

RESOLUTION NUMBER R- 310941

DATE OF FINAL PASSAGE FEB 07 2017

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO GRANTING TENTATIVE MAP NO. 1299345 FOR
THE SOUTHVIEW EAST PROJECT – PROJECT NO. 371807.

WHEREAS, Southview Development Partners, L.P., Subdivider, and SB&O Inc., Engineer, submitted an application to the City of San Diego for a Tentative Map No. 1299345 for the subdivision of a vacant 21.2-acre site and the development of 86 multi-family condominium units. The project site is located east of the intersection of Airway Road and Caliente Avenue and south of State Route 905, in the AR-1-1 Zone within the Otay Mesa Community Plan area; and

WHEREAS, the property is legally described as the remainder lot of Southview, Map No. 15984, dated July 16, 2014; and

WHEREAS, the Map proposes the Subdivision of a 21.2-acre site into six lots for residential development (two residential lots, two open space lots and two homeowners association lots); and

WHEREAS, the project complies with the requirements of a preliminary soils and/or geological reconnaissance report pursuant to Subdivision Map Act sections 66490 and 66491(b)-(f) and San Diego Municipal Code section 144.0220; and

WHEREAS, the subdivision is a condominium project as defined in California Civil Code section 4125 and filed pursuant to the Subdivision Map Act. The total number of condominium dwelling units is 86; and

WHEREAS, on December 1, 2016, the Planning Commission of the City of San Diego considered Tentative Map No. 1299345, and pursuant to Resolution No. 4823-PC the Planning Commission voted to recommend City Council approval of the Map; 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 a 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; and

WHEREAS, on FEB 07 2017, the City Council of the City of San Diego considered Tentative Map No. 1299345, and pursuant to San Diego Municipal Code section 125.0440 and Subdivision Map Act section 66428, received for its consideration written and oral presentations, evidence having been submitted, and testimony having been heard from all interested parties at the public hearing, and the City Council having fully considered the matter and being fully advised concerning the same; NOW THEREFORE,

BE IT RESOLVED by the City Council of the City of San Diego, that it adopts the following findings with respect to Tentative Map No. 1299345:

1. The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan. (San Diego Municipal Code § 125.0440(a) and Subdivision Map Action §§ 66473.5, 66474(a), and 66474(b)). The undeveloped 21.2-acre project site would be subdivided into six lots for the development of 86 multi-family residential condominium units. The site contains Environmentally Sensitive Lands (ESL), including wetland, upland and disturbed habitats. The project is located in the Southwest District of the Otay Mesa Community Plan (OMCP) which designates the site for Residential Medium Density at a rate of 15 to 29 dwelling units per acre (du/ac).

The project would develop 5.6 acres of the site with residential condominium units (Lots 1 and 2), with the remainder consisting of storm water treatment areas and manufactured slopes (Lots 3 and 4) and conserved open space (Lots 5 and 6). The development of 86 units on 5.6

acres equals 15.4 du/ac, which meets the minimum density of 15 du/ac recommended by the Community Plan.

The project includes onsite preservation of 12.9 acres of open space within a Covenant of Easement (COE) (Lots 5 and 6), which includes 5.1 acres of Multiple Habitat Planning Area (MHPA) and 7.8 acres of non-MHPA open space. To ensure the COE area is properly maintained and protected, a Habitat Manager must be identified and funded in perpetuity pursuant to the project's Habitat Management Plan (HMP). All project biological impacts would be mitigated onsite within the COE, as described in the EIR Addendum and Mitigation, Monitoring and Reporting Program (MMRP) prepared for this project. The project has been designed to comply with the MHPA land use adjacency guidelines and incorporates a 100-foot wetland buffer. The project features described above further the OMCP Recreation Element Policy No. 7.2-1 to maintain Spring Canyon in its natural state, the Conservation Element Policy No. 8.1-2 to preserve a network of open and relatively undisturbed canyons and No. 8.1-5 to implement City regulations and Biology Guidelines for preservation, acquisition, restoration, management and monitoring of biological resources.

The project includes a system of interconnected sidewalks that provide pedestrian access to all units as well as scenic overlooks, landscaped areas and benches facing the open space to the east, which includes MHPA, Spring Canyon and the non-MHPA open space to be conserved as part of this project. The project has been designed to use the open space as a focal point, providing residents with amenities that connect with the natural environment. These features further the OMCP's Open Space and Parks Policy No. 2.6-2 to create a close relationship between the natural environment of Spring Canyon and development, the Mobility Element goal to create a pedestrian sidewalk network that allows for safe and comfortable walking through the community, Recreation Policy No. 7.2-4 to locate scenic overlooks adjacent to Spring Canyon and the Urban Design Element goal for an urban form that reflects land and topography as an amenity.

The project would be accessed from the adjacent project's private street systems, providing connectivity between the neighborhood streets and sidewalks which furthers the OMCP Mobility Element Policy No. 3.3-1 to provide interconnected streets and project circulation systems. The project furthers the Mobility Element Policy No. 3.3-8 to acquire needed Airway Road right-of-way (ROW) by dedicating the required onsite ROW with an Irrevocable Offer of Dedication (IOD). Airway Road currently terminates in a cul-de-sac in the west-central portion of the site and does not resume until approximately two miles east at the intersection of Cactus Road. The impacts of roadway installation have been analyzed in the project's EIR Addendum and payment of the Facilities Benefit Assessment (FBA) fees for the Otay Mesa Public Facilities Financing Plan (PFFP), which includes Airway Road, is required at ministerial permit issuance.

The project includes a noise wall adjacent to SR-905 to ensure the General Plan Noise Compatibility Guidelines for interior noise levels are met. Incorporation of the noise wall furthers the OMCP Noise Element Goal to minimize exposure of residential uses to excessive motor vehicle traffic noise. The requested deviation to allow an eight-foot wall where six feet are allowed facilitates implementation of the noise wall. Please see Planned Development Permit Finding No. 3 for additional information regarding project deviations.

The project furthers implementation of both the General Plan Conservation Element and OMCP Conservation and Sustainability Element's goals by incorporating design features and standards such as compliance with Title 24 standards as of 2013, which are estimated to exceed Title 24 standards as of 2008 by 15%; installation of low-flow fixtures, water-efficient landscaping, and water-efficient irrigation systems to minimize water usage indoors and outdoors as required by the City Landscape Water Conservation Ordinance; installation of cool roofs and energy-efficient appliances that meet EnergyStar requirements to minimize energy usage indoors; use construction products that meet California requirements for low-VOCs in various types of construction materials to minimize indoor emissions; use recycled/sustainable materials for construction materials to reduce waste; compliance with the City's ordinances related to C&D debris, recyclable materials storage and recycling to reduce solid waste generated during construction/occupancy; and installation of electric vehicle charging infrastructure in the parking areas to encourage use of alternative fuels for occupant's automobiles. The project would also incorporate drought-tolerant and low-water demand landscaping with extensive street trees to reduce the urban heat island effect. Therefore, the proposed development will not adversely affect the applicable land use plan.

2. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code. (San Diego Municipal Code § 125.0440(b)). The site is currently zoned AR-1-1, which is an Agricultural/Residential zone that accommodates a range of agricultural uses and single-family residential development at a very low density with a minimum lot size of 10 acres. This low-density zoning designation is inconsistent with the Otay Mesa Community Plan land use designation for the site, which calls for Residential Medium Density development at a rate of 15 to 29 du/ac. The project includes a rezone for 16.1 acres of the site located outside of the MHPA to RM-2-6 and the 5.1 acres inside the MHPA to OR-1-2. Staff is supportive of the requested Rezone as it allows implementation of the Community Plan land use and density, is consistent with the adjacent multi-family developments and protects the onsite MHPA lands.

As proposed and conditioned, the project complies with the majority of the applicable development regulations of the proposed zones, including density, height, floor area ratio, internal setbacks, parking and useable private open space requirements of the proposed RM-2-6 zone. The project includes two deviation requests to the perimeter setback and retaining wall height standards, which may be allowed with the approval of a Planned Development Permit (PDP). The deviations requested are reasonable and will result in a better project consistent with the purpose and intent of the PDP regulations. The purpose of the PDP regulations is to provide flexibility in the application of development regulations for projects where strict application of the base zone development regulations would result in a less desirable project. The intent of the PDP regulations is to accommodate an equitable balance of development types, intensities, styles, site constraints, project amenities, public improvements and public benefits.

The site is unique in that there are four main constraints. The SR-905 is located north of the project site which generates traffic noise that impacts the ability of the project to comply with the General Plan Noise Compatibility Guidelines for interior noise levels. The project site also includes existing MHPA and non-MHPA open space lands to the east that would be preserved in a Covenant of Easement (COE). Also, the project is considered a continuation of the

under-construction multi-family developments to the west and as such must be integrated in a complimentary and harmonious manner.

The perimeter setback deviation for Lot 1 would allow a 15-foot front yard setback where 20 feet is otherwise required and a 10-foot interior side yard setback where 94 feet (10% of lot width) is otherwise required. For Lot 2 the deviation would allow a 15-foot front yard setback where 20 feet is otherwise required and a 10-foot interior side yard setback where 68 feet (10% of lot width) is otherwise required. Based on the overall design and considering that this project is a continuation of the approved developments to the west, staff is supportive of the setback deviations. Reducing the setbacks allows the project to better integrate with the adjacent Tesoro and Vista del Sur projects. The reduced setback also allows the development area to shift to the west, closer to the existing development and away from the open space and MHPA lands to the east.

The retaining wall deviation would allow a maximum wall height of eight feet where six feet is otherwise allowed. The areas of deviation would be the noise attenuation wall along the SR-905 frontage and portions of the downslope walls which face the open space areas. Staff is supportive of the deviation as the walls would be appropriately landscaped and help mitigate noise impacts from SR-905. Therefore, the proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code, including any allowable deviations pursuant to the land development code.

3. The site is physically suitable for the type and density of development. (San Diego Municipal Code § 125.0440(c) and Subdivision Map Act §§ 66474(c) and 66474(d)). The undeveloped 21.2-acre project site would be subdivided into six lots for the development of 86 multi-family residential condominium units. The site contains Environmentally Sensitive Lands (ESL), including wetland, upland and disturbed habitats. The project is located in the Southwest District of the Otay Mesa Community Plan (OMCP) which designates the site for Residential Medium Density at a rate of 15 to 29 dwelling units per acre (du/ac). The project would develop 5.6 acres of the site with residential condominium units (Lots 1 and 2), with the remainder consisting of storm water treatment areas and manufactured slopes (Lots 3 and 4) and conserved open space (Lots 5 and 6). The development of 86 units on 5.6 acres equals 15.4 du/ac, which meets the minimum density of 15 du/ac recommended by the Community Plan.

The project site is located in a developing area and is surrounded by existing or under-construction development to the west, SR-905 to the north, an under-review, a 500-unit multi-family residential development to the south and undeveloped MHPA and non-MHPA open space lands to the east. The majority of the site consists of flat to gently inclined ground surfaces with a small portion of Spring Canyon located in the northeast portion of the site. Onsite elevations range from a high of approximately 529 feet Mean Sea Level (MSL) in the western portion of the site to approximately 505 MSL in the eastern central portion of the site.

Access to the residential units would be provided from the approved private internal street systems of the adjacent multi-family projects to the west with no additional driveways onto Airway Road required. All utility facilities required to serve the subdivision are private and available from the adjacent developments. The more sensitive eastern half of the site would

remain undeveloped in a 12.9-acre Covenant of Easement (COE), which would include the existing 5.1 acres of MHPA and 7.8 acres of non-MHPA open space.

To ensure the COE area is properly maintained and protected, a Habitat Manager must be identified and funded in perpetuity pursuant to the project's Habitat Management Plan (HMP). All biological impacts associated with the development would be mitigated onsite in the COE area. Based on the relatively level terrain of the site, its proximity to existing similar development, the availability of site access and required utilities and the ability to preserve the most environmentally sensitive areas, the site is physically suitable for the type and density of development.

4. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. (San Diego Municipal Code § 125.0440(d) and Subdivision Map Act § 66474(e)). The 21.2-acre project site is located in a developing area and is surrounded by existing or under-construction development to the west, SR-905 to the north, an under-review, a 500-unit multi-family residential development to the south and undeveloped MHPA and non-MHPA open space lands to the east. The subdivision design locates the residential parcels on the western half of the site, adjacent to existing multi-family developments. The subdivision has been designed to take access from the adjacent project's private street systems, providing connectivity between the neighborhood streets and sidewalks without requiring additional road improvements and associated environmental impacts.

The more sensitive eastern half of the site which includes Wetland, Riparian and Upland habitats would remain undeveloped in a 12.9-acre Covenant of Easement (COE), which would include the existing 5.1 acres of MHPA and 7.8 acres of non-MHPA open space. To ensure the COE area is properly maintained and protected, a Habitat Manager must be identified and funded in perpetuity pursuant to the project's Habitat Management Plan (HMP). The 10.32 acres of direct biological project impacts identified in Addendum to EIR No. 30330/304032 would be mitigated onsite within the COE. The subdivision facilitates the protection of the COE open space described above through the creation of Lots 5 and 6.

The subdivision includes the creation of Lots 3 and 4, which would contain the storm water retention and filtration basins required for compliance with the City's storm water runoff requirements. These basins direct runoff away from the MHPA, protecting the adjacent habitat from storm water runoff and erosion. Lots 3 and 4 also include the project's manufactured slope areas, which would be stabilized and planted with appropriate drought-tolerant and non-invasive vegetation in compliance with the City's MHPA adjacency guidelines and brush management requirements. Therefore, the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

5. The design of the subdivision or the type of improvement will not be detrimental to the public health, safety, and welfare. (San Diego Municipal Code § 125.0440(e) and Subdivision Map Act § 66474(f)). The project will not be detrimental to public health, safety and welfare in that the permit controlling the development and continued use of the site contains specific conditions addressing compliance with the City's codes, policies,

and regulations, as well as other regional, state, and federal regulations to prevent detrimental impacts to the health, safety and general welfare of persons residing and/or working in the area.

Conditions of approval require compliance with operational constraints and development controls, the review of all construction plans by professional staff to determine construction will comply with all regulations, and the inspection of construction to assure construction permits are implemented in accordance with the approved plans, and that the final product will comply with all regulations.

An Addendum to the Otay Mesa Community Plan Final EIR No. 30330/304032 (OMCP FEIR) has been prepared for this project. The Addendum determined that there are no new significant environmental impacts not considered in the OMCP FEIR; no substantial changes have occurred with respect to the circumstances under which the project was undertaken and there is no new information of substantial importance to the project. Mitigation is required for project-level impacts related to Biological Resources, Historical Resources and Noise, as described in the Mitigation, Monitoring and Reporting Program (MMRP) which would be implemented with the project to reduce potential impacts to below a level of significance. All biological impacts associated with the development would be mitigated onsite.

Access to these units would be provided from the approved private internal street systems of the adjacent Tesoro and Vista del Sur projects to the west with no additional driveways onto Airway Road required. All utility facilities required to serve the subdivision are private and available from the adjacent projects as well. Therefore, the proposed subdivision or the type of improvement would not be detrimental to the public health, safety and welfare.

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. (San Diego Municipal Code § 125.0440(f) and Subdivision Map Act § 66474(g)). The 21.2-acre project site is located in a developing area and is surrounded by existing or under-construction development to the west, SR-905 to the north, an under-review, a 500-unit multi-family residential development to the south and undeveloped MHPA and non-MHPA open space lands to the east. The site is bisected by Airway Road, which currently terminates in a cul-de-sac in the west-central portion of the site and does not resume until approximately two miles to the east at the intersection of Cactus Road. To facilitate construction of the unfinished portion of Airway Road an Irrevocable Offer of Dedication (IOD) for the approximately 760 linear feet of undeveloped road located onsite is required. The impacts of roadway installation have been analyzed in the project's EIR Addendum and payment of the Facilities Benefit Assessment (FBA) fees for the Otay Mesa Public Facilities Financing Plan (PFFP), which includes Airway Road, is required at ministerial permit issuance.

The project would be accessed from the adjacent project's private street systems, providing connectivity between the neighborhood streets and sidewalks, with no additional driveways onto Airway Road required. All utility facilities required to serve the subdivision are private and are available from the adjacent developments and there are no easements acquired by the public at large for access through or use of the property within the proposed subdivision.

The project is located within the FAA Part 77 Noticing Area, however FAA noticing is not required because the proposed structures would not exceed the height threshold requiring FAA notification. The site is also located in the Brown Field Airport Influence Area 2. Because the project is compatible with the Otay Mesa Community Plan land use designation, is not within the Airport Approach Overlay Zone (AAOZ) and is located outside of the Airport Land Use Compatibility Plan (ALUCP) 60 decibel (dB) Community Noise Equivalent Level (CNEL), the use is considered compatible and a Consistency Determination was not required from the Airport Land Use Commission (ALUC).

Therefore, 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.

7. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities. (San Diego Municipal Code § 125.0440(g) and Subdivision Map Act § 66473.1). The proposed subdivision of a 21.2-acre parcel into six lots for the construction of 86 multi-family residential condominium units will not impede or inhibit any future passive or natural heating and cooling opportunities. The design of the subdivision has taken into account the best use of the land to minimize grading and preserve environmentally sensitive lands. The majority of the structures are oriented in a north-south direction with private driveways and courtyards separating the structures, which allows sunlight exposure and air circulation. Building placement will not impede or inhibit any future passive or natural heating and cooling opportunities and allows for cross-ventilation from the prevailing winds. With the independent design of the proposed subdivision each structure will have the opportunity through building materials, site orientation, architectural treatments, placement and selection of plant materials to provide to the extent feasible, for future passive or natural heating and cooling opportunities.

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. (San Diego Municipal Code § 125.0440(h) and Subdivision Map Act § 66412.3). The undeveloped 21.2-acre project site would be subdivided into six lots for the development of 86 multi-family residential condominium units. The project design clusters the development on the western half of the site, immediately adjacent to existing multi-family developments, minimizing impacts to available onsite environmental resources. The more sensitive eastern half of the site would remain undeveloped in a 12.9-acre Covenant of Easement (COE), which would include the existing 5.1 acres of MHPA and 7.8 acres of non-MHPA open space. To ensure the COE area is properly maintained and protected, a Habitat Manager will be identified and funded in perpetuity pursuant to the project's Habitat Management Plan (HMP). All biological impacts associated with the development would be mitigated within the onsite COE.

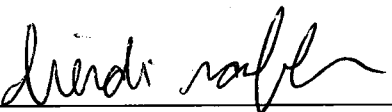
The effect of the proposed subdivision on the housing needs of the region will be to provide 86 new market-rate, multi-family residential condominium units, and meeting these housing needs are balanced against the needs for public services and the available fiscal and environmental resources. The applicant will satisfy the SDMC Inclusionary Housing regulations via payment of the inclusionary affordable housing fee pursuant to the inclusionary Housing

regulations. Development Impact fees related to public improvements will be paid at the ministerial permit phase.

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

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the City Council, Tentative Map No. 1299345 is hereby granted to Southview Development Partners, L.P., contingent upon final passage of O- 20796 rezoning the site from the existing AR-1-1 zone to the RM-2-6 and OR-1-2 zones, and subject to the attached conditions which are made a part of this resolution by this reference.

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Heidi K. Vonblum
Deputy City Attorney

HKV:nja
12/21/16
Or.Dept: DSD
Doc. No.: 1409738

Attachment: Tentative Map Conditions

CITY COUNCIL

CONDITIONS FOR TENTATIVE MAP NO. 1299345
SOUTHVIEW EAST – PROJECT NO. 371807 [MMRP]

ADOPTED BY RESOLUTION NO. R- 310941 ON FEB 07 2017

GENERAL

1. This Tentative Map will expire on February 7, 2020.
2. Compliance with all of the following conditions shall be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordation of the Final Map, unless otherwise noted.
3. Prior to the recordation of the Final Map, taxes must be paid on this property pursuant to Subdivision Map Act section 66492. To satisfy this condition, a tax certificate stating that there are no unpaid lien conditions against the subdivision must be recorded in the Office of the San Diego County Recorder.
4. The Final Map shall conform to the provisions and conditions of Planned Development Permit No. 1299342 and Site Development Permit No. 1821449.
5. The Subdivider shall defend, indemnify, and hold the City (including its agents, officers, and employees [together, "Indemnified Parties"]) harmless from any claim, action, or proceeding, against the City and/or any Indemnified Parties to attack, set aside, void, or annul City's approval of this project, which action is brought within the time period provided for in Government Code section 66499.37. City shall promptly notify Subdivider of any claim, action, or proceeding and shall cooperate fully in the defense. If City fails to promptly notify Subdivider of any claim, action, or proceeding, or if City fails to cooperate fully in the defense, Subdivider shall not thereafter be responsible to defend, indemnify, or hold City and/or any Indemnified Parties harmless. City may participate in the defense of any claim, action, or proceeding if City both bears its own attorney's fees and costs, City defends the action in good faith, and Subdivider is not required to pay or perform any settlement unless such settlement is approved by the Subdivider.

ENGINEERING

6. Per the City of San Diego Street Design Manual-Street Light Standards, and Council Policy 200-18, the Subdivider shall install a new street light adjacent to the site at the northeast corner of Private Driveway "L" and Airway Road, satisfactory to the City Engineer.
7. The Subdivider shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Director and the City Engineer.

BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way.

8. The Subdivider shall provide a letter agreeing to prepare CC&Rs for the operation and maintenance of all private water and sewer facilities that serve or traverse more than a single condominium unit or lot.
9. The Subdivider shall ensure that all onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The Subdivider shall provide written confirmation from applicable utilities that the conversion has taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.

MAPPING

10. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source shall be the California Coordinate System, Zone 6, North American Datum of 1983 [NAD 83].
11. "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."
12. All subdivision maps in the City of San Diego are required to be tied to the California Coordinate System of 1983 (CCS83), Zone 6 pursuant to section 8801 through 8819 of the California Public Resources Code.
13. 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 First Order accuracy. 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.
14. An Irrevocable Offer to Dedicate (IOD) a 122-foot right-of-way plus slope easements for Airway Road along the project frontage to station 19+00, as shown on Exhibit "A" shall be granted on the Final Map to the satisfaction of the City Engineer.

PUBLIC UTILITIES

15. Prior to the recordation of the Final Map, the Subdivider shall obtain Encroachment and Maintenance Removal Agreement (EMRA) for proposed improvements of any kind, including utilities, landscaping, enriched paving, and electrical conduits to be installed within the public- right-of-way or public easement.
16. Prior to Recordation of the Final Map, the Subdivider shall sign and provide to the City a letter acknowledging their obligation and intent to create, via CC&Rs on each Unit's title, provisions for the continuous future operation and maintenance of the development's private sewer main in a manner satisfactory to the Public Utilities Director and the City Engineer.
17. All proposed public water and sewer facilities, must be designed and constructed in accordance with established criteria in the most current edition of the City of San Diego Water and Sewer Facility Design Guidelines and City regulations, standards and practices pertaining thereto.
18. All on-site water and sewer facilities shall be private.
19. All proposed private sewer facilities located within a single lot are to be designed to meet the requirements of the California Plumbing Code and will be reviewed as part of the building permit plan check or public standards per City of San Diego Sewer Design Guide.
20. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any sewer and five feet of any water facilities.

GEOLOGY

21. Prior to the issuance of a grading permit, the Subdivider shall submit a geotechnical report prepared in accordance with the City of San Diego's "Guidelines for Geotechnical Reports," satisfactory to the City Engineer.

LANDSCAPE/BRUSH MANAGEMENT

22. Prior to recordation of the Final/Parcel Map, the Owner/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 the hatched areas: "Indicates fire hazard zone(s) per Section 142.0412 of the Land Development Code."

INFORMATION:

- The approval of this Tentative Map by the City 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 § 1531 et seq.).
- If the Subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), the Subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design guides and City regulations, standards and practices pertaining thereto. Off-site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.
- Subsequent applications related to this Tentative Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Tentative Map, may protest the imposition within ninety days of the approval of this Tentative Map by filing a written protest with the San Diego City Clerk pursuant to Government Code sections 66020 and/or 66021.
- Where in the course of development of private property, public facilities are damaged or removed, the Subdivider 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 § 142.0607).

Passed by the Council of The City of San Diego on FEB 07 2017, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage FEB 07 2017.


(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

(Seal)

By , Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- 310941