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HEET

RESOLUTION NUMBER R- 303495

DATE OF FINAL PASSAGE MAR 11 2008

WHEREAS, PARDEE HOMES, Owner/Subdivider, and LATITUDE 33, Engineer, submitted an application to the City of San Diego for a Vesting Tentative Map No. 8295, for the subdivision of a undeveloped site, located between El Camino Real and Old El Camino Real, south of San Dieguito Road, and legally described as that portion of the South Half of the Northwest Quarter of Section 7, Township 14 South, Range 3 West, San Bernardino Base Meridian, as described in Deed to Lorraine W. Conley, recorded March 11, 1965 as File/Page No. 36083 of Official Records of San Diego County, in the City of San Diego, County of San Diego, State of California. The above property is described as Parcel 5 on Certificate of Compliance, recorded May 23, 1997 as File No. 1997-02417997 of Official Records in the AR-1-1 Zone in the North City Future Urbanizing Area Subarea II; and

WHEREAS, the map proposes the subdivision of a 41.83 acre site to create a 15-lot subdivision; ten lots for single family residential development, one open space lot dedicated in fee to the City of San Diego and one homeowners association lot for a private drive and three homeowners association lots for slopes and other improvements; and

WHEREAS, on January 24, 2008, the Planning Commission of the City of San Diego considered Vesting Tentative Map No. 8295, and pursuant to Resolution No. 4363 -PC voted to recommend City Council approval of the map; and

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WHEREAS, the project complies with the requirements of a preliminary soils and/or geological reconnaissance report pursuant to the Subdivision Map Act and Section 144.0220 of the Municipal Code of the City of San Diego; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented;

WHEREAS, on MAR 11 2008, the Council of the City of San Diego considered Vesting Tentative Map No. 8295, and pursuant to Section 125.0440 of the Municipal Code of the City of San Diego and Subdivision Map Act Section 66428, received for its consideration written and oral presentations, evidence having been submitted, and heard testimony from all interested parties at the public hearing, and the Planning Commission 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 Vesting Tentative Map No. 8295:

1. The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan (LDC section 125.0440(a) and Subdivision Map Act Sections 66473.5, 66474(a), and 66474(b)).
2. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code (LDC section 125.0440(b)).
3. The site is physically suitable for the type and density of development (LDC section 125.0440(c) and Subdivision Map Act Sections 66474(c) and 66474(d)).

4. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat (LDC section 125.0440(d) and Subdivision Map Act Section 66474(e)).
5. The design of the subdivision or the type of improvements will not be detrimental to the public health, safety, and welfare (LDC section 125.0440(e) and Subdivision Map Act Section 66474(f)).
6. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision (LDC section 125.0440(f) and Subdivision Map Act Section 66474(g)).
7. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (LDC section 125.0440(g) and Subdivision Map Act Section 66473.1).
8. The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources (LDC section 125.0440(h) and Subdivision Map Act Section 66412.3).
9. The design of the proposed, privately-owned underground utilities that will be constructed within the subdivision are consistent with accepted engineering practices and meet the requirements of San Diego Municipal Code section 144.0240 and Council Policy No. 600 25-Underground Conversion of Utility Lines at Subdivider's Expense.

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

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BE IT FURTHER RESOLVED, that Vesting Tentative Map No. 8295, is hereby granted to Pardee Homes, Owner/Subdivider, Applicant and Latitude 33, Engineer, subject to the attached conditions which are made a part of this resolution by this reference.

APPROVED: MICHAEL AGUIRRE, City Attorney

By Marianne Greene  
Marianne Greene  
Deputy City Attorney

MG:js  
02/21/2008  
Or.Dept: DSD  
R-2008-649

CONDITIONS FOR VESTING TENTATIVE MAP NO. 8295

RANCHO VALLEY FARMS – PROJECT NO. 5029

ADOPTED BY RESOLUTION NO. R- 303495 N MAR 11 2008

**GENERAL**

1. This Vesting Tentative Map will expire MAR 11 2011.
2. Compliance with all of the following conditions shall be assured, to the satisfaction of the City Engineer, prior to the recordation of the Final Map, unless otherwise noted.
3. A Final Map shall be recorded in the Office of the County Recorder, prior to the expiration of the Vesting Tentative Map.

**AFFORDABLE HOUSING**

4. Prior to recording the final map, the Subdivider shall pay a fee to the San Diego Housing Commission in conformance with the North City Future Urbanizing Area [NCFUA] Framework Plan requirements for affordable housing based on the current fee amount at that time. The current rate of the fee is equal to \$4,480 per market rate unit, and is subject to change. The payment of the fee may be deferred until the issuance of the first building permit provided that the Subdivider executes an agreement with the San Diego Housing Commission prior to recording the final map.

**ENGINEERING**

5. The final map shall comply with the provisions of Coastal Development Permit No. 419844/ Site Development Permit No. 8292/ Planned Development Permit No. 8294/Neighborhood Use Permit No.411907.
6. The Subdivider shall underground all proposed public utility systems and service facilities in accordance with the San Diego Municipal Code.
7. The Subdivider shall construct one 25-foot wide drive way at the project's entrance. The driveway curb opening shall comply with City Standard Drawings G-14A, G-16 and SDG-100.
8. The Subdivider shall enter into a Maintenance Agreement for the ongoing permanent Best Management Practices [BMP's] maintenance.

9. Prior to the issuance of any construction permit, the Subdivider shall incorporate any construction Best Management Practices [BMP's] necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.
10. Prior to the issuance of any construction permit the Subdivider shall incorporate and show the type and location of all post-construction BMP's on the final construction drawings, in accordance with the approved Water Quality Technical Report.
11. The drainage system proposed for this subdivision, as shown on the approved vesting tentative map, is private and subject to approval by the City Engineer.
12. The Subdivider shall obtain a bonded engineering 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.
13. 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.

14. The Subdivider shall denote on the final map and the improvement plans "Subject to Inundation" all areas lower than the base flood elevation plus two feet.
15. The Subdivider shall obtain an Encroachment Maintenance and Removal Agreement for the brow ditch, located at the northerly end of the project, within the Old Camino Real right-of-way.
16. The Subdivider shall provide adequate sight distance on Old Camino Real and the proposed driveway. The subdivider shall grant sight visibility easements as required. No trees, slopes, landscape or any other object that would prohibit visibility will be permitted within the easement area or line of sight.

17. The Subdivider shall grant a storm water storage easement over the detention basin to the City of San Diego.
18. Conformance with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, is required. Only those exceptions to the General Conditions which are shown on the Vesting 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.

### MAPPING

19. "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].
20. "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."
21. The design of the subdivision shall include private easements, if any, serving parcels of land outside the subdivision boundary or such easements must be removed from the title of the subdivided lands prior to filing any parcel or final map encumbered by these easements.
22. 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.
  - 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.

## **SEWER AND WATER**

23. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any public sewer facilities.
24. 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.
25. 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.
26. The Subdivider shall provide evidence, satisfactory to the Metropolitan Wastewater Department Director, indicating that each lot will have its own sewer lateral or provide CC&R's for the operation and maintenance of on-site private sewer mains that serve more than one lot.
27. 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.
28. Prior to the approval of any public improvement drawings, the Subdivider shall provide acceptable water studies satisfactory to the Water Department Director. 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.
29. The Subdivider shall design and construct all public water facilities, as required in the accepted water studies, necessary to serve this development. Water facilities, as shown on the approved Vesting Tentative Map, will require modification based on the accepted water studies and to maintain redundancy throughout construction phasing at final engineering.
30. The Subdivider shall install fire hydrants at locations satisfactory to the Fire Department and the City Engineer.
31. The Subdivider shall grant adequate water easements, including vehicular access to each appurtenance, meters, blow offs, valves, fire hydrants, et cetera, for all public water facilities that are not located within fully improved public rights-of-way, satisfactory to the Water Department Director.



32. The Subdivider shall design and construct new 8-inch water main in the private driveway within an adequate General Utility Easement from Old El Camino Real to the end of the private driveway, in a manner satisfactory to the Water Department Director and the City Engineer.
33. The Subdivider shall design and construct new water service(s) outside of any driveway, in a manner satisfactory to the Water Department Director and the City Engineer.
34. The Subdivider agrees to design and construct all public water facilities in accordance with established criteria in the most current edition of the City of San Diego Water Design Guide and City regulations, standards and practices pertaining thereto. Water facilities, as shown on the approved tentative map, will be modified in accordance with standards and requirements at final engineering.

#### **GEOLOGY**

35. Prior to the issuance of an engineering permit for grading, a geotechnical report shall be submitted and approved by the City Engineer in accordance with the City of San Diego's Technical Guidelines for Geotechnical Reports.

#### **TRANSPORTATION**

36. The Subdivider shall construct Old El Camino Real as a two lane Collector Street along the project's development footprint frontage. The Subdivider shall dedicate sixty feet of right-of-way and shall provide forty feet of pavement curb to curb including curb, gutter and a four foot wide sidewalk, six inch landscape strip, and five foot trail within a ten foot curb to property line distance, satisfactory to the City Engineer.
37. The Subdivider shall provide a cul-de-sac with a 35-foot curb radius with curb, gutter and trail, satisfactory to the City Engineer.

#### **PARKS AND OPEN SPACE**

38. Lot "A" shall be deeded to the city as open space and shall be free and clear of all private easements, private encroachments, private agreement and/or liens.
39. Lot "C" shall have a non-vehicular public access easement placed over the trail.

#### **LANDSCAPE**

40. Prior to recording the final map, 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 improvements, slope revegetation and hydroseeding of all disturbed

land in accordance with the Landscape Standards, Exhibit "A" and to the satisfaction of the City Manager.

41. Prior to issuance of any engineering permits for public improvements, the plans shall indicate the street trees, area and location in the Lots D and E. The Site Plan shall be submitted to the City Manager for approval. Plans shall provide for a 40 square-foot area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.
42. Prior to recording the final map, the Subdivider shall submit interim landscape/ erosion control and permanent irrigation (if applicable) construction documents for slope revegetation and hydroseeding of all disturbed land for all development area only, exclusive of Lot A in accordance with the Exhibit "A", the Landscape Standards and to the satisfaction of the City Manager.
43. Prior to issuance of any grading permit, to include slope restoration, the Owner/Permittee shall enter into a Landscape Establishment/Maintenance Agreement [LEMA] to assure long-term establishment and maintenance of the slope areas. The LEMA shall be approved by the Landscape Section of Development Services and the City Manager. The agreement shall commence prior to release of the performance bond with Subdivider posting a new bond to cover the terms of the agreement.
44. Construction Documents for grading shall include the following note: "Installation of landscaping associated with these construction documents shall require a minimum short-term establishment period of 120 days for all native/naturalized slope restoration and a minimum long-term establishment/maintenance period of 25 months. Final approval of the required landscaping shall be to the satisfaction of the Mitigation Monitoring Coordination section of the Development Services Department."

#### PLANNING

45. Prior to issuance of an engineering permit, the Subdivider shall indicate on the grading plans the grading and construction of a proposed five foot wide, all weather engineered surface as indicated on the Vesting Tentative Map, to the satisfaction of the City Engineer. The engineered surface shall be suitable for all users as determined by the Park and Recreation Department and City Engineer.

#### INFORMATION:

- The approval of this Vesting Tentative Map by the Council of 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.).

- Subsequent applications related to this Vesting Tentative Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- This development may be subject to impact fees, as established by the City Council, at the time of issuance of building permits.
- 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.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Vesting Tentative Map, may protest the imposition within ninety days of the approval of this Vesting Tentative Map by filing a written protest with the City Clerk pursuant to California Government Code Section 66020.
- Where in the course of development of private property, public facilities are damaged or removed the property owner shall at no cost to the City obtain the required permits for work in the public right-of-way, and repair or replace the public facility to the satisfaction of the City Engineer. San Diego Municipal Code section 142.0607.

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