

RESOLUTION NUMBER R-283694

ADOPTED ON APRIL 12, 1994

WHEREAS, on February 17, 1994, the Planning Commission voted to recommend approval of Vesting Tentative Map No. 86-1032 submitted by Pardee Construction Company and Project Design Consultants for a 1,013-lot vesting tentative map for the California Terraces development, located east of I-805, and north and south of Otay Mesa Road, and described as the northwest quarter and a portion of the south half of Section 30, Township 18 South, Range 1 West, and a portion of the southeast quarter of the northeast quarter of Section 25, Township 18 South, Range 2 West, SBM, in the Otay Mesa Community Plan area, in the A-1-10 zone (proposed A-1-10, R-1-5, R-1250, R-1750, R-2500, R-3000, or CA zones); and

WHEREAS, the matter was set for public hearing on April 12, 1994, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that this Council adopts the following findings with respect to Vesting Tentative Map No. 86-1032:

1. The map proposes the subdivision of a 664.8-acre site into 1,013 lots for residential and commercial development. This type of development is consistent with the General Plan and the Otay Mesa Community Plan which designate the area for residential

and commercial use. 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, R-1-5, R-1250, R-1750, R-2500, R-3000, or CA zones in that:

a. All lots have minimum frontage on a dedicated street which is open to and usable by vehicular traffic.

b. All lots meet the minimum dimension requirements of the A-1-10, R-1-5, R-1250, R-1750, R-2500, R-3000 and CA zones.

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.

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 and cooling opportunities.

4. The site is physically suitable for residential and commercial 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 community plan, which provides for residential and commercial uses.

6. The design of the subdivision and 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 in Environmental Impact Report No. 86-1032, which is included herein by this reference. However, a finding has been made pursuant to Public Resources Code section 21081(c) 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.

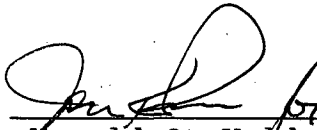
9. The City Council has reviewed the adopted Housing Element, the Progress Guide and the General Plan of The City of San Diego, and hereby finds, pursuant to Government Code section 66412.3, that the housing needs of the region are being met since residential development has been planned for the area 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 the recommendation of the Planning Commission is sustained; and Vesting Tentative Map No. 86-1032 is hereby granted to Pardee Construction Company and Project Design Consultants, subject to the conditions attached hereto and made a part hereof.

APPROVED: JOHN W. WITT, City Attorney

By



Harold O. Vanderhaug
Chief Deputy City Attorney

HOV:lc
08/31/94
Or.Dept:Clerk
R-94-1760
Form=r-t

CITY COUNCIL CONDITIONS FOR
VESTING TENTATIVE MAP NO. 86-1032

1. This vesting tentative map will become effective with City Council approval of the associated rezoning and will expire three (3) years thereafter. If the rezoning is denied, this vesting tentative map shall be deemed denied.
2. The final map shall conform to the provisions of Hillside Review/Community Plan Implementation Overlay Zone Permit No. 86-1032.
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 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

R- 283694

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 approval of this tentative map by the City of San Diego does not authorize the subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies, including, but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 USC Section 1531 et seq.).
8. Prior to the recordation of any final map or the issuance of a grading or pre-grading permit for any portion of the project site, proof of an incidental take permit under Section 7 or Section 10a of the Endangered Species Act, relative to the California gnatcatcher, shall be provided to the Planning Department. If such permit is not required, written verification to that effect from the U.S. Fish and Wildlife Service shall be provided. Any project redesign required in obtaining a Section 7 or Section 10a permit will require reconsideration by the appropriate City decision-making body.
9. The subdivider must provide a geologic (geotechnical) investigation 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 62.0415 et seq.
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.
11. The subdivider has reserved the right to record multiple final maps and out of numerical sequence over the area shown on the approved tentative map. In accordance with Article No. 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.
12. 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.

R- 283694

13. This subdivision shall conform to the approved Transportation Phasing Plan, as contained in Table 15, dated January 19, 1994, of the final Environmental Impact Report, in a manner satisfactory to the City Engineer.
14. 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.
15. All sidewalks shall be four inches thick per the City of San Diego "Standard Drawings".
16. Otay Mesa Road, east of Street "A" to the easterly subdivision boundary, is classified as a six-lane major street within a 122-foot-wide right-of-way, with a 132-foot-wide right-of-way where dual left-turn lanes are required. The subdivider shall dedicate a 122-foot-wide right-of-way, and a 132-foot-wide right-of-way where dual left-turn lanes are required, east of Street "A" and provide additional full-width improvements, to include pavement, curb, gutter, five-foot-wide sidewalk, within a ten-foot curb-to-property-line distance, and a 14-foot-wide raised-landscaped-center median, satisfactory to the City Engineer.
17. Otay Mesa Road, from Street "A" to the southerly subdivision boundary, is classified as a four-lane collector street within a 92-foot-wide right-of-way. The subdivider shall dedicate a 92-foot-wide right-of-way from Street "A" to a point 800 feet southerly of Street "PP" and shall provide 72 feet of pavement, curb, gutter, and five-foot-wide sidewalk within a ten-foot curb-to-property-line distance, satisfactory to the City Engineer. For the portion of Otay Mesa Road from 800 feet south of Street "PP" to the southerly subdivision boundary, the subdivider shall provide a 92-foot-wide irrevocable offer of dedication and shall grade and hydroseed the irrevocable offer of dedication area to the 92-foot width, satisfactory to the City Engineer. The subdivider shall provide the proposed temporary roadway with appropriate transitions from the proposed Otay Mesa Road to the existing Otay Mesa Road, satisfactory to the City Engineer.
18. Otay Mesa Road, from the westerly subdivision boundary to the "T"-intersection, is classified as a two-lane collector street within a 60-foot-wide right-of-way. The subdivider shall dedicate a variable right-of-way and shall provide 40 feet of pavement, curb, gutter, and four-foot-wide sidewalk, on the north side only, within a ten-foot

R-283694

curb-to-property-line distance, satisfactory to the City Engineer. The subdivider shall provide the proposed temporary roadway with appropriate transitions from the proposed Otay Mesa Road to the existing Otay Mesa Road.

19. Palm Avenue, north of Del Sol Boulevard, is classified as a four-lane major street within a 98-foot-wide right-of-way, and a 108-foot-wide right-of-way where dual left-turn lanes are required. The subdivider shall dedicate a 98-foot-wide right-of-way, and a 108-foot-wide right-of-way where dual left-turn lanes are required, except at Del Sol Boulevard where a 132-foot-wide right-of-way for dual left-turn lanes are required, and shall provide full-width improvements of pavement, curb, gutter, five-foot-wide sidewalk within a ten-foot curb-to-property-line distance, and a 14-foot-wide raised landscaped center median, satisfactory to the City Engineer.
20. Palm Avenue, south of Del Sol Boulevard to Otay Mesa Road, is classified as a six-lane major street within a 122-foot-wide right-of-way, and a 132-foot-wide right-of-way where dual left-turn lanes are required. The subdivider shall dedicate a 122-foot-wide right-of-way, and a 132-foot-wide right-of-way where dual left-turn lanes are required, and shall provide full-width improvements of pavement, curb, gutter, five-foot-wide sidewalk within a ten-foot curb-to-property-line distance, and a 14-foot-wide raised landscaped center median, satisfactory to the City Engineer.
21. Palm Avenue, south of Otay Mesa Road, is classified as a six-lane major street within a 122-foot-wide right-of-way, and a 132-foot-wide right-of-way where dual left-turn lanes are required. The subdivider shall dedicate a minimum half-width of 61 feet, and 66 feet where dual left-turn lanes are required, and shall provide half-width improvements of pavement, curb, gutter, five-foot-wide sidewalk within a ten-foot curb-to-property-line distance, and half of a 14-foot-wide raised landscaped center median, satisfactory to the City Engineer.
22. Del Sol Boulevard is classified as a four-lane collector street within a 92-foot-wide right-of-way. The subdivider shall dedicate a 92-foot-wide right-of-way and shall provide 72 feet of pavement, curb, gutter, five-foot-wide sidewalk on both sides of the street within a ten-foot curb-to-property-line distance, and a 12-foot-wide raised landscaped center median only for a portion of the roadway adjacent to Palm Avenue, satisfactory to the City Engineer.

R- 283694

23. Street "A" and the north/south portion of Otay Mesa Road shall intersect Otay Mesa Road, satisfactory to CalTrans and the City Engineer.
24. Street "A" is classified as a four-lane major street within a 98-foot-wide right-of-way, with a 108-foot-wide right-of-way where dual left-turn lanes are required. The subdivider shall dedicate a 98-foot-wide right-of-way, with a 108-foot-wide right-of-way where dual left-turn lanes are required, and shall provide 78 feet of pavement, curb, gutter, five-foot-wide sidewalk on the west side of the street within a ten-foot curb-to-property-line distance, and a 14-foot-wide raised landscaped center median, satisfactory to the City Engineer.
25. Dennery Canyon Road is classified as a four-lane collector street within a 92-foot-wide right-of-way. The subdivider shall dedicate a 92-foot-wide right-of-way and shall provide 72 feet of pavement, curb, gutter, and five-foot-wide sidewalk within a ten-foot curb-to-property-line distance, satisfactory to the City Engineer.
26. Hidden Trails Road is classified as a four-lane collector street within a 92-foot-wide right-of-way. The subdivider shall dedicate a 92-foot-wide right-of-way and shall provide 72 feet of pavement, curb, gutter, and five-foot-wide sidewalk within a ten-foot curb-to-property-line distance, from Palm Avenue to the subdivision boundary. For the remaining portions of Hidden Trails Road running along the subdivision boundary, the subdivider shall provide a 54-foot dedication and shall provide 40 feet of pavement with appropriate transitions, curb, gutter, five-foot-wide sidewalk on the west side within a ten-foot curb-to-property-line distance on the west side. These improvements shall all be provided satisfactory to the City Engineer. Only right turns to and from Hidden Trails Road will be allowed. Full turning movements will be allowed only if a traffic signal is constructed.
27. Dennery Ranch Road is classified as a four-lane major street within a 98-foot-wide right-of-way. The subdivider shall provide an irrevocable offer of dedication for Dennery Ranch Road and shall provide the grading for the ultimate right-of-way width, satisfactory to the City Engineer.
28. Streets "H," "L," "T" (south of Street "H"), "W," "AA," "II," and "KK" (south of Street "LL") are classified as two-lane residential streets 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 four-foot-wide sidewalk within a ten-foot curb-to-property-line distance, satisfactory to the City Engineer.
29. Street "JJ" is classified as 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.
 30. The subdivider shall dedicate a 92-foot-wide right-of-way with full-width improvements on Street "B," at Palm Avenue and Dennery Canyon Road, to align with the 92-foot-wide right-of-way and full-width improvements of Dennery Canyon Road, satisfactory to the City Engineer.
 31. The subdivider shall dedicate right-of-way and shall provide full-width improvements on Street "W" sufficient to ensure alignment of traffic lanes with Del Sol Boulevard improvements across the intersection at Palm Avenue to the south, satisfactory to the City Engineer.
 32. The subdivider shall dedicate right-of-way and shall provide full-width improvements on Street "AA" sufficient to ensure alignment of traffic lanes with Street "A" improvements across the intersection at Palm Avenue, satisfactory to the City Engineer.
 33. The subdivider shall provide temporary cul-de-sacs or other temporary turnarounds at the terminus of Dennery Canyon Road and Streets "O," "T," and "S," satisfactory to the Fire Department and the City Engineer.
 34. The subdivider shall provide a five-foot-wide pedestrian-access easement from the end of Street "K" to Del Sol Boulevard and from the end of Streets "D," "G," "I," "X," "Y," and "Z" to Palm Avenue, in accordance with the California Terraces Precise Plan, satisfactory to the City Engineer.
 35. Lot 1038 shall have dedicated access, satisfactory to the City Engineer.
 36. The subdivider shall provide traffic signal systems at the following locations, satisfactory to the City Engineer:
 - a. Palm Avenue & Dennery Ranch Road [California Terraces is responsible for only one-fourth ($\frac{1}{4}$) of the cost of the installation];

R-283694

- b. Palm Avenue & Street "A";
 - c. Palm Avenue & Del Sol Boulevard;
 - d. Palm Avenue & Dennery Canyon Road;
 - e. Palm Avenue & Otay Mesa Road;
 - f. Del Sol Boulevard & Street "T"; and
 - g. Otay Mesa Road & Street "A".
37. A reimbursement district, in accordance with the provisions of Section 62.0208 of the Municipal Code, may be established by the City Council to recover a portion of the costs of constructing the required public improvements and traffic signal systems when the adjacent properties develop.
38. The intersection of Streets "R" and "T" shall be redesigned to provide adequate sight distance at the intersection and for Lots 482 through 485 inclusive, satisfactory to the City Engineer.
39. All local residential streets shall have a minimum dedicated width of 56 feet with 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, a cul-de-sac right-of-way radius of 45 feet, and a cul-de-sac curb radius of 35 feet, satisfactory to the City Engineer.
40. Prior to the recordation of the first final map, the subdivider shall contribute his/her fair share toward the improvement of the I-805/Palm Avenue interchange, satisfactory to CalTrans and the City Engineer.
41. The property owner shall enter into an agreement with the City waiving the right to oppose the formation of a special assessment district for the widening of the I-805/Palm Avenue bridge.
42. The subdivider shall relinquish access rights along the east/west length of Otay Mesa Road, except adjacent to Lots 1027, 1029, 1030, and 1031. The multi-family lots shall have a mutual-access easement or be redesigned to have alternate access, satisfactory to the City Engineer.
43. Providing streets for this subdivision is dependent upon the prior construction of certain streets in previously approved developments in this area. If they have not been constructed when required for this subdivision, then the construction of certain portions of these previously

approved streets, as required by the City Engineer, will become off-site improvement requirements for this subdivision.

44. Water Requirements:

- a. The subdivider shall provide a water master plan, satisfactory to the Water Utilities Director, based on the scope of work developed by John Powell and Associates, Inc., dated November 22, 1993, entitled "Water Supply and Storage Analysis for the South San Diego and Otay Mesa Service Areas."
- b. The subdivider shall provide a water study, satisfactory to the Water Utilities Director. The study shall plan the pressure zone(s) and distribution system necessary to serve this development.
- c. The subdivider shall provide a phasing plan, satisfactory to the Water Utilities Director, to program costs and assign responsibility to install all facilities required in the approved studies.
- d. The developer shall install all facilities, as required by the approved water studies and phasing plan, necessary to serve this development.
- e. The subdivider shall install fire hydrants at locations satisfactory to the Fire Department and the City Engineer. If more than two (2) fire hydrants and/or thirty (30) Equivalent Dwelling Units (EDUs) are located on a dead-end main, then a dual-fed system shall be installed.

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 and to show that the existing and proposed facilities will provide adequate capacity and have cleansing velocities necessary to serve this development and the drainage basin in which it lies. A phasing plan shall be included in the study.
- b. The developer shall install all facilities, as required by the approved sewer study and phasing plan, necessary to serve this development.

R- 283694

46. Water and Sewer Requirements:

- a. The subdivider shall provide predesign reports for each pump station, force main, regulating station, and reservoir, satisfactory to the Water Utilities Director.
- b. The developer shall provide evidence, satisfactory to the Water Utilities Director, showing 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 sewer mains that serve more than one lot. The developer shall provide private easements for the private mains or show easement locations in the CC&R's.
- c. The subdivider shall provide adequate water and/or sewer easements with vehicular access to all water and sewer facilities not located in a public right-of-way, satisfactory to the Water Utilities Director. No structures of any kind shall be built in or over the easement without first obtaining an encroachment removal agreement from the City Engineer.
- d. The subdivider shall enter into a maintenance and operation agreement with the City for certain facilities needed to serve this development, satisfactory to the Water Utilities Director.
- e. The subdivider may request the City to process a reimbursement district to recover the subdivider's cost of planning studies, design, and construction of certain water and/or sewer improvements, in accordance with City regulations and practices pertaining thereto.
- f. The final map(s) shall show all existing water, sewer, and/or general utility easements, satisfactory to the Water Utilities Director. The old easements may be abandoned after all public improvements associated with the tentative map are constructed, operational, and accepted by the City of San Diego (including as-built drawings).
- g. 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.

47. The drainage system proposed for this subdivision, as shown on the approved tentative map, is subject to approval by the City Engineer.
48. 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.
49. 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 acknowledgement 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 owner(s) and subsequent owner(s) of any portion of the property covered by this grading permit and by SWRCB Order No. 92-08-DWQ, and any subsequent amendments thereto, shall comply with special provisions as set forth in Section C.7 of SWRCB Order No. 92-08-DWQ.

50. The subdivider may be required to construct drainage detention basins, the design, location, and size of which are subject to approval by the City Engineer. The design shall be such that the discharge from the improved subdivision will be no more than the discharge would have been from the land in the unimproved state.
51. The Engineering & Development Department will be making a drainage study of the Otay Mesa border area. The extent of the area to be studied shall be determined by the City Engineer. The study shall propose a method to control runoff across the international border. A method of financing the design, construction, and maintenance of these

facilities will be established, and this subdivider may be required to contribute money for this purpose, either through a development agreement or other means, as determined by the City Engineer. In order to accomplish this, the subdivider shall enter into an agreement with the City waiving the right to oppose a special assessment initiated for these flood control improvements. This agreement shall be entered into in connection with Council approval of the first final map.

52. The subdivider shall grant a land use restriction easement over the portion of the subdivision within the flight activities zone for Brown Field. The limits of this easement shall be satisfactory to the Deputy Director of the Airports Division of the General Services Department and to SANDAG and shall be as reflected in the Brown Field Master Plan and the Comprehensive Land Use Plan.

Permitted land uses within the easement will be determined by the Planning Director, in connection with approval of the specific development permits, and includes such uses as warehousing, public right-of-way, parking, and landscaping.

53. The height of the buildings constructed within this subdivision shall be such that they do not penetrate the surface of the approach zone and clear zone of Brown Field, as defined in the appropriate Federal Aviation Regulations. The heights of the buildings will be approved by the Planning Director in connection with approval of the specific development permits, satisfactory to the Deputy Director of the Airports Division of the General Services Department.
54. An aviation easement shall be granted over that portion of the subdivision for flight activities involving Brown Field. The conditions of this easement shall be satisfactory to the Deputy Director of the Airports Division of the General Services Department.
55. Prior to the recordation of the final map, a brush management plan identifying brush management zones, setbacks, and alternative compliance conditions shall be submitted, to the satisfaction of the Fire Marshal and the Planning Director. Zone 1 will be recorded as a non-building easement for brush management with the final map. The limits of the fuel management zones will not encroach further into open space beyond that shown on the vesting tentative map. The approved Brush Management Program shall be implemented before issuance of any occupancy permits.

Wherever possible, the project shall implement the standard brush management program per the *Landscape Technical Manual*. Where this is not possible, the project has been granted alternative compliance for brush management. Alternative compliance may require architectural features per *Landscape Technical Manual* Section 6.6-2 and, additionally, may include additional Zone 1 setbacks except as discussed below, site walls, additional architectural features, etc., to the satisfaction of the Fire Marshal and the Planning Director. Unless mutually agreed upon by the City and applicant, the granting of alternative compliance shall not include the expansion of Zone 1 within side yards. For the rear yards of single-family lots, the non-building easement shall not impact any of the lots within one hundred ten feet (110') of the front property line/street right-of-way.

56. The subdivider shall comply at all times with the Mitigation Monitoring and Reporting Program as specified in Environmental Impact Report No. 86-1032, satisfactory to the Planning Director and the City Engineer. Specifically:
- a. The applicant shall clearly indicate on the grading plans slopes that are to be contour graded and rounded. A note shall be included on the grading plans requiring the applicant to notify the Planning Department two weeks before grading begins and for the follow-up inspection after grading is complete.
 - b. Prior to the issuance of grading permits, the Planning Department shall review the grading and landscape plans to ensure that grading techniques are being utilized and that manufactured slopes are landscaped in conformance with the conceptual landscape plan. Areas shown as open space shall be flagged in the field and confirmed by the Planning Department.
 - c. The applicant shall retain a soils engineer to monitor the grading, construction, and revegetation of the project and submit in writing to the City Engineer and the Planning Director certification that the project has complied with the required mitigation measures on the grading plans. Only after the Planning Director and City Engineer approve the grading shall a recommendation be made to the City Council for the release of the subdivision bond.
 - d. The developer shall provide maintenance of all landscaping of the manufactured slopes along major streets and adjacent to natural open space. The developer is responsible for maintaining the landscaping until such time that either homeowner's

R- 283694

associations or other City-approved mechanisms can assume long-term responsibility. If maintenance responsibility is accepted by a Landscape Maintenance District, the minimum maintenance period shall be two (2) years.

- e. The applicant shall enter into a long-term maintenance agreement with the City, which shall be recorded with all final maps. The agreement shall stipulate that the developer shall be responsible for the landscape maintenance of the manufactured slopes until such time that either the homeowners' associations or other mechanisms can assume responsibility. Any areas which are proposed to be deeded over to the City and require landscape maintenance are likewise the obligation of the developer until such time that the City has agreed to assume responsibility.
- f. Areas covered by the Community Plan Implementation Overlay Zone which contain manufactured slopes must have either homeowners' associations or other mechanisms, which must be approved by the Planning Department and Park and Recreation Department, established prior to the issuance of building permits. The homeowners' associations and/or other approved mechanisms are required to provide permanent landscape maintenance of the manufactured slopes.
- g. The following specific measures to reduce potentially significant impacts related to geology/soils to below a level of significance shall be implemented during site grading and shall be shown as notes on future grading plans. Prior to the issuance of grading permits, the Planning Department and Engineering and Development Department shall review the grading plans to ensure that these measures are on the plans. The applicant shall retain a soils engineer to monitor the grading and construction. At its discretion, the Planning Department shall conduct field inspections during grading. Only after the Planning Director and the City Engineer approve the grading and other appropriate improvements shall a recommendation be made to the City Council for the release of the subdivision bond.
 - i. Removing the expansive materials to a depth of approximately four feet below the proposed finished grade, or using highly reinforced foundations and/or post-tensioned slabs where the deposit is too thick for removal.
 - ii. Removing and recompacting existing fill sites.

- iii. Removing and recompacting cohesionless zones encountered within the terrace deposits. Any slopes cut into this material shall require stability fills to reduce the potential for excessive rilling, erosion, and surficial sloughing.
- iv. Removing and recompacting alluvium or slope wash wherever fill is to be placed in canyons. Canyon subdrains may be required if fill is placed in canyons.
- v. Using stability fills in cut slopes wherever bentonite clay deposits are exposed. The buttresses shall consist of a uniform 20-foot thick fill placed at the face of overcut cut slopes. The material used in the stability fill shall consist of granular material, which could be obtained from the nearby terrace deposits and San Diego Formation.
- vi. Buttrassing the major landslide along the southern flank of the westerly trending drainage course at the site by construction of a buttress fill independent of the pad elevations or by increasing pad elevations from 340 to 390 MSL along the toe of the landslide. All loose slide debris shall be removed from the area underlying any proposed structural developments including streets and the area extending outside the development equal to the depth of the landslide debris at the edge of the proposed structural improvements.
- vii. Including setbacks or redesign of components in a site plan, should future testing indicate a need in the vicinity of the La Nación fault.
- h. The following specific measures to reduce potentially significant impacts related to erosion to below a level of significance shall be implemented by the applicant during grading.
 - i. Limiting grading to only what is permitted so that spillovers into natural areas are avoided, and native vegetation to be preserved is not trampled.
 - ii. Watering and capping final earth surfaces to form a hardened cap.

R- 283694

- iii. Sandbagging roadbeds (where necessary) until paved, in order to minimize erosion and prevent sediment transport. This may need to occur on portions of Palm Avenue.
- iv. Controlling sediment production from graded building pads with low perimeter berms, sandbags, bladed ditches, or other appropriate methods.
- v. Construction of on-site interim and ultimate storm drain systems to reduce the off-site impact due to construction activities and ultimate development. Drainage facilities would include channels, inlets, storm drain piping, detention basins, and outlet structures to reduce impacts to the downstream receiving waters.
- vi. Native areas not to be disturbed by grading shall be flagged to delineate the extent of the grading.

Prior to the issuance of grading permits, the Planning Department and the Engineering and Development Department shall review the grading plans to ensure that these measures are shown on the plans. The applicant shall retain a soils engineer to monitor the grading and construction. At its discretion, the Planning Department shall conduct field inspections during grading. Only after the Planning Director and the City Engineer approve the grading and other appropriate improvements shall a recommendation be made to the City Council for the release of the subdivision bond.

- i. Partial mitigation of the impacts to vernal pool habitat would result from the implementation of a vernal pool preservation plan. This plan is included as Appendix C to the Final EIR. Prior to issuance of a grading permit for any area that includes wetlands, specific tasks described in detail in the Dennery Canyon Vernal Pool Restoration and Preservation Plan shall be implemented. Criteria for success of the preserve include a goal for increase in gross area of habitat and a species-oriented restoration goal. These goals are to be met at the end of a five-year monitoring program. At least 24 pools supporting 20,200 square feet of habitat must be permanently established, in addition to previously existing pool areas within the preserve, at the end of this monitoring period. Success of the program will also be based on the establishment of populations of target species listed in the plan in pools within the

R- 283694

preserve. Plant species and abundance will be sampled in the pools to be impacted, and soil of these pools will be sampled for populations of fairy shrimp and other fauna. These data will be analyzed to determine minimum success criteria, to be defined in terms of percent cover for each of these plant taxa, species diversity of pool plant taxa and species diversity of pool plant fauna.

- j. Regular maintenance of the vernal pool preserve areas shall be required throughout the establishment of the vegetation including a minimum five-year monitoring period for both uplands and vernal pool areas as described in the plan. The restoration efforts shall be monitored by the subdivider for a minimum five-year period and until the specific success criteria described in the plan have been met. Once the success criteria have been achieved, maintenance of the habitat itself should end as the plant communities mature; however, ongoing maintenance of the barriers and monitoring of trespassing shall be required. The following factors shall be included in the maintenance contract for the vernal pool preserves:
 - i. The removal of aggressive non-native weeds shall be necessary during the five-year monitoring periods for the vernal pool and upland habitats. All weeding shall be done by using hand tools at least twice in the spring when the pools are dry. The monitoring biologist shall monitor and notify the landscape contractor when to remove weeds and which plants require control during the monitoring periods. The need for weeding is expected to decrease substantially by the end of the monitoring period and, provided successful habitat restoration has been achieved, no long-term weeding requirements are recommended.
 - ii. All barriers, fencing, and signs shall be checked and repaired as necessary once every three months. Monitoring of disturbance and maintenance of the barrier and signs shall be the responsibility of the applicant for the term of the five-year general monitoring period described below and would pass to the permanent trustee at the end of that period.
 - iii. Trash in the preserve areas shall be removed once every three months.

- iv. Any persons found willfully damaging the habitat within the preserves, including but not restricted to trash dumping, off-road-vehicle activity, illegal alien activity, plant removal, and destruction of barriers, shall be prosecuted to the full extent of the law. Signs posted in English and Spanish to inform people of the status of the preserve area shall also include a description of applicable laws and codes including fines for causing damage to the preserve.

- k. The applicant shall retain responsibility for maintenance and management of the Dennery Canyon Vernal Pool Preserve for a minimum five-year period or until the success criteria described in the plan have been met for the vernal pool and upland habitats. Ownership of the preserve will be transferred to the City of San Diego as a permanent steward. The applicant would be responsible for employing an approved biological consultant to implement the monitoring programs. Other than the above-mentioned initial period, management of the preserve shall be the responsibility of the City of San Diego as the ultimate owner of the preserve. The monitoring periods are to begin as stated in the restoration plan.

- l. Long-term maintenance tasks for preserve management include (1) monthly monitoring and repair as necessary of barriers and signs around the preserve; (2) monthly removal of trash; (3) brief annual assessment of the status of target managed species within the preserve by an agency biologist or biological consultant, with the preparation of recommended species management activities, if warranted; (4) implementation of species management activities in consultation with resource agencies, if warranted; and (5) repair of vandalism or damage to pools in the preserve. The perpetual maintenance of the vernal pool preserve shall be ensured through the provision of a funding mechanism to the satisfaction of the Director of the Park and Recreation Department prior to transferring ownership of the preserve to the City.

- m. Prior to issuance of a grading permit or recordation of a final map for areas that include wetlands, evidence shall be submitted to the Planning Director showing that: (a) the U.S. Army Corps of Engineers and the California Department of Fish and Game have approved a Dennery Canyon Vernal Pool Restoration and Preservation

Program; and (b) both agencies have granted permits under their respective jurisdictions for implementation of the project, if required.

- n. Prior to the issuance of a grading permit, the Environmental Analysis Section shall review grading and landscaping plans to ensure that all manufactured slopes adjacent to natural open space will be planted with coastal sage scrub species.
- o. A qualified biologist shall be contracted to monitor the clearing of vegetation in association with brush management during all maintenance periods. This will ensure minimal removal and cutting of native vegetation in accordance with the guidelines for the Landscape Technical Manual and the brush management plan, thus minimizing impacts to wildlife habitat.
- p. The following mitigation measures would reduce potentially significant impacts relative to cultural resources to below a level of significance. These measures shall be implemented prior to issuance of a grading permit.
 - i. A data recovery program shall be completed, including radiocarbon dating and faunal analysis at SDI-6941D.
 - ii. Completion of detailed lithic analysis of the artifacts recovered from SDI-7604E and SDI-10,200.
 - iii. Any controlled destruction of archaeological sites shall be conducted by a qualified archaeologist.
 - iv. A report documenting the findings addressing the research objectives proposed during the test phase shall be reviewed and approved by the Planning Department.
 - v. A qualified archaeological monitor shall be present during construction grading in the vicinity of SDI-6941D, SDI-7604E, and SDI-10,200 to ensure the appropriate treatment upon discovery of any unknown buried deposits of cultural debris.

A qualified archaeologist shall be present to identify the area of constraint which will be flagged prior to construction grading. Upon completion of grading, the area to be capped will be identified. Capping will be completed before building permits are issued.

The applicant will coordinate with the City Planning and Engineering Departments to provide for protection of the archaeological site SDI-6941D adjacent to Lot 1030, to the extent feasible, through capping, avoidance of the area by a minor modification to Street "JJ" or other measures as mutually agreed upon by the applicant and City.

- q. All multi-story residential buildings adjacent to SR-905, Palm Avenue, Otay Mesa Road, and Del Sol Boulevard shall achieve interior noise levels of 45 CNEL or less to meet the applicable City and State standards. The noise technical report (Appendix "E" of the EIR) states the amount of exterior to interior attenuation required for buildings in each area of the tentative map adjacent to a major roadway. In addition, all multi-family balconies on the second-floor or higher which are part of required open space calculations shall meet the City's 65 CNEL exterior noise level standard.
- r. The noise barriers shown on Figure 36 and Table 13 of the Final EIR which are shown within the VTM area to be developed shall be shown on building plans and shall be constructed prior to issuance of occupancy permits. Barriers which are berms shall be shown on the grading plans and verified by the Environmental Analysis Section. Walls which are greater than six feet in height shall be shown on the building plans and identified as noise walls. A building permit is required for walls greater than six feet in height. The Building Inspection Department shall ensure that the noise walls for which permits have been obtained have been built on the project site prior to issuance of occupancy permits. Walls under six feet in height shall be inspected by the Planning Department prior to issuance of occupancy permits.
- s. For single- and multi-family buildings taller than one story which are adjacent to SR-905, Palm Avenue, Otay Mesa Road, or Del Sol Boulevard, the applicant shall provide written certification to the satisfaction of the City Building Inspection Department that interior noise levels will meet the 45 CNEL noise level standards. This shall be provided prior to issuance of building permits. The applicant shall provide written certification to the satisfaction of the City Building Inspection Department that all multi-family balconies on the second-story or above which are adjacent to SR-905, Palm Avenue, Otay Mesa Road, or Del Sol Boulevard and which are part of required open space

R- 283694

calculations will meet the City's 65 CNEL noise level standard. This shall be completed prior to issuance of building permits.

- t. The Engineering and Development Department shall verify that the circulation system shown on the precise plan and on all subsequent tentative maps are consistent with the system shown in Figure 39 of the Final EIR and with the City's street design standards.
- u. This subdivision shall conform to the approved Transportation Phasing Plan, as contained in Table 15, dated January 19, 1994, of the final Environmental Impact Report, in a manner satisfactory to the City Engineer.
- v. The applicant shall provide any bus stops or shelters required by MTDB to develop needed bus routes through the project site. If requested by MTDB, the applicant shall provide an irrevocable offer to dedicate all necessary right-of-way to accommodate the trolley line and station along the SR-905/Otay Mesa Road planned route. The required measures shall be provided to the satisfaction of the Metropolitan Transit Development Board.
- w. Bikeways and sidewalks shall be constructed in conformance with City standards. Lockable bike racks or storage lockers shall be provided at all schools, parks, and commercial areas. The Planning Department shall verify that these conditions have been placed on the maps prior to their approval. These measures shall be in place prior to issuance of occupancy permits for schools, parks, and commercial areas.
- x. The alternative transportation routes (pedestrian routes and bicycle lanes) as shown on Figure 40 of the Final EIR shall be constructed prior to issuance of building permits for the area to be developed. A site inspection shall be conducted by the Planning Department prior to issuance of building permits to ensure that improvements consistent with the approved Precise Plan street system have been properly constructed.
- y. Prior to recording the final map, the developer shall demonstrate that agreements to ensure appropriate funds are available to the districts have been made with the affected school districts.

- z. Prior to issuance of any building permits within the precise plan area, the school sites for the phase to be developed shall be approved by the San Ysidro Elementary School District and the Sweetwater Union High School District.

- aa. Water and sewer studies shall be submitted to the Water Utilities Department prior to approval of any final maps to mitigate the potentially significant impacts to water supply identified by the Water Utilities Department. A separate reclaimed study shall be provided to assure that transmission and distribution facilities within the subdivision are sized adequately to the satisfaction of the Water Utilities Department. Off-site water and sewer improvements shall be designed and installed by the project applicant, as recommended in approved studies, to the satisfaction of the Water Utilities Department director. Facilities identified in these updated studies may require subsequent environmental review, if deemed necessary by the Development and Environmental Planning Division. Any additional environmental review will be necessary prior to construction of any off-site facilities. The environmental review will include consideration of prior environmental documents that evaluated impacts by other projects to the same area affected by the proposed on or off site facilities. Mitigation to reduce any significant impacts shall be identified during subsequent environmental review.

- ab. Prior to issuance of any building permits, the project applicant shall assure all on-site water and sewer facilities, as recommended in approved studies, to the satisfaction of the Water Utilities Department.

- ac. All applicable mitigation measures required by these approval conditions, and any mitigation measures required if subsequent environmental analysis of the water and sewer studies is considered necessary and significant impacts are identified, shall be noted on the grading plan. Prior to approval of any final maps, the Development and Environmental Planning Division and Water Utilities Department shall review the plan to ensure implementation of these measures. All facilities identified by the required studies shall be in place or assured prior to issuance of any building permits to the satisfaction of the City Engineer.

- ad. Measures to reduce potentially significant impacts relative to paleontology include the following monitoring and salvaging program.

- i. A qualified paleontologist and/or paleontological monitor shall be retained to implement the monitoring program. A qualified paleontologist is defined as an individual with a Ph.D. or master's degree in paleontology or geology who is a recognized expert in the application of paleontological procedures and techniques, such as screen washing of materials and identification of fossil deposits. A paleontological monitor is defined as an individual who has experience in the collection and salvage of fossil materials and who is working under the direction of a qualified paleontologist.
- ii. The qualified paleontologist shall attend any preconstruction meetings to consult with the excavation contractor. The requirement for paleontological monitoring shall be noted on the construction plans. The paleontologist's duties shall include monitoring, salvaging, preparing materials for deposit at a scientific institution that houses paleontological collections, and preparing a results report. These duties are defined as follows:
 - (1) Monitoring. The paleontologist or paleontological monitor shall be on-site during the original cutting of previously undisturbed areas of the San Diego Formation and the Otay Formation to inspect for well-preserved fossils. The paleontologist shall work with the contractor to determine the monitoring locations and the amount of time necessary to ensure adequate monitoring of the project.
 - (2) Salvaging. In the event that well-preserved fossils are found, the paleontologist shall have the authority to divert, direct, or temporarily halt construction activities in the area of discovery to allow recovery of fossil remains in a timely manner. Recovery is anticipated to take from one hour to a maximum of two days. At the time of discovery, the paleontologist shall contact the Planning Department. The Planning Department must concur with the salvaging methods before construction is allowed to resume.

R- 283694

- (3) Preparation. Fossil remains shall be cleaned, sorted, catalogued, and then deposited in a scientific institution that houses paleontological collections (such as the San Diego Natural History Museum).
- (4) Monitoring Results Report. A monitoring results report, with appropriate graphics, summarizing the results, even if negative, analysis, and conclusions of the above program shall be prepared and submitted to the Planning Department prior to issuance of any building permits.

The above measures shall be included as notes on the grading plans. Prior to issuance of grading permits, the Planning Department and the Engineering and Development Department shall review the grading plans to ensure that these measures are on the plans. Prior to grading activities, verification that a qualified paleontologist and/or paleontological monitor has been retained to implement the monitoring program shall be provided.

57. The subdivider shall enter into agreement(s) acceptable to the City Engineer and the Park and Recreation Director which shall address the following areas of concern:

- a. The community park site, Lot 1020, shown on the approved tentative map, is being reserved in accordance with Section 66479 et seq. of the California Subdivision Map Act. Provisions of the Act require that the developer shall, prior to the approval of the final map which subdivides this lot, enter into an agreement for the City to acquire the park site within two (2) years after the completion and acceptance of all improvements, unless such period of time is extended by mutual agreement. The purchase price shall be the market value thereof, at the time of the filing of the vesting tentative map TM 86-1032 (December 15, 1986), plus the taxes against such reserved area, from the date of the reservation, and any other costs incurred by the developer in the maintenance of such reserved area, including interest costs incurred on any loan covering such reserved area. In the event the City does not exercise its option to acquire the park site, the reservation of the area shall automatically terminate.
- b. The subdivider shall rough grade the community park site to Park & Recreation Department specifications and

R- 283694

shall construct the contiguous street improvements unless the Park and Recreation Department elects to perform such work. The subdivider shall enter into an agreement, prior to the approval of the first final map which subdivides this lot, which defines the method of compensation, unless the Park and Recreation Department elects to rough grade the community park site. The subdivider shall be entitled to be reimbursed for all subdivider-performed grading and work from appropriate City funds.

- c. The subdivider may elect to enter into an agreement, prior to the filing of the first final map which subdivides this lot, with the City for the design and construction of the community park. In the event of such election, the subdivider shall be entitled to be reimbursed for all such design and construction work. The agreement shall define the method of compensation.
- d. Neighborhood Park sites, Lots 1014 and 1025, shown on the approved tentative map, are being reserved in accordance with Section 66479 et seq. of the California Subdivision Map Act. Provisions of the Act require that the developer shall, at the time of the recordation of the first final map which subdivides these lots, enter into an agreement for the City to acquire the park sites within two (2) years after the completion and acceptance of all improvements, unless such period of time is extended by mutual agreement. The purchase price shall be the market value thereof, at the time of the filing of the vesting tentative map TM 86-1032 (December 15, 1986), plus the taxes against such reserved area, from the date of the reservation, and any other costs incurred by the subdivider in the maintenance of such reserved area, including interest costs incurred on any loan covering such reserved area. In the event the City does not exercise its option to acquire the park site, the reservation of the area shall automatically terminate.
- e. The subdivider shall rough grade the neighborhood park sites, Lots 1014, and 1025, to Park & Recreation Department specifications, and shall construct the contiguous street improvements, unless the Park and Recreation Department elects to perform such work. The subdivider shall enter into an agreement, prior to the approval of the first final map which subdivides these lots, to define the method of compensation, unless the Park and Recreation Department elects to rough grade

the neighborhood park sites. The subdivider shall be entitled to be reimbursed for all subdivider-performed grading and work from appropriate City funds.

- f. The subdivider may elect to enter into an agreement with the City, prior to the filing of the first final map which subdivides these lots, for the design and construction of the neighborhood parks, Lots 1014 and 1025. In the event of such election, the subdivider shall be entitled to be reimbursed for all such design and construction work.
- g. The subdivider shall enter into an agreement with CalTrans and other owners for the acquisition of park property, prior to final map submittal which subdivides this lot on behalf of the City of San Diego.
- h. The developer shall provide for the grading of said property to Park and Recreation Department standards of a two percent (2%) grade at the same level as the developed school and park site or as approved by the Park and Recreation Director.

58. Open Space Requirements:

- a. All lots deeded to the City for open space shall be in fee title. The lots shall be deeded at no cost to the City. All lots shall be free and clear of any encumbrances, private encroachments, private easements, and private agreements, except those approved by the Park and Recreation Director. Areas disturbed by the developer or now disturbed shall be scarified and seeded with a native non-irrigated mix, satisfactory to the Park and Recreation Director. The landscaping plans on such lots shall be to the satisfaction of the Park and Recreation Director. No lots shall be accepted by the Park and Recreation Department for maintenance into the City inventory until such vegetation is in a healthy and vigorous condition.
- b. Storm drains terminating in open space lots and proposed off-site open space lots shall be located at the low point, to prevent hillside erosion, satisfactory to the City Engineer and/or the Park and Recreation Director, and shall be equipped with energy dissipaters to prevent downstream erosion.
- c. Detention basins/desilting basins and storm drains located on open space lots and proposed off-site open space lots shall have drainage easements, including the

R-283694

necessary access easements from a public street or existing access easements to provide access for Streets Division maintenance crews.

- d. All lots or areas with negative open space easements shall be owned and maintained by either the homeowners' association or the property owner.
- e. If a landscape assessment district is formed, all private property maintained by the assessment district shall have landscape maintenance easements. Which particular lots/areas are to be maintained by the landscape assessment district shall be subject to approval of the Park and Recreation Director.
- f. Lots "A₁," "A₂," "B," "D," "E," "G," "H," "I," "N," and "O" shall be deeded to the City, in fee title, for open space, at no cost to the City. (Lot "M" is not used in this project.)
- g. Lots "C," "F," "J," and "K" are not acceptable as City-fee-owned lots and shall have negative open space easements and shall be owned and maintained by either the homeowners' association or the property owner.
- h. Lot "L" shall be reduced in size to provide brush management for Lot 1038. The reduced Lot "L" shall be deeded to the City, in fee title, for open space, at no cost to the City. The remaining portion of Lot "L" shall have a negative open space easement for brush management and shall be owned and maintained by the homeowners' association.
- i. Lots "S," "T," "U," "V," "W," "X," "Y," and "Z" are to have negative open space easements for brush management and shall be owned and maintained by the homeowners' association.

The fill slope east of Street "P" and south of Lot 139 shall be made a part of Lot "T."

- j. If, and only if, Lots "AA," "BB," "CC," "DD," "EE," "FF," "GG," "HH," "II," "JJ," "KK," "LL," "MM," "NN," "OO," "PP," "QQ," "RR," "SS," and "TT" are to be maintained by the landscape maintenance district, they require landscape easements.
- k. That portion of Lot "G" set aside as a vernal pool preserve shall be fenced and have signs. The location, height, and type of materials of the fence, and the

size, shape, number, and message content of the signs, shall be subject to the approval of the Park and Recreation Director.

- l. The subdivider shall provide a 20-foot-wide access easement through Lot "T" (FMZ) to Lot A₂, location to be determined by the Park and Recreation Department, Open Space Division.
- m. The subdivider shall adjust the boundary of Lot 1014 to encompass the sewer line and easement area located south of Lot 1014. The sewer or easement is not to be located within an open space lot.

The subdivider shall reletter Lot "A" to Lot "A₁" and Lot "A₂."

59. Prior to the recordation of the first final map, a school mitigation agreement which provides for school facilities shall be entered into and approved by the affected school district and the subdivider. Documentation of the agreement shall be provided to the Planning Department.
60. The subdivider may request the City Council to approve a special assessment or Mello-Roos Community Facilities District to finance the construction and acquisition of the public improvements required of this subdivision.
61. This subdivision is in a community plan area designated in the General Plan as Planned Urbanizing. As such, the Otay Mesa Public Facilities Financing Plan has been established, and as amended, to finance the public facilities required for the community plan area.

Therefore, in connection with Council approval of the final map, the subdivider shall comply with the provisions of the financing plan then in effect for this community plan area, in a manner satisfactory to the Planning Director. This compliance shall be achieved by entering into an agreement for the payment of the assessment, paying a Facilities Benefit Assessment (FBA) or such other means as may have been established by the City Council.

62. This tentative map is a vesting tentative map. As such, the subdivider shall pay an additional \$300 fee to the Engineering & Development Department for each final map processed in connection with this vesting tentative map.

FOR INFORMATION:

- This property may be subject to the payment of a park fee in accordance with the San Diego Municipal Code, which specifies park fees applicable in the Otay Mesa Community Plan area.
- 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.
- 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.
- This vesting tentative map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.

R-283694