

**RESOLUTION NO. 114-2022**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA  
APPROVING THE APPLICATION OF HOMEFED FANITA RANCHO LLC FOR  
FANITA RANCH DEVELOPMENT PLAN AND DEVELOPMENT REVIEW PERMIT  
DR2022-4 FOR THE SUBDIVISION OF APPROXIMATELY 2,638 ACRES INTO 1,467  
LOTS TO DEVELOP THE FANITA RANCH MASTER PLANNED COMMUNITY  
LOCATED NORTH OF THE TERMINUS OF FANITA PARKWAY IN THE FANITA  
RANCH PLANNED DEVELOPMENT AREA**

**APNS: 374-030-02; 374-050-02; 374-060-01; 376-010-06; 376-020-03; 376-030-01;  
378-020-46, 50, 54; 378-030-08; 378-210-01; 378-210-03, 04; 378-210-10, 11; 378-  
220-01; 378-381-49; 378-382-58; 378-391-59; 378-392-61, 62;  
380-040-43, 44**

**(RELATED TO PROJECT NUMBERS: TM 2022-1, P2022-1, P2022-2, P2022-3, AEIS  
2202-4, AEIS2017-11)**

**APPLICANT: HOMEFED FANITA RANCHO LLC**

**WHEREAS**, on August 25, 2021, the City of Santee adopted Urgency Ordinance No. 592, declaring the need for an Essential Housing Program to boost housing production and improve housing affordability in the City to address and respond to the existing housing crisis in the City of Santee; and

**WHEREAS**, on November 29, 2021, the Applicant, HomeFed Fanita Rancho LLC, submitted an Essential Housing Project Application under Urgency Ordinance No. 592 for the Fanita Ranch Essential Housing Project (the "Project"); and

**WHEREAS**, on December 27, 2021, the Director of Development Services certified the Project as an Essential Housing Project as it met the specified criteria in Urgency Ordinance No. 592; and

**WHEREAS**, the Project proposes a community consisting of approximately 2,949 housing units under a preferred land use plan with school, or 3,008 units under a land use plan without school, up to 80,000 square feet of commercial uses, parks, open space, and agricultural uses; and

**WHEREAS**, the Project will include the production of 150 housing units, onsite or offsite, for a mix of very low, low, moderate and above-moderate income households, including, but not limited to, workforce housing, and will thereby assist the City of Santee in addressing in the existing housing crisis in the City of Santee consistent with the findings of Urgency Ordinance No. 592; and

**WHEREAS**, on May 4, 2022, pursuant to Urgency Ordinance No. 592, HomeFed Fanita Rancho LLC submitted the additional application materials for the Project consisting of a Fanita Ranch Development Review Permit DR2022-4, a Vesting Tentative Map TM2022-1, a Preliminary Application under the Housing Crisis Act of 2019 (Senate Bill 330), and Conditional Use Permits P2022-1, P2022-2 and P2022-3; and

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**WHEREAS**, the Development Review Permit subdivides approximately 2,638 acres into 1,467 lots, and establishes criteria and performance standards in accordance with the Vesting Tentative Map; and

**WHEREAS**, previously, on September 23, 2020, the City Council certified the Final Revised Environmental Impact Report ("EIR") (State Clearinghouse No. 2005061118) for a prior version of the Fanita Ranch Project (the "Prior Project") and adopted several resolutions approving the Prior Project, including Resolution No. 096-2020 approving the application of HomeFed Fanita Rancho LLC for a Development Review Permit (DR2017-4) for the subdivision of approximately 2,638 acres into 1,467 lots to develop the Fanita Ranch Master Planned Community; and

**WHEREAS**, subsequently, the San Diego County Superior Court (Case No. 37-2020-00038168-CU-WM-CTL) granted a Petition for Writ of Mandate on March 25, 2022, ordering the City of Santee to set aside and vacate all resolutions and approvals pertaining to the Prior Project; and

**WHEREAS**, on May 25, 2022, the City Council adopted Resolution No. 070-2022, setting aside and vacating in their entirety the Prior Project approvals, including certification of the EIR; and

**WHEREAS**, in order to address the deficient portions of the EIR identified by the Court in Case No. 37-2020-00038168-CU-WM-CTL, the City prepared a Final Revised EIR, including the Recirculated Sections of the Final Revised EIR, which was released for public review from June 10, 2022 to July 25, 2022 in accordance with the provisions of the California Environmental Quality Act ("CEQA"); and

**WHEREAS**, on September 2, 2022 the City of Santee published a notice of public hearing on Development Review Permit DR2022-4 and related case files, to be held on September 14, 2022, in accordance with Section 13.04.100 of the Santee Municipal Code; and

**WHEREAS**, on September 14, 2022, the City Council held a duly advertised and noticed public hearing on Development Review Permit DR2022-4 and other applications related to the Fanita Ranch Essential Housing Project; and

**WHEREAS**, the City Council considered the staff report, all recommendations by staff, the Final Revised EIR including the Recirculated Sections of the Final Revised EIR, the entire record and all public testimony.

**NOW, THEREFORE, BE IT RESOLVED** by the City of Santee City Council, after considering the evidence presented at the public hearing, as follows:

**SECTION 1:** The City Council has certified the Final Revised Environmental Impact Report (EIR) including the Recirculated Sections of the Final Revised EIR (Resolution No. 112-2022) pursuant to the California Environmental Quality Act and adopted Findings

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of Fact, a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program for the Fanita Ranch Essential Housing Project. The City Council hereby incorporates by reference, as if fully set forth herein, the Resolution certifying the Final Revised EIR and adopting the Findings of Fact, and Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program for the Fanita Ranch Essential Housing Project.

**SECTION 2:** The findings in accordance with Chapter 13.19 of the Santee Municipal Code, entitled “Planned Development District” and the adopted Fanita Ranch Development Plan are made as follows:

- A. That the proposed Project as conditioned and as specified in this Resolution meets the purpose and design criteria prescribed in the Fanita Ranch Development Plan, as well as relevant sections of the Santee Municipal Code in that the Project implements the goals and policies of the General Plan and consists of innovative and sustainable development in a manner which may not have been possible under standard land use designations and their corresponding zones. The Project is consistent with allowable uses and development standards in the Development Plan because it establishes standards of quality for community appearance and uses, preserves significant biological resources, preserves ridgelines and view corridors, and provides for recreational amenities.
- B. The Project provides for mixed-use development of employment, commercial, recreational, and various residential densities with the framework for development set forth by the General Plan PD – land use designation. The Project is consistent with the Santee General Plan goals, objectives, policies which align with the Fanita Ranch Development Plan. The Project has been reviewed and has been determined to be consistent with the overall land use pattern and circulation system envisioned in the General Plan.
- C. The Project implements development consistent with the Guiding Principles for the Project site.
  - 1. The Project includes business and office uses in the Village Center and includes a community focus including public parks, commercial, school site, a fire station, and other uses.
  - 2. The Project provides a range of residential densities, including Low Density Residential, Medium Density Residential, and Active Adult.
  - 3. The proposed project would be developed sensitive to natural open space and major landforms: 1,650.4 acres of the site would be preserved as Habitat Preserve. The Habitat Preserve would include hillsides with steep slopes to minimize landslide and mudslide hazards and to protect key visual resources.

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4. The Project provides approximately 78 acres of public parklands for active and passive recreation (including sports fields and parks), private parklands, and 4.5 acres of trail lands consisting of perimeter trails and the Stowe Trail connections planned on the Project site, totaling 82.5 acres. Mini-Parks, Neighborhood Parks, a Village Green, Linear Parks, and Community Parks are included.
  5. The Development Plan contains a comprehensive pedestrian and bicycle trail system that provides connectivity within and between the villages and with the adjacent regional trails and local trails that connect to surrounding open space areas, residential neighborhoods, parks, and the Santee Town Center to the south. Multi-purpose trails would be within the street rights-of-way along Fanita Parkway and Cuyamaca Street, which would support pedestrian and bicycle travel. The multi-purpose trail along Cuyamaca Street would extend south off site to connect to the Santee Town Center and the San Diego River as part of the north–south regional corridor. Trail access in the Habitat Preserve would be subject to the requirements and provisions of the Public Access Plan and the City’s Draft MSCP Subarea Plan.
  6. The Project includes an extension of Fanita Parkway along the western boundary of the property, an extension of Cuyamaca Street into the site, the Magnolia Avenue extension, and additional circulation improvements.
  7. The Fanita Ranch Development Plan includes a comprehensive implementation chapter identifying public improvements, phasing, financing, and other plans according to projected need. Chapters 4 and 6 of the Fanita Ranch Development Plan also include illustrative plans showing prototype circulation systems and residential product types.
- D. The Project is consistent with the General Plan pursuant to Urgency Ordinance No. 592, and the certification of the Project based on the City’s Essential Housing Project Credits Assessment Guide and Checklist demonstrates that the current development proposal for the Project site addresses the City’s immediate housing needs and furthers Santee General Plan objectives and policies. To be General Plan consistent, the Project need not be in perfect conformity with each and every policy set forth in the General Plan, but must be compatible with its general policies and objectives. In this instance, the Project is not in conformity with Guiding Principles for the Fanita Ranch site regarding (i) minimum lot sizes of six, ten and twenty-thousand square feet applicable to 20 percent, 20 percent and 60 percent of all lots, respectively, in the development, and (ii) the provision of a 200 acre man-made lake with non-reclaimed water, or in the alternative, the provision of a hotel/conference complex with an 18 hole golf course and related amenities. The Project is in conformity with the vast majority of the Guiding Principles and the policies and objectives of the Housing Element and remaining General Plan Elements. The City Council, in the exercise of its police powers and charter city powers, has determined that the Project is necessary and desirable to achieve the policies and objectives of its General Plan, and to address the critical housing shortage in furtherance of Urgency Ordinance No. 592.

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1. The Project will include the production of 150 housing units, onsite or offsite, for a mix of very low, low, moderate and above-moderate income households, including, but not limited to, workforce housing, and will thereby assist the City of Santee in addressing the existing housing crisis in the City of Santee consistent with the findings of Urgency Ordinance No. 592. The Project addresses the City's housing crisis by providing a mix of residential and nonresidential uses and a mix of housing types and sizes, and makes a significant financial contribution towards affordable housing.
  2. The Project would implement mobility improvements, including bus stops, traffic calming, rideshare/carshare parking, and make a significant financial contribution to relieve congestion on SR-52.
  3. In addition to preserving 1,650.4 acres in the Habitat Preserve, the Project would provide funding for the management of City-owned natural open space and would plant at least 10 trees per acre of land to be developed.
  4. The Project will connect to recycled or advanced treated water when Padre Dam Municipal Water District's (PDMWD) East County Advanced Water Purification project is completed.
  5. The proposed project's residential units would be all-electric and would exceed Title 24 standards by all-electric residential development, implementing heat pump technology, increasing solar production, and expanding ventilation systems. Appliances would be Energy Star rated, electric vehicle chargers would be provided in the Village Center, and solar panels would be installed on accessory buildings and car ports.
  6. Wildfire safety would be ensured through implementation of fuel management zones and the Fire Protection Plan (FPP).
  7. Many miles of trails and sidewalks would be provided with the Project, and the Project would fund additional improvements to offsite trail facilities. The Project's extensive park and recreational facilities would exceed the Santee Municipal Code standards by at least five percent and would provide for multi-purpose playing fields and public recreational facilities for Citywide use.
- E. The Santee City Council further finds that DR2022-4 is consistent with the "Adjacent Land Use Compatibility Guide" of the Land Use Element because:
1. The Fanita Ranch site is bordered by existing Santee residential neighborhoods to the south and the unincorporated residential communities of Lakeside and Eucalyptus Hills to the east;
  2. Sycamore Canyon County Preserve and Goodan Ranch Regional Park are to the north; and

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3. Marine Corps Air Station Miramar and PDMWD facilities, including Santee Lakes Recreation Preserve, lie west of the proposed Development Plan area.

These existing uses are buffered by natural open space areas which will be included in a Habitat Preserve ultimately managed in accordance with the Project's Preserve Management Plan and Public Access Plan; these Plans include physical access control to minimize or prevent unauthorized access and signage.

- F. The Project includes a cost revenue assessment (fiscal analysis), identification of required public improvements and a phasing plan for the public improvements and land uses.

**SECTION 3:** Development Review Permit DR 2022-4 for the construction of 2,949 residential units with a school, or 3,008 residential units without a school, 80,000 square feet of commercial use, a fire station, public utilities and facilities, public park facilities, a biological habitat preserve, a trail system that connects with regional recreational areas, and backbone roadways consistent with the Fanita Ranch Development Plan is hereby approved subject to the following conditions:

- A. The Applicant shall implement, to the satisfaction of the Director of Development Services, all environmental impact mitigation measures identified in the Fanita Ranch Revised Environmental Impact Report (SCH No. 2005061118) including the Recirculated Sections of the Final Revised EIR, the CEQA Findings of Fact and Mitigation Monitoring and Reporting Program (MMRP) within in the timeframe specified in the MMRP.
- B. All construction shall be in substantial conformance with the Development Plan and Vesting Tentative Map (TM2022-1). Copies of the Fanita Ranch Development Plan and VTM are available at the Department of Development Services.
- C. Minor or Major Revisions to the Development Review Permit shall be approved in accordance with the Development Plan Implementation Procedures contained in the Fanita Ranch Development Plan, Chapter 10.
- D. The Applicant shall obtain approval of Vesting Tentative Map TM2022-1. All conditions of that approval shall apply.
- E. The Applicant shall obtain approval of Conditional Use Permits P2022-1, P2022-2, and P2022-3. All conditions of those approvals apply.
- F. The Applicant shall submit a Development Review application for projects identified in Section 10.6.5.1 of the Development Plan. Prior to submittal of a Development Review application, the Applicant must obtain Master Developer approval in accordance with Section 10.6.5.2 of the Development Plan.
- G. The Applicant shall comply with the adopted Santee Subarea Plan or obtain permits issued by the Wildlife Agencies, as applicable.

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### H. Prior to approval of the first Final “A” Map:

1. Prior to approval of the first final map, the Applicant shall prepare and submit a Final Fanita Ranch Master Landscape and Water Management Plan for Director of Development Services’ review and approval. The Final Master Landscape and Water Management Plan shall be prepared at a scale of 1”=40’, shall demonstrate conformance with Section 13.36 of the Santee Municipal Code and shall contain the following major components unless waived by the Director of Development Services:
2. The Applicant shall prepare and submit a Master Planting Plan that includes trees, shrubs and groundcovers.
  - i. To prevent the spread of non-native vegetation and noxious weeds, landscaping within the development area shall avoid the use of invasive, non-native plants in close proximity to native vegetation. Such species shall not be included in any landscaping or erosion control plans for the project.
  - ii. The landscaping for slopes adjacent to open space areas and the Habitat Preserve shall include native, fire-retardant species compatible with adjacent habitats and shall be consistent with the Development Plan and Fire Protection Plan. A qualified biologist shall review the landscape plans and confirm the use of appropriate plant materials.
  - iii. California native/drought-tolerant plants shall be used to the maximum extent feasible to minimize the need for irrigation. Where irrigation is necessary, then the system shall be designed and installed to prevent overspray or irrigation runoff during normal operations and during a break in the line.
  - iv. The landscaping selection for water quality features (such as water basins, bioswales) shall be selected in conformance with the latest Best Management Practices (BMP) Design Manual Fact Sheets.
  - v. The Master Irrigation Plan shall that include mainline and point of connection.
  - vi. All landscape installations shall be subject to the Solar Shade Control Act of 1979, prescribed in Public Resources Code Sections 25980-25986.
  - vii. The Master Planting Plan shall show enhanced landscaped parkways, including Fanita Parkway, Cuyamaca Street and Magnolia Avenue, and indicate that these enhancements (including irrigation) and landscaping are to be maintained by the HOA along the

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roadways that are otherwise not required by City roadway setbacks and improvement standards (i.e., areas outside the public right of way but areas visible by the general public and/or as deemed necessary by the Director of Development Services).

3. All permanent irrigation shall be installed underground and shall be automatically controlled. Above ground installation may be approved by the Director of Development Services where underground installation is infeasible. A conspicuous note shall be placed on Landscaping and Irrigation Plans that the Master Homeowners Association (MHOA) is responsible for immediate removal of above ground temporary irrigation lines that are no longer in use.
4. The Applicant shall prepare and submit a Maintenance and Monitoring Responsibility Plan that delineates private and public property and indicates maintenance responsibility.
5. The Applicant shall prepare and submit a Hardscape Master Plan that identifies enhanced paving types and finishes.
6. The Applicant shall prepare and submit a Trails Master Plan that identifies types, perimeter trailhead locations, signage, drainage, maintenance responsibilities, post and cable fencing or equivalent, and other amenities. Motorized use trail barriers shall be installed where appropriate to minimize unauthorized off-road vehicle activity.
7. The pedestrian bridges over the riparian corridors connecting villages shall be designed in accordance with the requirements set forth herein; alternatives that achieve a similar level of safety, and durability may be approved to the satisfaction of the Director of Development Services. Refer to Conditions lettered S, U, and V for bridge construction timing. Pedestrian bridges shall provide clear access for two-way pedestrian and bicycle traffic. Bollards shall be placed at both ends of the bridges to prevent access by vehicles. One trash receptacle with recycling storage shall be provided at each end of the bridges. The ends of both bridges shall contain expanded metal frame screen underneath the truss frame and the sides at both ends to prevent climbing underneath or alongside the bridges by vandals.
8. Wall and Fence Master Plan that includes decorative wall type, material, height and location and addresses all on- and off-site fencing, freestanding walls, retaining walls and drainage basin fencing.
  - i. The exterior of all walls facing the public or private streets shall be graffiti-proofed in accordance with the Santee Municipal Code.
  - ii. All fencing shall be painted or otherwise sealed to reduce water damage.



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- iii. Fencing adjacent to open space and the Habitat Preserve shall in accordance with the Fire Protection Plan.
- iv. All fencing and access gates shall be located so as to provide access for landscape maintenance in Fuel Modification Zones.
- v. Signage identifying the sensitivity of the Habitat Preserve as well as restricted activities shall be erected along the Preserve boundary.
- vi. All open space areas shall be posted with signage stating that dumping or disturbance of habitat is prohibited.
- vii. Walls along Fanita Parkway and Cuyamaca Street shall include columns at intervals to create visual relief and architectural interest. Walls, and columns shall have cap finishes.
- viii. Slumpstone shall have natural integral color(s).
- ix. Fuel Modification Plan that identifies brush management zones in accordance with the Fire Protection Plan is incorporated herein by reference.
- x. Utility Coordination Plan that includes locations of utility boxes and vaults, demonstrating compliance with the City's Design Guidelines and Surface Utility Maintenance Manual shall be included.

### **I. Prior to approval of the Final Map containing the school site:**

- 1. The Applicant shall provide evidence and proof, to the satisfaction of the Director of Development Services, of an agreement with the Santee School District ("District") regarding the need for the school site to be used by the District for a school, or written confirmation from Applicant that no such agreement has been reached after negotiations.
- 2. The Santee School District shall obtain all necessary permits, such as a Conditional Use Permit for the construction of a school consistent with Section 13.19.030, Planned Development District Use Regulations and General Requirements, or an Encroachment Permit consistent with Section 8.02.200 of the Santee Municipal Code.
- 3. In the event that the school site is not acquired for a public school use by the Santee School District within two years of filing of the final map for the phase in which the site is located, the underlying MDR land use designation may be implemented and the maximum total number of units permitted in the Development Plan area shall be increased to 3,008 units.
- 4. The 3,008 units shall be subject to the payment of Land Development Impact Fees, to include Traffic, Traffic Signal, Public Facilities, Park-in-lieu (if triggered) and RTCIP Mitigation Fees, in accordance with the current rates at the time of building permit issuance and satisfy the City's Parkland Development Ordinance.

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5. The Applicant shall agree to construct and secure, and thereafter construct and secure, to the satisfaction of the City Engineer, the following improvements:
  - i. All necessary improvements for providing ingress and egress to the school site. This requirement shall also include but is not limited to any required modification to medians, storm drainage system, street lights and irrigation improvements; and,
  - ii. If warranted, and upon the request of the City Engineer, traffic signal improvements for providing vehicular ingress and egress to the school site.
6. The Applicant shall provide a sewer manhole and a sewer lateral to the school site.

**J. Prior to approval of the Final Map for lots within the Agricultural Overlay:**

The Applicant shall obtain a Conditional Use Permit for agricultural uses consistent with Section 13.19.030, Planned Development District Use Regulations and General Requirements and the Development Plan.

**K. Prior to approval of each Final “B” Map:**

1. The Applicant shall phase and install sewer and/or water system improvements as required by PDMWD and shall grant the appropriate easements to PDMWD, as necessary.
2. The Applicant shall provide easements for all off-site public storm drain facilities, prior to approval of each final map requiring those facilities. The easements shall be sized as required by the City standards, unless otherwise approved by the City Engineer.
3. For Cuyamaca Street, Magnolia Avenue and Fanita Parkway, the Applicant shall process a joint use agreement for roads that cross other agencies' existing easements to the satisfaction of the City Attorney and the other agency prior to the issuance of the Final Map for such road.
4. The Applicant shall develop a Public Information Program that includes a description of work to be done, a construction schedule, and project contact information for resolution of nuisances. This information shall be posted in publicly visible locations on Fanita Parkway, Cuyamaca Street and Magnolia Avenue at the appropriate times.

**L. Prior to approval of each Grading Permit:**

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1. Prior to any activity that may potentially impact biological resources, such as clearing, grubbing, grading or maintenance activities, the Applicant shall comply with all applicable requirements of the California Department of Fish and Wildlife, the California State Water Resources Control Board, the U.S. Fish and Wildlife Service and the U.S. Army Corps of Engineers.
2. Prior to any activity that may potentially impact biological resources, such as clearing, grubbing, grading or maintenance activities, the Applicant shall apply for and receive any applicable take permit/authorization from the (i) U.S. Fish and Wildlife Service and California Department of Fish and Wildlife, or (ii) the City, if the Multiple Species Conservation Program (MSCP) City of Santee Subarea Plan is adopted and take authorization is received.
3. Prior to the issuance of a grading permit for areas depicted on **Exhibit A**, attached hereto, a surface inventory of sensitive areas adjacent to the proposed project development footprint (but located outside the area of potential effect) shall be completed. This survey will be limited to 300 feet from the development footprint and will be focused on areas that are known to be sensitive for cultural resources. In the event a cultural resource and/or “Tribal Cultural Resource” is identified adjacent to the development footprint, the resource will be recorded using Department of Parks and Recreation Series 523 forms and “Environmental Sensitive Area” fencing shall be put in place prior to ground disturbing activities, and shall remain in place until project-related ground disturbance is complete. Because these areas are outside of the project development footprint and will not be impacted by the development, no further analysis beyond a surface inventory will be required to be conducted.
4. The special fragment discovered on the surface within CA-SDI-8345 shall be reburied in a place to a depth of at least six feet, by Kumeyaay representatives, and with appropriate reverence and dignity.
5. The Applicant shall create a perpetual funding mechanism for the maintenance, management and monitoring of the onsite Habitat Preserve to the satisfaction of the Director of Development Services.

### M. **Prior to the approval of the first Final “B” Map:**

1. The Applicant shall submit evidence, acceptable to the City Engineer and the Director of Development Services, of the formation of a Master Homeowner's Association (MHOA) or another financial mechanism acceptable to the City Manager. The MHOA shall be responsible for the maintenance of those landscaping improvements, except those areas maintained by the City or Community Facilities District, as applicable. The MHOA formation documents, which shall include the CC&Rs defined below,

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the Master Bylaws and the Articles of Incorporation, shall be subject to the approval of the City Attorney.

2. The Applicant shall submit Covenants, Conditions and Restrictions (CC&Rs) for review and approval of the Director of Development Services prior to recordation and pursuant to the conditions imposed for Vesting Tentative Map TM2022-1, Conditional Use Permits P2022-1, P2022-2, and P2022-3, and Development Review Permit DR2022-4. The CC&Rs shall include the following:
  - i. A requirement that the MHOA shall maintain comprehensive general liabilities insurance against liability incident to ownership or use of the following areas:
    - a) All private open space lots;
    - b) Other MHOA property, to include, but not limited to, neighborhood and mini-parks, the riparian linear parks and two (2) pedestrian bridges.
  - ii. A statement that before any revisions to provisions of the CC&Rs that may particularly affect the City which shall be identified in the CC&Rs can become effective, the City shall review said revisions and if acceptable to the City, the City will approve said revisions. The MHOA shall not seek approval from the City of said revisions without the prior consent of 65 percent of the holders of first mortgages or property owners within the MHOA, or the maximum percentage prescribed by the Department of Real Estate.
  - iii. A requirement that the MHOA shall indemnify and hold the City harmless from any claims, demands, causes of action liability or loss related to or arising from injuries caused by the maintenance activities of the MHOA.
  - iv. A requirement that the MHOA shall not seek to be released by the City from the maintenance obligations described herein without the prior consent of the City and 65 percent of the holders of first mortgages or property owners within the MHOA, or the maximum percentage prescribed by the Department of Real Estate.
  - v. A requirement that the MHOA procure and maintain a policy of comprehensive general liability insurance written on a per occurrence basis in an amount not less than one million dollars combined single limit. The policy shall be acceptable to the City and name the City as additionally insured to the satisfaction of the City Attorney.

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- vi. A requirement that the MHOA shall not dedicate or convey public streets or land used for private streets without approval of 65 percent of all the MHOA members or holder of first mortgages within the MHOA, or the maximum percentage prescribed by the Department of Real Estate.
- vii. A restriction for each lot adjoining open space lots containing walls maintained by the MHOA to ensure that the property owners know that the walls may not be modified or supplemented without approval of the City and the MHOA. The MHOA shall provide written approval of such changes prior to City review.
- viii. For each development phase, a list or description of all streets, driveways, fuel modification zones, drainage and sewage systems that are private and required to be maintained by the MHOA and provisions assuring their maintenance. No private facilities shall be requested to become public unless all homeowners and 65 percent of the first mortgage obliges, or the maximum percentage prescribed by the Department of Real Estate, have signed a written petition.
- ix. Provisions assuring MHOA membership in the USA Dig Alert Service in perpetuity. The MHOA will be required to mark out all underground MHOA facilities upon advance notice by the USA Dig Alert Service.
- x. Provisions that provide the City has the right but not the obligation to enforce the CC&R provisions the same as any owner in the project.
- xi. A provision setting forth that restrictions in the Vesting Tentative Map conditions may not be revised at any time without prior written permission of the City.
- xii. A provision that the City is to review all proposed landscaping within the MHOA owned areas to ensure plant palettes and irrigation systems are designed to use water efficiently. The MHOA shall ensure individual homeowner landscape plans submitted to the MHOA for review comply with the City Water Efficient Landscape Guidelines then in effect.
- xiii. Provisions for the maintenance of all walls, fences, lighting structures, paths, recreational amenities (except CP-1 and NP-8) and landscaping, consistent with the approved Master Landscape Plan.
- xiv. Provision for an education and enforcement program to prevent the discharge of pollutants from all on-site sources to the storm water conveyance system.

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- xv. Provision for on-going resident, commercial lessee, school administration and visitor education outreach regarding wildfire safety, employing the “Ready, Set, Go” pre-planning model or similar.
- xvi. Plants identified in Appendix F of the Fire Protection Plan shall be prohibited.
- xvii. A provision that provides all prospective residents notice that the project site is within the vicinity of MCAS Miramar and provides the residents with an “Overflight and Military training disclosure” document during any real estate transaction or prior to lease signing. The Overflight and Military training disclosure shall be submitted to the Director Development Services for review and approval.
- xviii. A provision that provides all prospective residents notice of the onsite farm and provides the residents with a “Right to Farm” covenant to protect the ongoing operation of agricultural uses. The Right to Farm covenant shall be provided during any real estate transaction or prior to lease signing. The Right to Farm covenant shall be submitted to the Director of Development Services for review and approval.
- xix. A provision that provides all prospective residents notice of the location and operation of the PDMWD water treatment facility and future Advanced Water Treatment Facility expansion on property adjacent to Fanita Parkway. The notice shall be provided during any real estate transaction or prior to lease signing.
- xx. The statement that the permittee and all persons, firms or corporations, owning the property subject to the VTM, their heirs, administrators, executors, successors, and assigns shall operate, maintain and repair the private streets, established fire lanes, fuel modification zones, landscape areas as shown in the Final Map and Final Fanita Ranch Master Landscape and Water Management Plan in accordance with the approved CC&Rs primarily for the benefit of the residents of the subject development.
- xxi. The maintenance and operation of the common improvements shall be assured by the ownership of the subject landscape areas by the MHOA or the granting of an easement over such landscape to such MHOA, with each owner of a residential lot or condominium having a membership in such MHOA. As to the purchasers of each of the individual dwelling units in the subject development, such purchasers shall be members of the MHOA and the deeds conveying said individual units shall include provisions as: covenants running with

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the land requiring the owners, their heirs, administrators, successors and assigns to participate in the cost of such maintenance and operation, and the creation of a legal entity right to assess all owners in the cost of maintenance and of said facilities and capable of maintaining the improvements and said landscaping and walls, and for the participating of the owners of all dwelling units in the maintenance and enforcement of such provisions.

- xxii. The statement that the City has the right, but not the obligation, to provide for the maintenance of all slope areas if the MHOA fails to perform its maintenance obligation. As set forth herein, if the City elects to perform such maintenance, the City shall give written notice to the MHOA, setting forth the maintenance which the City finds to be required and requesting the same be carried out by the MHOA within a period of 30 days from the giving of such notice. In the event the MHOA fails to carry out such maintenance of the slope areas within the period specified in the City's notice, the City shall be entitled to cause such work to be completed and shall be entitled to reimbursement with respect thereto from the MHOA. In such event, the City shall submit a written invoice to the MHOA for all costs incurred by the City to perform such maintenance. If the MHOA does not pay such amounts when due, the City shall have the right to collect such amounts via any method available in law or in equity, including without limitation, recording a lien upon the property and/or each lot, as appropriate.
- xxiii. A statement that the entitlements contain an approved Fanita Ranch Master Landscape and Water Management Plan pursuant to DR2022-4 and that revisions to any plan shall require the approval of the Director of Development Services.
- xxiv. A statement that established fire lanes shall be posted and striped "No Parking" to the satisfaction of the Santee Fire Chief.
- xxv. A statement that Recreational Vehicle parking shall not be allowed on the private or public streets within the project, except for temporary loading and unloading, consistent with the Santee Municipal Code and the Fanita Ranch Development Plan. Recreational vehicles include boats and trailers.
- xxvi. A statement that all private light fixtures shall be designed and adjusted to reflect light downward, away from any road or street and away from any adjoining premises or open space preserve and shall otherwise confirm to the requirements of Title 13 of the Santee Municipal Code.

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- xxvii. The MHOA shall enforce the obligation of residents to maintain private garages for automobile parking, subject to the requirements of California Civil Code Section 4751 and any other requirements of applicable law regarding accessory dwelling units.
- xxviii. Trash receptacle shall be either stored in the individual garage or stored on-site and not visible from streets or driveways, excepting collection days.
- xxix. A disclosure that Fanita Ranch is within the Wildland Urban Interface and identifies the site as within a High Fire Severity Zone for wildfire. The Fire Protection Plan and Fire Evacuation Plan shall be incorporated by reference in the CC&Rs.
- xxx. The MHOA shall ensure that all owners and tenants receive copies of the approved Fire Protection Plan and the Fire Evacuation Plan at point of sale or lease.
- xxxi. A provision that the provisions in the CC&Rs affecting any rights of the City or any of the provisions required by the City may not be rescinded or amended without the prior written consent of the Director of Development Services.

### **N. Prior to issuance of any Building Permit:**

1. The Applicant shall obtain final map approval and record the final map. Within 30 days of final map recordation, the Applicant shall provide one mylar copy of the recorded map to the Department of Development Services Engineering Division and three printed copies of the map for the City's permanent record. The prints and mylar shall be in accordance with City standards.
2. Precise Grading (Plot) Plans shall be submitted to the Department of Development Services Engineering Division and be completed and accepted prior to issuance of any building permits or start of construction of the street improvements. The plans shall be prepared at a scale of 1" = 20'. Plan format and content shall comply with Engineering Division standards.
3. The Applicant shall submit an analysis of the "as built" worst case fire sprinkler residual pressure. For lots resulting in marginal pressure, the plumbing designer shall evaluate the supply pipe sizing and spacing of sprinkler heads to optimize the performance of the system in the event of a power outage. For lots where the fire sprinkler designer determines that adequate sprinkler coverage cannot be provided during a power outage, a secondary power source shall be provided for these dwelling units to ensure adequate pressure in the event of a power outage. Said analysis,



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recommendations, materials and methods shall be implemented to the satisfaction of the Fire and Building Departments.

4. The Applicant agrees to hold the City harmless from and be fully responsible for the actual costs of the landscape maintenance associated with the Cuyamaca Street, Magnolia Avenue and Fanita Parkway landscape improvements for a period of five years following City Council acceptance of the public right-of-way and improvements. The Applicant has the right, but not the obligation, to extend its maintenance of these facilities for five additional separate one year periods, by giving written notice to the City 90 days before the end date of the current maintenance period. If the Applicant does not extend the maintenance period, the City shall thereafter be responsible for all maintenance (except bioswales) and the cost thereof. The cost of the maintenance will be provided by either a landscape maintenance district, community services or facilities district or other funding source identified by the Applicant. The Applicant may apply to the City and the City agrees to consider the creation of a community services district, community facilities district or landscape maintenance district to fund, among other things, the costs of maintaining the landscaping specified in this paragraph.
5. The Applicant shall request the formation of a Community Facilities District (CFD) for the purpose of maintaining public interest landscape facilities within the project in the event the MHOA refuses or fails to do so for a period of six months following written notification from the City. In such event, the City may assess special taxes pursuant to the formation of the CFD for the purposes of maintaining said landscaping.
6. Maintenance of all landscaping and improvements shall be managed by a Homeowner's Association. The Applicant shall provide a detailed plan(s) defining the limits of maintenance requirements as set forth in **Exhibit B**. If maintenance remains satisfactory, there shall be a \$0 annual assessment to the property owners following transfer of the property to the district
7. A bond, equal to the cost of full landscape installation, will be required for a minimum of one year for any project requiring a development review permit or conditional use permit, with the exception of projects for single-family homes. The Director of Development Services may waive this requirement, provided special circumstances exist which alleviate the need for a bond.
8. The Applicant shall make the open space dedications required herein and shall, at no cost to City, identify a funding source, in perpetuity, for the management of the MSCP preserve areas within the Project, and specified mitigation areas, in a manner consistent with the development approvals.
9. Following issuance of a grading permit, the Applicant shall complete rough grading in accordance with the approved grading plans and the

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recommendations of the project's geotechnical engineer. Following completion of the rough grading, the Applicant shall provide three originals of a rough grading report, which shall include a compaction report prepared by the geotechnical engineer, and a certification by the project civil engineer that all property corners, slopes, retaining walls, drainage devices and building pads are in conformance with the approved grading plans.

10. The Applicant shall provide the city with evidence of certification by the Santee School District ("District") that any fee, charge, dedication, or other requirements levied by the District have been satisfied, or that the District has determined the fee, charge or other requirements do not apply to the construction.
11. The Applicant shall provide evidence to the City that on-site photovoltaic (PV) will generate renewable energy with a total design capacity of at least 12.147 megawatts (MW) for the Preferred Land Use Plan with School, or 12.038 MW for the Land Use Plan without School at full buildout of the Project. This is inclusive of 4MWh battery storage.
12. The Applicant shall pay all applicable Development Impact Fees in effect at the time of issuance of building permits. The current fees (FY 22/23) based on a total of 2,949 dwelling units and 80,000 sf of commercial development are:

### SINGLE FAMILY (1,203 Units)

a. Drainage*	\$0		
b. Traffic	\$ 5,157,261	or	\$ 4,287/unit
c. Traffic Signal	\$ 532,929	or	\$ 443/unit
d. Public Facilities**	\$ 9,164,454	or	\$ 7,618/unit
e. RTCIP Mitigation	\$ 3,233,916.63	or	\$ 2,688.21/unit

### MULTI FAMILY (1,746 Units)

a. Drainage*	\$0		
b. Traffic	\$ 4,677,534	or	\$ 2,679/unit
c. Traffic Signal	\$ 483,642	or	\$ 277/unit
d. Public Facilities**	\$ 11,993,274	or	\$ 6,869/unit
e. RTCIP Mitigation	\$ 4,693,614.66	or	\$ 2,688.21/unit

### **TOTAL RESIDENTIAL FEES = \$ 39,936,625.29**

#### NOTES:

\*The City has determined that drainage fees are inapplicable to the Project given the drainage infrastructure to be installed by Applicant as a condition of approval and the reduction in drainage flows to the City's public stormwater system from the Project site as a result of the Project implementation.

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Development Impact Fee amounts shall be calculated in accordance with current fee schedule in effect at issuance of building permit. City of Santee fee rates are adjusted annually based on the change in the San Diego Consumer Price Index (CPI) and the RTCIP Mitigation fee is adjusted annually for inflation in an amount as determined by the SANDAG Board of Directors.. The Applicant shall pay all Development Impact Fees in effect at the time of issuance of building permits.

**\*\*Public Facilities Fees:** The above amounts are subject to credits of up to 33.3% of these amounts. See Section 3.I of the Community Park Conditional Use Permit (Reso. No. 115-2022).

### NON-RESIDENTIAL (80,000 SF Commercial)

a. Drainage*	\$0		
b. Traffic	\$ 732,960	or	\$ 9,162 x SF/1000
c. Traffic Signal	\$ 118,240	or	\$ 1,478 x SF/1000

### **TOTAL COMMERCIAL FEES = \$ 851,200.00**

NOTE: The percent (%) of Impervious area\* shall be calculated by a Registered Civil Engineer and submitted for review to the Engineering Department. The drainage fee shall be calculated based on the actual impermeable area created by the project including off-site street improvements or other improvements beyond the project boundary. Development Impact Fee amounts shall be calculated in accordance with current fee schedule in effect at issuance of building permit. City of Santee fee rates are adjusted annually based on the change in the San Diego Consumer Price Index (CPI). The Applicant shall pay all Development Impact Fees in effect at the time of issuance of building permits.

13. The Applicant shall pay to the City the sum of Two Million Six Hundred Thousand Dollars (\$2,600,000.00) to be used by the City to fund the construction within the City of affordable housing. The City shall place these funds in a separate account and shall only use these funds for the purposes of funding or supporting affordable housing consistent with the City's Housing Element and state law. The Applicant shall make this payment in three equal installments. The first payment shall be due on or before the issuance of the first Certificate of Occupancy ("COO") for the Project; the second payment shall be due on or before the issuance of the 500th COO for the Project; and the third payment shall be due on or before the issuance of the 750th COO for the Project. However, the entire sum or remaining installments shall be due prior to April 14, 2029.

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14. The Applicant shall pay to the City the sum of Two Million Six Hundred Thousand Dollars (\$2,600,000.00) to be used by the City to fund an off-site infrastructure improvement project identified in the City Capital Improvement Program. The Applicant shall make this payment not later than the date on which the City issues the first grading permit for the Project.
  15. The applicant or its designee shall provide evidence to the City of Santee that the proposed project will implement water conservation strategies that are designed to be as efficient as possible with potable water supplies and will achieve at least 20 percent indoor and outdoor water reduction compared to the average statewide water consumption rate at the time of project approval.
  16. The water system for the proposed project would be designed to provide a minimum 2,500 gallons per minute for three hours of fire flow for single-family and multi-family residential and 3,500 gallons per minute for four hours of fire flow for commercial areas with fire hydrants spaced on average every 300 feet. The water system shall be designed and installed per PDMWD and Santee Fire Department requirements.
  17. The Applicant shall pay appropriate fees to the Santee Elementary School District and Grossmont Union High School District.
- O. **Prior to Occupancy of any unit within each development phase, the developer shall complete the following:**
1. At the time of request for transfer the Applicant consents to participate in an election process to ensure the timely annexation of the property to the Community Facility District, if formed pursuant to Section N(5) hereof. The Applicant, while majority property owner, shall vote affirmatively on the question of the property's annexation to the Community Facility District and subsequent property assessment.
  2. Complete all grading and improvements substantially in accordance with the approved plans to the satisfaction of the Director of Development Services.
  3. All slopes in excess of 3:1 shall be stabilized per the requirements of the MS4 Permit to prevent slope erosion, to minimize slope failures, and to prevent sediment from entering the storm water conveyance system; permanent landscaping and irrigation shall be installed no later than six months of completion of grading, or prior to occupancy, whichever comes first.
  4. Plant all new trees in and within 10 feet of the public right-of-way with root control barriers; trees within the public right-of-way shall be subject to preservation and management in compliance with the City's Urban Forestry

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regulations set forth in Chapter 8.06 of the City of Santee Municipal Code and the City's Urban Forestry Management Plan adopted by the City Council on December 8, 2021.

5. Provide two print copies and a digital copy of both the final approved Storm Water Quality Management Plan and the Operation and Maintenance Plan.
6. Submit a print and digital copy of the BMP Certification package. The BMP certification package includes but is not limited to: 'wet' signed and stamped certification form(s), all BMP related product receipts and materials delivery receipts, an inspection and installation log sheet, and photographs to document each stage of BMP installation.
7. Prior to issuance of the final phase of occupancy of a unit, an executed contract must be in place with a qualified storm water service provider and a copy of the SWQMP provided to the consultant and the HOA.
8. Applicant shall construct a protective fencing system around all proposed permanent detention basins and the inlets and outlets of storm drain structures, as and when directed by the City Engineer concurrent with the construction of the drainage facility. The final fencing design and types of construction materials, shall be in accordance with the Master Wall and Fence Plan.

### **P. Street Lights, Traffic Signals and Striping:**

1. At the time and in the manner determined by the City Engineer, the Applicant shall install all underground conduits, improvements, standards and luminaries for streetlights and traffic signals in conjunction with the construction of the applicable street improvements. In addition, the Applicant shall install mast arm, signal heads, and associated equipment when traffic signals warrant as determined by the City Engineer.
2. The Applicant shall obtain the approval of the City Engineer for striping plans for all collector or higher classification streets simultaneously with the associated improvement plans.
3. Portions of the roads adjacent to the Habitat Preserve area (designated Streets "V" and "W" on TM 2017-3) shall be marked with pavement markers in addition to roadway striping instead of standard roadside street lights. Retroreflective Pavement Markers (pursuant to the Caltrans specifications) shall be spaced 24' on center on these segments. A pedestrian-activated, low-level bollard lighting system shall be installed for the segments of these two streets where street lighting is not provided to the satisfaction of the City Traffic Engineer. Activation of the pedestrian lighting shall be passive and on each side of the street.

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- Q. Prior to approval of the first Development Review Permit within each Village Center, the Applicant shall demonstrate that the design includes a bike station as described in the Fanita Ranch Development Plan, Section 3.2.1E, subject to review and approval by the Director of Development Services.
- R. Prior to approval of the Conditional Use Permit for the Farm (Parcels A-1 through A4), the Applicant shall submit a Farm Operations Manual, which shall address parking, lighting, hours of operation, special event attendee limitations, and on-and off-site advertisement signage. The Director of Development Services shall review the Farm Operations Manual for conformance with the adopted Fanita Ranch Development Plan. The Farm Operations Manual shall state that the keeping, raising and boarding of large and small four-legged animals is permitted on the farm (Parcels A1, A2, A3, A4 and A5, totaling 27.3 acres) and shall not exceed five animals per gross acre.
- S. Prior to approval of construction plans/building permit issuance for the Community Park (Parcel CP-1), the Applicant shall prepare design documents/ final engineering plans for the pedestrian bridge connecting the Community Park (Parcel CP-1) to Fanita Parkway Right-of-Way for review and approval by the City Engineer and Director of Development Services.
- T. Prior to approval of construction plans/building permit issuance for the Community Park (Parcel CP-1) and the Neighborhood Park Parcel 8 (Parcel NP-8), the Applicant shall submit detailed lighting plans and photometric analyses demonstrating that lighting has been designed to adequately minimize potential light spillage from sports fields and other park facilities into environmentally sensitive areas subject to review and approval by the Director of Development Services.
- U. Prior to occupancy of the 222<sup>nd</sup> unit in Parcel AC-1, the Applicant shall commence construction of the pedestrian bridge between Fanita Parkway Right-of-Way and the Community Park (Parcel CP-1), with completion of the pedestrian bridge prior to occupancy of the final unit within Parcel AC-1.
- V. Prior to occupancy of the 426<sup>th</sup> unit within the Orchard Village, the Applicant shall commence construction of the pedestrian bridge between Fanita Commons and Orchard Village, with completion of the pedestrian bridge prior to occupancy of the final unit within Orchard Village.
- W. Prior to permit issuance for development within the Special Use Area:
  - 1. A security gate shall be installed on Carlton Hills Boulevard to serve the "Special Use Area", its location to be shown on final engineering plans. Any electronic or automatic gate installed at Special Use area access points shall not generate noise levels that exceed 65 A-weighted decibels at the access point. The site operator shall provide specifications from the

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manufacturer prior to gate installation, and the site operator agreement shall include proper maintenance of the gate. Proper maintenance shall include response within one (1) business day to complaints received by the site operator from residents or received from the City as a result of a complaint, regarding nuisance noise as a result of disrepair. The response shall detail measures that the site operator will take to address the complaint and a timeline, such as a scheduled maintenance appointment.'

2. Access to the Special Use area as a storage facility shall be limited to the hours of 7:00 a.m. to 7:00 p.m., with the exception of a special after-hours pickup and drop-off location. Stored property shall be relocated to or from the after-hours location during normal business hours because access to the regular storage facilities shall be restricted to 7:00 a.m. to 7:00 p.m. The after-hours location shall be secured with an additional access gate that can only be opened with a temporary gate code provided through pre-arrangement with the site operator. The after-hours location shall be more than 125 feet from the nearest existing receptors and shall be screened from existing receptors by the regular storage facilities.
  3. The decorative perimeter wall / fence for the Special Use Area shall adequately screen abutting south and west residences subject to review and approval by the Director of Development Services
- X. The Applicant previously has expended approximately \$5,000,000 to fund feasibility studies and other efforts related to State Route 52 improvements. Applicant shall fund an additional \$5,000,000 to State Route 52 improvements pursuant to an agreement with Caltrans dated June 30, 2020. Applicant shall, in its sole discretion, provide additional support to facilitate the funding and construction of future phases of improvements to State Route 52. No Certificates of Occupancy for any residential dwelling units within the Project shall be issued until SR 52 improvements are substantially complete.
- Y. The Applicant shall ensure that CC&Rs for each sub-association within the Project contains a provision that requires on-site guest parking spaces to be maintained for short-term parking by visitors of the development.
- Z. The Applicant shall dedicate Conservation Easement(s) over the Habitat Preserve lots, excluding land for PDMWD facilities (sewer headworks, pump stations and reservoirs).
- AA. Geotechnical certifications must be provided for PDMWD facilities to the satisfaction of the City Engineering and the Director of Engineering and Planning of PDMWD.
- BB. Approval of the final design of the new entry to Santee Lakes at the intersection of Fanita Parkway and Ganley Road must be obtained from PDMWD and the City

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- prior to commencement of work. The entrance shall include decorative entry elements, native trees and a designated area for signage.
- CC. The sewer headworks facility and pump stations shall be constructed by the Applicant, and the necessary land granted in fee to PDMWD upon completion. The sewer headworks facility shall be completed in the first development phase.
  - DD. Water and sewer facilities located under or over wildlife crossing shall be designed to allow the required vertical clearances as specified by the Water Agencies' Standards.
  - EE. Bedding materials used for underground water and sewer facilities that will be dedicated to PDMWD shall meet the requirements specified in the Water Agencies' Standards or as approved for use by PDMWD.
  - FF. Fire hydrants shall be required within the Special Use Area to the satisfaction of the Fire Chief.
  - GG. All noise barriers shall be installed concurrently with the extension and widening of Fanita Parkway and Cuyamaca Street in accordance with the MMRP and street-specific acoustical recommendations.
  - HH. Prior to the issuance of a building permit for the solar facility, the Applicant shall provide evidence of acceptance from MCAS Miramar that the panels will not adversely affect pilot vision on approach to the facility.
- II. The construction contractor shall provide written notification to any existing uses within 300 feet of roadway construction activities pursuant to Section 5.04.090 of the Santee Municipal Code. The notification shall be provided no later than 10 days before the start of construction activities. The notice shall describe the nature of the construction activities, including the expected duration, and provide a point of contact to resolve noise complaints. If a complaint is received, construction noise shall be monitored by a qualified acoustical consultant at the nearest affected receptor for the duration of a normal day of construction. If the hourly average monitored noise level from construction exceeds a normal conversation level (65 A-weighted decibels) at the nearest sensitive receptor or the ambient noise level at the receptor if the ambient noise level exceeds 65 A-weighted decibels, construction activities in the immediate area of the affected receptor shall cease. Construction shall not resume until activities can be adjusted or noise reduction measures are implemented to reduce noise at the affected receptor to below normal conversation levels (65 A-weighted decibels) or the ambient noise level at the receptor if the ambient noise level exceeds 65 A-weighted decibels. Monitoring results, and any necessary noise reduction measures shall be submitted to the Director of Development Services prior to the resumption of construction activities.



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- JJ. Medium- and heavy-duty truck trips shall be limited on Fanita Parkway. Truck trips shall be limited to 170 one-way trips (85 two-way trips) on Fanita Parkway during Phase 1 building construction activities and to a maximum of 140 one-way trips (70 two-way trips) on Fanita Parkway during simultaneous building construction activities and project operation. Worker vehicle trips are allowed on all roadways.
- KK. The Applicant shall assist the City towards achieving the required provision of housing set forth in the Regional Housing Needs Assessment allocation as identified in the General Plan Housing Element for very low, low, moderate and above-moderate income households, as defined in Health & Safety Code section 50079.5, as follows:
1. Very Low Income Housing. The Applicant's obligation to contribute \$2.6 million to an affordable housing fund shall be deemed to satisfy this category.
  2. Workforce Housing. Low and moderate income household categories shall be referred to herein as "Workforce Housing." Prior to the issuance of a certificate of occupancy for the 250th dwelling unit within the project, the Applicant and City shall (i) enter into an affordable housing agreement for the provision of 150 Workforce Housing units, including a financing mechanism mutually acceptable to the parties, such as a Joint Powers Authority Essential Housing Bond Program, and (ii) identify potential on-site or off-site locations for the Workforce Housing. Prior to the issuance of the certificate of occupancy for the 1,000th dwelling unit, the Workforce Housing shall be acquired (existing housing stock) or constructed (new housing) in accordance with the terms of the affordable housing agreement. For good cause, the parties to the affordable housing agreement may modify the occupancy thresholds.
  3. Above Moderate Income Housing. The Applicant will provide a variety of housing types within the project in this category, from townhomes to single-family housing.

**SECTION 4:** The Applicant shall demonstrate to the satisfaction of Director of Development Services that the project features and requirements set forth in the Essential Housing Program Certification for the project attached hereto as **Exhibit C** and incorporated herein have been timely implemented. Annually throughout project implementation, the Applicant shall provide the City with evidence of progress toward satisfaction of the applicable project features and requirements in the Essential Housing Program Certification.

**SECTION 5:** The Applicant shall defend, indemnify, and hold harmless the City and its officers, employees and agents from any claim, action, or proceeding against the City and/or its officers, employees or agents to attack or set aside, void, or annul the approval of the City of Santee concerning this Resolution or any action relating to or arising out of its approval.

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**SECTION 6:** The terms and conditions of this Development Review Permit (DR2022-4) approval shall be binding upon the permittee and all persons, firms and corporations having an interest in the property subject to these permits and the heirs, executors, administrators, successors and assigns of each of them, including municipal corporations, public agencies and districts.

**SECTION 7:** In addition to all other available remedies, the City of Santee Municipal Code, Chapter 1.14, provides for the issuance of Administrative citations for Municipal Code violations. Should non-compliance with said terms and conditions of this Development Review Permit or any violation of the Municipal Code that includes the City's Storm Water Ordinance, the City has the right to issue administrative citations containing an assessment of civil fines for each violation and collect administrative fines for violations.

**SECTION 8:** Pursuant to Government Code Section 66020, the 90-day approval period in which the Applicant may protest the imposition of any fees, dedications, reservations, or exactions imposed pursuant to this approval, shall begin on September 14, 2022.

**SECTION 9:** This Development Review Permit (DR2022-4) shall remain valid in accordance with the provisions of the Vesting Tentative Map.

**ADOPTED** by the City Council of the City of Santee, California, at a Regular Meeting thereof held this 14th day of September, 2022 by the following roll call vote to wit:

**AYES: HALL, KOVAL, MINTO, TROTTER**

**NOES: NONE**

**ABSENT: NONE**

**ABSTAIN: MCNELIS**

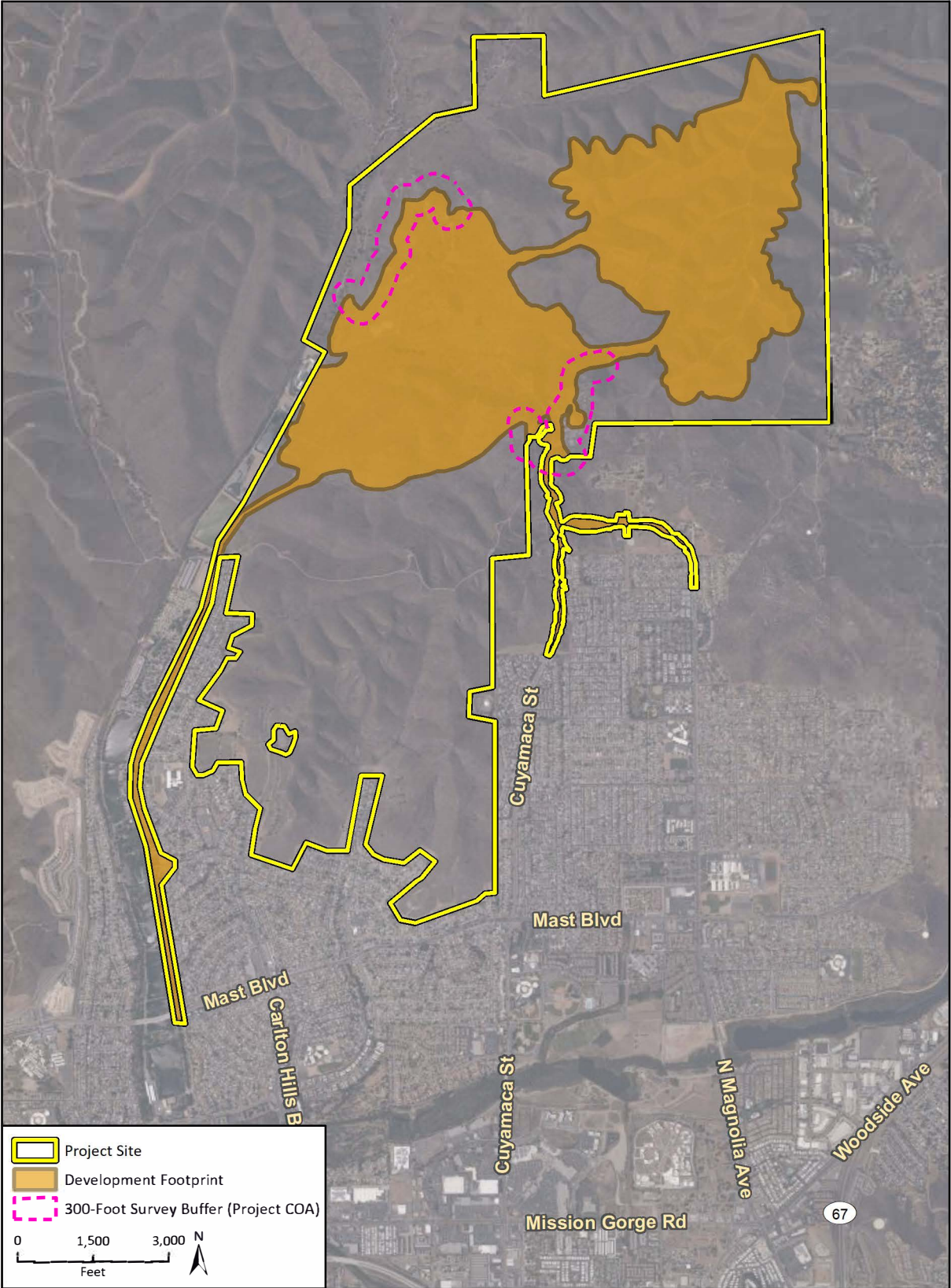
**APPROVED:**

  
JOHN W. MINTO, MAYOR

**ATTEST:**

  
ANNETTE ORTIZ, CMC, CITY CLERK

Exhibits: A: Surface Areas Inventory  
B: Fanita Ranch Maintenance Obligations  
C: Essential Housing Program Certification



## **EXHIBIT B – DR2022-4 RESOLUTION**

### **CHART OF MAINTENANCE OBLIGATIONS**

#### **Fanita Ranch Maintenance Obligations**

<b>City</b>	<b>HOA/HomeFed</b>	<b>In Tract Improvements (Area within development footprint)</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Pavement, curb and gutter
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Street Lights if per Public Works Standards
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Striping and signage
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sidewalks per Public Works Standards
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Median landscaping
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Storm Water collection systems
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Storm Water Quality Basins
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Storm Drain improvements MS-4 (treated water and bi-pass systems)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Access roads and associated improvements for MS-4 storm drain maintenance access
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Community Park
<input checked="" type="checkbox"/>	<input type="checkbox"/>	NP-8 Park
<input type="checkbox"/>	<input checked="" type="checkbox"/>	All other neighborhood parks
<b>City</b>	<b>HOA/HomeFed</b>	<b>Preserve Areas (Area within the MSCP/Subarea Plan footprint)</b>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Brush management
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Trail access from right-of-way
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Trail maintenance

### Fanita Ranch Maintenance Obligations

<input type="checkbox"/>	<input checked="" type="checkbox"/>	Wildlife crossings
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Fence maintenance
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Fire Access-gates
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Drainage basins
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Habitat/Species management
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Brow ditches

City	HOA/HomeFed	
		<b>Fanita Parkway Mast Boulevard to Ganley Road</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Traffic Signals- Lake Canyon Road and Ganley Road
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Pavement, curb and gutter
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Street Lights
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sidewalks per Public Works Standards
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Striping and signage
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Median Landscaping
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Street drainage improvements
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Parkway Landscaping Improvements
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sound walls
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Tree wells for water quality
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Brow ditches at contact points
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Excess property outside of right-of-way west side
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Excess property outside of right-of-way east side
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Roadside Fuel Modification Zone -Irrigated



## Fanita Ranch Maintenance Obligations

City	HOA/HomeFed	
		<b>Cuyamaca Street Mast Boulevard to El Nopal Street</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Traffic Signal - Beck Drive
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Striping and signage
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Median Landscaping
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Tree wells for water quality
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Potential street drainage improvements
		<b>El Nopal to Chaparral Street</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Traffic Signals- El Nopal Street and Woodglen Vista Drive
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Striping and signage
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Median Landscaping
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Tree wells for water quality
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Potential street drainage improvements
		<b>Chaparral Street to subdivision boundary</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Pavement, curb and gutter
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Street Lights
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Striping and signage
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Median Landscaping
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Street drainage improvements
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Parkway Landscaping Improvements
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sidewalks per Public Works standards
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Brow ditches at contact points
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Slope landscape and irrigation outside of right-of-way west side, east side
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Various basins outside of right-of-way
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Storm Drain vaults in right-of-way
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Roadside Fuel Modification Zone -Irrigated
		<b>Magnolia Avenue</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Pavement, curb and gutter
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Street Lights
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Striping and signage
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Median Landscaping
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Street drainage improvements
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Parkway Landscaping Improvements
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sidewalks per Public Works standards
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Brow ditches at contact points
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Slope landscape and irrigation outside of right-of-way
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Various basins outside of right-of-way
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Storm Drain vaults in right-of-way
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Roadside Fuel Modification Zone -Irrigated

# DR RESOLUTION - EXHIBIT C



## Essential Housing Project Application Checklist

**Project Name:** Fanita Ranch

**Date:**

Credits	Land Use – 11 Max Credits	Credits	Sustainability – 44 Max Credits
	Mixed-uses – 5 Credits		Installation of Graywater System – 2 Credits
	Location in Town Center – 2 Credits	2	Connection to Recycled or Purified Treated Water – 2 Credits
	Maximize Potential Density – 4 Credits	2	Exceeds Title 24 requirements – 2 Credits
0	Subtotal	4	All Energy Star Rated Appliances – 4 Credits
<b>Credits</b>	<b>Housing – 50 Max Credits (10 Required)</b>		EV Chargers in Public Use areas (Level 2) – 5 Credits
20	Affordable Housing (10% Low Income) – 20 Credits -or- Contribution per market-rate unit	2	EV Chargers in Public Use areas (Level 3) – 2 Credits
	Affordable Housing (10% Moderate Income) – 10 Credits -or- Contribution per market-rate unit	5	Solar Panels on Carports – 5 Credits
		5	Solar Panels on Accessory Buildings – 5 Credits
5	Mix of Unit Sizes – 5 Credits	5	Solar Water Heating – 2 Credits
	Redevelopment of an Underutilized Site – 5 Credits		Full Electrification of Residential Units – 5 Credits
10	Number of Units Provided – 10 Max Credits	25	Battery Systems – 10 Credits
35	Subtotal	<b>Credits</b>	Subtotal
<b>Credits</b>	<b>Mobility – 28 Max Credits</b>	5	<b>Safety – 10 Max Credits</b>
2	Location within ¼ mile of bus stop – 2 Credits	5	100-ft Irrigated Fuel Modification Zones – 5 Credits
	Location within ½ mile of the trolley station – 5 Credits	10	Implementation of Fire Protection Plan – 5 Credits
0	Location along a multimodal corridor – 5 Credits	<b>Credits</b>	Subtotal
2	Traffic calming – 2 Credits	4	<b>Trails and Sidewalks – 21 Max Credits</b>
10	SR-52 Contribution – 10 Max Credits		Enhanced Landscaped Parkways – 4 Credits
2	Passenger Loading Area or Rideshare – 2 Credits	5	Safe Routes to Schools, Parks, and Transit – 2 Credits
	Bike Repair Station and Bike Storage – 2 Credits	10	Multiple Use Trails – 5 Credits
16	Subtotal	19	Trail Facilities Contribution – 10 Max Credits
<b>Credits</b>	<b>Open Space and Conservation – 12 Max Credits</b>	<b>Credits</b>	Subtotal
10	Contribution to City-owned Open Space – 10 Max Credits	2	<b>Parks and Recreation – 7 Max Credits</b>
2	Trees in Streetscapes and Parks – 2 Credits	5	Exceed parkland dedication requirement – 2 credits
12	Subtotal	7	Multi-purpose playing fields/public recreational facilities – 5 credits
			Subtotal
		<b>124</b>	<b>TOTAL Credits Across All Categories</b>

A. Does the Project meet or exceed 10 Credits for housing and 50 Credits across all categories? ☒ Yes ☐ No

B. Director's Determination – If Question in Section A, above, is checked "No", the Project is NOT an Essential Housing Project. If Question in Section A, above, is checked "Yes" the Project is determined an Essential Housing Project and can be certified as an Essential Housing Project by the Director of Development Services in Section C, below.

C. DIRECTOR'S CERTIFICATION: I, the undersigned, in my capacity as Director of Development Services for the City of Santee certify the subject Project as an Essential Housing Project:

*Melanie Kusch*

Director of Development Services

*Dec 27, 2021*  
Date