

THE CITY OF SAN DIEGO

REPORT TO THE HEARING OFFICER

HEARING DATE:

March 6, 2013

REPORT NO. HO 13-019

ATTENTION:

Hearing Officer

SUBJECT:

KHOULI RESIDENCES

PTS PROJECT NUMBER: 210143

LOCATION:

11448 and 11480 Almazon Street

APPLICANT/

OWNER:

Will Rogers/Solid Rock Developers Inc.

SUMMARY

<u>Issue(s)</u>: Should the Hearing Officer approve the construction of two, 3-level single-family residences on two separate lots containing environmentally sensitive lands within the Rancho Penasquitos Community Planning area?

<u>Staff Recommendation(s)</u> - **APPROVE** Site Development Permit Nos. 747302 and 747303 with conditions.

<u>Community Planning Group Recommendation</u> – On February 1, 2012 the Rancho Penasquitos Community Planning voted 9-4-0 to recommend denial of the project. Reference the Discussion section of this report (Attachment 7).

Environmental Review: An Addendum to Mitigated Negative Declaration (MND) No. 6107 has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines Section 15164. Based upon a review of the current project, it has been determined that there are no new significant environmental impacts not considered for the previous MND, no substantial changes have occurred with respect to the circumstances under which the project is undertaken, and there is no new information of substantial importance to the project

BACKGROUND

The proposed project is the construction of two three-level single-family residences on two non-contiguous legal lots located at 11448 and 11480 Almazon Street. The vacant 1.25-acre site consists of Lot 205, 0.66 acres, and Lot 208, 0.59 acres located on the north side of Almazon Street. The Rancho Penasquitos Community Plan designates the site as Low Density Residential

(1-5) du/developable acre). The property is within the Glen's Neighborhood of the community plan and zoned RS-1-14 (Attachments 1-3). The property is also within the Airport Influence Area, Review Area 2 for the Marine Corps Air Station (MCAS) Miramar Airport Land Use Compatibility Plan (ALUCP). The site contains environmentally sensitive lands in the form of sensitive biological resources and steep hillsides and requires a Process 3 Site Development Permit for encroachment into environmentally sensitive lands.

Surrounding sites are developed with single-family residences of varying sizes and architectural styles and vacant lots. Adjacent to the west is a three level, single-family residence, approved by the Hearing Officer on September 3, 2009 under Site Development Permit No. 562421, the Hamidy Residence Project No. 158005, for the construction of a two story residence containing environmentally sensitive lands (lot 203, 11490 Almazon Street).

DISCUSSION

The majority of both lots contain steep slopes. The Steep Hillside Guidelines allows a maximum 25 percent encroachment into environmentally sensitive lands containing steep slopes. The developments would be placed within the front 25 percent of the lots adjacent to the street and the remaining 75 percent of each parcel would be placed within a conservation easement to restrict further encroachment into environmentally sensitive areas.

The development would impact coastal sage scrub on both lots. The project was previously entitled under the Almazon Residences project, approved by the Hearing Officer in 2003, which permitted the construction of seven residences on seven vacant lots. That project required the preparation of Mitigated Negative Declaration (MND) No. 6107 for potential impacts to biological resources, paleontological resources and hydrology and water quality. The project was not constructed and the permit expired. As the MND was certified, the current project required the preparation of an addendum to MND No. 6107 due to potential impacts to biological resources specifically the development of the two lots would impact approximately 0.024 acres of coastal sage scrub beyond what was originally anticipated. Direct impacts would result with the construction of the project to Tier II coastal sage scrub in that .0304 acres would be disturbed or, a total of 0.024 acres beyond what was originally analyzed. Implementation of the Mitigation. Monitoring and Reporting Program, which requires payment into the City of San Diego's Habitat Acquisition Fund, would mitigate for the loss of this resource. Implementation of the Section V of the Mitigation, Monitoring and Reporting Program, will reduce impacts to biological resources to a level below significance. Mitigation measures contained in MND No. 6107 have been incorporated into the addendum.

Airport Influence Area/ Miramar Airport Land Use Compatibility Plan

The project was submitted to the San Diego County Regional Airport Authority, serving as the Airport Land Use Commission (ALUC), for a consistency determination with the adopted ALUCP. In memorandum dated April 13, 2011, the Airport Authority stated that the project does not meet any of the criteria within the ALUCP which would require a consistency determination (Attachment 10). Additionally, the project site is not located within the area

designated by the ALUCP as requiring the recordation of an over flight notification for new residential land uses. The project is located outside of the Part 77 notification area (20,000 horizontal feet (100:1 slope) from the closest runway at MCAS Miramar and the proposed structures would not exceed 200 feet above ground level; therefore, the project would be compatible with the ALUCP for airspace. Notification to the Federal Aviation Administration for a Part 77 evaluation was not required.

Community Planning Group Recommendation

The Rancho Penasquitos Community Planning Group recommended denial of the project on February, 1, 2012 (Attachment 7). In December 2011, the Land Use Committee of the planning group voted 5-2 to recommend approval of the project. On February 1, 2012, 3 motions were made by the full group as noted below:

First Motion: Approve the project as presented with the condition that 2 additional 24" box trees of an evergreen variety and live ground cover along the hillside at the rear of both lots be provided. This motion was amended.

Second Motion (Amended): Approve the project as presented with the condition of 4 additional street trees per lot, and ground cover on the hillside at the rear of the sites. This motion failed 6-7-0.

Third Motion: Deny the project and encourage the applicant to revise the project to address concerns discussed during the meeting. This motion was approved by a vote of 9-4-0.

Several members spoke in favor and in opposition to the project. Concerns were expressed regarding the bulk and scale specifically that the proposed residences are not similar in size to others in the neighborhood, building height, and that the driveways should meet the City requirements.

The applicant's response is that the additional trees could not be provided due to t. The south elevation (street) was modified to add a trellis, vines and windows above the garages to soften the bulk and scale. The buildings colors are modified to provide for natural earth tones, similar to what exists in the neighborhood. Staff analysis is that the neighborhood consists of a variety of architectural styles and sizes and the proposed development complies with all of the regulations in affect for the site, including those addressing driveway requirements and building height of 35'-0".

CONCLUSION:

The proposed project complies with the relevant development regulations, standards, and policies in effect for the project site per the Rancho Penasquitos Community Plan and all other City regulations, policies, guidelines, design standards and adopted land use plans applicable to this site. Please reference Attachment 5, the draft Findings of Fact for consideration. Staff has

determined that the required findings can be supported and recommends that the Hearing Officer approve the project.

ALTERNATIVES:

- 1. Approve Site Development Permit No. 747302 and 747303, with modifications.
- 2. Deny Site Development Permit No. 747302 and 303, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Sandra Teasley, Development Project Manager

Attachments:

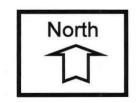
- 1. Aerial Photograph
- 2. Community Plan Land Use Map
- 3. Project Location Map
- 4. Project Data Sheet
- 5. Draft Permit Resolution with Findings
- 6. Draft Permits with Conditions (Lot 205); 6A= Draft Permits with Conditions (Lot 208)
- 7. Community Planning Group Recommendation
- 8. Environmental Resolution
- 9. San Diego County Regional Airport Authority Memorandum (April 13, 2011)
- 10. Project Site Plans



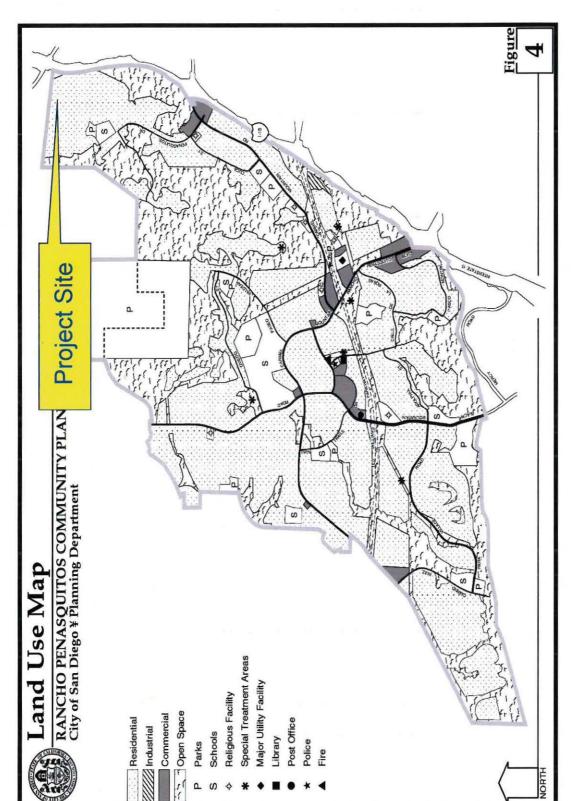


Aerial Photo

KHOULI RESIDENCE – ALMAZON STREET PROJECT NO. 210143







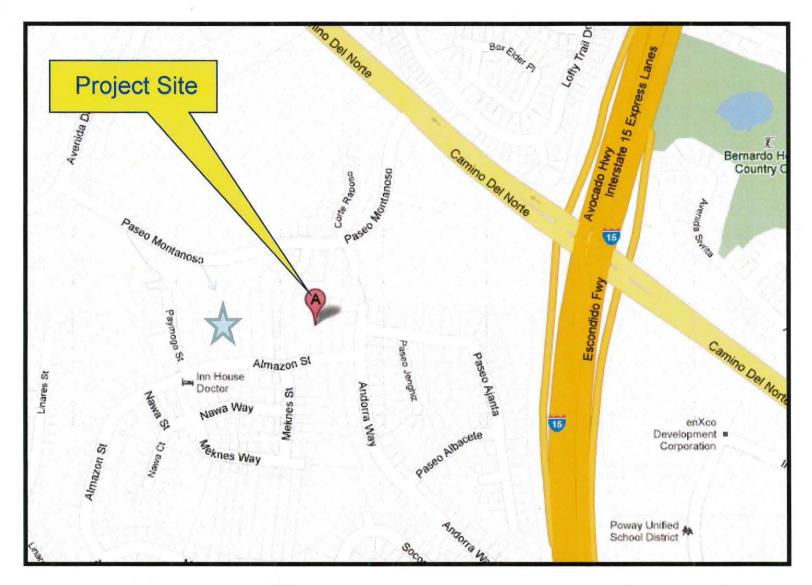


Land Use Map

KHOULI RESIDENCE – ALMAZON STREET PROJECT NO. 210143

PROJECT NO. 210143

ATTACHMENT 2





Project Location Map

KHOULI RESIDENCE – ALMAZON STREET PROJECT NO. 210143

PROJECT DATA SHEET		
PROJECT NAME:	KHOULI RESIDENCES	
PROJECT DESCRIPTION:	Develop two vacant lots (Lot 205 and Lot 208) with a single family residence on each lot.	
COMMUNITY PLAN AREA:	Rancho Penasquitos Community Plan	
DISCRETIONARY ACTIONS:	Site Development Permit	
COMMUNITY PLAN LAND USE DESIGNATION:	Allowable density is 0-1 dwelling unit per acre.	

ZONING INFORMATION:

ZONE: RS-1-14 zone

HEIGHT LIMIT: 35-Foot maximum height limit.

LOT SIZE: 5,000 square-foot minimum lot size.

FLOOR AREA RATIO: 0.60 maximum.

FRONT SETBACK: 15 feet.
SIDE SETBACK: 4 feet.
STREETSIDE SETBACK: 10 feet.
REAR SETBACK: 10 feet.

PARKING: 2 parking spaces required.

ADJACENT PROPERTIES:	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Open Space - Lot 205 RS-1-14 - Lot 208	Open Space Single Family Residential
SOUTH:	RS-1-14	Single Family Residential
EAST:	RS-1-14	Vacant
WEST:	RS-1-14	Vacant
DEVIATIONS OR VARIANCES REQUESTED:	None	
COMMUNITY PLANNING GROUP RECOMMENDATION:	Deny: 9-4-0 February 1, 2012	

HEARING OFFICER RESOLUTION NO.

SITE DEVELOPMENT PERMIT NOS. 747302 AND 747303

KHOULI RESIDENCES LOTS 205 AND 208 - PROJECT NO. 210143 [MMRP]

WHEREAS, SOLID ROCK DEVELOPERS INC, Owner, and Permittee, filed an application with the City of San Diego for a permit to construct two single-family residences on vacant lots (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 747302 and 747303 - lots 205 and 208 respectively), on portions of a 0.66-acre lot (lot 205) and a 0.58-acre lot (lot 208);

WHEREAS, the project sites are located at 11448 and 11480 Almazon Street in the RS-1-14 Zone of the Rancho Penasquitos Community Plan;

WHEREAS, the project site is legally described as Lot 205 and 208, Penasquitos Glen Unit No. 4 Map No. 6982;

WHEREAS, on March 6, 2013, the Hearing Officer of the City of San Diego considered Site Development Permit No. 747302 and 747303 pursuant to the Land Development Code of the City of San Diego;

BE IT RESOLVED by the Hearing Officer of the City of San Diego as follows:

That the Hearing Officer adopts the following written Findings, dated March 6, 2013:

A. Site Development Permit Findings - Section 126.0504

1. THE PROPOSED DEVELOPMENT WILL NOT ADVERSELY AFFECT THE APPLICABLE LAND USE PLAN.

The proposed project is the construction of two, three-level single-family residences on two non-contiguous legal lots. The vacant 1.25-acre site consists of Lot 205, 0.66 acres, and Lot 208, 0.59 acres located on the north side of Almazon Street. The Rancho Penasquitos Community Plan designates the site as Low Density Residential (1-5 du/developable acre). The property is within the Glen's Neighborhood of the community plan and zoned RS-1-14. The site contains environmentally sensitive lands in the form of sensitive biological resources and steep hillsides.

The Overall Community Goals section of the community plan states that a diversity of housing opportunities for a variety of household types should be provided while maximizing the health, safety and welfare of the community. The parcels are located within a developed, urbanized community and are two of seven vacant lots. The proposed development will provide additional housing stock for the community on properties that have never been developed. Conditions of approval include requirements pertaining to landscape standards and lighting restrictions. The development will meet or exceed all relevant and applicable building, electrical, mechanical, plumbing and fire codes.

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The Neighborhood Element of the community plan identifies the Glen's Neighborhood as having a predominant architectural style of Spanish mission, Old West ranch style and Early Californian homes. The Element recommends that the existing quality of development in the area be maintained and that the scale and character of new development be compatible with the neighborhood. The project proposal is compatible in that it meets the height limits of both the community plan and zoning code for single family homes and is consistent with the bulk and scale of the newer homes in the area. Each home is cut into the hillside to reduce the bulk and scale. To soften the street edge of the homes, the project was redesigned to include covered porches on all three levels, a trellis with vines above the garage door and tall trees consistent with neighboring street trees. In addition, the disturbed area of the site will be landscaped. As an infill project, the bulk and scale of the project will be further diminished when the other lots complete their applications and construct new homes. Surrounding developments include a variety of architectural styles including newer three level homes.

The Residential Element and the Urban Design Guidelines of the community plan state that new development should use creative and flexible site planning to maximize the preservation of open space and hillside areas and that existing topography should be considered to minimize impacts to hillside areas. The topographic relief of the existing terrain should minimize cut and fill slopes as cut slopes will be minimized by the construction of retaining walls. The development area would be located within the front approximate 25 percent of the lots adjacent to the street in order to minimize impacts to the environmentally sensitive lands. As conditioned by these permits, the remainder of the parcels will be placed within a covenant of easement to protect environmentally sensitive lands. The project is consistent with this recommendation of the Residential Element.

The Urban Design Guidelines also recommend that alternative building foundations be provided, that site drainage should support the natural system of drainage, and, that slope drainage systems maximize the erosion control. The proposed development adheres to San Diego Municipal Code Section 143.0142(f) (Development Regulations for Steep Hillsides) in that the remainder of the parcel not proposed for development would be placed in a conservation easement to preclude development. Site drainage will be directed away from any steep hillside area and directed onto the street with a gutter system designed to carry surface drainage runoff. With respect to alternative foundations, stepped footings and retaining walls have been implemented into the design of both homes reducing hillside impacts and grading quantities. Impervious surfaces will be minimized by the incorporation of Site Design Low-Impact Development Design Practices as required by the City of San Diego Storm Water Standards.

The development adheres to San Diego Municipal Code Section 143.0142(g) in that erosion control measures including retaining walls and drainage swales would be incorporated into the design for controlling or minimizing erosion. Maintenance of the erosion control devices will adhere to the Site Design Low-Impact Development Design Practices and Source Control Best Management Practices as required by the City of San Diego Storm Water Standards. Slope revegetation conforms to LDC section 142.0411, Revegetation and Erosion Control requirements by including drought-tolerant, deep-rooting species.

As the project is consistent with the land use designation for low density residential development, and implements several goals and recommendations of the community plan, the proposed development will not adversely affect the applicable land use plan.

2. THE PROPOSED DEVELOPMENT WILL NOT BE DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY, AND WELFARE.

The proposed project is the construction of two, three-level single-family residences on two non-contiguous legal lots. The vacant 1.25-acre site consists of Lot 205, 0.66 acres, and Lot 208, 0.59 acres located on the north side of Almazon Street. The Rancho Penasquitos Community Plan designates the site as Low Density Residential (1-5 du/developable acre). The property is within the Glen's Neighborhood of the community plan and zoned RS-1-14. The site contains environmentally sensitive lands in the form of sensitive biological resources and steep hillsides.

The conditions of approval for the project will require compliance with several operational constraints and development controls intended to assure the continued public health, safety, and welfare. Other conditions relate to requirements pertaining to landscape standards and lighting restrictions. The development will meet or exceed all relevant and applicable building, electrical, mechanical, plumbing and fire codes. The Almazon Residences project, approved by the Hearing Officer in 2003, allowed the construction of seven residences on seven vacant lots (Lots 205 through 211) and required the preparation of Mitigated Negative Declaration (MND) No. 6107 for potential impacts to biological resources, paleontological resources and hydrology and water quality. The project was not constructed and the permit expired. As the MND was certified, the current project required the preparation of an addendum to MND No. 6107 due to potential impacts to biological resources. Specifically, the development of the two lots would impact approximately 0.024 acres of coastal sage scrub beyond what was originally analyzed. Implementation of the Mitigation, Monitoring and Reporting Program, will reduce impacts to biological resources to a level below significance.

The proposed development is consistent with the Steep Hillside Guidelines for development within steep slopes, which allow for a 25 percent development area. The remaining 75 percent of each parcel would be placed within a conservation easement to restrict further encroachment into environmentally sensitive areas. The purpose and intent of the guidelines is to balance development opportunities while preserving the community's natural resources. Sensitive resources will be preserved. Therefore, the proposed development will not be detrimental to the public health, safety, and welfare.

3. THE PROPOSED DEVELOPMENT WILL COMPLY WITH THE APPLICABLE REGULATIONS OF THE LAND DEVELOPMENT CODE INCLUDING ANY ALLOWABLE DEVIATIONS PURSUANT TO THE LAND DEVELOPMENT CODE.

The proposed project is the construction of two, three-level single-family residences on two non-contiguous legal lots. The vacant 1.25-acre site consists of Lot 205, 0.66 acres, and Lot 208, 0.59 acres located on the north side of Almazon Street. The Rancho Penasquitos Community Plan designates the site as Low Density Residential (1-5 du/developable acre). The property is within the Glen's Neighborhood of the community plan and zoned RS-1-14. The site contains environmentally sensitive lands in the form of sensitive biological resources and steep hillsides.

The proposed development is consistent with the Steep Hillside Guidelines which allow for a 25 percent development area and includes requirements for site design, drainage control and maximizing the preservation of open space area. No development will occur within the steep slope areas and drainage from the site will be directed away from any steep hillside area and

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directed onto the street with a gutter system designed to carry surface drainage runoff. Stepped footings and retaining walls have been implemented into the design of both homes reducing hillside impacts and grading quantities. Impervious surfaces will be minimized by the incorporation of Site Design Low-Impact Development Design Practices as required by the City of San Diego Storm Water Standards.

The development adheres to San Diego Municipal Code Section 143.0142(g) in that erosion control measures including retaining walls and drainage swales would be incorporated into the design for controlling or minimizing erosion. Maintenance of the erosion control devices will adhere to the Site Design Low-Impact Development Design Practices and Source Control Best Management Practices as required by the City of San Diego Storm Water Standards. Slope revegetation conforms to LDC section 142.0411, Revegetation and Erosion Control requirements by including drought-tolerant, deep-rooting species.

The property is within the Airport Influence Area, Review Area 2 for the Marine Corps Air Station (MCAS) Miramar Airport Land Use Compatibility Plan (ALUCP). The proposed development is consistent with the ALUCP. The San Diego County Regional Airport Authority, serving as the Airport Land Use Commission (ALUC), reviewed an application for consistency determination with the adopted Airport Land Use Compatibility Plan and determined that the site does not meet any of the criteria within the ALUCP which would require a consistency determination. Additionally, the project site is not located within the area designated by the ALUCP as requiring the recordation of an over flight notification for new residential land uses. The project is located outside of the Part 77 notification area (20,000 horizontal feet (100:1 slope) from the closest runway at MCAS Miramar and the proposed structures would not exceed 200 feet above ground level; therefore, the project would be compatible with the ALUCP for airspace.

The project complies with all of the development regulations in effect for the site including but not limited to setbacks, landscaping, floor area ratio, height and parking. No deviations are proposed. Therefore, the proposed development complies with the applicable regulations.

B. Supplemental Findings--Environmentally Sensitive Lands

1. THE SITE IS PHYSICALLY SUITABLE FOR THE DESIGN AND SITING OF THE PROPOSED DEVELOPMENT AND THE DEVELOPMENT WILL RESULT IN MINIMUM DISTURBANCE TO ENVIRONMENTALLY SENSITIVE LANDS.

The proposed project is the construction of two, three-level single-family residences on two non-contiguous legal lots. The vacant 1.25-acre site consists of Lot 205, 0.66 acres, and Lot 208, 0.59 acres located on the north side of Almazon Street. The site contains environmentally sensitive lands in the form of sensitive biological resources and steep hillsides.

Approximately 98 percent of both lots have slopes in excess of 25 percent. The project site consists of two non-contiguous legal lots, Lots 205 and 208. The development area would be located within the front portion of each lot adjacent to the street in order to minimize impacts to the environmentally sensitive lands. Site grading includes 517 cubic yards of cut and 10 yards of fill for Lot 205, and 219 cubic yards of cut and 40 cubic yards for Lot 208, to create the building pads and for the garage area. The properties are allowed a maximum development footprint of 25 percent of the premises. The remainder of the lots would be conveyed in a covenant of easement to ensure no further encroachments. An Addendum to MND No. 6107 was prepared for potential

impacts to steep slopes. Direct impacts would result to Tier II coastal sage scrub in that 0.30 acres would be disturbed or, a total of 0.024 acres beyond what was originally analyzed. Implementation of the Mitigation, Monitoring and Reporting Program, which requires payment into the City of San Diego's Habitat Acquisition Fund, would mitigate for the loss of this resource. No new impacts would occur to other resources. There are no new significant environmental impacts not considered in the previous MND, no substantial changes have occurred with respect to the circumstances under which the project is undertaken, and, there is no new information of substantial importance to the project. Therefore, the site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands.

2. THE PROPOSED DEVELOPMENT WILL MINIMIZE THE ALTERATION OF NATURAL LAND FORMS AND WILL NOT RESULT IN UNDUE RISK FROM GEOLOGIC AND EROSIONAL FORCES, FLOOD HAZARDS, OR FIRE HAZARDS.

The proposed project is the construction of two, three-story single-family residences on two non-contiguous legal lots. The vacant 1.25-acre site consists of Lot 205, 0.66 acres, and Lot 208, 0.59 acres located on the north side of Almazon Street. The site contains environmentally sensitive lands in the form of sensitive biological resources and steep hillsides.

The property is within Geologic Hazard Zone 53 (low to moderate risk). An updated preliminary geotechnical investigation and an addendum to this report was prepared for Project No. 6107 which concluded that remedial grading would be required to prepare the site for the proposed development and that no significant geologic or soils conditions were identified.

The proposed development adheres to San Diego Municipal Code Section 143.0142(f) in that drainage from the development of the site containing steep hillsides will be directed onto the street with a gutter system designed to carry surface drainage runoff and, the remainder of the site containing steep slopes would be placed within a conservation to preclude future development. Impervious surfaces would be minimized by the incorporation of Site Design Low-Impact Development Design Practices as required by the City of San Diego Storm Water Standards. The development adheres to San Diego Municipal Code Section 143.0142(g) in that erosion control measures, including retaining walls and drainage swales, would be incorporated into the design for controlling or minimizing erosion. Maintenance of the erosion control devices will adhere to the Site Design Low-Impact Development Design Practices and Source Control Best Management Practices as required by the City of San Diego Storm Water Standards. Slope revegetation conforms to LDC section 142.0411, Revegetation and Erosion Control requirements to include drought-tolerant, deep-rooting species. The development incorporates Brush Management Zones 1 and 2 pursuant to the city-wide landscape regulations and Fire Department requirements. The placement of these zones will reduce the risk of fire through site design and the management of flammable vegetation. The property is not within a special flood hazard area. Surface drainage would be collected on site and directed to a controlled sewer system within the public right-of-way. Therefore, the proposed development will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.

3. THE PROPOSED DEVELOPMENT WILL BE SITED AND DESIGNED TO PREVENT ADVERSE IMPACTS ON ANY ADJACENT ENVIRONMENTALLY SENSITIVE LANDS.

The property is located within a developed urbanized neighborhood. Single family residences and/or vacant lots abut both lots. The proposed development would be located entirely within lots 205 and 208 and would not encroach upon adjacent vacant properties that may contain environmentally sensitive lands. Therefore, the proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.

4. THE PROPOSED DEVELOPMENT WILL BE CONSISTENT WITH THE CITY OF SAN DIEGO'S MULTIPLE SPECIES CONSERVATION PROGRAM (MSCP) SUBAREA PLAN.

The subject property is not located within the Multiple Habitat Planning Area of the City of San Diego's Multiple Species Conservation Program Subarea Plan.

5. THE PROPOSED DEVELOPMENT WILL NOT CONTRIBUTE TO THE EROSION OF PUBLIC BEACHES OR ADVERSELY IMPACT LOCAL SHORELINE SAND SUPPLY.

The subject property is located within the Rancho Penasquitos community and located 11 miles from the nearest public beach or local shoreline. Therefore, the proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.

6. THE NATURE AND EXTENT OF MITIGATION REQUIRED AS A CONDITION OF THE PERMIT IS REASONABLY RELATED TO, AND CALCULATED TO ALLEVIATE, NEGATIVE IMPACTS CREATED BY THE PROPOSED DEVELOPMENT.

The proposed project is the construction of two, three-story single-family residences on two non-contiguous legal lots. The vacant 1.25-acre site consists of Lot 205, 0.66 acres, and Lot 208, 0.59 acres located on the north side of Almazon Street. The Rancho Penasquitos Community Plan designates the site as Low Density Residential (1-5 du/developable acre). The property is within the Glen's Neighborhood of the community plan and zoned RS-1-14. The site contains environmentally sensitive lands in the form of sensitive biological resources and steep hillsides.

The previously approved Almazon Residences project (approved by the Hearing Officer in 2003) permitted the construction of seven residences on seven vacant lots and required the preparation of Mitigated Negative Declaration (MND) No. 6107 for potential impacts to biological resources, paleontological resources and hydrology and water quality. The project was not constructed and the permit expired. As the MND was certified, the current project required the preparation of an addendum to MND No. 6107 due to potential impacts to biological resources specifically the development of the two lots would impact approximately 0.024 acres of coastal sage scrub beyond what was originally anticipated. Direct impacts would result with the construction of the project to Tier II coastal sage scrub in that 0.3004 acres would be disturbed or, a total of 0.024 acres beyond what was originally analyzed. Implementation of the Mitigation, Monitoring and Reporting Program which requires payment into the City of San Diego's Habitat Acquisition Fund, would mitigate for the loss of this resource. Implementation the Mitigation, Monitoring

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and Reporting Program, will reduce impacts to biological resources to a level below significance. All applicable mitigation measures (Paleontological) contained in MND No. 6107 have been incorporated into the addendum. As such, the nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development.

No new impacts would occur to other resources. There are no new significant environmental impacts not considered in the previous MND; no substantial changes have occurred with respect to the circumstances under which the project is undertaken; and, there is no new information of substantial importance to the project. Therefore, the nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Site Development Permit No. 747302 and 747303 (lots 205 and 208 respectively) is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 747302 and 747303(lots 205 and 208 respectively), a copy of which is attached hereto and made a part hereof.

Sandra Teasley Development Project Manager Development Services

Adopted on: March 6, 2013 Job Order No. 24000849

RECORDING REQUESTED BY

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

WHEN RECORDED MAIL TO PROJECT MANAGEMENT PERMIT CLERK MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24000849

SITE DEVELOPMENT PERMIT NO. 747302 KHOULI RESIDENCE LOT 205 - PROJECT NO. 210143 HEARING OFFICER [MMRP]

This Site Development Permit No. 747302 is granted by the Hearing Officer of the City of San Diego to SOLID ROCK DEVELOPERS INC., Owner, and Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0501. The 0.66-acre site is located at 11448 Almazon Street in the RS-1-14 Zone of the Rancho Penasquitos Community Plan. The project site is legally described as Lot 205 Penasquitos Glen Unit No. 4 Map No. 6982; and,

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner and Permittee to construct a single-family residence on a vacant lot described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated March 6, 2013, on file in the Development Services Department.

The project shall include:

- a. Construction of a 3,907-square-foot three level residence with attached double car garage;
- b. Landscaping (planting, irrigation and landscape related improvements);
- c. Off-street parking;
- d. Public and private accessory improvements determined by the Development Services
 Department to be consistent with the land use and development standards for this site in
 accordance with the adopted community plan, the California Environmental Quality
 Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning

regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

- 1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by March 20, 2016.
- 2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
- 3. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
- 4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
- 5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
- 6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
- 7. In accordance with authorization granted to the City of San Diego from the United States Fish and Wildlife Service [USFWS] pursuant to Section 10(a) of the federal Endangered Species Act [ESA] and by the California Department of Fish and Game [CDFG] pursuant to California Fish and Game Code section 2835 as part of the Multiple Species Conservation Program [MSCP], the City of San Diego through the issuance of this Permit hereby confers upon Owner/Permittee the status of Third Party Beneficiary as provided for in Section 17 of the City of San Diego Implementing Agreement [IA], executed on July 16, 1997, and on file in the Office of the City Clerk as Document No. OO-18394. Third Party Beneficiary status is conferred upon Owner/Permittee by the City: (1) to grant Owner/Permittee the legal standing and legal right to

utilize the take authorizations granted to the City pursuant to the MSCP within the context of those limitations imposed under this Permit and the IA, and (2) to assure Owner/Permittee that no existing mitigation obligation imposed by the City of San Diego pursuant to this Permit shall be altered in the future by the City of San Diego, USFWS, or CDFG, except in the limited circumstances described in Sections 9.6 and 9.7 of the IA. If mitigation lands are identified but not yet dedicated or preserved in perpetuity, maintenance and continued recognition of Third Party Beneficiary status by the City is contingent upon Owner/Permittee maintaining the biological values of any and all lands committed for mitigation pursuant to this Permit and of full satisfaction by Owner/Permittee of mitigation obligations required by this Permit, in accordance with Section 17.1D of the IA.

- 8. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.
- 9. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.
- 10. All of the conditions contained in this Permit have been considered and were determined necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

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

11. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including

without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

- 12. Mitigation requirements in the Mitigation, Monitoring, and Reporting Program [MMRP] shall apply to this Permit. These MMRP conditions are hereby incorporated into this Permit by reference.
- 13. The mitigation measures specified in the MMRP and outlined in Addendum to Mitigated Negative Declaration No. 6107 shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.
- 14. The Owner/Permittee shall comply with the MMRP as specified in Addendum to Mitigated Negative Declaration No. 6107 to the satisfaction of the Development Services Department and the City Engineer. Prior to issuance of any construction permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for the following issue areas: Biological and Paleontological.

ENGINEERING REQUIREMENTS:

- 15. The project proposes to export 620 cubic yards of material from the project site. All excavated material listed to be exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2003 edition and Regional Supplement Amendments adopted by Regional Standards Committee.
- 16. The drainage system proposed for this development, as shown on the site plan, is private and subject to approval by the City Engineer.
- 17. Prior to the issuance of any building permits, the Owner/Permittee shall obtain a bonded grading permit for the grading proposed for this project.
- 18. All grading shall conform to the requirements of the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.
- 19. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for the curb outlet in the Almazon Street Right-of-Way.
- 20. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the construction of a current City Standard 16 ft wide driveway, adjacent to the site on Almazon Street, satisfactory to the City Engineer.

- 21. Prior to the issuance of any construction permit, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.
- 22. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.
- 23. Prior to the issuance of any construction permit the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Appendix E of the City's Storm Water Standards.

LANDSCAPE REQUIREMENTS:

- 24. Prior to issuance of any engineering permits for grading, construction documents for the revegetation and hydroseeding of all disturbed land shall be submitted in accordance with the Landscape Standards and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit "A," on file in the Office of the Development Services Department.
- 25. Prior to issuance of any engineering permits for right-of-way improvements, complete landscape construction documents for right-of-way improvements shall be submitted to the Development Services Department for approval. Improvement plans shall take into account a 40 sq-ft area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.
- 26. Prior to issuance of any construction permits for structures (including shell), complete landscape and irrigation construction documents consistent with the Landscape Standards shall be submitted to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit "A," Landscape Development Plan, on file in the Office of the Development Services Department. Construction plans shall take into account a 40 sq-ft area around each tree which is unencumbered by hardscape and utilities as set forth under LDC 142.0403(b)5.
- 27. Prior to Final Inspection, it shall be the responsibility of the Owner/Permittee to install all required landscape and obtain all required landscape inspections. A "No Fee" Street Tree Permit shall be obtained for the installation, establishment, and on-going maintenance of all street trees.
- 28. All required landscape shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted unless specifically noted in this Permit.
- 29. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, consistent with the

Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity.

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

BRUSH MANAGEMENT REQUIREMENTS:

- 31. The Owner/Permittee shall implement the following requirements in accordance with the Brush Management Program shown on Exhibit "A" Brush Management Plan on file in the Office of the Development Services Department.
- 32. The Brush Management Program shall consist of the following measures consistent with the Brush Management Regulations of the Land Development Code, section 142.0412: For both lots 205 and 208, a standard Zone One of 35 feet in width with corresponding Zone Two of 65 feet shall extend out from the rear of the structure towards the native/naturalized vegetation. Along east and west elevations, Zone One shall extend out from the structure to the side property lines coupled with sprinklers for opening protection per NFPA 13 Standards in lieu of providing full brush management zones.
- 33. Prior to issuance of any Engineering Permits for grading, landscape construction documents required for the engineering permit shall be submitted showing the brush management zones on the property in substantial conformance with Exhibit "A."
- 34. Prior to issuance of any Building Permits, a complete set of Brush Management Plans shall be submitted for approval to the Development Services Department. The construction documents shall be in substantial conformance with Exhibit "A" and shall comply with the Landscape Standards and Brush management Regulations as set forth under Land Development Code Section 142.0412.
- 35. Within Zone One, combustible accessory structures (including, but not limited to decks, trellises, gazebos, etc.) shall not be permitted while non-combustible and/or one-hour fire-rated accessory structures may be approved within the designated Zone One area subject to Fire Marshal's approval.
- 36. The following note shall be provided on the Brush Management Construction Documents: "It shall be the responsibility of the Owner/Permittee to schedule a pre-construction meeting on site with the contractor and the Development Services Department to discuss and outline the implementation of the Brush Management Program."
- 37. In Zone One, plant material shall be selected to visually blend with the existing hillside vegetation. No invasive plant material shall be permitted as jointly determined by the Landscape

Section and the Environmental Analysis Section, to the satisfaction of the Development Services Department.

- 38. Prior to final inspection and occupancy, the approved Brush Management Program shall be implemented.
- 39. The Brush Management Program shall be maintained by the Owner/Permittee at all times in accordance with the City of San Diego's Landscape Standards.

PLANNING/DESIGN REQUIREMENTS:

- 40. Owner/Permittee shall maintain a minimum of 2 (two) parking spaces on the property at all times in the approximate locations shown on the approved Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the appropriate City decision maker in accordance with the SDMC.
- 41. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.
- 42. Prior to the issuance of any construction or grading permits, the Owner/Permittee shall record a Covenant of Easement for the Protection of Environmentally Sensitive Lands, as shown on Sheet SDP 2 of the approved Exhibit "A" drawings dated July 17, 2012 on file in the office of the Development Services Department. The easement shall be drafted in accordance with San Diego Municipal Code.

INFORMATION ONLY:

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

APPROVED by the Hearing Officer of the City of San Diego on March 6, 2013 and [Approved Resolution Number].

ATTACHMENT 6

March 6, 2013

Permit Type/PTS Approval No.: SPD 747302

Date of Approval:

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES **DEPARTMENT** Sandra Teasley Development Project Manager NOTE: Notary acknowledgment must be attached per Civil Code section 1189 et seq. The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Owner/Permittee hereunder. SOLID ROCK DEVELOPERS INC. Owner/Permittee By **NAME** TITLE [NAME OF COMPANY] Owner/Permittee By **NAME** TITLE **NOTE:** Notary acknowledgments must be attached per Civil Code

section 1189 et seq.

RECORDING REQUESTED BY

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

WHEN RECORDED MAIL TO PROJECT MANAGEMENT PERMIT CLERK MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24000849

SITE DEVELOPMENT PERMIT NO. 747302 KHOULI RESIDENCE LOT 208 - PROJECT NO. 210143 HEARING OFFICER [MMRP]

This Site Development Permit No. 747302 is granted by the Hearing Officer of the City of San Diego to SOLID ROCK DEVELOPERS INC., Owner, and Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0501. The 0.59-acre site is located at 11480 Almazon Street in the RS-1-14 Zone of the Rancho Penasquitos Community Plan. The project site is legally described as Lot 208 Penasquitos Glen Unit No. 4 Map No. 6982; and,

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner and Permittee to construct a single-family residence on a vacant lot described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated March 6, 2013, on file in the Development Services Department.

The project shall include:

- a. Construction of a 4,234-square-foot three level residence including an attached double car garage;
- b. Landscaping (planting, irrigation and landscape related improvements);
- c. Off-street parking;
- d. Public and private accessory improvements determined by the Development Services
 Department to be consistent with the land use and development standards for this site in
 accordance with the adopted community plan, the California Environmental Quality
 Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning

regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

- 1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by March 20, 2013.
- 2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
- 3. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
- 4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
- 5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
- 6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
- 7. In accordance with authorization granted to the City of San Diego from the United States Fish and Wildlife Service [USFWS] pursuant to Section 10(a) of the federal Endangered Species Act [ESA] and by the California Department of Fish and Game [CDFG] pursuant to California Fish and Game Code section 2835 as part of the Multiple Species Conservation Program [MSCP], the City of San Diego through the issuance of this Permit hereby confers upon Owner/Permittee the status of Third Party Beneficiary as provided for in Section 17 of the City of San Diego Implementing Agreement [IA], executed on July 16, 1997, and on file in the Office of the City Clerk as Document No. OO-18394. Third Party Beneficiary status is conferred upon Owner/Permittee by the City: (1) to grant Owner/Permittee the legal standing and legal right to

utilize the take authorizations granted to the City pursuant to the MSCP within the context of those limitations imposed under this Permit and the IA, and (2) to assure Owner/Permittee that no existing mitigation obligation imposed by the City of San Diego pursuant to this Permit shall be altered in the future by the City of San Diego, USFWS, or CDFG, except in the limited circumstances described in Sections 9.6 and 9.7 of the IA. If mitigation lands are identified but not yet dedicated or preserved in perpetuity, maintenance and continued recognition of Third Party Beneficiary status by the City is contingent upon Owner/Permittee maintaining the biological values of any and all lands committed for mitigation pursuant to this Permit and of full satisfaction by Owner/Permittee of mitigation obligations required by this Permit, in accordance with Section 17.1D of the IA.

- 8. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.
- 9. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.
- 10. All of the conditions contained in this Permit have been considered and were determined-necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

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

11. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including

without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

- 12. Mitigation requirements in the Mitigation, Monitoring, and Reporting Program [MMRP] shall apply to this Permit. These MMRP conditions are hereby incorporated into this Permit by reference.
- 13. The mitigation measures specified in the MMRP and outlined in Addendum to Mitigated Negative Declaration No. 6107, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.
- 14. The Owner/Permittee shall comply with the MMRP as specified in Addendum to Mitigated Negative Declaration No. 6107, to the satisfaction of the Development Services Department and the City Engineer. Prior to issuance of any construction permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for the following issue areas: Biological and Paleontological.

ENGINEERING REQUIREMENTS:

- 15. The project proposes to export 215 cubic yards of material from the project site. All excavated material listed to be exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2003 edition and Regional Supplement Amendments adopted by Regional Standards Committee.
- 16. The drainage system proposed for this development, as shown on the site plan, is private and subject to approval by the City Engineer.
- 17. Prior to the issuance of any building permits, the Owner/Permittee shall obtain a bonded grading permit for the grading proposed for this project.
- 18. All grading shall conform to the requirements of the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.
- 19. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for the curb outlet in the Almazon Street Right-of-Way.
- 20. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the construction of a current City Standard 16 ft wide driveway, adjacent to the site on Almazon Street, satisfactory to the City Engineer.

- 21. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to upgrade the street light luminaire from 100 watt high pressure sodium vapor to 90 watt low pressure sodium vapor, adjacent to the site on Almazon Street, satisfactory to the City Engineer.
- 22. Prior to the issuance of any construction permit, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.
- 23. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.
- 24. Prior to the issuance of any construction permit the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Appendix E of the City's Storm Water Standards.

LANDSCAPE REQUIREMENTS:

- 25. Prior to issuance of any engineering permits for grading, construction documents for the revegetation and hydroseeding of all disturbed land shall be submitted in accordance with the Landscape Standards and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit 'A,' on file in the Office of the Development Services Department.
- 26. Prior to issuance of any engineering permits for right-of-way improvements, complete landscape construction documents for right-of-way improvements shall be submitted to the Development Services Department for approval. Improvement plans shall take into account a 40 sq-ft area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.
- 27. Prior to issuance of any construction permits for structures (including shell), complete landscape and irrigation construction documents consistent with the Landscape Standards shall be submitted to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit "A," Landscape Development Plan, on file in the Office of the Development Services Department. Construction plans shall take into account a 40 sq-ft area around each tree which is unencumbered by hardscape and utilities as set forth under LDC 142.0403(b)5.
- 28. Prior to Final Inspection, it shall be the responsibility of the Owner/Permittee to install all required landscape and obtain all required landscape inspections. A "No Fee" Street Tree Permit shall be obtained for the installation, establishment, and on-going maintenance of all street trees.

- 29. All required landscape shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted unless specifically noted in this Permit.
- 30. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, consistent with the Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity.
- 31. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or Final Inspection.

BRUSH MANAGEMENT REQUIREMENTS:

- 32. The Owner/Permittee shall implement the following requirements in accordance with the Brush Management Program shown on Exhibit "A" Brush Management Plan on file in the Office of the Development Services Department.
- 33. The Brush Management Program shall consist of the following measures consistent with the Brush Management Regulations of the Land Development Code, section 142.0412: For both lots 205 and 208, a standard Zone One of 35 feet in width with corresponding Zone Two of 65 feet shall extend out from the rear of the structure towards the native/naturalized vegetation. Along east and west elevations, Zone One shall extend out from the structure to the side property lines coupled with sprinklers for opening protection per NFPA 13 Standards in lieu of providing full brush management zones.
- 34. Prior to issuance of any Engineering Permits for grading, landscape construction documents required for the engineering permit shall be submitted showing the brush management zones on the property in substantial conformance with Exhibit "A."
- 35. Prior to issuance of any Building Permits, a complete set of Brush Management Plans shall be submitted for approval to the Development Services Department. The construction documents shall be in substantial conformance with Exhibit "A" and shall comply with the Landscape Standards and Brush management Regulations as set forth under Land Development Code Section 142.0412.
- 36. Within Zone One, combustible accessory structures (including, but not limited to decks, trellises, gazebos, etc.) shall not be permitted while non-combustible and/or one-hour fire-rated accessory structures may be approved within the designated Zone One area subject to Fire Marshal's approval.
- 37. The following note shall be provided on the Brush Management Construction Documents: "It shall be the responsibility of the Owner/Permittee to schedule a pre-construction meeting on

site with the contractor and the Development Services Department to discuss and outline the implementation of the Brush Management Program."

- 38. In Zone One, plant material shall be selected to visually blend with the existing hillside vegetation. No invasive plant material shall be permitted as jointly determined by the Landscape Section and the Environmental Analysis Section, to the satisfaction of the Development Services Department.
- 39. Prior to final inspection and occupancy, the approved Brush Management Program shall be implemented.
- 40. The Brush Management Program shall be maintained by the Owner/Permittee at all times in accordance with the City of San Diego's Landscape Standards.

PLANNING/DESIGN REQUIREMENTS:

- 41. Owner/Permittee shall maintain a minimum of 2 (two) parking spaces on the property at all times in the approximate locations shown on the approved Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the appropriate City decision maker in accordance with the SDMC.
- 42. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.
- 43. Prior to the issuance of any construction or grading permits, the Owner/Permittee shall record a Covenant of Easement for the Protection of Environmentally Sensitive Lands, as shown on Sheet SDP 2 of the approved Exhibit "A" drawings dated July 17, 2012 on file in the office of the Development Services Department. The easement shall be drafted in accordance with San Diego Municipal Code.

INFORMATION ONLY:

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

ATTACHMENT 6A

• This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Hearing Officer of the City of San Diego on March 6, 2013 and [Approved Resolution Number].

ATTACHMENT 6A

Permit Type/PTS Approval No.: SPD 747302 Date of Approval: March 6, 2013

DEPARTMENT	IEGO DEVELOPMENT SERVICES
Sandra Teasley Development Project Manager	
NOTE: Notary acknowledgment nust be attached per Civil Code section 1189 et seq.	
The undersigned Owner/Permittee, by execution his Permit and promises to perform each and even	
	By
	NAME TITLE
	[NAME OF COMPANY] Owner/Permittee
	By
	NAME TITLE

must be attached per Civil Code section 1189 et seq.

Rancho Peñasquitos Planning Board Meeting Minutes, February 1, 2012 Page 9 of 15

- Diehl added that the PQ Rec Council approved the use of Community Funds, 11 in favor 0 against 1abstention/recusal.
- Diehl read a proposed motion. To approve the use of Community Funds, not to exceed \$60,000 to cover the costs of installing 2 additional tennis courts at Canyonside Park this amount is in addition to the \$330,000 that the Tennis Association provided. (Funds to be expensed from account(s) with lowest balance so that we may close account(s) with zero balance.) M/8/C Diehl/Discussion.
- Rhodes asked if Association leased the courts. Anderson stated they do not pay the City to use, they incur all costs to maintain, lighting and water under a special use agreement with the City.
- Diehl stated the City determined what percentage the courts would be available to the public. Diehl added that the City has determined that the association or even the YMCA can charge for use. (YMCA operates the community pool.)
- Rhodes asked how many dollars have been expended on this project to-date; Anderson was not sure.
- Diehl said the Association is on the hook for \$330,000. The request is for cost overages due to the changes.
- Bende asked about the membership. Anderson said they have 400 members and approx. 75-85% are Peñasquitos residents; a single membership costs \$275 and a family is \$385 annually.

With no further discussion, Becker asked for a second on the motion, seconded by Spurr; and then called for a vote.

Motion: To approve the use of Community Funds, not to exceed \$60,000, to cover the costs of installing 2 additional tennis courts at Canyonside Park; this amount is in addition to the \$330,000 that the Tennis Association provided. (Funds to be expensed from account(s) with lowest balance so that we may close account(s) with zero balance.)

M/8/C – Diehl/Spurr/Approved, 11 in favor – 1 against – 0 abstentions.

BEGIN ITEM



d. Khouli Residences - Will Rogers (Potential Action Item)

Bende reported that the LUC reviewed the proposal, voting 5-2 in favor of the project, forwarding it to the full board. LUC concerns included bulk and scale, and the residences size are not similar to those in the neighborhood. Those in favor of the project spoke to the effect that the project does meet City land use regulations and it's the applicant right to built these homes. The community plan could be used as a double edge sword to sway a decision for or against this plan.

Becker invited Rogers to update the plan and the changes.

- Rogers stated the applicant addressed RPPB's concerns discussed at the December meeting, specifically the façade and scale. Have added anew façade on the largest elevation of the building and lifted the soil around the front of the building to reduce bulk and scale trying to depress the building into the slope. They also show 2 parking places on each driveway.
- Becker asked about the driveway slopes; one of the residences' driveway is pitched, the other is flat.
- It was noted that the properties are located on Almazon St. as lots 205 and 208.
- Clark noted that the sims now show 2 spots on each driveway. It is the same as before, just a graphic change.

Rancho Peñasquitos Planning Board Meeting Minutes, February 1, 2012 Page 12 of 15

- Politte replied that we should be able to take them into consideration when reviewing the project.
- Bende asked if it would help to review the original subdivision approval. Politte reviewed RPPB's approval comments for the lot split October 3, 2003 (per the Distribution Form submitted to the City for Project 6107, named Almazon Residences, Rancho Peñasquitos JO#42-1226 Process 3 Site Development Permit for Environmentally Sensitive Lands to construct 7 single family residences at 11424-90 Almazon St. in RS-1-14 of the Rancho Peñasquitos Community Plan. Council District 1. Notice Cards=3.).
 - o Project Issues:
 - 1. Homes should appear similar to homes in the adjacent neighborhood.
 - 2. Driveways should meet requirements of City.
 - o Conditions:
 - 1. Project is hereby limited to exporting a maximum of 8,000 cubic yards of grading/excavation or over ex. from project site.
- Politte added that we already approved 1,800 CY for Hamidy's property. It was noted, that this project has zero export. Would like us to constrain all the projects so we don't go over the 8,000cy.
- Rhodes asked for clarification on the height; Rogers stated the 35' height was measured from the driveway 5' out from the building face. Rhodes said that he would leave the decision up to the community.
- Diehl added that he wouldn't be able to tell the difference between 30-35' from the street, the background is the hill, not losing an ocean view.
- Becker referenced the Glens portion of the Community Plan: "A number of single-family lots include backyard slopes in open space." and "The terrain is gently rolling, with streets climbing up, down and around hillsides. Quality views are towards the west and northwest and consist primarily of the chaparral covered slopes of Black Mountain." (page 39)
- Diehl added that maintenance of the hillside would be an improvement.

FIRST MOTION

Becker asked if someone would like to propose a motion.

Motion: To approve the Khouli Residences project as presented with the following landscaping conditions for each lot's front yard: 1) the addition of 2-36" boxed trees. M/S/C – Diehl/Sandstrom/Discussion.

• Becker recommended an amendment to the motion by adding 2-24" boxed trees of an evergreen variety plus live ground cover to blend into the natural hillside on each lot (not paved). Diehl & Sandstrom agreed to the modification.

SECOND MOTION

Becker called for a vote of the motion as amended.

Motion: To approve the Khouli Residences project as presented with the following landscaping conditions for each lot's front yard: 1) the addition of 2-36" boxed trees, 2) 2-24" boxed trees of evergreen variety, and 3) live ground cover (not paved) to blend into the natural hillside. M/S/C – Diehl/Sandstrom/Motion Failed, 6 in favor – 7 against – 0 recusals – 0 abstentions.

RPPB members discussed whether it was necessary to make a motion that would specifically deny the project as presented.

Rancho Peñasquitos Planning Board Meeting Minutes, February 1, 2012 Page 13 of 15

FINAL MOTION



Motion: To deny the Khouli Residences project as proposed and strongly encourage the applicant to come back with a revised proposal that addresses the concerns discussed. M/S/C – Bende/Clark/Approved, 9 in favor – 4 against – 0 recusals 0 abstentions.

• Politte will email the December 2011 meeting minutes that address architectural concerns and bulk/scale of the proposed project to Rogers once finalized.

8. RERORTS.

- a. Chair Report Jon Becker
 - CPC are updating their bylaws; RPPB bylaws are tight, others are not. Politte noted that we have a copy of the City Council action that approved our Bylaws. Becker added that for communities without Rec Councils, the planning boards will become the decision making body for those activities.
 - The low bid for PQ Monument signs was \$77,250, project was estimated to cost \$76,000.
 - Speed limits on Mannix and Dormouse will get posted at 25mph; Mannix from Dormouse to Black Mtn. Rd. will changed be 40mph. Notices are going up and based on the size of the street.
 - Passed BMOSP Regional Habitat Management plan on to Clark to review; anchors the trails, trailheads, alignments and Trail For All People.
 - Taiwanese school on Azuaga is considering expansion and will be coming to RPPB, proposing to add 2 trailers (CUP).
 - March meeting agenda includes: Caltrans Update, Torrey Highlands stop signs, Camelot, SD Canyonlands and Vorrey Glens Easement Vacation. He added that the Los Pen Canyon Preserve CAC has approved the SD Canyonlands proposal, City Council has adopted the dedication anguage and just needs parcels identified.
- b. Vice-Chair Report Charles Sellers, not present
- c. Secretary Report Jeanine Politte, no report
- d. Standing Committee Reports:
 - ➤ Land Use (Joost Bende) /no report
 - > Telecomm (Charles Sellers) not present
- e. Ad Hoc Committee Reports:
 - > FBA/PFFP Prioritization (Keith Rhodes)
 - Committee will be meeting with City Staff to discuss recommended changes. It was noted that the City added projects to the PFFR/FBA.
 - > Cresta Bella/Doubletree (Jeanine Politte) no report
 - > Our Lady of Mt. Carmel (Joost Bende)
 - Building and haven't heard any more complaints about the driveway, parking or ongoing work. Spurr noted they are ready to put in the curbing, the west side of parking lot is complete.
 - > Santa Fe Summit II & III (Scot Sandstrom)
 - Sandstrom reported that Kilroy is focused on their Carmel Valley project and not SFSummit.

RESOLUTION NUMBER R-

ADOPTED ON

WHEREAS, on April 30, 2012, SOLID ROCK DEVELOPMERS INC. submitted an application to Development Services Department for Site Development Permits for the Khouli Residences (Project); and

WHEREAS, on March 6, 2013, the Hearing Officer adopted Resolution No. _____, certifying Addendum No. 210143, a copy of which is on file in the Development Services

Department in accordance with the California Environmental Quality Act of 1970 (CEQA)

(Public Resources Code Section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.); and

WHEREAS, State CEQA Guidelines section 15164(a) allows a lead agency to prepare an Addendum to a final Mitigated Negative Declaration if such Addendum meets the requirements of CEQA; and

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

BE IT RESOLVED, by the Hearing Officer of the City of San Diego as follows:

1. That the information contained in the final Mitigated Negative Declaration No. 6107 along with the Addendum thereto, including any comments received during the public review process, has been reviewed and considered by this Hearing Officer prior to making a decision on the Project.

- 2. That there are no substantial changes proposed to the Project and no substantial changes with respect to the circumstances under which the Project is to be undertaken that would require major revisions in the Mitigated Negative Declaration for the Project.
- 3. That no new information of substantial importance has become available showing that the Project would have any significant effects not discussed previously in the Mitigated Negative Declaration or that any significant effects previously examined will be substantially more severe than shown in the Mitigated Negative Declaration.
- 4. That no new information of substantial importance has become available showing that mitigation measures or alternatives previously found not to be feasible are in fact feasible which would substantially reduce any significant effects, but that the Project proponents decline to adopt, or that there are any considerably different mitigation measures or alternatives not previously considered which would substantially reduce any significant effects, but that the Project proponents decline to adopt.
- 5. That Development Services staff is directed to file a Notice of Determination with the Clerk of the Board of Supervisors for the County of San Diego regarding the Project.
- 6. That pursuant to State CEQA Guidelines Section 15164, only minor technical changes or additions are necessary, and therefore, the Hearing Officer adopts Addendum to Mitigated Negative Declaration No. 6107 with respect to the Project, a copy of which is on file in the office of the Development Services Department.

APPROVED:

Sandra Teasley Development Project Manager

EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM SITE DEVELOPMENT PERMIT NOS. 747302 AND 747303 PROJECT NO. 210143

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Entitlements Division, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in the Addendum to Mitigated Negative Declaration No. 6107 shall be made conditions of Site Development Permit No. 747302 and 747303 as may be further described below.

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

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

- 5. **SURETY AND COST RECOVERY -** The Development Services Director or City Manager may require appropriate surety instruments or bonds from private Permit Holders to ensure the long term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.
- B. GENERAL REQUIREMENTS PART II Post Plan Check (After permit issuance/Prior to start of construction)
 - 1. PRE CONSTRUCTION MEETING IS REQUIRED TEN (10) WORKING DAYS PRIOR TO BEGINNING ANY WORK ON THIS PROJECT. The PERMIT HOLDER/OWNER is responsible to arrange and perform this meeting by contacting the CITY RESIDENT ENGINEER (RE) of the Field Engineering Division and City staff from MITIGATION MONITORING COORDINATION (MMC). Attendees must also include the Permit holder's Representative(s), Job Site Superintendent and the following consultants: Qualified archaeologist monitor

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

CONTACT INFORMATION:

- a) The PRIMARY POINT OF CONTACT is the **RE** at the **Field Engineering Division 858-627-3200**
- b) For Clarification of ENVIRONMENTAL REQUIREMENTS, applicant t is also required to call **RE and MMC at 858-627-3360**
- 2. MMRP COMPLIANCE: This Project, Project Tracking System (PTS) Number 264497 and/or Environmental Document Number 264497, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD's Environmental Designee (MMC) and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e. to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc.

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

- 3. OTHER AGENCY REQUIREMENTS: Evidence of compliance with all other agency requirements or permits shall be submitted to the RE and MMC for review and acceptance prior to the beginning of work or within one week of the Permit Holder obtaining documentation of those permits or requirements. Evidence shall include copies of permits, letters of resolution or other documentation issued by the responsible agency: RWQCB
- 4. **MONITORING EXHIBITS:** All consultants are required to submit, to RE and MMC, a monitoring exhibit on a 11x17 reduction of the appropriate construction plan, such as site plan, grading, landscape, etc., marked to clearly show the specific areas including the **LIMIT OF WORK**, scope of that discipline's work, and notes indicating when in the construction schedule that work will be performed. When necessary for clarification, a detailed methodology of how the work will be performed shall be included.

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

5. **OTHER SUBMITTALS AND INSPECTIONS:** The Permit Holder/Owner's representative shall submit all required documentation, verification letters, and requests for all associated inspections to the RE and MMC for approval per the following schedule:

DOCUMENT SUBMITTAL/INSPECTION CHECKLIST

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

BIOLOGICAL RESOURCES (HABITAT ACQUISITION FUND)

Prior to a Notice to Proceed for any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits, and Building Permits the owner/permittee shall contribute to the City of San Diego's Habitat Acquisition Fund (HAF) to mitigate for the loss of 0.30-acre of coastal sage scrub (Tier II). This fee is based on mitigation ratios per the City of San Diego Biology Guidelines of 1:1 (for impacts occurring outside of the MHPA) or through the purchase of Tier II habitat within the MHPA per the City of San Diego Biology Guidelines. The payment of fees into the HAF plus a 10 percent administration fee for acquisition of in-kind habitat would mitigate for direct impacts to 0.30-acres of Tier II coastal sage scrub.

PALEONTOLOGICAL RESOURCES

I. Prior to Permit Issuance

A. Entitlements Plan Check

- Prior to issuance of any construction permits, including but not limited to, the
 first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a
 Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting,
 whichever is applicable, the Assistant Deputy Director (ADD) Environmental
 designee shall verify that the requirements for Paleontological Monitoring have
 been noted on the appropriate construction documents.
- B. Letters of Qualification have been submitted to ADD
 - 1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program, as defined in the City of San Diego Paleontology Guidelines.
 - 2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.
 - 3. Prior to the start of work, the applicant shall obtain approval from MMC for any personnel changes associated with the monitoring program.

II. Prior to Start of Construction

- A. Verification of Records Search
 - The PI shall provide verification to MMC that a site specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from San Diego Natural History Museum, other institution or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
 - 2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.
- B. PI Shall Attend Precon Meetings
 - 1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified paleontologist shall attend any

grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.

- a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
- 2. Identify Areas to be Monitored

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

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

III. During Construction

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

B. Discovery Notification Process

- 1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.
- 2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
- 3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.

C. Determination of Significance

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

IV. Night and/or Weekend Work

- A. If night and/or weekend work is included in the contract
 - 1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
 - 2. The following procedures shall be followed.
 - a. No Discoveries In the event that no discoveries were encountered during night and/or weekend work, The PI shall record the information on the CSVR and submit to MMC via fax by 8AM on the next business day.
 - Discoveries
 All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction.
 - c. Potentially Significant Discoveries

- If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III During Construction shall be followed.
- d. The PI shall immediately contact MMC, or by 8AM on the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night work becomes necessary during the course of construction
 - 1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
 - 2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

V. Post Construction

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

- 1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.
- 2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.

D. Final Monitoring Report(s)

- 1. The PI shall submit two copies of the Final Monitoring Report to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
- 2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

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

SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY

P.O. BOX 82776, SAN DIEGO, CA 92138-2776 619.400.2400 WWW.SAN.ORG

April 13, 2011

Ms Sandra Teasley City of San Diego Department of Development Services 1222 First Avenue MS 401 San Diego, California 92101

Re:

Airport Land Use Commission Determination Construction of 2 single-family residential units 11448 & 11480 Almazon Street; APN 313-180-03 & -06

Dear Ms Teasley:

As the Airport Land Use Commission (ALUC) for San Diego County, the San Diego County Regional Airport Authority acknowledges receipt of an application for a determination of consistency for the project described above. This project is located within Review Area 2 of the Airport Influence Area (AIA) for the Marine Corps Air Station (MCAS) Miramar Airport Land Use Compatibility Plan (ALUCP).

ALUC staff review of the application and accompanying plans indicates that none of the criteria within the ALUCP (MIR 2.6.2(a)(2)) which would require ALUC review for a project located within Review Area 2 apply:

- > The maximum height of the proposed structures would not be a hazard to air navigation because the project does not meet notice criteria for review by the Federal Aviation Administration in accordance with Federal Aviation Regulations (FAR) Part 77, Subpart B.
- > The project site is not located within a High Terrain Zone (as defined in the ALUCP) nor do the proposed structures exceed 35 feet above ground level.
- > The project does not appear to have the potential to create electrical or visual hazards to aircraft in flight.
- > The project does not appear to have the potential to cause an increase in the attraction of birds or other wildlife that can be hazardous to aircraft operations in the vicinity of the airport.

Additionally, the project site is not located within the area designated by the ALUCP as requiring the recordation of an overflight notification for new residential land uses. Based upon these facts and the provisions set forth in the ALUCP, a determination of consistency with the MCAS Miramar ALUCP by the ALUC is not required.



Ms Teasley Page 2

Please contact me at (619) 400-2244 or egowens@san.org should you have any questions.

Sincerely,

Ed Gowens

Land Use Planner

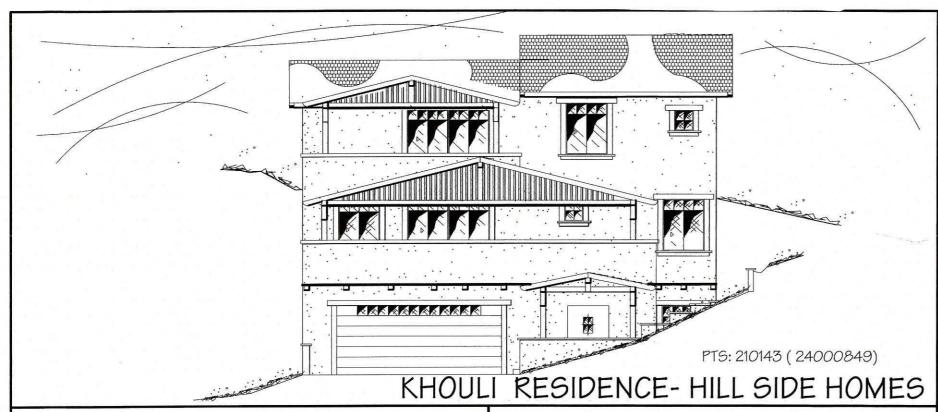
Airport Planning

CC:

Amy Gonzalez, SDCRAA, Director, Counsel Services

Tait Galloway, City of San Diego City Planning & Community Investment Department C. Laura Thornton, MCAS Miramar, Community Plans & Liaison Office

760-703-994



CONTACT INFORMATION

DESIGN TEAM:

BUILDING & SITE DESIGN the green component 27135 Valley Center Road Valley Center, CA 92082 (760) 703-9946 CONTACT- WILL ROGERS

OWNER BUILDER SOLID ROCK DEVELOPMENT 1620 LA PRESA AVE. SPRING VALLEY, CA 91977 (619) 300-6040 CONTACT- MARK KHOULI

CITY:

DEVELOPMENT PROJECT MANAGER: CITY OF SAN DIEGO DEVELOPMENT SERVICES 1222 FIRST AVE. SAN DIEGO CA 92101-4154 (619) 446-5271 CONTACT- SANDRA TEASLEY

NOTES:

PRIOR TO ISSUANCE OF ANY CONSTRUCTION PERMIT THE OWNER/PERMITTEE SHALL SUBMIT A WATER POLLUTION CONTROL PLAN (WPCPO, THE WPCP SHALL BE PERPARED IN ACCORDANCE WITH THE GUIDELINES IN THE APPENDIX E OF THE CITY'S STORM WATER STANDARDS

DEVELOPMENT SUMMARY

SCOPE OF WORK:

PROVIDE TWO NEW THREE LEVEL "EARLY CALIFORNIA RANCH" STYLE HOMES CUT INTO THE HILLSIDE WITH MINIMAL IMPACT TO COMPLY WITH ENVIRONMENTALLY SENSITIVE LANDS REGULATIONS FOR STEEP HILL SIDES AND SENSITIVE BIOLOGICAL RESOURCES.

LEGAL: LOT 205& LOT 208 TR 6982, MAP 0006982 LOT: 205 & 208 ALMAZON STREET APN: LOT 205 313-180-0300

LOT 208 CONSTRUCTION TYPE: 313-180-0600 TYPE V

OCCPANCY: ZONING DESIGNATION:

300/SF OR 8.5 RS-1-14

HEIGHT:

35' FRONT YARD SET BACK 15' 5 SIDE YARD SET BACK REAR YARD SET BACK 10'

EXISTING USE: PROPOSED USE: VACANT LAND SINGLE FAMILY HOME

AIRPORT OVERLAY: MCAS MIRA MAR GEOLOGIC HAZARD CATEGORY: 53 LOW TO MOD. RISK

LANDSCAPE AREA-

STREET YARD LOT 205: 1,478.79 SF PAVED AREA 406.67 SF

-PERCENTAGE OF HARDSCAPE: STREET YARD LOT 208: 1,302.45 SF PAVED AREA 424.94

-PERCENTAGE OF HARDSCAPE:

32.6%

27.5%

SHEET INDEX

SITE DEVELOPMENT PERMIT PACKAGE TITLE SHEET SDP-1 SITE PLANS: LOT 205 & 208 SDP-2 GRADING PLAN LOT 205 SDP-3 GRADING PLAN LOT208 SDP-4 SITE PLAN LOT 205 SDP-5 SITE PLAN LOT 208 SDP-6 STEEP HILLSIDE & SENSITIVE BIO SDP-7 SLOPE ANALYSIS SDP-8 LANDSCAPE CONCEPT PLANS SDP-9 BRUSH MANAGEMENT PLANS SDP-10 NOTES LANDSCAPE & BRUSH MANG. SDP-11 BUILDING HEIGHT REQUIREMENTS SDP-12 FLOOR PLANS 205 & 208 **SDP-13 CONCEPTUAL ELEVATIONS 205** SDP-14 CONCEPTUAL ELEVATIONS 208. SDP-15 TOPOGRAPHIC SURVEY BY OTHERS SDP-16

PROPOSED NEW RESIDENCE- LOT 205

TOTAL GROSS FLOOR AREA	3907 SF
2ND FLOOR GFA:	1803 SF
1ST FLOOR GFA:	1557 SF
LOWER LEVEL GFA:	547 SF

TOTAL LIVING SPACE: 3,303SF TOTAL OUT DOOR PATIO SPACE 1.013 SF (FAR= GFA/LOT)

3,9075F/28,8465F= 0.13 FAR

PROPOSED NEW RESIDENCE-LOT 208

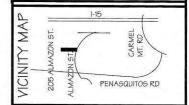
GROSS FLOOR AREA	4234 SF
2ND FLOOR GFA:	1808 SF
1ST FLOOR GFA:	1776 5
LOWER LEVEL GFA:	650 SF

TOTAL LIVING SPACE: 3386 SF TOTAL OUT DOOR PATIO SPACE 1013 SF (FAR= GFA/LOT)

4,2345F/25,7365F= 0.16 FAR

PLANNING & DES component the green

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HILL SIDE HOMES LOTS 205 & 208

REVISIONS: GFA / FAR 2/14/13

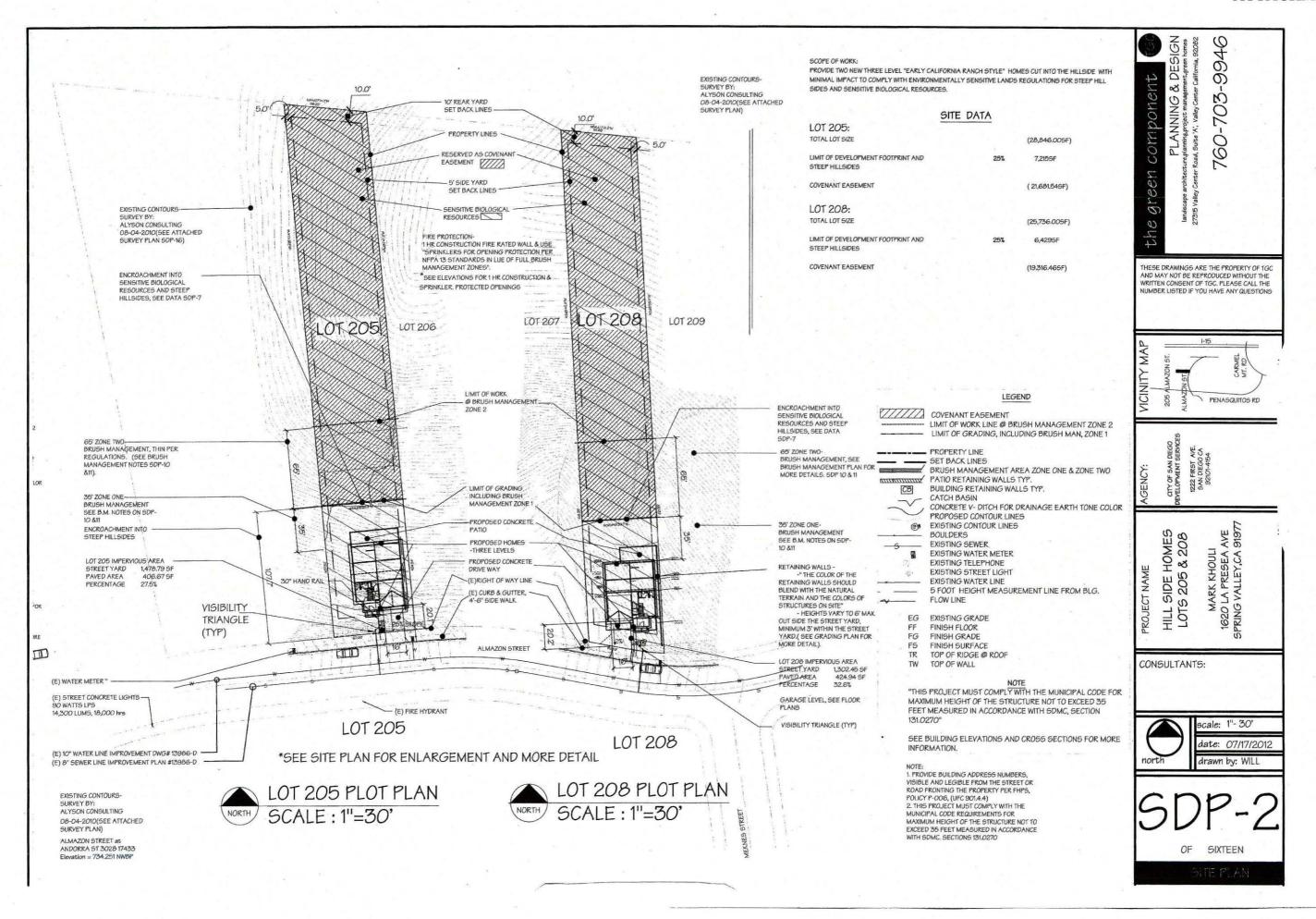


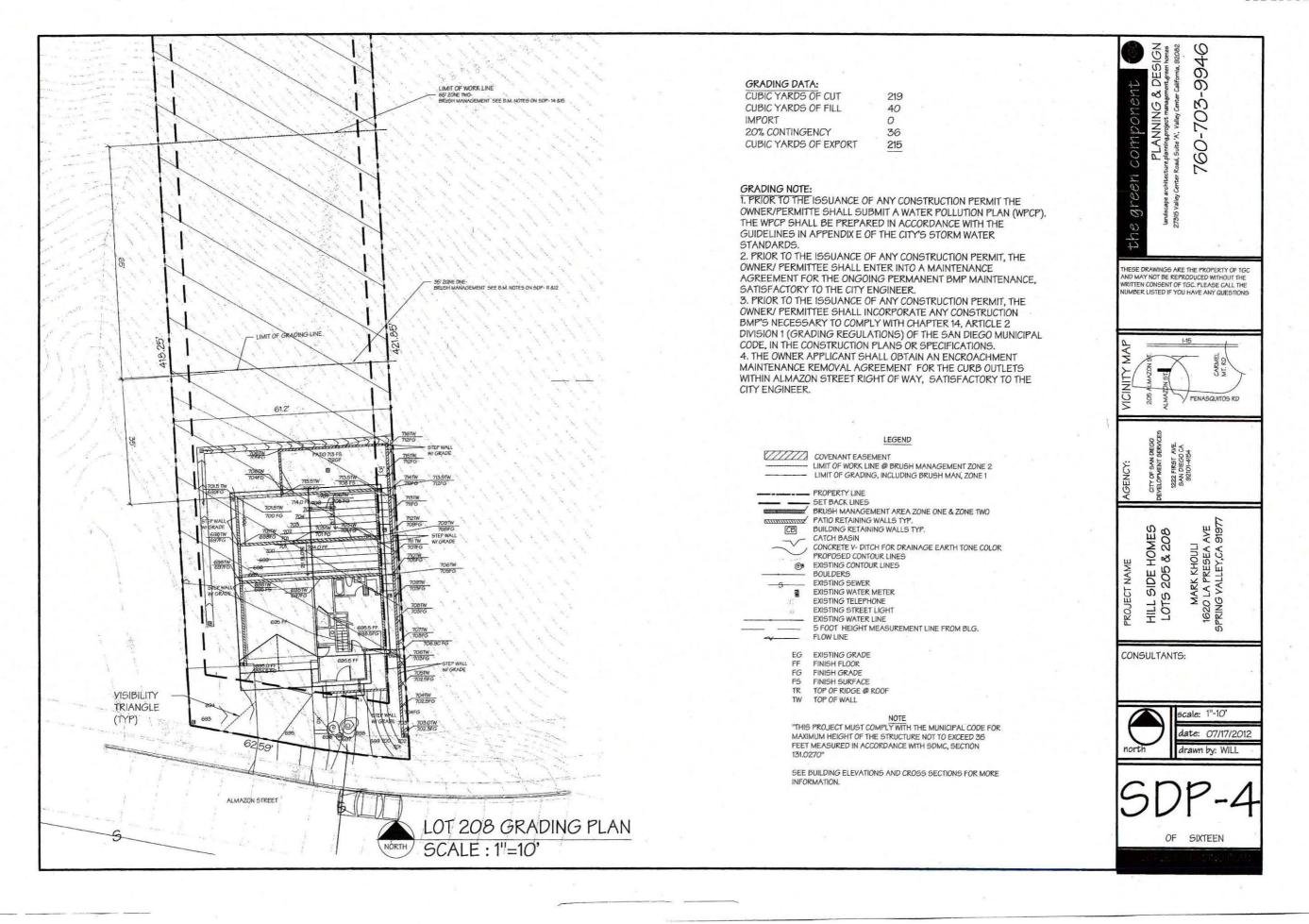
date: 07/17/2012

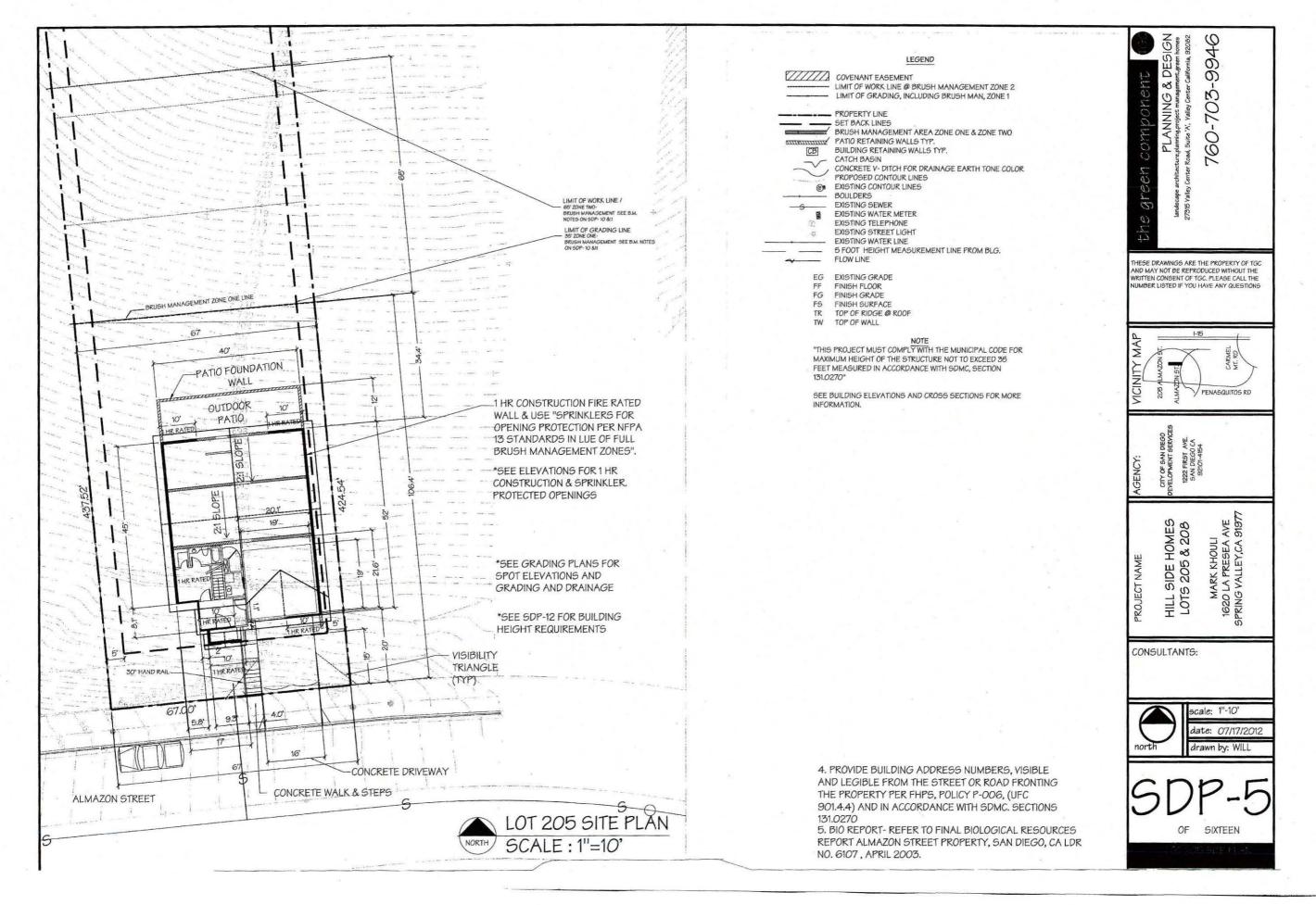
drawn by: WILL

SIXTEEN

TITLE SHEET









COVENANT EASEMENT LIMIT OF WORK LINE @ BRUSH MANAGEMENT ZONE 2 LIMIT OF GRADING, INCLUDING BRUSH MAN, ZONE 1 --- PROPERTY LINE SET BACK LINES SET BACK LINES

BRUSH MANAGEMENT AREA ZONE ONE & ZONE TWO PATIO RETAINING WALLS TYP. BUILDING RETAINING WALLS TYP. CATCH BAGIN
CONCRETE V- DITCH FOR DRAINAGE EARTH TONE COLOR
PROPOSED CONTOUR LINES
EXISTING CONTOUR LINES BOULDERS EXISTING SEWER EXISTING WATER METER EXISTING TELEPHONE EXISTING STREET LIGHT EXISTING WATER LINE 5 FOOT HEIGHT MEASUREMENT LINE FROM BLG. FLOW LINE

EG EXISTING GRADE

FINISH FLOOR

FG FINISH GRADE FS FINISH SURFACE

TR TOP OF RIDGE @ ROOF

TW TOP OF WALL

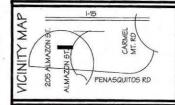
NOTE

"THIS PROJECT MUST COMPLY WITH THE MUNICIPAL CODE FOR MAXIMUM HEIGHT OF THE STRUCTURE NOT TO EXCEED 35 FEET MEASURED IN ACCORDANCE WITH SDMC, SECTION 131.0270"

SEE BUILDING ELEVATIONS AND CROSS SECTIONS FOR MORE INFORMATION.

Green connoonent (C)
PLANNING & DESIGN
Indecape architecture, planning, project management, green homes
315 Valley Center Road, Gulte 'N', Valley Center California, 92092
760-703-95

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CITY OF SAN DIEGO
SPELOPMENT SERVICEG
1222 FIRST AVE.
SAN DIEGO CA

HILL SIDE HOMES
LOTS 205 & 208

MARK KHOULI 1620 LA PRESEA AVE SPRING VALLEY,CA 91977

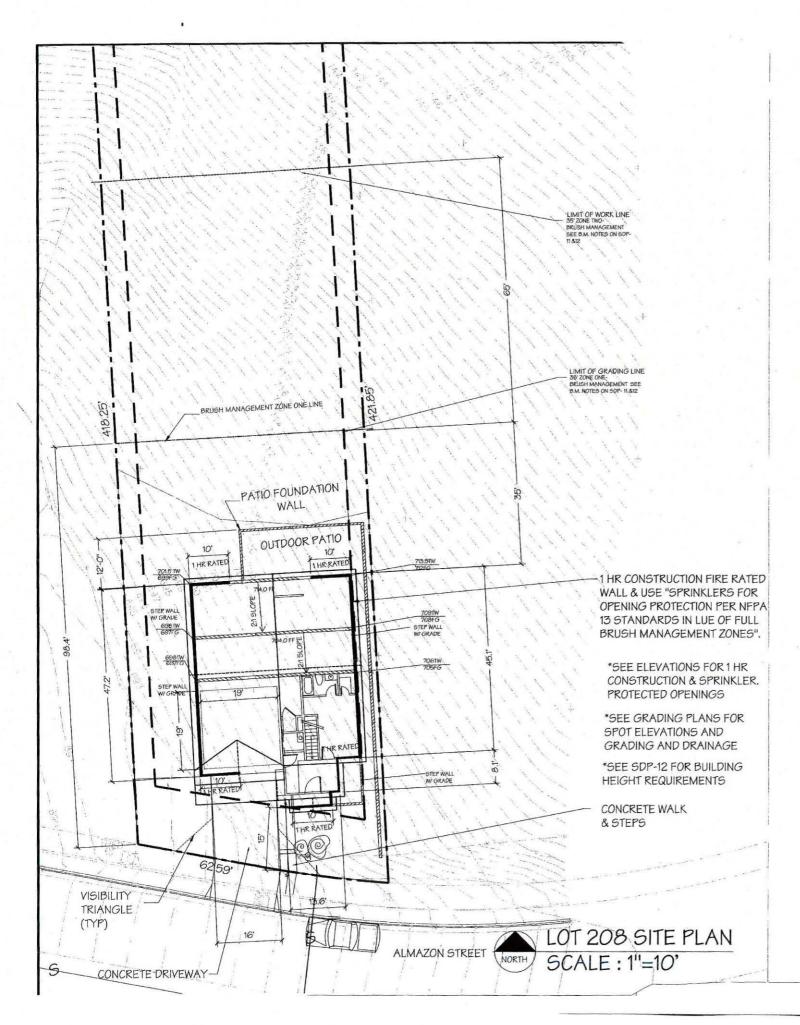
CONSULTANTS:

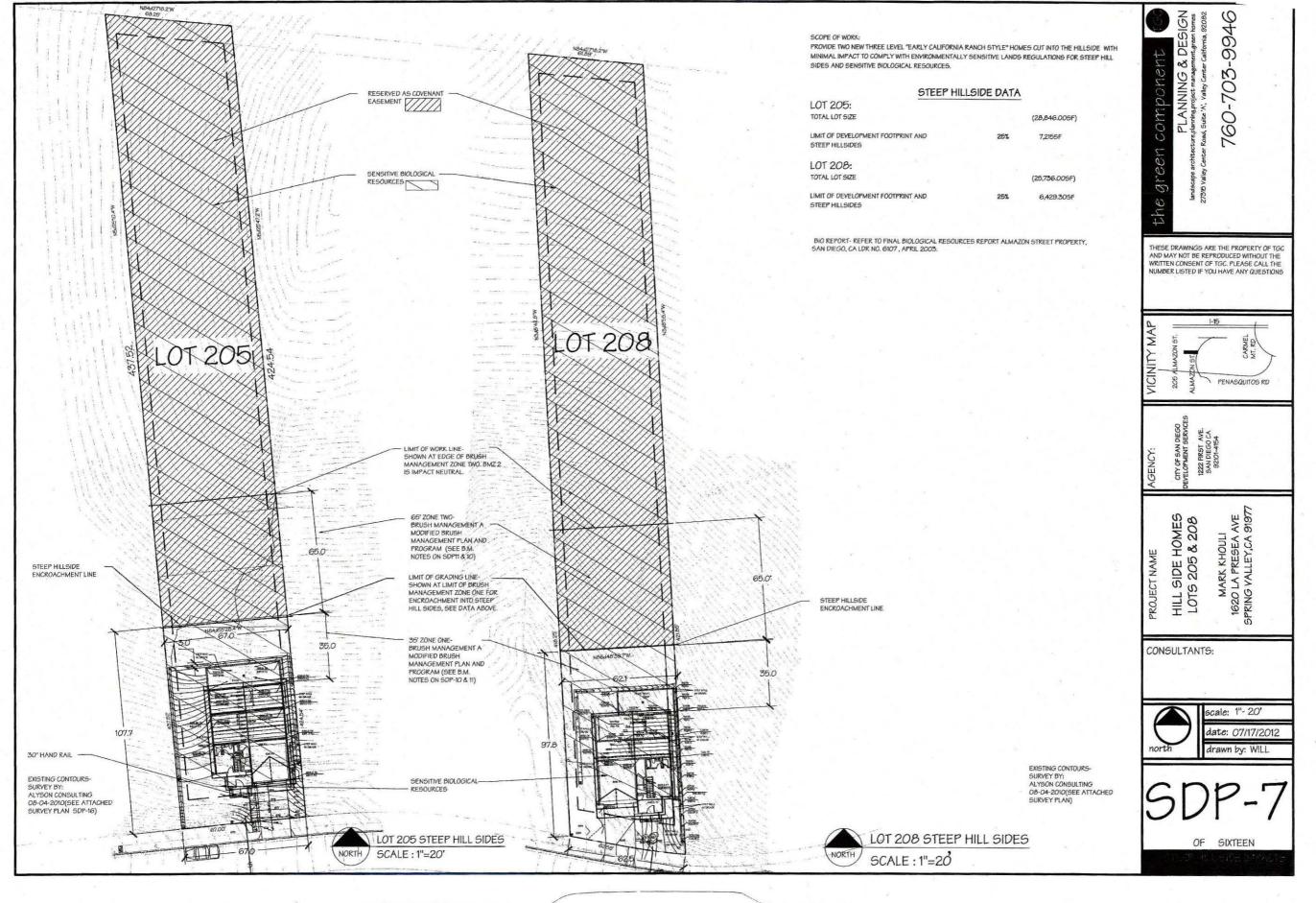
PROJECT NAME

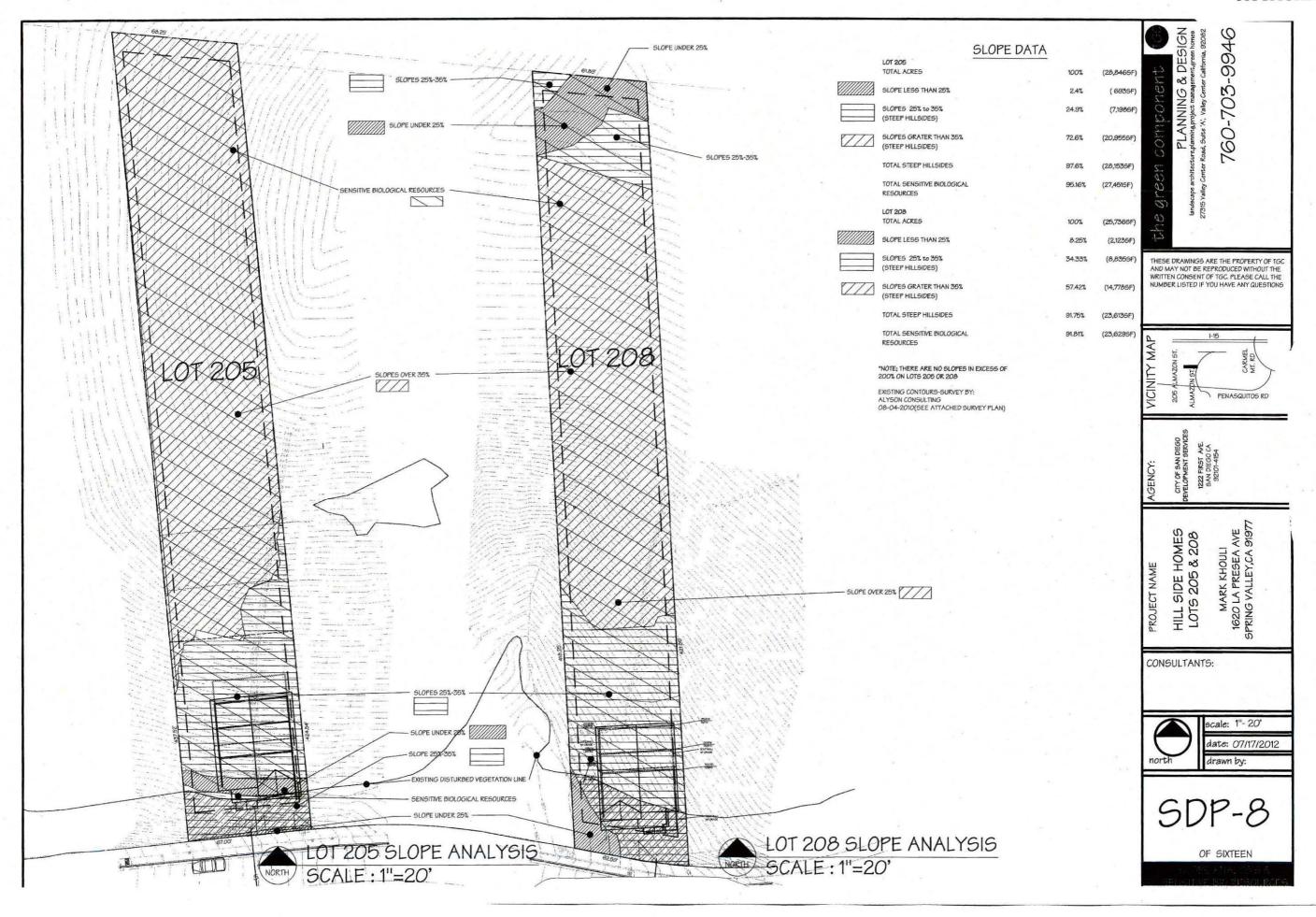


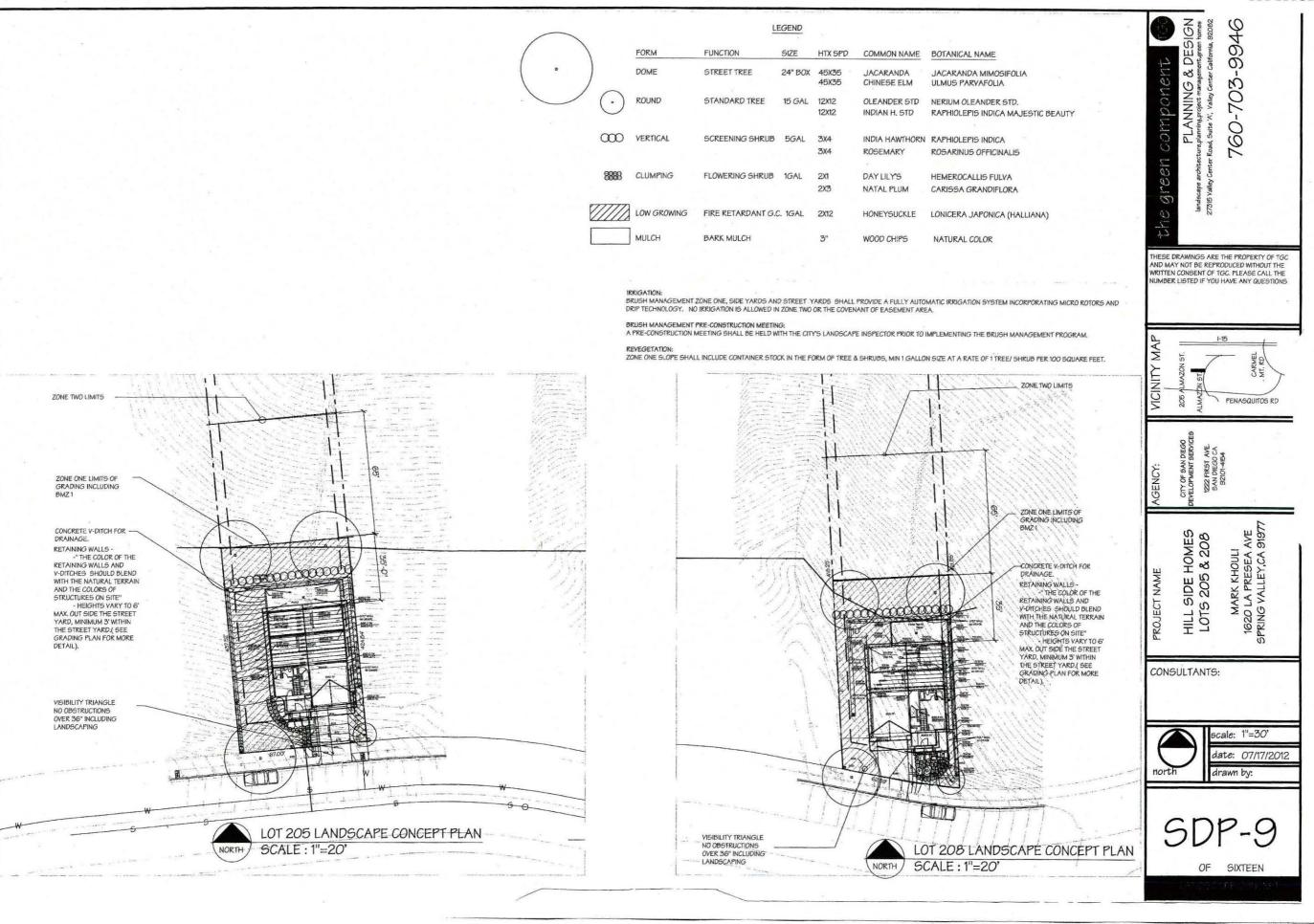
scale: 1"-10' date: 07/17/2012 drawn by: WILL

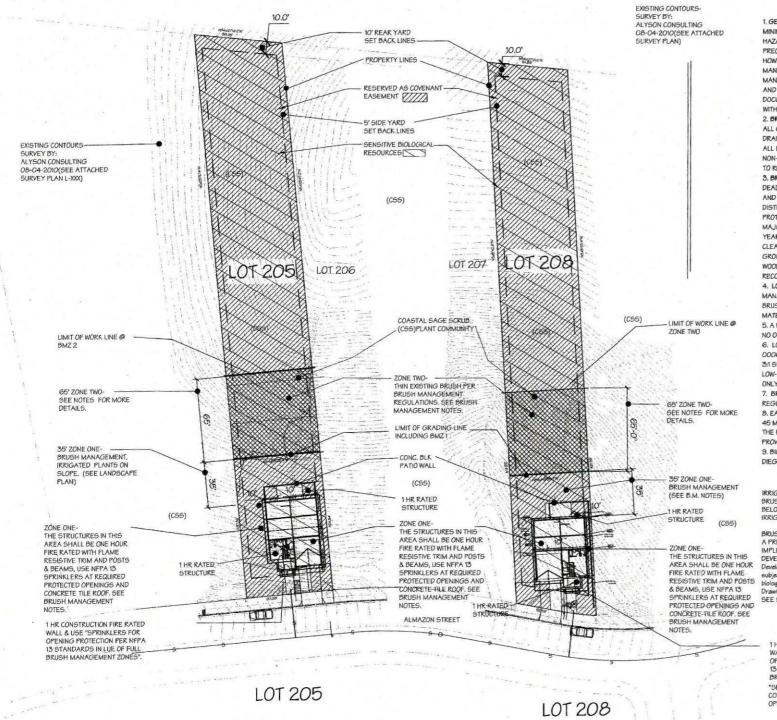
SDP-6











VISIBILITY TRIANGLE NO OBSTRUCTIONS OVER 36" INCLUDING

LOT 205 BRUSH MANAGEMENT PLAN

SCALE: 1"=30"

SCOPE OF WORK:

PROVIDE TWO NEW THREE LEVEL CUSTOM HOMES CUT INTO THE HILLSIDE WITH MINIMAL IMPACT TO COMPL WITH STEEP HILL SIDE REGULATIONS AND SENSITIVE BIOLOGICAL RESOURCES.

BRUSH MANAGEMENT NOTES

1. GENERAL MAINTENANCE- REGULAR INSPECTIONS AND LANDSCAPE MAINTENANCE ARE NECESSARY TO MINIMIZE THE POTENTIAL DAMAGE OR LOSS OF PROPERTY FROM BRUSH FIRES AND OTHER NATURAL HAZARDS SUCH AS EROSION AND SLOPE FAILURE, BECAUSE EACH PROPERTY IS UNIQUE ESTABLISHING A PRECISE MAINTENANCE SCHEDULE IS NOT FEASIBLE. FOR EFFECTIVE FIRE AND WATERSHED MANAGEMENT HOWEVER, PROPERTY OWNERS SHOULD EXPECT TO PROVIDE MAINTENANCE ACCORDING TO EACH BRUSH MANAGEMENT ZONE: ZONE 1; YEAR-ROUND MAINTENANCE, ZONE 2: SEASONAL MAINTENANCE, BRUSH MANAGEMENT ACTIVITIES ARE PROHIBITED WITHIN COASTAL SAGE SCRUB, MARITIME SUCCULENT SCRUB, AND COASTAL SAGE-CHAPARRAL HABITATS FROM MARCH I THROUGH AUGUST 15, EXCEPT WHERE DOCUMENTED TO THE SATISFACTION OF THE CITY MANAGER THAT THE THINNING WOULD BE CONSISTENT WITH CONDITIONS OF SPECIES COVERAGE DESCRIBED IN THE CITY OF SAN DIEGO'S MSCP SUBAREA PLAN 2. BRUSH MANAGEMENT ZONE 1 - THIS IS THE MOST CRITICAL AREA FOR FIRE AND WATERSHED SAFETY. ALL ORNAMENTAL PLANTINGS SHOULD BE KEPT WELL WATERED AND ANY IRRIGATION RUN-OFF SHOULD DRAIN TOWARD THE STREET. RAIN GUTTERS AND DRAINAGE PIPES SHOULD BE CLEANED REGULARLY AND ALL LEAVES REMOVED FROM THE ROOF BEFORE FIRE SEASON BEGINS. ALL PLANTINGS, PARTICULARLY NON- IRRIGATED NATIVES AND LARGE TREES SHOULD BE REGULARLY PRUNED TO ELIMINATE DEAD FUELS, TO REDUCE EXCESSIVE FUEL AND TO PROVIDE ADEQUATE SPACE BETWEEN PLANTS AND STRUCTURES. 3. BRUSH MANAGEMENT ZONE 2 - SEASONAL MAINTENANCE IN THIS ZONE SHOULD INCLUDE REMOVAL OF DEAD WOODY PLANTS, ERADICATIONS OF WEEDY SPECIES AND PERIODIC PRUNING AND THINNING OF THEES AND SHRUBS. REMOVAL OF WEEDS SHOULD NOT BE DONE WITH HAND TOOLS SUCH AS HOES, AS THES DISTURBS VALUABLE SOIL. THE OF WEED TRIMMERS OR OTHER TOOLS WHICH RETAIN SHORT STUBBLE THAT PROTECTS THE SOIL IS RECOMMENDED. NATIVE SHRUBS SHOULD BE PRUNED IN THE SUMMER AFTER THE MAJOR PLANT GROWTH OCCURS. WELL PRUNED HEALTHY SHRUBS SHOULD TYPICALLY REQUIRE SEVERAL YEARS TO BUILD UP EXCESSIVE LIVE AND DEAD FUEL. ON SLOPES ALL DRAINAGE DEVICES MUST BE KEPT CLEAR. RE-INSPECT AFTER EACH MAJOR STORM SINCE MINOR SOIL SLIPS CAN BLOCK DRAINS. VARIOUS GROUND COVERS SHOULD BE PERIODICALLY SHEARED AND THATCH REMOVED. DISEASED AND DEAD WOOD SHOULD BE PRUNED FROM TREES, FERTILIZING TREES AND SHRUBS IS NOT TYPICALLY RECOMMENDED AS THIS MAY STIMULATE EXCESSIVE GROWTH.

4. LONG-TERM MAINTENANCE RESPONSIBILITY- ALL LANDSCAPING/BRUSH MANAGEMENT WITHIN BRUSH MANAGEMENT ZONE(5) AS SHOWN ON THESE PLANS SHALL BE THE RESPONSIBILITY OF THE OWNER. THE BRUSH MANAGEMENT ZONE AREAS SHALL BE MAINTAINED FREE OF DEBRIS AND LITTER AND ALL PLANT MATERIAL SHALL BE MAINTAINED IN HEALTHY GROWING CONDITIONS

5. A MODIFIED BRUSH MANAGEMENT PLAN AND PROGRAM SHALL BE IMPLEMENTED ON LOTS 205 & 208, NO OFFSITE BRUSH MANAGEMENT IS PROPOSED. THE STRUCTURE SHALL PROVIDE THE FOLLOWING: 6. LOTS 205 & 208 ARE PART OF A SUBDIVISION APPROVED PRIOR TO NOVEMBER 15, 1989 (TR 6982, MAP 0006982). AND THERE FOR WILL NOT BE REQUIRED TO PROVIDE ZONE ONE ON A 4:1 SLOPE. THE EXISTING 3:1 SLOPE SHALL BE CLEARED AND REVEGETATED CONSISTENT WITH ZONE ONE CRITERIA TO INCLUDE: LOW-FUEL AND FIRE RESISTIVE DROUGHT TOLERANT NON-INVASIVE SPECIES LESS THAN 4 FT IN HEIGHT ONLY WITH THE EXCEPTION OF TREES.

7. BRUSH MANAGEMENT ZONE 2 SHALL BE THINNED IN ACCORDANCE WITH THE BRUSH MANAGEMENT REGULATIONS AND GUIDE LINES.

8. EACH STRUCTURE SHALL PROVIDE MODIFIED BRUSH MANAGEMENT PLAN AND PROGRAM BY PROVIDING 45 MIN FIRE RATED PROTECTED OPENINGS ON THE SIDE ELEVATIONS AND WITHIN 10' FROM THE EDGE OF THE FRONT AND REAR ELEVATIONS. IN ADDITION, THE ROOF, EVES, FASCIA, TKIM AND POSTS SHALL PROVIDE FLAME RESISTIVE MATERIAL AND TIMBERS WITH A ONE HOUR RATING 9. BIO REPORT- REFER TO FINAL BIOLOGICAL RESOURCES REPORT ALMAZON STREET PROPERTY, SAN

BRUSH MANAGEMENT ZONE ONE. SIDE YARDS AND STREET YARDS SHALL PROVIDE A FULLY AUTOMATIC BELOW GRADE IRRIGATION SYSTEM INCORPORATING MICRO ROTORS AND DRIP TECHNOLOGY, NO IRRIGATION IS ALLOWED IN ZONE TWO OR THE PRESERVED EASEMENT AREA.

BRUSH MANAGEMENT PRE-CONSTRUCTION MEETING: A PRE-CONSTRUCTION MEETING SHALL BE HELD WITH THE CITY'S LANDSCAPE INSPECTOR PRIOR TO IMPLEMENTING THE BRUSH MANAGEMENT PROGRAM.

DEVELOPMENT AREA:
Development Permit or Site Development Permit. Erosion control measures are not subject to the 25 percent development area limit as long as they do not impact sensitive biological resources and are not located within the delineated viewshed areas of Map Drawing No. C-720.

SEE SHEET 12 FOR ADDITIONAL BRUSH MANAGEMENT PROGRAM NOTES

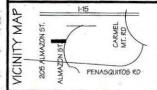
1 HR CONSTRUCTION FIRE RATED WALL & USE "SPRINKLERS FOR OPENING PROTECTION PER NFPA 13 STANDARDS IN LUE OF FULL BRUSH MANAGEMENT ZONES" *SEE ELEVATIONS FOR 1 HR CONSTRUCTION & SPRINKLER. PROTECTED

LOT 208 BRUSH MANAGEMENT PLAN

SCALE: 1"=30'

60-703-9946

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HOMES \$ 208 MARK KHOULI 1620 LA PRESEA A SPRING VALLEY,CA 9 HILL SIDE H

CONSULTANTS:



scale: 1"- 30" date: 07/17/2012

OF NINETEEN

Table 142-041

Criteris		
	Zest Width	
Zona Ope Walth	35 ft.	
Zoos Two Willia	69 ft.	
230 INO TIME		

Brush Management Zones

LANDSCAPE STANDARDS

SECTION III: BRUSH MANAGEMENT

BRUSH MANAGEMENT - DESCRIPTION

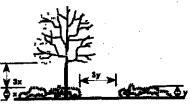
Fire safety in the landscape is achieved by reducing the reachly flammable find adjacent to structures. This can be accomplished by pruning and thinning of native and naturalized vegetation, revegetation with low first volume plantings or a combination of the two. Implementing brush measagement in an environmentally appropriate manner requires a reduction the amount and continuity of highly flammable furth while maintaining plant coverage for soil protection. Such a transition will maintain the visual, biological and erosion impacts while

3-2 BRUSH MANAGEMENT- REQUIREMENTS

3.2-1 Basic requirements - All Zones

- 3.2-1.01 For zone two, plants shall not be cut below six inches
- 3.2-1.02 Debris and trimmings produced by thinning and pruning shall be removed from the site or if left, shall be converted into malch by a chipping machine and evenly dispersed, non-irrigated, to a maximum depth of 6 inches.
- 3.2-1.03 Trees and large tree form shrabs (e.g., Oaks, Sumae, Toyon) which are being retained shall be pruned to provide clearance of three times the height of the under story plant material or six feet whichever is higher (Figure 3-1). Dead and excessively twiggy growth shall also be removed.

FIGURE 3-1 PRUNING TREES TO PROVIDE CLEARANCE FOR BRUSH MANACEMENT



- 3.2-1.04 All plants or plant groupings except cault, succulents, trees and tree-form shrobs shall be separated by a distance three times the height of the tallest adjacent plants (Figure 3-1).
- 3.2-1.05 Maximum coverage and area limitations as stated herein shall not apply to indigenous native tree species (i.e., Pinus, Quercus, Platanus, Salix and
- 3.2-2 Zone 1 Requirements All Structures
 - 3.2-2.01 Do not use, and remove if necessary, highly flarimable plant materials (see Appendix "B").
 - 3.2-2.02 Trees should not be located any closer to a structure than a distance equal to the tree's mature spread.
 - 3.2-2.03 Maintain all plantings in a succulent condition
 - 3.2-2.04 Non-irrigated plant groupings over six inches in height may be retained provided they do not exceed 100 square fact in area and their combined coverage does not exceed 10 percent of the total Zone 1 area.

3.2-3 Zone 2 Requirements - All Structures

3.2-3.01 Individual non-irrigated plant groupings over 24 inches in height may be retained provided they do not exceed 400 square feet in area and their combined coverage does not exceed 30 percent of the total Zone 2 area.

BRUSH MANAGEMENT PROGRAM NOTES:

Brush Management Zone Width General Requirements

- Brush management activities are prohibited within coastal sage ecrub, maritime succulent scrub, and coastal sage-chaparral habitats from March 1 through August 15, except where documented to the satisfaction of the City Manager that the thinning would be consistent with conditions of species coverage described in the City of San Diego's MSCP Subarsa Plan.
- Where Zone One wildth is required adjacent to the MHPA or within the Coastal Overlay Zone, any of the following modifications to development regulations of the Land Development Code or etandards in the Land Development Code or etandards in the Land Development Agrual are permitted to accommodate the increase in width:

 a. The required front yard setback of the base zone may be reduced by Recur
 - 2. A sidewalk may be eliminated from one side of the public 7. A secondar may be entimated from one elad of the public right-of-may and the minimum required public right-of-may width may be reduced by 5 feet, or the overall minimum pavement and public right-of-way width may be reduced in accordance with the Street Design Standards of the Land Development Manual Section 142.0412g.

- The required Zone One width shall be provided between native or naturalized vegetation and any *structure* and shall be measured from
- the exterior of the *structure* to the vegetation

 2. Zone One shall contain no habitable *structures*, *structures* that are directly attached to habitable structures, or other combustible construction that provides a means for transmitting fire to the habitable structures. Structures such as fances, walls, palapas, play structures, and nonhabitable gazebos that are located within brush management Zone One shall be of noncombustible construction and or 1 hr fire rated (pe
- 3. Plante within Zone One shall be primarily low-growing and less than 4 Traints within Zoite One shall be printarly low-growing and less than 4 feet in helpful with the exception of trees. Plante shall be low-fuel and fire-resistive. The 3:1 slope shall be revegetated consistent with zone one criteria to include: low-fuel and fire resistive drought tolerant non-invasive species less than 4 ft in height only with the exception of trees.
 Trees within Zone One shall be located away from structures to a minimum distance of 10 feet as measured from the structures to the
- origination are secured to the second and a second a secon
- except as follow:

 a. When planting areas contain only species that do not grow
- a. When planning are contrain unity species unto do not give tailer than 24 inches in height, or
 b. When plantling areas contain only native or naturalized species that are not summer-dormant and have a maximum height at plant maturity of less than 24 inches.
- 7. Zote One Inflation overspray and runoff shall not be allowed into adjacent areas of native or naturalized vegetation.
 8. Zone One shall be maintained on a regular basis by pruning and
- Zone One shall be maintained on a regular basis by pruning and thining plants, controlling weeds, and maintaining irrigation systems.
 The required Zone Two width shall be provided between Zone One and the undisturbed, native or naturalized vegetation, and shall be measured from the edge of Zone One that is farthest from the habitable structure, to the edge of undisturbed vegetation,
- No structures shall be constructed in Zone Two.
 Within Zone Two, 50 percent of the plants over 24 inches in height
- Within Zone I wo, 50 percent or the plants over 24 inches in height shall be cut and cleared to a height of 6 inches.
 Within Zone Two, all plants remaining after 50 percent are reduced in height, shall be pruned to reduce fuel loading in accordance with the Landscape Standards in the Land Development Manual. Non-native plants shall be pruned before harby plants are pruned.
 The following standards shall be used where Zone Two is in an area
- previously *graded* as part of legal *development* activity and is proposed to be planted with new plant material instead of *cleaning*
- xleting native or naturalized vegetation; a. All new plant material for Zone Two shall be native, low-fuel, and fire-resistive. No non-native plant material may be planted in Zone Two either inside the MHPA or in the Coastal Overlay Zone, adjacent to areas containing sensitive biological
- b. New plants shall be low-growing with a maximum height at maturity of 24 inches. Single specimens of fire resistive native trees and tree form shrubs may exceed this limitation if they are located to reduce the chance of transmitting fire from native or naturalized vegetation to habitable *structures* and if the vertical distance between the lowest branches of the trees and the top of adjacent plants are three times the height of the adjacent plants to reduce the spread of fire through ladder
- c. All new Zone Two plantings shall irrigated temporarily until established to the satisfaction of the City Manager. Only lowflow, low-gallonage epray heads may be used in Zone Two. Overspray and runoff from the irrigation shall not drift or flow into adjacent areas of native or naturalized vegetation.

 Temporary irrigation systems shall be removed upon approved establishment of the plantings. Permanent irrigation is not allowed in Zone Two.

 d. Where Zone Two is being revegetated as a requirement of
- a. Micro Zone: We being revegerables as a requirement of Section 142.041(a), revegetation shall comply with the spacing standards in the Land Development Manual, Fifty percent of the planting area shall be planted with material that does not grow taller than 24 inches. The remaining flanting area may be planted with baller material, but this material shall. be maintained in accordance with the requirements for existing plant material in Zone Two.
- 6. Zone Two shall be maintained on a regular basis by pruning and thillning plants, removing invasive species, and controlling weeds.

 Except as provided in Section 142.0412(1), where the required Zone
 One width shown in Table 142-04H cannot be provided on premises with existing structures, the required Zone Two width shall be

increased by one foot for each foot of required Zone One width that

Topography Considerations

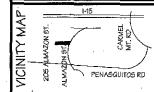
- In consideration of the topography, existing and potential fuel load, and other characteristics of the site related to fire protection, the Fire Chief may
- there of the Section, and where applicable with the approval of the Pullding Official, may require building features for fire protection in addition to those required in accordance with Chapter 14, Article 5, Division 7 (Chapter 7A of the California Building Code as adopted and amended) if the
- a. In the written opinion of the Fire Chief, based upon a fire fuel load
- a. In the written opinion of the fire Chief, based upon a fire fuel bad made report conducted by a certified fire behavior analyst, the requirements of Section 142.0412 fall to achieve the level of fire protection intended by the application of Zones One and Two, and to The modification to the requirements achieves an equipment level of fire protection as provided by Section 142.0412, other regulations of the Land Development Code, and the minimum standards contained in the Land Development Amanual; and
 c. The modification to the requirements is not detrimental to the pulse factor and affects and weighting of presence reading on weighting to the series.
- health, safety, and welfare of persons residing or working in the area. Fire Chief Approval:

 1. If the Fire Chief approves a modified plan in accordance with this section as
- part of the City's approval of a development permit, the modifications shall be recorded with the approved permit conditions.

"SEE PLANS FOR MODIFICATIONS PER AUTHORITY OF THE FIRE CHIEF 142.0412 (i)"



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CITY OF SAN

HOMES & 208 AVE 9197 MARK KHOULI 1620 LA PRESEA A 5PRING VALLEY,CA 9 PROJECT NAME 1DE 1 HIL SII LOTS 2 H H

CONSULTANTS:



date: 07/17/2012

scale: NTS

drawn by:

SDP-11

OF SIXTEEN

28

