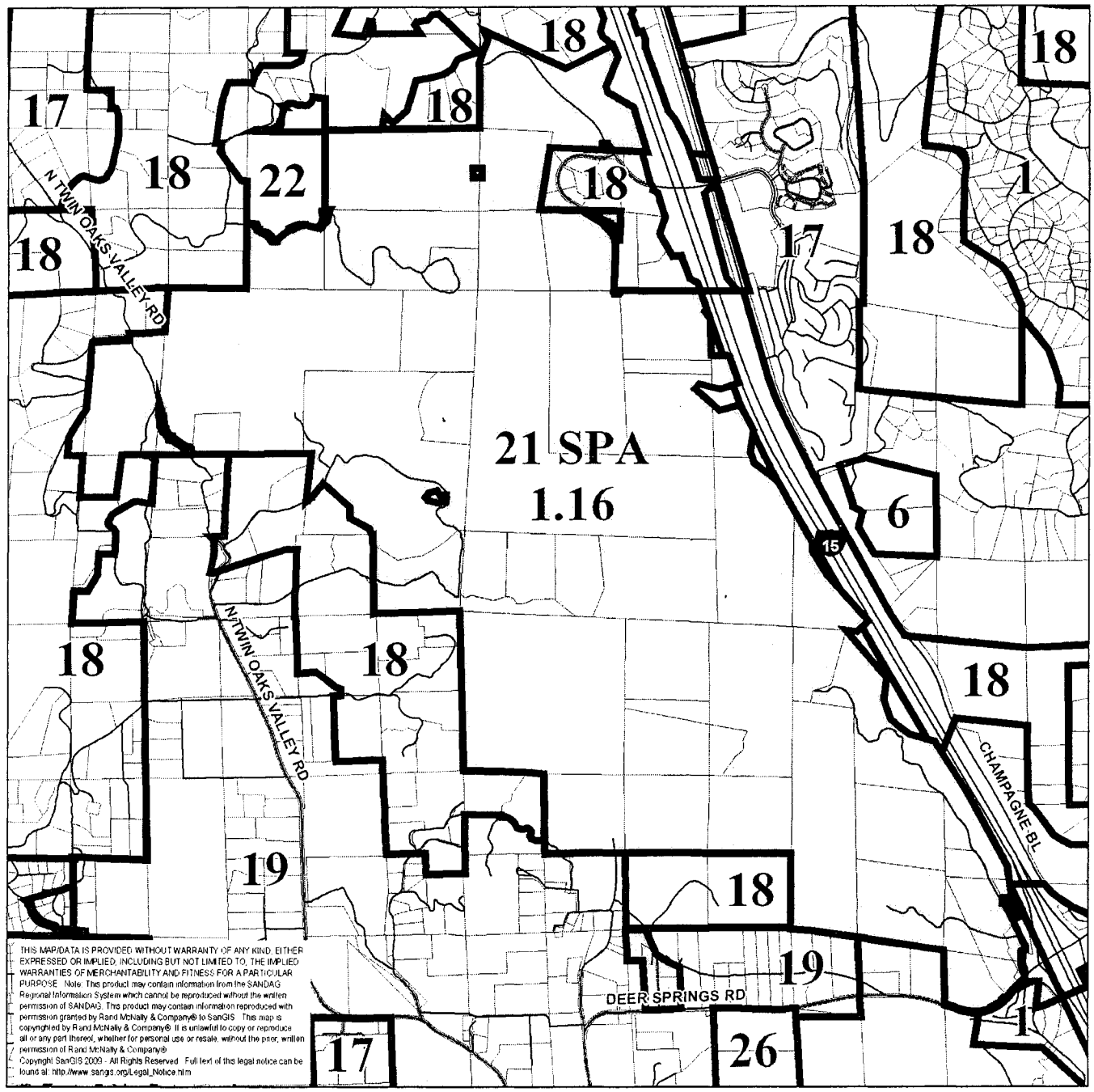

Merriam Mountains
SP04-006
Proposed General Plan

Bonsall and North County Metro Community Planning Area

(1) Residential
1 DU/ 1,2,4 Acres
(6) Residential
7.3 DU/ Acre
(13) General Commercial
(15) Limited Impact Industrial
(17) Estate Residential
1 DU/ 2,4 Acres
(18) Multiple Rural Use
1 DU/ 4,8,20 Acres
(19) Intensive Agiculture
1 DU/ 4,8 Acres
(21) Specific Plan Area
(22) Public/Semi-Public Lands
(26) Visitor Serving Commercial

Roads
Site
Parcels
Planning

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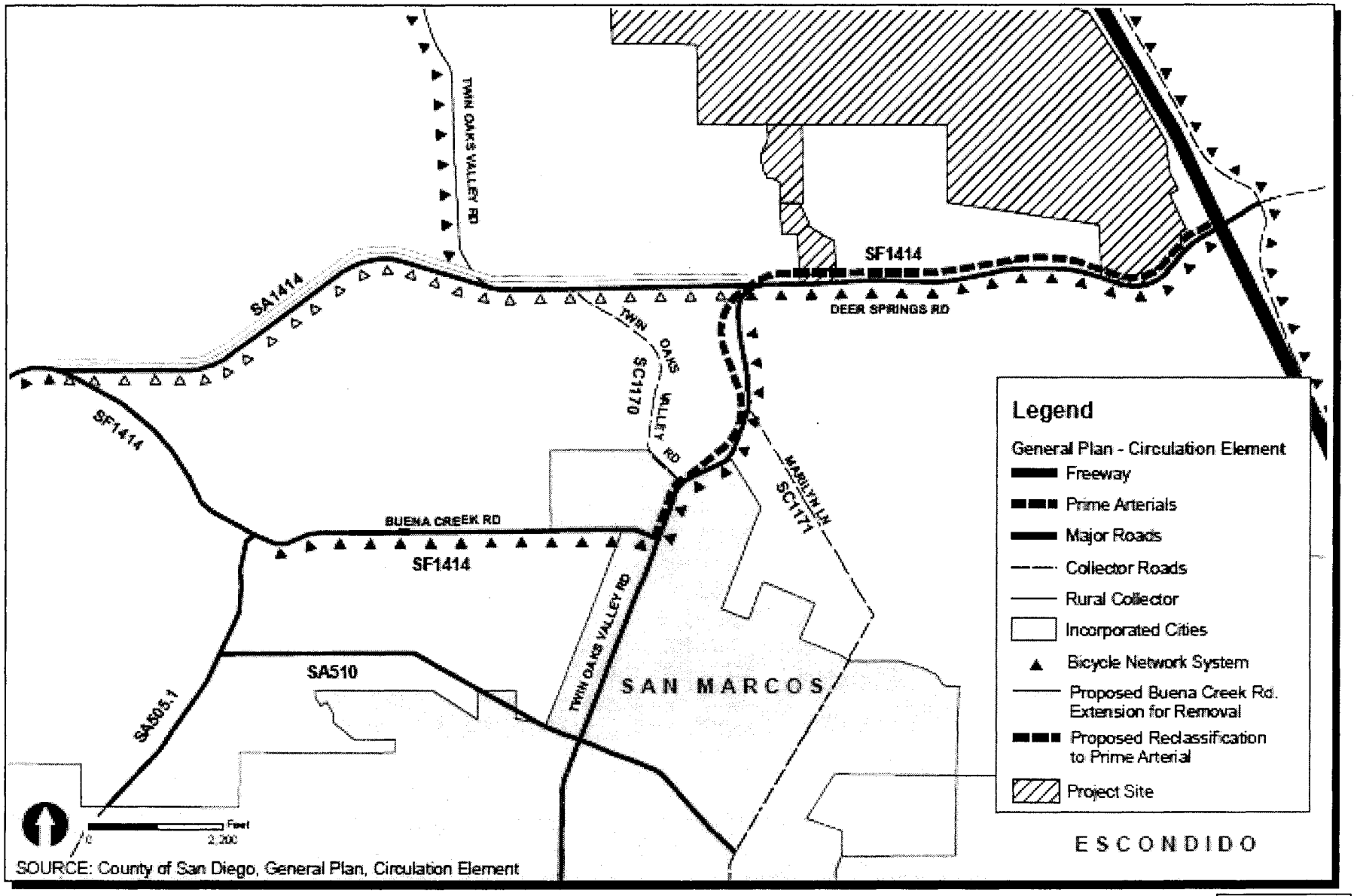
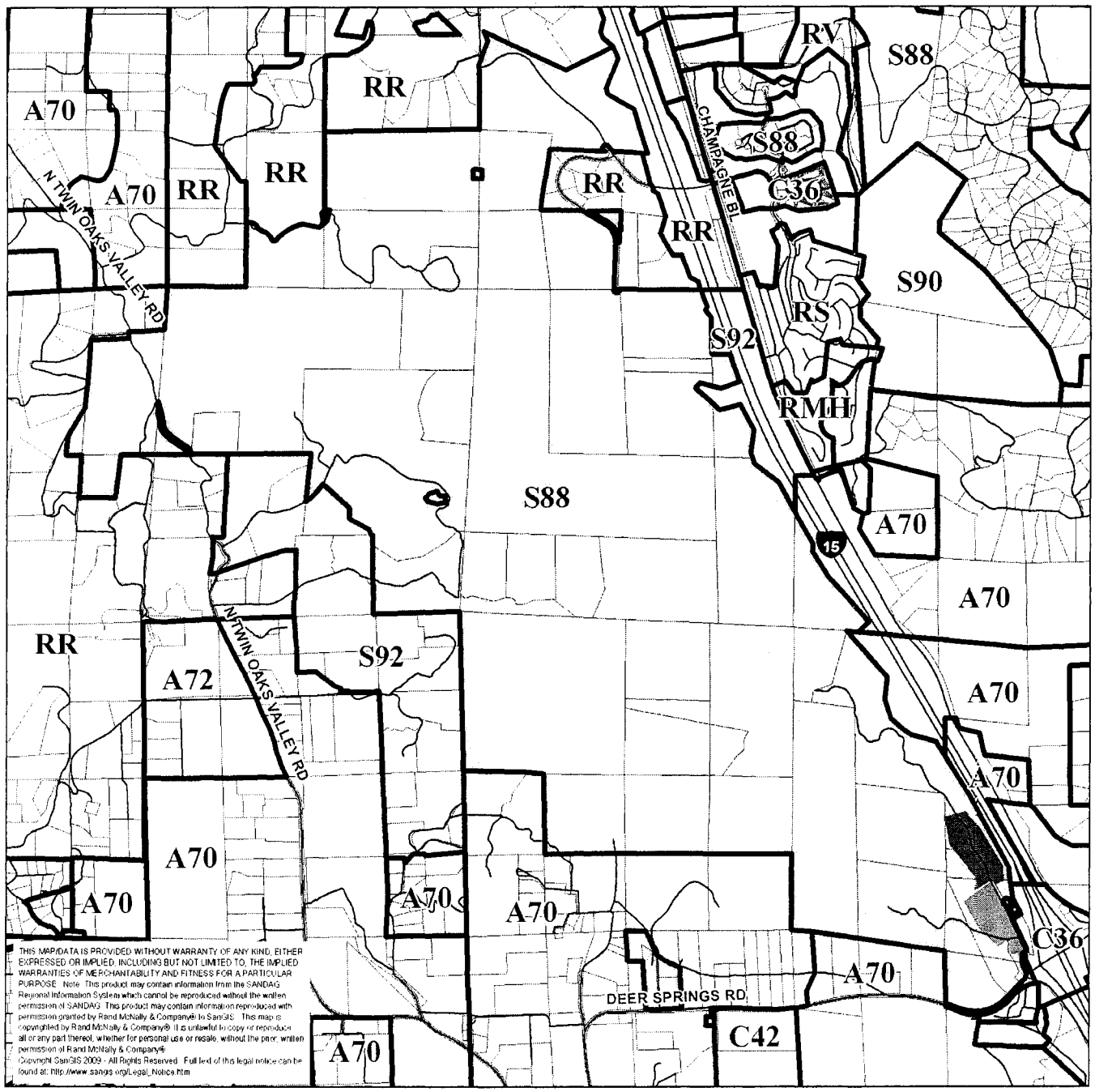


SOURCE: County of San Diego, General Plan, Circulation Element

General Plan Amendment/Circulation Element - Deer Springs Road

Circulation Element Existing and Proposed



Merriam Mountains
SP04-006
Proposed Zoning

Bonsall and North County Metro Community Planning Area

A70 - Limited Agriculture
A72 - General Agriculture
C36 - General Commercial
C42 - Visitor Serving Commercial
M52 - Limited Industrial
RMH- Residential Mobilhomes
RR - Rural Residential
RS - Residential-Single
S88 - Specific Plan
S90 - Holding Area
S92 - General Rural

Roads
Parcels

Proposed Zoning Desgination

C36 - General Commercial
RM22 - Multi-Family Residential
S88 - Specific Plan

N

0 1,000 2,000 Feet

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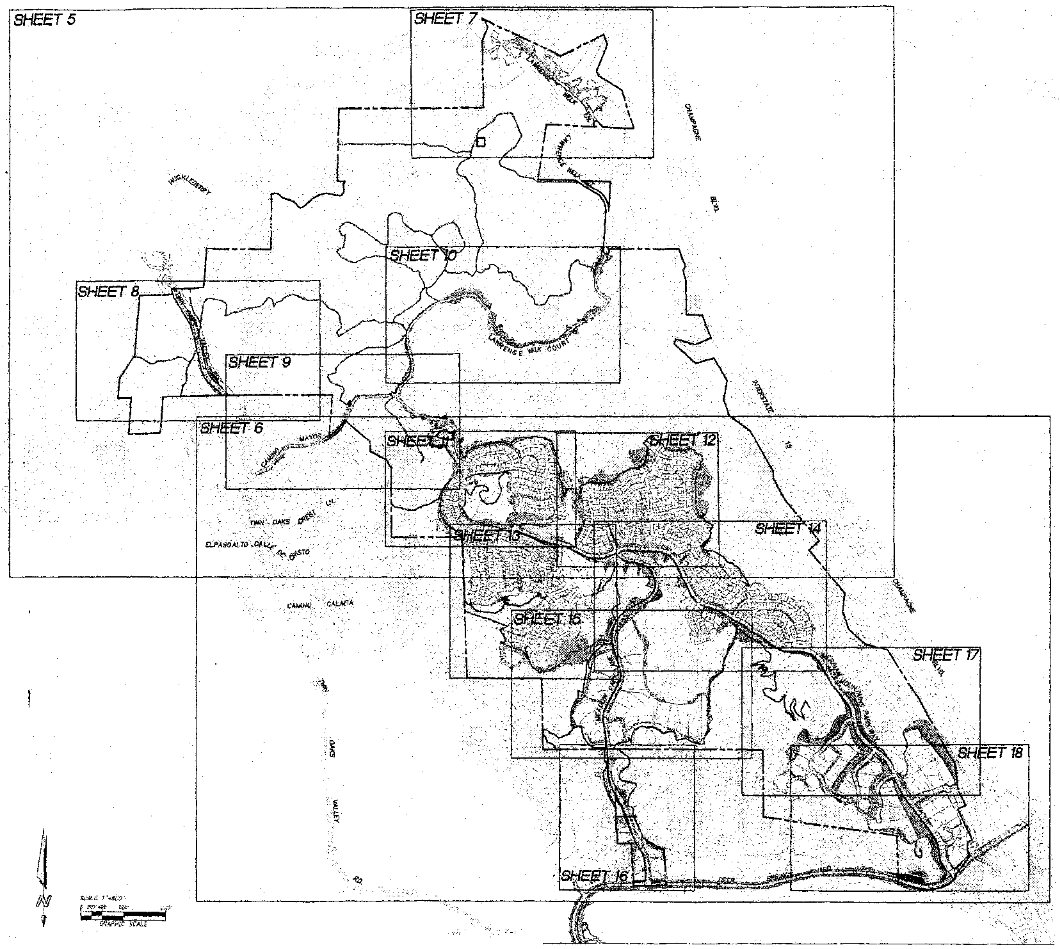
File: /projects/regulatory/Merriam Mountain SP04-006/prozo.mxd

COUNTY OF SAN DIEGO TRACT TM 5381
VESTING TENTATIVE MAP
MERRIAM MOUNTAINS

NOTE: DESIGN LEVEL HYDROLOGY AND HYDRAULICS, PIPE SIZES AND LOCATIONS ARE TO BE DETERMINED UPON SUBMITTAL AND APPROVAL OF THE IMPROVEMENT PLANS.



INDEX MAP
SCALE 1"=800'

FIRE DEPARTMENT REQUIREMENTS

FIRE HYDRANTS:

(a) ALL FIRE HYDRANTS SHALL MEET THE DESIGN SPECIFICATIONS AND BE INSTALLED IN ACCORDANCE WITH THE ADOPTED STANDARDS AND REQUIREMENTS SET FORTH IN: ARTICLE 9 OF THE COUNTY OF SAN DIEGO FIRE CODE; THE FIRE CODES OF THE APPLICABLE FIRE DISTRICT (DEER SPRINGS FIRE PROTECTION DISTRICT & SAN MARCOS FIRE PROTECTION DISTRICT) AND IN CONFORMANCE WITH THE SPECIFICATIONS AND STANDARDS ADOPTED BY THE APPLICABLE WATER PURVEYOR (VALLECITOS WATER DISTRICT AND RAINBOW MUNICIPAL WATER DISTRICT).

(b) FIRE HYDRANTS SHALL BE INSTALLED ON DEER SPRINGS ROAD AND CAMINO MAYOR IN ACCORDANCE WITH THE ABOVE APPLICABLE STANDARDS AND REQUIREMENTS AND THE FINAL ROADWAY DESIGN PLANS SHALL BE SUBMITTED TO THE APPLICABLE FIRE DISTRICT AND THE COUNTY OF SAN DIEGO'S DPLU FOR APPROVAL OF THE FIRE HYDRANT LOCATIONS PRIOR TO THE START OF THE ROADWAY IMPROVEMENTS.

(c) IN ADDITION TO THE FIRE HYDRANTS IDENTIFIED ON THIS TENTATIVE MAP, FIRE HYDRANTS SHALL BE INSTALLED IN EACH OF THE COMMERCIAL AND MULTI-FAMILY DWELLING NEIGHBORHOOD IN ACCORDANCE WITH THE STANDARDS AND REQUIREMENTS LISTED IN SUBSECTION (A) ABOVE. PRIOR TO ROADWAY DEVELOPMENT WITHIN THE COMMERCIAL AND MULTI-FAMILY DWELLING NEIGHBORHOODS SPECIFIC SITE PLANS FOR ALL ROADWAYS AND DRIVEWAYS SHALL BE SUBMITTED TO THE APPLICABLE FIRE DISTRICT AND THE COUNTY OF SAN DIEGO DPLU FOR REVIEW AND APPROVAL INCLUDING THE FIRE HYDRANT LOCATIONS.

(d) PRIOR TO THE INSTALLATION OF ANY FIRE HYDRANT, PLANS INDICATING THE STANDARDS, REQUIREMENTS AND LOCATIONS OF THE HYDRANTS SHALL BE APPROVED BY THE COUNTY OF SAN DIEGO DPLU, THE APPLICABLE FIRE PROTECTION DISTRICT (DSFPD & SMFPD) AND BY THE APPLICABLE WATER PURVEYOR (VALLECITOS WATER DISTRICT AND RAINBOW MUNICIPAL WATER DISTRICT).

(e) PRIOR TO THE DELIVERY OF COMBUSTIBLE BUILDING MATERIALS (E.G. LUMBER) TO ANY LOCATION WITHIN THE DEVELOPMENT, FIRE HYDRANTS SHALL BE OPERABLE AND CAPABLE OF PRODUCING THE REQUIRED FIRE FLOW OF 2,500 GALLONS PER MINUTE AT 20 PSI. FIRE HYDRANTS SHALL BE ACCESSIBLE USING ALL-WEATHER SURFACES AS APPROVED BY THE FIRE AUTHORITY HAVING JURISDICTION.

(f) FIRE HYDRANTS SHALL NOT BE SERVED BY WATER MAINS LESS THAN 8" IN DIAMETER.

(g) ALL FIRE HYDRANT LOCATIONS SHALL BE IDENTIFIED BY BLUE DOT REFLECTIVE MARKERS IN ACCORDANCE WITH THE STANDARDS ADOPTED BY THE DEER SPRINGS FPD AND THE SAN MARCOS FPD RESPECTIVELY.

AUTOMATIC FIRE SPRINKLER SYSTEMS:

(a) ALL NEW RESIDENTIAL BUILDINGS AND GARAGES LESS THAN TWO STORIES IN HEIGHT SHALL BE PROVIDED WITH AUTOMATIC FIRE SPRINKLERS DESIGNED AND INSTALLED IN ACCORDANCE WITH THE NATIONAL FIRE PROTECTION ASSOCIATION STANDARD 13-D WITH AN ENHANCED STANDARD (4 HEAD CALCULATIONS AND ATTIC COVERAGE). IN ADDITION, AUTOMATIC FIRE SPRINKLER SYSTEMS SHALL ALSO BE DESIGNED AND INSTALLED IN ACCORDANCE WITH THE STANDARDS AND REQUIREMENTS ADOPTED BY THE DEER SPRINGS FPD AND THE SAN MARCOS FPD AS APPLICABLE.

(b) THE WATER SERVICE TAP/METER FOR ALL ONE AND TWO FAMILY RESIDENTIAL BUILDINGS SHALL BE NOT LESS THAN 1 INCH. ALL OTHER BUILDINGS WILL BE PROVIDED WITH THE NECESSARY SERVICE TAPS FOR THE AUTOMATIC FIRE SPRINKLERS IN ACCORDANCE WITH THE DESIGN CRITERIA SET FORTH IN THE APPLICABLE SPRINKLER STANDARDS OF THE NATIONAL FIRE PROTECTION ASSOCIATION AND AS APPROVED BY THE DEER SPRINGS AND/OR SAN MARCOS FIRE PROTECTION DISTRICTS AS APPLICABLE.

(c) ALL COMMERCIAL BUILDINGS SHALL BE PROVIDED WITH AUTOMATIC FIRE SPRINKLERS DESIGNED AND INSTALLED IN ACCORDANCE WITH THE NATIONAL FIRE PROTECTION ASSOCIATION STANDARD 13. IN ADDITION, THE AUTOMATIC FIRE SPRINKLER SYSTEMS SHALL ALSO BE DESIGNED AND INSTALLED IN ACCORDANCE WITH THE STANDARDS AND REQUIREMENTS ADOPTED BY THE DEER SPRINGS FPD.

(d) ALL MULTI-FAMILY BUILDINGS MORE THAN TWO STORIES IN HEIGHT SHALL BE PROVIDED WITH AUTOMATIC FIRE SPRINKLER SYSTEMS DESIGNED AND INSTALLED IN ACCORDANCE WITH THE NATIONAL FIRE PROTECTION ASSOCIATION STANDARD 13, SPECIFIC TO THE DESIGN CRITERIA FOR ORDINARY HAZARD, GROUP 2 INCLUDING THE SAME LEVEL OF PROTECTION FOR ALL ATTIC AREAS.

FIRE PROTECTION STANDPIPES:

(a) STANDPIPES IN MULTI-STORY BUILDINGS SHALL BE INSTALLED IN ACCORDANCE WITH THE DEER SPRINGS AND/OR SAN MARCOS FIRE PROTECTION DISTRICTS FIRE CODE AS IDENTIFIED DURING THE SPECIFIC PLAN SUBMITTALS FOR THE COMMERCIAL AND MULTI-FAMILY NEIGHBORHOODS.

ROADWAYS/DRIVEWAYS:

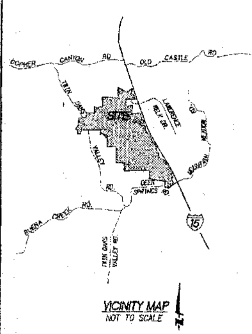
(a) ALL PAVING AND SUB-BASE FOR ROADWAYS SHALL BE DESIGNED AND INSTALLED IN ACCORDANCE WITH THE COUNTY OF SAN DIEGO DEPARTMENT OF PUBLIC WORKS STANDARDS INCLUDING THE CAPABILITY OF SUPPORTING THE IMPOSED LOADS OF FIRE APPARATUS (NOT LESS THAN 50,000 LBS.).
(b) NO ROADWAYS OR DRIVEWAYS SHALL EXCEED A 20 PERCENT GRADE AND DRIVEWAYS EXCEEDING 15 PERCENT IN GRADE SHALL BE CONCRETE WITH A RAKED FINISH.
(c) DRIVEWAYS SHALL BE A MINIMUM OF 16 FEET IN IMPROVED WIDTH WHEN SERVING NOT MORE THAN TWO DWELLING UNITS AND NOT LESS THAN 24 FEET OF IMPROVED WIDTH WHEN SERVING 3 OR MORE DWELLINGS.
(d) DRIVEWAYS SHALL BE PAVED ASPHALT (MIN.DEPTH 2") OR CONCRETE (MIN. DEPTH 4").
(e) DRIVEWAYS AND ROADWAYS EXCEEDING 150 FEET IN LENGTH SHALL HAVE A TURNAROUND AT THE TERMINUS THAT IS DESIGNED AND INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF THE DEER SPRINGS AND/OR SAN MARCOS FIRE PROTECTION DISTRICT FIRE CODE AS APPLICABLE.
(f) ALL STREET NAMES AND SIGNS SHALL BE IN ACCORDANCE WITH THE SAN DIEGO COUNTY DEPARTMENT OF PUBLIC WORKS STANDARDS.
(g) ALL PUBLIC AND PRIVATE EASEMENT ROADS SHALL BE NAMED.
(h) CAMINO MAYOR SHALL BE DESIGNATED AS A PRIVATE ROAD RESERVED FOR EMERGENCY VEHICLE INGRESS PURPOSES AND EMERGENCY EGRESS PURPOSES AS DETERMINED BY THE SAN DIEGO COUNTY SHERIFF'S OFFICE AND THE DEER SPRINGS FIRE PROTECTION DISTRICT.
(i) CAMINO MAYOR SHALL BE PROVIDED WITH A TURNAROUND ON BOTH SIDES OF THE GATE IN ACCORDANCE WITH THE STANDARDS AND REQUIREMENTS OF THE DEER SPRING FIRE PROTECTION DISTRICT.
(j) THE FOLLOWING ROADS SHALL BE POSTED WITH NO PARKING – FIRE LANE SIGNS PER CVC 22500.1 AND IN ACCORDANCE WITH THE DEER SPRINGS AND/OR SAN MARCOS FIRE PROTECTION DISTRICT FIRE CODE AS APPLICABLE.
1) MERRIAM MOUNTAINS PARKWAY, MEADOW PARK LANE, LAWRENCE WELK COURT AND CAMINO MAYOR.
2) ALL ROADS LESS THAN 32 FEET IN WIDTH SHALL BE POSTED WITH NO PARKING – FIRE LANE SIGNS ON BOTH SIDES OF THE ROAD.
3) ALL ROADS 32 FEET IN WIDTH BUT LESS THAN 36 FEET IN WIDTH SHALL BE POSTED ON ONE SIDE.
(k) ADDRESS NUMBERS REQUIRED TO BE ILLUMINATED AND INSTALLED NEXT TO GATE. ADDRESS NUMBERS TO BE 4" HIGH, 3/8" STROKE ON CONTRASTING COLOR VISIBLE FROM THE ROAD. COMMERCIAL/INDUSTRIAL – 6" X ½", ILLUMINATED.

(l) ALL GATES SHALL BE DESIGNED AND INSTALLED IN ACCORDANCE WITH THE STANDARDS AND REQUIREMENTS OF THE DEER SPRINGS FPD, SAN MARCOS FPD AS APPLICABLE IN ADDITION TO BEING IN COMPLIANCE WITH THE SAN DIEGO COUNTY FIRE CODE, SAN DIEGO COUNTY GATE ORDINANCE, AND TITLE 14 OF THE CALIFORNIA CODE OF REGULATIONS. PLANS FOR GATES AND GATE CONTROLS (KNOX KEY, OPTICOM, AND RADIO FREQUENCY OVERRIDE) SHALL BE SUBMITTED TO THE APPLICABLE AHJ FOR APPROVAL PRIOR TO INSTALLATION.

BUILDING CONSTRUCTION:

(a) ALL BUILDINGS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS FOR BOTH BASIC AND ENHANCED FIRE RESISTIVE CONSTRUCTION AS SET FORTH IN THE COUNTY OF SAN DIEGO BUILDING AND FIRE CODES; AND THE DEER SPRINGS AND SAN MARCOS FIRE PROTECTION DISTRICT'S FIRE CODES AS APPLICABLE.

(b) THE BUILDING PADS FOR ALL STRUCTURES, INCLUDING PROJECTIONS, SHALL BE LOCATED IN ACCORDANCE WITH THE SETBACK PROVISIONS OF THE SAN DIEGO COUNTY BUILDING AND FIRE CODES AND IN ACCORDANCE WITH THE CRITERIA ESTABLISHED BY THE SAN DIEGO COUNTY DPLU. (SEE SDCFC, APPENDIX II-A, SECTION 25.2)



VICINITY MAP
NOT TO SCALE

TOPOGRAPHY

AERIAL TOPOGRAPHY BY:
PHOTO GEODETIC CORPORATION
8518 CLAIREMONT MESA BLVD., STE. 107
SAN DIEGO, CA 92111
(858)277-1010
FLIGHT DATE: 9-21-02

PROPOSED GRADING

CUT: 13,000,000 CY
FILL: 13,000,000 CY
ENGINEER'S ESTIMATE ONLY, NOT FOR DID PURPOSES

PROPOSED IMPROVEMENTS

PROPOSED IMPROVEMENTS INCLUDE THE CONSTRUCTION OF PUBLIC SEWER, WATER AND STORM DRAIN SYSTEMS, AND PUBLIC ROADS AS INDICATED ON THESE PLANS.

APPLICANT

HNP-STONEGATE MERRIAM, LLC
10815 RANCHO BERNARDO ROAD, SUITE 310
SAN DIEGO, CALIFORNIA 92127
(858) 674-1300

ENGINEER

FUSCOE ENGINEERING SAN DIEGO, INC.
6390 GREENWICH DRIVE, STE. 170
SAN DIEGO, CA 92122
(858)554-1500

OWNER/DEVELOPER

HNP-STONEGATE MERRIAM, LLC
10815 RANCHO BERNARDO ROAD, SUITE 310
SAN DIEGO, CALIFORNIA 92127
(858) 674-1300

DOUGLAS C. FRISMAN
VICE PRESIDENT

LEGAL DESCRIPTION

PORTIONS OF SECTIONS 11, 12, 13, 14, 24, AND 25, TOWNSHIP ELEVEN SOUTH, RANGE 3 WEST, SBM TOGETHER WITH PORTIONS OF SECTIONS 18, 19, AND 30, TOWNSHIP ELEVEN SOUTH, RANGE 2 WEST, SBM IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA.

SOLAR ACCESS NOTE

ALL LOTS WITHIN THIS SUBDIVISION HAVE A MINIMUM OF 100 SQUARE FEET OF SOLAR ACCESS FOR EACH FUTURE DWELLING UNIT/COMMERCIAL UNIT ALLOWED BY THIS SUBDIVISION.

SPECIAL ASSESSMENT ACT STATEMENT:

THE SUBDIVIDER MAY MAKE A REQUEST TO THE BOARD OF SUPERVISORS FOR PERMISSION TO INITIATE PROCEEDINGS UNDER A SPECIAL ASSESSMENT ACT FOR CONSTRUCTION OF MAJOR UTILITY AND TRANSPORTATION INFRASTRUCTURE.

STREET LIGHT STATEMENT:

THE REQUIRED LIGHTING SYSTEM SHALL BE INSTALLED ACCORDING TO COUNTY ROAD STANDARDS. THE PUBLIC WORKS DEPARTMENT SHALL ADMINISTER THE COMPLIANCE PROCEDURES TO ASSURE PROPER INSTALLATION AND CONTINUED OPERATION.

PARK LAND DEDICATION STATEMENT:

THE SUBDIVIDER INTENDS TO COMPLY WITH THE PARK LANDS DEDICATION ORDINANCE THROUGH A COMBINATION OF THE DEDICATION OF PARK LAND AND BY THE PAYMENT OF FEES AS ALLOWED AND REQUIRED BY THE ORDINANCE.

CONDOMINIUM STATEMENT:

PORTIONS OF THIS MAP ARE A CONDOMINIUM PROJECT AS DEFINED BY SECTION 1350 OF THE STATE OF CALIFORNIA CIVIL CODES. THE MAXIMUM NUMBER OF CONDOMINIUM UNITS PROPOSED IS 1444.

WATER AND SEWER

WATER
RAINBOW MUNICIPAL WATER DISTRICT
P.O. BOX 2500
FALLBROOK, CA 92088
(760)728-1178

VALLECITOS WATER DISTRICT
201 VALLECITOS DE ORO
SAN MARCOS, CA 92069
(760)744-0460

SEWER
RAINBOW MUNICIPAL WATER DISTRICT
P.O. BOX 2500
FALLBROOK, CA 92088
(760)728-1178

VALLECITOS WATER DISTRICT
201 VALLECITOS DE ORO
SAN MARCOS, CA 92069
(760)744-0460

SCHOOL DISTRICTS

SAN MARCOS
UNIFIED
1 CIVIC CENTER DRIVE, STE. 300
SAN MARCOS, CA 92069
(760)744-4776

ESCONDIDO
ELEMENTARY
1330 E. GRAND AVENUE
ESCONDIDO CA 92027
(760)432-2400

HIGH SCHOOL
302 N. MIDWAY DRIVE
ESCONDIDO, CA 92027
(760)291-3200

BONSALL
ELEMENTARY
31505 OLD RIVER ROAD, P.O. BOX 3
BONSALL, CA 92003
(760)631-5200

FALLBROOK UNION HIGH SCHOOL DISTRICT
2234 SOUTH STAGE COACH LANE
FALLBROOK, CA 92028
(760)723-6300

FIRE DISTRICT

DEER SPRINGS FIRE PROTECTION DISTRICT
8709 CIRCLE 'R' DRIVE
ESCONDIDO, CA 92026
(760)749-8001

CITY OF SAN MARCOS FIRE PROTECTION DISTRICT
1 CIVIC CENTER DRIVE
SAN MARCOS, CA 92069
(760) 744-1050

EXISTING ZONING

SEE SHEET 2 FOR TABULATION OF EXISTING ZONING FOR EXISTING PARCELS.

PROPOSED ZONING

SEE SHEET 3 FOR TABULATION OF PROPOSED ZONING FOR PROPOSED PLANNING AREAS.

GROSS/NET AREA

2,328 ACRES

NUMBER OF LOTS

COMMERCIAL	2
MULTIFAMILY RESIDENTIAL	1
VARIABLE RESIDENTIAL	20
SINGLE FAMILY RESIDENTIAL	1165
PARK	16
WATER RESERVOIR	2
OPEN SPACE	10
HOA SLOPE LOTS	14
CELL TOWER LOT	1
NATURAL PARK	4
TOTAL	1,235

LEGEND

ITEMS	STAD. DWGS.	SYMBOL
WATER	(W - 21)	
FIRE HYDRANT	(W - 18)	
SEWER	(S - 4)	
SEWER MANHOLE	(S - 2)	
STORM DRAIN	(D - 60)	
CURB INLET	(D - 2)	
STORM DRAIN CLEANOUT	(D - 9)	
RETAINING WALL	(C - 1)	
EXISTING CONTOUR		
PROPOSED CONTOUR		
BROW DITCH	(D - 75)	
RIP RAP ENERGY DISSIPATER	(D - 40)	
HEADWALL	(D - 34, D - 35)	
STREET LIGHT	(E - 1)	
TRACT BOUNDARY		
EASEMENT		
RESIDENTIAL LOT		
PARK LOT/HOA LOT		
OPEN SPACE LOT		
PAD ELEVATION		
LOT LINE		
UNIT / NEIGHBORHOOD BOUNDARY		
CONSTRUCTION PHASE LINE		
BRUSH MANAGEMENT EASEMENT		
6" CONC. CURB & GUTTER	(G - 2)	
CUT/FILL SLOPE 1.5:1 OR AS NOTED		
PLANTED WALL (HEIGHT AS NOTED)		
TRAIL		

NOTE:
SAN DIEGO COUNTY DESIGN STANDARDS DS-1 THROUGH DS-18, DS-20A AND DS-20B APPLY TO THIS PROJECT.

MINIMUM PROPOSED LOT SIZE: 4,000 s.f.

TOTAL NUMBER OF DWELLING UNITS: 2,700

GRADING PLAN NOTE:

THIS TENTATIVE MAP IS ALSO A PRELIMINARY GRADING PLAN PROVIDED TO ALLOW FOR THE FULL AND ADEQUATE DISCRETIONARY REVIEW OF THE PROPOSED DEVELOPMENT. THE PROPERTY OWNER ACKNOWLEDGES THAT ACCEPTANCE OR APPROVAL OF THIS PLAN DOES NOT CONSTITUTE AN APPROVAL TO PERFORM ANY GRADING SHOWN HEREON, AND AGREES TO OBTAIN VALID GRADING PERMISSION BEFORE COMMENCING SUCH ACTIVITY.

DESIGN STANDARDS:

1. STANDARDS FOR PUBLIC ROADWAY DESIGN WITHIN THIS PROJECT SHALL CONFORM WITH THE PARAMETERS LISTED FOR EACH ROADWAY SECTION ON SHEET TWO OF THIS MAP AND THE GUIDELINES OF THE MERRIAM MOUNTAINS SPECIFIC PLAN. ELEMENTS SUCH AS DESIGN SPEED, MAXIMUM GRADE AND MINIMUM HORIZONTAL CURVE RADIUS MAY VARY FROM THE COUNTY OF SAN DIEGO PUBLIC ROAD STANDARDS.

2. STANDARDS FOR PUBLIC ROADWAY CROSS SECTIONS WITHIN THIS PROJECT SHALL COMPLY WITH THE TYPICAL SECTIONS SHOWN ON SHEET 2 OF THIS MAP AND THE GUIDELINES OF THE MERRIAM MOUNTAINS SPECIFIC PLAN. ELEMENTS SUCH AS PAVEMENT WIDTH, MEDIAN WIDTH, MEDIAN CURBING, CROSS FALL, SIDEWALK WIDTH AND LOCATION MAY VARY FROM THE COUNTY OF SAN DIEGO PUBLIC ROAD STANDARDS.

OWNERS:	ASSESSOR'S PARCEL NUMBERS	GENERAL PLAN REGIONAL CATEGORY	COMMUNITY PLAN	TAX RATE
HNP-STONEGATE MERRIAM, LLC	178-101-01 & 16	18, 19	NORTH COUNTY METRO	74024, 76015
ROBERT P. & KATHLEEN LOSEY	174-211-05	15	NORTH COUNTY METRO	74534
ATEF & NAYERA SALAU	174-211-07	18	NORTH COUNTY METRO	74024
SHERIF & TAREK SALAMY	174-211-06	18	NORTH COUNTY METRO	74024
SD RANCON PROPERTIES, INC.	174-211-04; 178-101-17, -25 & -26	18, 19	NORTH COUNTY METRO	74024, 76015, 76091
HANSON AGGREGATES PACIFIC SOUTHWEST, INC.	174-190-12, 13 &20, 174-210-01, 05, 07, 08, 17 & 18	18	NORTH COUNTY METRO	74024, 76046
RAYMOND H. & LAURA L. OGDEN	174-190-11 &43	19	NORTH COUNTY METRO	76046
FLORYN & LYNDA OPRESCU, WILLIAM & CONNIE B. HARBATZ & JOHN P. GEORGINO	178-221-09	19	NORTH COUNTY METRO	76015
JAMAL J. & HUSSEIN J. HAMTARI	172-220-17	18	BONSALL	57050
VICTOR V. & MONICA H. AVEDIAN & JOSEPH R. & DOROTHY D. BARBERIO	174-210-11 & 12	18	NORTH COUNTY METRO	74024
VICTOR V. & MONICA H. AVEDIAN & JOSEPH R. & DOROTHY D. BARBERIO	172-091-04 & 21; 172-220-11	18	BONSALL	57050, 74097
JAMIZCO HOLDINGS LTD.	172-091-07; 172-220-18	18	BONSALL	57093
WARNER C. LUKARDT	186-611-07, 09, 14, 15 & 16; 187-540-49, 50 & 51	13, 15, 17, 18	NORTH COUNTY METRO	74089, 74163, 74176
JAMES P. & JEAN M. TZANAKIS & ARCHIE J. & MARIA J. SPOUNIAS	186-250-15, 186-611-01, 11, 17 & 20	1, 15, 18, 19	NORTH COUNTY METRO	74087, 74089, 74176
BEN F. & DORIS BADGER & HAROLD J. & CATHERINE L. LOEWENBERG	186-611-08	18	NORTH COUNTY METRO	74089
NFB CHILDRENS TRUST	178-100-25 & 26	18	NORTH COUNTY METRO	76015, 76091
NKF PARTNERSHIP	174-280-11 & 14; 174-220-02	18	NORTH COUNTY METRO	76046
JOSE M. & DAMIEN JIMENEZ	178-101-27 & 28	18, 19	NORTH COUNTY METRO	76015, 76091
HNP-STONEGATE MERRIAM, LLC	174-190-44	18, 15	NORTH COUNTY METRO	76046
ALDO & GLORIA T. DELLOSSEL, SHIRLEY C. WINSLOW & EDMOND Q., JEAN & AVIS T. DONAHOO	172-091-25	18	BONSALL	57109
HNP-STONEGATE MERRIAM, LLC	172-220-14 & 16	18	BONSALL	57050
HNP-STONEGATE MERRIAM, LLC	182-040-36, -69	18	NORTH COUNTY METRO	74524
PAUL JON AND MARIE SMITH	182-040-49, -50	18	NORTH COUNTY METRO	74524
* CARL J. PIZZUTO & SYLVIA S. CATH	178-100-07	18	NORTH COUNTY METRO	74024
* SMT PROPERTIES	178-222-14	19	TWIN OAKS	74024
* ACCESS EASEMENT ONLY				

ENGINEER OF WORK

FUSCOE ENGINEERING SAN DIEGO, INC.
6390 GREENWICH DRIVE, STE. 170
SAN DIEGO, CA 92122
(858)554-1500

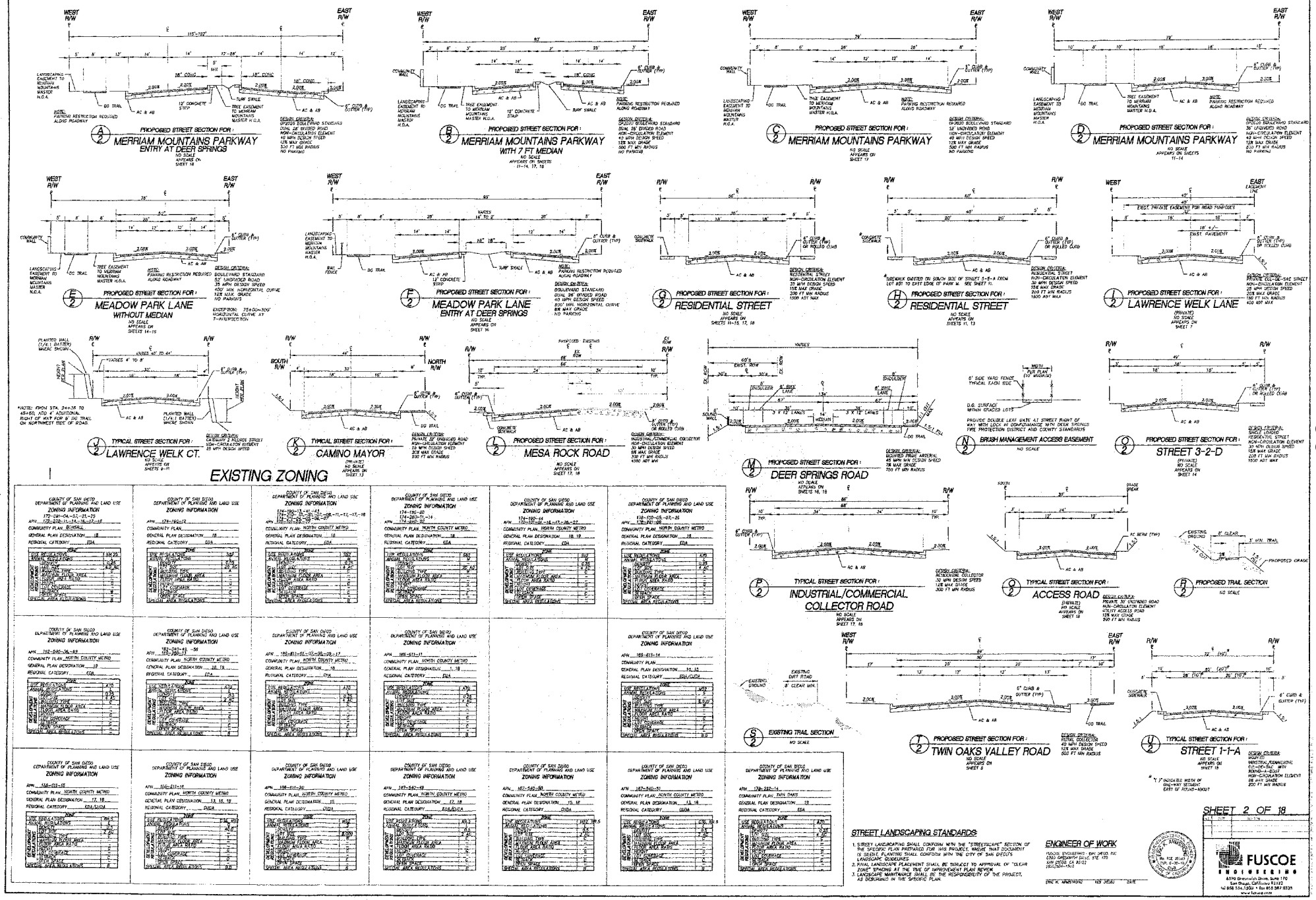
ERIC K. ARMSTRONG RCE 59952 — 9/14/09 — DATE

SHEET 1 OF 18

FUSCOE ENGINEERING
6390 Greenwich Drive, Suite 170
San Diego, California 92122
tel 858.554.1500 • fax 858.597.0335
www.fuscoe.com

SDC DPLU RCVD 11/24/09
TM5381RPL4

COUNTY OF SAN DIEGO TRACT TM 5381
VESTING TENTATIVE MAP
MERRIAM MOUNTAINS



STREET LANDSCAPING STANDARDS:

1. STREET LANDSCAPING SHALL CONFORM WITH THE "STREETSCAPE" SECTION OF THE SPECIFIC PLAN PREPARED FOR THIS PROJECT, WHERE THAT DOCUMENT IS SILENT, PLANTING SHALL CONFORM WITH THE CITY OF SAN DIEGO'S LANDSCAPE GUIDELINES.
2. FINAL LANDSCAPE PLACEMENT SHALL BE SUBJECT TO APPROVAL OF "CLEAR ZONE" SPACING AT THE TIME OF IMPROVEMENT PLAN REVIEW.
3. LANDSCAPE MAINTENANCE SHALL BE THE RESPONSIBILITY OF THE PROJECT, AS DESCRIBED IN THE SPECIFIC PLAN.

ENGINEER OF WORK

PLACIDUS ENGINEERING, SAN DIEGO, INC.
5350 GREENWICH DRIVE, STE. 170
SAN DIEGO, CA 92122
(858)546-1450

ERIC W. ARMSTRONG RCE 35340 DATE

SHEET 2 OF 18

FUSCOE ENGINEERING
6390 Greenwich Drive, Suite 170
San Diego, California 92122
tel 858 554.1500 • fax 858 587 0339
www.fuscoe.com

COUNTY OF SAN DIEGO TRACT TM 5381
VESTING TENTATIVE MAP
MERRIAM MOUNTAINS

OPEN SPACE LOTS LOT	AREA (Ac.)	BIO-SPACE AREA (Ac.)
1	3.6	—
2	175.2	83.1
3	249.2	240.2
4	97.3	82.0
5	131.3	120.4
6	117.3	82.8
7	97.7	97.7
8	62.5	62.5
9	21.7	—
10	68.2	—
11	82.8	—
12	76.3	—
13	45.5	—
14	111.4	—
15	221.4	195.5
16	249.1	252.8

NEIGHBORHOOD 1 LOT	AREA (Ac.)	WALL HEIGHT (FT)
1	1.28	–
2	10.70	–
3	1.23	–
4	13.37	–
5	5.83	–
6	8.03	–
7	2.62	–
8	1.64	–
9	4.89	–
10	6.21	–
11	7.64	–
12	3.10	–
13	4.03	–
14	5.50	–

NEIGHBORHOOD 2 LOT	AREA (Ac.)	WALL HEIGHT (FT)
15	2.57	–
16	2.48	–
17	1.46	–
18	2.24	–
19	1.38	–
20	1.56	–
21	22.82	–
22	6.30	–
23	7.87	–
24	4.97	–
25	4.28	–

NEIGHBORHOOD 3 LOT	AREA (Ac.)	WALL HEIGHT (FT)
[illegible]	[illegible]	[illegible]

NEIGHBORHOOD 3 LOT	AREA (Ac.)	WALL HEIGHT (FT)
[illegible]	[illegible]	[illegible]

NEIGHBORHOOD 3 LOT	AREA (Ac.)	WALL HEIGHT (FT)
[illegible]	[illegible]	[illegible]

NEIGHBORHOOD 4 LOT	AREA (Ac.)	WALL HEIGHT (FT)
[illegible]	[illegible]	[illegible]

NEIGHBORHOOD 4 LOT	AREA (Ac.)	WALL HEIGHT (FT)
[illegible]	[illegible]	[illegible]

NEIGHBORHOOD 4 LOT	AREA (Ac.)	WALL HEIGHT (FT)
[illegible]	[illegible]	[illegible]

NEIGHBORHOOD 4 LOT	AREA (Ac.)	WALL HEIGHT (FT)
[illegible]	[illegible]	[illegible]

NEIGHBORHOOD 5 LOT	AREA (Ac.)	WALL HEIGHT (FT)
[illegible]	[illegible]	[illegible]

NEIGHBORHOOD 5 LOT	AREA (Ac.)	WALL HEIGHT (FT)
[illegible]	[illegible]	[illegible]

NEIGHBORHOOD 5 LOT	AREA (Ac.)	WALL HEIGHT (FT)
[illegible]	[illegible]	[illegible]

NEIGHBORHOOD 5 LOT	AREA (Ac.)	WALL HEIGHT (FT)
[illegible]	[illegible]	[illegible]

NEIGHBORHOOD 5 LOT	AREA (Ac.)	WALL HEIGHT (FT)
[illegible]	[illegible]	[illegible]

NEIGHBORHOOD 5 LOT	AREA (Ac.)	WALL HEIGHT (FT)
[illegible]	[illegible]	[illegible]

ESTATE LOTS LOT	AREA (Ac.)	WALL HEIGHT (FT)
1175	6.27	–
1176	6.01	–
1177	5.00	–
1178	5.55	–
1179	5.30	–
1180	5.00	–
1181	5.10	–
1182	5.01	–
1183	5.00	–
1184	5.05	–

PARKS PARK	AREA (Ac.)
A	2.23 (NET) 3.57 (GROSS)
B	0.79
C	0.51
D	0.50
E	0.42
F	0.48
G	0.27
H	0.58
I	0.27
J1	1.9
J2	2.15
K	0.19
L	1.23
M	0.83
N	0.71
O	0.24
P	0.13
Q	0.26
R	0.29
S	2.76

RESERVOIR LOTS LOT	AREA (Ac.)
2	2.26
1190	0.79

NATURAL PARKS PARK	AREA (Ac.)
1	2.16
2	1.41
3	42.91
4	13.30

HOA SLOPE LOTS LOT	AREA (Ac.)
AA	0.19
BB	1.74
CC	1.45
DD	1.83
EE	3.53
FF	0.69
GG	0.55
HH	1.42
II	0.30
JJ	0.79
KK	0.36
LL	0.12
MM	0.72

CELL TOWER LOT LOT	AREA (Ac.)
1	1.30

PROPOSED ZONING

COUNTY OF SAN DIEGO DEPARTMENT OF PLANNING AND LAND USE — ZONING INFORMATION
APN: NEIGHBORHOOD 1, PLANNING AREA 1 (N1-PA1); COMMUNITY PLAN: NORTH COUNTY METRO; GENERAL PLAN DESIGNATION: 21SPA1.16; REGIONAL CATEGORY: CUDA; ZONE: S88

COUNTY OF SAN DIEGO DEPARTMENT OF PLANNING AND LAND USE — ZONING INFORMATION
APN: NEIGHBORHOOD 1, PLANNING AREA 2 (N1-PA2); COMMUNITY PLAN: NORTH COUNTY METRO; GENERAL PLAN DESIGNATION: 21SPA1.16; REGIONAL CATEGORY: CUDA; ZONE: RR2

COUNTY OF SAN DIEGO DEPARTMENT OF PLANNING AND LAND USE — ZONING INFORMATION
APN: NEIGHBORHOOD 1, PLANNING AREA 3 (N1-PA3); COMMUNITY PLAN: NORTH COUNTY METRO; GENERAL PLAN DESIGNATION: 21SPA1.16; REGIONAL CATEGORY: CUDA; ZONE: S88

COUNTY OF SAN DIEGO DEPARTMENT OF PLANNING AND LAND USE — ZONING INFORMATION
APN: NEIGHBORHOOD 1, PLANNING AREA 4 (N1-PA4); COMMUNITY PLAN: NORTH COUNTY METRO; GENERAL PLAN DESIGNATION: 21SPA1.16; REGIONAL CATEGORY: CUDA; ZONE: S88

COUNTY OF SAN DIEGO DEPARTMENT OF PLANNING AND LAND USE — ZONING INFORMATION
APN: NEIGHBORHOOD 1, PLANNING AREA 5 (N1-PA5); COMMUNITY PLAN: NORTH COUNTY METRO; GENERAL PLAN DESIGNATION: 21SPA1.16; REGIONAL CATEGORY: CUDA; ZONE: S88

COUNTY OF SAN DIEGO DEPARTMENT OF PLANNING AND LAND USE — ZONING INFORMATION
APN: NEIGHBORHOOD 1, PLANNING AREA 6 (N1-PA6); COMMUNITY PLAN: NORTH COUNTY METRO; GENERAL PLAN DESIGNATION: 21SPA1.16; REGIONAL CATEGORY: CUDA; ZONE: S88

COUNTY OF SAN DIEGO DEPARTMENT OF PLANNING AND LAND USE — ZONING INFORMATION
APN: NEIGHBORHOOD 1, PLANNING AREA 7 (N1-PA7); COMMUNITY PLAN: NORTH COUNTY METRO; GENERAL PLAN DESIGNATION: 21SPA1.16; REGIONAL CATEGORY: CUDA; ZONE: S88

COUNTY OF SAN DIEGO DEPARTMENT OF PLANNING AND LAND USE — ZONING INFORMATION
APN: NEIGHBORHOOD 2, PLANNING AREA 1 (N2-PA1); COMMUNITY PLAN: NORTH COUNTY METRO; GENERAL PLAN DESIGNATION: 21SPA1.16; REGIONAL CATEGORY: CUDA; ZONE: S88

COUNTY OF SAN DIEGO DEPARTMENT OF PLANNING AND LAND USE — ZONING INFORMATION
APN: NEIGHBORHOOD 2, PLANNING AREA 2 (N2-PA2); COMMUNITY PLAN: NORTH COUNTY METRO; GENERAL PLAN DESIGNATION: 21SPA1.16; REGIONAL CATEGORY: CUDA; ZONE: S88

COUNTY OF SAN DIEGO DEPARTMENT OF PLANNING AND LAND USE — ZONING INFORMATION
APN: NEIGHBORHOOD 2, PLANNING AREA 3 (N2-PA3); COMMUNITY PLAN: NORTH COUNTY METRO; GENERAL PLAN DESIGNATION: 21SPA1.16; REGIONAL CATEGORY: CUDA; ZONE: S88

COUNTY OF SAN DIEGO DEPARTMENT OF PLANNING AND LAND USE — ZONING INFORMATION
APN: NEIGHBORHOOD 3, PLANNING AREA 1 (N3-PA1); COMMUNITY PLAN: NORTH COUNTY METRO; GENERAL PLAN DESIGNATION: 21SPA1.16; REGIONAL CATEGORY: CUDA/EDA; ZONE: S88

COUNTY OF SAN DIEGO DEPARTMENT OF PLANNING AND LAND USE — ZONING INFORMATION
APN: NEIGHBORHOOD 3, PLANNING AREA 2 (N3-PA2); COMMUNITY PLAN: NORTH COUNTY METRO; GENERAL PLAN DESIGNATION: 21SPA1.16; REGIONAL CATEGORY: CUDA; ZONE: S88

COUNTY OF SAN DIEGO DEPARTMENT OF PLANNING AND LAND USE — ZONING INFORMATION
APN: NEIGHBORHOOD 3, PLANNING AREA 3 (N3-PA3); COMMUNITY PLAN: NORTH COUNTY METRO; GENERAL PLAN DESIGNATION: 21SPA1.16; REGIONAL CATEGORY: CUDA; ZONE: S88

COUNTY OF SAN DIEGO DEPARTMENT OF PLANNING AND LAND USE — ZONING INFORMATION
APN: NEIGHBORHOOD 4, PLANNING AREA 1 (N4-PA1); COMMUNITY PLAN: NORTH COUNTY METRO; GENERAL PLAN DESIGNATION: 21SPA1.16; REGIONAL CATEGORY: CUDA; ZONE: S88
SEE LIST TO RIGHT

COUNTY OF SAN DIEGO DEPARTMENT OF PLANNING AND LAND USE — ZONING INFORMATION
APN: NEIGHBORHOOD 4, PLANNING AREA 2 (N4-PA2); COMMUNITY PLAN: NORTH COUNTY METRO; GENERAL PLAN DESIGNATION: 21SPA1.16; REGIONAL CATEGORY: CUDA; ZONE: S88

COUNTY OF SAN DIEGO DEPARTMENT OF PLANNING AND LAND USE — ZONING INFORMATION
APN: NEIGHBORHOOD 4, PLANNING AREA 3 (N4-PA3); COMMUNITY PLAN: NORTH COUNTY METRO; GENERAL PLAN DESIGNATION: 21SPA1.16; REGIONAL CATEGORY: EDA; ZONE: S88
SEE LIST BELOW

COUNTY OF SAN DIEGO DEPARTMENT OF PLANNING AND LAND USE — ZONING INFORMATION
APN: NEIGHBORHOOD 5, PLANNING AREA 1 (N5-PA1); COMMUNITY PLAN: NORTH COUNTY METRO; GENERAL PLAN DESIGNATION: 21SPA1.16; REGIONAL CATEGORY: EDA; ZONE: S88

COUNTY OF SAN DIEGO DEPARTMENT OF PLANNING AND LAND USE — ZONING INFORMATION
APN: NEIGHBORHOOD 5, PLANNING AREA 2 (N5-PA2); COMMUNITY PLAN: NORTH COUNTY METRO; GENERAL PLAN DESIGNATION: 21SPA1.16; REGIONAL CATEGORY: EDA; ZONE: S88

COUNTY OF SAN DIEGO DEPARTMENT OF PLANNING AND LAND USE — ZONING INFORMATION
APN: NEIGHBORHOOD 5, PLANNING AREA 3 (N5-PA3); COMMUNITY PLAN: NORTH COUNTY METRO; GENERAL PLAN DESIGNATION: 21SPA1.16; REGIONAL CATEGORY: EDA; ZONE: S88

COUNTY OF SAN DIEGO DEPARTMENT OF PLANNING AND LAND USE — ZONING INFORMATION
APN: NEIGHBORHOOD 5, PLANNING AREA 4 (N5-PA4); COMMUNITY PLAN: NORTH COUNTY METRO; GENERAL PLAN DESIGNATION: 21SPA1.16; REGIONAL CATEGORY: EDA; ZONE: S88

COUNTY OF SAN DIEGO DEPARTMENT OF PLANNING AND LAND USE — ZONING INFORMATION
APN: NEIGHBORHOOD 5, PLANNING AREA 5 (N5-PA5); COMMUNITY PLAN: NORTH COUNTY METRO; GENERAL PLAN DESIGNATION: 21SPA1.16; REGIONAL CATEGORY: EDA; ZONE: S88
SEE LIST TO RIGHT

COUNTY OF SAN DIEGO DEPARTMENT OF PLANNING AND LAND USE — ZONING INFORMATION
APN: ESTATE RESIDENTIAL, PLANNING AREA; COMMUNITY PLAN: BONSALL; GENERAL PLAN DESIGNATION: 21SPA1.16; REGIONAL CATEGORY: EDA; ZONE: S88
SEE LIST TO RIGHT

COUNTY OF SAN DIEGO DEPARTMENT OF PLANNING AND LAND USE — ZONING INFORMATION
APN: COMMUNITY PARK, PLANNING AREA; COMMUNITY PLAN: BONSALL/NORTH COUNTY METRO; GENERAL PLAN DESIGNATION: 21SPA1.16; REGIONAL CATEGORY: CUDA/EDA; ZONE: S88

COUNTY OF SAN DIEGO DEPARTMENT OF PLANNING AND LAND USE — ZONING INFORMATION
APN: NATURAL PARKS/OTHER OPEN SPACE, PLANNING AREA; COMMUNITY PLAN: BONSALL/NORTH COUNTY METRO; GENERAL PLAN DESIGNATION: 21SPA1.16; REGIONAL CATEGORY: CUDA/EDA; ZONE: S88

COUNTY OF SAN DIEGO DEPARTMENT OF PLANNING AND LAND USE — ZONING INFORMATION
APN: NATURAL OPEN SPACE AREA, PLANNING AREA; COMMUNITY PLAN: BONSALL/NORTH COUNTY METRO; GENERAL PLAN DESIGNATION: 21SPA1.16; REGIONAL CATEGORY: CUDA/EDA; ZONE: S88

PORTIONS WITH B DESIGNATOR

NEIGHBORHOOD 4, PLANNING AREA 1 (N4-PA1)
LOTS 485, 488, 490, 491, 492, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516

NEIGHBORHOOD 4, PLANNING AREA 3 (N4-PA3)
LOTS 537, 538, 539, 540, 541, 542, 543, 544, 545

NEIGHBORHOOD 5, PLANNING AREA 5 (N5-PA5)
LOTS 667, 668, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714

ESTATE RESIDENTIAL PLANNING AREA
LOTS 1175, 1176, 1177, 1178, 1179, 1180, 1181

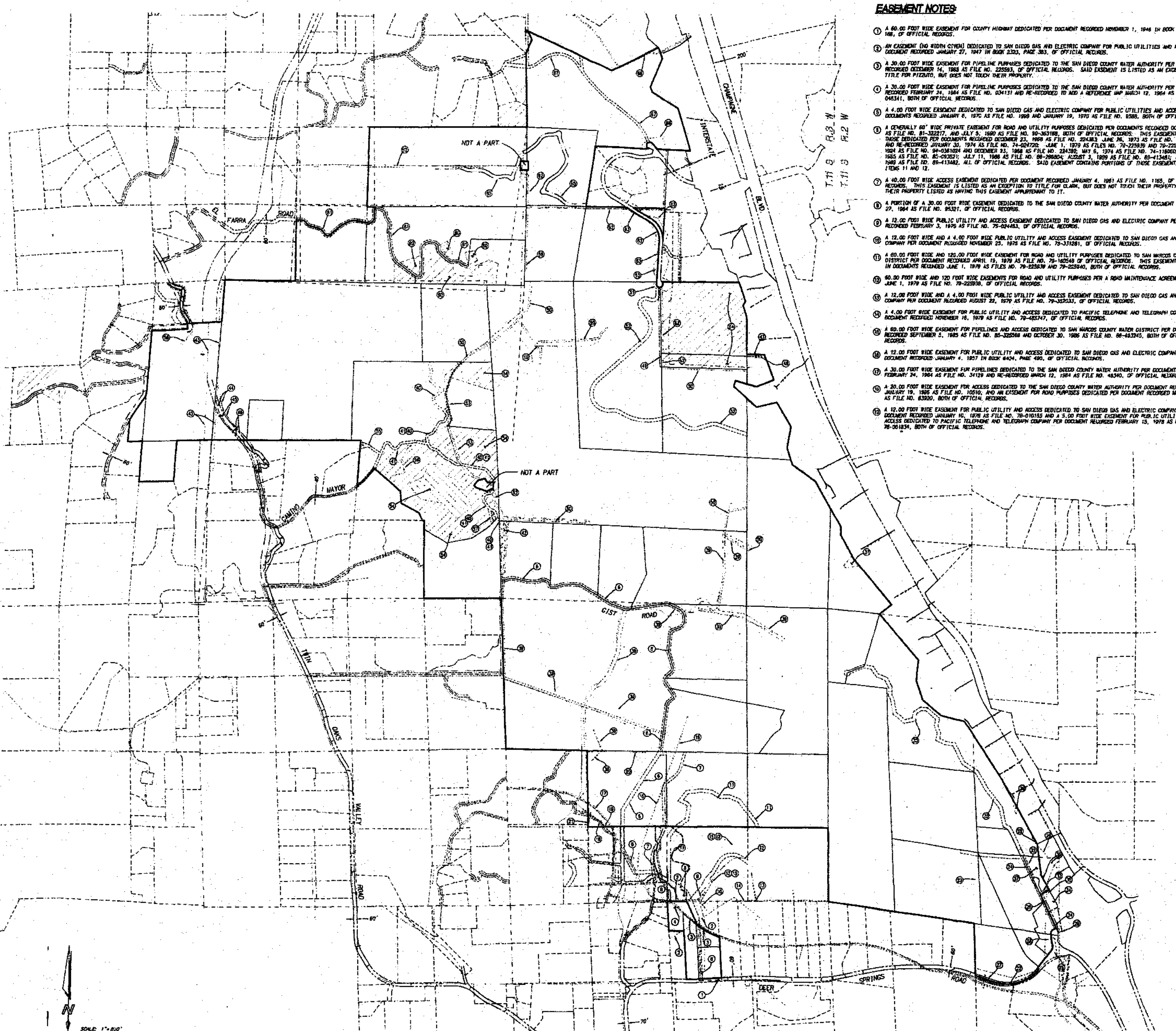
ENGINEER OF WORK
FUSCOE ENGINEERING - SAN DIEGO, INC.
6390 GREENWICH DRIVE, STE. 170
SAN DIEGO, CA 92122
(858)554-1500

ERIC K. ARMSTRONG RCE 36563 DATE

SHEET 3 OF 18

FUSCOE ENGINEERING
6390 Greenwich Drive, Suite 170
San Diego, California 92122
tel 858.554.1500 • fax 858.597.0335
www.fuscoe.com

COUNTY OF SAN DIEGO TRACT TM 5381
VESTING TENTATIVE MAP
MERRIAM MOUNTAINS



EASEMENT NOTES:

1. A 60.00 FOOT WIDE EASEMENT FOR COUNTY HIGHWAY DEDICATED PER DOCUMENT RECORDED NOVEMBER 1, 1946 IN BOOK 2279, PAGE 168, OF OFFICIAL RECORDS.
2. AN EASEMENT (NO WIDTH GIVEN) DEDICATED TO SAN DIEGO GAS AND ELECTRIC COMPANY FOR PUBLIC UTILITIES AND ACCESS PER DOCUMENT RECORDED JANUARY 27, 1947 IN BOOK 2323, PAGE 383, OF OFFICIAL RECORDS.
3. A 30.00 FOOT WIDE EASEMENT FOR PIPELINE PURPOSES DEDICATED TO THE SAN DIEGO COUNTY WATER AUTHORITY PER DOCUMENT RECORDED DECEMBER 14, 1983 AS FILE NO. 225593, OF OFFICIAL RECORDS. SAID EASEMENT IS LISTED AS AN EXCEPTION TO TITLE FOR PIZZUTO, BUT DOES NOT TOUCH THEIR PROPERTY.
4. A 30.00 FOOT WIDE EASEMENT FOR PIPELINE PURPOSES DEDICATED TO THE SAN DIEGO COUNTY WATER AUTHORITY PER DOCUMENT RECORDED FEBRUARY 24, 1984 AS FILE NO. 034131 AND RE-RECORDED TO ADD A REFERENCE MAP MARCH 12, 1984 AS FILE NO. 048341, BOTH OF OFFICIAL RECORDS.
5. A 4.00 FOOT WIDE EASEMENT DEDICATED TO SAN DIEGO GAS AND ELECTRIC COMPANY FOR PUBLIC UTILITIES AND ACCESS PER DOCUMENTS RECORDED JANUARY 6, 1970 AS FILE NO. 1999 AND JANUARY 19, 1970 AS FILE NO. 9588, BOTH OF OFFICIAL RECORDS.
6. A GENERALLY 60' WIDE PRIVATE EASEMENT FOR ROAD AND UTILITY PURPOSES DEDICATED PER DOCUMENTS RECORDED OCTOBER 8, 1981 AS FILE NO. 81-322217, AND JULY 3, 1990 AS FILE NO. 90-363188, BOTH OF OFFICIAL RECORDS. THIS EASEMENT INCLUDES THOSE DEDICATED PER DOCUMENTS RECORDED DECEMBER 23, 1968 AS FILE NO. 224383; JUNE 26, 1973 AS FILE NO. 73-174576 AND RE-RECORDED JANUARY 30, 1974 AS FILE NO. 74-024720; JUNE 1, 1979 AS FILES NO. 79-225939 AND 79-225943; JUNE 2, 1994 AS FILE NO. 94-0361024 AND DECEMBER 23, 1968 AS FILE NO. 224382; MAY 6, 1974 AS FILE NO. 74-118060; MARCH 20, 1985 AS FILE NO. 85-093521; JULY 11, 1986 AS FILE NO. 86-288804; AUGUST 3, 1989 AS FILE NO. 89-413481; AUGUST 3, 1989 AS FILE NO. 89-413482, ALL OF OFFICIAL RECORDS. SAID EASEMENT CONTAINS PORTIONS OF THOSE EASEMENTS SHOWN IN ITEMS 11 AND 12.
7. A 40.00 FOOT WIDE ACCESS EASEMENT DEDICATED PER DOCUMENT RECORDED JANUARY 4, 1961 AS FILE NO. 1165, OF OFFICIAL RECORDS. THIS EASEMENT IS LISTED AS AN EXCEPTION TO TITLE FOR CLARK, BUT DOES NOT TOUCH THEIR PROPERTY, NOR IS THEIR PROPERTY LISTED AS HAVING THIS EASEMENT APPURTENANT TO IT.
8. A PORTION OF A 30.00 FOOT WIDE EASEMENT DEDICATED TO THE SAN DIEGO COUNTY WATER AUTHORITY PER DOCUMENT RECORDED MAY 27, 1964 AS FILE NO. 95321, OF OFFICIAL RECORDS.
9. A 12.00 FOOT WIDE PUBLIC UTILITY AND ACCESS EASEMENT DEDICATED TO SAN DIEGO GAS AND ELECTRIC COMPANY PER DOCUMENT RECORDED FEBRUARY 3, 1975 AS FILE NO. 75-024463, OF OFFICIAL RECORDS.
10. A 12.00 FOOT WIDE AND A 4.00 FOOT WIDE PUBLIC UTILITY AND ACCESS EASEMENT DEDICATED TO SAN DIEGO GAS AND ELECTRIC COMPANY PER DOCUMENT RECORDED NOVEMBER 23, 1978 AS FILE NO. 73-331281, OF OFFICIAL RECORDS.
11. A 60.00 FOOT WIDE AND 120.00 FOOT WIDE EASEMENT FOR ROAD AND UTILITY PURPOSES DEDICATED TO SAN MARCOS COUNTY WATER DISTRICT PER DOCUMENT RECORDED APRIL 19, 1979 AS FILE NO. 79-160549 OF OFFICIAL RECORDS. THIS EASEMENT IS INCLUDED IN DOCUMENTS RECORDED JUNE 1, 1979 AS FILES NO. 79-225939 AND 79-225940, BOTH OF OFFICIAL RECORDS.
12. 60.00 FOOT WIDE AND 120 FOOT WIDE EASEMENTS FOR ROAD AND UTILITY PURPOSES PER A ROAD MAINTENANCE AGREEMENT RECORDED JUNE 1, 1979 AS FILE NO. 79-225938, OF OFFICIAL RECORDS.
13. A 12.00 FOOT WIDE AND A 4.00 FOOT WIDE PUBLIC UTILITY AND ACCESS EASEMENT DEDICATED TO SAN DIEGO GAS AND ELECTRIC COMPANY PER DOCUMENT RECORDED AUGUST 22, 1979 AS FILE NO. 79-352033, OF OFFICIAL RECORDS.
14. A 4.00 FOOT WIDE EASEMENT FOR PUBLIC UTILITY AND ACCESS DEDICATED TO PACIFIC TELEPHONE AND TELEGRAPH COMPANY PER DOCUMENT RECORDED NOVEMBER 16, 1979 AS FILE NO. 79-483747, OF OFFICIAL RECORDS.
15. A 60.00 FOOT WIDE EASEMENT FOR PIPELINES AND ACCESS DEDICATED TO SAN MARCOS COUNTY WATER DISTRICT PER DOCUMENT RECORDED SEPTEMBER 5, 1985 AS FILE NO. 85-320568 AND OCTOBER 30, 1986 AS FILE NO. 86-493945, BOTH OF OFFICIAL RECORDS.
16. A 12.00 FOOT WIDE EASEMENT FOR PUBLIC UTILITY AND ACCESS DEDICATED TO SAN DIEGO GAS AND ELECTRIC COMPANY PER DOCUMENT RECORDED JANUARY 4, 1957 IN BOOK 6404, PAGE 490, OF OFFICIAL RECORDS.
17. A 30.00 FOOT WIDE EASEMENT FOR PIPELINES DEDICATED TO THE SAN DIEGO COUNTY WATER AUTHORITY PER DOCUMENTS RECORDED FEBRUARY 24, 1984 AS FILE NO. 34129 AND RE-RECORDED MARCH 12, 1984 AS FILE NO. 48340, OF OFFICIAL RECORDS.
18. A 20.00 FOOT WIDE EASEMENT FOR ACCESS DEDICATED TO THE SAN DIEGO COUNTY WATER AUTHORITY PER DOCUMENT RECORDED JANUARY 19, 1966 AS FILE NO. 10510; AND AN EASEMENT FOR ROAD PURPOSES DEDICATED PER DOCUMENT RECORDED MAY 17, 1972 AS FILE NO. 63920, BOTH OF OFFICIAL RECORDS.
19. A 12.00 FOOT WIDE EASEMENT FOR PUBLIC UTILITY AND ACCESS DEDICATED TO SAN DIEGO GAS AND ELECTRIC COMPANY PER DOCUMENT RECORDED JANUARY 10, 1978 AS FILE NO. 78-010155 AND A 5.00 FOOT WIDE EASEMENT FOR PUBLIC UTILITY AND ACCESS DEDICATED TO PACIFIC TELEPHONE AND TELEGRAPH COMPANY PER DOCUMENT RECORDED FEBRUARY 15, 1978 AS FILE NO. 78-061834, BOTH OF OFFICIAL RECORDS.

EASEMENT NOTES:

20. A 20.00 FOOT WIDE EASEMENT FOR PIPELINE PURPOSES DEDICATED PER DOCUMENT RECORDED JULY 24, 1980 AS FILE NO. 80-232713, OF OFFICIAL RECORDS.
21. A 12.00 FOOT WIDE EASEMENT FOR PUBLIC UTILITY AND ACCESS DEDICATED TO SAN DIEGO GAS AND ELECTRIC COMPANY PER DOCUMENT RECORDED DECEMBER 4, 1980 AS FILE NO. 80-408614 AND A 6.00 FOOT WIDE EASEMENT FOR PUBLIC UTILITY AND ACCESS DEDICATED TO PACIFIC TELEPHONE AND TELEGRAPH COMPANY PER DOCUMENT RECORDED APRIL 8, 1981 AS FILE NO. 81-107537, BOTH OF OFFICIAL RECORDS.
22. A 30.00 FOOT WIDE EASEMENT FOR COUNTY HIGHWAY DEDICATED PER DOCUMENTS RECORDED APRIL 17, 1947 AS FILE NO. 41659 IN BOOK 2380, PAGE 155 AND OCTOBER 22, 1947 AS FILE NO. 11011 IN BOOK 2521, PAGE 285, BOTH OF OFFICIAL RECORDS.
23. AN EASEMENT (NO WIDTH GIVEN) FOR PUBLIC UTILITY AND ACCESS DEDICATED TO SAN DIEGO GAS AND ELECTRIC COMPANY PER DOCUMENT RECORDED FEBRUARY 1, 1949 AS FILE NO. 9659 IN BOOK 3097, PAGE 197, OF OFFICIAL RECORDS.
24. A 60.00 FOOT WIDE EASEMENT FOR ROAD AND PUBLIC UTILITIES PER DOCUMENT RECORDED JULY 24, 1972 AS FILE NO. 193327. THIS DOCUMENT INCLUDES A 60.00 FOOT WIDE EASEMENT FOR ROAD AND PUBLIC UTILITIES PER DOCUMENT RECORDED AUGUST 12, 1959 AS FILE NO. 164230 IN BOOK 7823, PAGE 452, OF OFFICIAL RECORDS. THIS DOCUMENT INCLUDES A 30.00 FOOT WIDE EASEMENT FOR ROAD AND UTILITY PURPOSES DEDICATED PER DOCUMENTS RECORDED SEPTEMBER 24, 1995 AS FILE NO. 95-351966 AND JANUARY 28, 1998 AS FILE NO. 98-0041638, BOTH OF OFFICIAL RECORDS.
25. THE RELINQUISHMENT OF ACCESS RIGHTS TO INTERSTATE 15 AND A HIGHWAY SLOPE EASEMENT DEDICATED PER DOCUMENTS RECORDED JUNE 27, 1980 AS FILE NO. 80-202049 AND NOVEMBER 17, 1981 AS FILE NO. 81-363632, BOTH OF OFFICIAL RECORDS.
26. AN EASEMENT FOR COUNTY HIGHWAY DEDICATED PER DOCUMENT RECORDED AUGUST 2, 1991 AS FILE NO. 1991-0387506, OF OFFICIAL RECORDS.
27. A 12.00 FOOT WIDE EASEMENT FOR PUBLIC UTILITIES AND ACCESS DEDICATED TO SAN DIEGO GAS AND ELECTRIC COMPANY PER DOCUMENT RECORDED DECEMBER 16, 1994 AS INSTRUMENT NO. 1994-0717782, OF OFFICIAL RECORDS.
28. AN EASEMENT (NO WIDTH GIVEN) FOR PUBLIC UTILITIES DEDICATED TO SAN DIEGO GAS AND ELECTRIC COMPANY PER DOCUMENT RECORDED NOVEMBER 18, 1953 AS FILE NO. 51287, OF TORRENS.
29. EASEMENTS FOR ROAD, SLOPE AND DRAINAGE PURPOSES DEDICATED TO THE STATE OF CALIFORNIA PER DOCUMENT RECORDED DECEMBER 18, 1975 AS FILE NO. 75-354241, OF OFFICIAL RECORDS.
30. A 60.00 FOOT WIDE PRIVATE ROAD EASEMENT DEDICATED PER PARCEL MAP NO. 7734, FILED IN THE OFFICE OF THE SAN DIEGO COUNTY RECORDER AUGUST 24, 1978. SAID EASEMENT INCLUDES AN EASEMENT DEDICATED PER DOCUMENT RECORDED JANUARY 28, 1998 AS FILE NO. 98-0041638, OF OFFICIAL RECORDS.
31. AN EASEMENT FOR DRAINAGE DEDICATED TO THE STATE OF CALIFORNIA, RESERVED PER DIRECTOR'S DEED RECORDED DECEMBER 30, 1980 AS FILE NO. 80-437411, OF OFFICIAL RECORDS.
32. A 20.00 FOOT WIDE EASEMENT FOR WATER LINES DEDICATED TO VALLECITOS WATER DISTRICT PER DOCUMENT RECORDED AUGUST 1, 1991 AS FILE NO. 91-0382621, OF OFFICIAL RECORDS.
33. AN EASEMENT FOR PUBLIC HIGHWAY DEDICATED TO THE COUNTY OF SAN DIEGO PER DOCUMENT RECORDED AUGUST 8, 1991 AS FILE NO. 91-0387594, OF OFFICIAL RECORDS. SAID EASEMENT INCLUDES AN EASEMENT OF PUBLIC UTILITIES DEDICATED TO SAN DIEGO GAS AND ELECTRIC COMPANY PER DOCUMENT RECORDED JANUARY 8, 1992 AS FILE NO. 92-0004510, OF OFFICIAL RECORDS AND TO PACIFIC BELL PER DOCUMENT RECORDED FEBRUARY 25, 1992 AS FILE NO. 92-0090373, OF OFFICIAL RECORDS.
34. A CERTIFICATE OF COMPLIANCE SPLITTING PARCEL 4 OF PARCEL MAP 7734 RECORDED MARCH 14, 1991 AS FILE NO. 91-0113110, OF OFFICIAL RECORDS. AN AGREEMENT RECORDED DECEMBER 20, 1991 AS FILE NO. 91-0661618, OF OFFICIAL RECORDS ALLOWS FOR THE REACQUISITION OF A PORTION OF THE SPLIT. THE NORTH HALF OF PARCEL 4 WAS LEASED TO PACIFIC BELL PER DOCUMENT RECORDED MARCH 19, 1996 AS FILE NO. 96-0134001, OF OFFICIAL RECORDS AND THAN TO COX PCS PER DOCUMENT RECORDED FEBRUARY 22, 2001 AS FILE NO. 01-100927, OF OFFICIAL RECORDS.
35. A 20.00 FOOT WIDE EASEMENT FOR ACCESS DEDICATED TO ATLANTIC RICHFIELD COMPANY PER DOCUMENT RECORDED DECEMBER 20, 1991 AS FILE NO. 91-0661619, OF OFFICIAL RECORDS.
36. A 20' x 10' EASEMENT FOR SIGNAGE AND A 10.00 FOOT WIDE EASEMENT FOR ELECTRICITY DEDICATED TO ATLANTIC RICHFIELD COMPANY PER DOCUMENT RECORDED DECEMBER 20, 1991 AS FILE NO. 91-0661620, OF OFFICIAL RECORDS.
37. A LEASE AGREEMENT WITH COX PCS ASSETS FOR A PORTION OF PARCEL 4 PARCEL MAP 7734 PER DOCUMENT RECORDED FEBRUARY 22, 2001 AS FILE NO. 01-0100927, OF OFFICIAL RECORDS.
38. TWO 12' WIDE AND ONE 4' WIDE EASEMENTS FOR PUBLIC UTILITIES DEDICATED TO SAN DIEGO GAS & ELECTRIC COMPANY PER DOCUMENT RECORDED MAY 7, 1974 AS FILE NO. 74-118309, OF OFFICIAL RECORDS.
39. 30' AND 60' EASEMENTS FOR WATERLINES DEDICATED TO SAN MARCOS COUNTY WATER DISTRICT PER DOCUMENT RECORDED MARCH 24, 1977 AS FILE NO. 77-107350, OF OFFICIAL RECORDS.
40. A 40' WIDE EASEMENT FOR WATERLINES AND ACCESS DEDICATED TO SAN MARCOS COUNTY WATER DISTRICT PER DOCUMENT RECORDED MAY 3, 1978 AS FILE NO. 78-132302, OF OFFICIAL RECORDS.
41. A 40' WIDE EASEMENT FOR ROAD AND UTILITY PURPOSES DEDICATED PER PARCEL MAP NO. 11792, FILED IN THE OFFICE OF THE SAN DIEGO COUNTY RECORDER NOVEMBER 12, 1981; DEDICATED TO SAN DIEGO GAS & ELECTRIC COMPANY PER DOCUMENT RECORDED JANUARY 21, 1982 AS FILE NO. 82-017180, OF OFFICIAL RECORDS; AND AS PRIVATE EASEMENTS DEDICATED PER DOCUMENTS RECORDED FEBRUARY 5, 1982 AS FILE NO. 82-033272; MARCH 18, 1982 AS FILE NO. 82-073220 AND APRIL 27, 1984 AS FILE NO. 84-155243, ALL OF OFFICIAL RECORDS.
42. AN EASEMENT FOR WATERLINES DEDICATED TO SAN MARCOS COUNTY WATER DISTRICT PER DOCUMENT RECORDED SEPTEMBER 5, 1985 AS FILE NO. 85-325367, OF OFFICIAL RECORDS.
43. A TOTAL 200' WIDE EASEMENT FOR WATERLINES DEDICATED TO SAN DIEGO COUNTY WATER AUTHORITY PER DOCUMENTS RECORDED JANUARY 27, 1952 AS FILE NO. 13320 IN BOOK 6923 PAGE 368; SEPTEMBER 30, 1958 AS FILE NO. 183329 IN BOOK 7276 PAGE 429 AND MAY 16, 1968 AS FILE NO. 81939, ALL OF OFFICIAL RECORDS. A 60' WIDE EASEMENT FOR PRIVATE ROAD AND UTILITY PURPOSES DEDICATED PER DOCUMENT RECORDED JULY 13, 1961 AS FILE NO. 119858, OF OFFICIAL RECORDS IS CONTAINED WITHIN SAID EASEMENT.
44. AN 84' WIDE EASEMENT FOR COUNTY HIGHWAY DEDICATED TO THE COUNTY OF SAN DIEGO PER DOCUMENT RECORDED APRIL 20, 1967 AS FILE NO. 55049, OF OFFICIAL RECORDS.
45. AN IRREVOCABLE OFFER TO DEDICATE AN 84' WIDE STRIP OF LAND FOR PUBLIC HIGHWAY PURPOSES DEDICATED TO THE COUNTY OF SAN DIEGO PER DOCUMENT RECORDED JUNE 29, 1973 AS FILE NO. 73-181183, OF OFFICIAL RECORDS.ICIAL
46. AN IRREVOCABLE OFFER TO DEDICATE AN 84' WIDE STRIP OF LAND FOR PUBLIC HIGHWAY PURPOSES DEDICATED TO THE COUNTY OF SAN DIEGO PER DOCUMENT RECORDED JUNE 3, 1981 AS FILE NO. 81-173146, OF OFFICIAL RECORDS.
47. A 30' WIDE EASEMENT FOR ROAD AND PUBLIC UTILITY PURPOSES DEDICATED PER DOCUMENTS RECORDED AUGUST 9, 1968 AS FILE NO. 128818 AND DECEMBER 27, 1973 AS FILE NO. 73-356345, BOTH OF OFFICIAL RECORDS.
48. A 30' WIDE EASEMENT FOR ROAD PURPOSES DEDICATED PER DOCUMENT RECORDED MARCH 2, 1970 AS FILE NO. 37723, OF OFFICIAL RECORDS.
49. A 30' WIDE EASEMENT FOR ACCESS AND UTILITIES DEDICATED PER DOCUMENT RECORDED MARCH 2, 1973 AS FILE NO. 73-055034, OF OFFICIAL RECORDS.
50. 30' WIDE EASEMENTS FOR WATERLINES DEDICATED TO SAN MARCOS COUNTY WATER DISTRICT PER DOCUMENT RECORDED MAY 13, 1976 AS FILE NO. 76-144752, OF OFFICIAL RECORDS.
51. A SLOPE EASEMENT DEDICATED TO THE STATE OF CALIFORNIA PER DOCUMENT RECORDED SEPTEMBER 22, 1978 AS FILE NO. 78-404017, OF OFFICIAL RECORDS. SAID DOCUMENT ALSO RELINQUISHES ACCESS RIGHTS TO INTERSTATE 15 AS DO DOCUMENTS RECORDED APRIL 1, 1981 AS FILE NO. 81-090774 AND MAY 21, 1981 AS FILE NO. 81-158361, BOTH OF OFFICIAL RECORDS.
52. A 60' WIDE EASEMENT FOR ACCESS AND UTILITIES DEDICATED PER DOCUMENT RECORDED JULY 23, 1981 AS FILE NO. 81-232013, OF OFFICIAL RECORDS. (SAID EASEMENT IS STATED AS APPURTENANT TO LOTS 4, 5, 8 AND 6 IN SECTION 18, T11S, R3W, BUT STOPS BEFORE IT REACHED THE INTERSTATE.
53. A 30' WIDE EASEMENT FOR WATERLINES DEDICATED TO SAN MARCOS COUNTY WATER DISTRICT PER DOCUMENTS RECORDED MAY 3, 1978 AS FILE NO. 78-132301 AND MARCH 29, 1977 AS FILE NO. 77-114093, BOTH OF OFFICIAL RECORDS.
54. OPEN SPACE EASEMENTS DEDICATED PER PARCEL MAP NO. 11792, FILED IN THE OFFICE OF THE SAN DIEGO COUNTY RECORDER NOVEMBER 12, 1981.
55. A 42' WIDE EASEMENT FOR ACCESS AND UTILITIES DEDICATED PER DOCUMENTS RECORDED NOVEMBER 13, 1981 AS FILE NO. 81-360481 AND DECEMBER 30, 1981 AS FILE NO. 81-406748, BOTH OF OFFICIAL RECORDS.
56. A 10' WIDE PRIVATE WATER LINE EASEMENT DEDICATED PER DOCUMENTS RECORDED AUGUST 13, 1982 AS FILE NO. 82-250800 AND APRIL 27, 1984 AS FILE NO. 84-155235, BOTH OF OFFICIAL RECORDS
57. A 40' WIDE PRIVATE EASEMENT FOR ACCESS AND UTILITIES DEDICATED PER DOCUMENT RECORDED OCTOBER 8, 1982 AS FILE NO. 82-309933, OF OFFICIAL RECORDS.
58. 12' WIDE EASEMENTS DEDICATED TO SAN DIEGO GAS & ELECTRIC PER DOCUMENT RECORDED DECEMBER 28, 1995 AS FILE NO. 95-0592723, OF OFFICIAL RECORDS.
59. 30' WIDE EASEMENTS DEDICATED TO SAN MARCOS COUNTY WATER DISTRICT PER DOCUMENT RECORDED SEPTEMBER 3, 1975 AS FILE NO. 75-230390, OF OFFICIAL RECORDS.
60. EASEMENTS FOR OPEN SPACE DEDICATED TO THE COUNTY OF SAN DIEGO DEDICATED PER DOCUMENT RECORDED AUGUST 18, 1952 AS FILE NO. 82-255829, OF OFFICIAL RECORDS.
61. A 60' WIDE PRIVATE EASEMENT FOR ACCESS AND UTILITIES PER DOCUMENTS RECORDED OCTOBER 7, 1982 AS FILE NO. 82-309550, JANUARY 7, 1983 AS FILE NO. 83-008283; FEBRUARY 10, 1983 AS FILE NO. 83-044391 AND JULY 1, 1994 AS FILE NO. 94-0418709, ALL OF OFFICIAL RECORDS.
62. 30' WIDE EASEMENTS DEDICATED TO SAN MARCOS COUNTY WATER DISTRICT PER DOCUMENTS RECORDED OCTOBER 26, 1976 AS FILE NO. 76-355827; MARCH 22, 1978 AS FILE NO. 78-112038 AND FEBRUARY 17, 1984 AS FILE NO. 84-060674, ALL OF OFFICIAL RECORDS.
63. SLOPE AND DRAINAGE EASEMENTS DEDICATED TO THE STATE OF CALIFORNIA PER DOCUMENT RECORDED APRIL 5, 1978 AS FILE NO. 89-133337, OF OFFICIAL RECORDS.
64. AN OPEN SPACE EASEMENT DEDICATED TO THE COUNTY OF SAN DIEGO PER DOCUMENT RECORDED NOVEMBER 3, 1982 AS FILE NO. 82-339814, OF OFFICIAL RECORDS.
65. A 56' WIDE IRREVOCABLE OFFER TO DEDICATE FOR PUBLIC HIGHWAY DEDICATED TO THE COUNTY OF SAN DIEGO PER DOCUMENT RECORDED NOVEMBER 3, 1982 AS FILE NO. 82-339815, OF OFFICIAL RECORDS.
66. A 20' WIDE EASEMENT FOR WATERLINES DEDICATED TO RAINBOW MUNICIPAL WATER DISTRICT PER DOCUMENT RECORDED NOVEMBER 19, 1976 AS FILE NO. 76-387723, OF OFFICIAL RECORDS.
67. A 40' WIDE PRIVATE EASEMENT FOR ROAD PURPOSES DEDICATED PER DOCUMENT RECORDED APRIL 21, 1977 AS FILE NO. 77-147308 AND JULY 3, 1978 AS FILE NO. 78-277864 NOVEMBER 15, 1995 AS FILES NO. 95-0518756, 95-0518757, 95-0518758 AND 95-0518759, ALL OF OFFICIAL RECORDS.
68. A SLOPE EASEMENT DEDICATED TO THE STATE OF CALIFORNIA PER DOCUMENT RECORDED JULY 1, 1977 AS FILE NO. 77-262895, OF OFFICIAL RECORDS.

DISPOSITION OF EXISTING EASEMENTS

ALL EXISTING EASEMENTS SHALL BE QUITCLAIMED, VACATED OR RELOCATED TO MORE PRACTICALLY CONFORM TO THE FINAL PROJECT DESIGN AS NECESSARY.

ENGINEER OF WORK

FUSCOE ENGINEERING - SAN DIEGO, INC.
6390 GREENWICH DRIVE, STE. 170
SAN DIEGO, CA 92122
(858)554-1500

ERIC K. ARMSTRONG RCE 36593 DATE

SHEET 4 OF 18

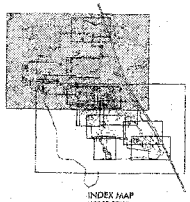
FUSCOE ENGINEERING
6390 Greenwich Drive, Suite 170
San Diego, California 92122
tel 858.554.1500 • fax 858.597.0335
www.fuscoe.com

COUNTY OF SAN DIEGO TRACT TM 5381
VESTING TENTATIVE MAP
MERRIAM MOUNTAINS

LINE TABLE		
LINE	BEARING	LENGTH
L1	N44°28'42"E	120.09
L2	N69°29'45"W	86.38
L3	N37°24'22"W	30.32
L4	N72°12'49"W	190.08
L5	N33°08'30"W	32.70
L6	N28°17'38"E	248.00
L7	N82°31'42"E	191.38
L8	N78°46'37"W	191.78
L9	N70°21'06"E	27.71
L10	N68°16'06"W	64.21
L11	N49°37'31"E	30.00
L12	N81°05'06"W	1.28
L13	N82°29'17"E	168.73
L14	N72°51'36"W	146.54
L15	N62°58'13"W	81.08
L16	N90°41'17"W	37.13
L17	N78°33'57"W	107.08
L18	N18°22'57"W	160.01
L19	N02°38'39"W	278.95
L20	N48°38'26"W	179.00
L21	N55°42'47"W	46.00
L22	N01°08'05"W	865.25
L23	N49°58'17"E	87.75
L24	N87°09'45"E	1185.63
L25	N27°41'08"W	450.00
L26	N26°47'17"W	250.87
L27	N49°09'41"E	415.22
L28	N57°41'28"W	352.07
L29	N18°22'37"W	330.94
L30	N40°48'43"E	31.70
L31	N12°09'40"W	226.64
L32	N56°05'10"W	305.03
L33	N69°25'25"W	412.87
L34	N64°41'48"E	210.51
L35	N74°55'07"W	187.24
L36	N24°00'17"E	207.71
L37	N16°59'49"E	150.08
L38	N57°15'37"E	141.41
L39	N47°18'07"W	208.94
L40	N15°44'07"E	355.30
L41	N82°09'54"E	490.29
L42	N06°13'09"E	371.44
L43	N13°35'27"E	501.63
L44	N82°37'57"W	87.00
L45	N69°31'10"W	208.30
L46	N89°43'49"W	142.70
L47	N00°01'37"W	144.65
L48	N26°54'44"E	175.53
L49	N40°06'36"W	1601.27
L50	N31°31'27"E	225.40
L51	N40°03'28"E	1059.87
L52	N88°32'00"E	342.13
L53	N56°16'27"E	336.00
L54	N48°49'42"E	420.87
L55	N75°20'01"W	417.32
L56	N07°23'06"W	205.72
L57	N07°33'06"W	328.10
L58	N27°33'06"W	267.79
L59	N41°06'26"E	100.17
L60	N25°30'01"W	158.70
L61	N25°19'36"E	462.10
L62	N84°44'05"E	60.00
L63	N12°50'00"W	30.00
L64	N89°34'49"E	62.66
L65	N73°51'48"E	372.97
L66	N73°51'48"E	40.49
L67	N48°01'32"W	33.00
L68	N71°06'27"W	264.44
L69	N06°36'37"E	81.45
L70	N25°18'36"W	386.06
L71	N84°11'49"E	210.07
L72	N00°15'46"E	306.55
L73	N01°32'37"W	509.83
L74	N00°01'42"E	131.77
L75	N28°33'42"W	24.14
L76	N48°32'56"E	142.67
L77	N41°54'43"W	350.00
L78	N12°01'43"W	200.00
L79	N48°51'43"W	400.00
L80	N41°37'57"E	807.88
L81	N42°24'43"E	148.63
L82	N38°04'26"E	162.73
L83	N88°12'30"E	350.00
L84	N28°37'57"E	176.38
L85	N40°03'01"E	158.00
L86	N48°37'17"W	125.00
L87	N04°32'01"E	135.00
L88	N12°02'47"E	174.33
L89	N34°36'49"E	82.27
L90	N67°16'12"E	168.72
L91	N27°33'27"E	121.06
L92	N74°57'17"E	114.95
L93	N72°00'13"W	185.53
L94	N42°35'33"E	80.85
L95	N37°04'14"E	107.80

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	49°31'00"	150.00	87.01
C2	35°30'15"	100.00	62.00
C3	37°36'00"	180.00	118.13
C4	0°06'54"	55.00	0.12
C5	13°14'04"	150.00	34.68
C6	57°42'45"	28.00	17.01
C7	70°22'30"	60.00	73.69
C8	30°40'30"	120.00	67.03
C9	60°24'40"	50.00	54.01
C10	208°27'45"	54.00	194.98
C11	62°39'35"	270.00	294.43
C12	40°44'24"	430.00	305.78
C13	100°03'33"	54.00	94.80
C14	58°32'00"	60.00	61.00
C15	23°28'48"	480.00	200.00
C16	51°48'00"	608.51	330.04
C17	16°20'00"	1005.00	285.10

SEE SHEET 6



INDEX MAP
NOT TO SCALE

GRAPHIC SCALE

ENGINEER OF WORK

FUSCOE ENGINEERING - SAN DIEGO, INC.
4390 GREENWICH DRIVE, STE 170
SAN DIEGO, CA 92123
(858)554-1500

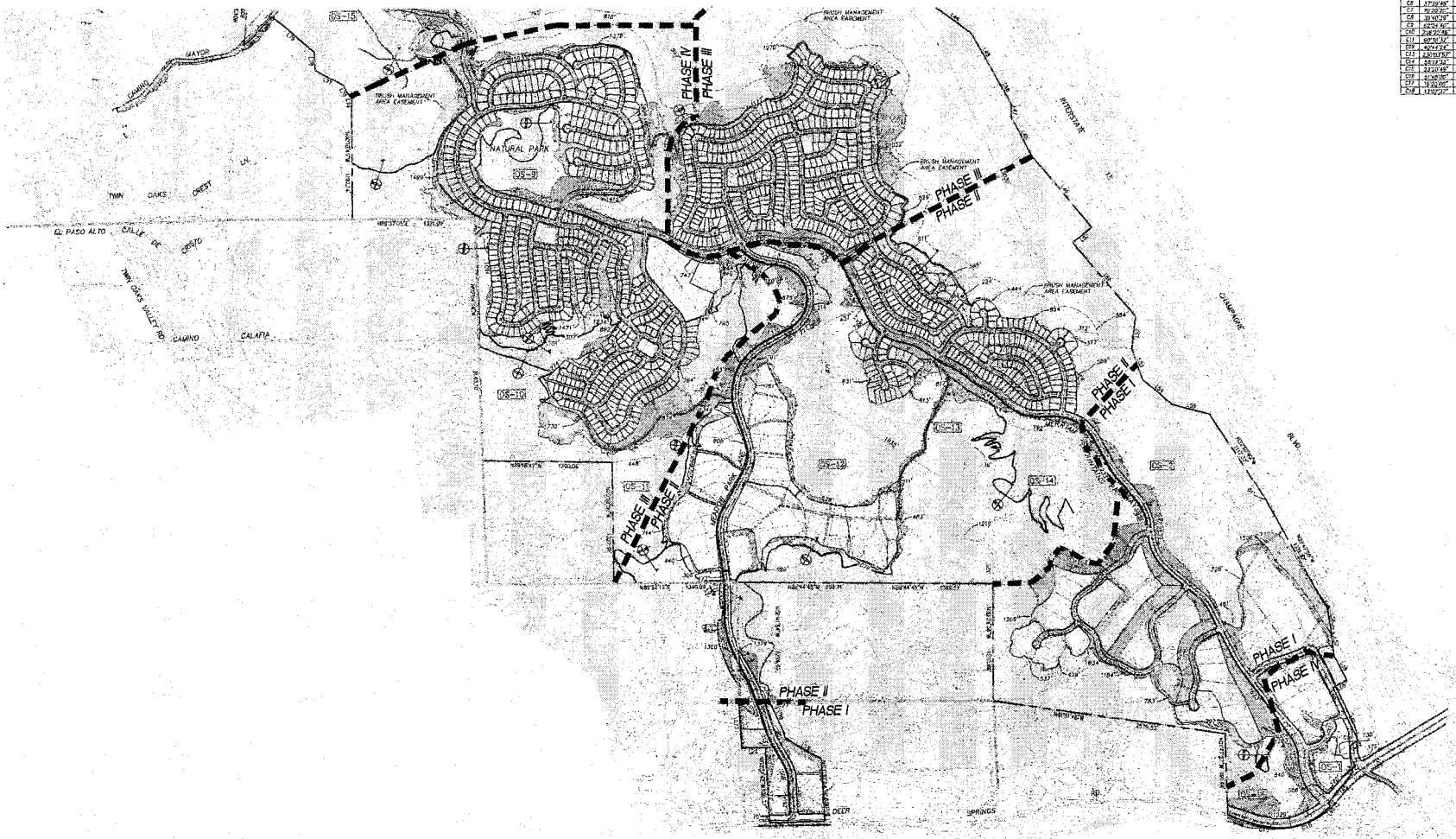
ERIC K. ANDERSONS REG. DEGREE DATE

FUSCOE ENGINEERING
4390 Greenwich Drive, Suite 170
San Diego, California 92123
tel 858 554 1500 - fax 858 597 0235
www.fuscoe.com

SHEET 5 OF 18

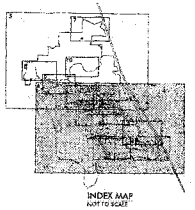
COUNTY OF SAN DIEGO TRACT TM 5381
VESTING TENTATIVE MAP
MERRIAM MOUNTAINS

SEE SHEET 5



CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	49°51'18"	198.00	87.60
C2	35°36'17"	100.00	62.00
C3	42°24'02"	180.00	118.13
C4	94°09'39"	50.00	82.12
C5	13°14'24"	150.00	34.68
C6	47°59'55"	240.00	170.91
C7	70°02'21"	60.00	73.06
C8	30°40'09"	120.00	62.03
C9	60°54'45"	62.00	64.61
C10	208°20'58"	54.00	194.68
C11	60°00'32"	370.00	387.55
C12	40°47'24"	430.00	305.75
C13	180°00'00"	54.00	216.85
C14	89°59'53"	50.00	81.68
C15	37°07'49"	492.00	700.00
C16	91°38'06"	566.00	905.04
C17	16°20'06"	1000.00	285.10
C18	13°07'07"	2000.00	457.80

LINE TABLE		
LINE	BEARING	LENGTH
L1	N66°31'43"W	106.09
L2	N87°23'46"W	86.03
L3	N77°05'25"W	39.80
L4	N73°12'00"W	130.78
L5	N55°36'30"W	54.28
L6	N50°13'05"E	242.56
L7	N82°31'42"E	121.96
L8	N73°50'34"W	98.70
L9	N40°01'05"E	27.70
L10	N89°47'38"E	84.37
L11	N55°37'18"E	30.00
L12	N88°28'26"E	133.87
L13	N82°28'17"E	98.75
L14	N42°28'18"E	148.34
L15	N58°58'12"W	37.08
L16	N05°49'12"E	33.15
L17	N18°12'57"W	108.48
L18	N42°02'32"E	108.00
L19	N6°36'00"W	97.00
L20	N38°50'34"E	128.09
L21	N53°14'57"W	85.98
L22	N71°38'55"E	835.25
L23	N38°48'11"E	22.71
L24	N67°31'40"W	107.03
L25	N37°49'08"W	452.00
L26	N88°41'11"E	506.30
L27	N42°55'41"E	415.23
L28	N87°42'18"E	352.02
L29	N18°52'57"E	470.02
L30	N89°58'01"E	70.11
L31	N18°38'20"W	276.74
L32	N48°00'31"W	103.13
L33	N50°45'20"W	73.87
L34	N68°44'16"E	55.24
L35	N74°00'11"W	167.34
L36	N74°00'11"W	237.71
L37	N59°46'04"E	190.25
L38	N47°16'31"W	311.84
L39	N47°16'31"W	228.84
L40	N70°44'42"E	350.00
L41	N28°46'14"W	462.31
L42	N39°27'08"E	373.44
L43	N17°38'33"W	317.33
L44	N53°53'51"W	467.03
L45	N39°31'10"W	326.31
L46	N26°34'19"W	397.65
L47	N85°01'52"W	144.69
L48	N38°28'44"W	478.42
L49	N40°00'58"W	1021.37
L50	N31°17'22"E	76.26
L51	N43°13'24"W	1055.54
L52	N38°30'05"E	242.03
L53	N18°16'12"W	202.69
L54	N44°20'22"W	420.93
L55	N53°06'16"W	417.33
L56	N37°31'59"W	270.75
L57	N47°33'06"W	260.10
L58	N67°53'01"E	273.15
L59	N23°04'14"E	155.37
L60	N25°10'17"W	174.70
L61	N35°18'38"W	482.70
L62	N46°55'06"E	75.08
L63	N17°38'05"E	30.09
L64	N18°01'45"E	70.66
L65	N37°31'46"E	372.31
L66	N37°31'46"E	45.45
L67	N18°55'42"E	30.07
L68	N71°58'37"W	294.88
L69	N48°28'27"E	91.00
L70	N56°16'00"W	302.09
L71	N89°17'58"E	218.72
L72	N39°19'46"E	297.12
L73	N18°52'37"W	334.89
L74	N26°16'45"W	156.77
L75	N46°36'52"W	24.71
L76	N43°24'06"W	143.67
L77	N41°29'41"W	210.29
L78	N37°51'01"W	402.56
L79	N48°01'03"W	602.08
L80	N41°01'52"E	297.24
L81	N48°21'48"E	148.85
L82	N28°51'52"E	127.3
L83	N58°13'35"E	330.00
L84	N42°27'37"W	135.00
L85	N80°02'00"E	152.00
L86	N89°57'00"W	175.00
L87	N33°36'00"E	155.00
L88	N72°09'41"E	124.33
L89	N18°36'53"E	85.97
L90	N87°17'37"E	106.12
L91	N87°32'38"E	121.26
L92	N74°52'17"E	114.99
L93	N72°08'12"W	165.99
L94	N42°20'03"W	30.03
L95	N37°04'44"E	157.80



INDEX MAP
NOT TO SCALE

SCALE 1"=100'
1" = 100' 200' 400'
GRAPHIC SCALE

ENGINEER OF WORK

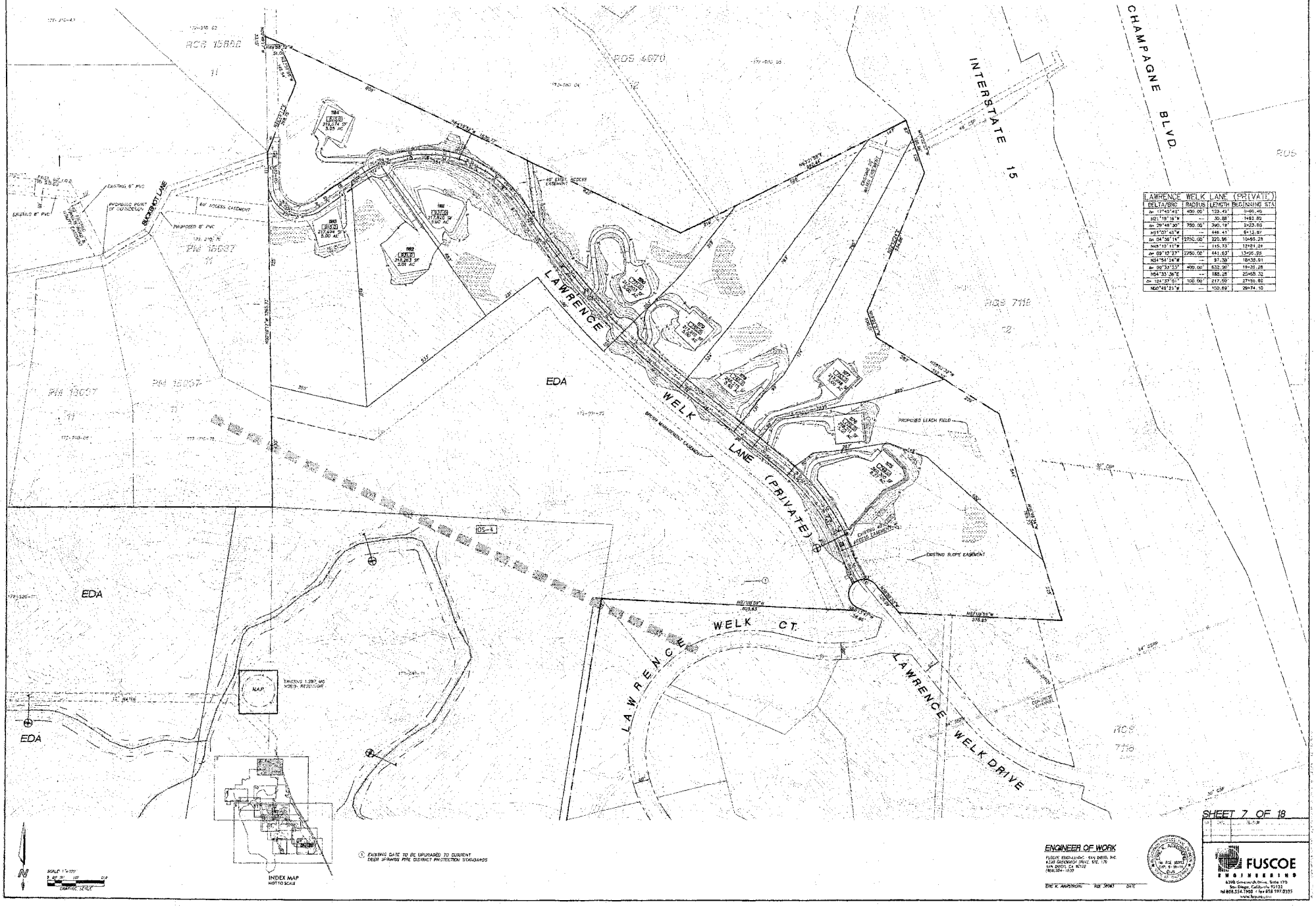
FUSCOE ENGINEERING - SAN DIEGO INC
4390 GREENWICH DRIVE STE 170
SAN DIEGO, CA 92122
(858)554-1500

DATE & SIGNATURE REP SPIRIT DATE

SHEET 6 OF 18

FUSCOE ENGINEERING
4390 Greenwich Drive, Suite 170
San Diego, California 92122
tel 858.554.1500 / fax 858.597.0333
www.fuscoe.com

COUNTY OF SAN DIEGO TRACT TM 5381
VESTING TENTATIVE MAP
MERRIAM MOUNTAINS



LAWRENCE WELK LANE (PRIVATE)			
DELTA/BRG	RADIUS	LENGTH	BEGINNING STA
Δ= 17°40'42"	400.00'	123.42'	0+99.40
N21°19'16"W	--	30.88'	1+92.82
Δ= 29°48'30"	750.00'	390.19'	2+23.88
N51°07'45"W	--	446.41'	6+13.87
Δ= 04°36'14"	2750.00'	220.96'	10+60.28
N43°10'11"W	--	115.73'	12+81.24
Δ= 09°12'27"	2750.00'	441.63'	13+96.98
N34°54'24"W	--	97.38'	18+38.61
Δ= 90°33'23"	400.00'	632.20'	19+36.28
N54°33'36"E	--	188.28'	25+68.32
Δ= 124°37'01"	100.00'	217.50'	27+56.60
N60°49'21"W	--	150.69'	29+74.10

① EXISTING GATE TO BE UPGRADED TO CURRENT DEER SPRINGS FIRE DISTRICT PROTECTION STANDARDS

SHEET 7 OF 18

ENGINEER OF WORK

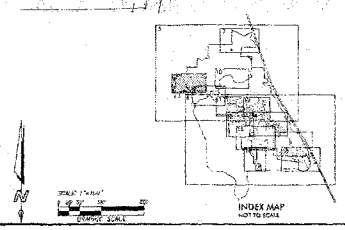
FUSCOE ENGINEERING, SAN DIEGO, INC.
6390 GREENWICH DRIVE, STE. 170
SAN DIEGO, CA 92122
(858)554-1500

ERIC K. ARMSTRONG RCE 38083 DATE

FUSCOE ENGINEERING
6390 Greenwich Drive, Suite 170
San Diego, California 92122
tel 858.554.1500 • fax 858.597.0335
www.fuscoe.com

COUNTY OF SAN DIEGO TRACT TM 5381
VESTING TENTATIVE MAP
MERRIAM MOUNTAINS

TWIN OAKS VALLEY ROAD			
DELTA/BRG	RADIUS	LENGTH	BEGINNING STA
Δ= 07°23'40"	1000.00'	129.10'	13+08.30
N48°03'15"W	--	235.62'	14+35.40
Δ= 35°15'39"	500.00'	307.71'	15+71.02
N12°47'36"W	--	797.45'	19+78.73
Δ= 19°40'55"	500.00'	163.04'	27+76.17
N31°28'34"W	--	402.25'	29+39.21
Δ= 25°18'59"	500.00'	220.93'	34+01.46



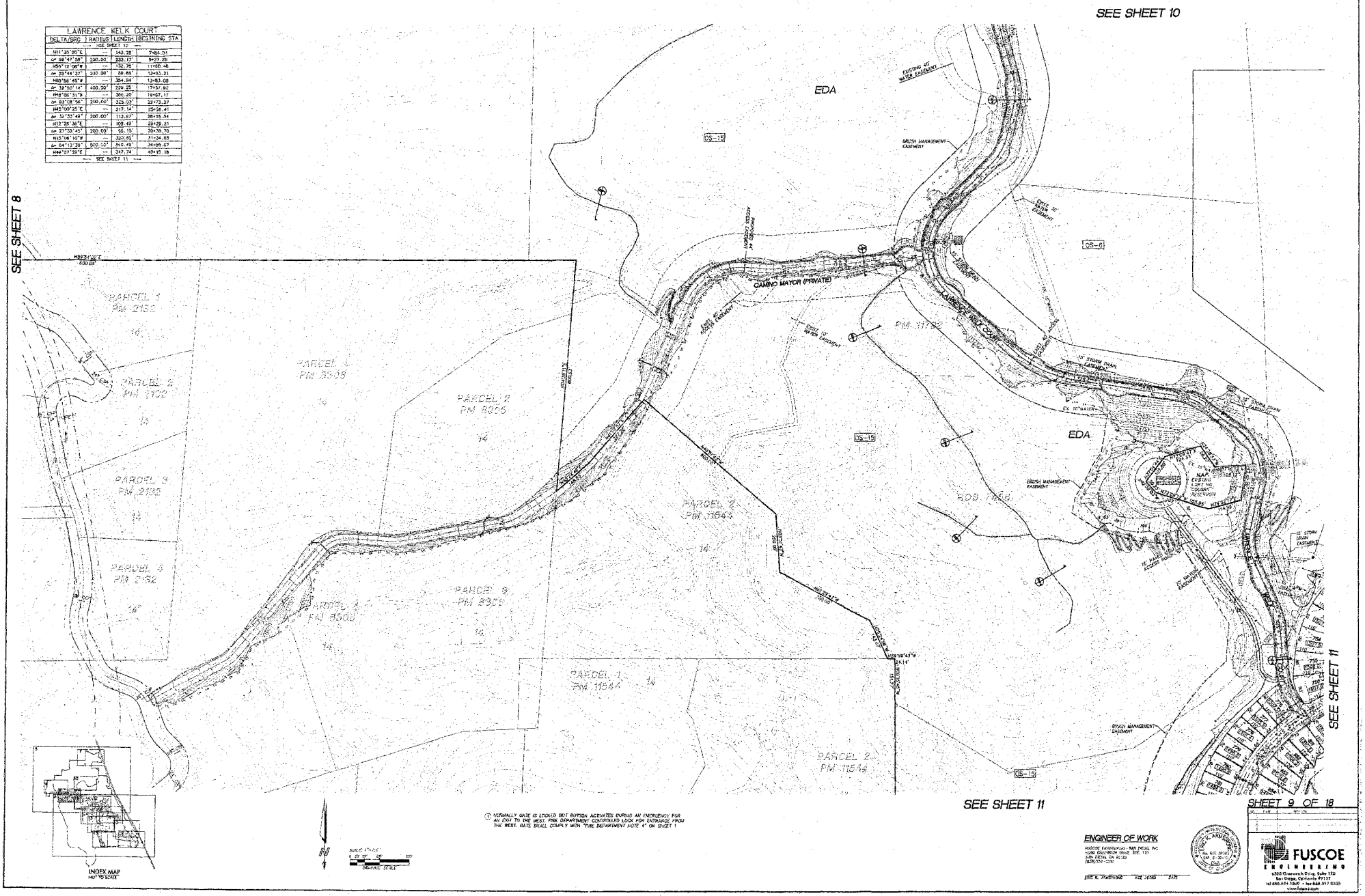
SHEET 8 OF 18

ENGINEER OF WORK

FUSCOE ENGINEERING

1 - 42

COUNTY OF SAN DIEGO TRACT TM 5381
VESTING TENTATIVE MAP
MERRIAM MOUNTAINS



LAWRENCE WELK COURT			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
--- SEE SHEET 10 ---			
N11°35'30"E	--	143.28'	7+84.01
Δ= 68°47'58"	200.00'	233.17'	9+27.29
N55°12'08"W	--	132.76'	11+60.46
Δ= 25°44'33"	200.00'	89.85'	12+93.21
N80°56'45"W	--	354.94'	13+83.00
Δ= 32°50'14"	400.00'	229.25'	17+37.92
N48°06'31"W	--	306.20'	19+67.17
Δ= 93°08'56"	200.00'	325.03'	22+73.37
N45°00'25"E	--	217.14'	25+98.41
Δ= 32°33'49"	200.00'	113.67'	28+15.54
N12°26'36"E	--	109.49'	29+29.21
Δ= 27°32'45"	200.00'	96.15'	30+38.70
N15°06'10"W	--	320.82'	31+34.85
Δ= 64°13'39"	500.00'	560.49'	34+55.67
N49°07'29"E	--	347.74'	40+15.18
--- SEE SHEET 11 ---			

① NORMALLY GATE IS LOCKED BUT BUTTON ACTIVATED DURING AN EMERGENCY FOR AN EXIT TO THE WEST. FIRE DEPARTMENT CONTROLLED LOCK FOR ENTRANCE FROM THE WEST. GATE SHALL COMPLY WITH "FIRE DEPARTMENT NOTE 4" ON SHEET 1

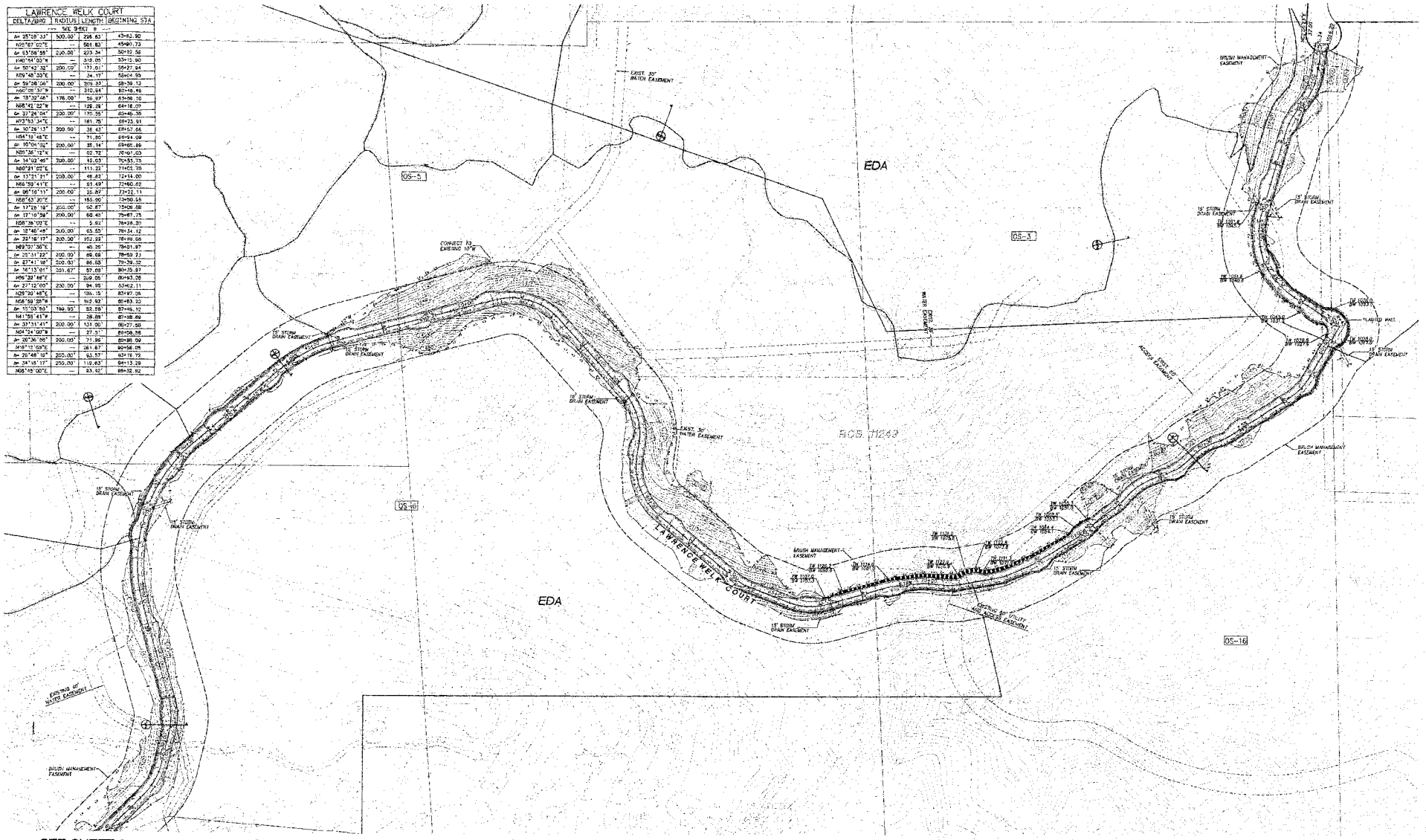
ENGINEER OF WORK

FUSCOE ENGINEERING

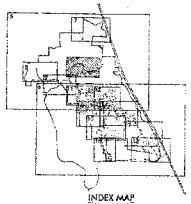
SHEET 9 OF 18

COUNTY OF SAN DIEGO TRACT TM 5381
VESTING TENTATIVE MAP
MERRIAM MOUNTAINS

LAWRENCE WELK COURT			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
--- SEE SHEET 8 ---			
Δ= 25°58'33"	500.00'	226.63'	43+63.90
N25°07'02"E	—	501.83'	45+90.73
Δ= 63°58'58"	200.00'	223.34'	50+92.58
N40°54'03"W	—	319.05'	53+15.90
Δ= 50°42'32"	200.00'	177.01'	56+27.94
N29°48'30"E	—	34.17'	58+04.95
Δ= 59°58'06"	200.00'	209.33'	58+39.13
N60°05'37"W	—	310.64'	60+48.46
Δ= 18°32'46"	176.00'	56.97'	63+59.10
N88°42'22"W	—	129.28'	64+16.07
Δ= 37°24'04"	200.00'	130.56'	65+45.35
N73°53'34"E	—	161.75'	66+25.91
Δ= 10°26'13"	200.00'	36.43'	68+57.66
N54°19'48"E	—	71.80'	69+94.09
Δ= 10°04'02"	200.00'	35.14'	69+65.89
N55°36'12"W	—	62.72'	70+01.03
Δ= 14°02'46"	200.00'	49.03'	70+53.75
N60°21'02"E	—	111.22'	71+02.78
Δ= 13°21'21"	200.00'	46.62'	72+14.00
N66°59'41"E	—	81.49'	72+60.62
Δ= 06°16'11"	200.00'	20.87'	73+22.11
N58°43'30"E	—	155.00'	73+50.98
Δ= 17°28'19"	200.00'	60.67'	75+06.88
Δ= 17°16'59"	200.00'	60.45'	75+67.75
N58°38'09"E	—	5.92'	76+28.20
Δ= 18°46'48"	200.00'	65.55'	76+34.12
Δ= 29°16'17"	200.00'	102.22'	76+99.68
N89°07'36"E	—	46.26'	78+01.97
Δ= 25°31'22"	200.00'	89.09'	78+59.23
Δ= 27°41'18"	200.00'	96.65'	79+39.52
Δ= 16°13'01"	201.67'	57.09'	80+35.97
N56°32'48"E	—	209.05'	80+93.06
Δ= 27°12'00"	200.00'	94.95'	83+02.11
N29°20'48"E	—	195.15'	83+97.06
N56°59'28"W	—	102.92'	85+83.20
Δ= 15°03'50"	199.95'	52.58'	87+46.12
N41°55'41"W	—	28.89'	87+98.69
Δ= 37°31'41"	200.00'	131.00'	88+27.58
N54°24'00"W	—	27.51'	89+58.58
Δ= 20°36'56"	200.00'	71.96'	89+86.09
N16°12'08"E	—	261.67'	90+58.05
Δ= 25°48'10"	200.00'	93.57'	93+19.72
Δ= 34°16'17"	200.00'	119.63'	94+13.29
N06°45'00"E	—	93.42'	95+32.92



SEE SHEET 9



SCALE 1"=100'
GRAPHIC SCALE

SHEET 10 OF 18

ENGINEER OF WORK

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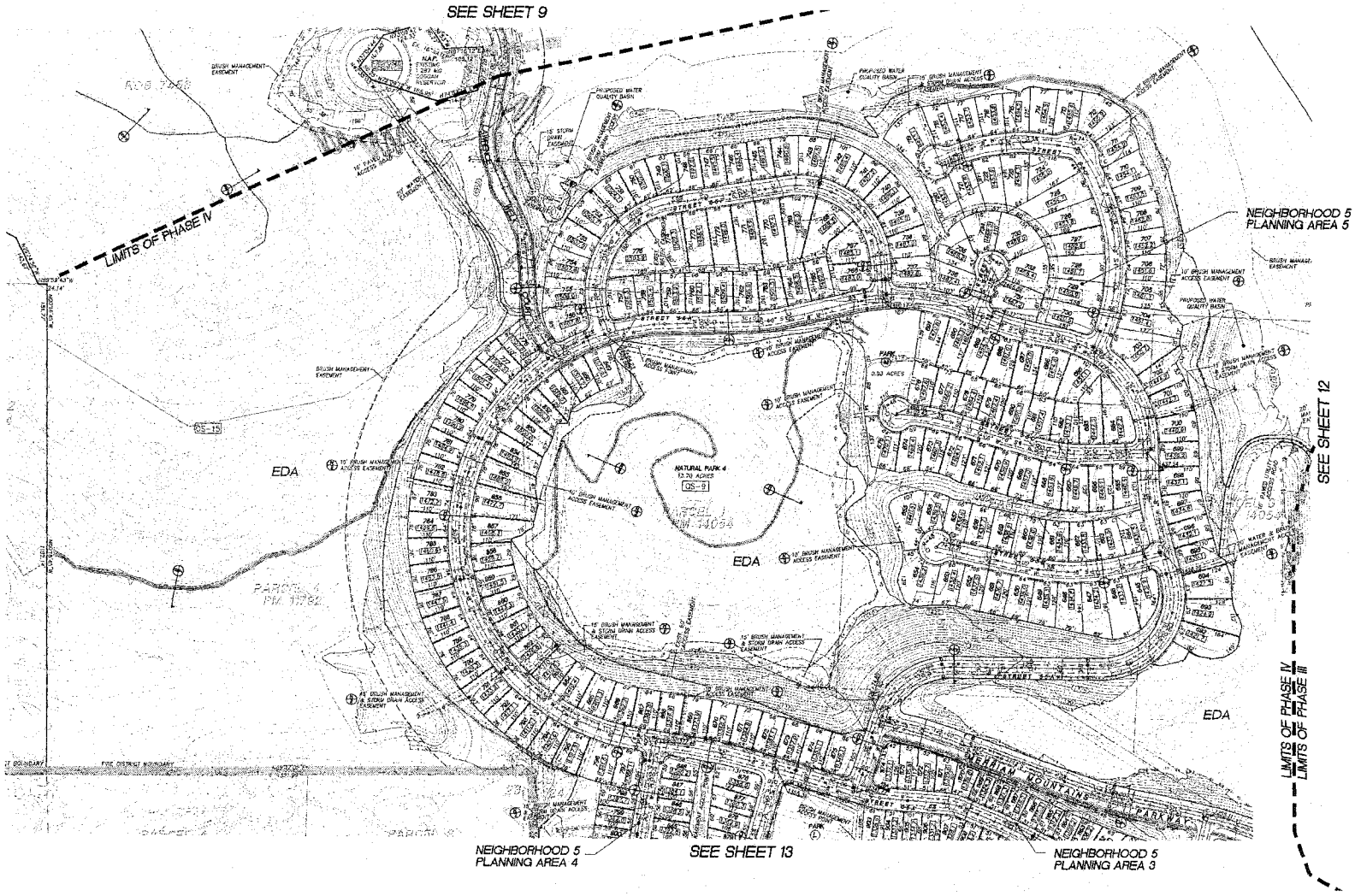
6390 GREENWICH DRIVE, STE. 170
SAN DIEGO, CA 92122
(858)554-1500

FUSCOE ENGINEERING
6390 Greenwich Drive, Suite 170
San Diego, California 92122
tel 858.554.1500 • fax 858.597.0225
www.fuscoe.com

COUNTY OF SAN DIEGO TRACT TM 5381
VESTING TENTATIVE MAP
MERRIAM MOUNTAINS



STREET S-5-A			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
N18°50'37"E	--	221.43'	1+00.00
Δ= 71°50'24"	200.00'	250.77'	3+21.43
N89°18'39"E	--	402.52'	5+72.20
Δ= 100°36'13"	200.00'	372.12'	9+74.72
N18°55'11"E	--	164.40'	13+46.84
Δ= 14°18'43"	500.00'	124.89	15+11.23
N31°36'29"W	--	85.81'	16+36.13
Δ= 78°42'35"	300.00'	451.68'	17+34.93
N78°18'06"W	--	106.11'	21+26.59
Δ= 09°41'31"	300.00'	50.75'	22+32.70
N68°37'37"W	--	102.20'	22+53.45
Δ= 24°24'16"	500.00'	209.86'	23+55.65
N78°53'45"E	--	180.41'	27+10.51
Δ= 11°28'41"	500.00'	100.17'	28+51.07
N56°23'28"E	--	234.91'	29+49.18
Δ= 166°13'32"	575.00	1666.29'	32+34.11
N30°51'07"W	--	168.34'	49+13.41
--- SEE SHEET 13 ---			

STREET S-5-B			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
N74°04'19"E	--	84.27'	1+00.00
Δ= 28°09'49"	575.00'	282.63'	1+00.27
N77°45'28"E	--	258.33'	4+70.90

STREET S-5-C			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
N89°23'31"E	--	158.46	1+00.00
Δ= 17°51'10"	500.00'	155.80'	2+50.46
N73°45'18"E	--	240.37'	4+11.27
Δ= 12°48'11"	500.00'	110.98'	5+51.64
N86°25'30"E	--	40.01'	7+62.41

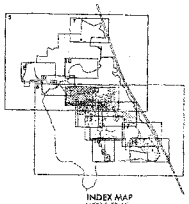
STREET S-5-D			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
Δ= 97°49'44"	300.00'	555.77'	1+00.00
N31°59'03"W	--	15.65'	6+55.78
Δ= 50°13'13"	48.00'	42.07'	6+70.97
N82°11'19"W	--	63.85'	7+13.04
Δ= 28°04'05"	309.00'	303.48'	7+76.89
N66°44'33"E	--	59.40'	10+30.52

STREET S-5-E			
DELTA/BRG	RADIUS	LENGTH	REMARKS
N21°22'23"E	--	134.27'	1+00.00

STREET S-5-F			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
N04°03'49"W	--	102.84'	1+00.00
Δ= 94°42'11"	225.00'	371.80'	2+02.84
N81°14'01"E	--	314.79'	5+74.64
Δ= 98°43'45"	250.00'	438.15'	8+89.33
N18°29'45"W	--	39.75'	13+24.48

LAWRENCE WELK COURT			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
N33°18"W	--	101.58'	1+00.00
Δ= 29°05'54"	200.00	101.60'	1+69.98
N04°08'45"W	--	46.94'	2+71.78
Δ= 20°24'54"	200.00'	71.03'	4+18.71
N24°33'39"W	--	169.23'	4+89.74
N38°05'26"W	230.00'	125.98'	6+58.03
SEE SHEET 9			

MERRIAM MOUNTAINS PKWY			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
--- SEE SHEET 13 ---			



INDEX MAP
NOT TO SCALE

SCALE 1"=100'
0 50' 100' 200'
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N

ENGINEER OF WORK

FUSCOE ENGINEERING, SAN DIEGO, INC
6390 GREENWICH DRIVE, STE 170
SAN DIEGO, CA 92122
(619)294-5500

REG. N. ARAGONES RCE 36283 DATE

SHEET 11 OF 18

FUSCOE ENGINEERING
6390 Greenwich Drive, Suite 170
San Diego, California 92122
tel 858.554.1500 • fax 858.597.9435
www.fuscoe.com

COUNTY OF SAN DIEGO TRACT TM 5381
VESTING TENTATIVE MAP
MERRIAM MOUNTAINS

STREET 4-1-A			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
N76°57'14"W	--	68.91'	1+00.00
Δ= 15°01'52"	200.00'	52.43'	1+68.91
N88°00'54"W	--	104.15'	2+39.38
Δ= 33°44'37"	565'	332.18'	3+43.53
N58°16'29"W	--	42.04'	6+94.71

STREET 4-1-B			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
N00°40'06"W	--	81.85	1+00.00
Δ= 76°00'21"	200.00'	275.29'	1+81.85
N77°20'15"E	--	115.02'	4+33.94
Δ= 00°27'04"	700.00'	32.59'	5+48.96
N89°47'16"E	--	86.85'	5+81.95

STREET 4-1-C			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
N87°23'24"E	--	167.80'	1+00.00
Δ= 04°36'40"	300.00'	24.14'	2+67.80
N78°46'44"E	--	322.16'	2+91.94
Δ= 12°49'23"	300.00'	67.14'	5+14.10
N65°36'09"E	--	74.68'	5+81.24

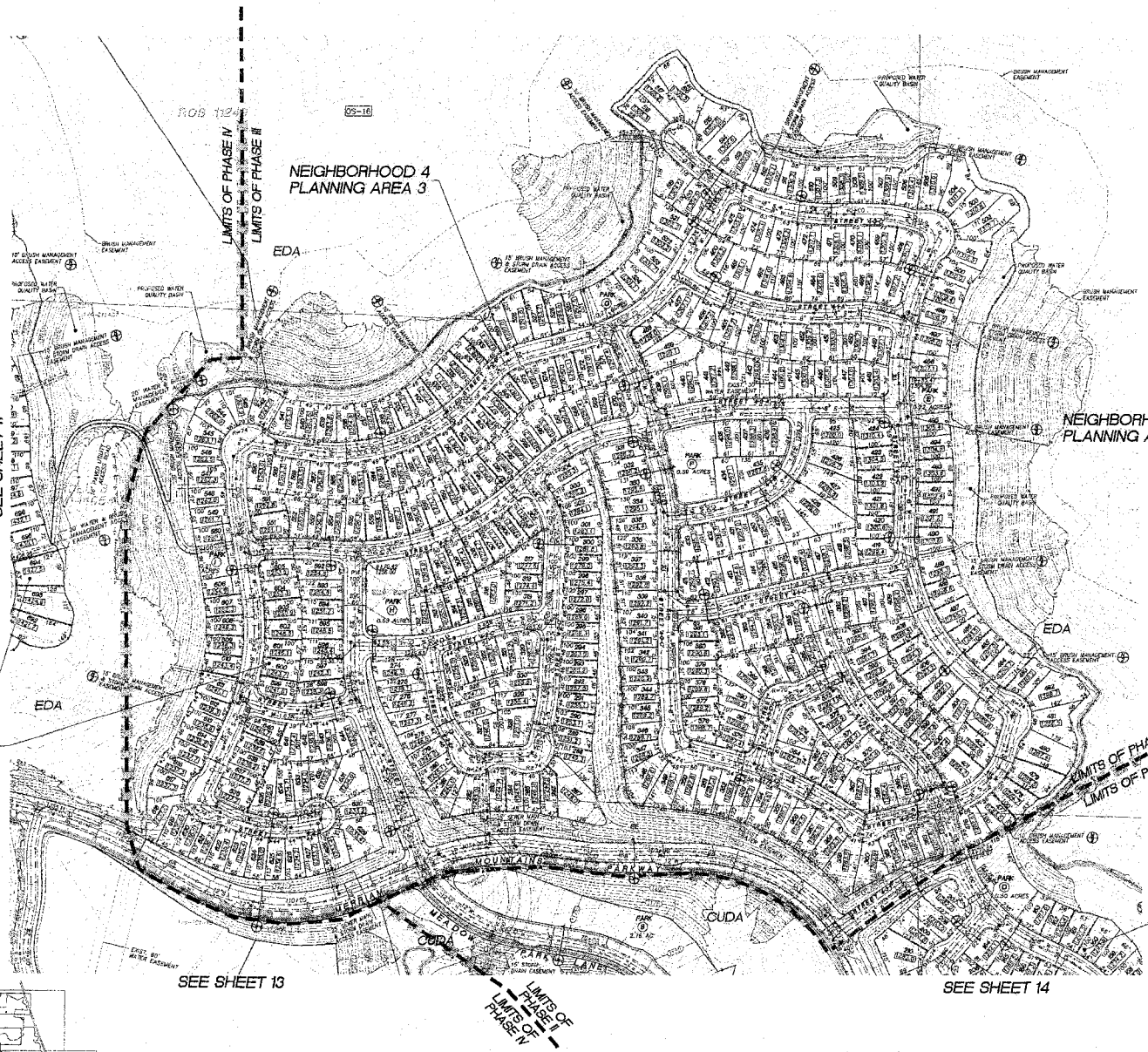
STREET 4-2-A			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
N01°18'45"W	--	466.27'	1+00.00
Δ= 21°16'45"	500.00'	185.95'	5+66.27
N20°00'00"W	--	264.06'	6+92.35

STREET 4-2-B			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
N72°32'16"W	--	64.63'	1+00.00
Δ= 31°45'27"	300.00'	165.28'	1+64.63
N75°42'16"E	--	91.34'	3+30.91

STREET 4-2-C			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
N87°49'35"W	--	5.83'	1+00.00
Δ= 18°16'03"	600.00'	188.43'	1+05.83
N72°53'32"E	--	93.82'	2+78.39
Δ= 37°07'29"	500.00'	149.44'	3+72.20
N86°00'02"E	--	117.06'	5+21.64

STREET 4-2-D			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
N09°30'06"W	--	160.44'	1+00.00
Δ= 27°34'56"	300.00'	96.28'	2+60.44
N37°05'01"W	--	35.17'	3+56.72
Δ= 47°52'36"	15.00'	12.11'	4+11.89
N89°28'23"E	--	118.07'	4+52.00
Δ= 75°26'05"	48.00'	63.20'	5+71.07
N13°02'18"E	--	68.14'	6+34.27
Δ= 10°51'43"	500.00'	94.75'	7+02.41
N02°10'35"E	--	367.07'	7+97.20
Δ= 45°15'12"	200.00'	157.96	11+64.27
N43°04'37"W	--	31.81'	13+42.23

STREET 4-2-E			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
N08°15'23"W	--	184.82'	1+00.00
Δ= 23°49'03"	850.00'	381.95'	2+04.56
N34°24'42"E	--	171.64'	5+86.51
Δ= 84°54'23"	48.00'	71.13'	7+58.54
Δ= 49°34'39"	385.00'	332.20'	8+29.67



STREET 4-3-A			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
N80°44'37"E	--	19.20'	1+00.00
Δ= 13°21'40"	850.00'	198.26'	1+19.20
N85°51'44"E	--	72.58'	2+71.16
Δ= 47°12'54"	850.00'	535.84'	3+43.71
N45°55'23"E	--	84.91'	8+79.55
Δ= 31°06'49"	400.00'	217.38'	9+83.58
N76°05'12"E	--	211.83'	11+81.12
Δ= 11°14'39"	600.00'	117.75'	13+92.95
N89°10'51"E	--	444.77'	15+10.71

STREET 4-3-B			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
N09°15'23"W	--	105.58'	1+00.00
Δ= 14°39'05"	800.00'	183.43'	2+05.58
Δ= 03°40'42"	48.00'	76.61'	3+55.01
N80°46'36"W	--	131.45'	4+37.62
Δ= 55°53'50"	800.00'	487.79'	5+69.07
N43°19'34"E	--	79.98'	10+56.86
Δ= 33°00'06"	200.00'	117.11'	11+36.82
N75°19'40"E	--	189.68'	12+48.53
Δ= 45°01'41"	400.00'	314.36'	14+15.20
N30°17'58"E	--	984.45'	17+32.56

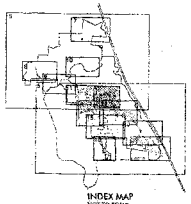
STREET 4-3-C			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
N25°27'44"W	--	95.58	1+00.00
Δ= 12°03'37"	400.00'	84.20'	1+96.28
N13°24'07"W	--	245.87'	2+80.77
Δ= 13°02'18"	600.00'	136.18'	5+26.64
N00°23'51"W	--	554.31'	6+63.83
Δ= 76°10'28"	48.00'	63.82'	12+17.13
N76°34'21"W	--	87.94'	12+80.94
Δ= 18°38'23"	1000.00'	325.32'	13+78.88
N57°55'58"W	--	89.16'	17+04.21
Δ= 45°01'02"	48.00'	38.41'	17+93.37
N78°12'00"E	--	186.94'	18+31.78
N00°21'22"E	--	48.69'	20+60.72
Δ= 25°23'36"	200.00'	79.11'	20+67.16
N47°55'46"E	--	9.65'	21+46.83
Δ= 32°10'56"	200.00'	112.36'	21+59.18
N15°42'42"E	--	55.30'	22+67.53
Δ= 84°38'28"	48.00'	94.11'	23+33.83
N68°47'41"E	--	136.34'	23+67.94
Δ= 35°11'04"	500.00'	307.04'	25+23.79
N13°36'36"E	--	49.75'	28+30.83
Δ= 15°18'54"	300.00'	80.19'	28+77.08
N01°42'21"E	--	100.49'	29+57.27
Δ= 07°26'14"	1000.00'	129.53'	30+57.77
N05°42'53"W	--	97.42'	31+87.28
Δ= 27°06'42"	750.00'	371.02'	32+84.71
N22°15'49"E	--	90.39'	36+55.69
Δ= 87°53'29"	48.00'	73.63'	37+46.21
Δ= 24°03'03"	350.00'	125.53'	38+19.84
N89°40'23"W	--	135.24'	39+45.77
Δ= 25°10'45"	300.00'	252.10'	40+81.01
Δ= 14°06'49"	500.00'	123.04'	43+51.11
N48°19'50"W	--	78.67'	44+97.04

STREET 4-3-D			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
N84°19'06"E	--	100.53'	1+00.00
Δ= 47°10'20"	48.00'	39.52'	2+89.63
N17°08'47"E	--	165.66'	3+08.15

STREET 4-3-E			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
N05°08'16"W	--	85.84'	1+00.00
Δ= 10°31'43"	500.00'	91.85'	1+85.84
N26°40'59"W	--	73.59'	2+87.72
Δ= 24°31'56"	500.00'	214.05'	3+61.31
N50°12'54"W	--	33.22'	5+75.36
Δ= 30°24'16"	300.00'	159.07'	5+08.71
N19°38'38"W	--	167.25'	7+65.78
Δ= 00°27'10"	400.00'	3.17'	8+68.03
--- SEE SHEET 14 ---			

STREET 4-3-F			
DELTA/BRG	RADIUS	LENGTH	REMARKS
N84°17'04"E	--	183.30	1+00.00
Δ= 15°21'52"	495.81'	132.90'	2+83.30
N69°30'48"E	--	56.43'	4+16.40

MERRIAM MOUNTAINS PKWY			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
--- SEE SHEETS 13 & 14 ---			



INDEX MAP
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ENGINEER OF WORK

FUSCOE ENGINEERING, SAN DIEGO, INC.
5780 GREENWICH DRIVE, STE 170
SAN DIEGO, CA 92122
(619) 594-1505

ERIC K. ANDERSON — RCE 39283 — DATE

SHEET 12 OF 18

FUSCOE ENGINEERING
5780 Greenwich Drive, Suite 170
San Diego, California 92122
tel 858 554 1500 • fax 858 597 0335
www.fuscoe.com

COUNTY OF SAN DIEGO TRACT TM 5381
VESTING TENTATIVE MAP
MERRIAM MOUNTAINS

STREET 5-1-A			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
N13°19'43"E	--	56.23'	1+00.00
Δ= 15°21'38"	300.00'	80.43	1+56.23
N29°02'49"E	--	56.85'	2+36.65
Δ= 12°41'03"	300.00'	66.41'	3+01.50
N13°36'15"E	--	58.26'	3+67.72
Δ= 81°07'48"	150.00'	203.09'	4+23.91
N68°29'30"W	--	530.90'	6+46.70
Δ= 42°25'19"	300.00'	222.12'	11+45.08
N01°55'43"E	--	102.04'	13+67.21
Δ= 28°50'54"	350.00'	175.81	14+69.24
N30°36'42"E	--	196.84'	16+44.45
Δ= 32°50'21"	350.00'	200.51'	18+43.35
N63°27'06"E	--	136.82'	20+44.00
Δ= 49°05'32"	325.00'	278.47'	21+80.82
N14°21'34"E	--	79.72'	24+60.69
Δ= 83°49'38"	250.00'	187.89'	25+38.41
N68°11'12"E	--	29.05'	27+26.30
Δ= 70°42'58"	48.00'	59.31'	27+55.35
N61°02'15"E	--	98.62'	28+14.67
Δ= 09°00'05"	300.00'	47.09'	28+63.29
N52°00'48"E	--	132.35'	29+25.18
Δ= 41°18'02"	250.00'	180.23'	30+57.40
N74°18'27"E	--	2.13'	32+38.50

STREET 5-1-B			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
N59°52'18"E	--	222.55'	1+00.00

STREET 5-1-C			
DELTA/BRG	RADIUS	LENGTH	REMARKS
N59°39'32"E	--	77.31	1+00.00
Δ= 27°41'42"	200.00'	96.67'	1+77.31
N31°58'51"E	--	127.13'	2+73.99
Δ= 26°15'18"	500.00'	229.12'	4+01.12
N58°12'10"E	--	113.85'	6+30.24
Δ= 17°35'28"	330.00'	61.40'	7+43.99
N40°56'42"E	--	99.47'	8+05.39

STREET 5-2-A			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
N49°30'26"E	--	172.03'	1+00.00

STREET 5-2-B			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
N56°45'05"E	--	18.47'	1+00.00
Δ= 33°53'18"	200.00'	117.13'	1+18.47
N72°21'23"E	--	60.76'	2+35.60
Δ= 22°50'55"	300.00'	171.09'	2+97.36
N49°30'28"E	--	117.53'	4+68.39

STREET 5-2-C			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
S20°36'42"E	--	45.00'	1+00.00
Δ= 90°00'00"	58.00'	91.11'	1+45.00
N69°23'18"W	--	17.06'	2+36.11
N69°23'18"W	--	132.95'	2+53.16
Δ= 66°16'12"	56.00'	67.12'	3+86.11
Δ= 23°41'31"	58.00'	23.94'	4+53.23
N00°36'42"E	--	85.00'	4+77.21
Δ= 60°00'00"	56.00'	91.11'	5+62.21
N89°23'18"W	--	100.00'	6+50.32
Δ= 90°00'00"	56.00'	91.11'	8+08.32
N00°36'42"E	--	45.00'	8+99.42

STREET 5-2-D			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
N31°27'19"W	--	152.75'	1+00.00

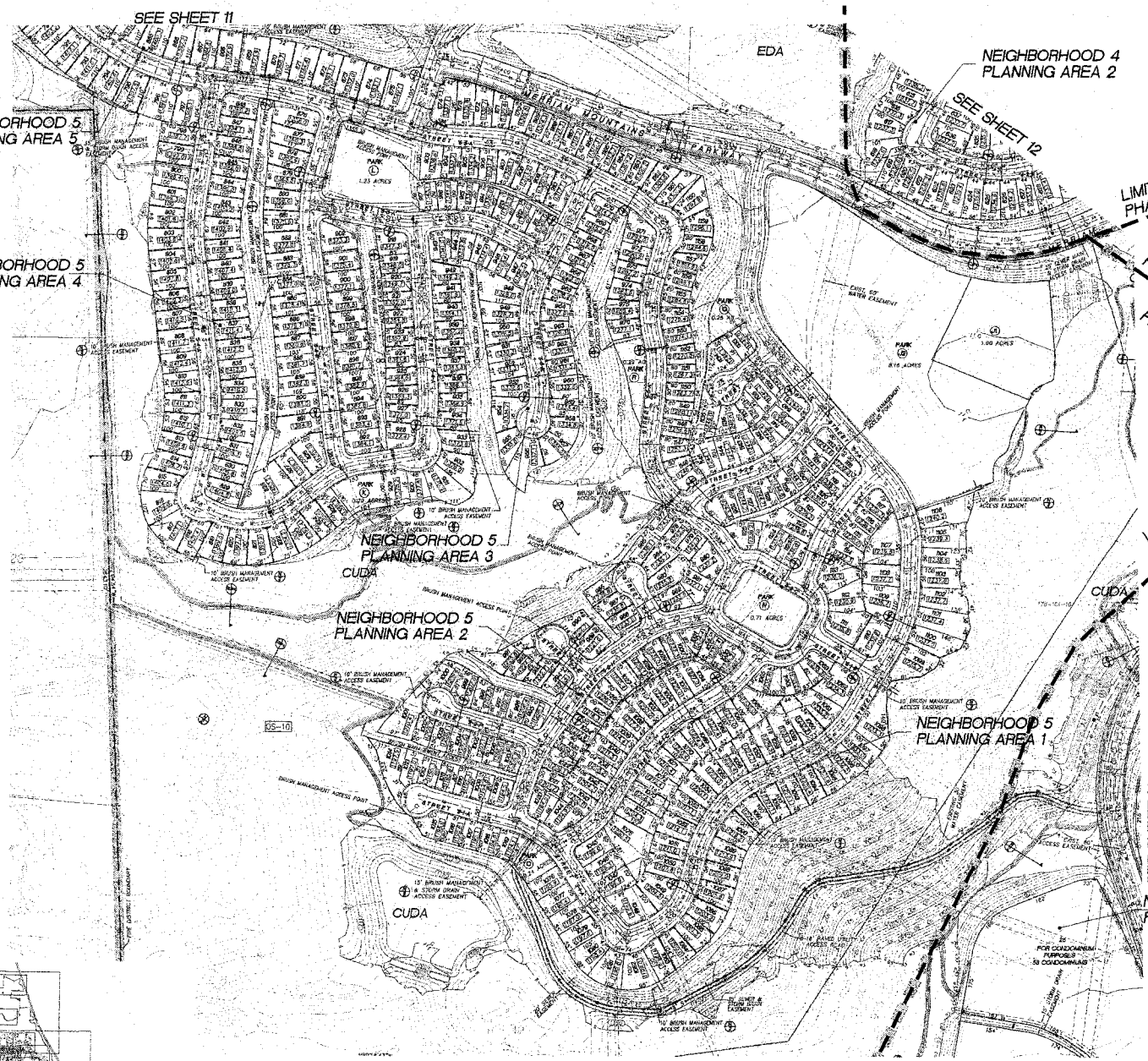
STREET 5-2-E			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
N48°56'38"W	--	141.92'	1+00.00

STREET 5-2-F			
DELTA/BRG	RADIUS	LENGTH	REMARKS
N69°46'38"W	--	38.48'	1+00.00
Δ= 14°12'29"	200.00'	49.60'	1+38.48
N73°53'09"W	--	231.88'	1+88.08

STREET 5-2-G			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
N74°12'07"W	--	271.26'	1+00.00

STREET 5-2-H			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
N17°04'15"E	--	127.29'	1+00.00
Δ= 17°21'11"	400.00'	121.15'	2+27.70
N34°25'26"E	--	164.70'	3+48.85
Δ= 19°18'01"	400.00'	134.74'	5+13.55
N53°43'26"E	--	56.93'	6+48.29
Δ= 24°43'39"	300.00'	129.47'	7+35.22
N78°27'05"E	--	99.90'	8+64.69

STREET 5-2-I			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
N49°30'28"E	--	40.15'	1+00.00
Δ= 11°08'10"	300.00'	58.32'	1+40.15
N38°22'18"E	--	87.56'	1+98.47
Δ= 17°45'31"	300.00'	92.99'	2+86.03
N20°36'42"E	--	114.75'	3+79.00



STREET 5-3-A			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
N79°01'08"W	--	243.29'	1+00.00
Δ= 16°25'03"	250.00'	57.31'	3+43.29
N84°53'49"E	--	65.31	4+00.60
Δ= 32°06'14"	300.00	168.10'	4+65.91
N53°19'57"E	--	159.39'	6+34.00

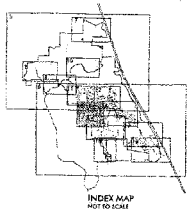
STREET 5-3-B			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
N24°40'03"E	--	203.31'	1+00.00
Δ= 37°27'34"	300.00	196.14'	4+03.31
N10°47'31"W	--	93.42'	5+99.44
Δ= 28°11'29"	300.00'	137.14'	6+92.86

STREET 5-4-A			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
N05°01'57"E	--	242.69'	1+00.00
Δ= 15°38'22"	500.00'	136.39'	4+42.69
N06°35'36"W	--	309.50'	5+78.32
Δ= 20°07'10"	550.00'	201.13'	9+48.82
N14°32'34"E	--	104.36'	11+49.95
Δ= 76°37'30"	48.00'	63.87'	12+54.30
N64°16'07"E	--	34.83'	13+20.17
Δ= 84°06'33"	200.00'	293.76'	13+55.00
N13°52'31"E	--	112.89'	16+78.76
Δ= 28°09'02"	200.00	101.36'	18+91.65
N69°38'33"E	--	191.18'	19+93.03
Δ= 76°35'53"	48.00'	64.17'	19+44.21
N04°03'45"E	--	97.67'	20+08.38
Δ= 07°40'37"	350.00'	46.18'	21+06.05
N05°06'46"W	--	330.32'	21+46.23
Δ= 01°49'23"	300.00'	9.56'	24+34.55
N03°26'11"E	--	128.57'	24+34.10

STREET 5-4-B			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
N18°15'40"E	--	199.17'	1+00.00
Δ= 22°59'19"	500.00'	200.61'	2+99.17
N04°43'40"W	--	572.49'	4+99.78
Δ= 15°15'31"	200.00'	53.75'	10+89.27
N21°59'11"W	--	23.58'	11+12.53

STREET 5-5-A			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
--- SEE SHEET 11 ---			
Δ= 07°12'46"	1000.00'	125.89'	51+19.74
N73°44'20"W	--	139.56'	52+45.63
Δ= 12°08'26"	300.00'	63.27'	55+05.19
N85°52'46"W	--	146.20'	56+48.75
Δ= 18°12'13"	300.00'	87.03'	57+95.03
N66°40'35"W	--	118.54'	58+82.07
Δ= 03°30'38"	500.00'	29.18'	59+00.61
N63°18'57"W	--	174.90'	60+08.78
Δ= 13°49'37"	200.00'	48.23'	61+84.58
N47°39'07"W	--	63.06'	62+39.53
Δ= 62°43'03"	48.00'	52.57'	63+02.59
N18°14'42"E	--	128.12'	63+55.16
Δ= 28°58'44"	300.00	151.47'	64+83.27
N13°41'01"W	--	12.54'	66+34.74
Δ= 15°20'03"	300.00	81.00'	66+46.28
N01°48'01"E	--	58.43'	67+27.28
Δ= 08°06'46"	500.00'	55.96'	67+85.70
N07°56'16"E	--	75.22'	68+40.66
Δ= 25°06'14"	200.00	208.42'	69+16.15
N31°11'55"W	--	111.70'	71+22.69
Δ= 19°30'08"	200.00'	54.11'	72+34.39
N35°41'47"W	--	81.82'	72+88.42

MERRIAM MOUNTAINS PKWY			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
--- SEE SHEET 14 ---			
N62°11'30"W	--	188.79'	112+96.03
N62°11'30"W	--	51.18'	114+35.67
Δ= 15°43'28"	1000.00'	274.43	114+83.05
N77°54'58"W	--	208.59'	117+51.48
Δ= 08°01'22"	1000.00'	140.01'	119+76.07
N69°53'37"W	--	348.23	121+15.08
Δ= 11°18'47"	1000.00'	196.59'	124+79.31



GRAPHIC SCALE

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5390 Overmyer Drive, Suite 170
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SHEET 13 OF 18

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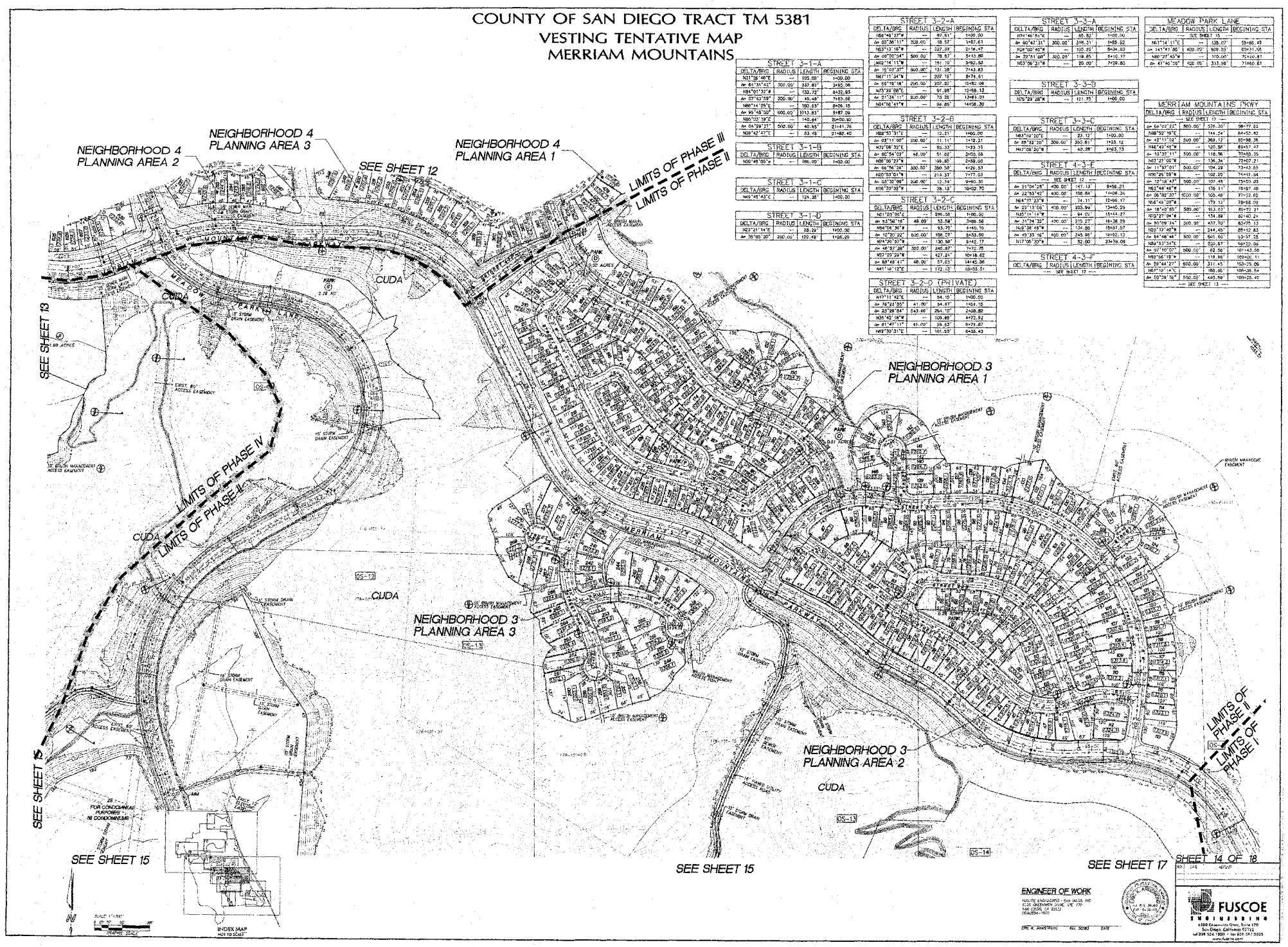
COUNTY OF SAN DIEGO TRACT TM 5381
VESTING TENTATIVE MAP
MERRIAM MOUNTAINS



STREET 3-1-A			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
N31°36'46"E	--	105.00'	1+00.00
Δ= 84°31'42"	300.00'	337.87'	2+85.06
N84°01'32"W	--	132.72'	6+32.85
Δ= 07°43'59"	300.00'	40.48'	7+65.58
N88°14'29"E	--	160.93'	8+06.15
Δ= 90°48'00"	600.00'	1013.83'	9+87.09
N88°33'19"E	--	140.84'	20+00.92
Δ= 04°29'27"	500.00'	40.95'	21+41.76
N09°42'47"E	--	83.49'	21+82.40

STREET 3-1-B			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
N00°48'05"W	--	186.00'	1+00.00

STREET 3-1-C			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
N49°46'43"E	--	124.38'	1+00.00

STREET 3-1-D			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
N23°21'14"E	--	28.29'	1+00.00
Δ= 36°05'30"	200.00'	122.49'	1+28.29

STREET 3-2-A			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
N56°49'27"W	--	97.61'	1+00.00
Δ= 03°36'11"	300.00	18.87'	1+97.61
N53°13'16"W	--	227.39'	2+16.47
Δ= 09°00'54"	500.00'	78.67'	5+13.86
N62°14'11"W	--	151.10'	3+92.53
Δ= 15°03'37"	500.00'	131.38'	7+43.63
N47°11'34"W	--	207.15'	8+74.91
Δ= 58°19'14"	200.00'	207.40'	10+82.06
N73°30'08"E	--	91.88'	12+89.13
Δ= 21°34'11"	200.00'	75.25'	13+81.01
N54°56'41"W	--	98.85'	14+56.30

STREET 3-2-B			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
N88°55'31"E	--	12.21'	1+00.00
Δ= 03°11'00"	200.00'	11.11'	1+12.21
N03°56'30"E	--	55.33'	1+23.33
Δ= 60°54'03"	48.00'	51.02'	2+03.56
N06°58'27"W	--	199.85'	2+59.58
Δ= 86°56'26"	300.00'	390.58'	4+29.53
N20°03'01"W	--	213.33'	7+77.03
Δ= 03°30'09"	200.00'	12.24'	9+90.30
N16°30'32"W	--	28.13'	10+02.70

STREET 3-2-C			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
N01°23'00"E	--	286.50'	1+00.00
Δ= 63°56'16"	48.00'	53.58'	3+86.50
N64°06'36"W	--	93.75'	4+40.10
Δ= 10°30'22"	630.00'	198.07'	5+33.85
N74°36'58"W	--	130.56'	5+42.17
Δ= 46°57'26"	300.00'	245.87'	7+72.75
N27°39'32"W	--	427.24'	10+18.62
Δ= 68°48'47"	48.00'	57.65'	14+45.86
N41°18'15"E	--	172.13'	15+03.51

STREET 3-2-D (PRIVATE)			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
N17°11'42"E	--	54.15'	1+00.00
Δ= 76°23'55"	41.00'	54.67'	1+54.15
Δ= 23°29'54"	543.00'	264.10'	2+08.82
N05°42'16"W	--	109.49'	4+72.92
Δ= 61°47'11"	41.00'	59.53'	5+79.87
N62°30'31"E	--	101.53'	6+38.40

STREET 3-3-A			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
N34°46'51"E	--	85.82'	1+00.00
Δ= 60°47'31"	300.00'	318.31'	1+85.82
N26°00'40"W	--	105.25'	5+04.03
Δ= 23°51'08"	300.00'	118.85'	5+10.17
N03°09'31"E	--	20.00'	7+29.83

STREET 3-3-B			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
N76°29'28"W	--	121.75'	1+00.00

STREET 3-3-C			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
N83°59'20"E	--	23.12'	1+00.00
Δ= 69°52'20"	300.00'	360.81'	1+23.12
N47°08'20"E	--	40.28'	4+83.73

STREET 4-3-E			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
--- SEE SHEET 12 ---			
Δ= 21°04'26"	400.00'	147.13'	9+58.21
Δ= 22°53'42"	400.00'	159.84'	11+06.34
N64°05'23"W	--	74.11'	12+66.17
Δ= 29°13'08"	400.00'	203.99'	13+40.29
N35°14'14"W	--	94.02'	15+44.27
Δ= 31°24'33"	400.00'	219.27'	16+38.29
N48°38'48"W	--	134.86'	19+57.57
Δ= 49°33'16"	400.00'	345.95'	19+92.13
N17°05'30"W	--	52.00'	23+38.08

STREET 4-3-F			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
--- SEE SHEET 12 ---			

MEADOW PARK LANE			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
--- SEE SHEET 15 ---			
N61°14'11"E	--	335.07'	55+66.49
Δ= 141°47'50"	400.00'	989.83'	61+31.56
N80°27'45"W	--	105.00'	75+68.81
Δ= 47°46'59"	400.00'	333.58'	71+60.61

MERRIAM MOUNTAINS PKWY			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
--- SEE SHEET 17 ---			
Δ= 64°03'22"	500.00'	576.30'	58+77.52
N88°52'19"E	--	144.24'	64+53.82
Δ= 42°17'02"	500.00'	369.12'	65+98.06
N46°49'40"W	--	120.58'	69+67.17
Δ= 13°33'11"	500.00'	118.36	70+85.35
N63°23'00"W	--	136.34'	72+07.21
Δ= 11°57'01"	500.00'	104.29'	73+43.55
N00°26'59"W	--	102.00'	74+93.84
Δ= 12°18'47"	500.00'	107.48'	75+55.83
N53°48'48"E	--	136.11'	76+57.48
Δ= 06°02'37"	1000.00'	105.48'	77+22.60
N56°49'29"E	--	170.13'	78+58.08
Δ= 18°08'05"	589.06'	183.03'	80+72.21
N75°27'04"E	--	134.89'	82+40.24
Δ= 80°09'24"	500.00'	437.70'	83+75.13
N25°13'40"E	--	544.45'	88+12.83
Δ= 64°46'46"	500.00'	565.60'	93+57.28
N89°53'34"E	--	220.87'	99+22.88
Δ= 07°10'07"	500.00'	62.56'	101+43.06
N82°56'19"E	--	118.86'	102+00.10
Δ= 59°44'27"	600.00'	311.45'	103+79.06
N67°18'14"E	--	188.06'	106+35.54
Δ= 59°29'16"	500.00'	440.59'	109+25.45
--- SEE SHEET 13 ---			

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6390 Greenwich Drive, Suite 170
San Diego, California 92122
tel 858 554-1500 · fax 858 597-0025
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SHEET 14 OF 18

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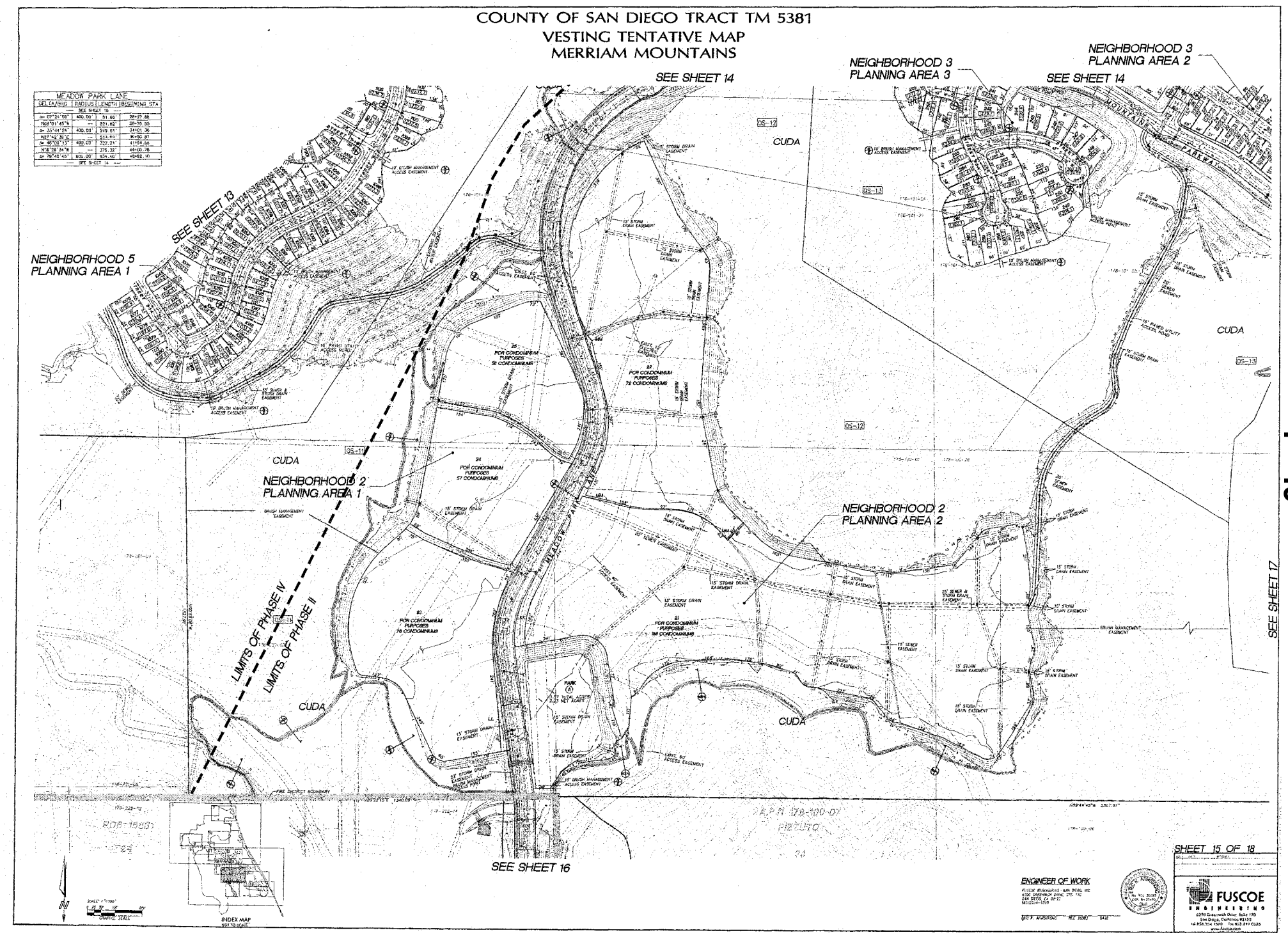
VESTING TENTATIVE MAP
MERRIAM MOUNTAINS



MEADOW PARK LANE			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
— SEE SHEET 16 —			
Δ= 07°24'00"	400.00'	51.69'	28+27.88
N08°01'45"W	—	321.82'	28+79.55
Δ= 35°44'24"	400.00'	249.61'	34+01.36
N27°42'36"E	—	513.84'	36+50.87
Δ= 46°09'13"	400.00'	322.21'	41+54.68
N18°28'34"W	—	376.32'	44+00.78
Δ= 79°40'45"	800.00'	634.40'	48+62.10
— SEE SHEET 14 —			

SHEET 15 OF 18

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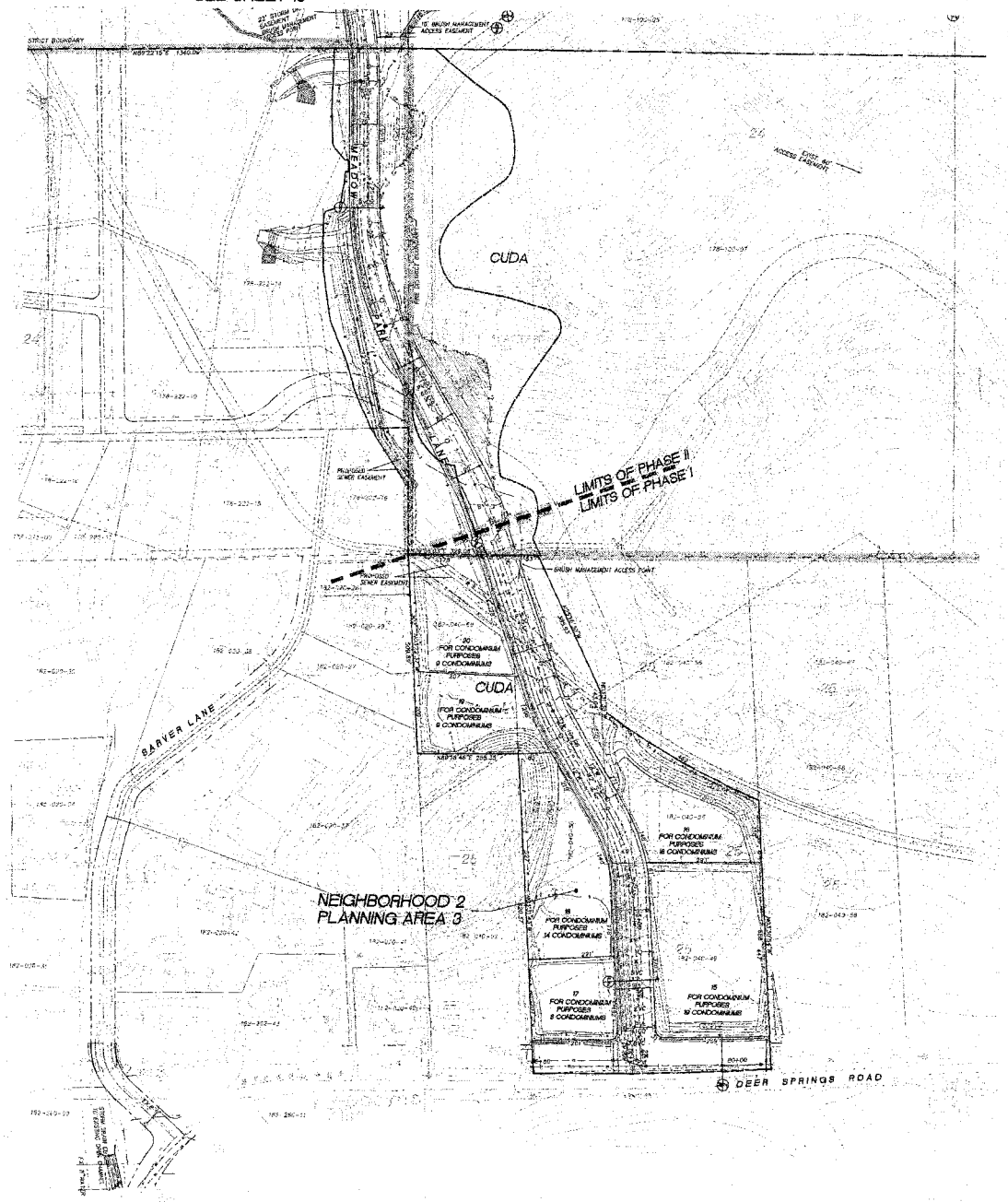
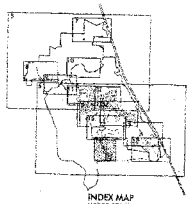
COUNTY OF SAN DIEGO TRACT TM 5381
VESTING TENTATIVE MAP
MERRIAM MOUNTAINS

SEE SHEET 15



MEADOW PARK LANE			
DELTA/BRG	RADIUS	LENGTH	BEGINING STA
N03°31'36"W	--	434.72'	1+30.34
Δ= 26°52'18"	500.00'	234.58'	5+65.06
N33°23'53"W	--	237.02'	7+99.58
Δ= 11°18'01"	500.00'	98.61'	10+36.58
N19°05'51"W	--	494.45'	11+35.30
Δ= 08°50'28"	500.00'	78.17'	16+29.85
N09°03'18"W	--	268.78'	17+07.82
Δ= 27°29'34"	800.00'	382.94'	21+06.58
N00°37'46"W		338.36'	24+89.52
--- SEE SHEET 18 ---			



INDEX MAP
NOT TO SCALE

N

SCALED 1"=100'
0 25 50 100 FT
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SAN DIEGO, CA 92123
(619)694-1927

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tel 858 694-1927 • fax 858 694-0365
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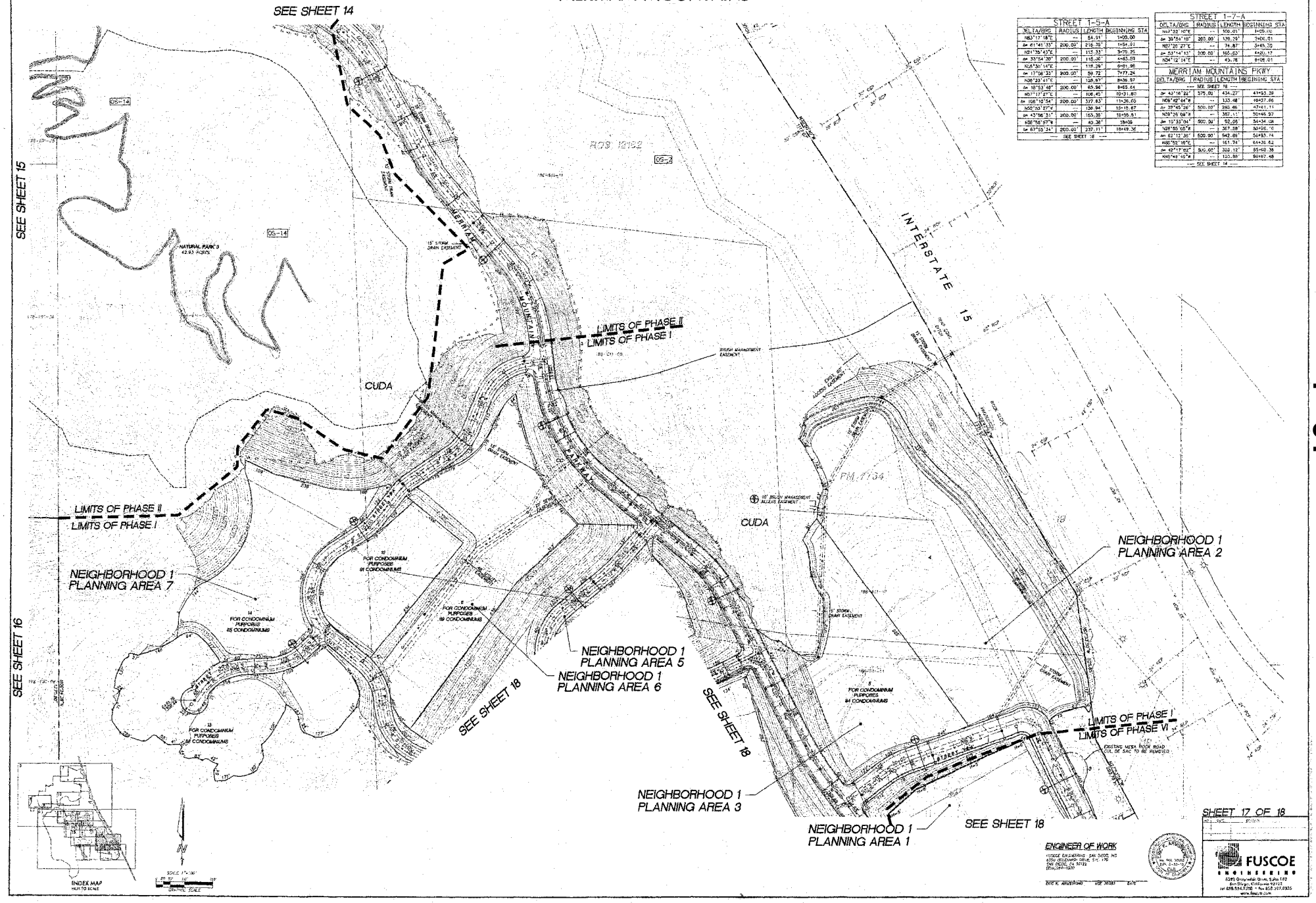
MERRIAM MOUNTAINS



STREET 1-5-A			
DELTA/BRG	RADIUS	LENGTH	BEGINNING STA
N83°17'18"E	--	54.91'	1+00.00
Δ= 61°41'33"	200.00'	215.35'	1+54.91
N21°35'43"E	--	113.33'	3+70.25
Δ= 33°54'30"	200.00'	118.30'	4+83.59
N25°30'14"E	--	178.29'	6+01.98
Δ= 17°08'33"	200.00'	59.72'	7+77.24
N36°23'41"E	--	126.97'	8+36.97
Δ= 18°53'48"	200.00'	65.96'	9+65.64
N57°17'27"E	--	106.45'	10+31.60
Δ= 106°10'54"	200.00'	377.63'	11+36.05
N50°53'27"W	--	136.94'	15+15.67
Δ= 43°56'31"	200.00'	153.38'	16+55.51
N06°56'57"W	--	40.38'	18+09
Δ= 67°55'34"	200.00'	237.11'	18+49.36
--- SEE SHEET 18 ---			

STREET 1-7-A			
DELTA/BRG	RADIUS	LENGTH	BEGINNING STA
N47°32'10"E	--	100.01'	1+00.00
Δ= 39°54'18"	200.00'	139.29'	2+00.01
N87°26'27"E	--	74.87'	3+45.30
Δ= 53°14'13"	200.00'	185.63'	4+20.17
N34°12'14"E	--	45.76'	6+06.01

MERRIAM MOUNTAINS PKWY			
DELTA/BRG	RADIUS	LENGTH	BEGINNING STA
--- SEE SHEET 18 ---			
Δ= 43°16'22"	375.00'	434.27'	41+93.39
N06°42'44"W	--	133.48'	46+27.66
Δ= 39°45'26"	500.00'	285.66'	47+61.11
N39°28'09"W	--	357.11'	50+46.97
Δ= 10°33'04"	500.00'	92.05'	54+34.08
N28°55'05"E	--	367.58'	55+26.10
Δ= 62°12'36"	500.00'	542.89'	59+93.74
N80°52'10"E	--	161.74'	64+36.62
Δ= 42°17'02"	500.00'	329.12'	65+98.38
N45°49'49"W	--	120.88'	66+67.48
--- SEE SHEET 14 ---			

COUNTY OF SAN DIEGO TRACT TM 5381
VESTING TENTATIVE MAP
MERRIAM MOUNTAINS

STREET 1-1-A			
DELTA/BRG	RADIUS	LENGTH	BEGINNING STA
N05°45'25"E	--	116.47'	1+00.00
Δ= 90°53'54"	300.00'	212.57'	2+16.47
Δ= 35°53'10"	100.00'	63.81'	4+29.04
Δ= 269°53'17"	38.00'	100.69'	4+92.85
Δ= 86°46'46"	100.00'	89.10'	6+53.14

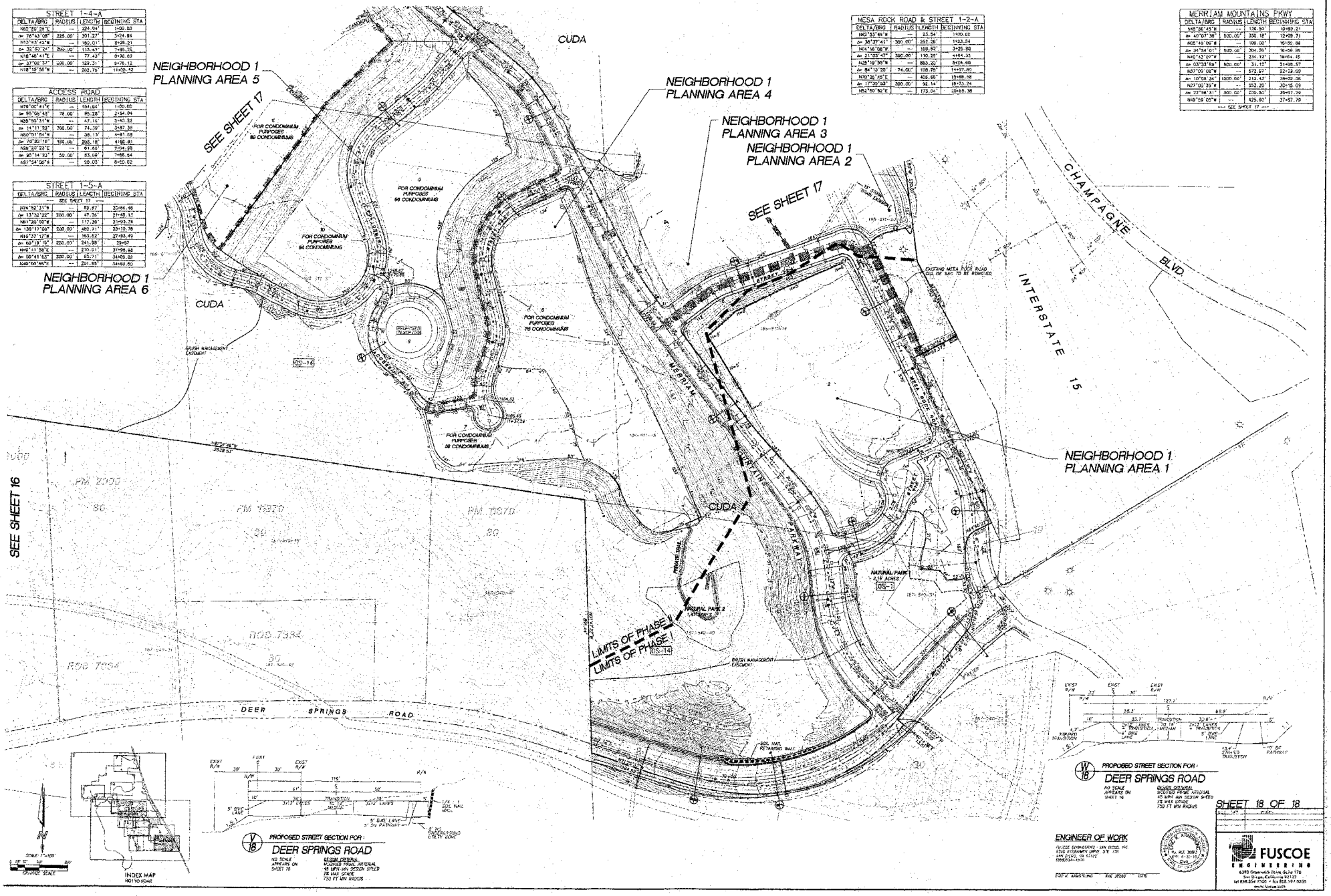
STREET 1-4-A			
DELTA/BRG	RADIUS	LENGTH	BEGINNING STA
N65°35'35"E	--	224.94'	1+00.00
Δ= 26°43'08"	225.00'	201.27'	3+24.94
N13°43'42"W	--	160.01'	5+26.21
Δ= 32°33'24"	200.00'	113.43'	7+86.22
N18°46'41"E	--	77.43'	9+39.65
Δ= 37°02'37"	230.00'	149.31'	9+76.12
N18°15'56"W	--	262.76'	11+25.42

ACCESS ROAD			
DELTA/BRG	RADIUS	LENGTH	BEGINNING STA
N79°00'41"E	--	154.94'	1+00.00
Δ= 65°06'43"	75.00'	85.28'	2+54.94
N89°50'31"W	--	47.16'	3+40.22
Δ= 14°11'23"	300.00'	74.30'	3+87.38
N60°01'54"W	--	38.13'	4+61.68
Δ= 76°23'16"	150.00'	200.19'	4+99.81
N24°37'37"E	--	61.60'	7+04.89
Δ= 90°14'23"	50.00'	83.99'	7+66.64
N67°54'50"E	--	30.03'	8+50.62

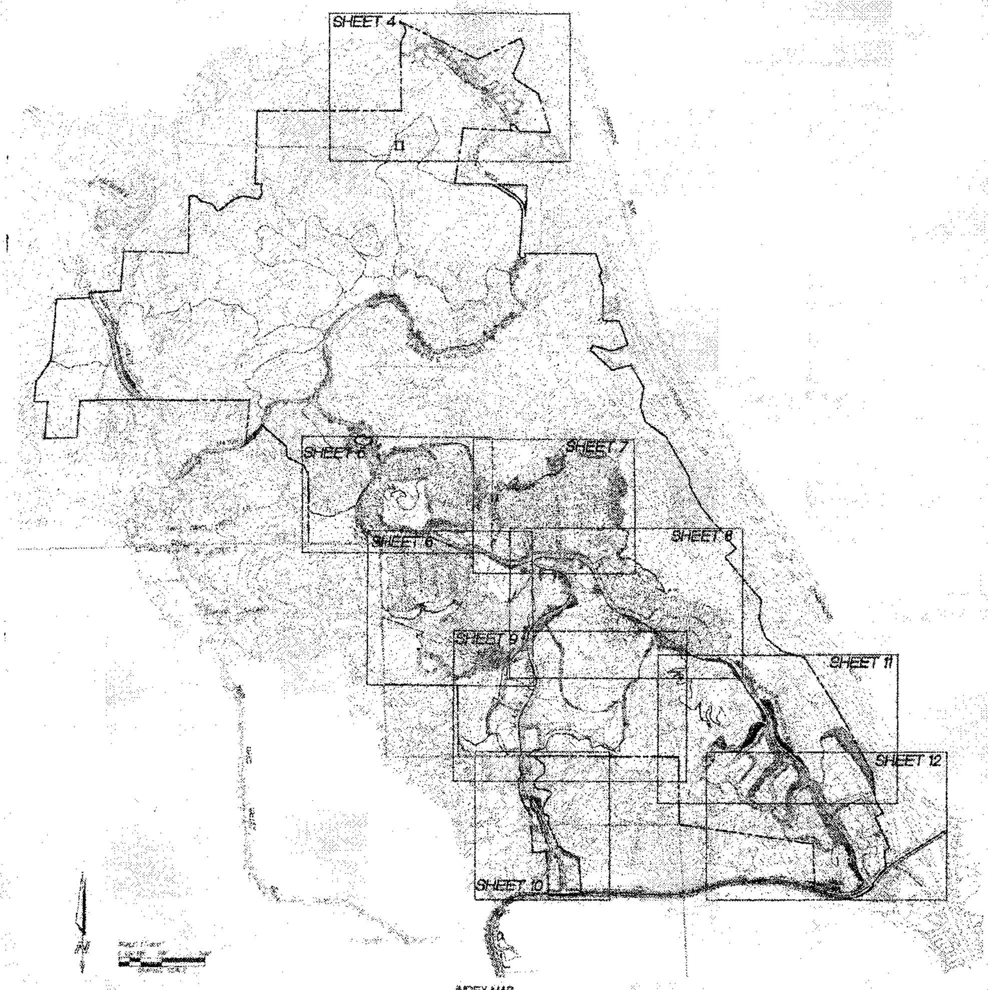
STREET 1-5-A			
DELTA/BRG	RADIUS	LENGTH	BEGINNING STA
--- SEE SHEET 17 ---			
N74°52'31"W	--	59.87'	20+60.46
Δ= 13°32'22"	200.00'	47.26'	21+48.12
N61°20'08"W	--	117.36'	21+93.38
Δ= 136°19'06"	200.00'	482.71'	23+10.74
N19°37'17"W	--	163.62'	27+93.45
Δ= 69°18'15"	200.00'	241.98'	29+57
N49°41'58"E	--	210.01'	31+98.98
Δ= 99°41'03"	300.00'	60.71'	34+09.82
N40°08'55"E	--	291.85'	34+69.80

MESA ROCK ROAD & STREET 1-2-A			
DELTA/BRG	RADIUS	LENGTH	BEGINNING STA
N42°43'49"W	--	23.54'	1+00.00
Δ= 36°37'41"	300.00'	202.28'	1+23.54
N04°16'08"W	--	158.52'	3+25.82
Δ= 21°03'47"	300.00'	110.23'	4+84.33
N25°19'55"W	--	863.20'	5+94.56
Δ= 84°13'20"	74.00'	108.78'	14+57.80
N70°36'45"E	--	406.68'	15+66.58
Δ= 17°35'53"	300.00'	92.14'	19+73.24
N52°55'52"E	--	173.04'	20+65.38

MERRIAM MOUNTAINS PKWY			
DELTA/BRG	RADIUS	LENGTH	BEGINNING STA
N45°36'45"E	--	130.50'	10+89.21
Δ= 40°07'30"	500.00'	350.18'	12+08.71
N05°49'06"E	--	100.00'	16+35.88
Δ= 34°54'01"	500.00'	304.50'	16+58.89
N40°43'07"W	--	234.12'	18+64.45
Δ= 03°38'59"	500.00'	31.15'	21+98.57
N37°09'08"W	--	672.97'	22+29.69
Δ= 10°08'34"	1000.00'	212.43'	28+02.06
N27°00'35"W	--	552.20'	30+15.09
Δ= 22°08'31"	900.00'	290.50'	35+67.29
N49°09'05"W	--	425.60'	37+87.79
--- SEE SHEET 17 ---			



COUNTY OF SAN DIEGO TRACT TM 5381
VESTING SITE PLAN
MERRIAM MOUNTAINS



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PROPOSED GRADING

PROPOSED IMPROVEMENTS

APPLICANT

ENGINEER

OWNER/DEVELOPER

LEGAL DESCRIPTION

SOLAR ACCESS NOTE

SPECIAL ASSESSMENT ACT STATEMENT:

STREET LIGHT STATEMENT:

PARK LAND DEDICATION STATEMENT:

CONDOMINIUM STATEMENT:

WATER AND SEWER

SCHOOL DISTRICTS

FIRE DISTRICT

GROSS/NET AREA

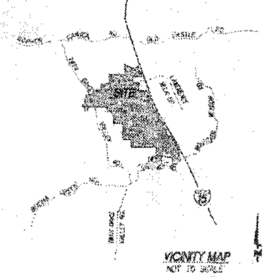
TOTAL NUMBER OF LOTS: 1,235

MINIMUM PROPOSED LOT SIZE: 4,000 s.f.

TOTAL NUMBER OF DWELLING UNITS: 2,700

LEGEND

OWNERS	ASSESSOR'S PARCEL NUMBERS	GENERAL PLAN REGIONAL CATAGORY	COMMUNITY PLAN	TAX RATE



VICINITY MAP

NOT TO SCALE

ENGINEER OF WORK

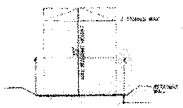
SHEET 1 OF 18

FUSCOE

S04-036

COUNTY OF SAN DIEGO TRACT TM 5381
VESTING SITE PLAN
MERRIAM MOUNTAINS

NOTE: ALL SETBACKS SHALL COMPLY WITH THE REQUIREMENTS OF SECTION 1804.5 OF THE 1998 CALIFORNIA BUILDING CODE.



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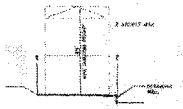

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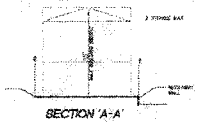
SECTION 'A-A'



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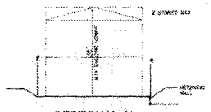

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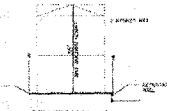

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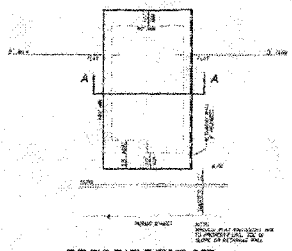
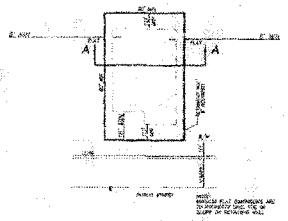
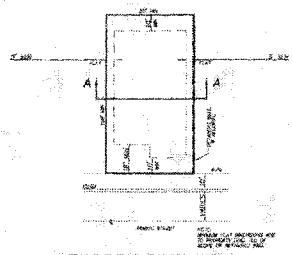


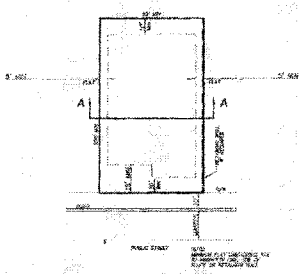
TYP BUILDABLE ENVELOPE
FOR 50'x100' INTERIOR LOT
(N4, PA3)



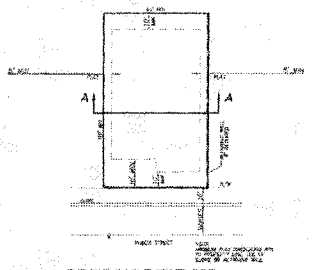
TYP BUILDABLE ENVELOPE
FOR 50'x80' INTERIOR LOT
(N3, PA2; N5, PA3)



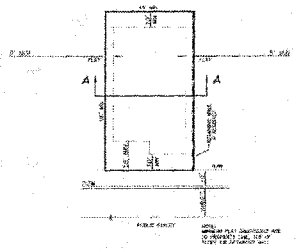
TYP BUILDABLE ENVELOPE
FOR 55'x100' INTERIOR LOT
(N3, PA1; N3, PA3; N5, PA4)



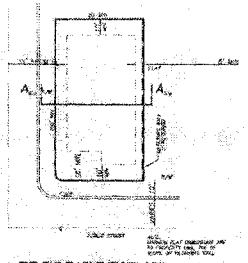
TYP BUILDABLE ENVELOPE
FOR 60'x100' INTERIOR LOT
(N4, PA1)



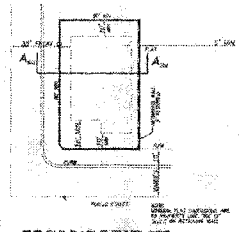
TYP BUILDABLE ENVELOPE
FOR 65'x110' INTERIOR LOT
(N4,5, PA5)



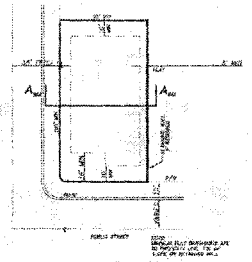
TYP BUILDABLE ENVELOPE
FOR 45'X100' INTERIOR LOT
(N4, PA2)



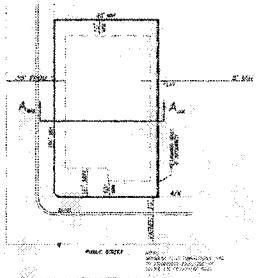
TYP BUILDABLE ENVELOPE
FOR 50'x100' EXTERIOR LOT
(N4, PA3)



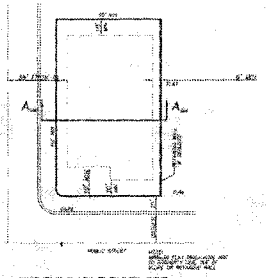
TYP BUILDABLE ENVELOPE
FOR 50'x80' EXTERIOR LOT
(N3, PA2; N5, PA3)



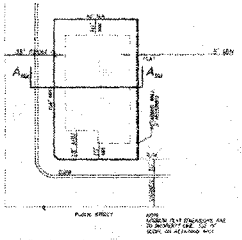
TYP BUILDABLE ENVELOPE
FOR 55'x100' EXTERIOR LOT
(N3, PA1; N3, PA3; N5, PA4)



TYP BUILDABLE ENVELOPE
FOR 60'x100' EXTERIOR LOT
(N4,4, PA1)



TYP BUILDABLE ENVELOPE
FOR 65'x110' EXTERIOR LOT
(N4,5, PA5)



TYP BUILDABLE ENVELOPE
FOR 52'x87' EXTERIOR LOT
(N4, PA2)

ENGINEER OF WORK

SHEET 2 OF 18

FUSCOE ENGINEERING

COUNTY OF SAN DIEGO TRACT TM 5381
VESTING SITE PLAN
MERRIAM MOUNTAINS

NOTE: ALL DWELLINGS SHALL COMPLY WITH THE REQUIREMENTS OF SECTION 5.0907 OF THE 1994 CALIFORNIA BUILDING CODE.

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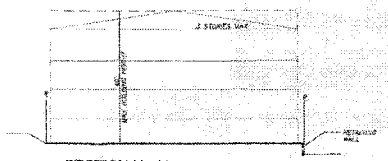

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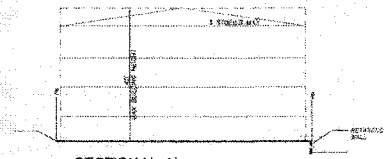

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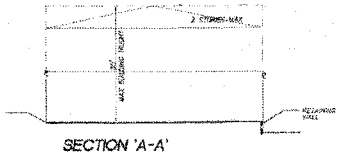

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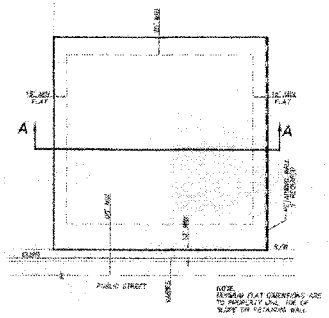
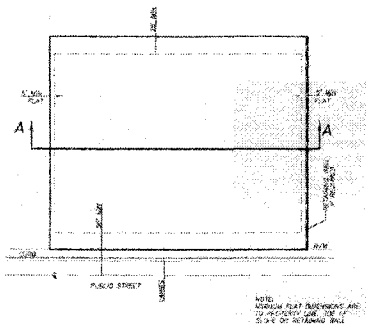


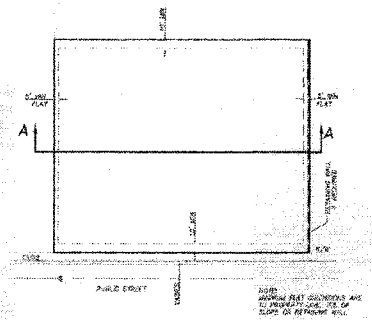
TYP BUILDABLE ENVELOPE
ESTATES HOMES INTERIOR LOT
(5 ACRE MINIMUM LOT SIZE)

NO SCALE



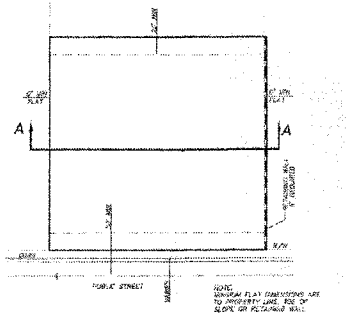
TYP BUILDABLE ENVELOPE
MULTI-FAMILY INTERIOR LOT
(NA1, PA2)

NO SCALE



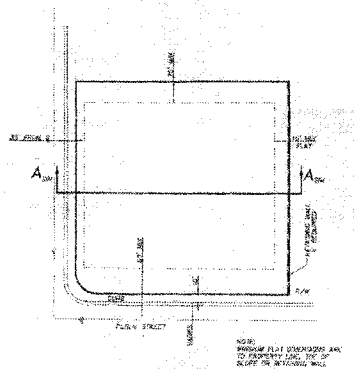
TYP BUILDABLE ENVELOPE
VARIABLE RESIDENTIAL INTERIOR LOT
(N1, PA3-PA7; N2, PA1-PA3; N5, PA1; N5, PA1-PA2)

NO SCALE



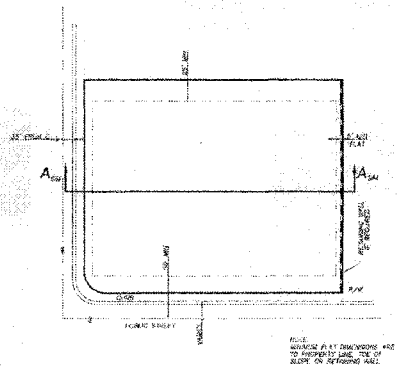
TYP BUILDABLE ENVELOPE
COMMERCIAL INTERIOR LOTS
(N1, PA1)

NO SCALE



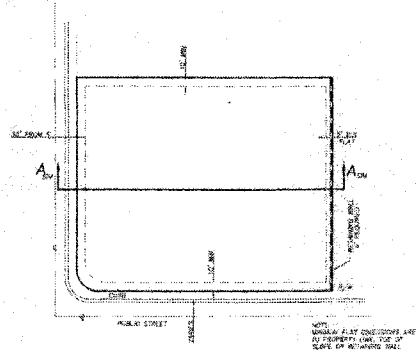
TYP BUILDABLE ENVELOPE
ESTATES HOMES EXTERIOR LOT
(5 ACRE MINIMUM LOT SIZE)

NO SCALE



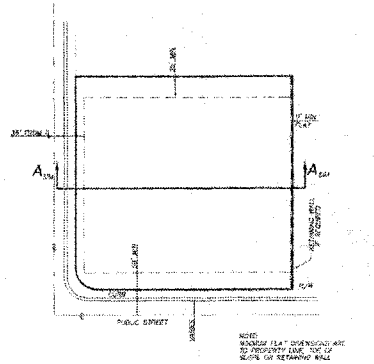
TYP BUILDABLE ENVELOPE
MULTI-FAMILY EXTERIOR LOT
(NA1, PA2)

NO SCALE



TYP BUILDABLE ENVELOPE
VARIABLE RESIDENTIAL EXTERIOR LOT
(N1, PA3-PA7; N2, PA1-PA3; N5, PA1-PA2)

NO SCALE



TYP BUILDABLE ENVELOPE
COMMERCIAL EXTERIOR LOT
(N1, PA1)

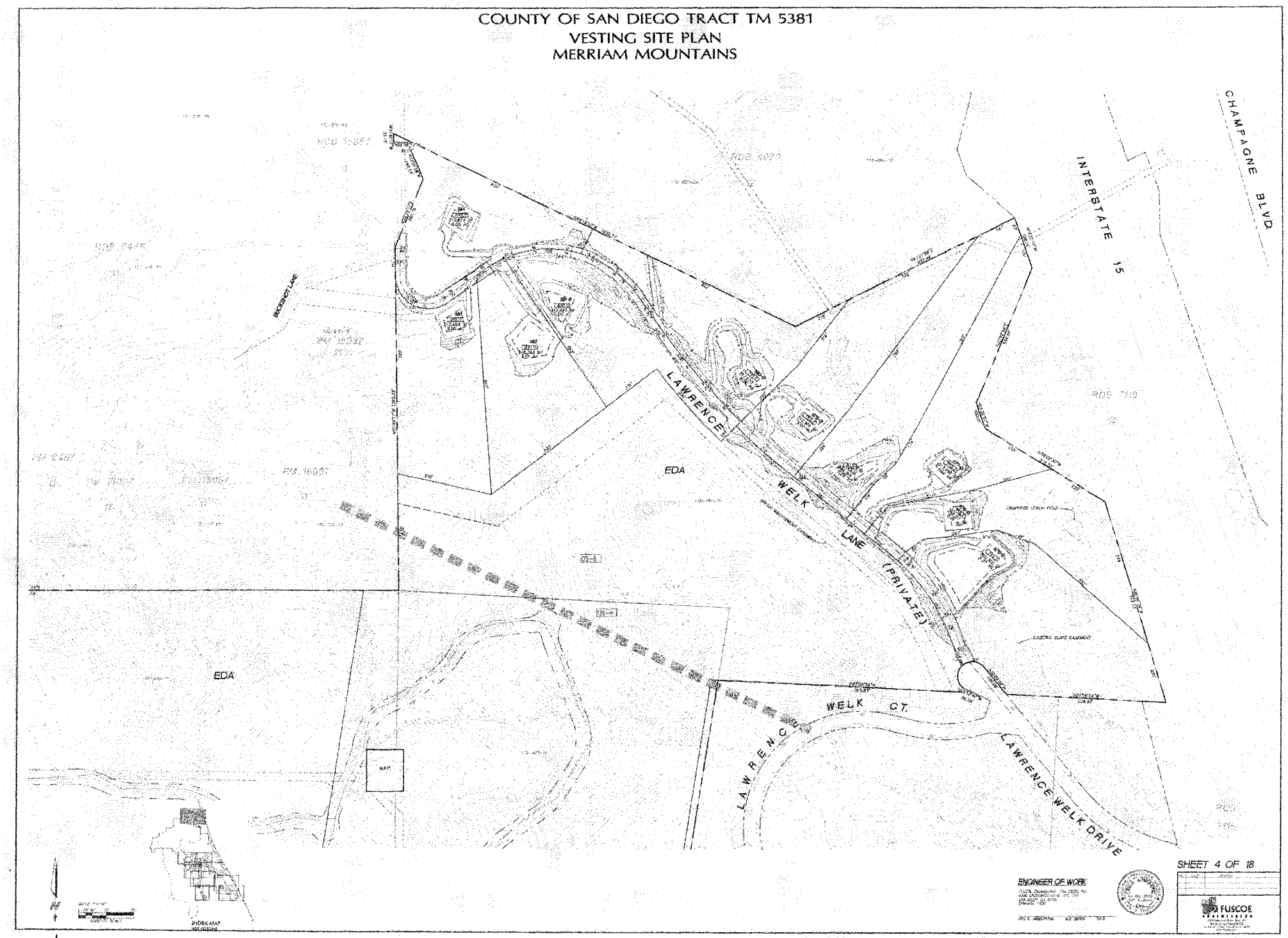
NO SCALE

ENGINEER OF WORK

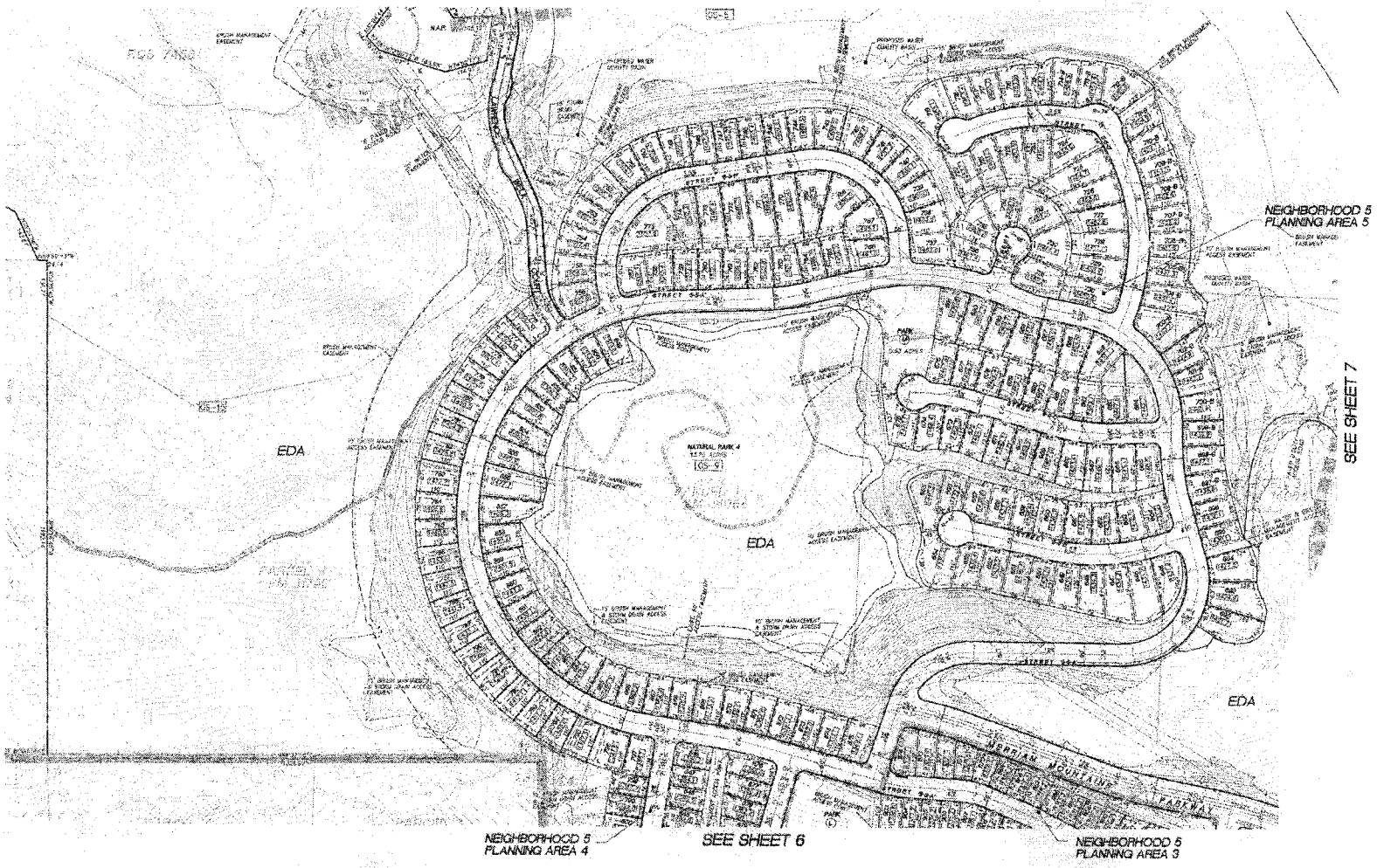
SHEET 3 OF 18

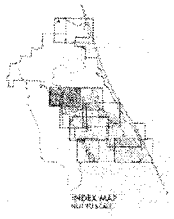
FUSCOE ENGINEERING

COUNTY OF SAN DIEGO TRACT TM 5381
VESTING SITE PLAN
MERRIAM MOUNTAINS



COUNTY OF SAN DIEGO TRACT TM 5381
VESTING SITE PLAN
MERRIAM MOUNTAINS





INDEX MAP

ENGINEER OF WORK

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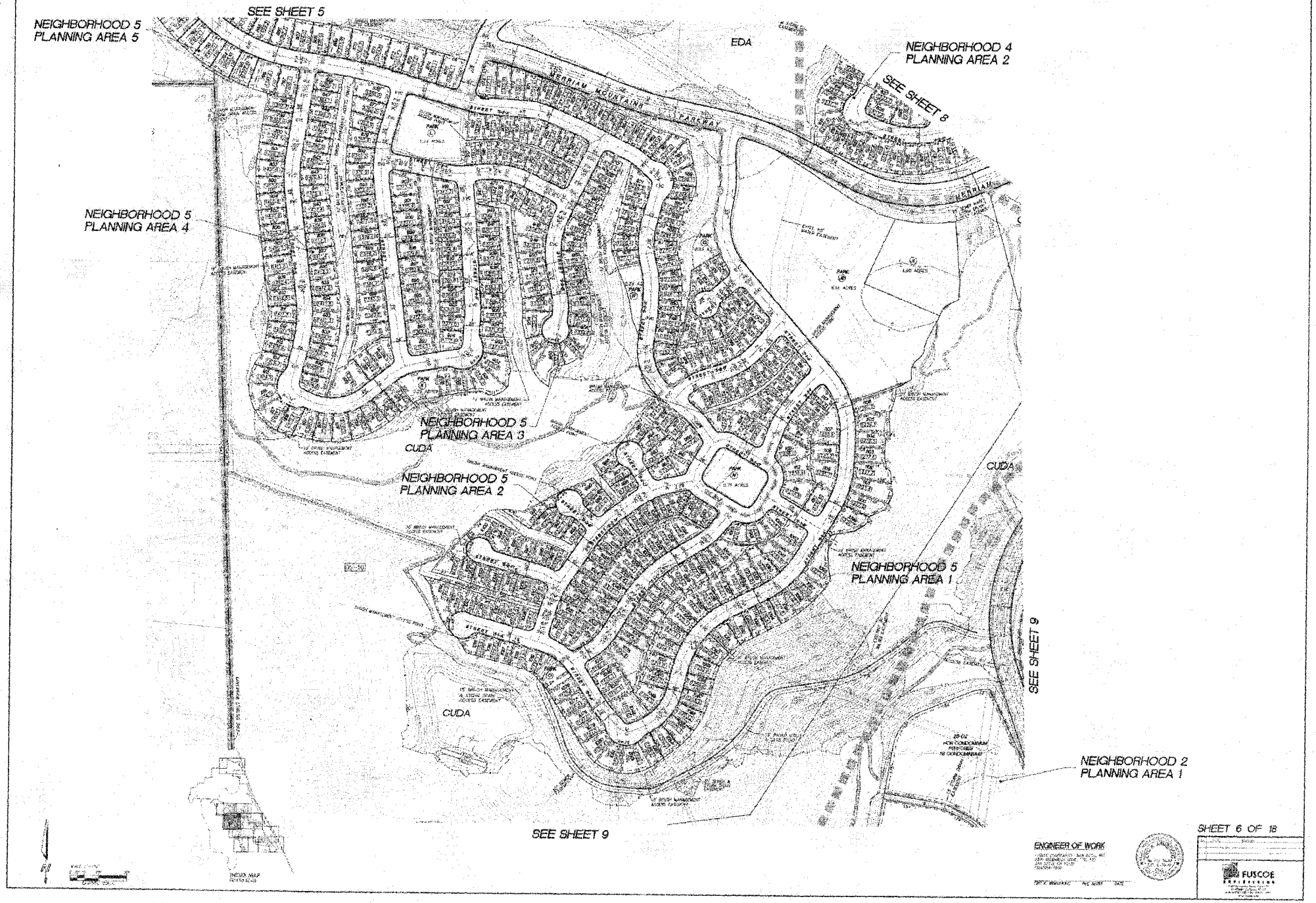
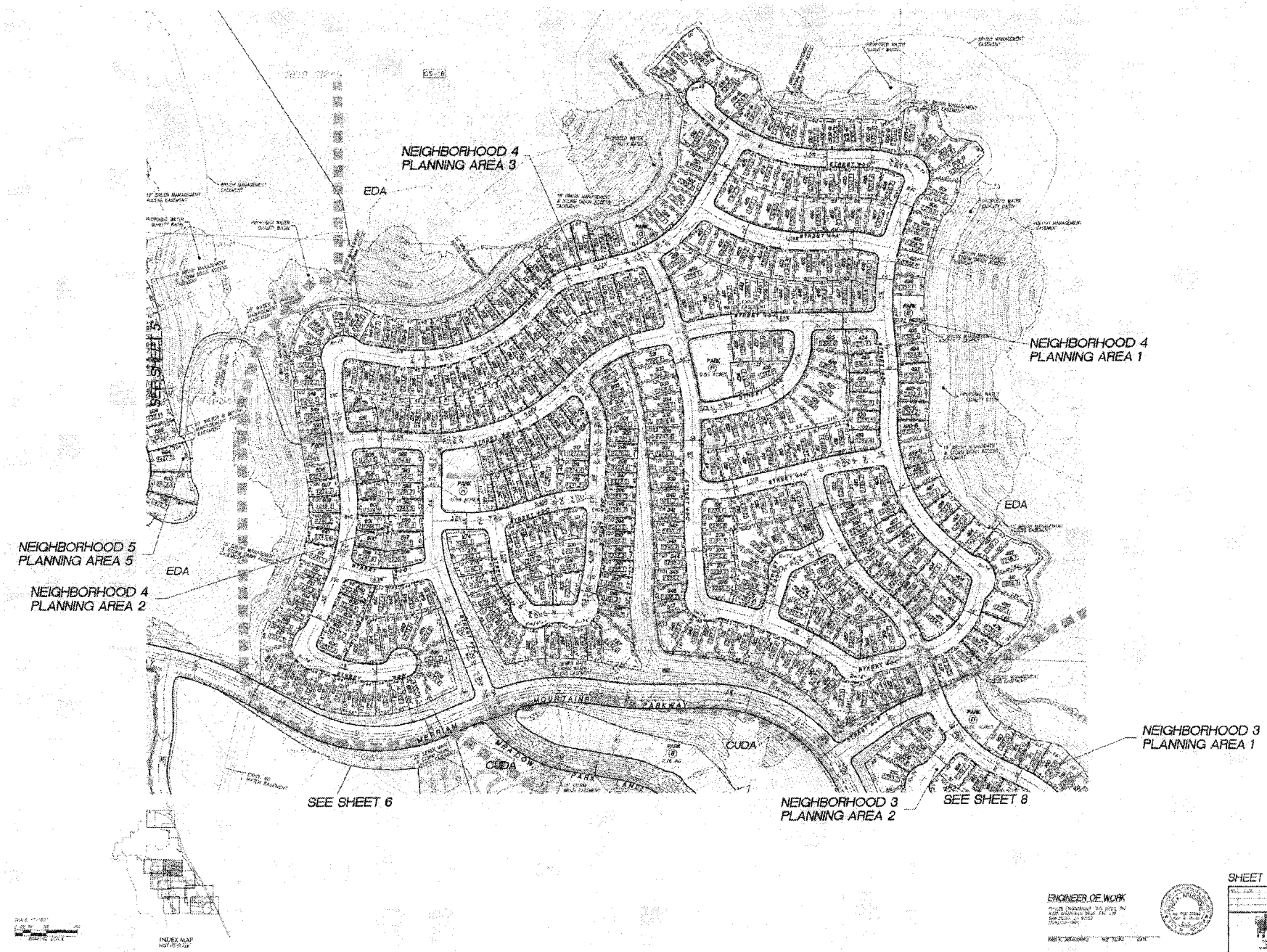
COUNTY OF SAN DIEGO TRACT TM 5381
VESTING SITE PLAN
MERRIAM MOUNTAINS



COUNTY OF SAN DIEGO TRACT TM 5381
VESTING SITE PLAN
MERRIAM MOUNTAINS

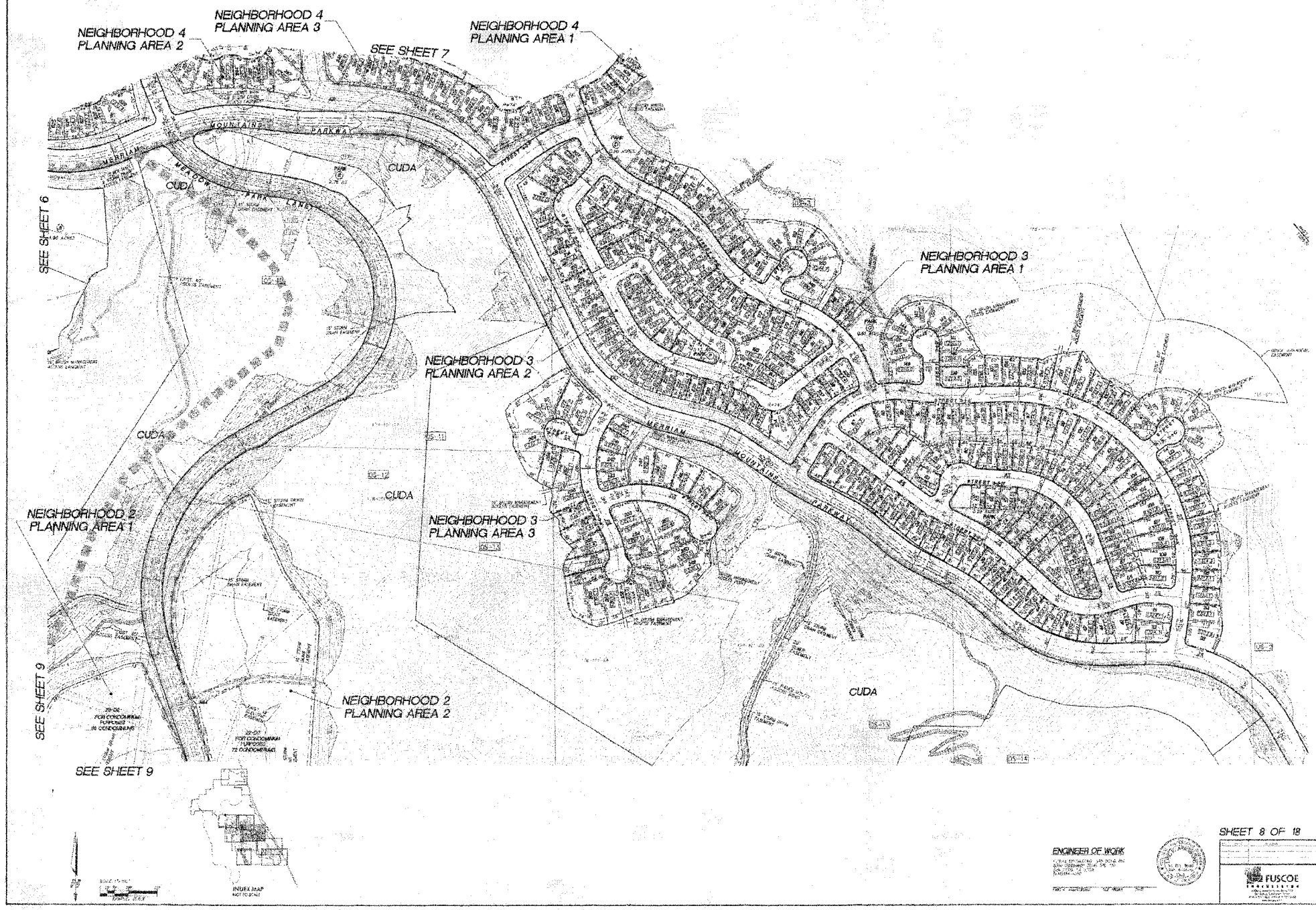


ENGINEER OF WORK

SHEET 7 OF 18

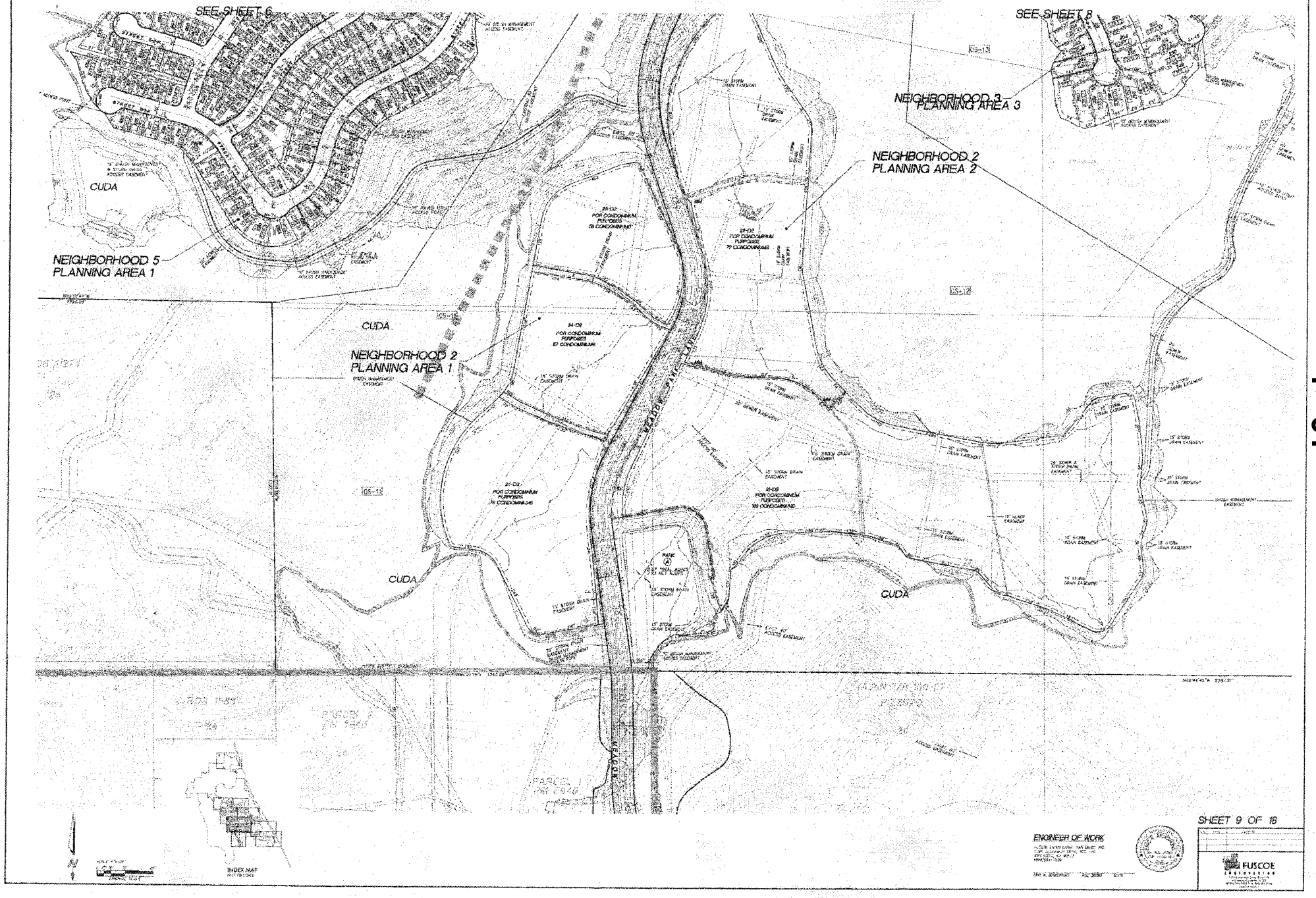
FUSCOE

COUNTY OF SAN DIEGO TRACT TM 5381
VESTING SITE PLAN
MERRIAM MOUNTAINS



SHEET 8 OF 18

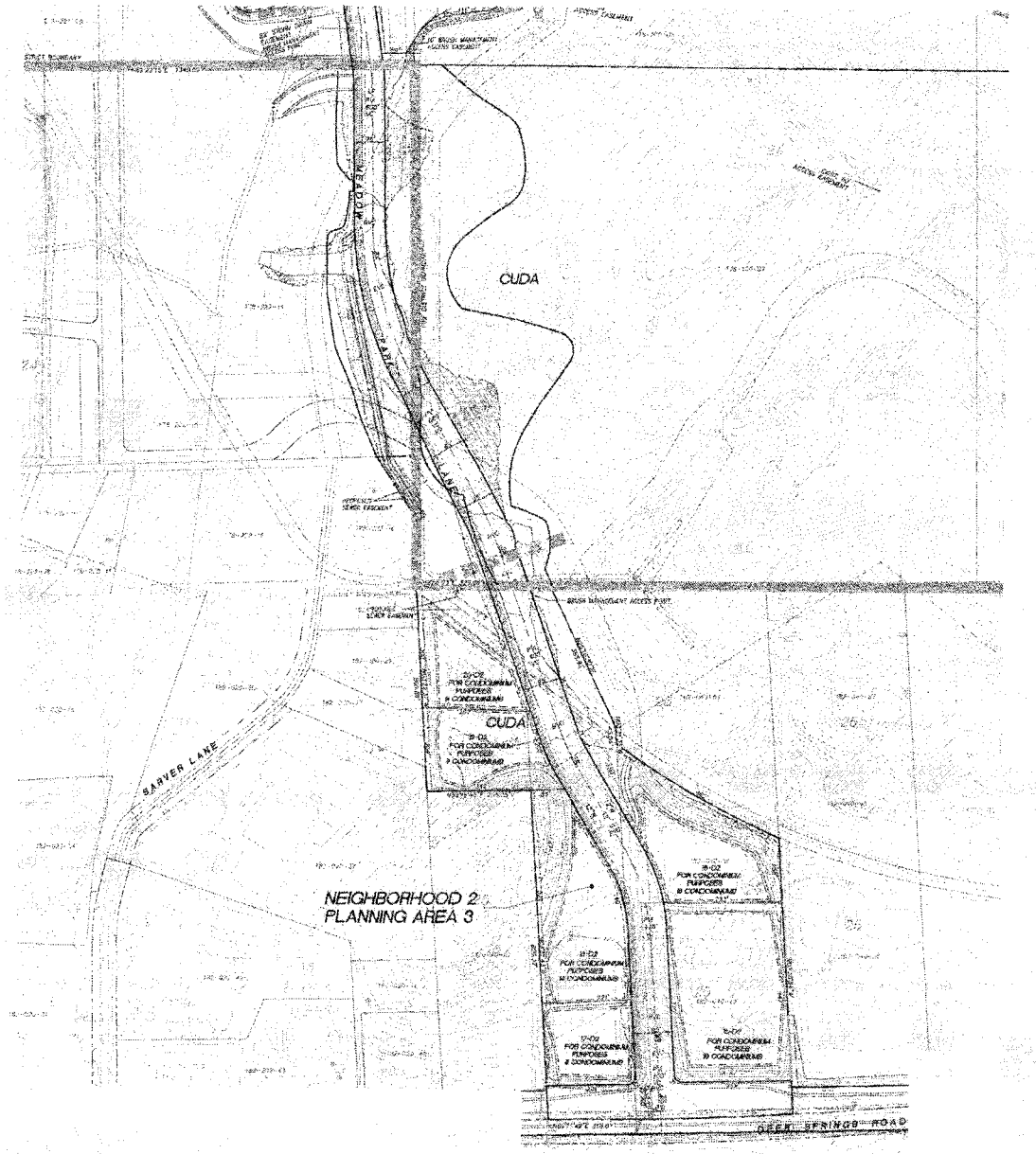
COUNTY OF SAN DIEGO TRACT TM 5381
VESTING SITE PLAN
MERRIAM MOUNTAINS

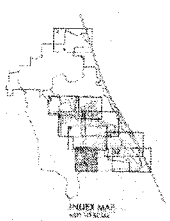


SHEET 9 OF 18

COUNTY OF SAN DIEGO TRACT TM 5381
VESTING SITE PLAN
MERRIAM MOUNTAINS

SEE SHEET 9



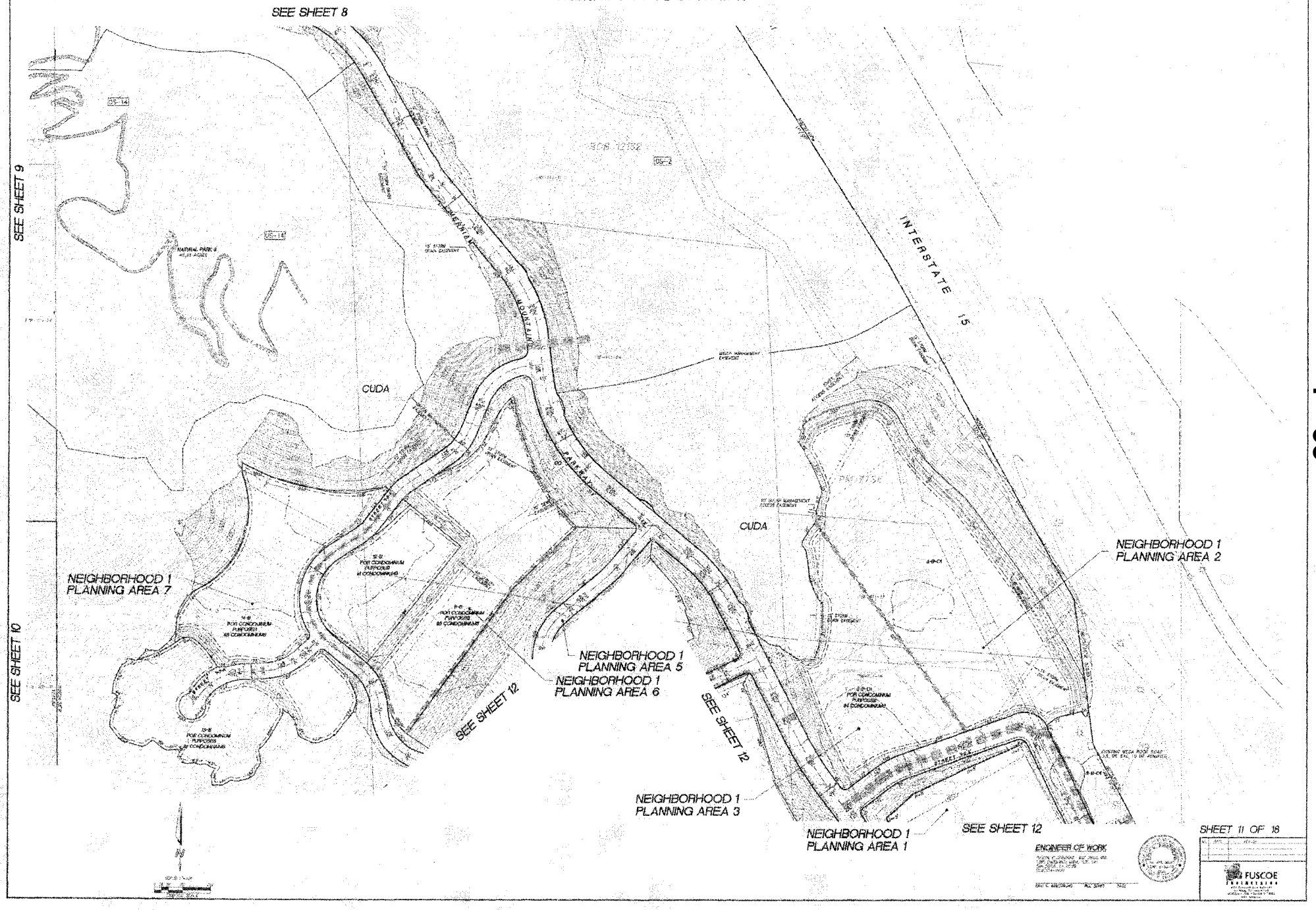


ENGINEER OF WORK

SHEET 10 OF 18

FUSCOE

COUNTY OF SAN DIEGO TRACT TM 5381
VESTING SITE PLAN
MERRIAM MOUNTAINS



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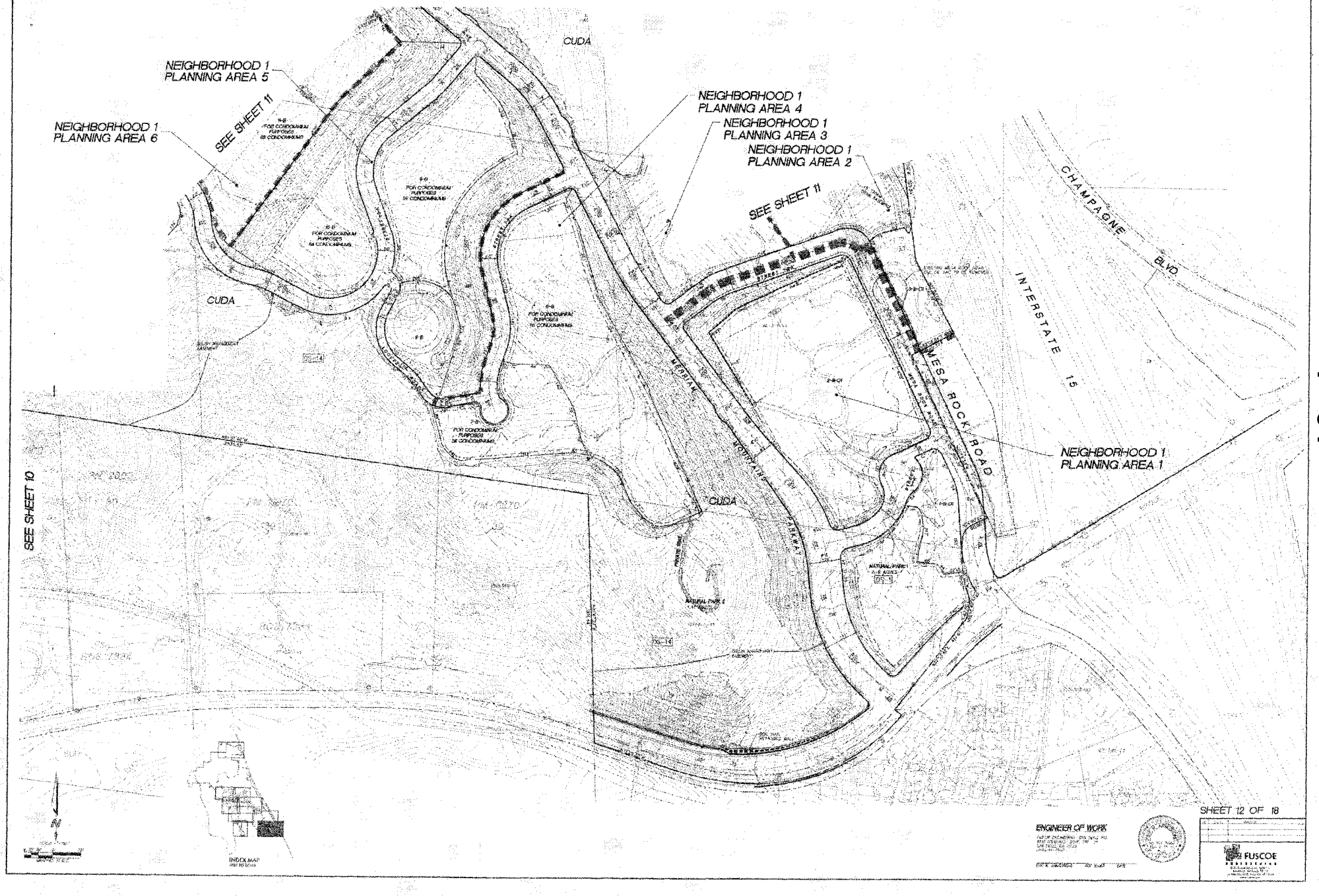
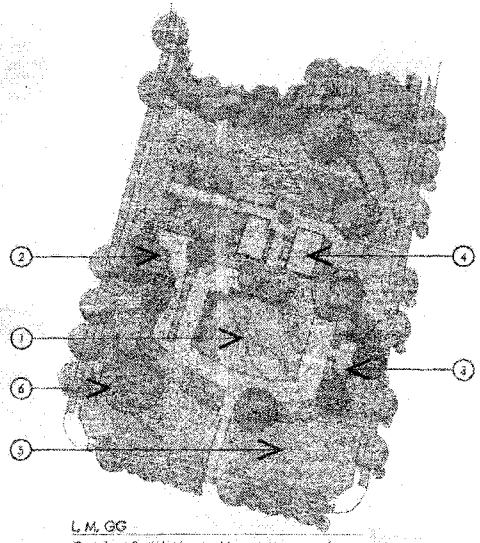
Ive Maps\Site Plans\TM SITE PLANS\TMSP-Index.dwg

COUNTY OF SAN DIEGO TRACT TM 5381
VESTING SITE PLAN
MERRIAM MOUNTAINS



COUNTY OF SAN DIEGO TRACT TM 5381
ADMINISTRATIVE PERMIT SITE PLAN
MERRIAM MOUNTAINS



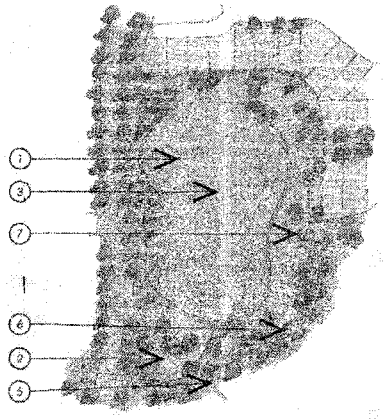
L, M, GG

One Acre Park (with possible recreation area)
1"= 60'

PROGRAM

With Rec Area (Shown):
1. Pool
2. Spa
3. BBQ area
4. Restrooms
5. Open turf
6. Large canopy trees

Without Rec Area:
1. Practice play fields
2. Half-court basketball
3. Volleyball
4. Playground
5. BBQ area
6. Shade structure
7. Seating
8. Large canopy trees

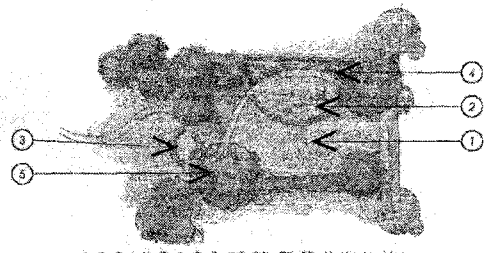


A

Meadow Park Field
1"= 60'

PROGRAM

1. One adult soccer field
2. Parking
3. Turf for open play
4. Playground (Not Shown)
5. Trailhead
6. Overlook
7. Large canopy trees

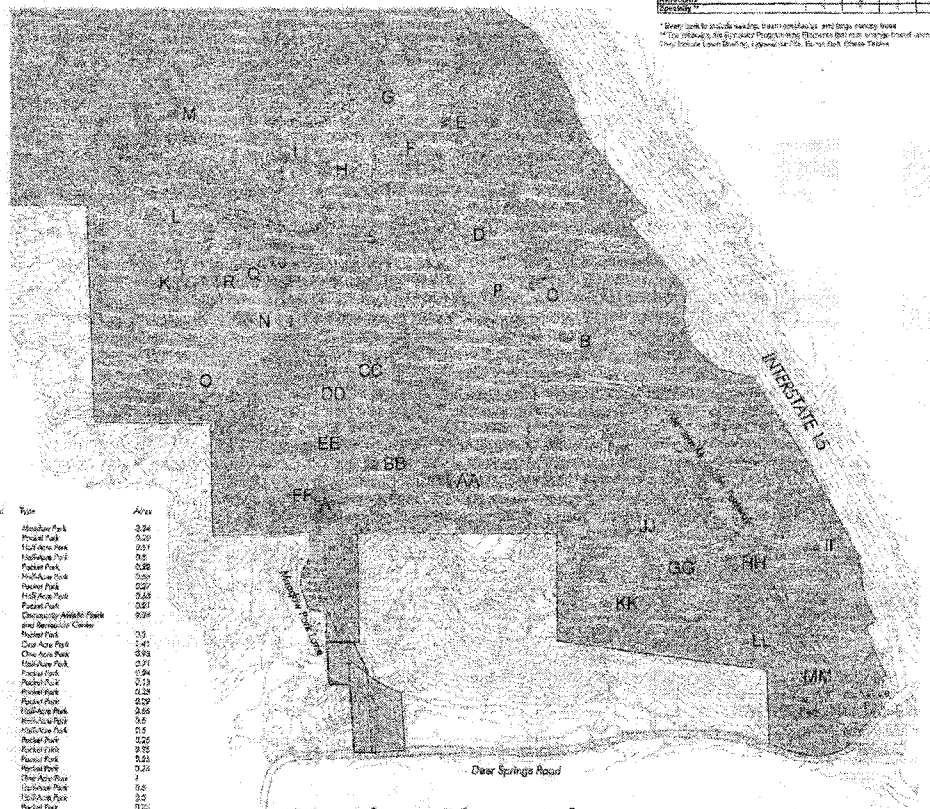


B, E, G, I, K, O, P, Q, R, CC, DD, EE, FF, JJ, KK, LL, MM

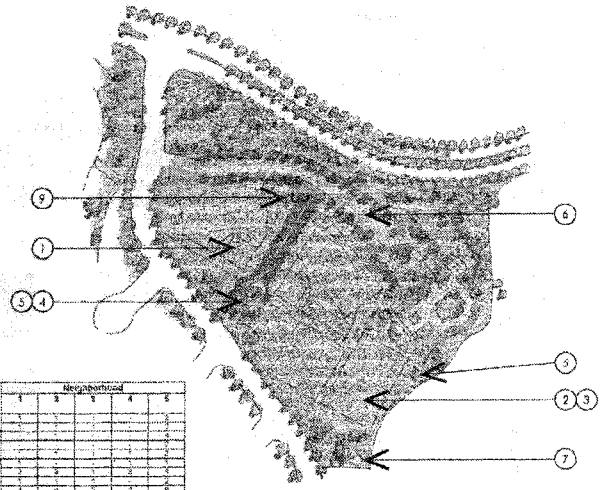
Pocket Park (with possible trail connection)
1"= 30'

PROGRAM

1. Open turf
2. Playground
3. Possible trail connection with overlook
4. Seating
5. Large canopy trees



Park	Neighborhood	Type	Area
A	2	Meadow Park	3.34
B	3	Pocket Park	0.20
C	3	Half Acre Park	0.51
D	3	Half-Acre Park	0.5
E	4	Pocket Park	0.28
F	4	Half-Acre Park	0.50
G	4	Pocket Park	0.27
H	4	Half-Acre Park	0.48
I	4	Pocket Park	0.27
J	5	Community Athletic Fields and Recreation Center	9.34
K	5	Pocket Park	0.3
L	5	One Acre Park	1.47
M	5	One Acre Park	0.93
N	5	Half-Acre Park	0.71
O	5	Pocket Park	0.94
P	5	Pocket Park	0.13
Q	5	Pocket Park	0.28
R	5	Pocket Park	0.29
S	4	Half-Acre Park	0.66
AA	2	Half-Acre Park	0.5
BB	2	Half-Acre Park	0.5
CC	2	Pocket Park	0.26
DD	2	Pocket Park	0.25
EE	2	Pocket Park	0.23
FF	2	Pocket Park	0.23
GG	1	One Acre Park	1
HH	1	Half-Acre Park	0.5
II	1	Half-Acre Park	0.5
JJ	1	Pocket Park	0.26
KK	1	Pocket Park	0.26
LL	1	Pocket Park	0.25
MM	1	Pocket Park	0.28
		Total Park Acres	26.28
		Total Natural Parks	60.2



J

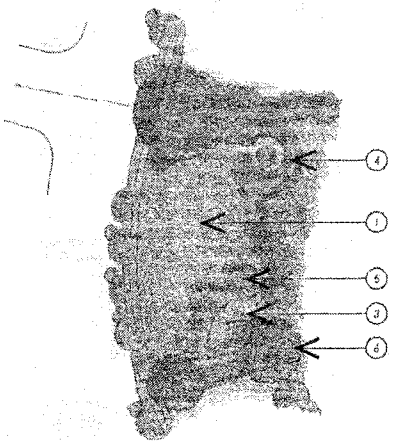
Community Athletic Fields and Recreation Area
1"= 100'

PROGRAM

1. Two little league diamonds
2. Four youth soccer fields
3. Turf for open play
4. Concession area
5. Restrooms
6. Parking
7. Trail connection with overlook
8. Playground (Not Shown)
9. Large canopy trees

Programming Element*	Neighborhood 1	2	3	4	5
Swimming Pool					
Spa					
Soccer Fields					
Baseball (Minors)					
Baseball (Majors)					
Half-court Basketball					
Volleyball					
Children's Playground					
Barbecue Area					
Shade Structure					
Trailhead					
Overlook					
Landscaping					
Seating**					

* Every park to include seating, trash receptacles, and large canopy trees
** For reference, the Symbol Programming Elements can change based upon future uses. They include Lawn Bowling, Lightweight Rifle, Bocce Ball, Chess Table



C, D, F, H, N, S, AA, BB, HH, II

Half Acre Park
1"= 30'

PROGRAM

1. Open turf
2. Half-court basketball (Not Shown)
3. Playground
4. Possible trail connection with overlook
5. Seating
6. Large canopy trees

Merriam Mountains
Conceptual Park Plan

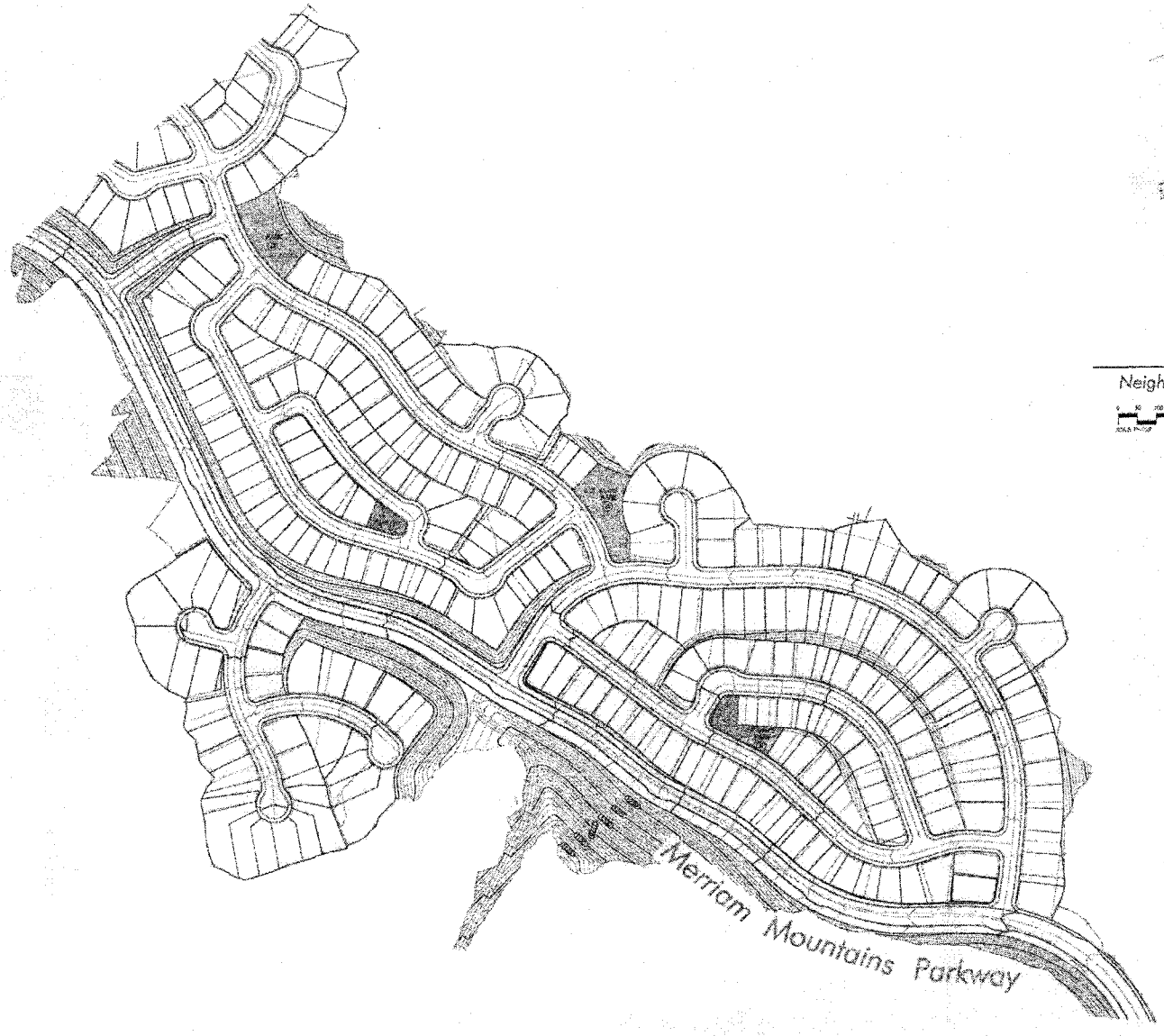
ENGINEER OF WORK

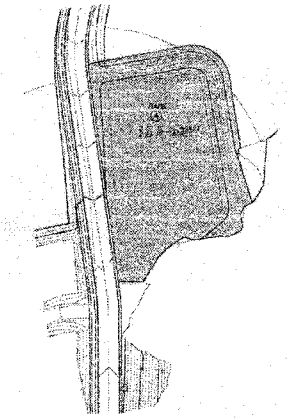
SHEET 13 OF 18

PUSCOE ENGINEERING

1 - 65

COUNTY OF SAN DIEGO TRACT TM 5381
ADMINISTRATIVE PERMIT SITE PLAN
MERRIAM MOUNTAINS





Neighborhood 2 Conceptual Park Plan

LEGEND

Public Park

Private Park

Merriam Mountains

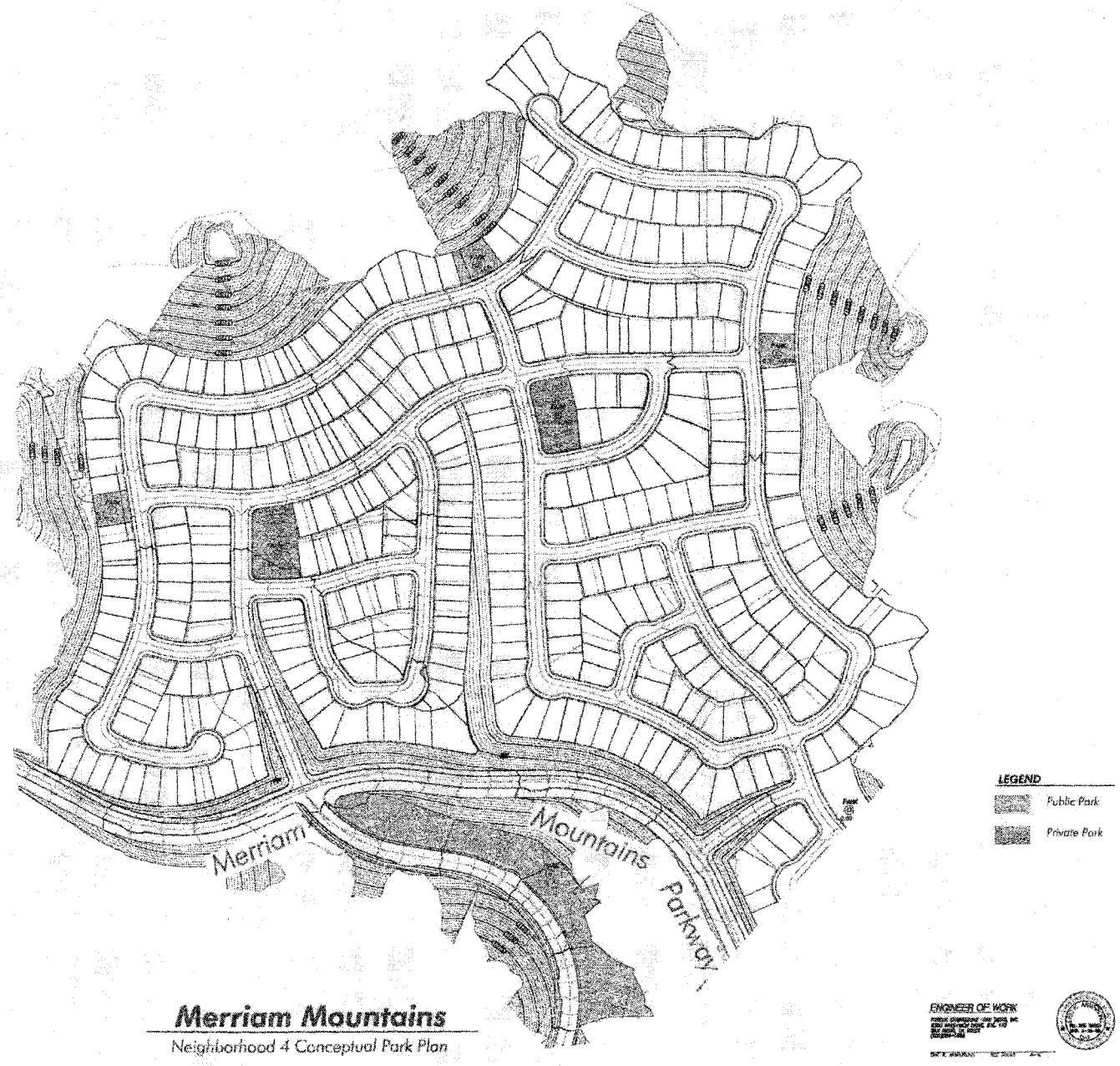
Neighborhood 3 Conceptual Park Plan

ENGINEER OF WORK

SHEET 14 OF 18

FUSCOE ENGINEERING

COUNTY OF SAN DIEGO TRACT TM 5381
ADMINISTRATIVE PERMIT SITE PLAN
MERRIAM MOUNTAINS



Merriam Mountains

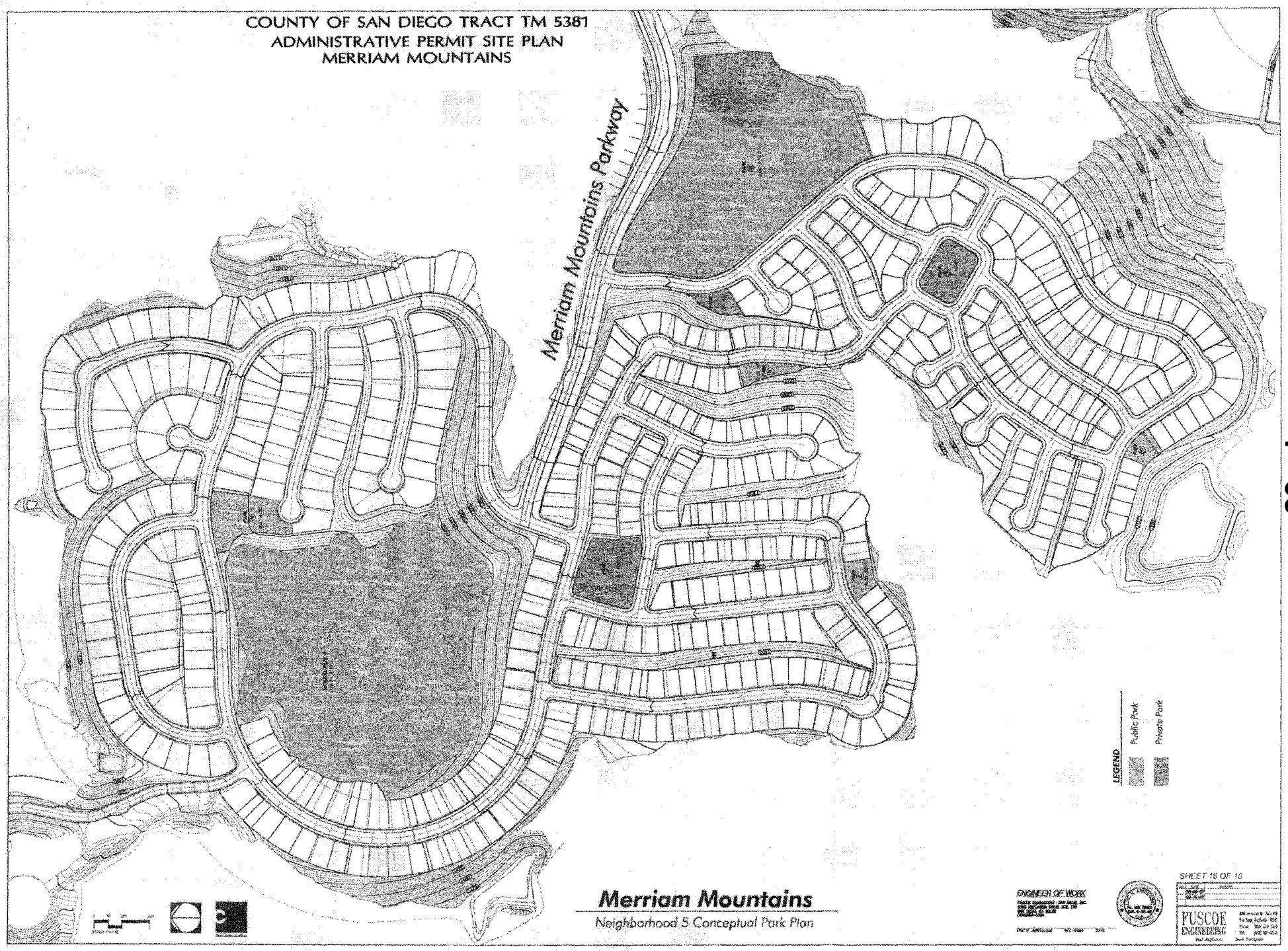
Neighborhood 4 Conceptual Park Plan

ENGINEER OF WORK

SHEET 16 OF 18

FUSCOE ENGINEERING

COUNTY OF SAN DIEGO TRACT TM 5381
ADMINISTRATIVE PERMIT SITE PLAN
MERRIAM MOUNTAINS



Merriam Mountains

Neighborhood 5 Conceptual Park Plan

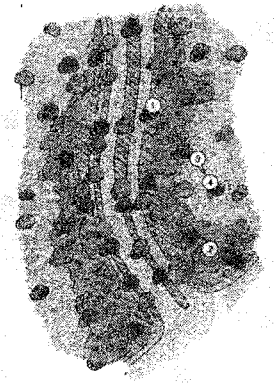
ENGINEER OF WORK

SHEET 16 OF 16

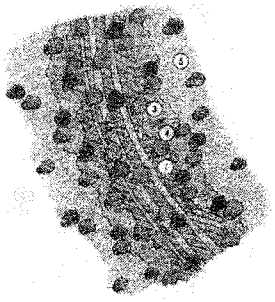
FUSCOE ENGINEERING

COUNTY OF SAN DIEGO TRACT TM 5381
ADMINISTRATIVE PERMIT SITE PLAN
MERRIAM MOUNTAINS

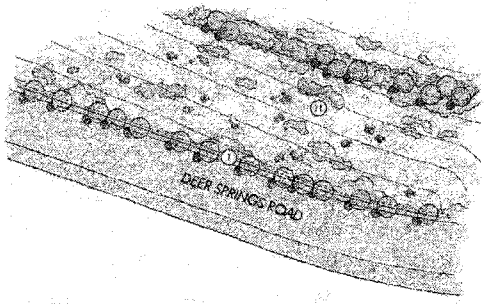
Entry - Landscape Typical
Scale: 1" = 80'-0"



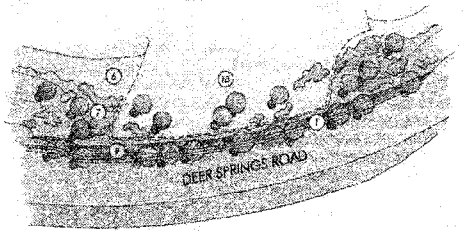
Streetscape - Landscape Typical
Scale: 1" = 80'-0"



Deer Springs Road at 1:1 Slope - Plan
Scale: 1" = 80'-0"



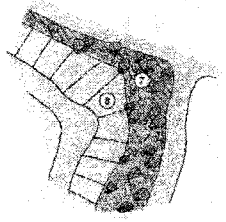
Deer Springs Road at Sensitive Resource Area - Plan
Scale: 1" = 80'-0"

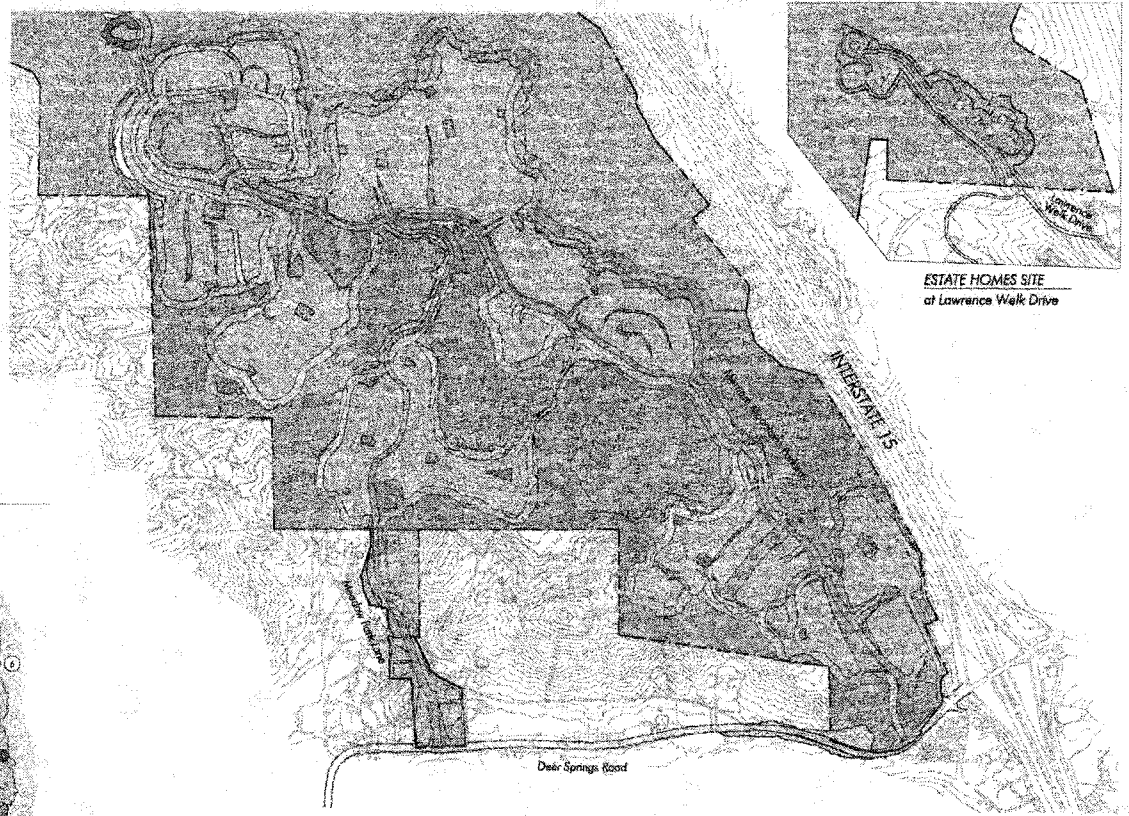


LANDSCAPE TYPICALS LEGEND

1. *Streetscape Planting - natural character with random massings of native Oaks and Sycamores.*
2. *Entry Planting - wider variety of ornamental shrubs with random massings of native Oaks and Sycamores to retain character.*
3. *Fuel Modification Zone 2a (Trees Permitted) - low growing groundcover and limited use of fire resistant trees.*
4. *Fuel Modification Zone 2a (Trees Prohibited) - low growing, low fuel groundcover.*
5. *Fuel Modification Zone 2b - native tree massings limited and random with native grasses and groundcovers.*
6. *Open Space - native, undisturbed landscape.*
7. *Internal Slope Planting - view corridors preserved; tree and shrub massing limited near the top of slope and increasing down slope.*
8. *Developed Area.*
9. *Soil - Nail Wall with planter pockets for trailing planting to soften wall.*
10. *Sensitive resource area.*
11. *Rocky 1:1 slope with native hydroseed and larger tree / shrub planting to occur at top/toe of slope and bench.*

Internal Slope - Landscape Typical
Scale: 1" = 100'-0"



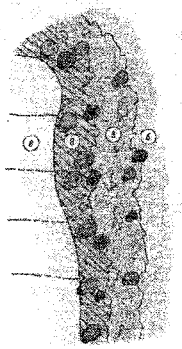


ESTATE HOMES SITE
at Lawrence Walk Drive

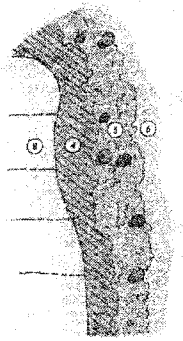
CONCEPTUAL PLANTING LEGEND

- *Developed*
- *Streetscape*
- *Entry*
- *Park*
- *Natural Park*
- *Internal Slope*
- *Fuel Mod 2a - Trees Permitted*
- *Fuel Mod 2a - Trees Prohibited*
- *Fuel Mod 2b - Trees Permitted*
- *Seeded Annual Fuel Mod at Water Tanks*
- *Water Quality Basin*
- *Manufactured Slope Fuel Mod 2a - Trees Permitted*
- *Manufactured Slope Fuel Mod 2a - Trees Prohibited*
- *Manufactured Slope Fuel Mod 2b - Trees Permitted*
- *Manufactured Slope Outside Fuel Mod*
- *Open Space - native, undisturbed landscape*

Fuel Modification Zone - Landscape Typical #1
Scale: 1" = 80'-0"



Fuel Modification Zone - Landscape Typical #2
Scale: 1" = 80'-0"

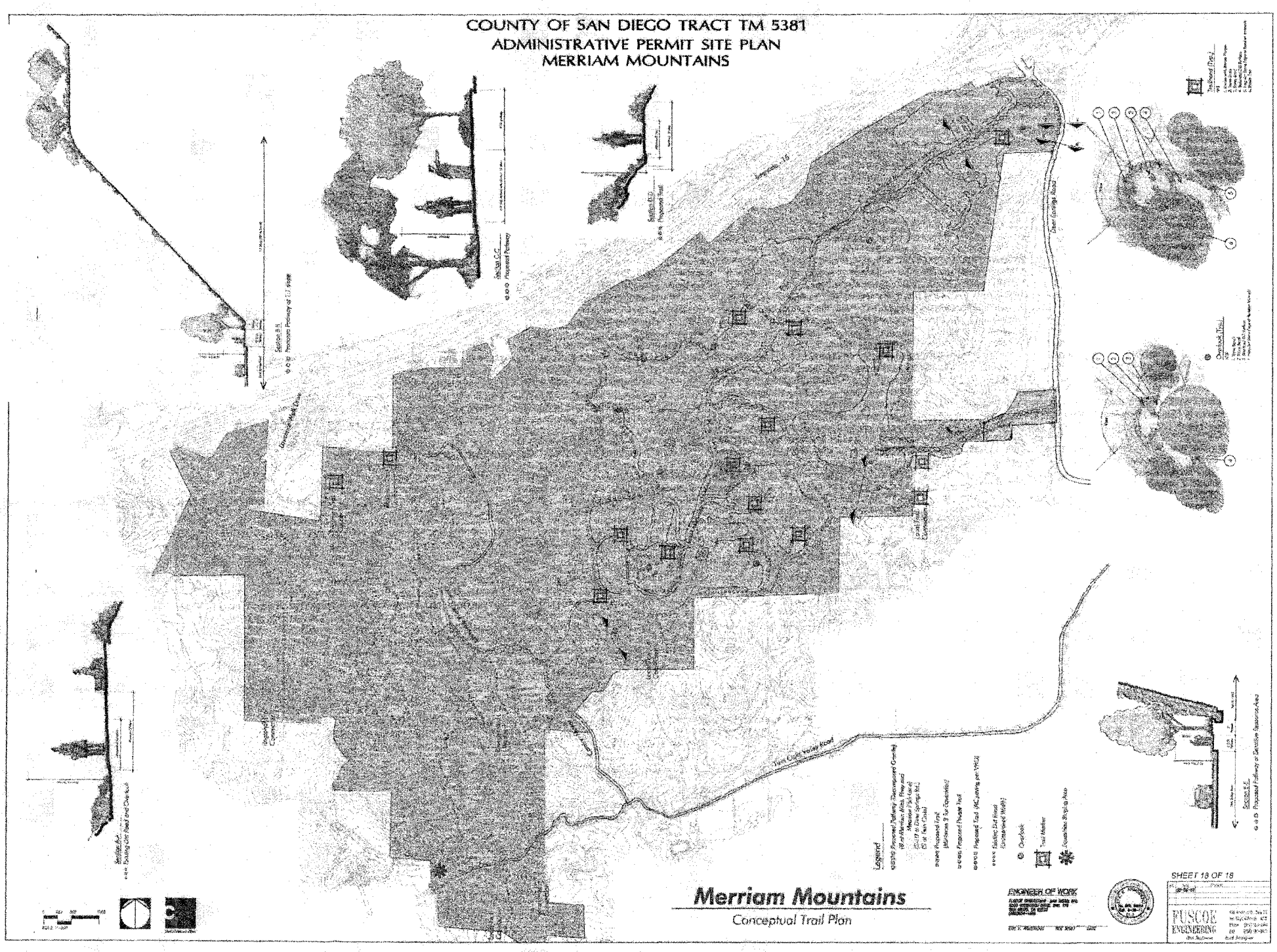


Merriam Mountains
Conceptual Landscape Plan

ENGINEER OF WORK

FUSCOE ENGINEERING

SHEET 17 OF 18


COUNTY OF SAN DIEGO TRACT TM 5381
ADMINISTRATIVE PERMIT SITE PLAN
MERRIAM MOUNTAINS
Merriam Mountains
Conceptual Trail Plan
SHEET 18 OF 18
FUSCOE ENGINEERING

Attachment B
Statement of Reasons

Attachment B

Statement of Reasons
Elimination of Access to a State-designated Area of Identified Mineral Resource Significance (MRZ-2)

MERRIAM MOUNTAINS SPECIFIC PLAN
GPA 04-06; SP 04-006; R04-013; VTM5381; S04-035
LOG NO. 04-08-028; SCH# 2004091166
OCTOBER 9, 2009

BACKGROUND INFORMATION

Project Description:
The Merriam Mountains project is under review by the County of San Diego and would include a maximum of 2,700 dwelling units within the southern portion of the 2,327-acre site. Approximately 537 acres of land would be set aside in the vicinity of the proposed residential uses for purposes of providing a common area for fuel management and parks. The project would also involve the creation of a 1,192-acre biological preserve over the northern portion of the site.

Potentially available mineral resources on MRZ-2 lands:
An area encompassing 610 acres within the Merriam Mountain project boundary has been designated by the State Mining and Geology Board as an area that contains mineral resources of regional or statewide significance (i.e. Mineral Resources Zone 2). Included in this area are 124 acres zoned for extractive use (S82) under the County Zoning Ordinance. This 124-acre area includes an abandoned aggregate mining site.

Based on a 100-foot excavation exclusion buffer around the perimeter of the MRZ-2 area, a 2:1 gradient on quarry side slopes and an average 50 feet of excavation over the remainder of the site, an estimated 34,000,000 cubic yards (75,000,000 tons) of crushed-stone construction aggregate could be recovered from the MRZ-2 lands located within the project boundary. At an average of 250 truck trips per day, the site could produce approximately 1,800,000 tons of aggregate per year for 41 years. This potential resource could be important to the Western San Diego County Production-Consumption Market region.

Potential project impacts on the MRZ-2 Area:
The biological preserve and a small portion of the development footprint encompass the entirety of the 610 acres of MRZ-2 designated land. The biological preserve, as currently proposed, would involve a permanent easement that would not allow future access to the MRZ-2 lands for mineral extraction. The area proposed to be included in the development footprint would similarly preclude future access to the underlying minerals. Thus, the project would

effectively eliminate access for mineral extraction to the areas designated as containing regionally significant mineral resources (MRZ-2) as described above.

REASONS TO PERMIT THE PROPOSED PROJECT

1. **Land Use:** Mining operations in the designated MRZ-2 area would be incompatible with existing land uses in the surrounding area.

2. **Biological Open Space:** The 1192-acre area proposed for Biological Open Space in the northern portion of the site has been identified by the County and the Wildlife Agencies as part of an important biological core area known as the Merriam Mountains. This core area is under consideration for preservation in a proposed North County Multiple Species Conservation Plan. The function of the property as a biological core resource area cannot be duplicated or moved to another location. Mineral extraction would not be compatible with the protection of biological resources.

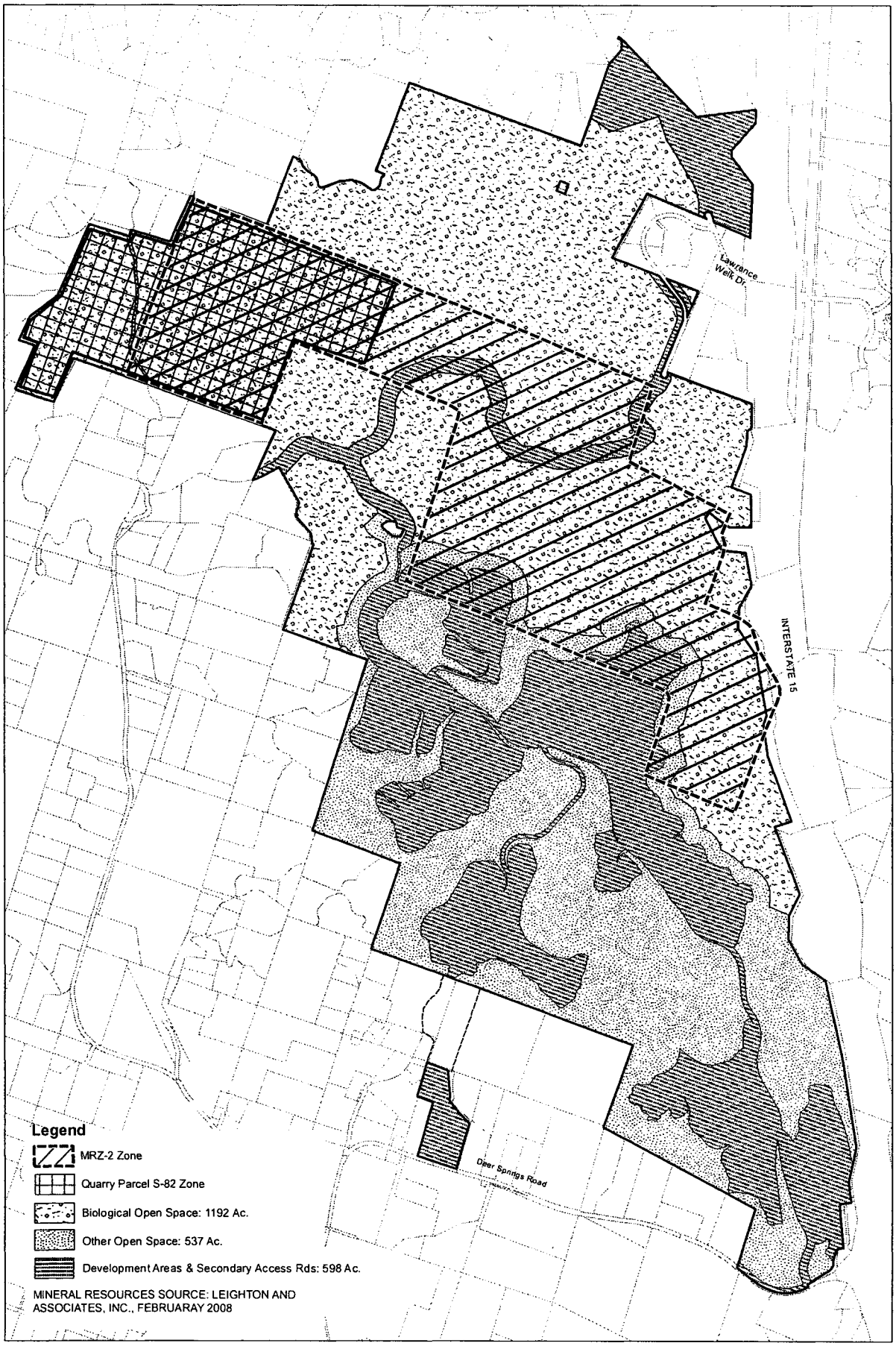
3. **Other open space:** The proposed project would preserve 537 acres of open space in addition to the area included in the biological preserve. This open space would provide additional parkland and recreational opportunities.

4. **Housing:** The proposed project would provide up to 2,700 housing units, including 270 units multi-family dwelling units.

5. **Road Improvements:** The proposed project would contribute several million dollars toward public road improvements.

6. **Employment:** The proposed project would provide interim employment opportunities during construction and permanent employment opportunities in the commercial component of the proposal.

7. **Fire Safety:** The proposed project would improve fire safety on the subject property and in surrounding areas.



Mineral Resources & Proposed Land Uses

FIGURE 1

MERRIAM MOUNTAINS SPECIFIC PLAN

0 0.125 0.25 0.5 Miles

N

Attachment C

General Plan Amendment Resolution

A RESOLUTION OF THE SAN DIEGO COUNTY)
PLANNING COMMISSION CONCERNING)
GENERAL PLAN AMENDMENT (GPA) 04-006)

ON MOTION of Commissioner _____, seconded by Commissioner _____, the following Resolution is adopted:

WHEREAS, pursuant to Government Code Sections 65350 et seq., and Board of Supervisors' Policy I-63, General Plan Amendment and Zoning Implementation Guidelines, GPA 04-006 has been prepared, being the _____ amendment to the Circulation Element, in the Calendar Year _____ and the _____ amendment to the Regional Land Use Element; and

WHEREAS, GPA04-006 has been filed by Stonegate Merriam Mountains LLC consisting of the following:

Circulation Element- amending the map
Regional Land Use Element- amending the map
North County Metropolitan Subregional Plan- amending the map and text
Bonsall Community Plan- amending the map and text

WHEREAS, pursuant to Government Code Sections 65860 et seq., associated zoning reclassifications (R04-013) have been prepared together with a Specific Plan (SP 04-006), Vesting Tentative Map (VTM5381RPL[4]), and Site Plan (S04-035); and

WHEREAS, the Department of Planning and Land Use has made its detailed recommendations concerning the above item; and

WHEREAS, the Department of Planning and Land Use recommends that the Planning Commission review and consider the information contained in the Environmental Impact Report dated _____, on file with the Department of Planning and Land Use as Environmental Review Number (ER) 04-08-028 prior to making its recommendation on the project; and

WHEREAS, the Department of Planning and Land Use recommends that the proposed project, GPA04-006, will have a significant impact on the environment but that there are specific economic, legal, social, technological or other benefits which will result from approval and implementation of the project; and

WHEREAS, on October 9, 2009, the Planning Commission, pursuant to Government Code Sections 65351 and 65353 held a duly advertised public hearing on GPA 04-006; and

WHEREAS, the Planning Commission has reviewed and considered the information contained in the Environmental Impact Report dated _____,

on file with the Department of Planning and Land Use as Environmental Review Number (ER) 04-08-028 prior to making its recommendation on the project; and

NOW THEREFORE BE IT RESOLVED that the Planning Commission recommends that the Board of Supervisors take the following actions:

1. Find that the Board of Supervisors reviewed and considered the environmental impact report for the proposed project dated _____ on file with the Department of Planning and Land Use as Environmental Review Number 04-08-028 before making its recommendation on the project.

2. Certify that the environmental impact report (EIR) dated _____ on file with the Department of Planning and Land Use as Environmental Review Number 04-08-028 has been completed in compliance with the California Environmental Quality Act and the State CEQA Guidelines, that the EIR was presented to the Board of Supervisors and that the Board of Supervisors reviewed and considered the information contained therein before approving the project, and that the EIR reflects the independent judgment and analysis of the Board of Supervisors.

3. Adopt the preferred alternative (Alternative G) as the project. (Attachment I)

4. Adopt the findings concerning mitigation of significant environmental effects pursuant to CEQA Guidelines section 15091. (Attachment I)

5. Adopt the Mitigation and Monitoring Program pursuant to CEQA Guidelines section 15091(d). (Attachment G and H)

6. Adopt the Statement of Overriding Considerations pursuant to CEQA Guidelines section 15093. (Attachment I)

7. Find that the Board of Supervisors acting as a responsible agency under the California Environmental Quality Act considered the environmental effects of the project as shown in the environmental impact report prepared by the lead agency and on file with the Department of Planning and Land Use as Environmental Review Number 04-08-028, before reaching its on conclusion on whether and how to approve the project.

8. Find that the proposed project is exempt from the Resource Protection Ordinance (County Code, section 86.801 et seq.) and has been designed in accordance with the comprehensive Resource Protection Plan, the functional equivalent of the Resource Protection Ordinance.

9. Find that plans and documentation have been prepared for the proposed project that demonstrate that the project complies with the Watershed Protection, Stormwater Management, and Discharge Control Ordinance (County Code, section 67.801 et seq.).

10. Approve GPA04-006, as briefly described below and more specifically explained in Appendix 1 and 2:

Appendix 1:	Circulation Element
Appendix 1A:	Circulation Element Map amendment
Appendix 2:	Regional Land Use Element
Appendix 2A:	Regional Land Use Element Map Amendment
Appendix 2B:	North County Metropolitan Subregional and Bonsall Community Plan Map Amendment
Appendix 2C:	North County Metropolitan Subregional Plan Text Amendment
Appendix 2D:	Bonsall Communitiy Plan Text Amendment

BE IT FURTHER RESOLVED that the amended documents shall be endorsed in the manner provided by the Board of Supervisors.

BE IT FURTHER RESOLVED that this Resolution shall take effect and be in force from and after 30 days after its adoption.

PASSED AND APPROVED by the Planning Commission of the County of San Diego, State of California, the day of , by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

Attachment C

APPENDIX 1: CIRCULATION ELEMENT

1A CIRCULATION ELEMENT MAP

Amend the Circulation Element Map, as shown in Exhibit 2A, by reclassifying a segment of Deer Springs Road and removing a segment of Buena Creek Road (SA1414) as follows:

Deer Springs Road: Change the classification of Deer Springs Road to a six-lane Prime Arterial from Champagne Blvd to the limits of the City of San Marcos/Twin Oaks Valley Road.

Buena Creek Road (SA1414): Eliminate an unimproved segment of Buena Creek Road (a Major Road) from the intersection of Sugar Bush Drive/Buena Creek Road to the intersection of Deer Springs Road/Sarver Lane and eliminate, along this same segment, the planned bike pathway.

Attachment C

APPENDIX 2: REGIONAL LAND USE ELEMENT

2A REGIONAL LAND USE ELEMENT MAP

Amend the Regional Land Use Element Map by increasing the boundaries of the Current Urban Development Area and decreasing the boundaries of the Estate Development Area, as identified in Exhibit 1A.

2B NORTH COUNTY METROPOLITAN SUBREGIONAL PLAN MAP

Amend the North County Metropolitan Subregional Plan Map by placing a (21) Specific Plan Area Land Use Designation with an overall density of (1.16) across that portion of the project site within the boundaries North County Metropolitan Subregional Plan, as identified in Exhibit 1B.

BONSALL COMMUNITY SUBREGIONAL PLAN MAP

Amend the Bonsall Community Plan Map by placing a (21) Specific Plan Area Land Use Designation with an overall density of (1.16) across that portion of the project site within the boundaries of the Bonsall Community Plan, as identified in Exhibit 1B.

2C NORTH COUNTY METROPOLITAN SUBREGIONAL PLAN TEXT

Add Chapter 9, Page 24, to read as follows:

MERRIAM MOUNTAINS SPECIFIC PLAN AREA (1.16)

The Merriam Mountains Specific Plan Area is comprised of approximately 2,327-acres located northwest of the intersection of Deer Springs Road and Interstate 15 in the communities of North County Metropolitan Subregional and Bonsall Community Plans. The approximate 1,952 acre portion of the SPA located within North County Metropolitan Subregional Plan will be developed with 270 multi-family residences, 1,271 variable residential homes, 1,149 detached single-family residences, up to 110,000 square feet of General Commercial and Civic uses, and parks and trails for passive and active recreation uses. The remainder of the property will be will be designated as open space.

Project Objectives are:

1) Accommodate existing and projected demand for housing and supporting commercial uses.

2) Promote a compatible community design.

3) Provide for meaningful conservation of biological resources.

4) Maintain the visual resources of the Merriam Mountains.

5) Provide accessible public recreational opportunities.

6) Provide an economically viable planned community.

Development within Merriam Mountains will be governed by the adopted Merriam Mountains Specific Plan.

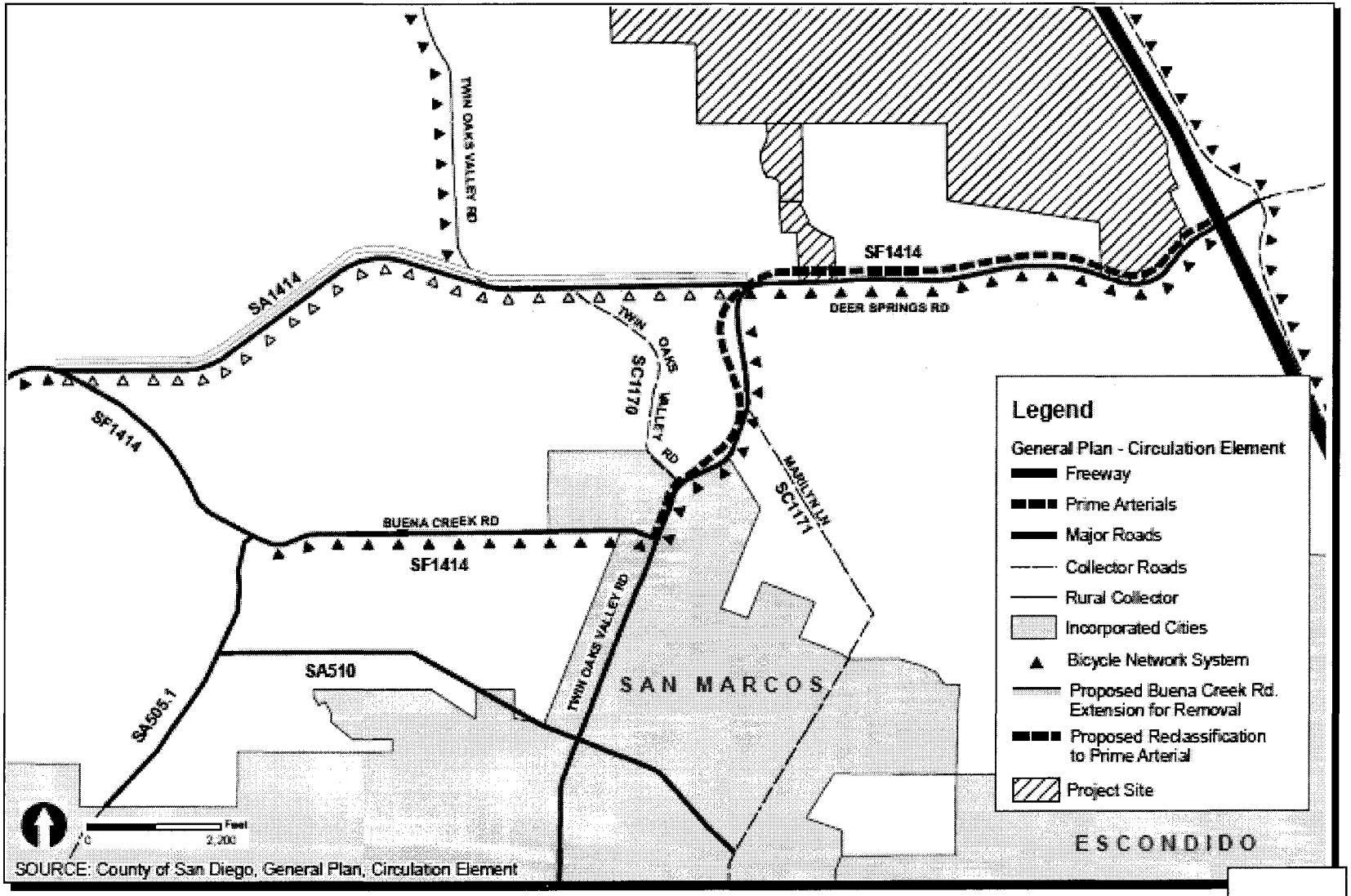
2D BONSALL COMMUNITY SUBREGIONAL PLAN TEXT

Add to Page 15 the following:

Merriam Mountains SPA (1.16)

Merriam Mountains consists of approximately 2,327 acres, most of which is located within the North County Metropolitan Subregional Plan area. The approximate 375 acre portion of the SPA located within Bonsall will be developed with 10 estate sized lots over 54 acres. The remaining 321 acres within the plan area will be designated as open space.

Exhibit 1A



SOURCE: County of San Diego, General Plan, Circulation Element

General Plan Amendment/Circulation Element - Deer Springs Road

Circulation Element Existing and Proposed

Exhibit 2A

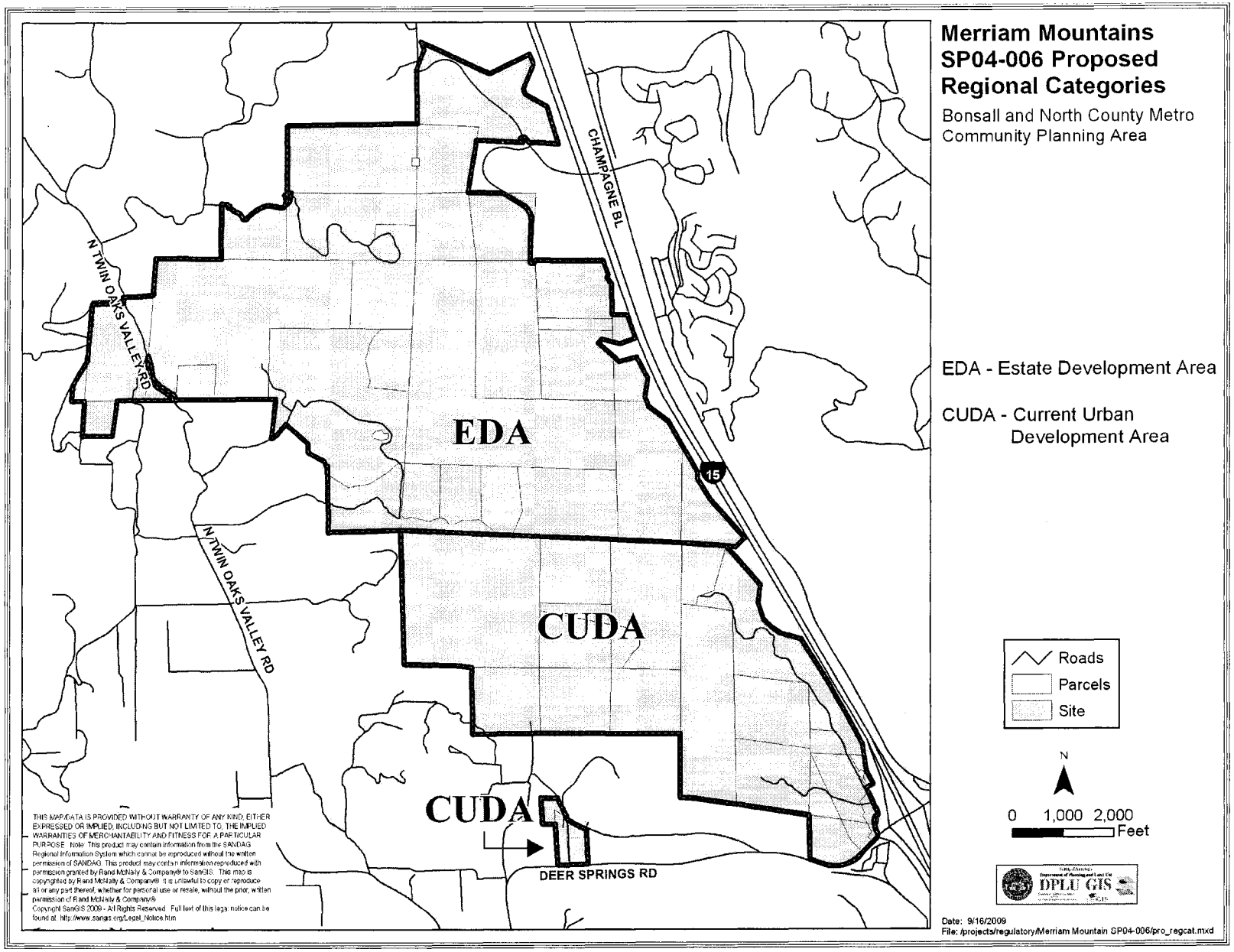

Merriam Mountains
SP04-006 Proposed
Regional Categories
Bonsall and North County Metro
Community Planning Area
EDA - Estate Development Area
CUDA - Current Urban
Development Area
EDA
CUDA
CUDA
CHAMPAGNE BL
N TWIN OAKS VALLEY RD
N TWIN OAKS VALLEY RD
DEER SPRINGS RD
15
Roads
Parcels
Site
N
0 1,000 2,000
Feet
DPLU GIS
Date: 9/16/2009
File: /projects/regulatory/Merriam Mountain SP04-006/pro_regcat.mxd
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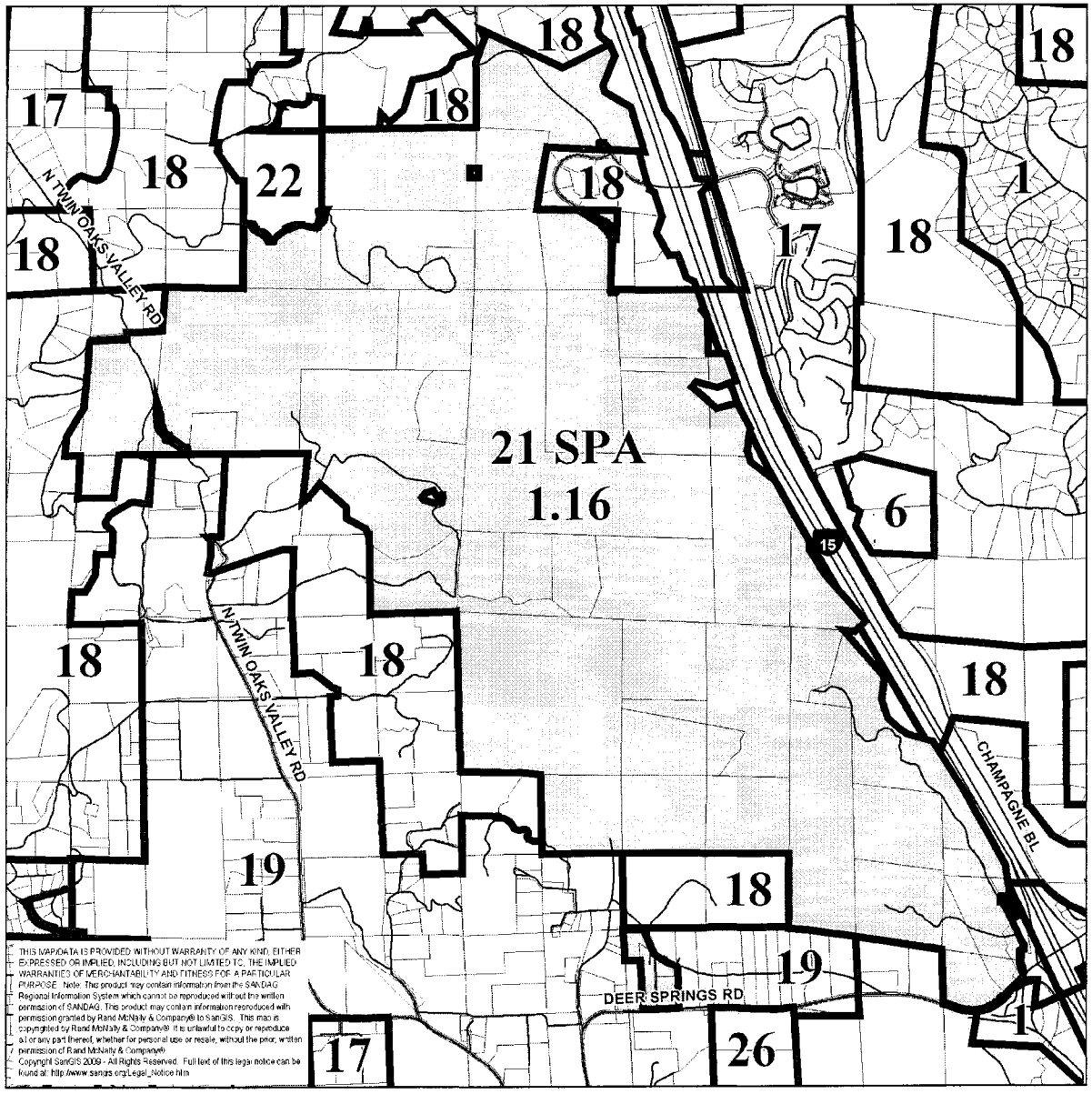
Exhibit 2B



Merriam Mountains
SP04-006
Proposed General Plan

Bonsall and North County Metro Community Planning Area

(1) Residential
1 DU/ 1,2,4 Acres
(6) Residential
7.3 DU/ Acre
(13) General Commercial
(15) Limited Impact Industrial
(17) Estate Residential
1 DU/ 2,4 Acres
(18) Multiple Rural Use
1 DU/ 4,8,20 Acres
(19) Intensive Agiculture
1 DU/ 4,8 Acres
(21) Specific Plan Area
(22) Public/Semi-Public Lands
(26) Visitor Serving Commercial

Roads
Site
Parcels
Planning

N

0 1,000 2,000 Feet

DPLU GIS

Date: 9/16/2009
File: /projects/regulatory/Merriam Mountain SP04-006/proplan.mxd

Attachment D

Zone Reclassification
Form of Ordinance

Attachment ___

ORDINANCE NO. _____(NEW SERIES)

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF MERRIAM MOUNTAINS SPECIFIC PLAN AREA IN THE NORTH COUNTY METROPOLITAN SUBREGIONAL AND BONSALL COMMUNITY PLANS

REF: GPA04-006 / SP04-006 / R04-013 / VTM5381RPL[4] / STP04-035 / ER04-08-028

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. The zoning classification of certain real property is hereby changed as set forth herein, and more precisely delineated on the Rezone plat identified as Document No. _____, all documents on file with the Clerk of the Board of Supervisors of the County of San Diego.

Section 2. The zoning classification of the real property identified on the Rezone plat is hereby changed as follows:

		ZONING											
				DEVELOPMENT REGULATIONS									
AREA	STATUS	USE REG	ANIMAL REG	DEN-SITY	LOT SIZE	BLDG TYPE	MAX FLOOR AREA	FLOOR AREA RATIO	HT	COVER	SET-BACK	OPEN SPACE	SPEC AREA REG
1-1	OLD	M52, RR.5	L	0.5	2AC	C	-	-	G	-	C	-	B
	OLD	C36, RR.5	L	0.5	2AC	C	-	-	G	-	C	-	B
	OLD	C36, M52	Q	40.0	-	T	-	-	G	-	O	-	B, D
	OLD	M52	S	-	6,000	W	-	-	G	-	E	-	B, D
	NEW	C36	S	-	-	W	-	0.25	G	-	V	-	B, D1
1-2	OLD	A70	L	0.25	4AC	C	-	-	G	-	C	-	B
	OLD	M52	S	-	6,000	W	-	-	G	-	C	-	B
	NEW	RM22	S	22.0	6,000	K	-	-	J	-	V	-	B, D1
1-3	OLD	A70	L	0.25	4AC	C	-	-	G	-	C	-	B
	OLD	RR.5	L	0.5	2AC	C	-	-	G	-	C	-	B
	OLD	M52	S	-	6,000	W	-	-	G	-	E	-	B, D
	NEW	S88	S	21.0	6,000	K	-	-	J	-	V	-	B
1-4	OLD	A70	L	0.25	4AC	C	-	-	G	-	C	-	B
	OLD	RR.5	L	0.5	2AC	C	-	-	G	-	C	-	B
	NEW	S88	S	14.7	6,000	K	-	-	J	-	V	-	B
1-5	OLD	A70	L	0.25	4AC	C	-	-	G	-	C	-	B
	NEW	S88	S	21.0	6,000	K	-	-	J	-	V	-	B
1-6	OLD	A70	L	0.25	4AC	C	-	-	G	-	C	-	B
	NEW	S88	S	21.0	6,000	K	-	-	J	-	V	-	B

AREA	STATUS	ZONING											
				DEVELOPMENT REGULATIONS									
		USE REG	ANIMAL REG	DEN-SITY	LOT SIZE	BLDG TYPE	MAX FLOOR AREA	FLOOR AREA RATIO	HT	COVER	SET-BACK	OPEN SPACE	SPEC AREA REG
1-7	OLD	A70	L	0.25	4AC	C	-	-	G	-	C	-	B
	NEW	S88	S	16.5	6,000	K	-	-	J	-	V	-	B
2-1	OLD	A70	L	0.25	4AC	C	-	-	G	-	C	-	-
	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	-
	NEW	S88	S	11.5	4,000	K	-	-	J	-	V	-	D2
2-2	OLD	A70	L	0.25	4AC	C	-	-	G	-	C	-	-
	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	-
	NEW	S88	S	8.4	4,000	K	-	-	J	-	V	-	D2
2-3	OLD	A70	L	0.25	4AC	C	-	-	G	-	C	-	-
	NEW	S88	S	10.7	4,000	K	-	-	J	-	V	-	D2
3-1	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	B
	NEW	S88	S	4.3	5,500	C	-	-	G	-	V	-	-
3-2	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	-
	OLD	A70	L	0.25	4AC	C	-	-	G	-	C	-	B
	NEW	S88	S	5.6	4,000	C	-	-	G	-	V	-	-
3-3	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	B
	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	-
	NEW	S88	S	4.0	5,500	C	-	-	G	-	V	-	-
4-1	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	B
	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	-
	NEW	S88	S	4.3	6,000	C	-	-	G	-	V	-	POR. B
4-2	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	B
	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	-
	NEW	S88	S	5.4	4,500	C	-	-	G	-	V	-	-
4-3	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	B
	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	-
	NEW	S88	S	4.1	5,000	C	-	-	G	-	V	-	POR. B
5-1	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	-
	OLD	A70	L	0.25	4AC	C	-	-	G	-	C	-	-
	NEW	S88	S	4.8	5,500	C	-	-	G	-	V	-	-
5-2	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	-
	OLD	A70	L	0.25	4AC	C	-	-	G	-	C	-	-
	NEW	S88	S	5.2	4,000	C	-	-	G	-	V	-	-

AREA	STATUS	ZONING											
				DEVELOPMENT REGULATIONS									
		USE REG	ANIMAL REG	DEN-SITY	LOT SIZE	BLDG TYPE	MAX FLOOR AREA	FLOOR AREA RATIO	HT	COVER	SET-BACK	OPEN SPACE	SPEC AREA REG
5-3	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	B
	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	-
	NEW	S88	S	5.5	4,000	C	-	-	G	-	V	-	-
5-4	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	B
	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	-
	NEW	S88	S	4.9	5,500	C	-	-	G	-	V	-	-
5-5	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	B
	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	-
	NEW	S88	S	3.83	7,000	C	-	-	G	-	V	-	POR. B
ESTATE	OLD	RR.25	L	0.25	4AC	C	-	-	G	-	N	-	B
	NEW	S88	Q	0.20	5AC	C	-	-	A	-	C	-	POR. B
PARK A	OLD	A70	L	0.25	4AC	C	-	-	G	-	C	-	-
	NEW	S88	S	0	-	A	-	-	G	-	V	-	-
PARK B	OLD	A70	L	0.25	4AC	C	-	-	G	-	C	-	B
	NEW	S88	S	0	-	A	-	-	G	-	V	-	-
PARK C	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	B
	NEW	S88	S	0	-	A	-	-	G	-	V	-	-
PARK D	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	B
	NEW	S88	S	0	-	A	-	-	G	-	V	-	-
PARK E	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	B
	NEW	S88	S	0	-	A	-	-	G	-	V	-	-
PARK F	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	B
	NEW	S88	S	0	-	A	-	-	G	-	V	-	-
PARK G	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	B
	NEW	S88	S	0	-	A	-	-	G	-	V	-	-
PARK H	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	B
	NEW	S88	S	0	-	A	-	-	G	-	V	-	-
PARK I	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	B
	NEW	S88	S	0	-	A	-	-	G	-	V	-	-
PARK J_1	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	-
	NEW	S88	S	0	-	A	-	-	G	-	V	-	-
PARK J_2	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	-
	NEW	S88	S	0	-	A	-	-	G	-	V	-	-
PARK K	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	-

AREA	STATUS	ZONING											
				DEVELOPMENT REGULATIONS									
		USE REG	ANIMAL REG	DEN-SITY	LOT SIZE	BLDG TYPE	MAX FLOOR AREA	FLOOR AREA RATIO	HT	COVER	SET-BACK	OPEN SPACE	SPEC AREA REG
	NEW	S88	S	0	-	A	-	-	G	-	V	-	-
PARK L	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	-
	NEW	S88	S	0	-	A	-	-	G	-	V	-	-
PARK M	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	B
	NEW	S88	S	0	-	A	-	-	G	-	V	-	-
PARK N	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	-
	OLD	A70	L	0.25	4AC	C	-	-	G	-	C	-	-
	NEW	S88	S	0	-	A	-	-	G	-	V	-	-
PARK O	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	-
	NEW	S88	S	0	-	A	-	-	G	-	V	-	-
PARK P	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	B
	NEW	S88	S	0	-	A	-	-	G	-	V	-	-
PARK Q	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	-
	NEW	S88	S	0	-	A	-	-	G	-	V	-	-
PARK R	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	-
	NEW	S88	S	0	-	A	-	-	G	-	V	-	-
NP1	OLD	M53, RR.5	L	0.5	2AC	C	-	-	G	-	C	-	B
	OLD	C36, RR.5	L	0.5	2AC	C	-	-	G	-	C	-	B
	OLD	C36, M52	Q	40.0	-	T	-	-	G	-	O	-	B,D
	NEW	S88	S	0	-	-	-	-	-	-	-	-	-
NP2	OLD	RR.5	L	0.5	2AC	C	-	-	G	-	C	-	-
	NEW	S88	S	0	-	-	-	-	G	-	-	-	-
NP3	OLD	A70	L	0.25	4AC	C	-	-	G	-	C	-	-
	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	-
	NEW	S88	S	0	-		-	-	-	-	-	-	-
NP4	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	-
	NEW	S88	S	0	-	-	-	-	-	-	-	-	-
OS-1	OLD	M53, RR.5	L	0.5	2AC	C	-	-	G	-	C	-	B
	OLD	C36, RR.5	L	0.5	2AC	C	-	-	G	-	C	-	B
	OLD	C36, M52	Q	40.0	-	T	-	-	G	-	O	-	BD
	NEW	S88	S	0	-	-	-	-	-	-	-	-	-

AREA	STATUS	ZONING											
				DEVELOPMENT REGULATIONS									
		USE REG	ANIMAL REG	DEN-SITY	LOT SIZE	BLDG TYPE	MAX FLOOR AREA	FLOOR AREA RATIO	HT	COVER	SET-BACK	OPEN SPACE	SPEC AREA REG
OS-2	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	B
	OLD	A70	L	0.5	2AC	C	-	-	G	-	C	-	B
	OLD	A70	L	0.3	4AC	C	-	-	G	-	C	-	B
	NEW	S88	S	0	-	-	-	-	-	-	-	-	-
OS-3	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	B
	OLD	RR.25	L	0.25	4AC	C	-	-	G	-	W	-	B
	NEW	S88	S	0	-	-	-	-	-	-	-	-	-
OS-4	OLD	RR.25	L	0.25	4AC	C	-	-	G	-	W	-	B
	NEW	S88	S	0	-	-	-	-	-	-	-	-	-
OS-5	OLD	RR.25	L	0.25	4AC	C	-	-	G	-	W	-	B
	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	B
	NEW	S88	S	0	-	-	-	-	-	-	-	-	-
OS-6	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	B
	NEW	S88	S	0	-	-	-	-	-	-	-	-	-
OS-7	OLD	S82	L	0.05	20AC	A	-	-	G	-	C	-	B
	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	B
	OLD	RR.25	L	0.25	4AC	C	-	-	G	-	W	-	B
	NEW	S88	S	0	-	-	-	-	-	-	-	-	-
OS-8	OLD	S82	M	-	20AC	W	-	-	G	-	E	-	-
	NEW	S88	S	0	-	-	-	-	-	-	-	-	-
OS-9	OLD	S92	M	0.25	4 AC	C	-	-	G	-	C	-	B
	NEW	S88	S	0	-	-	-	-	-	-	-	-	-
OS-10	OLD	S92	M	0.25	4 AC	C	-	-	G	-	C	-	B
	NEW	S88	S	0	-	-	-	-	-	-	-	-	-
OS-11	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	-
	OLD	A70	L	0.25	4AC	C	-	-	G	-	C	-	-
	NEW	S88	S	0	-	-	-	-	-	-	-	-	-
OS-12	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	-
	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	B
	OLD	A70	L	0.25	4AC	C	-	-	G	-	C	-	-
	NEW	S88	S	0	-	-	-	-	-	-	-	-	-
OS-13	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	B
	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	-
	OLD	A70	L	0.25	4AC	C	-	-	G	-	C	-	B
	NEW	S88	S	0	-	-	-	-	-	-	-	-	-

AREA	STATUS	ZONING											
				DEVELOPMENT REGULATIONS									
		USE REG	ANIMAL REG	DEN-SITY	LOT SIZE	BLDG TYPE	MAX FLOOR AREA	FLOOR AREA RATIO	HT	COVER	SET-BACK	OPEN SPACE	SPEC AREA REG
OS-14	OLD	A70	L	0.25	4AC	C	-	-	G	-	C	-	B
	OLD	RR.5	L	0.5	2AC	C	-	-	G	-	C	-	B
	NEW	S88	S	0	-	-	-	-	-	-	-	-	-
OS-15	OLD	S82	L	0.05	20AC	A	-	-	G	-	C	-	B
	OLD	S82	M	-	20AC	W	-	-	G	-	E	-	-
	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	B
	NEW	S88	S	0	-	-	-	-	-	-	-	-	-
OS-16	OLD	S92	M	0.25	4AC	C	-	-	G	-	C	-	B
	OLD	A70	L	0.25	4AC	C	-	-	G	-	C	-	B
	NEW	S88	S	0	-	-	-	-	-	-	-	-	-

"D1" Special Area Regulation Designator – Design Review for Noise

Objective:
To provide comprehensive design review for the General Commercial and Multi-Family areas to minimize potential noise impacts through design review and to ensure that County Noise Ordinance and Noise Element standards have been met.

Standards:

In addition to those standards and criteria specified in Sections 5906 and 5910 of the Zoning Ordinance, the following specific criteria shall also be applied to the Site Plan review and evaluation to achieve the above objective.

1. An acoustical study shall be submitted prior to issuance of building permits. The study shall include recommendations to assure that exterior and interior noise standards of the County Noise Ordinance and Noise Element are met.

2 The Site Plan shall be in conformance with the "D1" Designator Noise Setback Standards as set forth in Figure 8-2 of the Specific Plan.

"D2" Special Area Regulation Designator – Comprehensive Design Review for Variable Residential Development

Objective:
To provide comprehensive design review for the variable residential development within Neighborhood 2 to assure conformance with the design standards contained in the Merriam Mountains Specific Plan text.

Standards:
In addition to those standards and criteria specified in Sections 5906 and 5910 of the Zoning Ordinance, the following specific criteria within the Merriam Mountains Specific Plan shall also be applied to the Site Plan review and evaluation for Planning Area 3.

1. The maximum height shall be 35 feet consisting of two story structures.

2. No more than four units shall be permitted per structure.

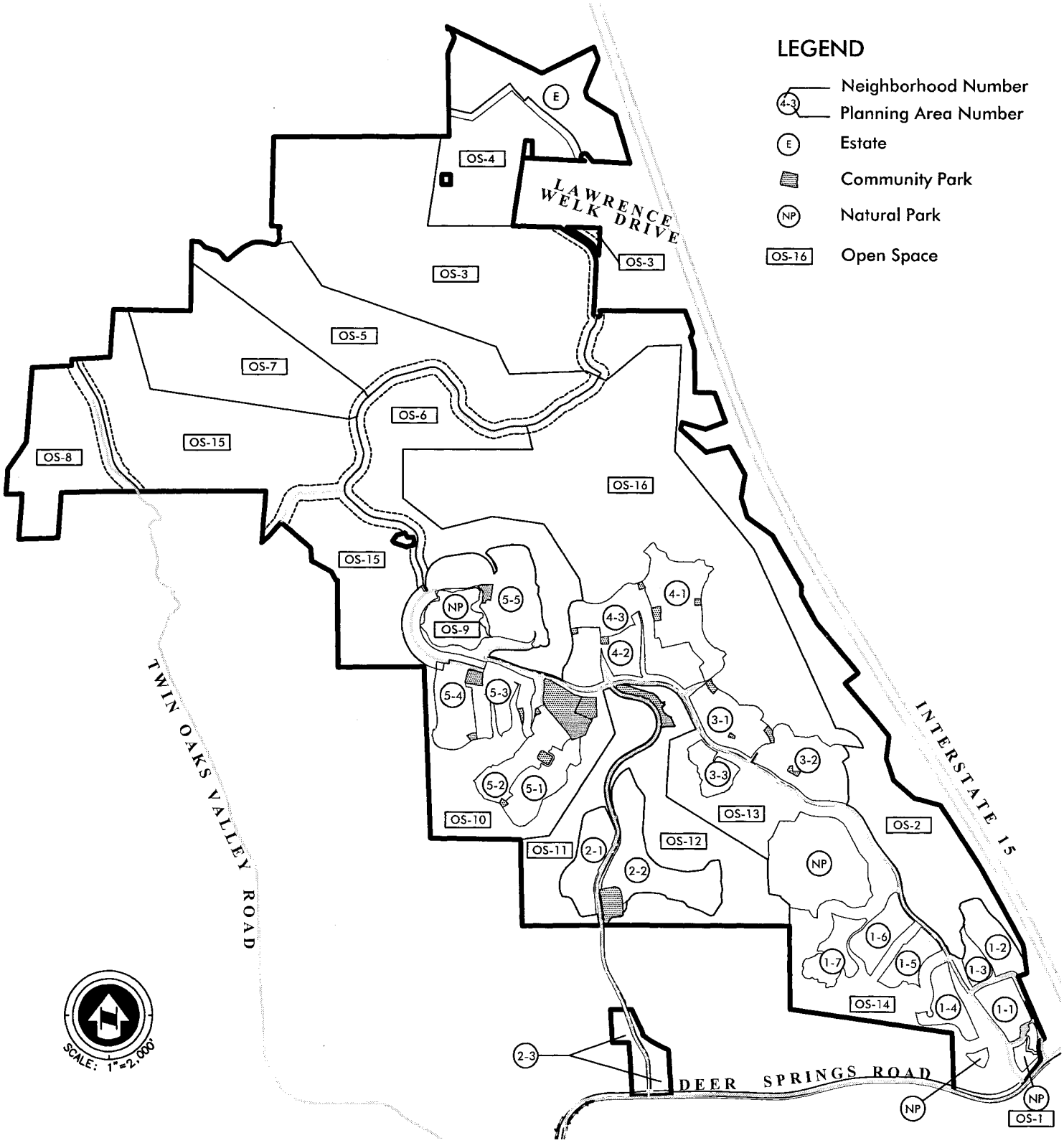
3. A 100-foot setback for all structures from property line per the requirements of the Fire Protection Plan.

Section 3. Effective Date. This Ordinance shall take effect and be in force thirty (30) days after the date of its passage, and before the expiration of fifteen (15) days after its passage, a summary shall be published once with the names of the members voting for and against the same in the San Diego Daily Transcript, a newspaper of general circulation published in the County of San Diego.

;

MERRIAM MOUNTAINS
GPA 04-006, SPA 04-006, REZ 04-013

REZONE PLAN



Attachment E

Resource Protection Ordinance Amendment Form of Ordinance

Attachment E

ORDINANCE NO. _____(NEW SERIES)

AN ORDINANCE AMENDING THE RESOURCE PROTECTION ORDINANCE, RELATING TO THE ADDITION OF AN EXEMPTION FOR PROJECTS LOCATED WITHIN THE MERRIAM MOUNTAINS SPECIFIC PLAN AREA

REF: GPA04-006 / SP04-006 / R04-013 / VTM5381RPL[4] / STP04-035 / ER04-08-028

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. The intent of this ordinance is to amend the Resource Protection Ordinance to exempt projects located within the Merriam Mountains Specific Plan.

Section 2. The Section 86.605 of the Resource Protection Ordinance is hereby amended as follows:

(m) "Any project located within the approximately 2,327 acre property known as 'Merriam Mountains Specific Plan,' including associated off-site improvement projects, if the project is determined to be consistent with a comprehensive Resource Protection Plan, which has been adopted by the Board of Supervisors as the functional equivalent of RPO."

Section 3. Effective Date. This Ordinance shall take effect and be in force thirty (30) days after the date of its passage, and before the expiration of fifteen (15) days after its passage, a summary shall be published once with the names of the members voting for and against the same in the San Diego Daily Transcript, a newspaper of general circulation published in the County of San Diego.

;

Attachment F
Specific Plan Resolution

Hearing Date: _____

RESOLUTION OF THE SAN DIEGO COUNTY)
BOARD OF SUPERVISORS)
APPROVING SPECIFIC PLAN SP 04-006)
(Merriam Mountains Specific Plan)

ON MOTION of Supervisor _____, seconded by Supervisor _____, the following Resolution is adopted:

WHEREAS, Stonegate Merriam Mountains LLC (hereinafter referred to as "applicant"), submitted a Specific Plan on June 30, 2004, pursuant to Board of Supervisors Policy I-59 (Large Scale Project Review) for an area comprising a total of 2327 acres located north of Deer Springs Road and west of Interstate 15; and

WHEREAS, said Specific Plan is based upon the North County Metropolitan Subregional and Bonsall Community Plans and designates the site as (21) Specific Plan Area (1.16 dwelling units per acre), and provides for guidelines for developing the Specific Plan within the Community/Subregional Plan text; and

WHEREAS, the applicant has stated the intent to:

1. Prepare 10.72 acres of land for commercial and civic land uses for the construction of a fire station and neighborhood serving commercial.

2. Prepare 12.3 acres of land for the development of 270 multi-family residences, 96.2 acres of land for the development of 1271 variable residential homes, and 306.1 acres of land for the development of 1,159 single-family detached residences.

3. Utilize 559.3 acres of land as open space land for the provision of public and private parks, and fuel management areas.

4. Preserve 1,192 acres of land in permanent open space.

5. Provide an extensive trail system, measuring 18.3 miles.

6. Amend the General Plan for the 2,327 acre site to (21) Specific Plan Area (1.16).

7. Rezone the 2,327 acres of land to provide for the development of commercial, civic, residential, and open space land uses in accordance with the Specific Plan.

8. Request approval of Vesting Tentative Map (VTM) 5381RPL[4] and Site Plan (S) 04-035.

9. Provide all normal and necessary public services and facilities in such a manner that they will not create a construction cost obligation to the County or other public agency.

10. Preserve the scenic qualities of the I-15 Corridor viewshed through application of the "B" Special Area Designator for those areas visible from I-15.

11. Apply specific design standards for the variable residential areas in Neighborhood 2 to promote a visually unified cohesive design within the Specific Plan and those areas adjacent to the Specific Plan.

12. Create standards for all common areas to establish project design consistency among the various planning areas (neighborhoods) of the SPA, including streetscapes, entries, and landscaping.

13. Construct all buildings in accordance with green building standards.

14. Implement the development in phases with the off-site road improvements along Deer Springs Road and Twin Oaks Valley Road to be completed prior to the first occupancy of any unit within the Specific Plan.

15. Make physical improvements to land outside the jurisdiction of the County of San Diego.

16. Obtain land necessary to complete roadway improvements outside the boundaries of the project site.

WHEREAS, implementation of said Specific Plan will occur in concurrent application(s) for GPA04-006 / R04-013 / VTM5381RPL[4] / STP04-035 / ER04-08-028; and

WHEREAS, pursuant to Section 65090, et seq. of the Government Code, the Planning Commission on October 9, 2009 conducted a duly advertised hearing on said Specific Plan and by a vote of _____ recommended that the Board of Supervisors approve the Merriam Mountains Specific Plan because it is consistent with the General Plan and the North County Metropolitan Subregional and Bonsall Community Plans; and

WHEREAS, Pursuant to Section 65355 of the Government Code, the Board of Supervisors on _____, conducted a duly advertised public hearing on said Specific Plan and considered the recommendations of the Planning Commission with respect thereto, and determined that the requirements hereinafter enumerated are necessary to ensure that said Specific Plan, and the implementation thereof, will conform to all ordinances, policies, rules, standards and improvement and design requirements of the County of San Diego; and

NOW, THEREFORE, BE IT RESOLVED AND FOUND in accordance with the California Environmental Quality Act (CEQA) Guidelines as follows:

(1) Determinations and findings pursuant to the California Environmental Quality Act, the Resources Protection Ordinance, the Watershed Protection, and the Stormwater Management, and Discharge Control Ordinance are contained in the Resolution of the Board of Supervisors adopting General Plan Amendment GPA 04-006.

BE IT FURTHER RESOLVED that the Board of Supervisors finds that the Merriam Mountains Plan (SP 04-006) is consistent with the San Diego County General Plan and the North County Metropolitan Subregional and Bonsall Community Plans in that the goals, objectives, and policies of all the elements of the plans have been or will be met.

BE IT FURTHER RESOLVED that the Board of Supervisors hereby adopts the Merriam Mountains Specific Plan as SP 04-006, consisting of the text and map entitled Merriam Mountains Specific Plan / General Plan Amendment Report, and this Resolution.

BE IT FURTHER RESOLVED that the following conditions and requirements are imposed upon said Specific Plan and all development applications filed in order to implement said Specific Plan:

1. Unless specifically waived, the requirements of the San Diego County Subdivision Ordinance, The Zoning Ordinance, and the San Diego County road standards shall apply irrespective of what is stated in the applicant's Specific Plan text and none of the requirements included within this Resolution shall be deemed as exempting any permit filed pursuant to this Specific Plan from that review process and those conditions and requirements normally applied to such permit applications.

2. The applicant shall submit to the Department of Planning and Land Use within 30 days of the adoption of this Resolution revised copies of the Specific Plan text and map that include any additions, deletions, or modifications approved by this Resolution.

3. The mitigation measures and design considerations contained in the environmental document prepared for this Specific Plan (Log No. 04-08-028) are hereby made requirements of the Merriam Mountains Specific Plan (SP04-006).

4. The conditions contained in the Vesting Tentative Map Resolution (VTM5381RPL[4]) and Site Plan Form of Decision (S04-035) are hereby made requirements of the Merriam Mountains Specific Plan (SP04-006).

5. The design guidelines provided in the Merriam Mountains General Plan Amendment/Specific Plan Report are hereby made requirements of each

subsequent development application within the Merriam Mountains Specific Plan area.

6. Prior to the approval of the Final Map of any phase within the project, the developer shall improve or agree to improve those roads necessary for said phase. Prior to the improvement of said roads, the developer shall provide all dedications necessary to complete the required improvements. All onsite and off-site roads within the boundaries of the County of San Diego shall be improved to Public Road Standards, excepting the emergency access road and Lawrence Welk Lane. All off-site roads within another jurisdiction shall be constructed pursuant to the road standards that are applicable to that jurisdiction. Off-site improvements along Deer Springs Road, Twin Oaks Valley Road, and the I-15/Deer Springs Road interchange shall be completed prior to the occupancy of the first dwelling unit within the Specific Plan. All other off-site improvements will be completed as described in the project Environmental Impact Report.

7. A HOA, or similar entity is established and kept in good standing.

8. A member of the Merriam HOA, or similar entity retains a membership with the Deer Springs Fire Safe Council.

9. Prior to the recordation of the first (1st) Final Map, a copy of an executed agreement between the developer and the Deer Springs Fire Protection District shall be provided to the Department of Planning and Land Use. The agreement shall include details on the timing and financial obligations associated with the construction of the fire station.

10. Dedicate onsite and cause to be granted offsite **Deer Springs Road (SF 1414)**, from Twin Oaks Valley Road to Meadow Park Lane in accordance with Public Road Standards for a Major Road, with bike lanes to a right-of-way width of one hundred ten feet (110') together with right to construct and maintain slopes and drainage facilities to the satisfaction of the Director of Public Works and in accordance with the approved Design Modification and Alignment 'C' dated 9/29/08 (attached).

11. Dedicate onsite and cause to be granted offsite **Deer Springs Road (SF 1414)** from Meadow Park Lane to Merriam Mountains Parkway in accordance with Public Road Standards for a Major Road, with bike lanes to a right-of-way width of one hundred ten feet (110'), and as shown on approved VTM 5381, together with right to construct and maintain slopes and drainage facilities to the satisfaction of the Director of Public Works.

12. With the recordation of the Final Map for Phase #1, cause to be granted an Irrevocable Offer of Dedication for real property for public highway required to complete a sixty-seven foot (67') wide, one-half right-of-way width on the project side of the ultimate centerline, plus the right to construct and maintain slopes and drainage improvements as required beyond the sixty-seven foot (67') limit for that

portion within the land division for **Deer Springs Road (SF 1414)** along the project frontages up to Merriam Mountains Parkway, including twenty-foot (20') radius property line corner roundings at street intersections.

13. With the recordation of the Final Map for Phase #1, dedicate onsite and cause to be granted offsite **Deer Springs Road (SF 1414)** from Merriam Mountains Parkway to the I-15 Northbound ramps in accordance with Public Road Standards for a modified Prime Arterial, with bike lanes to a right-of-way width of one hundred thirty-four feet (134'), or as required by the Caltrans Project Study Report (PSR), to be prepared in consultation with Caltrans, and as shown on approved VTM 5381, together with right to construct and maintain slopes and drainage facilities to the satisfaction of Caltrans and the Director of Public Works.

BE IT FURTHER RESOLVED that said Specific Plan shall be of no force or effect on _____ **(8 YEARS FROM THE BOARD OF SUPERVISORS APPROVAL)**, if a Tentative Map filed pursuant to this Specific Plan has not been approved and recorded as a Final Map.

BE IT FURTHER RESOLVED that all references within this Resolution to "applicant" shall be equally applicable to the current property owner(s) and to any successors in interest or assigns, whether such successors or assigns own, control, or otherwise have development authority for all, a portion, or portions of that property included within said Specific Plan.

BE IT FURTHER RESOLVED that all references within this Resolution to "applicant", "developer", or "subdivider" shall be equally applicable to the current property owner and to any successors-in-interest or assigns, whether such successors or assigns own, control, or otherwise have development authority for all, a portion, or portions of that property included within the Specific Plan.

BE IT FURTHER RESOLVED that the following evidence is incorporated herein by this reference and serves as further evidence to support the findings, requirements, and conclusions included herein: The maps, exhibits, written documents and materials contained in the files for the Merriam Mountains Specific Plan (SP 04-006), on record at the County of San Diego, the written documents referred to, and the oral presentation(s) made at the public hearing(s).

BE IT FURTHER RESOLVED that this Resolution shall take effect and be in force from and after 30 days after its adoption.

NOTICE - The subject property is known to 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.

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 fee in the amount of $2,550 and _____ has been paid for the environmental impact report, Environmental Review Number 04-08-028. The receipt numbers are 330439, dated September 7, 2007, and _____, dated _____.

Attachment G

Vesting Tentative Map Resolution

RESOLUTION OF SAN DIEGO COUNTY)
CONDITIONALLY APPROVING)
VESTING TENTATIVE MAP NO. 5381RPL^4)

WHEREAS, Vesting Tentative Map No. 5381RPL^4 proposing the division of property located north of Deer Springs Road and east of Interstate 15 and generally described as:

PORTIONS OF SECTIONS 11, 12, 13, 14, 24, AND 25, TOWNSHIP 11 SOUTH, RANGE 3 WEST, SBM TOGETHER WITH PORTIONS OF SECTIONS 18, 19, AND 30, TOWNSHIP 11 SOUTH, RANGE 2 WEST, SBM IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA.

was filed with the County of San Diego pursuant to the Subdivision Map Act and San Diego County Subdivision Ordinance on November 26, 2008; and

WHEREAS, on October 9, 2009, the Planning Commission of the County of San Diego pursuant to Section 81.307 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.

WHEREAS, on _____, the Board of Supervisors of the County of San Diego pursuant to Section 81.307 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 Board of Supervisors 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, THEREFORE, that the Board of Supervisors 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 (21) Specific Plan Area Land Use Designation of the North County Metropolitan Subregional and Bonsall Community Plans because it proposes residential and commercial uses at a density of 1.16 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 single and variable residential, and open space uses with a minimum net lot size of 4,000 square feet within the S88 Specific Plan Use Regulation, commercial and civic land uses within the C36 General Commercial Use Regulation, and multi-family residential uses within the RM22 Multiple Family Residential 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 North County Metropolitan Subregional and Bonsall Community Plans, and comply with the provisions of the State Subdivision Act and the Subdivision Ordinance of the San Diego County Code;

4. The site is physically suitable for the residential, commercial, and civic types of development because the building pads will be of sufficient size to accommodate the proposed uses and the development footprint has been placed in an area that will allow for the conservation of 1,192 acres of land;

5. The site is physically suitable for the proposed density and intensity of development because the project is located adjacent to two major transportation corridors and all public services and facilities are available to serve the project;

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 an Environmental Impact Report dated _____;

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 southern portion of subdivision into the Vallecitos Water District sewer system and from the northern estate lots into the individual private subsurface 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

11. Determinations and findings pursuant to the California Environmental Quality Act, the Resources Protection Ordinance, the Watershed Protection, and the Stormwater Management, and Discharge Control Ordinance are contained in the Resolution of the Board of Supervisors adopting General Plan Amendment GPA 04-006.

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

A. The approval of this Vesting Tentative Map expires 36 months from the date of this resolution, unless prior to that date an application for a Time Extension has been filed and is subsequently approved as provided by Section 81.308 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 04-006 or Specific Plan 04-006, whichever comes first, has also become effective. This approval expires 36 months from said effective date, unless prior to that date an application for a Time Extension has been filed and is subsequently approved as provided by Section 81.308 of the County Subdivision Ordinance.

PLEASE NOTE: Condition compliance, preparation of grading and improvement plans and final mapping may take a year or more to complete. Applicants are advised to begin this process at least one year prior to expiration of this Vesting Tentative Map.

PLEASE NOTE: 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.

B. The "Standard Conditions for Tentative Subdivision Maps" approved by the Board of Supervisors on June 16, 2000, and filed with the Clerk as Resolution No. 00-199, shall be made conditions of this Tentative Map approval. Only those exceptions to the Standard Conditions set forth in this Resolution or shown on the Tentative Map will be authorized.

C. The following conditions shall be complied with before a Final Map is approved by the Board of Supervisors and filed with the County Recorder of San Diego County (and, where specifically, indicated, shall also be complied with prior to issuance of grading or other permits as specified):

PLANS AND SPECIFICATIONS

(Street Improvements and Access)

1. Standard Conditions 1 through 12.

2. Specific Conditions:

   a. Prior to approval of the Final Map for Phase # 1, improve or agree to improve and provide security for **Merriam Mountains Parkway** (non-Circulation Element Road) from its intersection with Deer Springs Road (SF 1414), to the northerly intersection with Street '1-5-A' at approximate station 46+60 in accordance with Public Road Standards per Typical Sections 'A2' and 'B2' of Tentative Map 5381 to the satisfaction of the Director of Public Works and the Deer Springs Fire Protection District. [DPW] [FIRE]

   b. Prior to approval of the Final Map for Phase #1, improve or agree to improve and provide security for **Meadow Park Lane** (non-Circulation Element Road) from its intersection with Deer Springs Road (SF 1414), then northerly along Meadow Park Lane to approximate station 15+80 in accordance with Public Road Standards, as per Typical Section 'E2' of Tentative Map 5381 to the satisfaction of the Director of Public Works and the Deer Springs Fire Protection District. [DPW] [FIRE]

   c. Prior to approval of the Final Map for Phase #1, improve or agree to improve and provide security for **Mesa Rock Road** from Deer Springs

Road to Street '1-2-A' in accordance with Public Road Standards for an Industrial/Commercial Collector Road, to a graded width of eighty-eight feet (88') with sixty-eight feet (68') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and sidewalk with face of curb at thirty-four feet (34') from centerline to the satisfaction of the Director of Public Works and the Deer Springs Fire Protection District. The existing pavement may remain and shall be widened with asphalt concrete to provide a constant width of sixty-eight feet (68'). All distressed sections shall be replaced. [DPW] [FIRE]

d. Prior to approval of the Final Map for Phase #1, improve or agree to improve and provide security for **Street '1-2-A'** from Merriam Mountains Parkway to Mesa Rock Road in accordance with Public Road Standards for an Industrial/Commercial Collector Road, to a graded width of eighty-eight feet (88') with sixty-eight feet (68') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and sidewalk with face of curb at thirty-four feet (34') from centerline to the satisfaction of the Director of Public Works and the Deer Springs Fire Protection District. [DPW] [FIRE]

e. Prior to approval of the Final Map for Phase #1, improve or agree to improve and provide security for **Street '1-1-A'** from Merriam Mountains Parkway to the cul-de-sac in accordance with Public Road Standards for a Industrial/Commercial Cul-de-sac, to a graded width of seventy-two feet (72') with fifty-two feet (52') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and sidewalk with face of curb at twenty-six feet (26') from centerline to the satisfaction of the Director of Public Works and the Deer Springs Fire Protection District. [DPW] [FIRE]

f. Prior to approval of the Final Map for Phase #1, improve or agree to improve and provide security for **Street '1-4-A'** from Merriam Mountains Parkway to the cul-de-sac in accordance with Public Road Standards for a Residential Collector, 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 and the Deer Springs Fire Protection District. [DPW] [FIRE]

g. Prior to approval of the Final Map for Phase #1, improve or agree to improve and provide security for **Street '1-5-A'** from Merriam Mountains Parkway at approximate station 39+50 to Merriam Mountains Parkway at approximate station 46+60 in accordance with Public Road Standards for a Residential Collector, 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 and the Deer Springs Fire Protection District. [DPW] [FIRE]

h. Prior to approval of the Final Map for Phase #1, improve or agree to improve and provide security for **Street '1-7-A'** from Street '1-5-A' to the cul-de-sac in accordance with Public Road Standards for a Residential Road, 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 and the Deer Springs Fire Protection District. [DPW] [FIRE]

i. Prior to approval of the Final Map for Phase #1, **Streets '1-4-A', and '1-7-A'** shall each terminate with a cul-de-sac graded to a radius of forty eight feet (48)' and surfaced to a radius of thirty eight feet (38)' with asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and sidewalk with face of curb at thirty eight feet (38') from the radius point to the satisfaction of the Director of Public Works and the Deer Springs Fire Protection District. [DPW] [FIRE]

j. Prior to approval of the Final Map for Phase #1, **Streets '1-1-A'** shall terminate with a cul-de-sac graded to a minimum radius of sixty feet (60)' and surfaced to a minimum radius of fifty feet (50)' with asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and sidewalk with face of curb at fifty feet (50') from the radius point to the satisfaction of the Director of Public Works and the Deer Springs Fire Protection District. [DPW] [FIRE]

k. Prior to approval of the Final Map for Phase #1, improve or agree to improve and provide security for the **unnamed access road,** from Street '1-4-A' to Street '1-5-A' to a minimum graded width of twenty-eight feet (28') and to an improved width of twenty-four feet (24') with asphalt concrete pavement over approved base with asphalt concrete dike at twelve feet (12') from centerline. The improvement and design standards of Section 3.1(C) of the County Standards for Private Streets for one hundred (100) or less trips shall apply to the satisfaction of the Director of Public Works and the Deer Springs Fire Protection District. [FIRE]

l. Prior to approval of the Final Map for Phase #2, improve or agree to improve and provide security for **Meadow Park Lane** (non-Circulation Element Road) from approximate station 15+80 to Merriam Mountains Parkway in accordance with Public Road Standards, as per Typical Sections 'F2' and 'E2' of Tentative Map 5381 to the satisfaction of the Director of Public Works and the Deer Springs Fire Protection District. [DPW] [FIRE]

m. Prior to approval of the Final Map for Phase #2, improve or agree to improve and provide security for **Merriam Mountains Parkway** (non-Circulation Element Road) from the northerly intersection with Street '1-5-A' at approximate station 46+60 to Meadow Park Lane in accordance with Public Road Standards, per Typical Sections 'C2' and 'D2' of Tentative Map 5381 to the satisfaction of the Director of Public Works and the Deer Springs Fire Protection District. [DPW] [FIRE]

n. Prior to approval of the Final Map for Phase #2, improve or agree to improve and provide security for **Street '3-1-A'** from Merriam Mountains Parkway at approximate station 78+60 to Street '3-2-A' at approximate station 1+00 in accordance with Public Road Standards for a Residential Collector, 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 and the Deer Springs Fire Protection District. [DPW] [FIRE]

o. Prior to approval of the Final Map for Phase #2, improve or agree to improve and provide security for **Street '3-1-A'** from Street '3-2-A' at approximate station 1+00 to Merriam Mountains Parkway at approximate station 63+60 in accordance with Public Road Standards for a Residential Road, 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 and the Deer Springs Fire Protection District. [DPW] [FIRE]

p. Prior to approval of the Final Map for Phase #2, improve or agree to improve and provide security for **Street '3-2-A'** from Street '3-1-A' at approximate station 3+00 to Street '3-1-A' at approximate station 20+50 in accordance with Public Road Standards for a Residential Road, 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 and the Deer Springs Fire Protection District. [DPW] [FIRE]

q. Prior to approval of the Final Map for Phase #2, improve or agree to improve and provide security for **Street '3-2-B'** from Street '3-2-A' at approximate station 5+80 to Street '3-2-A' at approximate station 13+20 in accordance with Public Road Standards for a Residential Road, 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 and the Deer

Springs Fire Protection District. [DPW] [FIRE]

r. Prior to approval of the Final Map for Phase #2, improve or agree to improve and provide security for **Street '3-1-B'** from Street '3-1-A' to the cul-de-sac in accordance with Public Road Standards for a Residential Cul-de-sac, to a minimum graded width of fifty-two feet (52') with a minimum thirty-two feet (32') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and sidewalk with face of curb at a minimum sixteen feet (16') from centerline to the satisfaction of the Director of Public Works and the Deer Springs Fire Protection District. [DPW] [FIRE]

s. Prior to approval of the Final Map for Phase #2, improve or agree to improve and provide security for **Street '3-1-C'** from Street '3-1-A' to the cul-de-sac in accordance with Public Road Standards for a Residential Cul-de-sac, to a minimum graded width of fifty-two feet (52') with a minimum thirty-two feet (32') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and sidewalk with face of curb at a minimum sixteen feet (16') from centerline to the satisfaction of the Director of Public Works and the Deer Springs Fire Protection District. [DPW] [FIRE]

t. Prior to approval of the Final Map for Phase #2, improve or agree to improve and provide security for **Street '4-3-F'** from Merriam Mountains Parkway to Street '4-3-E' in accordance with Public Road Standards for a Residential Collector, 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 and the Deer Springs Fire Protection District. [DPW] [FIRE]

u. Prior to approval of the Final Map for Phase #2, improve or agree to improve and provide security for **Street '4-3-E'** from Street '3-2-C' at approximate station 11+00 to Street '3-1-A' in accordance with Public Road Standards for a Residential Road, 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 and the Deer Springs Fire Protection District. [DPW] [FIRE]

v. Prior to approval of the Final Map for Phase #2, improve or agree to improve and provide security for **Street '4-3-E'** from Street '4-3-F' to Street '3-2-C' at approximate station 11+00, in accordance with Public Road Standards for a Residential Collector, 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 and the Deer Springs Fire Protection District. [DPW] [FIRE]

w. Prior to approval of the Final Map for Phase #2, improve or agree to improve and provide security for **Street '3-2-C'** from Street '4-3-E' at approximate station 11+10 to Street '4-3-E' at approximate station 21+70 in accordance with Public Road Standards for a Residential Road, 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 and the Deer Springs Fire Protection District. [DPW] [FIRE]

x. Prior to approval of the Final Map for Phase #2, improve or agree to improve and provide security for **Street '3-1-D'** from Street '4-3-E' to the cul-de-sac in accordance with Public Road Standards for a Residential Cul-de-sac, to a minimum graded width of fifty-two feet (52') with a minimum thirty-two feet (32') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and sidewalk with face of curb at a minimum sixteen feet (16') from centerline to the satisfaction of the Director of Public Works and the Deer Springs Fire Protection District. [DPW] [FIRE]

y. Prior to approval of the Final Map for Phase #2, improve or agree to improve and provide security for **Street '3-2-D'** from Street '3-2-C' at approximate station 11+80 (at Lot 217) to Street '3-2-C' at approximate station 6+20 (at Lot 229) in accordance with Public Road Standards (one-way), per Section O2 of TM 538,1 to a graded width of forty-nine feet (49') with thirty-six feet (36') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and sidewalk (one side), with face of curb at eighteen feet (18') from centerline to the satisfaction of the Director of Public Works and the Deer Springs Fire Protection District. [DPW] [FIRE]

z. Prior to approval of the Final Map for Phase #2, improve or agree to improve and provide security for **Street '3-3-A'** from Merriam Mountains Parkway to the cul-de-sac in accordance with Public Road Standards for a Residential Road, 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 and the Deer Springs Fire Protection District. [DPW] [FIRE]

aa. Prior to approval of the Final Map for Phase #2, improve or agree to

improve and provide security for **Street '3-3-B'** from Street '3-3-A' to the cul-de-sac in accordance with Public Road Standards for a Residential Cul-de-sac, to a minimum graded width of fifty-two feet (52') with a minimum thirty-two feet (32') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and sidewalk with face of curb at a minimum sixteen feet (16') from centerline to the satisfaction of the Director of Public Works and the Deer Springs Fire Protection District. [DPW] [FIRE]

bb. Prior to approval of the Final Map for Phase #2, improve or agree to improve and provide security for **Street '3-3-C'** from Street '3-3-A' to the cul-de-sac in accordance with Public Road Standards for a Residential Cul-de-sac, to a minimum graded width of fifty-two feet (52') with a minimum thirty-two feet (32') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and sidewalk with face of curb at a minimum sixteen feet (16') from centerline to the satisfaction of the Director of Public Works and the Deer Springs Fire Protection District. [DPW] [FIRE]

cc. Prior to approval of the Final Map for Phase #2, **Streets '3-1-B', '3-1-C', '3-3-A', '3-3-B', '3-3-C', and '3-1-D'** shall each terminate with a cul-de-sac graded to a radius of forty eight feet (48)' and surfaced to a radius of thirty eight feet (38)' with asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and sidewalk with face of curb at thirty eight feet (38') from the radius point to the satisfaction of the Director of Public Works and the Deer Springs Fire Protection District. [DPW] [FIRE]

dd. Prior to approval of the Final Map for Phase #3, improve or agree to improve and provide security for **Merriam Mountains Parkway** (non-Circulation Element Road) from Meadow Park Lane to Street '5-1-A' in accordance with Public Road Standards, per Typical Section 'D-2' of Tentative Map 5381 to the satisfaction of the Director of Public Works and the Deer Springs Fire Protection District. [DPW] [FIRE]

ee. Prior to approval of the Final Map for Phase #3, improve or agree to improve and provide security for **Street '4-3-E'** from Street '4-3-C' to Street '4-3-F' in accordance with Public Road Standards for a Residential Collector, 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 and the Deer Springs Fire Protection District. [DPW] [FIRE]

ff. Prior to approval of the Final Map for Phase #3, improve or agree to improve and provide security for **Street '4-3-E'** from Street '4-1-C' to

Street '4-3-C' in accordance with Public Road Standards for a Residential Road, 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 and the Deer Springs Fire Protection District. [DPW] [FIRE]

gg. Prior to approval of the Final Map for Phase #3, improve or agree to improve and provide security for **Street '4-3-C'** from Street '4-3-B' at Lot 513, to the cul-de-sac at Lot 517, in accordance with Public Road Standards for a Residential Cul-de-sac, to a minimum graded width of fifty-two feet (52') with a minimum thirty-two feet (32') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and sidewalk with face of curb at a minimum sixteen feet (16') from centerline to the satisfaction of the Director of Public Works and the Deer Springs Fire Protection District. [DPW] [FIRE]

hh. Prior to approval of the Final Map for Phase #3, improve or agree to improve and provide security for **Street '4-3-C'** from Street '4-3-B' at Park G, thru four knuckles, to Street '4-3-B' at Lot 513 in accordance with Public Road Standards for a Residential Road, 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 and the Deer Springs Fire Protection District. [DPW] [FIRE]

ii. Prior to approval of the Final Map for Phase #3, improve or agree to improve and provide security for **Street '4-3-D'** from Street '4-3-E' to Street '4-3-C' in accordance with Public Road Standards for a Residential Road, 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 and the Deer Springs Fire Protection District. [DPW] [FIRE]

jj. Prior to approval of the Final Map for Phase #3, improve or agree to improve and provide security for **Street '4-1-C'** from Street '4-3-C' at approximate station 28+50 (Lot 489) to Street '4-3-C' at approximate station 9+00 (Lot 340) in accordance with Public Road Standards for a Residential Road, 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 and the Deer Springs Fire Protection District. [DPW] [FIRE]

kk. Prior to approval of the Final Map for Phase #3, improve or agree to improve and provide security for **Street '4-1-B'** from Street '4-3-C' to Street '4-3-A' in accordance with Public Road Standards for a Residential Road, 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 and the Deer Springs Fire Protection District. [DPW] [FIRE]

ll. Prior to approval of the Final Map for Phase #3, improve or agree to improve and provide security for **Street '4-3-A'** from Street '4-3-C' at approximate station 32+90 (Park E) to Street '4-3-B' (at Park I) in accordance with Public Road Standards for a Residential Road, 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 and the Deer Springs Fire Protection District. [DPW] [FIRE]

mm. Prior to approval of the Final Map for Phase #3, improve or agree to improve and provide security for **Street '4-1-A'** from Street '4-3-B' to Street '4-3-C' in accordance with Public Road Standards for a Residential Road, 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 and the Deer Springs Fire Protection District. [DPW] [FIRE]

nn. Prior to approval of the Final Map for Phase #3, improve or agree to improve and provide security for **Street '4-2-A'** from Merriam Mountains Parkway to Street '4-3-A' in accordance with Public Road Standards for a Residential Collector, 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 and the Deer Springs Fire Protection District. [DPW] [FIRE]

oo. Prior to approval of the Final Map for Phase #3, improve or agree to improve and provide security for **Street '4-3-B'** from Street '4-3-C', thru two knuckles, to Street '4-2-E' in accordance with Public Road Standards for a Residential Road, 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 and the Deer Springs Fire Protection District. [DPW] [FIRE]

pp. Prior to approval of the Final Map for Phase #3, improve or agree to improve and provide security for **Street '4-2-E'** from Street '4-3-B' to the cul-de-sac in accordance with Public Road Standards for a Residential Cul-de-sac to a minimum graded width of fifty-two feet (52') with a minimum thirty- two feet (32') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and sidewalk with face of curb at a minimum sixteen feet (16') from centerline to the satisfaction of the Director of Public Works and the Deer Springs Fire Protection District. [DPW] [FIRE]

qq. Prior to approval of the Final Map for Phase #3, improve or agree to improve and provide security for **Street '4-2-B'** from Street '4-3-B' to Street '4-2-A' in accordance with Public Road Standards for a Residential Road, 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 and the Deer Springs Fire Protection District. [DPW] [FIRE]

rr. Prior to approval of the Final Map for Phase #3, improve or agree to improve and provide security for **Street '4-2-C'** from Street '4-2-A' to Street '4-2-D' in accordance with Public Road Standards for a Residential Road, 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 and the Deer Springs Fire Protection District. [DPW] [FIRE]

ss. Prior to approval of the Final Map for Phase #3, improve or agree to improve and provide security for **Street '4-2-D'** from Street '4-2-C', thru two knuckles, to Street '4-3-A' in accordance with Public Road Standards for a Residential Road, 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 and the Deer Springs Fire Protection District. [DPW] [FIRE]

tt. Prior to approval of the Final Map for Phase #3, **Streets '4-3-C' and '4-2-E'** shall terminate with a cul-de-sac graded to a radius of forty eight feet (48)' and surfaced to a radius of thirty eight feet (38)' with asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and sidewalk with face of curb at thirty eight feet (38') from the radius point to the satisfaction of the Director of Public Works and the Deer Springs Fire Protection District. [DPW] [FIRE]

uu. Prior to approval of the Final Map for Phase #4, improve or agree to

improve and provide security for **Merriam Mountains Parkway** (non-Circulation Element Road) from Street '5-1-A' to Street '5-5-A' in accordance with Public Road Standards, per Typical Section 'D-2' of Tentative Map 5381 to the satisfaction of the Director of Public Works and the Deer Springs Fire Protection District. [DPW] [FIRE]

vv. Prior to approval of the Final Map for Phase #4, improve or agree to improve and provide security for **Street '5-5-A'**, from approximate station 55+50 at Lot 1174 thru one knuckle to Street '5-2-C' in accordance with Public Road Standards for a Residential Road, 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 and the Deer Springs Fire Protection District. [DPW] [FIRE]

ww. Prior to approval of the Final Map for Phase #4, improve or agree to improve and provide security for **Street '5-5-A'** loop around Natural Park 4 in accordance with Public Road Standards for a Residential Collector, 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, and a pathway on the south side from Park M to Lawrence Welk Court, to the satisfaction of the Director of Public Works and the Deer Springs Fire Protection District. [DPW] [FIRE]

xx. Prior to approval of the Final Map for Phase #4, improve or agree to improve and provide security for **Street '5-4-A'** from Street '5-5-A', thru two knuckles to Street '5-3-A' in accordance with Public Road Standards for a Residential Road, 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 and the Deer Springs Fire Protection District. [DPW] [FIRE]

yy. Prior to approval of the Final Map for Phase #4, improve or agree to improve and provide security for **Street '5-4-B'** from Street '5-5-A', to Street '5-4-A' in accordance with Public Road Standards for a Residential Road, 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 and the Deer Springs Fire Protection District. [DPW] [FIRE]

zz. Prior to approval of the Final Map for Phase #4, improve or agree to improve and provide security for **Street '5-3-A'** from Street '5-4-B', to

Street '5-3-B' in accordance with Public Road Standards for a Residential Road, 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 and the Deer Springs Fire Protection District. [DPW] [FIRE]

aaa. Prior to approval of the Final Map for Phase #4, improve or agree to improve and provide security for **Street '5-3-B'** from Street '5-5-A' to the cul-de-sac in accordance with Public Road Standards for a Residential Road, 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 and the Deer Springs Fire Protection District. [DPW] [FIRE]

bbb. Prior to approval of the Final Map for Phase #4, improve or agree to improve and provide security for **Street '5-1-A'** from Merriam Mountains Parkway, thru one knuckle to the cul-de-sac at Lot 1014 in accordance with Public Road Standards for a Residential Road, 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 and the Deer Springs Fire Protection District. [DPW] [FIRE]

ccc. Prior to approval of the Final Map for Phase #4, improve or agree to improve and provide security for **Street '5-2-C'** in accordance with Public Road Standards for a Residential Road (one way) per Section G-2 of TM 5381, 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 and the Deer Springs Fire Protection District. [DPW] [FIRE]

ddd. Prior to approval of the Final Map for Phase #4, improve or agree to improve and provide security for **Street '5-2-A'** from Street '5-1-A' to the cul-de-sac in accordance with Public Road Standards for a Residential Cul-de-sac to a minimum graded width of fifty-two feet (52') with a minimum thirty-two feet (32') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and sidewalk with face of curb at a minimum sixteen feet (16') from centerline to the satisfaction of the Director of Public Works and the Deer Springs Fire Protection District. [DPW] [FIRE]

eee. Prior to approval of the Final Map for Phase #4, improve or agree to

improve and provide security for **Street '5-2-B'**, from Street '5-5-A' to Street '5-1-A' in accordance with Public Road Standards for a Residential Road, 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 and the Deer Springs Fire Protection District. [DPW] [FIRE]

fff. Prior to approval of the Final Map for Phase #4, improve or agree to improve and provide security for **Street '5-2-I'**, from Street '5-2-C' to Street '5-1-A' in accordance with Public Road Standards for a Residential Road, 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 and the Deer Springs Fire Protection District. [DPW] [FIRE]

ggg. Prior to approval of the Final Map for Phase #4, improve or agree to improve and provide security for **Street '5-1-B'**, from Street '5-2-C' to Street '5-1-A' in accordance with Public Road Standards for a Residential Road, 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 and the Deer Springs Fire Protection District. [DPW] [FIRE]

hhh. Prior to approval of the Final Map for Phase #4, improve or agree to improve and provide security for **Street '5-1-C'**, from Street '5-2-C' to Street '5-1-A' in accordance with Public Road Standards for a Residential Road, 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 and the Deer Springs Fire Protection District. [DPW] [FIRE]

iii. Prior to approval of the Final Map for Phase #4, improve or agree to improve and provide security for **Street '5-2-H'**, from Street '5-2-C' to Street '5-1-A' in accordance with Public Road Standards for a Residential Road, 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 and the Deer Springs Fire Protection District. [DPW] [FIRE]

jjj. Prior to approval of the Final Map for Phase #4, improve or agree to improve and provide security for **Street '5-2-D'** from Street '5-2-H' to the

cul-de-sac in accordance with Public Road Standards for a Residential Cul-de-sac to a minimum graded width of fifty-two feet (52') with a minimum thirty-two feet (32') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and sidewalk with face of curb at a minimum sixteen feet (16') from centerline to the satisfaction of the Director of Public Works and the Deer Springs Fire Protection District. [DPW] [FIRE]

kkk. Prior to approval of the Final Map for Phase #4, improve or agree to improve and provide security for **Street '5-2-E'** from Street '5-2-H' to the cul-de-sac in accordance with Public Road Standards for a Residential Cul-de-sac to a minimum graded width of fifty-two feet (52') with a minimum thirty-two feet (32') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and sidewalk with face of curb at a minimum sixteen feet (16') from centerline to the satisfaction of the Director of Public Works and the Deer Springs Fire Protection District. [DPW] [FIRE]

lll. Prior to approval of the Final Map for Phase #4, improve or agree to improve and provide security for **Street '5-2-F'** from Street '5-2-H' to the cul-de-sac in accordance with Public Road Standards for a Residential Cul-de-sac to a minimum graded width of fifty-two feet (52') with a minimum thirty-two feet (32') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and sidewalk with face of curb at a minimum sixteen feet (16') from centerline to the satisfaction of the Director of Public Works and the Deer Springs Fire Protection District. [DPW] [FIRE]

mmm. Prior to approval of the Final Map for Phase #4, improve or agree to improve and provide security for **Street '5-5-B'** from Street '5-5-A', to the cul-de-sac in accordance with Public Road Standards for a Residential Road, 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 and the Deer Springs Fire Protection District. [DPW] [FIRE]

nnn. Prior to approval of the Final Map for Phase #4, improve or agree to improve and provide security for **Street '5-5-C'** from Street '5-5-A', to the cul-de-sac in accordance with Public Road Standards for a Residential Road, 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 and the Deer Springs Fire Protection District. [DPW] [FIRE]

ooo. Prior to approval of the Final Map for Phase #4, improve or agree to improve and provide security for **Street '5-5-D'** from Street '5-5-A', thru one knuckle, to the cul-de-sac in accordance with Public Road Standards for a Residential Road, 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 and the Deer Springs Fire Protection District. [DPW] [FIRE]

ppp. Prior to approval of the Final Map for Phase #4, improve or agree to improve and provide security for **Street '5-5-E'** from Street '5-5-A' to the cul-de-sac in accordance with Public Road Standards for a Residential Cul-de-sac, to a minimum graded width of fifty-two feet (52') with a minimum thirty-two feet (32') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and sidewalk with face of curb at a minimum sixteen feet (16') from centerline to the satisfaction of the Director of Public Works and the Deer Springs Fire Protection District. [DPW] [FIRE]

qqq. Prior to approval of the Final Map for Phase #4, improve or agree to improve and provide security for **Street '5-5-F'** from Street '5-5-A', at approximate station 26+30 (Lot 737), to Street '5-5-A', at approximate station 34+20 (Lot 756) in accordance with Public Road Standards for a Residential Road, 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 and the Deer Springs Fire Protection District. [DPW] [FIRE]

rrr. Prior to approval of the Final Map for Phase #4, **Streets '5-5-B', '5-5-C', '5-5-D', '5-5-E', '5-3-B', '5-2-A', '5-2-D', '5-2-E', '5-2-F', and ''5-1-A'** shall each terminate with a cul-de-sac graded to a radius of forty eight feet (48)' and surfaced to a radius of thirty eight feet (38)' with asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and sidewalk with face of curb at thirty eight feet (38') from the radius point to the satisfaction of the Director of Public Works and the Deer Springs Fire Protection District. [DPW] [FIRE]

sss. Prior to approval of the Final Map for Phase #4, improve or agree to improve and provide security for **Twin Oaks Valley Road (SC 1170)**, through the project boundary, in accordance with Public Road Standards for a Modified Rural Collector (with bike lanes), to a graded width of eighty-four feet (84') with fifty feet (50') of asphalt concrete pavement over approved base (per approved modification of September 21, 2009) with Portland cement concrete curb and gutter, and a ten foot (10') disintegrated granite pathway on the east side, with face of curb at twenty

feet (25') from centerline and seventeen-foot (17') parkways on both sides to the satisfaction of the Director of Public Works.

ttt. Prior to approval of the Final Map for Phase #4, improve or agree to improve and provide security for **Lawrence Welk Lane** from the existing cul-de-sac at Lawrence Welk Drive, then northwesterly to Lot 1184 to a minimum graded width of twenty-eight feet (28') and to a minimum improved width of twenty-four feet (24') with asphalt concrete pavement over approved base with Portland cement concrete curb and gutter at twelve feet (12') from centerline. The improvement and design standards of Section 3.1(C) of the County Standards for Private Streets for one hundred one (101) to seven hundred fifty (750) trips shall apply to the satisfaction of the Director of Public Works and the Deer Springs Fire Protection District. [FIRE]

uuu. Prior to approval of the Final Map for Phase #4, **Lawrence Welk Lane** shall terminate with a cul-de-sac graded to a radius of thirty-eight feet (38') and surfaced to a radius of thirty-six feet (36') with asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and sidewalk with face of curb at thirty-six feet (36') from the radius point to the satisfaction of the Director of Public Works and the Deer Springs Fire Protection District. [DPW] [FIRE]

vvv. Prior to approval of the Final Map for Phase #4, improve or agree to improve and provide security for **Lawrence Welk Court** from existing Lawrence Welk Court to Street '5-5-A' in accordance with Public Road Standards as shown on Typical Section J2 of approved Tentative Map 5381, to a graded width of forty to forty-four feet (40' – 44') and to an improved width of thirty-two feet (32') with asphalt concrete pavement over approved base with Portland cement concrete curb and gutter at sixteen feet (16') from centerline, except for a pathway on the west side adjacent to Lot 776 and on the east side, from Street '5-5-A' to connect to the trail easement within OS-6, to the satisfaction of the Director of Public Works and the Deer Springs Fire Protection District. [FIRE]

www. Prior to approval of the Final Map for Phase #4, improve or agree to improve and provide security for **Camino Mayor,** from Lawrence Welk Court to Twin Oaks Valley Road, to a graded width of forty-four feet (44') and to an improved width of thirty-two feet (32') with asphalt concrete pavement over approved base with Portland cement concrete curb and gutter at sixteen feet (16') from centerline and an eight-foot disintegrated granite trail. The improvement and design standards of Section 3.1(C) of the County Standards for Private Streets for one hundred (100) or less trips shall apply to the satisfaction of the Director of Public Works and the Deer Springs Fire Protection District. [FIRE]

xxx. Prior to approval of the Final Map for Phase #4, improve or agree to improve and provide security for **Lawrence Welk Lane,** from the north end of Lawrence Welk Lane at the cul-de-sac to the northwesterly project boundary, to a graded width of twenty-eight feet (28') and to an improved width of twenty-four feet (24') with asphalt concrete pavement over approved base with asphalt concrete dike at twelve feet (12') from centerline. The improvement and design standards of Section 3.1(C) of the County Standards for Private Streets for one hundred (100) or less trips shall apply to the satisfaction of the Director of Public Works and the Deer Springs Fire Protection District.

yyy. Asphalt concrete surfacing 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 and the Deer Springs Fire Protection District. [DPW]

zzz. Adequate sight distance per County Standards shall be provided at all proposed intersections and driveways to the satisfaction of the Director of Public Works. [DPW]

aaaa. Where height of fill bank for a 2:1 slope is greater than twelve feet (12'); or where height of fill bank for a 1.5:1 slope is greater than ten feet (10'), guardrail shall be installed per CALTRANS standards to the satisfaction of the Director of Public Works. [DPW]

bbbb. Driveways shall have a minimum improved width of sixteen (16') feet. [FIRE]

cccc. Driveways exceeding one hundred fifty (150') feet in length shall have an approved turn-around at the terminus. [FIRE]

dddd. Driveways, at any point, shall not exceed twenty (20%) percent grade. Driveways exceeding fifteen (15%) percent grade shall be surfaced with Portland cement concrete (PCC) with a rake finish perpendicular to the direction of travel. [FIRE]

eeee. Automatic gates serving more than four (4) residences, or any commercial structures defined by Deer Springs Fire Protection District, shall be equipped with an approved emergency traffic control activating strobe light sensor and a "knox" key switch. [FIRE]

ffff. Unless stated otherwise, improve roads or agree to improve and provide security for them, with the recordation of the unit the road is within, abuts,

or provides access to. [DPW]

gggg. Ride-share/bus shelters shall be provided internal locations.

3. Offsite Traffic Mitigation:

a. Prior to approval of the First (1st) Final Map, improve or agree to improve and provide security for the **I-15 Northbound Ramp/Deer Springs Road interchange** per the recommendations of the Project Study Report (to be prepared in consultation with Caltrans as part of this mitigation). This condition will be satisfied by evidence that the developer has entered into an agreement with Caltrans for the I-15 Northbound Ramp/Deer Springs Road intersection improvements to the satisfaction of the Director of Public Works and Caltrans. If an agreement is entered into, the agreement shall specify that this improvement shall be completed prior to the occupancy of the first dwelling unit. This condition will be waived if the developer provides evidence satisfactory to the Director of Planning and Land Use that Caltrans has not entered into an agreement deemed to satisfy the intent of the Final Environmental Impact Report (FEIR) 15091 Findings.

b. Prior to approval of the First (1st) Final Map, improve or agree to improve and provide security for the **I-15 Southbound Ramp/Deer Springs Road interchange** per the recommendations of the Project Study Report (to be prepared in consultation with Caltrans as part of this mitigation). This condition will be satisfied by evidence that the developer has entered into an agreement with Caltrans for the I-15 Southbound Ramp/Deer Springs Road intersection improvements to the satisfaction of the Director of Public Works and Caltrans. If an agreement is entered into, the agreement shall specify that this improvement shall be completed prior to the occupancy of the first dwelling unit. This condition will be waived if the developer provides evidence satisfactory to the Director of Planning and Land Use that Caltrans has not entered into an agreement deemed to satisfy the intent of the Final Environmental Impact Report (FEIR) 15091 Findings.

c. Prior to approval of the First (1st) Final Map, improve or agree to improve and provide security for the **Mesa Rock Road / Deer Springs Road intersection** lane configuration resulting from the Caltrans PSR process. Lane configuration could include one southbound left-turn lane and one southbound shared through / right-turn lane, one westbound left-turn lane, three westbound through lanes, and one westbound right-turn lane, one northbound left-turn lane, one northbound shared through / right-turn lane, one eastbound left-turn lane, two eastbound through lanes, and one eastbound shared through / right-turn lane to the satisfaction of the Director of Public Works. If an agreement is entered into between the developer and the County of San Diego, Department of Public Works, the

agreement shall specify that the improvements shall be completed prior to the occupancy of the first unit.

d. Prior to approval of the First (1st) Final Map, improve or agree to improve and provide security for the **Twin Oaks Valley Road / Deer Springs Road intersection** to provide one southbound through lane, one southbound shared through / right-turn lane, one northbound left-turn lane, two northbound through lanes, one eastbound left-turn lane, and one eastbound right-turn lane to the satisfaction of the Director of Public Works and the City of San Marcos. This condition will be satisfied by evidence that the developer has entered into an agreement with the City of San Marcos for the Twin Oaks Valley Road/Deer Springs Road intersection improvements to the satisfaction of the Director of Public Works and the City of San Marcos. If an agreement is entered into, the agreement shall specify that this improvement shall be completed prior to the occupancy of the first dwelling unit. This condition will be waived if the developer provides evidence satisfactory to the Director of Planning and Land Use that the City of San Marcos has not entered into an agreement deemed to satisfy the intent of the Final Environmental Impact Report (FEIR) 15091 Findings.

e. Prior to approval of the First (1st) Final Map, improve or agree to improve and provide security for the **Twin Oaks Valley Road / Buena Creek Road intersection** to provide one southbound left-turn lane, two southbound through lanes, one southbound right-turn lane, one westbound shared left-turn/through/right-turn lane, one northbound left-turn lane, one northbound through lane, one northbound shared through / right-turn lane, two eastbound left-turn lanes, and one eastbound shared through / right-turn lane to the satisfaction of the Director of Public Works, and the City of San Marcos. This condition will be satisfied by evidence that the developer has entered into an agreement with the City of San Marcos for the Twin Oaks Valley Road/Buena Creek Road intersection improvements to the satisfaction of the Director of Public Works and the City of San Marcos. If an agreement is entered into, the agreement shall specify that this improvement shall be completed prior to the occupancy of the first dwelling unit. This condition may be waived if the developer provides evidence satisfactory to the Director of Planning and Land Use that the City of San Marcos will not enter into an agreement deemed to satisfy the intent of the Final Environmental Impact Report (FEIR) 15091 Findings.

f. Prior to approval of the First (1st) Final Map, when traffic signal warrants are met, improve or agree to improve and provide security for the **Monte Vista Road / Buena Creek Road intersection** to provide a traffic signal and implement the following lane configurations: one southbound shared left-turn / right-turn lane, one westbound through lane, one westbound

right-turn lane with right-turn-overlap, one eastbound left-turn land and one eastbound through lane to the satisfaction of the Director of Public Works. A detailed signal warrant analysis shall be conducted prior to the issuance of a certificate of occupancy for the first dwelling unit, in order to confirm that construction of the traffic signal is warranted at that time. If the traffic signal is not warranted at that time, then the traffic signal shall not be constructed until warrants are met and a signal warrant analysis shall be conducted for this intersection prior to issuance of a certificate of occupancy for each subsequent phase of the project.

g. Prior to approval of the First (1st) Final Map, when traffic signal warrants are met, improve or agree to improve and provide security for the **Merriam Mountains Parkway / Deer Springs Road intersection** to provide a traffic signal and implement the following lane configurations: two southbound left-turn lanes, one southbound right-turn lane, two westbound though lane, one westbound right-turn lane, two eastbound left-turn lanes and two eastbound through lanes to the satisfaction of the Director of Public Works. A detailed signal warrant analysis shall be conducted prior to the issuance of a certificate of occupancy for the first dwelling unit, in order to confirm that construction of the traffic signal is warranted at that time. If the traffic signal is not warranted at that time, then the traffic signal shall not be constructed until warrants are met and a signal warrant analysis shall be conducted for this intersection prior to issuance of a certificate of occupancy for each subsequent phase of the project.

h. Prior to approval of the First (1st) Final Map, when traffic signal warrants are met, improve or agree to improve and provide security for the **Meadow Park Lane / Deer Springs Road intersection** to provide a traffic signal and implement the following lane configurations: two southbound left-turn lanes, one southbound right-turn lane, one westbound through lane, one westbound right-turn lane, one westbound shared through / right-turn lane, one eastbound left-turn lane and two eastbound through lanes to the satisfaction of the Director of Public Works. A detailed signal warrant analysis shall be conducted prior to the issuance of a certificate of occupancy for the first dwelling unit, in order to confirm that construction of the traffic signal is warranted at that time. If the traffic signal is not warranted at that time, then the traffic signal shall not be constructed until warrants are met and a signal warrant analysis shall be conducted for this intersection prior to issuance of a certificate of occupancy for each subsequent phase of the project.

i. Prior to approval of the First (1st) Final Map, when traffic signal warrants are met, improve or agree to improve and provide security for the **I-15 Southbound Ramp / Gopher Canyon Road intersections** to provide a traffic signal to the satisfaction of the Director of Public Works and

Caltrans. A detailed signal warrant analysis shall be conducted prior to the issuance of a certificate of occupancy for the first dwelling unit in order to confirm that construction of the traffic signal is warranted at that time. If the traffic signal is not warranted at that time, then the traffic signal shall not be constructed until warrants are met and a signal warrant analysis shall be conducted for this intersection prior to issuance of a certificate of occupancy for each subsequent phase of the project. This condition will be satisfied by evidence that the developer has entered into an agreement with Caltrans for the I-15 Southbound Ramp/Gopher Canyon Road intersection to the satisfaction of the Director of Public Works and Caltrans. This condition will be waived if the developer provides evidence satisfactory to the Director of Planning and Land Use that Caltrans has not entered into an agreement deemed to satisfy the intent of the Final Environmental Impact Report (FEIR) 15091 Findings.

j. Prior to approval of the First (1st) Final Map, when traffic signal warrants are met, improve or agree to improve and provide security for the **I-15 Northbound Ramp / Gopher Canyon Road intersections** to provide a traffic signal to the satisfaction of the Director of Public Works and Caltrans. A detailed signal warrant analysis shall be conducted prior to the issuance of a certificate of occupancy for the first dwelling in order to confirm that construction of the traffic signal is warranted at that time. If the traffic signal is not warranted at that time, then the traffic signal shall not be constructed until warrants are met and a signal warrant analysis shall be conducted for this intersection prior to issuance of a certificate of occupancy for each subsequent phase of the project. This condition will be satisfied by evidence that the developer has entered into an agreement with Caltrans for the I-15 Northbound Ramp/Gopher Canyon Road intersection to the satisfaction of the Director of Public Works and Caltrans. This condition will be waived if the developer provides evidence satisfactory to the Director of Planning and Land Use that Caltrans has not entered into an agreement deemed to satisfy the intent of the Final Environmental Impact Report (FEIR) 15091 Findings.

k. Prior to approval of the First (1st) Final Map, improve or agree to improve and provide security for **Deer Springs Road**, from Twin Oaks Valley Road to Meadow Park Lane, in accordance with the Public Road Standards for a Major Road to a graded width of one-hundred ten feet (110') (including bike lanes), with ninety feet (90') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter, and sidewalk with face of curb at forty-five feet (45') from centerline, (disintegrated granite pathway on the north side), to the satisfaction of the Director of Public Works, and in accordance with the approved Design Modification and Alignment 'C' dated 9/29/08 (attached). If an agreement is entered into between the developer and the County of San Diego, Department of Public Works, the agreement shall specify that the improvements shall be

completed prior to the occupancy of the first dwelling unit.

l. Prior to approval of the First (1st) Final Map, improve or agree to improve and provide security for **Deer Springs Road**, from Meadow Park Lane to Merriam Mountains Parkway, in accordance with the Public Road Standards for a Major Road (except for the reduced section at the portion adjacent to APN 187-540-47 per approved modification of September 22, 2009) to a graded width of one-hundred ten feet (110') (including bike lanes) with ninety feet (90') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and sidewalk, (disintegrated granite pathway on the north side), and a dedicated westbound left-turn lane at the Golden Door driveway entrance in accordance with typical sections as shown in the VTM 5381 Final Environmental Impact Report and the recommendations of the Traffic Impact Analysis Update by Linscott, Law, and Greenspan, dated March 9, 2009 to the satisfaction of the Director of Public Works. If an agreement is entered into between the developer and the County of San Diego, Department of Public Works, the agreement shall specify that the improvements shall be completed prior to the occupancy of the first dwelling unit.

m. Prior to approval of the First (1st) Final Map, improve or agree to improve and provide security for **Deer Springs Road**, from Merriam Mountains Parkway to Mesa Rock Road, in accordance with the Public Road Standards for a Major Road (with auxiliary lane) including bike lanes with asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and sidewalk, (disintegrated granite pathway on the north side), in accordance with typical sections as shown in the VTM 5381 Final Environmental Impact Report and the recommendations of the Traffic Impact Analysis Update by Linscott, Law, and Greenspan, dated March 9, 2009 to the satisfaction of the Director of Public Works. If an agreement is entered into between the developer and the County of San Diego, Department of Public Works, the agreement shall specify that the improvements shall be completed prior to the occupancy of the first dwelling unit.

n. Prior to approval of the First (1st) Final Map, improve or agree to improve and provide security for **Deer Springs Road**, from Mesa Rock Road to the I-15 Southbound Ramps, per the recommendations of the Project Study Report (to be prepared in consultation with Caltrans as part of this mitigation), and in accordance with the recommendations of the Traffic Impact Analysis (Figure 14-1) by Linscott, Law, and Greenspan (Appendix M of the Environmental Impact Report) to the satisfaction of the Director of Public Works and Caltrans. This condition will be satisfied by evidence that the developer has entered into an agreement with Caltrans for the Deer Springs Road improvements to the satisfaction of the Director of

Public Works and Caltrans. If an agreement is entered into, the agreement shall specify that this improvement shall be completed prior to the occupancy of the first dwelling unit. This condition will be waived if the developer provides evidence satisfactory to the Director of Planning and Land Use that Caltrans has not entered into an agreement deemed to satisfy the intent of the Final Environmental Impact Report (FEIR) 15091 Findings.

o. Prior to approval of the First (1st) Final Map, improve or agree to improve and provide security for **Deer Springs Road**, from the I-15 Southbound Ramps to the I-15 Northbound Ramps, per the recommendations of the Project Study Report (to be prepared in consultation with Caltrans as part of this mitigation), and in accordance with the recommendations of the Traffic Impact Analysis (Figure 14-1) by Linscott, Law, and Greenspan (Appendix M of the Environmental Impact Report) to the satisfaction of the Director of Public Works. This condition will be satisfied by evidence that the developer has entered into an agreement with Caltrans for the Deer Springs Road improvements to the satisfaction of the Director of Public Works and Caltrans. If an agreement is entered into, the agreement shall specify that this improvement shall be completed prior to the occupancy of the first dwelling unit. This condition will be waived if the developer provides evidence satisfactory to the Director of Planning and Land Use that Caltrans has not entered into an agreement deemed to satisfy the intent of the Final Environmental Impact Report (FEIR) 15091 Findings.

p. Prior to approval of the First (1st) Final Map, make a contribution proportionate to the direct impact caused by the project to the City of San Marcos towards **the Twin Oaks Valley Road widening project** from Deer Springs Road to Cassou Road to the satisfaction of the City of San Marcos and the Director of Public Works. This condition will be satisfied by evidence that the developer has entered into an agreement with the City of San Marcos for the Twin Oaks Valley Road improvements to the satisfaction of the Director of Public Works and the City of San Marcos. If an agreement is entered into, the agreement shall specify that this improvement shall be completed prior to the occupancy of the first dwelling unit. This condition will be waived if the developer provides evidence satisfactory to the Director of Planning and Land Use that the City of San Marcos has not entered into an agreement deemed to satisfy the intent of the Final Environmental Impact Report (FEIR) 15091 Findings.

q. Prior to approval of the Second Final Map, make a contribution proportionate to the direct impact caused by the project to the City of San Marcos towards the **planned widening of Twin Oaks Valley Road to 4-lane Major standards** from Borden Road to Richmar Avenue to the satisfaction of the City of San Marcos and the Director of Public Works.

This condition will be satisfied by evidence that the developer has entered into an agreement with the City of San Marcos for the Twin Oaks Valley Road improvements to the satisfaction of the Director of Public Works and the City of San Marcos. If an agreement is entered into, the agreement shall specify that this improvement shall be completed prior to the issuance of a certificate of occupancy for the first dwelling unit in Phase 2. This condition will be waived if the developer provides evidence satisfactory to the Director of Planning and Land Use that the City of San Marcos has not entered into an agreement deemed to satisfy the intent of the Final Environmental Impact Report (FEIR) 15091 Findings.

r. Prior to approval of the Second Final Map, improve or agree to improve and provide security for the **Robelini Drive / South Santa Fe Avenue intersection,** to extend the northbound right-turn lane on Robelini Drive to two hundred sixty feet (260') in length in accordance with Appendix M of the Environmental Impact Report and to the satisfaction of the Director of Public Works. If an agreement is entered into between the developer and the County of San Diego, Department of Public Works, the agreement shall specify that the improvements shall be completed prior to the occupancy of the first dwelling unit in Phase 2.

s. Prior to approval of the Fourth Final Map, improve or agree to improve and provide security for the **South Santa Fe Avenue / Buena Creek Road intersection**, to provide a dedicated southbound right-turn and left-turn lanes on Buena Creek Road the satisfaction of the Director of Public Works. If an agreement is entered into between the developer and the County of San Diego, Department of Public Works, the agreement shall specify that the improvements shall be completed prior to the occupancy of the first dwelling unit in Phase 4.

t. Prior to approval of the Second Final Map, make a contribution proportionate to the direct impact caused by the project to the City of San Marcos towards the **planned widening of Twin Oaks Valley Road to 4-lane Major Road Standards, from Windy Way to Borden Road**, to the satisfaction of the City of San Marcos and the Director of Public Works. This condition will be satisfied by evidence that the developer has entered into an agreement with the City of San Marcos for the Twin Oaks Valley Road improvements to the satisfaction of the Director of Public Works and the City of San Marcos. If an agreement is entered into, the agreement shall specify that this payment shall be completed prior to the issuance of a certificate of occupancy for the first dwelling unit in Phase 2. This condition will be waived if the developer provides evidence satisfactory to the Director of Planning and Land Use that the City of San Marcos has not entered into an agreement deemed to satisfy the intent of the Final Environmental Impact Report (FEIR) 15091 Findings.

u. Prior to approval of the First (1st) Final Map, make a contribution proportionate to the direct impact caused by the project to Caltrans **towards the future improvements (one HOV lane in each direction) of State Road 78, between Mar Vista Drive and Sycamore Avenue**, to the satisfaction of Caltrans and the Director of Public Works. This condition will be satisfied by evidence that the developer has entered into an agreement with Caltrans for the SR 78 improvements to the satisfaction of the Director of Public Works and Caltrans. If an agreement is entered into, the agreement shall specify that this payment shall be completed prior to the issuance of a certificate of occupancy for the first dwelling unit. This condition will be waived if the developer provides evidence satisfactory to the Director of Planning and Land Use that Caltrans has not entered into an agreement deemed to satisfy the intent of the Final Environmental Impact Report (FEIR) 15091 Findings.

v. Prior to approval of the First (1st) Final Map, make a contribution proportionate to the direct impact caused by the project to Caltrans **towards the future improvements (one HOV lane in each direction) of State Road 78, between Sycamore Avenue and San Marcos Boulevard**, to the satisfaction of Caltrans and the Director of Pubic Works. This condition will be satisfied by evidence that the developer has entered into an agreement with Caltrans for the SR 78 improvements to the satisfaction of the Director of Public Works and Caltrans. If an agreement is entered into, the agreement shall specify that this payment shall be completed prior to the issuance of a certificate of occupancy for the first dwelling unit. This condition will be waived if the developer provides evidence satisfactory to the Director of Planning and Land Use that Caltrans has not entered into an agreement deemed to satisfy the intent of the Final Environmental Impact Report (FEIR) 15091 Findings.

w. Prior to approval of any Final Map, make a contribution proportionate to the cumulative impact caused by the project to the City of San Marcos towards the planned **widening of Twin Oaks Valley Road to 4-lanes through the Twin Oaks Valley Road / Cassou Road intersection** to the satisfaction of the Director of Public Works, and the City of San Marcos. This condition will be satisfied by evidence that the developer has entered into an agreement with the City of San Marcos for the Twin Oaks Valley Road improvements to the satisfaction of the Director of Public Works and the City of San Marcos. If an agreement is entered into, the agreement shall specify that this payment shall be completed prior to the issuance of a certificate of occupancy for the first dwelling unit. This condition may be waived if the developer provides evidence satisfactory to the Director of Planning and Land Use that the City of San Marcos will not enter into an agreement deemed to satisfy the intent of the Final Environmental Impact Report (FEIR) 15091 Findings.

x. Prior to approval of any Final Map, make a contribution proportionate to the cumulative impact caused by the project to the City of San Marcos towards the planned improvement of the **Twin Oaks Valley Road / Borden Road intersection**, to the satisfaction of the City of San Marcos and the Director of Public Works. This condition will be satisfied by evidence that the developer has entered into an agreement with the City of San Marcos for the Twin Oaks Valley Road / Borden Road intersection improvements to the satisfaction of the Director of Public Works and the City of San Marcos. If an agreement is entered into, the agreement shall specify that this payment shall be completed prior to the issuance of a certificate of occupancy for the first dwelling unit. This condition will be waived if the developer provides evidence satisfactory to the Director of Planning and Land Use that the City of San Marcos has not entered into an agreement deemed to satisfy the intent of the Final Environmental Impact Report (FEIR) 15091 Findings.

y. Prior to the approval of the Fourth Final Map, make a contribution proportionate to the cumulative impact caused by the project to the City of San Marcos towards the planned **widening of Twin Oaks Valley Road from La Cienega to Windy Way, to 4-lanes** to the satisfaction of the City of San Marcos and the Director of Public Works. This condition will be satisfied by evidence that the developer has entered into an agreement with the City of San Marcos for the Twin Oaks Valley Road improvements to the satisfaction of the Director of Public Works and the City of San Marcos. If an agreement is entered into, the agreement shall specify that this payment shall be completed prior to the issuance of a certificate of occupancy for the first dwelling unit in Phase 4. This condition will be waived if the developer provides evidence satisfactory to the Director of Planning and Land Use that the City of San Marcos has not entered into an agreement deemed to satisfy the intent of the Final Environmental Impact Report (FEIR) 15091 Findings.

z. Prior to the approval of the Fourth Final Map, make a contribution proportionate to the cumulative impact caused by the project to the City of San Marcos towards the planned **widening of Twin Oaks Valley Road from Windy Way to Richmar Avenue to 4-lanes**, to the satisfaction of the City of San Marcos and the Director of Public Works. This condition will be satisfied by evidence that the developer has entered into an agreement with the City of San Marcos for the Twin Oaks Valley Road improvements to the satisfaction of the Director of Public Works and the City of San Marcos. If an agreement is entered into, the agreement shall specify that this payment shall be completed prior to the issuance of a certificate of occupancy for the first dwelling unit in Phase 4. This condition will be waived if the developer provides evidence satisfactory to the Director of Planning and Land Use that the City of San Marcos has

not entered into an agreement deemed to satisfy the intent of the Final Environmental Impact Report (FEIR) 15091 Findings.

aa. Prior to approval of any Final Map, make a contribution proportionate to the cumulative impact caused by the project to the City of San Marcos towards the planned **widening of Twin Oaks Valley Road to a 6-lane Major Arterial, from Richmar Avenue to San Marcos Boulevard**, to the satisfaction of the City of San Marcos and the Director of Public Works. This condition will be satisfied by evidence that the developer has entered into an agreement with the City of San Marcos for the Twin Oaks Valley Road improvements to the satisfaction of the Director of Public Works and the City of San Marcos. If an agreement is entered into, the agreement shall specify that this payment shall be completed prior to the issuance of a certificate of occupancy for the first dwelling unit. This condition will be waived if the developer provides evidence satisfactory to the Director of Planning and Land Use that the City of San Marcos has not entered into an agreement deemed to satisfy the intent of the Final Environmental Impact Report (FEIR) 15091 Findings.

bb. Prior to approval of any Final Map, make a contribution proportionate to the cumulative impact caused by the project to Caltrans towards the **future improvements of Interstate15, between Centre City Parkway and Deer Springs Road**, to the satisfaction of Caltrans and the Director of Public Works. This condition will be satisfied by evidence that the developer has entered into an agreement with Caltrans for the I-15 improvements to the satisfaction of the Director of Public Works and Caltrans. If an agreement is entered into, the agreement shall specify that this payment shall be completed prior to the issuance of a certificate of occupancy for the first dwelling unit This condition will be waived if the developer provides evidence satisfactory to the Director of Planning and Land Use that Caltrans has not entered into an agreement deemed to satisfy the intent of the Final Environmental Impact Report (FEIR) 15091 Findings.

cc. Prior to approval of any Final Map, make a contribution proportionate to the cumulative impact caused by the project to Caltrans towards the **future improvements of State Road 78, between Mar Vista Drive and Twin Oaks Valley Road** proportional to the relationship between the amount of traffic the project contributes and non-project related traffic at the interchange, to the satisfaction of Caltrans and the Director of Public Works. This condition will be satisfied by evidence that the developer has entered into an agreement with Caltrans for the SR 78 improvements to the satisfaction of the Director of Public Works and Caltrans. If an agreement is entered into, the agreement shall specify that this payment shall be completed prior to the issuance of a certificate of occupancy for the first dwelling unit. This condition will be waived if the developer

provides evidence satisfactory to the Director of Planning and Land Use that Caltrans has not entered into an agreement deemed to satisfy the intent of the Final Environmental Impact Report (FEIR) 15091 Findings.

dd. Prior to approval of the First (1st) Final Map, obtain approval from the Department of Public Works of a Traffic Control Plan to manage construction traffic. Said plan will be in general conformance with the conceptual traffic control plan dated September 20, 2008 and address heavy truck haul routes, number of trips per day, and destination to the satisfaction of the Director of Public Works.

(Drainage /Flood Control)

4. Standard Conditions 13 through 18.

5. Specific Conditions:

a. The 100-year flood line of the natural channels crossing all lots with the drainage watersheds in excess of twenty-five (25') acres shall be clearly delineated on the non-title information sheet of the Final Map.

b. Detention shall be utilized in accordance with the Environmental Impact Report and CEQA Hydrology Study prepared by Fuscoe Engineering, in order to mitigate the project's increase in runoff due to development. Final drainage and hydraulic design shall be provided upon improvement and grading plan submittal.

6. Interim Hydromodification Requirements apply for all projects greater than fifty (50) acres. The following are required to be shown within a Continuous Simulation Hydrologic Model:

a. For flow rates from 20% of the pre-project 5-year runoff event (0.2Q5) 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% over more than 10% of the length of the flow duration curve.

b. For flow rates from .2Q5 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% for a 1-year frequency interval. For example, post project flows could exceed pre-project flows by up to 10% for the interval from Q9 to Q10, or from Q5.5 to Q6.5, but not from Q8 to Q10.

The analysis should include both flow-duration and peak flow-frequency curves for pre-project, post-project, and post-project w/ mitigation scenarios for

comparison. A historical precipitation dataset (minimum of 25-years recorded at hourly intervals or more frequently) is required for the model.

7. Construct hydromodification facilities for the basins within each respective Phase of the project as designed and specified in the Preliminary Hydromodification Analysis Report by Fuscoe Engineering dated June 2009.

(Grading Plans)

8. Standard conditions 19 (a-e)

9. Specific Conditions:

   a. Plans shall demonstrate compliance with County of San Diego Grading Standards.

   b. For the duration of this project-Comply with all applicable stormwater regulations at all times. 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 (Ordinance No. 9926) and all other applicable ordinances and standards. This includes requirements for **Low Impact Development (LID),** materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas greater than one (1) acre require that the property owner keep additional and updated information onsite concerning stormwater runoff. This requirement shall be to the satisfaction of the Director of Public Works.

   c. All of the work described above pertaining to erosion control, irrigation system, slope protection, drainage systems, desilting basins, energy dissipators, and silt control shall be secured by an Instrument of Credit in a form satisfactory to County Counsel for an amount equal to the cost of this work as determined or approved by the County Department of Public Works. 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. 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.

   d. Grading shall be in compliance with the remediation recommendations in the November 9, 2006 Geotechnical Investigation prepared by Leighton

and Associates, Inc. for the Merriam Mountains property and the Smith Property, including but not limited to:

1) Increased compaction and settlement monitoring for fills greater than 50 feet in depth is recommended in order to minimize the effects of potential differential settlement.

2) All fill slopes shall have a minimum width of at least one half the slope heights.

e. Geotechnical observation and/or laboratory testing during grading shall be performed to identify areas of highly expansive soils and determine the actual expansion potential of finish-grade soils. Compressible soils will require removal and recompaction in areas of proposed development or future fill.

f. Alluvium soils shall be removed and replaced with compacted fill in areas of proposed grading/development as recommended in the Geotechnical Investigation Report.

g. Mapping and evaluation of potential oversteepened areas of granitic boulders with potential for mobilizations shall be performed as plans become finalized and during site grading. To reduce impacts from rock falls, grading activities in these areas shall include one of the following actions: removal of dangerous boulders, support for boulders to remove the threat, or construction of a deflection/catchment berm or fence.

h. Buffer areas without structural development, construction of debris walls, catchments, basins, or slope reconstruction and buttressing, based on grading plan review and field observations during grading.

i. Mapping of all cut slopes shall be performed during grading. If adverse geologic conditions (such as highly fractured and jointed rock, clay-lined fractures, seepage zones, etc.) are present, stabilization measures, such as placement of stability fill or rock-bolting shall be required.

10. Trail Conditions: [DPR]

a. To the satisfaction of the Directors of Public Works and Parks and Recreation, improve or agree to improve trails and pathways within the dedicated trail easements and with designated public road rights of way as indicated on the Tentative Map 5381RPL[4] dated November 26, 2008 on file with the Department of Planning and Land Use and with the following revisions:

1) Page 9 and 11 of 18: Add missing segment to trail easement above Lot #776 to pathway along west side of Lawrence Welk Court

2) Page 11 and 13 of 18: Show trail easement width and retaining wall detail southwest of Lots #793-795.

3) Page 12 of 18: Add trail connection from Park "I" to trail easement on the 20' water access easement

4) Page 15 of 18: Add missing trail easement segment (within brush management easement) to the east of the designated area 21 "FOR CONDOMINIUM PURPOSES 188 CONDOMINIUMS"

5) Page 15 and 16 of 18: Add missing trail easement segment south of Park A to Meadow Park Lane to connect to pathway along the west side of Meadow Park Lane.

The trail shall be constructed pursuant to the Community Trails Master Plan Design and Construction Guidelines and approved by the Director of the Department of Parks and Recreation.

b. Prior to the approval of any plans, issuance of any permits, and approval of any final map(s), provide evidence to the satisfaction of the Director of Public Works (DPW) that the following "Specific Items" have been indicated on the grading, and or improvement plans:

1) A maintenance entity for the staging area(s) and public trail easements have been identified and approved by the Director of the Department of Parks and Recreation.

2) Trails shall intersect roads at approximately ninety degree (90) angle unless prohibited by topography or grade.

3) Points where trails or pathways exits the subdivision shall be coordinated with existing or planned trail or pathway locations off-site

4) Provide minimum overhead clearance of twelve (12') feet above all portions of the trail or pathway tread.

5) Trail/pathway tread shall be clear and unobstructed. Above ground utilities are not permitted within trail easements or designated pathways.

6) Brush, weeds, trees, rocks or other obstructions protruding into the trail tread shall be removed.

7) Trail surface shall consist of native soil if sustainable. Where soil is highly erosive, provide four inches (4") of compacted decomposed granite for tread surface.

8) Trails and pathways adjacent to roads shall have a minimum of ten feet (10') clear tread width and four inches (4") of compacted decomposed granite for tread surface.

9) Surface water must be diverted from the trail surface before it builds up to an erosive force. Erosions shall be prevented by good trail design/construction that includes proper grading and out-sloping of the trail.

10) Drainage control on the trails is to be incorporated into the trail design as a design feature such as rolling grade dip or grade reversal. Built structures such as brow ditches should be avoided.

11) Drainage ditches, culverts, rock drains, rip-rap or similar items shall not be placed above ground within the trail/pathway tread or trail easement. These devices shall not discharge drainage onto trail easement.

12) Where culverts or drainage ditches are placed within or adjacent to the trail, these devices shall be below grade and covered with non-slip structural material permitting safe passage by trail users. (**Note:** An average trail horse weighs between 850 – 1,300 pounds)

13) If the trail (or pathway) is required to be fenced on both sides, inside width (trail tread) must be a minimum of 10 feet. Fence shall be located outside of the trail easement. All fencing or barriers shall be constructed to the satisfaction of the Director of Public Works and the Director of Parks and Recreation.

11. Specific Air Quality Conditions: [DPLU]

a. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Public Works (DPW) that the following "Specific Environmental Notes" have been placed on the grading and improvement plans:

1) Ten percent (10%) of the construction fleet shall use any combination of diesel catalytic converters, diesel oxidation

catalysts, diesel particulate filters, and/or CARB-certified Tier I, II, or III equipment.

2) Three applications of water during grading between dozer/scraper passes.

3) Paving, chip sealing, or chemical stabilization of internal roadways after completion of grading.

4) Use of sweepers or water trucks to remove "track-out" at any point of public street access, and termination of grading if winds exceed 25 mph.

5) Stabilization of dirt storage piles by chemical binders, tarps, fencing, or other erosion control.

6) Hydroseeding or the application of bonded fiber matrix on graded residential lots if needed prior to construction to reduce fugitive dust emissions.

7) Grading operations shall be limited to 40 acres per day to ensure construction emissions do not exceed projections completed as part of the air modeling.

8) Cover trucks hauling soil, sand, and other loose materials, or require trucks to maintain at least two feet of freeboard.

9) Construction vehicle tires shall be inspected and washed so as to be cleaned free of dirt prior to entering public roadways.

10) Unpaved exits from the construction site shall be graveled to prevent track out to public roadways.

11) Construction vehicles shall enter the construction site through the graveled roadways, unless an alternative route has been submitted to and approved for use by the County of San Diego.

12) Appoint a construction relations officer to act as a community liaison concerning on-site construction activity, including resolution of issues related to PM_{10} generation. A publicly readable sign shall be posted with the telephone number of a person to contact regarding dust complaints. The sign shall be placed in a conspicuous location along Deer Springs Road.

13) Grading Plans shall designate staging zones on the Merriam property for trucks waiting to load and unload. This zone shall be established in an area where it will not impact adjacent residences.

14) Grading Plans shall designate restricted construction equipment areas in the vicinity of sensitive receptors. Construction equipment shall enter these areas only to complete specific construction-related activities and then equipment shall be moved away from the receptors immediately after the activities have been completed.

15) Construction Traffic Control Plans shall re-route construction trucks away from congested streets or sensitive receptor areas.

16) The project shall be constructed using low-sulfur diesel fuel as mandated by ARB. Low-sulfur diesel fuels are expected to be readily available on the market in 2007.

17) Minimize idling times for construction equipment, taking into account the idling requirements for startup of heavy equipment

18) The project design shall adhere to APCD Rule 67.0 to limit VOC content in paints used at the development.

19) The number of construction equipment vehicles operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.

12. Specific Noise Conditions: [DPLU]

a. Prior to the approval of any plans, issuance of any permits, and approval of any final map(s), provide evidence to the satisfaction of the Director of Public Works (DPW) that the following "Specific Items" have been indicated on the grading, and or improvement plans:

1) Permanent noise barriers, consistent with the details and locations provided in the project EIR, shall be shown as follows:

a) 6-feet in height, at all single-family lots adjacent to Merriam Mountains Parkway.

b) 6-feet in height, at Neighborhood 3, Lots 124 through 127 and 129 through 132.

c) 6 to 10-feet high, at Lots 1175 through 1177.

d) 6 to 8-feet in height, at selected locations along Deer Springs Road.

Sound barriers shall have a minimum surface density of 3.5 pounds per square foot, consisting of masonry, wood, berm, plastic, fiberglass, plexiglass, glass, steel or a combination of these materials with no cracks or gaps through or below the wall. Sound walls constructed along Deer Springs Road shall be colored and textured, and shall vary in height (not less than the required height) to create visual interest and reduce visual dominance.

2) An 8-foot berm, consistent with the detail and location provided on the Tentative Map within Neighborhood 1, Planning Area 2.

3) Temporary noise barriers, consistent with the details and locations provided in the project EIR, shall be shown as follows:

a) 12-feet in height, adjacent to the mobile home park along the southern perimeter of the Deer Springs Road construction activities, within the existing right-of-way.

b) 10-feet in height, adjacent to four residences and the Golden Door Property where commercial structures are located.

The temporary noise barriers shall be constructed with a minimum of 3/4-inch-thick plywood with R-11 fiberglass insulation batts attached to the interior of the panels. Alternatively, temporary portable barriers, made from a variety of materials, are available from various noise control manufacturers (i.e., Empire Acoustical Systems, Industrial Acoustics Company, and Kinetics Noise Control). The noise barriers should be installed just prior to Deer Springs Road grading activities. The temporary barriers can be removed as soon as is practical after the grading has been completed. The permanent noise barrier (as shown in the project EIR) shall be constructed following the removal of the temporary barriers.

b. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Public Works (DPW) that the following "Specific Environmental Notes" have been placed on the grading, and or improvement plans:

1) "Residents and business owners fronting Deer Springs Road and Twin Oaks Valley Road shall be notified at least one week prior to grading operations when it will be within 300 feet of their property."

2) "Contractors shall be required to have and maintain mufflers of original equipment grade or better on all engines. This also applies to subcontractors with haul trucks."

3) "Prior to rough grading sign off, provide evidence to the satisfaction of the Director of Planning and Land Use that an 8-foot-high berm has been constructed along the eastern pad edge of Lot 5 of Planning Area 2 of Neighborhood 1 of the tentative map, constructed pursuant to an approved grading plan." Evidence of the berm shall consist of the following: a signed, stamped statement from a California Registered Engineer or licensed surveyor and photographic evidence that the sound attenuation berm has been constructed and that the minimum pad elevation of 1065 AMSL is shown on the Tentative Map."

c. Prior to approval of grading and/or improvement plans, the applicant shall provide a noise report that shows the locations of the rock crushing activities and demonstrate that these locations comply with County noise standards. The noise report shall include, but shall not be limited to the following:

1) If rock crushing activities have potential in exceeding County noise standards within Section 36.409 &36.410A, provide mitigation measure parameters consistent with the project EIR that include, but are not limited to the following:

a) The use of quieter rock drills.

b) Constructing temporary noise barrier(s) around the rock drill.

c) Reducing the number of drilling hours per day.

d) Increasing the setback distances between property lines and drilling/blasting areas.

2) Prior to the start or onset of drilling operations, provide a letter report to the satisfaction of the Director of the DPLU that certifies that a San-Diego-County-approved acoustical consultant has tested the rock drills to document that their on-site performance shall not exceed 89 dB at 50 feet or less. The report shall summarize the results of the sound test and method of compliance with the County of San Diego noise ordinance criteria (i.e., demonstrate that the rock drilling would be located far enough from the property lines or that a temporary noise barrier around the drill would mitigate the 1-hour average noise level to 75 dB or less at the adjacent property lines). The report shall be approved by the

County of San Diego prior to commencement of drilling. Occupancy shall be phased so that the closest occupied residence to a blasting or drilling area is located a minimum of 700 feet away as part of the grading plan permit process.

3) A disclosure statement shall be provided to home buyers within the project site, stating that they will be exposed to noise from construction activities during the remaining phases of development.

4) All blasting activities will comply with the Chapter 3 of Division 5 of Title 3 of the San Diego County Code of Regulatory Ordinances, Section 35.37701.1.2 et seq. Compliance with this code requires, but is not limited to, the following:

   a) Pre-blast inspection of all structures within 300 feet of blasting site unless inspection is waved by the owner/occupant.

   b) Identify the site and location of planned blasting and hours of operation (blasting to be conducted between 7:00 a.m. and 5:00 p.m. Monday through Saturday).

   c) Notification of blasting activities to all property owners within 600 feet of the blasting area. This notification shall describe expected period and frequency with which the blasting shall occur and give a contact phone number for any questions or complaints. All complaints shall be responded to in a method deemed satisfactory to the County of San Diego Director of Planning.

   d) Warning system information.

   e) Compliance with local, state, and federal laws.

   f) The blasting contractor shall monitor and record vibration and airblast for major blasts (as defined in Section 35.37701.2 of the County Code of Regulation Ordinances) within 600 feet, or minor blasts within 300 feet of residences and other occupied structures. If permission cannot be obtained to record at said location, recording shall be accomplished at some closer site in line with the structure. Specific locations, and distances where airblast and vibration are measured, shall be documented in detail along with measured airblast and vibration amplitudes.

i. Blast vibration and airblast are to be within the recommended frequency-dependent limits contained in the USBM regulations as seen on Figure 2.4-9B at the location of any residential dwelling, business, public building, school, church, or community or institutional building outside the permit area. If blasting is found to exceed specified levels, blasting shall cease, and alternative blasting or excavation methods that result in the specified levels not being exceeded shall be employed.

ii. All structures in the vicinity of the blasting area not listed above, such as water towers, pipelines, and other utilities etc., shall be protected from damage by the blaster on a case-by-case basis.

g) Pre-blast inspection reports shall be retained by the blaster and, upon a complaint of alleged damage, the blaster shall cause a copy of the report to be immediately filed with the Sheriff. A copy shall also be sent to any individual who is directly involved in the complaint, upon their request.

h) The blaster shall cause an approved inspector to conduct a post-blast inspection of all structures for which written complaints alleging blast damage have been received. A written report of such inspection shall be immediately filed with the Sheriff and delivered or sent to individuals directly involved in any alleged damage within sixty (60) days of receipt of a complaint.

i) A disclosure statement shall be provided to home buyers within the project site, stating that they will be exposed to noise from construction activities during the remaining phases of development.

13. Specific Cultural Conditions: [DPLU]

a. Prior to approval of grading plans, the project applicant shall contract with a San-Diego-County-certified archaeologist to implement a grading-monitoring program to the satisfaction of the Director of the Department of Planning and Land Use (DPLU). Verification of the contract shall be presented, in letter from the Project Archaeologist to the Director of DPLU. The program shall include, but not be limited to, the following:

1) The consulting archaeologist shall contract with a Native American Observer to be involved with the grading-monitoring program.

2) During the original cutting of previously undisturbed deposits, the archaeological monitor(s) (and Native American Observer) shall be on site, depending on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. Monitoring and the need for monitoring will be at the discretion of the qualified principal archaeologist. Monitoring locations may also include designated archeological high-probability areas at watercourse crossings and near known resources. Intermittent monitoring may occur in areas of moderate archeological sensitivity at the discretion of the qualified/principal archaeologist. Multiple monitors may be required, due to the amount of grading being completed at any time, at the discretion of the principal archaeologist.

3) In the event that previously unidentified potentially significant cultural resources are discovered, the archaeologist shall have the authority to divert or temporarily halt ground disturbance operation in the area of discovery to allow evaluation of potentially significant cultural resources. The archaeologist shall contact the County Archaeologist at the time of discovery. The archaeologist, in consulting with County staff archaeologist, shall determine the significance of the discovered resources. The County Archaeologist must concur with the evaluation before construction activities will be allowed to resume in the affected area. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the consulting archaeologist and approved by the County Archaeologist, then carried out using professional archaeological methods. If any human bones are discovered, the County Coroner shall be contacted. In the event that 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 in order to determine proper treatment and disposition of the remains.

4) In the event that previously unidentified potentially significant cultural resources are discovered, the archaeologist 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. The San Diego County Archaeologist must concur with the evaluation before construction activities will be allowed to resume in the affected area. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the consulting archaeologist and approved by the San Diego County Archaeologist, then carried

out using professional archaeological methods. If any human remains are discovered, the San Diego County Coroner shall be contacted. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant (MLD), as identified by the Native American Heritage Commission, shall be contacted in order to determine proper treatment and disposition of the remains.

5) Before construction activities are allowed to resume in the affected area, the artifacts shall be recovered and features recorded using professional archaeological methods. The archaeological monitor(s) and Native American Observer shall determine the amount of material to be recovered for an adequate artifact sample for analysis.

6) In the event that previously unidentified cultural resources are discovered, all cultural material collected during the grading-monitoring program shall be processed and curated according to current professional repository standards. The collections and associated records shall be transferred, including title, to an appropriate federally recognized curation facility within San Diego County, to be accompanied by payment of the fees necessary for permanent curation.

7) In the event that previously unidentified cultural resources are discovered, a report documenting the field and analysis results and interpreting the artifact and research data within the research context shall be completed and submitted to the satisfaction of the Director of DPLU prior to the issuance of any building permits. The report will include Department of Parks and Recreation Primary and Archaeological Site forms.

8) In the event that no cultural resources are discovered, a brief letter to that effect shall be sent to the Director of DPLU by the consulting archaeologist, confirming that the grading-monitoring activities have been completed.

b. Prior to approval of grading or improvement plans for the phase(s) containing Site CA-SDI-4558, the project applicant shall implement the Data Recovery and Index Sampling plan as detailed in the project EIR. The implementation of the research design and data recovery program constitutes mitigation for the proposed disturbance of a portion of archaeological site CA-SDI-4558. The data recovery program shall include, but not be limited to, the following:

The program will include an initial excavation of 35 1-by-1-meter data recovery units, analysis of artifacts and ecofacts, and special studies, including radiocarbon dating, obsidian sourcing, and protein residue analysis. The data recovery program will provide a database to address research questions in a technical report of findings. The research design includes, but is not limited to, the following: (1) The research orientation for the precontact study will focus on chronology, lithic technology, settlement and subsistence strategy, environmental setting, and trade and travel. (2) The research orientation for the historical study will focus on functional pattern recognition, consumerism, economic indexing, consumption pattern analysis, and dietary studies. All artifacts and ecofacts recovered will be washed and analyzed and special studies will be completed as needed and may include lithic, shell, bone, radiocarbon dating, obsidian sourcing and dating, precontact ceramics, protein residue analysis and historic artifact analyses.

c. Prior to recordation of the map and prior to issuance of grading or any improvement permits for the phase(s) containing Sites CA-SDI-4558 and CA-SDI-9822, and prior to the implementation of the Data Recovery Program, a Pre-Excavation Agreement shall be in place, signed by the applicant and the San Luis Rey Band of Luiseno Indians. This agreement shall designate the MLD and the protocol to follow in the event that Native American human remains are discovered during data recovery. Proof of the signed Pre-Excavation Agreement must be presented to the County of San Diego and be to the satisfaction of the Director of DPLU before starting the data recovery excavation.

d. Prior to approval of grading or improvement plans for the phase(s) containing CA-SDI-9882, the project applicant shall implement the Data Recovery and Index Sampling Plan as detailed in the project EIR on file with the Department of Planning and Land Use. The implementation of the research design constitutes mitigation for the proposed disturbance of a portion of archaeological site CA-SDI-9822. The data recovery program shall include, but not be limited to, the following:

The data recovery program will involve the excavation of 100 1-by-1-meter sample units, artifact analysis, re-analysis of previously collected materials collected by Palomar Community College, special studies, and a report of finding. The data recovery, along with a re-analysis of previously collected materials, will provide a database to address research questions in a technical report of findings. The research design includes, but is not limited to, the following: The research orientation for the precontact study will focus on chronology, lithic technology, settlement and subsistence strategy, environmental settling, and trade and travel. All artifacts and ecofacts recovered will be washed and analyzed, and special studies will be completed as needed, which may include lithic, shell, bone,

radiocarbon dating, obsidian sourcing, precontact ceramics, protein residue analyses, and historic artifact analyses. Verification of the contract shall be presented in a letter form from the Project Archaeologist to the Director of DPLU.

e. Prior to the approval of grading or improvement plans for the phase (s) containing the 1901 historic structure, a pre-grade and data recovery program shall be completed to locate buried features, analysis of materials recovered shall be performed, and a report of findings shall be completed. The research orientation for the historical study will focus on functional pattern recognition, consumerism, economic indexing, consumption pattern analysis, and dietary studies. This plan, as detailed in the project EIR, shall include a controlled backhoe excavation to determine the presence and/or absence of buried historic resources. If subsurface features and artifacts are identified, then a data recovery program shall be conducted that shall include manual excavations of 3-by-3-foot recovery units followed by block excavations and feature excavations if necessary, as well as an analysis of artifacts. Special studies may include, but will not be limited to, glass, ceramic, metal, and faunal analysis, to address the research questions posed.

f. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Public Works (DPW) that the following "Specific Environmental Items" have been indicated on the grading, and/or improvement plans:

1) The grading, and or improvement plans shall indicate permanent ranch style fencing along the **cultural open space** dedicated for the preservation of CA-SDI-4558 as specified in the project EIR, on file with the Department of Planning and Land Use. The fencing shall be a minimum of four feet (4') high and shall allow the passage of wildlife. Any change in construction materials and fence or wall design shall be approved by the Department of Planning and Land Use prior to installation.

2) Prior to the issuance of any building, grading, or construction permit, or approval of any grading, improvement, or building plans, and prior to recordation of the parcel map, the subdivider shall provide evidence to the satisfaction of the Director of Planning and Land Use that the permanent fencing has been installed along the Cultural Resource open space dedicated for the preservation of CA-SDI-4558 as specified in the project EIR on file with the Department of Planning and Land Use. 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. **[DPLU, FEE]**

3) The grading, and or improvement plans shall indicate Temporary Orange Construction fencing to protect from inadvertent disturbance of the **cultural open space** easements that do not allow grading, brushing or clearing. The fencing shall be placed along the open space boundary that has been dedicated for the preservation of CA-SDI-9822 and CA-SDI-4558, as shown in the project EIR on file with the Department of Planning and Land Use.

g. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Public Works (DPW) that the following "Specific Environmental Notes" have been placed on the grading, and or improvement plans:

a) "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 all open space easements dedicated for the preservation of CA-SDI-9822 and CA-SDI-4558, as shown in the project EIR on file with the Department of Planning and Land Use that do not allow grading, brushing or clearing. 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. The temporary fencing shall be removed after the conclusion of such activity."

b) "Prior to initiation of any grading within the vicinity of site CA-SDI-9822, the following shall be completed: A framework of Polyvinyl chloride (PVC) shall be constructed to enclose the boulder with the pictograph. The frame shall be no closer than 3 ft to the actual rock. Canvas sheets shall be placed over the frame and the pictograph boulder for the duration of the grading program within the vicinity of site CA-SDI-9822. Grading shall be no closer than 18 feet from the pictograph boulder."

c) "Periodic inspection of the property to verify compliance with the open space easement guidelines should be conducted by the County of San Diego or by a qualified archaeologist."

d) "Construction equipment shall be directed away from the site, and construction personnel shall be directed to avoid entering the area."

e) "If necessary, during the construction phase, after-hours monitoring of the open space easements by a private security company, per the discretion of the principal archaeologist, will be employed to maintain a high-visibility presence and to watch, through patrols, for

signs of trespassing, vandalism, pot-hunting, or other site damage; then, taking action and/or reporting any incidents to their client, employer, and the County of San Diego."

14. Specific Planning Conditions: [DPLU]

a. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Public Works (DPW) that the following "Specific Environmental Notes" have been placed on the grading and improvement plans for construction of Deer Springs Road:

1) "Manufactured slopes consisting of cut native rock created by widening Deer Springs Road shall be varied in slope and texture. Techniques will include staining of cut slopes of exposed rock faces to resemble aged rock, in order to shield the manufactured appearance and blend new slopes with existing rocks and slopes in the same area along portions of Deer Springs Road."

2) "Manufactured slopes created by widening Deer Springs Road shall be subject to landscape plans that include vegetation to blend the manufactured slopes with the existing vegetation cover in the immediate vicinity. Grading Plans shall specify that the cut face shall be serrated to create "pockets" in which shrubs can take hold, to achieve a shrub cover similar to the surrounding area."

3) "The soil-nail wall located near the intersection of Merriam Mountains Parkway/Deer Springs Road shall be textured and stained to blend with the natural topography. Mature vegetation consisting of trees will be placed between the proposed trail along Deer Springs Road and the face of the wall within the project limits."

4) "Netting and/or fencing shall be painted/stained to match the color of the surrounding rock."

FAIR HOUSING

15. Standard Condition 20.

SANITATION

16. Standard Condition 21 and 22.

17. Specific Conditions:

a. Prior to its approval by the Board of Supervisors, the Final Map shall be reviewed by the Department of Environmental Health to ensure the same lot design, location and lot numbers as the approved tentative map.

b. The Department of Environmental Health shall review, prior to approval of the Final Map by the Board of Supervisors, all subdivision improvement and/or grading plans. Plans should include the location of proposed water lines and drainage control systems through or along proposed lots.

c. Prior to approval of the Final Map by the Board of Supervisors, the subdivider is to pay off all existing deficit accounts associated with the processing of this application to the satisfaction of the Department of Environmental Health.

d. The subdivider shall have approved by the Department of Environmental Health individual subsurface sewage disposal systems for all lots, including grading plans for such lots if grading is required.

FIRE PROTECTION AND WATER SUPPLY

18. Standard Condition 23.1, 23.2.

PLANNING AND ZONING ADMINISTRATION

19. Specific Conditions:

a. Obtain a Zone Reclassification (R04-013) to the S88 Specific Plan, C36 General Commercial, and RM22 Multiple Family Residential or more restrictive use regulation by the Board of Supervisors. [DPLU – Regulatory Planning Division]

b. Prior to the issuance of a grading permit, the subdivider shall obtain approval from the Director of Planning and Land Use of a detailed Landscape Plan. The Landscape Plan and review fee shall be submitted to the Regulatory Planning Division. Said Plan shall show the types and locations of all landscaping features including planting and irrigation. The landscape material shall not interfere with any required solar access (plans shall show the proposed solar access/solar panel locations). [DPLU - Regulatory Planning Division]

In addition, the Landscape Plan shall demonstrate compliance with the requirements of the Merriam Mountains Specific Plan and project EIR.

DEVELOPMENT IMPACT FEES

20. Specific Conditions:

a. Deposit with the County Department of Public Works sufficient funds to cover the cost of inspection of development improvements.

FINAL MAP RECORDATION

Final Map requirements shall be shown on the Final Map or otherwise accomplished to the satisfaction of the Director of Public Works prior to submittal for approval by the Board of Supervisors:

(Streets and Dedication)

21. Specific Conditions:

a. With the recordation of the Final Map for Phase #1 dedicate onsite and cause to be granted offsite **Deer Springs Road (SF 1414)**, from Twin Oaks Valley Road to Meadow Park Lane in accordance with Public Road Standards for a Major Road, with bike lanes to a right-of-way width of one hundred ten feet (110') together with right to construct and maintain slopes and drainage facilities to the satisfaction of the Director of Public Works and in accordance with the approved Design Modification and Alignment 'C' dated 9/29/08 (attached).

b. With the recordation of the Final Map for Phase #1 dedicate onsite and cause to be granted offsite **Deer Springs Road (SF 1414)** from Meadow Park Lane to Merriam Mountains Parkway in accordance with Public Road Standards for a Major Road, with bike lanes to a right-of-way width of one hundred ten feet (110'), and as shown on approved VTM 5381, together with right to construct and maintain slopes and drainage facilities to the satisfaction of the Director of Public Works.

c. With the recordation of the Final Map for Phase #1, cause to be granted an Irrevocable Offer of Dedication for real property for public highway required to complete a sixty-seven foot (67') wide, one-half right-of-way width on the project side of the ultimate centerline, plus the right to construct and maintain slopes and drainage improvements as required beyond the sixty-seven foot (67') limit for that portion within the land division for **Deer Springs Road (SF 1414)** along the project frontages up to Merriam Mountains Parkway, including twenty-foot (20') radius property line corner roundings at street intersections.

d. With the recordation of the Final Map for Phase #1, dedicate onsite and cause to be granted offsite **Deer Springs Road (SF 1414)** from Merriam Mountains Parkway to the I-15 Northbound ramps in accordance with Public Road Standards for a modified Prime Arterial, with bike lanes to a right-of-way width of one hundred thirty-four feet (134'), or as required by

the Caltrans Project Study Report (PSR), to be prepared in consultation with Caltrans, and as shown on approved VTM 5381, together with right to construct and maintain slopes and drainage facilities to the satisfaction of Caltrans and the Director of Public Works.

e. With the recordation of the Final Map for Phase #1 dedicate onsite **Merriam Mountains Parkway** (non-Circulation Element Road) from its intersection with Deer Springs Road (SF 1414), to the northerly intersection with Street '1-5-A' at approximate station 46+60 in accordance with Public Road Standards to a right-of-way width as shown per Typical Sections 'A-2' and 'B-2', of Tentative Map 5381 to the satisfaction of the Director of Public Works.

f. With the recordation of the Final Map for Phase #1 dedicate onsite **Meadow Park Lane** (non-Circulation Element Road) from its intersection with Deer Springs Road (SF 1414), then northerly along Meadow Park Lane to approximate station 15+80 in accordance with Public Road Standards to a right-of-way width, as per Typical Section 'E-2', of Tentative Map 5381 to the satisfaction of the Director of Public Works.

g. With the recordation of the Final Map for Phase #1 dedicate, or provide evidence of existing dedication for **Mesa Rock Road** from Deer Springs Road to Street '1-2-A' in accordance with Public Road Standards for an Industrial/Commercial Collector Road, to a right-of-way width of eighty-eight feet (88') to the satisfaction of the Director of Public Works.

h. With the recordation of the Final Map for Phase #1 dedicate **Streets '1-2-A'**, from Merriam Mountains Parkway to Mesa Rock Road in accordance with Public Road Standards for an Industrial/Commercial Collector Road, to a right-of-way width of eighty-eight feet (88') to the satisfaction of the Director of Public Works.

i. With the recordation of the Final Map for Phase #1 dedicate **Street '1-1-A'** from Merriam Mountains Parkway to the cul-de-sac in accordance with Public Road Standards for an Industrial/Commercial Cul-de-sac Road, to a width of seventy-two feet (72') to the satisfaction of the Director of Public Works.

j. With the recordation of the Final Map for Phase #1 dedicate **Street '1-4-A'** from Merriam Mountains Parkway to the cul-de-sac in accordance with Public Road Standards for a Residential Collector, to a width of sixty feet (60') to the satisfaction of the Director of Public Works.

k. With the recordation of the Final Map for Phase #1 dedicate **Street '1-5-A'** from Merriam Mountains Parkway at approximate station 39+50 to Merriam Mountains Parkway at approximate station 46+60 in accordance

with Public Road Standards for a Residential Collector, to a width of sixty feet (60') to the satisfaction of the Director of Public Works.

l. With the recordation of the Final Map for Phase #1 dedicate **Street '1-7-A'** from Street '1-5-A' to the cul-de-sac in accordance with Public Road Standards for a Residential Road, to a width of fifty- six feet (56') to the satisfaction of the Director of Public Works.

m. With the recordation of the Final Map for Phase #1 dedicate, the right-of-way required for complete forty-eight-foot (48') radius **cul-de-sacs**, per County of San Diego Standards DS-6, for **Streets '1-4-A', and '1-7-A'**, plus the right to construct and maintain slopes and drainage improvements as required beyond the limits of the cul-de-sac.

n. With the recordation of the Final Map for Phase #1 dedicate, the right-of-way required for a complete sixty-foot (60') radius **cul-de-sac**, per County of San Diego Standards DS-6, for **Streets '1-1-A'**, plus the right to construct and maintain slopes and drainage improvements as required beyond the limits of the cul-de-sac.

o. With the recordation of the Final Map for Phase #2 dedicate **Meadow Park Lane** (non-Circulation Element Road) from approximate station 15+80 to Merriam Mountains Parkway in accordance with Public Road Standards to a right of way width as shown per Typical Sections 'F-2' and 'E-2', of Tentative Map 5381 to the satisfaction of the Director of Public Works to the satisfaction of the Director of Public Works.

p. With the recordation of the Final Map for Phase #2 dedicate **Merriam Mountains Parkway** (non-Circulation Element Road) from the northerly intersection with Street '1-5-A' at approximate station 46+60 to Meadow Park Lane in accordance with Public Road Standards to a right-of-way width as shown per Typical Sections 'C-2', and 'D-2' of Tentative Map 5381 to the satisfaction of the Director of Public Works to the satisfaction of the Director of Public Works.

q. With the recordation of the Final Map for Phase #2 dedicate **Street '3-1-A'** from Merriam Mountains Parkway at approximate station 78+60 to Street '3-2-A' at approximate station 1+00 in accordance with Public Road Standards for a Residential Road, to a width of sixty feet (60') to the satisfaction of the Director of Public Works.

r. With the recordation of the Final Map for Phase #2 dedicate **Street '3-1-A'** from Street '3-2-A' at approximate station 1+00 to Merriam Mountains Parkway at approximate station 63+60 in accordance with Public Road Standards for a Residential Road, to a width of fifty-six feet (56') to the satisfaction of the Director of Public Works.

s. With the recordation of the Final Map for Phase #2 dedicate **Street '3-2-A'** from Street '3-1-A' at approximate station 3+00 to Street '3-1-A' at approximate station 20+50 in accordance with Public Road Standards for a Residential Road, to a width of fifty-six feet (56') to the satisfaction of the Director of Public Works.

t. With the recordation of the Final Map for Phase #2 dedicate **Street '3-2-B'** from Street '3-2-A' at approximate station 5+80 to Street '3-2-A' at approximate station 13+20 in accordance with Public Road Standards for a Residential Road, to a width of fifty-six feet (56') to the satisfaction of the Director of Public Works.

u. With the recordation of the Final Map for Phase #2 dedicate **Street '3-1-B'** from Street '3-1-A' to the cul-de-sac in accordance with Public Road Standards for a Residential Cul-de-sac, to a minimum width of fifty-two feet (52') to the satisfaction of the Director of Public Works.

v. With the recordation of the Final Map for Phase #2 dedicate **Street '3-1-C'** from Street '3-1-A' to the cul-de-sac in accordance with Public Road Standards for a Residential Cul-de-sac, to a minimum width of fifty-two feet (52') to the satisfaction of the Director of Public Works.

w. With the recordation of the Final Map for Phase #2 dedicate **Street '4-3-F'** from Merriam Mountains Parkway to Street '4-3-E' in accordance with Public Road Standards for a Residential Collector, to a width of sixty feet (60') to the satisfaction of the Director of Public Works.

x. With the recordation of the Final Map for Phase #2 dedicate **Street '4-3-E',** from Street '3-2-C' at approximate station 11+00 to Street '3-1-A' in accordance with Public Road Standards for a Residential Road, to a width of fifty-six feet (56') to the satisfaction of the Director of Public Works.

y. With the recordation of the Final Map for Phase #2 dedicate **Street '4-3-E'** from Street '4-3-F' to Street '3-2-C' at approximate station 11+00 in accordance with Public Road Standards for a Residential Collector, to a width of sixty feet (60') to the satisfaction of the Director of Public Works.

z. With the recordation of the Final Map for Phase #2 dedicate **Street '3-2-C'** from Street '4-3-E' at approximate station 11+10 to Street '4-3-E' at approximate station 21+70 in accordance with Public Road Standards for a Residential Road, to a width of fifty-six feet (56') to the satisfaction of the Director of Public Works.

aa. With the recordation of the Final Map for Phase #2 dedicate **Street '3-1-D'** from Street '4-3-E' to the cul-de-sac in accordance with Public Road

Standards for a Residential Cul-de-sac, to a minimum width of fifty-two feet (52') to the satisfaction of the Director of Public Works.

bb. With the recordation of the Final Map for Phase #2 dedicate **Street '3-2-D',** from Street '3-2-C' at approximate station 11+80 (at Lot 217) to Street '3-2-C' at approximate station 6+20 (at Lot 229), in accordance with Public Road Standards (one way), to a width of forty-nine feet (49') to the satisfaction of the Director of Public Works.

cc. With the recordation of the Final Map for Phase #2 dedicate **Street '3-3-A'** from Merriam Mountains Parkway to the cul-de-sac in accordance with Public Road Standards for a Residential Road, to a width of fifty-six feet (56') to the satisfaction of the Director of Public Works.

dd. With the recordation of the Final Map for Phase #2 dedicate **Street '3-3-B'** from Street '3-3-A' to the cul-de-sac in accordance with Public Road Standards for a Residential Cul-de-sac, to a minimum width of fifty-two feet (52') to the satisfaction of the Director of Public Works.

ee. With the recordation of the Final Map for Phase #2 dedicate **Street '3-3-C'** from Street '3-3-A' to the cul-de-sac in accordance with Public Road Standards for a Residential Cul-de-sac to a minimum width of fifty-two feet (52') to the satisfaction of the Director of Public Works.

ff. With the recordation of the Final Map for Phase #2 dedicate, the right-of-way required for complete forty-eight-foot (48') radius **cul-de-sacs**, per County of San Diego Standard DS-6, for **Streets '3-1-B', '3-1-C', '3-3-A', '3-3-B', '3-3-C', and '3-1-D'**, plus the right to construct and maintain slopes and drainage improvements as required beyond the limits of the cul-de-sac.

gg. With the recordation of the Final Map for Phase #3 dedicate **Merriam Mountains Parkway** (non-Circulation Element Road) from Meadow Park Lane to Street '5-1-A' in accordance with Public Road Standards to a right-of-way width as shown per Typical Section 'D-2' of Tentative Map 5381 to the satisfaction of the Director of Public Works to the satisfaction of the Director of Public Works.

hh. With the recordation of the Final Map for Phase #3 dedicate **Street '4-3-E',** from Street '4-3-C' to Street '4-3-F' in accordance with Public Road Standards for a Residential Collector, to a width of sixty feet (60') to the satisfaction of the Director of Public Works.

ii. With the recordation of the Final Map for Phase #3 dedicate **Street '4-3-E'** from Street '4-1-C' to Street '4-3-C' in accordance with Public Road Standards for a Residential Road, to a width of fifty-six feet (56') to the

satisfaction of the Director of Public Works.

jj. With the recordation of the Final Map for Phase #3 dedicate **Street '4-3-C'** from Street '4-3-B' at Lot 513, to the cul-de-sac at Lot 517, in accordance with Public Road Standards for a Residential Cul-de-sac, to a minimum width of fifty-two feet (52') to the satisfaction of the Director of Public Works.

kk. With the recordation of the Final Map for Phase #3 dedicate **Street '4-3-C',** from Street '4-3-B' at Park G, through four knuckles, to Street '4-3-B' at Lot 513 in accordance with Public Road Standards for a Residential Road, to a width of fifty-six feet (56') to the satisfaction of the Director of Public Works.

ll. With the recordation of the Final Map for Phase #3 dedicate **Street '4-3-D',** from Street '4-3-E' to Street '4-3-C' in accordance with Public Road Standards for a Residential Road, to a width of fifty-six feet (56') to the satisfaction of the Director of Public Works.

mm. With the recordation of the Final Map for Phase #3 dedicate **Street '4-1-C'** from Street '4-3-C' at approximate station 28+50 (Lot 489) to Street '4-3-C' at approximate station 9+00 (Lot 340) in accordance with Public Road Standards for a Residential Road, to a width of fifty-six feet (56') to the satisfaction of the Director of Public Works.

nn. With the recordation of the Final Map for Phase #3 dedicate **Street '4-1-B'** from Street '4-3-C' to Street '4-3-A' in accordance with Public Road Standards for a Residential Road, to a width of fifty-six feet (56') to the satisfaction of the Director of Public Works.

oo. With the recordation of the Final Map for Phase #3 dedicate **Street '4-3-A'** from Street '4-3-C' at approximate station 32+90 (Park E) to Street '4-3-B' (at Park I) in accordance with Public Road Standards for a Residential Road, to a width of fifty-six feet (56') to the satisfaction of the Director of Public Works.

pp. With the recordation of the Final Map for Phase #3 dedicate **Street '4-1-A'** from Street '4-3-B' to Street '4-3-C' in accordance with Public Road Standards for a Residential Road, to a width of fifty-six feet (56') to the satisfaction of the Director of Public Works.

qq. With the recordation of the Final Map for Phase #3 dedicate **Street '4-2-A',** from Merriam Mountains Parkway to Street '4-3-A' in accordance with Public Road Standards for a Residential Collector, to a width of sixty feet (60') to the satisfaction of the Director of Public Works.

rr. With the recordation of the Final Map for Phase #3 dedicate **Street '4-3-B'** from Street '4-3-C', through two knuckles, to Street '4-2-E' in accordance with Public Road Standards for a Residential Road, to a width of fifty-six feet (56') to the satisfaction of the Director of Public Works.

ss. With the recordation of the Final Map for Phase #3 dedicate **Street '4-2-E'** from Street '4-3-B' to the cul-de-sac in accordance with Public Road Standards for a Residential Cul-de-sac, to a minimum width of fifty-two feet (52') to the satisfaction of the Director of Public Works.

tt. With the recordation of the Final Map for Phase #3 dedicate **Street '4-2-B'** from Street '4-3-B' to Street '4-2-A' in accordance with Public Road Standards for a Residential Road, to a width of fifty-six feet (56') to the satisfaction of the Director of Public Works.

uu. With the recordation of the Final Map for Phase #3 dedicate **Street '4-2-C'** from Street '4-2-A' to Street '4-2-D' in accordance with Public Road Standards for a Residential Road, to a width of fifty-six feet (56') to the satisfaction of the Director of Public Works.

vv. With the recordation of the Final Map for Phase #3 dedicate **Street '4-2-D'** from Street '4-2-C', through two knuckles, to Street '4-3-A' in accordance with Public Road Standards for a Residential Road, to a width of fifty-six feet (56') to the satisfaction of the Director of Public Works.

ww. With the recordation of the Final Map for Phase #3 dedicate, the right-of-way required for complete forty-eight-foot (48') radius **cul-de-sacs**, per County of San Diego Standard DS-6, for **Streets '4-3-C', and '4-2-E'**, plus the right to construct and maintain slopes and drainage improvements as required beyond the limits of the cul-de-sac.

xx. With the recordation of the Final Map for Phase #4 dedicate **Merriam Mountains Parkway** (non-Circulation Element Road) from Street '5-1-A' to Street '5-5-A' in accordance with Public Road Standards to a right-of-way width as shown per Typical Section 'D-2' of Tentative Map 5381 to the satisfaction of the Director of Public Works to the satisfaction of the Director of Public Works.

yy. With the recordation of the Final Map for Phase #4 dedicate **Street '5-5-A'**, from approximate station 55+50 at Lot 1174 through one knuckle to Street '5-2-C' in accordance with Public Road Standards for a Residential Road, to a width of fifty-six feet (56') to the satisfaction of the Director of Public Works.

zz. With the recordation of the Final Map for Phase #4 dedicate **Street '5-5-A'** loop around Natural Park 4 in accordance with Public Road Standards

for a Residential Collector, to a width of sixty feet (60') to the satisfaction of the Director of Public Works.

aaa. With the recordation of the Final Map for Phase #4 dedicate **Street '5-4-A'** from Street '5-5-A', through two knuckles, to Street '5-3-A' in accordance with Public Road Standards for a Residential Road, to a width of fifty-six feet (56') to the satisfaction of the Director of Public Works.

bbb. With the recordation of the Final Map for Phase #4 dedicate **Street '5-4-B'** from Street '5-5-A', to Street '5-4-A' in accordance with Public Road Standards for a Residential Road, to a width of fifty-six feet (56') to the satisfaction of the Director of Public Works.

ccc. With the recordation of the Final Map for Phase #4 dedicate **Street '5-3-A'** from Street '5-4-B', to Street '5-3-B' in accordance with Public Road Standards for a Residential Road, to a width of fifty-six feet (56') to the satisfaction of the Director of Public Works.

ddd. With the recordation of the Final Map for Phase #4 dedicate **Street '5-3-B'** from Street '5-5-A' to the cul-de-sac in accordance with Public Road Standards for a Residential Road, to a width of fifty-six feet (56') to the satisfaction of the Director of Public Works.

eee. With the recordation of the Final Map for Phase #4 dedicate **Street '5-1-A'** from Merriam Mountains Parkway, through one knuckle to the cul-de-sac at Lot 1014, in accordance with Public Road Standards for a Residential Road, to a width of fifty-six feet (56') to the satisfaction of the Director of Public Works.

fff. With the recordation of the Final Map for Phase #4 dedicate **Street '5-2-C'** in accordance with Public Road Standards for a Residential Road (one way) to a width of fifty-six feet (56') to the satisfaction of the Director of Public Works.

ggg. With the recordation of the Final Map for Phase #4 dedicate **Street '5-2-A',** from Street '5-1-A' to the cul-de-sac, in accordance with Public Road Standards for a Residential Cul-de-sac, to a width of fifty-two feet (52') to the satisfaction of the Director of Public Works.

hhh. With the recordation of the Final Map for Phase #4 dedicate **Street '5-2-B'**, from Street '5-5-A' to Street '5-1-A', in accordance with Public Road Standards for a Residential Road, to a width of fifty-six feet (56') to the satisfaction of the Director of Public Works.

iii. With the recordation of the Final Map for Phase #4 dedicate **Street '5-2-I'**, from Street '5-2-C' to Street '5-1-A', in accordance with Public Road

Standards for a Residential Road, to a width of fifty-six feet (56') to the satisfaction of the Director of Public Works.

jjj. With the recordation of the Final Map for Phase #4 dedicate **Street '5-1-B'**, from Street '5-2-C' to Street '5-1-A', in accordance with Public Road Standards for a Residential Road, to a width of fifty-six feet (56') to the satisfaction of the Director of Public Works.

kkk. With the recordation of the Final Map for Phase #4 dedicate **Street '5-1-C'**, from Street '5-2-C' to Street '5-1-A', in accordance with Public Road Standards for a Residential Road, to a width of fifty-six feet (56') to the satisfaction of the Director of Public Works.

lll. With the recordation of the Final Map for Phase #4 dedicate **Street '5-2-H'**, from Street '5-2-C' to Street '5-1-A', in accordance with Public Road Standards for a Residential Road, to a width of fifty-six feet (56') to the satisfaction of the Director of Public Works.

mmm. With the recordation of the Final Map for Phase #4 dedicate **Street '5-2-D'** from Street '5-2-H' to the cul-de-sac in accordance with Public Road Standards for a Residential Cul-de-sac, to a minimum width of fifty-two feet (52') to the satisfaction of the Director of Public Works.

nnn. With the recordation of the Final Map for Phase #4 dedicate **Street '5-2-E'** from Street '5-2-H' to the cul-de-sac in accordance with Public Road Standards for a Residential Cul-de-sac, to a minimum width of fifty-two feet (52') to the satisfaction of the Director of Public Works.

ooo. With the recordation of the Final Map for Phase #4 dedicate **Street '5-2-F'** from Street '5-2-H' to the cul-de-sac in accordance with Public Road Standards for a Residential Cul-de-sac, to a minimum width of fifty-two feet (52') to the satisfaction of the Director of Public Works.

ppp. With the recordation of the Final Map for Phase #4 dedicate **Street '5-5-B'** from Street '5-5-A', to the cul-de-sac in accordance with Public Road Standards for a Residential Road, to a width of fifty-six feet (56') to the satisfaction of the Director of Public Works.

qqq. With the recordation of the Final Map for Phase #4 dedicate **Street '5-5-C'** from Street '5-5-A' to the cul-de-sac in accordance with Public Road Standards for a Residential Road, to a width of fifty-six feet (56') to the satisfaction of the Director of Public Works.

rrr. With the recordation of the Final Map for Phase #4 dedicate **Street '5-5-D'** from Street '5-5-A', through one knuckle, to the cul-de-sac in accordance with Public Road Standards for a Residential Road, to a width

of fifty-six feet (56') to the satisfaction of the Director of Public Works.

sss. With the recordation of the Final Map for Phase #4 dedicate **Street '5-5-E'** from Street '5-5-A' to the cul-de-sac in accordance with Public Road Standards for a Residential Cul-de-sac, to a minimum width of fifty-two feet (52') to the satisfaction of the Director of Public Works.

ttt. With the recordation of the Final Map for Phase #4 dedicate **Street '5-5-F'** from Street '5-5-A', at approximate station 26+30 (Lot 737), to Street '5-5-A', at approximate station 34+20 (Lot 756) in accordance with Public Road Standards for a Residential Road, to a width of fifty-six feet (56') to the satisfaction of the Director of Public Works.

uuu. With the recordation of the Final Map for Phase #4 dedicate, the right-of-way required for complete forty-eight-foot (48') radius **cul-de-sacs**, per County of San Diego Standard DS-6, for **Streets '5-5-B', and '5-5-C', '5-5-E', '5-5-D', '5-2-A', '5-2-D', '5-2-E', '5-2-F', '5-1-A', and '5-3-B'**, plus the right to construct and maintain slopes and drainage improvements as required beyond the limits of the cul-de-sac.

vvv. With the recordation of the Final Map for Phase #4 dedicate onsite, **Twin Oaks Valley Road (SC 1170)** through the project boundary, in accordance with Public Road Standards for a Modified Rural Collector with bike lanes to a right-of-way width of eighty-four feet (84') together with right to construct and maintain slopes and drainage facilities to the satisfaction of the Director of Public Works.

www. With the recordation of the Final Map for Phase #4, dedicate, **Lawrence Welk Court**, from existing Lawrence Welk Court to Street '5-5-A' in accordance with Public Road Standards as shown on Typical Sections 'J-2' of Tentative Map 5381, to the satisfaction of the Director of Public Works and the Deer Springs Fire Protection District. [DPW] [FIRE]

xxx. Prior to approval of improvement and/or grading plans, issuance of excavation permits, and issuance of any further grant of approval, the owners of this project will be required to sign a statement that they are aware of the County of San Diego, Department of Public Works, Pavement Cut Policy and that they have contacted all adjacent property owners and solicited their participation in the extension of utilities.

yyy. Relinquish access rights into Merriam Mountains Parkway (non-Circulation Element Road) to eliminate double access except for street openings and approved access openings for driveways as shown on TM 5381 or approved by the Department of Public Works.

zzz. Relinquish onsite access rights into Twin Oaks Valley Road (SC 1170)

except at Camino Mayor and approved access openings by the Department of Public Works.

aaaa. Relinquish onsite access rights into Deer Springs Road (SF 1414) except for Merriam Mountains Parkway and Meadow Park Lane and approved access openings by the Department of Public Works.

bbbb. Contact Route Locations of the Department of Public Works to determine the desired location of the centerlines Twin Oaks Valley Road (SC 1170) and Deer Springs Road (SF 1414). The following shall be shown on the Final Map:

(1) The centerline location as approved by the Department of Public Works.

cccc. Because private roads are approved as a condition of this subdivision, the following shall apply:

(1) Maintenance shall be provided through a private road maintenance agreement satisfactory to the Director of Public Works.

(2) The Director of Public Works shall be notified as to the final disposition of title (ownership) and place a note on the Final Map as to the final title status of said roads.

(3) Access to each lot shall be provided by private road easement not less than forty feet (40') wide.

dddd. Unless stated otherwise, right-of-way should be provided for roads with the recordation of the unit the road is within, abuts or provides access to.

eeee. The Basis of Bearings for the Subdivision Map shall be in terms of the California Coordinate System Zone 6 NORTH AMERICAN DATUM OF 1983 by use of existing Horizontal Control. **To be in compliance with the Public Resources Code, all Subdivision Map surveys performed after January 1, 2000 must use a Basis of Bearings established from existing Horizontal Control Stations with first order accuracy.**

ffff. If conducted prior to January 1, 2000, a survey for any Subdivision Map that is to be based on state plane coordinates shall show two measured ties from the boundary of the subject property to existing Horizontal Control station(s) having California coordinate values of Third order accuracy or better, as published in the County of San Diego's Horizontal Control book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e. Grid bearings and Grid distances). All other distances shown on the map are to be shown as

ground distances. A combined factor for conversion of Ground-to-Grid distances shall be shown on the map, all to the satisfaction of the Director of Public Works (Ref. San Diego County Subdivision Ordinance Section 81.506(j)).

If conducted after December 31, 1999, a survey for any Subdivision Map that is to be based on state plane coordinates shall show two measured ties from the boundary of the subject property to existing Horizontal Control station(s) having California Coordinate values of first order accuracy or better, as published in the County of San Diego's Horizontal Control book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e. Grid bearings and Grid distances). All other distances shown on the map are to be shown as Ground distances. A combined factor for conversion of Grid-to-Ground distances shall be shown on the map.

For purposes of this section, the date of survey for the field observed connections shall be the date of survey as indicated in the surveyor's/engineer's certificate as shown on the final map.

(Miscellaneous)

22. Standard Conditions 25, 26, 27.1, 28, and 29.

23. Specific Trail Conditions: [DPR]

a. On the final map(s) dedicate to the County of San Diego and accept the offer of dedication for non-motorized trail easements and show on a separate sheet for "Non-Tile Information" designated pathways, all as shown on the Tentative Map 5381RPL[4] dated November 26, 2008 on file with the Department of Planning and Land Use and with the following revisions:

1) Page 9 and 11 of 18: Add missing segment to trail easement above Lot #776 to pathway along west side of Lawrence Welk Court

2) Page 11 and 13 of 18: Show trail easement width and retaining wall detail southwest of Lots #793-795.

3) Page 12 of 18: Add trail connection from Park "I" to trail easement on the 20' water access easement

4) Page 15 of 18: Add missing trail easement segment (within brush management easement) to the east of the designated area 21 "FOR CONDOMINIUM PURPOSES 188 CONDOMINIUMS"

5) Page 15 and 16 of 18: Add missing trail easement segment south of Park A to Meadow Park Lane to connect to pathway along the west side of Meadow Park Lane.

24. Specific Park Conditions:

a. All public parks within the Merriam Mountains Specific Plan area shall be labeled "Public Park" on the Final Map.

b. Prior to or with the recordation of the Final Map for those phases containing a public park, the applicant shall convey the public park sites to the Department of Parks and Recreation, in fee title, subject to the approval of the Director of the Department of Parks and Recreation. Approval by the Department of Parks and Recreation includes, but is not limited to, a review of a Phase I and/or Phase II Environmental Assessment Report.

Fee title for the park sites shall be conveyed by grant deed to the County free of encumbrances, as evidenced by a California Land Title Association Policy, policy) and Phase I and/or Phase II Environmental Assessment Study (study), provided by the subdivider and subject to the approval of the Director of the Department of Parks and Recreation. The policy and study shall be submitted prior to the approval of the Final Map containing public park sites. If the sites are acceptable to the Director of the Department of Parks and Recreation, the grant deed will be recorded concurrently with or immediately following the recordation of the Final Map.

c. Prior to the recordation of the Final Map for those phases containing a public park, the subdivider shall submit the grading, public access and improvement plans for the public park sites to the Director of the Department of Parks and Recreation for review and approval;. The grading and improvement plans shall conform to the Park Concept Plan dated January 4, 2008 on file with the Department of Parks and Recreation.

d. Prior to the approval of the first (1st) Final Map, the subdivider shall enter into an agreement with the Department of Parks and Recreation regarding the dedication and improvement of the public park sites. The agreement shall provide for the phasing of improvements, contributions and plans. The agreement shall conform to the Park Concept Plan dated January 4, 2008 on file with the Department of Parks and Recreation.

e. Prior to the recordation of the first (1st) Final Map, the applicant shall form a landscape maintenance district or identify another acceptable

maintenance entity according to Board of Supervisors' Policy J-37 for maintenance of the public parks. The landscape maintenance district must be based on an operations and maintenance budget that is approved by the Department of Parks and Recreation.

f. All private parks within the Merriam Mountains Specific Plan area shall be labeled "Private Park" on the Final Map.

g. Prior to the recordation of the Final Map for those phases containing a private park, the subdivider shall submit the grading, access and improvement plans for the private park sites to the Director of the Department of Parks and Recreation for review and approval. The grading and improvement plans shall conform to the Park Concept Plan dated January 4, 2008 on file with the Department of Parks and Recreation.

h. Prior to the approval of the first (1st) Final Map, the subdivider shall enter into an agreement with the Department of Parks and Recreation regarding the improvement of the Private Parks. The agreement shall provide for the phasing of improvements, contributions and plans. The agreement shall conform to the Park Concept Plan dated January 4, 2008 on file with the Department of Parks and Recreation.

25. Specific Noise Conditions

a. On the Final Map the applicant shall grant to the County of San Diego a Noise Protection Easement over the entire area of Lots 26 through 49, 112 through 113, 124 through 132, 209 through 235, 240, 244 through 248, 271 through 273, 281 through 287, 348 through 360, 618 through 629, and 1161 through 1177 (Neighborhoods 3 through 5 and the Estates of the Merriam Mountain Specific Plan)of Tentative Map 5381RPL[4], dated November 26, 2008. This easement is for the mitigation of present and anticipated future excess noise levels on noise sensitive land uses of the affected lots. The easement shall require: [DPLU, FEE X2]

Prior to the issuance of any grading or building permit for any residential use within the noise protection easement, the applicant shall:

1) Complete to the satisfaction of the Director of the Department of Planning and Land Use, an acoustical analysis performed by a County certified acoustical engineer, demonstrating that the present and anticipated future noise levels for the interior and exterior of the residential dwelling will not exceed the allowable sound level limit of the Noise Element of the San Diego County General Plan [exterior (60 dB CNEL), interior (45 dB CNEL)]. Future traffic noise level estimates for Deer Springs Road and

Interstate 15 shall use a traffic flow equivalent to a Level of Service "C" traffic flow for a Collector road that is the designated General Plan Circulation Element buildout roadway classification.

2) Incorporate to the satisfaction of the Director of the Department of Planning and Land Use all of the recommendations or mitigation measures of the acoustical analysis into the project design and building plans.

b. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Public Works (DPW) that the following "Specific Environmental Notes" have been placed on the grading and improvement plans:

1) "Staging areas shall be located within the project limits at the maximum distance from existing sensitive receptors to the extent feasible."

2) "Minor construction equipment repairs will occur on site such as refueling, air filter replacement; however, major repairs shall be done at an off-site location."

3) "All minor equipment repairs will be completed within the staging areas and will be conducted between the hours of 7a.m. and 7p.m. Monday through Saturday."

26. Specific Biological Conditions:

a. Prior to approval of grading permits or improvement plans for applicable units or phases, and prior to approval of the Final Map for applicable units or phases of grading, the applicant shall:

1) Grant to the County of San Diego and the California Department of Fish and Game an open space easement, or grant to the California Department of Fish and Game a conservation easement, as shown on the approved Tentative Map on file with the Department of Planning and Land Use as Environmental Review Number Log # 04-08-028. 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 sole exceptions to this prohibition are:

a) Selective clearing of vegetation by hand to the extent required by written order of the fire authorities for the express purpose of reducing an identified fire hazard. While clearing for fire management is not anticipated with the creation of this easement, such clearing may be deemed necessary in the future for the safety of lives and property. All fire clearing shall be pursuant to the Uniform Fire Code and the Memorandum of Understanding dated February 26, 1997, between the wildlife agencies and the fire districts, and any subsequent amendments thereto.

b) Activities conducted pursuant to a revegetation or habitat management plan approved by the Director of Planning and Land Use or the Director of Public Works.

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

d) Maintenance and construction of private and public drainage facilities to the extent approved or required by written order of the Director of Public Works for the express purpose of reducing an identified flooding or drainage hazard. All maintenance of drainage facilities pursuant to this exception shall not be initiated until all applicable federal, state and local permits (e.g., California Section 1600 Streambed Alteration Agreement, County Watercourse Permit) have been obtained.Passive recreation limited to hiking and equestrian trails and associated staging and overlook areas.

e) Improvement, use and maintenance of public facilities located within dedicated easements as shown on the approved Tentative Map.

* This condition satisfies mitigation in the amounts of 5.5 acres of CSS, 542.3 acres of southern mixed chaparral, 9.6 acres of mafic chaparral, 3.7 acres of non-native grassland, and 1.9 acres of coast live oak woodland.

2) Grant to the County of San Diego a Limited Building Zone Easement as shown on the Tentative Map on file with the Department of Planning and Land Use as Environmental Review Number Log # 04-08-028. 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. The easement prohibits the construction or placement of any structure designed or intended for occupancy by humans or animals. Fuel Treatment areas shall be provided according to the Fire Protection Plan and shall require and/or permit the following:

   a) Fire resistant plant palette from the San Diego County recommended plant list in FMZs 1 and 2A.

   b) Irrigation in Zones 1 and 2A

   c) Thinning and removal of highly flammable native plants from Zone 2B along with maintenance of retained plants at heights of 18 inches, with exceptions for trees and tree-like shrubs

   d) Roadside FMZs ten times the DSFPD standard width; 100 feet on either side of roads.

3) Provide evidence to the satisfaction of the Director of Planning and Land Use that a Clean Water Act, Section 401/404 permit has been 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 or provide evidence that such permit is not required.

4) Provide evidence to the satisfaction of the Director of Planning and Land Use that a Streambed Alteration Agreement has been issued by the California Department of Fish and Game for all project related disturbances of any streambed or provide evidence that such an agreement is not required.

5) Provide evidence to the satisfaction of the Director of Planning and Land Use that a contract with a biological construction monitor has been executed to perform the following duties: be onsite weekly during vegetation clearing, grubbing, and grading, when these activities are within 300 feet of biological open space or offsite native vegetation to ensure that all habitat protection measures are in place including fencing and erosion control measures adjacent to preserved areas, and report deficiencies immediately to the DPW Construction Inspector; periodically monitor the work area for

excessive dust generation; train contractors, and construction personnel, including the purpose for resource protection, a description of the gnatcatcher and its habitat, and the conservation measures that should be implemented during project construction; review all landscape plans to ensure landscaping has avoided the use of plants that require intensive irrigation, fertilizers or pesticides, invasive, and non-native plants; halt work when deficiencies require mediation, and notify DPW Construction Inspector within 24 hours if it is necessary to halt work; produce weekly reports to keep at the project site; produce a final report at the completion of each phase or unit and submit to the Director of the DPLU; confer with the Wildlife Agencies within 24 hours any time protected habitat or endangered species are being affected by construction; determine if nesting migratory birds will be affected by clearing and grading and direct construction activities away from nesting areas; and be responsible for notification and oversee remediation if impacts to preserved habitat should occur.

6) Provide for the approval of the Director of Planning and Land Use evidence that (1) 52.7 acres of coastal sage scrub that is occupied by California gnatcatcher; (2) 7.1 acres of non-native grassland; (3) 3.9 acres of southern coast live oak riparian forest (creation/enhancement); (4) 0.9 acre of southern willow scrub/mule fat scrub (creation/enhancement); (5) 0.6 acre of mule-fat scrub(creation/enhancement); (6) 1.2 acres of southern willow scrub (creation/enhancement); (7) 6.2 acres of coast life oak woodland; and (8) 0.8 acre of non-vegetated wetland habitat credit has been secured in one or more of the three following ways:

a) Credits have been purchased in mitigation bank approved by the California Department of Fish & Game, located in the vicinity of the project. Evidence of purchase shall include the following information to be provided by the mitigation bank:

i. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.

ii. 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.

iii. 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.

iv. 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.

-AND/OR-

b) Land has been purchased, preserved, and managed in the vicinity of the project. A Resource Management Plan (RMP) for the land must be submitted and approved by the Director of the Department of Planning and Land Use. An open space easement over the acquired habitat must be dedicated to the County of San Diego prior to or immediately following the approval of the RMP. Alternatively, proof that a federal, state or local government agency with the primary mission of resource management has taken fee title to the land may be accepted in lieu of an easement.

-AND/OR-

c) Restore and revegetate land as shown in the Conceptual Uplands and Wetlands Revegetation Plans (Log # 04-08-028; FEIR, Appendix X) as follows: (1) Submit to and receive approval from the Director of the Department of Planning and Land Use a Revegetation Plan. The Revegetation Plan shall include (but not be limited to) the following to ensure the establishment of the vegetation: objectives, 24"x 36" map showing the revegetation areas, site preparation information, type of planting materials (e.g. species ratios, source, size material, etc.), planting program, 80 percent success criteria, 5-year monitoring plan and detailed cost estimate. The cost estimate shall include planting, plant materials, irrigation, maintenance, monitoring and report preparation. The report shall be prepared by a County approved biologist and a State of California Licensed Landscape Architect.; (2) Enter into a Secured Agreement with the County of San Diego Department of Planning and Land Use consisting of a letter of credit, bond, or cash for 100 percent of the estimated costs associated with the implementation of the Revegetation Plan and a 10 percent cash deposit not to exceed $30,000. A cost estimate based on a 3% annual inflation rate shall be submitted and approved by the Director of Planning and Land Use 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 five

year period, and report preparation and staff time to review. This agreement is intended to guarantee commitment to project completion and success. The monitoring time and the length of time the Secured Agreement and cash deposit will be in effect starts at the time the installation is accepted by a County staff representative. The Secured Agreement and cash deposit shall be released upon completion of the Revegetation Plan implementation provided the installed vegetation is in a healthy condition and meets the approved success criteria.

7) Submit and have approved by the DPLU, a Resource Management Plan (RMP) for the perpetual management of the project's open space consistent with the approved Resource Protection Plan (RPP) for the project on file with the Department of Planning and Land Use as Environmental Review Number Log # 04-08-028. The RMP shall include a contract, or other legal agreement, between the County and the project applicant to provide assurance of future compliance.

b. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Public Works (DPW) that the following "Specific Environmental Notes" have been placed on the grading and improvement plans and/or building plans:

1) "Prior to the conclusion of grading activities and Final Grading Release placement of permanent fencing/walls and open space signage is required as follows:

a) The grading, and or improvement plans, and/or building plans shall show permanent fences/walls along the open space easement/development boundaries. The fence/wall shall be continuous and at least 4-feet high and have a minimum construction of three strand round wire.

b) All open space fences/walls shall have open space signs at 100-feet intervals. The signs must be corrosion resistant, a minimum of 6" x 9" in size, not less than 3- feet in height from the ground surface, and state the following: Sensitive Environmental Resources; Disturbance Beyond this Point is Restricted by Easement; Information: Contact County of San Diego, Department of Planning and Land Use; Ref: Log #04-08-028;

c) Provide evidence to the satisfaction of the Director of Planning and Land Use, evidence that the 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 according to the direction given above."

2) "Prior to the commencement of grading activities conspicuous temporary fences shall be in place to protect natural resources when any clearing, grading, or construction is within 100 feet of Biological Open Space or offsite natural vegetation, as follows:.

a) The grading, and or improvement plans, and or building plans shall show the location of temporary fences to protect the Biological Open Space boundary and to protect specific biological resources as required by the Biological Construction Monitor.

b) The temporary fencing shall be removed after the conclusion of such activity."

3) "If clearing and grubbing is scheduled to occur during the avian nesting season (January 15 to August 31) a biological survey for nesting bird species must be conducted within the proposed impact area no more than 72 hours prior to clearing activities. A letter documenting the results of the breeding bird survey will be submitted to the Director of DPLU. If clearing activities stop for more than 7 days during this season, supplemental surveys shall be done to establish whether additional nesting areas are present. These surveys are necessary to assure avoidance of impacts to nesting sensitive bird species and/or birds protected by the federal Migratory Bird Treaty Act. If any active nests are detected, the area shall be avoided, including a minimum of a 25-foot buffer for migratory birds, 300 feet for sensitive songbirds, and 500 feet for tree-nesting raptors as determined by the project biologist. The area shall be flagged and mapped on the construction plans and will be avoided until the nesting cycle is complete."

4) "In order to avoid impacts to nesting California gnatcatcher, brushing, clearing and/or grading shall be prohibited during the breeding season of the California gnatcatcher (February 15 to August 31st) within 300 feet of Coastal Sage Scrub habitat. The Director of DPLU may waive this condition through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Game, that no California gnatcatchers are present in the vicinity of brushing, clearing, and/or grading."

5) "At a minimum, the biological monitor shall be onsite weekly during vegetation clearing, grubbing, and grading, and daily during rain events, when construction activities are within 300 feet of Biological Open Space or offsite native vegetation to ensure that all habitat protection measures are in place."

27. Specific Hazard Conditions:

a. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Public Works (DPW) that the following "Specific Environmental Notes" have been placed on the grading, improvement plans, and/or building plans:

1) "All features of the Merriam Mountains Fire Protection Plan and San Marcos Fire Protection Plans shall be implemented in conjunction with development of individual neighborhoods within the Specific Plan area."

2) "Hydrant spacing shall meet DSFPD, SMFPD, County of San Diego, Vallecitos Water District and Rainbow Water District requirements. All water storage and hydrant locations, mains, and water pressures shall comply with the San Diego County Fire Code Fire Flow Requirements and the Fire Flow Requirements of the DSFPD Ordinance 2002-01."

3) "Public water systems shall be consistent with wildland interface area requirements. Water supply must meet a 2-hour fire flow requirement of 2,500 gallons per minute (gpm) with 20-pounds per square inch (psi) residential pressure, which must be over and above the daily maximum water requirements."

4) "Access roads shall meet or exceed requirements of San Diego County."

5) "Fire fighters shall have access to backyard areas via designated access ways from streets."

6) "An equestrian trail shall permit firefighter and FMZ maintenance personnel access."

7) "Ongoing road, access components (e.g., gates and signs), and FMZ maintenance shall be performed in perpetuity."

8) "Roofs shall have a Class A fire rated concrete or clay tile roof assembly system that meets FAHJ approval."

9) "Exterior walls shall comply with the provisions of the UBC, Chapter 7a and the California Fire Code (CFC). Such material shall extend from the top of the foundation to the underside of the roof sheathing. Wood shingle and shake wall covering shall be prohibited. No wood shall be allowed on exterior walls except solid core entry doors, door jambs and window frames. Walls shall be designed to resist intrusion of flame and embers. "

10) "Aesthetic enhancements shall be of ignition-resistant or fire retardant materials, such as non-combustible foam with stucco covering and wrought iron materials."

11) "Eaves and soffits shall be boxed in. Eaves and fascias, where required, shall be protected on the exposed underside by ignition-resistant materials, or comply with California State Fire Marshal Standard 12-7-A-3. "

12) "No attic ventilation openings or ventilation louvers shall be permitted in soffits, in eave overhangs, between rafters at eaves, or in other overhanging areas. Design, location, size, and quantity of vents shall be to the approval of the FAHJ. "

13) "Glass or other transparent, translucent, or opaque glazing shall be dual pane as approved by the FAHJ."

14) "Shall be constructed of tempered glass unless FAHJ approves other material (in the presence of an automatic fire sprinkler system)."

15) "Paper-faced insulation shall be prohibited in attics or ventilated spaces."

16) "Gutters and downspouts shall be constructed of noncombustible material. Gutters shall be provided with the means to reduce the accumulation of leaf litter and debris that contributes to roof edge ignition."

17) "Components attached to any structure shall not increase the risk of fire spread to the structure. Where fences attached to or immediately adjacent to structures face the wildland fuels, the first 5 feet of such fencing, which connects to the structure, shall be constructed of non combustible, heavy timber or fire retardant pressure treated wood or material."

18) "All chimneys and other vents on heating appliances using solid or liquid fuels shall have spark arrestors of a type approved by the FAHJ and as specified in the CFC."

19) "Exterior doors shall be approved noncombustible construction, solid core wood not less than 1 3/4 inches thick or have a fire protection rating of not less than 20 minutes. Garage doors shall be non combustible or exterior fire retardant wood. Windows within doors and glazed doors shall be in accordance with the CBC. "

20) "Detached accessory structures located less than 50 feet from a building containing habitable space shall have exterior walls constructed with ignition-resistant or fire retardant materials. "

21) "Where emergency vehicle access is restricted because of secured access roads or driveways or where immediate access is necessary for life-saving or fire-fighting purposes, the FAHJ is authorized to require a KNOX lock system. "

22) "All residential buildings shall have a permanently posted address which shall be legible from the street. If it is not legible from the street, an address shall also be posted at the street entrance to the driveway and shall be visible from both directions of travel. The address on the structure shall be internally illuminated in times of darkness. Letters/numbers shall be 4 inches high with 3/8-inch stroke and placed at eight feet above grade. "

23) "All structures having a footprint greater than 200 sq ft shall be protected by an automatic fire sprinkler system. Such systems shall be designed and installed in conformance with the standards articulated in NFPA 13, 13D, or 13R, as appropriate."

b. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Public Works (DPW) that the following "Specific Environmental Items" have been placed on the grading, improvement plans, and/or building plans:

1) A six-foot-tall non-combustible walls, consistent with the details and locations for Neighborhoods 3, 4, and 5, as shown in the project EIR.

c. Prior to approval of the grading plan and issuance of a grading permit for Lawrence Welk Court, and prior to approval of the revegetation or habitat management plan, whichever comes first, the subdivider shall enter into the County of San Diego Department of Environmental Health (DEH) VAP

program for oversight of the site remediation. A Removal Action Plan shall be prepared for the DEH's review and approval to remove lead shot bullets (i.e., vacuum and/or removal of the upper few inches of soil) from area northwest of the abandoned airstrip, for off-site disposal at an approved facility. The Removal Action Plan will describe the methods for removal of lead shot bullets, which may include but not be limited to the removal through use of a vacuum and/or removal of the upper few inches of soil. The removal action plan shall be consistent with the recommendations contained within the project EIR.

d. Prior to issuance of any permit and prior to any final map associated with this tentative map, provide evidence (plans stamped by DEH) to the satisfaction of the Director of Public Works that any septic systems and above ground storage tanks located onsite have been removed and/or closed under permit and approval of the DEH.

e. Prior to recordation of each phase of Final Map, the subdivider shall provide a statement indicating the number, location, and use of any on-site structures. If the statement indicates that a structure exists within said phase, the Subdivider shall provide evidence to the satisfaction of the Director of Planning and Land Use that the structure(s) has/have been demolished. **[DPLU,FEE]**

1) Evidence shall be a signed stamped statement from a registered professional; Engineer, Surveyor, Contractor, which states, that the structure(s) has/have been demolished. The letter report shall also include before and after pictures of the area and structure(s).

2) Prior to any demolition of the structures, the Subdivider shall obtain a Demolition Permit from DPLU Building Division. Prior to issuance of the Demolition Permit, the subdivider shall comply with conditions f and g (below) to determine the presence or absence of Lead Based Paints and or Asbestos.

f. Prior to recordation of each phase of the Final Map, and prior to commencement of demolition of any on-site structures, the subdivider shall submit evidence to the satisfaction of the Director of Planning and Land Use, that a facility survey has been performed to determine the presence or absence of Asbestos Containing Materials (ACMs). Suspect materials that will be disturbed by the demolition or renovation 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. Evidence of completion of the facility survey shall consist of 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 that will be taken to remediate the hazard. The following conditions only apply if asbestos containing materials are present: **[DPLU, FEEX2]**

1) Asbestos containing materials shall be handled in compliance with the San Diego County Air Pollution Control District Rule 361.145 – Standard for Demolition and Renovation.

2) To the satisfaction of the Director of Planning and Land Use, the Subdivider shall submit a letter or report, which certifies that all Asbestos Containing Materials have been remediated pursuant to code sections referenced above.

g. Prior to recordation of each phase of the Final Map, and prior to commencement of demolition of any on-site structures , the subdivider shall submit evidence to the satisfaction of the Director of Planning and Land Use, that a survey was performed by a California Department of Health Services (DHS) certified lead inspector/risk assessor to determine the presence or absence of lead based paint (LBP) of any structures located within the project boundaries. The following conditions only apply if lead containing materials are found present: **[DPLU, FEE X 2]**

1) All lead containing materials 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).

2) All lead containing materials scheduled for demolition must comply with applicable regulations for demolition methods and dust suppression.

3) To the satisfaction of the Director of Planning and Land Use, the permittee shall submit a letter or report, which certifies that all lead containing materials have been remediated pursuant to code sections referenced above.

h. Prior to recordation of each phase of the Final Map, and prior to commencement of demolition of any on-site structures , the subdivider shall prepare a soil management plan to establish procedures for the notification, monitoring, assessment, sampling, and testing of impacted

soil and/or groundwater, and the storage and proper disposal of contaminated materials that may be encountered during the excavation and grading phase of site redevelopment. The Soil Management Plan shall be prepared and implemented as part of the project SWPPP.

28. Specific Cultural Conditions

a. Prior to recordation of the final map(s) which contains cultural sites CA-SDI-4558 and CA-SDI-9822 and prior to approval of any grading or improvement plans or issuance of any grading or construction permits for any phases that contain these sites, the subdivider shall grant to the County of San Diego by separate document, a cultural resource open space easement over the remaining portions of the sites, as specified in the project EIR. This easement (include adequate buffers) is for the protection of archaeological site CA-SDI-4558 and CA-SDI-9822, will be managed according to the RMP, 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. **[DPLU, FEE]**

The sole exceptions to this prohibition are:

1) Scientific investigations conducted pursuant to a research design prepared by an archeologist certified by the Register of Professional Archaeologists and approved by the Director of Planning and Land Use.

2) Implementation of a site-capping plan approved by the Director of Planning and Land Use.

3) 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.

4) Under the direction of the consulting archaeologist and Native American Luiseno monitor, the portion of the site within the open space easement shall be cleared of non-native vegetation; however, native vegetation will remain. Non-native trees will be cut to level with roots left in place. Non-native grasses and brush will be cleared by hand or weed-whacker.

5) The cement foundation shall be carefully removed, and capping using clean fill soil shall be used to fill in the foundation area. Minor capping, where possible, shall consist of 3 to 6 inches of clean fill

soil and shall include bedrock milling features where feasible (those that are close to ground level); however, the pictograph feature shall not be capped.

6) A one-time hydroseeding for shallow-rooted native plants shall provide a protective layer to the site. No underground sprinkler system or water system shall be used to promote vegetation. Photo documentation and re-analysis of the pictograph feature shall also be conducted by a professional archaeologist.

(Drainage/Grading Plans)

29. Specific Hazard Conditions

a. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Public Works (DPW) that the following "Specific Environmental Notes" have been placed on the grading, and or improvement plans:

1) "During grading or excavation work for the proposed project, the contractors shall observe the exposed soil for visual evidence of contamination. If visual indicators are observed during construction, the contractor shall stop work until the material is properly characterized and appropriate measures are taken to protect human health and the environment. The contractor shall comply with local, state, and federal requirements for sampling and testing, and subsequent removal, transport, and disposal of hazardous materials."

30. Specific Planning Conditions:

a. No residential or commercial lot shall contain a net area of less than the following: [DPLU - Regulatory Planning Division]

1) 6,000 square feet in Neighborhood 1.

2) 4,000 square feet in Neighborhood 2.

3) 5,500 square feet in Neighborhood 3, Planning Areas 1 and 3.

4) 4,000 square feet in Neighborhood 3, Planning Area 2.

5) 6,000 square feet in Neighborhood 4, Planning Area 1.

6) 4,000 square feet in Neighborhood 4, Planning Area 2.

7) 5,000 square feet in Neighborhood 4, Planning Area 3.

8) 5,500 square feet in Neighborhood 5, Planning Areas 1 and 4.

10) 4,000 square feet in Neighborhood 5, Planning Areas 2 and 3.

11) 7,000 square feet in Neighborhood 5, Planning Area 5.

12) 5 acres in the Estate Lots.

b. Prior to the recordation of the first (1st) Final Map, a copy of an executed agreement between the developer and the Deer Springs Fire Protection District shall be provided to the Department of Planning and Land Use. The agreement shall include details on the timing and financial obligations associated with the construction of the fire station.

WAIVER AND EXCEPTIONS

Said 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:

a. Standard Condition(s) for Tentative Maps:

1) Standard Condition 23.3. Said condition requires the provision of a letter from the California Department of Forestry stating that all project conditions have been met. This project is not located within the boundaries of the California Department of Forestry.

2) Standard Condition 24: Said condition is applicable to those projects outside the boundaries of the fire protection district. This project is located within the boundaries of the Deer Springs Fire Protection District and San Marcos Fire Department.

3) Standard Condition 27: Said condition states that the Final Map shall include the entire area shown on the Tentative Map and shall not be filed as units. The Final Map will be recorded in phases.

b. County Public Road Standards to permit:

1) A reduction in design speed and curve radii has been granted for Deer Springs Road at Sarver Lane. See approved modification request dated September 29, 2008 (attached).

(2) A reduction in median, shoulder, and parkway width has been granted for Deer Springs Road along and adjacent to APN 187-540-47 (Mandaric

property). See approved modification request and letter dated September 22, 2009 (attached).

(3) A reduction in parkway and right-of-way width has been granted for Twin Oaks Valley Road through the project's westerly property boundary. See approved modification request and letter dated September 21, 2009 (attached).

c. County Subdivision Ordinance design requirements to accommodate a master planned community pursuant to SP04-006 to permit:

1) 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.

2) 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 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).

3) Section 81.401(e) requires every lot, whose side lines are radial to the center of a cul-de-sac or the center of the intersection of two deadend roads to measure at least 33 feet wide when measured at the right-of-way line. The Specific Plan for this project specifies that lots measuring less 6,000 square feet and whose side lines are radial to the center of a cul-de-sac or the center of the intersection of two dead end roads shall measure no less than 24 feet when measured at the right-of-way line. This exclusion is consistent with Section 81.401(o).

4) Section 81.401(i) requires every lot to have a lot depth of at least 90 feet. The Specific Plan for this project specifies that lots measuring less than 6,000 square feet shall measure no less than 80 feet in depth. This exclusion is consistent with Section 81.401(o).

d. County Resource Protection Ordinance pursuant to Section 86.605(m) to permit:

1) The subdivision of the property because it has been determined to be consistent with the comprehensive Resource Protection Plan, which has been adopted by the Board of Supervisors as the functional equivalent of RPO.

The following shall be the Mitigation Monitoring or Reporting Program for the Merriam Mountains Specific Plan, VTM5381RPL[4].

Public Resources Code Section 21081.6 requires the County to adopt a Mitigation Reporting or Monitoring Program for any project that is approved on the basis of a mitigated Negative Declaration or an Environmental Impact Report for which findings are required under Section 21081(a)(1). The program must be adopted for the changes to a project which the County has adopted, or made a condition of project approval, in order to mitigate or avoid significant effects on the environment. The program must be designed to ensure compliance during project implementation.

The Mitigation Monitoring Program is comprised of all the environmental mitigation measures adopted for the project. The full requirements of the program (such as what is being monitored, method and frequency, who is responsible, and required time frames) are found within the individual project conditions. These conditions are referenced below by category under the mechanism which will be used to ensure compliance during project implementation.

A. Subsequent Project Permits

Compliance with the following conditions is assured because specified subsequent permits or approvals required for this project will not be approved until the conditions have been satisfied:

Conditions 3, 5b, 7, 9d-l, 11, 12 a.1) and 3), 12b-c, 13, 14, 19, 25 through 29.

NOTICE - The 90 day period in which the applicant may file a protest of the fees, dedications or exactions begins on _____.

NOTICE: Low Impact Development (LID) requirements apply to all priority projects as of March 25, 2008. These requirements can be found at the following link beginning on Page 32, Section 67.812, of the Municipal Stormwater Permit:

http://www.sdcounty.ca.gov/cob/ordinances/ord9926.doc

The draft LID Handbook is a source for LID information and is to be utilized by County staff and outside consultants for implementing LID in our region. The handbook gives an overview of LID. Section 2.2 reviews County DPW planning strategies as they relate to requirements from the Municipal Permit. The Fact Sheets in the Appendix may be useful for information on all of the engineered techniques. Additional information can be found in the extensive Literature Index. You can access the Handbook at the following DPLU web address:

http://www.co.san-diego.ca.us/dplu/docs/LID-Handbook.pdf

NOTICE: On January 24, 2007, 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

must be implemented beginning March 25, 2008. The Low Impact Development (LID) Best Management Practices (BMP) Requirements of the Municipal Permit can be found at the following link beginning on Page 32, Section 67.812, of the Municipal Stormwater Permit:

http://www.sdcounty.ca.gov/cob/ordinances/ord9926.doc

All priority projects must minimize directly connected impervious areas and promote biofiltration. Section 67.812 includes the minimal site design requirements that project applicants must address and implement. These can be summarized into the following four requirements: Disconnect impervious surfaces, Design impervious surfaces to drain into properly designed pervious areas, Use pervious surfaces wherever appropriate, Implement site design BMPs. The applicant / engineer must determine the applicability and feasibility of each requirement for the proposed project and include them in the project design, unless it can be adequately demonstrated which (if any) of the requirements do not apply.

NOTICE - The subject property is known to 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/APPROVAL BY THE COUNTY OF SAN DIEGO DOES NOT AUTHORIZE THE APPLICANT FOR THE PERMIT/APPROVAL TO VIOLATE ANY FEDERAL, STATE, OR COUNTY LAWS INCLUDING, BUT NOT LIMITED TO, THE FEDERAL ENDANGERED SPECIES ACT.

NOTICE: Fish and Game fee in the amount of $2,550 and _____ has been paid for the environmental impact report, Environmental Review Number 04-08-028. The receipt numbers are 330439, dated September 7, 2007, and _____, dated _____.

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 **DPLU conditions** that need to be satisfied. The fee amount will be determined at the time conditions are requested to be satisfied. 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.

ON MOTION of Board Member _____, seconded by Board Member _____, this Resolution is passed and approved by the Board of Supervisors of the County of San Diego, State of California, at a regular meeting held on this _____ day of _____ _____, in the County Administration Center, Room 310, 1600 Pacific Highway, San Diego, California, by the following vote:

AYES:

NOES:

ABSENT:

DPL/WP 001-TM (06/13/08)

County of San Diego

DEPARTMENT OF PUBLIC WORKS

JOHN L. SNYDER
DIRECTOR

5201 RUFFIN ROAD, SUITE D
SAN DIEGO, CALIFORNIA 92123-4310

(858) 694-2055 FAX: (858) 694-8928
Web Site: sdcdpw.org

RICHARD E. CROMPTON
ASSISTANT DIRECTOR

September 29, 2008

TO: Jennifer Campos, Project Planner
Department of Planning and Land Use (0650)

FROM: Lee Shick, DPW Project Manager
Department of Public Works (0336)

PLANNING CASE: TM 5381rpl3, GPA 04-006, SP 04-006, REZ 04-013, S04-035, S04-036, S04-037, S04-038, Merriam Mountains.

MERRIAM MOUNTAINS DEER SPRINGS ROAD – DESIGN MODIFICATION REQUEST FOR REDUCED DESIGN SPEED AND HORIZONTAL CURVE RADIUS AT SARVER LANE

The Department of Public Works has approved the Design Modification request to allow a reduction in the design speed and curve radius for Deer Springs Road at the existing Sarver Lane curve. The attached Modification will allow for a reduced design speed of forty-five miles per hour (45 mph) and a reduced minimum horizontal curve radius of seven hundred and fifty feet (750') for Deer Springs Road Alternate Alignment 'C'.

Please contact Greg Carlton at (858) 495-5495 should you have any questions regarding the above comments.

Lee Shick

LEE SHICK, DPW Project Manager
Department of Public Works

LS:gc

attachment

County of San Diego

DEPARTMENT OF PUBLIC WORKS

JOHN L. SNYDER
DIRECTOR

5201 RUFFIN ROAD, SUITE D
SAN DIEGO, CALIFORNIA 92123-4310

(858) 694-2055 FAX: (858) 694-8928
Web Site: www.sdcounty.ca.gov/dpw/

RICHARD E. CROMPTON
ASSISTANT DIRECTOR

September 22, 2009

Robert A. Chase
Fuscoe Engineering
6390 Greenwich Drive, Suite 170
San Diego, CA 92122

Dear Mr. Chase:

REQUEST FOR MODIFICATION TO THE PUBLIC ROAD STANDARDS, TM 5381 / GPA 04-006

Department of Public Works (DPW) has reviewed your May 13, 2009, request for a modification to Section 4.4 of the County of San Diego Public Road Standards to allow a reduction in the median, shoulder, and parkway widths for both the 4-lane Major Road and 6-lane Prime Arterial roadway classifications from the required fourteen-foot (14') median, eight-foot (8') shoulder, and ten-foot (10') parkway to a ten-foot (10') median, variable shoulder from eight-foot (8') to no shoulder, variable parkway from ten feet (10') to five feet (5'), and a corresponding reduction in Prime Arterial right-of-way width from one hundred thirty-four feet (134') to one hundred ten feet (110') for Deer Springs Road along and adjacent to the Mandaric Property, Parcel 3 of Parcel Map 11370, APN 187-540-47.

DPW's Traffic Section has reviewed the request and does not oppose the reduced parkway, shoulder, and median. DPW is able to support your request. It has been determined that your request for modification will not adversely affect the safety or flow of traffic in this area.

If you have any questions or need additional information please contact Rick Lantis, DPW Project Manager, at (858) 495-5804.

Sincerely,

RICHARD E. CROMPTON
Assistant Director

REC:RL:gc

County of San Diego

DEPARTMENT OF PUBLIC WORKS

JOHN L. SNYDER
DIRECTOR

5201 RUFFIN ROAD, SUITE D
SAN DIEGO, CALIFORNIA 92123-4310

(858) 694-2055 FAX: (858) 694-8928
Web Site: www.sdcounty.ca.gov/dpw/

RICHARD E. CROMPTON
ASSISTANT DIRECTOR

September 21, 2009

Robert A. Chase
Fuscoe Engineering
6390 Greenwich Drive, Suite 170
San Diego, CA 92122

Dear Mr. Chase:

REQUEST FOR MODIFICATION TO THE PUBLIC ROAD STANDARDS, TM 5381 / GPA 04-006

Department of Public Works (DPW) has reviewed your June 29, 2009, request for a modification to Section 4.4 of the County of San Diego Public Road Standards to allow a reduction in the parkway width for a Rural Collector from the required twenty-two feet (22') to seventeen feet (17'), and corresponding reduction in right-of-way width from ninety-four feet (94') to eighty-four feet (84') for Twin Oaks Valley Road through the project's westerly property boundary.

DPW is able to support your request. It has been determined that your request for modification will not adversely affect the safety or flow of traffic in this area.

If you have any questions or need additional information please contact Rick Lantis, DPW Project Manager, at (858) 495-5804.

Sincerely,

RICHARD E. CROMPTON
Assistant Director

REC:RL:gc

Attachment H

Site Plan Form of Decision

Decision of the Board of Supervisors
On the Application of Site Plan
Number S04-035

Deposit Account #: 04-0023514

APPROVE, as per plot plan dated November 26, 2008, consisting of 18 sheets, a Site Plan pursuant to Section 7150 et al. of The Zoning Ordinance.

NOTE: This Site Plan has been reviewed and approved for the "B" Designator requirements for community design review pursuant to the I-15 Corridor Scenic Preservation Guidelines in accordance with Section 5750 et. al. of the Zoning Ordinance.

NOTE: This Site Plan has been reviewed and approved for the "V" Setback Designator to establish setbacks for the Merriam Mountains Specific Plan area in accordance with Section 4810 of the Zoning Ordinance.

NOTE: This Site Plan has been reviewed and approved pursuant to Section 81.1201 et. seq. of the San Diego County Subdivision Ordinance for vesting development criteria including building envelope on each single-family lot, establishes the height for each single-family residence, and designates building areas and maximum numbers of dwelling units for the multi-family planning area. The plan also includes the proposed landscaping, park development, and location of any retaining walls.

Compliance with other applicable San Diego County codes, ordinances, and requirements is required unless otherwise noted.

CONDITIONS:

The following conditions are imposed with the granting of this Site Plan:

The applicant shall allow the County to inspect the property for which the Site Plan has been granted, at least once every 12 months, to determine if the applicant is complying with all terms and conditions of the Site Plan. If the County determines the applicant is not complying with the Site Plan terms and conditions the applicant shall allow the County to conduct follow up inspections more frequently than once every 12 months until the County determines the applicant is in compliance.

A. Prior to obtaining any grading permit or approval of any improvement plan for any phase pursuant to this Site Plan, the applicant shall demonstrate compliance with the following:

1. Pay off all existing deficit accounts associated with processing this application to the satisfaction of the Department of Planning and Land Use.

2. Grading plans should be designed so as to retain the natural shapes of the landform and reflect the topographic features of the terrain. Long continuous straight slopes that have hard edges and no transition areas at the top and the toe of slope should be avoided.

3. Grading will be prohibited in natural open space lots, except for trail placement, placement of utilities, or facilities associated with access and maintenance.

4. Contour grading techniques reflecting the character of existing significant natural features shall be utilized. Techniques to be used include:

   a) Use variable slope gradients with smooth, rounded cuts

   b) Round off toe and crest of slopes

   c) Blend graded slope contours with the natural topography

   d) Utilize vegetation to alleviate sharp, angular slopes

   e) Design drainage courses to blend with the natural or manufactured terrain.

5. Subject to the recommendations of the geotechnical engineer and landscape architect and concurrence from the Department of Public Works, the maximum fill slope ratio allowed shall be 1.5:1 and a maximum 1:1 ratio shall be allowed on cut slopes. Absent specific recommendations, the maximum fill slope ratio shall be 2:1 and the maximum cut slope ratio shall be 1.5:1 for slopes less than 15 feet in height and 2:1 for slopes greater than 15 feet in height.

6. Access roads shall meet or exceed requirements of San Diego County.

B. Prior to obtaining any building or other permit for any phase pursuant to this Site Plan, and prior to commencement of construction or use of each phase of the property in reliance on this Site Plan, the applicant shall:

1. Pay off all existing deficit accounts associated with processing this application to the satisfaction of the Department of Planning and Land Use.

2. Submit evidence to the satisfaction of the Director of Planning and Land Use (Building Division) that all applicable "Prior to Use or Occupancy" conditions of this Site Plan have been printed on a separate sheet of all building plans associated with this Site Plan: [DPLU, FEE]

   a. The conditions shall be printed on a separate sheet of the building plans.

   b. The Directors of Public Works or Planning and Land Use may waive this condition to allow the issuance of a grading permit. The requirement shall be met before the issuance of any building permit.

3. Provide evidence to the satisfaction that the following notes or items have been placed on all residential building plans:

   a. Photovoltaic units for 20% of suitable single-family dwelling units will be provided.

   b. Prior to occupancy, residential builders will demonstrate that the project has been developed in accordance with the California Green Builder Program (CGB) through the home builder submitting a completed CGDB application to the CGB program coordinator. The CGB program coordinator will review the submitted application and verify compliance with the CGB requirements. Upon application approval the project will be scheduled for a CGB certified inspector to ensure the project has met the CGB requirements. Per the inspections completed the CGB will provide certification that the structures have met the requirements.

   c. Residences will achieve energy performance equivalent to 25% better than current Title 24 standards.

   d. Builders will offer residents their choice of energy-efficient appliances (including washer/dryers, refrigerators), and appliances installed by builders will be Energy Star (including dishwashers) or equivalent.

   e. Wood-burning fireplaces for heating purposes are prohibited.

f. Separation and recycling of construction waste is required to be provided.

g. The Merriam Mountains landscaping palette will include drought-tolerant vegetation.

h. Consumer products installed in residences will comply with CARB's Early Action Guidance regarding the reduction of GHG emissions.

i. Contractors shall adhere to the APCD Rule 67.0 to limit VOC content in paints used at the development.

4. Provide evidence to the satisfaction that the following notes or items have been placed on all commercial building plans:

a. Prior to occupancy, commercial structures will be required to achieve a minimum Silver certification under the U.S. Green Building Council's LEED for Core and Shell (LEEDCS) program. The project will be required to submit a scorecard to become registered as a LEED-CS, which is a formal recognition by the USGBC given to a project. The USGBC will provide a letter that details the terms and conditions for LEED-CS certification.

b. Where feasible, commercial structures will use cool roof technologies and light-colored paving.

c. Commercial buildings will achieve energy performance equivalent to 25% better than current Title 24 standards.

d. Separation and recycling of construction waste is required to be provided.

e. Consumer products installed in systems used by tenants in commercial space will comply with CARB's Early Action Guidance regarding the reduction of GHG emissions. This includes consistency with CARB guidance for commercial refrigeration systems.

f. Contractors shall adhere to the APCD Rule 67.0 to limit VOC content in paints used at the development.

5. Basic and enhanced construction features are required due to the project's WUI location and location in a high fire hazard severity zone. As such, in addition to applicable County of San Diego Building Code

requirements, enhanced requirements shall be implemented on this project:

a. Roofs shall have a Class A fire rated concrete or clay tile roof assembly system that meets FAHJ approval.

b. Exterior walls shall comply with the provisions of the UBC, Chapter 7a and the California Fire Code (CFC). Such material shall extend from the top of the foundation to the underside of the roof sheathing. Wood shingle and shake wall covering shall be prohibited. No wood shall be allowed on exterior walls except solid core entry doors, door jambs and window frames. Walls shall be designed to resist intrusion of flame and embers.

c. Aesthetic enhancements shall be of ignition-resistant or fire retardant materials, such as non-combustible foam with stucco covering and wrought iron materials.

d. Eaves and soffits shall be boxed in. Eaves and fascias, where required, shall be protected on the exposed underside by ignition-resistant materials, or comply with California State Fire Marshal Standard 12-7-A-3.

e. No attic ventilation openings or ventilation louvers shall be permitted in soffits, in eave overhangs, between rafters at eaves, or in other overhanging areas. Design, location, size, and quantity of vents shall be to the approval of the FAHJ.

f. Glass or other transparent, translucent, or opaque glazing shall be dual pane as approved by the FAHJ.

g. Shall be constructed of tempered glass unless FAHJ approves other material (in the presence of an automatic fire sprinkler system).

h. Paper-faced insulation shall be prohibited in attics or ventilated spaces.

i. Gutters and downspouts shall be constructed of noncombustible material. Gutters shall be provided with the means to reduce the accumulation of leaf litter and debris that contributes to roof edge ignition.

j. Components attached to any structure shall not increase the risk of fire spread to the structure. Where fences attached to or

immediately adjacent to structures face the wildland fuels, the first 5 feet of such fencing, which connects to the structure, shall be constructed of non combustible, heavy timber or fire retardant pressure treated wood or material.

k. All chimneys and other vents on heating appliances using solid or liquid fuels shall have spark arrestors of a type approved by the FAHJ and as specified in the CFC.

l. Exterior doors shall be approved noncombustible construction, solid core wood not less than 1 3/4 inches thick or have a fire protection rating of not less than 20 minutes. Garage doors shall be non combustible or exterior fire retardant wood. Windows within doors and glazed doors shall be in accordance with the CBC.

m. Detached accessory structures located less than 50 feet from a building containing habitable space shall have exterior walls constructed with ignition-resistant or fire retardant materials.

n. Where emergency vehicle access is restricted because of secured access roads or driveways or where immediate access is necessary for life-saving or fire-fighting purposes, the FAHJ is authorized to require a KNOX lock system.

o. All residential buildings shall have a permanently posted address which shall be legible from the street. If it is not legible from the street, an address shall also be posted at the street entrance to the driveway and shall be visible from both directions of travel. The address on the structure shall be internally illuminated in times of darkness. Letters/numbers shall be 4 inches high with 3/8-inch stroke and placed at eight feet above grade.

p. A six-foot-tall non-combustible walls shall be constructed pursuant to the Fire Protection Plan on portions Neighborhood 3, 4, and 5 when adjacent to the biological preserve.

q. All structures having a footprint greater than 200 sq ft shall be protected by an automatic fire sprinkler system. Such systems shall be designed and installed in conformance with the standards articulated in NFPA 13, 13D, or 13R, as appropriate.

6. Submit to and receive approval from the Director of Planning and Land Use a complete and detailed Landscape Plans for the community park and athletic field, and for each one-acre park, half-acre park, and pocket park. The submittal of these Landscape Plans shall occur concurrently

with those plans submitted to the Department of Parks and Recreation and shall be prepared by a California licensed landscape architect and shall fulfill the requirements of the Landscape Water Conservation Ordinance and Design Manual. The Landscape Plans and review fee shall be submitted to the Regulatory Planning Division, Zoning Counter. Plans shall include:

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 the Department of Public Works 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 permanent irrigation system. For areas of native or naturalizing plant material, the Landscape Plan shall show a method of irrigation adequate to assure establishment and growth of plants through two growing seasons.

d. Spot elevations of the hardscape, building, and proposed fine grading of the installed landscape.

e. The location and detail of all walls, fences, and walkways shall be shown on the plans. A lighting plan and light standard details shall be included in the plans.

f. Additionally, the following items shall be addressed as part of the Landscape Plans:

    1) Be in conformance with the Park Concept Plan dated January 4, 2008 on file with the Department of Parks and Recreation.

2) Plans shall be in conformance with the Merriam Mountains landscaping palette which includes drought-tolerant trees.

3) Plans shall identify ride-share/bus shelters at internal locations.

6. Submit to and receive approval from the Director of Planning and Land Use a complete and detailed Landscape Plan for the areas adjacent to Merriam Mountains Park Way, Meadow Park Lane, all residential streets, and any other areas as required by the Department of Planning and Land Use. Landscape Plans shall be prepared by a California licensed landscape architect and shall fulfill the requirements of the Landscape Water Conservation Ordinance and Design Manual. The Landscape Plans and review fee shall be submitted to the Regulatory Planning Division, Zoning Counter. Plans shall include:

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 the Department of Public Works 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 permanent irrigation system. For areas of native or naturalizing plant material, the Landscape Plan shall show a method of irrigation adequate to assure establishment and growth of plants through two growing seasons.

d. Spot elevations of the hardscape and proposed fine grading of the installed landscape.

e. The location and detail of all walls, fences, and walkways shall be shown on the plans, including noise walls. A lighting plan and light standard details shall be included in the plans.

f. Additionally, the following items shall be addressed as part of the Landscape Plans:

1) Plans shall be in conformance with the Merriam Mountains landscaping palette which includes drought-tolerant trees.

2) Shall identify ride-share/bus shelters at internal locations.

C. Prior to any occupancy or use of the premises pursuant to this Site Plan, the applicant shall:

1. Improve all parking areas and driveways shown on the approved plot plan with a minimum of two inches asphaltic concrete or a surfacing of a more durable type.

2. Submit to the Director of Planning and Land Use a statement from the project California licensed landscape architect that the landscaping has been installed as shown on each separate the approved landscape planting and irrigation plans.

3. Design and adjust all light fixtures to reflect light downward, away from any road or street, and away from any adjoining premises, and shall otherwise conform to Sections 6324 and 6326 of The Zoning Ordinance.

4. Prior to the occupancy of any residential unit, provide evidence to the Department of Planning and Land Use that the following have been completed:

a. Photovoltaic units for 20% of the single-family residences have been provided.

b. The residences have been developed in accordance with the California Green Builder Program (CGB) through the home builder submitting a completed CGDB application to the CGB program coordinator.

c. Residences have achieved an energy performance equivalent to 25% better than current Title 24 standards.

d. Residences have been installed with their choice of energy-efficient appliances.

e. Consumer products installed in residences will comply with CARB's Early Action Guidance regarding the reduction of GHG emissions.

f. A HOA or other acceptable entity has been established.

g. A member of the Merriam Mountains HOA has joined the Deer Springs Fire Safe Council.

g. A community website has been created that does the following:

1) Encourages ridesharing/carpooling/vanpooling

2) Provides information on emergency preparedness and points of egress/ingress throughout the project site.

5. Prior to the occupancy of any commercial building, provide evidence to the Department of Planning and Land Use that the following have been completed:

a. The building has received a minimum Silver certification under the U.S. Green Building Council's LEED for Core and Shell (LEEDCS) program. The project will be required to submit a scorecard to become registered as a LEED-CS, which is a formal recognition by the USGBC given to a project. The USGBC will provide a letter that details the terms and conditions for LEED-CS certification.

b. Cool roof technologies and light-colored paving have been utilized when feasible.

c. Commercial buildings have achieved energy performance equivalent to 25% better than current Title 24 standards.

d. Consumer products comply with CARB's Early Action Guidance regarding the reduction of GHG emissions. This includes consistency with CARB guidance for commercial refrigeration systems.

D. The following conditions shall apply during the term of this Site Plan:

1. All future accessory structures will only be permitted to be placed outside the required yard setbacks.

3. The parking areas and driveways shall be well maintained.

4. The landscaping shall be adequately watered and well maintained at all times.

5. Comply with all applicable stormwater regulations at all times. 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 (**Ordinance No. 9926**) and all other applicable ordinances and standards. This includes requirements for Low Impact Development (LID), materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas 1 acre or greater require that the property owner keep additional and updated information onsite concerning stormwater runoff. This requirement shall be to the satisfaction of the Director of Public Works.

6. Educational materials shall be made available to residents and commerical tenants discussing strategies for reducing GHG emissions associated with the operation of their buildings.

7. A member of the HOA retains a membership with the Deer Springs Fire Safe Council.

8. The community website is maintained and kept current with information on ridesharing opportunities, emergency preparedness, and points of egress/ingress.

9. The project shall conform to the approved plot plan(s). 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.

E. This Site Plan shall expire concurrently with Vesting Tentative Map 5381RPL^4 or two years following the recordation of the 1st Final Map except where construction and/or use of the property in reliance on this permit has commenced. Recordation of the first (1st) Final Map pursuant to Vesting Tentative Map 5381RPL^4 and completion of (or entry into agreements to construct where permitted) all required improvements shall be deemed to establish such construction and/or use in reliance; provided, however, that the period within which such construction and/or use must be commenced may be extended as provided by Section 7168.

This Site Plan shall take effect and be in force from and after days from the adoption of General Plan Amendment 06-004.

The following shall be the Mitigation Monitoring or Reporting Program for S04-035, MERRIAM MOUNTAIN MASTER PLANNED COMMUNITY.

Public Resources Code Section 21081.6 requires the County to adopt a Mitigation Reporting or Monitoring Program for any project that is approved on the basis of a mitigated Negative Declaration or an Environmental Impact Report for which findings are required under Section 21081(a)(1). The program must be adopted for the changes to a project which the County has adopted, or made a condition of project approval, in order to mitigate or avoid significant effects on the environment. The program must be designed to ensure compliance during project implementation.

The Mitigation Monitoring Program is comprised of all the environmental mitigation measures adopted for the project. The full requirements of the program (such as what is being monitored, method and frequency, who is responsible, and required time frames) are found within the individual project conditions. These conditions are referenced below by category under the mechanism which will be used to ensure compliance during project implementation.

A. Subsequent Project Permits

Compliance with the following conditions is assured because specified subsequent permits or approvals required for this project will not be approved until the conditions have been satisfied:

A2-6 and B5

FINDINGS:

Determinations and findings pursuant to the California Environmental Quality Act, the Resources Protection Ordinance, the Watershed Protection, and the Stormwater Management, and Discharge Control Ordinance are contained in the Resolution of the Board of Supervisors adopting General Plan Amendment GPA 04-006.

SITE PLAN FINDINGS

a. That the proposed development meets the intent and specific standards and criteria prescribed in Sections 4180, 5750 et. al., and 7150 et. al. of The Zoning Ordinance because the grading and proposed landscaping will not be incompatible with the adjacent landscape.

b. That the proposed setbacks established pursuant to the "V" Setback Designator, pursuant to Section 4180 of the Zoning Ordinance, provides building pads of sufficient size to accommodate the various uses, and any future accessory uses, permitted by the Specific Plan without necessitating variances or encroachments into required yards.

b. That the proposed project is compatible with the North County Metropolitan Subregional and Bonsall Community Plans because commercial, civic, and a variety of housing types is consistent with the existing character of the community.

c. That any applicable standards or criteria waived by the Director pursuant to Section 7158d. have been or will be fulfilled by the condition or conditions of a use permit or Variance. No standard or criteria has been waived.

NOTICES:

NOTICE - The 90 day period in which the applicant may file a protest of the fees, dedications or exactions begins on _____.

NOTICE: Low Impact Development (LID) requirements apply to all priority projects as of March 25, 2008. These requirements can be found at the following link beginning on Page 32, Section 67.812, of the Municipal Stormwater Permit:

http://www.sdcounty.ca.gov/cob/ordinances/ord9926.doc

The draft LID Handbook is a source for LID information and is to be utilized by County staff and outside consultants for implementing LID in our region. The handbook gives an overview of LID. Section 2.2 reviews County DPW planning strategies as they relate to requirements from the Municipal Permit. The Fact Sheets in the Appendix may be useful for information on all of the engineered techniques. Additional information can be found in the extensive Literature Index. You can access the Handbook at the following DPLU web address:

http://www.co.san-diego.ca.us/dplu/docs/LID-Handbook.pdf

NOTICE: On January 24, 2007, 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 must be implemented beginning March 25, 2008. The Low Impact Development (LID) Best Management Practices (BMP) Requirements of the Municipal Permit can be found at the following link beginning on Page 32, Section 67.812, of the Municipal Stormwater Permit:

http://www.sdcounty.ca.gov/cob/ordinances/ord9926.doc

All priority projects must minimize directly connected impervious areas and promote biofiltration. Section 67.812 includes the minimal site design requirements that project applicants must address and implement. These can be summarized into the following four requirements: Disconnect impervious surfaces, Design impervious surfaces to

drain into properly designed pervious areas, Use pervious surfaces wherever appropriate, Implement site design BMPs. The applicant / engineer must determine the applicability and feasibility of each requirement for the proposed project and include them in the project design, unless it can be adequately demonstrated which (if any) of the requirements do not apply.

NOTICE: This subject property is known to 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 fee in the amount of $2,550 and _____ has been paid for the environmental impact report, Environmental Review Number 04-08-028. The receipt numbers are 330439, dated September 7, 2007, and _____, dated _____.

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 **DPLU conditions** that need to be satisfied. The fee amount will be determined at the time conditions are requested to be satisfied. 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.

Attachment I

Environmental Documentation

The Environmental Impact Report has been distributed separately to Planning Commissioners. A copy of the Environmental Impact Report is available for public review at the Department of Planning and Land Use.

STATEMENT OF OVERRIDING CONSIDERATIONS

THE MERRIAM MOUNTAINS SPECIFIC PLAN
GPA 04-06; SP 04-006; R04-013; VTM5381; S04-035, S04-036, S04-037, S04-038; Log No. 04-08-028; SCH# 2004091166
October 9, 2009

The County of San Diego ("County") has adopted Findings Regarding Significant Effects for the above described project ("Project"), which identify that certain significant effects of implementing the Project are unavoidable even after incorporation of all feasible mitigation measures. The County finds that the remaining unavoidable significant effects are acceptable due to each of the specific economic, legal, social, technological or other benefits which will result from approval and implementation of the Project, as listed below. All of these benefits are based on the facts set forth in the Findings Regarding Significant Effects, the Final EIR, and the record of proceedings for the Project. Each of these benefits is a separate and independent basis that justifies approval of the Project, so that if a court were to set aside the determination that any particular benefit will occur and justifies Project approval, the County determines that it would stand by its determination that the remaining benefits are sufficient to warrant Project approval.

I. DEER SPRINGS ROAD CIRCULATION ELEMENT AMENDMENT

A. PLANNING BENEFITS

Redesignation of Deer Springs Road as a Prime Arterial will remedy a potential inconsistency between the Land Use and Circulation Elements of the General Plan. Inclusion of Deer Springs Road as a Prime Arterial is required to accommodate the density and intensity of land uses in the Land Use Element of the General Plan, even without the Project's added traffic. The General Plan Amendment for Deer Springs Road will benefit the County legally by removing a potential inconsistency in the General Plan.

B. TRAFFIC BENEFITS

Redesignation of Deer Springs Road as a Prime Arterial will enable the road to function at an acceptable level of service upon buildout of the area in accordance with the Land Use Element of the General Plan. The General Plan Amendment for Deer Springs Road will benefit the County by avoiding or remedying traffic congestion as development occurs in both the short and long-term planning horizons.

II. MERRIAM MOUNTAINS SPECIFIC PLAN

A. PLANNING BENEFITS

1. Planned Community

The Project is a planned community that coordinates development and environmental preservation of 58 parcels in multiple ownerships covering more than 2300 acres. The Project is designed to take advantage of its proximity to existing infrastructure and public

services, including its prominent location at the intersection of an interstate highway (Interstate 15) and major arterial (Deer Springs Road), while protecting a majority of the natural and scenic resources of the site. The Project has utilized planning tools such as clustering and phasing, that result in higher-quality, environmentally sensitive design. In particular, the Project clusters development in the southern half of the site, avoiding more environmentally sensitive areas by transferring residential density to planned development areas. Through coordinated planning of the entire site instead of parcel-by-parcel development, the Project will benefit the County by preservation of a substantially larger block of preserved open space, the provision of a wider variety of housing types and price ranges, more recreational opportunities and efficient provision of infrastructure and utilities than would be provided otherwise.

2. **Jobs-Housing Balance**

The Project will improve the existing jobs/housing balance in the County from 1.304 to 1.290. The concept of "jobs/housing balance" is a way to promote a better balance between employment and residential land uses, with the objective of reducing traffic congestion, air pollution, energy usage and maintenance costs. It is based on the premise that a reduction in commute distances and travel time, as well as the consequent reductions in emission of air pollutants can be achieved when a sufficient work force is available locally to satisfy employment demand (See Land Use Distribution Element of SANDAG's Regional Growth Management Strategy). Jobs/housing balance is shown as a ratio, which is simply the number of jobs divided by the number of housing units in the community. A low jobs/housing ratio indicates a housing-rich "bedroom community", while a high jobs/housing ratio indicates an employment center. Although there is no one perfect balance, the closer the ratio to 1.1, the more an area is considered to be "in balance." Jobs/housing balance is one of the elements of smart growth. According to SANDAG, the north inland areas in proximity to the Project will experience high levels of growth due to employment clusters, and will need additional housing to meet regional goals (SANDAG, 1999d).

The Project will house 7,614 permanent residents, many of whom are expected to relocate from western Riverside County to live closer to their San Diego County jobs (I-15 Interregional Partnership Strategies, SANDAG/WRCOG). The Project will also provide housing for employees of the existing and planned employment centers located along the I-15 and SR 78 corridors. The Project will improve the current imbalance between housing and jobs along these major commuting corridors, which will help meet local and regional jobs/housing balance goals.

A balance between employment and housing will also have a positive impact on the County by decreasing future costs associated with commuting and traffic congestion. A larger residential base can accommodate a greater percentage of existing employees who currently reside outside the County, thereby reducing the amount of time lost to commuting and traffic congestion, the cost of operating and maintaining personal automobiles, and the public expense of constructing and maintaining new roads. Public and private resources currently devoted to long-distance commuting can be redirected to meet other community goals (TOWARDS SMART GROWTH FOR SAN DIEGO COUNTY, Briefing Paper, Prepared for San Diego Dialogue's Quarterly Plenary Session, January 1999).

An improved jobs/housing balance reduces costs associated with air pollution and greenhouse gas emissions by reducing the need for workers to drive long distances between their jobs and their homes. Construction of housing to serve job-rich areas of the County supports General Plan housing, transportation, air quality and infrastructure goals. The Project will benefit the County by providing a larger variety of well designed and appropriately located housing types than would be available otherwise and that will improve the jobs/housing balance in the region. By improving the balance between employment and housing, the Project creates a constituency of individuals who both live and work in the County and are more likely to participate actively in shaping the County's social, political and economic future

3. **Community Commercial**

The Project will provide a convenient, neighborhood commercial shopping center for its residents and the surrounding community. The center is expected to include a grocery store and other neighborhood serving commercial services, such as a dry cleaner, drug store and coffee shop. Currently, no neighborhood shopping centers exist in either the Twin Oaks or Hidden Meadows communities, which are underserved by commercial development. The location of the neighborhood commercial center within the Project will shorten household shopping trips for the surrounding area because the closest neighborhood shopping facilities are currently four to six miles away. According to traffic guidelines incorporated in the Project traffic study, the onsite commercial is expected to reduce project traffic by approximately three percent, (Sacramento Metropolitan Air Quality Management District – Recommended Guidance for Land Use Emission Reductions, August 15, 2007), because residents will be able to walk or bike to the shopping area from their homes, or stop on their way home from other trips.

Residents and neighbors will have convenient access to the community commercial area located at the intersection of Deer Springs Road and Merriam Mountains Parkway. Due to its visually prominent location, the commercial area has the potential to foster a sense of community for the entire area. The Project will benefit the County by remedying the current lack of neighborhood commercial shopping and community gateway statement.

4. **Land Form Preservation**

The Project offers opportunities to preserve highly-visible land forms by clustering most development in sheltered areas where it cannot be seen from off-site locations, and by designing development to preserve important views of the property. The Project is located in the Merriam Mountains and is characterized by varied topography, including defined peaks, plateaus and ridges interspersed with valleys and drainages. The Project has been designed based on a comprehensive constraints analysis, which included clustering development as one of the project's guiding principles to ensure the development footprint is separated by ridgelines or other land forms in order to maintain the visual environment of the Merriam Mountains to the extent feasible. The cluster concept was utilized to achieve preservation of a greater percentage of the sensitive visual resources on the site as a whole. The clustered development areas have been sited to make the most efficient use of non-Steep Slope Lands and to preserve the integrity of the existing landforms. Clustering reduces the development footprint and encourages compact neighborhood design.

Based on this clustering concept, the Project design concentrates development in the southern portion of the specific plan area retaining the northern 1,192 acres of the site in Biological Open Space. The northern Biological Open Space includes the most prominent rock outcroppings and highest peaks (Crown of Rocks). In the south, major peaks (Deer Springs Ridge, Twin Peaks, Lusardi Mountains, Vista Point and Merriam Mountain) will also be preserved as part of the proposed project.

Planned development in the southern portion of the site will be located in the flatter areas and will retain existing major landforms, shielding views of the development from public vantage points. These major landforms will be retained in designated Other Open Space. Through these measures, the Project will permanently retain in open space the major landforms of the Merriam Mountains, a County-designated Resource Conservation Area (RCA). Therefore through the clustered development, the Project will benefit the County by providing a level of land form preservation that is not otherwise available through parcel-by-parcel development.

5. **Conservation/Sustainability.**

The Project is designed to meet current conservation and sustainability goals. The Project includes Greenhouse Gas (GHG) reduction measures designed to meet or exceed State and local goals. The measures will reduce GHG emissions from the Project operations to 33% below business as usual when only 25% is required. Project transportation-related emissions reductions will be achieved by including a mix of residential and non-residential uses, local serving retail, bicycle and pedestrian facilities, affordable housing, and transportation demand management (i.e. proposed carpool matching). The Project will reduce transportation-related emissions due to Project design features, including onsite commercial, internal pedestrian and bicycle trails, multi-family and higher density housing, smaller lots and onsite recreation. Project construction will use equipment meeting all standards for emissions control and about 10 percent of the construction fleet will have low emission technology. Homes will be wired for internet access to encourage telecommuting and a Project intranet is planned to facilitate ride-sharing and serve as a community billboard. The location of the Project near major transportation corridors and employment centers in Escondido, San Marcos and Carlsbad also supports energy conservation.

Additionally, the Project incorporates "green" building requirements including: (i) requiring California Green Building Program participation for the residential development, and (ii) requiring LEEDS-CS silver certification for commercial portions of the development. The Project will utilize water-saving devices for irrigation and construction, as well as the development. The project will provide commercial tenants and residents with separate recycling and waste receptacles to support the 50% statewide solid waste diversion goal. The homeowners association will be responsible for monitoring and maintaining the community billboard and intranet, which will include environmentally friendly programs for residents to participate. The Project will benefit the County by providing new housing and commercial space with lower emissions and resource usage than would be obtained otherwise.

6. **SB 375 Goals**

The Project is designed to meet the goals and intentions of Senate Bill 375. SB 375 is intended to integrate land use planning with reductions in GHG emissions, housing allocation requirements and regional transportation issues. The statute promotes residential development near existing urban development and transportation corridors, and requires that plan implementation be coordinated with available revenues. The Project meets all of these goals, by integrating the land use plan with the provision of needed housing, GHG reductions and transportation. Project design could accommodate future development of multi-modal transit links with regional employment centers. The Project will be phased, allowing major transportation improvements to precede occupancy, which avoids delays in the provision of infrastructure and the resulting increase in pollution and GHG emissions. The major transportation improvements to be constructed by the Project are included in the transportation plans of the County, the City of San Marcos and Caltrans. The location of the Project, together with its density, supports SB 375 goals of providing a variety of housing near transportation corridors.

B. HOUSING BENEFITS

1. **Housing Variety and Availability**

The Project provides a range of housing types and costs to serve a diverse population, including 1,149 single-family detached units, 1,271 variable residential density (detached and attached/owned) units, 270 multifamily (apartment/rental) units, and 10 estate residences. The Project will make 2700 units of housing available to meet the County's housing allocation in an area where new housing opportunities are limited. The Project is located within the County Water Authority boundaries, with access to existing infrastructure, in accordance with proposed County criteria for new housing development.. The Project will benefit the County by providing a wide range of housing types to County residents who are otherwise underserved in this part of the County.

2. **Housing Affordability**

The project includes a variety of housing opportunities for people with a range of incomes including estate residential, single-family detached, variable residential (attached and detached) and multi-family housing products. In addition, the applicant has offered to make up to 10 percent of its units affordable to moderate income residents. The addition of 270 multi-family housing units is a substantial expansion of affordable housing stock in the area, which will serve a population with critical housing needs in the County. Through phasing and clustering, the Project can provide housing more affordably than individual large-lot developments. . The Project is able to offer a range of market-rate housing at various price points to serve a wide segment of the community, from those seeking entry-level housing to those seeking estate housing. The Project will benefit the County offering a wider range of home prices than would otherwise be available in the area.

C. RESOURCE MANAGEMENT BENEFITS

1. Resource Protection Plan

The Project, by providing a Resource Protection Plan (RPP) in lieu of strict conformance with the County's Resource Protection Ordinance (RPO), will provide site specific environmental benefits. While the RPO provides for avoidance of RPO-sensitive resources on a parcel-by-parcel basis, the RPP proposed by the Project provides for comprehensive protection, restoration and management of the 1,192 acres of Biological Open Space to be preserved by the Project. Features incorporated in the RPP that would not be provided with implementation of RPO on a parcel-by-parcel basis include: funding for RPP implementation; designation of a habitat manager; maintaining an ongoing inventory of resources within the Biological Open Space; annual monitoring and reporting according to RPP requirements; long-term management consistent with RPP requirements; and maintenance of the habitat restoration and enhancement within the Biological Open Space. Resources addressed in the RPP include biological resources, cultural resources and landform resources. Funding for the RPP is expected to approach $175,000 for initial start-up costs, with annual operating costs of approximately $53,000/year. The Project will benefit the County through the RPP which provides a higher level of resource protection and management than would otherwise be available.

2. Biological Open Space Design

The Project makes available 1,192 acres of preserved and managed Biological Open Space in the northern half of the site, with a value estimated at $30,000 per acre or a total of $30 million. The Biological Open Space consists of a large block of habitat, together with perpetual management. Of this amount, approximately 600 acres would not have been required to mitigate Project impacts according to habitat-based County mitigation ratios. The Biological Open Space consists of a mosaic of habitats that supports a variety of species. The preserve will be managed for habitat preservation by a habitat manager with responsibilities for monitoring and maintenance of the habitat values. The preserve will be protected by permanent easements held by the County. This level of open space preservation would not be available without coordinated planning and development of the entire property, because parcel-by-parcel development would not result in the large open space set-aside. Reservation of open space as development occurred on a parcel-by-parcel basis would result in fragmented patches of open space spread across the entire property, which would be likely to have a lower biological viability due to increased fragmentation. Management of smaller patches of habitat interspersed by development is more expensive on a per acre basis and application of standard County mitigation ratios would result in a smaller preserve.

The Project also benefits the County by the on-site creation and/or revegetation of 27 acres of wetland and upland habitat within the Biological Open Space and preserving and managing the preserve for diversity of significant habitat types within the Biological Open Space, including Diegan Coastal Sage Scrub, Granitic Southern Mixed Chaparral, Mafic Southern Mixed Chaparral, Non-Native Grassland, Freshwater Marsh, Southern Coast Live Oak Woodland, Sycamore Alluvial Woodland, Southern Willow Scrub, Mulefat Scrub, and Coast Live Oak Woodland.

3. **Wetland Creation**

Of the 27 acres of habitat creation and restoration discussed above, the Project will create, preserve and enhance 12.1 acres of onsite wetlands as part of the Biological Open Space preserve, including 4.8 acres of wetlands preservation and 7.7 acres of creation/enhancement. From the existing 7.9 acres of wetlands on site, the increase in wetland resources onsite with project implementation would be 4.2 acres or 53 percent more wetland habitat than what currently exists. The preserved and created wetlands will be managed as part of the preserve, increasing the functions and values of onsite habitat. The Project will benefit the County by increasing the acreage and value of wetland habitat that will be preserved for future generations.

4. **Open Space Buffers**

The Project preserves more than 500 acres of Other Open Space onsite, in addition to the 1,192 acres of Biological Open Space. The Other Open Space provides space for fuel modification, landscaping, views and recreation while minimizing the edge effects of the development on preserved habitat. The Other Open Space will be protected by easements for the benefit of the County. Visually and biologically, the Other Open Space also softens the edge between Biological Open Space and development areas. The Project benefits the County by buffering the Biological Open Space preserve from development impacts to an extent that would not otherwise be available.

5. **Offsite Preservation**

The Project's mitigation includes preservation and management of 32 acres of coastal sage scrub habitat at the Captain's Associates parcel. The location of this preserved area is of particular benefit to gnatcatcher conservation along the I-15 corridor. The Project would provide preservation and management in perpetuity and the parcel would contribute to the assembly of the draft North County Multiple Species Conservation Program (NCMSCP) preserve. The Project benefits the County by preserving the 32 acre site, providing for long-term management of the site and contributing to the gnatcatcher conservation along the I-15 that would not otherwise be available.

6. **North County Multiple Species Conservation Program**

The Project Biological Open Space will provide an important block of habitat and a critical connection for the implementation of the future North San Diego County Multiple Species Conservation Program ("NCMSCP"), in accordance with the County's Natural Communities Conservation Plan ("NCCP"). The NCMSCP identifies the Merriam site as an important linkage between habitat to the east of the I-15 and habitat to the northwest. and a core habitat (due to the large size of this block of habitat). Preservation of the Merriam site could not be accomplished through parcel-by-parcel development, and the NCMSCP would not be likely to receive funding to acquire and manage the 1200 acres of Merriam property proposed for permanent preservation. Although an important location, regionally, the property would not be likely to function as a mitigation bank because of its predominance of more common habitat

types. The Project benefits the County by preservation and management in perpetuity of a large block of natural habitat including an important linkage that is critical for the implementation of the future NCMSCP.

D. TRAFFIC INFRASTRUCTURE BENEFITS

1. Road Improvements

The Project will provide more $63 million for various roadway and intersection improvements, which include the Deer Springs Road/I-15 Interchange ($27.4 million), Deer Springs Road widening ($27.9 million) and Twin Oaks Valley Road improvements ($6.1 million). The Project will also complete intersection improvements at Buena Creek Road/Monte Vista Drive, South Santa Fe Road/Buena Creek Road and Gopher Canyon Road/I-15 intersections ($1.6 million). The Project will construct approximately 2,355 linear feet of sound walls, providing protection from noise generated from existing and projected traffic. The Project will improve the safety of Deer Springs Road and Twin Oaks Valley Road by realigning and widening them to higher design standards.

The Project will construct these improvements prior to impacts, in advance of the time when they could be constructed using the County's TIF program. By providing traffic improvements in advance of need, the Project will significantly reduce congestion prior to the availability of public funds. The Project will advance the funding for construction of these needed road improvements, with reimbursement dependent on the timing of other private development. The Project therefore removes a significant financial burden from the County, while advancing infrastructure construction. The Project will benefit the County by funding and constructing more than $63 million of needed infrastructure improvements under the County's General Plan, including associated sound walls and landscaping (Deer Springs Road, Deer Springs Road/I-15 Interchange and Twin Oaks Valley Road Cost Estimate, February 2009). The Project will further benefit the County by reconstructing roads to improved design and safety standards, which would not otherwise be available until later in time.

2. Correction of Existing Traffic Deficiencies

The Project will construct major public road improvements on Deer Springs Road, Twin Oaks Valley Road and the Deer Springs Road/I-15 Interchange. All of these facilities are included on the County or City of San Marcos Circulation Elements and many of these facilities are currently operating below acceptable levels of service. Project improvements will correct these deficiencies while providing capacity to mitigate the Project impacts. Funding for correction of these existing traffic deficiencies typically comes from public improvement programs paid for by tax revenues or bonds and is constructed by the governing jurisdiction. The Project will make improvements to correct these deficiencies substantially in advance of the time they could be constructed with public monies. The Project will benefit the County and residents of the City of San Marcos by constructing improvements to correct existing deficiencies, which would otherwise be the responsibility of the County or the City of San Marcos.

3. **Additional Traffic Benefits**

The Project will create reserve capacity on a number of roadway segments and intersections. For instance, Project construction will alleviate an existing deficiency of 7,500 average daily trips on Deer Springs Road from Twin Oaks Valley Road to Merriam Mountains Parkway, and create a reserve capacity of 5,000 average daily trips. On Deer Springs Road from Merriam Mountains Parkway to Mesa Rock Road, the Project will alleviate an existing deficiency of 5,400 average daily trips, and create reserve capacity of 4,560. The impact on the I-15 /Deer Springs Road Interchange is even greater, with an existing deficiency of 4,000 average daily trips and reserve capacity of 11,000 created by the Project. The Project will almost quadruple the available capacity of the I-15 Interchange to 40,000 average daily trips. The Project will benefit the County by constructing improvements to serve existing and planned development in the area (see FEIR, Section 2.2).

4. **Reduced Trip Demand**

In addition to Project design features, the Project will reduce travel demand and congestion through facilitating a traffic signal system on Deer Springs Road, maintaining an intranet site for residents, and providing bus shelters for a potential future bus service to the property that would not be available through development on a parcel by parcel basis. The Project will benefit the County by improving traffic in the area, which would not otherwise be available without public funding (see FEIR, Section 2.2).

E. RECREATION BENEFITS

1. **Parks and Trails**

The Project will expand the County's existing network of parks, bicycle paths and pedestrian paths. In particular the Project will develop 37 parks (33 improved parks totaling approximately 29 acres and 4 natural parks) totaling approximately 60 acres. The natural parks are in excess of County requirements and will include activities such as interpretive and fitness course trails and view/overlook seating. All parks will be managed and maintained by the Merriam Mountains HOA, CFD, or other approved entity. The Project will benefit the County by adding more than 30 parks on approximately 90 acres that will be available to the public, including more than 60 acres of parkland that would not otherwise be available.

2. **Trails**

The Project will provide two types of trails totaling 18.3 miles (4.5 miles of roadside pathways and 13.8 miles of off-street multiuse trails). The multiuse trails will include approximately 12.0 miles of new soft-surface trails and 1.8 miles of paved utility accessway. Multiuse trails will be up to 8 feet wide and will be managed and maintained with Project funding. At least one of the trails will be accessible to the disabled. Trails through the natural parks will lead to overlooks of visual features. At the request of community representatives, the Project trails were designed to connect with Master Plan trails in the County and City of San Marcos. The County has no trail requirements in this area, so all of the trails are in excess of

County requirements. The Project will benefit the County by providing an extensive privately-maintained trail system with connections to offsite trails that would not otherwise be available.

3. **Equestrian Facilities**

The Project will provide an equestrian staging facility with parking for horse trailers and connections to the proposed trail system, which is not available elsewhere in the area. Equestrians will be able to access the two-acre staging area from Twin Oaks Valley Road and will have safe, all-weather parking for their trailers. The staging area will also allow groups of hikers and bicyclists to gather and access the trails. The staging area is in excess of County requirements and will be maintained by the Project. Equestrians are an important group in this area of the County and they are underserved in terms of maintained facilities. The Project will benefit the County by providing convenient facilities for equestrians at no cost to the public that would not otherwise be available.

F. ECONOMIC BENEFITS

1. **New Revenue to County**

According to the Fiscal Impact Analysis ("FIA") dated April 13, 2007, the Project will generate $9.6 million in ongoing annual revenues and $8.5 million in ongoing annual costs resulting in $1.1 million annual net revenue to the County. Annual revenues generated by the Project on behalf of the County General Fund are projected to equal 1.13 times the General Fund costs associated with the Project. The Project creates a fiscal surplus for the County's General Fund and as a result, improves the overall economic health of the County.

According to the FIA, there are three major reasons that the Project will generate a surplus for the County General Fund. First, the Project will generate more than $2.5 million in intergovernmental revenues each year or just over 26% of the County's total revenues from the Project. Second, the County receives a significant percentage (16.93%, net of the Educational Revenue Augmentation Fund "ERAF" that is deducted by the State to fund school districts pursuant to Prop. 98) of the Project's one percent property tax revenue. In total, the County can anticipate receiving more than $2.5 million annually in property taxes from the Project. Third, the Project will generate an additional $2.5 million in property tax in lieu of Vehicle License Fee (VLD) revenues as a direct result of the 2004 VLF for Property Tax Swap legislation. The Project benefits the County by providing approximately $1.1 million in net annual revenue for the General Fund, which is significantly higher than most residential developments.

2. **New Job Opportunities**

The Project will create 277 new permanent jobs in the County, including approximately 184 new onsite jobs, primarily in the neighborhood commercial area. In addition, the Project is also projected to create 6,114 construction jobs. One-time construction and development costs will also have a multiplier effects on the economy, providing output to support an additional 6,647 jobs in the County. The Project will therefore benefit the County by creating a total of 12,761 jobs associated with its development.

G. FIRE PROTECTION BENEFITS

1. New Fire Station

The Project will construct a new fire station for the Deer Springs Fire Protection District prior to its fifth phase. The fire station will be built to Deer Springs Fire Protection District specifications and will serve the Project and surrounding areas. Units at the fire station will also be available to provide support to other District stations, as well as other fire departments with mutual aid agreements. The fire station will upgrade and modernize the fire services provided by the District. The fire station will be funded by County fire mitigation fees, but will be constructed by the Project in advance of the final fee collections. The Project will benefit County residents by providing a new fire station on a schedule that otherwise would not have been available.

2. Community Fire Protection:

The Project Fire Protection Plan will substantially reduce wildfire fuel continuity over the development footprint totaling approximately 1,150 acres. Eliminating the fuel over this large area coupled with the fire safe features of the building and landscape plans for the Project will provide additional protection for residents living to the south and west of the Project in the event of a Santa Ana wind driven fire and for residents living east of I-15 in the event of fire moving in that direction.

New roads coupled with the fire flow designed water system that serve the development will also provide fire fighting resources to the preserve area, which is currently inaccessible. Offsite road construction proposed for Deer Springs Road and to I-15 will double the capacity of these facilities further enhancing emergency access and evacuation capabilities for existing and future residents.

The Project is located in the Deer Springs Fire Protection District, which is funded through voter approved "Standby" and "Fire Suppression" Fees and the District's share of property tax. According to the Fiscal Impact Analysis Addendum for the Deer Springs Fire Protection District prepared by David Taussig and Associates dated April 13, 2007, the Project is estimated to generate $1.64 million in annual revenues and require additional costs of $40,000 resulting in annual net revenues of $1.6 million. These revenues can be used by the District at its discretion to provide additional fire protection for the population it serves. The Project will therefore benefit the county residents by reducing the susceptibility of the Merriam site to wildfire, providing permanent thinning of the onsite fuel load, providing a fire-resistant buffer between natural open space and existing development and increasing both fire services and funding for fire protection.

In summary, the Project will substantially improve fire safety for existing residents in the surrounding area by managing the fuel load and thus the risk of rapid spread of fire on the Property, by extending roads and water pipelines onto the Property to increase fire fighting access, by constructing a new fire station that will increase fire-fighting capacity to serve the entire area, by contributing substantial annual funding to the local fire departments, by doubling the capacity of the Deer Springs Road/I-15 Interchange, by adding capacity to area

roads in excess of that required for the Project, and by improving the level of service on numerous area roads. The excess road capacity provided by the Project will be available to serve the area population in the event that evacuation is required These fire safety improvements would not be available without development of the Project.

H. OTHER ENVIRONMENTAL BENEFITS

1. Lead Removal

The Project will remove lead shot from the Biological Open Space preserve, in accordance with County Department of Environmental Health remediation standards. The lead shot will be removed to an approved facility for offsite disposal. The Project will benefit the County by remediation of the health hazard and revegetation of the area for habitat purposes, which would not be available otherwise.

2. Archaeological Research and Curation

The Project will provide more than $1 million to curate archaeological resources that cannot be avoided due to public road construction requirements and, through the RPP, will provide for long-term management of onsite cultural resources to be protected with open space easements, including after-hours monitoring by a private security company, if deemed necessary by the principle project archaeologist. The Project will fund professional cataloging and preservation of artifacts collected from the site and previously collected from other locations. The Project will benefit the County by protecting significant archaeological resources from degradation over time and by making the resources available for future research and analysis, which would not be available otherwise.

I. EXTRA-JURISDICTIONAL BENEFITS

1. Caltrans

The Project has been required to contribute its proportionate share towards improvement of Caltrans facilities operating at an inadequate level of service in San Diego County. Public funding and impact fees are not readily available to improve these facilities, despite the need. In addition, the Project will both design and construct a number of these improvements as mitigation, provided that Caltrans approves the work. The Project will benefit the County by improving intergovernmental cooperation with Caltrans and by providing funding that would not otherwise be available through an impact fee or mitigation program.

2. City of San Marcos

The Project has been required to contribute its proportionate share towards improvement of roadways operating or expected to operate at an inadequate level of service in the City of San Marcos, provided the City enters into an agreement with the Project applicant. Public funding and impact fees are not readily available to improve these facilities, despite the need. In addition, the Project will design and construct a number of these improvements as mitigation, provided the city approves the work. The improvements will benefit County residents by improving traffic flow.

Attachment I

DECISION AND EXPLANATION REGARDING RECIRCULATION OF THE DRAFT ENVIRONMENTAL IMPACT REPORT (EIR)

ALTERNATIVE G MERRIAM MOUNTAINS MASTER PLANNED COMMUNITY GPA 04-06; SP 04-006; R04-013; VTM5381; S04-035; LOG NO. 04-08-028; SCH# 2004091166 OCTOBER 9, 2009

The California Environmental Quality Act ("CEQA") Guidelines, Section 15088.5(a) states that the County of San Diego is required to recirculate a draft Environmental Impact Report ("EIR") when significant new information is added to the draft EIR after public review of the draft EIR but before certification. Significant new information can include changes in the project or environmental setting as well as additional data or other information. New information added to a draft EIR is not significant unless the draft EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse effect of the project or a feasible way to mitigate or avoid such an effect (including feasible alternatives) that the project's proponents have declined to implement. The County of San Diego provides the following discussion in support of the decision regarding recirculation of the Draft EIR (defined below) pursuant to these criteria as required by CEQA Guidelines Section 15088.5 (e).

BACKGROUND: The Draft Environmental Impact Report for the above described project ("Draft EIR") was distributed to the public for review on August 30, 2007. The public review period for the Draft EIR ended on October 15, 2007. A total of one hundred eight (108) letters were received during the public review period for the Draft EIR from various agencies and individuals, listed on page 2-1 of the Final Environmental Impact Report for the project dated _____, 2009 ("Final EIR") and assigned identification numbers 1 through 108, respectively. Responses to the comments in each number are located in the Final EIR in Chapters 3 and 4 thereof.

A Recirculated Draft Environmental Impact Report for the above described project ("Recirculated EIR") was distributed to the public for review on March 12, 2009, with comments limited to the new or redrafted portions only. The public review period for the Recirculated EIR ended on April 27, 2009. A total of one hundred ten (110) letters were received during the public review period for the Recirculated EIR from various agencies and individuals, listed on page 2-33 of the Final EIR, and assigned identification numbers R1 through R110, respectively. Responses to the comments in each number are located in the Final EIR in Chapters 3 and 4 thereof.

DECISION: No significant new information has been added to the Recirculated EIR since public notice was given of its availability for public review, and therefore, recirculation of the Recirculated EIR is not required.

EXPLANATION: The substantive modifications in the Recirculated EIR are:

1. **Clarification to Twin Oaks Valley Road Improvements:** These modifications provide clarification that the potential improvements from Buena Creek Road to 1,000 feet south of Cassou would not be required to adequately mitigate TR-17. M-TR-17, as specified in the EIR provides intersection improvements that adequately mitigate direct impacts along Twin Oaks Valley Road from Buena Creek Road to Cassou Road. Therefore this change merely amplifies or clarifies the original information presented in the EIR and is not "significant new information."

2. **Clarification to Economic Characteristics:** These modifications provide clarification to the existing Economic Characteristics discussion to identify; (i) the "project is intended to capture" property tax revenue to San Diego County that might otherwise be deflected to southwestern Riverside County, and (ii) the proposed project would provide housing opportunities for San Diego County residents and employees to live closer to their work, because the development is in close proximity to employment centers, particularly Escondido, and SANDAG has recognized a housing need in this area. Therefore this change merely amplifies or clarifies the original information presented in the EIR and is not "significant new information."

3. **Clarification to Matrix of Project Approvals:** This modification has been included to provide clarification that a Noise Ordinance Variance will be required for construction of Deer Springs Road and Meadow Park Lane, consistent with the discussion provided in Section 2.4 of the EIR. It better defines the process required under the Noise Ordinance as amended in January 2009. This change is not "significant new information" because it does not involve a new substantial impact or propose a new feasible way to mitigate or avoid this impact that the applicant declines to implement.

4. **Clarification to Growth-inducing Effects:** These modifications provide clarity to the growth-inducting effects discussion, to identify that while the proposed project includes densities beyond those in the VWD Master Plan, VWD has indicated ability to serve the land uses proposed by the Merriam Mountains GPA. Therefore this change merely amplifies or clarifies the original information presented in the EIR and is not "significant new information."

5. **Clarification to Construction Emissions "Short-Term":** These modifications provide clarity by replacing the term "short-term emissions" with "construction emissions" to avoid the ambiguous meaning of "short-term" in relation to the project. Therefore this change merely amplifies or clarifies the original information presented in the EIR and is not "significant new information."

6. **Clarification to California Green Builder Program and LEED Certification:** These modifications provide clarity to existing project design features regarding when the project applicant will be required to ensure the proposed residential and/or commercial structures have met the certification requirements. Therefore this change merely amplifies or clarifies the original information presented in the EIR and is not "significant new information."

7. **Clarification to Air Quality Mitigation for Construction Emissions:** These modifications provide clarity to existing mitigation measures to identify the project applicant will be required to provide evidence that the conditions outlined in proposed mitigation measures have been met. In addition, to be consistent with California Air Resources Board regulations, the idling time restriction of 15 minutes for heavy equipment has been specified in the list of project design features. Therefore this change merely amplifies or clarifies the original information presented in the EIR and is not "significant new information."

8. **Clarification to Travel Demand Measures:** These modifications provide clarity to existing project design features regarding measures to reduce vehicle miles traveled and therefore reduce GHG emissions. These measures increase accessibility of alternate modes of transportation and improve traffic flow (from project constructed road improvements). Therefore this change merely amplifies or clarifies the original information presented in the EIR and is not "significant new information."

9. **Clarification to GHG Construction Emissions:** These modifications provide clarity that while construction-related GHG emissions have been quantified, emissions reductions are not quantified. Rather, as stated in the EIR, no regulations have been approved to date by EPA to directly reduce construction-related GHG emissions. The EIR references estimates to reduce emissions from off-road equipment in the SDCGHGI and notes that reductions attributable to transportation-related emissions over the life of the project may also be applied to off-set the project's one-time construction emissions. Therefore this change merely amplifies or clarifies the original information presented in the EIR and is not "significant new information."

10. **Clarification to Traffic Mitigation Measures for Signal Warrant Analysis:** These modifications provide clarity to existing mitigation measures regarding installation of traffic signals based upon a signal warrant analysis that shall be completed prior to the identified Phase or subsequent phases; traffic signals will be installed when warrants are met. Therefore the change merely amplifies or clarifies the timing of the mitigation and is not "substantial new information."

11. **Clarification to Traffic Mitigation for cumulative traffic impacts in a different jurisdiction (M-TR-28, 29, 30, 31, 32, 33, 39 and 40):** These modifications provide

clarity to existing mitigation measures regarding the requirement for the project applicant to make a contribution proportionate to the impact caused by the project. This is consistent with CEQA Guidelines, section 15126.4(a)(4)(B), which identifies mitigation should be roughly proportional to the impacts caused by the proposed project. Regardless, the impact remains unmitigated because the County cannot insure that it will occur at the time of impact or at all. Therefore this change merely amplifies or clarifies the original information presented in the EIR and is not "significant new information."

12. **Clarification to Traffic Mitigation for construction of improvements completed in a different jurisdiction (M-TR-1, 2, 4, 5, 9, 10, 14, 15, 16, 17, 18, and 23) :** These modifications provide clarity to existing mitigation measures regarding the agreement that may be reached with the City of San Marcos and/or Caltrans for construction of improvements. The mitigation has been revised to clarify that the project applicant shall either: (i) construct such improvements identified in the mitigation measures, or (ii) enter into an agreement with Caltrans and/or the City of San Marcos to construct such improvements and provide security for completion of the project applicant's payment obligations under such an agreement. The mitigation identifies that in the event an agreement is entered into between the project applicant and the County Department of Public Works with respect to the required improvements, such agreement shall specify that the improvements shall be completed. The mitigation further identifies that this requirement may be waived if the Project Applicant provides sufficient evidence satisfactory to the Director of DPLU that Caltrans and/or the City of San Marcos will not enter into an agreement. Regardless, the impact remains unmitigated because the County cannot insure that it will occur at the time of impact or at all. Therefore this change merely amplifies or clarifies the original information presented in the EIR and is not "significant new information."

13. **Clarification to Traffic Mitigation for the following direct impacts: TR-24 and TR-25**. These modifications provide clarity to existing mitigation measures regarding the requirement for the project applicant to make a contribution proportionate to the impact caused by the project. This is consistent with CEQA Guidelines, section 15126.4(a)(4)(B), which identifies mitigation should be roughly proportional to the impacts caused by the proposed project. Regardless, the impact remains unmitigated because the County cannot insure that it will occur at the time of impact or at all. Therefore this change merely amplifies or clarifies the original information presented in the EIR and is not "significant new information."

14. **Clarification to Impulsive Noise:** These modifications provide clarity to the impact analysis by noting the required Blasting Permit from the Sheriff requires that noise from the blast would comply with the County's Impulsive Noise Standard (number of blasts shall not exceed 25% of the minutes in the 1-hour measurement period). Therefore this change merely

amplifies or clarifies the original information presented in the EIR and is not "significant new information."

15. **Clarification in Temporary Noise Mitigation (NOI-7b):** These modifications add information to the document which provides the location of the temporary barriers required as a result of the modeled noise levels at Sites 14, 15, 16, 19, and Golden Door during construction. This clarification brings forward information to the EIR from the technical studies that were circulated for public review. This clarification is not "significant new information" because it does not involve a new substantial impact or propose a new feasible way to mitigate or avoid this impact that the applicant declines to implement.

16. **Clarification to Alternative Alignments for Deer Springs Road:** These modifications provide details regarding the alternative alignments for Deer Springs Road that were considered within the vicinity of the significant cultural sites. The clarification demonstrates there is no feasible or physical way to keep the roadway on the least overall damaging alternative alignment (in the vicinity of the significant sites) and to further avoid site impacts. This clarification brings forward information to the EIR from the technical studies that were circulated for public review. Therefore this change merely amplifies or clarifies the original information presented in the EIR and is not "significant new information."

17. **Clarification to Sheriff Facilities:** These modifications provide clarity to the sheriff facilities discussion by noting that based on updated information from the Sheriff's Department (i) a new station or station upgrade would not be required to accommodate additional staff, and (ii) a cumulative impact on law enforcement facilities would not result with the proposed project. Therefore this change merely amplifies or clarifies the original information presented in the EIR and is not "significant new information."

18. **Clarification to Alternative F – Deer Springs Road Alignment**: These modifications provide an update in compliance with revisions to the Noise Ordinance that both the proposed project and Alternative F would require a Noise Ordinance Variance to complete construction. It better defines the process required under the Noise Ordinance as amended in January 2009. This clarification is not "significant new information" because it does not involve a new substantial impact or propose a new feasible way to mitigate or avoid this impact that the applicant declines to implement.

19. **Clarification to Mitigation of Traffic Impacts:** These modifications provide clarity to existing mitigation measures regarding the intersection at Mesa Rock Road/Deer Springs Road in San Diego County with respect to the lane configuration resulting from the Caltrans Project Study Report process which is currently underway. This clarification is not

"significant new information" because it does not involve a new substantial impact or propose a new feasible way to mitigate or avoid this impact that the applicant declines to implement.

20. **Clarification to Mitigation of Cultural Resource Impacts:** These modifications provide clarity to existing mitigation measures regarding (i) before an after photo documentation of the protective measures put in place with regard site CA-SDI-9822; (ii) use of the term "cleaned" instead of "washed" with regard to artifacts, (iii) use of the term "remains" instead of "bones," and (iv) revisions regarding which site contains the pictograph. These clarifications are not "significant new information" because they do not involve a new substantial impact or propose a new feasible way to mitigate or avoid this impact that the applicant declines to implement.

21. **Clarification to Evacuation Egress:** These modifications provide clarity to existing evacuation procedures by noting that the number of lanes available for evacuation for each roadway will be determined by the local authorities as they will have the ability to direct residents away from an approaching fire and use lanes along roadways to provide the most efficient evacuation. Therefore this change merely amplifies or clarifies the original information presented in the EIR and is not "significant new information."

22. **Clarification to Deer Springs Fire Safe Council (DSFSC) Education:** These modifications provide clarity to existing provisions to require the applicant to ensure that the project residents receive the same educational services as DSFSC provides for the rest of the Deer Springs Community to actively promote fire preparedness. This clarification is not "significant new information" because it does not involve a new substantial impact or propose a new feasible way to mitigate or avoid this impact that the applicant declines to implement.

23. **Clarification to Vallecitos Water District (VWD) Provisions:** These modifications provide clarity by: (i) noting that there will be a Master Agreement between VWD and the developer, prior to the issuance of building permits; (ii) noting that the proposed Project will contribute to the expansion of the Encina Wastewater Authority solids/liquids/treatment facility directly through payment of Merriam Mountains share for such expansion; and (iii) noting that in the event the parallel land outfall would need to be constructed to address wastewater from the Project, that the Project would be responsible for payment of additional fees that may be required to perform such work. Therefore this change merely amplifies or clarifies the original information presented in the EIR and is not "significant new information."

24. **Clarification to Deer Springs Fire Protection District (DSFPD) Provisions:** These modifications provide a naming correction by noting that Station 1 has been renamed as Station 11. Therefore this change merely amplifies or clarifies the original information presented in the EIR and is not "significant new information."

25. **Project Alternative to include a Revised Alignment for Deer Springs Road to ensure avoidance of the residence located at 1088 Deer Springs Road:** A revised alignment for Deer Springs Road has been included in the FEIR that would ensure avoidance of the residence located at 1088 Deer Springs Road. The revised alignment has been proposed by the project applicant based on comments received on the REIR. An environmental review of the potential environmental effects associated with the revised alignment has been included in the EIR for consideration by the decision makers. This revised alignment being included as a project alternative for consideration by the decision makers is not "significant new information" because it does not involve a new substantial impact or propose a new feasible way to mitigate or avoid an impact that the applicant declines to implement.

26. **Clarification to Silica Dust that may be generated during Construction:** These modifications provide clarity by: (i) identifying there are no adopted CEQA significance thresholds for environmental exposure of nearby receptors to airborne crystalline silica generated by construction activities (ii) the State of California has not established an acute Reference Exposure Level (REL) for short-term exposure because adverse health effects associated with short-term environmental exposure to crystalline silica have not been identified, (iii) Because silicosis and other potential adverse health effects have been determined to be the result of long-term exposure to crystalline silica, evaluations of potential health effects have not been focused on residents, nor on short-term exposure, and (iv) even if maximum exposures adjacent to the Merriam construction project occasionally exceeded the levels, they would remain well below levels identified by the State as posing a health risk. Therefore this change merely amplifies or clarifies the original information presented in the EIR and is not "significant new information."

27. **Clarification that Silica Dust generated by the project would be Less than Significant:** This information clarifies the State of California (OEHHA) Reference Exposure Level (REL) in relation to silica dust generated during construction. The potential for adverse health effects to result for residents located in the vicinity of the project site is not likely because (i) the project will incorporate OSHA administrative and engineering controls for airborne contaminants; (ii) the project will implement measures to comply with the REL for crystalline silica for workers; and (iii) residents would rarely be exposed to levels above the REL, if at all, and exposure of levels above the REL for short periods of time would not constitute chronic exposure (8 years or more). This clarification is not "significant new information" because it does not involve a new substantial impact or propose a new feasible way to mitigate or avoid this impact that the applicant declines to implement.

28. **Clarification to Figure 1.1-20 to include revised blasting limits along Deer Springs Road that are referenced in Section 2.4**. Section 2.4, Guideline 4 identifies that the preliminary geotechnical information indicates that off-site drilling and blasting along Deer

Springs Road could be necessary in addition to areas identified on the drilling and blasting exhibit (Figure 1.1-20). Figure 1.1-20 has been revised to clarify the location of this blasting area along Deer Springs Road. The drilling and blasting noise at this location will be mitigated through measures that were previously provided in the EIR for drilling and blasting noise. Therefore this change merely amplifies or clarifies the original information presented in the EIR and is not "significant new information."

29. **Revised Mitigation Measure M–AQ–2g**: Grading operations shall be limited to 40 acres per day to ensure construction emissions do not exceed projections completed as part of the air modeling. This amplification is not "significant new information" because it does not involve a new substantial impact or propose a new feasible way to mitigate or avoid this impact that the applicant declines to implement.

30. **Clarification that VOC emissions would be less than significant**: These modifications provide clarity that VOC emissions that exceed the screening levels would be less than significant based on the updated emissions calculations reflecting the Project Applicant's implementation schedule and incorporation of the proposed Project Design Features included in M-AQ-1 (Scientific Resources Associated, ROG Emissions Memorandum, August 2009). Therefore this change merely amplifies or clarifies the original information presented in the EIR and is not "significant new information."

31. **Revised Mitigation Measure M–BIO-7**: These modifications provide clarity to existing mitigation measures regarding (i) requirements for clearing and grubbing in areas containing Coastal Sage Scrub vs. the entirety of the project site, (ii) a letter documenting the results of the breeding bird survey shall be submitted to DPLU, and (iii) clearing and grubbing during the California gnatcatcher breeding season is prohibited unless written concurrence is received from U.S. Fish and Wildlife and the California Department of Fish and Game. These clarifications are not "significant new information" because they do not involve a new substantial impact or propose a new feasible way to mitigate or avoid this impact that the applicant declines to implement.

32. **Revised Mitigation Measure M–NOI-6a**: These modifications include providing clarity to an existing mitigation measure associated with blasting noise mitigation. The mitigation measure has been revised to identify limiting the number of drilling and blasting hours per day could also reduce the potential for noise impacts. These clarifications are not "significant new information" because they do not involve a new substantial impact or propose a new feasible way to mitigate or avoid this impact that the applicant declines to implement.

33. **Revised Mitigation Measure M–AE-1**: These modifications provide clarity to existing mitigation measures regarding visual impacts associated with grading on Insignificant

Steep Slopes. The mitigation measure has been revised to clarify grading techniques included as part of the RPP is the applicable mitigation to reduce the identified impact. These clarifications are not "significant new information" because they do not involve a new substantial impact or propose a new feasible way to mitigate or avoid this impact that the applicant declines to implement.

34. **Revised Mitigation Measure M-NOI-6B:** This modification has been included to provide clarification that a County-approved acoustical consultant shall monitor for compliance with the Noise Ordinance on an occasional or on-call basis at locations where drilling and blasting operations are in proximity to existing off-site residential structures This change is not "significant new information" because it does not involve a new substantial impact or propose a new feasible way to mitigate or avoid this impact that the applicant declines to implement.

All other modifications are non-substantive clarifications to the EIR.

Based upon the criteria of "significant new information" as defined in Section 15088.5(a) of the CEQA Guidelines, no substantive new information has been added to the Recirculated EIR as a result of changes in the project or environmental setting or the addition of new data. Modifications to the Recirculated EIR for inclusion in the Final EIR are considered minor clarifications. Modifications are highlighted in the Final EIR by text underline and strikeout. Modifications do not include: (1) new significant environmental impacts or mitigation measures; (2) increased severity of environmental impacts; or (3) new alternatives or mitigation measures deemed considerably different from those analyzed in the Recirculated EIR. Modifications to the Recirculated EIR clarify and amplify information already contained in the document.

An analysis of the changes in the Recirculated EIR since public notice has been conducted, and those changes to the Recirculated EIR do not meet the criteria for recirculation of the Recirculated EIR pursuant to CEQA Guidelines Section 15088.5. Given these facts, no further recirculation is required.

Attachment I

FINDINGS REGARDING SIGNIFICANT EFFECTS PURSUANT TO STATE CEQA GUIDELINES SECTION 15091 OCTOBER 9, 2009

I. ALTERNATIVE G FOR THE MERRIAM MOUNTAINS MASTER PLANNED COMMUNITY (GPA04-006, SP04-006, R04-013, TM5381RPL[4], S04-035, ER04-08-028)

A. Pursuant to Section 15091(a)(1) of the State CEQA Guidelines, the County of San Diego Board of Supervisors ("County") finds that, for each of the following significant effects identified in the Final Environmental Impact Report ("FEIR") dated _____, 2009 for the Merriam Mountains Specific Plan (the "Project"), changes or alterations ("Mitigation Measures") have been required in, or incorporated into, the Project which avoid or substantially lessen each of the significant environmental effects as identified in the FEIR. The significant effect ("Impacts") and Mitigation Measures are stated fully in the FEIR. The following are brief descriptions of the Impacts and Mitigation Measures set forth in the FEIR and explanations of the rationale for this finding for each Impact.

1. Air Quality Impacts.

Impact AQ-1: With the implementation of the Project, Impact AQ-1 would cause an effect to air quality because operational emissions for carbon monoxide ("CO") and volatile organic compounds ("VOCs") would be above screening level thresholds in 2015.

Mitigation Measure M-AQ-1: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring Project design improvements such as ride share/bus shelters, bicycle lanes, sidewalks, multi-use trails, and improvements to existing intersections and streets, as well as the creation of an online ridesharing program, all to enable residents to use alternative modes of transportation including current multi-passenger modes of transportation, and to facilitate efficient vehicular transportation.

Rationale: Changes in the Project have been required that avoid or substantially lessen impacts resulting from VOCs and CO being above the screening level thresholds in 2015. Implementation of these mitigation measures would reduce the impact to less than significant because they improve traffic flow and fuel efficiency, reduce vehicle miles traveled, encourage residents to use alternative modes of transportation, enhance current multi-passenger modes of transportation, and cause more efficient vehicular transportation, thereby reducing Project trips and associated vehicular emissions to be below screening level thresholds in 2015.

The primary operational emissions would be associated with Merriam Mountains-generated traffic. The vehicular emissions decrease over time with phase-out of older vehicles and implementation of increasingly stringent emissions controls. Since CO emissions were expected to be above the screening-level thresholds between 2015 and 2040, a CO Hot Spot Analysis was completed to determine whether CO emissions would

cause a ground-level exceedance of the National Ambient Air Quality Standards ("NAAQS") or California Ambient Air Quality Standards ("CAAQS"). As shown in Guideline 2 of the FEIR, no exceedance of the CO standard are predicted, and the Project would not cause or contribute to a violation of an air quality standard. Thus impacts from CO would be avoided or less than significant.

The ultimate buildout of all five phases of the Project by 2015, as assumed in the air quality study, is a conservative assumption as the Project is not likely to complete build-out by 2015 due to current Project entitlement status, the estimated time needed to process final plans and permits, and current market conditions. A more realistic buildout and absorption schedule has been developed by the Project Applicant. To provide a more realistic assessment of operational emissions, annual vehicle trips were estimated for each year from 2014 through 2021, and the emissions modeling for VOC was updated (Scientific Resources Associated, ROG Emissions Memorandum, August 2009).

M-AQ-1 also identifies several Project Design Features included as part of the proposed Project that would reduce Project-generated ADT and associated vehicle emissions by approximately 7.9%. Based on the updated emissions calculations reflecting the Project Applicant's implementation schedule and incorporation of the proposed Project Design Features included in M-AQ-1, VOC emissions would be reduced to below the screening level criteria of 75 lbs/day for daily emissions and 13.7 tons/year for annual emissions (Scientific Resources Associated, ROG Emissions Memorandum, August 2009). Therefore, impacts resulting from VOC's being above the screening level thresholds would be avoided or reduced to a level below significance.

2. Traffic Impacts.

Impact TR-3: With the implementation of the Project, Impact TR-3 would cause a significant level of service ("LOS") impact "F" at AM and PM peak hours at the intersection of Mesa Rock Road and Deer Springs Road.

Mitigation Measure M-TR-3: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring intersection improvements including the creation of new left turn lanes and right turn lanes prior to occupation of Phase I of the Project.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact TR-3. Implementation of M-TR-3 would reduce the impact to less than significant by improving the traffic flow and reducing congestion so the intersection would operate at an acceptable LOS "C/C" at AM and PM peak hours.

Impact TR-6: With the implementation of the Project, Impact TR-6 would cause a significant LOS impact "F" at AM and PM peak hours at the intersection of Monte Vista Drive and Buena Creek Road.

Mitigation Measure M-TR-6: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring intersection improvements

including a traffic signal when warrants are met and the creation of new left turn lanes and right turn lanes prior to occupation of Phase I of the Project.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact TR-6. Implementation of M-TR-6 would reduce the impact to less than significant by improving the traffic flow and reducing congestion so the intersection would operate at an acceptable LOS "B/C" at AM and PM peak hours.

Impact TR-7: With the implementation of the Project, Impact TR-7 would cause a significant LOS impact "F" at AM and PM peak hours at the intersection of Merriam Mountains Parkway and Deer Springs Road.

Mitigation Measure M-TR-7: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring intersection improvements including a traffic signal when warrants are met and the creation of new left turn lanes and right turn lanes prior to occupation of Phase I of the Project.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact TR-7. Implementation of M-TR-7 would reduce the impact to less than significant by improving the traffic flow and reducing congestion so the intersection would operate at an acceptable LOS "C/C" at AM and PM peak hours.

Impact TR-8: With the implementation of the Project, Impact TR-8 would cause a significant LOS impact "E" at AM peak hours at the intersection of Meadow Park Lane and Deer Springs Road.

Mitigation Measure M-TR-8: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring intersection improvements including a traffic signal when warrants are met and the creation of new left turn lanes and right turn lanes prior to occupation of Phase I of the Project.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact TR-8. Implementation of M-TR-8 would reduce the impact to less than significant by improving the traffic flow and reducing congestion so the intersection would operate at an acceptable LOS "B" at AM peak hour.

Impact TR-11: With the implementation of the Project, Impact TR-11 would cause a significant LOS impact "F" at Deer Springs Road from Twin Oaks Valley Road to Meadow Park Lane.

Mitigation Measure M-TR-11: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring widening the existing roadway to County 4-Lane Major Road Standards prior to occupation of Phase I of the Project.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact TR-11. Implementation of M-TR-11 would reduce the impact to less than

significant by improving the traffic flow and reducing congestion so the segment would operate at an acceptable LOS "C".

Impact TR-12: With the implementation of the Project, Impact TR-12 would cause a significant LOS impact "F" at Deer Springs Road from Meadow Park Lane to Merriam Mountains Parkway.

Mitigation Measure M-TR-12: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring widening the existing roadway to County 4-Lane Major Road Standards, and providing a new left-turn lane at the entrance to the "Golden Door" located south of Deer Springs Road, prior to occupation of Phase I of the Project.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact TR-12. Implementation of M-TR-12 would reduce the impact to less than significant by improving the traffic flow and reducing congestion so the segment would operate at an acceptable LOS "C".

Impact TR-13: With the implementation of the Project, Impact TR-13 would cause a significant LOS impact "F" at Deer Springs Road from Merriam Mountains Parkway to Mesa Rock Road.

Mitigation Measure M-TR-13: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring widening the existing roadway to County 4-Lane Major Road Standards with an auxiliary lane prior to occupation of Phase I of the Project.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact TR-13. Implementation of M-TR-13 would reduce the impact to less than significant by improving the traffic flow and reducing congestion so the segment would operate at an acceptable LOS "C".

Impact TR-19: With the implementation of the Project, Impact TR-19 would cause a significant LOS impact "E" at Buena Creek Road from South Santa Fe Avenue to Monte Vista Drive.

Mitigation Measure M-TR-19 (M-TR-6): This mitigation measure (M-TR-6) specified in the FEIR has been imposed upon the Project as a condition of approval, requiring intersection improvements along this segment prior to occupation of Phase II of the Project.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact TR-19. Implementation of M-TR-19 would reduce the impact to less than significant by improving the traffic flow and reducing congestion so the segment would accommodate the Project traffic, and although the segment would continue to operate at LOS "D", the mitigation analysis in the FEIR demonstrates that the travel time along this segment is reduced to "before Project" levels and the Project's portion of the segment impact is therefore avoided or substantially reduced to less than significant.

Impact TR-20: With the implementation of the Project, Impact TR-20 would cause a significant LOS impact "E" at Buena Creek Road from Monte Vista Drive to Deer Springs Road.

Mitigation Measure M-TR-20 (M-TR-5 and M-TR-6): These mitigation measures (M-TR-5 and M-TR-6) specified in the FEIR have been imposed upon the Project as a conditions of approval, requiring intersection improvements along this segment prior to occupation of Phase I of the Project to improve traffic flow and alleviate traffic congestion.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact TR-20. Implementation of M-TR-20 would reduce the impact to less than significant by improving the traffic flow and reducing congestion so the facility would accommodate the Project traffic, and although the segment would continue to operate at LOS "D", the mitigation analysis in the FEIR demonstrates that the travel time along this segment is reduced to "before Project" levels and the Project's portion of the segment impact is therefore avoided or substantially reduced to less than significant.

Impact TR-21: With the implementation of the Project, Impact TR-21 would cause a significant LOS impact "F" at Robelini Drive from Sycamore Avenue to South Santa Fe Avenue.

Mitigation Measure M-TR-21: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring a doubling of the length of the northbound right turn lane prior to occupation of Phase II of the Project.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact TR-21. Implementation of M-TR-21 would reduce the impact by improving the traffic flow and reducing congestion. The mitigation analysis in the FEIR demonstrates that the travel time along this segment is reduced to "before Project" levels and the Project's portion of the segment impact is therefore avoided or substantially reduced to less than significant.

Impact TR-22: With the implementation of the Project, Impact TR-22 would cause a significant LOS impact "F" at South Santa Fe Avenue from Woodland Drive to Buena Creek Road.

Mitigation Measure M-TR-22: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring intersection improvements at the intersection of South Santa Fe Avenue and Buena Creek Road, including the creation of new dedicated left turn and right turn lanes on southbound Buena Creek Road prior to occupation of Phase IV of the Project.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact TR-22. Implementation of M-TR-22 would reduce the impact to less than significant by increasing capacity along this segment and thereby improving traffic flow and reducing congestion so the segment would accommodate the Project traffic. The mitigation analysis in the FEIR demonstrates that the travel time along this segment is

reduced to "before Project" levels and the Project's portion of the impact is avoided or substantially reduced to less than significant.

Cumulative Impacts TR-27, -35, -36, -37, and -38: With the implementation of the Project, there would be significant cumulative LOS impacts to the following traffic facilities: Mountain Meadow Road and Champagne Boulevard intersection; Buena Creek Road segment from South Santa Fe Road to Monte Vista Drive; Buena Creek Road segment from Monte Vista Drive to Deer Springs Road; Vista Drive segment from Foothills Drive to Buena Creek Road; and Robelini Drive from Sycamore Avenue to South Santa Fe Avenue.

Mitigation Measure for TR-27, -35, -36, -37, and -38: These mitigation measures specified in the FEIR have been imposed upon the Project as a condition of approval, requiring participation in a TIF program by payment of a fee on a per-dwelling unit basis at issuance of building permits.

Rationale: Changes in the Project have been required that avoid or substantially lessen cumulative traffic impacts in the County. Implementation of these mitigation measures would reduce potential cumulative impacts to less than significant because the County has developed an overall programmatic solution that addresses existing and projected future road deficiencies in the unincorporated portion of the County.

The County's Traffic Impact Fee ("TIF") program provides a mechanism for mitigating the impacts created by future growth within the unincorporated area. The TIF is a fee offered to developers to facilitate compliance with the CEQA mandate that development Projects mitigate their indirect, cumulative traffic impacts. The County TIF program assesses the fee on all new development that results in new/added traffic. The primary purpose of the TIF is twofold: (1) to fund the construction of identified roadway facilities needed to reduce, or mitigate, projected cumulative traffic impacts resulting from future development within the County; and (2) to allocate the costs of these roadway facilities proportionally among future developing properties based upon their individual cumulative traffic impacts.

TIF fees are collected into 23 local Community Planning Area accounts, three regional accounts, and three regional freeway ramp accounts. TIF funds are only used to pay for improvements to roadway facilities identified for inclusion in the TIF program, which include both County roads and Caltrans highway facilities. TIF funds collected for a specific local or regional area must be spent in the same area. For example, TIF fees collected in the North Region TIF account may only be used for improvements to TIF facilities in the North Region. By ensuring TIF funds are spent for the specific roadway improvements identified in the TIF program, the CEQA mitigation requirement is satisfied and the Mitigation Fee Act nexus is met.

As part of the TIF program process; the transportation infrastructure needs are characterized as existing deficiencies, direct impacts of future development, or indirect (cumulative) impacts of future development. Existing roadway deficiencies are the responsibility of existing developed land uses and government agencies and cannot be

financed with impact fees. The TIF program is not intended to mitigate direct impacts which will continue to be the responsibility of individual development projects. The TIF program therefore is designed to only address the cumulative impacts associated with new growth.

The County TIF program enables projects to complete CEQA compliance and move forward by paying a fair share of the cost of improving roads in the future as the levels of service become unacceptable due to increased traffic volume caused by the cumulative impacts of various developments. The County's TIF program goes into great detail in identifying anticipated development, the roads affected, roadway costs, and the existing and projected levels of service on those roads. As sufficient funds become available, the County will implement the improvements that it has committed to.

In general, contribution to the TIF program will mitigate a project's cumulative impacts within the unincorporated area. However, there will be some development projects that do not conform to the County's existing or proposed land use plan (GPAs & SPAs) which would result in increases in density or intensity where the adopted TIF projections did not analyze their cumulative impacts and which would prevent the County's planned Circulation Element road system from operating at its planned LOS at buildout. If approved, General Plan Amendment, Specific Plan, and Specific Plan Amendment projects resulting in increased densities will need to fully mitigate their direct and cumulative impacts. The direct impact mitigation required for the non-conforming projects are expected to address cumulative roadway deficiencies not envisioned as part of the TIF program and/or the County's planned Circulation Element roadway system.

Impact TR-43: With the implementation of the Project, Impact TR-43 could cause significant periodic traffic flow and reducing congestion impacts on the roads surrounding the Project due to construction ingress and egress during construction of Deer Springs Road and all phases of Project construction.

Mitigation Measure M-TR-43: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring implementing phased traffic control plans, consistent with the conceptual traffic control plan, to manage construction traffic, including a prohibition on closure of Deer Springs Road, limiting the particular roadways used by heavy trucks, providing signage on the freeway to warn of construction activities, carrying out construction activities during off-peak hours, and potentially installing temporary traffic signals during construction.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact TR-43. Implementation of this mitigation measure would reduce direct and cumulative construction traffic impacts to roads surrounding the Project to less than significant because a traffic control plan will be implemented to substantially manage construction traffic and congestion.

3. **Noise Impacts**.

Impact NOI-1: With the implementation of the Project, Impact NOI-1 (traffic noise – proposed multi-family residential), traffic noise levels from Interstate-15, Deer Springs Road, Merriam Mountain Parkway, and Meadow Park Lane would exceed County General Plan Noise Element Standards in: (i) Neighborhood 1 near Merriam Mountains Parkway, (ii) Neighborhood 1 near Interstate-15, (iii) Neighborhood 2 near Meadow Park Lane, and (iv) Neighborhood 2 near Deer Springs Road.

Mitigation Measure M-NOI-1a: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring that a noise study evaluate traffic noise at the variable residential lots at Neighborhood 1, Lots 4 through 6 and 9 through 12, and at Neighborhood 2, Lots 15 through 25, when site plans are prepared. A "D1" designator for noise will be applied to Neighborhood 1, Planning Areas 1 and 2. Also, noise associated with commercial uses adjacent to residential uses shall be reviewed when site plans are prepared for the commercial uses, or if noise-sensitive uses are proposed for the commercial lots. General mitigation measures to reduce noise levels to 60 dB CNEL or less for exterior, and 45 dB CNEL for interior, have been evaluated and have been determined to be feasible. However, specific measures cannot be determined at this time as more specific Project information will be required. However, general mitigation measures will accomplish the following:

Setbacks - Locating usable open space areas beyond the 60 dB CNEL contour for noise-sensitive uses adjacent to Merriam Mountains Parkway, Meadow Park Lane, Interstate-15, and Deer Springs Road. In addition, no buildings are to be exposed to noise levels greater than 75 dB CNEL. Thus, no buildings are to be located closer than 20 feet (one story), 35 feet (two story), and 60 feet (three story) from the edge of the berm adjacent to Interstate-15 at Neighborhood 1, Lot 4. At Neighborhood 2, no two-story or higher buildings are to be located closer than 100 feet from the center line of Deer Springs Road.

Noise barriers - Construct berms, noise walls, or a combination berm and noise wall to establish usable areas beyond the 60 dB CNEL contours, for noise-sensitive uses adjacent to Merriam Mountains Parkway, Meadow Park Lane, Interstate-15, and Deer Springs Road. To meet this standard, an approximate 8-or 9-foot-high noise barrier may be required adjacent to Merriam Mountains Parkway, depending on the proximity of the outdoor noise-sensitive areas to the road.

Site and Architectural Design - Alternatively, to locate usable areas associated with Interstate-15 at Neighborhood 1, Lot 4, the multi-family buildings could completely enclose three sides of any outdoor usable area.

Mitigation Measure M-NOI-1b: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring that prior to approval of the grading and/or improvement plans, the following specific note shall be placed on the grading and improvement plans regarding the construction of the 8-foot-high berm:

"Prior to rough grading sign off, provide evidence to the satisfaction of the Director of the County Department of Planning and Land Use ("DPLU") that an 8-foot-high berm has been constructed along the eastern pad edge of Lot 5 of Planning Area 2 of Neighborhood 1 of the tentative map, constructed pursuant to an approved grading plan." Evidence of the berm shall consist of the following: a signed, stamped statement from a California Registered Engineer or licensed surveyor and photographic evidence that the sound attenuation berm has been constructed and that the minimum pad elevation of 1065 AMSL is shown on the Tentative Map.

Mitigation Measure M-NOI-1c: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring that pursuant to the approval of site plans for Lots 4 through 6, 9 through 12, and 15 through 25, inclusive, of Neighborhoods 1 and 2 of Tentative Map 5381RP1, the applicant shall: Complete, to the satisfaction of the Director of the DPLU, an acoustical analysis performed by a County-approved acoustical engineer, demonstrating that the present and anticipated future noise levels for the interior and exterior of the noise sensitive land uses will not exceed the allowable sound level limit of the Noise Element of the County General Plan (County of San Diego 2006) (exterior (60 dB CNEL), interior (45 dB CNEL)). Analysis must demonstrate that noise generation does not exceed the property line sound level limits of Section 36.404 of the County Noise Ordinance (County Code Section 36.404). Future traffic noise level estimates must utilize a LOS "C" traffic flow for Merriam Mountains Parkway as a Boulevard and Deer Springs Road with a Prime Arterial classification, which are the designated General Plan Circulation Element buildout roadway classifications.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact NOI-1. Implementation of the identified mitigation measures would reduce the impact to less than significant because through specific requirements of the grading, improvement and site plans, noise levels would be within acceptable sound limits established by the County General Plan Noise Element.

Impact NOI-2: With the implementation of the Project, Impact NOI-2 (traffic noise – proposed single family residential), future traffic noise levels would exceed County General Plan Noise Element Standards in: (i) single-family lots adjacent to Merriam Mountains Parkway within Neighborhoods 3 through 5, (ii) Lots 124 through 127 and 129 through 132 in Neighborhood 3, Planning Area 1, adjacent to Interstate-15, and (iii) Estate Lots 1175 and 1177.

Mitigation Measure M-NOI-2a: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring a Noise Protection Easement (as described in M-NOI-2b) and also requiring the installation of 6-foot-high barriers at the single-family lots adjacent to Merriam Mountains Parkway, at Neighborhood 3, Lots 124 through 127 and 129 through 132, which meet specified standards to maintain acceptable sound limits established by the County General Plan Noise Element.

Mitigation Measure M-NOI-2b: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring the Project applicant to grant to the County, on the Final Map, a Noise Protection Easement over the entire area of Lots 26 through 49, 112 through 113, 124 through 127, 129 through 132, 209 through 235, 240, 244 through 248, 271 through 273, 281 through 287, 348 through 360, 618 through 629, and 1161 through 1177, inclusive, of Tentative Map 5381RP1 (Neighborhoods 3 through 5 and the Estates of the Merriam Mountain Specific Plan). The easement shall require, prior to the issuance of any building permit for any residential use within the noise protection easement, that the applicant complete an acoustical analysis performed by a County-approved acoustical engineer, demonstrating that the present and anticipated future noise levels for the interior and exterior of the residential dwelling will not exceed the allowable sound level limit of the Noise Element of the San Diego County General Plan (County of San Diego 2006) (exterior (60 dB CNEL), interior (45 dB CNEL)).

Mitigation Measure M-NOI-2c: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring the Noise Protection Easement described in M-NOI-2b, and also requiring installation of 6- to 10-foot-high barriers at Lots 1175 through 1177 which meet specified standards to maintain acceptable sound limits established by the County General Plan Noise Element.

Mitigation Measure M-NOI-2d: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring that the Estate Lots be limited to one-story structures per the height restrictions included in the Specific Plan. By instituting these mitigation measures, the noise levels would be 60 dB CNEL or less for exterior and 45 dB CNEL for interior, and thus within acceptable sound limits established by the County General Plan Noise Element.

Mitigation Measure M-NOI-2e: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring the Noise Protection Easement defined in M-NOI-2b to specify an interior acoustical analysis be done prior to occupancy for the lots exposed to a CNEL greater than 60 dB, and that structural measures are in place and effective in achieving interior noise levels established by the County General Plan Noise Element. An acceptable interior noise analysis is likely to require that homes/dwelling units have air-conditioning or mechanical ventilation and sound-rated windows.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact NOI-2. Implementation of the identified mitigation measures would reduce the impact to less than significant because a Noise Protection Easement will be granted which will require that measures be in place for residences to have acceptable interior and exterior noise established by the County General Plan Noise Element.

Impact NOI-3: With the implementation of the Project, Impact NOI-3 could cause operational noise levels from commercial uses to exceed the County Noise Ordinance.

Mitigation Measure M-NOI-3a: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring on each commercial site plan, that noise generation not exceed the allowable 1-hour average noise levels at the property line, as defined in Section 36.404 of the County Noise Ordinance, and for the boundary between the residential and commercial areas, the maximum allowable level would be 57.5 dB from 7:00 a.m. to 10:00 p.m. and 52.5 dB from 10:00 p.m. to 7:00 a.m.

Mitigation Measure M-NOI-3b: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring on each commercial site plan, that the usable exterior areas shall not be exposed to noise levels greater than a peak 1-hour average sound level of 60 dB, and interior noise levels for noise-sensitive commercial uses should not exceed a 1-hour average sound level of 50 dB due to outside noise (e.g., schools or libraries).

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact NOI-3. Implementation of the identified mitigation measures would reduce the impact to less than significant because through specific requirements of the implementing site plans, noise levels in the commercial area would be maintained at an acceptable level as established by the County Noise Ordinance.

Impact NOI-4: With the implementation of the Project, Impact NOI-4 could cause noise sensitive uses (habitable rooms) in the commercial use area to exceed acceptable noise levels established by the County General Plan Noise Element.

Mitigation Measure M-NOI-4: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring that the Project applicant comply with M-NOI-3b and complete, to the satisfaction of the Director of the DPLU, an acoustical analysis performed by a County-approved acoustical engineer, demonstrating that the present and anticipated future noise levels for the interior of noise-sensitive commercial land uses will comply with M-NOI-3b if schools, libraries or similar uses are proposed. M-NOI-4 also requires the interior noise level within the habitable rooms of the fire station should not exceed 45 dB CNEL. Future traffic noise levels estimates must utilize a LOS "C" traffic flow for Merriam Mountains Parkway as a Boulevard and Deer Springs Road as a Prime Arterial classification, which are the designated General Plan Circulation Element buildout roadway classifications.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact NOI-4. Implementation of the identified mitigation measures would reduce the impact to less than significant because through specific requirements of the implementing site plans, noise levels in the commercial area would be maintained at an acceptable level as established by the County General Plan Noise Element and the County Noise Ordinance.

Impact NOI-5: With the implementation of the Project, Impact NOI-5 (Project-generated traffic noise – offsite noise sensitive land uses) could cause an

increase in noise levels which exceed the County's significance standards along Deer Springs Road between Sarver Lane and Twin Oaks Valley Road at Sensitive Receptor 18.

Mitigation Measure M-NOI-5: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring the construction of a permanent noise barrier to reduce noise so that the noise level increase does not exceed the existing conditions or the County General Plan Noise Element significance standards.

Rationale: Alterations in the Project have been required that avoid or substantially lessen the impact. By instituting these mitigation measures, the exterior noise levels would be less than significant because they would increase no more than 3dB, and thus be within acceptable sound limits established by the County General Plan Noise Element and County Guidelines for Determining Significance for Noise.

Impact NOI-6: With the implementation of the Project, Impact NOI-6 (Project generated construction noise associated with drilling and blasting) could exceed the County's 75dB Noise Ordinance criterion during construction activities.

Mitigation Measure M-NOI-6a: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring selection of rock drills that meet lower noise industry standards, limiting the hours of operation, and construction of a temporary noise barrier around the drill rig, or a combination of these three methods. In addition, the Project would conduct blasting activities consistent with the requirements contained within a blasting permit from the County and U.S. Bureau of Mines.

Mitigation Measure M-NOI-6b: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring that prior to approval of the grading and/or improvement plans for Tentative Map 5381RP1, the following specific conditions shall be placed: (i) prior to the start or onset of drilling operations, provide a letter report to the satisfaction of the Director of the DPLU that certifies that a County-approved acoustical consultant has tested the rock drills to document that their on-site performance shall not exceed 89 dB at 50 feet or less, (ii) the report shall summarize the results of the sound test and method of compliance with the County Noise Ordinance criteria (i.e., demonstrate that the rock drilling would be located far enough from the property lines or that a temporary noise barrier around the drill would mitigate the 8-hour average noise level to 75 dB or less at the adjacent property lines), (iii) the report shall be approved by the County prior to commencement of drilling, (iv) the County-approved acoustical consultant shall monitor for compliance with the Noise Ordinance on an occasional or on-call basis at locations where drilling and blasting operations are in proximity to existing off-site residential structures, and (v) occupancy shall be phased so that the closest occupied residence to a blasting or drilling area is located a minimum of 700 feet away as part of the grading plan permit process.

Mitigation Measure M-NOI-6c: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring that a disclosure statement be provided to home buyers within the Project site, stating that they will be

exposed to noise from construction activities during the remaining phases of development.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact NOI-6. Implementation of the identified mitigation measures would reduce the impact to less than significant by requiring precautionary measures that reduce drill noise and monitoring for compliance with acceptable sound limits established by the County Noise Ordinance.

Impact NOI-8: With the implementation of the Project, Impact NOI-8 (cumulative traffic noise – offsite noise sensitive land uses) would exceed the County's cumulative significance threshold for the following locations: (i) residences along Buena Creek Road, (ii) residences located within the Deer Springs Mobile Home Park (sensitive receptor 1 through 4), and (iii) five single-family homes (Sensitive Receptors 5, 14, 17, 18, and 19).

Mitigation Measure M-NOI-8 (ii) and (iii): For the impact described in subclauses (ii) and (iii) above, the mitigation measures specified in the FEIR have been imposed upon the Project as conditions of approval, requiring the construction of permanent noise barriers approximately 6 to 8 feet in height, at selected locations along Deer Springs Road, to avoid or substantially lessen noise that affects identified sensitive receptors so that the noise level increase does not exceed the Noise Element significance standard (3dB or less over existing conditions).

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact NOI-8 (ii) and (iii). The implementation of M-NOI-8 (ii) and (iii) would reduce the impact to less than significant with respect to the impact described in subclauses (ii) and (iii) above, because the noise levels would increase no more than 3dB, and thus would be within acceptable sound limits established by the County General Plan Noise Element. The impact described in Impact NOI-8(i) is discussed in Section C.1 of these Findings.

4. <u>Cultural Resource Impacts</u>.

Impact CR-2: With the implementation of the Project, Impact CR-2 would have indirect impacts on the portion of site CA-SDI-4558 not directly impacted due to improvements to Deer Springs Road. Indirect impacts are due to increased accessibility with the implementation of the proposed Project.

Mitigation Measure M-CR-2a: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring that a portion of site CA-SDI-4558 be avoided and placed within an open space easement. In addition, temporary fencing shall be placed around the areas designated as environmentally sensitive when construction activities occur near the site, construction equipment shall be directed away from the site, and construction personnel shall be directed to avoid entering the area. After road construction, permanent ranch-style fencing shall be installed to protect that portion of the site not impacted for road construction. Under the direction of

the consulting archaeologist and Native American Luiseno monitor, the portion of the site within the open space easement shall be cleared of non-native vegetation; however, native vegetation will remain. Non-native trees will be cut to level with roots left in place. Non-native grasses and brush will be cleared by hand or weed-whacker. The cement foundation shall be carefully removed, and capping using clean fill soil shall be used to fill in the foundation area. Minor capping, where possible, shall consist of 3 to 6 in of clean fill soil and shall include bedrock milling features where feasible (those that are close to ground level). A one-time hydroseeding for shallow-rooted native plants shall provide a protective layer to the site. No underground sprinkler system or water system shall be used to promote vegetation.

Mitigation Measure M-CR-2b: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring, if necessary, that during the construction phase, after-hours monitoring of the open space easements by a private security company, per the discretion of the principal archaeologist, will be employed to maintain a high-visibility presence and to watch, through patrols, for signs of trespassing, vandalism, pot-hunting, or other site damage; then, taking action and/or reporting any incidents to their client, employer, and the County. Significant sites located within open space easements will be managed according to the adopted Resource Protection Plan ("RPP"). Specific activities prohibited within the open space easements shall include (but not be limited to) any use other than open space, grading or any other earth disturbance, off-road vehicle activity, and dumping. In addition, periodic inspection of the property to verify compliance with the open space easement guidelines shall be conducted by a qualified archaeologist as part of the RPP.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact CR-2. Implementation of M-CR-2a and -2b would reduce the impact to less than significant because the measures will prevent inadvertent damage from construction, limit access during construction, protect site features through minor capping, and protect the site by easement and management consistent with by the RPP. By instituting these mitigation measures, impacts to CA-SDI-4558 would be avoided or reduced so that they would not cause a substantial adverse change in the significance of this historical or archaeological resource as defined in Section 15064.5 of CEQA Guidelines.

Impact CR-4: With the implementation of the Project, Impact CR-4 would have indirect impacts on site CA-SDI-9822 due to improvements to Deer Springs Road and increased accessibility with the implementation of the proposed Project.

Mitigation Measure M-CR-4: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring that a portion of site CA-SDI-9822 be avoided and placed within an open space easement. In addition, temporary fencing shall be constructed around the areas designated as environmentally sensitive when construction activities occur near the site. Construction equipment shall be directed away from the site, and construction personnel shall be directed to avoid entering the area. Minor capping of the site within the open space easement area shall consist of 3 to 6 inches of clean soil and shall only cover the surface of the site and,

where feasible, shall include bedrock milling features (those that are close to ground level); however, the pictograph feature shall not be capped. The temporary fencing and minor capping shall be done under the direction of the consulting archaeologist and the Native American Luiseno monitor. Seeding for shallow-rooted native plants shall be used within the site boundary to provide a protective layer to the site. Photo documentation and re-analysis of the pictograph feature shall also be conducted by a professional archaeologist.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact CR-4. Implementation of M-CR-4 would reduce this impact to less than significant because the measures will prevent inadvertent damage from construction and access during construction, protect site features through minor capping, and protect the site by easement and management consistent with the RPP. By instituting these mitigation measures, the impacts to CA-SDI-9822 would be avoided or reduced so that they would not cause a substantial adverse change in the significance of this historical or archaeological resource as defined in Section 15064.5 of CEQA Guidelines.

Impact CR-5: With the implementation of the Project, Impact CR-5 would have direct impacts to potential buried cultural resources, including privy and dump features that may be present at the 1901 historic structure location.

Mitigation Measure M-CR-5: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring a pre-grading data recovery program be completed as detailed in the Cultural Resource Report prepared by Gallegos & Associates (Appendix H to the Merriam Mountains Specific Plan Draft EIR, dated August 2007). If subsurface features and artifacts are identified, then the data recovery program shall be implemented. Special studies may include, but will not be limited to, glass, ceramic, metal, and faunal analysis. Mitigation measure M-CR-1b shall also be implemented to mitigate this direct impact.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact CR-5. Implementation of M-CR-5 would reduce the impact to less than significant because inadvertent damage from construction would be avoided and if encountered, historical information would be obtained prior to removal. By instituting these mitigation measures, the impact to the 1901 historic structure location would be avoided or would not cause a substantial adverse change in the significance of this historical or archaeological resource (as defined in Section 15064.5 of CEQA Guidelines).

Impact CR-6: With the implementation of the Project, Impact CR-6 would have direct impacts to undiscovered cultural resources during ground disturbing activities.

Mitigation Measure M-CR-6: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring that in the event that previously unidentified potentially significant cultural resources are discovered, the archaeologist shall have the authority to divert or temporarily halt ground disturbance operation in the area of discovery to allow evaluation of potentially significant cultural

resources. The archaeologist shall contact the County Archaeologist at the time of discovery. The archaeologist, in consulting with County staff archaeologist, shall determine the significance of the discovered resources. The County Archaeologist must concur with the evaluation before construction activities will be allowed to resume in the affected area. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the consulting archaeologist and approved by the County Archaeologist, then carried out using professional archaeological methods. If any human bones are discovered, the County Coroner shall be contacted. In the event that 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 in order to determine proper treatment and disposition of the remains. Before construction activities are allowed to resume in the affected area, the artifacts shall be recovered and features recorded using professional archaeological methods. The archeological monitor(s) and Native American Observer shall determine the amount of material to be recovered for an adequate artifact sample for analysis. In the event that previously unidentified cultural resources are discovered, all cultural material collected during the grading and monitoring program shall be processed and curated according to current professional repository standards. The collections and associated records shall be transferred, including the title, to an appropriate curation facility within the County, to be accompanied by payment of fees necessary for permanent curation.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact CR-6. Implementation of M-CR-6 would reduce the impact to less than significant because historical or archaeological information would be obtained and protected prior to removal. By instituting these mitigation measures, the impact to undiscovered cultural resources would be substantially lessened and would not cause a substantial adverse change in the significance of this historical or archaeological resource (as defined in Section 15064.5 of CEQA Guidelines).

5. <u>Aesthetic Impacts</u>.

Impact AE-1: With the implementation of the Project, Impact AE-1 would cause encroachment into RPO Steep Slopes.

Mitigation Measure M-AE-1a: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring the grading and improvement plans include slope rounding and contour grading, benching of slopes and landscape features.

Mitigation Measure M-AE-1b: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring preservation of RPO Significant Steep Slopes in open space easements and the preservation of the natural slopes in a block over an additional 51 percent of the site.

Rationale: Changes in the Project have been required that avoid or substantially lessen Impact AE-1. Implementation of M-AE-1a and -1b would reduce impacts to RPO Steep Slopes to less than significant because grading techniques would be used to make the

slopes appear more natural in areas containing RPO Steep Slopes and Significant RPO slopes will be preserved in their natural state.

Impact AE-2: With the implementation of the Project, Impact AE-2 would degrade the vividness and intactness/unity of the visual environment for motorists from the following public viewpoints: northbound along Interstate-15 and along Mountain Meadow Road.

Mitigation Measure M-AE-2a: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring the following measures be implemented through grading and improvement plans and site plans:

Grading:

General Grading. Grading plans shall be designed to retain the natural shapes of the landform and reflect the topographic features of the terrain. Long, continuous straight slopes shall be avoided when they have hard edges and no transition areas at the top and the toe of the slope.

Grading in Open *Space Areas*. Grading will be prohibited in natural open space lots within the development portion of the Project, except for trail placement, placement of utilities, or facilities associated with access and maintenance.

Contour-Grading Techniques. Contour-grading techniques reflecting the character of existing significant natural features shall be utilized.

Maximum Cut-and-Fill Slopes. The maximum fill slope ratio allowed shall be 1.5:1, and a maximum 1:1 ratio shall be allowed on cut slopes. Absent specific recommendations, the maximum fill slope ratio shall be 2:1, and the maximum cut slope ratio shall be 1.5:1 for slopes less than 15 feet in height and 2:1 for slopes greater than 15 feet in height.

Landscaping: The landscape development for the Project shall be designed in order to convey the rural character of the Twin Oaks Valley region and enhance the integration of the community into the existing environment consistent with the Scenic Preservation Guidelines for the Project.

Mitigation Measure M-AE-2b: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring design review by the County prior to issuance of development permits as part of the B Special Area Designator, which is required in the Scenic Preservation area as a result of being located in the I-15 scenic corridor. The design review shall require that the site plan, parking and circulation, lighting, landscape design, public utilities, and architectural design maintain rural elements, natural features, and site topography, and where possible, shield the development areas with landscaping and topography from outside views. In addition, large manufactured slopes would be contour-graded and rounded to blend with the natural topography.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact AE-2. Implementation of M-AE-2a and -2b would reduce the impact to less than significant because they require the Project be designed to minimize impacts through landscaping and grading techniques, as demonstrated during review for approval of grading and/or improvement plans and design review for site plans.

Impact AE-3: With the implementation of the Project, Impact AE-3 would impact the intactness/unity and visual character for passing motorists on the improved portion of Deer Springs Road/Twin Oaks Valley Road due to the introduction of manufactured cut-and-fill slopes, a soil-nail wall, fencing/netting, and sound walls, removal of vegetation, and the overall increase in the extent of the paved surface of the Deer Springs Road roadbed.

Mitigation Measure M-AE-3a: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring the grading and improvement plans demonstrate that manufactured slopes of cut native rock created by widening Deer Springs Road be varied in slope and texture and that the final landscape plans demonstrate that landscaping will be maintained to soften their visual appearance consistent with M-AE-3b.

Mitigation Measure M-AE-3b: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring manufactured slopes created by widening Deer Springs Road to be subject to enhanced landscaping that includes vegetation to blend the manufactured slopes with the existing vegetation cover in the immediate vicinity. Grading Plans shall specify that the cut face shall be serrated to create "pockets" in which shrubs can take hold, to achieve a shrub cover similar to the surrounding area. Enhanced landscaping shown in the final landscape plans shall provide screening to blend with the existing vegetation cover and shall include native and drought-tolerant plants, including small, medium, and large shrubs to screen the slopes in an irregular pattern. The landscaping located in this area (Deer Springs Road cut slope near Merriam Mountains Parkway) shall be maintained by the Merriam Mountains Homeowners Association ("HOA").

Mitigation Measure M-AE-3c: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring the soil-nail wall located near the intersection of Merriam Mountains Parkway and Deer Springs Road to be textured and stained to blend with the natural topography. The final landscape plans shall demonstrate that trees will be placed between the proposed trail along Deer Springs Road and the face of the wall within the Project limits. The planted trees located in this area (Deer Springs Road cut slope near Merriam Mountains Parkway) shall be maintained by the Merriam Mountains HOA.

Mitigation Measure M-AE-3d: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval of the final landscape plans, requiring sound walls to be constructed along Deer Springs Road which shall be colored and textured, and shall vary in height (not less than the required height) to create visual interest and reduce visual dominance.

Mitigation Measure M-AE-3e: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring netting and/or fencing to be painted or stained to match the color of the surrounding rock. This improvement is to be maintained by the Merriam Mountains HOA.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact AE-3. Implementation of M-AE-3(a – e) would reduce visual impacts for those using Deer Spring Road and/or Twin Oaks Valley Road to less than significant because it would minimize impacts through blending manufactured slopes with the existing topography, staining exposed rock surfaces, and installing and maintaining appropriate landscaping, as required during review for approval of grading and/or improvement plans and final landscape plans.

Impact AE-4: With the implementation of the Project, Impact AE-4 would cause impacts to the visual character due to the dominance of the commercial area in the southeastern area of the site and the extent of grading and residential development throughout the site.

Mitigation Measure M-AE-4 (M-AE-1, M-AE-2a, and M-AE-2b): This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring mitigation for impacts to visual character by instituting Mitigation Measures, which will minimize impacts through landscaping techniques, contour-grading, and design review that would be required prior to approval of the grading and/or improvement plans.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact AE-4. Implementation of M-AE-4 would reduce the impact to less than significant because these mitigation measures would maintain the existing character of the site and reduce aesthetic impacts for surrounding residents.

6. <u>Biological Resources Impacts</u>.

Impact BIO-1a through 1j: With the implementation of the Project, Impacts BIO-1a through 1j would impact certain vegetation communities as identified under impacts BIO-1a through BIO-1j.

Mitigation Measure M-BIO-1: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring the proposed Merriam Mountains Biological Open Space area to have a perpetual open space easement to be dedicated to the County and offered to the California Department of Fish and Game ("<u>CDFG</u>") as a third-party beneficiary.

Within the proposed Merriam Mountains Biological Open Space, revegetation of degraded habitats will be performed. Proposed on-site coastal sage scrub revegetation areas total approximately 25 acres. The revegetation sites within the Biological Open Space were chosen because they offered the best opportunities for revegetation areas that could ultimately become self-sustaining over time. The combination of appropriate selection of revegetation sites and maintenance and monitoring requirements during

revegetation implementation will ensure that revegetated areas do not convert to chaparral.

For the proposed Merriam Mountains Biological Open Space, the Project Applicant has been required to provide assurance that perpetual habitat management be done in conformance with the RPP (M-BIO-2). Resource Management Plans ("RMP" or "RMPs") in conjunction with Project implementation will be in conformance with the County's Requirements for Resource Management Plans. A qualified non-profit conservation entity acceptable to the County will serve as Habitat Manager and duties will include maintaining fencing/barriers, posting of signs, remediation of unauthorized trails, monitoring and management of the biological resources, and preparing annual reports which will be provided to the County, United States Fish and Wildlife Service ("USFWS"), and the CDFG.

Impact BIO-1a: With the implementation of the Project, Impact BIO-1a would significantly impact 29.1 acres of Diegan Coastal Sage Scrub.

Mitigation Measure M-BIO-1a: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring mitigation at a ratio of 2:1 for a total of 58.2 acres of Diegan Coastal Sage Scrub by a combination of: on-site preservation of 5.5 acres of Diegan Coastal Sage Scrub in the Biological Open Space, acquisition and perpetual management of the Captain's Associates parcel (32 acres), with the balance (approximately 20.7 acres) being established by restoration within the Biological Open Space prior to approval of associated grading and improvement plans, in accordance with the Merriam Mountains Wetlands and Uplands Conceptual Revegetation Plans.

Impact BIO-1b: With the implementation of the Project, Impact BIO-1b would significantly impacts 1,084.5 acres of Southern Mixed Chaparral.

Mitigation Measure M-BIO-1b: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring mitigation at a ratio of 0.5:1. The Project design places 1,091.6 acres of Southern Mixed Chaparral vegetation in Biological Open Space, which exceeds the 517.3 acre requirement, in accordance with the requirements of the Merriam Mountains RPP.

Impact BIO-1c: With the implementation of the Project, Impact BIO-1c would significantly impact 3.2 acres of Mafic Chaparral.

Mitigation Measure M-BIO-1c: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring mitigation at a ratio of 3:1. The Project design places 54.9 acres of Mafic Chaparral vegetation in Biological Open Space, which exceeds the 9.6-acre mitigation requirement. The mitigation land will be preserved and managed in accordance with the requirements of the Merriam Mountains RPP.

Impact BIO-1d: With the implementation of the Project, Impact BIO-1d would significantly impact 21.5 acres of Non-Native Grassland.

Mitigation Measure M-BIO-1d: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring mitigation at a ratio of 0.5:1, or 10.8 acres, by the combination of on-site preservation in Biological Open Space (3.7 acres) with the balance (approximately 7.1 acres) being established by restoration within the Biological Open Space prior to approval of associated grading and improvement plans, in accordance with the Merriam Mountains Wetlands and Uplands Conceptual Revegetation Plans.

Impact BIO-1e: With the implementation of the Project, Impact BIO-1e would significantly impact 1.3 acres of Southern Coast Live Oak Riparian Forest.

Mitigation Measure M-BIO-1e: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring mitigation off site by creation/enhancement at a 3:1 ratio, or 3.9 acres, at an off-site location prior to approval of associated grading and improvement plans, in accordance with the Merriam Mountains Wetlands and Uplands Conceptual Revegetation Plans.

Impact BIO-1f: With the implementation of the Project, Impact BIO-1f would significantly impact 0.3 acre of Southern Willow Scrub/Mulefat Scrub.

Mitigation Measure M-BIO-1f: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring mitigation on site by restoration/enhancement at a 3:1 ratio, or 0.9 acres, with like functioning habitat at the abandoned airstrip location prior to approval of associated grading and improvement plans, in accordance with the Merriam Mountains Wetlands and Uplands Conceptual Revegetation Plans.

Impact BIO-1g: With the implementation of the Project, Impact BIO-1g would significantly impact 0.2 acre of Mulefat Scrub.

Mitigation Measure M-BIO-1g: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring mitigation on site by restoration/ enhancement at a 3:1 ratio, or 0.6 acres, of like functioning habitat at the abandoned airstrip location prior to approval of associated grading and improvement plans, in accordance with the Merriam Mountains Wetlands and Uplands Conceptual Revegetation Plans.

Impact BIO-1h: With the implementation of the Project, Impact BIO-1h would significantly impact 0.4 acre of Southern Willow Scrub.

Mitigation Measure M-BIO-1h: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring mitigation on site by restoration/enhancement at a 3:1 ratio, or 1.2 acres, of like-functioning habitat at the abandoned airstrip location prior to approval of associated grading and improvement

plans, in accordance with the Merriam Mountains Wetlands and Uplands Conceptual Revegetation Plans.

Impact BIO-1i: With the implementation of the Project, Impact BIO-1i would significantly impact 2.7 acres of Coast Live Oak Woodland.

Mitigation Measure M-BIO-1i: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring mitigation at a 3:1 ratio, or 8.1 acres, by the combination of on-site preservation (1.9 acres) and restoration of 6.2 acres of Coast Live Oak Woodland, partially within the Biological Open Space and partially at an off-site location prior to approval of associated grading and improvement plans, in accordance with the Merriam Mountains Wetlands and Uplands Conceptual Revegetation Plans.

Impact BIO-1j: With the implementation of the Project, Impact BIO-1j would significantly impact 0.5 acre of Non-Vegetated Channel and 0.1 acre of Unvegetated Wetlands.

Mitigation Measure M-BIO-1j: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring mitigation on-site for Non-Vegetated Channel at a 1:1 ratio, or 0.5-acre and at a ratio of 3:1, or 0.3-acre for Unvegetated Wetlands with like-functioning habitat at the abandoned airstrip location prior to approval of associated grading and improvement plans, in accordance with the Merriam Mountains Wetlands and Uplands Conceptual Revegetation Plans.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact BIO-1(a-j). Implementation of M-BIO-1(a-j) would reduce the impact to less than significant because it requires (1) that the most rare habitats Project-wide are mitigated at a higher ratio while more common habitats are mitigated at a lower ratio, (2) that conditions of approvals will require that mitigation land will be of like kind and value, and (3) that restoration/creation of habitats will occur within proximity to the Project to contribute to a naturally functioning ecosystem. The specified mitigation ratios are consistent with the ratios required in the County of San Diego Guidelines for Determining Significance for Biological Resources.

Impact BIO-2: With the implementation of the Project, Project-related impacts to the natural biological diversity would be significant.

Mitigation Measure M-BIO-2 (M-BIO-1 and -2): In addition to the habitat-based mitigation specified in M-BIO-1 above, M-BIO-2 specified in the FEIR has been imposed upon the Project as a condition of approval, requiring the Merriam Mountains RPP to be implemented in conjunction with Project implementation. As indicated in the RPP, the Habitat Manager will visually inspect the Biological Open Space for changes during regular maintenance and surveying activities. If substantial changes are noted, the area will be evaluated and remediated if feasible. The baseline vegetation and sensitive species maps will also be updated every five (5) years.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact BIO-2. Implementation of the identified mitigation measures would reduce the impact to less than significant because a core habitat in the Merriam Mountains will be preserved and managed as an intact block of natural habitat. This core habitat contributes to a potential future linkage to the San Marcos Mountains and thus avoids or substantially lessens the Project impact to natural biological diversity and furthers the goals of the Natural Communities Conservation Plan and draft North County Multiple Species Conservation program.

Impact BIO-3: With the implementation of the Project, there would be significant construction-related impacts to native and naturalized habitats.

Mitigation Measure M-BIO-3 (M-BIO-2 and -3): In addition to requiring the RPP specified in M-BIO-2 above, M-BIO-3 specified in the FEIR has been imposed upon the Project as a condition of approval, requiring construction fencing to protect open space areas, implementation of measures to limit inadvertent dust, noise, erosion, and human/vehicle-caused damage, and biological monitoring when grading activities are located near native and naturalized habitats.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact BIO-3. Implementation of M-BIO-3 would reduce the impact to less than significant because it requires the Project applicant and its contractors to be in compliance with specific fencing and monitoring measures that shall be placed on the grading and/or improvement plans.

Impact BIO-4: With the implementation of the Project, there would be significant wetlands impacts, including removal of 2.1 acres on site and 0.2 acre along Deer Springs Road and Camino Mayor, and 0.1 acre associated with off-site wastewater improvements adjacent to Twin Oaks Valley Road.

Mitigation Measure M-BIO-4: In addition to requiring M-BIO-1, -2, and -3, which result in (i) preservation and management of the remaining wetlands on site, (ii) the requirement that 7.2 acres of riparian forest and riparian scrub be established as a part of the Merriam Mountains Wetlands and Uplands Conceptual Revegetation Plans, and (iii) specific management guidelines (in the RPP) be implemented to address preservation and enhancement of wetlands during construction and over the life of the Project, M-BIO- 4 specified in the FEIR has been imposed upon the Project as a condition of approval, requiring that appropriate jurisdictional permitting be obtained prior to approval of associated grading and improvement plans.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact BIO-4. Implementation of the identified mitigation measures would reduce the impact to less than significant because they require impacts to wetlands to be mitigated in compliance with M-BIO-1, -2, and -3, above, and M-BIO-4 requires evidence that the Project has appropriate wetland permits prior to approval of grading and/or improvement plans.

Impact BIO-5: With the implementation of the Project, Impact BIO-5 would significantly limit wildlife movement within the development footprint by directly removing native and naturalized habitats and redirecting animal movement from existing trails to new connecting trails.

Mitigation Measure M-BIO-5 (M-BIO-1, -2, and -3): This mitigation measure specified in the FEIR has been imposed upon the Project as condition of approval, requiring preservation and management of the biological resources in the Biological Open Space. Specific management guidelines in the RPP are in place to address maintenance and enhancement of wildlife movement including protection of wildlife, monitoring and regulation of pedestrian trail use, enhancing wildlife trail connections, and monitoring wildlife movement across Lawrence Welk Court and Camino Major and implementing measures to avoid wildlife mortality including mechanisms to direct wildlife to cross in road culverts by providing road signage, strategic fencing, and limited revegetation. Project design features are included in the Project that place development in the least sensitive southern portion of the Project site, adequately size culverts for small and medium sized wildlife to cross Lawrence Welk Court, and provide for genetic interchange by maintaining the existing wildlife corridors with the San Marcos Mountains and along the Interstate-15 habitat corridor and California gnatcatcher archipelago.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact BIO-5. The implementation of the identified mitigation measure would reduce wildlife movement impacts to less than significant because it requires compliance with M-BIO-1 and M-BIO-2 above which would preserve a large block of habitat that is strategically beneficial to a wildlife linkage and would manage the habitat for the benefit of wildlife. These mitigation measures and the Project design features will maintain wildlife habitat and movement on and through the site consistent with the Natural Communities Conservation Planning Program and draft North County Multiple Species Conservation program.

Impact BIO-6: With the implementation of the Project, Impact BIO-6 would significantly impact sensitive plant and animal species, particularly one pair of California gnatcatchers and a number of regionally declining species associated with coastal sage scrub and chaparral habitats.

Mitigation Measure M-BIO-6 (M-BIO-1, -2, -3, and -7): The mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval and they include off-site mitigation for impacts to one pair of California gnatcatchers and habitat-based mitigation for impacts to other regionally declining species

Rationale: Alterations in the Project have been required that avoid or substantially reduce Impact BIO-6 to less than significant levels. Implementation of this mitigation measure would reduce the sensitive species impacts to less than significant levels because (1) acquisition, preservation and management of the 32-acre Captain's Associates Property north of the Project would provide appropriate species-based mitigation because it is occupied by a pair of California gnatcatchers, (2) on-site habitat-based preservation

and management mitigation is appropriate for other regionally declining species in accordance with the County Guidelines of Significance for Biological Resources, (3) pre-construction surveys, monitoring, and avoidance of sensitive animal species is required, and (4) these mitigation measures further the species diversity goals of the Natural Communities Conservation Plan and draft North County Multiple Species Conservation program.

Impact BIO-7: With the implementation of the Project, Impact BIO-7 would significantly impact nesting California gnatcatcher and tree-nesting raptors during construction activities.

Mitigation Measure M-BIO-7 (M-BIO-3 and -7): In addition to requiring M-BIO-3 which provides specific construction measures for protection of habitat, M-BIO-7 has been imposed upon the Project as a condition of approval, requiring the grading and/or improvement plans indicate that nesting surveys must be done prior to clearing or grubbing the vegetation during breeding season of California gnatcatcher and tree-nesting raptors. These seasonal limitations on clearing, grubbing, and grading; shall be placed on grading and/or improvement plans for each phase of grading, requiring a biological survey for nesting bird species within the proposed impact areas phased to occur approximately 72 hours prior to clearing activities. If any active nests are detected, the area will be flagged and mapped on the construction plans along with a minimum 25-foot buffer for migratory birds, 300 feet for gnatcatchers and other listed songbirds, and 500 feet for raptors as determined by the Project biologist, and will be avoided until the nesting cycle is complete.

Rationale: Alterations in the Project have been required that avoid or substantially reduce Impact BIO-7. Implementation of the identified mitigation measure would reduce the impact to less than significant because M-BIO-7 requires construction limitations to avoid direct impacts associated with nesting birds and raptors and M-BIO-3 includes protection of habitat resources during construction.

Impact BIO-8: With the implementation of the Project, there would be significant impacts to raptor foraging habitat due to removal of Non-Native Grassland and Southern Mixed Chaparral.

Mitigation Measure M-BIO-8: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring implementation of the RPP in conjunction with Project implementation. The mitigation measures identified which are specifically related to the significant impact associated with the loss of potential raptor foraging habitat include enhancing and restoring sensitive resources within the Merriam Biological Open Space, preventing habitat degradation, preserving and managing large blocks of key biological resource areas within the Merriam Biological Open Space, and Non-Native Grassland Mitigation.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact BIO-8. Implementation of the identified mitigation measures would reduce the impact to less than significant because they require acquisition or enhancement of

habitats to compensate for those raptor foraging habitats impacted on-site. Features incorporated in the Project design and the mitigation measures, when taken together, preserve core habitat in the Merriam Mountains as a large habitat block and acquire, enhance and restore degraded areas that contain raptor foraging habitat.

Impact BIO-9: With the implementation of the Project, there would be significant indirect impacts from occupation of residential housing and commercial areas near sensitive resources (edge effects).

Mitigation Measure M-BIO-9 (M-BIO-1, -2): This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring the preservation of a substantial block of native habitat and implementation of the Merriam Mountains RPP in conjunction with Project implementation. The RPP includes measures which prevent habitat degradation, control and remove invasive, exotic plant species, control and remove invasive, exotic animal species, establish and maintain public awareness and education programs to foster community support for the RPP, identify sensitive habitat with signage and fencing to protect such areas, establish seasonal limitations on fuel and habitat management activities as necessary, and instituting RPP Protection Measures for indirect impacts (fugitive dust, water runoff, and noise impacts).

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact BIO-9. Implementation of the identified mitigation measure and Project design features reduce the impact to less than significant because they provide ongoing monitoring and management of indirect impacts to natural resources and habitat viability due to urban edge effects adjacent to sensitive resources.

Impact BIO-10: With the implementation of the Project, there would be inconsistencies with RPO requirements regarding wetlands.

Mitigation Measure M-BIO-10 (M-BIO-1, -2): This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring the address all resources covered by the RPO and serve as the functional equivalent to the RPO.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact BIO-10. Implementation of the identified mitigation measure would reduce the impact to less than significant because the RPP includes goals and guidelines with respect to treatment of RPO Wetlands, including mitigation at a 3:1 ratio, management of wetland mitigation sites within the proposed Biological Open Space and preservation of existing wetlands on-site within the Biological Open Space. By consolidating open space and management of RPO resources, the RPP provides for a more comprehensive approach to resource protection and management than would occur under the RPO.

7. **Hazards and Hazardous Materials Impacts**.

Impact HZ-1: With the implementation of the Project, Impact HZ-1 would result in exposure of people to a significant risk of loss, injury, or death from wildland fires.

Mitigation Measure M-HZ-1a: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring all features of the two Merriam Mountains Fire Protection Plans (for the Deer Spring Fire Protection District and for the San Marcos Fire Department) to be implemented in conjunction with development of individual neighborhoods within the Specific Plan area.

Mitigation Measure M-HZ-1b: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring implementation of certain fire protection features listed below. The fire protection features are aimed at mitigating the risk of vegetation fire ignition of structures and, conversely, structural fire ignition of vegetation. Some of these features are requirements by current codes, whereas others are recommendations that are the direct result of the fire protection plan ("FPP") analysis and risk rating process.

- Hydrant spacing shall meet Deer Springs Fire Protection District ("DSFPD"), San Marcos Fire Protection District ("SMFPD"), County, Vallecitos Water District, and Rainbow Water District requirements. All water storage and hydrant locations, mains, and water pressures shall comply with the County Fire Code Fire Flow Requirements and the Fire Flow Requirements of the DSFPD Ordinance 2002-01.

- Public water systems shall be consistent with wildland interface area requirements. Water supply must meet a 2-hour fire flow requirement of 2,500 gallons per minute (gpm) with 20-pounds per square inch (psi) residential pressure, which must be over and above the daily maximum water requirements.

- Access roads shall meet or exceed requirements of the County.

- Firefighters shall have access to backyard areas via designated access ways from streets.

- An equestrian trail shall permit firefighter and fuel modification zone ("FMZ") maintenance personnel access.

- Road, access components (e.g., gates and signs), and FMZ maintenance shall be performed in perpetuity.

Mitigation Measure M-HZ-1c: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring basic and enhanced construction features due to the Project's wildland urban interface ("WUI") location and location in a high fire hazard severity zone. As such, in addition to applicable County

Building Code requirements, the following enhanced requirements shall be implemented for this Project:

- *Roofing*. Structures shall have a Class A fire rated concrete or clay tile roof assembly system that meets the fire authority having jurisdiction ("FAHJ") requirements.

- *Exterior walls*. Exterior walls shall comply with the provisions of the Uniform Building Code ("UBC"), Chapter 7a and the California Fire Code ("CFC"). Such material shall extend from the top of the foundation to the underside of the roof sheathing. Wood shingle and shake wall covering shall be prohibited. No wood shall be allowed on exterior walls except solid core entry doors, door jambs and window frames. Walls shall be designed to resist intrusion of flame and embers.

- *Architectural*. Aesthetic enhancements shall be of ignition-resistant or fire retardant materials, such as non-combustible foam with stucco covering and wrought iron materials.

- *Eaves Protection*. Eaves and soffits shall be boxed in. Eaves and fascias, where required, shall be protected on the exposed underside by ignition-resistant materials, or comply with California State Fire Marshal Standard 12-7-A-3.

- *Venting*. No attic ventilation openings or ventilation louvers shall be permitted in soffits, in eave overhangs, between rafters at eaves, or in other overhanging areas. Design, location, size, and quantity of vents shall be to the approval of the FAHJ.

- *Glazing*. Glass or other transparent, translucent, or opaque glazing shall be dual pane as approved by the FAHJ.

- *Skylights*. Shall be constructed of tempered glass unless the FAHJ approves other material (in the presence of an automatic fire sprinkler system).

- *Insulation*. Paper-faced insulation shall be prohibited in attics or ventilated spaces.

- *Gutters and downspouts*. Gutters and downspouts shall be constructed of noncombustible material. Gutters shall be provided with the means to reduce the accumulation of leaf litter and debris that contributes to roof edge ignition.

- *Appendages and Projections*. Components attached to any structure shall not increase the risk of fire spread to the structure. Where fences are attached to or are immediately adjacent to structures that face the wildland fuels, the first 5 feet of such fencing, which connects to the structure, shall be constructed of noncombustible, heavy timber or fire retardant pressure treated wood or material.

- *Spark Arrestors*. All chimneys and other vents on heating appliances using solid or liquid fuels shall have spark arrestors of a type approved by the FAHJ and as specified in the CFC.

- *Exterior doors*. Exterior doors shall be approved noncombustible construction, solid core wood not less than 1 3/4 in. thick or have a fire protection rating of not less than 20 min. Garage doors shall be noncombustible or exterior fire retardant wood. Windows within doors and glazed doors shall be in accordance with the California Building Code ("CBC").

- *Detached accessory structures*. Detached accessory structures located less than 50 feet from a building containing habitable space shall have exterior walls constructed with ignition-resistant or fire retardant materials.

- *Restricted access*. Where emergency vehicle access is restricted because of secured access roads or driveways or where immediate access is necessary for life-saving or firefighting purposes, the FAHJ is authorized to require a KNOX lock system.

- *Addressing*. All residential buildings shall have a permanently posted address, which shall be legible from the street. If it is not legible from the street, an address shall also be posted at the street entrance to the driveway and shall be visible from both directions of travel. The address on the structure shall be internally illuminated in times of darkness. Letters/numbers shall be 4 in. high with 3/8-in. stroke and placed at 8 feet above grade.

- *Top of slope non-combustible walls*. A 6 feet tall noncombustible wall shall be constructed pursuant to the Fire Protection Plan.

- *Automatic fire sprinkler systems*. All structures having a footprint greater than 200 square feet shall be protected by an automatic fire sprinkler system. Such systems shall be designed and installed in conformance with the standards articulated in NFPA 13, 13D, or 13R, as appropriate.

- *Fuel Treatment Zones*. Zones shall be provided according to the Fire Protection Plan.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact HZ-1. Implementation of the identified mitigation measures would reduce the impact to less than significant because, through implementation of the Merriam Mountains Fire Protection Plans, Project fire protection features and enhanced construction features will be required as conditions of approval. These measures represent the best available technologies for fire protection and would reduce the rate of the spread of a fire to provide for adequate response by the FAHJ for the Project. These mitigation measures will reduce the potential exposure of people or the environment to a significant risk of loss, injury, or death involving wildland fires.

Impact HZ-2: With the implementation of the Project, Impact HZ-2 would result in impacts to the environment from lead-contaminated soils.

Mitigation Measure M-HZ-2: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring that the Project applicant address contamination related to the area of lead shot and the areas of potential pesticide contamination. The applicant shall enter into the County Department of Environmental Health ("DEH") VAP program for oversight of the site remediation. A Removal Action Plan shall be prepared for the DEH's review and approval to remove lead shot bullets (i.e., vacuum and/or removal of the upper few inches of soil) for off-site disposal at an approved facility. This mitigation measure shall be implemented prior to approval of associated grading and improvement plans for the portion of Lawrence Welk Court through the contaminated area and prior to commencement of any revegetation activities in the contaminated area.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact HZ-2. Implementation of the identified mitigation measure would reduce the impact to less than significant because they requires evidence of removal and proper disposal of lead and pesticide contaminated soil, which will reduce the potential exposure of people or the environment to any significant hazards resulting from lead contaminated soils.

Impact HZ-3: With the implementation of the Project, Impact HZ-3 would result in a potential accidental release of asbestos into the environment.

Mitigation Measure M-HZ-3: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring that prior to approval of associated grading and/or improvement plans, or issuance of a demolition permit, an asbestos survey be performed by an asbestos consultant or site surveillance technician as defined in Title 8, CCR, Article 2.6, Section 341.15, for all on-site structures that will be disturbed by demolition/renovation activities in accordance with local, state and federal regulations. Should asbestos-containing materials or other hazardous building materials be encountered in the site structures, a licensed abatement contractor must remove these materials prior to commencement of demolition activities.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact HZ-3. Implementation of the identified mitigation measure would reduce the impact to less than significant because it requires evidence of the proper testing and removal of potential asbestos from existing structures on-site, which will reduce the potential exposure of people or the environment to any significant hazards resulting from asbestos exposure.

Impact HZ-4: With the implementation of the Project, Impact HZ-4 would result in a potential accidental release of lead-based paint into the environment.

Mitigation Measure M-HZ-4: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring that prior to approval of

associated grading and/or improvement plans, or issuance of demolition permit, a lead-based paint survey shall be performed by a Certified Lead Inspector/Assessor as defined in Chapter 8, Division 1 of Title 17 of the CCR, for all on-site structures that will be disturbed by demolition/renovation activities in accordance with local, state, and federal regulations. Should lead-containing surfaces or other hazardous building materials be encountered in the site structures, a licensed abatement contractor must remove these materials prior to commencement of demolition activities.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact HZ-4. Implementation of the identified mitigation measures would reduce the impact to less than significant because they require evidence of proper testing and removal of any sources of lead-based paint located within any existing structures on-site prior to the completion of demolition.

Impact HZ-5: With the implementation of the Project, Impact HZ-5 would result in exposure of people to soils contaminated from pesticides (organochlorines) and accidental release of organochlorine into the environment.

Mitigation Measure M-HZ-5: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring that the Project applicant prepare a soil management plan to establish procedures for the notification, monitoring, assessment, sampling, and testing of impacted soil and/or groundwater, and the storage and proper disposal of contaminated materials that may be encountered during the excavation and grading phase of site redevelopment. The Soil Management Plan shall be prepared and implemented as part of the Project Storm Water Pollution Prevention Plan.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact HZ-5. Implementation of the identified mitigation measure would reduce the impact to less than significant because it requires evidence of the storage and proper disposal of contaminated materials that may be encountered during the excavation and grading phase of site redevelopment, which will reduce the potential exposure of people or the environment to any significant hazards resulting from the release of contaminated minerals.

Impact HZ-6: With the implementation of the Project, Impact HZ-6 would result in a release of contaminated materials from existing above ground storage tanks ("AST") and septic systems located on site.

Mitigation Measure M-HZ-6: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring that any septic systems and ASTs located on site be removed and/or closed under permit and approval of the DEH prior to approval of grading and/or improvement plans.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact HZ-5. Implementation of the identified mitigation measure would reduce the impact to less than significant because it requires evidence that existing septic systems and ASTs have been removed and/or closed thereby reducing the potential for

exposure of people or the environment to any significant hazards resulting from exposure to pesticides.

Impact HZ-7: With the implementation of the Project, Impact HZ-7 would result in the potential to encounter unknown site contamination (e.g., stained soils, buried debris) during site construction.

Mitigation Measure M-HZ-7: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of the grading and/or improvement plans requiring that during grading or excavation work for the Project, the contractors observe the exposed soil for visual evidence of contamination, and if visual indicators are observed during construction, work shall stop until the material is properly characterized and appropriate measures are taken to protect human health and the environment. The contractors shall comply with local, state, and federal requirements for sampling and testing, and subsequent removal, transport and disposal of hazardous materials prior to completion of rough grading.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact HZ-7. Implementation of the identified mitigation measure would reduce the impact to less than significant because removal of soil contamination is required which will reduce the potential exposure of people or the environment to any significant hazards resulting from exposure to unknown site contamination.

8. <u>Hydrology and Water Quality Impacts</u>.

Impact WQ-1: With the implementation of the Project, Impact WQ-1 would result in significant increases in runoff to Subbasins 1, 10, 13, 16, 19, 20, 21, 24.1, 24, 26, and 27.

Mitigation Measure M-WQ-1a: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring that a 42-inch restrictor shall be installed on the existing culvert to utilize existing depression storage for peak flow to Subbasin 1.

Mitigation Measure M-WQ-1b: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring that a 36-inch restrictor shall be installed on the existing culvert to utilize existing depression storage for peak flow to Subbasin 10.

Mitigation Measure M-WQ-1c: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring that a 33-inch restrictor shall be installed on the existing culvert to utilize existing depression storage for peak flow to Subbasin 13.

Mitigation Measure M-WQ-1d: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring that a 36-inch restrictor shall be installed on the existing culvert to utilize existing depression storage for peak flow to Subbasin 16.

Mitigation Measure M-WQ-1e: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring that a 30-inch restrictor shall be installed on the existing culvert to utilize existing depression storage for peak flow to Subbasin 19. Runoff diverted from Subbasin 20 shall be managed in the same location.

Mitigation Measure M-WQ-1f: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring that a grass swale be constructed to divert excess flow to the storage area in Subbasin 19.

Mitigation Measure M-WQ-1g: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring a detention basin be constructed at the outlet of Subbasin 21 as part of the grading for that area of Subbasin 21.

Mitigation Measure M-WQ-1h: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring that an underground storm drain system be implemented for Subbasin 24.1 to route the flow to the existing channel where it would normally be conveyed through surface systems.

Mitigation Measure M-WQ-1i: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring for Subbasin 25 that two detention basins be constructed (Detention 25a and 25b) as part of grading for this area.

Mitigation Measure M-WQ-1j: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring for Subbasin 26 that a detention basin (Detention 26) be constructed as part of grading for this area.

Mitigation Measure M-WQ-1k: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring for Subbasin 27 that a detention basin (Detention 27) be constructed as part of grading for this area.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact WQ-1. Implementation of the identified mitigation measures would reduce the impact to less than significant because they reduce runoff in these Subbasins to pre-development conditions and reduce the potential impact resulting from significant increases in runoff to less than significant levels as set forth in the County's Watershed Protection Ordinance, Stormwater Standards Manual, Standard Urban Stormwater Mitigation Plan.

Impact WQ-2: With the implementation of the Project, Impact WQ-2 would result in minor increases (less than 5%) in runoff to Subbasins 3, 5, 28, and 35, as well as off-site Subbasins 0, 1, and 2.

Mitigation Measure M-WQ-2: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring that BMPs be implemented to reduce to pre-development levels any necessary minor increases in Subbasins 3, 5, 28 and 35 and off-site Subbasins 0, 1, and 2.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact WQ-2. Implementation of the identified mitigation measure would reduce the impact to less than significant because minor increases in flows in the subbasins are reduced to pre-development conditions and thereby reduce the potential impact resulting from significant increases in runoff to less than significant levels as set forth in the County's Watershed Protection Ordinance, Stormwater Standards Manual, Standard Urban Stormwater Mitigation Plan.

Impact WQ-3: With the implementation of the Project, Impact WQ-3 would result in significant increases in runoff to existing culverts under Deer Springs Road that result in runoff impacts to Subbasins 21-24.2.

Mitigation Measure M-WQ-3a: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring that the existing culverts located beneath Deer Springs Road be replaced with culverts per the recommendations included in the Preliminary Drainage Study for Deer Springs Road (Fuscoe, February 2009). As seen in the Preliminary Drainage Study for Deer Springs Road, culverts will be upsized to accommodate runoff within Subbasins 21 to 24.2. Preliminary sizing of the culverts vary from 18 to 42 inches, which will likely be constructed of reinforced concrete pipe. Prior to approval of associated grading and/or improvement plans for Deer Springs Road, DPW shall approve the final engineering of culvert sizes, location, and alignment.

Mitigation Measure M-WQ-3b: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring the construction of a diversion, flow restrictor, and berm at Interstate-15, Subbasins 19 and 20.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact WQ-3. Implementation of the identified mitigation measures would reduce the impact to less than significant because the increased runoff impacts to existing culverts are avoided or substantially reduced such that they will accommodate 100 year flood flows as set forth in the County's Watershed Protection Ordinance, Stormwater Standards Manual, Standard Urban Stormwater Mitigation Plan.

9. <u>Land Use and Planning Impacts</u>.

Impact LU-1: With the implementation of the Project, Impact LU-1 would result, in the absence of specific design treatments addressing visibility, landscape treatments, and architectural details, in significant land use impacts with respect to the consistency of the proposed Project with the Interstate-15 Corridor Subregional Plan.

Mitigation Measure M-LU-1: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring that Site Plan review occur through application of the "B" Special Area Designator, as called for in the Specific Plan. The intent of the B designator is to address man-made and natural features that affect the scenic quality of the Interstate-15 corridor area, which extends from the northern Escondido city limits to the Riverside County line. All development

applications within the B designator are required to submit a comprehensive Site Plan in accordance with the Scenic Preservation Guidelines of the Interstate-15 Corridor Plan. The Specific Plan identifies Neighborhood 1, portions of Neighborhoods 4 and 5, and the Estate Lots within the viewshed of the Interstate-15 corridor. These areas shall retain the B designator within the S-88, C-36, and RM-22 zoning.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact LU-1. Implementation of the identified mitigation measure would reduce the impact to less than significant because it would require a site plan review that would require setbacks to meet the conditions of the B Special Area Designator, as called for in the Specific Plan, which is consistent with the environmental land use goals, objectives, policies and recommendations of the General Plan, and any other applicable plans, policies, ordinances, guidelines or regulations.

Impact LU-2: With the implementation of the Project, Impact LU-2 would result, in the absence of a detailed resource protection plan and protection of specific resources, in significant land use impacts with respect to the consistency of the Project with the RPO.

Mitigation Measure M-LU-2: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring that the Project include an RPP that addresses all resources covered by the RPO and that serves as the functional equivalent to RPO.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact LU-2. Implementation of the identified mitigation measure would reduce the impact to less than significant by consolidating open space and managing RPO resources through a RPP, the functional equivalent to RPO, the RPP provides for a more comprehensive approach to resources protection, which is consistent with the environmental land use goals, objectives, policies and recommendations of the General Plan, and any other applicable plans, policies, ordinances, guidelines or regulations.

Impact LU-3: With the implementation of the Project, Impact LU-3 (manufactured slopes) would result in significant land use impacts with respect to land use compatibility for future on-site residents and existing and planned surrounding land uses.

Mitigation Measure M-LU-3: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring that the following grading guidelines be implemented to be sensitive to nearby and adjacent land uses:

- *General Grading*: Grading plans will retain the natural shape of the landform and reflect the topographic features of the terrain. Long, continuous straight slopes that have hard edges and no transition areas at the top and the toe of slope should be avoided.

- *Grading in Open Space Areas*: Grading will be prohibited in natural open space lots, except for trail placement, placement of utilities, or facilities associated with access and maintenance.

- *Contour Grading Techniques*: Contour grading techniques reflecting the character of existing significant natural features will be utilized, including blending of graded slope contours with the natural topography, use of variable slope gradients with smooth, rounded cuts, and rounding off the toe and crest of slopes.

- *Maximum* Cut *and Fill Slopes:* Subject to the recommendations of the geotechnical engineer and landscape architect and concurrence from the Department of Public Works, the maximum fill slope ratio allowed shall be 1.5:1, and a maximum 1:1 ratio shall be allowed on cut slopes. Absent specific recommendations, the maximum fill slope ratio shall be 2:1, and the maximum cut slope ratio shall be 1.5:1 for slopes less than 15 feet in height and 2:1 for slopes greater than 15 feet in height.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact LU-4. Implementation of the identified mitigation measure would reduce the impact to less than significant because it implements grading guidelines that require contour grading which would blend manufactured slopes with existing terrain and native and would blend drought tolerant landscaping with existing vegetation, which is consistent with the environmental land use goals, objectives, policies and recommendations of the General Plan, and any other applicable plans, policies, ordinances, guidelines or regulations.

Impact LU-4: With the implementation of the Project, Impact LU-4 could result in land use compatibility impacts by placing multi-story, attached residential product types, which are anticipated to be constructed in Neighborhood 2, Planning Area 3, in proximity to the existing residential uses in the surrounding area.

Mitigation Measure M-LU-4: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring that Site Plan review shall occur through application of the "D2" Special Area Designator, as called for in the Specific Plan:

- Neighborhood 2, Planning Area 3 shall meet the following requirements prior to the issuance of building permits:

  - The maximum height shall be 35 feet, consisting of two-story structures
  - No more than four units shall be permitted per structure
  - A 100-foot setback for all structures from property line per the requirements of the Fire Protection Plan.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact LU-4. Implementation of the identified mitigation measure would reduce the impact to less than significant because it implements height restrictions, density allotment, and setbacks that causes the bulk and scale of proposed development to be appropriately reduced by setbacks and to be softened by landscaping so as not to visually intrude on surrounding land uses, which is consistent with the environmental land use

goals, objectives, policies and recommendations of the General Plan, and any other applicable plans, policies, ordinances, guidelines or regulations.

10. <u>Geology and Soils Impacts</u>.

Impact GE-1: With the implementation of the Project, Impact GE-1 would result in undocumented fill, topsoil/colluvium, alluvium, and Quarternary slopewash which are porous and/or potentially compressible in their present state.

Mitigation Measure M-GE-1a: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring geotechnical observation and/or laboratory testing during grading to be performed to identify areas of highly expansive soils and determine the actual expansion potential of finish-grade soils. Compressible soils will require removal and recompaction to a minimum of 90 percent in areas of proposed development or future fill.

Mitigation Measure M-GE-1b: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring that the Project's grading plans shall demonstrate compliance with remediation recommendations in the November 9, 2006, Geotechnical Investigation prepared by Leighton and Associates for the Merriam Mountains Property and the Smith Property, including but not limited to:

- In order to minimize the effects of potential differential settlement, increased compaction and settlement monitoring is recommended for fills greater than 50 feet in depth.

- All fill slopes should have a minimum width of at least one-half the slope height.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact GE-1. Implementation of the identified mitigation measures would reduce the impact to less than significant because porous and/or potentially compressible soils will be identified, tested and, removed and recompacted in areas of proposed development or future fill, which will reduce the potential impact to less than significant levels consistent with the County's Grading Ordinance, the Watershed Protection, Stormwater Management, and Discharge Control Ordinance, and the goals of the other applicable local, State and Federal regulations relating to soil erosion, loss of topsoil, or siltation, and consistent with the UBC.

Impact GE-2: With the implementation of the Project, Impact GE-2 would result in saturated alluvium soils within the Project site having the potential to result in liquefaction.

Mitigation Measure M-GE-2: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring that alluvium soils be removed and replaced with compacted fill in areas of proposed grading/development as recommended in the Geotechnical Investigation.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact GE-2. Implementation of the identified mitigation measure would reduce the impact to less than significant because it removes and replaces saturated alluvium soils which could result in liquefaction, which will reduce the potential impact to less than significant levels consistent with the County's Grading Ordinance, its Watershed Protection, Stormwater Management, and Discharge Control Ordinance, and the goals of the other applicable local, State and Federal regulations relating to soil erosion, loss of topsoil, or siltation, and consistent with the UBC.

Impact GE-3: With the implementation of the Project, Impact GE-3 would result in granitic boulder outcrops in areas upslope from approximately 28 development lots that could result in isolated rockfalls during a significant seismic event.

Mitigation Measure M-GE-3: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring that all boulders located within the proposed development footprint be removed during grading. Potentially hazardous boulders identified on the FEIR and located within the proposed fuel modification zones would either be removed or broken in place as described in the FEIR. The removal of the boulders shall be completed prior to completion of rough grading for each phase of the affected areas of the proposed Project. Evidence shall be provided to the satisfaction of the Director of DPLU demonstrating that hazardous boulders have been removed and/or broken in place as recommended in the FEIR. Alternate methods for addressing the rockfall hazard may be proposed in the future, and any such methods would be subject to review and approval by the County and may involve additional environmental review.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact GE-3. Implementation of the identified mitigation measure would reduce the impact to less than significant because it ensures that granitic boulder outcrops are mapped, evaluated and action(s) taken to reduce rockfalls during significant seismic events. Implementation of these mitigation measures will reduce the potential impact to less than significant levels consistent with CEQA guidelines and the UBC.

Impact GE-4: With the implementation of the Project, Impact GE-4 would result in natural slopes on site that could be subject to surficial instability.

Mitigation Measure M-GE-4a: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring that surficial stability measures be imposed as needed including buffering areas without structural development, construction of debris walls, catchment basins, or slope buttressing, the need for such mitigation measures based on a review of final grading plans and field observations during grading in compliance with the County of San Diego Grading Ordinance.

Mitigation Measure M-GE-4b: This mitigation measure specified in the FEIR has been imposed upon the Project as a condition of approval, requiring mapping for all cut slopes during grading in compliance with the Grading Ordinance. If adverse geologic

conditions are encountered during installation of cut slopes, the engineer or geologist shall provide evidence to the satisfaction of the Director of DPW that appropriate stabilization measures are in place.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact GE-4. Implementation of the identified mitigation measures would reduce the impact to less than significant because they ensure that appropriate measures are taken to minimize the potential risk of rockfalls during a significant seismic event, consistent with the Grading Ordinance and the UBC.

B. Pursuant to Section 15091(a)(2) of the State CEQA Guidelines, the County finds that, for each of the following significant effects identified in the FEIR, Mitigation Measures which would avoid or avoid or substantially lessen these significant effects are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. The Impacts and Mitigation Measures are stated fully in the FEIR. The following are brief descriptions of the Impacts and Mitigation Measures set forth in the FEIR and explanations of the rationale for this finding for each Impact.

1. <u>Traffic Impacts</u>.

Impact TR-1: With the implementation of the Project, Impact TR-1 would cause a LOS impact "F" at the Interstate-15 northbound ramps and Deer Springs Road in the PM peak hour.

Mitigation Measure M-TR-1: This mitigation measure specified in the FEIR requires widening of the Interstate-15/Deer Springs Road interchange to provide changes to the lane configuration including the potential addition of new turn lanes. The Project is conditioned to construct the interchange prior to the occupation of Phase I of the Project, provided Caltrans approves the work.

Prior to the approval of the Final Map for Phase I of the Project, the Project Applicant shall either (i) have constructed the improvements, or (ii) entered into a secured agreement with Caltrans to construct the improvements. If an agreement is entered into with Caltrans, the agreement should specify that the improvements be completed prior to the occupancy of the first unit of Phase I of the Project. This condition may be waived if the Project Applicant provides sufficient evidence satisfactory to the Director of DPLU that Caltrans will not enter into an agreement.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact TR-1. Implementation of the identified mitigation measure would avoid or substantially reduce the impact to less than significant by improving the traffic flow and reducing congestion so the traffic facility would operate at an acceptable LOS in the PM peak hour. The mitigation can and should be adopted by Caltrans but its authorization is required to implement the mitigation measures. As a result, this mitigation measure is currently not feasible because (i) it is within Caltrans' jurisdiction, (ii) Caltrans has not

yet adopted a time table for implementing such mitigation measure, and (iii) Caltrans has not yet approved the work.

Impact TR-2: With the implementation of the Project, Impact TR-2 would cause a LOS impact "E" at the Interstate-15 southbound ramps and Deer Springs Road in the PM peak hour.

Mitigation Measure M-TR-2: The mitigation measure specified in the FEIR requires widening of the Interstate-15/Deer Springs Road interchange to provide changes to the lane configuration including the potential addition of new turn lanes. The Project is conditioned to construct the improvements prior to the occupation of Phase I of the Project, provided Caltrans approves the work.

Prior to the approval of the Final Map for Phase I of the Project, the Project Applicant shall either (i) have constructed the improvements, or (ii) entered into a secured agreement with Caltrans to construct the improvements. If an agreement is entered into with Caltrans, the agreement should specify that the improvements be completed prior to the occupancy of the first unit of Phase I of the Project. This condition may be waived if the Project Applicant provides sufficient evidence satisfactory to the Director of DPLU that Caltrans will not enter into an agreement.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact TR-2. Implementation of the identified mitigation measure would avoid or substantially reduce the impact to less than significant by improving the traffic flow and reducing congestion so the traffic facility would operate at an acceptable LOS in the PM peak hour. The mitigation can and should be adopted by Caltrans but its authorization is required to implement the mitigation measures. As a result, this mitigation measure is currently not feasible because (i) it is within Caltrans' jurisdiction, (ii) Caltrans has not yet adopted a time table for implementing such mitigation measure, and (iii) Caltrans has not yet approved the work.

Impact TR-4: With the implementation of the Project, Impact TR-4 would cause a LOS impact "E" at the intersection of Twin Oaks Valley Road and Deer Springs Road in the PM peak hours.

Mitigation Measure M-TR-4: The mitigation measure specified in the FEIR requires certain intersection improvements including the addition of new turn lanes. The Project is conditioned to construct the improvements prior to the occupation of Phase I of the Project, provided the City of San Marcos (the "City") approves the work.

Prior to the approval of the Final Map for Phase I of the Project, the Project Applicant shall either (i) have constructed the improvements, or (ii) entered into a secured agreement with the City to construct the improvements. If an agreement is entered into with the City, the agreement should specify that the improvements be completed prior to the occupancy of the first unit of Phase I of the Project. This condition may be waived if the Project Applicant provides sufficient evidence satisfactory to the Director of DPLU that the City will not enter into an agreement.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact TR-4. Implementation of the identified mitigation measure would avoid or substantially reduce the impact to less than significant by improving the traffic flow and reducing congestion so the intersection would operate at an acceptable LOS in the PM peak hours. The mitigation can and should be adopted by the City but its authorization is required to implement the mitigation measures. As a result, this mitigation measure is currently not feasible because (i) it is within the City's jurisdiction, (ii) the City has not yet adopted a time table for implementing such mitigation measure, and (iii) the City has not yet approved the work.

Impact TR-5: With the implementation of the Project, Impact TR-5 would cause a LOS impact "E" at the intersection of Twin Oaks Valley Road and Buena Creek Road in the PM peak hours.

Mitigation Measure M-TR-5: The mitigation measure specified in the FEIR requires certain intersection improvements including the addition of new turn lanes. The Project is conditioned to construct the improvements prior to the occupation of Phase I of the Project, provided the City approves the work.

Prior to the approval of the Final Map for Phase I of the Project, the Project Applicant shall either (i) have constructed the improvements, or (ii) entered into a secured agreement with the City to construct the improvements. If an agreement is entered into with the City, the agreement should specify that the improvements be completed prior to the occupancy of the first unit of Phase I of the Project. This condition may be waived if the Project Applicant provides sufficient evidence satisfactory to the Director of DPLU that the City will not enter into an agreement.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact TR-5. Implementation of the identified mitigation measure would avoid or substantially reduce the impact to less than significant by improving the traffic flow and reducing congestion so the intersection would operate at an acceptable LOS in the PM peak hours. The mitigation can and should be adopted by the City but its authorization is required to implement the mitigation measures. As a result, this mitigation measure is currently not feasible because (i) it is within the City's jurisdiction, (ii) the City has not yet adopted a time table for implementing such mitigation measure, and (iii) the City has not yet approved the work.

Impact TR-9: With the implementation of the Project, Impact TR-9 would cause a LOS impact "E" at the Interstate-15 southbound ramps and Gopher Canyon Road in the PM peak hour.

Mitigation Measure M-TR-9: The mitigation measure specified in the FEIR requires the installation of a new traffic signal, if warranted by a detailed signal warrant analysis. The Project is conditioned to construct the improvements, provided Caltrans approves the work.

If such improvements are warranted, prior to the approval of the Final Map for Phase I of the Project, the Project Applicant shall either (i) have constructed the improvements, or (ii) entered into a secured agreement with Caltrans to construct the improvements. If an agreement is entered into with Caltrans, the agreement should specify that the improvements be completed prior to the occupancy of the first unit of Phase I of the Project. This condition may be waived if the Project Applicant provides sufficient evidence satisfactory to the Director of DPLU that Caltrans will not enter into an agreement.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact TR-9. Implementation of the identified mitigation measure would avoid or substantially reduce the impact to less than significant by improving the traffic flow and reducing congestion so the traffic facility would operate at an acceptable LOS in the PM peak hours. The mitigation can and should be adopted by Caltrans but its authorization is required to implement the mitigation measures. As a result, this mitigation measure is currently not feasible because (i) it is within Caltrans' jurisdiction, (ii) Caltrans has not yet adopted a time table for implementing such mitigation measure, and (iii) Caltrans has not yet approved the work.

Impact TR-10: With the implementation of the Project, Impact TR-10 would cause a LOS impact "E" at the Interstate-15 northbound ramps and Gopher Canyon Road in the PM peak hour.

Mitigation Measure M-TR-10: The mitigation measure specified in the FEIR requires the installation of a new traffic signal, if warranted by a detailed signal warrant analysis. The Project is conditioned to construct the improvements, provided Caltrans approves the work.

If such improvements are warranted, prior to the approval of the Final Map for Phase I of the Project, the Project Applicant shall either (i) have constructed the improvements, or (ii) entered into a secured agreement with Caltrans to construct the improvements. If an agreement is entered into with Caltrans, the agreement should specify that the improvements be completed prior to the occupancy of the first unit of Phase I of the Project. This condition may be waived if the Project Applicant provides sufficient evidence satisfactory to the Director of DPLU that Caltrans will not enter into an agreement.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact TR-10. Implementation of the identified mitigation measure would avoid or substantially reduce the impact to less than significant by improving the traffic flow and reducing congestion so the traffic facility would operate at an acceptable LOS in the PM peak hours. The mitigation can and should be adopted by Caltrans but its authorization is required to implement the mitigation measures. As a result, this mitigation measure is currently not feasible because (i) it is within Caltrans' jurisdiction, (ii) Caltrans has not yet adopted a time table for implementing such mitigation measure, and (iii) Caltrans has not yet approved the work.

Impact TR-14: With the implementation of the Project, Impact TR-14 would cause a LOS impact "F" on Deer Springs Road from the Interstate-15 southbound ramps to Mesa Rock Road.

Mitigation Measure M-TR-14: The mitigation measure specified in the FEIR requires road widening improvements and the potential addition of new auxiliary lanes. The Project is conditioned to construct the improvements prior to occupation of Phase I of the Project, provided Caltrans approves the work.

Prior to the approval of the Final Map for Phase I of the Project, the Project Applicant shall either (i) have constructed the improvements, or (ii) entered into a secured agreement with Caltrans to construct the improvements. If an agreement is entered into with Caltrans, the agreement should specify that the improvements be completed prior to the occupancy of the first unit of Phase I of the Project. This condition may be waived if the Project Applicant provides sufficient evidence satisfactory to the Director of DPLU that Caltrans will not enter into an agreement.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact TR-14. Implementation of the identified mitigation measure would avoid or substantially reduce the impact to less than significant by improving the traffic flow and reducing congestion so the segment would operate at an acceptable LOS. The mitigation can and should be adopted by Caltrans but its authorization is required to implement the mitigation measures. As a result, this mitigation measure is currently not feasible because (i) it is within Caltrans' jurisdiction, (ii) Caltrans has not yet adopted a time table for implementing such mitigation measure, and (iii) Caltrans has not yet approved the work.

Impact TR-15: With the implementation of the Project, Impact TR-15 would cause a LOS impact "F" on Deer Springs Road from the Interstate-15 southbound ramps to the Interstate-15 northbound ramps.

Mitigation Measure M-TR-15: The mitigation measure specified in the FEIR requires road widening improvements and the potential addition of new auxiliary lanes. The Project is conditioned to construct the improvements prior to occupation of Phase I of the Project, provided the Caltrans approves the work.

Prior to the approval of the Final Map for Phase I of the Project, the Project Applicant shall either (i) have constructed the improvements, or (ii) entered into a secured agreement with Caltrans to construct the improvements. If an agreement is entered into with Caltrans, the agreement should specify that the improvements be completed prior to the occupancy of the first unit of Phase I of the Project. This condition may be waived if the Project Applicant provides sufficient evidence satisfactory to the Director of DPLU that Caltrans will not enter into an agreement.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact TR-15. Implementation of the identified mitigation measure would avoid or substantially reduce the impact to less than significant by improving the traffic flow

and reducing congestion so the segment would operate at an acceptable LOS. The mitigation can and should be adopted by Caltrans but its authorization is required to implement the mitigation measures. As a result, this mitigation measure is currently not feasible because (i) it is within Caltrans' jurisdiction, (ii) Caltrans has not yet adopted a time table for implementing such mitigation measure, and (iii) Caltrans has not yet approved the work.

Impact TR-16: With the implementation of the Project, Impact TR-16 would cause a LOS impact "F" on Twin Oaks Valley Road from Deer Springs Road to Buena Creek Road.

Mitigation Measure M-TR-16 (M-TR-4 and -5, M-TR-16): The mitigation measure specified in the FEIR includes intersection improvements to improve traffic flow and reduce congestion and includes M-TR-17 which requires the Project Applicant to make a contribution towards the construction of the City's Twin Oaks Valley Road widening project to add capacity to the northern end of this segment. The Project has been conditioned to contribute to construction of the improvements above, proportionate to the direct impact caused by the Project and providing the City accepts the payments and agrees to construct the improvements. If the applicant enters into an agreement with the City to construct the improvement, the condition shall be waived.

With respect to the measure described in subclause (ii) above, prior to the approval of the Final Map for Phase I of the Project, the Project Applicant shall have made the contribution towards the City's project. This condition may be waived if the Project Applicant provides sufficient evidence satisfactory to the Director of DPLU that the City will not agree to a contribution that is roughly proportional to the Project's impact.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact TR-16. The implementation of the mitigation measure described in subclause (i) above, and the construction that is partially financed via the implementation of the mitigation measure described in subclause (ii) above, would avoid or substantially reduce the impact to less than significant by improving the traffic flow and reducing congestion so the segment would operate at an acceptable LOS. The work can and should be adopted by the City but its authorization is required to implement the mitigation measures. As a result, this mitigation measure is currently not feasible because (i) it is within the City's jurisdiction, (ii) the City has not yet adopted a time table for implementing such mitigation measure, and (iii) the City has not yet approved the work.

Impact TR-17: With the implementation of the Project, Impact TR-17 would cause a direct LOS impact "F" on Twin Oaks Valley Road from Buena Creek Road to Cassou Road.

Mitigation Measure M-TR-17 (M-TR-5, -7, -17): The mitigation measure specified in the FEIR includes intersection improvements to improve traffic flow and reduce congestion and includes M-TR-17 which requires the Project Applicant to make a contribution towards the City's Twin Oaks Valley Road widening project to add capacity

to the northern end of this segment. The Project has been conditioned to contribute to construction of these improvements, proportionate to the direct impact caused by the Project and provided the City accepts the payments and agrees to construct the improvements.

Prior to the approval of the Final Map for Phase I of the Project, the Project Applicant shall have made the contribution towards the City's project. This condition may be waived if the Project Applicant provides sufficient evidence satisfactory to the Director of DPLU that the City will not agree to a contribution that is roughly proportional to the Project's impact. If the applicant enters into an agreement with the City to construct the improvement, this condition shall be waived.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact TR-17. The construction that is partially financed via the implementation of this mitigation measure would avoid or substantially reduce the impact to less than significant by improving the traffic flow and reducing congestion so the segment would operate at an acceptable LOS. The work can and should be adopted by the City but its authorization is required to implement the mitigation measures. As a result, this mitigation measure is currently not feasible because (i) it is within the City's jurisdiction, and (ii) the City has not yet adopted a time table for implementing such mitigation measure.

Impact TR-18: With the implementation of the Project, Impact TR-18 would cause a direct LOS impact "F" on Twin Oaks Valley Road from Borden Road to Richmar Avenue.

Mitigation Measure M-TR-18: The mitigation measure specified in the FEIR requires a contribution towards the City's planned road-widening Project for this segment. The Project has been conditioned to contribute to construction of these improvements, proportionate to the direct impact caused by the Project and provided the City accepts the payments and agrees to construct the improvements.

Prior to the approval of the Final Map for Phase II of the Project, the Project Applicant shall have made the contribution towards the City's project. This condition may be waived if the Project Applicant provides sufficient evidence satisfactory to the Director of DPLU that the City will not agree to a contribution that is roughly proportional to the Project's impact.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact TR-18. The construction that is partially financed via the implementation of this mitigation measure would avoid or substantially reduce the impact to less than significant by improving the traffic flow and reducing congestion so the segment would operate at an acceptable LOS. The work can and should be adopted by the City but its authorization is required to implement the mitigation measures. Therefore, this mitigation measure is infeasible because (i) it is within the City's jurisdiction, and (ii) the City has not yet adopted a time table for implementing such mitigation measure.

A mitigation measure must be roughly proportional to the impact caused by the Project pursuant to CEQA Guidelines, section 15126.4(a)(4)(B). The Project would contribute approximately 7.9% of the traffic along this roadway segment. Given the small percentage of traffic that the Project would contribute, a mitigation measure requiring the City to construct required roadway improvements would not be roughly proportional to the Project's impact.

Impact TR-23: With the implementation of the Project, Impact TR-23 would cause a direct LOS impact "F" on Twin Oaks Valley Road from Windy Way to Borden Road.

Mitigation Measure M-TR-23: The mitigation measure specified in the FEIR requires a contribution towards the City's planned road-widening Project for this segment. The Project has been conditioned to contribute to construction for these improvements, proportionate to the direct impact caused by the Project and provided that the City accepts the payments and agrees to construct the improvements.

Prior to the approval of the Final Map for Phase II of the Project, the Project Applicant shall have made the contribution towards the City's project. This condition may be waived if the Project Applicant provides sufficient evidence satisfactory to the Director of DPLU that the City will not agree to a contribution that is roughly proportional to the Project's impact.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact TR-23. The construction that is partially financed via the implementation of this mitigation measure would avoid or substantially reduce the impact to less than significant by improving the traffic flow and reducing congestion so the segment would operate at an acceptable LOS. The work can and should be adopted by the City but its authorization is required to implement the mitigation measures. Therefore, this mitigation measure is infeasible because (i) it is within the City's jurisdiction, and (ii) the City has not yet adopted a time table for implementing such mitigation measure.

A mitigation measure must roughly proportional to the impact caused by the Project pursuant to CEQA Guidelines, section 15126.4(a)(4)(B). The Project would contribute approximately 9.7% of the traffic along this roadway segment. Given the small percentage of traffic that the Project would contribute, a mitigation measure requiring the City to construct required roadway improvements would not be roughly proportional to the Project's impact.

Impact TR-24: With the implementation of the Project, Impact TR-24 would cause a direct LOS impact "F" on State Route 78 between Mar Vista Drive and Sycamore Avenue in the westbound direction during AM peak hours and in both directions during PM peak hours.

Mitigation Measure M-TR-24: The mitigation measure specified in the FEIR requires a contribution towards adding one HOV lane in each direction on the impacted segment. The Project has been conditioned to contribute to construction of these improvements,

proportionate to the direct impact caused by the Project, and provided Caltrans accepts the payments and agrees to construct the improvements.

Prior to the approval of the Final Map for Phase I of the Project, the Project Applicant shall have made the contribution towards the Caltrans' project. This condition may be waived if the Project Applicant provides sufficient evidence satisfactory to the Director of DPLU that Caltrans will not agree to a contribution that is roughly proportional to the Project's impact.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact TR-24. The construction that is partially financed via the implementation of this mitigation measure would avoid or substantially reduce the impact to less than significant by improving the traffic flow and reducing congestion so the segment would operate at an acceptable LOS. The work can and should be adopted by Caltrans but its authorization is required to implement the mitigation measures. Therefore, this mitigation measure is infeasible because (i) it is within Caltrans' jurisdiction, and (ii) Caltrans has not yet adopted a time table for implementing such mitigation measure.

A mitigation measure must roughly proportional to the impact caused by the Project pursuant to CEQA Guidelines, section 15126.4(a)(4)(B). The Project would contribute approximately 2.3% of the traffic along this roadway segment. Given the small percentage of traffic that the Project would contribute, a mitigation measure requiring Caltrans to construct required roadway improvements would not be roughly proportional to the Project's impact.

Impact TR-25: With the implementation of the Project, Impact TR-25 would cause a direct LOS impact "E" on State Route 78 between San Marcos Boulevard and Sycamore Avenue in the westbound direction during AM and PM peak hours, and a LOS impact "F" in the eastbound direction during PM peak hours.

Mitigation Measure M-TR-25: The mitigation measure specified in the FEIR requires a contribution, towards adding one HOV lane in each direction on the impacted segment. The Project has been conditioned to contribute to construction of these improvements, proportionate to the direct impact caused by the Project and provided Caltrans accepts the payments and agrees to construct the improvements.

Prior to the approval of the Final Map for Phase I of the Project, the Project Applicant shall have made the contribution towards the Caltrans' project. This condition may be waived if the Project Applicant provides sufficient evidence satisfactory to the Director of DPLU that Caltrans will not agree to a contribution that is roughly proportional to the Project's impact.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact TR-25. The construction that is partially financed via the implementation of this mitigation measure would avoid or substantially reduce the impact to less than significant by improving the traffic flow and reducing congestion so the segment would operate at an acceptable LOS. The work can and should be adopted by Caltrans but its

authorization is required to implement the mitigation measures. Therefore, this mitigation measure is infeasible because (i) it is within Caltrans' jurisdiction, and (ii) Caltrans has not yet adopted a time table for implementing such mitigation measure.

A mitigation measure must roughly proportional to the impact caused by the Project pursuant to CEQA Guidelines, section 15126.4(a)(4)(B). The Project would contribute approximately 0.6% of the traffic along this roadway segment. Given the small percentage of traffic that the Project would contribute, a mitigation measure requiring Caltrans to construct required roadway improvements would not be roughly proportional to the Project's impact.

Impact TR-28: With the implementation of the Project, Impact TR-28 would cause a cumulative LOS impact "F" during AM and PM peak hours at the intersection of Twin Oaks Valley Road and Cassou Road.

Mitigation Measure M-TR-28: The mitigation measure specified in the FEIR requires a contribution towards the City planned road-widening project for this segment. The Project has been conditioned to contribute to construction of these improvements, proportionate to the cumulative impact caused by the Project, and provided the City accepts the payments and agrees to construct the improvements.

Prior to the approval of the Final Map for Phase I of the Project, the Project Applicant shall have made the contribution towards the City's project. This condition may be waived if the Project Applicant provides sufficient evidence satisfactory to the Director of DPLU that the City will not agree to a contribution that is roughly proportional to the Project's impact.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact TR-28. The construction that is partially financed via the implementation of this mitigation measure would avoid or substantially reduce the impact to less than significant by improving the traffic flow and reducing congestion so the segment would operate at an acceptable LOS. The work can and should be adopted by the City but its authorization is required to implement the mitigation measures. As a result, this mitigation measure is currently not feasible because (i) it is within the City's jurisdiction, and (ii) the City has not yet adopted a time table for implementing such mitigation measure.

Impact TR-29: With the implementation of the Project, Impact TR-29 would cause a cumulative LOS impact "F" during AM and PM peak hours at the intersection of Twin Oaks Valley Road and Borden Road.

Mitigation Measure M-TR-29: The mitigation measure specified in the FEIR requires a contribution towards the City planned road-widening Project for this segment, including the addition of new turn lanes. The Project is conditioned to contribute to construction of these improvements, proportionate to the cumulative impact caused by the Project and provided the City accepts the payments and agrees to construct the improvements.

Prior to the approval of the Final Map for Phase I of the Project, the Project Applicant shall have made the contribution towards the City's project. This condition may be waived if the Project Applicant provides sufficient evidence satisfactory to the Director of DPLU that the City will not agree to a contribution that is roughly proportional to the Project's impact.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact TR-29. The construction that is partially financed via the implementation of this mitigation measure would avoid or substantially reduce the impact to less than significant by improving the traffic flow and reducing congestion so the segment would operate at an acceptable LOS. The work can and should be adopted by the City but its authorization is required to implement the mitigation measures. Therefore, this mitigation measure is infeasible because (i) it is within the City's jurisdiction, and (ii) the City has not yet adopted a time table for implementing such mitigation measure.

Impact TR-33: With the implementation of the Project, Impact TR-33 would cause a cumulative LOS impact "F" on Twin Oaks Valley Road from San Marcos Boulevard to Richmar Avenue.

Mitigation Measure M-TR-33: The mitigation measure specified in the FEIR requires a contribution towards the City planned road-widening project for this segment, including the addition of new turn lanes. The Project is conditioned to contribute payments for these improvements, proportionate to impact caused by the Project and provided the City accepts the payments and agrees to construct the improvements.

Prior to the approval of the Final Map for Phase I of the Project, the Project Applicant shall have made the contribution towards the City's project. This condition may be waived if the Project Applicant provides sufficient evidence satisfactory to the Director of DPLU that the City will not agree to a contribution that is roughly proportional to the Project's impact.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact TR-29. The construction that is partially financed via the implementation of this mitigation measure would avoid or substantially reduce the impact to less than significant by improving the traffic flow and reducing congestion so the segment would operate at an acceptable LOS. The work can and should be adopted by the City but its authorization is required to implement the mitigation measures. Therefore, this mitigation measure is infeasible because (i) it is within the City's jurisdiction, and (ii) the City has not yet adopted a time table for implementing such mitigation measure.

Impact TR-39: With the implementation of the Project, Impact TR-39 would cause a cumulative LOS impact "E" on Interstate-15 from Centre City Parkway to Deer Springs Road in the northbound direction during the PM peak hours.

Mitigation Measure M-TR-39: The mitigation measures specified in the FEIR require a contribution towards future improvements on this segment. The Project has been conditioned to contribute to the construction of these improvements, proportionate to the

impact caused by the Project, provided Caltrans accepts the payments and agrees to construct the improvements.

Prior to the approval of the Final Map for Phase I of the Project, the Project Applicant shall have made the contribution towards the Caltrans project. This condition may be waived if the Project Applicant provides sufficient evidence satisfactory to the Director of DPLU that Caltrans will not agree to a contribution that is roughly proportional to the Project's impact.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact TR-39. The construction that is partially financed via the implementation of this mitigation measure would avoid or substantially reduce the impact to less than significant by improving the traffic flow and reducing congestion so the segment would operate at an acceptable LOS. The work can and should be adopted by Caltrans but its authorization is required to implement the mitigation measures. Therefore, this mitigation measure is infeasible because (i) it is within Caltrans' jurisdiction, and (ii) Caltrans has not yet adopted a time table for implementing such mitigation measure.

Impact TR-40: With the implementation of the Project, Impact TR-40 would cause a cumulative LOS impact "E", "F(0)", "F(1)" and "F(2)" on SR78 from Mar Vista Drive to Twin Oaks Valley Road.

Mitigation Measure M-TR-40: The mitigation measure specified in the FEIR requires a contribution towards future improvements on this segment. The Project has been conditioned to contribute to the construction of these improvements, proportionate to the impact caused by the Project, provided Caltrans accepts the payments and agrees to construct the improvements.

Prior to the approval of the Final Map for Phase I of the Project, the Project Applicant shall have made the contribution towards the Caltrans project. This condition may be waived if the Project Applicant provides sufficient evidence satisfactory to the Director of DPLU that Caltrans will not agree to a contribution that is roughly proportional to the Project's impact.

Rationale: Alterations in the Project have been required that avoid or substantially lessen Impact TR-40. The construction that is partially financed via the implementation of this mitigation measure would avoid or substantially reduce the impact to less than significant by improving the traffic flow and reducing congestion so the segment would operate at an acceptable LOS. The work can and should be adopted by Caltrans but its authorization is required to implement the mitigation measures. Therefore, this mitigation measure is infeasible because (i) it is within Caltrans' jurisdiction, and (ii) Caltrans has not yet adopted a time table for implementing such mitigation measure.

C. Pursuant to Section 15091(a)(3) of the State CEQA Guidelines, the County finds that, for each of the following significant effects and Project alternatives as identified in the FEIR, specific economic, legal, social, technological, or other considerations make the mitigation measures or Project alternatives infeasible:

1. **Air Quality Impacts**.

Impact AQ-2: With the implementation of the Project, Impact AQ-2 would cause emissions associated with construction activities that are above the screening level thresholds for criteria pollutants (NO_x, VOCs, $PM_{2.5}$, and PM_{10}).

Mitigation Measure M-AQ-2: The mitigation measures identified in the FEIR partially mitigate the significant impact by instituting certain measures intended to reduce the pollutants caused by construction activities, including (i) construction trucks shall be routed away from congested streets or sensitive receptor areas to the extent feasible, and (ii) 10% of construction equipment in use during grading, clearing, and construction activities shall be any combination of diesel with catalytic converters, diesel with oxidation catalysts, diesel with particulate filters, and/or CARB-certified Tier I, II, or III equipment. However, despite mitigation, the impact would remain significant.

Rationale: The mitigation measures have been imposed upon the Project as conditions of approval do not avoid or reduce the impact to less than significant and emissions would exceed applicable standards. Additional mitigation measures were determined infeasible as discussed in Section 2.1.7 of the FEIR because fuels and technology are not readily available on the market and there is a likelihood that the specialized vehicles would need to be brought separately to the construction site, possibly from distant locations. Haul distances associated with such transport may result in increased energy use and an estimated increase in air emissions by up to 60%. Therefore, the impacts are expected to remain significant and unavoidable despite mitigation, but the unavoidable impact is overridden by the benefits of the Project, as set forth in the statement of overriding considerations.

Impact AQ-3: With the implementation of the Project, Impact AQ-3 (simultaneous grading of the Project and cumulative projects located in close proximity) could result in a cumulatively significant impact on air quality because of the simultaneous operation of the National Quarries facility or the simultaneous construction of any of the cumulative projects within one mile of the Project.

Mitigation Measure M-AQ-3: The mitigation measures discussed in Section 2.1.6 of the FEIR partially mitigate cumulative impacts by addressing direct impacts to the extent feasible. However, despite mitigation, the impact would remain significant.

Rationale: Additional mitigation measures are infeasible because there is no way to effectively control or limit the emissions caused by the National Quarries facility or any of the cumulative projects within one mile of the Project, but the unavoidable impact is overridden by the benefits of the Project as set forth in the statement of overriding considerations.

2. Traffic Impacts.

Impact TR-26: With the implementation of the Project, Impact TR-26 would cause a direct impact at the Sycamore Avenue/State Route 78 on-ramps to "above capacity" with increased delays of 3 and 5 minutes during peak hour with project traffic.

Mitigation Measure M-TR-26: The mitigation measure identified in the FEIR, to add an additional SOV lane on the ramps, is not feasible and, therefore, is not proposed to address this Impact.

Rationale: The mitigation measure is infeasible because it is not Caltrans practice to allow three SOV lanes and one HOV lane on a ramp and the impact will occur within Caltrans jurisdiction. Therefore, the impact will remain significant and unavoidable, but the unavoidable impact is overridden by the benefits of the Project as set forth in the statement of overriding considerations.

Impact TR-30: With the implementation of the Project and cumulative projects, Impact TR-30 would cause a LOS impact "E" on Twin Oaks Valley Road from Windy Way to La Cienega Road.

Mitigation Measure M-TR-30: The mitigation measure identified in the FEIR, to widen this segment to 6 lanes, is not feasible and, therefore, is not proposed to address this Impact.

Rationale: The mitigation measure is infeasible because there is no current right-of-way available to the City to allow road widening to six lanes and no plans for the City to acquire any such right-of-way. Therefore, the impact will remain significant and unavoidable, but the unavoidable impact is overridden by the benefits of the Project as set forth in the statement of overriding considerations.

Impact TR-31: With the implementation of the Project and cumulative projects, Impact TR-31 would cause a LOS impact "E" on Twin Oaks Valley Road from Windy Way to Borden Road.

Mitigation Measure M-TR-31: The mitigation measure identified in the FEIR, to widen this segment to 6 lanes, is not feasible and, therefore, is not proposed to address this Impact.

Rationale: The mitigation measure is infeasible because there is no current right-of-way available to the City to allow road widening to six lanes and no plans for the City to acquire any such right-of-way. Therefore, the impact will remain significant and unavoidable, but the unavoidable impact is overridden by the benefits of the Project as set forth in the statement of overriding considerations.

Impact TR-32: With the implementation of the Project and cumulative projects, Impact TR-32 would cause a LOS impact "E" on Twin Oaks Valley Road from Borden Road to Richmar Avenue.

Mitigation Measure M-TR-32: The mitigation measure identified in the FEIR, to widen this segment to 6 lanes, is not feasible and, therefore, is not proposed to address this Impact.

Rationale: The mitigation measure is infeasible because there is no current right-of-way available to the City to allow road widening to 6 lanes and no plans for the City to acquire any such right-of-way. Therefore, the impact will remain significant and unavoidable, but the unavoidable impact is overridden by the benefits of the Project as set forth in the statement of overriding considerations.

Impact TR-34: With the implementation of the Project and cumulative projects, Impact TR-34 would cause a LOS impact "F" on Twin Oaks Valley Road from San Marcos Boulevard to the State Route 78 westbound ramps.

Mitigation Measure M-TR-34: The mitigation measure identified in the FEIR, to widen this segment to 8 lanes, is not feasible and, therefore, is not proposed to address this Impact.

Rationale: The mitigation measure is infeasible because the existing roadway is constructed to its ultimate 6-lane circulation element classification, and there are no current plans by the City to process a circulation element amendment to change the classification to accommodate 8 lanes, and no right-of-way to construct the widening. Therefore, the impact will remain significant and unavoidable, but the unavoidable impact is overridden by the benefits of the Project as set forth in the statement of overriding considerations.

Impact TR-41: With the implementation of the Project and cumulative projects, Impact TR-41 would cause a cumulative impact at the Sycamore Avenue/State Route 78 westbound on ramp to "above capacity" with an increase delay from 24 to 32 minutes during PM peak hour.

Mitigation Measure M-TR-41: The mitigation measure identified in the FEIR, to add an additional SOV lane on the ramp, is not feasible and, therefore, is not proposed to address this Impact.

Rationale: The mitigation measure is infeasible because it is not Caltrans practice to allow three SOV lanes and one HOV lane on a ramp, and the impact is within Caltrans jurisdiction. Therefore, the impact is will remain significant and unavoidable, but the unavoidable impact is overridden by the benefits of the Project as set forth in the statement of overriding considerations.

Impact TR-42: With the implementation of the Project and cumulative projects, Impact TR-42 would cause a cumulative impact at the Twin Oaks Valley Road/State Route 78

westbound on ramp to "above capacity" with an increase delay from 5 to 20 minutes in the AM peak hour and from 2 to 13 minutes in the PM peak hour.

Mitigation Measure M-TR-42: The mitigation measure identified in the FEIR, to add an additional SOV lane to the ramp is not feasible and, therefore, is not proposed to address this Impact.

Rationale: The mitigation measure is infeasible because neither Caltrans nor the City has plans to add a second SOV lane to this ramp, nor are there any programs in place to contribute to improvements at this ramp, and the impact is within Caltrans and City jurisdiction. Therefore, the impact will remain significant and unavoidable, but the unavoidable impact is overridden by the benefits of the Project as set forth in the statement of overriding considerations.

3. <u>Minerals Impacts</u>.

Impact MR-1: With the implementation of the Project, Impact MR-1 would cause the loss in the availability of approximately 124 acres of designated mineral resources, which have been classified as PCC-grade aggregate.

Mitigation Measure M-MR-1: Mitigation measures are not feasible and, therefore, are not proposed to address this Impact.

Rationale: As discussed in Section 2.3.6 of the FEIR, in the context of the Project, there are no measures that would mitigate impacts associated with the loss of availability of mineral resources short of adopting an alternative that would remove a substantial area from the Biological Open Space thus diminishing it viability and introducing an incompatible mining land use into this rural residential area. Therefore, the impacts will remain significant and unavoidable, but the unavoidable impact is overridden by the benefits of the Project as set forth in the statement of overriding considerations.

Impact MR-2: With the implementation of the Project, Impact MR-2 would cause cumulative impacts to the loss in availability of mineral resources.

Mitigation Measure M-MR-2: Mitigation measures are not feasible and, therefore, are not proposed to address this Impact.

Rationale: As discussed in Section 2.3.6 of the FEIR, in the context of the Project, no measures that would mitigate impacts associated with the loss of availability of mineral resources have been found to be feasible. Therefore, the impacts will remain significant and unavoidable, but the unavoidable impact is overridden by the benefits of the Project as set forth in the statement of overriding considerations.

4. <u>Noise Impacts</u>.

Impact NOI-7: With the implementation of the Project, Impact NOI-7 (the widening of Deer Springs Road) may generate an 8-hour average noise level that would exceed 75 dB

during construction activities. Construction of Deer Springs Road may qualify for a Noise Ordinance Variance to this standard.

Mitigation Measure M-NOI-7: The impact is partially mitigated by the installation of temporary noise barriers and notifying the impacted owners when construction activities will be within 300 feet of their property. However, despite mitigation, the impact would remain significant.

Rationale: The mitigation measures that have been imposed upon the Project as conditions of approval do not avoid or reduce the impact to less than significant and noise would exceed applicable standards. Additional mitigation measures are infeasible due to the location of the impacted homes in proximity to the construction activities and driveway openings that will need to be maintained as currently existing. Therefore, despite mitigation, the noise impact would remain significant and unavoidable during construction, but the unavoidable impact is overridden by the benefits of the Project as set forth in the statement of overriding considerations.

Impact NOI-8: With the implementation of the Project, Impact NOI-8 (cumulative traffic noise – offsite noise sensitive land uses) would be cumulatively significant and exceed the County's significance threshold for the following locations: (i) residences along Buena Creek Road, (ii) residences located within the Deer Springs Mobile Home Park (sensitive receptor 1 through 4), and (iii) five single-family homes (Sensitive Receptors 5, 14, 17, 18, and 19).

Mitigation Measure M-NOI-8 (i): The mitigation measure identified in the FEIR, installation of noise barriers, is not feasible with respect to the impact described in subclause (i) above, and therefore are not proposed to address this Impact.

Rationale: The mitigation measures discussed in Section 2.4.6 would not be feasible for the impact described as subclause (i) due to the location of the impacted homes in proximity to the construction activities and driveway openings that will need to be maintained as currently existing. Therefore the noise impact would remain significant and unavoidable, but the unavoidable impact is overridden by the benefits of the Project as set forth in the statement of overriding considerations. The impacts described in Impact NOI-8 (ii) and (iii) are discussed above in Section A.3 of these Findings.

5. <u>Cultural Resources Impacts</u>.

Impact CR-1: With the implementation of the Project, Impact CR-1 would cause direct impacts to 39% of site CA-SDI-4558, which may contain human remains, due to improvements to Deer Springs Road.

Mitigation Measure M-CR-1: The impact is partially mitigated by index sampling, data recovery, and curation of any cultural resources excavated or removed during grading and construction, preservation and management of the remaining portion of the site by fencing and clean fill capping of all areas designated as environmentally sensitive during construction and placing the significant site in an open space easement as described in the FEIR. However, despite mitigation, the impact would remain significant and

unavoidable because portions of the site would be removed during roadway improvements.

Rationale: The mitigation measures that have been imposed upon the Project as conditions of approval do not avoid or reduce the impact to less than significant and additional mitigation through avoidance is infeasible. Despite the implementation of the described mitigation measures this impact would remain significant and unavoidable because of the site's significance, but the unavoidable impact is overridden by the benefits of the Project as set forth in the statement of overriding considerations. An alternative alignment for the construction of Deer Springs Road has been provided in Section 5.7 of the FEIR, and for this alternative, impacts would be mitigated through avoidance by capping, index sampling and data recovery.

Impact CR-3: With the implementation of the Project, Impact CR-3 would cause direct impacts to 76% of site CA-SDI-9822, which may contain human remains, due to improvements to Deer Springs Road.

Mitigation Measure M-CR-3: The impact is partially mitigated by index sampling, data recovery, and curation of any cultural resources excavated or removed during grading and construction, preservation and management of the remaining portion of the site by fencing and clean fill capping of all areas designated as environmentally sensitive during construction and placing the significant site in an open space easement as described in the FEIR. However, despite mitigation, the impact would remain significant and unavoidable because portions of the site would be impacted during roadway improvements.

Rationale: The mitigation measures that have been imposed upon the Project as conditions of approval do not avoid or reduce the impact to less than significant and additional mitigation through avoidance is infeasible. Despite the implementation of the described mitigation measures this impact would remain significant and unavoidable because of the site's significance, but the unavoidable impact is overridden by the benefits of the Project as set forth in the statement of overriding considerations. An alternative alignment for the construction of Deer Springs Road has been provided in Section 5.7 of the FEIR, and for this alternative, impacts would be mitigated through avoidance by capping, index sampling and data recovery.

Impact CR-7: The implementation of the Project would have cumulative impacts to cultural resources.

Mitigation Measure M-CR-7: Partial mitigation of Impact CR-7 is achieved by implementation of M-CR-1, -2, -3, and -4. However, despite mitigation, the cumulative impact would remain significant and unavoidable because portions of two significant sites would be impacted during roadway improvements.

Rationale: The mitigation measures that have been imposed upon the Project as conditions of approval do not avoid or reduce the impact to less than significant and additional mitigation through avoidance is infeasible. Despite implementation of the

described mitigation measures, the impacts would remain significant and unavoidable because portions of two significant sites would be impacted during roadway improvements, and there are no feasible alternatives. Therefore, the impacts are expected to remain significant and unavoidable despite mitigation, but the unavoidable impact is overridden by the benefits of the Project as set forth in the statement of overriding considerations.

II. DEER SPRINGS ROAD GENERAL PLAN AMENDMENT/CIRCULATION ELEMENT

A. Pursuant to Section 15091(a)(1) of the State CEQA Guidelines, the County finds that, for each of the following significant effects identified in the FEIR for the Deer Springs Road General Plan Amendment/Circulation Element ("Circulation Element Amendment"), Mitigation Measures have been required in, or incorporated into, the Project which avoid or avoid or substantially lessen each of the significant environmental effects as identified in the FEIR. The Impacts and Mitigation Measures are stated fully in the FEIR. The following are brief descriptions of the Impacts and Mitigation Measures set forth in the FEIR and explanations of the rationale for this finding for each Impact.

1. Cultural Resource Impacts.

Impact GPA/CE-CR-2: With the implementation of the Circulation Element Amendment, Impact GPA/CE-CR-2 would cause significant indirect impacts to site CA-SDI-4558 due to improvements to Deer Springs Road and increased accessibility.

Mitigation Measure M-GPA/CE-CR-2a: The mitigation measures specified in the FEIR have been imposed upon the GPA/CE Project as conditions of approval, requiring that all areas designated as environmentally sensitive during construction be fenced and have clean fill capping where possible, as well as minor capping where possible. By instituting these mitigation measures, the indirect impact to CA-SDI-4558 would not cause a substantial adverse change in the significance of this historical or archaeological resource (as defined in Section 15064.5 of CEQA Guidelines).

Mitigation Measure M-GPA/CE-CR-2b: The mitigation measures specified in the FEIR have been imposed upon the Project as conditions of approval, requiring that the two significant sites be placed in open space easements and monitored as described in the FEIR.

Rationale: Alterations in the GPA/CE Project have been required that avoid or substantially lessen Impact GPA/CE-CR-2. Implementation of the identified mitigation measures would reduce the impact to less than significant because they will prevent inadvertent damage and the site will be protected by an open space easement. By instituting these mitigation measures, the impact to CA-SDI-4558 would not cause a substantial adverse change in the significance of this historical or archaeological resource (as defined in Section 15064.5 of CEQA Guidelines).

Impact GPA/CE-CR-4: With the implementation of the Circulation Element Amendment, Impact GPA/CE-CR-4 would cause significant indirect impacts to site CA-SDI-9822 due to improvements to Deer Springs Road and increased accessibility.

Mitigation Measure M-GPA/CE-CR-4: The mitigation measures specified in the FEIR have been imposed upon the GPA/CE Project as conditions of approval, requiring that all areas designated as environmentally sensitive be temporarily fenced during construction and have minor capping as needed, which would avoid or substantially reduce indirect impacts below levels of significance.

Rationale: Alterations in the GPA/CE Project have been required that avoid or substantially lessen this impact. Implementation of the identified mitigation measures would avoid or substantially reduce the impact to less than significant because they will prevent inadvertent damage to the site. By instituting these mitigation measures, the impact to CA-SDI-9822 would not cause a substantial adverse change in the significance of this historical or archaeological resource (as defined in Section 15064.5 of CEQA Guidelines).

Impact GPA/CE-CR-5: With the implementation of the Circulation Element Amendment, Impact GPA/CE-CR-5 would have the potential to discover unknown resources that have not been recorded, which would be significant should the potential for cultural resources be identified.

Mitigation Measure M-GPA/CE-CR-5: The mitigation measures specified in the FEIR have been imposed upon the GPA/CE Project as conditions of approval, requiring that a field survey be completed prior to issuance of grading permits for widening to six lanes to determine if any unrecorded cultural sites are located within those portions of the proposed alignment on restricted private property that were not surveyed, and if significant sites are identified, appropriate measures will be implemented potentially including data recovery as recommended by the Project archaeologist in consultation with the County and consistent with the CEQA Guidelines Section 15064.5 (c) and (f).

Rationale: Alterations in the GPA/CE Project have been required that avoid or substantially lessen this impact. Implementation of the identified mitigation measures would reduce the impact to less than significant because the area that could not be accessed to complete a field survey would be surveyed to determine whether cultural resources not previously recorded are located within the area proposed for road widening and measures compliant with CEQA guidelines would be implemented.

2. <u>Biological Resources Impacts</u>.

Impact GPA/CE-BIO-1: With the implementation of the Circulation Element Amendment, Impact GPA/CE-BIO-1 would cause impacts to sensitive vegetation communities, including wetlands.

Mitigation Measure M-GPA/CE-BIO-1: The mitigation measures specified in the FEIR have been imposed upon the GPA/CE Project as conditions of approval, requiring

that the impacted habitat be mitigated through the conservation or restoration of like-kind habitat.

Rationale: Alterations in the GPA/CE Project have been required that avoid or substantially lessen this impact. Implementation of the identified mitigation measures would reduce the impact to less than significant because it requires (1) that the most rare habitats Project-wide are mitigated at a higher ratio while more common habitats are mitigated at a lower ratio, (2) that conditions of approvals will require that mitigation land will be of like kind and value, and (3) that restoration/creation of habitats will occur within proximity to the Project to contribute to a naturally functioning ecosystem. The specified mitigation ratios are consistent with the ratios required in the County of San Diego Guidelines for Determining Significance for Biological Resources.

Impact GPA/CE-BIO-2: With the implementation of the Circulation Element Amendment, Impact GPA/CE-BIO-2 would significantly impact nesting raptor and small bird species during construction activities.

Mitigation Measure M-GPA/CE-BIO-2: The mitigation measures specified in the FEIR have been imposed upon the GPA/CE Project as conditions of approval, requiring that for each phase of grading, a biological survey for nesting bird species must be conducted within the proposed impact area approximately 72 hours prior to ground disturbance, and if nesting birds are present, construction activities shall be diverted an appropriate distance away from active nests until young birds have fledged.

Rationale: Alterations in the Project have been required that avoid or substantially lessen this impact. Implementation of the identified mitigation measure would reduce the impact to less than significant because it will avoid direct impacts to nesting raptor and small bird species during construction activities.

Impact GPA/CE-BIO-3: With the implementation of the Circulation Element Amendment, Impact GPA/CE-BIO-3 would cause impacts to disturbed coastal sage scrub requiring an HLP permit.

Mitigation Measure M-GPA/CE-BIO-3: The mitigation measures specified in the FEIR have been imposed upon the GPA/CE Project as conditions of approval, requiring that prior to Circulation Element Amendment implementation and when more detailed design plans are available, impacts to coastal sage scrub will be mitigated at a 2 to 1 ratio and, if deemed necessary by County DPLU, an HLP permit will be prepared and processed prior to grading for Deer Springs Road construction.

Rationale: Alterations in the GPA/CE Project have been required that avoid or substantially lessen this impact. Implementation of the identified mitigation measures would reduce the impact to less than significant because they will be consistent with the goals of the Natural Communities Conservation Plan and draft North County Multiple Species Conservation program.

Impact GPA/CE-BIO-4: With the implementation of the Circulation Element Amendment, Impact GPA/CE-BIO-4 would cause impacts to wetlands requiring

conformance with applicable Federal Clean Water Act and California Fish and Game Code permit requirements.

Mitigation Measure M-GPA/CE-BIO-4: The mitigation measures specified in the FEIR have been imposed upon the GPA/CE Project as conditions of approval, requiring that prior to Circulation Element Amendment implementation and when more detailed design plans are available, impacts to wetlands will be determined along with state and federal permitting requirements for wetlands and, if deemed necessary, state and federal permits will be prepared and processed prior to grading for Deer Springs Road construction, and impacts to wetlands will be mitigated at County of San Diego and applicable agency mitigation requirements.

Rationale: Alterations in the GPA/CE Project have been required that avoid or substantially lessen this impact. Implementation of the identified mitigation measures would reduce the impact to less than significant because the GPA/CE Project will conform with applicable Federal Clean Water Act and California Fish and Game Code permit requirements.

3. **Hydrology and Water Quality Impacts**.

Impact GPA/CE-WQ-1a: With the implementation of the Circulation Element Amendment, Impact GPA/CE-WQ-1a, would cause potential short-term impacts to water quality during construction.

Mitigation Measure M- GPA/CE-WQ-1a: The mitigation measures specified in the FEIR have been imposed upon the GPA/CE Project as conditions of approval, requiring that prior to construction of Deer Springs Road, a Storm Water Pollution Prevention Plan ("SWPPP") that describes Best Management Practices ("BMPs") would be developed and implemented before, during, and after construction to minimize erosion and runoff from construction activities. Additionally, a General Construction Permit will be required and a Notice of Intent ("NOI") submitted to the State Water Resources Control Board, and a WDID number will be issued, permitting construction activity stormwater discharge from the site. BMPs required by the Storm Water Pollution Prevention Plan would include Erosion Control BMPs, Sediment Control BMPs, Non-Stormwater Management BMPs, and Material Management BMPs. Construction BMPs will be specified on Project plans and specifications and implemented at all construction areas and staging areas. BMPs shall be implemented to avoid potential contamination of the surface water quality downstream, and measures to avoid runoff from each staging and storage area shall be specified on Project plans. Petroleum products, concrete, asphalt or other coating materials, and other materials shall be prevented from entering surface waters.

Rationale: Alterations in the GPA/CE Project have been required that avoid or substantially lessen this impact. Implementation of the identified mitigation measures would avoid or substantially reduce the impact to less than significant because impacts to water quality would be reduced below significant levels as set forth in the County's

Watershed Protection Ordinance, Stormwater Standards Manual, Standard Urban Stormwater Mitigation Plan.

Impact GPA/CE-WQ-1b: With the implementation of the Circulation Element Amendment, Impact GPA/CE-WQ-1b, would cause potential long-term impacts from roadway operation that may impact water quality.

Mitigation Measure M- GPA/CE-WQ-1b: The mitigation measures specified in the FEIR have been imposed upon the GPA/CE Project as conditions of approval, requiring that permanent BMPs be incorporated into Project plans and specifications to reduce roadway drainage and storm water runoff velocities before entering, and within, drainages adjacent to the reconstructed roadway, including BMPs or other comparable storm water controls and filtering systems.

Rationale: Alterations in the GPA/CE Project have been required that avoid or substantially lessen this impact. Implementation of the identified mitigation measures would avoid or substantially reduce the impact to less than significant because impacts to water quality would be reduced below significant levels as set forth in the County's Watershed Protection Ordinance, Stormwater Standards Manual, Standard Urban Stormwater Mitigation Plan.

Impact GPA/CE-WQ-2: With the implementation of the Circulation Element Amendment, Impact GPA/CE-WQ-2, would cause an increase in impervious surfaces which may result in exceedance of stormwater drainage system capacity upon the completion of roadway improvements.

Mitigation Measure M- GPA/CE-WQ-2: The mitigation measures specified in the FEIR have been imposed upon the GPA/CE Project as conditions of approval, requiring that prior to implementation of the Circulation Element Amendment, recommendations of a drainage study be implemented to ensure that drainage structures are adequate to accommodate increased runoff from the Deer Springs Road right-of-way and to reduce flows to pre-construction conditions, in accordance with standards established by the County DPW.

Rationale: Alterations in the GPA/CE Project have been required that avoid or substantially lessen this impact. Implementation of the identified mitigation measure would reduce the impact to less than significant because impacts from increased runoff would be avoided by compliance with the County's Watershed Protection Ordinance, Stormwater Standards Manual, Standard Urban Stormwater Mitigation Plan.

4. <u>Aesthetics Impacts</u>.

Impact GPA/CE-AE-1: With the implementation of the Circulation Element Amendment, Impact GPA/CE-AE-1, would cause impacts to the intactness/unity and visual character for passing motorists due to the introduction of new manufactured cut-and-fill slopes, sound walls, the change in pavement width, the removal of existing mature vegetation, and the change in near views along Deer Springs Road, which would be considered significant.

Mitigation Measure M- GPA/CE-AE-1: The mitigation measures specified in the FEIR have been imposed upon the GPA/CE Project as conditions of approval, requiring that grading and landscaping design criteria retain the natural shape of the landform and reflect the topographic features of the terrain, which could include using variable slope gradients; staining of cut-slopes; blending slope contours with the natural topography; and using vegetation to alleviate sharp, angular slopes. The landscape will be designed to convey the character of the region and enhance the integration of the proposed road improvements into the existing environment.

Rationale: Alterations in the GPA/CE Project have been required that avoid or substantially lessen this impact. Implementation of the identified mitigation measures would reduce the impact to less than significant because it would minimize impacts through blending manufactured slopes with the existing topography, staining the exposed rock surfaces, and installing and maintaining appropriate landscaping, as required during review for future grading and/or improvement plans.

B. Pursuant to Section 15091(a)(2) of the State CEQA Guidelines, the County finds that, for each of the following significant effects identified in the FEIR, Mitigation Measures which would avoid or avoid or substantially lessen these significant effects are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. The Impacts and Mitigation Measures are stated fully in the FEIR. The following are brief descriptions of the Impacts and Mitigation Measures set forth in the FEIR and explanations of the rationale for this finding for each Impact.

1. <u>Transportation Circulation Impacts</u>.

Impact GPA/CE-TR-1: With the implementation of the Circulation Element Amendment, Impact GPA/CE-TR-1 would cause Twin Oaks Valley Road (Deer Springs Road to Buena Creek Road segment) to operate at LOS F at buildout, which would be considered significant.

Mitigation Measure M-GPA/CE-TR-1: The mitigation measure specified in the FEIR require that the County coordinate with the City regarding a general plan amendment to the City's Circulation Element to incorporate a reclassification of Twin Oaks Valley Road to accommodate planned land uses.

Rationale: Alterations in the GPA/CE Project have been required that avoid or substantially lessen Impact GPA/CE-TR-1. Implementation of the identified mitigation measures would avoid or substantially reduce the impact to less than significant by reclassifying the roadway to provide adequate capacity for planned land uses. The mitigation can and should be adopted by the City but its authorization is required to implement the mitigation measures. As a result, this mitigation measure is currently not feasible because it is within the City's jurisdiction.

C. Pursuant to Section 15091(a)(3) of the State CEQA Guidelines, the County finds that, for each of the following significant effects and Project alternatives as identified in the FEIR,

specific economic, legal, social, technological, or other considerations make the mitigation measures or Project alternatives infeasible:

1. **Air Quality Impacts**.

Impact GPA/CE-AQ-1: With the implementation of the Circulation Element Amendment, Impact GPA/CE-AQ-1 from construction activities for widening Deer Springs Road to the ultimate six-lane designation would result in emissions associated with particulate matter from fugitive dust and diesel engine exhaust to exceed screening level thresholds.

Mitigation Measure M- GPA/CE-AQ-1: As discussed in Section 9.2.1.5 of the FEIR, even with implementation of the described mitigation measure, to adhere to all San Diego County APCD rules and regulations, the impacts would likely remain significant and unavoidable.

Rationale: The mitigation measure specified in the FEIR which has been imposed upon the GPA/CE Project as a condition of approval do not avoid or reduce the impact to less than significant because emissions would likely exceed applicable standards, given the non-attainment status for certain criteria pollutants within the San Diego air basin. Therefore, the impacts are expected to remain significant and unavoidable despite mitigation, but the unavoidable impact is overridden by the benefits of the GPA/CE Project, as set forth in the statement of overriding considerations.

2. **Noise Impacts**.

Impact GPA/CE-NOI-1: With the implementation of the Circulation Element Amendment, Impact GPA/CE-NOI-1 would cause impacts resulting from the exposure of sensitive receptors to exterior noise levels in excess of 60 dB CNEL.

Mitigation Measure M- GPA/CE-NOI-1: This impact is partially mitigated through compliance with the Noise Element of the General Plan, which may include construction of sound walls and/or berms. However, despite mitigation, the impact would remain significant.

Rationale: The mitigation measure that has been imposed upon the GPA/CE Project as a condition of approval does not avoid or reduce the impact to less than significant and noise is likely to exceed applicable standards. However as discussed in Section 9.2.2.5 of the FEIR, even with implementation of the described mitigation measures, the impacts would remain significant and unavoidable because it is unclear whether exterior noise levels could be feasibly reduced to below 60dB since noise analysis requires detailed plan and profile information and this level of information for the most part is not available for the proposed General Plan Amendment. Therefore, despite mitigation, the noise impact would remain significant and unavoidable, but the unavoidable impact is overridden by the benefits of the GPA/CE Project as set forth in the statement of overriding considerations.

Impact GPA/CE-NOI-2: With the implementation of the Circulation Element Amendment, Impact GPA/CE-NOI-2 would cause impacts resulting from noise generated by construction activities associated with roadway widening. Construction of Deer Springs Road may qualify for a Noise Ordinance Variance for exceedance of construction noise standards.

Mitigation Measure M- GPA/CE-NOI-2: This impact is partially mitigated through compliance with the County's Noise Ordinance, which may include construction of temporary sound walls, limiting the hours of construction operations, and maintaining the mufflers on construction equipment. However, despite mitigation, the impact could remain significant.

Rationale: The mitigation measure that has been imposed upon the GPA/CE Project as a condition of approval does not avoid or reduce the impact to less than significant and noise is likely to exceed applicable standards. However, as discussed in Section 9.2.2.5 of the FEIR, even with implementation of the described mitigation measures, the impacts would remain significant and unavoidable because the measures would not be able to reduce the resulting noise impacts below significant levels, and there are no feasible mitigation measures or alternatives. Therefore, the impacts are expected to remain significant and unavoidable despite mitigation, but the unavoidable impact is overridden by the benefits of the Project as set forth in the statement of overriding considerations.

3. **Cultural Resources Impacts**.

Impact GPA/CE-CR-1: With the implementation of the Circulation Element Amendment, Impact GPA/CE-CR-1 would cause significant impacts resulting from direct impacts to a portion of site CA-SDI-4558, which may contain human remains, due to improvements to Deer Springs Road.

Mitigation Measure M- GPA/CE-CR-1: This impact is partially mitigated by index sampling, data recovery, and curation of any cultural resources excavated or removed during grading and construction, preservation and management of the remaining portion of the site by fencing and clean fill capping of all areas designated as environmentally sensitive during construction and placing the significant site in an open space easement as described in the FEIR. However, despite mitigation, the impact would remain significant and unavoidable because portions of the site would be impacted during roadway improvements. .

Rationale: The mitigation measures that have been imposed upon the Project as conditions of approval do not avoid or reduce the impact to less than significant and additional mitigation through avoidance is infeasible because "historical sites" would be directly impacted, and there are no feasible avoidance measures or alternatives. Therefore, the impacts will remain significant and unavoidable despite mitigation, but the unavoidable impact is overridden by the benefits of the Project as set forth in the statement of overriding considerations.

Impact GPA/CE-CR-3: With the implementation of the Circulation Element Amendment, Impact GPA/CE-CR-3 would cause significant impacts resulting from direct impacts to a portion of site CA-SDI-9822, which may contain human remains, due to improvements to Deer Springs Road.

Mitigation Measure M- GPA/CE-CR-3: This impact is partially mitigated by index sampling, data recovery, and curation of any cultural resources excavated or removed during grading and construction, preservation and management of the remaining portion of the site by fencing and clean fill capping of all areas designated as environmentally sensitive during construction and placing the significant site in an open space easement as described in the FEIR. However, despite mitigation, the impact would remain significant and unavoidable because portions of the site would be impacted during roadway improvements.

Rationale: The mitigation measures that have been imposed upon the Project as conditions of approval do not avoid or reduce the impact to less than significant and additional mitigation through avoidance is infeasible because "historical sites" would be directly impacted, and there are no feasible avoidance measures or alternatives. Therefore, the impacts will remain significant and unavoidable despite mitigation, but the unavoidable impact is overridden by the benefits of the Project as set forth in the statement of overriding considerations.

DRAFT HABITAT LOSS PERMIT INCLUDING 4(d) FINDINGS

PLEASE NOTE THAT A FORMAL APPLICATION FOR A HABITAT LOSS PERMIT HAS NOT BEEN FILED AT THIS TIME. THE FOLLOWING IS A DRAFT FORM OF DECISION FOR A HABITAT LOSS PERMIT SHOWING THE FORMAT AND POSSIBLE CONDITIONS FOR A FUTURE HABITAT LOSS PERMIT. BECAUSE A FORMAL APPLICATION HAS NOT BEEN FILED, CERTAIN DATES, FINDINGS AND OTHER INFORMATION IS ABSENT FROM THE DRAFT FORM OF DECISION, THIS INFORMATION WILL BE INCLUDED IN THE FINAL FORM OF DECISION.

Draft date: October 9, 2009

Stonegate, Merriam Mountains LLC
Joseph Perring
27071 Cabot Road, Suite 106
Laguna Hills, CA 92653

APPLICATION NUMBER: HLP xx-xxx, ER04-08-028x

ASSOCIATED PERMIT(S): GPA04-06; SP04-006, R04-013, TM5381, S04-035, ER04-08-028

NAME OF APPLICANT: Stonegate Merriam, LLC

DESCRIPTION/LOCATION OF LOSS:

This document presents findings required for the issuance of a Habitat Loss Permit under the Endangered Species Act Section 4(d) rule for the California gnatcatcher (*Polioptila californica*). The action being addressed within these findings is the removal of coastal sage scrub associated with the Merriam Mountains project within the County of San Diego. The project will impact 23.1 acres of coastal sage scrub (CSS) onsite and one pair of California gnatcatcher onsite. An additional 6.0 acres of CSS will be impacted offsite as a result of road improvements, for a total of 29.1 acres of CSS impact.

The project is located on 2,327 acres in the north of the City of Escondido in the unincorporated area of San Diego County. It is in the North County Metropolitan Subarea, generally bound on the east by I-15, on the south by Deer Springs Road, on the west by Twin Oaks Valley Road, and by agriculture and estate development to the north with Gopher Canyon Road located approximately one-half mile north of the site). Thomas Brothers Coordinates: Page1088, Grid J/3.

The proposed project would result in 2,700 dwelling units and 10.1 acres of commercial use. The proposed project would directly impact about 598 acres (including graded slopes, various fuel treatment areas, off-site road and utility improvements, semi-isolated undeveloped open space areas and a natural park for residents. An additional

537 acres (about 23% of the site) would be impacted by graduated fuel breaks and project natural parkland. Overall, a total of 1,135 acres would be impacted and 1,192 acres would be preserved on the 2,327 acre site. Off-site improvements will impact an additional 73 total acres.

Elevation of the site ranges from approximately 680 feet along Twin Oaks Valley Road in the west-central portion of the site to 1,752 ft at the highest of the central mountain tops. The site is characterized by rocky peaks and minor drainages. It is undeveloped with 92 percent of the site being old growth chaparral. Coastal sage scrub is found primarily on the southeastern portion with small patches in the interior of the site mostly associated with prior disturbance. Several state and federal jurisdictional drainages are found on site draining from the onsite ridge tops to South Fork Moosa Creek and South Fork Gopher Creek.

The southern portion of the site is proposed for development, with 1192 acres in the northern portion being preserved and managed as biological open space. The site is within a block of mostly medium habitat value habitat with portions being high and very high habitat value as indicated by the County Habitat Evaluation Map (2004). The affected CSS is not within federally designated critical habitat for the California gnatcatcher (2000).

About half of the 28.6 acres of CSS is within one patch within what is known as the I-15 ladder. The rest is considerably more fragmented and associated with Deer Springs Road improvements and previously disturbed chaparral areas in the project's interior. Pacific Southwest Biological Services evaluated the biological resources on the property in a biological technical report (PSBS, 2007). A protocol survey for the California gnatcatcher (*Polioptila californica californica*) was completed in 2004. One pair was detected during the survey. Therefore, the site is considered "occupied" by California gnatcatcher. A Biological Resources Memorandum (Hayworth 2009) was prepared to address project changes, including the revised alignment along Deer Springs Road and additional off-site improvements that have arisen since preparation of the 2007 PSBS Biological Technical Report.

Three relatively low sensitivity plants occur on the site: Summer-Holly (*Comarostaphylos diversifolia* ssp. *diversifolia*), Ramona Horkelia (*Horkelia truncata*) and Engelmann Oak (*Quercus engelmannii*). Numbers of and types of sensitive fauna on the Merriam site are somewhat limited given the large size of the site; this is probably a result of the relatively low habitat diversity (see above). Identified sensitive fauna includes the following: Northern Red-diamond Rattlesnake (*Crotalus ruber ruber*), San Diego Horned Lizard (*Phrynosoma coronatum blainvillei*), Belding's Orange-throated Whiptail (*Aspidoscelis hyperythrus beldingi*), Cooper's Hawk (*Accipiter cooperi*), a single pair of Coastal California Gnatcatchers (*Polioptila californica californica*) and San Diego Desert Woodrat (*Neotoma lepida intermedia*). There are historical records or undocumented reports of additional sensitive species on the site, including Burrowing Owl (*Athene cunicularia*), Golden Eagle (*Aquila chrysaetos*) and Mountain Lion (*Felis* (*Puma*) *concolor*); neither of these two species appears to still

utilize the site. Additionally California Thrasher (*Toxostoma redivivum*), a common chaparral species in San Diego County, occurs on the site and is on the National Audubon Society's Yellow List of species to watch. The Southern Mule Deer (*Odocoileus hemionus*), an important indicator of habitat health, may occur occasionally in limited numbers. Their underutilization of the site is likely because of the prevalence of very dense chaparral (no recent sign of this species was detected during the surveys, although very old droppings were observed).

The NCCP Flowchart indicates the CSS habitat is "Intermediate Value for Long-Term Conservation." At the required 2:1 mitigation ratio for this impact, the total required mitigation is 58.2 acres of occupied CSS, with 5.5 acres being preserved onsite and 52.7 acres would either be mitigated offsite or by habitat creation.

Impacts to state and federal jurisdictional wetlands will require state and federal permits and mitigation either on- or offsite at a ratio of 3:1 that includes a minimum 1:1 wetland creation component. Other habitat impacts will be mitigated as follows:

Vegetation Type	Existing (on site)	Total Impact (on site + off site)	Mitigation Ratio	Required Mitigation Prior to Preservation On Site	Preserved On Site	Remaining Mitigation Requirement[E]
Disturbed habitat	27.3	6.7	0	0.0	25.2	0.0
Urban/developed	13.0	43	0	0.0	0.0	0.0
Orchard	2.4	2.5	0	0.0	1.0	0.0
Intensive agriculture	4.9	9.6	0	0.0	0.0	0.0
Eucalyptus woodland	1.5	2.8	0	0.0	0.0	0.0
Diegan coastal sage scrub[A]	28.6	29.1	2	58.2	5.5	52.7
Granitic southern mixed chaparral	2,156.6	1,084.5	0.5	542.3	1,091.6	---549.4
Mafic S-mixed chaparral	57.4	3.2	3	9.6	57.4	—47.8
Non-native grassland	23.2	21.5	0.5	10.8	3.7	7.1
Freshwater marsh	0.1	0	3	0.0	N/A	0.0
Southern coast live oak riparian forest	2.3	1.3	3	3.9	N/A	3.9
Sycamore alluvial woodland	1.6	0	3	0.0	N/A	0.0
Southern willow scrub/mulefat scrub	0.3	0.3	3	0.9	N/A	0.9
Mulefat scrub	0.2	0.2	3	0.6	N/A	0.6
Southern willow scrub	2.6	0.4	3	1.2	N/A	1.2
Southern willow scrub/tamarisk scrub	0.6	0	3	0.0	N/A	0.0
Coast live oak woodland	4.2	2.7	3	8.1	1.9	6.2
Non-vegetated channel	0.0	0.5	1	0.5	0.0	0.5
Non-vegetated wetlands	0.2	0.1	3	0.3	N/A	0.3
TOTALS	2,327	1,205.3	N/A	N/A	1,192	

[A] Includes Coast Sage Scrub–Chaparral Scrub and Disturbed CSS–CS
Negative numbers mean no off-site mitigation necessary
Mitigation may include purchase of credits, off-site purchase and management, and/or revegetation

In addition to onsite dedication of open space, revegetation of habitats, and purchase of offsite habitat, biological mitigation includes dedication of adequate limited building

zones easements (based upon fire modeling) placed adjacent to open space and project boundaries. It also includes temporary and permanent fencing, open space signs, construction limitations to avoid take of gnatcatchers, raptors, and migratory birds and construction monitoring for impacts to wetland areas, and finally, development and implementation of a resource management plan are required for stewardship and monitoring of biological resources preserved in the dedicated conservation/open space easement.

The project footprint was the subject of a hardline agreement with the wildlife agencies for the draft North County Multiple Species Conservation Program (MSCP). The project footprint has minimized impacts to the core habitat with the greatest potential for connectivity to the west and north. The project was discussed at the Agency Batching Meeting and the Wildlife Agencies and DPLU met on the site several times to discuss the project and draft North County Multiple Species Conservation Program (NSMSCP) issues in 2004 and 2005.

DECISION:

The Director of Planning and Land Use has approved your application for a HABITAT LOSS PERMIT. This Habitat Loss Permit approval does not become final until both the United States Fish and Wildlife Service (USFWS) and the California Department of Fish and Game (CDFG) concur with the Director's approval, by the either of the following:

1. Concurrence implied by allowing a 30-day period, initiated by their receipt of this decision, to lapse without presenting written notification to the County that the decision is inconsistent with the Southern California Coastal Sage Scrub (CSS) Natural Community Conservation Planning (NCCP) Process Guidelines (CDFG, November 1993) or any approved subregional mitigation guidelines; or

2. Granting concurrence through written notification to the County prior to the conclusion of the 30-day period, initiated by their receipt of this decision, that the project is consistent with the Southern California CSS NCCP Process Guidelines or any approved subregional mitigation guidelines.

Pending the issuance of an associated Grading Permit, Clearing Permit or Improvement Plan from the County of San Diego, this Habitat Loss Permit allows for the loss of the above-described coastal sage scrub habitat (see attached Habitat Loss Exhibit) and incidental take of the California gnatcatcher for a period of one calendar year commencing the day concurrence is given by both the USFWS and CDFG. If the loss of habitat, as authorized by this Habitat Loss Permit, has not occurred within this one-year period, this Habitat Loss Permit and the authorization for the loss of coastal sage scrub habitat expire.

This Habitat Loss Permit cannot be relied upon for the clearing, grading or removal of any vegetation until a valid Grading Permit, Clearing Permit or Improvement Plan has been issued from the County of San Diego authorizing such vegetation removal.

Furthermore, use and reliance upon this Habitat Loss Permit cannot occur until all of the requirements as specified within the "Conditions of Approval" section of this permit have been satisfied.

CONDITIONS OF APPROVAL:

I. Prior to approval of grading permits or improvement plans for applicable units or phases, and prior to approval of the Final Map for applicable units or phases of grading, the applicant shall:

A. Grant to the County of San Diego and the California Department of Fish and Game an open space easement, or grant to the California Department of Fish and Game a conservation easement, as shown on the approved Tentative Map on file with the Department of Planning and Land Use as Environmental Review Number Log # 04-08-028. 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 sole 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.
2. Activities conducted pursuant to a revegetation or habitat management plan approved by the Director of Planning and Land Use or the Director of Public Works.
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. Maintenance and construction of private and public drainage facilities to the extent approved or required by written order of the Director of Public Works for the express purpose of reducing an identified flooding or drainage hazard. All maintenance of drainage facilities pursuant to this exception shall not be initiated until all applicable federal, state and local permits (e.g., California Section 1600 Streambed Alteration Agreement, County Watercourse Permit) have been obtained.Passive recreation limited to hiking and equestrian trails

and associated staging and overlook areas.6. Improvement, use and maintenance of public facilities located within dedicated easements as shown on the approved Tentative Map.

* This condition satisfies mitigation in the amounts of 5.5 acres of CSS, 542.3 acres of southern mixed chaparral, 9.6 acres of mafic chaparral, 3.7 acres of non-native grassland, and 1.9 acres of coast live oak woodland.

B. Grant to the County of San Diego a Limited Building Zone Easement as shown on the Tentative Map on file with the Department of Planning and Land Use as Environmental Review Number Log # 04-08-028. 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. The easement prohibits the construction or placement of any structure designed or intended for occupancy by humans or animals.

C. Provide evidence to the satisfaction of the Director of Planning and Land Use that a Clean Water Act, Section 401/404 permit has been 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 or provide evidence that such permit is not required.

D. Provide evidence to the satisfaction of the Director of Planning and Land Use that a Streambed Alteration Agreement has been issued by the California Department of Fish and Game for all project related disturbances of any streambed or provide evidence that such an agreement is not required.

E. Provide evidence to the satisfaction of the Director of Planning and Land Use that a contract with a biological construction monitor has been executed to perform the following duties: be onsite weekly during vegetation clearing, grubbing, and grading, when these activities are within 300 feet of biological open space or offsite native vegetation to ensure that all habitat protection measures are in place including fencing and erosion control measures adjacent to preserved areas, and report deficiencies immediately to the DPW Construction Inspector; periodically monitor the work area for excessive dust generation; train contractors, and construction personnel, including the purpose for resource protection, a description of the gnatcatcher and its habitat, and the conservation measures that should be implemented during project construction; review all landscape plans to ensure landscaping has avoided the use of plants that require intensive irrigation, fertilizers or pesticides, invasive, and non-native plants; halt work when deficiencies require mediation, and notify DPW Construction Inspector within 24 hours if it is necessary to halt work; produce weekly reports to keep at the project site; produce a final report at the completion of each phase or unit and submit to the Director of the DPLU; confer with the Wildlife Agencies within 24 hours any time protected habitat or endangered species are being affected by construction; determine if nesting migratory birds

will be affected by clearing and grading and direct construction activities away from nesting areas; and be responsible for notification and oversee remediation if impacts to preserved habitat should occur.

F. Provide for the approval of the Director of Planning and Land Use evidence that (1) 52.7 acres of coastal sage scrub that is occupied by California gnatcatcher; (2) 7.1 acres of non-native grassland; (3) 3.9 acres of southern coast live oak riparian forest (creation/enhancement); (4) 0.9 acre of southern willow scrub/mule fat scrub (creation/enhancement); (5) 0.6 acre of mule-fat scrub(creation/enhancement); (6) 1.2 acres of southern willow scrub (creation/enhancement); (7) 6.2 acres of coast life oak woodland; and (8) 0.8 acre of non-vegetated wetland habitat credit has been secured in one or more of the three following ways:

1. Credits have been purchased in mitigation bank approved by the California Department of Fish & Game, located in the vicinity of the project. Evidence of purchase shall include the following information to be provided by the mitigation bank:

    a. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.

    b. 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.

    c. 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.

    d. 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.

-AND/OR-

2. Land has been purchased, preserved, and managed in the vicinity of the project. A Resource Management Plan (RMP) for the land must be submitted and approved by the Director of the Department of Planning and Land Use. An open space easement over the acquired habitat must be dedicated to the County of San Diego prior to or immediately following the approval of the RMP. Alternatively, proof that a federal, state or local government agency with the primary mission of resource management has taken fee title to the land may be accepted in lieu of an easement.

-AND/OR-

3. Restore and revegetate land as shown in the Conceptual Uplands and Wetlands Revegetation Plans (Log # 04-08-028; FEIR, Appendix X) as follows: (1) Submit to and receive approval from the Director of the Department of Planning and Land Use a Revegetation Plan. The

Revegetation Plan shall include (but not be limited to) the following to ensure the establishment of the vegetation: objectives, 24"x 36" map showing the revegetation areas, site preparation information, type of planting materials (e.g. species ratios, source, size material, etc.), planting program, 80 percent success criteria, 5-year monitoring plan and detailed cost estimate. The cost estimate shall include planting, plant materials, irrigation, maintenance, monitoring and report preparation. The report shall be prepared by a County approved biologist and a State of California Licensed Landscape Architect.; (2) Enter into a Secured Agreement with the County of San Diego Department of Planning and Land Use consisting of a letter of credit, bond, or cash for 100 percent of the estimated costs associated with the implementation of the Revegetation Plan and a 10 percent cash deposit not to exceed $30,000. A cost estimate based on a 3% annual inflation rate shall be submitted and approved by the Director of Planning and Land Use 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 five year period, and report preparation and staff time to review. This agreement is intended to guarantee commitment to project completion and success. The monitoring time and the length of time the Secured Agreement and cash deposit will be in effect starts at the time the installation is accepted by a County staff representative. The Secured Agreement and cash deposit shall be released upon completion of the Revegetation Plan implementation provided the installed vegetation is in a healthy condition and meets the approved success criteria.

G. Submit and have approved by the DPLU, a Resource Management Plan (RMP) for the perpetual management of the project's open space consistent with the approved Resource Protection Plan (RPP) for the project on file with the Department of Planning and Land Use as Environmental Review Number Log # 04-08-028. The RMP shall include a contract, or other legal agreement, between the County and the project applicant to provide assurance of future compliance.

II. The following specific notes shall be placed on any of the following plans: grading, and or improvement plans, and or building plans:

A "Prior to the conclusion of grading activities and Final Grading Release placement of permanent fencing/walls and open space signage is required as follows:

1. The grading, and or improvement plans, and/or building plans shall show permanent fences/walls along the open space easement/development boundaries. The fence/wall shall be continuous and at least 4-feet high and have a minimum construction of three strand round wire.
2. All open space fences/walls shall have open space signs at 100-feet intervals. The signs must be corrosion resistant, a minimum of 6" x 9" in size, not less than 3- feet in height from the ground surface, and state the

following: Sensitive Environmental Resources; Disturbance Beyond this Point is Restricted by Easement; Information: Contact County of San Diego, Department of Planning and Land Use; Ref: Log #04-08-028;

3. Provide evidence to the satisfaction of the Director of Planning and Land Use, evidence that the 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 according to the direction given above."

B. "Prior to the commencement of grading activities conspicuous temporary fences shall be in place to protect natural resources when any clearing, grading, or construction is within 100 feet of Biological Open Space or offsite natural vegetation, as follows:.

1. The grading, and or improvement plans, and or building plans shall show the location of temporary fences to protect the Biological Open Space boundary and to protect specific biological resources as required by the Biological Construction Monitor.
2. The temporary fencing shall be removed after the conclusion of such activity."

C. "If clearing and grubbing is scheduled to occur during the avian nesting season (January 15 to August 31) a biological survey for nesting bird species must be conducted within the proposed impact area no more than 72 hours prior to clearing activities. A letter documenting the results of the breeding bird survey will be submitted to the Director of DPLU. If clearing activities stop for more than 7 days during this season, supplemental surveys shall be done to establish whether additional nesting areas are present. These surveys are necessary to assure avoidance of impacts to nesting sensitive bird species and/or birds protected by the federal Migratory Bird Treaty Act. If any active nests are detected, the area shall be avoided, including a minimum of a 25-foot buffer for migratory birds, 300 feet for sensitive songbirds, and 500 feet for tree-nesting raptors as determined by the project biologist. The area shall be flagged and mapped on the construction plans and will be avoided until the nesting cycle is complete."

D. "In order to avoid impacts to nesting California gnatcatcher, brushing, clearing and/or grading shall be prohibited during the breeding season of the California gnatcatcher (February 15 to August 31st) within 300 feet of Coastal Sage Scrub habitat. The Director of DPLU may waive this condition through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Game, that no California gnatcatchers are present in the vicinity of brushing, clearing, and/or grading."

E. "At a minimum, the biological monitor shall be onsite weekly during vegetation clearing, grubbing, and grading, and daily during rain events, when construction

activities are within 300 feet of Biological Open Space or offsite native vegetation to ensure that all habitat protection measures are in place;

ENVIRONMENTAL FINDINGS:

A. CEQA Findings

To be provided

B. FINDINGS MADE IN SUPPORT OF THE ISSUANCE OF THE HABITAT LOSS PERMIT:

The following findings are made based upon all of the documents contained in the record for this project and pursuant to Section 86.104 of County of San Diego Ordinance No. 8365 (N.S.) and Section 4.2.g of the CSS NCCP Process Guidelines (CDFG, November 1993):

Finding 1.a: The habitat loss does not exceed the five percent guideline.

The Merriam Mountains project will permanently impact 29.1 acres of coastal sage scrub (CSS) and one pair of California gnatcatcher (*Polioptia californica*). Approved CSS losses, as of the date of February 26, 2007 including this approval for the entire unincorporated County outside the MSCP, are presented in the following table:

Unincorporated Area CSS Cumulative Losses

Total loss allowed under five percent guideline:	2,953.3 acres
Cumulative loss of coastal sage scrub to date:	1,114.0 acres
Net loss due to this project:	29.1 acres
Total cumulative loss:	1,143.1 acres
Remaining loss under five percent guideline:	1,810.2 acres

The loss would not exceed the five percent guideline.

Finding 1.b: The habitat loss will not preclude connectivity between areas of high habitat values.

The project site contains about 28.6 acres of Diegan CSS, which occurs in five patches on the site in widely-spaced areas. The largest patch is about 18 acres and is occupied by one pair of Coastal California Gnatcatchers. This patch is connected to other patches along the I-15 corridor by an archipelago of habitat patches which form a kind of CSS "ladder" from core habitat along the San Luis Rey River to the project at the southern end of the ladder. Archipelago patches to the east lead to the Daley Ranch core in the city of Escondido.

The project is bound with tree crop agriculture to the south and the north and estate residential and intensive agriculture to the west. Better CSS connectivity is found on the eastern side of the I-15, through the Welk development. The onsite CSS is contiguous to a linear area of CSS along about 3,000 feet of CSS in the I-15 right of way. With project implementation, the offsite CSS would continue to provide habitat along this 3,000 feet of I-15 right-of-way, although future Caltrans' improvements should be expected.

Based on the design of the project which proposes clustering of development in the southern portion and least sensitive portion of the site, two patches totaling about 9.9 acres of CSS (35 percent) would be preserved. The project also proposes to revegetate a portion of the disturbed open space with Diegan CSS. The habitat loss of three patches of relatively isolated Diegan CSS would not preclude the existing connectivity along the 1-15 "ladder" or between areas of high habitat value. The 18 acre patch along the I-15 is the southern most part of the ladder before it enters agricultural and urban portions of Escondido.

Additionally, the project proposes to preserve and maintain an off site area of Coastal Sage Scrub, occupied by California Gnatcatchers, which would directly provide for the long-term conservation of gnatcatcher habitat along the I-15 CSS ladder in North San Diego County.

For the reasons stated above, the habitat loss will not preclude connectivity between areas of high habitat values

Finding 1.c: The habitat loss will not preclude or prevent the preparation of the subregional NCCP.

The site is in the main portion of a block of generally medium value habitat with areas of high value habitat as indicated in the Habitat Evaluation Map for the draft NCMSCP. One area of high value habitat would be impacted but this area is an historic raptor nest that is no longer viable. As stated above, the site is surrounded by agricultural land to the north, west and south, with I-15 to the east. By clustering development in the southern half of the site and preserving an important core habitat in the northern half of the site in a managed habitat preserve, the future subregional NCCP is greatly enhanced.

The small cluster of estate homes proposed for the extreme north-east corner of the site is adjacent to other estate homes along the existing access road. This development would not preclude or prevent the subregional NCCP.

The development footprint was conceptually accepted by the wildlife agencies in a hardline agreement for the draft North County MSCP. A 1,192 acre habitat preserve would connect by a broad band of ownership (more than one-half mile) across Twin Oaks Valley Road to the San Marcos Mountains with very high and high-value habitats on the Habitat Evaluation Map of the draft NCMSCP. Additionally, the project maintains

about 80% of its existing frontage along the I-15 corridor when the fire fuel management areas are included.

For the above reasons, the finding that the habitat loss will not preclude or prevent the preparation of the subregional NCCP can be made for the project.

Finding 1.d: The habitat loss has been minimized and mitigated to the maximum extent practicable in accordance with Section 4.3 of the NCCP Process Guidelines.

The project incorporates a specific plan in order to reduce sprawl and maximize the surface area to perimeter ratio of the proposed open space. The project footprint and associated infrastructure impacts have been revised to minimize biological impacts by clustering the development, modifying the road alignments and pulling development back from the majority of the northern half of the site. In accordance with the Final Environmental Impact Report, the project's habitat impacts have been mitigated to less than significant levels by preservation and management of high value habitat at the following ratios: 2:1 for Diegan Coastal Sage Scrub, 0.5:1 for Granitic Southern Mixed Chaparral, 0.5:1 for Non-native Grassland, and 3:1 for Southern Willow Scrub/Mule-fat Scrub, Mule-fat Scrub, Southern Willow Scrub, and Coast Live Oak Woodland. All mitigation lands are to be placed in dedicated open space easements. The designated open space restricts development in adjacent habitat that is critical to the implementation of the draft NCMSCP and for survival of sensitive species. The entire on-site preserved habitat is within an area that has long-term conservation potential, expected long term viability and connectivity along the Interstate 15 corridor and the San Marcos Mountains.

In addition to dedication and designation of open space, the HLP would require that the following activities occur prior to removal of habitat:

- The Department of Fish and Game will be offered beneficiary status /for dedicated open space easements,
- A limited building zone easement will be placed adjacent to open space and project boundaries,
- Temporary and permanent fencing with open space signs will be located on the open space boundary facing all proposed development and along trails,
- Brushing, clearing, and/or grading will be restricted within 300 feet of natural habitat types during the breeding of the gnatcatcher and other migratory birds, such that no impacts to nesting migratory birds will occur.
- Specific sediment control measures and monitoring will be required for construction in stream bed watersheds, and
- Implementation of a Resource Management Plan, approved by the Director of Planning and Land Use and the Wildlife Agencies, for the preservation and management of the on-site open space easements is required. The plan will define activities for stewardship of the land and monitoring of biological

resources. A Property Analysis Record (PAR) or equivalent cost projection to ensure a sufficient endowment and designation of a conservancy or agency to management the land in perpetuity is required.

For the above reasons, the finding that the habitat loss has been minimized and mitigated to the maximum extent practicable can be made for the project.

Finding 2: The habitat loss will not appreciably reduce the likelihood of survival and recovery of listed species in the wild.

The loss of 29.1 acres both onsite and offsite of Diegan Coastal Sage Scrub, some of which is occupied by a single pair of California gnatcatchers, will not appreciably reduce the likelihood of survival and recovery of the California gnatcatcher because the project compensates for this loss of occupied habitat by purchasing and maintaining the Captain's Associates property located in the I-15 corridor about one mile north of the project. This property is occupied by at least one pair of California gnatcatcher. Additionally, other areas adjacent to the project site, within the I-15 right of way and historically occupied by Gnatcatchers, would be buffered from any project effects an would continue to support the species.

As a precaution, no clearing or grading of scrub habitats will be permitted during the breeding season of the California Gnatcatcher, unless pre-construction breeding surveys are done that show gnatcatchers would not be harmed.

Approximately 7.1 acres of Army Corps of Engineers jurisdiction and approximately 7.3 acres under California Department of Fish and Game jurisdiction would be impacted by the project. Appropriate permits would be obtained prior to any habitat disturbance associated with the approval of the associated grading permit. Therefore, there will be an added layer of protection for potential listed species associated with jurisdictional wetlands.

The site also supports several low sensitivity plants and animals, including Summer-Holly, Ramona Horkelia and Engelmann Oak and Northern Red-diamond Rattlesnake, San Diego Horned Lizard, Belding's Orange-throated Whiptail, Cooper's Hawk, and San Diego Desert Woodrat. After project implementation, populations of these species would be reduced commensurate with the loss of habitat. However, these species are relatively widespread in southern California, and particularly in the northern foothills of San Diego County and their regional populations would not be imperiled by implementation of the project. The project would not appreciably reduce these species because of the project's habitat preservation and management of the 1,192 acres placed in biological open space easements onsite, creation and enhancement of degraded habitats in the preserve area, maintaining most of the natural elements in the fire fuel management lands on the site (537 acres), and the requirement to purchase and preserve off-site habitats which would compensate for direct impacts to some habitats.

In summary, although direct impacts would occur to Diegan Coastal Sage Scrub, this impact would be compensated for by purchase and maintenance of sage scrub habitat occupied by California Gnatcatchers in the I-15 corridor, ensuring that the species can persist in the corridor. Conformance to the federal Endangered Species Act is expected to occur through the application for and approval of a Habitat Loss Permit for the habitat take. Impacts to Southern Mixed Chaparral would be mitigated by an equal or greater preservation of this habitat onsite in a well-configured managed habitat preserve in the northern half of the project site; this preserve maintains existing habitat linkages with the I-15 frontage, open areas to the north, and to the San Marcos Mountains to the west.

For all the above species, indirect impacts will also be mitigated by implementation of a Resource Management Plan and construction limitations, including breeding season avoidance, fencing, and monitoring.

In addition to dedication and designation of open space, the HLP would require that the following activities occur for the benefit of survival and recovery of listed species in the wild prior to removal of habitat:

- The Department of Fish and Game will be offered beneficiary status /for dedicated open space easements,
- A limited building zone easement will be placed adjacent to open space and project boundaries,
- Temporary and permanent fencing with open space signs will be located on the open space boundary facing all proposed development and along trails,
- Brushing, clearing, and/or grading will be restricted within 300 feet of natural habitat types during the breeding of the gnatcatcher and other migratory birds, such that no impacts to nesting migratory birds will occur.
- Specific sediment control measures and monitoring will be required for construction in stream bed watersheds, and
- Implementation of a Resource Management Plan, approved by the Director of Planning and Land Use and the Wildlife Agencies, for the preservation and management of the on-site open space easements is required. The plan will define activities for stewardship of the land and monitoring of biological resources. A Property Analysis Record (PAR) or equivalent cost projection to ensure a sufficient endowment and designation of a conservancy or agency to management the land in perpetuity is required.

Considering all of the above, the finding that the habitat loss will not appreciably reduce the likelihood of survival and recovery of listed species in the wild can be made for the project.

Finding 3: The habitat loss is incidental to otherwise lawful activities.

Habitat removal will require additional discretionary approvals by the County and wildlife agencies. Habitat removal will not commence until:

- All appropriate grading permits, improvement plans, and/or clearing permits have been issued.
- Project conformance with Section 86.104 of the San Diego County Code, including issuance of a Habitat Loss Permit by the County of San Diego and concurrence by the Department of Fish and Game and U.S. Fish and Wildlife Service has been completed.
- Take authorization under the federal and state Endangered Species Acts has been granted.

Because no removal of habitat would occur prior to the approval and issuance of all necessary permits, the habitat loss would be incidental to otherwise lawful activities.

NCCP Flowchart

1. Natural land: Is natural vegetation present? Yes.

2. CSS: Is CSS present? Yes.

3. Large size: Is the CSS the most dense CSS in the subregion? No, based on 50% cover within 1 mile radius.

4. Proximity: Is the land close to High Value District? Yes, the I-15 gnatcatcher corridor.

5. Landscape linkages: Is the land located in a corridor between Higher Value Habitats? No, urban lands of Escondido are found to the south.

6. Species presence: Does the land support high density of target species? No. Does the land support significant populations of highly endemic species or rare sub-habitat types? No.

In consideration of the above flowchart, the project is of Intermediate Value for long-term conservation; a 2:1 mitigation ratio is appropriate.

MITIGATION MONITORING AND REPORTING PROGRAM:

The following shall be the Mitigation Monitoring or Reporting Program for this Habitat Loss Permit:

Public Resources Code Section 21081.6 requires the County to adopt a mitigation reporting or monitoring program for any project that is approved on the basis of a mitigated Negative Declaration or an Environmental Impact Report for which findings are required under Section 21081(a)(1). The program must be adopted for the changes to a project which the County has adopted, or made a condition of project approval, in order to mitigate or avoid significant effects on the environment. The program must be designed to ensure compliance during project implementation.

The mitigation monitoring program is comprised of all the environmental mitigation measures adopted for the project. The full requirements of the program (such as what is being monitored, method and frequency, who is responsible, and required time frames) are found within the individual project conditions. These conditions are referenced below by category under the mechanism which will be used to ensure compliance during project implementation.

- Subsequent Project Permits

  Compliance with the following conditions is assured because specified subsequent permits or approvals required for this project will not be approved until the conditions have been satisfied: **I A, B, C, D, E, F, and G.**

- Ongoing Mitigation

  Compliance with the following conditions is assured because County staff will monitor the on-going requirements and, if necessary pursue the remedies specified in the project permit, the security agreement, or the mitigation monitoring agreement: **II A, B, C, D, and E.**

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.

NOTIFICATION TO APPLICANT: The County of San Diego hereby notifies the applicant that State law (A.B. 3158) effective January 1, 1991, requires certain projects to pay fees for purposes of funding the California Department of Fish and Game. If you made this payment at the time of public review of the environmental document pursuant to Administrative Code Section 362, Article XX, effective August 27, 1992, you have met this obligation. If the fee has not been paid, to comply with State law, the applicant should remit to the County Department of Planning and Land Use, within two (2) working days of the effective date of this approval (the "effective date" being the end of

the appeal period, if applicable), a certified check payable to "County Clerk" in the amount of $1,275 for a project with a Negative Declaration, or $875 for a project with an Environmental Impact Report. These fees include an authorized County administrative fee of $25. The fees may be waived for projects that are found by the Department of Planning and Land Use and the California Department of Fish and Game to have a deminimus impact on fish and wildlife resources. Failure to remit the required fee in full within the time specified above will result in County notification to the State that a fee was required but not paid, and could result in State imposed penalties and recovery under the provisions of the Revenue and Taxation Code. In addition, Section 21089(b) of the Public Resources Code, and Section 711.4(c) of the Fish and Game Code, provide that no project shall be operative, vested, or final until the required filing fee is paid.

DEFENSE OF LAWSUITS AND INDEMNITY: The applicant shall: (1) defend, indemnify and hold harmless the County, its agents, officers and employees from any claim, action or proceeding against the County, its agents, officers and employees to attack, set aside, void or annul this approval or any of the proceedings, acts or determinations taken, done or made prior to this approval; and (2) reimburse the County, its agents, officers or employees for any court costs and attorney's fees which the County, its agents, officers or employees may be required by a court to pay as a result of such approval. At its sole discretion, the County may participate at its own expense in the defense of any such action, but such participation shall not relieve the applicant of any obligation imposed by this condition. The County shall notify the applicant promptly of any claim or action and cooperate fully in the defense.

JUDICIAL REVIEW TIME LIMITATIONS: The time within which judicial review of this decision must be sought is governed by Code of Civil Procedure Section 1094.6, which has been made applicable in the County of San Diego by San Diego County Code Section 11.120. Any petition or other paper seeking judicial review must be filed in the appropriate court not later than the 90th day following the date on which this decision becomes final; however, if within 10 days after the decision becomes final a request for the record of the proceedings is filed and the required deposit in an amount sufficient to cover the estimated cost of preparation of such record is timely deposited, the time within which such petition may be filed in court is extended to not later than the 30th day following the date on which the record is either personally delivered or mailed to the party, or the party's attorney of record. A written request for the preparation of the record of the proceedings shall be filed with the Director, Department of Planning and Land Use, 5201 Ruffin Road, Suite B, San Diego, California 92123.

The foregoing decision was approved by the Director of Planning and Land Use on_____. A copy of this decision, and the documentation supporting the decision, is on file in the Department of Planning and Land Use offices at 5201 Ruffin Road, Suite B, San Diego, California.

DEPARTMENT OF PLANNING AND LAND USE
ERIC GIBSON, DIRECTOR

Attachment J

Public Correspondence / Summary of Concerns

All correspondence letters received outside the public review period of the project EIR has been distributed separately to Planning Commissioners. A copy of the letters of correspondence is available for public review at the Department of Planning and Land Use.

Attachment J

SUMMARY OF CONCERNS

In response to the processing of the proposed project, numerous letters were received that expressed various concerns regarding implementation of the proposed project. Below is a summary of those generalized concerns that were expressed by the general public:

I. Planning

A. General Plan Update

The project is not consistent General Plan Update Referral and Draft Land Use Maps with regards to the density and intensity of development, acreage of commercial and office professional being provided. The Referral Map would allow for approximately 101 dwelling units and the Draft Land Use Map would allow for approximately 51 dwelling units. Each map would allow 3.9 acres of General Commercial and 49.4 acres of Office Professional. Although the project, as proposed, is inconsistent with Draft and Referral Land Use Maps, the project has been considered in the cumulative list of projects.

The proposal to reclassify Deer Springs Road from a Major Road to a Prime Arterial is consistent with the General Plan Update.

B. Community Character

The area immediately surrounding the project site is mostly developed with large lot single family residences, agricultural uses, commercial uses, spa/resort, a mobile home park, church, and school. Development within a 1-mile radius, and along the I-15 corridor, small and large lot single-family residences, mobile homes, condominium homes, transient habitation (timeshare units and a motel) with height maximums of 3 stories, golf courses, a theater, restaurants, visitor servicing commercial, and a medical clinic uses.

Many comments received expressed concern that the rural nature of the existing community would forever change due to the intensity and density of the proposed development, increase in vehicle trips traversing through the community, the introduction of a multi-family residential component, and the improvement of Deer Springs Road to 4-lanes. Below is a brief summary which addresses some of the concerns regarding the change in the community character.

- In addition to the large lot residential, agricultural, and visitor servicing uses that are located within close proximity to the project, developments of similar density, intensity, and use currently exist within 1 mile of the subject project area, along the I-15 corridor.

These developments include Lawrence Welk Village Specific Plan, Hidden Meadows, Castle Creek County Club, and the Deer Springs Park Mobile Home Park. Many of these developments are also either entirely or partially visible from I-15.

- Deer Springs Road, currently improved to 2 lanes, has an existing LOS of F. The proposal to widen Deer Springs Road to 4-lanes would increase the available capacity along this road segment and is consistent with the lane configuration of Mountain Meadow Road to the east and Twin Oaks Valley Road to the south.

- A majority of the development within the Specific Plan has been strategically placed in the southern portion of the site so that the development footprint is either shielded from view by existing topographical features of the site or located a significant distance away from any public vantage points.

- Those areas of the project that are visible from I-15 would require the preparation of a Site Plan to be reviewed and approved in conformance with the I-15 Corridor Scenic Preservation Guidelines. This requirement is applicable to Neighborhood 1 and portions of Neighborhood 4 and 5.

- The higher density development area that is visible from and adjacent to existing larger lot developments along Deer Springs Road, would require the preparation of a Site Plan to be reviewed and approved in accordance with the standards detailed in Sections 5906 and 5910 of the San Diego Zoning Ordinance. These sections address community compatibility with building characteristics, building and structure, landscaping, and roads, pedestrian walkways, parking and storage areas. This requirement is applicable to all Planning Areas within Neighborhood 2. An additional requirement for the development of Neighborhood 2, Planning Area 3, would also require review conformance with the design criteria provided in the Specific Plan which includes standards for increased setbacks, restrictions on number of residences per building, and height maximums.

- The southern three-quarters of the project site, measuring approximately 1,952 acres, is located within the boundaries of the North County Metropolitan Subregional Plan. The goals within this plan encourage development in areas that have facilities and services available or located nearby. The project is located adjacent to Deer Springs Road and Interstate 15, two major transportation routes. Also, public services and facilities, such as public water, sewer, schools, police and fire protection, are available to serve the project.

- The northern 375 acres of the project site is located within the boundaries of the Bonsall Community Plan. The community character goals within this plan encourage the preservation of the rural character through the protection of agriculture, estate lots, ridgelines the community's natural resources. The project proposes 10 estate lots, measuring no less than 5 acres, within this plan area. The project would result in the preservation of 1,192 acre of biological open space between the estate lots and the remainder of the development to the south.

In addition to the brief discussion provided above, the subject area of community character was evaluated in the project's EIR, Chapter 3.5, Planning and Land Use, and it was found that with mitigation measures the project would have a less than significant impact on the character of the community.

C. Aesthetics

Portions of the project site are visible from Interstate 15, Deer Springs Road, and other public vantage points throughout the surrounding community. The site is characterized by rugged topography and significant rock outcroppings with moderate to steeply sloping terrain. The elevation ranges from about 800 feet AMSL near the intersection of Deer Springs Road and I-15 to about 1,765 feet ASML in the north central portion of the property. Due to the extreme variations in topography throughout the project site and clustered design of the Neighborhoods, it is anticipated that 13 million cubic yards of land would be moved to complete the construction of the proposed project with graded slopes ranging in height from 0-280 feet.

Many comments received expressed concern that the rural atmosphere of the existing community would forever change due the proposed landform disturbance and intensity of development resulting from the construction of the project. Below is a brief summary which addresses some of the concerns regarding the change in the community character.

- The proposed graded slopes are necessary due the nature of the existing terrain and existence of numerous gullies between hillsides. A majority of the significant cut and fill slopes are necessary to create buildable pads and a traversable road system between and along existing hillsides. With the exception of the graded slopes in Neighborhood 1, the significant slopes within the interior of the project are not visible from Deer Springs Road or Interstate I-15.

- Although the development of the Specific Plan would require the disturbance of the southern half of the project site (approximately

1,135 acres), 537 acres of the land adjacent to, and within, Neighborhoods 1 through 5 would either be retained in its natural state with managed clearing to reduce fuel loads or fully landscaped to help reduce the risk of fire, erosion, and to screen from view the graded slopes. All landscaping would be accomplished through the preparation of landscape plans and all common open spaces areas would be managed in accordance with the project's Resource Protection Plan.

- The cut slope along Deer Springs Road results from the steep terrain that occurs naturally adjacent to the existing alignment. The cut slope is required to accomplish the road widening to 4-lanes. Upon completion of grading for Deer Springs Road, the slope wall would be landscaped in accordance with the requirements of the EIR.

- The development of those areas visible from Interstate 15 and Deer Springs Road, would require the preparation and approval of a Site Plan. The site plan would be reviewed for conformance with the development criteria established within the Specific Plan, the I-15 Corridor Scenic Preservation Guidelines, and/or Sections 5906 and 5910 of the San Diego County Zoning Ordinance.

In addition to the brief discussion provided above, the subject area of aesthetics was evaluated in the project's EIR, Chapter 3.1, Aesthetics, and it was found that with mitigation measures the project would have a less than significant impact on the character of the community.

II. Environmental

A. Wildland Fire

The project site, and the surrounding community, is located within a High Fire Hazard Severity Zone and records show that areas to the east and west have not burned for 100 years or more. The site contains areas of steep slope lands and on-site vegetation remains in its natural state. The project is served by both the Deer Springs Fire Protection District and the San Marcos Fire Protection District.

Many comments received expressed concern that the introduction of additional residents in the community would increase the risk of wildland fires in the area and traffic volumes in the event of an evacuation. Comments also addressed the concern of the safety of the Merriam Mountain residents in the absence of a project specific evacuation plan, an approved Fire Protection Plan from the Deer Springs Fire Protection District, and lack of adequate sufficient project access. Below is a brief

summary which addresses some of the concerns regarding wildland fires in the community.

- The project would cluster development in the southern half of the project area with a total disturbed area of 1,135 acres of land. All land not utilized for building pads or for the road system (537 acres) would be designed to serve as irrigated and non-irrigated fuel management areas consisting of natural and modified landforms. Fuel managed zones range reach from 150 to several hundred feet around the development footprint of the project area. These managed fuel zones would slow the rate of an approaching fire and reduce flame heights.

- Non-combustible, 6 foot tall, fire walls are proposed around the outer perimeter of Neighborhoods 3, 4, and 5 when adjacent to the biological preserve.

- The project would result in the construction of three on-site north-south backbone roads and one emergency east-west road. All roads, excepting the emergency access road and Lawrence Welk Lane, would be developed in accordance with County Public Road Standards. The emergency access road (Camino Mayor) and Lawrence Welk Lane would be constructed to County Private Road standards.

- The project would result in the widening of Deer Springs Road to 4-lanes to the boundaries of the City of San Marcos and widening improvements to the northbound and southbound ramps at the I-15/Deer Springs Road interchange.

- A new north-south access would be provided through the biological preserve which could serve as a vital roadway system for firefighting personnel in the event of a wildfire.

- The project proposes the construction of a new fire station for the Deer Springs Fire Protection District within the commercial area of Neighborhood 1.

- Section 3.3.1.3.c of the EIR discussed how residents within the Merriam Mountains Specific Plan would evacuate in the event of an emergency. This discussion included the routes of egress/ingress, detailed specifications on road improvements, the provision of educational and emergency preparedness materials to residents, the HOA membership with the Deer Springs Fire Safe Council, and mechanisms currently utilized by law enforcement and other agencies to execute community wide evacuations. There are no state or local codes, policies, or ordinances that require the preparation of a project specific evacuation plan.

- In a joint effort, the project's Fire Protection Plan was reviewed by the San Diego County Fire Code Official and both the Fire Chief and Marshall of the Deer Springs Fire Protection District. After several joint reviews, the County of San Diego Fire Code Official determined that the revisions made to the study demonstrated compliance with the County and State Fire Codes and could be used as a technical study for CEQA purposes. Although letters have been received from the Board President of the Deer Springs Fire District stating the Board's disagreement with the determination made by the Department of Planning and Land Use, no letters opposing the determination from DPLU have been received by either the Fire Chief or Marshall with the Deer Springs Fire Protection District.

- The project has been designed to meet or exceed all applicable fire code regulations.

In addition to the brief discussion provided above, the subject area of wildland fires was evaluated in the project's EIR, Chapter 3.3, Hazards and Hazardous Materials, and it was found that with mitigation measures the exposure of people and structures to a risk of loss, injury, or death from wildland fires would be a less than significant impact.

B. Water Availability

Neighborhoods 1-5 would receive water from the Vallecitos Water District (VWD) and the northern Estate Lots would receive water from the Rainbow Municipal Water District (RMWD). The project would result in the development of 2700 residences, 10.1 acres of commercial land, extensive landscaping throughout the developed areas, and various other uses and project amenities that would require water service.

Many comments received expressed concerns that a master planned community would result in an increase on water demands in a time when the state is experiencing a severe drought some local jurisdictions have declared a Level 2 drought. Below is a brief summary which addresses the concerns regarding demands on water availability.

- SB 221 prohibits the approval of subdivisions proposing more than 500 homes unless there is verification of adequate water availability over a 20-year projection. SB 610 requires projects that are subject to CEQA and are supplied by water from a public water supplier to obtains a "water-supply assessment" from the supplier indicating the availability of adequate water over a 20-year projection. A water supply assessment includes discussions of relevant legislation requiring the water supply of assessment, an overview of project

details, analysis of water demands for the serving district on existing supply sources and the projected water demands over a 20-year or more planning period, and an analysis of reliability of the serving district's water supply during normal, single-dry, and multiple dry years over a 20 year planning period.

- Because there are only 10 estate lots within the boundaries of the RMWD, a water supply assessment was not required. The RMWD has issued a Service Availability Form indicating that services would be available to serve the project.

- Since the issuance of the Project Service Availability Form, the RMWD adopted Ordinance 08-01. Although this ordinance places restrictions on new service connections, the RMWD does still allow for new connections when water demands are off-set to the satisfaction of the RMWD. Under this provision, the developer would be required to demonstrate conformance with this ordinance, and other conditions for service, in order to obtain approval for new water connections.

- A water supply assessment was prepared for the 2,960 residences located within the boundaries of the VWD. The water demand for the project was analyzed under a "worst case" scenario and was estimated without considering the proposed water conservation measures. This assessment identified that the project would result in a slight increase in the overall water demand currently forecasted for the site by SANDAG. In light of the information presented in the assessment, the VWD Board of Directors approved the WSA on July 5, 2009 and confirmed that the water demands of the project are available under the adopted VWD 2005 Urban Water Management Plan.

- Since the approval of the water supply assessment in 2005 by the VWD Board of Directors, many changes have occurred within the state of California that increased the awareness of current drought conditions. To address these ever changing conditions, the EIR has been revised to include such new information like the Delta-Smelt Action Plan, reductions in agricultural water allotments imposed by the VWD, and increased drought levels.

- The VWD has issued a Service Availability Form indicating that water service is available to serve the project upon the completion of specified conditions.

- The Department has received comment letters from VWD regarding the proposed project however none of the letters received retracted their previous approval or included comments indicating that water

would not be available to serve the project in light of the recent escalation of current drought conditions.

- The developer would install landscaping in accordance with a drought tolerant landscape palette, low-flow appliances, and weather-based irrigation controllers.

In addition to the brief discussion provided above, the subject area of water availability was evaluated in the project's EIR, Chapter 4.1.2, Utilities and Public Services, and it was found that impacts to water availability is less than significant.

C. Cultural Resources

10 cultural resource sites, 2 isolates, and 1 Historic Location have been located with the project area, including those areas where off-site improvements would occur. Of the resources found, only 2 of the cultural resource sites are identified as significant. And while the Historic Location is also identified as a significant resource, this structure has been previously destroyed with remnants possibly remaining buried underground. To fully implement the project proposal, grading activities would be required. As such, impacts to the Historic Location would not be known until grading activities take place and known impacts to the 2 significant cultural resources sites would occur due to the widening of Deer Springs Road.

Comment letters received regarding the impacted cultural resource sites expressed a concern about the loss of the identified significant resources. Below is a brief summary which addresses some of the concerns the loss of cultural resources.

- All grading activities would be subject to a grading monitoring program. This program requires the execution of a contract with Native American Tribes, preconstruction meetings with a Native American Observer, and a data recovery program for those resources that are found on-site.

- An open space easement, temporary and permanent fencing, temporary shielding, and after-hours construction monitoring would be required for the avoided portions of the significant cultural resource sites.

- An alternative has been explored in the EIR to avoid impacts to the two known significant cultural resources sites. This alterative proposed a 60' cap over the two sites, between the actual location of the site and Deer Springs Road. An improvement of this nature has been determined to be infeasible due to cost considerations and

consequential impacts to adjacent properties resulting from the length of road that would be required for the ramping up and down of the capping.

- Widening improvements to Deer Springs Road are warranted under existing conditions, which is consistent with the Circulation Element of the San Diego County General Plan which identifies this road as a 4-lane Major Road. Pursuant to Article V of the San Diego County Resource Protection Ordinance, impacts to the two cultural resource sites, resulting from improvements to a public facility, are exempt.

In addition to the brief discussion provided above, the subject area of Cultural Resources was evaluated in the project's EIR, Chapter 2.5, Cultural Resources. This chapter found that impacts to the two the cultural resources would be significant and unmitigated while impacts to any other resources potentially occurring on-site would be less than significant due to the mitigation measures imposed. To address those impacts that are significant and unmitigated, a Statement of Overriding Considerations shall be made.

C. Loss of Important Minerals

<u>California Surface Mining and Reclamation Act (SMARA)</u>

Two separate portions of the northern property contain MRZ-2 lands totaling 610 acres. One area is located just east of Twin Oaks Valley Road and measures approximately 124 acres, is zoned S82 for extractive use, and has been designated as MRZ-2 by the California Department of Conservation, Division of Mines and Geology. This area has been mined in the past, but activities have since been abandoned. The second area is located to the east and also has been designated (by petition) as MRZ-2 by the California Department of Conservation, Division of Mines and Geology.

Of the 610 acres, 62 acres would be impacted from the grading of building pads and access roads, 44 acres would be located within common open space areas, and the remaining land would be located within the 1,192 acre biological preserve area.

Comment letters received regarding mineral resources expressed a concern about the elimination of the potential to extract MRZ-2 designated mineral resources, which includes 124 acres of land that is already zoned for extractive uses. Below is a brief summary which addresses the concerns regarding the inability to extract mineral resources.

- The loss of the 124 acres of land already zoned for extractive uses is located at the northeastern edge of the 1,192 acre biological preserve area. This area has been identified as an important biological core area and a vital component to the linkage for the proposed North County Multiple Species Conservation Plan. Extraction of mineral resources in this location would impact valuable core habitat that could not be recreated.

- Statement of Reasons was submitted to the State Geologist and State Mining and Geology Resources Board for a 60-day public review period. The Statement of Reasons lists seven potential reasons to permit the project and eliminate access to important mineral resources.

In addition to the brief discussion provided above, the loss of mineral resources was evaluated in the project's EIR, Chapter 2.3, Mineral Resources, and it was found that impacts to mineral resources would be significant and unmitigated. To address the significant and unmitigated impact, a Statement of Overriding Considerations shall be made.

D. Traffic Related Noise

Existing noise levels measured along Deer Springs Road (2-lanes) and Twin Oaks Valley Road, range in CNEL from 59 to 71 decibels. The project would result in the widening of Deer Springs Road to 4-lanes and the construction of new access road, Meadow Park Lane, which runs north-south adjacent to several existing homes. The project would also result in an increase in the total vehicle trips traveling along these routes and other various routes throughout the community.

Many comments received expressed concerns that the widening and creation of new roads in the area, and an increase in vehicular traffic traversing the community, would result in a significant increase the amount of noise from what exists today. Below is a brief summary which addresses the concerns regarding an increase in traffic related noise.

- The San Diego County General Plan, Noise Element, requires the preparation of a noise analysis if noise levels at any noise sensitive land use (residences, school, and other any other facility where quiet is an important attribute of the environment) equals a CNEL of 60 decibels or greater. The Noise Element specifies allowable limits of noise that results from the implementation of the project (operational).

- Direct impacts resulting from an increase in vehicular trips along Deer Springs Road, Twin Oaks Valley Road, and other existing road segments in the community would generate noise levels exceeding 3 decibels along various portions of the roadway when measured at

exterior locations of adjacent noise sensitive land uses. For those properties that would be subjected a noise increase greater than 3 decibels, the developer would construct permanent noise walls, of varying heights, within the road right-of-way. The resulting noise level at these affected properties would not be increased greater than 3 decibels.

- Cumulative impacts resulting from an increase in vehicular trips along Deer Springs Road, Twin Oaks Valley Road, and other road segments in the community would generate noise levels exceeding 3 decibels along various portions of the Buena Creek Road and Deer Springs Road roadway when measured at exterior locations of adjacent noise sensitive land uses. For those properties that would be subjected a noise increase greater than 3 decibels, the developer would construct permanent noise walls, of varying heights, within the road right-of-way to decrease the overall increase in noise to less than 3 decibels. However, due to the topographical differences in elevation between the road surface and the noise sensitive land uses adjacent to Buena Creek Road, noise walls cannot be guaranteed to be permitted to be constructed along the top of slope (on private property) for those affected residences, therefore the analysis shows that an increase in 4 decibels would remain significant and unmitigated.

- The construction of Meadow Park Land, and the introduction of vehicular trips, would result in a 60 decibel line approximately 60 feet from the edge of right-of-way. No structures exist or are proposed within this decibel limit line.

In addition to the brief discussion provided above, the subject area of noise was evaluated in the project's EIR, Chapter 2.4, Noise. This chapter found that direct, and some cumulative, impacts resulting from an increase in vehicular traffic trips along various road segments throughout the community would be less than significant due to the mitigation measures imposed. This chapter also identified that cumulative impacts to select residences along Buena Creek Road would remain significant and unmitigated. To address those impacts that are significant and unmitigated, a Statement of Overriding Considerations shall be made.

E. Project Construction

The project would result in the widening of Deer Springs Road to 4-lanes, prior to the occupancy of any unit. For the construction of the uses within the Specific Plan, the EIR discloses that the project would take 8-10 years to develop and that construction activities would include drilling, blasting, grading, and rock crushing.

Residents in the community are concerned with the amount of noise and dust that would be generated by the construction activities. They have also expressed health risk concerns regarding Silicosis. Below is a brief summary which addresses the concerns regarding construction activities associated with the project.

- The San Diego County Noise Ordinance establishes various allowable limits of noise that can be generated from construction activities and for activities conducted within a property. The developer is required to comply with the construction hours and sound level limits established in the Noise Ordinance for construction activities. Enforcement provisions are included in the Noise Ordinance to ensure any reported disturbing, excessive or offensive noise is eliminated.

- Construction activities would move throughout the site in conformance with the construction phasing plan.

- During the construction of Deer Springs Road, the developer would construct temporary noise walls, with varying heights, at the perimeter boundaries, within the public right-of-way, of those properties receiving noise greater than 75 decibels. For those properties that would remain to receive noise greater than 75 decibels after the construction of the temporary noise walls, the developer would seek the approval of a noise variance to allow the noise generated from related construction activities to exceed 75 decibels. Noise variances for construction activities on public facilities can be granted upon making a finding that the proposed activity cannot feasibly be done in a manner that would comply with the provisions of the Noise Ordinance and that developer has no other reasonable alternative.

- The developer would install, when deemed necessary, temporary noise barriers around any drilling activities or along an abutting property line and is required to submit pre-grading reports to DPLU to ensure rock drills would not exceed 89 decibels when measured 50 feet or less at the property line. Other measures would include the use of quieter rock drills, reducing the number of drilling hours per day, and increasing the setback distances between property lines and drilling/blasting areas.

- Grading plans would include a number of precautionary measures to regulate the dispersion of dust resulting from grading activities. Plans would specify the number of minimum water application requirements, grading prohibitions during times of high wind, use of hydroseeding or bonded fiber applications on graded slopes, restrictions on total land that can be graded in a single day, maintaining clean construction vehicle entrances/exists, and signs

would be installed along Deer Springs Road to provide contact information for a construction relations officer

- Blasting activities are regulated under the County Fire Code and California Building Standards Code. Blasting permits are required to be obtained by the Sheriff or by the Chief Officer of the local fire department prior the commencement of any blasting activities. Code requires that adequate precautions be taken to reasonably safeguard persons and property before, during, and after blasting operations. Precautions include pre-blasting notifications, structural inspections of nearby homes before and after blasting activities, seismograph monitoring, and site inspections.

- The most common form of crystalline silica is quartz, which is found in sand, gravel, clay, granite, diatomaceous earth, and many other forms of rock. If adjacent properties are exposed to silica dust as a result of construction activities, the level of exposure would not be of high enough concentrations to cause public health hazards. Silicosis is a health condition that generally occurs with such occupations as miners and other construction/employments where one is in direct, close, contact with crystalline silica for long periods of time. Studies completed on this matter conclude that there are no known health risks associated with construction activities.

In addition to the brief discussion provided above, impacts resulting from the construction of the project was evaluated in the project's EIR, Chapter 2.1, Air Quality, and Chapter 2.4, Noise. Chapter 2.1, Air Quality, identified that Air Quality These chapters found that impacts related to the construction of the project would be significant and unmitigated for construction vehicle emissions and construction noise associated with the widening improvement to Deer Springs Road. All other impacts resulting from the construction of the project have been found to be would be less than significant due to the mitigation measures imposed and required compliance with applicable codes. To address those impacts that are significant and unmitigated, a Statement of Overriding Considerations shall be made.

III. Road Improvements

A. Egress/Ingress Restrictions along Deer Springs Road

The project would result in the widening of Deer Springs Road to 4-lanes. Improvements along Deer Springs Road would generally consist of 2 eastbound lanes, 2 westbound lanes, a stripped center median, two 6-foot bike lanes, two 8-foot shoulders, and two 10-foot DG trails.

Residents along Deer Springs Road have expressed their concern about being able to safely enter and exit their property and possible turn-movement restrictions. Below is a brief summary which addresses the concerns regarding the widening of Deer Springs Road.

- There are currently no plans to restrict turn movements along Deer Springs Road or install a raised center median or barrier.

- Prior to the commencement of widening Deer Springs Road, Improvement Plans are required to be reviewed and approved by the Department of Public Works. Improvement Plans would be reviewed for conformance with the County Public Road Standards and any modifications to the standards would be reviewed and approved only if the safety of the public is not jeopardized.

B. Improvements within other Jurisdictions

The project requires road improvements to be completed outside the jurisdiction of the County of San Diego, within Caltrans and the City of San Marcos. These conditions have been included in the Vesting Tentative Map Resolution of Approval (Attachment G). Below is a brief summary addressing the concerns with completing improvements within another jurisdiction.

- Impacts outside the jurisdiction of the County have been analyzed using guidelines for significance consistent with what each jurisdiction uses.

- For those improvements to be completed within Caltrans jurisdiction, a Project Study Report (PSR) is required to be prepared for their approval. While a draft PSR has been prepared and submitted to Caltrans for their review, Caltrans will not proceed with the study until after the project receives approval from the County of San Diego.

- The developer has been working with the City of San Marcos for those improvements that are to be completed within their jurisdiction. To date, no agreement has been entered into by the City of San Marcos and the developer.

Since the improvements within another jurisdiction cannot be guaranteed to be constructed, EIR Chapter 2.2, Transportation/Traffic has identified impacts within the outside jurisdiction to be significant and unmitigated. To address those impacts that are significant and unmitigated, a Statement of Overriding Considerations shall be made. Furthermore, all conditions outside the jurisdiction of the County of San Diego would require an agreement to be entered into between the developer and the outside

jurisdiction. If the applicant is unable to enter into an agreement, the condition to complete those improvements may be waived upon the provision of evidence, to the satisfaction of the Director of the Department of Planning and Land Use, that the outside jurisdiction is unwilling to enter into the agreement.

C. Eminent Domain

Deer Springs Road is currently improved with 2-lanes within a 60' public road easement. In order to complete the widening of Deer Springs Road to 4-lanes additional right-of-way is required to be secured. To date, the acquisition of the additional right-of-way has not occurred.

Typically, the Department of Planning and Land Use requires acquisition of off-site easements prior to the approval of a project. However, due to the cost of requiring the rights to more than 60 acres of off-site land prior the approval of the project, easements were not obtained. The developer is currently conditioned to obtain and dedicate all right-of-way necessary to complete the off-site improvements. In the event the developer is unable to acquire all the land necessary to complete the widening of Deer Springs Road, the developer may seek assistance from the San Diego County Board of Supervisors in accordance with Board Policy J-33, The Use of Board of Supervisors' Power of Eminent Domain on Behalf of Private Developers.

Attachment K
Ownership Disclosure

COUNTY OF SAN DIEGO
DEPARTMENT OF PLANNING AND LAND USE
5201 RUFFIN ROAD, SUITE B, SAN DIEGO, CA 92123-1666

APPLICANT'S STATEMENT OF DISCLOSURE OF CERTAIN OWNERSHIP INTERESTS ON APPLICATIONS FOR LAND USE AMENDMENTS AND PERMITS PURSUANT TO ORDINANCE NO. 4544 (N.S.)

The ordinace requires that the following information must be disclosed at the time of filing of this discretionary permit.

A. List the names of all persons having an interest in the application.

Stonegate Merriam Mountains, LLC

List the names of all persons having any ownership interest in the property involved.

See Exhibit

B. If any person identified pursuant to (A) above is a corporation or partnership, list the names of all individuals owning more than 10% of the shares in the corporation or owning any partnership interest in the partnership.

Youde Trust, Spring Creek Investors

J & B Wetin Revocable Trust

RMG Capital Corporation

C. If any person identified pursuant to (A) above is a non-profit organization or a trust, list the names of any persons serving as director of the non-profit organization or as trustee or beneficiary or trustor of the trust.

Gordon Youde

Tom Meyer

John Wertin

Thomas H. Purcell

C.W. Gregory

Note: Section 1127 of the Zoning Ordinance defines Person as: "Any individual, firm, copartnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver, syndicate, this and any other county, city and county, city, municipality, district or other political subdivision, or any other group or combination acting as a unit."

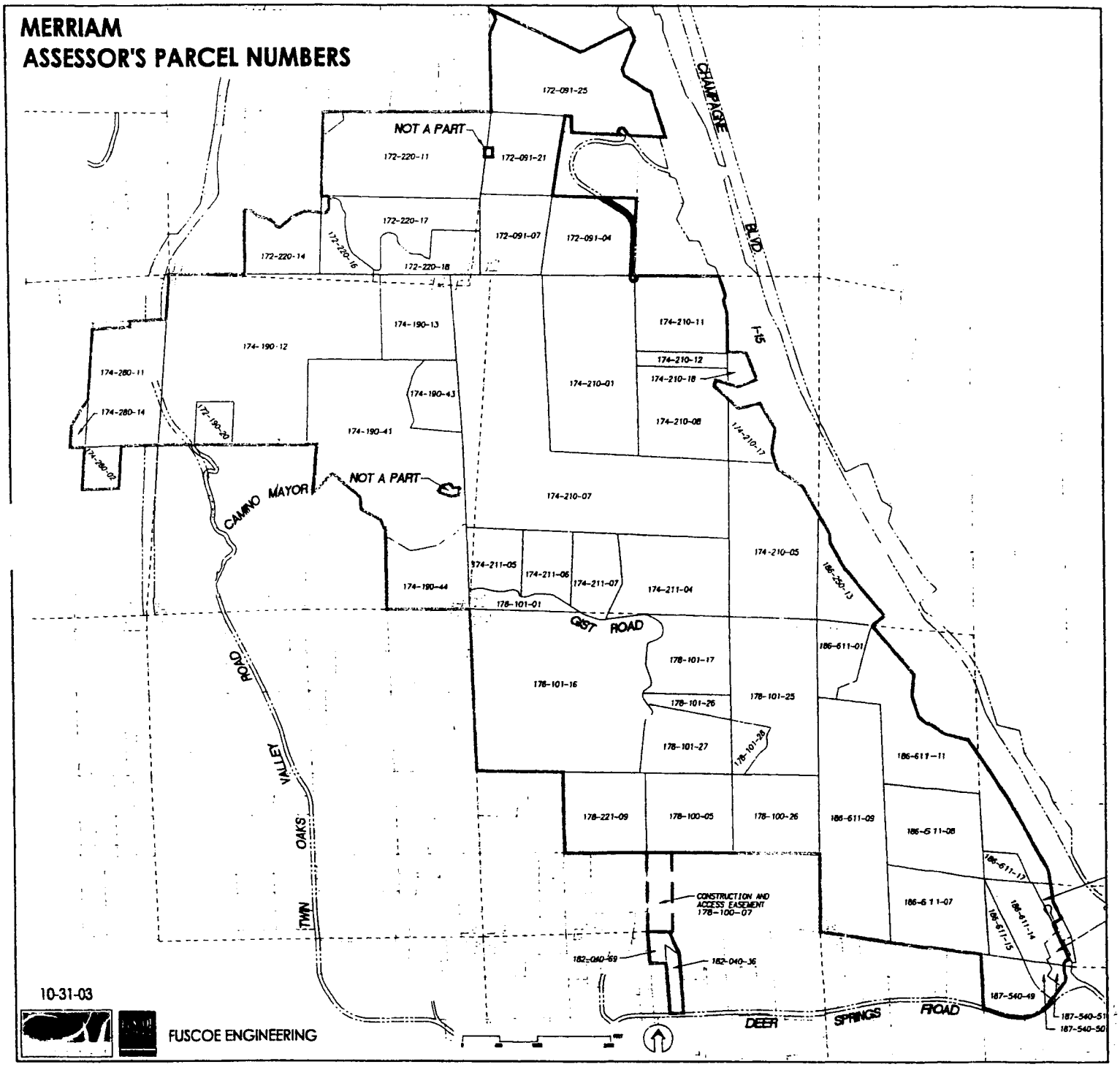
SDC DPLU RCVD 06-30-04

NOTE: *Attach additional pages if necessary.*

TM5381

Signature of Applicant 6-17-04 *Date*

DPLU#305(3/7/00)



GPA 04-06 SP 04-06
REZ 04-013 TM 5381
S 04-035 S 04-036
S 04-037 S 04-038
ER 04-08-028

MERRIAM

ASSESSOR'S PARCEL NUMBERS (Legal Parcels)

172-091-04*	174-290-02
172-091-07	178-100-05
172-091-21	178-100-07
172-091-25	178-100-26
172-220-11	178-101-01
172-220-14	178-101-16
172-220-16	178-101-17
172-220-17	178-101-25
172-220-18	178-101-26
174-190-12	178-101-27
174-190-13	178-101-28
174-190-20	178-221-09
174-190-41	182-040-36
174-190-43	182-040-69
174-190-44	186-250-13
174-210-01	186-611-01
174-210-05	186-611-07
174-210-07	186-611-08
174-210-08	186-611-09
174-210-11**	186-611-11
174-210-12***	186-611-14
174-210-17	186-611-15
174-210-18	186-611-16
174-211-04	186-611-17
174-211-05	186-611-20
174-211-06	187-540-49
174-211-07	187-540-50
174-280-11	187-540-51
174-280-14	

ASSESSOR'S "SUBPARCELS" (for Tax purposes only):

* 172-091-04-01, and 172-091-04-02

** 174-210-11-01, and 174-210-11-02

*** 174-210-12-01, 174-210-12-02, and 174-210-12-03

186-611-15
186-611-16
186-611-17
187-540-49
187-540-50
187-540-51
182-040-69
182-040-36

	Assessor Parcel Number	Land Owner	Parcel Acreage	Community or Subregional Plan	Existing General Plan Land Use Designation	Existing Zoning	Existing General Plan Regional Category	Tax Rate Area	Thomas Bros. Page & Coordinate	Contact Information	Signatories
22	178-221-09	Harmatz	40.48	North County Metro	19	A-70	EDA	76015	1088/J5	John P. Georgino, Trustee John P. Georgino Family Trust 1705 South Molino Street Alhambra, CA 91808 Florin and Lynda Oprescu P.O. Box 8907 Alhambra, CA 91801 William Harmatz, Trustee William Harmatz and Connie B. Harmatz Living Trust 380 S. Melrose Drive, Suite 100 Vista, CA 92083	John P. Georgino Family Trust By: John P. Georgino, Trustee Florin Oprescu Lynda Oprescu William Harmatz and Connie B. Harmatz Living Trust By: William Harmatz, Trustee By: Connie B. Harmatz, Trustee
23	174-190-44	Jiminez	32.85	North County Metro	18	S-92	EDA	76046	1088/H4	Jose and Damian Jiminez 2914 Mobley Street San Diego, CA 92123	Jose M. Jiminez Damian Jiminez
24	178-101-27	Jiminez	32.52	North County Metro	18	S-92	EDA	76015	1089/A5		SEE JIMENEZ
25	178-101-28	Jiminez	8.92	North County Metro	18	S-92	EDA	76091	1089/A5		SEE JIMENEZ
26	174-211-05	Losey	20.43	North County Metro	18	S-92	EDA	74024	1088/J4	Robert P. Losey 1100 Trancas Street Napa, CA 94558 Kathleen Norcott 125 North Van Ness Los Angeles, CA 90004	Robert P. Losey and Kathleen A. Norcott
27	187-540-49	Lusardi	18.75	North County Metro	17	RR-0.5	EDA	74176	1089/C7	W.C. Lusardi Trust 1570 Linda Vista Drive San Marcos, CA 92069 Attn: Elaine Regan	The Warner C. Lusardi Family Trust dated June 11, 1993 By: Warner C. Lusardi, Trustee
28	187-540-50	Lusardi	4.20	North County Metro	15	M-52	CUDA	74176	1089/C6		SEE LUSARDI
29	187-540-51	Lusardi	1.68	North County Metro	13	C-36	CUDA	74176	1089/C6		SEE LUSARDI
30	186-611-16	Lusardi	2.95	North County Metro	13 15	C-36 M-52	CUDA	74176	1089/C6		SEE LUSARDI
31	186-611-14	Lusardi	20.05	North County Metro	15	M-52	CUDA	74176	1089/C6		SEE LUSARDI
32	186-611-15	Lusardi	7.67	North County Metro	17	RR-0.5	EDA	74176	1089/C6		SEE LUSARDI
33	186-611-07	Lusardi	42.54	North County Metro	18	A-70	EDA	74168	1089/C6		SEE LUSARDI
34	186-611-09	Lusardi	95.05	North County Metro	18	A-70	EDA	74089	1089/C6+C7		SEE LUSARDI
35	174-211-04	SD Rancon Properties, Inc.	53.70	North County Metro	18	S-92	EDA	74024	1089/A4	S.D. Rancon Properties c/o Margulf Management 7083 Hollywood Blvd, Ste. 650 Hollywood, CA 90028 Attention: Sami Shabshab and Ari Soghomonian	SD Rancon Properties, Inc., a California corporation By: Ani Soghomonian, Treasurer
36	178-101-25	SD Rancon Properties, Inc.	73.40	North County Metro	18	S-92	EDA	76091	1089/A6		SEE S.D. RANCON
37	178-101-26	SD Rancon Properties, Inc.	9.08	North County Metro	18	S-92	EDA	76015	1089/A6		SEE S.D. RANCON

No.	Assessor Parcel Number	Land Owner	Parcel Acreage	Community or Subregional Plan	Existing General Plan Land Use Designation	Existing Zoning	Existing General Plan Regional Category	Tax Rate Area	Thomas Bros. Page & Coordinate	Contact Information	Signatories
10	174-210-12	Avedian/Barberio	8.11	North County Metro	18	S-92	EDA	74024	1089/A3	Victor V. Avedian Monica H. Avedian 3860 Skyline Road Carlsbad, CA 92008 Joseph R. Barberio Dorothy D. Barberio 7231 Plaza De La Costa Carlsbad, CA 92009	Victor V. Avedian Monica H. Avedian Joseph Roland Barberio Dorothy D. Barberio
11	174-210-11	Avedian/Barberio	42.16	North County Metro	18	S-92	EDA	74024	1089/A2+A3		SEE AVEDIAN
12	186-611-08	Badger/Loewenberg	45.94	North County Metro	18	A-70	EDA	74089	1089/C5	Ben W. and Doris Badger P.O. Box 300762 Escondido, CA 92030 Harold J. and Catherine Loewenberg 2032 Oro Verde Road Escondido, CA 92027	Ben W. Badger Doris Badger Harold J. Loewenberg Catherine Loewenberg
13	174-210-05	Hanson Aggregate	78.00	North County Metro	18	S-92	EDA	74024	1089/A4	Hanson Aggregates Pacific Southwest Region 2680 Bishop Drive, Suite 225 San Ramon, CA 94583 Attn: Bill Berger, V.P.	Hanson Aggregates West, Inc., a Delaware corporation By: William L. Berger, Vice President
14	174-210-07	Hanson Aggregate	222.15	North County Metro	18	S-92	EDA	74024	1088/J3		SEE HANSON
15	174-210-17	Hanson Aggregate	14.93	North County Metro	18	S-92	EDA	74024	1089/A3		SEE HANSON
16	174-210-08	Hanson Aggregate	49.64	North County Metro	18	S-92	EDA	74024	1089/A3		SEE HANSON
17	174-210-01	Hanson Aggregate	97.60	North County Metro	18	S-92	EDA	74024	1088/J3		SEE HANSON
18	174-210-18	Hanson Aggregate	4.70	North County Metro	18	S-92	EDA	74024	1089/B4		SEE HANSON
19	174-190-13	Hanson Aggregate	35.99	North County Metro	18	S-92	EDA	76046	1088/H3		SEE HANSON
20	174-190-12	Hanson Aggregate	175.10	North County Metro	18	S-82	EDA	76046	1088/G3 + H3		SEE HANSON
21	174-190-20	Hanson Aggregate	9.51	North County Metro	18	S-82	EDA	76046	1088/G3		SEE HANSON

No.	Assessor Parcel Number	Land Owner	Parcel Acreage	Community or Subregional Plan	Existing General Plan Land Use Designation	Existing Zoning	Existing General Plan Regional Category	Tax Rate Area	Thomas Bros. Page & Coordinate	Contact Information	Signatories
1	172-220-17	Anabtawi	42.20	Bonsall	18	RR-0.25	EDA	57090	1088/H2	Jamal Jamil Anabtawi Husnieh J. Anabtawi 714 Upas West San Diego, CA 92103	C/o Amer Anabtawi
2	172-091-21	Avedian/Barberio	33.33	Bonsall	18	RR-0.25	EDA	57090	1088/J1 + J2		SEE AVEDIAN
3	172-220-11	Avedian/Barberio	85.35	Bonsall	18	RR-0.25	EDA	57090	1088/H1 + J2		SEE AVEDIAN
4	172-091-04	Avedian/Barberio	40.36	Bonsall	18	RR-0.25	EDA	74067	1088/J2		SEE AVEDIAN
5	172-220-16	Basel M. El Farra	14.23	Bonsall	18	RR-0.25	EDA	57090	1088/H2	Basel M. El Farra 436 Morro Hills Road Fallbrook, CA 92028	Basel M. El Farra
6	172-220-14	Basel M. El Farra	27.28	Bonsall	18	RR-0.25	EDA	57090	1088/H2		SEE ELFARRA
7	172-091-25	Dunahoo Family Trust	81.15	Bonsall	18	RR-0.25	EDA	57109	1088 H1 & J2	Dunahoo Family Trust Attn: Jean Dunahoo, Trustee 12471 Montecito Road Los Alamitos, Ca 90720 John and Mazel Dellosbel and Shirley C. Winslow 16644 Sequoia Street Fountain Valley, CA 92708 Avis T. Dunahoo 6348 Riviera Circle Long Beach, CA 90815 Dellosbel Family Trust 4215 Sunflower Avenue Covina CA 91724 Attn: Aldo Dellosbel	Dunahoo Family Trust Dated September 3, 1996 By: Jean Dunahoo, Trustee Dellosbel Family Irrevocable Trust, assignee of the John & Mazel Dellosbel Family Trust By: Shirley C. Winslow, Trustee Avis T. Dunahoo Trust Dated September 30, 1983 By: Avis T. Dunahoo, Trustee 1986 Dellosbel Living Trust Aldo Dellosbel, Trustee
8	172-091-07	Jamolga Holdings	27.27	Bonsall	18	RR-0.25	EDA	57090	1088/J2	Makram Qumsieh P.O. Box 197 Beit-Sahour West Bank, Palestine Vie Israel	Jamolga Holdings, LTD, a British Virgin Island corporation By: Makram Qumsieh, President
9	172-220-18	Jamolga Holdings	27.34	Bonsall	18	RR-0.25	EDA	57090	1088/J2		SEE JAMOLGA
Subtotal Bonsall			378.51								

	Assessor Parcel Number	Land Owner	Parcel Acreage	Community or Subregional Plan	Existing General Plan Land Use Designation	Existing Zoning	Existing General Plan Regional Category	Tax Rate Area	Thomas Bros. Page & Coordinate	Contact Information	Signatories
38	178-101-17	SD Rancon Properties, Inc.	37.25	North County Metro	18	S-92	EDA	76015	1089/A6		SEE S.D. RANCON
39	178-100-05	NFB Childrens Trust	41.24	North County Metro	18	A-70	EDA	76015	1089/A5	NFB Children's Trust Attn: Mr. Richard Brady, Trustee 818 Calle Vallarta San Clemente, California 92673	NFB Children's Trust By: Richard Brady, Trustee
40	178-100-26	NFB Childrens Trust	40.91	North County Metro	18	A-70	EDA	76091	1089/A5		SEE NFB CHILDREN'S
41	174-280-11	NKF Partnership	54.60	North County Metro	18	S-82	EDA	76046	1088/A3	NKF Partnership Attn: Mr. Nabil K. Chehade 313 Solo Roble Street San Marcos, California 92069	NKF Partnership, a California general partnership By: Nabil K. Chehade, Managing Partner
42	174-280-14	NKF Partnership	3.38	North County Metro	18	S-82	EDA	76046	1088/A3		SEE NKF
43	174-290-02	NKF Partnership	9.57	North County Metro	18	S-82	EDA	76046	1088/A3		SEE NKF
44	174-190-41	Ogden	125.25	North County Metro	18	S-92	EDA	76046	1088/H3	Ogden Family Trust c/o Raymond N. Ogden and Laura L. Ogden 39835 Calle De Suenos Murrieta, CA 92562	Ogden Family Trust By: Raymond N. Ogden, Trustee By: Laura L. Ogden, Trustee
45	174-190-43	Ogden	19.87	North County Metro	18	S-92	EDA	76046	1088/H3		SEE OGDEN
46	178-101-16	SAFACORP	170.40	North County Metro	18	S-92	EDA	76015	1089/A5 1088/J5	SAFACORP, a California corporation c/o William Hicks Embassy Mortgage Group 2411 West Beverly Boulevard, Suite A Montebello, California 90640 Betty S. Smythe and Vernon L. Smythe 1723 E. Ocean Blvd Balboa, California 92661-1411 Michels Properties, LLC Attn: Pamela M. Rickford 9000 Litchfield Avenue Las Vegas, Nevada 89134	SAFACORP, a California corporation (as to an undivided 77.09% interest) By: _____, Secretary MICHELS PROPERTIES, LLC, a Nevada limited liability company (as to an undivided 10.62% interest) By: Pamela M. Rickford, Manager Vernon L. Smythe and Betty S. Smythe, husband and wife (as to an undivided 12.29% interest) Betty S. Smythe Vernon L. Smythe SEE SAFACORP
47	178-101-01	SAFACORP	10.70	North County Metro	18	S-92	EDA	74024	1088/J4		

No.	Assessor Parcel Number	Land Owner	Parcel Acreage	Community or Subregional Plan	Existing General Plan Land Use Designation	Existing Zoning	Existing General Plan Regional Category	Tax Rate Area	Thomas Bros. Page & Coordinate	Contact Information	Signatories
48	174-211-07	Salam	22.97	North County Metro	18	S-92	EDA	74024	1089/A4	Alaf Salam, Nayera Salam 100 Abington Court Atlanta Georgia 30327	Alaf Salam & Nayera Salam
49	174-211-06	Salawy	20.43	North County Metro	18	S-92	EDA	74024	1088/J4	Sherif Salawy & Tarek Salawy c/o Adel Salawy 201Ocean Ave, Unite 1609-B Santa Monica, CA 90402	Sherif Salawy By: Adel Salawy pursuant to Power of Attorney dated June 27, 2000 Tarek Salawy By: Adel Salawy pursuant to Power of Attorney dated June 27, 2000
50	186-250-13	Spounias/ Tzavaras	20.61	North County Metro	18	A-70	EDA	74067	1089/B5	Archie Spounias and Wanna Spounias 1031 Acero Street Chula Vista, CA 91910 James P. Tzavares and Jean M. Tzavares 11672 Caminito Corriente San Diego, CA 92128	Archie J. Spounias Wanna J. Spounias James P. Tzavaras Jean M. Tzavaras
51	186-611-20	Spounias/ Tzavaras	2.87	North County Metro	15	M-52	CUDA	74176	1089/C5		SEE SPOUNIAS
52	186-611-11	Spounias/ Tzavaras	78.50	North County Metro	1	A-70	CUDA	74089	1089/C6		SEE SPOUNIAS
53	186-611-17	Spounias/ Tzavaras	6.57	North County Metro	18	A-70	EDA	74089	1089/C5		SEE SPOUNIAS
54	186-611-01	Spounias/ Tzavaras	19.41	North County Metro	18	A-70	EDA	74089	1089/C5		SEE SPOUNIAS
55	182-040-36-00	Stonegate Merriam Mtns LLc	5.16			A-704		76013		Stonegate Merriam Mtns Llc 28071 Cabot Rd., Ste. 106 Laguna Niguel, CA 92677	
56	182-040-69-00	Clark/Stockton	3.86					76013		Anthony J. Clark and Cherry Stockton 2737 Sarver Ln. San Marcos, CA 92069	
57	178-100-07-00	Pizzuto	na			A-704		76015		Carl J. and Sylvia S. Pizzuto 773 Hillsboro Way San Marcos, CA 92069 (760) 739-1987	
Subtotal Twin Oaks Valley			1941.65								
Grand Total			2320.16								