

(R-2003-1079)

RESOLUTION NUMBER R-297680

ADOPTED ON FEBRUARY 25, 2003

WHEREAS, Pardee Homes, Applicant, and Latitude 33 Planning and Engineering, Engineer, submitted by an application to the City of San Diego for a 58-lot vesting tentative map (Vesting Tentative Map No. 1693 for the Pacific Highlands Ranch, Units 12-16 project), located southeasterly of Del Mar Heights Road and Carmel Valley Road, and legally described as Parcel 3 of Parcel Map 18971 and a portion of the west half of the northwest quarter of Section 15, Township 14 South, Range 3 West, San Bernardino Base Meridian, in the Carmel Valley Community Plan area, in the RM-1-2, RM-1-3, RX-1-1, IP-2-1, OC-1-1, and AR-1-1 zones; and

WHEREAS, on December 12, 2002, the Planning Commission of the City of San Diego considered Vesting Tentative Map [VTM] No. 1693, and pursuant to Resolution No. 3343-PC-1 voted to approve the Vesting Tentative Map; and

WHEREAS, Louis E. Goebel, attorney for appellant Robert D. Barczewski appealed the Planning Commission decision to the Council of the City of San Diego; and

WHEREAS, the matter was set for public hearing on February 25, 2003, 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 VTM No. 1693:

1. The map proposes the subdivision of a 248.8-acre site into fifty-eight lots (forty-nine residential (741 units), five Industrial/office, one Multiple Habitat Planning Area [MHPA], one Open Space and two Monument Sign lots) for residential, Industrial/office, school and park development. This type of development is consistent with the General Plan and the Pacific Highlands Ranch Subarea III Plan, which designate the area for residential and Industrial/office 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-1-2, RM-1-3, RX-1-1, IP-2-1, OC-1-1 and AR-1-1 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 and site development permit.
- b. All lots meet the minimum dimension requirements of the RM-1-2, RM-1-3, RX-1-1, IP-2-1, OC-1-1 and AR-1-1 zones, as allowed under a planned development and site 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 planned development and site development permit.
- d. Development of the site is controlled by Planned Development Permit [PDP] No. 9181 and Site Development Permit [SDP] Permit No. 9182.

3. The design and proposed improvements for the subdivision are consistent with State Map Act Section 66473.1 and SDMC 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 and Industrial/office 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 and Industrial/office uses.

6. The City of San Diego, as Lead Agency, has determined that the proposed Pacific Highlands Ranch, Units 12 - 16 (LDR No. 41-0962) would have no additional significant effect on the environment, as defined in Subdivision (d) of Section 21158 of the Public Resources Code, that was not identified in the MEIR (LDR No. 96-7918/SCH No. 97111077) and that no new or additional mitigation measures or alternatives are required. The subsequent project is therefore

within the scope of the project covered by the Master EIR and no new environmental document nor findings pursuant to Section 21081 of the Public Resources Code are required.

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 Government Code Section 66412.3, 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. Unit 16 of this subdivision is a condominium project 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 total number of condominium dwelling units is 221 or 230 if the right-of-way for State Route 56 is normalized.

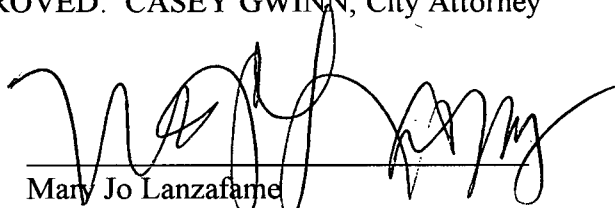
The above findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that the appeal of Louis E. Goebel, attorney for the appellant Robert D. Barczewski, is denied; the decision of the Planning Commission is sustained; and Vesting Tentative Map No. 1693 is granted to Pardee Homes, Applicant and Latitude 33

Planning and Engineering, 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
03/06/03
Or.Dept:Clerk
R-2003-1080
Form=tmr-residential.frm
Reviewed by John Fisher

CITY COUNCIL CONDITIONS FOR VESTING TENTATIVE MAP NO. 1693
PACIFIC HIGHLANDS RANCH, UNITS 12-16 PROJECT
ADOPTED BY RESOLUTION NO. R-297680 ON FEBRUARY 25, 2003

1. This vesting tentative map will expire September 8, 2018.
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 ninety 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 PDP Permit No. 9181 & SDP Permit No. 9182.
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:
 1. 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.
 2. 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

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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 [ESA] and any amendments thereto (16 USC § 1531 et seq.).
10. The subdivider is permitted to file up to five 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.
11. 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.
12. This resolution shall not take effect until the First Amendment to Pacific Highlands Ranch - Subarea III NCFUA Community Park Site Purchase Agreement is approved by the City Council and executed by the City Manager and ownership of the Gonsalves Property, identified on Vesting Tentative Map [VTM] No. 1693 as Unit 16c, is transferred to Pardee Homes. Should the First Amendment to Pacific Highlands Ranch - Subarea III NCFUA Community Park Site Purchase Agreement not be approved by the City Council and executed by the City Manager and ownership of the Gonsalves Property, identified on VTM No. 1693 as Unit 16c, not be transferred to Pardee Homes, then this VTM shall be deemed denied.
13. Prior to the recording of any final map and issuance of any grading permits, the First Amendment to Pacific Highlands Ranch - Subarea III NCFUA Community Park Site Purchase Agreement shall be approved by the City Council and executed by the City Manager and ownership of the Gonsalves Property, identified on VTM No. 1693 as Unit 16c, shall be transferred to Pardee Homes.
14. To the extent that portions of parcels identified in Exhibit B of the Normalization Agreement (approved by the City Council on December 10, 2001 by Resolution R-295871 on file in the Office of the City Clerk as Document No. RR-295871) are determined to be excess rights-of-way to be deeded back to Pardee as set forth in the Normalization

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Agreement, such reconveyance can occur without the need for subsequent City Council action, pursuant to that agreement, however, written approval from Caltrans is required prior to any rights-of-way being deeded back to the Pardee.

15. Should it be determined that portions of existing rights-of-way and/or easements need to be vacated, which are identified in the Cooperative Agreement for Funding the State Route 56/ Camino Santa Fe Road Interchange (approved by the City Council by Resolution No. R-295869 on file in the Office of the City Clerk as Document No. RR-295869) such rights-of-way and/or easements shall be vacated after receiving written approval of the proposed vacation from Caltrans and prior to approval of the final map which is adjacent to such right-of-way.
16. 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 the City of San Diego Municipal Code [SDMC].
17. Undergrounding of the existing and proposed public utility systems and service facilities is required according to the SDMC.
18. The subdivider shall obtain a bonded and grading permit for the grading proposed for this project. All grading shall conform to requirements in accordance with the SDMC in a manner satisfactory to the City Engineer.
19. 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.
20. The applicant shall comply with the Mitigation, Monitoring and Reporting Program [MMRP] as specified in the Findings to the Master Environmental Impact Report [MEIR], LDR No. 41-0962, satisfactory to the City Manager and 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:

Transportation/Circulation
Hydrology/Water Quality
Biological Resources
Land Form Alteration/Visual Quality
Paleontological Resources

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Public Services/Facilities
Water and Sewer Facilities
Solid Waste
Public Safety
Noise
Geology/Soils

21. The subdivider shall provide evidence to ensure that an affirmative marketing program is established.
22. All driveways and curb openings shall comply with City standard drawing G-16 and SDG-100 and with the SDMC.
23. The final map and grading plans for projects abutting State Route 56 shall be submitted to Caltrans for review.
24. 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.
25. All utilities within the SR-56 right-of-way shall be designed satisfactory to Caltrans and the City Engineer.
26. The subdivider shall install all utilities within SR-56 right-of-way, before SR-56 is paved. If Caltrans proceeds prior to the development of this subdivision, the subdivider shall coordinate the construction of the utilities with Caltrans.
27. The approval of this tentative map does not constitute the approval of SR-56 alignment and grade. These final alignments and grades may have an impact on the subject development.
28. Any work within the SR-56 right-of-way is subject to the terms of the Normalization Agreement.
29. The subdivider shall provide an access for APN 305-040-02 to Sheet "A."
30. The subdivider shall construct Del Mar Heights Road from Old Carmel Valley Road to Carmel Valley Road as a four lane modified major street. The subdivider shall dedicate 122 feet of right-of-way and shall provide curb to curb pavement width of 102', curb, gutter, and a 5 foot sidewalk within a 10 foot curb to property line distance.

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31. The subdivider shall construct Carmel Valley Road from SR-56 to Subarea IV/ Torrey Highlands boundary as a six lane/four lane modified major street. The subdivider shall dedicate 146 feet of right-of-way and shall provide 126 feet curb to curb pavement including curb, gutter and a 5 foot sidewalk within a 10 foot curb to property line distance, then transitioning to a minimum curb to curb width of 102 feet within 122 feet of right-of-way east of Del Mar Heights Road.
32. The subdivider shall construct Street "A" (Village Loop Road) as a modified 4-lane urban collector street. The subdivider shall dedicate 110 feet of right-of-way and shall provide 80 feet curb to curb pavement including curb, gutter, and a 5 foot sidewalk with a 15 foot curb to property line distance.
33. The subdivider shall construct Street "B" as a four-lane collector from Carmel Valley Road then transitioning to two-lane collector with a two-way left turn lane. The subdivider shall dedicate 92-70 feet of right-of-way and shall provide 72-50 feet of pavement including curb, gutter, and a 5 foot sidewalk within a 10 foot curb to property line distance, satisfactory to the City Engineer.
34. The subdivider shall construct a cul-de-sac at the end of Street "B." The subdivider shall dedicate a 60 foot right-of-way radius and shall provide a 50 foot curb radius, including pavement curb, gutter, and a 5 foot sidewalk within a 10 foot curb to property line distance.
35. Prior to issuance of any building permits, the applicant shall design the proposed project to accommodate the planned SR-56 freeway and Carmel Valley Road/Camino Santa Fe interchange, satisfactory to the City Engineer.
36. The subdivider shall assure the establishment of school zone in the vicinity of the school's site. The school zone should include appropriate pavement markings, signage and traffic control devices (which may include devices such as flashing beacons and traffic signals).
37. The subdivider shall construct traffic signals at the following locations:
 - a. Carmel Valley Road and Street "A" (Village Loop Road North).
 - b. Carmel Valley Road, Del Mar Heights Road and Street "A" (Village Loop Road).
 - c. Carmel Valley Road and Street "B."
 - d. Carmel Valley Road and Unit 13 main access point.
 - e. Old Carmel Valley Road and Del Mar Heights Road.

- f. Street "A" (Village Loop Road) and San Dieguito Union High School access.
- g. Street "A" (Village Loop Road) and the future Community Park access.
- h. Street "A" (Village Loop Road) and Unit 16 main access point.
- i. Street "A" (TM 41-0185 Units 5 and 11) and Carmel Valley Road.

38. Water Requirements

- a. Prior to the approval of any public improvement drawings, the Subdivider shall provide acceptable potable and reclaimed water studies satisfactory to the Director of the Water Department. The studies shall plan the pressure zone(s) and water facilities necessary to serve this development, including potable redundancy, consistent with previously accepted studies in this area. If phasing of the development is proposed, then a phasing plan shall be included in the studies. All water facilities within Units 13 and 16 (multi-family sites) shall be private unless proposed facilities comply with public standards, including easements.
- b. The Subdivider shall design and construct all public water facilities, both potable and reclaimed, as required in the accepted water studies for Pacific Highlands Ranch Subarea III, 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 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 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 right-of-way, satisfactory to the Director of the Water Department. Easements shall be located within single lots.
- e. Grants of water easements shall have the following minimum widths: water mains with mains services or fire hydrants - 30 feet with 24 feet of paving and full height curbs; across Unit 15/School site - 30 feet with 20 feet of paving; Unit 14 - 50 feet with 40 feet of paving. All paving shall conform to schedule "J" or better. Water

easements, as shown on the approved tentative map, will require modification based on standards at final engineering.

- f. The Subdivider shall provide keyed access to the Water Operations Division, in a manner satisfactory to the Director of the Water Department, 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 modified at final engineering to comply with standards.
- h. The Subdivider shall design and construct all irrigations systems, served by irrigation services, to utilize reclaimed water in a manner satisfactory to the Director of the Water Department.
- i. The Subdivider shall provide CC&Rs for the operation and maintenance of on-site private water facilities that serve or traverse more than one lot or unit.
- j. 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 36-inch pipeline in Del Mar Heights Road and Carmel Valley Road and a pressure regulating station. 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.

39. Wastewater Requirements

- a. The Subdivider shall construct their fare 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. 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.

- c. 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 re-designed.
 - d. 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 right-of-way, satisfactory to the Director of the Metropolitan Wastewater Department. Minimum easement width for sewer mains with manholes - 20 feet. The easements shall be located within single lots.
 - e. Vehicular access roadbeds shall be a minimum of 20 feet wide and surfaced with suitable approved material satisfactory to the Director of the Metropolitan Wastewater Department. Vehicular access roadbeds to sewer mains with laterals shall be a minimum of 24 foot wide and paved full width. An additional 5 feet width per additional utility is required for easements containing more than one utility. For sewer mains more than 10 feet deep, 2 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 3 feet in height at maturity shall be installed within ten feet of any public sewer facilities.
 - i. 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.
40. The subdivider shall provide adequate corner sight distance at all streets and driveways.
41. A hydrology report must be developed using the Rational and Modified Rational Method for each unit within Pacific Highlands Ranch, subject to the approval of the City Engineer.

42. Private storm drain systems and detention basins shall be privately maintained. Storm drains not located within a public street shall be private.
43. The drainage system proposed for this subdivision, is subject to approval by the City Engineer.
44. The 100 foot buffer requirements adjacent to SR-56 as shown on VTM No. 1693 are not approved. The 100 foot buffer requirements are subject to Caltrans and the City Engineer's approval.
45. A portion of this project has been identified as being within the Floodway of a Special Flood Hazard Area. 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.
46. 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 [FEMA] 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.
47. 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.
48. 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.
49. 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.
50. All fill placed within the Special Flood Hazard Area must be compacted to 95% relative compaction.
51. The subdivider shall denote on the final map and the improvement plans "Subject to Inundation" all areas lower than the base flood elevation plus 1 foot.

52. The subdivider shall grant flowage easements, satisfactory to the City Engineer.
53. The developer shall provide a downstream drainage study, satisfactory to the City Engineer, that demonstrates that no adverse impacts will occur to downstream properties as a result of the increased runoff from this development or, if substantial impacts are anticipated, what measures must be taken to mitigate such impacts.
54. 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.

55. The subdivider shall submit a Water Quality Technical Report and show the type and location of all post-construction Best Management Practices [BMPs] on the final construction drawings. All runoff from the site shall be filtered/treated for removal of pollutants prior to leaving the site. The Report shall address but not be limited to, how site design and source control have been incorporated into the project BMPs 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 BMPs and the quality of the resultant discharge.
56. Prior to any issuance of any construction permit, the Subdivider shall incorporate any construction BMPs necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the SDMC. into the construction plans or specifications.
57. Prior to the issuance of any construction permit, the subdivider shall enter into an Maintenance Agreement for the ongoing permanent BMPs maintenance.
58. Park and Recreation Requirements:

- a. Developer shall rough grade the park site, Unit 16c, Lot "1," to a minimum thirteen usable acre site containing a maximum 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. Developer shall define the amount, and costs, for the work done on and adjacent to the future park site, excluding storm sewers, prior to the recordation of any final map within the subdivision. Developer may elect to enter into an agreement, acceptable to the Facilities Financing, for compensation of these costs. Costs of grading shall be based on the pro-rata share of the entire cost of the grading.
 - b. The developer may design and construct the community park in its entirety. The developer, should they elect to design and construct the community park, shall hire a consultant, acceptable to the Park and Recreation Department, to prepare construction documents including a General Development Plan [GDP] for Pacific Highlands Ranch Units 12-16 Community Park. A separate reimbursement agreement, acceptable to the Facilities Financing, may be requested from the City by the developer.
59. 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 revegetation and hydroseeding of all 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 Development Plan, dated February 25, 2003, on file in the Office of the Development Services Department. The Subdivider shall assure by permit and bond the installation of landscaping per landscape construction documents.
60. The subdivider shall submit for review, a Landscape Maintenance Agreement for all landscape improvements within and adjacent to the public right-of-way. The approved Landscape Maintenance Agreement shall be recorded and bonded prior to recording of the final map.
61. Open Space Requirements
- a. Lot A is to be granted in fee, to the City, at no cost, for open space. Said lot shall be free and clear of all private easements, private encroachments, private agreements and liens.
 - b. Lot B shall have an Building Restriction Easement and be owned and maintained by the Home Owners Association.

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- c. No Brush Management is permitted on City fee owned open space. All brush management must be located on private property, Lots 1-16 of Unit 12.
62. The Affordable Housing Requirements of Planned Development Permit No. 9181/Site Development Permit No. 9182, dated February 25, 2003, on file in the Office of the Development Services Department, are here by incorporated by reference into this VTM. The subdivider shall comply with the affordable element of the Pacific Highlands Ranch 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 the accompanying PDP Permit No. 9181/SDP Permit No. 9182. Such Permit shall become utilized upon recordation of the Final Map.
63. 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 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.
64. 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 .

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