

RESOLUTION PC 14-4397

A RESOLUTION OF THE CITY OF SAN MARCOS PLANNING COMMISSION
RECOMMENDING APPROVAL TO THE CITY COUNCIL OF TENTATIVE
SUBDIVISION MAP 13-004 FOR CONSTRUCTION OF A MAXIMUM OF 346
RESIDENTIAL UNITS ON A MAXIMUM OF 269 LOTS (RESIDENTIAL 189,
PRIVATE COMMON 49, FUTURE PARK 1, OPEN SPACE 6,
PRIVATE/INTERIOR STREETS 24), 129 ACRES TO REMAIN AS OPEN SPACE
AND APPROXIMATELY 38 ACRES TO BE DEVELOPED AS PARKLAND WITHIN
THE HEART OF THE CITY SPECIFIC PLAN

Case No. TSM 13-004
Hanson Aggregates Pacific Southwest, Inc.
(P13-0062)

WHEREAS, an application was received from Hanson Aggregate Pacific Southwest, Inc., requesting a Tentative Subdivision Map to develop of up to 346 residential units and 129 acres of open space located on 248 acres of vacant land south of Craven Road and West of Twin Oaks Valley Road within the Heart of the City Specific Plan, more particularly described as:

The Southwest corner of Section 14, portion of Section 15, 22 & 23,
Township 12 South, Range 3 west, San Bernardino Meridian.
Assessor's Parcel Number: 220-080-09, 220-080-59; 220-081-03;
Portion of 222-170-21; 222-170-22; 222-180-27; 222-190-14

WHEREAS, the Development Services Department did study and recommend approval of said request; and

WHEREAS, Development Services held a public workshop on August 5, 2012 for the proposed project; and

WHEREAS, the required public hearing was advertised for March 24, 2014, and was duly advertised in the manner prescribed by law, and was continued to April 7, 2014; and

WHEREAS, the Planning Commission did consider and recommend approval of a Mitigated Negative Declaration (ND 14-001) on said request pursuant to the California Environmental Quality Act; and

WHEREAS, the Planning Commission has considered said Tentative Subdivision Map and the recommendation of its staff, the City Engineer, the Director of Public Health, the Director of the Department of Sanitation and Flood Control, and the Chief of the San Marcos Fire Department with respect thereto, and has determined that the conditions hereinafter enumerated are necessary to insure that the subdivision and the improvements thereof will conform to all ordinances, plans, rules, standards, and improvements and design requirements of the City of San Marcos; and

WHEREAS, the applicant/developer proposes to file a Final Map on said subdivision; and

AGENDA ITEM
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WHEREAS, the Planning Commission's decision is based upon the following findings and determinations:

1. Said Tentative Subdivision Map (TSM 13-004) complies with the adopted Heart of the City Specific Plan (SP 13-006).
2. The proposed map is consistent with the General Plan in that it includes a city park and residential product type totaling up to 346 units and that it complies and/or implements the land use designations for open space, a recreational trail corridor and density as indicated in the Land Use Element, Parks and Recreation Element, Conservation Element as well as implementation of the Mobility Element relative to major thoroughfares and road systems.
3. The site is physically suitable for this type of subdivision;
4. The design of this subdivision and improvements will not cause public health problems;
5. The design or improvements will not conflict with any easements acquired by the public at large for access;
6. The proposed Tentative Subdivision Map (TSM 13-004) is in conformance with the goals, policies and objectives of the adopted Heart of the City Specific Plan, in that the design guidelines will result in a quality housing product blending in with the constraints of the site and which insures better compatibility with the surrounding area.
7. The proposed Tentative Subdivision Map (TSM 13-004), as conditioned, will not be detrimental to the public health, safety, morals and welfare in that adequate public facilities and infrastructure including fire, police, water, sewer, drainage, and road capacity are being provided.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED as follows:

- A. The foregoing recitals are true and correct.
- B. Said Tentative Subdivision Map (TSM 13-004) complies with the requirements of the City Subdivision Ordinance, and the Subdivision Map Act.
- C. A Mitigated Negative Declaration (ND 14-001) was previously approved pursuant to the California Environmental Quality Act covering potential impacts of the Tentative Subdivision Map.
- D. Said Tentative Subdivision Map (TSM 13-004) is hereby approved pursuant to the City Subdivision Ordinance and no waiver of any requirement of said Ordinance is intended or implied except as specifically set forth in this Resolution.
- E. Within ten (10) days after the adoption of the Resolution, any interested person may appeal the foregoing finding of this Commission to the City Council. No final Map shall be approved, no grading permit issued, and no building permits issued for permits for other temporary uses until after the expiration of the tenth (10th) day following the adoption of

the Resolution, or if an appeal was taken, until the City Council has sustained the determination of this Commission.

- F. The approval of this Tentative Subdivision Map (TSM 13-004) expires within two years from date of approval. The Final Map conforming to this conditionally approved Tentative Subdivision Map (TSM 13-004) shall be filed with the City Council in time so that the Council may approve said maps before their expiration, unless prior to that date, the Planning Commission or City Council subsequently grants a time extension for the filing of the Final Map, or as provided for in the City's Subdivision Ordinance and the Subdivision Map Act. It is the applicant/developer's responsibility to track the expiration date. Failure to request an extension will result in a refile of the Tentative Subdivision Map and new processing of the map.
- G. Within thirty days of the date of TSM 13-004 approval, or January 2, 2015, whichever occurs first, the applicant shall pay the City sales tax in the amount of \$1,281,530.
- H. Upon recording of a Final Map, or December 31, 2015, whichever occurs first, the applicant shall dedicate Lot 191, without compensation, to the City of San Marcos for the future use as a city park. Said park shall be in fee title, for general municipal purposes. Lot 191 shall be free and clear of any encumbrances and TSM shall be revised to reflect this transfer of ownership. In the event TSM 13-004 expires prior to recordation of a final map, the City agrees that a PFF credit of \$1,000,000 shall apply towards any subsequent development of the subject property. This condition of approval shall be reflected in an agreement between the City and applicant recorded in the Office of the San Diego County Recorder.
- I. Applicant shall provide the City with evidence that prior to sale of the property, the subject purchaser has filed a "Letter of Financial Responsibility" with the State Office of Mine Reclamation and has posted the required reclamation bond.
- J. Prior to recording the Final map or issuance of any permit, the applicant/developer shall comply with the following conditions:
 - 1. The following comments are pertaining to the Tentative Subdivision Map referenced as "Rancho Coronado Village "M" Tentative Map" submitted by Fuscoe Engineering (October 1, 2013) and stamped by the city and received on November 12, 2013. The required changes are as follows:
 - a. Sheet 1
 - 1) Provide total number of lots including private streets.
 - 2) Show access to future park west of Street "A".
 - b. Sheet 2
 - 1) Correct all cross-sections to be consistent with conditions of approval.
 - c. Sheet 3

- 1) Applicant/developer shall seek regulatory approval necessary to install a second point of vehicular access from street A/B to Lot 191. In the event such approval is infeasible due to the environmentally nature of the impacted area, the Applicant/developer will work in cooperation with the City to identify and improve a secondary emergency access point for Lot 191 acceptable to the San Marcos Fire Department.

d. Sheet 4 (Area "A")

- 1) Drivable emergency access shall be provided between Streets C and D, west of Lots 7 and 8.
- 2) BMP 3 (Lot F) shall be a bio-retention basin with a recorded public drainage easement. Fee title shall be held by the Homeowner's Association.
- 3) All residential lots sizes in "Area A" shall be not be less than 3,910 square feet.
- 4) Provide locations & sizes of recreation lots as required per Specific Plan.
- 5) The residential product on Lots 63-72 shall be designed with garage facing the internal streets with the main/front entrance facing the public street (Street A) and/or open space lots (Lot F) based on location of lot with access pending final review & approval by the Planning Director.
- 6) Lots 53-63, applicant/developer shall obtain permission to grade in an effort to create a usable greenbelt.
- 7) Applicant/developer shall provide a play lot design on Lot "G" (in Area A) or Lot "Q" (in Area B) meeting the minimum 2,500 square feet of usable area with recreational equipment for a specific age group. The recreation equipment for selected age group shall be reviewed and approved by Community Services Director.

e. Sheet 5 (Area "B")

- 1) Separate lots for BMP 6 and BMP 7 shall be created.
- 2) BMP 7 shall be a bio-retention basin with a recorded public drainage easement. Fee title shall be held by the Homeowner's Association.
- 3) The lot summaries for Lots 105 through 117 shall be revised after subtracting the area of the bio-retention basin from each individual lot. Revise the Lot Summary table to demonstrate each lot meets the minimum lot size.
- 4) A 15 foot wide "flat" public trail easement shall be shown on the west side of BMP 5. Said easement shall extend from the existing Violet Avenue trail easement southerly to Street "A". Grading for the trail shall be depicted representing a "flat" 15 foot wide surface.
- 5) If applicable, Lot 191 shall be extended to Street "A"/"B" roundabout right of way as shown on Sheet 3.

- 6) All residential lots sizes in "Area B" shall be not be less than 2,880 square feet.
- 7) Lots 105-117 shall be recorded with an easement for access and maintenance through BMP #7. The establishment of the easement shall not reduce the size of the lot to accommodate the residential prototype for Area B.
- 8) The residential product on Lots 105-126 shall be designed with garage facing the internal streets with the main/front entrance facing the public street (Street A & B) with access design approved by the Planning Director.

f. Sheet 6 (Area "C" & "D")

- 1) All residential lots sizes in "Area C" shall be not be less than 2,440 square feet.
- 2) All residential lots sizes in "Area D" shall be not be less than 1,840 square feet.
- 3) Applicant/developer shall provide a pocket park design on Lot "EE" meeting the minimum 2,500 square feet of usable area (excluding all easements) with equipment for a selected age group pending final review and approval by the Community Services Director.
- 4) The residential product on Lots 127-130, & 149-153 shall be designed with garage facing the internal streets with the main/front entrance facing the public street (Street A & B) with access design pending final review and approved by the Planning Director.
- 5) Applicant/developer shall demonstrate that the Prototype for Area "D" on Lot 149 shall work, otherwise a modified design shall be submitted for final review and approval by the Planning Director.
- 6) Street "M" shall be extended as an emergency access to Village Drive at Carnation Court. A roundabout shall be shown on said intersection. The roundabout shall not impact the existing lots north of Village Drive.
- 7) South of the roundabout intersection at Crimson Court and Village Drive North, the proposed 18 foot wide driveway shall be shifted towards lot 149 creating a better alignment. This driveway shall function as an emergency access consisting of a turf block surface with an approve knox box system by the Fire Marshal.
- 8) Revise Lot 149 to accommodate the residential prototype in Area "D".

g. Sheet 7 (Area "C" & "D")

- 1) The grading shall show how the existing South Lake Dam spillway will convey its flow through the project.
- 2) Access to the Vallecitos Water District property line shall be shown.

- 3) The connections to the existing 14" VWD transmission main shall be shown.

h. Sheet 8

- 1) The northerly lot line of Lot OO shall be realigned to conform with the future access road and/or manufactured slope alignment.
2. Developer shall work with the Community Services Director in selecting a usable lot identified in conditions J. 1. d. 7., and J. 1. f. 3., to be converted to a private mini park. Final design & location is pending final approval by the Community Services Director. Developer shall comply with Table 6 (Standards for Private Recreation Area) per the Heart of the City Specific Plan.
 3. Revise the plans to demonstrate that the 150 foot fire buffer measured from residential structure to the natural vegetation outside of the restored habitat area is maintained.
 4. If it is determined, due to the requirement of the 150 foot fire buffer, the existing channel shall be realigned on Lots 192, 193, & 194. Prior to approval of any residential structures, the applicant/developer shall obtain all necessary regulatory permits to demonstrate that after the realignment of the channel, there is a sufficient buffer for any habitat areas plus the 150 foot fire buffer. Pending a final design and approval, there may be a reduction of residential units to meet the 150 feet.
 5. Temporary drivable access into Lot 191 shall be provided.
 6. All storm drains conveying public drainage shall be public and shall be constructed with reinforced concrete pipe (RCP) unless otherwise approved by the City Engineer.
 7. Private streets shall be provided with lot numbers.
 8. Applicant/developer shall demonstrate to both Developmental Services and the Fire Marshall that the private gated entrances meet standards for turn around design & fire access.
 9. Public drainage easement shall be depicted on all public storm drains and their widths shall comply with the latest County of San Diego Drainage Design Manual.
 10. Public storm drains running parallel to slopes or sidewalks are not permitted unless approved by the City Engineer.
 11. A fire truck turning sheet shall be included in the tentative map demonstrating turning movements for all public and private streets are to the satisfaction of the Fire Marshal.
 12. A public trail shall be shown within Lots 192, 193, and 194. The terminus points of said trail shall be to the satisfaction of the City and applicable regulatory agencies.

13. The applicant, Hanson Aggregates Pacific Southwest, Inc. shall post a security for the design, permitting, construction, and inspection of the ultimate South Lake spillway. The applicant, Hanson Aggregates Pacific Southwest, Inc, shall obtain State Division of Safety of Dam (DSOD), Vallecitos Water District (VWD) and City of San Marcos approval of the South Lake Dam ultimate spillway construction documents prior to 50% of residential building permit issuance. No additional building permits will be issued without said spillway approval. Furthermore, the applicant, Hanson Aggregates Pacific Southwest, Inc., shall construct the South Lake Dam ultimate spillway prior to 80% of residential building permit issuance. No additional building permits will be issued without said spillway construction. Security will be returned to the applicant once the ultimate spillway construction has been accepted by the jurisdictional agencies.
14. All internal streets shall be private streets with exception of Street A & B.
15. Developer/Applicant shall comply with all provisions and requirements set forth in the San Marcos Municipal Code, City ordinances, City policies and City resolutions, and with all applicable state and federal regulations, whether or not such provisions or requirements have been specifically set forth in these conditions, all of which are now incorporated herein by reference and fully set forth at this point.
16. Prior to issuance of a grading permit or recordation of the map, the developer shall submit an exhibit depicting the maintenance items to be privately maintained by the Homeowner' Association or by the Community Facilities District (CFD) for review and approval by Developmental Services.
17. The bio-retention basins located in the rear of Lots 105-117 shall be maintained by the CFD and held in fee title by the Homeowner's Association. Pedestrian access to the front doors of the residential units in Area "B" shall be provided to the satisfaction of the Planning Division Director and City Engineer.
18. All private concrete terrace drains shall be maintained by the homeowner's association (if on commonly owned property). An appropriately worded statement clearly identifying the responsibility shall be placed in the CC&R's and on any appropriate plans and maps.
19. Non-residential lots shown on the tentative subdivision map shall be designated as lettered lots on the Final Map(s) and identified.
20. The developer shall establish Covenants, Conditions and Restrictions (CC&R's) for the proposed project to assure the continued maintenance and operation of all open space and common areas, recreational facilities and improvements as follows:
 - a. The applicant and all persons, firms or corporations owning the property subject to this subdivision at the time of the recording of the Final Maps and their heirs, administrators, executors, successors and assignees, shall operate, maintain and repair the open space, recreational facilities and improvements for common use and benefit of the residents, approved by

the City Council primarily for the benefit of the residents, and shall continue to operate, maintain and repair such open space, facilities, improvements for common use and benefit of the residents, until such time as the operation and maintenance of said recreational facilities and improvements are assumed by the Open Space/Landscape District approved by the City Council.

- b. The maintenance and operation of said open space, recreational facilities and improvements for common use and benefit of the residents shall be assured through establishment of an Open Space/Landscape District capable of maintaining and operating said open space, recreational facilities and improvements and providing for the participation by owners of all dwelling lots within said subdivision in the cost and maintenance and operation and the enforcement of such participation.
- c. The City Attorney shall approve the wording of by-laws and articles of incorporation of the proposed Homeowner's Association in writing prior to the creation of said Homeowner's Association.
- d. Prior to the filing of the Final Map(s) of this subdivision, the applicant/developer shall grant to the City by separate document and at no cost to the City, an Open Space easement over all open space areas. Such separate documents shall be worded in accordance with requirements of the City Attorney.
- e. The lot(s) designed for recreational use shall include such passive and active amenities such as trails, picnic tables, tot lots with type and quantity of play equipment and grass areas. Said recreational amenities shall be delineated as part of the combined master recreation/landscape plan for the project's Specific Plan. All plans for recreation areas shall be approved by the Community Services Director.
- f. At the time said Final Map(s) are recorded in the Office of the County Recorder, there also shall be recorded a document signed by all persons, firms, and corporations having an interest in the property shown on said Final Maps and by the City of San Marcos. Said document shall be in a form satisfactory to the City Attorney of the City of San Marcos, shall provide for the enforcement of its terms by the City of San Marcos, and shall establish for the benefit of all property shown on said Final Maps, a restriction that the area to be used as open space and for recreational facilities be for the use and benefit of the occupants of the property shown on said Final Maps.
- g. Said document shall provide that said restriction shall run with the land and bind all owners of the property shown on said Final Maps and their successors for a period of 20 years from the date of recording the restriction, after which time the restriction shall be automatically

extended for successive periods of 20 years, unless an instrument signed by a majority of the then owners of the dwelling lots and by the City of San Marcos has been recorded agreeing to change the restriction in whole or in part.

- h. At the same time the Final Maps are recorded, there shall also be recorded a document, signed by all persons, firms and corporations having an interest in the property shown on the Final Maps, whereby said persons, firms and corporations accept the terms and conditions of this Tentative Subdivision map and agree with the City of San Marcos to comply therewith. Said document shall be in a form satisfactory to the City Attorney of the City of San Marcos.
 - i. CC&R's shall be approved by the City prior recordation of any maps associated with the tracts.
- 21. All lots must meet minimum lot size after subtracting public easements.
- 22. A conservation easement shall be placed over all on-site mitigation. Additionally, the applicant shall insure that the biological open space is deeded to a nature conservancy acceptable to the Planning Division Director for maintenance and monitoring purposes.
- 23. Any lands providing mitigation/preservation for the project shall be held in perpetuity in accordance with a long term habitat management plan to be approved by the City and the Wildlife Agencies along with an endowment to an acceptable conservancy for the long term maintenance rather than the HOA.
- 24. The applicant/developer shall submit plans and specifications for improvement of all streets, rights-of-way (landscaping/irrigation) and drainage facilities to the City of San Marcos ("City") Engineering Division for approval. Plans shall include all off-site improvements as specified by the City Engineer. In addition, a signage and striping plan shall be included with the improvement plans utilizing CalTrans standards and acceptable to the City Engineer.
- 25. Improvement plans shall delineate street alignments and grades including the change of any existing or proposed street alignments and grades required by the City Engineer and City's "Urban Street Design Criteria" in effect at the time of project approval.
- 26. The applicant/developer of the property shall bear the expense of all on-site and offsite grading and construction of curb, gutter, sidewalk, paving, street lights, utility undergrounding or relocation, and drainage facilities, as required by the City Engineer.
- 27. The applicant/developer shall dedicate to the City of San Marcos easements or rights-of-way for all public streets, utilities, drainage facilities and appurtenances

thereto, and all other interests in real property required by these conditions and as shown on the tentative map. All property or property interests (including Lot 191 (City Park)) shall be granted to the City free and clear of all liens and encumbrances and without cost to the City and free of environmental hazards, hazardous materials or hazardous wastes.

28. Street "A" (Backbone Street extension of Santa Barbara Street) shall be dedicated by the applicant/developer along the subdivision frontage based on full width of 56 feet to 72 feet.
29. Street "B" (Village Drive) shall be dedicated by the applicant/developer along the subdivision frontage based on a full width of 63 feet.
30. Applicant/developer shall seek regulatory approval necessary to install a second point of vehicular access from street A/B to Lot 191. In the event such approval is infeasible due to the environmentally sensitive nature of the impacted area, the Applicant/developer will work in cooperation with the City to identify and improve a secondary emergency access point for Lot 191 acceptable to the San Marcos Fire Department.
31. A 15 foot "flat" trail easement shall be dedicated for the Violet Avenue trail extension.
32. A drainage easement shall be dedicated for the 42" diameter public storm drain extension running within Lot 144 and EE and within Streets "M" and "K".
33. A drainage easement shall be dedicated for the 72" diameter storm drain extension (near Street "A").
34. A 15 "flat" foot wide drainage easement shall be dedicated for the Violet Avenue storm drain extension (west side of BMP 5).
35. If required by VWD, a public drainage easement shall be dedicated for the temporary dam overflow channel located in Lots 194 and 195.
36. All Community Facility District (CFD) landscape slopes shall be dedicated as CFD landscape maintenance easements. Applicant/developer shall dedicate any required municipal access easements to said slopes.
37. The applicant/developer shall dedicate to the City any excess upland mitigation acreage after satisfying all regulatory requirements for the tentative subdivision map.
38. A note shall be placed on the final subdivision map that no further development on Lot 195 (MU4 parcel - with exception that rough grade and/or spillway improvements shall occur) without approval of the Specific Plan Amendment and

related entitlements. Said note shall also disclose the existing South Lake spillway will need to be relocated which will require jurisdictional agency approvals.

39. Any private improvements within the public street right of way or easements will require City approval and recordation of an encroachment permit. Said permit shall be to the satisfaction of the City Attorney.
40. Where proposed off-site improvements including but not limited to streets, slopes, public utility facilities, and drainage facilities are to be constructed, the applicant/developer shall obtain all necessary easements or other interests in real property and shall dedicate the same to the City as required. The applicant/developer shall provide documentary proof satisfactory to the City that such easements or other interest in real property have been obtained prior to the approval of the final map.
41. If said dedication and easements are not acquired after negotiations between the private parties, the applicant/developer shall submit a written request and provide sufficient information not later than sixty (60) days prior to filing of any final map for approval, in accordance with Section 19.16.110 of the City's of San Marcos Municipal Ordinance, in order for the City to initiate condemnation proceedings as necessary for offsite acquisition of property. In any case, the applicant/developer shall be responsible for all costs incurred in acquiring offsite property.
42. Direct vehicular access rights to all lots abutting Twin Oaks Valley Road, Street "A" and Street "B" shall be relinquished to the City on the Final Map.
43. Street "A" (Backbone Street – Santa Barbara extension) shall be designed to a full width Complete Street Collector street standard. Said design shall include traffic calming, roundabouts, sidewalk, bike lanes, landscaping, streetscape decorative features, pedestrian lighting, water quality and hydromodification, to the satisfaction of the City Engineer and Planning Director. All pavement sections shall be designed to ultimate structural section.
44. The Village Drive extension (Street "B") shall be designed to a full width Modified Collector street standard. Said design shall include a 10 foot DG trail, 10 foot urban trail, landscaping, water quality and hydromodification.
45. A multi-use trail with landscaping shall be designed along the westerly side of Street "A".
46. A 10 foot wide trail with 5 wide foot landscape buffer shall be designed along Twin Oaks Valley Road to the satisfaction of the City Engineer.
47. A guard rail or other crash barrier shall be constructed along Twin Oaks Valley Road and Street "A" as required by the latest Caltrans Traffic Manual. Said barrier shall be to satisfaction of the City Engineer. Additional right of way may be

required in order to accommodate said barrier unless otherwise approved by the City Engineer.

48. The Violet Avenue trail extension shall be designed as a 10 foot wide trail with 5 foot wide landscape buffer.
49. The two Twin Oaks Valley Road storm drain and Violet Avenue storm drain extensions shall be designed to the satisfaction of the Public Works Director/City Engineer.
50. The applicant/developer shall provide a design for the main channel to the satisfaction of the City Engineer, Planning Director, and applicable regulatory agencies.
51. All existing easements shall be quitclaimed or satisfy to the City Engineer that said easement will be quitclaimed prior to issuance of any building permit.
52. The applicant/developer shall provide a design for the relocation of the existing Vallecitos Water District water transmission main within the Street "A" alignment.
53. The applicant/developer shall coordinate with the Vallecitos Water District and if required by VWD, provide a design for upgrading the Santa Barbara Drive and Craven Road sewer main.
54. The applicant/developer shall provide access to the adjacent Vallecitos Water District property line consistent with terms of the existing access easement in favor of VWD.
55. The applicant/developer shall provide a design to modify the existing signal at South Village Drive and Twin Oaks Valley Road to the satisfaction of the City Engineer. Said design shall also include any traffic striping/signage modifications.
56. The applicant/developer shall provide a design to provide bike lanes and traffic calming along Santa Barbara Drive to Craven Road to the satisfaction of the City Engineer.
57. The applicant/developer shall update the South Lake Dam Breach Inundation Study to the satisfaction of the City of San Marcos and California Emergency Management Agency based on the proposed grading in or adjacent to the existing inundation channel.
58. The applicant/developer shall provide proof with conditions of approval that all regulatory agency approvals have been obtained and any permit requirements have been satisfied. Said proof shall also include compliance with the existing Habitat Loss Permit. Regulatory permits shall be shown on the grading plans.

59. The applicant/developer shall provide a design to the satisfaction of the City Engineer and Regulatory Agencies to replace the existing 48" CMP pipes (or provide another acceptable solution) that are discharging into Discovery Lake.
60. All storm drain outfalls to the BMP basins and main channel shall be designed to blend into the surrounding landscape in order to minimize the aesthetic impact. Said design shall be to the satisfaction of the City Engineer and Planning Director.
61. The applicant shall reimburse the City for the applicable costs of the Rancho Coronado Village backbone (Santa Barbara Street) & CIP design efforts and permit approval, in the amount of \$700,000, upon the recordation of a final map, or June 30, 2015, whichever occurs first.
62. The exact alignment, width and design of all median islands, turning lanes, travel lanes, driveways, striping, and all other traffic control devices and measures, including turnouts, bike lanes, and width transitions, shall be approved by the City Engineer.
63. For new traffic signals or signal modification(s), an in-lieu fee will be required for development of a traffic signal timing plan. Said fee shall be to the satisfaction of the City Engineer.
64. The applicant/developer shall coordinate with the North Country Transit District.
65. The design of all private streets and/or drainage systems for this project shall be approved by the City Engineer. The structural section of all private streets shall conform to City of San Marcos Standards based on R-value tests. All private streets and/or drainage systems shall be inspected by the City, and the standard plan check fees and inspection fees shall be paid and appropriate bonds shall be posted with the City prior to approval of the Final Map for this project.
66. The exact depth of street structural section and subgrade requirement shall be determined based on subgrade "R" value tests and the appropriate Traffic Index for the type of street as described in the City's "Urban Street Design Criteria". All existing streets shall be "core tested" to determine the existing structural section and the extent of overlay or reconstruction necessary to achieve the required structural section described above. Tests shall be taken by a qualified engineer at locations approved by the Director of Public Works.
67. Improvement plans shall show all existing and proposed drainage, water quality, and hydro-modification facilities including surface and subsurface construction. All drainage channels shall be lined with a suitable material as approved by the City Engineer. All required drainage easements shall be monumented along the boundaries as approved by the City Engineer. Access easements shall be provided where necessary and shall be improved, fenced and aligned to the satisfaction of the City Engineer and/or the Director of Public Works.

68. The applicant/developer shall post securities to the City of San Marcos, in amounts approved by the City Attorney and the City Engineer or their designees, for the construction of all public and private improvements including but not limited to the following: grading and erosion control, street improvements, traffic signals, storm drain facilities, water quality BMP's, landscaping, and off-site street repair. Said security shall be in a form acceptable to the City and shall remain in force until completion of the project and final approval by the City. Said security shall insure the construction of the "Approved" public improvements within a period to be specified in the Subdivision Improvement Agreement. The City may require 10% of said securities to be in the form of cash.
69. The applicant/developer shall enter into a phased Subdivision Improvement Agreement with the City to complete the public improvements and all required off-site transitions within a negotiated number of days from the issuance of grading permits, or satisfy the City Engineer that said work is in a suitable stage toward completion by the deadline.
70. Proposed streets shown on the Tentative Map shall be given lettered designations, until such time as requested names are approved by the City's Street Naming Committee. The applicant/developer shall submit a "Primary" street name and two (2) alternate names for each street shown on the Tentative Map, following the procedure outlined for naming streets by the Engineering Division. Street name signs shall be installed by the applicant/developer as part of the subdivision improvements.
71. The Final Map shall indicate that all streets, drainage, street lights, street signage and striping improvements within the interior of this subdivision designated as private shall remain private and be maintained by a Individual Homeowners Association/Master Homeowners Association, or such other provision for maintenance which may be subsequently approved by City Council.
72. A LED vapor street lighting system shall be shown on the street improvement plans and shall be installed at locations specified by the City Engineer at no cost to the public.
73. The applicant/developer shall pay all applicable fees and deposit with the City a sum of money sufficient to energize, operate and maintain the public street landscaping (medians and parkways) and lighting system for a period of eighteen (18) months.
74. All open space lots and slopes that the City agrees to maintain must comply with City's slope criteria for maintenance by CFD 98-02, including access (maintenance & fire protection), benching and terrace/drainage requirements as set forth per the City's Grading Ordinance.
75. All trail systems fronting and within the project shall be dedicated and designed per the City of San Marcos' Master Trails Plan and to the satisfaction of the

appropriate City Departments.

76. All public trails, parks, and open space areas shall be dedicated to the City for "general municipal purposes" as required by the City of San Marcos. All open space areas and lots shall be provided with adequate access for maintenance from a public street with a ten (10) feet minimum wide flat access way.
77. Landscape maintenance for publicly dedicated open space, multi trail systems, and bioretention basins shall be accomplished by the applicant/developer for a minimum period of two (2) years, which may be extended, until such time as accepted into the Landscaping and Lighting District. Prior to acceptance by the City, the applicant/developer shall be required to submit a detailed irrigation and maintenance schedule and a detailed estimate of the anticipated annual costs for maintenance and utilities. The purpose of this provision is to ensure that landscaping is established.
78. The applicant/developer shall ensure that prospective purchasers sign an assessment disclosure statement fully explaining the fact they are in the City's Landscaping and Lighting District. The disclosure shall indicate what the projected assessments are anticipated to be, both in the near future and at ultimate subdivision build out.
79. The applicant/developer shall make necessary arrangements with each of the serving utilities, including cable television, for the undergrounding of all utilities fronting, abutting, or within the property with the exception of sixty-nine (69) KVA or greater power lines within the site. Overhead power (less than 69 KVA) and other utility lines currently on 69 KVA transmission poles/towers shall be relocated underground along the subdivision boundary.
80. The applicant/developer shall include underground utility plans within the City street improvement plan set which demonstrates no above ground utility facilities will be located within view of the public streets. Any exceptions shall be at the discretion of the Planning Director and City Engineer.
81. The applicant/developer shall comply with all rules, regulations and design requirements of the respective sewer and water agencies regarding services to the project.
82. The applicant/developer shall comply with the annexation process into the Vallecitos Water District.
83. The permanent placement of Vallecitos Water District's large meter services, detector checks, fire hydrants, etc., along circulation element streets shall be placed outside of the ultimate right-of-way, trail easement, to avoid reconstruction or modification of same.
84. The applicant/developer shall ensure adequate infrastructure for water and sewer

capacity for the future City Park (Lot 191).

85. The approval of this project does not guarantee that potable water and/or sewer capacity will be available for the project at the time of grading or building permit application.
86. The applicant/developer shall submit executed versions of separate petitions to annex into and establish, with respect to the property, the special taxes levied by the following Community Facilities Districts (CFD):
 - a. CFD 98-01, Improvement Area No. 1, Police Only
 - b. CFD 2001-01, Fire and Paramedic
 - c. CFD 98-02, Lighting and Landscape
 - i. The project shall be annexed as a Special Improvement Area (SIA).
 - ii. Annexation fee shall be \$12,500.
 - iii. Applicant/developer shall submit a SIA and CFD boundary exhibit during the first submittal of the final map and/or grading and improvement plans.
 - iv. Applicant/developer shall submit a maintenance exhibit which depicts the CFD and HOA maintenance obligations.
 - v. CFD 98-02 SIA shall include a fair share maintenance component for Discovery Lake. Said maintenance may include but not be limited to aeration and algaecide.
 - d. CFD 2011-01, Congestion Management

Additionally a special Improvement area shall be formed with respect to CFD 98-02 for the ongoing maintenance services provided by the city for improvements being installed above and beyond the City standards, installed by the developer as shown on the Special Improvement Area Exhibit. No final map or permit will be issued without receipt of a petition for annexation and consent and waiver executed by the property owners for each of the above-referenced Community Facilities Districts for the establishment of the special taxes. In lieu of annexation the developer/applicant may pay a fee for each CFD consentient with the pre-payment option laid out in each CFD's formation documents. The applicant/developer shall be responsible for compliance with all rules, regulations, policies and practices established by State Law and/or the City with respect to the Community Facilities Districts including, without limitation, requirements for notice and disclosure to future owners and/or residents.

87. Separate CFD and private/HOA landscape plans shall be submitted to the City for review and approval.
88. The applicant/developer shall maintain all CFD projects as defined by the City's "Two-Year Maintenance & Establishment" guidelines. As a condition to begin this period, Developers shall provide the City with a signed copy of the maintenance contract to cover the two-year requirement and also provide the City with a Maintenance Bond to cover 150% of the maintenance costs.
89. Prior to Final Map approval, the applicant/developer shall comply with Section

66436 of the Government Code by furnishing to the City Engineer a certificate from each of the public utilities and each entity owning easements within the proposed subdivision stating that:

- a. They have received a copy of the proposed Final Map from the applicant/developer.
 - b. They object or do not object to the filing of the Final Map without their signature.
 - c. In the case of a street dedication affected by their existing easement, they will sign a "Subordination Agreement" on the map when required by the Governing Board.
90. No engineering permit shall be construed as providing exemption to applicable or adopted city standards. Any changes or modifications to City adopted, obligatory, or conditioned standards shall not occur without the explicit permission of the City Engineer or his designee. Where these standards are in conflict Developer/Applicant shall bear the responsibility of garnering clarification from the City Engineer. Unless a standard variance has been issued, no variance from City Standards is authorized by virtue of approval of this project of issuance of an engineering permit.
 91. The Final Map shall show the gross and net acreage of all parcels created.
 92. The Final Map shall use the California Coordinate System of 1983 for its "Basis of Bearings" and show two (2) measured ties to Horizontal Control Monuments of said system as shown on City of San Marcos Record of Survey 13928.
 93. A phasing plan shall be submitted and approved by the City Engineer and Planning Division Director prior to approval of the Final Map. The phasing plan may be subject to further conditions or phased conditions. Should the applicant/developer decide to develop phases out of numerical sequence with the approved phasing as shown on the plan, all conditions required of the proceeding phases shall be completed unless otherwise approved by the City Engineer and the Planning Division Director. Other conditions may be imposed by the City Engineer and Planning Division Director to allow out-of-phase construction.
 94. Grading permits will not be issued prior to recordation of the Final Map unless permitted by City Manager.
 95. Unless a standard variance has been issued, or allowed by the adopted Specific Plan, no variance from City Standards is authorized by virtue of approval of this tentative map.
 96. At the discretion of the Fire Marshal, a digital disk shall be submitted containing the following information: street centerline, subdivision boundary, lot lines, street right of way, building footprints and fire hydrants. Said files shall be in an Autocad format acceptable to the City of San Marcos and shall be on the correct coordinate

system.

97. Prior to release of any securities, a digital disk of all as-built drawings and maps is required on a CD. Said files shall be in an Autocad format acceptable to the City of San Marcos. Said drawings shall be on the correct coordinate system. PDF versions of all approved drawings and recorded documents shall be provided. In addition, electronic files of the project reports (i.e. soils report, drainage study, SWPPP, Water Quality Technical Report, structural calculations, title report and guarantee and etc.) shall be submitted on a CD. Copies of the final as-built drawings shall be submitted on a CD in a format acceptable to the City. A Mylar of the map, after recordation is also required.
98. A detailed grading plan shall be submitted to the City's Engineering Division for review and approval. Grading plans and activities shall be based on a comprehensive investigation of surface and subsurface conditions. Results of this investigation and recommendations arising therefrom shall be submitted in the form of a report.
99. A geologic and soils study shall be conducted for the proposed project. Said study shall give recommendations for cut and fill slopes, compaction and suitability for step foundations on individual lots. Water quality/hydromodification facilities (LID, site, design, permeable pavers), and infiltration rates where water quality/hydromodification mitigation facilities are proposed. Said study shall be prepared by a registered Civil and/or Geotechnical Engineer and approved by the City's Engineering and Building Divisions. Recommendations of the Civil and/or Geotechnical Engineer, City Engineer and Building Official shall be implemented at the time of development of any lot.
100. The applicant/developer shall secure letters of permission from adjacent property owners for all graded slopes crossing property lines. In lieu of such permission, grading plans shall conform to the required grading setbacks as provided in the City's Grading Ordinance.
101. All permanent manufactured fill slope banks shall be constructed at a gradient no steeper than 2:1 (horizontal to vertical). The Civil and/or Geotechnical Engineer shall verify slope stability for any cut slope greater than 2:1; in no case shall the cut slope exceed 1.5:1. The City Engineer will require support documentation from a licensed Civil and/or Geotechnical Engineer for graded cut slopes greater than 2:1.
102. The applicant/developer shall delineate all streets, drainage channels, drainage easements, culverts, drainage structures, and retaining/crib walls on an approved grading plan. Street and drainage structure alignments, and retaining/crib walls shall be designed to the satisfaction of the City Engineer.
103. Line of sight easements, if necessary, shall be delineated on all grading plans as approved by the City Engineer. Adequate sight distance for all intersections, driveways and access points shall be provided per latest edition of the California

Department of Transportation (Caltrans) Highway Design manual and the American Association of State Highways and Transportation Officials (AASHTO) Geometric Design of Highways and Streets.

104. Erosion control and/or sediment control details shall be submitted with/on the grading plans to the City's Engineering Division for review and approval. The details shall conform to City standards, codes, SDRWQCB Municipal Stormwater Permit requirements, and ordinances. The details shall include landscaping and temporary irrigation systems on exposed slopes to be approved by the City's Engineering and Planning Divisions.
105. A hydrology report (calculations) shall be prepared for the proposed project to determine the existing and future runoff flow after development for the 100-year storm conditions. Storm drains, water quality, hydromodification and drainage structures shall be sized for build-out according to the approved hydrology report. All surface runoff originating within the project and all surface waters that may flow onto the project from adjacent properties shall be accommodated by the drainage system. The report shall also determine the buildout runoff into existing off-site natural drainage swales and storm drain systems, and shall address any need for off-site improvement requirements. Blocking, concentrating, lowering or diverting of natural drainage from or onto adjacent property shall not be allowed without written approval of the affected property owner. This report shall be subject to approval of the City Engineer.
106. The applicant/developer shall be responsible for mitigating impacts created by changes in drainage runoff course, concentration, or quantity to the satisfaction of the City Engineer for both on-site and off-site drainage. This may require the applicant/developer to provide all necessary easements and improvements to accommodate drainage and flood control structures extending beyond the boundaries of the project.
107. The owner of the subject property shall execute a "Hold Harmless" Agreement with the City of San Marcos regarding drainage across the adjacent property prior to approval of any grading or building permit.
108. Drainage easements shall be granted between private property owners concurrently with the transfer of title where lots drain onto adjacent or abutting lots.
109. The developer shall revise the Water Quality Improvement Plan (WQIP) and Operation and Maintenance Plan to reflect the latest City of San Marcos Storm Water Standards Manual guidelines and California Regional Water Quality Control Board, San Diego Region, Order No. R9-2013-0001. If the project is phased, the WQTR shall address the Best Management Practices (BMP's) to be utilized for each phase. Said WQIP shall be prepared by a registered civil engineer and shall be to the satisfaction of the City Engineer. The project landscape architect shall sign the WQIP sheets certifying the BMP's have been incorporated into the landscape

plans.

110. The WQIP shall identify affected receiving water bodies, applicable water-quality objectives (Regional Water Quality Control Board (RWQCB) and San Diego Association of Governments) and pollutants of concern, and estimates post-construction discharge rates (will all BMPs in place) and explains why the projected pollutant loads will not cause a violation of the water quality objectives. The structural treatment controls shall remove project pollutants anticipated to be generated by the project and downstream impaired water bodies listed by the SWRCB 303(d) listing to the efficiency listed in the Approved City of San Marcos Stormwater Standards Manual.
111. The WQIP shall be prepared in conjunction with the grading plans. Prior to final approval of the grading plans, the grading plans shall be reviewed by the City for substantial conformance with the approved WQIP. Developer shall provide geotechnical confirmation for all infiltration BMPs or for not using infiltration BMPs.
112. The applicant/developer applicant shall submit landscape plans with characteristics that maximize infiltration, provide retention, reduce irrigation and storm water runoff, use efficient irrigation, and minimize the use of fertilizers, herbicides and pesticides.
113. The applicant/developer shall submit proof of coverage under the State Water Resources Control Board General Construction Permit. The Waste Discharge ID number (WDID #) shall be identified on the Title sheet to the Project plans, the grading plans, and the erosion control plans. Coverage under the SWRCB General Construction Permit shall be maintained until the developer has submitted the Notice of Termination (NOT) to the San Diego Regional Water Quality Control Board and received approval of the NOT from the SDRWQCB. The developer shall notify the City Stormwater Program Manager 45 days in advance of submitting the NOT to the SDRWQCB. All required structural treatment controls identified in the approved WQTR shall be installed prior to the submittal of the NOT to the SDRWQCB. A copy of the NOT shall be submitted to the City. The existing General Industrial Permit shall be terminated after the General Construction Permit is recognized by the State.
114. All construction and grading related BMPs shall be shown in detail on the construction plans submitted to the City for review and approval.
115. Each structural treatment control BMP shall have the following information listed on the BMP sheet:
 - a. Latitude and Longitude
 - b. Maintenance Requirements
 - c. Assessor Parcel Number location for each BMP
 - d. Type of BMP per CASQA classification
 - e. Pollutants removed by each BMP and Efficiency

- f. Anticipated Project Generated Pollutants
 - g. Downstream Impaired Water Body Pollutants
 - h. Model number, manufacturer, manufacturer phone number, treatment flow, retention times for each BMP
 - i. Area of project treatment for each BMP
 - j. A unique BMP ID number shall be assigned by the City and shall be shown on the BMP sheet.
- 116. All permanent BMP's per the approved grading plan shall be shown on the landscape plans. Landscape plans shall be reviewed and signed by the engineer of work stating the proposed landscape design complies with the requirements of the Water Quality Technical Report and/or Storm Water Standards Manual.
- 117. The applicant/developer shall submit, for City review and approval, a mechanism which will ensure ongoing long-term maintenance of all post-construction Best Management Practices (BMPs).
- 118. Any street trees within the public right-of-way shall be planted with cu-structural soil or City approved equivalent.
- 119. Developer shall establish an endowment for restoration area.
- 120. Prior to the recordation of the Final Map, the applicant/developer shall enter into an agreement with the City over the phasing and completion of the public infrastructure.
- K. Prior to any construction or activity on-site the developer shall comply with the following conditions:
 - 1. Prior to beginning project construction, the Project Applicant shall retain a San Diego County qualified archaeological monitor to monitor all ground-disturbing activities in an effort to identify any unknown archaeological resources. Any newly discovered cultural resource deposits shall be subject to cultural resources evaluation.
 - 2. At least 30 days prior to beginning project construction, the Project Applicant shall enter into a Cultural Resource Treatment and Monitoring Agreement (also known as a pre-excavation agreement) with a Luiseño Tribe. The Agreement shall address the treatment of known cultural resources, the designation, responsibilities, and participation of professional Native American Tribal monitors during grading, excavation and ground disturbing activities; project grading and development scheduling; terms of compensation for the monitors; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on site.
 - 3. Potential direct impacts to bird species covered under the MBTA will be mitigated by restricting brushing and grading to outside of the breeding season

of most bird species (general breeding season is February 15 to August 31). Grubbing, grading, or clearing during the breeding season of MBTA covered species could occur if it is determined via a pre-construction survey that no nesting birds (or birds displaying breeding or nesting behavior) are present immediately prior to grubbing, grading, or clearing and will require approval of the City that no breeding or nesting avian species are present in the vicinity of the grubbing, grading, or clearing. The City shall be notified of any sensitive bird species identified during the pre-construction surveys.

4. Prior to beginning project construction, the Project Archaeologist shall file a pre-grading report with the City to document the proposed methodology for grading activity observation, which will be determined in consultation with the selected contracted Luiseño Tribal monitor. Said methodology shall include the requirement for a qualified archaeological monitor to be present and to have the authority to stop and redirect grading activities. In accordance with the Cultural Resource Treatment and Monitoring Agreement, the archaeological monitor's authority to stop and redirect grading will be exercised in consultation the Luiseño Native American monitor in order to evaluate the significance of any archaeological resources discovered on the property. Tribal and archaeological monitors shall be allowed to monitor all grading, excavation, and groundbreaking activities, and shall also have the authority to stop and redirect grading activities.
5. Applicant/developer must acquire all necessary regulatory clearance from agencies.
6. Drainage easements shall be granted between private property owners concurrently with the transfer of title where lots drain onto adjacent or abutting lot/s.

L. During grading activities, the following conditions shall apply:

1. The clearing and grubbing of sensitive habitats shall occur outside of the bird breeding season (February 15 to August 31), unless a qualified biologist demonstrates to the satisfaction of the City and the Wildlife Agencies that all nesting is complete. The qualified biologist would need to be federally permitted for coastal California gnatcatcher if the habitat being cleared has potential to support these species.
2. A biological monitor shall be on-site when habitat is being cleared, and/or construction activities are occurring within 100 feet of a Biological Open Space Easement boundary. Permanent signs must be placed every 100 feet along the fence bordering the preserve. The signs must be corrosion resistant, no less than three feet above the ground surface, have minimum dimensions of 6" x 9", and must state the following: *Sensitive Environmental Resources, Disturbance Beyond this point is Restricted, By Easement, Information:, Contact (Name of Conservancy)*

3. An archeological monitor and a Native American monitor shall be present during the earth moving and grading activities to assure that any potential cultural resources, including tribal, found during project grading be protected.
4. If project grading (other than clearing and grubbing of sensitive habitats) is necessary and adjacent to preserved on-site habitat during the bird breeding season (February 15 to August 31), a qualified biologist shall conduct pre-construction surveys in the adjacent habitat for the coastal California gnatcatcher and nesting raptors. The survey shall begin not more than three days prior to the beginning of grading activities. The Wildlife Agencies shall be notified if the gnatcatcher is observed nesting within 300 feet of proposed grading or if raptors are observed nesting within 500 feet of proposed grading activities. No activities which would result in levels exceeding 60 dBA hourly within this buffer shall be allowed. If grading activities are not initiated prior to the breeding season, and any of these species are present, and noise levels exceed this threshold, noise barriers shall be erected to reduce noise impacts to occupied habitat to below 60 dBA hourly L_{eq} and/or the activities shall be suspended. Impacts resulting from noise for non-listed species other than raptors are not considered significant, and mitigation is not warranted.
5. The landowner shall relinquish ownership of all cultural resources, including sacred items, burial goods, and all archaeological artifacts that are found on the project area to the appropriate Tribe for proper treatment and disposition. All cultural materials that are collected during the grading monitoring program and from any previous archaeological studies or excavations on the project site, with the exception of sacred items, burial goods, and human remains which will be addressed in the Treatment Agreement required in MM-CR-3, shall be tribally curated according to the current professional repository standards by the Rincon Tribe. The collections and associated records shall be transferred, including title, to the Rincon Tribe.
6. If inadvertent discoveries of subsurface archaeological/cultural resources are discovered during grading, the Developer, the project archaeologist, and the Tribe shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources. Pursuant to California Public Resources Code Section 21083.2(b) avoidance is the preferred method of preservation for archaeological resources. If the Developer, the project archaeologist and the Tribe cannot agree on the significance of mitigation for such resources, these issues will be presented to the Planning Director for decision. The Planning Director shall make a determination based upon the provisions of the California Environmental Quality Act with respect to archaeological resources and shall take into account the religious beliefs, customs, and practices of the Tribe. Notwithstanding any other rights available under law, the decision of the Planning Director shall be appealable to the Planning Commission and/or City Council.

7. If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the San Diego County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the San Diego County Coroner determines the remains to be Native American, the Native American Heritage Commission (NAHC) must be contacted within 24 hours. The NAHC must then immediately notify the "most likely descendant(s)" of receiving notification of the discovery. The most likely descendants(s) shall then make recommendations within 48 hours, and engage in consultation concerning treatment of remains as provided in Public Resources Code 5097.98 and the Treatment Agreement described in MM-CR-3.
- M. Prior to the issuance of any building permit, the following conditions shall be complied with:
1. The developer shall pay their Public Arts Fee as required per the Heart of the City Specific Plan.
 2. Developer shall hire an acoustical engineer to finalize the sizing and height of sound walls for all lots adjacent to Twin Oaks Valley Road based on the MND analysis.
 3. Future merchant builders/developers shall apply for a Site Development Plan for architectural elevations, plotting layout, fencing plan, entry monument design & location, master landscape plan, etc. which shall include the following:
 - a. Documentation of development standards for future accessory uses (pools, balconies, storage sheds, trellises), to be reviewed as part of the SDP submittal.
 - b. Comprehensive fencing plan that identifies location of all entry monumentation, sound walls, and perimeter fencing. Fencing types shall consist of decorative masonry with pilasters, tubular steel and vinyl fencing for the interior fencing.
 - c. Revised map that incorporates tot lots and show details within the subdivision which would be maintained by an HOA.
 - d. Map that identifies the CFD areas from privately maintained areas.
 - e. Architectural elevations for the various styles per neighborhood or village.
 - f. Materials board identifying all building material and architectural accents.

- g. Master landscape plan addressing all slope (public and private) planting, erosion control, and streetscape. Slopes in excess of three feet shall be hand planted with a myoporum or a bonded fiber matrix to prevent erosion problems.
- 4. A detailed landscape and irrigation plan prepared by a licensed landscape architect shall be submitted to the City of San Marcos for review and approval. Said plan shall address proposed phasing of Villages as each development comes forward. Upon completion of the landscape improvements, the licensed professional shall submit a letter to the City that all materials have been installed in accordance with the approved plans prior to issuance of occupancy permits.
- 5. Manufactured slopes adjacent to habitat areas shall be re-vegetated with appropriate native species in consultation with the Wildlife Agencies. The landscape plan and construction documents will be approved by the City Engineer, Planning Director, and Fire Marshal.
- 6. A final noise assessment shall be prepared prior to the issuance of the first building permit. This final report would identify the interior noise requirements based upon architectural and building plans to meet the City's established interior noise limit of 45 dBA CNEL.
- 7. Noise wall shall be design to assist in providing a safety barrier for pedestrian along Twin Oaks Valley Road.
- 8. If outdoor usable areas are proposed in the non-residential mixed use areas of the project, the design shall consider shielding form the buildings, increased setbacks from the roadways or conduct a site specific noise study to determine compliance. An interior noise assessment is required to mitigate the exterior noise levels to an interior level of 45 dBA CNEL. This report should be conducted prior to the issuance of building permits and would finalize the noise requirements based upon actual building design specifications.
- 9. The Engineer-of-Work shall certify that all grading and construction of grading related improvements (erosion control, storm drains, etc.) have been in substantial conformance with the approved plans, reports, and standards.
- 10. All grading shall be supervised by a Civil and/or Geotechnical Engineer, who shall prepare a written report to the satisfaction of the City Engineer certifying that the work has been performed in compliance with the recommendations contained within the geotechnical report and approved plans. If not so done, the report shall describe the actual work performed and any deficiencies observed. The final report shall specifically detail conditions and remedial work performed that was not specifically mentioned in the initial report of subsurface conditions.
- 11. This project is subject to payment of the public facilities fee established by San

Marcos Ordinance No. 99-5197 and Resolution 99-5797. The amount of the fee shall be determined based upon the fees in effect at the time of issuance for each building permit for construction within this project.

12. The base lift of asphalt on all roads serving the area under construction shall be completed.
 13. The applicant/developer shall comply with the City's Inclusionary Housing Ordinance that specifies that Fifteen percent (15%) of new housing construction must be affordable housing or the developer shall pay an In-Lieu Fee, as determined by the City, unless modified by the City Manager.
 14. Developer shall submit a landscape plan that complies with all requirements stated in the Water efficiency Landscape Ordinance.
 15. Final landscaping and irrigation plans shall be submitted for review and final approval by the City after addressing review comments on the initial landscape plans. Landscape plan submittals are to be prepared and signed by a licensed professional. Landscape plan check fees shall be paid based on 2% of the landscape professional's estimate (cost of materials & installation) for initial plan check and 2.5% of the landscape professional's estimate for the landscape permit and one field inspection.
 16. Submit an interim landscape plan incorporating erosion control measures for all manufactured or disturbed slopes. A master landscape plan will have to be submitted and approved prior to submittal for future Site Development Plans for each Area that the merchant builder is constructing.
 17. Lot 195 (MU-4) shall be irrigated and hydroseeded for erosion and dust control.
 18. Temporary perimeter fencing shall be installed to separate the proposed development and the fuel management zones from any CSS areas to those areas preserved under the HLP. The removal of temporary fencing is only to occur after all clearing and construction has been completed.
 19. Prior to grading permit issuance, the project applicant shall prepare and implement a soils management plan that addresses handling of soils containing naturally-occurring arsenic during grading. The management plan shall be consistent with the County Health Department and submitted to the City Engineer for review and approval prior to the issuance of a grading permit.
- N. During the construction phase, the following conditions shall be complied with:
1. The applicant/developer shall retain a professional registered Civil and/or Geotechnical Engineer (Engineer-of-Work) to oversee the grading and construction activities as specified in Section 6703.1 of the Professional Engineer Act.

2. The applicant/developer shall submit a traffic control plan for all phases of construction for approval by the Director of Public Works. Said plan shall include all traffic control devices including traffic signals as required.
3. Paving of roads shall be completed as early as possible to mitigate short-term dust problems associated with construction.
4. During grading and construction phases of development, the application of water or other means of dust control shall be performed to the satisfaction of the Building Inspector and the Public Works Director.
5. Grading, excavation or other related earth moving operations, including warm-up and maintenance activities, shall be limited to the hours of 7:00 a.m. to 4:30 p.m., Monday through Friday. No work shall be allowed on Saturdays, Sundays and holidays.
6. All construction operations authorized by building permits, including the delivery, setup, and use of equipment shall be conducted on premises during the hours of 7:00 AM to 6:00 PM on Monday through Friday, and on Saturday between 8:00 AM and 5:00 PM. No work shall be conducted on Sundays or holidays observed by the City of San Marcos. Failure to comply with result in the issuance of citations. Citations required a mandatory court appearance in North County Superior Court and courts costs up to \$1,000 per offense. Repeat violations will result in suspension of all work on premises until the City determines that appropriate measures are in place to insure that hours of work violations will not occur.
7. During grading and construction operations, the applicant/developer shall maintain public and private driveway access to neighboring businesses/properties at all times unless previous arrangements have been made with the private parties affected. Copies of said agreements shall be provided to the City Engineer.
8. Hauling of earth over residential streets of developed areas shall be avoided. Where not possible to avoid, a truck hauling route shall be submitted to the City for approval prior to commencement of any grading operation. Such approved haul routes may require a greater structural section, to the satisfaction of the City Engineer and/or the Director of Public Works.
9. The applicant/developer shall construct desiltation/detention basins and erosion control devices of a type and size and at locations as approved by the City Engineer. Devices shall be installed and maintained in working condition during the rainy season (October 1 through May 1). Each such basin shall be provided with an all-weather access/maintenance road.
10. Dewatering activities during construction shall not be conducted without appropriate permits and approvals from all regulatory agencies involved (SDRWQCB, SWRCB, ACOE, and other Resource agencies). The City Stormwater Program Manager shall be notified one week in advance of any dewatering

activities and a copy of all permits shall be submitted to the City. Dewatering activities will be conducted and planned for in compliance with the SDRWQCB, SWRCB, and project specific dewatering permit requirements obtained. Should the quality of the ground water be such that it does not meet the permitting requirements, then the water will need to be treated prior to discharge.

11. The applicant/developer shall utilize sediment controls only as a supplement to erosion prevention for keeping sediment on-site during construction – NEVER as a single or primary method.
 12. The applicant/developer shall clear and grade only the areas on the project site that are necessary for construction. These areas shall be clearly denoted on the plans as in the SWPPP.
 13. The applicant/developer shall minimize exposure time of disturbed soil areas.
- O. Prior to occupancy of any structure on the site, the following conditions shall be complied with:
1. The applicant/developer shall mitigate the following project traffic impacts as indicated in the adopted MND:
 - a. Make a fair share contribution towards the following improvements at the Twin Oaks Valley Road/SR-78 Eastbound Ramps:
 - i. Construction of an additional dedicated right-turn lane at the eastbound SR 78 (off-ramp) approach of intersection.
 - ii. Restripe eastbound approach to include one left-turn lane, one shared left-turn/through/right-turn lane, and two right-turn lanes.
 - b. Make a fair share contribution towards the widening of the northbound approach of the Twin Oaks Valley Road/Discover Street-Barham Drive intersection to construct a dedicated right-turn lane.
 2. Lots adjacent to biological open space will have a sufficient buffer with Street A between the development and the open space; (a) landscaping will be restricted to native and/or non-invasive plant species; and (b) Best Management Practices (BMPs) during construction in accordance with Nation Pollutant Discharge Elimination Systems General Construction Permit requirements will be implemented.
 3. Sound barriers ranging from five to ten feet or as determined in the final noise analysis shall be constructed to reduce future onsite noise levels to be consistent with the Noise Element of the San Marcos General Plan (60 dBA CNEL for single family and 65 dBA for multifamily). Locations and heights of the proposed barriers are presented in Figure 7, Noise Mitigation Measures.

Barriers could include berms, wall, glass or a combination of these to meet the required noise attenuation.

4. All public infrastructure improvements as shown on the grading and improvement plans shall be constructed per a City approved phasing plan and to the satisfaction of the City Engineer and Public Works Director.
 5. All improvements shown on the improvement plans, as approved by the City Engineer for each phase of development, shall be constructed prior to release of any improvement securities and as specified in the Subdivision Improvement Agreement for this project.
 6. All utilities fronting, abutting or within the project shall be undergrounded with the exception of sixty-nine (69) KVA or greater power lines. Undergrounding shall take place prior to surfacing of streets.
 7. The applicant/developer shall pay for and install all street name signs and traffic control devices fronting and within the project. The developer shall also post "No Parking" signs. All traffic control devices will be placed according to a plan prepared by the applicant/developer and approved by the City Engineer and the Director of Public Works.
 8. All open space areas, private recreation areas, including landscaping and areas for the Pedestrian & Bicycle trails and the Multi-use trails shall be improved in accordance with the City's Master Park Plan and the project's tentative map.
 9. The applicant/developer shall submit for City review and approval, plans showing source control BMPs in place and a certified letter noting the implementation plans for said BMPs.
 10. All water quality BMP's shall be inspected and approved by the Public Works Director, City Engineer, and Planning Director.
 11. The City assigned BMP ID number of all water quality BMP's shall be shown on the installed BMP. Said ID number may be delineated with a stencil or sign to the satisfaction of the Public Works Director.
 12. The applicant/developer shall stabilize all slopes per a City approved method.
- P. If rock crushing is proposed, it will require approval of a conditional use permit. A study shall be required addressing the starting of crushing operations, noise measurements of the rock crushing facility shall be required to ensure compliance with the City's thresholds. If noise levels are found to be above the established thresholds of 60 dBA at any existing single family residential use, 65 dBA for any multifamily use or 70 dBA at a commercial use then additional mitigation in the form of berms or temporary walls will need to be incorporated into the rock crusher design to reduce the noise levels to below the City's thresholds.

- Q. All development standards shall be complied per the approved Rancho Coronado Residential Design Guidelines manual as adopted under SP 13-006.
- R. "As-Built" reproducible grading and improvement plans shall be submitted and approved by the Public Works Director and the City Engineer. "As-Built" plans shall reflect minor field changes and approved construction changes in accordance with the City's "As-Built" policy. The plan set shall also include the as-built layout for all utilities (gas, telephone, electric, television, and street lighting) as depicted on the individual utilities plan sheets.
- S. The applicant/developer shall post a security with the City in an amount approved by the City Engineer for the warranty of all dedicated public improvements for a one (1) year period from the time of acceptance by the Director of Public Works.
- T. The applicant/developer shall provide evidence of existing coverage under the State of California's statewide General NPDES Permit for Storm Water Discharges Associated With Construction Activities at all times.
- U. Developer/applicant shall review and comply with all mitigation measures listed in Mitigated Negative Declaration (ND 14-001) and satisfy the mitigation monitoring program.
- V. The Homeowner's Association is required to provide written notification to the City when they assume water quality BMP maintenance responsibilities from the Developer.
- W. The alignment and terminal point of storm drains shown on the tentative map shall not be considered final. These drains shall be subject to precise design considerations and approval by the City Engineer.
- X. Prior to any development on Lot 195 a Specific Plan Amendment must be submitted along with a design manual to establish design criteria for future development on Lot 195.
- Y. Prior to development on Areas A, B, C or D, the applicant/developer shall submit a Site Development Plan application pending final review and approval by the planning Director and demonstration of compliance with the Rancho Coronado Design Guideline manual.
- Z. Applicant/developer shall comply with adopted conditions per TSM 13-004, SP 13-006, and mitigations as adopted in ND 14-001.
- AA. To the extent permitted by law, applicant/developer shall defend and hold the City of San Marcos ("City"), its agents and employees harmless from liability from: (i) any and all actions, claims damages, injuries, challenges and/or costs of liabilities arising from the City's approval of any and all entitlements or permit arising from the project as defined in the Tentative Subdivision Map; (ii) any damages, liability and/or claims of any kind for any injury to or death of any person, or damage or injury of any kind to property which may arise from or be related to the direct or indirect operation of applicant/developer or its contractors, subcontractors, agents, employees or other persons acting on

applicant/developer's behalf which relate to the project and (iii) any and all damages, liability and/or claims of any kind arising from operation of the project. Applicant/developer further agrees that such indemnification and hold harmless shall include all defense-related fees and costs associated with the defense of City by counsel selected by City. This indemnification shall not terminate upon expiration of the Tentative Subdivision Map, but shall survive in perpetuity.

- BB. To the extent feasible and as permitted by law, developers and contractors are requested to first consider the use of San Marcos businesses for any supplies, materials, services and equipment needed and the hiring of local residents in order to stimulate the San Marcos economy to the greatest extent possible.

PASSED AND ADOPTED by the Planning Commission of the City of San Marcos, State of California, at a regular meeting thereof, this 7th day of April 2014, by the following vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

APPROVED:

, Chairperson
SAN MARCOS CITY PLANNING COMMISSION

ATTEST:

Lisa Kiss, Office Specialist III
SAN MARCOS CITY PLANNING COMMISSION