

RESOLUTION PC 25-5153

A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF SAN MARCOS RECOMMENDING TO THE CITY
COUNCIL APPROVAL OF A TENTATIVE SUBDIVISION MAP
FOR UP TO 46 RESIDENTIAL CONDOMINIUMS IN THE
WOODWARD 46 SPECIFIC PLAN AREA (SPA) ZONE

TSM22-0004
Cornerstone Communities

WHEREAS, on November 15, 2022, the City received an application from Cornerstone Communities requesting a Tentative Subdivision Map for up to 46 residential condominiums on a 8.6-acre site located on the east side of Woodward Street, approximately 235 feet north of Mission Road, in the Richland Neighborhood more particularly described as:

Parcel B of Certificate of Compliance Recorded February 29, 2008 as Instrument No. 2008-0107275 of Official Records and more particularly described as Lot 5 in Block 52 of Rancho Los Vallecitos de San Marcos, according to Map thereof No. 806, filed December 21, 1895 in the Office of the County Recorder of San Diego County, excepting therefrom the southerly 233 feet of said Lot 5, measured concentric to the northerly right-of-way of Mission Road thereof.

Assessor's Parcel Number(s): 220-210-49-00; and

WHEREAS, the Tentative Subdivision Map is being requested in conjunction with a Specific Plan (SP22-0005) to establish rules and regulations for the development of the project site; a Specific Plan Amendment (SP22-0006) of the Heart of the City Specific Plan to change the sub-plan designation from "Richmar Specific Plan" to "Woodward 46 Specific Plan" for the subject property; a General Plan Amendment (GPA22-0004) to amend the land use maps and text related to Specific Plan changes in the Land Use Element; a Multi-Family Site Development Plan (MFSDP22-0005) for design review of a residential condominium complex; and a Conditional Use Permit (CUP22-0005) to allow for a temporary rock crusher during grading operations; and

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

WHEREAS, on August 30, 2023, the City held an Environmental Impact Report (EIR) Scoping Meeting to provide an overview of the project Notice of Preparation, in accordance with CEQA Guideline Section 15083, and Public Workshop with the general public; and

WHEREAS, on June 16, 2025, the Planning Commission held a duly noticed public hearing in the manner prescribed by law to consider said request; and

WHEREAS, the Planning Commission did review and consider a/an Environmental Impact Report (FEIR23-005) (SCH No. 2023080449) for said request pursuant to the California Environmental Quality Act (CEQA); and

WHEREAS, the Planning Commission did consider said Tentative Subdivision Map and the recommendation by City staff, including but not limited to 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 and Fire Protection District with respect thereto; and

WHEREAS, the applicant/developer proposes to file a Final Map of said subdivision.

NOW, THEREFORE, the Planning Commission does hereby resolve as follows:

- A. The foregoing recitals are true and correct, and are hereby incorporated by reference into this Resolution.
- B. The Planning Commission hereby recommends to the City Council approval of this Tentative Subdivision Map pursuant to the City Subdivision Ordinance (SMMC Title 19), and no waiver of any requirement of said Ordinance is intended or implied except as specifically set forth in this resolution, and subject to compliance with the conditions of approval in Exhibit A attached hereto and incorporated by reference and made a part of this Resolution as though fully set forth herein.
- C. This Tentative Subdivision Map is recommended to the City Council for approval in conjunction with the submitted Specific Plan (SP23-0005), Specific Plan Amendment (SP22-0006), General Plan Amendment (GPA22-0004), Multi-Family Site Development Plan (MFSDP22-0005), and Conditional Use Permit (CUP22-0005), and all conditions of approval specified in Resolutions PC 25-5149, PC 25-5150, PC 25-5151, PC 25-5152, and PC 25-5154, respectively, which documents are incorporated herein by this reference; and the mitigation measures in Environmental Impact Report (FEIR23-005) (Resolution No. 25-5155) are hereby incorporated by reference and made a part of this Resolution with the same force and effect as though fully set forth herein.
- D. The Planning Commission's decision is based on the following findings and determinations:
 - 1. The conditions of approval in the attached Exhibit A, and the findings below are necessary to ensure that the subdivision and the improvements thereof will conform with all ordinances, plans, rules, standards, and improvements and design requirements of the City.
 - 2. The Tentative Subdivision Map is consistent with the City's adopted General Plan, designation of Specific Plan Area (SPA), in that it creates a condominium map for 46 units and open space lot to allow the development of residential townhomes in an area of the City designated for Specific Plan Area, and is compatible with the

objectives, policies, general land uses, and programs specified in the Woodward 46 Specific Plan, in that the proposed residential project will provide residential units with required parking, private and public open space/recreational amenities, serving to provide a balanced distribution and compatibility of land uses. In addition, General Plan Consistency Findings are provided within the Woodward 46 Specific Plan.

3. The design or improvement of the proposed subdivision is consistent with the City's adopted General Plan designation for the Woodward 46 Specific Plan (SPA), in that the proposed residential project will be consistent with its adopted policies and standards, as well as will be compatible with the existing residential development to the east and south, and open space to the north. This multi-family residential project is strategically located near transit (e.g.: Civic Center Sprinter Station), and retail areas to facilitate smart growth programs.
4. The site is physically suitable for the proposed density of development, in that the 46 residential units would provide a residential density of 5.3 dwelling units per acre.
5. The design of this subdivision and improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, in that the EIR has identified, analyzed and provide mitigation measures to reduce project impacts to less than significant.
6. The design of this subdivision and type of improvements is not likely to cause serious public health problems, in that the EIR reviewed, analyzed and did not identify any health or safety issue areas on site.
7. The design of this subdivision or the type of improvements will not conflict with any easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.
8. The Tentative Subdivision Map, as conditioned, will not be detrimental to the public health, morals, safety, and welfare in that adequate public facilities and infrastructure including fire, water, sewer, and drainage will be provided.
9. The property is not subject to a Williamson Act contract, a conservation easement, or an agricultural conservation easement.
10. The design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling in the subdivision.
11. The City Council considered the effect of the development on the housing needs of the region and the balancing of those needs against the public service needs of residents and available fiscal and environmental resources.

12. All requirements of CEQA and the environmental protection provision of the City's Subdivision Ordinance (SMMC Title 19) have been met in that this Tentative Subdivision Map, as conditioned, will not have a significant effect on the environment, as reviewed and analyzed in the Environmental Impact Report (FEIR23-005) (SCH No. 2023080449) and the mitigation monitoring and reporting program, in that impacts related to biology, cultural resources, noise, and tribal cultural resources have been mitigated to less than significant and have been incorporated into the Conditions of Approval for the project.
- E. This Tentative Subdivision Map is within the scope of the Environmental Impact Report (FEIR23-005) (SCH No. 2023080449) and the mitigation monitoring and reporting program, and both are hereby recommended to the City Council for certification pursuant to CEQA.
- F. The Tentative Subdivision Map complies with the requirements of the City's Subdivision Ordinance and the State's Subdivision Map Act.
- G. The approval of this Tentative Subdivision Map shall expire within twenty-four (24) months from date of Planning Commission approval. The Final Map, conforming to this conditionally approved Tentative Subdivision Map, shall be filed with the City Council in time so that the Council may approve said map before its expiration, unless prior to that date, the Planning Commission or City Council subsequently grants a time extension for the filing of the Final Map, as provided for in the City's Subdivision Ordinance and the State's Subdivision Map Act. It is the applicant/developer's responsibility to track the expiration date. Failure to request an extension will result in a re-filing of the Tentative Subdivision Map and new processing of the map.
- H. Within thirty (30) days of the approval of the Tentative Subdivision Map (TSM22-0004) the approved plans (i.e.: tentative subdivision map, landscape plans, etc.) shall be submitted as a digital file on a CD including this Resolution as the title page. This title page shall include the statement "I (we), _____, the applicant/owner(s) or the applicant/owner's representative, have read, understand and agree to the conditions of Resolution No. 25-5153." Immediately following this statement shall appear a signature block for the owner or the owner's representative which shall be signed. Signature blocks for the Project Planner and the Project Civil Engineer shall also appear on this title page. The digital copy shall be approved by the City prior to any Final Map, grading plan, improvement plan, or building permit.
- I. The applicant/developer shall comply with all provisions and requirements set forth in the San Marcos Municipal Code, and all City ordinances, resolutions, policies and procedures, and as authorized by the Woodward 46 Specific Plan, and with all applicable state and federal regulations, as may be amended from time to time, whether or not such provisions or requirements have been specifically set forth in these conditions, all of which are now

incorporated by reference and made a part of this Resolution with the same force and effect as though fully set forth herein.

- J. The applicant/developer shall comply with all rules, regulations and design requirements of the respective sewer, water, utility, regional, federal or other approving agency regarding the installation, modification, development, improvement or protection of facilities within the boundaries. It shall be the applicant/developer's responsibility to determine all agencies with rights of approval for the proposed development.
- K. 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, equipment needed, and the hiring of local residents to stimulate the San Marcos economy to the greatest extent possible.
- L. To the extent permitted by law, the applicant/developer shall defend and hold the City of San Marcos, 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 permits arising from the project as defined in the conditions of approval, or issuance of grading or building permits; (ii) any damages, liability and/or claim 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 operations of the 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. The 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 the City. This indemnification shall not terminate upon expiration of the conditions of approval or completion of the project, but shall survive in perpetuity.

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of San Marcos, California, at a regular meeting thereof, held on this 16th day of June, 2025 by the following roll call vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

APPROVED:

Fatima Rios, Chairperson

ATTEST:

Gina Jackson, Senior Office Specialist

ATTACHMENT(S):

EXHIBIT A – Conditions of Approval

EXHIBIT A
RESOLUTION PC 25-5153
TSM22-0004
Conditions of Approval

A. General Provisions

1. All of the terms, covenants and conditions contained herein shall run with the land and be binding on and inure to the benefit of the heirs, successors, assigns, and representatives of the applicant/developer as to any and all of the property.
2. If any of the terms, covenants or conditions contained herein shall fail to occur or if they are, by their terms, to be implemented and maintained over time, if any of such conditions fail to be so implemented and maintained according to their terms, the City of San Marcos (City) shall have the right to revoke or modify all approvals herein granted including issuance of building permits; deny or further condition the subsequent approvals that are derived from the approvals herein granted; institute and prosecute litigation to compel compliance with said conditions or see damages for their violation. The applicant/developer shall be notified ten (10) days in advance prior to any of the above actions being taken by the City and shall be given the opportunity to remedy any deficiencies identified by the City.
3. The applicant/developer shall be responsible for bearing the costs of all grading activities, on-site and off-site improvements, labor, design, mitigation, and other costs associated with, but not limited to, the project's planning, engineering, construction and/or architecture for the project.
4. The proposed new development may be subject to the payment of development fees and in-lieu fees as required by the City's Fee Ordinance at the time an application is submitted or prior to the issuance of permits as determined by the City.
5. The development must comply with the storm water regulations applicable at the time of approval of the corresponding grading permit application.
6. All design requirements and mitigation measures of Environmental Impact Report (FEIR23-005) (SCH No. 2023080449) shall be implemented.

B. Prior to submittal of any Final Map, the applicant/developer shall comply with the following conditions:

Land Development Division

1. The Final Map shall show the gross and net acreage of all lots created.
2. The Final Map shall use the California Coordinate System for its "Basis of Bearing"

and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source will be the California Coordinate System, Zone 6, North American Datum of 1983 (NAD 83).

3. A condominium note shall be included on the Final Map which denotes a maximum of 46 airspace residential condominium units on one lot, pursuant to Section 4125 of the California Civil Code.
- C. Prior to or concurrent with the recordation of a Final Map, the applicant/developer shall comply with the following conditions:

Land Development Division

1. The applicant/developer shall apply for a public improvement permit compliant with SMMC Chapter 14.16. All plans submitted for public improvements shall conform to applicable codes and engineering handouts, unless explicitly superseded by the conditions contained herein. All appropriate fees shall be paid for the processing of the permit.
2. The applicant/developer shall dedicate to the City easements or rights-of-way for emergency and municipal access, and all other interests in real property required by these conditions and as shown on the tentative map. All property or property interests 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. Easements granted to the City shall include, but may not be limited to:
 - a. An emergency and municipal access easement over the project driveway.
3. The applicant/developer shall submit an application to vacate the drainage rights and a portion of the slope rights granted to the City per document 2002-0251944. Public street and utility rights shall be reserved for the City.
4. Prior to the recordation of a Final Map (except maps for financing and conveyance purposes only), the applicant/developer shall not grant any easements over any property subject to a requirement of dedication or irrevocable offer to the City, unless such easements are expressly made subordinate to the easements to be offered for dedication to the City. Prior to granting any of said easements, the applicant/developer shall furnish a copy of the proposed easement to the Land Development Engineer for review and approval.

5. 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 by the City. The applicant/developer shall provide recorded documents satisfactory to the City that such easements or other interest in real property have been obtained prior to the approval of the Final Map.

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 the filing of any Final Map for approval, in accordance with SMMC Section 19.16.110, in order for the City to initiate condemnation proceedings as necessary for offsite acquisition of property. In all cases, the applicant/developer shall be responsible for all costs incurred in acquiring offsite property.

6. Direct access rights to all parcels abutting Woodward Street shall be relinquished to the City on the Final Map except at the project access driveway location.
7. The Final Map shall include a statement to indicate that all streets, drainage, streetlights, street signage and striping improvements within the interior of this subdivision designated as private shall remain private and be maintained by a homeowner's association (HOA).
8. The applicant/developer shall develop Covenants, Conditions and Restrictions (CC&Rs) for the proposed project to assure the continued maintenance and operation of all open space and common areas, recreational facilities, and private improvements.
 - a. At a minimum, the CC&Rs shall describe the property manager and/or HOA maintenance responsibilities, parking restrictions, fuel modification maintenance, water quality Best Management Practices (BMPs), City reporting responsibilities, and any regulatory agency permit responsibilities. The CC&Rs shall include an exhibit and/or written description depicting the HOA maintenance responsibilities.
 - b. The applicant/developer shall submit a draft copy of the CC&Rs for review and comment by the City. Final form of the CC&Rs shall be to the satisfaction of the City Attorney. A fully executed copy of the CC&Rs shall be provided to the City for recordation with the Final Map.
 - c. The CC&Rs shall include the provision that garages shall be utilized for the parking of vehicles, to be enforced by the HOA.

- d. Maintenance of private open space areas and slopes shall be the responsibility of the HOA. All remaining open space lots, improvements and slopes that the City agrees to maintain must comply with City's criteria for maintenance for the Community Facility District No. 98-02 (Lighting, Landscaping, Open Space and Preserve Maintenance).
9. If the project is to be phased, 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. 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.
10. Line of sight easements, if necessary, shall be dedicated on the Final Map and delineated on all improvement and 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.
11. The applicant/developer shall enter into a Subdivision Improvement Agreement with the City to complete all required public improvements prior to recordation of the final map. Securities and applicable fees for the construction of the public improvements shall be submitted to and approved by the City in accordance with SMMC Sections 19.16.070 and 19.16.080.
12. The applicant/developer shall submit plans and appropriate construction notes for improvement of all streets, right of way and drainage facilities to the City Engineer for approval. Plans shall include all off-site improvements as specified by the City Engineer. The scope of the offsite improvements shall include, but not be limited to:
 - a. A signage and striping plan shall be included with the improvement plans utilizing Caltrans' standards and shall be acceptable to the City Engineer. The striping plan shall include modifications to the existing center turn lane on Woodward Street to facilitate project access.
 - b. A new public streetlight and fire hydrant at the intersection of the project driveway and Woodward Street.
13. 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 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 each Map Unit.

14. The exact depth of any new or improved 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” and “Street Excavation Ordinance”. Tests shall be taken by a qualified engineer at locations approved by the Director of Public Works.
15. 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 the City’s “Urban Street Design Criteria” in effect at the time of project approval.
16. A light emitting diode street lighting system shall be shown on the street improvement plans and shall be installed at the location shown on the tentative map as specified by the City Engineer at no cost to the public. All installations shall be compliant with the City’s Street Lighting Standards.
17. If applicable, all utilities fronting, abutting or within the project shall be undergrounded with the exception of sixty-nine (69) KVA or greater power lines. All utility undergrounding must be completed prior to the surfacing of the streets. Undergrounding must accommodate all pad mounted and pedestal equipment consistent with General Plan Goal LU 17.3. Where the underground of such equipment is not possible due to safety or lack of standards for such undergrounding, the applicant/developer shall provide an underground vault, in-building vault room, architecturally integrated screen wall around equipment, or other option approved by the Planning Division Director. The applicant/developer shall be responsible for acquiring all associated easements required by the utility companies for such work. The permanent placement of large meter services, detector checks, fire hydrants, etc., along circulation element streets shall be placed outside of the ultimate right-of-way and if applicable, trail easement, to avoid reconstruction or modification of same.
18. The applicant/developer shall comply with all rules, regulations and design requirements of the respective sewer, water, utility, regional, federal or other approving agency regarding the installation, modification, development, improvement or protection of facilities within the project boundaries. It shall be the applicant/developer’s responsibility to determine all agencies with rights of approval for the proposed development.
 - a. Water meter sizing and locations shall be approved by Vallecitos Water District prior to issuance of the first grading permit.

19. The applicant/developer shall mitigate for impacts on City services related to emergency response, traffic congestion, landscaping, and infrastructure maintenance. The mitigation shall be met through the execution of applications to annex the real property of the project into the following Community Facilities Districts (CFD):
 - a. CFD 98-01: Improvement Area No. 1 (Police Only)
 - b. CFD 98-02: Lighting, Landscaping, Open Space and Preserve Maintenance
 - c. CFD 2001-01: Fire and Paramedic
 - d. CFD 2011-01: Congestion Management

No building 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 CFDs for the establishment of the special taxes. In lieu of annexation, the applicant/developer may pay a fee for each CFD consentient with the pre-payment option laid out in each CFD formation document. 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 CFD including, without limitation, requirements for notice and disclosure to future owners and/or residents.

20. The applicant/developer shall post securities to the City, 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 BMPs, 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. For grading securities, the City may require 10% of said securities to be in the form of cash.

- D. Prior to issuance of any grading permit, the applicant/developer shall comply with the following conditions.

Land Development Division

1. The applicant/developer shall submit an application for a grading permit in accordance with SMMC Chapter 17.32 and all related Engineering Division handouts. All applicable fees and securities shall be paid prior to grading permit issuance.
2. 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

written by a registered geotechnical engineer or registered engineering geologist.

3. The scope of the grading plans shall include a walkable pedestrian connection from the project site to Woodward Street, the design of which shall be reviewed and approved by the City Engineer.
4. If applicable, the applicant/developer shall secure letters of permission from adjacent property owners for all construction activities 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.
5. Erosion control and/or sediment control details shall be submitted with/on the grading plans to the Land Development Division for review and approval. The details shall conform to City standards, codes and ordinances, and San Diego Regional Water Quality Control Board (SDRWQCB) Municipal Storm Water Permit requirements. The details shall include landscaping and temporary irrigation systems on exposed slopes to be approved by the City Engineer and Planning Division Director.
6. A hydrology and hydraulic report, including calculations, shall be prepared for the project to determine the existing and post-development runoff for the 100-year storm conditions. Storm drains 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 project's build-out runoff into existing off-site natural drainage swales and storm drain systems, and shall address any need for off-site improvements, including upsizing of existing facilities. 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(s).
7. 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.
8. The applicant/developer shall execute a "Hold Harmless" Agreement with the City.
9. All proposed private improvements located within the City right-of-way or existing public easements shall be permitted through an Encroachment, Maintenance and Removal Agreement (EMRA). The EMRA shall be executed and recorded prior to grading permit issuance.

10. A Storm Water Quality Management Plan (SWQMP) shall be submitted in accordance with the most current version of the City adopted BMP design manual and meet the most current requirements of SDRWQCB.
 11. The applicant/developer shall enter into a Storm Water Management and Discharge Control Maintenance Agreement and Easement for the maintenance of all structural post-construction storm water management improvements. The agreement and easement shall be in a form acceptable to the City Attorney.
 12. Proof of coverage under the State of California's General Construction Permit shall be provided to the Land Development Division. A copy of the Storm Water Pollution Prevention Plan (SWPPP) submitted with the State's permit shall be submitted.
 13. All construction and grading related Best Management Practices (BMPs) shall be shown in detail on the construction plans submitted to the City for review and approval.
- E. Prior to issuance of any building permit, the applicant/developer shall comply with the following conditions:

Land Development Division

1. The Final Map shall be recorded prior to building permit issuance.
2. The approved precise grading plans shall be attached to the building plans.
3. Prior to submittal of any building plans, the grading and public improvement plan sets shall be submitted for the second plan check and deemed substantially complete by the Land Development Engineer. Prior to issuance of any building permits, the public improvement plans shall be approved by the City Engineer and appropriate securities accepted.
4. All public improvements required at the time of subdivision and/or development shall be under construction to the satisfaction of the City Engineer prior to the issuance of the first production building permit, excluding retaining wall permits and model units.
5. All grading shall be observed by a licensed 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 on the approved project 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 identified in the initial report of subsurface conditions.

6. A certification of line and grade for the building pad, signed and stamped by the engineer of work, shall be provided to the Engineering Inspector. The certification shall be in a form acceptable to the City Engineer.
 7. The base lift of asphalt on all roads serving the area under construction shall be completed. All proposed fire hydrants shall be operational prior to the delivery of combustible materials to the project site.
- F. During the grading and construction phase, the applicant/developer shall comply with the following conditions:

Engineering Inspection Division

1. Prior to any construction activities, a pre-construction meeting shall be held with the Engineering Construction Inspection Division. The applicant/developer shall provide the inspector with a detailed construction schedule which depicts when building occupancy or occupancies will occur and when key public and private infrastructure improvements will be completed. Schedule updates shall be provided to the Building and Engineering Inspectors at a minimum monthly basis throughout the life of the project.
2. 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.
3. During construction activities, the applicant/developer shall maintain public and private driveway and/or road access to neighboring 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.
4. The applicant/developer shall submit a traffic control plan to the Engineering Inspector for all phases of construction for approval by the City Engineer. Said plan shall include all traffic control devices including traffic signals as required.
5. Construction haul routes must be designed to avoid noise sensitive uses (e.g., residences, convalescent homes, etc.), to the extent feasible.
6. At the discretion of the Engineering Inspector, the applicant/developer shall document the pre-construction condition of existing roads or offsite properties which may be impacted by construction activities. The applicant/developer shall be responsible in repairing any construction related damages prior to occupancy.

7. A Right-of-Way permit shall be required prior to commencement of any work within the City right-of-way.
 8. The applicant/developer shall implement and maintain storm water pollution prevention measures as required on the approved plans. Violations of the City's Storm Water Management Ordinance (SMMC Chapter 14.15) will result in Stop Work Orders, Notices of Violations and/or citations with fines. Work on the project may be delayed until the City determines that compliance with storm water requirements has been achieved.
- G. Prior to the occupancy of any structure, the applicant/developer shall comply with the following conditions:

Land Development Division

1. All public improvements shall be completed in accordance with the approved project plans prior to issuance of the first market rate Certificate of Occupancy.
2. All applicable easements and agreements shall be recorded prior to occupancy.
3. Prior to the issuance of any certificates of use and occupancy, the applicant/developer shall provide evidence to the Building Official, that the Department of Real Estate has been notified that the project area is within the boundaries of a Community Facilities District (CFD) and will be subject to special taxes for public facilities and/or services.
4. Redline As-Built drawings shall be submitted to the Engineering Division for review and approval. Record drawing mylar plans shall be submitted and approved prior to the release of any project securities.
5. Any existing broken pavement, concrete curb, gutter or sidewalk or any other facilities damaged during construction of the project, shall be repaired or replaced as directed by the Engineering Inspector.
6. Water and sewer improvements in accordance with the project water/sewer study shall be constructed for the project as determined necessary by the applicable water/sewer district(s).
7. Prior to the issuance of any certificates of use and occupancy, the applicant/developer shall not grant any easements over any property subject to a requirement of dedication or irrevocable offer to the City, unless such easements are expressly made subordinate to the easements to be offered for dedication to the City. Prior to granting any of said easements, the applicant/developer shall furnish a copy of the proposed easement to the Land Development Engineer for review and approval. Further, a copy of the approved easement shall be furnished to the Land

Development Engineer prior to issuance of any certificate of use and occupancy.