
CHAPTER 3: OPEN SPACE

The adopted Framework Plan includes the MHPA as its primary open space planning component. This resource is a vital element of the Plan and its development concept. The MHPA constitutes approximately 1,275 acres (48 percent) of Pacific Highlands Ranch and provides the backbone of the development plan for the community. In addition, the Plan provides for an urban amenity that will be located in the development area and will provide pedestrian, bicycling and hiking opportunities. The resulting open space system is intended to implement the Multiple Species Conservation Program (MSCP) and provide a multi-purpose open space system for residents and visitors to the Pacific Highlands Ranch community.

3.1 OPEN SPACE GOALS

This chapter of the Plan, in conformance with the NCFUA Framework Plan and the adopted MSCP, adjusts and finalizes boundaries of the MHPA and locates other active open space areas. The following goals, specific to Pacific Highlands Ranch, will guide the preservation and development of these open space systems.

- Goal 1:* Provide a series of interconnected and viable habitat reserves that protect and preserve biological resources while providing a linkage between the San Dieguito River Valley, Los Peñasquitos Canyon Preserves and Black Mountain Park.
- Goal 2:* Create a system of open spaces, which may include restoration and revegetation, that link habitat preserve areas.
- Goal 3:* Provide a series of interconnected trails that link with the built environment to provide opportunities for human recreation, education, movement and visual relief.
- Goal 4:* Refine the MHPA using detailed field surveys. In this manner, MHPA design will be based upon accurate environmental data and will contribute positively to region-wide conservation efforts.

3.2 MSCP PRESERVE

The open space system proposed in Pacific Highlands Ranch will implement the adopted MSCP within Subarea III of the NCFUA. The significance of the NCFUA to the citywide MHPA is its location in relation to regionally significant natural areas. Linkages within Pacific Highlands Ranch will provide connections south to Los Peñasquitos Preserve, east and north to the San Dieguito River via La Zanja Canyon, and west to the San Dieguito River estuary via Gonzales Canyon. Approximately 275 acres in Gonzales Canyon have already been dedicated as open space pursuant to the Del Mar Highlands Estates project (**Exhibit 3-1**).

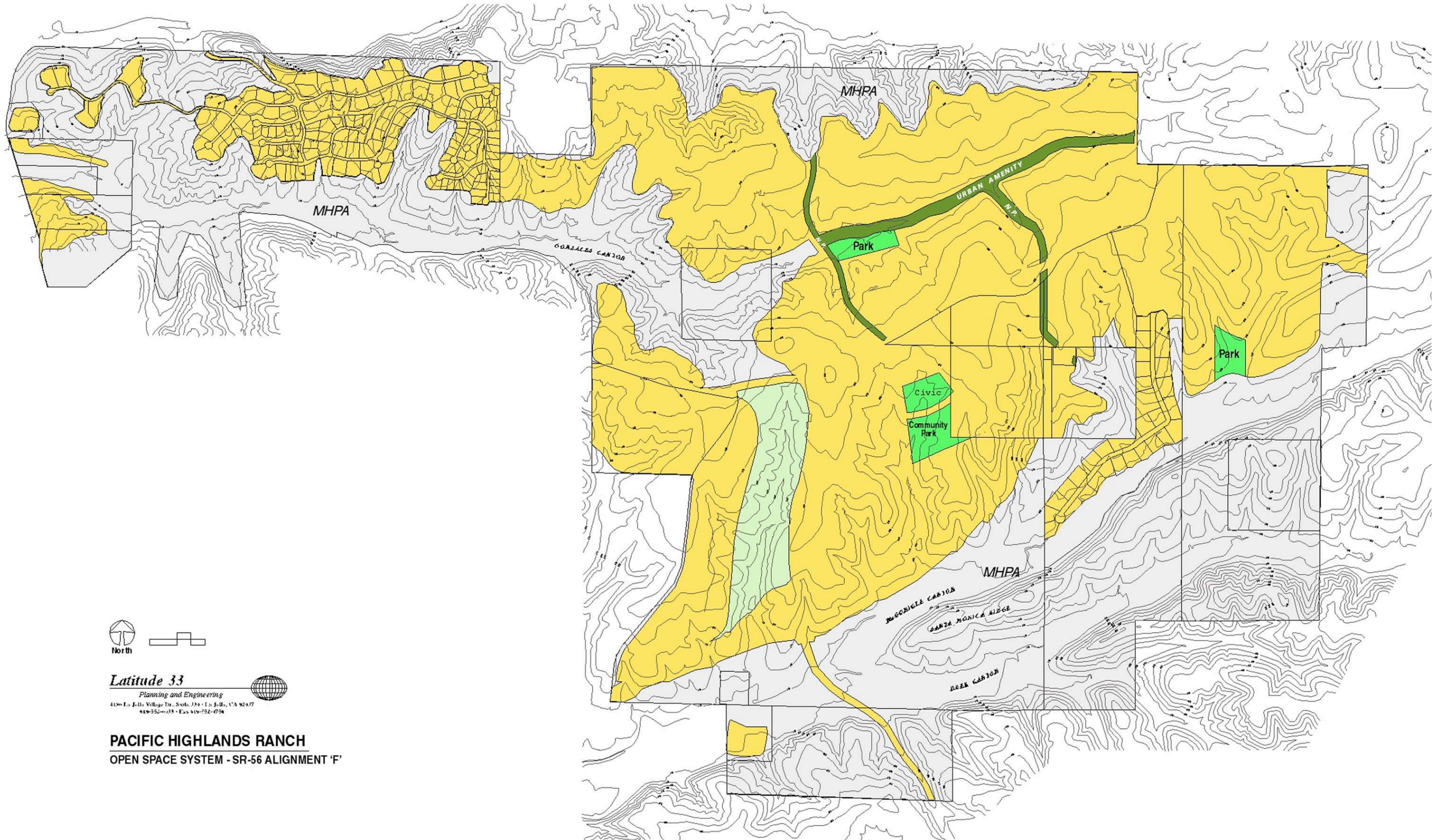
The MSCP Multiple Habitat Planning Area (MHPA) in Pacific Highlands Ranch covers approximately 1,275 acres. The MHPA is the area within which the MSCP preserve is to be located. The open space system for Pacific Highlands Ranch closely mirrors that shown in the City of San Diego MSCP Subarea Plan, as depicted in **Exhibit 3-2**. The key feature of the MSCP preserve in Pacific Highlands Ranch is the McGonigle/Deer Canyon/Santa Monica Ridge area which dominates the southern portion of the community. This area is part of a larger block of habitat that will extend to Peñasquitos Regional Park. The Framework Plan showed SR-56 passing through this block of open space. However, three other alignments are under consideration which would locate the freeway further to the north. Any of those alignments would reduce disturbance within the Pacific Highlands Ranch portion of the MHPA, and would decrease the amount of developable land shown by the Framework Plan. The MHPA also includes the key east-west corridors in Gonzales and McGonigle Canyons and a proposed north-south corridor, which after grading and restoration, will provide part of a link between Peñasquitos Canyon and the San Dieguito River Valley. Upon completion, this new linkage will be approximately 600 to 900 feet wide (**Exhibit 3-3**) and approximately 4,000 feet in length. It will be necessary for Del Mar Heights Road and SR-56 to cross this corridor. These roads will be designed to bridge the corridor, thus protecting wildlife movement and reducing conflicts between vehicles and wildlife.

Some development will be allowed within the MHPA on parcels that are mostly or wholly within the MHPA. Such development will be consistent with Section 1.4.1 of the MSCP as described below. Development on such parcels will be limited to 25 percent, be located in the least sensitive areas of the parcel and will be developed in conformance with the OR-1-2 zone. The OR-1-2 zone will be applied to all parcels that are wholly within the MHPA. With respect to the 40-acre Landbanker parcel, if it is not developed as provided for in Section 1.4.1, it could be sold as mitigation land for specific projects or sold to a mitigation bank. In addition to the option of development pursuant to Section 1.4.1 or using the land as mitigation, if the owner of the Landbanker parcel foregoes development allowed pursuant to Section 1.4.1, the additional conserved acreage can be used as a part of a MHPA boundary adjustment outside Subarea III. The OC zone will be applied to the MHPA portion of parcels that are being partially developed and partially conserved for biologic purposes. Zoning for the subarea is discussed in Section 2.3.

Necessary community facilities will cross the MHPA. Such crossings will be allowed and are discussed in **Section 3.2.3**.

3.2.1 MSCP Compliance: MSCP Subarea Plan

The adoption of the MSCP supersedes the Environmental Tier included in the 1992 adopted adoption of the Framework Plan. The MSCP Subarea Plan includes specific land use guidelines for the NCFUA that must be implemented in order for the MHPA to function properly and for the City's take authorization to be valid. Specific conditions in Pacific Highlands Ranch are discussed in the MEIR, and below in **Section 3.2.4**.



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PACIFIC HIGHLANDS RANCH
OPEN SPACE SYSTEM - SR-56 ALIGNMENT 'F'



Open Space System - SR-56 Alignment "F"

Pacific Highlands Ranch Subarea Plan

3-2

EXHIBIT



Del Mar Heights Road MSCP Corridor Bridge
Pacific Highlands Ranch Subarea Plan

3-3

EXHIBIT

In total, the MSCP requires changes to the NCFUA Framework Plan that result in the deletion of 68 acres of development in Subarea III. The MSCP preserve in Pacific Highlands Ranch will expand the Environmental Tier as adopted in the Framework Plan, thus reducing the allowable development footprint by 68 acres. This loss is in addition to that lost through the potential realignment of SR-56.

The required MSCP conditions will be met through implementation of the Plan. In order to reconcile the reduction in developable area caused by the MSCP and possible realignment of SR-56, and still meet the requirements of the Framework Plan, the Biological Buffer and Transition Areas described in the Framework Plan will not be implemented. These zones are not required by the MSCP, which actually increases the size of and improves the configuration of the MHPA shown in the Framework Plan, as described below, some encroachment into the MHPA will be allowed. Resources protected through inclusion in the MHPA will be monitored and managed by the City to ensure their viability over the long term.

3.2.2 MSCP/MHPA Boundary Adjustment

The Plan includes adjustments to the MHPA boundary. These adjustments are necessary to develop a pedestrian-oriented community and to accommodate SR-56. A detailed analysis of the boundary adjustment is contained in **Appendix C**. Based on the analysis, the City's MSCP staff has determined the adjustments are functionally equivalent.

3.2.3 Uses Allowed in the Preserve

Uses allowed in the MHPA (**Tables 3-1** and **3-2**) are described in the MSCP Subarea Plan, Section 1.4.1. Permitted uses include:

- Passive recreation
- Dry utility lines and roads
- Limited water and sewer facilities and other essential public services
- Limited low-density residential uses
- Brush management (Zone 2)
- Limited agriculture

It is anticipated that community facilities will be located in and will cross the MHPA (see **Appendix B** and **Exhibit 2-1**, for conceptual locations). All facilities in the MHPA will be designed to comply with the MSCP Subarea Plan requirements. (Section 1.4.1 of the MSCP Subarea Plan should be reviewed for more detail on allowed uses.) This means that concentrations of sensitive species will be avoided where feasible. If access roads are necessary, they should also be used as trails. Mitigation for disturbance in the MHPA will consist of revegetation in accordance with the Conceptual Revegetation Plan (CRP). Where revegetation will not be done, mitigation will be determined using the MSCP ratios in concert with the City's Biology Guidelines.

**TABLE 3-1
OPEN SPACE LAND USE MATRIX**

Category	Purpose/Intent	Typical Uses	Dimensions	Vegetation
MHPA	Protects and preserves natural resources and provides for the movement needs of animals	Wildlife and plant protection; restoration of native habitat; scientific study; ecological tours and nature walks; existing trails; trails and roads; storm drainage and natural water filtering; and brush management	Not less than 500 feet, except where required for bridges and roads, as shown on tentative maps*	Indigenous vegetation to be enhanced and retained; all revegetation must consist of native plant material
Urban Amenity	Provide active and passive open space areas within developed portion of the Subarea	Bicycle and pedestrian trails and paths; plazas; landscaped medians and parkways; and brush management	Not less than 150 feet, except where required for bridges and roads, as shown on tentative maps*	Native and non-native vegetation is permitted
Active Use	Provide active use open space areas within developed portion of the Subarea	Parks; playgrounds; trails and paths; landscaped medians and parkways; plazas; and brush management	No minimum requirement	Native and non-native vegetation is permitted

* Topographic constraints within the NCFUA occasionally preclude the MHPA from being consistent with these recommended dimensional criteria. The goal is to preserve valuable habitats, even where the dimensions cannot be achieved.

**TABLE 3-2
OPEN SPACE ACREAGES**

Categories	Approximate Acreage “F”	Percentage of Subarea “F”
MHPA	1254	47%
Urban Amenity	20	1%
Active Use*	24	1%
Totals	1298	49%

* Includes parks and neighborhood parkways

3.2.4 Land Use Considerations

Section 1.2.4 of the MSCP Subarea Plan describes the subarea, and includes specific guidelines for defining land uses in the various geographic sections of the MHPA. The guidelines that affect Subarea III are stated below:

- C12 Incorporate bridges to facilitate wildlife crossing: -- The manufactured wildlife corridor will be crossed by Del Mar Heights Road. The crossing will be approximately 122 feet wide, 25 feet high and 800 feet long.
- C14 Provide fences or barriers along the edge of the shallow north-south trending canyon that connects Carmel Valley to Gonzales Canyon to direct public access to appropriate locations -- Fencing and barriers will be provided along the connecting canyon and at each end to limit public access to the area.
- C17 If this area develops or redevelops, the MHPA boundary should be accomplished with the majority of the floodplain to be placed in open space and restored where possible to natural habitats: -- Approximately 89 percent of the existing floodplain will be located within MHPA and will be maintained or restored as natural habitat.
- C19 In the event that the MHPA configuration is not implemented pursuant to the "Pardee Settlement Agreement," then the MHPA configuration shall be per the North City Future Urbanizing Area (NCFUA) Framework Plan. Provide an undercrossing of San Dieguito River Road for wildlife movement from Gonzales Canyon to the San Dieguito River: The MHPA portion of the Plan conforms to the requirements of the NCFUA Framework Plan.

3.2.5 Land Use Adjacency Guidelines

3.2.5 A) *Planning Adjacent Uses*

Section 1.4.2 of the MSCP Subarea Plan includes general planning principles and design guidelines that are to be used in planning of projects located adjacent to or within the MHPA. These policies and guidelines address the construction and maintenance of roads and utilities, fencing, lighting, signage, materials storage, mining/extraction/processing facilities and flood control. These topics as they relate to the Plan, are addressed in the MEIR.

3.2.5 B) *Managing Adjacent Uses*

Section 1.4.3 of the MSCP Subarea Plan includes guidelines to ensure that all land uses adjacent to the MHPA will be managed to "ensure minimal impacts to the MHPA." The Plan will implement these guidelines through conditions placed on future development proposals as follows:

Drainage: Within Pacific Highlands Ranch, natural detention basins, grass swales, or mechanical trapping devices will be used as appropriate. These systems will be inspected yearly and replaced or repaired as needed. Removal of exotic plants, sediment or other routine maintenance shall not require any permits or permissions.

Toxics: Within Pacific Highlands Ranch, detention basins, grass swales or mechanical trapping devices will be used as appropriate. These systems will be inspected yearly and replaced or repaired as needed. Removal of exotic plants, sediments or other routine maintenance shall not require any permits or permissions.

Lighting: Within Pacific Highlands Ranch, all lighting of public areas adjacent to the MHPA shall be shielded and directed away from the MHPA. Lighting shall only be that necessary for public safety and shall use the lowest practical voltage.

Noise: Within Pacific Highlands Ranch, adjacent uses are generally residential, which is not an excessively noisy use. No special additional measures will be implemented.

Barriers: Within Pacific Highlands Ranch, barrier fencing, such as vinyl chain link and other fencing acceptable to the City will be provided, as deemed necessary.

Invasives: Within Pacific Highlands Ranch, non-invasive plant species will be used in landscaping common areas adjacent to the MHPA.

Brush Management: Within Pacific Highlands Ranch, brush management will be done as specified by the MSCP Subarea Plan. Zone 1 will be located outside the MHPA. Zone 2 will be located inside the MHPA. Brush management for both Zones 1 and 2 will be done in accordance with City requirements.

Grading/Land Management: Manufactured slopes associated with site development will be included within the development footprint for projects within or adjacent to the MHPA.

3.2.6 Preserve Management

The MSCP Subarea Plan recognizes that management of the MHPA is critical to the overall success of the MSCP Program, and that it must be done in a comprehensive fashion over the entire MHPA. The City's MSCP Subarea Plan states that the City will be responsible for and will continue the management and maintenance of its existing public lands at current levels. The MSCP Subarea Plan establishes both general and specific management priorities to be implemented as funding is available, although some priorities may be implemented as development mitigation or through research efforts by the scientific and academic community. Both general and specific management directives are prioritized with the first level being required under the terms of the City's MSCP Implementing Agreement. Second and third priorities are more discretionary.

1. General Management Directives: These directives apply to the entire preserve throughout the City. They address citywide issues such as public access, trash removal, control of invasive exotics and flood control.
2. Specific Management Directives: These are specific to Pacific Highlands Ranch and address trail locations and requirements, Coastal Sage Scrub monitoring, specific requirements for fencing, detention basins, and revegetation.

These management directives are addressed in more detail in the MEIR. They apply to MHPA lands obtained as mitigation through dedication or easement, and are included in the City's management responsibilities. A Habitat Management Plan (HMP) for Pacific Highlands Ranch is included in **Appendix G**. The HMP will be implemented by the City on land dedicated to the City in fee or by conservation easement. Individual project proponents will not be responsible to implement the HMP as long as they convey those lands, through dedication or recordation of a conservation easement, shown within the MHPA to the City.

In addition to the Specific Management Directives for Pacific Highlands Ranch, the MSCP Subarea Plan incorporates Sections 5.4 and 5.5 of the NCFUA Framework Plan which also address open space management concerns. The implementing principles included in these two sections are addressed below:

5.4 Enhancement and Management of Environmental Tier Lands

- 5.4a This implementing principle requires "Habitat Protection Areas," "Biological Buffer Areas" and "Transition Areas" that collectively result in the preservation of the Environmental Tier. As noted previously, the Framework Plan Environmental Tier will be implemented through compliance with the MSCP Subarea Plan, which was adopted March 18, 1997. The MSCP enlarges and improves the

configuration of the Environmental Tier through the creation of the MHPA, and does not include requirements for separate habitat protection areas, buffers or transition zones. Land uses within the MHPA will be those allowed in the MSCP Subarea Plan Section 1.4.1.

- 5.4b This implementing principle requires that project plans identify areas of open space that provide natural components to more developed areas and link to the open space system. Within Pacific Highlands Ranch, these additional open spaces are described in the Urban Amenity Section.
- 5.4c This implementing principle requires wildlife corridors of sufficient width to provide enough space to allow animal movement without fear, undisturbed by lighting and noise and with habitat throughout. Within Pacific Highlands Ranch, wildlife corridors will be provided as required by the MSCP and as noted previously in **Section 3.2** in the description of the MSCP preserve.
- 5.4d This implementing principle requires conformance to the Resource Protection Ordinance (RPO) and successor ordinances. Conformance to RPO and its successor ordinance is discussed in **Section 3.5** of this Plan.
- 5.4e This implementing principle states that trails shall not be allowed in wildlife corridors if they would impede movement or other natural functions (breeding, foraging and rearing of young). In Pacific Highlands Ranch, trails within the MHPA are located outside of the major wildlife corridors to the extent feasible. The trail system, as depicted on **Exhibit 4-11**, has been designed to limit impacts to the wildlife corridors and the natural functions of the MHPA.
- 5.4f This implementing principle prohibits channelization of the subarea's large drainage areas or floodplains. This Plan proposes no channelization. Large identified floodplains are all located in open space.
- 5.4g This implementing principle states that water retention areas and ponded runoff filtering systems may be located within open space and establishes the requirements for such systems. The Land Use Adjacency Guidelines establish how drainage into the MHPA will be managed in accordance with the requirements of the MSCP Subarea Plan.

5.5 Roads In and Adjacent to the Environmental Tier

- 5.5a This implementing principle requires the use of bridge structures to cross the Environmental Tier. Within Pacific Highlands Ranch, bridges and large arch culverts will be used as feasible and appropriate to cross wildlife corridors/canyons. This will include crossings by SR-56 within the MHPA.
- 5.5b This implementing principle limits road crossings of the Tier to those shown on the Framework Plan and collector streets essential for area circulation. The road system for Pacific Highlands Ranch complies with the requirements of the Framework Plan and has been designed to move traffic smoothly and efficiently with as few crossings of the MHPA as necessary.
- 5.5c This implementing principle states that filling of canyons or valleys shall be avoided and prohibits placement of roads in the bottom of canyons, or where they would act as a barrier to wildlife movement. The land use plan for Pacific Highlands Ranch avoids filling major canyons in the MHPA. Slopes within and adjacent to the MHPA will be revegetated in accordance with the CRP. Roads are located outside of the MHPA and only cross as necessary to provide a safe and efficient transportation system.
- 5.5d This implementing principle states that, where roads enter and traverse portions of the open space system, wildlife crossings should be constructed every one-half mile. The only road shown in the Framework Plan as traversing a large portion of the MHPA is the Central alignment of SR-56. Alternate alignments are being considered which would remove this road from the MHPA.
- 5.5e This implementing principle requires roads to be narrowed when crossing the open space system. This requirement is already accommodated in the design of Pacific Highlands Ranch.
- 5.5f This implementing principle states that roads that cross floodways shall be constructed above grade using bridges or causeway structures. This requirement is already accommodated in the design of Pacific Highlands Ranch.

3.2.7 MSCP Implementation – Impacts and Mitigation

As established in the foregoing discussions, Pacific Highlands Ranch is in conformance with the requirements of the MSCP Subarea Plan. The land use plan for Pacific Highlands Ranch establishes and refines the MHPA for the City with respect to FUA Subarea III. Implementation of the MSCP will be accomplished using several different methods, some of which have already been

discussed. Implementation of the MSCP through changes in the FUA land use plan, and through various design features of individual projects that are either in or adjacent to the MHPA within Pacific Highlands Ranch have already been discussed.

The purpose of this section is to establish how this segment of the MSCP preserve will actually be conveyed through an assessment of impacts and determination of a mitigation obligation.

The conveyance of additional land in Carmel Valley Neighborhoods 8A and 8C is not discussed here since conveyance of that land is not necessary to meet the mitigation obligation for Pacific Highlands Ranch. Conveyance of Neighborhood 8A and 8C is part of the overall agreement associated with approval of development within the Pardee ownership in Pacific Highlands Ranch. The City of San Diego and various environmental and community groups have identified Neighborhood 8A and 8C as being important to citywide preservation efforts.

Mitigation necessary to address impacts to biological resources will be accomplished in accordance with the following process.

3.2.7 A) *Pardee Ownership*

Pardee currently owns approximately 1,665 acres of land within the NCFUA Subarea III. Approximately 800 acres of mostly disturbed land will be developed. Of the 407 acres of natural habitat existing on the Pardee ownership, only 58.4 acres will be disturbed by development. Using the MSCP mitigation ratios, included in the City's Biology Guidelines, the habitat disturbance will result in a mitigation obligation of approximately 72.4 acres. Individual projects will use the MSCP mitigation ratios to determine their share of the total mitigation required. The necessary calculations will be submitted as part of the information required for each Environmentally Sensitive Lands (ESL) permit. Pardee will use the database provided as part of the Plan for mitigation calculations. Additional surveys should not be necessary.

The MHPA includes many more acres of natural habitat within the Pardee ownership than is necessary to meet Pardee's mitigation obligation as calculated using the MSCP mitigation ratios. Therefore, it is anticipated that the dedication of the Pardee portion of the Pacific Highlands Ranch MSCP preserve will provide sufficient mitigation acreage for future related upland impacts without the need for additional dedication or restoration. Pardee, as part of the Plan, is proposing to restore 100 acres of disturbed habitat. Since this revegetated land is not needed for project-level impacts, these restored acres will be available for sale as mitigation credits to others on a one acre = one credit basis. A formal mitigation bank/revegetation plan will be completed prior to implementation of the proposed bank.

In addition, Pardee will provide a CRP for the entire Pacific Highlands Ranch Subarea (See the MEIR). This CRP will illustrate where specific habitat types should be located and will include illustrative plant palettes. It will describe various acceptable revegetation methodologies and establish specific requirements that must be followed by individual revegetation projects.

The purpose of the CRP is to ensure that revegetation efforts are of consistently high quality and appropriate to microclimatic conditions across the entire Subarea. It is intended that the CRP will become part of the City's overall program for managing the MSCP preserve. It will be one of many tools that the City uses over time to insure that the MSCP preserve functions properly. The CRP will be updated periodically by the City whenever the adaptive management plan for the MSCP is revised.

The CRP will be submitted with the first project under this Plan and will consist of appropriate text and map. The submittal will be in a digital format that will allow the City to make any necessary revisions. It will be reviewed by staff and accepted by the City as part of the overall habitat management plan. Because the CRP will belong to the City, its review is not in any way connected to project specific documents or review procedures.

Individual landowners will use the CRP as a guide to their specific revegetation plans whenever they elect to perform such activities as part of their overall mitigation package as defined by the City's MSCP Subarea Plan and the ESL. A CRP discussion is included in the MEIR.

3.2.7 B) *Non-Pardee Ownerships*

Ten acres of the 40-acre JEB-JHB Trust parcel will be developed as part of this Plan. The impact analysis and required mitigation are described in **Appendix C**.

In general, it is anticipated that land in the MHPA will be dedicated into the MSCP preserve as part of the project development process. The exact timing of conveyance will be identified for each project as part of the site development plans or environmental documentation. The configuration and amount of land within the MHPA shown on individual project plans shall be substantially as shown in this Plan. Project proponents shall have the option of using the existing MSCP database or a property-specific biological survey as the basis for planning and for impact determination, as described in the City of San Diego Biology Guidelines. Specific surveys for narrow endemics may be required if it is determined that habitat for such species may exist on

the property to be developed. Impacts and the corresponding mitigation obligation shall be determined using the procedures and ratio tables included on the RPO/ESL and the City's Biology Guidelines.

Project proponents will propose a mitigation package that meets the mitigation obligation. The package may consist of on-site and/or off-site dedication, habitat restoration or implementation of NCFUA Subarea III management directives, or other measures approved by the City. Under no circumstances shall the mitigation package be required to exceed the mitigation obligation.

Should a landowner decide to maintain ownership of MHPA lands, then individual project plans should detail how the property will be managed over the life of the MSCP through implementation of the Management Plan.

3.2.8 Mitigation Land Bank (MLB)

A mitigation bank may be established over approximately 131 acres of land within the Pardee ownership in Pacific Highlands Ranch. The bank will consist of disturbed land that will be revegetated in accordance with the CRP. Restored habitats will consist of appropriate wetland and upland habitats. Credits will be available for purchase as the restored habitat achieves the minimum success criteria identified in the CRP. The City will accept land from this bank into the MHPA as credits are purchased.

Mitigation credits will be available for sale to other developers. A formal Mitigation Bank Agreement must be established prior to any use of land within the bank. The Mitigation Bank Agreement will state the terms and conditions of the mitigation bank including how the mitigation credits will be established.

3.2.9 MHPA Conveyance, Ownership and Preservation

Those portions of the MHPA that are within Pacific Highlands Ranch will be conveyed to the City as development occurs by dedication or through implementation of a mitigation bank as discussed in **Section 3.2.8**. The MHPA will be conveyed in phases as development occurs. Third Party Beneficiary status will also be granted in phases as the MHPA is conveyed.

A project proponent may receive Third Party Beneficiary status over the entire property in one of two ways, should he/she determine that the phasing of such status is undesirable:

1. A project proponent may dedicate or provide a conservation easement over the entire MHPA within his/her ownership at any time after the development plan or tentative map is approved. This will be most feasible for projects for which a single final map is being recorded.

2. A project proponent may record a conservation easement over the entire MHPA without a legal description, using a map to show the boundaries. This conservation easement will be removed in phases whenever a final map is recorded that dedicates a portion of the MHPA to the City. This will probably be the method used by larger projects that are built in multiple phases.

Preservation of the resources within the MHPA will occur through dedication to the City or through recordation of a conservation easement, and through the management of the resources. Management is discussed in **Section 3.2.6**, and will be the City's responsibility, unless a landowner decides to retain ownership. In such instances, the landowner will be responsible for MHPA management.

3.3 URBAN AMENITIES

3.3.1 Urban Amenity Open Space Areas

The second basic component of the open space system is the urban amenity (**Exhibit 3-4**) which will total approximately 20 acres. It will complement the biologically-oriented expanses of the open space system by encouraging human use outside of the areas where the most valuable natural resources are restored and preserved. It will also link centers of activity via the trail system.

The purpose of the urban amenity is to provide:

- Protection and preservation of the watercourse, topography, natural drainages and remaining habitat.
- Non-motorized links between various neighborhoods, public facilities and activity centers.
- Definition to residential areas through the urban amenity's use as a project edge of development.
- Open space and visual relief for residents.
- Movement of smaller wildlife that has adapted to the urban environment.

The Plan calls for the enhancement of an existing agricultural drainage area as an urban amenity. This area is an east-west section of land that bisects the northern portion of the subarea and connects Gonzales Canyon to Rancho Santa Fe Farms Road. It will be approximately 150 feet wide and will include trails, paths and benches, within an enhanced landscape corridor. Graded building pads will maintain a minimum distance of 50 feet from the existing wetland vegetation on one side and 70 feet on the opposite side, in order to accommodate trails and paths. The urban amenity will be held by the Landscape Maintenance District and will be encumbered with an open space easement to ensure its long-term viability.

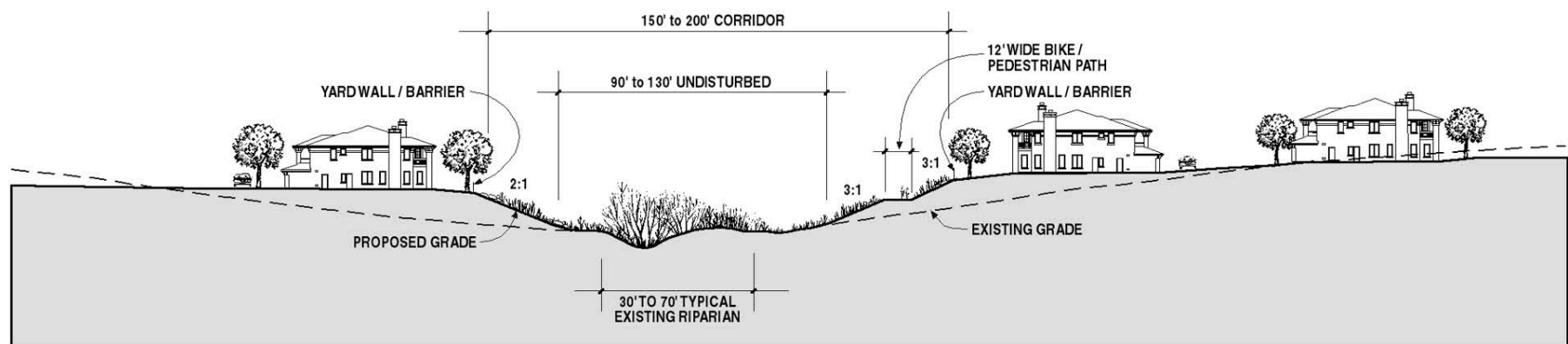
3.3.2 Neighborhood Parkways

The Plan proposes to connect McGonigle Canyon to the urban amenity with a neighborhood parkway which will be approximately 100 feet wide (**Exhibit 3-5**). The primary neighborhood parkway will replace the north-south urban amenity proposed in the Framework Plan. It will provide a connection between Gonzales and McGonigle Canyons. The neighborhood parkway will include a connector street as well as benches, trails and paths (15 feet in width) that connect the MHPA and the development area on the south side of SR-56 with the remainder of the Subarea. SR-56 will bridge the neighborhood parkway. Other vehicle crossings will be kept to a minimum. The land use plan locates the neighborhood parkway in the location delineated in the Framework Plan and the MSCP Subarea Plan.

Additional neighborhood parkways will be provided as shown on the land use plan (**Exhibit 2-1**) which will connect the town center to the urban amenity and La Zanja Canyon. These connections act to reinforce the pedestrian orientation of the community. In order to maximize the benefits of the neighborhood parkways, vehicular crossing will be kept to a minimum.

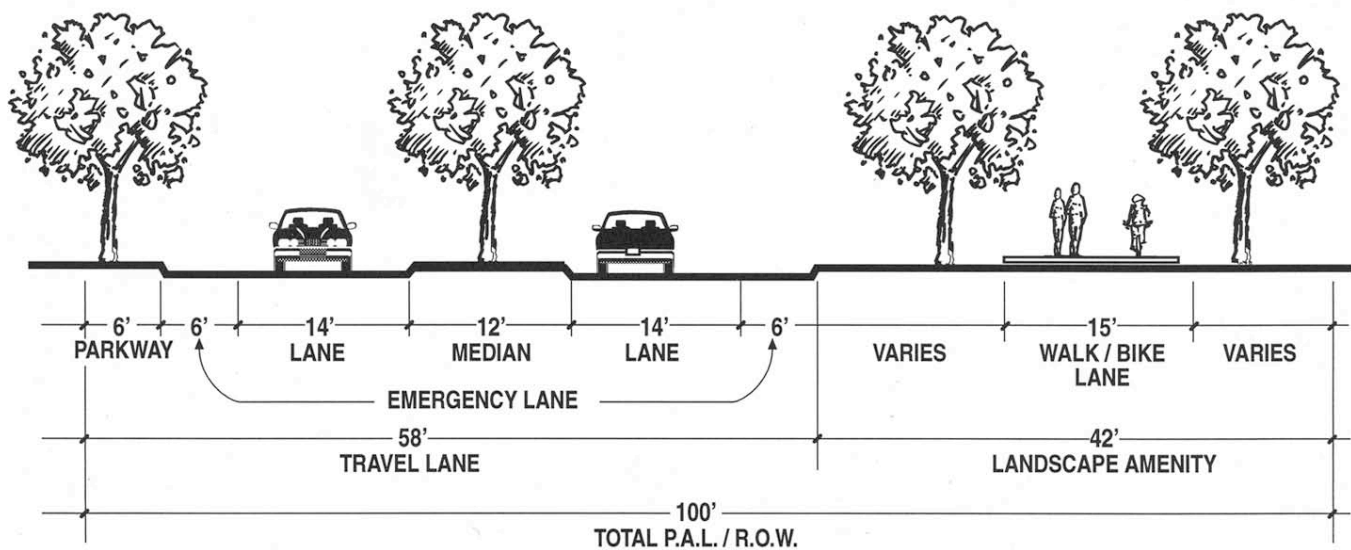
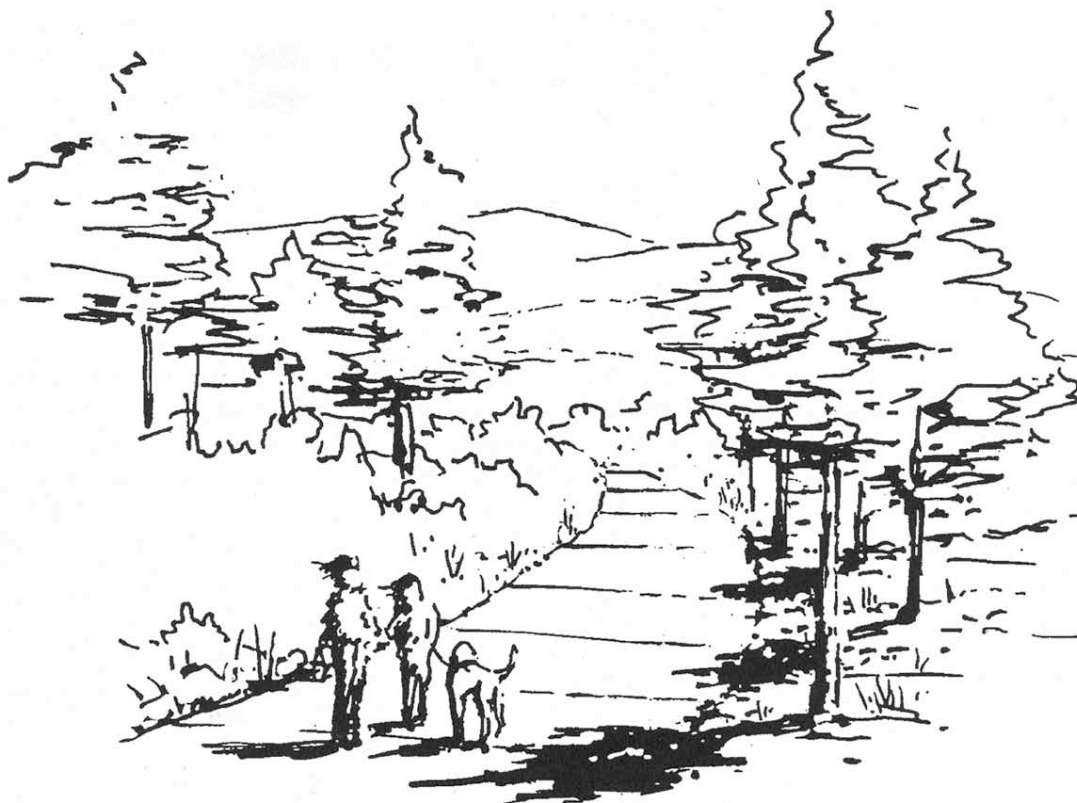
3.3.3 Open Space Overlook (Trail Heads)

The Plan identifies three open space overlooks as an opportunity for residents and visitors to view the native topographic features of the area. The overlook will be connected to the remainder of Pacific Highlands Ranch by the community trail system, both within the right-of-way as well as in the open space corridors. Educational signage and benches should be provided to increase the value of the overlook. These overlooks will be built by each developer, deeded to the City, as part of the trail system, and maintained by a Landscape Maintenance District or other financing entity.



Urban Amenity 3-4

Pacific Highlands Ranch Subarea Plan EXHIBIT



Neighborhood Parkway (N.P.)

Pacific Highlands Ranch Subarea Plan

3-5
EXHIBIT

3.4 TRAIL SYSTEM

Pacific Highlands Ranch will include a subarea-wide trail system. This trail system will include approximately 15 miles of hiking, biking and equestrian trails that connect with pedestrian and bike paths within the built neighborhoods. This relationship between the natural and built environment enhances the overall community and helps to create a definite sense of place for the residents. The trails will be sited by the City of San Diego within the MHPA as allowed in the San Diego MSCP Subarea Plan, and in the urban amenity. Developer Impact Fees (DIF) will pay for construction of the trails while maintenance costs will be borne by a Landscape Maintenance District or other financing entity.

3.5 RESOURCE PROTECTION ORDINANCE (RPO) AND ENVIRONMENTALLY SENSITIVE LANDS (ESL)

The City Council adopted the RPO in February 1989 to protect sensitive natural resources. The RPO text identifies sensitive and protected areas as "hillsides, biologically sensitive habitat, prehistoric and historic sites, wetlands, wetland buffers, floodplains and floodways." The ordinance was designed to limit development encroachment into designated areas and to establish the means to mitigate encroachments. City Council Policy 600-40 describes how RPO analysis relates to the preparation and implementation of long-range plans. The policy was created to:

- Ensure thorough analysis of site constraints and opportunities in the planning process.
- Aid the review of subsequent permits and maps within the planning area.
- Ensure protection of environmental resources by preserving contiguous open space systems and providing mechanisms to acquire or protect those resources.
- Ensure that adopted land use policies and objectives are considered in the context of the suitability of the plan area for development.

In December 1997, the City Council modified RPO in order to implement the pending Environmentally Sensitive Lands Ordinance. The ESL becomes effective with the Coastal Commission's approval of the City's new Land Development Code. Upon its effective date, the ESL will replace RPO and Council Policy 600-40.

3.5.1 Subarea RPO/ESL Analysis

An inventory of biologically sensitive lands, as described in the MSCP Subarea Plan, was conducted by Natural Resource Consultants for the Pacific Highlands Ranch Subarea Plan. Maps of the steep slopes, floodplains, archaeological sites and wetlands were prepared and used to define the opportunities and constraints within the subarea. Considering the goals of the NCFUA Framework Plan, the various SR-56 alignments, and the opportunities and constraints of the site, the development footprint was created. Avoiding and minimizing impacts to

environmentally sensitive lands dictated the ultimate design of the Pacific Highlands Ranch community. Specifically, the Plan addresses the City's resource preservation goals by clustering development away from the most sensitive resources.

The development plan for Pacific Highlands Ranch meets the intent of the interim RPO. It will preserve sensitive resources in the manner prescribed by RPO and the pending ESL Ordinance. In order to provide for regional transportation, SR-56, and implement the MSCP Subarea Plan, a Deviation from Sensitive Biological Resources Regulations will be required. Consistent with City Council Policy 600-40 (Long-Range Plan), the Plan ensures the protection of environmentally sensitive lands by preserving contiguous sensitive resources and providing mechanisms to acquire or protect these resources. Specifically, the Plan preserves the habitat corridors and areas that are contiguous to existing open space and MHPA areas. **Appendix D** includes both the parcel-by-parcel and project level analyses required by the interim RPO. The following RPO and ESL impacts have been identified and addressed:

The majority of steep slopes occur on the edges of the planning area. However, 17 percent of the 25 percent or greater slopes within the subarea will be impacted by the development footprint. These slopes are generally in four areas: the western portion of La Zanja Canyon, the northeast corner of Gonzales Canyon, the east end of Gonzales Canyon and the central core of the development area near SR-56. The total acreage impacted by development is 63.7 acres. The combination of steep slopes spread throughout the subarea, and the NCFUA Framework Plan requirement to develop a pedestrian-oriented community will result in encroachments into these areas. In addition, the realignment of SR-56 through the development area eliminates relatively flat areas from the development footprint.

Within the coastal zone, development within wetlands is limited to the following uses: (1) aquaculture, wetlands-related scientific research and wetlands-related educational uses, (2) wetland restoration projects where the primary purpose is restoration of the habitat and (3) incidental public service projects. Development in wetlands for one of these uses shall be permitted only if it has been demonstrated that there is no feasible, less environmentally damaging location or alternative, and where mitigation measures have been provided to minimize adverse environmental effects. Where impacts to wetlands are unavoidable, mitigation for all wetland impacts within this Plan shall be at a minimum ratio of three (3) acres of mitigation for every one (1) acre of impact. All mitigation shall be in-kind and shall result in no net loss of habitat extent or function. Mitigation shall occur on-site where possible, within the subject watershed, or, in any case, within the coastal zone.

With certification of the Framework Plan, the Coastal Commission previously allowed for the construction of the middle segment of SR-56. Although

construction of the middle segment of SR-56 cannot avoid all impacts to wetlands and environmentally sensitive habitat areas, the chosen alignment (Modified F) has been determined to be the least environmentally damaging alternative. State Route 56 has been sited and designed to prevent significant degradation to adjacent environmentally sensitive habitat, wetlands impacts have been minimized to the maximum extent feasibly, and mitigation has been required for incidental unavoidable impacts. Therefore, the construction of the middle segment of SR-56 is consistent with policies contained in Section 30240(b) of the Coastal Act (pertaining to development adjacent to coastal wetlands) and Section 30233(a)(5) of the Act (pertaining to allowable development for incidental public service project impacts).

The wetland impacts within the Plan will be generally limited to finger drainage areas. These generally occur in four areas: the northeast corner of Gonzales Canyon, the created link for the wildlife corridor, the core development area near Rancho Glens Estates, and the north side of McGonigle Canyon east of Rancho Glens Estates. The majority of the impacted wetland areas consist of narrow (no more than six feet in width) areas within the body of the development footprint, where avoidance is impossible. These areas represent approximately (2.3 acres) five percent of the wetlands within Subarea III. Except for the street crossings of the urban amenity and Carmel Valley Creek, the majority of the wetlands in Pacific Highlands Ranch will remain undisturbed and impacts will be minimized.

The development footprint for the subarea will impact 29.5 acres (11 percent) of lands mapped as floodplain by the federal government. These impacts occur in three areas: the south end of Rancho Glens Estates; the west end of the subarea at Old El Camino Real and the east side of Rancho Glens Estates north of McGonigle Canyon. Rancho Glens Estates is an existing development, and was developed in conformance with the City's floodplain development standards. The western portion of the subarea is within the drainage area for Gonzales Canyon and each property owner will be required to comply with the City's floodplain development standards prior to issuance of a building permit. The eastern portion of the subarea, east of Rancho Glens Estates and south of SR-56, has a small area that is within the floodplain. The grading plan was designed to prevent down stream scouring or alter upstream water flow. Furthermore, prior to development within the floodplain, the property owner will be required to comply with the City's floodplain development standards.

No impacts within the adjusted MHPA boundary (except for necessary community facilities) are proposed by this Plan. Approximately 71.4 acres of Tier I, II, and III and wetland habitats outside the MHPA boundary will be lost; however, the habitat will be mitigated inside the MHPA with 82.3 acres of similar habitat. No narrow endemic species have been found within the boundaries of the Pacific Highlands Ranch Subarea.

California Environmental Quality Act (CEQA) covered species and land supporting rare, threatened, or endangered species have been located on several properties. Most of these species are located within the MHPA boundary and will not be impacted by the development footprint. However, there are instances where species may be lost in the effort to provide a pedestrian-oriented community and to accommodate the realigned SR-56. Such losses will be mitigated in conformance with the MSCP Subarea Plan.

Archaeological sites have been found on two properties, Pardee and Lin/Kasai. These sites are within the development footprint of the subarea. The impacts related to the development footprint will be mitigated in conformance with RPO.

3.5.2 Deviation Findings

Encroachment into environmentally sensitive lands will be necessary in order to create a pedestrian-oriented community and to accommodate the SR-56 alignment. Development in Pacific Highlands Ranch will avoid impacts where feasible and minimize impacts where encroachments are necessary.

The Deviation Findings listed below relate to the interim RPO Ordinance and are required for those portions of the Plan which deviate from the limitations within RPO. The Plan requires Deviation Findings for the following encroachments: Steep Slopes, Floodplains, Wetlands, Biologically Sensitive Species and Archaeology.

- There are steep slopes throughout the subarea. In order to maintain a pedestrian-oriented development pattern and accommodate the SR-56 alignment, some development on steep slopes will be necessary.
- The floodplain areas are located within logical development areas and cannot be avoided entirely. The realignment of SR-56 to the north of McGonigle Canyon will shift development into an area which is within the FEMA floodplain. The development plan does not cause upstream or down stream impacts and requires that projects in this area comply with the City's land development regulations.
- The subarea contains numerous small areas that by definition constitute wetlands. Many of these areas are within the development footprint as defined in the NCFUA Framework Plan. Avoiding these areas would eliminate the possibility of developing a functional pedestrian-oriented community. Development will avoid impacts, where feasible, and minimize impacts, where necessary.
- All feasible efforts have been made to avoid impacting biologically sensitive species. However, accommodation of the SR-56 alignment and the scattered and isolated nature of some species make complete avoidance infeasible. All major known populations of sensitive species have been avoided.

- Impacts to archaeological sites will be necessary in order to create a pedestrian-oriented community, preserve natural habitat and accommodate the SR-56 alignment.

3.5.3 Future Projects

Future projects and developments which are in substantial conformance with this Plan and its associated RPO and ESL analysis will be issued a RPO or ESL permit (Process four) without additional findings for the Deviation. Approval of the individual RPO or ESL permit may require additional information or detailed analysis of the specific development proposal. Approval of the individual RPO or ESL permit will require conformance with the approved subarea Plan and any required mitigation shall be provided.

Projects which are not in substantial conformance with the Plan and the RPO and ESL analysis must obtain an RPO or ESL permit at a noticed public hearing. The following may be required:

- New Deviation findings
- Compliance with new regulations
- An amendment to the Plan

3.6 CONFORMANCE WITH THE FRAMEWORK PLAN

The design and implementation of the Pacific Highlands Ranch open space program conforms to the goals and objectives of the Framework Plan. The program results in:

- Creation of the MHPA as an interconnected and viable system of natural open spaces.
- Preservation of significant topographic features, including canyons and hillsides.
- Refinement of the MHPA as a result of detailed land use planning and field assessment of natural resources.
- Compliance with the Resource Protection Ordinance and the Environmentally Sensitive Lands Ordinance through restoration and preservation of the MHPA.