

RESOLUTION NUMBER R-283762

ADOPTED ON APRIL 26, 1994

WHEREAS, on January 27, 1994, the Planning Commission recommended approval of Vesting Tentative Map No. 87-1038 submitted by Newland Group, Inc., a California general partnership, and CROSBY, MEAD AND BENTON for a 94-lot subdivision (Monarch Pointe) for the development of 90 single-family homes located south of Sorrento Valley Boulevard and west of Camino Santa Fe and described as a portion of the northeast quarter of the northwest quarter of Section 34, Township 14 South, Range 3 West, SBM, in the Mira Mesa Community Plan area, in the A1-10 (proposed R1-5000) zone; and

WHEREAS, the matter was set for public hearing on April 26, 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. 87-1038:

1. The map proposes the subdivision of a 36.3-acre site into 94 lots for residential development. This type of development is consistent with the General Plan and the Mira Mesa Community Plan which designate the area for residential 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 and development regulations of the R1-5000 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/Hillside Review/Coastal Development Permit (PRD/HR/CDP).

b. All lots meet the minimum dimension requirements of the R1-5000 zone, as allowed under a PRD/HR/CDP.

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/HR/CDP.

d. Development of the site is controlled by Planned Residential Development/Hillside Review/Coastal Development Permit No. 87-1038.

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 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 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 (EIR) No. 87-1038 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 EIR.

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 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. 87-1038 is hereby granted to Newland Group, Inc., and Crosby, Mead and Benton, 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:lc  
06/17/94  
Or.Dept:Clerk  
R-94-1765  
Form=r.tm

5/12/94

CONDITIONS FOR CITY COUNCIL  
VESTING TENTATIVE MAP NO. 87-1038

1. This vesting tentative map will become effective with City Council approval of the associated rezoning and will expire three years thereafter. If the rezoning is denied, this vesting tentative map will be deemed denied.
2. 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.
3. The final map shall conform to the provisions of Planned Residential Development/Hillside Review/Coastal Development Permit No. 87-1038.
4. 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.

5. "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).
6. "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."
7. 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.

R-283762

- 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.
8. The approval of this vesting 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.).
9. Prior to the issuance of an Interim Habitat Loss Permit and associated grading or pre-grading permit for any portion of the project site, the project is required to obtain final concurrence from the U.S. Fish and Wildlife Service and the California Department of Fish and Game that the project is consistent with the NCCP Conservation Guidelines and any subregional mitigation guidelines. If the project is deemed inconsistent with the NCCP Conservation Guidelines, project revisions or additional/enhanced mitigation may be required. Any project redesign required to obtain agency concurrence will require reconsideration by the appropriate City decision-making body.  
  
Approval of this map does not guarantee approval of a future Interim Habitat Loss Permit which is limited to a five percent cumulative loss calculated at the grading permit stage.
10. The subdivider has reserved the right to record multiple final maps over the area shown on the approved vesting 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 vesting 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.
11. 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-283762

12. 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.
13. 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.
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 landscaping improvements in the public rights-of-way shall be shown as part of the street improvement drawings. Other street improvements, such as driveways, utilities, drains, etc., shall be designed so as not to prohibit the placement of street trees in substantial conformance with the Landscape Technical Manual and approved Exhibit "A" (landscape plan) of Planned Residential Development/Hillside Review/Coastal Development Permit No. 87-1038, satisfactory to the Planning Director and the City Engineer.
16. Prior to the recordation of the final map, interim landscape and erosion control measures, including hydroseeding of all disturbed land (all slopes and pads) shall be submitted, to the satisfaction of the Planning Director (including the Environmental Analysis Section) and the City Engineer. All plans shall be in substantial conformance to Exhibit "A", dated April 26, 1994, and all other applicable conditions of related permits.

The grading plans shall have a note that the subdivider shall initiate such measures within 45 days from the date that the grading of the site is deemed to be complete. Such erosion control and the supporting irrigation systems (temporary and/or permanent) and appurtenances shall be installed, in accordance with the approved plans and the Landscape Technical Manual.

17. Camino Santa Fe is classified as a four-lane major street within a 98-foot-wide right-of-way. The subdivider shall dedicate additional right-of-way to allow for a half-width of 49 feet and shall provide additional pavement, curb,

R- 283762

- gutter, five-foot-wide sidewalk within a ten-foot curb-to-property-line distance, and a raised center median with an opening to accommodate left turns and "U"-turn movements at Street "E" (removing the existing center barrier), satisfactory to the City Engineer.
18. Sorrento Valley Boulevard is classified as a four-lane major street within a 98-foot-wide right-of-way. The subdivider shall dedicate an additional four feet on the south side of the street to allow for a ten-foot curb-to-property-line distance, modifying the existing raised center median with an opening to accommodate left-turn movements into Street "A," satisfactory to the City Engineer. Left-turn movements out of Street "A" will not be allowed.
  19. Street "A" 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 and provide a minimum of 32 feet of pavement, an AC berm on the west side of the street, and curb, gutter, and four-foot-wide sidewalk within a ten-foot curb-to-property-line distance on the east side of the street, satisfactory to the City Engineer.
  20. Streets "B," "C," "D," and "E" (east of Street "D") 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 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.
  21. Street "E" (west of Street "D") 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 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.
  22. Unit 2 shall be graded to the grades shown on this vesting tentative map as a borrow site with the grading of Unit 1, and interim erosion control plans for this borrow site shall be submitted and approved, to the satisfaction of the Planning Director and the City Engineer.
  23. Water Requirements:
    - a. The developer 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

R- 283762



located on a dead-end main, then a dual-fed system shall be installed.

- b. The developer shall provide an on-site water study, satisfactory to the Water Utilities Director.
- c. The developer shall install all facilities, as required by the approved water study.

24. Sewer Requirements:

- a. The developer shall provide a sewer study, satisfactory to the Water Utilities Director, for the sizing of gravity sewer mains and to show that the grade of the mains will provide adequate capacity and have cleansing velocities to serve this development.
- b. The developer shall install all facilities, as required by the approved sewer study.
- c. The Peñasquitos Trunk Sewer is approaching its ultimate capacity. Therefore, if this development sewers into the Peñasquitos Trunk Sewer, then connections may be limited.

25. Water and Sewer Requirements:

- a. 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.
- b. Providing water and sewer for this subdivision is dependent upon the prior construction of certain water and sewer in previously approved subdivisions in this area. If they have not been constructed when required for this subdivision, then the construction of certain portions of these previously approved water and sewer mains, as required by the City Engineer, will become off-site improvement requirements for this subdivision.

26. 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

R- 283762

(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.

27. Open Space Requirements:

- a. Lots 91 and 94 shall be deeded to the City for open space, at no cost to the City. The lots shall be free and clear of any encumbrances, private easements, or private agreements.
- b. Lots 92 and 93 shall be granted as negative open space easements for brush management, to be owned and maintained by the Homeowners' Association.
- c. A landscape maintenance easement shall be granted on the slope abutting Sorrento Valley Boulevard and Camino Santa Fe on Lots 59 through 61, 81, and 82 through 90. No part of the six-foot-high sound attenuation wall shall be located within the easement or the public right-of-way.
- d. A fence or wall is required to prevent access to open space Lot 94 from Lots 1 through 17 and Lots 29 through 51. The location, height, type of material, etc., must be approved by the Park and Recreation Department/Open Space Division and the Planning Department.
- e. Concurrently with or prior to the recordation of the final map, this subdivision shall be included in the Calle Cristobal Landscape Maintenance District.

28. Prior to the recordation of the first final map, the subdivider shall deed to the City, in fee title, 36.11 acres of that property identified as the Camino Park Parcel as biological mitigation/open space preserve, satisfactory to the Planning Director and the City Engineer.

R-283762

29. Prior to the recordation of the first final map, the subdivider shall, in accordance with the NAS Miramar CLUP, record an avigation disclosure statement over Lots 29 through 90, satisfactory to the City Engineer.
30. The subdivider shall grant pedestrian access easements at the end of Cul-de-sacs "B," "C," and "D" to Sorrento Valley Boulevard and Camino Santa Fe, satisfactory to the City Engineer.
31. This subdivision is in a community plan area designated in the General Plan as Planned Urbanizing. As such, special financing plans have been, or will be, established 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.

32. The subdivider shall comply at all times with the Mitigation Monitoring and Reporting Program as specified in Environmental Impact Report No. 87-1038, satisfactory to the Planning Director and the City Engineer. Specifically:

- a. Landform Alteration/Visual Quality:

- i. Impacts to sensitive slopes and visual quality would be mitigated to below a level of significance by the following measures incorporated into the project design:
  - (1) Contour grading shall be used at the western, north central, and southeastern finger canyons with the resulting fill area designed to blend with existing landforms.
  - (2) Grading techniques such as rounding, contouring and undulation shall be used at the toe area of all fill slopes to blend the fill slopes with the existing terrain.
  - (3) Exposed portions of proposed fill areas shall be planted with a hydroseed mix containing native species or revegetated with coastal sage scrub species to ensure that

R- 283762

manufactured slopes blend with natural landforms. An extended maintenance period of three years shall be required to ensure successful vegetation. If at the end of three years, the revegetation effort has not become satisfactorily established, the monitoring shall be extended an additional year. Annual reports documenting status shall be submitted to the Planning Director.

- (4) Slope areas adjacent to natural open space are to be planted within three months after grading and shall be temporarily irrigated until plants become established. The system shall be protected by an approved pressure-type backflow prevention device. All planting and irrigation installation procedures shall conform to the Land Development Ordinance and shall be implemented according to the minimum requirements and standards of the Standard Specifications for Public Works Construction with the City's special provisions, the San Diego Regional Standard drawings, the Landscape Technical Manual, and all other applicable regulations.
- ii. To ensure that the above measures are implemented, the following monitoring and reporting measures shall be included in the mitigation, monitoring and reporting program for the project.
- (1) Prior to issuance of the grading permit, grading plans shall be reviewed and approved by the Planning Director for compliance with the vesting tentative map. Contouring and rounding grading techniques, as well as landscaping with native plantings shall be marked as "Environmental Mitigation."
  - (2) After the Planning Department and City Engineer approve the "as-built" grading plans or any "construction changes" and receive certification that the landscaping and contour grading have been completed in substantial conformance with the approved plans, they shall recommend to the City Council that the subdivision bond be released.

- (3) A selective thinning and pruning program shall be incorporated into the proposed brush management plan to minimize impacts to the visual quality of the site. Zones 2 and 3 shall be placed within separate lots (92 and 93) for maintenance purposes.
- (4) Prior to issuance of a certificate of occupancy, the Planning Department shall inspect the site to determine if the Brush Management program has been conducted in conformance with the Landscape Technical Manual. The cost of this Mitigation Monitoring and Reporting Program would be the responsibility of the subdivider. Subsequent monitoring and maintenance of Lots 92 and 93 shall be conducted in conformance with the proposed brush management plan.

b. Biological Resources:

- i. Approval of the proposed project would result in a direct loss of coastal sage scrub habitat and indirect impacts to gnatcatchers and therefore may not be consistent with the interim federal "no take" rule. Furthermore, the project design and proposed mitigation for gnatcatcher/coastal sage scrub impacts may not be consistent with a future N.C. Conservation Program/Multiple Species Conservation Program that would be adopted by the City, California Department of Fish and Game, and U.S. Fish and Wildlife Service.

Implementation of the following mitigation measures would reduce direct impacts to 4.9 acres of coastal sage scrub, and 3.8 acres of southern mixed chaparral; to sensitive plants (i.e., ashy spike-moss, San Diego barrel cactus, western dichondra, and summer-holly); and to wildlife species including the threatened California gnatcatcher and sensitive rufous-crowned sparrow, San Diego horned lizard, orange-throated whiptail and Hermes copper to a level below significance:

- (1) Prior to the recordation of the first final map for the Monarch Pointe site, the subdivider shall deed to the City of San Diego 36.11 acres of the 47.51-acre Camino Park parcel. Of the mitigation area, 29.81 acres shall be devoted to mitigation by preservation of 10.0 acres of coastal sage

*A-* 283762

scrub, 18.41 acres of southern mixed chaparral and 1.4 acres of chamise chaparral. Although not part of the mitigation site, an additional 6.3 acres of disturbed habitat is proposed for inclusion in the dedication for a total of 36.11 acres. Once deeded to the City, the City shall dedicate the site as permanent open space through a biological conservation easement in order to ensure its preservation in perpetuity. (NOTE: the remaining 11.4 acres of the Camino Park site is proposed to be sold to the City of San Diego for the future development of a neighborhood park. Since the park is not considered to be part of the Monarch Pointe project and the purchase agreement, the park development would be subject to subsequent discretionary actions and additional CEQA review.)

The preservation program would result in an approximately 3.4:1 mitigation ratio for the loss of 8.7 acres of "sensitive" habitats on the Monarch Pointe site. The Camino Park parcel supports considerable populations of California adolphia (*Adolphia californica*), summer-holly (*Comarostaphylos diversifolia*), San Diego barrel cactus (*Ferocactus viridescens*), ashy spike-moss (*Selaginella cinerascens*), and San Diego County viguiera (*Viguiera laciniata*).

In addition, the proposed mitigation site would meet the intent of the Multiple Species Conservation Program by connecting to Los Peñasquitos Canyon Preserve, a major biological corridor. Although not a "like kind" mitigation by specific habitat, the floral and faunal diversity, general habitat quality and connectivity of the Camino Park site to a major biological reserve would result in a substantial reduction to biological impacts associated with the Monarch Pointe project.

- (2) To further reduce project impacts, manufactured slopes and disturbed open space areas adjacent to undisturbed native habitat on Monarch Pointe (approximately 1.6 acres) and Camino Park (approximately 1.6 acres) shall be revegetated with native species that

R-283762

are known to occur locally in accordance with the conceptual revegetation plan. Negative open space easements shall be placed over the revegetation areas on the Monarch Pointe site. No non-native plant species that are known to invade native habitats shall be planted adjacent to natural areas. A surety bond to assure implementation of the revegetation program shall be a condition of the vesting tentative map.

- (3) Prior to the issuance of grading permits, a revegetation plan and landscape plan shall be approved by the Planning Director and a surety bond posted to ensure installation and maintenance. After the City Engineer approves the grading for the property and receives certification from a qualified biologist that the landscaping has been installed in substantial conformance with the approved plans, part of the bond may be released. Protection of open space areas shall be monitored by flagging the limits of grading prior to grading next to the open space.
- (4) A three-year monitoring program shall be conducted by the project biologist in conjunction with the maintenance program conducted by the landscape contractor for those disturbed areas and manufactured slopes addressed in the revegetation plan. Monitoring shall be conducted by a certified biologist with experience in preparation and implementation of revegetation programs and commence following the completion of planting and hydroseeding operations. Survival counts shall occur quarterly for the first year and annually for years two and three. A total of five monitoring reports shall be prepared upon completion of data collection and analysis.

Quantitative data shall consist of measurements using belt transects. Measurements shall include height, percent cover, and survival, and shall be measured against the following milestones:

Year 1      90% survival of container stock.

R-283762

- Year 2      80% survival of container stock;  
              40% cover of all native vegetation.
- Year 3      80% survival of container stock;  
              50% cover of all native vegetation.

Progress reports and annual monitoring reports shall be submitted to the Planning Director after each inspection. The reports shall describe the site and plant conditions, report results of the technical analysis, and include proposed remedial action. At the end of a successful maintenance period, the bond shall be released. This process shall be seen as satisfying the provisions of Section 21081.6 of the Public Resources Code, mitigation monitoring.

- (5) In order to preclude indirect impacts on native animal species due to predators (for example cats and dogs), the project shall provide fencing along all property abutting open space areas. The preferred design is closely spaced wrought iron (with its top tilted away from the open space) to prevent predators from climbing over. Alternatively, a black or brown vinyl-coated chain link fence may be utilized, satisfactory to the Park and Recreation Department.
- (6) Impacts associated with brush management would be reduced to a level below significance by the conveyance of undisturbed habitat on Camino Park to the City and implementation of the following mitigation measures. Prior to the issuance of grading permits, the Planning Director shall review the plans to ensure the mitigation notations have been provided:
- (a) Brush clearing shall be done by hand to the extent feasible in order to reduce the effect on the low growing sensitive species ashy spike-moss, San Diego barrel cactus, and western dichondra.
- (b) Prior to brush clearing activities all individuals of sensitive species within Brush Management Zones 2 and 3 shall be clearly flagged by a certified biologist so that they can be avoided. Impacts to

R-283762



the low-growing, low volume shrub California adolphia also could be reduced. This species occurs in sparse vegetation and represents less of a fuel load problem than many other coastal sage scrub and chaparral shrubs.

- (c) Prior to issuance of building permits, the Planning Department shall inspect the site to determine if landscaping has been properly installed and that the Brush Management Program has been conducted in conformance with the Landscape Technical Manual. The cost of this Mitigation Monitoring and Reporting Program shall be the responsibility of the subdivider.

c. Hydrology/Water Quality:

Erosion and urban runoff control steps which would reduce direct impacts from project grading and pollutants to a level below significance are stated below. These measures shall be made conditions of the vesting tentative map and shall be shown on the grading plans:

- i. Rip-rap dissipators and rock/sand filters shall be placed at all storm drain discharge points to reduce flow velocities.
- ii. Temporary erosion control measures during construction (e.g. sandbagging, sediment basins, silt traps, desilting basins or debris basins) shall be installed in accordance with the City Land Development Ordinance.
- iii. Landscaping of all cut slopes identified as having pervious material and all fill slopes shall be implemented in phases coincident with development phases and prior to the issuance of building permits for each said phase. In the event that a reasonable source of water is not available within 90 to 120 days from completion of grading, visual mitigation and temporary slope stabilization measures shall be provided through the application of native and naturalized non-irrigated hydroseed mix and mechanical erosion control measures as required.

R- 283762

- iv. Additional pollution control devices may be incorporated into the drainage system for the project. Best Management Practices as specified by the City Engineering and Development Department shall be utilized in designing the pollution control system. Prior to the approval of the improvement plans, the Engineering and Development Department shall review and approve the design and location of the Best Management Practices facilities.
- v. A soils engineer shall be retained to monitor the grading of the project and submit a final soils report to the City Engineer certifying that the project was graded in substantial conformance with the recommendations and specifications given in the approved project soils report.
- vi. A landscape architect shall be retained to monitor the landscaping for the project and submit a landscape certification to the City Engineer for the project certifying that the landscape installation substantially conforms with the approved landscape document and that all areas treated with non-irrigated hydroseed appear to have good coverage and are adequately established to meet all City of San Diego requirements for erosion control.
- vii. Prior to the issuance of grading permits, grading plans shall be reviewed by the City Engineer and by the Planning Director for compliance with the above conditions.

d. Exterior Noise Mitigation Measures:

To comply with the City of San Diego's exterior noise requirements, exterior noise levels at the backyards of residences adjacent to Sorrento Valley Boulevard and Camino Santa Fe would have to be mitigated to a CNEL of 65 dB(A) or less. A six-foot-high solid masonry wall is proposed to mitigate the future noise levels to a CNEL of 65 dB(A) or less.

The proposed noise barrier heights and locations are based on preliminary vesting tentative map and site plans. If changes are made to the building pad elevations or lot setback distances, an acoustical study shall be required to determine whether the proposed wall heights and locations would mitigate the noise levels.

R- 283762

The NAS Miramar CLUP states that in the case of discretionary actions, an avigation easement for noise shall be required to be recorded with the County Recorder as a condition of approval of the project. Furthermore, for all property transactions, appropriate legal notice shall be given to all purchasers, lessees and renters of property which clearly describes the potential for impacts from airplane noise associated with airport operations. Notice also shall be provided as required on the State Real Estate Disclosure form. Prior to the recordation of the first final map, an avigation easement shall be required for lots 29-90 of the vesting tentative map, satisfactory to the City Engineer. The above measures shall be incorporated into future grading permits. Prior to the issuance of any grading permits, the Planning Director shall review the plans to ensure that the walls are clearly identified.

e. Public Safety (Brush Management):

Fire safety precautions in the form of fuel modification techniques have been incorporated into the proposed project. Brush Management zones characterized by selectively thinned and pruned vegetation would extend from the rear lots of structures adjacent to natural habitat. The zone closest to the residences (Zone 1) would consist of permanently irrigated landscaping. Planting on slopes with a gradient of 4:1 or steeper shall be an average mature height of 24 inches or less. Zone 2 would extend 40 feet in width from Zone 1. Plantings in Zone 2 would average 24 inches or less for manufactured slopes. For native slopes in Zone 2, non-irrigated vegetation must not exceed 18 inches in height or exceed 30 percent of the total area. Zone 3 would be 40 feet in width and plantings may reach an average height of 36 inches. The 0.9 acre area along the southwestern border of the site intended to accommodate the brush management requirements of proposed adjacent development would be treated in accordance with the requirements for Zone 2 and 3.

Areas where manufactured slopes are adjacent to the rear of proposed lots would also be treated in accordance with the brush management requirements regarding selective thinning and maintenance discussed in the preceding paragraph. Appendix B to the EIR contains the plant palette for brush management on manufactured slopes. The plant palette for manufactured slopes in the brush management zones would consist of

R- 283762

native drought tolerant species. The species would be applied as a part of a native hydroseed mix.

Prior to issuance of building permits, a representative of the Planning Department shall inspect the site to determine if the Brush Management Program has been implemented in conformance with the Landscape Technical Manual. Subsequent monitoring and maintenance shall be conducted by the Homeowners Association in conformance with the proposed brush management plan.

FOR INFORMATION:

- This property may be subject to payment of a park fee prior to the filing of the final subdivision map in accordance with San Diego Municipal Code Section 102.0406 et seq. This property is also subject to a building permit park fee in accordance with San Diego Municipal Code Section 96.0401 et seq.
- 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.