

PLANNING COMMISSION RESOLUTION NO. XXXX
PLANNED DEVELOPMENT PERMIT NO. 528248
SITE DEVELOPMENT PERMIT NO. 527391
NEIGHBORHOOD USE PERMIT NO. 528249

ARROYO VERDE – PROJECT NO. 149627- [MMRP]
DRAFT

WHEREAS, EARL AND PEGGY MAAS, Owners/Permittees, filed an application with the City of San Diego for a Planned Development Permit, Site Development Permit and a Neighborhood Use Permit for a two lot subdivision for the future construction of two single-family residential estates homes, guest quarters and the restoration of unpermitted graded portions of the site (as described in and by reference to the approved Exhibits "A", and corresponding conditions of approval) for the associated Planned Development Permit No. 528248, Site Development Permit No. 527391, and Neighborhood Use Permit No. 528249 pursuant to San Diego Municipal Code [SDMC] sections 126.0601, 126.0201 and 143.0110;

WHEREAS, the project site is located at 6739 Rancho Toyon Place in the AR-1-1 and AR-1-2 Zones and the Airport Influence Area (MCAS-Miramar), within the Del Mar Mesa Specific Plan, Subarea V;

WHEREAS, the project site (APN 308-180-22) is legally described as the easterly 400 feet of the southerly 495 feet of the southeast quarter of the northwest quarter of Section 22, Township 14 South, Range 3 West, according to United States Government Survey;

WHEREAS, on June 17, 2010, the Planning Commission of the City of San Diego considered Planned Development Permit No. 528248, Site Development Permit No. 527391, and Neighborhood Use Permit No. 528249 pursuant to the Land Development Code of the City of San Diego;

BE IT RESOLVED by the Planning Commission of the City of San Diego as follows:

That the Planning Commission adopts the following written Findings, dated June 17, 2010.

Planned Development Permit - Section 126.0604

1. The proposed development will not adversely affect the applicable land use plan.

The proposed project is a two lot subdivision for the future construction of two single-family residential estates homes, guest quarters and the restoration of unpermitted graded portions of the site located at 6739 Rancho Toyon Place. The site is an undeveloped lot located south of Rancho Toyon Place, at the end of Duck Pond Lane, within the Del Mar Mesa Specific Plan, Subarea V. The Del Mar Mesa Specific Plan (DMMSPP) designates this site as Estate Residential (one dwelling unit per acre). The project would implement the goals of the Plan by providing estate residential development that is compatible with the surrounding estate residential uses and consistent with the Plan's community design standards. The project is consistent in character, density, scale and intensity with the established residential development of adjacent projects. Therefore, 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 project is a two lot subdivision for the future construction of two single-family residential estates homes, guest quarters and the restoration of unpermitted graded portions of the site located at 6739 Rancho Toyon Place. The City of San Diego conducted an Initial Study to determine whether the proposed project would cause any new significant impacts that were not examined in the Master Environmental Impact Report (MEIR). The proposed project is within the scope of the MEIR and the implementation will not result in any additional impacts beyond those identified in the MEIR. All applicable mitigation measures set forth in the MEIR have been incorporated into the proposed project through a project-specific Mitigation, Monitoring and Reporting Program (MMRP). The proposed project includes mitigation measures to offset potential impacts to the environment in the area of Biological Resources, Paleontological Resources, and Land Use/Multiple Species Habitat Conservation Program (MSCP). Implementation of the Mitigation, Monitoring and Reporting Program would reduce potential impacts to below a level of significance.

All Uniform Building, Fire, Plumbing, Electrical, Mechanical Code and City regulations governing the construction and continued operation of the development apply to this project to prevent adverse affects to those persons or properties in the vicinity of the project. The project will not therefore be detrimental to the public health, safety and welfare.

3. The proposed development will comply with the regulations of the Land Development Code.

The proposed project is a two lot subdivision for the future construction of two single-family residential estates homes, guest quarters and the restoration of unpermitted graded portions of the site located at 6739 Rancho Toyon Place. The project proposes deviations as allowed through a Planned Development Permit (PDP) per section 126.0602(b).

The first deviation is to allow 0 feet of street frontage where 100 feet is the minimum required per the San Diego Municipal Code (SDMC) for Lot 1 and where 200 feet in the minimum required for Lot 2. Both access points to each lot off Rancho Toyon Place and Duck Pond Lane are private streets. Private roads do not qualify as "street" frontage as defined by the SDMC. Therefore, a deviation is required for the proposed lots to take access through access agreements already recorded on the site. One of the goals of the DMMSP is to preserve the rural character of Del Mar Mesa while accommodating clustered development and the preservation of open space. The street frontage deviation can be supported because the design for the lots supports the DMMSP community design guidelines and characteristics of a rural community.

The second deviation is to allow a lot coverage of 30 percent for two-story structures, and 40 percent for one-story structures for Lot 1 (within the AR-1-2 Zone), where a maximum of 20 percent lot coverage is required. Lot 2 is not requesting this deviation as it is within the AR-1-1 Zone and the requirement is the same as the requested deviation. The Specific Plan states that a PDP is an appropriate means when requesting deviations provided it does not negatively impact the rural character of the community.

When considering the project as a whole these deviations are minor in scope and the proposed modifications provide for a more attractive design than would be achieved through the strict application of the development regulations.

4. The proposed development, when considered as a whole, will be beneficial to the community.

The proposed project is a two lot subdivision for the future construction of two single-family residential estates homes, guest quarters and the restoration of unpermitted graded portions of the site located at 6739 Rancho Toyon Place. The project will contribute to the region's housing supply by providing two residential parcels available as custom home sites and will pay all applicable public facilities financing and school fees. The development will also pay an in-lieu affordable housing fee for the production of affordable housing units as specified in the Plan. The project will also restore unpermitted grading for portions of the site. Therefore, the development when considered as a whole will be beneficial to the community.

5. Any proposed deviations pursuant to Section 126.0602(b)(1) are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone.

The proposed project is a two lot subdivision for the future construction of two single-family residential estates homes, guest quarters and the restoration of unpermitted graded portions of the site located at 6739 Rancho Toyon Place. The project proposes deviations as allowed through a Planned Development Permit (PDP) per section 126.0602(b).

The first deviation is to allow 0 feet of street frontage where 100 feet is the minimum required per the San Diego Municipal Code (SDMC) for Lot 1 and where 200 feet is the minimum required for Lot 2. Both access points to each lot off Rancho Toyon Place and Duck Pond Lane are private streets. Private roads do not qualify as "street" frontage as defined by the SDMC. Therefore, a deviation is required for the proposed lots to take access through access agreements already recorded on the site. One of the goals of the DMMSPP is to preserve the rural character of Del Mar Mesa while accommodating clustered development and the preservation of open space. The street frontage deviation can be supported because the design for the lots supports the DMMSPP community design guidelines and characteristics of a rural community.

The second deviation is to allow a lot coverage of 30 percent for two-story structures, and 40 percent for one-story structures for Lot 1 (within the AR-1-2 Zone), where a maximum of 20 percent lot coverage is required. Lot 2 is not requesting this deviation as it is within the AR-1-1 Zone and the requirement is the same as the requested deviation. The Specific Plan states that a PDP is an appropriate means when requesting deviations provided it does not negatively impact the rural character of the community.

When considering the project as a whole these deviations are minor in scope and the proposed modifications provide for a more attractive design than would be achieved through the strict application of the development regulations. Therefore the deviations are appropriate at this location and will result in a more desirable project based on the enhancements and positively impacting the rural character of the community.

Site Development Permit - Section 126.0504**1. The proposed development will not adversely affect the applicable land use plan.**

The proposed project is a two lot subdivision for the future construction of two single-family residential estates homes, guest quarters and the restoration of unpermitted graded portions of the site located at 6739 Rancho Toyon Place. The site is an undeveloped lot located south of Rancho Toyon Place, at the end of Duck Pond Lane, within the Del Mar Mesa Specific Plan, Subarea V. The Del Mar Mesa Specific Plan (DMMSP) designates this site as Estate Residential (one dwelling unit per acre). The project would implement the goals of the Plan by providing estate residential development that is compatible with the surrounding estate residential uses and consistent with the Plan's community design standards. The project is consistent in character, density, scale and intensity with the established residential development of adjacent projects. Therefore, 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 project is a two lot subdivision for the future construction of two single-family residential estates homes, guest quarters and the restoration of unpermitted graded portions of the site located at 6739 Rancho Toyon Place. The City of San Diego conducted an Initial Study to determine whether the Del Mar Mesa Estates Project would cause any new significant impacts that were not examined in the MEIR. The proposed project is within the scope of the MEIR and the implementation will not result in any additional impacts beyond those identified in the MEIR. All applicable mitigation measures set forth in the MEIR have been incorporated into the proposed project through a project-specific Mitigation, Monitoring and Reporting Program (MMRP). The proposed project includes mitigation measures to offset potential impacts to the environment in the area of Biological Resources, Paleontological Resources, and Land Use/Multiple Species Habitat Conservation Program (MSCP). Implementation of the Mitigation, Monitoring and Reporting Program would reduce potential impacts to below a level of significance.

All Uniform Building, Fire, Plumbing, Electrical, Mechanical Code and City regulations governing the construction and continued operation of the development apply to this project to prevent adverse affects to those persons or properties in the vicinity of the project. The project will not therefore 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 project is a two lot subdivision for the future construction of two single-family residential estates homes, guest quarters and the restoration of unpermitted graded portions of the site located at 6739 Rancho Toyon Place. The project proposes deviations as allowed through a Planned Development Permit (PDP) per section 126.0602(b).

The first deviation is to allow 0 feet of street frontage where 100 feet is the minimum required per the San Diego Municipal Code (SDMC) for Lot 1 and where 200 feet in the minimum required for Lot 2. Both access points to each lot off Rancho Toyon Place and Duck Pond Lane are

private streets. Private roads do not qualify as “street” frontage as defined by the SDMC. Therefore, a deviation is required for the proposed lots to take access through access agreements already recorded on the site. One of the goals of the DMMSP is to preserve the rural character of Del Mar Mesa while accommodating clustered development and the preservation of open space. The street frontage deviation can be supported because the design for the lots supports the DMMSP community design guidelines and characteristics of a rural community.

The second deviation is to allow a lot coverage of 30 percent for two-story structures, and 40 percent for one-story structures for Lot 1 (within the AR-1-2 Zone), where a maximum of 20 percent lot coverage is required. Lot 2 is not requesting this deviation as it is within the AR-1-1 Zone and the requirement is the same as the requested deviation. The Specific Plan states that a PDP is an appropriate means when requesting deviations provided it does not negatively impact the rural character of the community.

When considering the project as a whole these deviations are minor in scope and the proposed modifications provide for a more attractive design than would be achieved through the strict application of the development regulations.

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 proposed project is a two lot subdivision for the future construction of two single-family residential estates homes, guest quarters and the restoration of unpermitted graded portions of the site located at 6739 Rancho Toyon Place.

The proposed grading plan establishes vertical separation between some lots following the sloping landform of the site. The proposed fill slopes would be contoured to mimic and replicate the natural landform. Slope ratios would be a 2:1 vertical ratio to create a rounded edge and more gradual transition with natural landforms. These slopes would also be landscaped with native and compatible non-native plant species to blend the manufactured and natural slopes. The site plan establishes a buffer between developable portions of the residential lots to reduce the visual effects of the development, contributing to the preservation of the rural character of the community as envisioned by the Specific Plan. The unpermitted grading resulted in impacts to 0.41-acres of sensitive biological resources within the MHPA. The City of San Diego conducted an Initial Study to determine whether the Del Mar Mesa Estates Project would cause any new significant impacts that were not examined in the MEIR. The proposed project is within the scope of the MEIR and the implementation will not result in any additional impacts beyond those identified in the MEIR. All applicable mitigation measures set forth in the MEIR have been incorporated into the proposed project through a project-specific Mitigation, Monitoring and Reporting Program (MMRP) and will be implemented to reduce, to below a level of significance, any potential impacts identified in the environmental review process. The impacted areas are to be restored as part of the MMRP and will be revegetated with native plant species which includes a 5-year maintenance program consistent with the City of San Diego’s Biological Guidelines. This action would ensure the restoration of the sensitive biological areas that were impacted; therefore the project is sited and designed to result in the minimum disturbance to environmentally sensitive lands.

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 project is a two lot subdivision for the future construction of two single-family residential estates homes, guest quarters and the restoration of unpermitted graded portions of the site located at 6739 Rancho Toyon Place. The project would not result in any impacts beyond those disclosed in the Master Environmental Impact Report. The project has been found to be consistent with the Del Mar Mesa Specific Plan Master Environmental Impact Report and additional project specific mitigation is required. There were not impacts identified to the area of geology and proper engineering design of the proposed structures will be verified at the building permit stage by City Geology staff and the City Engineer. This would ensure that the potential for geologic impacts from regional hazards is minimal. The project adheres to all requirements in regards to erosion control and brush management. Therefore, the propose 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.

3. **The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.**

The proposed project is a two lot subdivision for the future construction of two single-family residential estates homes, guest quarters and the restoration of unpermitted graded portions of the site located at 6739 Rancho Toyon Place.

The proposed grading plan establishes vertical separation between lots following the sloping landform of the site. The proposed fill slopes would be contoured to mimic and replicate the natural landform. Slope ratios would be a 2:1 vertical ratio to create a rounded edge and more gradual transition with natural landforms. These slopes would also be landscaped with native and compatible non-native plant species to blend the manufactured and natural slopes. The site plan establishes a buffer between developable portions of the residential lots to reduce the visual effects of the development, contributing to the preservation of the rural character of the community as envisioned by the Specific Plan. The unpermitted grading resulted in impacts to 0.41-acres of sensitive biological resources within the MHPA. The City of San Diego conducted an Initial Study to determine whether the Del Mar Mesa Estates Project would cause any new significant impacts that were not examined in the MEIR. The proposed project is within the scope of the MEIR and the implementation will not result in any additional impacts beyond those identified in the MEIR. All applicable mitigation measures set forth in the MEIR have been incorporated into the proposed project through a project-specific Mitigation, Monitoring and Reporting Program (MMRP) and will be implemented to reduce, to below a level of significance, any potential impacts identified in the environmental review process. The impacted areas are to be restored as part of the MMRP and will be revegetated with native plant species which includes a 5-year maintenance program consistent with the City of San Diego's Biological Guidelines. This action would ensure the restoration of the sensitive biological areas that were impacted; therefore the project is sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.

4. **The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan.**

The proposed project is a two lot subdivision for the future construction of two single-family residential estates homes, guest quarters and the restoration of unpermitted graded portions of the site located at 6739 Rancho Toyon Place.

The violation included the unauthorized grading to Environmentally Sensitive Lands and encroachment into a natural drainage channel as well as a portion of the City of San Diego's MHPA. A portion of the drainage channel has been dammed with fill material to create a road (to connect the two sites) and a 24-inch corrugated plastic pipe has been installed under the road. The unpermitted grading resulted in impacts to 0.41-acres of sensitive biological resources within the MHPA. The City of San Diego conducted an Initial Study to determine whether the Del Mar Mesa Estates Project would cause any new significant impacts that were not examined in the MEIR. The proposed project is within the scope of the MEIR and the implementation will not result in any additional impacts beyond those identified in the MEIR. All applicable mitigation measures set forth in the MEIR have been incorporated into the proposed project through a project-specific Mitigation, Monitoring and Reporting Program (MMRP) and will be implemented to reduce, to below a level of significance, any potential impacts identified in the environmental review process. The impacted areas are to be restored as part of the MMRP and will be revegetated with native plant species which includes a 5-year maintenance program consistent with the City of San Diego's Biological Guidelines. The project also includes Land Use Adjacency Guidelines for the Multiple Habitat Planning Area. Therefore the proposed project will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) 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 a two lot subdivision for the future construction of two single-family residential estates homes, guest quarters and the restoration of unpermitted graded portions of the site located at 6739 Rancho Toyon Place. The Del Mar Mesa Estates project is located more than five miles east of the Pacific Ocean's beaches and local shoreline. Development of the site includes erosion control measures, a storm water management plan, and the adoption of best management practices as required by conditions of the permit. Therefore the proposed development will not contribute to erosion of public beaches or adversely impact shoreline sand supply.

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.

The proposed project is a two lot subdivision for the future construction of two single-family residential estates homes, guest quarters and the restoration of unpermitted graded portions of the site located at 6739 Rancho Toyon Place.

The Del Mar Mesa Specific Plan (DMMSP) and accompanying (Subarea V) Master Environmental Impact Report (MEIR) No. 95-0353 was prepared by the City of San Diego, as Lead Agency under the California Environmental Quality Act, and finalized on June 6, 1996. On July 30, 1996, the San Diego City Council adopted the Specific Plan for Del Mar Mesa and

certified the (Subarea V) MEIR. The DMMSP (Subarea V) MEIR analyzed the impacts that would potentially result from the development described in the Specific Plan.

The City of San Diego conducted an Initial Study to determine whether the Del Mar Mesa Estates Project would cause any new significant impacts that were not examined in the MEIR. The proposed project is within the scope of the MEIR and the implementation will not result in any additional impacts beyond those identified in the MEIR. All applicable mitigation measures set forth in the MEIR have been incorporated into the proposed project through a project-specific Mitigation, Monitoring and Reporting Program (MMRP) and will be implemented to reduce, to below a level of significance, any potential impacts identified in the environmental review process. The impacted areas are to be restored as part of the MMRP and will be revegetated with native plant species which includes a 5-year maintenance program consistent with the City of San Diego's Biological Guidelines. Therefore 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.

Neighborhood Use Permit - Section 126.0205

1. The proposed development will not adversely affect the applicable land use plan.

The proposed project is a two lot subdivision for the future construction of two single-family residential estates homes, guest quarters and the restoration of unpermitted graded portions of the site located at 6739 Rancho Toyon Place. The site is an undeveloped lot located south of Rancho Toyon Place, at the end of Duck Pond Lane, within the Del Mar Mesa Specific Plan, Subarea V. The Del Mar Mesa Specific Plan (DMMSP) designates this site as Estate Residential (one dwelling unit per acre). The project would implement the goals of the Plan by providing estate residential development that is compatible with the surrounding estate residential uses and consistent with the Plan's community design standards. The project is consistent in character, density, scale and intensity with the established residential development of adjacent projects. Therefore, 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 project is a two lot subdivision for the future construction of two single-family residential estates homes, guest quarters and the restoration of unpermitted graded portions of the site located at 6739 Rancho Toyon Place. The City of San Diego conducted an Initial Study to determine whether the Del Mar Mesa Estates Project would cause any new significant impacts that were not examined in the MEIR. The proposed project is within the scope of the MEIR and the implementation will not result in any additional impacts beyond those identified in the MEIR. All applicable mitigation measures set forth in the MEIR have been incorporated into the proposed project through a project-specific Mitigation, Monitoring and Reporting Program (MMRP). The proposed project includes mitigation measures to offset potential impacts to the environment in the area of Biological Resources, Paleontological Resources, and Land Use/Multiple Species Habitat Conservation Program (MSCP). Implementation of the Mitigation, Monitoring and Reporting Program would reduce potential impacts to below a level of significance.

All Uniform Building, Fire, Plumbing, Electrical, Mechanical Code and City regulations

governing the construction and continued operation of the development apply to this project to prevent adverse affects to those persons or properties in the vicinity of the project. The project will not therefore 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 project is a two lot subdivision for the future construction of two single-family residential estates homes, guest quarters and the restoration of unpermitted graded portions of the site located at 6739 Rancho Toyon Place. The project proposes deviations as allowed through a Planned Development Permit (PDP) per section 126.0602(b).

The first deviation is to allow 0 feet of street frontage where 100 feet is the minimum required per the San Diego Municipal Code (SDMC) for Lot 1 and where 200 feet in the minimum required for Lot 2. Both access points to each lot off Rancho Toyon Place and Duck Pond Lane are private streets. Private roads do not qualify as "street" frontage as defined by the SDMC. Therefore, a deviation is required for the proposed lots to take access through access agreements already recorded on the site. One of the goals of the DMMSPP is to preserve the rural character of Del Mar Mesa while accommodating clustered development and the preservation of open space. The street frontage deviation can be supported because the design for the lots supports the DMMSPP community design guidelines and characteristics of a rural community.

The second deviation is to allow a lot coverage of 30 percent for two-story structures, and 40 percent for one-story structures for Lot 1 (within the AR-1-2 Zone), where a maximum of 20 percent lot coverage is required. Lot 2 is not requesting this deviation as it is within the AR-1-1 Zone and the requirement is the same as the requested deviation. The Specific Plan states that a PDP is an appropriate means when requesting deviations provided it does not negatively impact the rural character of the community.

When considering the project as a whole these deviations are minor in scope and the proposed modifications provide for a more attractive design than would be achieved through the strict application of the development regulations.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Planned Development Permit No. 528248, Site Development Permit No. 527391, and Neighborhood Use Permit No. 528249, a copy of which is attached hereto and made a part hereof.

Renee Mezo
Development Project Manager
Development Services

Adopted on: June 17, 2010

Internal Order Number 23430282

RESOLUTION NUMBER R-_____

ADOPTED ON July 8, 2010
DRAFT

WHEREAS, on May 7, 2008, Earl Mass submitted an application to the Development Services Department for a Vesting Tentative Map, Site Development Permit, Planned Development Permit, and Neighborhood Use Permit

WHEREAS, the permit was set for a public hearing to be conducted by the Planning Commission of the City of San Diego; and

WHEREAS, the issue was heard by the Planning Commission on July 8, 2010; and

WHEREAS, the Planning Commission of the City of San Diego considered the issues discussed in Findings to Master Environmental Impact Report No. 95-0353 (Project No. 149627) NOW THEREFORE,

BE IT RESOLVED, by the Planning Commission of the City of San Diego, that it is hereby certified that Findings to Findings to Master Environmental Impact Report No. 95-0353 (Project No. 149627) has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code Section 21000 et seq.) as amended, and the State guidelines thereto (California Administration Code Section 15000 et seq.), that the report reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said report, together with any comments received during the public review process, has been reviewed and considered by the Planning Commission; directing staff to file a Notice of Determination.

BE IT FURTHER RESOLVED that the Planning Commission finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore, that said Findings to Master Environmental Impact Report No. 95-0353 (Project No. 149627), a copy of which is attached hereto and incorporated by reference, is hereby approved.

BE IT FURTHER RESOLVED that pursuant to California Public Resources Code, Section 21081.6, the Planning Commission hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment, a copy of which is attached hereto and incorporated herein by reference.

By: _____
Renee Mezo, Development Project Manager

ATTACHMENT: Exhibit A, Mitigation Monitoring and Reporting Program

EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM

PERMIT TYPE**PROJECT NO. 149627**

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Entitlements Division, 1222 First Avenue, Fifth Floor, San Diego, CA 92101. All mitigation measures contained in the Findings to Master Environmental Impact Report No. 95-0353 (Project No. 149627) shall be made conditions of Vesting Tentative Map, Site Development Permit, Planned Development Permit, and Neighborhood Use Permit, as may be further described below.

A. GENERAL REQUIREMENTS – PART I Plan Check Phase (prior to permit issuance)

1. Prior to the issuance of a Notice To Proceed (NTP) for a subdivision, or any construction permits, such as Demolition, Grading or Building, or beginning any construction related activity on-site, the Development Services Department (DSD) Director's Environmental Designee (ED) shall review and approve all Construction Documents (CD), (plans, specification, details, etc.) to ensure the MMRP requirements are incorporated into the design.
2. In addition, the ED shall verify that the MMRP Conditions/Notes that apply ONLY to the construction phases of this project are included VERBATIM, under the heading, **“ENVIRONMENTAL/MITIGATION REQUIREMENTS.”**
3. These notes must be shown within the first three (3) sheets of the construction documents in the format specified for engineering construction document templates as shown on the City website:

<http://www.sandiego.gov/development-services/industry/standtemp.shtml>
4. The **TITLE INDEX SHEET** must also show on which pages the “Environmental/Mitigation Requirements” notes are provided.
5. **SURETY AND COST RECOVERY** – The Development Services Director or City Manager may require appropriate surety instruments or bonds from private Permit Holders to ensure the long term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

B. GENERAL REQUIREMENTS – PART II Post Plan Check (After permit issuance/Prior to start of construction)

1. **PRE CONSTRUCTION MEETING IS REQUIRED TEN (10) WORKING DAYS PRIOR TO BEGINNING ANY WORK ON THIS PROJECT.** The PERMIT HOLDER/OWNER is responsible to arrange and perform this meeting by contacting the CITY RESIDENT ENGINEER (RE) of the Field Engineering Division and City staff from MITIGATION MONITORING COORDINATION (MMC). Attendees must also include the Permit holder's Representative(s), Job Site Superintendent and the following consultants:

**Qualified biological monitor
Qualified paleontological monitor**

Note: Failure of all responsible Permit Holder's representatives and consultants to attend shall require an additional meeting with all parties present.

CONTACT INFORMATION:

- a) The PRIMARY POINT OF CONTACT is the RE at the **Field Engineering Division – 858-627-3200**
- b) For Clarification of ENVIRONMENTAL REQUIREMENTS, applicant t is also required to call **RE and MMC at 858-627-3360**
2. **MMRP COMPLIANCE:** This Project, Project Tracking System (PTS) Number 149627 and/or Environmental Document Number 149627, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD's Environmental Designee (MMC) and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e. to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc).

Note: Permit Holder's Representatives must alert RE and MMC if there are any discrepancies in the plans or notes, or any changes due to field conditions. All conflicts must be approved by RE and MMC BEFORE the work is performed.

3. **OTHER AGENCY REQUIREMENTS:** Evidence of compliance with all other agency requirements or permits shall be submitted to the RE and MMC for review and acceptance prior to the beginning of work or within one week of the Permit Holder obtaining documentation of those permits or requirements. Evidence shall include copies of permits, letters of resolution or other documentation issued by the responsible agency.

Applicant is required to submit to CDFG for a 1600 determination. This permit may not be required as determined by CDFG

4. **MONITORING EXHIBITS**

All consultants are required to submit , to RE and MMC, a monitoring exhibit on a 11x17 reduction of the appropriate construction plan, such as site plan, grading, landscape, etc., marked to clearly show the specific areas including the **LIMIT OF WORK**, scope of that discipline’s work, and notes indicating when in the construction schedule that work will be performed. When necessary for clarification, a detailed methodology of how the work will be performed shall be included.

NOTE: Surety and Cost Recovery – When deemed necessary by the Development Services Director or City Manager, additional surety instruments or bonds from the private Permit Holder may be required to ensure the long term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

5. **OTHER SUBMITTALS AND INSPECTIONS:**

The Permit Holder/Owner’s representative shall submit all required documentation, verification letters, and requests for all associated inspections to the RE and MMC for approval per the following schedule:

Document Submittal/Inspection Checklist

| <i>Issue Area</i> | <i>Document submittal</i> | <i>Assoc Inspection/Approvals/Notes</i> |
|-------------------|---------------------------------------|---|
| General | Consultant Qualification Letters | Prior to Pre-construction Meeting |
| General | Consultant Const. Monitoring Exhibits | Prior to or at the Pre-Construction meeting |
| Biology | Biologist Limit of Work Verification | Limit of Work inspection |
| Paleontology | Paleontology Reports | Paleontology site observation |
| Biology | Biology Report | Biology/Habitat Restoration inspection |
| Bond Release | Request for Bond Release letter | Final MMRP inspections prior to Bond Release Letter |

C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS

LAND USE/MULTIPLE SPECIES CONSERVATION PLAN (MSCP)

Prior to the issuance of any construction permits, the ADD Environmental Designee shall verify that all Multi-Habitat Planning Area (MHPA) boundaries and limits of disturbance have been delineated on all construction documents:

- A. Prior to the first pre-construction meeting, the Owner/Permittee shall provide a letter of verification to the Mitigation Monitoring Coordination Section stating that a qualified Biologist, as defined in the City of San Diego Biological Review References, has been retained to implement the projects MSCP monitoring Program. The letter shall include the names and contact information of all persons involved in the Biological Monitoring of the project.

- B. At least thirty days prior to the pre-construction meeting, the qualified Biologist shall submit all required documentation to MMC, verifying that any special reports, maps, plans and time lines, such as but not limited to, revegetation plans, plant relocation requirements and timing, MSCP requirements, avian or other wildlife protocol surveys, impact avoidance areas or other such information has been completed and updated.
- C. The qualified biologist (project biologist) shall attend the first preconstruction meeting and discuss the projects biological monitoring program.
- D. In addition, the following mitigation measures related to the MHPA Land Use Adjacency Guidelines shall be implemented:
1. Prior to initiation of any construction-related grading, the construction foreman and/or project biologist shall discuss the sensitive nature of the adjacent habitat with the crew and subcontractor.
 2. The limits of grading shall be clearly delineated by a survey crew prior to brushing, clearing or grading. The limits of grading, as shown on approved Exhibit A, shall be defined with silt fencing or orange construction fencing and checked by the biological monitor before initiation of construction grading. All native plants or species of special concern, (i.e. western dichondria, San Diego barrel cactus, California adolphia, Nuttal's scrub oak, summer holly) as identified in the biological technical report, shall be staked, flagged with metal tags and avoided within Brush Management Zone 2.
 3. Invasive non-native plant species shall not be introduced into areas adjacent to the MHPA. Landscape plans shall contain non-invasive native species adjacent to sensitive biological areas as shown on approved Exhibit A.
 4. All lighting adjacent to the MHPA shall be shielded, unidirectional, low pressure sodium illumination (or similar) and directed away from preserve areas using appropriate placement and shields. If lighting adjacent to the MHPA is required for nighttime construction, it shall be directed away from the preserve and the tops of adjacent trees with potentially nesting raptors, using appropriate placement and shielding.
 5. All construction activities (including staging areas and/or storage areas) shall be restricted to the development area as shown on the approved Exhibit A. No equipment maintenance shall be conducted within or near the adjacent open space and/or sensitive areas and shall be restricted to the development area as shown on the approved Exhibit A and shall not encroach into sensitive biological areas within either the open-space and/or MHPA areas. 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.

6. Natural drainage patterns shall be maintained as much as possible during construction. Erosion control techniques, including the use of sandbags, hay bales, and/or the installation of sediment traps, shall be used to control erosion and deter drainage during construction activities into the adjacent open space. Drainage from all development areas adjacent to the MHPA shall be directed away from the MHPA, or if not possible, must not drain directly into the MHPA, but instead into sedimentation basins, grassy swales, and/or mechanical trapping devices as specified by the City Engineer.
7. No trash, oil, parking or other construction related activities shall be allowed outside the established limits of grading, as shown on approved Exhibit A. All construction related debris shall be removed off-site to an approved disposal facility.
8. The Limits of Work shall be marked with construction fencing prior to the start of work. A qualified biologist shall supervise the placement of fencing along the Limits of Work.
9. A qualified biologist shall monitor construction activities as needed to ensure that construction activities do not encroach into the MHPA. All construction activities (including staging areas and spoil piles) shall be restricted to the Development Area identified in Figure 4 of approved biological technical report and Figure 5 of approved restoration plan. No staging areas or spoil piles are permitted within the MHPA.
10. Construction activities associated with removal of the unpermitted road shall be limited to the Restoration Area identified on Figure 5 of approved biological technical report and Figure 4 of approved restoration plan. No staging areas or spoil piles are permitted within the restoration area.
11. Should construction occur during the breeding season (March 1 through August 15) of the coastal California gnatcatcher, the following mitigation measures shall be required and implemented:

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 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 within the MHPA that would be subject to 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 coastal California gnatcatchers are present, then the following conditions must be met:

- I. Between March 1 and August 15, no clearing, grubbing, or grading of occupied coastal California gnatcatcher habitat shall be permitted. Areas restricted from such activities shall be staked or fenced under the supervision of a Qualified Biologist; and
- II. Between March 1 and August 15, no construction activities shall occur within any portion of the site where 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 acoustician, 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).

* Construction noise monitoring shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity, to verify that 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 not, other measures shall be implemented in consultation with the biologist and the City Manager, as necessary, to reduce noise levels to below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. Such measures may include, but are not limited to, limitations on the placement of construction equipment and 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 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.

BIOLOGICAL RESOURCES

In order to avoid significant direct impacts to biological resources, the following mitigation measures shall be implemented by the project applicant. Compliance with the mitigation measures shall be the responsibility of the applicant.

I. Prior to Permit Issuance

A. Entitlements Division Plan Check

1. Prior to NTP or issuance for any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, whichever is applicable, the ADD environmental designee shall verify that the requirements for the revegetation/restoration plans and specifications, including mitigation of direct impacts to 0.08 acre of Maritime Scrub Oak, 0.09 acre of Coastal Sage-Chaparral Scrub, and 0.33 acre of Non-native Grassland; and mitigation of unpermitted activities to 0.29 acre of Maritime Scrub Oak, 0.03 acre of Coastal Sage-Chaparral Scrub, and 0.03 acre of Non-native Grassland, in accordance with the approved biological technical report and habitat restoration plan, have been shown and noted on the appropriate landscape construction documents. The landscape construction documents and specifications must be found to be in conformance with the Exhibits in the *Arroyo Verde Project Habitat Restoration Plan*, prepared by (Helix Environmental Consulting Inc., June 21, 2010), the requirements of which are summarized below:

B. Revegetation/Restoration Plan(s) and Specifications

1. Landscape Construction Documents (LCD) shall be prepared on D-sheets and submitted to the City of San Diego Development Services Department, Landscape Architecture Section (LAS) for review and approval. LAS shall consult with Mitigation Monitoring Coordination (MMC) and obtain concurrence prior to approval of LCD. The LCD shall consist of revegetation/restoration, planting, irrigation and erosion control plans; including all required graphics, notes, details, specifications, letters, and reports as outlined below.
2. Landscape Revegetation/Restoration Planting and Irrigation Plans shall be prepared in accordance with the San Diego Land Development Code (LDC) Chapter 14, Article 2, Division 4, the LDC Landscape Standards submittal requirements, and Attachment "B" (General Outline for Revegetation/Restoration Plans) of the City of San Diego's LDC Biology Guidelines (July 2002). The Principal Qualified Biologist (PQB) shall identify and adequately document all pertinent information concerning the revegetation/restoration goals and requirements, such as but not limited to, plant/seed palettes, timing of installation,

plant installation specifications, method of watering, protection of adjacent habitat, erosion and sediment control, performance/success criteria, inspection schedule by City staff, document submittals, reporting schedule, ect. The LCD shall also include comprehensive graphics and notes addressing the ongoing maintenance requirements (after final acceptance by the City).

3. The Revegetation Installation Contractor (RIC), Revegetation Maintenance Contractor (RMC), Construction Manager (CM) and Grading Contractor (GC), where applicable shall be responsible to insure that for all grading and contouring, clearing and grubbing, installation of plant materials, and any necessary maintenance activities or remedial actions required during installation and the 120 day plant establishment period are done per approved LCD. The following procedures at a minimum, but not limited to, shall be performed:
 - a. The RMC shall be responsible for the maintenance of the *upland* mitigation area for a minimum period of 120 days. Maintenance visits shall be conducted on a *weekly* basis throughout the plant establishment period.
 - b. At the end of the 120-day period the PQB shall review the mitigation area to assess the completion of the short-term plant establishment period and submit a report for approval by MMC.
 - c. MMC will provide approval in writing to begin the *five-year* long-term establishment/maintenance and monitoring program.
 - d. Existing indigenous/native species shall not be pruned, thinned or cleared in the revegetation/mitigation area.
 - e. The revegetation site shall not be fertilized.
 - f. The RIC is responsible for reseeding (if applicable) if weeds are not removed, within one week of written recommendation by the PQB.
 - g. Weed control measures shall include the following: (1) hand removal, (2) cutting, with power equipment, and (3) chemical control. Hand removal of weeds is the most desirable method of control and will be used wherever possible.
 - h. Damaged areas shall be repaired immediately by the RIC/RMC. Insect infestations, plant diseases, herbivory, and other pest problems will be closely monitored throughout the *five-year* maintenance period. Protective mechanisms such as metal wire netting shall be used as necessary. Diseased and infected plants shall be immediately disposed of off-site in a legally-acceptable manner at the discretion of the PQB or Qualified Biological Monitor (QBM) (City approved). Where possible, biological controls will be used instead of pesticides and herbicides.
 4. If a Brush Management Program is required the revegetation/restoration plan shall show the dimensions of each brush management zone and notes shall be provided describing the restrictions on planting and maintenance and identify that the area is impact neutral and shall not be used for habitat mitigation/credit purposes.
- C. Letters of Qualification Have Been Submitted to ADD
1. The applicant shall submit, for approval, a letter verifying the qualifications of the biological professional to MMC. This letter shall identify the PQB, Principal Restoration Specialist (PRS), and QBM, where applicable, and the names of all other persons involved in the implementation of the revegetation/restoration plan and biological monitoring program, as they are defined in the City of San Diego

- Biological Review References. Resumes and the biology worksheet should be updated annually.
2. MMC will provide a letter to the applicant confirming the qualifications of the PQB/PRS/QBM and all City Approved persons involved in the revegetation/restoration plan and biological monitoring of the project.
 3. Prior to the start of work, the applicant must obtain approval from MMC for any personnel changes associated with the revegetation/restoration plan and biological monitoring of the project.
 4. PBQ must also submit evidence to MMC that the PQB/QBM has completed Storm Water Pollution Prevention Program (SWPPP) training.

II. Prior to Start of Construction

- A. PQB/PRS Shall Attend Preconstruction (Precon) Meetings
 1. Prior to beginning any work that requires monitoring:
 - a. The owner/permittee or their authorized representative shall arrange and perform a Precon Meeting that shall include the PQB or PRS, Construction Manager (CM) and/or Grading Contractor (GC), Landscape Architect (LA), Revegetation Installation Contractor (RIC), Revegetation Maintenance Contractor (RMC), Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC.
 - b. The PQB shall also attend any other grading/excavation related Precon Meetings to make comments and/or suggestions concerning the revegetation/restoration plan(s) and specifications with the RIC, CM and/or GC.
 - c. If the PQB is unable to attend the Precon Meeting, the owner shall schedule a focused Precon Meeting with MMC, PQB/PRS, CM, BI, LA, RIC, RMC, RE and/or BI, if appropriate, prior to the start of any work associated with the revegetation/ restoration phase of the project, including site grading preparation.
 2. Where Revegetation/Restoration Work Will Occur
 - a. Prior to the start of any work, the PQB/PRS shall also submit a revegetation/restoration monitoring exhibit (RRME) based on the appropriate reduced LCD (reduced to 11"x 17" format) to MMC, and the RE, identifying the areas to be revegetated/restored including the delineation of the limits of any disturbance/grading and any excavation.
 - b. PQB shall coordinate with the construction superintendent to identify appropriate Best Management Practices (BMP's) on the RRME.
 3. When Biological Monitoring Will Occur
 - a. Prior to the start of any work, the PQB/PRS shall also submit a monitoring procedures schedule to MMC and the RE indicating when and where biological monitoring and related activities will occur.
 4. PQB Shall Contact MMC to Request Modification
 - a. The PQB may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the revegetation/restoration plans and specifications. This request shall be based on relevant information (such as other sensitive species not listed by federal and/or state agencies and/or not covered by the MSCP and to which

any impacts may be considered significant under CEQA) which may reduce or increase the potential for biological resources to be present.

III. During Construction

- A. PQB or QBM Present During Construction/Grading/Planting
1. The PQB or QBM shall be present full-time during construction activities including but not limited to, site preparation, cleaning, grading, excavation, landscape establishment in association with the restoration and project-related grading and brush management activities which could result in impacts to sensitive biological resources as identified in the LCD and on the RRME. **The RIC and/or QBM are responsible for notifying the PQB/PRS of changes to any approved construction plans, procedures, and/or activities. The PQB/PRS is responsible to notify the CM, LA, RE, BI and MMC of the changes.**
 2. The PQB or QBM shall document field activity via the Consultant Site Visit Record Forms (CSVR). The CSVR's shall be faxed by the CM the first day of monitoring, the last day of monitoring, monthly, and in the event that there is a deviation from conditions identified within the LCD and/or biological monitoring program. The RE shall forward copies to MMC.
 3. The PQB or QBM shall be responsible for maintaining and submitting the CSVR at the time that CM responsibilities end (i.e., upon the completion of construction activity other than that of associated with biology).
 4. All construction activities (including staging areas) shall be restricted to the development areas as shown on the LCD. The PQB/PRS or QBM staff shall monitor construction activities as needed, with MMC concurrence on method and schedule. This is to ensure that construction activities do not encroach into biologically sensitive areas beyond the limits of disturbance as shown on the approved LCD.
 5. The PQB or QBM shall supervise the placement of orange construction fencing or City approved equivalent, along the limits of potential disturbance adjacent to (or at the edge of) all sensitive habitats California adolphia, Nuttall's scrub oak, summer holly, western dichondria and San Diego barrel cactus as shown on the approved LCD.
 6. The PBQ shall provide a letter to MMC that limits of potential disturbance has been surveyed, staked and that the construction fencing is installed properly
 7. The PQB or QBM shall oversee implementation of BMP's, such as gravel bags, straw logs, silt fences or equivalent erosion control measures, as needed to ensure prevention of any significant sediment transport. In addition, the PQB/QBM shall be responsible to verify the removal of all temporary construction BMP's upon completion of construction activities. Removal of temporary construction BMP's shall be verified in writing on the final construction phase CSVR.
 8. PQB shall verify in writing on the CSVR's that no trash stockpiling or oil dumping, fueling of equipment, storage of hazardous wastes or construction equipment/material, parking or other construction related activities shall occur adjacent to sensitive habitat. These activities shall occur only within the designated staging area located outside the area defined as biological sensitive area.
 9. The long-term establishment inspection and reporting schedule per LCD must all be approved by MMC prior to the issuance of the Notice of Completion (NOC) or any bond release.

B. Disturbance/Discovery Notification Process

1. If unauthorized disturbances occurs or sensitive biological resources are discovered that were not previously identified on the LCD and/or RRME, the PQB or QBM shall direct the contractor to temporarily divert construction in the area of disturbance or discovery and immediately notify the RE or BI, as appropriate.
2. The PQB shall also immediately notify MMC by telephone of the disturbance and report the nature and extent of the disturbance and recommend the method of additional protection, such as fencing and appropriate Best Management Practices (BMP's). After obtaining concurrence with MMC and the RE, PQB and CM shall install the approved protection and agreement on BMP's.
3. The PQB shall also submit written documentation of the disturbance to MMC within 24 hours by fax or email with photos of the resource in context (e.g., show adjacent vegetation).

C. Determination of Significance

1. The PQB shall evaluate the significance of disturbance and/or discovered biological resource and provide a detailed analysis and recommendation in a letter report with the appropriate photo documentation to MMC to obtain concurrence and formulate a plan of action which can include fines, fees, and supplemental mitigation costs.
2. MMC shall review this letter report and provide the RE with MMC's recommendations and procedures.

IV. Post Construction

A. Mitigation Monitoring and Reporting Period

1. *Five-Year* Mitigation Establishment/Maintenance Period
 - a. The RMC shall be retained to complete maintenance monitoring activities throughout the *five-year* mitigation monitoring period.
 - b. Maintenance visits will be conducted twice per month for the first six months, once per month for the remainder of the first year, and quarterly thereafter.
 - c. Maintenance activities will include all items described in the LCD.
 - d. Plant replacement will be conducted as recommended by the PQB (note: plants shall be increased in container size relative to the time of initial installation or establishment or maintenance period may be extended to the satisfaction of MMC).
2. Five-Year Biological Monitoring
 - a. All biological monitoring and reporting shall be conducted by a PQB or QBM, as appropriate, consistent with the LCD.
 - b. Monitoring shall involve both qualitative horticultural monitoring and quantitative monitoring (i.e., performance/success criteria). Horticultural monitoring shall focus on soil conditions (e.g., moisture and fertility), container plant health, seed germination rates, presence of native and non-native (e.g., invasive exotic) species, any significant disease or pest problems, irrigation repair and scheduling, trash removal, illegal trespass, and any erosion problems.
 - c. After plant installation is complete, qualitative monitoring surveys will occur monthly during year one and quarterly during years two through five.
 - d. Upon the completion of the 120-days short-term plant establishment period, quantitative monitoring surveys shall be conducted at 0, 6, 12, 24, 36, 48 and 60 months by the PQB or QBM. The revegetation/restoration effort shall be quantitatively evaluated once per year (in spring) during years three through five, to determine compliance with the performance standards identified on the LCD. All plant material must have survived without supplemental irrigation for the last two years.
 - e. Quantitative monitoring shall include the use of fixed transects and photo points to determine the vegetative cover within the revegetated habitat. Collection of fixed transect data within the revegetation/restoration site shall result in the calculation of percent cover for each plant species present, percent cover of target vegetation, tree height and diameter at breast height (if applicable) and percent cover of non-native/non invasive vegetation. Container plants will also be counted to determine percent survivorship. The data will be used determine attainment of performance/success criteria identified within the LCD.
 - f. Biological monitoring requirements may be reduced if, before the end of the fifth year, the revegetation meets the fifth year criteria and the irrigation has been terminated for a period of the last two years.
 - g. The PQB or QBM shall oversee implementation of post-construction BMP's, such as gravel bags, straw logs, silt fences or equivalent erosion control measure, as needed to ensure prevention of any significant sediment transport. In addition, the PBQ/QBM shall be responsible to

verify the removal of all temporary post-construction BMP's upon completion of construction activities. Removal of temporary post-construction BMPs shall be verified in writing on the final post-construction phase CSV.

B. Submittal of Draft Monitoring Report

1. A draft monitoring letter report shall be prepared to document the completion of the 120-day plant establishment period. The report shall include discussion on weed control, horticultural treatments (pruning, mulching, and disease control), erosion control, trash/debris removal, replacement planting/reseeding, site protection/signage, pest management, vandalism, and irrigation maintenance. The revegetation/restoration effort shall be visually assessed at the end of 120-day period to determine mortality of individuals.
2. The PQB shall submit two copies of the Draft Monitoring Report, which describes the results, analysis, and conclusions of all phases of the Biological Monitoring and Reporting Program (with appropriate graphics) to MMC for review and approval within 30 days following the completion of monitoring. Monitoring reports shall be prepared on an annual basis for a period of five years. Site progress reports shall be prepared by the PQB following each site visit and provided to the owner, RMC and RIC. Site progress reports shall review maintenance activities, qualitative and quantitative (when appropriate) monitoring results including progress of the revegetation relative to the performance/success criteria, and the need for any remedial measures.
3. Draft annual reports (three copies) summarizing the results of each progress report including quantitative monitoring results and photographs taken from permanent viewpoints shall be submitted to MMC for review and approval within 30 days following the completion of monitoring.
4. MMC shall return the Draft Monitoring Report to the PQB for revision or, for preparation of each report.
5. The PQB shall submit revised Monitoring Report to MMC (with a copy to RE) for approval within 30 days.
6. MMC will provide written acceptance of the PQB and RE of the approved report.

C. Final Monitoring Reports(s)

1. PQB shall prepare a Final Monitoring upon achievement of the fifth year performance/success criteria and completion of the five year maintenance period.
 - a. This report may occur before the end of the fifth year if the revegetation meets the fifth year performance /success criteria and the irrigation has been terminated for a period of the last two years.
 - b. The Final Monitoring report shall be submitted to MMC for evaluation of the success of the mitigation effort and final acceptance. A request for a pre-final inspection shall be submitted at this time, MMC will schedule after review of report.
 - c. If at the end of the five years any of the revegetated area fails to meet the project's final success standards, the applicant must consult with MMC. This consultation shall take place to determine whether the revegetation effort is acceptable. The applicant understands that failure of any significant portion of the

revegetation/restoration area may result in a requirement to replace or renegotiate that portion of the site and/or extend the monitoring and establishment/maintenance period until all success standards are met.

BIOLOGICAL RESOURCES – RAPTOR

In order to avoid significant direct impacts to biological resources, the following mitigation measures shall be implemented by the project applicant. Compliance with the mitigation measures shall be the responsibility of the applicant.

1. If project grading is proposed during the raptor breeding season (Feb. 1-Sept. 15), the project biologist shall conduct a pregrading survey for active raptor nests in within 300ft. of the development area and submit a letter report to MMC prior to the preconstruction meeting.
 - A. If active raptor nests are detected, the report shall include mitigation in conformance with the City’s Biology Guidelines (i.e. appropriate buffers, monitoring schedules, etc.) to the satisfaction of the Assistant Deputy Director (ADD) of the Entitlements Division. Mitigation requirements determined by the project biologist and the ADD of Entitlements shall be incorporated into the project’s Biological Construction Monitoring Exhibit (BCME) and monitoring results incorporated in to the final biological construction monitoring report.
 - B. If no nesting raptors are detected during the pregrading survey, no mitigation is required.

BIOLOGICAL RESOURCES – GENERAL AVIAN

In order to avoid significant direct impacts to biological resources, the following mitigation measures shall be implemented by the project applicant. Compliance with the mitigation measures shall be the responsibility of the applicant.

1. If project grading/brush management is proposed in or adjacent to native habitat during the typical bird breeding season (i.e. Feb. 1-Sept. 15), or an active nest is noted, the project biologist shall conduct a pregrading survey for active nests in the development area and within 300 feet of it, and submit a letter report to MMC prior to the preconstruction meeting.
 - A. If active nests are detected, or considered likely, the report shall include mitigation in conformance with the City’s Biology Guidelines and applicable State and Federal Law (i.e. appropriate follow up surveys, monitoring schedules, construction and noise barriers/buffers, etc.) to the satisfaction of the Assistant Deputy Director (ADD) of the Entitlements Division. Mitigation requirements determined by the project biologist and the ADD shall be incorporated into the project’s Biological Construction Monitoring Exhibit (BCME) and monitoring results incorporated in to the final biological construction monitoring report.
 - B. If no nesting birds are detected per “A” above, mitigation under “A” is not required.

BIOLOGICAL RESOURCES – BRUSH MANAGEMENT

In order to avoid significant direct impacts to biological resources related to implementation of Brush Management, the following mitigation measures shall be implemented by the project applicant. Compliance with the mitigation measures shall be the responsibility of the applicant.

1. Within Brush Management Zone 2, metal tags shall be placed on all specimens of *California adolphia*, Nuttall's scrub oak, and summer holly. Brush management crews shall be instructed to limit trimming of these species to the minimum necessary to accomplish the required brush management standard (preferentially pruning other shrubs and not sensitive species). Brush management crews shall be instructed in the identification of western dichondria and San Diego barrel cactus to avoid tramping these species during thinning operations.
2. An educational brochure shall be provided to all brush management personnel that instructs them to perform trimming in accordance with the above noted requirements. The brochure shall include pictures of the seven (7) sensitive species and instructions on how to best preserve them.

PALEONTOLOGICAL RESOURCES

In order to avoid significant paleontological resources impacts, the following mitigation measures shall be implemented by the project applicant:

I. Prior to Permit Issuance

- A. Entitlements Plan Check
 1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, 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.

II. 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
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.

III. 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 such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the PME.**
 2. 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.
 3. 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.
- 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.

IV. Night and/or Weekend Work

- A. If night and/or weekend work is included in the contract
1. When night and/or weekend 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 and/or weekend work, The PI shall record the information on the CSVR and submit to MMC via fax by 8AM on the next business day.
 - 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 on the next business day 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.

V. Post Construction

- A. Preparation and Submittal of Draft Monitoring Report
1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Paleontological Guidelines 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.

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.

Arroyo Verde

Del Mar Mesa Community
PTS # 149627

MARCH 22, 2010

ARCHITECTURAL DESIGN GUIDELINES

Approved by:
The Planning Commission on June 17, 2010

Arroyo Verde
ARCHITECTURAL DESIGN GUIDELINES
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A. PROJECT DESCRIPTION

Arroyo Verde is located on Duck Pond Lane in the Del Mar Mesa Specific Plan Area, formerly known as Subarea V of the North City Future Urbanizing Area. The site currently does not contain a home. The project consists of two single-family home sites on lots that are each 1.82 ac. The property overlooks Penasquitos Preserve and The Preserve Project to the south and east.

The development area is adjacent to Mesa Verde Estates and Vista Bougainvillea to the west and north. The City's Multiple Habitat Planning Area (MHPA) lies between the north and south lots and to the west and east of the project.

B. ARCHITECTURAL THEME

The architectural theme for the property is based upon the climatic and topographic influences that have shaped the Del Mar Mesa community. Specifically, the homes should reflect the coastal and hillside architecture exhibited in the older homes throughout the community. The homes should respond to the natural features and landform present in the community and the history of ranches and farms in the North City Future Urbanizing Area.

The intention of these Design Guidelines is to provide some architectural direction relative to the form, materials and colors for the creation of the home site planning considerations. These Design Guidelines do not include or address the landform alteration or grading necessary to create the home site or roads which are specifically detailed in the City of San Diego, Development Services Vesting Tentative Map (VTM), Department's Site Development Permit (SDP) and Planned Development Permit (PDP) files.

Given the unique setting and development pattern of the Del Mar Mesa community, the Arroyo Verde architectural form, and materials should focus on capturing natural light, ocean breezes, and changes in topography. The use of natural colors and materials that blend with the native landscape is strongly encouraged. The design of the home and siting of the amenities should seek to defuse the direct affects of sunlight. Specifically, recessed windows and doors, extended eaves, thickened walls, and strategic landscaping are concepts that can decrease the affects of direct sunlight. The architecture should utilize the cool Pacific Ocean breezes to provide relief from the sun. These features may include courtyards, arcades, interior balconies, and awnings. Using varied rooflines, building heights and the number of stories, the architecture can respond to the site topography.

C. BUILDING SCALE AND MASSING

1. The buildings should reflect the scale of community and create an intimate and welcoming environment.
2. The following architectural treatments should be considered relative to addressing building scale and massing:
 - Dividing the building height into one (1) and two (2) story elements;
 - Provide variations in the roofline and wall planes;
 - Limit the occurrence of large wall surfaces through the use of openings, windows, doors, projections, recesses and/or building details;
 - Features such as entrances, arcades, structural elements and building details should be proportioned to the height and width of the structure;
 - Utilize awnings, eaves and building shape to create outdoor spaces that are human scale;
 - Vehicle access to the garage should be integrated into the building and should not be the dominant element of the structure; and
 - Brush Management setbacks shall include fire retardant roof materials (wood is not permitted), eaves and overhangs shall have an exterior surface as required for one hour fire resistive walls for any portion of a structure within the Brush Management setback, and all eave vents shall be covered with wire screen not to exceed 1/4 inch mesh.
3. The following architectural features should be avoided:
 - Uniform building heights for non-single story structures;
 - Large box shaped structures;
 - Unbroken wall surfaces and glazing;
 - Excessive use of building details and/or elements that are either over or under sized relative to the size of the structure.

D. BUILDING ENVELOPES AND SETBACKS

1. Building Envelope

The building envelope has been established on the VTM/PDP; however, the siting and design of the home and any subsequent improvements should incorporate variable setbacks and a variety of structure height and orientation to the public and private drive viewing areas. The envelope extends perpendicular to the setback lines to the maximum height permitted and excludes front, side, street-side, rear, and brush management setbacks. No structures may be built outside of the building envelope except pools not extending 3 ft. in height above grade at 3 ft. from the property line, and at least 4 ft. from the property line if above 3 ft. in height, pool equipment less than 3 ft. in height at 4 ft. from the property line. Other permitted encroachments include landscape, hardscape, and fencing and walls consistent with consistent with section "F." In no case are any structures, including pools, allowed in the MHPA or Brush Management Zone 2 areas.

- Natural or Manufactured Stone
- Stucco
- Brick
- Block

4. Front Yard Fencing

The front yard fencing should consist of the following materials and/or combination of materials:

- Wrought Iron
- Decorative Metal, Aluminum or Wood
- Split-rail
- Adobe Block
- Natural or Manufactured Stone
- Stucco
- Brick or Block

The following materials are prohibited:

- Chain-link
- Other materials not in keeping with the architectural theme or style of the Arroyo Verde development.

Q. COMMUNITY LANDSCAPE CHARACTER

The landscape character of the Arroyo Verde plan is derived from the historic landscapes of southern Spain and the ranches of old California. Landscaping and paving materials should be designed in harmony with the architecture and landform. The landscaping should compliment and accentuate the Arroyo Verde architecture.

Streetscape Plan

The streetscape planting provided adjacent to the right-of-way shall be maintained in "good" health at all times. Dead or damaged plant material and fencing shall be replaced with matched species, size, specimens, and design. Irrigation associated with the streetscape planting shall also be replaced with matching type and quality within 30 days of death or damage. Additionally, damage caused to curbs, gutter, sidewalks/trails, and other right-of-way improvements shall be replaced with matching type and quality.

1. Slope Area

Modifications or alterations of retaining walls shall not occur without prior approval from the Development Services Department.

2. Brush Management Zones

Brush Management zones are required between any combustible structures and large contiguous areas of natural vegetation. For lots abutting natural open space, it is necessary to provide for Brush Management zones to protect the residences from fire

hazards. Areas designated as Brush Management Zones must not be modified without approval of the City of San Diego Fire Department. The City of San Diego must approve any improvement within the Brush Management Zones specified on the PDP, including pools.

3. Lot Landscaping Standards

a. Lot Maintenance

The lot owner will be responsible for maintaining the site landscaping and ensuring the condition of their particular lot is clean, weed and debris free.

b. Street Yard

The area between the right-of-way and the home is defined as the street yard. Maintenance of the street yard improvements is the owner's responsibility. Consistency and conformance with the overall landscape theme is required of each property owner.

c. Side and Rear Yards

The side and rear yards, not facing a right-of-way, are that portion of the lot between the home and the side and rear property lines. Installation and maintenance of the side and rear yard improvements are the responsibility of the property owner.

R. LANDSCAPING PLANTING AND INSTALLATION STANDARDS

1. Planting Standards

The landscaping should be designed to complement the overall architectural theme or style of lot and the community. Plant materials should relate to the scale and character utilized in the community and surrounding lots. The landscape design should incorporate the color palette of surrounding native vegetation and where possible the native vegetation should be maintained. Trees and shrubs should provide the principal landscape image for the development. Native or non-invasive plants are required adjacent to the MHPA. Please refer to the projects approved Landscape Plan.

Trees and shrubs should be utilized on all public view sides of the structures to soften the structures from public views. Consideration should be given to the use of plants for screening, space definition, erosion control, glare reduction, shade and aesthetics.

Selection and installation of plant materials should also consider the long-term maintenance requirements and costs.

2. Installation Schedule

All landscaping must be installed within 180 days of the lot owner's occupancy of the home or property.

S. RECREATIONAL FACILITIES

Pool and water features and their associated equipment shall be located and constructed in compliance with the City of San Diego Building Code. Mechanical equipment should be located to minimize visual and noise impacts on surrounding neighbors. Equipment enclosures must be architecturally incorporated into the nearest structure.

The lighting of recreational facilities, such as tennis courts, is prohibited. Pools and water features may be lighted for safety and security purposes, using ground lighting provided it does not project more than six feet (6') from the lighting source.

Horse corrals are allowed provided they comply with all City of San Diego Municipal Code Sections, particularly section 44.0308 and the MSCP Subarea Plan, Section 1.4.3, Land Use Adjacency Guidelines.

T. GUEST QUARTERS

- A. This PDP (528248) includes the provision for guest quarters on all lots; however, the siting and design of said guest quarters shall comply with the requirements of the Arroyo Verde Design Guidelines as described above and the City of San Diego, Land Development Code requirements. One parking space shall be provided for each guest quarters bedroom.

U. MHPA LAND USE ADJACENCY GUIDELINES

Arroyo Verde has been designed to be consistent with the Del Mar Mesa Specific Plan and the City of San Diego Multiple Habitat Planning Area Land Use Adjacency Guidelines. The grading, drainage, landscaping, brush management and setbacks in the plan respect the property's relationship to the MHPA. All future development on the site is governed by and must be consistent with the Specific Plan and the City's Land Use Adjacency Guidelines. This is particularly important with regard to irrigations run of, lighting, noise, invasive plant species and human and pet intrusion.

V. IMPLEMENTATION

A Substantial Conformance Review (SCR) application shall be submitted to and approved by the City of San Diego, under process two (2), prior to issuance of a Building Permit. The SCR shall be reviewed by the Development Services and Planning Departments for conformance with these design guidelines, the Del Mar Mesa Specific Plan and the requirements of the VTM/PDP (528186). These Design Guidelines and the PDP implement the Del Mar Mesa Specific Plan objectives and policies.

2. Setbacks

The VTM/PDP Site Plan graphically depicts the building setbacks for all the lots. The building setbacks are:

The front yard setbacks are located adjacent to the street frontage. The Land Development Code designates that the front yard setback shall be twenty five-feet (25').

The side yard setbacks shall be a minimum of twenty feet (20') with a minimum of forty feet (40') between structures.

The rear yard setback shall be a minimum of twenty-five-feet (25').

Architectural projections and encroachments are not permitted within the required setbacks. This includes all eaves, awnings, patio covers, trellises, barbecues, free-standing fireplaces/chimneys, bay windows and those elements identified in San Diego Municipal Code section 131.0461.

3. Height Limits and Lot Coverage

No structure may exceed a total height limit of thirty-feet (30'), measured from proposed grade, excepting spark arrestors for a maximum of two-feet (2'). Single story structures have a coverage limitation of forty percent (40%) of the total area of the affected lot. Two story structures have a building coverage limit of thirty percent (30%) of the total area of the affected lot.

4. Garages and Parking

The Garage should not be the dominating architectural feature of each home. A minimum of two parking spaces per residence and one additional space per guest quarters bedroom shall be provided per Municipal Code requirements.

E. BUILDING MATERIALS AND FEATURES

All elements of the site plan, including accessory structures should relate to and reinforce the form and organization of the primary structure.

1. Exterior Wall Surfaces

The use of natural colors and materials that blend with the native landscape is strongly encouraged. The use of compatible materials and textures is also encouraged. The transitions between materials and textures should be carefully designed and thoughtfully handled with construction details.

Similar treatment for all elevations of the structures is encouraged. To that end, designs should employ the same types of materials on all elevations.

2. **Windows and Doors**
Window and door openings, as dictated by the architecture, should be recessed or framed on each elevation to accentuate the appearance of the architecture. Through recessing openings, the walls will have the appearance of depth, while creating shadows and patterns that enhance the design of each structure. Recessing of openings can be achieved through the construction of building projections and bay-windows. The use of reflective glass is strongly discouraged.
3. **Roofs**
Pitched roofs should have a pitch which is complimentary to and consistent with the structures architecture. The principal form of roofing should be hip or gable; however, alternative forms may be considered in relationship to architectural and site plans. Homes on lots with Brush Management setbacks shall include fire retardant roof materials (wood is not permitted).
4. **Awnings**
Awnings are not required, but may be used as minor architectural elements; however, they must be incorporated into the overall architectural theme of the site and may not protrude outside of the building envelope.
5. **Chimneys**
Chimneys shall comply with the City of San Diego height restrictions for single-family homes (zoning and building codes). The chimney caps should be designed to complement the major architectural elements of the house and they must meet the minimum standards for spark arresting.
6. **Skylights**
Skylights should be flat and must be designed as an integral component of the roof. The skylight framing and flashing material must be compatible with the roof. Skylight glazing shall not be reflective.
7. **Flashing and Sheet Metal**
All exposed flashing and sheet metal should be colored to match the adjacent material or reflect an overall architectural theme or style.
8. **Vents**
All vent stacks and pipes must be colored to match the adjacent roof or wall materials or reflect an overall architectural theme or style.
9. **Antennas and Satellite Dishes**
Owners shall not install, or cause to be installed, any television, radio or citizen band (CB) antenna, satellite dish or other similar electronic receiving or broadcasting device on the exterior of any home. A satellite dish may be allowed if not larger than thirty-six inches (36") in diameter and hidden from public view. Any such installation on the interior of a home shall comply with all applicable ordinances of

the City of San Diego. All homes should be wired for cable reception and Internet access.

10. Solar Panels

Solar panels on any structures shall be integrated into the design of the roof. Panels and frames shall be compatible with the roof or wall materials or reflect an overall architectural theme or style. No plumbing or conduits are to be exposed to view. Except for solar panels, solar equipment should be screened from view from the adjacent lots and the public right-of-way.

F. FENCING AND WALL HEIGHTS

1. Fencing and walls shall not exceed heights as set forth in this section and shown on the Fence and Wall Exhibit in the City's VTM/PDP file (-----). All fence and wall heights are measured vertically from the finished grade at the base of the fence or wall.
2. All retaining walls over three-feet (3') are shown on the VTM/PDP Site Plan and are subject to the section 142.0301 of the City of San Diego, Land Development Code.
3. Open peeler pole fencing should be located on the property line adjacent to the right-of-way (front, street-side, and rear yards) and should not exceed three-feet (3') in height, except for safety issues. Fencing and walls not visible from the public right-of-way may be of stucco over masonry, decorative metal, natural or manufactured stone or brick masonry, or wood. All fencing and walls must be designed in character with the architecture. However, the project includes a 5' tall vinyl coated chain-link fence at the outer edge of brush Management Zone 1 to prevent human and pet intrusion.

Chain-link and similar fencing materials are prohibited, except as required by the City of San Diego.

4. Front yard and street-side yard fencing and walls must comply with the Del Mar Mesa Specific Plan.
5. The interior side yard and rear yard fences and walls may have a height of six-feet (6'). Interior side yard and rear yard fences and walls, visible from public areas shall be landscaped to soften and screen the full height of the fence in the form of non-invasive vines, trees, or tall shrubs.
6. In addition to the above requirements, the Arroyo Verde fences and walls shall comply with the Del Mar Mesa Fence and Wall Design Guidelines (adopted December 12, 2002) that are listed below (where ambiguity exists, the project specific criteria shall apply as shown on Exhibit "A" which is located in the City of San Diego files for this project (PTS #-----):

The stated goal of the Del Mar Mesa Community Plan is to “Develop the community of Del Mar Mesa a rural community that emphasized open spaces, dark night skies, hiking and equestrian trails, and sensitively designed developments which complement the existing topography”.

In keeping with the vision of preserving a sense of spaciousness, protecting views, and developing a neighborly, inclusive community, no solid walls or fences are to be permitted along public right-of-ways, or between building facades and the property line when along public right of ways. Open Fencing is allowed.

In order to adhere to the spirit and intent of the Del Mar Mesa Community Plan exception to the Open Fencing requirement-may occur only under special circumstances.

One or more of the following special circumstances must exist for an exception to be considered by the Del Mar Mesa Community Planning Board (DMMCPB):

- A: Lot configuration issues must exist such that a wall is necessary for protection from headlights.
- B: Lot configuration issues must exist such that a wall is necessary for protection from incompatible adjacency uses (e.g. commercial orchard, horse ranch, public park, horse park, etc.).
- C: Safety Issues must exist such that a wall is necessary for protection.

In all cases, the applicant must present a proposed fence or wall design comprising sufficient architectural features so as to enhance its surroundings and be compatible with the rural nature of the community.

If, at the sole discretion of the DMMCPB, a determination is made that special circumstances exist, a solid wall or fence may be approved subject to the following Wall & Fence Guidelines:

Types Allowed: Post & rail, lodge pole, board & bat, wrought iron, masonry, stacked stone/rock or combinations thereof.

Maximum Height: No higher than 5’ from the finished grade at the base of the wall.

Design: Fences and walls should be designed to soften the impact of the wall when adjacent to public areas, i.e. by varying type, width, setbacks, length and height.

Solid Walls: All walls adjacent to any public areas, such as trails, walkways or public right-of-ways, shall be predominantly open. A solid fence or wall exceeding 3ft in height shall not be allowed along more than 33% of that property's frontage.

Solid Bases: A solid base no higher than 3' from finished grade, with an open decorative design used on the top 2', will be allowed along 50% of that property's frontage.

Materials and Colors: Natural materials such as wood, stone, and rock, may be used alone or combined aesthetically in conjunction with other acceptable materials such as brick, block, wrought iron or decorative metal. Colors should be compatible with the architectural design of surrounding homes.

Setbacks: All setbacks may vary as determined by the approvals granted with the discretionary permits. However, all walls must be setback sufficiently from the public ROW's to allow for adequate landscape screening.

Landscape Screening: All walls adjacent to or materially impacting any public areas must be screened by landscaping to soften the effect of the impact of the wall. All landscape plans must be approved by the DMMCPB.

Street Scene Considerations: Special consideration may be given to contiguous lots grouped together along a street in accordance with the spirit and letter of the Fence and Wall Standards at the discretion of the DMMCPB.

G. SURFACE DRAINAGE

Sheet flow, roof water and overflow irrigation water must be properly connected to the underground storm drainage system where applicable. All planting, irrigation, brush management and landscape related improvements will comply with the City of San Diego Landscape Regulations and the Land Development Manual Landscape Standards as well as, the Del Mar Mesa Specific Plan and the City's MHPA Land Use Adjacency Guidelines.

H. FIRE HYDRANTS - FIRE SPRINKLER SYSTEMS

Brush Management areas are subject to additional Fire Department setback and structural requirements, including architectural treatments. The homeowner shall be responsible for complying with all such setbacks and requirements.

I. TRIM ACCENTS

Exterior material accents should be of permanent materials. Wood trim and metal details must be stained and painted, respectively. Alternative materials are encouraged.

J. UTILITY FRANCHISE METERS

Gas, electric, cable and other franchise meters should be located within enclosures, building recesses or behind screen walls which are integral elements of the architectural theme or style and in conformance with the utility company's standards (for further details, contact the utility company). Utility meters should be located in the side or rear yards of the site and must be screened from the public right-of-way. The utility meters must not be located behind locked fences, walls, or gates.

K. TRASH CONTAINERS

The lot shall have an architecturally integrated trash enclosure, which screens the trash containers from abutting properties. The trash enclosure shall not be located in the front yard. Trash containers may be placed behind side yard gates and fences, if the containers are screened from the public right-of-way, or the abutting property.

L. MECHANICAL EQUIPMENT

All air-conditioning, heating, pool, fountain, or similar equipment and soft water tanks must be screened within an architecturally integrated enclosure. The enclosure must provide a visual screen from the abutting properties and must provide sound attenuation. The mechanical enclosure shall not be located in the front yard setback. Mechanical equipment may be placed behind side yard gates and fences, if the containers are screened from the public right-of-way, or the abutting properties.

M. APPURTENANT STRUCTURES

All patio structures, balconies, trellises, sunshades, gazebos, mechanical equipment structures, decking and other auxiliary structures should be designed in the same architectural theme or style.

Combustible structures, including but not limited to the above-mentioned appurtenant structures, shall not be located within the Brush Management Zones designated on the PDP. However, non-habitable, non-combustible accessory structures may be approved within the portions of Zone One, subject to approval of the Fire Chief and the Development Services. No structures shall be constructed within Zone Two.

N. EXTERIOR BUILDING LIGHTING

Exterior lighting must be directed away from the adjoining properties and shielded to reduce impacts to the adjacent lots and the Multiple Habitat Preservation Area. Outdoor lighting should be limited to safety and security purposes. In addition, exterior lighting shall not adversely affect vehicular movements on the adjacent public rights-of-way. Lighting should not shine directly into the MHPA.

O. SITE LIGHTING STANDARDS

The owner is encouraged to install quality landscaping and exterior lighting; however, the purpose of such lighting is to ensure safety and security. Lighting fixtures should minimize the amount of glare into neighboring properties and public areas. Light sources must comply with the City of San Diego standards for low sodium bulbs. Intense and visible security or flood lighting is strictly prohibited. Direct lighting into the MHPA is also prohibited, except for temporary security lighting.

All lighting must be directed away from the adjoining properties and shielded to reduce impacts to the adjacent lots. In addition, light fixtures and layouts should be designed as integral elements of the architectural theme or style of the site. Lighting should not shine directly into the MHPA.

P. COLOR AND MATERIALS PALETTE

1. Roof Materials

Roof materials shall reflect the architectural theme or style of the home; however, the materials must comply with the fire retardant requirements of City of San Diego and the Uniform Building Code.

Roof tiles should range in color from light earth tones to dark earth tones; however, the color should be consistent with the architectural theme or style and colors of the structure.

2. Paving Materials

Driveways and other flat paved areas should be colored to compliment the colors of adjacent site structures. These colors shall include, but not be limited to, standard concrete gray or asphalt black. Driveway aprons widths are limited to a maximum of sixteen-feet (16'). Automobile courts should be wide enough to accommodate vehicular movements, but should not dominate the site plan.

3. Wall Facing Materials - (Freestanding Patio and Landscaping Walls and Retaining Walls)

The face of walls should consist of the following materials:

- Adobe Block