

CITY COUNCIL RESOLUTION NO. _____
 CONDITIONS FOR VESTING TENTATIVE MAP NO. 1579190
THE NEW ONE PASEO - PROJECT NO. 451328: MMRP
DRAFT

GENERAL

1. This Vesting Tentative Map will expire on _____.
2. Prior to the Vesting Tentative Map expiration date, a Final Map shall be recorded in the Office of the San Diego County Recorder.
3. 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.
4. 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.
5. The Final Map shall comply with the provisions of Amendments to the General Plan, Carmel Valley Community Plan and the Carmel Valley Employment Center Precise Plan No. 1579193, Site Development Permit No. 1579191 and Neighborhood Development Permit No. 1579192.
6. The Subdivider shall comply with the mitigation requirements in the Mitigation, Monitoring, and Reporting [MMRP] No. 451328.
7. 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

8. Pursuant to City Council Policy 600-20, the Subdivider shall provide evidence to ensure that an affirmative marketing program is established.
9. City drawing No. 23217-D (for mass grading and improvements) was approved as part of

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- the previous Tentative Map. A construction change to this drawing is required and shall be as-built prior to issuance of any additional grading and/or improvement permits on this site.
10. The Subdivider shall underground existing and/or proposed public utility systems and service facilities in accordance with the San Diego Municipal Code.
 11. The Subdivider shall relinquish abutter's rights on Del Mar Heights Road across the existing Del Mar Heights Place right-of-way and revest abutter's rights across the project's proposed one signalized driveway entrance on Del Mar Heights Road.
 12. The Subdivider shall construct City standard curb ramps with truncated domes at all signalized entrances and at the southwest corner of Del Mar Heights Road and El Camino Real.
 13. The Subdivider shall construct three City standard commercial driveways, on El Camino Real and one City standard commercial driveway on Del Mar Heights Road per Standard Drawings SDG-163.
 14. The Subdivider shall obtain an Encroachment Maintenance and Removal Agreement for private storm drains, landscape and irrigation located within the City's right-of-way and access easements.
 15. The drainage system for this project shall be private and will be subject to approval by the City Engineer.
 16. The Subdivider shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to requirements in accordance with the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.
 17. The Subdivider shall comply with all current street lighting standards according to the City of San Diego Street Design Manual (Document No. 297376, filed November 25, 2002) and the amendment to Council Policy 200-18 approved by City Council on February 26, 2002 (Resolution R-296141) satisfactory to the City Engineer. This may require (but not be limited to) installation of new street light(s), upgrading light from low pressure to high pressure sodium vapor and/or upgrading wattage.
 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. RR-297376.

MAPPING

19. "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].

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20. 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 and may impose reasonable conditions, such as off-site public improvements, that shall become requirements of final map approval for a particular unit.
21. 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 residential unit.
22. "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."
23. 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.

PUBLIC UTILITIES

24. The Subdivider shall grant water easements, as shown on the approved tentative map Exhibit "A", satisfactory to the Public Utilities Director and the City Engineer. Easements shall be located entirely within one lot or parcel and adjacent to the property line.
25. Prior to the recording of the Final Map, all public water and sewer facilities shall be complete and operational in a manner satisfactory to the Public Utilities Director and the City Engineer.

GEOLOGY

26. 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

27. Prior to the recordation of the final map, the Owner/Subdivider shall submit complete landscape construction documents, including plans, details, and specifications (including a permanent automatic irrigation system unless otherwise approved), for required right-of-way and median improvements, and the revegetation of all disturbed land in accordance with the Landscape Standards and to the satisfaction of the Development Services Department. The landscape construction documents shall be in substantial conformance with Exhibit 'A,' Landscape Development Plan, on file in the Office of the Development Services Department. The Owner/Subdivider shall assure by permit and bond the installation of landscaping per landscape construction documents.

TRANSPORTATION

28. Prior to the recordation of the first final map the Subdivider shall provide an Access Easement Agreement containing the legal description of the properties involved, the reason for the agreement, and the conditions of the agreement to ensure perpetual mutual access for all lots within the development.
29. Prior to recordation of the first final map, the Subdivider shall dedicate 12-30 feet of right-of-way along the project frontage on Del Mar Heights Road, per Exhibit "A," to add westbound left turn lanes and eastbound right turn lanes, satisfactory to the City Engineer. This includes an 8-foot wide non-contiguous sidewalk within a 22-foot landscaped parkway.
30. Prior to recordation of the first final map, the Subdivider shall dedicate 7-21 feet of right-of-way along the project frontage on El Camino Real, per Exhibit "A," to add southbound right turn lanes, satisfactory to the City Engineer. This includes an 8-foot wide non-contiguous sidewalk within a 17-foot landscaped parkway.
31. Prior to recordation of the first final map, the Subdivider shall assure by permit and bond the construction of a signalized intersection on Del Mar Heights Road and Driveway "A" including widening to provide two westbound left turn lanes and an eastbound right turn lane, satisfactory to the City Engineer.
32. Prior to recordation of the first final map, the Subdivider shall assure by permit and bond the construction of a fourth leg to the signalized intersection on El Camino Real and Highlands Town Center Driveway/ Driveway "D" (private driveway) including widening to provide a southbound right turn lane, satisfactory to the City Engineer.
33. Prior to recordation of the first final map, the Subdivider shall provide visibility easements along the El Camino Real frontage as shown on Exhibit "A," satisfactory to the City Engineer.

INFORMATION:

- The approval of this Vesting 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.
- 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.
- 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.
- 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 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).

Internal Order No. 24000155