

RESOLUTION NUMBER R- 296954

ADOPTED ON AUG 05 2002

WHEREAS, Western Pacific Housing-Torrey Village Center LLC, Applicant, and Hunsaker and Associates, Engineer, submitted by an application to the City of San Diego for a 6-lot tentative map (Tentative Map No. 7032 for the Torrey Highlands Village Center (LMXU) project) and street vacation, located northwest of Camino Ruiz and future SR-56, and legally described as portions of Parcels 1 and 2 of Parcel Map 18926, in the Torrey Highlands Ranch Subarea IV Plan area, in the AR-1-1 zone which is proposed to be rezoned to the RM-2-4, RM-4-10 and CC-3-4 zones; and

WHEREAS, on July 11, 2002, the Planning Commission of the City of San Diego considered Tentative Map No. 7032, and pursuant to Resolution No. 3283-1-PC voted to recommend City Council approval; and

**AUG 05 2002**

WHEREAS, the matter was set for public hearing on \_\_\_\_\_, 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 it adopts the following findings with respect to Tentative Map No. 7032:

1. The map proposes the subdivision of a 39.5-acre site into 6 lots for residential/commercial development. This type of development is consistent with the General Plan and the Torrey Highlands Ranch Subarea IV Plan, which designate the area for residential/commercial use. The proposed map will retain the community's character by encouraging orderly, sequential development compatible in its intensity with surrounding existing and future land development.

2. The design and proposed improvements for the map are consistent with the zoning/development regulations of the RM-2-4, RM-4-10, and CC-3-4 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 Development Permit (PDP).

b. All lots meet the minimum dimension requirements of the RM-2-4, RM-4-10, and CC-3-4, as allowed under a Planned Development 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 Planning Development Permit.

d. Development of the site is controlled by Planned Development Permit No. 7033 and Site Development Permit No. 7034.

3. The design and proposed improvements for the subdivision are consistent with State Map Act Section 66473.1 and San Diego Municipal Code Section 125.0440(g) regarding the design of the subdivision for future passive or natural heating or cooling opportunities.

4. The site is physically suitable for residential/commercial development. The harmony in scale, height, bulk, density, and coverage of development creates a compatible physical relationship to surrounding properties for which this area has been planned.

5. The site is physically suitable for the proposed density of development. This is consistent with the community plan, which provides for residential/commercial uses.

6. The design of the subdivision or the proposed improvements could cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat. However, the project as revised now avoids or mitigates the potentially significant environmental effects based upon the findings of Mitigated Negative Declaration No.40-0968, which is included herein by this reference.

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 City Council has reviewed the adopted Housing Element, the Progress Guide, and the General Plan of the City of San Diego, and hereby finds, pursuant to 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. Lots 1 and 3 of this subdivision are condominium projects as defined in Section 1350 et. seq. of the Civil Code of the State of California and filed pursuant to the Subdivision Map Act. The number of condominium dwelling units for Lot 1 is 144 and for Lot 3, 123 units.

11. A portion of Old Survey No. 80, declared a public highway by the County of San Diego Board of Supervisors in the Memorandum of proceedings Vol. 9, Page 300, dated October 15, 1888, and a portion of Camino Ruiz, granted to the City of San Diego by grant deed recorded March, 4, 2002, F/P 2002-0178886 are no longer needed for the public purpose for which they are granted; and whereas, the City Council finds that:

a. There is no present or prospective public use for the public right-of-way, either for the facility for which it was originally acquired or for any other public use of a like nature that can be anticipated.

b. The public will benefit from the action through improved use of the land made available by the vacation.

c. The vacation does not adversely affect any applicable land use plan.

d. The public facility for which the public right-of-way was originally acquired will not be detrimentally affected by the vacation

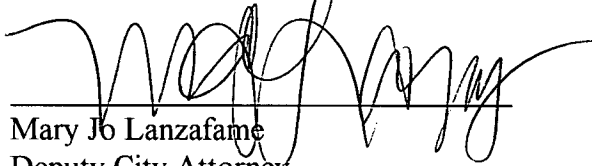
The above findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that pursuant to California Government Code section 66434(g), a portion of Old Survey No. 80, declared a public highway by the County of San Diego Board of Supervisors in the Memorandum of proceedings Vol. 9, Page 300, dated October 15, 1888, and a portion of Camino Ruiz, granted to the City of San Diego by grant deed recorded March 4, 2002, F/P 2002-017886 are no longer needed for the public purpose for which they are granted, located within the project boundaries as shown in Tentative Map No. 7032, shall be vacated, contingent upon the recordation of the approved final map for the project.

BE IT FURTHER RESOLVED, that the recommendation of the Planning Commission is sustained, and Tentative Map No. 7032 is granted to Western Pacific Housing-Torrey Village Center LLC, Applicant, and Hunsaker 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:pev  
7/26/02  
7/31/02 Cor.Copy  
Or.Dept:Clerk  
R-2003-216  
Form=tmr-residential.frm

Corrected Copy  
7/31/02

CITY COUNCIL CONDITIONS TO TENTATIVE MAP NO. 7032  
TORREY HIGHLANDS VILLAGE CENTER (LMXU)  
ADOPTED BY RESOLUTION NO. R- 296954 ON AUG 05 2002

1. This Tentative Map will become effective on the effective date of the associated re-zone and expires three (3) years thereafter. Should the re-zone or associated street vacation be denied, then this 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. Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this tentative map, may protest the imposition within 90 days of the approval of this tentative map by filing a written protest with the City Clerk pursuant to California Government Code Section 66020.
4. The final map shall conform to the provisions of Planned Development Permit No. 7033 and Site Development Permit No. 7034.
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 bearing 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

R- 296954

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. 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. Undergrounding of existing and/or proposed public utility systems and service facilities is required according to the San Diego Municipal Code.
11. The subdivider shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to requirements in accordance with the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.
12. The subdivider must provide a geological reconnaissance 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.
13. 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.
14. 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. 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.


15. The subdivider is permitted to file up to four (4) 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.
16. The subdivider shall provide evidence to ensure that an affirmative marketing program is established.
17. The subdivider shall comply with the Mitigation, Monitoring, and Reporting Program (MMRP) as specified in Mitigated Negative Declaration, Project No. 1418, LDR No. 40-0968 satisfactory to the City Manager and the City Engineer. Prior to issuance of subsequent grading permits, all mitigation measures as specifically outlined in the MMRP shall be implemented for The following issue areas: Biological Resources, Land Use/NHPA, and Hydrology/Water Quality.
18. In accordance with authorization granted to the City of San Diego from the United States Fish and Game 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 17, 1997 and on File in the Office of the City Clerk as Document RR-00-18394. 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.
19. The grade and alignment for Street "A" is not approved as shown on the tentative map. Street A shall be design in accordance with the City Street Design Manual and Caltrans standards, satisfactory to the City Engineer.
20. The final map and grading plans shall be submitted to Caltrans for review. Per Caltrans letter dated April 04, 1992, there appears to be a conflict between SR-56 right-of-way and

R - 296954

the proposed development. No final maps shall be recorded or grading permits issued until the issue is resolved satisfactory to Caltrans and the City Engineer.

21. The 100-foot buffer requirements adjacent to SR-56 are not approved as shown on the TM. The 100-foot buffer requirements are subject to Caltrans approval.
22. There shall be a notes on the grading plans that state, a) All grading within SR-56 right-of-way shall conform to Section 19 of the California Standard Specifications, b) The subdivider shall contact Caltrans prior to the start of grading for this subdivision.
23. Any utilities within the SR-56 right-of-way shall be designed satisfactory to Caltrans and the City Engineer.
24. The subdivider shall install all utilities within SR-56 right-of-way, before SR-56 is paved. If Caltrans proceeds prior to development of this subdivision, the subdivider shall coordinate the construction of the utilities with Caltrans.
25. The approval of this tentative map does not constitute the approval of SR-56 alignment and grade nor does it approve the alignment and grade of Camino Ruiz interchange. These final alignments and grades may have an impact on the subject development.
26. Noise walls built for mitigating noise or separating the state right-of-way shall be built with a footing capable of supporting at least a 2-foot high wall than currently proposed.
27. The subdivider shall obtain the appropriate right-of-way entry permits from Caltrans.
28. The drainage system proposed for this subdivision is private and is subject to approval by the City Engineer.
29. Development of this project shall comply with all requirements of State Water Resources Control Board (SWRCB) Order No. 99-08-DWQ and the Municipal Storm Water Permit, Order No. 2001-01(NPDES General Permit No. CAS000002 and CAS0108758), *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 implemented concurrently with the commencement of grading activities, and a 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

 296954



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. 99-08-DWQ, and any subsequent amendments thereto, shall comply with special provisions as set forth in SWRCB Order No. 99-08-DWQ.

30. The subdivider shall provide letters of permission for all offsite grading.
31. The subdivider shall construct four (4) bus stops, one on Street "A", 2 on the south side and one on the north side of Torrey Meadows Drive. Precise locations to be determined by MTDB. The bus stops shall be constructed satisfactory to MTDB and the City Engineer.
32. This project is dependent on the acquisition of City owned property. The property shall be acquired at the fair market value as determined by the Real Estate Assets Department.
33. The subdivider shall construct Camino Ruiz as a six-lane primary arterial. The subdivider shall dedicate 147-172 feet of right-of-way and shall provide 112-137 feet of pavement, curb, gutter and 5-foot wide sidewalks within 20-foot curb to property line distance on the east side and within a 15-foot curb to property line distance on the west side of Camino Ruiz including an interim of a 48-foot wide median.
34. The subdivider shall construct Torrey Meadows Drive as a four-lane collector from Private Drive "K" to the school entrance. The subdivider shall dedicate 102 feet of right-of-way and shall provide a 72-foot wide section of pavement, curb, gutter and a 5-foot wide sidewalk within a 15-foot curb to property line distance then transitioning to a modified two-lane collector.
35. The subdivider shall construct Torrey Meadows Drive as a two-lane collector with a two-way left-turn lane from the school entrance to Private Drive "A." The subdivider shall dedicate 80 feet of right-of-way and shall provide a 50 foot wide section of pavement, curb, gutter, and a 5-foot wide sidewalk within a 15-foot curb to property line distance.
36. The subdivider shall construct traffic signals at the following intersections:
  - a. Private Drive "A" and Torrey Meadows Drive
  - b. Camino Ruiz and Torrey Meadows Drive
  - c. Camino Ruiz and Street "A"
  - d. Torrey Meadows Drive and the proposed school entrance

 296954

- e. Torrey Meadows Drive and Private Drive "K"
  - f. Street "A" and the Commercial Center access (Lot 2).
37. The subdivider shall construct two standard left-turn pockets with a minimum of 250-foot storage length plus 120-foot transition from Camino Ruiz onto Street "A" and Torrey Meadows Drive.
  38. The subdivider shall construct Street "A" as a four-lane modified collector. The subdivider shall dedicate 108 feet of right-of-way and shall provide a 78-foot wide pavement section, curb, gutter and 5-foot sidewalk within a 15-foot curb to property line distance then transitioning to a modified two lane collector.
  39. Street "A" cul-de-sac as shown on the tentative map is not approved. The subdivider shall design the cul-de-sac with City standard driveways and sidewalks in accordance with the City Street Design Manual. The subdivider shall construct a cul-de-sac at the western end of Street "A." The subdivider shall dedicate a 65-foot right-of-way radius and shall provide a 50-foot curb radius, pavement, curb, gutter, and a 5-foot wide sidewalk within a 15 foot curb to property line distance.
  40. The subdivider shall coordinate with the approved Greystone project, TM 98-0392, and incorporate an additional access point at Private Drive "D."
  41. The subdivider shall maintain a 20-foot wide pavement section in the eastbound direction on Torrey Meadows Drive east of the school entrance.
  42. The subdivider shall construct Private Drive "A." The subdivider shall provide a 66-foot parkway and shall provide 36-feet pavement section.
  43. The subdivider shall construct Private Drive "K." The subdivider shall provide a 44-foot parkway and shall provide 26-foot pavement section.
  44. Water Requirements
    - a. Prior to the approval of any public improvement drawings, the subdivider shall provide acceptable potable and recycled water studies in a manner satisfactory to the Water Department Director.
    - b. The subdivider shall design and construct all public water facilities, both potable and recycled, as required in the accepted water studies for Torrey Highlands

R-296954

Village Center and the area, necessary to serve this development. Water facilities, as shown on the approved tentative map, will require modification based on the accepted water studies and to maintain redundancy throughout construction phasing at final engineering.

- c. The subdivider shall install fire hydrants at locations satisfactory to the Fire Department, the Water Department Director, and the City Engineer.
- d. The subdivider shall grant adequate water easements, including vehicular access to each appurtenance (meters, blow offs, valves, fire hydrants, etc.), for all public water facilities that are not located within fully improved public rights-of-way, satisfactory to the Water Department Director. Easements shall be located within single lots.
- e. Grants of water easements shall have the following minimum widths: water mains with no appurtenances including valves - 20 feet; water mains with services or fire hydrants - 30 feet with 24 feet of paving and full height curbs. Easements or lack thereof, as shown on the approved tentative map, will require modification based on standards at final engineering.
- f. The subdivider shall process encroachment maintenance and removal agreements for all acceptable encroachments, including, but not limited to, structures, enhanced paving, private utilities or landscaping, into any easement. No structures or landscaping of any kind shall be installed in or over any vehicular access roadway.
- g. The subdivider shall provide keyed access to the Water Operations Division in a manner satisfactory to the Water Department Director, on all gates located within easements containing public water facilities. The City will not be held responsible for any issues that may arise relative to the availability of keys.
- h. The subdivider agrees to design and construct all proposed public water facilities including services, meters, and easements, in accordance with established criteria in the most current edition of the City of San Diego Water Facility Design Guidelines and City regulations, standards, and practices pertaining thereto. Proposed facilities that do not meet the current standards for construction, operations, maintenance, and access shall be private or redesigned.
- i. The subdivider shall design and construct all irrigation systems to utilize reclaimed water in a manner satisfactory to the Water Department Director.

- j. The subdivider shall provide CC&R's for the operation and maintenance of on-site private water facilities that serve or traverse more than one lot or unit.
- k. Providing water for this development is dependent upon prior construction of certain water facilities in previously approved developments in this area including, but not limited to, the completion of the water facilities in Camino Ruiz and Street "B" in Torrey Highlands Subarea IV. 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.

45. Wastewater Requirements

- a. The subdivider shall construct their fair share of the Carmel Valley Trunk Sewer and enter into a Reimbursement Agreement with all developments that construct more than their fair share of the Carmel Valley Trunk Sewer.
- b. Prior to the submittal of any public improvement drawings, including grading plans, the developer shall provide evidence of an accepted sewer study satisfactory to the Metropolitan Wastewater Department Director, for the sizing, grade and alignment of proposed public gravity sewer mains (and private gravity sewer mains serving more than one lot) and to show that the existing and proposed public sewer facilities will provide adequate capacity and have cleansing velocities necessary to serve this development and the drainage basin in which it lies and adjacent areas that cannot gravity sewer to an existing sewer system.
- c. The subdivider shall install all facilities, as required by the accepted sewer study, necessary to serve the proposed development and extending to the subdivision boundary. Sewer facilities, as shown on the approved tentative map, will require modification based on the accepted sewer study.
- d. The subdivider shall design and construct all proposed public sewer facilities to the most current edition of the City of San Diego's sewer design guide. Proposed facilities that do not meet the current standards shall be private or redesigned
- e. The subdivider shall design and construct all proposed private sewer facilities serving more than one lot to the most current edition of the City of San Diego's sewer design guide. Improvement drawings are required for private sewer facilities serving more than one lot.

R - 296954

- f. The subdivider shall grant adequate sewer, and/or access easements, including vehicular access to each manhole, for all public sewer facilities that are not located within public rights-of-way, satisfactory to the Metropolitan Wastewater Department Director. Minimum easement width for sewer mains with manholes - 20 feet. The easements shall be located within single lots.
- g. Vehicular access roadbeds shall be a minimum of 20 feet wide and surfaced with suitable approved material satisfactory to the Metropolitan Wastewater Department Director. Vehicular access roadbeds to sewer mains with laterals shall be a minimum of 24 feet wide and paved full width. An additional 5 feet of width per additional utility is required for easements containing more than one utility. For sewer mains more than 10 feet deep, two feet of additional easement width for each foot of depth over 10 feet shall be required.
- h. No structures or landscaping that would inhibit vehicular access shall be installed in or over any sewer access easement.
- i. No structures or landscaping, including private sewer facilities and enhanced paving, shall be installed in or over any easement prior to the applicant obtaining an Encroachment Maintenance and Removal Agreement.
- j. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any public sewer facilities.
- k. For public on-site sewer facilities located within a gated community, the developer shall provide the Wastewater Collection Divisions with keyed access satisfactory to the Metropolitan Wastewater Department Director. The City will not be held responsible for any issues that may arise relative to possession of the keys.
- l. The developer shall provide evidence, satisfactory to the Metropolitan Wastewater Department Director, indicating that each unit will have its own sewer lateral or provide CC&Rs for the operation and maintenance of on-site private sewer mains that serve more than one ownership.
- m. Providing sewer for this development is dependent upon prior construction of certain sewer facilities in previously approved developments in the 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.

R- 296954

46. The street vacation of a portion of Old Survey No. 80, within subject Tentative Map, is conditioned upon approval and recordation of a final map in accordance with the Subdivision Map Act Section 66434(g); the street vacation of a portion of the off-site portion of Old Survey No. 80 within Parcel Map No. 6038 shall be vacated in accordance with section 8300 of the Streets and Highways Code.
47. The street vacation of a portion of Camino Ruiz is conditioned upon approval and recordation of a final map in accordance with the Subdivision Map Act Section 66434(g) and upon determination of the fair market value, compensation, or exchange as required by the Real Estate Assets Department.
48. The Affordable Housing Requirements of Planned Development Permit No. 7033 and Site Development Permit No. 7034, on file with the Development Services Department, are hereby incorporated by reference into this vesting tentative map. Prior to the recordation of the final map, the Subdivider shall enter into an agreement with the Executive Director of the Housing Authority of the City of San Diego, or designee and the City Manager of the City of San Diego, or designee. The Affordable Housing Requirements are more thoroughly described through conditions of the accompanying PDP Permit No. 40-0968, such Permit becoming utilized upon recordation of this Vesting Tentative Map.
49. A portion of this project has been identified as being within the Floodway of a Special Hazard Area.
  - a. No increases to base flood elevations are allowed. A Registered Professional Engineer shall submit a no rise certification along with a detailed engineering analysis to substantiate the certification. The analysis is subject to the approval of the City Engineer.
  - b. If the engineering analysis shows the development will alter the floodway or floodplain boundaries of the Special Flood Hazard Area, the developer must obtain a Conditional Letter of Map Revision from the Federal Emergency Management Agency prior to issuance of a grading, engineering, or building permits. The developer must provide all documentation, engineering calculations, and fees which are required by FEMA.
  - c. No certificates of occupancy will be granted or bonds released for development associated with this project until a Letter of Map Revision(LOMR) is obtained from FEMA. The LOMR is issued based upon as-built conditions, therefore, the applicant must allow time to complete this process. The developer must provide all documentation, engineering calculations, and fees which are required by FEMA.

R-296954

- d. No structures except those allowed by Section 131.0222 (Use Regulations for Open Space Zones) of the Land Development Code shall be built within the Floodway.
  - e. All structures built within the Special Flood Hazard Area must have the lowest floor elevated 2 feet above the base flood elevation or if the structure is nonresidential it maybe flood proofed to that same elevation.
  - f. All fill placed within the Special Flood Hazard Area must be compacted to 95% relative compaction.
  - g. The developer shall denote on the final map and the improvement plans "Subject to Inundation" all areas lower than the base flood elevation plus 1 foot.
  - h. The developer shall enter into an agreement with the City waiving the right to oppose a special assessment initiated for te construction of flood control facilities and their perpetual maintenance.
  - i. The developer shall grant a flowage easement, satisfactory to the City Engineer.
50. The subdivider shall submit complete landscape construction documents, including plans, details, and specifications (including a permanent automatic irrigation system unless otherwise approved), for the required right-of-way and median improvements, slope revegetation and hydroseeding of all disturbed land in accordance with the Landscape Standards and to the satisfaction of the City Manager. The landscape construction documents shall be in substantial conformance with Exhibit "A," Landscape Concept Plan, on file in the Office of Planning and Development Review. The applicant shall assure by permit and bond the installation of landscaping per landscape construction documents.
51. The subdivider shall submit for review, a Landscape Maintenance Agreement for all landscape improvements within the public right-of-way area, consistent with Exhibit "A," The approved Landscape Maintenance Agreement shall be recorded and bonded prior to recordation of the first final map.
52. 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 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 Manager. This compliance shall be

R-296954

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.

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. This property is also subject to a building permit park fee in accordance with San Diego Municipal Code.
- This development may be subject to payment of School Impact Fees at the time of issuance of building permits, as provided by Education Code section 17620, 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, at the time of issuance of building permits.
- This Tentative Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.

 296954