Tentative Map Conditions
Creekside Vista Mixed-Use Development Project
912-944 Third Avenue

The City Council of the City of Chula Vista hereby approves Tentative Map PCS-06-06 subject to the following conditions.

Prior to approval of the final map, unless otherwise indicated, Developer shall comply with the following:

CONDITIONS RELATED TO THE GRADING AND DRAINAGE

1. All onsite drainage facilities shall be private.

2. Developer shall submit a detailed grading plan in accordance with the Chula Vista Grading Ordinance before issuance of any building permits. Details such as type, cross sections, and profiles of all the proposed retaining walls shall be shown on the grading plans for City's review and approval.

3. Developer shall submit a drainage study prepared by a registered civil engineer to be reviewed and approved by the City Engineer prior to issuance of a grading permit or other development permit. Design of the drainage facilities shall consider existing onsite and offsite drainage patterns. The drainage study shall calculate the pre-developed and the post-developed flows and show how downstream properties and storm drain facilities are impacted. If the post-development flows exceed the pre-development flows, the study shall include calculations sizing proposed detention system(s). The extent of the study shall be as approved by the City Engineer. The energy dissipaters shall be designed to accommodate the runoff velocities from a 100-year storm.

4. Developer shall submit a detailed geotechnical report prepared, signed and stamped by both a registered civil engineer and certified engineering geologist prior to approval of grading plans and issuance of a grading permit.

5. Developer shall provide an irrevocable offer of dedication (IOD) for drainage and other public purposes to the City of Chula Vista from the project boundary to 100-year flood plain limits. This IOD must be shown and recorded on the final map. An encroachment permit shall be obtained from the City for all the proposed improvement and resulting maintenance work within the IOD.

CONDITIONS RELATED TO NPDES

6. Developer shall install high efficiency Treatment Control Best Management Practices (BMPs) devices upstream of all five outfalls. Such devices may include media filtrations systems. According to the Chula Vista Standard Urban Storm Water Mitigation Plan (SUSMP), filter inserts are not considered high efficiency Treatment Control BMPs.

7. Developer shall clarify the function and location of the proposed underground detention facility.

8. Developer shall enter into an agreement prior to final map recordation to fully implement NPDES best management practices ("BMPs") to reduce the amount of pollutants entering the city's storm water conveyance system, including but not limited to:

   a. Installing and using efficient irrigation systems and landscape design; more specifically:

      i. Employ rain shutoff devices to prevent irrigation after precipitation.
      ii. Adjust irrigation systems to each landscape area's specific water requirements
      iii. Using flow reducers or shutoff valves triggered by a pressure drop to control water loss in the event of broken sprinkler heads or lines.
      iv. Employing other comparable, equally effective, methods to reduce irrigation water runoff.

   b. Employing integrated pest management principles. More specifically, eliminate and/or reduce the need for pesticide use by implementing Integrated Pest Management (IPM), including: (1) planting pest-resistant or well-adapted plant varieties such as native plants; (2) discouraging pests in the landscaping design; (3) distributing IPM educational materials to homeowners/residents. Minimally, educational materials must address the following topics: keeping pests out of buildings and landscaping using barriers, screens, and caulking; physical pest elimination techniques, such as, weeding, squashing, trapping, washing, or pruning out pests; relying on natural enemies to eat pests; and, proper use of pesticides as a last line of defense

PUBLIC IMPROVMENTS

9. Developer shall provide an improvement plan showing all existing and proposed public improvements such as driveways, curb, gutter, sidewalk for City's review and approval. Proposed driveways shall be constructed per ADA requirements and per City of Chula Vista Design Standards. Developer is responsible for replacing any broken sidewalk along the project frontage. Developer shall secure any required improvements prior to final map approval.

10. Access to all existing or proposed public sewer manholes shall be provided and shown on the grading and improvement plans. Specifically, the existing manhole located at the end of the southerly driveway need to have access for maintenance vehicles. Paved access to within five feet of this manhole on a relatively flat surface is required. This manhole shall be replaced with a watertight manhole, since it is located on the path of drainage.

11. Paved access to existing and proposed public sewer systems with manholes shall be designed for a minimum Traffic Index (TI) equal to 5.

PRIVATE OR ONSITE IMPROVMENTS

12. Developer/Owner shall establish a homeowners association to fund and oversee a contract for the maintenance of the onsite private sewer system. The frequency of maintenance of the sewer system shall be contained in the provisions of the Codes, Covenants & Restrictions (CC&Rs). The City Engineer and Director of Public Works shall approve the provisions of the CC&Rs regarding the onsite private sewer system.

13. Streets within the development shall be private.

14. No private or public improvements are allowed within the 100-year floodway.

CC&R'S

15. Developer shall submit CC&R's as approved by the City Attorney to the City Engineer and Director of Planning and Building for approval prior to approval of the final map. Said CC&R's shall include the following:
    - Indemnification of City for private sewer spillage.
    - Listing of maintained private facilities.
    - The City's right but not the obligation to enforce CC&R's.
    - Provision that no private facilities shall be requested to become public unless all homeowners and 100% of the first mortgage oblique have signed a written petition.
    - Maintenance of all walls, fences, lighting structures, paths, recreational amenities and structures, sewage facilities, drainage structures and landscaping.
    - Implement education and enforcement program to prevent the discharge of pollutants from all on-site sources to the storm water conveyance system.
    - Compliance with the approved solid waste plan.

    Said CC&Rs shall be consistent with Chapter 18.44 of the Subdivision Ordinance, and shall be recorded concurrently with the final map.

16. Developer shall submit homeowners association (HOA) budget for review and approval by the City Engineer for the maintenance of private streets, storm drains and sewage systems. Said budget shall include the following maintenance activities:
    - Streets must be sealed every 7 years and overlaid every 20 years.
    - Sewers must be cleaned once a year with a contingency for emergencies.
    - Red curbs / striping must be painted once every three years.

EASEMENTS

17. Developer shall grant an easement for the purposes of maintaining proposed public sewer lines to City. This easement shall be shown on the final map.

18. All existing easements and irrevocable offers of dedication shall be shown on the final map. A title report dated within 60 days of submittal of the final map shall be submitted

together with backing documents for all existing public utility easements and offers of dedication. Developer shall submit evidence of noticing to all existing public utility easement holders within the project boundaries as required by the Section 66436 of the Subdivision Map Act.

AGREEMENTS

19. Developer shall enter into an agreement for the following;

- Agree to defend, indemnify and hold harmless the City and its agents, officers, and employees, from any claim, action or proceeding against the City, or its agents, officers or employees to attack, set aside, void or annul any approval by the City, including approval by its Planning Commission, City Council or any approval by its agents, officers, or employees wit regard to this subdivision pursuant to Section 66499.37 of the State Map Act provided the City promptly notifies the subdivider of any claim, action or proceeding and on the further condition that the City fully cooperates in the defense.

- Agree to hold the City harmless from any liability for erosion, siltation or increase flow of drainage resulting from this project.

- Agree to ensure that all franchised cable television companies ("Cable Company") are permitted equal opportunity to place conduit and provide cable television service to each lot within the subdivision. Restrict access to the conduit to only those franchised cable television companies who are, and remain in compliance with, all of the terms and conditions of the franchise and which are in further compliance with all other rules, regulations, ordinances and procedures regulating and affecting the operation of cable television companies as same may have been, or may from time to time be issued by the City of Chula Vista.

MISCELLANEOUS

20. Developer shall pay the following fees based on the final building plans submitted:
    a) Sewer Connection and Capacities fees
    b) Development Impact Fees
    c) Traffic Signal Fees

21. Developer shall tie the boundary of the subdivision to the California System-Zone VI (NAD '83).

22. Developer shall submit copies of the Final Map, grading plans, and improvement plans in a digital format such as (DXF) graphic file prior to approval of the Final Map. Provide computer aided Design (CAD) copy of the Final Map based on accurate coordinate geometry calculations and submit the information in accordance with the City Guidelines for Digital Submittal in duplicate on 3 ½ HD floppy disk prior to the approval of the Final Map.

23. Developer shall submit a conformed copy of a recorded tax certificate covering the property prior to approval of the Final Map.

PARK AND DEVELOPMENT (GENERAL SERVICES)

24. Prior to the approval of any final map, (or, prior to issuance of any building permit for the final map for the project,) the Developer shall pay all applicable Parkland Acquisition and Development Fees (PAD fees) at the rates in effect at the time of approval of the map or building permit in accordance with C.V.M.C. Chapter 17.10.

WATER CONSERVATION PLAN/AIR QUALITY IMPROVEMENT PLAN

25. Developer shall implement all conservation measures contained in the Creekside Vistas Water Conservation Plan (WCP) and Air Quality Improvement Plan (AQIP).

26. All water conservation measures contained in the Creekside Vistas WCP shall be identified on construction plans including hot water pipe insulation, pressure reducing valves, water efficient dishwashers, water efficient landscaping and evapotranspiration (ET) controllers.

27. All air quality measures contained in the Creekside Vistas AQIP including the specific building efficiency program to be used shall be identified on construction plans.

28. Developer shall implement the final AQIP measures as approved by the City Council, and as may be amended from time to time, and to comply and remain in compliance with the AQIP.

29. Developer acknowledges that the City Council may, from time-to-time, modify air quality improvement and energy conservation measures as technologies and/or programs change or become available. The Developer shall modify the AQIP to incorporate those new measures upon request of the City, which are in effect at the time, prior to or concurrent with each map approval within the Project. The new measures shall apply to development within all future map areas, but shall not be retroactive to those areas, which receive final map approval prior to effect of the subject new measures. The Developer acknowledges and agrees that the City has adopted the City of Chula Vista AQIP Guidelines as approved per Resolution No. 2003-260 and that such guidelines as approved and as may be amended from time-to-time shall be implemented.

30. Developer shall implement the final WCP measures as approved by the City Council, and as may be amended from time to time, and to comply and remain in compliance with the WCP.

31. Developer acknowledges that the City Council may, from time-to-time, modify water conservation measures as technologies and/or programs change or become available. The Developer shall modify the WCP to incorporate those new measures upon request of the

City, which are in effect at the time, prior to or concurrent with each map approval within the Project. The new measures shall apply to development within all future map areas, but shall not be retroactive to those areas, which receive final map approval prior to effect of the subject new measures. The Developer acknowledges and agrees that the City has adopted the City of Chula Vista WCP Guidelines as approved per Resolution No. 2003-234 and that such guidelines as approved and as may be amended from time-to-time shall be implemented.

ENVIRONMENTAL MITIGATION CONDITION

32. The applicant shall implement to the satisfaction of the Planning and Building Department and the City Engineering Division the mitigation measures identified in the Creekside Vistas Mitigated Negative Declaration (IS-06-008) and Mitigation Monitoring and Reporting Program.

AFFORDABLE HOUSING REGULATORY AGREEMENT

33. The applicant shall enter into an agreement with the City of Chula Vista to guarantee the construction and delivery of housing units affordable to low and moderate income households prior to recordation of final map.