REPORT TO THE HEARING OFFICER

HEARING DATE: December 18, 2013
REPORT NO. HO-13-105

ATTENTION: Hearing Officer

SUBJECT: AVOCADO BROW DITCH REPAIR
PTS PROJECT NUMBER: 260641

LOCATION: CITY EASEMENT BETWEEN AVOCADO PLACE AND CAMINITO CANTARAS

APPLICANT: CITY OF SAN DIEGO, ENGINEERING AND CAPITAL PROJECTS

SUMMARY

Issue(s): Should the Hearing Officer approve the replacement of 180 linear square feet of concrete brow ditch including the associated storm drain, and extend an existing guard rail between Avocado Place and Caminito Cantaras within the Via de La Valle Community Plan area?

Staff Recommendation:

1. Approve Site Development Permit No. 919772.

Community Planning Group Recommendation - On May 24, 2012, the Carmel Valley Community Planning Board voted 14-0-1 to recommend approval (Attachment 6).

Environmental Review: The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15302(c). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on February 4, 2013 and the opportunity to appeal that determination ended February 19, 2013.
BACKGROUND

The proposed Avocado Brow Ditch repair project is situated east of Avocado Place and west of Caminito Cantaras, in the RS-1-13 zone, within the Via de la Valle Community Planning Area (Attachment 1) and the Coastal Overlay Zone (Deferred Certification Area). The project site is located within a City easement on a steep slope in the Lomas Del Mar Homeowners Association Lot East of Avocado Place (Attachment 2).

The existing concrete brow ditch collects urban runoff from a 2.6 acre tributary area. Approximately 180 feet of the brow ditch has failed causing a portion of the canyon to erode. Both the existing concrete brow ditch and the adjacent eroded slope are in need of repair. Most of the drainage area contributing to storm water runoff in the brow ditch is the Avocado Place roadway, from Avocado Court to a location immediately north of an existing asphalt concrete (AC) spillway on the east of Avocado Place. The catch basin that discharges into the brow ditch is located on the west side of Avocado Place (Attachment 1).

The proposed project would replace 180 feet of concrete brow ditch, restore the eroded slope underneath the partially collapsed brow ditch, and improve the connections between existing storm drains. The Avocado Place Brow Ditch Repair project requires an SDP for impacts to a steep hillside and sensitive biological resources specifically to (0.07) acres of tier II habitat (Diegan Coastal Sage Scrub). Additionally, the project must acquire a Coastal Development Permit (CDP) or Exemption from the Coastal Commission prior to commencement of any work.

DISCUSSION

The proposed project’s scope includes the replacement of approximately 180 feet of concrete brow ditch that partially collapsed; the repair of the eroded slope underneath the brow ditch, and the improvements to the connections between the existing storm drains and the new brow ditch.

Currently, the existing brow ditch collects runoff from Avocado Place and discharges at the existing catch basin on located on Caminito Cantaras. An existing 24 inch storm drain adjacent to the brow ditch on Avocado Place does not contain any form of dissipation for flows discharging into the canyon. Therefore, the flows have contributed to the undermining and failure of the brow ditch as well as to the erosion of the slope.

To remedy the situation the concrete brow ditch running down the steep slope east of Avocado Place would be replaced by a corrugated high density polyethylene (HDPE) pipe. The severe erosion of the slope under the collapsed portion of the brow ditch will be repaired with compacted fill and the existing riprap structure at the top of the slope, will be replaced with a concrete brow ditch which will connect the existing 24-inch storm drain under Avocado Place to the HDPE pipe. At the bottom of the slope, the HDPE pipe will also be connected to the existing portion of the concrete brow ditch. Disturbed portions of the slope will be revegetated. Access to the proposed project site during construction will be from the top of the slope (East Avocado Place) and access to the bottom of the slope will be from Caminito Cantaras through a cleared
access road. All construction staging areas will occur on existing roads ensuring no staging occurs within the slopes.

The new storm drain system will have a point of connection with the existing pipe to eliminate the erosion. The scope of the project also incorporates re-grading of the slope which will provide slope stability which meets the minimum requirement per section 7.4 of the Via De La Valle Specific Plan, and prevents further erosion to the slope and ensures public safety to the residences living above and below the slope.

The project is not located within or adjacent to the Multi-Habitat Planning Area (MHPA) of the City’s Multiple Species Conservation Program (MSCP). However, the proposed project will be consistent with the MSCP by implementing Best Management Practices (BMP) during construction. Additionally, the project complies with the applicable regulations of the Land Development Code (LDC), does not require any mitigation, and no deviations to the LDC have been requested (Attachment 4).

While this project’s temporary disturbance is below a threshold of significance to trigger mitigation under CEQA (Attachment 5); it does require a Site Development Permit and a Revegetation Plan. Due to the topography (Steep slope) and the original alignment of the brow ditch, the project’s construction will impact (0.07) acres of tier II habitat (Diegan Coastal Sage Scrub). These temporary impacts to steep hillside and sensitive biological resources will be fully addressed by the implementation of the approved Revegetation/Erosion Control Plan prepared in accordance with the City’s Land Development Manual and Landscape Standards.

ALTERNATIVE

1. Approve Site Development Permit No. 919772, with modifications.

2. Deny Site Development Permit No. 919772, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Angela Nazareno, Development Project Manager

Attachments:

1. Aerial Photograph and Location Photos
2. Community Plan Land Use Map
3. Draft Permit Resolution with Findings
4. Draft Permit
5. Environmental Exemption
6. Community Planning Group Recommendation
7. Project Site Plan(s)
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AVOCADO PLACE FIELD PHOTOS

AC Spillway entrance on Avocado Place

AC Spillway into the concrete brow ditch at Avocado Place
AVOCADO PLACE FIELD PHOTOS

Existing 24-In RCP partially full with debris

Vegetation and riprap looking towards the headwall at Avocado Place
Portion of the brow ditch with walls higher than existing ground (south side)

Portion of the brow ditch with walls higher than existing ground (north side)
Soil erosion along the side of the brow ditch near Avocado Place

Erosion along the edges of the brow ditch looking up towards AC spillway on Avocado Place
AVOCADO PLACE FIELD PHOTOS

Looking towards Avocado Place at the brow ditch failure location which is covered with vegetation.

Existing vegetation covering the brow ditch in the vicinity of the failure.
AVOCADO PLACE FIELD PHOTOS

Failure of brow ditch and slope

Close-up view of the failure of brow ditch
Land Use Map
AVOCADO PLACE BROW DITCH REPAIR
PROJECT NO. 260641

Project Site

SOLANA BEACH

S.D. COUNTY

VIA DE LA VALLE

RESERVE

NCFUA SUBAREA II

North
WHEREAS, City of San Diego, Engineering and Capital Projects, Owner/Permittee, filed an application with the City of San Diego for a permit to the repair and replacement of 180 linear square feet of concrete brow ditch including the associated storm drain, and extend an existing guard rail between Avocado Place and Caminito Cantaras within the Via de La Valle Community Plan area (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 919772), and;

WHEREAS, the project site is located within a city easement between Avocado Place and Caminito Cantaras (Reference address 15783 Caminito Cantaras), APN 298-602-4500, in the RS-1-13 zone, within the Via De La Valle Specific Plan area and the Coastal Overlay Zone (Deferred Certification Area);

WHEREAS, on December 18, the Hearing Officer of the City of San Diego considered Site Development Permit No. 919772 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on February 4, 2013, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et. seq.) under CEQA Guideline Section 15302(c) [Replacement or Reconstruction] and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

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 December 18, 2013.

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 will replace 180 linear feet of an existing concrete brow ditch that has partially collapsed; repair the erosion on the slope underneath the brow ditch including the associated storm drain; and extend an existing guard rail adjacent to Avocado Place. The worksite is located within a city easement between Avocado Place and Caminito Cantaras. Storm water systems are essential public services that are allowed in the land use designation for the site. This project is consistent with the Via de la Valle Community Plan’s goal to provide adequate drainage facilities which will protect the onsite open space areas and the San Dieguito River Valley from erosion and siltation. Left unaddressed, the currently eroding slope could insert silt into the storm drain system, which eventually drains into the San Dieguito River Valley. This project prevents future eroded hillside from entering the storm drain system, and therefore will not adversely affect the applicable land use plan.
2. The proposed development will not be detrimental to the public health, safety, and welfare. The project will replace 180 linear feet of an existing concrete brow ditch that has partially collapsed; repair the erosion on the slope underneath the brow ditch including the associated storm drain; and extend an existing guard rail adjacent to Avocado Place. The worksite is located within a city easement between Avocado Place and Caminito Cantaras. The existing brow ditch collects runoff from Avocado Place and discharges at the existing catch basin on Caminito Cantaras. An existing 24 inch storm drain adjacent to the brow ditch on Avocado Place does not contain any form of dissipation for flows discharging into the canyon. Therefore the flows contributed to the undermining and failure of the brow ditch as well as erosion of the slope. The new storm drain system will have a point of connection with the existing pipe to eliminate the erosion. The scope of the project also incorporates re-grading of the slope which will provide slope stability and meet the minimum requirement per section 7.4 of the Via De La Valle Specific Plan. The diversion of rainwater runoff from paved street surfaces en route to a natural body of water, which this storm water infrastructure does, is not detrimental to public health, safety, and welfare. The project would address the issues of slope failure and broken infrastructure before they could lead to further damage to the slope, and possible damage to residences above and below the slope. Therefore, this project will not be detrimental to the public health, safety, and welfare.

3. The proposed development will comply with the applicable regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code. The worksite is located within a city easement between Avocado Place and Caminito Cantaras where a new storm drain system will be installed within the manufactured slope off 15783 Caminito Cantaras. The project complies with the applicable regulations of the Land Development Code (LDC). No mitigation is required and no deviations to the LDC are requested. While this project’s temporary disturbance is below a threshold of significance to trigger mitigation under CEQA, it does require a Site Development Permit (SDP) and revegetation according to the LDC. The Avocado Place Brow Ditch Repair project requires an SDP for impacts to a steep hillside and sensitive biological resources specifically to (0.07) acres of tier II habitat (Diegan Coastal Sage Scrub). Since all impacted vegetation will be revegetated per the approved revegetation/erosion control plan prepared in accordance with the City’s Land Development Manual and Landscape Standards, the project will comply with the regulations of the LDC, including any allowable deviations pursuant to 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 project will replace 180 linear feet of an existing concrete brow ditch that has partially collapsed; repair the erosion on the slope underneath the brow ditch including the associated storm drain; and extend an existing guard rail adjacent to Avocado Place. The worksite is located within a city easement between Avocado Place and Caminito Cantaras. The existing concrete
brow ditch collects urban runoff from a 2.6 acre tributary area. Approximately 100 feet of the brow ditch has failed causing a portion of the canyon to erode and the potential for slope failure. Based on the geotechnical evaluation, all soils within the slope are deemed suitable for the proposed storm drain. Imported soils will also be implemented to stabilize the storm drain and the slope. Due to topography and the original alignment of the brow ditch, the project’s construction will impact (0.07) acres of tier II habitat (Diegan Coastal Sage Scrub). These temporary impacts to steep hillside and sensitive biological resources will be fully addressed by the implementation of the approved revegetation/erosion control plan prepared in accordance with the city’s Land Development Manual and Landscape Standards. Consequently, there will be minimal impacts and disturbance to environmentally sensitive lands.

2. **The proposed development will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.** The proposed project involves the replacement of approximately 180 feet of concrete brow ditch, 100 feet of which that has partially collapsed, the repair of slope erosion underneath the brow ditch, and the improvement of connections between the existing storm water drains and the repaired brow ditch. The concrete brow ditch running down the steep slope east of Avocado Place will be replaced by a corrugated high density polyethylene (DPE) pipe; severe erosion of the slope under the collapsed portion of the brow ditch will be repaired with compacted fill; the existing riprap structure at the top of the slope will be replaced with a concrete brow ditch connecting the existing 24-inch storm water drain under Avocado Place to the HDPE pipe. At the bottom of the project area, the HDPE pipe will be connected to the existing concrete brow ditch. Access to the site will be directly from Avocado Place at the top of the slope, rather than from the bottom of the slope, to minimize impact to the steep slope and sensitive vegetation. Staging will occur on the road; no staging will occur on the slope. Replacing the brow ditch, repairing the eroded slope, and improving the connections between the brow ditch and existing storm water drains will stop existing erosion and prevent future erosion and flood hazards. The scope of work involves re-grading and restoring the slope to provide stabilization. The revegetation and erosion control plans will further stabilize the slope. The depth of the proposed storm drain will be at a maximum depth of 8 feet with a pipe bedding and imported fill that will minimize the alteration of natural land forms. The storm drain, guardrail extension, and re-grading of failed portion of the slope are not potential fire hazards. Therefore the overall development will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.

3. **The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.** The proposed project involves the replacement of approximately 180 feet of concrete brow ditch, 100 feet of which that has partially collapsed, the repair of slope erosion underneath the brow ditch, and the improvement of connections between the existing storm water drains and the repaired brow ditch. The concrete brow ditch running down the steep slope east of Avocado Place will be replaced by a corrugated high density polyethylene (DPE) pipe; severe erosion of the slope under the collapsed portion of the brow ditch will be repaired with compacted fill; the existing riprap structure at the top of the slope will
be replaced with a concrete borrow ditch connecting the existing 24-inch storm water drain under Avocado Place to the HDPE pipe. At the bottom of the project area, the HDPE pipe will be connected to the existing concrete brow ditch. Access to the site will be directly from Avocado Place at the top of the slope, rather than from the bottom of the slope, to minimize impact to the steep slope and sensitive vegetation. Staging will occur on the road; no staging will occur on the slope. Accessing the site from the top of the slope, and staging construction equipment on Avocado Place, will minimize the project’s temporary impact to environmentally sensitive lands. The project will temporarily impact 0.07 acres of Diegan Coastal Sage Scrub which is categorized as Tier II habitat and is designated as ESL. Since the impacts are below 0.1 acres, it is categorized as less than significant. The project will repair the brow ditch without expanding the infrastructure and revegetate any temporary disturbance to sensitive vegetation, per the approved revegetation/erosion control plan prepared in accordance with the city’s Land Development Manual and Landscape Standards. Therefore, the proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.

4. The proposed development will be consistent with the City of San Diego’s Multiple Species Conservation Program (MSCP) Subarea Plan. The project is not located within or adjacent to the Multi-Habitat Planning Area (MHPA) of the City’s Multiple Species Conservation Program (MSCP). The proposed project will be consistent with the MSCP by implementing Best Management Practices (BMP’s) during construction to maintain erosion control. Therefore, the proposed development will be 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. The proposed project is located approximately six miles from the nearest beach and sand shoreline. It involves the replacement of approximately 180 feet of concrete brow ditch, 100 feet that has partially collapsed; the repair of slope erosion underneath the brow ditch; and the improvement of connections between the existing storm water drains and the repaired brow ditch. The concrete brow ditch running down the steep slope east of Avocado Place will be replaced by a corrugated high density polyethylene (DPE) pipe; severe erosion of the slope under the collapsed portion of the brow ditch will be repaired with compacted fill; the existing riprap structure at the top of the slope will be replaced with a concrete borrow ditch connecting the existing 24-inch storm water drain under Avocado Place to the HDPE pipe. At the bottom of the project area, the HDPE pipe will be connected to the existing concrete brow ditch. Access to the site will be directly from Avocado Place at the top of the slope. Staging will occur on the road; no staging will occur on the slope. The project will temporarily impact 0.07 acres of Diegan coastal sage scrub, and 0.05 acres of Disturbed habitat. These fall below the threshold to be considered an impact under CEQA. The project includes a Revegetation and Erosion Control Plan to address any potential erosional impacts, which prevents further erosion occurring on the slope. Therefore, the project does not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.
6. **The nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development.** The proposed project involves the replacement of approximately 180 feet of concrete brow ditch, 100 feet of which has partially collapsed, the repair of slope erosion underneath the brow ditch, and the improvement of connections between the existing storm water drains and the repaired brow ditch. The concrete brow ditch running down the steep slope east of Avocado Place will be replaced by a corrugated high density polyethylene (DPE) pipe; severe erosion of the slope under the collapsed portion of the brow ditch will be repaired with compacted fill; the existing riprap structure at the top of the slope will be replaced with a concrete borrow ditch connecting the existing 24-inch storm water drain under Avocado Place to the HDPE pipe. At the bottom of the project area, the HDPE pipe will be connected to the existing concrete brow ditch. Access to the site will be directly from Avocado Place at the top of the slope. Staging will occur on the road; no staging will occur on the slope. The project will temporarily impact 0.07 acres of Diegan coastal sage scrub, and 0.05 acres of Disturbed habitat. These fall below the threshold to be considered an impact under CEQA and while no mitigation is required by this project under CEQA; the project will revegetate the 0.12 acres of disturbance, per the approved Revegetation and Erosion Control Plan prepared in accordance with the city's Land Development Manual and Landscape Standards. The approved plan is calculated to alleviate negative impacts created by this proposed development.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Site Development Permit No. 919772 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. 919772, a copy of which is attached hereto and made a part hereof.

Angela Nazareno
Development Project Manager
Development Services

Adopted on: December 18, 2013

Internal SAP/WBS No. B-10067.02.02
SITE DEVELOPMENT PERMIT NO. 919772

AVOCADO PLACE BROW DITCH REPAIR PROJECT NO. 260641

Hearing Officer

This Site Development Permit No. 919772 is granted by the Hearing Officer of the City of San Diego to the City of San Diego, Owner, and Engineering and Capital Projects Department, Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0502. The project site is located within the City easement east of Avocado Place and west of Caminito Cantaras and zoned RS-1-13 within the Via de la Valle Community Planning Area. The site is legally described as Section 1 of Township 14 South, Range 4 West, on the U.S. Geological Survey Del Mar quadrangle map.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner and Permittee to replace approximately 180 feet of concrete brow ditch (with corrugated high density polyethylene (HDPE) pipe), improve the connections between the existing storm drains, repair the slope under the collapsed brow ditch (with compacted fill), and replace the existing riprap structure at the top of the slope with a concrete brow ditch connecting the existing 24-inch storm drain under Avocado Place to the HDPE pipe. The proposed work is described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated December 18, 2013, on file in the Development Services Department.

The project shall include:

a. Replace approximately 180 feet of concrete brow ditch with corrugated high density polyethylene (HDPE) pipe;

b. Improve the connections between the existing storm drains;

c. Repair the eroded slope under the collapsed brow ditch with compacted fill; and
d. Replace the existing riprap structure at the top of the slope with a concrete brow ditch connecting the existing 24-inch storm drain under Avocado Place to the HDPE pipe.

STANDARD REQUIREMENTS:

1. This permit must be utilized by December 18, 2016 or 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.

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. 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.

7. 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.
LANDSCAPE REQUIREMENTS:

8. Prior to approval of 100% completion of construction documents, the Permittee Department shall ensure said documents to be in accordance with the Land Development Code – Landscape Regulations and Standards to include the revegetation and hydrosowing of all disturbed land within the limits-of-work. Construction documents shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit ‘A’, on file in the Office of the Development Services Department.

9. The Permittee Department shall be responsible for the 25 month establishment and maintenance of all landscape improvements shown on the approved Final Revegetation Plan, consistent with success criteria established on Exhibit ‘A’, Conceptual Revegetation Plan.

PLANNING REQUIREMENTS:

10. A State Coastal Development Permit or Exemption will be required from the California Coastal Commission prior to commencement of any work.

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 December 18, 2013 and Resolution No. XXXX.
Site Development Permit No.: 919772  
Date of Approval: December 18, 2013

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Angela Nazareno  
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.

City of San Diego, Engineering and Capital Projects Department  
Owner/Permittee

By ________________________________
   NAME
   TITLE

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

(ATTACHMENT 5)

TO: X RECORDER/COUNTY CLERK

P.O. BOX 1750, MS A-33

1600 PACIFIC HWY, ROOM 260

SAN DIEGO, CA 92101-2422

FROM: CITY OF SAN DIEGO

DEVELOPMENT SERVICES DEPARTMENT

1222 FIRST AVENUE, MS 501

SAN DIEGO, CA 92101

OFFICE OF PLANNING AND RESEARCH

1400 TENTH STREET, ROOM 121

SACRAMENTO, CA 95814

PROJECT NO.: 260641

PROJECT TITLE: AVOCADO BROW DITCH REPAIR

PROJECT LOCATION-SPECIFIC: The project is situated east of Avocado Place and west of Caminito Cantaras in Section 1 of Township 14 South, Range 4 West on the U.S. Geological Survey Del Mar quadrangle map. It is located within the Via de la Valle community planning area. (Council District 1).

PROJECT LOCATION-CITY/COUNTY: San Diego/San Diego

DESCRIPTION OF NATURE AND PURPOSE OF THE PROJECT: The project involves the replacement of approximately 180 feet of concrete brow ditch that has partially collapsed, the repair of erosion on the slope underneath the brow ditch, and the improvement of connections between existing storm water drains and the repaired brow ditch. The concrete brow ditch running down the steep slope east of Avocado Place would be replaced by a corrugated high density polyethylene (HDPE pipe); severe erosion of the slope under the collapsed portion of the brow ditch will be repaired with compacted fill; the existing riprap structure at the top of the slope will be replaced with a concrete brow ditch connecting the existing 24-inch storm drain under Avocado Place to the HDPE pipe. At the bottom of the slope, the HDPE pipe will be connected to the existing concrete brow ditch. Access to the site will be directly from East Avocado Place at the top of the slope and from Caminito Cantaras at the bottom of the slope via a cleared access road. Staging areas will occur on both roads; no staging will occur on the slope. The project would implement a re-vegetation plan to stabilize areas of disturbed vegetation to prevent soil erosion.

NAME OF PUBLIC AGENCY APPROVING PROJECT: City of San Diego

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: City of San Diego, Public Works Contact: William Meredith

600 B Street, Suite 900 (MS 908A) San Diego, CA 92101 (619) 533-5418

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(c) [REPLACEMENT OR RECONSTRUCTION]

( ) STATUTORY EXEMPTION:

REASONS WHY PROJECT IS EXEMPT: The City of San Diego has determined the project meets the categorical exemption criteria set forth in the CEQA State Guidelines, Section 15302(c) [Replacement or Reconstruction], which allows for the replacement of existing structures and facilities where the new structure will be located on the same site as the structure replaced, and will have substantially the same purpose and capacity as the structure replaced including replacement of existing utility systems and/or facilities involving negligible or no expansion of capacity; and where the exceptions listed in Section 15300.2 would not apply.

LEAD AGENCY CONTACT PERSON: Jeffrey Szymanski

TELEPHONE: (619) 446-5324

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

SIGNED BY LEAD AGENCY

DATE: February 4, 2013

DATE RECEIVED FOR FILING WITH COUNTY CLERK OR OPR:

CHECK ONE:

(X) SIGNED BY LEAD AGENCY

( ) SIGNED BY APPLICANT
June 4, 2012

Will Meredith, Project Engineer
City of San Diego
1222 First Avenue
San Diego, CA 92101

Re: Avocado Brow Ditch

Dear Will:

The Carmel Valley Community Planning Board considered the above project on May 24, 2012. The board considered the replacement of approximately 178 LF of concrete brow ditch with 24 inch HDPE storm drain within an existing 15 ft. easement located on a Homeowner's Association lot in the Via De La Valle Community between Avocado Place and Caminito Cantaras. The CVCPB voted 14-0-1 (Chris Moore recused) to approve the project.

Sincerely,
Carmel Valley Community Planning Board

Frisco White, AIA, Chair
AVOCADO PLACE BROW DITCH REPAIR

CONTRACTORS NOTES AND RESPONSIBILITIES

1. It is the Contractors role responsibility to ensure safety measures and regulations, the conduct of work in accordance with the plans and specifications, and the construction of work in a workmanlike manner in terms of the standards of the City of San Diego, including but not limited to those described herein.

2. The Contractor shall, without delay and complete responsibility for the work performed, ensure that all work performed is in accordance with the plans and specifications, and that all work performed is in accordance with the City of San Diego's standards. The Contractor shall be responsible for ensuring that all work performed is in accordance with the plans and specifications, and that all work performed is in accordance with the City of San Diego's standards.

3. The Contractor shall be responsible for ensuring that all work performed is in accordance with the plans and specifications, and that all work performed is in accordance with the City of San Diego's standards. The Contractor shall be responsible for ensuring that all work performed is in accordance with the plans and specifications, and that all work performed is in accordance with the City of San Diego's standards.

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ATTACHMENT 7

PLAN

SECTION

CONTINUOUS GRADE

6" CURB FACE (TYP)
10" CURB FACE (TYP)
5' TRANSITION

PLAN

INLET LOCAL DEPRESSION DETAIL

U TYPE HEADWALL
PER PROFILE

PROFILE

HEADWALL CONNECTION DETAIL

NOTES:
1. REMOVE 1'-0" OF EXISTING CONC. BROW DITCH AND CONSTRUCT OVER A 3'-0" TRANSITION CONC. BROW DITCH PER SDRSD.
2. HAVE THE CONTRACTOR PROVIDE A DRAWING FOR ALL DETAILS.
3. ORANGE PEEL, TREAD, OR NON-SLIP PAVING MATERIAL APPROVED BY THE GEOTECHNICAL ENGINEER.

SECTION A-A

NOTE: HORIZONTAL WIDTH BETWEEN SLOPE FACE TO BENCH/BACK CUT MINIMUM WIDTH FOR PROPERLY COMPACTED ENGINEERED FILL.

MINIMUM WIDTH OF BENCHES IS 5'-0" OR AS RECOMMENDED BY THE GEOTECHNICAL ENGINEER.

U TYPE HEADWALL PER PROFILE

NOTE: U TYPE HEADWALL MUST BE ALIGNED TO A 3'-0" TRANSITION CONCRETE BROW DITCH.

GUARDRAIL DETAIL

NOTES:
1. GUARDRAIL SHALL BE REQUIRED WHEN NATURAL SLOPES EXCEED 5:1 OR WHEN RECOMMENDED BY THE GEOTECHNICAL ENGINEER.
2. GUARDRAIL DETAIL SHALL BE PROVIDED BY THE GEOTECHNICAL ENGINEER.

GUARDRAIL DETAIL

NOTES:
1. GUARDRAIL SILL SHALL BE REQUIRED WHEN NATURAL SLOPES EXCEED 5:1 OR WHEN RECOMMENDED BY THE GEOTECHNICAL ENGINEER.
2. GUARDRAIL SILL DETAIL SHALL BE PROVIDED BY THE GEOTECHNICAL ENGINEER.
CONSTRUCTION NOTES:

1. THE INFORMATION ON THIS SITE PLAN IS INTENDED TO BE USED AS A GUIDELINE FOR THE CONTRACTOR AND SUBCONTRACTOR TO INSTALL WATER POLLUTION CONTROL DEVICES AT GENERAL LOCATIONS THROUGHOUT THE PROJECT SITE. THIS PLAN DEPICTS THE GENERAL LOCATION OF CENTRELINE DRAINAGE EASEMENT ON THE SITE AND WATER POLLUTION CONTROL DEVICES. THE LOCATION AND SIZE OF WATER POLLUTION CONTROL DEVICES ARE SHOWN PER THE WATER POLLUTION CONTROL SPECIFICATIONS.

2. INLET PROTECTION REQUIRED AT ALL STORM DRAINS RECEIVING RUNOFF FROM DISTURBED SOIL AREAS.

3. CONTRACTOR TO OPERATE / REVISE SHEET AS NECESSARY.

4. THE INFORMATION ON THE SITE PLAN IS ACCURATE FOR WATER POLLUTION CONTROL PURPOSES ONLY.

5. FIBER ROLLS SHALL BE INSTALLED ON NEWLY GRADED SLOPES AFTER INSTALLATION OF 24" DIA PIPE.