REPORT TO THE HEARING OFFICER

HEARING DATE: May 22, 2013
REPORT NO. HO 13-044

ATTENTION: HEARING OFFICER

SUBJECT: ROBERTS RESIDENCE; PROJECT NO. 294531
PROCESS 3

LOCATION: 9438 La Jolla Farms Road

OWNER/APPLICANT: Douglas A. Roberts Trust/
Diane B. Roberts and Ralph J. Roberts, Jr, Trustees

SUMMARY

Requested Action: Should the Hearing Officer approve additions to an existing single family dwelling unit on a 1.13 acre site located at 9438 La Jolla Farms Road in the La Jolla Community Planning area?

Staff Recommendation: APPROVE Coastal Development Permit No. 1051681 and Site Development Permit No. 1051682.

Community Planning Group Recommendation: On December 6, 2012, the La Jolla Community Planning Association voted 13-0-1 to recommend approval of the project (Attachment 9).

Environmental Review: This project is exempt from environmental review pursuant to Article 19, Section 15302 (Replacement or Reconstruction), of the California Environmental Quality Act (CEQA). The project proposes additions to an existing 3,377 square foot single family dwelling unit. The environmental exemption determination for this project was made on March 29, 2013. The Notice of Right to Appeal (NORA) was posted on April 5, 2013 and the opportunity to appeal that determination ended April 26, 2013 (Attachment 11).

BACKGROUND

The proposed project site is located at 9438 La Jolla Farms Road (Attachment 1), northwest of La Jolla Shores Drive and N. Torrey Pines Road (Attachment 2). The property is in the RS-1-2 Zone (Attachment 3) within the La Jolla Community Plan area (Attachment 4), Coastal Overlay Zone (Appealable), Coastal Height Limitation Overlay Zone, Parking Impact Overlay Zone (Beach
The property is located between the sea and the first public roadway paralleling the sea, which are identified as La Jolla Shores Drive and N. Torrey Pines Road at this location. The zoning designation is for single family residential use and the La Jolla Community Plan (LJCP) designates the project site for Very Low Density Residential use at 0-5 dwelling units per acre (du/ac). The project site, occupying 1.13 acres, could accommodate one dwelling unit and accessory uses and buildings based on the underlying zone, and 0-5 dwelling units based on the community plan.

The project site has been previously graded and developed with an existing single-family dwelling unit, which was constructed in 1964 in the International style. The residence is designated as a historic resource and is listed as Historical Resource Board (HRB) Site #1054-Jacob Bronowski House. The historic name reflects the name of the historically significant individual who owned and resided at the residence between 1964 and his death in 1974. Jacob Bronowski was recruited by James Salk to serve as one of the five ‘founding fellows’ of the Salk Institute. In addition, Bronowski was a distinguished mathematician and humanist with a long career in which he researched, lectured, published, produced, and wrote and produced his highly acclaimed series and book, *The Ascent of Man*. The residence was designated on June 28, 2012, as a historic resource.

Properties to the north, east, and south contain single-family residential development. The land use designation for the properties is Very Low Density Residential (0-5 du/ac) and zoned RS-1-2. The property to the west is an undeveloped canyon and the land use designation for the property is Parks and Open Space, and zoned RS-1-1.

**DISCUSSION**

**Project Description:**

The project proposes a 1,495 square foot addition to an existing 3,377 square foot single family dwelling unit, a 1,956 square foot habitable accessory building, a 1,094 non-habitable accessory building, screened pool area, two garages and a screened parking area. The habitable accessory building consists of a two bedroom guest quarters. As proposed, the project will comply with separately regulated use requirements for guest quarters in Land Development Code (LDC) Section 141.0306 and conditions have been added to the development permit to assure compliance with the regulations. The non-habitable accessory building would consist of a ceramic studio and storage, and a mechanical room on the lower level. The proposed modifications and additions have been designed to be consistent with the Secretary of Interior Standards due to the historic nature of the existing structure.

The proposed one story main structure will have a maximum building height of 16 feet at the great room, a 11 foot height for the habitable accessory building, and a 16 foot height from the highest point of grade for the non-habitable accessory building with the lower mechanical room stepping down the slope an additional 10 feet. Therefore, all of the buildings and any projections will not exceed the maximum 30 foot height limit allowed by the Coastal Height Limitation Overlay Zone. The western edge of the project site contains Environmentally Sensitive Lands (ESL) in the form of steep hillsides and sensitive biological resources, and lies within the boundaries of an Urban Area of the City of San Diego’s Multiple Species Conservation Plan (MSCP). The western
property line of the site is located within approximately 50 feet the Multiple Habitat Planning Area (MHPA); however, the proposed additions and other improvements are a minimum of 150 feet east of the MHPA. The project has been designed to comply with the MSCP General Management Directives and the MSCP Subarea Plan’s Land Use Adjacency Guidelines, such as lighting, drainage, landscaping, grading, access and noise.

The proposed development lies within the previously graded building pad and no portions of the development shall extend beyond the top of the slope or into the steep hillsides and sensitive biological resources. As a condition of approval, the owner/permittee shall execute and record a Covenant of Easement, which ensures preservation of the ESL that are outside the allowable development area on the premises as shown on Exhibit "A" for sensitive biological resources and steep hillsides, in accordance with LDC Section 143.0152.

The project proposes no deviations or variances from the applicable regulations and development standards in effect for this site. Development of the proposed project requires the approval of a Coastal Development Permit (CDP) for development within the Appealable Area of the Coastal Overlay Zone, and a Site Development Permit (SDP) for development on a site that contains ESL. As a component of the proposed project, the buildings will utilize renewable energy technology, self-generating at least 50 percent of the projected total energy consumption on site through photovoltaic technology (solar panels). Because the project utilizes renewable technologies and qualifies as a Sustainable Building, the land use approvals have been processed through the Affordable/In-Fill Housing and Sustainable Buildings Expedite Program.

Community Plan Analysis:

The project site is located at 9438 La Jolla Farms Road, northwest of La Jolla Shores Drive, within the LJCP area. The LJCP designates the project site for Very Low Density Residential use at 0-5 du/ac. The project site, occupying 1.13 acres, could accommodate 0-5 dwelling units based on the community plan. The surrounding development to the north, east, and south consists of single family residential dwelling units, and the property to the west is an undeveloped canyon. La Jolla Farms Road at this location is identified as a scenic overlook through the property. The community plan states that public views shall be retained and enhanced for public use. In addition, LDC Section 132.0403(b) requires a visual corridor of not less than the side yard setbacks or more than 10 feet in width, and running the full depth of the premises, be preserved as a deed restriction and has been included as a condition of approval of the permit.

The Residential Element of the LJCP identifies Community Character as common development pattern and streetscape themes throughout the neighborhood. Elements of character are illustrated through bulk and scale, street and site fixtures, and materials and colors used in pavement and in structural design. One of the goals within the LJCP is to maintain the character of the 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. Staff has determined that the proposed modifications and additions to the existing single family dwelling unit being set back from street and the architectural design is in scale and preserves the existing character of the surrounding neighborhood.
Conclusion:

The project meets all applicable regulations and policy documents, and staff finds the project consistent with the recommended land use, design guidelines, and development standards in effect for this site per the adopted LJCP, Local Coastal Program Land Use Plan, Land LDC, and the General Plan.

ALTERNATIVES

1. **APPROVE** Coastal Development Permit No. 1051681 and Site Development Permit No. 1051682, with modifications.

2. **DENY** Coastal Development Permit No. 1051681 and Site Development Permit No. 1051682, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

[Signature]

Jeffrey A. Peterson
Development Project Manager
Development Services Department

WESTLAKE/JAP

Attachments:

1. Location Map
2. Aerial Photograph
3. Zoning Map
4. Community Plan Land Use Map
5. Project Data Sheet
6. Project Plans
7. Draft Permit with Conditions
8. Draft Resolution with Findings
9. La Jolla Community Planning Association Recommendation
10. Ownership Disclosure Statement
11. Environmental Exemption
12. Project Chronology
13. Copy of Public Notice (forwarded to HO)
14. Copy of Project Plans (full size-forwarded to HO)

Internal Order No. 24003221
Location Map
Roberts Residence - Project No. 294531
9438 La Jolla Farms Road
Aerial Photograph

Roberts Residence - Project No. 294531
9438 La Jolla Farms Road

Project Site

La Jolla Farms Rd

North
La Jolla Community Plan Land Use Map

Roberts Residence- Project No. 294531
9438 La Jolla Farms Road
# PROJECT DATA SHEET

<table>
<thead>
<tr>
<th>PROJECT NAME:</th>
<th>Roberts Residence- Project No. 294531</th>
</tr>
</thead>
<tbody>
<tr>
<td>PROJECT DESCRIPTION:</td>
<td>Additions to an existing single family dwelling unit on a 1.13 acre site.</td>
</tr>
<tr>
<td>COMMUNITY PLAN AREA:</td>
<td>La Jolla</td>
</tr>
<tr>
<td>DISCRETIONARY ACTIONS:</td>
<td>Coastal Development Permit and Site Development Permit</td>
</tr>
<tr>
<td>COMMUNITY PLAN LAND USE DESIGNATION:</td>
<td>Very Low Density Residential use at 0-5 du/ac</td>
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## ZONING INFORMATION:
- **ZONE:** RS-1-2 Zone
- **HEIGHT LIMIT:** 30-foot maximum height limit (Coastal Height Limitation Overlay Zone)
- **LOT SIZE:** 5,000 square foot
- **FLOOR AREA RATIO:** 0.45
- **LOT COVERAGE:** NA
- **FRONT SETBACK:** 25 feet [LDC Section 131.0443(a)(2)]
- **SIDE SETBACK:** 15 feet 4 inch (North) & 11 feet (South) [LDC Section 131.0443(a)(3)]
- **STREETSIDE SETBACK:** NA
- **REAR SETBACK:** 33 feet 9 inch [LDC Section 131.0443(a)(4)]
- **PARKING:** 6 spaces

<table>
<thead>
<tr>
<th>ADJACENT PROPERTIES:</th>
<th>LAND USE DESIGNATION &amp; ZONE</th>
<th>EXISTING LAND USE</th>
</tr>
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<tbody>
<tr>
<td>NORTH:</td>
<td>Very Low Density Residential; RS-1-2</td>
<td>Single Family Residential Development</td>
</tr>
<tr>
<td>SOUTH:</td>
<td>Very Low Density Residential; RS-1-2</td>
<td>Single Family Residential Development</td>
</tr>
<tr>
<td>EAST:</td>
<td>Very Low Density Residential; RS-1-2</td>
<td>Single Family Residential Development</td>
</tr>
<tr>
<td>WEST:</td>
<td>Parks and Open Space; RS-1-1</td>
<td>Open Space</td>
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## DEVIATIONS OR VARIANCES REQUESTED:
None with this action.

## COMMUNITY PLANNING GROUP RECOMMENDATION:
On December 6, 2012, the La Jolla Community Planning Association voted 13-0-1 to recommend approval of the project.
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LOCATION AS

KEY NOTES

WALL TO REMAIN ARCH BY TO PREVIEW
WALL TO DEMOLISH ARCH COLUMN TO CONCEAL
(R) BUILDING FOOTPRINT

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ATTACHMENT 6

ALCORNE & BENTON
ARCHITECTS
7761 Girard Avenue, La Jolla, California 92037

P(858) 698-6665 F(858) 690-1338

ROBERTS RESIDENCE

0.5

ATTACHMENT 6
EXISTING DOOR (TYP ALL SLIDING GLASS DOORS)

PROPOSED REPLICA DOOR - SEE SCHEDULE & PLAN ON A0.5 FOR LOCATION
New

4'0"

3 MATCH TEXTURE

A

Face

1

Remove plaster,

Existing

EKIStng building paper

lath and building paper

Sawout #1: Full depth of plaster

Shallow

sawcut #2

stucco.

Protect exg

only.

Leave

WEST

Existing

New corner bead

Existing:

Self-adhered

Plate

Cementitious

4"

3x3 Wood

ELEVATION

SQ x

1'·6'

Existing

Foundation:

Paint

at

edges

Post

edges

New

Color coat

Scratch

waterproof membrane

Sealer

coats

at buildillQ

TBD.

New

Cementitious stucco:

Protect
corners.

Match to

existing

YS" Cementltlous stucco:

Self-adhered

at

top

New

Color coat

Scratch

waterproof membrane

Sealer

coats

at buildillQ

TBD.

Existing

Foundation:

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at

edges

Post

edges

New

Color coat

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Sealer

coats

at buildillQ

TBD. 
Photos of Existing Columns 1-12

For locations see Sheet 0.5
For Existing photos, see Sheet 0.9
SOLAR NOTE:
4,500 sf SFR AVERAGING 1800 KWH ANNUALLY
52 PANELS @318 WATT HIGH EFFICIENCY MODULES TOT AUNG 30,040 WATTS STC 
AZIMUTH= 165d, 75d &2550 TILT.,VARIED
ESTIMATED ANNUAL PRODUCTION 36,213 KWH
FLAT ROOF REQUIRES 4' MINIMUM PERIMETER WALKWAYS
SOLAR OFFSET.;: 100% POSSIBLE

STUDIO
389.71'

ROOM ABV
GREAT
ROOM
WALLBLW
SKYUGHT
SOLAR PANEL {SEE SOLAR NOTE)
STAINLESS STEEL CHIMNEY
{N) TILLES. PAINTED 6x8 STEEL
WE FABRIC BETWEEN MEMBERS
ROOF HIGH POINT
PIPE
INTERIOR OF COL
EXISTING NORTH ELEVATION

PROPOSED NORTH ELEVATION
LEGAL DESCRIPTION:
LOT 24, LA JOLLA FARMS, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF TO BE DETERMINED BY OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, AUGUST, 1966.

APN / ADDRESS
LA JOLLA FARMS ROAD
LA JOLLA, CA 92037

NOTES
1. THE RESULTS OF THE TOPOGRAPHIC SURVEY SHOWN HEREIN ARE DETERMINED BY MR. CHRISTENSEN & SURVEYING, 7650 SILVERTON AVENUE, SUITE 200, SAN DIEGO, CA 92126, PHONE (619) 271-9001 FAX (619) 271-8062.
2. THE SUBJECT PROPERTY IS SEPARATE SURVEY OF SAN DIEGO SPECIALITY SEWER LATERAL AND WATER SERVICE, WHICH ARE TO BE REQUITED.
3. EXCLUDED EASEMENTS ARE SHOWN.
4. SURVEY WERE SHOWN IN THE BOUNDARY OF THE INTERSECTION OF PROPERTY BOUNDARY SHOWN ON THE SURVEY, EXCEPT AS ShOWN IN THE INTERSECTION OF PROPERTIES BOUNDARY.

LEGEND
PROPERTY LINE
EXISTING EASEMENT
EXISTING GAS LINE
EXISTING WATER LINE
EXISTING SEWER LINE
EXISTING DRAINAGE

SLOPE ANALYSIS DATA

AREA OF SITE WITH SLOPES OF 4% OR GREATER: 1,004 SF.
PERCENT OF TOTAL SITE 23.5%.

AREA OF SITE WITH SLOPES BETWEEN 2% AND 4%: 3,876 SF.
PERCENT OF TOTAL SITE 23.5%.

AREA OF SITE WITH SLOPES GREATER THAN 25% PREVIOUSLY TURFED: 6,729 SF.
PERCENT OF TOTAL SITE 17.0%.

AREA OF SITE WITH SLOPES GREATER THAN 25% PREVIOUSLY UPGRADED: 6,729 SF.
PERCENT OF TOTAL SITE 17.8%.

SLOPE ANALYSIS

Drawing By: CHRISTENSEN & SURVEYING
7650 SILVERTON AVENUE, SUITE 200.
SAN DIEGO, CA 92126
PHONE (619) 271-9001 FAX (619) 271-8062

Project Name: PROJECTED RESIDENCE

Modifications:
Revisions:
Drawn By:

November 20, 2012
San Diego, CA
INTERNAL ORDER NUMBER: 24003221

COASTAL DEVELOPMENT PERMIT NO. 1051681
SITE DEVELOPMENT PERMIT NO. 1051682
ROBERTS RESIDENCE PROJECT NO. 294531
HEARING OFFICER

This Coastal Development Permit No. 1051681 and Site Development Permit No. 1051682 are granted by the Hearing Officer of the City of San Diego to DOUGLAS A. ROBERTS TRUST, Owner and Permittee, pursuant to San Diego Municipal Code [SDMC] Sections 126.0504 and 126.0708. The 1.13 acre site is located at 9438 La Jolla Farms Road in the RS-1-2 Zone within the La Jolla Community Plan, Coastal Overlay Zone (Appealable), Coastal Height Limitation Overlay Zone, Parking Impact Overlay Zone (Beach impact and Campus Impact areas), Residential Tandem Parking Overlay Zone, and Council District 1. The project site is legally described as: Lot 24 of La Jolla Farms, in the City of San Diego, State of California, according to Map thereof No. 3487, filed in the Office of the County Recorder of San Diego County, August 9, 1956.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee for modifications and additions to an existing single family dwelling unit, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated May 22, 2013, on file in the Development Services Department.

The project shall include:

a. A 1,495 square foot addition to an existing 3,377 square foot single family dwelling unit, a 1,956 square foot habitable accessory building, a 1,094 non-habitable accessory building, a screened pool area, two garages and a screened parking area;

b. Landscaping (planting, irrigation and landscape related improvements);

c. Off-street parking;

Page 1 of 8
d. Construction of associated site improvements (i.e. hardscape and site walls).

e. A roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 50 percent of the project's projected energy consumption; 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 I 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 ___________, 2016.

2. This Coastal Development Permit shall become effective on the eleventh working day following receipt by the California Coastal Commission of the Notice of Final Action, or following all appeals.

3. 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.

4. 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.

5. 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.

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

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

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

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

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

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

12. Prior to the issuance of a building permit, the Owner/Permittee shall incorporate on the construction documents a Knox Box for the gate and the proposed structures shall be required to be sprinklered.

ENGINEERING REQUIREMENTS:

13. Prior to the issuance of any building permit, the Owner/Permittee shall obtain an Encroachment Maintenance and Removal Agreement for the curb outlet, landscape and irrigation located within La Jolla Farms Road right-of-way, satisfactory to the City Engineer.

14. Prior to the issuance of any construction permit, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent Best Management Practices (BMPs) maintenance, satisfactory to the City Engineer.

15. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate any construction BMPs necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the Municipal Code, into the construction plans or specifications.

16. Prior to the issuance of any construction permit, the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Appendix E of the City's Storm Water Standards.

17. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate and show the type and location of all post construction BMPs on the final construction drawings, consistent with the approved Water Quality Technical Report.

18. The drainage system proposed for this development is private and subject to approval by the City Engineer.

19. Prior to the issuance of a building permit, the Owner/Permittee shall obtain a 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.

LANDSCAPE REQUIREMENTS:

20. Complete landscape and irrigation construction documents, consistent with the Land Development Manual-Landscape Standards, shall be submitted to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit 'A,' Landscape Development Plan, on file in the Office of the Development Services Department. Construction plans shall take into account a 40 square foot area around each tree that is unencumbered by hardscape and utilities as set forth under LDC 142.0403(b)(5).
21. Prior to issuance of any construction permits for grading, the Owner/Permittee or Subsequent Owner/Permittee shall ensure that all proposed landscaping shall not include exotic plant species that may be invasive to native habitats. Plant species found within the California Invasive Plant Council’s (Cal-IPC Invasive Plant Inventory and the prohibited plant species list found in Table 1 of the Landscape Standards shall not be permitted.

22. Site Plan, Grading Plan and Landscape Construction Plans shall include Covenant of Easement and View Corridors.

23. Plant material located in the view corridor shall not exceed a height of 36 inches at maturity. Scaffolding/pruning of trees shall be maintained so as not to significantly obstruct views in the view corridor.

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

25. Any required planting that dies within 3 years of installation shall be replaced within 30 calendar days of plant death with the same size and species of plant material shown on the approved plan.

26. Required shrubs or trees that die 3 years or more after installation shall be replaced with 15-gallon size or 60-inch box size /15 foot BTH material, respectively. Development Services may authorize adjustment of the size and quantity of replacement material.

**PLANNING/HISTORICAL RESOURCE REQUIREMENTS:**

27. Prior to the issuance of any building permit(s) for current and future improvements to the single-dwelling unit at 9438 La Jolla Farms Road, the Owner/Permittee shall submit the construction documents to the Historical Resources Division within the Development Services Department for review. The construction documents shall show all proposed improvements and shall be consistent with the U.S. Secretary of Interior’s Standards due to the historic nature of the structure.

**PLANNING/DESIGN REQUIREMENTS:**

28. Prior to the issuance of any construction permits, the Owner/Permittee shall record two 10-foot wide View Corridor Easements as shown on Exhibit "A," in accordance with SDMC section 132.0403.

29. 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 Hillsides, 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."

30. Owner/Permittee shall maintain a minimum of six (6) off-street parking spaces [total of seven (7) parking spaces are being provided] on the property at all times in the approximate locations shown on the approved Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the appropriate City decision maker in accordance with the SDMC.

31. Prior to the issuance of a building permit, the Owner/Permittee shall submit a signed agreement with the City that specifies that the guest quarters or habitable accessory building shall not be used as, or converted to, a companion unit or any other dwelling unit. The agreement shall include a stipulation that neither the primary dwelling unit nor the guest quarters or habitable accessory building shall be sold or conveyed separately. The City will provide the agreement to the County Recorder for recordation.

32. The detached guest quarters shall not be rented, leased, or sold as a separate dwelling unit.

33. The guest quarters shall be used solely by the occupants of the primary dwelling unit, their guests, or their employees.

34. 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.

35. Prior to the issuance of building permits, construction documents shall fully illustrate the incorporation of a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 50 percent of the project's projected energy consumption, in accordance with Council Policy 900-14.

36. 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.

**GEOLOGY REQUIREMENTS:**

37. The Owner/Permittee shall submit a geotechnical investigation report or update letter that specifically addresses the proposed construction plans. The geotechnical investigation report or update letter shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to issuance of any construction permits.

38. The Owner/Permittee shall submit an as-graded geotechnical report prepared in accordance with the City's "Guidelines for Geotechnical Reports" following completion of the grading. The as-graded geotechnical report shall be reviewed for adequacy by the Geology
Section of the Development Services Department prior to exoneration of the bond and grading permit close-out.

INFORMATION ONLY:

- The issuance of this discretionary use permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this discretionary use permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.

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

APPROVED by the Hearing Officer of the City of San Diego on May 22, 2013, and Resolution No. HO-XXXX.
Permit Type/PTS Approval No.: CDP No. 1051681 & SDP No. 1051682
Date of Approval: May 22, 2013

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Jeffrey A. Peterson
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.

DOUGLAS A. ROBERTS TRUST
Owner/Permittee

By __________________________________________
       Diane B. Roberts
       Trustee

DOUGLAS A. ROBERTS TRUST
Owner/Permittee

By __________________________________________
       Ralph J. Roberts, Jr.
       Trustee

NOTE: Notary acknowledgments must be attached per Civil Code section 1189 et seq.
WHEREAS, DOUGLAS A. ROBERTS TRUST, Owner and Permittee, filed an application with the City of San Diego for a permit for modifications and additions to an existing single family dwelling unit (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 1051681 and No. 1051682), on portions of a 1.13 acre site;

WHEREAS, the project site is located at 9438 La Jolla Farms Road in the RS-1-2 Zone within the La Jolla Community Plan, Coastal Overlay Zone (Appealable), Coastal Height Limitation Overlay Zone, Parking Impact Overlay Zone (Beach Impact and Campus Impact areas), Residential Tandem Parking Overlay Zone, and Council District 1;

WHEREAS, the project site is legally described as Lot 24 of La Jolla Farms, in the City of San Diego, State of California, according to Map thereof No. 3487, filed in the Office of the County Recorder of San Diego County, August 9, 1956;

WHEREAS, on May 22, 2013, the Hearing Officer of the City of San Diego considered Coastal Development Permit No. 1051681 and Site Development Permit No. 1051682 pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

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

That the Hearing Officer adopts the following written Findings, dated May 22, 2013.

FINDINGS:

I. Coastal Development Permit - Section 126.0708(a)

1. 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 1.13 acre site is located at 9438 La Jolla Farms Road and is an interior lot and is located approximately 1,425 feet from the Pacific Ocean. The property is located between the sea and the first public roadway paralleling the sea, which are identified as La Jolla Shores Drive and N. Torrey Pines Road at this location. La Jolla Farms Road at this location is identified as scenic overlook through the property, but is not designated as a physical accessway within the adopted La Jolla Community Plan (LJCP) and Local Coastal Program Land Use Plan. The proposed project would provide two 10-foot wide View Corridor Easements and has been designed to meet the development regulations of the underline zone and would not encroach upon any physical accessway and will protect public views to the Pacific Ocean.
2. The proposed coastal development will not adversely affect environmentally sensitive lands;

The project proposes the construction of a 1,495 square foot addition to an existing 3,377 square foot single family dwelling unit, a 1,956 square foot habitable accessory building, a 1,094 non-habitable accessory building, screened pool area, two garages and a screened parking area. The habitable accessory building consists of a two bedroom guest quarters. The subject property is an interior lot, and is located approximately 1,425 feet from the Pacific Ocean. The site is approximately 373 feet above Mean Sea Level (MSL) and is located above the 100-year floodplain.

The western edge of the project site contains Environmentally Sensitive Lands (ESL) in the form of steep hillsides and sensitive biological resources, and lies within the boundaries of an Urban Area of the City of San Diego's Multiple Species Conservation Plan (MSCP). The western property line of the site is located within approximately 50 feet the Multiple Habitat Planning Area (MHPA); however, the proposed additions and other improvements are a minimum of 150 feet east of the MHPA. The project has been designed to comply with the MSCP General Management Directives and the MSCP Subarea Plan's Land Use Adjacency Guidelines.

The proposed development lies within the previously graded building pad and no portions of the development shall extend beyond the top of the slope or into the steep hillsides and sensitive biological resources. As a condition of approval, the owner/permittee shall execute and record a Covenant of Easement, which ensures preservation of the ESL that are outside the allowable development area on the premises as shown on Exhibit "A" for sensitive biological resources and steep hillsides, in accordance with Land Development Code (LDC) Section 143.0152.

The project proposes no deviations or variances from the applicable regulations and development standards in effect for this site. Therefore, it has been determined that the development 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; and

The 1.13 acre site is located at 9438 La Jolla Farms Road and is an interior lot and is located approximately 1,425 feet from the Pacific Ocean. The property is located between the sea and the first public roadway paralleling the sea, which are identified as La Jolla Shores Drive and N. Torrey Pines Road at this location. La Jolla Farms Road at this location is identified as scenic overlook through the property, but is not designated as a physical accessway within the adopted LJCP and Local Coastal Program Land Use Plan. The proposed project would provide two 10-foot wide View Corridor Easements and has been designed to meet the development regulations of the underline zone and would not encroach upon any physical accessway and will protect public views to the Pacific Ocean.
The one-story main structure will have a maximum building height of 16 feet at the great room, a 11-foot height for the habitable accessory building, and a 16-foot height from the highest point of grade for the non-habitable accessory building with the lower mechanical room stepping down the slope an additional 10 feet. Therefore, all of the buildings and any projections will not exceed the maximum 30-foot height limit allowed by the Coastal Height Limitation Overlay Zone (CHLOZ).

With the coastal view corridor easements, the project meets all applicable regulations and policy documents, and is consistent with the recommended land use designation, design guidelines, and development standards in effect for this site. Therefore, the development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

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 1.13-acre site is located at 9438 La Jolla Farms Road and is an interior lot and is located approximately 1,425 feet from the Pacific Ocean. The property is located between the sea and the first public roadway paralleling the sea, which are identified as La Jolla Shores Drive and N. Torrey Pines Road at this location. La Jolla Farms Road at this location is identified as scenic overlook through the property, but is not designated as a physical accessway within the adopted LJCP and Local Coastal Program Land Use Plan. The proposed project would provide two 10-foot-wide View Corridor Easements.

The proposed project has been designed to meet the development regulations of the underlying zone and no public view, public access to the water, public recreation facilities, or public parking facilities would be adversely affected by the approval of this development. Therefore, the proposed development has demonstrated conformance with the public access and recreation policies of the California Coastal Act as required by this finding.

II Site Development Permit - Section 126.0504

A. Findings for all Site Development Permits

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

The project site is located at 9438 La Jolla Farms Road in the RS-1-2 Zone within the LJCP, and the Local Coastal Program Land Use Plan. The zoning designation is a single family residential and the LJCP designates the proposed project site for Very Low Density Residential use at 0-5 dwelling units per acre (du/ac). The project site, occupying 1.13 acres, could accommodate one dwelling unit and accessory uses and buildings based on the underlying zone, and 0-5 dwelling units based on the community plan.
The project proposes the construction of a 1,495 square foot addition to an existing 3,377 square foot single family dwelling unit, a 1,956 square foot habitable accessory building, a 1,094 non-habitable accessory building, screened pool area, two garages and a screened parking area. The habitable accessory building consists of a two bedroom guest quarters.

The one story main structure will have a maximum building height of 16 feet at the great room, a 11 foot height for the habitable accessory building, and a 16 foot height from the highest point of grade for the non-habitable accessory building with the lower mechanical room stepping down the slope an additional 10 feet. Therefore, all of the buildings and any projections will not exceed the maximum 30 foot height limit allowed by the CHLOZ.

The project proposes no deviations or variances from the applicable regulations and policy documents, and is consistent with the underlying zone, LJCP, Local Coastal Program Land Use Plan, LDC and the General Plan. Therefore, the proposed development will not adversely affect the applicable land use plan.

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

The project proposes the construction of a 1,495 square foot addition to an existing 3,377 square foot single family dwelling unit, a 1,956 square foot habitable accessory building, a 1,094 non-habitable accessory building, screened pool area, two garages and a screened parking area. The habitable accessory building consists of a two bedroom guest quarters. The project proposes no deviations or variances from the applicable regulations and policy documents, and is consistent with the underlying zone, LJCP, Local Coastal Program Land Use Plan, LDC and the General Plan.

The City of San Diego reviewed of this project in accordance with California Environmental Quality Act (CEQA) guidelines. The project was determined to be categorically exempt from CEQA pursuant to Section 15302 (Replacement or Reconstruction).

The permit for the project includes various conditions and referenced exhibits of approval relevant to achieving project compliance with the applicable regulations of the LDC in effect for this project. Such conditions have been determined by the decision-maker as necessary to avoid adverse impacts upon the health, safety and general welfare of persons residing or working in the surrounding area. The project will comply with the development conditions in effect for the subject property as described in Coastal Development Permit No. 1051681 and Site Development Permit No. 1051682, and other regulations and guidelines pertaining to the subject property per the LDC. Therefore, the proposed development will not be detrimental to the public health, safety, and welfare.

3. The proposed development will comply with the applicable regulations of the Land Development Code.
The project proposes the construction of a 1,495 square foot addition to an existing 3,377 square foot single family dwelling unit, a 1,956 square foot habitable accessory building, a 1,094 non-habitable accessory building, screened pool area, two garages and a screened parking area. The habitable accessory building consists of a two bedroom guest quarters.

The western edge of the project site contains ESL in the form of steep hillsides and sensitive biological resources, and lies within the boundaries of an Urban Area of the City of San Diego’s MSCP. The western property line of the site is located within approximately 50 feet the MHPA; however, the proposed additions and other improvements are a minimum of 150 feet east of the MHPA. The project has been designed to comply with the MSCP General Management Directives and the MSCP Subarea Plan’s Land Use Adjacency Guidelines.

The proposed development lies within the previously graded building pad and no portions of the development shall extend beyond the top of the slope or into the steep hillsides and sensitive biological resources. As a condition of approval, the owner/permittee shall execute and record a Covenant of Easement, which ensures preservation of the ESL that are outside the allowable development area on the premises as shown on Exhibit "A" for sensitive biological resources and steep hillsides, in accordance with LDC Section 143.0152.

The one story main structure will have a maximum building height of 16 feet at the great room, a 11 foot height for the habitable accessory building, and a 16 foot height from the highest point of grade for the non-habitable accessory building with the lower mechanical room stepping down the slope an additional 10 feet. Therefore, all of the buildings and any projections will not exceed the maximum 30 foot height limit allowed by the CHLOZ.

The project proposes no deviations or variances from the applicable regulations and policy documents, and is consistent with the underlying zone and complies with the LDC.

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 1.13 acre site is located at 9438 La Jolla Farms Road and the western edge of the site contains ESL in the form of steep hillsides and sensitive biological resources, and lies within the boundaries of an Urban Area of the City of San Diego’s MSCP. The western property line of the site is located within approximately 50 feet the MHPA; however, the proposed additions and other improvements are a minimum of 150 feet east of the MHPA. The project has been designed to comply with the MSCP General Management Directives and the MSCP Subarea Plan’s Land Use Adjacency Guidelines.
The proposed development lies within the previously graded building pad and no portions of the development shall extend beyond the top of the slope or into the steep hillsides and sensitive biological resources. As a condition of approval, the owner/permittee shall execute and record a Covenant of Easement, which ensures preservation of the ESL that are outside the allowable development area on the premises as shown on Exhibit "A" for sensitive biological resources and steep hillsides, in accordance with LDC Section 143.0152.

The project proposes no deviations or variances from the applicable regulations and policy documents, and is consistent with the underlying zone and the LDC. Therefore, the site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to ESL.

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 project site is located at 9438 La Jolla Farms Road on the northwest of La Jolla Shores Drive. The project proposes the construction of a 1,495 square foot addition to an existing 3,377 square foot single family dwelling unit, a 1,956 square foot habitable accessory building, a 1,094 non-habitable accessory building, screened pool area, two garages and a screened parking area. The habitable accessory building consists of a two bedroom guest quarters. The subject property is an interior lot, and is located approximately 1,425 feet from the Pacific Ocean. The site is approximately 373 feet above MSL and is located above the 100-year floodplain.

The proposed development lies within the previously graded building pad and no portions of the development shall extend beyond the top of the slope or into the steep hillsides and sensitive biological resources. As a condition of approval, the owner/permittee shall execute and record a Covenant of Easement, which ensures preservation of the ESL that are outside the allowable development area on the premises as shown on Exhibit "A" for sensitive biological resources and steep hillsides, in accordance with LDC Section 143.0152. The western property line of the site is located within approximately 50 feet the MHPA; however, the proposed additions and other improvements are a minimum of 150 feet east of the MHPA. The project has been designed to comply with the MSCP General Management Directives and the MSCP Subarea Plan's Land Use Adjacency Guidelines.

The project proposes no deviations or variances from the applicable regulations and policy documents, and is consistent with the underlying zone and the LDC. Therefore, the proposed development has been designed to 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 1.13 acre site is located at 9438 La Jolla Farms Road and the western edge of the site contains ESL in the form of steep hillsides and sensitive biological resources, and lies within the boundaries of an Urban Area of the City of San Diego's MSCP. The western property line of the site is located within approximately 50 feet the MHPA; however, the proposed additions and other improvements are a minimum of 150 feet east of the MHPA. The project has been designed to comply with the MSCP General Management Directives and the MSCP Subarea Plan’s Land Use Adjacency Guidelines.

The proposed development lies within the previously graded building pad and no portions of the development shall extend beyond the top of the slope or into the steep hillsides and sensitive biological resources. As a condition of approval, the owner/permittee shall execute and record a Covenant of Easement, which ensures preservation of the ESL that are outside the allowable development area on the premises as shown on Exhibit "A" for sensitive biological resources and steep hillsides, in accordance with LDC Section 143.0152.

The project proposes no deviations or variances from the applicable regulations and policy documents, and is consistent with the underlying zone and the LDC. Therefore, the proposed development has been sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.

4. The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan;

The 1.13 acre site is located at 9438 La Jolla Farms Road and the western edge of the site contains ESL in the form of steep hillsides and sensitive biological resources, and lies within the boundaries of an Urban Area of the City of San Diego’s MSCP. The western property line of the site is located within approximately 50 feet the MHPA; however, the proposed additions and other improvements are a minimum of 150 feet east of the MHPA. The project has been designed to comply with the MSCP General Management Directives and the MSCP Subarea Plan’s Land Use Adjacency Guidelines. Therefore, the proposed development is consistent with the City of San Diego’s MSCP Subarea Plan.

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

The 1.13 acre site is located at 9438 La Jolla Farms Road and is an interior lot and is located approximately 1,425 feet from the Pacific Ocean. The property is located between the sea and the first public roadway paralleling the sea, which are identified as La Jolla Shores Drive and N. Torrey Pines Road at this location. The subject property is an interior lot, and is located approximately 1,425 feet from the Pacific Ocean. The site is approximately 373 feet above MSL and is located above the 100-year floodplain.

The proposed development lies within the previously graded building pad and no portions of the development shall extend beyond the top of the slope or into the steep hillsides and sensitive biological resources. The western property line of the site is
located within approximately 50 feet the MHPA; however, the proposed additions and other improvements are a minimum of 150 feet east of the MHPA. The project has been designed to comply with the MSCP General Management Directives and the MSCP Subarea Plan’s Land Use Adjacency Guidelines. The project proposes no deviations or variances from the applicable regulations and policy documents, and is consistent with the underlying zone and the LDC. Therefore, the proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.

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

The City of San Diego reviewed of this project in accordance with CEQA guidelines. The project was determined to be categorically exempt from CEQA pursuant to Section 15302 (Replacement or Reconstruction). Therefore, there are no mitigation requirements for the proposed development. However, the permits for the project includes various conditions and referenced exhibits of approval relevant to achieving project compliance with the applicable regulations of the LDC in effect for this proposed development.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Coastal Development Permit No. 1051681 and Site Development Permit No. 1051682 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 1051681 and No. 1051682 a copy of which is attached hereto and made a part hereof.

______________________________
Jeffrey A. Peterson
Development Project Manager
Development Services

Adopted on: May 22, 2013

Internal Order No. 24003221
Attention:  Jeff Peterson, PM  
City of San Diego  

Project:  Roberts Residence  
9438 La Jolla Farms Road  
PN: 294531

Motion:  Findings can be made for a CDP & SDP for the remodel of an existing 3,377 sq ft one-story single-family residence to a total of 8,058 sq ft, with some 2nd level, on a 49,145 sq ft lot at 9438 La Jolla Farms Road. 5-0-1

Vote: 13-0-1

Submitted by: Tony Crisafi, President  
La Jolla CPA  

Date  

06 December 2012
Ownership Disclosure Statement

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<th>Coastal Development Permit</th>
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Part I - To be completed when property is held by Individual(s)

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, 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) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Disposition and Development Agreement (DDA) has been approved / executed by the City Council. 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.

Additional pages attached | Yes | No

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<td>Diana Roberts</td>
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Upon request, this information is available in alternative formats for persons with disabilities.

DS-318 (5-06)
NOTICE OF EXEMPTION

(Check one or both)

TO:  ___ X ___ RECORDER/COUNTY CLERK
     P.O. BOX 1750, MS A-33
     1600 PACIFIC HWY, ROOM 260
     SAN DIEGO, CA 92101-2422

     ___ OFFICE OF PLANNING AND RESEARCH
     1400 TENTH STREET, ROOM 121
     SACRAMENTO, CA 95814

FROM:  CITY OF SAN DIEGO
       DEVELOPMENT SERVICES DEPARTMENT
       1222 FIRST AVENUE, MS 501
       SAN DIEGO, CA 92101

PROJECT TITLE/NO.:  ROBERTS RESIDENCE CDP / 294531

PROJECT LOCATION-SPECIFIC:  9438 LA JOLLA FARMS ROAD, SAN DIEGO, CA 92037

PROJECT LOCATION-CITY/COUNTY:  SAN DIEGO/SAN DIEGO

DESCRIPTION OF NATURE AND PURPOSE OF THE PROJECT:  Applicant is requesting a COASTAL DEVELOPMENT PERMIT to construct a 4,487-square-foot addition to an existing single dwelling unit. The project would also incorporate a variety of sustainable features including photovoltaic roof panels to achieve a LEED Silver Certification. The project would also construct various site improvements which includes associated hardscape and landscaping. The 49,145-square-foot project site is located at 9438 LA JOLLA FARMS ROAD. The land use designation for the project site is very low density residential (0-5 du/ac) within the community plan. The project site is within the RS-1-2 zone, the Coastal Height Limitation Overlay Zone, the Coastal Overlay Zone (Appealable area), the First Public Roadway, the Parking Impact Overlay Zone (Beach Impact and Campus Impact areas), the Residential Tandem Parking Overlay Zone, and the La Jolla Community Plan area. (LEGAL DESCRIPTION: Lot 24 of La Jolla Farms, Map No. 3487).

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT:  Diane Roberts, 9438 La Jolla Farms Road, San Diego, CA 92037, (858) 454-0805.

EXEMPT STATUS: (CHECK ONE)

( ) MINISTERIAL (SEC. 21080(b)(1); 15268)
( ) DECLARED EMERGENCY (SEC. 21080(b)(3); 15269(a))
( ) EMERGENCY PROJECT (SEC. 21080(b)(4); 15269(b)(c))
( X ) CATEGORICAL EXEMPTION: 15302 (Replacement or Reconstruction)
( ) STATUTORY EXEMPTIONS:

REASONS WHY PROJECT IS EXEMPT:  The City of San Diego conducted an environmental review that determined that the project would not have the potential for causing a significant effect on the environment in that the project is proposing the demolition of an existing single-dwelling unit and subsequent construction of a replacement single-dwelling unit. The project is consistent with the General Plan, Community Plan, and zoning requirements. The project meets the criteria set forth in CEQA Section 15302 which allows for the replacement or reconstruction of existing structures where the new structure will be located on the same site and have substantially the same purpose and capacity as the structure being replaced. Furthermore, the exceptions listed in CEQA Section 15300.2 would not apply in that no cumulative impacts were identified; no significant effect on the environment were identified; the project is not adjacent to a scenic highway; the project was not identified on a list of hazardous waste sites pursuant to Section 65962.5 of the Government Code.
LEAD AGENCY CONTACT PERSON: E. Shearer-Nguyen

TELEPHONE: (619) 446-5369

IF FILED BY APPLICANT:
1. ATTACH CERTIFIED DOCUMENT OF EXEMPTION FINDING.
2. HAS A NOTICE OF EXEMPTION BEEN FILED BY THE PUBLIC AGENCY APPROVING THE PROJECT?
   ( ) Yes  ( ) No

IT IS HEREBY CERTIFIED THAT THE CITY OF SAN DIEGO HAS DETERMINED THE ABOVE ACTIVITY TO BE EXEMPT FROM CEQA.

SIGNATURE/TITLE: ____________________________
SENIOR PLANNER

DATE OF PROJECT APPROVAL: March 29, 2013

CHECK ONE:
(X) SIGNED BY LEAD AGENCY
( ) SIGNED BY APPLICANT

DATE RECEIVED FOR FILING WITH COUNTY CLERK OR OPR: ____________________________
NOTICE OF RIGHT TO APPEAL
ENVIRONMENTAL DETERMINATION
DEVELOPMENT SERVICES DEPARTMENT
Internal Order No. 24003221

PROJECT NAME/NUMBER: ROBERTS RESIDENCE CDP / 294531

COMMUNITY PLAN AREA: La Jolla

COUNCIL DISTRICT: 1

LOCATION: 9438 La Jolla Farms Road, San Diego, CA 92037

PROJECT DESCRIPTION: Applicant is requesting a COASTAL DEVELOPMENT PERMIT to construct a 4,487-square-foot addition to an existing single dwelling unit. The project would also incorporate a variety of sustainable features including photovoltaic roof panels to achieve a LEED Silver Certification. The project would also construct various site improvements which includes associated hardscape and landscaping. The 49,145-square-foot project site is located at 9438 La Jolla Farms Road. The land use designation for the project site is Very Low Density Residential (0-5 du/ac) within the community plan. The project site is within the RS-1-2 zone, the Coastal Height Limitation Overlay Zone, the Coastal Overlay Zone (Appealable area), the First Public Roadway, the Parking Impact Overlay Zone (Beach Impact and Campus Impact areas), the Residential Tandem Parking Overlay Zone, and the La Jolla Community Plan area. (LEGAL DESCRIPTION: Lot 24 of La Jolla Farms, Mao No. 3487).

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego Hearing Officer

ENVIRONMENTAL DETERMINATION: Categorically exempt from CEQA pursuant to CEQA State Guidelines, Sections 15302 (Replacement or Reconstruction)

ENTITY MAKING ENVIRONMENTAL DETERMINATION: City of San Diego

STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION: The City of San Diego conducted an environmental review that determined that the project would not have the potential for causing a significant effect on the environment in that the project is proposing the demolition of an existing single-dwelling unit and subsequent construction of a replacement single-dwelling unit. The project is consistent with the General Plan, Community Plan, and zoning
requirements. The project meets the criteria set forth in CEQA Section 15302 which allows for the replacement or reconstruction of existing structures where the new structure will be located on the same site and have substantially the same purpose and capacity as the structure being replaced. Furthermore, the exceptions listed in CEQA Section 15300.2 would not apply in that no cumulative impacts were identified; no significant effect on the environmental were identified; the project is not adjacent to a scenic highway; the project was not identified on a list of hazardous waste sites pursuant to Section 65962.5 of the Government Code.

DEVELOPMENT PROJECT MANAGER:  Jeffery A. Peterson
MAILING ADDRESS:  1222 First Avenue, MS501, San Diego CA 92101
PHONE NUMBER:  (619) 446-5237

On March 29, 2013 the City of San Diego made the above-referenced environmental determination pursuant to the California Environmental Quality Act (CEQA). This determination is appealable to the City Council. If you have any questions about this determination, contact the City Development Project Manager listed above.

Applications to appeal CEQA determination made by staff (including the City Manager) to the City Council must be filed in the office of the City Clerk within 15 business days from the date of the posting of this Notice (April 26, 2013). The appeal application can be obtained from the City Clerk, 202 ‘C’ Street, Second Floor, San Diego, CA 92101.

This information will be made available in alternative formats upon request.
<table>
<thead>
<tr>
<th>Date</th>
<th>Action</th>
<th>Description</th>
<th>City Review Time (Working Days)</th>
<th>Applicant Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>9/26/2012</td>
<td>First Submittal</td>
<td>Project Deemed Complete</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>10/22/2012</td>
<td>First Assessment Letter</td>
<td></td>
<td>18 days</td>
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<tr>
<td>12/13/2012</td>
<td>Second Submittal</td>
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<td>35 days</td>
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<tr>
<td>1/7/2013</td>
<td>Second Assessment Letter</td>
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<td>11 days</td>
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<tr>
<td>1/29/2013</td>
<td>Third Submittal</td>
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<td>15 days</td>
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<tr>
<td>2/11/2013</td>
<td>Third Assessment Letter</td>
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<td>9 days</td>
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<td>2/20/2013</td>
<td>Fourth Submittal</td>
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<td>6 days</td>
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<tr>
<td>3/5/2013</td>
<td>Fourth Assessment Letter</td>
<td>All issues resolved except the environmental determination</td>
<td>9 days</td>
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<td>3/28/2013</td>
<td>Environmental Review</td>
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<td>17 days</td>
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<tr>
<td>3/29/2013</td>
<td>Environmental Determination</td>
<td>Environmental Exemption</td>
<td>1 day</td>
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<tr>
<td>4/5/2013</td>
<td>NORA Posted</td>
<td>Exempt and NORA was posted</td>
<td>4 days</td>
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<tr>
<td>4/26/2012</td>
<td>NORA Appeal Period</td>
<td>NORA appeal period ends.</td>
<td>10 days</td>
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<tr>
<td>5/22/2013</td>
<td>Public Hearing</td>
<td>First available date</td>
<td>18 days</td>
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<td><strong>TOTAL STAFF TIME</strong></td>
<td></td>
<td>(Does not include City Holidays or City Furlough)</td>
<td><strong>87 days</strong></td>
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<td><strong>TOTAL APPLICANT TIME</strong></td>
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<td>(Does not include City Holidays or City Furlough)</td>
<td><strong>66 days</strong></td>
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<tr>
<td><strong>TOTAL PROJECT RUNNING TIME</strong></td>
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<td>From Deemed Complete to Hearing</td>
<td><strong>153 working days</strong></td>
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<td></td>
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<td>(239 calendar days)</td>
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