

RESOLUTION NUMBER R-294523

ADOPTED ON FEBRUARY 6, 2001

WHEREAS, Hidden Trails, L.L.C., Applicant, and Robert Bein, William Frost and Associates, Engineer, submitted by an application to the City of San Diego for a 233-lot vesting tentative map (Vesting Tentative Map No. 89-0739 for the Hidden Trails project), located on the east side of Ocean View Hills Parkway between Lyndhurst Terrace and Del Sol Boulevard, and legally described as Northeast Quarter of Section 30, Township 18 South, Range 1 West, San Bernardino Base Meridian, in the Otay Mesa Community Plan area, in the AR-1-1 zone (previously referred to as the A1-10 zone and HRO Hillside Review Overlay zone), which is proposed to be rezoned to the RS-1-14, RM-2-5, and OP-2-1 zones (previously referred to as the R1-5000, R-1500, and OS-P zones, respectively); and

WHEREAS, on November 30, 2000, the Planning Commission of the City of San Diego considered Vesting Tentative Map No. 89-0739, and pursuant to Resolution No. 3056-2-PC voted to recommend City Council approval of the map; and

WHEREAS, the matter was set for public hearing on February 6, 2001, 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. 89-0739:

1. The map proposes the subdivision of a 207.7 gross acre site into 233 lots for residential development (205 single-family, one multi-family, one park, one retention basin, one sewer pump station, and 24 open space lots). This type of development is consistent with the City of San Diego Progress Guide and General Plan and the Otay 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 AR-1-1 zone (previously referred to as the A1-10 zone and HRO Hillside Review Overlay zone), which is proposed to be rezoned to the RS-1-14, RM-2-5, and OP-2-1 zones (previously referred to as the R1-5000, R-1500, and OS-P zones, respectively) in that:

a. All lots have minimum frontage on a dedicated street which is open to and usable by vehicular traffic, as allowed under a Planned Residential Development/ Resource Protection Ordinance [PRD/RPO] permit.

b. All lots meet the minimum dimension requirements of the AR-1-1 zone (previously referred to as the A1-10 zone and HRO Hillside Review Overlay zone), which is proposed to be rezoned to the RS-1-14, RM-2-5, and OP-2-1 zones (previously referred to as the R1-5000, R-1500, and OS-P zones, respectively); as allowed under a PRD/RPO permit.

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

d. Development of the site is controlled by Planned Residential Development/Resource Protection Ordinance Permit No. 89-0739.

3. The design and proposed improvements for the subdivision are consistent with California Government Code 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 or the proposed improvements are designed to mitigate all potential significant environmental impacts caused by the project to a level below significance and will not injure fish or wildlife or their habitat, based upon the findings of Environmental Impact Report No. 89-0739, which is included herein by this reference. A Mitigation Monitoring and Reporting Program [MMRP] No. 89-0739 has been prepared and will be implemented with this subdivision map and accompanying Planned Residential Development and Resource Protection Ordinance Permit.

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.

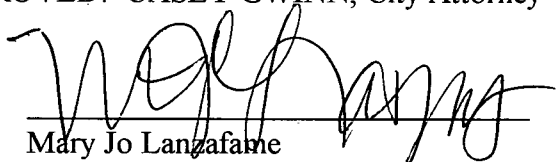
9. The City Council has reviewed the adopted Housing Element of the Progress Guide and General Plan of the City of San Diego and finds pursuant to Government Code section 66412.3, that the housing needs of the region are being met because residential development has been planned for the area and public services programmed for installation, as determined by the City Engineer are in accordance with financing and environmental policies of the 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. 89-0739 is hereby granted to Hidden Trails, L.L.C., Applicant, and Robert Bein, William Frost and Associates, Engineer, subject to the conditions attached hereto and made a part hereof.

APPROVED: CASEY GWINN, City Attorney

By


Mary Jo Lanzafame
Deputy City Attorney

MJL:mdw:lc
08/01/01
Or.Dept:Clerk
R-2001-1588
Form=tmr.frm
Reviewed by Robert Korch

CITY COUNCIL CONDITIONS TO VESTING TENTATIVE MAP NO. 89-0739
HIDDEN TRAILS
ADOPTED BY RESOLUTION NO. R-294523 ON FEBRUARY 6, 2001


1. This vesting tentative map will become effective on the effective date of the rezone and will expire three years thereafter. Should the rezone be denied then 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 Ordinance [PRD/RPO] Permit No. 89-0739.
4. Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code section 66020.
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. 769830.

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.

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- 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. 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 Endangered Species Act of 1973 and any amendments thereto (16 U.S.C. § 1531 et seq.).
10. In accordance with authorization granted to the City of San Diego from the United States Fish and Wildlife Service [USFWS] pursuant to Section 10(a) of the ESA and by the California Department of Fish and Game [CDFG] pursuant to Fish and Game Code section 2835 as part of the Multiple Species Conservation Program [MSCP], the City of San Diego through the issuance of this permit hereby confers upon Permittee the status of Third Party Beneficiary as provided for in Section 17 of the City of San Diego Implementing Agreement [IA], executed on July 16, 1997, and on file in the Office of the City Clerk as Document No. OO-18394. Third Party Beneficiary status is conferred upon Permittee by the City: (1) to grant Permittee the legal standing and legal right to utilize the take authorizations granted to the City pursuant to the MSCP within the context of those limitations imposed under this permit and the IA, and (2) to assure Permittee that no existing mitigation obligation imposed by the City of San Diego pursuant to this permit shall be altered in the future by the City of San Diego, USFWS or CDFG, except in the limited circumstances described in Sections 9.6 and 9.7 of the IA. If mitigation lands are identified but not yet dedicated or preserved in perpetuity, maintenance and continued recognition of Third Party Beneficiary status by the City is contingent upon Permittee maintaining the biological values of any and all lands committed for mitigation pursuant to this permit and of full satisfaction by Permittee of mitigation obligations required by this permit, as described in accordance with Section 17.1D of the IA.
11. The applicant shall comply with the MMRP as specified in Environmental Impact Report, LDR No. 89-0739, satisfactory to the City Manager and the City Engineer. Prior to the recordation of any final map, mitigation measures as specifically outlined in the MMRP shall be implemented in the following area: Biological Resources.
12. The subdivider has reserved the right to record multiple final maps over the area shown on the approved tentative map. In accordance with section 66456.1 of the Subdivision Map Act, the City Engineer shall retain the authority to review the areas of the tentative map

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the subdivider is including in each final map. The City Engineer may impose reasonable conditions relating to the filing of multiple final maps, in order to provide for orderly development, such as off-site public improvements, that shall become requirements of final map approval for a particular unit.

13. The subdivider is permitted to file up to six final maps. 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.
14. The subdivider shall provide evidence to ensure that an affirmative marketing program is established.
15. The subdivider has provided a geologic (geotechnical) investigation report on the subject property to discover and address potential geological hazards. The report was 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 [SDMC].

Additional geotechnical review and an updated report will be required as final improvement and grading plans are developed for the project.

16. Undergrounding of existing and/or proposed public utility systems and service facilities is required according to SDMC section 102.0404(2).
17. 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.
18. Providing streets for this subdivision dependent upon the prior construction of certain streets in previously approved developments in this area. If they have not been constructed when required for this subdivision, then the construction of certain portions of these previously approved streets, as required by the City Engineer, will become off-site improvement requirements for this subdivision.
19. The subdivider shall construct a traffic signal at the intersection of Ocean View Hills Parkway and Street "A", satisfactory to the City Engineer. If the subject traffic signal is installed by others prior to this project, then Hidden Trails project shall modify the traffic signal to provide the fourth leg (Street "A") to the intersection as access to the project.

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20. For Condition Nos. 21-28 below, the Planning Commission added and the City Council approved, non-contiguous sidewalks throughout the subdivision contingent upon satisfaction of accessibility requirements and where no over-riding conditions exist that would preclude non-contiguous sidewalks, satisfactory to the City Manager. The subdivider shall grant easements for the provision of underground utilities in addition to the 10-foot curb-to-property-line distance as required by the City Engineer.
21. Ocean View Hills Parkway is classified as a 4-lane major roadway. The subdivider shall dedicate a 98 foot right-of-way and shall provide 78 feet of pavement, curb, gutter and a 5-foot-wide contiguous sidewalk within a 10-foot curb-to-property-line distance, satisfactory to the City Engineer.
22. Hidden Trails Drive between Ocean View Hills Parkway and Street "F" is classified as a two-lane collector street. The subdivider shall dedicate a 60-foot right-of-way and shall provide 40 feet of pavement, curb, gutter and a 5-foot-wide contiguous wide sidewalk within a ten-foot curb-to-property-line distance, satisfactory to the City Engineer.
23. Street "A" between Ocean View Hills Parkway and Street "B" is classified as a two-lane collector street. The subdivider shall dedicate a 60-foot right-of-way and shall provide 40 feet of pavement, curb, gutter and a 5-foot-wide contiguous sidewalk within a 10-foot curb-to-property-line distance, satisfactory to the City Engineer.
24. Street "A" between westerly Street "B" and Street "F" is classified as a residential street. The subdivider shall dedicate a 56-foot right-of-way and shall provide 36 feet of pavement, curb, gutter and a 5-foot-wide contiguous sidewalk within a 10-foot curb-to-property-line distance, satisfactory to the City Engineer.
25. Street "A" from Street "F" to the end of the cul-de-sac is classified as a residential street. The subdivider shall dedicate a 54-foot right-of-way and shall provide 34 feet of pavement, curb, gutter and a 5-foot-wide contiguous sidewalk within a 10-foot curb-to-property-line distance. The cul-de-sac shall have a 50-foot curb radius with a 60-foot right-of-way radius, all satisfactory to the City Engineer.
26. Street "F" is classified as a residential street. The subdivider shall dedicate a 56-foot right-of-way and shall provide 36 feet of pavement, curb, gutter and a 5-foot-wide contiguous sidewalk within a 10-foot curb-to-property-line distance. The cul-de-sac shall have a 50-foot curb radius with a 60-foot right-of-way radius, all satisfactory to the City Engineer.
27. Streets "B", "D", "E", "G" and "H" are classified as residential streets. The subdivider shall dedicate 54 foot right-of-way and shall provide 34 feet of pavement, curb, gutter and a 5-foot-wide contiguous sidewalk within a ten-foot curb-to-property-line distance. The cul-


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de-sac shall have a 50-foot curb radius with a 60-foot right-of-way radius, all satisfactory to the City Engineer.

28. Street "C" is classified as a residential street. The subdivider shall dedicate a 54-foot right-of-way and shall provide 34 feet of pavement, curb, gutter and a 5-foot-wide contiguous sidewalk within a ten-foot curb-to-property-line distance. The cul-de-sac shall have a 35-foot curb radius with a 45-foot right-of-way radius, satisfactory to the City Engineer.
29. Fences, walls, monuments and their footing shall be located outside the City right-of-way.
30. The subdivider shall lot out the water quality wetlands and retention basin. The basin shall be privately maintained.
30. The drainage system proposed for this development is subject to approval by the City Engineer. Drainage systems not located in a public street shall be private and maintained by the Homeowner Association [HOA] or property owner.
31. The subdivider shall grant a land use restriction easement over the portion of the subdivision within the flight activities zone for Brown Field. The limits of this easement shall be satisfactory to the Deputy Director of the Airports Section of the Real Estate Assets Department and to SANDAG and shall be as reflected in the Brown Field Master Plan and the Comprehensive Land Use Plan.

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

32. The height of the buildings constructed within this subdivision shall be such that they do not penetrate the surface of the approach zone and clear zone of Brown Field, as defined in the appropriate Federal Aviation Regulations. The heights of the buildings will be approved by the Development Services Department in connection with approval of the specific development permits.
33. An aviation easement shall be granted over the entire subdivision. The conditions of this easement shall be satisfactory to the Deputy Director of the Airports Section of the Real Estate Assets Department.
34. 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

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Pollution Prevention Plan [SWPPP] and a Monitoring Program Plan shall be developed and implemented concurrently with the commencement of grading activities, and a complete and accurate Notice of Intent [NOI] shall be filed with the SWRCB. A copy of the acknowledgment from the SWRCB that an NOI has been received for this project shall be filed with the City of San Diego when received; further, a copy of the completed NOI from the SWRCB showing the permit number for this project shall be filed with the City of San Diego when received.

In addition, the 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.

35. Water Requirements:

- a. Prior to the approval of any public improvement drawings, the subdivider shall provide an acceptable water study satisfactory to the Director of the Water Department. The study shall plan the pressure zone(s) and water facilities necessary to serve this development including redundancy. If phasing of the development is proposed, then a phasing plan shall be included in the study with the multiple-family housing site in the first phase. The minimum water main size to serve multi-family is 10 inch diameter.
- b. The subdivider shall design and construct all water facilities as required in the accepted water studies for this area, necessary to serve this development. Water facilities, as shown on the approved tentative map, will require modification based on the accepted water study.
- c. The subdivider shall install fire hydrants at locations satisfactory to the Fire Department and the City Engineer. If more than two fire hydrants or thirty dwelling units are located on a dead-end main, then the subdivider shall install a redundant water system satisfactory to the Director of the Water Department.
- d. The subdivider agrees to design and construct all proposed public water facilities in accordance with established criteria in the most current editions of the City of San Diego Water and Sewer Design Guides.
- e. The subdivider shall grant adequate water or access easements, including vehicular access to each appurtenance (meters, blow offs, air valves, manholes, etc.), for all public water facilities that are not located within fully improved public rights-of-way, satisfactory to the Director of the Water Department. Easements shall be

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located within single lots. No structures or trees shall be installed in or over any easement prior to the applicant obtaining an encroachment removal agreement. No structures or landscaping of any kind shall be installed in or over any access easement.

- f. The subdivider shall provide evidence, satisfactory to the Director of the Water Department, indicating that each lot will have its own water service or provide Covenants, Conditions and Restrictions [CC&Rs] for the operation and maintenance of on-site private water facilities that serve more than one lot.
- g. Providing water for this development is dependent upon prior construction of certain water facilities in previously approved Tentative Map Nos. 86-1014, 86-1032, 93-0140, and 96-7910 in this area including, but not limited to, the completion of the South San Diego Pipeline Number 2. If facilities have not been constructed when required for this development, then the construction of certain portions of these previously approved water facilities, as required by the City Engineer, will become off-site improvements required for this development.

36. Sewer Requirements:

- a. Prior to the submittal of any public improvement drawings, the developer shall revise the "Otay Mesa Sewer Master Plan" dated August 5, 1988 by Rick Engineering, satisfactory to the Director of the Metropolitan Wastewater Department. The developer shall provide a letter of agreement stating that the proposed development will pay its fair share of the Facilities Benefit Assessment or Cost Reimbursement District in lieu of constructing those improvements identified in the Otay Mesa Facilities Financing Plan as the "Otay Mesa Trunk Sewer." If at any phase of the development, there is sufficient capacity in the 27-inch Otay Mesa Trunk Sewer to serve the project, then the developer shall construct the Otay Mesa trunk Sewer in lieu of the corresponding FBA fees.
- b. The developer will be required to provide an acceptable sewer study, in accordance with the City of San Diego's current Sewer Design Guide, to determine appropriate sewer facilities needed to serve this development. The sewer study shall be submitted prior to scheduling the project for any public hearing. In addition, an accepted sewer study will be a condition of the tentative map and will be required prior to the submittal of any public improvement plans.
- c. The developer shall install all facilities, as required by the accepted sewer study, necessary to serve the proposed development. Sewer facilities, as shown on the

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approved tentative map, will require modification based on the accepted sewer study.

- d. The developer shall provide evidence, satisfactory to the Director of the Metropolitan Wastewater Department, indicating that each lot will have its own sewer lateral or provide CC&Rs for the operation and maintenance of on-site private sewer facilities that serve more than one lot. In addition, the developer, prior to the approval of any public improvement plans for the subject development, will be required to process and record a Notice & Agreement for each lot, which indemnifies the City and contains an agreement that the applicant, and successors in interest, will be responsible for the operation and maintenance of the private sewer systems.
- e. Providing sewer service for the proposed development is dependent upon prior construction of certain sewer facilities in previously approved development plans in this area. If they have not been constructed when required for this development, then the construction of certain portions of these previously approved sewer facilities, as required by the City Engineer, will become off-site improvements required for this development.
- f. All proposed private sewer facilities, including sewer laterals to the property line, that serve more than one lot shall have pipe sizes and slopes designed per the California Uniform Plumbing Code but shall be constructed per the most current City of San Diego Sewer Design Guide.
- g. Proposed private underground sewer facilities located within a single lot shall be designed to meet the requirements of the California Uniform Plumbing Code and shall be reviewed as part of the building permit plan check. In addition, the developer shall submit calculations, satisfactory to the Director of the Metropolitan Wastewater Department, for sizing of the proposed sewer lateral from the property line to its connection with the public sewer main.
- h. The developer shall acquire a building permit for the proposed private sewer pump station.
- i. No structures or landscaping shall be installed in or over any public street or easement prior to the applicant obtaining an encroachment removal agreement.

37. Park and Recreation Requirements:

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The subdivider shall enter into an agreement, acceptable to the City Manager, for the acquisition of the Neighborhood Park to be located within this subdivision. Said agreement shall address the following issues:

- a. The subdivider shall enter into a two year option agreement to reserve Lot 209 in Unit 5 as required under the State of California Subdivision Map Act (located at California Government Code section 66479 *et seq.*) for a neighborhood park. Provisions of the Act require that the subdivider shall, at the time of recordation of the first final map of any unit within this development, enter into an agreement for the City to acquire the park site within two years after the completion and acceptance of all subdivision improvements, unless such period of time is extended by mutual agreement. The purchase price shall be the fair market value thereof at the time of the submittal of the first substantially complete tentative map, February 1990, plus the taxes against said reserved area from the date of reservation, and any other costs incurred by the subdivider in the maintenance of such reserved areas, including interest costs incurred on any loan covering such reserved area of a 4.0 acre area as a portion of a larger 237.7 acre site. In the event the City does not exercise its option to acquire the park site, the reservation shall automatically terminate. Developer shall enter into an agreement for compensation of these costs with the Facilities Financing Section.
- b. The subdivider shall rough grade the park site to a 2 percent slope in accordance with the Tentative Map grading conditions and construct the adjacent contiguous street improvements including storm, sewer, water and paving. The subdivider shall define the amount of costs for the work done on and adjacent to the future park site, prior to the recordation of any final map within the subdivision. The subdivider shall enter into an agreement for compensation of these costs with the Facilities Financing Section.
- c. The subdivider shall hire an appraiser, acceptable to the Director of Real Estate Assets Department, for the purpose of valuation of the population-based park acreage located within this subdivision. Said valuation shall be based on all City, State or Federal codes applicable to said project. The park shall be valued as a 4.0 acre portion of the entire 237 acre project site. The date of valuation shall be established as that date the vested tentative map for Hidden Trails was first submitted for acceptance to the City of San Diego Planning Department, now the Development Services Department, in February 1990. Said appraisal shall be approved by all parties prior to the filing of the first final map of any unit within this subdivision. Resolution of differences in valuation may require a hearing by a judge of the Superior Court.

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- d. The subdivider shall agree that the relocation of said park property, at a later date due to any reasonable problems with the proposed site, shall not increase the value of said property from the original appraised value. Relocation may however cause a reappraisal downward of the land value.
 - e. The subdivider, may at his option, agree to design and construct the neighborhood park in its entirety, all 4.0 useable acres. If the developer so chooses to design and construct said facility, in accordance with the Park and Recreation Department requirements, a reimbursement agreement which defines the entire project and defines the method of compensation will be required subject to Facilities Financing approval on reimbursement.
38. Open Space Requirements:
- a. All lots granted to the city, in fee, at no cost, for open space shall be free and clear of any private encroachments, private easements, private agreements or liens.
 - b. Unit #1; Lot A shall have an open space easement and be owned and maintained by the HOA.
 - c. Unit #2; Lots B, C, D, E, F, G, H and I shall have open space easements and be owned and maintained by the HOA.
 - d. Unit #3 Lots J and unnumbered lot to have a building restricted easement, and Lots L and K to have open space easements and be owned and maintained by the HOA.
 - e. Unit #4; Lots M, N and O to have open space easements and be owned and maintained by the HOA.
 - f. Unit #5; Lots P and Q to have an open space easement and be owned and maintained by the HOA. The trail through Lots P and Q to be a dedicated non-motor vehicle and pedestrian right-of-way.
 - g. Unit #6; Lots R, S, T, U, V and W to be granted to the city in fee or covered by a Covenant of Easement for open space purposes.
 - h. Unit #7; Lots X, Y, Z and AA to be granted to the City in fee for open space.
39. The subdivider shall submit interim landscape erosion control and permanent irrigation (if applicable) construction documents for slope revegetation and hydroseeding of all

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disturbed land in accordance with the Landscape Technical Manual and to the satisfaction of the City Manager. The landscape construction documents shall be in substantial conformance with Exhibit "A," Landscape Concept Plan, dated February 6, 2001, on file in the Development Services Department. The subdivider shall assure by permit and bond the installation of landscaping per landscape construction documents.

40. The subdivider shall submit for review, a Bonded Landscape Maintenance Agreement for all landscape improvements within the public right-of-way area consistent with Exhibit "A," dated February 6, 2001, on file in the Development Services Department. The approved Bonded Landscape Maintenance Agreement shall be recorded prior to recordation of the final map.
41. The subdivider shall identify on a separate sheet titled Non-title Sheet the brush management areas in substantial conformance with Exhibit "A," dated February 6, 2001, on file in the Development Services Department. These brush management areas shall be identified with a hatch symbol with no specific dimensions or zones called out. The following shall be provided on the Non-title sheet to identify the hatched areas: "Indicates fire hazard reduction zone per Section 6 of the City of San Diego Landscape Technical Manual approved by the Planning Commission on March 16, 1989 as Resolution No. 0480-PC, and approved by the City Council on October 3, 1989 as Resolution No. R-274506, and any other building code regulations."
42. The Brush Management Program shall be maintained at all times in accordance with the City of San Diego's Landscape Technical Manual, section 6.
43. 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 Director of the Development Services Department. 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. 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.

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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 SDMC section 102.0406 et seq. This property is also subject to a building permit park fee in accordance with SDMC 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 vesting tentative map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.

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