

RESOLUTION NUMBER R- 287958

ADOPTED ON OCT 22 1996

WHEREAS, the San Dieguito Partnership, Owner/Permittee, filed an application for a Vesting Tentative Map, No. 95-0197, for a residential project known as the Villas at Stallions Crossing, located east of El Camino Real and south of San Dieguito Road, in Subarea II of the North City Future Urbanizing Area, described as a portion of the NW 1/4 of the SW 1/4 of Section 7, T14S, R3W, SBM in the County of San Diego, in the A-1-10 Zone, proposed R1-5000 zone; and

WHEREAS, the matter having been set for public hearing on October 22, 1996, 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 the reduced project alternative for Vesting Tentative Map No. 95-0197:

1. The proposed map is consistent with the amended Progress Guide and General Plan ("General Plan") and Framework Plan for the North City Future Urbanizing Area ("Framework Plan"), which designate the property for residential use.
2. The design and proposed improvements for the subdivision are consistent with the amended General Plan and Framework Plan, and with zoning/development regulations and State Map Act Section 66473.1 regarding solar access.
3. The site is physically suitable for residential development.

4. The site is suitable for the proposed residential density of development.

5. The design of the subdivision and the proposed improvements will not cause substantial environmental damage, based upon the findings in Environmental Impact Report No. 95-0197.

6. The design of the subdivision and the type of improvements will not likely cause serious public health problems inasmuch as the map is consistent with the proposed R1-5000 zoning and conforms with City development regulations and with the reduced project alternative for Planned Residential Development Permit/Resource Protection Ordinance Permit (alternative compliance) No. 95-0197.

7. 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.

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

BE IT FURTHER RESOLVED, that Vesting Tentative Map No. 95-0197 for the reduced project alternative is hereby granted to the San Dieguito Partnership, subject to the conditions attached hereto and made a part hereof.

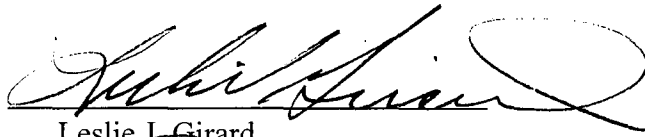
BE IT FURTHER RESOLVED, that the San Dieguito Partnership is hereby required to work with the Development Services Department to prepare the appropriate revisions to Vesting Tentative Map No. 95-0197 to reflect the reduced project alternative approved herein.

BE IT FURTHER RESOLVED, that no building permits may issue for development of the project pursuant to this Vesting Tentative Map unless and until the electorate approves a Phase Shift as required by the General Plan and Proposition A.

BE IT FURTHER RESOLVED, that this Vesting Tentative Map is granted conditionally upon the adoption of findings and, if necessary, a Statement of Overriding Considerations and a Mitigation and Monitoring Program, pursuant to the California Environmental Quality Act.

APPROVED: JOHN W. WITT, City Attorney

By



Leslie J. Girard
Assistant City Attorney

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10/15/96
Or.Dept:Dev.Svcs
R-97-421
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DRAFT SUBJECT TO CHANGE AT PUBLIC HEARING
PLANNING COMMISSION RESOLUTION NO. _____

WHEREAS, SAN DIEGUITO PARTNERSHIP, APPLICANT, and RICK ENGINEERING, ENGINEER, filed an application for a 87 lot vesting tentative map, located on the east side of El Camino Real, south of San Dieguito Road, and described as a portion of the northwest quarter of the southwest quarter of Section 7, T.14 S., R.3 W., SBM, in the A1-10, HR and FPF (proposed R1-5000, A1-10, HR and FPF) Zones; and

WHEREAS, on September 5, 1996, the Planning Commission of the City of San Diego considered VTM 95-0197, Stallions Crossing - The Villas, pursuant to Section 102.0307 of the Municipal Code of the City of San Diego, and received for its consideration written and oral presentations, and heard from all interested parties present at the public hearing;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of San Diego makes the following Findings:

1. The map proposes the subdivision of a 26.9 acre site into 87 lots for residential development. This type of development is not consistent with the General Plan and the Future Urbanizing Area. The development of the proposed subdivision is dependent on approval of a November 5, 1996 ballot measure for a Phase Shift from Future Urbanizing designation to the Planned Urbanizing designation. If the Phase Shift is approved, 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 R1-5000, A1-10, HR and FPF Zones in that:
 - a. All lots have minimum frontage on a dedicated street which is open to and usable by vehicular traffic, as allowed under a Planned Residential Development (PRD) Permit.
 - b. All lots meet the minimum dimension requirements of the R1-5000, A1-10 Zones, as allowed under a PRD.
 - 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.
 - d. Development of the site is controlled by PRD\RPO Permit No. 95-0197.
3. The design and proposed improvements for the subdivision are consistent with State Map Act Section 66473.1 regarding the design of the subdivision for future passive or natural heating or cooling opportunities.

4. The site is physically suitable for residential 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 or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, based upon the findings of Environmental Impact Report No. 95-0197 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, in as much 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 Planning Commission has reviewed the adopted Housing Element, the Progress Guide, and the General Plan of the City of San Diego, and hereby finds, pursuant to Section 66412.3 of the Government Code, that the housing needs of the region are being met since residential development has been planned for the area and public services programmed for installation, as determined by the City Engineer, in accordance with financing and environmental policies of the City Council.
10. That said 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 Planning Commission, VTM 95-0197, Stallions Crossing - The Villas, is hereby RECOMMENDED FOR APPROVAL, subject to the following conditions:

1. This tentative map will become effective on the effective date of the rezone and will expire three years thereafter. If the rezone is denied then this vesting tentative map shall be deemed denied.

2. This subdivision is dependent on approval of a November 5, 1996 ballot measure for a phase shift from Future Urbanizing designation to the Planned Urbanizing designation, as specified by the Managed Growth Initiative of 1985 (Proposition A). If the Phase Shift is not approved this Vesting Tentative Map shall be deemed null and void.
3. 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.
4. The final map shall conform to the provisions of Planned Residential Development/Resource Protection Ordinance Permit No. 95-0197.
5. 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.

6. "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).
7. "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."
8. 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.

9. 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.).
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. 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.
13. 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.
14. 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.
15. 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.
16. The subdivider shall enter into a bonded landscape maintenance agreement, agreeing to maintain all landscape and appurtenances thereto within the City right-of-way until a Land Maintenance District, Property Owner's Association or other such mechanism is established and assumes maintenance responsibility, satisfactory to the City Engineer.
17. The subdivider shall submit an approved State Coastal Commission Development Permit.
18. El Camino Real is classified as a four-lane major street within a 98-foot-wide right-of-way. The subdivider shall dedicate a half-width right-of-way, from centerline, of 49 feet and shall provide half-width improvements, with transitions, to include pavement, curb, gutter, a 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.

19. Street "A" is a residential cul-de-sac. The subdivider shall dedicate a cul-de-sac with a right-of-way radius of 45 feet. The subdivider shall provide pavement, curb, gutter and 4-foot-wide sidewalks within a 10 foot curb-to-propertyline distance with a cul-de-sac curb radius of 35 feet, satisfactory to the City Engineer.

No parking shall be permitted within the cul-de-sac.
20. The subdivider shall provide the following improvements at ultimate buildout of El Camino Real as a four-lane major street, satisfactory to the City Engineer.
 - a. Construct the median at Street "A" and Private Street "A" (the Ranch) to prohibit east/west crossing between the two projects.
 - b. Prohibit left turns out from Street "A" and Street "A".
 - c. A traffic signal is not permitted at the intersection of El Camino Real and Street "A".
21. The subdivider shall contribute his/her fair share of the off-site costs for the widening of El Camino Real from a two-lane road to a four-lane major street, including bridge widening, between Half Mile Drive and Via de la Valle. The calculation is based on the project's fair share of the future traffic growth.
22. The development will be served by a system of privately maintained, non-dedicated, unnamed private driveways, constructed in a manner satisfactory to the City Engineer.
23. The subdivider shall contribute his/her fair share of the off-site costs for the widening of Via de la Valle, a four-lane major street, from San Andres Drive to El Camino Real East, satisfactory to the City Engineer.
24. The subdivider shall ensure that the existing structural street section for El Camino Real meets the Schedule "J", City Standard Dwg. SDG 113, pavement requirements, satisfactory to the City Engineer.
25. The subdivider shall provide controlled access for emergency access points and said access shall be constructed in a manner satisfactory to the Fire Department and the City Engineer.
26. The subdivider shall locate the sound wall, including the footing, outside of the El Camino right-of-way, satisfactory to the City Engineer.
27. All lots adjacent to El Camino Real, with the exception of the emergency access points, shall relinquish abutter's rights-of-access.
28. Prior to the recordation of the first final map, this subdivision shall conform to, and shall provide the improvements recommended in, the approved traffic study.

29. The subdivider shall provide mutual-access easements, as required, satisfactory to the Development Services Director and the City Engineer.
30. The subdivider shall provide sidewalk connecting each dwelling unit to the sidewalk on the public streets, satisfactory to the City Engineer.
31. Private driveways with less than a 34 foot curb-to-curb width shall have parking on one only. Parking shall be prohibited in driveways less than 28 foot curb-to-curb width.
32. The subdivider shall construct a traffic signal at the intersection of El Camino Real and Derby Downs Road, if warranted, satisfactory to the City Engineer. If the signal isn't warranted, then the subdivider shall contribute 50% of the construction cost of the signal.
33. 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 Department Manager.
 - b. The subdivider may request the City to process a Participation Agreement to recover a portion of the developer's cost of the 712/610 water study in accordance with City regulations and practices pertaining there to.
 - c. Prior to the preparation of any public improvement drawings, the subdivider shall provide a water study satisfactory to the Water Department Manager. The study shall plan the pressure zone(s) necessary to serve this development including pressure regulating stations.
 - d. The subdivider shall install all facilities as required by the accepted water studies necessary to serve this development. Facilities, as shown on the approved tentative map, may not be acceptable.
 - e. The subdivider shall provide individual design reports for each pressure regulating station, satisfactory to the Water Department Manager, necessary to serve this development.
 - f. The subdivider shall install a 610 HGL water pipeline in El Camino Real from Half Mile Drive to the northerly subdivision boundary, satisfactory to the Water Department Manager, as required by the accepted water studies in 34a and 34c above.
 - g. The subdivider shall install a 470 HGL water main in El Camino Real from Derby Downs Road to the northerly subdivision boundary, satisfactory to the Water Department Manager, as required by the accepted water study in 34c above.

- h. 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) dwelling units are located on a dead-end main then a looped system shall be installed.

34. Sewer Requirements:

- a. Prior to the preparation of any public improvement drawings, the subdivider shall provide a sewer study, satisfactory to the Metropolitan Wastewater Department Manager, 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.
- b. The subdivider shall install all facilities as required by the accepted sewer study, necessary to serve this development. Facilities, as shown on the approved tentative map, may not be acceptable.
- c. The subdivider shall provide individual design reports for each pump station and force main, satisfactory to the Metropolitan Wastewater Department Manager, necessary to serve this development.

35. WATER AND SEWER REQUIREMENTS:

- a. The subdivider shall design all water and sewer facilities to the most current edition of the City of San Diego Water & Sewer Design Guide. If facilities do not meet the current standards, then such facilities shall be private.
- b. The subdivider shall provide evidence, satisfactory to the Water and Metropolitan Wastewater Departments' Managers, indicating that each parcel will have its own water service and sewer lateral or provide CC&Rs for the operation and maintenance of on-site private water and sewer mains that serve more than one lot. Also, provide private easements for the private mains.
- c. If on site water and sewer mains are to be public and if it is a gated community, the City shall have keyed access satisfactory to the Water and Metropolitan Wastewater Departments' Managers. The City will not be held responsible for any issues that may arise relative to the availability of keys.
- d. The subdivider shall grant adequate, fully paved, water and/or sewer easements, including paved vehicular access, for all water and sewer facilities that are not located within a public right-of-way, satisfactory to the Water and Metropolitan Wastewater Departments' Managers. No structures of any kind shall be built in or over the easements without first obtaining an encroachment removal agreement.

- e. 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 and Metropolitan Wastewater Departments' Managers.
36. 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. The subdivider shall obtain an off-site drainage easement.
37. 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.
38. 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.

39. A portion of this project has been identified as being within a floodway of the San Dieguito River, as delineated on Panels 43 and 45 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 permit:
- a. The subdivider shall submit a Hydraulic and Hydrologic Study of the area within the floodway for approval by the City Engineer.
 - b. Any development within the floodplain fringe area will require either the property to be graded to an elevation two feet above the 100-year frequency flood elevation or provide floodproofing of all structures to that same elevation.
 - c. The subdivider shall grant a flowage easement, satisfactory to the City Engineer, over the property within the floodway.

- d. The subdivider shall enter into an agreement with the City waiving the right to oppose a special assessment initiated for the construction of flood control facilities and their perpetual maintenance.
 - e. 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.
 - f. The subdivider shall provide slope protection, as required by the City Engineer, where the flow velocity exceeds 5 FPS.
 - g. 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.
 - h. No permits shall be issued for grading or other work in the floodplain of the San Dieguito River until the subdivider obtains a Conditional Letter of Map Amendment (Conditional LOMA) or Conditional Letter of Map Revision (Conditional LOMR) from FEMA. The request for the Conditional LOMA or Conditional LOMR 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.
 - i. When as-built grading and public improvement plans are available, the subdivider must submit a request for a Final LOMA or Final LOMR to FEMA via the Floodplain Management Section of Public Works of the City of San Diego. The subdivider must provide all documentation, engineering calculations, and fees which are required by FEMA.
 - j. The bond for this project will not be released until the Final LOMA or Final LOMR 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.
 - k. 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.
40. Open Space:
- a. Lot "A" to have a negative open space easement for brush management, to be owned and maintained by the Home Owners' Association.
 - b. Lots "B", "C" and "D" to have building restricted easements.

- c. The subdivider shall grant Lot 81, in fee simple, at no cost, to the City for Open Space.
41. Brush management shall be in accordance with the Landscape Technical Manual.
42. This tentative map is a vesting tentative map. As such, the subdivider shall pay an additional \$300 fee to the Development Services Department for each final map processed in connection with this vesting tentative map.
43. 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.
44. The subdivider shall comply with the Mitigation Monitoring and Reporting Program as specified in Environmental Impact Report No. 95-0197, satisfactory to the Planning Director and the City Engineer, which is included herein by this reference.
45. The following are required environmental mitigation measures for the Stallions Crossing - The Villas project that the subdivider must implement to comply with the Mitigation, Monitoring and Reporting Program (MMRP) as specified in the Environmental Impact Report No 95-0197, satisfactory to the Development Service Manager, the City Engineer and EAS. In addition to the measures listed below, condition numbers; x, x, are required by the MMRP and the City Engineer.

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.



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- 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.

Additional conditions may be recommended pending further review or any redesign of this project. These conditions are not exclusive.

RECOMMENDED FOR APPROVAL BY THE PLANNING
COMMISSION OF THE CITY OF SAN DIEGO,
CALIFORNIA, ON SEPTEMBER 5, 1996,
BY A VOTE OF __ - __.

By _____
Marcella Escobar-Eck

In the event that you are dissatisfied with any action of the Planning Commission with respect to the tentative map, you may appeal directly to the City Council within ten days. Notice of appeal shall be in writing and filed with the City Clerk.

City of San Diego

Memorandum

DATE: September 18, 1996
TO: Robert Negrete, Subdivisions
FROM: Cathy Winterrowd, Environmental Analysis
SUBJECT: Villas at Stallion's Crossing VTM No. 95-0197

The following mitigation measures are requirements of the above-referenced tentative map and should be included in the final subdivision resolution.

1. The applicant shall contribute fair-share contributions to (1) the widening of El Camino Real from Half Mile Drive to Via de la Valle and (2) the widening of Via de la Valle from San Andres Drive to El Camino Real West consistent with the adopted Subarea II Public Facilities Financing Plan.
2. Prior to recordation of the final map, the applicant shall offer for dedication to the City of San Diego Lot 81 for preservation of 13.9 acres of open space including 1.41 acres of coastal sage scrub habitat.
3. Prior to recordation of the final map or issuance of a grading, pre-grading, clearing or any special engineering permit that allows ground disturbance, the cultural resources (archaeological) data recovery, monitoring and reporting program shall be implemented to the satisfaction of the Development Services Director consistent with Environmental Impact Report (EIR) No. 95-0197 and as fully described in Appendix D to that EIR. In addition, a Native American Monitor shall be present during all excavation phases of the data recovery program.
4. The following temporary erosion-control measures shall be shown on the grading plans and shall be implemented during the construction phase of the project as a condition of the future grading permit: planting of disturbed and manufactured slopes within 90 days, grading to facilitate drainage away from slope faces, use of hay bales and swales at the top of slopes, and construction of the off-site desilting basin. Hay bales should only be used if necessary after all other erosion control measures have been included. If hay bales are necessary, then they shall be sterilized or rice straw shall be used to minimize the potential for introduction of invasive, non-native plant material to the site. The

desilting basin that would serve the Villas at Stallion's Crossing project shall be located off-site, as shown on the Ranch at Stallions Crossing Tentative Map No. 93-0441, adjacent to and west of the project site across El Camino Real. Non-natural runoff to the detention basin shall be minimized by proper drainage patterns to prevent excessive organic material from entering.

5. Special site preparation and grading techniques, as described in the geotechnical reconnaissance and in any additional geotechnical investigation performed for the project, shall be shown on the grading plans and implemented as a condition of the grading permit.
6. Prior to issuance of a grading permit for the project site, the applicant shall present a letter to the City of San Diego Development Services Department indicating that a qualified paleontologist has been retained to carry out the required paleontological mitigation as described in the EIR. A qualified paleontologist shall be present at the pregrading meeting to consult with the grading and excavation contractors. A paleontological monitor shall be on-site at all times during the original cutting of formations with a known potential to contain fossils. Periodic inspections of the cuts should also be made. The frequency of inspections will depend on the rate of excavation, the materials excavated, and the abundance of fossils. The paleontologist shall be allowed to temporarily direct, divert, or halt grading procedures to allow recovery of fossil remains in a timely fashion. At the time of discovery, the paleontologist shall immediately notify the Development Services Department Environmental Analysis Section and the resident engineer regarding the procedures to be performed before construction activities are allowed to resume. Fossil remains collected during this salvage program shall be cleaned, sorted, cataloged, and then (with owner's permission) deposited in a public, non-profit institution with research interest in the materials, such as the San Diego Natural History Museum.
7. The applicant shall be required to provide a fair-share payment of park fees consistent with the adopted Subarea II Public Facilities Financing Plan.
8. The applicant shall be required to provide a fair-share payment of library fees consistent with the adopted Subarea II Public Facilities Financing Plan.
9. Prior to recordation of the first final subdivision map a site-specific water facilities study shall be prepared for the plan area to the satisfaction of the Water Utilities Director.
10. Payment of school impact fees shall be accomplished in accordance with the mitigation agreements between the applicant and the affected school districts (Solana Beach

Elementary and San Dieguito Union High School).

11. Prior to recordation of the final map or issuance of a grading, pre-grading, clearing or any special engineering permit that allows ground disturbance, the applicant shall obtain an Interim Habitat Loss (4d) permit from the City of San Diego or similar authorization from the U.S. Fish and Wildlife Service for the incidental take of .89 acre of coastal sage scrub habitat within the project boundaries. If such permit is not required, written verification to that effect from the resource agencies shall be provided. Any project redesign required in obtaining an incidental take permit 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.