



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: January 15, 2014 **REPORT NO.** PC-14-004

ATTENTION: Planning Commission, Agenda of January 23, 2014

SUBJECT: ELMS & IVY - PROJECT NO. 296644. PROCESS FIVE

**OWNER/
APPLICANT:** Taylor Morrison
Latitude 33

SUMMARY

Issue(s): Should the Planning Commission recommend the City Council approve a land development project consisting of 146 single-family residential dwelling units and 28 multi-family affordable units, on a 30.44-acre site in the Pacific Highlands Ranch Subarea planning area?

Staff Recommendation(s):

1. Recommend the City Council **ADOPT** Findings to Master Environmental Impact Report, Project No. 296644 (Findings to MEIR No. 96-7918 / SCH No. 97111077) that has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines, and **ADOPT** the Mitigation Monitoring and Reporting Program (MMRP) that has been prepared and would be implemented which would reduce, to below a level of significance, any potential impacts identified in the environmental review process; and
2. Recommend the City Council **APPROVE**; Vesting Tentative Map No. 1047193, Site Development Permit No. 1047194, Planned Development Permit No. 1047195 and Neighborhood Use Permit No. 1238629.

Community Planning Group Recommendation: On October 24, 2013, the Carmel Valley Community Planning Board voted 13-0-0 adopting a motion recommending approval of the proposed development with the condition that the proposed street connecting Costa del Sol be removed and landscaped (Attachment 12).

Environmental Review: The City of San Diego as Lead Agency under CEQA has prepared and completed Master Environmental Impact Report (MEIR) Findings for Project No. 296644 (Findings to MEIR No. 96-7918 / SCH No. 97111077), dated

December 20, 2013. Based on the initial study, the City of San Diego has determined that the project would not cause any significant effect on the environment not examined in the previously certified Master Environmental Impact Report, that no additional significant environmental effect will result from the proposal, no new additional mitigation measures or alternatives may be required, and that the project is within the scope of the Master EIR.

Fiscal Impact Statement: None with this action; the costs of processing this project have been paid by the applicant through a deposit account.

Code Enforcement Impact: None with this action.

Housing Impact Statement: The 30.4 acre site is designated as Peripheral Residential by the Pacific Highlands Ranch Subarea Plan which allows densities between 5-9 dwelling units per acre. The North City Future Urbanizing Area (NCFUA) Framework Plan and the Pacific Highlands Ranch Subarea Plan requires new development to provide housing to accommodate the needs of low income households, as certified by the Housing Commission. The project proposes development of 174 dwelling units, 28 of which would be affordable units developed on-site.

BACKGROUND

In October of 1992, the City Council adopted the North City Future Urbanizing Area (NCFUA) Framework Plan. This framework plan established 5 subareas comprising 12,000 acres stretching easterly from Interstate 5 and Carmel Valley, to the Rancho Peñasquitos and Rancho Bernardo communities. On July 20, 1999, the City Council adopted the Pacific Highlands Ranch Subarea Plan (Subarea Plan) (Attachment 2). The State Coastal Commission modified and certified the Subarea Plan on March 10, 1999. The San Diego City Council accepted and approved the State action on July 20, 1999, documented by Resolution No. R-291920.

The Pacific Highlands Ranch Subarea Plan is located in the northwest portion of the NCFUA and is bound on the north by Black Mountain Ranch Subarea I, Del Mar Mesa Subarea V to the south, Torrey Highlands Subarea IV to the east and the Carmel Valley community to the west. Pacific Highlands Ranch encompasses approximately 2,652 acres in the central portion of the NCFUA. The Subarea Plan land use plan includes approximately 1,300 acres of Multiple Habitat Planning Area (MHPA) open space, up to 5,470 residential units, three elementary schools, one junior high school, a community park, two neighborhood parks, a library, fire station, employment center, private high school and church facility, and a mixed-use core. Extensive multiple purpose trails for equestrian use, hiking, biking and walking are proposed throughout the subarea to connect the neighborhoods to schools, the town center, and other regional trail systems.

DISCUSSION

Project Description:

The Elms and Ivy project proposes the development of a vacant 30.44-acre site for a new

residential subdivision supporting 174 dwelling units, public rights-of-way and utility easements and landscaped amenities. 146 units would be single family units and the 28 remaining units would be affordable multi-family units.

The project site is bisected by State Route 56. The northern 23.4-acre portion of the site would facilitate two styles of single-family development utilizing large lot and small lot product types. The remaining 7.08-acre southern portion of the site would include the 28 multi-family units and designated open space area that includes some Multiple Habitat Planning Area (MHPA). The project site is comprised of multiple underlying zones including RT-1-2 (Residential-Townhouse, minimum 3,000 square-foot lot), OC-1-1 (Open Space-Conservation), AR-1-1 (Agricultural-Residential, minimum 10-acre lots), and RM-1-2 (Residential-Multiple Unit, maximum density of 1 dwelling unit for each 2,000 square feet of lot area). While density and land use are calculated pursuant to the zoning, the project site is designed as a single premise regardless of zone boundaries.

The single-family development includes both large lot and small lot development. The 87 larger lots range from 4,000 square-feet to 6,000 square-feet and the 59 smaller lots from 2,500 square-feet to 4,900 square-feet. Various architectural styles and floor plans for the two-story single-family homes include Coastal Cottage, Classical Americana and Monterey options. All of the dwelling units include a two car garage. Large lot homes are orientated towards the interior streets with both the front entrance and the garage facing the street. The large lot homes include various sized backyards. Small lot homes include alleys for vehicle access while the front entrance is orientated towards a linear green space with pedestrian walkways. Access into the single-family development would be via Carmel Valley Road and the project is linked to the adjacent developments through connective streets.

The multifamily portion of the project is comprised of the remaining 28 dwelling units and satisfies the Pacific Highland Ranch Subarea Plan's (formerly the North City Future Urbanizing Area) housing requirement of providing 20% of the unit total as affordable housing on site. The 28 units are provided in four separate 7-unit two-story buildings each with a mix of two and three bedroom floor plans. The structures are designed in the Monterey architectural style in a stucco finish with stone or brick detail, shutters and pitched roofs. All of the two-bedroom units have a single car garage with storage area and the three-bedroom unit type includes a two car garage with storage area. An additional 43 standard surface parking spaces, including three accessible spaces and three motorcycle spaces are provided for guests and residents. Access to the southern portion is afforded via Morning Glory Way.

Discretionary Entitlements

The proposed development requires several discretionary entitlements pursuant to the City of San Diego Land Development Code. A Vesting Tentative Map (VTM) is required to subdivide the parcel into conveyable units, as well as to grant or vacate right-of-way and utility easements as necessary. A Planned Development Permit is required to develop the site pursuant to the Pacific Highlands Ranch Subarea plan and grant deviations to the minimum standards of the Land Development Code. There are several deviations on a lot-to-lot basis but the deviations generally include reduced side and rear yard setbacks, minimum lot dimensions or area, driveway length, structure height and increased retaining wall height. The deviations are necessary to develop the project site, which includes three different residential zones, with a

traditional neighborhood design. The deviation were analyzed and determined to be minimal to the overall project and afforded a superior site plan and design. Attachment No. 11 provides a detailed lot-to-lot breakdown of each deviation. The Site Development Permit is required due to the presence of environmentally sensitive lands in the form of biological resources and residential development with an affordable housing density bonus within the RT zone. And finally, a Neighborhood Use Permit is required for the proposed neighborhood identification sign.

Community Plan Analysis:

The project site is located within the Pacific Highlands Ranch Subarea Planning Area (Subarea III of the City's former North City Future Urbanizing Area). The Pacific Highlands Ranch Subarea Plan (PHRSP) was adopted in 1998 to guide development of Subarea III with the overall goal to refine and augment the NCFUA Framework Plan as it relates to Subarea III. The PHRSP also contains the more detailed area specific land use recommendations required by the citywide General Plan.

The Pacific Highlands Ranch community is based on neo-traditional planning concepts that emphasize bicycle, equestrian and pedestrian paths and focus community activities around a hub-and-spoke development pattern. Commercial, civic and residential uses would be integrated in the town center and the community's circulation system will accommodate pedestrian, bicycle, transit, and equestrian movement.

The residential neighborhood element of Pacific Highlands Ranch is organized in a hierarchical fashion. Homes would be grouped into neighborhoods and neighborhoods would be grouped together to form residential districts. The housing products of each district represent the clustering of like residences and the layering of densities throughout the community. Each district will be connected with other neighborhood districts by a system of trails, bikeways and streets.

The project site is designated "Peripheral Residential" by the PHRSP. Peripheral Residential neighborhoods have a density range of 5-9 du/acre. Single-family homes are anticipated to be the predominant product type. However, housing types may include conventional-lot and small-lot single-family homes. Single-family homes with a second unit, duplexes and triplexes are also permitted. The project proposes 87 conventional-lots and 59 small-lots north of State Route 56 (SR 56). The 28 affordable housing units would be developed south of SR 56 and developed as single-family attached units. It should be noted that the project site was assigned a total of 234 dwelling units by the PHRSP as indicated in Table 2-2, Property Owner 'K.' However, 57 units were "transferred" to the Village at Pacific Highlands Ranch project in the Town Center Village area of the Pacific Highlands Ranch planning area. The Village project was approved by the City of San Diego Planning Commission on December 12, 2013. The Village at Pacific Highlands Ranch project as well as the proposed Elms and Ivy project has documented this transfer on their Vesting Tentative Maps.

Clear pedestrian and bicyclist linkages have been created within and between adjacent neighborhoods and the rest of the community. The units within the project site have been designed with neighborly interaction in mind. Such features include shallow front yard setbacks,

front porches and garage orientations away from the street. Two common areas are located within the development north of SR 56 and two south of SR 56 for the affordable units. These areas would provide passive recreational opportunities and picnic areas for the residents.

One of the main design principles for residential developments is “linking local streets with adjacent neighborhoods, avoidance of closed loop subdivisions.” The project design would implement this principle by providing opportunities for future circulation connections to the east and west of the project in order to provide for possible future direct connections to surrounding neighborhoods.

General Plan Analysis

The Urban Design Element of the General Plan is based on the guiding principles of building upon our existing communities. The core values related to urban form include a compact, efficient, and environmentally sensitive pattern of development; and the physical, social, and cultural diversity of our City and its neighborhoods. The proposed project would build upon the existing community, and provide a compact, efficient and environmentally suitable pattern of development for this neighborhood.

The project would also implement the specific General Plan policy for *Residential Street Frontages* (UD-B.4) which recommends creating “street frontages with architectural and landscape interest for both pedestrian and neighborhood residents”. The project would provide a level of architectural articulation necessary to create a visually coherent design. It would also provide front porches, avoid multiple driveways along existing public streets, and provide landscaping that would include a variety of trees, shrubs and groundcovers in both the private front yards and the parkways along the abutting public streets and internal private driveway.

The purpose of the General Plan’s Mobility Element is to improve mobility through development of a balanced, multi-modal transportation system. Goals of the Mobility Element include creating walkable communities with pedestrian-friendly street, site and building design, and a safe and comprehensive local and regional bikeway network. The proposed project would provide pedestrian access and comfort by avoiding multiple driveway crossings and development of non-contiguous sidewalks on both public and private streets. And as stated above, direct connections to surrounding neighborhoods has also been incorporated into the site design.

Environmental Analysis:

Findings to Master Environmental Impact Report (MEIR) Project No. 317590, Master Environmental Impact Report No. 96-7918/SCH No. 97111077, have been prepared to analyze the potential environmental impacts of the proposed Elms & Ivy Project.

The City of San Diego conducted an Initial Study which determined that the project could have a significant environmental affect in the following area(s): Biological Resources and Paleontological Resources. Subsequent revisions in the project, as revised, now avoids or mitigates the potentially significant environmental effects previously identified with the MEIR and the preparation of an EIR, a subsequent EIR, or a Mitigated Negative Declaration is not required. Based in the Initial Study, the City of San Diego as the Lead Agency, has reached the

following determinations:

1. The project was considered within the scope of analysis of the MEIR pursuant to Section 21157.1(c) of the Public Resources Code.
2. Implementation of the project would not result in any additional significant effects on the environment beyond those identified in the MEIR, as defined Section 21158(d) of the Public Resources Code.
3. The project is considered to be within the scope of analysis of the MEIR and no new environmental document or findings pursuant to Public Resources Code, Section 21081, are required.
4. No substantial changes have occurred with respect to circumstances under which the MEIR was certified, there is no new available information, which was not known and could have been known at the time of the MEIR was certified, and no new environmental document pursuant Public Resources Code Section 21157.6(a) is required.

In accordance with Section 21157.1 of the Public Resources Code, Findings to MEIR, Project No. 317590, Master Environmental Impact Report No. 96-7918/SCH No. 97111077, has been prepared.

Project-Related Issue:

Affordable Housing

The project provides 28 affordable multi-family units. All of the affordable housing units are conditioned and available to families earning no more than sixty-five percent (65%) of the Area Median Income, as adjusted for family size and utilities, and with rental rates that do not exceed thirty percent (30%) of sixty percent (60%) of the Area Median Income adjusted for assumed family size and utilities.

The affordable housing units are located on the southern portion of the project site south of SR-56. Ideally, affordable units should be integrated with the market rate units on the project site. However, because SR-56 bisects the project site, the remnant southern parcel proved useful for a multi-family design that allowed the project to achieve the required 20% on-site units adjacent to dedicated open space as well as provide site amenities including two recreational areas. The multi-family units would be similar in architectural style to the single-family units and include comparable features such as great rooms adjacent to the kitchen, bedrooms with an adjoining bathroom and private garages with storage capacity.

Connectivity

The Carmel Valley Planning Board adopted a motion in support of the project with a recommendation that the street connection between the proposed Elms & Ivy subdivision and the existing Costa del Sol subdivision be removed and the area landscaped for residential users. The

Costa del Sol Homeowners Association is also opposed to the streets going through the existing subdivision citing traffic and safety as concerns. However, the local street connections are a fundamental goal of the Subarea Plan and the City staff was insistent that the connection be made. Staff feels that linking the various subdivisions is necessary to make the required finding that the project would not adversely affect the community plan. This determination was made with the knowledge that the current street connection at Dandelion Way is blocked by a fence controlled by the adjacent homeowner association and the understanding the fence will be permanently maintained.

Conclusion:

The Elms & Ivy project proposes the creation of a new residential subdivision with 174 dwelling units, Open Space, a linear park and trail amenities. The proposed development is consistent with the residential density and land use designation assigned to the 30.44-acre parcel within the Pacific Highlands Ranch Subarea Plan. The project would comply with the Land Development Code development regulations of the underlying zones including deviations with a Planned Development Permit. The project has been determined to be consistent with the Master EIR and findings establishing the project consistency were provided to the public for review pursuant to the California Environmental Quality Act. Staff has reviewed the proposed project and determined that the findings to approve the project can be affirmed by the decision maker. Generally, the project is consistent with the goals and recommendations of the land use plan, complies with the Land Development Code and would not adversely impact the health, safety and welfare of the community. Staff feels the proposed project, including the requested deviations is suitable for the proposed location and therefore recommends that the Planning Commission forward this application to the City Council with a recommendation to approve the project.

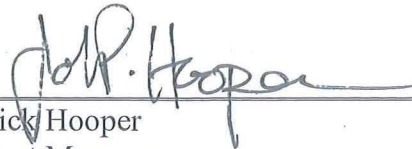
ALTERNATIVES:

1. **Approve** Vesting Tentative Map No. 1047193, Site Development Permit No. 1047194, Planned Development Permit No. 1047195 and Neighborhood Use Permit No. 1238629 with modifications; or
2. **Deny** Vesting Tentative Map No. 1047193, Site Development Permit No. 1047194, Planned Development Permit No. 1047195 and Neighborhood Use Permit No. 1238629, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



Mike Westlake
Assistant Deputy Director
Development Services Department

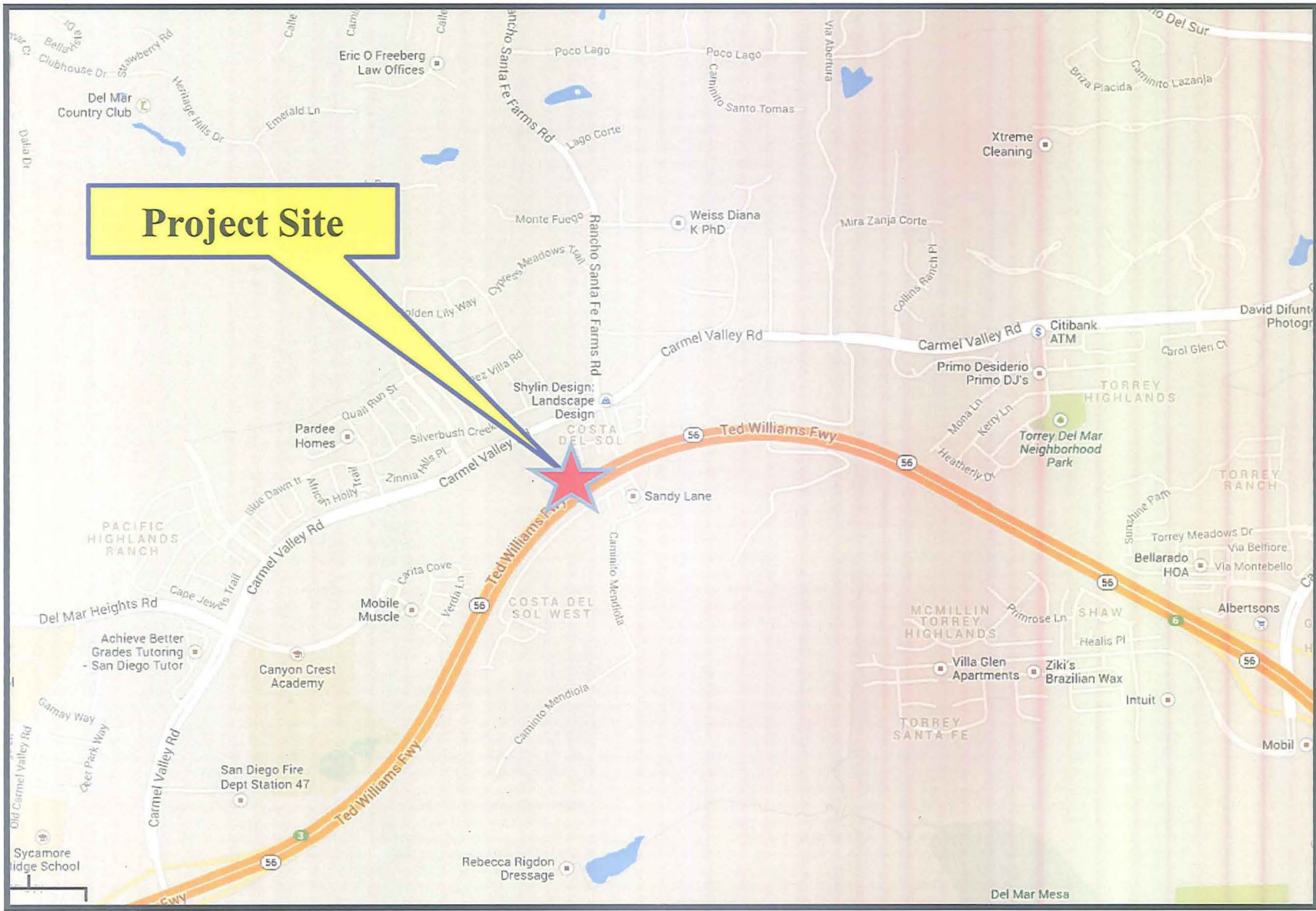


Patrick Hooper
Project Manager
Development Services Department

WESTLAKE/jph

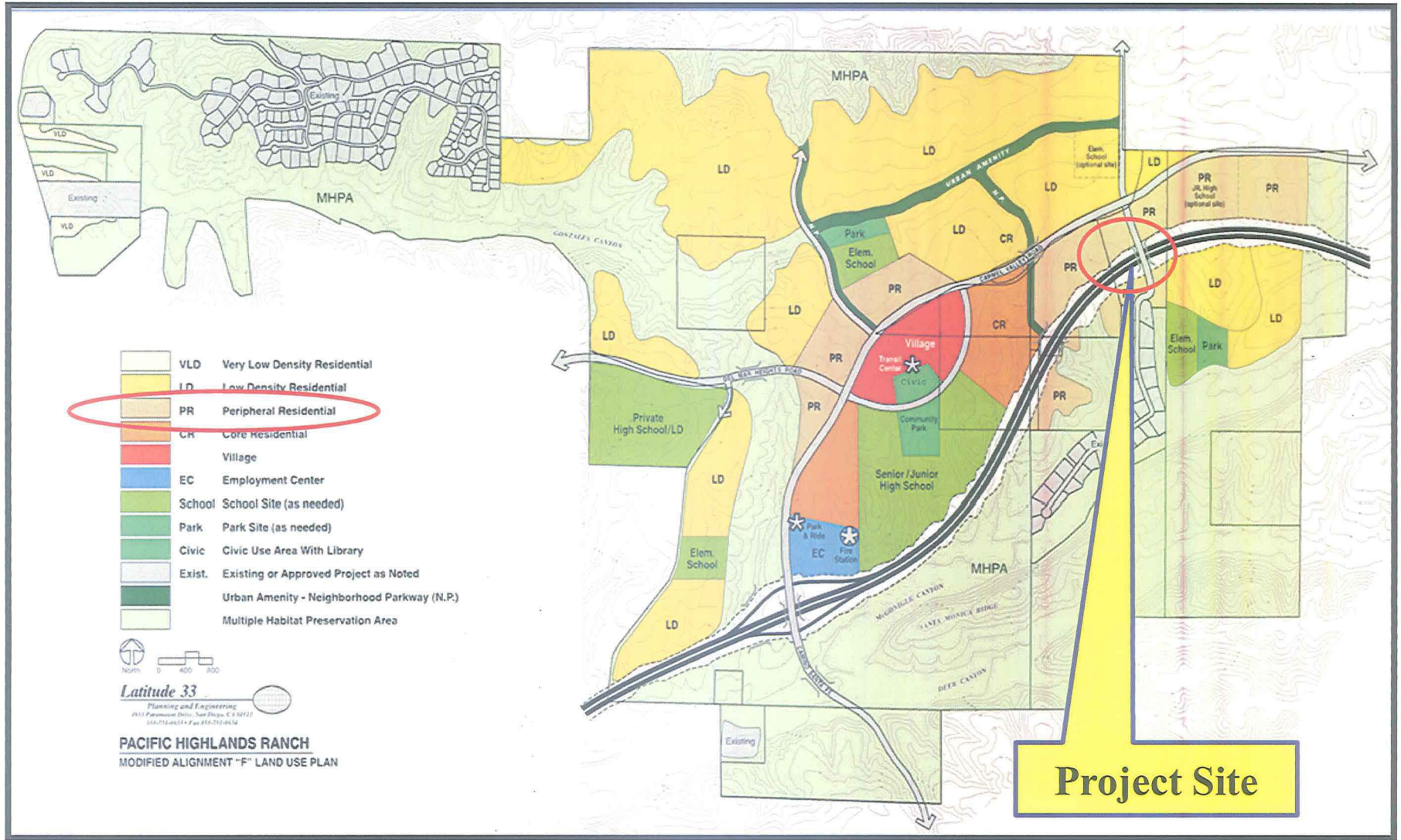
Attachments:

1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photograph
4. Draft Permit Resolution with Findings
5. Draft Permit with Conditions
6. Draft Map Resolution with Findings
7. Draft Map Conditions
8. Environmental Resolution
9. Vesting Tentative Map
10. Project Plans
11. Requested Deviations to the Land Development Code
12. Community Planning Group Recommendation
13. Ownership Disclosure Statement



Project Location Map
THE ELMS & IVY – PROJECT NO. 296644





Land Use Map – Carmel Valley

THE ELMS & IVY – PROJECT NUMBER 296644





30.44-acre
project site



Aerial Photo

THE ELMS & IVY- PROJECT NUMBER 96644



PLANNING COMMISSION SERVICES RESOLUTION NO. **(DRAFT)**
 SITE DEVELOPMENT PERMIT NO. 1047194
 PLANNED DEVELOPMENT PERMIT NO. 1047195
 NEIGHBORHOOD USE PERMIT NO. 1238629
THE ELMS & IVY - PROJECT NO. 296644 (MMRP)

WHEREAS, TAYLOR MORRISON OF CALIFORNIA, LLC., Owner/Permittee, filed an application with the City of San Diego for a permit to develop a vacant parcel with 174 residential dwelling units (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Site Development Permit No. 1047194, Planned Development Permit No. 1047195 and Neighborhood Use Permit No. 1238629), on portions of a 30.44-acre site; and

WHEREAS, the project site is located in the Pacific Highlands Ranch Subarea Plan north and south of State Route 56 (SR-56), east of the Carmel Valley Road exit, and west of the Rancho Santa Fe Farms Road exit. The northern portion of the project is more specifically southeast of the Carmel Valley Road and Lopelia Meadows Place intersection, while the southern portion is southeast of Morning Glory Way and west of Caminito Mendiola, within the Pacific Highlands Ranch Community, within the City and County of San Diego; and

WHEREAS, the project site is legally described as Parcel 2 of Parcel Map 12337; and

WHEREAS, on January 23, 2014, the Planning Commission of the City of San Diego considered Site Development Permit No. 1047194, Planned Development Permit No. 1047195 and Neighborhood Use Permit No. 1238629, pursuant to the Land Development Code of the City of San Diego; and

WHEREAS, on December 18, 2013, the City of San Diego as the Lead Agency prepared findings that confirmed the project would be consistent with previously certified Master Environmental Impact Report (MEIR) NOW, THEREFORE,

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

That Planning Commission adopts the following written Findings, dated January 23, 2014:

FINDINGS:

A. Findings for all Site Development Permits

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

The proposed development is located within the Pacific Highlands Ranch Subarea Plan, adopted in 1999, and is the applicable land use plan for the project area along with the City's General Plan, adopted in 2008. The proposed development would implement the goals and recommendations of the Pacific Highlands Ranch Subarea Plan by providing 174 residential dwelling units, inclusionary housing and urban amenities such as linear park space and trail facilities. Pedestrian and bicyclist linkages would be created within and between adjacent neighborhoods and the rest of the community. The units within the project site have been designed with neighborly interaction in mind. Such features include shallow front yard setbacks,

front porches and garage orientations away from the street. Two common areas are located within the development north of SR 56 and two south of SR 56 for the affordable units. These areas would provide passive recreational opportunities and picnic areas for the residents. Additionally, the proposed development was designed to link local streets with adjacent neighborhoods and the avoidance of closed loop subdivisions. The project design would provide opportunities for future circulation connections to the east and west of the project in order to provide for possible future direct connections to surrounding neighborhoods. Therefore, when considering the project as a whole, the development would not adversely affect the applicable land use plan.

2. The proposed development will not be detrimental to the public health, safety, and welfare.

The proposed development as currently designed will not be detrimental to the public health, safety, and welfare. The proposed development, together with the existing surrounding development (grading design, provision of roadways, utilities, drainage infrastructure, preservation of open space, etc.) in the Pacific Highlands Ranch Subarea Plan has been designed to conform with the City of San Diego's codes, policies, and regulations whose primary focus is the protection of the public's health, safety, and welfare. The proposed development will construct necessary sewer and water facilities to serve the residents and occupants. The proposed development will enter into a Maintenance Agreement for the ongoing permanent Best Management Practices (BMPs) maintenance. The proposed development will comply with all requirements of the State Water Resources Control Board and Municipal Storm Water Permit, Waste Discharge Requirements for Discharges of Storm Water Runoff Associate with Construction Activity. All structures constructed will be reviewed by City staff for compliance with all relevant and applicable building, electrical, mechanical, and fire codes to assure the structures will meet or exceed the current City regulations. The proposed development has been reviewed by City staff and is consistent with the City's policies and requirements. Additionally, the permit controlling the development contains conditions addressing the project compliance with the City's regulations and policies, and other regional, state, and federal regulations to prevent detrimental impacts to the public health, safety, and welfare. Compliance with these regulations and project conditions would result in a development that will not be detrimental to the public health, safety, and welfare.

3. The proposed development will comply with the applicable regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code.

The proposed development would comply with all applicable development regulations of the Land Development Code. Deviations from the minimum standards of the underlying zones requested for this application were determined to be consistent with the purpose and intent of the regulations. Deviations include reduction in setbacks, lot area, lot dimensions and retaining wall height. The deviations are necessary to develop the site with an acceptable density and variety of housing types. The overall site layout, street system and development pattern would comply with the intent of the residentially zoned parcel. The deviations are permitted with an approved Planned Development Permit and therefore would comply with the applicable regulations of the Land Development Code. Likewise, the project would comply with the Environmentally Sensitive Lands Regulations with an approved Site Development Permit. Permit conditions include protections for sensitive biological resources including sufficient setbacks and adherence MHPA adjacency guidelines. Finally, an approved Neighborhood Use Permit would allow for the

proposed community identification sign that would be designed to be compatible with the surrounding community and located in a manner that would not conflict with view corridors or traffic safety. Therefore, the proposed development, including the requested deviations, would comply with the applicable regulations of the Land Development Code

B. Site Development Permit 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 Pacific Highlands Ranch Subarea Plan designates the project site for residential development therefore; the proposed 174 dwelling units are an appropriate use at the proposed location. The 30.44-acre parcel is bisected by SR-56 dividing the site into two sections. The northern 23.36-acre portion includes single-family residential development and the 07.08-acre southern portion includes multi-family development and open space within the Multi-Habitat Planning Area. The majority of the project site was disked and rough graded and therefore is considered previously disturbed. Additional fine grading proposed for the development would be minimal and would not alter the landform or disturb the environmental resources. The proposed development would not adversely impact any sensitive biological resource or wetland resource. All proposed grading and development is setback from the existing environmental resources with appropriate buffer areas. Conditions in the permit include implementation of the Mitigation, Monitoring and Reporting Program (MMRP) that would reduce potential impacts to a level below what would be considered significant. The MHPA adjacency guidelines would apply to the project and are conditioned within the permit. Therefore, the site is suitable for the design and siting of the proposed development and the design and site plan for the new subdivision.

2. The proposed development will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.

The proposed development was previously disturbed with agricultural disking and the subsequent grading for the State Route (SR) 56 right-of-way. The project proposes minimal overall site grading and will not significantly alter the existing landform. A series of retaining walls will be used to minimize the creation of large slopes and maximize the existing topography. The project site is comparatively flat with a grade differential of approximately 30-feet over the entire 30.44-acres. The site contains no steep slopes that are greater than 25 percent. The property is mapped with Geologic Hazard Zone 53 (gently sloping to steep terrain, favorable structure, low risk). No faulting has been mapped or observed within the project site. A geotechnical analyses concluded that there is no geotechnical related conditions at the project site that would preclude development as presently proposed, provided that the recommendations within the studies are implemented. Additionally, the project would be required to utilize proper engineering design and standard construction practices to be verified at building permit phase that would ensure that potential impacts from regional geologic hazards would be less than significant. The project site is not located near a body of water, including the ocean, lake or stream therefore, the possibility of flooding is unlikely. Likewise, the property is relatively flat and not located in a particularly wooded area. Brush Management would be implemented adjacent to the open space so overall, the fire hazard is low.

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

The proposed project site contains approximately 2.08-acres of Open Space and biological and wetland resources. Both sensitive resources are excluded from the development footprint and the design provides adequate buffer area to ensure protection of the resources. Permit conditions, including best management practices, as well as the Mitigation Monitoring and Reporting Program would prevent any adverse impact to adjacent environmental lands.

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

The project site contains portions of Multi-Habitat Planning Area that is a part of the Multiple Species Conservation Program (MSCP) Subarea Plan. The development avoids direct and indirect impacts to the MHPA area and ensures the resource is protected with permit conditions including the MHPA Adjacency Guidelines and the Mitigation, Monitoring and Reporting Program and would be consistent with the 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 development is not located on or near any public beach or shoreline and therefore would not contribute to the erosion of those resources.

- 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 development and any resulting impacts associated with the subdivision were considered in the Master Environmental Impact Report (MEIR). The project has been determined to be consistent with the MEIR and no new impacts would occur as a result of this development. A Mitigation, Monitoring and Reporting Program (MMRP) is included that addresses potential impacts to biological and paleontological resources. Implementation of the MMRP would reduce the impact to below a level of significance. Therefore, the mitigation that is a part of this development is reasonably related to and calculated to alleviate negative impacts created by the proposed development.

C. Planned Development Permit - Section 126.0604

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

The proposed development is located within the Pacific Highlands Ranch Subarea Plan, adopted in 1999, and is the applicable land use plan for the project area along with the City's General Plan, adopted in 2008. The proposed development would implement the goals and recommendations of the Pacific Highlands Ranch Subarea Plan by providing 174 residential dwelling units, inclusionary housing and urban amenities such as linear park space and trail facilities. Pedestrian and bicyclist linkages would be created within and between adjacent neighborhoods and the rest of the community. The units within the project site have been

designed with neighborly interaction in mind. Such features include shallow front yard setbacks, front porches and garage orientations away from the street. Two common areas are located within the development north of SR 56 and two south of SR 56 for the affordable units. These areas would provide passive recreational opportunities and picnic areas for the residents. Additionally, the proposed development was designed to link local streets with adjacent neighborhoods and the avoidance of closed loop subdivisions. The project design would provide opportunities for future circulation connections to the east and west of the project in order to provide for possible future direct connections to surrounding neighborhoods. Therefore, when considering the project as a whole, the development would not adversely affect the applicable land use plan.

2. The proposed development will not be detrimental to the public health, safety, and welfare.

The proposed development as currently designed will not be detrimental to the public health, safety, and welfare. The proposed development, together with the existing surrounding development (grading design, provision of roadways, utilities, drainage infrastructure, preservation of open space, etc.) in the Pacific Highlands Ranch Subarea Plan has been designed to conform with the City of San Diego's codes, policies, and regulations whose primary focus is the protection of the public's health, safety, and welfare. The proposed development will construct necessary sewer and water facilities to serve the residents and occupants. The proposed development will enter into a Maintenance Agreement for the ongoing permanent Best Management Practices (BMPs) maintenance. The proposed development will comply with all requirements of the State Water Resources Control Board and Municipal Storm Water Permit, Waste Discharge Requirements for Discharges of Storm Water Runoff Associate with Construction Activity. All structures constructed will be reviewed by City staff for compliance with all relevant and applicable building, electrical, mechanical, and fire codes to assure the structures will meet or exceed the current City regulations. The proposed development has been reviewed by City staff and is consistent with the City's policies and requirements. Additionally, the permit controlling the development contains conditions addressing the project compliance with the City's regulations and policies, and other regional, state, and federal regulations to prevent detrimental impacts to the public health, safety, and welfare. Compliance with these regulations and project conditions would result in a development that will not be detrimental to the public health, safety, and welfare.

3. The proposed development will comply with the regulations of the Land Development Code including any proposed deviations pursuant to Section 126.0602(b)(1) that 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; and any allowable deviations that are otherwise authorized pursuant to the Land Development Code.

The proposed development would comply with all applicable development regulations of the Land Development Code. Deviations from the minimum standards of the underlying zones requested for this application were determined to be consistent with the purpose and intent of the regulations. Deviations include reduction in setbacks, lot area, lot dimensions and retaining wall height. The deviations are necessary to develop the site with an acceptable density and variety of housing types. The overall site layout, street system and development pattern would comply with the intent of the residentially zoned parcel. The deviations are permitted with an approved

Planned Development Permit and therefore would comply with the applicable regulations of the Land Development Code. Likewise, the project would comply with the Environmentally Sensitive Lands Regulations with an approved Site Development Permit. Permit conditions include protections for sensitive biological resources including sufficient setbacks and adherence MHPA adjacency guidelines. Finally, an approved Neighborhood Use Permit would allow for the proposed community identification sign that would be designed to be compatible with the surrounding community and located in a manner that would not conflict with view corridors or traffic safety. Therefore, the proposed development, including the requested deviations, would comply with the applicable regulations of the Land Development Code.

D. Findings for Neighborhood Use Permit 126.0205:

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

The proposed development is located within the Pacific Highlands Ranch Subarea Plan, adopted in 1999, and is the applicable land use plan for the project area along with the City's General Plan, adopted in 2008. The Neighborhood Use Permit is required for a neighborhood monument sign located at and defining the entrance to the Elms & Ivy project. The 48-inches tall and 12-inches wide stone monument sign is on a landscaped corner at Lopelia Meadows Place. The sign is located out of the public-right-of-way on private property. The Pacific Highlands Ranch designates the project site for residential development and the monument sign is considered an accessory feature to the residential use. 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 development relative to the Neighborhood Use Permit is a 48-inch tall by 12-inch wide stone monument sign defining the entrance to the Elms & Ivy project. The sign is located outside of the public right-of-way and would not interfere with visibility, access or egress from the subdivision. The monument sign is set within a landscaped area adjacent to a sidewalk and provides an aesthetic rock feature to the neighborhood. Based on the size, location and design of the sign, the project feature would not be detrimental to the public health, safety, and welfare.

3. The proposed development will comply with the applicable regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code.

The proposed neighborhood monument sign requires a Neighborhood Use Permit pursuant to the development regulations of the Land Development Code. The sign is designed and sited to meet all setback and height requirements and no deviation for the sign is requested as a part of the project. Therefore, the proposed development would comply with the applicable regulations of the Land Development Code.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the City Council is hereby GRANTED by the City Council to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Site Development Permit No. 1047194, Planned Development Permit No.

1047195 and Neighborhood Use Permit No. 1238629, a copy of which is attached hereto and made a part hereof.

Patrick Hooper
Development Project Manager
Development Services

Adopted on: (DRAFT)

Job Order No. 24003273

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

WHEN RECORDED MAIL TO
CITY CLERK
MAIL STATION 2A

INTERNAL ORDER NUMBER: 24003273

SPACE ABOVE THIS LINE FOR RECORDER'S USE

SITE DEVELOPMENT PERMIT NO. 1047194
 PLANNED DEVELOPMENT PERMIT NO. 1047195
 NEIGHBORHOOD USE PERMIT NO. 1238629
THE ELMS & IVY - PROJECT NO. 296644 (MMRP)
CITY COUNCIL

This Site Development Permit No. 1047194, Planned Development Permit No. 1047195 and Neighborhood Use Permit No. 1238629 is granted by the City Council of the City of San Diego to TAYLOR MORRISON OF CALIFORNIA, LLC., Owner and Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0404; 126.0504 and 126.0604. The 30.44-acre site is located in the Pacific Highlands Ranch Subarea Plan north and south of State Route 56 (SR-56), east of the Carmel Valley Road exit, and west of the Rancho Santa Fe Farms Road exit. The northern portion of the project is more specifically southeast of the Carmel Valley Road and Lopelia Meadows Place intersection, while the southern portion is southeast of Morning Glory Way and west of Caminito Mendiola, within the Pacific Highlands Ranch Community, within the City and County of San Diego. The project site is legally described as: Parcel 2 of Parcel Map No. 12337.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner and Permittee to grade and develop the project site with 174 residential dwelling units and the associated street and utility improvements described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated (insert date after final approval), on file in the Development Services Department.

The project shall include:

- a. 146 single-family residential dwelling units and 28 affordable multi-family units including variances as described within the permit ;
- b. Landscaping (planting, irrigation and landscape related improvements);

- c. Off-street parking;
- d. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by (insert date after final approval).
2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
3. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
7. In accordance with authorization granted to the City of San Diego from the United States Fish and Wildlife Service [USFWS] pursuant to Section 10(a) of the federal Endangered Species Act [ESA] and by the California Department of Fish and Wildlife [CDFW] pursuant to California Fish and Wildlife Code section 2835 as part of the Multiple Species Conservation

Program [MSCP], the City of San Diego through the issuance of this Permit hereby confers upon Owner/Permittee the status of Third Party Beneficiary as provided for in Section 17 of the City of San Diego Implementing Agreement [IA], executed on July 16, 1997, and on file in the Office of the City Clerk as Document No. OO-18394. Third Party Beneficiary status is conferred upon Owner/Permittee by the City: (1) to grant Owner/Permittee the legal standing and legal right to utilize the take authorizations granted to the City pursuant to the MSCP within the context of those limitations imposed under this Permit and the IA, and (2) to assure Owner/Permittee that no existing mitigation obligation imposed by the City of San Diego pursuant to this Permit shall be altered in the future by the City of San Diego, USFWS, or CDFW, except in the limited circumstances described in Sections 9.6 and 9.7 of the IA. If mitigation lands are identified but not yet dedicated or preserved in perpetuity, maintenance and continued recognition of Third Party Beneficiary status by the City is contingent upon Owner/Permittee maintaining the biological values of any and all lands committed for mitigation pursuant to this Permit and of full satisfaction by Owner/Permittee of mitigation obligations required by this Permit, in accordance with Section 17.1D of the IA.

8. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

9. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.

10. All of the conditions contained in this Permit have been considered and were determined-necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

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

11. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the

City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

12. Mitigation requirements in the Mitigation, Monitoring, and Reporting Program [MMRP] shall apply to this Permit. These MMRP conditions are hereby incorporated into this Permit by reference.

13. The mitigation measures specified in the MMRP and outlined in Master Environmental Impact Report No. 96-7918 / SCH No. 97111077, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

14. The Owner/Permittee shall comply with the MMRP as specified in Master Environmental Impact Report No. 96-7918 / SCH No. 97111077, to the satisfaction of the Development Services Department and the City Engineer. Prior to issuance of any construction permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for the following issue areas:

Biological resources

Paleontological resources

AFFORDABLE HOUSING REQUIREMENTS:

15. The Owner/Permittee shall comply with the affordable housing requirements of the City's North City Future Urbanizing Area Framework Plan and the Pacific Highlands Ranch Subarea Plan, which requires that the project provide 20 percent of the pre-density bonus units as affordable (the "Affordable Housing Requirements").

16. Prior to the issuance of construction or grading permits the owner/permittee shall enter into a Master Affordable Housing Agreement ("Affordable Housing Agreement"), with the San Diego Housing Commission ("Housing Commission") to detail and assure the construction and occupancy of an "Affordable Housing Project" consisting of twenty-eight (28) units ("Affordable Units") to be constructed on Lot 147 (the "Affordable Housing Site"), as shown on the Vesting Tentative Map. The Affordable Housing Agreement shall include all of the provisions of this Section and such other and further conditions as shall be required by the President and CEO of the Housing Commission, or his designee ("President and CEO"), to

assure satisfaction of the affordable housing requirements as referenced in this Permit and the Affordable Housing Program (attached to this Permit).

17. Prior to the issuance of any building permits, the Owner/Permittee shall execute and record a declaration of covenants, conditions and restrictions (the "Declaration") in first priority position against the Affordable Housing Site, restricting the occupancy and affordability of the Affordable Housing Project for a period of fifty-five (55) years from the date of initial occupancy of the Affordable Housing Project. All Affordable Units shall be for occupancy by families earning no more than sixty-five percent (65%) of the Area Median Income, as adjusted for family size and utilities, and with rental rates that do not exceed thirty percent (30%) of sixty percent (60%) of the Area Median Income, as adjusted for assumed family size and utilities. The Declaration shall provide for the siting, mix and architecture nature of the Affordable Housing Project.

18. Prior to the issuance of any building permits, the Owner/Permittee shall execute and record a deed of trust against the Affordable Housing Site, in second lien priority (junior only to the Declaration), assuring the timely performance of the Declaration and the Affordable Housing Agreement. The deed of trust in favor of the Housing Commission may be subordinated to construction deed of trust and/or permanent financing deed(s) of trust in favor of institutional lenders, as approved by the President and CEO in her/his sole discretion, if deemed essential to construction and/or operation of the Affordable Housing Project, upon such terms and conditions as she/he may impose.

19. Prior to the issuance of any building permits, the Owner/Permittee shall post performance security for the construction of the Affordable Housing Project, including without limitation, all onsite and offsite improvements, necessary to access and serve the Affordable Housing Project with all necessary utilities, in the form of bond(s), letter(s) of credit, lien(s) and/or other forms of security acceptable to the President and CEO in her/his sole discretion.

20. Approval of the timing of the construction and occupancy of the Affordable Housing Project, acceptable to the President and CEO, shall be included in the Affordable Housing Agreement, provided that the following timetable is incorporated into the Affordable Housing Agreement:

- a. Issuance of building permits for the Affordable Project shall occur on or before the earlier of: (A) the issuance of building permits for construction of the 73rd market rate dwelling unit; or (B) twenty-four (24) months after the issuance of the first residential building permit.
- b. In no event shall the issuance of building permits for the construction of the 73rd market rate dwelling unit occur until building permits for construction of the twenty-eight (28) affordable units are authorized by the City and are obtained by the Subdivider. Further, if individual parcels are sold initially by Owner/Permittee without first obtaining building permits for construction of market rate units, every such parcel sold shall nonetheless be included with the total number of the building permit issued, in determining when the issuance of the building permit occurs for the 73rd market rate unit.

c. Completion of construction of the Affordable Project shall occur upon the earlier of:

(A) Eighteen (18) months after the issuance of building permit for the Affordable Project as referenced in Paragraph 18.b.1., hereof; or

(B) Three and one-half years after the issuance of the first residential building permit).

21. Occupancy of the Affordable Project shall occur not later than one hundred eighty (180) days after the completion of construction as referenced in Paragraph 18.b.3., above

22. For "good cause" shown to the satisfaction of the President and CEO, the thresholds and dates referenced herein may be adjusted and/or extended one or more times. Good cause shall include, but not be limited to, Acts of God, labor strikes, war, riots, etc., as shall be determined by the President and CEO, in his/her sole discretion.

23. The successors, heirs and assigns of the Owner/Permittee shall enter into and execute such other and further documents as the President and CEO shall require, from time to time, as may be needed to effectuate the affordable housing requirements of this Site Development Permit and the Affordable Housing Program.

24. The Pacific Highlands Ranch Affordable Housing Program is attached to these Permit conditions and on file in the Office of the Development Services Department and is incorporated herein. The provisions of the Affordable Housing Program shall not in any way modify or change any provisions of the Affordable Housing requirements. To the extent that there is any inconsistency between the two, the terms of the permit conditions shall prevail.

ENGINEERING REQUIREMENTS:

25. Prior to the issuance of the grading permit, the applicant shall submit a letter of permission from the adjacent property owner for the grading plans westerly of Parcel Map 12337 satisfactory to the City Engineer.

26. Prior to the issuance of a grading permit, the Owner/Permittee shall enter into an agreement to indemnify, protect and hold harmless the City, its officials and employees from any and all claims, demands, causes or action, liability or loss because of, or arising out of the storm water from the public storm drain system onto private property for storm water treatment storm drain satisfactory to the City Engineer.

27. The Site Development Permit, Planned Development Permit and Neighborhood Use Permit must comply the Vesting Tentative Map No. 1047193.

LANDSCAPE REQUIREMENTS:

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

Landscape Standards, the San Diego Low Impact Development Design Manual, and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit 'A,' on file in the Office of the Development Services Department.

29. Prior to issuance of any engineering permits for right-of-way improvements, complete landscape construction documents for right-of-way improvements shall be submitted to the Development Services Department for approval. Improvement plans shall take into account a 40 sq-ft area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

30. Prior to issuance of any construction permits for structures (including shell), complete landscape and irrigation construction documents consistent with the Landscape Standards shall be submitted to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit 'A,' Landscape Development Plan, on file in the Office of the Development Services Department. Construction plans shall provide a 40 sq-ft area around each tree that is unencumbered by hardscape and utilities unless otherwise approved per LDC 142.0403(b)5.

31. Prior to issuance of any construction permits for structures (including shell), complete landscape and irrigation construction documents consistent with the Landscape Standards shall be submitted to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit 'A,' Landscape Development Plan, on file in the Office of the Development Services Department. Construction plans shall provide a 40 sq-ft area around each tree that is unencumbered by hardscape and utilities unless otherwise approved per LDC 142.0403(b)5.

32. In the event that a foundation only permit is requested by the Owner/Permittee, a site plan or staking layout plan shall be submitted identifying all landscape areas consistent with Exhibit 'A,' Landscape Development Plan, on file in the Office of the Development Services Department. These landscape areas shall be clearly identified with a distinct symbol, noted with dimensions and labeled as 'landscaping area.'

33. Prior to issuance of any Certificate of Occupancy or Final Inspection, it shall be the responsibility of the Owner/Permittee to install all required landscape and obtain all required landscape inspections.

34. All required landscape shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted unless specifically noted in this Permit.

35. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, consistent with the Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity.

36. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or Certificate of Occupancy.

BRUSH MANAGEMENT PROGRAM REQUIREMENTS:

37. The Brush Management Program shall consist of a modified Zone One of 70 feet to 100 feet in width with no zone Two, extending out from the structure towards the native/naturalized vegetation, consistent with the Brush Management Regulations of the Land Development Code, section 142.0412. Alternative compliance for Lots 1-4, 19-25, and 46-50: All openings in exterior building walls adjacent to Zone One, including a 10-ft perpendicular return along adjacent wall faces, shall consist of dual-glazed, dual-tempered panes or glass block units in addition to meeting standard CBC 7A requirements.

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

39. Prior to issuance of any Building Permits, a complete set of Brush Management Plans shall be submitted for approval to the Development Services Department. The construction documents shall be in substantial conformance with Exhibit 'A' and shall comply with the Landscape Standards and Brush Management Regulations as set forth under Land Development Code Section 142.0412.

40. Within Zone One, combustible accessory structures (including, but not limited to decks, trellises, gazebos, etc.) shall not be permitted while non-combustible, one-hour fire-rated, and/or "heavy timber" accessory structures may be approved within the designated Zone One area subject to Fire Marshal's approval.

41. The following note shall be provided on the Brush Management Construction Documents: 'It shall be the responsibility of the Owner/Permittee to schedule a pre-construction meeting on site with the contractor and the Development Services Department to discuss and outline the implementation of the Brush Management Program.'

42. Prior to final inspection and issuance of any Certificate of Occupancy, the approved Brush Management Program shall be implemented.

43. The Brush Management Program shall be maintained at all times in accordance with the City of San Diego's Landscape Standards.

PLANNING/DESIGN REQUIREMENTS:

44. Owner/Permittee shall maintain the connection from Elms & Ivy to Dandelion Way for pedestrian/non-vehicular and emergency access, as shown on the Exhibit "A" Vesting Tentative

Map. The connection shall be designed as a two lane residential local, urban parkway configuration roadway to accommodate vehicular traffic should vehicular access be desired in the future. minimum of off-street parking spaces on the property at all times in the approximate locations shown on the approved Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the appropriate City decision maker in accordance with the SDMC.

45. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.

46. All signs associated with this development shall be consistent with sign criteria established by either the approved Exhibit "A".

47. The Owner/Permittee shall post a copy of each approved discretionary Permit or Tentative Map in its sales office for consideration by each prospective buyer.

48. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

TRANSPORTATION REQUIREMENTS

49. Prior to the issuance of the first construction permit, the Owner/Applicant shall prepare plans and provide a bond to complete Phase Three of the Pacific Highland Ranch Transportation and Facility Phasing Plan for Carmel Valley Road between SR 56 and Del Mar Heights Road to the satisfaction of the City Engineer.

50. Prior to the issuance of the first construction permit, the Owner/Applicant shall prepare plans and provide a bond to complete Phase Three of the Pacific Highland Ranch Transportation and Facility Phasing Plan for Carmel Valley Road between Del Mar Heights Road and Black Mountain Road to the satisfaction of the City Engineer.

51. Prior to the issuance of the first construction permit, the owner/permittee shall dedicate and shall assure by permit and bond the construction of Lopelia Meadows Place with 52 feet curb to curb with a 12 foot raised median in 66 feet right-of-way including a 12' parkway with noncontiguous 5 foot sidewalk, curb and gutter on the east side and a 2 foot parkway on the west side, satisfactory to the City Engineer. These improvements shall be completed and accepted by the City Engineer prior to the issuance of any occupancy permit.

52. Prior to the issuance of the first construction permit, the owner/permittee shall dedicate and shall assure by permit and bond the construction of Lopelia Meadows Place / Carmel Valley Road signalized intersection with a northbound left turn lane and a through/right turn lane and a single southbound lane, satisfactory to the City Engineer. These improvements shall be completed and accepted by the City Engineer prior to the issuance of any occupancy permit.

53. Prior to the issuance of the first construction permit, the owner/permittee shall dedicate and shall assure by permit and bond the construction of Streets A, B, C, D, E and Dandelion Way as residential streets with 30 feet curb to curb in 50 feet right-of-way including 10' parkways with noncontiguous 5 foot sidewalk, curb and gutter, satisfactory to the City Engineer. These improvements shall be completed and accepted by the City Engineer prior to the issuance of any occupancy permit.

54. For the Affordable Housing, a minimum of 53 off-street automobile parking (including 1 van and 2 accessible), 3 motorcycle, 15 bicycle parking spaces shall be permanently maintained on the property within the approximate location shown on the project's Exhibit "A". Further, all parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code, and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the Director of Development Services Department.

55. For the 146 Housing units, a minimum of 525 off-street automobile parking spaces shall be permanently maintained on the property within the approximate location shown on the project's Exhibit "A". Further, all parking stalls shall be in compliance with requirements of the City's Land Development Code, and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the Director of Development Services Department.

56. Prior to the issuance of any building permit, the project shall demonstrate conformance with the Pacific Highlands Ranch Transportation Phasing Plan satisfactory to the City Engineer.

57. The Subdivider shall relinquish abutter's rights onto Carmel Valley Road ,with the exception of Private Drive "G", to the satisfaction of the City Engineer.

58. The Subdivider shall relinquish abutter's rights onto State Route 56 to the satisfaction of the City Engineer.

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

59. Prior to the issuance of any construction permit, the Owner/Permittee shall assure, by permit and bond the design and construction of all public water and sewer facilities as shown on the approved Exhibit "A", in a manner satisfactory to the Public Utilities Director and the City Engineer.

60. Prior to the issuance of any construction permits, the Owner/Permittee shall assure, by permit and bond the abandonment of portion of the existing water main within Dandelion Way as shown on the approved Exhibit "A", in a manner satisfactory to the Public Utilities Director and the City Engineer.

61. Prior to the issuance of any construction permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of any new water and sewer service(s) outside of any driveway in a manner satisfactory to the Public Utilities Director and the City Engineer.

62. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any sewer facilities and within five feet of any water facilities.

63. Prior to the issuance of any certificates of occupancy, all public water and sewer facilities shall be complete and operational in a manner satisfactory to the Public Utilities Director and the City Engineer.

INFORMATION ONLY:

- The issuance of this discretionary use permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this discretionary use permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the City Council of the City of San Diego on (insert date after final approval) and Resolution No. (assigned by City Clerk).

Permit Type/PTS Approval No.:
Date of Approval:

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES
DEPARTMENT

NAME
Development Project Manager

**NOTE: Notary acknowledgment
must be attached per Civil Code
section 1189 et seq.**

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

[NAME OF COMPANY]
Owner/Permittee

By _____
NAME
TITLE

[NAME OF COMPANY]
Owner/Permittee

By _____
NAME
TITLE

**NOTE: Notary acknowledgments
must be attached per Civil Code
section 1189 et seq.**

CITY COUNCIL RESOLUTION NUMBER R-(DRAFT)
VESTING TENTATIVE MAP NO. 1047193
THE ELMS & IVY – PROJECT NUMBER 296644 (MMRP)

WHEREAS, TALOR MORRISON OF CALIFORNIA, LLC., Subdivider, and
LATITUDE 33 PLANNING & ENGINEERING, Engineer, submitted an application to the City
of San Diego for Vesting Tentative Map No. 1047193 for the Elms & Ivy residential subdivision;
and

WHEREAS, the project site is located north and south of State Route 56 (SR-56), east of
the Carmel Valley Road exit, and west of the Rancho Santa Fe Farms Road exit. The northern
portion of the project is more specifically southeast of the Carmel Valley Road and Lopelia
Meadows Place intersection, while the southern portion is southeast of Morning Glory Way and
west of Caminito Mendiola, within the Pacific Highlands Ranch Community, within the City and
County of San Diego. The property is legally described as Parcel 2 of Parcel Map No. 12337;
and

WHEREAS, the Map proposes the Subdivision of a 30.44-acre site with 146 single
family units and 28 affordable housing unit; and

WHEREAS, the City of San Diego, as Lead Agency, through the Development Services
Department, made an Environmental Determination that the project would be consistent with
Pacific Highlands Ranch (Subarea III) Subarea Plan in the NCFUA (LDR No. 96-7918/SCH No.
97111077), which analyzed the impacts that would potentially result from development of the
Subarea; and

WHEREAS, the project complies with the requirements of a preliminary soils and/or geological reconnaissance report pursuant to Subdivision Map Act sections 66490 and 66491(b)-(f) and San Diego Municipal Code section 144.0220; and

WHEREAS, on January 23, 2014, the Planning Commission of the City of San Diego considered Vesting Tentative No. 1047193 and Public Right-of-Way and/or Easement Vacation, voted to recommend City Council approval of the map; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, on **DRAFT**, the City Council of the City of San Diego considered Vesting Tentative No.1047193, and Public Right-of-Way and/or Easement Vacation, and pursuant to San Diego Municipal Code section(s) 125.0440, 125.0941, 125.1040 and Subdivision Map Act section 66428, received for its consideration written and oral presentations, evidence having been submitted, and testimony having been heard from all interested parties at the public hearing, and the City Council having fully considered the matter and being fully advised concerning the same; NOW THEREFORE,

BE IT RESOLVED by the City Council of the City of San Diego, that it adopts the following findings with respect to Vesting Tentative JMap No. 1047193:

1. The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan (San Diego Municipal Code § 125.0440(a) and Subdivision Map Action §§ 66473.5, 66474(a), and 66474(b)).

The proposed subdivision and its design and improvements would be consistent with the Pacific Highlands Subarea Plan which designates the project site for peripheral residential development at a density range of 5 to 9 units per acre. The proposed development provides the recommended density and the associated improvements including public rights-of-way, utilities and amenities as prescribed by the plan.

2. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code, including any allowable deviations pursuant to the land development code.

The proposed subdivision complies with the purpose and intent of the various residential and open space zones underlying the 30.44-acre site. The project is requesting several deviations to the minimum setbacks, lot dimensions and retaining wall heights. The deviations are permitted with an approved Planned Development Permit, therefore, the proposed subdivision would comply with the applicable zoning.

3. The site is physically suitable for the type and density of development (San Diego Municipal Code § 125.0440(c) and Subdivision Map Act §§ 66474(c) and 66474(d)).

The Pacific Highlands Ranch designates the project site for peripheral residential development with a maximum density of 231 residential units. The project seeks to develop the 30.44-acre site with 174 units and has transferred the additional 57 units to the Village at Pacific Highlands Ranch project. The site is physically suitable for the reduced density and will provide private lot ownership, and infrastructure including water, sewer, storm water and public and private streets. The project also provides recreational amenities including linear parks, green space and an urban trail system. Therefore, the site is physically suitable for the proposed development.

4. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat (San Diego Municipal Code § 125.0440(d) and Subdivision Map Act § 66474(e)).

The design of the subdivision preserves and protects natural biological and wetland resources on the site through mitigation, permit conditions and established buffer zones.

5. The design of the subdivision or the type of improvement will not be detrimental to the public health, safety, and welfare (San Diego Municipal Code § 125.0440(e) and Subdivision Map Act § 66474(f)).

The development as currently designed will not be detrimental to the public health, safety, and welfare. The development, together with the existing surrounding development (grading design, provision of roadways, utilities, drainage infrastructure, preservation of open space, etc.) in the Pacific Highlands Ranch Subarea Plan has been designed to conform with the

City of San Diego's codes, policies, and regulations whose primary focus is the protection of the public's health, safety, and welfare. The development will construct necessary sewer and water facilities to serve the residents and occupants. The development will enter into a Maintenance Agreement for the ongoing permanent Best Management Practices (BMPs) maintenance. The development will comply with all requirements of the State Water Resources Control Board and Municipal Storm Water Permit, Waste Discharge Requirements for Discharges of Storm Water Runoff Associate with Construction Activity. All structures constructed will be reviewed by City staff for compliance with all relevant and applicable building, electrical, mechanical, and fire codes to assure the structures will meet or exceed the current City regulations. The development has been reviewed by City staff and is consistent with the City's policies and requirements. Additionally, the permit controlling the development contains conditions addressing the project compliance with the City's regulations and policies, and other regional, state, and federal regulations to prevent detrimental impacts to the public health, safety, and welfare. Compliance with these regulations and project conditions would result in a proposed development which does not adversely affect the public health, safety, and welfare.

6. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision (San Diego Municipal Code § 125.0440(f) and Subdivision Map Act § 66474(g)).

The design of the subdivision and the type of improvements are such that they will not conflict with any easements, acquired by the public at large, for access through or use of property within the proposed subdivision as demonstrated by the City Engineer. All easements granted to the City over the property have been left in place or have been relocated and improved in a manner that allows for public access that is better than access formerly provided by the unimproved easements, as reflected on the Vesting Tentative Map.

7. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (San Diego Municipal Code § 125.0440(g) and Subdivision Map Act § 66473.1).

The design and proposed improvements for the subdivision are consistent with California Government Code Section 66473.1 and San Diego Municipal Code Section 125.0440(g) regarding the design of the subdivision for future passive or natural heating and cooling opportunities. The design of the subdivision has taken into account the best use of the land to minimize grading and preserving environmentally sensitive lands. Each structure will have the opportunity through building materials, site orientation, architectural treatments, placement and selection of plant materials to provide to the extent feasible, for future passive or natural heating and cooling opportunities.

8. The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources (San Diego Municipal Code § 125.0440(h) and Subdivision Map Act § 66412.3).

The proposed project is the subdivision of a 30.44-acre parcel for residential development. The Pacific Highlands Ranch Subarea plan requires new development to provide housing on site to accommodate the needs of low income households, as certified by the San Diego Housing Commission. The proposed development provides 20 percent (28) residential units for a minimum of 55 years as conditioned by the San Diego Housing Commission. Balanced needs for public facilities were taken into consideration with the development of the Subarea Plan and the projected build-out with the applied zone designations. The subdivision of this parcel into residential lots is consistent with what was anticipated in the community plan. Environmentally Sensitive Lands are also present on the site. The project design has taken into account the best use of the land to minimize grading and preserve sensitive lands. The project proposes to mitigate onsite through the preservation of 2.08-acres that would be placed within a covenant of easement in favor of the City of San Diego and wildlife agencies. The decision maker has reviewed the administrative record including the project plans, technical studies, environmental documentation and heard public testimony to determine the effects of the proposed subdivision on the housing needs of the region and; that those needs are balanced against the needs for public services and the available fiscal and environmental resources and found that the addition of 146 residential lots for private development is consistent with the housing needs anticipated for the Pacific Highlands Subarea Plan.

9. For any project that was developed to provide housing for the elderly, disabled or to provide low income housing, provisions have been made to perpetuate the use for which the project was developed (San Diego Municipal Code § 125.0444(c)).

The project was not developed for the elderly or the disabled but does include an affordable housing element in compliance with the Pacific Highlands Ranch Subarea Plan. The project has been conditioned to include 28 affordable units on site and will be maintained with a declaration of covenants, conditions and restrictions (the "Declaration") in first priority position against the Affordable Housing Site, restricting the occupancy and affordability of the Affordable Housing Project for a period of fifty-five (55) years from the date of initial occupancy of the Affordable Housing Project. All Affordable Units shall be for occupancy by families earning no more than sixty-five percent (65%) of the Area Median Income, as adjusted for family size and utilities, and with rental rates that do not exceed thirty percent (30%) of sixty percent (60%) of the Area Median Income, as adjusted for assumed family size and utilities. The Declaration shall provide for the siting, mix and architecture nature of the Affordable Housing Project.

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

BE IT FURTHER RESOLVED, that portions of Black Mountain Road, a portion of a drainage easement and a utility easement located within the project boundaries as shown in Vesting Tentative Map No. 1047193 shall be vacated or abandoned, contingent upon the

recordation of the approved Final Map for the project, and that the following findings are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference:

EASEMENT ABANDONMENT FINDINGS:

10. There is no present or prospective use for the easement, either for the facility or purpose for which it was originally acquired, or for any other public use of a like nature that can be anticipated. (San Diego Municipal Code § 125.1040(a))

The easements to be vacated are remnants that are no longer required for the purpose for which they were established. The draining easement will be replaced with the infrastructure of the proposed subdivision which provides storm drain systems and utilizes best management practices consistent with the City of San Diego Storm Water requirements. The utility easement access road will no longer be required as the utilities in the location are relocated as a part of the development. The easement will be replaced with a pedestrian and bicycle trail system. Therefore, there is no present or prospective use for the easement, either for the facility or purpose for which it was originally acquired, or for any other public use of a like nature that can be anticipated.

11. The public will benefit from the abandonment through improved utilization of the land made available by the abandonment. (San Diego Municipal Code § 125.1040(b))

Abandonment of the easements will allow the development of the subdivision in a manner consistent with the Pacific Highlands Ranch Subarea Plan with the provision of 174 residential dwelling units including 28 affordable units and other urban amenities for the community at large. Additionally, abandonment of the easements will remove any liability associated with ownership of the easements from the City of San Diego.

12. The abandonment is consistent with any applicable land use plan. (San Diego Municipal Code § 125.1040(c))

The project is located in the Pacific Highlands Ranch Subarea Plan which designates the 30.44-acre site for residential development. Abandoning the remnant easements would allow the development of the subdivision in a manner consistent with the applicable land use plan.

13. The public facility or purpose for which the easement was originally acquired will not be detrimentally affected by this abandonment or the purpose for which the easement was acquired no longer exists. (San Diego Municipal Code § 125.1040(d))

All of the public facilities proposed to be abandoned by this development are no longer required and the purpose for which they were originally required no longer exists. All of the easements have been or will be replaced as a part of this development.

RIGHT-OF-WAY VACATION FINDINGS:

14. There is no present or prospective use for the public right-of-way, either for the purpose for which it was originally acquired, or for any other public use of a like nature that can be anticipated. (San Diego Municipal Code § 125.0941(a))

Carmel Valley Road provides the right-of-way for which the Black Mountain Road right-of-way was originally acquired. Carmel Valley Road has been constructed and is currently in use by the public. The remnant portion of Black Mountain Road has no present or prospective use for the public right-of-way, either for the purpose for which it was originally acquired, or for any other public use of a like nature that can be anticipated.

15. The public will benefit from the vacation through improved use of the land made available by the vacation. (San Diego Municipal Code § 125.0941(b))

The public will benefit from the vacation because the remnant portion of Black Mountain Road right-of-way is no longer required. The vacation will allow the development of the proposed subdivision that would benefit the public with the provision of 174 new residential dwelling units including 28 affordable units as well as urban amenities such as the proposed pedestrian and bicycle trail and linear green spaces for the community.

16. The vacation does not adversely affect any applicable land use plan. (San Diego Municipal Code § 125.0941(c))

The proposed vacation would not adversely affect the applicable land use plan. The vacation would allow the development of the parcel with a residential subdivision consistent with the land use and density of the Pacific Highlands Ranch Subarea Plan. The subarea plan designates the 30.44-acre site for peripheral residential development intended to provide housing opportunities in proximity to the town center and commercial services. Therefore, the vacation is necessary to disencumber the lot so development can occur on the site consistent with the applicable land use plan.

17. The public facility for which the right-of-way was originally acquired will not be detrimentally affected by this vacation. (San Diego Municipal Code § 125.0941(d))

The public facility for which the right-of-way was originally acquired will not be detrimentally affected by this vacation because the Black Mountain Road right-of-way was previously replaced by Carmel Valley Road and the right-of-way is no longer required.

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the City Council, Vesting Tentative Map No. 1047193 including the Public Right-of-Way Vacation and Easement Abandonments are hereby granted to Taylor Morrison of California, LLC., subject to the attached conditions which are made a part of this resolution by this reference.

APPROVED: JAN I. GOLDSMITH, City Attorney

By _____
[Attorney]
Deputy City Attorney

[Initials]:[Initials]

[Month]/[Day]/[Year]

Or.Dept:[Dept]

R-Error! Reference source not found.

ATTACHMENT: Tentative Map Conditions

Internal Order No. 24003273

**CITY COUNCIL
CONDITIONS FOR VESTING TENTATIVE MAP NO. 1047193,
THE ELMS & IVY –PROJECT NUMBER 296644**

ADOPTED BY RESOLUTION NO. R-_____ ON _____

GENERAL

1. This Vesting Tentative Map will expire on (City Clerk to provide date).
2. Compliance with all of the following conditions shall be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordation of the Final Map unless otherwise noted.
3. Prior to the recordation of the Final Map, taxes must be paid on this property pursuant to Subdivision Map Act section 66492. To satisfy this condition, a tax certificate stating that there are no unpaid lien conditions against the subdivision must be recorded in the Office of the San Diego County Recorder.
4. This Vesting Tentative Map No. 1047193 shall conform to the provisions of Site Development Permit No. 1047194, Planned Development Permit No. 1047195 and Neighborhood Use Permit No. 1238629.
5. The Subdivider shall defend, indemnify, and hold the City (including its agents, officers, and employees [together, “Indemnified Parties”]) harmless from any claim, action, or proceeding, against the City and/or any Indemnified Parties to attack, set aside, void, or annul City’s approval of this project, which action is brought within the time period provided for in Government Code section 66499.37. City shall promptly notify Subdivider of any claim, action, or proceeding and shall cooperate fully in the defense. If City fails to promptly notify Subdivider of any claim, action, or proceeding, or if City fails to cooperate fully in the defense, Subdivider shall not thereafter be responsible to defend, indemnify, or hold City and/or any Indemnified Parties harmless. City may participate in the defense of any claim, action, or proceeding if City both bears its own attorney’s fees and costs, City defends the action in good faith, and Subdivider is not required to pay or perform any settlement unless such settlement is approved by the Subdivider.

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AFFORDABLE HOUSING

6. The Subdivider shall comply with the affordable housing requirements of the City's North City Future Urbanizing Area Framework Plan and the Pacific Highlands Ranch Subarea Plan, which requires that the project provide 20 percent of the pre-density bonus units as affordable (the "Affordable Housing Requirements").
7. Prior to recording the Final Map, the subdivider shall enter into a Master Affordable Housing Agreement ("Affordable Housing Agreement"), with the San Diego Housing Commission ("Housing Commission") to detail and assure the construction and occupancy of an "Affordable Housing Project" consisting of twenty-eight (28) units ("Affordable Units") to be constructed on Lot 147 (the "Affordable Housing Site"), as shown on the Vesting Tentative Map. The Affordable Housing Agreement shall include all of the provisions of this Section and such other and further conditions as shall be required by the President and CEO of the Housing Commission, or his designee ("President and CEO"), to assure satisfaction of the affordable housing requirements as referenced in this Permit and the Affordable Housing Program (attached to this Permit).
8. Prior to recording the Final Map, the subdivider shall execute and record a declaration of covenants, conditions and restrictions (the "Declaration") in first priority position against the Affordable Housing Site, restricting the occupancy and affordability of the Affordable Housing Project for a period of fifty-five (55) years from the date of initial occupancy of the Affordable Housing Project. All Affordable Units shall be for occupancy by families earning no more than sixty-five percent (65%) of the Area Median Income, as adjusted for family size and utilities, and with rental rates that do not exceed thirty percent (30%) of sixty percent (60%) of the Area Median Income, as adjusted for assumed family size and utilities. The Declaration shall provide for the siting, mix and architecture nature of the Affordable Housing Project.
9. Prior to recording the Final Map, the subdivider shall execute and record a deed of trust against the Affordable Housing Site, in second lien priority (junior only to the Declaration), assuring the timely performance of the Declaration and the Affordable Housing Agreement. The deed of trust in favor of the Housing Commission may be subordinated to construction deed of trust and/or permanent financing deed(s) of trust in favor of institutional lenders, as approved by the President and CEO in her/his sole discretion, if deemed essential to construction and/or operation of the Affordable Housing Project, upon such terms and conditions as she/he may impose.

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10. Prior to recording the Final Map, the subdivider shall post performance security for the construction of the Affordable Housing Project, including without limitation, all onsite and offsite improvements, necessary to access and serve the Affordable Housing Project with all necessary utilities, in the form of bond(s), letter(s) of credit, lien(s) and/or other forms of security acceptable to the President and CEO in her/his sole discretion.
11. Approval of the timing of the construction and occupancy of the Affordable Housing Project, acceptable to the President and CEO, shall be included in the Affordable Housing Agreement, provided that the following timetable is incorporated into the Affordable Housing Agreement:
12. Issuance of building permits for the Affordable Project shall occur on or before the earlier of:(A) the issuance of building permits for construction of the 73rd market rate dwelling unit; or (B) twenty-four (24) months after the issuance of the first residential building permit.
13. In no event shall the issuance of building permits for the construction of the 73rd market rate dwelling unit occur until building permits for construction of the twenty-eight (28) affordable units are authorized by the City and are obtained by the Subdivider. Further, if individual parcels are sold initially by Owner/Permittee without first obtaining building permits for construction of market rate units, every such parcel sold shall nonetheless be included with the total number of the building permit issued, in determining when the issuance of the building permit occurs for the 73rd market rate unit.
14. Completion of construction of the Affordable Project shall occur upon the earlier of either eighteen (18) months after the issuance of building permit for the Affordable Project as referenced in Paragraph 18.b.1., hereof; or Three and one-half years after the issuance of the first residential building permit.
15. Occupancy of the Affordable Project shall occur not later than one hundred eighty (180) days after the completion of construction as referenced in Paragraph 18.b.3., above.
16. For "good cause" shown to the satisfaction of the President and CEO, the thresholds and dates referenced herein may be adjusted and/or extended one or more times. Good cause shall include, but not be limited to, Acts of God, labor strikes, war, riots, etc., as shall be determined by the President and CEO, in his/her sole discretion.

17. The successors, heirs and assigns of the Owner/Permittee shall enter into and execute such other and further documents as the President and CEO shall require, from time to time, as may be needed to effectuate the affordable housing requirements of this Site Development Permit and the Affordable Housing Program.
18. The Pacific Highlands Ranch Affordable Housing Program is attached to these Permit conditions and on file in the Office of the Development Services Department and is incorporated herein. The provisions of the Affordable Housing Program shall not in any way modify or change any provisions of the Affordable Housing requirements. To the extent that there is any inconsistency between the two, the terms of the permit conditions shall prevail.

ENGINEERING

19. Pursuant to City Council Policy 600-20, the subdivider shall provide evidence to ensure that an affirmative marketing program is established.
20. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
21. The Subdivider shall ensure that all existing onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The Subdivider shall provide written confirmation from applicable utilities that the conversion has taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.
22. The subdivider shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance.
23. Prior to the issuance of any construction permit, the subdivider shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.
24. Prior to the issuance of any construction permit, the subdivider shall incorporate and show the type and location of all post-construction Best Management Practices (BMP's) on the final construction drawings, in accordance with the approved Water Quality Technical Report.
25. The Final Map shall comply with the provisions of Site Development Permit No. 1047194 and Planned Development Permit No. 1047195.

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26. All driveways and curb openings shall comply with City Standard Drawings SDG-160 and SDG-164B satisfactory to the City Engineer.
27. The drainage system proposed for this subdivision is subject to approval by the City Engineer.
28. The subdivider shall obtain an Encroachment Maintenance and Removal Agreement (EMRA), for private drains from treatment BMPs connecting to public storm drain system in the public right-of-way.
29. The subdivider shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to requirements in accordance with the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.
30. Compliance with all conditions shall be assured, to the satisfaction of the City Engineer, prior to the recordation of the Final Map, unless otherwise noted.
31. Development of this project shall comply with all storm water construction requirements of the State Construction General Permit, Order No. 2009-0009-DWQ and the Municipal Storm Water Permit, Order No. R9-2007-0001 in accordance with Order No. 2009-0009DWQ, a Risk Level Determination shall be calculated for the site and a Storm Water Pollution Prevention Plan (SWPPP) shall be implemented concurrently with the commencement of grading activities.
32. Prior to issuance of a grading or a construction permit, a copy of the Notice of Intent (NOI) with a valid Waste Discharge ID number (WDID#) shall be submitted to the City of San Diego as a proof of enrollment under the Construction General Permit. When ownership of the entire site or portions of the site changes prior to filing of the Notice of Termination (NOT), a revised NOI shall be submitted electronically to the State Water Resources Board in accordance with the provisions as set forth in Section II.C of Order No. 2009-0009-DWQ and a copy shall be submitted to the City.
33. The Subdivider shall comply with all current street lighting standards according to the City of San Diego Street Design Manual (Document No. 297376, filed November 25, 2002) and the amendment to Council Policy 200-18 approved by City Council on February 26, 2002 (Resolution R-296141) satisfactory to the City Engineer. This may require (but not be limited to) installation of new street light(s), upgrading light from low pressure to high pressure sodium vapor and/or upgrading wattage.
34. Conformance with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980,

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is required. Only those exceptions to the General Conditions which are shown on the Vesting Tentative Map and covered in these special conditions will be authorized. All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. RR-297376.

MAPPING

35. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source shall be the California Coordinate System, Zone 6, North American Datum of 1983 [NAD 83].
36. "California Coordinate System" means the coordinate system as defined in Section 8801 through 8819 of the California Public Resources Code. The specified zone for San Diego County is "Zone 6," and the official datum is the "North American Datum of 1983."
37. The Final Map shall:
 - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
 - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of First Order accuracy. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.

WATER & WASTEWATER

38. The Subdivider shall grant adequate water and sewer easements, including vehicular access to each appurtenances (meters, blow offs, valves, fire hydrants, man holes, etc.) for all public water and sewer facilities that are not located within fully improved public right-of-ways, satisfactory to the Public Utilities Director. Vehicular access roadbeds shall be a minimum of 24 feet wide unless shown

otherwise and surfaced with suitable approved material satisfactory to the Public Utilities Director and the City Engineer.

39. The Subdivider shall process encroachment maintenance and removal agreements, for all acceptable encroachments into the water and sewer easement, including but not limited to structures, enhanced paving, or landscaping. No structures or landscaping of any kind shall be installed in or over any vehicular access roadway.
40. The Subdivider shall process encroachment maintenance and removal agreements, for all acceptable encroachments into the water and sewer easement, including but not limited to structures, enhanced paving, or landscaping. No structures or landscaping of any kind shall be installed in or over any vehicular access roadway.
41. The Subdivider shall design and construct all proposed public water and sewer facilities, in accordance with established criteria in the current edition of the City of San Diego Water and Sewer Facility Design Guidelines and City regulations, standards and practices.

GEOLOGY

42. Prior to the issuance of a grading permit, the Subdivider shall submit a geotechnical investigation report or update letter that specifically addresses the proposed construction plans. The geotechnical investigation report or update letter shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to issuance of any construction permits.
43. The subdivider shall submit an as-graded geotechnical report prepared in accordance with the City's "Guidelines for Geotechnical Reports" following completion of the grading. The as-graded geotechnical report shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to exoneration of the bond and grading permit close-out.

PLANNING

44. The Subdivider shall maintain the connection from Elms & Ivy to Dandelion Way for pedestrian/non-vehicular and emergency access, as shown on the Exhibit "A" Vesting Tentative Map. The connection shall be designed as a two lane residential local, urban parkway configuration roadway to accommodate vehicular traffic should vehicular access be desired in the future.

45. [OPTIONAL]Prior to the recordation of the [CHOOSE ONE], the Subdivider shall record a [OPTIONAL]-wide View Corridor Easement as shown on Exhibit "A," in accordance with San Diego Municipal Code section 132.0403.

LANDSCAPE/BRUSH MANAGEMENT

46. Prior to the recordation of the Final Map, the Subdivider shall submit complete landscape construction documents, including plans, details, and specifications (including a permanent automatic irrigation system unless otherwise approved), for the required right-of-way and median improvements, and revegetation of all disturbed land in accordance with the Landscape Standards and to the satisfaction of the Development Services Department. The landscape construction documents shall be in substantial conformance with Exhibit 'A,' Landscape Development Plan, on file in the Office of the Development Services Department. The Owner/Subdivider shall assure by permit and bond the installation of landscaping per landscape construction documents.
47. Prior to recordation of the Final Map, the Owner/Subdivider shall identify on a separate sheet titled 'Non-title Sheet' the brush management areas in substantial conformance with Exhibit 'A.' These brush management areas shall be identified with a hatch symbol with no specific dimensions or zones called out. The following note shall be provided on the 'Non-Title Sheet' to identify the hatched areas: "Indicates fire hazard zone(s) per Section 142.0412 of the Land Development Code."

TRANSPORTATION

48. Prior to the issuance of the first construction permit, the subdivider shall prepare plans and provide a bond to complete Phase Three of the Pacific Highland Ranch Transportation and Facility Phasing Plan for Carmel Valley Road between SR 56 and Del Mar Heights Road to the satisfaction of the City Engineer.
49. Prior to the issuance of the first construction permit, the subdivider shall prepare plans and provide a bond to complete Phase Three of the Pacific Highland Ranch Transportation and Facility Phasing Plan for Carmel Valley Road between Del Mar Heights Road and Black Mountain Road to the satisfaction of the City Engineer.
50. The Subdivider shall dedicate and shall assure by permit and bond the construction of Lopelia Meadows Place with 52 feet curb to curb with a 12 foot raised median in 66 feet right-of-way including a 12' parkway with noncontiguous 5 foot sidewalk, curb and gutter on the east side and a 2 foot parkway on the west

side, satisfactory to the City Engineer. These improvements shall be completed and accepted by the City Engineer prior to the issuance of any occupancy permit.

51. The Subdivider shall dedicate and shall assure by permit and bond the construction of Lopelia Meadows Place / Carmel Valley Road signalized intersection with a northbound left turn lane and a through/right turn lane and a single southbound lane, satisfactory to the City Engineer. These improvements shall be completed and accepted by the City Engineer prior to the issuance of any occupancy permit.
52. The Subdivider shall dedicate and shall assure by permit and bond the construction of Streets A, B, C, D, E and Dandelion Way as residential streets with 30 feet curb to curb in 50 feet right-of-way including 10' parkways with noncontiguous 5 foot sidewalk, curb and gutter, satisfactory to the City Engineer. These improvements shall be completed and accepted by the City Engineer prior to the issuance of any occupancy permit.
53. For the Affordable Housing, a minimum of 53 off-street automobile parking (including 1 van and 2 accessible), 3 motorcycle, and 15 bicycle parking spaces shall be permanently maintained on the property within the approximate location shown on the project's Exhibit "A". Further, all parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code, and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the Director of Development Services Department.
54. For the 146 Housing units, a minimum of 525 off-street automobile parking spaces shall be permanently maintained on the property within the approximate location shown on the project's Exhibit "A". Further, all parking stalls shall be in compliance with requirements of the City's Land Development Code, and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the Director of Development Services Department.
55. Prior to the issuance of any building permit, the project shall demonstrate conformance with the Pacific Highlands Ranch Transportation Phasing Plan satisfactory to the City Engineer.
56. The Subdivider shall relinquish abutter's rights onto Carmel Valley Road ,with the exception of Private Drive "G", to the satisfaction of the City Engineer.
57. The Subdivider shall relinquish abutter's rights onto State Route 56 to the satisfaction of the City Engineer.

MSCP

58. Prior to the recordation of the Final Map, the Subdivider shall grant the on-site Multiple Habitat Planning Area (MHPA) to the City's Multiple Species Conservation Program (MSCP) preserve through either fee title to the City, or a covenant of easement granted in favor of the City and the U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Game (CDFG), as shown on Exhibit "A." Conveyance of any land in fee to the City shall require approval from the Park and Recreation Department Open Space Division Deputy Director and shall exclude detention basins or other stormwater control facilities, brush management areas, landscape/revegetation areas, and graded slopes. The Subdivider shall ensure all property approved for conveyance in fee title to the City for MHPA purposes shall be free and clear of all private easements, private encroachments, private agreement and/or liens. Any on-site MHPA lands that are not dedicated in fee title to the City shall grant a covenant of easement in favor of the City and USFWS and CDFG. The Subdivider shall maintain in perpetuity any MHPA lands granted by covenant of easement unless otherwise agreed to by the City.

INFORMATION:

- The approval of this Vested Tentative Map by the City Council of the City of San Diego does not authorize the subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 USC § 1531 et seq.).
- If the Subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), the Subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design guides and City regulations, standards and practices pertaining thereto. Off-site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.
- Subsequent applications related to this Vesting Tentative Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Vesting Tentative Map, may protest the imposition within ninety days of the approval of this

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Vesting Tentative Map by filing a written protest with the San Diego City Clerk pursuant to Government Code sections 66020 and/or 66021.

- Where in the course of development of private property, public facilities are damaged or removed, the Subdivider shall at no cost to the City, obtain the required permits for work in the public right-of-way, and repair or replace the public facility to the satisfaction of the City Engineer (San Diego Municipal Code § 142.0607.

Internal Order No. 24003273

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

A RESOLUTION ADOPTING FINDINGS AND MITIGATION
MONITORING AND REPORTING PROGRAM FOR THE
THE ELMS & IVY - PROJECT NO. 296644

WHEREAS, Taylor Morrison of California, LLC, a California Limited Liability Company, Owner/Permittee, submitted an application to the Development Services Department for a Vesting Tentative Map, Planned Development Permit, Site Development Permit and Neighborhood Use Permit to construct a total of 174 residential units consisting of 28 affordable housing units and 146 market rate housing units; (The Elms & Ivy Project, Project No. 296644; and

WHEREAS, the matter 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 January 23, 2014; and

WHEREAS, the City of San Diego City Council had previously certified Master Environmental Impact Report (MEIR) No. 96-7918 / SCH No. 97111077 on July 28, 1998 for the Pacific Highlands Ranch (Subarea III) Subarea Plan; and

WHEREAS, The Elms & Ivy project is within the Pacific Highlands Ranch (Subarea III) Subarea Plan and was analyzed within the scope of the MEIR; and

WHEREAS, in connection with the consideration of The Elms & Ivy project, the Planning Commission considered MEIR No. 96-7918 / SCH No. 97111077, Findings to MEIR, Project No. 296644, and the Initial Study prepared for The Elms & Ivy project; and

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BE IT RESOLVED, by the Planning Commission of the City of San Diego, that the Planning Commission recommends the City Council of the City of San Diego make the following findings with respect to The Elms & Ivy project in compliance with the California Environmental Quality Act of 1970 (CEQA) (California Public Resources Code section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, section 15000 et seq.), that the findings reflect the independent judgment of the City of San Diego as Lead Agency, and that the information contained in MEIR No. 96-7918 / SCH No. 97111077, the Findings to MEIR, Project No. 317590, the Initial Study prepared for The Elms & Ivy project, and any comments received during the public review process, has been reviewed and considered by the Planning Commission:

- a) The proposed project will have no additional significant effect on the environment that was not identified in MEIR No. 96-7918 / SCH No. 97111077, no new or additional mitigation measures or alternatives may be required, and the project is within the scope of MEIR No. 96-7918 / SCH No. 97111077; and
- b) No substantial changes have occurred with respect to the circumstances under which MEIR No. 96-7918 / SCH No. 97111077 was certified and no new information, which was not known and could not have been known at the time that the MEIR was certified, has become available.

BE IT FURTHER RESOLVED that, pursuant to State CEQA Guidelines Section 15177(d), the Planning Commission hereby adopts the project-specific Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this Council in order to mitigate or avoid significant effects on the environment, a copy of which is attached hereto as Exhibit A.

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BE IT FURTHER RESOLVED, that the City Clerk is directed to file a Notice of Determination with the Clerk of the Board of Supervisors for the County of San Diego regarding the project.

Patrick Hooper
Development Project Manager
Development Services Department

Adopted on: December 12, 2013

Job Order No. 24003273

EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM

VESTING TENTATIVE MAP NO. 1047193
SITE DEVELOPMENT PERMIT NO. 1047194
PLANNED DEVELOPMENT PERMIT NO. 1047195
NEIGHBORHOOD USE PERMIT NO. 1238629

PROJECT NO. 296644

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. 96-7918, Project No. 296644, shall be made conditions of Vesting Tentative Map No. 1047193, Planned Development Permit No. 1047195, Site Development Permit No. 1047194 and Neighborhood Use Permit No. 1238629 as may be further described below.

I. GENERAL REQUIREMENTS – PART I Plan Check Phase (prior to**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."

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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 and 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 is also required to call RE and MMC at 858-627-3360

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2. **MMRP COMPLIANCE:** This Project, Project Tracking System (PTS) Number 317590 and/or Environmental Document Number 317590, 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:

Army Corps of Engineers (Section 404 Nationwide Permit Program); California Department of Fish & Wildlife (Streambed Agreement); and Regional Water Quality Control Board (401 Water Quality Certification).

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

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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

Issue Area	Document Submittal	Associated Inspection/Approvals/Notes
General	Consultant Qualification Letters	Prior to Preconstruction Meeting
General	Consultant Construction Monitoring Exhibits	Prior to or at Preconstruction Meeting
Paleontology	Paleontology Reports	Paleontology Site Observation
Biology	Consultant Qualification Letters	Prior to or at Preconstruction Meeting
Bond Release	Request for Bond Release Letter	Final MMRP Inspections Prior to Bond Release Letter

C. **SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS**

BIOLOGICAL RESOURCES (UPLAND)

Prior to Notice to Proceed (NTP) for any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, the owner/permittee shall:

- 1) Provide verification that 11.5 acres of non-native grassland credits have been purchased from the Marron Valley Cornerstone Landbank to compensate for impacts to 23.1 acres of non-native grassland.
- 2) Provide verification that 2.46 acres of Diegan coastal sage scrub on the southern portion of the site has been placed under a covenant of easement and dedicated to the MHPA.

BIOLOGICAL RESOURCES (WETLANDS)

Prior to Notice to Proceed (NTP) for any construction permits, including but limited to, the first Grading Permit, Demolition Plans/Permits, and Building Plans/Permits, the owner/permitted shall provide a signed agreement with the

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off-site property owners (St. John Garabed Armenian Church) verifying the agreement for the off-site wetlands mitigation area. The project owner/permittee shall create 0.08 acre riparian scrub on a site south of El Camino Real to the southwest of San Dieguito Road, in accordance with the Conceptual Restoration Plan for the Saint John Garabed Church Project (Attachment 6 of the Biological Resources Report for the Elms and Ivy Development Property).

Prior to Notice to Proceed (NTP) for any construction permits, including but limited to, the first Grading Permit, Demolition Plans/Permits, and Building Plans/Permits, the owner/permitted shall provide verification that 0.05 acre of City wetlands and jurisdictional waters to the south of SR-56 is protected by a covenant of easement.

BIOLOGICAL RESOURCES/MHPA LAND USE ADJACENCY

Prior to issuance of any construction permit or notice to proceed, DSD/Entitlements, and/or MSCP staff shall verify the Applicant has accurately represented the project's design on the Construction Documents (CD's/CD's consist of Construction Plan Sets for Private Projects and Contract Specifications for Public Projects) and that they are in conformance with the associated discretionary permit conditions and Exhibit "A", and also the City's Multi-Species Conservation Program (MSCP) Multi-Habitat Planning Area (MHPA) Land Use Adjacency Guidelines. The applicant shall provide an implementing plan and include references on/in CD's of the following:

- A. **Grading/Land Development/MHPA Boundaries** - MHPA boundaries on-site and adjacent properties shall be delineated on the CDs. DSD Planning and/or MSCP staff shall ensure that all grading is included within the development footprint, specifically manufactured slopes, disturbance, and development within or adjacent to the MHPA. For projects within or adjacent to the MHPA, all manufactured slopes associated with site development shall be included within the development footprint.

- B. **Drainage** - All new and proposed parking lots and developed areas in and adjacent to the MHPA shall be designed so they do not drain directly into the MHPA. All developed and paved areas must prevent the release of toxins, chemicals, petroleum products, exotic plant materials prior to release by incorporating the use of filtration devices, planted swales and/or planted detention/desiltation basins, or other approved permanent methods that are designed to minimize negative impacts,

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such as excessive water
MHPA.

and toxins into the ecosystems of the

- C. **Toxics/Project Staging Areas/Equipment Storage** - Projects that use chemicals or generate by-products such as pesticides, herbicides, and animal waste, and other substances that are potentially toxic or impactive to native habitats/flora/fauna (including water) shall incorporate measures to reduce impacts caused by the application and/or drainage of such materials into the MHPA. No trash, oil, parking, or other construction/development-related material/activities shall be allowed outside any approved construction limits. Where applicable, this requirement shall be incorporated into leases on publicly-owned property when applications for renewal occur. Provide a note in/on the CD's that states: *"All construction related activity that may have potential for leakage or intrusion shall be monitored by the Qualified Biologist/Owners Representative or Resident Engineer to ensure there is no impact to the MHPA."*
- D. **Lighting** - Lighting within or adjacent to the MHPA shall be directed away/shielded from the MHPA and be subject to City Outdoor Lighting Regulations per LDC Section 142.0740.
- E. **Barriers** - New development within or adjacent to the MHPA shall be required to provide barriers (e.g., non-invasive vegetation; rocks/boulders; 6-foot high, vinyl-coated chain link or equivalent fences/walls; and/or signage) along the MHPA boundaries to direct public access to appropriate locations, reduce domestic animal predation, protect wildlife in the preserve, and provide adequate noise reduction where needed.
- F. **Invasives** - No invasive non-native plant species shall be introduced into areas within or adjacent to the MHPA.
- G. **Brush Management** - New development adjacent to the MHPA shall be set back from the MHPA to provide required Brush Management Zone 1 area on the building pad outside of the MHPA. Zone 2 may be located within the MHPA provided the Zone 2 management will be the responsibility of an HOA or other private entity except where narrow wildlife corridors require it to be located outside of the MHPA. Brush management zones will not be greater in size than currently required by the City's regulations, the amount of woody vegetation clearing shall not exceed 50 percent of the vegetation existing when the initial clearing is done and vegetation clearing shall be prohibited within native coastal sage scrub and chaparral habitats from March 1-August 15 except where the City

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ADD/MMC has documented the thinning would be consist with the City's MSCP Subarea Plan. Existing and approved projects are subject to current requirements of Municipal Code Section 142.0412.

H. **Noise** - Due to the site's location adjacent to the MHPA where the Qualified Biologist has identified potential nesting habitat for listed avian species, construction noise that exceeds the maximum levels allowed shall be avoided during the breeding seasons for the following: California Gnatcatcher (3/1-8/15). If construction is proposed during the breeding season for the species, U.S. Fish and Wildlife Service protocol surveys shall be required in order to determine species presence/absence. If protocol surveys are not conducted in suitable habitat during the breeding season for the aforementioned listed species, presence shall be assumed with implementation of noise attenuation and biological monitoring.

When applicable (i.e., habitat is occupied or if presence of the covered species is assumed), adequate noise reduction measures shall be incorporated as follows:

COASTAL CALIFORNIA GNATCATCHER (Federally Threatened)

1. Prior to the issuance of any grading permit: the Mayoral 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

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COMMENCEMENT OF ANY CONSTRUCTION. IF GNATCATCHERS ARE PRESENT, THEN THE FOLLOWING CONDITIONS MUST BE MET:

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

- 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 (GENERAL BIRD)

To avoid any direct impacts to raptors and/or any native/migratory birds, removal of habitat that supports active nests in the proposed area of disturbance should occur outside of the breeding season for these species (February 1 to September 15). If removal of habitat in the proposed area of disturbance must occur during the breeding season, the Qualified Biologist shall conduct a pre-construction survey to determine the presence or absence of nesting birds on the proposed area of disturbance. The pre-construction (precon) survey shall be conducted within 10 calendar days prior to the start of construction activities (including removal of vegetation). The applicant shall submit the results of the precon survey to City DSD for review and approval prior to initiating any construction activities. If nesting birds are detected, a letter report or mitigation plan 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.) shall be prepared and include proposed measures to be implemented to ensure that take of birds or eggs or

disturbance of breeding activities is avoided. The report or mitigation plan shall be submitted to the City DSD for review and approval and implemented to the satisfaction of the City. The City's MMC Section or RE, and Biologist shall verify and approve that all measures identified in the report or mitigation plan are in place prior to and/or during construction. If nesting birds are not detected during the precon survey, no further mitigation is required.

PALEONTOLOGICAL RESOURCES

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 (CSVR). The CSVR'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 CSVN 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.

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- VII. SIGNIFICANT UNMITIGATED IMPACTS: The City of San Diego has determined that the project would not result in any significant effects on the environmental beyond those identified in the MEIR. However, the final MEIR for the Pacific Highlands Ranch (Subarea III) Specific Plan (LDR No. 96-7918/SCH No. 97111077) identified significant unmitigated impacts relating to land use, traffic, landform alternation, biological resources (wetlands and native grasslands), and cumulative impacts associated with downstream water quality, air quality, landform alteration and visual character and agricultural land and mineral resources.

Because there were significant unmitigated impacts associated with implementation of the Pacific Highlands Ranch Specific Plan, approval of the plan required the decision maker to make specific and substantiated CEQA Findings which stated that: a) specific economic, social or other considerations make infeasible the mitigation measures or project alternatives identified in the final MEIR, and b) these impacts have been found acceptable because of specific overriding considerations. Therefore, no new CEQA Findings are required with this project.

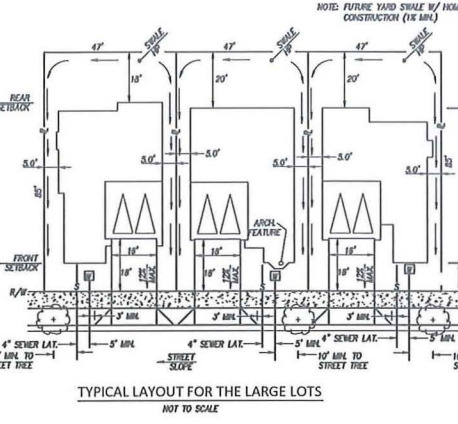
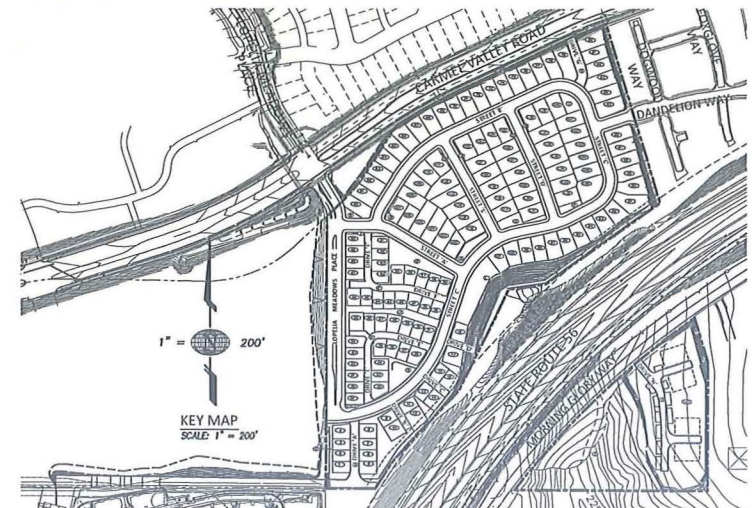
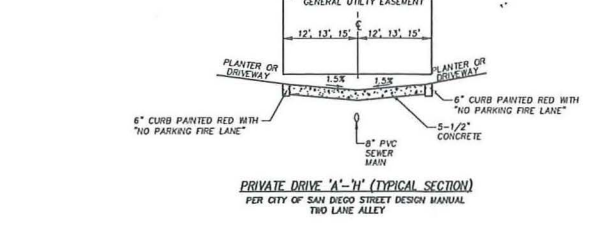
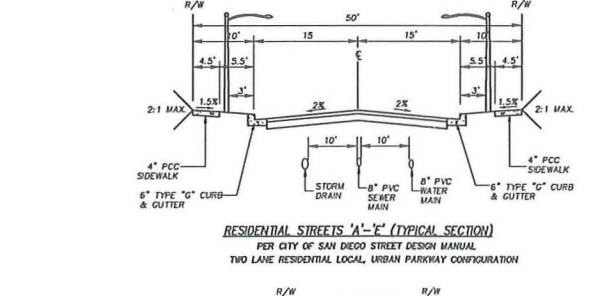
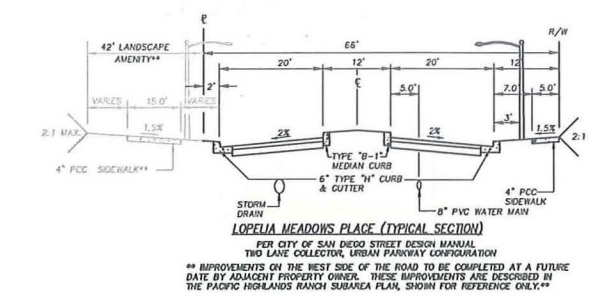
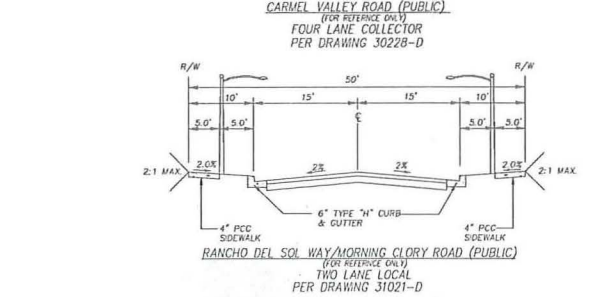
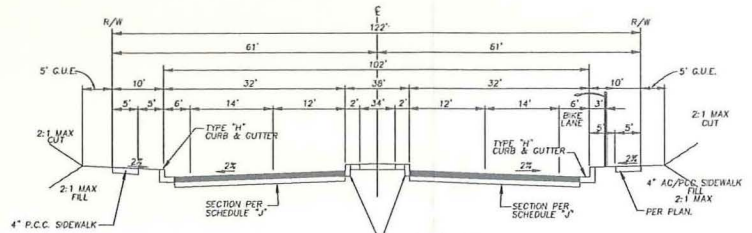
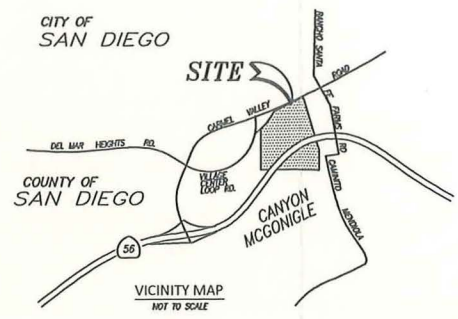
- VIII. DISTRIBUTION: Pursuant to CEQA Section 15177, public notice is required for Master EIR Findings for a period of 30 days. A public review and comment period is not required as Findings to a Master EIR are considered final environmental documents. The intent of the distribution below is to provide other public agencies, the public, and the decision makers the opportunity to review the final document before the first public hearing or discretionary action on the project. No comments are solicited and no written responses to comments on this final environmental document shall be prepared.

Copies of the Pacific Highlands Ranch Village Findings and Initial Study Checklist, the final Pacific Highlands Ranch (Subarea III) Subarea Plan, Subarea Plan MEIR, the Mitigation Monitoring and Reporting Program and any technical appendices (except confidential appendices) may be reviewed in the offices of the Advanced Planning and Engineering Division of the Development Services Department via prior appointment or purchased for the cost of reproduction.

Martha Blake
Senior Planner
Development Services Department

December 20, 2013
Date of Final Report

THE ELMS AND THE IVY DEVELOPMENT VESTING TENTATIVE MAP NO. _____ PLANNED DEVELOPMENT NO. _____ SITE DEVELOPMENT NO. _____ NEIGHBORHOOD USE PERMIT NO. _____

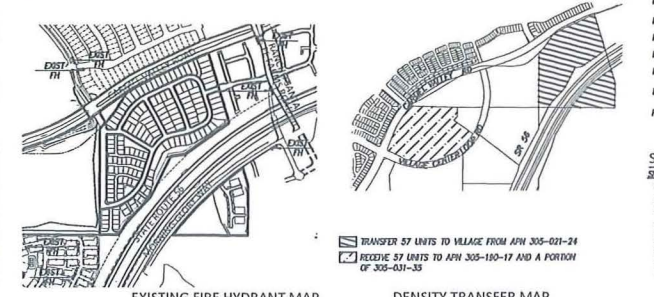


TYPICAL LAYOUT FOR THE SMALL LOTS NOT TO SCALE

NARRATIVE: 148 SINGLE RESIDENTIAL UNITS, 1 MULTIFAMILY RESIDENTIAL UNIT, 1 CONSERVATION/OPEN SPACE LOT. PROJECT TEAM: OWNER/DEVELOPER: TAYLOR MORRISON OF CA, LLC. ARCHITECT: BASSMAN LADON. LANDSCAPE: SJA INC. CIVIL: LABRIDGE J3 PLANNING & ENGINEERING. PROJECT TRACKING SYSTEM NUMBER: J098944. FLOOR AREA RATIO: 0.39 r/s (65%/NOTES). CONSTRUCTION TYPE: RESIDENTIAL. OCCUPANCY TYPE: RESIDENTIAL SINGLE & MULTIFAMILY UNITS. EXISTING ZONING: RT-1-2, OC-1-1, AR-1-1, & RM-1-2. PROPOSED ZONING: RT-1-2, OC-1-1, AR-1-1, & RM-1-2. PROPOSED USE: A RESIDENTIAL DEVELOPMENT.

DEVIATION SUMMARY table with columns for DEVIATION TYPE, LOT REQUESTING DEVIATIONS, and LOT NO. (RM 1-2 & RT 1-2 ZONES).

LOT ACREAGE SUMMARY table with columns for LOT NO., LOT SIZE (SF), ACRES, LOT DESCRIPTION, and OWNER.



LAMBERT COORDINATES, ASSESSOR'S PARCEL NO., BASIS OF BEARINGS, BENCHMARK, LEGAL DESCRIPTION, and DEVELOPMENT SUMMARY.

PROPOSED DEVELOPMENT REGULATIONS table with columns for FRONT SETBACK, SIDE SETBACK, REAR SETBACK, and MAX. HEIGHT.

GRADING: 1. TOTAL AMOUNT OF SITE TO BE GRADED: 28.7 ACRES. 2. PERCENT OF TOTAL SITE GRADED: 100%.

TOTAL PARKING AT THE AFFORDABLE HOUSING: STANDBY SPACES: 242, ACCESSIBLE SPACES: 14. TOTAL PARKING AT THE ELMS AND THE IVY: STANDBY SPACES: 242, ACCESSIBLE SPACES: 14.

- LEGEND: PROPERTY LINE, RIGHT OF WAY, PROPOSED LOT LINE, COVER LINE, EASEMENT LINE, PROPOSED SLOPES (2:1 MAX), DISTING. CONTOUR LINE, CONTOUR LINE, PROPOSED RETAINING WALL, PROPOSED WATER LINE, PROPOSED SEWER LINE, PROPOSED SEWER FORCE MAIN, PROPOSED SEWER MANHOLE, PROPOSED SEWER PUMP STATION, PROPOSED STORM DRAIN, PROPOSED CURB INLET, PROPOSED CATCH BASIN, PROPOSED GRADE PAINT, PROPOSED HEAD WALL, PROPOSED CURB RAMPS.

- SHEET SUMMARY: 1. TENTATIVE MAP COVER SHEET, 2. DISTING. CONDITIONS, 3. VESTING TENTATIVE MAP, CONCEPTUAL GRADING & UTILITY PLAN, 4. SITE PLAN, 5. SITE DETAILS, 6. FIRE ACCESS PLAN, 7-8. LANDSCAPE PLANS / CROSS SECTIONS, 9-14. ARCHITECTURAL PLANS / CROSS SECTIONS.

- GENERAL NOTES: 1. TOTAL PROJECT OWNERSHIP = 33.423 ACRES. 2. TOTAL PROJECT GRADED AREA = 28.7 ACRES. 3. TOTAL OFF-SITE GRADED AREA = 36.3 ACRES. 4. TOTAL ON-SITE GRADED AREA = 3.4 ACRES. 5. GAS AND ELECTRIC: SAN DIEGO GAS & ELECTRIC. 6. TELEPHONE: AT&T. 7. CABLE TELEVISION: THE WARNER CABLE TELEVISION. 8. SEWER AND WATER: CITY OF SAN DIEGO. 9. IRRIGATION SYSTEM: AS REQUIRED BY CITY ENGINEER. 10. FENCE: CITY OF SAN DIEGO. 11. SCHOOL DISTRICT: SAN DIEGO UNION HIGH SCHOOL DISTRICT AND DEL MAR UNION SCHOOL DISTRICT. 12. ALL NEW UTILITIES WILL BE LOCATED UNDERGROUND. 13. CONTOUR INTERVAL: 2 FEET. 14. DATUM: GPS. P.E. NO. 545 - H. LUSTENBERG, E. 02/27/2017. SOURCE: SAN JOSE AERIAL SURVEYS 6/12 - 1-5-89. 15. ALL PROPOSED SLOPES ARE 2:1 UNLESS NOTED OTHERWISE. 16. GRADING SHOWN HEREIN IS PRELIMINARY AND IS SUBJECT TO MODIFICATION IN FINAL DESIGN. 17. PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT, THE SUBVEIGNER SHALL ENTER INTO A MAINTENANCE AGREEMENT FOR THE DURING PERMANENT BMP MAINTENANCE. 18. LOT DIMENSIONS AND SETBACK DIMENSIONS SHOWN HEREIN ARE PRELIMINARY AND ARE SUBJECT TO MODIFICATION IN FINAL DESIGN. 19. NO EXISTING BUILDINGS AND STRUCTURES ARE ON THE SITE. 20. OPEN SPACE LOTS TO BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION. 21. ROSE WALLS WILL BE ADDED WHERE REQUIRED BY THE ARCHITECTURAL ANALYSIS REPORT. 22. AFFORDABLE HOUSING UNITS ARE BEING PROVIDED CONSISTENT WITH MASTER AFFORDABLE HOUSING PROGRAM FROM THE CITY OF SAN DIEGO. 23. PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT, THE APPLICANT SHALL SUBMIT AN APPROVED CONSTRUCTION BEST MANAGEMENT PRACTICES NECESSARY TO COMPLY WITH CHAPTER 14, ARTICLE 2, DIVISION 2 (GRADING REGULATIONS) OF THE SAN DIEGO MUNICIPAL CODE, DATED MAY 30, 2003 INTO THE CONSTRUCTION PLANS OR SPECIFICATIONS. 24. ALL PUBLIC WATER FACILITIES AND ASSOCIATED EASEMENTS WILL BE OBTAINED, RESPONDED AND CONSTRUCTED IN ACCORDANCE WITH THE CITY OF SAN DIEGO WATER FACILITY DESIGN GUIDELINES AND CITY REGULATIONS, STANDARDS AND PRACTICES. 25. THE SUBVEIGNER IS PERMITTED TO FILE UP TO 3 FINAL MAPS. THE SUBVEIGNER HAS REQUESTED APPROVAL TO FILE FINAL MAPS OUT OF SEQUENTIAL ORDER. THIS REQUEST IS APPROVED, SUBJECT TO THE PROVISION THAT THE CITY ENGINEER CAN REVIEW THE OFF-SITE IMPROVEMENTS IN CONNECTION WITH EACH MAP. 26. THERE ARE NO EXISTING OR PROPOSED BUS STOPS ALONG THE PROPERTY FRONTAGE. 27. THERE ARE NO EXISTING OR PROPOSED FIRE HYDRANTS ALONG THE PROPERTY FRONTAGE OR WITHIN THE 600' OF THE BOUNDARY. 28. POST INDICATOR VALVES, FIRE DEPARTMENT CONNECTIONS, AND ALARM BELLS ARE TO BE LOCATED ON THE ADJOINING/ACCESS SIDE OF THE STRUCTURE. 29. PROVIDE FIRE ACCESS ROADWAYS, SIGNS, AND/OR RED CURBS IN ACCORDANCE WITH TIPS POLICY A-00-1. 30. NO TREES OR SHRUBS EXCEEDING THREE FEET IN HEIGHT AT Maturity SHALL BE INSTALLED WITHIN TEN FEET OF ANY WATER AND/OR SEWER FACILITIES. 31. THE SUBVEIGNER SHALL PROVIDE ENHANCEMENT MAINTENANCE AND REMOVAL AGREEMENTS FOR ALL ACCEPTABLE ENHANCEMENTS IN THE WATER AND SEWER EASEMENT INCLUDING BUT NOT LIMITED TO STRUCTURES, EXHAUST PIPING, AND/OR LANDSCAPING. NO STRUCTURES OR LANDSCAPING OF ANY KIND SHALL BE INSTALLED IN OR ON ANY VEHICULAR ACCESS ROADWAY. 32. PROVIDE BARRING ACCESS BARRIERS, WALKWAY AND LEDGERS FROM THE STREET OR ROAD FRONTING THE PROPERTY PER TIPS POLICY P-00-4.

TOTAL PARKING AT THE AFFORDABLE HOUSING table with columns for NUMBER OF UNITS BY RESIDUAL TYPE, MOTORCYCLE RATIO, and MOTORCYCLE PARKING REQUIRED.

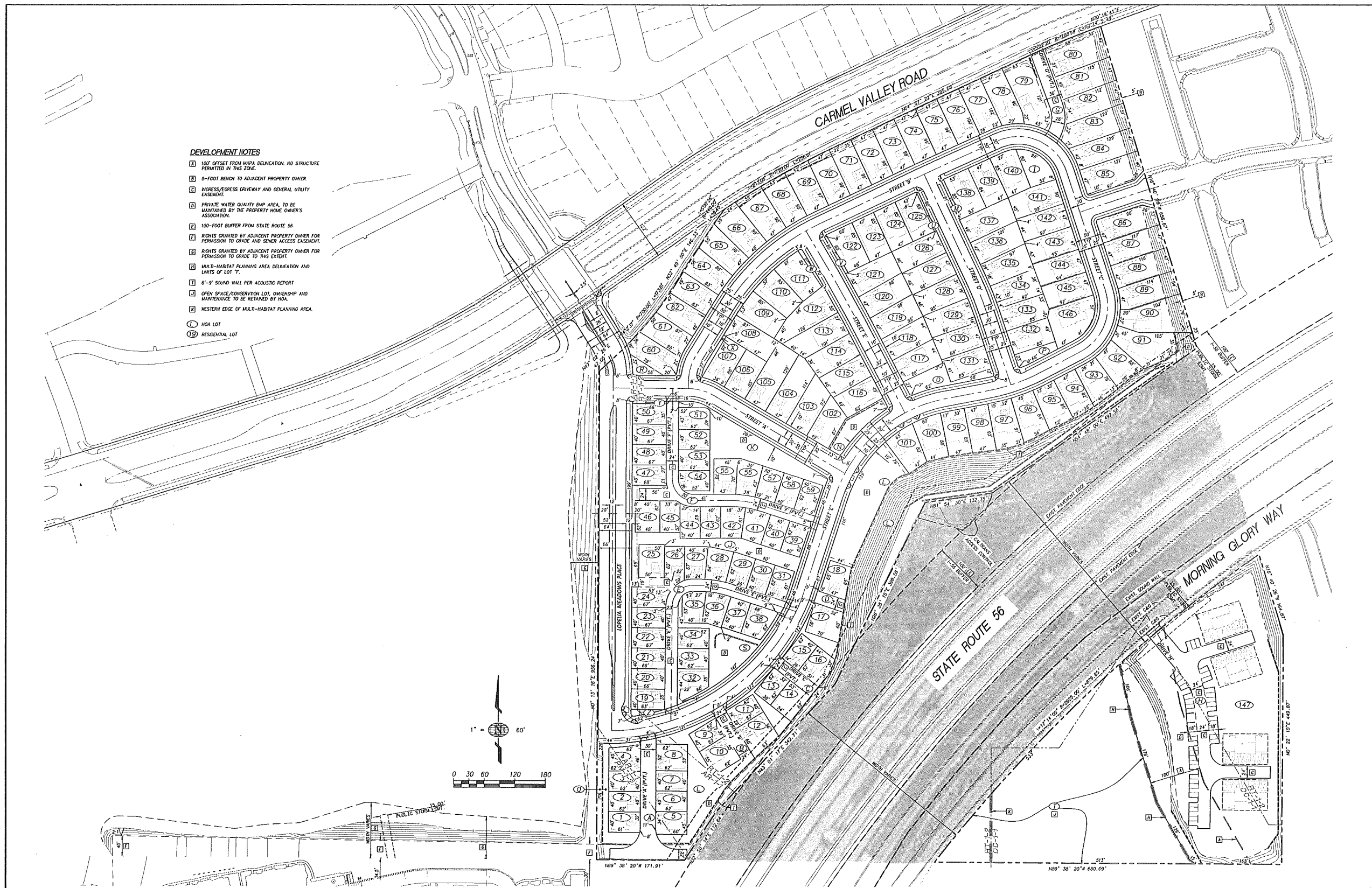
TOTAL PARKING AT THE ELMS AND THE IVY table with columns for NUMBER OF UNITS BY RESIDUAL TYPE, MOTORCYCLE RATIO, and MOTORCYCLE PARKING REQUIRED.

Prepared By: LABRIDGE J3 PLANNING & ENGINEERING. Address: 5333 MIJA SORRENTO PLACE, SUITE 850, SAN DIEGO, CA 92121. Phone: (619) 731-0533. Project Address: SOUTHWEST CORNER OF CARMEL VALLEY ROAD AND LOPELEA MEADOWS PLACE. Project Name: THE ELMS AND THE IVY DEVELOPMENT. VESTING TENTATIVE MAP NO.: 11-14-2013. PLANNED DEVELOPMENT PERMIT NO.: 08-16-2013. SITE DEVELOPMENT PERMIT NO.: 06-11-2013. NEIGHBORHOOD USE PERMIT NO.: Revision 11: 10-18-2012. Original Date: 08-24-2012. Sheet Title: VESTING TENTATIVE MAP COVER SHEET. Sheet 1 of 38.

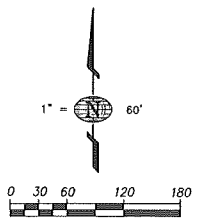


THE ELMS AND THE IVY DEVELOPMENT
SAN DIEGO, CALIFORNIA





- DEVELOPMENT NOTES**
- A 100' OFFSET FROM MHFA DELINEATION, NO STRUCTURE PERMITTED IN THIS ZONE.
 - B 5-FOOT BENCH TO ADJACENT PROPERTY OWNER.
 - C INGRESS/EGRESS DRIVEWAY AND GENERAL UTILITY EASEMENT.
 - D PRIVATE WATER QUALITY BMP AREA, TO BE MAINTAINED BY THE PROPERTY HOME OWNER'S ASSOCIATION.
 - E 100-FOOT BUFFER FROM STATE ROUTE 56.
 - F RIGHTS GRANTED BY ADJACENT PROPERTY OWNER FOR PERMISSION TO GRADE AND SEWER ACCESS EASEMENT.
 - G RIGHTS GRANTED BY ADJACENT PROPERTY OWNER FOR PERMISSION TO GRADE TO THIS EXTENT.
 - H MULTI-HABITAT PLANNING AREA DELINEATION AND LIMITS OF LOT "I".
 - I 6"-9" SOLID WALL PER ACOUSTIC REPORT.
 - J OPEN SPACE/RECREATION LOT, OWNERSHIP AND MAINTENANCE TO BE RETAINED BY HOA.
 - K WESTERN EDGE OF MULTI-HABITAT PLANNING AREA.
- L HOA LOT
 19 RESIDENTIAL LOT



THE ELMS AND THE IVY DEVELOPMENT
 SAN DIEGO, CALIFORNIA

PREPARED IN THE OFFICE OF:

JIM KILGORE
 REG. EXPRS. 6-30-2015

Prepared By:	LARABEE 33 PLANNING & ENGINEERING	Revision 14:	
Name:	LARABEE 33 PLANNING & ENGINEERING	Revision 13:	
Address:	5335 MIKA SORRENTO PLACE, SUITE 650 SAN DIEGO, CA 92121	Revision 12:	
Phone #:	(619) 721-0613	Revision 11:	
Project Address:	SOUTHEAST CORNER OF CARMEL VALLEY ROAD AND LORELIA MEADOWS PLACE	Revision 10:	
		Revision 9:	
		Revision 8:	
		Revision 7:	
		Revision 6:	
		Revision 5:	
Project Name:	THE ELMS AND THE IVY DEVELOPMENT	Revision 4:	11-14-2013
VESTING TENTATIVE MAP NO.:		Revision 3:	08-16-2013
PLANNED DEVELOPMENT PERMIT NO.:		Revision 2:	04-11-2013
SITE DEVELOPMENT PERMIT NO.:		Revision 1:	10-18-2012
NEIGHBORHOOD USE PERMIT NO.:		Original Date:	09-24-2012
Sheet Title:	VESTING TENTATIVE MAP	Sheet	4 of 56
SITE PLAN		DEP#	



PLAN 1
MONTEREY

PLAN 2
COASTAL COTTAGE

PLAN 3
CLASSICAL AMERICANA

STREET SCENE I

THE IVY AT PACIFIC HIGHLANDS RANCH
SAN DIEGO, CALIFORNIA

SCALE: 1/8" = 1'-0"



08.14.13

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Prepared By: <u>Bassenian Lagoni</u>	Revision 14: _____
Name: <u>Bassenian Lagoni</u>	Revision 13: _____
Address: <u>2021 Oxford Drive, Suite 100</u>	Revision 12: _____
<u>Newport Beach, CA 92660</u>	Revision 11: _____
Phone #: <u>949-552-9700</u>	Revision 10: _____
Project Address: <u>SOUTHEAST CORNER OF CAMEL VALLEY ROAD</u>	Revision 9: _____
<u>AND LOPEDA MEADOWS PLACE</u>	Revision 8: _____
Project Name: _____	Revision 7: _____
THE ELMS AND THE IVY DEVELOPMENT	Revision 6: _____
VESTING TENTATIVE MMP NO. _____	Revision 5: _____
PLANNED DEVELOPMENT PERMIT NO. _____	Revision 4: <u>08-14-2013</u>
SITE DEVELOPMENT PERMIT NO. _____	Revision 3: <u>08-14-2013</u>
NEIGHBORHOOD USE PERMIT NO. _____	Revision 2: <u>08-14-2013</u>
Original Date: <u>08-24-2012</u>	Revision 1: <u>08-24-2012</u>
Sheet Title: <u>STREET SCENE 1</u>	Sheet <u>12</u> of <u>58</u>
DEP# _____	



PLAN 1
CLASSICAL AMERICANA

PLAN 2
MONTEREY

PLAN 3
COASTAL COTTAGE

STREET SCENE 2

THE IVY AT PACIFIC HIGHLANDS RANCH
SAN DIEGO, CALIFORNIA

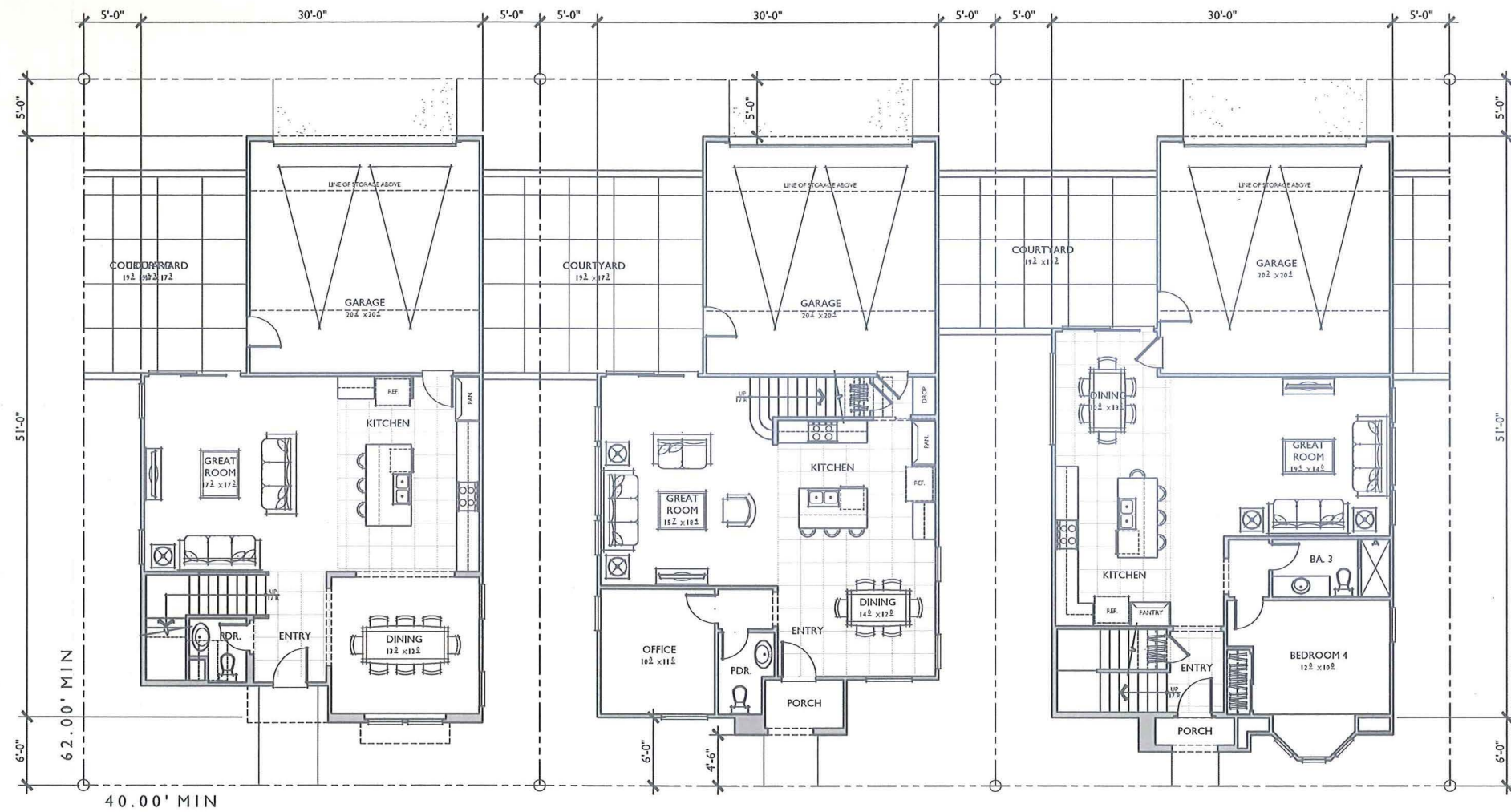
SCALE 1/8" = 1'-0"



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Prepared By: <u>Bassenian Lagoni</u>	Revision 14: _____
Name: _____	Revision 13: _____
Address: <u>2031 Orchard Drive, Suite 102</u>	Revision 12: _____
<u>Newport Beach, CA 92660</u>	Revision 11: _____
Phone #: <u>1-949-333-7307</u>	Revision 10: _____
Project Address: _____	Revision 9: _____
<u>SOUTHWEST CORNER OF CASABEL VALLEY ROAD</u>	Revision 8: _____
<u>AND LEXIA MEADOWS PLACE</u>	Revision 7: _____
Project Name: _____	Revision 6: _____
<u>THE ELMS AND THE IVY DEVELOPMENT</u>	Revision 5: _____
VESTING TENTATIVE MAP NO. _____	Revision 4: _____
PLANNED DEVELOPMENT PERMIT NO. _____	Revision 3: <u>06-14-2013</u>
SITE DEVELOPMENT PERMIT NO. _____	Revision 2: <u>06-11-2013</u>
NEIGHBORHOOD USE PERMIT NO. _____	Revision 1: <u>10-18-2012</u>
Original Date: <u>09-24-2012</u>	Sheet <u>13</u> of <u>58</u>
Sheet Title: <u>STREET SCENE 2</u>	DEP# _____



PLAN 1
1,979 SQ. FT.
TARGET: 1,871 SQ. FT.

PLAN 2
2,091 SQ. FT.
TARGET: 2,075 SQ. FT.

PLAN 3
2,220 SQ. FT.
TARGET: 2,250 SQ. FT.

FIRST FLOOR

**THE IVY AT PACIFIC HIGHLANDS RANCH
SAN DIEGO, CALIFORNIA**

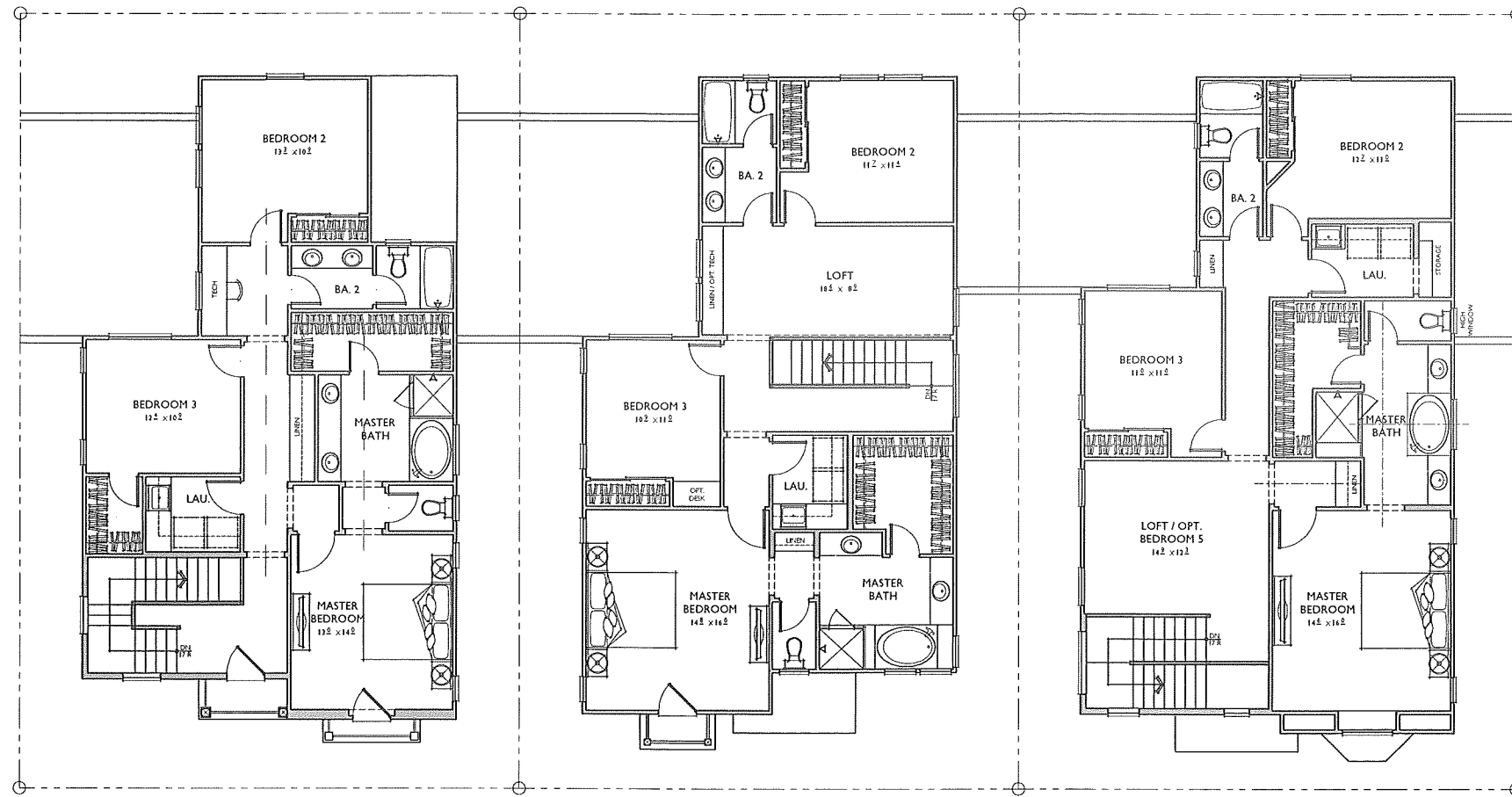
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Prepared By: <u>Bassenian Lagoni</u>	Revision 14: _____
Name: <u>Elms and the Ivy</u>	Revision 13: _____
Address: <u>2017 Orchard Drive, Suite 100</u>	Revision 12: _____
<u>Newport Beach, CA 92660</u>	Revision 11: _____
Phone: <u>949-251-7120</u>	Revision 10: _____
Project Address: <u>SE/EAST CORNER OF CAROL VALLEY ROAD</u>	Revision 9: _____
<u>AND LORVELLA MEADOWS BLVD</u>	Revision 8: _____
Project Name: <u>THE ELMS AND THE IVY DEVELOPMENT</u>	Revision 7: _____
VESTING TENTATIVE MAP NO: _____	Revision 6: _____
PLANNED DEVELOPMENT PERMIT NO: _____	Revision 5: _____
SITE DEVELOPMENT PERMIT NO: _____	Revision 4: _____
NEIGHBORHOOD USE PERMIT NO: _____	Revision 3: <u>08-14-2013</u>
Sheet Title: <u>COMPOSITE FLOOR PLAN</u>	Revision 2: <u>08-14-2013</u>
DEP# _____	Revision 1: <u>08-14-2013</u>
	Original Date: <u>08-24-2012</u>
	Sheet <u>19</u> of <u>20</u>



PLAN 1

PLAN 2

PLAN 3

SECOND FLOOR

THE IVY AT PACIFIC HIGHLANDS RANCH
SAN DIEGO, CALIFORNIA

SCALE: 1/8" = 1'-0"



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Address: <u>2011 Orchard Drive, Suite 100</u>	Revision 12:
<u>Newport Beach, CA 92660</u>	Revision 11:
Phone #: <u>949-552-7100</u>	Revision 10:
Project Address:	Revision 9:
<u>SOUTHEAST CORNER OF CARREL VALLEY ROAD</u>	Revision 8:
<u>AND OPENHILL MEADOWS PLACE</u>	Revision 7:
	Revision 6:
	Revision 5:
Project Name:	Revision 4:
<u>THE ELMS AND THE IVY DEVELOPMENT</u>	Revision 3:
VESTING TENTATIVE MAP NO.	Revision 2:
PLANNED DEVELOPMENT PERMIT NO.	Revision 1:
SITE DEVELOPMENT PERMIT NO.	Original Date: <u>08-24-2012</u>
NEIGHBORHOOD USE PERMIT NO.	Sheet <u>11</u> of <u>58</u>
Sheet Title:	DEP#
COMPOSITE FLOOR PLAN	



FRONT



REAR

Prepared By:	Bassenian Lagoni	Revision 14:	_____
Name:	2021 Orchard Drive, Suite 100	Revision 13:	_____
Address:	Escondido, CA 92029	Revision 12:	_____
Phone #:	760-945-5533	Revision 11:	_____
Project Address:	SOUTHEAST CORNER OF CAMEL VALLEY ROAD AND LOPPEL MEADOWS BLVD	Revision 10:	_____
Project Name:	THE ELMS AND THE IVY DEVELOPMENT VESTING TENTATIVE MAP NO. PDP NO. ; SDP NO.	Revision 9:	_____
Sheet Title:	FRONT AND REAR ELEVATIONS	Revision 8:	_____
		Revision 7:	_____
		Revision 6:	_____
		Revision 5:	_____
		Revision 4:	8-16-2012
		Revision 3:	4-11-2013
		Revision 2:	10-18-2012
		Revision 1:	8-24-2012
		Original Date:	8-24-2012
		Sheet	55 of 58
		DEP#	_____

0 2 4 SCALE: 1/4" = 1'-0"

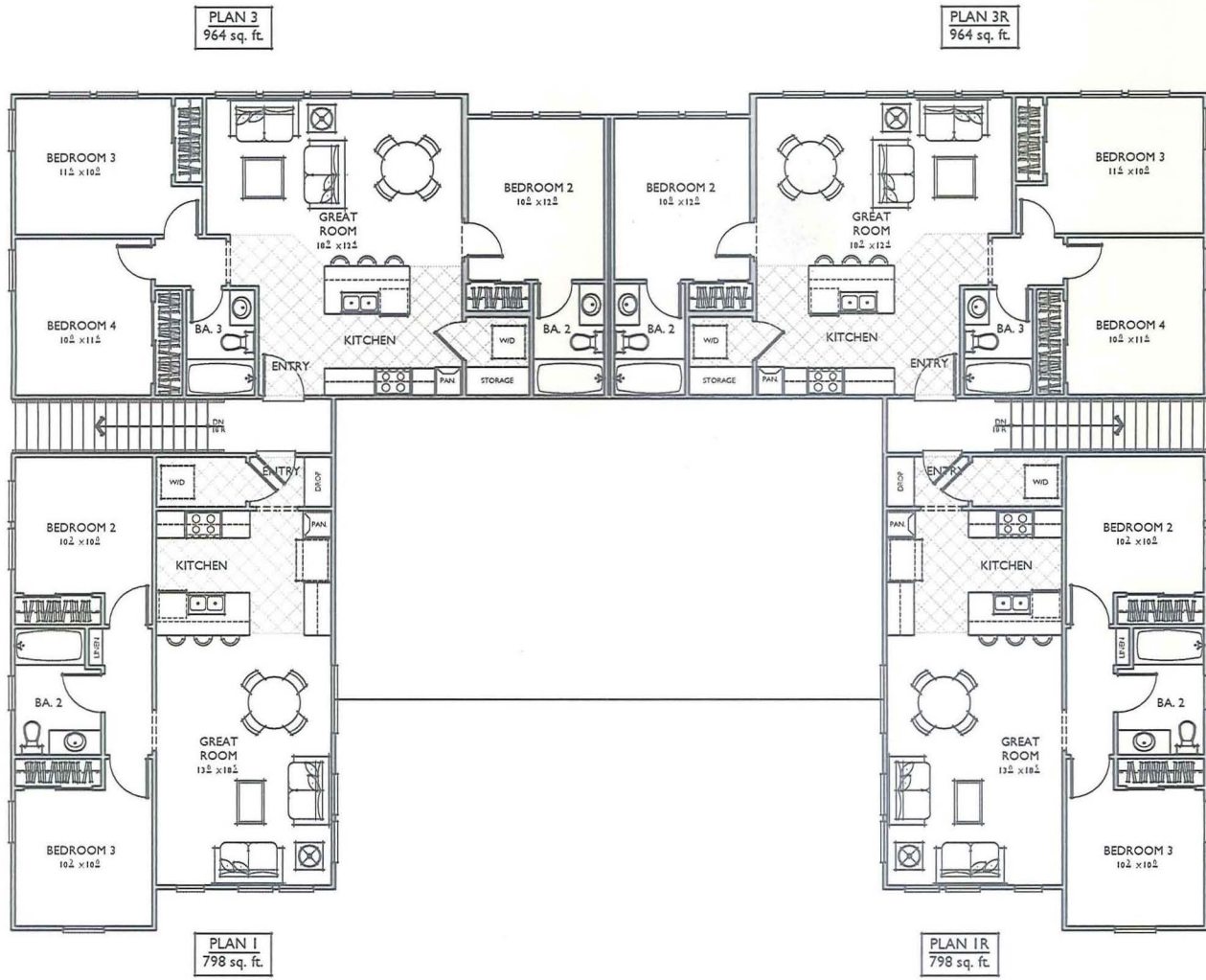
AFFORDABLE UNITS

THE ELMS AND IVY DEVELOPMENT
SAN DIEGO, CALIFORNIA

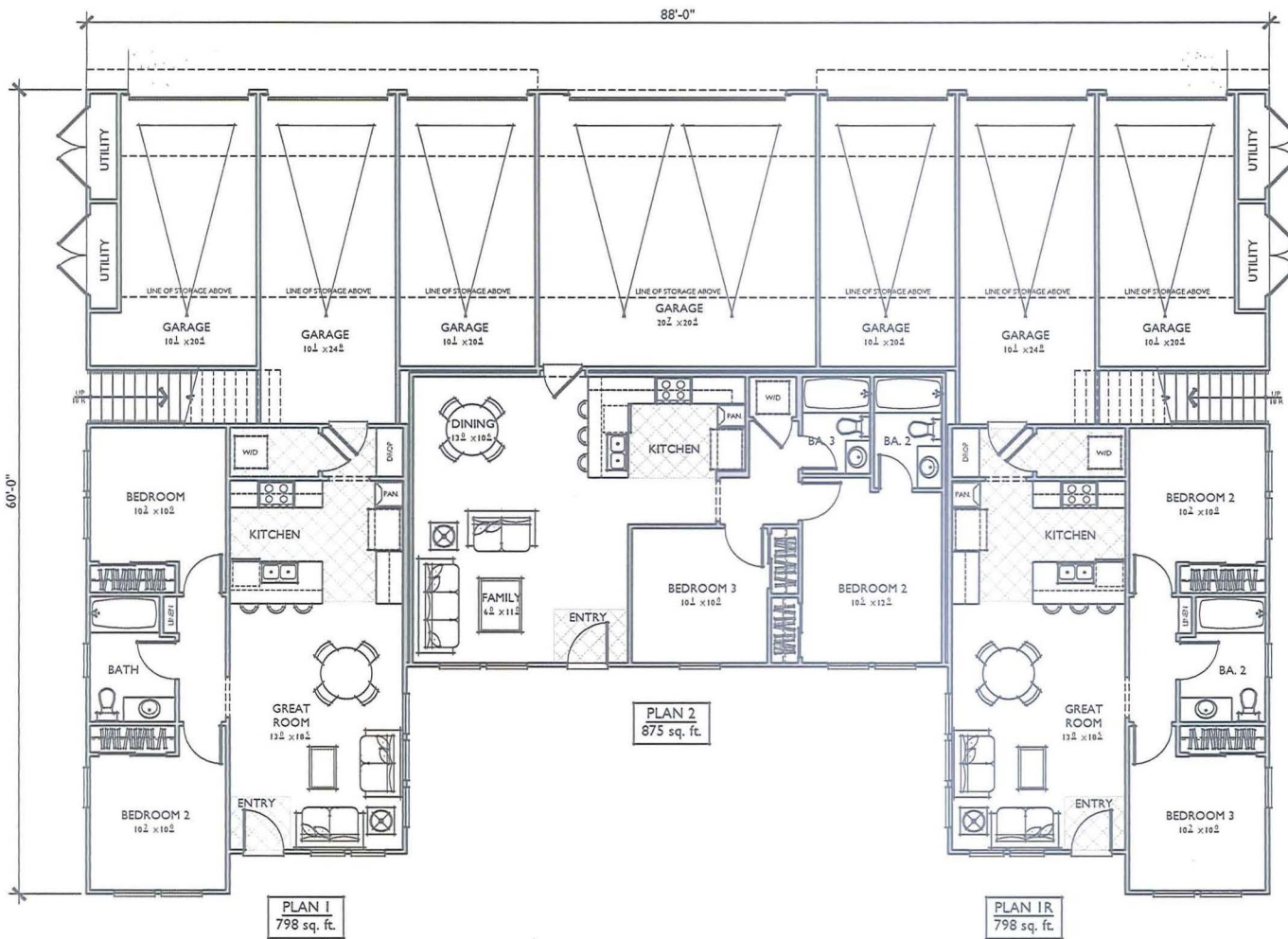


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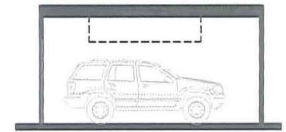
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BUILDING 2ND FLOOR



BUILDING 1ST FLOOR



TYPICAL GARAGE SECTION
245 CUBIC FEET OF STORAGE ABOVE CARS

Prepared By:	Revision 14:
Name:	Revision 13:
Address:	Revision 12:
Phone #:	Revision 11:
Project Address:	Revision 10:
	Revision 9:
	Revision 8:
	Revision 7:
	Revision 6:
	Revision 5:
	Revision 4:
	Revision 3:
	Revision 2:
	Revision 1:
Project Name:	Original Date:
THE ELMS AND THE IVY	Sheet 54 of 58
DEVELOPMENT VESTING	
TENTATIVE MAP NO.	
PDP NO. ; SDP NO.	
COMPOSITE FLOOR PLAN	

SCALE: 1/4" = 1'-0"

AFFORDABLE UNITS

THE ELMS AND IVY DEVELOPMENT
SAN DIEGO, CALIFORNIA



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ITEMS CORRESPONDING TO SCHEDULE "B":

ITEM	DESCRIPTION	ACTION
1	PROPERTY TAXES, INCLUDING ANY ASSESSMENTS COLLECTED WITH TAXES, FOR THE FISCAL YEAR 2012 - 2013 THAT ARE A LIEN NOT YET DUE. (NOT A SURVEY MATTER)	
2	PROPERTY TAXES, INCLUDING ANY PERSONAL PROPERTY TAXES AND ANY ASSESSMENTS COLLECTED WITH TAXES, FOR THE FISCAL YEAR 2011 - 2012 1ST INSTALLMENT: \$7,937.67 (PAID) 2ND INSTALLMENT: \$7,937.67 PENALTY AND COSTS: \$803.76 (DUE AFTER APRIL 10) HOMEOWNERS EXEMPTION: BUONE CODE AREA: 05110 ASSESSORS PARCEL NUMBER: 305-021-24 (NOT A SURVEY MATTER)	
3	THE LIEN OF SUPPLEMENTAL TAXES, IF ANY, ASSESSED PURSUANT TO THE PROVISIONS OF CHAPTER 15 (COMMENCING WITH SECTION 75) OF THE REVENUE AND TAXATION CODE OF THE STATE OF CALIFORNIA (NOT A SURVEY ITEM)	
4	RIGHTS OF THE PUBLIC IN AND TO THAT PORTION OF OLD SURVEY NO. 57 (ALSO KNOWN AS BLACK MOUNTAIN ROAD) PER BOOK 7, PAGE 200 OF SUPERVISORS MINUTES DATED FEBRUARY 27, 1866. (AS SHOWN ON SURVEY)	TO BE VACATED BY FINAL MAP
5	AN EASEMENT GRANTED TO THE CITY OF SAN DIEGO FOR THE PURPOSE OF A PUBLIC STREET RECORDED SEPTEMBER 1, 1982 AS INSTRUMENT NO. 82-271464 OF OFFICIAL RECORDS. (AS SHOWN ON SURVEY)	TO REMAIN
6	THE EFFECT OF THE FOLLOWING RECITAL CONTAINED ON PARCEL MAP NO. 12337 "THIS MAP IS BEING FILED FOR FINANCING PURPOSES ONLY AND WILL HAVE NO PUBLIC IMPROVEMENT REQUIREMENTS, NO BUILDING PERMITS ARE TO BE ISSUED FOR THE LOTS OR PARCELS CREATED BY THIS MAP. THE RECORDING OF A SUBSEQUENT MAP IS REQUIRED BEFORE BUILDING PERMITS CAN BE ISSUED."	
7	THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "PLANNED RESIDENTIAL DEVELOPMENT PERMIT NO. 08-0886" RECORDED DECEMBER 3, 1984 AS FILE NO. 84-449558 OF OFFICIAL RECORDS AND AMENDED BY INSTRUMENTS RECORDED JULY 20, 1988 AS FILE NO. 86-305146 AND JANUARY 27, 1987 AS FILE NO. 87-043268, BOTH OF OFFICIAL RECORDS. (NOT A SURVEY MATTER)	
8	INTENTIONALLY OMITTED.	
9	AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THEREOF, AS SET FORTH IN A DOCUMENT PURPOSE: ROAD AND PUBLIC UTILITIES, AS GRANTED/RESERVED BY VARIOUS INSTRUMENTS OF RECORD, ONE OF WHICH WAS RECORDED AUGUST 8, 1989 AS INSTRUMENT NO. 89-421344 OF OFFICIAL RECORDS. (AS SHOWN ON SURVEY)	TO BE VACATED BY FINAL MAP
10	AN EASEMENT GRANTED TO CITY OF SAN DIEGO FOR THE PURPOSE OF PUBLIC STREET RECORDED SEPTEMBER 26, 2001 AS INSTRUMENT NO. 2001-070305 OF OFFICIAL RECORDS. (AS SHOWN ON SURVEY)	TO REMAIN
11	THE FACT THAT THE OWNERSHIP OF SAID LAND DOES NOT INCLUDE RIGHTS OF ACCESS TO OR FROM THE STREET, HIGHWAY, OR FREEWAY ABUTTING SAID LAND, SUCH RIGHTS HAVING BEEN SEVERED FROM SAID LAND BY THE DOCUMENT, RECORDED APRIL 20, 2005 AS INSTRUMENT NO. 2005-0337821 OF OFFICIAL RECORDS. (AS SHOWN ON SURVEY)	TO REMAIN
12	AN EASEMENT PURPOSES OF GRAVANCE STATED HEREIN, AND INCIDENTAL PURPOSES, CONDEMNED BY FINAL DECREE CASE NO. 03-77154 RECORDED APRIL 20, 2005 AS INSTRUMENT NO. 005-0337821 OF OFFICIAL RECORDS. (AS SHOWN ON SURVEY)	TO BE VACATED BY FINAL MAP
13	INTENTIONALLY OMITTED.	
14	A PENDING ASSESSMENT FOR THE DISTRICT SHOWN BELOW WHEN NOTICE OF THE ASSESSMENT IS RECORDED WITH THE COUNTY RECORDER THE ASSESSMENT SHALL BECOME A LIEN ON SAID LAND. DISTRICT: PACIFIC HIGHLANDS RANCH FACILITIES BENEFIT ASSESSMENT DISCLOSED BY ASSESSMENT DISTRICT BOUNDARY RECORDED: JULY 29, 2005 AS INSTRUMENT NO. 2005-0645812 OF OFFICIAL RECORDS. (NOT A SURVEY MATTER)	
15	A PENDING ASSESSMENT FOR THE DISTRICT SHOWN BELOW WHEN NOTICE OF THE ASSESSMENT IS RECORDED WITH THE COUNTY RECORDER THE ASSESSMENT SHALL BECOME A LIEN ON SAID LAND. DISTRICT: PACIFIC HIGHLANDS RANCH FACILITIES BENEFIT ASSESSMENT DISCLOSED BY ASSESSMENT DISTRICT BOUNDARY RECORDED: AUGUST 30, 2006 AS INSTRUMENT NO. 2006-0619255 OF OFFICIAL RECORDS. (NOT A SURVEY MATTER)	
16	AN EASEMENT GRANTED TO CITY OF SAN DIEGO, A MUNICIPAL CORPORATION FOR PURPOSE OF A PUBLIC STREET RECORDED FEBRUARY 9, 2007, AS INSTRUMENT NO. 2007-0092182 OF OFFICIAL RECORDS. (AS SHOWN ON SURVEY)	TO REMAIN
17	A PENDING ASSESSMENT FOR THE DISTRICT SHOWN BELOW WHEN NOTICE OF THE ASSESSMENT IS RECORDED WITH THE COUNTY RECORDER THE ASSESSMENT SHALL BECOME A LIEN ON SAID LAND. DISTRICT: PACIFIC HIGHLANDS RANCH FACILITIES BENEFIT ASSESSMENT DISCLOSED BY ASSESSMENT DISTRICT BOUNDARY RECORDED DECEMBER 20, 2007 AS INSTRUMENT NO. 2007-0784225 OF OFFICIAL RECORDS. (NOT A SURVEY MATTER)	
18	INTENTIONALLY OMITTED.	
19	MATTERS WHICH MAY BE DISCLOSED BY AN INSPECTION AND/OR BY A CORRECT ALTA/ACSM LAND TITLE SURVEY OF SAID LAND THAT IS SATISFACTORY TO THIS COMPANY, AND/OR BY INQUIRY OF THE PARTIES IN POSSESSION THEREOF. (AS SHOWN ON SURVEY)	
20	ANY RIGHTS OF PARTIES IN POSSESSION OF SAID LAND, BASED ON ANY UNRECORDED LEASE, OR LEASES. THIS COMPANY WILL REQUIRE A FULL COPY OF ANY UNRECORDED LEASE, TOGETHER WITH ALL SUPPLEMENTS, ASSIGNMENTS, AND AMENDMENTS FOR REVIEW. (NOT A SURVEY MATTER)	

BY: CHICAGO TITLE COMPANY
2305 NORTHBROOK DRIVE, STE. 500
SAN DIEGO, CA 92108
(619) 521-3400

ORDER NO. 93002722-USO
TITLE OFFICER - TOM VOTEL/REN CYR
ENAL - HOLM-BELTON & AM-CYR/CLC
DATED - MARCH 06, 2012

LEGEND:

- AC - ASPHALT CONCRETE
- AD - AREA DRAIN
- APN - ASSESSOR'S PARCEL NUMBER
- ARV - WATER AIR VACUUM RELIEF VALVE
- CPS - CATHODIC PROTECTION STATION
- CV - COMMUNICATION VAULT
- D - GRATED DRAIN
- DO - DECOMPOSED GRANITE
- E - EAST
- EC - ELECTRIC CLOSET
- EB - ELECTRIC PANEL BOX
- FI - FIRE HYDRANT
- FSP - FIRE SERVICE BACKFLOW
- GM - GAS METER
- GP - GAUGING POST
- L/A - LANDSCAPE AREA
- MB - MAILBOX
- MH - MANHOLE
- MHR - METAL HAND RAILING
- MS - MOUNDMENT SIGN
- N - NORTH
- PA - WALLED PLANTER AREA
- PL - PROPERTY LINE
- ROW - RIGHT OF WAY
- S - SOUTH
- SCO - SEWER CLEAN OUT
- SDM - STORM DRAIN INLET W/MANHOLE
- SDD - STORM DRAIN UNDERWALK OUTLET
- SDMWH - SODGE MANHOLE
- SQV - SODGE VAULT
- S - SIGN
- SLB - STREET LIGHT PULLBOX
- SNH - SEWER MANHOLE
- TEH - TELEPHONE MANHOLE
- TE - TRASH ENCLOSURE
- TWH - TELEPHONE MANHOLE
- TSB - TRAFFIC SIGNAL BOX
- TR - TRANSFORMER
- UC - UTILITY CLOSET
- UV - UTILITY VAULT
- W - WEST
- WHH - WATER MAN HOLE
- WM - WATER METER
- WV - WATER VALVE

STATEMENT OF ENCROACHMENTS:

1 - BLOCK WALL/FENCE AND/OR COLUMN ENCROACHES ONTO SUBJECT PROPERTY

ZONING DESIGNATIONS

ZONE: RT-1-2 (RESIDENTIAL TOWNHOUSE)
OC-1-1 (OPEN SPACE-CONSERVATION)
AR-1-1 (AGRICULTURAL-RESIDENTIAL)
RM-1-2 (RESIDENTIAL-MULTIPLE UNIT)

ZONING DESIGNATIONS WERE OBTAINED FROM THE DEVELOPMENT SERVICES OFFICIAL ZONING MAP

Prepared By: LATTITUDE 33 PLANNING & ENGINEERING
Name: LATTITUDE 33 PLANNING & ENGINEERING
Address: 5355 MIKA SOPRINHO PLACE, SUITE 650
SAN DIEGO, CA 92121
Phone #: (619) 291-0633

Project Address: SOUTHEAST CORNER OF CARMEL VALLEY ROAD AND LOVELLA MEADOWS PLACE

Project Name: THE ELMS AND THE IVY DEVELOPMENT
VESTING TENTATIVE MAP NO:
PLANNED DEVELOPMENT PERMIT NO:
SITE DEVELOPMENT PERMIT NO:
NEIGHBORHOOD USE PERMIT NO:

Revision 14:
Revision 13:
Revision 12:
Revision 11:
Revision 10:
Revision 9:
Revision 8:
Revision 7:
Revision 6:
Revision 5:
Revision 4: 11-14-2013
Revision 3: 09-11-2013
Revision 2: 04-11-2013
Revision 1: 05-16-2012

Original Date: 09-24-2012

Sheet Title: VESTING TENTATIVE MAP
EXISTING CONDITIONS

Sheet 2 of 58
DEP#



THE ELMS AND THE IVY DEVELOPMENT
SAN DIEGO, CALIFORNIA



PREPARED IN THE OFFICE OF:
LATTITUDE 33 PLANNING & ENGINEERING
11.14.13

11/10/11/14 02/14/14-1402 EXISTING CONDITIONS.DWG 10/31/2013 11:28:20 AM

Lot Area, Width and Depth Deviations

RM 1-2 Zone			
Lot #	Minimum Area (Square Feet) (6,000 SF Required)	Lot Width (Feet) (50 Feet Required)	Lot Depth (Feet) (100 Feet Required)
1	2478	40	62
2	2480	40	62
3	2480	40	62
4	2980	45	62
5	2785	45	62

49 Lots deviate from Lot Area Requirements 1-9, 11, 13, 15, 19-24, 26-31, 33-37, 39-54, 56-59

8 Lots deviate from Lot Width Requirements 1-8.

124 Lots deviate from Lot Depth Requirements 1-59, 61-75, 92-103, 106-111, 113-136, 138-146

AR 1-1 Zone			
Lot #	Minimum Area (Square Feet) (435,600 SF Required)	Lot Width (Feet) (200 Feet Required)	Lot Depth (Feet) (200 Feet Required)
6	2484	40	62
7	2487	40	62
8	3237	52	62

RT 1-2 Zone		
Lot #	Minimum Area (Square Feet) (3,000 SF Required)	Lot Depth (Feet) (100 Feet Required)
9	2480	62
10	Meets Required	62
11	2479	62
12	Meets Required	62
13	2477	62
14	Meets Required	62
15	2475	62
16	Meets Required	62
17	Meets Required	60
18	Meets Required	65
19	2637	65
20	2648	66
21	2657	66
22	2666	67
23	2676	67
24	2792	67
25	Meets Required	65
26	2755	75
27	2768	64
28	2923	62
29	2680	62
30	2480	62
31	2479	62
32	Meets Required	62
33	2480	62
34	2480	62
35	2626	62
36	2783	62
37	2479	62
38	Meets Required	62
39	2478	62
40	2478	62
41	2807	62
42	2751	62
43	2480	62
44	2536	62
45	2461	62
46	2975	62
47	2667	67
48	2660	67
49	2660	67
50	2659	67
51	2653	62
52	2487	62
53	2491	62
54	2421	62

55	Meets Required	70
56	2971	66
57	2601	62
58	2480	62
59	2478	62
61	Meets Required	89
62	Meets Required	84
63	Meets Required	83
64	Meets Required	83
65	Meets Required	90
66	Meets Required	96
67	Meets Required	96
68	Meets Required	96
69	Meets Required	98
70	Meets Required	98
71	Meets Required	98
72	Meets Required	98
73	Meets Required	99
74	Meets Required	99
75	Meets Required	99
76	Meets Required	99
92	Meets Required	75
93	Meets Required	78
94	Meets Required	84
95	Meets Required	83
96	Meets Required	87
97	Meets Required	93
98	Meets Required	90
99	Meets Required	86
100	Meets Required	83
101	Meets Required	80
102	Meets Required	82
106	Meets Required	85
107	Meets Required	87
108	Meets Required	99
109	Meets Required	86
110	Meets Required	85
111	Meets Required	85
114	Meets Required	97
115	Meets Required	91
116	Meets Required	85
117	Meets Required	89
118	Meets Required	93
119	Meets Required	95
120	Meets Required	97
121	Meets Required	98
122	Meets Required	85
123	Meets Required	85
124	Meets Required	85
125	Meets Required	85
126	Meets Required	97
127	Meets Required	97
128	Meets Required	96
129	Meets Required	94
130	Meets Required	90
131	Meets Required	85
132	Meets Required	85
133	Meets Required	92
134	Meets Required	92
135	Meets Required	95
136	Meets Required	98
138	Meets Required	85
139	Meets Required	85
140	Meets Required	85
141	Meets Required	99
142	Meets Required	98
143	Meets Required	96
144	Meets Required	94
145	Meets Required	93
146	Meets Required	98

Setback Deviations

*Lots 1-59 are on smaller lots and are alley-loaded, and Lots 60-146 are on larger lots and are front-loaded.

RM-1-2 Zone	
Lot #	Front Setback (FT) (15 FT MIN)
Lots 1-5	varies 2'-6'

AR-1-1 Zone			
Lot #	Front Setback (FT) (25 FT MIN)	Side Setback (FT) (25 FT MIN)	Rear Setback (FT) (25 FT MIN)
Lots 6-8	varies 2'-6'	5'	5'

RT-1-2 Zone	
Lot #	Front Setback (FT) (5 FT MIN)
Lots 9-146	varies 2'-10'

Height Deviations

RM-1-2 Zone	
Lot #	Structure Height (FT) (30 FT MAX)
Lots 1-5	varies 24'-31'

AR-1-1 Zone	
Lot #	Structure Height (FT) (30 FT MAX)
Lots 6-8	varies 24'-31'

RT-1-2 Zone	
Lot #	Structure Height (FT) (21 FT MAX)
Lots 10-146	varies 24'-31'
Lot 147	29'

Garage Deviations

For Lot 147, we are requesting a deviation from the all 8 Garage Regulations in 131.0449(b), due to the product type being multi-family affordable housing.

CARMEL VALLEY COMMUNITY PLANNING BOARD

**Attn: Allen Kashani, CVCPB Secretary
6025 Edgewood Bend Court
San Diego, CA 92130
858-794-2571 / Fax: 858-794-2599**

October 30, 2013

Randi Coopersmith
LATITUDE 33
5355 Mira Sorrento Pl., Ste. 650
San Diego, CA 92121

Re: "The Elms and The Ivy"

Dear Randi:

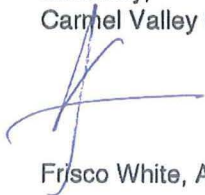
The Carmel Valley Community Planning Board considered the above project on October 24, 2013 and voted unanimously 13-0 to support the applicant's request for a Vesting Tentative Map, Site Development Permit and Planned Development Permit for the 146 market rate single-family dwelling units and 28 affordable housing multi-family dwelling units as indicated by the following:

Board Motion

The Carmel Valley Community Planning Board approves The Elms and The Ivy with the condition that the roadway connection to the neighboring Costa Del Sol's private streets be eliminated and that that area becomes a landscaped usable space for residents. The landscaped space can be dedicated as a right of way in the event the roadway is needed in the future.

Please give me a call if you have any questions.

Sincerely,
Carmel Valley Community Planning Board



Frisco White, AIA, Chairman

cc: Mel Millstein

Project Title: The Elms & The Ivy	Project No. (For City Use Only)
--------------------------------------	---------------------------------

Part II - To be completed when property is held by a corporation or partnership

Legal Status (please check):

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

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

Corporate/Partnership Name (type or print):
Taylor Morrison of California, LLC

Owner Tenant/Lessee

Street Address:
8105 Irvine Center Drive, Suite 1450

City/State/Zip:
Irvine, CA 92013

Phone No: _____ Fax No: _____
(949) 341-1200

Name of Corporate Officer/Partner (type or print): *VICE PRES. TAYLOR MORRISON*

Title (type or print): *TOM BAINE*

Signature : _____ Date: *9.18.12*

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: _____ Fax No: _____

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

Title (type or print):

Signature : _____ Date: _____

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: _____ Fax No: _____

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

Title (type or print):

Signature : _____ Date: _____

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: _____ Fax No: _____

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

Title (type or print):

Signature : _____ Date: _____

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: _____ Fax No: _____

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

Title (type or print):

Signature : _____ Date: _____

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: _____ Fax No: _____

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

Title (type or print):

Signature : _____ Date: _____