



THE CITY OF SAN DIEGO

Report to the Planning Commission

DATE ISSUED: August 15, 2024 REPORT NO. PC-24-037

HEARING DATE: August 29, 2024

SUBJECT: The Point, Process 2 Appeal

PROJECT NUMBER: [PRJ-1086681](#)

OWNER/APPLICANT: Point Loma Avenue Villas, LLC, a California Limited Liability Company Owner/
Golba Architecture Inc.

SUMMARY

Issue: Should the Planning Commission grant or deny an appeal of the Development Services Department's approval of a Coastal Development Permit to demolish an existing commercial structure and build a new, 20-unit, three-story multi-dwelling unit complex located at [4705 Point Loma Avenue](#) within the Ocean Beach Community Planning area?

Staff Recommendation: Deny the appeal and affirm the Development Services Department's decision to approve Coastal Development Permit (CDP) No. 3211002.

Fiscal Considerations: Processing of the application was funded by a fee paid for by the applicant, appeal processing is funded by applicant deposit.

Housing Impact Statement: The project will result in the creation of 20 new dwelling units where none currently exist. The site is zoned CC-4-2 and currently contains a vacant commercial building. Per San Diego Municipal Code (SDMC) Section [131.0540\(a\)](#) and [Table 131-05B](#), residential development is permitted in commercial zones, and the development regulations of the RM zone with the same density as the commercial zone shall apply to the residential development. In the case of the CC-4-2 zone, the RM-2-5 zone (which allows a density of one dwelling unit per 1,500 square feet of lot area) shall apply per SDMC [131.0507\(b\)\(4\)](#). The 0.17-acre (7,396-square-foot) lot allows five dwelling units as the base density; however, the project is utilizing the Complete Communities Regulations pursuant to SDMC Section [143.1010\(a\)](#), which allows a 2.5 Floor Area Ratio (FAR) bonus and an unlimited density pursuant to SDMC [143.1010\(b\)](#). Of the 20 units, one will be very low-income, one low-income, and one will be moderate-income, for a total of three affordable units.

The Ocean Beach Community Plan ("Community Plan" or "OBCEP") promotes different housing types suitable for different income levels and encourages economically balanced communities. The

project is consistent with the Community Plan goal of promoting different housing types suitable for different income levels and encourages economically balanced communities within Ocean Beach.

Community Planning Group Recommendation: On May 7, 2024, the Ocean Beach Community Planning Group voted to deny the project 8-1-0 (Attachment 5).

Environmental Impact: On April 10, 2024, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) under CEQA Guideline Section 15332 (In-Fill Development) and no appeals of that determination were made.

BACKGROUND

The project site is located at 4705 Point Loma Avenue and is bordered by Point Loma Avenue to the north, Ebers Street to the east, an alley to the south, and commercial structures to the west within the Ocean Beach Community Plan area. The 0.17-acre site is in the CC-4-2 Zone, Coastal Height Limit Overlay Zone, Coastal Overlay Zone (Non-Appealable Area 2), Parking Impact Overlay Zone (Coastal), Transit Priority Area, Airport Land Use Compatibility Overlay Zone (NAS North Island and SDIA), Airport Influence Area (Review Area 2 SDIA and NAS), and the FAA Part 77 Noticing Area (Attachments 1-3).

The existing site contains two continuous legal lots and is currently developed with an existing commercial structure surrounded by residential and commercial development.

DISCUSSION

Project Description:

The project (Attachment 8, Project Plans) will construct a new three-story building with on-grade parking. The project is in the Ocean Beach Community Planning area, the Point Loma Avenue Commercial District and is designated for Community Commercial and zoned CC-4-2. Per SDMC Section 131.0540(a) and Table [131-05B](#), residential development is permitted in commercial zones, and the development Regulations of the RM zone with the same density as the commercial zone shall apply to the residential development. In the case of the CC-4-2 zone, the RM-2-5 zone which allows a density of one dwelling unit per 1,500 square feet of lot area shall apply pursuant to SDMC [131.0507\(b\)\(4\)](#). The 0.17-acre (7,396 square-foot) lot allows five dwelling units at the base density.

The project is utilizing the Complete Communities Housing Solutions Program pursuant to SDMC Section 143.1002(a)(1). "a portion of the total dwelling units in the development shall be reserved for very low income, low income, or moderate-income households." Pursuant to SDMC Section [143.1010\(a\)](#), a maximum 2.5 Floor Area Ratio (FAR) and an unlimited density pursuant to SDMC [143.1010\(b\)](#).

The project proposes 20 dwelling units. An affordable housing agreement is required for the project,

for a total of three deed-restricted affordable housing units on site. The three affordable rental units include one very low-income unit at a cost that does not exceed 30% to 50% of the Area Median Income (AMI), one moderate-income unit at a cost that does not exceed 30% to 120% of the AMI, and one low-income unit at a cost that does not exceed 30% of 60% of the AMI, including an allowance for utilities. The project complies with the regulations of the SDMC, except where incentives and waivers are requested in accordance with the Complete Communities Regulations pursuant to SDMC Section [143.1010\(h\)\(i\)](#) and [143.1010\(i\)\(1\)](#). The project requests the following two development incentives relating to commercial requirements and plant points, and three waivers related to open space, private exterior open space, and automobile parking spaces.

The project is allowed two incentives per Section [143.1010\(h\)\(4\)\(A\)](#) when a project includes at least 20 percent of the pre-density dwelling units for lower-income households.

The two incentives include:

1. Eliminating the required commercial component in Section 131.0540 to allow for residential development to occur, and eliminating all the regulations that relate to the commercial component.
2. Eliminating the required plant points achieved with trees per SDMC table [142-04A](#) and Section [142.0405\(a\)\(1\)](#):

The project is using waivers to waive or reduce a development standard that physically precludes the construction of development meeting the criteria of SDMC Chapter 14 Article 3 Division 10 per SDMC [143.1010\(i\)\(1\)](#). [The project is utilizing three waivers.](#)

The project's three waivers include:

1. Waiving the requirement for common open space per SDMC table 131-04G and Section [131.0456\(a\)](#) which requires the common open space area to be at least 300 feet or 25 square feet per dwelling unit, whichever is greater. The requirement for common open space would preclude the development from fully utilizing the FAR Bonus and unlimited density to provide the most dwelling units possible.
2. Waiving the requirement for private exterior open space to be no closer than 9'-0" to the front property line and the requirement for private open space to have a 6'-0" minimum dimension in any direction per SDMC Section [131.0455](#). At least 75 percent of the dwelling units (15 units) shall be provided with at least 60 square feet of usable, private, exterior open space abutting the unit with a minimum of six feet. The private exterior open space of the 12 dwelling units adjacent to the front property line is within 9'-0" of the front property line. The project is reducing the following private exterior open space as follows: the project includes 60 square feet of private exterior open space for all the units. 13 of the units include six-foot in any direction minimum dimensions and seven units have a reduced dimension of five feet.
3. Reducing the number of automobile parking spaces required per SDMC Section [142.0525](#), Table 142-05C. In order to meet the proposed FAR bonus and unlimited density per SDMC

[143.1010\(b\)](#) to provide 20 dwelling units, the development will provide 9 parking places instead place of 30.

Pursuant to SDMC Section [126.0707\(a\)](#) a Coastal Development Permit in the Coastal Overlay (Non-Appealable) Zone shall be made in accordance with a Process Two Decision by the Development Services Department which is appealable to the Planning Commission.

On May 23, 2024, the Development Services Department issued a Notice of Decision (Attachment 5) approving Coastal Development Permit No. 3211002. The appeal period for the decision ended on June 7, 2024. On May 29, 2024, Patricia Lewis (Appellant) filed a project appeal (Attachment 7) to the Notice of Decision citing factual error, conflict with other matters, and findings not supported.

Legal Standard for Appeal of Department of Development Services Decision

Pursuant SDMC Section [112.0504](#), an appeal of a Process Two decision may only be granted with evidence supporting one of the following findings:

1. Factual Error: The statements or evidence relied upon by the decision upon by the decision maker when approving, conditionally approving, or denying a permit, map, or other matter were inaccurate; or
2. New Information: New information is available to the applicant or the interested person that was not available through that person's reasonable efforts or due diligence at the time of the decision; or
3. Findings Not Supported: The decision maker's stated findings to approve, conditionally approve, or deny the permit, map, or other matter are not supported by the information provided to the decision maker; or
4. Conflicts: The decision to approve, conditionally approve, or deny the permit, map, or other matter is in conflict with a land use plan, a City Council policy, or the Municipal Code.

The Planning Commission can only deny the appeal and uphold approval of the project if none of the above-mentioned findings are supported by sufficient evidence or grant the appeal and deny approval of the project if the Planning Commission finds that one of the above-referenced findings is supported by sufficient evidence.

Project Appeal Discussion

The Appellant's appeal issues (Attachment 6) are discussed below along with staff's evaluation and response. The appeal includes issues related to Historic, Environmental, Conflict of Errors, Sewage, Trash, Commercial, Level of Permit, Parking and Public Safety and cited factual error, conflict with other matters, and findings not supported as the grounds for appeal. The Appellant did not appeal the environmental determination.

Appeal Issue 1 - Historicity

Appeal Issue 1(a): Ocean Beach is a designated City and State historical district. The project site lies within the Ocean Beach Community IAW Ocean Beach Community Plan and Local Coastal Program, November 9, 2015. This project is by definition, excluded from becoming part of a Complete Communities, as documented in the current Municipal Code.

§143.1002 (0-2021-53) Application of Complete Communities Housing Solutions Regulations

(b) The regulations in this Division shall not apply to the following types of development:

(6) Development located within a designated historical district or subject to the Old Town San Diego Planned District.

Staff Response to Appeal Issue 1(a): The appeal asserts that the current project cannot be approved per SDMC Section 143.1002(b)(6), which states that Complete Communities Housing Solutions (CCHS) cannot be utilized within a designated historical district.

A historical district is defined by SDMC Section 113.0103 as "a significant concentration, linkage, or continuity of sites, buildings, structures, or objects that are united historically, geographically, or aesthetically by plan or physical development and that have a special character, historical interest, cultural or aesthetic value, or that represents one or more architectural periods or styles in the history and development of the City." A designated historical district is a historical district that has been designated by the City's Historical Resources Board or has been listed in or determined eligible for listing in the California Register of Historic Resources or the National Register of Historic Places.

The Ocean Beach Cottage Emerging Historical District ("District") has not been listed in or determined eligible for listing in the California Register of Historic Resources or the National Register of Historic Places. The District was designated by the City's Historical Resources Board in October of 2000 in accordance with the Historical Resources Board Procedure on Establishing Historic Districts (Historical District Procedures), which outlines the types of historic districts in the City of San Diego, how they are processed for designation, and in some instances provides clarification and guidance regarding how they are regulated. Notably, this District only has contributing resources and only the designated contributing resources are regulated as part of the historic district.

The Ocean Beach Cottage Emerging Historical District is unique among all of the City's designated historic districts and is a holdover from a previous Historical District Procedures that had multiple types of historical districts. The prior policy under which the Ocean Beach Cottage Emerging Historic District was established allowed for the designation of "Emerging Historic Districts", which was a different take on a Thematic Historic District. Thematic Historic Districts, which were once commonplace at the local, state and federal levels, are a tool to designate historical resources that are united by a common theme and significance. This could be a shared architectural style or building typology, shared association with a cultural group, or shared association with a significant person, event or architecture, to name a few examples. In addition to a shared significant theme, a period of significance that encapsulates that significant theme is identified. Lastly, a generalized boundary is identified, which could be as small as a neighborhood or as large as an entire jurisdiction, and encompasses the area in which the properties with shared significance can be

found. Only the properties within that boundary which contribute to the historically significant theme, are constructed within the period of significance, and retain integrity to convey the significance of the thematic district are designated and regulated. There are no non-contributing resources in a thematic historic district. Properties that are not designated as contributing resources are simply not regulated as part of the district. Over the past decade or so, the historic preservation field has moved away from Thematic Historic Districts because the word "district" implies a very defined boundary and strong sense of place that is often lacking in a Thematic Historic District. Within the field of historic preservation, Thematic Historic Districts have generally been replaced with Multiple Property Listings (MPLs) which are a mechanism to designate properties that are not geographically concentrated but nevertheless have a shared theme and significance.

Under the prior Historical District Procedures under which the Ocean Beach Cottage Emerging Historical District was designated, Emerging Historical Districts were thematic in nature, but were "Emerging" because a survey had not been completed to identify all eligible properties. The Emerging Historical District type was also unique because it was voluntary in nature, meaning that only properties that were nominated by the property owner could be designated as contributing resources to the district. An Emerging Historical District could be established under the prior Historical District Procedures with a historical context, statement of significance, period of significance, boundary, and a handful of properties nominated by the property owner for inclusion in the historical district.

The Ocean Beach Cottage Emerging Historical District was designated by the City's Historical Resources Board as a significant example of a turn of the century (19th to 20th century) "seashore" resort and vacation home area developed between 1887 and 1931. To be eligible as a contributing resource to the Ocean Beach Cottage Emerging Historical District, a property must embody and reflect the district's significance as a seashore resort and vacation home area, must have been constructed between 1887 and 1931, must retain integrity to convey the significance of the district, and must be nominated by the property owner for designation as part of the historic district. To date, 72 properties have been nominated by the property owners and designated as contributing resources to the Ocean Beach Cottage Emerging Historical District. This includes 70 residential homes, the Strand Theatre and the Ocean Beach Library, the latter two having been designated as contributing resources due to their 1925 and 1928 construction dates (respectively) and their important role in the development of the areas as a seashore resort and vacation home area. The project site is not a designated resource in the District.

In 2011, the City's Historical Resources Board amended the Historical District Procedures to simplify them and bring them into alignment with best practices in the field of historic preservation. The district types were reduced from five to one, a standard geographically-focused historic district. The amended Historical District Procedures state that resources that are thematically related but not located within a geographically limited and defined boundary shall be addressed through a Multiple Property Listing (MPL). The current Historical District Procedures as amended also acknowledge the Ocean Beach Cottage Emerging Historical District directly as a district typology that no longer exists but must nevertheless continue to operate as a legacy district. Section three of the Historical District Procedures states:

... the Ocean Beach Cottage Emerging Historical District was established with only a context statement and period of significance to establish the significance of the district, as well as a few properties which fell within that context and period of significance that were eligible for designation under HRB Criterion F. A complete intensive survey was never completed, and therefore all eligible contributing properties are not known. Owners of properties which fall within the context statement and period of significance may bring their properties forward for designation as contributors to the district. Only those properties identified and designated as contributors are currently regulated.

Because the Ocean Beach Cottage district does not have a full intensive survey, is based on a context statement and period of significance, and is limited to those properties that fall within the context and period that are volunteered by the property owner for designation, conversion of this district to a standard geographic district is not feasible. In addition, the district's long history as a historic district precludes conversion to a Multiple Property Submission. Therefore, the district will continue to be regulated under the prior policy. Property owners may continue to bring properties forward for designation under the established context and period of significance, and the district shall remain voluntary in nature. However, no new districts will be processed under this district type.

Going back to the definition of a historical district as defined by the Municipal Code, a historical district is "a significant concentration, linkage, or continuity of sites, buildings, structures, or objects that are united historically, geographically, or aesthetically by plan or physical development and that have a special character, historical interest, cultural or aesthetic value, or that represents one or more architectural periods or styles in the history and development of the City." The Ocean Beach Cottage Emerging Historical District is a linkage of buildings that are united historically by their shared history and significance representing seaside and vacation home development in Ocean Beach from 1887-1931. In the unique case of the Ocean Beach Cottage Emerging Historical District, the historical district as defined by the Code is the linkage of designated contributing resources, regardless of the boundary in the nomination that identified where contributing resources would be found. This is supported by the Historical District Procedures, which are clear that "Only those properties identified and designated as contributors are currently regulated."

The property located at 4705 Point Loma Avenue, which was constructed in 1947, is not a designated contributing resource to the Ocean Beach Cottage Emerging Historical District. It does not reflect the district's significance as a turn of the century (19th to 20th century) "seashore" resort and vacation home area and was not constructed within the 1887-1931 period of significance. Even if the property owner were to nominate the property for designation as a contributing resource to the Ocean Beach Cottage Emerging Historical District, it would not be eligible as it was built outside of the period of significance and does not reflect the significance of the district. As the property is not a designated contributing resource and therefore not part of a historical district as defined by the Municipal Code and supported by the historic district nomination and Historical District Procedures, the project is not excluded from utilizing CCHS regulations.

Appeal Issue 1(b) Complete Communities municipal code references two City Council Resolutions: Ordinance Number O-21275, December 9, 2020, and Resolution Number R-313280, November 7, 2020, update and reference to the Municipal Code. All other references besides 143.1002 above concerning historic districts have to do with incentives and definitions and exclusions for definitions. Moreover, the resolutions also define historical districts:

§143.1010 Incentives in Exchange for Transit Priority Area Affordable Housing and Infrastructure Amenities. In addition to the project address, the section denies explicitly incentives that have adverse impacts on "... environmentally sensitive lands, or on any real property that is listed in the California Register of Historical Resources." The State of California documents Ocean Beach as a Historic District. The State Register of Historical Districts includes Ocean Beach in the California Historical Resources database.

Staff Response to Appeal Issue 1(b): The appeal asserts that the City Council resolutions associated with Complete Communities define historical districts as "any real property that is listed in the California Register of Historical Resources" and that the Ocean Beach Cottage Emerging Historical District is listed on the State Register because it is included in the California Historical Resources Inventory Database (CHRID). First, the Municipal Code section referenced by the appeal, SDMC Section 143.1010, addresses when incentives and waivers can be used in exchange for Sustainable Development Area affordable housing and infrastructure amenities and states that a waiver can be denied if "the waiver would have an adverse impact on any real property that is listed in the California Register of Historical Resources." The Ocean Beach Cottage Emerging Historical District is not listed in the California Register of Historical Resources and is designated only on the City of San Diego's Register of Historical Resources. There is a misunderstanding on the part of the appellant that the Ocean Beach Cottage Emerging Historical District is listed on the California Register of Historical Resources, which appears to be based on the inclusion of the district in the City of San Diego's California Historical Resources Inventory Database. CHRID is a database that the California State Office of Historic Preservation has promoted and encouraged local jurisdictions to use to document their historic resources. The City of San Diego uses the CHRID website to document resources within the City's jurisdiction, but not everything on CHRID is on the California Register. Contributing Resources within the Ocean Beach Cottage Emerging Historical District are documented in the City's CHRID, and the designation type is duly noted as "San Diego Register."

Second, as discussed in detail in the response to Appeal Issue 1a, the Ocean Beach Cottage Emerging Historical District is a linkage of buildings that are united historically by their shared history and significance representing seaside and vacation home development in Ocean Beach from 1887-1931. In the unique case of the Ocean Beach Cottage Emerging Historical District, the historical district as defined by the code is the linkage of designated contributing resources, regardless of the boundary in the nomination that identified where contributing resources would be found. This is supported by the Historical District Procedures, which are clear that "Only those properties identified and designated as contributors are currently regulated." The property at 4705 Point Loma Avenue is not a designated contributing resource to the Ocean Beach Cottage Emerging Historical District and is therefore not within the historical district as defined by the Municipal Code and supported by the historic district nomination and Historical District Procedures.

The Ocean Beach Cottage Emerging Historical District is not listed on the California Register of Historical Resources, and the property at 4705 Point Loma Avenue is not a designated contributing resource to the district and is therefore not within the historical district as defined by the Municipal Code and supported by the historic district nomination and Historical District Procedures. Therefore, SDMC Section 143.1010(3)(A)(ii) does not apply and the project is not excluded from CCHS or the incentives and waivers offered under the program.

Appeal Issue 1(c): Although not completely documented as part of this appeal, it is interesting that the site has historical significance as the Sea & Shore Market, in providing the grocery supplies for the Point Loma tuna industry, and many well-known boat owners in the Portuguese Tuna Fishing Fleet. The Point Loma ship-owners bought food supplies on credit and paid the bill once their catch was sold. This cycle contributed to the vibrancy of the local community and provided a grocery store for nearby residences. More complete details of the Sea & Shore Market are provided in Appendix C. The References Provide further information from the State of California Registry.

In fact, the property may itself be determined as historic, based on a Historical Description of the property (Attachment C), describing that the owners were also instrumental in establishing the burgeoning tuna-fishing fleet in Point Loma by providing credit for groceries for shipboard use. The street commercial zone, however, was designed to support the neighborhood residents. Some details of the Historical Review are documented in requirements on submitted Plans for both 2022 and current 2024 versions, describing on Sheet L-2 requirements for Historic compliance, including a historic marker.

Staff Response to Appeal Issue 1(c): The appellant is asserting that the 4705 Point Loma Avenue property is historic based on information about its former use as Al's Sea & Shore Market. The appellant has submitted additional information about the market and its association with the tuna fishing community. Specifically, the appellant claims the property is significant because the Sea & Shore Market supported San Diego's tuna fishing industry by selling groceries to boats on credit. The property was reviewed by Heritage Preservation staff consistent with San Diego Municipal Code Section 143.0212 under PTS No. 603616. During that review, staff determined that the property was not eligible for designation on the San Diego Register under any Historical Resources Board designation criteria. Additionally, because the property was built in 1947 outside of the 1887-1931 period of significance and historical theme of the Ocean Beach Cottage Emerging Historical District, staff did not comment that the property appeared to be eligible as a possible contributor to the district.

In conjunction with this appeal, the appellant has submitted additional information regarding the history of the property. After reviewing the new information, staff does not find that the property is eligible for designation either as an individually significant resource or as a contributing resource to the Ocean Beach Cottage Emerging Historical District.

Regarding individual historic designation, the new information presented most appropriately addresses HRB Criterion A, a resource that exemplifies or reflects special elements of the City's, a community's or a neighborhood's historical, archaeological, cultural, social, economic, political,

aesthetic, engineering, landscaping or architectural development. Per the Guidelines for the Application of Historical Resources Board Designation Criteria, the property must reflect a special element of development that is distinct among others of its kind or that surpass the usual in significance. While the property's history as the Sea & Shore Market and association with the tuna fishing industry loosely contributed to the historical, social and economic development of the Ocean Beach and Point Loma neighborhoods, it did not do so in a way that rises above the level of significance of other markets and grocery stores during this time. Therefore, staff does not find the property individually eligible under any HRB designation criteria. Additionally, the property is not eligible for designation as a contributing resource to the Ocean Beach Cottage Emerging Historical District, as discussed in detail in the response to Appeal Issue 1a above.

Appeal Issue 2 – Environmental Determination

Appeal Issue 2(a): The earlier project filed in 2022 for the same site documented Mitigated Negative Declaration requirements, which were noted as resolved. They are still valid for the new project and should be addressed.

Staff Response to Appeal Issue 2(a):

The Attachment D – City review comment 23 indicated an Environmental Impact Report (EIR) was completed for the Ocean Beach Community Plan (OBCP), and the OBCP EIR included a Mitigation, Monitoring and Reporting Program (MMRP). The Attachment D – City review comment 24 also states the project may be exempt from CEQA pursuant to Section 15332, In-fill development projects. As stated in the Attachment D – City review comment 25, no determination had been completed at that time. The project was ultimately determined to qualify for CEQA Exemption 15332 as stated on the Notice of Right to Appeal (NORA) NORA posted on April 10, 2024. The City of San Diego determined that the project would qualify to be categorically exempt from CEQA pursuant to 15332, In-fill Development, which allows in-fill development where projects are consistent with the general plan and applicable zoning designations, the project site is less than five acres in size surrounded by urban uses, is of no value as habitat for endangered species, would not result in significant effects relating to traffic, noise, air quality, or water quality, can be adequately served by all required utilities and public services; and where the exceptions listed in Section 15300.2 would not apply.

The project is not relying on the OBCP EIR, and the MMRP associated with that EIR is not applicable to the project. Further, the project has no significant environmental impact, and no mitigation is warranted per CEQA (CEQA Section 15041(a)). This appeal is a project level appeal as the Notice of Right to Appeal the environmental determination was posted on the 10th of April 2024 and the environmental appeal period ended on April 24, 2024.

Appeal Issue 2(b): The Negative Declaration for the Environmental Determination is invalid because it was issued before the Project was complete. Sunset Cliffs Natural Park Is Environmentally Sensitive Land, as extensively documents in the Peninsula Community Plan, where this proximity is described.

Staff Response to Appeal Issue 2(b): It is acknowledged the project site is located approximately 0.2 miles from the Sunset Cliffs Natural Park. City environmental staff completed a review for

exemption pursuant to CEQA Guidelines Section 15061. A project may be determined exempt prior to the project approval (CEQA Guidelines Section 15061(d)). The project was determined to qualify for CEQA Exemption 15332 as stated on the NORA posted on April 10, 2024. The environmental determination appeal period ended on April 24, 2024. No appeal to the environmental determination was received. A negative declaration was not completed for the project, nor is one warranted per CEQA.

Appeal Issue 2(c): The possibility for the failing Sewage System, Trash Disposal, (including asbestos during demolition), and Public Safety are also Environmental Issues.

Staff Response to Appeal Issue 2(c): This appeal issue fails to set forth a valid ground for appeal based on the Municipal Code. It provides general information and does not outline a specific issue. All proposed private water and sewer facilities located on the property are designed to meet the requirements of the California Plumbing Code and will be reviewed as part of the building permit plan check. Additionally, as part of the required demolition permit the applicant will be required to complete a hazardous materials form with the San Diego County Air Pollution Control District. As noted above, the City conducted an environmental analysis of the project and determined it was exempt pursuant to CEQA Guidelines Section 15332 (In-Fill Development Projects). A NOTA was posted on April 10, 2024 and the environmental determination appeal period ended on April 24, 2024.

Appeal Issue 2(d): The historicity documented in the description for the Environmental Determination may now be deemed incorrect by the city's latest definition for Historical District exemptions, and the Environmental Determination may need to be reissued.

Staff Response to Appeal Issue 2(d): Please see responses above to Appeal Issue 1 – Historicity. As discussed more in depth above, the property was reviewed by Heritage Preservation staff consistent with San Diego Municipal Code Section 143.0212 under PTS No. 603616. During that review, staff determined that the property was not eligible for designation on the San Diego Register under any Historical Resources Board designation criteria. The property at 4705 Point Loma Avenue is not a designated contributing resource to the Ocean Beach Cottage Emerging Historical District and is therefore not within the historical district as defined by the Municipal Code and supported by the historic district nomination and Historical District Procedures. Therefore, the project site does not contain a significant historical resource and the project would not result in a significant impact on a historic resource. The project qualifies for CEQA Exemption 15332 (In-Fill Development Projects) as stated on the NORA posted on April 10, 2024.

Appeal Issue 2(e): The transportation basis so glowingly accepted is a bus stop with infrequent single bus service and no weekend service, which is a safety and environmental issue. No transportation study was conducted. The convoluted future transportation calculations involving SANDAG do not meet the threshold for a Negative Declaration. These issues are more appropriately examined in a Mitigated Negative Declaration with a complete discussion of impacts and their resolution. There is no Hearing Officer to determine the appropriateness of the decision. The purpose of the City and the developer was to eliminate the possible appeal to a higher authority. The City Council recently denied an application by All People's Church (APC) in del Cerro based on the inadequacy of the

traffic analysis that APC used to support its application and the safety dangers that the proposed project created.

As previously stated, the Environmental Determination included the site as included in the Ocean Beach Historical District, a statement later removed. The NORA for Environmental Determination may need to be re-noticed.

The community protest this project where a previously known project morphed into an undesirable project with a still-unknown final configuration. The findings of a Negative Declaration are not supported or discussed, violating State and City ruling requirements, and were issued before the project was final. The decision that the Project was exempt from CEQA California Regulation 15332 for Infill Development has been formalized as CEQA Exemption 15322. It would obviously be invalid for a project with a fully defined and public CAP checklist, which was never seen.

Staff Response to Appeal Issue 2(e): Staff determined this project was exempt pursuant to CEQA Guidelines Section 15332 and no Transportation study was required. The project is estimated to generate approximately 120 daily trips based on a trip rate of six daily trips per dwelling unit per the City of San Diego Trip Generation Manual. As a project under 1,000 average daily trips that is consistent with the community plan and zoning designation, the project did not require a Local Mobility Analysis per the City's Transportation Study Manual.

The NORA states the project is within the Ocean Beach Cottage Emerging District. The location of a project within a district does not mean the project site contains a significant historic resource. The project was determined to qualify for CEQA Exemption 15332 as stated on the NORA posted on April 10, 2024. The environmental determination appeal period ended on April 24, 2024. No appeal to the environmental determination was received. A negative declaration was not completed for the project, nor is one warranted per CEQA. The Climate Action Plan checklist was reviewed and accepted by City staff and is available as a part of the public record for review upon request.

Appeal Issue 3 – Conflicts and Errors Introduced in Plan Transition

Appeal Issue 3(a): In 2022, the Applicant applied for a different permit for eight units for PTS-681097 as follows: (PROCESS 2) Coastal Development Permit for the demolition of an existing retail structure and construction of 2 MDU buildings with 4 units each at 4705 Point Loma Ave. This Project is affordable housing density bonus project of 8 units total. The 0.16-acre site is in the CC 4-2 Zone and Coastal Overlay (Non-Appealable) Zone within the Ocean Beach Community Plan area. Council District 2.

The new project, PRJ-1086681, reads: (PROCESS 2) Coastal Development Permit to demolish an existing commercial structure and to construct a new 3-story multi-dwelling unit located at 4705 Point Loma Av. The 0.17-acre site is in the CC-4-2. Coastal Non-Appealable) Overlay Zone and Coastal Height Limit Overlay Zone of the Ocean Beach planned area within Council District 2. This development is within the Coastal Overlay Zone (NON-APPEABLE).

Staff Response to Appeal Issue 3(a): This appeal issue fails to set forth a valid ground for appeal

based on the Municipal Code. It provides information on a previously withdrawn and canceled permit request for a prior project. Any reference to this prior project will not affect the current project on appeal at Planning Commission. The project being considered for approval at this time is as described under "Project Description" on pages 2 to 3 herein.

Appeal Issue 3(b): The project title also differed in 2022, "Point Loma MDU CDP." Please note that the only changes to the description between the two projects:

1. "2 MDU buildings with 4 units each" has become "20 units."
2. The Zoning requirements for CC-4-2 have disappeared.
3. The site has changed from 0.16 acres to 0.17 acres.

Staff Response to Appeal Issue 3(b): This appeal issue fails to set forth a valid ground for appeal based on the Municipal Code. It provides a comparison between the current project and a previously withdrawn project at the same location. As stated in Response to Appeal Issue 3(a), the prior withdrawn project is not relevant to the project being appealed at this time. The appellant references that the zoning requirements for CC-4-2 have disappeared. This statement is factually incorrect as the project complies with all applicable sections of the CC-4-2 zone, which also allows residential uses as discussed in depth above. Additionally, the zoning information is shown on the site development plans that staff reviewed and the grant deed provided in the current project reflects 0.17 acres.

Appeal Issue 3(c): In 2022, the Ocean Beach Planning Board reviewed this Project for 8 Units with no objections. For Project, PRJ-1086681, conditions outstanding from the City Staff regarding the Municipal Code have disappeared, although some presented as voluntary enhancements were actually changes required by the 2022 comments. The new Project was reviewed on May 7, 2024, by the Ocean Beach Planning Group with extensive community opposition. The Planning Group did not accept the replacement PRJ-1086681 and voted not to approve the current Project.

Staff Response to Appeal Issue 3(c): This appeal issue fails to set forth a valid ground for appeal based on the Municipal Code. It provides general information relating to consideration by the Ocean Beach Planning Board (Community Planning Group) of this project and a previous project at the same location that was withdrawn. The appellant states that in "2022 the Ocean Beach Planning Board reviewed "this" project for 8 units with no objections." This statement is factually incorrect in that the Community Planning Group did not review this project in 2022. They reviewed a prior application for an 8-unit project that has since been withdrawn and canceled and is not before the Planning Commission. Additionally, the prior project application was unanimously denied by the Community Planning Group when it was presented in 2022. As stated in Response to Appeal Issue 3(a), the prior withdrawn project is not relevant to the project being considered for approval at this time. It is acknowledged that the Community Planning Group voted on May 7, 2024 to deny the project with the following vote count: 8-1-0. The Community Planning Group did not appeal the project.

Appeal Issue 4 - Sewage

Appeal Issue 4: This Project contained extensive sewage issues, which were documented by the City, and acknowledged that sewage and water flow downhill. Twenty toilets will be flushing instead of one and into a sewage main that is 50 years old. A study was provided for 8 units but was not offered as part of the Project for 20 units. The Sewage Comments from 2022's wording state, "Your project still has 8 outstanding review issues with PUD-Water & Sewer Dev (2 of which are new issues".

The close proximity of this Project to the Ocean and Sunset Cliffs Natural Park makes sewage a vital issue for environmental discussion. The San Diego Storm Drain Protection Project includes two storm drains into the Pacific Ocean at Point Loma Avenue. These drains are directly connected to the San Diego sewage system, pumping to the Point Loma Sewage Processing Plant. The interaction of the storm drains, a failing sewage system for one toilet, let alone 20, requires the same level of documentation that the 8 units required. The connection of the Storm drainage system to the Sewage system provides logical incompatibility with a Negative Declaration Determination for environmental impact.

Staff Response to Appeal Issue 4: This appeal issue cites comments relating to a previous and withdrawn project. The project site will be tapping into a sewer main that was replaced in 2002 and is not 50 years old. A project-specific Sewer Study was prepared in accordance with the City's current Sewer Design Guide and accepted by the Development Services Department – Water and Sewer Development Review section. The final version of the Sewer Study is dated August 25, 2023. The existing sewer main, according to the City of San Diego as-built drawing 28476-14-D, is a replacement of a concrete sewer main constructed in 1927. The as-built drawing indicates the construction of a new 8" PVC main completed in 2002. As described in the Sewer Study for the project, it would contribute one-half of one percent of the capacity of the sewer main, flowing half full. The current flow through the main for the project and all properties upstream of it accounts for 36.4% of its half-full capacity, meaning the main could convey nearly 3 times what it currently does and still be flowing half-full. Due to the former concrete main being replaced with a new PVC main and the significant excess capacity of the main the project would not create any hazards. The project would be adequately served by the sewer system. As discussed at length above in Appeal Issue 2 – Environmental, it was determined the project is categorically exempt from CEQA pursuant to CEQA Guidelines Section 15332 (In-Fill Development Projects). A negative declaration was not completed for the project, nor is one warranted per CEQA. The appeal period to challenge the CEQA determination expired on April 24,, 2024.

Appeal Issue 5 - Trash

Appeal Issue 5: The trash problem is similar to the sewage problem. Twenty trash cans or equivalent dumpsters are insufficiently described. Disposal during demolition is not addressed in any known plans or documents. Asbestos plays a role in environmental determination, similar to sewage disposal impacts. There is no analysis of asbestos remediation and if the site requires it. The City becomes complicit in the effects of remaining asbestos during demolition.

Staff Response to Appeal Issue 5: The project is required to comply with the City's Refuse, Organic Waste and Recyclable Materials Storage Regulations (Municipal Code Chapter 14, Article 2 Division

8), Recycling Ordinance (Municipal Code Chapter 6, Article 6, Division 7), and the Construction and Demolition (C & D) Debris Deposit Ordinance (Municipal Code Chapter 6, Article 6, Division 6). The multi-dwelling unit project would not use individual unit roll-out cans for trash collection. The approved plans clearly show small dumpsters for trash, recycling, and organic waste in accordance with San Diego Municipal Code that would be collected by a private trash company. The San Diego County Air Pollution Control District (APCD) regulates asbestos demolition. The project is required to comply with San Diego APCD's Rule 1206 - Asbestos Removal, Renovation, and Demolition.

Appeal Issue 6 - Commercial

Appeal Issue 6: Unlike the problems associated with the proliferation of residentially zoned ADUs, this Project interferes with the community-service commercial district. It has continued to maintain this function which brought communities together historically- meeting for coffee or tacos, going with neighbors to exercise classes, and sending your children to school nearby. The property at 4705 Point Loma has been deliberately allowed to degrade from its use as a local grocery store, with the developer projecting that people would be happy to see anything proposed in its place. This block currently provides a plumber, two restaurants, part of a Grade 1-8 school (Warren Walker), two gyms, a holistic health purveyor, and a laundromat. The Ocean Beach Community Plan supports neighborhood businesses serving both tourists and residents. Still, the degradation of parking for these small businesses will result in a domino effect when no customers can reach them. This effect is well documented in the construction of early adapters of Complete Communities in the 30th Street area and the inability to rent without parking.

The Commercial district was designed at a time following WW II when small 2 and 3-bedroom houses with one bathroom were built with large backyards. It was when young families and new homeowners only had one car. The neighborhood grocery served a useful purpose as a grocery store for nearby families. As described in the Historical Description of the property (Attachment C), the owners were also instrumental in establishing the burgeoning Tuna-fishing fleet in Point Loma by providing credit for groceries for shipboard use. The street commercial zone, however, was designed to support the neighborhood residents.

Staff Response to Appeal Issue 6: This appeal issue fails to set forth a valid ground for appeal based on the Municipal Code. It provides general information and opinion relating to the location of the project site. The CC-4-2 zone allows for multi-dwelling unit development. Additionally, projects utilizing the CCHS regulations are entitled to use incentives and waivers to deviate from specific requirements of the base zone. SDMC Section [143.1010\(h\)\(1\)\(A\)](#) defines an incentive generally as "a deviation from a development regulation with the exception of any regulations or requirements of" CCHS regulations. It also includes a specific list of items not considered incentives. The project is waiving the commercial requirement for the project as an incentive as discussed above. The project is consistent with the applicable regulations of the Land Development Code.

Appeal Issue 7 - Parking

Appeal Issue 7: Complete Communities effectively removes all requirements for parking for residents. The desire of the California Coastal Commission to make beaches accessible ignores the

fact that all on-street parking will be reduced by a factor of 40 for any out-of-area visitors who would like to see or access the beach. The Architect estimates 2 persons (cars) and, interestingly, 2 dogs per dwelling. With the expansion in the number of uses, this building will potentially be home to 40 dogs, with no dog-walking area identified on the property.

Of the units, 3 are affordable, and 17 are not. Although the Architect currently states 9 parking spaces, it is clear that these spaces, when enclosed, will become storage, particularly for those units small enough to more accurately qualify as hotel rooms. The street parking is already clogged with prior development as more and more people share it with multiple roommates. The parking is untenable. It is unclear whether visibility will be provided in the sharp right turns required to enter the parking spaces from the alley. The primary objection to the Project is that the number of units is 2.5 times higher than initially proposed. The original plans required 13 parking spaces with defined motorcycle parking. These parking spaces will likely morph into storage for the small units. Complete Communities does away with parking requirements, and there is no guarantee that the parking places defined will remain on the plans for final approval.

Staff Response to Appeal Issue 7: This appeal issue fails to set forth a valid ground for appeal based on the Municipal Code. The project complies with parking regulations and applicable codified development standards. The project is utilizing a waiver to reduce the number of required automobile parking spaces per SDMC section 142.0525 and Table 142-05C to reduce the requirement from 30 spaces to 9 spaces.

The nine off street parking spaces will be located in an open group parking setting which are not individual garages that cannot be converted pursuant to development regulations. The project is conditioned to maintain a visibility triangle at the intersection of Point Loma Avenue and Ebers Street and at the intersection of Ebers Street and the adjacent alley. The project is also conditioned to not have obstacles taller than 36 inches within the visibility triangle.

Further, the appellant notes the small size of the units as grounds for granting an appeal. This is not a valid ground for appeal. The units comply with all underlying codes and regulations.

Appeal Issue 8 – Adherence to the Ocean Beach Community Plan and Local Coastal Program

Appeal Issue 8: " ... state law requires the California Coastal Commission certification of amendments to the Local Coastal Program before they can take effect in the Coastal Zone ... "
- City of San Diego Statement for Planning Commission Hearings

This Project does not comply with the Goals of the Ocean Beach Community Plan and Local Coastal Program. The current Plan encouraged development that built on the established character of Ocean Beach, but it has not yet changed. The Plan, dated November 9, 2015, was certified on January 14, 2016, when the California Coastal Commission issued its final certification of the new Ocean Beach Community Plan, placing it officially in effect throughout Ocean Beach. The City is in the process of updating these plans. The Ocean Beach Plan is not designated as "Plan Update in Progress," which is currently occurring but not complete for City Heights, Clairemont Mesa, College Area, Eastern Area, Kensington-Talmadge, Normal Heights, University, and Uptown Planning areas.

Its introduction (8 years ago) states, as an example, "The Purpose of the Plan: The Ocean Beach Community Plan and Local Coastal Program (Plan) is the City of San Diego's statement of policy regarding growth and infill development within Ocean Beach over the next twenty years." The Plan states, "The Ocean Beach Community Plan and Local Coastal Program identifies Ocean Beach as a small-scale coastal village. This Plan is intended to further express General Plan policies in Ocean Beach by providing site-specific recommendations that implement the City of Villages (the predecessor to Complete Communities).

Please note that the 2015 Plan provides a standardized land use matrix and promotes the "City of Villages" strategy through "mixed-use villages connected by high-quality transit."

The high-quality transit envisioned by the Plan in 2015 still consists of a single bus stop with no service on Saturdays, Sundays, Holidays, or low-use hours. The mixed-use villages have been abandoned for "all residential." The current iteration of the City of Villages morphed into Complete Communities with no changes in transit to match soon-to-be 10-year-old plans. This 2016 plan was approved by the California Coastal Commission. The land-use goal includes "encourage mixed-use residential/commercial development within commercial districts." and "Protect and enhance commercial areas." These goals have been abandoned for a developer-centric approach to maximize residential use.

Staff Response to Appeal Issue 8: Community plans are community-specific land use policy plans that are a component of, and consistent with, the City's General Plan. The City's community planning program is the mechanism to refine the General Plan's citywide policies; designate land uses; identify needed public facilities, mobility and utility infrastructure, and recreation facilities; and make additional community-specific recommendations as needed. The Ocean Beach Community Plan was updated after the adoption of the 2008 General Plan, and includes goals and policies that target residential growth in close proximity to existing and planned transit, in order to create village cores with improved pedestrian and multi-modal circulation.

The Complete Communities Housing Solutions regulations were established to help implement the General Plan's City of Villages strategy by facilitating the development of high-density multi-family development within Transit Priority Areas (TPAs). The proposed project would facilitate implementation of the City's General Plan City of Villages strategy which focuses on directing population growth into mixed-use activity centers that are pedestrian-friendly and linked to an improved regional transit system. The proposed project would be consistent with the Land Use and Community Planning Element policy that calls for the creation and application of incentive zoning and density bonus programs in order to achieve housing goals and public benefits, even if density on an individual site exceeds zoning allowances.

The Ocean Beach Community Plan is a guideline for development within the Ocean Beach neighborhood, and those guidelines, policies and recommendations are implemented through the underlying base zone with all other development regulations, including Complete Communities Housing Solutions Regulations, which have been certified by the California Coastal Commission and have become a part of the City of San Diego's Local Coastal Program. CCHS allows multi-family development with an affordable component to occur within TPAs at densities and heights beyond

what is specifically identified in the applicable community plan and does not require community plans to be updated.

The proposed project would implement the General Plan's goals, objectives, and policies related to the provision of housing and affordable housing. Furthermore, the proposed project helps implement the Ocean Beach Land Use Goal of Providing Housing for all Economic Levels through the utilization of CCHS, which requires the inclusion of three deed-restricted affordable homes in the proposed development.

Appeal Issue 9 – Public Safety

Appeal Issue 9:

- a) The Project's proximity to Warren Walker School and St Peter's by the Sea Pre-school were not considered during the review.
- b) The Project's review does not consider that the single bus line. Adherence to the Ocean Beach Community Plan and Local Coastal Program impacts the safety of the residents using it.
- c) Public safety was not addressed in the Negative Declaration provided as an Environmental Determination. The overflow of sewage and the demolition of potentially hazardous materials are dangerous to the public and the Pacific Ocean. It is not addressed in Complete Communities.

Staff Response to Appeal Issue 9:

a) This appeal issue fails to set forth a valid ground for appeal based on the Municipal Code. Residential uses are a compatible use to locate near schools. The project provides infill housing located near neighborhood schools which allow residents to walk to the school without driving and present no public safety issues.

b) This appeal issue fails to set forth a valid ground for appeal based on the Municipal Code. The project is to build a three-story 20 dwelling unit building. The project does not encroach into the public right of way or alter the path of the bus line. Additionally, the project has been conditioned to improve curb, gutter, and sidewalks; close any unused driveways; pave a portion of the alley; provide street lighting; and maintain a visibility triangle at the intersection of Point Loma Avenue and Ebers Street and at the intersection of Ebers Street and the adjacent alley. The project will not have obstacles higher than 36 inches tall within the visibility triangle. The project will maintain and implement best management practices during the building phase and conform to the Land Development Code regulations regarding access to the existing bus line.

c) This appeal issue fails to set forth a valid ground for appeal based on the Municipal Code. The appellant states that there is a risk of sewage overflowing from the site but does not provide technical analysis or facts to substantiate this claim. The project provided a Sewer Study prepared by Christiansen Engineering on August 25, 2023 and was accepted by staff as part of the review process of the Coastal Development Permit. The Sewer Study concluded the new flow is less than 10% of the total flow of the sewer main and there is no need to perform additional downstream analysis. Based on this analysis, the existing sewer main is capable of conveying the total expected

effluent from the project site. As discussed at length above in Appeal Issue 2 – Environmental, it was determined the project is categorically exempt from CEQA pursuant to CEQA Guidelines Section 15332 (In-Fill Development Projects). A negative declaration was not completed for the project, nor is one warranted per CEQA. The appeal period to challenge the CEQA determination expired on April 24, 2024.

Appeal Issue 10 – Specific Project Details

Appeal Issue 10: Many details were swept away or inappropriately retained when the Project was up-sized from eight to 20 units. As an example, the rooftop deck from the 2022 project is still there, minus the railing. In a single afternoon after construction is completed, this area is predicted to be converted into the deck it was initially planned to be. The same is true for storage and garage doors. The building has more of the characteristics of a hotel than affordable housing and, with the current level of enforcement, is expected to serve as a vacation rental. The rooftop deck area is ideal for solar-thermal energy panel installations. Still, without an Environmental study, this alternative was not presented.

The details of demolition required are not present, that is:

"This project is an application for a (Process 2) Coastal Development Permit to demolish an existing commercial structure and to construct a new 3-story multi-dwelling unit located at 4705 Point Loma Av."

The Plan is designated as a "demolition project," which has potential environmental and safety issues in this commercial area. It does not, however, contain a demolition plan in the plan set. This is significant because of the potential for asbestos in the building to be demolished, which also constitutes a safety and environmental issue in a busy commercial area. Local residents have unified concerns related to asbestos particulates. City approval of this project must consider health of existing community residents and meet the requirements for asbestos removal.

Staff Response to Appeal Issue 10: This appeal issue fails to set forth a valid ground for appeal based on the Municipal Code. As stated in Response to Appeal Issue 3, the prior withdrawn project is not relevant to this appeal. The current project does not propose a roof deck and any future design changes to enclose portions of the project would require review by staff. Additionally, permits would be required to cover the roof and the demolition of the existing structure will need to obtain a demolition permit prior to construction. In regards to the asbestos issues raised, please see staff response Appeal Issue 5 regarding asbestos. As discussed at length above in Appeal Issue 2 – Environmental, it was determined the project is categorically exempt from CEQA pursuant to CEQA Guidelines Section 15332 (In-Fill Development Projects). A negative declaration was not completed for the project, nor is one warranted per CEQA. The appeal period to challenge the CEQA determination expired on April 24, 2024.

Appeal Issue 11 – Level of Permit

Appeal Issue 11: Lowering the approval level serves only one purpose: It removes the rights of the public to higher-level appeals. In this case, the original Project could have been eventually appealed

to the City Council. In addition, the price of each appeal is \$1000, and the cost of an appeal applies to the local community planning boards, which do not have budgets for these activities.

Staff Response to Appeal Issue 11: This is not a valid grounds for appeal based on the Municipal Code. The process level and appeal fee is determined by the San Diego Municipal Code and is not subject to staff opinion. The project was processed at Level 2 in compliance with the San Diego Municipal Code.

Appeal Issue 12 - The DSD Approval without a hearing was based on factual errors

1. Misleading and incomplete project descriptions and ambiguous project modifications caused the reviewing staff to approve the project based on inaccurate information.
 - a) The DSD staff review failed to consider requirements outside Complete Communities.
 - b) The DSD staff review failed to consider the commercial use requirements, both current and historic.
 - c) The DSD staff review failed to consider the problematic sewage problems inherent in the aging main pipes and did not require an updated report.
 - d) The DSD staff failed to acknowledge the historic designation for the Ocean Beach district and its requirement to be exempt from Complete Communities.
2. Omission of project details and approval procedures.
 - a) The DSD staff did not have full project details, including requirements and discrepancies with other development approvals as defined in the Municipal Code but not covered in Complete Communities, specifically the Sewage Report initially required for this location and the permit for demolition with no sheet for a demolition plan.
3. Applicant misstatements, omissions, and falsities
 - a) The DSD staff improperly relied on misrepresentations by the Applicant, as outlined in the Objections submitted by the Appellant.

Staff Response to Appeal Issue 12

Staff reviewed the project and determined it was in compliance with the underlying base zone, overlays and the Complete Communities program. The site is zoned CC-4-2 and currently contains a vacant commercial building. Per SDMC Section [131.0540\(a\)](#) and [Table 131-05B](#), residential development is permitted in commercial zones, and the development regulations of the RM zone with the same density as the commercial zone shall apply to the residential development. In the case of the CC-4-2 zone, the RM-2-5 zone (which allows a density of one dwelling unit per 1,500 square feet of lot area) shall apply per SDMC [131.0507\(b\)\(4\)](#) . The 0.17-acre (7,396-square-foot) lot allows five dwelling units as the base density; however, the project is utilizing the Complete Communities Regulations and pursuant to SDMC Section [143.1010\(a\)](#) is allowed a 2.5 FAR and

unlimited density (SDMC [143.1010\(b\)](#)). Of the 20 units, one will be very low-income, one low-income, and one will be moderate-income, for a total of three affordable units. Staff has also addressed these appeal issues regarding historic and sewage concerns in detail in appeal issue responses 1 and 4.

Appeal Issue 13 -The Staff Findings Were Not Supported

1. The Project Will Adversely Affect the Applicable Land Use Plan
 - a) The Project will adversely affect the Ocean Beach Community Plan and Local Coastal Program, and the Peninsula Community Plan, as specified in written comments provided by the Appellant, which identified specific policies that required the Project to conform to the municipal code.

2. The Project Will Be Detrimental to Public Safety
 - d) The Project's proximity to Warren Walker School and St Peter's by the Sea Pre-school were not considered during the review.

 - e) The Project's review does not consider that the single bus line that does not run on the weekend does not provide sufficient safe transportation.

 - f) The Project does not comply with the ESL Regulations in the Land Development Code SDMC 143.0143, specifically Subdivisions (a), (b), (f), and (g) concerning the Sunset Cliffs Natural Park requirements.

3. Supplemental Findings according to SMDC § 126.0505, Subdivision (b) Cannot be Met
 - a. The requirements of the Municipal Code have been subverted by requiring only a Coastal Development Permit. Otherwise Required Findings according to SDMC section 126.0505, Subdivision (a) and the supplemental findings in Section 126.0505 subdivisions (b) are not supported, as specified in the Appellant's written comments:

 - b. The Project should be denied or otherwise conditioned to minimize or eliminate conflicts with public access and views, including those protected by the local land use plans, municipal code, and other coastal resources laws.

Staff Response to Appeal Issue 13

1. This appeal issue is fully addressed in Staff Response to Appeal Issue 8.

2.d) This appeal issue is addressed in Staff Response to Appeal Issue 9. The project has been designed and conforms with the City of San Diego codes, policies and regulations which focus on the protection of the public's health, safety and welfare. The project permit includes conditions of approval and exhibits to achieve compliance with the applicable SDMC regulations.

2.e) This appeal issue is addressed in Staff Response to Appeal Issue 9. A Transportation study was not required. The project is estimated to generate approximately 120 daily trips based on a trip rate of six daily trips per dwelling unit per the City of San Diego Trip Generation Manual. As a project under 1,000 average daily trips that is consistent with the community plan and zoning designation, the project did not require a Local Mobility Analysis per the City's Transportation Study Manual.

2.f) This appeal issue is addressed in Staff Response to Appeal Issue 2. The project site does not contain and is not adjacent to environmentally sensitive lands, such as sensitive biological resources, coastal beaches, coastal bluffs, steep slopes, or flood hazard areas as defined by the OBCP or the Land Development Code.

3. and 3.a) The project is required to obtain a Coastal Development Permit per to SDMC Section [126.0707\(a\)](#) due to being within the Coastal Overlay (Non-Appealable) Zone. A Site Development Permit is not required for the project pursuant to the Municipal Code. The SDP findings mentioned in the appeal do not apply to the project.

3.b) The proposed development is contained within the existing developed legal lot area, on private property, and thereby will not encroach upon any existing physical access way that is legally used by the public or any proposed public access way identified in the Community Plan and Local Coastal Program land use plan. Figure 4.4 Public Coastal Views of the OBCP identifies a Framed View from Ebers to the Pacific Ocean along Point Loma Avenue. A "Framed View Corridor" is a roadway offering a view from a public right-of-way or public property without obstruction from allowable building envelopes on adjacent private property (OBCP pg. UD-56). The proposed development conforms to the 30-foot height limit by maintaining a maximum height of 29 feet and 11 inches and maintains setbacks, including the front yard setback protecting the existing framed view. The development does not impact public views to or along the ocean and other scenic coastal areas as specified in the Community Plan.

Appeal Issue 14 -Conflicts with Land Use Policy, SDMC, and Other Law

1. Inconsistency with Land Use Plans

- a. The Project is inconsistent with the Ocean Beach Community Plan and/or Peninsula Community Plan and Local Coastal Program Land Use Plan, 2015, as specified in written comments provided by the Appellant, which identified specific policies that required the Project to conform to historic and environmental requirements, and correct other inconsistencies.

Staff Response to Appeal Issue 14

This appeal issue is addressed in Staff Response to Appeal Issue 8.

Appeal Issue 15 -Findings Made are Unsupported

The Project does not comply with the ESL Regulations in the Land Development Code SDMC 143.0143, specifically Subdivisions (a), (b), (f), and (g) concerning the Sunset Cliffs Natural Park requirements.

Staff Response to Appeal Issue 15

This appeal issue is addressed in Staff Response to Appeal Issue 2. The project site does not contain and is not within the Sunset Cliffs Natural Park nor adjacent to environmentally sensitive lands, such as sensitive biological resources, coastal beaches, coastal bluffs, steep slopes, or flood hazard areas as defined by the OBCP or the Land Development Code. The project has been designed and conforms with the City of San Diego codes, policies and regulations which focus on the protection of the public's health, safety and welfare. The project permit includes conditions of approval and exhibits to achieve compliance with the applicable SDMC regulations.

Project-Related Issues:

On Tuesday, May 7, 2024 the Ocean Beach Planning Board voted 8-1-0 I to “deny based on the removal of commercial space and lack of compliance with the Community Plan in that regard and encourage the city to provide clarity and consistency on the Ocean Beach Cottage Emerging District.”

Conclusion:

Staff has reviewed the proposed project, analyzed the appeal issues, and determined that the project is in conformance with the regulations of the Land Development Code and the Community Plan. There were no inaccurate statements or insufficient evidence presented to the City staff upon which the Development Services Department relied when approving the project. The Development Services Department believes the findings for the project can be made based on the evidence provided. All information was disclosed and shared with interested parties during the review and decision process.

The project conforms with all of the development standards required by the underlying CC-4-2 zone and the Complete Communities Housing Solutions Regulations of the San Diego Municipal Code. The project is consistent with the Community Plan and the findings can be made for a Coastal Development Permit. City staff does not believe the appellant has provided evidence to support any of the findings that are grounds for appeal. Therefore, City staff recommends that the Planning Commission deny the appeal and affirm the Development Services Department's decision to approve the project.

Alternatives

1. Deny the appeal and affirm the Development Services Department's decision to approve Coastal Development Permit No. 3211002 with modifications.
2. Grant the appeal and deny the Development Services Department's decision to approve

Coastal Development Permit No. 3211002 in accordance with SDMC Section [112.0504](#).

Respectfully submitted,



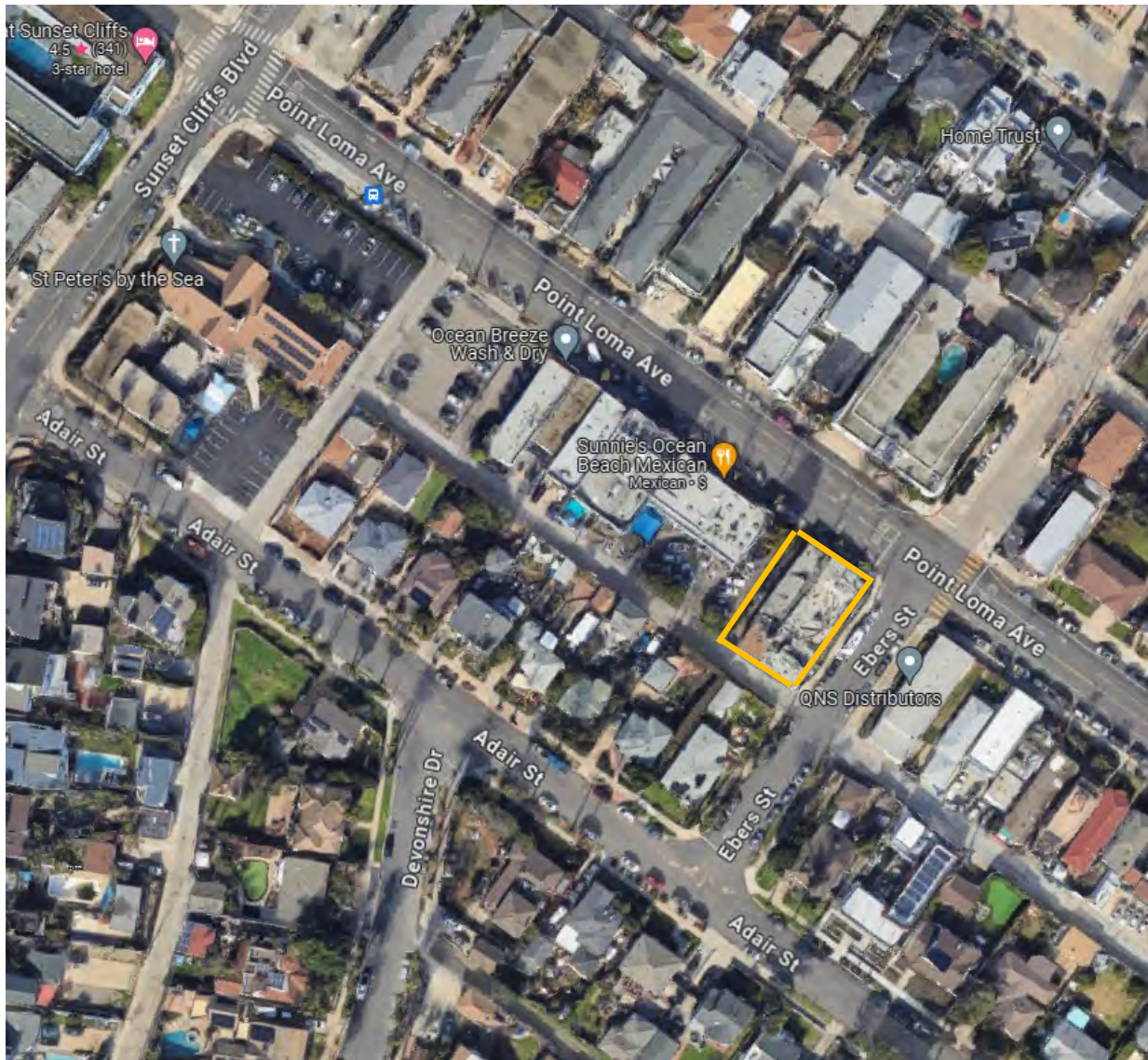
Renee Mezo
Assistant Deputy Director
Development Services Department



Christian Hoppe
Development Project Manager
Development Services Department

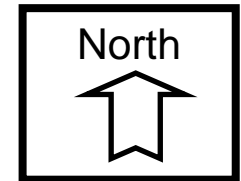
Attachments:

1. Aerial Photographs
2. Community Plan Land Use Map
3. Draft Permit with Conditions
4. Draft Permit Resolution with Findings
5. Notice of Decision
6. Community Planning Group Recommendation
7. Environmental Exemption
8. Copy of Appeal
9. Project Plans
10. Ownership Disclosure



Aerial Photograph

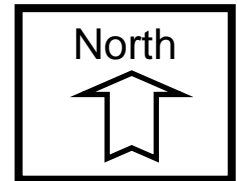
The Point CDP
Project No. 1086681 – 4705 Point Loma Avenue

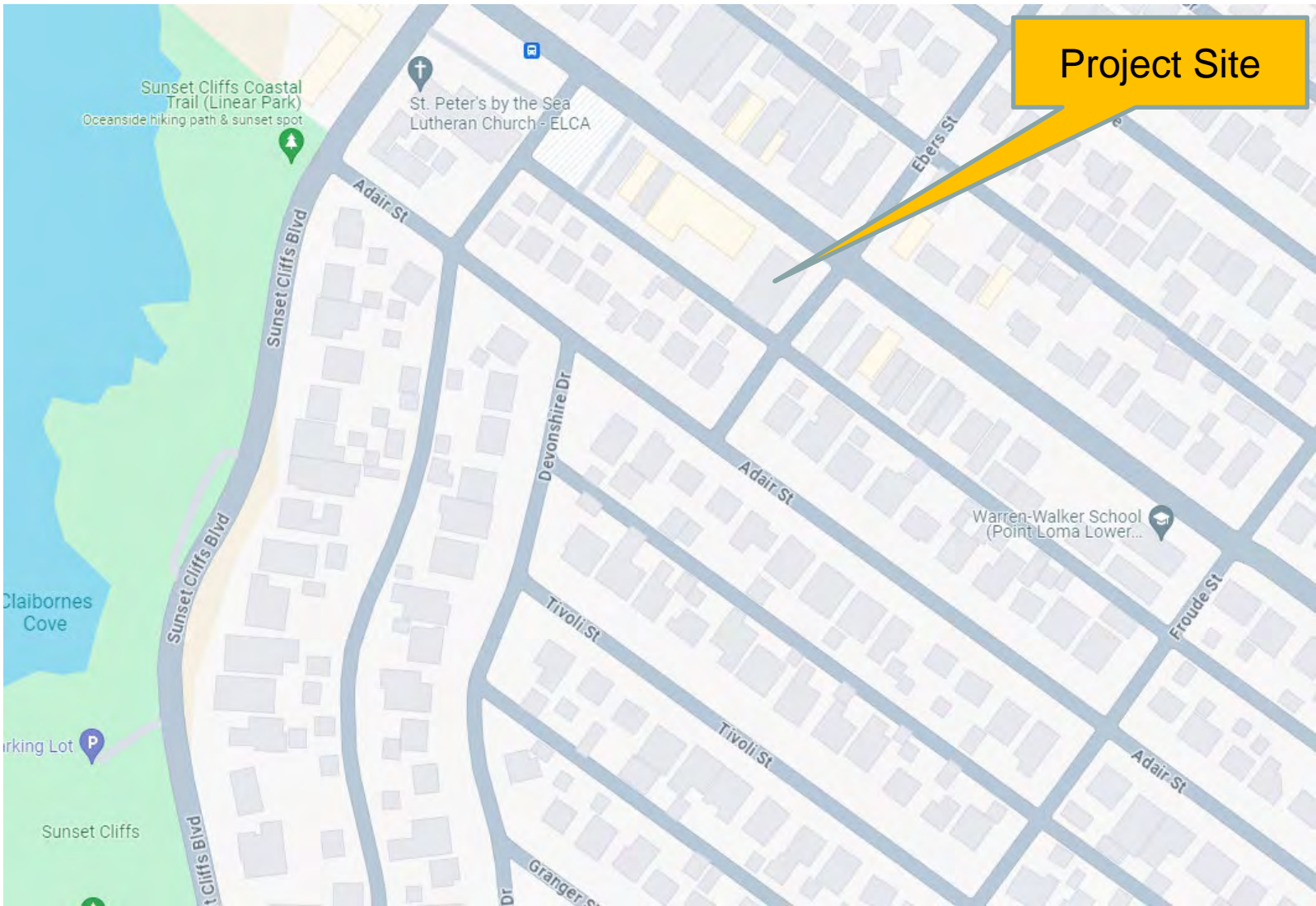




Land Use Map

The Point CDP
 Project No. 1086681 – 4705 Point Loma Avenue

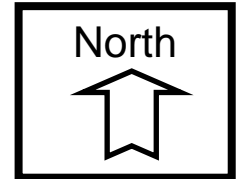




Project Location Map

The Point CDP

Project No. 1086681 – 4705 Point Loma Avenue



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

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK

INTERNAL ORDER NUMBER: 24009521

SPACE ABOVE THIS LINE FOR RECORDER'S USE

COASTAL DEVELOPMENT PERMIT NO. PMT-3211002

THE POINT PROJECT NO. PRJ-1086681

PLANNING COMMISSION

This Coastal Development Permit No. PMT-3211002 is granted by the Planning Commission of the City of San Diego to POINT LOMA AVENUE VILLAS, LLC, a California Limited Liability Company, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0708. The 0.17-acre site is located at 4705 Point Loma Avenue in the CC-4-2 Zone, Coastal Height Limitation Overlay Zone, Coastal Overlay Zone (Non-Appealable Area 2), Parking Impact Overlay Zone (Coastal), Transit Priority Area, Airport Land Use Compatibility Overlay Zone (NAS North Island and SDIA), Airport Influence Area (Review Area 2 SDIA and NAS), FAA Part 77 Noticing Area, of the Ocean Beach Community Plan Area.

The project site is legally described as: PARCEL 1: ALL OF LOT 1 AND THAT PORTION OF LOT 2 IN BLOCK 4 OF SUNSET CLIFFS IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1889, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, MARCH 1, 1926, LYING SOUTHERLY OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT A POINT ON THE NORTHEASTERLY LINE OF SAID LOT 2, DISTANT THEREON 36.12 FEET NORTHWESTERLY OF THE MOST EASTERLY CORNER OF SAID LOT 1 IN SAID BLOCK 4; THENCE SOUTHWESTERLY IN A STRAIGHT LINE TO THE INTERSECTION WITH THE SOUTHWESTERLY LINE OF SAID LOT 2, DISTANT THEREON 36.97 FEET NORTHWESTERLY OF THE MOST SOUTHERLY CORNER OF SAID LOT 1. PARCEL 2: ALL OF LOT 3 AND THAT PORTION OF LOT 2 IN BLOCK 4 OF SUNSET CLIFFS IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1889, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, MARCH 1, 1926, LYING NORTHERLY OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT A POINT ON THE NORTHEASTERLY LINE OF SAID LOT 2, DISTANT THEREON 36.12 FEET NORTHWESTERLY OF THE MOST OF THE EASTERLY CORNER OF SAID LOT 1 IN SAID BLOCK 4; THENCE SOUTHWESTERLY IN A STRAIGHT LINE TO THE INTERSECTION WITH THE SOUTHWESTERLY LINE OF SAID LOT 2, DISTANT THEREON 36.97 FEET NORTHWESTERLY OF THE MOST SOUTHERLY CORNER OF SAID LOT 1.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to demolish an existing structure and build a new, 20-unit, three-story multi-dwelling unit complex described and identified by size, dimension, quantity, type, and location on

the approved exhibits [Exhibit "A"] dated May 23, 2024, on file in the Development Services Department.

The project shall include:

- a. The demolition of an existing one-story commercial structure;
- b. Construction of a new, 20-unit, three-story multi-dwelling unit complex;
- c. Three affordable rental units:
 - a. One very low-income unit at a cost, including an allowance for utilities, that does not exceed 30% of 50% of the Area Median Income (AMI);
 - b. One moderate income unit at a cost, including an allowance for utilities, that does not exceed 30% of 120% of the AMI;
 - c. One low income unit at a cost, including an allowance for utilities, that does not exceed 30% of 60% of the AMI;
- d. Two Incentives:
 - a. Eliminate the requirement for commercial development and all the regulations that relate to commercial development per San Diego Municipal Code (SDMC) Section 131.0540;
 - b. Eliminate the required plant points achieved with trees per SDMC table 142-04A and Section 142.0405(a)(1);
- e. Three Waivers:
 - a. Waive the requirement for common open space per SDMC table 131-046 and Section 131.0456(a);
 - b. Waive the requirement for the private exterior open space to be no closer than '9'-0" to the front property line and the 6'-0" minimum dimension per SDMC Section 131.0455
 - c. Reduce the number of automobile parking spaces required per SDMC Section 142.0525 and table 142-05C from 30 to 9 parking spaces;
- f. Landscaping (planting, irrigation and landscape related improvements);
- g. Off-street parking;
- h. 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 August 29, 2027.
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. 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.
8. 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.

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

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

10. 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.

ENGINEERING REQUIREMENTS:

11. Prior to the issuance of any construction permit for building, the Owner/Permittee shall dedicate and improve an additional four feet on Point Loma Avenue to provide a 14-foot curb-to-property-line distance, satisfactory to the City Engineer.

12. Prior to the issuance of any construction permit for building, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement for the sidewalk underdrains, landscape and irrigation located within the City's right-of-way, satisfactory to the City Engineer.

13. Prior to the issuance of any construction permit for building, the Owner/Permittee shall assure by permit and bond the closure of non-utilized driveways, and construction of current City Standard

curb, gutter, and sidewalk, adjacent to the site on Point Loma Avenue, satisfactory to the City Engineer.

14. Prior to the issuance of any construction permit for building, the Owner/Permittee shall assure by permit and bond the replacement of existing curb and sidewalk with current City Standard curb, gutter, and sidewalk, adjacent to the site on Point Loma Avenue and Ebers Street, satisfactory to the City Engineer.

15. Prior to the issuance of any construction permit for building, the Owner/Permittee shall assure by permit and bond the reconstruction of the existing curb ramp with directional current City Standard curb ramps at the west corner of Point Loma Avenue and Ebers Street, adjacent to the site, satisfactory to the City Engineer.

16. Prior to the issuance of any construction permit for building, the Owner/Permittee shall assure by permit and bond the reconstruction of the existing curb ramps with City Standard curb ramps at the alley entrance, satisfactory to the City Engineer.

17. Prior to the issuance of any construction permit for building, the Owner/Permittee shall assure by permit and bond the reconstruction of the existing alley pavement with current City Standard concrete alley, full- width, satisfactory to the City Engineer.

18. Prior to the issuance of any construction permit for building, the Owner/Permittee shall assure by permit and bond the reconstruction of the existing alley apron, per current City Standard, satisfactory to the City Engineer.

19. Prior to the issuance of any construction permit for building, the Owner/Permittee shall assure by permit and bond to upgrade the existing streetlight per current City Standard, adjacent to the site on Point Loma Avenue and Evers Street, satisfactory to the City Engineer.

20. The project proposes to export 10 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"), 2015 edition and Regional Supplement Amendments adopted by Regional Standards Committee.

21. The drainage system proposed for this development, as shown on the site plan, is private and subject to approval by the City Engineer.

22. 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 Part 2 Construction BMP Standards Chapter 4 of the City's Storm Water Standards.

23. 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.

24. 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 SDMC, into the construction plans or specifications.

PLANNING/DESIGN REQUIREMENTS:

25. The automobile, motorcycle and bicycle parking spaces must be constructed in accordance with the requirements of the SDMC. All on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing authorized by the appropriate City decision maker in accordance with the SDMC.

26. 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.

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

28. Prior to the issuance of a construction permit per SDMC Section 143.1020(a): "Neighborhood Enhancement Fund, all developments shall pay a fee to the "Neighborhood Enhancement Fund", as established by City Council Resolution R-313282.

29. The dwelling units within the development shall not be used for a rental term of less than 30 consecutive days.

TRANSPORTATION REQUIREMENTS

30. Prior to the issuance of any construction permit for building, the Owner/Permittee shall assure by permit and bond the closure of all non-utilized driveways along the project's frontage on Point Loma Avenue and replace with current City Standard curb height, gutter, and sidewalk, satisfactory to the City Engineer. All improvements shall be completed and accepted by the City Engineer prior to first occupancy.

31. The Owner/Permittee shall provide and maintain a visibility triangle at the intersection of Point Loma Avenue and Ebers Street and at the intersection of Ebers Street and the adjacent alley, as shown on Exhibit "A" Sheet A001. No obstacles higher than 36 inches shall be located within this area, e.g., shrubs, landscape, hardscape, walls, columns, stairs, signs, etc.

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

32. All proposed private water and sewer facilities located within a single lot are to be designed to meet the requirements of the California Plumbing Code and will be reviewed as part of the building permit plan check.

33. Prior to the issuance of any construction permit for building, the Owner/Permittee shall assure, by permit and bond, the design and construction of new water and sewer service(s) outside of any driveway or drive aisle and the abandonment of any existing unused water and sewer services within the public right of way adjacent to the project site, in a manner satisfactory to the Public Utilities Department and the City Engineer.

34. Prior to the issuance of any construction permit for building, the Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private Backflow Prevention Device(s) [BFPDs], on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Department and the City Engineer.

35. The Owner/Permittee shall be responsible for any damage caused to the City of San Diego water and sewer facilities within the vicinity of the project site due to the construction activities associated with this project in accordance with San Diego Municipal Code Section 142.0607. Should such damage occur, the Owner/Permittee shall repair or reconstruct any damaged public water and sewer facility in a manner satisfactory to the Public Utilities Department and the City Engineer.

36. Prior to the issuance of any construction permit for building, all public water and sewer facilities shall be complete and operational in a manner satisfactory to the Public Utilities Department and the City Engineer.

37. The Owner/Permittee shall design and construct all proposed public water and sewer facilities in accordance with established criteria in the current edition of the City of San Diego Water and Sewer Facility Design Guidelines and City regulations, standards, and practices.

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

LANDSCAPE REQUIREMENTS

39. Prior to issuance of any construction permit for grading, the Owner/Permittee shall submit complete construction documents for the revegetation and hydro-seeding of all disturbed land in accordance with the City of San Diego Landscape Standards, Storm Water Design Manual, and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit "A," on file in the Development Services Department.

40. Prior to issuance of any construction permit for public improvements, the Owner/Permittee shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall show, label, and dimension a 40-square-foot 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.

41. Prior to issuance of any construction permit for building (including shell), the Owner/Permittee shall submit complete landscape and irrigation construction documents, which are consistent with

the Landscape Standards, 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 Development Services Department. Construction plans shall provide a 40-square-foot area around each tree that is unencumbered by hardscape and utilities unless otherwise approved per §142.0403(b)(6).

42. In the event that the owner/permittee requests a foundation-only permit, a site plan or staking layout plan shall be submitted to the Development Services Department identifying all landscape areas consistent with Exhibit "A," Landscape Development Plan, on file in the Development Services Department. These landscape areas shall be clearly identified with a distinct symbol, noted with dimensions, and labeled as 'landscaping area.'

43. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, unless long-term maintenance of said landscaping will be the responsibility of another entity approved by the Development Services Department. All required landscape shall be maintained consistent with the Landscape Standards in a disease, weed, and litter free condition at all times. Severe pruning or "topping" of trees is not permitted.

44. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved plans is damaged or removed, the Owner/Permittee shall repair and/or replace in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or Certificate of Occupancy.

INFORMATION ONLY:

- The issuance of this discretionary permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this discretionary 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 Planning Commission of the City of San Diego on August 29, 2024, and resolution number _____.

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Christian Hoppe
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.

**Point Loma Avenue Villas, LLC, a California
Limited Liability Company**
Owner/Permittee

By _____
NAME
TITLE

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

DEVELOPMENT SERVICES DEPARTMENT RESOLUTION NO. CM-7327
COASTAL DEVELOPMENT PERMIT NO. PMT-3211002
THE POINT - PROJECT NO. PRJ-1086681

WHEREAS, POINT LOMA AVENUE VILLAS, LLC, a California Limited Liability, Owner/Permittee, filed an application with the City of San Diego for a permit to demolish an existing structure and construct a new, 20-unit, three-story multi-dwelling unit complex (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. PMT-3211002), on portions of a 0.17-acre site;

WHEREAS, the project site is located at 4705 Point Loma Avenue in the CC-4-2 zone, the Coastal Height Limit Overlay Zone, the Coastal Overlay (Non-Appealable Area 2) Zone, the Parking Impact Overlay Zone, a Transit Priority Area, the Airport Land Use Compatibility Overlay Zone (NAS North Island and SDIA), the Airport Influence Area (Review Area 2 SDIA and NAS North Island), and the FAA Part 77 Noticing Area within the Ocean Beach Community Plan;

WHEREAS, the project site is legally described as: PARCEL 1: ALL OF LOT 1 AND THAT PORTION OF LOT 2 IN BLOCK 4 OF SUNSET CLIFFS IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1889, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, MARCH 1, 1926, LYING SOUTHERLY OF THE FOLLOWING DESCRIVED LINE: BEGINNING AT A POINT ON THE NORTHEASTERLY LINE OF SAID LOT 2, DISTANT THEREON 36.12 FEET NORTHWESTERLY OF THE MOST EASTERLY CORNER OF SAID LOT 1 IN SAID BLOCK 4; THENCE SOUTHWESTERLY IN A STRAIGHT LINE TO THE INTERSECTION WITH THE SOUTHWESTERLY LINE OF SAID LOT 2, DISTANT THEREON 36.97 FEET NORTHWESTERLY OF THE MOST SOUTHERLY CORNER OF SAID LOT 1. PARCEL 2: ALL OF LOT 3 AND THAT PORTION OF LOT 2 IN BLOCK 4 OF SUNSET CLIFFS IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO.1889, FILED IN THE OFFICE OF THE COUNTY

RECORDER OF SAN DIEGO COUNTY, MARCH 1, 1926, LYING NORTHERLY OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT A POINT ON THE NORTHEASTERLY LINE OF SAID LOT 2, DISTANT THEREON 36.12 FEET NORTHWESTERLY OF THE MOST OF THE EASTERLY CORNER OF SAID LOT 1 IN SAID BLOCK 4; THENCE SOUTHWESTERLY IN A STRAIGHT LINE TO THE INTERSECTION WITH THE SOUTHWESTERLY LINE OF SAID LOT 2, DISTANT THEREON 36.97 FEET NORTHWESTERLY OF THE MOST SOUTHERLY CORNER OF SAID LOT 1.

WHEREAS, on April 10, 2024, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) under CEQA Guideline Section 15332 (In-Fill Development) and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

WHEREAS, the Development Services Department of the City of San Diego considered Coastal Development Permit No. PMT-3211002 pursuant to the Land Development Code of the City of San Diego and found the project meets the findings for a Coastal Development Permit per San Diego Municipal Code section 126.0708;

WHEREAS, on May 23, 2024, the Development Services Department of the City of San Diego approved Coastal Development Permit No. PMT-3211002 pursuant to San Diego Municipal Code section 112.0503(b) for a Process 2 decision and posted a Notice of Decision to approve the project;

WHEREAS, on May 29, 2024, Patricia Lewis filed an appeal of the Development Services Department approval of Coastal Development Permit No. PMT-3211002 to the Planning Commission of the City of San Diego citing factual error, conflict with other matters, and findings not supported;

WHEREAS, on August 29, 2024, the Planning Commission of the City of San Diego considered the appeal of Coastal Development Permit No. PMT-3211002;

BE IT RESOLVED by the Planning Commission of the City of San Diego, that it adopts the following findings with respect to Coastal Development Permit No. PMT-3211002:

A. COASTAL DEVELOPMENT PERMIT [San Diego Municipal Code (SDMC) Section 126.0708]

1. Findings for all Coastal Development Permits:

- a. The proposed coastal development will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan, and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan.**

The 0.17-acre (7,396 square feet) site is located at 4705 Loma Avenue. The proposed project will demolish an existing one-story commercial structure and construct a new 16,126 square foot, three-story, 20 dwelling unit complex. The project site is in an urbanized area of Ocean Beach, at the southwest corner of Point Loma Avenue and Ebers Street. The site is bordered by Point Loma Avenue to the north, Ebers Street to the east, an alley to the south, and commercial structures to the west. The surrounding area consists of multi-dwelling unit and single-dwelling unit developments and various commercial uses.

The proposed development is contained within the existing developed legal lot area, on private property, and thereby will not encroach upon any existing physical access way that is legally used by the public or any proposed public access way identified in the Ocean Beach Community Plan (OBCP) and Local Coastal Program land use plan. There are no public accessways proposed that do not already exist.

Figure 4.4 Public Coastal Views of the OBCP identifies a Framed View from Ebers to the Pacific Ocean along Point Loma Avenue. A "Framed View Corridor" is a roadway offering a view from a public right-of-way or public property without obstruction from allowable building envelopes on adjacent private property (OBCP pg. UD-56). The proposed development conforms to the 30-foot height limit by maintaining a maximum height of 29 feet and 11 inches and maintains setbacks, including the front yard setback protecting the existing framed view. The development does not impact public views to or along the ocean and other scenic coastal areas as specified in the OBCP.

Therefore, the proposed coastal development will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan, and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan.

b. The proposed development will not adversely affect environmentally sensitive lands.

The 0.17-acre site consists of two continuous legal lots and is currently developed with an existing commercial structure surrounded by residential and commercial development. The project site does not contain and is not adjacent to environmentally sensitive lands, such as sensitive biological resources, coastal beaches, coastal bluffs, steep slopes, or flood hazard areas as defined by the OBCP or the Land Development Code.

During and after construction, the project will be required to comply with all relevant ministerial codes designed to protect the public health, safety, and welfare, including the California Building Code, stormwater regulations, and air quality regulations. Therefore, the proposed development will not adversely affect environmentally sensitive lands.

c. The proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

The project is in the OBCP Point Loma Avenue Commercial District and is designated for Community Commercial and zoned CC-4-2. Per SDMC Section 131.0540(a), residential development is permitted in commercial zones, and the development regulations of the RM zone with the same density as the commercial zone shall apply to the residential development. In the case of the CC-4-2 zone, the RM-2-5 zone allows a density of one dwelling unit per 1,500 square feet of lot area shall apply. The 7,396 square foot lot allows five dwelling units as the base density.

The project is utilizing the Complete Communities Housing Solutions Program in Chapter 14, Article 3, Division 10 of the SDMC. The project utilizes the Complete Communities Regulations pursuant to SDMC Section 143.1010(a), which allows a 2.5 Floor Area Ratio (FAR) bonus and unlimited density pursuant to SDMC 143.1010(b). The development meets the following Complete Communities criteria in SDMC 143.1002(a) and subsequent subsections (a)(2) through the payment into the Neighborhood Enhancement fund as required by SDMC 143.1020(a). The project is conditioned to preclude the development from any short term rental uses pursuant to SDMC section 143.1010(a)(3). Additionally, the project meets the locational and zoning requirements as required in SDMC 143.1002(a) as it is within a zone that allows residential at a density of 20 dwelling units per acre or greater and is located within a Transit Priority Area (still TPA within the Coastal Overlay Zone).

The Complete Communities Housing Solutions (CCHS) regulations were established to help implement the General Plan's City of Villages strategy by facilitating the development of high-density multi-family development within Transit Priority Areas (TPAs). The CCHS regulations were subsequently certified by the California Coastal Commission. The proposed project would facilitate implementation of the City's General Plan City of Villages strategy which focuses on directing population growth

into mixed-use activity centers that are pedestrian-friendly and linked to an improved regional transit system. The proposed project would be consistent with the Land Use and Community Planning Element policy that calls for the creation and application of incentive zoning and density bonus programs in order to achieve housing goals and public benefits, even if density on an individual site exceeds zoning allowances.

The project proposes 20 multi-dwelling units on site. An affordable housing agreement is required for the project, which requires a total of three deed-restricted affordable housing units on site. The three affordable rental units include one very low-income unit at a cost that does not exceed 30% of 50% of the Area Median Income (AMI), one moderate income unit at a cost that does not exceed 30% of 120% of the AMI and one-unit low-income households at a cost, including an allowance for utilities, that does not exceed 30% of 60% of the AMI.

The project will provide three units of affordable housing and is utilizing SDMC Section 143.1010(h)(4)(A) and 143.1010(i)(1) to utilize incentives and waivers as described below.

The CCHS regulations do not allow the use of the program within a historical district. The project is located within the general boundary of the Ocean Beach Cottage Emerging Historical District ("District"); however, the District is unique among all of the City's Historic Districts. The district is thematic in nature, meaning that only properties that reflect the district's significance as a significant example of a turn of the century (19th to 20th century) "seashore" resort and vacation home area developed between 1887 and 1931 and retain integrity to that period are eligible for designation. Furthermore, the property owner must nominate the property to be designated as a contributing resource to the Ocean Beach Cottage Emerging Historical District.

SDMC Section 113.0103 defines a historical district is "a significant concentration, linkage, or continuity of sites, buildings, structures, or objects that are united historically, geographically, or aesthetically by plan or physical development and that have a special character, historical interest, cultural or aesthetic value, or that represents one or more architectural periods or styles in the history and development of the City." The Ocean Beach Cottage Emerging Historical District is a linkage of buildings that are united historically by their shared history and significance representing seaside and vacation home development in Ocean Beach from 1887-1931. In the unique case of the Ocean Beach Cottage Emerging Historical District, the historical district as defined by the code is the linkage of designated contributing resources, regardless of the boundary in the nomination that identified where contributing resources would be found. This is supported by the nomination for the Ocean Beach Cottage Emerging Historical District and the City's Historical Resources Board Procedure on Establishing Historic Districts, which are clear that within the Ocean Beach Cottage Emerging Historical District, "only those properties identified and designated as contributors are currently regulated."

The property located at 4705 Point Loma Avenue, which was constructed in 1947, is not a designated contributing resource to the Ocean Beach Cottage Emerging Historical District. It does not reflect the district's significance as a turn of the century (19th to 20th century) "seashore" resort and vacation home area and was not constructed within the district's 1887-1931 period of significance. Even if the property owner were to nominate the property for designation as a contributing resource to the Ocean Beach Cottage Emerging Historical District it would not be eligible as it was built outside of the period of significance and does not reflect the significance of the district. As the property is not a designated contributing resource and therefore not part of a historical district as defined by the Municipal Code and supported by the historic district nomination and Historical District Procedures, the project is not excluded from CCHS due to its location within the general boundary of the Ocean Beach Cottage Emerging Historical District.

The project complies with the regulations of the SDMC, including requirements for FAR, landscaping, and all other requirements of the development criteria for its zoning, except where incentives and waivers are required in accordance with the Complete Communities Regulations pursuant to SDMC Section 143.1010(a). The project requests the following two development incentives and three waivers in accordance with the provisions of the Complete Communities Program related to open space, private exterior open space, and automobile parking spaces.

The project is allowed two incentives per Section 143.1010(h)(4)(A) when a project includes at least 20 percent of the pre-density dwelling units for lower income households.

The two incentives include:

1. Eliminating the requirement for commercial development and all the regulations that relate to commercial development per SDMC Section 131.0540;
2. Eliminating the required plant points achieved with trees per SDMC table 142.04C and Section 142.0405(a)(1)

The project's three waivers include:

1. Waive the requirement for common open space per SDMC table 131-04G and Section [131.0456\(a\)](#) which requires the common open space area to be at least 300 feet or 25 square feet per dwelling unit, whichever is greater. The requirement for common open space would preclude the development from fully utilizing the FAR Bonus and unlimited density bonus to provide the most dwelling units possible.
2. Waive the requirement for private exterior open space to be no closer than 9'-0" to the front property line and the requirement for

private open space to have a 6'-0" minimum dimension in any direction per SDMC Section [131.0455](#). At least 75 percent of the dwelling units shall be provided with at least 60 square feet of usable, private, exterior open space abutting the unit with a minimum of six feet. The open space may be located in the required front yard but shall be no closer than nine feet to the front property line. The project is reducing the following private exterior open space as follows: the project includes 60 square feet of private exterior open space for all the units. 13 of the units include six-foot in any direction minimum dimensions and seven units have a reduced dimension of five feet.

3. Reduce the number of automobile parking spaces required per SDMC Section 142.0525, Table 142-05C. In order to meet the proposed FAR Bonus per SDMC 143.1010(b) o provide 20 dwelling units the following development will provide 9 parking places in place of 30.

The requested incentives and waivers do not conflict with the OBCP policies and the certified Local Coastal Program. The OBCP Urban Design provides policies regarding infill development and design recommendations to help integrate new development into established neighborhoods. Urban Design policy 4.2.1 states, "encourage inclusion of balconies, decks, porches, patios, stoops, garden walls, awnings, canopies, and landscaped yards in residential design in order to engage the public right-of-way and increase pedestrian interest." The project is three stories and provides exterior balconies and patios facing out towards the right of way. The ground floor entrances face Point Loma Avenue and Ebers Street, and the structure includes architectural articulation and façade treatments which provide additional interest from the public right-of-way.

Urban Design policy 4.2.5 states, "Buildings should reflect the prevalent pattern and rhythm of spacing between structures, and the bulk and scale of the surrounding neighborhood's character (Fig. 4-2). The site's frontage along Point Loma Avenue is 74 feet. The properties along Point Loma Avenue west of Ebers Street are primarily commercial and create a continuous building frontage along Point Loma Avenue. The project does not propose to deviate from setbacks.

Urban Design policy 4.2.9 states, "Maintain the community's small-scale character and avoid exceptions to established floor area ratios to the greatest extent possible under the law." This policy includes a footnote that states, "Existing regulations specify FARs of 0.7, 0.75, 1.80, and 2.0 for the RM-2-4, RM-1-1, RM-5-12 and CC-4-2 zones, respectively." The base zone FAR is 2.0 (14,138 square feet), the Complete Communities regulations allow up to 2.5 FAR (18,425 square feet), and the project is proposing 2.18 FAR (16,151 square feet). The project FAR is slightly greater than the base zone; however, the Complete Communities regulations allow for additional FAR for providing additional affordable units. The intent of the policy is to maintain scale

with the surrounding neighborhood, which this project achieves by complying with the 30-foot height limit and through the project's design and architectural articulation.

The OBCP identifies the 4700 block of Point Loma Avenue as a Framed View per Figure 4.4. The OBCP defines a Framed View as a roadway offering a view from a public right of way or public property without obstruction from allowable building envelopes on adjacent private property (OBCP pg. UD-56). The proposed development will not impact public coastal views, as it is contained within the existing building envelope.

Additionally, the OBCP promotes different housing types suitable for different income levels and encourages economically balanced communities through the density bonus program (OBCP pg. LU-19). The proposed development will meet this goal by utilizing the Complete Communities program to provide affordable housing and more housing opportunities in the community. Therefore, the proposed development of the site is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified implementation program.

- d. For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.**

The project site is in an urbanized area of Ocean Beach, at the southwest corner of Point Loma Avenue and Ebers Street. The site is bordered by Point Loma Avenue to the north, Ebers Street to the east, an alley to the south, and commercial structures to the west. The surrounding area consists of multi-dwelling unit and single-dwelling unit developments and various commercial uses. The project site is not located between the nearest public road and the sea; therefore, this finding does not apply.

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

BE IT FURTHER RESOLVED that, the appeal of Patricia Lewis is denied and based on the findings hereinbefore adopted by the Planning Commission, Coastal Development Permit No. PMT-

3211002 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. PMT-3211002 a copy of which is attached hereto and made a part hereof.

Christian Hoppe
Development Project Manager
Development Services

Adopted on: May 29, 2024

IO#: 24009521



THE CITY OF SAN DIEGO

DATE OF NOTICE: MAY 23, 2024

NOTICE OF DECISION

DEVELOPMENT SERVICES DEPARTMENT

PROJECT NUMBER:	PRJ-1086681
PROJECT NAME:	<u>THE POINT</u>
PROJECT TYPE:	COASTAL DEVELOPMENT PERMIT, CEQA EXEMPTION 15332 (IN-FILL DEVELOPMENT), PROCESS TWO
APPLICANT:	GOLBA ARCHITECTURE INC.
COMMUNITY PLAN AREA:	Ocean Beach
COUNCIL DISTRICT:	2
CITY PROJECT MANAGER:	Christian Hoppe, Development Project Manager
PHONE NUMBER/E-MAIL:	(619)-446-5293 CHoppe@sandiego.gov

On May 23, 2024, the Development Services Department APPROVED an application to demolish an existing commercial structure and build a new 20-unit, three-story multi-dwelling unit complex which includes three affordable units utilizing the Complete Communities Housing Solutions program. The 0.17-acre site will provide nine automobile parking stalls and two motorcycle stalls as part of the project located at 4705 Point Loma Avenue in the CC-4-2 Zone, Coastal Height Limitation Overlay Zone, Coastal Overlay Zone (Non-Appealable Area 2), Parking Impact Overlay Zone (Coastal), Transit Priority Area, Airport Land Use Compatibility Overlay Zone (NAS North Island and SDIA), Airport Influence Area (Review Area 2 SDIA and NAS), FAA Part 77 Noticing Area, of the Ocean Beach Community Plan Area.

If you have any questions about this project, the decision, or wish to receive a copy of the resolution approving or denying the project, contact the Development Project Manager above.

The decision of the Development Services Department Staff can be appealed to the Planning Commission. The Decision made by the Planning Commission is the final decision by the City.

Appeal procedures described in [Information Bulletin 505](https://www.sandiego.gov/development-services/forms-publications/information-bulletins/505) (<https://www.sandiego.gov/development-services/forms-publications/information-bulletins/505>) Section A and can be filed by e-mail/mail or in person:

- 1) Appeals filed via e-mail/mail: Send the fully completed appeal application [DS-3031](https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf) (<https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf>)

(including grounds for appeal and supporting documentation in pdf format) via e-mail to PlanningCommission@sandiego.gov by 4:00 PM on the last day of the appeal period. When received by the City, the appellant will be invoiced for payment of the required Appeal Fee. Timely payment of this invoice is required to complete processing of the appeal. Failure to pay the invoice within five (5) business days of invoice issuance will invalidate the appeal application.

- 2) Appeals filed in person: Bring the fully completed appeal application [DS-3031](https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf) (<https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf>) (including grounds for appeal and supporting documentation) to the touchless Payment Drop-Off safe in the first-floor lobby of the Development Services Center, located at 1222 First Avenue, San Diego, CA 92101 by 4:00 PM on the last day of the appeal period. The completed appeal package must be clearly marked on the outside as "Appeal" and must include the required appeal fee per this bulletin in the form of a check payable to the City Treasurer. This safe is checked daily, and payments are processed the following business day. All payments must be in the exact amount, drawn on US banks, and be made out to "City Treasurer." Please include in the memo of the check the invoice number or project number or attach the invoice to the check. Cash payments are only accepted by appointment: e-mail DSDCashiers@sandiego.gov to schedule an appointment.

The final decision by the City of San Diego is not appealable to the California Coastal Commission.

The project is being processed as an Expedite Program project for Affordable/In-Fill Housing and is eligible based on Council Policy 600-27 and San Diego Municipal Code (SDMC) Section 143.0915.

This project was determined to be categorically exempt from the California Environmental Quality Act pursuant to Section 15332 (In-Fill Development) on April 10, 2024, and the opportunity to appeal that determination ended April 24, 2024.

This information will be made available in alternative formats upon request.

Internal Order No.: 24009521

cc: Andrea Schlageter



Development Services Department

Christian Hoppe / Project No.PRJ-1086681

1222 First Avenue, MS 501

San Diego, California 92101-4140

RETURN SERVICE REQUESTED

	City of San Diego Development Services 1222 First Ave., MS-302 San Diego, CA 92101	<h1>Community Planning Committee Distribution Form</h1>	
Project Name: 4705 Point Loma ave.		Project Number: 1086681	
Community: Ocean Beach			
<p>For project scope and contact information (project manager and applicant), log into OpenDSD at https://aca.accela.com/SANDIEGO.</p> <p>Select "Search for Project Status" and input the Project Number to access project information.</p>			
<input type="checkbox"/> Vote to Approve <input type="checkbox"/> Vote to Approve with Conditions Listed Below <input type="checkbox"/> Vote to Approve with Non-Binding Recommendations Listed Below <input checked="" type="checkbox"/> Vote to Deny			Date of Vote: May 07, 2024
# of Members Yes 8	# of Members No 1	# of Members Abstain 0	
Conditions or Recommendations:			
<input type="checkbox"/> No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)			
NAME: Andrea Schlageter			
TITLE: Chair, Ocean Beach Planning Board			DATE: May 09, 2024

Visit our web site at www.sandiego.gov/development-services.

Upon request, this information is available in alternative formats for persons with disabilities.

DS-5620 (08-18) ONLINE FORM

NOTICE OF EXEMPTION

TO: Recorder/County Clerk
P.O. Box 1750, MS A-33
1600 Pacific Hwy, Room 260
San Diego, CA 92101-2400

From: City of San Diego
Development Services Department
1222 First Avenue, MS 501
San Diego, CA 92101

Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

Project Title / Number: 4705 Point Loma/ PRJ-1086681

State Clearinghouse No.: N/A

Project Location-Specific: 4705 Point Loma Avenue, San Diego, CA 92107

Project Location-City/County: San Diego/ San Diego

Description of nature and purpose of the Project: COASTAL DEVELOPMENT PERMIT to demolish an existing commercial structure and construct a three-story multi-family residential structure. The residential use area would be 16,126 gross floor area, and the private decks, stairways, and circulation areas would total 2,498 gross square feet. The project proposes 20 one-bedroom/studio dwelling units. The project also includes landscaping and utility improvements, including utility connections that extend offsite. The project would provide a 4-foot sidewalk dedication to the City, as well as a wayfinding sign per SDMC Section 143.1025(a)(1). The project is seeking waivers related to San Diego Municipal Code (SDMC) Section 131.0540(d) to waive common open space requirements, reduce private exterior open space setbacks, and reduce the number of parking spaces from 30 to 9. The project is also requesting two deviations; a deviation from Base Zone CC-4-2 to eliminate the need to include commercial development, and a deviation from SDMC Table 142.04C and Section 142.0405(a)(i) to eliminate the requirement for trees and planting points related to trees. The 0.17-acre lot is located at 4705 Point Loma Avenue in the Community Commercial designation (Pt. Loma Ave. Commercial District) of the Ocean Beach Community Plan and is zoned CC-4-2. The project site is in the Coastal Overlay (Non-Appealable) Zone, Coastal Height Limitation Overlay Zone (CHLOZ), the Parking Impact Overlay Zone (Coastal), the Airport Land Use Compatibility Overlay Zone (San Diego International Airport, NAS North Island), the Airport Influence Area (NAS North Island, Review Area 2), the Federal Aviation Administration Part 77 Noticing Area (NAS North Island), Ocean Beach Cottage Emerging District, Mobility Zone 2, and the Transit Priority Area (TPA). Council District 2. (LEGAL DESCRIPTION: All of Lot 3 and that portion of Lot 2, Block 4, Sunset Cliffs, According to Map Thereof No. 1889, Filed in the office of the County Recorder of San Diego County, March 1, 1926; ASSESSOR'S PARCEL NUMBER: 448-342-10 and -11).

Name of Public Agency Approving Project: City of San Diego

Name of Person or Agency Carrying Out Project: Michael E. Turk, Point Loma Avenue Villas, LLC., 4641 Ingraham Street, San Diego CA 92109, (858) 274-5995

Exempt Status: (Check one)

- Ministerial (Sec. 21080(b)(1); 15268)
- Declared Emergency (Sec. 21080(b)(3); 15269(a))
- Emergency Project (Sec. 21080(b)(4); 15269 (b)(c))
- Categorical Exemption: Section 15332, In-fill Development Projects
- Statutory Exemptions:
- Other:

Reasons why project is exempt: The City of San Diego determined that the project would qualify to be categorically exempt from CEQA pursuant to CEQA Guidelines section 15332 (In-fill Development Projects). The in-fill development project exemption has five criteria that must be met in order to use the exemption. The project would meet all five criteria: (1) the development is consistent with the applicable general plan designation and all applicable general plan policies as well as the applicable zoning designation and regulations; (2) the site occurs within city limits on a project site of no more than 5 acres and is substantially surrounded by urban uses; (3) the project site has been previously impacted by development the site has no value as habitat for endangered, rare, or threatened species; (4) The project review by qualified staff has determined that the project would not result in any significant effects related to air quality, noise, traffic or water quality; and (5) the site is located in an existing residential community and can be adequately serviced by all required utilities and public services. In addition, the exceptions in CEQA Guidelines section 15300.2 do not apply.

Lead Agency Contact Person: M. Mariscal

Telephone: (619) 557-7944

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project? Yes No

It is hereby certified that the City of San Diego has determined the above activity to be exempt from the California Environmental Quality Act.


Signature/Title

Senior
Planner

5-29-2024
Date

Check One:

- Signed by Lead Agency
- Signed by Applicant

Date Received for Filing with County Clerk or OPR:



Development Permit/ Environmental Determination Appeal Application

In order to ensure your appeal application is successfully accepted and processed, you must read and understand Information Bulletin (IB) 505, "Development Permits/Environmental Determination Appeal Procedure."

- 1. Type of Appeal: Appeal of the Project
 Appeal of the Environmental Determination
- 2. Appellant: Please check one Applicant Officially recognized Planning Committee
 "Interested Person"
(Per San Diego Municipal Code (SDMC) § 113.0103)

Name: Patricia Lewis E-mail: palewis@lawfirmpal.com

Address: 1358 Ebers Street City: San Diego, CA State: Zip Code: 92107 Telephone: 619-362-5290

3. Project Name: THE POINT PROJECT #PR-1086681

4. Project Information:
4705 Pt Loma Avenue, San Diego, CA 92107 - PR-1086681
Permit/Environmental Information Determination and Permit/Document No:
Coastal Development Permit, CEQA Exemption 15332 Process Two
Date of Decision/Determination: 5/23/24 City Project Manager: Christian Hoppe

Decision (Describe the permit/approval decision):
Approved to demolish existing bldg and build 3 story 20 unit apt bldg with NO PARKING.

5. Ground for Appeal (Please check all that apply):
- Factual Error New Information
 - Conflict with other Matters City-wide Significance (Process four decisions only)
 - Findings Not Supported

Description of Grounds for Appeal (Please relate your description to the allowable reasons for appeal as more fully described in the [SDMC § 112.0501](#). Attach additional sheets if necessary.) SEE A DD EN DUN

6. Applicant's Signature: I certify under penalty of perjury that the foregoing, including all names and addresses, is true and correct.

Signature:  _____ Date: 5/29/24

Note: Faxed appeals are not accepted.

Reference Table

- [San Diego Municipal Code \(SDMC\)](#)
- [Development Permits/Environmental Determination Appeal Procedure \(IB-505\)](#)

Visit our website: sandiego.gov/DSD.

Upon request, this information is available in alternative formats for persons with disabilities. DS-3031 (11-22)

ADDENDUM
City Of San Diego, Development Services Form-3031 (November 2022)
DEVELOPMENT PERMIT APPEAL APPLICATION
MAY 29, 2024

APPEAL OF PRJ-1086681 – THE POINT, 4705 POINT LOMA AVE
COASTAL DEVELOPMENT PERMIT, CEQA EXEMPTION 15332
(IN-FILL DEVELOPMENT PROCESS 2)
COASTAL DEVELOPMENT PERMIT, PROCESS TWO

"This project is to demolish an existing commercial structure and build a new 20-unit, three story multi-dwelling unit complex which includes three affordable units utilizing the Complete Communities Housing Solutions program. The 0.17 acre site will provide nine automobile parking stalls and two motorcycle stalls as part of the project located at 4705 Point Loma Avenue in the CC-4-2 Zone, Coastal Height Limitation Overlay Zone, Coastal Overlay Zone (Non-Appealable Area 2), Parking Impact Overlay Zone (Coastal) Transit Priority Area, Airport Land Use Compatibility Overlay Zone (NAS North Island and SDIA), Airport Influence Area (Review Area 2 SDIA and NAS), FAA Part 77 Noticing Area, of the Ocean Beach Community Plan Area."

This Project, PRJ-1086681, filed on March 20, 2023, has been modified since advertised and is a further iteration under San Diego's *Complete Communities* directive, replacing a similar proposal, PRJ-681097, filed in 2022 for this address. The name has varied from "Point Loma Villas," then "4705 Point Loma", and now "The Point." The project description varies among the 2023 application, 2024 NORA for the Environmental Determination, and 2024 Project Approval. The increase from 8 to 20 units ignores the requirements of *Complete Communities*. Objections to PRJ-681097 remain unresolved. This combination results in factual errors and conflicts with other matters, as well as findings not supported and new information. The Project does not support the findings of the City of San Diego to approve.

This Addendum is made to the appeal form DS-3031 to describe the grounds for appeal of the May 23, 2024 decision by staff review to approve a Coastal Development Permit (CDP) CEQA Exemption 15332 (In-Fill Development) in favor of applicant Golba Architecture Inc. ("Project") for the Project now named "The Point."

A summary list of Appeal issues is provided below. Complete details of the list elements below are provided in Section 2, *Details*, and Attachments. City Materials are provided in *References*, including City Council Policy 600-27 and applicable San Diego Municipal Code Sections as of this date, including San Diego Municipal Code (SDMC) Section 143.0915, content used as bases for this appeal, along with other Attachments and References. The multiple issues with this Project are:

Complete Communities was initiated through a mayoral directive facing possible overturn by the court system. Its details are outlined in *References* to specific Executive Orders and Ordinance Changes. It also faces at least four, if not more, **grand jury** complaints and at least one citizen-led lawsuit. The rush to implement has resulted in many disconnects between the moving parts

that constitute the City of San Diego's Local Coastal Programs, Community Plans, Development Services Department (DSD) procedures, and the Municipal Code itself. Ocean Beach Plan is not currently designated for modifications from its 2015 iteration (Attachment A). References contains the Development Services Definition of *Complete Communities*, itself not complete, with *O-21618* and Housing Action Package 1.0 adopted in February 2022 still not certified by the California Coastal Commission and applicable to the Project site. This appeal is based in part on Council Policy 600-27 and San Diego Municipal Code (SDMC) Section 143.0915. Other sections of the Municipal Code also apply.

It is important to address that either this approval or the Environmental Appeal Notice of Right to Appeal (NORA)¹ was defectively noticed. The NORA designated the project with Historical Designation and the Approval notice removed it. Removing the Historical Designation as provided in the NORA for the Environmental Determination when the later Approval notice was issued means that one of them was factually incorrect. If the later determination is deemed correct, then the NORA for Environmental Determination should be reissued.

Summary of Issues:

1. **HISTORICITY** – The City's decision to reject historic designation for this Project is invalid. The historicity of the Ocean Beach Historical Community Designation defines the property as being excluded from *Complete Communities*. The plans for the 2022 site contained preservation of Historical aspects of the site.

2. **ENVIRONMENTAL DETERMINATION** – The Environmental Appeal period incorrectly ended before the project submission was completed. The Project definition has been changed after the Environmental Determination was made and without further public notification. It should be noted that the proximity to Sunset Cliffs Natural Park requires at least a Mitigated Negative Declaration (MND), with details in the attached Peninsula Community Plan references. This Negative Declaration for this project is invalid.

3. **CONFLICTS AND ERRORS INTRODUCED IN PLAN TRANSITION** – Errors resulted from the transition from 8 units for the same site from unresolved issues for PRJ-68107 to PRJ-1086681 for 20 units with no resolution required, and potential unknown changes to the plans.

¹ ND for Environmental Determination Project Description: request for a COASTAL DEVELOPMENT PERMIT to demolish an existing commercial structure and construct a three-story multi-family residential structure. The residential use area would be 16,126 gross floor area, and the private decks, stairways, and circulation areas would total 2,498 gross square feet. The project proposes 20 one-bedroom/studio dwelling units. The project also includes landscaping and utility improvements, including utility connections that extend offsite. The project would provide a 4-foot sidewalk dedication to the City, as well as a wayfinding sign per SDMC Section 143.1025(a)(1). The project is seeking waivers related to San Diego Municipal Code (SDMC) Section 131.0540(d) to waive common open space requirements, reduce private exterior open space setbacks, and reduce the number of parking spaces from 30 to 9. The project is also requesting two deviations; a deviation from Base Zone CC-4-2 to eliminate the need to include commercial development, and a deviation from SDMC Table 142.04C and Section 142.0405(a)(I) to eliminate the requirement for trees and planting points related to trees. The 0.17- acre lot is located at 4705 Point Loma Avenue in the Community Commercial designation (Pt. Loma Ave. Commercial District) of the Ocean Beach Community Plan and is zoned CC-4-2. The project site is in the Coastal Overlay (Non-Appealable) Zone, Coastal Height Limitation Overlay Zone (CHLOZ), the Parking Impact Overlay Zone (Coastal), the Airport Land Use Compatibility Overlay Zone (San Diego International Airport, NAS North Island), the Airport Influence Area (NAS North Island, Review Area 2), the Federal Aviation Administration Part 77 Noticing Area (NAS North Island), **Ocean Beach Cottage Emerging District**, Mobility Zone 2, and the **Transit Priority Area (TPA)**. Council District 2.

4. **SEWAGE** – The aging infrastructure for sewage cannot absorb the increase in use, and the City does not plan any enhancements. This potential for sewage spills with an increase from 1 to 20 toilets creates environmental and safety impacts, resulting in environmental impacts and future tax increments for aging infrastructure repair. This structure previously required a Sewage Study for the same property.

5. **TRASH** – This demolition project makes no provisions for sufficient trash receptacles or trash resulting from demolition with environmental impacts.

6. **COMMERCIAL** – This block of Point Loma Avenue was built to serve neighborhood commercial purposes and continues to do so. All documents define the property as community commercial. Residential uses will not meet these required needs. Community commercial uses are today met by businesses established under the CC-4-2 Community Commercial zoning. The Commercial use of this property must be maintained.

7. **PARKING** – Parking is presented as a special bonus to the community that is not required. This parking impact will impact residents and other businesses nearby (and not so near), as the number of automobiles exponentially increases, and no traffic study was presented. A DSD Decision was recently overturned as a result of traffic impacts being provided by the developer with no further analysis. There is no guarantee that parking spaces will be available to cars. The parking needs for these units must be met.

8. **ADHERENCE TO THE OCEAN BEACH COMMUNITY PLAN AND LOCAL COASTAL PROGRAM** – The approved Ocean Beach Community Plan and Local Coastal Program goals are unmet. Community commercial uses are today met by businesses established under the CC-4-2 Community Commercial Zoning. This Document is the currently approved source of data for future Ocean Beach development.

9. **PUBLIC SAFETY** – Although general, public safety goals apply directly to the use of the two-building school for young children at Warren Walker School and indirectly to the pre-school at St Peter's by the Sea in the same block. These public safety goals are projected to be unmet.

10. **SPECIFIC PROJECT DETAILS** – Many details were swept away when the Project was up-sized from 8 units to 20. As an example, the rooftop deck from the 2022 project is still there, minus the railing. In a single afternoon after construction is completed, this area will convert into the deck it was initially planned to be.

11. **LEVEL OF PERMIT** – Requiring only a Coastal Development Permit for the demolition and construction of a 20-unit building enables *Complete Communities* to ignore all of the significant Municipal Code issues previously documented by the City for this site. In particular, the City did not perform due diligence in reviewing the plan changes, the plan references, and the plan discrepancies introduced by quick modifications. The purpose of this Process Two designation is to avoid further levels of Appeal. The \$1000 Appeal Fee implemented by DSD makes community appeal even less likely. This is a deliberate attempt to avoid Appeals of DSD decisions.

DETAILS

The Plan set presented to the Ocean Beach Planning Board contained the following sheets:

TS 1, 2 – No Title	A301 – Section B (No Title)
C01 – Topographic Map	A302 – Section D (No Title)
A001 – Site Map	L0 – Landscape Plan – Cover
A003 – 1 st Floor Parking Plan	L1 – Landscape Development Plan Notes and Legends
A004 – 2 nd Floor Plan	L2 – Conceptual Landscape Plan First Floor
A005 – 3 rd Floor Plan	L3 – Landscape Calculation / Diagram
A006 – A006 Roof Plan	L4 – Yard Calculations
A201 – North and East Elevations	
A202 – South and West Elevations	

Referenced Sheets Missing:

L5 – Water Conservation Plan - Diagram, Notes & Legend
L6 – Water Calculations
L7 – Existing Tree Disposition Plan

Possible Missing Sheet:
Demolition Plan
A002 – [Unknown]

The Project plans for The Point were converted from the original 8-unit plans for Project # PRJ-68107. The following sections provide specific details supporting the appeal based on factual errors, conflicts with other directions/matters, and new information, showing that the DSD's findings are not supported. No content of the plans above is directly quoted in response to the copyright markings provided by the Architect. It is impossible to review or know the exact plans submitted to the City by scheduling an appointment within the ten day appeal window. The original 2022 plans and the plans submitted to the Ocean Beach Planning Board in 2024 were both reviewed.

1. HISTORICITY

Ocean Beach is a designated City and State historical district. The project site lies within the Ocean Beach Community IAW *Ocean Beach Community Plan and Local Coastal Program*, November 9, 2015. This Project is, by definition, excluded from becoming part of a *Complete Communities*, as documented in the current Municipal Code:

§143.1002 (0-2021-53) Application of Complete Communities Housing Solutions Regulations

(b) The regulations in this Division shall not apply to the following types of development:

(6) Development located within a **designated historical district** or subject to the Old Town San Diego Planned District.

Complete Communities municipal code references two City Council Resolutions: Ordinance Number O-21275, December 9, 2020, and Resolution Number R-313280, November 7, 2020, update and reference the Municipal Code. All other references besides 143.1002 above concerning historic districts have to do with incentives and definitions and exclusions for definitions. Moreover, the resolutions also define historical districts:

§143.1010 Incentives in Exchange for Transit Priority Area Affordable Housing and Infrastructure Amenities In addition to the project address, the section denies explicitly incentives that have adverse impacts on "... environmentally sensitive lands, or on any real property that is listed in the California Register of Historical Resources..."

More complete examples of applicable Municipal Code references are included in Attachment B.

The State of California documents Ocean Beach as a Historic District. The State Register of Historical Districts includes Ocean Beach in the California Historical Resources database:

CALIFORNIA HISTORICAL RESOURCES INVENTORY DATABASE

City of San Diego

the property thumbnail image or the address.

Search > Results > District >

Search by District

District: Ocean Beach Cottage Emerging Di: ▼

National Register of Historic Places Status Code: Select National Register of Historic Places Status Code ▼

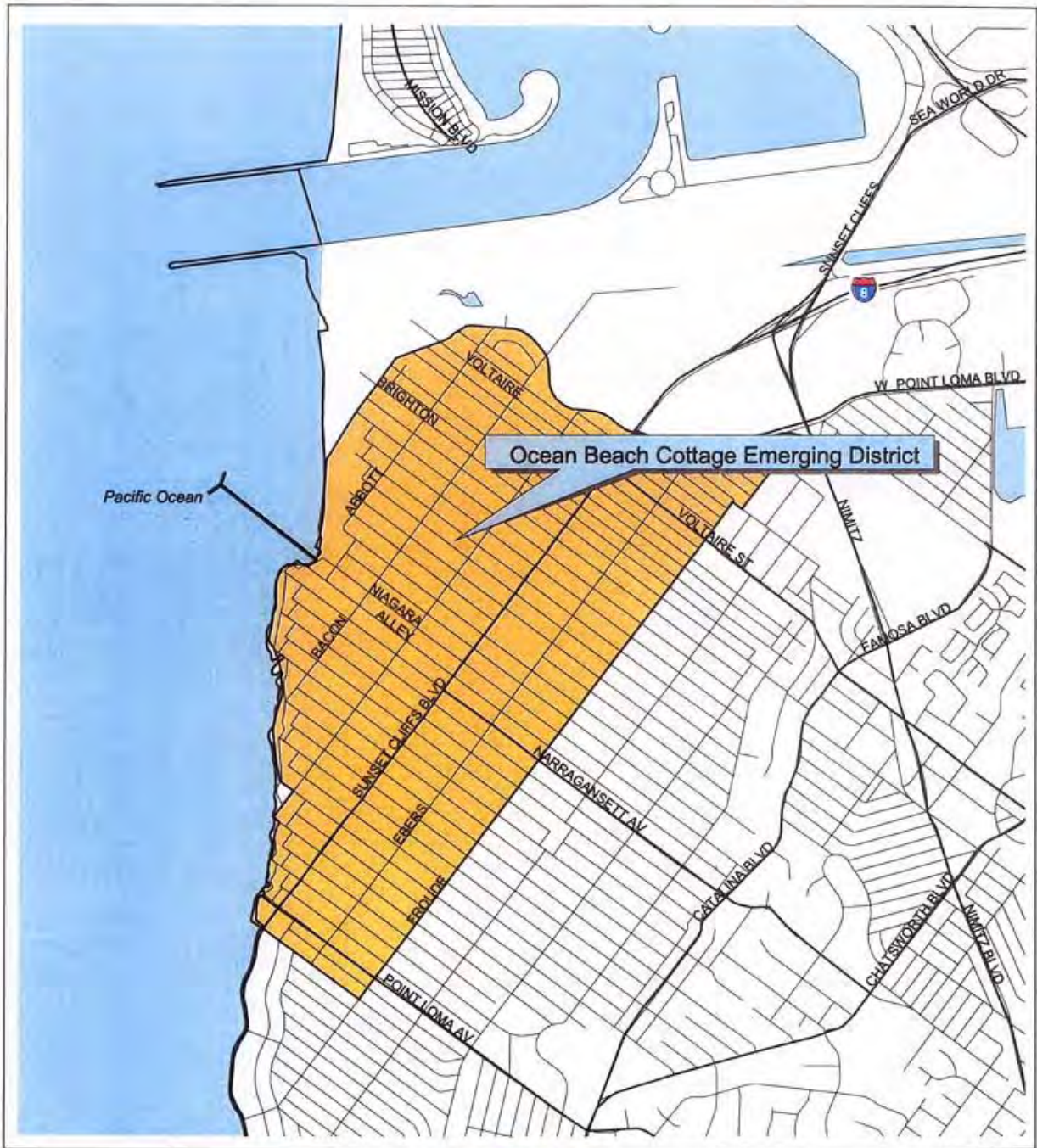
Search Results: **Search Date: 05/10/2024**

Detail	Historic Name	Year Built	Common Name	Location
	Ocean Beach Cottage Emerging District	1887-1931		Ocean Beach

The City of San Diego itself names it "City of San Diego Historical Districts – Ocean Beach."

Although not completely documented as part of this appeal, it is interesting that the site has historical significance as the Sea & Shore Market, in providing the grocery supplies for the Point Loma tuna industry, and many well-known boat owners in the Portuguese Tuna Fishing Fleet. The Point Loma ship-owners bought food supplies on credit and paid the bill once their catch was sold. This cycle contributed to the vibrancy of the local community and provided a grocery store for nearby residences. More complete details of the Sea & Shore Market are provided in Appendix C. The References Provide further information from the State of California Registry.

City of San Diego Historical Districts Ocean Beach



L:\gis\output\project\dist\dist1500.mxd

Look at these questions:

1. Is Ocean Beach a Designated Historical District? YES
2. Does the state of California recognize it as a Designated Historical District? YES
3. Does the property itself qualify as historical? YES
4. Does it meet the wording of the Complete Communities Ordinance? YES
5. Can a non-owner entity file for Historical Designation for the Project? YES
6. Does the website conflict with the Municipal Code? YES
7. Has the property owner applied for the Mills-Act Tax exclusions as a designated property? NO

In fact, the property may itself be determined as historic, based on a Historical Description of the property (Attachment C), describing that the owners were also instrumental in establishing the burgeoning tuna-fishing fleet in Point Loma by providing credit for groceries for shipboard use. The street commercial zone, however, was designed to support the neighborhood residents. Some details of the Historical Review are documented in requirements on submitted Plans for both 2022 and current 2024 versions, describing on Sheet L-2 requirements for Historic compliance, including a historic marker.

On Thursday, May 16, 2024, the San Diego Union-Tribune published an article on changes in the City of San Diego for permitting. In the area of historic designations, they wrote, "These changes come as the city begins exploring a significant revamping of its historic designation policies, partly to reduce how often these designations block new housing projects."

Sure enough, a visit to the City of San Diego web site on May 24, 2024 shows that the several hundred signatures from a petition in Ocean Beach caught DSD's eye. The website (but not the Municipal Code) now states under *Complete Communities Housing Solutions - What sites are now Eligible?* The following screen-shot from the City website:

3. CCHS projects are not allowed in the following areas:

- Sites located within Proposition A lands.
- Sites located within a designated historical district, except for the Ocean Beach Cottage Emerging Historical District.
- Sites subject to the Old Town Planned District Ordinance.

This appears to be one attempt by DSD to disengage the community and to disenfranchise the Appeal process. It target Ocean Beach specifically for Complete Communities. This change was made after the Project Review. Historic designation policies are not yet changed, and the site qualifies as historically designated today. The Municipal Code for historic policies have not changed. The website has changed. The City's attempt to reject the site's historicity is a factual error. It is based on the desired interpretation and not the wording of the Municipal Code. The findings that this Project is a *Complete Community* project are not supported.

2. ENVIRONMENTAL DETERMINATION

Specific Issues with the Negative Declaration for the Environmental Determination:

1. The earlier Project filed in 2022 for the same site documented Mitigated Negative Declaration requirements, which were noted as resolved. They are still valid for the new project and should be addressed. (see Attachment D).
2. The Negative Declaration for the Environmental Determination is invalid because it was issued before the Project was complete. Sunset Cliffs Natural Park is Environmentally Sensitive Land, as extensively documented in the *Peninsula Community Plan*, where this proximity is described. (see Attachment F).
3. The possibility for the failing Sewage System (Item 4, *Sewage*), Trash Disposal (Item 5, *Trash*), (including asbestos during demolition), and Public Safety (Item 9, *Public Safety*) are also Environmental Determination issues.
4. The historicity documented in the description for the Environmental Determination may now be deemed incorrect by the city's latest definition for Historical District exemptions, and the Environmental Determination may need to be reissued.

The transportation basis so glowingly accepted is a bus stop with infrequent single bus service and no weekend service, which is a safety and environmental issue. No transportation study was conducted. The convoluted future transportation calculations involving SANDAG do not meet the threshold for a Negative Environmental Determination. These issues are more appropriately examined in a Mitigated Negative Declaration with a complete discussion of impacts and their resolution. There is no Hearing Officer to determine the appropriateness of the decision. The purpose of the City and the developer was to eliminate the possible appeal to a higher authority. The City Council recently denied an application by All People's Church (APC) in del Cerro based on the inadequacy of the traffic analysis that APC used to support its application and the safety dangers that the proposed project created.²

As previously stated, the Environmental Determination included the site as included in the Ocean Beach Historical District, a statement later removed. The NORA for Environmental Determination may need to be re-noticed.

The community protests this project where a previously known project morphed into an undesirable project with a still-unknown final configuration. The findings of a Negative Declaration are not supported or discussed, violating State and City ruling requirements, and were issued before the Project was final. The decision that the Project was exempt from CEQA California Regulation 15332 for Infill Development has been formalized as CEQA Exemption 15322. It would obviously be invalid for a project with a fully defined and public CAP checklist, which was never seen.

² OB Rag, Livingston, Michael, *Application for Construction of Large Church in Del Cerro Was Properly Denied*, May 20, 2024.

3. CONFLICTS AND ERRORS INTRODUCED IN PLAN TRANSITION

In 2022, the Applicant applied for a different permit for 8 units for PRJ-68107 as follows:

(PROCESS 2) Coastal Development Permit for the demolition of an existing retail structure and construction of 2 MDU buildings with 4 units each at 4705 Point Loma Ave. This Project is an affordable housing density bonus project of 8 units total. The 0.16-acre site is in the CC 4-2 Zone and Coastal Overlay (Non-Appealable) Zone within the Ocean Beach Community Plan area. Council District 2.

The new Project, PRJ-1086681, reads:

(PROCESS 2) Coastal Development Permit to demolish an existing commercial structure and to construct a new 3-story multi-dwelling unit located at 4705 Point Loma Av. The 0.17-acre site is in the CC-4-2. Coastal Non-Appealable) Overlay Zone and Coastal Height Limit Overlay Zone of the Ocean Beach planned area within Council District 2. This development is within the Coastal Overlay Zone (NON-APPEABLE).

The project title also differed in 2022, "Point Loma MDU CDP."

Please note that the only changes to the description between the two projects:

1. "2 MDU buildings with 4 units each" has become "20 units."
2. The Zoning requirements for CC-4-2 have disappeared.
3. The site has changed from 0.16 acres to 0.17 acres.

In 2022, the Ocean Beach Planning Board reviewed this Project for 8 Units with no objections. For today's Project, PRJ-1086681, conditions outstanding from the City Staff regarding the Municipal Code have disappeared, although some presented as voluntary enhancements were actually changes required by the 2022 comments. The new Project was reviewed on May 7, 2024, by the Ocean Beach Planning Group with extensive community opposition. The Planning Group did not accept the replacement PRJ-1086681 and voted not to approve the current Project.

4. SEWAGE

This Project contained extensive sewage issues, which were documented by the City, and acknowledged that sewage and water flow downhill. Twenty toilets will be flushing instead of one and into a sewage main that is 50 years old. A study was provided for 8 units but was not offered as part of the Project for 20 units. The Sewage Comments from 2022's wording (Attachment E) states, "Your project still has 8 outstanding review issues with PUD-Water & Sewer Dev (2 of which are new issues.)" (See Attachment E).

The close proximity of this Project to the Ocean and Sunset Cliffs Natural Park makes sewage a vital issue for environmental discussion. The San Diego Storm Drain Protection Project includes two storm drains into the Pacific Ocean at Point Loma Avenue. These drains are directly connected to the San Diego sewage system, pumping to the Point Loma Sewage Processing Plant. The interaction of the storm drains, a failing sewage system for one toilet, let alone 20, requires

the same level of documentation that the 8 units required. The connection of the Storm drainage system to the Sewage system provides logical incompatibility with a Negative Declaration Determination for environmental impact.

5. TRASH

The trash problem is similar to the sewage problem. Twenty trash cans or equivalent dumpsters are insufficiently described. Disposal during demolition is not addressed in any known plans or documents. Asbestos plays a role in environmental determination, similar to sewage disposal impacts. There is no analysis of asbestos remediation and if the site requires it. The City becomes complicit in the effects of remaining asbestos during demolition.

6. COMMERCIAL

Unlike the problems associated with the proliferation of residentially zoned ADUs, this Project interferes with the community-service commercial district. It has continued to maintain this function which brought communities together historically – meeting for coffee or tacos, going with neighbors to exercise classes, sending your children to school nearby. The property at 4705 Point Loma has been deliberately allowed to degrade from its use as a local grocery store, with the developer projecting that people would be happy to see anything proposed in its place. This block currently provides a plumber, two restaurants, part of a Grade 1-8 school (Warren Walker), two gyms, a holistic health purveyor, and a laundromat. The Ocean Beach Community Plan supports neighborhood businesses serving both tourists and residents. Still, the degradation of parking for these small businesses will result in a domino effect when no customers can reach them. This effect is well documented in the construction of early adapters of *Complete Communities* in the 30th Street area and the inability to rent without parking.

The Commercial district was designed at a time following WW II when small 2 and 3-bedroom houses with one bathroom were built with large backyards. It was when young families and new homeowners only had one car. The neighborhood grocery served a useful purpose as a grocery store for nearby families. As described in the Historical Description of the property (Attachment C), the owners were also instrumental in establishing the burgeoning tuna-fishing fleet in Point Loma by providing credit for groceries for shipboard use. The street commercial zone, however, was designed to support the neighborhood residents.

7. PARKING

Complete Communities effectively removes all requirements for parking for residents. The desire of the California Coastal Commission to make beaches accessible ignores the fact that all on-street parking will be reduced by a factor of 40 for any out-of-area visitors who would like to see or access the beach. The Architect estimates 2 persons (cars) and, interestingly, 2 dogs per dwelling. With the expansion in the number of uses, this building will potentially be home to 40 dogs, with no dog-walking area identified on the property.

Of the units, 3 are affordable, and 17 are not. Although the Architect currently states 9 parking spaces, it is clear that these spaces, when enclosed, will become storage, particularly for those units small enough to more accurately qualify as hotel rooms. The street parking is already clogged with prior development as more and more people share it with multiple roommates. The parking

is untenable. It is unclear whether visibility will be provided in the sharp right turns required to enter the parking spaces from the alley. The primary objection to the Project is that the number of units is 2.5 times higher than initially proposed. The original plans required 13 parking spaces with defined motorcycle parking. These parking spaces will likely morph into storage for the small units.

Complete Communities does away with parking requirements, and there is no guarantee that the parking places defined will remain on the plans for final approval.

8. ADHERENCE TO THE OCEAN BEACH COMMUNITY PLAN AND LOCAL COASTAL PROGRAM

"...state law requires the California Coastal Commission certification of amendments to the Local Coastal Program before they can take effect in the Coastal Zone..."

– City of San Diego Statement for Planning Commission Hearings

This Project does not comply with the Goals of the *Ocean Beach Community Plan and Local Coastal Program*. The current Plan encouraged development that built on the established character of Ocean Beach, but it has not yet changed. The Plan, dated November 9, 2015, was certified on January 14, 2016, when the California Coastal Commission issued its final certification of the new *Ocean Beach Community Plan*, placing it officially in effect throughout Ocean Beach. The City is in the process of updating these plans. The Ocean Beach Plan is not designated as "Plan Update in Progress," which is currently occurring but not complete for City Heights, Clairemont Mesa, College Area, Eastern Area, Kensington-Talmadge, Normal Heights, University, and Uptown Planning areas (Attachment A).

Its introduction (8 years ago) states, as an example, "The Purpose of the Plan: The *Ocean Beach Community Plan and Local Coastal Program* (Plan) is the City of San Diego's statement of policy regarding growth and infill development within Ocean Beach over the next twenty years."

The Plan states, "The *Ocean Beach Community Plan and Local Coastal Program* identifies Ocean Beach as a small-scale coastal village. This Plan is intended to further express General Plan policies in Ocean Beach by providing site-specific recommendations that implement the City of Villages (the predecessor to Complete Communities), with examples in Attachment G.

Please note that the 2015 Plan provides a standardized land use matrix and promotes the "City of Villages" strategy through "mixed-use villages connected by high-quality transit."

The high-quality transit envisioned by the Plan in 2015 still consists of a single bus stop with no service on Saturday, Sunday, Holidays, or low-use hours. The mixed-use villages have been abandoned for "all residential." The current iteration of the *City of Villages* morphed into *Complete Communities* with no changes in transit to match soon-to-be 10 year old plans. This 2016 plan was approved by the California Coastal Commission. The land-use goal includes "encourage mixed-use residential/commercial development within commercial districts." and "Protect and enhance commercial areas." These goals have been abandoned for a developer-centric approach to maximize residential use.

9. PUBLIC SAFETY

- a) The Project's proximity to Warren Walker School and St Peter's by the Sea Pre-school were not considered during the review.
- b) The Project's review does not consider that the single bus line, addressed above in *Section 8, Adherence to the Ocean Beach Community Plan and Local Coastal Program* impacts the safety of the residents using it.
- c) Public safety was not addressed in the Negative Declaration provided as an Environmental Determination. The overflow of sewage and the demolition of potentially hazardous materials are dangerous to the public and the Pacific Ocean. It is not addressed in *Complete Communities*.

10. SPECIFIC PROJECT DETAILS

Many details were swept away or inappropriately retained when the Project was up-sized from 8 units to 20. As an example, the rooftop deck from the 2022 project is still there, minus the railing. In a single afternoon after construction is completed, this area is predicted to be converted into the deck it was initially planned to be. The same is true for storage and garage doors. The building has more of the characteristics of a hotel than affordable housing and, with the current level of enforcement, is expected to serve as a vacation rental.

The rooftop deck area is ideal for solar-thermal energy panel installations. Still, without an Environmental study, this alternative was not presented.

The details of demolition required are not present, that is:

"This project is an application for a (Process 2) Coastal Development Permit to demolish an existing commercial structure and to construct a new 3-story multi-dwelling unit located at 4705 Point Loma Av."

The Plan is designated as a "demolition project," which has potential environmental and safety issues in this commercial area. It does not, however, contain a demolition plan in the plan set. This is significant because of the potential for asbestos in the building to be demolished, which also constitutes a safety and environmental issue in a busy commercial area. Local residents have unified concerns related to asbestos particulates. City approval of this project must consider health of existing community residents and meet the requirements for asbestos removal.

11. LEVEL OF PERMIT

Lowering the approval level serves only one purpose: It removes the rights of the public to higher-level appeals. In this case, the original Project could have been eventually appealed to the City Council. In addition, the price of each appeal is \$1000, and the cost of an appeal applies to the local community planning boards, which do not have budgets for these activities.

SUMMARY

I. Grounds for Appeal according to SDMC § 112.0506, subdivision (c)

A. The DSD Approval without a hearing was based on factual errors

The DSD staff relied on inaccurate information when approving the Project.

1. Misleading and incomplete Project descriptions and ambiguous Project modifications caused the reviewing staff to approve the Project based on inaccurate information
 - a) The DSD staff review failed to consider requirements outside Complete Communities.
 - b) The DSD staff review failed to consider the commercial use requirements, both current and historic.
 - c) The DSD staff review failed to consider the problematic sewage problems inherent in the aging main pipes and did not require an updated report.
 - d) The DSD staff failed to acknowledge the historic designation for the Ocean Beach district and its requirement to be exempt from *Complete Communities*.
2. Omission of project details and approval procedures.
 - a) The DSD staff did not have full project details, including requirements and discrepancies with other development approvals as defined in the Municipal Code but not covered in *Complete Communities*, specifically the Sewage Report initially required for this location and the permit for demolition with no sheet for a demolition plan.
3. Applicant misstatements, omissions, and falsities
 - a) The DSD staff improperly relied on misrepresentations by the Applicant, as outlined in the Objections submitted by the Appellant.

B. The Staff Findings Were Not Supported

The requirements of the Municipal Code have been subverted by requiring only a Coastal Development Permit. Otherwise, the required findings according to SDMC section 126.0505, Sub-division (a), and the supplemental *findings* in Section 126.0505 subdivisions (b) are not supported, as specified following:

1. The Project Will Adversely Affect the Applicable Land Use Plan
 - a) The Project will adversely affect the *Ocean Beach Community Plan and Local Coastal Program*, and the *Peninsula Community Plan*, as specified in written comments provided by the Appellant, which identified specific policies that required the Project to conform to the municipal code.

2. The Project Will Be Detrimental to Public Safety

- d) The Project's proximity to Warren Walker School and St Peter's by the Sea Pre-school were not considered during the review.
- e) The Project's review does not consider that the single bus line that does not run on the weekend does not provide sufficient safe transportation.
- f) The Project does not comply with the ESL Regulations in the Land Development Code SDMC 143.0143, specifically Subdivisions (a), (b), (f), and (g) concerning the Sunset Cliffs Natural Park requirements.

3. Supplemental Findings according to SMDC § 126.0505, Subdivision (b) Cannot be Met

- a) The requirements of the Municipal Code have been subverted by requiring only a Coastal Development Permit. Otherwise Required Findings according to SDMC section 126.0505, Subdivision (a) and the supplemental *findings* in Section 126.0505 subdivisions (b) are not supported, as specified in the Appellant's written comments:
- b) The Project should be denied or otherwise conditioned to minimize or eliminate conflicts with public access and views, including those protected by the local land use plans, municipal code, and other coastal resources laws.

This approach was recently upheld. For a project that was previously noticed as a Process 2 Coastal Development Permit, the La Jolla Shores Planned District (LJSPD) had this designation overturned for Project # PRJ-1111376, La Jolla, and now requires a Process 3 Site Development Permit for the proposed development. Process 3 enables it to be appealed to higher levels than that available to Process 2, which appeal terminates with the Planning Commission hearing and findings.

C. Conflicts with Land Use Policy, SDMC, and Other Law

Because *Complete Communities* was implemented more quickly than the supporting documentation, numerous inconsistencies remain, which, although continuously updated, provide a moving target for a construction project headed for final approval. The statement, "The project is being processed as an Expedite Program project for Affordable/In-Fill Housing and is eligible based on Council Policy 600-27 and San Diego Municipal Code (SDMC) Section 143.0915" is insufficient grounds to ignore other requirements.

Examples of Conflicts:

1. Inconsistency with Land Use Plans

- a) The Project is inconsistent with the Ocean Beach Community Plan and/or Peninsula Community Plan and Local Coastal Program Land Use Plan, 2015, as specified in written comments provided by the Appellant, which identified specific policies that required the Project to conform to historic and environmental requirements, and correct other inconsistencies.

4. Findings Made are Unsupported

As stated above, in addition to not making all of the required findings, the findings made by staff are not supported (and are contradicted) by the facts and evidence in the files and records of the City for this Project.

The Project does not comply with the ESL Regulations in the Land Development Code SDMC 143.0143, specifically Subdivisions (a), (b), (f), and (g) concerning the Sunset Cliffs Natural Park requirements.

CONCLUSIONS

This Project will not benefit the community of Ocean Beach. This 20-unit building replaces the plan for a more acceptable 8-unit proposed project. It will be with Ocean Beach forever, along with any others built under *Complete Communities* in this rush to construction. The aging infrastructure cannot support it.

The Development Permit Appeal of Pt Loma Villa PRJ-1086681, 4705 Point Loma Avenue, should be upheld for reasons of factual errors, creating conflict with other matters, and new information. The approval of Project 1086681 should be overturned. Please uphold this appeal.

ATTACHMENTS PART OF THIS APPEAL:

- Attachment A – City of San Diego Website List of Community Plans Designating "Plan Updates in Process," with Ocean Beach and Point Loma Not Scheduled for Changes
- Attachment B – Detail Samples of Municipal Code References to Historical Districts within Complete Communities
- Attachment C – Sea & Shore Market – 4705 Point Loma Ave – Historic in Its Own Right
- Attachment D – Documented MND and Sewer Reference for the Same Site
- Attachment E – Required for prior PRJ– 681097 for the Same Location, 4705 Point Loma Ave, Now PRJ-1086681 with Increased Sewage Impact
- Attachment F – Environmental Impact On The Pacific Ocean Relevance of the *Peninsula Community Plan* to PRJ-1086681 Environmental Report
- Attachment G – Examples of Support for the Appeal from the Approved *Ocean Beach Local Community Plan And Local Coastal Program*

REFERENCES: (See Section following after Attachments)

ATTACHMENT A

City of San Diego Website List of Community Plans Designating Plan Updates in Process with Ocean Beach and Point Loma Not Scheduled for Changes

List of Communities

- [Barrio Logan](#)
- [Black Mountain Ranch](#)
- [Carmel Mountain Ranch](#)
- [Carmel Valley](#)
- [City Heights](#) PLAN UPDATE IN PROCESS
- [Clairemont Mesa](#) PLAN UPDATE IN PROCESS
- [College Area](#) PLAN UPDATE IN PROCESS
- [Del Mar Mesa](#)
- [Downtown](#)
- [East Elliott](#)
- [Eastern Area](#) PLAN UPDATE IN PROCESS
- [Encanto Neighborhoods](#)
- [Fairbanks Ranch Country Club](#)
- [Greater Golden Hill](#)
- [Kearny Mesa](#)
- [Kensington-Talmadge](#) PLAN UPDATE IN PROCESS
- [La Jolla](#)
- [Linda Vista](#)
- [Midway-Pacific Highway](#)
- [Miramar Ranch North](#)
- [Mira Mesa](#)
- [Mission Beach](#)
- [Mission Valley](#)
- [Navajo](#)
- [Normal Heights](#) PLAN UPDATE IN PROCESS
- [North City Future Urbanizing Area \(NCFUA\)](#)
- [North Park](#)
- [Ocean Beach](#)
- [Old Town San Diego](#)
- [Otay Mesa](#)
- [Otay Mesa-Nestor](#)
- [Pacific Beach](#)
- [Pacific Highlands Ranch](#)
- [Peninsula](#)
- [Rancho Bernardo](#)
- [Rancho Encantada](#)
- [Rancho Penasquitos](#)
- [Sabre Springs](#)
- [San Pasqual Valley](#)
- [San Ysidro](#)
- [Scripps Miramar Ranch](#)
- [Serra Mesa](#)
- [Skyline-Paradise Hills](#)
- [Southeastern San Diego](#)
- [Tierrasanta](#)
- [Tijuana River Valley](#)
- [Torrey Highlands](#)
- [Torrey Hills](#)
- [Torrey Pines](#)
- [University](#) PLAN UPDATE IN PROCESS
- [Uptown](#) PLAN UPDATE IN PROCESS
- [Via de la Valle](#)

ATTACHMENT B
Detail Samples of Municipal Code References to
Historical Districts within Complete Communities

§143.1002 (0-2021-53) Application of Complete Communities Housing Solutions Regulations

(b) The regulations in this Division shall not apply to the following types of development:

(6) Development located within a designated historical district or subject to the Old Town San Diego Planned District.

§143.1010 (0-2021-53) Incentives in Exchange for Transit Priority Area Affordable Housing and Infrastructure Amenities

(2) Upon an applicant's request, development that meets the applicable requirements of this Division shall be entitled to a waiver unless the City makes a written finding of denial based upon substantial evidence, of any of the following:

(B) The waiver would have an adverse impact on any real property that is listed in the California Register of Historical Resources;

§143.1010 (0-2021-53) Incentives in Exchange for Transit Priority Area Affordable Housing and Infrastructure Amenities

Development located within the Coastal Overlay Zone and the Coastal Height Limit Overlay Zone as shown on Map No. C-380, filed in the office of the City Clerk as Document No. 743737, shall be limited to a maximum floor area ratio of 2.5, and to a maximum height of 30 feet, with the exception of those areas located within the FAR Tier I.

(I) Within FAR Tier I, there shall be no maximum floor area ratio for residential development.

(iv) Within the Coastal Overlay Zone, the incentive would be inconsistent with the resource protection standards of the City's Local Coastal Program or the environmentally sensitive lands regulations, with the exception of density.

(ii) The incentive would have a specific adverse impact upon public health and safety as defined in Government Code Section 65589.5, the physical environment, including environmentally sensitive lands, or on any real property that is listed in the California Register of Historical Resources and for

ATTACHMENT C

Sea & Shore Market – 4705 Point Loma Ave

Historic in Its Own Right

San Diego is often credited as the birthplace of the American tuna fishery, tracing back to 1903, when a sardine packer in San Pedro switched to canning of albacore. Consumer's acceptance of canned tuna soon led to the development of fishing fleets in both San Diego and San Pedro, California, and remained so until 1978. San Diego was called the Tuna Capital of the world. The first cannery opened in 1909, and in 1960, the tuna business was the third-largest employer in San Diego. These boats bought their groceries from AL's Sea & Shore Market, at 4705 Point Loma Ave. The location was originally named Peskin's Market, but changed to AL's Sea & Shore Market. It was Peskin's Market until the 1950s, when it became AL's Sea & Shore Market.

The San Diego-based cannery obtained its albacore supply from small fishing boats manned by Japanese and Portuguese immigrants who caught the tuna by trolling with artificial lures, fishing with baited hand-line gear, and utilizing the bamboo pole method.

San Diego's commercial fishing industry performed well during World War I, when the war ended in 1918. San Diego's commercial fishing industry then began to experience its ups and downs through the Great Depression and World War II.

The area around 4705 Point Loma Ave was developed with small 2B-1BA and 3BR-1BA houses with large backyards for the expanding Post-WW II population and the nearby large employer, Convair. The nearby St Peter's by the Sea Lutheran Church on the corner of Point Loma Avenue and Sunset Cliffs was built in 1945. The City decided the people who lived there needed resources and zoned the 4700 block of Point Loma Ave as Neighborhood Commercial, which it remained until the comparatively recent update to the 2015 OB Community Plan and the new Community Commercial Zoning.

The large store built in the 4700 block was a furniture store. The laundromat is still there, and there was a toy store, beauty shop, a veterinarian and other family services. The liquor store was the Sea Trader, and the Sea & Shore Market at 4705 Point Loma Avenue was the grocery store. As the neighborhood grocery, people today still remember buying penny candy there. It was a time when people walked there when they ran out of eggs or milk, instead of the mega-shopping trips to supermarkets today. As a local grocery store, it employed two butchers and stocked a complete inventory. It was so busy because it was also the grocery provider for the tuna boats previously mentioned that made Point Loma the home of the tuna canneries.

The tuna-boat owners had accounts with the Sea & Shore. Before a trip, they put in their orders running a tab with Sea & Shore. The store packed their food for their trip, including frozen meat, potatoes, and onions, but few strawberries and fresh vegetables. Even the smaller boats carried a cook; eating was essential to the crew's happiness. When the boat returned to port, the owner sold the fish and paid their grocery bill with the proceeds, the whole process ready to repeat, profitable for everyone.

Bait boats were mostly used until the late 1950s, when fishing vessels switched from hook-and-line fishing to mechanized purse seining. In 1969, the realization of huge profits to be made in tuna fishing led to rapid expansion of the fleet. Not only were many new vessels constructed, but the boats were larger and faster than their predecessors. Small owners no longer dominated the

industry. A “kill quota” implemented in 1975 substantially harmed San Diego’s fishing fleet. Boats were required to limit their bycatch, ultimately causing Bumble Bee Seafoods and Van Camp Seafood Cannery to close its doors in the early 1980s. The tuna industry in San Diego went from flourishing to floundering, and the Sea & Shore could not continue as it was. Only then did the Sea & Shore Market building have a different occupant – Ranchos, and then closed. This location played a major role in the support system for an important industry in San Diego at the time and could be considered historical in its own right, including the surrounding cement and a designated historical marker of the era on the plans for PRJ-1086681

ATTACHMENT D
Documented MND and Sewer Reference for the Same Site

City comments of requirements for the prior project PRJ-681097 at the same address for a mitigation, monitoring and reporting program (MND) at 4705 Point Loma Ave, now PRJ-1086681 with increased, not diminished environmental impact:

PRJ-681097 RELATED TO PRJ-1086681 ENVIRONMENTAL REPORT

Cycle 1 2/8/21

<u>Cleared?</u>	<u>Issue Num</u>	<u>Issue Text</u>
<input checked="" type="checkbox"/>	18	PUBLIC UTILITIES: EAS defers to PUD-Water and Sewer regarding water and sewer utilities; please see the discipline's issues for further direction. (From Cycle 1)
<input checked="" type="checkbox"/>	23	CEQA DETERMINATION: The Environmental Impact Report (EIR) for the Ocean Beach Community Plan update has been certified, and includes the adoption of the Mitigation, Monitoring and Reporting Program. As such, the project may be subject to the applicable mitigation framework measures in the Final EIR. (From Cycle 1)
<input checked="" type="checkbox"/>	24	CEQA DETERMINATION: The proposed development may also be exempt from CEQA pursuant to Section 15332 (In-fill development projects) of the State CEQA Guidelines. The project is consistent with the applicable land use and zoning designations and regulations; occurs within city limits on a site no more than 5 acres surrounded by urban uses; has no value as habitat for endangered, rare, or threatened species; would not result in significant traffic, noise, air quality or water quality effects; and can be served by required utilities and public services. (From Cycle 1)
<input checked="" type="checkbox"/>	25	CEQA DETERMINATION: The EAS review of CEQA compliance for the project will remain in extended environmental initial study status. The project processing timeline requirements under CEQA will be held in abeyance until the review issues of all reviewing disciplines are adequately addressed. (From Cycle 1)

Cycle 3 12/13/21

ATTACHMENT E

Required for prior PRJ-681097 for the Same Location, 4705 Point Loma Ave, Now PRJ-1086681 with Increased Sewage Impact

📁 Cycle 1 2/8/21

<u>Cleared?</u>	<u>Num</u>	<u>Issue Text</u>
<input checked="" type="checkbox"/>	18	PUBLIC UTILITIES: EAS defers to PUD-Water and Sewer regarding water and sewer utilities; please see the discipline's issues for further direction. (From Cycle 1)

📁 Cycle 3 12/13/21

<u>Cleared?</u>	<u>Num</u>	<u>Issue Text</u>
<input checked="" type="checkbox"/>	26	INFORMATION: These comments are draft and subject to change until presented by the City's assigned Development Project Manager in conjunction with the project Assessment Letter. Staff is unable to process formal, intermediate plan changes and updates outside the full submitted cycle. A formal response to these comments must be made through the resubmittal process in response to the full Assessment Letter. Your DSD Development Project Manager can assist with further questions. (From Cycle 3)
<input checked="" type="checkbox"/>	29	LAND USE: EAS defers to LDR-Planning with regard to compatibility with land use and zoning regulations and policies and to Plan-Airport regarding the ALUCP. The disciplines are undergoing review. (From Cycle 3)
<input checked="" type="checkbox"/>	30	PUBLIC UTILITIES: EAS defers to PUD-Water and Sewer regarding water and sewer utilities; please see the discipline's issues regarding the sewer study and water demand. (From Cycle 3)
<input checked="" type="checkbox"/>	31	TRANSPORTATION: The proposed 8 multi-family units are expected to generate approximately 48 trips at a rate of 6 trips/dwelling unit (for over 20 dwelling units/acre) with 4 AM (1 in, 3 out) peak-hour trips, and 4 PM (3 in, 1 out) peak-hour trips. The project is a small project defined as a project generating less than 300 daily unadjusted driveway trips and is presumed to have a less than significant VMT impact. (From Cycle 3)
<input checked="" type="checkbox"/>	32	VISUAL EFFECTS AND NEIGHBORHOOD CHARACTER: The proposed residences will not encroach upon, negatively alter or reduce the existing public view corridor and is contained within the legal lot area. EAS defers to LDR-Planning with respect to the project's development features; please see the discipline's review. (From Cycle 3)
<input checked="" type="checkbox"/>	33	New Issue (17432802) (From Cycle 3)

Cycle Issues



3/18/22 12:17 pm

THE CITY OF SAN DIEGO
Development Services Department
1222 1st Avenue, San Diego, CA 92101-4154

Page 7 of 7

L64A-003A

Review Information

Cycle Type: 6 Submitted (Multi-Discipline)	Submitted: 02/15/2022	Deemed Complete on 02/15/2022
Reviewing Discipline: PUD-Water & Sewer Dev	Cycle Distributed: 02/15/2022	
Reviewer: Nguyen, Gary (619) 446-5454 NguyenVH@sandiego.gov	Assigned: 02/15/2022	
	Started: 03/09/2022	
Hours of Review: 2.00	Review Due: 03/09/2022	
Next Review Method: Submitted (Multi-Discipline)	Completed: 03/09/2022	COMPLETED ON TIME
	Closed: 03/18/2022	

. The review due date was changed to 03/14/2022 from 03/14/2022 per agreement with customer.
 . The reviewer has indicated they want to review this project again. Reason chosen by the reviewer: Partial Response to Cmnts/Regs.
 . We request a 4th complete submittal for PUD-Water & Sewer Dev on this project as: Submitted (Multi-Discipline).
 . The reviewer has requested more documents be submitted.
 . Your project still has 8 outstanding review issues with PUD-Water & Sewer Dev (2 of which are new issues).
 . Last month PUD-Water & Sewer Dev performed 136 reviews, 86.0% were on-time, and 53.9% were on projects at less than < 3 complete submittals.

<u>Issue</u>		
<u>Cleared?</u>	<u>Num</u>	<u>Issue Text</u>
<input checked="" type="checkbox"/>	14	Please explain, in the study, how the acreage of the zones was calculated. (From Cycle 3)
<input checked="" type="checkbox"/>	15	Add Sewer Study Summary (Figure 1-1) from the Sewer Design Guide and include hydraulic calculations for two sewer reaches upstream from the project site. (From Cycle 3)
<input type="checkbox"/>	23	Sewer Study Summary (Figure 1-2), add the project's sewer flow to the table. (New Issue)
<input type="checkbox"/>	24	Line 2 revise the lettering for sewer line segment to indicate a downward sewer flow. (New Issue)
Water Demand Comments:		
<u>Issue</u>		
<u>Cleared?</u>	<u>Num</u>	<u>Issue Text</u>
<input checked="" type="checkbox"/>	16	Please update all design guide pages to the city's current Water Facilities Design Guidelines (Jan. 2021) pages. (From Cycle 3)
Draft Permit Conditions:		
<u>Issue</u>		
<u>Cleared?</u>	<u>Num</u>	<u>Issue Text</u>
<input type="checkbox"/>	17	All proposed private water and sewer facilities located within a single lot are to be designed to meet the requirements of the California Plumbing Code and will be reviewed as part of the building permit plan check. (From Cycle 3)
<input type="checkbox"/>	18	Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of new water and sewer service(s) outside of any driveway or drive aisle and the abandonment of any existing unused water and sewer services within the public right-of-way adjacent to the project site, in a manner satisfactory to the Public Utilities Director and the City Engineer. (From Cycle 3)
<input type="checkbox"/>	19	Prior to the issuance of any building permits, the Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s) [BFPDs], on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Director and the City Engineer. (From Cycle 3)
<input type="checkbox"/>	20	The Owner/Permittee shall be responsible for any damage caused to City of San Diego water and sewer facilities within the vicinity of the project site, due to the construction activities associated with this project, in accordance with Municipal Code section 142.0607. In the event that any such facility loses integrity then, the Owner/Permittee shall repair or reconstruct any damaged public water and sewer facility in a manner satisfactory to the Public Utilities Director and the City Engineer. (From Cycle 3)
<input type="checkbox"/>	21	No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any sewer facilities and five feet of any water facilities. (From Cycle 3)
<input type="checkbox"/>	22	The Owner/Permittee shall design and construct all proposed public water and sewer facilities, in accordance with established criteria in the current edition of the City of San Diego Water and Sewer Facility Design Guidelines and City regulations, standards and practices. (From Cycle 3)

ATTACHMENT F
Environmental Impact On The Pacific Ocean
Relevance of the Peninsula Community Plan to
PRJ-1086681 Environmental Report

Although it is clear that the Ocean Beach Planning Board has authority for the permitting process, it is not clear that the Peninsula Plan can be ignored for environmental issues. Several elements address Sunset Cliffs and Point Loma Avenue areas. The quotes provided are from the current, on-line version of the Peninsula Community Plan. The quotes are brief sections directly related to environmental concerns, and are taken from a larger description or recommendation. The applicability of the Peninsula Community Plan is described in the plan as follows:

“The Sunset Cliffs neighborhood is located south of Point Loma Avenue, between Catalina Boulevard and the ocean. Point Loma Nazarene College and the Sunset Cliffs Shoreline Park are also included in this neighborhood.” (*Neighborhoods, p. 4*)

The following direct quotes relate to the Sunset Cliffs Community and Sunset Cliffs Natural Park, which includes Sunset Cliffs Shoreline Park:

In addition to these residential areas, the Peninsula contains a well-developed commercial core (Roseville), a liberal arts college (Point Loma Nazarene College), and three major regional recreational resources - **Sunset Cliffs**, Shelter Island and Cabrillo National Monument. (*Peninsula Profile, p. 2*)

Much of the acreage in Sunset Cliffs Park is on unstable slopes which have been closed to the public. (*Parks & Recreation, p. 49*)

Sunset Cliffs Shoreline Park should be dedicated and developed in a manner consistent with resource protection. **All improvements should be reviewed as to their potential for either direct or indirect impacts on the sensitive resources (i.e., natural topography, significant flora and fauna, and tidepool environment) present in this area.** (*Recommendations, p. 52*)

There is a path from Sunset Cliffs Park to the Ocean Beach Pier. (*Existing Conditions, p. 72*)

In addition, Sunset Cliffs Shoreline Park, in the area generally south of Ladera Street and along the bluff north and south of Hill Street, provides an unobstructed view of the ocean. (*Existing Conditions, p. 73*)

In developing an erosion control program for the Sunset Cliffs, shoreline access should be considered an integral part of such a program. (*Recommendations, p. 74*)

Visual accessways throughout the Peninsula should be preserved, enhanced and, where feasible, provided from public roadways and major resource and recreational areas. **More specifically, vista points (including signing benches and bike racks) should be considered throughout the Sunset Cliffs Shoreline Park** and at street endings in the La Playa/Kellogg Beach areas. (*Recommendations, p. 75*)

Prescriptive rights in relation to public access to coastal resources should be considered in all coastal development. (*Recommendations, p. 76*)

Although the Peninsula community is highly urbanized, there are several resource areas which are **significant in terms of habitat value and public enjoyment.** These areas include: the Famosa Slough, the Sunset Cliffs Shoreline Park, Point Loma Naval Complex, the bay and ocean resources and a few undeveloped hillsides. (*Conservation, p. 85*)

The California Gray Whale can be seen migrating annually from the Bering Sea to Baja California from December through January. They are viewed from both Cabrillo National Monument and Sunset Cliffs. (*Shoreline Resources, p. 86*)

RECOMMENDATIONS:

- The Sunset Cliffs are a significant resource of the Peninsula community, utilized as a major vista point. However, these cliffs are experiencing some erosion problems. Adjacent to Point Loma College, within the Sunset Cliffs Shoreline Park, is a canyon that provides a habitat for a variety of wildlife. (*Recommendations, p. 99*)
- Sunset Cliffs Shoreline Park should be protected as a significant public resource and wildlife habitat. Any erosion control/bluff stabilization and public access programs, or other improvements along the Sunset Cliffs, should be carefully reviewed in terms of their impact on the water (e.g., tidepool) and land resources of the Sunset Cliffs and southwestern Peninsula area. (*Recommendations, p. 99*)
- Any erosion control/cliff stabilization program which is developed along the Sunset Cliffs should consider the visual compatibility of such a project with the adjacent area, any adverse effects on the marine environment or sandy beach areas, and, where feasible, incorporation of public physical and visual accessways. Importantly, erosion control structures should be carefully designed and selectively placed in conformance with the natural landscape and shoreline, with special emphasis on preservation of sandy beach areas. Comparable replacement should be provided for any beaches which are eliminated. (*Recommendations, p. 99*)
- Support facilities and safety features should be developed along the length of the Sunset Cliffs. (*Recommendations, p. 99*)
- A public education program detailing the proper use and potential hazards of the Sunset Cliffs should be developed, much in the manner that Torrey Pines State Park operates. The Coastal Conservancy and other appropriate local, state and federal agencies should participate in this program. (*Recommendations, p. 99*)
- The development of controlled trails in certain areas of Sunset Cliffs would allow for desired public access as long as safety issues are a controlling factor. A method of development similar to the Torrey Pines State Park (i.e., hiking trails and educational orientation) may be appropriate. (*Recommendations, p. 99*)

Coordination should be established between the City, community groups and federal government to ensure the protection of the natural resources of the Point Loma Naval Complex, including the Cabrillo National Monument and adjacent tidepool and kelp habitats. In conjunction with such preservation, educational tours should be organized. (*Recommendations, p. 99*)

A number of view corridors throughout the Peninsula area provide vistas of the San Diego Bay, the downtown, Coronado, Mission Bay and Pacific Beach. These vistas occur primarily from existing roadways which include: Catalina Boulevard (within the Point Loma Naval Complex), Shelter Island Drive, Rosecrans, Talbot, Canon, Garrison, Chatsworth, West Point Loma Boulevard, Famosa Boulevard, Santa Barbara, **Point Loma Avenue** and Sunset Cliffs Boulevard. Some views are partially blocked by existing development. In addition, the Sunset Cliffs Shoreline Park, from the Point Loma

Naval Complex to Adair Street, provides an unobstructed view of the ocean. (*Urban Design, p. 104*)

ISSUES:

Issue: Public safety is an issue in the Sunset Cliffs area due to geologic instability. (*Recreation and visitor serving facilities, P. 151*)

Issue: The marine resources of the Sunset Cliffs area include kelp beds and both fish and shellfish species. The Point Loma tidepools should be preserved. (*Water and Marine Resources, p. 152*)

Recommendation: Under the Resource Conservation Element, the plan recognizes the importance of the tidepools and kelp beds along Sunset Cliffs as important resources of the Peninsula. As such, the Plan recommends that efforts be taken to protect and preserve them. In addition, limited access, in the form of educational tours, is encouraged to be maintained to the tidepools through coordinated efforts with the National Park Service. (*Water and Marine Resources, p. 152*)

Issue: A decision should be made regarding the technique to be used to control erosion in the Sunset Cliffs area. (*Water and Marine Resources, p. 152*)

Recommendation: The Geologic Hazards and Environmental Impact Element discusses a comprehensive erosion control program in conjunction with increased public access and resource conservation for the length of the Sunset Cliffs. (*Water and Marine Resources, p. 152*)

Issue: Erosion control and cliff stabilization is a problem in the Sunset Cliffs area. A resolution of this problem is necessary. The City and Army Corps of Engineers have developed several alternative proposals for erosion control in this area. An alternative that is consistent with the policies of the Coastal Act must be selected and implemented. The questions of consistency would include Chapter 3 requirements regarding circumstances under which new shoreline structures are allowable, an evaluation of alternatives, scenic and visual impacts and all possible environmental effects. (*Hazard Areas, p. 154*)

CONCLUSIONS

The documented concerns of the nearby park require at the minimum, a Mitigated Negative Declaration, where the impact of sewage and water spills is evaluated, emissions from increased traffic and neighborhood parking are examined, and any other safety and environmental issues associated with this proximity to Environmentally Sensitive Lands.

ATTACHMENT G

Examples of Support for the Appeal from the Approved *Ocean Beach Local Community Plan And Local Coastal Program*

The Ocean Beach Community Plan covers all aspects of this appeal, and the following quotes are samples:

1. HISTORIC

4.2 Distinctive Neighborhoods and Residential Design

4.2.4 New residential development should take design cues from the historic small-scale character of the residential areas in Ocean Beach.

Chapter 9 – HISTORIC PRESERVATION ELEMENT – A COMPLETE SECTION DEVOTE TO RESOURCES, such as:

"The purpose of the City of San Diego General Plan Historic Preservation Element is to preserve, protect, restore and rehabilitate historical and cultural resources throughout the City of San Diego. It is also the intent of the element to improve the quality of the built environment, encourage appreciation for the City's history and culture, maintain the character and identity of communities, and contribute to the City's economic vitality through historic preservation. The element's goals for achieving this include identifying and preserving historical resources, and educating citizens about the benefits of, and incentives for, historic preservation...By the late 1920s, with the grading of streets and installation of a sewer system, development of a hotel, entertainment venues, a theater and scores of permanent beach cottages and bungalows, Ocean Beach made the transition from a seaside resort to a community. ..."

PARKING

Recommendations 3.5 Parking

- Evaluate curb utilization to identify opportunities for increasing on-street parking supply.
- Implement parking management strategies along streets that serve the commercial and beach areas. **Address public beach parking needs**, with the objective to protect public beach access, in the development of any residential permit parking program.
- Preferential residential parking programs would require a Land Use Plan amendment.

SAFETY

5. Public Facilities, Services and Safety Element

PUBLIC FACILITIES, SERVICE, AND SAFETY GOALS

A reliable system of water, wastewater, storm water, and **sewer facilities** that serve the existing and future needs of the community.

5.2 Water, Waste Water, and Storm Water

The major existing storm water conveyance system in the community consists of: the Abbott Street, Bacon Street, Newport Avenue, and **Point Loma Avenue systems**, each of which has a system to divert non-storm low water flows to the sanitary sewer systems during dry weather periods. There are also a few smaller nondiverted storm drain systems located along the coast. The City has adopted the Master Storm Water Maintenance Program to address flood control issues by

cleaning and maintaining the channels to reduce the volume of pollutants that enter the receiving waters.

REFERENCES

NOTICES

EXECUTIVE ORDERS

MUNICIPAL CODE/COUNCIL POLICY

REFERENCES

NOTICES:

DATE OF NOTICE: October 23, 2023 NOTICE OF FUTURE DECISION DEVELOPMENT SERVICES DEPARTMENT, PROJECT NO: PRJ-1086681 PROJECT NAME: 4705 POINT LOMA PROJECT TYPE: COASTAL DEVELOPMENT PERMIT, PROCESS TWO APPLICANT: GOLBA ARCHITECTURE, INC

DATE OF NOTICE: April 10, 2024 NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION PROJECT NAME / NUMBER: 4705 Point Loma / PRJ-1086681 COMMUNITY PLAN AREA: Ocean Beach

DATE OF NOTICE: MAY 23, 2024 NOTICE OF DECISION DEVELOPMENT SERVICES DEPARTMENT PROJECT NUMBER: PRJ-1086681 PROJECT NAME: THE POINT PROJECT TYPE: COASTAL DEVELOPMENT PERMIT, CEQA EXEMPTION 15332 (IN-FILL DEVELOPMENT), PROCESS TWO APPLICANT: GOLBA ARCHITECTURE INC.

EXECUTIVE ORDERS:

CITY OF SAN DIEGO EXECUTIVE ORDER 2023-1 BY THE MAYOR, dated January 11, 2023

CITY OF SAN DIEGO EXECUTIVE ORDER 2024-1 BY THE MAYOR, dated January 10, 2024

MUNICIPAL CODE/COUNCIL POLICY:

Article 3: Supplemental Development Regulations Division 9: Affordable Housing, In-Fill Projects, and Sustainable Buildings Development Regulations, LAST UPDATED: (Amended 10-30-2020 by O-21254 N.S.; effective 11-29-2020.) [including San Diego Municipal Code (SDMC) Section 143.0915]

Article 3: Supplemental Development Regulations Division 10: Complete Communities Housing Solutions Regulations, LAST UPDATED: [Editors Note: Amendments as adopted by O-21758 N.S. will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment]

SUBJECT: AFFORDABLE AND SUSTAINABLE DEVELOPMENT POLICY NO.: 600-27 EFFECTIVE DATE: October 20, 2017

CITY COUNCIL ORDINANCES: (see City of San Diego Web site for Specifics)

ORDINANCE NUMBER 021416 (NEW SERIES) DATE OF FINAL PASSAGE JAN 27, 2022

ORDINANCE NUMBER 0-21275 (NEW SERIES) DATE OF FINAL PASSAGE __ DEC -09, 2020

COMMUNITY PLANNING DOCUMENTS (See City of San Diego Web site for Specifics)

OCEAN BEACH Community Plan and Local Coastal Program, November 9, 2015, Certified by the California Coastal Commission on January 7, 2016.

Peninsula Community Plan and Local Coastal Program Land Use Plan, July 14, 1987, Adopted May 6, 1997,

Sunset Cliffs Natural Park Master Plan, FINAL – July 2005. Certified by California Coastal Commission October 11, 1989. Last updated May 31, 2011.

NOTICES

DATE OF NOTICE: October 23, 2023 NOTICE OF FUTURE DECISION DEVELOPMENT SERVICES DEPARTMENT, PRJ-1086681 PROJECT NAME: 4705 POINT LOMA PROJECT TYPE: COASTAL DEVELOPMENT PERMIT, PROCESS TWO

DATE OF NOTICE: April 10, 2024 NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION, : 4705 Point Loma / PRJ-1086681 COMMUNITY PLAN AREA: Ocean Beach COUNCIL DISTRICT: 2 LOCATION: 4705 Point Loma Avenue, San Diego, CA 9210

DATE OF NOTICE: MAY 23, 2024 NOTICE OF DECISION, PRJ-1086681 PROJECT NAME: THE POINT PROJECT TYPE: COASTAL DEVELOPMENT PERMIT, CEQA EXEMPTION 15332 (IN-FILL DEVELOPMENT), PROCESS TWO



THE CITY OF SAN DIEGO

DATE OF NOTICE: October 23, 2023

NOTICE OF FUTURE DECISION

DEVELOPMENT SERVICES DEPARTMENT

Development Services Staff will make a decision to approve, conditionally approve, modify, or deny an application for a (Process 2) Coastal Development Permit to demolish an existing commercial structure and to construct a new 3-story multi-dwelling unit, located at 4705 Point Loma Av. The 0.17-acre site is in the CC-4-2, Coastal (Non-Appealable) Overlay Zone, and Coastal Height Limit Overlay Zone of the Ocean Beach plan area within Council District 2. This development is within the Coastal Overlay zone (NON-APPEALABLE) and the application was filed on March 20, 2023.

PROJECT NO:	PRJ-1086681
PROJECT NAME:	<u>4705 POINT LOMA</u>
PROJECT TYPE:	COASTAL DEVELOPMENT PERMIT, PROCESS TWO
APPLICANT:	GOLBA ARCHITECTURE, INC.
COMMUNITY PLAN AREA:	OCEAN BEACH
COUNCIL DISTRICT:	2
PROJECT MANAGER:	Christian Hoppe, Development Project Manager
PHONE NUMBER/E-MAIL:	(619) 446-5293 / CHoppe@sandiego.gov

The decision by City staff will be made **without** a public hearing no less than thirty (30) calendar days after the date of mailing the Notice of Future Decision. If you wish to receive a "Notice of Decision," you must submit a written request to the Development Project Manager listed above no later than ten (10) business days from the date of this Notice. This project is undergoing environmental review.

The decision of the Development Services Department Staff is final unless appealed to the Planning Commission. The decision made by the Planning Commission is the final decision by the City. Appeal procedures are described in [Information Bulletin 505](https://www.sandiego.gov/development-services/forms-publications/information-bulletins/505) (<https://www.sandiego.gov/development-services/forms-publications/information-bulletins/505>). Appeals to the Planning Commission can be filed by email/mail or in person:

- 1) Appeals filed via email/mail: Send the fully completed appeal application [DS-3031](https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf) (<https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf>) (including grounds for appeal and supporting documentation in pdf format) via email to PlanningCommission@sandiego.gov by 4:00 PM on the last day of the appeal period. When received by the City, the appellant will be invoiced for payment of the required Appeal Fee. Timely payment of this invoice is required to complete processing of the appeal. Failure to pay the invoice within five (5) business days of invoice issuance will invalidate the appeal application.
- 2) Appeals filed in person: Bring the fully completed appeal application [DS-3031](https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf) (<https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf>) (including grounds for appeal and supporting documentation) to the touchless Payment Drop-Off drop safe in the first-floor lobby of the Development Services Center, located at 1222 First Avenue, San Diego, CA 92101 by 4:00 PM. on the last day of the appeal period. The completed appeal package must be clearly marked on the outside as "Appeal"

and must include the required appeal fee per Information Bulletin 505 in the form of a check payable to the City Treasurer. This safe is checked daily, and payments are processed the following business day. All payments must be in the exact amount, drawn on US banks, and be made out to "City Treasurer." Please include in the memo of the check the invoice number or Project number or attach the invoice to the check. Cash payments are only accepted by appointment; email DSDCashiers@saniego.gov to schedule an appointment.

The final decision by the City of San Diego is not appealable to the California Coastal Commission.

The project is being processed as an Expedite Program project for Sustainable Buildings and is eligible based on Council Policy 600-27 and San Diego Municipal Code (SDMC) Section 143.0915 for Non-Residential projects that incorporate the Mandatory and Voluntary Tier I and Tier II measures of Title 24, Part 11 California Green Building Standards Code (CGBSC).

The project is being processed as Expedite Program project for Affordable/In-Fill Housing and is eligible based on Council Policy 600-27 and San Diego Municipal Code (SDMC) Section 143.0915.

Please note that Community Planning Groups provide citizens with an opportunity for involvement in advising the City on land use matters. Community Planning Group considerations are a recommended, but not required, part of the project review process. Please see the [Community Planning Group Contact List](https://www.sandiego.gov/planning/community-plans/cpg/contacts) (<https://www.sandiego.gov/planning/community-plans/cpg/contacts>) to inquire about Ocean Beach Community Planning Group meeting dates, times, and location for community review of this project.

If you have any questions about the project after reviewing this information, you may contact the Development Project Manager listed above.

This information will be made available in alternative formats upon request.

Internal Order No.: 24009521



Development Services Department

Christian Hoppe / Project No. PRJ-1086681
1222 First Ave., MS 501
San Diego, California 92101-4101

RETURN SERVICE REQUESTED



THE CITY OF SAN DIEGO

DATE OF NOTICE: April 10, 2024

NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

DEVELOPMENT SERVICES DEPARTMENT

SAP No. 24009521

PROJECT NAME / NUMBER: 4705 Point Loma / PRJ-1086681

COMMUNITY PLAN AREA: Ocean Beach

COUNCIL DISTRICT: 2

LOCATION: 4705 Point Loma Avenue, San Diego, CA 92107

PROJECT DESCRIPTION: A request for a COASTAL DEVELOPMENT PERMIT to demolish an existing commercial structure and construct a three-story multi-family residential structure. The residential use area would be 16,126 gross floor area, and the private decks, stairways, and circulation areas would total 2,498 gross square feet. The project proposes 20 one-bedroom/studio dwelling units. The project also includes landscaping and utility improvements, including utility connections that extend offsite. The project would provide a 4-foot sidewalk dedication to the City, as well as a wayfinding sign per SDMC Section 143.1025(a)(1). The project is seeking waivers related to San Diego Municipal Code (SDMC) Section 131.0540(d) to waive common open space requirements, reduce private exterior open space setbacks, and reduce the number of parking spaces from 30 to 9. The project is also requesting two deviations; a deviation from Base Zone CC-4-2 to eliminate the need to include commercial development, and a deviation from SDMC Table 142.04C and Section 142.0405(a)(I) to eliminate the requirement for trees and planting points related to trees. The 0.17-acre lot is located at 4705 Point Loma Avenue in the Community Commercial designation (Pt. Loma Ave. Commercial District) of the Ocean Beach Community Plan and is zoned CC-4-2. The project site is in the Coastal Overlay (Non-Appealable) Zone, Coastal Height Limitation Overlay Zone (CHLOZ), the Parking Impact Overlay Zone (Coastal), the Airport Land Use Compatibility Overlay Zone (San Diego International Airport, NAS North Island), the Airport Influence Area (NAS North Island, Review Area 2), the Federal Aviation Administration Part 77 Noticing Area (NAS North Island), Ocean Beach Cottage Emerging District, Mobility Zone 2, and the Transit Priority Area (TPA). Council District 2. (LEGAL DESCRIPTION: All of Lot 3 and that portion of Lot 2, Block 4, Sunset Cliffs, According to Map Thereof No. 1889, Filed in the office of the County Recorder of San Diego County, March 1, 1926; ASSESSOR'S PARCEL NUMBER: 448-342-10 and -11).

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego Development Services Department

ENVIRONMENTAL DETERMINATION: Categorically exempt from CEQA pursuant to CEQA State Guidelines, Section 15332, In-fill Development.

ENTITY MAKING ENVIRONMENTAL DETERMINATION: City of San Diego

STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION: The City of San Diego determined that the project would qualify to be categorically exempt from CEQA pursuant to 15332, In-fill Development, which allows in-fill development where projects are consistent with the general plan and applicable zoning designations, the project site is less than five acres in size surrounded by urban uses, is of no value as habitat for endangered species, would not result in significant effects relating to traffic, noise, air quality, or water quality, can be adequately served by all required utilities and public services; and where the exceptions listed in Section 15300.2 would not apply. **The site is not included on any list compiled pursuant to Government Code Section 65962.5 for hazardous waste sites.**

DEVELOPMENT PROJECT MANAGER: Christian Hoppe
MAILING ADDRESS: 1222 First Avenue, MS 501, San Diego, CA 92101-4153
PHONE NUMBER / EMAIL: (619) 446-5293 / CHoppe@sandiego.gov

On April 10, 2024 the City of San Diego (City), as Lead Agency, has made the above-referenced environmental determination pursuant to the California Environmental Quality Act (CEQA). This determination is appealable to the City Council. If you have any questions about this determination, contact the City Development Project Manager listed above.

Applications to appeal CEQA determination made by staff (including the City Manager) to the City Council must be filed in the office of the City Clerk by 5:00pm within ten (10) business days from the date of the posting of this Notice (April 24, 2024). Appeals to the City Clerk must be filed by email or in-person as follows:

- 1) **Appeals filed via E-mail:** The Environmental Determination Appeal Application Form [DS-3031](#) can be obtained at <https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031>. Send the completed appeal form (including grounds for appeal and supporting documentation in pdf format) by email to Hearings1@sandiego.gov by 5:00p.m. on the last day of the appeal period; your email appeal will be acknowledged within 24 business hours. You must separately mail the appeal fee by check payable to the City Treasurer to: City Clerk/Appeal, MS 2A, 202 C Street, San Diego, CA 92101. The appeal filing fee must be United States Postal Service (USPS) postmarked) before or on the final date of the appeal. Please include the project number on the memo line of the check.
- 2) **Appeals filed in person:** Environmental Determination Appeal Application Form [DS-3031](#) can be obtained at <https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf>. Bring the fully completed appeal application [DS-3031](#) (including grounds for appeal and supporting documentation) to the City Administration Building-Public Information Counter (Open 8:00am to 5:00pm Monday through Friday excluding City-approved holidays), 1st Floor Lobby, located at 202 C Street, San Diego, CA 92101, by 5:00pm on the last day of the appeal period. The completed appeal form shall include the required appeal fee, with a check payable to: City Treasurer.

This information will be made available in alternative formats upon request.

DATE OF NOTICE: MAY 23, 2024

NOTICE OF DECISION

DEVELOPMENT SERVICES DEPARTMENT

PROJECT NUMBER:	PRJ-1086681
PROJECT NAME:	<u>THE POINT</u>
PROJECT TYPE:	COASTAL DEVELOPMENT PERMIT, CEQA EXEMPTION 15332 (IN-FILL DEVELOPMENT), PROCESS TWO
APPLICANT:	GOLBA ARCHITECTURE INC.
COMMUNITY PLAN AREA:	Ocean Beach
COUNCIL DISTRICT:	2
CITY PROJECT MANAGER:	Christian Hoppe, Development Project Manager
PHONE NUMBER/E-MAIL:	(619)-446-5293 CHoppe@sandiego.gov

On May 23, 2024, the Development Services Department APPROVED an application to demolish an existing commercial structure and build a new 20-unit, three-story multi-dwelling unit complex which includes three affordable units utilizing the Complete Communities Housing Solutions program. The 0.17-acre site will provide nine automobile parking stalls and two motorcycle stalls as part of the project located at 4705 Point Loma Avenue in the CC-4-2 Zone, Coastal Height Limitation Overlay Zone, Coastal Overlay Zone (Non-Appealable Area 2), Parking Impact Overlay Zone (Coastal), Transit Priority Area, Airport Land Use Compatibility Overlay Zone (NAS North Island and SDIA), Airport Influence Area (Review Area 2 SDIA and NAS), FAA Part 77 Noticing Area, of the Ocean Beach Community Plan Area.

If you have any questions about this project, the decision, or wish to receive a copy of the resolution approving or denying the project, contact the Development Project Manager above.

The decision of the Development Services Department Staff can be appealed to the Planning Commission. The Decision made by the Planning Commission is the final decision by the City.

Appeal procedures described in [Information Bulletin 505](https://www.sandiego.gov/development-services/forms-publications/information-bulletins/505) (<https://www.sandiego.gov/development-services/forms-publications/information-bulletins/505>) Section A and can be filed by e-mail/mail or in person:

- 1) Appeals filed via e-mail/mail: Send the fully completed appeal application [DS-3031](https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf) (<https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf>)

(including grounds for appeal and supporting documentation in pdf format) via e-mail to PlanningCommission@sanidiego.gov by 4:00 PM on the last day of the appeal period. When received by the City, the appellant will be invoiced for payment of the required Appeal Fee. Timely payment of this invoice is required to complete processing of the appeal. Failure to pay the invoice within five (5) business days of invoice issuance will invalidate the appeal application.

- 2) Appeals filed in person: Bring the fully completed appeal application [DS-3031](#) (<https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf>) (including grounds for appeal and supporting documentation) to the touchless Payment Drop-Off safe in the first-floor lobby of the Development Services Center, located at 1222 First Avenue, San Diego, CA 92101 by 4:00 PM on the last day of the appeal period. The completed appeal package must be clearly marked on the outside as "Appeal" and must include the required appeal fee per this bulletin in the form of a check payable to the City Treasurer. This safe is checked daily, and payments are processed the following business day. All payments must be in the exact amount, drawn on US banks, and be made out to "City Treasurer." Please include in the memo of the check the invoice number or project number or attach the invoice to the check. Cash payments are only accepted by appointment: e-mail DSDCashiers@sanidiego.gov to schedule an appointment.

The final decision by the City of San Diego is not appealable to the California Coastal Commission.

The project is being processed as an Expedite Program project for Affordable/In-Fill Housing and is eligible based on Council Policy 600-27 and San Diego Municipal Code (SDMC) Section 143.0915.

This project was determined to be categorically exempt from the California Environmental Quality Act pursuant to Section 15332 (In-Fill Development) on April 10, 2024, and the opportunity to appeal that determination ended April 24, 2024.

This information will be made available in alternative formats upon request.

Internal Order No.: 24009521

cc: Andrea Schlageter



Development Services Department

Christian Hoppe / Project No.PRJ-1086681

1222 First Avenue, MS 501

San Diego, California 92101-4140

RETURN SERVICE REQUESTED

EXECUTIVE ORDERS



CITY OF SAN DIEGO
EXECUTIVE ORDER NO. 2023-1
BY THE MAYOR

WHEREAS, housing costs in the City of San Diego have risen with average rent prices increasing 46 percent from 2012 to 2019;

WHEREAS, the City of San Diego has a vacancy rate of less than 1 percent;

WHEREAS, 50 percent of City households are housing cost-burdened, meaning these households spend more than 30 percent of their income on housing costs, leaving these individuals and families with inadequate means to pay for the costs of food, medical care, transportation, education and job training, and other basic elements needed to thrive;

WHEREAS, according to the Regional Task Force on Homelessness, for every 10 people placed into housing last year, 13 more people fell into homelessness for the first time;

WHEREAS, the City of San Diego has aggressive goals to address the housing and homelessness crisis. The City's adopted Community Action Plan on Homelessness identified 5,416 permanent housing opportunities needed by 2029 for individuals and families experiencing homelessness;

WHEREAS, San Diego's Housing Element calls for the City to adequately plan to meet its existing and projected housing needs, including its share of the Regional Housing Needs Allocation (RHNA), which equals 108,036 additional homes in the City of San Diego, with 44,880 of those homes needed for extremely-low, very low, and low-income households to be built between 2021 and 2029;

WHEREAS, to address the housing and homelessness crisis and allow for more homes that San Diegans of all income levels can afford in all communities, the City of San Diego has progressively implemented programs, policies, incentives and funding to accelerate housing production and increase the supply of affordable housing;

WHEREAS, the City of San Diego has continually updated its community plans and zoning regulations to remove barriers to the production of more homes, including the removal of discretionary approval processes wherever feasible and appropriate;

WHEREAS, the City implements State Density Bonus Law, as well as other local incentive programs, including a microunit density bonus program, an accessory dwelling unit home density bonus program, and Complete Communities Housing Solutions incentives, as well as many other incentives designed to streamline and produce more affordable homes;



**CITY OF SAN DIEGO
EXECUTIVE ORDER NO. 2023-1
BY THE MAYOR**

WHEREAS, the City of San Diego is recognized as a Pro-housing city by the California Department of Housing and Community Development based on the City's policies that prioritize and expand new home construction;

WHEREAS, the City's Development Services Department (DSD) has several processes in place to expedite the approval of affordable housing;

WHEREAS, the City has redoubled its efforts to focus on housing, including by adding 39 new positions in DSD's Fiscal Year 2023 adopted budget to focus on streamlining the issuance of permits for more housing; and has set a goal to triple the number of new homes approved annually by way of planning as well as operationally through increased capacity for residential permit processing;

WHEREAS, in 2022 alone, DSD issued construction permits for more than 5,000 homes and approved entitlements for nearly 650 homes, and there are another 6,400 homes in the development pipeline;

WHEREAS, despite these efforts, the supply is not sufficient to serve the City's needs and address the growing homelessness and housing crisis. Additionally, DSD is experiencing high demand for its services, which, coupled with a new technology customer learning curve and staffing challenges, has created increased workload volume which is a factor that contributes to delays in processing for many permit types; and

WHEREAS, the City must immediately take steps to reduce the permit backlog, fill vacancies, and streamline permitting to increase the supply of affordable homes.

THEREFORE;

By virtue of authority vested in me as Mayor of the City of San Diego pursuant to the provisions of Article XI of the California Constitution and sections 28, 260, and 265 of the City of San Diego Charter, to promulgate, issue, and enforce rules, regulations, and orders governing the administrative affairs of the City, I hereby declare the following orders and direction to be necessary for the protection of life and property and I hereby order, effective at 11:59 p.m. on January 11, 2023.



CITY OF SAN DIEGO
EXECUTIVE ORDER NO. 2023-1
BY THE MAYOR

IT IS HEREBY ORDERED THAT:

1. All applicable City Departments shall liberally grant incentives and waivers for Affordable Housing Projects, which means emergency shelters, permanent supportive housing, transitional housing, and projects where 100 percent of the total dwelling units, exclusive of a manager's unit or units, are covenant-restricted for a period of at least 55 years as affordable to very low-, low-, or moderate-income households (Affordable Housing Projects), to the maximum extent allowable.
2. All applicable City Departments shall process any required building permit applications, certificates of occupancy, or temporary certificates of occupancy within 5 business days for applications for 100 percent Affordable Housing Projects and within 2 business days for emergency shelters;
3. All applicable City Departments shall conduct and conclude all reviews required for 100 percent Affordable Housing Projects and to issue all appropriate approvals or requests for corrections for such projects within 30 business days following the project deemed complete date. To the extent practicable, all required reviews and approvals shall be conducted collaboratively with project applicant design professionals and decision makers, by all City departments so as to meet the 30 day periods specified for 100 percent Affordable Housing Projects in this paragraph;
4. All applicable City departments to prioritize and streamline compliance with the provisions of the Building Homes and Jobs Act – Government Code section 27388.1 in order to maximize the City's eligibility for state and federal funds to support the development of emergency shelters, transitional housing, and permanent supportive housing. The City shall seek to comply with or otherwise meet all criteria specified under all applicable state and federal laws that provide for increased resources, funding, access or allowance for temporary or affordable housing;
5. All applicable City Departments shall work to achieve these timelines for 100 percent Affordable Housing Projects by means that include expanding the City's permit expediting processes to include the subject projects and providing additional customer technical and regulatory assistance, conflict resolution, designating specially-qualified project management and review staff, and providing all other resources necessary to provide top quality customer service;



CITY OF SAN DIEGO
EXECUTIVE ORDER NO. 2023-1
BY THE MAYOR

6. The City's Development Services Department shall work with the Personnel Department to expeditiously fill the remaining 21 vacancies of the 39 new positions added in the Fiscal Year 2023 budget to focus on expedited issuance of building and grading permits for new Affordable Housing Projects;
7. The City's Development Services and Purchasing & Contracting Departments shall prioritize execution and implementation of temporary contracts to assist with the civil and structural engineering backlog to further expedite the issuance of building permits for new Affordable Housing Projects while continuing to ensure the public health, safety and welfare, subject to City Council approval, when applicable, and requirements of the City Charter and San Diego Municipal Code;
8. The City Planning, Development Services, Public Utilities and Engineering & Capital Projects Departments shall issue guidelines by March 15th, 2023 as necessary to implement the provisions of this Executive Order.

IN WITNESS WHEREOF, I have hereunto set my hand on this 11th day of January 2023.

Dated: January 11, 2023

Mayor Todd Gloria



CITY OF SAN DIEGO
EXECUTIVE ORDER NO. 2024-1
BY THE MAYOR

WHEREAS, high annual housing costs, increasing rents, and cost of living have resulted in the City of San Diego ranking among one of the most expensive cities to reside in the United States;

WHEREAS, recent reports indicate that San Diego has 17 prospective renters for every home available on the market, contributing to high competition and increasing housing costs;

WHEREAS, the latest Regional Task Force on Homelessness data shows that from October 2022 to September 2023, for every 10 people who were housed, 16 experienced homelessness for the first time;

WHEREAS, on January 24, 2023, the San Diego City Council voted unanimously to declare housing as a human right, which reaffirmed the City's commitment to provide more housing and supportive services;

WHEREAS, on May 16, 2023, the San Diego City Council adopted the Residential Tenant Protections Ordinance, designed to prevent displacement and homelessness and provide a high level of protection from evictions for renters to stay in their homes if they are paying their rent and complying with the terms of their lease;

WHEREAS, on December 12, 2023, the San Diego City Council adopted Housing Action Package 2.0 which complements the Residential Tenant Protections Ordinance and includes housing incentives and protections for students, people with disabilities, seniors, and those at risk of falling into homelessness;

WHEREAS, as shown in the City Planning Department's Annual Report on Homes, only 5,314 homes were permitted in 2022, a pace that must be tripled to meet the state-mandated goal of 108,036 new homes by 2029;

WHEREAS, Complete Communities Housing Solutions is one of several City housing incentive programs, which promotes new home construction near transit with neighborhood amenities to create safe and enjoyable places to walk, bike, relax, and play;



CITY OF SAN DIEGO
EXECUTIVE ORDER NO. 2024-1
BY THE MAYOR

WHEREAS, Complete Communities Housing Solutions has shown success as an increasingly attractive new home incentive program, with 14 projects totaling 1,131 homes permitted in 2023 compared to 6 projects totaling 315 homes in 2022;

WHEREAS, Complete Communities Housing Solutions helps the City meet its housing, climate, and infrastructure goals by encouraging the development of low- and moderate-income homes, active transportation and pedestrian safety infrastructure, and investments in pocket parks, promenades, and plazas to implement the recently-updated Parks Master Plan;

WHEREAS, the Development Services Department (DSD) has increased the number of permit types that can be approved without applicants having to submit plans, provided additional opportunities for professional certification to streamline the permitting process, and expanded eligibility for the Department's rapid review program, to drastically improve permitting timelines;

WHEREAS, on July 1, 2023, DSD launched a no-plan permit self-certification opportunity for multi-dwelling unit bathroom and kitchen remodels and window and door replacement;

WHEREAS, on August 7, 2023, DSD launched a professional certification program for single-family residential solar photovoltaic installations of less than 38.4 kW, including battery storage systems;

WHEREAS, on September 1, 2023, DSD launched a professional certification program for office tenant improvements for up to 20,000 square feet of work, including minor structural calculations;

WHEREAS, on January 1, 2024, DSD improved the Rapid Review program, formerly known as Over-the-Counter review, to provide an accelerated review turnaround time for all eligible permit types, including: accessory structures for single dwelling units (including carports, patio covers, fences, retaining walls, foundation repairs, awnings, deck and stair repairs, and roof-mounted equipment); right-of-way permits; sign permits; single-story and single-dwelling unit additions and remodels; tenant improvements for Business, Mercantile, Storage, and Factory occupancies, and more;



CITY OF SAN DIEGO
EXECUTIVE ORDER NO. 2024-1
BY THE MAYOR

WHEREAS, each of these no-plan permits, professional certification, and rapid review opportunities introduced by DSD have resulted in improved customer service, reduced permit backlogs, and more efficient use of staff time;

WHEREAS, DSD project applicants would benefit from other applicable City Departments exploring opportunities to further cut red tape and streamline the project approval process;

WHEREAS, to accelerate the permit review process and reduce backlogs, the Fiscal Year 2024 budget added 40 full-time positions to focus on housing, which DSD worked diligently to fill in an expedited manner;

WHEREAS, DSD, with support from the Municipal Employees Association, secured temporary workers to further help reduce the permitting backlog during the COVID-19 pandemic and ongoing housing crisis;

WHEREAS, Executive Order 2023-1 signed on January 11, 2023, resulted in the creation of the “Affordable Housing Permit Now” program, which has already demonstrated to be a success with the approval of 16 projects totaling 2,063 homes in its first year;

THEREFORE;

By virtue of authority vested in me as Mayor of the City of San Diego pursuant to the provisions of Article XI of the California Constitution and sections 28, 260, and 265 of the City of San Diego Charter, to promulgate, issue, and enforce rules, regulations, and orders governing the administrative affairs of the City, I hereby declare the following orders and direction to be necessary for the protection of life and property and I hereby order, effective at 11:59pm on January 10th, 2024.

IT IS HEREBY ORDERED THAT:

1. All applicable City Departments (including, but not limited to: Development Services, Economic Development, Engineering & Capital Projects, Stormwater, Public Utilities, Parks & Recreation, Purchasing & Contracting, City Planning, Sustainability & Mobility, and Real Estate & Airport Management) shall conduct and conclude all reviews required for eligible ministerial Complete Communities Housing Solutions projects and issue all approvals or requests for corrections for



CITY OF SAN DIEGO
EXECUTIVE ORDER NO. 2024-1
BY THE MAYOR

such projects within 30 business days following the date the project enters the program;

2. All applicable City Departments shall explore appropriate opportunities to expedite permit review for priority housing projects (including, but not limited to: self-certification, professional certification, expedited plan review, reduced permitting requirements, and any other means of rapid project approval for priority housing projects), provided that the department determines the means identified to provide expedited service maintains protections for public health and safety and complies with applicable regulations;
3. The Development Services Department shall continue to convene with homebuilding stakeholders on a quarterly basis to determine permitting and processing improvement opportunities, provide technical assistance and conflict resolution, and timely customer service via the Technical Advisory Committee meetings, and all applicable departments shall assist the Development Services Department as needed;
4. The Development Services Department shall work with the Personnel Department, City management, and all applicable city departments to establish open and continuous recruitments for key personnel classifications to fill any remaining vacancies and new positions that are critical to positively impact permit issuance for housing construction;
5. Applicable departments shall issue guidelines by March 15, 2024 as necessary to implement the provisions of this Executive Order.

IN WITNESS WHEREOF, I have hereunto set my hand on this 10th day of January 2024.

Dated: January 10, 2024


Mayor Todd Gloria

MUNICIPAL CODE ORDINANCES/POLICY

Article 3: Supplemental Development Regulations Division 9: Affordable Housing, In-Fill Projects, and Sustainable Buildings Development Regulations, LAST UPDATED: (Amended 10-30-2020 by O-21254 N.S.; effective 11-29-2020.) [including San Diego Municipal Code (SDMC) Section 143.0915]

Article 3: Supplemental Development Regulations Division 10: Complete Communities Housing Solutions Regulations, LAST UPDATED: [Editors Note: Amendments as adopted by O-21758 N.S. will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment]

SUBJECT: AFFORDABLE AND SUSTAINABLE DEVELOPMENT POLICY NO.: 600-27
EFFECTIVE DATE: October 20, 2017

Article 3: Supplemental Development Regulations

**Division 9: Affordable Housing, In-Fill Projects, and Sustainable Buildings
Development Regulations**

(Added 6-3-2003 by O-19186 N.S.)

(Retitled from “Affordable/In-Fill Housing Development Regulations” to “Affordable Housing, In-Fill Projects, and Sustainable Buildings Development Regulations” on 9-15-2017 by O-20856 N.S.; effective 10-20-2017.)

**§143.0910 Purpose of Affordable Housing, In-Fill Projects, and Sustainable Buildings
Development Regulations**

The purpose of these regulations is to provide flexibility in the application of development regulations for projects providing affordable shelter and a balance of housing opportunities for all economic segments of the community. The intent is to provide an additional incentive to facilitate the development of affordable housing, in-fill projects, and sustainable buildings while assuring that the *development* achieves the purpose and intent of the applicable *land use plan*.

(Added 6-3-2003 by O-19186 N.S.)

(Amended 3-1-2006 by O-19466 N.S.; effective 4-1-2006.)

(Retitled from “Purpose of Affordable/In-Fill Housing and Sustainable Buildings Development Regulations” to “Purpose of Affordable Housing, In-Fill Projects, and Sustainable Buildings Development Regulations” and amended 9-15-2017 by O-20856 N.S.; effective 10-20-2017.)

**§143.0915 When Supplemental Neighborhood Development Permit Regulations Apply for
Affordable Housing, In-Fill Projects, and Sustainable Buildings**

These regulations apply to the following types of *development*:

- (a) Affordable housing, which is any of the following:
 - (1) Residential *development* (including both for-sale and for-rent inclusionary *dwelling units*) in accordance with Chapter 14, Article 2, Division 13.
 - (2) Residential *development* sponsored by or receiving funding from the San Diego Housing Commission, of which at least 15 percent of the total units are affordable to households with an income at or below 120 percent of area median income, as determined by the San Diego Housing Commission.

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14	3	9	1

- (3) Residential *development* subject to a federal, state, or local governmental agreement that restricts tenancy and rents at or below 80 percent of area median income, as determined by the San Diego Housing Commission, for a period of at least 55 years.
 - (4) Residential *development* where at least 10 percent of the *dwelling units* are affordable to households earning no more than 150 percent of area median income, as determined by the U.S. Department of Housing and Urban Development and published by the San Diego Housing Commission, for a period of at least 15 years
 - (5) Residential *development* for use by active military personnel and their families that is to be constructed by the federal government or through a contract with the federal government.
 - (6) Mixed-use *development* or *development* that otherwise combines residential with other land uses where at least 50 percent of the *gross floor area* of the total *development* is the type of project described in Section 143.0915(a)(1) through (5).
- (b) In-fill projects, which is any of the following:
- (1) Residential, commercial, or industrial *development* located within the *San Diego Promise Zone*.
 - (2) Residential or mixed-use *development* within a *Sustainable Development Area*.
- (c) Sustainable buildings

Residential and non-residential *development* projects that incorporate the Voluntary Tier 2 Measures of Title 24, Part 11 California Green Building Standards Code in effect at the time the building permit application is *deemed complete*.

(Added 6-3-2003 by O-19186 N.S.)
(Amended 3-1-2006 by O-19466 N.S.; effective 4-1-2006.)
(Amended 4-8-2008 by O-19734 N.S.; effective 5-8-2008.)
(Amended 11-13-08 by O-19805 N.S.; effective 12-13-2008.)
(Amended 4-5-2016 by O-20634 N.S.; effective 5-5-2016.)
(“Retitled from “When Affordable/In-Fill Housing and Sustainable Buildings Regulations Apply” to “When Supplemental Neighborhood Development Permit Regulations Apply for Affordable Housing, In-Fill Projects, and Sustainable Buildings” and amended 9-15-2017 by O-20856 N.S.; effective 10-20-2017.)

(Amended 8-9-2019 by O-21114 N.S.; effective 9-8-2019.)
(Amended 1-28-2020 by O-21167 N.S.; effective 7-1-2020.)
(Amended 10-30-2020 by O-21254 N.S.; effective 11-29-2020.)
(Amended 3-7-2023 by O-21618 N.S.; effective 5-6-2023.)

[Editors Note: Amendments as adopted by O-21618 N.S. will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment.

Click the link to view the Strikeout Ordinance highlighting changes to prior language http://docs.sandiego.gov/municode_strikeout_ord/O-21618-SO.pdf]

§143.0920 Affordable Housing, In-Fill Projects, and Sustainable Buildings Deviations

Development identified in Section 143.0915 may be permitted with a Neighborhood Development Permit decided in accordance with Process Two, except as provided in Section 143.0920(e), for the following:

- (a) *Development* that proposes deviations from applicable Land Development Code regulations in accordance with Section 126.0602(b)(1), provided that the *findings* in Section 126.0404(a) are made. In the event that a deviation is requested, the supplemental *findings* in Section 126.0404(f) shall also be made.
- (b) *Development* located within *environmentally sensitive lands* in accordance with Section 143.0110, Table 143-01A, including *development* which may potentially impact *steep hillsides* where alternative compliance is requested in accordance with Section 143.0515, provided that the *findings* in Sections 126.0404(a) and (b), are made. In the event an *environmentally sensitive lands* deviation is requested, the supplemental *findings* in Section 126.0404(c) shall also be made.
- (c) *Multiple dwelling unit development* requesting increased *density* where the *land use plan* expressly provides for increased *density* with the approval of a Planned Development Permit, provided that the *findings* in Section 126.0404(a) are made. In the event that a deviation is requested, the supplemental *findings* in Section 126.0404(f) shall also be made.

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14	3	9	3

- (d) Residential *development* in the Community Plan Implementation Overlay Zone designated “Type A” that does not comply with the *development* standards and residential *development* in the Community Plan Implementation Overlay Zone designated “Type B,” as described in Section 132.1402, provided that the *findings* in Section 126.0404(a) are made. In the event that a deviation is requested, the supplemental *findings* in Section 126.0404(f) shall also be made.
- (e) A deviation pursuant to Section 143.0920 may not be requested for the following:
 - (1) Within the Coastal Overlay Zone, a deviation from the requirements of the Environmentally Sensitive Lands Regulations (Chapter 14, Article 3, Division 1).
 - (2) A deviation from the requirements of the Coastal Height Limit Overlay Zone (Chapter 13, Article 2, Division 5).
 - (3) Within the Coastal Overlay Zone, a deviation from the requirements of the Parking Impact Overlay Zone (Chapter 13, Article 2, Division 8).
 - (4) A deviation from the requirements of the Historical Resources Regulations (Chapter 14, Article 3, Division 2).

(Added 6-3-2003 by O-19186 N.S.)

(Amended 3-1-2006 by O-19466 N.S.; effective 4-1-2006.)

(Amended 7-22-2009 by O-19877 N.S.; effective 8-21-2009.)

(Retitled from “Deviation Requirements for Affordable/In-Fill Housing and Sustainable Buildings” to Affordable Housing, In-Fill Projects, and Sustainable Buildings Deviations” and amended 9-15-2017 by O-20856 N.S.; effective 10-20-2017.)

(Amended 3-22-2018 by O-20916 N.S.; effective 4-21-2018.)

(Amended 3-22-2018 by O-20917 N.S.; effective 4-21-2018.)

(Amended 8-9-2019 by O-21114 N.S.; effective 9-8-2019.)

(Amended 10-30-2020 by O-21254 N.S.; effective 11-29-2020.)

Article 3: Supplemental Development Regulations

Division 10: Complete Communities Housing Solutions Regulations

(“Complete Communities Housing Solutions Regulations” added
12-9-2020 by O-21275 N.S.; effective 1-8-2021.)

§143.1001 Purpose, Intent, and Definitions

- (a) Purpose. The purpose of these regulations is to provide a *floor area ratio*-based *density* bonus incentive program for *development* within *Sustainable Development Areas* that provides housing for *very low income*, *low income*, or *moderate income* households and provides neighborhood-serving infrastructure amenities. These regulations are intended to materially assist in providing adequate housing for all economic segments of the community; to provide a balance of housing opportunities within the City of San Diego with an emphasis on housing near transit; and to encourage use of mobility alternatives through the construction of neighborhood-serving infrastructure amenities. Investment in neighborhood-serving infrastructure that creates destinations and encourages walking, biking and use of transit, particularly within *Sustainable Development Areas*, is critical to the City’s Climate Action Plan goal to reduce greenhouse gas emissions. These regulations do not implement California Government Code Section 65915 (State Density Bonus Law), which is implemented through San Diego Municipal Code Chapter 14, Article 3, Division 7.
- (b) Definitions. For purposes of this Division, the following definitions shall apply:
- (1) FAR Tier 1 means any *premises* where any portion of the *premises* is located within the Downtown Community Planning Area.
 - (2) FAR Tier 2 means any *premises* where any portion of the *premises* is located in a regional or subregional employment area, as identified in the General Plan Economic Prosperity Element, or within a one-mile radius of any university campus that includes a medical center and is within a *Sustainable Development Area* that is located in a community planning area within Mobility Zone 3 as defined in Section 143.1103(a)(3).
 - (3) FAR Tier 3 means any *premises* where any portion of the *premises* is located in an area located within a *Sustainable Development Area* that is located in a community planning area within Mobility Zone 3 as defined in Section 143.1103(a)(3).

- (4) FAR Tier 4 means any *premises* where any portion of the *premises* is located in an area located within a *Sustainable Development Area* that is located in a community planning area within Mobility Zone 4 as defined in Section 143.1103(a)(4).
- (5) Community of Concern means a census tract that has been identified as having very low, low, or moderate access to opportunity as identified in the San Diego Climate Equity Index.

(“Purpose, Intent, and Definitions” added 12-9-2020 by O-21275 N.S.; effective 1-8-2021.)

(Amended 1-27-2022 by O-21416 N.S.; effective 2-26-2022.)

(Amended 3-7-2023 by O-21618 N.S.; effective 5-6-2023.)

[Editors Note: Amendments as adopted by O-21618 N.S. will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment.

Click the link to view the Strikeout Ordinance highlighting changes to prior language http://docs.sandiego.gov/municode_strikeout_ord/O-21618-SO.pdf]

§143.1002 Application of Complete Communities Housing Solutions Regulations

- (a) At the request of the *applicant*, except as otherwise provided in Section 143.1030, the regulations in this Division shall apply to any *development* within a *Sustainable Development Area* where any portion of the *premises* contains zoning that is commercial, residential, or mixed-use and the *premises* is zoned to allow 20 *dwelling units* per acre or greater or has a *land use plan* designation that allows for 20 *dwelling units* per acre or greater and is within one quarter mile of a rail station, not including additional *dwelling units* permitted under this Division, if all of the following requirements are met:
 - (1) The *development* includes *dwelling units* affordable to *very low income, low income, moderate income* households, in accordance with Section 143.1015(a)(1)-(3) or 143.1015(a)(4) and the following criteria.
 - (A) Within the categories of *very low income, low income, and moderate income* households, affordable *dwelling units* may be further targeted or restricted for senior citizens, as defined in California Civil Code Sections 51.3 and 51.11.

- (B) Within the *very low income* category, affordable *dwelling units* may be further targeted or restricted for transitional foster youth, as defined in Section 66025 of the California Education Code; disabled veterans as defined in Section 18541 of the California Government Code; or homeless persons as defined in the McKinney-Vento Homeless Assistance Act.
 - (C) A portion of the total *dwelling units* in the *development* shall be reserved for *very low income*, *low income*, or *moderate-income* households, in accordance with Section 143.1015(a)(1)-(3) or 143.1015(a)(4).
- (2) The *development* includes neighborhood-serving infrastructure amenities, in accordance with Section 143.1020.
 - (3) The *dwelling units* within the *development* shall not be used for a rental term of less than 30 consecutive days.
- (b) The regulations in this Division shall not apply to the following types of *development*:
- (1) *Development* outside of the Centre City Planned District and the mixed-use base zones that propose a total number of *dwelling units* that equates to a residential *density* that is less than 80 percent of the maximum permitted *density* of the applicable base zone(s) or Planned District.
 - (2) Residential *development* within the Centre City Planned District that does not meet the Base Maximum FAR found in Figure H of the Centre City Planned District.
 - (3) *Development* zoned mixed-use that does not meet the maximum *floor area ratio* of the base zone.
 - (4) *Development* that proposes to concurrently utilize the *density* bonus provided in Chapter 14, Article 3, Division 7 (Affordable Housing Regulations). Existing *development* that was constructed in accordance with the Affordable Housing Regulations and an *applicant* proposes to construct additional *dwelling units* through a new *development* application may utilize this Division to add *gross floor area* and *density* if the existing *development* was constructed using the maximum *density* bonus available based on the affordability level of the *development*.

- (5) *Development* located within Proposition A lands.
 - (6) *Development* located within a designated *historical district* or subject to the Old Town San Diego Planned District.
 - (7) *Development* that includes visitor accommodations, except an SRO *hotel*.
- (c) The regulations in this Division may be utilized to add *gross floor area* to an existing *development* through the construction of additional *dwelling units*. The additional *gross floor area* allowed shall be determined as follows:
- (1) The additional *gross floor area* is determined by multiplying the remaining *lot* area (excluding existing landscaping, open space amenities, and sidewalks) by the applicable *floor area ratio* in Section 143.1010(a). The remaining *lot* area is the difference between the *lot coverage* of the existing *development* and the *lot* area.
 - (2) The minimum number of *dwelling units* is determined by multiplying the maximum number of *dwelling units* that could be constructed on the remaining *lot* area by 0.80.
 - (A) For this calculation, the maximum number of pre-*density* bonus *dwelling units* that could be constructed on the remaining *lot* area is calculated by dividing the remaining *lot* area by the maximum permitted *density* under the base zone.
 - (B) If the number calculated for the minimum number of *dwelling units* exceeds a whole number by more than 0.50, the minimum number of *dwelling units* shall be rounded up to the next whole number.
- (d) The regulations in this Division may be utilized to add *gross floor area* for residential *development* to an existing non-residential *development* through the conversion of existing non-residential space to permanent rental or for-sale *dwelling units*.
- (e) The required number of affordable *dwelling units* shall be calculated in accordance with Section 143.1015. For the purposes of calculating the required number of affordable *dwelling units*, all *density* calculations resulting in fractional units shall be rounded up to the next whole number. Existing covenant--restricted affordable *dwelling units* shall not be counted towards the affordable housing requirement in this Division.

- (f) The regulations in this Division shall not supersede the regulations of any other Land Development Code Section, unless specified.

(“Application of Complete Communities Housing Solutions Regulations” added 12-9-2020 by O-21275 N.S.; effective 1-8-2021.)

(Amended 1-27-2022 by O-21416 N.S.; effective 2-26-2022.)

(Amended 3-7-2023 by O-21618 N.S.; effective 5-6-2023.)

[Editors Note: Amendments as adopted by O-21618 N.S. will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment.

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§143.1005 Required Replacement of Existing Affordable Units

- (a) An *applicant* is ineligible for any incentive under this Division if the *premises* on which the *development* is proposed contains, or during the seven years preceding the application, contained, rental *dwelling units* that have had the rent restricted by law or covenant to persons and *families of low income*, or *very low income*, or have been occupied by persons and *families of low income*, or *very low income*, unless the proposed *development* replaces the affordable *dwelling units*, and either:
 - (1) Provides affordable *dwelling units* at the percentages set forth in Section 143.1015 (inclusive of the replacement *dwelling units*), or
 - (2) Provides all of the *dwelling units* in the *development* as affordable to *low income* or *very low income* households, excluding any manager’s unit(s).
- (b) The number and type of required replacement affordable *dwelling units* shall be determined as follows:

- (1) For *development* containing any occupied affordable *dwelling units*, the *development* must contain at least the same number of replacement affordable *dwelling units*, of equivalent size and *bedrooms*, and must be made affordable to and occupied by persons and *families* in the same or a lower income category as the occupied affordable *dwelling units*. For unoccupied affordable *dwelling units* in the *development*, the replacement affordable *dwelling units* shall be made affordable to and occupied by persons and *families* in the same or lower income category as the last household in occupancy. If the income category of the last household is unknown, it is rebuttably presumed that the affordable *dwelling units* were occupied by lower income renter households in the same proportion of lower income renter households to all renter households within the City of San Diego, as determined by the most recently available data from the United States Department of Housing and Urban Development’s Comprehensive Housing Affordability Strategy database, and replacement affordable *dwelling units* shall be provided in that same percentage.
- (2) If all of the affordable *dwelling units* are vacant or have been demolished within the seven years preceding the application, the *development* must contain at least the same number of replacement affordable *dwelling units*, of equivalent size and *bedrooms*, as existed at the highpoint of those units in the seven-year period preceding the application, and must be made affordable to and occupied by persons and *families* in the same or a lower income category as those in occupancy at that same time. If the income categories are unknown for the highpoint, it is rebuttably presumed that the *dwelling units* were occupied by *very low income* and *low income* renter households in the same proportion of *very low income* and *low income* renter households to all renter households within the City of San Diego, as determined by the most recently available data from the United States Department of Housing and Urban Development’s Comprehensive Housing Affordability Strategy database, and replacement *dwelling units* shall be provided in that same percentage.
- (3) All replacement affordable *dwelling unit* calculations resulting in fractional units shall be rounded up to the next whole number.

- (4) All rental replacement affordable *dwelling units* shall be affordable for at least 55 years. *Very low income, low income, and moderate income* households located within an area identified as a Low Resource or High Segregation and Poverty Opportunity Area by the California Tax Credit Allocation Committee when the *development* application is *deemed complete*, shall receive priority preference for new covenant-restricted *dwelling units* created under this Division.
- (5) Any existing residents will be allowed to occupy their *dwelling units* until six months before the start of construction activities with proper notice, which shall occur at least 12 months prior to the anticipated date of termination. The property owner shall deliver a notice of intent to terminate to the Housing Authority and to each tenant household.
- (6) The *applicant* agrees to provide relocation benefits to the occupants of those affordable residential *dwelling units*, and the right of first refusal for a comparable *dwelling unit* available in the new housing *development* at a rent affordable to *very low income* or *low income* households.
 - (A) The displaced occupants are entitled to payment for actual moving and related expenses that the Housing Authority determines to be reasonable and necessary.
 - (B) For any *very low income, low income, or moderate income* household displaced by conversion, the *applicant* shall pay to such household an amount in accordance with Chapter 16 (commencing with Section 7260) of Division 7 of Title 1 of the California Government Code or the Residential Tenant Protection Regulations located in Chapter 9, Article 8, Division 7, whichever amount of relocation assistance is greater.
- (7) For a *development* located within a Community of Concern, residents living within one mile of the *development* at the time of application shall receive priority for 75 percent of the affordable *dwelling units* in the *development* that are reserved for *very low income, low income, or moderate income* households.

(“Required Replacement of Existing Affordable Units” added 12-9-2020 by O-21275 N.S.; effective 1-8-2021.)

(Amended 1-27-2022 by O-21416 N.S.; effective 2-26-2022.)

(Amended 1-16-2024 by O-21758 N.S.; effective 3-16-2024.)

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Note: The priority preference for households that qualify for affordable homes as set forth in Sections 142.1304(e)(3), 143.0720(p), 143.0860(e), 143.1005(b)(4), and 143.1212(f) will not be implemented until a program can be developed and a funding source can be approved as part of a future action of the Housing Authority or City Council to ensure successful implementation. For Sections 143.0860(e) and 143.1005(b)(4), only portions applicable to the priority preference are delayed.

§143.1010 Incentives in Exchange for Sustainable Development Area Affordable Housing and Infrastructure Amenities

An *applicant* proposing *development* that is consistent with the criteria in Section 143.1002 shall be entitled to the following incentives:

- (a) Waiver of the existing *floor area ratio* and a new *floor area ratio* based upon whether the *development* is located in FAR Tier 1, FAR Tier 2, FAR Tier 3, or FAR Tier 4. If a mixed-use *development* is proposed, the *floor area ratio* of the non-residential portion of the *development* shall not exceed the maximum *floor area ratio* of the applicable base zone or Planned District.

Development located within the Coastal Overlay Zone and the Coastal Height Limit Overlay Zone as shown on Map No. C-380, filed in the office of the City Clerk as Document No. 743737, shall be limited to a maximum *floor area ratio* of 2.5, and to a maximum height of 30 feet, with the exception of those areas located within the FAR Tier 1.

- (1) Within FAR Tier 1, there shall be no maximum *floor area ratio* for residential *development*.
- (2) Within FAR Tier 2, the new maximum *floor area ratio* shall be 8.0.
- (3) Within FAR Tier 3, the new maximum *floor area ratio* shall be 6.5.
- (4) Within FAR Tier 4, the new maximum *floor area ratio* shall be 4.0.

- (5) An additional *floor area ratio* bonus of 1.5 shall be added to the maximum *floor area ratio* identified in Section 143.1010(a)(2)-(4) if:
 - (A) At least 10 percent of the total *dwelling units* in the *development* are at least two *bedroom dwelling units*;
 - (B) An additional 10 percent or more of the total *dwelling units* in the *development* are at least three *bedroom dwelling units*; and
 - (C) Each *dwelling unit* is under only one lease agreement per *dwelling unit*.
- (b) Waiver of the maximum permitted residential density of the land use designation(s) in the applicable land use plan. Density shall be limited by the allowable *floor area ratio* and the requirements of the California Building Code as adopted and amended by the City of San Diego.
- (c) Waiver of the following applicable base zone or Planned District regulations:
 - (1) Maximum structure height.
 - (2) Maximum lot area.
 - (3) Street frontage requirements, if safe and adequate access to the premises can be provided to the satisfaction of the City Building Official and the Fire Department.
 - (4) Maximum lot coverage.
 - (5) Floor Area Ratio (FAR) Bonus for Residential Mixed-Use. *Development* utilizing the regulations in this Division shall not be eligible for other FAR or density bonuses.
 - (6) Maximum front setback or street side setback if the maximum is less than 20 feet and the *development* is constructing a promenade, in accordance with Section 143.1020.
- (d) Waiver of any of the following applicable overlay zone regulations:

- (1) Maximum permitted residential density.
 - (2) Outside the Coastal Height Limit Overlay Zone and the Airport Land Use Compatibility Overlay Zone, maximum structure height.
 - (3) The requirement to obtain a Site Development Permit in areas mapped as CPIOZ Type A or CPIOZ Type B, if the *development* complies with the *development* standards or criteria in the applicable community plan. Compliance with the *development* standards or criteria in the applicable community plan does not include compliance with maximum permitted residential density and/or maximum structure height.
- (e) Waiver of the private exterior open space requirement in Section 131.0455 for all *dwelling units* in the *development* if at least 10 percent of the total *dwelling units* in the *development* are at least three *bedroom dwelling units*, and each *dwelling unit* in the *development* is under only one lease agreement per *dwelling unit*.
- (f) Waiver of Development Impact Fees if the *development* provides a residential *density* that is at least 120 percent of the maximum permitted *density* of the applicable base zone or Planned District for the following:
- (1) All covenant-restricted affordable *dwelling units*.
 - (2) All *dwelling units* that do not exceed 500 square feet.
 - (3) All *dwelling units* that contain at least three *bedrooms* that meet the following requirements:
 - (A) The *dwelling units* are covenant-restricted to households earning no more than 150 percent of the area median income; and
 - (B) Each *dwelling unit* is under only one lease agreement.
- (g) Waiver of the Neighborhood Enhancement Fee for *development* that meets the affordable housing requirements set forth by this Division and restricts 100 percent of the *dwelling units*, not including any managers units, to households earning no more than 50 percent of the area *median income*.

- (h) Use of up to five Affordable Housing Incentives. An *applicant* utilizing the regulations in this Division shall be entitled to incentives as described in Section 143.1010(h) for any *development* for which a written agreement and a deed of trust securing the agreement is entered into by the *applicant* and the President and Chief Executive Officer of the San Diego Housing Commission. The City shall process an incentive requested by an *applicant* in accordance with Section 143.1010(h).
 - (1) An incentive means any of the following:
 - (A) A deviation to a *development* regulation, with the exception of any regulations or requirements of this Division;
 - (B) Any other incentive proposed by the *applicant*, other than those identified in section 143.1010(h)(2), that results in identifiable, actual cost reductions.
 - (2) Items not considered incentives by the City of San Diego include, but are not limited to the following:
 - (A) A waiver of a required permit;
 - (B) A waiver of fees or dedication requirements, except as allowed under Section 143.1010(f);
 - (C) A direct financial incentive;
 - (D) Approval of mixed-use zoning in conjunction with a residential *development*;
 - (E) A waiver of any of the requirements, regulations or standards of this Division.
 - (3) An incentive requested as part of a *development* meeting the requirements of this Division shall be processed according to the following:
 - (A) Upon an *applicant's* request, *development* that meets the applicable requirements of this Division shall be entitled to incentives pursuant to Section 143.1010(h) unless the City makes a written finding of denial based upon substantial evidence, of any of the following:
 - (i) The incentive is not required in order to provide for affordable housing costs, as defined in California Health and Safety Code Sections 50052.5 and 50053;

- (ii) The incentive would have a specific adverse impact upon public health and safety as defined in California Government Code Section 65589.5, the physical environment, including environmentally sensitive lands, or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to *low income* and *moderate income* households;
 - (iii) The incentive would be contrary to state or federal law. Requested incentives shall be analyzed in compliance with the California Environmental Quality Act as set forth in Chapter 12, Article 8, and no incentive shall be granted without such compliance; or
 - (iv) Within the Coastal Overlay Zone, the incentive would be inconsistent with the resource protection standards of the City's Local Coastal Program or the environmentally sensitive lands regulations, with the exception of density.
- (B) The granting of an incentive shall not require a General Plan amendment, zoning change, a *development permit*, or other discretionary approval.
- (C) When a *development permit* is otherwise required, the decision to deny a requested incentive shall be made by the decision maker for the *development permit*.
- (4) The number of incentives available are as follows:
- (A) Two incentives for a *development* that includes at least 20 percent of the *pre-density dwelling units* for lower income households.
 - (B) Three incentives for a *development* that includes at least 30 percent of the *pre-density dwelling units* for lower income households, with at least 20 percent reserved for *very low income* households.

- (C) Four incentives for a *development* in which at least 40 percent of the covenant-restricted *dwelling units* are at least three *bedrooms*.
 - (D) Five incentives for a *development* that includes 100 percent of the total *dwelling units*, exclusive of a manager's unit(s), for lower income households, as defined by Section 50079.5 of the Health and Safety Code, except that up to 20 percent of the total *dwelling units* in the *development* may be for *moderate income* households, as defined in Section 50053 of the Health and Safety Code.
- (i) Affordable Housing waivers may be granted, except that waivers cannot be used to deviate from the requirements of this Division. An *applicant* utilizing the regulations in this Division shall be entitled to a waiver as described in Section 143.1010(i) for any *development* for which a written agreement and a deed of trust securing the agreement is entered into by the *applicant* and the President and Chief Executive Officer of the San Diego Housing Commission.
- (1) A waiver means a request by an *applicant* to waive or reduce a *development* standard that physically precludes construction of *development* meeting the criteria of this Division.
 - (2) Upon an *applicant's* request, *development* that meets the applicable requirements of this Division shall be entitled to a waiver unless the City makes a written finding of denial based upon substantial evidence, of any of the following:
 - (A) The waiver would have a significant, quantifiable, direct, and unavoidable impact upon health, safety, or the physical environment for which there is no feasible method to mitigate or avoid the impact;
 - (B) The waiver would have an adverse impact on any real property that is listed in the California Register of Historical Resources;
 - (C) The waiver would be contrary to state or federal law. Requested waivers shall be analyzed in compliance with the California Environmental Quality Act as set forth in Chapter 12, Article 8, and no waiver shall be granted without such compliance; or

- (D) Within the Coastal Overlay Zone, the waiver would be inconsistent with the resource protection standards of the City’s Local Coastal Program or the environmentally sensitive lands regulations, with the exception of density.
- (3) The granting of a waiver shall not require a General Plan amendment, zoning change, *development permit*, or other discretionary approval.
- (4) There is no limit on the number of waivers an *applicant* may request.
- (j) Compliance with the regulations in this Division shall satisfy compliance with the City’s Inclusionary Affordable Housing Regulations in Chapter 14, Article 2, Division 13, and the *applicant’s* affordable housing obligations.

*(“Incentives in Exchange for Transit Priority Area Affordable Housing and Infrastructure Amenities” added 12-9-2020 by O-21275 N.S.; effective 1-8-2021.)
(Amended 1-27-2022 by O-21416 N.S.; effective 2-26-2022.)
(Retitled from “Incentives in Exchange for Transit Priority Area Affordable Housing and Infrastructure Amenities” to “Incentives in Exchange for Sustainable Development Area Affordable Housing and Infrastructure Amenities” on 3-7-2023 by O-21618 N.S.; effective 5-6-2023.)*

[Editors Note: Amendments as adopted by O-21618 N.S. will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment.

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(Amended 1-16-2024 by O-21758 N.S.; effective 3-16-2024.)

[Editors Note: Amendments as adopted by O-21758 N.S. will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment.

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§143.1015 Required Provision of Affordable Dwelling Units

- (a) In accordance with Section 143.1002(a)(1), an *applicant* requesting application of the regulations in this Division shall provide a written agreement to provide affordable *dwelling units*, entered into by the *applicant* and the President and Chief Executive Officer of the San Diego Housing Commission and secured by a deed of trust, that meets the following requirements:
 - (1) Provides at least 15 percent of rental *dwelling units* in the *development*, excluding any additional *dwelling units* allowed under a *floor area ratio* bonus, for rent by *very low income* households at a cost, including an allowance for utilities, that does not exceed 30 percent of 50 percent of the area *median income*, as adjusted for household size.
 - (2) Provides at least 15 percent of the rental *dwelling units* in the *development*, excluding any additional *dwelling units* allowed under the *floor area ratio* bonus, for rent by *moderate income* households, including an allowance for utilities, that does not exceed 30 percent of 120 percent of the area *median income*, as adjusted for household size.
 - (3) Provides at least 10 percent of the rental *dwelling units* in the *development*, excluding any additional *dwelling units* allowed under the *floor area ratio* bonus, for rent by *low income* households, including an allowance for utilities, that does not exceed 30 percent of 60 percent of the area *median income*, as adjusted for household size.
 - (4) As an alternative to the requirements in Section 143.1015(a)(1)-(3), an *applicant* may meet one of the following requirements:
 - (A) Provide at least 40 percent of the rental *dwelling units* in the *development*, excluding any additional *dwelling units* allowed under a *floor area ratio* bonus, for rent by *very low income* households at a cost, including an allowance for utilities that does not exceed 30 percent of 50 percent of the area *median income*, as adjusted for household size; or
 - (B) Provide 100 percent of the total *dwelling units*, excluding any managers units, in the *development* for rent by *low income* households, including an allowance for utilities that does not exceed 30 percent of 60 percent of the area *median income*, as adjusted for household size; or

- (C) Provide 100 percent of the rental *dwelling units* in the *development*, excluding any additional *dwelling units* allowed under a *floor area ratio* bonus, for rent by *moderate income* households at a cost, including an allowance for utilities that does not exceed:
 - (i) 30 percent of 80 percent of the area *median income*, as adjusted for household size for at least 50 percent of the required rental *dwelling units*; and
 - (ii) 30 percent of 120 percent of the area *median income*, as adjusted for household size for the remainder of the required rental *dwelling units*.
- (5) The number of required affordable *dwelling units* for *development* located in FAR Tier 1 shall be determined by multiplying the proposed number of *dwelling units* in the *development* with the maximum base *floor area ratio*, illustrated in Figure H of the Centre City Planned District Ordinance, then dividing by the proposed *floor area ratio* of the *development* and multiplying by the percentages of affordable *dwelling units* required in Section 143.1015(a)(1-3).
- (6) For rental *dwelling units* to be counted as affordable and meet the requirements of this Division, the following qualifying criteria shall be met:
 - (A) The affordable *dwelling units* shall be designated be comparable in *bedroom* mix and amenities to the market-rate *dwelling units* in the *development*, as determined by the San Diego Housing Commission, except that the affordable *dwelling units* shall not be required to exceed three *bedrooms* per *dwelling unit*. The affordable *dwelling units* shall have access to all common areas and amenities provided by the *development* if the affordable *dwelling units* are provided in the *development*. The square footage and interior features of the affordable *dwelling units* shall be good quality and consistent with current building standards for new housing in the City of San Diego.

- (B) The affordable *dwelling units* shall remain available and affordable for a period of at least 55 years, unless 100 percent of the *dwelling units* in the *development* are affordable and the *development* is owned and operated by an institution of higher education, including a community or junior college, college or university, or a religious institution-affiliated housing development project, as defined in California Government Code Section 65913.6, in which case the affordable *dwelling units* shall remain available and affordable for a period of at least 25 years.

- (7) As an alternative to the requirements in Section 143.1015(a)(1)-(3) or 143.1015(a)(4) to provide the required rental *dwelling units* onsite, the required rental *dwelling units* may be provided on a different *premises* from the *development* subject to all the following requirements:
 - (A) The required rental *dwelling units* shall be located on a receiver site that is located within:
 - (i) A *Sustainable Development Area*; and
 - (ii) The following Resource Opportunity Areas identified by the California Tax Credit Allocation Committee when the *development* application is *deemed complete*:
 - High Resource Opportunity Areas.
 - Highest Resource Opportunity Areas.
 - Moderate Resource Areas if located in the same community planning area and City Council District, or Moderate Resource Areas within three miles of the *premises* of the *development*.

 - (B) The required affordable *dwelling units* shall be comparable in *bedroom* mix to the market-rate *dwelling units* in the *development* and the affordable *dwelling units* shall have access to generally comparable amenity types offered in the *development*, as reasonably determined by the San Diego Housing Commission. The interior features of the affordable *dwelling units* shall be good quality and consistent with current building standards for new housing in the City of San Diego. Amenities shall meet or exceed California Tax Credit Allocation Committee requirements for common areas and play/recreational facilities, if applicable, as reasonably determined by San Diego Housing Commission.

- (C) The *applicant* shall pay a fee to the “Neighborhood Enhancement Fund,” as established by San Diego Resolution R-313282 (Nov. 17, 2020), calculated based on the square feet of *lot* area for the *development premises* and the *premises* for the receiver site for the required rental *dwelling units*. The fee to the “Neighborhood Enhancement Fund” for the receiver site shall not exceed the amount of the fee for the *development premises*.
- (D) A final inspection shall not occur for the *development* until a deed of trust for the affordable *dwelling units* located at the receiver site has been entered into by the *applicant* and the President and the Chief Executive Officer of the San Diego Housing Commission.
- (E) The *applicant* shall record a deed restriction prior to the issuance of the first Building Permit for the *development* that:
 - (i) Documents the required number of affordable *dwelling units* to be provided; and
 - (ii) Assigns foreclosure rights of the *development premises* to the San Diego Housing Commission as follows: For new *development*, if the affordable *dwelling units* have not received a certificate of occupancy within 54 months of the issuance of the first Building Permit. For an existing *structure*, if the affordable *dwelling units* have not received a certificate of occupancy within 36 months of the issuance of the first Building Permit.
- (b) Nothing in this Division shall preclude an *applicant* from using affordable *dwelling units constructed* by another *applicant* to satisfy the requirements of this Division, including contracting with an affordable housing developer with experience obtaining tax-exempt bonds, low income housing tax credits, and other competitive sources of financing, upon approval by the San Diego Housing Commission.

(“Required Provision of Affordable Dwelling Units” added 12-9-2020 by O-21275 N.S.; effective 1-8-2021.)
(Amended 1-27-2022 by O-21416 N.S.; effective 2-26-2022.)

(Amended 3-7-2023 by O-21618 N.S.; effective 5-6-2023.)

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§143.1020 Required Provision of Infrastructure Amenities

In accordance with Section 143.1002(a)(2), an *applicant* requesting application of the regulations in this Division shall provide infrastructure amenities as follows:

- (a) Neighborhood Enhancement Fund. All *developments* shall pay a fee to the “Neighborhood Enhancement Fund”, as established by City Council Resolution R-313282.
- (b) Public promenade alternative. In lieu of the fee described in Section 143.1020(a), *development* on a *premises* of at least 25,000 square feet with at least 200 linear feet of *street frontage* or on a separately-owned parcel within a *Sustainable Development Area* where the *development* is located and with an equivalent-sized *premises* of the *development* or larger with at least 200 linear feet of *street frontage*, may construct public amenities in the form of a public promenade.
 - (1) Prior to the issuance of any Building Permit, the *applicant* shall hold at least two community workshops to provide information and receive feedback on the *development* design.
 - (2) A notice describing the public promenade shall be posted in a prominent and accessible location within a common area of the *development* or parcel adjacent to the promenade where it can be viewed by the public. The notice shall include contact information of the *applicant* and a statement that the public promenade is required pursuant to the San Diego Municipal Code.

- (3) Prior to issuance of a Certificate of Occupancy, the *applicant* shall provide the City Manager documentation that all required on-site public amenities have been constructed and are operational.
- (4) The *applicant* shall record a public recreation easement against all parcels comprising the *premises* of the *development*, to the satisfaction of the City Manager.
- (5) The *applicant* shall record a maintenance agreement ensuring that the required on-site public amenities are maintained in perpetuity.
- (6) *Development* that includes a promenade in accordance with Section 143.1020 shall be exempt from requirements to provide private or common open space for the residential *dwelling units*.
- (7) A promenade is a public open space that adjoins or is visible from a public *right-of-way* along the longest *street frontage*. The promenade shall meet the following standards and will be exempt from Council Policy 600-33.
 - (A) The promenade shall span the length of the longest *street frontage* and shall extend inward from the *property line* abutting the longest *street frontage* at a distance of at least 20 feet.
 - (B) The sidewalk within the *public right-of-way* adjacent to the promenade shall be widened to a minimum of 8 feet, measured perpendicular to the *street*.
 - (C) The promenade shall be publicly accessible from 7:00 a.m. to 7:00 p.m. The promenade shall include landscape designs that provide viewable surveillance, including visibility from surrounding properties, with plantings controlled to allow clear sight lines into the promenade.
 - (D) A minimum of 50 percent of a promenade shall be free of physical barriers or obstructions, such as walls or gates.
 - (E) Garage entrances, driveways, parking spaces, passenger drop-offs, loading berths, trash storage facilities, utility boxes, as well as the access or service for these facilities are not permitted within a promenade.

- (F) Pedestrian circulation paths within the promenade shall connect to all *streets* and building entrances that front the promenade.
- (G) Landscaping shall be provided as follows:
 - (a) At least one, 24-inch box canopy form tree is required for each 25 feet of street frontage on each side of the required sidewalk.
 - (b) At least 15 percent and not to exceed 20 percent of the promenade area shall be comprised of planting, which can include hanging plants, planting beds or living walls.
- (H) Lighting shall be provided to ensure adequate visibility, and the lighting design shall be coordinated with lighting used in the *public right-of-way* and with the building's architectural lighting.
- (I) Wayfinding signage shall be prominently displayed near the *public right-of-way* that directs pedestrians and cyclists to nearby attractions and transit connections. Attractions include recreational facilities, such as *public parks*, trails, or recreation centers; landmarks; and community assets, such as libraries or community centers.
- (J) Seating shall be provided in the promenade. This may be satisfied by providing movable seats, fixed individual seats, benches with or without backs, and design feature seating, such as seat walls, ledges, and seating steps.
- (K) One trash receptacle and one recycling container shall be provided for every 150 feet of *street frontage*.
- (L) At least one of the following recreation amenities must be provided:
 - (i) Playground equipment;
 - (ii) Fitness circuit equipment;
 - (iii) Game equipment, such as a bocce ball court or an oversized chess set;

- (iv) Basketball court (half or full court);
 - (v) Rock climbing wall; or
 - (vi) Skate plaza.
- (M) At least one of the following additional amenities must be provided:
- (i) Water feature;
 - (ii) Recreational interactive art installation;
 - (iii) Food and beverage kiosk;
 - (iv) Parkour course;
 - (v) Pump track; or
 - (vi) At least four (4) educational kiosks.
- (N) Patios, tables, and seating operated by on-site commercial tenants may be included within the promenade, if they are accessible to the public during non-business hours and are limited to no more than 20 percent of the promenade area.
- (O) Required best management practices (BMPs) for storm water may be constructed within the required landscaped area of the promenade, including within the *public right-of-way*, so long as pedestrian access to and within the promenade is not hindered by the BMPs.
- (P) The *development* may utilize the *public right-of-way* adjacent to the promenade to implement the standards required in Section 143.1020(b)(7)(I–M). Utilization of the *public right-of-way* is subject to an Encroachment Maintenance and Removal Agreement in accordance with Section 129.0715. If the *applicant* is required to remove the amenities within the *public right-of-way*, they shall be replaced within the promenade on the *premises*.
- (8) If site constraints such as topography or the desire to avoid archaeological, tribal, cultural, historical or environmental resources make siting the promenade along the *public right-of-way* infeasible, the promenade may be located on another portion of the *premises*, subject to the following:

- (A) The square footage of the promenade must be equal to or greater than the length of the longest *street frontage* multiplied by 20 and must be contiguous.
- (B) The promenade must comply with Sections 143.1020(b)(7)(C-O).

(“Required Provision of Infrastructure Amenities” added 12-9-2020 by O-21275 N.S.; effective 1-8-2021.)
(Amended 1-27-2022 by O-21416 N.S.; effective 2-26-2022.)
(Amended 3-7-2023 by O-21618 N.S.; effective 5-6-2023.)

[Editors Note: Amendments as adopted by O-21618 N.S. will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment.

Click the link to view the Strikeout Ordinance highlighting changes to prior language http://docs.sandiego.gov/municode_strikeout_ord/O-21618-SO.pdf]

§143.1025 Supplemental Development Regulations

Development utilizing the regulations in this Division must comply with the following Supplemental Development Regulations and may not utilize the waivers provided in Section 143.1010(g) to deviate from the requirements in Section 143.1025.

- (a) Pedestrian Circulation Space. All *development* shall include the following pedestrian circulation improvements:
 - (1) Sidewalk Widening. A sidewalk widening enlarges a pre-existing or required sidewalk to a minimum of 10 feet in width measured perpendicular to the *street*. For a *premises* that is less than 25,000 square feet, an *applicant* may elect to provide a bicycle repair station, a wayfinding sign, public seating, a public drinking fountain or a smart kiosk, in lieu of a sidewalk widening.
 - (2) Street trees. At least one, 24-inch box canopy form tree is required for each 20 feet of *street frontage*. The *street frontage* excludes curb cuts and required clearances for designated bus stops. The installed tree spacing and location may be varied to accommodate site conditions or design considerations.
 - (3) Above-ground utility placement within the sidewalk and/or pedestrian path is prohibited.

- (4) Each *dwelling unit* on the ground *floor* fronting a *public right-of-way* or a private drive shall have a separate ground *floor* entrance or path adjacent to the *public right-of-way* or a private drive.
- (b) Communities of Concern. For all *development* within Communities of Concern, prior to the issuance of any Building Permit, the *applicant* shall hold at least two community workshops to provide information and receive feedback on the *development* design.
- (c) Standards for Buildings over 95 Feet in Height on *Premises* over 20,000 Square Feet in Area. For the purposes of Section 143.1025, bulk and scale are divided into the two main areas of the building base and the tower. Buildings over 95 feet in height located on a *premises* over 20,000 square feet in area shall comply with the following requirements:
 - (1) For a *development* that includes one or more *structures* over 95 feet in height, or *development* which exceeds the height limit of the base zone, whichever is greater, a Neighborhood Development Permit decided in accordance with Process Two is required.
 - (2) For the purposes of Section 143.1025, building base means the *structural envelope* located immediately above *existing grade*, *proposed grade*, or a *basement*. The maximum height of the building base shall be 95 feet.
 - (3) The minimum height of the *street wall* shall be 30 feet, except as required under the Centre City Planned District.
 - (4) A *street wall* shall be provided for 70 percent of the building frontage along the *public right-of-way*, with the following exceptions, which may be subtracted from the length of the frontage:
 - (A) Publicly or privately-owned plazas or promenades;
 - (B) Courtyard entrances up to 30 feet wide for residential uses;
 - (C) Recessed entrances up to a maximum of 25 feet in width and a maximum of 15 feet in depth;
 - (D) Entries into interior or auto courts, or auto drop-offs may be allowed behind the required *street wall*; and
 - (E) Areas where the *existing grade* of the *public right-of-way* differs from the building pad by more than two feet.

- (5) For the purposes of Section 143.1025, tower means the *structural envelope* located immediately above the building base to the top of the building.
 - (A) The maximum *lot coverage* of the tower shall be 75 percent of the *lot coverage* of the building base.
 - (B) Within a single *development*, towers shall be separated by a minimum of 50 feet.
 - (6) *Development* must comply with the private open space and common open space requirements of the applicable base zone or Planned District.
- (d) Buffer from Adjacent Freeways. *Development*, except for *development* within the Centre City Planned District, on a *premises* within 50 feet of a freeway shall comply with the following:
- (1) A 10-foot minimum landscaped buffer shall be provided between the residential and commercial uses and the freeway; and
 - (2) Outdoor areas such as patios, parks, plazas, and other common spaces used by residents, customers, or members of the public shall be oriented away from the *freeway*.
- (e) Transition to Adjacent Residential Single-Unit Zones. *Development* on a *premises* directly adjacent to a Residential Single--Unit (RS) zone where an existing *dwelling unit* is located on the adjacent *premises*, shall comply with the following criteria:
- (1) The height incentive shall be limited to a height increase of up to 3 stories or 33 feet above the height limit of the base zone, whichever is less.
 - (2) Incorporate a transition plane in the *development* that does not exceed a 65-degree angle. The transition plane for the *development* shall start from the shared *property line* with the RS zone and extend 1/3 of the *lot depth*.

(“Supplemental Development Regulations” added 12-9-2020 by O-21275 N.S.; effective 1-8-2021.)
(Amended 1-27-2022 by O-21416 N.S.; effective 2-26-2022.)
(Amended 9-21-2022 by O-21528 N.S.; effective 10-23-2022.)
(Amended 3-7-2023 by O-21618 N.S.; effective 5-6-2023.)

[Editors Note: Amendments as adopted by O-21618 N.S. will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment.

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(Amended 1-16-2024 by O-21758 N.S.; effective 3-16-2024.)

[Editors Note: Amendments as adopted by O-21758 N.S. will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment.

Click the link to view the Strikeout Ordinance highlighting changes to prior language http://docs.sandiego.gov/municode_strikeout_ord/O-21758-SO.pdf]

§143.1030 Division Inapplicability

This Division shall be applicable and effective for all eligible *premises* located in all community planning areas, except for in those community planning areas that contain any portion of a Community of Concern, the Division shall only be applicable and effective until the community planning areas have reached 80 percent of the housing capacity identified for the community planning area in the City’s Adequate Sites Inventory in the General Plan Housing Element, as determined by the Planning Director, or nine years from the effective date, whichever is later, unless an extension is approved by the City Council.

*(“Division Inapplicability” added 12-9-2020 by O-21275 N.S.; effective 1-8-2021.)
(Amended 1-27-2022 by O-21416 N.S.; effective 2-26-2022.)*

CITY OF SAN DIEGO, CALIFORNIA
COUNCIL POLICY

CURRENT

SUBJECT: AFFORDABLE AND SUSTAINABLE DEVELOPMENT
POLICY NO.: 600-27
EFFECTIVE DATE: October 20, 2017

BACKGROUND:

Over the past decade, new housing development has not kept pace with job or population growth, resulting in housing costs that have increased at a much faster rate than income levels. Many diverse interests recognize the correlation between the availability of affordable housing, the quality of life of our residents, and the continued economic vitality of our City. Evidence has shown that the cost of delivering new housing units can be greatly impacted by government processes. Uncertain timelines and exhaustive permit review make it harder to quickly and inexpensively develop quality housing stock.

Additionally, studies have shown that construction practices greatly impact our environment. The built environment consumes over 40 percent of total energy produced in this country and there remains the constant need to conserve finite resources and ensure that development practices are sustainable. Sustainable and energy efficient homes not only help protect the environment, but they also assist in keeping operating costs low in the long run, which helps achieve housing affordability.

The City has undergone several process improvements and adopted policies and strategies that have helped promote housing construction and encourage sustainable building practices. However, more can be done, specifically in the area of reducing unnecessary regulations and streamlining reviews for affordable housing and sustainable development projects.

PURPOSE:

To establish a policy for expediting and streamlining the permit review processes in order to promote more affordable housing and sustainable development.

POLICY:

- A. Revise codes and regulations to help expedite permitting processes and remove unnecessary barriers in order to increase the supply of affordable housing and sustainable development projects.
- B. Create and implement a permit priority program that accelerates the discretionary and ministerial permit review times for new development projects that add to the City's overall affordable housing and sustainable building stock.

CITY OF SAN DIEGO, CALIFORNIA
COUNCIL POLICY

CURRENT

1. City review times for discretionary permits under this policy should be 50 percent faster than standard project reviews, at least 80 percent of the time.
 2. City review times for ministerial permits under this policy should be 25 percent faster than standard project reviews, at least 80 percent of the time.
- C. The following are project types that the Council finds eligible for expedited review and permit process streamlining pursuant to this Council Policy upon payment of any applicable fees.
1. Development projects that incorporate into the project design a percentage of housing dedicated for very low and low income families pursuant to the standards established by the U.S. Housing and Urban Development and workforce housing. Development projects that elect to pay in-lieu fees to satisfy any affordable housing requirement would not be eligible.
 2. Residential or mixed-use development projects located within Transit Priority Areas as identified in the City's Climate Action Plan.
 3. Residential, commercial, or industrial development located within the San Diego Promise Zone, as defined by the United States Department of Housing and Urban Development.
 4. Development projects that incorporate sustainable design and materials that exceed State code requirements.
 5. Program and legislative changes that further implement the City's Climate Action Plan.
- D. The City supports local, state and federal legislation that promotes or allows affordable housing, sustainable development, conservation of natural resources, and energy efficiency technology.
- E. The City shall actively promote and advertise the permit priority program, and any code and regulation modifications consistent with this Council Policy, in an effort to raise awareness and encourage use.

HISTORY:

Adopted by Resolution R-251516 – 03/31/1980
Amended by Resolution R-257053 – 08/24/1982
Amended by Resolution R-284238 – 07/05/1994
Amended by Resolution R-298001 – 05/20/2003
Amended by Resolution R-311256 – 10/20/2017

PROPRIETARY DESIGN. THE DRAWINGS, DESIGN AND INFORMATION CONTAINED ON THIS SHEET ARE THE PROPERTY OF GOLBA ARCHITECTURE AND ARE DEVELOPED FOR USE ON AND IN CONNECTION WITH THIS SPECIFIC PROJECT AND ARE DISCLOSED IN CONFIDENCE AND SHALL NOT BE COPIED, REPRODUCED, PUBLISHED, OR OTHERWISE USED, DIRECTLY OR INDIRECTLY, IN WHOLE OR IN PART TO PROVIDE INFORMATION TO PRODUCE, CONSTRUCT, OR MANUFACTURE DRAWINGS, PRINTS, APPARATUS, PARTS, OR ASSEMBLIES WITHOUT THE FULL KNOWLEDGE AND WRITTEN CONSENT OF GOLBA ARCHITECTURE. THIS DRAWING IS PROTECTED BY COPYRIGHT LAW. ALL PATENTABLE MATERIAL CONTAINED HEREIN AND ORIGINATING WITH GOLBA ARCHITECTURE SHALL BE THE PROPERTY OF GOLBA ARCHITECTURE. ANY USE OF MATERIAL SHALL BE SUBJECT TO ROYALTY PAYMENTS TO GOLBA ARCHITECTURE.

THE POINT

4705 POINT LOMA AVENUE
SAN DIEGO, CALIFORNIA 92107

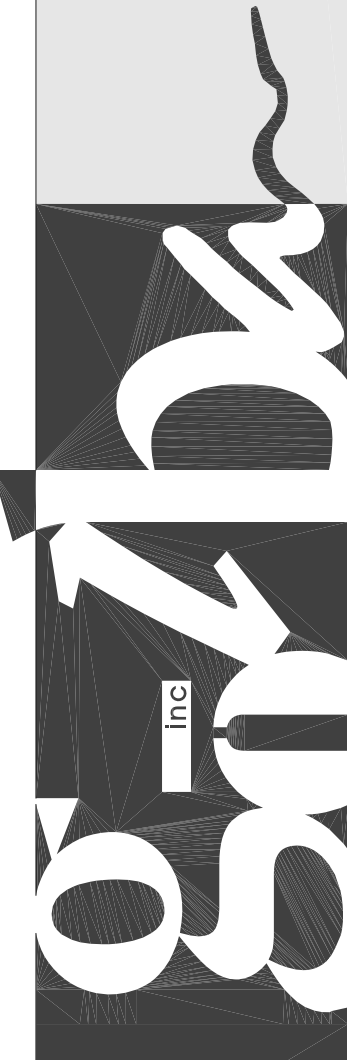


ARTISTIC RENDERING - CONCEPT ONLY. REFER TO CONSTRUCTION PLANS FOR DETAILS, MEANS, AND METHODS.

COASTAL DEVELOPMENT PERMIT SUBMITTAL SET: EXPEDITE, AFFORDABLE, MULTI-FAMILY DEVELOPMENT

GOLBA ARCHITECTURE
Architecture ■ Space Planning ■ Interior Design
1940 Garnet Ave. #100 San Diego California 92109
Phone: (619) 231-9905 Fax: (858) 750-3471

THE POINT
4705 POINT LOMA BLVD.
SAN DIEGO, CA 92107



TS1

DATE: 02-27-24

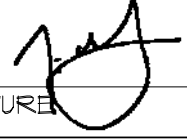
CERTIFICATION STATEMENT

I HEREBY ACKNOWLEDGE AND CERTIFY THAT:

- I AM ACCOUNTABLE FOR KNOWING AND COMPLYING WITH THE GOVERNING POLICIES, REGULATIONS AND SUBMITTAL REQUIREMENTS APPLICABLE TO THIS PROPOSED DEVELOPMENT;
- I HAVE PERFORMED REASONABLE RESEARCH TO DETERMINE THE REQUIRED APPROVALS AND DECISION PROCESS FOR THE PROPOSED PROJECT, AND THAT FAILURE TO ACCURATELY IDENTIFY AN APPROVAL OR DECISION PROCESS COULD SIGNIFICANTLY DELAY THE PERMITTING PROCESS OR RESULT IN A CHANGE IN FEE/DEPOSIT REQUIREMENTS;
- I HAVE TAKEN THE PROFESSIONAL CERTIFICATION FOR DEVELOPMENT PERMIT COMPLETENESS REVIEW TRAINING AND AM ON THE APPROVED LIST FOR PROFESSIONAL CERTIFICATION;
- MAINTAINING MY PROFESSIONAL CERTIFICATION FOR DEVELOPMENT PERMIT COMPLETENESS REVIEW PRIVILEGE REQUIRES ACCURATE SUBMITTALS ON A CONSISTENT BASIS;
- SUBMITTING INCOMPLETE DOCUMENTS AND PLANS ON A CONSISTENT BASIS MAY RESULT IN THE REVOCATION OF MY PROFESSIONAL CERTIFICATION FOR DEVELOPMENT PERMIT COMPLETENESS REVIEW;
- IF REQUIRED DOCUMENTS OR PLAN CONTENT IS MISSING, PROJECT REVIEW WILL BE DELAYED;
- THIS SUBMITTAL PACKAGE MEETS ALL OF THE MINIMUM REQUIREMENTS CONTAINED IN LAND DEVELOPMENT MANUAL, VOLUME I, CHAPTER 1, SECTION 4, AND/OR SECTION 6 FOR REZONES; AND
- FOR THE PROPOSED PROJECT, I HAVE DETERMINED THE APPROPRIATE PROCESS AND APPROVAL TYPES TO BE AS FOLLOWS:

PROJECT PROCESS LEVEL (2-5): 2
 PROJECT APPROVAL(S) NEEDED: COASTAL DEVELOPMENT PERMIT

RESPONSIBLE CERTIFIED PROFESSIONAL NAME: TIMOTHY GOLBA

SIGNATURE:  DATE: 10/02/2022

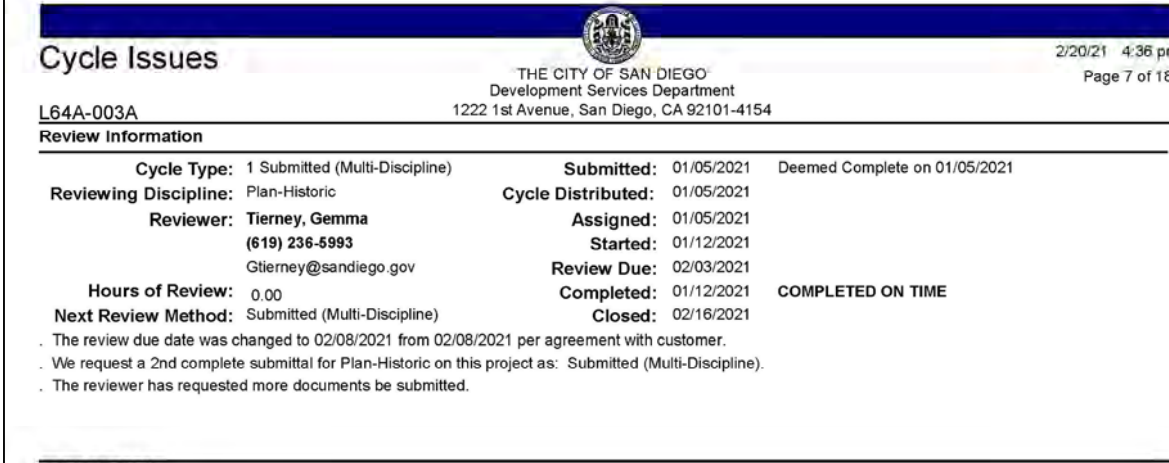
GENERAL PLAN DEVELOPMENT GOALS

THE PROPOSED PROJECT RECOGNIZES THE GOALS OF THE CONSERVATION ELEMENT OF THE CITY OF SAN DIEGO'S GENERAL PLAN.

IN AN EFFORT TO REACH THESE GOALS, THE PROJECT WILL EMPLOY THE FOLLOWING:

- SOLAR PHOTOVOLTAIC SYSTEM FOR GENERATING POWER ON SITE (UNDER SEPARATE PERMIT)
- HIGH EFFICACY LIGHTING OR OCCUPANCY SENSORS WHERE APPLICABLE
- "ENERGY STAR" APPLIANCES
- DUAL FRAME LOW-E GLAZING ON ALL NEW WINDOWS
- USE OF LOW VOC PAINTS AND LOW EMITTING ADHESIVES, COATINGS, CARPETS, AND OTHER FINISHES WHERE FEASIBLE
- USE OF ENGINEERED WOOD PRODUCTS WHERE APPLICABLE
- NATURAL COOLING AND VENTILATION WITH OPERABLE WINDOWS
- WATER CONSERVING NATIVE & PEST RESISTANT PLANTS IN LANDSCAPE DESIGN WHERE FEASIBLE
- USE OF PERMEABLE PAVING WHERE FEASIBLE
- USE OF RAIN SENSOR SHUT OFF DEVICES
- HIGH EFFICIENCY IRRIGATION SYSTEM WITH STATE OF THE ART LOW PRECIPITATION RATE SPRINKLER EQUIPMENT
- ELECTRICAL OUTLET ON SEPARATE CIRCUIT IN EACH GARAGE FOR ELECTRIC CAR USAGE

HISTORICAL CLEARANCE



01/12/2021
 Cleared? Issue Text
 The property located at 4705 Point Loma Ave, APN 448-342-1100, was previously reviewed on 4/17/2018 in accordance with SDMC Section 143.021.2 under PIS #003016 and was determined not eligible for designation under any HRS criteria. This determination is good for 5 years from the 4/17/2018 review date unless new information is provided that speaks to the building's eligibility for designation. No new information has been provided and the property is not subject to historic review at this time. (View Issue)

PROJECT INCENTIVES

PER SDMC SECTION 143.1010(i)(1)(A), AN INCENTIVE IS A DEVIATION TO A DEVELOPMENT REGULATION.

INCENTIVE #1:
 THE PROJECT SITE FALLS INTO BASE ZONE CC-4-2. PER SDMC SECTION 131.0540, RESIDENTIAL DEVELOPMENT IS PERMITTED ONLY WHEN A COMMERCIAL STRUCTURE IS PART OF THE PROPOSED DEVELOPMENT. IN ORDER TO UTILIZE THE COMPLETE COMMUNITIES HOUSING SOLUTION PROGRAM & PROVIDE THE HIGHEST NUMBER OF RESIDENTIAL DWELLING UNITS, WE PROPOSE TO DEVIATE FROM THIS SECTION & ELIMINATE THE REQUIREMENT FOR COMMERCIAL DEVELOPMENT & ALL THE REGULATIONS THAT RELATE TO THE COMMERCIAL DEVELOPMENT.

INCENTIVE #2:
 PER SDMC TABLE 142.046 AND SECTION 142.0405(g)(1), AT LEAST ONE-HALF OF THE REQUIRED PLANTING POINTS FOR THE STREET YARD & REMAINING YARD/COMMON OPEN SPACE SHALL BE ACHIEVED WITH TREES. IN ORDER TO UTILIZE AS MUCH OF THE EXISTING SITE AS POSSIBLE TO PROVIDE THE HIGHEST NUMBER OF RESIDENTIAL DWELLING UNITS, WE PROPOSE TO DEVIATE FROM THESE REGULATIONS AND ELIMINATE THE REQUIRED PLANT POINTS ACHIEVED WITH TREES.

PROJECT WAIVERS

PER SDMC SECTION 143.1010(j)(1), A WAIVER IS A REQUEST TO WAIVE OR REDUCE A DEVELOPMENT STANDARD THAT PHYSICALLY PRECLUDES CONSTRUCTION OF DEVELOPMENT MEETING THE CRITERIA OF THE COMPLETE COMMUNITIES HOUSING SOLUTIONS PROGRAM CHAPTER 14 ARTICLE 3 DIVISION 10 OF THE SAN DIEGO MUNICIPAL CODE.

WAIVER 1:
 PER SDMC SECTION 131.0540(g), WHERE RESIDENTIAL DEVELOPMENT IS PERMITTED IN COMMERCIAL ZONES, THE DEVELOPMENT REGULATIONS OF THE RM ZONE WITH THE SAME DENSITY AS THE COMMERCIAL ZONE SHALL APPLY TO THE RESIDENTIAL DEVELOPMENT. IN THE CASE OF THE CC-4-2 ZONE, THE RM-2-5 ZONE WITH A DENSITY OF 1 DWELLING UNIT PER 1500 S.F. OF LOT AREA SHALL APPLY. PER SDMC TABLE 131-046 AND SECTION 131.0456(g), AT LEAST 300 S.F. OR 25 S.F. PER DWELLING UNIT OF COMMON OPEN SPACE IS REQUIRED. THE PROJECT PROPOSES TO WAIVE THE REQUIREMENT FOR COMMON OPEN SPACE AS IT WOULD PRECLUDE THE DEVELOPMENT FROM FULLY UTILIZING THE F.A.R. BONUS & UNLIMITED DENSITY BONUS TO PROVIDE THE MOST DWELLING UNITS POSSIBLE.

WAIVER 2:
 PER SDMC SECTION 131.0540(g), WHERE RESIDENTIAL DEVELOPMENT IS PERMITTED IN COMMERCIAL ZONES, THE DEVELOPMENT REGULATIONS OF THE RM ZONE WITH THE SAME DENSITY AS THE COMMERCIAL ZONE SHALL APPLY TO THE RESIDENTIAL DEVELOPMENT. IN THE CASE OF THE CC-4-2 ZONE, THE RM-2-5 ZONE WITH A DENSITY OF 1 DWELLING UNIT PER 1500 S.F. OF LOT AREA SHALL APPLY. PER SDMC SECTION 131.0455, AT LEAST 15% OF THE DWELLING UNITS SHALL BE PROVIDED WITH AT LEAST 60 SQUARE FEET OF USABLE, PRIVATE EXTERIOR OPEN SPACE ABUTTING THE UNIT WITH A MINIMUM DIMENSION OF 6'-0" AND SHALL BE NO CLOSER THAN 9'-0" TO THE FRONT PROPERTY LINE. WHILE ALL 20 DWELLING UNITS ARE PROVIDED WITH 60 S.F. OF PRIVATE EXTERIOR OPEN SPACE, 13 WITH A MINIMUM DIMENSION OF 6'-0" AND 7 WITH A MINIMUM DIMENSION OF 5'-0". THE PRIVATE EXTERIOR OPEN SPACE OF THE 12 DWELLING UNITS ADJACENT TO THE FRONT PROPERTY LINE IS WITHIN 9'-0" OF THE FRONT PROPERTY LINE. THE PROJECT PROPOSES TO WAIVE THE REQUIREMENT FOR THE PRIVATE EXTERIOR OPEN SPACE TO BE NO CLOSER THAN 9'-0" TO THE FRONT PROPERTY LINE AND THE 6'-0" MINIMUM DIMENSION AS STRICT ADHERENCE TO THESE REQUIREMENTS WOULD PRECLUDE THE DEVELOPMENT FROM FULLY UTILIZING THE F.A.R. BONUS AND UNLIMITED DENSITY BONUS TO PROVIDE THE MOST DWELLING UNITS POSSIBLE.

WAIVER 3:
 THE PROJECT PROPOSED TO REDUCE THE NUMBER OF AUTOMOBILE PARKING SPACES REQUIRED PER SDMC SECTION 142.0529 & TABLE 142.0529 AS STRICT ADHERENCE WOULD PRECLUDE THE DEVELOPMENT FROM FULLY UTILIZING THE F.A.R. BONUS & UNLIMITED DENSITY BONUS TO PROVIDE THE MOST DWELLING UNITS POSSIBLE. THE REQUIRED NUMBER OF AUTOMOBILE PARKING SPACES IS 30 & THE NUMBER OF SPACES PROVIDED IS 9.

PARKING CALCULATIONS

RESIDENTIAL PARKING REQUIRED					
AUTOMOBILE SPACES					
UNIT SIZE	QUANTITY	PARKING RATIO	SPACES PER UNIT	TOTAL	
1 BEDROOM/ STUDIO	20	1.5	30	30	
MOTORCYCLE & BICYCLE PARKING					
TYPE	UNIT SIZE	QUANTITY	PARKING RATIO	REQUIRED	TOTAL REQUIRED
MOTORCYCLE	1BR/ STUDIO	20	.1	2	2
BICYCLE	1BR/ STUDIO	20	.4	8	8
SPACES PROVIDED**					
AUTOMOBILE		1	1	7	9
MOTORCYCLE		-	-	-	2
BICYCLE		-	-	-	12
PARKING NOTES:					
1. PER CALIFORNIA GREEN BUILDING STANDARDS CODE SECTION 4.106.4.2.1.1, 10% OF THE PROPOSED PARKING SPACES SHALL BE ELECTRIC VEHICLE CHARGING SPACES CAPABLE OF SUPPORTING FUTURE LEVEL 2 ELECTRIC VEHICLE SUPPLY EQUIPMENT.					
2. REDUCED RESIDENTIAL AUTOMOBILE PARKING PROVIDE PER PROJECT WAIVER 3 ON THIS SHEET.					

GROSS FLOOR AREA

1ST FLOOR	5670
2ND FLOOR	5635
3RD FLOOR	4821
TOTAL G.F.A.	16126
PRIVATE DECKS AT THE RESIDENTIAL DWELLING UNITS & 3RD FLOOR STAIRS & CIRCULATION AREA	2,498

FLOOR AREA ANALYSIS

1ST, 2ND & 3RD FLOORS							
	OPEN GARAGE	CIRC.	STAIRS	REFUSE RECYCLE	RES. UNITS	PRIVATE DECKS*	TOTAL G.F.A.
1ST FLOOR	3,448	--	224	168	1,830	356	5670
2ND FLOOR	--	651	163	--	4,821	716	5635
3RD FLOOR	--	553*	163*	--	4,821	650	4,821
TOTAL	3,448	1,204	387	168	11,472	1,722	16,126

*PRIVATE DECKS AT THE RESIDENTIAL DWELLING UNITS & THE 3RD FLOOR STAIRS & CIRCULATION AREA ARE NOT INCLUDED IN THE TOTAL G.F.A.

RESIDENTIAL DWELLING UNIT MATRIX

UNIT NUMBER	BEDROOM/ BATHROOM	UNIT SQUARE FOOTAGE	UNIT DECK AREA
101	STUDIO/1BA	455	96
102 & 103	STUDIO/1BA	456	86
104	STUDIO/1BA	462	88
201 & 204	1BED/1BA	618	101
202 & 203	1BED/1BA	610	101
205	1BED/1BA	557	75
206 & 207	1BED/1BA	612	99
208	1BED/1BA	584	99
301 & 304	1BED/1BA	618	84
302 & 303	1BED/1BA	610	84
305	1BED/1BA	557	65
306 & 307	1BED/1BA	612	83
308	1BED/1BA	584	83

AFFORDABLE DWELLING UNITS: UNITS 103, 207 & 306 HAVE BEEN DESIGNATED AS THE AFFORDABLE DWELLING UNITS.

DENSITY CALCULATIONS

DENSITY NOTES:
 1. THE PROPOSED MULTI-FAMILY RESIDENTIAL DEVELOPMENT UTILIZES THE DENSITY OF THE BASE ZONE, CC-4-2, AS THE PRE-DENSITY DWELLING UNITS FOR THE AFFORDABLE DWELLING UNITS REQUIRED PER THE COMPLETE COMMUNITIES HOUSING SOLUTIONS PROGRAM.
 2. THE PROPOSED MULTI-FAMILY RESIDENTIAL DEVELOPMENT WILL UTILIZE THE INCREASE F.A.R. & WAIVER OF THE MAXIMUM PERMITTED RESIDENTIAL DENSITY PROVIDED IN THE COMPLETE COMMUNITIES HOUSING SOLUTIONS PROGRAM TO INCREASE THE NUMBER OF DWELLING UNITS PROVIDED.

	1 DWELLING UNIT ALLOWED PER GIVEN LOT S.F.	TOTAL ALLOWABLE NUMBER OF DWELLING UNITS
SAN DIEGO MUNICIPAL CODE ZONE CC-4-2 (PER TABLE 131-05D)	1500 S.F.	5 UNITS

SETBACK TABLE

SETBACK	MIN.	CC-4-2	PROP.
FRONT (NORTH, POINT LOMA AVE.)	0'-0"	0'-0"	0'-0"
SIDE (WEST)	MIN. 10'-0"	OPTION 0'-0"	1'-6"
STREET SIDE (EAST, EBERS STREET)	MIN. 0'-0"	OPTION 0'-0"	0'-0"
REAR (SOUTH, ALLEY)	MIN. 10'-0"	OPTION 0'-0"	0'-0"

PROJECT DATA

PROJECT DESCRIPTION:
 THE PROJECT PROPOSES TO DEMOLISH AN EXISTING COMMERCIAL STRUCTURE & HARDCAPE ON 2 CONTIGUOUS PARCELS & TO CONSTRUCT A NEW 3-STORY MULTI-FAMILY RESIDENTIAL STRUCTURE. THE FIRST FLOOR WILL CONSIST OF AN OPEN PARKING STRUCTURE & 4 FOR-RENT RESIDENTIAL DWELLING UNITS. THE 2ND & 3RD FLOORS WILL CONTAIN 8 FOR-RENT RESIDENTIAL DWELLING UNITS EACH, FOR A TOTAL OF 20 FOR-RENT RESIDENTIAL DWELLING UNITS.

THIS IS AN AFFORDABLE INFILL MULTI-FAMILY RESIDENTIAL PROJECT. THE PROJECT PROPOSES TO UTILIZE THE COMPLETE COMMUNITIES HOUSING SOLUTIONS PROGRAM. THE AREA OF THE LOT IS 13,946 SQUARE FEET & IS LOCATED WITHIN THE CC-4-2 BASE ZONE. THE ALLOWABLE DENSITY OF THE BASE ZONE IS ONE DWELLING UNIT PER 1500 SQUARE FEET OF LOT AREA OR 5 DWELLING UNITS. THE PROJECT WILL UTILIZE THE CITY OF SAN DIEGO COMPLETE COMMUNITIES HOUSING SOLUTIONS PROGRAM SDMC SECTION 143.1015(a)(1)-(3) & RESERVE 20% OF THE PRE-DENSITY UNITS (1 UNIT) FOR RENT BY LOW INCOME HOUSEHOLDS AT A COST, INCLUDING AN ALLOWANCE FOR UTILITIES, THAT DOES NOT EXCEED 30% OF 50% OF THE ADJUSTED AREA MEDIAN INCOME; 20% OF THE PRE-DENSITY UNITS (1 UNIT) FOR RENT BY MODERATE INCOME HOUSEHOLDS AT A COST, INCLUDING AN ALLOWANCE FOR UTILITIES, THAT DOES NOT EXCEED 50% OF 120% OF THE ADJUSTED AREA MEDIAN INCOME; & 20% OF THE PRE-DENSITY UNITS (1 UNIT) FOR RENT BY LOW INCOME HOUSEHOLDS AT A COST, INCLUDING AN ALLOWANCE FOR UTILITIES, THAT DOES NOT EXCEED 30% OF 60% OF THE ADJUSTED AREA MEDIAN INCOME. PER SDMC SECTION 143.1010(i)(4)(A) THE ALLOCATION OF AT LEAST 20% OF THE PRE-DENSITY UNITS FOR LOWER INCOME HOUSEHOLDS (AS DEFINED IN SDMC CHAPTER 11, ARTICLE 3 DIVISION 1) PROVIDES TWO DEVELOPMENT INCENTIVES.

CITY OF SAN DIEGO EXPEDITE QUALIFICATIONS:
 THIS PROJECT QUALIFIES FOR EXPEDITE PERMIT PROCESSING PER BULLETIN 538, SECTION III, QUALIFYING PROJECT TYPE A: AT LEAST 10% OF THE TOTAL UNITS PROPOSED WITHIN THE DEVELOPMENT BEING SET ASIDE FOR HOUSEHOLDS WITH AN INCOME AT OR BELOW 60% OF THE ADJUSTED AREA MEDIAN INCOME.

SITE ADDRESS: 4705 POINT LOMA AVENUE, SAN DIEGO, CA 92107
 ASSESSOR'S PARCEL NUMBER: 448-342-10-00, 448-342-11-00

LEGAL DESCRIPTION:
 LOTS 1, 2 & 3, BLOCK 4, SUNSET CLIFFS, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP NO. 1884, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY MARCH 1, 1926.

BUILDING CODES:
 2022 CALIFORNIA BUILDING CODE
 2022 CALIFORNIA RESIDENTIAL CODE
 2022 CALIFORNIA ELECTRICAL CODE
 2022 CALIFORNIA MECHANICAL CODE
 2022 CALIFORNIA PLUMBING CODE
 2022 CALIFORNIA GREEN BUILDING CODE
 2022 CALIFORNIA FIRE CODE
 SAN DIEGO MUNICIPAL CODE

YEAR BUILT: 1950 (HISTORICAL EXEMPTION PER PIS-603616)

EXISTING SOILS CONDITION: PREVIOUSLY GRADED & DISTURBED

GEOLOGIC HAZARD CATEGORY: R-2

OCCUPANCY: R-2 & R-2

CONSTRUCTION TYPE: VB (FULLY SPRINKLERED)

LOT ZONING: CC-4-2

OVERLAY ZONES:
 AIRPORT LAND USE COMPATIBILITY (ALUCOZ) - NAS NORTH ISLAND, SAN DIEGO INTERNATIONAL
 ALUCP AIRPORT INFLUENCE AREA (AIA) - SAN DIEGO INTERNATIONAL
 AIRPORT-REVIEW AREA 2, NAS NORTH ISLAND-REVIEW AREA 2
 COASTAL HEIGHT LIMIT (CHLOZ)
 COASTAL (COZ) - NON-APPEALABLE 2
 PARKING IMPACT (PIOZ) - COASTAL IMPACT
 TRANSIT PRIORITY AREA (TPA)
 OCEAN BEACH COMMUNITY PLAN

LOT SIZE: 7,396 S.F. (1.17 ACRES)

LOT USE:
 EXISTING: COMMERCIAL
 PROPOSED: MULTI-FAMILY RESIDENTIAL

ALLOWABLE F.A.R.:
 BASE ZONE: 2.0 = 14,138 S.F.
 COMPLETE COMMUNITIES: 2.5 = 18,423 S.F.

PROPOSED F.A.R.: 2.18 = 16,134 S.F.

DENSITY:
 ALLOWABLE: 1 DU/1500 S.F. = 5 DWELLING UNITS
 AFFORDABLE BONUS: UNLIMITED DENSITY BONUS PER COMPLETE COMMUNITIES HOUSING SOLUTIONS
 PROPOSED: 20 DWELLING UNITS

NUMBER OF STORIES:
 EXISTING: 1 - STORY
 PROPOSED: 3 - STORIES

BUILDING HEIGHT:
 ALLOWABLE: 30'-0" PER PROP. D' (60'-0" PER BASE ZONE)
 VARIES, 29'-11" MAX. ABOVE HIGH POINT OF GRADE

COMMON OPEN SPACE:
 REQUIRED: 500 S.F. (25 S.F./DU = 25 S.F. X 20 DU)
 NO COMMON OPEN SPACE IS PROVIDED, SEE PROJECT WAIVER 1 ON THIS SHEET

PRIVATE OPEN SPACE:
 REQUIRED: 60 S.F. FOR 75% (15) OF DWELLING UNITS
 ALL UNITS ARE PROVIDED WITH PRIVATE OPEN SPACE OF 60 S.F. OR MORE. (8) DWELLING UNITS ARE PROVIDED WITH PRIVATE OPEN SPACE COMPLYING WITH CODE REQUIREMENTS. (12) DWELLING UNITS ARE PROVIDED WITH PRIVATE OPEN SPACE THAT IS WITHIN 9'-0" OF THE FRONT PROPERTY LINE. SEE PROJECT WAIVER 2 ON THIS SHEET

REFUSE, ORGANIC WASTE & RECYCLING:
 REQUIRED: 48 S.F. REFUSE, 48 S.F. ORGANIC WASTE & 48 S.F. RECYCLING
 TOTAL 144 S.F. REFUSE/RECYCLING
 PROVIDED: 168 S.F. REFUSE/RECYCLING

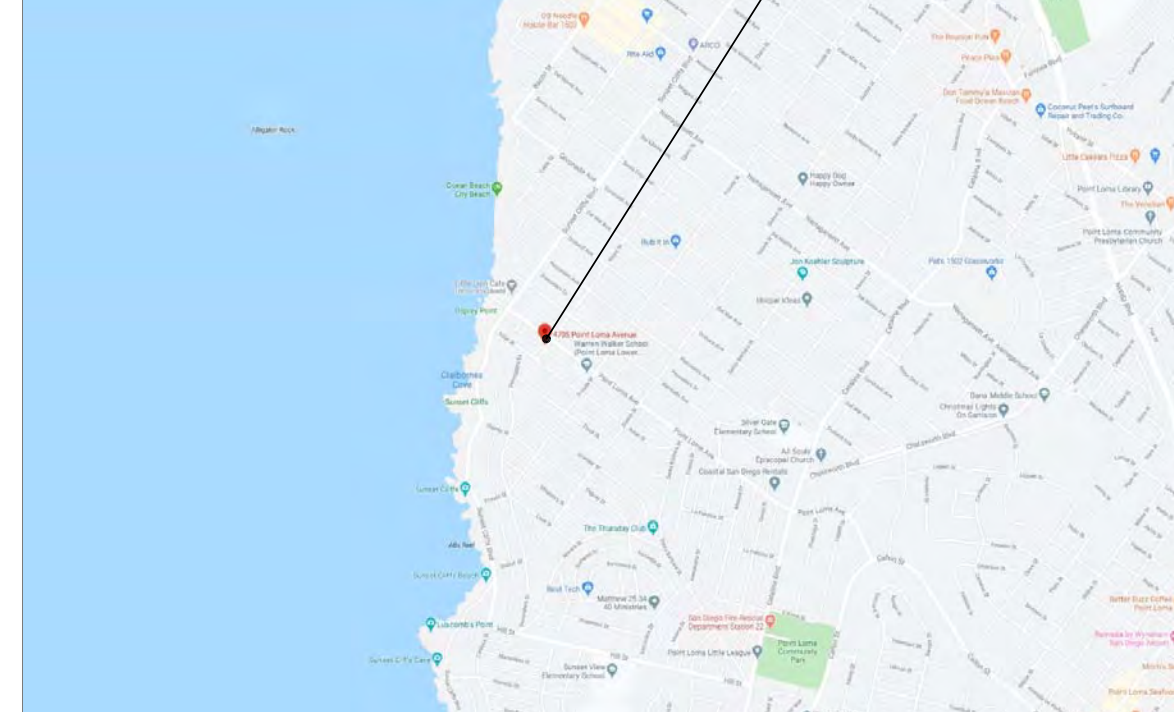
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TS1	COVER SHEET
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PROJECT DIRECTORY

OWNER & FINANCIALLY RESPONSIBLE PARTY:	STRUCTURAL:
POINT LOMA VILLAS, LLC 4641 INGRAMM STREET SAN DIEGO, CA 92104	ELECTRICAL ENGINEER:
OWNER'S REP: PB CONSULTING CONTACT: PAUL ROSS 1015 ARCHER STREET SAN DIEGO, CA 92104 TEL: (619) 506-2505	MECHANICAL & PLUMBING ENGINEER:
ARCHITECT: GOLBA ARCHITECTURE CONTACT: MATT SOMES 1940 GARNET AVENUE, SUITE 100 SAN DIEGO, CA 92104 P: 619-231-9905 F: 858-750-3471	
SURVEYOR & CIVIL ENGINEER: CHRISTENSEN ENGINEERING & SURVEYING CONTACT: TONY CHRISTENSEN, PE 7885 SILVERTON AVENUE, SUITE 'J' SAN DIEGO, CA 92126 P: 858-271-9901 F: 858-271-8912	
LANDSCAPE ARCHITECT: TOPIA CONTACT: FRANK MARCZYNSKI, RLA 5055 HARBOR DRIVE, SUITE 200 SAN DIEGO, CA 92106 P: 858-458-0555 F: 858-458-3554	

VICINITY MAP



NOTE: THE CLOSEST FIRE HYDRANT IS ON THE NORTHWEST CORNER OF POINT LOMA AVE. & EBERS ST, DIRECTLY ACROSS THE STREET FROM THE PROJECT SITE

COMPLETE COMMUNITIES

1. PER SDMC SECTION 143.1020(a), "NEIGHBORHOOD ENHANCEMENT FUND, ALL DEVELOPMENTS SHALL PAY A FEE TO THE "NEIGHBORHOOD ENHANCEMENT FUND", AS ESTABLISHED BY CITY COUNCIL RESOLUTION R-313282.

VMT REDUCTION MEASURES

VMT REDUCTION MEASURES REQUIRED (PER SDMC 143.1103(b)(1)):	
MOBILITY ZONE 2:	5 POINTS
VMT REDUCTION MEASURES PROVIDED (PER SD LAND DEVELOPMENT MANUAL APPENDIX T):	
PROVIDE LONG-TERM BICYCLE PARKING SPACES AT LEAST 10% BEYOND MINIMUM REQUIREMENT (2 POINTS FOR EACH MULTIPLE OF 10% BEYOND THE MINIMUM) & REQUIRED: 12 PROVIDED:	10 POINTS
VMT REDUCTION POINTS PROVIDED:	10 POINTS

GOLBA ARCHITECTURE
 Architecture ■ Space Planning ■ Interior Design
 1940 Garnet Ave. #100 San Diego California 92109
 Phone: (619) 231-9905 Fax: (858) 750-3471

THE POINT
 4705 POINT LOMA BLVD.
 SAN DIEGO, CA 92107

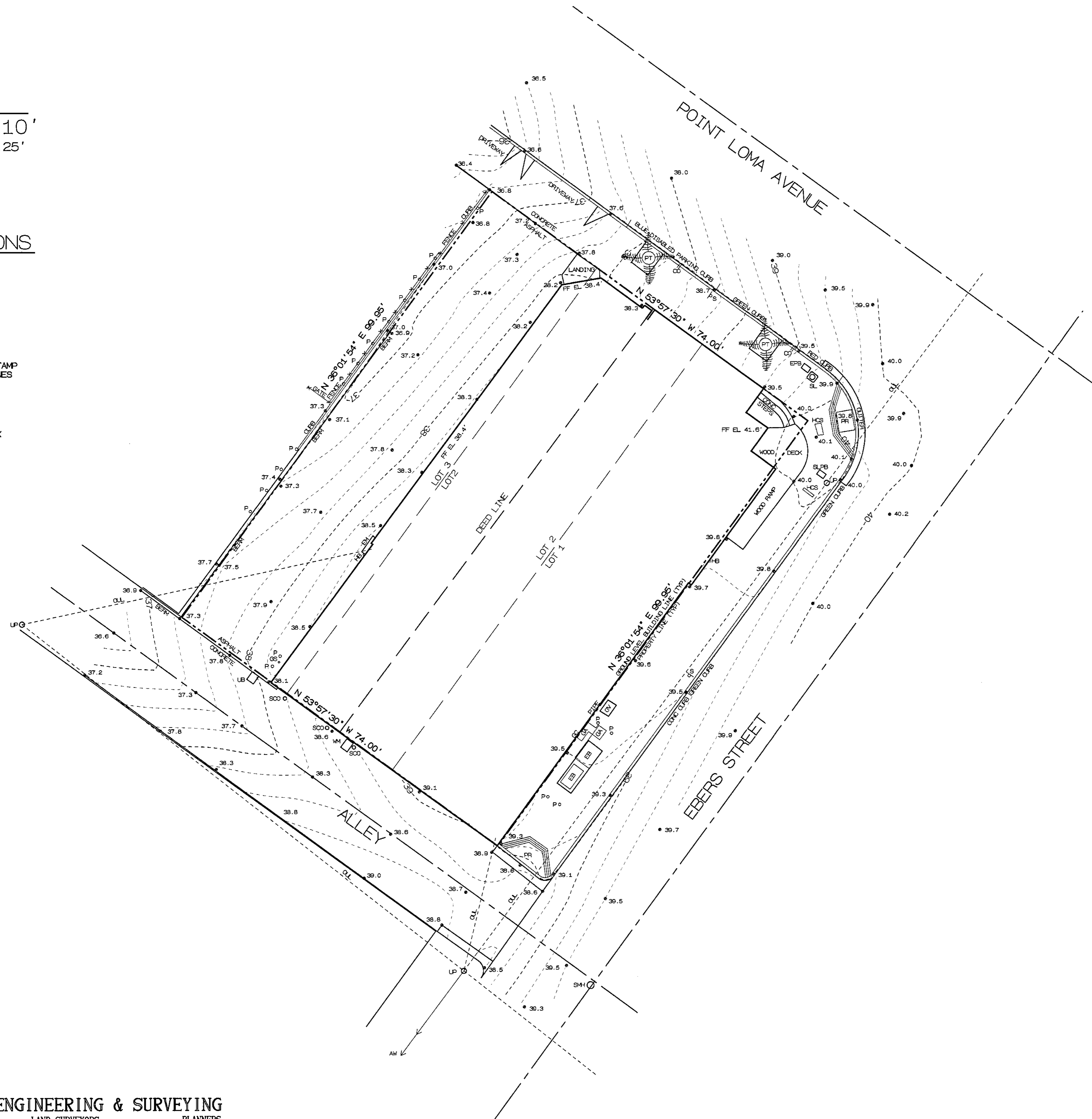
TS2
 DATE: 02-27-24



SCALE: 1" = 10'
 CONTOUR INTERVAL: 0.25'

ABBREVIATIONS

AW	ANCHOR WIRE
CO	CURB OUTLET
CONC	CONCRETE
EL	ELEVATION
EM	ELECTRIC METER
EPB	ELECTRIC PULL BOX
FF	FINISH FLOOR
GA	GAS ASSEMBLY
GC	GAS CONDUIT
GS	GAS STUB
GV	GAS VALVE
HB	HOSE BIB
HCS	HISTORIC CONCRETE STAMP
OLL	OVERHEAD UTILITY LINES
P	POST
PR	PEDESTRAIN RAMP
PT	PALM TREE
S	SIGN
SCO	SEWER CLEAN OUT
SL	STREET LIGHT
SLPB	STREET LIGHT PULLBOX
SMH	SEWER MANHOLE
TYP	TYPICAL
UB	UTILITY BOX
UP	UTILITY POLE



LEGAL DESCRIPTION

ALL OF LOT 3 AND THAT PORTION OF LOT 2, BLOCK 4, SUNSET CLIFFS, ACCORDING TO MAP THEREOF NO. 1889, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, MARCH 1, 1926, LYING NORTHERLY OF THE FOLLOWING DESCRIBED LINE:
 BEGINNING AT A POINT ON THE NORTHEASTERLY LINE OF SAID LOT 2, DISTANT THEREON 36.12 FEET NORTHWESTERLY OF THE MOST EASTERLY CORNER OF SAID LOT 1 IN SAID BLOCK 4; THENCE SOUTHWESTERLY IN A STRAIGHT LINE TO THE INTERSECTION WITH THE SOUTHWESTERLY LINE OF SAID LOT 2 DISTANT THEREON 36.97 FEET NORTHWESTERLY OF THE MOST SOUTHERLY CORNER OF SAID LOT 1.
 ALL OF LOT 1 AND THAT PORTION OF LOT 2, BLOCK 4, SUNSET CLIFFS, ACCORDING TO MAP THEREOF NO. 1889, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, MARCH 1, 1926, LYING SOUTHERLY OF THE FOLLOWING DESCRIBED LINE:
 BEGINNING AT A POINT ON THE NORTHEASTERLY LINE OF SAID LOT 2, DISTANT THEREON 36.12 FEET NORTHWESTERLY OF THE MOST EASTERLY CORNER OF SAID LOT 1 IN SAID BLOCK 4; THENCE SOUTHWESTERLY IN A STRAIGHT LINE TO THE INTERSECTION WITH THE SOUTHWESTERLY LINE OF SAID LOT 2 DISTANT THEREON 36.97 FEET NORTHWESTERLY OF THE MOST SOUTHERLY CORNER OF SAID LOT 1.

NOTES

- EASEMENTS, AGREEMENTS, DOCUMENTS AND OTHER MATTERS WHICH AFFECT THIS PROPERTY MAY EXIST, BUT CANNOT BE PLOTTED. TITLE REPORT NOT PROVIDED.
- THE PRECISE LOCATION OF UNDERGROUND UTILITIES COULD NOT BE DETERMINED IN THE FIELD. PRIOR TO ANY EXCAVATION UTILITY COMPANIES WILL NEED TO MARK-OUT THE UTILITY LOCATIONS.
- THE ADDRESS FOR THE SUBJECT PROPERTY IS 4705 POINT LOMA AVENUE, SAN DIEGO, CA 92107.
- THE ASSESSOR PARCEL NUMBERS FOR THE SUBJECT PROPERTY ARE 448-342-10 AND 11.
- THE TOTAL AREA OF THE SUBJECT PARCEL IS 0.17 ACRES.

BENCHMARK

CITY OF SAN DIEGO BENCHMARK LOCATED AT THE SOUTHERLY CORNER OF POINT LOMA AVENUE AND SUNSET CLIFFS BOULEVARD. ELEVATION 26.448' MEAN SEA LEVEL (N.G.V.D. 1929).

Patrick F. Christensen
 PATRICK F. CHRISTENSEN, P.L.S. 7208 Date 09-28-19



Prepared By:
 CHRISTENSEN ENGINEERING & SURVEYING
 7888 SILVERTON AVENUE, SUITE 'J'
 SAN DIEGO, CA 92126
 PHONE (858)271-9901 EMAIL: CEANDS@AOL.COM

Project Address: 4705 POINT LOMA AVENUE, SAN DIEGO, CA 92107
 Project Name: 4705 POINT LOMA AVENUE
 Revision 5:
 Revision 4:
 Revision 3:
 Revision 2:
 Revision 1: 9-29-19 ADD SPOT ELEVS.

Original Date: SEPTEMBER 28, 2019

Sheet Title: TOPOGRAPHIC MAP
 Sheet 1 Of 1
 DEP#

C01

COASTAL DEVELOPMENT PERMIT NO.

LEGAL DESCRIPTION:

LOTS 1, 2 & 3 IN BLOCK 4 OF SUNSET CLIFFS, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1889, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, MARCH 1, 1926.

BASIS OF BEARINGS

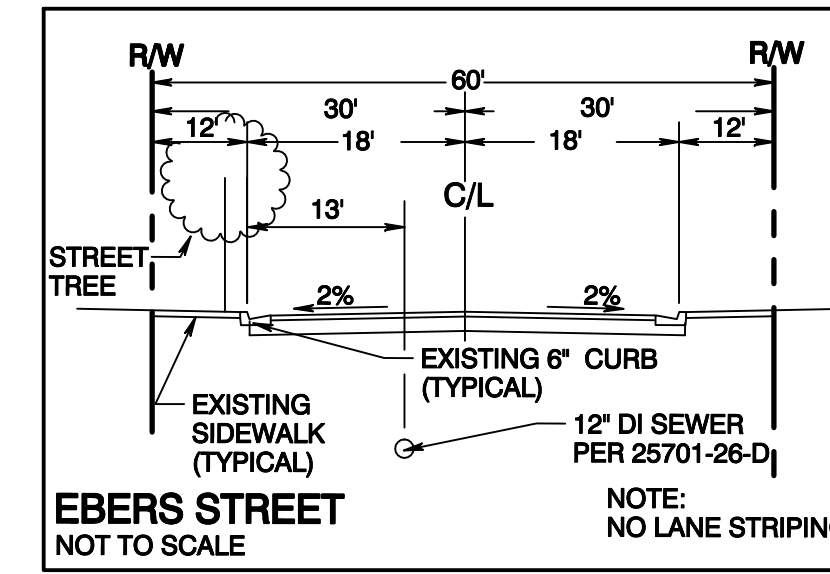
THE BASIS OF BEARINGS IS THE NORTHEASTERLY LINE OF BLOCK 4, OF MAP NO. 1889, I.E S 53°57'30" EAST.

BENCHMARK

CITY OF SAN DIEGO BENCHMARK BRASS PLUG LOCATED IN THE TOP OF CURB AT THE SOUTHERLY INTERSECTION OF POINT LOMA AVENUE AND SUNSET CLIFFS BOULEVARD. ELEVATION: 26.448' MEAN SEA LEVEL (N.G.S.V.D. 1929).

NOTES

- THE SOURCE OF THE TOPOGRAPHIC INFORMATION SHOWN HEREON IS ON THE GROUND SURVEY BY CHRISTENSEN ENGINEERING & SURVEYING, DATED SEPTEMBER 28, 2019.
- THE ASSESSOR PARCEL NUMBER FOR THIS PROPERTY IS: 448-342-10-00 & 11-00
- THE TOTAL AREA OF THE SUBJECT PROPERTY IS 0.170 ACRES.
- DEVELOPER SHALL PROVIDE BUILDING ADDRESS NUMBERS, VISIBLE AND LEGIBLE FROM THE STREET FRONTING THE PROPERTY PER FHPS POLICY P-00-6 (UFC 901.4.4)
- NAD27 COORDINATES = 206-1689, CCS83 COORDINATES = 1846-6249.
- PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT, THE OWNER 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.
- AN ENCROACHMENT MAINTENANCE AND REMOVAL AGREEMENT WILL BE REQUIRED FOR PRIVATE LANDSCAPE AND IRRIGATION.
- PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMITS THE OWNER/PERMITEE SHALL SUBMIT A WATER POLLUTION CONTROL PLAN (WPCP). THE WPCP SHALL BE PREPARED IN ACCORDANCE WITH THE GUIDELINES IN PART 2 CONSTRUCTION BMP STANDARDS CHAPTER 4 OF THE CITY'S STORM WATER STANDARDS.
- A WAIVER OF UNDERGROUNDING OVERHEAD UTILITIES FRONTING THE SITE IS REQUESTED.
- NO OBSTRUCTION INCLUDING SOLID WALLS IN THE VISIBILITY AREA SHALL EXCEED 3 FEET IN HEIGHT. PER SDMC SECTION 142.0409 (B)(2)(A), PLANT MATERIAL, OTHER THAN TREES, LOCATED WITHIN VISIBILITY AREAS OR THE ADJACENT PUBLIC RIGHT-OF-WAY SHALL NOT EXCEED 36 INCHES IN HEIGHT, MEASURED FROM THE LOWEST GRADE ABUTTING THE PLANT MATERIAL TO THE TOP OF THE PLANT MATERIAL.

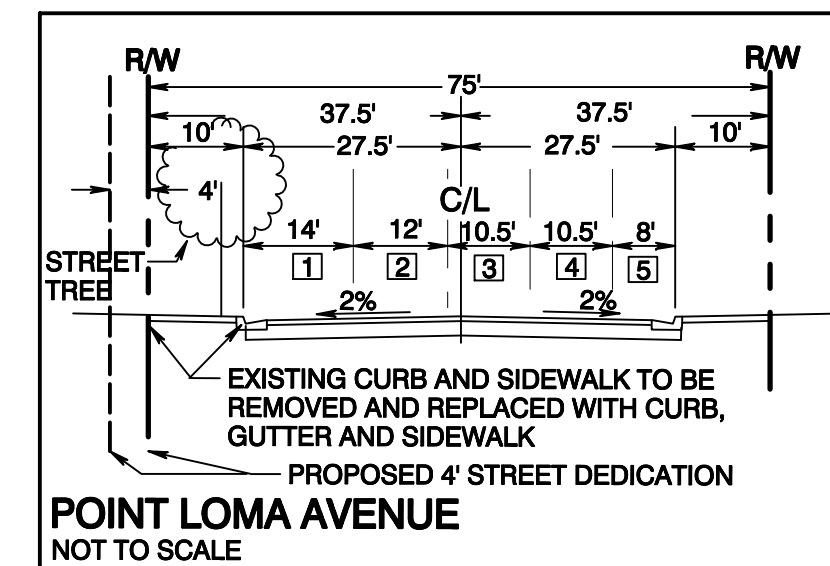


CONSTRUCTION NOTES

- EX WATER SERVICE TO BE KILLED AT THE MAIN
- PROPOSED 2'-2" MANIFOLD WATER SERVICE WITH BFPDs PER CURRENT CITY STD
- PROPOSED 6" SEWER LATERAL PER CURRENT CITY STD
- EX SEWER LATERAL TO BE ABANDONED AT P/L
- PROPOSED IRRIGATION SERVICE WITH BFPD PER CURRENT CITY STD
- REMOVE EX DRIVEWAY AND REPLACE WITH CURB, GUTTER AND SIDEWALK PER CURRENT CITY STANDARDS
- PROPOSED CONCRETE WALKWAY (TYPICAL)
- PROPOSED RAISED PLANTER (SEE LANDSCAPE PLAN) (TYP)
- PROPOSED GRASS-CRETE OR EQUIVALENT (TYP)
- PROPOSED DOWNSPOUT TO DISCHARGE ON SPLASH BLOCK IN LANDSCAPE AREA (TYPICAL)
- PROPOSED STREET TREE (SEE LANDSCAPE PLAN) (TYP)
- PROPOSED 4" FIRE SERVICE WITH BFPD PER CURRENT CITY STD
- EXISTING STREET TREE TO BE REMOVED (SEE LANDSCAPE PLAN) (TYP)
- EXISTING WOOD WALKWAY TO BE REMOVED
- VISIBILITY TRIANGLE (TYPICAL)
- 9' X 18' PARKING SPACE (TYPICAL)
- EXISTING OVERHEAD UTILITY LINE (TYPICAL)
- PROPOSED ALLEY APRON PER CURRENT CITY STANDARDS
- REPLACE EXISTING CURB RAMP WITH CURRENT CITY STANDARD CURB RAMP
- REMOVE AND REPLACE EXISTING CURB AND SIDEWALK WITH CURB, GUTTER AND SIDEWALK PER CURRENT CITY STANDARD
- OUTLINE OF UPPER STORIES/ROOF (TYPICAL)
- REMOVE EX CURB RAMP. REPLACE WITH TWO PERPENDICULAR CURB RAMPS WITH RAILING PER CURRENT CITY STANDARD
- UPGRADE TO LIGHT EMITTING DIODE FIXTURE ONLY. RETAIN STREET LIGHT STANDARD AS IT IS FOUND THROUGHOUT THIS NEIGHBORHOOD (RELOCATE, IF REQUIRED, BY RE)
- PROPOSED WATER METER BOX
- PROPOSED BACKFLOW PREVENTER
- PROPOSED TRANSFORMER
- PROPOSED DUAL SIDEWALK UNDERDRAIN
- PROPOSED 6" RETAINING WALL (TYPICAL)
- PROPOSED COFFER BOX FOR 2-2" MANIFOLD WATER SERVICE
- REMOVE AND REPLACE EXISTING ALLEY PAVEMENT PER CURRENT CITY STANDARDS
- PROPOSED 4" STREET DEDICATION

NOTES:

ALL PROPOSED ONSITE UTILITIES SHALL BE UNDERGROUND.
 RUNOFF FROM IMPERVIOUS AREAS TO FLOW OVER LANDSCAPING BEFORE DISCHARGING FROM SITE
 NO PUBLIC WATER OR SEWER EASEMENTS EXIST ONSITE



LANE DESCRIPTORS	
1	DIAGONAL PARKING
2	TRAVEL LANE
3	TURNING LANE
4	TRAVEL LANE
5	PARALLEL PARKING

Anthony K. Christensen
 ANTHONY K. CHRISTENSEN, RCE 54021
 JANUARY 29, 2024
 DATE



Prepared By:

CHRISTENSEN ENGINEERING & SURVEYING
 7888 SILVERTON AVENUE, SUITE 'J'
 SAN DIEGO, CA 92126
 PHONE (858)271-9901

Project Address:

4705 POINT LOMA AVENUE
 SAN DIEGO, CA 92107

Project Name:

POINT LOMA UNITS

Sheet Title:

PRELIMINARY GRADING PLAN

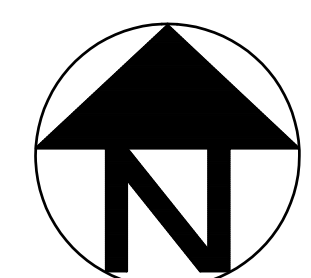
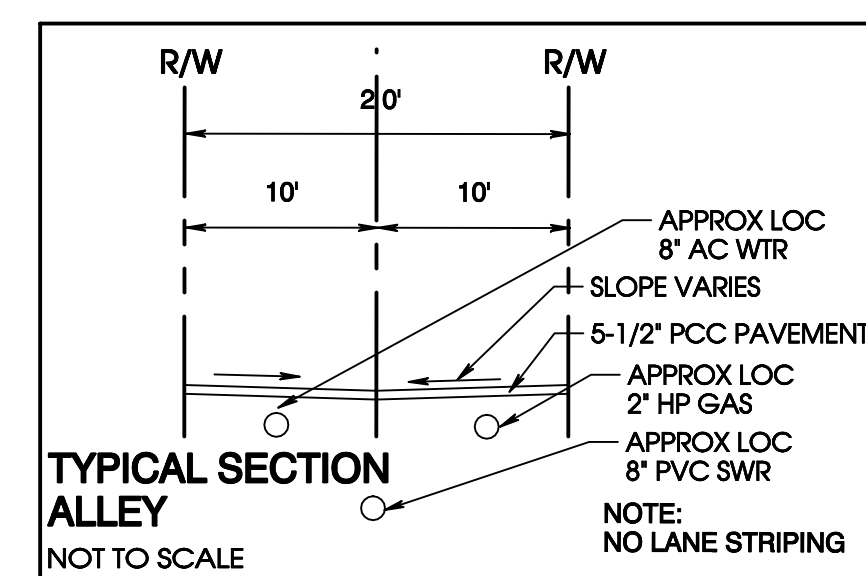
Revision 5:

- Revision 4: 01-29-24 RELOCATE FS/WS & BFPs
- Revision 3: 10-18-23 ADDRESS CITY COMMENTS
- Revision 2: 03-03-23 REVISE STREET TREES
- Revision 1: 02-07-23 REVISED DESIGN

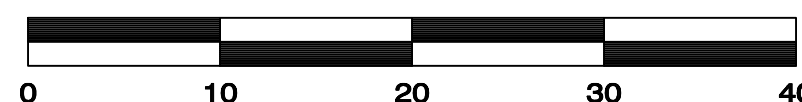
Original Date: DECEMBER 26, 2022

Sheet 2 of Sheets

LEGEND	
PROPERTY LINE	---
EXISTING CONTOUR	---
EXISTING GAS LINE	G --- G
EXISTING SEWER LINE	S --- S
EXISTING WATER LINE	W --- W
PROPOSED 4" PVC SEWER LATERAL (PRIVATE)	(S)
PROPOSED 2" WATER SERVICE (PUBLIC)	(W)
PROPOSED 4" FIRE SERVICE (PUBLIC)	(FS)
PROPOSED 1" IRRIGATION SERVICE (PUBLIC)	(I)
PROPOSED SIDEWALK (PUBLIC)	[Pattern]
PROPOSED PUBLIC CURB/GUTTER (PUBLIC) PER SDG-151	[Pattern]
PRIVATE RETAINING WALL (PRIVATE)	[Pattern]
PROPOSED GRASSCRETE (OR EQUIV) (PRIVATE)	[Pattern]
PROPOSED LANDSCAPING	[Pattern]
PROPOSED CONCRETE (PRIVATE)	[Pattern]
DOWNSPOUT (PRIVATE)	(DS)
PROPOSED BACKFLOW PREVENTER (PRIVATE)	(RP)
PROPOSED WATER METER BOX (TYPICAL)	[Symbol]



SCALE: 1" = 10'
 0.25' CONTOUR INTERVAL



GRADING DATA

AREA OF SITE - 0.170 AC (7,396 SF)
 AREA OF SITE TO BE GRADED - 0.170 AC
 PERCENT OF SITE TO BE GRADED 100%
 AREA OF SITE WITH SLOPES GREATER THEN 25% - 0.0
 PERCENT OF SITE WITH SLOPES GREATER THEN 25% - 0%

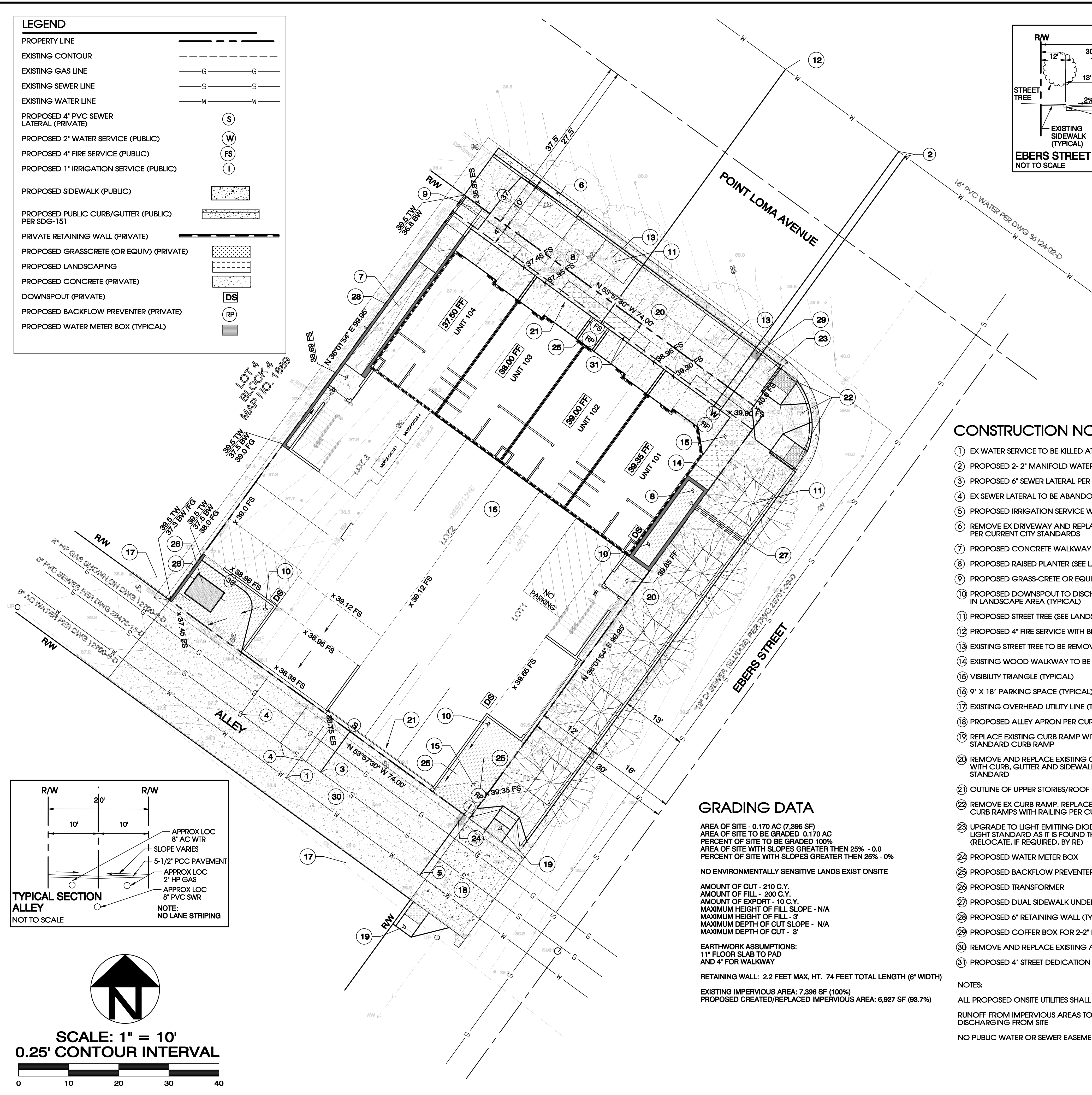
NO ENVIRONMENTALLY SENSITIVE LANDS EXIST ONSITE

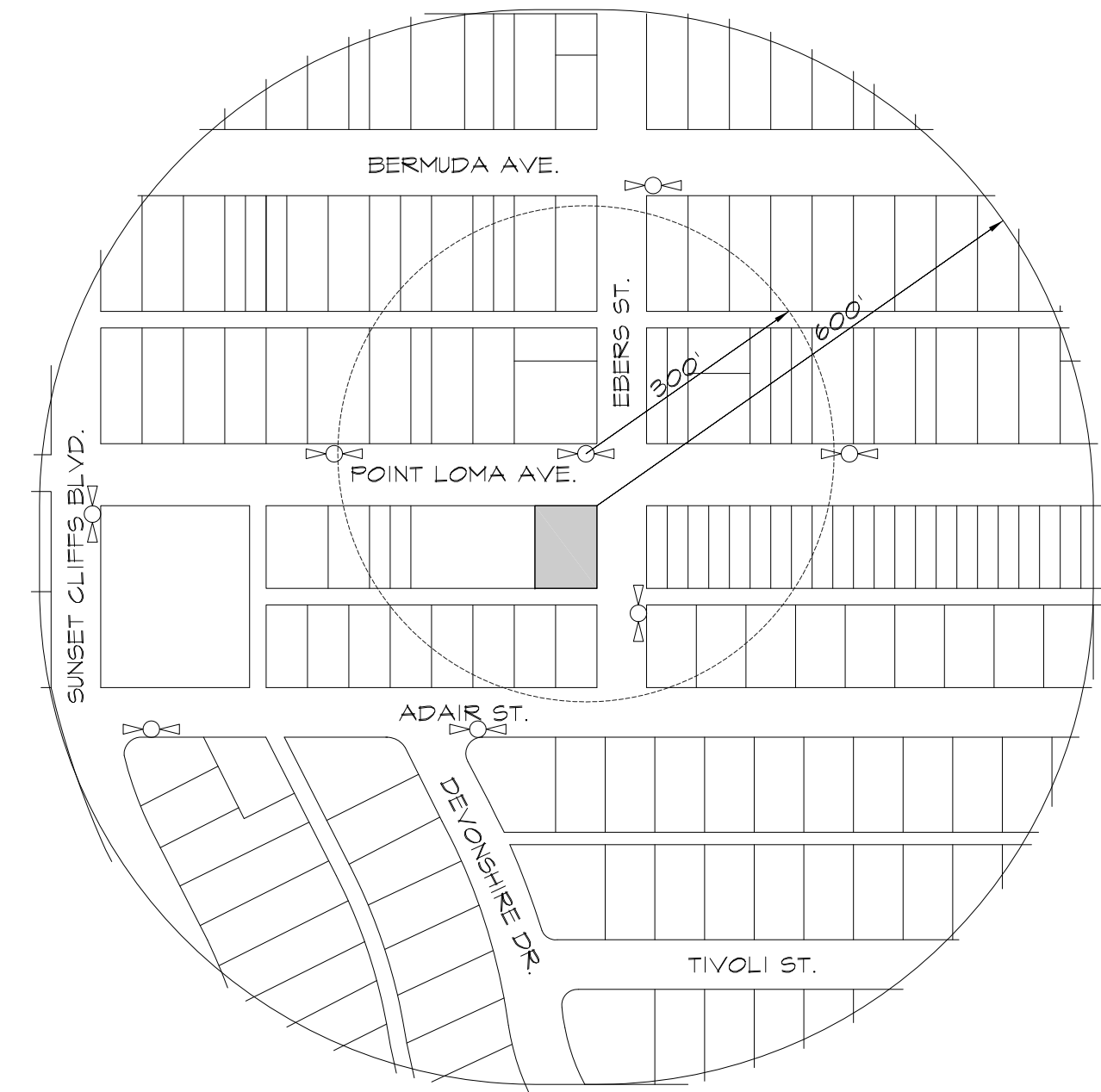
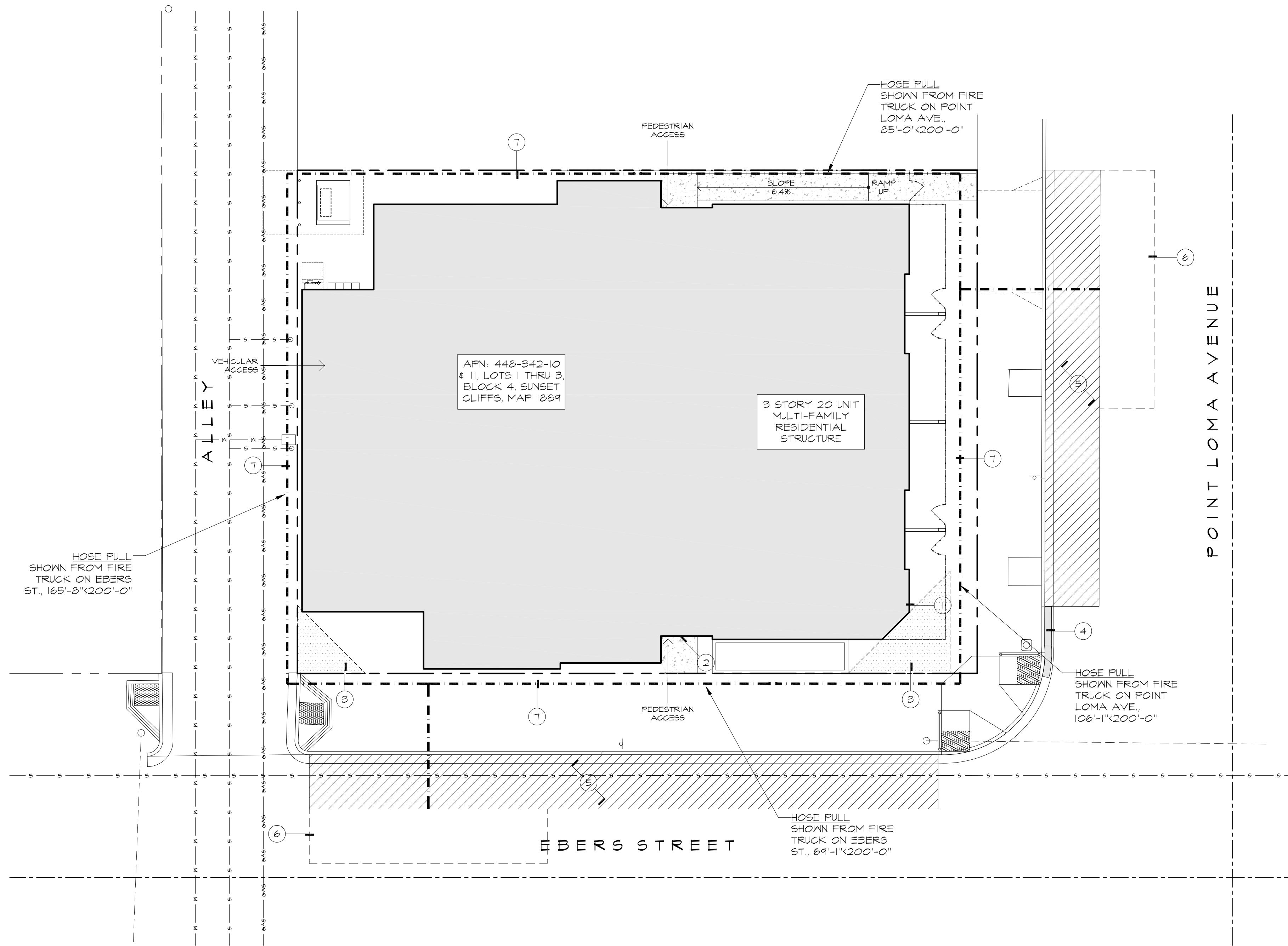
AMOUNT OF CUT - 210 C.Y.
 AMOUNT OF FILL - 200 C.Y.
 AMOUNT OF EXPORT - 10 C.Y.
 MAXIMUM HEIGHT OF FILL SLOPE - N/A
 MAXIMUM HEIGHT OF FILL - 3'
 MAXIMUM DEPTH OF CUT SLOPE - N/A
 MAXIMUM DEPTH OF CUT - 3'

EARTHWORK ASSUMPTIONS:
 11" FLOOR SLAB TO PAD
 AND 4" FOR WALKWAY

RETAINING WALL: 2.2 FEET MAX. HT. 74 FEET TOTAL LENGTH (6" WIDTH)

EXISTING IMPERVIOUS AREA: 7,396 SF (100%)
 PROPOSED CREATED/REPLACED IMPERVIOUS AREA: 6,927 SF (93.7%)





FIRE HYDRANTS WITHIN 600'
SCALE: 1"=200'-0"

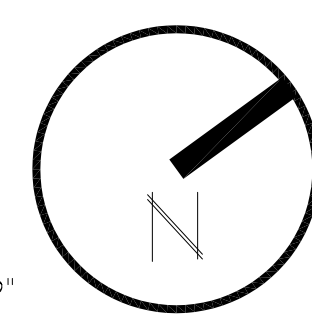
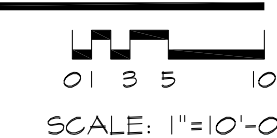
FIRE PLAN KEYNOTES

1. BUILDING ADDRESS NUMBERS, VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY PER SAN DIEGO MUNICIPAL CODE SECTION 45.0209
2. KNOX BOX PER FIRE DEPARTMENT POLICY K-15-2
3. VISIBILITY TRIANGLE PER SAN DIEGO MUNICIPAL CODE SECTION 113.0278, NOTHING OVER 3'-0" PROPOSED
4. EXISTING RED CURB AT CORNER OF TURQUOISE ST. & WRELTON DRIVE & AT THE CORNER OF WRELTON DRIVE & WRELTON DRIVE
5. PARALLEL PARKING AT CURB
6. FIRE TRUCK
7. HOSE PULL; LINE FROM FIRE APPARATUS TO ALL POINTS OF THE EXTERIOR OF THE STRUCTURE AT THE GROUND FLOOR TO BE LESS THAN 200'-0" PER FPB POLICY A-14-1

SITE LEGEND:

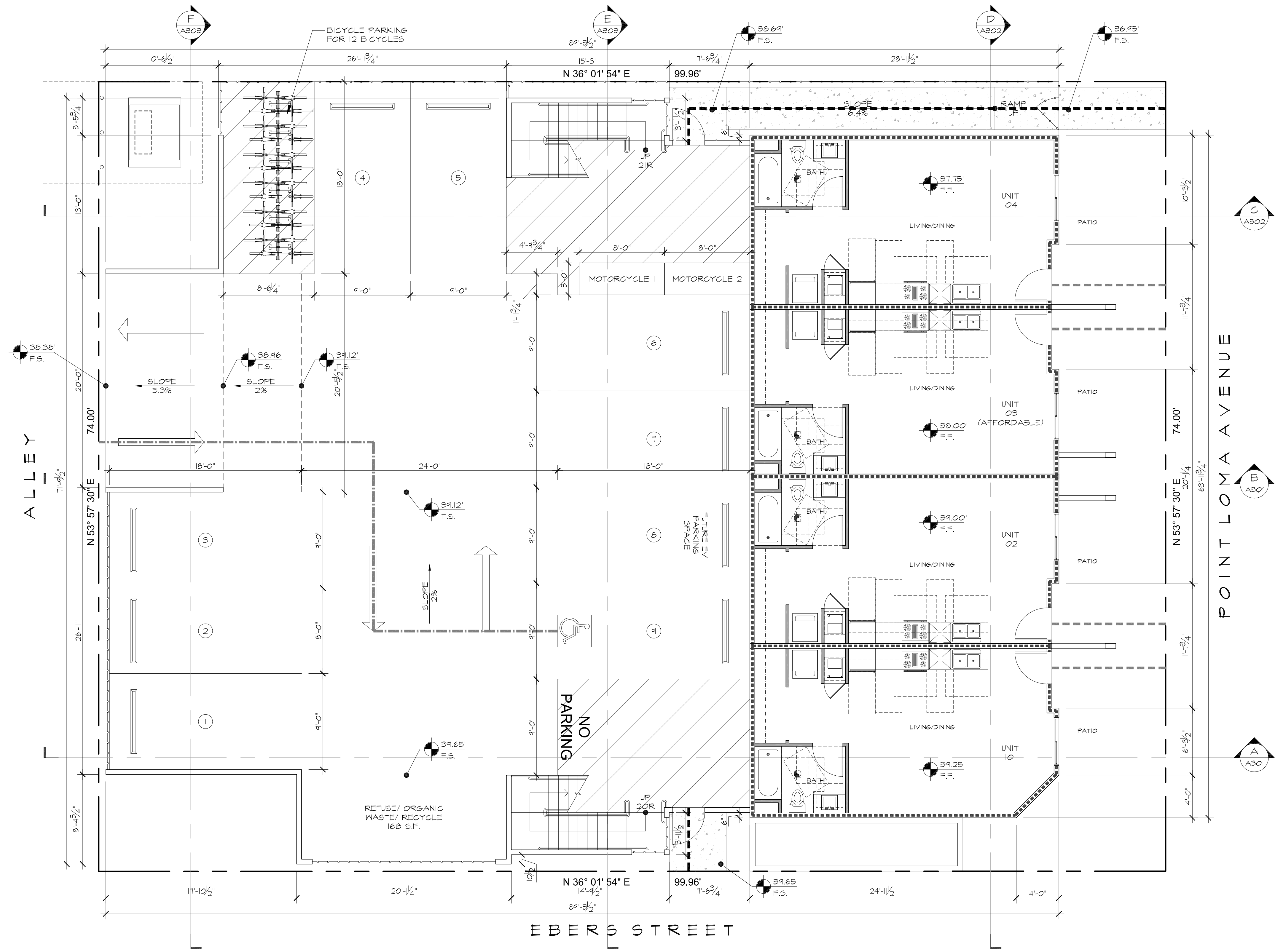
- AREA OF PROPOSED 1ST FLOOR
- VISIBILITY TRIANGLE PER SAN DIEGO MUNICIPAL CODE SECTION 113.0278, NOTHING OVER 2'-0" PROPOSED
- EXISTING PARALLEL PARKING AT THE CURB AT LAMONT STREET AND HORNBLEND STREET

FIRE ACCESS PLAN



FIRE NOTES

23. AN APPROVED ACCESS WALKWAY LEADING FROM FIRE APPARATUS ROAD TO EXTERIOR OPENINGS REQUIRED BY THE FIRE OR BUILDING CODE SHALL BE PROVIDED. PER CFC SECTION 504.1.
24. ALL REQUIRED HOSE PULLS ARE SHOWN TO REACH ALL PORTIONS OF THE EXTERIOR OF THE BUILDING PER POLICY A-14-1. HOSE PULL IS MEASURED FROM THE FIRE APPARATUS (ENGINE) WHEN THE FIRE ENGINE IS IN THE FIRE ACCESS ROAD. HOSE PULL CAN BE MEASURED FROM MULTIPLE LOCATIONS WITHIN THE ACCESS ROAD. THE HOSE PULLS MUST CONNECT OR OVERLAP TO SHOW COMPLETE COVERAGE. THE MAX. HOSE PULL FOR A SPRINKLERED BUILDING IS 200' & 150' FOR NON-SPRINKLERED BUILDING. VERTICAL ELEVATION CHANGE MUST ALSO BE ACCOUNTED FOR.
25. ALL EXISTING AND/OR PROPOSED FIRE HYDRANTS WITHIN 600' OF THE PROJECT SITE AND A 300' RADIUS OVERLAY SHALL BE SHOWN TO ENCOMPASS ALL PORTIONS OF ALL STRUCTURES AS PART OF SUBMITTED PROJECT. SD ORDINANCE 17427.
19. EVERY BUILDING FOUR STORIES OR MORE IN HEIGHT SHALL BE PROVIDED WITH NOT LESS THAN ONE STANDPIPE FOR USE DURING CONSTRUCTION. STANDPIPE SHALL BE INSTALLED WHEN THE PROGRESS OF CONSTRUCTION IS NOT MORE THAN 40 FEET IN HEIGHT ABOVE THE LOWEST LEVEL OF FIRE DEPARTMENT ACCESS. PER CFC SECTION 3913.1.
20. VEGETATION SHALL BE SELECTED AND MAINTAINED IN SUCH A MANNER AS TO ALLOW IMMEDIATE ACCESS TO ALL HYDRANTS, VALVES, FIRE DEPARTMENT CONNECTIONS, PULL STATIONS, EXTINGUISHERS, SPRINKLER RISERS, ALARM CONTROL PANELS, RESCUE WINDOWS, AND OTHER DEVICES OR AREAS USED FOR FIREFIGHTING PURPOSES. VEGETATION OR BUILDING FEATURES SHALL NOT OBSTRUCT ADDRESS NUMBERS OR INHIBIT THE FUNCTIONING OF ALARM BELLS, HORNS OR STROBES.
21. CONSTRUCTION DOCUMENTS APPROVED BY THE FIRE CODE OFFICIAL ARE APPROVED WITH THE INTENT THAT SUCH CONSTRUCTION DOCUMENTS COMPLY IN ALL RESPECTS WITH THE CFC. REVIEW AND APPROVAL BY THE FIRE CODE OFFICIAL SHALL NOT RELIEVE THE APPLICANT OF THE RESPONSIBILITY OF COMPLIANCE WITH THIS CODE. PER CFC SECTION 105.4.4.
22. FIRE PROTECTION EQUIPMENT SHALL BE IDENTIFIED IN AN APPROVED MANNER. ROOMS CONTAINING CONTROLS FOR A/C SYSTEMS, SPRINKLER RISERS AND VALVES, OR OTHER FIRE DETECTION, SUPPRESSION OR CONTROL ELEMENTS SHALL BE IDENTIFIED FOR THE USE OF THE FIRE DEPARTMENT. APPROVED SIGNS REQUIRED TO IDENTIFY FIRE PROTECTION EQUIPMENT AND EQUIPMENT LOCATION SHALL BE CONSTRUCTED OF DURABLE MATERIALS, PERMANENTLY INSTALLED AND READILY VISIBLE.
14. NEW BUILDINGS FOUR OR MORE STORIES ABOVE GRADE PLANE, EXCEPT THOSE WITH ROOF SLOPE GREATER THAN FOUR UNITS VERTICAL IN 12 UNITS HORIZONTAL SHALL BE PROVIDED WITH A STAIRWAY TO THE ROOF IN ACCORDANCE WITH CFC 10111.2. SUCH STAIRWAY SHALL BE MARKED AT STREET AND FLOOR LEVELS WITH SIGN INDICATING THAT THE STAIRWAY CONTINUES TO THE ROOF. PER CFC SECTION 504.3.
15. EXTERIOR DOORS AND OPENINGS REQUIRED BY THE CFC OR THE CBC SHALL BE MAINTAINED READILY ACCESSIBLE FOR EMERGENCY ACCESS TO THE FIRE DEPARTMENT. AN APPROVED WALKWAY LEADING FROM FIRE APPARATUS ACCESS ROADS TO EXTERIOR OPENINGS SHALL BE PROVIDED WHEN REQUIRED BY THE FIRE CODE OFFICIAL. PER CFC SECTION 504.
16. ALL BUILDINGS AND SITES UNDERGOING CONSTRUCTION, ALTERATION, OR DEMOLITION SHALL COMPLY WITH REQUIREMENTS OF CHAPTER 93 OF THE CFC. A CLASS I (OR I AND II OR III) STANDPIPE OUTLET CONNECTION IS REQUIRED AT EVERY FLOOR-LEVEL CONNECTION OF EVERY REQUIRED STAIRWAY ABOVE AND BELOW GRADE IN BUILDINGS OF 4 OR MORE STORIES. OUTLETS AT STAIRWAYS SHALL BE LOCATED WITHIN THE EXIT ENCLOSURE OR, IN CASE OF PRESSURIZED ENCLOSURES, WITHIN THE VESTIBULE OR EXIT BALCONY GIVING ACCESS TO THE STAIRWAY. THERE SHALL BE AT LEAST 1 OUTLET ABOVE THE ROOF LINE WHEN THE ROOF HAS A SLOPE OF LESS THAN 4/12 UNITS HORIZONTAL. IN BUILDINGS WHERE MORE THAN 1 STANDPIPE IS PROVIDED, THE STANDPIPES SHALL BE INTERCONNECTED. PER CFC SECTION 405.
18. DECORATIVE MATERIALS SHALL BE MAINTAINED IN A FLAME-RETARDANT CONDITION. PER CFC SECTION 804.
4. WHERE SECURITY GATES ARE INSTALLED, THEY SHALL HAVE AN APPROVED MEANS OF EMERGENCY OPERATION. THE SECURITY GATES AND EMERGENCY OPERATION SHALL BE MAINTAINED OPERATIONAL AT ALL TIMES. ELECTRIC GATE OPERATORS, WHERE PROVIDED, SHALL BE LISTED IN ACCORDANCE WITH UL 325. GATES INTENDED FOR AUTOMATIC OPERATION SHALL BE DESIGNED, CONSTRUCTED AND INSTALLED TO COMPLY WITH THE REQUIREMENTS OF ASTM F 2200. PER CFC SECTION 503.6.
10. AT LEAST ONE FIRE EXTINGUISHER WITH A MINIMUM RATING OF 2-A-10-BC SHALL BE PROVIDED WITHIN 75 FEET MAXIMUM TRAVEL DISTANCE FOR EACH 6,000 SQUARE FEET OR PORTION THEREOF ON EACH FLOOR. PER CFC SECTION 406.
11. PROVIDE STAIRWAY IDENTIFICATION SIGNS. PER CFC SECTION 1023.9-1023.9.1.
12. DEAD-END FIRE APPARATUS ACCESS ROADS IN EXCESS 150 FEET IN LENGTH SHALL BE PROVIDED WITH AN APPROVED AREA FOR TURNING AROUND FIRE APPARATUS. PER CFC SECTION 503.2.5.
13. PER CFC SECTION 3915 - STRUCTURES UNDER CONSTRUCTION, ALTERATION OR DEMOLITION SHALL BE PROVIDED WITH NOT LESS THAN ONE APPROVED PORTABLE FIRE EXTINGUISHER IN ACCORDANCE WITH CFC SECTION 406 AND SIZED FOR NOT LESS THAN ORDINARY HAZARD (2A10BC) AS FOLLOWS:
 1. AT EACH STAIRWAY ON ALL FLOOR LEVELS WHERE COMBUSTIBLE MATERIALS HAVE ACCUMULATED.
 2. IN EVERY STORAGE AND CONSTRUCTION SHED.
 3. ADDITIONAL PORTABLE FIRE EXTINGUISHERS SHALL BE PROVIDED WHERE SPECIAL HAZARDS EXIST INCLUDING, BUT NOT LIMITED TO, AND USE OF FLAMMABLE AND COMBUSTIBLE LIQUIDS.
1. FIRE APPARATUS ACCESS ROADS SHALL BE DESIGNED AND MAINTAINED TO SUPPORT THE IMPOSED LOADS OF FIRE APPARATUS AND SHALL BE SURFACED SO AS TO PROVIDE ALL WEATHER DRIVING CAPABILITIES. PER CFC SECTION 503.2.3.
2. FIRE APPARATUS ACCESS ROADS AND WATER SUPPLIES FOR FIRE PROTECTION SHALL BE INSTALLED AND MADE SERVICEABLE PRIOR TO AND DURING TIME CONSTRUCTION. PER CFC SECTION 501.4.
3. PROVIDE BUILDING ADDRESS NUMBERS, VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY. PER SAN DIEGO MUNICIPAL CODE SECTION 45.0209.
4. POST INDICATOR VALVES, FIRE DEPARTMENT CONNECTIONS, AND ALARM BELL ARE TO BE LOCATED ON THE ADDRESS/ACCESS SIDE OF THE STRUCTURE. PER CFC SECTION 412.2.1.
5. ALL BUILDINGS AND STRUCTURES WITH ONE OR MORE PASSENGER SERVICE ELEVATORS SHALL BE PROVIDED WITH NOT LESS THAN ONE MEDICAL EMERGENCY SERVICE ELEVATOR TO ALL LANDINGS. PER CBC SECTION 3002.4a.
6. THE REQUIRED WIDTH OF ACCESS ROADWAYS SHALL NOT BE OBSTRUCTED IN ANY MANNER, INCLUDING THE PARKING OF VEHICLES. WHERE NO SPACE IS PROVIDED FOR PARKING ALONG ACCESS ROADWAYS, THEY SHALL BE KEPT CLEAR BY POSTING OF SIGNS OR THE PAINTING OF CURBS. PER POLICY A-14-1.
7. PROVIDE AN APPROVED KEY (KNOX) BOX IN AN APPROVED LOCATION. PER FIRE DEPARTMENT POLICY K-15-2.
8. AN APPROVED VEHICLE STROB DETECTOR SYSTEM, WITH KNOX KEYSWITCH OVERRIDE, SATISFACTORY TO THE FIRE MARSHALL SHALL BE PROVIDED ON ALL VEHICLE MAIN ENTRY AND EMERGENCY ENTRY POINTS TO THE PROJECT. PER CFC SECTION 506.



1ST FLOOR/PARKING PLAN
SCALE: 3/16"=1'-0"

FLOOR PLAN NOTES:

1. THE PROPOSED MULTI-FAMILY & PARKING GARAGE STRUCTURE SHALL BE PROTECTED BY AN AUTOMATIC FIRE SPRINKLER SYSTEM, CONNECTED & INSTALLED IN ACCORDANCE WITH A FIRE SPRINKLER SYSTEM THAT COMPLIES WITH SECTION R313 OR NFPA 13.
2. THRESHOLDS AT DOORWAYS SHALL NOT EXCEED 0.75-INCH IN HEIGHT FOR SLIDING DOORS SERVING DWELLING UNITS OR 0.5-INCH FOR OTHER DOORS.
3. PER SDMC SECTION 142.0820 (a), EACH DWELLING UNIT SHALL HAVE THE REQUIRED INTERIOR REFUSE AND RECYCLING STORAGE AREA WITHIN A CABINET IN THE UNIT KITCHEN.

CAL GREEN NOTES:

1. ALL THE PLUMBING FIXTURES AND FITTINGS USED IN THE COMMERCIAL COMPONENT OF THE PROPOSED PROJECT WILL NOT EXCEED THE MAXIMUM FLOW RATES SPECIFIED IN TABLE A5.303.2.3.1 (VOLUNTARY MEASURES) OF THE CALIFORNIA GREEN BUILDING STANDARDS CODE.
2. ALL APPLIANCES AND FIXTURES USED IN THE COMMERCIAL COMPONENT OF THE PROPOSED PROJECT WILL MEET ALL THE PROVISIONS OF SECTION A5.303.3 (VOLUNTARY MEASURES) OF THE CALIFORNIA GREEN BUILDING STANDARDS CODE.
3. ALL THE PLUMBING FIXTURES AND FITTINGS USED IN THE RESIDENTIAL COMPONENT OF THE PROPOSED PROJECT WILL BE LOW-FLOW FIXTURES/APPLIANCES CONSISTENT WITH EACH OF THE FOLLOWING:
 - KITCHEN FAUCETS: MAXIMUM FLOW RATE NOT TO EXCEED 1.5 GALLONS PER MINUTE AT 60 PSI;
 - LAVATORY FAUCETS: MAXIMUM FLOW RATE NOT TO EXCEED 0.5 GALLONS PER MINUTE AT 60 PSI;
 - SHOWERHEADS: MAXIMUM FLOW RATE NOT TO EXCEED 1.8 GALLONS PER MINUTE AT 80 PSI;
 - GRAVITY TANK-TYPE WATER CLOSETS: MAXIMUM FLOW RATE OF 1.2 GALLONS PER FLUSH;
 - STANDARD DISHWASHERS: 4.25 GALLONS PER CYCLE;
 - COMPACT DISHWASHERS: 3.5 GALLONS PER CYCLE; AND
 - CLOTHES WASHERS: WATER FACTOR OF 6 GALLONS PER CUBIC FEET OF DRUM CAPACITY

FLOOR PLAN LEGEND

- NEW 2x4 STUD WALL
- NEW 2x6 STUD WALL
- 1 HR. RATED WALL
- NEW CONCRETE WALL
- (X*) (X*) INDICATES WINDOW OR DOOR TO BE TEMPERED
- (S) SMOKE DETECTOR - SEE NOTES ON SHT. 6N1
- (CO) CARBON MONOXIDE DETECTOR - SEE NOTES ON SHT. 6N1
- (E) EXHAUST FAN TO PROVIDE A MIN. OF 5 AIR CHANGES/HR. DISCHARGE TO THE OUTSIDE NO CLOSER THAN 3 FT. FROM ANY EXTERIOR OPENING. SEE 6N1 FOR VENTILATION NOTES.
- (FE) FIRE EXTINGUISHER, SIZE & TYPE PER CFC SECTION 906
- (D) DECK DRAIN, DECK DRAINAGE TO BE COLLECTED & DIRECTED TO A FILTERRA BIOFILTRATION UNIT
- (R) ROOF DRAINAGE SCUPPER, OVERFLOW SCUPPER & DOWNSPOUT, ROOF DRAINAGE TO BE COLLECTED & DIRECTED TO EITHER A FILTERRA BIOFILTRATION UNIT OR A DRAINAGE SWALE AT THE REAR OF THE PROPERTY

SITE ACCESSIBILITY LEGEND

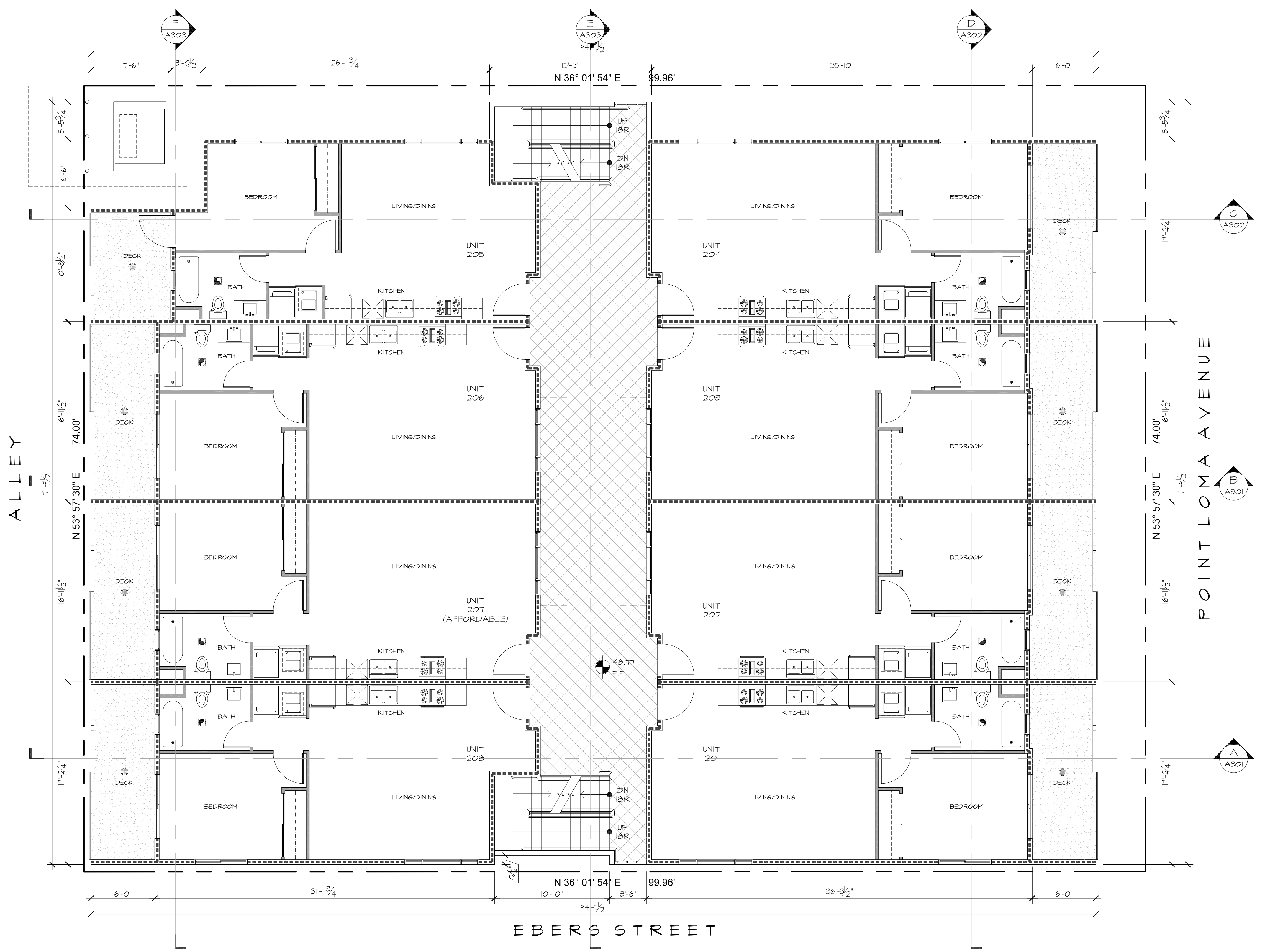
- NEW PATH OF TRAVEL (P.O.T.) AS INDICATED IS A BARRIER FREE ACCESS ROUTE WITHOUT ANY ABRUPT VERTICAL CHANGES EXCEEDING 1/2" BEVELED AT 1/2" MAXIMUM SLOPE EXCEPT THAT LEVEL CHANGES DO NOT EXCEED 1/4" VERTICAL AND IS AT LEAST 48" WIDE. SURFACE IS SLIP RESISTANT, STABLE, FIRM AND SMOOTH. CROSS-SLOPE DOES NOT EXCEED 2% AND SLOPE IN DIRECTION OF TRAVEL IS LESS THAN 5% UNLESS OTHERWISE INDICATED. P.O.T. SHALL BE MAINTAINED FREE OF OVERHANGING OBSTRUCTIONS TO 80" MINIMUM (SEC. 11B307.2) AND PROTRUDING OBJECTS GREATER THAN 4" PROJECTION FROM A WALL AND ABOVE 27" AND LESS THAN 80" (SEC. 11B307.3)
- VEHICULAR ACCESS FROM PUBLIC RIGHT-OF-WAY TO ACCESSIBLE PARKING STALL, MAINTAIN 8'-2" VERTICAL CLEARANCE ALONG ENTIRE ROUTE

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THE POINT
 4705 POINT LOMA BLVD.
 SAN DIEGO, CA 92107

INC
GA

A003
 DATE: 02-27-24



2ND FLOOR PLAN
SCALE: 3/16"=1'-0"

- ### FLOOR PLAN NOTES:
1. THE PROPOSED MULTI-FAMILY & PARKING GARAGE STRUCTURE SHALL BE PROTECTED BY AN AUTOMATIC FIRE SPRINKLER SYSTEM, CONNECTED & INSTALLED IN ACCORDANCE WITH A FIRE SPRINKLER SYSTEM THAT COMPLIES WITH SECTION R313 OR NFPA 13.
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 3. PER SDMC SECTION 142.0820 (a), EACH DWELLING UNIT SHALL HAVE THE REQUIRED INTERIOR REFUSE AND RECYCLING STORAGE AREA WITHIN A CABINET IN THE UNIT KITCHEN.

- ### CAL GREEN NOTES:
1. ALL THE PLUMBING FIXTURES AND FITTINGS USED IN THE COMMERCIAL COMPONENT OF THE PROPOSED PROJECT WILL NOT EXCEED THE MAXIMUM FLOW RATES SPECIFIED IN TABLE A5.303.2.3.1 (VOLUNTARY MEASURES) OF THE CALIFORNIA GREEN BUILDING STANDARDS CODE.
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 - GRAVITY TANK-TYPE WATER CLOSETS: MAXIMUM FLOW RATE OF 1.2 GALLONS PER FLUSH;
 - STANDARD DISHWASHERS: 4.25 GALLONS PER CYCLE;
 - COMPACT DISHWASHERS: 3.5 GALLONS PER CYCLE; AND
 - CLOTHES WASHERS: WATER FACTOR OF 6 GALLONS PER CUBIC FEET OF DRUM CAPACITY

- ### FLOOR PLAN LEGEND
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 - NEW 2x6 STUD WALL
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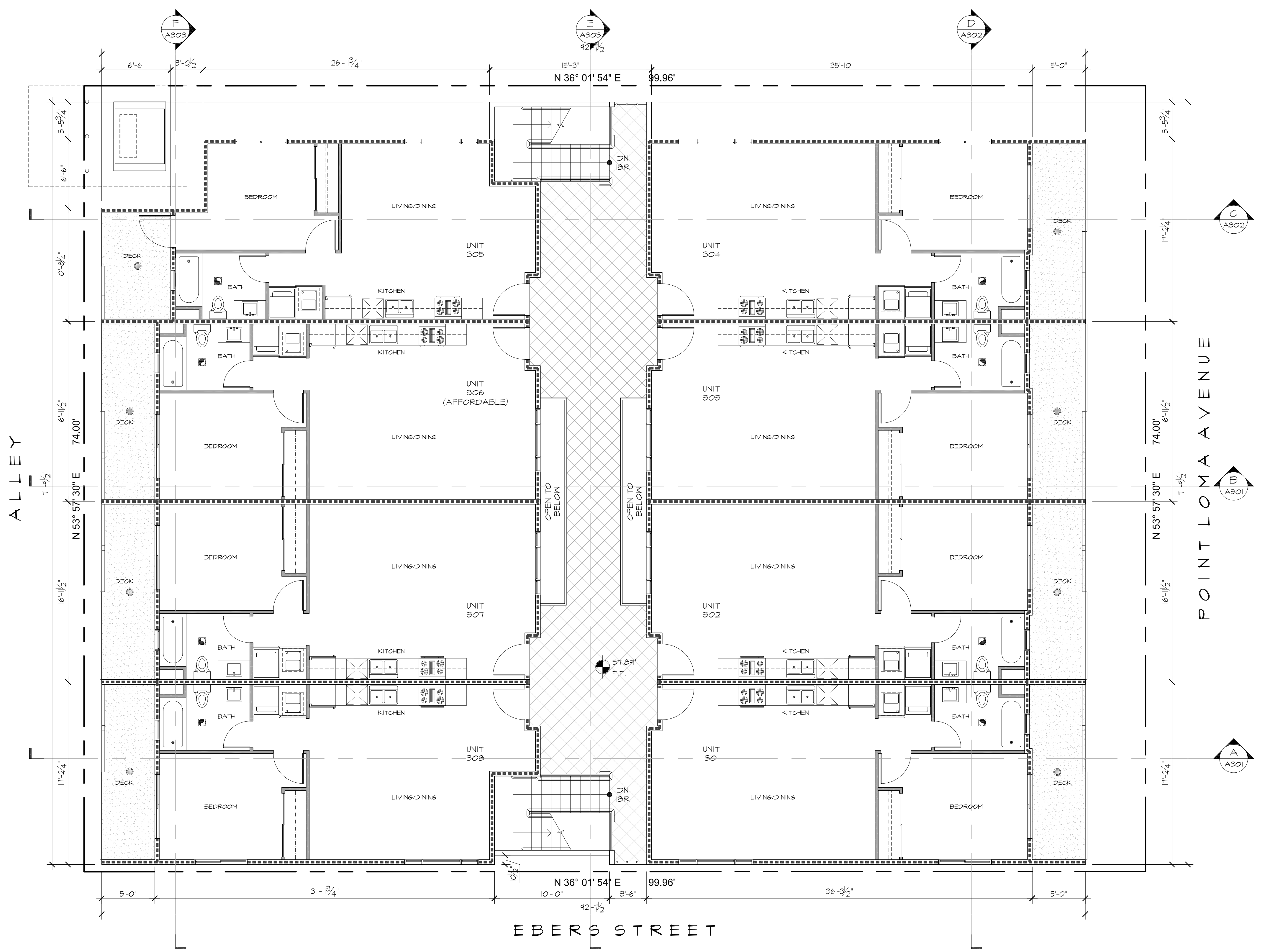
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 SAN DIEGO, CA 92107

Golba
 INC.

A004
 DATE: 02-27-24



3RD FLOOR PLAN
SCALE: 3/16"=1'-0"

- ### FLOOR PLAN NOTES:
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- ### CAL GREEN NOTES:
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- ### FLOOR PLAN LEGEND
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 - NEW 2x6 STUD WALL
 - 1 HR. RATED WALL
 - NEW CONCRETE WALL
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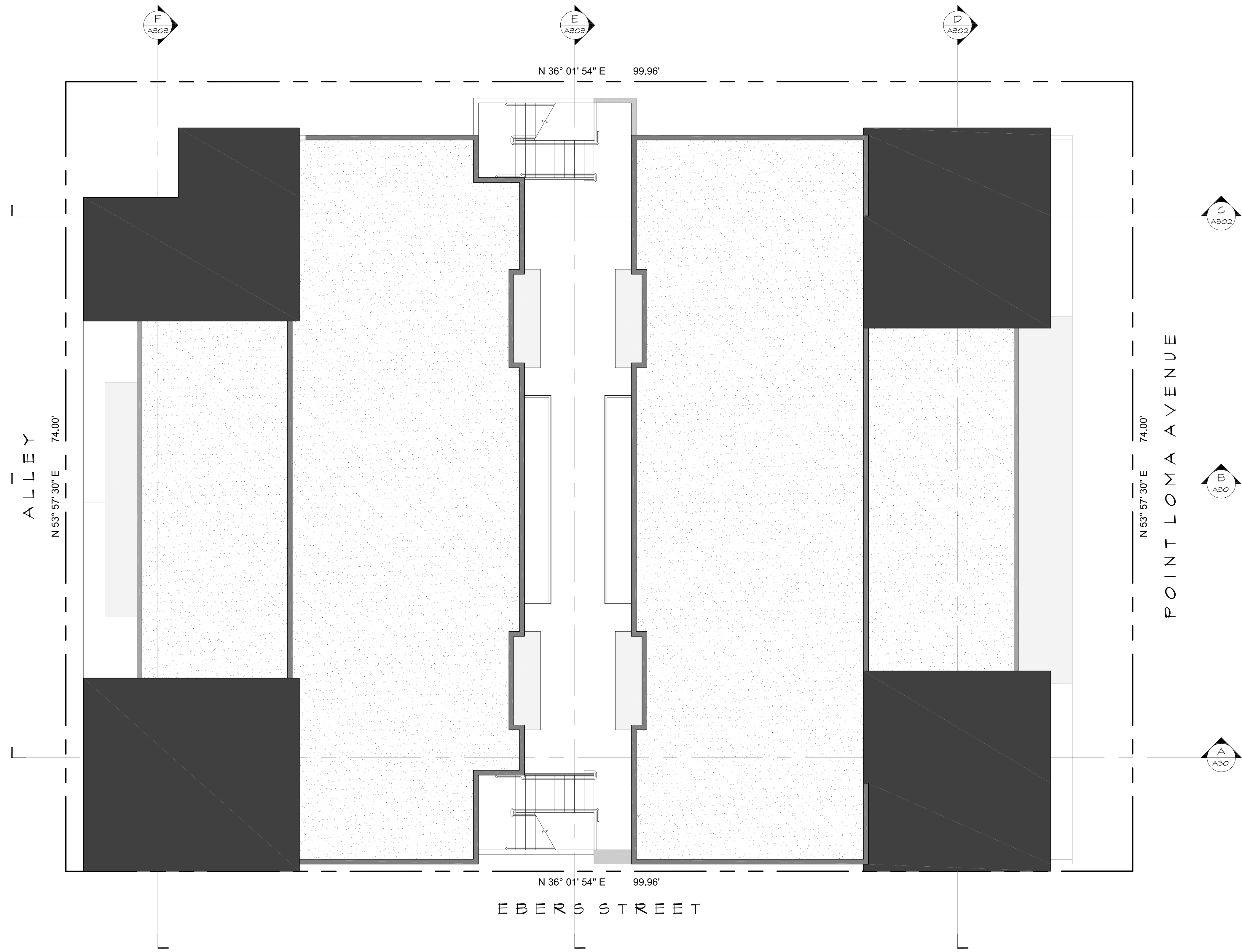
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THE POINT
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golba
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A005
 DATE: 02-27-24

PROPRIETARY DESIGN. THE DRAWINGS, DESIGN AND INFORMATION CONTAINED ON THIS SHEET ARE THE PROPERTY OF GOLBA ARCHITECTURE AND ARE DEVELOPED FOR USE ON AND IN CONNECTION WITH THIS SPECIFIC PROJECT AND ARE DISCLOSED IN CONFIDENCE AND SHALL NOT BE COPIED, REPRODUCED, PUBLISHED, OR OTHERWISE USED, DIRECTLY OR INDIRECTLY, IN WHOLE OR IN PART TO PROVIDE INFORMATION TO PROMOTE, CONSTRUCT, OR MANUFACTURE DRAWINGS, PRINTS, APPARATUS, PARTS, OR ASSEMBLIES WITHOUT THE FULL KNOWLEDGE AND WRITTEN CONSENT OF GOLBA ARCHITECTURE. THIS DRAWING IS PROTECTED BY COPYRIGHT LAW. ALL PATENTABLE MATERIAL CONTAINED HEREIN AND ORIGINATING WITH GOLBA ARCHITECTURE SHALL BE THE PROPERTY OF GOLBA ARCHITECTURE. ANY USE OF MATERIAL SHALL BE SUBJECT TO ROYALTY PAYMENTS TO GOLBA ARCHITECTURE.



ROOF PLAN LEGEND

- NEW SLOPED ROOF HIGH POINT AT 71.81'
- NEW ROOF PARAPET AT 70.48'
- NEW ROOF PARAPET AT 69.48'
- NEW FLAT ROOF AT 68.98'
- NEW BALCONY ROOF AT 68.98'

ROOF DRAINAGE SCUPPER, OVERFLOW SCUPPER, & DOWNSPOUT. ROOF DRAINAGE TO BE COLLECTED & DIRECTED TO EITHER A FILTERRA BIOFILTRATION UNIT OR A DRAINAGE SWALE AT THE REAR OF THE PROPERTY.

CAL GREEN NOTES:

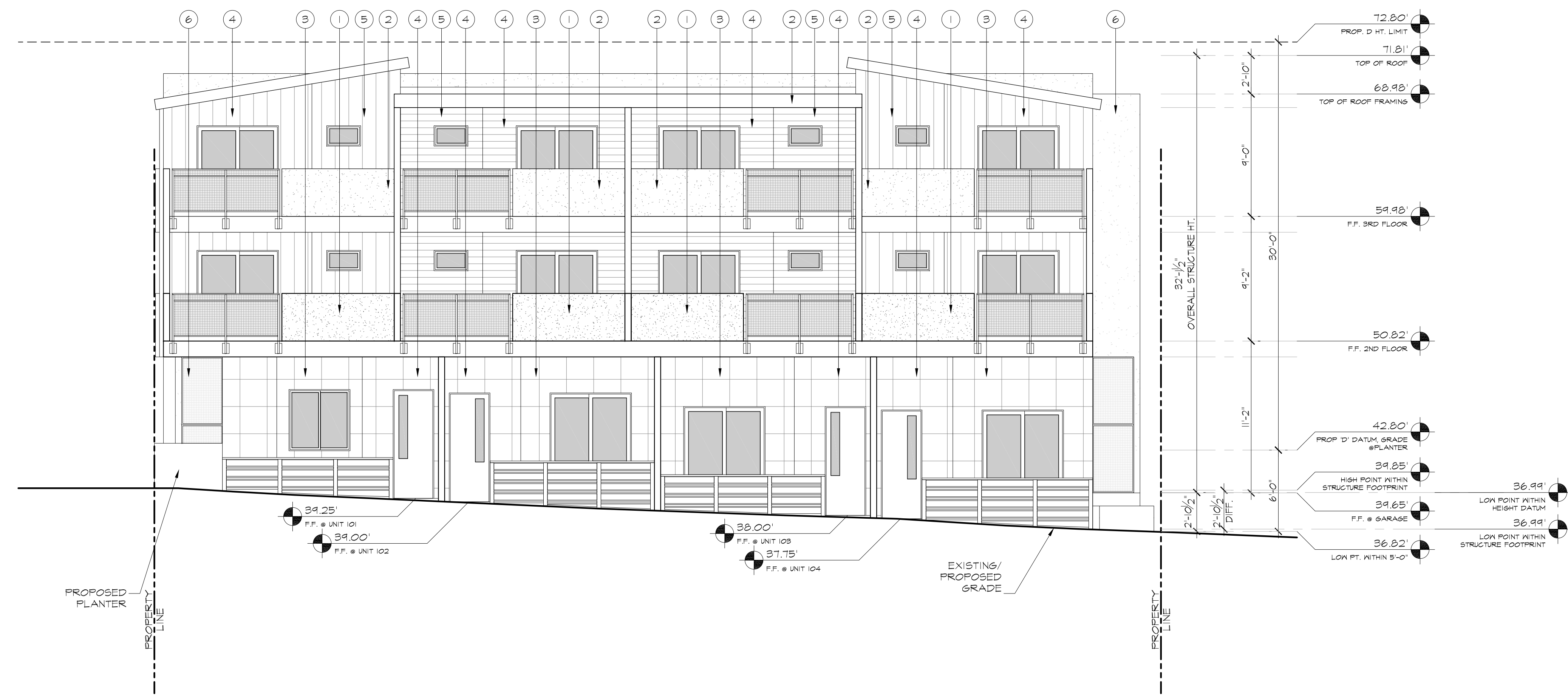
1. THE RESIDENTIAL COMPONENT OF THE PROPOSED PROJECT WILL INCLUDE ROOFING MATERIALS THAT HAVE A MINIMUM 3-YEAR AGED SOLAR REFLECTION AND THERMAL EMITTANCE OR SOLAR REFLECTION INDEX EQUAL TO OR GREATER THAN THE VALUES SPECIFIED IN THE VOLUNTARY MEASURES UNDER CALIFORNIA GREEN BUILDING STANDARDS.

ROOF PLAN
SCALE: 3/16"=1'-0"

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 SAN DIEGO, CA 92107

Golba
 INC
A006
 DATE: 02-27-24



NORTH (FRONT) ELEVATION (POINT LOMA AVE.)

SCALE: 3/16" = 1'-0"

1

PROP. "D" NOTES

- THE HIGHEST POINT OF THE ROOF, EQUIPMENT, OR ANY VENT, PIPE, ANTENNA OR OTHER PROJECTION SHALL NOT EXCEED 30 FEET ABOVE BASE OF MEASUREMENT (REFERENCE DATUM).
- A PRE-CONSTRUCTION INSPECTION IS REQUIRED DUE TO THE HEIGHT OF THE PROPOSED STRUCTURE BEING WITHIN ONE FOOT OF THE MAXIMUM HEIGHT ALLOWED IN THE COASTAL HEIGHT LIMIT OVERLAY ZONE (PROPOSITION D). THE PRE-CONSTRUCTION INSPECTION MUST BE SCHEDULED AND CLEARED BY THE FIELD INSPECTOR BEFORE ANY SUBSEQUENT INSPECTIONS CAN BE SCHEDULED.

MATERIAL LEGEND

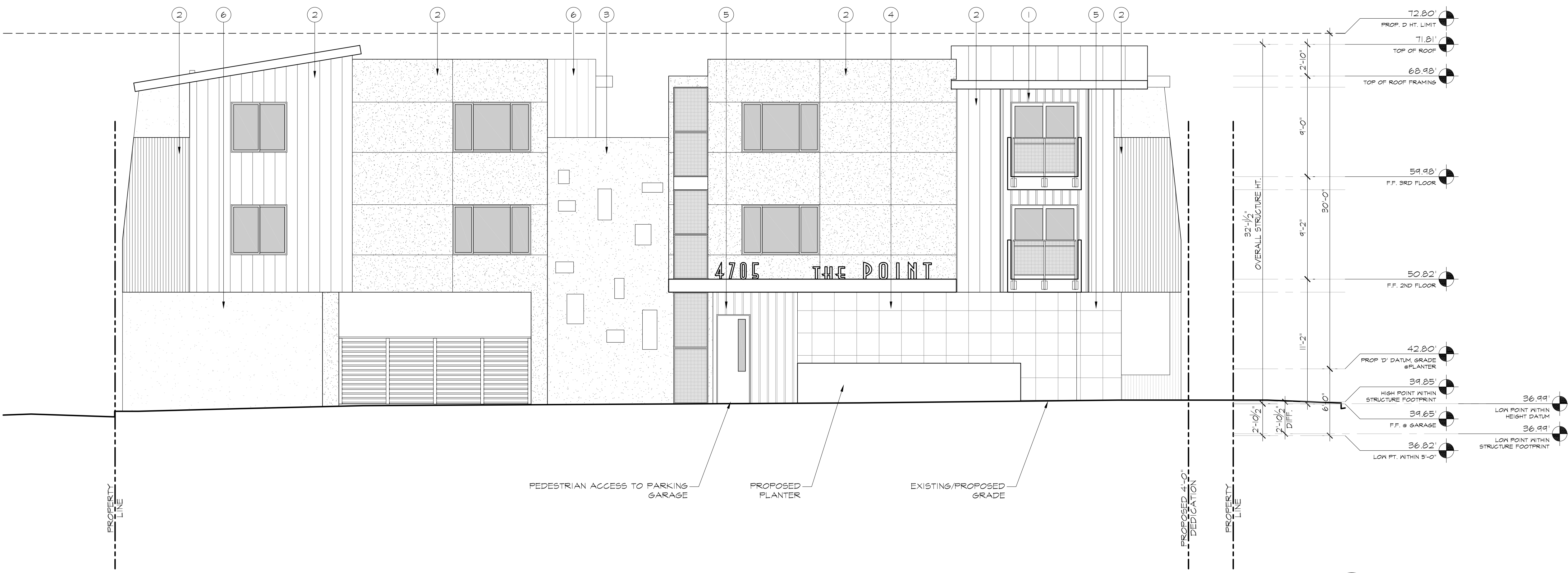
- JAMES HARDIE "HARDIPLANK" LAP SIDING, 8" EXPOSURE, COLOR TBD.
- JAMES HARDIE BOARD & BATTEN, COLOR TBD.
- BOARD & BATTEN
- CORRUGATED METAL SIDING
- STUCCO W/ "SYNERGY" COATING, COLOR TBD.
- OFFSETTING PLANES IDENTIFICATION AT STREET FRONTAGE

BUILDING ARTICULATION

FRONTAGE	FRONTAGE LENGTH	FRONTAGE AREA	
POINT LOMA AVENUE	71'-9"	2,292 S.F.	
PLANE #	AREA OF PLANE	AREA OF PLANE %	PLANE OFFSET
1	319 S.F.	13.9 %	
2	319 S.F.	13.9 %	OFFSET 1'-0" FROM PLANE #1
3	414 S.F.	18.1 %	OFFSET 4'-4" FROM PLANE #2
4	399 S.F.	17.4 %	OFFSET 8" FROM PLANE #3
5	247 S.F.	10.8 %	OFFSET 3" FROM PLANE #4
6	147 S.F.	6.4 %	OFFSET 35'-1" FROM PLANE #5
FRONTAGE	FRONTAGE LENGTH	FRONTAGE AREA	
EBERS STREET	94'-7"	2,292 S.F.	
PLANE #	AREA OF PLANE	AREA OF PLANE %	PLANE OFFSET
1	144 S.F.	5.2 %	
2	1315 S.F.	47.5 %	OFFSET 3 1/2" FROM PLANE #1
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5	149 S.F.	5.4 %	OFFSET 6" FROM PLANE #4
6	187 S.F.	6.8 %	OFFSET 3'-6 3/4" FROM PLANE #5

PER SDMC SECTION 131.0554(a), ALL BUILDINGS FRONTING A PUBLIC RIGHT-OF-WAY SHALL BE COMPOSED OF OFFSETTING PLANES THAT PROVIDE RELIEF IN THE BUILDING FACADE BY INSETTING OR PROJECTING SURFACES (PLANES) OF THE BUILDING.

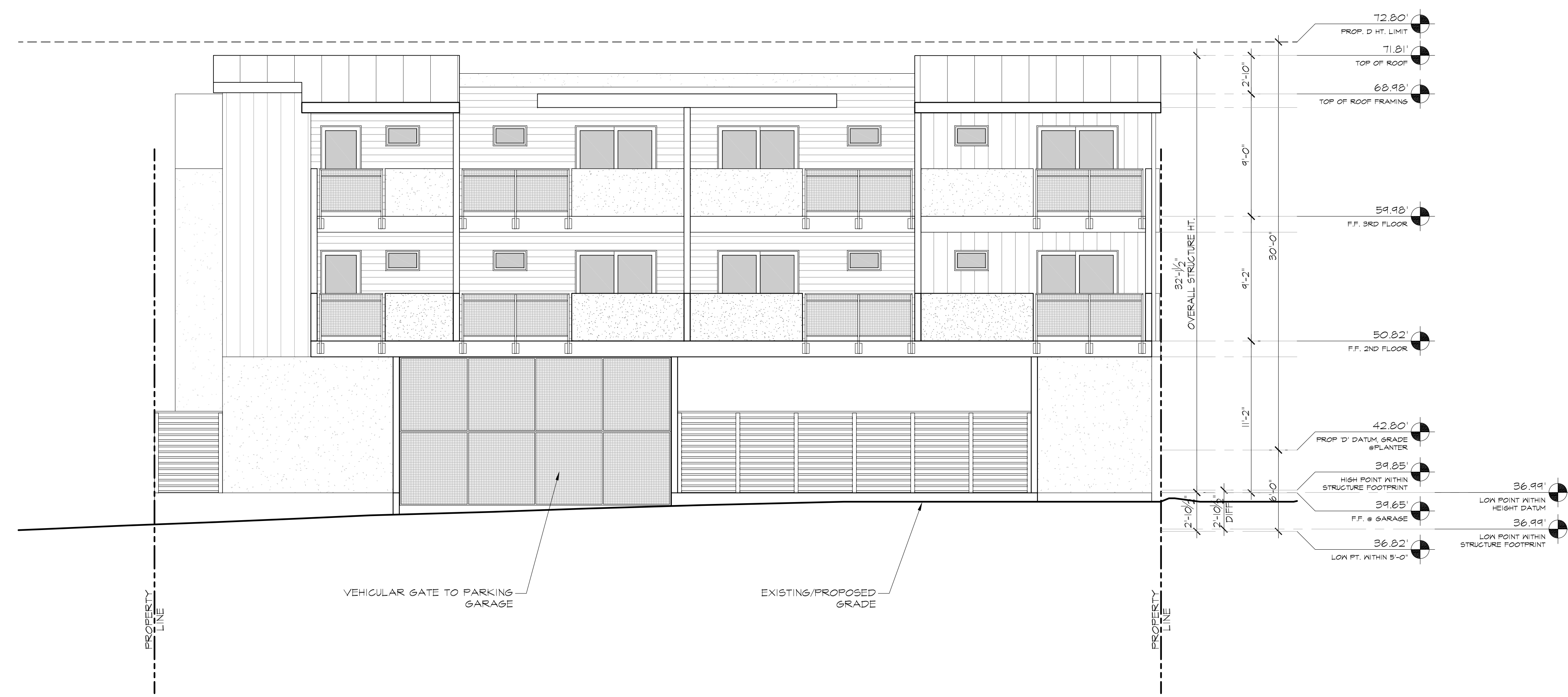
PER SDMC TABLE 131.055F, BUILDING FACADES BETWEEN 50'-0" & 100'-0" SHALL HAVE 6 OFFSETTING PLANES CONSISTING OF: 2 WITH 3' MIN. SEPARATION, 2 WITH 8' MIN. SEPARATION & 2 WITH 3'-0" MIN. SEPARATION.



EAST (STREET SIDE) ELEVATION (EBERS ST.)

SCALE: 3/16" = 1'-0"

2



SOUTH (REAR) ELEVATION (ALLEY)
SCALE: 3/16" = 1'-0"

PROP. "D" NOTES

- 1) THE HIGHEST POINT OF THE ROOF, EQUIPMENT, OR ANY VENT, PIPE, ANTENNA OR OTHER PROJECTION SHALL NOT EXCEED 30 FEET ABOVE BASE OF MEASUREMENT (REFERENCE DATUM).
- 2) A PRE-CONSTRUCTION INSPECTION IS REQUIRED DUE TO THE HEIGHT OF THE PROPOSED STRUCTURE BEING WITHIN ONE FOOT OF THE MAXIMUM HEIGHT ALLOWED IN THE COASTAL HEIGHT LIMIT OVERLAY ZONE (PROPOSITION D). THE PRE-CONSTRUCTION INSPECTION MUST BE SCHEDULED AND CLEARED BY THE FIELD INSPECTOR BEFORE ANY SUBSEQUENT INSPECTIONS CAN BE SCHEDULED.

MATERIAL LEGEND

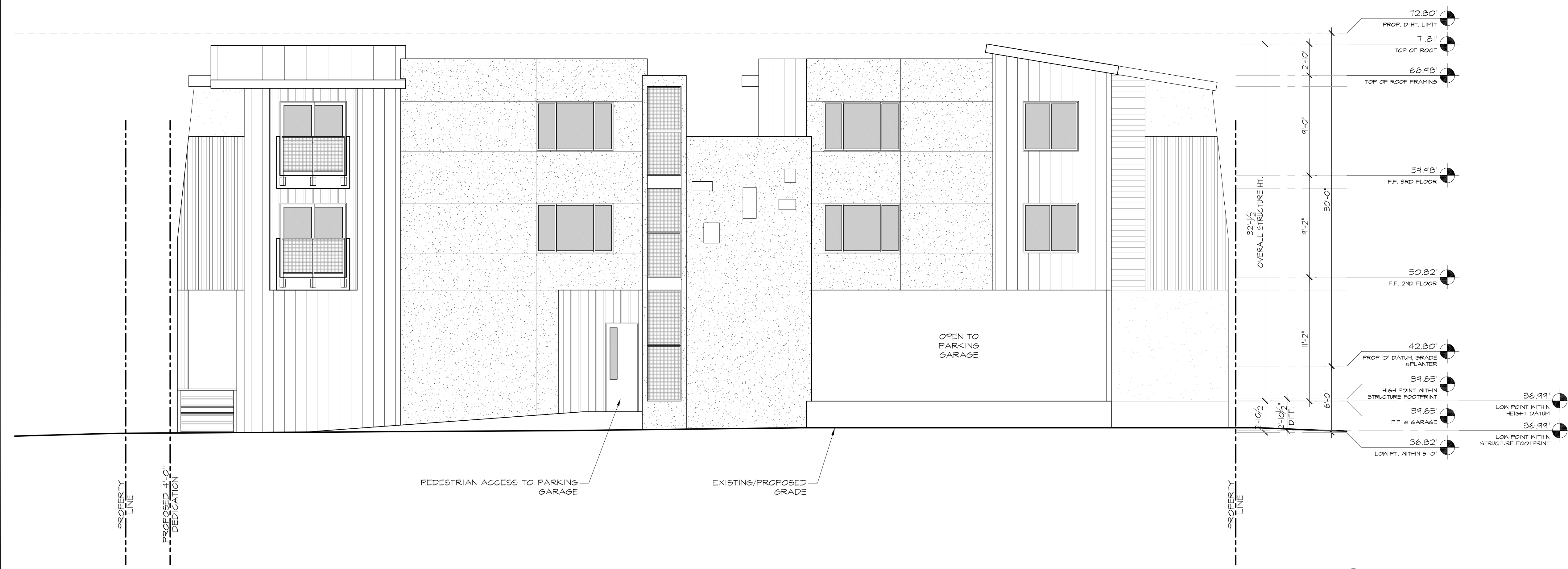
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- STUCCO W/ "SYNERGY" COATING, COLOR TBD.
- OFFSETTING PLANES IDENTIFICATION AT STREET FRONTAGE

BUILDING ARTICULATION

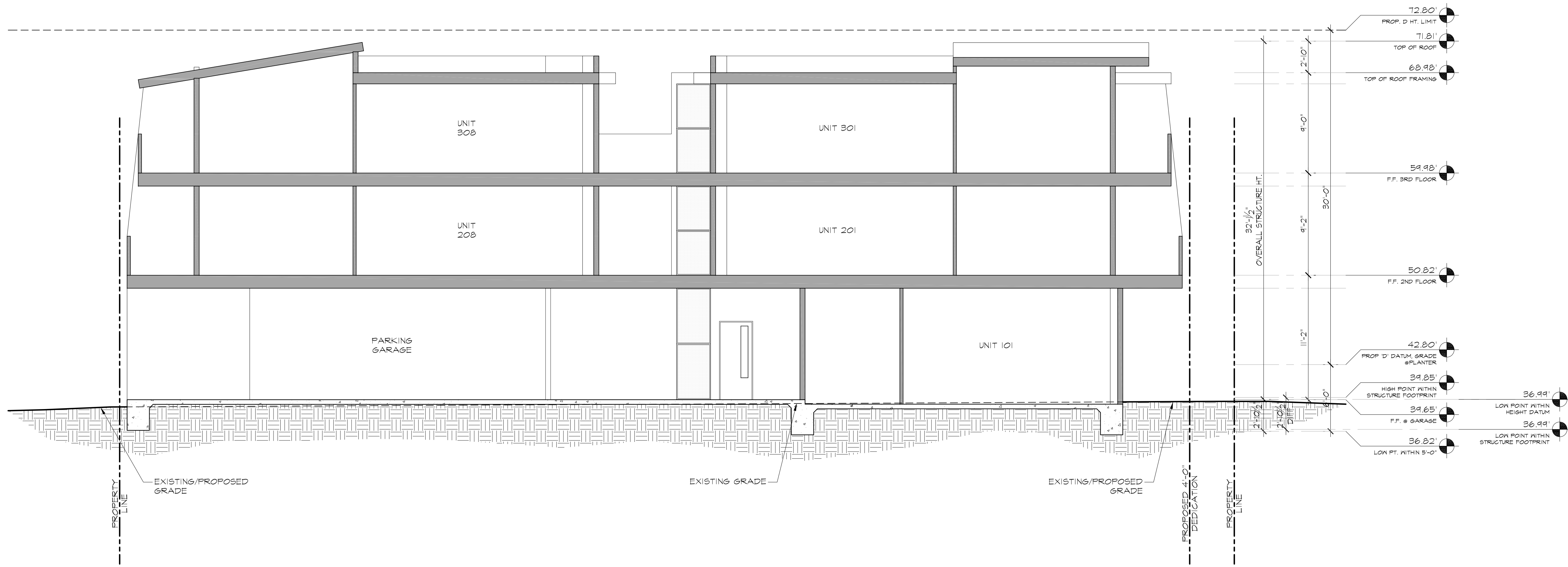
FRONTAGE	FRONTAGE LENGTH	FRONTAGE AREA	
POINT LOMA AVENUE	71'-9"	2,292 S.F.	
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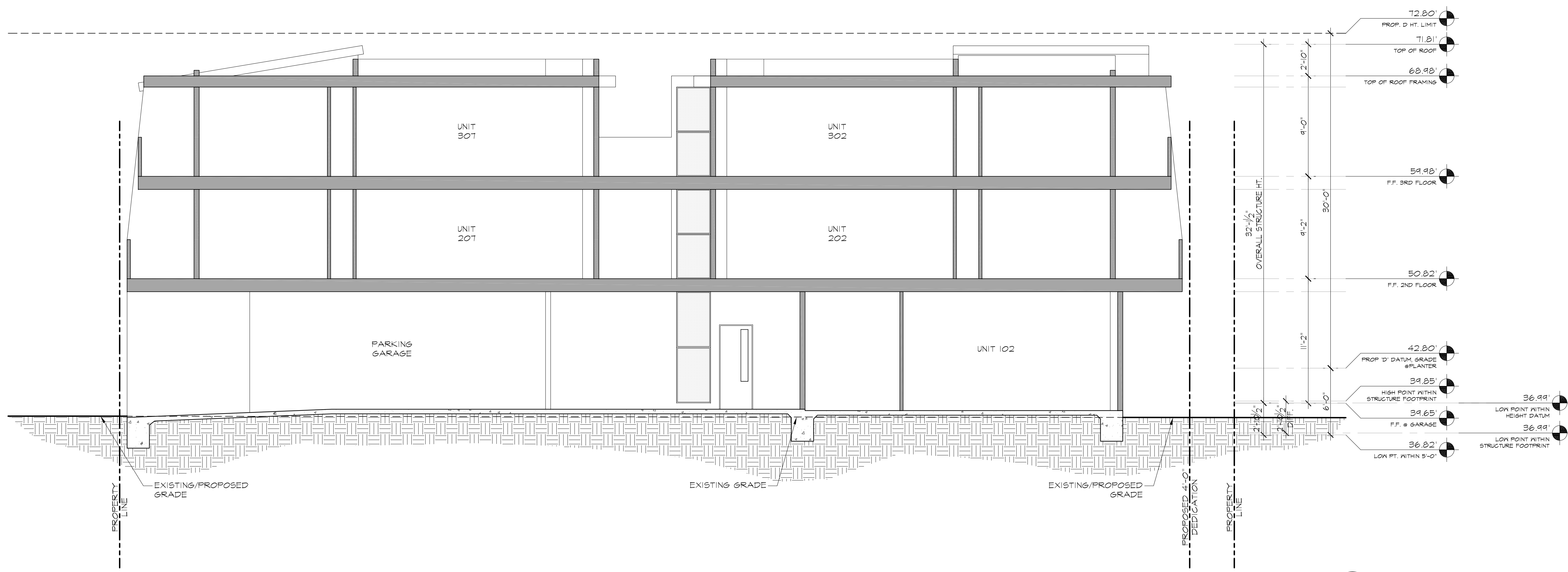
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WEST (SIDE) ELEVATION
SCALE: 3/16" = 1'-0"



SECTION A
SCALE: 3/16" = 1'-0"



SECTION B
SCALE: 3/16" = 1'-0"

PROP. "D" NOTES

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- CORRUGATED METAL SIDING
- STUCCO W/ "SYNERGY" COATING, COLOR TBD.
- OFFSETTING PLANES IDENTIFICATION AT STREET FRONTAGE

BUILDING ARTICULATION

FRONTAGE	FRONTAGE LENGTH	FRONTAGE AREA
POINT LOMA AVENUE	71'-9"	2,292 S.F.
EBERS STREET	44'-7"	2,292 S.F.

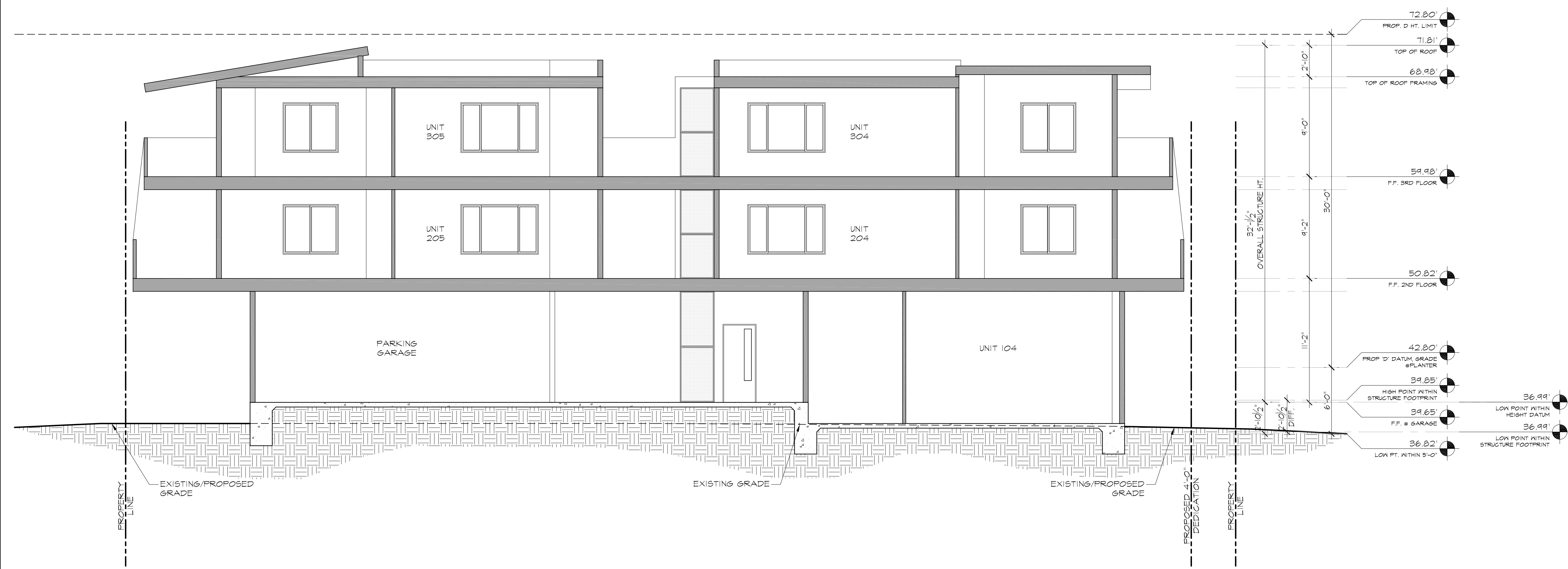
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FRONTAGE	FRONTAGE LENGTH	FRONTAGE AREA
EBERS STREET	44'-7"	2,292 S.F.

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SECTION C
SCALE: 3/16" = 1'-0"



SECTION D
SCALE: 3/16" = 1'-0"

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- CORRUGATED METAL SIDING
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- OFFSETTING PLANES IDENTIFICATION AT STREET FRONTAGE

BUILDING ARTICULATION

FRONTAGE	FRONTAGE LENGTH	FRONTAGE AREA
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EBERS STREET	44'-7"	2,292 S.F.

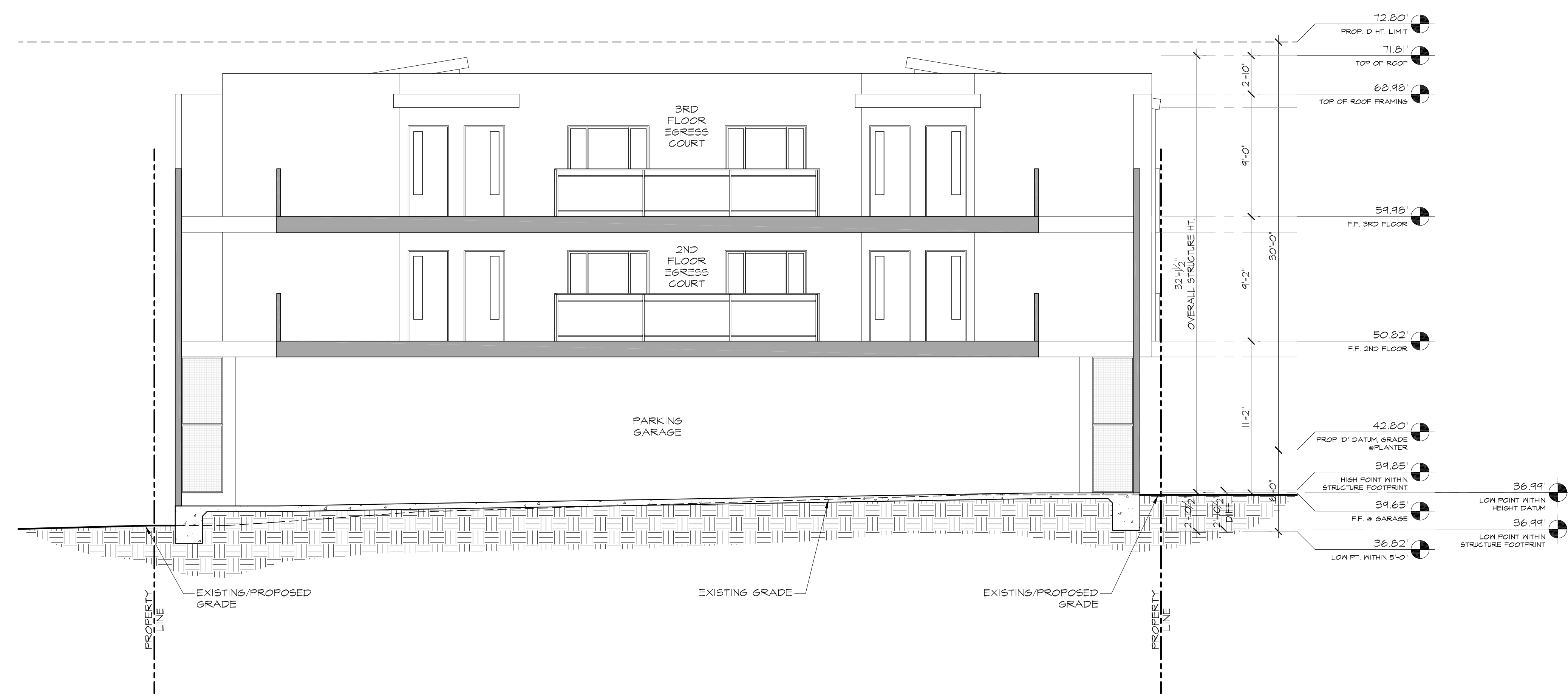
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FRONTAGE	FRONTAGE LENGTH	FRONTAGE AREA
EBERS STREET	44'-7"	2,292 S.F.

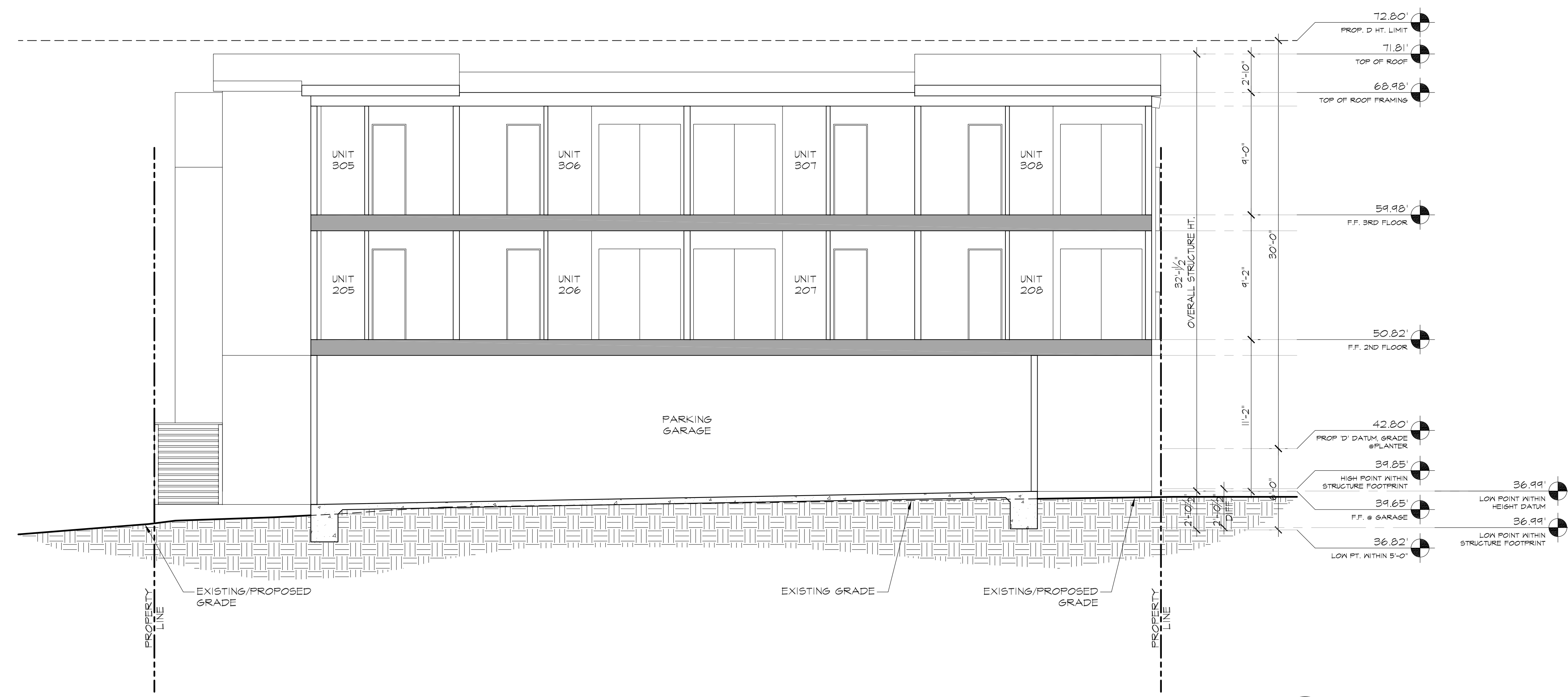
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SECTION E
SCALE: 3/16" = 1'-0"



SECTION F
SCALE: 3/16" = 1'-0"

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- OFFSETTING PLANES IDENTIFICATION AT STREET FRONTAGE

BUILDING ARTICULATION

FRONTAGE	FRONTAGE LENGTH	FRONTAGE AREA
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EBERS STREET	94'-7"	2,292 S.F.

PLANE #	AREA OF PLANE	AREA OF PLANE %	PLANE OFFSET
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PLANTING LEGEND:

TREES							
SYMBOL	SIZE	BOTANICAL NAME	COMMON NAME	HEIGHT / SPREAD	FORM / FUNCTION	WUCOLS	Water Conservation Zone
	24" BOX	BAUHINIA BLAKEANA	Hong Kong Orchid Tree	25' High / 25' Spread	Canopy Street Tree	Moderate / Medium	Zone 1
	24" BOX	TABEBUIA IMPETIGINOSA	Pink Trumpet Tree	25' High / 25' Spread	Canopy Street Tree	Moderate / Medium	Zone 2
ACCENT PLANTS							
	15 GAL.	AGAVE 'BLUE FLAME' AGAVE ATTENUATTA	Blue Flame Agave Foxtail Agave	3' High / 4' Spread	Accent	Low	Zone 3
	15 Gal.	AGAVE 'BLUE GLOW' PACHYCEREUS MARGINATUS	Blue Glow Agave Mexican Fence Post Cactus	3' High / 3' Spread 10' High / 6' Spread	Accent	Low	Zone 3
	15 GAL.	PHORMIUM TENAX 'ATROPURPUREA' PHORMIUM TENAX	New Zealand Flax	6' High / 6' Spread	Vertical Accent	Low	Zone 3
SHRUBS							
	5 GAL.	ASPARAGUS DENSIFLORUS 'MEYERII' ASPARAGUS DENSIFLORUS 'SPRENGERII'	Meyer's Asparagus Fern Sprenger's Asparagus Fern	4' High / 4' Spread	Accent Shrub	Moderate / Medium	Zones 1 & 3
	5 GAL.	ASPIDISTR A ELATIOR SANSEVERIA TRIFASCIATA	Cast Iron Plant Snake Plant	3' High / 2' Spread	Foundation Shrub - Deep Shade	Moderate / Medium	Zone 4
	5 GAL.	BACCHARIS PILULARIS 'PIGEON POINT' ARCTOSTAPHYLOS 'EMERALD CARPET'	Dwarf Coyote Bush Emerald Carpet Manzanita	2' High / 4' Spread	Foundation Shrub	Low	Zone 3
	5 GAL.	CISTUS X PULVERULENTUS 'SUNSET' CISTUS X HYBRIDUS	Magenta Rockrose White Rockrose	2' High / 4' Spread	Foundation Shrub	Low	Zones 1 & 3
GRASSES AND GRASS-LIKE PERENNIALS							
	1 GAL. @ 18" O.C.	DIANELLA 'CASSA BLUE' DIANELLA 'VARIEGATA'	Tasman Flax Lily Variegated Flax Lily	2' High / 2' Spread	Grass / Accent	Moderate / Medium	Zones 1, 2 & 3
	1GAL. @ 12" O.C.	FESTUCA 'SISKYOU BLUE' FESTUCA GLAUCA 'ELIJAH BLUE'	Siskyou Blue Fescue Elijah Blue Fescue	1' High / 2' Spread	Grass / Accent	Low	Zone 3
BIOFILTRATION							
		GRASSCRETE WITH MARATHON II TURFGRASS	Grasscrete	-	-	High	Zone 5
<p>NOTE: PER SDMC SECTION 142.0409(b)(2), PLANT MATERIAL, OTHER THAN TREES, LOCATED WITHIN VISIBILITY AREAS OR THE ADJACENT RIGHT-OF-WAY SHALL NOT EXCEED 36" IN HEIGHT, MEASURED FROM THE LOWEST GRADE ABUTTING THE PLANT MATERIAL TO THE TOP OF THE PLANT MATERIAL.</p>							

DESIGN STATEMENT:

AS AN INFILL PROJECT, THE PRIMARY INTENT OF THIS LANDSCAPE PLAN IS TO CREATE A LANDSCAPE DESIGN THAT INTEGRATES A NEW THREE STORY RESIDENTIAL APARTMENT BUILDING INTO AN EXISTING NEIGHBORHOOD; WHILE MEETING OR EXCEEDING THE CITY OF SAN DIEGO'S REQUIREMENTS FOR NEW DEVELOPMENT.
SEVERAL SECONDARY ISSUES WILL BE ADDRESSED WITH THIS PLAN AS WELL.
1. IMPLEMENTATION OF THE STREETScape PROGRAM OF THE OCEAN BEACH COMMUNITY PLAN ALONG EBERS STREET AND POINT LOMA AVENUE.
2. STORM WATER MANAGEMENT BMP'S WILL BE INTEGRATED INTO THE DESIGN OF THE SITE AND THE LANDSCAPING.
LASTLY THE LANDSCAPE PLAN WILL MERGE THE PLANT PALETTE OF THE EXISTING PROPERTY WITH MORE WATER CONSERVING PLANT MATERIAL, WHILE NOT APPEARING TOO VISUALLY DISTINCT.

LEGAL DESCRIPTION:

ALL OF LOT 3 AND THAT PORTION OF LOT 2, BLOCK 4, SUNSET CLIFFS, ACCORDING TO MAP THEREOF NO. 1889, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, MARCH 1, 1926, LYING NORTHERLY OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT A POINT ON THE NORTHEASTERLY LINE OF SAID LOT 2, DISTANT THEREON 36.12 FEET NORTHWESTERLY OF THE MOST EASTERLY CORNER OF SAID LOT 1 IN SAID BLOCK 4; THENCE SOUTHWESTERLY IN A STRAIGHT LINE TO THE INTERSECTION WITH THE SOUTHWESTERLY LINE OF SAID LOT 2 DISTANT THEREON 36.97 FEET NORTHWESTERLY OF THE MOST SOUTHERLY CORNER OF SAID LOT 1. ALL OF LOT 1 AND THAT PORTION OF LOT 2, BLOCK 4, SUNSET CLIFFS, ACCORDING TO MAP THEREOF NO. 1889, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, MARCH 1, 1926, LYING SOUTHERLY OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT A POINT ON THE NORTHEASTERLY LINE OF SAID LOT 2, DISTANT THEREON 36.12 FEET NORTHWESTERLY OF THE MOST EASTERLY CORNER OF SAID LOT 1 IN SAID BLOCK 4; THENCE SOUTHWESTERLY IN A STRAIGHT LINE TO THE INTERSECTION WITH THE SOUTHWESTERLY LINE OF SAID LOT 2 DISTANT THEREON 36.97 FEET NORTHWESTERLY OF THE MOST SOUTHERLY CORNER OF SAID LOT 1.

BRUSH MANAGEMENT:

THE PROJECT SITE IS SITUATED WITHIN AN URBANIZED AREA AND DOES NOT REQUIRE A BRUSH MANAGEMENT PLAN.

NOTES:

NO TREES OR SHRUBS EXCEEDING THREE FEET IN HEIGHT AT MATURITY SHALL BE INSTALLED WITHIN TEN FEET OF ANY SEWER AND FIVE FEET OF ANY WATER FACILITIES.

ALL LANDSCAPE AND IRRIGATION SHALL CONFORM TO THE STANDARDS OF THE CITY-WIDE LANDSCAPE REGULATIONS AND THE CITY OF SAN DIEGO LAND DEVELOPMENT MANUAL LANDSCAPE STANDARDS AND ALL OTHER LANDSCAPE RELATED RELATED CITY AND REGIONAL STANDARDS.

A MINIMUM ROOT ZONE OF 40 S.F. IN AREA SHALL BE PROVIDED FOR ALL TREES. THE MINIMUM DIMENSION FOR THIS AREA SHALL BE 5 FEET, PER SDMC 142.0403(B)5.

TREES SHALL BE MAINTAINED SO THAT ALL BRANCHES OVER PEDESTRIAN WALKWAYS ARE 6 FEET ABOVE THE WALKWAY GRADE AND BRANCHES OVER VEHICULAR TRAVEL WAYS ARE 16 FEET ABOVE THE GRADE OF THE TRAVEL WAY PER THE SAN DIEGO MUNICIPAL CODE §142.0403(B)(10).

TREE ROOT BARRIERS SHALL BE INSTALLED WHERE TREES ARE PLACED WITHIN 5 FEET OF PUBLIC IMPROVEMENTS INCLUDING WALKS, CURBS, OR STREET PAVEMENTS OR WHERE NEW PUBLIC IMPROVEMENTS ARE PLACED ADJACENT TO EXISTING TREES. THE ROOT BARRIER WILL NOT WRAP AROUND THE ROOT BALL. INSTALLATION OF ROOT BARRIERS IN THESE LOCATIONS SHALL BE SUBJECT TO THESE CONDITIONS PER 142.0403(B).

IF ANY REQUIRED LANDSCAPE INDICATED ON THE APPROVED CONSTRUCTION DOCUMENT PLANS IS DAMAGED OR REMOVED, 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.

IRRIGATION:

ALL LANDSCAPED AREAS WILL BE IRRIGATED WITH A FULLY AUTOMATIC, PERMANENT IRRIGATION SYSTEM.

AN AUTOMATIC, ELECTRONICALLY CONTROLLED IRRIGATION SYSTEM SHALL BE PROVIDED AS REQUIRED BY LDC 142.0403(C) FOR PROPER IRRIGATION, DEVELOPMENT, AND MAINTENANCE OF THE VEGETATION IN A HEALTHY, DISEASE RESISTANT CONDITION. THE DESIGN OF THE SYSTEM SHALL PROVIDE ADEQUATE SUPPORT FOR THE VEGETATION SELECTED.

MAINTENANCE:

1. LANDSCAPE AND IRRIGATION AREAS IN PROPERTY SHALL BE MAINTAINED BY THE PROPERTY OWNER.
2. LANDSCAPE AND IRRIGATION AREAS IN THE RIGHT-OF-WAY SHALL BE MAINTAINED BY THE PROPERTY OWNER.
3. THE LANDSCAPED AREAS SHALL BE MAINTAINED FREE OF DEBRIS AND LITTER, AND ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY GROWING CONDITION. DISEASED OR DEAD PLANT MATERIAL SHALL BE SATISFACTORILY TREATED OR REPLACED PER THE CONDITIONS OF THE PERMIT.
4. ALL PRUNING SHALL COMPLY WITH THE STANDARDS OF THE AMERICAN NATIONAL STANDARDS INSTITUTE (ANSI) FOR TREE CARE OPERATIONS AND THE INTERNATIONAL SOCIETY OF ARBORICULTURE (ISA) FOR TREE PRUNING. TOPPING OF TREES IS NOT PERMITTED.

STREET TREES:

STREET TREES SHALL BE PROVIDED PER CITY OF SAN DIEGO MUNICIPAL CODE 142.04.09. THIS PROJECT INSTALLS NEW STREET TREES ON-SITE AT A RATE THAT MEETS OR EXCEEDS THE REQUIREMENTS OF THIS SECTION. SEE SHEET L7 FOR EXISTING TREE LOCATION AND SIZING AND EXISTING TREE PROTECTION NOTES. SEE SHEET L2 FOR NEW STREET TREE LOCATIONS.

HISTORICAL CONCRETE:

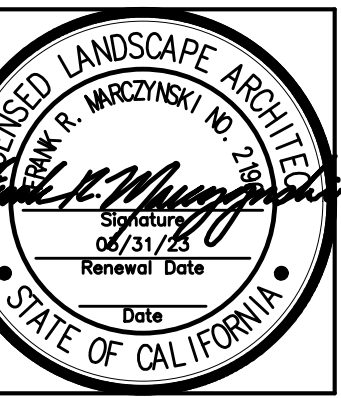
NEW CONCRETE SIDEWALKS SHALL BE IN SUBSTANTIAL CONFORMANCE WITH HISTORIC DESIGN OF SIDEWALKS ON ADJACENT PROPERTIES INCLUDING LOCATION, WIDTH, ELEVATION, SCORING PATTERN, TEXTURE, COLOR, AND MATERIAL. EXISTING CONTRACTOR DATE STAMPS ARE ALSO CONSIDERED HISTORIC MARKINGS TO BE PRESERVED. CONTRACTOR SHALL REMOVE AND PROTECT ANY CONTRACTOR DATE STAMPS ON-SITE AND RESET THEM ON SITE IN NEW CONCRETE AT A NEARBY LOCATION.

MINIMUM TREE SEPARATION DISTANCE:

- TRAFFIC SIGNALS (STOP SIGN) - 20 FEET
- UNDERGROUND UTILITY LINES - 5 FEET*
- SEWER LINES - 10 FEET
- ABOVE GROUND UTILITY STRUCTURES - 10 FEET
- DRIVEWAY (ENTRIES) - 10 FEET
- INTERSECTIONS (INTERSECTING CURB LINES OF TWO STREETS) - 25 FEET
- *NOTE THAT THE MINIMUM DISTANCE TO ANY SEWER LINE IS TYPICALLY 10 FEET

TOPIA

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POINT LOMA UNITS

4705 Point Loma Avenue,
San Diego, Ca
92107

PROJECT NO. 20.002.00

NOT FOR CONSTRUCTION

ISSUED
Issue Date

THE USE OF THESE PLANS AND SPECIFICATIONS SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH THEY WERE PREPARED AND PUBLICATION THEREOF IS EXPRESSLY LIMITED TO SUCH USE. REPRODUCTION, PUBLICATION, OR REUSE BY ANY METHOD, IN WHOLE OR IN PART WITHOUT EXPRESS WRITTEN CONSENT OF TOPIA IS PROHIBITED. TITLE TO THE PLANS AND SPECIFICATIONS REMAIN IN TOPIA WITHOUT PREJUDICE. VISUAL CONTACT WITH THESE PLANS AND SPECIFICATIONS SHALL CONSTITUTE PRIMA FACIE EVIDENCE OF THE ACCEPTANCE OF THESE RESTRICTIONS.

Landscape Development Plan Notes and Legends

DATE: 02.07.24
SCALE: N/A

L1

FOR CONCEPTUAL LANDSCAPE PLAN, SEE SHEET L2.

STREET TREE CALCULATIONS

PER COMPLETE COMMUNITIES HOUSING SOLUTIONS SECTION 143.1025(a)(2): STREET TREES: AT LEAST ONE, 24-INCH CANOPY FORM TREE IS REQUIRED FOR EACH 20 FEET OF STREET FRONTAGE. THE STREET FRONTAGE EXCLUDES CURB CUTS AND REQUIRED CLEARANCES FOR DESIGNATED BUS STOPS. THE INSTALLED TREE SPACING AND LOCATION MAY BE VARIED TO ACCOMMODATE SITE CONDITIONS OR DESIGN CONSIDERATIONS.

EBERS STREET FRONTAGE = 99'-11"
REQUIRED STREET TREES
 (1) - 24" BOX PER 20' OF STREET FRONTAGE = (5) STREET TREES
PROVIDED STREET TREES
 (5) - 24" BOX TREES

POINT LOMA AVENUE FRONTAGE = 74'-0"
REQUIRED STREET TREES
 (1) - 24" BOX PER 20' OF STREET FRONTAGE = (3) STREET TREES
PROVIDED STREET TREES
 (3) - 24" BOX TREES

TOPIA

2030 Galveston Street
 San Diego, CA 92110
 Tel: (858) 458-0555
 www.topialand.com



POINT LOMA UNITS

4705 Point Loma Avenue,
 San Diego, Ca
 92107

PROJECT NO. 20.002.00

NOT FOR CONSTRUCTION

ISSUED
 Issue Date

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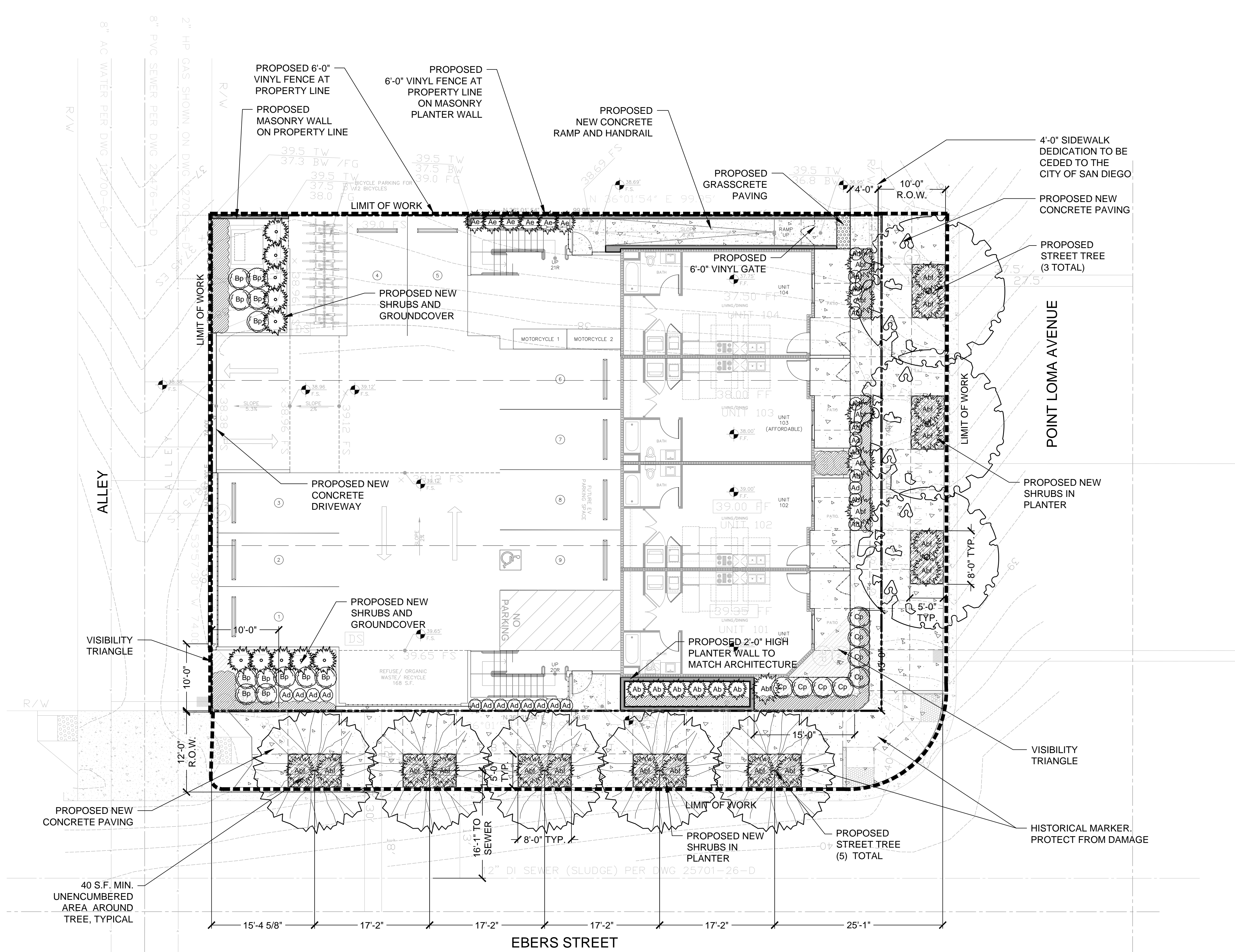
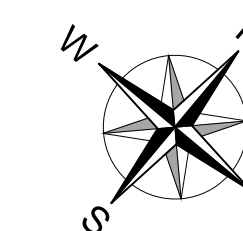
Conceptual Landscape Plan
 First Floor

DATE: 02.07.24
 SCALE: 1/8" = 1'-0"

L2

FOR LANDSCAPE DEVELOPMENT NOTES AND LEGENDS, SEE SHEET L1.

FOR EXISTING TREE DISPOSITION PLAN, SEE SHEET L7.



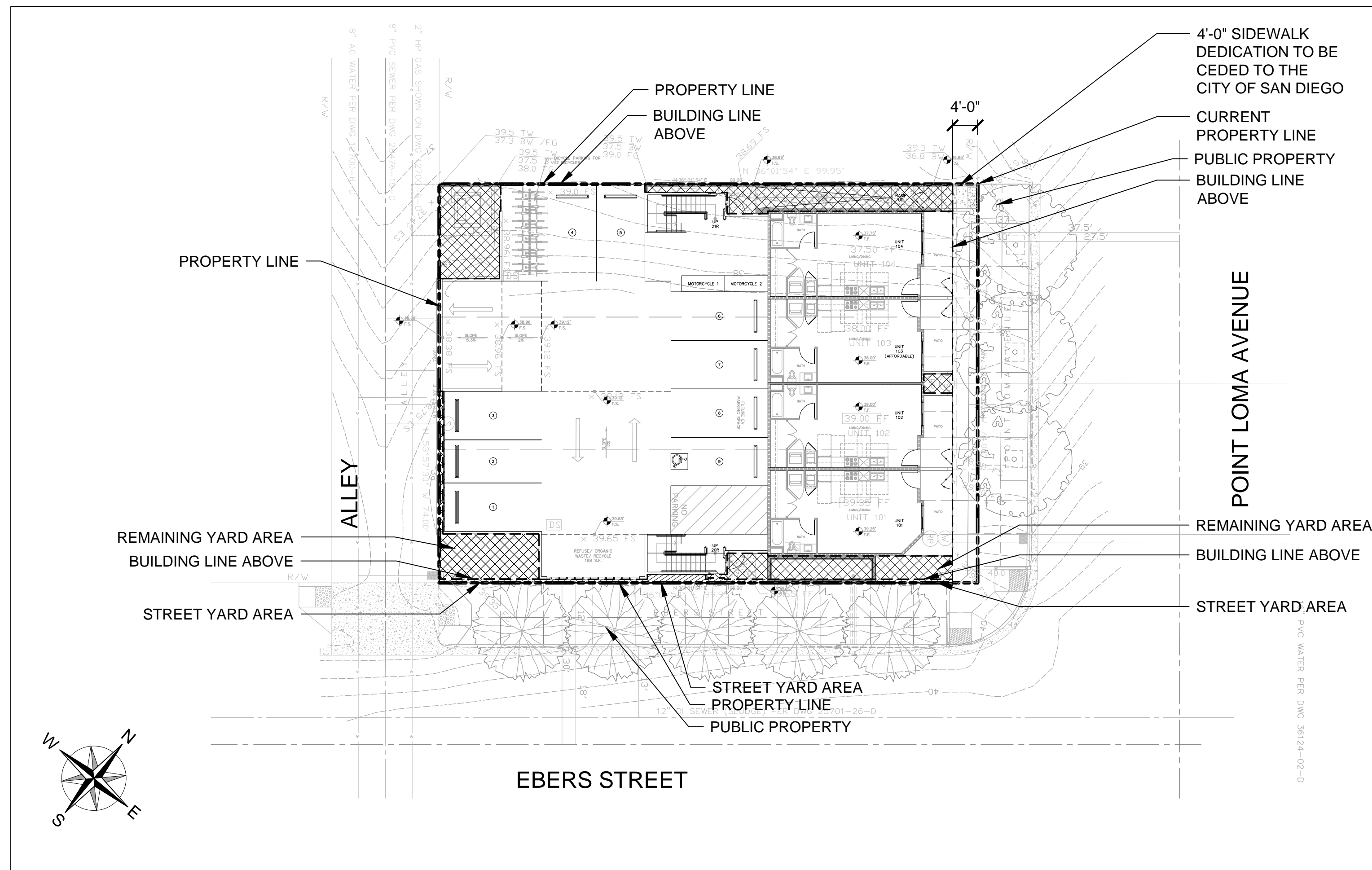
FOR LANDSCAPE DEVELOPMENT NOTES AND LEGENDS, SEE SHEET L1.

FOR EXISTING TREE DISPOSITION PLAN, SEE SHEET L7.

YARD CALCULATION LEGEND:

SYMBOL	YARD AREA	SQUARE FOOTAGE (S.F.)
	A. Street Yard	75 S.F.
	B. Remaining Yard - 10' offset of the Building Structural Envelope	815 S.F.
	Plant Point Area	

*Required s.f. of Common Open Area at Courtyard for this Project = 0 s.f. Refer to Architect's plans for information regarding incentivizing out the common open space for this project.

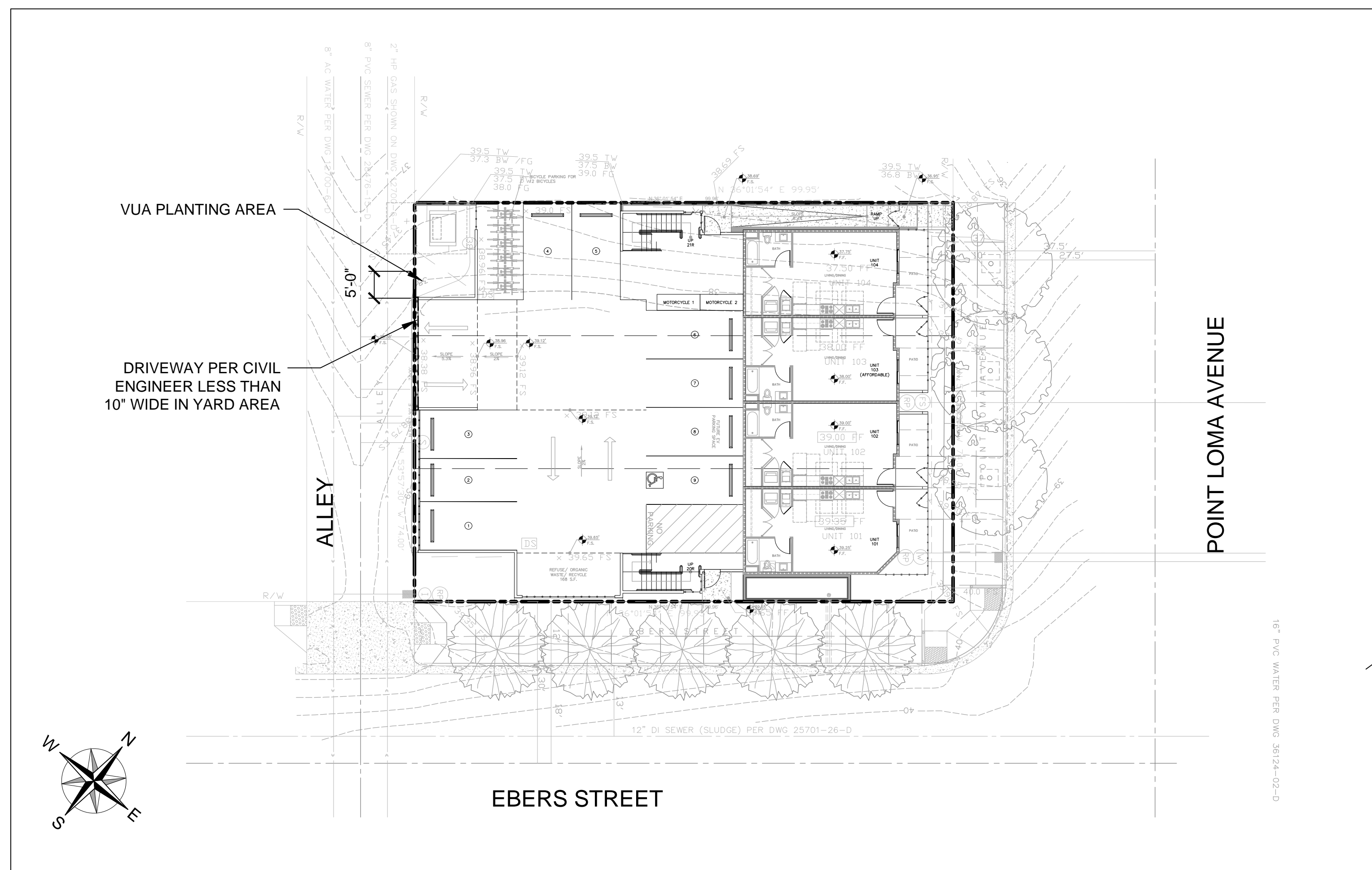


STREET YARD AND REMAINING YARD FIRST FLOOR

SCALE: 1/16" = 1'-0"

YARD CALCULATION LEGEND:

SYMBOL	YARD AREA	SQUARE FOOTAGE (S.F.)
	C. Vehicular Use Area Inside Street Yard	0 S.F.
	D. Vehicular Use Area Outside Street Yard	14 S.F.
	Plant Point Area	



VEHICULAR USE AREA INSIDE STREET YARD AND OUTSIDE STREET YARD

SCALE: 1/16" = 1'-0"

Provide the following information on the Landscape Plans. The Landscape Calculations determine the planting area and plant points required by the Landscape Regulations, Chapter 14, Article 2, Division 4 of the Land Development Code. Refer to §142.0403 Table 142-048 for proposed and existing plant point schedule.

- At least one-half of the required planting points shall be achieved with trees.
- If any of the requirements of Landscape Regulations, Section 142.0405(a) 1, 2, and 3 apply to your project, provide a written summary explaining how requirements are being met.

VEHICULAR USE AREA (<6,000 sf) [§142.0406 - §142.0407]			
Planting Area Required	40 sq. ft. per tree.		
Plant Points Required	Plant Points Provided	Excess Points Provided	
Total Area 14 sq. ft. x 0.05 = 0.7 points	2 points	1.3 points	
Plant Points Achieved with Trees (50%)			
0 points			
VEHICULAR USE AREA (≥6,000 sf) [§142.0406 - §142.0407]			
Planting Area Required	Planting Area Provided	Excess Area Provided	
VUA inside Street Yard	sq. ft. x 0.05 = sq. ft.	sq. ft.	sq. ft.
VUA outside Street Yard	sq. ft. x 0.03 = sq. ft.	sq. ft.	sq. ft.
Plant Points Required	Plant Points Provided	Excess Points Provided	
VUA inside Street Yard	sq. ft. x 0.05 = points	points	points
Plant Points Achieved with Trees (50%)			
points			
VUA outside Street Yard	sq. ft. x 0.03 = sq. ft.	points	points
Plant Points Achieved with Trees (50%)			
0 points			
TEMPORARY VEHICULAR USE AREA [§142.0408] (a specified time limit of less than 5 years from the date of construction permit issuance.)			
Planting Area Required	Planting Area Provided	Excess Area Provided	
Length of Public ROW adjacent to VUA	ft. x 3 ft. = sq. ft.	sq. ft.	sq. ft.

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 DS-5 (08-20)

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POINT LOMA UNITS

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 San Diego, Ca 92107

PROJECT NO. 20.002.00

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Landscape Calculation / Diagram

DATE: 02.07.24
 SCALE: 1/16" = 1'-0"

FOR YARD CALCULATIONS, SEE SHEET L4.

AREA SCHEDULE:

AREA	LANDSCAPE SITE AREA	AREA COVERAGE REQUIRED (% OF TOTAL)	AREA COVERAGE REQUIRED (SQUARE FEET)	AREA COVERAGE ACHIEVED (SQUARE FEET)	AREA COVERAGE ACHIEVED (%)	EXCESS AREA ACHIEVED (SQUARE FEET)
Street Yard	75 S.F.	50%	38 S.F.	44 S.F.	100%	6
Remaining Yard - 10' from Structural Envelope	815 S.F.	30%	245 S.F.	490 S.F.	100%	245
Vehicular Use Area Inside Street Yard	N/A	5%	N/A	N/A	N/A	N/A
Vehicular Use Area Outside Street Yard	14 S.F.	3%	>1 S.F.	4 S.F.	100%	3

PLANT POINT SCHEDULE:

AREA	TOTAL AREA (S.F.)	PLANT MATERIAL POINTS REQUIRED (PTS./SQ.FT.)	PLANT MATERIAL POINTS REQUIRED (PTS. TOTAL)	POINTS TO BE ACHIEVED WITH TREES	TREES POINTS ACHIEVED (TOTAL)	TREES / SHRUBS POINTS ACHIEVED (TOTAL)	EXCESS POINTS ACHIEVED
Street Yard	75 S.F.	0.05	4	2	0**	16	12
Remaining Yard - 10' from Structural Envelope	815 S.F.	0.05	41	21	0**	289	248
Vehicular Use Area Inside Street Yard	N/A	0.05	N/A	N/A	N/A	N/A	N/A
Vehicular Use Area Outside Street Yard	14 S.F.	0.03	>1	0	0	2	1

**REFER TO ARCHITECT'S PLANS FOR INFORMATION REGARDING INCENTIVIZING OUT THE STREET YARD TREES AND REMAINING YARD TREES FOR THIS PROJECT.

PLANT POINT SCHEDULE*:

PLANT TYPE	PLANT VALUE	PLANT QUANTITY PER AREA				I STREET YARD POINTS ACHIEVED	II REMAINING YARD POINTS ACHIEVED	III VEHICULAR USE AREA IN STREET AREA POINTS ACHIEVED	IV VEHICULAR USE AREA OUTSIDE STREET AREA POINTS ACHIEVED
		I	II	III	IV				
PROPOSED TREES									
5 Gallon Tree	5	-	-	-	-	-	-	-	-
15 Gallon Tree	10	-	-	-	-	-	-	-	-
24" Box Tree	20	-	-	-	-	-	-	-	-
36" Box Tree	50	-	-	-	-	-	-	-	-
48" Box Tree	100	-	-	-	-	-	-	-	-
PROPOSED PALMS									
Dwarf Palms	1.5 PER B.T.H.	-	-	-	-	-	-	-	-
Feather Palms	1.5 PER B.T.H.	-	-	-	-	-	-	-	-
Fan Palms	1.5 PER B.T.H.	-	-	-	-	-	-	-	-
PROPOSED SHRUBS									
1 Gallon Shrub	1	0	67	-	2	0	67	-	2
5 Gallon Shrub	2	8	26	-	0	16	52	-	-
15 Gallon Shrub	10	0	17	-	0	0	170	-	-
EXISTING TREES									
Native 2" Cal.	100	-	-	-	-	-	-	-	-
Each Additional Inch	50	-	-	-	-	-	-	-	-
Non-Native 2" Cal.	50	-	-	-	-	-	-	-	-
Each Additional Inch	25	-	-	-	-	-	-	-	-
EXISTING PALMS									
Feather Palms	3 PER B.T.H.	-	-	-	-	-	-	-	-
Fan Palms	1.5 PER B.T.H.	-	-	-	-	-	-	-	-
EXISTING SHRUBS									
12" to 24" Spread/Height	4	-	-	-	-	-	-	-	-
24" and larger Spread/Height	15	-	-	-	-	-	-	-	-
TOTAL POINTS						16	289		2

* REFER TO LDC 142.0405(A)(2):
 "IF PLANTS AND PLANTING AREA ARE PROVIDED WITHIN A STREET YARD OR REMAINING YARD TO MEET OTHER REQUIREMENTS OF THIS DIVISION, INCLUDING VEHICULAR USE AREA AND REVEGETATION REQUIREMENTS, THEY MAY BE USED TO SATISFY THE PLANTING AREA AND PLANT POINTS REQUIRED BY TABLE 142-04C."

FOR LANDSCAPE CALCULATION DIAGRAM, SEE SHEET L3.

Provide the following information on the Landscape Plans. The Landscape Calculations determine the planting area and plant points required by the Landscape Regulations, Chapter 14, Article 2, Division 4 of the Land Development Code. Refer to §142.0403 Table 142-04B for proposed and existing plant point schedule.

- At least one-half of the required planting points shall be achieved with trees.
- If any of the requirements of Landscape Regulations, Section 142.0405(a) 1, 2, and 3 apply to your project, provide a written summary explaining how requirements are being met.

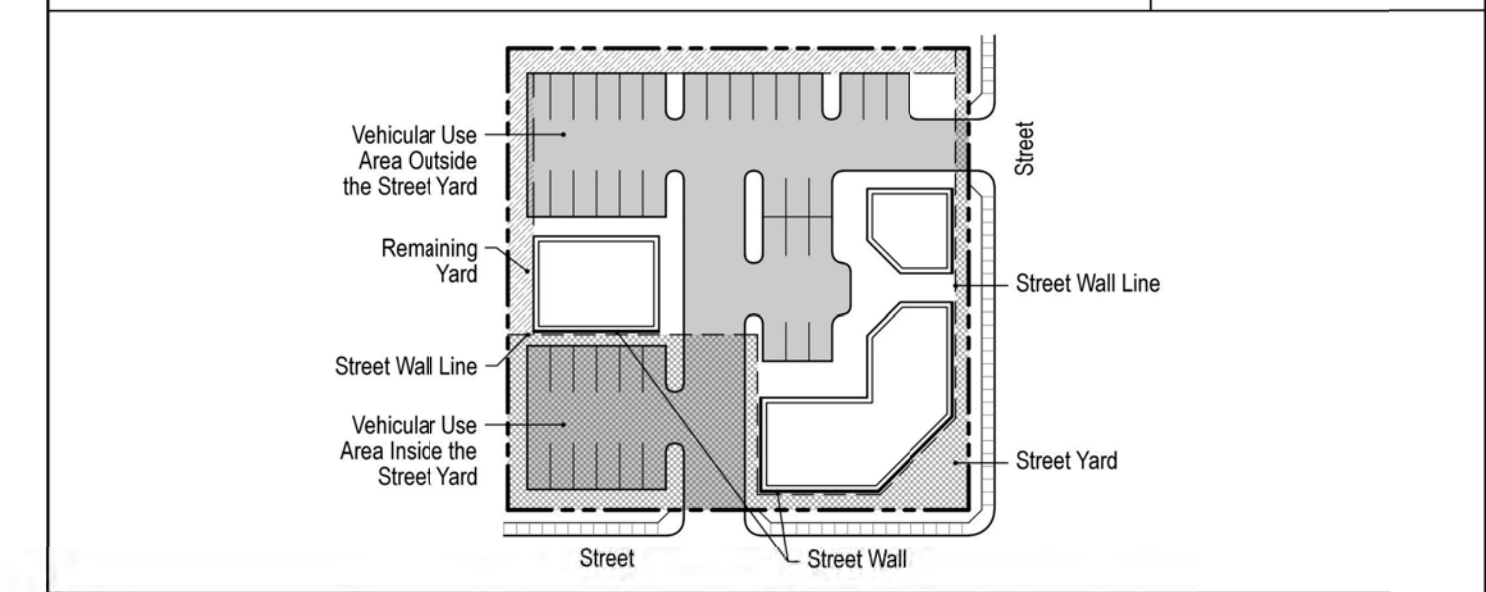
STREET YARD [§142.0404 - §142.0405] - All Multiple Dwelling Unit Residential Development

- Planting area in the public right-of-way is not counted towards fulfillment of the required street yard planting area.

Planting Area Required	Planting Area Provided	Excess Area Provided
Total Area <u>75</u> sq. ft. x 50% = <u>38</u> sq. ft.	<u>44</u> sq. ft.	<u>6</u> sq. ft.
Plant Points Required	Plant Points Provided	Excess Points Provided
Total Area <u>75</u> sq. ft. x 0.05 = <u>4</u> points	<u>16</u> points	<u>12</u> points
Plant Points Achieved with Trees (50%)		
0 points		

ADDITIONAL YARD PLANTING AND PLANT POINT REQUIREMENTS - IF APPLICABLE

Planting Area Reduction [§142.0405(a)(3)]	Minimum Planting Area with Allowed Reduction	Excess Points Required
Planting Area Required <u>38</u> sq. ft. x 25% = <u>9.5</u> sq. ft.	<u>38.5</u> sq. ft.	<u>0</u> points
Planting Area allowable as Hardscape [§142.0405(b)(1)(A)]	Hardscape Provided	
Planting Area Required <u>38</u> sq. ft. x 10% = <u>3.8</u> sq. ft.	<u>0</u> sq. ft.	



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 DS-6 (08-20)

REMAINING YARD [§142.0404 - §142.0405] - 4 Dwelling Units or Less
 A minimum of 60 points per residential structure. Planting shall be distributed within a 10-foot offset from the structural envelope or within the remaining yard.

Plant Points Required	Plant Points Provided	Excess Points Provided
60 points x <u>1</u> # of residential structures	<u>16</u> sq. ft.	<u>16</u> sq. ft.
Plant Points Achieved with Trees (50%)		
0 points		

REMAINING YARD [§142.0404 - §142.0405] - 5 Dwelling Units or More

Option 1:
 A minimum of 30 percent of the total area within a 10-foot offset from the structural envelope of each residential structure shall be planting area and shall be planted at a rate of 0.05 points per square foot of total area within the offset.

Planting Area Required	Planting Area Provided	Excess Area Provided
Total Area <u>815</u> sq. ft. x 30% = <u>245</u> sq. ft.	<u>490</u> sq. ft.	<u>245</u> sq. ft.
Plant Points Required	Plant Points Provided	Excess Points Provided
Total Area <u>815</u> sq. ft. x 0.05 = <u>41</u> points	<u>289</u> points	<u>248</u> points
Plant Points Achieved with Trees (50%)		
0 points		

Option 2:
 Where common open space areas are provided in the form of plazas, paseos, or courtyard (including decks), 20 percent of the total common open space area shall be planting area and shall be planted at a rate of 0.05 points per square foot of the total area. The required 20 percent of each open space area is to be calculated individually.

Planting Area Required	Planting Area Provided	Excess Area Provided
Total Area <u>15</u> sq. ft. x 20% = <u>3</u> sq. ft.	<u>15</u> sq. ft.	<u>12</u> sq. ft.
Plant Points Required	Plant Points Provided	Excess Points Provided
Total Area <u>15</u> sq. ft. x 0.05 = <u>0.75</u> points	<u>15</u> points	<u>14.25</u> points
Plant Points Achieved with Trees (50%)		
0 points		

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 DS-6 (08-20)

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POINT LOMA UNITS

4705 Point Loma Avenue,
 San Diego, Ca 92107

PROJECT NO. 20.002.00

NOT FOR CONSTRUCTION

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 Issue Date

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Yard Calculations

DATE: 02.07.24
 SCALE: N/A

L4

**WATER BUDGET
LANDSCAPE WORKSHEET**

This project worksheet is to be submitted to the City when the proposed development is subject to the water budget requirement in Chapter 14, Article 2, Division 4 (Landscape Regulations).

Project Name: Point Loma Units Project #: 20.002.00
 Project Address: 4705 Point Loma Avenue, San Diego, CA 92107
 Individual/Business Completing the Worksheet: Frank Marczynski / Topia
 Phone Number: (858) 458-0555

1. DEFINITIONS:

Estimated Total Water Use (ETWU): The total water used for the landscape based on the plants used and irrigation method selected for the landscape design. The ETWU shall not exceed the MAWA.

Evapotranspiration: The quantity of water as measured in average inches per year that evaporated from adjacent soil surfaces and transpired by plants during a specific time period. (Evapotranspiration data may be found at www.cimis.water.ca.gov. You may obtain a free password from the Department of Water Resources. The site also holds an abundance of informational links and complete instructions.)

Evapotranspiration Adjustment Factor (ETAF): A factor that when applied to reference evapotranspiration adjusts for plant water requirements and irrigation efficiencies, two major influences on the amount of water that is required for a healthy landscape.

Hydrozone: A section or zone of the landscaped area having plants with similar water needs that are served by a valve or set of valves with the same schedule. A hydrozone may be irrigated or non-irrigated. For the purpose of the calculation, the surface area of manmade water features (see LDM Section 1.8) are included in the high water use hydrozone, and the surface area of artificial turf and temporary irrigation is included in the low water use hydrozone.

Irrigation Audit: An in-depth evaluation of the performance of an irrigation system conducted by a professional authorized by the State to perform such work. An irrigation audit includes,

Legend for Estimated Total Water Use (ETWU) Calculation Formula

Symbol	Description of Symbol
ETo	Evapotranspiration (inches per year)
0.62	Conversion factor to gallons
PF	Plant Factor
HA	Hydrozone Area ² -(square feet)
IE	Irrigation Efficiency (0.81 for Drip System devices) (0.75 for Overhead Spray devices)
SLA	Special Landscape Area (square feet)

Use the following table to track information about each controller in the system.

Controller No.	Hydrozone No.	Valve Circuit	Plant Factor (PF)	Hydrozone Area in s.f. (HA)	Irrigation Method	Irrigation Efficiency (IE)	% Total Landscape Area
A	1		0.4	275	Drip	0.81	27.8%
A	2		0.4	200	Drip	0.81	20.3%
A	3		0.4	488	Drip	0.81	49.4%
A	4		0.5	15	Drip	0.81	01.5%
A	5		0.7	10	Drip	0.81	01.0%
Total							100%

Then plug in the numbers from each controller/hydrozone into the ETWU equation. Then total the gallons per year of each controller/hydrozone for the Estimated Total Water Use per year. **The total ETWU cannot exceed the total Water Budget-MAWA.**

Controller No.	ETWU [(ETo)(0.62)][($\frac{ETAF}{IE}$) + SLA]	Result in Gallons per Year
A-ZONE 1	(40)(0.62)((0.4)(275/0.81)) + 0	3,368
A-ZONE 2	(40)(0.62)((0.4)(200/0.81)) + 0	2,450
A-ZONE 3	(40)(0.62)((0.4)(488/0.81)) + 0	5,977
A-ZONE 4	(40)(0.62)((0.5)(15/0.81)) + 0	230
A-ZONE 5	(40)(0.62)((0.7)(10/0.81)) + 0	215
Total ETWU gallons per year		12,240

MAWA CALCULATIONS

MAWA (RESIDENTIAL) =	$(ETo)(0.62)[(ETAF \times LA) + ((1-ETAF) \times SLA)]$ $(40)(0.62)[(0.55 \times 988) + (0.45 \times 0)]$ $24.8[(543.4) + (0)]$ $24.8[543.4]$ 13,476.32 Gallons Per Year
-----------------------------	---

MAWA (TOTAL) =	13,476.32 Gallons Per Year
-----------------------	-----------------------------------

ETWU DOES NOT EXCEED MAWA.

TOPIA

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www.topialand.com



**POINT
LOMA
UNITS**

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PROJECT NO. 20.002.00

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**Water
Calculations**

DATE: 02.07.24
SCALE: N/A

L6

FOR WATER CONSERVATION PLAN,
SEE SHEET L5.

EXISTING TREE NOTES:

1. THE CLIENT ASSUMES ALL RELATED REMOVAL COSTS, INCLUDING THE RESPONSIBILITY OF REPLACING ANY SIDEWALK AND/OR CURB THAT WAS DAMAGED, OR REPAIRING ANY SIDEWAY TRIPPING HAZARDS.
2. ALL MATERIALS SPECIFIED TO THE REMOVED SHALL BE DISPOSED OF OFF-SITE PER LOCAL CODES AND REGULATIONS.
3. PER CALIFORNIA GREEN BUILDING CODE SECTION 5.408.4, 100% OF TREES, STUMPS, ROCKS AND ASSOCIATED VEGETATION AND SOILS RESULTING FROM LAND CLEANING SHALL BE RE-USED OR RECYCLED.

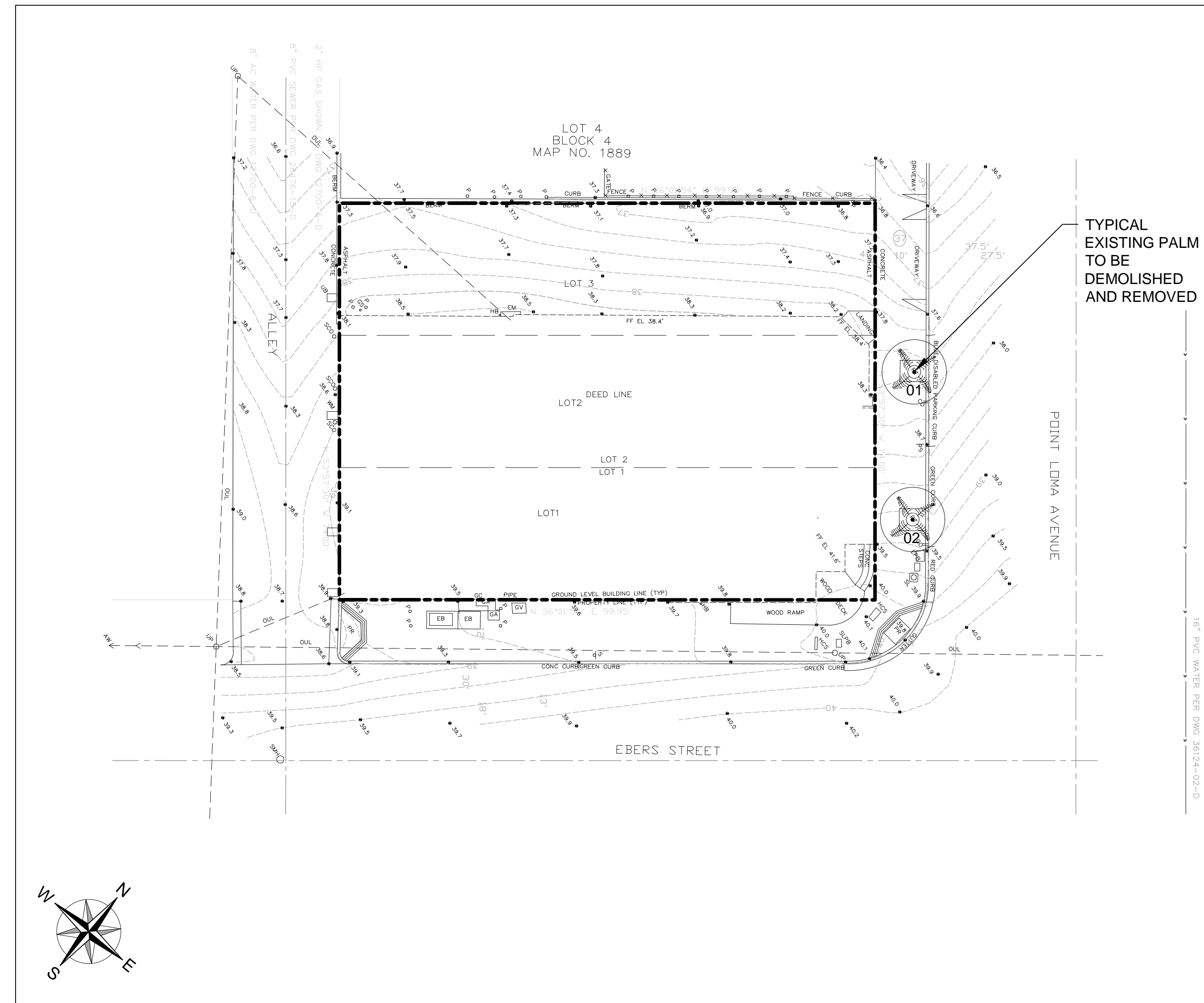
EXISTING TREE DISPOSITION LEGEND:

PALMS						
#	BOTANICAL NAME	COMMON NAME	CALIPER	HEIGHT	DRIFLINE (RADIUS)	ACTION
1	WASHINGTONIA ROBUSTA	Mexican Fan Palm	13"	26'	5'	To Be Demolished and Removed
2	WASHINGTONIA ROBUSTA	Mexican Fan Palm	13"	30'	5'	To Be Demolished and Removed



TREE #2

TREE #1



SITE PLAN

TOPIA

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Existing Tree Disposition Plan

DATE: 02.07.24
SCALE: 1/16" = 1'-0"

L7



**City of San Diego
Development Services**
1222 First Ave., MS 302
San Diego, CA 92101
(619) 446-5000

Ownership Disclosure Statement

**FORM
DS-318**

October 2017

Approval Type: Check appropriate box for type of approval(s) requested: Neighborhood Use Permit Coastal Development Permit
 Neighborhood Development Permit Site Development Permit Planned Development Permit Conditional Use Permit Variance
 Tentative Map Vesting Tentative Map Map Waiver Land Use Plan Amendment • Other _____

Project Title: The Point **Project No. For City Use Only:** _____

Project Address: 4705 Point Loma Avenue, San Diego, CA 92107

Specify Form of Ownership/Legal Status (please check):

Corporation Limited Liability -or- General – What State? CA Corporate Identification No. 201921910007
 Partnership Individual

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the owner(s), applicant(s), and other financially interested persons of the above referenced property. A financially interested party includes any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver or syndicate with a financial interest in the application. If the applicant includes a corporation or partnership, include the names, titles, addresses of all individuals owning more than 10% of the shares. If a publicly-owned corporation, include the names, titles, and addresses of the corporate officers. (A separate page may be attached if necessary.) If any person is a nonprofit organization or a trust, list the names and addresses of **ANY** person serving as an officer or director of the nonprofit organization or as trustee or beneficiary of the nonprofit organization. A signature is required of at least one of the property owners. Attach additional pages if needed. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Property Owner

Name of Individual: Michael E. Turk, Managing Member, Point Loma Avenue Villas, LLC Owner Tenant/Lessee Successor Agency

Street Address: 4641 Ingraham Street

City: San Diego State: CA Zip: 92109

Phone No.: 858-274-5995 Fax No.: 858-274-0964 Email: _____

Signature:  Date: 01/16/2023

Additional pages Attached: Yes No

Applicant

Name of Individual: Michael E. Turk, Managing Member, Point Loma Avenue Villas, LLC Owner Tenant/Lessee Successor Agency

Street Address: 4641 Ingraham Street

City: San Diego State: CA Zip: 92107

Phone No.: 858-274-5995 Fax No.: 858-274-0964 Email: _____

Signature:  Date: 01/16/2023

Additional pages Attached: Yes No

Other Financially Interested Persons

Name of Individual: _____ Owner Tenant/Lessee Successor Agency

Street Address: _____

City: _____ State: _____ Zip: _____

Phone No.: _____ Fax No.: _____ Email: _____

Signature: _____ Date: _____

Additional pages Attached: Yes No