

RESOLUTION NUMBER R- 297094

ADOPTED ON SEP 24 2002

WHEREAS, T.R. II, LLC, and Poway Unified School District School Facilities Financing Corporation, Applicants, and Hunsaker and Associates, Engineer, submitted by an application to the City of San Diego for a 88-lot tentative map (Tentative Map No. 7497 for the Torrey Ranch project) and street vacation, located west of Camino Ruiz, north of SR-56, and legally described as Parcel 1 of Parcel Map 8133, in the Torrey Highlands IV Plan area, in the A-1-10 and HRO zones which are proposed to be rezoned to the OC-1-1, A-1-10, RX-1-2 and OP-2-1 zones; and

WHEREAS, on August 8, 2002, the Planning Commission of the City of San Diego considered Tentative Map No. 7497, and pursuant to Resolution No. 3298-PC voted to recommend City Council approval of the map; and

WHEREAS, the matter was set for public hearing on SEP 24 2002, 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. 7497:

1. The map proposes the subdivision of a 38.2-acre site into 88 lots (67 residential, 6 affordable, 1 park, 1 school site, 1 MSCP, 1 wetlands restoration, 1 private drive, and 10 Home Owners Association), for residential, park and school development. This type of development is consistent with the General Plan and the Torrey Highlands Subarea IV Plan, which designate the area for residential, park and school 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 A-1-10 and RX-1-2, 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 Permit.
 - b. All lots meet the minimum dimension requirements of the A-1-10 and RX-1-2, zones, as allowed under a Planned Residential 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 Planned Residential Permit.
 - d. Development of the site is controlled by Planned Residential Permit No. 99-1331.
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, park, and school 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, park and school 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. 99-1331, 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.

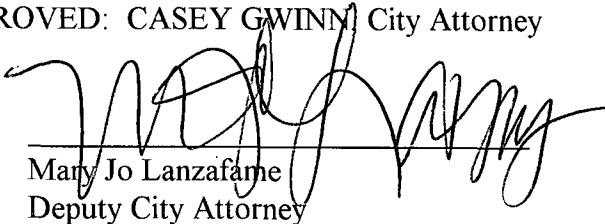
The above findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference.

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, 1988, located within the project boundaries as shown in Tentative Map No. 7497, 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. 7497 is granted to T.R. II, LLC, and Poway Unified School District Facilities Financing Corporation, Applicants, 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
8/23/02
Or.Dept:DSD
R-2003-303
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CITY COUNCIL CONDITIONS FOR TENTATIVE MAP NO. 7497
TORREY RANCH PROJECT
ADOPTED BY RESOLUTION NO. R- _____ ON _____

1. This tentative map will become effective on the effective date of the associated re-zone. Should the re-zone or 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 PRD Permit No. 99-1331.
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. The final map shall:
 - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.

R- 297094

- 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. 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.
11. Undergrounding of existing and/or proposed public utility systems and service facilities is required according to San Diego Municipal Code.
12. The street vacation of a portion of Old Survey No. 80 is conditioned upon approval and recordation of a final map in accordance with the subdivision Map Act Section 66434(g).
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 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.
15. The construction grading plans shall show the limits of disturbance and the top and toe of all slopes shall be tied to a reference point (i.e., lot line, subdivision boundary, field reference). If the limits of disturbance are the same as the day light, line, state accordingly.
16. The detail of the private pedestrian ramp will only be permitted within the development for the private drive aisles. Pedestrian ramps within the public right of way shall be designed and constructed per City Standard Drawings No. G-27.

17. The applicant shall comply with the Mitigation, Monitoring and Reporting Program (MMRP) as specified in Mitigated Negative Declaration, LDR No. 99-1331, satisfactory to the City Manager and the City Engineer. Prior to issuance of any grading permits and/or building permits, mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue areas:

- Biological Resources
- Paleontological Resources
- Historical Resources
- Hydrology/Water Quality
- Land Use/MHPA
- Transportation/Circulation
- Public Services/Utilities
- Human Health and Public Safety

18. Prior to the recordation of the first final map and/or issuance of any grading permits, a final MHPA coastal sage scrub (CSS) restoration plan with construction documents/specifications (planting palette, installation, irrigation and grading) and a 5-year maintenance/monitoring schedule shall be prepared, in substantial conformance with the Conceptual Slope Revegetation Plan for the Torrey Ranch Project (Dudek & Associates, June 2002), by a qualified landscape architect/ habitat restoration specialist to the satisfaction of the ERM and the wildlife agencies.
19. The project shall conform to the Torrey Highlands Subarea IV Transportation Phasing Plan in Public Facilities Financing Plan dated October 1996 and the final EIR Traffic Study dated June 1996.
20. The subdivider shall construct traffic signals at the following intersections:
- a. Torrey Meadows Drive and Street "A,"
 - b. Torrey Meadows Drive and the elementary school entrance.
21. The subdivider shall construct Torrey Meadows Drive as a four-lane modified collector street . The subdivider shall dedicate 108 feet of right-of-way and shall provide 78 feet of pavement, curb, gutter and a 5 foot sidewalk within a 15 foot curb to property line distance then transition to a two-lane collector street . The subdivider shall dedicate 80 feet of right-of-way and shall provide 50 feet of pavement, curb, gutter and a 5 foot sidewalk within a 15 foot curb to property line distance , satisfactory to the City Engineer.
22. The subdivider shall construct Street "A" as a two-lane collector street at the intersection with Torrey Meadows Drive . The subdivider shall dedicate 60 feet of right-of-way and shall provide 40 feet of pavement, curb, gutter and a 5 foot sidewalk within a 10 foot curb

- to property line distance, then transition to local residential street . The subdivider shall dedicate 56 feet of right-of-way and shall provide 36 feet of pavement, curb, gutter and a 5 foot sidewalk within a 10 foot curb to property line distance, satisfactory to the City Engineer. The subdivider shall construct the cul-de-sac at the northern end of Street "A" with a minimum radius of 50' feet of pavement, curb, gutter and a 5 foot sidewalk within a 10 foot curb to property line distance within a 60' foot of a right-of-way radius.
23. The subdivider shall provide an adequate sight distance for each of the residential unit driveway. The proposed on-street parking is too close to the residential unit driveway. A minimum of 100' is required for Private Drive unit setbacks to allow for driveway access and parking.
 24. The subdivider shall assure the establishment of a school zone in the vicinity of the school's site. The school zone shall include appropriate pavement markings, signage, signing, and traffic control devices, satisfactory to the City Engineer.
 25. Water Requirements:
 - a. The subdivider shall design and construct all public water facilities as required in the accepted water studies for Torrey Ranch 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 study maintaining redundancy throughout the construction phasing.
 - b. The subdivider shall install fire hydrants at locations satisfactory to the Fire Department, the Water Department Director, and the City Engineer.
 - c. 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.
 - d. 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.
 - e. The subdivider shall process encroachment maintenance and removal agreements for all acceptable encroachments, including, but no 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.

- f. 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.
- g. 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, operation, maintenance and access, shall be private or redesigned.
- h. The subdivider shall provide evidence, satisfactory to the Water Department Director, indicating that each lot will have its own water service or provide CC&R's for the operation and maintenance of on-site private water facilities that serve more than one lot.
- i. 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.

26. Sewer Requirements:

- a. The subdivider shall construct the Carmel Valley Trunk Sewer or enter into a Reimbursement Agreement with other developments that construct more than their fair share of the Carmel Valley Trunk Sewer.
- b. All proposed public sewer facilities are to be designed and constructed in accordance with established criteria in the most current City of San Diego sewer design guide. Proposed facilities that do not meet the current standards shall be private or redesigned. Redesigned may include, but is not limited to, land form modification and changes to street alignments.
- c. The subdivider shall install all sewer facilities required by the accepted sewer study, necessary to serve this development. 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 private sewer facilities serving more than one lot to the most current edition of the City of San Diego's sewer design guide.
 - e. 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 the 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. 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 100 feet deep, two feet of additional easement width for each foot of depth over 10 feet shall be required.
 - f. No structures or landscaping that would inhibit vehicular access shall be installed in or over any sewer access easement.
 - g. 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.
 - h. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any public sewer facilities.
 - i. The developer shall provide evidence, satisfactory to the Metropolitan Wastewater Department Director, indicating that each lot/condominium will have its own sewer lateral or proved CC&R's for the operation and maintenance of on-site private sewer mains that serve more than one lot/condominium.
 - j. For public on-site sewer facilities located within a gated community, the subdivider shall provide 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.
 - k. Proposed or 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.
27. The drainage system (s) not located in a public street shall be private and is subject to approval by the City Engineer.

28. The subdivider shall eliminate the "jog" on the south side of Torrey Meadows Drive and design the curb, gutter, and right-of-way to be symmetrical with the north side of the street.
29. The subdivider shall treat the discharge from the 48' RCP drain system, before being discharged into the easterly end of the wetland restoration area.
30. The subdivider shall flatten the 10 foot drop, from the head wall to the end of the rip rap, at the westerly discharge point of the wetland restoration area.
31. The subdivider shall show the type and location of all post-construction BMP's on the final construction drawings. All runoff from the site shall be filtered/treated for removal of sediment and oil/grease prior to leaving the site. By a separate report, the subdivider shall address the BMP's maintenance schedule, maintenance costs and who will be responsible for the future maintenance and associated costs. The report also needs to address water quality. Describe the type of pollutants that will be generated post development, the pollutants to be captured by the BMP's and the quality of the resultant discharge.
32. 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 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.

33. Portions of the project are located in the floodplain of Mc Gonigle Canyon Creek, as delineated on Panels 1332, 1333, 1334 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 the approval of this tentative map the subdivider shall comply with the following:

2-297094

- 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 flood way 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 site 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.
 - 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 may be 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 improvements 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 the construction of flood control facilities and their perpetual maintenance.
 - i. The subdivider shall grant a flowage easement, satisfactory to the City Engineer.
34. The subdivider shall enter into an agreement acceptable to the City Manager for the acquisition of a neighborhood park. This agreement shall address all of the following issues prior to submittal of the first final map for any development of this project:

2-297094

a. Park Purchase Agreement

The Park Purchase Agreement entered into by the owner and the City requires that the land be purchased at the earliest possible time but no later than December 31, 2002. The developer/owner of this project shall agree in writing prior to review of this project by the City Council to an extension of time on that agreement until such time as the conditions included in Item 2 below are satisfied or funding becomes identified in the Public Facility Financing Plan for the purchase of the additional lands for Neighborhood Park Number 2 within the Torrey Highlands Precise Plan Area.

b. Land Acquisition

The subdivider shall enter into a two year option agreement to reserve Lot "A" as a 5.00 useable acre site as required under the State of California Subdivision Map Act, Section 66479 et. sec. and the City of San Diego Municipal Code for a neighborhood park. Provisions of that 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 of raw unsubdivided land thereof at the time of submittal of the first substantially complete tentative map, November 1999, plus the taxes against said reserved area from the dated of reservation, and any other costs incurred by the subdivider in the maintenance of said reserved areas, including interest costs incurred on any loan covering such reserved area as a portion of a larger 38.2 acre site. In the event the City does not exercise its option to acquire the park site, the reservation shall automatically terminate.

c. Grading of Site and adjacent public improvements

The subdivider shall rough grade the park site, Lot "A," to a minimum 5.0 useable acre site containing a maximum of 2% slope acceptable to the Park and Recreation Department and construct the adjacent contiguous local street improvements including storm, sewer, water, paving and stub-outs for same serving the park site. The subdivider shall define the amount, costs, for the work done on and adjacent to the future park site excluding sewer, water and storm sewers located within the proposed easement on the lot, prior to the recordation of any final map within the subdivision. The subdivider shall enter into an agreement, acceptable to the Facility Financing Section, for compensation of these costs. Costs of grading shall be used on the pro-rata share of the entire cost of the grading as would be assumed for a 5.0 acre lot within the 38.2 acre developed portion of the project.

d. Appraisal

The subdivider shall hire an appraiser, acceptable to the Real Estate Asset Director, for the purpose of valuation of the population based park acreage located within this subdivision and identified as Lot "A." Said valuation shall be based on all applicable City, County, State or Federal Codes to said purchase. The park shall be valued, as noted above in "A," as a 5.0 acre portion of the entire project site. The date of valuation, December 1999, is established as that date the substantially complete tentative map for Torrey Ranch was first submitted for acceptance to the City of San Diego Planning and Development Review Department. Said appraisal shall be approved by all parties prior to the filing of the first final map of any unit within this subdivision.

If the valuation of said property is in disagreement, the City shall hire an independent appraiser of their own. If the two appraisals can be satisfied by the two parties, in accordance to normal City practices, a resolution of land value will be accepted. Failure of the two parties to agree to an acceptable land cost will require a third appraiser, acceptable to both parties, to mediate the difference. Failure of the two parties to agree on a third appraiser will require that the land value be established by judgement of the Superior Court.

e. Relocation

The subdivider shall agree that the relocation of the said park property, due to unforeseen conditions, shall not increase in value of said property from the original appraised value.

f. Design and Construct Park

The subdivider shall design and construct the neighborhood park in its entirety. The subdivider shall hire a consultant, acceptable to the Park and Recreation Department, to prepare construction documents including a General Development Plan, GDP, for Torrey Ranch Neighborhood Park. A separate reimbursement agreement, acceptable to the Facility Financing Section, will be required.

g. Facility Financing Agreement

The subdivider shall enter into an agreement or agreements which will provide for the acquisition, rough grading and adjacent public improvements, and the possible design and construction of the park. Said agreement/agreements shall be approved prior to the recordation of the first final map of any unit within this subdivision. The subdivider shall be open to the suggestion of a reimbursement of park costs at a date later than end of construction of the subdivision.

R-297094

35. Open Space Requirements:
- a. Lots D and E are to have open space easements.
 - b. Lot C shall be granted in fee, at no cost, for Open Space. Said lot shall be free and clear of all private easements, private encroachments, and private agreements or liens.
 - c. All home owners association lots are to have building restricted easements.
36. No change, modification or alteration shall be made to the project unless appropriate application or amendment of this Permit has been granted by the City. All plan specifications and notes mentioned in the conditions below shall be consistent with the Municipal Code 142.0401 and Landscape Standards, Exhibit "A" Landscape Development Plan, Brush Management Plan, Details and Notes on file in the Office of the Development Services.
- a. 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 (if applicable) improvements, slope re-vegetation and hydroseeding of all disturbed land in accordance with the Landscape Standards and to the satisfaction of the City Manager. The subdivider shall assure by permit, cost estimate and bond, the installation of landscaping per landscape construction documents.
 - b. The subdivider shall submit for review, a Landscape Maintenance Agreement for all landscape improvements within and visible from the public right-of-way. The approved Landscape Maintenance Agreement shall be recorded and bonded, prior to the recording of the final map.
 - c. The subdivider shall identify on a separate sheet titled "Non-title Sheet" the brush management areas in substantial conformance with Exhibit "A". These brush management areas shall be identified with a hatch symbol with no specific dimensions or zones called out. The following note shall be provided on the "Non-title Sheet" to identify hatched areas: "Indicates fire hazard zone(s) per Section 142.0412 of the Municipal Code".
37. The Affordable Housing Requirements of RPO No.7499/PRD No.7500 (JO# 99-1331), on file with the Development Services Department, are hereby incorporated by reference into this vesting tentative map. The subdivider shall comply with the affordable element of the Torrey Highlands Subarea Plan. 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

R-297094

the accompanying RPO No. 7499/PRD No. 7500 (J.O.# 99-133). Such Permit shall become utilized upon recordation of this Tentative Map.

38. 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 Manager. 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.

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.