



THE CITY OF SAN DIEGO

Report to the Planning Commission

DATE ISSUED: September 12, 2024 REPORT NO. PC-24-044

HEARING DATE: September 19, 2024

SUBJECT: 6850 COUNTRY CLUB DRIVE, Process Four Decision

PROJECT NUMBER: [PRI-1063767](#)

REFERENCE: Amending Coastal Development Permit No. 1050394, Site Development Permit No. 1050407, Planned Development Permit No. 1050409, [Project No. 292065](#) (MMRP)

OWNER/APPLICANT: FOXHILL INVCO ONE, LLC

SUMMARY

Issue: Should the Planning Commission approve a subdivision of one parcel to create eight new lots, including five residential lots (Lots 1-5), each with new, three-story, single dwelling units with a pool. Two of the lots will not be developed (Lots A and B) and one lot will serve as an access and utilities easement area (Lot C). Lot C will also serve as a private road with access and frontage to all five residential lots, located at [6850 Country Club Drive](#) within the [La Jolla Community Planning Area](#)?

Proposed Actions:

1. APPROVE Coastal Development Permit No. 3172975, Site Development Permit No. 3172976, Planned Development Permit No. 3276492 (amendment to Coastal Development Permit No. 1050394, Site Development Permit No. 1050407, Planned Development Permit No. 1050409, Project No. 292065); and
2. APPROVE Tentative Map No. 3172977; and
3. ADOPT the Addendum to the Reserve Environmental Impact Report (EIR) No. 292065/SCH No. 2014051069 and a Mitigation and Monitoring Report Program.

Fiscal Considerations: All costs associated with the processing of the application are recovered through a fee paid for by the applicant.

Housing Impact Statement: The project proposes to subdivide one parcel into eight lots, creating five new lots for residential use. The five new lots will each contain a single dwelling unit, creating more housing. This project is subject to the Inclusionary Housing Regulations of San Diego Municipal Code Chapter 14, Article 2, Division 13. The Owner/Permittee has indicated they will comply with the Inclusionary Housing Regulations by payment of the Inclusionary In-Lieu Fee to the City of San Diego.

Community Planning Group Recommendation: The applicant has chosen not to present and obtain a recommendation from the La Jolla Community Planning Association.

Environmental Impact: The Development Services Department Environmental Staff reviewed the proposed project and determined that the project will not have a significant effect on the environment. The city previously prepared and certified The Reserve Environmental Impact Report (EIR) No. 292065/SCH No. 2014051069 (Attachment 10). An Addendum to the Reserve Environmental Impact Report (EIR) No. 292065/SCH No. 2014051069 was prepared for this project pursuant to the provisions of CEQA (Attachment 9). Staff determined mitigation measures were needed as a condition of approval of the project, and a Mitigation, Monitoring, and Reporting Program (MMRP) was created using the previously certified Reserve EIR No. 292065/SCH No. 2014051069 and adopted for the project.

BACKGROUND

Site Location and Existing Uses

The project is located at 6850 Romero Drive, also known as Accessor's Parcel Number 352-300-11-00. The location is east of the Interstate 5 freeway, west of the La Jolla Village, south of Torrey Pines Road and north of Nautilus Street (Attachment 1). The site is in the RS-1-4 Zone, Coastal Height Limit Overlay Zone, Coastal Overlay (non-appealable) Zone, and Parking Impact Overlay Zone of the La Jolla Community Plan area.

Previous Entitlements and Use

A previous project, known as the Reserve, Project No. 292065 (Attachment 15 & 16) was approved by the Planning Commission (PC) on November 19, 2015, for Coastal Development Permit (CDP) No. 1050394, Site Development Permit (SDP) No. 1050407, and Planned Development Permit (PDP) No. 1050409. Vesting Tentative Map (VTM) No. 1050354 was separately approved by the PC on the same date. The PC decision was appealed on December 14, 2015, to the City Council. On January 25, 2016, Resolution 3120221, for CDP 1050394, SDP 1050407 and PDP 1050409 was approved and the appeal was denied. Likewise, on January 25, 2015, Resolution No. 310222, for VTM 1050354 was approved and the appealed denied by the City Council.

The project scope was for the subdivision of a 25.14 -acre property, predominantly covered by vacant land with an existing accessory structure, into three parcels. Parcel 1 (1.07 acres) was conveyed and merged into the adjacent Foxhill estate property through a Lot Consolidation Map. Parcel 2 (1.68 acres) and Parcel 3 (22.20 acres) were to accommodate a single-dwelling unit on each

parcel, as well as conservation and revegetation of biological habitat. Subsequently, Parcel Map No. 21506 (Attachment 17) was recorded to approve VTM No. 1050354. The current Tentative Map (TM) No. 3172977 being applied for in conjunction with CDP No. 3172975, SDP No. 3172976, and PDP No. 3276492, only involves Parcel 3 of VTM No. 1050354. The only condition of the VTM was to Parcel 1, which would not apply to the current TM. However, there was a condition in both the VTM and CDP 1050394, SDP 1050407 and PDP 1050409 requiring the execution of a Covenant of Easement for Protection of Sensitive Biological Resources and Steep Hillides on Lands That Are Not Included Within the Multiple Species Conservation Program Multi-Habitat Planning Area. This covenant was recorded on June 24, 2016, Document No. 2016-0314729, (Covenant of Easement) (Attachment 16).

Although no conditions for TM No. 3172977 will be carried over from VTM No. 1050354, conditions from CDP 1050394, SDP 1050407, and PDP 1050409 (Attachment 13) will be carried over or amended where necessary and applied into CDP No. 3172975, SDP No. 3172976, and PDP No. 3276492. Specifically, the following conditions from CDP 1050394, SDP 1050407 and PDP 1050409 will be affected:

PLANNING CONDITIONS

CDP 1050394, SDP 1050407, PDP 1050409

40. Owner/Permittee shall maintain a minimum of two (2) off-street parking spaces, per single family residence on each parcel, on the property at all times in the approximate locations shown conceptually on the approved Exhibit "A" and in the Design Guidelines. Parking spaces shall comply at all times with the SDMC and shall not be conveyed for any other use unless otherwise authorized by the appropriate City decision maker in accordance with the SDMC.

The condition will be amended to read:

CDP No. 3172975, SDP No. 3172976, PDP No. 3276492

45. The Owner/Permittee shall maintain a minimum of two (2) off-street parking spaces per single dwelling unit as follows:

- a. Two (2) parking spaces per development of single dwelling units on Lots 1-5, consistent with the Exhibit A approved with CDP No. 3172975, SDP No. 3172976, PDP No. 3276492 (Project No. 1063767).

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.

CDP 1050394, SDP 1050407, PDP 1050409

Conditions 41 & 44 will be carried over into the new permit as Conditions 42 and 43 respectively.

CDP 1050394, SDP 1050407, PDP 1050409

Conditions 42 and 43 do not need to be transferred over given the requirements have already been met.

CDP 1050394, SDP 1050407, PDP 1050409

45. Parcel No. 1 (one) shall not be used as a standalone buildable lot. Prior to the issuance of any combination building permit for construction on Parcels 2 or 3, a Lot Consolidation Parcel Map or other suitable mapping action shall be recorded to consolidate Parcel 1 with the adjacent lot to the west, known as Fox Hill Estates, that is addressed as 7007 Country Club Drive and APN No. 352-300-0400.

The condition will be amended to read:

CDP No. 3172975, SDP No. 3172976, PDP No. 3276492

46. Parcel 1, per Map 21506, shall not be used as a standalone buildable lot. Prior to issuance of any building permit for construction on Parcel 2 or Lots 1-5 (Parcel 3), a Lot Consolidation Parcel Map or other suitable mapping action shall be recorded to consolidate Parcel 1, per Map 21506, with the adjacent lot to the west known as Fox Hill Estates, located at 7007 Country Club Drive, APN: 352-300-0400.

Site Conditions

The proposed project location is a 22.21-acre site that contains approximately 4.2 acres of previously developed land. Within the 4.2 acres of developed land, the project will subdivide 3.35 acres into six lots: five developed lots (Lots 1-5), and one access and utility lot (Lot C), which will also serve as the private road for the residential lots. The remaining two lots (Lots A and B), which comprise 17.66 acres, or approximately 80% of the project site, is proposed to be retained and conserved within the existing covenant of easement recorded on the property. The project site contains Environmentally Sensitive Lands in the form of steep hillsides and sensitive biological resources subject to the Environmentally Sensitive Lands Regulations. The developed area of the site is currently landscaped with well-maintained turf, cart paths, and a man-made biofiltration basin designed to drain the developed land.

DISCUSSION

Project Description:

The project proposes to subdivide one parcel to create eight new Lots, including five residential lots (Lots 1-5) (see below for details), each with a new, single dwelling unit. Each residential unit will have

a pool. Two of the lots will not be developed (Lots A and B) and one lot will serve as an access and utilities easement area (Lot C). Lot C will also serve as a private road with access and frontage to all five residential lots on portions of a 22.21-acre site (Attachment 9).

The proposed project is in the RS-1-4 Zone. As outlined in San Diego Municipal Code (SDMC) Section 131.0403, the RS Zone is intended to provide appropriate regulations for the development of single-dwelling units that accommodate a variety of lot sizes and residential dwelling types and promote neighborhood quality, character, and livability. These zones are intended to provide flexibility in development regulations that allow reasonable use of property while minimizing adverse impacts to adjacent properties. The proposed development adheres to the intentions of the RS zone by limiting each of the five lots to a single dwelling unit. In addition, the project meets the SDMC requirements for the RS-1-4 Zone, including, but not limited to, density, height, setbacks, floor area ratio, and required parking.

The project site sits at the terminus of Romero Road. The project location will be private, with Lot C providing the private access to the proposed single-dwelling units and connecting them to Romero Road. In addition, the site is surrounded by Environmentally Sensitive Lands (ESL) in the form of steep hillsides. The location of the proposed project to Romero Drive, necessitated one proposed deviation pursuant to the Land development Code. SDMC Section 126.0602(b)(1) requires a PDP for the deviation to the street frontage:

1. Street Frontage: SDMC Section 131.0431(b) (Table 131-04D) includes Development Regulations for RS Zones. The project proposes no frontage (0 feet) for Lots 1-5 along the public street where 65 feet is required.

The project requests the deviation to the street frontage due to the location of the proposed residential lots and Romero Drive (Figure 1 and 2). Currently, Romero Drive terminates approximately 100 feet from the proposed project site. To the south, east and west where Romero Drive terminates, there is ESL. The project is proposing a private, gated road (Lot C) that will connect to Romero Drive. The private road will loop around the residential lots, providing ingress and egress to Romero Drive. Each residential lot will include at least the minimum required street frontage of 65 feet along the private street as outlined in the SDMC. The proposed location for situating the lots along Romero Drive, would have the least significant impacts to the ESL. The requested deviation allows for a reduction of impacts to ESL and aligns with the purpose of the ESL regulations to protect, preserve the environmentally sensitive lands of San Diego and the viability of the species supported by those lands. See Figure 1 for reference.

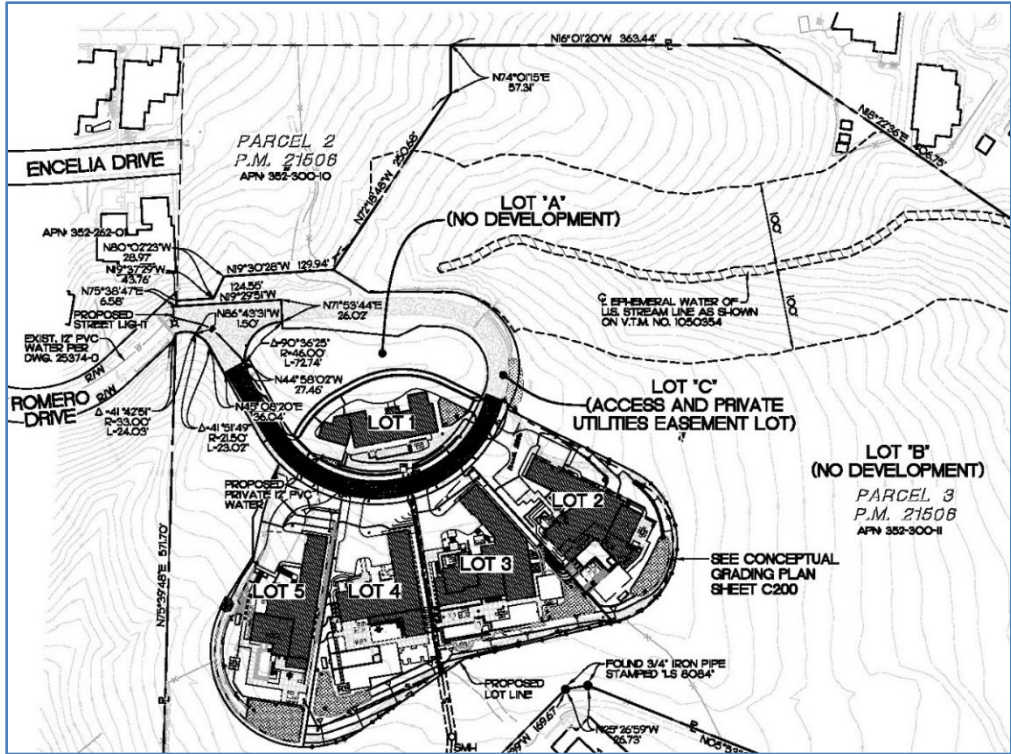


Figure 1



Figure 2

The proposed residential lots (1-5) will be built in accordance with the use guideline regulations of the AR-1-1 Zone as specified in SDMC Section 131.0431, Table 131-04C:

Residential Lot 1

Lot 1 is the most easterly lot of the 5 single dwelling units being proposed. The lot is surrounded by Lot C, which is the proposed private road, and west of Lot A, which will be an undeveloped lot. The private road will separate Lot 1 from the other residential lots (Lots 2-5). The proposed lot will be 19,401 square feet (sq. ft.) where a minimum of 10,000 sq. ft. is required for the RS-1-4 Zone. The lot will be 202.5 feet in width and 122.8 feet in depth, where 65 feet and 100 feet minimums are required for the zone. The lot will not have any public street frontage, where 65 feet is required, and a deviation has been requested for resolution.

The single dwelling unit proposed for Lot 1 will be two stories measured at 27.6 feet above grade, which is below the 30-foot height limit for the Coastal Zone. The garage for the proposed residence will be below grade. The proposed dwelling unit will have a front setback of 20 feet, where 20 feet is the minimum, a side setback of 16 feet, where 16 feet is the minimum and a rear setback of 20 feet, where 20 feet is the minimum. The lot will have a .44 Floor Area Ratio (FAR), where .45 is the maximum. The residential development will have two parking spaces, where two spaces are required.

Lot 1 is situated against a steep hillside with the land elevating from west to east. The elevation situates the proposed development below the neighboring homes to the east and above the homes to the west. There is open space to the north and south of the property. The primary vantage point of the neighborhood is the Pacific Ocean to the west. The topography and open space surrounding the home prevent the proposed development from impacting neighboring vantage points. In addition, the development will provide a biofiltration basin to address source pollution in urban runoff as well as follow brush management regulations by providing alternative compliance measures including a minimum 6' tall Masonry Wall proposed at the backside of the driveway and Dual Pane/Dual Tempered glass at all facades facing the Existing Covenant of Easement/Environmentally Sensitive Lands.

Residential Lot 2

Lot 2 is the most southerly lot of the 5 single dwelling units being proposed. The lot is southwest of Lot C, which is the proposed private road, and surrounded to the south and east by Lot B, which will be an undeveloped lot. The lot abuts Lot 3 to the north. The proposed lot will be 32,137 sq. ft. where a minimum of 10,000 sq. ft. is required for the RS-1-4 zone. The lot will be 101.25 feet in width and 267.8 feet in depth, where 65 feet and 100 feet minimums are required for the zone. The lot will not have any public street frontage, where 65 feet is required, and a deviation has been requested for resolution.

The single dwelling unit proposed for Lot 2 will be two stories measured at 24 feet above

grade, which is below the 30-foot height limit for the Coastal Zone. A third story for the proposed residence will be below grade. The proposed dwelling unit will have a front setback of 20 feet, where 20 feet is the minimum, a side setback of 8 feet, where 8 feet is the minimum and a rear setback of 20 feet, where 20 feet is the minimum. The lot will have a .34 Floor Area Ratio (FAR), where .45 is the maximum. The residential development will have two parking spaces, where two spaces are required.

Lot 2 is situated against a steep hillside with the land elevating from west to east. The elevation situates the proposed development below the neighboring homes to the east and above the homes to the west. There is open space to the south of the property. The primary vantage point of the neighborhood is the Pacific Ocean to the west. The topography and open space surrounding the home prevent the proposed development from impacting neighboring vantage points. In addition, the development will provide a biofiltration basin to address source pollution in urban runoff as well as follow brush management regulations by providing alternative compliance measures including Dual Pane/Dual Tempered glass at all facades facing the Existing Covenant of Easement/Environmentally Sensitive Lands.

Residential Lot 3

Lot 3 is at the southern end of the 5 single dwelling units being proposed. The lot is southwest of Lot C, which is the proposed private road, and east of Lot B, which will be an undeveloped lot. The lot abuts Lot 4 to the north and Lot 2 to the south. The proposed lot will be 31,144 sq. ft. where a minimum of 10,000 sq. ft. is required for the RS-1-4 Zone. The lot will be 115 feet in width and 211.5 feet in depth, where 65 feet and 100 feet minimums are required for the zone. The lot will not have any public street frontage, where 65 feet is required, and a deviation has been requested for resolution.

The single dwelling unit proposed for Lot 3 will be two stories measured at 26' 10" above grade, which is below the 30-foot height limit for the Coastal Zone. A third story for the proposed residence will be below grade. The proposed dwelling unit will have a front setback of 20 feet, where 20 feet is the minimum, a side setback of 9.25 feet, where 9.2 feet is the minimum and a rear setback of 20 feet, where 20 feet is the minimum. The lot will have a .43 Floor Area Ratio (FAR), where .45 is the maximum. The residential development will have two parking spaces, where two spaces are required.

Lot 3 is situated against a steep hillside with the land elevating from west to east. The elevation situates the proposed development below the neighboring homes to the east and above the homes to the west. There is open space to the west of the property. The primary vantage point of the neighborhood is the Pacific Ocean to the west. The topography and open space surrounding the home prevent the proposed development from impacting neighboring vantage points. In addition, the development will provide a biofiltration basin to address source pollution in urban runoff as well as follow brush management regulations by providing alternative compliance measures including Dual Pane/Dual Tempered glass at all facades facing the Existing Covenant of Easement/Environmentally Sensitive Lands.

Residential Lot 4

Lot 4 is in the middle of the 5 single dwelling units being proposed. The lot is west of Lot C, which is the proposed private road, and east of Lot B, which will be an undeveloped lot. The lot abuts Lot 5 to the north and Lot 3 to the south. The proposed lot will be 31,350 sq. ft. where a minimum of 10,000 sq. ft. is required for the RS-1-4 Zone. The lot will be 99.5 feet in width and 255.75 feet in depth, where 65 feet and 100 feet minimums are required for the zone. The lot will not have any public street frontage, where 65 feet is required, and a deviation has been requested for resolution.

The single dwelling unit proposed for Lot 4 will be two stories measured at 26' 7" above grade, which is below the 30-foot height limit for the Coastal Zone. A third story for the proposed residence will be below grade. The proposed dwelling unit will have a front setback of 20 feet, where 20 feet is the minimum, a side setback of 8 feet, where 8 feet is the minimum and a rear setback of 20 feet, where 20 feet is the minimum. The lot will have a .37 Floor Area Ratio (FAR), where .45 is the maximum. The residential development will have two parking spaces, where two spaces are required.

Lot 4 is situated against a steep hillside with the land elevating from west to east. The elevation situates the proposed development below the neighboring homes to the east and above the homes to the west. There is open space to the west of the property. The primary vantage point of the neighborhood is the Pacific Ocean to the west. The topography and open space surrounding the home prevent the proposed development from impacting neighboring vantage points. In addition, the development will provide a biofiltration basin to address source pollution in urban runoff as well as follow brush management regulations by providing alternative compliance measures including Dual Pane/Dual Tempered glass at all facades facing the Existing Covenant of Easement/Environmentally Sensitive Lands.

Residential Lot 5

Lot 5 is at the northerly end of the 5 single dwelling units being proposed. The lot is west of Lot C, which is the proposed private road, and surrounded to the north and west by Lot B, which will be an undeveloped lot. The lot abuts Lot 4 to the south. The proposed lot will be 32,202 sq. ft. where a minimum of 10,000 sq. ft. is required for the RS-1-4 Zone. The lot will be 89.25 feet in width and 291 feet in depth, where 65 feet and 100 feet minimums are required for the zone. The lot will not have any public street frontage, where 65 feet is required, and a deviation has been requested for resolution.

The single dwelling unit proposed for Lot 5 will be two stories measured at 28 feet above grade, which is below the 30-foot height limit for the Coastal Zone. A third story for the proposed residence will be below grade. The proposed dwelling unit will have a front setback of 20 feet, where 20 feet is the minimum, a side setback of 7.14 feet, where 7.14 feet is the minimum and a rear setback of 20 feet, where 20 feet is the minimum. The lot will have a .36 Floor Area Ratio (FAR), where .45 is the maximum. The residential development will have two parking spaces, where two spaces are required.

Lot 5 is situated against a steep hillside with the land elevating from west to east. The elevation situates the proposed development below the neighboring homes to the east and above the homes to the west. There is open space to the west of the property. The primary vantage point of the neighborhood is the Pacific Ocean to the west. The topography and open space surrounding the home prevent the proposed development from impacting neighboring vantage points. In addition, the development will provide a biofiltration basin to address source pollution in urban runoff as well as follow brush management regulations by providing alternative compliance measures including Dual Pane/Dual Tempered glass at all facades facing the Existing Covenant of Easement/Environmentally Sensitive Lands.

Permits Required

- Process 3, Coastal Development Permit (CDP) per SDMC Section 126.0702 is required for development within the Coastal Overlay Zone and to amend the existing CDP.
- Process 4, Site Development Permit (SDP) per SDMC Section 126.0502(d)(4) is required for the subdivision of a premises that contains Environmentally Sensitive Lands (Sensitive Biological Resources and Steep Hillside) and to amend the existing SDP; and
- Process 4, Planned Development Permit (PDP) per SDMC Section 126.0602(b)(1) is required for the deviation to the street frontage requirements of the applicable zone and to amend the existing PDP; and
- Process 4, Tentative Map per SDMC Section 125.0410 is required for the proposed subdivision of land.

Community Plan Analysis:

The La Jolla Community Plan and Local Coastal Program Land Use Plan (LJCP) designate the site as Very Low-Density Residential (0-5 units per acre) (Attachment 3), as well as Designated Open Space/Park.

The project adheres to the objectives of the Very Low-Density Residential designation through the facilitation of several of the Residential Land Use goals (pg. 67), including:

- *Provide a high-quality residential environment in La Jolla that respects its relationship to the sea, to hillsides, and to open space.*

The project proposes five single-dwelling units spread across the 3.35 acres of developed land. Each of the proposed single-dwelling units will be positioned in relationship to the sea. The topography of the developed area will allow neighboring parcels to maintain their relationship to the sea and provide minimal disturbance to the natural vistas created by the hillsides. Approximately 80% of the project site will be retained and conserved within an existing building-restricted easement/covenant

of easement recorded on the property to ensure the open space of the undeveloped land will be preserved and remain undeveloped.

- *Promote the development of a variety of housing types and styles in La Jolla.*

The project proposes five single-dwelling units spread across 3.35 acres of developed land. Each unit will be unique in design, character, and style, maintaining the variety common in the La Jolla community.

- *Maintain the character of La Jolla's residential areas by ensuring that redevelopment occurs in a manner that protects natural features, preserves existing streetscape themes, and allows a harmonious visual relationship to exist between the bulk and scale of new and older structures.*

The project proposes five single-dwelling units spread across 3.35 acres of developed land with approximately 17.66 acres, or approximately 80% of the project site, to be retained and conserved within an existing covenant of easement recorded on the property. This relationship between developed and non-developed areas will protect the natural environment. In addition, one of the eight parcels (Lot C) will be designated as a private road at the terminus of Romero Drive (a public road), preserving the existing streetscape theme and maintaining harmony with the existing neighborhood. Lastly, the topography of the developed area will allow neighboring parcels to maintain their visual relationship to the sea by containing the scale within the hillside of the proposed site. Bulk will be reduced through the relationship of the proposed dwelling units at the terminus of the existing road and keeping the new development away from older structures.

The project adheres to the objectives of the Designated Open Space/Park designation through the facilitation of several of the Natural Resources and Open Space System goals (pg. 29), including:

- *Preserve the natural amenities of La Jolla such as its open space, hillsides, canyons, bluffs, parks, beaches, tidepools and coastal waters.*
- *Maintain the identified public views to and from these amenities in order to achieve a beneficial relationship between the natural or unimproved and developed areas of the community.*
- *Protect the environmentally sensitive resources of La Jolla's open areas including its coastal bluffs, sensitive steep hillside slopes, canyons, native plant life and wildlife habitat linkages.*

In addition, the project helps implement several of the LJCP's Open Space Preservation and Natural Resource Protection policies (pg. 38) such as:

- *The City should ensure, to the fullest extent possible, that sensitive resources such as coastal sage scrub and mixed chaparral that are located in designated, as well as dedicated, open space areas and open space easements will not be removed or disturbed.*

- *The City should encourage the retention of significant trees and vegetation that are part of the established character of La Jolla.*

As previously stated, the project proposes to maintain approximately 17.66 acres, or approximately 80% of the project site, within an existing covenant of easement recorded on the property. The conservation provided in the designated Open Space will preserve natural habitat, maintain the characteristics of the hillsides, and keep the natural form of the landscape. There are no identified view corridors, viewsheds, intermittent or partial vistas, roads from which the coastal body of water can be seen, or scenic overlooks as identified in the LJCP (Figure 9, Page 35). The proposed project will protect ESL and is in line with the density, vision and goals of the LJCP.

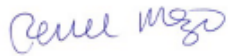
STAFF RECOMMENDATION:

Staff has reviewed the proposed project and determined that the project is in conformance with the policies and regulations of the Land Development Code, General Plan, and the Community Plan. Staff recommends that the Planning Commission recommend approval of the project as proposed.

ALTERNATIVES

1. APPROVE Coastal Development Permit No. 3172975, Site Development Permit No. 3172976, Planned Development Permit No. 3276492 (amendment to Coastal Development Permit No. 1050394, Site Development Permit No. 1050407, Planned Development Permit No. 1050409, Project No. 292065), Tentative Map No. 3172977, if the findings required to approve the project can be affirmed; and
2. ADOPT the Addendum to The Reserve Environmental Impact Report (EIR) No. 292065/SCH No. 2014051069 and Mitigation Monitoring and Reporting Program;
3. DENY Coastal Development Permit No. 3172975, Site Development Permit No. 3172976, Planned Development Permit No. 3276492 (amendment to Coastal Development Permit No. 1050394, Site Development Permit No. 1050407, Planned Development Permit No. 1050409, Project No. 292065), if the findings required to approve the project cannot be affirmed.
4. DENY Tentative Map No. 3172977 if the findings required to approve the project cannot be affirmed; and
5. DO NOT ADOPT the Addendum to The Reserve Environmental Impact Report (EIR) No. 292065/SCH No. 2014051069 and Mitigation Monitoring and Reporting Program.

Respectfully submitted,



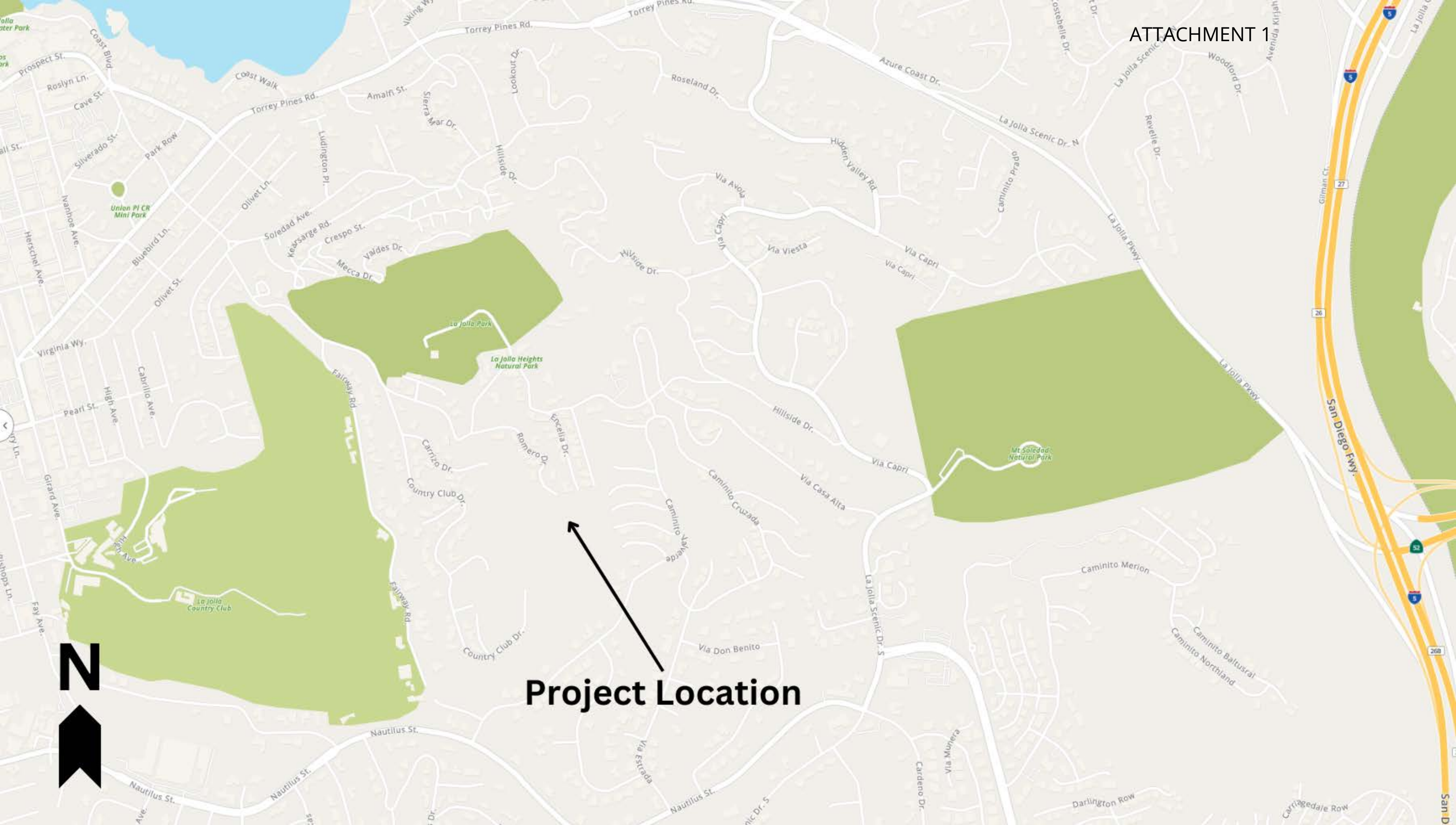
Renee Mezo
Assistant Deputy Director
Development Services Department



Robin MacCartee
Development Project Manager
Development Services Department

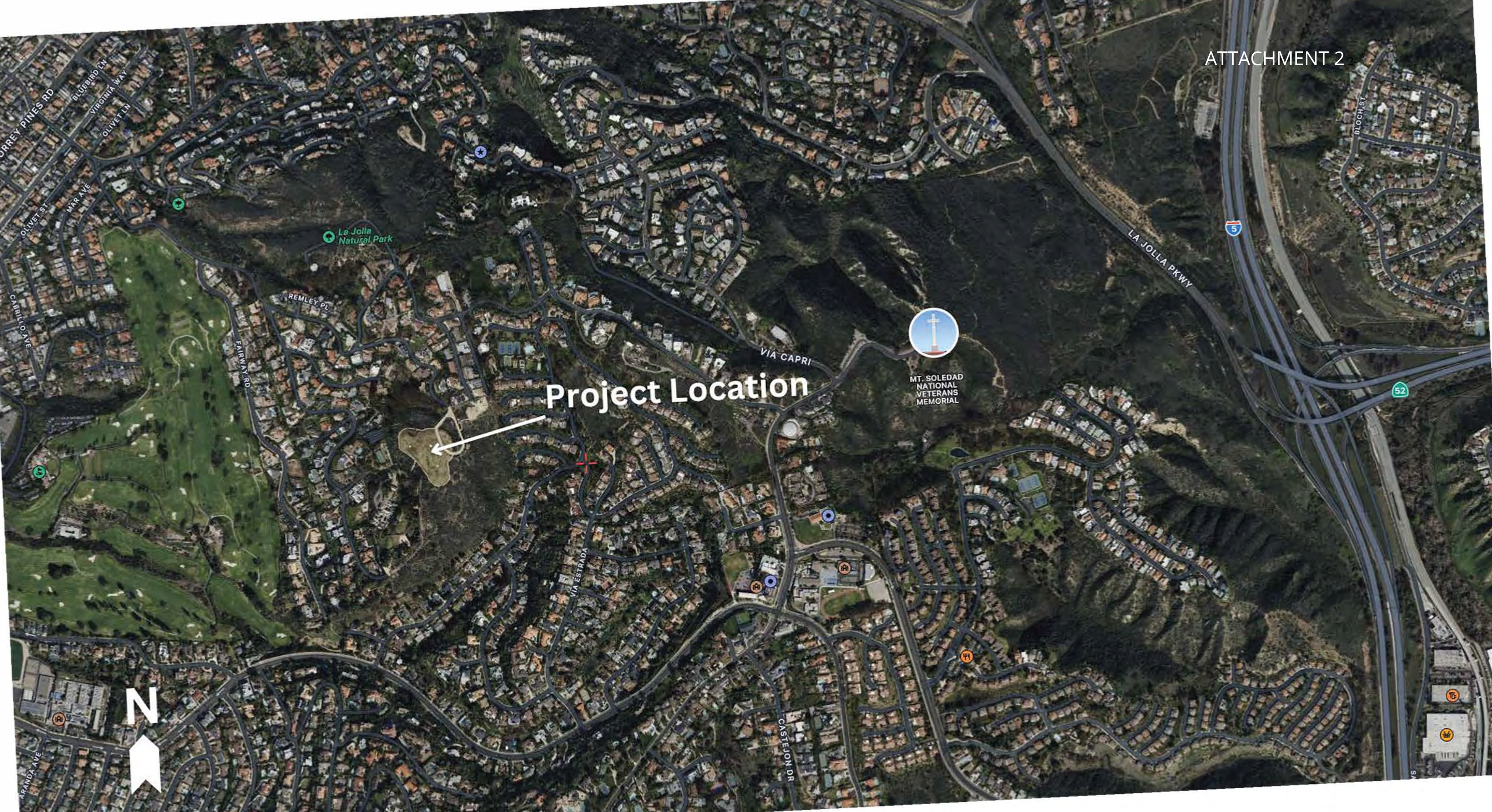
Attachments:

1. Location Map
2. Aerial Photograph
3. Community Plan Land Use Map
4. Draft Permit with Conditions
5. Draft Permit Resolution with Findings
6. Draft Tentative Map Conditions
7. Draft Tentative Map Resolution with Findings
8. Draft Environmental Resolution
9. Tentative Map Exhibit
10. Addendum to the previously certified Reserve EIR No. 292065/SCH No. 2014051069
11. MMRP to the previously certified Reserve EIR No. 292065/SCH No. 2014051069
12. Ownership Disclosure
13. Resolution No. 310221(CDP, SDP, PDP)
14. Resolution No. 310222 (VTM)
15. Copy of Recorded Covenant of Easement, Document No. 2016-0314729
16. Site Development Plans
17. Parcel Map No. 21506



Project Location





Project Location



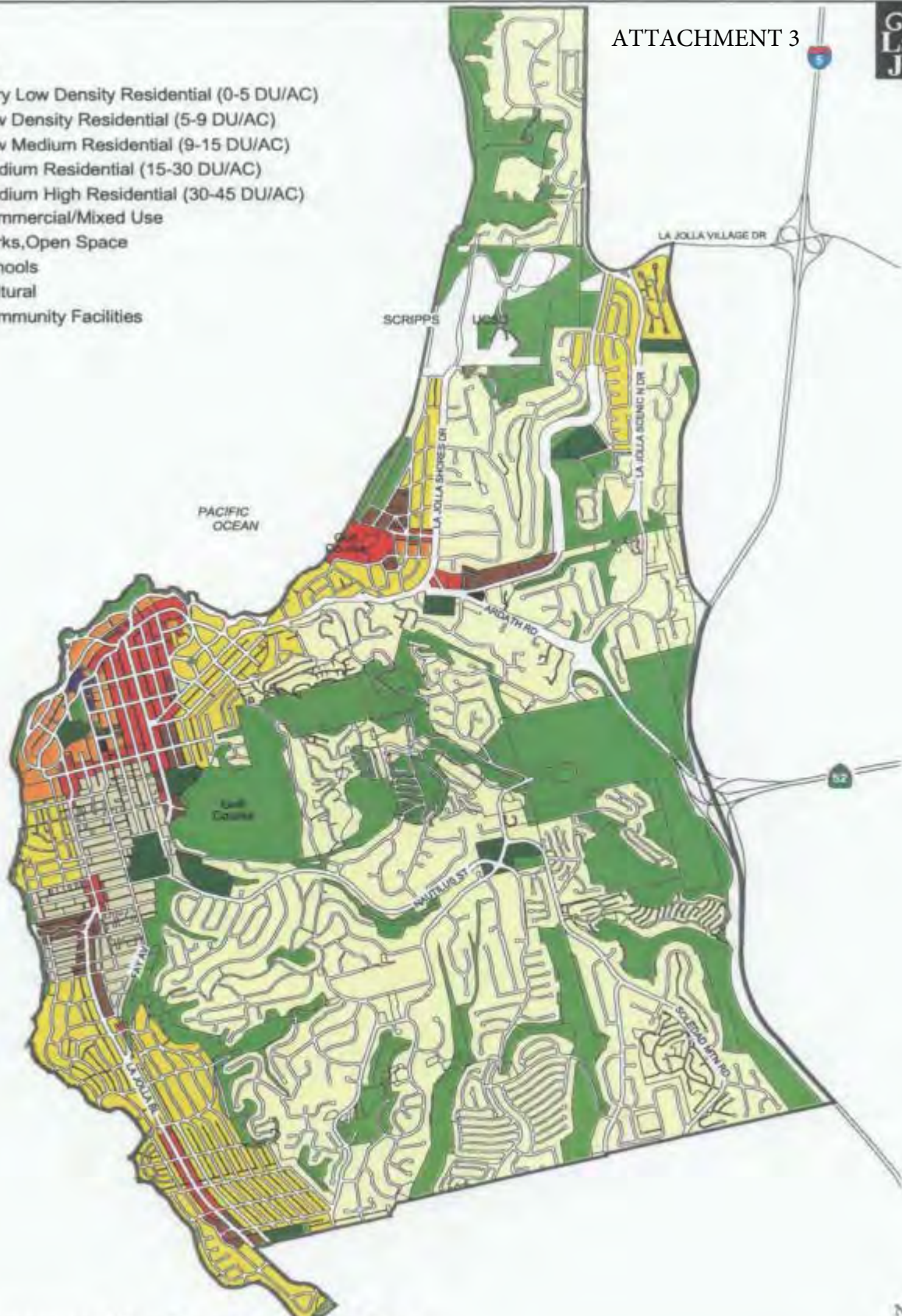
MT. SOLEDAD
NATIONAL
VETERANS
MEMORIAL





Legend

- Very Low Density Residential (0-5 DU/AC)
- Low Density Residential (5-9 DU/AC)
- Low Medium Residential (9-15 DU/AC)
- Medium Residential (15-30 DU/AC)
- Medium High Residential (30-45 DU/AC)
- Commercial/Mixed Use
- Parks, Open Space
- Schools
- Cultural
- Community Facilities



Community Land Use Map



La Jolla Community Plan
 City of San Diego - Planning Department



Figure 1

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

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

INTERNAL ORDER NUMBER: 24009296

SPACE ABOVE THIS LINE FOR RECORDER'S USE

COASTAL DEVELOPMENT PERMIT NO. 3172975
SITE DEVELOPMENT PERMIT NO. 3172976
PLANNED DEVELOPMENT PERMIT NO. 3276492
(AMENDING COASTAL DEVELOPMENT PERMIT NO. 1050394, SITE DEVELOPMENT PERMIT NO.
1050407, PLANNED DEVELOPMENT PERMIT NO. 1050409, PROJECT NO. 292065)
6850 COUNTRY CLUB DRIVE - PROJECT NO. PRJ-1063767
PLANNING COMMISSION

This Coastal Development Permit No. 3172975, Site Development Permit No. 3172976, Planned Development Permit No. 3276492 (amendment to Coastal Development Permit No. 1050394, Site Development Permit No. 1050407, Planned Development Permit No. 1050409, Project No. 292065), is granted by the Planning Commission of the City of San Diego to FOXHILL INVCO ONE, LLC, Owner, and Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0708, 126.0505, and 126.0605. The 22.21-acre site is located at 6850 Country Club Drive in the RS-1-4 Zone, Coastal Height Limit Overlay Zone, Coastal Overlay (non-appealable) Zone, and Parking Impact Overlay Zone within the La Jolla Community Plan area.

The project Tentative Map No. 3172977 (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 3172977) associated with Coastal Development Permit Approval No. 3172975, Site Development Permit Approval No. 3172976 and Planned Development Permit Approval No. 3276492 creates eight new parcels, listed as Lots 1-5, Lot A, Lot B and Lot C, the legal description identifies seven parcels, listed as Parcels A-G. For reference, Parcel A of the legal description incorporates all of Lots 1-5, Lot A, Lot C and some portions of Lot B of Tentative Map No. 3172977. Parcels B, C, D, E, F, and G of the legal description are located in Lot B of project Tentative Map No 3172977.

The project site is legally described as:

Parcel A: APN: 352-300-11-00 Parcel 3 of Parcel Map No. 21506, in the City of San Diego, County of San Diego, State of California, according to map thereof filed in the Office of The County Recorder of San Diego County October 11, 2017, as Instrument No. 2017-7000389 of Official Records.

ATTACHMENT 4

Parcel B: An Easement and right-of-way for road, sewer line, water lines and other Public Utility purposes, over Easement and Right-of-Way No. 2 as reserved and described in Deed to Neale-Baldwin Company, recorded February 17, 1954, in Book 5144, Page 52 of Official Records.

Parcel C: An Easement and Right-of-Way for ingress and egress for construction, maintenance, and repair for sewer line purposes and appurtenances thereto as granted in the Grant Deed, recorded January 27, 1960, as Instrument No. 17085 of Official Records, over that portion of the Southerly 20 feet of Pueblo Lot 1263 of the Pueblo Lands of San Diego, in the City of San Diego, County of San Diego, State of California, according to Map thereof made by James Pascoe in 1870, a copy of which said Map was filed in the Office of the County Recorder of San Diego County, and known as Miscellaneous Map No. 36, lying Westerly of the Southerly prolongation of the Easterly line of Lot 10 of La Jolla County Club Estates, according to Map thereof No. 2167, filed in the Office of the County Recorder of San Diego County, and lying Easterly of the Southeasterly boundary of La Jolla County Club Heights, Unit No. 2, according to Map thereof No. 2165, filed in the Office of the County Recorder of San Diego County.

Parcel D: An Easement for vehicular and pedestrian ingress and egress and for the purposes of installing, maintaining, and repairing roadway and utilities over those portions of Lot 3 in the La Jolla Country Club Estates according to Map No. 2167 thereof, recorded July 31, 1929, in the Office of the County Recorder, San Diego County as conveyed in the agreement recorded September 25, 2013, as Instrument No. 2013-0585763 of Official Records.

Parcel E: An Easement for vehicular and pedestrian ingress and egress and for the purposes of installing, maintaining, and repairing roadway and utilities over those portions of Lot 4 in the La Jolla Country Club Estates according to Map No. 2167 thereof, recorded July 31, 1929, in the Office of the County Recorder, San Diego County as conveyed in the agreement recorded September 25, 2013, as Instrument No. 2013-0585764 of Official Records.

Parcel F: An Easement for vehicular and pedestrian ingress and egress and for the purposes of installing, maintaining and repairing roadway and utilities over that real property situated in the City of San Diego, County of San Diego, State of California, being a portion of Pueblo Lot 1263 of the Pueblo Lands of San Diego according to the Map thereof made by James Pascoe in 1870, a copy of which was filed in the Office of the County Recorder of said San Diego County November 14, 1921 and known as Miscellaneous Map No. 36, as conveyed in the agreement recorded September 25, 2013 as Instrument No. 2013-0585765 of Official Records.

Parcel G: An Easement for vehicular and pedestrian ingress and egress, the installation, maintenance, repair, replacement, or future upgrades or improvement of any roadway and pedestrian improvements, and the installation maintenance, repair, replacement or future upgrades or improvement of any utilities or drainage lines all of which must be located underground as conveyed and described in the "Agreement for Grant of Easement for Private Roadway and Utilities" Recorded May 16, 2014 as Instrument No. 2014-0202074 of Official Records.

Subject to the terms and conditions set forth in this Permit, including Conditions carried over or amended from Coastal Development Permit No. 1050394, Site Development Permit No. 1050407, and Planned Development Permit No. 1050409 (Project No. 292065), permission is granted to

Owner/ Permittee to subdivide and construct five single dwelling units, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated September 19, 2024, on file in the Development Services Department.

The project shall include:

- a. Subdivision of one parcel to create eight new lots per Tentative Map No. 3172977;
- b. Five of the eight newly created lots, Lots 1-5, will serve as residential lots; Each of the five new lots will contain a three-story single dwelling unit with a pool;
- c. Two of the eight newly created lots, Lots A and B, will not be developed;
- d. One of the eight newly created lots, Lot C, will serve as a private road with access and frontage to all five of the residential lots;
- e. The project proposes one deviation pursuant to the Land development Code:

Street Frontage: SDMC Section 131.0431(b) (Table 131-04D) includes Development Regulations for RS Zones. The project proposes no frontage (0 feet) for Lots 1-5 along the public street where 65 feet is required. The street frontage will be provided along the private road (Lot C).

- f. 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.
- g. All conditions of this Coastal Development Permit No. 3172975, Site Development Permit No. 3172976, Planned Development Permit No. 3276492 (Project No. 1063767) supersede the previously approved Coastal Development Permit No. 1050394, Site Development Permit No. 1050407, and Planned Development Permit No. 1050409, (Project No. 292065)

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 October 3, 2027.

2. 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.

3. 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.
4. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
5. 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.).
6. 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.
7. 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.
8. 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.

9. 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.

10. This Permit may be developed in phases. Each phase shall be constructed prior to sale or lease to individual owners or tenants to ensure that all development is consistent with the conditions and exhibits approved for each respective phase per the approved Exhibit "A."

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

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

12. The mitigation measures specified in the MMRP and outlined in Addendum No.1063767, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

13. The Owner/Permittee shall comply with the MMRP as specified in Addendum No. 1063767, to the satisfaction of the Development Services Department and the City Engineer. Prior to issuance of any construction permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for the following issue areas: BIOLOGICAL RESOURCES, PALEONTOLOGICAL RESOURCES

CLIMATE ACTION PLAN REQUIREMENTS:

14. Owner/Permittee shall comply with the Climate Action Plan (CAP) Consistency Checklist stamped as Exhibit "A." Prior to issuance of any construction permit, all CAP strategies shall be noted within the first three (3) sheets of the construction plans under the heading "Climate Action Plan Requirements" and shall be enforced and implemented to the satisfaction of the Development Services Department.

ENGINEERING REQUIREMENTS:

15. This Coastal Development Permit, Site Development Permit and Planned Development Permit shall comply with the conditions of Tentative Map Permit No. 3172977.

16. Prior to the issuance of any building permit, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement for the private improvements such as cobble stones curb & gutter, wall, fence, landscape and irrigation, within the right-of-way, subject to the City Engineer's approval. satisfactory to the City Engineer.

17. Prior to the issuance of any building permit, the Owner/Permittee shall dedicate and improve an additional right-of-way at the end of Country Club Drive to be consistent with Exhibit "A," satisfactory to the City Engineer.
18. Prior to the issuance of any building permits, the Owner/Permittee shall construct a City Standard streetlight, adjacent to Romero Drive, satisfactory to the City Engineer.
19. The drainage system proposed for this development, as shown on the site plan, is private and subject to approval by the City Engineer.
20. The Drainage Study shall demonstrate attenuation of post-developed 100-year peak flows to or below the pre-developed 100-year peak flows to each discharge location from the project site. The analysis required to demonstrate the peak flow attenuation shall incorporate conjunctive use guidance and an analysis of detention facility inflow and outflow hydrographs based on a 6-hour storm duration to the satisfaction of the City Engineer.
21. The Drainage Study shall demonstrate the required sizing of proposed energy dissipation systems at each discharge location from the project site to mitigate erosive flows to the receiving waters, to the satisfaction of the City Engineer.
22. Prior to the issuance of any building permits, the Owner/Permittee shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to the requirements of the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.
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.
25. Prior to the issuance of any construction permit, the Owner/Permittee shall submit a Technical Report (Stormwater Quality Management Plan) that will be subject to final review and approval by the City Engineer, based on the City's Stormwater Standards Manual in effect at the time of the construction permit issuance.
26. Development of this project shall comply with all stormwater construction requirements of the State Construction General Permit Order No. 2022-0057-DWQ. In accordance with Order No. 2022-0057-DWQ or subsequent order, a Risk Level Determination shall be calculated for the site and a Stormwater Pollution Prevention Plan (SWPPP) shall be implemented concurrently with the commencement of grading activities.
27. Development of this project shall comply with all permanent stormwater requirements of Municipal Stormwater Permit No. 2022-0057, or subsequent order, and the current version of the City of San Diego's Stormwater Standards Manual.

28. Prior to issuance of a grading or a construction permit, a copy of the Notice of Intent (NOI) with a valid Waste Discharge ID number (WDID#) shall be submitted to the City of San Diego as a proof of enrollment under the Construction General Permit. When ownership of the entire site or portions of the site changes prior to filing of the Notice of Termination (NOT), a revised NOI shall be submitted electronically to the State Water Resources Board in accordance with the provisions as set forth in Section II.C of Order No. 2022-0057-DWQ and a copy shall be submitted to the City.

LANDSCAPE REQUIREMENTS:

29. 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.

30. 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.

31. 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).

32. In the event that a foundation only permit is requested by the Owner/Permittee, a site plan or staking layout plan, shall be submitted 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.'

33. 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.

34. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction documents 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 Final Inspection.

35. Prior to recordation of the Final/Parcel Map, the Owner/Subdivider shall identify on a separate sheet titled 'Non-title Sheet' the brush management areas in substantial conformance with Exhibit "A." These brush management areas shall be identified with a hatch symbol with no specific dimensions or zones called out. The following note shall be provided on the 'Non-Title Sheet' to identify the hatched areas: "Indicates fire hazard zone(s) per §142.0412 of the Land Development Code."

BRUSH MANAGEMENT PROGRAM REQUIREMENTS:

36. The Owner/Permittee shall implement the following requirements in accordance with the Brush Management Program shown on Exhibit "A" on file in the Development Services Department.

37. The Brush Management Program shall be based on a standard Zone One of 35 feet in width and Zone Two of 65 feet in width, exercising the Zone Two reduction option and Alternative Compliance measures set forth under sections 142.0412(f), 142.0412(i), and 142.0412(j) of the Land Development Code as indicated on Exhibit "A". Alternative compliance measures apply on Lots 1-5 as follows:

LOT NO.	ALTERNATIVE COMPLIANCE	
	RADIANT HEAT WALL	DUAL-GLAZED, DUAL-TEMPERED PANES
1	X	X
2		X
3		X
4		X
5		X

Radiant Heat Wall shall be 6 feet high, 1-hr fire-rated, located along the outer edge of Zone One. Upgraded openings shall be dual-glazed, dual-tempered panes, brush side of the structure plus a 10-ft perpendicular return along adjacent wall faces.

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

39. Prior to issuance of any construction permit for building, a complete Brush Management Program shall be submitted for approval to the Development Services Department and shall be in substantial conformance with Exhibit "A" on file in the Development Services Department. The Brush Management Program shall comply with the City of San Diego's Landscape Regulations and the Landscape Standards.

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

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

42. Prior to recordation of the Final/Parcel Map, the Owner/Subdivider shall identify on a separate sheet titled 'Non-title Sheet' the brush management areas in substantial conformance with Exhibit "A." These brush management areas shall be identified with a hatch symbol with no specific dimensions or zones called out. The following note shall be provided on the 'Non-Title Sheet' to identify the hatched areas: "Indicates fire hazard zone(s) per §142.0412 of the Land Development Code."

PLANNING/DESIGN REQUIREMENTS:

43. 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.

44. 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.

45. The Owner/Permittee shall maintain a minimum of two (2) off-street parking spaces per single dwelling unit as follows:

- a. Two (2) parking spaces per development of single dwelling units on Lots 1-5, consistent with the Exhibit A approved with CDP No. 3172975, SDP No. 3172976, PDP No. 3276492 (Project No. 1063767).

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.

46. Parcel 1, per Map 21506, shall not be used as a standalone buildable lot. Prior to issuance of any building permit for construction on Parcel 2 or Lots 1-5 (Parcel 3), a Lot Consolidation Parcel Map or other suitable mapping action shall be recorded to consolidate Parcel 1, per Map 21506, with the adjacent lot to the west known as Fox Hill Estates, located at 7007 Country Club Drive, APN: 352-300-0400.

TRANSPORTATION REQUIREMENTS

47. 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.

HOUSING COMMISSION REQUIREMENTS

48. Prior to issuance of any residential building permit associated with this Project, the Owner/Permittee shall demonstrate compliance with the provisions of the Inclusionary Affordable Housing Regulations of San Diego Municipal Code Chapter 14, Article 2, Division 13 and the Inclusionary Housing Procedures Manual by payment of the applicable Inclusionary In-Lieu Fee. The fee shall be invoiced by the City of San Diego and paid to the City Treasurer.

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

49. 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.

50. 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 Department and the City Engineer.

51. Prior to the issuance of any building permits, 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.

52. The Owner/Permittee will be required to provide evidence, satisfactory to the Public Utilities Department, indicating that each lot will have its own water service and sewer lateral or provide CC&Rs for the operation and maintenance of on-site private water and sewer facilities that serve more than one lot.

53. 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.

54. The Owner/Permittee shall obtain a private sewer easement for all cross-lot private sewer service from one lot to another as shown on the approved Exhibit "A".

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 prior to the final inspection of completed buildings.

APPROVED by the Planning Commission of the City of San Diego on September 19, 2024, by [Approved Resolution Number].

ATTACHMENT 4

Coastal Development Permit No. 3172975, Site Development Permit No. 3172976, Planned Development Permit No. 3276492 (amendment to Coastal Development Permit No. 1050394, Site Development Permit No. 1050407, Planned Development Permit No. 1050409, Project No. 292065)
Date of Approval: September 19, 2024

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Robin MacCartee
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.

FOXHILL INVCO ONE, LLC

Owner/Permittee

By _____
TITLE

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

PLANNING COMMISSION RESOLUTION NO. _____
COASTAL DEVELOPMENT PERMIT NO. 3172975
SITE DEVELOPMENT PERMIT NO. 3172976
PLANNED DEVELOPMENT PERMIT NO. 3276492
(AMENDING COASTAL DEVELOPMENT PERMIT NO. 1050394, SITE DEVELOPMENT PERMIT NO.
1050407, PLANNED DEVELOPMENT PERMIT NO. 1050409, PROJECT NO. 292065)
6850 COUNTRY CLUB DRIVE - PROJECT NO. PRJ-1063767

WHEREAS, FOXHILL INVCO ONE, LLC, Owner/Permittee, filed an application with the City of San Diego to subdivide one parcel to create eight new Lots, including five residential lots (Lots 1-5), each with a new, single dwelling unit. Each unit will have a pool. Two of the lots will not be developed (Lots A and B) and one lot will serve as an access and utilities easement area (Lot C). Lot C will also serve as a private road with access and frontage to all five residential lots (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 3172975, 3172976 and 3276492), on portions of a 22.21-acre site;

WHEREAS, the project site is located at 6850 Country Club Drive, also known as Accessor's Parcel Number 352-300-11-00 in the Residential Single-Unit (RS)-1-4 Zone, Coastal Height Limit Overlay Zone, Coastal Overlay (non-appealable) Zone, and Parking Impact Overlay Zone of the La Jolla Community Plan;

WHEREAS, the project Tentative Map No. 3172977 (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 3172977), associated with Coastal Development Permit Approval No. 3172975, Site Development Permit Approval No. 3172976 and Planned Development Permit Approval No. 3276492, creates eight new parcels, listed as Lots 1-5, Lot A, Lot B and Lot C, the legal description identifies seven parcels, listed as Parcels A-G. For reference, Parcel A of the legal description incorporates all of Lots 1-5, Lot A, Lot C, and some portions of Lot B of Tentative Map No. 3172977. Parcels B, C, D, E, F, and G of the legal description are located in Lot B of project Tentative Map No 3172977.

WHEREAS, the land referred to herein below is situated in the City of San Diego, in the County of San Diego, State of California, and is legally described as follows:

Parcel A: APN: 352-300-11-00 Parcel 3 of Parcel Map No. 21506, in the City of San Diego, County of San Diego, State of California, according to map thereof filed in the Office of The County Recorder of San Diego County October 11, 2017, as Instrument No. 2017-7000389 of Official Records.

Parcel B: An Easement and right-of-way for road, sewer line, water lines and other Public Utility purposes, over Easement and Right-of-Way No. 2 as reserved and described in Deed to Neale-Baldwin Company, recorded February 17, 1954, in Book 5144, Page 52 of Official Records.

Parcel C: An Easement and right-of-way for ingress and egress for construction, maintenance, and repair for sewer line purposes and appurtenances thereto as granted in the Grant Deed, recorded January 27, 1960, as Instrument No. 17085 of Official Records, over that portion of the Southerly 20 feet of Pueblo Lot 1263 of the Pueblo Lands of San Diego, in the City of San Diego, County of San Diego, State of California, according to Map thereof made by James Pascoe in 1870, a copy of which said Map was filed in the Office of the County Recorder of San Diego County, and known as Miscellaneous Map No. 36, lying Westerly of the Southerly prolongation of the Easterly line of Lot 10 of La Jolla County Club Estates, according to Map thereof No. 2167, filed in the Office of the County Recorder of San Diego County, and lying Easterly of the Southeasterly boundary of La Jolla County Club Heights, Unit No. 2, according to Map thereof No. 2165, filed in the Office of the County Recorder of San Diego County.

Parcel D: An Easement for vehicular and pedestrian ingress and egress and for the purposes of installing, maintaining, and repairing roadway and utilities over those portions of Lot 3 in the La Jolla Country Club Estates according to Map No. 2167 thereof, recorded July 31, 1929, in the Office of

the County Recorder, San Diego County as conveyed in the agreement recorded September 25, 2013, as Instrument No. 2013-0585763 of Official Records.

Parcel E: An Easement for vehicular and pedestrian ingress and egress and for the purposes of installing, maintaining, and repairing roadway and utilities over those portions of Lot 4 in the La Jolla Country Club Estates according to Map No. 2167 thereof, recorded July 31, 1929, in the Office of the County Recorder, San Diego County as conveyed in the agreement recorded September 25, 2013, as Instrument No. 2013-0585764 of Official Records.

Parcel F: An Easement for vehicular and pedestrian ingress and egress and for the purposes of installing, maintaining and repairing roadway and utilities over that real property situated in the City of San Diego, County of San Diego, State of California, being a portion of Pueblo Lot 1263 of the Pueblo Lands of San Diego according to the Map thereof made by James Pascoe in 1870, a copy of which was filed in the Office of the County Recorder of said San Diego County November 14, 1921 and known as Miscellaneous Map No. 36, as conveyed in the agreement recorded September 25, 2013 as Instrument No. 2013-0585765 of Official Records.

Parcel G: An Easement for vehicular and pedestrian ingress and egress, the installation, maintenance, repair, replacement, or future upgrades or improvement of any roadway and pedestrian improvements, and the installation maintenance, repair, replacement or future upgrades or improvement of any utilities or drainage lines all of which must be located underground as conveyed and described in the "Agreement for Grant of Easement for Private Roadway and Utilities" Recorded May 16, 2014 as Instrument No. 2014-0202074 of Official Records.

WHEREAS, on September 19, 2024, the Planning Commission of the City of San Diego , considered the Addendum to the Reserve Environmental Impact Report (EIR) No. 292065/SCH No. 2014051069 and a Mitigation Monitoring and Reporting Program for Project No. 1063767;

WHEREAS, on September 19, 2024, the Planning Commission of the City of San Diego considered Coastal Development Permit Approval No. 3172975, Site Development Permit Approval No. 3172976 and Planned Development Permit Approval No. 3276492 (amendments to Coastal Development Permit No. 1050394, Site Development Permit No. 1050407, Planned Development Permit No. 1050409, Project No. 292065) pursuant to the Land Development Code of the City of San Diego;

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 Approval No. 3172975, Site Development Permit Approval No. 3172976 and Planned Development Permit Approval No. 3276492 (amendments to Coastal Development Permit No. 1050394, Site Development Permit No. 1050407, Planned Development Permit No. 1050409, Project No. 292065):

A. COASTAL DEVELOPMENT PERMIT [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 project proposes to subdivide a 22.21-acre project site, which is currently vacant land, into eight lots, with five lots (Lots 1-5) being used for new, single-dwelling units, each with a pool. Two of the lots will not be developed (Lots A and B), and one lot will serve as an access and utilities easement area (Lot C). Additional site work to include new biofiltration basins, foundational retaining walls, and landscaping.

The project site is located approximately 1.2 miles east of the Pacific Ocean at the terminus of Romero Drive, a public street. Each proposed dwelling unit will be contained within a newly created parcel, and no parcel will encroach upon any existing or proposed physical access to the coast as identified in Figure 6 (pg. 23) of the La Jolla Community Plan and Local Coastal Program Land Use Plan (Community Plan). The Community Plan identifies fourteen issues needed to protect community coastal resources (pg. 19). None of the identified issues are applicable to the proposed project due to the distance of the site to the coast. In addition, there are no marine resources, recreation areas, historic resources, coastal bluffs, or active

earthquake faults as identified in the Plan. Each of the residential lots (1-5) will also include new biofiltration basins to address source pollution in urban runoff as identified. Lastly, the project site is located approximately 550 feet east of Country Club Drive, which is identified as a scenic overlook (#53 of Figure 9) (pg. 36). Country Club Drive is at a lower elevation than the project site. In addition, any views from the scenic overlook would be situated west towards the Pacific Ocean. There are no views up or east, where the project site is located.

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 coastal development will not adversely affect environmentally sensitive lands.

The proposed project address is 6850 Country Club Drive, La Jolla, at the south terminus of Romero Drive. The 22.21-acre site contains approximately 4.2 acres of previously developed land. The proposed project will subdivide 3.35 acres of the previously developed 4.2 acres into six lot, of which, five lots will be developed into residential units (Lots 1-5), and one will serve as an access and utility lot (Lot C). The two previously undeveloped lots will remain undeveloped (Lots A and B). Of the five developed lots, the project scope includes new driveways for each residence, new biofiltration basins for each residence, landscaping and new swimming pools for each residence, and a new six-foot concrete masonry unit (CMU) fence in the east portion of Lot 1.

The project site contains steep hillsides and sensitive biological resources making the proposed development subject to the Environmentally Sensitive Lands (ESL) Regulations. Approximately 17.66 acres, or approximately 80% of the project site, is proposed to be retained and conserved within an existing "covenant of easement for protection of sensitive biological resources and steep hillsides on lands that are not included within the multiple species conservation program multi-habit planning area" (covenant of easement), recorded on the property (Document No. 2016-0314729, recorded June 24, 2016). The isolated ESL within the conserved areas is bounded by residential development and consists primarily of southern maritime chaparral, scrub oak chaparral, and non-native grasslands, all of which are identified as sensitive biological resources.

An Addendum to the previously certified Reserve Environmental Impact Report (EIR) No. 292065/SCH No. 2014051069 was prepared for the project. In accordance with Section 15164 of the California Environmental Quality Act (CEQA) Guidelines, the Addendum found that no changes in circumstances have occurred, and no new information of substantial importance has manifested, which would result in new significant or substantially increased adverse impacts as a result of the project.

In addition, a Mitigation Monitoring Reporting Program (MMRP) was developed for the project in compliance with Section 21081.6 of CEQA Guidelines and identifies the following:

- 1) Project design features in order to reduce the potential for environmental effects;
- 2) Mitigation measures to be implemented prior to, during, and after construction of the project;
- 3) The individual/agency responsible for that implementation; and
- 4) Criteria for completion or monitoring of the specific measures.

Based on the information provided, through adherence to CEQA Guidelines and compliance with the MMRP as specified in Addendum No 106367, the proposed coastal 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 proposes to subdivide one parcel to create eight new Lots, including five residential lots (Lots 1-5) (see below for details), each with a new, single dwelling unit. Each residential unit will have a pool. Two of the lots will not be developed (Lots A and B) and one lot will serve as an access and utilities easement area (Lot C). Lot C will also serve as a private road with access and frontage to all five residential lots.

Residential Lot 1

Lot 1 is the most easterly lot of the 5 single dwelling units being proposed. The lot is surrounded by Lot C, which is the proposed private road, and west of Lot A, which will be an undeveloped lot. The private road will separate Lot 1 from the other residential lots (Lots 2-5). The proposed lot will be 19,401 square feet (sq. ft.) where a minimum of 10,000 sq. ft. is required for the RS-1-4 Zone. The lot will be 202.5 feet in width and 122.8 feet in depth, where 65 feet and 100 feet minimums are required for the zone. The lot will not have any public street frontage, where 65 feet is required, and a deviation has been requested for resolution.

The single dwelling unit proposed for Lot 1 will be two stories measured at 27.6 feet above grade, which is below the 30-foot height limit for the Coastal Zone. The garage for the proposed residence will be below grade. The proposed dwelling unit will have a front setback of 20 feet, where 20 feet is the minimum, a side setback of 16 feet, where 16 feet is the minimum and a rear setback of 20 feet, where 20 feet is the minimum. The lot will have a .44 Floor Area Ratio (FAR), where .45 is the maximum. The residential development will have two parking spaces, where two spaces are required.

Lot 1 is situated against a steep hillside with the land elevating from west to east. The elevation situates the proposed development below the neighboring homes to the east and above the homes to the west. There is open space to the north and south of the property. The primary vantage point of the neighborhood is the Pacific Ocean to the west. The topography and open space surrounding the home prevent the proposed development from impacting neighboring vantage points. In addition, the development will provide a biofiltration basin to address source pollution in urban runoff as well as follow brush management regulations by providing alternative compliance measures including a minimum 6' tall Masonry Wall proposed at the backside of the driveway and Dual Pane/Dual Tempered glass at all facades facing the Existing Covenant of Easement/Environmentally Sensitive Lands.

Residential Lot 2

Lot 2 is the most southerly lot of the 5 single dwelling units being proposed. The lot is southwest of Lot C, which is the proposed private road, and surrounded to the south and east by Lot B, which will be an undeveloped lot. The lot abuts Lot 3 to the north. The proposed lot will be 32,137 sq. ft. where a minimum of 10,000 sq. ft. is required for the RS-1-4 Zone. The lot will be 101.25 feet in width and 267.8 feet in depth, where 65 feet and 100 feet minimums are required for the zone. The lot will not have any public street frontage, where 65 feet is required, and a deviation has been requested for resolution.

The single dwelling unit proposed for Lot 2 will be two stories measured at 24 feet above grade, which is below the 30-foot height limit for the Coastal Zone. A third story for the proposed residence will be below grade. The proposed dwelling unit will have a front setback of 20 feet, where 20 feet is the minimum, a side setback of 8 feet, where 8 feet is the minimum and a rear setback of 20 feet, where 20 feet is the minimum. The lot will have a .34 Floor Area Ratio (FAR), where .45 is the maximum. The residential development will have two parking spaces, where two spaces are required.

Lot 2 is situated against a steep hillside with the land elevating from west to east. The elevation situates the proposed development below the neighboring homes to the east and above the homes to the west. There is open space to the south of the property. The primary vantage point of the neighborhood is the Pacific Ocean to the west. The topography and open space surrounding the home prevent the proposed development from impacting neighboring vantage points. In addition, the development will provide a biofiltration basin to address source pollution in urban runoff as well as follow brush management regulations by providing alternative compliance measures including Dual Pane/Dual Tempered glass at all facades facing the Existing Covenant of Easement/Environmentally Sensitive Lands.

Residential Lot 3

Lot 3 is at the southern end of the 5 single dwelling units being proposed. The Lot is southwest of Lot C, which is the proposed private road, and east of Lot B, which will be an undeveloped lot. The lot abuts Lot 4 to the north and Lot 2 to the south. The

proposed lot will be 31,144 sq. ft. where a minimum of 10,000 sq. ft. is required for the RS-1-4 Zone. The lot will be 115 feet in width and 211.5 feet in depth, where 65 feet and 100 feet minimums are required for the zone. The lot will not have any public street frontage, where 65 feet is required, and a deviation has been requested for resolution.

The single dwelling unit proposed for Lot 3 will be two stories measured at 26' 10" above grade, which is below the 30-foot height limit for the Coastal Zone. A third story for the proposed residence will be below grade. The proposed dwelling unit will have a front setback of 20 feet, where 20 feet is the minimum, a side setback of 9.25 feet, where 9.2 feet is the minimum and a rear setback of 20 feet, where 20 feet is the minimum. The lot will have a .43 Floor Area Ratio (FAR), where .45 is the maximum. The residential development will have two parking spaces, where two spaces are required.

Lot 3 is situated against a steep hillside with the land elevating from west to east. The elevation situates the proposed development below the neighboring homes to the east and above the homes to the west. There is open space to the west of the property. The primary vantage point of the neighborhood is the Pacific Ocean to the west. The topography and open space surrounding the home prevent the proposed development from impacting neighboring vantage points. In addition, the development will provide a biofiltration basin to address source pollution in urban runoff as well as follow brush management regulations by providing alternative compliance measures including Dual Pane/Dual Tempered glass at all facades facing the Existing Covenant of Easement/Environmentally Sensitive Lands.

Residential Lot 4

Lot 4 is in the middle of the 5 single dwelling units being proposed. The lot is west of Lot C, which is the proposed private road, and east of Lot B, which will be an undeveloped lot. The lot abuts Lot 5 to the north and Lot 3 to the south. The proposed lot will be 31,350 sq. ft. where a minimum of 10,000 sq. ft. is required for the RS-1-4 Zone. The lot will be 99.5 feet in width and 255.75 feet in depth, where 65 feet and 100 feet minimums are required for the zone. The lot will not have any public street frontage, where 65 feet is required, and a deviation has been requested for resolution.

The single dwelling unit proposed for Lot 4 will be two stories measured at 26' 7" above grade, which is below the 30-foot height limit for the Coastal Zone. A third story for the proposed residence will be below grade. The proposed dwelling unit will have a front setback of 20 feet, where 20 feet is the minimum, a side setback of 8 feet, where 8 feet is the minimum and a rear setback of 20 feet, where 20 feet is the minimum. The lot will have a .37 Floor Area Ratio (FAR), where .45 is the maximum. The residential development will have two parking spaces, where two spaces are required.

Lot 4 is situated against a steep hillside with the land elevating from west to east. The elevation situates the proposed development below the neighboring homes to the

east and above the homes to the west. There is open space to the west of the property. The primary vantage point of the neighborhood is the Pacific Ocean to the west. The topography and open space surrounding the home prevent the proposed development from impacting neighboring vantage points. In addition, the development will provide a biofiltration basin to address source pollution in urban runoff as well as follow brush management regulations by providing alternative compliance measures including Dual Pane/Dual Tempered glass at all facades facing the Existing Covenant of Easement/Environmentally Sensitive Lands.

Residential Lot 5

Lot 5 is at the northerly end of the 5 single dwelling units being proposed. The lot is west of Lot C, which is the proposed private road, and surrounded to the north and west by Lot B, which will be an undeveloped lot. The lot abuts Lot 4 to the south. The proposed lot will be 32,202 sq. ft. where a minimum of 10,000 sq. ft. is required for the RS-1-4 Zone. The lot will be 89.25 feet in width and 291 feet in depth, where 65 feet and 100 feet minimums are required for the zone. The lot will not have any public street frontage, where 65 feet is required, and a deviation has been requested for resolution.

The single dwelling unit proposed for Lot 5 will be two stories measured at 28 feet above grade, which is below the 30-foot height limit for the Coastal Zone. A third story for the proposed residence will be below grade. The proposed dwelling unit will have a front setback of 20 feet, where 20 feet is the minimum, a side setback of 7.14 feet, where 7.14 feet is the minimum and a rear setback of 20 feet, where 20 feet is the minimum. The lot will have a .36 Floor Area Ratio (FAR), where .45 is the maximum. The residential development will have two parking spaces, where two spaces are required.

Lot 5 is situated against a steep hillside with the land elevating from west to east. The elevation situates the proposed development below the neighboring homes to the east and above the homes to the west. There is open space to the west of the property. The primary vantage point of the neighborhood is the Pacific Ocean to the west. The topography and open space surrounding the home prevent the proposed development from impacting neighboring vantage points. In addition, the development will provide a biofiltration basin to address source pollution in urban runoff as well as follow brush management regulations by providing alternative compliance measures including Dual Pane/Dual Tempered glass at all facades facing the Existing Covenant of Easement/Environmentally Sensitive Lands.

Local Coastal and Land Use Plan Analysis

The La Jolla Community Plan and Local Coastal Program Land Use Plan (LJCP) designate the site as Very Low-Density Residential (0-5 units per acre), as well as Designated Open Space/Park. The project meets these objectives as stated in the Residential Unit breakdown above. The project adheres to the objectives of the Very Low-Density Residential designation through the facilitation of several of the Residential Land Use goals (pg. 67), including:

- *Provide a high-quality residential environment in La Jolla that respects its relationship to the sea, to hillsides, and to open space.*

The project proposes five single-dwelling units spread across the 3.35 acres of developed land. Each of the proposed single-dwelling units will be positioned in relationship to the sea. The topography of the developed area will allow neighboring parcels to maintain their relationship to the sea and provide minimal disturbance to the natural vistas created by the hillsides. Approximately 80% of the project site will be retained and conserved within an existing building-restricted easement/covenant of easement recorded on the property to ensure the open space of the undeveloped land will be preserved and remain undeveloped.

- *Promote the development of a variety of housing types and styles in La Jolla.*

The project proposes five single-dwelling units spread across 3.35 acres of developed land. Each unit will be unique in design, character, and style, maintaining the variety common in the La Jolla community.

- *Maintain the character of La Jolla's residential areas by ensuring that redevelopment occurs in a manner that protects natural features, preserves existing streetscape themes, and allows a harmonious visual relationship to exist between the bulk and scale of new and older structures.*

The project proposes five single-dwelling units spread across 3.35 acres of developed land with approximately 17.66 acres, or approximately 80% of the project site, to be retained and conserved within an existing covenant of easement recorded on the property. This relationship between developed and non-developed areas will protect the natural environment. In addition, one of the eight parcels (Lot C) will be designated as a private road at the terminus of Romero Drive, a public road, preserving the existing streetscape theme and maintaining harmony with the existing neighborhood. Lastly, the topography of the developed area will allow neighboring parcels to maintain their visual relationship to the sea by containing the scale within the hillside of the proposed site. Bulk will be reduced through the relationship of the proposed dwelling units at the terminus of the existing road and keeping the new development away from older structures.

The project adheres to the Designated Open Space/Park designation through the facilitation of several of the Natural Resources and Open Space System goals (pg. 29), including:

- *Preserve the natural amenities of La Jolla such as its open space, hillsides, canyons, bluffs, parks, beaches, tidepools and coastal waters.*
- *Maintain the identified public views to and from these amenities in order to achieve a beneficial relationship between the natural or unimproved and developed areas of the community.*

- *Protect the environmentally sensitive resources of La Jolla's open areas including its coastal bluffs, sensitive steep hillside slopes, canyons, native plant life and wildlife habitat linkages.*

In addition, the project helps implement several of the LJCP's Open Space Preservation and Natural Resource Protection policies (pg. 38) such as:

- *The City should ensure, to the fullest extent possible, that sensitive resources such as coastal sage scrub and mixed chaparral that are located in designated, as well as dedicated, open space areas and open space easements will not be removed or disturbed.*
- *The City should encourage the retention of significant trees and vegetation that are part of the established character of La Jolla.*

As previously stated, the project proposes to maintain approximately 17.66 acres, or approximately 80% of the project site, within an existing covenant of easement recorded on the property. The conservation provided by this entitlement in the Designated Open Space will preserve natural amenities and maintain the characteristics of the hillsides. The proposed project will protect ESL resources and is in line with the density, vision and goals of the LJCP.

The proposed project is in the RS 1-4 zone. As outlined in SDMC Section 131.0403, the RS Zone is intended to provide appropriate regulations for the development of single-dwelling units that accommodate a variety of lot sizes and residential dwelling types and promote neighborhood quality, character, and livability. These zones are intended to provide flexibility in development regulations that allow reasonable use of property while minimizing adverse impacts to adjacent properties. The proposed development adheres to the intentions of the RS zone by limiting each of the five lots to a single dwelling unit. As stated above, each proposed lot varies in size and will promote neighborhood quality and livability. Using the site's topography, each developed lot will limit visual impacts to adjacent properties. The proposed project will maintain the neighborhood's character by conserving approximately 80% of the site to open space.

The project meets the SDMC requirements for the RS-1-4 zone, including, but not limited to, density, height, setbacks, floor area ratio, and required parking. The land use and open space goals of the La Jolla Community Plan and Local Coastal Program Land Use Plan (LJCP) have also been achieved. Therefore, the proposed coastal development conforms 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 proposed project is located approximately 1.2 miles east of the Pacific Ocean. The project site is not located between the first public roadway and the sea or shoreline of any body of water. Therefore, the finding does not apply.

B. SITE DEVELOPMENT PERMIT [SDMC Section 126.0505]

1. Findings for all Site Development Permits:

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

Please see finding A.1.c above, which is herein incorporated by reference. The proposed development will not adversely affect the applicable land use plan.

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

The proposed development is consistent with relevant SDMC policies and regulations that are designed for the protection of the public's health, safety, and welfare. The permit for the project includes various conditions and referenced exhibits of approval relevant to achieving project compliance with the applicable regulations of the SDMC. Permit conditions include but are not limited to the following: Encroachment Maintenance Removal Agreement for items in the city right-of-way; installation or updates to water and sewer facilities; implementation of storm water construction best management practices (BMPs); a Water Pollution Control Plan (WPCP); issuance of a bonded grading permit; implement requirements in accordance with a Brush Management Program; and execution and recordation of a Covenant of Easement which ensures the preservation of the Environmentally Sensitive Lands. Permit conditions have been determined necessary to avoid adverse impacts upon the public health, safety, and general welfare of persons residing or working in the surrounding area. The project shall comply with the development conditions in effect for the subject property as well as other regulations and guidelines pertaining to the subject property per the SDMC.

Prior to issuance of any ministerial permits, such as grading and/or building permits for the proposed development, the plans shall be reviewed for compliance with all building, electrical, mechanical, plumbing, and fire Code requirements, and the owner/permittee shall be required to obtain grading and public improvement permits. Compliance with these regulations during and after construction will be enforced through building inspections completed by the city's building inspectors.

The project was reviewed for Environmental impacts on the site and surrounding area. An Addendum to the previously certified Reserve EIR No. 292065/SCH No. 2014051069 was created for the project. In accordance with Section 15164 of the CEQA Guidelines, the Addendum found that no changes in circumstances have occurred, and no new information of substantial importance has manifested, which would result in new significant or substantially increased adverse impacts as a result

of the project. In addition, the MMRP to the previously certified Reserve EIR No. 292065/SCH No. 2014051069 was updated for the project in compliance with Section 21081.6 of CEQA to identify the following:

- 1) Project design features in order to reduce the potential for environmental effects;
- 2) Mitigation measures to be implemented prior to, during, and after construction of the project;
- 3) The individual/agency responsible for that implementation; and
- 4) Criteria for completion or monitoring of the specific measures.

As such, the proposed project will not be detrimental to the public health, safety, and welfare.

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

The project meets the SDMC requirements for the RS-1-4 zone, including, but not limited to, density, height, setbacks, floor area ratio, and required parking. The land use and open space goals of the La Jolla Community Plan and Local Coastal Program Land Use Plan (LJCP) have also been achieved. The La Jolla Community Plan and Local Coastal Program Land Use Plan (LJCP) designate the site as Very Low-Density Residential (0-5 units per acre), as well as Designated Open Space/Park.

The project proposes one deviation pursuant to San Diego Municipal Code Section 126.0602(b)(1) that allow a Planned Development Permit for deviations from the base zone development regulations to provide “flexibility in achieving a zone-equivalent project design that will be consistent with the intent of the base zone”.

The proposed deviation includes:

1. SDMC Section 131.0431 (b) (Table 131-04D) includes Development Regulations for RS Zones. The project proposes no frontage (0 feet) for Lots 1-5 along the public street where 65 feet is required.

The project requests the deviation to the street frontage due to the location of the proposed residential lots and Romero Drive. Currently, Romero Drive terminates approximately 100 feet from the proposed project site. To the south, east and west where Romero Drive terminates, there is ESL. The project is proposing a private, gated road (Lot C) that will connect to Romero Drive. The private road will loop around the residential lots (Lots 1-5), providing ingress and egress to Romero Drive. Each residential lot will include at least the minimum required street frontage of 65 feet along the private street as outlined in the SDMC. The proposed location for

situating the lots along Romero Drive would have the least significant impacts to the ESL.

The project meets the SDMC density regulations, incorporates several stated goals, and follows the LJCP's Open Space land use policies as noted in item (A)(1)(c) above. It adheres to the regulations of the Land Development Code found in the SDMC and CEQA and was found to have one allowable deviation that is necessary to protect the ESL, and natural landform. Therefore, the project will comply with the regulations of the Land Development Code, including the deviation to street frontage pursuant to the Land Development Code.

C. SUPPLEMENTAL FINDINGS – ENVIRONMENTALLY SENSITIVE LANDS [SDMC Section 126.0505]

1. Supplemental Findings for Environmentally Sensitive Lands:

a. The site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands.

The proposed project location is a 22.21-acre site that contains approximately 4.20 acres of previously developed land. Within the 4.2 acres of developed land, the project will subdivide 3.35 acres into six lots: five developed lots (Lots 1-5) and one access and utility lot (Lot C). The remaining two lots (Lots A and B), which comprise 17.66 acres, will be retained and conserved within an existing covenant of easement recorded on the property. The disturbed portion of the site currently lacks sensitive vegetation communities and is landscaped with well-maintained turf, cart paths, and a man-made biofiltration basin. The project has been designed to minimize environmental impacts, and the least environmentally impactful locations were selected for development based on the location of sensitive biological resources, defensible space, and access considerations. A deviation as described in Finding B.1.c. (incorporated herein by reference) was requested to protect ESL along the public right-of-way at Romero Drive and keep the natural form in place.

In March 2023, a Biological Resources Report (BRR) was completed for the project site by Leopold Biological Services. The report detailed a resources study that documented the existing biological conditions for the site, identified potential impacts to biological resources that could result from the implementation of the project, and recommended measures to avoid, minimize, and mitigate significant impacts consistent with the CEQA and applicable federal, state, and local rules and regulations.

The study's findings stated that implementing the proposed project will have no direct or indirect impacts and will not result in potentially significant indirect impacts such as noise, dust, interruption of wildlife movement, or sedimentation of downstream wetland environments.

The project site lies within the City of San Diego Multiple Species Conservation Program (MSCP) boundary. However, the project site is located outside the City's Multi-Habitat Planning Area (MHPA) conservation area, and therefore, no specific MHPA conditions are required for this project. The project was analyzed for consistency with the MSCP Land Use Adjacency Guidelines and other components of the City's MSCP Subarea Plan.

The project was also reviewed for Environmental impacts on the site and surrounding area. An Addendum to the previously certified Reserve EIR No. 292065/SCH No. 2014051069 was created for the project. In accordance with Section 15164 of the CEQA State Guidelines, the Addendum found that no changes in circumstances have occurred, and no new information of substantial importance has manifested, which would result in new significant or substantially increased adverse impacts as a result of the project.

Based on the analysis of the site the proposed project is physically suitable for the design and siting of the proposed development, and the development will result in minimum disturbance to environmentally sensitive lands.

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

Grading for the project is limited to the building footprint, access, and areas close to the dwelling unit; it does not fundamentally alter or reshape the site. The proposed dwelling unit is not located in a flood zone as shown on any Federal Emergency Management Agency (FEMA) map. A geotechnical report was prepared for the project which did not identify undue risk from the project as designed. The project structures are located more than 100 feet from any highly flammable native/naturalized vegetation and brush management is not required. Therefore, the proposed development will minimize the alteration of natural landforms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.

The proposed subdivision of the property and construction of the five new single dwelling units will be entirely within the approximately 3.35 acres of the 22.21-acre site. The project proposes grading approximately 15% of the entire project site. Prior to any grading of the site, a grading plan will be prepared by a registered civil engineer and a grading permit will be obtained in conformance with the City's Land Development Code. All grading will follow the recommendations described in the geotechnical report prepared by Geotechnical Exploration Inc (July 2022). The cut and fill portions of the proposed grading are mainly located within the building footprints with minimal change to the natural landform. The project area is classified as low to moderate risk for seismic activity according to the City of San Diego General Plan. The geotechnical report stated that a portion of the site is located within Hazard Category 12, which is characterized as an earthquake buffer, for the Country Club Fault, which is classified as "potentially active, inactive, presumed

inactive, or activity unknown” with a low to moderate risk level. Further construction-related activities associated with the project will be required to comply with the seismic requirements of the California Building Code, city-required engineering design measures, recommendations included in the city-approved project geology reports, and standard construction requirements that the city verifies at the construction permitting stage.

The project site is not located within a 100-year flood hazard area, and it is located approximately 444 to 603 feet above the mean sea level. The project’s design includes construction-related BMPs, such as diversion features (as determined by the grading contractor), and permanent low-impact development (LID) measures, such as permeable pavement and detention/treatment features within the landscape areas, to ensure runoff from the site does not result in erosion and sedimentation off-site. Through the project design features, runoff volumes from the developed portion of the site will be reduced to match pre-existing flows and will not contribute to erosive discharge velocities at the existing storm drain outlets. As such, the project will avoid direct discharge of runoff and erosion of the native habitat adjacent to the southern and eastern property boundaries. The proposed landscaping along the development edge of all new building parcels is adjacent to the building restricted easement/covenant of easement area, and revegetation of the non-native invasive plant removal areas would include brush management compatible natives and naturalized species that are drought tolerant.

The project will comply with all uniform building and fire code requirements. The project site is in a largely built-out single-family neighborhood that is identified on the City’s Fire Hazard Severity Zone Map as having a very high fire hazard for the potential for wildfire to occur. To minimize risks associated with potential wildfire events, the project complies with the City’s fire emergency access requirements and will establish and maintain Brush Management Zones 1 and 2 on all the newly created parcels in compliance with the approved Brush Management Plan. Therefore, the proposed project will minimize the alteration of natural landforms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.

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

The proposed project location is a 22.21-acre site that contains approximately 4.2 acres of previously developed land. Within the 4.2 acres of developed land, the project will subdivide 3.35 acres into six lots: five developed lots and one access and utility lot. The remaining two lots, which comprise 17.66 acres, will be retained and conserved within an existing covenant of easement recorded on the property. The project has been designed to minimize environmental impacts, and the least environmentally impactful locations were selected for development based on the location of sensitive biological resources, defensible space, and access considerations.

With the proposed single dwelling units located within 100 feet of native/naturalized vegetation and revegetated areas, the project's design includes a brush management plan. The proposed landscaping along the development edge adjacent to the building restricted easement/covenant of easement area, and revegetation area would include brush management compatible natives and naturalized species which are drought tolerant and comply with all City Landscape Requirements. In addition, the project will comply with applicable Land Development Code provisions that require preferential avoidance of sensitive habitat and species for Brush management Zone 2 areas, and construction related storm water best management practices. Thus, based on the project design, other project conditions and applicable laws designed to minimize impacts to environmentally sensitive lands, the proposed project will prevent adverse impacts on any adjacent Environmentally Sensitive Lands.

d. The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan and Vernal Pool Habitat Conservation Plan (VPHCP).

The project site is located at 6850 Country Club Drive within the LJCP. Development is proposed on a total of 3.35 acres of the 22.21-acre site. Approximately 17.66 acres, or approximately 80% of the project site, is proposed to be retained and conserved within an existing covenant of easement recorded on the property. The project site contains steep hillsides and sensitive biological resources making the proposed development subject to the Environmentally Sensitive Lands Regulations. Based on a Biological Resources Technical Report prepared by Leopold Biological Services dated January 2023, the site was found to contain scrub oak chaparral, southern maritime chaparral, and non-native grasslands, which are all identified as sensitive biological resources. The proposed development places the five new residences in the northern portion of the property and proposes minimal encroachment into the Environmentally Sensitive Lands.

The project site lies within the City of San Diego Multiple Species Conservation Program (MSCP) boundary. However, the project site is located outside the City's Multi-Habitat Planning Area (MHPA) conservation area, and there are no specific MHPA guidelines for the project area. The project was analyzed for consistency with the MSCP Land Use Adjacency Guidelines and other components of the City's MSCP Subarea Plan. Because of the project design, applicable laws and project conditions, the project will be consistent with the City's MSCP Subarea Plan.

e. The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.

The 22.21-acre site, currently vacant land, is located within a well-developed residential neighborhood approximately 1.2 miles from the coastline. The project site is not located within a 100-year flood hazard area, and it is located approximately 444 to 603 feet above the mean sea level. The project's design includes construction-related best management practices (BMPs), such as diversion

features (as determined by the grading contractor), and permanent low-impact development (LID) measures, such as permeable pavement and detention/treatment features within the landscape areas, to ensure runoff from the site does not result in erosion and sedimentation off-site. Through the project design features, runoff volumes from the developed portion of the site will be reduced to match pre-existing flows and will not contribute to erosive discharge velocities at the existing storm drain outlets. As such, the project will avoid direct discharge of runoff and erosion of the native habitat adjacent to the southern and eastern property boundaries. The proposed landscaping along the development edge of all new building parcels is adjacent to the covenant of easement area, and revegetation of the non-native invasive plant removal areas would include brush management compatible natives and naturalized species that are drought tolerant and comply with all City Landscape Requirements. Therefore, the proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.

f. The nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development.

See Findings D.1.c. and C.1.a., incorporated herein by reference. The 22.21-acre project site is located within a mostly developed area of single-family residences on large to moderate-sized lots. The development proposes to construct five new three-story single dwelling units on the eight newly created lots, which is approximately a 3.35-acre portion of the project site. Two of the lots, which comprise 17.66 acres, will be retained and conserved within an existing covenant of easement recorded on the property. The project has been designed to minimize environmental impacts, avoid ESL and protect steep hillsides wherever possible.

The project was reviewed for environmental impacts on the site and surrounding area. An Addendum to the previously certified Reserve EIR No. 292065/SCH No. 2014051069 was created for the project. In accordance with Section 15164 of the CEQA State Guidelines, the Addendum found that no changes in circumstances have occurred, and no new information of substantial importance has manifested, which would result in new significant or substantially increased adverse impacts as a result of the project.

In addition, the MMRP to the previously certified Reserve EIR No. 292065/SCH No. 2014051069 was updated for the project in compliance with Section 21081.6 of CEQA Guidelines. The MMRP sites specific conditions to protect biological resources prior to construction, such as a Biologist verification, a preconstruction meeting, submittal of biological documents, a Biological Construction Mitigation/Monitoring Exhibit (BCME), Avian Protection requirements, environmental protections such as fencing and education. During Construction the MMRP will condition the project to be monitored by a qualified Biologist to ensure all construction stays within previously identified areas as shown on Exhibit "A" and/or the BCME; that construction activities do not encroach into biologically sensitive areas, or cause other similar damage, and that the work plan has been amended to accommodate any sensitive species located

during the pre- construction surveys. In addition, The Qualified Biologist shall note/act to prevent any new disturbances to habitat, flora, and/or fauna on site (e.g., flag plant specimens for avoidance during access, etc.). If active nests or other previously unknown sensitive resources are detected, all project activities that directly impact the resource shall be delayed until species specific local, state, or federal regulations have been determined and applied by the Qualified Biologist. Lastly, post construction measures will be implemented in the event that impacts exceed previously allowed amounts. Any additional impacts shall be mitigated in accordance with City Biology Guidelines, ESL and MSCP, CEQA Guidelines, and other applicable local, state, and federal law.

The proposed project will protect much of the open space through a previous covenant of easement; is designed to avoid ESL where possible, lessen the impacts on steep hillsides and retain the natural landform. Where development is proposed, the project has been analyzed through an Addendum to the previously certified Reserve EIR No. 292065/SCH No. 2014051069 and found the project would not result in new significant or substantially increased adverse impacts. Lastly, an MMRP will condition the site to be monitored during pre-construction and construction phases to ensure requirements are met, while mitigation measures will be implemented post-construction should impacts exceed previously allowed amounts. These measures will ensure that the nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development.

D. PLANNED DEVELOPMENT PERMIT [SDMC Section 126.0605]

1. Findings for all Planned Development Permits:

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

Please see Finding (A)(1)(c) above, which is herein incorporated by reference. The proposed development will not adversely affect the applicable land use plan.

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

Please see Finding (B)(1)(b) above, which is herein incorporated by reference. The proposed development will not be detrimental to the public health, safety, and welfare.

- c. The proposed development will comply with the regulations of the Land Development Code including any proposed deviations pursuant to Section 126.0602(b)(1) that are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone, and any allowable**

deviations that are otherwise authorized pursuant to the Land Development Code.

Please see Finding (B)(1)(c) above, which is herein incorporated by reference. The project proposes one deviation pursuant to San Diego Municipal Code Section 126.0602(b)(1) that allow a Planned Development Permit for deviations from the base zone development regulations to provide “flexibility in achieving a zone-equivalent project design that will be consistent with the intent of the base zone”. The proposed deviation includes:

- Street Frontage: SDMC Section 131.0431 (b) (Table 131-04D) includes Development Regulations for RS Zones. The project proposes no frontage (0 feet) for Lots 1-5 along the public street where 65 feet is required. The street frontage will be provided along the private road (Lot C).

The project requests the deviation to the street frontage due to the location of the proposed residential lots and Romero Drive. Currently, Romero Drive terminates approximately 100 feet from the proposed project site. To the south, east and west where Romero Drive terminates, there is ESL. The project is proposing a private, gated road (Lot C) that will connect to Romero Drive. The private road will loop around the residential lots (Lots 1-5), providing ingress and egress to Romero Drive. Each residential lot will include the minimum required street frontage along the private street. The proposed location for situating the lots along Romero Drive, would have the least significant impacts to the ESL and would result in a more desirable project by reducing the impacts to ESL. If the 65 feet of street frontage along the public street was required, significant impacts to ESL would be needed to extend Romero Drive. The requested deviation allows for a reduction of impacts to ESL and aligns with the purpose of the ESL regulations to protect, preserve the environmentally sensitive lands of San Diego and the viability of the species supported by those lands.

The proposed development, as presented with the deviation to street frontage is appropriate for the location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone.

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, based on the findings hereinbefore adopted by the Planning Commission, Coastal Development Permit Approval No. 3172975, Site Development Permit Approval

No. 3172976 and Planned Development Permit Approval No. 3276492 (amendment to Coastal Development Permit No. 1050394, Site Development Permit No. 1050407, Planned Development Permit No. 1050409, Project No. 292065) 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's. 3172975, 3172976 and 3276492 a copy of which is attached hereto and made a part hereof.

Robin MacCartee
Development Project Manager
Development Services

Adopted on: September 19, 2024

IO#: 24009296

PLANNING COMMISSION
CONDITIONS FOR TENTATIVE MAP NO. 3172977 - PROJECT NO. PRJ-1063637

ADOPTED BY RESOLUTION NO. R-_____ ON _____

GENERAL

1. This Tentative Map will expire October 3, 2027.
2. Compliance with all of the following conditions shall be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordation of the Final Map, unless otherwise noted.
3. Prior to the recordation of the Final Map, taxes must be paid on this property pursuant to Subdivision Map Act section 66492. To satisfy this condition, a tax certificate stating that there are no unpaid lien conditions against the subdivision must be recorded in the Office of the San Diego County Recorder.
4. Vesting Tentative Map No. 1050354 recorded via Resolution No. R-310222 was finalized with the issuance of Parcel Map Number 21506. No map conditions will carry over to Tentative Map No. 3172977.
5. The Tentative Map shall conform to the provisions of Coastal Development Permit No. 3172975, Site Development Permit No. 3172976, and Planned Development Permit No. 3276492 (amendment to Coastal Development Permit No. 1050394, Site Development Permit No. 1040407, Planned Development Permit No. 1050409, Project No. 292065).
6. The Subdivider shall defend, indemnify, and hold the City (including its agents, officers, and employees [together, "Indemnified Parties"]) harmless from any claim, action, or proceeding, against the City and/or any Indemnified Parties to attack, set aside, void, or annul City's approval of this project, which action is brought within the time period provided for in Government Code section 66499.37. City shall promptly notify Subdivider of any claim, action, or proceeding and shall cooperate fully in the defense. If City fails to promptly notify Subdivider of any claim, action, or proceeding, or if City fails to cooperate fully in the defense, Subdivider shall not thereafter be responsible to defend, indemnify, or hold City and/or any Indemnified Parties harmless. City may participate in the defense of any claim, action, or proceeding if City both bears its own attorney's fees and costs, City defends the action in good faith, and Subdivider is not required to pay or perform any settlement unless such settlement is approved by the Subdivider.

LANDSCAPE

7. Prior to recordation of the Final/Parcel Map, the Owner/Subdivider shall identify on a separate sheet titled 'Non-title Sheet' the brush management areas in substantial conformance with Exhibit "A." These brush management areas shall be identified with a hatch symbol with no specific dimensions or zones called out. The following note shall be provided on the 'Non-Title Sheet' to identify the hatched areas: "Indicates fire hazard zone(s)"

per §142.0412 of the Land Development Code.'

MAPPING

8. Prior to the expiration of the tentative map, if approved, a Final Map to consolidate and subdivide the property into eight (8) lots shall be recorded in the County Recorder's office.
9. Prior to the recordation of the Final Map, taxes must be paid or bonded for this property pursuant to section 66492 of the Subdivision Map Act. A current original tax certificate, recorded in the office of the San Diego County Recorder, must be provided to satisfy this condition.
10. If a tax bond is required as indicated in the tax certificate, ensure that it is paid or posted at the County Clerk of the Board of Supervisors Office and supply proof prior to the recordation of the Final Map.
11. The Final Map shall be based on field survey and all lot corners must be marked with durable survey monuments pursuant to Section 144.0311(d) of the City of San Diego Land Development Codes and Subdivision Map Act Section 66495.
12. All survey monuments shall be set prior to the recordation of the Final Map, unless the setting of monuments is deemed impractical due to the proposed improvements and/or grading associated with the project, in which case, delayed monumentation may be applied on the Parcel Map in accordance with Section 144.0130 of the City of San Diego Land Development Codes.
13. All subdivision maps in the City of San Diego are required to be tied to the California Coordinate System of 1983 (CCS83), Zone 6 pursuant to section 8801 through 8819 of the California Public Resources Code.
14. The Final Map shall:
 - a. Use the California Coordinate System for its "Basis of Bearings" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true meridian (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
 - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of First Order accuracy. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map

are to be shown as ground distances. A combined factor for conversion of grid-to-ground shall be shown on the map.

INFORMATION:

- The approval of this Tentative Map by the Planning Commission of the City of San Diego does not authorize the subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 USC § 1531 et seq.).
- If the Subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), the Subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design guides and City regulations, standards and practices pertaining thereto. Off-site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.
- Subsequent applications related to this Tentative Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Tentative Map, may protest the imposition within ninety days of the approval of this Tentative Map by filing a written protest with the San Diego City Clerk pursuant to Government Code sections 66020 and/or 66021.
- Where in the course of development of private property, public facilities are damaged or removed, the Subdivider shall at no cost to the City, obtain the required permits for work in the public right-of-way, and repair or replace the public facility to the satisfaction of the City Engineer (San Diego Municipal Code Section 142.0607).

Internal Order No. 24009296

PLANNING COMMISSION RESOLUTION NUMBER R-_____

TENTATIVE MAP NO. 3172977

WHEREAS, FOXHILL INVCO ONE, LLC, Subdivider, and James R. Nicolau IV, Professional Land Surveyor, submitted an application to the City of San Diego for a tentative map to subdivide one parcel to create eight new lots, including five residential lots (Lots 1-5), each with new, three-story, single dwelling units with a pool. Two of the lots will not be developed (Lots A and B) and one lot will serve as an access and utilities easement area (Lot C). Lot C will also serve as a private road with access and frontage to all five residential lots. The project site is located at 6850 Country Club Drive, also known as Accessor's Parcel Number 352-300-11-00 in the Coastal Height Limit Overlay Zone, Coastal Overlay (non-appealable) Zone, and Parking Impact Overlay Zone of the La Jolla Community Plan area.

WHEREAS, the project Tentative Map No. 3172977 (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 3172977), associated with Coastal Development Permit Approval No. 3172975, Site Development Permit Approval No. 3172976 and Planned Development Permit Approval No. 3276492, creates eight new parcels, listed as Lots 1-5, Lot A, Lot B and Lot C, the legal description identifies seven parcels, listed as Parcels A-G. For reference, Parcel A of the legal description incorporates all of Lots 1-5, Lot A, Lot C, and some portions of Lot B of Tentative Map No. 3172977. Parcels B, C, D, E, F, and G of the legal description are located in Lot B of project Tentative Map No 3172977. The property is legally described as:

The land referred to herein below is situated in The City of San Diego, in the County of San Diego, State of California, and is described as follows:

ATTACHMENT 7

(R-[Reso Code])

Parcel A: APN: 352-300-11-00 Parcel 3 of Parcel Map No. 21506, in the City of San Diego, County of San Diego, State of California, according to map thereof filed in the Office of The County Recorder of San Diego County October 11, 2017, as Instrument No. 2017-7000389 of Official Records.

Parcel B: An Easement and right-of-way for road, sewer line, water lines and other Public Utility purposes, over Easement and Right-of-Way No. 2 as reserved and described in Deed to Neale-Baldwin Company, recorded February 17, 1954, in Book 5144, Page 52 of Official Records.

Parcel C: An Easement and right-of-way for ingress and egress for construction, maintenance, and repair for sewer line purposes and appurtenances thereto as granted in the Grant Deed, recorded January 27, 1960, as Instrument No. 17085 of Official Records, over that portion of the Southerly 20 feet of Pueblo Lot 1263 of the Pueblo Lands of San Diego, in the City of San Diego, County of San Diego, State of California, according to Map thereof made by James Pascoe in 1870, a copy of which said Map was filed in the Office of the County Recorder of San Diego County, and known as Miscellaneous Map No. 36, lying Westerly of the Southerly prolongation of the Easterly line of Lot 10 of La Jolla County Club Estates, according to Map thereof No. 2167, filed in the Office of the County Recorder of San Diego County, and lying Easterly of the Southeasterly boundary of La Jolla County Club Heights, Unit No. 2, according to Map thereof No. 2165, filed in the Office of the County Recorder of San Diego County.

Parcel D: An Easement for vehicular and pedestrian ingress and egress and for the purposes of installing, maintaining, and repairing roadway and utilities over those portions of Lot 3 in the La Jolla Country Club Estates according to Map No. 2167 thereof, recorded July 31, 1929, in the Office of the County Recorder, San Diego County as conveyed in the agreement recorded September 25, 2013, as Instrument No. 2013-0585763 of Official Records.

Parcel E: An Easement for vehicular and pedestrian ingress and egress and for the purposes of installing, maintaining, and repairing roadway and utilities over those portions of Lot 4 in the La Jolla Country Club Estates according to Map No. 2167 thereof, recorded July 31, 1929, in the Office of the County Recorder, San Diego County as conveyed in the agreement recorded September 25, 2013, as Instrument No. 2013-0585764 of Official Records.

Parcel F: An Easement for vehicular and pedestrian ingress and egress and for the purposes of installing, maintaining and repairing roadway and utilities over that real property situated in the City of San Diego, County of San Diego, State of California, being a portion of Pueblo Lot 1263 of the Pueblo Lands of San Diego according to the Map thereof made by James Pascoe in 1870, a copy of which was filed in the Office of the County Recorder of said San Diego County November 14, 1921 and known as Miscellaneous Map No. 36, as conveyed in the agreement recorded September 25, 2013 as Instrument No. 2013-0585765 of Official Records.

Parcel G: An Easement for vehicular and pedestrian ingress and egress, the installation, maintenance, repair, replacement, or future upgrades or improvement of any roadway and pedestrian improvements, and the installation maintenance, repair, replacement or future upgrades or improvement of any utilities or drainage lines all of which must be located underground as conveyed and described in the "Agreement for Grant of Easement for Private Roadway and Utilities" Recorded May 16, 2014 as Instrument No. 2014-0202074 of Official Records; and

WHEREAS, the Map proposes the Subdivision of a 22.21-acre site into eight lots; and

WHEREAS, on September 19, 2024, the Planning Commission of the City of San Diego , considered the Addendum to the Reserve Environmental Impact Report (EIR) No. 292065/SCH No. 2014051069 and a Mitigation Monitoring and Reporting Program for Project No. 1063767; and

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

evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, on September 19, 2024, the Planning Commission of the City of San Diego considered Tentative Map No. 3172977, and pursuant to San Diego Municipal Code section 125.0440, and Subdivision Map Act section 66428, received for its consideration written and oral presentations, evidence having been submitted, and testimony having been heard from all interested parties at the public hearing, and the Planning Commission having fully considered the matter and being fully advised concerning the same; NOW THEREFORE,

BE IT RESOLVED by the Planning Commission of the City of San Diego, that it adopts the following findings with respect to Tentative Map No. 3172977:

TENTATIVE MAP [SDMC Section 125.0440]

1. Findings for all Tentative Maps:

a. The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan.

The La Jolla Community Plan and Local Coastal Program Land Use Plan (LJCP) designate the site as Very Low-Density Residential (0-5 units per acre), as well as Designated Open Space/Park. In addition, the project adheres to the objectives of the Very Low-Density Residential designation through the facilitation of several of the Residential Land Use goals (pg. 67), including:

- *Provide a high-quality residential environment in La Jolla that respects its relationship to the sea, to hillsides, and to open space.*

The project proposes five high-quality, single-dwelling units spread across the 3.35 acres of developed land. Each of the proposed single-dwelling units will be

positioned in relationship to the sea. The topography of the developed area will allow neighboring parcels to maintain their relationship to the sea and provide minimal disturbance to the natural vistas created by the hillsides. Approximately 80% of the project site will be retained and conserved within an existing building-restricted easement/covenant of easement recorded on the property to ensure the open space of the undeveloped land will be preserved and remain undeveloped.

- *Promote the development of a variety of housing types and styles in La Jolla.*

The project proposes five high-quality, single-dwelling units spread across 3.35 acres of developed land. Each unit will be unique in design, character, and style, maintaining the variety common in the La Jolla community.

- *Maintain the character of La Jolla's residential areas by ensuring that redevelopment occurs in a manner that protects natural features, preserves existing streetscape themes, and allows a harmonious visual relationship to exist between the bulk and scale of new and older structures.*

The project proposes five high-quality, single-dwelling units spread across 3.35 acres of developed land with approximately 17.66 acres, or approximately 80% of the project site, to be retained and conserved within an existing building-restricted easement/covenant of easement recorded on the property. This relationship between developed and non-developed areas will protect the natural environment. In addition, one of the eight parcels (Lot C) will be designated as a private road at the terminus of Romero Drive, a public road, preserving the existing streetscape theme and maintaining harmony with the existing neighborhood. Lastly, the topography of the developed area will allow neighboring parcels to maintain their visual relationship to the sea by containing the scale within the hillside of the proposed site. Bulk will be reduced through the relationship of the proposed dwelling units at the terminus of the existing road and keeping the new development away from older structures.

The project adheres to the objectives of the Designated Open Space/Park designation through the facilitation of several of the Natural Resources and Open Space System goals (pg. 29), including:

- *Preserve the natural amenities of La Jolla such as its open space, hillsides, canyons, bluffs, parks, beaches, tidepools and coastal waters.*
- *Maintain the identified public views to and from these amenities in order to achieve a beneficial relationship between the natural or unimproved and developed areas of the community.*

- *Protect the environmentally sensitive resources of La Jolla's open areas including its coastal bluffs, sensitive steep hillside slopes, canyons, native plant life and wildlife habitat linkages.*

In addition, the project helps implement several of the LJCP's Open Space Preservation and Natural Resource Protection policies (pg. 38) such as:

- *The City should ensure, to the fullest extent possible, that sensitive resources such as coastal sage scrub and mixed chaparral that are located in designated, as well as dedicated, open space areas and open space easements will not be removed or disturbed.*
- *The City should encourage the retention of significant trees and vegetation that are part of the established character of La Jolla.*

As previously stated, the project proposes to maintain approximately 17.66 acres, or approximately 80% of the project site, within an existing building-restricted easement/covenant of easement recorded on the property. The conservation provided by this entitlement in the designated Open Space will preserve natural amenities and maintain the characteristics of the hillside. The proposed project will protect ESL resources and is in line with the density, vision and goals of the LJCP.

The proposed project is in the RS 1-4 Zone. As outlined in SDMC Section 131.0403, the RS Zone is intended to provide appropriate regulations for the development of single-dwelling units that accommodate a variety of lot sizes and residential dwelling types and promote neighborhood quality, character, and livability. These zones are intended to provide flexibility in development regulations that allow reasonable use of property while minimizing adverse impacts to adjacent properties. The proposed development adheres to the intentions of the RS zone by limiting each of the five lots to a single dwelling unit. Each proposed lot varies in size and will promote neighborhood quality and livability. Using the project site's topography, each developed lot will limit impacts to adjacent properties, and the proposed project will maintain the neighborhood's character by conserving approximately 80% of the site to open space.

Specifically:

Residential Lot 1

Lot 1 is the most easterly lot of the 5 single dwelling units being proposed. The lot is surrounded by Lot C, which is the proposed private road, and west of Lot A, which will be an undeveloped lot. The private road will separate Lot 1 from the other

residential lots (Lots 2-5). The proposed lot will be 19,401 square feet (sq. ft.) where a minimum of 10,000 sq. ft. is required for the RS-1-4 Zone. The lot will be 202.5 feet in width and 122.8 feet in depth, where 65 feet and 100 feet minimums are required for the zone. The lot will not have any public street frontage, where 65 feet is required, and a deviation has been requested for resolution.

The single dwelling unit proposed for Lot 1 will be two stories measured at 27.6 feet above grade, which is below the 30-foot height limit for the Coastal Zone. The garage for the proposed residence will be below grade. The proposed dwelling unit will have a front setback of 20 feet, where 20 feet is the minimum, a side setback of 16 feet, where 16 feet is the minimum and a rear setback of 20 feet, where 20 feet is the minimum. The lot will have a .44 Floor Area Ratio (FAR), where .45 is the maximum. The residential development will have two parking spaces, where two spaces are required.

Lot 1 is situated against a steep hillside with the land elevating from west to east. The elevation situates the proposed development below the neighboring homes to the east and above the homes to the west. There is open space to the north and south of the property. The primary vantage point of the neighborhood is the Pacific Ocean to the west. The topography and open space surrounding the home prevent the proposed development from impacting neighboring vantage points. In addition, the development will provide a biofiltration basin to address source pollution in urban runoff as well as follow brush management regulations by providing alternative compliance measures including a minimum 6' tall Masonry Wall proposed at the backside of the driveway and Dual Pane/Dual Tempered glass at all facades facing the Existing Covenant of Easement/Environmentally Sensitive Lands.

Residential Lot 2

Lot 2 is the most southerly lot of the 5 single dwelling units being proposed. The lot is southwest of Lot C, which is the proposed private road, and surrounded to the south and east by Lot B, which will be an undeveloped lot. The lot abuts Lot 3 to the north. The proposed lot will be 32,137 sq. ft. where a minimum of 10,000 sq. ft. is required for the RS-1-4 Zone. The lot will be 101.25 feet in width and 267.8 feet in depth, where 65 feet and 100 feet minimums are required for the zone. The lot will not have any public street frontage, where 65 feet is required, and a deviation has been requested for resolution.

The single dwelling unit proposed for Lot 2 will be two stories measured at 24 feet above grade, which is below the 30-foot height limit for the Coastal Zone. A third story for the proposed residence will be below grade. The proposed dwelling unit will have a front setback of 20 feet, where 20 feet is the minimum, a side setback of 8

feet, where 8 feet is the minimum and a rear setback of 20 feet, where 20 feet is the minimum. The lot will have a .34 Floor Area Ratio (FAR), where .45 is the maximum. The residential development will have two parking spaces, where two spaces are required.

Lot 2 is situated against a steep hillside with the land elevating from west to east. The elevation situates the proposed development below the neighboring homes to the east and above the homes to the west. There is open space to the south of the property. The primary vantage point of the neighborhood is the Pacific Ocean to the west. The topography and open space surrounding the home prevent the proposed development from impacting neighboring vantage points. In addition, the development will provide a biofiltration basin to address source pollution in urban runoff as well as follow brush management regulations by providing alternative compliance measures including Dual Pane/Dual Tempered glass at all facades facing the Existing Covenant of Easement/Environmentally Sensitive Lands.

Residential Lot 3

Lot 3 is at the southern end of the 5 single dwelling units being proposed. The Lot is southwest of Lot C, which is the proposed private road, and east of Lot B, which will be an undeveloped lot. The lot abuts Lot 4 to the north and Lot 2 to the south. The proposed lot will be 31,144 sq. ft. where a minimum of 10,000 sq. ft. is required for the RS-1-4 Zone. The lot will be 115 feet in width and 211.5 feet in depth, where 65 feet and 100 feet minimums are required for the zone. The lot will not have any public street frontage, where 65 feet is required, and a deviation has been requested for resolution.

The single dwelling unit proposed for Lot 3 will be two stories measured at 26' 10" above grade, which is below the 30-foot height limit for the Coastal Zone. A third story for the proposed residence will be below grade. The proposed dwelling unit will have a front setback of 20 feet, where 20 feet is the minimum, a side setback of 9.25 feet, where 9.2 feet is the minimum and a rear setback of 20 feet, where 20 feet is the minimum. The lot will have a .43 Floor Area Ratio (FAR), where .45 is the maximum. The residential development will have two parking spaces, where two spaces are required.

Lot 3 is situated against a steep hillside with the land elevating from west to east. The elevation situates the proposed development below the neighboring homes to the east and above the homes to the west. There is open space to the west of the property. The primary vantage point of the neighborhood is the Pacific Ocean to the west. The topography and open space surrounding the home prevent the proposed development from impacting neighboring vantage points. In addition, the

development will provide a biofiltration basin to address source pollution in urban runoff as well as follow brush management regulations by providing alternative compliance measures including Dual Pane/Dual Tempered glass at all facades facing the Existing Covenant of Easement/Environmentally Sensitive Lands.

Residential Lot 4

Lot 4 is in the middle of the 5 single dwelling units being proposed. The lot is west of Lot C, which is the proposed private road, and east of Lot B, which will be an undeveloped lot. The lot abuts Lot 5 to the north and Lot 3 to the south. The proposed lot will be 31,350 sq. ft. where a minimum of 10,000 sq. ft. is required for the RS-1-4 Zone. The lot will be 99.5 feet in width and 255.75 feet in depth, where 65 feet and 100 feet minimums are required for the zone. The lot will not have any public street frontage, where 65 feet is required, and a deviation has been requested for resolution.

The single dwelling unit proposed for Lot 4 will be two stories measured at 26' 7" above grade, which is below the 30-foot height limit for the Coastal Zone. A third story for the proposed residence will be below grade. The proposed dwelling unit will have a front setback of 20 feet, where 20 feet is the minimum, a side setback of 8 feet, where 8 feet is the minimum and a rear setback of 20 feet, where 20 feet is the minimum. The lot will have a .37 Floor Area Ratio (FAR), where .45 is the maximum. The residential development will have two parking spaces, where two spaces are required.

Lot 4 is situated against a steep hillside with the land elevating from west to east. The elevation situates the proposed development below the neighboring homes to the east and above the homes to the west. There is open space to the west of the property. The primary vantage point of the neighborhood is the Pacific Ocean to the west. The topography and open space surrounding the home prevent the proposed development from impacting neighboring vantage points. In addition, the development will provide a biofiltration basin to address source pollution in urban runoff as well as follow brush management regulations by providing alternative compliance measures including Dual Pane/Dual Tempered glass at all facades facing the Existing Covenant of Easement/Environmentally Sensitive Lands.

Residential Lot 5

Lot 5 is at the northerly end of the 5 single dwelling units being proposed. The lot is west of Lot C, which is the proposed private road, and surrounded to the north and west by Lot B, which will be an undeveloped lot. The lot abuts Lot 4 to the south. The proposed lot will be 32,202 sq. ft. where a minimum of 10,000 sq. ft. is required for

the RS-1-4 Zone. The lot will be 89.25 feet in width and 291 feet in depth, where 65 feet and 100 feet minimums are required for the zone. The lot will not have any public street frontage, where 65 feet is required, and a deviation has been requested for resolution.

The single dwelling unit proposed for Lot 5 will be two stories measured at 28 feet above grade, which is below the 30-foot height limit for the Coastal Zone. A third story for the proposed residence will be below grade. The proposed dwelling unit will have a front setback of 20 feet, where 20 feet is the minimum, a side setback of 7.14 feet, where 7.14 feet is the minimum and a rear setback of 20 feet, where 20 feet is the minimum. The lot will have a .36 Floor Area Ratio (FAR), where .45 is the maximum. The residential development will have two parking spaces, where two spaces are required.

Lot 5 is situated against a steep hillside with the land elevating from west to east. The elevation situates the proposed development below the neighboring homes to the east and above the homes to the west. There is open space to the west of the property. The primary vantage point of the neighborhood is the Pacific Ocean to the west. The topography and open space surrounding the home prevent the proposed development from impacting neighboring vantage points. In addition, the development will provide a biofiltration basin to address source pollution in urban runoff as well as follow brush management regulations by providing alternative compliance measures including Dual Pane/Dual Tempered glass at all facades facing the Existing Covenant of Easement/Environmentally Sensitive Lands.

The project meets the SDMC requirements for the RS-1-4 Zone, including, but not limited to, density, height, setbacks, floor area ratio, and required parking. The land use and open space goals of the La Jolla Community Plan and Local Coastal Program Land Use Plan (LJCP) have also been achieved. Therefore, the proposed coastal development conforms with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

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

The project meets the SDMC requirements for the RS-1-4 zone, including, but not limited to, density, height, setbacks, floor area ratio, and required parking. The land use and open space goals of the La Jolla Community Plan and Local Coastal Program Land Use Plan (LJCP) have also been achieved. The La Jolla Community Plan and Local Coastal Program Land Use Plan (LJCP) designate the site as Very Low-Density Residential (0-5 units per acre), as well as Designated Open Space/Park.

The project proposes one deviation pursuant to San Diego Municipal Code Section 126.0602(b)(1) that allow a Planned Development Permit for deviations from the base zone development regulations to provide “flexibility in achieving a zone-equivalent project design that will be consistent with the intent of the base zone”. The proposed deviation includes:

1. SDMC Section 131.0431 (b) (Table 131-04D) includes Development Regulations for RS Zones. The project proposes no frontage (0 feet) for Lots 1-5 along the public street where 65 feet is required.

The project requests the deviation to the street frontage due to the location of the proposed residential lots and Romero Drive. Currently, Romero Drive terminates approximately 100 feet from the proposed project site. To the south, east and west where Romero Drive terminates, there is ESL. The project is proposing a private, gated road (Lot C) that will connect to Romero Drive. The private road will loop around the residential lots (Lots 1-5), providing ingress and egress to Romero Drive. Each residential lot will include the minimum required street frontage along the private street as outlined in the SDMC. The proposed location for situating the lots along Romero Drive, would have the least significant impacts to the ESL. The project meets the density regulations, incorporates several stated goals, and follows the LJCP's Open Space land use guidelines. It adheres to the regulations of the Land Development Code and CEQA and was found to have an allowable deviation that is necessary to protect the ESL, and natural landform. Therefore, the project will comply with the regulations of the Land Development Code, including the deviation to street frontage pursuant to the Land Development Code.

c. The site is physically suitable for the type and density of development.

The 22.21-acre site contains approximately 4.2 acres of previously developed land. The proposed project will subdivide 3.35 acres of the developed 4.2 acres, into eight lots: two-undeveloped, five-developed, and one access and utility lot. The developed lots will each contain one, single dwelling unit. The SDMC Section 131.0431(b) (Table 131-04D) lists the permitted density ratio at one unit per 10,000 square feet, meaning the 3.35-acre developed site would allow for up to fifteen dwelling units, with only five proposed. The LJCP lists the site as Very Low Density Residential, with 0-5 dwelling units per acre. The proposed project, with one dwelling unit on each of the proposed residential lots, conforms to the applicable land use codes.

The proposed subdivision of the property and construction of the five new single dwelling units will require grading approximately 15% of the entire 22.21-acre site. The project area is classified as low to moderate risk for seismic activity according to the City of San Diego General Plan. The geotechnical report stated that a portion of the site is located within Hazard Category 12, which is characterized as an

earthquake buffer, for the Country Club Fault, which is classified as “potentially active, inactive, presumed inactive, or activity unknown” with a low to moderate risk level. Further construction-related activities associated with the project will be required to comply with the seismic requirements of the California Building Code, city-required engineering design measures, recommendations included in the city-approved project geology reports, and standard construction requirements that the city verifies at the construction permitting stage.

The site meets the density regulations of the applicable land use code except the deviation outlined in Finding 1.b. The developable portion of the site has been previously developed, and the geology is considered low to moderate risk for earthquakes. As such, the site is physically suitable for the type and density of development being proposed.

d. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

The project was reviewed for environmental impacts on the site and surrounding area. An Addendum to the previously certified The Reserve EIR No. 292065/SCH No. 2014051069 was created for the project. In accordance with Section 15164 of the CEQA State Guidelines, the Addendum found that no changes in circumstances have occurred, and no new information of substantial importance has manifested, which would result in new significant or substantially increased adverse impacts as a result of the project. In addition, the MMRP to the previously certified Reserve EIR No. 292065/SCH No. 2014051069 was updated for the project in compliance with Section 21081.6 of CEQA to identify the following:

1. Project design features in order to reduce the potential for environmental effects;
2. Mitigation measures to be implemented prior to, during, and after construction of the project;
3. The individual/agency responsible for that implementation; and
4. Criteria for completion or monitoring of the specific measures.

The proposed subdivision of the property and construction of the five new single dwelling units will be entirely within the approximately 3.35 acres of the 22.21-acre

site. The developed land (Lots 1-5 and Lot C) is void of naturally occurring vegetation communities. The land is primarily landscaped with well-maintained turf, cart paths, and a man-made biofiltration basin designed to drain the developed land. Although natural lands consisting primarily of southern maritime chaparral exists within the adjacent ESL, the ESL is isolated, and surrounded by dense residential development. The closest wildlife corridor is Rose Canyon Open Space, approximately 1.43-miles to the east. According to the Biotechnical Resources Report, use by terrestrial animals with a north-south or east west home-range movement would be unlikely. As such, the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure wildlife or their habitat.

The project site is not located within a 100-year flood hazard area, and it is located approximately 444 to 603 feet above the mean sea level. The project's design includes construction-related BMPs, such as diversion features (as determined by the grading contractor), and permanent low-impact development (LID) measures, such as permeable pavement and detention/treatment features within the landscape areas, to ensure runoff from the site does not result in erosion and sedimentation off-site. Through the project design features, runoff volumes from the developed portion of the site will be reduced to match pre-existing flows and will not contribute to erosive discharge velocities at the existing storm drain outlets. As such, the project will avoid direct discharge of runoff and erosion of the native habitat adjacent to the southern and eastern property boundaries and would not be likely to cause substantial environmental damage or substantially and avoidably injure fish.

The proposed project will be designed and built through rigorous environmental review processes. Mitigation measures will be implemented to restore natural habitat. Design features will retain and treat water runoff and the site, which is surrounded by residential development, is not located within a wildlife corridor. Together, these factors substantiate that the project design of the subdivision is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

e. The design of the subdivision or the type of improvement will not be detrimental to the public health, safety, and welfare.

The proposed development is consistent with relevant SDMC policies and regulations that are designed for the protection of the public's health, safety, and welfare. The permit for the project includes various conditions and referenced exhibits of approval relevant to achieving project compliance with the applicable regulations of the SDMC. Permit conditions include but are not limited to the following: Encroachment Maintenance Removal Agreement for items in the city right-of-way; installation or updates to water and sewer facilities; implementation of storm

water construction best management practices (BMPs); a Water Pollution Control Plan (WPCP); issuance of a bonded grading permit; implement requirements in accordance with a Brush Management Program; and execution and recordation of a Covenant of Easement which ensures the preservation of the Environmentally Sensitive Lands. Permit conditions have been determined necessary to avoid adverse impacts upon the public health, safety, and general welfare of persons residing or working in the surrounding area. The project shall comply with the development conditions in effect for the subject property as well as other regulations and guidelines pertaining to the subject property per the SDMC.

Prior to issuance of any ministerial permits, such as grading and/or building permits for the proposed development, the plans shall be reviewed for compliance with all building, electrical, mechanical, plumbing, and fire Code requirements, and the owner/permittee shall be required to obtain grading and public improvement permits. Compliance with these regulations during and after construction will be enforced through building inspections completed by the City's building inspectors.

The project was reviewed for environmental impacts on the site and surrounding area. An Addendum to the previously certified Reserve EIR No. 292065/SCH No. 2014051069 was created for the project. In accordance with Section 15164 of the CEQA Guidelines, the Addendum found that no changes in circumstances have occurred, and no new information of substantial importance has manifested, which would result in new significant or substantially increased adverse impacts as a result of the project. In addition, the MMRP to the previously certified Reserve EIR No. 292065/SCH No. 2014051069 was updated for the project in compliance with Section 21081.6 of CEQA Guidelines to identify the following:

- 1) Project design features in order to reduce the potential for environmental effects;
- 2) Mitigation measures to be implemented prior to, during, and after construction of the project;
- 3) The individual/agency responsible for that implementation; and
- 4) Criteria for completion or monitoring of the specific measures.

As such, the proposed project will not be detrimental to the public health, safety, and welfare.

- f. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.**

The 22.21-acre site contains approximately 4.2 acres of previously developed land. The proposed project will subdivide 3.35 acres of the developed 4.2 acres, into eight

lots: two-undeveloped, five-developed, and one access and utility lot. The developed lots will each contain one, single dwelling unit. The previously disturbed site is vacant and currently is landscaped with well-maintained turf, cart paths, and a man-made biofiltration basin designed to drain the developed land. Access to the project site will come at the terminus of Romero Road where the proposed private access will begin.

The current site contains two public easements; an Access and Utility easement in Lot C, and a "Covenant of Easement for protection of sensitive biological resources and steep hillsides on lands that are not included within the multiple species conservation program multi-habit planning area" (Covenant of Easement) recorded on the property (Document No. 2016-0314729, recorded June 24, 2016). With no other development currently on the site, and the site entirely contained within a private footprint, the design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

g. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

The proposed subdivision of a 22.21-acre parcel into eight lots for residential development will not impede or inhibit passive or natural heating and cooling opportunities. The design of the subdivision and placement of the proposed dwelling units has taken into account the best use of the land to minimize grading and complies with Land Development Code of the SDMC and Building Permit requirements, which include density, setback and height limitations to ensure adequate natural light and air movement between the proposed structures.

Therefore, the design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

h. The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources.

The subdivision creates eight lots for single dwelling unit residential development on a site that is designated and zoned accordingly. The site is surrounded by single dwelling unit residential development, built out at the same density as proposed for this site. The applicant has met the requirements of the Inclusionary Affordable Housing Regulations of San Diego Municipal Code Chapter 14, Article 2, Division 13 and the Inclusionary Housing Procedures Manual by payment of the applicable Inclusionary In-Lieu Fee. The decision maker has reviewed the administrative record,

ATTACHMENT 7

(R-[Reso Code])

including the project plans, technical studies, environmental documentation and heard public testimony to determine the effects of the proposed subdivision on the housing needs of the region and; that those needs are balanced against the needs for public services and the available fiscal and environmental resources, and found that the addition of the eight residential lots for private development is consistent with the housing needs anticipated for the La Jolla Community Planning area.

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

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the Planning Commission, Tentative Map No. 3172977, is hereby granted to FOXHILL INVCO ONE, LLC subject to the attached conditions which are made a part of this resolution by this reference.

By _____
Robin MacCartee
Development Project Manager
Development Services Department

ATTACHMENT: Tentative Map Conditions

Internal Order No. 24009296

RESOLUTION NUMBER R-

ADOPTED ON

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY
OF SAN DIEGO ADOPTING ADDENDUM NO. 1063767 TO
ENVIRONMENTAL IMPACT REPORT NO. 292065 / SCH NO.
2014051069 AND THE MITIGATION, MONITORING, AND
REPORTING PROGRAM FOR
6850 COUNTRY CLUB, NO. 1063767**

WHEREAS, on September 20, 2012, The Copley Press Incorporated, a Illinois Corporation submitted an application to Development Services Department for a Site Development Permit, Planned Development Permit, and Vesting Tentative Map for the Reserve (Project); and

WHEREAS, on January 25, 2016, the City Council adopted Resolution No. R-310220 certifying the Environmental Impacts Report No. 292065/SCH No. 2014051069, adopting a Mitigation Monitoring and Reporting Program, copies of which are on file in the Office of the City Clerk in accordance with the California Environmental Quality Act of 1970 (CEQA) (Public Resources Code Section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.); and

WHEREAS, on August 24, 2022, Foxhill InvCo One LLC submitted an application to the Development Services Department for approval of Coastal Development Permit, Site Development Permit, Planned Development Permit and Tentative Map for the 6850 Country Club, PRJ-1063767, as well as approval of minor technical changes or additions to the Project; and

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

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

1. That the information contained in the final Environmental Impacts Report No. 292065 / SCH No. 2014051069 along with the Addendum has been reviewed and considered by this Planning Commission prior to making a decision on the Project.
2. That there are no substantial changes proposed to the Project and no substantial changes with respect to the circumstances under which the Project is to be undertaken that would require major revisions in the Environmental Impact Report for the Project.
3. That no new information of substantial importance has become available showing that the Project would have any significant effects not discussed previously in the Environmental Impact Report or that any significant effects previously examined will be substantially more severe than shown in the Environmental Impact Report.

4. That no new information of substantial importance has become available showing that mitigation measures or alternatives previously found not to be feasible are in fact feasible which would substantially reduce any significant effects, but that the Project proponents decline to adopt, or that there are any considerably different mitigation measures or alternatives not previously considered which would substantially reduce any significant effects, but that the Project proponents decline to adopt.

5. That pursuant to State CEQA Guidelines Section 15164, only minor technical changes or additions are necessary, and therefore, the Planning Commission adopts Addendum to Environmental Impact Report No. 292065 / SCH No. 2014051069, a copy of which is on file in the Office of the Development Services Department Development Services Department.

BE IT FURTHER RESOLVED that pursuant to CEQA Section 21081.6, the Planning Commission adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this Planning Commission to mitigate or avoid significant effects on the environment, which is attached hereto as Exhibit A.

BE IT FURTHER RESOLVED that Development Services Department staff, or designee, is directed to file a Notice of Determination in accordance with CEQA with the Clerk of the Board of Supervisors for the County of San Diego and the State Clearinghouse in the Office of Planning and Research regarding the project.

APPROVED: [XXXX, CITY ATTORNEY or DEVELOPMENT PROJECT MANAGER]

By: _____
[NAME], [DEPUTY CITY ATTORNEY or DEVELOPMENT PROJECT MANAGER]

EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM

Coastal Development Permit/Site Development Permit/ Planned Development Permit/Tentative Map

PROJECT NO. 1063767

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Entitlements Division, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in the Addendum No. 1063767/ SCH. No 2014051069 shall be made conditions of Coastal Development Permit/Site Development Permit/ Planned Development Permit/Tentative Map as may be further described below.

GENERAL**Part I – Plan Check Phase (prior to permit issuance)**

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

instruments or bonds from private Permit Holders to ensure the long-term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

Part II – Post-Plan Check (after permit issuance/prior to start of construction)

1. **PRE-CONSTRUCTION MEETING IS REQUIRED TEN (10) WORKING DAYS PRIOR TO BEGINNING ANY WORK ON THIS PROJECT.** The PERMIT

HOLDER/OWNER is responsible to arrange and perform this meeting by contacting the CITY RESIDENT ENGINEER (RE) of the Field Engineering Division and City staff from MITIGATION MONITORING COORDINATION (MMC). Attendees must also include the Permit holder's Representative(s), Job Site Superintendent, and the following consultants: **Qualified Biologist, Qualified Paleontologist.**

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

CONTACT INFORMATION:

- a. The PRIMARY POINT OF CONTACT is the **RE** at the **Field Engineering Division – 858.627.3200**
- b. For Clarification of ENVIRONMENTAL REQUIREMENTS, it is also required to call **RE and MMC** at **858.627.3360**

2. **MMRP COMPLIANCE:** This Project, PRJ-1063767 and /or Environmental Document 1063767/SCH No. 2014051069 shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the Development Services Department's Environmental Designee (MMC) and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e., to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc.).

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

3. **OTHER AGENCY REQUIREMENTS:** Evidence of compliance with all other agency requirements or permits shall be submitted to the RE and MMC for review and acceptance prior to the beginning of work or within one week of the Permit Holder obtaining documentation of those permits or requirements. Evidence shall include copies of permits, letters of resolution, or other documentation issued by the responsible agency.
4. **NONE REQUIRED**
5. **MONITORING EXHIBITS** All consultants are required to submit to RE and MMC, a monitoring exhibit on a 11x17 reduction of the appropriate construction plan, such as site plan, grading, landscape, etc., marked to clearly show the specific areas including the **LIMIT OF WORK**, scope of that discipline's work, and notes indicating when in the construction schedule that work will be performed. When necessary for clarification, a detailed methodology of how the work will be performed shall be included.

NOTE: Surety and Cost Recovery – When deemed necessary by the Development Services Director or City Manager, additional surety instruments or bonds from the private Permit Holder may be required to ensure the long-term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.
6. **OTHER SUBMITTALS AND INSPECTIONS:** The Permit Holder/Owner's representative shall submit all required documentation, verification letters, and requests for all associated inspections to the RE and MMC for approval per the following schedule:

Document Submittal/Inspection Checklist

Issue Area	Document Submittal	Associated Inspection/Approvals/Notes
General	Consultant Qualification Letters	Prior to Preconstruction Meeting
General	Consultant Construction Monitoring Exhibits	Prior to or at Preconstruction Meeting

Biology	Biologist Limit of Work Verification	Limit of Work
Paleontology	Paleontology Reports	Paleontology Site Observation
Bond Release	Request for Bond Release Letter	Final MMRP Inspections Prior to Bond Release Letter

SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS

Biological Resource Protection During Construction

I. Prior To Construction

- A. **Biologist Verification** - The owner/permittee shall provide a letter to the City's Mitigation Monitoring Coordination (MMC) section stating that a Project Biologist (Qualified Biologist) as defined in the City of San Diego's Biological Guidelines (2012), has been retained to implement the project's biological monitoring program. The letter shall include the names and contact information of all persons involved in the biological monitoring of the project.
- B. **Preconstruction Meeting** - The Qualified Biologist shall attend the preconstruction meeting, discuss the project's biological monitoring program, and arrange to perform any follow up mitigation measures and reporting including site-specific monitoring, restoration or revegetation, and additional fauna/flora surveys/salvage.
- C. **Biological Documents** - The Qualified Biologist shall submit all required documentation to MMC verifying that any special mitigation reports including but not limited to, maps, plans, surveys, survey timelines, or buffers are completed or scheduled per City Biology Guidelines, Multiple Species Conservation Program (MSCP), Environmentally Sensitive Lands Ordinance (ESL), project permit conditions; California Environmental Quality Act (CEQA); endangered species acts (ESAs); and/or other local, state or federal requirements.
- D. **BCME** -The Qualified Biologist shall present a Biological Construction Mitigation/Monitoring Exhibit (BCME) which includes the biological documents in C above. In addition, include: plant salvage/relocation requirements (e.g., coastal cactus wren plant salvage, burrowing owl exclusions, etc.), avian or other wildlife

surveys/survey schedules (including general avian nesting and USFWS protocol), timing of surveys, wetland buffers, avian construction avoidance areas/noise buffers/ barriers, other impact avoidance areas, and any subsequent requirements determined by the Qualified Biologist and the City ADD/MMC. The BCME shall include a site plan, written and graphic depiction of the project's biological mitigation/monitoring program, and a schedule. The BCME shall be approved by MMC and referenced in the construction documents.

- E. **Avian Protection Requirements** - To avoid any direct impacts to raptors and/or any native/migratory birds, removal of habitat that supports active nests in the proposed area of disturbance should occur outside of the breeding season for these species (February 1 to September 15). If removal of habitat in the proposed area of disturbance must occur during the breeding season, the Qualified Biologist shall conduct a pre-construction survey to determine the presence or absence of nesting birds on the proposed area of disturbance. The pre-construction survey shall be conducted within 10 calendar days prior to the start of construction activities (including removal of vegetation). The applicant shall submit the results of the pre-construction survey to City DSD for review and approval prior to initiating any construction activities. If nesting birds are detected, a letter report or mitigation plan in conformance with the City's Biology Guidelines and applicable State and Federal Law (i.e. appropriate follow up surveys, monitoring schedules, construction and noise barriers/buffers, etc.) shall be prepared and include proposed measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided. The report or mitigation plan shall be submitted to the City for review and approval and implemented to the satisfaction of the City. The City's MMC Section or RE, and Biologist shall verify and approve that all measures identified in the report or mitigation plan are in place prior to and/or during construction.
- F. **Resource Delineation** - Prior to construction activities, the Qualified Biologist shall supervise the placement of orange construction fencing or equivalent along the limits of disturbance adjacent to sensitive biological habitats and verify compliance with any other project conditions as shown on the BCME. This phase shall include flagging plant specimens and delimiting

buffers to protect sensitive biological resources (e.g., habitats/flora & fauna species, including nesting birds) during construction. Appropriate steps/care should be taken to minimize attraction of nest predators to the site.

- G. **Education** –Prior to commencement of construction activities, the Qualified Biologist shall meet with the owner/permittee or designee and the construction crew and conduct an on-site educational session regarding the need to avoid impacts outside of the approved construction area and to protect sensitive flora and fauna (e.g., explain the avian and wetland buffers, flag system for removal of invasive species or retention of sensitive plants, and clarify acceptable access routes/methods and staging areas, etc.).

II. During Construction

- A. **Monitoring**- All construction (including access/staging areas) shall be restricted to areas previously identified, proposed for development/staging, or previously disturbed as shown on “Exhibit A” and/or the BCME. The Qualified Biologist shall monitor construction activities as needed to ensure that construction activities do not encroach into biologically sensitive areas, or cause other similar damage, and that the work plan has been amended to accommodate any sensitive species located during the pre-construction surveys. In addition, the Qualified Biologist shall document field activity via the Consultant Site Visit Record (CSV). The CSV shall be e-mailed to MMC on the 1st day of monitoring, the 1st week of each month, the last day of monitoring, and immediately in the case of any undocumented condition or discovery.
- B. **Subsequent Resource Identification** - The Qualified Biologist shall note/act to prevent any new disturbances to habitat, flora, and/or fauna on site (e.g., flag plant specimens for avoidance during access, etc.). If active nests or other previously unknown sensitive resources are detected, all project activities that directly impact the resource shall be delayed until species specific local, state or federal regulations have been determined and applied by the Qualified Biologist.

III. Post Construction Measures

- A. In the event that impacts exceed previously allowed amounts, additional impacts shall be mitigated in accordance with City Biology Guidelines, ESL and MSCP, State CEQA, and other applicable local, state and federal law. The Qualified Biologist shall submit a final BCME/report to the satisfaction of the City ADD/MMC within 30 days of construction completion

BIOLOGICAL RESOURCES

Potential impacts to biological resources would be reduced to below a level of significance through implementation of the following mitigation measures:

MM-BIO-1 Covenant of Easement. Prior to the issuance of any construction permits, such as Demolition, Grading, or Building, or beginning any construction-related activity on site, Grantor shall execute this Covenant of Easement in favor of the City of San Diego and record this Covenant of Easement against title to the Property with the San Diego County Recorder. In addition, Grantor shall undertake all reasonable actions to prevent the unlawful entry and trespass by persons whose activities may degrade or harm the environmentally sensitive nature of the Conserved Property. In addition, Grantor shall be responsible for implementing the following management activities in order to maintain ecological functions and services of the native vegetation of the Conserved Property:

The COE shall be managed in perpetuity by the property owners (Grantor) and shall include the following elements in addition to the standard language provided in the City COE template: Prior to the issuance of any construction permits, such as Demolition, Grading, or Building, or beginning any construction-related activity on site, direct impacts to 27 San Diego barrel cactus individuals shall be mitigated through transplantation into the conservation area ("Conserved Property") and preservation of 54 San Diego barrel cactus within the Conserved Property. Impacts to barrel cactus shall be mitigated pursuant to the barrel cactus translocation plan, prepared pursuant to the City of San Diego Biological Guidelines Attachment III, General Outline for Conceptual Revegetation/Restoration Plan, which will ensure the success of the mitigation.

Direct impacts to one Nuttall's scrub oak shall be mitigated through preservation of 48 Nuttall's scrub oak individuals within the Conserved Property. The Conserved Property shall be subject to and governed by the Covenant of Easement (COE) on site. This COE is required as a condition of project approval, and shall be placed on the area to be set aside for conservation (Conserved Property), which is approximately 18.80 acres (refer to Figure 5.2-3). The Conserved Property shall be conserved and maintained by the owners of the individual parcels and is subject to and governed by the COE recorded on the individual parcels.

- The individual property owners or their qualified designee shall be responsible for long-term maintenance and management of the Conserved Property.
- Control weed species on an annual basis, ideally in the spring following germination and seed development of annual weed species. Weeding will be limited to highly invasive species including tree tobacco (*Nicotiana glauca*), eucalyptus trees, pampas grass (*Cortaderia selloana*), and ice plant. Control should occur prior to seed-set to moderate additional infestation. Weed control should focus on hand-pulling when feasible. Mechanical and chemical control may occur as-needed, and should be performed by persons qualified in such methods. Perennial invasive non-natives will likely require repeat follow-up treatments for complete control.
- Removal on an annual basis. If significant trash presence is detected at other times of the year it should be removed as needed. Items to be removed include anthropogenic trash as well as weed slash materials. Collected trash shall be disposed of off-site in an appropriate manner.
- Fencing, where installed at the perimeter of the property, is to be inspected on an annual basis. Repairs and maintenance are to be performed as-needed to maintain the structural integrity and function of the fencing to prevent unauthorized vehicular or pedestrian entry.
- Fencing, where installed at the perimeter of the property, and signage shall be maintained to discourage and prevent public access to the native vegetation communities within the Conserved Property. If trespass occurs in areas where signage is not present, additional fencing and signage may be added to problem areas.
- The Zone 2 brush management area will be clearly delineated

within Conserved Property by using T-posts or single-strand wire fence that allows wildlife freedom of passage but that marks the area of Zone 2 brush management as shown on Exhibit A. The Zone 2 brush management areas have been included in the Conserved Property due to the species that occur in these areas and the contiguity provided by combining both the mitigation area and the Zone 2 brush management areas.

- Anecdotal observations of flora and fauna observed during annual maintenance activities shall be recorded. Species may be recorded by either scientific or common name. The vegetation condition shall also be reviewed and documented and remediating actions taken if the conservation area declines from its current natural condition.
- Prepare and submit an annual letter report to the City of San Diego Mitigation Monitoring Coordination section of the Development Services Department that describes that tasks and condition of the Conserved Property and any recommendations for future action. Fulfill Grantor's obligations not included above (e.g., restoration in the vent of vandalism), Grantor must use a qualified designee. The designee must have the following qualifications:
 - Ability to carry out habitat monitoring or mitigation activities
 - Fiscal stability, including preparation of an operational budget (using an appropriate analysis technique) for the management of the Conserved Property
 - At least one staff member with a biological, ecological, or wildlife management degree, or a Memorandum of Understanding (MOU) with a qualified person with such a degree
 - Experience with habitat resource management in Southern California.

As shown in Table 5.2-2, Parcel 2 will have a COE recorded on approximately 1.05 acres and Parcel 3 will have a COE recorded on approximately 17.75 acres, for a total of approximately 18.80 acres placed under a COE for the entire project. Upon recordation of the COE, the Grantor shall be responsible for ensuring that the exact mitigation requirements outlined in Table 5.2 -3 for each specific vegetation community are implemented on site within the Conserved Property.

Vegetation Community/ Land Cover Type	Mitigation Ratio ^b	Mitigation Required (acres)	Open Space Areas Available for Mitigation (acres) ^c
Scrub oak chaparral	2:1	0.06	11. 62
Southern maritime chaparral	2:1	8.04	
Disturbed southern maritime chaparral	2:1	0.68	
<i>Tier I Habitats Subtotal</i>		8.78	
Non-native grassland	1:1	0.16	0.1 5 ^d
<i>Tier IIIB Habitats Subtotal</i>		0.16	
Disturbed land	0:1	0.00	0. 9 7
Eucalyptus woodland	0:1	0.00	0. 2 0
Ice plant	0:1	0.00	1. 6 6
Ornamental landscaping	0:1	0.00	0. 1 5
Developed land	0:1	0.00	0. 0 3
<i>Tier IV Habitats Subtotal</i>			0.00
Unvegetated stream channel	2:1	0.00	0. 0 8
<i>Wetlands Subtotal</i>			0.00

Table 5.2-3 Mitigation Ratios

a. Impacts include development area (including temporary impacts) and Brush Management Zone 1 acreage combined.

- b. Mitigation ratio is based on all impacts and mitigation occurring on site, outside the MHPA.
- c. Habitat situated within Brush Management Zone 2 is not included in this open space acreage identified for mitigation.
- d. The additional 0.01 acre needed for non-native grassland mitigation is covered by excess Tier I habitat available for mitigation above.

-BIO-2 Special-Status Wildlife. To avoid any direct impacts to raptors and/or any native/migratory birds, removal of habitat that supports active nests in the proposed area of disturbance should occur outside of the breeding season for these species (February 1 to September 15). If removal of habitat in the proposed area of disturbance must occur during the breeding season, the Qualified Biologist shall conduct a pre-construction survey to determine the presence or absence of nesting birds on the proposed area of disturbance. The pre-construction (precon) survey shall be conducted within 10 calendar days prior to the start of construction activities (including removal of vegetation). The applicant shall submit the results of the precon survey to City Development Services Department for review and approval prior to initiating any construction activities. If nesting birds are detected, a letter report or mitigation plan in conformance with the City's Biology Guidelines and applicable State and Federal Law (i.e. appropriate follow up surveys, monitoring schedules, construction and noise barriers/buffers, etc.) shall be prepared and include proposed measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided. The report or mitigation plan shall be submitted to the City Development Services Department for review and approval and implemented to the satisfaction of the City. The City's MMC Section and Biologist shall verify and approve that all measures identified in the report or mitigation plan are in place prior to and/or during construction. If nesting birds are not detected during the precon survey, no further mitigation is required.

PALEONTOLOGICAL RESOURCES

Potential impacts to paleontological resources would be reduced to below a level of significance through implementation of the following mitigation measure.

MM PALEO-1

I. Prior to Permit Issuance

- A. Entitlements Plan Check
 - 1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit,

Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director's Environmental Designee shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.

- B. Letters of Qualification Have Been Submitted to Assistant Deputy Director
 - 1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the Paleontological Monitoring Program, as defined in the City of San Diego Paleontology Guidelines.
 - 2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.
 - 3. Prior to the start of work, the applicant shall obtain approval from MMC for any personnel changes associated with the monitoring program.

II. *Prior to Start of Construction*

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

qualified paleontologist shall attend any grading/excavation-related pre-construction meetings to make comments and/or suggestions concerning the Paleontological Monitoring Program with the CM and/or Grading Contractor.

- a. If the PI is unable to attend the pre-construction meeting, the applicant shall schedule a focused pre-construction meeting with MMC, the PI, RE, CM, or BI, if appropriate, prior to the start of any work that requires monitoring.
2. Identify Areas to Be Monitored
 - a. Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit based on the appropriate construction documents (reduced to 11×17 inches) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits. The PME shall be based on the results of a site-specific records search as well as information regarding existing known soil conditions (native or formation).
 3. When Monitoring Will Occur
 - a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
 - b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents, which indicate conditions such as depth of excavation and/or site graded to bedrock, presence or absence of fossil resources, etc., which may reduce or increase the potential for resources to be present.

III. During Construction

- A. Monitor Shall Be Present During Grading/Excavation/Trenching
 1. The monitor shall be present full time during

grading/excavation/trenching activities as identified on the Paleontological Monitoring Exhibit that could result in impacts to formations with high and moderate resource sensitivity. **The CM is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances, Occupational Safety and Health Administration safety requirements may necessitate modification of the PME.**

2. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter formational soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.
 3. The monitor shall document field activity via the Consultant Site Visit Record (CSV). The CSV shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of any discoveries. The RE shall forward copies to MMC.
- A. Discovery Notification Process
1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.
 2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
 3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.
- B. Determination of Significance
1. The PI shall evaluate the significance of the resource.
 - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also

submit a letter to MMC indicating whether additional mitigation is required. The determination of significance for fossil discoveries shall be at the discretion of the PI.

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

IV. *Night and/or Weekend Work*

- A. If Night and/or Weekend Work Is Included in the Contract
 1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the pre-construction meeting.
 2. The following procedures shall be followed.
 - a. No discoveries

In the event that no discoveries were encountered during night and/or weekend work, the PI shall record the information on the CSV and submit to MMC via fax by 8:00 a.m. on the next business day.

- b. Discoveries

All discoveries shall be processed and documented using the existing procedures detailed in Section III, During Construction.
- c. Potentially significant discoveries

If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III, During Construction, shall be followed.

- d. The PI shall immediately contact MMC, or by 8:00 a.m. on the next business day, to report and discuss the findings as indicated in Section IIIB, unless other specific arrangements have been made.
- B. If Night Work Becomes Necessary During the Course of Construction
1. The CM shall notify the RE, or Building Inspector, as appropriate, a minimum of 24 hours before the work is to begin.
 2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All Other Procedures Described above Shall Apply, as Appropriate.

V. Post Construction

- A. Preparation and Submittal of Draft Monitoring Report
1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Paleontological Guidelines, which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring.
 - a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.
 - b. Recording sites with the San Diego Natural History Museum

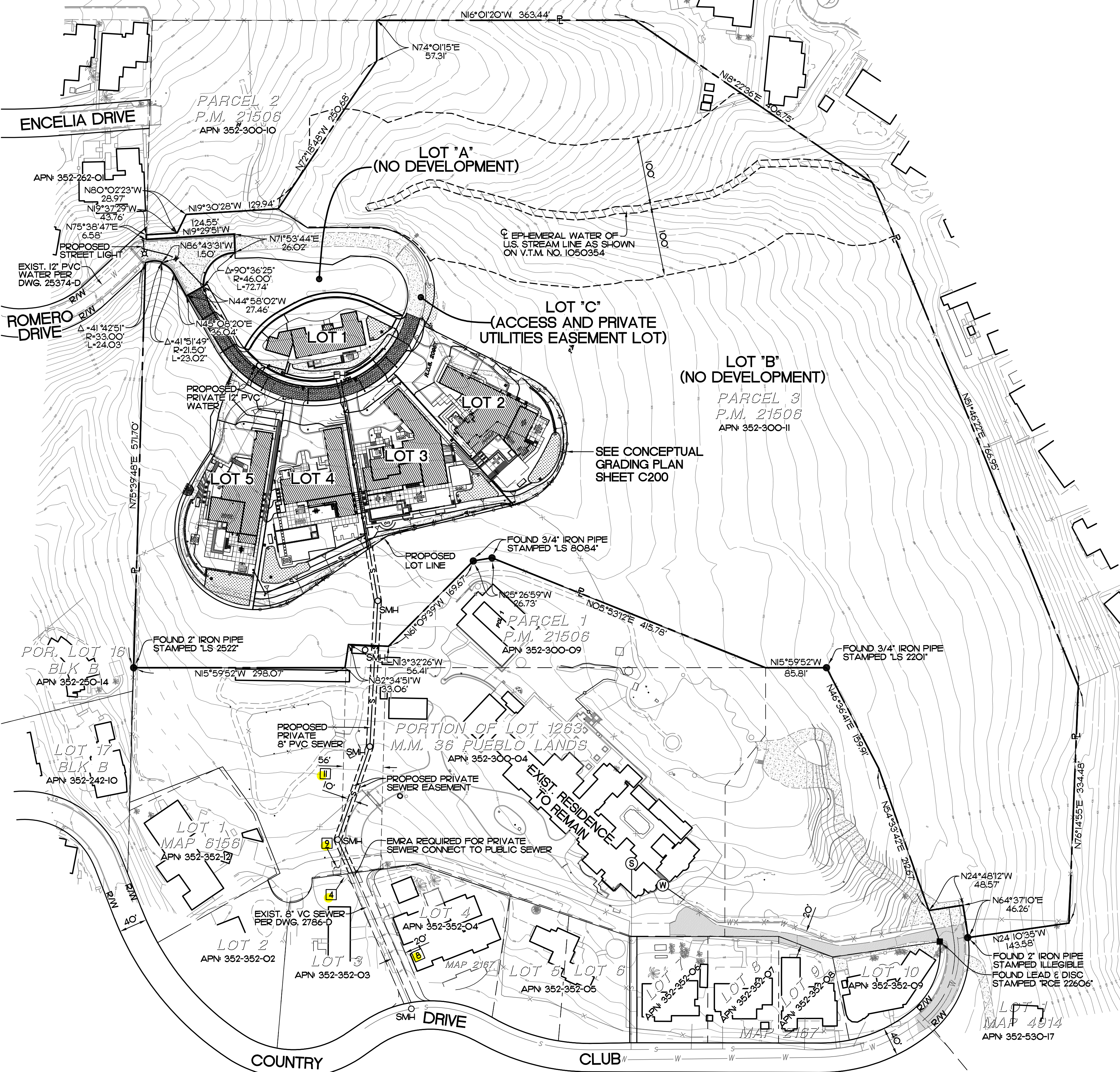
The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San

Diego Natural History Museum with the Final Monitoring Report.

2. MMC shall return the Draft Monitoring Report to the PI for revision, or for preparation of the Final Report.
 3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
 4. MMC shall provide written verification to the PI of the approved report.
 5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Fossil Remains
1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.
 2. The PI shall be responsible for ensuring that all fossil remains are analyzed to identify function and chronology as they relate to the geologic history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate
- C. Curation of Fossil Remains: Deed of Gift and Acceptance Verification
1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.
 2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
- D. Final Monitoring Report(s)
1. The PI shall submit two copies of the Final Monitoring Report to MMC (even if negative) within 90 days after notification from MMC that the draft report has been approved.
 2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring

**ROMERO DRIVE TENTATIVE MAP
COASTAL DEVELOPMENT PLAN NO. PMT-3172975
SITE DEVELOPMENT PLAN NO. PMT-3172976
TENTATIVE MAP NO. PMT-3172977
PLANNED DEVELOPMENT PERMIT NO. PTM-**

ATTACHMENT 9



PROJECT ADDRESS:
6850 COUNTRY CLUB DRIVE
LA JOLLA, CA 92037

COORDINATE INDEX:
NAD 27 - N 244, E 1689
NAD 83 - N 1884, E 6249

TOPOGRAPHIC SOURCE:
AERIAL PHOTOGRAMMETRY
PHOTO GEOMETRIC CORPORATION
1161 E MAIN ST, #102
EL CAJON, CA 92021-7150
DATED JUNE 22, 2021

SUPPLEMENTAL FIELD SURVEY
SNIPES-DYE ASSOCIATES
8348 CENTER DR., SUITE G
LA MESA, CA 91942
DATED JUNE 22, 2021

BENCHMARK:
CITY OF SAN DIEGO BRASS PLUG IN THE TOP OF CURB AT THE SOUTH CORNER OF COUNTRY CLUB DRIVE & MINILLUS WAY, NGVD 29 ELEVATION 426.34'

GRADING TABULATIONS:
TOTAL PROJECT BOUNDARY SITE AREA: 967,558 SF. (22.21 AC)
ON-SITE AREA TO BE GRADED: 154,083 SF. (3.54 AC)
OFF-SITE AREA TO BE GRADED: 0 SF. (0 AC)
PERCENT OF TOTAL ON-SITE TO BE GRADED: 15.9%
EXISTING IMPERVIOUS SURFACE: 22,641 SF. (0.52 AC)
PROPOSED NEW & REPLACED IMPERVIOUS SURFACE: 83,232 SF. (1.91 AC)
TOTAL SOIL DISTURBED AREA: 154,083 SF. (3.54 AC)
TOTAL AREA TO BE GRADED: 154,083 SF. (3.54 AC)
RETAINING WALL TOTAL LENGTH: 2,417'
MAX. HEIGHT: 20'

AMOUNT OF CUT: 9,900 C.Y.
AMOUNT OF FILL: 22,500 C.Y.
AMOUNT OF IMPORT MATERIAL: 12,600 C.Y.
AMOUNT OF EXPORT MATERIAL: 0 C.Y.
MAXIMUM HEIGHT OF FILL SLOPES: 15' (21 MAX)
MAXIMUM HEIGHT OF CUT SLOPES: 11' (21 MAX)
MAX. CUT FOR REMEDIAL EARTH-WORK: 0'

ZONING INFORMATION:
EXISTING/PROPOSED ZONE: RS-1-4
COASTAL HEIGHT LIMITATION OVERLAY ZONE
COASTAL OVERLAY ZONE
PARKING IMPACT OVERLAY ZONE

LEGAL DESCRIPTION:
352-300-II
PARCEL 3 OF PARCEL MAP 21506, RECORDER OCTOBER 11, 2017 IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY.

BASIS OF BEARINGS:
THE BASIS OF BEARINGS FOR THIS SURVEY IS THE AND IS DETERMINED BY GPS MEASUREMENTS TAKEN ON OCTOBER CALIFORNIA COORDINATE SYSTEM ZONE 6, EPOCH 1991.35 AND IS DETERMINED BY GPS MEASUREMENTS TAKEN ON OCTOBER 10, 2016 AT POINTS A AND B DEPICTED HEREON. THE POINTS WERE ADJUSTED TO GPS STATIONS 710 AND GPS STATION 777, PER RECORD OF SURVEY 14492. I.E. N75°41'13"E

QUOTED BEARINGS FROM REFERENCE MAPS OR DEEDS MAY OR MAY NOT BE IN TERMS OF SAID SYSTEM.
THE COMBINED SCALE FACTOR AT STATION A IS 0.999971664
GRID DISTANCE = GROUND DISTANCE X COMBINED SCALE FACTOR
VERTICAL DATUM MSL/NGVD29

MAPPING NOTE:
A FINAL MAP SHALL BE FILED AT THE COUNTY RECORDER'S OFFICE PRIOR TO THE EXPIRATION OF THE TENTATIVE MAP. IF APPROVED A DETAILED PROCEDURE OF SURVEY SHALL BE SHOWN ON THE FINAL MAP AND ALL PROPERTY CORNERS SHALL BE MARKED WITH DURABLE SURVEY MONUMENTS

GENERAL NOTES:

- ASSESSOR'S PARCEL NUMBER: 352-300-II
- SUBDIVISION AREA: 967,558 SF. (22.21 AC)
- PROPOSED 5 RESIDENTIAL LOTS.
2 NO DEVELOPMENT LOTS & 1 ACCESS/PRIVATE UTILITIES EASEMENT LOT
LOT 1: 19,401 SF. (0.44 AC) GROSS / NET
LOT 2: 32,137 SF. (0.74 AC) GROSS / NET
LOT 3: 31,144 SF. (0.71 AC) GROSS / NET
LOT 4: 31,530 SF. (0.72 AC) GROSS / NET
LOT 5: 32,202 SF. (0.74 AC) GROSS / NET
LOT A: NO DEVELOPMENT AREA 18,960 SF. (0.43 AC)
LOT B: NO DEVELOPMENT AREA 768,361 SF. (17.66 AC)
ACCESS & UTILITIES EASEMENT AREA 33,823 SF. (0.77 AC)
LOT C
- UTILITIES: SEWER AND WATER - CITY OF SAN DIEGO
STORM DRAIN - CITY OF SAN DIEGO
GAS AND ELECTRIC - SAN DIEGO GAS & ELECTRIC
TELEPHONE - AT&T
FIRE & POLICE - CITY OF SAN DIEGO
TELEVISION - COX COMMUNICATION & SPECTRUM
SCHOOL DISTRICT - SAN DIEGO UNIFIED
- THIS IS NOT A CONDOMINIUM PROJECT.
- ADDRESS NUMBERS FOR THE PROPOSED BUILDING ON ALL LOTS SHALL BE VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY.
- THE SUBDIVIDER SHALL RECORD A DECLARATION OF COVENANTS AND RESERVATION OF EASEMENTS FOR THE SHARED ACCESS EASEMENT FOR THE SIX PROJECT SITES CURRENTLY HELD BY THE SAME OWNER. THE DECLARATION OF COVENANTS AND RESERVATION ACCESS EASEMENTS SHALL STATE SINCE THE MUTUAL ACCESS EASEMENT AGREEMENT IS A PRIVATE AND NOT A PUBLIC ISSUE, THE CITY OF SAN DIEGO IS NOT RESPONSIBLE FOR ANY DISPUTE THAT MIGHT ARISE IN THE FUTURE BETWEEN THE PRIVATE PARTIES.

REQUESTED APPROVALS:

- COASTAL DEVELOPMENT PERMIT.
- SUBDIVISION TENTATIVE MAP.
- SITE DEVELOPMENT PERMIT.
- PLANNED DEVELOPMENT PERMIT.

REFERENCES:

- 8" SEWER MAIN: 2786-D
- 12" WATER MAIN: 25374-D
- PARCEL MAP: 21506
- MAPS: 2167, 4914
- GRADING PLAN: 38506-D
- IMPROVEMENT PLAN: 38489-D

SETBACK (TABLE 131-04D)

- FRONT YARD: 20'
- SIDE YARD: 0.08 X WIDTH
- REAR YARD: 20'

FIRE ACCESS NOTE:

- FIRE APPARATUS ACCESS ROADS SHALL BE DESIGNED AND MAINTAINED TO SUPPORT THE IMPOSED LOAD OF FIRE APPARATUS (75,000 LBS) AND SHALL BE SURFACED SO AS TO PROVIDE ALL WEATHER DRIVING CAPABILITIES.

GRADING AND DRAINAGE PLAN NOTES:

- ALL PROPOSED ON-SITE STORM DRAIN FACILITIES ARE PRIVATE AND PRIVATELY MAINTAINED.
- PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT, THE OWNER/PERMITTEE SHALL INCORPORATE ANY CONSTRUCTION BEST MANAGEMENT PRACTICES NECESSARY TO COMPLY WITH CHAPTER 14, ARTICLE 2, DIVISION 1 (GRADING REGULATIONS) OF THE SAN DIEGO MUNICIPAL CODE INTO THE CONSTRUCTION PLANS OR SPECIFICATIONS.
- THIS PROJECT WILL NOT DISCHARGE ANY INCREASE IN STORM WATER RUN-OFF ONTO THE EXISTING HILLSIDE AREAS.
- AT THE STORM WATER DISCHARGE LOCATIONS, SUITABLE ENERGY DISSIPATORS ARE TO BE INSTALLED TO REDUCE THE DISCHARGE TO NON-ERODIBLE VELOCITIES. MULTIPLE STORM WATER DISCHARGE LOCATIONS WILL BE USED TO MIMIC THE EXISTING DRAINAGE PATTERN. NO ADDITIONAL RUN-OFF IS PROPOSED FOR DISCHARGE LOCATIONS.

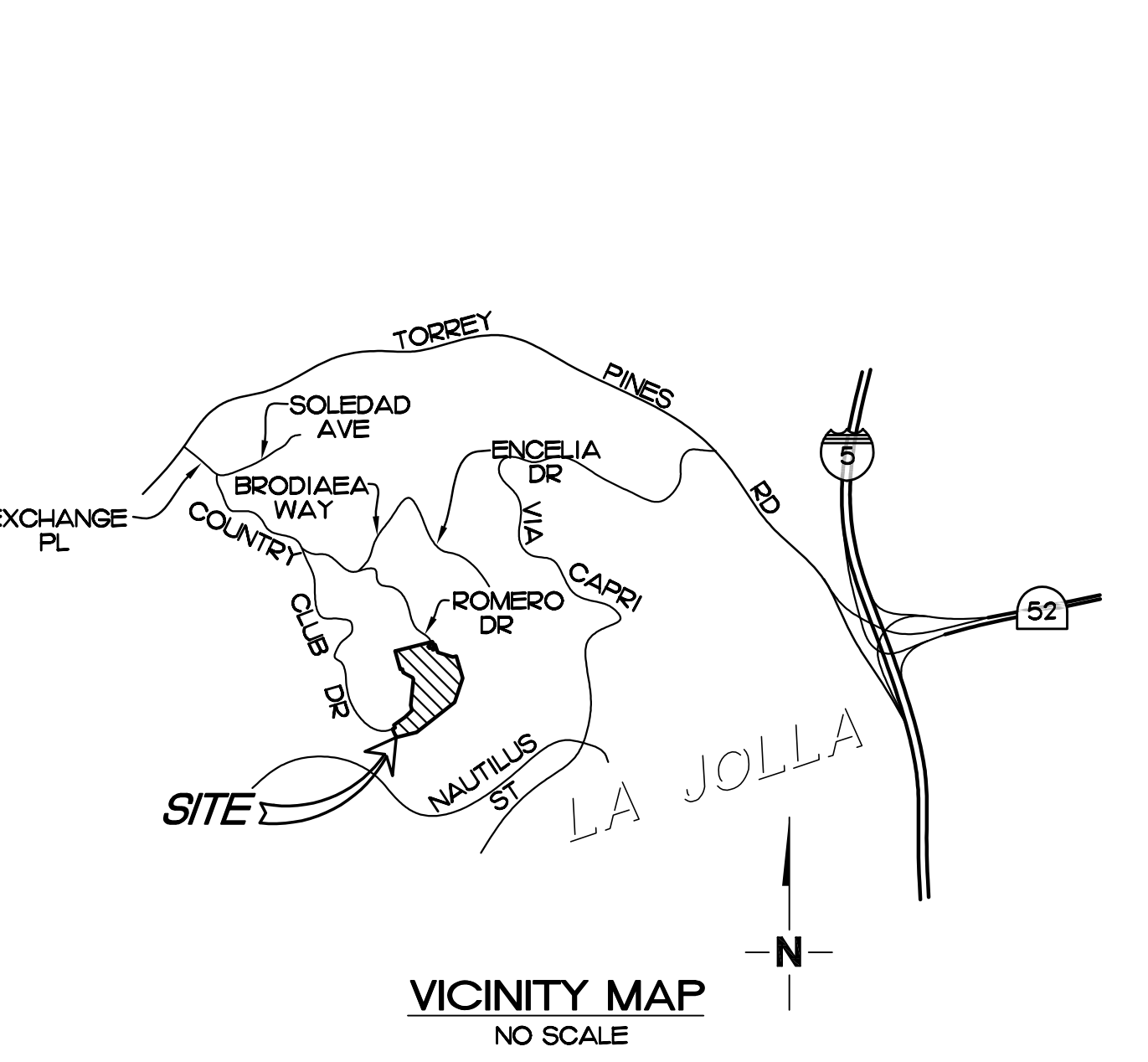
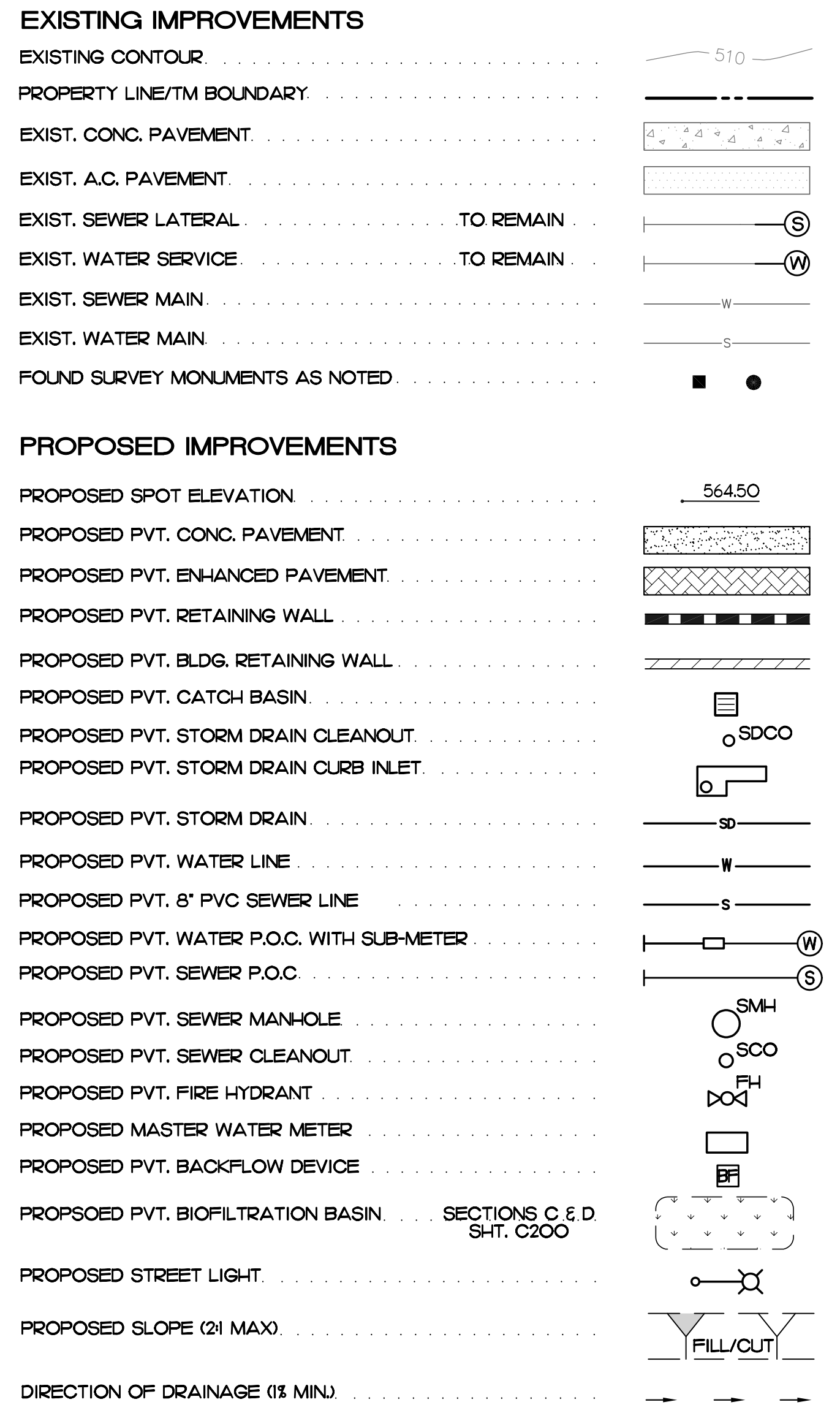
PUBLIC UTILITIES DEPARTMENT NOTES:

- WATER SERVICE AND METER SIZE WILL BE DETERMINED BY THE WATER METER DATA CARD WHICH WILL BE COMPLETED DURING THE BUILDING PLAN REVIEW. NEW SERVICE SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH ESTABLISHED CRITERIA IN THE MOST CURRENT EDITION OF THE CITY OF SAN DIEGO WATER AND SEWER DESIGN GUIDES.
- NO TREES OR SHRUBS EXCEEDING THREE FEET IN HEIGHT AT MATURITY SHALL BE INSTALLED WITHIN 10' OF ANY SEWER FACILITIES AND 5' OF WATER FACILITIES.
- ALL PROPOSED PRIVATE WATER AND SEWER FACILITIES LOCATED WITHIN SUBJECT SITE ARE TO BE DESIGNED TO MEET THE REQUIREMENTS OF THE CURRENT UNIFORM PLUMBING CODE AND WILL BE REVIEWED AS PART OF THE BUILDING PERMIT PLAN CHECK.

STORM WATER NOTE:

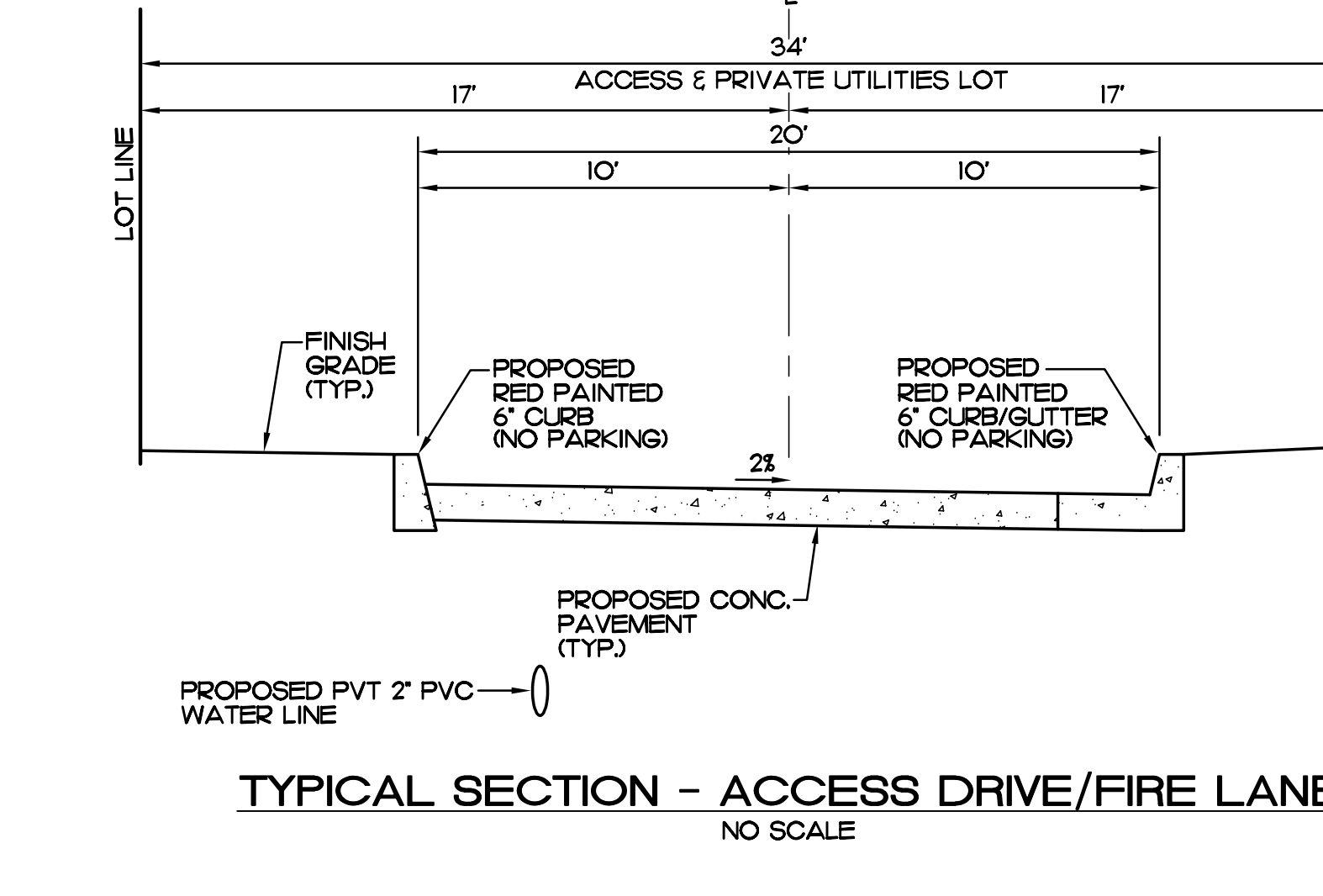
PROPOSED PROJECT WILL COMPLY WITH ALL THE REQUIREMENTS OF THE CURRENT CITY OF SAN DIEGO STORM WATER STANDARDS MANUAL BEFORE A GRADING OR BUILDING PERMIT IS ISSUED. IT IS THE RESPONSIBILITY OF THE OWNER/DESIGNER/APPLICANT TO ENSURE THAT THE CURRENT STORM WATER PERMANENT BMP DESIGN STANDARDS ARE INCORPORATED INTO THE PROJECT.

LEGEND



EASEMENTS:

- UTILITY CONDITIONS RECORDED MARCH 11, 1927, IN BOOK 1335, PAGE 135 OF DEEDS.
- ROAD EASEMENT RECORDED OCTOBER 16, 1962 AS FILE NO. 177541, OR. (PRIVATE)
- SEWER EASEMENT GRANTED TO CITY OF SAN DIEGO RECORDED JUNE 29, 1965 AS INSTRUMENT NO. 115869, OR. (PUBLIC)
- AGREEMENT FOR GRANT OF EASEMENT FOR MAINTENANCE OF LANDSCAPING IMPROVEMENTS RECORDED FEBRUARY 20, 2013 AS DOCUMENT NO. 2013-0109763, OR. (PRIVATE) UNPLOTTABLE
- AGREEMENT FOR GRANT OF EASEMENT FOR MAINTENANCE OF FENCE AND LANDSCAPING RECORDED JULY 15, 2013 AS DOCUMENT NO. 2013-0438693, OR. (PRIVATE) UNPLOTTABLE
- AGREEMENT TO DEFINE AND PERFECT AN EASEMENT CLAIM RECORDED AUGUST 5, 2013 AS DOCUMENT NO. 2013-0500120, OR. (PRIVATE) UNPLOTTABLE
- PVT. ACCESS & ROAD EASEMENT RECORDED SEPTEMBER 25, 2013 AS DOCUMENT NO. 2013-0585764, OR. (PRIVATE)
- PVT. ACCESS & ROAD EASEMENT RECORDED SEPTEMBER 25, 2013 AS DOCUMENT NO. 2013-0585765, OR. (PRIVATE)
- ROAD MAINTENANCE AGREEMENT RECORDED SEPTEMBER 25, 2013 AS DOCUMENT NO. 2013-0585767, OR. (PRIVATE) UNPLOTTABLE
- PVT. ACCESS & ROAD EASEMENT RECORDED MAY 16, 2014 AS DOCUMENT NO. 2014-0202074, OR. (PRIVATE)
- PVT. ROAD AND UTILITY EASEMENT RECORDED MAY 16, 2014 AS DOCUMENT NO. 2014-0202075, OR. (PRIVATE) UNPLOTTABLE
- AGREEMENT FOR GRANT OF EASEMENT AND AGREEMENT FOR USE AND MAINTENANCE OF EASEMENT RECORDED MAY 22, 2014 AS DOCUMENT NO. 2014-0210103, OR. (PRIVATE) UNPLOTTABLE
- RESOLUTION NUMBER R-310220 RECORDED FEBRUARY 17, 2016 AS DOCUMENT NO. 2016-0066974, OR. (PRIVATE) UNPLOTTABLE
- COASTAL DEVELOPMENT PERMIT NO. 1050394 RECORDED FEBRUARY 17, 2016 AS DOCUMENT NO. 2016-0066975, OR. (PRIVATE) UNPLOTTABLE
- ENCROACHMENT MAINTENANCE AND REMOVAL AGREEMENT RECORDED MAY 25, 2016 AS DOCUMENT NO. 2016-0254531, OR. (PRIVATE) UNPLOTTABLE
- AGREEMENT TO HOLD THE CITY HARMLESS RECORDED JULY 1, 2016 AS DOCUMENT NO. 2016-00330473, OR. (PRIVATE) UNPLOTTABLE
- STORM WATER MANAGEMENT AND DISCHARGE CONTROL MAINTENANCE AGREEMENT RECORDED NOVEMBER 9, 2016 AS DOCUMENT NO. 2016-0466991, OR. (PRIVATE) UNPLOTTABLE



APPLICANT/OWNER

APN 352-300-II
LA JOLLA RESERVE, LLC.
10452 COYOTE HILL, GLEN ESCOBIDO, CA 92026

NAME: RYAN KIESEL
DATE: 12/13/2023



ENGINEER OF WORK

SON-Engineering
C 86249
P.O. BOX 1707, ALPINE, CA 91903
TELEPHONE (619) 770-9339, son@soncivil.com



Prepared By:	SON-ENGINEERING	Revision 14:	
Name:	P.O. BOX 1707 ALPINE, CA 91903	Revision 13:	
Address:		Revision 12:	
Phone #:	(619) 770-9339	Revision 11:	
Project Address:	6850 COUNTRY CLUB DRIVE LA JOLLA, CA 92037	Revision 10:	
		Revision 9:	
		Revision 8:	
		Revision 7:	
		Revision 6:	
		Revision 5:	
		Revision 4:	MAY 8, 2024
		Revision 3:	MARCH 14, 2024
		Revision 2:	DECEMBER 13, 2023
		Revision 1:	MARCH 28, 2023

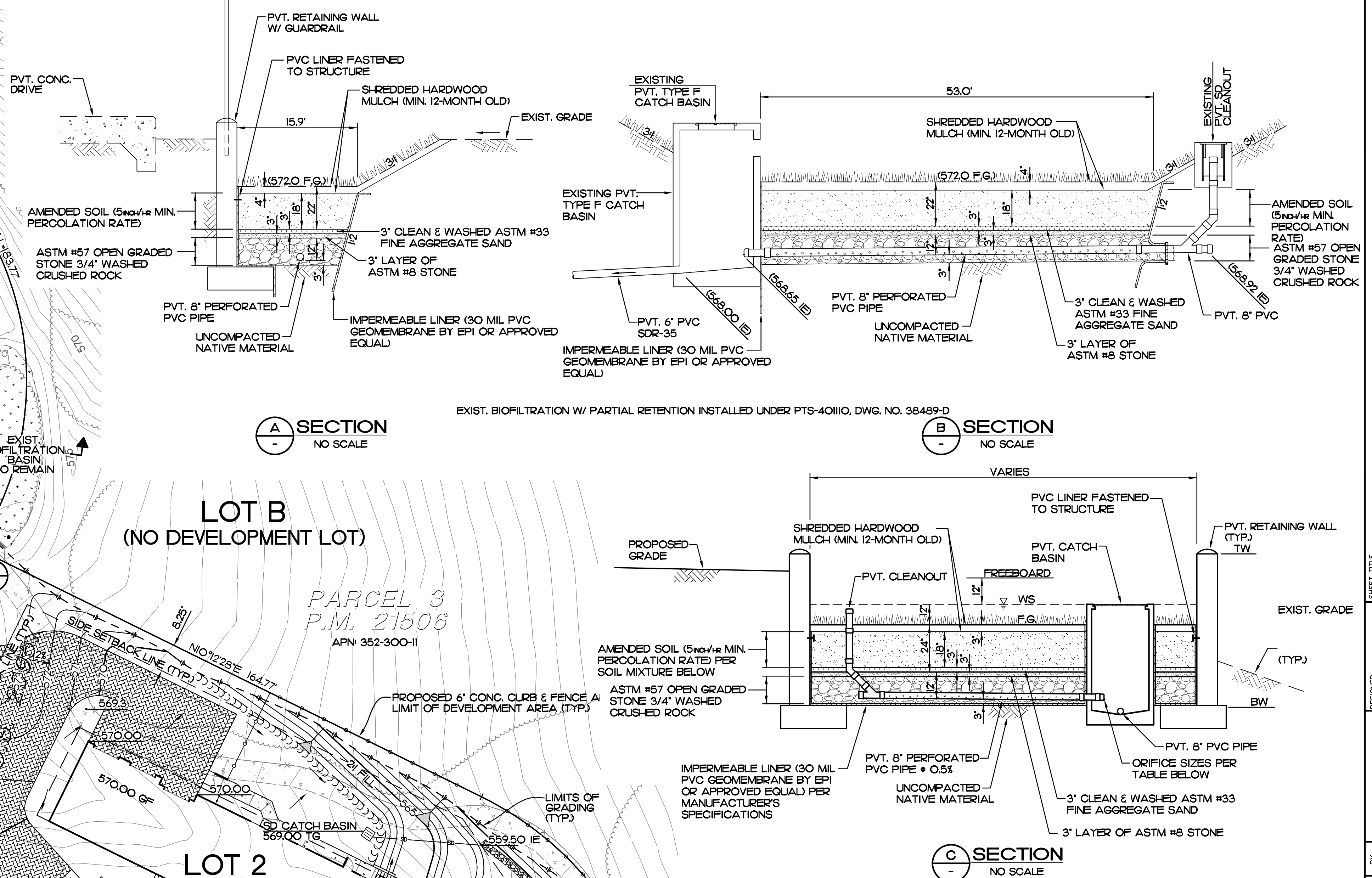
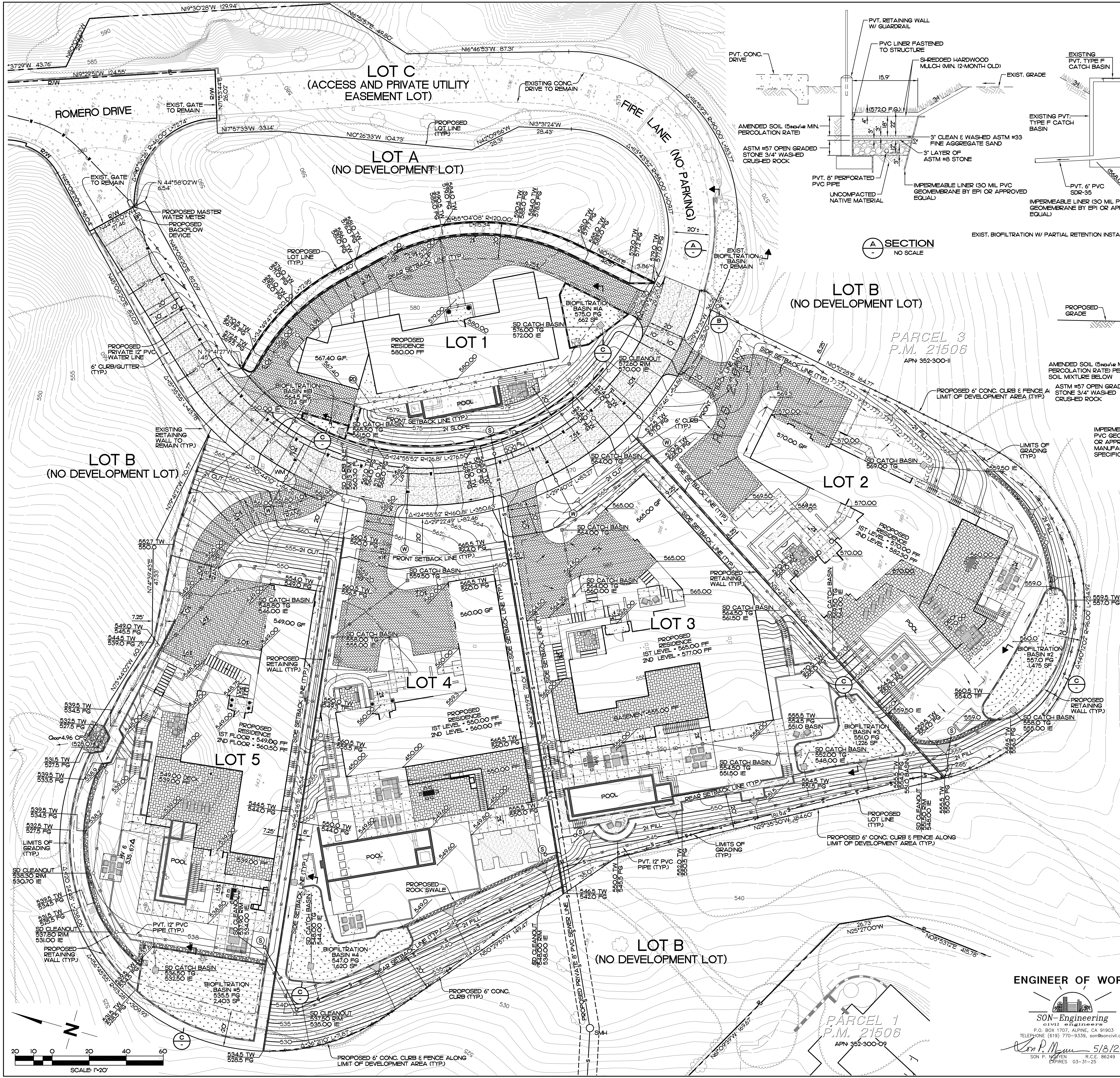
Project Name: ROMERO DRIVE TENTATIVE MAP
COASTAL DEVELOPMENT PLAN NO. PMT-3172975
SITE DEVELOPMENT PLAN NO. PMT-3172976
TENTATIVE MAP NO. PMT-3172977
PLANNED DEVELOPMENT PERMIT NO. PMT-XXXXXXX
Sheet Title:
Original Date: JUNE 17, 2022
Sheet Of:
DEPN
PRJ-1063767

TITLE AND NOTE SHEET
ROMERO DRIVE TENTATIVE MAP
6850 COUNTRY CLUB DRIVE
LA JOLLA, CA 92037

NO.	DATE	REVISION DESCRIPTION
1	3-28-2023	REVISED PER CITY OF SAN DIEGO 1ST REVIEW CYCLE.
2	12-13-2023	REVISED PER CITY OF SAN DIEGO 2ND REVIEW CYCLE.
3	12-14-2023	REVISED PER CITY OF SAN DIEGO 3RD REVIEW CYCLE.
4	12-14-2023	REVISED PER CITY OF SAN DIEGO 4TH REVIEW CYCLE.

SON-ENGINEERING
P.O. BOX 1707, ALPINE, CA 91903 - TEL. (619) 770-9339

C100



SOIL MIXTURE:
 85% WASHED SAND, 10% FINES (SILT & CLAY), 5% ORGANIC MATTER.
 (SEE CITY OF SAN DIEGO STORM WATER STANDARDS, APPENDIX F.)

P.V.T. BIOFILTRATION
 NO SCALE

BIOFILTRATION SIZING FOR HYDROMODIFICATION REQUIREMENTS				
	MIN BMP SIZE (SF)	PROPOSED BMP SIZE (SF)	MAX. ORIFICE DIA. (IN)	PROPOSED ORIFICE DIA. (IN)
BMP #1A	649	662	0.50	0.50
BMP #1B	121	124	0.26	0.25
BMP #2	938	1,475	0.82	0.80
BMP #3	1,196	1,226	0.79	0.75
BMP #4	973	1,620	0.78	0.75
BMP #5	2,194	2,403	1.01	1.00

Prepared By:
 Name: SON-ENGINEERING
 Address: P.O. BOX 1707
 ALPINE, CA 91903
 Phone #: (619) 770-9339

Project Address:
 6850 COUNTRY CLUB DRIVE
 LA JOLLA, CA 92037

Project Name:
 ROMERO DRIVE TENTATIVE MAP
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 PLANNED DEVELOPMENT PERMIT NO. PMT-XXXXXXX
 Sheet Title:

Revision:

Revision 14:	
Revision 13:	
Revision 12:	
Revision 11:	
Revision 10:	
Revision 9:	
Revision 8:	
Revision 7:	
Revision 6:	
Revision 5:	
Revision 4:	MAY 8, 2024
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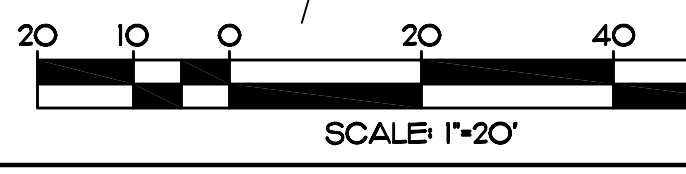
Original Date: JUNE 17, 2022

ENGINEER OF WORK

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Don P. Nguyen 5/8/24
 SON P. NGUYEN R.C.E. 86249
 EXPIRES 03-31-25

REGISTERED PROFESSIONAL ENGINEER
 CIVIL
 STATE OF CALIFORNIA



TENTATIVE MAP/ CONCEPTUAL GRADING PLAN
 ROMERO DRIVE TENTATIVE MAP
 6850 COUNTRY CLUB DRIVE
 LA JOLLA, CA 92037
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 SON@SONCIVIL.COM

NO.	DATE	REVISION DESCRIPTION
1	3-28-2023	REVISED PER CITY OF SAN DIEGO 1ST REVIEW CYCLE.
2	12-13-2023	REVISED PER CITY OF SAN DIEGO 2ND REVIEW CYCLE.
3	13-14-2024	REVISED PER CITY OF SAN DIEGO 3RD REVIEW CYCLE.
4	05-08-2024	REVISED PER CITY OF SAN DIEGO 4TH REVIEW CYCLE.

BY: _____
 DATE: _____

PRJ-1063767

C200



THE CITY OF SAN DIEGO

ADDENDUM

Project No. PRJ-1063767
Addendum to EIR No. 292065
SCH No. 2014051069

SUBJECT: Romero Subdivision: Coastal Development Permit, Site Development Permit, Planned Development Permit, and Tentative Map to subdivide one parcel to create eight new Lots, including five residential lots (Lots 1-5), each with new, 3-level, single dwelling units with a pool. Two of the lots will not be developed (Lots A and B), and one lot will serve as an access and utilities easement area (Lot C). Lot C will also serve as a private road with access and frontage to all five residential lots on portions of a 22.21-acre site. The project is located in the RS-1-4 Zone and Coastal Overlay (Non-Appealable) Zone within the La Jolla Community Plan area, Council District 1. (LEGAL DESCRIPTION: APN: 352-300-11-00 Parcel 3 of Parcel Map No. 21506, in the City of San Diego, County of San Diego, State of California, according to the map thereof filed in the Office of The County Recorder of San Diego County October 11, 2017, as Instrument No. 2017-7000389 of Official Records)
APPLICANT: Foxhill InvCo One.

I. SUMMARY OF ORIGINAL PROJECT

The Reserve Project was certified by the City Council on January 25, 2016. The approved project subdivided two parcels for future residential development into three separate parcels: Parcel 1 (1.07 acres) was conveyed and merged into the adjacent Foxhill estate property through a Lot Consolidation Map. Parcel 2 (1.68 acres) and Parcel 3 (22.20 acres) each accommodate a single-family estate home, as well as conservation and revegetation of biological habitat. These two parcels (Parcel 2 and Parcel 3) are to be developed pursuant to a set of Design Guidelines. The Design Guidelines provide detailed design criteria relative to site development, as well as architecture and landscape design. The Design Guidelines provide a detailed set of massing, building, landscape, grading, and location standards so that future property owner(s) to secure building permits for home designs that conform to these Design Guidelines. In addition, the project proposed to dedicate approximately 0.14 acres to Romero Drive right-of-way and 0.05 acres to Country Club Drive right-of-way. The project required the approval of a Planned Development Permit due to proposed deviations for the street frontage of Parcel 2 and Parcel 3 from the minimum 65-foot street frontage required by the RS-1-4 zoning regulations.

The overall project site encompassed 25.14 acres and is located at 6850 Country Club Drive, at the eastern terminus of Country Club Drive, and at the southern termini of Romero Drive and Encelia Drive. The General Plan designates the project site for Park, Open Space, and Recreation land use, and the La Jolla Community Plan designates the entire site as Parks, Open Space. The site is zoned RS-1-4 (Residential-Single Unit) with a 10,000-square-foot minimum lot size requirement. The project is located within the Coastal Overlay Zone, Coastal Height Limit Overlay Zone, Sensitive Coastal Overlay Zone, Outdoor Lighting Zones, Parking Impact Overlay Zone, and the La Jolla Community Plan. The project site is transected by the earthquake fault buffer and is located within geologic hazard categories 12, 22, 26, 27, and 53, brush management, and the Very High Fire Hazard Severity Zone (VHFHSZ)

II. SUMMARY OF PROPOSED PROJECT

The current project site is located at 6850 Country Club Dr, San Diego. It is governed by Coastal Development Permit No. 1050394, Site Development Permit No. 1040407, Planned Development Permit No. 1050409, and Tentative Map No. 1050354, Project No. 292065 (MMRP). The project scope involves subdividing one lot into eight lots, including two lots with no development, one lot for access and utility easement, and five residential lots, each with a three-level SDU and accessory improvements. Lot C will function as a private road with access and frontage to all five residential lots. The square footage and floor area ratios (FAR) for each lot are as follows:

- Lot #1 (19,401 SF): Development of 8,493 SF (FAR: 8,493 SF / 19,401 SF = 0.44)
- Lot #2 (32,137 SF): Development of 10,792 SF (FAR: 10,792 SF / 32,137 SF = 0.34)
- Lot #3 (31,144 SF): Development of 13,544 SF (FAR: 13,544 SF / 31,144 SF = 0.43)
- Lot #4 (31,350 SF): Development of 11,603 SF (FAR: 11,603 SF / 31,350 SF = 0.34)
- Lot #5 (32,202 SF): Development of 11,625 SF (FAR: 11,625 SF / 32,202 SF = 0.36)

The square footage and FAR for each lot is consistent with San Diego Municipal Code §131.0446. Each residential lot will be equipped with a new driveway, biofiltration basin, landscaping, swimming pool, foundational retaining walls, and associated site improvements.

The project requires a Coastal Development Permit (CDP) due to its location within the Coastal Overlay Zone, a Site Development Permit (SDP) for the subdivision of premises containing environmentally sensitive lands, a Tentative Map for the proposed subdivision of land, and a Planned Development Permit for one deviation to the required street frontage. Lots 1-5 will front onto the private road (Lot C) but will not have the required street frontage onto a public ROW.

III. ENVIRONMENTAL SETTING

The project site is located on the southwestern slope of Mount Soledad, within the La Jolla Community Planning Area of the City of San Diego (City). More specifically, the project site is located at the southern terminus of Romero Drive and Encelia Drive and the eastern terminus of Country Club Drive. Interstate 5 (I-5) is located approximately 1.2 miles directly to the east, and the Pacific Ocean is approximately 0.9 miles northwest of the project site.

The project address is 6850 Country Club Drive, La Jolla, California, 92037, at the south terminus of Romero Drive. The proposed project is located at APN 352-300-11, southwest of Romero Drive, in

the La Jolla Community Plan Area. Environmentally Sensitive Lands (ESL) surround the 4.20-acre developed parcel. The isolated ESL is bound by residential development and consists primarily of southern maritime chaparral.

The project includes dividing one lot into eight lots. This involves two undeveloped lots, one lot for access and utility easement, and five residential lots. Each residential lot will have a three-level SDU and accessory improvements. Lot C will function as a private road, providing access and frontage to all five residential lots. Furthermore, each residential lot will feature a new driveway, biofiltration basin, landscaping, swimming pool, foundational retaining walls, and associated site improvements.

IV. ENVIRONMENTAL DETERMINATION

The City previously prepared and certified **The Reserve Environmental Impact Report (EIR) No. 292065/SCH No. 2014051069**. Based on all available information in light of the entire record, the analysis in this Addendum, and pursuant to Section 15162 of the State CEQA Guidelines, the City has determined the following:

- There are no substantial changes proposed in the project which will require major revisions of the previous environmental document due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- Substantial changes have not occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous environmental document due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous environmental document was certified as complete or was adopted, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous environmental document;
 - b. Significant effects previously examined will be substantially more severe than shown in the previous environmental document;
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - d. Mitigation measures or alternatives which are considerably different from

those analyzed in the previous environmental would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Based upon a review of the current project, none of the situations described in Sections 15162 and 15164 of the State CEQA Guidelines apply. No changes in circumstances have occurred, and no new information of substantial importance has manifested, which would result in new significant or substantially increased adverse impacts as a result of the project. Therefore, this Addendum has been prepared in accordance with Section 15164 of the CEQA State Guidelines. Public review of this Addendum is not required per CEQA.

V. IMPACT ANALYSIS

The following includes the project-specific environmental review pursuant to the CEQA. The analysis in this document evaluates the adequacy of the EIR relative to the project and documents that the proposed modifications and/or refinements would not cause new or more severe significant impacts than those identified in the previously certified environmental document.

The Reserve EIR identified the following issue areas to be significant but mitigated to below a level of significance with mitigation: Biological Resources and Paleontological Resources. The following issue areas were determined to be less than significant impacts or no significant impacts: Land Use, Visual Effects and Neighborhood Character, Agricultural and Forestry Resources, Geologic Conditions, Energy, Air Quality/Odor, Greenhouse Gas Emissions, Health and Safety, Historical Resources, Hydrology and Water Quality, Mineral Resources, Noise, Population and Housing, Public Services and Facilities, and Public Utilities, Transportation/Traffic Circulation, and Water Quality.

An overview of the project's impacts in relation to the previously certified Final PEIR is provided in the table below, Impact Assessment Summary. The following analysis indicated there would be no new significant impacts, nor would there be an increase in the severity of impacts resulting from the project. Further, there is no new information in the record or otherwise available indicating that there are substantial changes in circumstances that would require major changes to the Reserve EIR. A comparison of the project's impacts related to those of the Reserve EIR is provided in the table below.

ATTACHMENT 10

Impact Assessment Summary					
Environmental Issues	The Reserve Final EIR Analysis	The Reserve Final EIR Mitigation	Project	Project Level New Mitigation?	Project Resultant Impact
Land Use	Less than Significant	No	No new impacts	No	Less than Significant
Transportation	Less than Significant	No	No new impacts	No	Less than Significant
Air Quality	Less than Significant	No	No new impacts	No	Less than Significant
Noise	Less than Significant	No	No new impacts	No	Less than Significant
Biological Resources	Significant, but mitigated	Yes	No new impacts	Yes, consistent with the Reserve FEIR mitigation framework	Mitigated to a level Less than Significant
Hydrology and Water Quality	Less than Significant	No	No new impacts	No	Less than Significant
Historical Resources	Less than Significant	No	No new impacts	No	Less than Significant
Paleontological Resources	Significant but mitigated	Yes	No new impacts	Yes, consistent with the Reserve FEIR mitigation framework	Mitigated to a level Less than Significant
Geology and Seismic Hazards	Less than Significant	No	No new impacts	No	Less than Significant
Hazardous Materials	Less than Significant	No	No new impacts	No	Less than Significant
Greenhouse Gas Emissions	Less than Significant	No	No new impacts	No	Less than Significant
Energy	Less than Significant	No	No new impacts	No	Less than Significant
Public Services and Facilities	Less than Significant	No	No new impacts	No	Less than Significant
Public Utilities	Less than Significant	No	No new impacts	No	Less than Significant
Visual Effects and Neighborhood Character	Less than Significant	No	No new impacts	No	Less than Significant

Paleontological Resources

The Reserve EIR

The City of San Diego's CEQA Significance Determination Thresholds state that grading and/or excavation greater than 1,000 cubic yards and at a depth of 10 feet or greater in highly sensitive formations would require monitoring for paleontological resources. In addition, the City's CEQA Significance Determination Thresholds indicate that if over 2,000 cubic yards of excavation in a moderate resource potential geologic deposit/formation/rock unit occurs, and 10 feet or more of cut occurs, the project would result in significant impacts (City of San Diego 2011). As discussed in Section 5.3, Paleontological Resources of The Reserve EIR there is the potential for paleontological resources to occur on site due to the presence of both moderate and highly sensitive formations on-site. As outlined in mitigation measure **MM-PALEO-1**, preconstruction records searches, on-site monitoring during grading, and submittal of a monitoring results report if required, along with fossil recovery and curation, would be implemented if final grading plans for the project indicate that more than 1,000 cubic yards and 10 feet in depth of excavation would be required, pursuant to the City's CEQA Significance Thresholds. Implementation of a paleontological mitigation program would avoid or reduce project-level impacts to below a level of significance. Other cumulative projects would be regulated by state and local regulations. As such, any significant paleontological resource impacts resulting from the proposed project or other future projects would be mitigated on a project-by-project basis. The proposed project would not contribute to a significant cumulative impact to paleontological resources, and impacts would be to below a level of significance.

The Project

The EIR for the Reserve Project included mitigation measures for paleontological resources. Based upon grading quantities, 4,400 CY to a depth of 20 ft., submitted on the Preliminary Grading Plan, the project would require paleontological monitoring. As such, the Romero Subdivision will comply with the same mitigation measures.

The project would be required to adhere to all relevant regulations and the Reserve EIR mitigation framework, including **MM-PALEO-1**. Based on the foregoing analysis the project would not result in a new significant impact, nor would a substantial increase in the severity of impacts from that described in the FEIR.

Biological Resources

The Reserve EIR

As analyzed in Section 5.2, Biological Resources of the Reserve EIR, the project would have a potentially substantial adverse impact, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in the Multiple Species Conservation Plan (MSCP) or other local or regional plans, policies or regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS). As indicated in

Section 5.2.3 of the Reserve EIR, the project would potentially impact 1 Nuttall's scrub oak (*Quercus dumosa*) and 27 San Diego barrel cactus (*Ferocactus viridescens*) individuals. In addition to special-status plant species, the project has the potential to impact four special-status wildlife species including Western bluebird (*Sialia mexicana*), Cooper's hawk (*Accipiter cooperii*), yellow-breasted chat (*Icteria virens*), and coastal California gnatcatcher (*Polioptila californica californica*) if they occur within the patches of habitat that will be impacted by the project. The project would potentially result in a substantial adverse impact on Tier I Habitats, Tier II Habitats, Tier IIIA Habitats, or Tier IIIB Habitats as identified in the Biology Guidelines of the Land Development manual or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS. Impacts to potentially occurring nesting raptors are also potentially significant. The project would result in potentially adverse impact on wetlands (including, but not limited to, marsh, vernal pool, riparian, etc.) through direct removal, filling, hydrological interruption, or other means. Incorporation of mitigation measures **MM-BIO-1** and **MM-BIO-2** would reduce these impacts to below a level of significance. All other impacts to biological resources were found to be less than significant.

Based on evaluation of the site and surrounding area, there were no reasonably foreseeable cumulative projects that would have the potential to affect vegetation communities similar to those affected by the proposed project and therefore could cumulatively contribute to impacts to natural vegetation communities in this region, or to impacts to species that are associated with these habitat types. For this reason, and because the project's direct and indirect impacts were mitigated to below a level of significance, the proposed project would not contribute to a significant cumulative impact to biological resources.

The Project

A Biological Technical Report (BTR) was prepared for the project (Romero Subdivision, Biological Resources Report, Leopold Biological Services, March 2023). Per the BTR parcel is mostly developed land, void of sensitive vegetation communities. The area is mostly landscaped with well-maintained turf, cart paths, and a man-made biofiltration basin built in May 2018. Some sensitive vegetation communities are present within the project boundary; however, planned work is limited to an area that is fully developed and does not have any sensitive vegetation communities present.

The closest wildlife corridor is Rose Canyon Open Space, approximately 1.43 miles east of the BSA. Consequently, terrestrial animals with a north-south or east-west home-range movement will be unlikely to use it.

Romero Subdivision is within the City's Multiple Species Conservation Program (MSCP) and the coastal overlay zone and entirely outside of the Multi-Habitat Planning Area (MHPA).

No critical habitat occurs within the Biological Survey Area (BSA). The closest critical habitat is approximately 3.87 miles northeast, adjacent to MCAS Miramar. Consequently, implementation of the proposed project will not impact critical habitat.

Although the parcel does include steep hillsides, none are present in the area of the proposed scope of work. Therefore, no impacts to steep hillsides or slopes will occur due to project implementation.

A jurisdictional ephemeral drainage is present approximately 50 feet east of the driveway, draining southwest to a storm drain inlet at the south ESL boundary. The Corps determined the ephemeral drainage is non-wetland Waters of The US (WoUS) based on the lack of hydrophytic vegetation and hydric soils. The ephemeral drainage does not meet the City's definition of City-jurisdictional "wetlands" as defined in the City's ESL Regulations and Biological Guidelines. Although there is disturbed wetland within the parcel boundaries, the disturbed wetland is a storm water conveyance system, a man-made biofiltration basin. In c. May 2018, the parcel was completely developed with lush turf, cart paths, access gates, French drains, and a private driveway. The storm water conveyance system was installed to drain the developed land. Therefore, no impacts to jurisdictional wetlands will occur due to project implementation.

Five sensitive flora species, Nuttall's scrub oak (CRPR 1B.1), Torrey pine (CRPR 1B.2), coast barrel cactus (CRPR 2B.1), wart-stemmed ceanothus (CRPR 2B.2), and coast desert-thorn (CRPR 4.2), were located and mapped within the BSA during the reconnaissance-level survey in the adjacent ESL. Three additional sensitive plant species occur in the ESL, outside the mapped BSA, decumbent goldenbush (CRPR 1B.2), western dichondra (CRPR 4.2), and ashy spike-moss (CRPR 4.1). Although sensitive flora species occur adjacent to the parcel, the parcel is developed land, void of sensitive flora species. Consequently, no direct impacts to sensitive flora species will occur due to project implementation.

Five sensitive wildlife species were observed in the BSA during the survey: Belding's orange-throated whiptail, San Diego desert woodrat (midden), Cooper's hawk, California gnatcatcher, and western bluebird. Although sensitive wildlife species were observed in the BSA, no suitable habitat occurs within the parcel boundaries. The parcel is developed land, primarily turf and cart paths. Therefore, no direct impacts to sensitive wildlife species will occur due to project implementation. Suitable Cooper's hawk nesting sites lie adjacent to the development area, on the parcel to the west and north. Noise from construction activities have the potential to disrupt nesting activities, resulting in indirect impacts to Cooper's hawk during the breeding season (February 1 through September 15). The project will be required to implement **MM-BIO-1** and **MM-BIO-2** from The Reserve EIR in order to reduce project impacts to below a level of significance.

A brush management plan will be implemented pursuant to San Diego Municipal Code Section 142.0412. The proposed project borders ESL which contains highly flammable, rare vegetation communities. Considering the parcel's size, configuration and constraints, it is infeasible to provide the required 100-foot Brush Management Zones (BMZ) on Lots 1-5. As a result, reduced brush management zone dimensions will apply to all lots with the implementation of alternative compliance measures. The brush management plan will be modified to include design features to compensate for the reduction of BMZ-1 and BMZ-2. Design features include the installation of a 6-foot CMU fence, dual-glazed, dual-tempered pane openings, one-hour fire rating for exterior walls, one-hour minimum fire rating Class-B roof, Type IV heavy timber for exposed exterior walls, permeable, non-combustible exterior walking surface, etc. Design features are coordinated and approved by the Fire Chief. In addition, Lot 1 single-family residence will be located as far west as feasible to accommodate for the reduction of BMZ-1. A Final Brush Management Plan is provided with the site plans.

The project will be required to implement mitigation measures **MM-BIO-1** and **MM-BIO-2** in order to reduce project impacts to below a level of significance. Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the EIR. The project would not result in any new significant impact, nor would a substantial increase in the severity of impacts from that described in the EIR result.

VI. ISSUES NOT ANALYZED IN THE PREVIOUS EIR

CEQA Guidelines, Section 15128, allows environmental issues for which there is no likelihood of a significant impact to not be discussed in detail or analyzed further in the EIR. These environmental issue areas are: Agricultural and Forestry Resources, Mineral Resources, Health and Safety, Population and Housing, Transportation/Traffic Circulation, Energy, Public Utilities, Noise, Air Quality/Odor, and Greenhouse Gas Emission. The certified EIR determined the Romero Subdivision would have less than significant impacts on Paleontological and Biological Resources. Revisions to the project components evaluated under the EIR are proposed with the current project. Through the environmental analysis conducted, the City has determined that the current project, subject of and evaluated under this Addendum, would not have the potential to cause significant impacts to those issue areas beyond those analyzed. While these issues were not analyzed in detail, as outlined in CEQA Section 15128, there is no new information available that would indicate that these issues would result in new significant impacts.

VII. MITIGATION, MONITORING, AND REPORTING PROGRAM (MMRP) INCORPORATED INTO THE PROJECT

The project shall be required to comply with the applicable mitigation measures outlined within the Mitigation Monitoring and Reporting Program (MMRP) of the previously certified Final EIR (No. 292065/SCH No. 2014051069) and those identified with the project-specific technical studies. The following MMRP identifies measures that specifically apply to this project.

GENERAL

Part I – Plan Check Phase (prior to permit issuance)

1. Prior to the issuance of a Notice To Proceed for a subdivision, or any construction permits, such as Demolition, Grading, or Building, or beginning any construction-related activity on site, the Development Services Department Director's Environmental Designee shall review and approve all Construction Documents (plans, specification, details, etc.) to ensure the MMRP requirements are incorporated into the design.
2. In addition, the Environmental Designee shall verify that the MMRP Conditions/Notes that apply ONLY to the construction phases of this project are included VERBATIM, under the heading, "**ENVIRONMENTAL/MITIGATION REQUIREMENTS.**"
3. These notes must be shown within the first three (3) sheets of the construction documents in the format specified for engineering construction document templates as shown on the City of San Diego's website:

<http://www.sandiego.gov/development-services/industry/standtemp.shtml>
4. The **TITLE INDEX SHEET** must also show on which pages the "Environmental/ Mitigation Requirements" notes are provided.
5. **SURETY AND COST RECOVERY** – The Development Services Director or City Manager may require appropriate surety instruments or bonds from private Permit Holders to ensure the long-term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

Part II – Post-Plan Check (after permit issuance/prior to start of construction)

1. **PRE-CONSTRUCTION MEETING IS REQUIRED TEN (10) WORKING DAYS PRIOR TO BEGINNING ANY WORK ON THIS PROJECT.** The PERMIT

HOLDER/OWNER is responsible to arrange and perform this meeting by contacting the CITY RESIDENT ENGINEER (RE) of the Field Engineering Division and City staff from MITIGATION MONITORING COORDINATION (MMC). Attendees must also include the Permit holder's Representative(s), Job Site Superintendent, and the following consultants: **Qualified Biologist, Qualified Paleontologist.**

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

CONTACT INFORMATION:

- a. The PRIMARY POINT OF CONTACT is the **RE** at the **Field Engineering Division – 858.627.3200**
 - b. For Clarification of ENVIRONMENTAL REQUIREMENTS, it is also required to call **RE and MMC** at **858.627.3360**
2. **MMRP COMPLIANCE:** This Project, PRJ-1063767 and /or Environmental Document 1063767/SCH No. 2014051069 shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the Development Services Department's Environmental Designee (MMC) and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e., to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc.).
NOTE: Permit Holder's Representatives must alert RE and MMC if there are any discrepancies in the plans or notes, or any changes due to field conditions. All conflicts must be approved by RE and MMC BEFORE the work is performed.
 3. **OTHER AGENCY REQUIREMENTS:** Evidence of compliance with all other agency requirements or permits shall be submitted to the RE and MMC for review and acceptance prior to the beginning of

work or within one week of the Permit Holder obtaining documentation of those permits or requirements. Evidence shall include copies of permits, letters of resolution, or other documentation issued by the responsible agency.

4. **NONE REQUIRED**
5. **MONITORING EXHIBITS** All consultants are required to submit to RE and MMC, a monitoring exhibit on a 11x17 reduction of the appropriate construction plan, such as site plan, grading, landscape, etc., marked to clearly show the specific areas including the **LIMIT OF WORK**, scope of that discipline’s work, and notes indicating when in the construction schedule that work will be performed. When necessary for clarification, a detailed methodology of how the work will be performed shall be included. **NOTE: Surety and Cost Recovery – When deemed necessary by the Development Services Director or City Manager, additional surety instruments or bonds from the private Permit Holder may be required to ensure the long-term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.**
6. **OTHER SUBMITTALS AND INSPECTIONS:** The Permit Holder/Owner’s representative shall submit all required documentation, verification letters, and requests for all associated inspections to the RE and MMC for approval per the following schedule:

Document Submittal/Inspection Checklist

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

SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS**Biological Resource Protection During Construction*****I. Prior To Construction***

- A. **Biologist Verification** - The owner/permittee shall provide a letter to the City's Mitigation Monitoring Coordination (MMC) section stating that a Project Biologist (Qualified Biologist) as defined in the City of San Diego's Biological Guidelines (2012), has been retained to implement the project's biological monitoring program. The letter shall include the names and contact information of all persons involved in the biological monitoring of the project.
- B. **Preconstruction Meeting** - The Qualified Biologist shall attend the preconstruction meeting, discuss the project's biological monitoring program, and arrange to perform any follow up mitigation measures and reporting including site-specific monitoring, restoration or revegetation, and additional fauna/flora surveys/salvage.
- C. **Biological Documents** - The Qualified Biologist shall submit all required documentation to MMC verifying that any special mitigation reports including but not limited to, maps, plans, surveys, survey timelines, or buffers are completed or scheduled per City Biology Guidelines, Multiple Species Conservation Program (MSCP), Environmentally Sensitive Lands Ordinance (ESL), project permit conditions; California Environmental Quality Act (CEQA); endangered species acts (ESAs); and/or other local, state or federal requirements.
- D. **BCME** -The Qualified Biologist shall present a Biological Construction Mitigation/Monitoring Exhibit (BCME) which includes the biological documents in C above. In addition, include: plant salvage/relocation requirements (e.g., coastal cactus wren plant salvage, burrowing owl exclusions, etc.), avian or other wildlife surveys/survey schedules (including general avian nesting and USFWS protocol), timing of surveys, wetland buffers, avian construction avoidance areas/noise buffers/ barriers, other

impact avoidance areas, and any subsequent requirements determined by the Qualified Biologist and the City ADD/MMC. The BCME shall include a site plan, written and graphic depiction of the project's biological mitigation/monitoring program, and a schedule. The BCME shall be approved by MMC and referenced in the construction documents.

- E. **Avian Protection Requirements** - To avoid any direct impacts to raptors and/or any native/migratory birds, removal of habitat that supports active nests in the proposed area of disturbance should occur outside of the breeding season for these species (February 1 to September 15). If removal of habitat in the proposed area of disturbance must occur during the breeding season, the Qualified Biologist shall conduct a pre-construction survey to determine the presence or absence of nesting birds on the proposed area of disturbance. The pre-construction survey shall be conducted within 10 calendar days prior to the start of construction activities (including removal of vegetation). The applicant shall submit the results of the pre-construction survey to City DSD for review and approval prior to initiating any construction activities. If nesting birds are detected, a letter report or mitigation plan in conformance with the City's Biology Guidelines and applicable State and Federal Law (i.e. appropriate follow up surveys, monitoring schedules, construction and noise barriers/buffers, etc.) shall be prepared and include proposed measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided. The report or mitigation plan shall be submitted to the City for review and approval and implemented to the satisfaction of the City. The City's MMC Section or RE, and Biologist shall verify and approve that all measures identified in the report or mitigation plan are in place prior to and/or during construction.
- F. **Resource Delineation** - Prior to construction activities, the Qualified Biologist shall supervise the placement of orange construction fencing or equivalent along the limits of disturbance adjacent to sensitive biological habitats and verify compliance with any other project conditions as shown on the BCME. This phase shall include flagging plant specimens and delimiting buffers to protect sensitive biological resources (e.g., habitats/flora & fauna species, including nesting birds) during

construction. Appropriate steps/care should be taken to minimize attraction of nest predators to the site.

- G. **Education** –Prior to commencement of construction activities, the Qualified Biologist shall meet with the owner/permittee or designee and the construction crew and conduct an on-site educational session regarding the need to avoid impacts outside of the approved construction area and to protect sensitive flora and fauna (e.g., explain the avian and wetland buffers, flag system for removal of invasive species or retention of sensitive plants, and clarify acceptable access routes/methods and staging areas, etc.).

II. During Construction

- A. **Monitoring**- All construction (including access/staging areas) shall be restricted to areas previously identified, proposed for development/staging, or previously disturbed as shown on “Exhibit A” and/or the BCME. The Qualified Biologist shall monitor construction activities as needed to ensure that construction activities do not encroach into biologically sensitive areas, or cause other similar damage, and that the work plan has been amended to accommodate any sensitive species located during the pre-construction surveys. In addition, the Qualified Biologist shall document field activity via the Consultant Site Visit Record (CSV). The CSV shall be e-mailed to MMC on the 1st day of monitoring, the 1st week of each month, the last day of monitoring, and immediately in the case of any undocumented condition or discovery.
- B. **Subsequent Resource Identification** - The Qualified Biologist shall note/act to prevent any new disturbances to habitat, flora, and/or fauna on site (e.g., flag plant specimens for avoidance during access, etc.). If active nests or other previously unknown sensitive resources are detected, all project activities that directly impact the resource shall be delayed until species specific local, state or federal regulations have been determined and applied by the Qualified Biologist.

III. Post Construction Measures

- A. In the event that impacts exceed previously allowed amounts,

additional impacts shall be mitigated in accordance with City Biology Guidelines, ESL and MSCP, State CEQA, and other applicable local, state and federal law. The Qualified Biologist shall submit a final BCME/report to the satisfaction of the City ADD/MMC within 30 days of construction completion.

BIOLOGICAL RESOURCES

Potential impacts to biological resources would be reduced to below a level of significance through implementation of the following mitigation measures:

MM-BIO-1 Covenant of Easement. Prior to the issuance of any construction permits, such as Demolition, Grading, or Building, or beginning any construction-related activity on site, Grantor shall execute this Covenant of Easement in favor of the City of San Diego and record this Covenant of Easement against title to the Property with the San Diego County Recorder. In addition, Grantor shall undertake all reasonable actions to prevent the unlawful entry and trespass by persons whose activities may degrade or harm the environmentally sensitive nature of the Conserved Property. In addition, Grantor shall be responsible for implementing the following management activities in order to maintain ecological functions and services of the native vegetation of the Conserved Property:

The COE shall be managed in perpetuity by the property owners (Grantor) and shall include the following elements in addition to the standard language provided in the City COE template: Prior to the issuance of any construction permits, such as Demolition, Grading, or Building, or beginning any construction-related activity on site, direct impacts to 27 San Diego barrel cactus individuals shall be mitigated through transplantation into the conservation area ("Conserved Property") and preservation of 54 San Diego barrel cactus within the Conserved Property. Impacts to barrel cactus shall be mitigated pursuant to the barrel cactus translocation plan, prepared pursuant to the City of San Diego Biological Guidelines Attachment III, General Outline for Conceptual Revegetation/Restoration Plan, which will ensure the success of the mitigation.

Direct impacts to one Nuttall's scrub oak shall be mitigated through preservation of 48 Nuttall's scrub oak individuals within the Conserved Property. The Conserved Property shall be subject to and governed by the Covenant of Easement (COE) on site. This COE is required as a condition of project approval, and shall be placed on the area to be set aside for conservation (Conserved Property), which is approximately 18.80 acres (refer to Figure 5.2-3). The Conserved Property shall be conserved and maintained by the owners of the individual parcels and is subject to and governed by the COE recorded on the individual parcels.

- The individual property owners or their qualified designee shall be responsible for long-term maintenance and management of the Conserved Property.
- Control weed species on an annual basis, ideally in the spring following germination and seed development of annual weed species. Weeding will be limited to highly invasive species including tree tobacco (*Nicotiana glauca*), eucalyptus trees, pampas grass (*Cortaderia selloana*), and ice plant. Control should occur prior to seed-set to moderate additional infestation. Weed control should focus on hand-pulling when feasible. Mechanical and chemical control may occur as-needed, and should be performed by persons qualified in such methods. Perennial invasive non-natives will likely require repeat follow-up treatments for complete control.
- Removal on an annual basis. If significant trash presence is detected at other times of the year it should be removed as needed. Items to be removed include anthropogenic trash as well as weed slash materials. Collected trash shall be disposed of off-site in an appropriate manner.
- Fencing, where installed at the perimeter of the property, is to be inspected on an annual basis. Repairs and maintenance are to be performed as-needed to maintain the structural integrity and function of the fencing to prevent unauthorized vehicular or pedestrian entry.
- Fencing, where installed at the perimeter of the property, and signage shall be maintained to discourage and prevent public access to the native vegetation communities within the Conserved Property. If trespass occurs in areas where signage is not present,

additional fencing and signage may be added to problem areas.

- The Zone 2 brush management area will be clearly delineated within Conserved Property by using T-posts or single-strand wire fence that allows wildlife freedom of passage but that marks the area of Zone 2 brush management as shown on Exhibit A. The Zone 2 brush management areas have been included in the Conserved Property due to the species that occur in these areas and the contiguity provided by combining both the mitigation area and the Zone 2 brush management areas.
- Anecdotal observations of flora and fauna observed during annual maintenance activities shall be recorded. Species may be recorded by either scientific or common name. The vegetation condition shall also be reviewed and documented and remediating actions taken if the conservation area declines from its current natural condition.
- Prepare and submit an annual letter report to the City of San Diego Mitigation Monitoring Coordination section of the Development Services Department that describes that tasks and condition of the Conserved Property and any recommendations for future action. Fulfill Grantor's obligations not included above (e.g., restoration in the vent of vandalism), Grantor must use a qualified designee. The designee must have the following qualifications:
 - Ability to carry out habitat monitoring or mitigation activities
 - Fiscal stability, including preparation of an operational budget (using an appropriate analysis technique) for the management of the Conserved Property
 - At least one staff member with a biological, ecological, or wildlife management degree, or a Memorandum of Understanding (MOU) with a qualified person with such a degree
 - Experience with habitat resource management in Southern California.

As shown in Table 5.2-2, Parcel 2 will have a COE recorded on approximately 1.05 acres and Parcel 3 will have a COE recorded on approximately 17.75 acres, for a total of approximately 18.80 acres placed under a COE for the entire project. Upon recordation

of the COE, the Grantor shall be responsible for ensuring that the exact mitigation requirements outlined in Table 5.2 -3 for each specific vegetation community are implemented on site within the Conserved Property.

Table 5.2-3 Mitigation Ratios

Vegetation Community/ Land Cover Type	Mitigation Ratio ^b	Mitigation Required (acres)	Open Space Areas Available for Mitigation (acres) ^c
Scrub oak chaparral	2:1	0.06	11. 62
Southern maritime chaparral	2:1	8.04	
Disturbed southern maritime chaparral	2:1	0.68	
<i>Tier I Habitats Subtotal</i>		8.78	
Non-native grassland	1:1	0.16	0.1 5 ^d
<i>Tier IIIB Habitats Subtotal</i>		0.16	
Disturbed land	0:1	0.00	0. 9 7
Eucalyptus woodland	0:1	0.00	0. 2 0
Ice plant	0:1	0.00	1. 6 6
Ornamental landscaping	0:1	0.00	0. 1 5
Developed land	0:1	0.00	0. 0 3
<i>Tier IV Habitats Subtotal</i>		0.00	
Unvegetated stream channel	2:1	0.00	0. 0 8
<i>Wetlands Subtotal</i>		0.00	

a. Impacts include development area (including temporary impacts) and Brush Management Zone 1 acreage combined.

b. Mitigation ratio is based on all impacts and mitigation occurring on site, outside the MHPA.

- c. Habitat situated within Brush Management Zone 2 is not included in this open space acreage identified for mitigation.
- d. The additional 0.01 acre needed for non-native grassland mitigation is covered by excess Tier I habitat available for mitigation above.

MM-BIO-2 Special-Status Wildlife. To avoid any direct impacts to raptors and/or any native/migratory birds, removal of habitat that supports active nests in the proposed area of disturbance should occur outside of the breeding season for these species (February 1 to September 15). If removal of habitat in the proposed area of disturbance must occur during the breeding season, the Qualified Biologist shall conduct a pre-construction survey to determine the presence or absence of nesting birds on the proposed area of disturbance. The pre-construction (precon) survey shall be conducted within 10 calendar days prior to the start of construction activities (including removal of vegetation). The applicant shall submit the results of the precon survey to City Development Services Department for review and approval prior to initiating any construction activities. If nesting birds are detected, a letter report or mitigation plan in conformance with the City's Biology Guidelines and applicable State and Federal Law (i.e. appropriate follow up surveys, monitoring schedules, construction and noise barriers/buffers, etc.) shall be prepared and include proposed measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided. The report or mitigation plan shall be submitted to the City Development Services Department for review and approval and implemented to the satisfaction of the City. The City's MMC Section and Biologist shall verify and approve that all measures identified in the report or mitigation plan are in place prior to and/or during construction. If nesting birds are not detected during the precon survey, no further mitigation is required.

PALEONTOLOGICAL RESOURCES

Potential impacts to paleontological resources would be reduced to below a level of significance through implementation of the following mitigation measure.

MM PALEO-1

- I. Prior to Permit Issuance***
 - A. Entitlements Plan Check
 - 1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits

or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director's Environmental Designee shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.

- B. Letters of Qualification Have Been Submitted to Assistant Deputy Director
 - 1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the Paleontological Monitoring Program, as defined in the City of San Diego Paleontology Guidelines.
 - 2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.
 - 3. Prior to the start of work, the applicant shall obtain approval from MMC for any personnel changes associated with the monitoring program.

II. *Prior to Start of Construction*

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

qualified paleontologist shall attend any grading/excavation-related pre-construction meetings to make comments and/or suggestions concerning the Paleontological Monitoring Program with the CM and/or Grading Contractor.

- a. If the PI is unable to attend the pre-construction meeting, the applicant shall schedule a focused pre-construction meeting with MMC, the PI, RE, CM, or BI, if appropriate, prior to the start of any work that requires monitoring.
- 2. Identify Areas to Be Monitored
 - a. Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit based on the appropriate construction documents (reduced to 11×17 inches) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits. The PME shall be based on the results of a site-specific records search as well as information regarding existing known soil conditions (native or formation).
- 3. When Monitoring Will Occur
 - a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
 - b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents, which indicate conditions such as depth of excavation and/or site graded to bedrock, presence or absence of fossil resources, etc., which may reduce or increase the potential for resources to be present.

III. During Construction

- A. Monitor Shall Be Present During Grading/Excavation/Trenching

1. The monitor shall be present full time during grading/excavation/trenching activities as identified on the Paleontological Monitoring Exhibit that could result in impacts to formations with high and moderate resource sensitivity. **The CM is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances, Occupational Safety and Health Administration safety requirements may necessitate modification of the PME.**
 2. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter formational soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.
 3. The monitor shall document field activity via the Consultant Site Visit Record (CSV). The CSV shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of any discoveries. The RE shall forward copies to MMC.
- A. Discovery Notification Process
1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.
 2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
 3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.
- B. Determination of Significance
1. The PI shall evaluate the significance of the resource.

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

IV. *Night and/or Weekend Work*

- A. If Night and/or Weekend Work Is Included in the Contract
 1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the pre-construction meeting.
 2. The following procedures shall be followed.
 - a. No discoveries

In the event that no discoveries were encountered during night and/or weekend work, the PI shall record the information on the CSV and submit to MMC via fax by 8:00 a.m. on the next business day.

- b. Discoveries

All discoveries shall be processed and documented using the existing procedures detailed in Section III, During Construction.

c. Potentially significant discoveries

If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III, During Construction, shall be followed.

d. The PI shall immediately contact MMC, or by 8:00 a.m. on the next business day, to report and discuss the findings as indicated in Section IIIB, unless other specific arrangements have been made.

B. If Night Work Becomes Necessary During the Course of Construction

1. The CM shall notify the RE, or Building Inspector, as appropriate, a minimum of 24 hours before the work is to begin.

2. The RE, or BI, as appropriate, shall notify MMC immediately.

C. All Other Procedures Described above Shall Apply, as Appropriate.

V. Post Construction

A. Preparation and Submittal of Draft Monitoring Report

1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Paleontological Guidelines, which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring.

a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.

b. Recording sites with the San Diego Natural History Museum

The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum with the Final Monitoring Report.

2. MMC shall return the Draft Monitoring Report to the PI for revision, or for preparation of the Final Report.
 3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
 4. MMC shall provide written verification to the PI of the approved report.
 5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Fossil Remains
1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.
 2. The PI shall be responsible for ensuring that all fossil remains are analyzed to identify function and chronology as they relate to the geologic history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate
- C. Curation of Fossil Remains: Deed of Gift and Acceptance Verification
1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.
 2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
- D. Final Monitoring Report(s)
1. The PI shall submit two copies of the Final Monitoring Report to MMC (even if negative) within 90 days after notification from MMC that the draft report has been approved.
 2. The RE shall, in no case, issue the Notice of Completion

until receiving a copy of the approved Final Monitoring Report from MMC, which includes the Acceptance Verification from the curation institution.

IX. CERTIFICATION

Copies of the addendum, certified EIR, Mitigation Monitoring and Reporting Program, and associated project-specific technical appendices, if any, may be accessed on the City's CEQA webpage at <https://www.sandiego.gov/ceqa/final>.

Courtney Holowach
Senior Planner
Development Services Department

Date of Final Report

Analyst: Courtney Holowach

Attachments:

Figure 1: Location Map

Figure 2: Site Plan

The Reserve Environmental Impact Report (EIR) No. 292065/SCH No. 2014051069

Mitigation Monitoring Reporting Program

The California Environmental Quality Act (CEQA) Section 21081.6 requires that a mitigation monitoring and reporting program (MMRP) be established upon certification of an Environmental Impact Report (EIR). It stipulates that “the public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation.”

This MMRP has been developed in compliance with Section 21081.6 of CEQA and identifies (1) project design features in order to reduce the potential for environmental effects; (2) mitigation measures to be implemented prior to, during, and after construction of The Reserve project; (3) the individual/agency responsible for that implementation; and (4) criteria for completion or monitoring of the specific measures.

GENERAL

Part I – Plan Check Phase (prior to permit issuance)

1. Prior to the issuance of a Notice To Proceed for a subdivision, or any construction permits, such as Demolition, Grading, or Building, or beginning any construction-related activity on site, the Development Services Department Director’s Environmental Designee shall review and approve all Construction Documents (plans, specification, details, etc.) to ensure the MMRP requirements are incorporated into the design.
2. In addition, the Environmental Designee shall verify that the MMRP Conditions/Notes that apply ONLY to the construction phases of this project are included VERBATIM, under the heading, “**ENVIRONMENTAL/MITIGATION REQUIREMENTS.**”
3. These notes must be shown within the first three (3) sheets of the construction documents in the format specified for engineering construction document templates as shown on the City of San Diego’s website:

<http://www.sandiego.gov/development-services/industry/standtemp.shtml>
4. The **TITLE INDEX SHEET** must also show on which pages the “Environmental/Mitigation Requirements” notes are provided.
5. **SURETY AND COST RECOVERY** – The Development Services Director or City Manager may require appropriate surety instruments or bonds from private Permit Holders to ensure the long-term performance or implementation of required mitigation

measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

Part II – Post-Plan Check (after permit issuance/prior to start of construction)

1. **PRE-CONSTRUCTION MEETING IS REQUIRED TEN (10) WORKING DAYS PRIOR TO BEGINNING ANY WORK ON THIS PROJECT.** The PERMIT HOLDER/OWNER is responsible to arrange and perform this meeting by contacting the CITY RESIDENT ENGINEER (RE) of the Field Engineering Division and City staff from MITIGATION MONITORING COORDINATION (MMC). Attendees must also include the Permit holder's Representative(s), Job Site Superintendent, and the following consultants: **Qualified Biologist, Qualified Paleontologist.**

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

CONTACT INFORMATION:

- a. The PRIMARY POINT OF CONTACT is the **RE** at the **Field Engineering Division – 858.627.3200**
 - b. For Clarification of ENVIRONMENTAL REQUIREMENTS, it is also required to call **RE and MMC** at **858.627.3360**
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copies of permits, letters of resolution, or other documentation issued by the responsible agency.

NONE REQUIRED

- 4. **MONITORING EXHIBITS** All consultants are required to submit to RE and MMC, a monitoring exhibit on a 11x17 reduction of the appropriate construction plan, such as site plan, grading, landscape, etc., marked to clearly show the specific areas including the **LIMIT OF WORK**, scope of that discipline’s work, and notes indicating when in the construction schedule that work will be performed. When necessary for clarification, a detailed methodology of how the work will be performed shall be included.

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

SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS

Biological Resource Protection During Construction

I. Prior To Construction

- A. **Biologist Verification** - The owner/permittee shall provide a letter to the City’s Mitigation Monitoring Coordination (MMC) section stating that a Project Biologist (Qualified Biologist) as defined in the City of San Diego’s Biological Guidelines (2012),

has been retained to implement the project's biological monitoring program. The letter shall include the names and contact information of all persons involved in the biological monitoring of the project.

- B. **Preconstruction Meeting** - The Qualified Biologist shall attend the preconstruction meeting, discuss the project's biological monitoring program, and arrange to perform any follow up mitigation measures and reporting including site-specific monitoring, restoration or revegetation, and additional fauna/flora surveys/salvage.
- C. **Biological Documents** - The Qualified Biologist shall submit all required documentation to MMC verifying that any special mitigation reports including but not limited to, maps, plans, surveys, survey timelines, or buffers are completed or scheduled per City Biology Guidelines, Multiple Species Conservation Program (MSCP), Environmentally Sensitive Lands Ordinance (ESL), project permit conditions; California Environmental Quality Act (CEQA); endangered species acts (ESAs); and/or other local, state or federal requirements.
- D. **BCME** -The Qualified Biologist shall present a Biological Construction Mitigation/Monitoring Exhibit (BCME) which includes the biological documents in C above. In addition, include: plant salvage/relocation requirements (e.g., coastal cactus wren plant salvage, burrowing owl exclusions, etc.), avian or other wildlife surveys/survey schedules (including general avian nesting and USFWS protocol), timing of surveys, wetland buffers, avian construction avoidance areas/noise buffers/ barriers, other impact avoidance areas, and any subsequent requirements determined by the Qualified Biologist and the City ADD/MMC. The BCME shall include a site plan, written and graphic depiction of the project's biological mitigation/monitoring program, and a schedule. The BCME shall be approved by MMC and referenced in the construction documents.
- E. **Avian Protection Requirements** - To avoid any direct impacts to raptors and/or any native/migratory birds, removal of habitat that supports active nests in the proposed area of disturbance should occur outside of the breeding season for these species (February 1 to September 15). If removal of habitat in the proposed area of disturbance must occur during the breeding season, the Qualified Biologist shall conduct a pre-construction survey to determine the presence or absence of nesting birds on the proposed area of disturbance. The pre-construction survey shall be conducted within 10 calendar days prior to the start of construction activities (including removal of vegetation). The applicant shall submit the results of the pre-construction survey to City DSD for review and approval prior to initiating any construction activities. If nesting birds are detected, a letter report or mitigation plan in conformance with the City's Biology Guidelines and applicable State and Federal Law (i.e. appropriate follow up surveys, monitoring schedules, construction and noise barriers/buffers, etc.) shall be prepared and include

proposed measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided. The report or mitigation plan shall be submitted to the City for review and approval and implemented to the satisfaction of the City. The City's MMC Section or RE, and Biologist shall verify and approve that all measures identified in the report or mitigation plan are in place prior to and/or during construction.

- F. **Resource Delineation** - Prior to construction activities, the Qualified Biologist shall supervise the placement of orange construction fencing or equivalent along the limits of disturbance adjacent to sensitive biological habitats and verify compliance with any other project conditions as shown on the BCME. This phase shall include flagging plant specimens and delimiting buffers to protect sensitive biological resources (e.g., habitats/flora & fauna species, including nesting birds) during construction. Appropriate steps/care should be taken to minimize attraction of nest predators to the site.
- G. **Education** –Prior to commencement of construction activities, the Qualified Biologist shall meet with the owner/permittee or designee and the construction crew and conduct an on-site educational session regarding the need to avoid impacts outside of the approved construction area and to protect sensitive flora and fauna (e.g., explain the avian and wetland buffers, flag system for removal of invasive species or retention of sensitive plants, and clarify acceptable access routes/methods and staging areas, etc.).

II. During Construction

- A. **Monitoring**- All construction (including access/staging areas) shall be restricted to areas previously identified, proposed for development/staging, or previously disturbed as shown on "Exhibit A" and/or the BCME. The Qualified Biologist shall monitor construction activities as needed to ensure that construction activities do not encroach into biologically sensitive areas, or cause other similar damage, and that the work plan has been amended to accommodate any sensitive species located during the pre- construction surveys. In addition, the Qualified Biologist shall document field activity via the Consultant Site Visit Record (CSV). The CSV shall be e-mailed to MMC on the 1st day of monitoring, the 1st week of each month, the last day of monitoring, and immediately in the case of any undocumented condition or discovery.
- B. **Subsequent Resource Identification** - The Qualified Biologist shall note/act to prevent any new disturbances to habitat, flora, and/or fauna on site (e.g., flag plant specimens for avoidance during access, etc.). If active nests or other previously unknown sensitive resources are detected, all project activities that directly impact the resource shall be delayed until species specific local, state or federal regulations have been determined and applied by the Qualified Biologist.

III. Post Construction Measures

- A. In the event that impacts exceed previously allowed amounts, additional impacts shall be mitigated in accordance with City Biology Guidelines, ESL and MSCP, State CEQA, and other applicable local, state and federal law. The Qualified Biologist shall submit a final BCME/report to the satisfaction of the City ADD/MMC within 30 days of construction completion.

BIOLOGICAL RESOURCES

Potential impacts to biological resources would be reduced to below a level of significance through implementation of the following mitigation measures:

MM-BIO-1 Covenant of Easement. Prior to the issuance of any construction permits, such as Demolition, Grading, or Building, or beginning any construction-related activity on site, Grantor shall execute this Covenant of Easement in favor of the City of San Diego and record this Covenant of Easement against title to the Property with the San Diego County Recorder. In addition, Grantor shall undertake all reasonable actions to prevent the unlawful entry and trespass by persons whose activities may degrade or harm the environmentally sensitive nature of the Conserved Property. In addition, Grantor shall be responsible for implementing the following management activities in order to maintain ecological functions and services of the native vegetation of the Conserved Property:

The COE shall be managed in perpetuity by the property owners (Grantor) and shall include the following elements in addition to the standard language provided in the City COE template: Prior to the issuance of any construction permits, such as Demolition, Grading, or Building, or beginning any construction-related activity on site, direct impacts to 27 San Diego barrel cactus individuals shall be mitigated through transplantation into the conservation area (“Conserved Property”) and preservation of 54 San Diego barrel cactus within the Conserved Property. Impacts to barrel cactus shall be mitigated pursuant to the barrel cactus translocation plan, prepared pursuant to the City of San Diego Biological Guidelines Attachment III, General Outline for Conceptual Revegetation/Restoration Plan, which will ensure the success of the mitigation.

Direct impacts to one Nuttall’s scrub oak shall be mitigated through preservation of 48 Nuttall’s scrub oak individuals within the Conserved Property. The Conserved Property shall be subject to and governed

by the Covenant of Easement (COE) on site. This COE is required as a condition of project approval, and shall be placed on the area to be set aside for conservation (Conserved Property), which is approximately 18.80 acres (refer to Figure 5.2-3). The Conserved Property shall be conserved and maintained by the owners of the individual parcels and is subject to and governed by the COE recorded on the individual parcels.

- The individual property owners or their qualified designee shall be responsible for long-term maintenance and management of the Conserved Property-
- Control weed species on an annual basis, ideally in the spring following germination and seed development of annual weed species. Weeding will be limited to highly invasive species including tree tobacco (*Nicotiana glauca*), eucalyptus trees, pampas grass (*Cortaderia selloana*), and ice plant. Control should occur prior to seed-set to moderate additional infestation. Weed control should focus on hand-pulling when feasible. Mechanical and chemical control may occur as-needed, and should be performed by persons qualified in such methods. Perennial invasive non-natives will likely require repeat follow-up treatments for complete control.
- Removal on an annual basis. If significant trash presence is detected at other times of the year it should be removed as needed. Items to be removed include anthropogenic trash as well as weed slash materials. Collected trash shall be disposed of off-site in an appropriate manner.
- Fencing, where installed at the perimeter of the property, is to be inspected on an annual basis. Repairs and maintenance are to be performed as-needed to maintain the structural integrity and function of the fencing to prevent unauthorized vehicular or pedestrian entry.
- Fencing, where installed at the perimeter of the property, and signage shall be maintained to discourage and prevent public access to the native vegetation communities within the Conserved Property. If trespass occurs in areas where signage is not present, additional fencing and signage may be added to problem areas.
- The Zone 2 brush management area will be clearly delineated within Conserved Property by using T-posts or single-strand wire fence that allows wildlife freedom of passage but that marks the area of Zone 2 brush management as shown on Exhibit A. The Zone 2 brush management areas have been included in the Conserved Property due to the species that occur in these areas and the contiguity provided by combining both the mitigation area and the Zone 2 brush management areas.
- Anecdotal observations of flora and fauna observed during annual maintenance

activities shall be recorded. Species may be recorded by either scientific or common name. The vegetation condition shall also be reviewed and documented and remediating actions taken if the conservation area declines from its current natural condition.

- Prepare and submit an annual letter report to the City of San Diego Mitigation Monitoring Coordination section of the Development Services Department that describes that tasks and condition of the Conserved Property and any recommendations for future action. Fulfill Grantor’s obligations not included above (e.g., restoration in the vent of vandalism), Grantor must use a qualified designee. The designee much have the following qualifications:
- Ability to carry out habitat monitoring or mitigation activities
- Fiscal stability, including preparation of an operational budget (using an appropriate analysis technique) for the management of the Conserved Property
- At least one staff member with a biological, ecological, or wildlife management degree, or a Memorandum of Understanding (MOU) with a qualified person with such a degree
- Experience with habitat resource management in Southern California.

As shown in Table 5.2-2, Parcel 2 will have a COE recorded on approximately 1.05 acres and Parcel 3 will have a COE recorded on approximately 17.75 acres, for a total of approximately 18.80 acres placed under a COE for the entire project. Upon recordation of the COE, the Grantor shall be responsible for ensuring that the exact mitigation requirements outlined in Table 5.2-3 for each specific vegetation community are implemented on site within the Conserved Property.

**Table 5.2-3
Mitigation Ratios**

Vegetation Community/ Land Cover Type	Mitigation Ratio ^b	Mitigation Required (acres)	Open Space Areas Available for Mitigation (acres) ^c
Scrub oak chaparral	2:1	0.06	11.62
Southern maritime chaparral	2:1	8.04	
Disturbed southern maritime chaparral	2:1	0.68	
<i>Tier I Habitats Subtotal</i>		8.78	
Non-native grassland	1:1	0.16	0.15 ^d
<i>Tier IIIB Habitats Subtotal</i>		0.16	
Disturbed land	0:1	0.00	0.97
Eucalyptus woodland	0:1	0.00	0.20
Ice plant	0:1	0.00	1.66

Ornamental landscaping	0:1	0.00	0.15
Developed land	0:1	0.00	0.03
<i>Tier IV Habitats Subtotal</i>		<i>0.00</i>	
Unvegetated stream channel	2:1	0.00	0.08
<i>Wetlands Subtotal</i>		<i>0.00</i>	

- a Impacts include development area (including temporary impacts) and Brush Management Zone 1 acreages combined.
- b Mitigation ratio is based on all impacts and mitigation occurring on site, outside the MHPA.
- c Habitat situated within Brush Management Zone 2 is not included in this open space acreage identified for mitigation.
- d The additional 0.01 acre needed for non-native grassland mitigation is covered by excess Tier I habitat available for mitigation above.

-BIO-2 Special-Status Wildlife. To avoid any direct impacts to raptors and/or any native/migratory birds, removal of habitat that supports active nests in the proposed area of disturbance should occur outside of the breeding season for these species (February 1 to September 15). If removal of habitat in the proposed area of disturbance must occur during the breeding season, the Qualified Biologist shall conduct a pre-construction survey to determine the presence or absence of nesting birds on the proposed area of disturbance. The pre-construction (precon) survey shall be conducted within 10 calendar days prior to the start of construction activities (including removal of vegetation). The applicant shall submit the results of the precon survey to City Development Services Department for review and approval prior to initiating any construction activities. If nesting birds are detected, a letter report or mitigation plan in conformance with the City’s Biology Guidelines and applicable State and Federal Law (i.e. appropriate follow up surveys, monitoring schedules, construction and noise barriers/buffers, etc.) shall be prepared and include proposed measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided. The report or mitigation plan shall be submitted to the City Development Services Department for review and approval and implemented to the satisfaction of the City. The City’s MMC Section and Biologist shall verify and approve that all measures identified in the report or mitigation plan are in place prior to and/or during construction. If nesting birds are not detected during the precon survey, no further mitigation is required.

PALEONTOLOGICAL RESOURCES

Potential impacts to paleontological resources would be reduced to below a level of significance through implementation of the following mitigation measure.

MM PALEO-1

I. Prior to Permit Issuance

A. Entitlements Plan Check

1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or

a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director's Environmental Designee shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.

B. Letters of Qualification Have Been Submitted to Assistant Deputy Director

1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the Paleontological Monitoring Program, as defined in the City of San Diego Paleontology Guidelines.
2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.
3. Prior to the start of work, the applicant shall obtain approval from MMC for any personnel changes associated with the monitoring program.

II. Prior to Start of Construction

A. Verification of Records Search

1. The PI shall provide verification to MMC that a site-specific records search has been completed. Verification includes, but is not limited to, a copy of a confirmation letter from the San Diego Natural History Museum, other institution or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.

B. PI Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring; the applicant shall arrange a pre-construction meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified paleontologist shall attend any grading/excavation-related pre-construction meetings to make comments and/or suggestions concerning the Paleontological Monitoring Program with the CM and/or Grading Contractor.
 - a. If the PI is unable to attend the pre-construction meeting, the applicant shall schedule a focused pre-construction meeting with MMC, the PI, RE, CM, or BI, if appropriate, prior to the start of any work that requires monitoring.
2. Identify Areas to Be Monitored
 - a. Prior to the start of any work that requires monitoring, the PI shall submit a

Paleontological Monitoring Exhibit based on the appropriate construction documents (reduced to 11×17 inches) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits. The PME shall be based on the results of a site-specific records search as well as information regarding existing known soil conditions (native or formation).

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

III. During Construction

A. Monitor Shall Be Present During Grading/Excavation/Trenching

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

A. Discovery Notification Process

1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.

-
2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
 3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.

B. Determination of Significance

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

IV. *Night and/or Weekend Work*

A. If Night and/or Weekend Work Is Included in the Contract

1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the pre-construction meeting.
2. The following procedures shall be followed.

a. No discoveries

In the event that no discoveries were encountered during night and/or weekend work, the PI shall record the information on the CSV and submit to MMC via fax by 8:00 a.m. on the next business day.

b. Discoveries

All discoveries shall be processed and documented using the existing procedures detailed in Section III, During Construction.

c. Potentially significant discoveries

If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III, During Construction, shall be followed.

d. The PI shall immediately contact MMC, or by 8:00 a.m. on the next business day, to report and discuss the findings as indicated in Section IIIB, unless other specific arrangements have been made.

B. If Night Work Becomes Necessary During the Course of Construction

1. The CM shall notify the RE, or Building Inspector, as appropriate, a minimum of 24 hours before the work is to begin.
2. The RE, or BI, as appropriate, shall notify MMC immediately.

C. All Other Procedures Described above Shall Apply, as Appropriate.

V. Post Construction

A. Preparation and Submittal of Draft Monitoring Report

1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Paleontological Guidelines, which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring.
 - a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.
 - b. Recording sites with the San Diego Natural History Museum

The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum with the Final Monitoring Report.
2. MMC shall return the Draft Monitoring Report to the PI for revision, or for preparation of the Final Report.

3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
4. MMC shall provide written verification to the PI of the approved report.
5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.

B. Handling of Fossil Remains

1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.
2. The PI shall be responsible for ensuring that all fossil remains are analyzed to identify function and chronology as they relate to the geologic history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate

C. Curation of Fossil Remains: Deed of Gift and Acceptance Verification

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

D. Final Monitoring Report(s)

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



Ownership Disclosure Statement

Permit/Approval Type: Check appropriate box for permit/approval and type(s) requested (See Project Submittal Manual):

Development Permit: CDP/SDP/PDP

Subdivision Approval: TM

Policy Approval: _____

Project Title: Romero Subdivision **Project No. For City Use Only:** PRJ-1063767

Project Location/Address/Accessor's Parcel Number: 6850 Country Club Dr

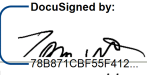
Specify Form of Ownership/Legal Status (please check):

Individual Partnership Corporation Limited Liability -or- General – What State? _____

Corporate Identification No.: _____ Trust - Date of Trust: _____

City of San Diego/Asset Management Department: _____

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/Authorized Agent (Per SDMC 112.0102)		
<input checked="" type="checkbox"/> Owner <input type="checkbox"/> Authorized Agent <input type="checkbox"/> Member <input type="checkbox"/> Trustee <input type="checkbox"/> Tenant/Lessee <input type="checkbox"/> Successor Agency		
Name of Individual: Tom Waters		
On behalf of: Foxhill InvCo One, LLC, a Delaware limited liability company		
Street Address: 3830 valley Centre Drive, STE 705 PMB 381		
City: San Diego	State: CA	Zip: 92130
Phone No.: 714-454-6544	Email: twatershome@aol.com	
Signature: 	Date: 7/10/2024	
Additional pages attached: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

Applicant <input type="checkbox"/> Check if Same as Property Owner/Authorized Agent (Per SDMC 112.0102)		
<input type="checkbox"/> Owner <input type="checkbox"/> Authorized Agent <input type="checkbox"/> Member <input type="checkbox"/> Trustee <input type="checkbox"/> Tenant/Lessee <input type="checkbox"/> Successor Agency		
Name of Individual:		
On behalf of:		
Street Address:		
City:	State:	Zip:
Phone No.:	Email:	
Signature:	Date:	
Additional pages attached: <input type="checkbox"/> Yes <input type="checkbox"/> No		

Other Financially Interested Persons <input type="checkbox"/> Check if N/A		
<input type="checkbox"/> Owner <input type="checkbox"/> Authorized Agent <input type="checkbox"/> Member <input type="checkbox"/> Trustee <input type="checkbox"/> Tenant/Lessee <input type="checkbox"/> Successor Agency		
Name of Individual:		
On behalf of:		
Street Address:		
City:	State:	Zip:
Phone No.:	Email:	
Signature:	Date:	
Additional pages attached: <input type="checkbox"/> Yes <input type="checkbox"/> No		

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DS-318 (05-24)

RESOLUTION NUMBER R- 310221DATE OF FINAL PASSAGE JAN 25 2016

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DENYING THE APPEAL AND APPROVING THE COASTAL DEVELOPMENT PERMIT NO. 1050394, SITE DEVELOPMENT PERMIT NO. 1050407, AND PLANNED DEVELOPMENT PERMIT NO. 1050409 FOR THE RESERVE PROJECT NO. 292065.

WHEREAS, The Copley Press Incorporated, a Illinois Corporation, Owner/Permittee, filed an application with the City of San Diego for a permit to subdivide the property into three parcels, construct two single family residences and merge the Parcel No. 1 with the adjacent Fox Hill Estate property (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 1050394, 1050407 and 1050409), on portions of a 25.14-acre property; and

WHEREAS, the project site is located at 6850 Country Club Drive, in the RS-1-4 Zone, Coastal (non-appealable), Coastal Height Limitation Overlay Zones and within the La Jolla Community Plan area; and

WHEREAS, the project site is legally described as, That portion of Pueblo Lot 1263 of the Pueblo Lands of San Diego, in the City of San Diego, County of San Diego, according to Map thereof made by James Pascoe in 1870, known as Miscellaneous Map No. 36; and

WHEREAS, on November 19, 2015, the Planning Commission of the City of San Diego considered and approved Coastal Development Permit No. 1050394, Site Development Permit No. 1050407, and Planned Development Permit No. 1050409 pursuant to the Land Development Code of the City of San Diego; and

WHEREAS, appeals of the Planning Commission's approval were filed on December 14, 2015; and

WHEREAS, on January 25, 2016, the City Council of the City of San Diego considered Coastal Development Permit (CDP) No. 1050394, Site Development Permit (SDP) No. 1050407, and Planned Development Permit (PDP) No. 1050409 pursuant to the Land Development Code of the City of San Diego; and

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

BE IT RESOLVED, by the City Council of the City of San Diego, that it adopts the following findings with respect to CDP No. 1050394, SDP No. 1050407, and PDP No. 1050409:

I. COASTAL DEVELOPMENT PERMIT FINDINGS – SAN DIEGO MUNICIPAL CODE (SDMC) SECTION 126.0708

1. **The proposed coastal development will not encroach upon any existing physical access way 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 25.14-acre project site is currently predominantly vacant land except for an existing accessory structure located in the south western portion of the property. The development proposes to retain the accessory structure, subdivide the project site into three parcels, and construct two single family residences on two of the newly created vacant parcels. The third parcel with the accessory structure would be merged with the adjacent Fox Hill Estates (same ownership) property through the Lot Consolidation Parcel Map. The project site is located approximately 1.2 miles from the coastline. The future residence on the 1.68-acre Parcel 2 is anticipated to be no larger than 5,000 square feet in size. The future residence on the 22.20-acre Parcel 3 is anticipated to be no larger than 25,000 square feet in size. Each new residence will be contained within each newly created parcel, and neither parcel will not encroach upon any existing or proposed physical access to the coast. The project site located at the southern terminus of Romero Drive and Encelia Drive (public streets) is not located on or adjacent to an identified public view, as identified within the La Jolla Community Plan and Local Coastal Program Land Use Plan – Figure 9 (Identified Public Vantage Points). The two new single family residences are designed to meet the development setbacks and height limit of the underlying zone through associated Design Guidelines. The specific design for each of the two residences will be reviewed through a

Substantial Conformance Review (Process 2) to assure conformance with the Design Guidelines. Through the design of this project, along with the required Substantial Conformance Review, the proposed development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the La Jolla Community Plan and Local Coastal Program Land Use Plan.

2. The proposed coastal development will not adversely affect environmentally sensitive lands. The 25.14-acre project site is currently predominantly vacant land except for an existing accessory structure located in the south western portion of the property and has portions that have been previously graded or disturbed. The surrounding properties are fully developed residential properties within an urbanized area. The project proposes to subdivide the 25.14-acre property into three lots and construct two new single family homes. Development is proposed on a total of 6.29-acres of the 25.14-acre site. Approximately 18.80 acres or approximately 75% of the project site is proposed to be retained and conserved within a building restricted easement/covenant of easement area to be recorded on the property. The project site contains steep hillsides and sensitive biological resources making the proposed development subject to the Environmentally Sensitive Lands Regulations. Based on a Biological Resources Technical Report prepared by Dudek in April 2014, the site was found to contain scrub oak chaparral, southern maritime chaparral and non-native grasslands which are all identified as sensitive biological resources. The environmental review determined that this project may have a significant environmental effect on Biological, Paleontological Resources, and the City prepared an Environmental Impact Report (EIR), Project No. 292065, in accordance with the California Environmental Quality Act (CEQA). The EIR's Mitigation Monitoring and Reporting Program (MMRP) incorporates mitigation measures in to the project to reduce the potential impacts to a level below significance. Thus the proposed project will not adversely affect environmentally sensitive lands.

3. 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 proposed development to subdivide a 25.14-acre property into three lots and construct two new single family homes is located on a site which has a Parks/Open Space land use designation. This land use designation, while it allows for residential uses, limits the residential dwelling units to be single family. The existing zoning of RS-1-4 allows a dwelling unit per 10,000 square feet of site. The total acreage of 25.14 acres would allow a potential of 110 units. The proposal of 3 units, two new dwelling units with one existing, is allowed with this land use designation. The project design was also determined to be in compliance with all of the applicable development regulations, primarily those of the RS-1-4 Zone, the Environmentally Sensitive Land Regulations and the Coastal Overlay Zone. The project site located at the southern terminus of Romero Drive and Encelia Drive (public streets) and is not located on or adjacent to an identified public view, as identified within the La Jolla Community Plan and Local Coastal Program Land Use Plan – Figure 9 (Identified Public Vantage Points). The project site is not located near or adjacent to an area identified for public access to the coastline as referenced in the La Jolla Community Plan and Local Coastal Program Land Use Plan. Therefore, the project was found to be in compliance with the City of San Diego's adopted La Jolla Community Plan and the certified Local Coastal Program Land Use Plan.

4. 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 25.14-acre site, currently predominantly vacant land except for an existing accessory structure located in the south western portion of the property, is located within a well-developed residential neighborhood approximately 1.2 miles from the coastline. The project site is not located between the first public road and the sea or coastline. The project site is designated for Parks and Open Space by the La Jolla Community Plan and Local Coastal Program Land Use Plan. The project will be fully within a legal lot, which is private property. There is no identified public access or public recreation area on or adjacent to the project site and no resources will be impaired by the re-development of this site. The proposed subdivision and construction of two new single family residences is designed to take access off the existing public streets, with adequate off street parking. The existing character and pedestrian design of the streets and public walkways will be improved or remain unaltered. Thus this proposed project is in conformance with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

**II. SITE DEVELOPMENT PERMIT – SAN DIEGO MUNICIPAL CODE (SDMC)
SECTION 126.0504**

A. Findings for all Site Development Permits

1. **The proposed development will not adversely affect the applicable land use plan.** The 25.14-acre project site is currently predominantly vacant land except for an existing accessory structure located in the south western portion of the property. The development proposes to retain portions of an existing residence, subdivide the project site into three parcels, and construct two single family residences on two of the newly created vacant parcels. This proposed three lot subdivision with two new single family residences will not adversely affect the La Jolla Community Plan, because the proposed development has been found consistent with the Plan's Parks/Open Space land use designation of the La Jolla Community Plan, the development regulations of the RS-1-4 Zone, allowed density, and design recommendations. This land use designation, while it allows for residential uses; it limits the residential dwelling units to be single family. The existing zoning of RS-1-4 allows a dwelling unit per 10,000 square feet of site. The total acreage of 25.14 acres would allow a potential of 110 units. The proposal of 3 units, two new dwelling units with one existing, would be allowed with this land use designation. The project site is not located adjacent to any public view as identified within the La Jolla Community Plan and Local Coastal Land Use Plan. This overall design, including the project's Design Guidelines was found to bring the project into compliance with the La Jolla Community Plan and Local Coastal Program Land Use Plan. Due to these factors the proposed development will not adversely affect the City of San Diego adopted La Jolla Community Plan and the certified Local Coastal Program Land Use Plan.

2. **The proposed development will not be detrimental to the public health, safety, and welfare.** The 25.14-acre project site is currently predominantly vacant land except for an existing accessory structure located in the south western portion of the property. The

development proposes to retain the existing accessory structure, subdivide the project site into three parcels, merge Parcel No. 1 into the adjacent Fox Hill Estate property and construct two single family residences on two of the newly created vacant parcels. The environmental review determined that this project may have a significant environmental effect on Biological, Paleontological Resources and the City prepared an Environmental Impact Report (EIR), Project No. 292065, in accordance with the California Environmental Quality Act (CEQA). The EIR's Mitigation Monitoring and Reporting Program (MMRP) incorporate mitigation measures in to the project for potential impacts to Biological Resources and Paleontological Resources, to reduce the potential impacts to a level below significance. This environmental analysis included an analysis of the project's potential impact on public health and safety, and no significant issues relating to that were found. The street improvements associated with this subdivision will comply with City Engineering and Fire Department Standards. The project's design includes a brush management plan in compliance with current brush management standards to reduce risk from fire hazards. The construction of the two single family homes is conditioned to comply with all current building, electrical and plumbing codes. The subdivision of this site with the construction of two single family residences would therefore not be detrimental to the public health, safety and welfare.

3. The proposed development will comply with the applicable regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code. The proposed development to subdivide a 25.14-acre property into three lots and construct two new single family homes is located on a site which has a Parks/Open Space land use designation. This land use designation, while it allows for residential uses limits the residential dwelling units to be single family. The existing zoning of RS-1-4 allows a dwelling unit per 10,000 square feet of site. The total acreage of 25.14 acres would allow a potential of 110 units. The proposal of 3 units, two new dwelling units with one existing, is allowed with this land use designation. The project design was also determined to be in compliance with all of the applicable development regulations, primarily those of the RS-1-4 Zone, the Environmentally Sensitive Land (ESL) Regulations and Coastal Overlay Zone. The project site located at the southern terminus of Romero Drive and Encelia Drive (public streets) is not located on or adjacent to an identified public view, as identified within the La Jolla Community Plan and Local Coastal Program Land Use Plan – Figure 9 (Identified Public Vantage Points). The project site is not located near or adjacent to an area identified for public access to the coastline as referenced in the La Jolla Community Plan and Local Coastal Program Land Use Plan.

This proposed project will grant deviations to allow a reduced street frontage for both Parcels 2 and 3 of the proposed subdivision from the minimum required street frontage of 65 feet to 26 feet for each parcel. Currently Romero Drive and Encelia Drive terminate in dead ends at the northern edge of the project site, with no turn around or cul de sacs. The project proposes a turn-around to be added to the end of the two streets rather than a larger, City Engineering standard cul-de-sac. The proposed turn around area involves roughly half the needed area relative to the space needed to meet the City standard cul-de-sac. The proposed turn around design was reviewed and accepted by both Development Services Department's Engineering Section and the Fire Department. This reduction in turn-around area reduces the area of proposed encroachment into ESL. Due to these factors the proposed subdivision into three lots and

construction of two new single family residences was found to be in compliance with the City of San Diego's adopted La Jolla Community Plan and the certified Local Coastal Program Land Use Plan.

B. Supplemental Findings--Environmentally Sensitive Lands

1. The site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands. The 25.14-acre project site is currently predominantly vacant land except for an existing accessory structure located in the south western portion of the property, has previously been graded, disturbed and developed on scattered portions of the property. The surrounding properties are fully developed residential properties within an urbanized area. The project proposes to subdivide the 25.14-acre property into three lots and construct two new single family homes. Development is proposed on a total of 6.29-acres of the 25.14-acre site. Approximately 18.80 acres or approximately 75% of the project site is proposed to be retained and conserved within a building restricted easement/covenant of easement area to be recorded on the property. The project site contains steep hillsides and sensitive biological resources making the proposed development subject to the Environmentally Sensitive Lands Regulations. Based on a Biological Resources Technical Report prepared by Dudek in April 2014, the site was found to contain scrub oak chaparral, southern maritime chaparral and non-native grasslands which are all identified as sensitive biological resources. The environmental review determined that this project may have a significant environmental effect on Biological, Paleontological Resources and the City prepared an Environmental Impact Report (EIR), Project No. 292065, in accordance with the California Environmental Quality Act (CEQA). The EIR's Mitigation Monitoring and Reporting Program (MMRP) incorporate mitigation measures in to the project for potential impacts to Biological Resources and Paleontological Resources; to reduce the potential impacts to a level below significance. The project was designed to locate and minimize all of the proposed development within a 6.29 acre portion of the property. Smaller turn around areas were utilized to reduce the area of impact to ESL, the home sites are located outside of the steep slope areas and within previously disturbed portions of the site and the two proposed residences were located close to the existing public streets, minimizing the length of driveways. Thus the proposed project will result in minimum disturbance to environmentally sensitive lands.

2. The proposed development will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards. The proposed subdivision of the property and construction of two new single family residences will occur entirely within the approximately 6.29 acres portion of the 25.14-acre project site. The project proposes grading of approximately 25% of the entire project site. Prior to any grading activities on site, a grading plan will be required to be prepared by a registered civil engineer and a grading permit would need to be obtained in conformance with the City's Land Development Code. All grading would follow the recommendations described in the geotechnical report prepared specifically for the project site. The graded pad area for Parcel 2 will not exceed 10,000 square feet. The graded pad area for Parcel 3 will not exceed 25,000 square feet. The cut and fill portions of proposed grading are mainly located within the proposed building footprint, with minimal change to the natural landform. The project area is classified as low to moderate risk for seismic activity according to the City of San Diego General Plan. A

number of geology reports, the most recent prepared by Geotechnical Exploration Inc., November 16, 2011, analyzed the project site and the project. That report indicates that a portion of the site is located within Hazard Category 12, which is characterized as an earthquake buffer, for the Country Club Fault, which is classified as “potentially active, inactive, presumed inactive, or activity unknown’ with a low to moderate risk level. Further construction related activities associated with the project would be required to comply with the seismic requirements of the California Building Code, City required engineering design measures, recommendations included in the City approved project geology reports and standard construction requirements that the City verifies at the construction permitting stage.

The project site is not located within a 100-year flood hazard area and it is located from approximately 444 to 663 feet above mean sea level. The project’s design includes construction-related best management practices (BMPs), such as diversion features (as determined by the grading contractor), and permanent low-impact development (LID) measures, such as permeable pavement and detention/treatment features within the landscape areas, to ensure runoff from the site does not result in erosion and sedimentation off site. Through these project design features, runoff volumes from the developed portion of the site would be reduced to match pre-existing flows, and would therefore not contribute erosive discharge velocities at the existing storm drain outlets. As such, the project would avoid direct discharge of runoff into and erosion of the native habitat adjacent to the southern and eastern property boundaries. The proposed landscaping along the development edge of both new building parcels is adjacent to the building restricted easement/covenant of easement area, and revegetation of the non-native invasive plant removal areas, would include brush management compatible natives and naturalized species which are drought tolerant and comply with all City Landscape Requirements.

The project site is located in a largely built out single family neighborhood, but it is identified on the City’s Fire Hazard Severity Zone Map as having a very high fire hazard for the potential for wildfire to occur. To minimize risks associated with potential wildfire events, the project complies with the City’s fire emergency access requirements and the project would establish and maintain Brush Management Zones 1 and 2 on both of the newly created parcels. The project must also comply with all uniform building and fire code requirements. Thus, the proposed project will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.

3. The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands. The project site is located at 6850 Country Club Drive within the La Jolla Community Plan. The southwestern portion of the project site has been disturbed by a previously constructed single family residence. The northwestern portion of the project site, approximately 0.60-acres, contains areas of non-native invasive plants and Environmentally Sensitive Lands in the form of sensitive vegetation. This northwestern portion of the project site will be retained and conserved within a building restricted easement/covenant of easement area. The proposed development of two new single family residences will place the residence near the terminus of both Romero Drive and Encelia Drive within a portion of the previously disturbed area of the project site.

The project's design includes a brush management plan, as the buildings would be located within 100 feet of native/naturalized vegetation, and removal of non-native invasive plants followed by implementation of the revegetation plan specified on Exhibit "A". The proposed landscaping along the development edge adjacent to the building restricted easement/covenant of easement area, and revegetation of the non-native invasive plant removal areas, would include brush management compatible natives and naturalized species which are drought tolerant and comply with all City Landscape Requirements. The environmental review determined that this project may have a significant environmental effect on Biological, Paleontological Resources and the City prepared an Environmental Impact Report (EIR), Project No. 292065, in accordance with the California Environmental Quality Act (CEQA). The EIR's Mitigation Monitoring and Reporting Program (MMRP) incorporates mitigation measures into the project for potential impacts to Biological Resources and Paleontological Resources, to reduce the potential impacts to a level below significance. In addition, the project must comply with applicable Land Development Code provisions that require preferential avoidance of sensitive habitat and species for Brush Management Zone 2 areas, revegetation requirements and construction related storm water best management practices. Thus, based on the project design, and with implementation of the Mitigation Monitoring Reporting Program, other project conditions and applicable laws designed to minimize impacts to environmentally sensitive lands, the proposed project will prevent adverse impacts on any adjacent Environmentally Sensitive Lands.

4. The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan. The project site is located at 6850 Country Club Drive within the La Jolla Community Plan. Development is proposed on a total of 6.29-acres of the 25.14-acre site. Approximately 18.80 acres or approximately 75% of the project site is proposed to be retained and conserved within a building restricted easement/covenant of easement area to be recorded on the property. The project site contains steep hillsides and sensitive biological resources making the proposed development subject to the Environmentally Sensitive Lands Regulations. Based on a Biological Resources Technical Report prepared by Dudek in April 2014, the site was found to contain scrub oak chaparral, southern maritime chaparral and non-native grasslands which are all identified as sensitive biological resources. The proposed development places the two new residences in the northern portion of the property and proposes minimal encroachment in the Environmentally Sensitive Lands.

The project site lies within the City of San Diego Multiple Species Conservation Program (MSCP) boundary. However, the project site is located outside the City's Multi-Habitat Planning Area (MHPA) conservation area and there are no specific MHPA guidelines for the project area. The project was analyzed for consistency with the MSCP Land Use Adjacency Guidelines and other components of the City's MSCP Subarea Plan. As documented in the EIR, the biological technical reports and other project documentation, the project, as mitigated, would be consistent with the MSCP relative to potential impacts to areas such as drainage, toxics, lighting, noise, invasive plants, brush management and land development. Because of the project design, and with implementation of the MMRP, applicable laws and project conditions, the project will be consistent with the City's MSCP Subarea Plan.

5. The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply. The proposed, construction of two new, two-story, single-family residences, will occur entirely within the approximately 6.29-acre portion of the 25.14-acre project site. The project site is located high along the western hillside area of Mount Soledad approximately from 444 feet to 633 feet above the mean sea level. The project proposes grading or development of approximately 6.29 acres, or approximately 25% of the entire project site. The two new building sites, Parcels 2 and 3 are anticipated to not have balanced grading on site, and would likely require excess material to be exported to an approved site. Prior to any grading activities on site, a grading plan will be required to be prepared by a registered civil engineer and a grading permit would need to be obtained in conformance with the City' Land Development Code. All grading would follow the recommendations described in the geotechnical report prepared specifically for the project site. The graded pad area for Parcel 2 will not exceed 10,000 square feet. The graded pad area for Parcel 3 will not exceed 25,000 square feet. The cut and fill portions of proposed grading are mainly located within the proposed building footprint, with minimal change to the natural landform.

The project's design includes construction-related storm water BMPs, such as diversion features (as determined by the grading contractor), and permanent LID measures, such as permeable pavement and detention/treatment features within the landscape areas, to ensure runoff from the site does not result in increased erosion and sedimentation off site. Through these project design features and the Mitigation Monitoring Reporting Program, runoff volumes from the developed portion of the site would be reduced to match pre-existing flows, and would therefore not contribute erosive discharge velocities at the existing storm drain outlets. As such, the project would not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.

6. The nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development. The 25.14-acre project site is located within a mostly developed area of single-family residences on large to moderate sized lots. The development proposes to construct two new, two-story, single family residences on the newly created parcels, approximately 6.29-acre portion of the project site. The environmental review determined that this project may have a significant environmental effect on Biological, Paleontological Resources and the City prepared an Environmental Impact Report (EIR), Project No. 292065, in accordance with the California Environmental Quality Act (CEQA). The EIR's Mitigation Monitoring and Reporting Program (MMRP) incorporate mitigation measures in to the project for potential impacts to Biological Resources and Paleontological Resources, to reduce the potential impacts to a level below significance. In addition, the project must comply with applicable Land Development Code provisions that require preferential avoidance of sensitive habitat and species for Brush Management Zone 2 areas, revegetation requirements and construction related storm water best management practices with respect to potential drainage impacts. As designed, and with the conditions imposed, the project also complies with or exceeds the requirements of all applicable Land Development Code regulations. Thus, the nature and extent of mitigation required of the project as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development of the project site.

III. PLANNED DEVELOPMENT PERMIT FINDINGS- SAN DIEGO MUNICIPAL CODE SECTION 126.0604

1. **The proposed development will not adversely affect the applicable land use plan.** The 25.14-acre project site is currently predominantly vacant land except for an existing accessory structure located in the south western portion of the property. The development proposes to retain the existing accessory structure, subdivide the project site into three parcels, merge Parcel No. 1 with the adjacent Fox Hill Estate property and construct two single family residences on two of the newly created vacant parcels. This proposed three lot subdivision with two new single family residences will not adversely affect the La Jolla Community Plan, because the proposed development has been found consistent with the Plan's Parks/Open Space land use designation of the La Jolla Community Plan, the development regulations of the RS-1-4 Zone, allowed density, and design recommendations. This land use designation, while it allows for residential uses; it limits the residential dwelling units to be single family. The existing zoning of RS-1-4 allows a dwelling unit per 10,000 square feet of site. The total acreage of 25.14 acres would allow a potential of 110 units. The proposal of two new dwelling units would be allowed with this land use designation. The project site is not located adjacent to any public view as identified within the La Jolla Community Plan and Local Coastal Program Land Use Plan. This overall design, including the project's Design Guidelines was found to bring the project into compliance with the La Jolla Community Plan and Local Coastal Program Land Use Plan. Due to these factors the proposed development will not adversely affect the City of San Diego adopted La Jolla Community Plan and the certified Local Coastal Program Land Use Plan.

2. **The proposed development will not be detrimental to the public health, safety, and welfare.** The 25.14-acre project site is currently predominantly vacant land except for an existing accessory structure located in the south western portion of the property. The development proposes to retain the existing accessory structure, subdivide the project site into three parcels, merge Parcel No. 1 with the adjacent Fox Hill Estate property and construct two single family residences on two of the newly created vacant parcels. The environmental review determined that this project may have a significant environmental effect on Biological, Paleontological Resources and the City prepared an Environmental Impact Report (EIR), Project No. 292065, in accordance with the California Environmental Quality Act (CEQA). The EIR's Mitigation Monitoring and Reporting Program (MMRP) incorporates mitigation measures in to the project for potential impacts to Biological Resources and Paleontological Resources, to reduce the potential impacts to a level below significance. This environmental analysis included an analysis of the project's potential impact on public health and safety, and no significant issues relating to that were found. The street improvements associated with this subdivision will comply with City Engineering and Fire Department Standards. The project's design includes a brush management plan in compliance with current brush management standards to reduce risk from fire hazards. The construction of the two single family homes is conditioned to comply with all current building, electrical and plumbing codes. The subdivision of this site with the construction of two single family residences would therefore not be detrimental to the public health, safety and welfare.

3. **The proposed development will comply with the regulations of the Land Development Code including any proposed deviations pursuant to Section 126.0602(b) (1)**

that are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone; and any allowable deviations that are otherwise authorized pursuant to the Land Development Code. The development proposes to retain an existing accessory structure, subdivide the project site into three parcels, merge Parcel No. 1 with the adjacent Fox Hill Estate property and construct two single family residences on two of the newly created vacant parcels. This proposed project will grant deviations to allow a reduced street frontage for both Parcels 2 and 3 of the proposed subdivision from the minimum required street frontage of 65 feet to 26 feet for each parcel. Currently Romero Drive and Encelia Drive terminate in dead ends at the northern edge of the project site, with no turn around or cul de sacs. The project proposes a turn-around to be added to the end of the two streets rather than a larger, City Engineering standard cul-de-sac. The proposed turn around area involves roughly half the needed area relative to the space needed to meet the City standard cul-de-sac. The proposed turn around design was reviewed and accepted by both Development Services Department's Engineering Section and the Fire Department. This reduction in turn-around area reduces the area of proposed encroachment into Environmentally Sensitive Lands and results in a more desirable project. These deviations would allow adequate access to both proposed building parcels. The deviations requested are allowed by the Land Development Code and will not adversely affect the design or character of the approved project.

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

BE IT FURTHER RESOLVED that Coastal Development Permit No. 1050394, Site Development Permit No. 1050407, and Planned Development Permit No. 1050409 are hereby granted to The Copley Press Incorporated, Owner/Permittee, under the terms and conditions set forth in the attached permit which is made a part of this resolution.

APPROVED: JAN I. GOLDSMITH, City Attorney

By Shannon M. Thomas

Shannon M. Thomas
Deputy City Attorney

SMT:als
01/29/2016
Or.Dept:DSD
Doc. No.: 1214415

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

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24003147

**COASTAL DEVELOPMENT PERMIT NO. 1050394, SITE DEVELOPMENT PERMIT
NO. 1050407 AND PLANNED DEVELOPMENT PERMIT NO. 1050409
THE RESERVE - PROJECT NO. 292065 (MMRP)
PLANNING COMMISSION**

This Coastal Development Permit No. 1050394, Site Development Permit No. 1050407 and Planned Development Permit No. 1050409 is granted by the Planning Commission of the City of San Diego to The Copley Press Incorporated, a Illinois Corporation, Owner/Permittee, pursuant to San Diego Municipal Code (SDMC) section 126.0702, 126.0502 and 126.0602. The 25.14 - acre site is located at 6850 Country Club Drive, in the RS-1-4 Zone, Coastal (non-appealable), Coastal Height Limitation Overlay Zones within the La Jolla Community Plan area. The project site is legally described as: That portion of Pueblo Lot 1263 of the Pueblo Lands of San Diego, in the City of San Diego, County of San Diego, according to Map thereof made by James Pascoe in 1870, known as Miscellaneous Map No. 36.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to subdivide the property into three parcels and construct two single family residences described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated November 19, 2015, on file in the Development Services Department.

The project shall include:

- a. Subdivision of the 25.14-acre property into three parcels and construction of two single family residences, one on Parcel 2, the other on Parcel 3, with Parcel 1 containing the existing accessory structure to remain. Parcel 1 will be merged with the adjacent lot to the west, known as Fox Hill Estates, addressed as 7007 Country Club Drive (APN No. 352-300-0400). The proposed new residences will conform to "The Reserve Design Guidelines", Exhibit A, part of this approval;

ATTACHMENT 13

- b. Deviation to reduced Street Frontage for both Parcels 2 and 3, to 26 feet for each parcel;
- c. Landscaping (planting, irrigation and landscape related improvements);
- d. Off-street parking;
- e. Site Walls, retaining walls, fencing and exterior lighting as allowed by "The Reserve Design Guidelines", Exhibit A; and
- f. 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 January 19, 2019.
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.

ATTACHMENT 13

6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 (ESA) and any amendments thereto (16 U.S.C. § 1531 et seq.).

7. In accordance with authorization granted to the City of San Diego from the United States Fish and Wildlife Service (USFWS) pursuant to Section 10(a) of the federal Endangered Species Act (ESA) and by the California Department of Fish and Wildlife (CDFW) pursuant to California Fish and Wildlife Code section 2835 as part of the Multiple Species Conservation Program (MSCP), the City of San Diego through the issuance of this Permit hereby confers upon Owner/Permittee the status of Third Party Beneficiary as provided for in Section 17 of the City of San Diego Implementing Agreement (IA), executed on July 16, 1997, and on file in the Office of the City Clerk as Document No. OO-18394. Third Party Beneficiary status is conferred upon Owner/Permittee by the City: (1) to grant Owner/Permittee the legal standing and legal right to utilize the take authorizations granted to the City pursuant to the MSCP within the context of those limitations imposed under this Permit and the IA, and (2) to assure Owner/Permittee that no existing mitigation obligation imposed by the City of San Diego pursuant to this Permit shall be altered in the future by the City of San Diego, USFWS, or CDFW, except in the limited circumstances described in Sections 9.6 and 9.7 of the IA. If mitigation lands are identified but not yet dedicated or preserved in perpetuity, maintenance and continued recognition of Third Party Beneficiary status by the City is contingent upon Owner/Permittee maintaining the biological values of any and all lands committed for mitigation pursuant to this Permit and of full satisfaction by Owner/Permittee of mitigation obligations required by this Permit, in accordance with Section 17.1D of the IA.

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

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

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

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

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be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

11. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

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

13. The mitigation measures specified in the MMRP and outlined in Environmental Impact Report No. 292065 shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

14. The Owner/Permittee shall comply with the MMRP as specified in Environmental Impact Report No. 292065, to the satisfaction of the Development Services Department and the City Engineer. Prior to issuance of any construction permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for the following issue areas:

Biological Resources and Paleontological Resources.

AFFORDABLE HOUSING REQUIREMENTS:

15. Prior to the issuance of any building permits, the Owner/Permittee shall comply with the affordable housing requirements of the City's Inclusionary Affordable Housing Regulations (SDMC § 142.1301 et seq.).

ENGINEERING REQUIREMENTS:

16. The Owner/Permittee shall comply with the conditions of Vesting Tentative Map No. 1050354 and the City's approval of Vesting Tentative Map No. 1050354 is a condition of this permit.
17. Prior to the issuance of any building permit, the Owner/Permittee shall dedicate and improve an additional right-of-way at the end of Country Club Drive to be consistent with Exhibit "A," satisfactory to the City Engineer.
18. Prior to the issuance of any building permit, the Owner/Permittee shall dedicate and improve additional right-of-way at the end of Romero Drive to be consistent with Exhibit "A," satisfactory to the City Engineer.
19. Prior to the issuance of any construction permit, the applicant shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.
20. Prior to the issuance of any construction permit, the applicant shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the Municipal Code, into the construction plans or specifications.
21. Prior to the issuance of any construction permit, the Water Quality Technical Report will be subject to final review and approval by the City Engineer.
22. Prior to the issuance of any home construction permit, the Owner/Permittee for the home construction permit shall prepare and submit a Water Quality Technical Report covering the home and applicable development area that is subject to the final review and approval by the City Engineer, based on the Storm Water Standards in effect at the time of the construction permit issuance.
23. Prior to the issuance of any building permits, the Owner/Permittee shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to requirements in accordance with the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.
24. Development of this project shall comply with all storm water construction requirements of the State Construction General Permit, Order No. 2009-00090DWQ, or subsequent order, and the Municipal Storm Water Permit, Order No. R9-2007-0001, or subsequent order. In accordance with Order No. 2009-0009DWQ, or subsequent order, a Risk Level Determination shall be calculated for the site and a Storm Water Pollution Prevention Plan (SWPPP) shall be implemented concurrently with the commencement of grading activities.
25. Prior to issuance of a grading or a construction permit, a copy of the Notice of Intent (NOI) with a valid Waste Discharge ID number (WDID#) shall be submitted to the City of San

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Diego as a proof of enrollment under the Construction General Permit. When ownership of the entire site or portions of the site changes prior to filing of the Notice of Termination (NOT), a revised NOI shall be submitted electronically to the State Water Resources Board in accordance with the provisions as set forth in Section II.C of Order No. 2009-0009-DWQ and a copy shall be submitted to the City.

26. This project proposes to export approximately 900 cubic yards of material from the project site. All export material shall be discharged into a legal disposal site. The approval of this project does not allow the onsite processing and sale of the export material unless the underlying zone allows a construction and demolition debris recycling facility with an approved Neighborhood Use Permit or Conditional Use Permit per LDC Section 141.0620(i).

LANDSCAPE REQUIREMENTS:

27. Prior to issuance of any engineering permits for grading, the Owner/Permittee shall submit complete construction documents for the revegetation and hydroseeding of all disturbed land within the conserved area as defined in the Covenant of Easement in accordance with the City of San Diego Landscape Standards, Stormwater Design Manual, and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit 'A,' on file in the Office of the Development Services Department.

28. Prior to issuance of any engineering permits for right-of-way 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 sq-ft area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

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

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

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

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32. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, 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 Final Inspection.

BRUSH MANAGEMENT PROGRAM:

33. The Owner/Permittee of each Parcel shall implement the following requirements in accordance with the Brush Management Program set forth in the Exhibit "A" Design Guidelines for The Reserve on file in the Office of the Development Services Department.

34. The Brush Management Program shall be based on a standard Zone One of 35 feet in width with Zone Two of 65 feet in width, extending out from the structure towards the native/naturalized vegetation, consistent with the Brush Management Regulations of the Land Development Code section 142.0412. Actual zone widths shall be tailored to the footprint of the structure to incorporate Zone Two Reduction as applicable per 142.0412(f). In no case shall Zone One Brush Management extend beyond the development footprint established by the entitlement.

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

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

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

38. Within Zone One, plant material shall be selected to visually blend with the existing hillside vegetation. No invasive plant material shall be permitted.

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

PLANNING/DESIGN REQUIREMENTS:

40. Owner/Permittee shall maintain a minimum of two (2) off-street parking spaces, per single family residence on each parcel, on the property at all times in the approximate locations shown

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conceptually on the approved Exhibit "A" and in the Design Guidelines. Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the appropriate City decision maker in accordance with the SDMC.

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

42. Prior to the issuance of any construction permits, the Owner/Permittee shall execute and record a Covenant of Easement which ensures preservation of the Environmentally Sensitive Lands that are outside the allowable development area on the premises as shown on Exhibit "A" for Sensitive Biological Resources and Steep Hillides, in accordance with SDMC section 143.0152. The Covenant of Easement shall include a legal description and an illustration of the premises showing the development area and the Environmentally Sensitive Lands as shown on Exhibit "A."

43. Prior to or in conjunction with the issuance of the building permits for each of the future homes on Parcels 2 and 3, the City shall conduct a single Process 2 Substantial Conformance Review (SCR) to ensure that the proposed home, landscaping and brush management requirements conform with the Design Guidelines for the applicable parcel. The SCR project scope shall be focused on and limited exclusively to determining conformance with the applicable Design Guidelines.

44. 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.

45. Parcel No. 1 (one) shall not be used as a standalone buildable lot. Prior to the issuance of any combination building permit for construction on Parcels 2 or 3, a Lot Consolidation Parcel Map or other suitable mapping action shall be recorded to consolidate Parcel 1 with the adjacent lot to the west, known as Fox Hill Estates, that is addressed as 7007 Country Club Drive and APN No. 352-300-0400.

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

46. 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 right-of-way adjacent to the project site, in a manner satisfactory to the Public Utilities Director, the City Engineer.

47. 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), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Director and the City Engineer. BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way.

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48. 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.

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

50. 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.

INFORMATION ONLY:

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

APPROVED by the City Council of the City of San Diego on JAN 25 2016, by Resolution No. R-310221.

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Permit Type/PTS Approval No.: CDP No. 1050394, SDP No. 1050407, LCPM No. 1578448
and PDP No. 1050409

Date of Approval: _____

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES
DEPARTMENT

Glenn R. Gargas
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.**

THE COPLEY PRESS INCORPORATION
Owner/Permittee

By _____
Mr. Dean Dwyer, Vice President
Finance, Treasurer and CFO

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

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JAN 25 2016

Passed by the Council of The City of San Diego on _____, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JAN 25 2016.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

(Seal)

By [Signature], Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 310221

RESOLUTION NUMBER R- 310222

DATE OF FINAL PASSAGE JAN 25 2016

ITEM # 201 C
1/25/16

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DENYING THE APPEAL AND APPROVING THE VESTING TENTATIVE MAP NO. 1050354 FOR THE RESERVE PROJECT NO. 292065.

WHEREAS, The Copley Press, Incorporation, Subdivider, and SWS Engineering, Inc., Tracy H. Santucci, Engineer, submitted an application to the City of San Diego for a vesting tentative map, Vesting Tentative Map No. 1050354 for the subdivision of the property into three parcels for single family residential development, The Reserve (Project); and

WHEREAS, the project site is located at 6850 Country Club Drive, east of the southern terminus of Country Club Drive, south of the terminus of both Romero Drive and Encelia Drive. The property is legally described as Parcels 1, 2, and 3 of Miscellaneous Map No. 36; and

WHEREAS, the Map proposes the Subdivision of a 25.14-acre-site into three parcels; and

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

WHEREAS, on November 19, 2015, the Planning Commission of the City of San Diego considered Vesting Tentative Parcel Map No. 1050354, and pursuant to San Diego Municipal Code section 125.0440, and Subdivision Map Act section 66428, received for its consideration written and oral presentations, evidence having been submitted, and testimony having been heard from all interested parties at the public hearing, and the Planning Commission having fully

considered the matter and being fully advised concerning the same approved the Vesting Tentative Map; and

WHEREAS, appeals of the Planning Commission's approvals were filed on December 14, 2015; and

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

WHEREAS, on January 25, 2016, on appeal, the City Council of the City of San Diego considered Vesting Tentative Parcel Map No. 1050354, and pursuant to San Diego Municipal Code section(s) 125.0440, and Subdivision Map Act section 66428, received for its consideration written and oral presentations, evidence having been submitted, and testimony having been heard from all interested parties at the public hearing, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of San Diego, that it adopts the following findings with respect to Vesting Tentative Parcel Map No. 1050354:

1. The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan (San Diego Municipal Code § 125.0440(a) and Subdivision Map Action §§ 66473.5, 66474(a), and 66474(b)). The proposed development to subdivide a 25.14-acre property into three lots and construct two new single family homes is located on a site which has a Parks/Open Space land use designation. This land use designation, while it allows for residential uses, it limits the residential dwelling units to single family. The existing zoning of RS-1-4 allows a dwelling unit per 10,000 square feet of site. The total acreage of 25.14 acres would allow a potential of 110 units. The proposal of two dwelling units, is allowed with this land use designation. The proposed three lot subdivision of a 25.14-acre property would provide for a balanced community and equitable development within the community through the provision of housing that provides varying levels of architectural styles, size and affordability through residential development. The proposed subdivision is

consistent with the recommended residential land use and density prescribed in the La Jolla Community Plan and Local Coastal Program Land Use Plan. Therefore, the proposed subdivision and its design or improvement would be consistent with the policies, goals, and objectives of the applicable land use plan.

2. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code, including any allowable deviations pursuant to the land development code. The proposed three lot subdivision would comply with the development regulations of the underlying RS-1-4 zone, Environmentally Sensitive Lands Regulations and all of the applicable development regulations of the Land Development Code, except for the proposed deviation to a reduced Street Frontage as approved under the Planned Development Permit. The proposed three parcels meet the minimum lot area, lot wide, lot depth of the underlying RS-1-4 Zone. This project includes Design Guidelines which were reviewed and found to be consistent with the development regulations of the underlying RS-1-4 zone and the Environmentally Sensitive Lands Regulations. These Design Guidelines include building setback, building height, grading, massing and landscape criteria. The Design Guidelines will be used to review the specific development proposal for the two new residential parcels, which are required to be reviewed through a Process 2 Substantial Conformance Review. Deviations to the applicable development regulations of the Land Development Code are permitted with a Planned Development Permit. The deviations are considered minor and determined to be consistent with the purpose and intent of the RS-1-4 zone together with the purpose and intent of the Environmentally Sensitive Lands Regulations to locate or cluster the proposed development onto the more developable portion of the project site.

3. The site is physically suitable for the type and density of development (San Diego Municipal Code § 125.0440(c) and Subdivision Map Act §§ 66474(c) and 66474(d)). The proposed three lot subdivision of a 25.14-acre property is to a property containing an existing accessory structure to remain and contains environmentally sensitive lands. The three lot subdivision is designed to be consistent with the land use designation and density range of the La Jolla Community Plan and Local Coastal Program Land Use Plan. The project site is located on a site which has a Parks/Open Space land use designation. This land use designation, while it allows for residential uses, it limits the residential dwelling units to single family. The existing zoning of RS-1-4 allows a dwelling unit per 10,000 square feet of site. The total acreage of 25.14 acres would allow a potential of 110 units. The proposal of two dwelling units, is allowed with this land use designation. This project includes designed guidelines including building setback, building height, grading, massing (bulk and scale) and landscape criteria. They were reviewed and found to be consistent with the development regulations of the underlying RS-1-4 zone and the Environmentally Sensitive Lands Regulations. Therefore, the bulk, scale and siting of the proposed development would be compatible with the existing and future surrounding land uses and the site is physically suitable for the type and density of the proposed development.

4. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat (San Diego Municipal Code § 125.0440(d) and Subdivision Map Act § 66474(e)). The proposed three lot subdivision is designed to comply with the development regulations of the underlying RS-1-4 zone, Environmentally Sensitive Lands Regulations and all of the applicable development regulations of the Land Development Code, except for the

proposed deviation to a reduced Street Frontage as approved under the Planned Development Permit. The project proposes to subdivide the 25.14-acre property into three lots and construct two new single family homes. Development is proposed on a total of 6.29-acres of the 25.14-acre site. Approximately 18.80 acres or approximately 75% of the project site is proposed to be retained and conserved within a building restricted easement/covenant of easement area to be recorded on the property. An Environmental Impact Report prepared for the project adequately describes the activity for the purposes of CEQA. The environmental review determined the project could have potential adverse impacts to Biological Resources and Paleontological Resources. A Mitigation, Monitoring and Reporting Program (MMRP) has been created for the project with measures that would reduce the potential adverse impacts to below a level of significance.

The project site is not located within a 100-year flood hazard area and it is located from approximately 444 to 663 feet above mean sea level. The project's design includes construction-related best management practices (BMPs), such as diversion features (as determined by the grading contractor), and permanent low-impact development (LID) measures, such as permeable pavement and detention/treatment features within the landscape areas, to ensure runoff from the site does not result in erosion and sedimentation off site. Through these project design features, runoff volumes from the developed portion of the site would be reduced to match pre-existing flows, and would therefore not contribute erosive discharge velocities at the existing storm drain outlets. As such, the project would avoid direct discharge of runoff into and erosion of the native habitat adjacent to the southern and eastern property boundaries. Therefore, the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat.

5. The design of the subdivision or the type of improvement will not be detrimental to the public health, safety, and welfare (San Diego Municipal Code § 125.0440(e) and Subdivision Map Act § 66474(f)). The 25.14-acre project site is currently predominantly vacant land except for an existing accessory structure located in the south western portion of the property. The development proposes to retain the existing accessory structure, subdivide the project site into three parcels, merge Parcel No. 1 into the adjacent Fox Hill Estate property and construct two single family residences on two of the newly created vacant parcels. The environmental review determined that this project may have a significant environmental effect on Biological, Paleontological Resources and the City prepared an Environmental Impact Report (EIR) No. 292065, in accordance with the California Environmental Quality Act (CEQA). The EIR's Mitigation Monitoring and Reporting Program (MMRP) incorporate mitigation measures in to the project for potential impacts to Biological Resources and Paleontological Resources, to reduce the potential impacts to a level below significance. This environmental analysis included an analysis of the project's potential impact on public health and safety, and no significant issues relating to that were found. The street improvements associated with this subdivision will comply with City Engineering and Fire Department Standards. The project's design includes a brush management plan in compliance with current brush management standards to reduce risk from fire hazards. The construction of the two single family homes is conditioned to comply with all current building, electrical and plumbing codes. The proposed subdivision and improvements have been designed to comply with all applicable Federal, State and local land use policies including the California State Map Act and the City of San Diego Land Development Code. Further, the proposed subdivision and improvements would

be permitted, constructed and inspected in accordance with the California Building Code. Therefore, the design of the subdivision or the proposed improvements would not be detrimental to the public health, safety, and welfare.

6. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision (San Diego Municipal Code § 125.0440(f) and Subdivision Map Act § 66474(g)). The proposed three lot subdivision would comply with the development regulations of the underlying RS-1-4 zone, Environmentally Sensitive Lands Regulations and all of the applicable development regulations of the Land Development Code, except for the proposed deviation to a reduced Street Frontage as approved under the Planned Development Permit. The current design of the existing streets, Romero Drive, Encelia Drive and Country Club Drive terminate in dead ends at the northern and southern edge of the project site, with no turn arounds or cul-de-sacs. The proposed subdivision includes public right of way dedications and street improvements to the terminus of Romero Drive, Encelia Drive and Country Club Drive. These public right-of-way improvements will aid Fire, Safety and general traffic movements and circulation with the new turn around areas. The proposed turn around design was reviewed and accepted by both Development Services Department's Engineering Section and the Fire Department. The proposed subdivision would maintain and, as required, improve the existing public rights-of-ways and general utility easements therefore, the design of the subdivision and the associated improvements would not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

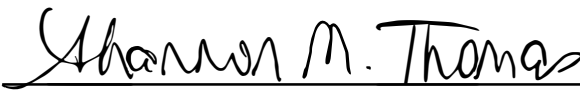
7. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (San Diego Municipal Code § 125.0440(g) and Subdivision Map Act § 66473.1). The proposed subdivision of a 25.14-acre parcel into three lots for residential development will not impede or inhibit any future passive or natural heating and cooling opportunities. Design Guidelines have been adopted for the future construction of the single family homes. These guidelines which were reviewed and found to be consistent with the development regulations of the underlying RS-1-4 zone and the Environmentally Sensitive Lands Regulations. These Design Guidelines include building setback, building height, grading, massing and landscape criteria. The Design Guidelines will be used to review the specific development proposal for the two new residential parcels, which are required to be reviewed through a Process 2 Substantial Conformance Review. These guidelines include a Sustainability Section, which encourages the use cool roofing materials, such as reflective low-heat retention tiles, and light-colored membranes and coating. The incorporation of photovoltaic systems consisting of solar panels sufficient to generate at least 50% of the project's projected energy consumption is also encouraged. With the independent design of the proposed subdivision each structure will have the opportunity through building materials, site orientation, architectural treatments, placement and selection of plant materials to provide to the extent feasible, for future passive or natural heating and cooling opportunities. Therefore, the design of the proposed three lot subdivision through the implementation of the Design Guidelines and the use of building materials, site orientation, architectural treatments and the placement and selection of plant materials provide to the extent feasible, for future passive or natural heating and cooling opportunities.

8. The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources (San Diego Municipal Code § 125.0440(h) and Subdivision Map Act § 66412.3). The proposed project is the subdivision of a 25.14-acre property into three lots for residential development. The La Jolla Community Plan requires new development to provide housing to accommodate the needs of low income households, as certified by the San Diego Housing Commission. The applicant has chosen the option of paying an in-lieu fee to the City's Affordable Housing Trust Account to meet their affordable housing requirement rather than provide the dwelling units. The La Jolla Community Plan allows an in-lieu fee option in the amount equivalent to the cost of achieving the level of affordability required by the La Jolla affordable housing program, as determined by the San Diego Housing Commission. Balanced needs for public facilities were taken into consideration with the development of the La Jolla Community Plan and the projected build-out with the applied zone designation. The subdivision of the property into three residential lots is consistent with what was anticipated in the community plan. The decision maker has reviewed the administrative record including the project plans, technical studies, environmental documentation and public testimony to determine the effects of the proposed subdivision on the housing needs of the region and; that those needs are balanced against the needs for public services and the available fiscal and environmental resources and found that the addition of two new residential dwelling units would assist the housing needs of the La Jolla Community Plan area.

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

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the City Council, Vesting Tentative Parcel Map No. 1050354, is hereby granted to The Copley Press Incorporated subject to the attached conditions which are made a part of this resolution by this reference.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Shannon M. Thomas
Deputy City Attorney

SMT:als
01/29/2016
02/09/2016 Cor.Copy
Or.Dept: DSD
Doc. No.: 1213132_2

CITY COUNCIL
CONDITIONS FOR VESTING TENTATIVE PARCEL MAP NO. 1050354,

THE RESERVE - PROJECT NO. 292065 MMRP

ADOPTED BY RESOLUTION NO. R-**310222** ON JANUARY 25, 2016

GENERAL

1. This Vesting Tentative Parcel Map will expire on January 25, 2019.
2. Compliance with all of the following conditions shall be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordation of the Parcel Map, unless otherwise noted.
3. Prior to the recordation of the Parcel Map, taxes must be paid on this property pursuant to Subdivision Map Act section 66492. To satisfy this condition, a tax certificate stating that there are no unpaid lien conditions against the subdivision must be recorded in the Office of the San Diego County Recorder.
4. The Vesting Tentative Parcel Map shall conform to the provisions of Coastal Development Permit No. 1050394, Site Development Permit No. 1050407 and Planned Development Permit No. 1050409.
5. The Subdivider shall defend, indemnify, and hold the City (including its agents, officers, and employees [together, "Indemnified Parties"]) harmless from any claim, action, or proceeding, against the City and/or any Indemnified Parties to attack, set aside, void, or annul City's approval of this project, which action is brought within the time period provided for in Government Code section 66499.37. City shall promptly notify Subdivider of any claim, action, or proceeding and shall cooperate fully in the defense. If City fails to promptly notify Subdivider of any claim, action, or proceeding, or if City fails to cooperate fully in the defense, Subdivider shall not thereafter be responsible to defend, indemnify, or hold City and/or any Indemnified Parties harmless. City may participate in the defense of any claim, action, or proceeding if City both bears its own attorney's fees and costs, City defends the action in good faith, and Subdivider is not required to pay or perform any settlement unless such settlement is approved by the Subdivider.

AFFORDABLE HOUSING

6. Prior to the recordation of the Parcel Map, the Subdivider shall demonstrate conformance with the San Diego Municipal Code provisions for Coastal Overlay Zone Affordable Housing Replacement Regulations

(San Diego Municipal Code §§ 143.0810 et seq.), to the satisfaction of the Development Services Department and the San Diego Housing Commission.

ENGINEERING

7. A Parcel Map shall be recorded in the Office of the County Recorder, prior to the Tentative Parcel Map expiration date.
8. Compliance with all conditions shall be assured, to the satisfaction of the City Engineer, prior to the recordation of the Parcel Map, unless otherwise noted.
9. The Tentative Parcel Map shall comply with the conditions of the Coastal Development Permit No. 1050394, Site Development Permit No. 1050407, Lot Consolidation Parcel Map No. 1578448 and Planned Development Permit No. 1050409.
10. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
11. The Subdivider shall ensure that all existing onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The Subdivider shall provide written confirmation from applicable utilities that the conversion has taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.
12. Conformance with the “General Conditions for Tentative Subdivision Maps,” filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, is required. Only those exceptions to the General Conditions which are shown on the Vesting Tentative Map and covered in these special conditions will be authorized. All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. RR-297376.
13. Post recordation or concurrent with the recordation of the Parcel Map for VTM No. 1050354, a Lot Consolidation Parcel Map or other suitable mapping action shall be recorded to consolidate Parcel 1 with the adjacent lot to the west, known as Fox Hill Estates, addressed as 7007 Country Club Drive and APN No. 352-300-0400. Parcel No. 1 (one) shall not be used as a standalone buildable lot.

MAPPING

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

WATER & WASTEWATER

17. Compliance with all conditions shall be assured, to the satisfaction of the Public Utilities Director and the City Engineer, prior to the recordation of the Parcel Map, unless otherwise noted.
18. The Tentative Parcel Map shall comply with the conditions of the Coastal Development Permit No. 1050394, Site Development Permit No. 1050407, Lot Consolidation Parcel Map No. 1578448 and Planned Development Permit No. 1050409.

GEOLOGY

19. Prior to the issuance of a grading permit, the Subdivider shall submit a geotechnical report prepared in accordance with the City of San Diego's "Guidelines for Geotechnical Reports," satisfactory to the City Engineer.

PLANNING/LANDSCAPE

20. Prior to the recordation of the Parcel Map, the Subdivider shall execute and record a Covenant of Easement which ensures preservation of the Environmentally Sensitive Lands that are outside the allowable development area on the premises as shown on Exhibit "A" for The Reserve, Project No. 292065, in accordance with San Diego Municipal Code section 143.0152. The Covenant of Easement shall include a legal description and an illustration of the premises showing the development area, Zone Two of Brush Management, and the Environmentally Sensitive Lands that will be preserved as shown on Exhibit "A."

INFORMATION:

- The approval of this Tentative Map by the Planning Commission of the City of San Diego does not authorize the subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 USC § 1531 et seq.).
- If the Subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), the Subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design guides and City regulations, standards and practices pertaining thereto. Off-site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.
- Subsequent applications related to this Vesting Tentative Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Vesting Tentative Map, may protest the imposition within ninety days of the approval of this Vesting Tentative Map by filing a written protest with the San Diego City Clerk pursuant to Government Code sections 66020 and/or 66021.

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

Internal Order No. 24003147

ATTACHMENT 14

JAN 25 2016

Passed by the Council of The City of San Diego on _____, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JAN 25 2016

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

(Seal)

By [Signature], Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- <u>310222</u>

172
2016
10/10

DOC# 2016-0314729



Jun 24, 2016 01:55 PM

OFFICIAL RECORDS
Ernest J. Dronenburg, Jr.,
SAN DIEGO COUNTY RECORDER
FEES: \$114.00

PAGES: 17

RECORDING REQUESTED BY:

THE CITY OF SAN DIEGO

AND WHEN RECORDED MAIL TO:

CITY CLERK
CITY OF SAN DIEGO
MAIL STATION 2A

Originating Dept - DSD/LDR - M.S. 501

(THIS SPACE FOR RECORDER'S USE ONLY)

COVENANT OF EASEMENT FOR PROTECTION OF SENSITIVE BIOLOGICAL RESOURCES AND STEEP HILLSIDES ON LANDS THAT ARE NOT INCLUDED WITHIN THE MULTIPLE SPECIES CONSERVATION PROGRAM MULTI- HABITAT PLANNING AREA

I.O. NO: 24005417

Assessor's Parcel No.: 352-300-08-00 & 352-300-09-00

PTS NO: 401141 and 489320

DWG NO: 39450-B

NO DOCUMENT TAX DUE
R & T CODE 11922

NO FEE FOR GOVT. AGENCY
GOVERNMENT CODE 27383

THIS COVENANT OF EASEMENT is made and effective as of the date of recordation shown above by La Jolla Reserve LLC, ("Grantor"), in favor of THE CITY OF SAN DIEGO ("Grantee"), with reference to the following facts:

RECITALS

- A. Grantor is the sole owner in fee simple of certain real property in the County of San Diego, State of California, more particularly described in Exhibit "A" attached hereto and incorporated by this reference (the "Property");
- B. Exhibit "B" depicts the area of the Property that will be developed, and the area that will be preserved under this Covenant of Easement (the "Conserved Property").
- C. The Property contains Environmental Sensitive Lands ("ESL") as defined by San Diego Municipal Code sections 143.0101 et seq. for sensitive biological resources and steep hillsides.
- D. The Property possesses open space, wildlife, and habitat values of importance to Grantee as well as the State of California, and the United States;

E. Grantor has applied to the CITY OF SAN DIEGO and has been granted the right to develop the Property in conformance with the following discretionary land use entitlements issued by the CITY OF SAN DIEGO: Coastal Development Permit No. 1050394, Site Development Permit No. 1050407, Planned Development Permit No. 1050409, Project No. 292065;

F. This Covenant of Easement shall impart notice to all persons to the extent afforded by the recording laws of the state of California regarding the restrictions affecting use of the environmentally sensitive lands preserved by this Covenant of Easement;

G. Because the Property contains sensitive biological resources, this Covenant of Easement shall be enforceable by the City, or jointly and severally by the City, the U.S. Fish and Wildlife Service, and the California Department of Fish and Game.

H. Development of the Property requires mitigation for impacts to sensitive habitats as further described in the report titled, "Environmental Impact Report for The Reserve" (Dudek 2015) No. 2014051069. The lands within the Property provide for compensatory mitigation for these impacts.

COVENANTS, TERMS, CONDITIONS AND RESTRICTIONS

In consideration of the above recitals and the mutual covenants, terms, conditions, and restrictions contained herein, and pursuant to California law, including, but not limited to, Government Code sections 65870 et seq., and San Diego Municipal Code section 143.0152, Grantor hereby voluntarily conveys to Grantee a Covenant of Easement in perpetuity over the Conserved Property.

1. Purpose. The purpose of this Covenant of Easement is to ensure that the Conserved Property will be retained forever in a natural condition and to prevent any development of the Conserved Property that contains sensitive biological resources and steep hillsides. Grantor intends that this Covenant of Easement will confine the use of the Conserved Property to such activities, including without limitation, activities that will preserve environmentally sensitive lands in a manner consistent with the purpose of this Covenant of Easement.

2. Grantee's Rights. To accomplish the purposes of this Covenant of Easement, Grantor hereby grants and conveys the following rights to Grantee by this Covenant of Easement:

(a) To preserve and protect the sensitive biological resources and steep hillsides of the Conserved Property;

(b) To enter upon the Property at reasonable times in order to monitor Grantor's compliance with and to otherwise enforce the terms of this Covenant of Easement and for scientific research and interpretive purposes by Grantee or its designees, provided that Grantee shall first notify and obtain consent from Grantor, which consent shall not be unreasonably withheld, and further provided that Grantee shall not unreasonably interfere with Grantor's use and quiet enjoyment of the Property;

(c) To prevent any activity on or use of the Conserved Property that is inconsistent with the purposes of this Covenant of Easement and to require the restoration of such areas or features of the Conserved Property that may be damaged by any act, failure to act, or any use that is inconsistent with the purposes of this Covenant of Easement;

(d) All mineral, air and water rights necessary to protect and to sustain the environmentally sensitive nature of the sensitive biological resources and steep hillsides of the Conserved Property; and

(e) All present and future development rights to the Conserved Property.

3. Prohibited Uses. Any activity on or use of the Conserved Property inconsistent with the purposes of this Covenant of Easement and the MSCP is prohibited. Without limiting the generality of the foregoing, the following uses by Grantor, Grantor's agents, and third parties, are expressly prohibited with respect to the Conserved Property:

(a) Any increase in runoff resulting from the development of the property directed toward any steep hillsides;

(b) Un-seasonal watering, use of herbicides, rodenticides, or weed abatement activities, incompatible fire protection activities and any and all other uses which may adversely affect the purposes of this Covenant of Easement;

(c) Use of off-road vehicles;

(d) Grazing or surface entry for exploration or extraction of minerals;

(e) Erecting of any building, billboard or sign;

(f) Depositing of soil, trash, ashes, garbage, waste, bio-solids or any other material;

(g) Excavating, dredging or removing of loam, gravel, soil, rock, sand or other material;

(h) Otherwise altering the general topography of the property, including building of roads;

(i) Removing, destroying, or cutting of trees, shrubs or other vegetation, except as required by law for (1) fire breaks, (2) maintenance of existing foot trails or roads or (3) prevention or treatment of disease.

4. Grantor's Duties. Grantor shall execute this Covenant of Easement in favor of the City of San Diego and record this Covenant of Easement against title to the Property with the San Diego County Recorder. In addition, Grantor shall undertake all reasonable actions to prevent the unlawful entry and trespass by persons whose activities may degrade or harm the environmentally sensitive nature of the Conserved Property.

In addition, Grantor shall be responsible for implementing the following management activities in order to maintain ecological functions of the native vegetation of the Conserved Property:

(a) The individual property owners or their qualified designee shall be responsible for long-term maintenance and management of the Conserved Property;

(b) Control weed species on an annual basis, ideally in the spring following germination and seed development of annual weed species. Weeding will be limited to highly invasive species including tree tobacco (*Nicotiana glauca*), eucalyptus trees, pampas grass (*Cortaderia selloana*) and ice plant. Control should occur prior to seed-set to moderate additional infestation. Weed control should focus on hand-pulling when feasible. Mechanical and chemical control may occur as-needed, and should be performed by persons qualified in such methods. Perennial invasive non-natives will likely require repeat follow-up treatments for complete control;

(c) Removal of trash is to be performed on an annual basis. If significant trash presence is detected at other times of the year it should be removed as-needed. Items to be removed include anthropogenic trash as well as weed slash materials. Collected trash shall be disposed of off-site in an appropriate manner;

(d) Fencing, where installed, is to be inspected on an annual basis. Repairs and maintenance are to be performed as-needed to maintain the structural integrity and function of the fencing to prevent unauthorized vehicular or pedestrian entry;

(e) Fencing, where installed, and signage shall be maintained to discourage and prevent public access to the native vegetation communities within the Conserved Property. If trespass occurs in areas where signage is not present, additional fencing and signage may be added to problem areas;

(f) The Zone 2 brush management area will be clearly delineated from the Conserved Property area that constitutes mitigation for the project. Zone 2 will be delineated by using T-posts or single-strand wire fence that allows wildlife freedom of passage but that marks the area of Zone 2 brush management. Zone 2 brush management areas have been included in the Conserved Property area due to the species that occur in these areas and the contiguity provided by combining both the mitigation area and the Zone 2 brush management areas in the Conserved Property area.

(g) Prepare and submit an annual letter report to the City of San Diego Mitigation Monitoring Coordination section of the Development Services Department that describes the tasks and condition of the Conserved Property and any recommendations for future action. To fulfill any of Grantor's obligations not included above (e.g., restoration in the event of vandalism), Grantor must use a qualified designee. The designee must have the following qualifications:

- 1) Ability to carry out habitat maintenance or management activities
- 2) Fiscal stability, including preparation of an operational budget (using an appropriate analysis technique) for the management of the Conserved Property

3) At least one staff member with a biological, ecological, or wildlife management degree, or a Memorandum of Understanding (MOU) with a qualified person with such a degree

4) Experience with habitat resource management in Southern California.

5. Reserved Rights. Grantor reserves to itself, and to its personal representatives, heirs, successors, and assigns, all rights accruing from its ownership of the Property, including the right to engage in or to permit or invite others to engage in all uses of the Property that are consistent with the purposes of this Covenant of Easement.

6. Grantee's Remedies. If Grantee determines that Grantor is in violation of the terms of this Covenant of Easement or that a violation is threatened, Grantee shall give written notice to Grantor of such violation and demand in writing the cure of such violation. If Grantor fails to cure the violation within thirty (30) days after receipt of said written notice and demand from Grantee, or said cure reasonably requires more than thirty (30) days to complete and Grantor fails to begin the cure within the thirty (30) day period or fails to continue diligently to complete the cure, Grantee may bring an action at law or in equity in a court of competent jurisdiction to enforce compliance by Grantor with the terms of this Covenant of Easement, to recover any damages to which Grantee may be entitled for violation by Grantor of the terms of this Covenant of Easement, to enjoin the violation, ex parte as necessary, by temporary or permanent injunction without the necessity of proving either actual damages or the inadequacy of otherwise available legal remedies, or for other equitable relief, including, but not limited to, the restoration of the Conserved Property to the condition in which it existed prior to any such violation or injury. Without limiting Grantor's liability therefore, Grantee may apply any damages recovered to the cost of undertaking any corrective action on the Conserved Property.

If Grantee, in its sole discretion, determines that circumstances require immediate action to prevent or mitigate significant damage to the environmentally sensitive nature of the Conserved Property, Grantee may pursue its remedies under this paragraph without prior notice to Grantor or without waiting for the period provided for cure to expire. Grantee's rights under this paragraph apply equally to actual or threatened violations of the terms of this Covenant of Easement. Grantor agrees that Grantee's remedies at law for any violation of the terms of this Covenant of Easement are inadequate and that Grantee shall be entitled to the injunctive relief described in this section, both prohibitive and mandatory, in addition to such other relief to which Grantee may be entitled, including specific performance of the terms of this Covenant of Easement, without the necessity of proving either actual damages or the inadequacy of otherwise available legal remedies. Grantee's remedies described in this section shall be cumulative and shall be in addition to all remedies now or hereafter existing at law or in equity, including but not limited to, the remedies set forth in California Government Code section 65870, et seq.

If at any time in the future Grantor or any subsequent transferee uses or threatens to use the Conserved Property for purposes inconsistent with this Covenant of Easement, notwithstanding Government Code section 65875, the City, the U.S. Fish and Wildlife Service, and the California Department of Fish and Game jointly and severally have standing as interested parties in any proceeding.

6.1 Costs of Enforcement. Any costs incurred by Grantee in enforcing the terms of this Covenant of Easement against Grantor, including, but not limited to, costs of suit and reasonable attorneys fees, and any costs of restoration necessitated by Grantor's violation or negligence under the terms of this Covenant of Easement shall be borne by Grantor.

6.2 Grantee's Discretion. Enforcement of the terms of this Covenant of Easement by Grantee shall be at the discretion of Grantee, and any forbearance by Grantee to exercise its rights under this Covenant of Easement in the event of any breach of any term of this Covenant of Easement by Grantor shall not be deemed or construed to be a waiver by Grantee of such term or of any subsequent breach of the same or any other term of this Covenant of Easement or of any of Grantee's rights under this Covenant of Easement. No delay or omission by Grantee in the exercise of any right or remedy upon any breach by Grantor shall impair such right or remedy or be construed as a waiver.

6.3 Acts Beyond Grantor's Control. Nothing contained in this Covenant of Easement shall be construed to entitle Grantee to bring any action against Grantor for any injury to or change in the Property resulting from causes beyond Grantor's control, including, without limitation, fire, flood, storm, and earth movement, or from any prudent action taken by Grantor under emergency conditions to prevent, abate, or mitigate significant injury to the Property resulting from such causes.

6.4 Department of Fish and Game Right of Enforcement. All rights and remedies conveyed to Grantee under this Covenant of Easement shall extend to and are enforceable by the California Department of Fish and Game when the Property either (1) contains sensitive biological resources, or (2) is land that has been accepted as mitigation.

6.5 U.S. Fish and Wildlife Service Right of Enforcement. All rights and remedies conveyed to Grantee under this Covenant of Easement shall extend to and are enforceable by the U.S. Fish and Wildlife Service when the Property either (1) contains sensitive biological resources, or (2) is land that has been accepted as mitigation.

7. Access. This Covenant of Easement does not convey a general right of access to the public.

8. Costs and Liabilities. Grantor retains all responsibilities and shall bear all costs and liabilities of any kind related to the ownership, operation, upkeep, and maintenance of the Property.

8.1 Taxes. Grantor shall pay before delinquency all taxes, assessments, fees, and charges of whatever description levied on or assessed against the Property by competent authority (collectively "taxes"), including any taxes imposed upon, or incurred as a result of, this Covenant of Easement, and shall furnish Grantee with satisfactory evidence of payment upon request.

8.2 Hold Harmless. Grantor shall hold harmless, indemnify, and defend Grantee and its directors, officers, employees, agents, contractors, and representatives (collectively "Indemnified Parties") from and against all liabilities, penalties, costs, losses, damages, expenses, causes of action, claims, demands, or judgments, including without limitation,

reasonable attorneys' fees, arising from or in any way connected with: (1) injury to or the death of any person, or physical damages to any property, resulting from any act, omission, condition, or other matter related to or occurring on or about the Property, regardless of cause, unless due to the negligence of any of the Indemnified Parties; (2) the obligations specified in Sections 4, 8, and 8.1; and (3) the existence or administration of this Covenant of Easement.

9. Subsequent Transfers. Grantor agrees to incorporate the terms of this Covenant of Easement in any deed or other legal instrument by which Grantor divests itself of any interest in all or a portion of the Property, including, without limitation, a leasehold interest. Grantor further agrees to give written notice to Grantee of the intent to transfer of any interest at least fifteen (15) days prior to the date of such transfer. Grantee shall have the right to prevent subsequent transfers in which prospective subsequent claimants or transferees are not given notice of the covenants, terms, conditions and restrictions of this Covenant of Easement. The failure of Grantor or Grantee to perform any act provided in this section shall not impair the validity of this Covenant of Easement or limit its enforceability in any way.

10. Notices. Any notice, demand, request, consent, approval, or communication that either party desires or is required to give to the other shall be in writing and be served personally or sent by first class mail, postage prepaid, addressed as follows:

To Grantor: La Jolla Reserve LLC
10452 Coyote Hill Glen
Escondido, CA 92026

To Grantee: City of San Diego
202 C Street
San Diego, CA 92101

or to such other address as either party shall designate by written notice to the other. Notice shall be deemed effective upon delivery in the case of personal delivery or, in the case of delivery by first class mail, five (5) days after deposit into the United States mail.

11. Release of Covenant. A hearing shall be held to consider any formal, written request directed to the City by any person requesting the release of this Covenant of Easement, whether or not that person has title to the real property involved. The City shall record the release of this Covenant of Easement when it is determined that the restriction ensured by the Covenant of Easement is no longer necessary to achieve the land use goals of the City. In any instance where the Covenant of Easement concerns sensitive biological resources, including MHPA lands, a determination by the City to release the Covenant of Easement may be made only with the written concurrence of the U.S. Fish and Wildlife Service and the California Department of Fish and Game.

12. Amendment. This Covenant of Easement may be amended by Grantor and Grantee by mutual written agreement, and where the Covenant of Easement concerns sensitive biological resources, with the written concurrence of the U.S. Fish and Wildlife

Service and the California Department of Fish and Game. Any such amendment shall be consistent with the purpose of this Covenant of Easement and, except as provided in Section 11, shall not affect its perpetual duration. Any such amendment shall be recorded in the Office of the San Diego County Recorder.

13. General Provisions.

(a) Controlling Law. The interpretation and performance of this Covenant of Easement shall be governed by the laws of the State of California.

(b) Liberal Construction. Any general rule of construction to the contrary notwithstanding, this Covenant of Easement shall be liberally construed in favor of the covenant to effect the purpose of this Covenant of Easement and the policy and purpose of Government Code Section 65870, et seq., and San Diego Municipal Code section 143.0152. If any provision in this instrument is found to be ambiguous, an interpretation consistent with the purposes of this Covenant of Easement that would render the provision valid shall be favored over any interpretation that would render it invalid.

(c) Severability. If a court of competent jurisdiction voids or invalidates on its face any provision of this Covenant of Easement, such action shall not affect the remainder of this Covenant of Easement. If a court of competent jurisdiction voids or invalidates the application of any provision of this Covenant of Easement to a person or circumstance, such action shall not affect the application of the provision to other persons or circumstances.

(d) Entire Agreement. This instrument sets forth the entire agreement of the parties with respect to the Covenant of Easement and supersedes all prior discussions, negotiations, understandings, or agreements relating to the Covenant of Easement. No alteration or variation of this instrument shall be valid or binding unless contained in an amendment in accordance with Section 12.

(e) No Forfeiture. Nothing contained herein will result in a forfeiture or reversion of Grantor's title in any respect.

(f) Successors. The covenants, terms, conditions, and restrictions of this Covenant of Easement shall be binding upon, and inure to the benefit of, the parties hereto and their respective personal representatives, heirs, successors, and assigns and shall continue as a servitude running in perpetuity with the Property.

(g) Termination of Rights and Obligations. A party's rights and obligations under this Covenant of Easement terminate upon transfer of the party's interest in the Covenant of Easement, except that liability for acts or omissions occurring prior to transfer shall survive transfer.

(h) Captions. The captions in this instrument have been inserted solely for convenience of reference and are not a part of this instrument and shall have no effect upon construction or interpretation.

(i) Counterparts. The Parties may execute this instrument in two or more counterparts, which shall, in the aggregate, be signed by both parties; each counterpart shall be deemed an original instrument as against any party who has signed it. In the event of any disparity between the counterparts produced, the recorded counterpart shall be controlling.

– REMAINDER OF PAGE INTENTIONALLY LEFT BLANK –

IN WITNESS WHEREOF, Grantor and Grantee have entered into this Covenant of Easement the day and year first above written.

Date: 5-24-16

Grantor: La Jolla Reserve LLC
10452 Coyote Hill Glen
Escondido, CA 92026

By: 
Authorized Representative - RYAN KIESEL

This is to certify that the interest in real property conveyed by this instrument to the City of San Diego, a municipal corporation, is hereby accepted by the undersigned officer on behalf of the City of San Diego, pursuant to authority conferred by the Municipal Code and the grantee consents to recordation thereof by its duly authorized officer.

GREGORY P. HOPKINS, PLS
City LAND SURVEYOR

By: Frederick R. LePase 6/24/16
FREDERICK R. LEPASE, PLS - Deputy Date

NOTE: NOTARY ACKNOWLEDGMENTS FOR SIGNATURES MUST BE ATTACHED, PER CIVIL CODE SEC. 1180 ET. SEQ.

Visit our web site at www.sandiego.gov/development-services.
Upon request, this information is available in alternative formats for persons with disabilities.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of San Diego)
On May 24, 2016 before me, Sally McRory, Notary Public
Date Here Insert Name and Title of the Officer
personally appeared Ryan Kiesel
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Sally McRory
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Covenant of Easement Document Date:
Number of Pages: Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer(s)

Signer's Name:
[] Corporate Officer -- Title(s):
[] Partner -- [] Limited [] General
[] Individual [] Attorney in Fact
[] Trustee [] Guardian or Conservator
[] Other:
Signer Is Representing:

Signer's Name:
[] Corporate Officer -- Title(s):
[] Partner -- [] Limited [] General
[] Individual [] Attorney in Fact
[] Trustee [] Guardian or Conservator
[] Other:
Signer Is Representing:

EXHIBIT "A"

(THE PROPERTY)

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN, IS SITUATED IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING A PORTION OF PUEBLO LOT 1263 OF THE MAP OF THE PUEBLO LANDS OF SAN DIEGO, ACCORDING TO MISCELLANEOUS MAP NO. 36 IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AND SPECIFICALLY DESCRIBED IN DEED DOC. NO. 2016-0066976, RECORDED FEBRUARY 17, 2016, IN THE COUNTY RECORDER OF SAID COUNTY.

ATTACHED HERETO IS DRAWING NO. 39450-B, LABELED AS EXHIBIT B, AND BY REFERENCE MADE A PART HEREOF.



VF
VERNON FRANCK, PLS 7927

6/20/16
DATE

PTS NO. 489320
I.O. NO. 24005417
DWG NO. 39450-B

EXHIBIT "B"

(THE CONSERVED PROPERTY)

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN, IS SITUATED IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING PORTIONS OF THAT CERTAIN LAND AS DESCRIBED IN DEED, DOC. NO. 2016-0066976, RECORDED FEBRUARY 17, 2016 AND SHOWN ON RECORD OF SURVEY NO. 20957 (HEREINAFTER REFERRED TO AS ROS 20957), RECORDED IN THE OFFICE OF COUNTY RECORDER OF SAID SAN DIEGO COUNTY, APRIL 21, 2011, SITUATED IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL A

BEGINNING AT THE NORTHEAST CORNER OF SAID ROS 20957, SAID CORNER BEING ALSO THE QUARTER CORNER OF SAID PUEBLO LOT 1263 AND THE SOUTHEASTERLY CORNER OF LA JOLLA COUNTRY CLUB HEIGHTS, ACCORDING TO MAP THEREOF, NO. 1975, RECORDED DECEMBER 21, 1926;

THENCE ALONG THE EASTERLY LINE OF SAID ROS 20957, SOUTH 16°43'49" EAST, 679.76 FEET, TO AN ANGLE POINT IN THE EASTERLY LINE; THENCE ALONG THE SOUTHEASTERLY LINE OF SAID ROS 20957, SOUTH 17°39'51" WEST, 119.42 FEET; THENCE LEAVING SAID SOUTHEASTERLY LINE, SOUTH 77°46'08" WEST, 64.55 FEET; THENCE SOUTH 33°27'23" EAST, 71.89 FEET, TO SAID SOUTHEASTERLY LINE; THENCE SOUTH 17°39'51" WEST, 20.85 FEET; THENCE LEAVING SAID SOUTHEASTERLY LINE, SOUTH 78°17'52" WEST, 4.32 FEET; THENCE SOUTH 11°42'08" EAST, 7.67 FEET, TO SAID SOUTHEASTERLY LINE; THENCE ALONG SAID SOUTHEASTERLY LINE SOUTH 17°39'51" WEST, 180.26 FEET TO THE SOUTHEASTERLY CORNER OF SAID ROS 20957, THENCE ALONG THE SOUTHERLY LINE OF SAID ROS 20957, SOUTH 51°03'53" WEST, 766.98 FEET TO THE MOST SOUTHERLY CORNER OF SAID ROS 20957, THENCE ALONG THE SOUTHERLY LINE OF SAID ROS 20957, SOUTH 75°31'18" WEST, 333.70 FEET, TO A POINT ON SAID SOUTHERLY LINE, SAID POINT LYING 0.77' FROM THE SOUTHWEST CORNER OF SAID ROS 20957; THENCE LEAVING SAID SOUTHERLY LINE, NORTH 13°53'51" WEST, 115.12 FEET; THENCE NORTH 24°07'22" WEST, 28.35 FEET; THENCE NORTH 64°24'08" EAST, 25.70 FEET; THENCE NORTH 25°30'23" WEST, 52.06 FEET TO THE WESTERLY LINE OF SAID ROS 20957; THENCE ALONG SAID WESTERLY LINE, NORTH 53°52'21" EAST, 210.18 FEET TO AN ANGLE POINT IN SAID WESTERLY LINE; NORTH 45°52'19" EAST, 159.82 FEET TO AN ANGLE POINT IN THE WEST LINE OF SAID ROS 20957; THENCE ALONG THE WEST LINE OF SAID ROS 20957, NORTH 16°42'00" WEST, 85.81 FEET; THENCE LEAVING SAID WEST LINE, NORTH 05°11'04" EAST, 415.78 FEET; THENCE NORTH 26°09'08" WEST, 26.73 FEET; THENCE NORTH 61°51'47" WEST, 169.67 FEET; THENCE NORTH 14°14'35" WEST, 56.41 FEET; THENCE SOUTH 81°52'42" WEST, 33.06 FEET TO SAID WEST LINE; THENCE ALONG SAID WEST LINE, NORTH 16°42'00" WEST, 298.60 FEET TO THE NORTH WEST CORNER OF SAID ROS 20957; THENCE ALONG THE NORTH LINE OF SAID ROS 20957, NORTH 74°59'02" EAST 564.27 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE WEST, HAVING A RADIUS OF 23.88 FEET, A RADIAL BEARING TO SAID CURVE BEARS NORTH 46°30'21" EAST, THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 83°35'56", A DISTANCE OF 34.84 FEET; THENCE SOUTH 42°14'48" WEST, 56.66 FEET; THENCE SOUTH 47°17'54" WEST, 39.89 FEET; THENCE SOUTH 45°52'05" WEST, 40.25 FEET; THENCE SOUTH 41°53'28" WEST, 39.83 FEET; THENCE NORTH 80°23'43" WEST, 40.09 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTH, HAVING A RADIUS OF 26.84 FEET, A RADIAL BEARING TO SAID CURVE BEARS NORTH 08°49'46" EAST; THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 52°12'26", A DISTANCE OF 24.46 FEET; THENCE SOUTH 46°37'19" WEST, 6.57 FEET TO THE BEGINNING OF A 22.95 FOOT RADIUS CURVE, CONCAVE NORTH;

THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE $60^{\circ}27'59''$, 24.22 FEET; THENCE NORTH $72^{\circ}54'42''$ WEST, 69.87 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE EAST, HAVING A RADIUS OF 112.81 FEET, A RADIAL BEARING TO SAID POINT BEARS NORTH $17^{\circ}34'27''$ WEST; THENCE WESTERLY, SOUTHERLY AND EASTERLY THROUGH A CENTRAL ANGLE OF $155^{\circ}47'45''$, A DISTANCE OF 306.75 FEET; THENCE SOUTH $54^{\circ}41'02''$ EAST, 28.74 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 475.94 FEET, A RADIAL BEARING TO SAID CURVE BEARS NORTH $33^{\circ}08'38''$ EAST; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $29^{\circ}08'33''$, A DISTANCE OF 242.08 FEET; THENCE SOUTH $27^{\circ}42'49''$ EAST, 66.53 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTH, HAVING A RADIUS OF 96.00 FEET, A RADIAL BEARING TO SAID CURVE BEARS SOUTH $62^{\circ}50'11''$ WEST; THENCE SOUTHERLY, EASTERLY AND NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $143^{\circ}19'59''$, A DISTANCE OF 240.16 FEET; THENCE NORTH $09^{\circ}30'12''$ EAST, 156.83 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTH, HAVING A RADIUS OF 98.96 FEET, A RADIAL BEARING TO SAID CURVE BEARS SOUTH $11^{\circ}33'59''$ WEST, SAID POINT ALSO BEING DESIGNATED HEREON AS **POINT A**; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $74^{\circ}40'51''$, A DISTANCE OF 128.99 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 101.16 FEET, A RADIAL LINE TO SAID CURVE BEARS SOUTH $65^{\circ}02'19''$ EAST; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $08^{\circ}19'58''$, A DISTANCE OF 14.71 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 95.44 FEET, A RADIAL LINE TO SAID CURVE BEARS SOUTH $75^{\circ}44'01''$ WEST; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $29^{\circ}59'04''$, A DISTANCE OF 49.95 FEET; NORTH $15^{\circ}46'13''$ WEST, 97.28 FEET; THENCE NORTH $16^{\circ}19'06''$ EAST, 46.95 FEET; THENCE NORTH $20^{\circ}14'40''$ WEST, 130.04 FEET; THENCE NORTH $80^{\circ}49'53''$ WEST, 28.88 FEET; THENCE NORTH $20^{\circ}13'45''$ WEST, 43.90 FEET TO THE NORTH LINE OF SAID ROS 20957, THENCE ALONG SAID NORTH LINE, NORTH $74^{\circ}59'02''$ EAST, 141.23 FEET; THENCE LEAVING SAID NORTH LINE, SOUTH $21^{\circ}35'54''$ EAST, 22.90 FEET; THENCE NORTH $68^{\circ}32'39''$ EAST, 9.88 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 4.90 FEET, A RADIAL LINE TO SAID CURVE BEARS NORTH $18^{\circ}43'37''$ WEST; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $91^{\circ}59'30''$, A DISTANCE OF 7.87 FEET; THENCE SOUTH $16^{\circ}44'07''$ EAST, 5.06 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 35.00 FEET, A RADIAL LINE TO SAID CURVE BEARS NORTH $44^{\circ}41'14''$ WEST; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $43^{\circ}42'16''$, A DISTANCE OF 26.70 FEET; THENCE SOUTH $73^{\circ}15'53''$ WEST, 7.49 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 35.02 FEET, A RADIAL LINE TO SAID CURVE BEARS NORTH $16^{\circ}44'39''$ WEST; THENCE WESTERLY AND SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $89^{\circ}55'34''$, A DISTANCE OF 54.96 FEET; THENCE SOUTH $16^{\circ}40'13''$ EAST, 39.45 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 35.00 FEET, A RADIAL LINE TO SAID CURVE BEARS SOUTH $73^{\circ}18'16''$ WEST; THENCE SOUTHERLY AND EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $89^{\circ}59'31''$, A DISTANCE OF 54.97 FEET; THENCE NORTH $73^{\circ}18'45''$ EAST, 107.41 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 35.00 FEET; A RADIAL LINE TO SAID CURVE BEARS SOUTH $16^{\circ}43'00''$ EAST; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $45^{\circ}33'14''$, A DISTANCE OF 27.83 FEET; THENCE NORTH $73^{\circ}17'52''$ EAST, 25.02 FEET; THENCE NORTH $16^{\circ}43'49''$ WEST, 141.00 FEET; THENCE SOUTH $73^{\circ}17'36''$ WEST, 61.95 FEET; THENCE NORTH $16^{\circ}42'24''$ WEST, 1.00 FEET; THENCE SOUTH $73^{\circ}17'36''$ WEST, 3.00 FEET; THENCE SOUTH $16^{\circ}42'24''$ EAST, 1.00 FEET; THENCE SOUTH $73^{\circ}17'36''$ WEST, 34.27 FEET; THENCE $16^{\circ}44'11''$ WEST, 8.36 FEET TO THE NORTH LINE OF SAID ROS 20957; THENCE ALONG SAID NORTH LINE, NORTH $74^{\circ}59'02''$ EAST, 110.76 FEET TO THE POINT OF BEGINNING.

CONTAINS 18.547 ACRES MORE OR LESS

PARCEL B

COMMENCING AT **POINT A**; THENCE NORTH 09°30'12" EAST, 50.30 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 09°30'12" EAST, 29.33 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 142.29 FEET, A RADIAL LINE TO SAID CURVE BEARS SOUTH 80°29'48" EAST; THENCE NORTHERLY AND WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°10'48", A DISTANCE OF 223.96 FEET; THENCE NORTH 48°13'52" EAST, 105.65 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 16.72 FEET, A RADIAL BEARING TO SAID CURVE BEARS NORTH 43°34'22" WEST; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 77°15'54", A DISTANCE OF 22.55 FEET; THENCE NORTH 55°47'20" WEST, 11.40 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 32.78 FEET, A RADIAL LINE TO SAID CURVE BEARS NORTH 39°11'20" EAST; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 31°43'42", A DISTANCE OF 18.15 FEET; THENCE SOUTH 18°39'50" EAST, 35.85 FEET; THENCE SOUTH 11°08'51" EAST, 104.73 FEET; THENCE SOUTH 42°52'13" EAST, 28.31 FEET; THENCE SOUTH 14°13'41" WEST, 34.91 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 27.81 FEET; A RADIAL LINE TO SAID CURVE BEARS NORTH 75°46'19" EAST; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 52°59'05", A DISTANCE OF 25.72 FEET; THENCE SOUTH 45°19'02" WEST, 16.29 FEET TO THE BEGINNING OF A NON-TANGENT RADIUS CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 60.04 FEET, A RADIAL LINE TO SAID CURVE BEARS SOUTH 44°40'58" EAST; THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 51°42'36", A DISTANCE OF 54.19 FEET TO THE POINT OF BEGINNING.

CONTAINS 0.401 ACRES MORE OR LESS

ATTACHED HERETO IS DRAWING NO. 39450-B, LABELED AS EXHIBIT B, AND BY REFERENCE MADE A PART HEREOF.



V7K

6/20/16

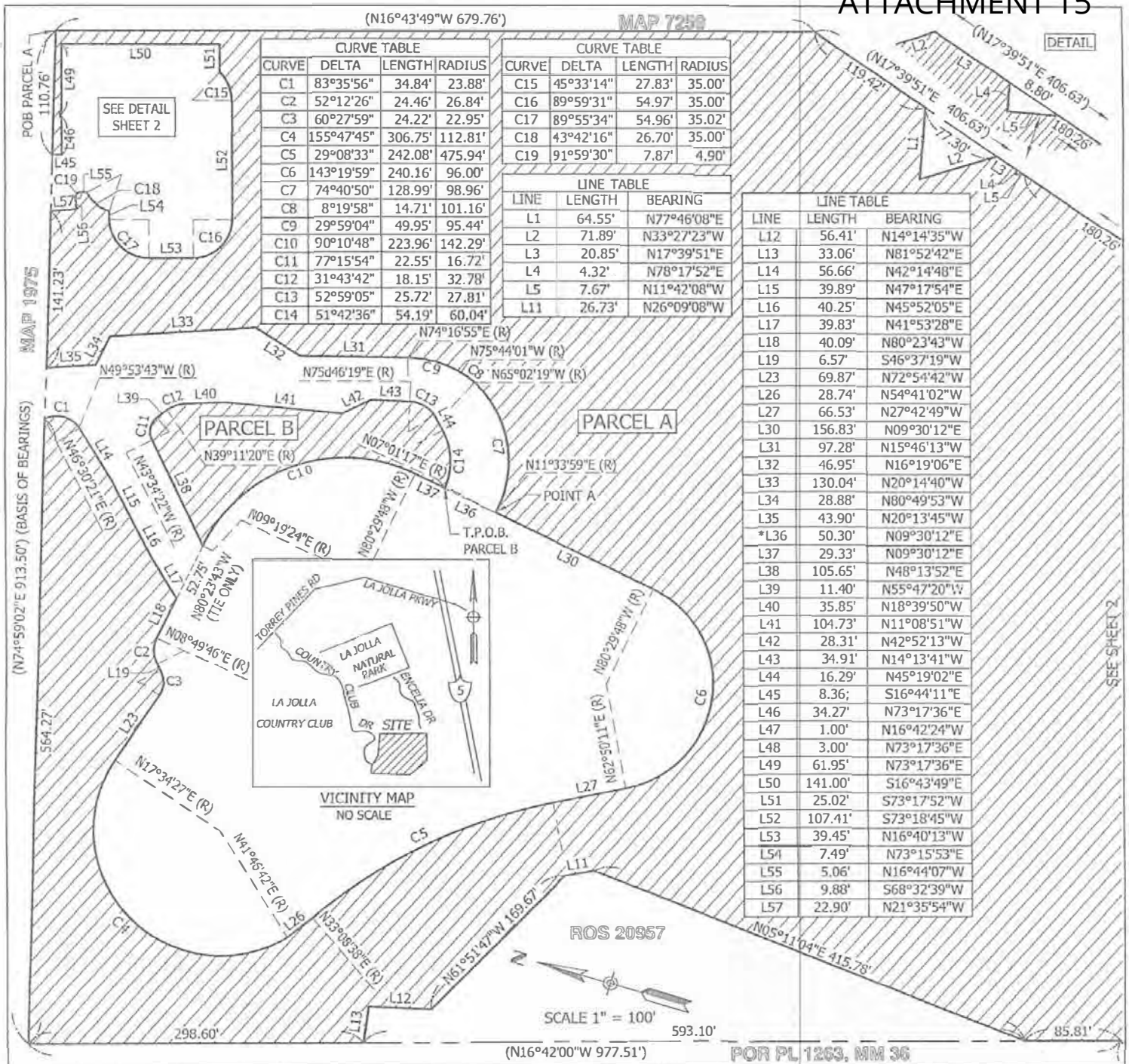
VERNON FRANCK, PLS 7927

DATE

PTS NO. 489320

I.O. NO. 24005417

DWG NO. 39450-B



BASIS OF BEARINGS

FOR THIS DRAWING IS THE NORTHERLY LINE OF ROS 20957
I.E., N74°59'02"E

REFERENCES

ROS 20957, MAP 2167, MAP 1975, MM 36
DEED DOC. NO. 2016-0066976, REC 02/17/2016
APN: 352-300-08 AND 09

LEGEND

() RECORD DATA PER ROS 20957
* TIE LINE ONLY



COVENANT OF EASEMENT ACQUIRED
PARCEL A: 807,901.26 SQ. FT. / 18.547 ACRES
PARCEL B: 17, 474.14 SQ. FT. / 0.401 ACRES
TOTAL AREA: 825,375.40 SQ. FT. / 18.948 ACRES

METROPOLITAN MAPPING
3712 30TH STREET
SAN DIEGO, CA 92104
(619) 564-6091



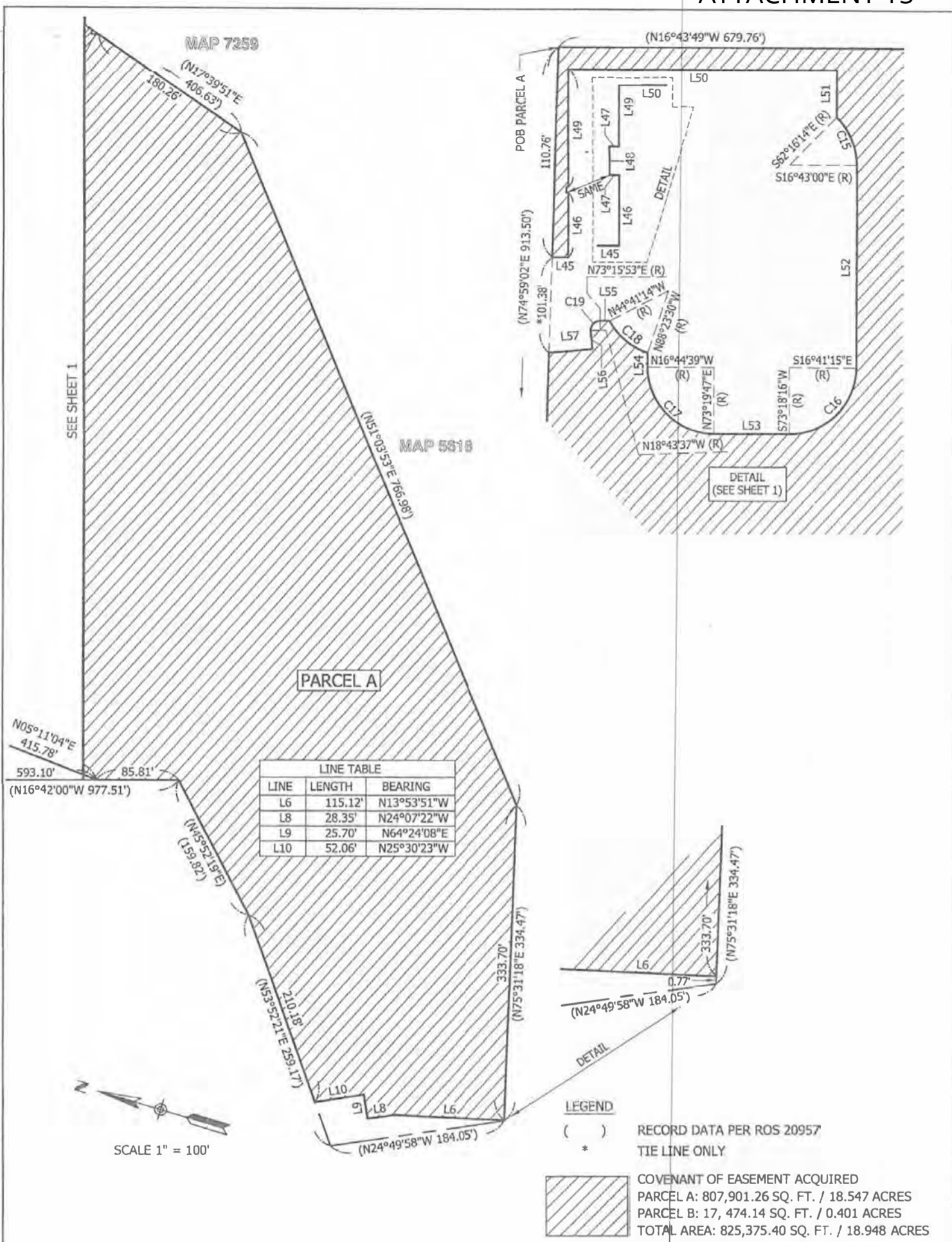
VVF
VERNON V. FRANCK, PLS 7927
6/20/16
DATE

RESOLUTION No. _____
RECORDED _____
DOCUMENT No. _____
RECORDED _____

COVENANT OF EASEMENT

WITHIN A PORTION OF PUEBLO LOT 1263, ACCORDING TO MISCELLANEOUS MAP 36,
DESCRIBED IN DEED DOC. #2016-0066976, REC. 02/17/2016 O.R., AND SHOWN ON ROS 20957

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	PTS
ORIGINAL	MM				SHEET 1 OF 2 SHEETS	489320
					<i>Vernon V. Franck</i> FOR CITY LAND SURVEYOR	I.O. 24005417
					6/21/16 DATE	1884-6249
						CCS 83 COORDINATES
						244-1689
						NAD 27 COORDINATES
						39450-B
					STATUS	



COVENANT OF EASEMENT

WITHIN A PORTION OF PUEBLO LOT 1263, ACCORDING TO MISCELLANEOUS MAP 36, DESCRIBED IN DEED DOC. #2016-0066976, REC. 02/17/2016 O.R., AND SHOWN ON ROS 20957

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	PTS
ORIGINAL	MM				SHEET 2 OF 2 SHEETS	489320
					<i>FOR CITY LAND SURVEYOR</i>	I.O. 24005417
					<i>6/29/16</i> DATE	1884-6249
						CCS 83 COORDINATES
						244-1689
						NAD 27 COORDINATES
						39450-B
STATUS						



San Diego County



ATTACHMENT 15

Transaction #: 502663
Receipt #: 2016161211

Ernest J. Dronenburg, Jr.
Assessor/Recorder/County Clerk
1600 Pacific Highway Suite 260
San Diego, CA 92112-1750
Tel. (619) 238-8158 Fax (619) 557-4155
www.sdarcc.com

Cashier Date: 06/24/2016
Cashier Location: SD

Print Date: 06/24/2016 1:56 pm

DEVELOPMENT SERVICES DEPARTMENT
1222 FIRST AVENUE MS-401
SAN DIEGO, CA 92101

Payment Summary

Total Fees:	\$116.00
Total Payments:	\$0.00
Balance Due:	\$116.00
Total Charged:	\$116.00

1 Recorded Item

OFFICIAL RECORD -1

Document #: 2016-0314729 Date: 06/24/2016 1:55PM Pages: 17

Fees:	Recording	\$63.00
Fees:	Non Conforming Page Size	\$51.00
Fees:	Copies	\$2.00
Total Fees Due:		\$116.00

Grand Total - All Documents:

\$116.00

The Reserve

CDP (PMT #3172975), SDP (PMT #3172976), TM (PMT #3172977), PDP (PMT-3276492)

6850 Country Club Dr. La Jolla, CA 92037

Governing Building Codes

1. All construction, including material and workmanship shall conform to the following California Building Codes:
 - A. 2022 California Building Code (Title 24 Part 2)
 - B. 2022 California Residential Code (Title 24 Part 2.5)
 - C. 2022 California Electrical Code (Title 24 Part 3)
 - D. 2022 California Mechanical Code (Title 24 Part 4)
 - E. 2022 California Plumbing Code (Title 24 Part 5)
 - F. 2022 California Energy Code (Title 24 Part 6)
 - G. 2022 California Fire Code (Title 24 Part 9)
 - H. 2022 Cal Green Code (Title 24 Part 11)
 - I. 2022 California Building Energy Efficiency Standards
2. Wherever code or California Building Code (CBC) is referred in the following general notes or other note sections, it shall imply the CBC code with governing agency amendments.
3. Local Jurisdiction Municipal Code and Amendments
4. All demolition work shall comply with CFC Ch 33. All other work shall comply with CFC Ch 11.

Zoning Code Analysis

Per City of San Diego Municipal Code

Zoning	RS-1-4
Max Permitted Density (DU per lot)	1
Lot Area (Minimum)	10,000
Lot Width (Minimum)	65
Street Frontage (Minimum)	65
Lot Depth	100
Front Setback (Minimum)	20
Side Setback (Minimum, multiply by actual lot width)	0.08
Street Side Setback (Minimum, multiply by actual lot width)	0.10
Rear Setback (Minimum)	20
Max Structure Height	24/30

Parcel Information

Overlays	La Jolla Community Plan
Coastal Height Limit	Yes
Coastal (State)	Yes
Coastal (City)	Yes
Fire Hazard Severity Zone	Yes
Parking Impact	Yes
Sensitive Biologic Resources	Yes
Steep Hillside	Potential
Geologic Hazard Categories	22, 26

Building Code Analysis

Occupancy	R-3
Type of Construction	Type V-B
Allowable Number of Stories	4
Allowable Height	60'
Allowable Area	Unlimited
Sprinklers	Yes

Prior Permits/ Approvals

1. Discretionary Permits/Approvals
 - A. Site Development Permit: 1050407
 - B. Planned Development Permit: 1050409
 - C. Coastal Development Permit: 1050394
 - D. Vesting Tentative Parcel Map: 1050354
2. Building and Grading Permits on original Parcel 2 (now 7111 Encelia Dr)
 - A. Building: PTS 655578
 - B. Grading: PTS 666760

Legal Description

The land referred to herein below is situated in The City of San Diego, in the County of San Diego, State of California, and is described as follows:

Parcel A: APN: 352-300-11-00
Parcel 3 of Parcel Map No. 21506, in the City of San Diego, County of San Diego, State of California, according to map thereof filed in the Office of The County Recorder of San Diego County October 11, 2017, as Instrument No. 2017-7000389 of Official Records.

Parcel B:
An Easement and right of way for road, sewer line, water lines and other Public Utility purposes, over Easement and Right of Way No. 2 as reserved and described in Deed to Neale-Baldwin Company, recorded February 17, 1954, in Book 5144, Page 52 of Official Records.

Parcel C:
An Easement and Right of Way for ingress and egress for construction, maintenance, and repair for sewer line purposes and appurtenances thereto as granted in the Grant Deed, recorded January 27, 1960, as Instrument No. 17085 of Official Records, over that portion of the Southerly 20 feet of Pueblo Lot 1263 of the Pueblo Lands of San Diego, in the City of San Diego, County of San Diego, State of California, according to Map thereof made by James Pascoe in 1870, a copy of which said Map was filed in the Office of the County Recorder of San Diego County, and known as Miscellaneous Map No. 36, lying Westerly of the Southerly prolongation of the Easterly line of Lot 10 of La Jolla Country Club Estates, according to Map thereof No. 2167, filed in the Office of the County Recorder of San Diego County, and lying Easterly of the Southeasterly boundary of La Jolla Country Club Heights, Unit No. 2, according to Map thereof No. 2165, filed in the Office of the County Recorder of San Diego County.

Parcel D:
An Easement for vehicular and pedestrian ingress and egress and for the purposes of installing, maintaining, and repairing roadway and utilities over those portions of Lot 3 in the La Jolla Country Club Estates according to Map No. 2167 thereof, recorded July 31, 1929, in the Office of the County Recorder, San Diego County as conveyed in the agreement recorded September 25, 2013 as Instrument No. 2013-0585763 of Official Records.

Parcel E:
An Easement for vehicular and pedestrian ingress and egress and for the purposes of installing, maintaining, and repairing roadway and utilities over those portions of Lot 4 in the La Jolla Country Club Estates according to Map No. 2167 thereof, recorded July 31, 1929 in the Office of the County Recorder, San Diego County as conveyed in the agreement recorded September 25, 2013 as Instrument No. 2013-0585764 of Official Records.

Parcel F:
An Easement for vehicular and pedestrian ingress and egress and for the purposes of installing, maintaining and repairing roadway and utilities over that real property situated in the City of San Diego, County of San Diego, State of California, being a portion of Pueblo Lot 1263 of the Pueblo Lands of San Diego according to the Map thereof made by James Pascoe in 1870, a copy of which was filed in the Office of the County Recorder of said San Diego County November 14, 1921 and known as Miscellaneous Map No. 36, as conveyed in the agreement recorded September 25, 2013 as Instrument No. 2013-0585765 of Official Records.

Parcel G:
An Easement for vehicular and pedestrian ingress and egress, the installation, maintenance, repair, replacement, or future upgrades or improvement of any roadway and pedestrian improvements, and the installation maintenance, repair, replacement or future upgrades or improvement of any utilities or drainage lines all of which must be located underground as conveyed and described in the "Agreement for Grant of Easement for Private Roadway and Utilities" Recorded May 16, 2014 as Instrument No. 2014-0202074 of Official Records.

Parcel Information

Project Address	6850 Country Club Dr. La Jolla, CA 92037	
Assessors Parcel Number	352-300-11-00	
Site Area	22.21 acres	967,467.60 SF
Legal Description		

Project Team

Architect:
Coston Architects Inc.
8415 La Mesa Blvd, Suite 4
La Mesa, CA 91942
Contact: Kent Coston
kc@costonarchitects.com
619-518-8071

Owner:
La Jolla Reserve LLC
10452 Coyote Hill Glen
Escondido, CA 92026
Contact: Mari Waldron
mwaldron@manchesterfinancialgroup.com
619-678-0406

Civil Engineer:
Son Engineering
PO Box 1707
Alpine, CA 91903
Contact: Son Nguyen
Son@soncivil.com
619-770-9339

Deviations Requested

1. Lots 1-5 propose no frontage along public street. Lot C is proposed as private road fronting Lots 1-5.

Sheet Index

	Sheet Name	Issue Date	Revision	
			#	Issue Date
A0.0	CDP Cover Sheet	05/31/22		
A1.00	Site Plan	06/15/22		
A2.10	Lot 1- Plans & Elevations	05/02/22		
A2.20	Lot 2- Plans & Elevations	05/02/22		
A2.30	Lot 3- Plans and Elevations	05/31/22		
A2.40	Lot 4- Plans & Elevations	05/31/22		
A2.50	Lot 5- Plans & Elevations	05/31/22		
L-1.0	Landscape Site Plan	04/14/23		
L-2.0	Landscape Concept Plan	04/14/23		
L-3.0	Landscape Concept Plan	04/14/23		
L-4.0	Landscape Concept Plan	04/14/23		
L-5.0	Landscape Concept Plan	04/14/23		
L-6.0	Landscape Concept Plan	04/14/23		

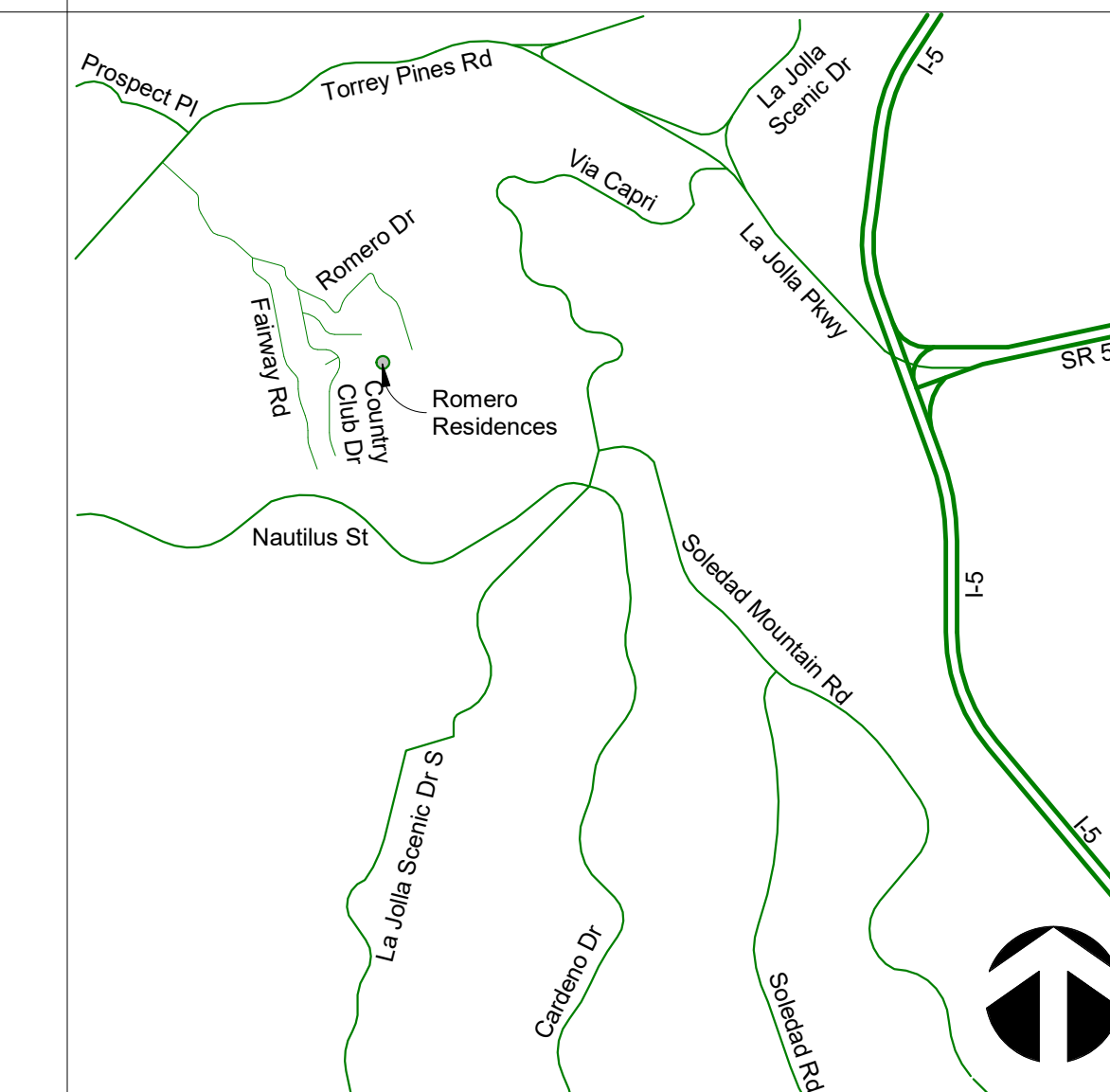
Scope Of Work

1. Coastal Development Permit (PMT #3172975), Site Development Permit (PMT-3172976), Tentative Map (PMT-3172977) & Planned Development Permit (PMT-#####) amending Coastal Development Permit No. 1050394, Site Development Permit No. 1040407, Planned Development Permit No. 1050409, Project No. 292065 (MMRP).
2. Subdivision to create (8) Lots in total, broken down as: (5) residential lots (Lots 1-5) each with a new 3-level single family residence with pool, (2) lots with no development (Lots A and B) and (1) access and utilities easement area (Lot C)
3. Lot C to also serve as private road with access and frontage to all residential lots
4. New sitework including biofiltration basins, foundational retaining walls and landscaping
5. Project to be conditioned to obtain Grading Permit

Lot Zoning Analysis

	Allowed	Lot 1 Actual	Lot 2 Actual	Lot 3 Actual	Lot 4 Actual	Lot 5 Actual
Min Lot Area	10,000 SF	19,401 SF	32,137 SF	31,144 SF	31,350 SF	32,202 SF
Lot Width	65 FT	202.5 FT	101.25 FT	115 FT	99.5 FT	89.25 FT
Street Frontage	65 FT	none	none	none	none	none
Lot Depth	100 FT	122.8 FT	267.8 FT	211.5 FT	255.75 FT	291 FT
Front Setback	20 FT	20 FT	20 FT	20 FT	20 FT	20 FT
Side Setback	0.08 x Width	16.2 FT	8.11 FT	9.2 FT	7.95 FT	7.14 FT
Rear Setback	20 FT	20 FT	20 FT	20 FT	20 FT	20 FT
Max Structure Height	24/30	24/30	24/30	24/30	24/30	24/30
Max Paving/Hardscape	60%	23%	21%	18%	20%	28%
Max FAR	0.45	0.44	0.34	0.43	0.37	0.36
Max 3rd Story Width	70% Width	N/A	N/A	N/A	N/A	N/A
Max 3rd Story Depth	100% Width or 50% Depth	N/A	N/A	N/A	N/A	N/A

Vicinity Map



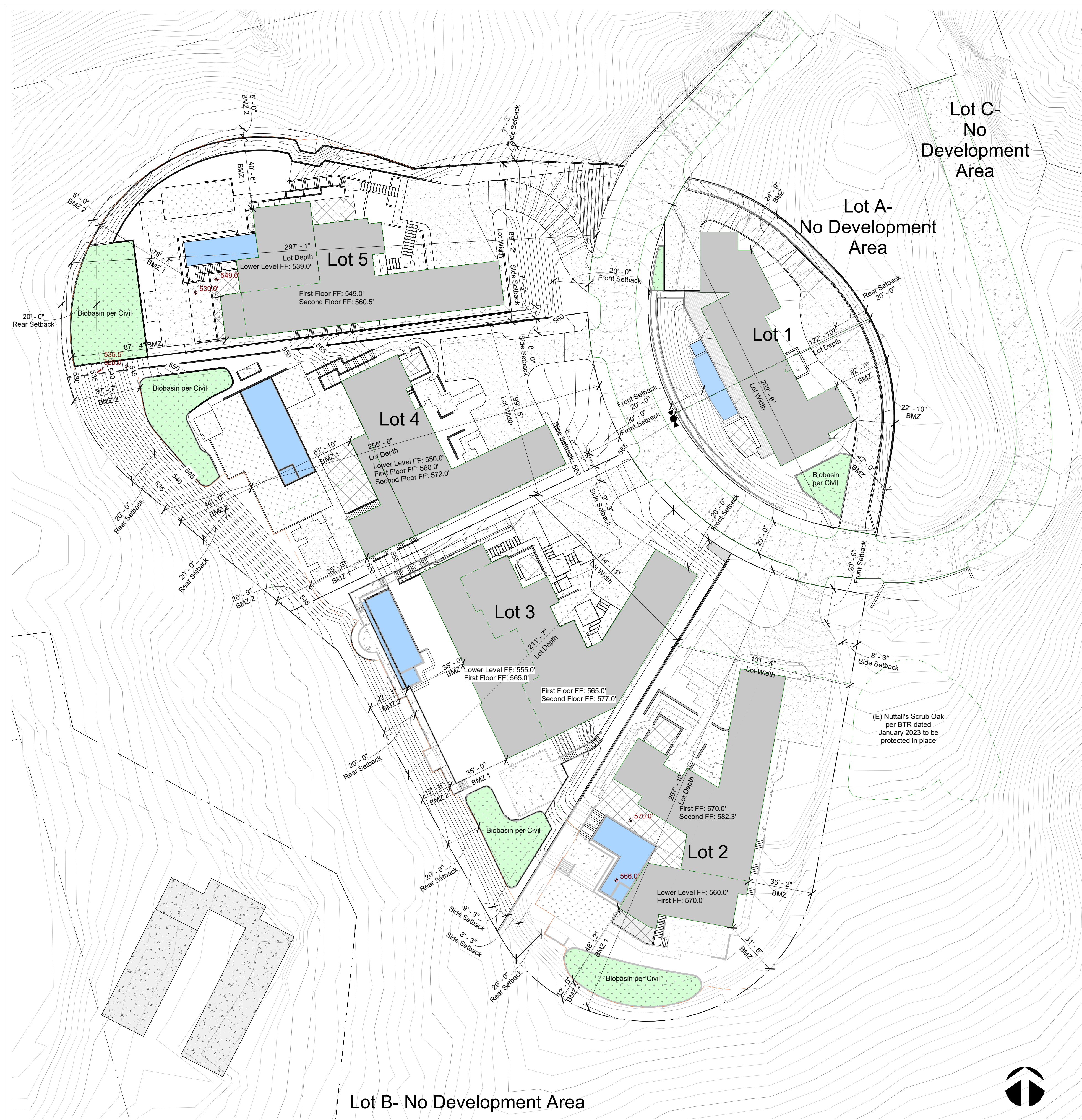
The Reserve
CDP (PMT #3172975), SDP (PMT #3172976),
TM (PMT #3172977), PDP (PMT-3276492)
6850 Country Club Dr.
La Jolla, CA 92037

CDP Cover Sheet

DATE	05/31/22	Revision Schedule	
DRAWN	CAI		
PROJECT			A0.0



Overall Site Plan
1" = 100'-0" 1



Enlarged Site Plan
1" = 30'-0" 2

Notes

- Stormwater Notes
 - See Tentative Map Plans for Property Line and Stormwater information.
 - Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.
 - No additional run-off is proposed for the discharge locations. Suitable energy dissipaters are to be installed to reduce the discharge to non-erodible velocities. Multiple storm water discharge locations will be used to mimic the existing drainage pattern.
 - No additional run-off is proposed for the discharge locations.
- Landscape Notes
 - Site walls over 6' in height to be 50% visibly screened with plantings upon installation, 80% covered by plants on exposed wall face at maturity.
 - BMZ Alternative Compliance proposed for BMZs at all lots.
 - Lot 1: Minimum 8' Tall Masonry Wall proposed at back-side of driveway as shown on Civil and Landscape Drawings.
 - Lots 1-5: Dual Pane/Dual Tempered glass will be required at all facades facing the Existing Covenant of Easement/Environmentally Sensitive Lands.

Legend

- Proposed Single Family Residence
- Future Pool
- BMP per Civil
- Limit of BMZ 1 (BMZ 2 goes to limit of property unless otherwise noted)
- Setback

Parking Analysis

Lot	DU	Parking Proposed
1	1	2-spaces
2	1	2-spaces
3	1	2-spaces
4	1	2-spaces
5	1	2-spaces

No parking required or proposed at Lots A, B and C since no development is being proposed at these Lots. Parking for Lots 1-5 shown in attached garage to the primary dwelling structure.

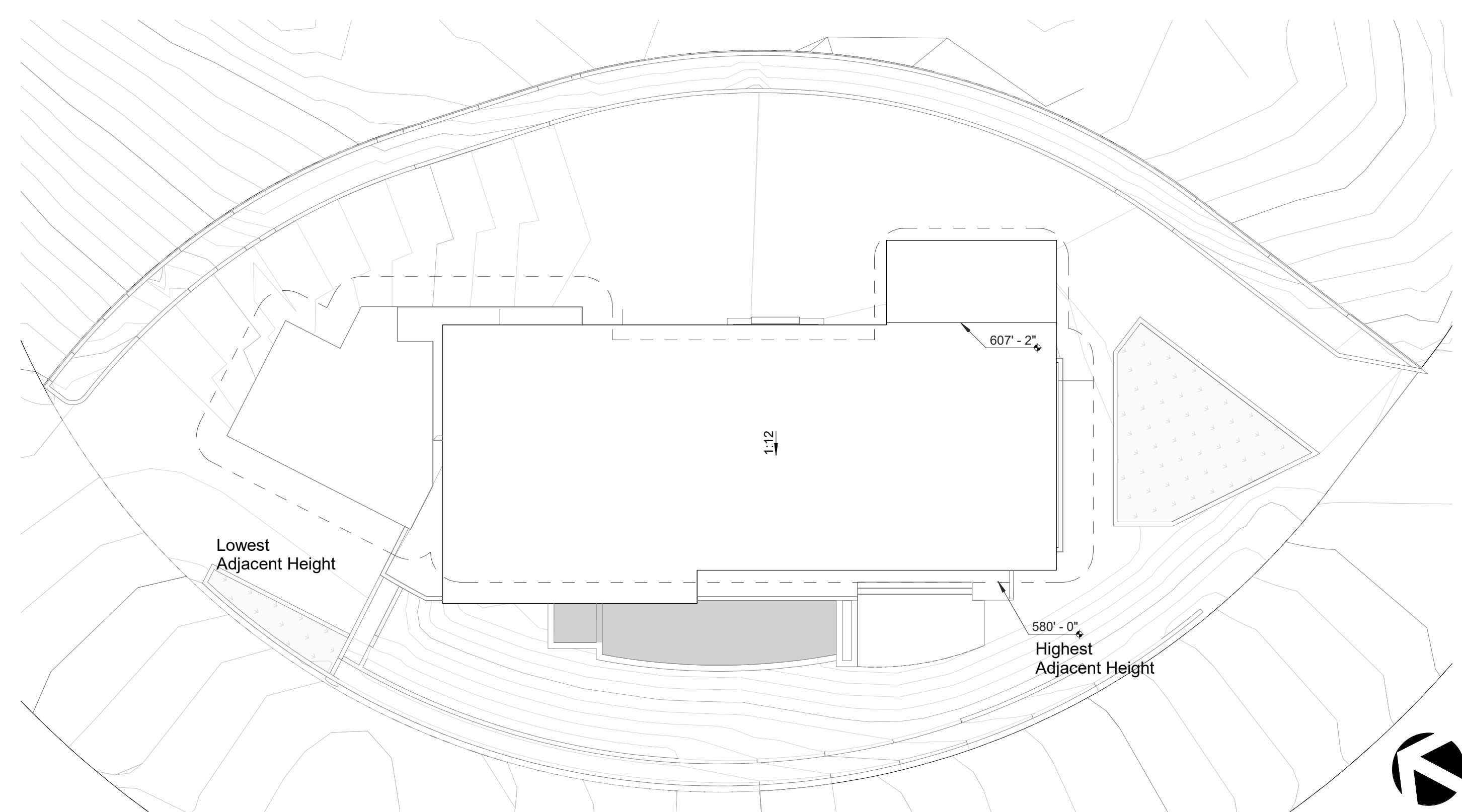


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Site Plan	
DATE	Revision Schedule
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PROJECT	
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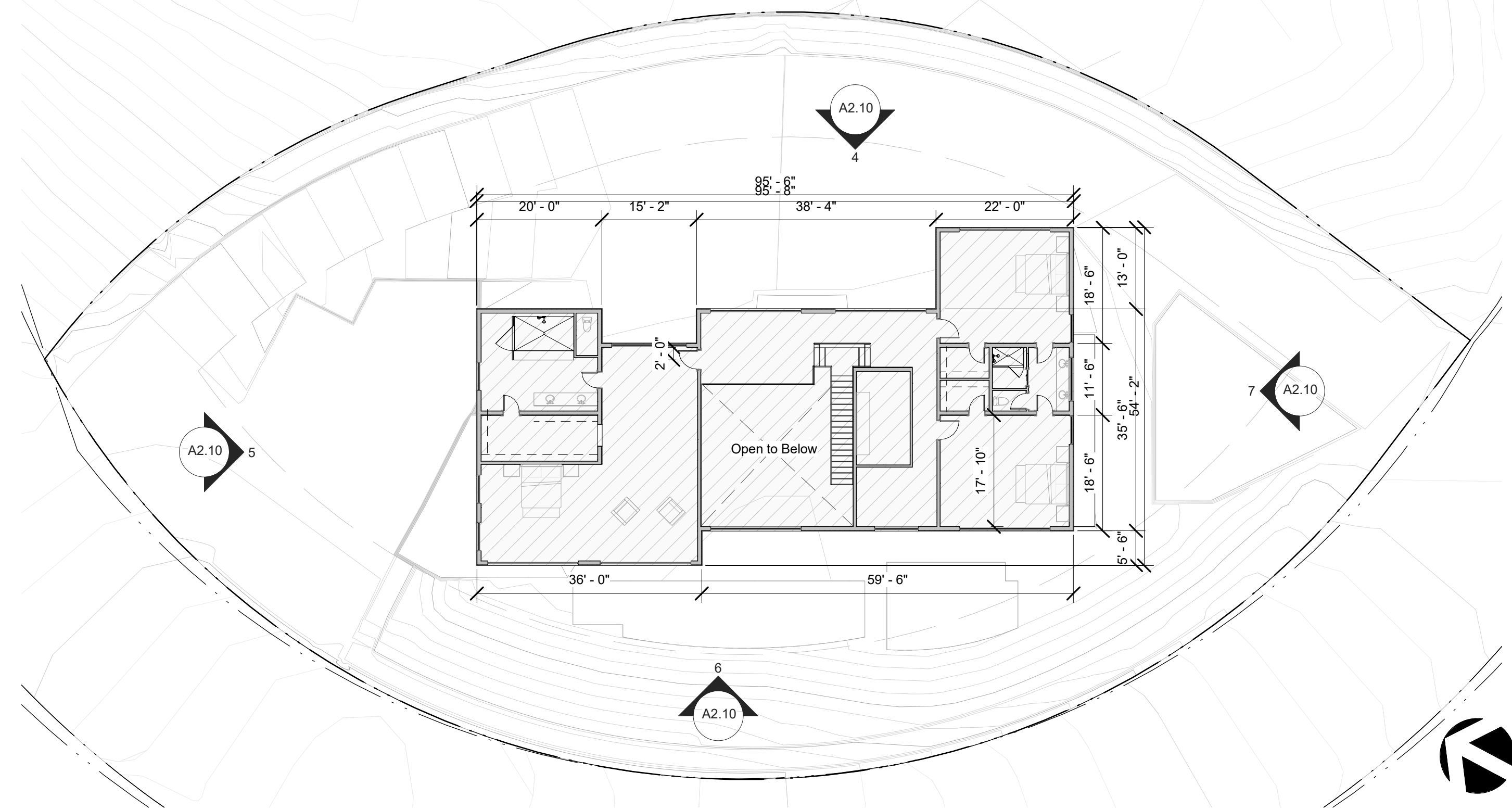
Front Elevation
1/16" = 1'-0" 4



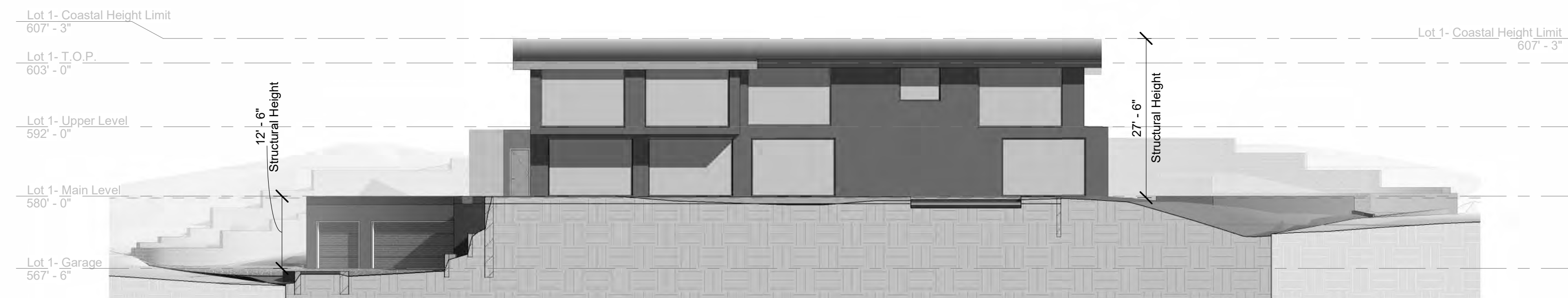
Roof Plan
1/16" = 1'-0" 3



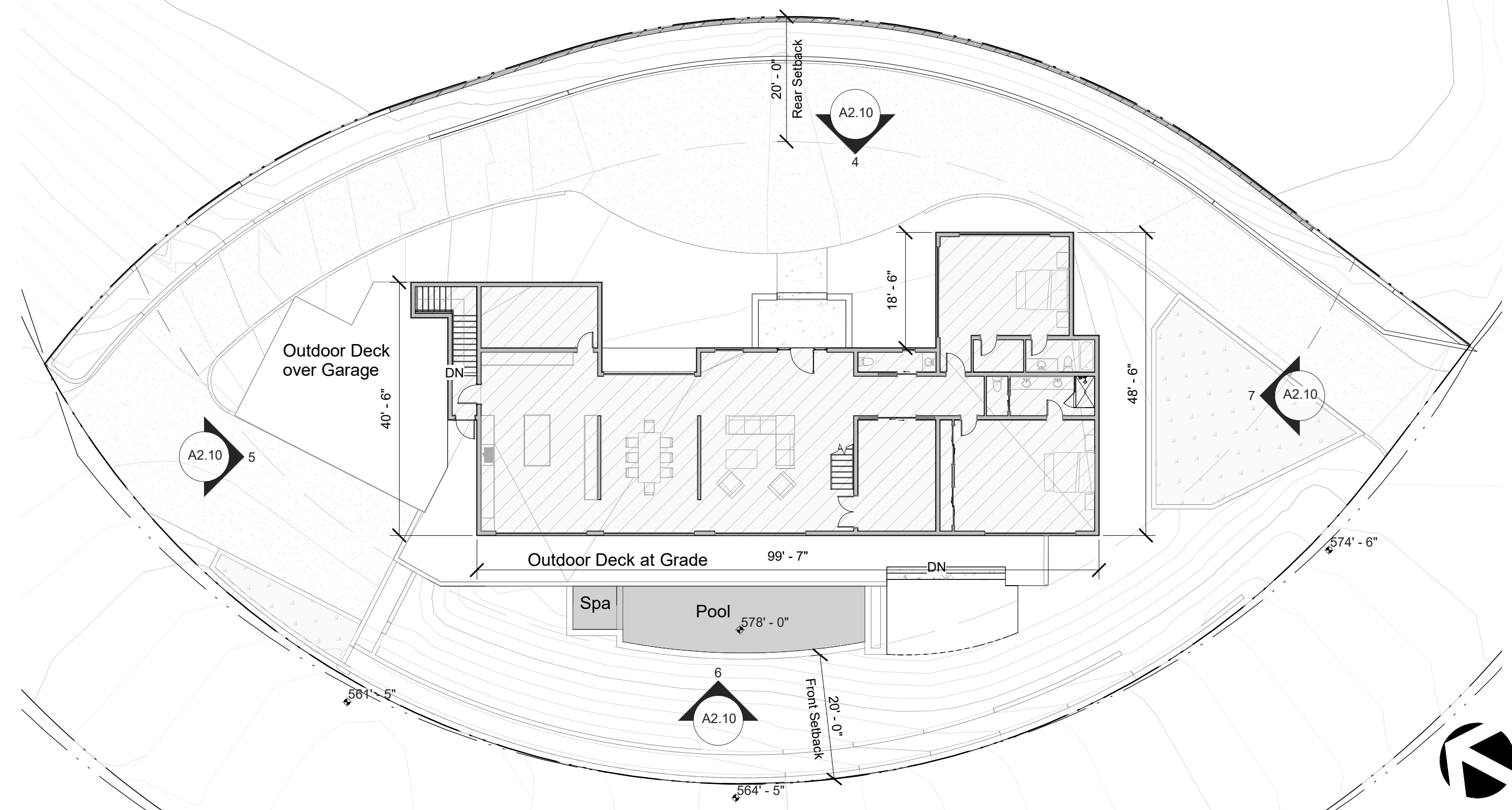
Right Elevation
1/16" = 1'-0" 5



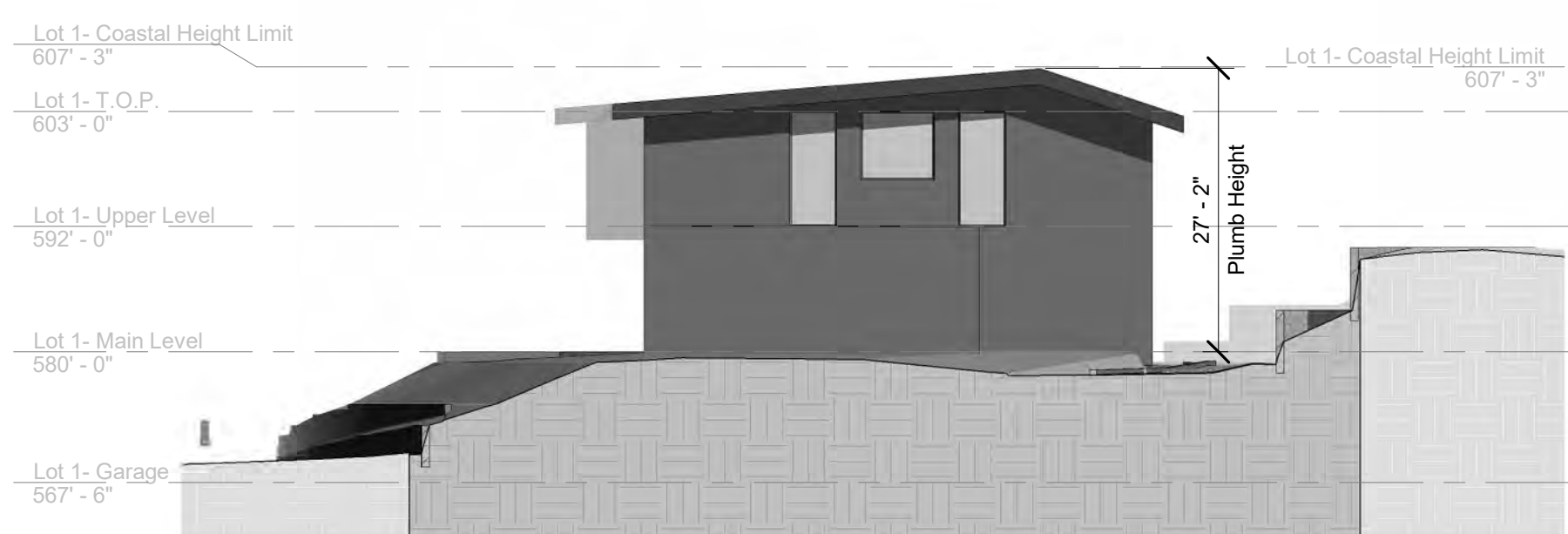
Second Floor Plan
1/16" = 1'-0" 2



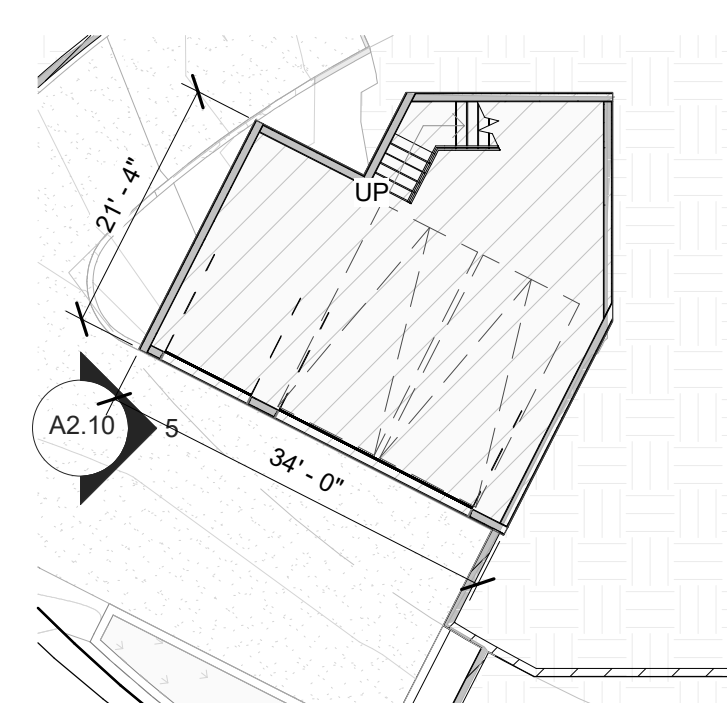
Back Elevation
1/16" = 1'-0" 6



First Floor Plan
1/16" = 1'-0" 1



Left Elevation
1/16" = 1'-0" 7



Garage Plan
1/16" = 1'-0" 1A

Coastal Height

- Coastal Height Datum Calculations:
- Lowest Grade: 567'-3"
 - Highest Grade: 580'-0"
 - Differential: 12'-9"

Since differential between lowest and highest grade at 5' distance from structure is greater than 10', the full 10' additional structure height to be added to max overall.

- Lowest Grade: 567'-3"
- 10' Grade Differential: 577'-3"
- Max Overall Structure Height Permitted: 607'-3"

Area

Level	Name	Area
Lot 1 - Main Level	House 1 - Living Space	3707.20 SF
Lot 1 - Upper Level	House 1 - Living Space	3813.46 SF
Lot 1 - Garage	House 1 - Garage	972.25 SF
		8492.91 SF

FAR: 8,493 SF / 19,401 SF = 0.44

Lot 1 Zoning Analysis

	Allowed	Lot 1 Actual
Min Lot Area	10,000 SF	19,401 SF
Lot Width	65 FT	202.5 FT
Street Frontage	65 FT	none
Lot Depth	100 FT	122.8 FT
Front Setback	20 FT	20 FT
Side Setback	0.08 x Width	16.2 FT
Rear Setback	20 FT	20 FT
Max Structure Height	24/30	24/30
Max Paving/Hardscape	60%	23%
Max FAR	0.45	0.44
Max 3rd Story Width	70% Width	N/A
Max 3rd Story Depth	100% Width or 50% Depth	N/A

Front Yard Hardscape Calcs

Total Front Yard: 5293 SF
Front Yard Landscape: 3530 SF
Front Yard Hardscape: 1763 SF

FY Hardscape %: 1763 SF / 5293 SF = 33.31% = **33%**

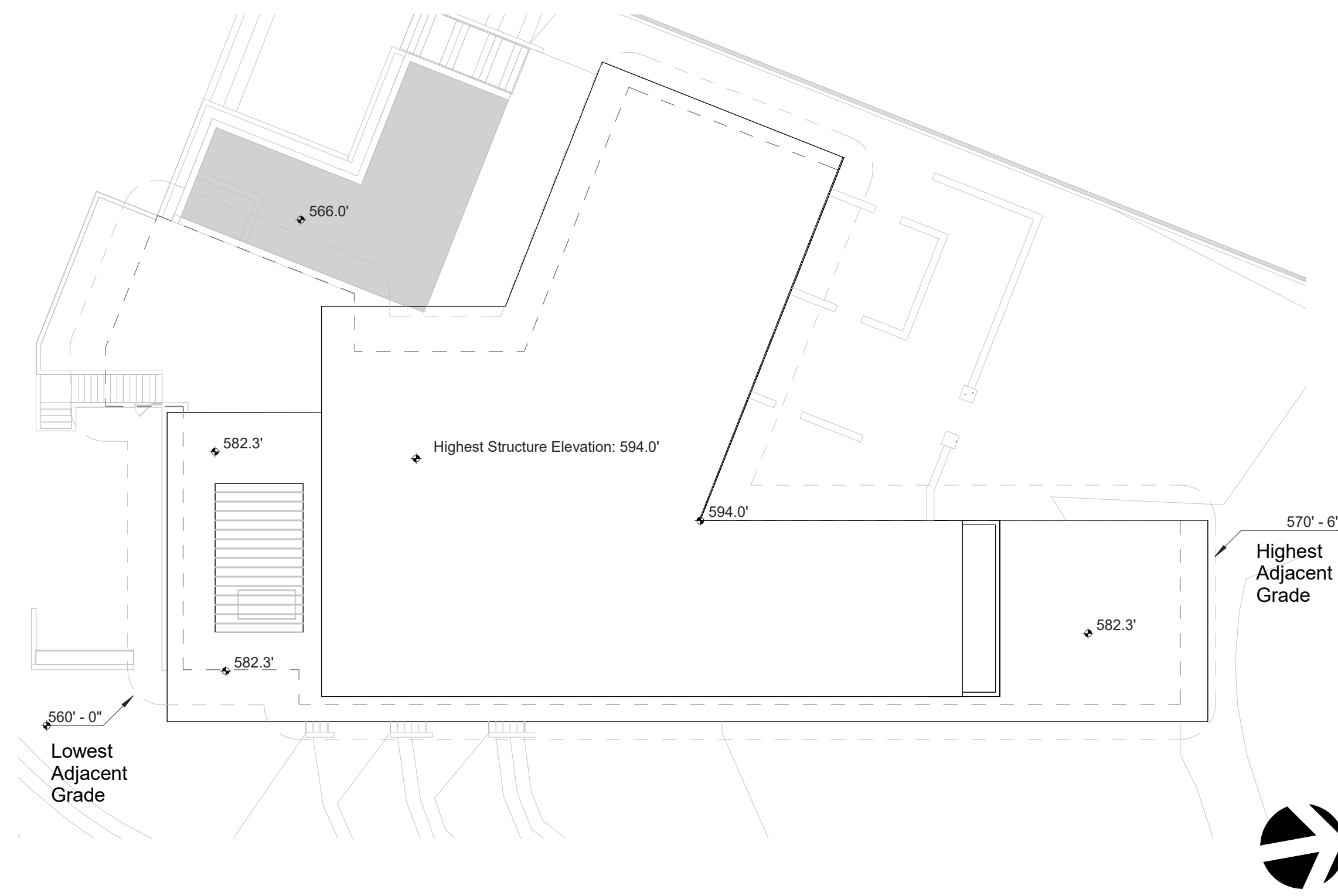
FY Hardscape % is less than SDMC 131.0447 allowed max. of 60%.



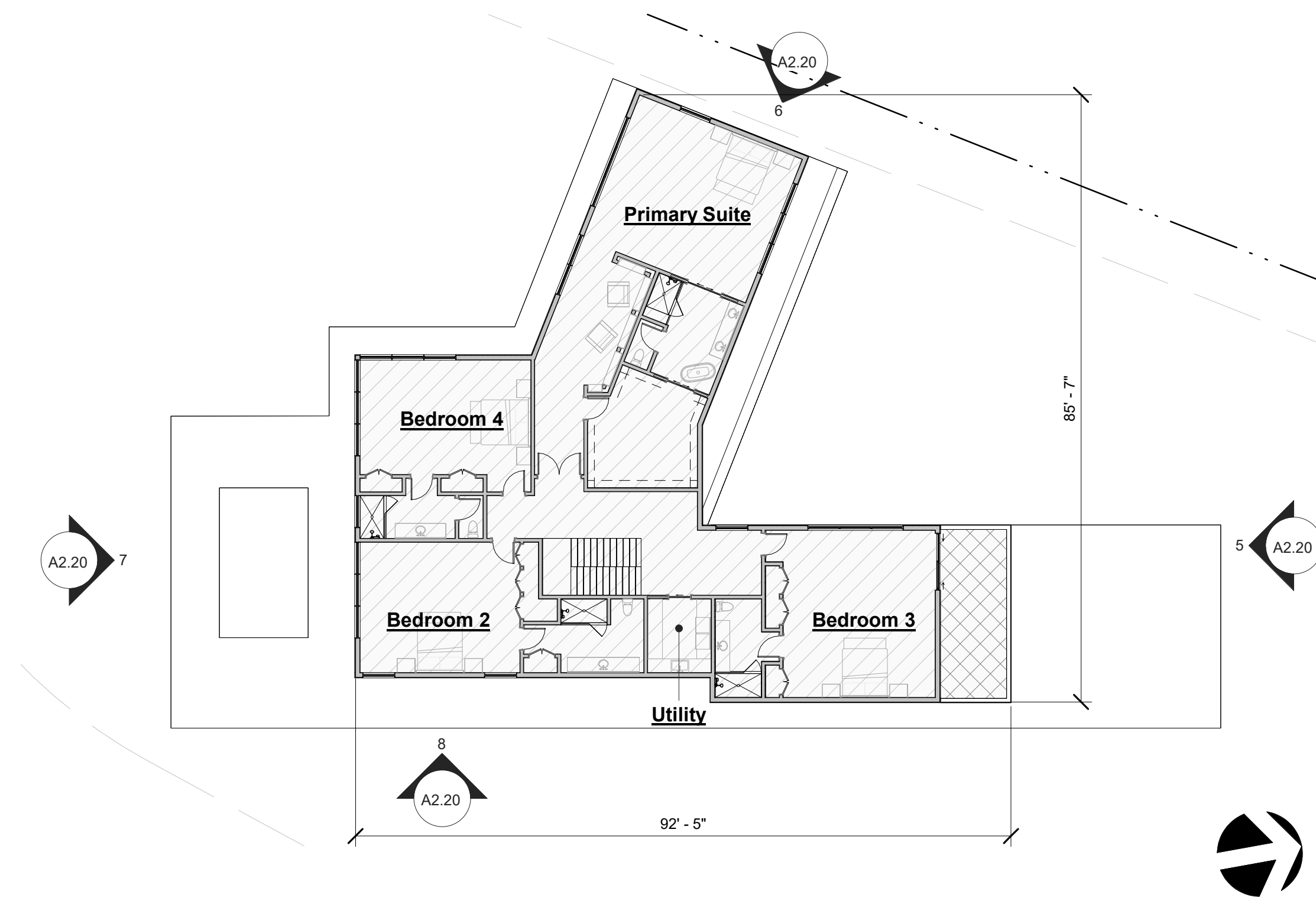
The Reserve
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Lot 1 - Plans & Elevations

DATE	Revision Schedule
	05/02/22
DRAWN	CAI
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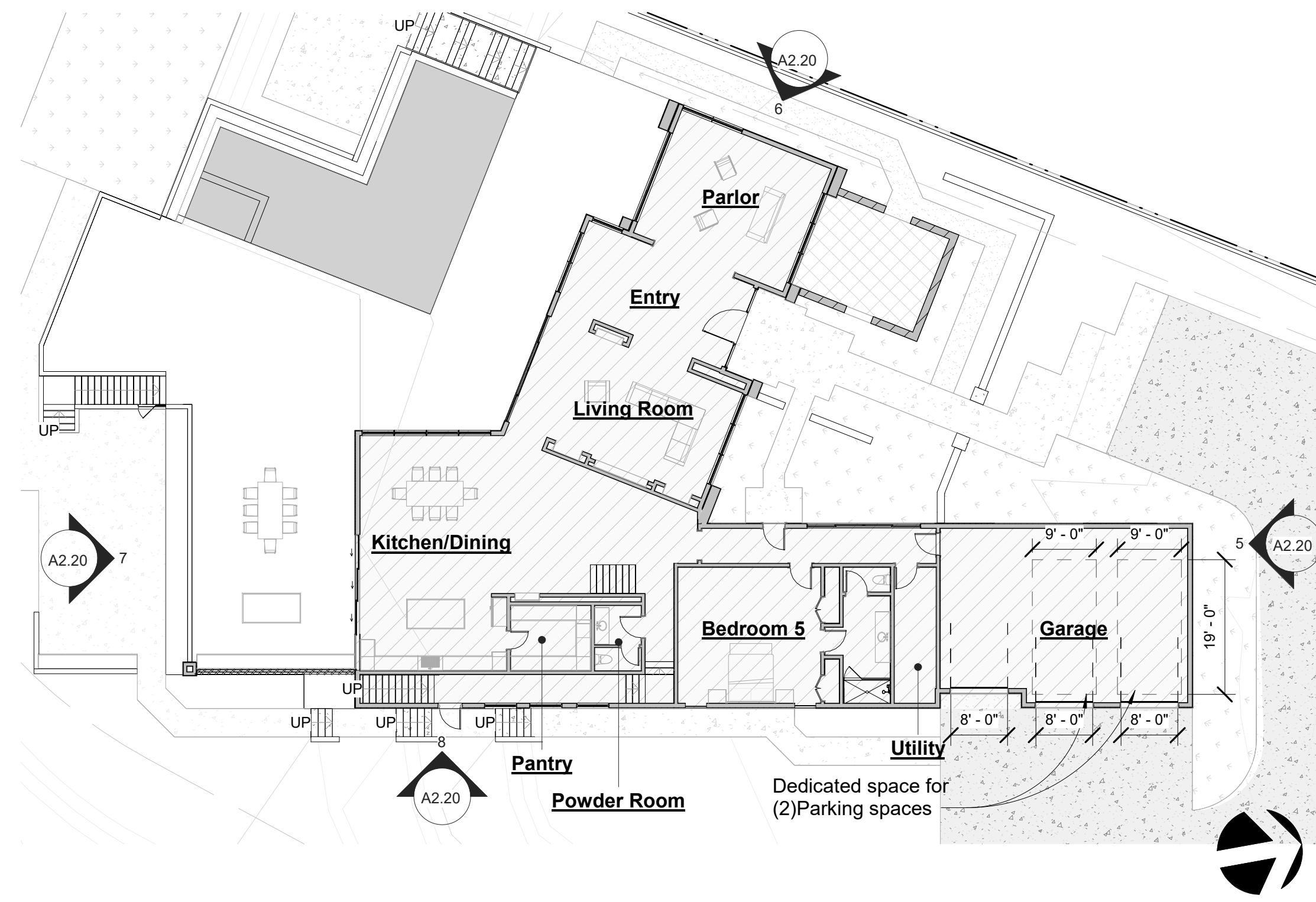
Roof Plan
1/16" = 1'-0" **4**



Second Floor Plan
1/16" = 1'-0" **3**



Front Elevation
1/16" = 1'-0" **5**



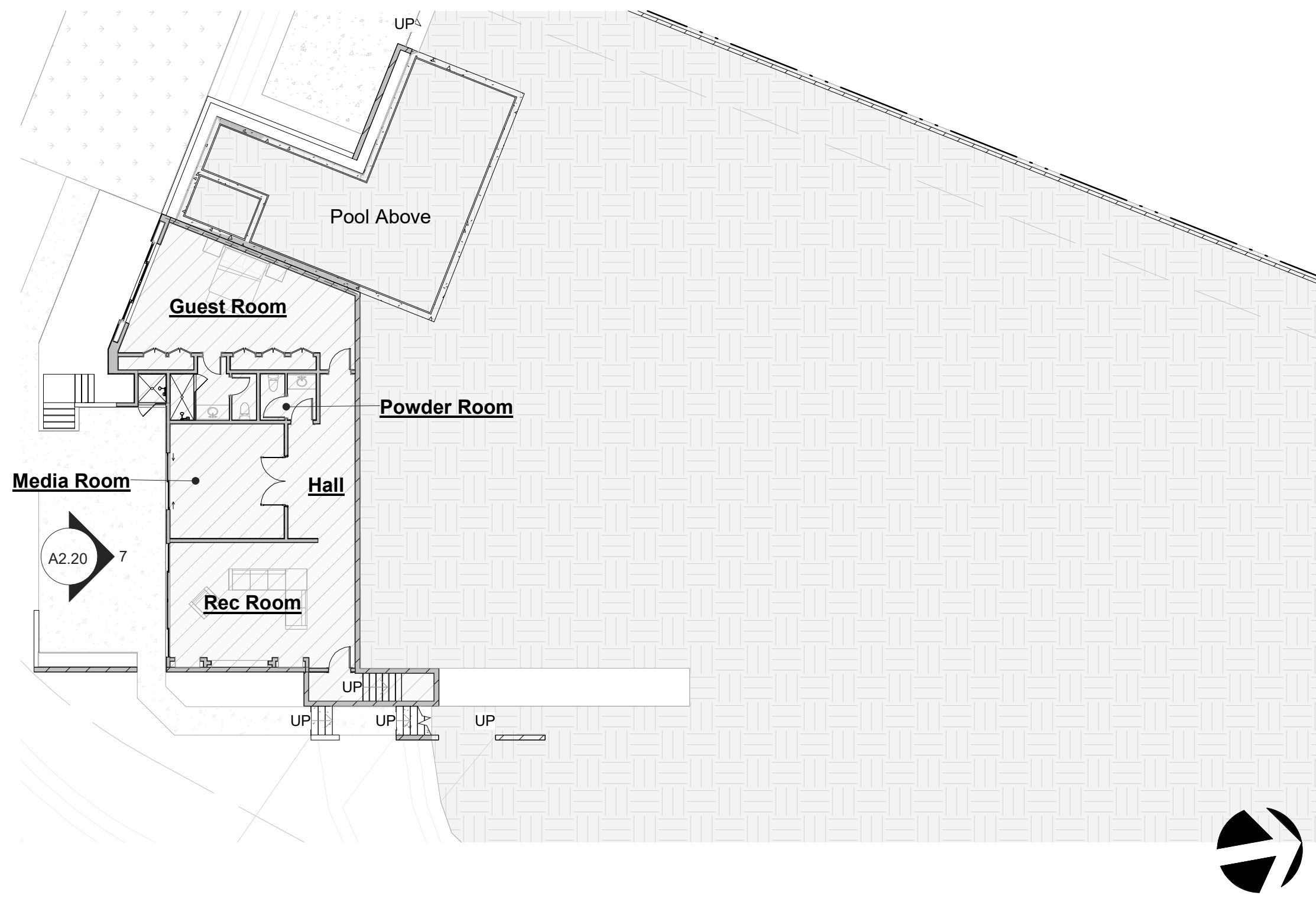
First Floor Plan
1/16" = 1'-0" **2**



Right Elevation
1/16" = 1'-0" **6**



Back Elevation
1/16" = 1'-0" **7**



Basement Floor Plan
1/16" = 1'-0" **1**



Left Elevation
1/16" = 1'-0" **8**

Coastal Height

Coastal Height Datum Calculations:
 • Lowest Grade: 560'-0"
 • Highest Grade: 570'-6"
 • Differential: 10'-6"

Since differential between lowest and highest grade at 5' distance from structure is greater than 10', 10' maximum used as grade differential.
 • Lowest Grade: 560'-0"
 • 10' Grade Differential: 570'-0"
 • Max Overall Structure Height Permitted: 600'-0"

Area

Level	Name	Area
Gross Building Area		
Lot 2- Lower Level	House 2- Living Space	1814.67 SF
Lot 2- Main Level	House 2- Living Space	4049.83 SF
Lot 2- Main Level	House 2- Garage	913.96 SF
Lot 2- Upper Level	House 2- Living Space	4013.04 SF
		10791.50 SF

FAR: 10,792 SF / 32,137 SF = 0.34

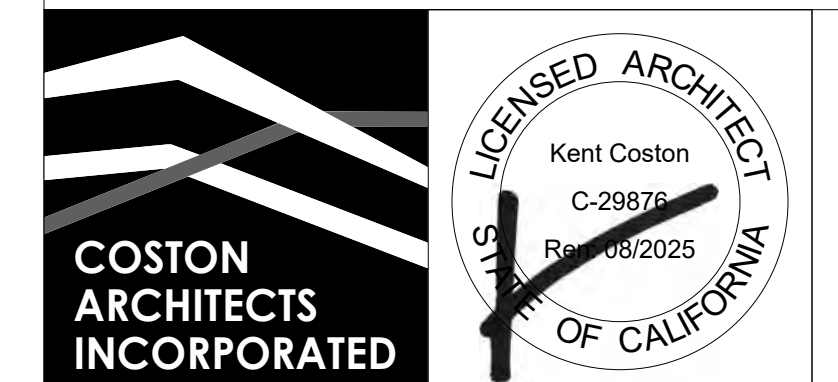
Lot 2 Zoning Analysis

	Allowed	Lot 2 Actual
Min Lot Area	10,000 SF	32,137 SF
Lot Width	65 FT	101.25 FT
Street Frontage	65 FT	none
Lot Depth	100 FT	267.8 FT
Front Setback	20 FT	20 FT
Side Setback	0.08 x Width	8 FT
Rear Setback	20 FT	20 FT
Max Structure Height	24/30	24/30
Max Paving/Hardscape	60%	21%
Max FAR	0.45	0.34
Max 3rd Story Width	70% Width	N/A
Max 3rd Story Depth	100% Width or 50% Depth	N/A

Front Yard Hardscape Calcs

Total Front Yard: 1679 SF
 Front Yard Landscape: 1329 SF
 Front Yard Hardscape: 350 SF

FY Hardscape %: 350 SF / 1679 SF = 20.85% = 21%
 FY Hardscape % is less than SDMC 131.0447 allowed max. of 60%.



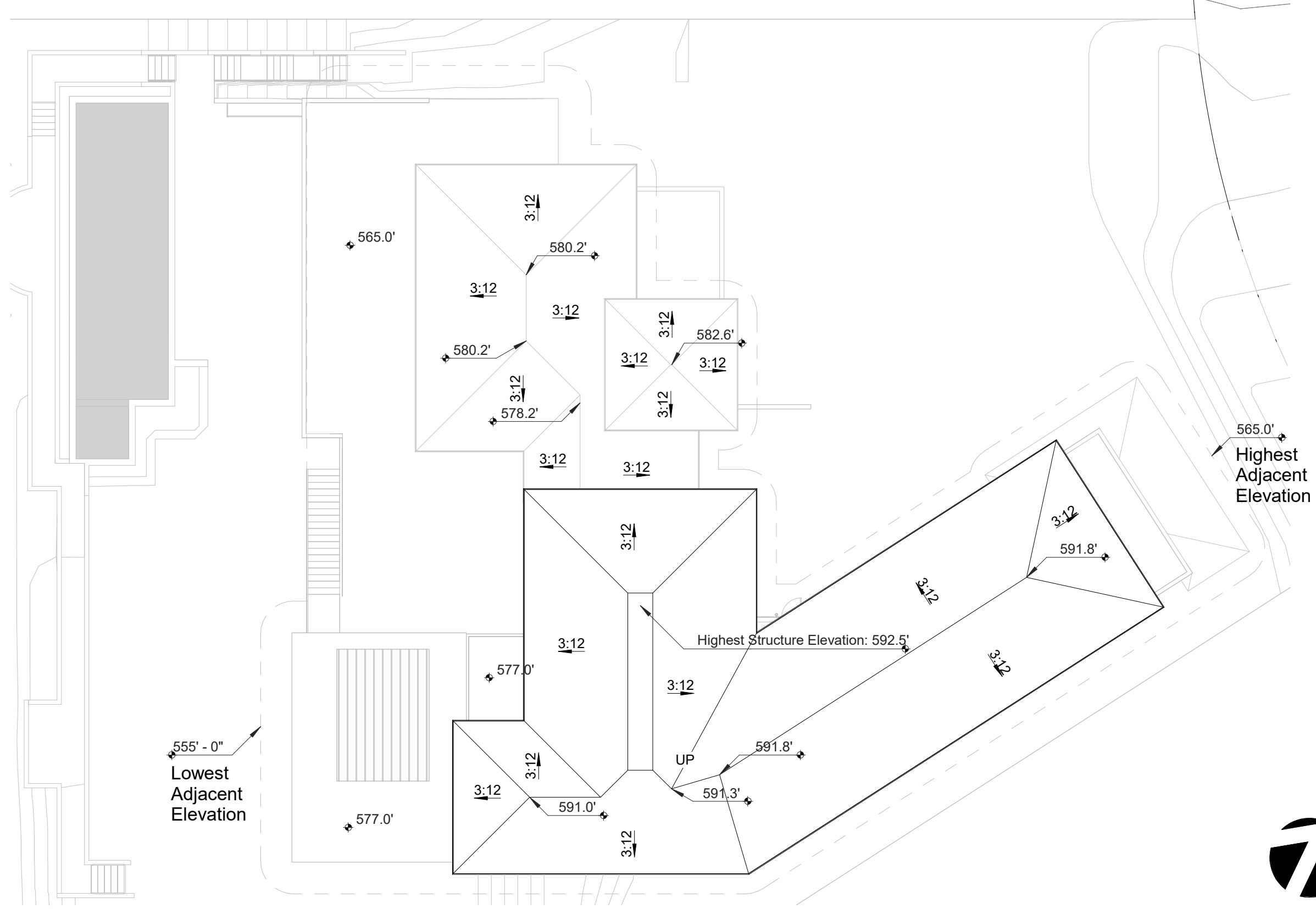
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Lot 2- Plans & Elevations

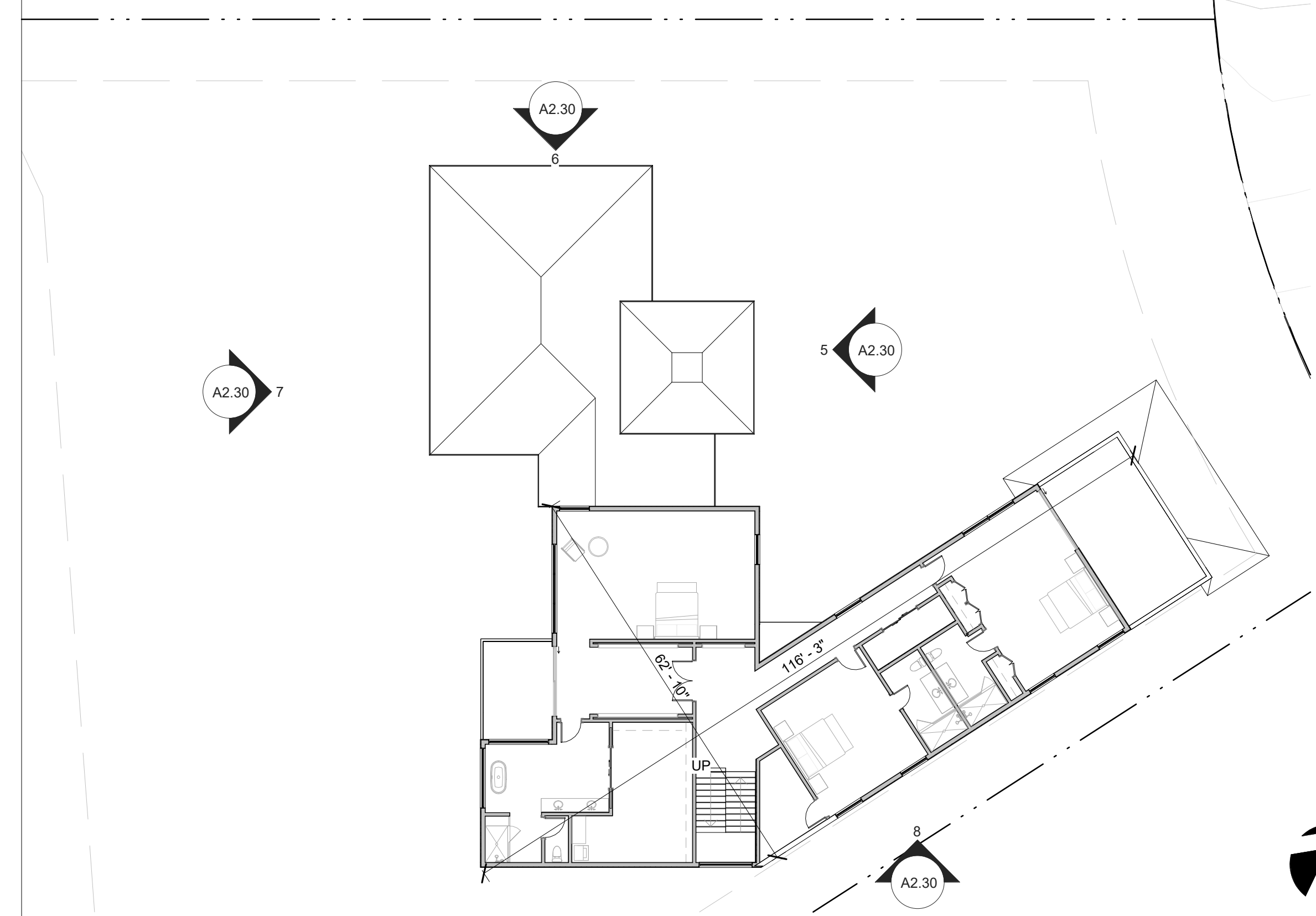
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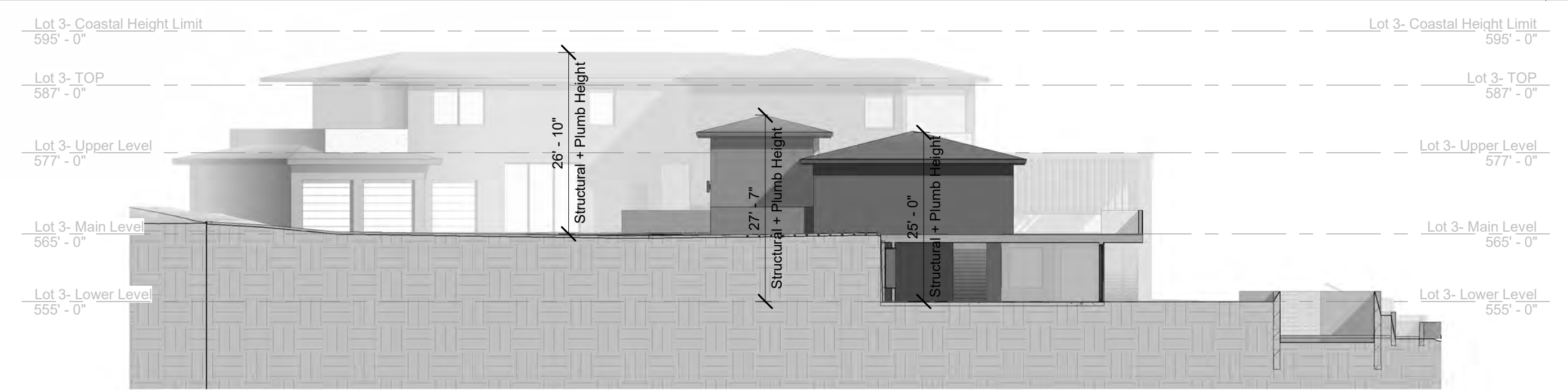
Roof Plan
1/16" = 1'-0" **4**



Second Floor Plan
1/16" = 1'-0" **3**



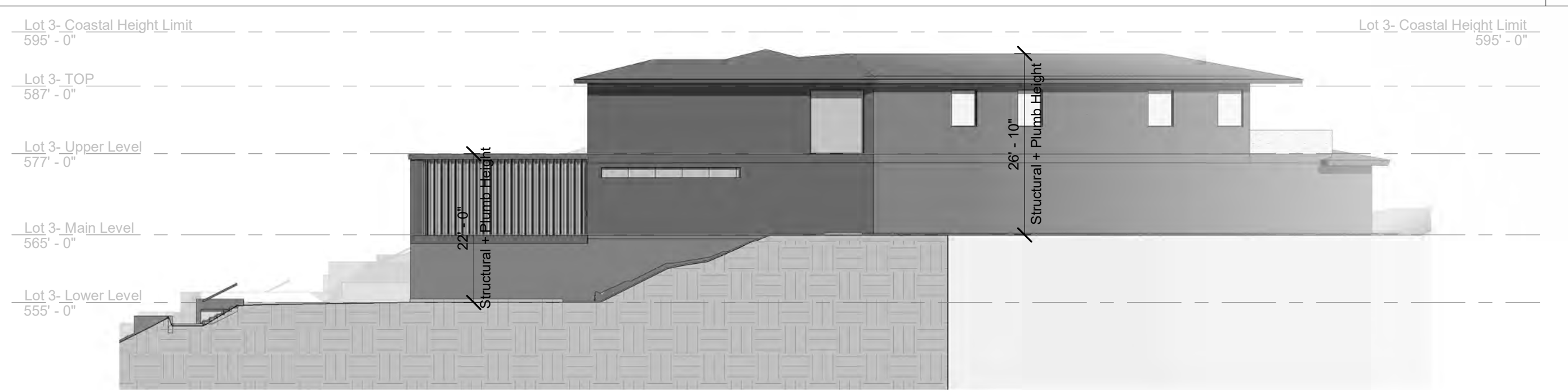
Front Elevation
1/16" = 1'-0" **5**



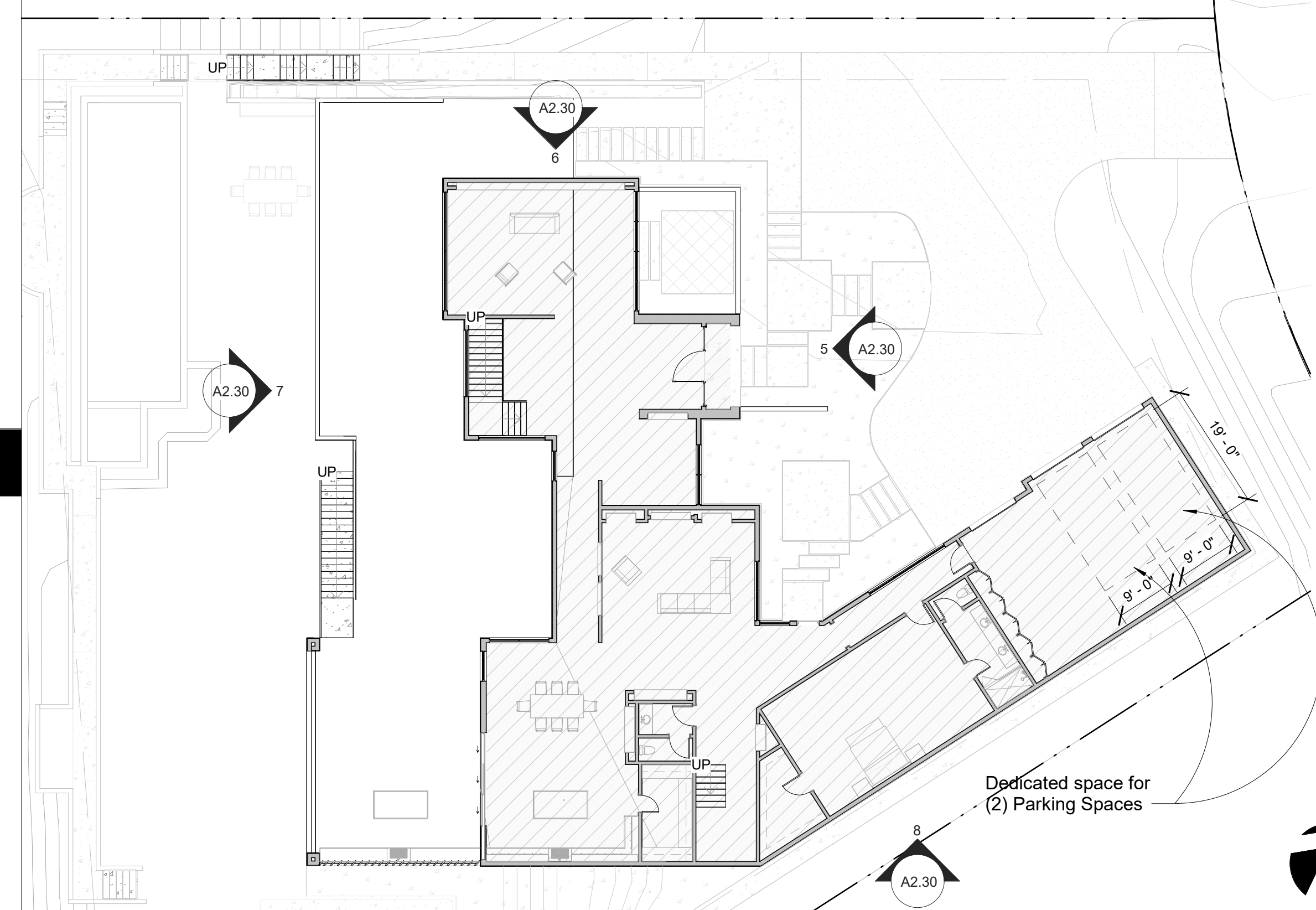
Right Elevation
1/16" = 1'-0" **6**



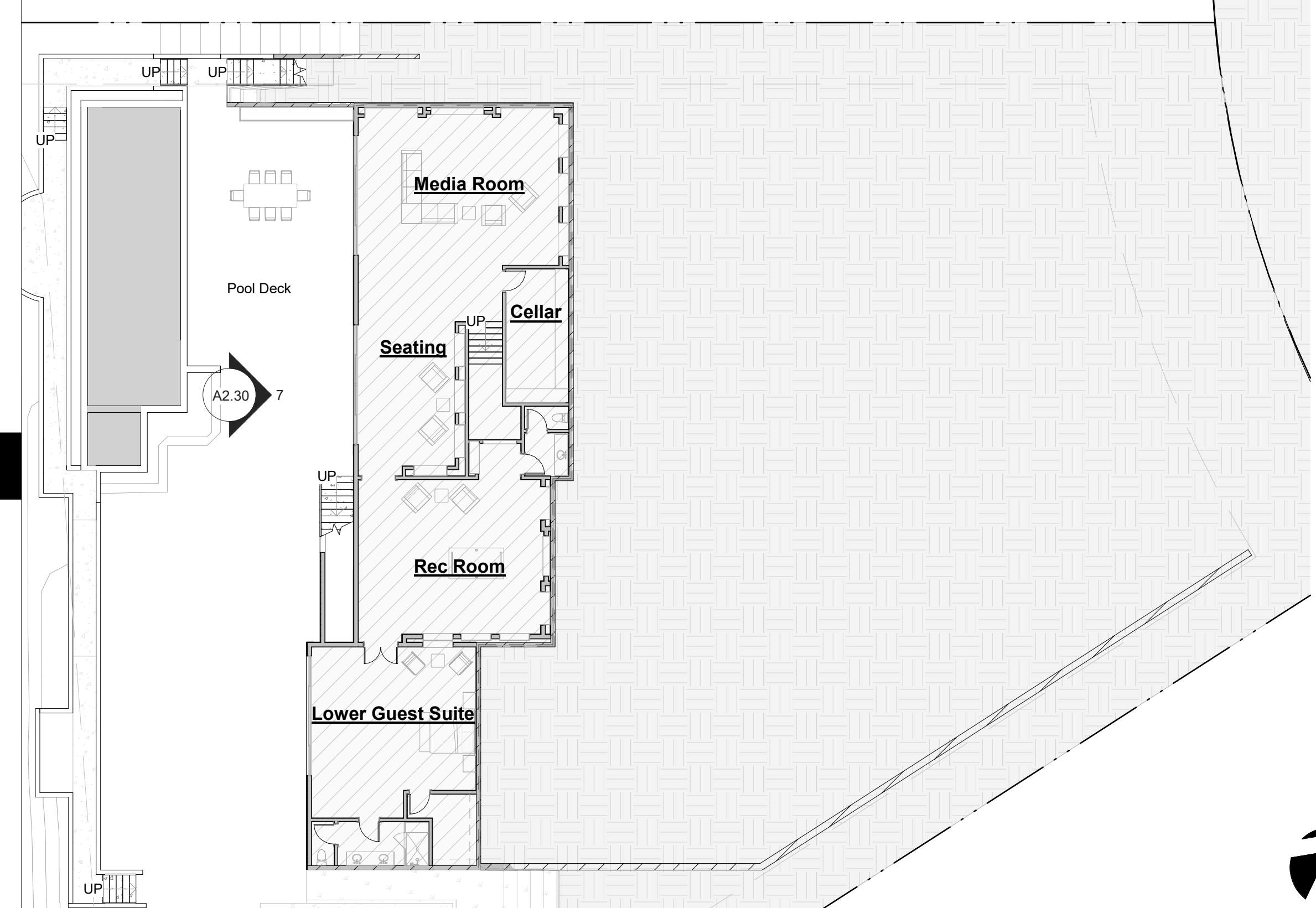
Back Elevation
1/16" = 1'-0" **7**



Left Elevation
1/16" = 1'-0" **8**



First Floor Plan
1/16" = 1'-0" **2**



Basement Floor Plan
1/16" = 1'-0" **1**

Coastal Height

Coastal Height Datum Calculations:
 • Lowest Grade: 555'-0"
 • Highest Grade: 565'-0"
 • Differential: 10'-0"

Since differential between lowest and highest grade at 5' distance from structure is equal to 10', 10' maximum used as grade differential.
 • Lowest Grade: 555'-0"
 • 10' Grade Differential: 565'-0"
 • Max Overall Structure Height Permitted: 595'-0"

Area

Level	Name	Area
Gross Building Area		
Lot 3- Lower Level	House 3- Living Space	3487.75 SF
Lot 3- Main Level	House 3- Living Space	4739.30 SF
Lot 3- Main Level	House 3- Garage	1025.12 SF
Lot 3- Main Level	House 3- Outdoor Enclosed Terrace	879.75 SF
Lot 3- Upper Level	House 3- Living Space	3412.02 SF
		13543.95 SF

FAR: 13,544 SF / 31,144 SF = 0.43

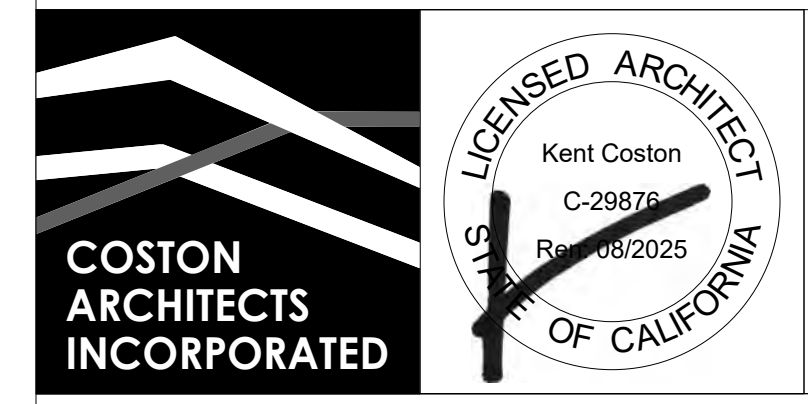
Lot 3 Zoning Analysis

	Allowed	Lot 3 Actual
Min Lot Area	10,000 SF	31,144 SF
Lot Width	65 FT	115 FT
Street Frontage	65 FT	none
Lot Depth	100 FT	211.5 FT
Front Setback	20 FT	20 FT
Side Setback	0.08 x Width	9.25 FT
Rear Setback	20 FT	20 FT
Max Structure Height	24/30	24/30
Max Paving/Hardscape	60%	18%
Max FAR	0.45	0.43
Max 3rd Story Width	70% Width	N/A
Max 3rd Story Depth	100% Width or 50% Depth	N/A

Front Yard Hardscape Calcs

Total Front Yard: 1780 SF
 Front Yard Landscape: 1455 SF
 Front Yard Hardscape: 325 SF

FY Hardscape %: 325 SF / 1780 SF = 18.26% = **18%**
 FY Hardscape % is less than SDMC 131.0447 allowed max. of 60%.



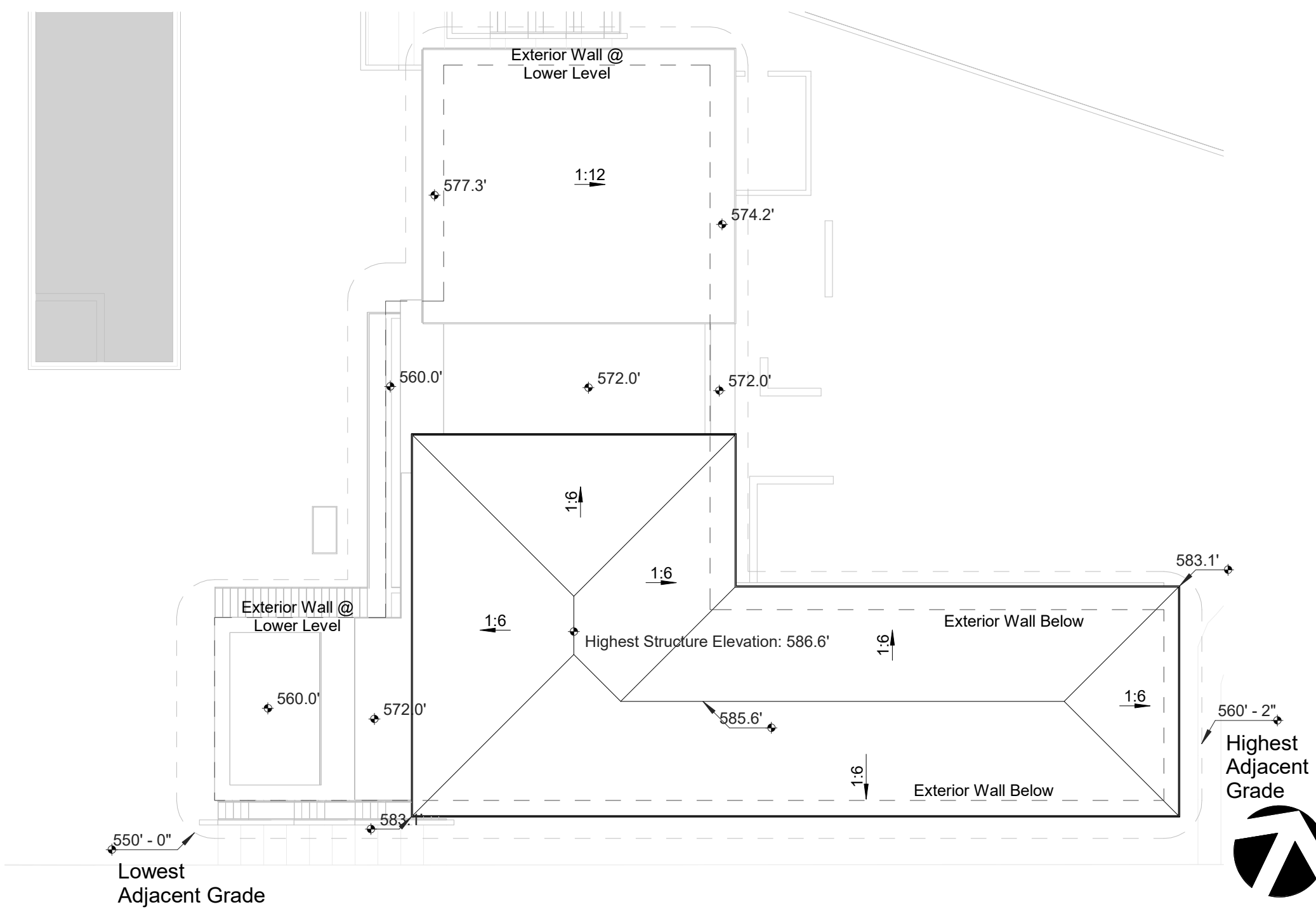
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Lot 3- Plans and Elevations

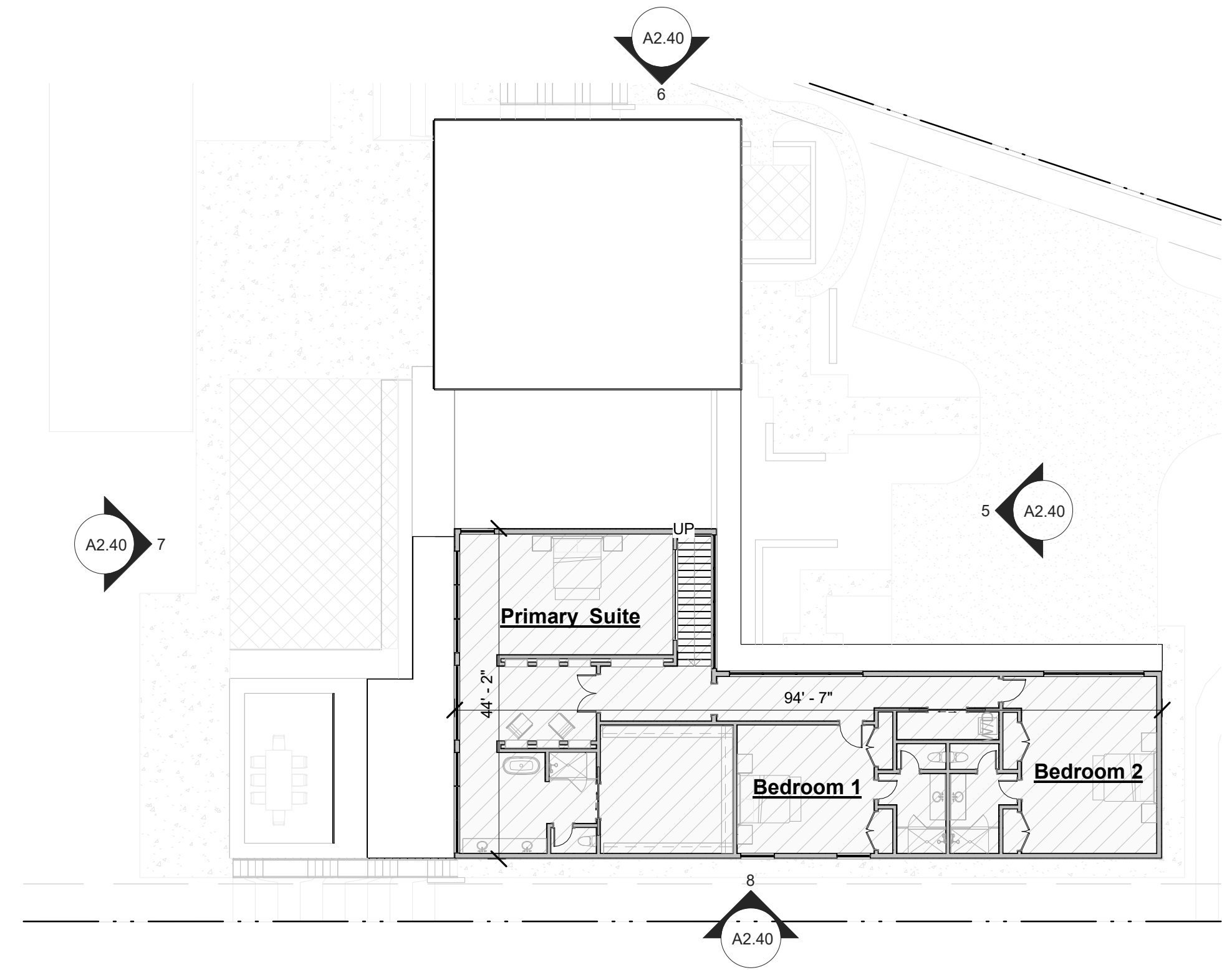
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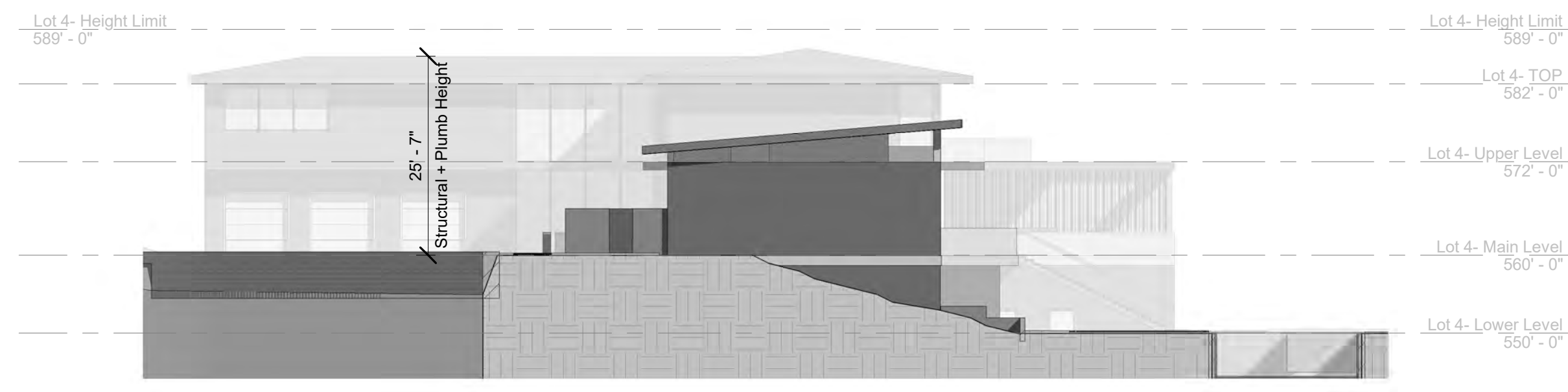
Roof Plan
1/16" = 1'-0" **4**



Second Floor Plan
1/16" = 1'-0" **3**



Front Elevation
1/16" = 1'-0" **5**



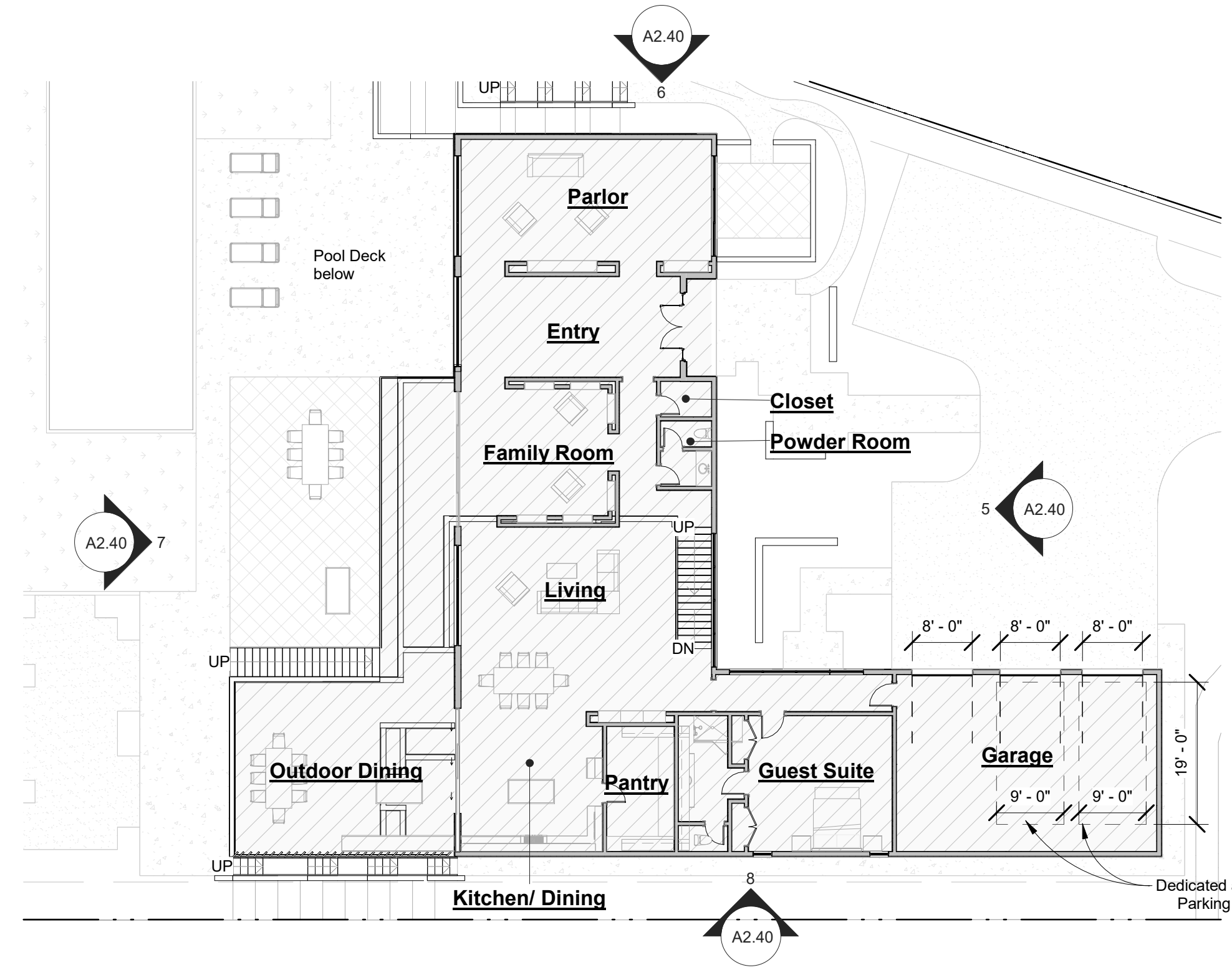
Right Elevation
1/16" = 1'-0" **6**



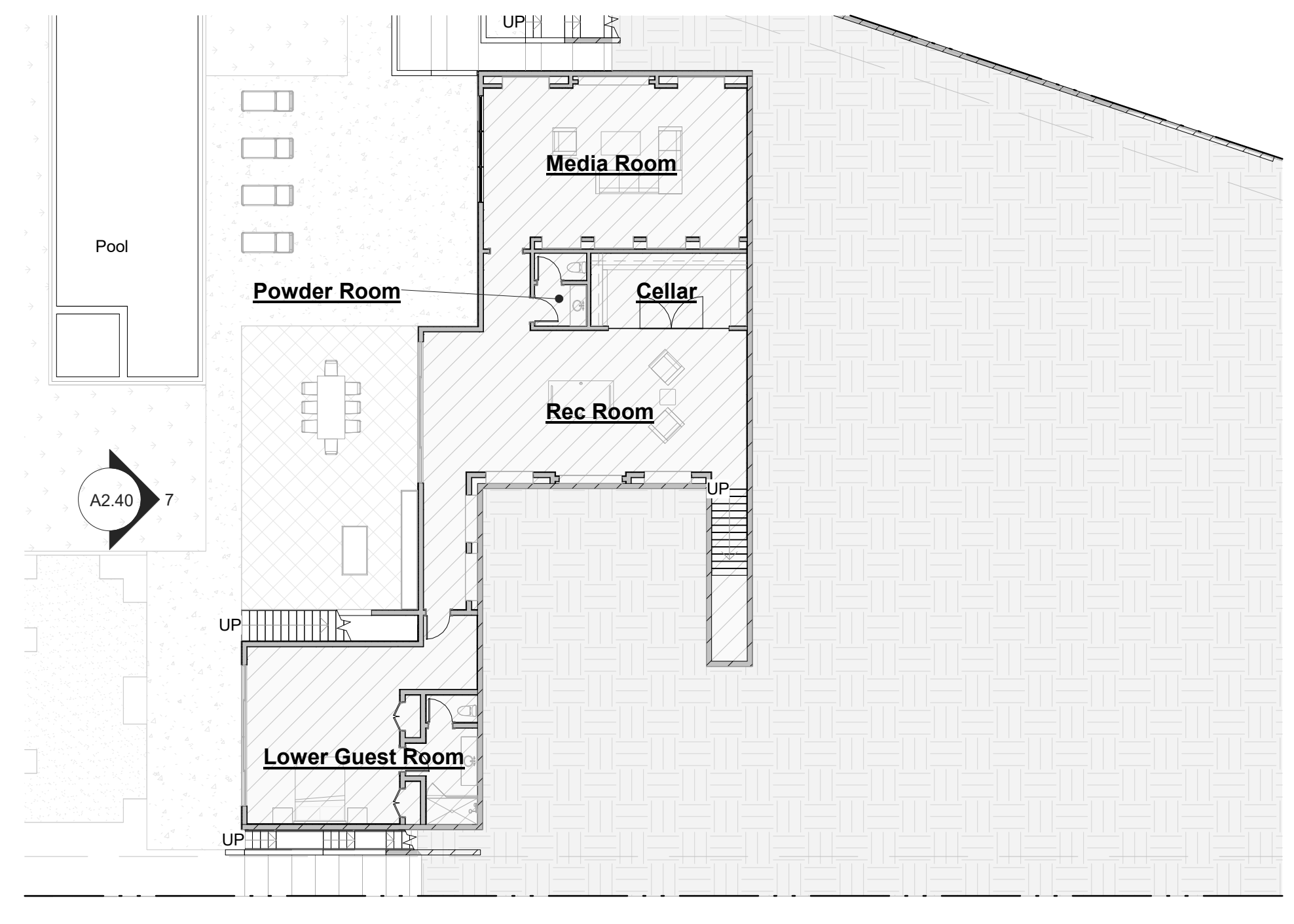
Back Elevation
1/16" = 1'-0" **7**



Left Elevation
1/16" = 1'-0" **8**



First Floor Plan
1/16" = 1'-0" **2**



Basement Floor Plan
1/16" = 1'-0" **1**

Coastal Height

Coastal Height Datum Calculations:
 • Lowest Grade: 550'-0"
 • Highest Grade: 560'-2"
 • Differential: 10'-2"

Since differential between lowest and highest grade at 5' distance from structure is greater than 10', 10' maximum used as grade differential.
 • Lowest Grade: 550'-0"
 • 10' Grade Differential: 560'-0"
 • Max Overall Structure Height Permitted: 590'-0"

Area

Level	Name	Area
Gross Building Area		
Lot 4- Main Level	House 4- Living Space	3919.24 SF
Lot 4- Upper Level	House 4- Living Space	3049.18 SF
Lot 4- Lower Level	House 4- Living Space	3007.36 SF
Lot 4- Main Level	House 4- Garage	901.83 SF
Lot 4- Main Level	House 4- Outdoor Enclosed Deck	725.85 SF
		11603.48 SF

FAR: 11,603 SF / 31,350 SF = 0.34

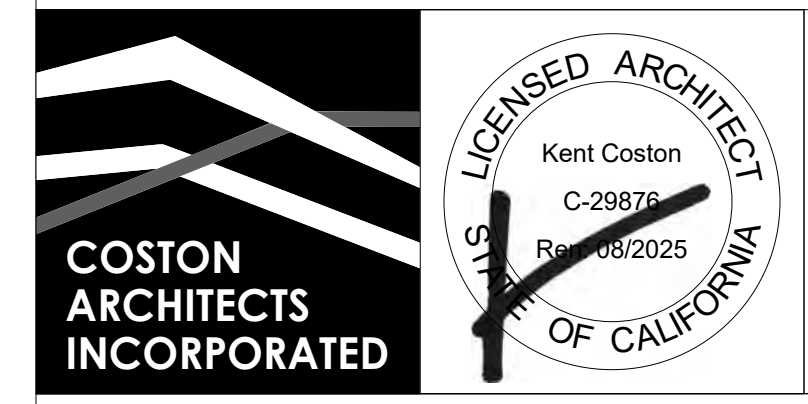
Lot 4 Zoning Analysis

	Allowed	Lot 4 Actual
Min Lot Area	10,000 SF	31,350 SF
Lot Width	65 FT	99.5 FT
Street Frontage	65 FT	<i>none</i>
Lot Depth	100 FT	255.75 FT
Front Setback	20 FT	20 FT
Side Setback	0.08 x Width	8 FT
Rear Setback	20 FT	20 FT
Max Structure Height	24/30	24/30
Max Paving/Hardscape	60%	20%
Max FAR	0.45	0.37
Max 3rd Story Width	70% Width	N/A
Max 3rd Story Depth	100% Width or 50% Depth	N/A

Front Yard Hardscape Calcs

Total Front Yard: 1713 SF
 Front Yard Landscape: 1371 SF
 Front Yard Hardscape: 342 SF

FY Hardscape %: 342 SF / 1713 SF = 19.96% = 20%
 FY Hardscape % is less than SDMC 131.0447 allowed max. of 60%.



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Lot 4- Plans & Elevations

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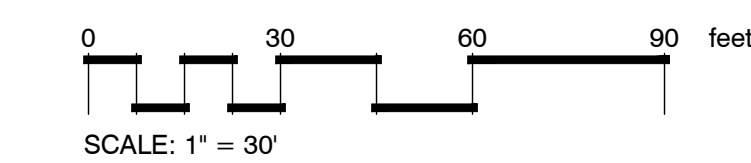
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OF



CONCEPT PLANT SCHEDULE


STREET TREES
 JACARANDA MIMOSIFOLIA / JACARANDA 19 24"BOX



**W
S
LA**

**WYNN-SMITH
LANDSCAPE
ARCHITECTURE
INC.**
13319 POWAY RD. SUITE 150
POWAY, CA 92064
TEL. 958.513.0030

LANDSCAPE ARCHITECT
Wynn Smith
Signature
2-28-25
Renewal Date
12-14-22
Date
STATE OF CALIFORNIA

The Reserve
 CDP (PMT #3172975), SDP (PMT #3172976),
 TM (PMT #3172977), PDP (PMT #####)
 6850 Country Club Dr
 La Jolla, CA 92037

LANDSCAPE / BRUSH MANAGEMENT SITE PLAN

DATE	Revision Schedule
12/19/23	
DRAWN WYNN-SMITH LANDSCAPE ARCHITECTURE, INC.	
PROJECT 22-024	L-1.0
	OF

LANDSCAPE STANDARDS

All landscape and irrigation shall conform to the standards of the City-Wide Landscape Regulations and the City of San Diego Landscape Development Manual Landscape Standards and all other landscape related City and Regional Standards

MINIMUM TREE SEPARATION DISTANCE

Traffic signals / stop signs - 20 feet
 Underground utility lines - 5 feet (10' for sewer)
 Above ground utility structures - 10 feet
 Driveway (entries) - 10 feet
 Intersections (intersecting curb lines of two streets) - 25 feet

IRRIGATION

An automatic, electrically 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. Irrigation shall be drip and bubbler type at level pad areas. Bioretention basins shall be irrigated with low volume MP rotator system.

MAINTENANCE

All required landscape areas shall be maintained by the Property Owner. Landscape and irrigation areas in the public right-of-way shall be maintained by the Property Owner. The landscape 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.

TREE ROOT ZONE

A minimum root zone of 40 sf in area shall be provided for all trees. The minimum dimension for this area shall be 5 feet, per SDMC 142.0403(b)(5)

TREE ROOT BARRIERS

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.

LONG TERM MAINTENANCE

All required onsite landscape and brush management as shown on these plans shall be maintained by the Property Owner. Owner may elect to obtain a Right-of-Entry Permit to perform seasonal brush management in the area. Contact Park and Recreation Department, Open Space Division at (619) 685-4444

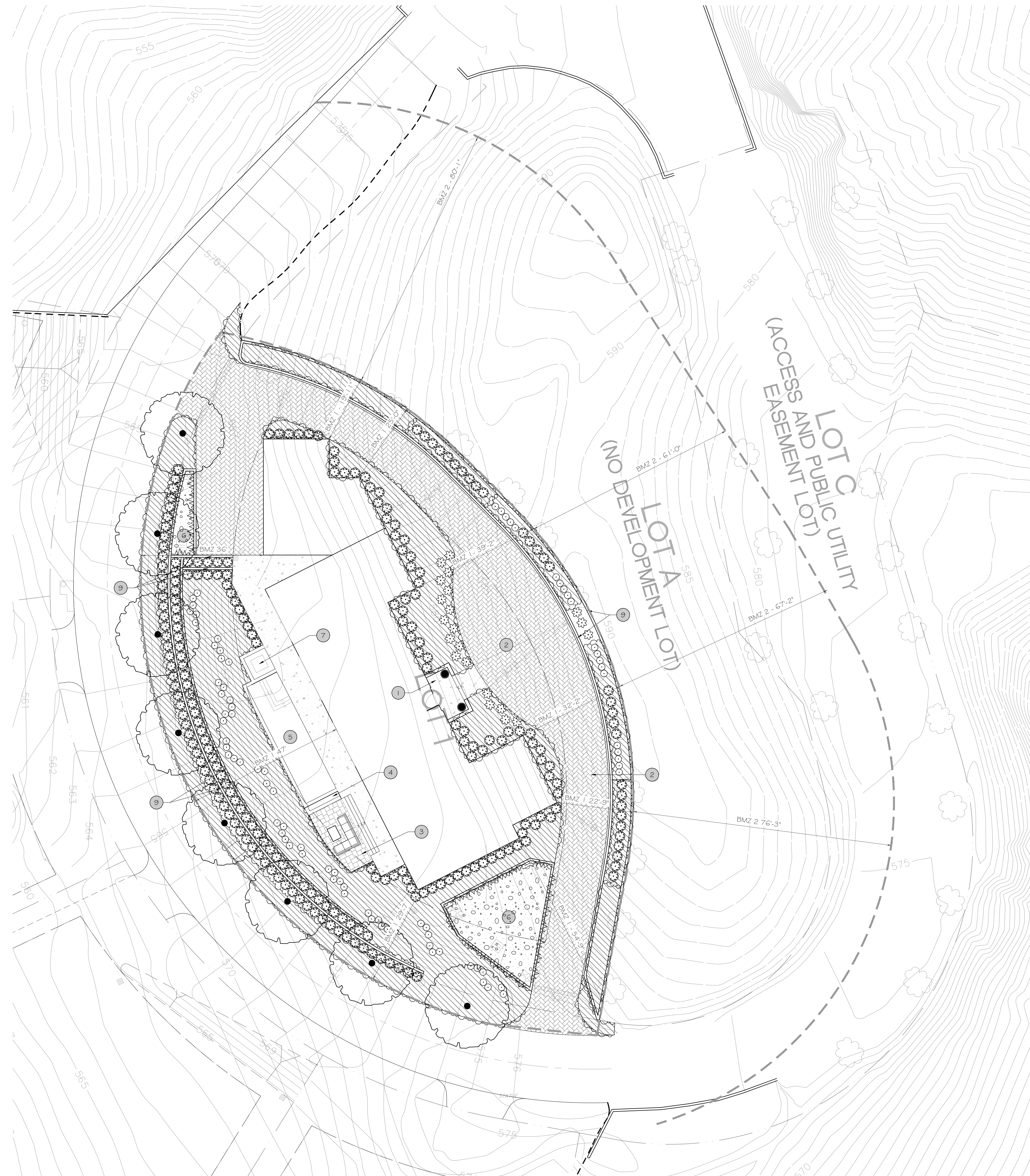
Offsite brush management shall be the responsibility of adjacent property owners. For fuel-load maintenance issues, contact the fire-Rescue Department's Fire Hazard Advisor - BrushWeed Complaint line at (619) 533-4444

BRUSH MANAGEMENT

Brush management activities are prohibited within coastal sage scrub, maritime succulent shrub, and chaparral habitats during the breeding season of federally protected species, from March 1 to August 15, except where documented to the satisfaction of the City of San Diego that thinning would be consistent with the conditions of species coverage described in the City of San Diego's MSCP Subarea Plan.

MULCH

All planting areas, except those receiving decorative rock, shall receive min. 3" depth of decorative shredded mulch per City of San Diego Standards



REFERENCE NOTES SCHEDULE

SYMBOL	DESCRIPTION	QTY
1	CONCRETE PAVING	1,046 SF
2	DRIVEWAY PAVING	5,225 SF
3	SPECIALTY PAVING	212 SF
4	CATCH BASIN	
5	POOL	
6	BIO-RETENTION BASIN	
7	SPA	
8	RETAINING WALL	

CONCEPT PLANT SCHEDULE

	STREET TREES JACARANDA MIMOSIFOLIA / JACARANDA
	BIO-RETENTION BASIN PLANTING ARCTOSTAPHYLOS EDMUNDSONII / CARMEL SUR / CARMEL SUR LITTLE SUR MANZANITA CAREX SPINOSA / SAN DIEGO SEDGE JUNCUS PATENS 'ELK BLUE' / SPREADING RUSH LEYMUS CONDENSATUS / CANYON PRINCE / CANYON PRINCE GIANT WILD RYE
	LANDSCAPE AREAS - SHRUBS AND GROUNDCOVER ANTIGONANTHOS X BUSH RANGER / BUSH RANGER KANGAROO PALM BACCHARIS FILLULARIS / PIGEON POINT / PIGEON POINT COYOTE BRUSH BOUGAINVILLEA GLABRA / HELEN JOHNSON / HELEN JOHNSON PAPER FLOWER BUDDLEIA DAVIDI / DARK DYNASTY / DARK DYNASTY BUTTERFLY BUSH BULBINE FRUTESCENS 'YELLOW' / YELLOW BULBINE COLEONEMA PULCHELLUM / PINK BREATH OF HEAVEN CORDYLINE AUSTRALIS 'SUNDANCE' / SUNDANCE GRASS PALM COTONEASTER DAMMERI / BEARBERRY / COTONEASTER GREVILLEA LANCEOLA COASTAL GEM / COASTAL GEM GREVILLEA ILEX VOMITORIA / YALPON HOLLY ILEX VOMITORIA 'STOKES DWARF' / STOKES DWARF YALPON HOLLY LANTANA X 'SUNBURST' / SUNBURST LANTANA MYRTUS COMMUNIS / COMMON MYRTLE ROSMARINUS OFFICINALIS 'HUNTINGTON CARPET' / HUNTINGTON CARPET ROSEMARY SALVIA LEUCANTHA 'MIDNIGHT' / MIDNIGHT MEXICAN BUSH SAGE TRACHELOSPERMUM JASMINOIDES / CHINESE STAR JASMINE

WYNN-SMITH LANDSCAPE ARCHITECTURE INC.
 13319 POWAY RD, SUITE 150
 POWAY, CA 92064
 TEL. 858.513.0030

WYNN-SMITH LANDSCAPE ARCHITECTURE INC.
 License No. 258-25
 Signature: [Signature]
 Renewal Date: 11-1-25
 Date: [Date]
 STATE OF CALIFORNIA

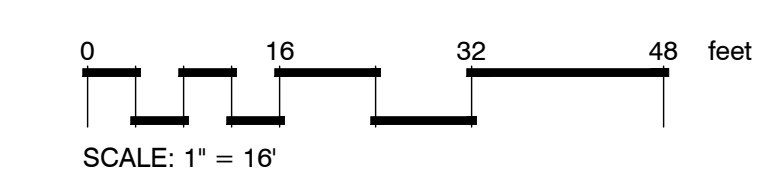
The Reserve - Lot 1
 CDP (PMT #3172975), SDP (PMT #3172976),
 TM (PMT #3172977), PDP (PMT #####)
 6850 Country Club Dr
 La Jolla, CA 92037

LANDSCAPE CONCEPT PLAN

DATE	Revision Schedule
12/19/23	
DRAWN	
WYNN-SMITH LANDSCAPE ARCHITECTURE, INC.	
PROJECT	
22-024	

L-2.0

OF



REFERENCE NOTES SCHEDULE

SYMBOL	DESCRIPTION	QTY
①	CONCRETE PAVING	2,549 SF
②	DRIVEWAY PAVING	3,624 SF
③	SPECIALTY PAVING	3,197 SF
④	DECOMPOSED GRANITE	328 SF
⑤	LOW FREESTANDING WALL	
⑥	ENTRY COLUMN	
⑦	LANDSCAPE RETAINING WALL	
⑧	POOL EQUIPMENT AREA WITH WALLS	
⑨	POOL	
⑩	SFA	
⑪	MOW CURB	
⑫	BIO-RETENTION BASIN	
⑬	POOL VANISHING EDGE CATCH BASIN	
⑭	TALL COURTYARD WALL	
⑮	BQQ COUNTER AND SINK	
⑯	WATER FEATURE	
⑰	PROPERTY WALL	
⑱	FENCE	345 LF
⑲	GATE	
⑳	GUARDRAIL	246 LF
㉑	ALUMINUM EDGE	435 LF

CONCEPT PLANT SCHEDULE

	STREET TREES JACARANDA MIMOSIFOLIA / JACARANDA
	MEDIUM MT. SHADE TREES ARBTULUS X MARINA / MARINA STRAWBERRY TREE STANDARD KOELBUTERIA ELEGANS / GOLDEN RAIN TREE LAGERSTROEMIA INDICA X FAURIEI / MUSKOGEE / MUSKOGEE CRAPE MYRTLE
	BIO-RETENTION BASIN PLANTING ARGTOSTAPHYLOS EDMUNDsii / CARMEL SUR / CARMEL SUR LITTLE SUR MANZANITA CAREX SPISSA / SAN DIEGO SEDGE JUNCUS PATENS 'ELK BLUE' / SPREADING RUSH LEYMUS CONDENSATUS / CANYON PRINCE / CANYON PRINCE GIANT WILD RYE
	NATIVE / DROUGHT TOLERANT PLANTINGS BACCHARIS PILLULARIS 'PIGEON POINT' / PIGEON POINT COYOTE BRUSH CEANOETHUS GRISEUS HORIZONTALIS 'YANKEE POINT' / YANKEE POINT CARMEL CREEPER SALVIA CLEVELANDII / ALLEN CHICKERING / ALLEN CHICKERING CLEVELAND SAGE
	LANDSCAPE AREAS - SHRUBS AND GROUNDCOVER ANIGONANTHOS X BUSH RANGIER / BUSH RANGIER KANGAROO PAW BACCHARIS PILLULARIS 'PIGEON POINT' / PIGEON POINT COYOTE BRUSH BOUGAINVILLEA GLABRA 'HELEN JOHNSON' / HELEN JOHNSON PAPER FLOWER BUDDLEJA DAVIDII 'DARK DYNASTY' / DARK DYNASTY BUTTERFLY BUSH BULBINE FRUTESCENS 'YELLOW' / YELLOW BULBINE COLEONEMA PULCHELLUM / PINK BREATH OF HEAVEN CORDYLINA AUSTRALIS 'SUNDANCE' / SUNDANCE GRASS PALM COTONEASTER DANMEREI / BARBERRY / COTONEASTER GREVILLEA LANIGERA 'COASTAL GEM' / COASTAL GEM GREVILLEA ILEX VOMITORIA / YAUPON HOLLY ILEX VOMITORIA 'STOKES DWARF' / STOKES DWARF YAUPON HOLLY LANTANA X SUNBURST / SUNBURST LANTANA MYRTUS COMMUNIS / COMMON MYRTLE ROSMARINUS OFFICINALIS 'HUNTINGTON CARPET' / HUNTINGTON CARPET ROSEMARY SALVIA LEUCANTHA MIDNIGHT / MIDNIGHT MEXICAN BUSH SAGE TRACHELOSPERMUM JASMINOIDES / CHINESE STAR JASMINE
	LAWN BOULBOULIA DACTYLOIDES 'UC VERDE' / UC VERDE BUFFALO GRASS TURF SOD MARATHON III / TURF-TYPE TALL FESCUE

LANDSCAPE STANDARDS
All landscape and irrigation shall conform to the standards of the City-Wide Landscape Regulations and the City of San Diego Landscape Development Manual Landscape Standards and all other landscape related City and Regional Standards

MINIMUM TREE SEPARATION DISTANCE
Traffic signals / stop signs - 20 feet
Underground utility lines - 5 feet (10' for sewer)
Above ground utility structures - 10 feet
Driveway (entries) - 10 feet
Intersections (intersecting curb lines of two streets) - 25 feet

IRRIGATION
An automatic, electrically 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. Irrigation shall be drip and bubbler type at level pad areas. Bioretention basins shall be irrigated with low volume MP rotator system.

MAINTENANCE
All required landscape areas shall be maintained by the Property Owner. Landscape and irrigation areas in the public right-of-way shall be maintained by the Property Owner. The landscape 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.

TREE ROOT ZONE
A minimum root zone of 40 sf in area shall be provided for all trees. The minimum dimension for this area shall be 5 feet, per SDMC 142.0403(b)(5)

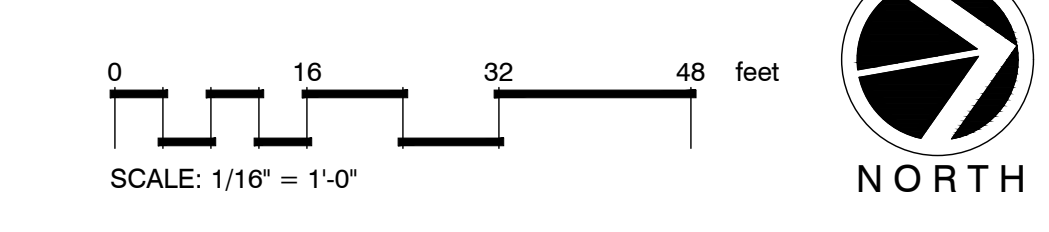
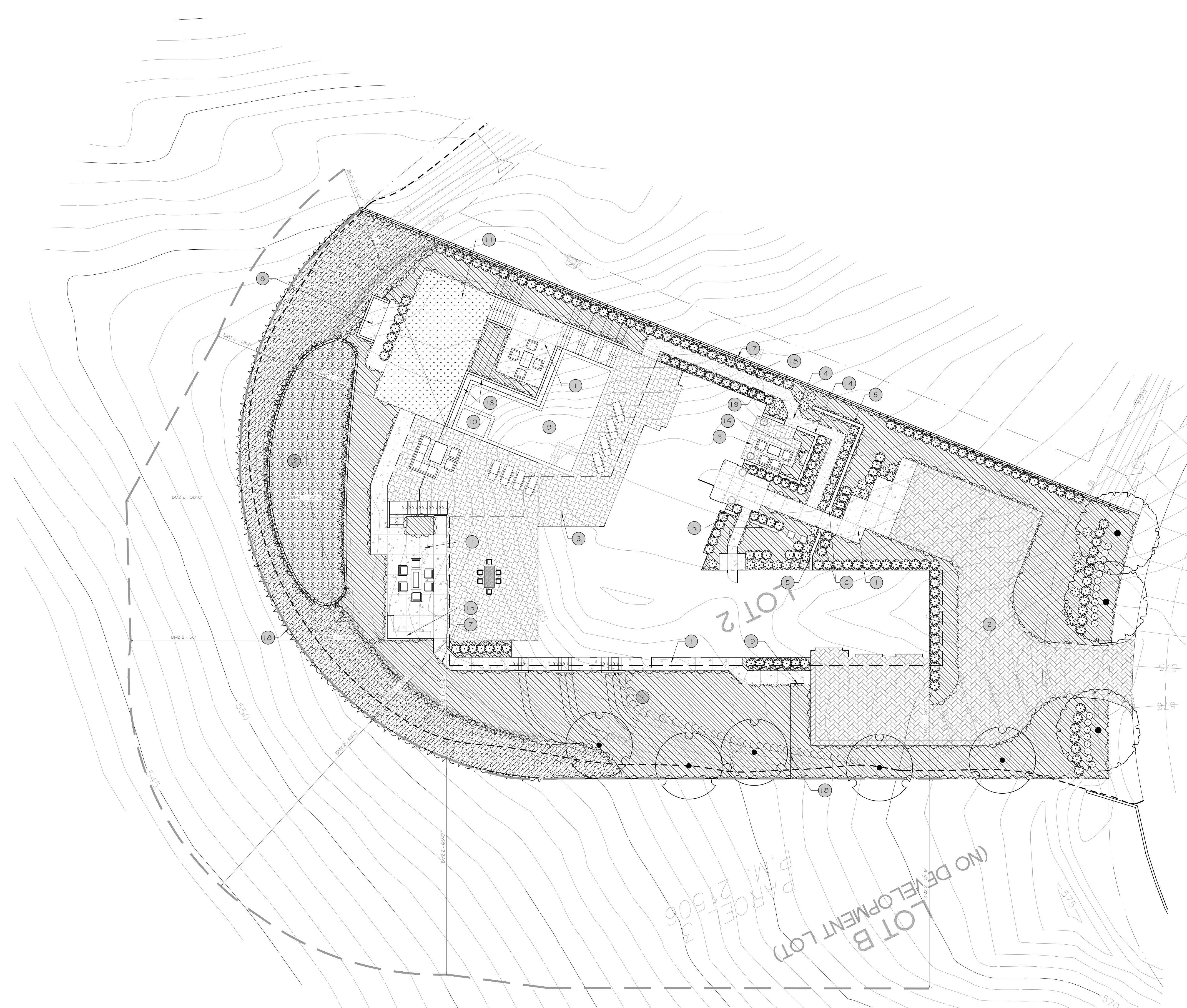
TREE ROOT BARRIERS
Tree root barriers shall be installed where trees are placed within 5 feet of public improvements including walks, curbs or street pavements, or where new public improvements are placed adjacent to existing trees. The root barrier will not wrap around the root ball.

LONG TERM MAINTENANCE
All required onsite landscape and brush management as shown on these plans shall be maintained by the Property Owner. Owner may elect to obtain a Right-of-Entry Permit to perform seasonal brush management in the area. Contact Park and Recreation Department, Open Space Division at (619) 685-4444

Offsite brush management shall be the responsibility of adjacent property owners. For fuel-load maintenance issues, contact the fire-Rescue Department's Fire Hazard Advisor - Brush/Weed Complaint line at (619) 533-4444

BRUSH MANAGEMENT
Brush management activities are prohibited within coastal sage scrub, maritime succulent shrub, and chaparral habitats during the breeding season of federally protected species, from March 1 to August 15, except where documented to the satisfaction of the City of San Diego that thinning would be consistent with the conditions of species coverage described in the City of San Diego's MSCP Subarea Plan.

MULCH
All planting areas, except those receiving decorative rock, shall receive min. 3" depth of decorative shredded mulch per City of San Diego Standards



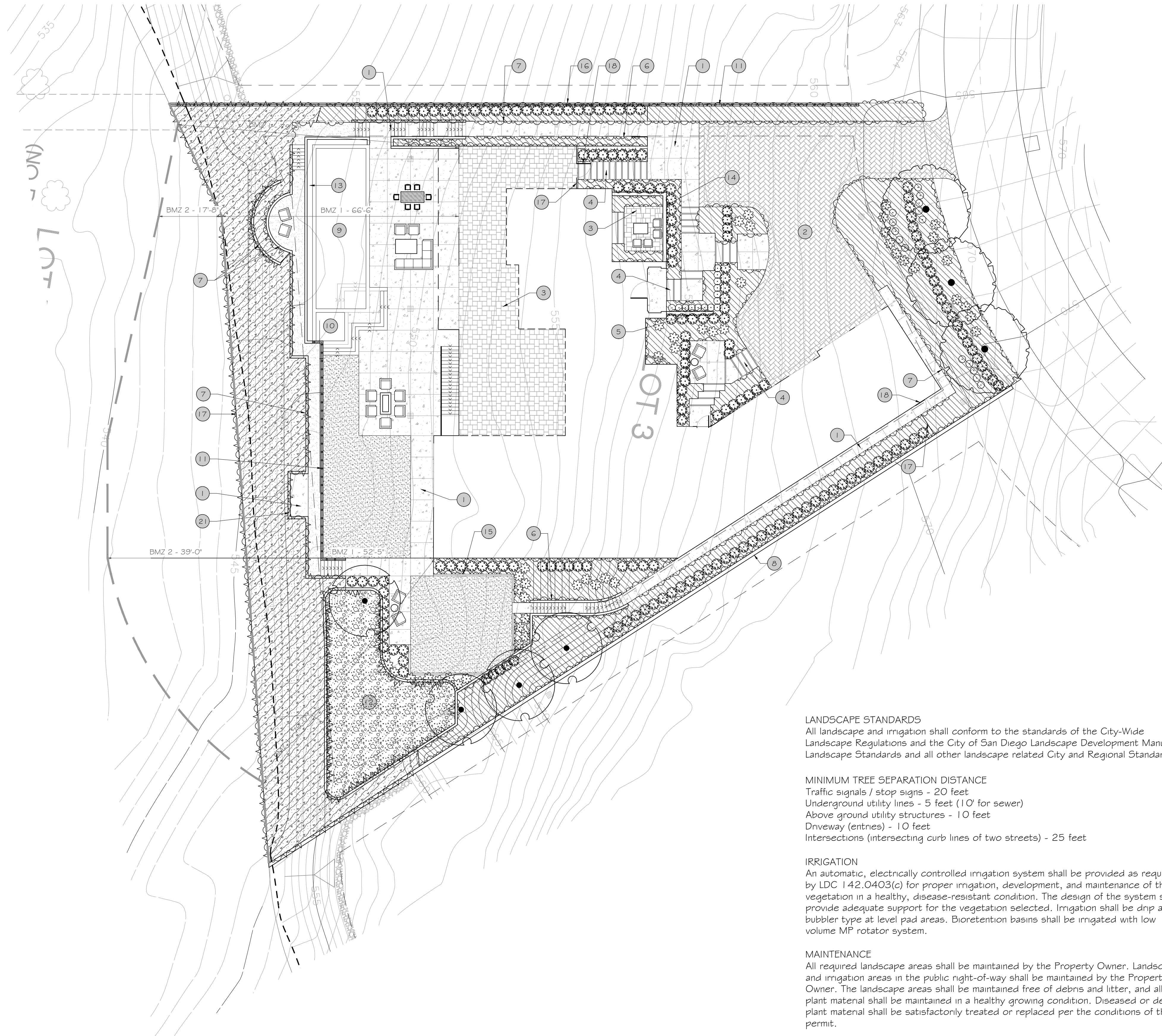
WYNN-SMITH LANDSCAPE ARCHITECTURE INC.
13319 POWAY RD. SUITE 150
POWAY, CA 92064
TEL. 858.513.0030

Signature: [Signature]
2-28-25
Revised Date: 11-11-25
Date: [Date]

STATE OF CALIFORNIA

The Reserve - Lot 2
CDP (PMT #3172975), SDP (PMT #3172976),
TM (PMT #3172977), PDP (PMT #####)
6850 Country Club Dr
La Jolla, CA 92037

LANDSCAPE CONCEPT PLAN	
DATE	Revision Schedule
12/19/23	
DRAWN	
WYNN-SMITH LANDSCAPE ARCHITECTURE, INC.	
PROJECT	
22-024	
L-3.0	
OF	



REFERENCE NOTES SCHEDULE

SYMBOL	DESCRIPTION	QTY
1	CONCRETE PAVING	3,990 SF
2	DRIVEWAY PAVING	2,724 SF
3	SPECIALTY PAVING	2,012 SF
4	CONCRETE PAVER	
5	LOW FREESTANDING WALL	
6	PLANTER RETAINING WALL	
7	LANDSCAPE RETAINING WALL	
8	ADJACENT PROPERTY WALL	
9	POOL	
10	SPA	
11	GUARDRAIL	264 LF
12	BIO-RETENTION BASIN	
13	POOL VANISHING EDGE CATCH BASIN	
14	TALL COURTYARD WALL	
15	MOW CURB	
16	PROPERTY WALL	
17	FENCE	258 LF
18	GATE	
19	DECOMPOSED GRANITE	578 SF
20	ALUMINUM EDGE	23 LF
21	POOL EQUIPMENT AREA WITH WALLS	

CONCEPT PLANT SCHEDULE

	STREET TREES JACARANDA MIMOSIFOLIA / JACARANDA
	MEDIUM HT. SHADE TREES ARDBUTUS X 'MARINA' / MARINA STRAWBERRY TREE STANDARD KOELREUTERIA ELEGANS / GOLDEN RAIN TREE LAGERSTROEMIA INDICA X FAURIEI 'MUSKOGEE' / MUSKOGEE CRAPE MYRTLE
	BIO-RETENTION BASIN PLANTING ARCTOSTAPHYLOS EDMUNDSONII 'CARMEL SUR' / CARMEL SUR LITTLE SUR MANZANITA CAREX SPISSA / SAN DIEGO SEDGE JUNCUS PATENS 'ELK BLUE' / SPREADING RUSH LEYMUS CONDENSATUS 'CANYON PRINCE' / CANYON PRINCE GIANT WILD RYE
	NATIVE PLANTINGS IN BMZ 2 - TEMPORARY IRRIGATION BACCHARIS FILLULARIS 'PIGEON POINT' / PIGEON POINT COYOTE BRUSH CLEANOTHUS GRISSEUS HORIZONTALIS 'YANKEE POINT' / YANKEE POINT CARMEL CREEPER SALVIA CLEVELANDII 'ALLEN CHICKERING' / ALLEN CHICKERING CLEVELAND SAGE
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	SYNTHETIC TURF

LANDSCAPE STANDARDS
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MINIMUM TREE SEPARATION DISTANCE
Traffic signals / stop signs - 20 feet
Underground utility lines - 5 feet (10' for sewer)
Above ground utility structures - 10 feet
Driveway (entrances) - 10 feet
Intersections (intersecting curb lines of two streets) - 25 feet

IRRIGATION
An automatic, electrically 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. Irrigation shall be drip and bubbler type at level pad areas. Bioretention basins shall be irrigated with low volume MF rotator system.

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TREE ROOT ZONE
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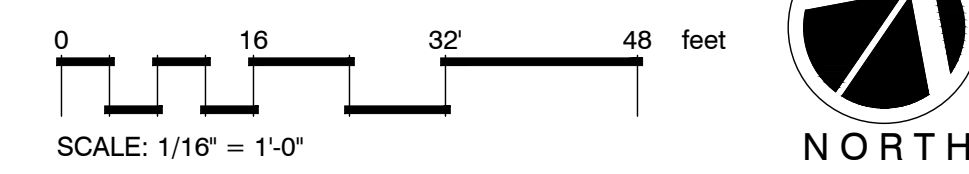
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MULCH
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WYNN-SMITH LANDSCAPE ARCHITECTURE INC.
13319 POWAY RD. SUITE 150
POWAY, CA 92064
TEL. 858.513.0030

The Reserve - Lot 3
CDP (PMT #3172975), SDP (PMT #3172976),
TM (PMT #3172977), PDP (PMT #####)
6850 Country Club Dr
La Jolla, CA 92037

LANDSCAPE CONCEPT PLAN	
DATE	Revision Schedule
12/19/23	
DRAWN	
WYNN-SMITH LANDSCAPE ARCHITECTURE, INC.	
PROJECT	
22-024	L-4.0
	OF

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 Traffic signals / stop signs - 20 feet
 Underground utility lines - 5 feet (1'0" for sewer)
 Above ground utility structures - 10 feet
 Driveway (entrances) - 10 feet
 Intersections (intersecting curb lines of two streets) - 25 feet

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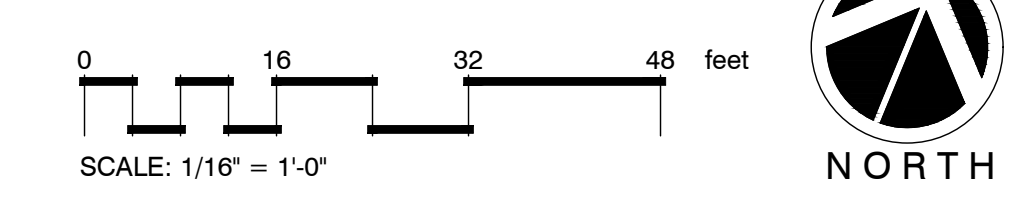
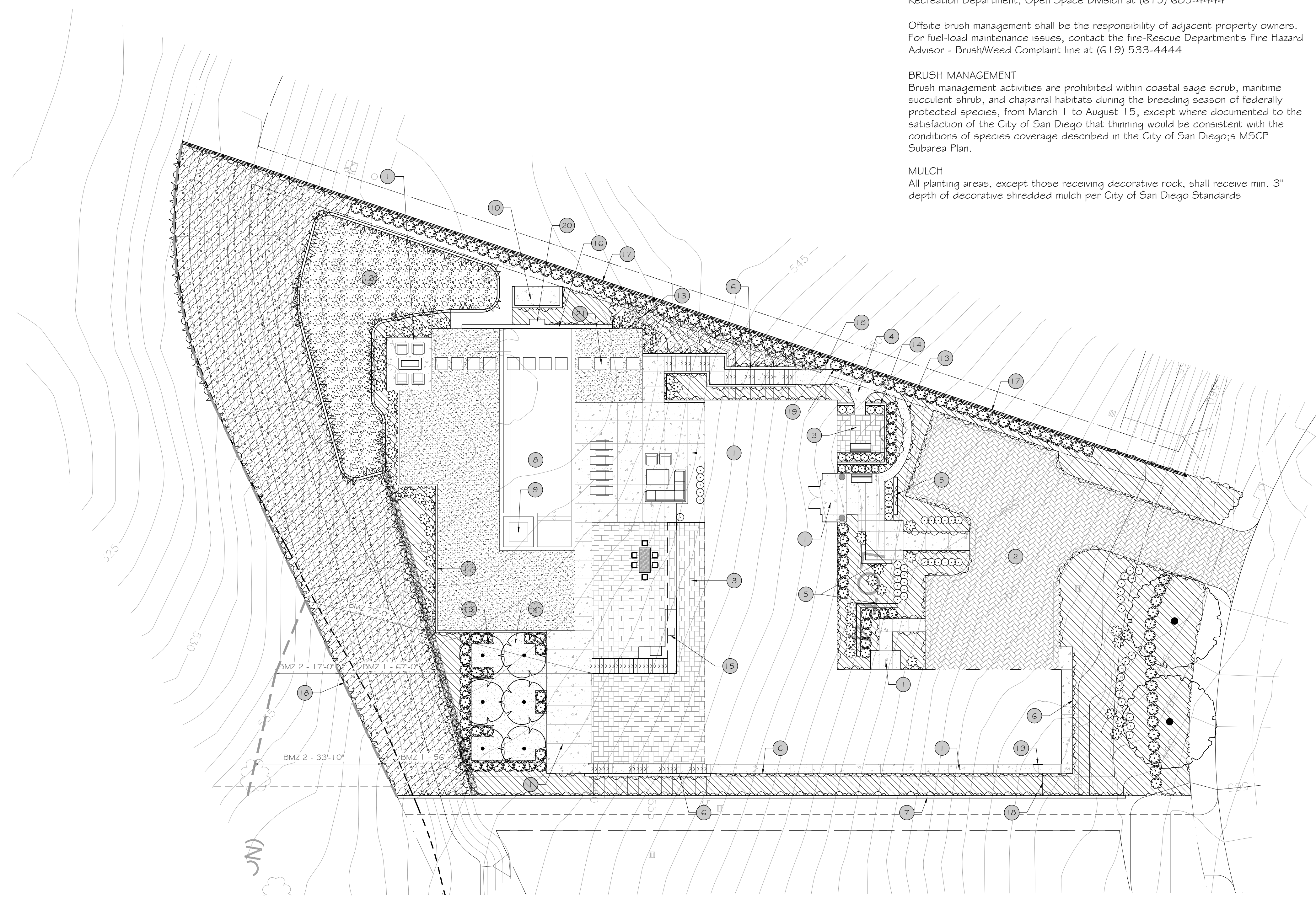
MULCH
 All planting areas, except those receiving decorative rock, shall receive min. 3" depth of decorative shredded mulch per City of San Diego Standards

REFERENCE NOTES SCHEDULE

SYMBOL	DESCRIPTION	QTY
1	CONCRETE PAVING	2,872 SF
2	DRIVEWAY PAVING	2,985 SF
3	SPECIALTY PAVING	1,895 SF
4	DECOMPOSED GRANITE	754 SF
5	LOW FREESTANDING WALL	
6	LANDSCAPE RETAINING WALL	
7	ADJACENT PROPERTY WALL	
8	POOL	
9	SFA	
10	POOL EQUIPMENT AREA WITH WALLS	
11	MOW CURB	
12	BIO-RETENTION BASIN	
13	ALUMINUM EDGE	262 LF
14	TALL COURTYARD WALL	
15	BQQ COUNTER AND SINK	
16	WATER FEATURE	
17	PROPERTY WALL	
18	FENCE	221 LF
19	GATE	
20	POOL WALL WITH PODIUM	
21	39"x39" CONCRETE PAVER	
22	GUARDRAIL	281 LF

CONCEPT PLANT SCHEDULE

	STREET TREES JACARANDA MIMOSIFOLIA / JACARANDA
	FRUIT TREES CITRUS X AURANTIUM 'SEVILLE' / SEVILLE SOUR ORANGE CITRUS X CLEMENTINA / CLEMENTINE ORANGE CITRUS X LIMON 'IMPROVED MEYER' / IMPROVED MEYER LEMON
	BIO-RETENTION BASIN PLANTING ARCTOSTAPHYLOS EDWARDSII 'CARMEL SUR' / CARMEL SUR LITTLE SUR MANZANITA CAREX SPESA / SAN DIEGO SEDGE JUNCUS PATENS 'ELK BLUE' / SPREADING RUSH LEYMUS CONDENSATUS 'CANYON PRINCE' / CANYON PRINCE GIANT WILD RYE
	NATIVE PLANTINGS IN BMZ 2 - TEMPORARY IRRIGATION BACCHARIS PILLULARIS 'PIGEON POINT' / PIGEON POINT COYOTE BRUSH CELANOTHUS GRISLIUS 'HORIZONTALIS' / YANKEE POINT / YANKEE POINT CARMEL CREEPER SALVIA CLEVELANDII ALLEN CHICKERING / ALLEN CHICKERING CLEVELAND SAGE
	LANDSCAPE AREAS - SHRUBS AND GROUNDCOVER ANIGONANTHOS X BUSH RANGER / BUSH RANGER KANGAROO PAW BACCHARIS PILLULARIS 'PIGEON POINT' / PIGEON POINT COYOTE BRUSH BOUGAINVILLEA GLABRA 'HELEN JOHNSON' / HELEN JOHNSON PAPER FLOWER BUDDLEIA DAVIDII 'DARK DYNASTY' / DARK DYNASTY BUTTERFLY BUSH BULBINE FRUTESCENS 'YELLOW' / YELLOW BULBINE COLEONEMA PULCHELLUM / PINK BREATH OF HEAVEN CORDYLINE AUSTRALIS 'SUNDANCE' / SUNDANCE GRASS PALM COTONEASTER DAMMERI / BEARBERRY COTONEASTER GREVILLEA LANIGERA COASTAL GEM / COASTAL GEM GREVILLEA ILEX VOMITORIA / YAUPON HOLLY ILEX VOMITORIA 'STOKES DWARF' / STOKES DWARF YAUPON HOLLY LANTANA X SUNBURST / SUNBURST LANTANA MYRTUS COMMUNIS / COMMON MYRTLE ROSMARINUS OFFICINALIS 'HUNTINGTON CARPET' / HUNTINGTON CARPET ROSEMARY SALVIA LEUCANTHA 'MIDNIGHT' / MIDNIGHT MEXICAN BUSH SAGE TRACHELOSPERMUM JASMINOIDES / CHINESE STAR JASMINE
	SYNTHETIC TURF



**WYNN-SMITH
LANDSCAPE
ARCHITECTURE
INC.**
 13119 POWAY RD. SUITE 150
 POWAY, CA 92064
 TEL. 858.513.0030

The Reserve - Lot 4
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 La Jolla, CA 92037

LANDSCAPE CONCEPT PLAN

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PROJECT	
22-024	
	L-5.0
	OF

These designs, drawings and specifications are the property and copyright of the landscape architect and shall not be used in connection with any other work except by agreement with the landscape architect. There shall be no changes or deviation without the consent of the landscape architect. Written dimensions shall be verified on the job site. Any discrepancy shall be brought to the notice of the landscape architect prior to the commencement of any work.

LANDSCAPE STANDARDS
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MINIMUM TREE SEPARATION DISTANCE
 Traffic signals / stop signs - 20 feet
 Underground utility lines - 5 feet (10' for sewer)
 Above ground utility structures - 10 feet
 Driveway (entries) - 10 feet
 Intersections (intersecting curb lines of two streets) - 25 feet

IRRIGATION
 An automatic, electrically 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. Irrigation shall be drip and bubbler type at level pad areas. Bioretention basins shall be irrigated with low volume MF rotator system.

MAINTENANCE
 All required landscape areas shall be maintained by the Property Owner. Landscape and irrigation areas in the public right-of-way shall be maintained by the Property Owner. The landscape 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.

TREE ROOT ZONE
 A minimum root zone of 40 sf in area shall be provided for all trees. The minimum dimension for this area shall be 5 feet, per SDMC 142.0403(b)(5)

TREE ROOT BARRIERS
 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.

LONG TERM MAINTENANCE
 All required onsite landscape and brush management as shown on these plans shall be maintained by the Property Owner. Owner may elect to obtain a Right-of-Entry Permit to perform seasonal brush management in the area. Contact Park and Recreation Department, Open Space Division at (619) 685-4444

Offsite brush management shall be the responsibility of adjacent property owners. For fuel-load maintenance issues, contact the fire-Rescue Department's Fire Hazard Advisor - Brush/Weed Complaint line at (619) 533-4444

BRUSH MANAGEMENT
 Brush management activities are prohibited within coastal sage scrub, maritime succulent shrub, and chaparral habitats during the breeding season of federally protected species, from March 1 to August 15, except where documented to the satisfaction of the City of San Diego that thinning would be consistent with the conditions of species coverage described in the City of San Diego's MSCF Subarea Plan.

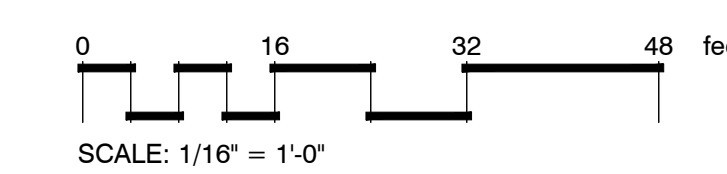
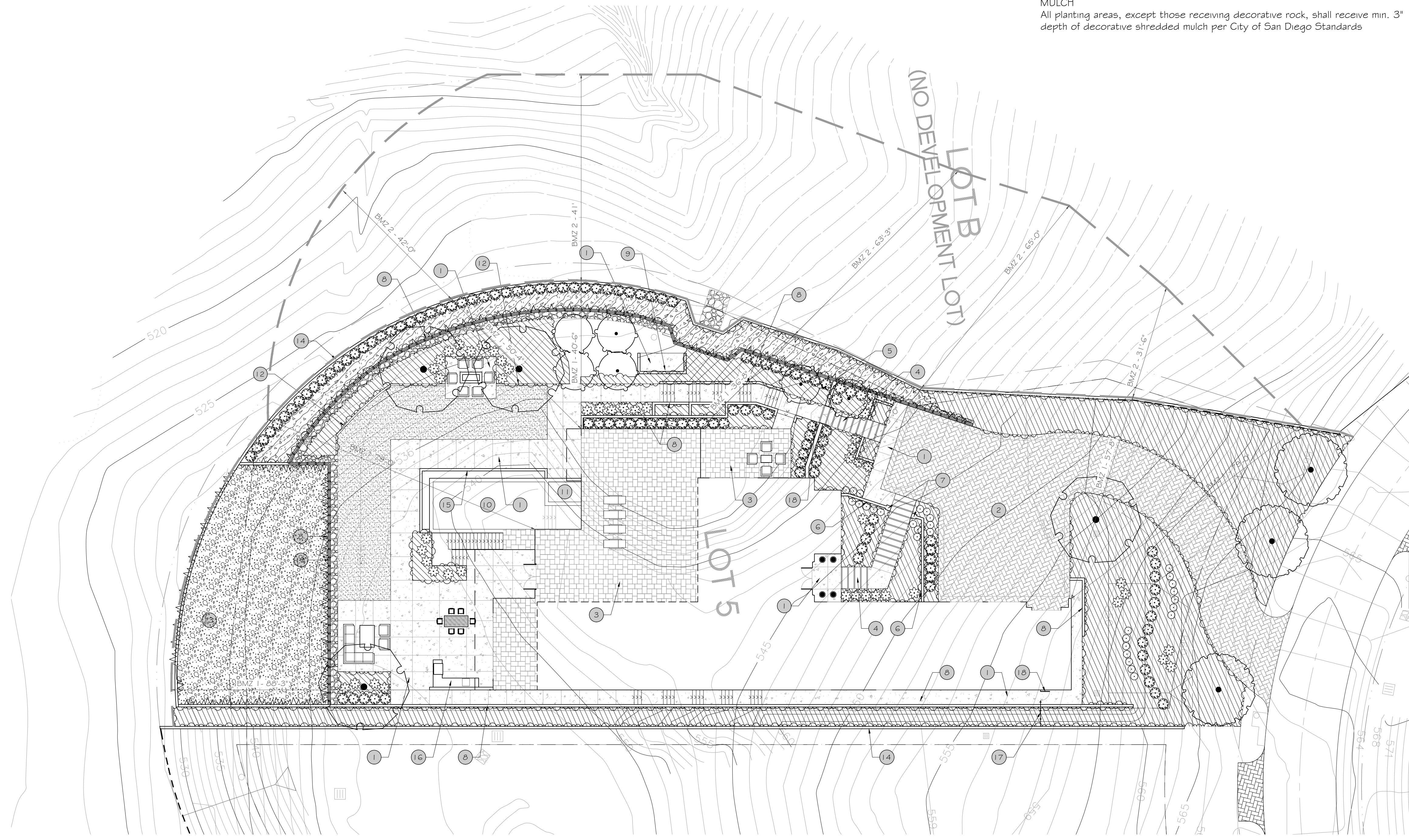
MULCH
 All planting areas, except those receiving decorative rock, shall receive min. 3" depth of decorative shredded mulch per City of San Diego Standards

REFERENCE NOTES SCHEDULE

SYMBOL	DESCRIPTION	QTY
1	CONCRETE PAVING	3,663 SF
2	DRIVEWAY PAVING	3,457 SF
3	SPECIALTY PAVING	2,468 SF
4	CONCRETE PAVER	
5	6" HIGH WALL	
6	LOW FREESTANDING WALL	
7	ENTRY COLUMN	
8	LANDSCAPE RETAINING WALL	
9	POOL EQUIPMENT AREA WITH WALLS	
10	POOL	
11	SPA	
12	MOW CURB	
13	BIO-RETENTION BASIN	
14	PROPERTY WALL	
15	LOW PLANTER WALL	
16	BQQ COUNTER AND SINK	
17	FENCE	7 LF
18	GATE	
19	GUARDRAIL	269 LF

CONCEPT PLANT SCHEDULE

	STREET TREES JACARANDA MIMOSIFOLIA / JACARANDA
	MEDIUM HT. SHADE TREES ARBUS X 'MARINA' / MARINA STRAWBERRY TREE STANDARD KOELREUTERIA ELEGANS / GOLDEN RAIN TREE LAGERSTROEMIA INDICA X FAURIEI 'MUSKOGEE' / MUSKOGEE GRAPE MYRTLE
	FRUIT TREES CITRUS X AURANTIUM 'SEVILLE' / SEVILLE SOUR ORANGE CITRUS X CLEMENTINA / CLEMENTINE ORANGE CITRUS X LIMON 'IMPROVED MEYER' / IMPROVED MEYER LEMON
	BIO-RETENTION BASIN PLANTING ARCTOSTAPHYLOS EDMUNDISII 'CARMEL SUR' / CARMEL SUR LITTLE SUR MANZANITA CAREX SPISSA / SAN DIEGO SEDGE JUNCUS PATENS 'ELK BLUE' / SPREADING RUSH LEYMUS CONDENSATUS 'CANYON PRINCE' / CANYON PRINCE GIANT WILD RYE
	NATIVE PLANTINGS IN BMZ 2 - TEMPORARY IRRIGATION BACCHARIS PILULARIS 'PIGEON POINT' / PIGEON POINT COYOTE BRUSH CEANOTHUS GRISSEUS HORIZONTALIS 'YANKEE POINT' / YANKEE POINT CARMEL CREEPER SALVIA CLEVELANDII 'ALLEN CHICKERING' / ALLEN CHICKERING CLEVELAND SAGE
	LANDSCAPE AREAS - SHRUBS AND GROUND COVER ANIGONANTHOS X 'BUSH RANGER' / BUSH RANGER KANGAROO PAW BACCHARIS PILULARIS 'PIGEON POINT' / PIGEON POINT COYOTE BRUSH BOUGAINVILLEA GLABRA 'HELEN JOHNSON' / HELEN JOHNSON PAPER FLOWER BUDDLEJA DAVIDII 'DARK DYNASTY' / DARK DYNASTY BUTTERFLY BUSH BULBINE FRUTESCENS 'YELLOW' / YELLOW BULBINE COLEONEMA FULCHELLUM / PINK BREATH OF HEAVEN CORDYLINE AUSTRALIS 'SUNDANCE' / SUNDANCE GRASS PALM COTONEASTER DAMMERI / BEARBERRY COTONEASTER GREVILLEA LANGIERA 'COASTAL GEM' / COASTAL GEM GREVILLEA ILEX VOMITORIA / YAUPON HOLLY ILEX VOMITORIA 'STOKES DWARF' / STOKES DWARF YAUPON HOLLY LANTANA X 'SUNBURST' / SUNBURST LANTANA MYRTUS COMMUNIS / COMMON MYRTLE ROSMARINUS OFFICINALIS 'HUNTINGTON CARPET' / HUNTINGTON CARPET ROSEMARY SALVIA LEUCANTHA 'MIDNIGHT' / MIDNIGHT MEXICAN BUSH SAGE TRACHELOSPERMUM JASMINOIDES / CHINESE STAR JASMINE
	SYNTHETIC TURF



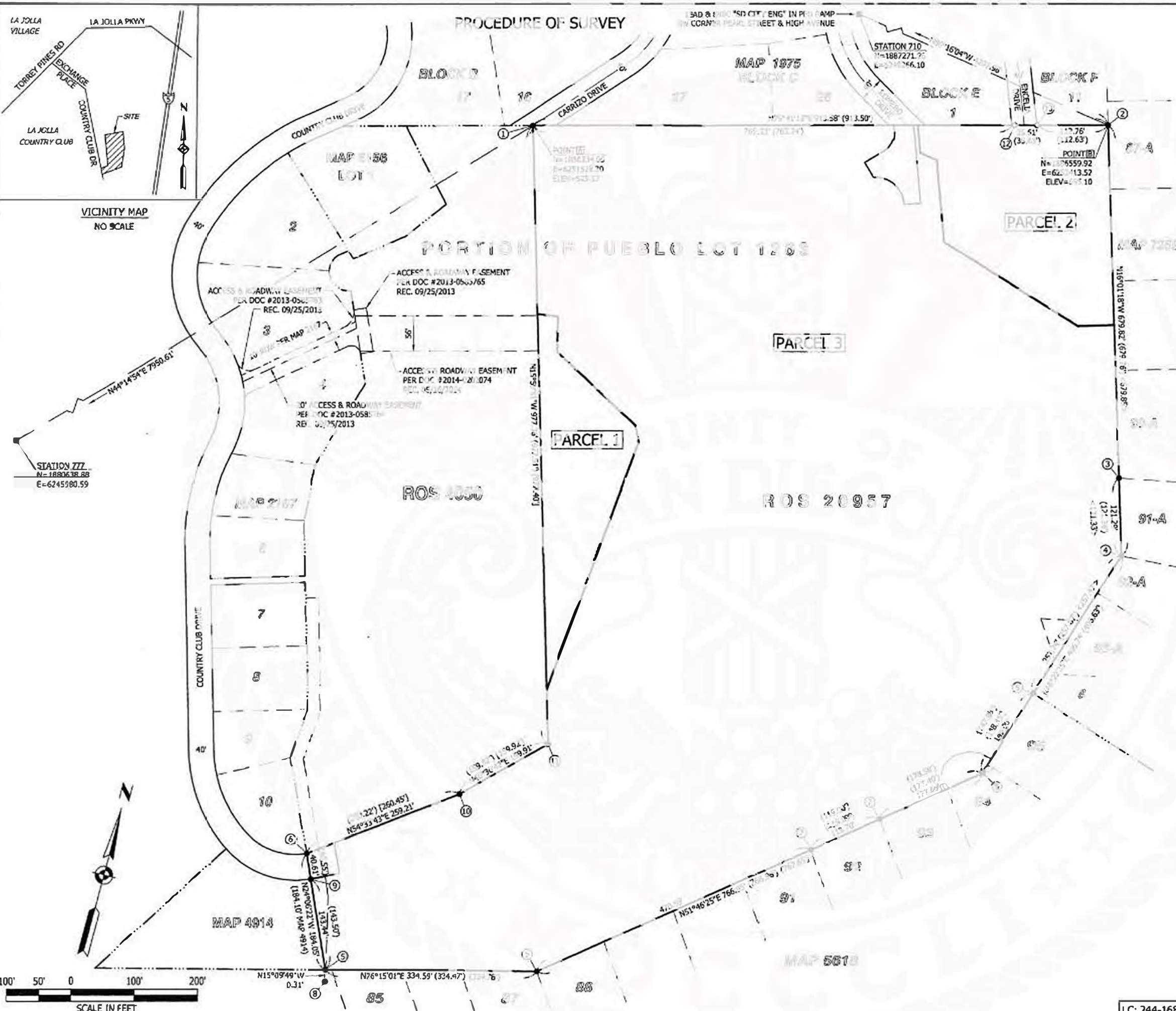
WYNN-SMITH LANDSCAPE ARCHITECTURE INC.
 13319 POWAY RD. SUITE 150
 POWAY, CA 92064
 TEL. 858.513.0030

WYNN-SMITH LANDSCAPE ARCHITECTURE INC.
 Signature: [Signature]
 Renewal: 2-28-25
 Expiration: 12-18-25
 Date: [Date]
 STATE OF CALIFORNIA

The Reserve - Lot 5
 CDP (PMT #3172975), SDP (PMT #3172976),
 TM (PMT #3172977), PDP (PMT #####)
 6850 Country Club Dr
 La Jolla, CA 92037

LANDSCAPE CONCEPT PLAN	
DATE	Revision Schedule
12/19/23	
DRAWN	
WYNN-SMITH LANDSCAPE ARCHITECTURE, INC.	
PROJECT	
22-024	
	L-6.0
	OF

These designs, drawings and specifications are the property and copyright of the landscape architect and shall not be used in connection with any other work except by agreement with the landscape architect. There shall be no changes or deviation without the consent of the landscape architect. Written dimensions shall be verified on the job site. Any discrepancy shall be brought to the notice of the landscape architect prior to the commencement of any work.



LEGEND

- FOUND MONUMENT AS NOTED
- FOUND MONUMENT AS NOTED
- SET 3/4" X 16" PIPE WITH BRASS DISC STAMPED "LS 7927"
- - - PARCEL MAP BOUNDARY
- () RECORD DATA PER ROS 20957, UNLESS OTHERWISE NOTED
- [] RECORD DATA PER ROS 4050
- { } RECORD DATA PER MAP 5618
- < > RECORD DATA PER MAP 7259

FOUND MONUMENT KEY

- ① 2" IP "LS 2522" PER ROS 4050, ROS 20957
- ② 3/4" IP "RCE 22606" PER ROS 20957
- ③ 2" IP "RCE 9195" PER ROS 20957, MAP 7259
- ④ 3/4" IP PER MAP 7259, ROS 20957
- ⑤ 2" IP "PCE 5481" PLUS ROS 20957, MAP 5618
- ⑥ L&D "ICE 92836" PER ROS 20957
- ⑦ 3/4" IP "RCE 9490" PER MAP 5618, ROS 20957
- ⑧ 2" IP "RCE 9416" PER MAP 5618, ROS 20957
- ⑨ 2" IP, ILLEGIBLE PER MAP 5618, ROS 20957
- ⑩ 2" IP "RCE 22606" PER ROS 20957
- ⑪ 3/4" IP "LS 2201" PER ROS 4050, ROS 20957
- ⑫ L&D "LS 2717" PER ROS 20957, REPLACED PER LEGEND
- ⑬ 5/8 REBAR PER ROS 20957, REPLACED PER LEGEND

BOUNDARY NOTES

PROPERTY BOUNDARY IS BASED ON THE RETRACEMENT OF ROS 20957.

ABBREVIATIONS

- CR CORNER RECORD
- IP IRON PIPE
- L&D LEAD & DISC
- P/M PARCEL MAP
- ROS RECORD OF SURVEY
- ROW RIGHT OF WAY
- SF SQUARE FEET
- SNF SEARCHED FOR, NOTHING FOUND

