

RECOMMENDATIONS

COMMUNITY PLANNING GROUP/STAFF'S/PLANNING COMMISSION

CASE NO. 72526

STAFF'S

Recommend the City Council **Certify** the Addendum No. 72526,
Recommend the City Council **Approve** Public Right-of-way Vacation No. 266926,
Recommend the City Council **Approve** Easement Vacation No. 266925,
Recommend the City Council **Approve** Vesting Tentative Map No. 232063,
Recommend the City Council **Approve** Site Development Permit No. 232067, and
Recommend the City Council **Approve** Coastal Development Permit No.225393

PLANNING COMMISSION

YEAS: Schultz, Ontai, Otsuji, Nasland, Griswold, and Garcia.

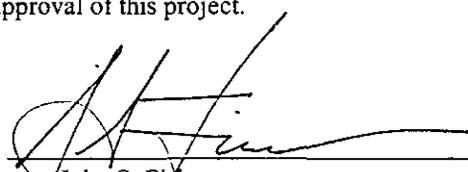
NAYS:

ABSTAINING:

TO: Recommend City Council adopt staff's recommendations.

COMMUNITY PLANNING GROUPLIST NAME OF GROUP: Carmel Valley Community Planning Board Community Planning Group has recommended approval of this project.

By



John S. Fisher
Development Project Manager

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THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: May 14, 2007 **REPORT NO. PC-07-090**

ATTENTION: Planning Commission, Agenda of June 21, 2007.

SUBJECT: **CARMEL VALLEY NEIGHBORHOOD TEN - PROJECT NO. 72526.**
PROCESS 5.

**OWNER/
APPLICANT:** Pardee Homes (Attachment 15)

SUMMARY

Issue(s) - Should the Planning Commission recommend the City Council approve the Carmel Valley Neighborhood Ten project to allow development of 44.80 acres with 121 single family homes located north and south of Carmel Mountain Road west of Carmel Country Road?

Staff Recommendation -

1. Recommend the City Council **Certify** Addendum to an Environmental Impact Report and Subsequent EIR No. 72526, and Adopt the Mitigation Monitoring and Reporting Program; and
2. Recommend the City Council **Approve** Public Right-of-way Vacation No. 266926, Easement Vacation No. 266925, Vesting Tentative Map No. 232063, Site Development Permit No. 232067 and Coastal Development Permit No. 225393.

Community Planning Group Recommendation - On March 13, 2007, the Carmel Valley Community Planning Board voted 10:0:1 to approve the proposed actions, with concerns. For a full discussion, see the Discussion section of this report.

Environmental Review - An Addendum No. 72526 has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation Monitoring and Reporting Program has been prepared and will be implemented which will reduce, to a level of insignificance, any potential impacts identified in the environmental review process.

Fiscal Impact Statement - No fiscal impact. All costs associated with the processing of the application are recovered through a deposit account funded by the applicant.

Code Enforcement Impact - None with this action.

Housing Impact Statement - The proposed project would provide for the development of 121 single family dwelling units on approximately 44.80 acres in Carmel Valley Neighborhood 10. Approximately 20 of the 44.80 acres are designated by the Carmel Valley Neighborhood 10 Precise Plan for Very-Low Density Residential development with a density range of 0-5 dwelling units per acre. The remainder is designated as Open Space. The project density is within the overall number of dwelling units that may be permitted for Neighborhood 10. The project represents a gain of 121 single-family dwelling units to the City's housing inventory. The project is conditioned to pay an in-lieu fee for 14 of the 121 dwelling units. The remaining 107 dwelling units are exempt from payment of the City's Inclusionary Affordable Housing Regulations per the terms of Development Agreement, Doc. #1999-0541679.

BACKGROUND

The Carmel Valley Neighborhood Ten project is located within the precise plan area of Carmel Valley Neighborhood Ten. The Carmel Valley Neighborhood Ten Precise Plan (Plan) designates the site(s) for single family residential development at a density range of 1-5 dwelling units per acre (Attachment 1). The project location is north and south of Carmel Mountain Road west of Carmel Country Road (Attachment 2). The project is composed of four separate locations within the neighborhood. Unit 2 South is located at the terminus of Briarlake Woods Drive south of Carmel Mountain Road and north of Los Penasquitos Canyon Preserve. Unit 5 South is located south of Carmel Mountain Road and west of Gaylemont Lane and Furlong Place. Unit 9 South is located south of Carmel Mountain Road in the southwestern most corner of the Plan area west of the new Carmel Mountain Road bridge at the boundary between the Torrey Hills and Neighborhood Ten communities. Unit 12 South is located north of Carmel Mountain Road, west of the new Carmel Mountain Road bridge and west of Canter Heights Drive. All four properties are located in the SF-2, SF-3 & OS Zones of the Carmel Valley Planned District of the Carmel Valley Community Plan area (Attachment 3).

A small portion of Unit 2 South and Unit 5 South was previously mapped, yet not developed. The Vesting Tentative Map proposes to map over those earlier lots and re-subdivide this area with a different configuration and lot pattern. Both Unit 2 South and Unit 5 South would also map areas not previously mapped. Unit 9 South and Unit 12 South have never been mapped and are undeveloped, unsubdivided lands.

The applicant, Pardee Homes, entered into a legally binding development agreement with the City of San Diego for all development within the Pacific Highlands Ranch, Subarea III of the North City Future Urbanizing Area (Attachment 4). In return for reducing development and the associated impacts in the Pacific Highlands Ranch community Pardee was granted the right to increase the maximum density in the Carmel Valley Neighborhood Ten Precise Plan area. The

maximum increase in the single family category is 72-74 single family units (Attachment 4, page 16, Section 5.3). At the request of City staff, Pardee Homes redesigned the project to increase the total number of dwelling units to the maximum number physically possible and yet remain within the terms of the development agreement and community plan. The proposed project would realize a portion of this density increase and develop 63 dwelling units above the limit of the Plan. Site constraints prevent any additional increase above 63 units.

DISCUSSION

Project Description

The Carmel Valley Neighborhood Ten project would develop 44.8 acres with a total of 145 lots; 121 single family lots for single family development, six lots for dedication to the City of San Diego for open space, sixteen lots for manufactured slopes, brush management, monument entries, pocket parks, green space and a private driveway to be owned by the home owners association, and two lots for access to an adjacent property to be conveyed at fair market value. A small portion of the proposed subdivision was previously subdivided by a final map and would be reconfigured and re-subdivided by the proposed vesting tentative map and subsequent final map.

Grading Design

The proposed grading design would grade 65 percent of the 44.8 acres or 29.52 acres. The earthwork would total 299,510 cubic yards; 287,970 cubic yards of excavation and 293,740 cubic yards of embankment. The design would result in 5,770 cubic yards of imported material. The design would excavate the site and create fill slopes, yet no cut slopes would be created. The maximum height of the fill slope at the highest point would be 82 feet. The average height of the fill slopes would vary from twenty-five to thirty-six feet (Attachment 5, Sheets 1, 2 & 4).

Architectural Design

The project would provide four styles of architecture; Spanish, Tuscan, Monterey and French Country (Attachment 6, Sheets 13-17, 19-21, 23-25, 28-30, 32-35, 37-40 and 42-45).

In Units 2 South, 5 South and 12 South, the proposed project would offer three different models of two story homes. The homes would provide a variety of roof materials, colors, massing and garage configurations. Each home would be offered with three different elevation styles. The development would offer a mixture of styles including Spanish, French and Spanish Monterey.

The Spanish elevation details would include stucco walls, concrete "S" tiled roofs, wrought iron detailing, wood shutters, recessed windows, round accent windows, and stucco corbels. The French elevation details would include stucco walls, steep roof pitches, curved roof detailing, wood shutters, corbels, pot shelves, flat concrete tiled roofs and recessed windows. The Spanish Monterey elevation details would include stucco walls, concrete "S" tiled roofs, brick veneer accents, covered wood decks and wood shutters.

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The applicant would also trim the windows per elevation style on all sides as standard, offer carriage style garage doors with optional lites per elevation style, and include optional solar packages. Rear enhancements of the structures and optional stylized decks would also be included and would offer articulation from the open space canyon trails.

In Unit 9 South the proposed project would also offer three different models of two story homes. The homes would provide a variety of roof configurations, exterior materials, roof materials, colors and massing. Each home would be offered with three different elevation styles. The development would offer a mixture of styles including Spanish, French Country and Tuscan.

The Spanish elevation details would include stucco walls, concrete "S" tiled roofs, wood shutters, wrought iron pot shelves, arched openings, stucco corbels, terra cotta outlookers and half round windows. The French Country elevation details would include stucco walls, stone accent wall planes, steeply pitched dormer roofs, flat concrete tiled roofs, accent siding at the gable ends, soft arched openings and wood shutters. The Tuscan elevation styles would include stucco walls, concrete "S" tiled roofs, stone accent wall planes, exposed roof rafters, hurricane shutters, and wood shutters.

Regardless of style, the floor plan of Plan 1 would offer 1,984 square feet, the floor plan of Plan 2 would offer 2,197 square feet, and Plan 3 would offer 2,398 square feet of floor area. The combination of roof materials, wall materials, roof directions and multiple color schemes in muted earth tones would create variety in the community.

The applicant would provide trim to the windows per elevation style on all sides as standard, offer carriage style garage doors with optional lites per elevation style, and include optional solar packages. An optional trellis would be added to the rear of the Plan 1 above the sliding glass door in order to provide a separation between the first and second stories as suggested by the Carmel Valley Community Planning Board. Rear enhancements of the structures and optional stylized decks would also be included and would offer articulation when viewed from the open space canyon trails below the site.

Landscape Concept and Brush Management

The proposed landscape design would provide street trees, slope erosion control, pocket parks and amenities, brush management, walls, fences, noise attenuation walls and other improvements (Attachment 7, Sheets 8-12). The landscape plant list is a blend of native and ornamental species. The street tree species selected would be *Cassia leptophylla*, *Jacaranda mimosifolia*, *Koelreuteria bipinnata*, *Liquidambar styraciflua*, *Magnolia grandiflora*, *Platanus acerifolia*, *Podocarpus gracilior*, *Pyrus calleryana* and/or *Quercus ilex*. Accent trees at monument entries would include *Alnus rhombifolia*, *Magnolia grandiflora*, *Prunus* species, *Koelreuteria bipinnata* and/or *Lagerstroemia indica*. Trees to be used on manufactured slopes include *Geijera parvifolia*, *Pinus eldarica*, *Pinus torreyana* and/or *Cassia leptophylla*. The shrubs and groundcover materials are a mix of common native and ornamental species. The low profile native open space list, to be used in the disturbed areas of the site, is composed entirely of native species.

The Brush Management plan would provide the standard 100 foot depth of brush management

where necessary to reduce the risks associated from wild fires. In one area of the project the Fire Department supports the proposed Zone One of 35 feet and no Zone Two. In this area, Unit 9 South between lots 18 through 28, the vegetation beyond the subdivision boundary is of a very low fuel volume and density. The vegetation on this City-owned open space in this area is very sparse. Elsewhere the project would provide the standard brush management features to reduce the risks associated with developing adjacent to canyon lands.

Precise Plan Analysis

The proposed project conforms to the residential and open space land use objectives of the Carmel Valley Neighborhood 10 Precise Plan. The project also proposes a coherent architecture and landscape design similar to existing developments in Neighborhood 10 in order to meet the Precise Plan's design objectives for a unified neighborhood aesthetic. Two pocket parks are proposed in addition to the open space required by the Precise Plan. Therefore, the project may be supported as consistent implementation of the Precise Plan's objectives for single-family development and open space in this neighborhood.

Planning Context

Carmel Valley Neighborhood 10 comprises 800 acres of mesa top and canyons overlooking Los Penasquitos Canyon Preserve. Neighborhood 10 is one of the 10 neighborhood development units identified in the 1975 Carmel Valley Community Plan. The community plan requires preparation of precise plans for each neighborhood development unit within the planning area. A precise plan was adopted for Neighborhood 10 in 1994 and subsequently amended several times to reconfigure open space, add dwelling units, and delete a sewer connection through Los Penasquitos Canyon. Approximately one-half of the planning area is designated as Open Space by the Precise Plan.

The majority of the developable area is designated for Very-Low Density Residential Development with a density range of 1-5 dwelling units per acre. Development is allocated to each of 20 development areas in order to establish a maximum yield of 1551 dwelling units for this neighborhood, and to achieve an equitable distribution of development rights for the many property owners (Attachment 8). The Precise Plan also allows the transfer of density between development units with the goal of achieving the maximum amount of units. There is also a twelve acre multi-family residential site, a four acre Neighborhood Commercial site and a fifteen acre area developed with a school and a joint use park. Most parcels have been approved for development except for the multi-family and commercial sites and a one acre single-family residential parcel; the Tavelman property, within the open space corridor near the Carmel Mountain Road bridge. Pardee Homes is also processing an application for joint development of the multi-family and neighborhood commercial sites known as 'Carmel Highland Village' which was discussed at the May 10, 2007 Planning Commission meeting, and recommended for approval by the Planning Commission on June 7, 2007.

A Development Agreement (DA) between the City and Pardee Homes for the nearby Pacific Highlands Ranch community contains a provision that allows an increase in development for Neighborhood 10 in exchange for additional open space in Pacific Highlands Ranch (1998

Pacific Highlands Ranch Subarea Plan). The DA allows Pardee Homes to propose, and the City to consider, either a nine acre increase in net developable area with a corresponding loss of open space, or an additional 72-74 dwelling units within Carmel Valley Neighborhood 10. Pardee Homes is proposing to add dwelling units within the existing developable area, rather than pursue a design that would have resulted in a loss of open space.

Pardee Homes has reconfigured their two remaining development applications to provide, at build-out, a total of 63 additional dwelling units out of the 72-74 dwelling units that may be allowed per the Development Agreement. This project is proposing 121 single-family dwelling units, the other project in process, Carmel Highlands Village, is proposing 172 dwelling units and the Tavelman property would be allowed one dwelling unit for a total of 1614 dwelling units for this neighborhood.

Land Use

The 44.80 acre non-contiguous site encompasses residential and open space Precise Plan land use designations. Approximately 20 acres of the site is designated for Very-Low Density residential development with a range of 0-5 dwelling units per acre. The Carmel Valley Community Plan allows detached dwelling units with a range of lot sizes within this land use designation, including homes clustered around shared driveways. The Precise Plan also recommends several zones to achieve a variety of single-family lot sizes. The proposed residential densities are generally within the range allowed by the Precise Plan. The density transfer provision is proposed to slightly exceed the density range for the Precise Plan development areas that are part of Units 9 South and 12 South on the proposed subdivision. Proposed lot sizes meet the minimums required by the CVPDO SF-2 and SF-3 zones.

Approximately 24 acres of the site is designated as Open Space by the Precise Plan, including twelve acres of 'natural open space' and seven acres of 'revegetated slope' area. The remaining open space consists of landscape buffers and entry monuments. The proposed subdivision will conserve these open space areas and incorporate ornamental landscaping and slope revegetation with native plants as required by the Precise Plan. Therefore, the proposed project is consistent with the residential and open space land use objectives of the Precise Plan and the Community Plan.

Neighborhood Design

The Precise Plan contains a grading plan that depicts the limits of grading within and adjacent to designated open space, pad elevations and the relative size and shape of fill slopes (Attachment 9). The Precise Plan also contains qualitative grading and hillside standards to reduce the visibility of fill slopes higher than ten feet that are adjacent to open space and major roads. These standards include: creating undulating, natural appearing slopes; incorporating variable slope ratios between 2:1 and 4:1 gradients; planting all manufactured slopes with erosion control, fire resistant, and self-sufficient plants; blending plant material between transitional and natural slopes; and landscape plans that do not require excessive irrigation.

The proposed grading plan is generally within the limits of grading allowed by the Precise Plan. Grading and development limits are also reduced at two key areas near Los Penasquitos Preserve and at the wildlife undercrossing at Carmel Mountain Road. The size and shape of the proposed fill slopes generally conform to those slopes identified by the Precise Plan's grading exhibit. Variable slope ratios have been incorporated into the project design where feasible. Transitional slopes adjacent to open space are proposed to be revegetated with native plants.

The project also identifies a trail alignment for the public trail identified by the Precise Plan (Attachment 10). The proposed alignment would connect with the existing trail segment at Carmel Mountain Road utilizing an existing dirt path that would provide future access to Los Penasquitos Canyon Preserve. Three pocket parks are provided as a project benefit. The pocket park at the intersection of Canter Heights Drive and Carmel Mountain Road would provide a park amenity for the neighborhood and also serve as a valuable staging area to access the existing public trail in the canyon. The pocket park at the southern edge of Unit 9S would provide a park accessible to the 88 homes in this area and is also at the junction with a public trail planned within the adjacent SDG&E easement.

Environmental Analysis

An Addendum No. 72526 has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation Monitoring and Reporting Program has been prepared and will be implemented which will reduce, to a level of insignificance, any potential impacts identified in the environmental review process.

The decision to produce an Addendum to the original Environmental Impact Report (EIR) and Subsequent EIR rather than prepare a second subsequent EIR is supported since none of the conditions described in Title 14, CCR, Section 15162 calling for preparation of a subsequent EIR have occurred. The Addendum has been prepared in accordance with Section 15164 of the State CEQA Guidelines. In particular, the new proposed project would not have one or more new significant effects, or any environmental effects which would be significantly more severe than shown in the previous Precise Plan EIRs, Nos. LDR 96-0736, 96-0737 and 91-0834.

The environmental process considered the potential for impacts to Air Quality, Biological Resources, Land Use as it relates to MHPA Land Use Adjacency Guidelines, Landform Alteration/Visual Quality, Paleontological Resources, Transportation/Circulation, Cultural Resources, Geology/Soils, Hydrology/Water Quality, Noise and Public Services. Based upon review of the proposed project, it has been determined that:

- A. There are no new significant environmental impacts not considered in the previous EIR;
- B. No substantial changes have occurred with respect to the circumstances under which the project is undertaken; and
- C. There is no new information of substantial importance to the project.

Of the areas studied through the environmental review process, the project would require mitigation for issues or potential issues associated with Air Quality, Biological Resources, Landform/Visual Quality, Land Use, Public Services and Paleontological Resources. The draft

conditions of approval and the proposed mitigation monitoring and reporting program would require conditions to address these concerns. For an indepth consideration of the environmental analysis, please refer to Addendum to an Environmental Impact Report (EIR) & A Subsequent EIR, Project No. 72526 Addending EIR No. 91-0834 and Subsequent EIR No. 96-0736, 96-0737, SCH #s 88033019 & 97-011032.

Carmel Valley Community Planning Board

On March 13, 2007, the Carmel Valley Community Planning Board (Board) voted 10:0:1 to approve the proposed actions, with concerns (Attachment 11). The Board has expressed five areas of concern; Change in residential product mix and intensity, Pocket parks, Tavelman property, SDG&E right-of-way and pedestrian trails, and other trail issues. All the Board's concerns have been resolved with the exception of the Tavelman property item.

Change in residential product mix and intensity:

The Board has stated no objections to the increase in the total dwelling units developed by the project. Pardee was requested to create a product with no "back side" where units are planned adjacent to the open space and to increase the interest of the garage. Pardee has made changes to the product type facing the open space to increase the level of interest and not build units with flat or uninteresting facades. The garage detailing was increased to add interest there as well. Pardee Homes continues to offer energy saving incentives and upgrades with all their homes.

Pocket Parks:

The Board has requested pocket parks to supplement the usable open space for active recreation by future residents of the proposed development. Pardee Homes has proposed three locations for pocket parks within the proposed development. One pocket park in Unit 12 South, one in Unit 9 South and the last is located within Unit 5 South. All pocket parks would be owned and maintained by the homeowners association.

The first pocket park would be located north of Carmel Mountain Road and east of Canter Heights Drive in Unit 12 South. This location would also allow a direct connection to the open space trail system in Carmel Valley Neighborhood Ten. Pardee Homes has agreed to provide the specific design features listed in the Board's letter. Wood-crete fencing and benches facing in and out of the park space would be included in the final design.

The second pocket park is shown on the plans in Unit 9 South in the southeast corner of the unit in the location mentioned by the Board's letter. The location also offers an open space trail connection to the City-owned open space immediately to the south.

The third pocket park is shown on the drawings within Unit 5 South north of the cul-de-sac of Gaylemont Lane. While Unit 2 South has no pocket park, there are two trail connections for a SDG&E easement access which could be used by residents to access the open space to the south. No changes to the proposed design of the project are necessary to address these issues and were incorporated into the design by Pardee Homes.

Tavelman Property:

The Tavelman property is a land-locked parcel without any legal or physical access to a dedicated public right-of-way. The property is not included in the proposed development, is not within the boundaries of the tentative map and is not part of the present application. The parcel is located south of the Carmel Mountain Road bridge and east of Unit 9 South. The parcel is shown on sheet 2 of 45 as adjacent parcel as required by staff and is identified as APN 307-100-14. The owner of the Tavelman property has yet to submit any development proposals to the City for review and is not a party to the current Pardee application. In an effort to accommodate the needs of the property owner, the owner and Pardee Homes have been in dialog to facilitate legal access to the land-locked parcel. While Pardee has made accommodations on the current tentative map to provide a lettered, non-building lot to provide both physical and legal access to the Tavelman property, negotiations regarding the value of such legal access continue. The discussion of value is a private matter between property owners. The proposed lettered lot would begin on the south side of Carmel Mountain Road west of the bridge and cross private land ending adjacent to the Tavelman parcel. This lot would not cross any publicly owned open space. If the owner of the Tavelman property submits a proposal to develop the property the City would review the application at that time in relationship to the adopted City Council policies and current regulations. Under the currently adopted regulations, the Tavelman property would require a Site Development Permit in accordance with the Environmentally Sensitive Lands Regulations before any development could occur.

At this time a design proposal has not been presented to the City for this property. Should a development application be submitted for the Tavelman property, it would be reviewed against all applicable adopted City policies and regulations. Although Pardee Homes has cooperated to find a solution for the owner of the Tavelman property, the matter of the Tavelman property is not before the decision-maker with the proposed project.

The Precise Plan designates a portion of the one acre property within the open space canyon adjacent to Unit 9S for development of one single-family home. Access to this land-locked parcel is not specifically identified. However, the Precise Plan identifies entry access from Carmel Mountain Road. When Canter Heights Drive was built, the intersection was relocated west away from the boundary with open space, creating useable area for the proposed pocket park and reducing grading within open space. A curb cut with utilities was installed closer to the original location of the planned intersection with Carmel Mountain Road to provide access to the Tavelman property. The applicant has provided a concept plan that illustrates how access could be proposed if the Tavelman property is developed (Attachment 12). The City would also consider working with the owner on relocating a portion of the future home site toward the toe of the proposed fill slope in order to widen the open space corridor and reduce grading impacts within the canyon, should an application be filed.

SDG&E Right-of-way and Pedestrian Trails:

Pardee has agreed to provide a pedestrian connection to the City-owned open space south of Unit 9 South. This trail connection is shown on sheet 2 of 45 from Street "S" through Lot "E" in the southeast corner of the map. This is also the location of one of the proposed pocket parks.

Other Trail issues:

The Board is requesting Pardee Homes to place trail markers within their development in coordination with the Los Penasquitos Canyon Trail Committee and City Park and Recreation Department staff. Pardee has agreed to facilitate this coordination and install trail markers.

The development of the Tavelman property will be reviewed at the time an application is submitted. Any proposal will be evaluated in relationship to the adopted City Council policies and current regulations, including yet not limited to open space trails in the community. Under the current adopted regulations, the Tavelman property would require a Site Development Permit in accordance with the Environmentally Sensitive Lands Regulations. Under current regulations a noticed public hearing will be required to decide the matter of any Tavelman proposal.

CONCLUSION

Staff has reviewed the request for a public right-of-way and easement vacation, Vesting Tentative Map, Site Development Permit and Coastal Development Permit to subdivide and develop 44.80 acres into 145 lots and construct 121 single family homes. All issues identified through the review process have been resolved in conformance with the adopted City Council policies and regulations of the Land Development Code. Staff has provided draft findings to support approval of the vacations, subdivision map and development permits (Attachment 13 and 14) and draft conditions of approval (Attachment 13 and 15). Staff recommends the Planning Commission recommend to the City Council approval of the project as proposed.

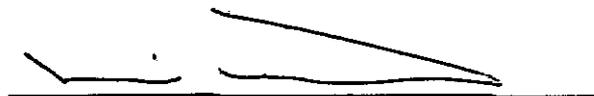
ALTERNATIVES

1. **Approve** Public Right-of-way Vacation No. 266926 and Easement Vacation No. 266925 Vesting Tentative Map No. 232063, Site Development Permit No. 232067 and Coastal Development Permit No.225393, **with modifications.**
2. **Deny** Public Right-of-way Vacation No. 266926 and Easement Vacation No. 266925 Vesting Tentative Map No. 232063, Site Development Permit No. 232067 and Coastal

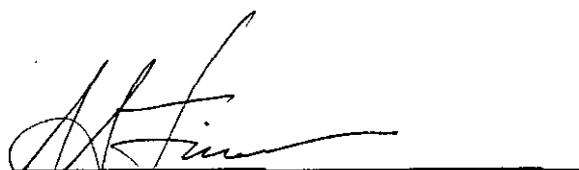
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Development Permit No.225393, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



Mike Westlake
Program Manager
Development Services Department



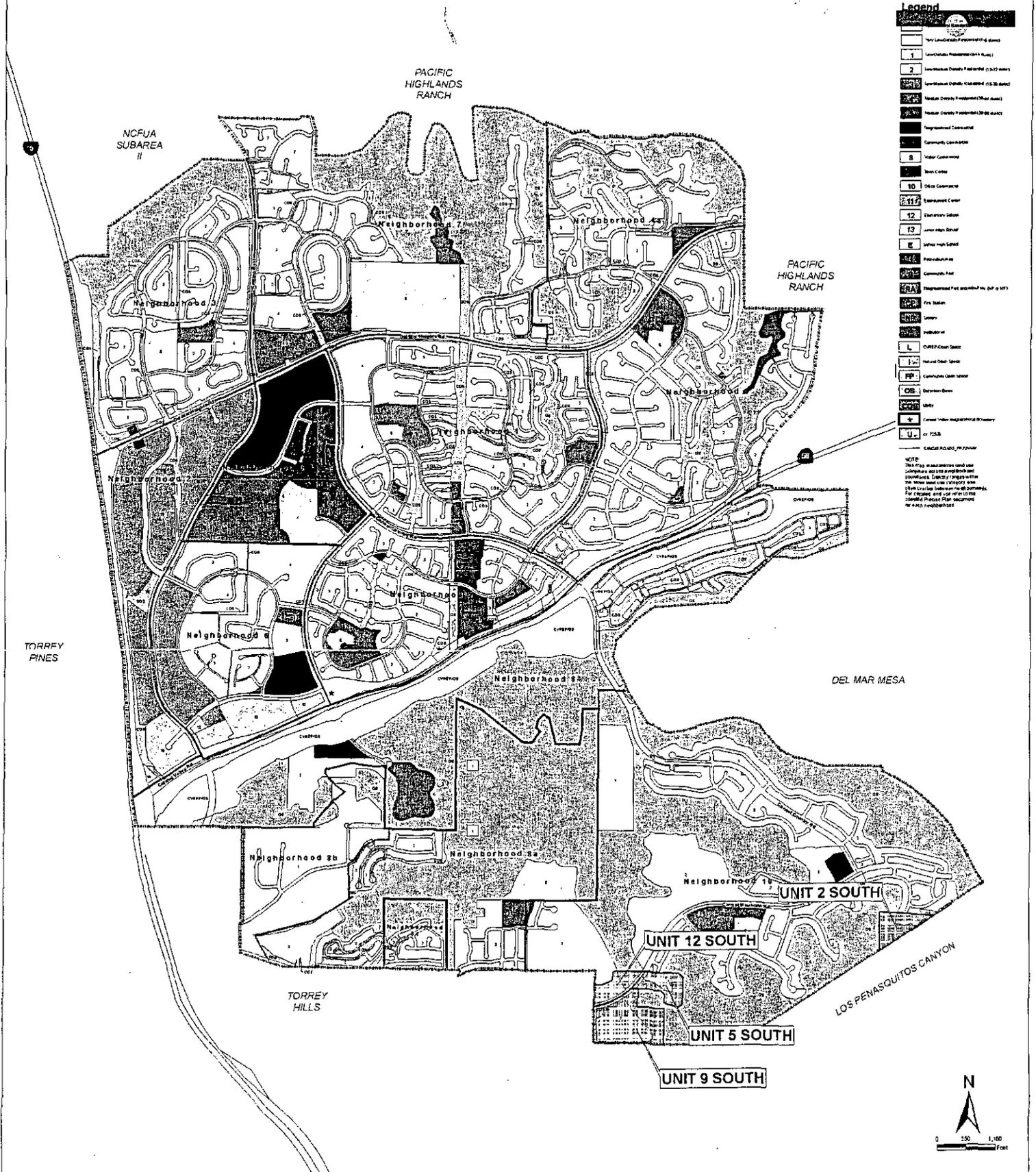
John S. Fisher
Development Project Manager
Development Services Department

ESCOBAR-ECK/JSF

Attachments:

1. Carmel Valley Neighborhood Ten Precise Plan Land Use Map
2. Project Location Map
3. Aerial Photograph
4. Development Agreement, Doc. 1999-0541679, under separate cover
5. Vesting Tentative Map, Sheets 1, 2 & 4
6. Project Plans, Sheets 1-45, under separate cover
7. Landscape & Brush Management, Sheets 8-12
8. Carmel Valley Neighborhood Ten Precise Plan, Land Use Map, Figure 8
9. Carmel Valley Neighborhood Ten Precise Plan, Grading Plan, Figure 17
10. Carmel Valley Neighborhood Ten Precise Plan, Alternative Transportation Facilities, Figure 15A
11. Community Planning Group Recommendation, letter dated March 28, 2007
12. Tavelman Exhibit, prepared by Project Design Consultants
13. Draft Map Conditions and Subdivision Resolution
14. Draft Resolution with Findings
15. Draft Permit with Conditions
16. Ownership Disclosure Statement
17. Project Chronology
18. Project Data Sheet

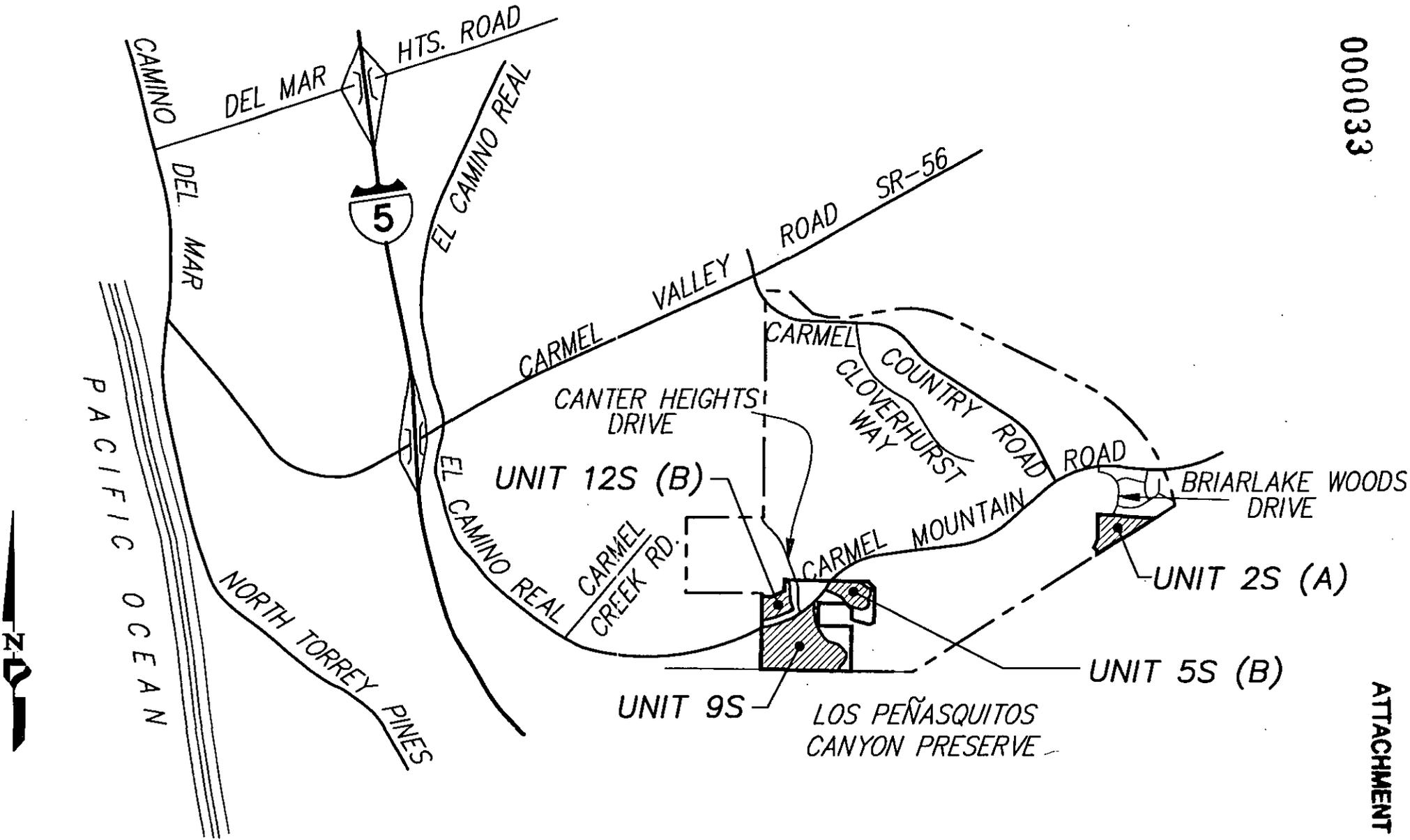
Carmel Valley Neighborhoods Composite Plan Land Use



Legend

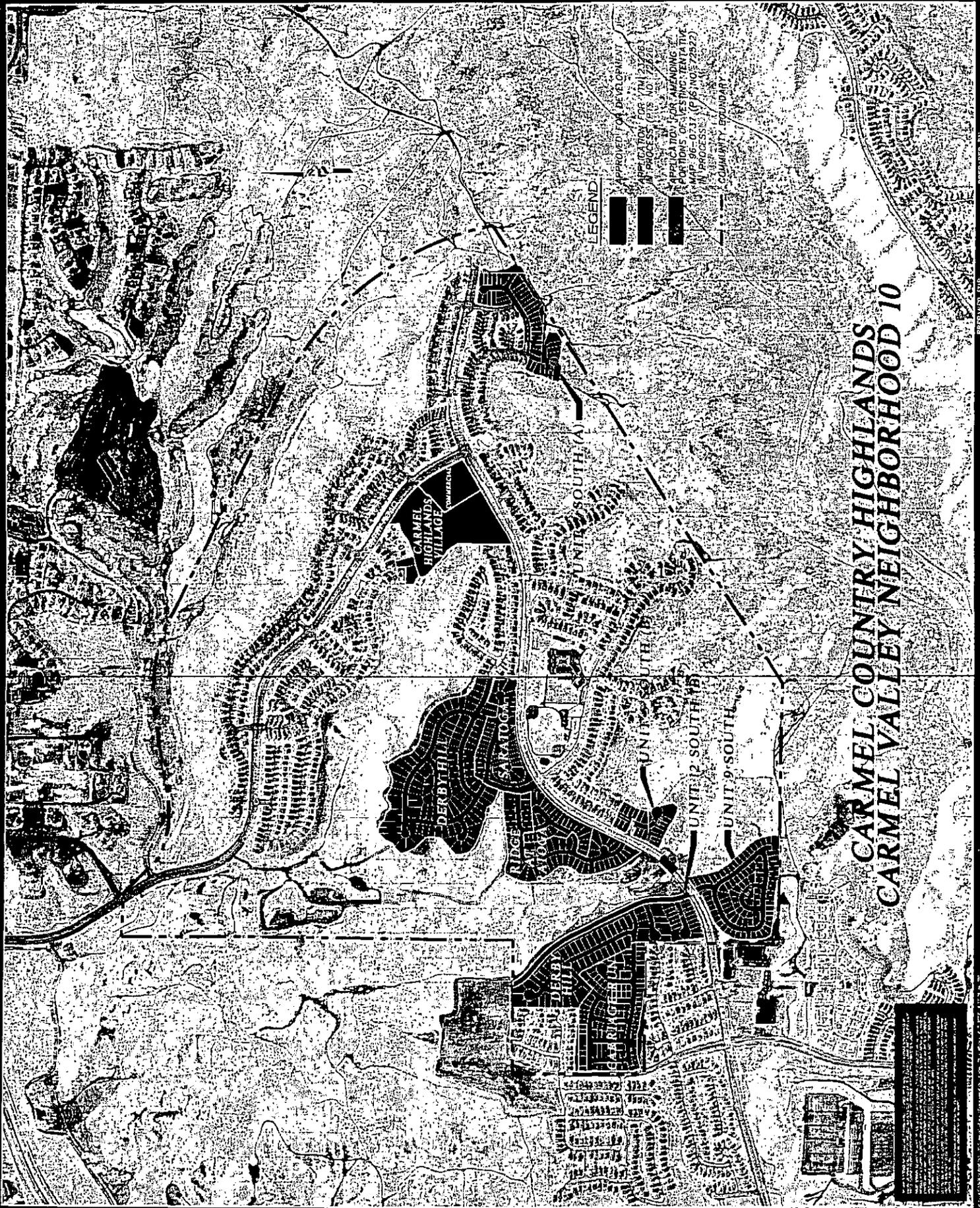
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VICINITY MAP

NO SCALE



**CARMEL COUNTRY HIGHLANDS
CARMEL VALLEY NEIGHBORHOOD 10**

000037

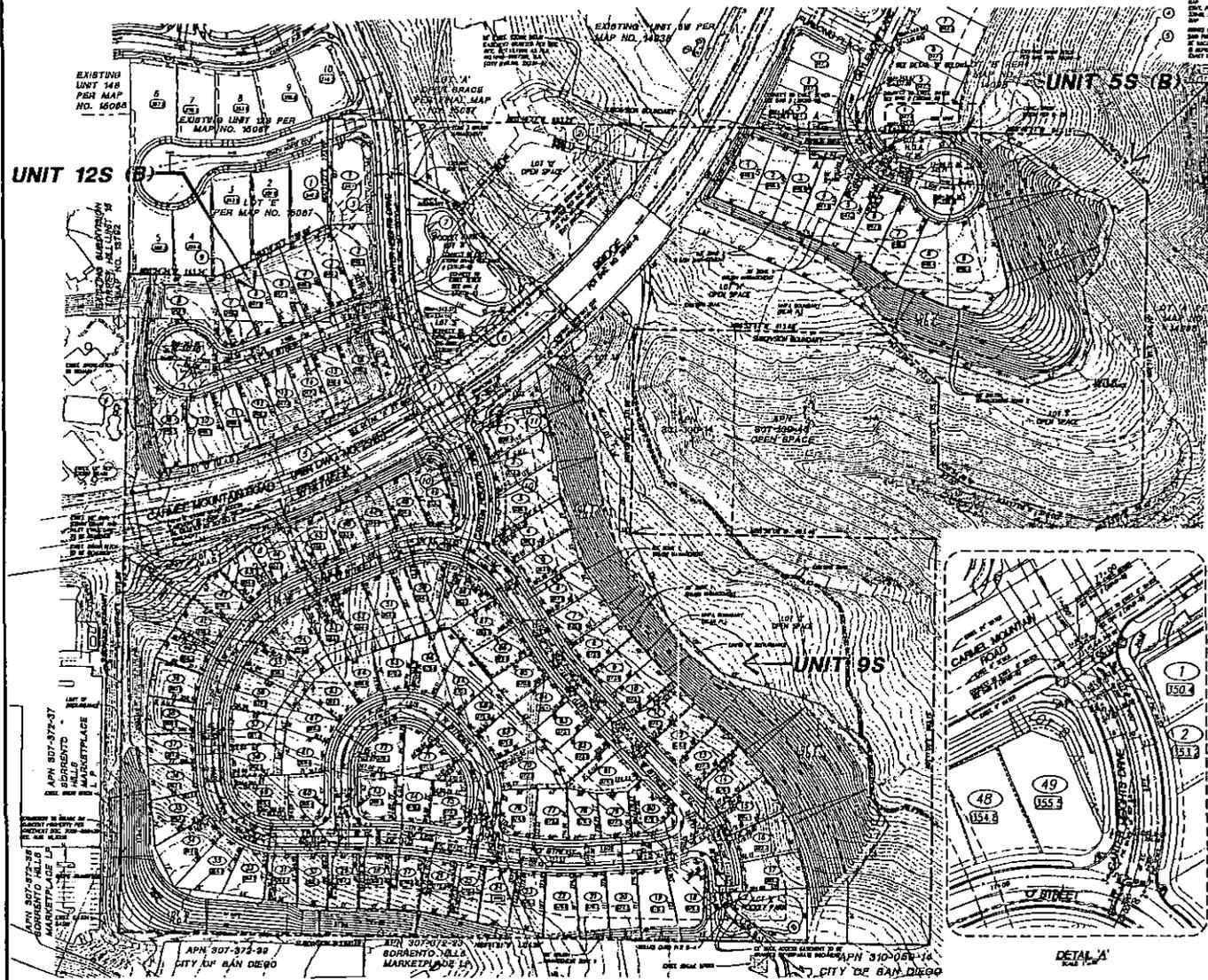
Attachment 4

Development Agreement, Doc. 1999-0541679

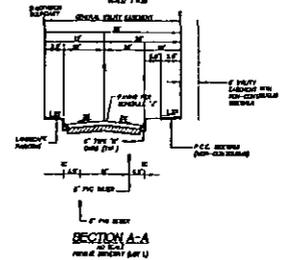
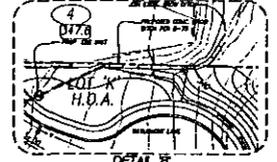
(under separate cover)

VESTING TENTATIVE MAP 232063

CARMEL VALLEY NEIGHBORHOOD 10

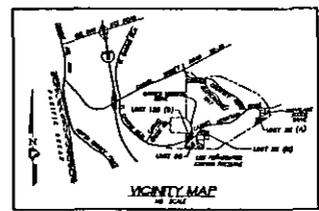


- KEY NOTE**
1. EXISTING LOT LINES AND EASEMENTS FROM THE 1992 TENTATIVE MAP 232063 SHALL BE SHOWN IN DASHED LINES UNLESS OTHERWISE NOTED.
 2. EXISTING LOT LINES AND EASEMENTS FROM THE 1992 TENTATIVE MAP 232063 SHALL BE SHOWN IN DASHED LINES UNLESS OTHERWISE NOTED.
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 10. EXISTING LOT LINES AND EASEMENTS FROM THE 1992 TENTATIVE MAP 232063 SHALL BE SHOWN IN DASHED LINES UNLESS OTHERWISE NOTED.



NOTE:
THE CITY OF SAN DIEGO HAS REVIEWED THIS MAP AND HAS DETERMINED THAT IT IS IN ACCORDANCE WITH THE CITY OF SAN DIEGO ZONING ORDINANCE AND THE CITY OF SAN DIEGO SUBDIVISION MAP ACT. THE CITY OF SAN DIEGO HAS REVIEWED THIS MAP AND HAS DETERMINED THAT IT IS IN ACCORDANCE WITH THE CITY OF SAN DIEGO ZONING ORDINANCE AND THE CITY OF SAN DIEGO SUBDIVISION MAP ACT.

PREPARED BY:
PROJECT DESIGN CONSULTANTS
10000 LA JOLLA VILLAGE SQUARE, SUITE 100
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FAX: 619-594-1101

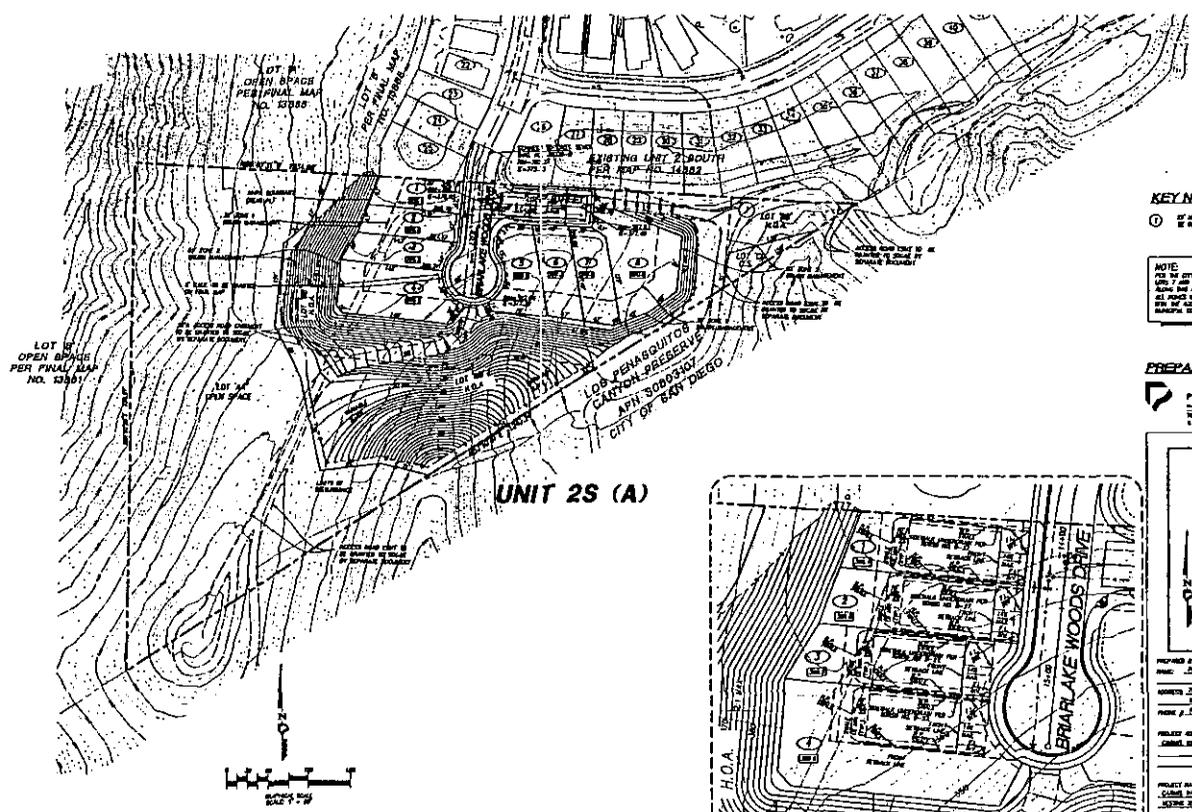


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VESTING TENTATIVE MAP 232063

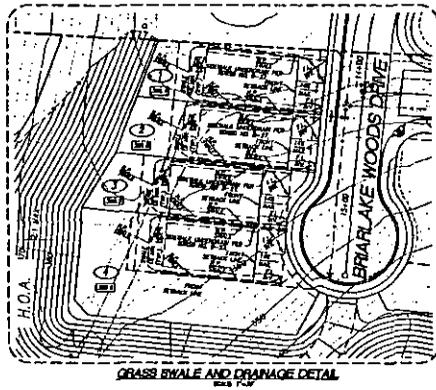
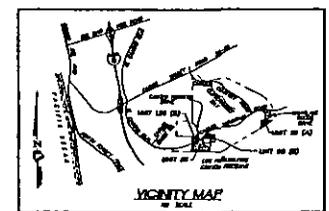
CARMEL VALLEY NEIGHBORHOOD 10



KEY NOTE
 ① SEE VESTING MAP NO. 232063 FOR PUBLIC ACCESS EASEMENT TO BE RECALLED BY PLAN 042.

NOTE
 THIS IS A TENTATIVE MAP. THE CITY OF SAN DIEGO HAS REVIEWED THIS MAP AND HAS DETERMINED THAT IT COMPLIES WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND THE SUBDIVISION MAP ACT REGULATIONS. THE CITY OF SAN DIEGO DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED ON THIS MAP. THE USER OF THIS MAP SHOULD CONSULT THE CITY OF SAN DIEGO PLANNING DEPARTMENT FOR MORE INFORMATION.

PREPARED BY:
 PROJECT DESIGN CONSULTANTS
 100 S. Broadway, Suite 200
 San Diego, CA 92101
 619.594.0011



PROJECT NO.	PROJECT NAME	DATE
DESIGNED BY	CHECKED BY	DATE
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DESIGNED BY	CHECKED BY	DATE
DRAWN BY	SCALE	DATE

PLANNING DEPARTMENT, 1615 LA JOLLA VILLAGE DRIVE, SAN DIEGO, CA 92161

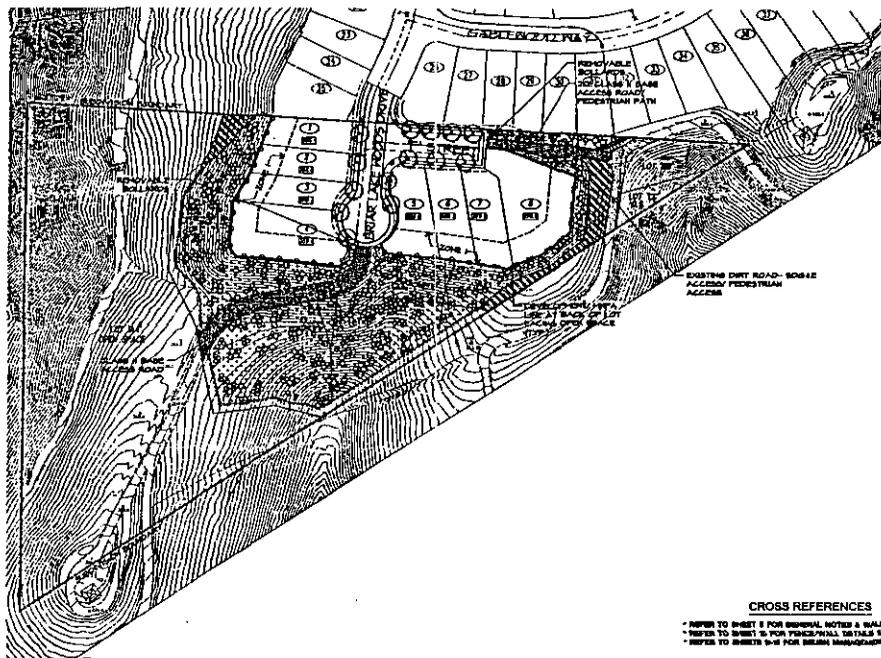
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Attachment 6

Carmel Valley Neighborhood 10, PTS #72526

Project Plans
Sheets 1 – 45

(under separate cover)

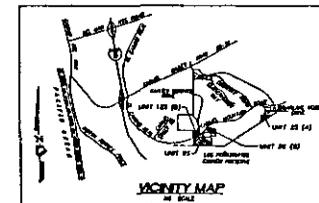


CROSS REFERENCES

- REFER TO SHEET 8 FOR GENERAL NOTES & WALL LEGEND.
- REFER TO SHEET 9 FOR FINISH/SWALL DETAILS & PLANT LEGEND.
- REFER TO SHEET 10-12 FOR DESIGN MANUSCRIPT PLAN & NOTES.

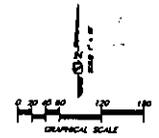
PREPARED BY:

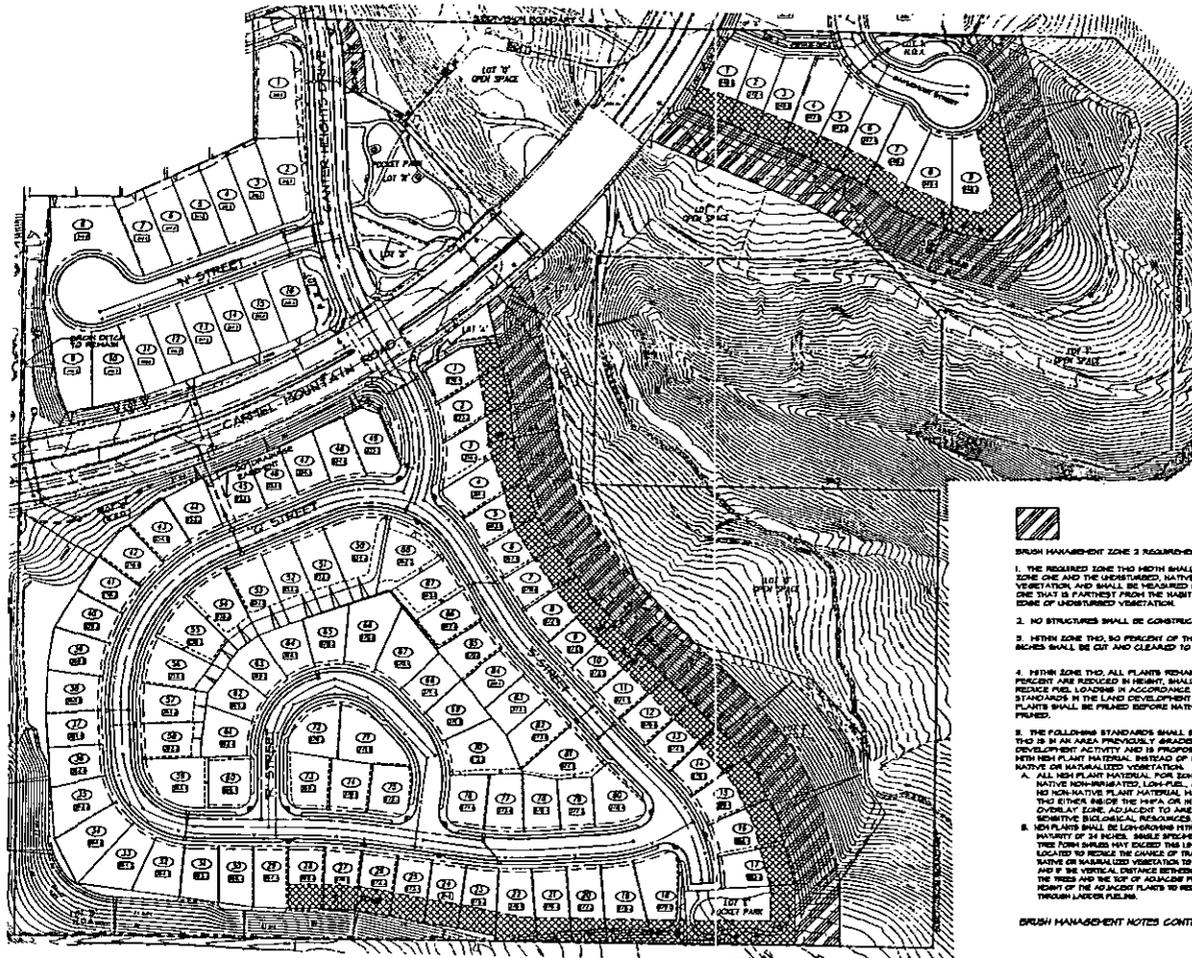
KTUO
 4715 National Street
 San Diego, CA 92108
 (619) 594-1234
 Fax: (619) 594-1992
 Planning & Landscape Architecture



VICINITY MAP
IN SCALE

PROJECT NO.	000046	DATE	08/20/2007
PROJECT NAME	LAURENCE J. PETERSON & ASSOCIATES	DATE	08/20/2007
PROJECT ADDRESS	1000 W. 16th Street, San Diego, CA 92108	DATE	08/20/2007
PROJECT OWNER	LAURENCE J. PETERSON & ASSOCIATES	DATE	08/20/2007
PROJECT NO.	000046	DATE	08/20/2007
PROJECT NAME	LAURENCE J. PETERSON & ASSOCIATES	DATE	08/20/2007
PROJECT ADDRESS	1000 W. 16th Street, San Diego, CA 92108	DATE	08/20/2007
PROJECT OWNER	LAURENCE J. PETERSON & ASSOCIATES	DATE	08/20/2007
PROJECT NO.	000046	DATE	08/20/2007
PROJECT NAME	LAURENCE J. PETERSON & ASSOCIATES	DATE	08/20/2007
PROJECT ADDRESS	1000 W. 16th Street, San Diego, CA 92108	DATE	08/20/2007
PROJECT OWNER	LAURENCE J. PETERSON & ASSOCIATES	DATE	08/20/2007





BRUSH MANAGEMENT

ALL BRUSH MANAGEMENT PLANTING SHALL CONFORM TO SCHEDULES IN THE SAN DIEGO MUNICIPAL CODE LAND DEVELOPMENT CODE.

BRUSH MANAGEMENT ZONE DEPTH

ZONES	DEPTH
1	25'
2	65'

**ALTERNATIVE BRUSH MANAGEMENT ZONE DEPTHS
LOTS 10-20, LOTS 21-30 AND LOTS 7-9, LOTS 24-31**

ZONES	DEPTH
1	35'
2	VARIES (SEE NOTES BELOW)

** FOR THE CITY OF SAN DIEGO FIRE MARSHALL, ONLY ZONE 1 BRUSH MANAGEMENT WILL BE REQUIRED FOR LOTS 10 THROUGH 20 ALONG THE SOUTHERLY BOUNDARY OF LOTS 4 SOUTH. NO OTHER BRUSH MANAGEMENT WILL BE REQUIRED BEYOND THE BACK YARD. ALL HOMES WITHIN SCOPE OF MAJOROUS VEGETATION WILL BE REQUIRED TO COMPLY WITH THE ADDITIONAL BUILDING CONSTRUCTION REQUIREMENTS FOR THE SAN DIEGO MUNICIPAL CODE, ARTICLE 8, BUILDING REGULATIONS, DIVISION 3.

** FOR THE CITY OF SAN DIEGO FIRE MARSHALL, ZONE 2 BRUSH MANAGEMENT BEHIND LOTS 7 & 8 WILL BE REDUCED WITHIN A ONE-HOUR FIRE-RATED FIRE WALL IS REQUIRED ALONG THIS AREA. ALL HOMES WITHIN SCOPE OF MAJOROUS VEGETATION WILL BE REQUIRED TO COMPLY WITH THE ADDITIONAL BUILDING CONSTRUCTION REQUIREMENTS FOR THE SAN DIEGO MUNICIPAL CODE, ARTICLE 8, BUILDING REGULATIONS, DIVISION 3.

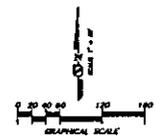
BRUSH MANAGEMENT ZONE 1 REQUIREMENTS:

1. THE REQUIRED ZONE 1 WIDTH SHALL BE PROVIDED BETWEEN NATIVE OR NATURALIZED VEGETATION AND ANY STRUCTURE AND SHALL BE MEASURED FROM THE EXTERIOR OF THE STRUCTURE TO THE VEGETATION.
2. ZONE 1 SHALL CONTAIN NO HABITABLE STRUCTURES, STRUCTURES THAT ARE DIRECTLY ATTACHED TO HABITABLE STRUCTURES OR OTHER COMBUSTIBLE CONSTRUCTION THAT PROVIDES A MEANS FOR TRANSMITTING FIRE TO THE HABITABLE STRUCTURES, STRUCTURES SUCH AS WALLS, FENCES, PLAY STRUCTURES AND NONHABITABLE STRUCTURES THAT ARE LOCATED WITHIN BRUSH MANAGEMENT ZONE 1 SHALL BE OF NON-COMBUSTIBLE CONSTRUCTION.
3. PLANTS WITHIN ZONE 1 SHALL BE PRELIMINARILY LOW-GROWING AND LESS THAN 4 FEET IN HEIGHT WITH THE EXCEPTION OF TREES. PLANTS SHALL BE LOW-FUEL AND FIRE-RESISTANT.
4. TREES WITHIN ZONE 1 SHALL BE LOCATED AWAY FROM STRUCTURES TO A MINIMUM DISTANCE OF 10 FEET AS MEASURED FROM THE STRUCTURE TO THE TRUNK LINE OF THE TREE AT MATURITY BY ACCORDANCE WITH THE LANDSCAPE STANDARDS OF THE LAND DEVELOPMENT MANUAL.
5. PERMANENT VEGETATION IS REQUIRED FOR ALL PLANTED AREAS WITHIN ZONE ONE EXCEPT AS FOLLOWS:
 - A. WHEN PLANTED AREAS CONTAIN ONLY SPECIES THAT DO NOT GROW TALLER THAN 24 INCHES IN HEIGHT, OR
 - B. WHEN PLANTED AREAS CONTAIN ONLY NATIVE OR NATURALIZED SPECIES THAT ARE NOT SUCCULENT-GROWING AND HAVE A MAJORUS HEIGHT AT PLANT MATURITY OF LESS THAN 24 INCHES.
6. ZONE ONE VEGETATION OVER SPRAWL AND RENOVY SHALL NOT BE ALLOWED INTO ADJACENT AREAS OF NATIVE OR NATURALIZED VEGETATION.
7. ZONE ONE SHALL BE MAINTAINED ON A REGULAR BASIS BY PRUNING AND TRIMMING PLANTS, CONTROLLING WEEDS, AND MAINTAINING IRRIGATION SYSTEMS.
8. BRUSH MANAGEMENT ZONE ONE SHALL NOT BE ON SLOPES WITH A GRADIENT GREATER THAN 4:1 HORIZONTAL FEET TO 1 VERTICAL, FOOT.

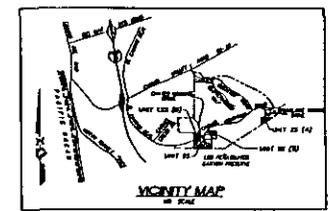
BRUSH MANAGEMENT ZONE 2 REQUIREMENTS:

1. THE REQUIRED ZONE TWO WIDTH SHALL BE PROVIDED BETWEEN ZONE ONE AND THE UNDISTURBED, NATIVE OR NATURALIZED VEGETATION AND SHALL BE MEASURED FROM THE EXTERIOR OF ZONE ONE THAT IS FARTHEST FROM THE HABITABLE STRUCTURE TO THE EDGE OF UNDISTURBED VEGETATION.
2. NO STRUCTURES SHALL BE CONSTRUCTED IN ZONE TWO.
3. WITHIN ZONE TWO, 80 PERCENT OF THE PLANTS OVER 24 INCHES SHALL BE CUT AND CLEANED TO A HEIGHT OF 8 FEET.
4. WITHIN ZONE TWO, ALL PLANTS REMAINING AFTER 80 PERCENT ARE REDUCED IN HEIGHT, SHALL BE PRUNED TO REDUCE FUEL LOADINGS IN ACCORDANCE WITH THE LANDSCAPE STANDARDS IN THE LAND DEVELOPMENT MANUAL. NON-NATIVE PLANTS SHALL BE PRUNED BEFORE NATIVE PLANTS ARE PRUNED.
5. THE FOLLOWING STANDARDS SHALL BE USED WITHIN ZONE TWO IN AN AREA PREVIOUSLY GRASSED AS PART OF LEGAL DEVELOPMENT ACTIVITY AND IS PROPOSED TO BE PLANTED WITH NEW PLANT MATERIAL INSTEAD OF CLEARING EXISTING NATIVE OR NATURALIZED VEGETATION.
 - A. ALL NEW PLANT MATERIAL FOR ZONE TWO SHALL BE NATIVE NON-HERBACED, LOW-FUEL, AND FIRE-RESISTANT. NO NON-NATIVE PLANT MATERIAL MAY BE PLANTED IN ZONE TWO EITHER 60% OF THE 100% OR IN THE COASTAL OVERLAY ZONE, ADJACENT TO AREAS CONTAINING SENSITIVE BIOLOGICAL RESOURCES.
 - B. NEW PLANTS SHALL BE LOCATED WITH A MAJORUS HEIGHT AT MATURITY OF 24 INCHES. SINGLE SPECIES OF NATIVE TREES AND TREE CLIMBING BUSHES MAY EXCEED THE LIMITATION IF THEY ARE LOCATED TO REDUCE THE CHANCE OF TRANSMITTING FIRE FROM NATIVE OR NATURALIZED VEGETATION TO HABITABLE STRUCTURES AND IF THE VERTICAL DISTANCE BETWEEN THE LOWEST BRANCHES OF THE TREE AND THE SET OF ADJACENT PLANTS ARE GREATER THAN THE HORIZONTAL DISTANCE TO REDUCE THE SPREAD OF FIRE THROUGH LADDER FUELING.

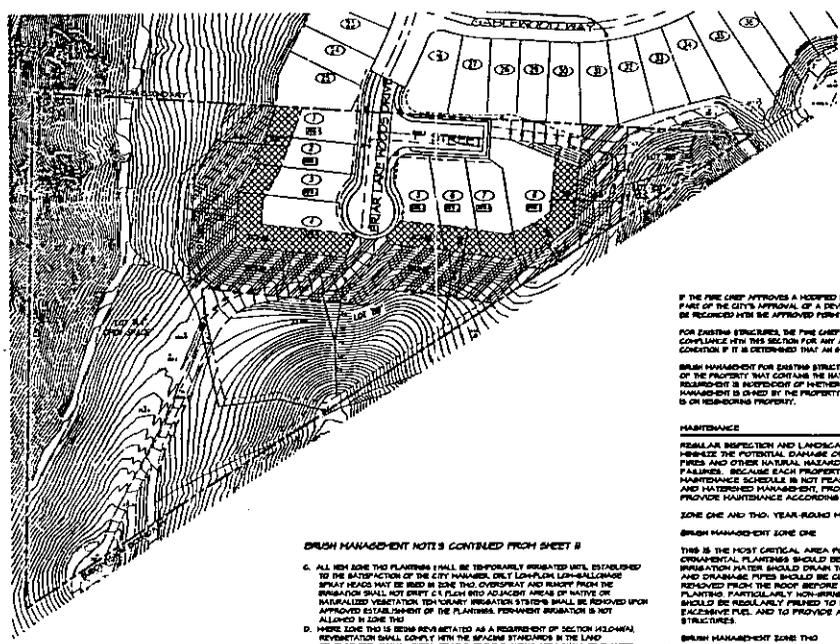
BRUSH MANAGEMENT NOTES CONTINUED ON SHEET 12



PREPARED BY:



NO.	DATE	DESCRIPTION	BY	CHKD
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18	12/14/11	REVISION 17	KTU&O	KTU&O
19	12/14/11	REVISION 18	KTU&O	KTU&O
20	12/14/11	REVISION 19	KTU&O	KTU&O
21	12/14/11	REVISION 20	KTU&O	KTU&O
22	12/14/11	REVISION 21	KTU&O	KTU&O
23	12/14/11	REVISION 22	KTU&O	KTU&O
24	12/14/11	REVISION 23	KTU&O	KTU&O
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100	12/14/11	REVISION 99	KTU&O	KTU&O
101	12/14/11	REVISION 100	KTU&O	KTU&O



NOTE:
FOR THE CITY OF SAN DIEGO FIRE MARSHALL, ZONE 2 BRUSH MANAGEMENT
BEHIND LOTS 3 AND 8 WILL BE REDUCED WITH A 1-HOUR FIRE-RATED FINE
HALL BE REDUCED ALONG THIS AREA.
ALL HOMES WITHIN BODY OF HAZARDOUS VEGETATION WILL BE REQUIRED TO
COMPLY WITH THE ADDITIONAL BUILDING CONSTRUCTION REQUIREMENTS FOR
THE SAN DIEGO MUNICIPAL CODE, ARTICLE 8.5, BUILDING REGULATIONS,
DIVISION 3.

IF THE FIRE CHIEF APPROVES A MODIFIED PLAN IN ACCORDANCE WITH THIS SECTION AS
PART OF THE CITY APPROVAL OF A DEVELOPMENT PERMIT, THE MODIFICATIONS SHALL
BE REVIEWED WITH THE APPROVED PERMIT CONDITIONS.

FOR EXISTING STRUCTURES, THE FIRE CHIEF MAY REQUIRE BRUSH MANAGEMENT IN
COMPLIANCE WITH THIS SECTION FOR ANY AREA, INDEPENDENT OF THE LOCATION OR
CONDITION IF IT IS DETERMINED THAT AN APPROVED FIRE HAZARD EXISTS.

BRUSH MANAGEMENT FOR EXISTING STRUCTURES SHALL BE PERFORMED BY THE OWNER
OF THE PROPERTY THAT CONTAINS THE NATIVE AND NATURALIZED VEGETATION. THIS
REQUIREMENT IS INDEPENDENT OF WHETHER THE STRUCTURE BEING PROTECTED BY BRUSH
MANAGEMENT IS OWNED BY THE PROPERTY OWNER SUBJECT TO THESE REQUIREMENTS OR
IS AN ADJACENT PROPERTY.

MAINTENANCE
REGULAR INSPECTION AND LANDSCAPE MAINTENANCE IS NECESSARY TO
MINIMIZE THE POTENTIAL DAMAGE OR LOSS OF PROPERTY FROM BRUSH
FIRES AND OTHER NATURAL HAZARDS SUCH AS THUNDER AND LIGHTNING
STRIKES. BECAUSE EACH PROPERTY IS UNIQUE ESTABLISHING A PRECISE
MAINTENANCE SCHEDULE IS NOT FEASIBLE. HOWEVER, FOR EFFECTIVE FIRE
AND HAZARDOUS MANAGEMENT, PROPERTY OWNERS SHOULD EXPECT TO
PROVIDE MAINTENANCE ACCORDING TO EACH BRUSH MANAGEMENT ZONE.

ZONE ONE AND TWO YEAR-RUN MAINTENANCE
Brush Management Zone One

THIS IS THE MOST CRITICAL AREA FOR FIRE AND HAZARDOUS SAFETY. ALL
ORNAMENTAL PLANTINGS SHOULD BE KEPT WELL MAINTAINED AND ALL
IRRIGATION WATER SHOULD DRAIN TOWARD THE STREET, REAR YARDERS
AND DRAINAGE PIPES SHOULD BE CLEANED REGULARLY AND ALL LEAVES
REMOVED FROM THE ROOF BEFORE THE FIRE SEASON BEGINS. ALL
PLANTING PARTICULARLY NON-IRRIGATED NATIVES AND LARVINE TREES
SHOULD BE REGULARLY PRUNED TO ELIMINATE DEAD FUELS TO REDUCE
EXCESSIVE FUEL AND TO PROVIDE ADEQUATE SPACE BETWEEN PLANTS AND
STRUCTURES.

Brush Management Zone Two

THIS ZONE SHOULD INCLUDE REMOVAL OF DEAD HOODY PLANTS,
BRANCHING OF HOODY BRANCHES AND PERIODIC PRUNING AND THINNING OF
TREES AND SHRUBS. REMOVAL OF HOODY BRANCHES IS NOT BE DONE WITH HAND
TOOLS SUCH AS HOES AS THIS REMOVES VALUABLE SOIL. THE USE OF TREE
THINNING OR OTHER TOOLS WHICH BRUSH SHORTS SHOULD BE LIMITED TO
THE SOIL IS RECOMMENDED. NATIVE SHRUBS SHOULD BE PRUNED IN THE
WINTER AFTER THE MAJOR PLANT GROWTH OCCURS. WELL PRUNED
HEALTHY SHRUBS SHOULD TYPICALLY REQUIRE SEVERAL YEARS TO BUILD
UP EXCESSIVE LIVE AND DEAD FUEL. ON SLOPES ALL DRAINAGE DEVICES
MUST BE KEPT CLEAR. RESURFACING AFTER EACH MAJOR STORM SINCE
HARD SOIL IS ITS CAN BLOCK DRAINAGE. VARIOUS SHADECOVERS (E.G. NYLON
SHOULD BE PERIODICALLY BEWATERED AND THINLY REMOVED. (SODASODAS
AND ROCKS PLANTING) EXPOSED AND (DRO) SHOULD BE PRUNED
FROM TREES. FERTILIZING TREES AND SHRUBS IS NOT TYPICALLY
RECOMMENDED AS THIS MAY STIMULATE EXCESSIVE GROWTH. HOWEVER, A
LIGHT APPLICATION OF BALANCED FERTILIZER MAY BE NECESSARY IN
PROCESSES HIGH GROWTH FROM SEVERELY PRUNED OLD SHRUBS AND
HOODY BRANCHCOVERS.

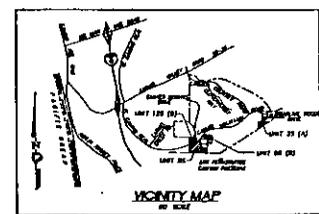
BRUSH MANAGEMENT NOTES CONTINUED FROM SHEET #1

- ALL HIGH ZONE TWO PLANTINGS SHALL BE TEMPORARILY IRRIGATED UNTIL ESTABLISHED TO THE SATISFACTION OF THE CITY MANAGER. ONLY LEAVES OR LEAF-SHEDDING BRUIT HEADS MAY BE USED IN ZONE TWO OVERSPRAT AND REPORT FROM THE BRUSHMAN SHALL NOT EXCEED 10 FEET FROM ADJACENT AREAS OF NATIVE OR NATURALIZED VEGETATION. TEMPORARY IRRIGATION SYSTEMS SHALL BE REMOVED UPON APPROVED ESTABLISHMENT OF THE PLANTING. PERMANENT IRRIGATION IS NOT ALLOWED IN ZONE TWO.
- WHERE ZONE TWO IS BEING DEMONSTRATED AS A REQUIREMENT OF SECTION 410.00(A), REVEGETATION SHALL COMPLY WITH THE SPECIFIC STANDARDS IN THE LAND DEVELOPMENT MANUAL. FIFTY PERCENT OF THE PLANTING AREA SHALL BE PLANTED WITH NATURALIZED NATIVE SHRUBS HIGHER THAN 24 INCHES. THE REMAINING PLANTING AREA MAY BE PLANTED WITH TALLER MATERIAL, BUT THIS MATERIAL SHALL BE MAINTAINED IN ACCORDANCE WITH THE REQUIREMENTS FOR BRUSHMAN PLANT MATERIAL IN ZONE TWO.
- ZONE TWO SHALL BE MAINTAINED IN A REGULAR BASH BY PRUNING AND TRIMMING PLANTS, CONTROLLING WEEDS.
- EXCEPT AS PROVIDED IN SECTION 410.00(C) WHERE THE REQUIRED ZONE ONE HOODY BRUSH IN TABLE 410-01(C) CANNOT BE PROVIDED OR PROMISED WITH EXISTING STRUCTURES, THE REQUIRED ZONE TWO HOODY BRUSH SHALL BE MAINTAINED BY ONE FOOT FOR EACH FOOT OF REQUIRED ZONE ONE HOODY BRUSH THAT CAN NOT BE PROVIDED.
- THE FIRE CHIEF MAY MODIFY THE REQUIREMENTS OF THIS SECTION IF THE FOLLOWING CONDITIONS EXIST:
 - IN THE WRITTEN OPINION OF THE FIRE CHIEF, BASED UPON A FIRE FUEL LOAD MODEL REPORT CONDUCTED BY A CERTIFIED FIRE BEHAVIOR ANALYST, THE REQUIREMENTS OF SECTION 410.00(C) FAIL TO ACHIEVE THE LEVEL OF FIRE PROTECTION PROVIDED BY THE APPLICATION OF ZONES ONE AND TWO; AND
 - THE MODIFICATION TO THE REQUIREMENTS ACHIEVES AN EQUIVALENT LEVEL OF FIRE PROTECTION AS PROVIDED BY SECTION 410.00(C) UNDER REGULATIONS OF THE LAND DEVELOPMENT CODE AND THE BRUSHMAN STANDARDS CONTAINED IN THE LAND DEVELOPMENT MANUAL; AND
 - THE MODIFICATION TO THE REQUIREMENTS IS NOT DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY AND WELFARE OR FOR LOW GROWING OR SCORING IN THE AREA.

PREPARED BY:

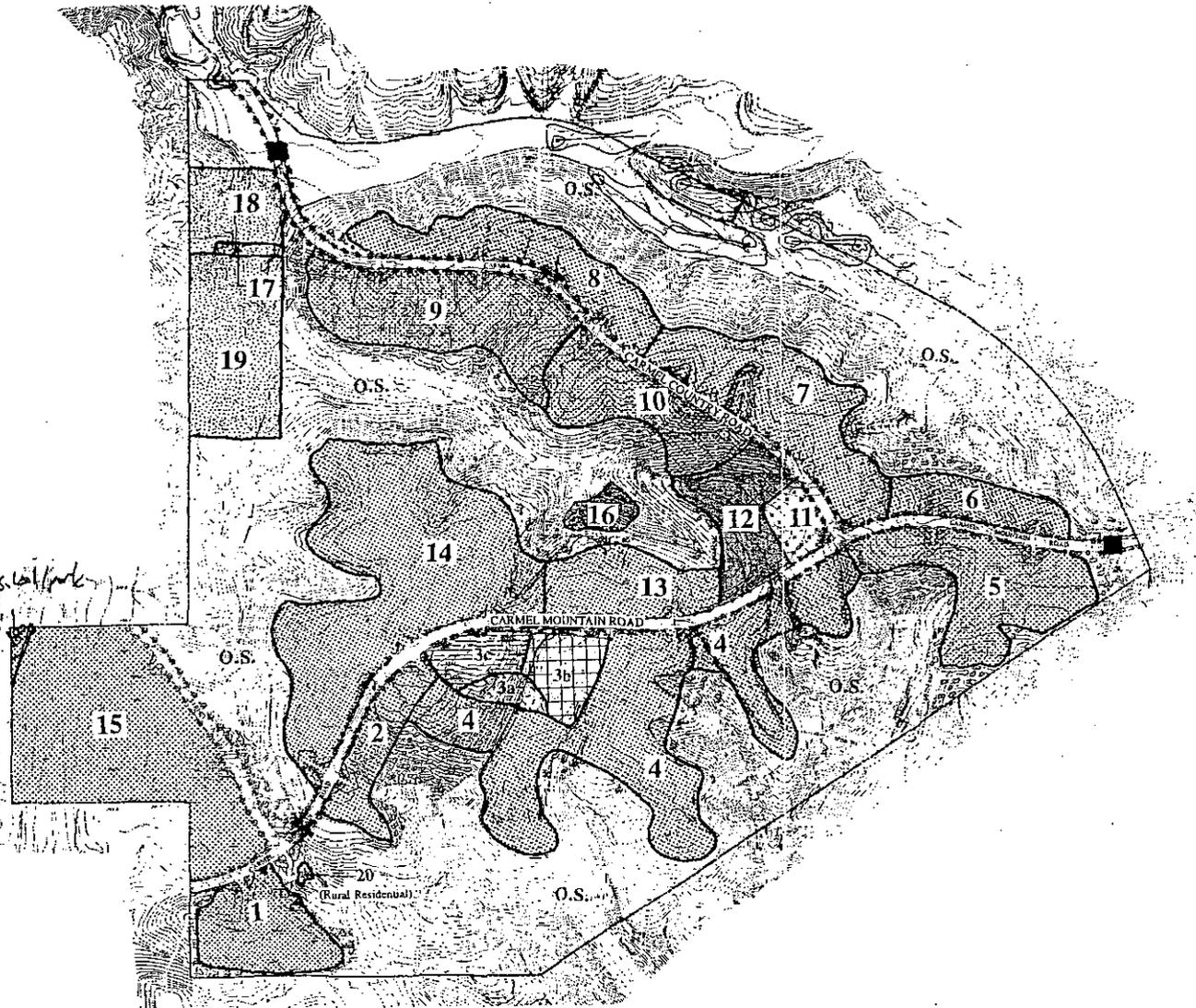
KTUD
Kierulff & Associates
Landscape Architects

2nd Floor
3000 La Jolla Village Drive
San Diego, CA 92161
(619) 594-1940



PROJECT NO.	DATE	BY
PROJECT NAME	DATE	BY
PROJECT LOCATION	DATE	BY
PROJECT OWNER	DATE	BY
PROJECT ARCHITECT	DATE	BY
PROJECT ENGINEER	DATE	BY
PROJECT LANDSCAPE ARCHITECT	DATE	BY
PROJECT PHOTOGRAPHER	DATE	BY
PROJECT VIDEO	DATE	BY
PROJECT MODEL	DATE	BY
PROJECT PLAN	DATE	BY
PROJECT SECTION	DATE	BY
PROJECT ELEVATION	DATE	BY
PROJECT SITE PLAN	DATE	BY
PROJECT CONSTRUCTION	DATE	BY
PROJECT MAINTENANCE	DATE	BY
PROJECT AS-BUILT	DATE	BY
PROJECT PHOTOGRAPHY	DATE	BY
PROJECT VIDEO	DATE	BY
PROJECT MODEL	DATE	BY
PROJECT PLAN	DATE	BY
PROJECT SECTION	DATE	BY
PROJECT ELEVATION	DATE	BY
PROJECT SITE PLAN	DATE	BY
PROJECT CONSTRUCTION	DATE	BY
PROJECT MAINTENANCE	DATE	BY
PROJECT AS-BUILT	DATE	BY

LAND USE PLAN

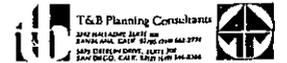


-  VERY LOW DENSITY RESIDENTIAL (0-5 DU/AC)
-  LOW DENSITY (5-15 DU/AC)
-  RURAL RESIDENTIAL (UNDERLYING ZONING A-1-10)
-  NEIGHBORHOOD COMMERCIAL
-  ELEMENTARY SCHOOL
-  ACTIVE PLAYFIELD/ JOINT USE
-  NEIGHBORHOOD PARK
-  O.S. OPEN SPACE
-  ROAD UNDERCROSSING
-  BRIDGE

PRECISE

P • L • A • N ■ CARMEL VALLEY/NEIGHBORHOOD 10

FIGURE 8



GRADING PLAN

-  NATURAL CONTOURS
-  REVISED CONTOURS
-  MANUFACTURED SLOPES



PRECISE

P • L • A • N ■ CARMEL VALLEY/NEIGHBORHOOD 10

FIGURE 17



T&B Planning Consultants
 2901 HILLTOPS DRIVE, SUITE 100
 SAN JOSE, CALIF. 95128 PH: 415 274-2700
 FAX: 415 274-2701
 SAN JOSE, CALIF. 95128



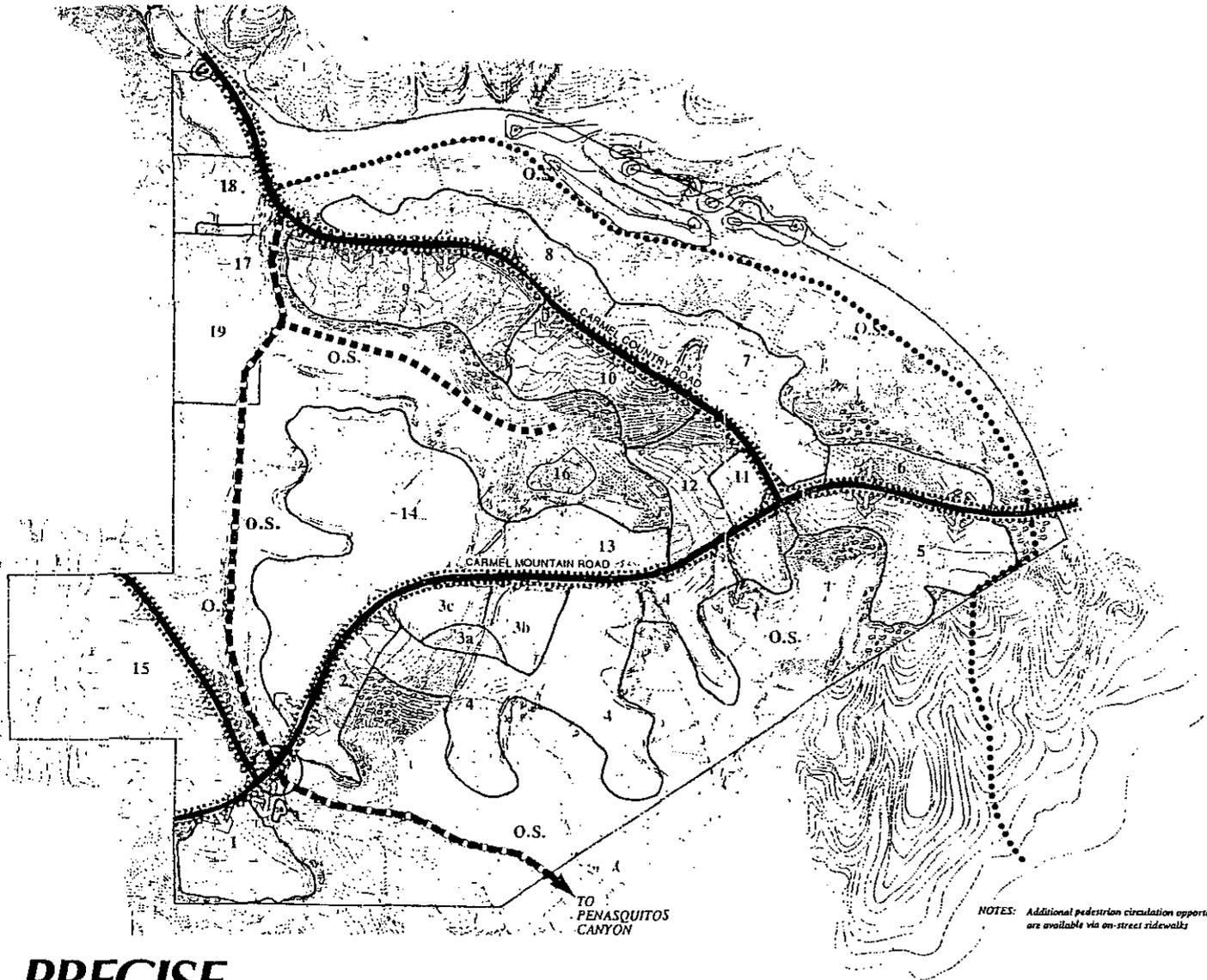
ALTERNATIVE TRANSPORTATION FACILITIES

-  ON-STREET BIKE LANE & CONTIGUOUS SIDEWALK
-  ROAD UNDERCROSSING
-  EXISTING NATURAL TRAILS

JOINT USE EQUESTRIAN / HIKING TRAILS

-  WESTERN TRAIL
-  SHAW VALLEY TRAIL

Precise alignment of shaw valley trail has not been determined. When precise alignment is concluded, environmental documentation must be completed.



NOTES: Additional pedestrian circulation opportunities are available via on-street sidewalks

PRECISE

P • L • A • N ■ CARMEL VALLEY/NEIGHBORHOOD 10

FIGURE 15A
 T&B Planning Consultants
 1000 AVENUE 100, SUITE 100
 SAN JOSE, CALIF. 95128-1000


CARMEL VALLEY COMMUNITY PLANNING BOARD
c/o MNA CONSULTING
427 C St., Ste. 308
San Diego, CA 92101
619-239-9877 x11 / Fax: 619-239-9878

March 28, 2007

Bernie Turgeon, Senior Planner
Community Planning and Development Review
City of San Diego
202 "C" Street
San Diego, CA 92101

Derrick Johnson/John Fisher
Development Project Managers
Development Services Department
City of San Diego
1222 First Avenue, MS 302
San Diego, CA 92101

Subject: "Carmel Valley Neighborhood 10 Single-Family Project #72526"

Process 5 application for an easement and public right-of-way vacation; Coastal Development Permit; and Site Development Permit; to develop 121 single-family homes within the SF 2 and SF 3 zones of the CVPDO, the Deferred Certification Coastal Overlay and the City's Local Coastal Program Non-Appealable Area 1 (Map C-730)

Messrs. Turgeon, Johnson, and Fisher:

Through recent Regional Issues Subcommittee and Board presentations, the Board is taking a critical look at the N10 build out through these proposals for development units 5 South, 9 South, 12B and 2A. The board supports Pardee's plans provided the issues outlined herein are adequately addressed. Pardee has expressed willingness to address most of our concerns but the one issue that still remains a concern is the consolidation and/or coordination with the Tavelman property, the small property adjacent to Unit 9 South. We feel that it is not within the board's scope to comment on negotiations between Mr. Tavelman and Pardee Homes but we are concerned that there has not yet been a satisfactory resolution to this issue.

Bernie Turgeon, Derrick Johnson & John Fisher
March 28, 2007
Pg. 2

Change in Residential Product Mix and Intensity

The Board has no objection to the increase from 118 to 121 units, given that Pardee can transfer 72 du from "Pacific Highlands Ranch" as part of the Proposition M approvals. We understand that this shift would entail 46 ft. x 70 ft. lots similar to Unit 9 South's existing "Carriage Run" homes and 42 ft. x 105 ft. lots similar to the "Steeplechase", "Saratoga" and "Soleil" in Units 5 South, 12 B, and 2 A.

This revision from the previous submittal also includes a 0.6-acre reduction of the Unit 9 South development area to increase community landscaping.

Since many of these homes are adjacent to open space slopes and future and current trails, we request that all sides of structures be embellished with architectural details, to avoid the appearance of flat and uninteresting facades. We would like that all elevations be treated as primary so that there is no "back side" to these homes. Therefore, we request that in Unit 9 South, viewable by trail users in the open space to the east and south, homes be built with a divide between the first and second stories plan one elevation, and that trellises in a different color be provided to evoke more of a two-story appearance for this plan. Also, to reduce the monotony of three-car garages currently designed as flat surfaces, we ask that Pardee provide a more stylized façade, more like the carriage style garages in "Pacific Highlands Ranch". Also we ask that Pardee continue, in this development, to offer solar optional solar roofing, since adding this during construction is less costly than a retrofit.

Pocket Parks

In past reviews, the Board (July 6, 2006) has requested the addition of pocket parks in this final stage of N 10 development. "With the shrinking lot sizes of these homes, pocket parks become increasingly important so that children have a nearby place to toss a ball and play and neighbors have a nearby place to gather and build community. The yards of these homes are no longer big enough for this purpose..."

Pocket Park # 1: As a result, Pardee is now considering incorporating a 0.6-acre pocket park directly north of Carmel Mountain Road and east of Canter Heights Drive. We concur that this location would enable Pardee to provide a larger area and one with a trailhead leading into the adjacent wildlife corridor in the interior canyon of N 10. We request that Pardee continue the wood-crete fence already in place on Canter Heights Drive onto Carmel Mountain Road to provide safety for park users on this busy thoroughfare. We request that Pardee provide benches in the park, both inner- and outer-facing toward the open space canyon.

Bernie Turgeon, Derrick Johnson & John Fisher
March 28, 2007
Pg. 3

Pocket Park #2: Since Unit 9 South will have the most homes in this proposal, we request that a pocket park be developed at the southeast corner, adjacent to the open space and to a trail connection to the SDG&E paths along the access roads and open space in the N 10 Precise Plan approvals. This pocket park also provides a small buffer between the homes and current and proposed SDG&E transmission towers. Pardee has expressed their willingness to provide this amenity.

Pocket Park #3

The board also appreciates the fact that Pardee has proposed adding a third pocket park on Gaylemont Lane in Unit 5 South and would like to see that remain part of the submittal.

Tavelman (previously Basdakis) Property (1.25 Acres)

In our July 6, 2006 letter we strongly requested that Pardee's proposals be consolidated and/or coordinated with the small property adjacent to Unit 9 South, just south of Carmel Country Road. The potential future development in the preserve adjacent to Unit 9 South poses a problem here as the only viable option for taking access to this property now appears to be directly from Carmel Mountain Road outside of the Pardee development footprint. Our strong concern is that taking access from Carmel Mountain Road to the Tavelman property means that a 20+ foot private driveway will be built across public open space.

Although the Tavelman house and driveway would be at a slightly lower elevation, for future home owners in Unit 9 South, this would mean that a separate private driveway and home structure would be built in the open space easement behind their homes.

When the City of San Diego approved the N 10 Precise Plan (as amended), this small property with its underlying development rights remained, with no resolution of the obvious future conflicts between giving this property owner access without afflicting and removing valuable public open space which was presented to the community as a permanent benefit, in exchange for intense development in and adjacent to one of City's most viable and valuable canyon and habitat areas within the MHPA.

The community is now being asked to forsake open space in order to accommodate the development of this parcel. We believe that the City allowed this untenable situation to occur and we ask that the City find a solution that preserves this corridor/canyon/trail/habitat area. We believe that the community at large is owed an assurance by the City that if access is provided to this property it will not decrease Carmel Valley open space, nor impact this already constrained wildlife corridor.

Bernie Turgeon, Derrick Johnson & John Fisher
March 28, 2007
Pg. 4

SDG&E Right-of-Way and Pedestrian Trails

We are pleased that Pardee will now commit to provide a trail connection at the southeasterly corner of Unit 9 S within their ownership. This would follow the SDG&E maintenance road to the dog park, shopping center, and the overlook park at the end of Carmel Mountain Road.

Like Pardee, we are concerned with the proximity of both the existing power lines and the proposed development of the "Sunrise Powerlink" project to this trail and to homes. Pardee has written to us that "Pardee, the community, and the city all bear a responsibility to make sure impacts and mitigation have been adequately addressed by SDG&E (in their environmental review of the Sunrise Powerlink project.)"

Other Trail Issues

The Board requests that trail markers be provided by Pardee within their development area, in cooperation with the Los Penasquitos Canyon Trails Committee and the City Parks and Recreation Department Ranger Staff.. This has been effective throughout the area in keeping trail users off of sensitive vegetation and highly erodible slopes.

We continue to request that the City assure that a trail connection through the Tavelman property will be preserved and improved, as directed in the precise plan and other plans. Pardee does not assume responsibility for this segment of the trail and we agree. It is our understanding that this multi-use trail, which is heavily used today, will connect the Carmel Valley Restoration and Improvement Project (CVREP) to Los Penasquitos Canyon Preserve.

In conclusion the Carmel Valley Community Planning Board voted 10-0-1 to support this project with the aforementioned issues being resolved.

Thank You for Your Attention to These Issues:

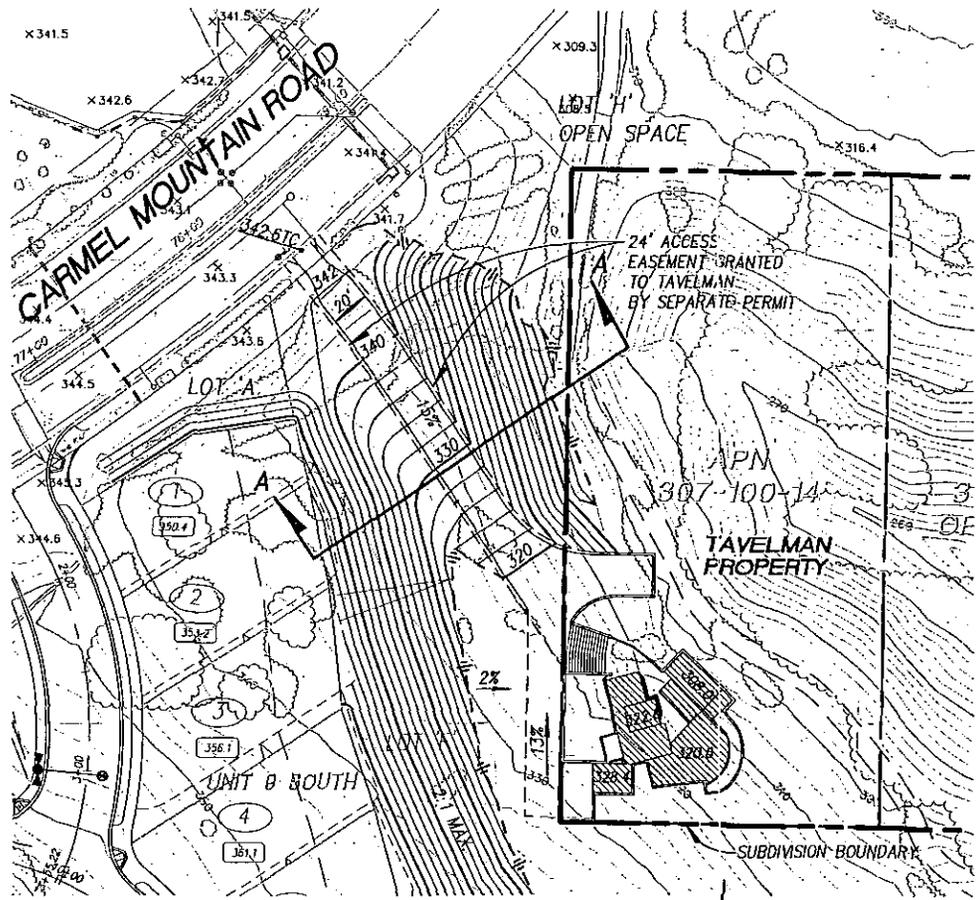
Sincerely,
Carmel Valley Community Planning Board

Frisco White, AIA
Chair

Laura Copic,
N 10 Representative

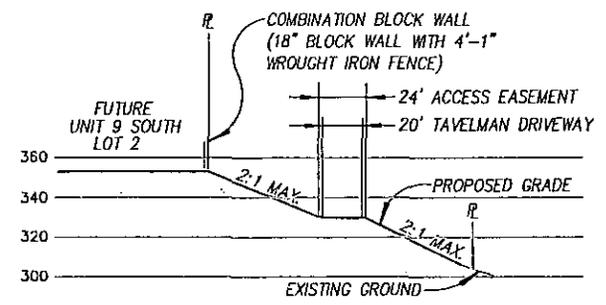
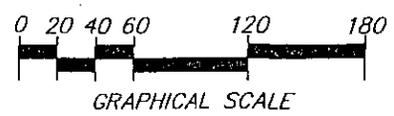
Jan Fuchs/Anne Harvey,
Co-Chairs,
Regional Issues

Cc: Council President Scott Peters
Allen Kashani, Pardee Homes



TAVELMAN EXHIBIT

SCALE: 1" = 60'



PREPARED BY :



PROJECT DESIGN CONSULTANTS
 Planning | Landscape Architecture | Environmental | Engineering | Survey
 701 B Street, Suite 800 San Diego, CA 92101
 613.235.6471 Tel 619.234.0349 Fax

CITY COUNCIL RESOLUTION NO. (to be filled in)
VESTING TENTATIVE MAP NO. 232063
CARMEL VALLEY NEIGHBORHOOD TEN - PROJECT NO. 72526
DRAFT

WHEREAS, PARDEE HOMES, Subdivider/Applicant, and CURTIS J. TURNER, Engineer, submitted an application with the City of San Diego for a Vesting Tentative Map, No. 232063, for the subdivision of 44.80 acres and public right-of-way and easement vacation to allow the development of a 145 lot subdivision. The project site is located in the Carmel Valley Neighborhood Ten Precise Plan area west of Carmel Country Road along both sides of Carmel Mountain Road and at the terminus of Briarlake Woods Drive and Gaylemont Lane, legally described as being a portion of the southwest quarter of the southeast quarter of Section 29, together with a portion of the west 10 acres of the southeast quarter of the southeast quarter of said Section 29, Township 14 South, Range 3 West, San Bernardino Meridian, according to Official Plat thereof;

Excepting therefrom that portion granted to the City of San Diego by deed recorded February 29, 2000 as File No. 2000-0101939 of Official Records;

Together with Lot 2 in Section 28, Township 14 South, Range 3 West, San Bernardino Meridian, according to Official Plat thereof;

Together with Lot E of Carmel Valley Neighborhood 10 Unit 12 South, according to Map thereof No. 15607 filed in the Office of the County Recorder of San Diego County August 10, 2005;

Together with portions of Carmel Mountain Road, Canter Heights Drive and Coach Horse Court, as dedicated to public use, all being in the City of San Diego, County of San Diego, State of California, in the Carmel Valley Community Plan area, in the SF-2, SF-3 and OS Zones of the Carmel Valley Planned District Ordinance; and

WHEREAS, the Map proposes the subdivision of a 44.80 acre site into 145 lots; 121 lots for single family development, six open space lots to be deeded to the City of San Diego in fee simple, sixteen lots for ownership by the home owners association for brush management, manufactured slopes, monument entries, pocket parks, green space and a private driveway and two home owners association lots to provide legal and physical access to a parcel beyond the subdivision boundary; and

WHEREAS, The City of San Diego conducted an Initial Study in compliance with the California Environmental Quality Act which concluded that the project would result in significant direct environmental impacts in the following areas: Air Quality, Biological Resources, Landform/Visual Quality, Land Use and Paleontological Resources. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects of the proposed project as identified in the Addendum to an Environmental Impact Report and Subsequent EIR

Project No. 72526
TM No. 232063
INSERT APPROVAL DATE

No. 72526; and

WHEREAS, the project complies with the requirements of a preliminary soils and/or geological reconnaissance report pursuant to the Subdivision Map Act and Section 144.0220 of the Municipal Code of the City of San Diego; and

WHEREAS, the design of the proposed, privately-owned underground utilities that will be constructed within the subdivision are consistent with accepted engineering practices and meet the requirements of Municipal Code Section 144.0240 and Council Policy No. 600 25-Underground Conversion of Utility Lines at Developers Expense.

WHEREAS, on V13 – HEARING DATE, the Council of the City of San Diego considered Tentative Map No. 232063, and pursuant to Sections 125.0440 and 144.0240 of the Municipal Code of the City of San Diego and Subdivision Map Act Section 66428, received for its consideration written and oral presentations, evidence having been submitted, and heard testimony from all interested parties at the public hearing, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED by the Council of the City of San Diego, that it adopts the following findings with respect to Tentative Map No. 232063:

1. The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan (Land Development Code Section 125.0440.a and State Map Action Sections 66473.5, 66474(a), and 66474(b)).
2. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code (Land Development Code Section 125.0440.b).
3. The site is physically suitable for the type and density of development (Land Development Code Section 125.0440.c and State Map Act Sections 66474(c) and 66474(d)).
4. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat (Land Development Code Section 125.0440.d and State Map Act Section 66474(e)).
5. The design of the subdivision or the type of improvements will not be detrimental to the public health, safety, and welfare (Land Development Code Section 125.0440.e and State Map Act Section 66474(f)).

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6. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision (Land Development Code Section 125.0440.f and State Map Act Section 66474(g)).
7. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (Land Development Code Section 125.0440.g and State Map Act Section 66473.1).
8. The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources (Land Development Code Section 125.0440.h and State Map Act Section 66412.3).
9. That said Findings are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that pursuant to California Government Code section 66434(g), the following public service easements, located within the project boundaries as shown in Tentative Map No.232063, shall be vacated, contingent upon the recordation of the approved final map for the project:

- a. A portion of the water easement granted per deed recorded August 17, 1971, File No. 182708.
- b. A portion of the water easement granted per deed recorded February 23, 1971, Doc No. 33948.
- c. A portion of the public right-of-way granted in survey 65.
- d. All of the slope easement granted June 1, 2000 Doc No. 2000-0288862.
- e. All of the building restricted easement granted over Lot "E" per final map 15067, August 10, 2005, File No. 2005-0683772.

BE IT FURTHER RESOLVED, that, based on the Findings hereinbefore adopted by the City Council, Tentative Map No. 232063 is hereby granted to PARDEE HOMES, Subdivider/Applicant, subject to the following conditions:

GENERAL

1. This Tentative Map will expire [INSERT DATE - 3 YEARS FROM DECISION DATE].
2. Compliance with all of the following conditions shall be assured, to the satisfaction of the City Engineer, prior to the recordation of the Final Map, unless otherwise noted.

3. The Subdivider is permitted to file up to four final maps. The Subdivider has requested to file final maps out of numerical sequence. This request is approved, subject to the provision that the City Engineer may require review of any and all necessary off-site improvements in connection with each map.
4. A Final Map shall be recorded in the Office of the County Recorder, prior to the Tentative Map expiration date.
5. The Final Map shall conform to the provisions of Coastal Development Permit No. 225393 and a Site Development Permit No. 232067.
6. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
7. Prior to recording the first Final Map, all existing on-site utilities serving the subdivision shall be undergrounded with appropriate permits. The Subdivider shall provide written confirmation from applicable utilities that the conversion has taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.
8. Conformance with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, is required. Only those exceptions to the General Conditions which are shown on the tentative map and covered in these special conditions will be authorized.

All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. 769830.

ENGINEERING

9. The Final Map shall comply with the provisions of Coastal Development Permit No. 225393 and Site Development Permit No. 232067.
10. Pursuant to City Council Policy 600-20, the Subdivider shall provide evidence to ensure that an affirmative marketing program is established.
11. Prior to the issuance of any construction permit, the Subdivider shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance.
12. Prior to the issuance of any construction permit, the Subdivider shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.

13. The Subdivider shall obtain a grading permit for the grading proposed for this project. All grading shall conform to requirements in accordance with the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.
14. Prior to the issuance of any construction permit the Subdivider shall incorporate and show the type and location of all post-construction Best Management Practices (BMP's) on the final construction drawings, in accordance with the approved Water Quality Technical Report.
15. The Subdivider is permitted to file up to four final maps. The Subdivider has requested approval to file final maps out of numerical sequence. This request is approved, subject to the provision that the City Engineer can review the off-site improvements in connection with each unit.
16. The Subdivider has reserved the right to record multiple final maps over the area shown on the approved tentative map. In accordance with Article 66456.1 of the Subdivision Map Act, the City Engineer shall retain the authority to review the areas of the tentative map the Subdivider is including in each final map. The City Engineer may impose reasonable conditions relating to the filing of multiple final maps, in order to provide for orderly development, such as off-site public improvements, that shall become requirements of final map approval for a particular unit.
17. Development of this project shall comply with all requirements of State Water Resources Control Board (SWRCB) Order No. 99-08 DWQ and the Municipal Storm Water Permit, Order No. 2001-01(NPDES General Permit No. CAS000002 and CAS0108758), Waste Discharge Requirements for Discharges of Storm Water Runoff Associated With Construction Activity. In accordance with said permit, a Storm Water Pollution Prevention Plan (SWPPP) and a Monitoring Program Plan shall be implemented concurrently with the commencement of grading activities, and a Notice of Intent (NOI) shall be filed with the SWRCB.
18. A copy of the acknowledgment from the SWRCB that an NOI has been received for this project shall be filed with the City of San Diego when received; further, a copy of the completed NOI from the SWRCB showing the permit number for this project shall be filed with the City of San Diego when received. In addition, the owner(s) and subsequent owner(s) of any portion of the property covered by this grading permit and by SWRCB Order No. 99 08 DWQ, and any subsequent amendments thereto, shall comply with special provisions as set forth in SWRCB Order No. 99 08 DWQ.
19. Whenever street rights-of-way are required to be dedicated, it is the responsibility of the Subdivider to provide the right-of-way free and clear of all encumbrances and prior easements. The Subdivider must secure "subordination agreements" for

minor distribution facilities and/or "joint-use agreements" for major transmission facilities.

20. The Subdivider shall underground existing and/or proposed public utility systems and service facilities in accordance with the San Diego Municipal Code.
21. All driveways and curb openings shall comply with City Standard Drawings G-14A, G14B, G-16 and SDG-100.
22. The Subdivider shall construct two City standard curb ramps at each curb return.
23. The Subdivider shall obtain an Encroachment Maintenance and Removal Agreement, for the private storm drain pipe and CDS Unit (located at the northeast corner of the Gablewood Way cul-de-sac, as shown on Exhibit 'E' of the Water Quality Technical Report dated April 2007) within the storm drain easement and Gablewood Way right-of-way.

MAPPING

24. "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).
25. "California Coordinate System" means the coordinate system as defined in Section 8801 through 8819 of the California Public Resources Code. The specified zone for San Diego County is "Zone 6," and the official datum is the "North American Datum of 1983."
26. Every Final Map shall:
 - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
 - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of Third Order accuracy or better. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.

27. The design of the subdivision shall include existing private easements, if any, serving parcels of land outside the subdivision boundary or such easements must be removed from the title of the subdivided lands prior to filing any parcel or final map encumbered by these easements.

WATER

28. The Subdivider shall install fire hydrants at locations satisfactory to the Fire Department, the Water Department Director and the City Engineer.
29. If the Subdivider makes any request for new water facilities, including services or fire hydrants, then the Subdivider shall design and construct such facilities in accordance with established criteria in the most current edition of the City of San Diego Water Facility Design Guidelines and City regulations, standards and practices pertaining thereto.
30. The Subdivider agrees to design and construct all proposed public water facilities in accordance with established criteria in the most current edition of the City of San Diego Water Facility Design guidelines and City regulations, standards and practices pertaining thereto. Water facilities, as shown on the approved tentative map, may require modifications to comply with standards.

GEOLOGY

31. Prior to the issuance of a grading permit, a geotechnical report shall be submitted and approved by the City Engineer in accordance with the City of San Diego's "Technical Guidelines for Geotechnical Reports."

LANDSCAPE

32. Prior to recordation of the final map, the Subdivider shall identify on a separate sheet titled 'Non-title Sheet' the brush management areas in substantial conformance with Exhibit "A." These brush management areas shall be identified with a hatch symbol with no specific dimensions or zones called out. The following note shall be provided on the 'Non-title sheet' to identify the hatched areas: "Indicates fire hazard zone(s) per Section 142.0412 of the L D C."

TRANSPORTATION

33. The Subdivider shall dedicate and construct "Canter Heights Drive" between Carmel Mountain Road and Street "Q" as a thirty-nine foot curb to curb within a fifty-nine foot right-of-way with a five foot contiguous sidewalk on the east and a five foot non-contiguous sidewalk on the west, to the satisfaction of the City Engineer.

34. The Subdivider shall dedicate a five foot general utility easement adjacent to "Canter Heights Drive" between Carmel Mountain Road and Street "Q," to the satisfaction of the City Engineer.
35. The Subdivider shall dedicate and construct a north bound left turn lane and a west bound through/right turn lane at the intersection of Canter Heights Drive and Carmel Mountain Road, to the satisfaction of the City Engineer.
36. The Subdivider shall install no parking signs on both sides of "Canter Heights Drive" between Carmel Mountain Road and Street "Q" and at the terminus of "Briarlake Woods Drive," to the satisfaction of the City Engineer.
37. The Subdivider shall dedicate and construct residential local Streets "N", "Q", "R," and "S" as a thirty-four foot curb to curb within a fifty-four foot right-of-way with curb, gutter and five foot sidewalk, to the satisfaction of the City Engineer.
38. The Subdivider shall dedicate and construct residential local Streets "F", "Gaylemont Lane" and "Briarlake Woods Drive" as a thirty-six foot curb to curb within a fifty-six foot right-of-way with curb, gutter and five foot sidewalk, to the satisfaction of the City Engineer.
39. The Subdivider shall dedicate and construct a fifty foot curb radius within a dedicated sixty foot radius right-of-way cul-de-sac with curb, gutter and five foot sidewalk on the west end of Street "N" and the terminus of "Gaylemont Lane," to the satisfaction of the City Engineer.
40. The Subdivider shall dedicate and construct a thirty-five foot curb radius within a forty-five foot radius right-of-way cul-de-sac with curb, gutter and five foot sidewalk at the terminus of "Briarlake Woods Drive," to the satisfaction of the City Engineer.
41. The Subdivider shall improve and modify the existing traffic signal to a four way signal at the intersection of Carmel Mountain Road and Canter Heights Drive, to the satisfaction of the City Engineer.
42. The Subdivider shall construct barricades, gates and signage indicating the end of the street at the terminus of "Gaylemont Lane" and "Briarlake Woods Drive" and Street "S," to the satisfaction of the City Engineer.

PARK & RECREATION

43. Lots "AA", "CC", "G", "H", "I", and "Q" shall be deeded to the city in fee as open space per the Multiple Species Conservation Program and shall be free and

clear of all private easements, private encroachments, private agreement and/or liens.

44. Lots "M", "C", "O" shall have a landscape maintenance easement.

INFORMATION:

- The approval of this Vesting Tentative Map by the Council of the City of San Diego does not authorize the Subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 USC Section 1531 et seq.).
- If the Subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), then the Subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design guides and City regulations, standards and practices pertaining thereto. Off-site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.
- This development may be subject to impact fees, as established by the City Council, at the time of issuance of building permits.
- This development may be subject to payment of School Impact Fees at the time of issuance of building permits, as provided by Education Code Section 17620, in accordance with procedures established by the Director of Development Services.
- Subsequent applications related to this Vesting Tentative Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Vesting Tentative Map, may protest the imposition within 90 days of the approval of this Vesting Tentative Map by filing a written protest with the City Clerk pursuant to California Government Code Section 66020.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SAN DIEGO,
CALIFORNIA, ON V13 – HEARING DATE [IN CAPS].**

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Project No. 72526

TM No. 232063

INSERT APPROVAL DATE

Attachment 13

APPROVED: MICHAEL AGUIRRE, City Attorney

By _____

Deputy City Attorney

ATTY/SEC. INITIALS

DATE

R- INSERT

Reviewed by John S. Fisher

Job Order No. 424540

Rev 11/29/05 ps
document1

(R-INSERT)

RESOLUTION NUMBER R-NUMBER

ADOPTED ON DATE

WHEREAS, Pardee Homes, Owner/Permittee, filed an application with the City of San Diego for a Coastal Development Permit [CDP] No. 225393 and a Site Development Permit [SDP] No. 232067 to subdivide a 44.71 acre site and construct a single family subdivision known as the Carmel Valley Neighborhood Ten project, located in the Carmel Valley Neighborhood Ten Precise Plan area west of Carmel Country Road along both sides of Carmel Mountain Road and at the terminus of Briarlake Woods Drive, and legally described as portions of Section 28 and portions of the east half of Section 29, Township 14 South, Range 3 West, San Bernardino Base Meridian, in the Carmel Valley Community Plan area, in the SF-2, SF-3 and OS zones of the Carmel Valley Planned District Ordinance; and

WHEREAS, on June 5, 2007, the Planning Commission of the City of San Diego considered CDP No. 225393 and SDP No. 232067, and pursuant to Resolution No. (to be filled in)-PC voted to recommend City Council approval of the permit; and

WHEREAS, the matter was set for public hearing on DATE, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it adopts the following findings with respect to CDP No. 225393 and SDP No. 232067:

Site Development Permit - Section 126.0504**A. Findings for all Site Development Permits**

1. The proposed development will not adversely affect the applicable land use plan. The proposed single family development on 44.71 acre site is designated for Residential use by the Carmel Valley Neighborhood Ten Precise Plan and allows residential development at the densities allowed by the existing SF-2, SF-3 and OS Zones of the Carmel Valley Planned District. The proposed project is consistent with this designation and will dedicate 33.45 acres to the City of San Diego as open space within the Multiple Habitat Planning Area. The proposed project is consistent with the land use allowed by the Precise Plan and the preservation goals of the Environmental Tier. Being determined the project is consistent with the Progress Guide and General Plan, the Carmel Valley Neighborhood Ten Precise Plan, the regulations of the SF-2, SF-3 and OS Zones and the Planned Development Permit regulations, the proposed development will not adversely affect the applicable land use plan.

2. The proposed development will not be detrimental to the public health, safety, and welfare. The proposed development includes the dedication of right-of-way and contribution of its fair share cost towards construction of public improvements in the Carmel Valley Neighborhood Ten Precise Plan. The proposed development will construct necessary sewer and water facilities to serve the residents of the development; will construct several detention basins necessary to handle project storm runoff; will enter into a Maintenance Agreement for the ongoing permanent BMP maintenance; will comply with all requirements of State Water Resources Control Board (SWRCB) Order No. 99-08 DWQ and the Municipal Storm Water Permit, Order No. 2001-01(NPDES General Permit No. CAS000002 and CAS0108758), Waste Discharge Requirements for Discharges of Storm Water Runoff Associated With Construction Activity; and will provide a geotechnical report in accordance with the City of San Diego's Technical Guidelines for Geotechnical Reports for the review and approval by the City Engineer. The development will also provide for the health, safety, and welfare of the residents by locating all brush management outside of the MHPA and outside of lands owned by the City while providing setbacks for houses adjacent to fuel sources. All structures constructed will be reviewed by professional staff for compliance with all relevant and applicable building, electrical, mechanical and fire codes to assure the structures will meet or exceed the current regulations. As such the proposed development will not be detrimental to the public health, safety, and welfare.

3. The proposed development will comply with the applicable regulations of the Land Development Code. The proposed development complies with the regulations of the SF-3 and OS Zones and site-specific development regulations for the property. No deviations or variances are required to approve the proposed project. The proposed development complies with all relevant regulations of the Land Development Code. Specific conditions of approval require the continued compliance with all relevant regulations of the City of San Diego effective for this site and have been written as such into Coastal Development Permit No. 225393 and a Site Development Permit

No. 232067. Development of the property will meet all requirements of these regulations. Concept plans for the project identify all other development criteria in effect for the site. All relevant regulations shall be complied with at all times for the life of the project. In these ways the proposed development will comply with the applicable and relevant regulations of the Land Development Code.

B. Supplemental Findings--Environmentally Sensitive Lands

1. The site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands. The site is designated by the Carmel Valley Neighborhood Ten Precise Plan for residential development and is identified by the Land Development Code as within the SF-2, SF-3 and OS Zones. The site is currently undeveloped. The proposed project will provide mitigation for the direct impact to sensitive vegetation. The project creates direct impacts to 5.30 acres of Tier 1 southern maritime chaparral all outside the Multiple Habitat Preservation Area (MHPA); 5.22 acres of Tier I Diegan Coastal sage scrub, 4.14 outside MHPA, 1.08 inside MHPA; and 8.52 acres of non-native grassland, 5.28 acres outside MHPA and 2.95 inside MHPA. These impacts will be mitigated per the City's Environmentally Sensitive Lands Guidelines. Assuming all impacts are mitigated within the MHPA, which allows out of kind mitigation within Tiers I-III for these habitat types, the total mitigation acreage required would be 16.11 acres. These impacts are the minimum disturbance necessary to construct the proposed project. Extensive planning and development of alternatives were evaluated to determine the proposed impact is the least possible and has been shown to be the case.

2. The proposed development will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards. The proposed development will alter the site to the least extent possible while subdividing the property and grading the site for single family uses. All manufactured slopes constructed for the project will include erosion control to preclude erosional forces from impacting the site. The site is not located within or adjacent to any areas prone to flooding. Brush management requirements imposed in the conditions of approval will reduce the risks from natural wildfires to a safe level. The site is not adjacent to any high risk fuel source and is not subject to the threat of high heat fires as a result of dense brush burning in the immediate area.

3. The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands. The development proposes to subdivide a 44.71 acre site for development of single family properties. The proposed project will not create adverse impacts on adjacent environmentally sensitive lands. The project will incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 of the San Diego Municipal Code; will prepare and implement a Water Pollution Control Plan in accordance with the guidelines in Appendix E of the City's Storm Water Standards; will enter into a Maintenance Agreement for the ongoing permanent BMP maintenance; and will comply with all requirements of State Water Resources Control Board (SWRCB) Order No. 99-08 DWQ and the Municipal

Storm Water Permit, Order No. 2001-01(NPDES General Permit No. CAS000002 and CAS0108758), Waste Discharge Requirements for Discharges of Storm Water Runoff Associated With Construction Activity. No drainage will be allowed to exit the site except in a controlled manner and will not impact sensitive habitats located down stream.

The mitigation monitoring and reporting program adopted for the proposed project will reduce to a level of insignificance all probable and potential environmentally adverse affects on adjacent lands.

4. The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan. A Multiple Habitat Planning Area Boundary Line correction has been processed by City staff and reviewed and accepted by the US Fish & Wildlife Service and California Fish and Game agencies. The minor correction is supported by the Biology Report prepared for the project. With the minor correction to the boundary line of the MHPA, the proposed project is consistent with the City of San Diego's Multiple Species Conservation Program Subarea Plan.

5. The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply. The proposed project is within the watershed of the Los Penasquitos Lagoon and contributes drainage to this impaired water body. The project will incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 of the San Diego Municipal Code; will prepare and implement a Water Pollution Control Plan in accordance with the guidelines in Appendix E of the City's Storm Water Standards; will enter into a Maintenance Agreement for the ongoing permanent BMP maintenance; and will comply with all requirements of State Water Resources Control Board (SWRCB) Order No. 99-08 DWQ and the Municipal Storm Water Permit, Order No. 2001-01(NPDES General Permit No. CAS000002 and CAS0108758), Waste Discharge Requirements for Discharges of Storm Water Runoff Associated With Construction Activity so as to reduce or eliminate any potential adverse affects upon the Los Penasquitos Lagoon. In this way, the proposed project will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply since all drainage will be controlled appropriately to prevent any adverse impacts to downstream areas, including the shoreline of the Pacific Ocean and the Los Penasquitos Lagoon.

6. The nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development. All required mitigation required as a condition of the development permit has been carefully scrutinized and is based on direct cause and effect relationships. The required mitigation is calculated to focus on those area where a direct or potential impact will or may occur. No mitigation is required for the proposed project which does not pass this scrutiny and which is not based upon objective scientific fact or causal relationship.

Coastal Development Permit - Section 126.0708**A.**

1. The proposed coastal development will not encroach upon any existing physical access way that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan. The 44.71 acre site is located approximately four miles east from the Pacific Ocean. No physical accessway legally used by the public or proposed public accessway will be compromised or encroached upon with the approval of the project as none exist crossing the property leading to and along the ocean and other scenic coastal areas. No existing or proposed physical accessway exists or is designated on or across the site. From the site no public views to or along the ocean or other scenic coastal areas presently exist and none will be impacted from the approval of the project.

2. The proposed coastal development will not adversely affect environmentally sensitive lands. The site is designated by the Carmel Valley Neighborhood Ten Precise Plan for residential development and is identified by the Land Development Code as within the SF-3 and OS Zones. Extensive planning and development of alternatives were evaluated to determine the proposed impact is the least possible. See SDP, Supplemental Findings--Environmentally Sensitive Lands Finding #1 above for more detail.

3. The proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program. The certified Local Coastal Program, the Carmel Valley Neighborhood Ten Precise Plan, designates this site for residential development. The proposed development, a subdivision for the development of a single family project, will comply with the certified Local Coastal Program and the regulations of the Implementation Program. No variances or deviations are required to approve the project as proposed.

4. For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The site, approximately four miles east of the Pacific Ocean, is not between the nearest public road and the sea or shoreline of any body of water within the Coastal Overlay Zone. The site is located in Carmel Valley Neighborhood Ten Precise Plan east of Interstate 5. The development of a subdivision for development of a single family neighborhood will have no affect upon the public's access to coastal resources or recreation policies of Chapter 3 of the Coastal Act. The site does not contain any existing or planned access routes to the sea or shoreline of any body of water within the Coastal Overlay Zone and will have no affect upon the recreation policies of Chapter 3 of the Coastal Act in that all necessary parking is provided on the site for employees and visitors. Being determined that the proposed project will have no affect upon the access

or recreational policies of the Coastal Act, the proposed project is therefore in conformance with the policies of such act.

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

BE IT FURTHER RESOLVED, that the recommendation of the Planning Commission is sustained, and Coastal Development Permit No. 225393 and a Site Development Permit No. 232067 is granted to Pardee Homes, Owner/Permittee, under the terms and conditions set forth in the permit attached hereto and made a part hereof.

APPROVED: MICHAEL AGUIRRE, City Attorney

By _____

Deputy City Attorney

ATTY/SEC. INITIALS

DATE

Or.Dept:Clerk

R-INSERT

Form=permitr.frm(61203wct)

Reviewed by John S. Fisher

RECORDING REQUESTED BY
 CITY OF SAN DIEGO
 DEVELOPMENT SERVICES
 PERMIT INTAKE, MAIL STATION 501

WHEN RECORDED MAIL TO
PERMIT INTAKE
MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 42-4540

Coastal Development Permit No. 225393 and Site Development Permit No. 232067
CARMEL VALLEY NEIGHBORHOOD TEN [MMRP]
 City Council
DRAFT

This Coastal Development Permit No. 225393 and Site Development Permit No. 232067, an amendment to Carmel Valley Planned District Development Plan Permit/Resource Protection Ordinance Permit 96-0737, County Recorder's Office Document number 1997-0534836, dated October 24, 1997, is granted by the Council of the City of San Diego to PARDEE HOMES, a California Corporation, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] §126.0708 and §126.0504. The 44.80 acre site is located in four separate locations generally described by unit as Unit 2 South: located at the terminus of Briarlake Woods Drive; Unit 5 South: located south of Carmel Mountain Road, west of Gaylemont Lane and west of Furlong Place; Unit 9 South: located south of Carmel Mountain Road west of the new bridge at the boundary between the Torrey Hills and Neighborhood Ten communities; and Unit 12 South: located north of Carmel Mountain Road, west of Canter Heights Drive, all in the SF-2, SF-3 & OS Zones of the Carmel Valley Planned District of the Carmel Valley Community Plan area. The project site is legally described as being a portion of the southwest quarter of the southeast quarter of Section 29, together with a portion of the west 10 acres of the southeast quarter of the southeast quarter of said Section 29, Township 14 South, Range 3 West, San Bernardino Meridian, according to Official Plat thereof;

Excepting therefrom that portion granted to the City of San Diego by deed recorded February 29, 2000 as File No. 2000-0101939 of Official Records;

Together with Lot 2 in Section 28, Township 14 South, Range 3 West, San Bernardino Meridian, according to Official Plat thereof;

Together with Lot E of Carmel Valley Neighborhood 10 Unit 12 South, according to Map thereof No. 15607 filed in the Office of the County Recorder of San Diego County August 10, 2005;

Together with portions of Carmel Mountain Road, Canter Heights Drive and Coach Horse Court, as dedicated to public use, all being in the City of San Diego, County of San Diego, State of California.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to subdivision of the 44.80 acre site into 145 lots for development of 121 single family structures six lots for dedication as open space to the City of San Diego in fee simple, sixteen lots for manufactured slopes, brush management, monument entries, pocket parks, green space and a private driveway to be owned by the home owners association and two open space lots to provide legal and physical access to a parcel beyond the subdivision boundary, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"], dated approval date, on file in the Development Services Department.

The project or facility shall include:

- a. Subdivision of the 44.80 acre site into 145 lots for development of 121 lots for 121 single family structures, six open space lots to be deeded to the City of San Diego in fee simple, and sixteen lots for ownership by the home owners association for brush management, manufactured slopes, monument entries, pocket parks, green space and a private driveway, and two open space lots which may provide legal and physical access to a parcel beyond the subdivision boundary;
- b. Landscaping (planting, irrigation and landscape related improvements);
- c. Off-street parking facilities; and
- d. Canter Heights Drive Street between Station 1+45 to Station 3+40 would deviate from the Street Design Manual with the roadway being an additional five feet wide in order to accommodate a looped water main system for the project.
- e. The average floor to area ratio (FAR) calculated over the entire project would not exceed 60%. A few lots would exceed 60% FAR as long as the combined total of all lots within the project does not exceed 60% FAR.
- f. Water meters on-site may be placed in driveways in limited instances. While water meters are not typically located within driveways, an allowance has been made by the City Water Department to allow water meters to be located within the driveway on this project when other suitable locations are not feasible.
- g. Accessory improvements determined by the City Manager to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

STANDARD REQUIREMENTS:

1. Construction, grading or demolition must commence and be pursued in a diligent manner within thirty-six months after the effective date of final approval by the City, following all appeals. Failure to utilize the permit within thirty-six months will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all the SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker.
2. No permit for the construction, occupancy or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder
3. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the City Manager.
4. This Permit is a covenant running with the subject property and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.
5. The utilization and continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the Permittee for this permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
7. In accordance with authorization granted to the City of San Diego from the United States Fish and Wildlife Service [USFWS] pursuant to Section 10(a) of the ESA and by the California Department of Fish and Game [CDFG] pursuant to Fish and Game Code section 2835 as part of the Multiple Species Conservation Program [MSCP], the City of San Diego through the issuance of this Permit hereby confers upon Permittee the status of Third Party Beneficiary as provided for in Section 17 of the City of San Diego Implementing Agreement [IA], executed on July 16, 1997, and on file in the Office of the City Clerk as Document No. OO-18394. Third Party Beneficiary status is conferred upon Permittee by the City: (1) to grant Permittee the legal standing and legal right to utilize the take authorizations granted to the City pursuant to the MSCP within the context of those limitations imposed under this Permit and the IA, and (2) to assure Permittee that no existing mitigation obligation imposed by the City of San Diego pursuant to this Permit shall be altered in the future by the City of San Diego, USFWS, or CDFG, except in the limited circumstances described in Sections 9.6 and 9.7 of the IA. If mitigation lands are identified but

not yet dedicated or preserved in perpetuity, maintenance and continued recognition of Third Party Beneficiary status by the City is contingent upon Permittee maintaining the biological values of any and all lands committed for mitigation pursuant to this Permit and of full satisfaction by Permittee of mitigation obligations required by this Permit, as described in accordance with Section 17.1D of the IA.

8. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.

9. Before issuance of any building or grading permits, complete grading and working drawings shall be submitted to the City Manager for approval. Plans shall be in substantial conformity to Exhibit "A." No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.

10. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

In the event that any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

11. This Permit shall become effective with recordation of the corresponding final subdivision map(s) for and approval of the project site.

12. This Coastal Development Permit shall become effective on the eleventh working day following receipt by the California Coastal Commission of the Notice of Final Action, following all appeals.

13. This Permit may be developed in phases. Each phase shall be constructed prior to sale or lease to individual owners or tenants to ensure that each phase of development is consistent with the conditions and exhibits approved for each respective phase in conformance with the approved exhibit "A."

14. Prior to issuance of any engineering permit for grading, the Owner/Permittee shall deposit a fee with the Development Services Department for the Los Peñasquitos Watershed Restoration

and Enhancement Program. The enhancement fee shall be computed on the basis of the total area of the site to be graded at a rate of \$0.005 per square foot. The enhancement fee shall be computed by the Owner/Permittee and verified by the Development Services Department.

15. Prior to issuance of any engineering permit for public improvements, the Owner/Permittee shall deposit a fee with the Development Services Department for the Los Peñasquitos Watershed Restoration and Enhancement Program. The enhancement fee shall be computed on the basis of the proposed development at a rate of \$0.03 per square foot for all impervious surfaces created by the public improvements. The enhancement fee shall be computed by the Owner/Permittee and verified by the Development Services Department.

16. Prior to issuance of any building permit, the Owner/Permittee shall deposit a fee with the Development Services Department for the Los Peñasquitos Watershed Restoration and Enhancement Program. The enhancement fee shall be computed on the basis of the proposed development at a rate of \$0.03 per square foot for all impervious surfaces created by the site construction on each lot. The enhancement fee shall be computed by the Owner/Permittee and verified by the Development Services Department.

17. At all bus stops within the project area, if any, the Owner/Permittee shall be responsible for installing sidewalk improvements where needed to comply with Americans with Disability Act (ADA) requirements and in accordance with standards contained in the City of San Diego Street Design Manual.

18. The Coastal Development Permit No. 225393 and a Site Development Permit No. 232067 shall conform to the provisions of Tentative Map No. 232063.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

19. Mitigation requirements are tied to the environmental document, specifically the Mitigation, Monitoring, and Reporting Program (MMRP). These MMRP conditions are incorporated into the permit by reference or authorization for the project.

20. As conditions of this permit, the mitigation measures specified in the MMRP, and outlined in the Addendum, LDR No. 72526, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL/MITIGATION REQUIREMENTS.

21. The Owner/Permittee shall comply with the Mitigation, Monitoring, and Reporting Program (MMRP) as specified in the Addendum, LDR No. 72526 satisfactory to the City Manager and City Engineer. Prior to issuance of the first grading permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue areas:

Air Quality
Biological Resources
Landform/Visual Quality
Land Use

**Paleontological Resources
Public Services**

22. Prior to issuance of any construction permit, the Owner/Permittee shall pay the Long Term Monitoring Fee in accordance with the Development Services Fee Schedule to cover the City's costs associated with implementation of permit compliance monitoring.

AFFORDABLE HOUSING REQUIREMENTS:

23. In accordance with the Development Agreement, Doc. #1999-0541679, recorded August 5, 1999, all single family lots within the subdivision shown on Vesting Tentative Map No. 232063, are exempt from the Inclusionary Housing Ordinance requirements except for Unit 12 South, Lots 1-14. Prior to the issuance of each building permit for Unit 12 South, Lots 1-14, as shown on the approved Vesting Tentative Map No. 232063, the Owner/Permittee shall pay the Inclusionary Housing In-Lieu Fee due for those lots, Unit 12 South, Lots 1-14, pursuant to the Affordable Housing Requirements of the City's Inclusionary Housing Ordinance, Chapter 14, Article 2, Division 13 of the Land Development Code.

GEOLOGY REQUIREMENTS:

24. Prior to the issuance of engineering permit for grading or building permit, additional geotechnical review will be required for this project.

TRANSPORTATION REQUIREMENTS:

25. Prior to the issuance of any building permit, construction plans shall indicate the depth of the driveway to be twenty feet minimum or a minimum of eighteen feet if a sectional garage door is provided.

26. Prior to the issuance of any building permit on Lots 1, 2 and 3 of Unit 9S, construction plans shall indicate a concrete surface, or other suitable material, to allow vehicles to turn around on each lot to facilitate vehicles departing in a forward facing orientation.

LANDSCAPE REQUIREMENTS:

27. All landscape and irrigation shall conform to the City of San Diego Landscape Ordinance and City of San Diego Land Development Manual Landscape Standards and all regional standards for landscape installation and maintenance.

28. Improvements such as driveways, utilities, drains, and water and sewer laterals shall be designed so as not to prohibit the placement of street trees, all to the satisfaction of the City Manager.

29. Prior to issuance of any engineering permit for grading, landscape construction documents for the revegetation and hydroseeding of all disturbed land shall be submitted in accordance with the

Land Development Manual Landscape Standards, to the satisfaction of the City Manager. All plans shall be in substantial conformance to this permit and Exhibit "A."

30. Prior to issuance of any engineering permit for public right-of-way improvements or building permits for buildings, complete landscape construction documents for right-of-way improvements shall be submitted to the City Manager for approval. Improvement plans shall provide a forty square foot area around each tree which is unencumbered by utilities as set forth under LDC 142.0403(b)5. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

31. Prior to final inspection, it shall be the responsibility of the Owner/Permittee to install all required landscape. A "No Fee" Street Tree Permit, if applicable, shall be obtained for the installation, establishment, and on-going maintenance of all street trees.

32. All required landscape shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted. All trees shall be maintained in a safe manner to allow each tree to grow to its mature height and spread.

33. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements in the right-of-way consistent with the Land Development Manual Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity. In this case, a Landscape Maintenance Agreement shall be submitted for review by a Landscape Planner.

34. If any required landscape, including existing or new plantings, hardscape, landscape features, or other features, indicated on the approved construction document plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind and equivalent size per the approved documents to the satisfaction of the City Manager within 30 days of damage or prior to a final landscape inspection.

BRUSH MANAGEMENT REQUIREMENTS:

35. The Owner/Permittee shall implement the following requirements in accordance with the Brush Management Program shown on Exhibit "A."

36. Prior to issuance of any engineering permits for grading, landscape construction documents required for the engineering permit shall be submitted showing the brush management zones on the property in substantial conformance with Exhibit "A."

37. Prior to issuance of any building permits, a complete set of brush management construction documents shall be submitted for approval to the City Manager and the Fire Marshall. The construction documents shall be in substantial conformance with Exhibit "A" and shall comply with the Uniform Fire Code, M.C. 55.0101, the Landscape Standards, and the Land Development Code Section 142.0412 (Ordinance 19413).

38. The Brush Management Program shall consist of two zones consistent with the Brush Management Regulations of the Land Development Code section 142.0412 as follows: Vesting Tentative Map No. 232063 shall have a standard Zone One of 35 feet and a standard Zone Two of 65 feet, unless otherwise noted or shown on the Vesting Tentative Map No. 232063, Exhibit "A."

39. Within Zone One, combustible accessory structures, including, but not limited to decks, trellises, gazebos, or other flammable features, shall not be permitted while non-combustible accessory structures may be approved within the designated Zone One area subject to Fire Marshall and the City Manager's approval.

40. In Zone One, plant material shall be selected to visually blend with the existing vegetation located in the adjacent open space. No invasive plant material shall be permitted as jointly determined by the Landscape Section and the MSCP staff.

41. All new Zone Two planting shall be temporarily irrigated with an above-ground irrigation system until established. Zone Two shall be maintained on a regular basis by pruning and thinning plants, removal of weeds, and maintaining the temporary irrigation system. Only native vegetation shall be planted or hydroseeded in Zone Two. If Zone Two is being revegetated, 50% of the planting area shall be seeded with material that will not exceed twenty-four inches in height.

42. Prior to final inspection of any building permit, the approved Brush Management Program shall be implemented, to the satisfaction of the City Manager. The Brush Management Program shall be maintained at all times in accordance with the City of San Diego's Land Development Manual, Landscape Standards.

PLANNING/DESIGN REQUIREMENTS:

43. No fewer than two off-street parking spaces shall be maintained on each single family property at all times in the approximate locations shown on the approved Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the City Manager.

44. There shall be compliance with the regulations of the underlying zone(s) unless a deviation or variance to a specific regulation(s) is approved or granted as a condition of approval of this Permit. Where there is a conflict between a condition (including exhibits) of this Permit and a regulation of the underlying zone, the regulation shall prevail unless the condition provides for a deviation or variance from the regulations. Where a condition (including exhibits) of this Permit establishes a provision which is more restrictive than the corresponding regulation of the underlying zone, then the condition shall prevail.

45. No building additions, including patio covers, shall be permitted unless approved by the homeowners association and the City Manager. Patio covers may be permitted only if they are consistent with the architecture of the dwelling unit.

46. All signs associated with this development shall be consistent with sign criteria established by Citywide sign regulations
47. The Owner/Permittee shall post a copy of the approved discretionary permit and Vesting Tentative Map in the sales office for consideration by each prospective buyer
48. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.
49. The subject property and associated common areas on site shall be maintained in a neat and orderly fashion at all times.
50. No mechanical equipment, tank, duct, elevator enclosure, cooling tower, mechanical ventilator, or air conditioner shall be erected, constructed, converted, established, altered, or enlarged on the roof of any building, unless all such equipment and appurtenances are contained within a completely enclosed, architecturally integrated structure whose top and sides may include grillwork, louvers, and latticework.

WATER REQUIREMENTS:

51. Prior to the issuance of any building permits the Owner/Permittee shall assure, by permit and bond, the design and construction of new water services in the rights-of-way adjacent to the project sites, in a manner satisfactory to the Water Department Director and the City Engineer.
52. Providing there is no suitable location available for the water meters located in cul-de-sacs, water meters may be installed in driveways.
53. Prior to final inspection of any building, public water facilities necessary to serve the development, including water services, meters and mains, shall be complete and operational in a manner satisfactory to the Water Department Director and the City Engineer.
54. Prior to final inspection of any building, the as-built drawings for the water main through the bridge on Carmel Mountain Road shall have been completed and approved by that project's resident engineer.
55. Prior to final inspection of any building, all water mains, including the water main through the bridge on Carmel Mountain Road, shall be complete and operational in a manner satisfactory to the Water Department Director and the City Engineer.
56. The Owner/Permittee agrees to design and construct all proposed public water facilities in accordance with established criteria in the most current edition of the City of San Diego Water Facility Design Guidelines and City regulations, standards and practices pertaining thereto.
57. All water facilities on private property shall be private, including domestic, fire and irrigation systems.

58. The Owner/Permittee agrees to design and construct all proposed public water facilities in accordance with established criteria in the most current edition of the City of San Diego Water Facility Design Guidelines and City regulations, standards and practices pertaining thereto. Water facilities and water easements, as shown on the approved plans, shall be modified at final engineering to comply with standards.

WASTEWATER REQUIREMENTS:

59. No structures or landscaping, including private sewer facilities and enhanced paving, shall be installed in or over any easement prior to the Owner/Permittee obtaining a Maintenance and Encroachment Maintenance and Removal Agreement.

60. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any public sewer facilities.

61. The Owner/Permittee shall design and construct all proposed public sewer facilities in accordance with established criteria in the most current edition of the City of San Diego sewer design guide (2004 version). Proposed facilities that do not meet the current standards shall be redesigned or private.

62. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of all public sewer facilities necessary to serve this development.

63. Proposed private underground sewer facilities located within a single lot shall be designed to meet the requirements of the California Uniform Plumbing Code and shall be reviewed as part of the building permit plan check.

INFORMATION ONLY:

Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code section 66020.

Permit Type/PTS Approval No.: CDP No. 225393
and SDP No. 232067

Date of Approval:

AUTHENTICATED BY THE DEVELOPMENT SERVICES DEPARTMENT

NAME
TITLE

**NOTE: Notary acknowledgment
must be attached per Civil Code
section 1180 et seq.**

**The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of
this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.**

Pardcc Homes
Owner/Permittee

By _____
Beth Fischer
Vice President

**NOTE: Notary acknowledgments
must be attached per Civil Code
section 1180 et seq.**



City of San Diego
 Development Services
 1222 First Ave., MS-302
 San Diego, CA 92101
 (619) 446-5000

Ownership Disclosure Statement

Approval Type: Check appropriate box for type of approval (s) requested: Neighborhood Use Permit Coastal Development Permit
 Neighborhood Development Permit Site Development Permit Planned Development Permit Conditional Use Permit
 Variance Tentative Map Vesting Tentative Map Map Waiver Land Use Plan Amendment • Other _____
 Street Vacation, access easement vacation

Project Title _____ Project No. For City Use Only _____

Neighborhood 10 - Remainder

Project Address:

Remainder parcels primarily south of Carmel Mountain Road

Part I - To be completed when property is held by Individual(s)

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property, with the intent to record an encumbrance against the property. Please list below the owner(s) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a *Disposition and Development Agreement (DDA)* has been approved / executed by the City Council. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Additional pages attached Yes No

Name of Individual (type or print): _____

Owner Tenant/Lessee Redevelopment Agency

Street Address: _____

City/State/Zip: _____

Phone No: _____ Fax No: _____

Signature : _____ Date: _____

Name of Individual (type or print): _____

Owner Tenant/Lessee Redevelopment Agency

Street Address: _____

City/State/Zip: _____

Phone No: _____ Fax No: _____

Signature : _____ Date: _____

Name of Individual (type or print): _____

Owner Tenant/Lessee Redevelopment Agency

Street Address: _____

City/State/Zip: _____

Phone No: _____ Fax No: _____

Signature : _____ Date: _____

Name of Individual (type or print): _____

Owner Tenant/Lessee Redevelopment Agency

Street Address: _____

City/State/Zip: _____

Phone No: _____ Fax No: _____

Signature : _____ Date: _____

Project Title: Neighborhood 10 - Remainder	Project No. (For City Use Only)
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Part II - To be completed when property is held by a corporation or partnership

Legal Status (please check):

- Corporation (Limited Liability -or- General) What State? _____ Corporate Identification No. _____
 Partnership

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the names, titles and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all corporate officers, and all partners in a partnership who own the property). A signature is required of at least one of the corporate officers or partners who own the property. Attach additional pages if needed. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process. **Additional pages attached** Yes No

Corporate/Partnership Name (type or print):
Pardee Homes

Owner Tenant/Lessee

Street Address:
12626 High Bluff Drive, Suite 100

City/State/Zip:
San Diego, CA 92130

Phone No: _____ Fax No: _____
858-794-2500

Name of Corporate Officer/Partner (type or print):
Charles Corum

Title (type or print):
Vice President

Signature:  Date: **09-29-05**

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: _____ Fax No: _____

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : _____ Date: _____

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: _____ Fax No: _____

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : _____ Date: _____

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: _____ Fax No: _____

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : _____ Date: _____

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: _____ Fax No: _____

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : _____ Date: _____

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: _____ Fax No: _____

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : _____ Date: _____

UNANIMOUS ACTION OF THE BOARD OF DIRECTORS
OF
PARDEE HOMES,
a California corporation,
TAKEN WITHOUT A MEETING

The undersigned three (3) Directors, constituting all of the members of the Board of Directors of Pardee Homes, a California corporation, (the "Corporation"), acting as of March 15, 2007, without a meeting in accordance with California Corporations Code Section 307(b) and Article III, Section 12 of the Corporation's By-Laws, hereby resolve as follows:

RESOLVED, that all offices of the Corporation are declared vacant and each of the following persons is elected to the office shown opposite such person's name, to serve in such office until removed by the Board or the President, by resignation, or until such time as a successor is elected:

Michael V. McGee	President and Chief Executive Officer
Harold Struck, Jr.	Executive Vice President
William A. Bryan	S. V. P./Finance; Secretary-Treasurer
John Anglin	Senior Vice President, Purchasing
John Arvin	Senior Vice President, Land Development
Robert E. Clauser, Jr.	Senior Vice President, Marketing
Anthony P. Dolim	Senior Vice President, Finance
David Dunham	Senior Vice President, Multi-Family
Leonard S. Frank	Senior Vice President, Governmental Affairs
Amy L. Glad	Senior Vice President, Governmental Affairs
Christopher J. Hallman	Senior Vice President and Legal Counsel
Jon E. Lash	Senior Vice President, Land Acquisition
Randy Myers	Senior Vice President, Construction
John Osgood	Senior Vice President, Community Development
Gary Probert	Senior Vice President, Sales
David L. Scoll	Senior Vice President and General Counsel
James C. Wisda	S. V. P., Business Planning & Development
John Allen	Vice President, Construction Operations
James C. Bizzelle, III	Vice President, Community Development
Gino Cesario	Vice President, Corporate & Strategic Services
Mike Conkey	Vice President, Controller
Robert Dawson	Vice President, Closing Services
Patrick Emanuel	Vice President, Construction Operations
Don Feathers	Vice President, Construction Operations
Beth Fischer	Vice President, Community Development
Joyce Mason	Vice President, Marketing
Carlene Matchniff	Vice President, Community Development
Ralph Pistone	Vice President, Construction Operations

David Ragland	Vice President, Community Development
Greg Ray	Vice President, Landscape Architecture
Donna Sanders	Vice President, Options
Gregory P. Sorich	Vice President, Land Disposition
James A. Stringer	Vice President, Community Development
Michael C. Taylor	Vice President, Community Development
Dave Viggiano	Vice President, Architecture
Rosemary Bonnevie	Assistant Vice President, Finance
Steve Davison	Assistant Vice President, Accounting
Belle DeBraal	Assistant Vice President, Accounting
Mesrope DeBraal	Assistant Vice President, Accounting
Barbara Bail	Assistant Secretary
Patricia Cohen	Assistant Secretary
Charles E. Curtis	Assistant Secretary
Claire S. Grace	Assistant Secretary
Susan Howland	Assistant Secretary
Vicki A. Merrick	Assistant Secretary
Thomas M. Smith	Assistant Secretary
Nancy Trojan	Assistant Secretary

The undersigned hereby consent to the foregoing Resolution and direct that the Secretary of this Corporation file this Unanimous Action of the Board of Directors, including this consent, with the Minutes of the proceedings of this Board of Directors and that said Resolution shall have the same force and effect as if adopted at a meeting of the Board of Directors at which all of the undersigned were personally present.



Michael V. McGee, Director



Harold Struck, Jr., Director

Daniel S. Fulton, Director

DEVELOPMENT SERVICES
Project Chronology
Carmel Valley Neighborhood 10 - PTS# 72526

Date	Action	Description	City Review Time	Applicant Response
10/07/05	First Submittal	Project Deemed Complete		
12/06/05	First Assessment Letter		60 days	
07/26/06	Second Submittal			232 days
08/30/06	Second Review Complete		35 days	
03/07/07	Third Submittal			189 days
04/06/07	Third Review Complete		30 days	
05/02/07	Fourth Submittal			26 days
05/23/07	Fourth Review Complete		21 days	
05/23/07	Issues Complete		0 days	
06/21/07	Public Hearing		29 days	
TOTAL STAFF TIME			175 days	
TOTAL APPLICANT TIME				447 days
TOTAL PROJECT RUNNING TIME		From Deemed Complete to Planning Commission	20 months and 22 days	

000097

PROJECT DATA SHEET

PROJECT NAME:	Project No. 72526 – Carmel Valley Neighborhood 10	
PROJECT DESCRIPTION:	Subdivision of 44.80 ac into 145 lots and 121 SFDs.	
COMMUNITY PLAN AREA:	Carmel Valley	
DISCRETIONARY ACTIONS:	CDP, SDP, VTM, Rezone & Easement Vacation	
COMMUNITY PLAN LAND USE DESIGNATION:	Very Low Density Residential & Open Space	
	<u>REQUIRED:</u>	<u>PROPOSED:</u>
ZONE:	CVPD-SF 2 / SF 3 / OS	CVPD-SDF 2 / SF 3
DENSITY:	0-5 dwelling units per acre	0-5 dwelling units per acre
HEIGHT LIMIT:	35 feet	25 feet, 9 inches
LOT SIZE:	4,500 sf (SF2) / 3,000 sf (SF3).	4,500 sf min. / 3,200 s.f. min.
FLOOR AREA RATIO:	.60 FAR / .60 Lot Coverage	.60 Average FAR
FRONT SETBACK:	10 feet	10 feet
SIDE SETBACK:	4 feet	4
STREETSIDE SETBACK:	10 feet	10
REAR SETBACK:	4 feet	4 feet
PARKING:	2 spaces	2 spaces
<u>ADJACENT</u>	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
<u>PROPERTIES:</u>		
NORTH:	Residential; CVPD SF 3	Residential
SOUTH:	Open Space; CVPD OS	Open Space
EAST:	Residential/Open Space; SF 3/OS	Residential/Open Space
WEST:	Residential/Open Space; SF 3/OS	Residential/Open Space
DEVIATIONS OR VARIANCES REQUESTED:	None	
COMMUNITY PLANNING GROUP RECOMMENDATION:	Carmel Valley Community Planning Board voted 10:0:1 to approve the proposed actions, with concerns.	



Land Development
Review Division
(619) 446-5460

ADDENDUM to an ENVIRONMENTAL IMPACT REPORT (EIR) & A SUBSEQUENT EIR

Project No. 72526
Adding EIR No. 91-0834 and Subsequent
EIR No. 96-0736(7)
SCH #s 88033019 & 97-011032

UPDATE: The Final Addendum has been revised to clarify information and correct any errors in the draft document. No new impacts have been identified and the draft document was not recirculated; however, MMRP Item No. 2 –biology mitigation was corrected to match the biology discussion section which has the correct project mitigation for PTS 72526 rather than PTS 72522. MMRP Item 23 – a duplicative landform alteration/visual quality section –was deleted and incorporated into a simplified Item 19 due to redundancies from the two original EIRs. In addition, Transportation/Circulation mitigation has been deleted from this document as these conditions are included in the Permit and Tentative Map Resolution. Changes to the Final MND are shown in strikeout/bold underline format.

SUBJECT: CARMEL VALLEY NEIGHBORHOOD 10: Easement & Public Right-of-Way Vacations, Coastal Development Permit, Site Development Permit, Vesting Tentative Map to subdivide 44.8017 acres into 145 ~~143~~ lots and construct 121 single family dwellings. The site is spread over 43 locations, one on the north (Unit 12 South B) and south ends (Unit 9 South) of Canter Heights Drive, the third second at the cul-de sac of Gaylemont Lane (Unit 5 South B), and the third fourth at the cul-de sac of Briarlake Woods Drive (Unit 12 South A). All locations are in Carmel Valley Neighborhood-10 of the Carmel Valley Community Plan area, San Diego, CA, 92130 (Accessor Parcel No's Unit 9 South 307-100-08, -13, -16, -17, -18, -20, -35; Unit 5 South 307-100-08, -44; Unit 12 South B 307-100-09, -10, -11, -13 & 307-760-25; Unit 2 South A 308-031-02). (JO No: 42-4540). **Applicant:** Pardee Homes, 12626 High Bluff Drive, Suite 100, San Diego, CA 92130 ~~10880 Wilshire Blvd. #1900, Los Angeles, CA 90024~~

I. BACKGROUND AND PROJECT DESCRIPTION

Previous Environmental Review

In 1993, the City certified an EIR (LDR No. 91-0834) for the Carmel Valley Neighborhood 10 (CV-N-10) Precise Plan and Parkview East and West Vesting Tentative Maps (TM). The two TMs for Parkview East and West had respective numbers of 91-0834 and 91-0141. In 1997, a Subsequent EIR was prepared to amend EIR No. 91-0834 and the associated two TM's. The revised TM's also had two separate TM numbers, 96-0736 and 96-0737; both of which were used in the Subsequent EIR Project No. In late 1997, a final amendment to the Precise Plan was

made involving reconfiguration of a park and residential area, however, the VTM itself was not amended and the Final Precise Plan was dated 1997. Please note, throughout this document, the Subsequent EIR numbers will also be written as 96-0736(7).

Justification of Current Environmental Determination

The decision to produce an Addendum (in accordance with Section 15164 of the State CEQA Guidelines) to the original EIR and Subsequent EIR; rather than to do a second subsequent EIR; was made because none of the conditions described in Title 14, CCR, Section 15162 calling for preparation of a subsequent EIR have occurred. In particular, the new proposed project would not have one or more new significant effects, or any environmental effects which would be significantly more severe than shown in the previous Precise Plan EIRs (Nos. LDR 96-0736(7) and 91-0834). As described below in the Project Description section, while the project would feature 6 units over the previously entitled density, the project would remain in previously designated impact areas as shown in both EIR's 91-0834 and 96-0736(7). The project also proposes to grade 7.34 acres and revegetate within the MHPA as entitled by Figure 59 (page 248 of EIR 91-0834 as described in more detail below.

While CEQA does not require public review of addenda, the City's Land Development Code requires a 14-day public review period for addenda to EIRS certified more than three years previously. As the EIRs in question were certified in 1993 and 1997, in accordance with page 3 of Section 12, Article 8, Division 3, this document shall be noticed and sent out for a 14-day public review and comment period prior to the public hearing.

Project Description

Consistency of Proposed Project with Existing Documents

This Addendum focuses on portions of Development Areas (DA) 1, 2, 5 and 15 identified in the Carmel Valley Neighborhood 10 Precise Plan (aka Precise Plan) and associated EIR No. 91-0834 (Figures 1 and 2) and as described in more detail below. These areas were also further analyzed with a subsequent (S)EIR No. 96-0736(7) in 1997.

The Precise Plan was originally adopted in 1994 with CEQA document EIR 91-0834 certified after the May 11 1994 final document release). The 1994 Precise Plan superseded the previous North City West Community Plan adopted in 1975. The 1994 plan was amended in May 1995, July 1996 and in June 1997 with the final amendment triggering a new CEQA review under Subsequent (S) EIR (96-0736(7). SEIR 96-0736(7) was certified after the May 29, 1997 final document release. In 1998, an additional minor amendment was processed to rezone a 1.7 acre area which abutted the Neighborhood 8A area from residential to a school zone; however, this amendment did not trigger a new Precise Plan or EIR and according to page 78 of the EIR No.

96-0736(7); the adopted 1997 Neighborhood Precise Plan development guidelines remain unaltered and are used to this day (as of May 16, 2007).

The 1997 Precise Plan Amendments altered some; but not all; areas of the original 1994 Neighborhood 10 Precise Plan. The following table (Table 1) represents the areas of interest of the current proposed project areas for PTS 72526, compared to the 1994 and 1997 Neighborhood 10 Precise Plan:

TABLE 1

ANALYSIS OF LAND USE CHANGES IN NEIGHBORHOOD 10 FOR PTS 72526 PARCELS

(Note Table begins on next page due to restricted formatting):

<u>1994 Approved Neighborhood 10 Development Area (DA)per EIR 91-0834</u>	<u>1997 Approved Neighborhood 10 Units per SEIR 96-0736(7)</u>	<u>Current Proposed Addendum Project</u>
DA 1	Unit 9	Unit 9 South
-0-5 DU/acre	<ul style="list-style-type: none"> -SF3 -25 dwelling units -Grading Area Increased to E in OS -Parkview East VTM 	<ul style="list-style-type: none"> -Configuration change -88 dwelling units -13.6 acres -Density = 6.5 du/ac -Density not consistent with previous EIRs but allowed through 1998 Development Agreement -Grading and Reveg in MHPA consistent with EIRs
Lower southeast portion of DA 15	Portion of Multiple Units	Unit 12 South B
-0-5 DU/acre	<ul style="list-style-type: none"> -SF3 -No Units - Brush Management Easement at end of Street D 	<ul style="list-style-type: none"> -<u>167</u> Units -2.82 acres -Density = 5.7 du/ac -Density not consistent with previous EIRs, but allowed through 1998 Development Agreement -Building Easement Vacation (was interim easement for brush management)

Lower southwest corner of DA 2	Unit 5	Unit 5 South B
0-5 DU/acre	-SF3 -Proposed development area had grading only shown	-9 Units -2.04 acres -Density = 4.4 du/ac -Consistent with EIR 91- 0834, -Units in Area Not Consistent with EIR 96- 0736(7) -Grading and Reveg in MHPA consistent with EIRs
-lower portion of DA 5	Lower Portion of Unit 2	Unit 2 South A
0-5 DU	-SF2	-8 Units -1.92 acres -Density = 4.2 du/ac -Consistent with EIR 91- 0834 -Grading & Reveg in MHPA consistent with EIRs

This project would therefore be an average of 0.8 du/acre; or 6 units overall; over the allowed density per the previous two EIR's; however, all limits of disturbance are consistent with the two previous EIR's. The density increase can therefore be justified because the overall impact area of the project is not increasing and because of a 1998 Development Agreement between the City of San Diego and Pardee Construction Company regarding the Pacific Highlands Ranch, Subarea III area which states in Section 5.3.1:

"City approves an expanded development footprint on the Pardee-owned property within Neighborhood 10 in Carmel Valley which includes an adjustment of the MHPA boundary by approximately 9.5 net developable acres in exchange for an increase in the MHPA boundary of equivalent acreage with Subarea III. A graphic depicting the general location of the boundary adjustment in Neighborhood 10 VTM is attached as Exhibit "I". In the alternative, at Owner's option, City may either (1) allow an adjustment to the existing approved subdivision maps in Neighborhood 10 to allow for an additional 72-74 dwelling

units; or (2) provide an increase in a development footprint in some other area(s) of Pardee-owned property within Neighborhood 10, subject to adequate environmental review and concurrence with the City and Wildlife Agencies. If such adjustments result in a reduction of MHPA encroachment in Neighborhood 10, City will be allowed to use the reduction as credit towards other MHPA encroachment by the City."

At the current time, allowed buildout in Neighborhood 10 is 1,551 units with the current units totaling 1,614. Combining the allowed buildout with the allowed Development Agreement increase of 72 to 74 units = 1,623 to 1,625 allowed units. Therefore Neighborhood 10 is 9 to 11 units below the combined allowance. No density impact is therefore identified as the proposed project increase of 6 units includes additional units authorized by the Development Agreement; furthermore, the increase is accomplished by a density increase rather than an acreage increase.

Project Specific Description

The ~~overall gross~~ project site area equals 44.80 acres (~~44.17 acres net~~) which would be divided into 145 lots. Of the 44.80~~47~~ acres, 29.55 acres would be graded. The proposed project would develop 121 single family residences on 20.38 acres. A total of 18 lots would be owned and maintained under a Home Owners Association with these lots containing landscaping, brush management areas, a pocket park, private driveways and green space.

The total of HOA lots is 18, yet two lots, Lots "T" and "U" would remain in Pardee's ownership until transfer to the owner of APN 307-100-14 at market price. If no such sale occurs prior to the build out of the project, the two lots, Lots "T" and "U", would at that time be transferred to the HOA for future possible sale to the owner of APN 307-100-14.

~~Two of the 18 lots would remain in Pardee's ownership for future conveyance to the adjacent Tavelman Property (APN No. 307-100-14) for access and grading at fair market value. If an agreement with the owners is not worked out by final approvals for build out of the project, the lots would be transferred to an HOA for their conveyance at fair market value.~~

Three of the lots, totaling 7.34 acres would be steep slopes within Brush Management Zone 2 and MHPA that require grading in order to accommodate the residential development. The areas within Zone 2 would be revegetated as appropriate with lower fuel native species and areas outside Zone 2 would be revegetated with appropriate southern maritime chaparral or Diegan coastal sage scrub habitat. The 7.34 acre graded area is included as an impact area in the biology report as Zone 2 Brush Management areas are only considered to be impact neutral where natural vegetation is thinned. In addition, no mitigation credit is being requested for the remaining revegetation area outside Brush Management Zone 2. All the revegetated areas, whether in Zone

2 and/or the MHPA, would be subject to a 5- year mitigation, monitoring and reporting program per the City's ESL standards.

The remaining 6 lots, totaling 12.56 acres, would be dedicated to the City for open space. These areas are currently all within the MHPA and have non-native grassland, southern maritime chaparral or Diegan coastal sage scrub habitat.

The proposed single family residences would have minimum lots sizes ranging from 3,200 (88 units) to 4,500 square feet (33 units). Lot access would be from Carmel Mountain Road via Canter Heights Road, Gaylemont Lane and Briarlake Woods Drive. All streets in the development would be public and all single family parking requirements would be accommodated on the individual lots and with on-street parking. Each of the 121 residential lots would accommodate the required three parking spaces, with two provided within the garages and one provided in the driveways.

Grading on-site would occur over 65.9% of the site with cut and fill respectively of 287,970 and 293,740 cubic yards with 5,770 cubic yards of import. Maximum depths of cut and fill slopes would be 30 and 50 feet deep respectively. One, three-foot retaining wall, 15 to 35 feet in length is proposed on Lot 88 in Unit 9 S. The maximum height of fill slopes on-site is approximately 80 vertical feet in height with a slope average of 2.5:1 and 2:1 maximum. These fill slopes are located primarily along with southern edge of the project where the project slopes down into Peñasquitos Canyon. Maximum height of cut slopes on-site would be approximately 10 vertical feet in height with a maximum 2:1 slope ratio.

Fire and Police Response- The site is spread over 43 locations, one on the north (Unit 12 South B) and south ends (Unit 9 South) of Canter Heights Drive, the ~~third second~~ at the cul-de sac of Gaylemont Lane (Unit 5 South B), and the ~~third~~ fourth at the cul-de sac of Briarlake Woods Drive (Unit 12 South A). The site would be served by existing San Diego Fire Station/Equipment as follows:

1st location - intersection of Carmel Mountain Rd & Canter Heights Rd

Heights & Hartfield = 7.1 minutes (tie)

E41 from Fire Station 41 at Scranton & Carroll Canyon Rd = 7.1 minutes (tie)

E35 from Fire Station 35 at Eastgate Mall & Genesee = 9.1 minutes

E2411 from Del Mar fire Station on Jimmy Durrante = 10.5 minutes

Truck

T35 from Fire Station 35 at Eastgate Mall & Genesee = 9.1 minutes

T40 from Fire Station 40 at Salmon River Rd & Paseo Montalban = 13.1 minutes

Battalion Chief

B5 from Fire Station 35 at Eastgate Mall & Genesee = 9.1 minutes

2nd Location - Cul-de-sac of Gaylemont Lane

The response times would be essentially the same as the first response times as Furlong Place which accesses Gaylemont Lane off Carmel Mountain Road is 0.1 miles east of the Canter Heights Intersection.

3rd Location - East cul-de-sac of Briarwood Lakes Dr.

Engine

E24 from Fire Station 24 at Del Mar Heights & Hartfield = 6.6 minutes

E41 from Fire Station 41 at Scranton & Carroll Canyon Rd = 9.31 minutes

E35 from Fire Station 35 at Eastgate Mall & Genesee = 11.4 minutes

T40 from Fire Station 40 at Salmon River Rd & Paseo Montalban = 12.2 minutes

Truck

T35 from Fire Station 35 at Eastgate Mall & Genesee = 11.4 minutes

T40 from Fire Station 40 at Salmon River Rd & Paseo Montalban = 12.2 minutes

Battalion Chief

B5 from Fire Station 35 at Eastgate Mall & Genesee = 11.4 minutes

Police service would be received from San Diego Police Department from the Northwestern Command at 12592 El Camino Real. The emergency response time would be 10:44 minutes (Priority E Calls) and Priority 1 Calls response time would be 22.26 minutes when the Citywide respective averages are 7.21 and 14.25 minutes. Additional Police Facilities may also be scheduled to serve the area prior to build-out.

Appropriate to the west facing slopes, landscaping adjacent to open space areas would be entirely native Diegan coastal sage mix of shrubs and herbs planted in a combination of container stock and hydroseed. Internal landscaping would consist of street trees such as magnolia, jacaranda, London plane, Holly oak, various pines, and others; shrubs would include fortnight lily, Indian hawthorne, lilac. Additional groundcover areas would be covered in drought resistant Festuca turf, red apple, jasmine and lantana, among others.

The project would also require brush management Zones 1 and 2. While most of the project would have standard 35 and 65-foot deep zones alternative compliance has been approved behind Lots 7 and 8 in Units 2 South B and behind Lots 18 and 28 in Unit 9 South as these lots abut Los Peñasquitos Canyon Preserve and brush management for the project is not allowed off-site in

City owned open space. As shown on Exhibit A -Sheet 8 and 9, a 1 hour fire rated wall will be used behind lots 7 and 8 and fire rated building materials will be used on the homes within lots 18 thru 28 in Unit 9 South (and on all homes within the 300-foot "Fire Ember Buffer" Zone as a Building Code Requirement) as approved by the City Fire Marshall.

A total of 7.34 acres of brush management Zone 2 throughout the sites would be graded to remediate geological conditions in order to accommodate the proposed unit pads. These areas are consistent with the areas allowed to be graded and revegetated as per Figure 59 (page 248 of EIR 91-0834 (attached here as Figure 3)). Prior to issuance of the first grading permit, detailed revegetation requirements would be required to be shown on the grading plans per the City's Biological Review References, Municipal Code Landscape Requirements and the original Precise Plan documents.

Buildings would feature Spanish, Tuscan, Monterey, and French Country styling. Details include Spanish or concrete tile roofs; stucco and rock brick finishes; wood doors, decorative shutters and trims; rounded exterior archways and stucco pot-shelves.

The project would be made accessible by alternate means via compliance with current Americans with Disability Act (ADA) standards. On the eastern portion of the project (Unit 2 South A), two Class II Base HOA private pedestrian access paths connect to existing dirt SDG&E access road areas. The pedestrian paths connections in this area serve to connect to other community trails in the area that run into and around the MHPA on the south side of the project. On the western portion of the project, Street S and Canter Heights Drive provide access to two proposed pocket parks, with the southernmost one off Street S overlooking the MHPA.

Project Deviations and Custom Conditions and Easement Vacations - The project also proposes three custom conditions approved by Staff and ~~minor deviations from Municipal Code Standards for lots to be determined in the final planning stages~~ and six easement vacations, all of which have not been found to have significant impacts under CEQA. The proposed custom conditions ~~deviations~~ are as follows:

1. Canter Heights Drive Street between Station 1+45 to Station 3+40 would deviate with the roadway being an additional 5 feet wide in order to accommodate a looped water main system for the project. The applicant has agreed that all potential impacts would be mitigated via provision of the standard 10 foot parkways on both sides of the road which they accommodated by shifting the proposed lot layout in the area.
2. The average floor to area ratio (FAR) on-site would not exceed 60%; however, a few lots would exceed 60% with the majority of lots being less than or up to 60%.

3. Water meters on-site may be placed in driveways in limited instances. While water meters are not typically located within driveways, an allowance has been made by the City Water Department to allow water meters to be located within the driveway on this project when other suitable locations are not feasible.

The six easement vacations proposed on-site would consist of the following:

1. Portion of Water Main Easement File No. 182708
2. Portion of Water Main Easement File No. 33948

These easements were granted in 1971 for water purposes to the City of San Diego. Abandonment of these easements would not impact the community because there are no water facilities in the easements today. Water facilities are within the right-of-way of Carmel Mountain Road and the other public streets which serve the community.

3. Portion of Survey 65

Survey 65, dating back to 1895, provides rights to the public to utilize the historic roads in this area as depicted on the Survey 65 map. The easement vacation would not impact the community because the historical dirt road within the boundary of this VTM no longer exists. Alternative access is now provided via the existing improved infrastructure built with the development of the community (i.e. Carmel Mountain Road, East Ocean Air Drive, etc).

4. Slope Easement File No. 2000-0288862

This easement was granted in 2000 for a slope created during the construction of Carmel Mountain Road. This easement vacation would not impact the community because the slope will be remain as is as ~~in~~ a part of the development proposed on this VTM and within an HOA-owned lettered lot.

5. Water Main Easement File No. 2000-0371572

This easement was granted in 2000 for a water main that was built outside of the Carmel Mountain Road right-of-way to bypass the construction of a wildlife corridor bridge. The easement vacation would not impact the community because the construction of the bridge has been completed and the waterline has been installed in Carmel Mountain Road (City DWG: 29181-D). The bypass waterline, no longer in service, has been removed.

6. Building Restricted Easement Map No. 15067

This easement was granted in 2005 on the Final Map for Unit 12 South over a lettered lot (Lot E) that was a remnant parcel to be vacated upon Final Map. The easement vacation would not impact the community because the building restricted easement was a requirement of the City of San Diego Mapping Department to ensure no development took place on this remainder parcel until a final map was processed, which this current application fulfills. Now that single-family

residential lots are proposed over this area, the Building Restricted Easement will be vacated on the Final Map for Unit 12S (B).

II. ENVIRONMENTAL SETTING:

The ~~44.80~~ 44.17 acre site is spread ~~43~~ locations, one on the north (Unit 12 South B) and south ends (Unit 9 South) of Canter Heights Drive, the ~~third second~~ at the cul-de sac of Gaylemont Lane (Unit 5 South B), and the ~~third~~ fourth at the cul-de sac of Briarlake Woods Drive (Unit 12 South A), in the SF-2, SF-3 & OS Zones of the Carmel Valley Planned District within Carmel Valley Neighborhood 10 of the Carmel Valley Community Plan area. The project is also within Council District 1 and the non-appealable Coastal Zone.

The sites are currently vacant and slope gently to the south. Elevations on the sites, range from 370 feet above the mean sea level (AMSL) on the northern portion of Unit 2 South A to 200 AMSL on the southern portion of Unit 5 South B. The project site is bounded by roads and single-family residential developments to the north and west, and portions of the south (at Unit 2 South A); and MHPA or open space areas to the east and south with the southern side abutting Los Peñasquitos Canyon Preserve. Units 5 South B and Unit 9 South to the west and Unit 2 South A to the east abut a major wildlife corridor ~~consisting of a~~ which is spanned by a bridge along Carmel Mountain Road ~~which spans~~ allowing a connection between Los Peñasquitos in the south, and Carmel Valley open space areas to the north (such as Shaw Valley and Neighborhood 8A). The MHPA areas abutting to the south consist of primarily of annual non-native grassland and native coastal sage scrub habitat. Areas to be developed consist of the same habitat along with areas of southern maritime chaparral.

As described above, the majority of brush management Zone 2 would be graded and revegetated as allowed by the Precise Plan. All graded portions of brush management Zone 2 would be revegetated with native species and all areas within brush management Zone 1 would feature native or non-invasive species.

III. DISCUSSION

All of the reports listed in this Addendum are available for public review in the offices of the LDR Division at 1222 First Avenue, San Diego, CA 92101, 5th floor via a prior appointment with the listed environmental analyst on the signature page.

The proposed project would be developed in accordance with two previous environmental documents for CV-N-10 (EIR No. 91-0834 and Subsequent EIR No. 96-0636(7)-Conclusions attached). This document incorporates the previous documents by reference with all applicable updates and site specific mitigation for Project No. 72526 included herein. All of the significant impacts identified for the proposed project were anticipated in the previous EIRs listed above and

no new impact issue areas were determined. Site specific mitigation was developed using the two previous EIR Mitigation Monitoring and Reporting Programs (MMRPs) but has been clarified and updated to meet current CEQA and Municipal Code requirements.

Implementation of the project-specific mitigation measures; detailed in Section VI below; would reduce all of the direct proposed project element impacts to below a level of significance except those to Landform Alteration/Visual Quality that were already identified in the MEIR as being significant and unmitigable.

The following issues were determined to be significant for the Proposed Project elements: Biological Resources, Land Use (relating to the MHPA), Landform Alteration/Visual Quality, Paleontological Resources, and Public Services and Transportation/Circulation. Additional areas were also called out as “significant” in the previous EIRs but only applicable issues for this Addendum are discussed below.

Air Quality

Mitigation for air quality was included in the original EIRs (EIR No. 91-0834 and included verification that the project include sidewalks, bicycle lanes, bus stops and other pedestrian/transit oriented features as deemed necessary and to conform with the transportation phasing improvement program.

Biological Resources

A final biological report was completed by Natural Resource Consultants on May 15, 2007 (revised from July 2006, January 5 and February 28, 2007, and an April 23 addendum). The southern portion of the site lies within, and abuts, a City Multiple Species Conservation Program, Multi-Planning Habitat Area (MSCP/MHPA). Portions of the site have been previously graded with earlier entitlements however most of the sloping sites are covered with non-native grassland, and native southern maritime chaparral and Diegan coastal sage scrub. The MHPA area to the south abuts City owned open space within Los Peñasquitos Canyon Preserve.

Portions of the site were legally graded, from August –November 1997 in association with EIR 91-0834 and the Subsequent EIR No. 96-0736(7) focused mainly on new proposed impact areas and subsequent mitigation requirements. Required new mitigation for SEIR 96-0736(7) was included in Errata sheets(Attachment 2). The Errata Sheet required the following biological mitigation:

Del Mar Highlands Estates – 81.9 acres on-site preservation (?)
DMH Estates revegetation – 36.7 acres (77 acres revegetated)
N-10 new revegetation – 2.8 acres (these slopes were restored 96-0736(7) SEIR)

N-10 on-site southern willow scrub revegetation/enhancement – 0.9 acre (was
Mesa Top acquisition – 38.81 acres

For total mitigation provided of 160.40 acres

EAS contacted the applicants environmental consultant (Lee Sherwood, RECON, personnel communication 3/22/07) who confirmed the placement of the preservation/revegetation areas for Neighborhood 10 as being outside the proposed project scope and that none of the above preserved areas would be affected by this proposed project.

With the current proposed project, direct impacts to 5.30 acres of Tier 1 southern maritime chaparral (SMC) (all outside MHPA; 5.22 acres of Tier I Diegan Coastal sage scrub (DCSS) (4.14 outside MHPA, 1.08 inside MHPA); and 8.52 acres of non-native grassland (NNGL)(5.28 acres outside MHPA, 2.95 inside MHPA) would require mitigation per the City's ESL Guidelines. ~~Depending on location of impacts, mitigation required for SMC and DCSS would be at 1:1 ratio and 0.5:1 (5.28 acres) and 1:1 ratio (2.95 acres) for NNGL.~~ Assuming all impacts are mitigated within the MHPA which allows out of kind mitigation within Tiers I-III for these habitat types; total mitigation acreage requirement would be 16.11 acres (see Table 1) Please note, Table 1 was erroneously omitted in the Draft Addendum and is included below without underlining to ensure that proper formatting is maintained.

TABLE 1
ANALYSIS OF IMPACTS AND REQUIRED MITIGATION* TO VEGETATION
COMMUNITIES

Vegetation Community	Total on Site	Acres Impacted* In MHPA Out of MHPA	Mitigation Ratio MHPA In/Out	Mitigation Acres Required In/Out
Southern Maritime Chaparral (Tier I)	5.30	0 5.30	2:1/3:1 1:1/ 2:1	0 5.30/10.60
Coastal Sage Scrub (Tier II)	12.31	1.08 4.14 = 5.22	1:1/2:1 1:1/2:1	1.08/2.16 <u>4.14/8.28</u> 5.22/10.44
Non-Native Grassland (Tier III)	13.85	2.95 5.28	1:1/1.5:1 0.5:1/1:1	2.95/4.425 <u>2.64/5.28</u> 5.59/9.705
Disturbed/Developed Habitat (Tier IV)	13.34	1.21 10.34	0/0 0/0	No ESL MitigationCredit Given
TOTAL		5.24 in MHPA 25.06 out MHPA = 30.3	N/A	16.11 inMHPA. 30.745outMHPA0
	44.8			

* Acres impacted include all graded areas within the MHPA including Zone 2. All grading within the MHPA is considered an impact whether or not it is within the typically neutral brush management Zone 2. Revegetation of all graded areas within MHPA is required (including Zone 2); however no mitigation credit will be given for any graded revegetated Zone 2 areas. Revegetated graded areas within the MHPA but outside Zone 2 will receive no mitigation credit until the required 5-year Restoration/Revegetation program per the EIR's and ESL requirements is completed (see MMRP Item No. 10 below).

~~Mitigation outside of the MHPA requires higher mitigation ratios and in-tier requirements as follows:~~

In this case, the applicant as determined that 14.73 acres of Tiers I-III habitat (includes 2.77 acres to be revegetated through a 5 year Restoration Plan) are available on-site for mitigation purposes. The additional 1.38 acres would be mitigated through payment of \$37,950 (25,000 per acre + 10% administration fee) into the City's Habitat Acquisition Fund, or dedication of 1.38 acres within other off-site suitable MHPA area(s) per the ESL Guidelines and as

approved by the City of San Diego (~~please note, additional specific mitigation calculations would be needed to approve any mitigation site(s) outside the MHPA~~). (please note, any mitigation changes, or mitigation sites outside the MHPA would require equivalency with Table 1 and above conditions to the satisfaction of EAS.

According to MSCP Staff, the Development Agreement/4D permit for Neighborhood 10 allowed revegetated graded slopes within Brush Management Zone Two and other minor areas within the MHPA (per EIR Figure 59, attached as Figure 3) without requiring a MHPA boundary line adjustment. Mitigation for these impacted areas are; however; still required under CEQA using the City's ESL Guidelines and these areas are included in the impact calculations above.

Although field surveys were negative for the presence/absence of the CA gnatcatcher (CAGN), there is a potential for this species and other sensitive/MSCP covered bird species (such as the cactus wren), to utilize the coastal sage and maritime scrub on, and in the vicinity of the site. As direct grading or indirect noise could impact sensitive breeding birds on-site, a pregrading survey would be required for any grading or disturbance taking place during the general bird breeding season (February 15 – September 15 covers all MSCP covered species requirements). If surveys are positive, additional mitigation measures per Wildlife Agency/MSCP protocol would also likely be required.

Land Use- MHPA Land Use Adjacency Guidelines

General Land Use - As described in the Project Description above, the land use proposed by the project in terms of use and density are consistent with existing, approved environmental/planning documents and a development agreement.

MHPA - The project proposed and was approved for a boundary line correction rather than a boundary line adjustment. Minor retractions (0.34 acres – all in previously disturbed areas) and larger additions (2.99 acres in non-native grassland or coastal sage areas) were made to the MHPA for a net affect of 2.66 acres of increase in the MHPA. In addition, the disturbed areas allowed per Figure 59 of the EIR were slightly adjusted for a 2.87 acre decrease and a 0.49 acre increase in the disturbed areas, for a net effect of a decrease in encroachment into the allowed area of disturbance of 2.38 acres.

Due to adjacency to the MHPA, all Land Use Adjacency Guidelines listed in Section 1.4.2 of the MSCP Subarea Plan would be required to be adhered to on-site. The Guidelines address potential impacts and mitigation to noise (see biology discussion above), drainage, toxics (see hydrology/water quality), lighting, barriers, invasives and brush management. The project would be conditioned through the MMRP and other City Permit conditions to ensure that urban run off would be cleaned and dissipated before being routed to storm drains or canyon areas; all lighting would be shielded/directed away from the MHPA; appropriate barriers would be erected adjacent

to the MHPA to reduce human intrusion, and all landscape species within/adjacent to open space areas or brush management zones would be native or non-invasive species. Finally, all standard brush management policies would be required to be carried out on-site through the Home Owners Association or other designee.

Landform Alteration/Visual Quality

According to page 78 of the Subsequent EIR No. 96-0736(7); the adopted Neighborhood Precise Plan guidelines for Landform Alteration/Visual Quality as disclosed in EIR 91-0834, were unaltered by the Precise Plan Amendment (LDR No. 96-0736(7)). Mitigation measures required in SEIR No. 96-0736(7) are required to be adhered to and have been incorporated into the project's features. Required measures include contour grading, buildings heights no greater than 35 feet, and use of neutral colors and screening landscape. A site specific mitigation measure has been included in the MMRP to ensure that future design changes adhere to EIR 96-0736(7).

Paleontological Resources

The Geotechnical Report update was accepted by Geology Staff and indicates that the Scripps and Lindavista formations, along with small areas of undocumented fill, currently underlay the site. EAS has also received paleontological monitoring reports for the initial mass grading of Carmel Valley Neighborhood 10 which took place in late 1997 (Demere, SDNHM, September 1998 Prepared by Chambers Group) and covers small portions of the proposed sites that were previously graded. These reports indicate that 11 paleontological collection sites were located through out Neighborhood 10. Due to new grading proposed on site of over 200,000 cubic yards, additional paleontological monitoring would be required on-site.

Public Services

The Subsequent EIR -No. 96-0736(7), assessed the impact of development in CV-N-10 on water, sewer, parks and recreation, schools, solid waste, libraries, and police and fire service and determined that all impacts were either less than significant or mitigated outside of CEQA with the following means. School impacts would be mitigated via participation in an existing Mello-Roos District as a condition of the Parkview East and Neighborhood 10 North amended Vim's. The impacts to all the remaining facilities were determined to be less than significant and site specific mitigation was not required due to the anticipation of an increased tax base from the area that would be utilized in part to provide for all required services. Please note; however, current Fire and Police response times are listed in the Section I in the project description of this Addendum.

Transportation/Circulation

A transportation memo was provided for the project by Urban Systems Associates Inc. (June 7, 2006) which determined that the proposed project would not generate additional impacts over those anticipated in the previous SEIR No. 96-0736(7). All required transportation/circulation mitigation measures in SEIR 96-0736(7) were confirmed to have been completed by Transportation Staff. Additional site specific measures to assure previously required transportation/circulation elements are maintained, or have been included in this project. Transportation Conditions are required to be assured prior to issuance of the grading permit and are required in place prior to issuance of Certificates of Occupancy. These conditions are usually made conditions of the Development Permits rather than the CEQA documents and are therefore not listed in this document. ~~however, due to public response comments from recent projects in the area, the conditions are also included in this CEQA document.~~

The following additional issue areas from the two previous EIRs were reviewed in detail and CEQA impacts were determined to be less than significant for the Proposed Project elements. The issue areas are as follows and are discussed below: Cultural Resources, Geology/Soils, Hydrology/Water Quality, Noise, and Transportation and Public Services.

Cultural Resources

A Cultural Resource Survey was prepared for this specific Addendum by RECON (August 11, 2006). The results of the survey incorporated new field surveys and analysis of previous surveys performed for CV-N-10. The results of the survey were negative. As no new CEQA impacts to cultural resources were identified, and no CEQA mitigation is required.

Geology/Soils

Geology Conditions will be required prior to issuance of the grading permit and have been made conditions of the Development Permits rather than the CEQA documents.

Three Geotechnical Reports were provided for the proposed project (Geocon, July 20, 1995, Update August 8, 2005, and Addendum June 20, 2006). In general, the reports conclude that there are no geology or soil conditions that would preclude the development of the project as presently planned provided report recommendation are followed.

Direct impacts from geology include potentially significant impacts related to seismic ground shaking, expansive soils, differential settlement and erosion which would be avoided by appropriate facility design and standard engineering construction requirements (including compliance with Regional Water Quality Control Board NPDES permit programs). Additional geology studies would be required prior to the issuance of future grading permits.

Hydrology/Water Quality (Air Quality)

The project site is located within the Peñasquitos Hydrological Unit 906 and is tributary to Carmel Valley Creek which eventually flows in the Los Peñasquitos Lagoon and the Pacific Ocean. Run off would be filtered and collected by street storm drains and routed to the east and north into Carmel Creek before entering the Lagoon and Ocean. Water quality in this hydrological unit is affected by coliform bacteria, nutrients, trace metals, toxins, and sediments from soil erosion. Los Peñasquitos Lagoon is the nearest impaired water body (due to sedimentation/siltation) according to the Regional Water Quality Control Boards 303(d) list.

The previous EIRs addressed hydrology/water quality impacts as being cumulatively and directly significant but mitigable and required a variety of mitigation measures to assure compliance with state, federal and local standards. Since the drafting of the 96-0736(7) EIR, the City's Significance Thresholds Guidelines have been updated and all impacts to water quality are now considered at a minimum to be cumulatively significant and mitigation is handled through compliance with state and federal permits rather than CEQA.

A Water Quality Technical Report was completed for the project by PDC (March 2007). The project would comply with the current Regional Water Quality Control Board San Diego Municipal Storm Water Permit Order No. 2001-0001 and any other orders which are adopted over the life of the project (i.e. Tentative Order No. R9-2006-0011). General pollutants of concern which would be generated by the project include sediment, landscaping pollutants such as nutrients and pesticides, trash, debris, pool and car fluids, and bacteria/viruses associated with domestic animals. Project specific remediation measures on-site would include dechlorination of pool water by certified pool maintenance crews (during occasional drainage) prior to discharge into the storm water system; the use of structural features such as biofilters, permeable paving, and proprietary filtration devices such as the StormFilter and CDS units, would be employed on-site. Compliance with the existing EIR Hydrology/Water Quality State MMRP measures and compliance with current State and Federal requirements (including the obtainment of permits) are required. No new impacts that were not already disclosed within the EIR 96-0736(7) have been identified; no further site specific CEQA mitigation measures are required for this issue area.

Noise

The 60 decibel contour line for Carmel Mountain Road runs on and adjacent to some of the proposed projects residential buildings; however, 65 dB is the City's exterior significance threshold for residential impacts. No significant noise impacts were anticipated to occur on the proposed projects residential development areas and none are expected. Significant noise impacts; however, may occur on the western portion of the site in or abutting the MHPA. Sensitive biological noise receptors (such as the CA gnatcatchers) are likely in these areas and

restrictions on grading or noise wall barriers may be required during construction to protect direct or indirect impacts to nesting birds. The potential impacts and mitigation are discussed in more detail under the biology and land use sections above.

Transportation/Circulation

A transportation memo was provided for the project by Urban Systems Associates Inc. (June 7, 2006) which determined that the proposed project would not generate additional impacts over those anticipated in the previous SEIR No. 96-0736(7). All required transportation/circulation mitigation measures in SEIR 96-0736(7) were confirmed to have been completed by Transportation Staff. Additional site specific measures to assure previously required transportation/circulation elements are maintained, or have been included in this project. Transportation Conditions are required to be assured prior to issuance of the grading permit and are required in place prior to issuance of Certificates of Occupancy. These conditions are usually made conditions of the Development Permits rather than the CEQA documents and are therefore not listed in this document; ~~however, due to public response comments from recent projects in the area, the conditions are also included in this CEQA document.~~

V. DETERMINATION:

The City of San Diego previously prepared an Environmental Impact Report for the Carmel Valley Neighborhood 10 Precise Plan (LDR No. 91-0834) and a Subsequent EIR for an amendment of the Precise Plan 96-0736(7) for the project described in the subject block of the attached EIR and SEIR conclusions.

Based upon a review of the current project, it has been determined that:

- A. There are no new significant environmental impacts not considered in the previous EIR.
- B. No substantial changes have occurred with respect to the circumstances under which the project is undertaken; and
- C. There is no new information of substantial importance to the project.

Therefore, in accordance with Section 15164 of the State CEQA Guidelines, this addendum has been prepared. While CEQA does not require public review of addenda, Section 128.0306 of the City's Land Development Code mandates a 14-day public review period for addenda to EIRs certified more than three years previously. The 14-day period applies in this case as the EIRs were respectively certified in 1993 and 1997.

VI. MITIGATION, MONITORING AND REPORTING PROGRAM INCORPORATED INTO THE PROJECT:

Although no mitigation is required for any new issue areas associated with this project, in order to comply with current standards, previous applicable mitigation measures outlined in LDR 96-0736(7) and 91-0834 have been updated and are presented below to provide site specific mitigation for this project. Please note, in order to ensure MMRP compliance, the first three general mitigation measures have been added.

GENERAL

1. Prior to issuance of the grading permit or commencement of any construction related activity on-site, the Assistant Deputy Director (ADD) (aka Environmental Review Manager (ERM)) of the City's Land Development Review Division (LDR) shall review and approve contract documents, plans, and specifications to insure that Mitigation, Monitoring and Reporting Requirements (MMRPs) are included verbatim on the above documents under the heading, "Environmental Requirements". If a coversheet and index are provided, the index shall include "Environmental Requirements" and the sheet/page they are found on verbatim. Project No. 72526 is subject to a Mitigation Monitoring and Reporting
2. The following requirement shall also appear with the "Environmental Requirements". "Project grading (and construction where applicable) is conditioned to include the monitoring of a qualified biologist and qualified paleontologist. The project shall conform to the mitigation conditions as contained in the environmental document (LDR No. 96-0736(7) and as included in this Section VI. The measures may not be reduced or changed but may be annotated (i.e. to explain when and how compliance was met and location of verifying proof, etc). Additional clarifying information may also be added to other relevant plan sheets as appropriate (i.e. specific locations/times of monitoring, etc.).
3. The owner/permittee shall make arrangements to schedule a pre-construction meeting to ensure implementation of the MMRP. The meeting shall include the Resident Engineer, the Project Biologist and Paleontologist, and a City's Mitigation Monitoring Coordination (MMC) Section Representative.

AIR QUALITY

4. Prior to issuance of an Engineering Permit for public improvements ~~the grading permit~~, the City Engineer shall verify that sidewalks, bicycle lanes, and room for bus stops, if needed, are incorporated in appropriate areas of VTM, grading and construction plans, and that the road system and other traffic improvements required for the VTM conform with the recommended improvement phasing program and are assured.

BIOLOGICAL RESOURCES

Direct Impacts

5. Prior to issuance of the grading permit or commencement of any construction related activity on-site (whichever comes first) direct impacts to 5.30 acres of Tier 1 southern maritime chaparral (SMC) (all outside MHPA; 5.22 acres of Tier I Diegan Coastal sage scrub (DCSS) (4.14 outside MHPA, 1.08 inside MHPA); and 8.52 acres of non-native grassland (NNGL)(5.28 acres outside MHPA, 2.95 inside MHPA) shall be mitigated per the City's ESL Guidelines as shown on Table 1. Assuming all impacts are mitigated within the MHPA which allows out of kind mitigation within Tiers I-III for these habitat types; total mitigation acreage requirement would be 16.11 acres. Please note, Table 1 was erroneously omitted in the Draft Addendum and is included below without underlining to ensure that proper formatting is maintained.

TABLE 1
ANALYSIS OF IMPACTS AND REQUIRED MITIGATION* TO VEGETATION
COMMUNITIES

Vegetation Community	Total on Site	Acres Impacted* In MHPA Out of MHPA	Mitigation Ratio MHPA In/Out	Mitigation Acres Required In/Out
Southern Maritime Chaparral (Tier I)	5.30	0 5.30	2:1/3:1 1:1/ 2:1	0 5.30/10.60
Coastal Sage Scrub (Tier II)	12.31	1.08 4.14 = 5.22	1:1/2:1 1:1/2:1	1.08/2.16 <u>4.14/8.28</u> 5.22/10.44
Non-Native Grassland (Tier III)	13.85	2.95 5.28	1:1/1.5:1 0.5:1/1:1	2.95/4.425 <u>2.64/5.28</u> 5.59/9.705
Disturbed/Developed Habitat (Tier IV)	13.34	1.21 10.34	0/0 0/0	No ESL Mitigation Credit Given
TOTAL	44.8	5.24 in MHPA 25.06 out MHPA = 30.3	N/A	16.11 inMHPA. 30.745outMHPA0

* Acres impacted include all graded areas within the MHPA including Zone 2. All grading within the MHPA is considered an impact whether or not it is within the typically neutral

brush management Zone 2. Revegetation of all graded areas within MHPA is required (including Zone 2); however no mitigation credit will be given for any graded revegetated Zone 2 areas. Revegetated graded areas within the MHPA but outside Zone 2 will receive no mitigation credit until the required 5-year Restoration/Revegetation program per the EIR's and ESL requirements is completed (see MMRP Item No. 10 below).

Mitigation outside of the MHPA requires higher mitigation ratios and in-tier requirements as follows:

In this case, the applicant has preliminarily determined that 14.73 acres of Tiers I-III habitat (includes 2.77 acres to be revegetated through a 5 year Restoration Plan) are available on-site for mitigation purposes. The additional 1.38 acres would be mitigated through payment of \$37,950 (25,000 per acre + 10% administration fee) into the City's Habitat Acquisition Fund, or dedication of 1.38 acres within other off-site suitable MHPA area(s) per the ESL Guidelines and as approved by the City of San Diego (please note, any mitigation changes, or mitigation sites outside the MHPA would require equivalency with Table 1 and above conditions to the satisfaction of EAS.

The mitigation area(s) shall be conveyed satisfactory to EAS, MSCP and Park and Recreation Staff ~~0.07 acres of Tier III non-native grassland habitat (NNGL) and 0.31 acres of Tier II coastal sage scrub habitat (CSS) inside the MHPA must be mitigated to the satisfaction of the ADD of LDR using the following Options: one of the following ways or in an equivalent combination:~~

Option A. The owner/permittee shall record a Covenant of Easement, Conservation Easement, or dedication in fee title to the City of San Diego for mitigation inside the MHPA at appropriate ESL ratios ~~for both habitats at a 1:1 ratio or 0.38 acres within Tiers I-III.~~

Option B The owner/permittee shall record a Covenant of Easement, Conservation Easement, or dedication in fee title to the City of San Diego for mitigation outside the MHPA using ESL required mitigation at respective ratios of 2:1 and 1.5:1 ~~outside the MHPA with a total of 0.14 acres of CSS and a total of 0.465 acres of NNGL.~~

Option C. For acreage of 5 acres or less (up to 10 with EAS/MSCP approval), the owner/permittee shall pay a total of \$10,450 into the City's Habitat Acquisition Fund No. 1059. (Assumes mitigation within MHPA at the current City rate of \$25,000 per impacted acre, + a 10% handling and maintenance fee or 0.38 x 25,000 + 950 = \$10,450)

6. Prior to the issuance of any grading permits and/or the first pre-construction meeting, the owner/permittee shall submit evidence to the ADD of LDR verifying that a qualified

biologist has been retained to implement the biological resources mitigation program as detailed below (see A through D):

- A. Prior to the first pre-construction meeting, the applicant shall provide a letter of verification to the ADD of LDR stating that a qualified Biologist, as defined in the City of San Diego Biological Resource Guidelines (BRG), has been retained to implement the revegetation plan.
- B. At least thirty days prior to the pre-construction meeting, a second letter shall be submitted to the MMC section which includes the name and contact information of the Biologist and the names of all persons involved in the Biological Monitoring of the project.
- C. At least thirty days prior to the pre-construction meeting, the qualified Biologist shall verify that any special reports, maps, plans and time lines, such as but not limited to, revegetation plans, plant relocation requirements and timing, avian or other wildlife protocol surveys, impact avoidance areas or other such information has been completed and updated.
- D. The qualified biologist (project biologist) shall attend the first preconstruction meeting.

Prior to Construction and During Construction

7. Prior to the notice to proceed with any grading authorized by the any grading permit, the project biologist shall supervise the placement of orange construction fencing or equivalent along the limits of disturbance within and surrounding sensitive habitats as shown on the approved Exhibit A.
8. All construction activities and construction material placement (including staging areas) shall be restricted to the development area as shown on the approved Exhibit A. The project biologist shall monitor construction activities as needed to ensure that construction activities do not encroach into biologically sensitive areas beyond the limits of disturbance as shown on the approved "Exhibit A."
9. No barrel cactus individuals within the Brush Management Zone 2 areas shall be impacted either by thinning or direct grading. Individual barrel cactus specimens effected by grading throughout the project (i.e. in the development areas and graded areas of the MHPA) shall be collected, appropriately stored, and used in the post-grading revegetation effort on-site described further under MMRP Item No. 10 below.

10. Prior to issuance of the grading permit, the applicant shall submit a detailed 5-year Revegetation/Restoration, Maintenance and Monitoring Plan complete with appropriate habitat species, identification of parties roles and responsibilities, site preparation, irrigation, plant installation specifications, establishment period, maintenance program, performance and contingency criteria, bonding; and notification procedure and schedules; consistent with those described in the mitigation sections of EIR No's. 91-0834 and 96-0736(7) and updated to the current standards provided in the City's July 2002 version of the Biological Review References. A written plan along with detailed notes and graphics on the site plans (construction documents such as D-Sheets, Grading Plans) shall be submitted for review and approval by EAS, MMC, MSCP and Landscaping Staff.

11. **Coastal California Gnatcatcher (Federally Threatened)** -Prior to the issuance of any grading permit, the City Manager (or appointed designee) shall verify that the Multi-Habitat Planning Area (MHPA) boundaries and the following project requirements regarding the coastal California gnatcatcher are shown on the construction plans:

NO CLEARING, GRUBBING, GRADING, OR OTHER CONSTRUCTION ACTIVITIES SHALL OCCUR WITH THE MHPA OR ADJACENT EXTENSION OF THE MHPA HABITAT BETWEEN MARCH 1 AND AUGUST 15, THE BREEDING SEASON OF THE COASTAL CALIFORNIA GNATCATCHER, UNTIL THE FOLLOWING REQUIREMENTS HAVE BEEN MET TO THE SATISFACTION OF THE CITY MANAGER:

A. A QUALIFIED BIOLOGIST (POSSESSING A VALID ENDANGERED SPECIES ACT SECTION 10(a)(1)(A) RECOVERY PERMIT) SHALL SURVEY THOSE HABITAT AREAS WHOLLY OR PARTIALLY WITHIN THE MHPA THAT WOULD BE SUBJECT TO DIRECT IMPACTS OR CONSTRUCTION NOISE LEVELS EXCEEDING 60 DECIBELS [dB(A)] HOURLY AVERAGE FOR THE PRESENCE OF THE COASTAL CALIFORNIA GNATCATCHER. SURVEYS FOR THE COASTAL CALIFORNIA GNATCATCHER SHALL BE CONDUCTED PURSUANT TO THE PROTOCOL SURVEY GUIDELINES ESTABLISHED BY THE U.S. FISH AND WILDLIFE SERVICE WITHIN THE BREEDING SEASON PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION. IF GNATCATCHERS ARE PRESENT, THEN THE FOLLOWING CONDITIONS MUST BE MET:

I. BETWEEN MARCH 1 AND AUGUST 15, NO CLEARING, GRUBBING, OR GRADING OF OCCUPIED GNATCATCHER HABITAT SHALL BE PERMITTED. AREAS RESTRICTED FROM SUCH ACTIVITIES SHALL BE STAKED OR FENCED UNDER THE SUPERVISION OF A QUALIFIED BIOLOGIST; AND

BETWEEN MARCH 1 AND AUGUST 15, NO CONSTRUCTION ACTIVITIES SHALL OCCUR WITHIN ANY PORTION OF THE SITE WHERE DIRECT IMPACTS WOULD OCCUR OR CONSTRUCTION ACTIVITIES WOULD RESULT IN NOISE LEVELS EXCEEDING 60 dB(A) HOURLY AVERAGE AT THE EDGE OF OCCUPIED GNATCATCHER HABITAT. AN ANALYSIS SHOWING THAT NOISE GENERATED BY CONSTRUCTION ACTIVITIES WOULD NOT EXCEED 60 dB(A) HOURLY AVERAGE AT THE EDGE OF OCCUPIED HABITAT MUST BE COMPLETED BY A QUALIFIED ACOUSTICIAN (POSSESSING CURRENT NOISE ENGINEER LICENSE OR REGISTRATION WITH MONITORING NOISE LEVEL EXPERIENCE WITH LISTED ANIMAL SPECIES) AND APPROVED BY THE CITY MANAGER AT LEAST TWO WEEKS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES. PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES DURING THE BREEDING SEASON, AREAS RESTRICTED FROM SUCH ACTIVITIES SHALL BE STAKED OR FENCED UNDER THE SUPERVISION OF A QUALIFIED BIOLOGIST; OR

- III. AT LEAST TWO WEEKS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES, UNDER THE DIRECTION OF A QUALIFIED BIOLOGIST AND ACOUSTICIAN, GRADING BUFFERS AND/OR NOISE ATTENUATION MEASURES (e.g., BERMS, WALLS) SHALL BE IMPLEMENTED TO ENSURE THAT NOISE LEVELS RESULTING FROM CONSTRUCTION ACTIVITIES WILL NOT EXCEED 60 dB(A) HOURLY AVERAGE AT THE EDGE OF HABITAT OCCUPIED BY THE COASTAL CALIFORNIA GNATCATCHER. CONCURRENT WITH THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES AND THE CONSTRUCTION OF NECESSARY NOISE ATTENUATION FACILITIES, NOISE MONITORING* SHALL BE CONDUCTED AT THE EDGE OF THE OCCUPIED HABITAT AREA TO ENSURE THAT NOISE LEVELS DO NOT EXCEED 60 dB(A) HOURLY AVERAGE. IF THE NOISE ATTENUATION TECHNIQUES IMPLEMENTED ARE DETERMINED TO BE INADEQUATE BY THE QUALIFIED ACOUSTICIAN OR BIOLOGIST, THEN THE ASSOCIATED CONSTRUCTION ACTIVITIES SHALL CEASE UNTIL SUCH TIME THAT ADEQUATE NOISE ATTENUATION IS ACHIEVED OR UNTIL THE END OF THE BREEDING SEASON (AUGUST 16).

* Nest and construction noise monitoring shall continue at least twice weekly on varying days, or more frequently depending on the construction activity, to verify that no direct impacts occur and/or noise levels at the edge of occupied habitat are maintained below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. If potential direct impacts are identified and if the noise levels affecting nesting birds are not reduced to 60dB or less; then other measures shall be implemented in consultation with the biologist and the City Manager, as necessary, to reduce all direct and indirect impacts. Such measures may include, but are not limited to, limitations on grading area, the placement of construction equipment, and or limitation on the simultaneous use of equipment.

B. IF COASTAL CALIFORNIA GNATCATCHERS ARE NOT DETECTED DURING THE PROTOCOL SURVEY, THE QUALIFIED BIOLOGIST SHALL SUBMIT SUBSTANTIAL EVIDENCE TO THE CITY MANAGER AND APPLICABLE RESOURCE AGENCIES WHICH DEMONSTRATES WHETHER OR NOT MITIGATION MEASURES SUCH AS GRADING

BUFFERS AND/OR NOISE WALLS ARE NECESSARY BETWEEN MARCH 1 AND AUGUST 15 AS FOLLOWS:

I. IF THIS EVIDENCE INDICATES THE POTENTIAL IS HIGH FOR COASTAL CALIFORNIA GNATCATCHER TO BE PRESENT BASED ON HISTORICAL RECORDS OR SITE CONDITIONS, THEN CONDITION A.III SHALL BE ADHERED TO AS SPECIFIED ABOVE.

II. IF THIS EVIDENCE CONCLUDES THAT NO IMPACTS TO THIS SPECIES ARE ANTICIPATED, NO MITIGATION MEASURES WOULD BE NECESSARY EXCEPT IF NESTS ARE

SUBSEQUENTLY DISCOVERED DURING CONSTRUCTION AS DESCRIBED BELOW.

~~Prior and During Construction~~

12. If nests (of CA gnatcatcher or other state or federally protected bird species) are discovered during construction activities, the biologist shall notify the Resident Engineer (RE) and Mitigation Monitoring and Coordination Staff (MMC) and the RE shall stop work in the vicinity of the nests.

13. The qualified biologist shall mark all pertinent trees, holes, or shrubs and delineate the appropriate "no construction" buffer area per City ESL and/or the

USFWS/CDFG's direction, around any nest sites, satisfactory to the ADD of LDR. The buffer shall be maintained until the qualified biologist determines, and demonstrates in a survey report satisfactory to the ADD of LDR that any young birds have fledged.

Post Construction

14. The biologist shall be responsible for ensuring that all field notes and reports have been completed, all outstanding items of concern have been resolved or noted for follow up, and that focused surveys are completed, as appropriate.
15. Within three months following the completion of monitoring, two copies of the Final Biological Monitoring Report (even if negative) and/or evaluation report, if applicable, which describes the results, analysis, and conclusions of the Biological Monitoring Program (with appropriate graphics) shall be submitted to Mitigation Monitoring Coordination (MMC) for approval by the ADD of LDR.
16. For any unforeseen additional biological resources impacted during construction, the rehabilitation, revegetation, or other such follow up action plan(s) shall be included as part of the Final Biological Monitoring Report in accordance with the City of San Diego's Land Development Code, Biological Resources Guidelines (July 2002). Additional mitigation measures may also be required.
17. This report shall address findings of active/inactive nests and any recommendations for retention of active nests, removal of inactive nests and mitigation for offsetting loss of breeding habitat.
18. MMC shall notify the RE of receipt of the Final Biological Monitoring Report.

LANDFORM ALTERATION/VISUAL QUALITY

- 23.19. Prior to issuance of any grading permit, Staff shall confirm that all landform alteration shown on the plans is consistent with the approved VTM. ~~and/or recording of the first final map (which ever comes first), the applicant/permittee shall demonstrate to the ADD of LDR that this measure is shown on the VTMs, landscape plans and other applicable future subdivision maps. The maps must demonstrate that contour grading shall occur on-site for any slopes over 10 feet in height and that in no case shall gradients exceed a 2:1 gradient (except internal side yard slopes less than 5 feet in height may be constructed a maximum gradient of 1.5:1) and that fill has been minimized on canyon slopes per the adopted 1997 (i.e. to the maximum extent feasible, grading shall cut to daylight lines along canyon rims). The plans shall also~~

indicate that buildings heights are no greater than 35 feet, and that neutral colors and screening landscape shall be utilized.

~~19. Prior to issuance of the grading permit, the City Staff shall verify that all manufactured slopes greater than 10 feet in height are contour graded and minimize cut and fill along canyon rims by cutting to daylight lines, blending, and rounding along them.~~

~~A. In no case shall slopes 10 feet or greater exceed 2:1 slope ratios~~

20. A detailed landscape and maintenance plan shall accompany all future grading and construction plan submittals.

~~20. Internal sideyard slopes less than 5 feet in height may be constructed at a 1.5:1 maximum.~~

~~21. No off site grading shall be permitted in Los Peñasquitos Canyon Preserve.~~

LAND USE (MHPA Adjacency)

20. Prior to issuance of grading permits, the City shall verify that the project is in compliance with the MSCP Subarea Plan's Land Use Adjacency Requirements; and that the following site specific requirements are noted on the grading plans under the heading Environmental Requirements:

A. The qualified biologist (project biologist) shall supervise the placement of an orange construction fence or equivalent along the boundary of the development area as shown on the approved grading plan.

B. The project biologist shall meet with the owner/permittee or designee and the construction crew to conduct an on-site educational session regarding the need to avoid impacts outside of the approved development area.

C. During grading activities, the Best Management Practices for erosion control shall be implemented and monitored as needed to prevent any significant sediment transport. These practices may include but may not be limited to the following: the use of materials such as gravel bags, fiber rolls, sediment fencing, and erosion control matting to stabilize disturbed areas; and installation of erosion control materials, particularly on the down slope side of disturbed areas to prevent soil loss.

D. All construction activities shall take place only inside the fenced area. Grading materials shall be stored inside the fenced development area only.

E. Prior to the release of the grading bond, the project biologist shall submit a letter report to the Environmental Review Manager that assesses any project impacts

resulting from construction. In the event that impacts exceed the allowed amounts, the additional impacts shall be mitigated in accordance with the City of San Diego Land Development Code, Biology Guidelines, to the satisfaction of the City Manager.

- F. All toxins and drainage run-off from proposed roads, structures and development areas associated with the project must be filtered and routed to an existing storm drain system or other City Engineer approved structure. Graded slopes will be revegetated per the City's Landscape Manual.
- G. All lighting associated with the project will be shielded and directed away from the urban/natural edge.
- H. All plantings at the urban/natural edge shall be native, drought tolerant, and acceptable to the fire marshal. No invasive/non-native species shall be located on-site where they have the potential to invade on-site, or adjacent natural lands.
- I. All uses in or adjacent to the MHPA shall be designed to minimize noise impacts. See also specific noise mitigation for breeding birds listed under biology.
- J. Appropriate barriers shall be installed adjacent to the MHPA to direct public access to appropriate locations and reduce domestic animal predation on wild native animals.
- K. Brush management shall not take place in wider zones or greater scope than required by current City code. For existing native areas, required woody vegetation clearing shall not exceed 50% of that existing when initial clearing is done and clearing shall avoid covered or narrow endemic plant species to the maximum extent possible.

LANDFORM ALTERATION/VISUAL QUALITY

- ~~23. Prior to issuance of any grading permits and/or recording of the first final map (which ever comes first), the applicant/permittee shall demonstrate to the ADD of LDR that this measure is shown on the VTMs, landscape plans and other applicable future subdivision maps. The maps must demonstrate that contour grading shall occur on-site for any slopes over 10 feet in height and that in no case shall gradients exceed a 2:1 gradient (except internal side yard slopes less than 5 feet in height may be constructed a maximum gradient of 1.5:1) and that fill has been minimized on canyon slopes per the adopted 1997 (i.e. to the maximum extent feasible, grading shall cut to daylight lines along canyon rims). The plans shall also indicate that buildings heights are no greater than 35 feet, and that neutral colors and screening landscape shall be utilized.~~

PALEONTOLOGICAL RESOURCES (5/23/05 version)

21. **Prior to Permit Issuance**

A. Land Development Review (LDR) Plan Check

1. Prior to Notice to Proceed (NTP) for any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.

B. Letters of Qualification have been submitted to ADD

1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program, as defined in the City of San Diego Paleontology Guidelines.
2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.
3. Prior to the start of work, the applicant shall obtain approval from MMC for any personnel changes associated with the monitoring program.

22. **Prior to Start of Construction**

A. Verification of Records Search

1. The PI shall provide verification to MMC that a site specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from San Diego Natural History Museum, other institution or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.

B. PI Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified paleontologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.
 - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate,

prior to the start of any work that requires monitoring.

2. Identify Areas to be Monitored

- a. Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits. The PME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).

3. When Monitoring Will Occur

- a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
- b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as depth of excavation and/or site graded to bedrock, presence or absence of fossil resources, etc., which may reduce or increase the potential for resources to be present.

23. **During Construction**

A. Monitor Shall be Present During Grading/Excavation/Trenching

1. The monitor shall be present full-time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. **The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities.**
2. The monitor shall document field activity via the Consultant Site Visit Record (CSV). The CSV's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of ANY discoveries. The RE shall forward copies to MMC.
3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter formational soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.

B. Discovery Notification Process

1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery

and immediately notify the RE or BI, as appropriate.

2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.

C. Determination of Significance

1. The PI shall evaluate the significance of the resource.
 - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required. The determination of significance for fossil discoveries shall be at the discretion of the PI.
 - b. If the resource is significant, the PI shall submit a Paleontological Recovery Program (PRP) and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume.
 - c. If resource is not significant (e.g., small pieces of broken common shell fragments or other scattered common fossils) the PI shall notify the RE, or BI as appropriate, that a non-significant discovery has been made. The Paleontologist shall continue to monitor the area without notification to MMC unless a significant resource is encountered.
 - d. The PI shall submit a letter to MMC indicating that fossil resources will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required.

24. **Night Work**

A. If night work is included in the contract

1. When night work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
2. The following procedures shall be followed.
 - a. No Discoveries
In the event that no discoveries were encountered during night work, The PI shall record the information on the CSVr and submit to MMC via fax by 9am the following morning, if possible.
 - b. Discoveries
All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction.
 - c. Potentially Significant Discoveries
If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction

shall be followed.

- d. The PI shall immediately contact MMC, or by 8AM the following morning to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night work becomes necessary during the course of construction
 1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
 2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

25. **Post Construction**

- A. Submittal of Draft Monitoring Report
 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative) which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring,
 - a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.
 - b. Recording Sites with the San Diego Natural History Museum
The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum with the Final Monitoring Report.
 2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
 3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
 4. MMC shall provide written verification to the PI of the approved report.
 5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Fossil Remains
 1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.
 2. The PI shall be responsible for ensuring that all fossil remains are analyzed to identify function and chronology as they relate to the geologic history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate

- C. Curation of fossil remains: Deed of Gift and Acceptance Verification
 - 1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.
 - 2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
- D. Final Monitoring Report(s)
 - 1. The PI shall submit two copies of the Final Monitoring Report to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
 - 2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

Public Services

- 26. Prior to issuance of certificates of occupancy, the applicant shall submit proof of payment of all required Mello-Roos fees to EAS.

Transportation/Circulation

- ~~30. The following shall be assured prior to issuance of the first building permit or recordation of the first Final Map, to the satisfaction of the City Engineer:~~
 - ~~A. The applicant shall construct residential local streets N, O, P, Q and Z as a 32 foot curb to curb within a 52 foot right of way with curb, gutter, 5 foot sidewalk.~~
 - ~~B. The applicant shall construct residential local streets D, F, Y and Gablewood Way as a 36 foot curb to curb within a 56 foot right of way with curb, gutter, 5 foot sidewalk.~~
 - ~~C. The depth of the driveway shall be 20 feet from the back of the sidewalk to prevent the entering vehicle blocking the public right of way for each lot.~~
 - ~~D. The applicant shall construct a 50 foot curb radius within a 60 foot radius right of way cul-de-sac with curb, gutter and sidewalk on the west end of Street N.~~
 - ~~E. This project shall comply with all current street lighting standards according to the City of San Diego Street Design Manual (Document No. 297376, filed November 25, 2002) and the amendment to Council Policy 200-18 approved by City Council on February 26, 2002 (Resolution R-296141) satisfactory to the City Engineer. This may require (but not be limited to) installation of new street light(s), upgrading light from low pressure to high pressure sodium vapor and/or upgrading wattage.~~

- ~~F. The applicant shall construct a traffic signal at the intersection of Carmel Mountain Road with A Street/O Street.~~
- ~~G. The applicant shall construct a 35 foot curb radius within a 45 foot radius right of way cul de sac with curb, gutter and sidewalk on the east end of Street Z to the satisfaction of the City Engineer.~~
- ~~H. Street "O" between Carmel Mountain Road and the first intersection south, approximately 175 feet, the applicant shall install "No Parking" signs on both sides of the street.~~
- ~~I. For Lots 1, 2, and 3, the applicant shall provide a concrete pad to allow vehicles to turn around on each lot to prevent vehicles from backing out of the driveway onto the street.~~

VII. SIGNIFICANT UNMITIGATED IMPACTS:

There are no new significant impacts identified for the current project. The original N-10 EIR (LDR No. 91-0834); however, listed significant unmitigated impacts to biological resources, landform alteration/visual quality, land use and cultural resources and cumulatively significant impacts to transportation/traffic, air quality, landform alteration/visual quality, water quality, and biology.

In addition, the N-10 Amendment EIR (LDR No. 96-0736(7)) listed one significant unmitigated impact to landform alteration/visual quality. In the final EIR, this impact was mitigated through revision of the MMRP to include mitigation for the loss of 22.3 acres of open space; which was set aside as mitigation land via EIR 91-0834; as well as additional mitigation for various other biological impacts included on Errata Sheet page E-3, (attached). The mitigation requirements on the Errata are also addressed above in Section III – Discussion under Biological Resources. Finally, EIR 96-0736(7) identified cumulative impacts (significant unmitigated) impacts to transportation/traffic circulation, air quality, landform alteration/visual quality, hydrology/water quality, biology, and public services/elementary schools.

Because there are significant unmitigated impacts associated with the original and subsequent project EIR's, approval of the project required the decisionmakers to make specific and substantiated CEQA Findings which stated that:

- a) Specific economic, social or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR, and
- b) These impacts have been found acceptable because of specific overriding considerations. No new CEQA Findings are required with this project.

VIII. RESULTS OF PUBLIC REVIEW:

- () No comments were received during the public input period.

- () Comments were received but they did not address the findings of the draft Addendum and/or accuracy or completeness of the Initial Study. No response is necessary. The letter(s) follow.
- (X) Comments addressing the findings of the draft Addendum and/or accuracy or completeness of the Initial Study were received during the public input period. The letters and responses follow.

Copies of this draft Addendum for Project No. 72526, and EIRs No. 96-0736(7) and 91-0834 may be reviewed in the office of the land Development Review Division, or purchased for the cost of reproduction.


Robert J. Manis
Deputy Director
Development Services Department

May 21, 2007
Date of Draft Report

June 7, 2007
Date of Final Report

Environmental Analyst: Smit Kicklighter

Figures:

Figure 1: Vicinity Map -

Figure 2: Site Plan

Figure 3. Figure 59 from EIR 91-0834 showing allowed grading/revegetation in Open Space (now MHPA)

Attachments:

EIR 91-0834 and SEIR 96-0736(7) Conclusions & Errata

DISTRIBUTION:

The Public Notice and/or draft Addendum PTS No. 72526 were distributed to:

Federal Government

Commanding General, MCAS Miramar Air Station (13)

USDA Natural Resources Conservation SRVS (25)

State Government

Resources Agency (43)

CA Regional Water Quality Control Board (44)

State Clearinghouse (46)

City of San Diego

Mayor Sanders, MS 11A

Council President Peters (Council District 1), MS 10A

City Attorney (49)

John Fisher, Development Project Manager (MS 501)

Hamid Bagheri, Wastewater

Alice Vaughan, Water Review

Planning Department -(Jeanne Krosch, John Kovac MSCP; Bernie Turgeon, Long Range

Planning (MS 4A)

Development Services Department (MS 501)

Adolfo Aguilar, Map Check

Ismael Lopez, Permit Planning

Jeff Oakley, Landscaping

Jim Quinn, Geology;

Sean Torres, Engineering

Jim Lundquist, Transportation Development (78)

Development Coordination (78A)

Bob Medan, Fire and Life Safety Services (79)

Steve Fontana (80)

Library (81)

Police Research and Analysis (84)

General Services (92)

Jeff Harkness, Park and Recreation (89)

Environmental Services (93A)

Engineering & CIP (86)

Archaeology Distribution – Includes Addendum and Historical Report

Historical Resources Board (87)

Carmen Lucas (206)

Jerry Schaefer, PHD (209)

South Coastal Information Center (210)

San Diego Archaeological Center (212)

Save Our Heritage Organisation (214)

Ron Christman (215)

Louie Guassac (215A)

Clint Linton (215B)

San Diego County Archaeological Society, Inc. (218)

Kumeyaay Cultural Repatriation Committee (225)

Native American Distribution (225 A-R) (Public Notice Only)

Native American Heritage Commission (222)

Biology Report Distribution List – Includes Addendum and Biological Report

California Dept. of Fish & Game (32)

Environmental Law Society (164)

Sierra Club (165)

San Diego Audubon Society (167)

Mr. Jim Peugh (167A)

California Native Plant Society (170)

Stuart Hurlbert (172)

Center for Biological Diversity (176)

Endangered Habitats League (182A)

MSCP Reviewer, MS-4A

MMC, MS-1102B (77A)

Community

Carmel Valley Community (350)

Carmel Valley Trail Riders Coalition (351)

Shaw Ridge Homeowners Assn. (353)

Carmel Mountain Conservancy 354

Diana Gordon (355)

Arroyo Sorrento Homeowner's Assn. (356)

Friends of Los Penasquitos Canyon Preserve (357)

Carmel Valley Library (81F)

Others

League of Women Voters (192)

Community Planner Committee (194)

Town Council Presidents Association (197)

Applicant and Consultants

Pardee Construction Company – c/o Allan Kashani (345)

NRC – Eric Kline, 1590 S. Pacific Coast Highway, Ste. 17, Laguna Beach, CA 92651

RECON Consultants –c/o Lee Sherwood, 1927 Fifth Ave. Ste. 200, San Diego, CA 92101-2358

PDC – Maggie Berger, 701 “B” Street, Ste. 800, San Diego, CA 92101



UNITED STATES MARINE CORPS
MARINE CORPS AIR STATION
P.O. BOX 452000
SAN DIEGO, CA 92145-2000

111103
CP&L/72526
June 5, 2007

CITY OF SAN DIEGO
DEVELOPMENT SERVICES DEPARTMENT
ATTN HOLLY SMIT KICKLIGHTER
1222 FIRST AVENUE MS 501
SAN DIEGO CA 92101

RE: CARMEL VALLEY NEIGHBORHOOD 10 ADDENDUM TO EIR NO. 97-0834 &
SUBSEQUENT EIR NO. 96-0736(7); JOB ORDER NUMBER 42-4540, PN 72526,
APN 307-100-08, 13, 16, 17, 18, 20, 35, 44; 307-100-09, 10, 11,
13; 307-760-25

Dear Ms. Kicklighter,

1. This is in response to the Addendum to an Environmental Impact Report (EIR) and Subsequent EIR of May 21, 2007, which addresses residential development within the Carmel Valley Community Planning area.

The proposed site is contained within the "MCAS Miramar AICUZ Study Area" identified in the 2005 Air Installations Compatible Use Zones (AICUZ) Update for Marine Corps Air Station (MCAS) Miramar. This area will be affected by operations of military fixed and rotary-wing aircraft transiting to and from MCAS Miramar. The project is located within the adopted 2004 MCAS Miramar Airport Influence Area (AIA) and outside the 60 dB Community Noise Equivalent Level (CNEL) noise contours. The proposed project is consistent with AICUZ land use compatibility guidelines for Miramar operations.

This location will experience noise impacts from the Seawolf, Julian and Ground Control Approach (GCA) Flight Corridors for fixed-wing operations. The site will also experience noise impacts from the Beach and GCA Flight Corridor for helicopter operations.

2. Occupants will routinely see and hear fixed and rotary-wing aircraft and experience varying degrees of noise and vibration. Consequently, we are recommending full disclosure of noise and visual impacts to all initial and subsequent purchasers, lessees, or other potential occupants.

RESPONSES

United States Marine Corps

1. Comments noted.
2. The applicant has been informed of the recommendation to fully disclose potential visual and noise impacts from MCAS to all initial and subsequent purchasers, lessees, or other potential occupants of the proposed project site.

11103
CP&L/72526
June 5, 2007

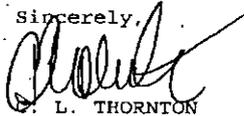
Normal hours of operation at MCAS Miramar are as follows:

Monday through Thursday	7:00 a.m. to 12:00 midnight
Friday	7:00 a.m. to 6:00 p.m.
Saturday, Sunday, Holidays	8:00 a.m. to 6:00 p.m.

MCAS Miramar is a master air station, and as such, can operate 24 hours per day, 7 days per week. Fiscal and manpower constraints, as well as efforts to reduce the noise impacts of our operations on the surrounding community, impose the above hours of operation. Circumstances frequently arise which require an extension of these operating hours.

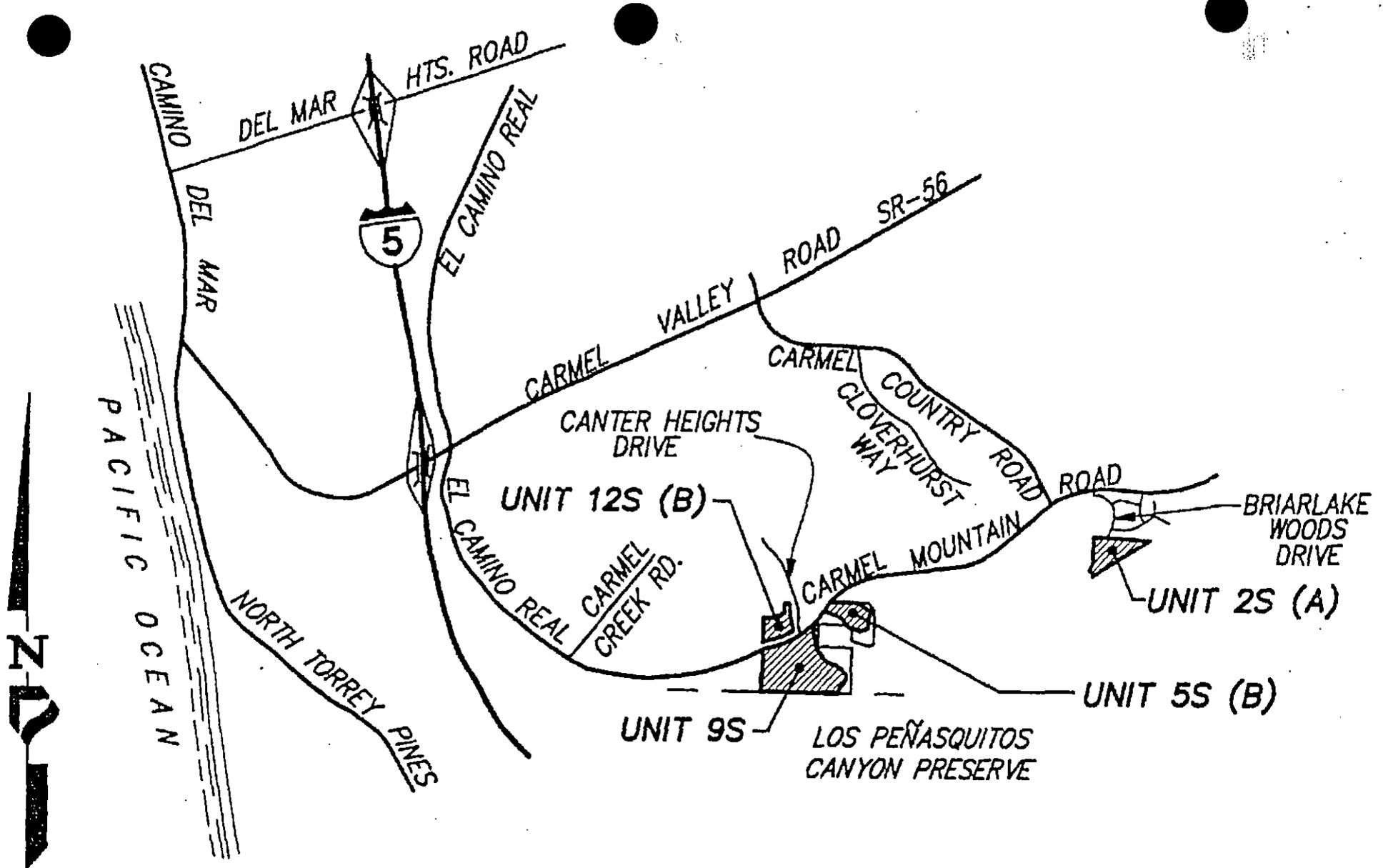
Thank you for the opportunity to review this land use proposal. If we may be of any further assistance, please contact Mr. Juan Lias at (858) 577-6603.

Sincerely,



S. L. THORNTON
Community Plans and Liaison Officer
By direction of the Commanding Officer

Copy to:
Carmel Valley Community Planning Board, Chair, Frisco White
San Diego County Regional Airport Authority, Linda Johnson



VICINITY MAP
NO SCALE

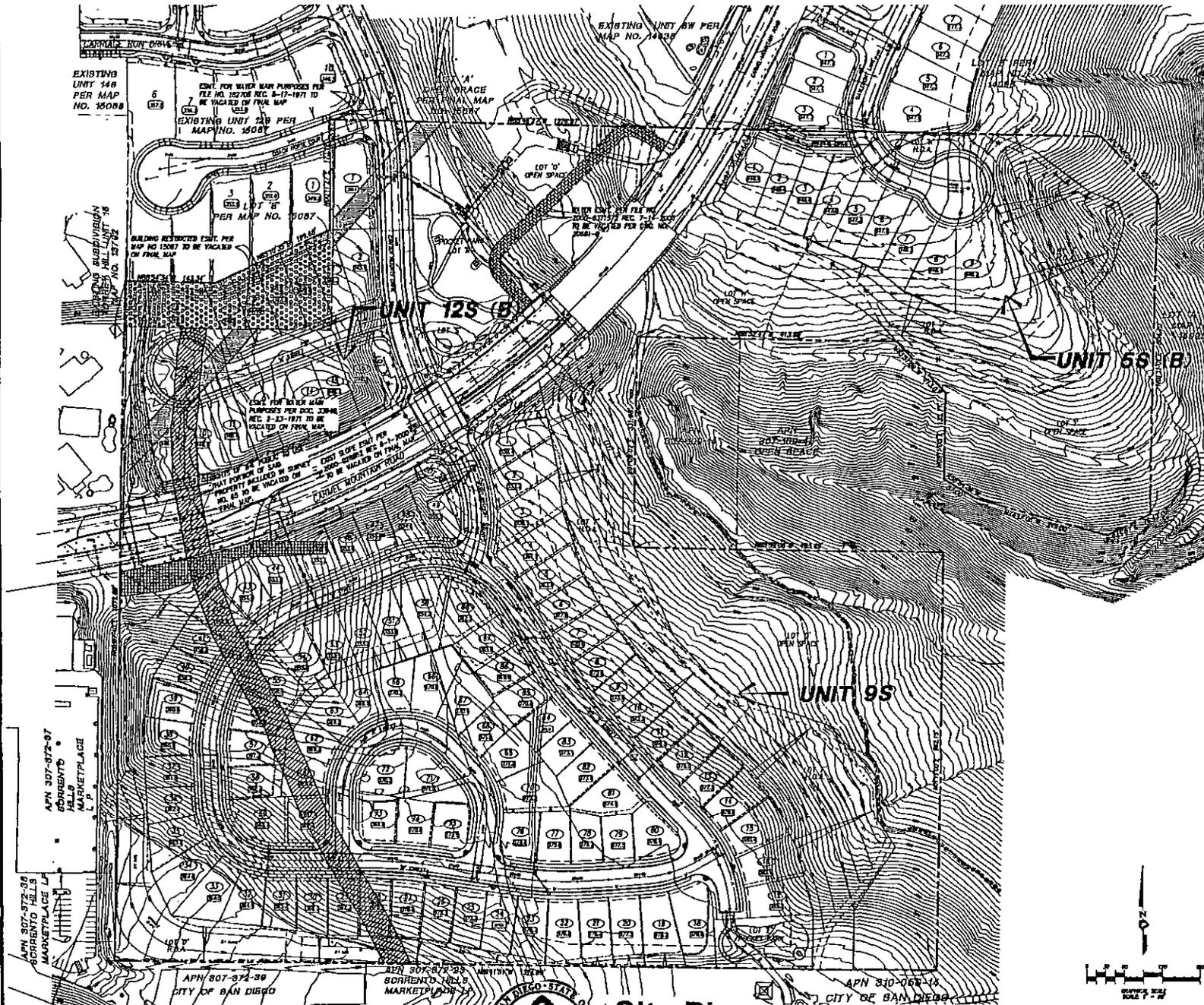
FIGURE 1



Vicinity Map
 Environmental Analysis Section - Project No. 72526
 CITY OF SAN DIEGO · DEVELOPMENT SERVICES

VESTING TENTATIVE MAP 232063

CARMEL VALLEY NEIGHBORHOOD 10

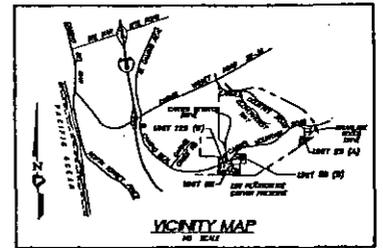


LEGEND

- WHEN CMT FOR FILE IN 2008-2012 PER 7-11-2008 TO BE INCLD PER MAP NO. 2008-1
- CMT FOR INCLD SAN PURPOSES FOR INC. 2008 PER 7-11-2008 TO BE INCLD PER MAP NO. 2008-1
- CMT FOR INCLD SAN PURPOSES FOR FILE NO. 2008 PER 7-11-2008 TO BE INCLD PER MAP NO. 2008-1
- PORTS OF THE PUBLIC TO USE ONLY FRONT OF SAC. PROPERTY INCLD AT SUBJECT MAP TO BE INCLD
- CMT ALTHO CMT FOR 2008-2012 PER 7-11-2008 TO BE INCLD PER MAP NO. 2008-1
- CMT MAPS RESTRICTED CMT FOR MAP NO. 2008 TO BE INCLD PER MAP NO. 2008-1
- THE BOUNDARY

PREPARED BY:

PROJECT DESIGN CONSULTANTS
 101 S. Street, Suite 200
 San Diego, CA 92101
 PH: 619.594.1144 FAX: 619.594.1144



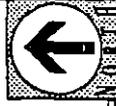
PROJECT NO:	PROJECT DESIGN CONSULTANTS	REVISION 10:	
DATE:	JULY 2008	REVISION 11:	
ADDRESS:	101 S. STREET, SUITE 200	REVISION 12:	
PHONE:	619.594.1144	REVISION 13:	
PROJECT ADDRESS:	CARMEL VALLEY NEIGHBORHOOD 10	REVISION 14:	
CITY:	SAN DIEGO, CALIFORNIA	REVISION 15:	
PROJECT NAME:	CARMEL VALLEY NEIGHBORHOOD 10	REVISION 16:	
DATE:	JULY 2008	REVISION 17:	
PROJECT NO:	72526	REVISION 18:	
DATE:	JULY 2008	REVISION 19:	
PROJECT NO:	72526	REVISION 20:	
DATE:	JULY 2008	REVISION 21:	
PROJECT NO:	72526	REVISION 22:	
DATE:	JULY 2008	REVISION 23:	
PROJECT NO:	72526	REVISION 24:	
DATE:	JULY 2008	REVISION 25:	

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Site Plan
Environmental Analysis Section - Project No. 72526
CITY OF SAN DIEGO · DEVELOPMENT SERVICES

FIGURE 2D



1200 FEET
2400

FIGURE 59

Revegetation Areas

Revegetation Areas



City of San Diego
Development
Services
Department



Land Development
Review Division
(619) 236-6460

SUBSEQUENT
Environmental Impact Report

LDR Nos. 96-0736 & 96-0737
SCH No. 97-011032
Revised May 29, 1997

SUBJECT: NEIGHBORHOOD 10 PLAN AMENDMENTS. CARMEL VALLEY NEIGHBORHOOD 10 PRECISE PLAN AMENDMENT, CARMEL VALLEY COMMUNITY PLAN AMENDMENT, GENERAL PLAN AMENDMENT, AMENDMENT TO THE CARMEL VALLEY PLANNED DISTRICT ORDINANCE (REZONE), PLANNED DISTRICT DEVELOPMENT PERMIT AMENDMENTS, TWO VESTING TENTATIVE MAP AMENDMENTS (PARKVIEW EAST/VTM 91-0834 AND CARMEL VALLEY NEIGHBORHOOD 10 NORTH/VTM 96-0561), RESOURCE PROTECTION ORDINANCE (RPO) PERMITS, AND CONSIDERATION OF INTERIM HABITAT LOSS FINDINGS. The project proposes an amendment to the approved Carmel Valley Neighborhood 10 Precise Plan for the addition of 128 single-family residential units. These additional units would increase the maximum allowable number of units for the entire precise plan from 1,438 to 1,566. The Parkview East VTM would be modified in four locations to create 110 additional single-family units. The Neighborhood 10 North VTM would be modified to add 18 additional single-family units. The remaining components of the approved precise plan (i.e., 4-acre neighborhood commercial center, 3-acre elementary school, 5-acre neighborhood park, 7-acre active playfield/joint use area, wildlife corridor improvements, and alignments for Carmel Country Road and Carmel Mountain Road) would be unaffected by the proposed amendment. The project is located in the southeastern portion of the Carmel Valley community planning area between Carmel Valley Road (proposed SR-56 Freeway) and the Los Peñasquitos Canyon Preserve and includes portions of Section 20, 21, 28 and 29, T14S, R3W, SBM. Applicant: Pardee Construction Company.

Update:

An errata sheet has been prepared and is included after the conclusions which summarizes the more substantive changes that have occurred subsequent to release of the Draft SEIR. Additional minor changes have been included in the text and are indicated by strike-out (deleted) and underline (inserted) markings.

CONCLUSIONS:

This Subsequent EIR (SEIR) analyzes the environmental impacts for the development of 128 additional units within the Neighborhood 10 Precise Plan.

Implementation of the proposed project incorporating the recommended Mitigation, Monitoring, and Reporting Program would reduce all identified significant, mitigated impacts to below a level of significance. This SEIR is subsequent to DEP No. 91-0834.

This project may result in significant unmitigated impact to landform alteration/visual quality and significant unmitigated cumulative impacts in the following areas: transportation/traffic, air quality, landform alteration/visual quality, hydrology/water quality, biological resources, and short-term cumulative impacts public services/elementary schools. Potentially significant, but mitigated impacts have been identified for land use, transportation/traffic, hydrology/water quality, geology/soil and erosion, noise, paleontology, cultural resources, biological resources, and public services.

Unless mitigation measures or project alternatives are adopted, project approval will require the decision-maker to make Findings, substantiated in the record, which state that: a) individual mitigation measures or project alternatives are infeasible, and b) the overall project is acceptable despite significant impacts because of specific overriding considerations.

Natural Communities Conservation Program (NCCP)

On March 25, 1993, the U.S. Fish and Wildlife Service listed the California gnatcatcher as a threatened species under the Federal Endangered Species Act (ESA). On December 10, 1993, the Federal Endangered Species Act Section 4(d) rule became effective, affecting projects in all stages of the development process. The City is enrolled as a participating agency in the State's NCCP, which requires tracking of impacts to coastal sage scrub habitat. The City's Multiple Species Conservation Program has been approved by the State as an equivalent to the NCCP. The NCCP allows the City to approve the loss of up to five percent of existing Coastal sage scrub habitat. Approvals must also comply with the State NCCP Process Guidelines, which require findings relative to the affect on regional preserve planning, and require that mitigation be adopted. The NCCP Conservation Guidelines have indicated that a five percent loss of Coastal sage scrub habitat is acceptable within any individual subregion during the preparation of a subregional NCCP or it's equivalent (i.e. MSCP Subarea Plan). Within the City of San Diego the five percent cumulative loss allowed is 1,186 acres of coastal sage scrub.

Total allowed loss:	1,186.00 acres
Cumulative actual loss to date:	493.35 acres
Loss due to this project:	<u>20.0</u> 19.46 acres*
Total cumulative loss:	569.10 acres
Remaining loss allowed:	619.90 acres

* See description below, permit is for four projects totaling 75.75 acres.

February 28, 1997 for public and the wildlife agencies review consistent with the City's NCCP Process Guidelines. The 45-day public review period will end on April 14, 1997. The IHL Findings cover the following four separate projects: (1) Del Mar Highlands Estates; (2) Carmel Valley Neighborhood 10 Precise Plan Amendments; (3) Carmel Valley Neighborhood 10 Precise Plan Sewer Easement and School Site; and (4) Carmel Valley Neighborhood 8C Precise Plan. The projects would result in impacts to 75.75 acres of Diegan coastal sage scrub (DCSS), of which this plan amendment would impact 20.0 ~~19.4~~ acres. The projects are all on different processing schedules and will be considered individually by the Planning Commission and City Council.

Multiple Species Conservation Program (MSCP)

The loss of (20.0 ~~19.4~~) acres of DCSS type habitats resulting from implementation of the precise plan amendment would not preclude connectivity between areas of high-value habitat. Each of the impact areas are adjacent to previously approved development areas that have been cleared and/or graded. The proposed additional impact areas would not adversely affect the regional conservation facilities that were described in the precise plan and will be implemented through the approved Parkview East, Parkview West, and Neighborhood 10 North Vesting Tentative Maps to accommodate wildlife movement along these corridors. These facilities include construction of culverts and a bridge to facilitate wildlife movement through the property to adjacent natural open space. The proposed loss of habitats in the four precise plan amendment areas would affect the ability of wildlife to utilize the designated corridors or access the high value habitats that will remain in open space surrounding the proposed graded areas on or near the project site.

The applicant for the multiple project, Pardee Construction Company, has agreed to contribute \$3 million to the City of San Diego towards the acquisition of the 80-acre Mesa Top Property within the Carmel Valley Neighborhood 8A precise plan area. Neighborhood 8A lies immediately to the west of Neighborhood 10. The Mesa Top Property includes high-quality coastal sage scrub and southern maritime chaparral vegetation communities with numerous sensitive plant and animal species and is an integral component of the Draft MSCP as a part of the Carmel Mountain biological core area within the City Subarea Plan. The City considers this a critical acquisition parcel, and the monetary contribution would greatly improve the City's ability to complete the acquisition in a timely manner. Additional mitigation measures would include: approximately 1.0 acre of revegetation/enhancement of southern willow scrub, on-site revegetation of an additional 2.8 acres manufactured slopes with DCSS plant species, staking and monitoring of grading activities by a qualified biologist, and implementation of a brush management plan that minimizes impacts to native vegetation. See errata sheet for details on project impacts and mitigation.

The draft Biological Standards and Guidelines for Multiple Species Preserve Design have indicated the need to preserve Coastal sage scrub based on the

species dependent upon it, and to preserve the long-term viability of the breeding population of the California gnatcatcher by maintaining core populations of gnatcatcher constituting viable metapopulations. The subject project contains no gnatcatchers.

RECOMMENDED ALTERNATIVES FOR REDUCING SIGNIFICANT IMPACTS:

No Project

This alternative would maintain the adopted precise plan and the Parkview East VTM and Neighborhood 10 North VTM as currently approved. The additional 128 single-family dwelling units associated with the proposed project would not be added to the precise plan under this alternative. As a result, there would be no change in the current conditions associated with these approvals, and the Parkview East and Neighborhood 10 North VTMs would be constructed as approved. The project-related impacts described in this subsequent EIR would be avoided should this alternative be adopted.

Alternate Project Design

This alternative was designed to minimize landform alteration/visual quality impacts by eliminating the proposed expansion of two canyon fills above Peñasquitos Canyon and relocating the units designated for these areas (approximately 80 units) into the proposed development area located in a tributary canyon above Shaw Valley. The development proposed for the central canyon would remain unchanged under this alternative.

The impacts associated with the proposed project (e.g., traffic generation, public services, geology/soils, and land use) would not be affected by the alternative project design; however, significant landform alteration impacts could be lessened by this alternative. Specifically, significant landform alteration and visual quality impacts identified from Los Peñasquitos Canyon would be avoided. Impacts to sensitive plant and animal species associated with the proposed amendment areas could be lessened, however, impacts to coastal sage scrub vegetation would be similar to the proposed project. This alternative would place development in close proximity to the Shaw Valley wildlife corridor; this potential impact would not occur under the proposed project. Additionally, the consolidation of the plan amendment areas could require larger or additional detention/desilting basins which may further impact areas of coastal sage scrub.

MITIGATION, MONITORING AND REPORTING PROGRAM INCORPORATED INTO THE PROJECT:

The project would result in the following significant, unmitigated impact:

Landform Alteration/Visual Quality

Project grading would result in a significant landform impact and the additional 22.3 acres of development would result in an increase in the

significant visual impact identified in the approved precise plan Final EIR. The project would incorporate the grading concepts and design guidelines outlined in the Neighborhood 10 precise plan with respect to variable slope gradients, contour grading, slope revegetation, and utilization of landscaping to reduce impacts but not to below a level of significance (See Section 4-D); however, the impact remains significant and unmitigated.

The project would result in the following significant, mitigated impacts:

Land Use

The proposed precise plan amendment would be consistent with Council Policy 600-40 for long-range plans, the Hillside Design and Development Guidelines, and the community plan goals concerning land use and housing balance. The project would not affect any lands in the North City Local Coastal Program. Development of the additional 22.3 acres would alter existing topography within designated open space located within the MSCP boundaries which was identified as mitigation in the EIR (DEP No. 91-0834) prepared for the precise plan. This development which would not be consistent with community plan and adopted precise plan goals concerning preservation of the natural environment. The project has been revised to include mitigation for these impacts, see errata sheet. However, the new development has been sited adjacent to existing approved development and avoids development in pristine areas of Carmel Valley (Mesa Top property on adjacent Carmel Mountain), thereby reducing the impact to less than significant (See EIR Section 4-A).

Transportation/Traffic Circulation

Development of the project would be tied to transportation improvements identified in the updated traffic report prepared this project. With implementation of the Transportation Phasing Plan and project specific traffic improvements, impacts would be reduced to below a level of significance (See Section 4-B).

Hydrology/Water Quality

The EIR includes measures to address impacts associated with urban runoff which ultimately flows to the Los Peñasquitos Lagoon. Mitigation measures include, preparation of a hydrologic study, appropriate design of storm drain and detention/desilting basin facilities, submittal of a Master Drainage Plan which would include a Storm Water Pollution Prevention Plan, and incorporation of Best Management Practices (BMPs) for erosion/siltation control to reduce impacts to below a level of significance (See Section 4-E).

Geology/Soils

The EIR recommends measures to address potential impacts associated with unstable soils and erosion. A project-specific geological report has prepared which identified temporary and permanent erosion-control measures including a

landscaping plan with drought-tolerant, slope-stabilizing vegetation. Prior to issuance of a grading permit, a detailed geotechnical study will be prepared to provide specific design recommendations for earth work, foundations, and other geotechnical and construction considerations. With implementation of the above measures, impacts would be reduced to below a level of significance (See Section 4-F).

Noise

No significant exterior noise impacts are anticipated for the proposed development of the additional 128 units. If units are placed within 100 feet of Carmel Mountain Road west of Carmel County Road, within 60 feet of Carmel Mountain Road east of Carmel County Road, or within 30 feet of Carmel Country Road, an interior acoustical analysis to address interior noise impacts will be prepared. Implementation of recommended measures would reduce the impact to below a level of significance (See Section 4-G).

Cultural Resources

Cultural resource surveys were conducted in 1987, 1988, 1991, and 1992 for the entire precise plan with the exception of 25 acres (property owners did not permit access to area). Within the surveyed areas, two prehistoric and five historic sites were identified. The EIR for the precise plan included mitigation requirements for additional evaluation/testing for sites CA-SDI-12,123 and CA-SDI-12,405H and the condition that the unsurveyed 25 acres be surveyed prior to tentative map or VTM approval for those areas. The evaluation/testing programs have been completed and the new development would not affect the unsurveyed areas. Therefore, the proposed project would not impact cultural resources and no additional mitigation is required (See Section 4-H).

Paleontology

The proposed project would result in grading within areas which have a high potential for paleontological resources. A paleontological monitoring and mitigation program would be implemented to reduce impacts to below a level of significance (See Section 4-I).

Biological Resources

Impacts to Coastal sage scrub, southern willow scrub, and sensitive species (black-shouldered kite, orange-throated whiptail, barrel cactus, and ashy spike-moss) would be a significant impact due to the sensitivity of these habitats and their location within a core biological area. The introduction of predatory pets from the additional development could have a significant indirect effect on native species in the adjacent open space areas. Mitigation measures will include a contribution, by the applicant, to the City of San Diego for the acquisition of a portion of an 80-acre off-site parcel, known as Mesa Top, additional on-site revegetation of 2.8 ~~approximately 37~~

acres of manufactured slopes adjacent to open space areas, staking and monitoring of grading activities by a qualified biologist, no grading of native habitat during the gnatcatcher breeding season (March 1 - August 15), implementation of a modified brush management plan that minimizes impacts to native vegetation, as well as lighting and fencing requirements. The project has been revised to include a five-year mitigation, monitoring, and reporting program for the revegetation/enhancement of approximately 1.0 of southern willow scrub to mitigate for impacts identified in the Draft SEIR to 0.3 acre of southern willow scrub. These measures would reduce direct and indirect impacts to below a level of significance (See Section 4-J).

Public Facilities and Services

Development of the 128 units would increase the demand for school, parks, solid waste, library, police and fire services. Through participation in the established Mello-Roos District, Carmel Valley Public Facilities Financing Plan and Facilities Benefit Assessment, and preparation of a site-specific water facilities study, these impacts would be reduced to less than significant (See Section 4-K).

CUMULATIVE IMPACTS (SIGNIFICANT UNMITIGATED):

Transportation/Traffic

The proposed precise plan amendment for the proposed Neighborhood 10 North and Parkview East replacement VTM's would result in the generation of approximately 1,6214 trips per day. This increase to regional traffic is a significant cumulative unmitigated impact.

Air Quality

Along with other projects in the vicinity, the new development would contribute to the non-attainment of clean air standards in the region which would result in a significant, unmitigated cumulative impact.

Landform Alteration/Visual Quality

The combined projects in the area would alter the existing landforms and visual setting from that of open expanses of rolling hills, valleys, and mesas to that of residential development separated by open space and 2- and 4-lane roads. The cumulative change in the visual setting and existing landforms resulting from the proposed development of an additional 128 units on 22.3 acres would be significant and unmitigated.

Hydrology and Water Quality

The proposed precise plan amendment, along with other projects in the area, have the potential to cumulatively impact the Los Peñasquitos Lagoon. Implementation of the Master Drainage Plan which would include a Storm Water

Pollution Prevention Plan, and incorporation of Best Management Practices (BMPs) for erosion and siltation control as discussed in Section 4-E, would reduce this impact, but not to below a level of significance.

Biology

The proposed project would contribute incrementally toward a regional loss of Coastal sage scrub and non-native grassland which serves as raptor foraging habitat. Because of the increasing scarcity of this habitat type in San Diego County, impact to non-native grasslands would be a cumulative, unmitigated impact.

Public Services/Elementary Schools

Due to the demand from this project, growth within the existing service area, and approved new residential development in Carmel Valley and Sorrento Valley, cumulatively significant impacts could occur to the elementary schools within the Del Mar Union School District. This is considered a short-term cumulative impact, that would be mitigated through the provision of adequate facilities, as defined by the General Plan, to accommodate the students.

The above Mitigation Monitoring and Reporting Program will require additional fees and/or deposits to be collected prior to the issuance of building permits, certificates of occupancy and/or final maps to ensure the successful completion of the monitoring program.


Lawrence C. Monserrate, Principal Planner
Development Services Department

March 25, 1997
Date of Draft Report

May 29, 1997
Date of Final Report

Analyst: Krosch

PUBLIC REVIEW:

The following individuals, organizations, and agencies received a copy or notice of the draft SEIR and were invited to comment on its accuracy and sufficiency:

- Federal Government
 - Naval Air Station at Miramar
 - U.S. Army Corps of Engineers
 - U.S. Fish & Wildlife Service
- State of California
 - State Clearinghouse



California Air Resources Board
California Coastal Commission
California Department of Fish & Game, District 5
CALTRANS, District 11
Native American Heritage Commission
Parks and Recreation
Regional Water Quality Control Board, Region 9
Resources Agency
Solid Waste Management Board
County of San Diego
Air Pollution Control Board
Department of Planning & Land Use
Department of Public Works
City of San Diego
Mayor's Office
Councilmember Mathis, District 1
Community and Economic Development Department
Development Services Department
Engineering and Capital Projects Department
Environmental Services Department
Fire and Life Safety
Park & Recreation Department
Police Department
City of Del Mar
City of Solana Beach
San Diego Association of Governments
San Diego Gas & Electric
Metropolitan Transit Development Board
San Diego Transit Corporation
San Dieguito River Park Joint Powers Authority
Del Mar Union School District
San Dieguito Union High School District
UCSD Central Library
San Diego Natural History Museum
EC Allison Research Center
Sierra Club
San Diego Audubon Society
California Native Plant Society
Endangered Habitat League
The Center for Biological Diversity
Citizens' Coordinate for Century III
South Coastal Information Center - SDSU
San Diego Museum of Man
Save Our Heritage Organization
Historical Site Board
San Diego County Archaeological Society
Native American Heritage Commission
California Indian Legal Services
Viejias Group of Capitan Grande Band of Mission Indians

Mesa Grande Band of Mission Indians
Ron Christman
Carmel Valley Community Planning Board
Carmel Valley Trail Riders Coalition
Carmel Valley Branch Library
Rancho Santa Fe Association
22nd District Agricultural Association
Arroyo Sorrento Homeowner's Association
Arroyo Sorrento Property Owners
Pardee Construction (Mike Madigan)
Ad Hoc Regional Issues Committee
Shaw Ridge Homeowners' Association
San Dieguito Planning Group
San Dieguito River Park
Friends of San Dieguito River Valley
San Dieguito River Valley and Conservancy
Los Peñasquitos Canyon Citizen's Advisory Committee
Friends of Los Peñasquitos Canyon
Los Peñasquitos Lagoon Foundation
Rancho Peñasquitos Town Council
All property owners within the Precise Plan area
T&B Planning Consultants
Project Design Consultants
Leastar Corporation
Peterson & Price
Sandler & Rosen
John Northrop, Ph.D.
Christauria Welland
Jan Hudson
Lisa Ross

Copies of the draft Subsequent EIR, the Mitigation, Monitoring, and Reporting Program and any technical appendices may be reviewed in the office of the Land Development Review Division, or purchased for the cost of reproduction.

RESULTS OF PUBLIC REVIEW:

- () No comments were received during the public input period.
- () Comments were received but the comments do not address the accuracy or completeness of the environmental report. No response is necessary and the letters are attached at the end of the EIR.
- (X) Comments addressing the accuracy or completeness of the EIR were received during the public input period. The letters and responses follow.

**CARMEL VALLEY NEIGHBORHOOD 10 PRECISE PLAN
AMENDMENT SUBSEQUENT EIR
LETTERS OF COMMENT AND RESPONSES**

Letters of comment to the draft EIR were received from the following agencies, groups, and individuals. The letters of comment and responses follow.

<u>Letter from:</u>	<u>Page</u>
U.S. Fish and Wildlife Service	PR-1
Caltrans	PR-5
State Clearinghouse	PR-7
State of California Department of Parks and Recreation	PR-9
Carmel Valley Community Planning Board	PR-17
Shaw Ridge Homeowners Association	PR-25
San Dieguito Planning Group	PR-28
City of San Diego Park and Recreation	PR-32
City of San Diego Water Utilities Section	PR-34
City of San Diego Environmental Services Department	PR-36
MTDB	PR-39
SDG&E	PR-41
San Diego County Archaeological Society	PR-43
San Dieguito Union High School District	PR-44
John Northrup	PR-46

ERRATA

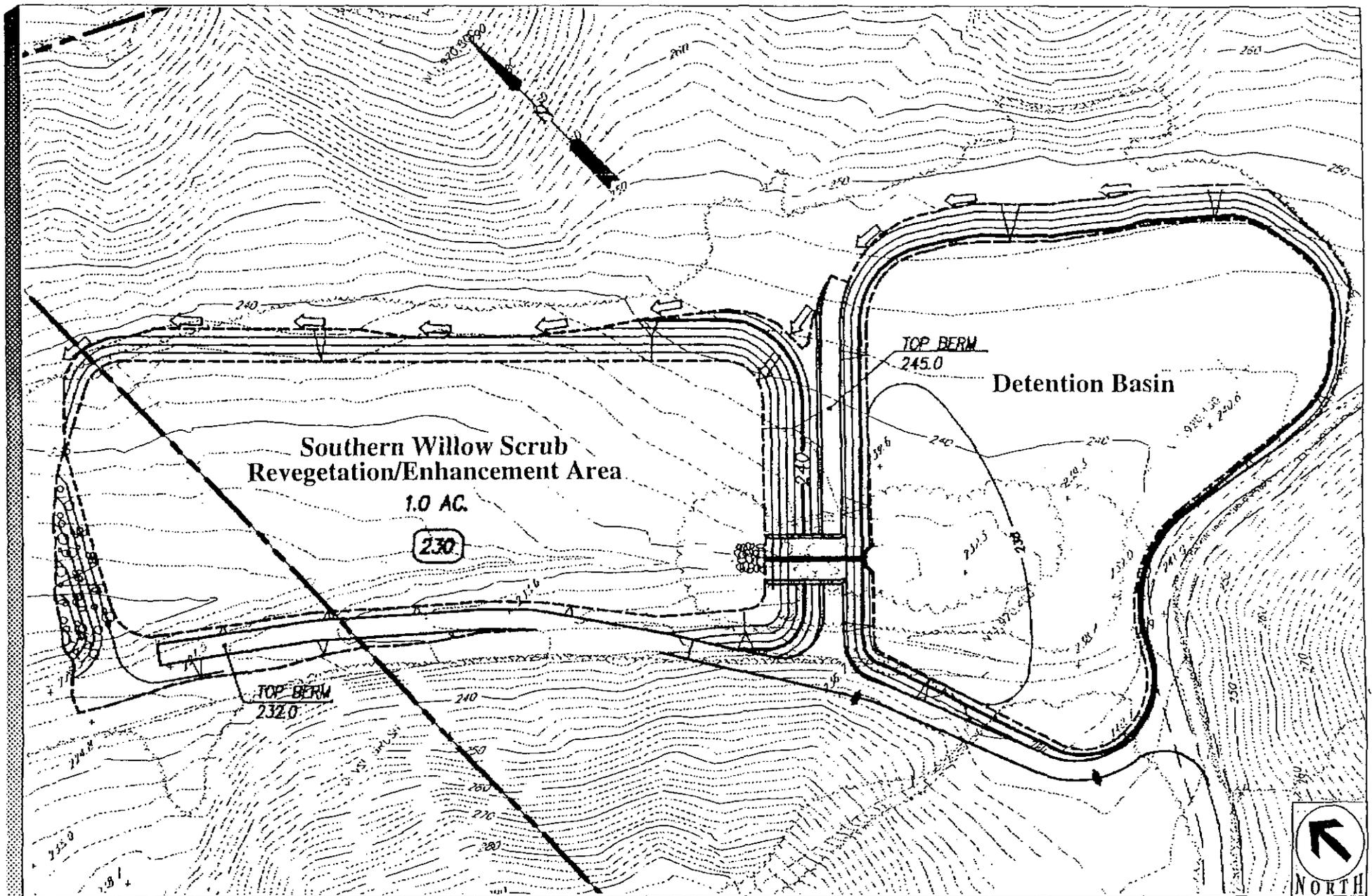
Several comment letters received during the draft SEIR public review period contained accepted revisions which resulted in changes to the final SEIR text. These changes include minor editorial changes to the text which are indicated by strike-out (deleted) and underline (inserted) markings. The more substantive changes are also noted here for the reader's information and convenience in the following Errata to the final SEIR.

Modifications to the Vesting Tentative Maps

Subsequent to the release of the draft SEIR for public review, minor modifications to the project design were made by the project applicant and revised VTMs were submitted to the City of San Diego. In addition to minor internal site design changes (e.g., streets and lot layouts), the VTMs were revised pursuant to the required updated hydrology report for the amended VTMs which was referenced in the draft SEIR (page 100). The updated report has been reviewed by the City of San Diego Development Services Department (Engineering Section) and indicates the need for a third detention basin (Detention Basin C) to detain runoff into Shaw Valley along the eastern project boundary. This additional basin has been incorporated into the revised Parkview East VTM. This VTM has also been revised to indicate a southern willow scrub revegetation/enhancement area within the northeastern portion of the VTM (see figure attached to this Errata). The revegetation/enhancement of the primarily disturbed agricultural lands in the tributary drainage would provide on-site mitigation for the 0.3 acre of impacts to southern willow scrub vegetation described in the draft SEIR. This approximately 1.0-acre area is described below as part of the biological mitigation agreement. The Neighborhood 10 North VTM has also been revised to indicate minor changes to street alignments and relocate a storm drain from a natural canyon to a fill area. Both revised VTMs (Figures 3-8 and 3-10) have been included in the Project Description of the final SEIR.

Biological Mitigation

In response to the May 12, 1997 letter of comment on the draft SEIR from the U.S. Fish and Wildlife Service and the California Department of Fish and Game, the biological mitigation requirements for the proposed Carmel Neighborhood 10 Precise Plan amendment project have been refined and agreed upon by the wildlife agencies, the City of San Diego, and the project applicant. These agreed-upon mitigation measures for the project are provided within the context of the multiple-projects 4(d) Interim Habitat Loss Permit Findings, which were circulated for a 45-day public review period from February 28, 1997 to April 14, 1997. The multiple projects include the proposed Neighborhood 10 Precise Plan amendment along with Del Mar Highlands Estates PRD, the Neighborhood 10 school site/sewer line, and the Neighborhood 8C Precise Plan. As



Note: The boundaries and exact location of revegetation area to be determined at the time the plan is prepared.

Conceptual Southern Willow Scrub Revegetation/Enhancement Area

described in the attached letter from the resource agencies, the following biological impact/mitigation requirements would be required. The final SEIR for the proposed Neighborhood 10 Precise Plan amendment has been revised to reflect this agreement.

Impacts

Del Mar Highlands Estates - 33.88 acres @ 2:1 mitigation ratio = 67.76 acres
Neighborhood 10 Precise Plan Amendment - 20.0 acres @ 2:1 mitigation ratio = 40 acres
Neighborhood 10 southern willow scrub - 0.3 acre @ 3:1 mitigation ratio = 0.9 acre
Neighborhood 10 school park - 2.54 acres @ 2:1 mitigation ratio = 5.08 acres
Neighborhood 10 sewer line - 1.68 acres @ 2:1 mitigation ratio = 3.36 acres
Neighborhood 10 impact to previous mitigation lands - 22.3 acres @ 1:1 mitigation ratio
= 22.3 acres
Neighborhood 8A Parcel C - 10.5 acres @ 2:1 mitigation ratio = 21 acres
Total mitigation requirement - 160.4 acres

Mitigation

Del Mar Highlands Estates - 81.19 acres on-site preservation
Del Mar Highlands Estates revegetation - 36.7 acres
Neighborhood 10 new revegetation - 2.8 acres
Neighborhood 10 on-site southern willow scrub revegetation/enhancement - 0.9 acre
Mesa Top acquisition - 38.81 acres credit
Total mitigation provided - 160.40 acres

Equestrian Trails

Several of the letters of comment on the draft SEIR addressed the issue of equestrian trails within Neighborhood 10. In response to these letters, the final SEIR (Figure 4B-5) has been revised to indicate the City recommendation for the potential to use the tributary canyon to Shaw Valley along the northeastern precise plan boundary to accommodate a trail. An equestrian trail in this location would potentially provide a linkage between Los Peñasquitos Canyon and Shaw Valley. Once the proposed alignment of the trail has been determined, additional environmental review will be required to analyze any adverse impacts that may occur with implementation of the trail system.



Environmental Impact Report

Development and Environmental
Planning Division
236-6460

DEP No. 91-0834
SCH No. 88033019

SUBJECT: Carmel Valley Neighborhood 10 Precise Plan and Parkview East and West Vesting Tentative Maps. PRECISE PLAN, COMMUNITY PLAN/GENERAL PLAN AMENDMENT, A CARMEL VALLEY PLAN DISTRICT ORDINANCE AMENDMENT, TWO VESTING TENTATIVE MAPS (NOS. 91-0834 and 93-0141), PLANNED DEVELOPMENT DISTRICT (PD) PERMIT, RESOURCE PROTECTION ORDINANCE (RPO) PERMIT, COASTAL DEVELOPMENT PERMIT (CDP) and LOCAL COASTAL PROGRAM (LCP) AMENDMENT for a 806-acre Precise Plan for Carmel Valley Neighborhood 10. The Precise Plan would guide the development of approximately 1,400 dwelling units on 321 acres, an elementary school/neighborhood park, a four-acre neighborhood commercial center and approximately 396 acres of natural and 34 acres of revegetated/restored open space. The 377-acre Parkview East VTM proposes to develop 680 residential units and the neighborhood commercial center while the Parkview West VTM would develop a total of 197 units on 70 acres, both within the Precise Plan. Located in the southeastern portion of the Carmel Valley community planning area between Carmel Valley Road (proposed SR-56 Freeway) and the Los Peñasquitos Canyon Preserve. (Portions of Section 28 and 29, T14S, R3W, SBM.) Applicant: Parkview Development Company et al.

CONCLUSIONS:

The project proposes the adoption of a Precise Plan for the development of approximately 806 acres of virtually vacant land with approximately 1,400 residential units (1,415 units should the proposed elementary school not be developed); a 4.0-acre neighborhood commercial center, elementary school, neighborhood park and other residentially related services. Approximately 417 acres would remain in natural open space, with an additional 34 acres proposed for revegetation and restoration. The two Vesting Tentative Maps (VTM's) are proposed to implement development over approximately 447 acres of the project area. The remaining developable area would urbanize through the submittal of subsequent VTM's or Tentative Maps.

Natural Communities Conservation Plan (NCCP)/Multiple Species Conservation Plan (MSCP)

On March 25, 1993, the Secretary of the Interior listed the California gnatcatcher as a threatened species under the Federal Endangered Species Act. On December 10, 1993 the final 4(d) Special Rule became effective. The ruling allows incidental take (harm or disturbance) of the gnatcatcher and limited loss of coastal sage scrub habitat with full mitigation (up to five percent cumulatively). The project site contains 236.5 acres of Diegan coastal sage

scrub, of which 55.3 acres would be impacted by the proposed development; no mitigation is proposed for this impact. Authorization for "take" under the Federal Endangered Species Act (ESA) will be required prior to issuance of a grading permit. As the applicant has chosen not to pursue an Interim Habitat Loss Permit from the City pursuant to Section 4(d) of the ESA, it would be the applicant's responsibility to obtain a permit for "take" of the gnatcatcher from the U.S. Fish and Wildlife Service through other Sections of the ESA (e.g. Section 7 or 10a). Any permits issued by the City for future development of the property do not authorize the applicant for said project to violate any Federal, State or City laws, ordinances, regulations or policies, including, but not limited to the Federal Endangered Species Act of 1973 and any amendments thereto.

The Responses to Comments in this Final EIR address the project's relationship with the "*Biological Standards and Guidelines for Multiple Species Preserve Design*", an appendix to the draft MSCP. The loss of approximately 55.3 acres of Diegan coastal sage scrub, 13.0 acres of southern maritime chaparral and 9.6 acres of southern mixed chaparral habitats supporting the California gnatcatcher, and other sensitive species; and the diminished function of the wildlife movement corridors are generally inconsistent with the recommendations in the "*Biological Standards and Guidelines*". However, what portion of the Carmel Valley Neighborhood 10 project site will be included in a future MSCP preserve design will ultimately be decided by the City Council at a later date.

Significant Unmitigated Impacts

Development of the project site in accordance with the proposed Precise Plan would result in significant unmitigated impacts to biological resources, landform alteration, visual quality, land use and cultural resources. In addition, project implementation would result in cumulative impacts to transportation/traffic, air quality, landform alteration/visual quality, water quality and biology.

The project would result in significant impacts to biology due to the direct loss of 55.3 acres of Diegan coastal sage scrub, 13.0 acres of southern maritime chaparral, 9.6 acres of southern mixed chaparral and 0.2 acre of southern willow scrub. The project would also result in the direct loss of one California gnatcatcher pair. In addition, the loss of Diegan coastal sage scrub, southern maritime chaparral and southern mixed chaparral communities would significantly affect Bell's sage sparrow, San Diego horned lizard, orange-throated whiptail and California gnatcatcher. The proposed extension of Carmel Mountain Road would cross two wildlife corridors which would result in a direct impact on wildlife movement. Significant cumulative impacts to southern maritime chaparral (due to its very limited availability) and non-native grassland (due to loss of raptor foraging area) would also occur. Implementation of the Precise Plan as proposed would also result in significant direct and cumulative impacts to landform alteration/visual quality. Approximately 394.3 acres (49 percent) of the 806-acre Precise Plan area is proposed to be graded; there would be 41 slopes 20 feet or higher,

18 slopes 50 feet or higher and six slopes proposed to be 100 feet or higher. Approximately 94.1 acres of hillsides steeper than 25 percent would be affected, with fill proposed for upper portions of tributary canyons. The project would contribute to the cumulative topographic alteration of the area due to implementation of other precise plans within the Carmel Valley community and the construction of SR 56 Freeway.

The project would encroach into 5.4 acres (12 percent) of steep slopes located within the Hillside Review (HR) Overlay Zone within the Coastal Zone-portion of the site, where a maximum encroachment of 4.5 acres (10 percent) is permitted. This is considered to be a significant land use impact (inconsistency with adopted Hillside Development Regulations). Finally, the project as proposed would result in a significant unmitigated impact to cultural resources. Approximately 25 acres of the site was not tested for significance. Approval of the Precise Plan for these non-surveyed areas prior to a full survey and assessment being conducted may preclude preservation of a California Environmental Quality Act (CEQA) or RPO- significant site.

The project would contribute to cumulative impacts associated with transportation/traffic and air quality, due to the non-attainment status of the San Diego Air Basin attributable to regional growth. The project together with other projects in the area would contribute cumulatively to the degradation of the water quality of Los Peñasquitos lagoon.

RECOMMENDED MITIGATION OR ALTERNATIVES FOR SIGNIFICANT UNMITIGATED IMPACTS:

Alternatives that would avoid and/or reduce significant direct and cumulative impacts are the No Project alternative, One Dwelling Unit per 10 Acres alternative and Reduced Development Area alternative.

No Project Alternative

The No Project alternative would retain the site in its present condition thereby completely avoiding all significant direct impacts and avoiding contributions to the identified cumulative impacts.

One Dwelling Unit Per 10 Acres Alternative

The One Dwelling Unit per 10 Acres alternative would allow a development density of one unit per 10 acres in accordance with the existing A-1-10 (rural residential-agricultural) Zone. Under this alternative, a maximum of 80 dwelling units could be accommodated within the 806-acre Precise Plan area. Impacts to biological resources, land use and cultural resources could be avoided or substantially reduced through clustering of the units on the least sensitive areas. Impacts to landform alteration/visual quality caused by the extent of manufactured slopes could also be reduced but not fully mitigated, because high slopes associated with proposed circulation element roads would still remain.

Reduced Development Area Alternative

The Reduced Development Area alternative would also reduce the amount of mass grading but not to below a significant level. However, implementation of this alternative would reduce the excessive encroachment in steep slopes in the coastal zone to mitigate the identified land use impact. This alternative would also incorporate the recommended mitigation measures to provide two bridge crossings on Carmel Country Road, to fully mitigate the impact to wildlife movement. Finally, this alternative would entail the surveying and testing of the remaining 25 acres of land within the Precise Plan area which has not yet been assessed.

Unless mitigation measures or project alternatives are adopted, project approval will require the decision-maker to make Findings, substantiated in the record, which state that: a) individual mitigation measures or project alternatives are infeasible, and b) the overall project is acceptable despite significant impacts because of specific overriding considerations.

MITIGATION, MONITORING AND REPORTING PROGRAM INCORPORATED INTO THE PROJECT:

Implementation of the Mitigation, Monitoring and Reporting Program would reduce the following significant direct impacts to below a level of significance: hydrology/water quality/geology/soils, noise quality, paleontology, and public services. The issue area of public safety related to overhead transmission lines was discussed; however, no conclusion was reached; therefore no mitigation is required. All mitigation measures contained in the EIR shall be made conditions of the accompanying VTM's where appropriate, and shall provide the basis for mitigation measure to be incorporated into future VTM's and Tentative Maps:

Transportation/Traffic

In order to reduce significant direct impacts associated with transportation and traffic, the following mitigation measures must be implemented to the satisfaction of the City Engineer. Implementation of the required measures on a fair-share basis shall be a condition of the subsequent TM's or VTM's:

1. Provide a traffic signal at the intersections of Carmel Mountain Road and Carmel Country Road; Carmel Country Road and the commercial access street; Carmel Mountain Road and the school's access street; and Carmel Mountain Road and street "A".
2. For Carmel Mountain Road, construct as a four-lane major from the western project boundary to street "A;" construct as a four-lane collector from street "A" to Carmel Country Road; and construct as a two-lane collector from Carmel Country Road to the eastern project boundary.
3. For Carmel Country Road, construct as a four-lane collector from Carmel Mountain Road to the commercial center access street providing a left

turn lane at the access location; and construct as a two-lane collector from the commercial center access street to Shaw Ridge Road.

4. For street "A," construct as a two-lane collector from Carmel Mountain Road to the northern project boundary.

The Park View East and West VTM's shall contribute to, on a fair-share basis, the improvements required to accommodate these developments, including the "special mitigation treatment" as identified in Table 8 of the EIR, if warranted. For a detailed discussion, please refer to pages 79-96 of the EIR.

Air Quality

Direct impacts to air quality would be mitigated to below a level of significance by the incorporation of appropriate tactics listed in the State Implementation Plan. Examples include the provision of sidewalks along all major and local streets to facilitate pedestrian movement and bicycle lanes and allow the incorporation of bus stops as needed by the Metropolitan Transit Development Board. Please see pages 97-105 of the EIR.

Landform Alteration/Visual Quality

Impacts to sensitive slopes would be reduced by means of contour grading, including the rounding and undulation of manufactured slopes; and the planting of exposed portions of fill areas with hydroseed mix containing native species within three months of completion of any proposed grading associated with VTM's or Tentative Maps. For a detailed discussion, please refer to pages 106-164 of the EIR.

Hydrology/Water Quality

Implementation of the proposed runoff control and drainage plan and compliance with the Best Management Practices program for storm water pollution control would mitigate direct impacts. Please refer to pages 165-182 of the EIR.

Geology/Soils and Erosion

Geotechnical investigations shall be required of the Precise Plan is implemented through the Tentative Map and VTM process. Individual projects would incorporate recommendations as outlined in the geotechnical investigations, including those addressing potential landslide hazards and surficial slope in stability. Please see pages 183-197 of the EIR.

Noise

Subsequent review of appropriate mitigation measures will be required for approval of future Tentative Maps and VTM's to address impacts due to future exterior noise levels in excess of City standards. Mitigation may take the form of setbacks or noise barriers such as berms, masonry walls or other suitable material. Subsequent environmental review of Tentative Maps and

VTM's identified as having potential for exposure to excessive noise levels shall include preparation of detailed acoustical analyses with appropriate recommendations for mitigation. Please refer to pages 198-210 of the EIR.

Cultural Resources

Direct impacts to cultural resources would be reduced by implementation of a required monitoring program as outlined on pages 211-220 of the EIR.

Paleontology

A detailed monitoring plan has been prepared to mitigate impacts to paleontological resources to below a significant level. Please see pages 221-226 of the EIR.

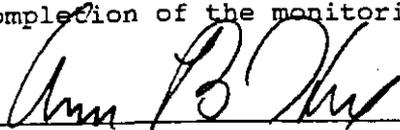
Biology

To reduce direct biological impacts, the project proposes partial mitigation by implementing open space preservation and restoration, including such measures as limiting the extent of lateral gravity sewer lines and implementation of a detailed revegetation and habitat restoration program. Please see pages 227-279 of the EIR.

Public Services

Participation in the established Mello-Roos district would mitigate the Precise Plan's short term direct and cumulative impact on educational services to a level less than significant. Please see pages 280-294 and Page 305 of the EIR.

The above mitigation monitoring and reporting program will require additional fees and/or deposits to be collected prior to the issuance of building permits, certificates of occupancy and/or final maps to ensure the successful completion of the monitoring program.



Ann B. Hix, Principal Planner
City Planning Department

October 12, 1993

Date of Draft Report

May 11, 1994

Date of Final Report

Analyst: McHenry

PUBLIC REVIEW:

The following individuals, organizations, and agencies received a copy or notice of the draft EIR and were invited to comment on its accuracy and sufficiency:

Federal Agencies

U.S. Army Corps of Engineers
U.S. fish and Wildlife Service
NAS Miramar

State of California Agencies

State Clearinghouse
California Department of Fish and Game, District 5
CALTRANS-District 11
Coastal Commission, San Diego District
Native Americans Heritage Commission
Parks and Recreation, Southern Regional Office
Regional Water Quality Control Board
Resources Agency
UCSD Library

SANDAG

San Diego County Department of Land Use
Air Pollution Control District
Metropolitan Transit Development Board
San Diego Transit
San Dieguito Union High School District
Del Mar Union School District
Sierra Club
Citizens Coordinate for Century III
City of Del Mar
City of Solana Beach
Rancho Santa Fe Association
22nd District Agricultural Association
San Diego Biodiversity Project
California Native Plant Society
San Diego Audubon Society
San Diego County Archaeological Society, Inc.
South Coastal Information Center - SDSU
San Diego Museum of Man
Historical Site Board
Carmel Valley Community Planning Board
Carmel Valley Trail Riders Coalition
Shaw Ridge Homeowners Association
Arroyo Sorrento Neighborhood Association
Arroyo Sorrento Property Owners
Ad Hoc Regional Issues Committee for Del Mar
Carmel Valley Branch Library
Los Peñasquitos Canyon/Citizens Advisory Committee
Los Peñasquitos Lagoon Foundation
Friends of Los Peñasquitos Canyon Preserve

Friends of the San Dieguito River Valley
Brian Biamonte
The Baldwin Company (JoAnn Shannon)
Pardee Construction (Mike Madigan)
Opal Trueblood
All property owners within the Precise Plan area
City of San Diego
 Planning Department
 Engineering and Development Department
 Fire Department
 Park and Recreation Department
 Noise Abatement and Control office
 Police Department
 Water Utilities Department
 Councilmember Wolfsheimer, District 1
 Mayor's Office

Copies of the draft EIR, the Mitigation Monitoring and Reporting Program and any technical appendices may be reviewed in the office of the Development and Environmental Planning Division, or purchased for the cost of reproduction.

RESULTS OF PUBLIC REVIEW:

- () No comments were received during the public input period.
- () Comments were received but the comments do not address the accuracy or completeness of the environmental report. No response is necessary and the letters are attached at the end of the EIR.
- (X) Comments addressing the accuracy or completeness of the EIR were received during the public input period. The letters and responses follow.

LETTERS OF COMMENT AND RESPONSES

Letters of comment to the draft EIR were received from the following agencies, groups, and individuals. The letters of comment and responses follow.

<i>Letter from:</i>	<i>Page</i>
Letter from Sierra Club	PR-1
Letter from California Department of Fish and Game	PR-22
Letter from Carmel Valley Community Planning Board (Section II, EIR Comments, pp. 6-15)	PR-27
Letter from T&B Planning Consultants	PR-47
Letter from Project Design Consultants	PR-63
Letter from Lillian Barnes-Justice	PR-68
Letter from Leastar Corporation	PR-77
Letter from Peterson & Price, December 2, 1993 (4195.001)	PR-79
Letter from Peterson & Price, December 7, 1993 (3527.02)	PR-82
Letter from Peterson & Price, December 7, 1993 (4123.01)	PR-85
Letter from Sandler & Rosen	PR-88
Letter from San Diego Biodiversity Project	PR-90
Letter from California Department of Parks and Recreation	PR-93
Letter from Friends of Los Peñasquitos Canyon Preserve	PR-99
Letter from Del Mar Union School District	PR-101
Letter from John Northrop, Ph.D.	PR-103
Letter from Patrick S. Gibbons	PR-112
Letter from Christauria Welland	PR-113
Letter from Department of the Army	PR-115
Letter from San Diego County Archaeological Society, Inc.	PR-117
Memorandum from City of San Diego, Long Range and Facilities Planning	PR-118
Memorandum from City of San Diego, Water Utilities Department	PR-120
Memorandum from City of San Diego, Park and Recreation Director	PR-122

In response to the various comments received during the public review period, the draft EIR has been revised in response to the letters of comments. The changes to the text are indicated by strike-out (deleted) and underline (inserted) markings.