

RESOLUTION NUMBER R-286758

ADOPTED ON DECEMBER 5, 1995

WHEREAS, Signal Landmark, Applicant, and Latitude 33, Engineer, filed an application for a 99-lot vesting tentative map and street vacations, located generally north of Black Mountain Road and east of Via Albertura, and described as the northeast 1/4, east 1/2 of the northwest 1/4 of Section 11, T14S, R3W, S.B.B.M., in the A-1-10 Zone; and

WHEREAS, on December 5, 1995, the City Council of The City of San Diego considered Vesting Tentative Map 88-1041, Fairbanks Highlands and Street Vacations, pursuant to San Diego Municipal Code Section 102.0307 and, 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 88-1041:

1. The map proposes the subdivision of a 386-acre site into 99 lots (93 residential, 2 open space, 3 non-building site, 1 school site) for residential development. This type of development is consistent with the General Plan and the Future Urbanizing Area, which designate the area for uses allowed in the A-1-10 zone. The proposed map will retain the community's character by encouraging orderly, sequential development compatible in its intensity with surrounding existing and future

land development.

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

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 Permit.

a. All lots meet the minimum dimension requirements of the A-1-10 Zone, as allowed under a Planned Residential Development Permit.

b. 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, only as allowed under a Planned Residential Development Permit.

c. Development of the site is controlled by Planned Residential Development Permit No. 88-1041.

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 No. 88-1041, which is included herein by this reference. However, a finding has been made pursuant to subdivision (c) of Section 21081 of the Public Resources Code that specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the Environmental Impact Report.

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

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

9. The 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 Section 66412.3 of the

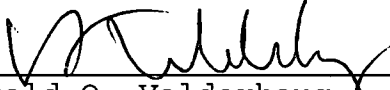
Government Code, that the housing needs of the region are being met since residential development has been planned for the area and public services programmed for installation, as determined by the City Engineer, in accordance with financing and environmental policies of the City Council.

10. The property contains streets (RS 57, OS 80, )S 124, OS 451 and a portion of the travelway known as Black Mountain Road) which must be vacated to implement the final map in accordance with San Diego Municipal Code section 102.0307. The tentative map must be approved by 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 based on the findings hereinbefore adopted by the City Council, Vesting Tentative Map 88-1041, Fairbanks Highlands and Street Vacations, is hereby granted to SIGNAL LANDMARK, 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:ps  
02/26/96  
Or.Dept:Clerk  
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CITY COUNCIL CONDITIONS FOR  
RESOLUTION NO.

1. This Vesting Tentative Map will become effective with City Council approval of the associated Street Vacations, and will expire three years thereafter. If the Street Vacation is denied, this Vesting Tentative Map shall be deemed denied.
2. Compliance with all of the following conditions shall be assured, to the satisfaction of the City Engineer, prior to the recordation of the first final map unless, otherwise noted.
3. The final map shall conform to the provisions of Planned Residential Development/Resource Protection Overlay Zone (PRD/RPOZ) Permit No. 88-1041.
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.
  - 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 tentative map by the City of San Diego does not authorize the subdivider to violate any Federal, State, or City laws, ordinances, regulations, or

 286758

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 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 Development Services 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.

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 tentative map. In accordance with Article 66456.1 of the Subdivision Map Act, the City Engineer shall retain the authority to review the areas of the tentative map the subdivider is including in each final map and may impose reasonable conditions, such as off-site public improvements, that shall become requirements of final map approval for a particular unit.
11. The subdivider has requested approval to file final maps out of numerical sequence. This request is approved, subject to the provision that the City Engineer can review the off-site improvements in connection with each unit.
12. 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.
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. The subdivider shall provide controlled access for the emergency-access points, and said access shall be constructed in a manner satisfactory to the Fire Department and the City Engineer.
16. Carmel Valley Road is classified as a modified four-lane major street within a 122-foot-wide right-of-way with a 38-foot-wide median. The subdivider shall dedicate and improve Carmel Valley Road, consistent with the certified EIR, with slope easements, satisfactory to the City Engineer, as follows:
  - a. The subdivider shall construct a wildlife undercrossing easterly of Lot 82 as part of the construction of Carmel Valley Road. The undercrossing shall be designed with a span and height clearance to accommodate a regional wildlife corridor. Sufficient area of natural undisturbed grade shall be retained under the span to allow unrestricted wildlife movement. Construction of a bridge meeting these criteria is preferred. Multiple culverts may be substituted for a bridge, if such culverts are determined by the principal planner of the environmental analysis section to meet these criteria. The subdivider shall submit a preliminary design for the wildlife undercrossing, satisfactory to the City Engineer and the Principal Planner of the Environmental Analysis Section of the Development Services Department.
  - b. Dedicate the north half right-of-way of 61 feet, from the easterly subdivision boundary westerly off site to Via Albertura, and shall provide half-width improvements with an interim pavement width of 40 feet, with curb, gutter, and five-foot-wide sidewalk, including the north half of the wildlife undercrossing, within a ten-foot curb-to-property-line distance.
  - c. Provide 50 feet of pavement for an interim painted 250-foot long left-turn pockets, with transition, at the intersection with Private Street "A" and Camino Ruiz.
  - d. Grant an irrevocable offer of dedication (IOD) of 61 feet for the south half, with slope easements, from the easterly line of Lot 82 to the easterly subdivision boundary. Additional right-of-way may be required for the intersection of Carmel Valley Road/Camino Ruiz.
  - e. Relinquish abutter's rights-of-access along Carmel Valley Road from the westerly subdivision boundary to the easterly lot line of Lot 82.
  - f. Dedicate the north half-width right-of-way of 61 feet from the easterly subdivision boundary off-site to its intersection with the extension of Black Mountain Road and shall provide 40 feet of pavement.
17. Camino Ruiz is classified as a modified four-lane major street with a 38-foot-wide median north of Carmel Valley Road and a modified six-lane major street with a 24-foot median south of Carmel Valley Road. The subdivider shall grant an IOD for Camino Ruiz, within the subdivision boundary, consistent with the certified EIR, with slope easements, satisfactory to the City Engineer, as follows:
  - a. North of Carmel Valley Road, grant a 140-foot-wide right-of-way transitioning northerly to a 122-foot-wide right-of-way.
  - b. South of Carmel Valley Road, grant a 140-foot-wide right-of-way transitioning southerly to a 132-foot-wide right-of-way.

 286758

- c. Relinquish abutter's rights-of-access along Camino Ruiz.
18. The subdivider shall extend existing north/south Black Mountain Road, per Map 10775, to intersect with Carmel Valley Road. The subdivider shall dedicate the westerly half-width right-of-way of 49 feet and shall provide the westerly half-width improvements of pavement, curb, gutter, and sidewalk within a ten-foot curb-to-property-line distance, satisfactory to the City Engineer.
  19. The subdivider may request the City Council to establish a reimbursement district to pay for a portion of the construction cost of the work identified in Conditions 17f. & 19, in accordance with Section 62.0208 of the Municipal Code, when the property within the reimbursement district is subdivided or otherwise developed.
  20. The subdivider shall construct a traffic signal offsite at the intersection of Carmel Valley Road and Black Mountain Road.
  21. The subdivider shall pay 50% of the cost for the future traffic signal at Carmel Valley Road and Street "A".
  22. During construction, the subdivider shall at all times maintain access for through traffic on Carmel Valley Road and Black Mountain Road.
  23. The subdivider shall repair existing public improvements if damaged by construction traffic.
  24. Prior to building occupancy, the applicant shall conform to Section 62.0203 of the Municipal Code, "Public Improvement Subject to Desuetude or Damage." If repair or replacement of such public improvements is required, the owner shall obtain the required permits for work in the public right-of-way, satisfactory to the permit-issuing authority.
  25. The subdivider shall, when Carmel Valley Road and Black Mountain Road are open to traffic, construct a cul-de-sac offsite on Black Mountain Road as shown on the tentative map.
  26. Streets/driveways with less than a 36-foot curb-to-curb width shall have parking on one side only. Parking shall be prohibited in streets/driveways with less than a 28-foot curb-to-curb width, satisfactory to the Fire Department and the City Engineer.
  27. Should the entry gate be permitted, the subdivider shall locate the gate a minimum of 200 feet north of Carmel Valley Road.
  28. This subdivision shall be served by a system of non-dedicated, unnamed, privately-maintained, private driveways.
  29. Concurrent with the recordation of the first final map, the subdivider shall provide a reciprocal-access easement agreement, as required, satisfactory to the City Engineer Development Services Director.
  30. All structures that conflict with lot lines and public or private streets shall be removed.

 286758



31. Water Requirements:

- a. The subdivider shall provide a water study in accordance with the approved scope of work for the Miramar 712/North City 610 Pressure Zones, by Pountney & Associates, satisfactory to the Water Utilities Director.
- b. The subdivider may request the City to process a participation agreement to recover a portion of the subdivider's cost of the 712/610 water study, in accordance with City regulations and practices pertaining thereto.
- c. The subdivider shall provide a water study, satisfactory to the Water Utilities Director. The study shall plan the pressure zone(s) necessary to serve this development.
- d. The subdivider shall install all facilities, as required by the approved water studies (not necessarily as shown on the tentative map), 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.

32. 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 basins in which it lies.
- b. The subdivider shall provide individual predesign reports for each pump station and force main, satisfactory to the Water Utilities Director.
- c. The subdivider shall install all facilities, as required by the approved sewer study and report (not necessarily as shown on the tentative map), necessary to serve this development.

33. Water and Sewer Requirements:

- a. The subdivider shall design all water and sewer facilities to the most current edition of the Water Utilities Department's *Water & Sewer Design Guide*. If facilities do not meet the current standards, then such facilities shall be private.
- b. The subdivider shall grant adequate easements for all water and sewer facilities that are located outside of public rights-of-way. Vehicular-access easements shall be provided to all water and sewer appurtenances (manholes, blowoffs, air valves, cleanouts, gate and butterfly valves, etc.)
- c. The subdivider shall enter into a maintenance and operation agreement with the City, satisfactory to the Water Utilities Director, for the sewer pump station, necessary to serve this development.

- d. The subdivider shall provide evidence, satisfactory to the Water Utilities Director, showing that each lot will have its own water service and sewer lateral or provide CC&R's for the operation and maintenance of on-site private water and sewer mains that serve more than one lot.
  - e. If on-site water and sewer mains are to be public, and if it is a gated community, the Water Utilities Systems Division of the Water Utilities Department shall have keyed access, satisfactory to the Water Utilities Director. The City will not be held responsible for any issues that may arise relative to the availability of keys.
- 34. The drainage system proposed for this subdivision, as shown on the approved tentative map, shall be private and is subject to approval by the City Engineer.
  - 35. The subdivider shall obtain private drainage easements for the facilities off-site to Lot 61.
  - 36. 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.
  - 37. 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.

- 38. A portion of the project is located in the floodplain of McGongile Canyon and a Zanja, which are a tributary of Carmel Valley Creek, as delineated on Panel 50 of the Flood Insurance Rate Map (FIRM) for the City of San Diego. These maps are prepared by the Federal Emergency Management Agency (FEMA). In connection with approval of this tentative map:
  - a. The subdivider shall submit a Hydraulic and Hydrologic Study of the area within the floodway for approval by the City Engineer.
  - b. The subdivider shall grant a flowage easement, satisfactory to the City Engineer, over the property within the floodway.
  - c. The subdivider shall denote on the final map and the improvement plans "Subject to Inundation" for those areas at an elevation lower than the 100-year frequency flood elevation plus one foot.

- d. Permits or exemptions must be obtained from the California Department of Fish and Game and the U.S. Army Corps of Engineers before City permits will be issued for work within the floodplain fringe areas.
- e. If any grading occurs in the subject floodplains, the following conditions shall apply:
  - i. Any development within the floodplain fringe area will require either the property to be graded to an elevation two feet above the 100-year frequency flood elevation or provide floodproofing of all structures to that same elevation.
  - ii. No permits shall be issued for grading or other work in the floodplain of McGongile Creek until the subdivider obtains a Conditional Letter of Map Amendment (Conditional OMA) or Conditional Letter of Map Revision (Conditional OMR) from FEMA. The request for the Conditional OMA or Conditional OMR must be submitted through the Floodplain Management Section of the City of San Diego Engineering and Development Department. The subdivider must provide all documentation, engineering calculations, and fees which are required by FEMA.
  - iii. When as-built grading and public improvement plans are available, the subdivider must submit a request for a Final OMA or Final OMR to FEMA via the Floodplain Management Section of the City of San Diego Engineering and Development Department. The subdivider must provide all documentation, engineering calculations, and fees which are required by FEMA.
  - iv. The bond for this project will not be released until the Final OMA or Final OMR is issued by FEMA. The Floodplain Management Section of the City of San Diego Engineering and Development Department will notify the Development Services Division of such issuance as soon as it is informed by FEMA.
  - v. Notes provided by the Floodplain Management Section of the City of San Diego Engineering and Development Department concerning work in designated floodplains shall be included in all grading and improvement plans.

39. Open Space Requirements:

- a. Parcel "A" is to be granted/deeded, in fee simple, at no cost to the City, for open space. The parcel granted shall be free and clear of any private easements, encroachments, agreements, or liens.
- b. Parcel "B" shall have a negative open space easement over the ungraded natural undisturbed area, and shall be owned and maintained by the Homeowners Association.
- c. Parcel "C" shall be granted/deeded to the City in fee simple, at no cost. The open space portions of the parcel shall be satisfactory to the Director of Park & Recreation, with respect to location, size, shape and topography.

 - 286758

40. Prior to the recordation of the first final map, the subdivider shall enter into a bonded landscape maintenance agreement, agreeing to maintain all landscaping, and appurtenances thereto, within the City right-of-way within the subdivision boundary until such time as a landscape maintenance district is established and assumes maintenance responsibilities.
41. This subdivision is in a community plan area designated in the General Plan as Future 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 Development Services 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.

42. 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.
43. The following are required environmental mitigation measures for the Fairbanks Highlands project that the subdivider must implement to comply with the Mitigation, Monitoring and Reporting Program (MMRP) as specified in the Environmental Impact Report(EIR)No. 88-1041, satisfactory to the Development Services Director, the City Engineer, and EAS. In addition to the measures listed below, condition numbers; 17 a., 17 b., 17 f., 18, 19, 22, 35 - 38, 40 a., 40 c., and Information Item after condition No. 42 (bullet 2) are required by the MMRP and the Engineering Department.
  - a. Noise: Prior to issuance of a grading permit, the subdivider shall assure by permits and bonds, the construction of a noise barrier with a constant elevation of 350 feet at the top. This results in a five-foot noise barrier at lot 1, a four-foot noise barrier at lot 2, a three-foot noise barrier at lot 3, a two-foot noise barrier at lot 4, and a six foot noise barrier along lot 93.
  - b. Erosion: The subdivider shall implement Best Management Practices into grading plans for the proposed project. The short-term erosion control measures shall include sandbagging, temporary detention basins, and planting of disturbed slopes within 30 days of any slopes disturbed or built during the construction phase.
  - c. Biological Resources: Prior to recordation of the final map the subdivider shall retain a project biologist to flag the limits of construction in the field. The biologist shall notify the Environmental Analysis Section (EAS) at least two weeks prior to the commencement of grading that grading activities will begin. The biologist shall provide a report to EAS at the close of grading that grading has been conducted according to the conditions of the TM and the MMRP.
    - i. Prior to recordation of the final map, the subdivider shall provide a Habitat Restoration Plan for the restoration, enhancement or creation of .66 acre of southern willow scrub and .45 acre of mule fat shrub where the off-site sewer line is proposed as identified in Figure 24 in the EIR.

- ii. Prior to the issuance of a grading permit, the project biologist shall provide a plan, acceptable to the Director of Development Services, documenting that tree removal can occur outside of the raptor breeding season. Should this not be possible, the report shall specify a field protocol for the biologist to search for nests and inspect those nests found for activity immediately prior to commencement of grading. Should the nests be active, tree removal must be postponed until any eggs have hatched and young birds have fledged and left the nest. A final report shall be submitted to document the field activity.

The biologist shall also document that mass grading shall not occur adjacent to California gnatcatcher habitat during the gnatcatcher breeding season (February through July).

- iii. Should specific mitigation herein described be implemented by the Black Mountain Ranch project in advance of the Fairbanks Highlands project, no mitigation of these same impacts shall be required by the subdivider. If the Black Mountain Ranch project does not precede the Fairbanks Highlands project, the mitigation for impacts to coastal sage scrub and wetlands habitat discussed in the MMRP will be implemented by the Fairbanks Highlands project.
  - iv. A note shall appear on the grading plans indicating that grading shall be limited to the dry months (March 15-October 15) and special construction methods be required of the Fairbanks Highlands project. These methods shall include the use of sand and gravel bags, hay bales, silt fences, and temporary desilting basins.
  - v. The final map shall indicate that slope planting species shall be chosen for low fertilization requirements, and fertilization shall be discontinued one year after planting for naturalized areas adjacent to open space.
  - vi. Prior to the recordation of a final map the subdivider shall install a five-to six-foot chain link or similar fence at the rear property line of those lots bordering the extension of a Zanja Canyon and the open space in the eastern portion of the project site (lots 13-17, 19-22, and 60-82) to prevent intrusion of pets and humans into the open space lots. The fence shall be shown the grading plans.
- d. and form Alteration: There will be a note on the grading plans to indicate that, should Fairbanks Highlands precede Black Mountain Ranch project requiring the construction of Carmel Valley Road, the subdivider shall be required to implement the mitigation measures contained in the Black Mountain Ranch EIR, Dep No.'s 90-0332 and 91-0313 as they apply to the construction and mitigation of landform impacts resulting from the construction of the road.
  - e. Paleontology: The subdivider shall retain a qualified paleontologist (as described in the MMRP) to implement the following mitigation measures, satisfactory to the Development Services Director:

- Prior to the issuance of a grading permit, the requirement for paleontological monitoring shall be noted on the grading plans.

Q- 286758

- Grading plans and schedule shall be provided to a qualified paleontologist in advance of actual development. The paleontologist shall attend any preconstruction meetings to consult with the excavation contractor.
- A qualified paleontologist shall be retained to perform periodic inspections of excavations and, if necessary, salvage exposed fossils. The paleontologist shall be on-site during the original cutting of previously undisturbed sediments of potential fossil bearing formations. The frequency of inspections would depend on the rate of excavation and the abundance of fossils.
- In the event that well-preserved fossils are found, the paleontologist shall divert, direct, or temporarily halt grading in the area of any exposed fossil remains to facilitate evaluation and to allow recovery of any fossil remains.
- All fossils collected shall be cleaned, sorted, catalogued, and then deposited in a scientific institution that houses paleontological collections, such as the San Diego Natural History Museum.
- Prior to the issuance of any building permits, the a report, with appropriate graphics, summarizing the results, analysis, and conclusions of the above program shall be submitted to the Development Services Director for approval summarizing the results of the monitoring program.

FOR INFORMATION:

- This development 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 development 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 development may be subject to impact fees, as established by the City Council.
- 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- 286758