

(R-93-1079)

RESOLUTION NUMBER R-281078

ADOPTED ON NOVEMBER 17, 1992

WHEREAS, BLACK MOUNTAIN RANCH PARTNERSHIP, POTOMAC INVESTMENT ASSOCIATES LIMITED PARTNERSHIP and RICK ENGINEERING filed an application for a 656-lot tentative subdivision map and street vacation, located north and west of Carmel Valley Road, north and west of Rancho Penasquitos Community, and described as portions of Sections 35 and 36, Township 13 South, Range 3 West, San Bernardino Meridian, and a portion of Parcel 2, Parcel Map 12443, in the Rancho Penasquitos Community Plan area, in the A-1-10 zone; and

WHEREAS, BLACK MOUNTAIN RANCH PARTNERSHIP, POTOMAC INVESTMENT ASSOCIATES LIMITED PARTNERSHIP and RICK ENGINEERING filed an application for a 580-lot tentative subdivision map and street vacation, located south of Camino del Norte, north and west of Rancho Penasquitos Community and described as Section 25 and a portion of Section 36, Township 13 South, Range 3 West, San Bernardino Meridian, and the southwest quarter, the westerly half of the northeast quarter, the northwest quarter of the southeast quarter, Lots 4, 5, and 6, and a portion of the northwest quarter of Section 30, Township 13 South, Range 2 West, San Bernardino Meridian, and a portion of Section 31, Township 13 South, Range 2 West, San Bernardino Meridian, and the southerly half of the southwest quarter, the southwest quarter of the southeast quarter, and Lots 1, 2, 3, and 4 of Section 32 Township South, Range 2 West, San Bernardino Meridian, and Lot 1 and a portion of

Lot 2, and a portion of the south half of the southwest quarter of Section 33, Township 13 South, Range 2 West, San Bernardino Meridian, and portions of the easterly half of the northwest and the easterly half of the southwest quarter of Section 4, Township 14, South, Range 2 West, San Bernardino Meridian and a portion of Parcel 1 of Parcel Map 12443, in the Rancho Penasquitos Community Plan area, in the A-1-10 and R1-5000 zones; and

WHEREAS, on November 17, 1992, the Council of The City of San Diego, considered Tentative Map No. 90-0332, BLACK MOUNTAIN RANCH SOUTH, and Tentative Map No. 91-0313, BLACK MOUNTAIN RANCH SOUTH, pursuant to Section 102.0307 of the Municipal Code of the City of San Diego and received for its consideration written and oral presentations, and heard from all interested parties present at the public hearing; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that this Council adopts the following findings with respect to Tentative Map No. 90-0332:

1. The map proposes the subdivision of a 2,300-acre site into 656 lots for residential, golf course, and open space development. This type of development is consistent with the General Plan and the Urban Reserve area, which designate the area for uses allowed in the A-1-10 zone (residential, golf course, and open space uses). The proposed map will retain the community's character by encouraging orderly, sequential development compatible in its intensity with surrounding existing and future land development.

2. The design and proposed improvements for the map are consistent with the zoning/development regulations of the A-1-10 zone in that:

a. All lots have minimum frontage on a dedicated street which is open to and usable by vehicular traffic, as allowed under a Planned Residential Development/Resource Protection Ordinance/Conditional Use Permit (PRD/RPO/CUP).

b. All lots meet the minimum dimension requirements of the A-1-10 zone, as allowed under a PRD/RPO/CUP.

c. All lots are designed so that required improvements do not result in nonconforming lots in respect to building area, setbacks, side yard and rear yard regulations, as allowed under a PRD/RPO/CUP.

d. Development of the site is controlled by Planned Residential Development/Resource Protection Ordinance/Conditional Use Permit No. 90-0332.

3. The design and proposed improvements for the subdivision are consistent with State Map Act section 66473.1 regarding the design of the subdivision for future passive or natural heating or cooling opportunities.

4. The site is physically suitable for residential, golf course, and open space development. The harmony in scale, height, bulk, density, and coverage of development creates a compatible physical relationship to surrounding properties for which this area has been planned.

5. The site is physically suitable for the proposed density of development. This is consistent with the Council Policy,

zoning, and Framework Plan, which provides for residential, golf course, and open space uses.

6. The design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, based upon the findings of Environmental Impact Report DEP No. 90-0332, which is included herein by this reference. However, a finding has been made pursuant to subdivision (c) of Section 21081 of the Public Resources Code that specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the Environmental Impact Report.

7. The design of the subdivision and the type of improvements will not likely cause serious public health problems inasmuch as needed public services and facilities are available/ or required by condition of this map to provide for water and sewage facilities, as well as other related public services.

8. The design of the subdivision and the type of improvements are such that they will not conflict with any easements, acquired by the public at large, for access through or use of property within the proposed subdivision as demonstrated by the City Engineer's request for public dedications and adequate improvement on the proposed subdivision map.

9. The Council has reviewed the adopted Housing Element, the Progress Guide, and the General Plan of the City of San Diego, and hereby finds, pursuant to Section 66412.3 of the Government Code, that the housing needs of the region are being

met since residential development has been planned for the area and public services programmed for installation, as determined by the City Engineer, in accordance with financing and environmental policies of the City Council.

BE IT FURTHER RESOLVED, by the Council of The City of San Diego, that this Council adopts the following findings with respect to Tentative Map No. 91-0313:

1. The map proposes the subdivision of a 2,360-acre site into 580 lots for residential, golf course, and open space development. This type of development is consistent with the General Plan and the Urban Reserve area, which designate the area for uses allowed in the A-1-10 zone (residential, golf course, and open space uses). The proposed map will retain the community's character by encouraging orderly, sequential development compatible in its intensity with surrounding existing and future land development.

2. The design and proposed improvements for the map are consistent with the zoning/development regulations of the A-1-10 and R1-5000 zones in that:

a. All lots have minimum frontage on a dedicated street which is open to and usable by vehicular traffic, as allowed under a Planned Residential Development/Resource Protection Ordinance/Conditional Use Permit (PRD/RPO/CUP).

b. All lots meet the minimum dimension requirements of the A-1-10 and R1-5000 zones, as allowed under a PRD/RPO/CUP.

c. All lots are designed so that required improvements do not result in nonconforming lots in respect to building area, setbacks, side yard and rear yard regulations, as allowed under a PRD/RPO/CUP.

d. Development of the site is controlled by Planned Residential Development/Resource Protection Ordinance/ Conditional Use Permit No. 91-0313.

3. The design and proposed improvements for the subdivision are consistent with State Map Act section 66473.1 regarding the design of the subdivision for future passive or natural heating or cooling opportunities.

4. The site is physically suitable for residential, golf course, and open space development. The harmony in scale, height, bulk, density, and coverage of development creates a compatible physical relationship to surrounding properties for which this area has been planned.

5. The site is physically suitable for the proposed density of development. This is consistent with the Council Policy, zoning, and Framework Plan, which provides for residential, golf course, and open space uses.

6. The design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, based upon the findings of Environmental Impact Report DEP No. 90-0332, which is included herein by this reference. However, a finding has been made pursuant to subdivision (c) of Section 21081 of the Public Resources Code that specific

economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the Environmental Impact Report.

7. The design of the subdivision and the type of improvements will not likely cause serious public health problems inasmuch as needed public services and facilities are available/ or required by condition of this map to provide for water and sewage facilities, as well as other related public services.

8. The design of the subdivision and the type of improvements are such that they will not conflict with any easements, acquired by the public at large, for access through or use of property within the proposed subdivision as demonstrated by the City Engineer's request for public dedications and adequate improvement on the proposed subdivision map.

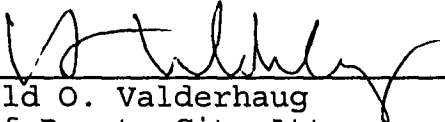
9. The Council has reviewed the adopted Housing Element, the Progress Guide, and the General Plan of the City of San Diego, and hereby finds, pursuant to Section 66412.3 of the Government Code, that the housing needs of the region are being met since residential development has been planned for the area and public services programmed for installation, as determined by the City Engineer, in accordance with financing and environmental policies of the City Council.

The above findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that Tentative Map No. 90-0332 and Tentative Map No. 91-0313 are hereby granted to BLACK MOUNTAIN RANCH PARTNERSHIP, POTOMAC INVESTMENT ASSOCIATES LIMITED

PARTNERSHIP and RICK ENGINEERING, subject to the conditions attached hereto and made a part hereof.

APPROVED: JOHN W. WITT, City Attorney

By   
Harold O. Valderhaug  
Chief Deputy City Attorney

HOV:pev  
08/28/95  
Or.Dept:Clerk  
R-93-1079  
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**CITY COUNCIL CONDITIONS FOR  
TENTATIVE MAP NO. 90-0332**

1. This tentative map will expire three (3) years after the approval of the Tentative Map (TM), Planned Residential Development (PRD) Permit, Conditional Use Permit (CUP), and Street Vacation (SA) by the City Council. The Tentative Map may be eligible for an Extension of Time (EOT) for the duration of the Development Agreement, in accordance with Section 66452.6 of the Subdivision Map Act.
2. The final map shall comply with the provisions of Planned Residential Development/Resource Protection Ordinance/ Conditional Use Permit No. 90-0332.
3. The "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, shall be made a condition of map approval. Only those exceptions to the General Conditions which are shown on the tentative map and covered in these special conditions will be authorized.

All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. 769635.

4. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source will be the California Coordinate System, Zone 6, North American Datum of 1983 (NAD 83).
5. "California Coordinate System" means the coordinate system as defined in Section 8801 through 8819 of the California Public Resources code. The specified zone for San Diego County is "Zone 6," and the official datum is the "North American Datum of 1983."
6. Every final map shall:
  - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping

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angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.

- b. Show two measured ties from the boundary of the map to existing Horizontal Control stations 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 grid-to-ground distances shall be shown on the map.
7. The subdivider has requested approval to file final maps out of numerical sequence. This request is approved, subject to the provision that the City Engineer can review the off-site improvements in connection with each unit.
8. The subdivider has reserved the right to record multiple final maps over the area shown on the approved tentative map. In accordance with Article 66456.1 of the Subdivision Map Act, the City Engineer shall retain the authority to review the areas of the tentative map the subdivider is including in each final map and may impose reasonable conditions, such as off-site public improvements, that shall become requirements of final map approval for a particular unit.
9. The subdivider must provide a geological report on the subject property to discover and address potential geological hazards. The report must be prepared in accordance with the most recent edition of the City of San Diego "Technical Guidelines for Geotechnical Reports." All slopes shall be constructed in accordance with the provisions of San Diego Municipal Code section 62.0410 et seq.

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10. Undergrounding of existing and/or proposed public utility systems and service facilities is required according to San Diego Municipal Code section 102.0404, subsection 2. Lines on 69 KV poles are exempt from undergrounding.
11. Whenever street rights-of-way are required to be dedicated, it is the responsibility of the subdivider to provide the right-of-way free and clear of all encumbrances and prior easements. The subdivider must secure "subordination agreements" for minor distribution facilities and/or "joint-use agreements" for major transmission facilities.
12. Streets shall be widened in right-of-way and improvements at intersections to allow for dual left turns and exclusive right turns, as necessary, satisfactory to the City Engineer.
13. The subdivider shall provide traffic signal systems, along with additional right-of-way and improvements at intersections for right and dual left turn lanes, satisfactory to the City Engineer, at the following locations:
  - a. Camino Ruiz & Carmel Valley Road
  - b. Camino Ruiz & Street "A" (Town Center North)
  - c. Camino Ruiz & Street "A" (Town Center South)
  - d. Camino Ruiz & Street "FF" (This signal is required if the intersection is not restricted to right-in/right-out turns.)
  - e. Camino Ruiz & San Dieguito Road
  - f. Black Mountain Road & Carmel Valley Road
  - g. Camino Ruiz & Street "G"
14. Camino Ruiz is classified as a major street. The subdivider shall dedicate a 122-foot-wide right-of-way and shall

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- provide a 38-foot-wide raised landscaped-center median, 64 feet of pavement (four-lane), curb, gutter, and five-foot-wide sidewalk within a ten-foot curb-to-property-line distance, satisfactory to the City Engineer. There shall be no direct access onto Camino Ruiz, except Fire Department access and emergency access. Access rights shall be relinquished along Camino Ruiz, except as noted.
15. Carmel Valley Road is classified as a major street. The subdivider shall dedicate a 122-foot-wide right-of-way and shall provide a 38-foot-wide raised landscaped-center median, 64 feet of pavement (four-lane), curb, gutter, and five-foot-wide sidewalk within a ten-foot curb-to-property-line distance, satisfactory to the City Engineer.
  16. San Dieguito Road is classified as a two-lane collector street within a 60-foot-wide right-of-way. The subdivider shall dedicate a 60-foot-wide right-of-way and shall provide 40-feet of pavement, curb, gutter, and five-foot-wide sidewalk within a ten-foot curb-to-property-line distance, satisfactory to the City Engineer.
  17. Black Mountain Road is classified as a major street within a 98-foot-wide right-of-way. The subdivider shall dedicate a 98-foot-wide right-of-way and shall provide a 14-foot-wide raised landscaped-center median, 64 feet of pavement, curb, gutter, and five-foot-wide sidewalk within a ten-foot curb-to-property-line distance, satisfactory to the City Engineer. Access rights shall be relinquished along Black Mountain Road.
  18. The subdivider shall be responsible for the off-site dedication, improvements, and grade and alignment studies, as addressed in the approved traffic study, phasing plan, and development agreement, satisfactory to the City Engineer.
  19. Streets "A" and "B" (west of Street "J"), Unit 1, are classified as two-lane modified collector streets within an 86-foot-wide right-of-way. The subdivider shall dedicate an 86-foot-wide right-of-way and shall provide 56 feet of

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- pavement, curb, gutter, five-foot-wide sidewalk, on both sides of all streets, within a ten-foot curb-to-property-line distance, and a ten-foot raised-center median, satisfactory to the City Engineer. Street "B," east of Street "J," shall be a private street.
20. Street "J," Unit 1, is classified as a local residential street within a 56-foot-wide right-of-way between Street "K" and Street "B" and as a 52-foot-wide right-of-way from Street "K" to the cul-de-sac. The subdivider shall dedicate a 56- and 52-foot-wide right-of-way and shall provide a 45-foot right-of-way radius for the cul-de-sac, 36 and 32 feet of pavement, curb, gutter, four-foot-wide sidewalk, on both sides of all streets, within a ten-foot curb-to-property-line distance, and a 35-foot curb radius for the cul-de-sac, satisfactory to the City Engineer.
21. Streets "K" and "I" (south of Street "B"), Unit 1, are classified as local residential streets within a 52-foot-wide right-of-way. The subdivider shall dedicate a 52-foot-wide right-of-way and shall provide a 45-foot right-of-way radius for the cul-de-sac, 36 feet of pavement, curb, gutter, four-foot-wide sidewalk, on both sides of all streets, within a ten-foot curb-to-property-line distance, and a 35-foot curb radius for the cul-de-sac, satisfactory to the City Engineer.
22. Street "AJ," Unit 1, is classified as a local residential street within a 50-foot-wide right-of-way. The subdivider shall dedicate a 50-foot-wide right-of-way and shall provide a 45-foot right-of-way radius for the cul-de-sac, 30 feet of pavement, curb, gutter, four-foot-wide sidewalk, on both sides of all streets, within a ten-foot curb-to-property-line distance, and a 35-foot curb radius for the cul-de-sac, satisfactory to the City Engineer.
23. Streets "I" and "L" (from Street "B" to Street "O"), Unit 2, are classified as local residential streets within a 56-foot-wide right-of-way. The subdivider shall dedicate a 56-foot-wide right-of-way and shall provide a 45-foot right-of-way radius for the cul-de-sac, 36 feet of pavement, curb,

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gutter, four-foot-wide sidewalk on both sides of all streets, within a ten-foot curb-to-property-line distance, and a 35-foot curb radius for the cul-de-sac, satisfactory to the City Engineer.

24. Streets "J," "N," "M" (from Street "L" to the cul-de-sac), "O" (from Street "ZZ" to the cul-de-sac), "AB," "AD," "HH," "KK," "LL," "MM," "NN," "OO," and "ZZ," Unit 2, are classified as local residential streets within a 50-foot-wide right-of-way. The subdivider shall dedicate a 50-foot-wide right-of-way and shall provide a 45-foot right-of-way radius for the cul-de-sac, 30 feet of pavement, curb, gutter, four-foot-wide sidewalk, on both sides of all streets, within a ten-foot curb-to-property-line distance, and a 35-foot curb radius for the cul-de-sac, satisfactory to the City Engineer.
25. Streets "L" (from Street "O" to Street "M"), "M" (from Street "L" to Street "N"), and "O" (from Street "L" to Street "ZZ"), Unit 2, are classified as local residential streets within a 52-foot-wide right-of-way. The subdivider shall dedicate a 52-foot-wide right-of-way and shall provide a 45-foot right-of-way radius for the cul-de-sac, 32 feet of pavement, curb, gutter, four-foot-wide sidewalk, on both sides of all streets, within a ten-foot curb-to-property-line distance, and a 35-foot curb radius for the cul-de-sac, satisfactory to the City Engineer.
26. Streets "R" (from Street "T" to the cul-de-sac), "S," "T," "U," "W," "AF," and "RR," Unit 4, are classified as local residential streets within a 50-foot-wide right-of-way. The subdivider shall dedicate a 50-foot-wide right-of-way and shall provide a 45-foot right-of-way radius for the cul-de-sac, 30 feet of pavement, curb, gutter, four-foot-wide sidewalk, on both sides of all streets, within a ten-foot curb-to-property-line distance, and a 35-foot curb radius for the cul-de-sac, satisfactory to the City Engineer.
27. Streets "R," "Q," and "AE," Unit 4, are classified as local residential streets within a 52-foot-wide right-of-way. The subdivider shall dedicate a 52-foot-wide right-of-way and

shall provide a 45-foot right-of-way radius for the cul-de-sac, 32 feet of pavement, curb, gutter, four-foot-wide sidewalk, on both sides of all streets, within a ten-foot curb-to-property-line distance, and a 35-foot curb radius for the cul-de-sac, satisfactory to the City Engineer.

28. Street "V," Unit 4, is classified as a local street within a 60-foot-wide right-of-way, varying to a 100-foot-wide right-of-way. The subdivider shall dedicate a 60-foot-wide right-of-way, varying to a 100-foot-wide right-of-way, and shall provide 40 feet of pavement, varying to 56 feet of pavement, curb, gutter, four-foot-wide sidewalk, on both sides of all streets, within a ten-foot curb-to-property-line distance, and 24-foot-wide raised landscaped-center median, satisfactory to the City Engineer.
29. Streets "W," "X" (from Street "W" to the cul-de-sac), "Y," "AA" (from Street "GG" south to the cul-de-sac), "BB," "CC" (from Street "DD" to the cul-de-sac), and "DD," Unit 5, are classified as local residential streets within a 50-foot-wide right-of-way. The subdivider shall dedicate a 50-foot-wide right-of-way and shall provide a 45-foot right-of-way radius for the cul-de-sac, 30 feet of pavement, curb, gutter, four-foot-wide sidewalk, on both sides of all streets, within a ten-foot curb-to-property-line distance, and a 35-foot curb radius for the cul-de-sac, satisfactory to the City Engineer.
30. Streets "X" (south of Street "W") and "AA" (between Street "BB" and Street "GG"), Unit 5, are classified as local residential streets within a 52-foot-wide right-of-way. The subdivider shall dedicate a 52-foot-wide right-of-way and shall provide 32 feet of pavement, curb, gutter, four-foot-wide sidewalk, on both sides of all streets, within a ten-foot curb-to-property-line distance, and a 35-foot curb radius for the cul-de-sac, satisfactory to the City Engineer.
31. Street "AH," Unit 5, is classified as a local residential street within a 50-foot-wide right-of-way. The subdivider shall dedicate a 50-foot-wide right-of-way and shall provide

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- 30 feet of pavement, curb, gutter, four-foot-wide sidewalk, on both sides of all streets, within a ten-foot curb-to-property-line distance, and a 35-foot curb radius for the cul-de-sac, satisfactory to the City Engineer.
32. Street "V," Unit 5, is classified as a local street within a 60-foot-wide right-of-way, varying to a 100-foot-wide right-of-way. The subdivider shall dedicate a 60-foot-wide right-of-way, varying to a 100-foot-wide right-of-way, and shall provide 40 feet of pavement, varying to 56 feet of pavement, curb, gutter, four-foot-wide sidewalk, on both sides of all streets, within a ten-foot curb-to-property-line distance, and 24-foot-wide raised landscaped-center median, satisfactory to the City Engineer.
33. Streets "AI," "AJ," "AK," "AL," "AM," "AN," "AO," "AR," and "QQ," Unit 6, are classified as two-lane collector streets within a minimum 60-foot-wide right-of-way. The subdivider shall dedicate a minimum 60-foot-wide right-of-way and shall provide a minimum 40 feet of pavement, curb, gutter, five-foot-wide sidewalk, on both sides of all streets, within a ten-foot curb-to-property-line distance, satisfactory to the City Engineer.
34. Streets "EE" and "FF" (between Street "EE" and the cul-de-sac), Unit 7, are classified as two-lane local residential streets within a 50-foot-wide right-of-way. The subdivider shall dedicate a 50-foot-wide right-of-way and shall provide a 45-foot right-of-way radius for the cul-de-sac, 30 feet of pavement, curb, gutter, four-foot-wide sidewalk within a ten-foot curb-to-property-line distance, and a 35-foot curb radius for the cul-de-sac, satisfactory to the City Engineer.
35. Street "FF" (between Street "EE" and Camino Ruiz, and east of Camino Ruiz), Unit 7, is classified as a two-lane local residential street within a 56-foot-wide right-of-way. The subdivider shall dedicate a 56-foot-wide right-of-way and shall provide 36 feet of pavement, curb, gutter, four-foot-wide sidewalk within a ten-foot curb-to-property-line distance, satisfactory to the City Engineer. A cross gutter

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shall be allowed in this street at the intersection with Camino Ruiz.

36. Streets "F" and "G" (east of Street "H"), Unit 8, are classified as two-lane local residential streets within a 50-foot-wide right-of-way. The subdivider shall dedicate a 50-foot-wide right-of-way and shall provide a 45-foot-wide right-of-way radius for the cul-de-sac, 30 feet of pavement, curb, gutter, four-foot-wide sidewalk within a ten-foot curb-to-property-line distance, and a 35-foot curb radius for the cul-de-sac, satisfactory to the City Engineer.
37. Streets "G" (between Street "H" and approximately 200 feet east of Camino Ruiz) and "H" (from Street "F" to Street "G"), Unit 8, are classified as two-lane local residential streets within a 52-foot-wide right-of-way. The subdivider shall dedicate a 52-foot-wide right-of-way and shall provide 32 feet of pavement, curb, gutter, four-foot-wide sidewalk within a ten-foot curb-to-property-line distance, satisfactory to the City Engineer.
38. Streets "G" (between Camino Ruiz and approximately 200 feet east of Camino Ruiz) and "H" (from Camino Ruiz to Street "G"), Unit 8, are classified as two-lane local residential streets within a 56-foot-wide right-of-way. The subdivider shall dedicate a 56-foot-wide right-of-way and shall provide 36 feet of pavement, curb, gutter, four-foot-wide sidewalk within a ten-foot curb-to-property-line distance, satisfactory to the City Engineer.
39. Streets "I" and "P," Unit 9, are classified as two-lane local residential streets within a 56-foot-wide right-of-way. The subdivider shall dedicate a 56-foot-wide right-of-way and shall provide 36 feet of pavement, curb, gutter, four-foot-wide sidewalk within a ten-foot curb-to-property-line distance, and a 35-foot curb radius for the cul-de-sac, satisfactory to the City Engineer.
40. Street "AL," Unit 9, is classified as a two-lane local residential street within a 52-foot-wide right-of-way. The subdivider shall dedicate a 52-foot-wide right-of-way and

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shall provide 32 feet of pavement, curb, gutter, and four-foot-wide sidewalk within a ten-foot curb-to-property-line distance, satisfactory to the City Engineer.

41. Street "OO," Unit 9, is classified as a two-lane local residential street within a 50-foot-wide right-of-way. The subdivider shall dedicate a 50-foot-wide right-of-way and shall provide a 45-foot right-of-way radius for the cul-de-sac, 30 feet of pavement, curb, gutter, four-foot-wide sidewalk within a ten-foot curb-to-property-line distance, and a 35-foot curb radius for the cul-de-sac, satisfactory to the City Engineer.
42. All cul-de-sacs greater than 500 feet in length shall have a 60-foot right-of-way radius and a 50-foot curb radius, satisfactory to the City Engineer.
43. All streets with a pavement width of less than 36 feet shall have parking allowed along one side of the street only. The other side shall be a red curb.
44. Water Requirements:
  - a. The developer shall install fire hydrants at locations satisfactory to the Fire Department and the City Engineer. If more than two fire hydrants and/or 30 equivalent dwelling units (EDUs) are located on a dead-end main, then a dual-fed system shall be installed.
  - b. The developer shall provide a water study, satisfactory to the Water Utilities Director. The study shall plan the entire pressure zone(s) necessary to serve this development. The minimum pipe size for the mains in Camino Ruiz and Carmel Valley Road shall be 24-inches in diameter. A phasing plan shall be included in the study.
  - c. The developer shall install all facilities, as required by the approved water study and phasing plan, necessary to serve this development.

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- d. The developer shall dedicate a suitable site for and construct the Black Mountain Reservoir (15 million gallons), satisfactory to the Water Utilities Director. The developer shall enter into a participation agreement with the City of San Diego Water Utilities Department for the construction of the reservoir, in accordance with City regulations and practices pertaining thereto. Agreement for work shall be executed prior to recordation of the final map.

45. Sewer Requirements:

- a. The subdivider shall provide a sewer study, satisfactory to the Water Utilities Director, for the sizing of gravity sewer mains, pump stations, and force mains to show that the existing and proposed facilities will provide adequate capacity and cleansing velocities necessary to serve this development and the drainage basins in which it lies. A phasing plan shall be included in the study. The study shall include an interim private sewage disposal system for the golf course clubhouse, satisfactory to the Water Utilities Director and the County Department of Health Services.
- b. The developer shall install all facilities, as required by the approved sewer study and phasing plan, necessary to serve this development.

46. Water and Sewer Requirements:

- a. The developer shall provide individual predesign reports for each water and sewer pump station, satisfactory to the Water Utilities Director, necessary to serve this development.
- b. If on-site water and sewer mains are to be public, and if it is a gated community, the Water Utilities Systems Division shall have keyed access, satisfactory to the Water Utilities Director. The City will not be held responsible for any issues that may arise relative to the availability of keys.

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- c. The developer shall provide a reclaimed water study, satisfactory to the Clean Water Program Director.
- d. All common areas and/or open spaces that require irrigation shall be irrigated with reclaimed water, as specified in City Council Ordinance No. O-17327. The subdivider shall design and install a reclaimed water distribution system within the subdivision in accordance with "Rules and Regulations for Reclaimed Water Use and Distribution within the City of San Diego." The irrigation system shall initially be supplied from the potable water system until reclaimed water is available. The system shall be designed to allow the conversion from potable to reclaimed water service and avoid any cross connections between the two systems.
- e. With the exception of Lot 1, Unit 7, the developer shall provide evidence to the Water Utilities Director, indicating that each lot will have its own water service and sewer lateral or provide CC&R's for the operation and maintenance of on-site private water and/or sewer mains that serve more than one lot. Also, the developer shall provide private easements for the private mains or show easement locations in the CC&R's. The developer shall provide sewer service to Lot 1, Unit 7, in a manner satisfactory to the Water Utilities Director and the County Department of Health Services.
- f. Providing water and sewer for this subdivision is dependent upon the prior construction of certain water and sewer mains in previously approved adjacent developments and planned Capital Improvement Projects (CIPs) for the Carmel Valley Trunk Sewer and Sewer Pump Station 65. If they have not been constructed when required for this subdivision, then the construction of certain portions of these previously approved or planned water and sewer mains, as required by the City Engineer, will become off-site improvement requirements for this subdivision. Any CIPs installed by the developer will be reimbursed by the City for actual

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cost of design and construction, in accordance with City regulations and practices pertaining thereto. Agreement for work shall be executed prior to recordation of the final map.

47. The subdivider shall provide open space easements and dedication satisfactory to the Park and Recreation Department as follows:
- a. Unit 1:
- (1) Lots 95, 96, and 97 shall be granted negative open space easements, for brush management, owned and maintained by the Homeowners' Association.
  - (2) Lots "A," "B," "C," "D," "E," "F," 91, 92, 93, and 94 shall be granted as building restricted easements, owned and maintained by the Homeowners' Association.
- b. Unit 2:
- (1) Lots "A," "B," "C," "D," 158, 159, and 160 shall be granted as building restricted easements, owned and maintained by the Homeowners' Association.
  - (2) Lots 162, 163, and 164 shall be granted as negative open space easement, for brush management, maintained by the Homeowners' Association.
  - (3) Lot 161 shall be deeded to the City in fee title, without cost to the City, for open space purposes.
- c. Unit 3 -- Golf Course:
- Lots 4 through 14 shall be granted to as negative open space easements, for brush management, maintained by the Homeowners' Association.

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## d. Unit 4:

- (1) A pedestrian and non-motor-vehicular equestrian right-of-way shall be dedicated a minimum of 30 feet wide.
- (2) Lots 69 and 73 shall be deeded to the City in fee title, without cost to the City, for open space purposes.
- (3) Lots "A," "B," "D," "E," "F," "G," "H," "I," "J," "K," "L," "M," 70, 71, 72, and 74 shall be granted as building restricted easements, maintained by the Homeowners' Association.
- (4) Lots 75 through 81 shall be granted as negative open space easements, for brush management, maintained by the Homeowners' Association.

## e. Unit 5:

- (1) Lots "A," "C," "D," "E," "F," "G," "H," "I," "J," "K," and "L" shall be owned and maintained by the Homeowners' Association.
- (2) A pedestrian and non-motor-vehicular equestrian right-of-way shall be dedicated a minimum of 30 feet wide along the entire western subdivision boundary.
- (3) Lots 110 and 111 shall be deeded to the City in fee title, without cost to the City, for open space purposes.
- (4) Lot 112 shall be granted as a building restricted easement, maintained by the Homeowners' Association.
- (5) Lots 113 through 119 shall be granted as negative open space easement, for brush management, maintained by the Homeowners' Association.

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## f. Unit 7:

- (1) Lot 18 shall be deeded to the City in fee title, without cost to the City, for open space purposes.
- (2) A pedestrian and non-motor-vehicular equestrian right-of-way shall be dedicated a minimum of 30 feet wide along the westerly boundary of Unit 7.
- (3) Lots 20, 21, 22, and 23 shall be granted as negative open space easements, for brush management, maintained by the Homeowners' Association.
- (4) Lots "A," "B," "C," "D," and "E" shall be granted as negative open space easements, maintained by the Homeowners' Association.
- (5) Lot 19 shall be granted as a building restricted easement, maintained by the Homeowners' Association.

## g. Unit 8:

- (1) Lots 70, 71, 72, and 75 shall be deeded to the City in fee title, without cost to the City, for open space purposes.
- (2) Lots 76, 77, 78, and 79 shall be granted as a negative open space easement, for brush management, maintained by the Homeowners' Association.
- (3) Lots 73, 74, and 80 shall be granted as building restricted easements, maintained by the Homeowners' Association.

## h. Unit 9:

- (1) Lot 40 shall be deeded to the City in fee title, without cost to the City, for open space purposes.

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(2) Lot 41 shall be granted as a building restricted easement, maintained by the Homeowners' Association.

(3) Lot 42 shall be granted as negative open space easements, maintained by the Homeowners' Association.

i. Unit 10:

(1) Lot 2, 4, and 5 shall be deeded to the City in fee title, without cost to the City, for open space purposes.

(2) Grant negative open space easements, for brush management, over the area along the south boundary adjacent to Map 11608.

48. Environmental Mitigation Requirements:

a. A total of approximately 1,780 acres of permanent open space shall be offered for dedication to the City in phases as final maps are recorded per the Development Agreement. Planting of ornamental landscaping, off-road-vehicle activity, grading, brushing, or placement of structures, except for hiking or equestrian trails, bike paths, interpretive signing, or other improvements designated by the Park and Recreation Director or the San Dieguito River Park, shall be precluded from these open space areas. A detailed management plan for the endangered San Diego thornmint, which is being preserved in open space, shall be prepared to the satisfaction of the Park and Recreation Director and the Principal Planner of the Environmental Analysis Section of the Development and Environmental Planning Division of the Planning Department, prior to the recordation of the first final map.


b. Trails design and specifications shall be prepared to the satisfaction of the Park and Recreation Director,

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prior to the recordation of the final map in which the trails are contained.

- c. Transportation improvements, on-site and off-site, shall be provided in accordance with the transportation phasing plan as shown in the Environmental Impact Report and the Development Agreement, to the satisfaction of the City Engineer.
- d. An alignment study, including detailed mitigation requirements, for Carmel Valley Road and Camino del Norte off-site shall be prepared, to the satisfaction of the City Engineer and the Principal Planner of the Environmental Analysis Section of the Development and Environmental Planning Division of the Planning Department. All required mitigation measures shall be assured by bonding, prior to the issuance of construction permits, and shall be provided prior to construction of roads, to the satisfaction of the City Engineer and the Principal Planner of the Environmental Analysis Section of the Development and Environmental Planning Division of the Planning Department.
- e. A detailed final revegetation program for wetlands, coastal sage scrub (including management of sensitive plant and animal species, chaparral, and native grasslands), and the associated coastal-California-gnatcatcher monitoring program specifying planting, soil preparation, irrigation requirements, success criteria, and a minimum five-year monitoring and reporting period shall be prepared by a qualified biologist and landscape architect, in a manner consistent with the Environmental Impact Report and the draft revegetation program, and shall be approved by the City of San Diego Planning Department and Park and Recreation Department, the United States Fish and Wildlife Service, and the California Department of Fish and Game prior to issuance of a grading permit or recordation of the first final map. This on-site habitat restoration and revegetation program shall include a minimum of 44.4 acres of riparian habitat

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along Lusardi Creek in La Jolla Valley and a minimum of 226 acres of disturbed, non-native grassland returned to Diagan sage scrub, which shall be initiated within the open space area, such that existing major habitat patches would be reconnected prior to the dedication of the land to the City. The developer shall be responsible for continued monitoring and reporting of the mitigation area for a minimum of five years and until the established success criteria has been met, to the satisfaction of the Park and Recreation Director and the Principal Planner of the Environmental Analysis Section of the Development and Environmental Planning Division of the Planning Department.

- f. Grading shall not occur beyond the limits of an approved grading envelope. Grading plans shall indicate all natural open space areas as off-limits to equipment or other disturbance. The grading plans shall require that a preconstruction meeting be held to describe to all construction personnel the required avoidance techniques and areas to be avoided and that, prior to any work, the construction supervisor and the biologist, together, shall mark the grading limits to ensure against impacts to open space and occupied habitat areas. The grading plans shall also specify that a biologist be on-site to monitor grading activity adjacent to biologically-sensitive lands. Cut-and-fill slopes adjacent to natural open space and the disturbed habitats within the designated biological open space easements shall be revegetated to reestablish native habitat types. The requirements for revegetation shall be shown on the grading plans.
- g. The grading plans shall specify that no grading activities or clearing activities shall be allowed within 200 feet of a nest or burrow being actively used by a coastal California gnatcatcher, a burrowing owl or other sensitive raptor, a southern-California rufous-crowned sparrow, a Bell's sage sparrow, a loggerhead shrike, a California horned lark, a grasshopper

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sparrow, a San Diego black-tailed jackrabbit, or a gray fox during its breeding season unless it can be demonstrated to the satisfaction of the Deputy Department of the Development and Environmental Planning Division of the Planning Department that such activities would not adversely impact the breeding success of these species. Additionally, a burrow known to have been used by a burrowing owl, a San Diego black-tailed jackrabbit, or a grey fox is not to be destroyed unless a biologist confirms that the owl, jackrabbit, or fox is not in the burrow at the time the impact occurs. These requirements shall be discussed at the required preconstruction meeting and these sensitive areas shall be adequately marked or fenced to ensure protection.

- h. Adequate riparian buffer zones, consistent with the Environmental Impact Report, shall be established and shown on the grading plans.
- i. Prior to the issuance of a grading permit for the project, the developer shall obtain a Clean Water Section 404 Permit and an agreement under Section 1600 of the Fish and Game Code and shall demonstrate compliance with mitigation conditions, to the satisfaction of the permitting agencies.
- j. Prior to the construction of hiking or equestrian trails or bike paths not constructed within road rights-of-way, a qualified biologist shall walk the proposed trail alignments and delineate an acceptable route that avoids or minimizes encroachments into sensitive habitats and avoids impacts to sensitive plant species. The biologist shall delineate the trail route on maps and submit them with recommendations for construction methods that should be avoided, to the satisfaction of the Park and Recreation Director.
- k. Prior to recordation of the final map, the Brush Management Plan shall be reviewed and approved by the City Fire Department and the Planning Director.

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- l. The design and location of drainage improvements, consistent with the Environmental Impact Report, shall be indicated on the grading plans and shall be reviewed and approved by the City Engineer and the Principal Planner of the Environmental Analysis Section of the Development and Environmental Planning Division of the Planning Department.
- m. Specific measures to reduce levels of erosion, sedimentation, and runoff during construction activities shall be implemented, in a manner consistent with the Environmental Impact Report, and shall be shown on the grading plans.
- n. Specific measures to reduce erosion, sedimentation, and runoff in the long-term, including nine desilting basins, shall be implemented, in a manner consistent with the Environmental Impact Report, and shall include "Best Management Practices," to the satisfaction of the City Engineer.
- o. Mitigation measures described in the Environmental Impact Report for landform alteration, including erosion control and hydroseeding, shall be identified on the grading permit, to the satisfaction of the Principal Planner of the Environmental Analysis Section of the Development and Environmental Planning Division of the Planning Department. Residential lots within the viewshed of the open space park area of La Jolla Valley shall be identified on the tentative map, and additional restrictions shall be required as part of the overall grading plan, in a manner consistent with the Environmental Impact Report, to the satisfaction of the Principal Planner of the Environmental Analysis Section of the Development and Environmental Planning Division of the Planning Department.
- p. Archaeological sites SDI-5094 and SDI-11981 shall be dedicated as open space and a detailed preservation plan, consistent with the requirements of the Environmental Impact Report, shall be prepared by a

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qualified archeologist and shall be approved by the Planning director and the Park and Recreation Director, prior to the recordation of the final map in which they are contained.

- q. A research design and phased data-recovery program for archeological sites SDI-4832/4833, SDI-5103, SDI-6673, SDI-11,982, and SDI-11,983 shall be prepared by a qualified archaeologist, in a manner consistent with the requirements of the Environmental Impact Report, and shall be approved by the Principal Planner of the Environmental Analysis Section of the Development and Environmental Planning Division of the Planning Department, prior to the recordation of the final map in which they are contained.
- r. Mitigation measures described in the Environmental Impact Report to reduce geological/soil and erosion impacts shall be shown on the grading plans, and the specific measures shall be implemented to the satisfaction of the City Engineer.
- s. A paleontological salvage program, consistent with the requirements of the Environmental Impact Report, including monitoring during original cutting of the Del Mar Formation, Friars Formation, and Mission Valley Formation, salvaging of fossil remains, and preparation of the collected specimens, shall be shown as notes on the grading plans and shall be implemented, to the satisfaction of the Principal Planner of the Environmental Analysis Section of the Development and Environmental Planning Division of the Planning Department.
- t. Prior to recordation of the first final map, an acoustical study shall be required to determine appropriate noise barriers (consisting of a combination berm and variable height wall), locations, heights, and materials for off-site impacts to existing residences along Carmel Valley Road and at 9010 Emden Road. The noise barriers shall be included in the future

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improvement plans for Carmel Valley Road as a four-lane roadway and shall be constructed to the satisfaction of the City Engineer.

- u. Prior to recordation of the first final map for the project, a final school financing agreement shall be entered into with the Poway Unified School District, in a manner consistent with the Environmental Impact Report and the Development Agreement, to the satisfaction of the City Engineer.
  - v. Proper disposal of contaminated soils within this map, through on-site bioremediation or off-site disposal, shall be accomplished prior to the approval the as-built. The disposal shall be verified via written communication to the Planning Department from the county Hazardous Materials Management Division and the Regional Water Quality Control Board.
49. All desilting basins shall be privately maintained, satisfactory to the City Engineer.
50. The drainage system proposed for this subdivision, as shown on the approved tentative map, is subject to approval by the City Engineer.
51. The developer shall provide a downstream drainage study, satisfactory to the City Engineer, that demonstrates that no adverse impacts will occur to downstream properties as a result of the increased runoff from this development or, if substantial impacts are anticipated, what measures must be taken to mitigate such impacts.
52. Development of this project shall comply with all requirements of State Water Resources Control Board (SWRCB) Order No. 92-08-DWQ (NPDES General Permit No. CAS000002), *Waste Discharge Requirements for Discharges of Storm Water Runoff Associated With Construction Activity*. In accordance with said permit, a Storm Water Pollution Prevention Plan (SWPPP) and a Monitoring Program Plan shall be developed and implemented concurrently with the commencement of grading

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activities, and a complete and accurate Notice of Intent (NOI) shall be filed with the SWRCB. A copy of the acknowledgment from the SWRCB that an NOI has been received for this project shall be filed with the City of San Diego when received; further, a copy of the completed NOI from the SWRCB showing the permit number for this project shall be filed with the City of San Diego when received.

In addition, the undersigned and subsequent owner(s) of any portion of the property covered by this grading permit and by SWRCB Order No. 92-08-DWG, and any subsequent amendments thereto, shall comply with special provisions as set forth in Section C.7 of SWRCB Order No. 92-08-DWQ.

53. A portion of this subdivision has been identified as being within a floodway or floodplain fringe area. In connection with Council approval of the final map:
- a. The developer shall submit a Hydraulic and Hydrologic Study of the area within the floodway for approval by the City Engineer.
  - b. Any development within the floodplain fringe area will require either the property to be graded to an elevation two feet above the 100-year frequency flood elevation or provide floodproofing of all structures to that same elevation.
  - c. The developer shall grant flowage and drainage easements, satisfactory to the City Engineer.
  - d. The developer shall denote on the final map and the improvement plans "Subject to Inundation" for those areas at an elevation lower than the 100-year frequency flood elevation plus one foot.
  - e. The developer shall provide slope protection, as required by the City Engineer, where the velocity exceeds 5 FPS.

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- f. Permits or exemptions must be obtained from the California Department of Fish and Game and the U.S. Army Corps of Engineers before City permits will be issued for work within the floodplain fringe areas.
  - g. Portions of this project are located in the floodplain of La Zanja Canyon Creek, as delineated on Panel 0050B of the Flood Insurance Rate Map (FIRM) for the City of San Diego. These maps are prepared by the Federal Emergency Management Agency (FEMA).
  - h. No permits will be issued for grading in the floodplain of La Zanja Canyon Creek until the developer applies for a Conditional Letter of Map Revision (Conditional LOMR) from FEMA. The request for the Conditional LOMR must be submitted through the City of San Diego Floodplain Management Section. The developer must provide all documentation, engineering calculations, and fees which are required by FEMA.
  - i. When as-built grading plans are available, the developer must submit a request for a map revision or map amendment, as applicable, to FEMA via the Floodplain Management Section. The developer must provide all documentation, engineering calculations, and fees which are required by FEMA.
  - j. The bond for this project will not be released until the map revision or map amendment is issued by FEMA.
  - k. Notes provided by the Floodplain Management Section concerning work in designated floodplains shall be included on all grading and improvement plans.
54. This subdivision is in an area designated in the General Plan as Future Urbanizing. Special financing plans will be established to finance the public facilities required for this project area.


The developer shall be subject to any such special financing plans, as more fully described in the "Development Agreement

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between the City of San Diego, Black Mountain Ranch Limited Partnership, and the PGA Tour."

55. Prior to recordation of any final subdivision map by the City Council, the subdivider shall provide evidence to ensure that an affirmative marketing program is established.
56. This subdivision may be subject to payment of School Impact Fees at the time of issuance of building permits, as provided by California Government Code section 53080(b) (Statutes of 1986, Chapter 887), in accordance with procedures established by the Director of Building Inspection.
57. This community may be subject to impact fees, as established by the City Council, at the time of issuance of building permits. Development on any property within this map shall pay the fees as set by the City Council and in effect in the community at the time of building permit issuance. Fees will be paid at the time the building permit is issued.
58. This tentative map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.

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**CITY COUNCIL CONDITIONS FOR  
TENTATIVE MAP NO. 91-0313**

1. This tentative map will expire three (3) years after the approval of the Tentative Map (TM), Planned Residential Development (PRD) Permit, Conditional Use Permit (CUP), and Street Vacation (SA) by the City Council. The Tentative Map may be eligible for an Extension of Time (EOT) for the duration of the Development Agreement, in accordance with Section 66452.6 of the Subdivision Map Act.
2. The final map shall conform to the provisions of Planned Residential Development/Resource Protection Ordinance/Conditional Use Permit No. 91-0313.
3. The "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, shall be made a condition of map approval. Only those exceptions to the General Conditions which are shown on the tentative map and covered in these special conditions will be authorized.


All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. 769635.

4. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source will be the California Coordinate System, Zone 6, North American Datum of 1983 (NAD 83).
5. "California Coordinate System" means the coordinate system as defined in Section 8801 through 8819 of the California Public Resources code. The specified zone for San Diego County is "Zone 6," and the official datum is the "North American Datum of 1983."
6. Every final map shall:
  - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping

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angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.

- b. Show two measured ties from the boundary of the map to existing Horizontal Control stations 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 grid-to-ground distances shall be shown on the map.
7. The subdivider has requested approval to file final maps out of numerical sequence. The request is approved, subject to the provision that the City Engineer can review the off-site improvements in connection with each unit.
8. The subdivider has reserved the right to record multiple final maps over the area shown on the approved tentative map. In accordance with Article 66456.1 of the Subdivision Map Act, the City Engineer shall retain the authority to review the areas of the tentative map the subdivider is including in each final map and may impose reasonable conditions, such as off-site public improvements, that shall become requirements of final map approval for a particular unit.
9. The subdivider must provide a geological report on the subject property to discover and address potential geological hazards. The report must be prepared in accordance with the most recent edition of the City of San Diego "Technical Guidelines for Geotechnical Reports." All slopes shall be constructed in accordance with the provisions of San Diego Municipal Code section 62.0410 et seq.


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10. Undergrounding of existing and/or proposed public utility systems and service facilities is required according to San Diego Municipal Code section 102.0404, subsection 2. Lines on 69 KV poles are exempt from undergrounding.
11. Whenever street rights-of-way are required to be dedicated, it is the responsibility of the subdivider to provide the right-of-way free and clear of all encumbrances and prior easements. The subdivider must secure "subordination agreements" for minor distribution facilities and/or "joint-use agreements" for major transmission facilities.
12. Streets shall be widened in right-of-way and improvements at intersections to allow for dual left turns and exclusive right turns, as necessary, satisfactory to the City Engineer.
13. The subdivider shall provide traffic signal systems, along with additional right-of-way and improvements at intersections for dual left and right turn lanes, satisfactory to the City Engineer, at the following locations:
  - a. Camino del Norte & Camino Ruiz
  - b. Camino Ruiz & Street "X" (Resort Street)
  - c. Camino Ruiz & Artesian Road
  - d. Camino Del Norte & Street "X" (Resort Street)
  - e. Street "Y" & Street "X" (Resort Street)
  - f. Camino del Norte & affordable housing access
  - g. Carmel Valley Road & Street "E"
  - h. Street "J" & Street "X" (Resort Street)
14. Camino Ruiz is classified as a major street. The subdivider shall dedicate a 122-foot-wide right-of-way and shall

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provide a 38-foot-wide raised-landscaped-center median, 64 feet of pavement (four-lane), curb, gutter, and five-foot-wide sidewalk within a ten-foot curb-to-property-line distance, satisfactory to the City Engineer. There shall be no direct access onto Camino Ruiz. Access rights shall be relinquished, except for Fire Department access and emergency access.

15. Carmel Valley Road is classified as a major street. The subdivider shall dedicate a 122-foot-wide right-of-way and shall provide a 38-foot-wide raised-landscaped-center median, 64 feet of pavement (four-lane), curb, gutter, and five-foot-wide sidewalk within a ten-foot curb-to-property-line distance, satisfactory to the City Engineer.
16. Camino del Norte is classified as a six-lane primary arterial street within a 122-foot-wide right-of-way. The subdivider shall dedicate a 122-foot-wide right-of-way and shall provide 88 feet of pavement, a 14-foot-wide raised-landscaped center median, curb, gutter, and five-foot-wide sidewalk within a ten-foot curb-to-property-line distance, satisfactory to the City Engineer. Access rights shall be relinquished along Camino del Norte.
17. Street "Y" is classified as a two-lane collector street. The subdivider shall dedicate a 70-foot-wide right-of-way and shall provide a minimum of 40 feet of pavement, (20-feet on each side of the median), curb, gutter, five-foot-wide sidewalk within a 10-foot curb-to-property-line distance, and a 10-foot-wide raised-landscaped-center median, satisfactory to the City Engineer.
18. Street "X" is classified as a four-lane major street within a 98-foot-wide right-of-way between Camino Ruiz and Camino del Norte. The subdivider shall dedicate a 98-foot-wide right-of-way and shall provide full width improvements of 64 feet of pavement, curb, gutter, five-foot-wide sidewalk within a 10-foot curb-to-property-line distance, and a 14-foot-wide raised-center median; all satisfactory to the City Engineer. The subdivider shall provide full-width dedication and full-width improvements for the north/south

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portion of Street "X" from the east/west portion to Camino Del Norte. This includes off-site dedication and improvements; all satisfactory to the City Engineer. Improvements and classifications will be subject to a grade and alignment study, satisfactory to the City Engineer.

19. Artesian Road is classified as a two-lane collector street residential fronting within a 60-foot-wide right-of-way. The subdivider shall dedicate, between Camino Ruiz and the western subdivision boundary, a 60-foot-wide right-of-way and shall provide 40 feet of pavement, curb, gutter, and five-foot-wide sidewalk within a ten-foot curb-to-property-line distance, satisfactory to the City Engineer. The subdivider shall provide dedication for north/south Artesian Road and half width improvements to allow for a minimum 26 feet of pavement, curb, gutter, and four-foot-wide sidewalk, satisfactory to the City Engineer. This may include off-site dedication.
20. The subdivider shall be responsible for the off-site dedication, improvements, and grade and alignment studies, as addressed in the approved traffic study, phasing plan, and development agreement, satisfactory to the City Engineer.
21. Streets "W," "TT" (south of Street "UU" and north of Street "SS"), "VV," and "UU," Unit 2, are classified as two-lane local residential streets within a 50-foot-wide right-of-way. The subdivider shall dedicate a 50-foot-wide right-of-way and shall provide a 45-foot right-of-way radius for the cul-de-sac, 30 feet of pavement, curb, gutter, four-foot-wide sidewalk within a ten-foot curb-to-property-line distance, and a 35-foot curb radius for the cul-de-sac, satisfactory to the City Engineer.
22. Streets "SS" and "TT" (between Street "SS" and Street "UU"), Unit 2, are classified as two-lane local residential streets within a 52-foot-wide right-of-way. The subdivider shall dedicate a 52-foot-wide right-of-way and shall provide 32 feet of pavement, curb, gutter, and four-foot-wide sidewalk

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within a ten-foot curb-to-property-line distance, satisfactory to the City Engineer.

23. Street "Z," Unit 3, is classified as a two-lane modified collector street within an 86-foot-wide right-of-way. The subdivider shall dedicate an 86-foot-wide right-of-way and shall provide 56 feet of pavement, curb, gutter, five-foot-wide sidewalk within a ten-foot curb-to-property-line distance, and a ten-foot-wide raised-center median, satisfactory to the City Engineer.
24. Streets "OO," "PP," and "QQ," Unit 4, are classified as two-lane local residential street within a 52-foot-wide right-of-way. The subdivider shall dedicate a 52-foot-wide right-of-way and shall provide a 45-foot right-of-way radius for the cul-de-sac, 32 feet of pavement, curb, gutter, four-foot-wide sidewalk within a ten-foot curb-to-property-line distance, and a 35-foot curb radius for the cul-de-sac, satisfactory to the City Engineer.
25. Street "RR," Unit 4, is classified as a two-lane local residential street within a 50-foot-wide right-of-way. The subdivider shall dedicate a 50-foot-wide right-of-way and shall provide a 45-foot right-of-way radius for the cul-de-sac, 30 feet of pavement, curb, gutter, four-foot-wide sidewalk within a ten-foot curb-to-property-line distance, and a 35-foot curb radius for the cul-de-sac, satisfactory to the City Engineer.
26. Streets "KK" (from Street "X" to Street "LL") and "LL" (from Street "KK" to Street "NN"), Unit 5, are classified as two-lane local residential streets within a 52-foot-wide right-of-way. The subdivider shall dedicate a 52-foot-wide right-of-way and shall provide 32 feet of pavement, curb, gutter, and four-foot-wide sidewalk within a ten-foot curb-to-property-line distance, satisfactory to the City Engineer.
27. Streets "KK" (south of Street "LL"), "LL" (west of Street "KK" and east of Street "NN"), "MM," and "NN," Unit 5, are classified as two-lane local residential streets within a 50-foot-wide right-of-way. The subdivider shall

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- dedicate a 50-foot-wide right-of-way and shall provide a 45-foot right-of-way radius for the cul-de-sac, 30 feet of pavement, curb, gutter, four-foot-wide sidewalk within a ten-foot curb-to-property-line distance, and a 35-foot curb radius for the cul-de-sac, satisfactory to the City Engineer.
28. Streets "AA" and "FF," Unit 6, are classified as two-lane local residential streets within a 52-foot-wide right-of-way. The subdivider shall dedicate a 52-foot-wide right-of-way and shall provide 32 feet of pavement, curb, gutter, and four-foot-wide sidewalk within a ten-foot curb-to-property-line distance, satisfactory to the City Engineer.
29. Streets "BB," "CC," "DD," "EE," "GG," "HH," and "JJ," Unit 6, are classified as two-lane local residential streets within a 50-foot-wide right-of-way. The subdivider shall dedicate a 50-foot-wide right-of-way and shall provide a 45-foot right-of-way radius for the cul-de-sac, 30-feet of pavement, curb, gutter, four-foot-wide sidewalk within a ten-foot curb-to-property-line distance, and a 35-foot curb radius for the cul-de-sac, satisfactory to the City Engineer.
30. Street "J," Unit 7, is classified as a two-lane local residential street within a 60-foot-wide right-of-way transitioning to a 52-foot-wide right-of-way. The subdivider shall dedicate a 60-foot-wide right-of-way, transitioning to a 52-foot-wide right-of-way south of Street "L," and shall provide 40 feet and 32 feet of pavement, curb, gutter, and four-foot-wide sidewalk within a ten-foot curb-to-property-line distance, satisfactory to the City Engineer.
31. Streets "K," "L," "M," "N," "O," "P," "Q," "R," "S," "T," and "U," Unit 7, are classified as two-lane local residential streets within a 50-foot-wide right-of-way. The subdivider shall dedicate a 50-foot-wide right-of-way and shall provide a 45-foot right-of-way radius for the cul-de-sac, 30 feet of pavement, curb, gutter, four-foot-wide sidewalk within a ten-foot curb-to-property-line



distance, and a 35-foot curb radius for the cul-de-sac, satisfactory to the City Engineer.

32. Streets "E" and "F," Unit 8, are classified as two-lane local residential streets within a 52-foot-wide right-of-way. The subdivider shall dedicate a 52-foot-wide right-of-way and shall provide a 45-foot right-of-way radius for the cul-de-sac, 32 feet of pavement, curb, gutter, four-foot-wide sidewalk within a ten-foot curb-to-property-line distance, and a 35-foot curb radius for the cul-de-sac, satisfactory to the City Engineer.
33. Streets "G," "H," and "V," Unit 8, are classified as two-lane local residential streets within a 50-foot-wide right-of-way. The subdivider shall dedicate a 50-foot-wide right-of-way and shall provide a 45-foot right-of-way radius for the cul-de-sac, 30 feet of pavement, curb, gutter, four-foot-wide sidewalk within a ten-foot curb-to-property-line distance, and a 35-foot curb radius for the cul-de-sac, satisfactory to the City Engineer.
34. Street "A" (east of Street "B"), Unit 9, is classified as a two-lane local residential street within a 56-foot-wide right-of-way. The subdivider shall dedicate a 56-foot-wide right-of-way east of Street "B" and shall provide 36 feet of pavement, curb, gutter, and four-foot-wide sidewalk within a ten-foot curb-to-property-line distance, satisfactory to the City Engineer.
35. Streets "A" (west of Street "B") and "B" (south of Street "A"), Unit 9, is classified as a two-lane local residential street within a 60-foot-wide right-of-way. The subdivider shall dedicate a 60-foot-wide right-of-way west of Street "B" (south of Street "A") and shall provide 40 feet of pavement, curb, gutter, and four-foot-wide sidewalk within a ten-foot curb-to-property-line distance, satisfactory to the City Engineer.
36. Streets "B" (north of Street "A"), and "C," Unit 9, are classified as two-lane local residential streets within a 50-foot-wide right-of-way. The subdivider shall dedicate a

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- 50-foot-wide right-of-way and shall provide a 45-foot right-of-way radius for the cul-de-sac, 30 feet of pavement, curb, gutter, four-foot-wide sidewalk within a ten-foot curb-to-property-line distance, and a 35-foot curb radius for the cul-de-sac, satisfactory to the City Engineer.
37. All cul-de-sacs greater than 500 feet in length shall have a 60-foot right-of-way radius and a 50-foot curb radius, satisfactory to the City Engineer.
38. All streets with a pavement width of less than 36 feet shall have parking allowed along one side of the street only. The other side shall be a red curb.
39. Within Unit 9, the subdivider shall provide a street reservation, a minimum of 102-feet wide, with slope easement to match the future street alignment within the County of San Diego, satisfactory to the City Engineer.
40. Within Unit 9, the subdivider shall provide a street reservation, a minimum of 60-feet wide, with slope easement to match the future street alignment within the County of San Diego, satisfactory to the City Engineer.
41. The subdivider shall provide a street reservation with slope easements for the extension of Avenida Maria to the western subdivision boundary, satisfactory to the City Engineer.
42. Water Requirements:
- a. The subdivider shall install fire hydrants at locations satisfactory to the Fire Department and the City Engineer. If more than two fire hydrants and/or 30 equivalent dwelling units (EDUs) are located on a dead-end main, then a dual-fed system shall be installed.
  - b. The subdivider shall provide a water study, satisfactory to the Water Utilities Director. The study shall plan the entire pressure zone(s) necessary to serve this development. The minimum pipe size for

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the mains in Camino Ruiz and Carmel Valley Road shall be 24 inches in diameter. A phasing plan shall be included in the study.

- c. The subdivider shall install all facilities, as required by the approved water study and phasing plan, necessary to serve this development.
- d. The developer shall construct the Black Mountain Reservoir (15 million gallons), satisfactory to the Water Utilities Director. The developer shall enter into a participation agreement with the City of San Diego Water Utilities Department for the construction of the reservoir, in accordance with City regulations and practices pertaining thereto. Agreement for work shall be executed prior to recordation of the final map.

43. Sewer Requirements:


- a. The subdivider shall provide a sewer study, satisfactory to the Water Utilities Director, for the sizing of gravity sewer mains, pump stations, and force mains to show that the existing and proposed facilities will provide adequate capacity and cleansing velocities necessary to serve this development and the drainage basins in which it lies. A phasing plan shall be included in the study. The study shall include an interim private sewage disposal system for the golf course clubhouse, satisfactory to the Water Utilities Director and the County Department of Health Services.
- b. The subdivider shall install all facilities, as required by the approved sewer study and phasing plan, necessary to serve this development.

44. Water and Sewer Requirements:

- a. If on-site water and sewer mains are to be public, and if it is a gated community, the Water Utilities Systems Division of the Water Utilities Department shall have


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- keyed access, satisfactory to the Water Utilities Director. The City will not be held responsible for any issues that may arise relative to the availability of keys.
- b. The developer shall provide individual predesign reports for each water and sewer pump station, satisfactory to the Water Utilities Director, necessary to serve this development.
  - c. The subdivider shall provide a reclaimed water study, satisfactory to the Clean Water Program Director.
  - d. All common areas and/or open spaces that require irrigation shall be irrigated with reclaimed water, as specified in City Council Ordinance O-17327. The subdivider shall design and install a reclaimed water distribution system within the subdivision, in accordance with "Rules and Regulations for Reclaimed Water Use and Distribution with the City of San Diego." The irrigation system shall initially be supplied from the potable water system until reclaimed water is available. The system shall be designed to allow the conversion from potable to reclaimed water service and avoid any cross connections between the two systems.
  - e. The subdivider shall provide evidence, satisfactory to the Water Utilities Director, showing that each lot will have its own water service and sewer lateral or shall provide CC&R's for the operation and maintenance of on-site private water and sewer mains that serve more than one lot. The subdivider shall provide private easements for the private mains or show easement locations in the CC&R's.
  - f. Providing water and sewer for this subdivision is dependent upon the prior construction of certain water and sewer mains adjacent developments and planned Capital Improvement Projects (CIPs) for the Carmel Valley Trunk Sewer and Sewer Pump Station 65. If they have not been constructed when required for this

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subdivision, then the construction of certain portions of these previously approved or planned water and sewer mains, as required by the City Engineer, will become off-site improvement requirements for this subdivision. Any CIPs installed by the developer will be reimbursed by the City for actual cost of design and construction, in accordance with City regulations and practices pertaining thereto. Agreement for work shall be executed prior to recordation of the final map.

45. The subdivider shall provide open space easements and dedication, satisfactory to the Park and Recreation Director, as follows:
- a. Unit 1:
- (1) Lots "A," "B," and 2 shall be granted as building-restricted easements maintained by the Homeowners' Association.
  - (2) Lot 3 shall be deeded to the City in fee title, without cost to the City, for open space purposes.
  - (3) Lots 6 and 7 shall be granted as negative open space easements, for brush management, maintained by the Homeowners' Association.
- b. Unit 2:
- (1) Lots "A," "B," "C," "D," "E," "F," "G," and "H" shall be granted as building-restricted easements maintained by the Homeowners' Association.
  - (2) Lots 63, 64, and 65 shall be deeded to the City in fee title, without cost to the City, for open space purposes.
  - (3) The sewer pump stations shall have a separate lot from the open space lots.

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c. Unit 3:

- (1) Lots "A," "B," "D," "E," "F," and "G" shall be granted as negative open space easements maintained by the Homeowners' Association.
- (2) Lot 4 shall be deeded to the City in fee title, without cost to the City, for open space purposes.

d. Unit 4:


- (1) Lots "A," "B," "C," 40, 41, and 42 shall be granted as building-restricted easements, owned and maintained by the Homeowners' Association.
- (2) Lot 43 shall be granted as a negative open space easement, for brush management, maintained by the Homeowners' Association.

e. Unit 5:

- (1) Lots "A," "B," 64, 65, 66, and 67 shall be granted as building-restricted easements, owned and maintained by the Homeowners' Association.
- (2) Lot 68 shall be granted as a negative open space easement, for brush management, owned and maintained by the Homeowners' Association.

f. Unit 6:

- (1) Lots "A," "B," 98, 99, 103, and 104 shall be granted as building-restricted easements, owned and maintained by the Homeowners' Association.
- (2) Lot 100, 101, and 102 shall be granted as a negative open space easement, for brush management, maintained by the Homeowners' Association.

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- (3) Lot 97 shall be deeded to the City in fee title, without cost to the City, for open space purposes.

g. Unit 7:

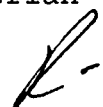
- (1) Lot 103 shall be granted as a building restricted easement, maintained by the Homeowners' Association.
- (2) Lot 104 shall be deeded to the City in fee title, without cost to the City, for open space purposes.
- (3) Lot 105 shall be granted as negative open space easements, for brush management, maintained by the Homeowners' Association.

h. Unit 9:

- (1) Lots 67, 68, 69, 70, and 71 shall be deeded to the City in fee title, without cost to the City, for open space purposes.
- (2) Lots "A," "B," "C," "D," "E," "F," and "G" shall be granted as building restricted easements, owned and maintained by the Homeowners' Association.
- (3) Lots 72 through 81 shall be granted as negative open space easements, for brush management, maintained by the Homeowners' Association. All equestrian and pedestrian trails shall be satisfactory to the Open Space Division of the Park and Recreation Department.

46. Environmental Mitigation Requirements:

- a. A total of approximately 1,780 acres of permanent open space shall be offered for dedication to the City in phases as final maps are recorded per the Development Agreement. Planting of ornamental landscaping, off-road-vehicle activity, grading, brushing, or placement of structures, except for hiking or equestrian trails,

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bike paths, interpretive signing, or other improvements designated by the Park and Recreation Director or the San Dieguito River Park, shall be precluded from these open space areas. A detailed management plan for the endangered San Diego thornmint, which is being preserved in open space, shall be prepared to the satisfaction of the Park and Recreation Director and the Principal Planner of the Environmental Analysis Section of the Development and Environmental Planning Division of the Planning Department, prior to the recordation of the first final map.

- b. Trails design and specifications shall be prepared to the satisfaction of the Park and Recreation Director, prior to the recordation of the final map in which the trails are contained.
- c. Transportation improvements, on-site and off-site, shall be provided in accordance with the transportation phasing plan as shown in the Environmental Impact Report and the Development Agreement, to the satisfaction of the City Engineer.
- d. An alignment study, including detailed mitigation requirements, for Carmel Valley Road and Camino del Norte off-site shall be prepared, to the satisfaction of the City Engineer and the Principal Planner of the Environmental Analysis Section of the Development and Environmental Planning Division of the Planning Department. All required mitigation measures shall be assured by bonding, prior to the issuance of construction permits, and shall be provided prior to construction of roads, to the satisfaction of the City Engineer and the Principal Planner of the Environmental Analysis Section of the Development and Environmental Planning Division of the Planning Department.
- e. A detailed final revegetation program for wetlands, coastal sage scrub (including management of sensitive plant and animal species, chaparral, and native grasslands), and the associated coastal-California-

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gnatcatcher monitoring program specifying planting, soil preparation, irrigation requirements, success criteria, and a minimum five-year monitoring and reporting period shall be prepared by a qualified biologist and landscape architect, in a manner consistent with the Environmental Impact Report and the-draft revegetation program, and shall be approved by the City of San Diego Planning Department and Park and Recreation Department, the United States Fish and Wildlife Service, and the California Department of Fish and Game prior to issuance of a grading permit or recordation of the first final map. This on-site habitat restoration and revegetation program shall include a minimum of 44.4 acres of riparian habitat along Lusardi Creek in La Jolla Valley and a minimum of 226 acres of disturbed, non-native grassland returned to Diagan sage scrub, which shall be initiated within the open space area, such that existing major habitat patches would be reconnected prior to the dedication of the land to the City. The developer shall be responsible for continued monitoring and reporting of the mitigation area for a minimum of five years and until the established success criteria has been met, to the satisfaction of the Park and Recreation Director and the Principal Planner of the Environmental Analysis Section of the Development and Environmental Planning Division of the Planning Department.

- f. Grading shall not occur beyond the limits of an approved grading envelope. Grading plans shall indicate all natural open space areas as off-limits to equipment or other disturbance. The grading plans shall require that a preconstruction meeting be held to describe to all construction personnel the required avoidance techniques and areas to be avoided and that, prior to any work, the construction supervisor and the biologist, together, shall mark the grading limits to ensure against impacts to open space and occupied habitat areas. The grading plans shall also specify that a biologist be on-site to monitor grading activity


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adjacent to biologically-sensitive lands. Cut-and-fill slopes adjacent to natural open space and the disturbed habitats within the designated biological open space easements shall be revegetated to reestablish native habitat types. The requirements for revegetation shall be shown on the grading plans.

- g. The grading plans shall specify that no grading activities or clearing activities shall be allowed within 200 feet of a nest or burrow being actively used by a coastal California gnatcatcher, a burrowing owl or other sensitive raptor, a southern-California rufous-crowned sparrow, a Bell's sage sparrow, a loggerhead shrike, a California horned lark, a grasshopper sparrow, a San Diego black-tailed jackrabbit, or a gray fox during its breeding season unless it can be demonstrated to the satisfaction of the Deputy Department of the Development and Environmental Planning Division of the Planning Department that such activities would not adversely impact the breeding success of these species. Additionally, a burrow known to have been used by a burrowing owl, a San Diego black-tailed jackrabbit, or a grey fox is not to be destroyed unless a biologist confirms that the owl, jackrabbit, or fox is not in the burrow at the time the impact occurs. These requirements shall be discussed at the required preconstruction meeting and these sensitive areas shall be adequately marked or fenced to ensure protection.
- h. Adequate riparian buffer zones, consistent with the Environmental Impact Report, shall be established and shown on the grading plans.
- i. Prior to the issuance of a grading permit for the project, the developer shall obtain a Clean Water Section 404 Permit and an agreement under Section 1600 of the Fish and Game Code and shall demonstrate compliance with mitigation conditions, to the satisfaction of the permitting agencies.

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- j. Prior to the construction of hiking or equestrian trails or bike paths not constructed within road rights-of-way, a qualified biologist shall walk the proposed trail alignments and delineate an acceptable route that avoids or minimizes encroachments into sensitive habitats and avoids impacts to sensitive plant species. The biologist shall delineate the trail route on maps and submit them with recommendations for construction methods that should be avoided, to the satisfaction of the Park and Recreation Director.
- k. Prior to recordation of the final map, the Brush Management Plan shall be reviewed and approved by the City Fire Department and the Planning Director.
- l. The design and location of drainage improvements, consistent with the Environmental Impact Report, shall be indicated on the grading plans and shall be reviewed and approved by the City Engineer and the Principal Planner of the Environmental Analysis Section of the Development and Environmental Planning Division of the Planning Department.
- m. Specific measures to reduce levels of erosion, sedimentation, and runoff during construction activities shall be implemented, in a manner consistent with the Environmental Impact Report, and shall be shown on the grading plans.
- n. Specific measures to reduce erosion, sedimentation, and runoff in the long-term, including nine desilting basins, shall be implemented, in a manner consistent with the Environmental Impact Report, and shall include "Best Management Practices," to the satisfaction of the City Engineer.
- o. Mitigation measures described in the Environmental Impact Report for landform alteration, including erosion control and hydroseeding, shall be identified on the grading permit, to the satisfaction of the Principal Planner of the Environmental Analysis Section


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- of the Development and Environmental Planning Division of the Planning Department. Residential lots within the viewshed of the open space park area of La Jolla Valley shall be identified on the tentative map, and additional restrictions shall be required as part of the overall grading plan, in a manner consistent with the Environmental Impact Report, to the satisfaction of the Principal Planner of the Environmental Analysis Section of the Development and Environmental Planning Division of the Planning Department.
- p. Archaeological sites SDI-5094 and SDI-11981 shall be dedicated as open space and a detailed preservation plan, consistent with the requirements of the Environmental Impact Report, shall be prepared by a qualified archeologist and shall be approved by the Planning director and the Park and Recreation Director, prior to the recordation of the final map in which they are contained.
- q. A research design and phased data-recovery program for archeological sites SDI-4832/4833, SDI-5103, SDI-6673, SDI-11,982, and SDI-11,983 shall be prepared by a qualified archaeologist, in a manner consistent with the requirements of the Environmental Impact Report, and shall be approved by the Principal Planner of the Environmental Analysis Section of the Development and Environmental Planning Division of the Planning Department, prior to the recordation of the final map in which they are contained.
- r. Mitigation measures described in the Environmental Impact Report to reduce geological/soil and erosion impacts shall be shown on the grading plans, and the specific measures shall be implemented to the satisfaction of the City Engineer.
- s. A paleontological salvage program, consistent with the requirements of the Environmental Impact Report, including monitoring during original cutting of the Del Mar Formation, Friars Formation, and Mission Valley

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Formation, salvaging of fossil remains, and preparation of the collected specimens, shall be shown as notes on the grading plans and shall be implemented, to the satisfaction of the Principal Planner of the Environmental Analysis Section of the Development and Environmental Planning Division of the Planning Department.


- t. Prior to recordation of the first final map, an acoustical study shall be required to determine appropriate noise barriers (consisting of a combination berm and variable height wall), locations, heights, and materials for off-site impacts to existing residences along Carmel Valley Road and at 9010 Emden Road. The noise barriers shall be included in the future improvement plans for Carmel Valley Road as a four-lane roadway and shall be constructed to the satisfaction of the City Engineer.
  - u. Prior to recordation of the first final map for the project, a final school financing agreement shall be entered into with the Poway Unified School District, in a manner consistent with the Environmental Impact Report and the Development Agreement, to the satisfaction of the City Engineer.
  - v. Proper disposal of contaminated soils within this map, through on-site bioremediation or off-site disposal, shall be accomplished prior to the approval the as-builts. The disposal shall be verified via written communication to the Planning Department from the county Hazardous Materials Management Division and the Regional Water Quality Control Board.
47. All desilting basins shall be privately maintained, satisfactory to the City Engineer.
48. The drainage system proposed for this subdivision, as shown on the approved tentative map, is subject to approval by the City Engineer.

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49. The subdivider shall provide a downstream drainage study, satisfactory to the City Engineer, that demonstrates that no adverse impacts will occur to downstream properties as a result of the increased runoff from this development or, if substantial impacts are anticipated, what measures must be taken to mitigate such impacts.
50. Development of this project shall comply with all requirements of State Water Resources Control Board (SWRCB) Order No. 92-08-DWQ (NPDES General Permit No. CAS000002), *Waste Discharge Requirements for Discharges of Storm Water Runoff Associated With Construction Activity*. In accordance with said permit, a Storm Water Pollution Prevention Plan (SWPPP) and a Monitoring Program Plan shall be developed and implemented concurrently with the commencement of grading activities, and a complete and accurate Notice of Intent (NOI) shall be filed with the SWRCB. A copy of the acknowledgment from the SWRCB that an NOI has been received for this project shall be filed with the City of San Diego when received; further, a copy of the completed NOI from the SWRCB showing the permit number for this project shall be filed with the City of San Diego when received.


In addition, the undersigned and subsequent owner(s) of any portion of the property covered by this grading permit and by SWRCB Order No. 92-08-DWG, and any subsequent amendments thereto, shall comply with special provisions as set forth in Section C.7 of SWRCB Order No. 92-08-DWQ.

51. A portion of this subdivision has been identified as being within a floodway or floodplain fringe area. In connection with Council approval of the final map:
- a. The subdivider shall submit a Hydraulic and Hydrologic Study of the area within the floodway for approval by the City Engineer.
  - b. Any development within the floodplain fringe area will require either the property to be graded to an elevation two feet above the 100-year frequency flood

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elevation or provide floodproofing of all structures to that same elevation.

- c. The subdivider shall grant a flowage easement, satisfactory to the City Engineer, over the property within the floodway.
- d. The subdivider shall denote on the final map and the improvement plans "Subject to Inundation" for those areas at an elevation lower than the 100-year frequency flood elevation plus one foot.
- e. The subdivider shall provide slope protection, as required by the City Engineer, where the velocity exceeds 5 FPS.
- f. Permits or exemptions must be obtained from the California Department of Fish and Game and the U.S. Army Corps of Engineers before City permits will be issued for work within the floodplain fringe areas.
- g. Portions of the project are located in the floodplain of Lusardi Creek, which is a tributary of the San Dieguito River, as shown on Panels 0025, 0030, and 0050 of the Flood Insurance Rate Map (FIRM) for the City of San Diego. These maps are prepared by the Federal Emergency Management Agency (FEMA).
- h. No permits shall be issued for grading or other work in the floodplain of Lusardi Creek until the subdivider applies for a Conditional Letter of Map Amendment (Conditional LOMA) from FEMA. The request for the Conditional LOMA must be submitted through the City of San Diego Floodplain Management Section. The subdivider must provide all documentation, engineering calculations, and fees which are required by FEMA.
- i. When as-built grading and public improvement plans are available, the subdivider must submit a request for a Final LOMA to FEMA via the Floodplain Management Section. The subdivider must provide all

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documentation, engineering calculations, and fees which are required by FEMA.

- j. The bond for this project will not be released until the map revision or map amendment is issued by FEMA.
  - k. Notes provided by the Floodplain Management Section concerning work in designated floodplains shall be included in all grading and improvement plans.
52. This subdivision is in an area designated in the General Plan as Future Urbanizing. Special financing plans will be established to finance the public facilities required for the project area.
- The developer shall be subject to any such special financing plans, as more fully described in the "Development Agreement between the City of San Diego, Black Mountain Ranch Limited Partnership, and the PGA Tour."
53. Prior to recordation of any final subdivision map by the City Council, the subdivider shall provide evidence to ensure that an affirmative marketing program is established.
54. This subdivision may be subject to payment of School Impact Fees at the time of issuance of building permits, as provided by California Government Code section 53080(b) (Statutes of 1986, Chapter 887), in accordance with procedures established by the Director of Building Inspection.
55. This community may be subject to impact fees, as established by the City Council, at the time of issuance of building permits. Development on any property within this map shall pay the fees as set by the City Council and in effect in the community at the time of building permit issuance. Fees will be paid at the time the building permit is issued.
56. This tentative map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.

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NOV 17 1992

Passed and adopted by the Council of The City of San Diego on .....  
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR  
Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR  
City Clerk of The City of San Diego, California.

(Seal)

By *Mary Cepeda* Deputy.

Office of the City Clerk, San Diego, California

Resolution *281078* NOV 17 1992  
Number ..... Adopted .....