



THE CITY OF SAN DIEGO

## Report to the Planning Commission

DATE ISSUED: November 22, 2023 REPORT NO. PC- 23-044

HEARING DATE: November 30, 2023

SUBJECT: LOT 31 RANCHO GLENS – Process Five

PROJECT NUMBER: [506590](#)

REFERENCE: 1986: [Planned Residential Development Permit and Conditions 83-0896.1](#)  
1986: [Tentative Map and Conditions 83-0896.1](#)  
1989: [Map 86-0229](#)

OWNER/APPLICANT: Barczewski Family Trust, Owner/Metcalf Development, Applicant

### SUMMARY

Issue: Should the Planning Commission recommend to the City Council approval of a Site Development Permit and Easement Vacations to allow for grading and improvements of a single-dwelling unit residential lot on a 10.24-acre, undeveloped Lot 31 within Rancho Del Sol Unit 1 Map No. 12477, located at [13182 Caminito Mendiola](#) within the [Pacific Highlands Specific Subarea Plan](#)?

### Staff Recommendations:

1. Recommend the City Council adopt Mitigated Negative Declaration PTS No. 506590/SCH No. 2022120055 and adopt the Mitigation, Monitoring and Reporting Program; and
2. Recommend the City Council approve Site Development Permit No. 2308404 and Easement Vacation No. 1775136.

Community Planning Group Recommendation: The Carmel Valley Community Planning Board's planning area responsibilities include Pacific Highlands Ranch. On January 28, 2020, the Carmel Valley Community Planning Board discussed the project and voted 10-0-0 to recommend approval.

Environmental Impact: A Mitigated Negative Declaration (MND) Project No. 506590/SCH No. 2022120055 has been prepared for the project in accordance with the State of California Environmental Quality Act (CEQA) Guidelines (Attachment 11). A mitigation, monitoring and reporting program has been prepared and will be implemented which will reduce to below a level of significance any potential impacts identified in the environmental review process. The MND

determined that the proposed project could have a significant environmental effect related to Biological Resources, Cultural Resources (Archaeology), and Tribal Cultural Resources, and specific mitigation is identified in the MND which avoids or mitigates the potentially significant environmental effects.

Fiscal Impact Statement: All costs associated with the processing of this Project are recovered through a deposit account funded by the Applicant.

Housing Impact Statement: The project is located on an undeveloped site designated for one residential unit and open space. The proposed project consists of a Site Development Permit that includes a development footprint for a single-dwelling unit.

## BACKGROUND

The project site is a 10.24-acre undeveloped lot located at [13182 Caminito Mendiola](#) east of SR-56, immediately south of Plum Way, and northwest of Caminito Mendiola, within the Pacific Highlands Ranch Subarea Plan, which is characterized by large nurseries, commercial agriculture, grazing operations, estate-lot single-dwelling unit housing, and equestrian centers (Attachment 1). A small development of single-dwelling units is located adjacent to the project site on the southeast, and a development of single-dwelling units is located north of the project site. Vacant undeveloped property is also located west between the site and SR-56 and to the northeast. The project site is triangular in shape and includes an approximately 45-foot-wide strip of land connecting the main portion of the project site to Caminito Mendiola and to existing utilities (Attachment 2). The project site contains Environmentally Sensitive Lands (ESL) consisting of sensitive biological resources and steep slopes. The entire project site is within the Multiple Habitat Planning Area (MHPA), the City's Multiple Species Conservation Plan (MSCP) preserve system.

The subject site is located within the Pacific Highlands Ranch Subarea Plan area, which designates the site as "Multiple Habitat Preservation Area" (Attachment 4) and identifies the lot as within an "existing or approved project," identified as the Rancho Glen Estates, and is zoned AR-1-1 and RX-1-2. The site is in Proposition A lands as shown on Figure LU-4 of the General Plan. In 1985, voters approved Proposition A, the Managed Growth Initiative, which established provisions restricting development in the future urbanizing area. The Rancho Glen Estates was approved under Planned Residential Development (PRD) Permit No. 83-0896.1 on April 28, 1986, subject to the allowances of Proposition A, and amended in 1987 under PRD No. 86-0229 followed by Final Map No. 86-0229 in 1989 identifying public roadway, utility, building restricted and open space slope easements.

The project site is also subject to Coastal Development Permit 6-86-699 issued by the California Coastal Commission in 1987. The permit conditioned Lot 31 to be developed through the A-1-10 zone which is an agricultural zone presently implemented by AR-1-1 and comparable to the old A-1-10 zone. Lot 31 is limited to 1 dwelling unit for 10 acres with the undeveloped portion of the lot to be preserved consistent with the City's approved PRD. Pursuant to the Land Development Code, section [126.0717](#), the Coastal Commission is exclusively responsible for the issuance of an amendment to a Coastal Development Permit that has been approved by the Coastal Commission, regardless of the jurisdictional boundaries governing applications for Coastal Development Permits.

Together, these approvals subdivided a 264-acre lot, of which only a portion is located within the coastal zone. The approved project created a 128-acre Planned Residential Development of 31 single-dwelling unit lots and six large lots totaling about 136-acres. Of the 31 residential lots, 29 lots have been developed along with road, sewer and water connections to Rancho Santa Fe Farms Road and Caminito Mendiola. There remain two residential lots, Lot 1 and Lot 31, that are currently unimproved and without units. The coastal zone crosses a small portion of Lot 31 in the southwest corner outside of any proposed development. In 1992, an Open Space Easement was dedicated to the city, permanently preserving sensitive biological resources on a portion of Lot 31 and this easement would remain in place with the proposed project. In 1997, the MSCP's MHPA was created, and the MHPA was then overlaid on the entirety of Lot 31 with adoption of the Pacific Highlands Ranch Subarea Plan in 1999.

## DISCUSSION

The proposed project consists of a Site Development Permit (SDP) to grade for a single-dwelling unit and an equestrian area on Lot 31 and the vacation of the building restricted and slope easements on multiple lots. The project will allow for grading and improvements of a single-dwelling unit lot in an existing approved single-dwelling unit subdivision. The project proposes to vacate easements recorded in 1989 with the prior subdivision map, which were recorded to preserve right-of-way for the future construction of Carmel Valley Road that has since been realigned and constructed elsewhere. The project site is within the Pacific Highlands Specific Subarea Plan on the 10.24-acre undeveloped Lot 31 within Rancho Del Sol Unit 1 Map No. 12477, located at 13165 Caminito Mendiola.

### Required Approvals:

Due to process consolidation, all actions are processed concurrently as a Process Five approval. Development of the proposed project requires the following approvals:

- A Site Development Permit – A Process 3 site development permit (SDP) pursuant to San Diego Municipal Code (SDMC) Section [126.0502\(a\)\(1\)\(B\)](#) is required since the site contains sensitive biological resources and steep hillsides; and
- Easement Vacation – A Process 5 easement vacation is requested pursuant to SDMC Section [125.1010](#) and Section [125.1030](#) for the vacation of building restricted area and slope easements.

It is anticipated the 10.24-acre site will be used for future construction of a single-dwelling unit, equestrian area, biofiltration basins, and access driveways (Attachment 3). The site is zoned AR-1-1 and is entirely within MHPA lands which contains ESL in the form of sensitive biological resources and steep hillsides. The future development of the site would be subject to the SDP conditions of approval and the SDMC regulations at the time of submittal.

The City's MSCP Subarea Plan calls for 75 percent preservation of private lands within the MHPA,

which allows for development on the remaining 25 percent subject to the requirements of the MSCP Subarea Plan. Since sensitive biological resources are located onsite, SDMC Section [143.0141\(a\)\(5\)\(A\)](#) applies, which requires compliance with OR-1-2 zone Section 131.0250(b). Section [131.0250\(b\)\(1\)](#) states, "if the premises is located entirely within the boundary of the MHPA, a maximum of 25 percent of the site may be developed."

The site also contains steep hillsides. A slope analysis prepared for the site determined the natural slopes over 25 percent account for 2 percent of the development footprint. Similar to sensitive biological resources, the development regulations for Steep Hillsides SDMC Section [143.0142\(a\)\(1\)](#) requires compliance with OR-1-2 zone Section [131.0250\(b\)](#).

The proposed project would develop 22 percent of the site, consistent with the 25 percent allowable developable area. Grading the site, including Brush Management Zone 1 would impact 2.21 acres and conform to the 25 percent encroachment allowance permitted within the MHPA in accordance with the ESL regulations (Sections [143.0141\(a\)\(5\)\(A\)](#), [143.0142\(a\)\(1\)](#) and [131.0250\(b\)\(1\)](#)), the Biology Guidelines and Steep Hillside Guidelines of the Land Development Code, and the MSCP Subarea Plan. .

Within the developed area, the project includes the construction of utility connections to existing points of connections within the right-of-way for Caminito Mendiola. As part of the utility improvements, storm drains and a biofiltration basin would be installed in the southwestern portion of the grading footprint to treat runoff from the equestrian area before it enters an existing storm drain inlet. A second biofiltration basin is also proposed adjacent to the access driveway from Caminito Mendiola, between the new 20-foot-wide access driveway and the existing residence located south of the proposed driveway.

The project would require the placement of a retaining wall along the on-site driveway/building pad area, which would be 160 feet in length and range in height from 1 to 8 feet. All of the land outside the grading impact footprint and Brush Management Zone 1 would be conserved in a 7.98-acre Covenant of Easement (COE) as a condition of project approval. The interface between the developed, single-dwelling unit residential pad and the COE would be required to be fenced.

There are two existing easements that cross Lot 31 which were established with the approved PRD and Final Map No. 86-0229 that are being vacated as part of this proposal. This includes Building Restricted and Slope Easements for the express purpose of establishing the future right-of-way and slope grading for Carmel Valley Road. The prospective public use for which the easements were required has been superseded by the realignment of Carmel Valley Road which has been constructed per the Pacific Highlands Ranch Specific Plan and is now open for public use. The Easements are therefore not required for street or highway purposes. Additionally, the original prospective alignment for Carmel Valley Road has been subdivided to the east for Pacific Highlands Ranch Units 23-28 and to the southwest, SR-56 has been constructed.

The vacation of both Building Restricted and Slope Easements would be for the entire Rancho Glen Estates subdivision approved under the PRD and Final Map No. 86-0229. The applicant has reached out to the impacted property owners through the HOA Manager and project notices have been sent

to properties. The current easements are in favor of the City but are no longer needed, and by vacating them, the City reduces its liability and maintenance costs and removes an unnecessary impediment to private property.

Additionally, the project includes the construction of a 911-foot-long, 6-foot-wide trail within a 10-foot-wide easement across the northwest corner of the site. The pedestrian and non-motor trail easement is permitted in the MHPA and would be conserved within the COE. The trail would connect with an existing City Parks and Recreation trail system located immediately off site. The trail would include signage to provide notice that the trail is for pedestrian and non-motor uses only and that all users must stay on the trail.

#### Community Plan Analysis:

The 10.24-acre site at 13165 Caminito Mendiola is located in the Pacific Highlands Ranch Subarea Plan area, is governed by Planned Residential Development 86-0229 (PRD) and the restrictions of Proposition A. The original development approved through the PRD permit in 1986, preceded the 1992 North City Future Urbanizing Area (NCFUA), and the 1999 Pacific Highlands Ranch Subarea Plan (PHR Plan). The project site is identified as being located in the NCFUA per the PHR Plan and within Proposition A lands per Figure LU-4 of the General Plan. The site is subject to the conditions of the vested permit and not subject to the Pacific Highlands Ranch Subarea Plan. Although not subject to the PHR Plan, the proposed project is consistent with the land use and design policies of the PHR Plan.

**Land Use:** The project proposes to grade land for a single-dwelling unit and equestrian use. The PHR Plan designates the site Multiple Habitat Preservation Area and peripheral residential. The site is within Rancho Glen Estates which the Plan, in Table 2-1, refers to as “existing and previously approved project” and identifies the development as Estate Residential. The proposed use is consistent with the land use designation.

**Design:** PHR Plan Chapter 5, Community Design, goals recommend development “Create a vibrant community that is physically based on the preservation and enhancement of natural resources” and that grading activities “Preserve and protect the viability of the MHPA while creating a unique and functional community. Effort is to be made to minimize the impacts of grading on the MHPA.” The development footprint will impact 2.21 acres or 22 percent of the site which conforms to the 25 percent encroachment allowance permitted within the MHPA in accordance with the ESL regulations. The remaining acreage outside of the development footprint would be protected with a Covenant of Easement.

**Mobility:** The easements which are to be vacated were established for the construction of Carmel Valley Road, which has since been constructed in an alternative location, and the easements are no longer required by the PHR Plan. Additionally, a public use trail will be established in the MHPA consistent with the MSCP Subarea Plan and supported by the Pacific Highlands Ranch Subarea Plan.

**Housing:** Residential development located in the NCFUA that is within Prop A lands and is subject to conditions of approval of a development permit is exempt from the Inclusionary Housing

regulations per SDMC Section 142.1303.

Environmental Analysis:

A Mitigated Negative Declaration (MND) Project No. 506590/SCH No. 2022120055 has been prepared for the project in accordance with the State of California Environmental Quality Act (CEQA) Guidelines (Attachment 10). The MND determined that the proposed project could have a significant environmental impact related to Biological Resources, Cultural Resources (Archaeology) and Tribal Cultural Resources and specific mitigation is identified in the MND which avoids or mitigates the potentially significant environmental impact to below a level of significance.

Conclusion:

The Project is consistent with the Pacific Highlands Ranch Subarea Plan and previous approvals for the Rancho Glens Estate. All project issues identified through the review process have been resolved in conformance with adopted City Council policies and regulations of the Land Development Code. Staff has provided the draft findings to support approval of the project and draft conditions of the approval. Staff recommends the Planning Commission recommend the City Council approve the Project as proposed.

ALTERNATIVES

1. RECOMMEND the City Council adopt Mitigated Negative Declaration PTS No. 506590/SCH No. 2022120055, adopt the Mitigation, Monitoring and Reporting Program; and approve Site Development Permit No. 2308404 and Easement Vacation No. 1775136, with modifications.
2. DO NOT RECOMMEND the City Council adopt Mitigated Negative Declaration PTS No. 506590/SCH No. 2022120055, adopt the Mitigation, Monitoring and Reporting Program, and approve Site Development Permit No. 2308404 and Easement Vacation No. 1775136, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



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Renee Mezo  
Assistant Deputy Director  
Development Services Department

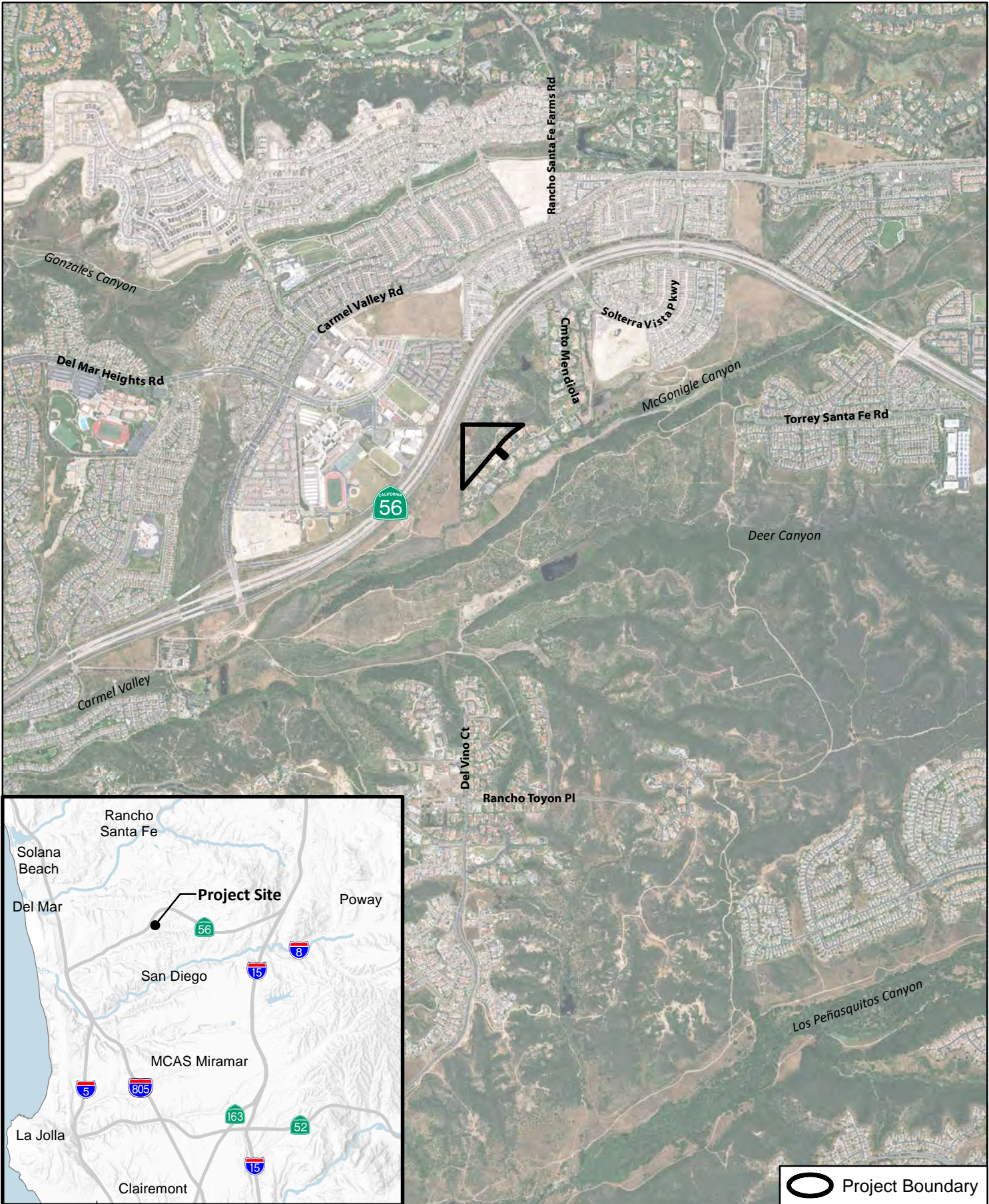


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Martha Blake  
Development Project Manager  
Development Services Department

Attachments:

1. Site Vicinity Map
2. Aerial Photographs
3. Proposed Project Exhibit
4. Pacific Highlands Ranch Subarea Plan Community Plan Land Use Map
5. Draft Site Development Permit with Conditions
6. Draft Site Development Permit Resolution with Findings
7. Draft Easement Vacation Resolution with Findings and Conditions
8. Draft Environmental Resolution (MND) with MMRP
9. [Mitigated Negative Declaration](#)
10. Ownership Disclosure Statement
11. Copy of Recorded Permit(s) (see references and attachments)
12. Copy of Recorded Coastal Commission CDP Permit
13. Exhibit A – Project Plans (Grading and Landscape)
14. Exhibit B – Easement Vacation
15. Community Planning Group Vote



Aerial Photo: USDA NAIP 2020



Project Boundary

Figure 1  
Site Vicinity Map





Aerial Photo: Nearmap 2019


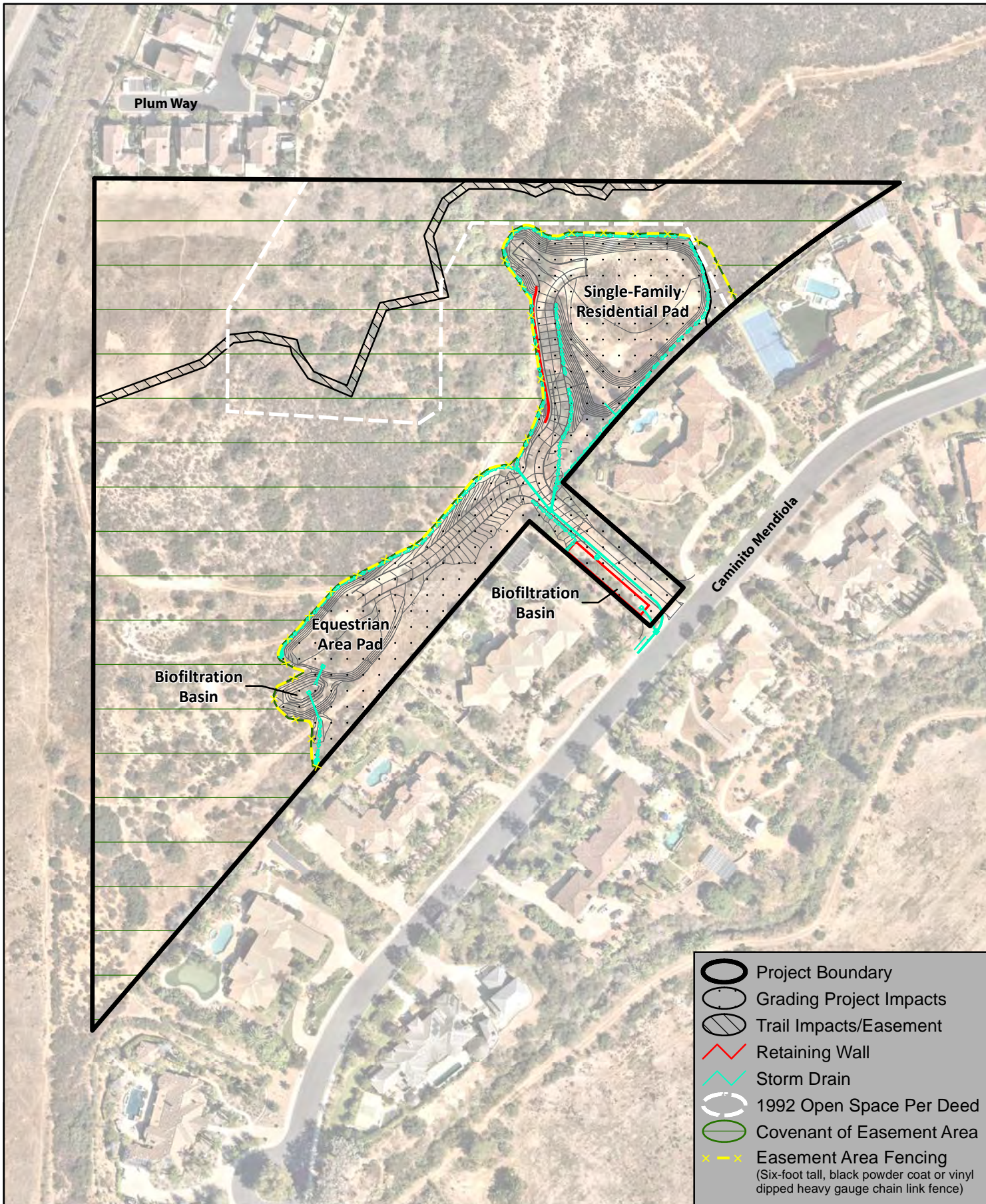
 Project Boundary

Figure 2

# Aerial Photograph





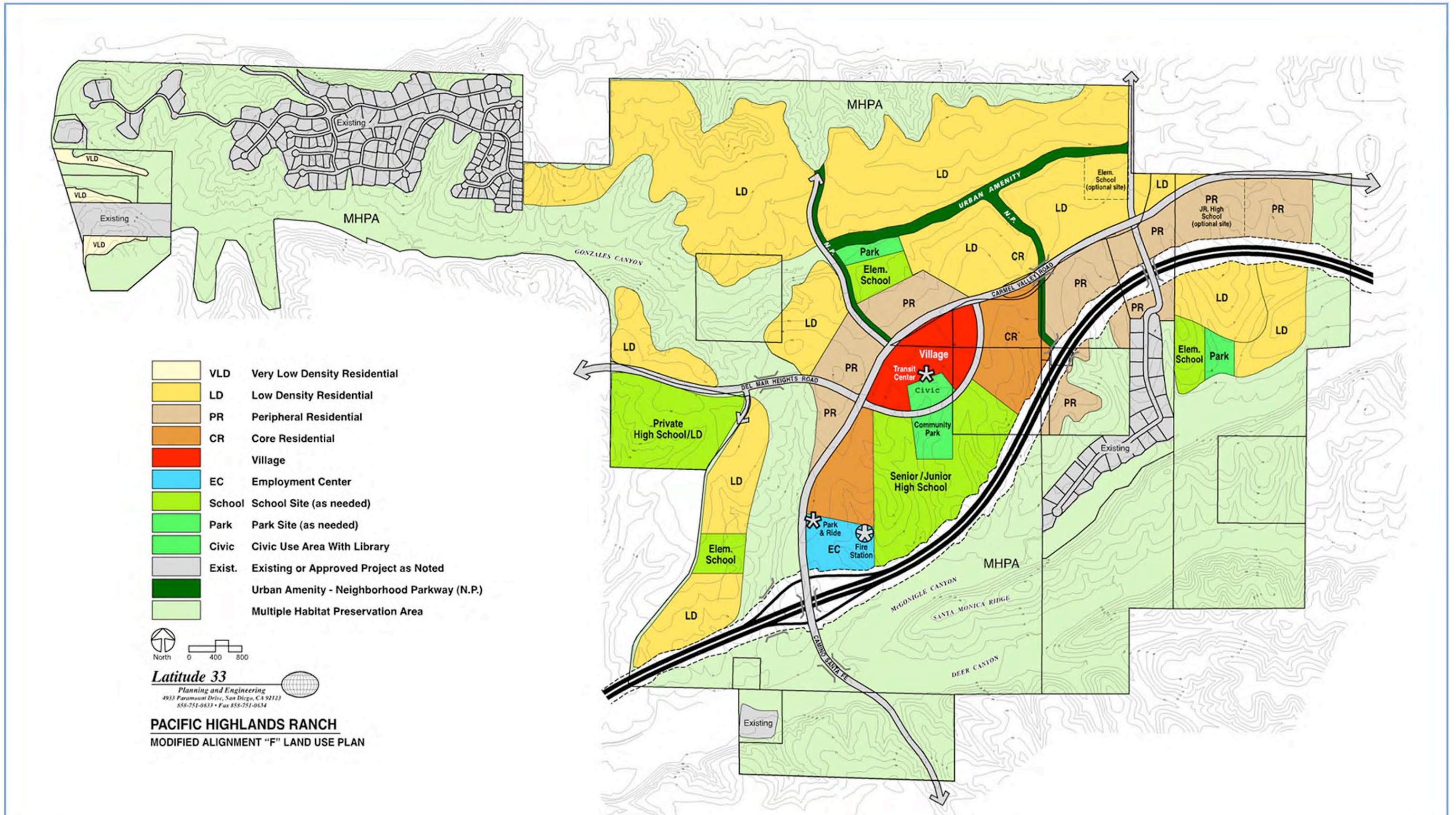
Aerial Photo: Nearmap 2019

Figure 3

### Proposed Project

LOT 31 Rancho Glens





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

**WHEN RECORDED MAIL TO**  
**CITY CLERK**  
**MAIL STATION 2A**

INTERNAL ORDER NUMBER: 24006914

SPACE ABOVE THIS LINE FOR RECORDER'S USE

SITE DEVELOPMENT PERMIT NO. 2308404  
**LOT 31 RANCHO GLENS PROJECT NO. 506590 - MMRP**  
CITY COUNCIL

This Site Development Permit No. 2308404 is granted by the City Council of the City of San Diego to Barczewski Family Trust, Owner, and Metcalf Development, Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0505. The 10.24-acre site is located at 13182 Caminito Mendiola in the AR-1-1 and RX-1-2 zone(s) of the Pacific Highlands Ranch Subarea Plan. The project site is legally described as: LOT 31 OF RANCHO DEL SOL UNIT 1 IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP NO 12477, FILED OCTOBER 18, 1989, IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner, Barczewski Family Trust and Metcalf Development, Permittee to allow for grading and improvements of a single-dwelling residential lot described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated January XX, 2024, on file in the Development Services Department.

The project shall include:

- a. Site grading, drainage structures, and retaining walls to create an access driveway and graded pads for future development;
- b. Landscaping (planting, irrigation and landscape related improvements);
- c. Fencing for the preservation of MHPA and a public access easement for a public trail; and
- d. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

**STANDARD REQUIREMENTS:**

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36-month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by [ENTER DATE typically 3 years, including the appeal time].

2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:

- a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
- b. The Permit is recorded in the Office of the San Diego County Recorder.

3. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.

4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.

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

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

7. In accordance with authorization granted to the City of San Diego from the United States Fish and Wildlife Service [USFWS] pursuant to Section 10(a) of the federal Endangered Species Act [ESA] and by the California Department of Fish and Wildlife [CDFW] pursuant to California Fish and Wildlife Code section 2835 as part of the Multiple Species Conservation Program [MSCP], the City of San Diego through the issuance of this Permit hereby confers upon Owner/Permittee the status of Third Party Beneficiary as provided for in Section 17 of the City of San Diego Implementing Agreement [IA], executed on July 16, 1997, and on file in the Office of the City Clerk as Document No. OO-18394. Third Party Beneficiary status is conferred upon Owner/Permittee by the City: (1) to grant Owner/Permittee the legal standing and legal right to utilize the take authorizations granted to the City pursuant to the MSCP within the context of those limitations imposed under this Permit and the IA, and (2) to assure Owner/Permittee that no existing mitigation obligation imposed by the City of San Diego pursuant to this Permit shall be altered in the future by the City of San Diego, USFWS, or CDFW, except in the limited circumstances described in Sections 9.6 and 9.7 of the IA. If mitigation

lands are identified but not yet dedicated or preserved in perpetuity, maintenance and continued recognition of Third Party Beneficiary status by the City is contingent upon Owner/Permittee maintaining the biological values of any and all lands committed for mitigation pursuant to this Permit and of full satisfaction by Owner/Permittee of mitigation obligations required by this Permit, in accordance with Section 17.1D of the IA.

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

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

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

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

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

**ENVIRONMENTAL/MITIGATION REQUIREMENTS:**

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

13. The mitigation measures specified in the MMRP and outlined in Mitigated Negative Declaration PTS No. 506590/SCH No. 2022120055, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

14. The Owner/Permittee shall comply with the MMRP as specified in Mitigated Negative Declaration PTS No. 506590/SCH No. 2022120055, to the satisfaction of the Development Services Department and the City Engineer. Prior to issuance of any construction permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for the following issue areas:

- Biological Resources
- Cultural Resources (Archaeology)
- Tribal Cultural Resources

**CLIMATE ACTION PLAN REQUIREMENTS:**

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

**ENGINEERING REQUIREMENTS:**

16. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the construction of a new City standard 20-foot driveway, adjacent to the site on Caminito Mendiola, satisfactory to the City Engineer.

17. Prior to the issuance of any building permit, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement for the private storm drain connection located in the City's right-of-way, satisfactory to the City Engineer.

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

19. Prior to the issuance of any building permits, the Owner/Permittee shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to the requirements of the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.

20. Prior to the issuance of any construction permit, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent Best Management Practices (BMP) maintenance, satisfactory to the City Engineer.
21. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the SDMC, into the construction plans or specifications.
22. Prior to the issuance of any construction permit, the applicant shall submit a Technical Report that will be subject to final review and approval by the City Engineer, based on the Storm Water Standards in effect at the time of the construction permit issuance.
23. Development of this project shall comply with all storm water construction requirements of the State Construction General Permit, Order No. 2009-0009DWQ, or subsequent order, and the Municipal Storm Water Permit, Order No. R9-2013-0001, or subsequent order. In accordance with Order No. 2009-0009DWQ, or subsequent order, a Risk Level Determination shall be calculated for the site and a Storm Water Pollution Prevention Plan (SWPPP) shall be implemented concurrently with the commencement of grading activities.
24. Prior to issuance of a grading or a construction permit, a copy of the Notice of Intent (NOI) with a valid Waste Discharge ID number (WDID#) shall be submitted to the City of San Diego as a proof of enrollment under the Construction General Permit. When ownership of the entire site or portions of the site changes prior to filing of the Notice of Termination (NOT), a revised NOI shall be submitted electronically to the State Water Resources Board in accordance with the provisions as set forth in Section II.C of Order No. 2009-0009-DWQ and a copy shall be submitted to the City.

**GEOLOGY REQUIREMENTS:**

25. 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.
26. 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.

**LANDSCAPE REQUIREMENTS:**

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



28. Prior to issuance of any construction permit for public improvements, the Owner/Permittee shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall show, label, and dimension a 40-square-foot area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

29. Prior to issuance of any construction permit for building (including shell), the Owner/Permittee shall submit complete landscape and irrigation construction documents, which are consistent with the Landscape Standards, to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit "A," Landscape Development Plan, on file in the Development Services Department. Construction plans shall provide a 40-square-foot area around each tree that is unencumbered by hardscape and utilities unless otherwise approved per §142.0403(b)6.

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

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

**BRUSH MANAGEMENT PROGRAM REQUIREMENTS:**

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

33. The Brush Management Program shall be provided as follows: A 100-foot Zone 2 along the northern property line abutting lots 58-62 of the Costa del Sol West sub-division; a 65-foot Zone 2 along the southeast property line abutting lots 12-14 and 17 of the Rancho del Sol Unit 1 subdivision; a zone one from the southeastern property line extending around the biobasin, horse corral and around the house pad; and a corresponding zone two measuring from 0-foot to approximately 60-foot around the house pad.

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

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

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

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

**MULTIPLE SPECIES CONSERVATION PROGRAM:**

38. Prior to the issuance of any construction permits, the Owner/Permittee shall grant the remaining on-site Multiple Habitat Planning Area [MHPA], excluding the development footprint as shown on Exhibit "A", to the City's Multiple Species Conservation Program [MSCP] preserve through either fee title to the City, or a covenant of easement granted in favor of the City and the U.S. Fish and Wildlife Service [USFWS] and the California Department of Fish and Wildlife [CDFW], as shown on Exhibit "A." Conveyance of any land in fee to the City shall require approval from the Park and Recreation Department Open Space Division Deputy Director and shall exclude detention basins or other stormwater control facilities, brush management areas, landscape/revegetation areas, and graded slopes. The Owner/Permittee shall ensure all property approved for conveyance in fee title to the City for MHPA purposes shall be free and clear of all private easements, private encroachments, private agreements and/or liens. Any on-site MHPA lands that are not dedicated in fee title to the City shall grant a covenant of easement in favor of the City, USFWS, and CDFW. The Owner/Permittee shall maintain in perpetuity any MHPA lands granted by covenant of easement unless otherwise agreed to by the City.

39. Prior to the issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, the owner/permittee shall submit a Long-Term Habitat Management Plan which identifies the managing entity and includes the Property Analysis Record (PAR) or equivalent to ensure adequate funding for the long-term management and monitoring of the mitigation site. The Mitigation Program must include documentation on how the project would implement the objectives of the MSCP Preserve Management and the area specific management directives. The Mitigation Program must identify the responsible entity for long-term maintenance and management, the requirements for future management and monitoring reports, and a secure funding source to pay for the management in perpetuity.

40. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, the owner/permittee shall depict the following requirements on construction documents for the Project Site under the heading "MHPA Land Use Adjacency Requirements."

- **Grading/Land Development/MHPA Boundaries** – Within or adjacent to the MHPA, all manufactured slopes associated with site development shall be included within the development footprint.
- **Drainage** – All staging and developed/paved areas must prevent the release of toxins, chemicals, petroleum products, exotic plant materials prior to release by incorporating the use of filtration devices, planted swales and/or planted detention/desiltation basins, or other approved temporary and permanent methods that are designed to minimize negative impacts, such as excessive water and toxins into the ecosystems of the MHPA.
- **Toxics/Project Staging Areas/Equipment Storage** – Projects that use chemicals or generate by-products such as pesticides, herbicides, and animal waste, and other substances that are potentially toxic or impactful to native habitats/flora/fauna (including water) shall incorporate measures to reduce impacts caused by the application and/or drainage of such materials into the MHPA. No trash, oil, parking, or other construction/development-related material/activities shall be allowed outside any approved construction limits. Provide a note in/on the CD's that states: "All construction related activity that may have potential for leakage or intrusion shall be monitored by the Qualified Biologist/Owners Representative or Resident Engineer to ensure there is no impact to the MHPA."
- **Lighting** – All lighting within or adjacent to the MHPA is directed away/shielded from the MHPA, or limited to the immediate area and is in compliance with City Outdoor Lighting Regulations per LDC Section 142.0740.
- **Barriers** – Existing fences/walls; and/or signage along the MHPA boundaries shall remain and or be added to direct public access to appropriate locations, reduce domestic animal predation, protect wildlife in the preserve, and provide adequate noise reduction where needed.
- **Invasives** - No invasive, non-native plant species shall be introduced into areas within or adjacent to the MHPA.
- **Brush Management** – Brush management zones will not be greater in size than is currently required by the City's regulations (this includes use of approved alternative compliance). Within Zone 2 the amount of woody vegetation clearing shall not exceed 50 percent of the vegetation existing when the initial clearing is done. Vegetation clearing shall be done consistent with City standards and shall avoid/minimize impacts to covered species to the maximum extent possible. For all new development, regardless of the ownership, the brush management in the Zone 2 area will be the responsibility of a home-owner's association or other private party.
- **Noise** – Construction noise that exceeds the maximum levels allowed (60 dB or greater at the beginning edge of the habitat) shall be avoided during the breeding seasons for the following: CA gnatcatcher (3/1-8/15). If construction is proposed during the breeding season for the species the following measures are required:

#### **COASTAL CALIFORNIA GNATCATCHER (Federally Threatened)**

Prior to the issuance of any grading permit, the City Manager (or appointed designee) shall verify that the Multi-Habitat Planning Area (MHPA) boundaries and the following project requirements regarding the coastal California gnatcatcher are shown on the construction plans:

NO CLEARING, GRUBBING, GRADING, OR OTHER CONSTRUCTION ACTIVITIES SHALL OCCUR BETWEEN MARCH 1 AND AUGUST 15, THE BREEDING SEASON OF THE COASTAL CALIFORNIA GNATCATCHER, UNTIL THE FOLLOWING REQUIREMENTS HAVE BEEN MET TO THE SATISFACTION OF THE CITY MANAGER:

- A. A QUALIFIED BIOLOGIST (POSSESSING A VALID ENDANGERED SPECIES ACT SECTION 10(a)(1)(A) RECOVERY PERMIT) SHALL SURVEY THOSE HABITAT AREAS WITHIN THE MHPA THAT WOULD BE SUBJECT TO CONSTRUCTION NOISE LEVELS EXCEEDING 60 DECIBELS [dB(A)] HOURLY AVERAGE FOR THE PRESENCE OF THE COASTAL CALIFORNIA GNATCATCHER. SURVEYS FOR THE COASTAL CALIFORNIA GNATCATCHER SHALL BE CONDUCTED PURSUANT TO THE PROTOCOL SURVEY GUIDELINES ESTABLISHED BY THE U.S. FISH AND WILDLIFE SERVICE WITHIN THE BREEDING SEASON PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION. IF GNATCATCHERS ARE PRESENT, THEN THE FOLLOWING CONDITIONS MUST BE MET:
  - I. BETWEEN MARCH 1 AND AUGUST 15, NO CLEARING, GRUBBING, OR GRADING OF OCCUPIED GNATCATCHER HABITAT SHALL BE PERMITTED. AREAS RESTRICTED FROM SUCH ACTIVITIES SHALL BE STAKED OR FENCED UNDER THE SUPERVISION OF A QUALIFIED BIOLOGIST; AND
  - II. BETWEEN MARCH 1 AND AUGUST 15, NO CONSTRUCTION ACTIVITIES SHALL OCCUR WITHIN ANY PORTION OF THE SITE WHERE CONSTRUCTION ACTIVITIES WOULD RESULT IN NOISE LEVELS EXCEEDING 60 dB (A) HOURLY AVERAGE AT THE EDGE OF OCCUPIED GNATCATCHER HABITAT. AN ANALYSIS SHOWING THAT NOISE GENERATED BY CONSTRUCTION ACTIVITIES WOULD NOT EXCEED 60 dB (A) HOURLY AVERAGE AT THE EDGE OF OCCUPIED HABITAT MUST BE COMPLETED BY A QUALIFIED ACOUSTICIAN (POSSESSING CURRENT NOISE ENGINEER LICENSE OR REGISTRATION WITH MONITORING NOISE LEVEL EXPERIENCE WITH LISTED ANIMAL SPECIES) AND APPROVED BY THE CITY MANAGER AT LEAST TWO WEEKS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES. PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES DURING THE BREEDING SEASON, AREAS RESTRICTED FROM SUCH ACTIVITIES SHALL BE STAKED OR FENCED UNDER THE SUPERVISION OF A QUALIFIED BIOLOGIST; OR
  - III. AT LEAST TWO WEEKS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES, UNDER THE DIRECTION OF A QUALIFIED ACOUSTICIAN, NOISE ATTENUATION MEASURES (e.g., BERMS, WALLS) SHALL BE IMPLEMENTED TO ENSURE THAT NOISE LEVELS RESULTING FROM CONSTRUCTION ACTIVITIES WILL NOT EXCEED 60 dB(A) HOURLY AVERAGE AT THE EDGE OF HABITAT OCCUPIED BY THE COASTAL CALIFORNIA GNATCATCHER. CONCURRENT WITH THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES AND THE CONSTRUCTION OF NECESSARY NOISE ATTENUATION FACILITIES, NOISE MONITORING\* SHALL BE CONDUCTED AT THE EDGE OF THE OCCUPIED HABITAT

AREA TO ENSURE THAT NOISE LEVELS DO NOT EXCEED 60 dB (A) HOURLY AVERAGE. IF THE NOISE ATTENUATION TECHNIQUES IMPLEMENTED ARE DETERMINED TO BE INADEQUATE BY THE QUALIFIED ACOUSTICIAN OR BIOLOGIST, THEN THE ASSOCIATED CONSTRUCTION ACTIVITIES SHALL CEASE UNTIL SUCH TIME THAT ADEQUATE NOISE ATTENUATION IS ACHIEVED OR UNTIL THE END OF THE BREEDING SEASON (AUGUST 16).

\* Construction noise monitoring shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity, to verify that noise levels at the edge of occupied habitat are maintained below 60 dB (A) hourly average or to the ambient noise level if it already exceeds 60 dB (A) hourly average. If not, other measures shall be implemented in consultation with the biologist and the City Manager, as necessary, to reduce noise levels to below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. Such measures may include, but are not limited to, limitations on the placement of construction equipment and the simultaneous use of equipment.

- B. IF COASTAL CALIFORNIA GNATCATCHERS ARE NOT DETECTED DURING THE PROTOCOL SURVEY, THE QUALIFIED BIOLOGIST SHALL SUBMIT SUBSTANTIAL EVIDENCE TO THE CITY MANAGER AND APPLICABLE RESOURCE AGENCIES WHICH DEMONSTRATES WHETHER OR NOT MITIGATION MEASURES SUCH AS NOISE WALLS ARE NECESSARY BETWEEN MARCH 1 AND AUGUST 15 AS FOLLOWS:
  - I. IF THIS EVIDENCE INDICATES THE POTENTIAL IS HIGH FOR COASTAL CALIFORNIA GNATCATCHER TO BE PRESENT BASED ON HISTORICAL RECORDS OR SITE CONDITIONS, THEN CONDITION A.III SHALL BE ADHERED TO AS SPECIFIED ABOVE.
  - II. IF THIS EVIDENCE CONCLUDES THAT NO IMPACTS TO THIS SPECIES ARE ANTICIPATED, NO MITIGATION MEASURES WOULD BE NECESSARY.

**PLANNING/DESIGN REQUIREMENTS:**

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

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

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

Covenant of Easement shall include a legal description and an illustration of the premises showing the development area and the Environmentally Sensitive Lands as shown on Exhibit "A."

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

45. Prior to the issuance of a grading or a construction permit, the Owner/Permittee shall obtain a consistency determination letter or amendment to the Coastal Development Permit from Coastal Commission.

**PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:**

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

47. Prior to the issuance of any grading or building permits, the developer shall remove the existing 8-inch water service and 2-inch blowoff assembly in a manner satisfactory to the Director of Public Utilities and the City Engineer.

48. Prior to the issuance of any building permits, the Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s) [BFPDs], on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Director and the City Engineer. BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way.

49. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for the private sewer facilities encroaching into the General Utility Easement right-of-way.

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

51. The Owner/Permittee shall be responsible for any damage caused to City of San Diego water and sewer facilities within the vicinity of the project site, due to the construction activities associated with this project, in accordance with Municipal Code section 142.0607. In the event that any such facility loses integrity then, the Owner/Permittee shall repair or reconstruct any damaged public water and sewer facility in a manner satisfactory to the Public Utilities Director and the City Engineer.

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

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

**PARKS AND RECREATION DEPARTMENT REQUIREMENTS:**

54. The Owner/Permittee shall construct a public trail within the alignment of the proposed public access easement per the approved Exhibit "A" on file in the Office of the Development Services Department.

55. The Owner/Permittee shall place a public access easement over all public trails on private property. The public access easement shall be maintained by the property owner.

56. The Owner/Permittee shall ensure Parks and Recreation review and approval of the final map prior to recordation.

57. The Owner/Permittee shall ensure Parks and Recreation review and approval of the grading plans prior to permit issuance.

**INFORMATION ONLY:**

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

APPROVED by the City Council of the City of San Diego on \_\_\_\_\_ and R-\_\_\_\_\_.

Site Development Permit No. 2308404  
Date of Approval: XX

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

\_\_\_\_\_  
Sara Osborn  
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.

**Barczewski Family Trust**  
Owner/Permittee

By \_\_\_\_\_  
Sandra L. McDowell Barczewski  
Owner

**Metcalf Development**  
Permittee

By \_\_\_\_\_  
Paul Metcalf  
Permittee

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



CITY COUNCIL RESOLUTION NO. [REDACTED]  
SITE DEVELOPMENT PERMIT NO. 2308404  
**LOT 31 RANCHO GLENS – PROJECT NO. 506590**  
**[MMRP]**

WHEREAS, Barczewski Family Trust, Owner/Metcalf Development, Permittee, filed an application with the City of San Diego for a Site Development Permit to allow for grading and improvements of a single-dwelling residential lot in the existing Rancho Del sol single-dwelling subdivision known as the Lot 31 Rancho Glens project, located east of State Route 56 (SR-56), immediately south of Plum Way, and northwest of Caminito Mendiola located on 10.2-acres, and legally described as, Lot 31 of Rancho del Sol Unit 1, in the City of San Diego, State of California, according to Map No. 12477, filed October 18, 1989 in the Office of the County Recorder of San Diego County; Assessor's Parcel Number 305-060-18, in the Pacific Highlands Ranch Specific Plan area, in the AR-1-1 and RX-1-2 zones; and

WHEREAS, on November 30, 2023, the Planning Commission of the City of San Diego considered Site Development Permit (SDP) No. 2308404, and pursuant to Resolution No. XXXX-PC voted to recommend approval of the Permit; and

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

WHEREAS, the matter was set for public hearing on \_\_\_\_\_, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it adopts the following findings with respect to Site Development Permit No. 2308404:

**A. SITE DEVELOPMENT PERMIT [San Diego Municipal Code (SDMC) §126.0505]**

**1. Findings for all Site Development Permits:**

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

The project consists of a Site Development Permit for a single-dwelling residential pad on Lot 31 and the vacation of the building restricted and slope easements on multiple lots. The project will allow for grading and improvements of a single-dwelling residential lot in an existing approved single-dwelling unit subdivision. The project proposes to vacate easements recorded in 1989 with the prior subdivision map, which were recorded to preserve right-of-way for the future construction of Carmel Valley Road that has since been realigned and constructed elsewhere. Further, the project will provide protections to valuable sensitive habitat and steep slopes on the property outside of the development footprint.

The Pacific Highlands Ranch Subarea Plan (Plan) designates the site Multiple Habitat Preservation Area and peripheral residential. The site is within Rancho Glen Estates which the Plan, in Table 2-1, refers to as "existing and previously approved project" and identifies the development as Estate Residential. The proposed use is consistent with the land use designation. Chapter 5 of the Plan, Community Design, goals recommend development "Create a vibrant community that is physically based on the preservation and enhancement of natural resources" and that grading activities "Preserve and protect the viability of the MHPA while creating a unique and functional community. Effort is to be made to minimize the impacts of grading on the MHPA."

The site is zoned AR-1-1 which contains Environmentally Sensitive Lands (ESL) in the form of sensitive biological resources and steep hillsides. To reduce development impacts, the development footprint has been sited in areas previously disturbed by past development activities. The entire site is within the Multiple Habitat Planning Area (MHPA). Inside the MHPA, development must be located in the least sensitive portion of a given site to comply with the ESL Regulations. The project would be located immediately adjacent to existing development off site (i.e., it would not bisect or otherwise fragment the habitat on or off site). All avoided vegetation communities/habitat types on site would be conserved in a Covenant of Easement area. Additionally, the City's MSCP Subarea Plan calls for 75 percent preservation of private lands within the MHPA, which allows for development on the remaining 25 percent subject to the requirements of the MSCP Subarea Plan. Since sensitive biological resources are located onsite, SDMC Section [143.0141\(a\)\(5\)\(A\)](#) applies, which states, "Development is permitted only in accordance with the regulations set forth in the OR-1-2 zone, pursuant to Section 131.0250(b)." Section [131.0250\(b\)\(1\)](#) states, "if the premises is located entirely within the boundary of the MHPA, a maximum of 25 percent of the site may be developed." The site also contains steep hillsides. A slope analysis prepared for the site

determined the natural slopes over 25 percent account for 2 percent of the development footprint. Similar to sensitive biological resources, the development regulations for Steep Hillside SDMC Section [143.0142\(a\)\(1\)](#) requires compliance with OR-1-2 zone Section [131.0250\(b\)](#). Grading the site, including Brush Management Zone 1 would impact 2.21 acres. The proposed project would allow the grading of 22 percent of the site, consistent with the 25 percent allowable developable area outlined in the SDMC Sections [143.0141\(a\)\(5\)\(A\)](#), [143.0142\(a\)\(1\)](#) and [131.0250\(b\)](#). The project is consistent in character, scale and intensity with the established residential development of the neighboring lots. The project will contribute to the preservation of open space corridors by conserving all undeveloped portions of the site in a Covenant of Easement. The proposed project is therefore consistent with these Pacific Highlands Ranch Specific Plan policies.

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

The project consists of grading within the limits of work identified on the Exhibit "A" on file with the Development Services Department for a future residence and equestrian stable. The maximum area of disturbance is 2.21 acres with approximately 2,000 cubic yards of grading. The permits controlling the development and use of the site requires compliance with City codes, policies, regulations, and other regional, state, and federal regulations. Construction plans will be reviewed by City Staff to ensure compliance with all building code regulations. All Uniform Building, Fire, Plumbing, Electrical and Mechanical Code regulations and permitting requirements governing the construction and continued operation of the development apply to this project. The project will be inspected by certified building and engineering inspectors to assure construction is in accordance with approved plans and regulations.

The project is required to comply with seismic requirements of the California Building Code. Implementation of proper engineering design and utilization of standard construction practices (including recommendations contained with the Geotechnical Investigation) would be verified at the building permit stage. As such, the proposed development will not be detrimental to the public health, safety and welfare.

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

The proposed development has been designed to comply with the AR-1-10 zone regulations of the Land Development Code and the approved Planned Residential Development (PRD) Permit No. 83-0896.1 conditions of approval. It is anticipated the 10.24-acre site will be utilized by future construction of a single-dwelling unit, equestrian area, biofiltration basins, and access driveways. Development of the site, including Brush Management Zone 1 would impact 2.21 acres and conform to the 25 percent encroachment allowance permitted within the MHPA in accordance with the ESL regulations (SDMC Sections [143.0141\(a\)\(5\)\(A\)](#), [143.0142\(a\)\(1\)](#) and [131.0250\(b\)](#)). There are no deviations being request and the proposed project complies with the regulations of the Land Development Code.

**2. Supplemental Findings – Environmentally Sensitive Lands [San Diego Municipal Code (SDMC) §126.0505 (b)]**

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

The proposed development area has been located mainly on the flatter, partially disturbed, least sensitive areas of the lot. This siting provides the minimum disturbance to the environmentally sensitive lands located on the steeper slopes of the property by keeping the building pad and Brush Management Zone One (BMZ 1) areas as close to the existing developed uses and away from the steep slopes as much as possible.

The project will mitigate for direct impacts to upland vegetation communities inside the MHPA on site. The on site mitigation and excess acreage preservation (totaling 7.98 acres), which are in the MHPA, will be protected from future development by recording a Covenant of Easement. The long-term management of the land will be the responsibility of, and provided by, the property owner. All sensitive habitat impacted by construction will be mitigated. Grading plans will clearly identify the type and location of erosion control devices to preclude potential erosion impacts to on site sensitive habitat. 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.

To reduce development impacts, the development footprint has been sited in areas previously disturbed by past development activities. The entire site is within the Multiple Habitat Planning Area (MHPA). Inside the MHPA, development must be located in the least sensitive portion of a given site to comply with the Environmentally Sensitive Lands (ESL) Regulations. The project would be located immediately adjacent to existing development off site (i.e., it would not bisect or otherwise fragment the habitat on or off site). All avoided vegetation communities/habitat types on site would be conserved in a Covenant of Easement area. Additionally, the City's MSCP Subarea Plan calls for 75 percent preservation of private lands within the MHPA, which allows for development on the remaining 25 percent subject to the requirements of the MSCP Subarea Plan. Since sensitive biological resources are located onsite, SDMC Section [143.0141\(a\)\(5\)\(A\)](#) applies, which states, "Development is permitted only in accordance with the regulations set forth in the OR-1-2 zone, pursuant to Section 131.0250(b)." Section [131.0250\(b\)\(1\)](#) states, "if the premises is located entirely within the boundary of the MHPA, a maximum of 25 percent of the site may be developed." The site also contains steep hillsides. A slope analysis prepared for the site determined the natural slopes over 25 percent account for 2 percent of the development footprint. Similar to sensitive biological resources, the development regulations for Steep Hillsides SDMC Section [143.0142\(a\)\(1\)](#) requires compliance with OR-1-2 zone Section [131.0250\(b\)](#). Grading the site, including Brush Management Zone 1 would impact 2.21 acres. The proposed project would allow the grading of 22 percent of the site, consistent with the 25 percent allowable developable area outlined in the SDMC. The project is consistent in character, scale and intensity with the established residential development of the neighboring lots. The project will contribute to the preservation of open space corridors by conserving all undeveloped portions of the site in a recorded Covenant of Easement. The

proposed project is therefore consistent with these Pacific Highlands Ranch Specific Plan policies.

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

The project design has integrated the characteristics of the landform into the development of the site. The residence will be nestled into the site topography rather than completely altering the character of the land. The pads are located on the flatter, partially disturbed portion of the property and will minimize the erosion, flood and fire hazards. The site also contains steep hillsides and the project proposes the development pads on the least sensitive portion of the site. Please see additional explanation in supplemental finding (2a). The project complies with the regional erosion control requirements and will also meet the City-wide requirements related to storm water run-off, best management practices and brush management regulations as they are conditions of approval. As such, the proposed project will minimize the alteration of natural landforms and will not result in undue risk from geologic and erosional forces, flood hazards or fire hazards.

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

The project's development area is designed to use the existing, partially-disturbed flatter areas of the site that are closest to the existing private and public facilities and adjacent development. Please see additional explanation in supplemental finding (2a). The project's siting design includes measures that ensure that all impacts from erosion and water quality issues are addressed in the conditions of approval. The proposed project is sited and designed to prevent adverse impacts to any environmentally sensitive lands.

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

The project proposes to encroach into the Multiple Habitat Preservation Area (MHPA) boundary per SDMC Section [143.0142](#) and Section [131.0250\(b\)](#). The entire site is within the MHPA. Inside the MHPA, development must be located in the least sensitive portion of a given site to comply with the ESL Regulations. The project would be located immediately adjacent to existing development off site (i.e., it would not bisect or otherwise fragment the habitat on or off site). All avoided vegetation communities/habitat types on site would be conserved in a recorded Covenant of Easement. Additionally, the City's MSCP Subarea Plan calls for 75 percent preservation of private lands within the MHPA, which allows for development on the remaining 25 percent subject to the requirements of the MSCP Subarea Plan. The proposed project would develop 22 percent of the site, consistent with the 25 percent allowable developable area outlined in the SDMC and therefore, the proposed development will be consistent with the MSCP Subarea Plan. Additionally, no vernal pools are present on site.

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

The proposed project is located a significant distance inland and it will not contribute to the erosion of public beaches or adversely impact shoreline sand supply. This is assured by an erosion control and storm water management plan and the adoption of best management practices as required by the conditions of the permit.

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

The mitigation required for the habitat disturbance has been carefully determined to adequately address the impacts involved per SDMC Section [143.0142](#) and Section [131.0250\(b\)](#). The conservation of 7.98 acres of the site through a Covenant of Easement fully compensates for the impacts created by the project. The storm water management plan and the adoption of best management practices for erosion control ensure that the physical, negative consequences of the project will be alleviated by the satisfaction of the conditions of the permit. 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 above findings are supported by the minutes, maps and exhibits, all of which are incorporated herein by this reference.

BE IT FURTHER RESOLVED, that Site Development Permit No. 2308404 is granted to Barczewski Family Trust, Owner/Metcalf Development, Permittee, under the terms and conditions set forth in the attached permit which is made a part of this resolution.

APPROVED: MARA ELLIOTT, City Attorney

By \_\_\_\_\_  
[Attorney]  
Deputy City Attorney

seo:RM  
10/20/2023  
Or.Dept:[Dept]  
R-R-[Reso Code]

RESOLUTION NUMBER R-\_\_\_\_\_

DATE OF FINAL PASSAGE \_\_\_\_\_

A RESOLUTION VACATING A BUILDING RESTRICTED EASEMENT IN LOTS 15,16,19, 20, 21 & 31 AND A SLOPE EASEMENT IN LOTS 12-21, 30 & 31 OF RANCHO DEL SOL UNIT 1 ACCORDING TO MAP NO. 12477, EASEMENT VACATION NO. 1775136, LOT 31 RANCHO GLENS – PROJECT NO. 506590.

WHEREAS, California Streets and Highways Code section 8320 *et seq.* and San Diego Municipal Code section 125.1001 *et seq.* provide a procedure for the vacation of public service easements by City Council resolution; and

WHEREAS, Paul Metcalf with Metcalf Development filed an application to vacate a Building Restricted Easement located on LOTS 15,16,19, 20, 21 & 31 OF RANCHO DEL SOL UNIT 1 IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP NO 12477, FILED OCTOBER 18, 1989, IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY and a Slope Easement located on LOTS 12-21, 30 & 31 OF RANCHO DEL SOL UNIT 1 IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP NO 12477, FILED OCTOBER 18, 1989, IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, being described as Easement Vacation No. 1775136; and

WHEREAS, Easement Vacation No. 1775136 is located on property owned by Barczewski Family Trust; and

WHEREAS, on **November 30, 2023**, the Planning Commission of the City of San Diego considered Easement Vacation No. 1775136, and pursuant to **XXXX-PC**, the Planning Commission voted to recommend City Council approval of the actions; and

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

WHEREAS, the matter was set for public hearing on [REDACTED], testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that with respect to Easement Vacation No. 1775136, the Council finds that:

**(a) There is no present or prospective public use for the easement, either for the facility or purpose for which it was originally acquired, or for any other public use of a like nature that can be anticipated.**

A condition of approval for Planned Residential Development Permit 83-0896.1, as amended by 86-0229, and recorded on Rancho del Sol Unit 1 Final Map 12477 approved certain easements, recorded on Final Map 12477, to establish a Building Restricted and Slope Easements for the express purpose of establishing the future right-of-way and slope grading for Carmel Valley Road. The prospective public use for which the easements were required has been superseded by the realignment of Carmel Valley Road which has been constructed per the Pacific Highlands Ranch Specific Plan and is now open for public use. The Easements are therefore not required for street or highway purposes. Additionally, the original prospective alignment for Carmel Valley Road has been subdivided to the east for Pacific Highlands Ranch Units 23-28 and to the southwest, SR-56 has been constructed.

The project is proposed to be located over portions of both easements that were recorded with the Map for the previously envisioned roadway alignment. Due to the change in roadway alignment, the recorded easements were never utilized and are no longer needed for public use. Therefore, there is no present or prospective public use for the easements, either for the facility or purpose for which it was originally acquired, or for any other public use of a like nature that can be anticipated.

**(b) The public will benefit from the action through improved utilization of the land made available by the vacation.**

The recorded easements granted as a condition of approval for Planned Residential Development Permit 83-0896.1, as amended by 86-0229, and recorded on Rancho del Sol Unit 1 Final Map 12477



were never utilized for the alignment of Carmel Valley Road and were determined not to be needed for public use. Therefore, there is no present or prospective public use for the easements and the public does not currently benefit from the easements as they are located on private property. The public will benefit from the improved utilization of the land made available by the vacation use on the least environmentally sensitive land. Additionally, outside the development footprint of the project, the project proposes a public trail easement and a covenant of easement for the remaining Multiple Habitat Planning Area (MHPA) lands.

**(c) The vacation is consistent with any applicable land use plan.**

The Pacific Highlands Ranch Specific Plan designates the site as “Multiple Habitat Preservation Area” and “Existing or Approved” land use and zoned AR-1-1 and RX-1-2. The site is surrounded by existing residential land uses and open space as designated by the Plan. The “Existing or Approved” land use in the plan refers to a previous approval, the Rancho Glens project, which subdivided lots for Estate Residential and open space through a Planned Residential Development in 1987. Lot 31 is within the Rancho Glens subdivision and was approved as a single-dwelling residential lot in 1987. The project anticipates a single-dwelling residential unit adjacent to an existing single-dwelling residential neighborhood. The vacation is consistent with the Land Use and Circulation elements of the Pacific Highlands Ranch Specific Plan. The site is within Rancho Glen Estates which the Plan, in Table 2-1, refers to as “existing and previously approved project” and identifies the development as Estate Residential. The easements which are to be vacated were established for the construction of Carmel Valley Road, which has since been constructed in an alternative location, and the easements are not required by the Plan. The vacation of the easements would allow for the single-dwelling unit to be located in the least sensitive portion of the site, complying with plan policies to “Preserve and protect the viability of the MHPA while creating a unique and functional community. Effort is to be made to minimize the impacts of grading on the MHPA.”

The entire site is within the Multiple Habitat Planning Area (MHPA). Inside the MHPA, development must be located in the least sensitive portion of a given site to comply with the Environmentally Sensitive Lands (ESL) Regulations. The project would be located immediately adjacent to existing development off site (i.e., it would not bisect or otherwise fragment the habitat on or off site). All avoided vegetation communities/habitat types on site would be preserved in a covenant of easement. Additionally, the City’s MSCP Subarea Plan calls for 75 percent preservation of private lands within the MHPA, which allows for development on the remaining 25 percent subject to the requirements of the MSCP Subarea Plan. The proposed project would develop 22 percent of the site, consistent with the 25 percent allowable developable area outlined in the SDMC. Therefore, there are no conflicts with the applicable land use plan and implementing policies and regulations.

**(d) The public facility or purpose for which the easement was originally acquired will not be detrimentally affected by the vacation or the purpose for which the easement was acquired no longer exists.**

The easements were required as a condition of approval for Planned Residential Development Permit 83-0896.1, as amended by 86-0229, and recorded on Rancho del Sol Unit 1 Final Map 12477, for the future alignment of Carmel Valley Road; however, the road was realigned and constructed per the Pacific Highlands Ranch Specific Plan and is now open for public use. The Easements are therefore unnecessary and not required for street or highway purposes.

The project is proposed to be located over portions of both building restricted and slope easements that were recorded with the Map for the previously envisioned roadway alignment. Due to the change in roadway alignment, the recorded easements were never utilized and were determined not to be needed for public use. Therefore, the public facility or purpose for which the easement was originally acquired will not be detrimentally affected by the vacation since the purpose for which the easement was acquired no longer exists.

BE IT FURTHER RESOLVED, that Easement Vacation No. 1775136, as more particularly described in the legal description marked as Exhibit "A" and shown on Drawing No. 39646-1-B, 39646-2-B and 39646-3-B marked as Exhibit "B," which are by this reference incorporated herein and made a part hereof, is ordered vacated subject to the following condition(s) which are made a part of this resolution:

- Prior to the issuance of any construction permits, the Owner/Permittee shall grant the remaining on-site Multiple Habitat Planning Area [MHPA], excluding the development footprint as shown on Exhibit "A", to the City's Multiple Species Conservation Program [MSCP] preserve through either fee title to the City, or a covenant of easement granted in favor of the City and the U.S. Fish and Wildlife Service [USFWS] and the California Department of Fish and Wildlife [CDFW], as shown on Exhibit "A." Conveyance of any land in fee to the City shall require approval from the Park and Recreation Department Open Space Division Deputy Director and shall exclude detention basins or other stormwater control facilities, brush management areas, landscape/revegetation areas, and graded slopes. The Owner/Permittee shall ensure all property approved for conveyance in fee title to the City for MHPA purposes shall be free and clear of all private easements, private encroachments, private agreements and/or liens. Any on-site MHPA lands that are not dedicated in fee title to the City shall grant a covenant of easement in favor of the City, USFWS, and CDFW. The Owner/Permittee shall maintain in perpetuity any MHPA lands granted by covenant of easement unless otherwise agreed to by the City.
- Prior to the issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, the owner/permittee shall submit a Long-Term Habitat Management Plan which identifies the managing entity and includes the Property Analysis Record (PAR) or equivalent to ensure adequate funding for the long-term management and monitoring of the mitigation site. The Mitigation Program must include documentation on how the project would implement the objectives of the MSCP Preserve Management and the area specific management directives. The Mitigation Program must identify the responsible entity for long-term maintenance and management, the requirements for future management and monitoring reports, and a secure funding source to pay for the management in perpetuity.

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

BE IT FURTHER RESOLVED, that the Development Services Department shall record a certified copy of this resolution with attached exhibits, attested by the City Clerk under seal, in the Office of the County Recorder.

APPROVED: MARA W. ELLIOTT, City Attorney

By \_\_\_\_\_  
[Attorney]  
Deputy City Attorney

SO:[Initials]  
8/28/2023  
Or.Dept:[Dept]  
Document No.

RESOLUTION NUMBER R-\_\_\_\_\_

ADOPTED ON \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY  
OF SAN DIEGO ADOPTING MITIGATED NEGATIVE DECLARATION  
NO. 506590/SCH NO. 2022120055 AND THE MITIGATION,  
MONITORING, AND REPORTING PROGRAM**

WHEREAS, on September 19, 2016, Paul Metcalf with Metcalf Development submitted an application to the Development Services Department for a Site Development Permit and Easement Vacations for the LOT 31 Rancho Glens (Project); and

WHEREAS, the matter was set for a public hearing to be conducted by the City Council of the City of San Diego; and

WHEREAS, the issue was heard by the City Council on [DATE]; and

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

WHEREAS, the City Council considered the issues discussed in Mitigated Negative Declaration No. 506590/SCH No. 2022120055 (Declaration) prepared for this Project; NOW THEREFORE,

BE IT RESOLVED, by the City Council that it is certified that the Declaration has been completed in compliance with the California Environmental Quality Act of 1970 (CEQA) (Public Resources Code Section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.), that the Declaration reflects the independent judgment of the City of San Diego as Lead Agency and that the information

contained in said Declaration, together with any comments received during the public review process, has been reviewed and considered by the City Council in connection with the approval of the Project.

BE IT FURTHER RESOLVED, that the City Council finds on the basis of the entire record that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study, that there is no substantial evidence that the Project will have a significant effect on the environment, and therefore, that said Declaration is hereby adopted.

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

BE IT FURTHER RESOLVED, that the Declaration and other documents constituting the record of proceedings upon which the approval is based are available to the public at the office of the City Clerk, 202 C Street, San Diego, CA 92101.

BE IT FURTHER RESOLVED, that the City Clerk is directed to file a Notice of Determination with the Clerk of the Board of Supervisors for the County of San Diego regarding the Project.

By: \_\_\_\_\_

[NAME], DEPUTY CITY ATTORNEY

ATTACHMENT(S): Exhibit A, Mitigation Monitoring and Reporting Program

**EXHIBIT A**

MITIGATION MONITORING AND REPORTING PROGRAM  
SITE DEVELOPMENT PERMIT NO. 2308404 AND EASEMENT VACATION NO. 1775136

PROJECT NO. 506590

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Entitlements Division, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in the Mitigated Negative Declaration No. 506590/SCH NO. 2022120055 shall be made conditions of Site Development Permit No. 2308404 and Easement Vacation No. 1775136 as may be further described below.

V. MITIGATION MONITORING REPORTING PROGRAM (MMRP):

**A. GENERAL REQUIREMENTS - PART I**

**Plan Check Phase (prior to permit issuance)**

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

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

**B. GENERAL REQUIREMENTS – PART II****Post Plan Check (After permit issuance/Prior to start of construction)**

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

***Qualified Biologist***

***Qualified Archaeologist***

***Qualified Native American Monitor***

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

## CONTACT INFORMATION:

- a) The PRIMARY POINT OF CONTACT is the **RE** at the **Field Engineering Division – 858.627.3200**
- b) For Clarification of ENVIRONMENTAL REQUIREMENTS, it is also required to call **RE and MMC at 858.627.3360**
- 2. MMRP COMPLIANCE:** This Project, Project Tracking System #506590 and/or Environmental Document #506590, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD's ED (MMC) and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e., to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc).
- Note: Permit Holder's Representatives must alert RE and MMC if there are any discrepancies in the plans or notes, or any changes due to field conditions. All conflicts must be approved by RE and MMC BEFORE the work is performed.**
- 3. OTHER AGENCY REQUIREMENTS:** Evidence of compliance with all other agency requirements or permits shall be submitted to the RE and MMC for review and acceptance prior to the beginning of work or within one week of the Permit Holder obtaining documentation of those permits or requirements. Evidence shall include copies of permits, letters of resolution or other documentation issued by the responsible agency.

**N/A**

- 4. MONITORING EXHIBITS:** All consultants are required to submit, to RE and MMC, a monitoring exhibit on a 11x17 reduction of the appropriate construction plan, such as site plan, grading, landscape, etc., marked to clearly show the specific areas including the **LIMIT OF WORK**, scope of that discipline's work, and notes indicating when in the

construction schedule that work will be performed. When necessary for clarification, a detailed methodology of how the work will be performed shall be included.

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

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

**DOCUMENT SUBMITTAL/INSPECTION CHECKLIST**

Issue Area	Document Submittal	Associated Inspection/Approvals/Notes
General	Consultant Qualification Letter	Prior to Preconstruction Meeting
General	Consultant Construction Monitoring Exhibits	Prior to or at Preconstruction Meeting
Biological Resources	Consultant Site Visit Record and Final Monitoring Report	After each monitoring visit and upon completion of construction
Cultural Resources (Archaeology)	Monitoring Report(s)	Archaeology Site Observation
Tribal Cultural Resources	Monitoring Report(s)	Archaeology Site Observation
Bond Release	Request for Bond Release Letter	Final MMRP Inspections Prior to Bond Release Letter

**C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS**

**BIO-1: Biological Resource Protection during Construction**

**I. Prior to Construction**

- A. **Biologist Verification** – The owner/permittee shall provide a letter to the City’s Mitigation Monitoring Coordination (MMC) section stating that a Project Biologist (Qualified Biologist) as defined in the City Biology Guidelines (City of San Diego 2018), has been retained to implement the project’s biological monitoring program. The letter shall include the names and contact information of all persons involved in the biological monitoring of the project.
- B. **Preconstruction Meeting** – The Qualified Biologist shall attend the preconstruction meeting, discuss the project’s biological monitoring program, and arrange to perform any follow up mitigation measures and reporting including site-specific monitoring, restoration or revegetation, and additional fauna/flora surveys/salvage.
- C. **Biological Documents** – The Qualified Biologist shall submit all required documentation to MMC verifying that any special mitigation reports including but



not limited to, maps, plans, surveys, survey timelines, or buffers are completed or scheduled per City Biology Guidelines, Multiple Species Conservation Program (MSCP), Environmentally Sensitive Lands Ordinance (ESL), project permit conditions; California Environmental Quality Act (CEQA); endangered species acts (ESAs); and/or other local, state or federal requirements.

- D. **Biological Construction Mitigation/Monitoring Exhibit** – The Qualified Biologist shall present a Biological Construction Mitigation/Monitoring Exhibit (BCME), which includes the biological documents in C above. In addition, include restoration/revegetation plans, plant salvage/relocation requirements, avian or other wildlife surveys/survey schedules (USFWS protocol), timing of surveys, wetland buffers, avian construction avoidance areas/noise buffers/ barriers, other impact avoidance areas, and any subsequent requirements determined by the Qualified Biologist and the City Assistant Deputy Director (ADD)/MMC. The BCME shall include a site plan, written and graphic depiction of the project's biological mitigation/monitoring program, and a schedule. The BCME shall be approved by MMC and referenced in the construction documents.
- E. **Avian Protection Requirements** – To avoid any direct impacts to coastal California gnatcatcher southern California rufous-crowned sparrow, and California horned lark, removal of habitat that supports active nests in the proposed area of disturbance should occur outside of the breeding season for these species (February 1 to September 15). If removal of habitat in the proposed area of disturbance must occur during the breeding season, the Qualified Biologist shall conduct a pre-construction survey to determine the presence or absence of nesting birds on the proposed area of disturbance. The pre-construction survey shall be conducted within three (3) calendar days prior to the start of construction activities (including removal of vegetation). The applicant shall submit the results of the pre-construction survey to City Development Services Department for review and approval prior to initiating any construction activities. If nesting birds are detected, a letter report in conformance with the City's Biology Guidelines and applicable State and Federal Law (i.e., appropriate follow up surveys, monitoring schedules, construction and noise barriers/buffers, etc.) shall be prepared and include proposed measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided. The report shall be submitted to the City for review and approval and implemented to the satisfaction of the City. The City's MMC Section or Resident Engineer, and Biologist shall verify and approve that all measures identified in the report or mitigation plan are in place prior to and/or during construction.
- F. **Resource Delineation** – Prior to construction activities, the Qualified Biologist shall supervise the placement of orange construction fencing or equivalent along the limits of disturbance adjacent to sensitive biological habitats and verify compliance with any other project conditions as shown on the BCME. This phase shall include flagging plant specimens and delimiting buffers to protect sensitive biological resources (e.g., habitats/flora & fauna species, including nesting birds) during construction. Appropriate steps/care should be taken to minimize attraction of nest predators to the site.
- G. **Education** – Prior to commencement of construction activities, the Qualified Biologist shall meet with the owner/permittee or designee and the construction crew

and conduct an on-site educational session regarding the need to avoid impacts outside of the approved construction area and to protect sensitive flora and fauna (e.g., explain the avian and wetland buffers, flag system for removal of invasive species or retention of sensitive plants, and clarify acceptable access routes/methods and staging areas, etc.).

## II. During Construction

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

## III. Post Construction Measures

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

### BIO-2: Mitigation for Direct Impacts to Upland Vegetation Communities

Prior to issuance of a Notice to Proceed or the first grading permit, the owner/permittee shall mitigate upland impacts in accordance with the City of San Diego Biology Guidelines. The project shall mitigate for direct impacts to upland vegetation communities as follows: Impacts to 0.03 acres of Tier I scrub oak chaparral shall be mitigated at a 2:1 ratio within the MHPA through on-site preservation of 0.06 acres of Tier I scrub oak chaparral. The project impacts to Tier II Diegan coastal sage scrub (0.14 acres), IIIA chamise chaparral (0.75 acres), and IIIB non-native grassland (0.15 acres) shall be mitigated at a 1:1 ratio through in-kind, on-site preservation of the same acreage of each of these communities inside the MHPA on site. The on-site mitigation and excess acreage preservation (totaling 7.98 acres), which are in the MHPA, shall be protected from future development by recording a Covenant of Easement over it. Long-term management of the land shall be the responsibility of, and provided by, the property owner.

**CUL-1: Cultural Resources (Archaeological) and Native American Resources Protection during Construction****I. Prior to Permit Issuance or Bid Opening/Bid Award****A. *Entitlements Plan Check***

1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or an NTP for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) ED shall verify that the requirements for Archaeological Monitoring and Native American monitoring have been noted on the applicable CDs through the plan check process.

**B. *Letters of Qualification have been submitted to ADD***

1. The applicant shall submit a letter of verification to MMC identifying the Principal Investigator (PI) for the project and the names of all persons involved in the archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG). If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour HAZWOPER training with certification documentation.
2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project meet the qualifications established in the HRG.
3. Prior to the start of work, the applicant must obtain written approval from MMC for any personnel changes associated with the monitoring program.

**II. Prior to Start of Construction****A. *Verification of Records Search***

1. The PI shall provide verification to MMC that a site specific records search (0.25-mile radius) has been completed. Verification includes, but is not limited to a copy of a confirmation letter from South Coastal Information Center, or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.
3. The PI may submit a detailed letter to MMC requesting a reduction to the 0.25-mile radius.

**B. *PI Shall Attend Preconstruction Meetings***

1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Preconstruction Meeting that shall include the PI, Native American consultant/monitor (where Native American resources may be impacted), Construction Manager (CM) and/or Grading Contractor, RE, Building Inspector (BI), if appropriate, and MMC. The qualified Archaeologist and Native American Monitor shall attend any grading/excavation-related Preconstruction Meetings to

make comments and/or suggestions concerning the Archaeological Monitoring program with the Construction Manager and/or Grading Contractor.

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

2. Identify Areas to be Monitored

- a. Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) (with verification that the AME has been reviewed and approved by the Native American consultant/monitor when Native American resources may be impacted) based on the appropriate CDs (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits.
- b. The AME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).

3. When Monitoring Will Occur

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

### III. During Construction

#### A. *Monitor(s) Shall be Present during Grading/Excavation/Trenching*

1. The Archaeological Monitor shall be present full time during all soil disturbing and grading/excavation/trenching activities which could result in impacts to archaeological resources as identified on the AME. The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the AME.
2. The Native American consultant/monitor shall determine the extent of their presence during soil disturbing and grading/excavation/trenching activities based on the AME and provide that information to the PI and MMC. If prehistoric resources are encountered during the Native American consultant/monitor's absence, work shall stop and the Discovery Notification Process detailed in Sections III.B-III.C and IV.A-IV.D shall commence.
3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating the previous grading/trenching activities, presence of

fossil formations, or when native soils are encountered that may reduce or increase the potential for resources to be present.

4. The archaeological and Native American consultant/monitor shall document field activity via the Consultant Site Visit Record (CSV). The CSV's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (Notification of Monitoring Completion), and in the case of ANY discoveries. The RE shall forward copies to MMC.

*B. Discovery Notification Process*

1. In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert all soil disturbing activities, including but not limited to digging, trenching, excavating or grading activities in the area of discovery and in the area reasonably suspected to overlay adjacent resources and immediately notify the RE or BI, as appropriate.
2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.
4. No soil shall be exported off site until a determination can be made regarding the significance of the resource specifically if Native American resources are encountered.

*C. Determination of Significance*

1. The PI and Native American consultant/monitor, where Native American resources are discovered shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section IV below.
  - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required.
  - b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) which has been reviewed by the Native American consultant/monitor, and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume. Note: If a unique archaeological site is also an historical resource as defined in CEQA, then the limits on the amount(s) that a project applicant may be required to pay to cover mitigation costs as indicated in CEQA section 21083.2 shall not apply.
  - c. If the resource is not significant, the PI shall submit a letter to MMC indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.

#### IV. Discovery of Human Remains

If human remains are discovered, work shall halt in that area and no soil shall be exported off site until a determination can be made regarding the provenance of the human remains; and the following procedures as set forth in CEQA Guidelines section 15064.5(e), the California Public Resources Code (section 5097.98) and State Health and Safety Code (section 7050.5) shall be undertaken:

##### A. *Notification*

1. Archaeological Monitor shall notify the RE or BI as appropriate, MMC, and the PI, if the Monitor is not qualified as a PI. MMC will notify the appropriate Senior Planner in the Environmental Analysis Section (EAS) of DSD to assist with the discovery notification process.
2. The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.

##### B. *Isolate discovery site*

1. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the provenance of the remains.
2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenance.
3. If a field examination is not warranted, the Medical Examiner will determine with input from the PI, if the remains are or are most likely to be of Native American origin.

##### C. *If Human Remains ARE determined to be Native American*

1. The Medical Examiner will notify the Native American Heritage Commission (NAHC) within 24 hours. By law, ONLY the Medical Examiner can make this call.
2. NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.
3. The MLD will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination, to begin the consultation process in accordance with CEQA Section 15064.5(e), the California Public Resources and Health and Safety Codes.
4. The MLD will have 48 hours to make recommendations to the property owner or representative, for the treatment or disposition with proper dignity, of the human remains and associated grave goods.
5. Disposition of Native American Human Remains will be determined between the MLD and the PI, and, if:
  - a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being notified by the Commission; OR;

- b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94(k) by the NAHC fails to provide measures acceptable to the landowner, the landowner shall reinter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance, THEN,
- c. In order to protect these sites, the Landowner shall do one or more of the following:
  - (1) Record the site with the NAHC;
  - (2) Record an open space or conservation easement on the site;
  - (3) Record a document with the County. The document shall be titled "Notice of Reinterment of Native American Remains" and shall include a legal description of the property, the name of the property owner, and the owner's acknowledged signature, in addition to any other information required by PRC 5097.98. The document shall be indexed as a notice under the name of the owner.
- d. Upon the discovery of multiple Native American human remains during a ground disturbing land development activity, the landowner may agree that additional conferral with descendants is necessary to consider culturally appropriate treatment of multiple Native American human remains. Culturally appropriate treatment of such a discovery may be ascertained from review of the site utilizing cultural and archaeological standards. Where the parties are unable to agree on the appropriate treatment measures the human remains and items associated and buried with Native American human remains shall be reinterred with appropriate dignity, pursuant to Section 5.c., above.

*D. If human remains are NOT Native American*

- 1. The PI shall contact the Medical Examiner and notify them of the historic era context of the burial.
- 2. The Medical Examiner will determine the appropriate course of action with the PI and City staff (PRC section 5097.98).
- 3. If the remains are of historic origin, they shall be appropriately removed and conveyed to the San Diego Museum of Man for analysis. The decision for internment of the human remains shall be made in consultation with MMC, EAS, the applicant/landowner, any known descendant group, and the San Diego Museum of Man.

V. Night and/or Weekend Work

*A. If night and/or weekend work is included in the contract*

- 1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the Preconstruction Meeting.

2. The following procedures shall be followed.
  - a. No Discoveries  
In the event that no discoveries were encountered during night and/or weekend work, the PI shall record the information on the CSVR and submit to MMC via fax by 8 a.m. of the next business day.
  - b. Discoveries  
All discoveries shall be processed and documented using the existing procedures detailed in Sections III, *During Construction*, and IV, *Discovery of Human Remains*. Discovery of human remains shall always be treated as a significant discovery.
  - c. Potentially Significant Discoveries  
If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III, *During Construction*, and IV, *Discovery of Human Remains*, shall be followed.
  - d. The PI shall immediately contact MMC, or by 8AM of the next business day to report and discuss the findings as indicated in Section III.B, unless other specific arrangements have been made.
- B. *If night and/or weekend work becomes necessary during the course of construction*
  1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
  2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. *All other procedures described above shall apply, as appropriate.*

#### VI. Post Construction

- A. *Preparation and Submittal of Draft Monitoring Report*
  1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the HRG (Appendix C/D) which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring. It should be noted that if the PI is unable to submit the Draft Monitoring Report within the allotted 90-day timeframe resulting from delays with analysis, special study results or other complex issues, a schedule shall be submitted to MMC establishing agreed due dates and the provision for submittal of monthly status reports until this measure can be met.
    - a. For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program shall be included in the Draft Monitoring Report.
    - b. Recording Sites with State of California Department of Parks and Recreation. The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) any



significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's HRG, and submittal of such forms to the South Coastal Information Center with the Final Monitoring Report.

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

B. *Handling of Artifacts*

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

C. *Curation of Artifacts: Accession Agreement and Acceptance Verification*

1. The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution. This shall be completed in consultation with MMC and the Native American representative, as applicable.
2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
3. When applicable to the situation, the PI shall include written verification from the Native American consultant/monitor indicating that Native American resources were treated in accordance with state law and/or applicable agreements. If the resources were reinterred, verification shall be provided to show what protective measures were taken to ensure no further disturbance occurs in accordance with Section IV, *Discovery of Human Remains*, Subsection 5.

D. *Final Monitoring Report(s)*

1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
2. The RE shall, in no case, issue the Notice of Completion and/or release of the Performance Bond for grading until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

Environmental Document Under Separate Cover

[Mitigated Negative Declaration](#)

LOT 31 RANCHO DEL SOL

[https://www.sandiego.gov/sites/default/files/dsd\\_final\\_mnd\\_project\\_506590\\_4-25-2023.pdf](https://www.sandiego.gov/sites/default/files/dsd_final_mnd_project_506590_4-25-2023.pdf)

	<b>City of San Diego Development Services</b> 1222 First Ave., MS 302 San Diego, CA 92101 (619) 446-5000	<b>FORM DS-318</b>  <b>October 2017</b>
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**Approval Type:** Check appropriate box for type of approval(s) requested:  Neighborhood Use Permit  Coastal Development Permit  
 Neighborhood Development Permit  Site Development Permit  Planned Development Permit  Conditional Use Permit  Variance  
 Tentative Map  Vesting Tentative Map  Map Waiver  Land Use Plan Amendment •  Other \_\_\_\_\_

**Project Title:** \_\_\_\_\_ **Project No. For City Use Only:** \_\_\_\_\_

**Project Address:** \_\_\_\_\_

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

Corporation  Limited Liability -or-  General – What State? \_\_\_\_\_ Corporate Identification No. \_\_\_\_\_  
 Partnership  Individual

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the owner(s), applicant(s), and other financially interested persons of the above referenced property. A financially interested party includes any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver or syndicate with a financial interest in the application. If the applicant includes a corporation or partnership, include the names, titles, addresses of all individuals owning more than 10% of the shares. If a publicly-owned corporation, include the names, titles, and addresses of the corporate officers. (A separate page may be attached if necessary.) If any person is a nonprofit organization or a trust, list the names and addresses of **ANY** person serving as an officer or director of the nonprofit organization or as trustee or beneficiary of the nonprofit organization. A signature is required of at least one of the property owners. Attach additional pages if needed. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

**Property Owner**

Name of Individual: \_\_\_\_\_  Owner  Tenant/Lessee  Successor Agency

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_ Email: \_\_\_\_\_

Signature: Sandra L. Brzezewski Date: \_\_\_\_\_

Additional pages Attached:  Yes  No

**Applicant**

Name of Individual: \_\_\_\_\_  Owner  Tenant/Lessee  Successor Agency

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_ Email: \_\_\_\_\_

Signature: Sandra L. Brzezewski Date: \_\_\_\_\_

Additional pages Attached:  Yes  No

**Other Financially Interested Persons**

Name of Individual: \_\_\_\_\_  Owner  Tenant/Lessee  Successor Agency

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_ Email: \_\_\_\_\_

Signature: Sandra L. Brzezewski Date: \_\_\_\_\_

Additional pages Attached:  Yes  No

1. COUNTY RECORDER, PLEASE  
RESTRICTION ON PLANNED DEVELOPMENT  
REAL PROPERTY INVOLVING THE TITLE TO  
OR POSSESSION THEREOF.

RECORDED IN  
OFFICIAL RECORDS  
OF SAN DIEGO COUNTY

PLANNING COMMISSION RESOLUTION NO. 6652  
GRANTING PLANNED RESIDENTIAL DEVELOPMENT PERMIT NO. 83-0896.1  
AMENDMENT TO PRD PERMIT NO. 83-0896.1

1987 JAN 27 9 AM 8:22  
86-0229  
VERA L. LYLE  
COUNTY RECORDER

WHEREAS, PACIFIC SOLAR PROPERTIES, INC., a California Corporation, "Owner/ Permittee," filed an application to amend a Planned Residential Development, Rancho Del Sol, described as Parcels 1-4, Parcel Map No. 12337 located on the north and south sides of Black Mountain Road approximately one mile east of the intersection of Black Mountain and Carmel Valley Roads in the Future Urbanizing area of the General Plan in the A-1-10 and A-1-10, HR Zone; and

RF	12
AR	10
MG	

WHEREAS, on October 30, 1986, the Planning Commission of The City of San Diego considered the appeal of the September 29, 1986, Planning Director's decision of denial of the requested amendment to Planned Residential Development Permit No. 83-0896.1 pursuant to Section 101.0900 of the Municipal Code of The City of San Diego; NOW, THEREFORE,

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

1. That the Planning Commission adopts the following written Findings, dated October 30, 1986:

- a. The proposed use will fulfill an individual and/or community need and will not adversely affect the General Plan or the community plan. The 264 gross acre and 130 Planned Residential Development net acre site is zoned A-1-10 with a Hillside Review Overlay on portions of the site. This property is within the Future Urbanizing areas of the City. Council Policy No. 600-29 provides for development alternatives under headings of "Rural Cluster" and "Urban Reserve" in recognition of the Future Urbanizing designation of the site. The amended Rancho Del Sol Planned Residential Development project incorporates these provisions of Council Policy 600-29.
- b. The proposed use, because of conditions that have been applied to it, will not be detrimental to the health, safety, and general welfare of persons residing or working in the area and will not adversely affect other property in the vicinity. The project will set aside in permanent open space, the undeveloped portion of land utilized to develop 30-dwelling units at one unit per four acres and one lot at one unit per ten acres pursuant to the Planned Residential Development regulations. Six (6) of the dwelling units are being developed in conjunction with the A-1-10 zone. Conditions of the tentative map and Planned Residential Development assure adequate public services, facilities and provide for the needs of the area. These conditions set aside future street rights-of-way,

provide for sewer and water, open space and development of the property for residential use.

Conditions for mitigation of environmental impacts have been incorporated into the Planned Residential Development Permit and accompanying tentative subdivision map. Through the development of this project and application of conditions as imposed in the permits, it is found that this project will not be detrimental to people in the area, adversely affect other property in the area or undermine the goals of the City in the development of this designated Future Urbanizing Area.

- c. The proposed use will comply with the relevant regulations in the Municipal Code. The amended project satisfies all of the applicable regulations for the subdivision and Planned Residential Development of this land. The provisions of Council Policy 600-29 have been satisfied in the conditions of approval and, the project meets all minimum requirements of the Planned Residential Development Ordinance and provides for necessary public improvements through compliance with other regulations of the Municipal Code.

2. That said Findings are supported by maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED that, based on the Findings hereinbefore adopted by the Planning Commission, Planned Residential Development Permit No. 86-0229, amendment to PRD Permit No. 83-0896.1, is hereby GRANTED to Owner/Permittee in the form and with the terms and conditions set forth in Planned Residential Development Permit No. 86-0229, a copy of which is attached hereto and made a part hereof.

Sue Blackman  
Sue Blackman, Secretary  
to the Planning Commission

Robert M. Korch  
Robert M. Korch  
Senior Planner

Adopted on October 30, 1986  
By a vote of 5-1

PLANNED RESIDENTIAL DEVELOPMENT PERMIT NO. 86-0229,  
RANCHO DEL SOL AMENDMENT NO. 2

PLANNING COMMISSION

This Planned Residential Development Permit AMENDMENT is granted by the Planning Commission of The City of San Diego to PACIFIC SOLAR PROPERTIES, INC., a California Corporation "Owner/Permittee," under the conditions contained in Section 101.0900 of the Municipal Code of The City of San Diego.

1. Permission is granted to "Owner/Permittee" to construct a Planned Residential Development described as Parcels 1-4, Parcel Map No. 12337 located on the north and south sides of Black Mountain Road approximately one mile east of the intersection of Black Mountain and Carmel Valley Roads, in the A-1-10 and A-1-10 HR Overlay Zone.

2. The Planned Residential Development Permit shall include the total of the following facilities:

- a. Thirty-one (31) single-family dwelling units; 30 at *JM Shows* "Rural Cluster" density of one dwelling unit per four *37* acres and one (1) at "Urban Reserve" density of one dwelling unit per ten acres.
- b. Off-street parking;
- c. Incidental accessory uses as may be determined and approved by the Planning Director.

3. Prior to the issuance of any building permits, a final subdivision map shall be recorded on the subject property.

4. A "Non-Building Area" designation shall be granted and shown on said map on all areas not shown for building sites. Such areas shall be coupled with the severalty interests of the owners of the dwelling units and shall be maintained as open space.

Different forms of open space easements shall be provided with the final map to assure compliance with Council Policy 600-29 and regulate the use of the underlying land within the Planned Residential Development. The 58.93 acres of open space easement would be established as follows:

- a. 40.7 acres as negative (no public access) open space easement to preserve significant biological resources.
- b. 18.23 acres as negative open space easements for farming and possible equestrian activities.

- c. Lot 31 is being developed under the "Urban Reserve" density of one dwelling unit per ten acres. An additional "Non-building Area" easement shall be placed on those areas of the lot which are not identified as a building site or delineated as "Non-building Area" easement on the site plan shown as "Exhibit A", dated October 30, 1986. This additional "Non-building Area" retains future development rights and potential as stated in Council Policy 600-29, Policy Section, Paragraph No. 2.

Additionally, 6.0 acres within Lot No. 1 will be covered by a negative open space easement for farming purposes. These open space areas shall be in conformance with Exhibit "A", dated October 30, 1986.

5. Prior to the issuance of grading permits, a landscaping and irrigation plan shall be submitted to the Planning Director for approval. Prior to the issuance of building permits, complete building plans, including landscaping and signs, shall be submitted to the Planning Director for approval. All plans shall be in substantial conformity to Exhibit "A," dated October 30, 1986, on file in the Planning Department. All landscaping shall be installed prior to issuance of an occupancy permit. Subsequent to the completion of this project, no changes shall be made until an appropriate application for an amendment to this permit shall have been granted.

6. The construction and continued use of this permit shall be subject to the regulations of this or other governmental agencies.

7. 93 total parking spaces shall be provided (at a ratio of 3 spaces per dwelling unit). Of those spaces, 31 shall be provided for guests (at a ratio of one space per unit). 31 curb spaces may be included in the calculation. Each of the parking spaces shall be permanently maintained and not converted for any other use at any time. Each subsequent owner shall be informed of this requirement through the C.C. and R's. Each space shall be maintained on the subject property in the approximate location as shown on Exhibit "A," dated October 30, 1986. Parking spaces and aisles shall conform to Planning Department standards. No charge shall be made at any time for use of these off-street parking spaces.

8. Exterior radio or television antennas shall be prohibited, except for one master antenna for the project. The installation of any underground CATV cable in any public rights-of-way within or adjacent to the project shall require either a license or franchise with the City prior to such installation.

9. No building additions, including patio covers, shall be permitted unless approved by the homeowners association and the

Planning Director. Patio covers may be permitted only if they are consistent with the architecture of the dwelling unit.

10. No manufactured slope shall be steeper than a ratio of 2:1.

11. The applicant shall post a copy of the approved permit in the sales office for consideration by each prospective buyer.

12. Any sales office or temporary sales signs advertising the subdivision shall be approved by the Planning Director and shall be consistent with the criteria established by the R1-5000 Zone.

13. Sidewalks shall be provided from each unit to the sidewalk within the dedicated right-of-way, and if the sidewalks are contiguous to the curb of private streets, a five-foot general utility easement must be provided behind this walk.

14. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located.

15. The effective date of this permit shall be the date of final action by the Planning Director or the effective date of a concurrent rezoning case. If an appeal is filed, the effective date shall be the date of final action by the Planning Commission or, if appealed, the date of City Council action. The permit must be utilized within 36 months after the effective date. Failure to utilize the permit within 36 months will automatically void the permit unless an extension of time has been granted by the Planning Director, as set forth in Section 101.0900 of the Municipal Code. Any such extension of time must meet all the Municipal Code requirements and applicable guidelines in effect at the time the extension is considered by the Planning Director.

16. No development shall commence, nor shall any permit for construction be issued, until:

- a. The Permittee signs and returns the permit to the Planning Department;
- b. The Planned Residential Development Permit is recorded in the Office of the County Recorder.

If the signed permit is not received by the Planning Department within 90 days of the decision of the Planning Director, Planning Commission or City Council, the permit shall be void.

17. The property included within this Planned Residential Development shall be used only for the purposes and under the terms and conditions set forth in this permit unless authorized by the Planning Director or the permit has been revoked by The City of San Diego.



18. This Planned Residential Development Permit may be cancelled or revoked if there is any material breach or default in any of the conditions of this permit. Cancellation or revocation may be instituted by the City or Permittee.

19. This Planned Residential Development shall constitute a covenant running with the land; all conditions and provisions shall be binding upon the permittee and any successor(s), and the interests of any successor(s) shall be subject to every condition herein.

20. Private streets shall be named and begin with appropriate terms such as "Caminito," "Ruelle," "Row," or "Square." Public refuse collection shall not be permitted unless approved by the Director of General Services. All private streets shall be improved to the requirements set forth by the Engineering and Development Director. No parking shall be permitted on any private streets except in approved locations.

21. This Planned Residential Development Permit allows the sale of individual lots for the purpose of construction of residential units consistent with conditions and exhibits of the permit.

22. This permit has been approved in conformance with the "Rural Cluster" and "Urban Reserve" development concept of the Planned Residential Development Ordinance and Council Policy 600-29. This Planned Residential Development Permit allows 31-dwelling units to be developed on 130-acres (65.67-acres of developed lots, 5.40-acres for private streets and 58.93-acres of permanent open space easements). The 31 dwelling units are located in subdivision units No's. 1 and 2 while the 57.15 acres of open space is with subdivision units No's. 3, 4 and 5.

Development of subdivision units No's. 3, 4 and 5, is being proposed for conformance with the underlying A-1-10 zone and except for the open space easements contained therein, is not a part of the Planned Residential Development Permit.

23. All open space easements shall be granted with the first map filed containing building sites as specified in City Council Policy No. 600-29.

24. The applicant has agreed that all future property owners shall be informed through the C.C.&R's. That the property is located within the 60 to 62 decibel (CNEL) noise contour for the Miramar Naval Air Station. However, this noise level is considered compatible with residential development and no noise mitigation is required.

25. This Planned Residential Development shall conform to Tentative Map No. 86-0229.

26. The subdivider shall revise the dedicated alignment of Black Mountain Road within the subdivisions in a manner satisfactory to the City Engineer. This revised alignment shall be to the prime arterial standards.

Improvements shall consist of a minimum 40-foot wide paved roadway within a 60-foot wide dedicated right-of-way, meeting the existing pavement in a manner satisfactory to the City Engineer and with AC berms as required.

Within the subdivision, the subdivider shall grant a 31-foot wide street reservation with slope and drain easements where appropriate adjacent to the required 60-foot wide dedicated right-of-way of Black Mountain Road westerly of Street "A" for an ultimate right-of-way width of 122 feet. Easterly of Street "A" a street reservation for the ultimate 122 feet of right-of-way shall be provided through Lot 36 along the approximate alignment of the existing water main easement.

27. The subdivider shall dedicate a 60-foot wide right-of-way along the existing improvement of Black Mountain Road easterly of Via de Pico Alto, southerly of Lot 35, as shown on the approved tentative map.

28. The subdivider shall grant a 30-foot wide street reservation adjacent to the east line of Lot 36 between the required 60-foot wide dedication and the 122-foot wide street reservation for Black Mountain Road, as shown on the approved tentative map.

29. The subdivider shall enter into an agreement with the City, waiving the right to oppose a special assessment initiated for future street improvements on Black Mountain Road and sidewalks on Street "A."

30. Street "A", adjacent to Lot 44 shall be dedicated and fully improved as a two-lane collector street with curb and sidewalk on the west side, berm on the east side, a 40-foot wide paved roadway within a 60-foot wide right-of-way, and a standard residential cul-de-sac at the intersection with the private street.

31. The centerlines of Street "A" and Via de Pico Alto, at Black Mountain Road, shall be in alignment as required by the City Engineer. This may require additional dedication and paving on Via de Pico Alto.

32. The remaining streets within the subdivision shall be named, non-dedicated, private streets constructed as shown on the approved tentative map within Lot A in Unit 1 and Lot B in Unit 2, to the alignment and structural section standards for local streets in a manner satisfactory to the City Engineer. Improvements will consist of a 32-foot wide paved roadway, with concrete curbs, on both sides, within a 52-foot wide general

utility and access easement. Rolled curbs may be constructed where approved by the City Engineer.

33. In connection with Council approval of the final map for Unit 2, the subdivider shall grant a non-building area easement over the following areas as shown on the approved tentative map:

- a. A 122-foot wide portion of Lot 31, which is the approximate alignment of future Carmel Valley Road,
- b. A 61-foot wide portion of Lots 19, 20 and 21; and
- c. Lot C.

PRD SP (Council)

34. In connection with approval of the final map for Unit 4, the subdivider shall grant a non-building area easement over the following areas as shown on the approved tentative map:

- a. A 32-foot wide strip of land easterly of Street "A,"
- b. A 92-foot wide strip of land easterly of Lots 27 through 30; and
- c. A 122-foot wide strip of land southerly of Lot 30.

The subdivider shall also grant slope easements, as required by the City Engineer, adjacent to these non-building area easements.

35. The subdivider shall grant a 61-foot wide street reservation, along with slope and drainage easements as required by the City Engineer, along the approximate alignment of Highway 56 as determined by CALTRANS. The subdivider shall also identify the additional right-of-way required for the ultimate improvement of the freeway as separate lots within the subdivision, in a manner satisfactory to CALTRANS.

36. In the event that any condition of this Permit is found or held by a court of competent jurisdiction to be invalid, unenforceable or unreasonable, this Permit shall be void.

APPROVED by the Planning Commission of The City of San Diego on October 30, 1986.

AUTHENTICATED BY:

Robert M. Korch  
Robert M. Korch, Senior Planner  
Planning Department

Sue Blackman  
Sue Blackman, Secretary to  
the Planning Commission

State of California, )  
County of San Diego. ) SS.

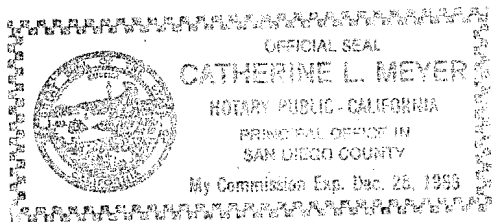
On this 7<sup>th</sup> Thursday day of Nov., in the  
year 1986 before me, Catherine L. Meyer, a Notary Public in  
and for said county and state, personally appeared Robert M.  
Korch, personally known to me (~~or proved to me on the basis of  
satisfactory evidence~~) to be the person who executed this  
instrument as Senior Planner of The City of San Diego Planning  
Department, and Sue Blackman, personally known to me (~~or proved  
to me on the basis of satisfactory evidence~~) to be the person  
who executed this instrument as Secretary to the Planning  
Commission of The City of San Diego, and acknowledged to me that  
The City of San Diego executed it.

IN WITNESS WHEREOF, I have hereunto set my hand and official  
seal, in the County of San Diego, State of California, the day  
and year in this certificate first above written.

Name Catherine L. Meyer  
(typed or printed)

Signature Catherine Meyer  
L. I

NOTARY STAMP



ACKNOWLEDGED:

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 Permittee hereunder.

PACIFIC SOLAR PROPERTIES, INC., a California corporation  
Owner/Permittee

By Robert D. Barzewski

State of California,) SS.  
County of San Diego.)

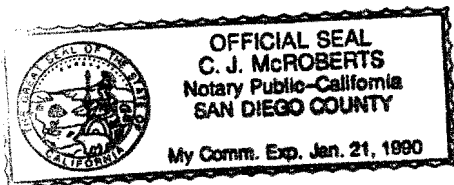
On this 22nd day of January, in the year 1987, before me C. J. McRoberts, a Notary Public in and for said county and state, personally appeared Robert D. Barzewski, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed the within instrument as president (or secretary) or on behalf of the corporation therein named, and acknowledged to me that the corporation executed it.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal, in the County of San Diego, State of California, the day and year in this certificate first above written.

Name C. J. McRoberts  
(typed or printed)

NOTARY STAMP

Signature C. J. McRoberts



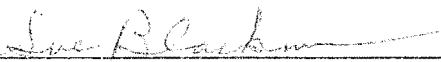
(corporation)

PLANNING COMMISSION RESOLUTION NO. 6654

WHEREAS, on October 30, 1986, the Planning Commission of The City of San Diego considered Environmental Impact Report No. 86-0229; NOW, THEREFORE,

BE IT RESOLVED by the Planning Commission of The City of San Diego that the information contained in Environmental Impact Report No. 86-0229 has been completed in compliance with the California Environmental Quality Act of 1970 as amended and the State Guidelines thereto and that said report has been reviewed and considered by this Director.

BE IT FURTHER RESOLVED by the Planning Commission of The City of San Diego that the findings included within the Environmental Impact Report are hereby adopted, pursuant to California Public Resources Code Section 21081, in connection with Environmental Impact Report No. 86-0229.

  
Sue Blackman, Secretary  
to the Planning Commission

  
Robert M. Korch  
Senior Planner

Adopted: October 30, 1986  
P.R.D. No.: 86-0229 By a vote of 5-1

PLANNED RESIDENTIAL DEVELOPMENT PERMIT NO. 86-0229,  
RANCHO DEL SOL AMENDMENT NO. 2

PLANNING COMMISSION

This Planned Residential Development Permit AMENDMENT is granted by the Planning Commission of The City of San Diego to PACIFIC SOLAR PROPERTIES, INC., a California Corporation "Owner/Permittee," under the conditions contained in Section 101.0900 of the Municipal Code of The City of San Diego.

1. Permission is granted to "Owner/Permittee" to construct a Planned Residential Development described as Parcels 1-4, Parcel Map No. 12337 located on the north and south sides of Black Mountain Road approximately one mile east of the intersection of Black Mountain and Carmel Valley Roads, in the A-1-10 and A-1-10 HR Overlay Zone.
2. The Planned Residential Development Permit shall include the total of the following facilities:
  - a. Thirty-one (31) single-family dwelling units (at "Rural Cluster" density of one dwelling unit per four acres).
  - b. Off-street parking;
  - c. Incidental accessory uses as may be determined and approved by the Planning Director.
3. Prior to the issuance of any building permits, a final subdivision map shall be recorded on the subject property.
4. A "Non-Building Area" designation shall be granted and shown on said map on all areas not shown for building sites. Such areas shall be coupled with the severalty interests of the owners of the dwelling units and shall be maintained as open space.

Different forms of open space easements shall be provided with the final map to assure compliance with Council Policy 600-29 and regulate the use of the underlying land within the Planned Residential Development. The 57.15 acres of open space easement would be established as follows:

- a. 40.7 acres as negative (no public access) open space easement to preserve significant biological resources.

- b. 16.45 acres as negative open space easements for farming and possible equestrian activities.

Additionally, 6.0 acres within Lot No. 1 will be covered by a negative open space easement for farming purposes. These open space areas shall be in conformance with Exhibit "A", dated October 30, 1986.

5. Prior to the issuance of grading permits, a landscaping and irrigation plan shall be submitted to the Planning Director for approval. Prior to the issuance of building permits, complete building plans, including landscaping and signs, shall be submitted to the Planning Director for approval. All plans shall be in substantial conformity to Exhibit "A," dated October 30, 1986, on file in the Planning Department. All landscaping shall be installed prior to issuance of an occupancy permit. Subsequent to the completion of this project, no changes shall be made until an appropriate application for an amendment to this permit shall have been granted.

6. The construction and continued use of this permit shall be subject to the regulations of this or other governmental agencies.

7. 93 total parking spaces shall be provided (at a ratio of 3 spaces per dwelling unit). Of those spaces, 31 shall be provided for guests (at a ratio of one space per unit). 31 curb spaces may be included in the calculation. Each of the parking spaces shall be permanently maintained and not converted for any other use at any time. Each subsequent owner shall be informed of this requirement through the C.C. and R's. Each space shall be maintained on the subject property in the approximate location as shown on Exhibit "A," dated October 30, 1986. Parking spaces and aisles shall conform to Planning Department standards. No charge shall be made at any time for use of these off-street parking spaces.

8. Exterior radio or television antennas shall be prohibited, except for one master antenna for the project. The installation of any underground CATV cable in any public rights-of-way within or adjacent to the project shall require either a license or franchise with the City prior to such installation.

9. No building additions, including patio covers, shall be permitted unless approved by the homeowners association and the Planning Director. Patio covers may be permitted only if they are consistent with the architecture of the dwelling unit.

10. No manufactured slope shall be steeper than a ratio of 2:1.



11. The applicant shall post a copy of the approved permit in the sales office for consideration by each prospective buyer.

12. Any sales office or temporary sales signs advertising the subdivision shall be approved by the Planning Director and shall be consistent with the criteria established by the R1-5000 Zone.

13. Sidewalks shall be provided from each unit to the sidewalk within the dedicated right-of-way, and if the sidewalks are contiguous to the curb of private streets, a five-foot general utility easement must be provided behind this walk.

14. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located.

15. The effective date of this permit shall be the date of final action by the Planning Director or the effective date of a concurrent rezoning case. If an appeal is filed, the effective date shall be the date of final action by the Planning Commission or, if appealed, the date of City Council action. The permit must be utilized within 36 months after the effective date. Failure to utilize the permit within 36 months will automatically void the permit unless an extension of time has been granted by the Planning Director, as set forth in Section 101.0900 of the Municipal Code. Any such extension of time must meet all the Municipal Code requirements and applicable guidelines in effect at the time the extension is considered by the Planning Director.

16. No development shall commence, nor shall any permit for construction be issued, until:

- a. The Permittee signs and returns the permit to the Planning Department;
- b. The Planned Residential Development Permit is recorded in the Office of the County Recorder.

If the signed permit is not received by the Planning Department within 90 days of the decision of the Planning Director, Planning Commission or City Council, the permit shall be void.

17. The property included within this Planned Residential Development shall be used only for the purposes and under the terms and conditions set forth in this permit unless authorized by the Planning Director or the permit has been revoked by The City of San Diego.

18. This Planned Residential Development Permit may be cancelled or revoked if there is any material breach or default in any of

the conditions of this permit. Cancellation or revocation may be instituted by the City or Permittee.

19. This Planned Residential Development shall constitute a covenant running with the land; all conditions and provisions shall be binding upon the permittee and any successor(s), and the interests of any successor(s) shall be subject to every condition herein.

20. Private streets shall be named and begin with appropriate terms such as "Caminito," "Ruelle," "Row," or "Square." Public refuse collection shall not be permitted unless approved by the Director of General Services. All private streets shall be improved to the requirements set forth by the Engineering and Development Director. No parking shall be permitted on any private streets except in approved locations.

21. This Planned Residential Development Permit allows the sale of individual lots for the purpose of construction of residential units consistent with conditions and exhibits of the permit.

22. This permit has been approved in conformance with the "Rural Cluster" development concept of the Planned Residential Development Ordinance and Council Policy 600-29. This Planned Residential Development Permit allows 31-dwelling units to be developed on 124-acres (61.17-acres of developed lots, 5.68-acres for private streets and 57.15-acres of permanent open space easements). The 31 dwelling units are located in subdivision units No's. 1 and 2 while the 57.15 acres of open space is with subdivision units No's. 3, 4 and 5.

Development of subdivision units No's. 3, 4 and 5, is being proposed for conformance with the underlying A-1-10 zone and except for the open space easements contained therein, is not a part of the Planned Residential Development Permit.

23. All open space easements shall be granted with the first map filed containing building sites as specified in City Council Policy No. 600-29.

24. The applicant has agreed that all future property owners shall be informed through the C.C.&R's. That the property is located within the 60 to 62 decibel (CNEL) noise contour for the Miramar Naval Air Station. However, this noise level is considered compatible with residential development and no noise mitigation is required.

25. This Planned Residential Development shall conform to Tentative Map No. 86-0229.

26. The subdivider shall revise the dedicated alignment of Black Mountain Road within the subdivisions in a manner satisfactory to the City Engineer. This revised alignment shall be to the prime arterial standards.

Improvements shall consist of a minimum 40-foot wide paved roadway within a 60-foot wide dedicated right-of-way, meeting the existing pavement in a manner satisfactory to the City Engineer and with AC berms as required.

Within the subdivision, the subdivider shall grant a 31-foot wide street reservation with slope and drain easements where appropriate adjacent to the required 60-foot wide dedicated right-of-way of Black Mountain Road westerly of Street "A" for an ultimate right-of-way width of 122 feet. Easterly of Street "A" a street reservation for the ultimate 122 feet of right-of-way shall be provided through Lot 36 along the approximate alignment of the existing water main easement.

27. The subdivider shall dedicate a 60-foot wide right-of-way along the existing improvement of Black Mountain Road easterly of Via de Pico Alto, southerly of Lot 35, as shown on the approved tentative map.

28. The subdivider shall grant a 30-foot wide street reservation adjacent to the east line of Lot 36 between the required 60-foot wide dedication and the 122-foot wide street reservation for Black Mountain Road, as shown on the approved tentative map.

29. The subdivider shall enter into an agreement with the City, waiving the right to oppose a special assessment initiated for future street improvements on Black Mountain Road and sidewalks on Street "A."

30. Street "A", adjacent to Lot 44 shall be dedicated and fully improved as a two-lane collector street with curb and sidewalk on the west side, berm on the east side, a 40-foot wide paved roadway within a 60-foot wide right-of-way, and a standard residential cul-de-sac at the intersection with the private street.

31. The centerlines of Street "A" and Via de Pico Alto, at Black Mountain Road, shall be in alignment as required by the City Engineer. This may require additional dedication and paving on Via de Pico Alto.

32. The remaining streets within the subdivision shall be named, non-dedicated, private streets constructed as shown on the approved tentative map within Lot A in Unit 1 and Lot B in Unit 2, to the alignment and structural section standards for

local streets in a manner satisfactory to the City Engineer. Improvements will consist of a 32-foot wide paved roadway, with concrete curbs, on both sides, within a 52-foot wide general utility and access easement. Rolled curbs may be constructed where approved by the City Engineer.

33. In connection with Council approval of the final map for Unit 2, the subdivider shall grant a non-building area easement over the following areas as shown on the approved tentative map:

- a. A 122-foot wide portion of Lot 31, which is the approximate alignment of future Carmel Valley Road,
- b. A 61-foot wide portion of Lots 19, 20 and 21; and
- c. Lot C.

34. In connection with approval of the final map for Unit 4, the subdivider shall grant a non-building area easement over the following areas as shown on the approved tentative map:

- a. A 32-foot wide strip of land easterly of Street "A,"
- b. A 92-foot wide strip of land easterly of Lots 27 through 30; and
- c. A 122-foot wide strip of land southerly of Lot 30.

The subdivider shall also grant slope easements, as required by the City Engineer, adjacent to these non-building area easements.

35. The subdivider shall grant a 61-foot wide street reservation, along with slope and drainage easements as required by the City Engineer, along the approximate alignment of Highway 56 as determined by CALTRANS. The subdivider shall also identify the additional right-of-way required for the ultimate improvement of the freeway as separate lots within the subdivision, in a manner satisfactory to CALTRANS.

36. In the event that any condition of this Permit is found or held by a court of competent jurisdiction to be invalid, unenforceable or unreasonable, this Permit shall be void.

APPROVED by the Planning Commission of The City of San Diego on October 30, 1986.

RANCHO DEL SOL, TM 86-0229  
DRAFT TENTATIVE MAP CONDITIONS  
OCTOBER 21, 1986

1. This tentative map became effective with the original PRD 83-0896 on May 29, 1984 and will expire concurrently with revised PRD 86-0229 on April 28, 1989.
2. The "General Conditions of Approval for Tentative Subdivision Maps" filed in the office of the City Clerk under Document No. 767688 on May 7, 1980, shall be made a condition of map approval. Only those exceptions to the General conditions which are shown on the tentative map and covered in these special conditions will be authorized.
3. This property is subject to payment of a park fee prior to the filing of the final subdivision map in accordance with San Diego Municipal Code Section 102.0406 et seq. This property is also subject to a building permit park fee in accordance with San Diego Municipal Code Section 96.0401 et seq.
4. The subdivider shall provide a geological report on the subject property to determine the stability of the soil. All slopes shall be constructed in accordance with the provisions of Municipal Code Section 62.0410 et seq.
5. Undergrounding of existing and/or proposed public utility systems and service facilities is required according to San Diego Municipal Code Section 102.0404, Subsection 2.
6. The subdivider shall revise the dedicated alignment of Black Mountain Road within the subdivisions in a manner satisfactory to the City Engineer. This revised alignment shall be to the prime arterial standards.

Improvements shall consist of a minimum 40-foot wide paved roadway within a 60-foot wide dedicated right-of-way, meeting the existing pavement in a manner satisfactory to the City Engineer and with AC berms as required.

Within the subdivision, the subdivider shall grant a 31-foot wide street reservation with slope and drain easements where appropriate adjacent to the required 60-foot wide dedicated right-of-way of Black Mountain Road westerly of Street "A" for an ultimate right-of-way width of 122 feet. Easterly of Street "A" a street reservation for the ultimate 122 feet of right-of-way shall be provided through Lot 36 along the approximate alignment of the existing water main easement.

7. The subdivider shall dedicate a 60-foot wide right-of-way along the existing improvement of Black Mountain Road easterly of Via De Pico Alto, southerly of Lot 35, as shown on the approved tentative map.
8. The subdivider shall grant a 30-foot wide street reservation adjacent to the east line of Lot 36 between the required 60-foot wide dedication and the 122-foot wide street reservation for Black Mountain Road, as shown on the approved tentative map.
9. The subdivider shall enter into an agreement with the City, waiving the right to oppose a special assessment initiated for future street improvements on Black Mountain Road and sidewalks on Street "A."
10. Street "A", adjacent to Lot 44 shall be dedicated and fully improved as a 2-lane collector street with curb and sidewalk on the west side, berm on the east side, a 40-foot wide paved roadway within a 60-foot wide right-of-way, and a standard residential cul-de-sac at the intersection with the private street.
11. The centerlines of Street "A" and Via de Pico Alto, at Black Mountain Road, shall be in alignment as required by the City Engineer. This may require additional dedication and paving on Via de Pico Alto.
12. The remaining streets within the subdivision shall be named, non-dedicated, private streets constructed as shown on the approved tentative map within Lot A in Unit 1 and Lot B in Unit 2, to the alignment and structural section standards for local streets in a manner satisfactory to the City Engineer. Improvements will consist of a 32-foot wide paved roadway, with concrete curbs, on both sides, within a 52-foot wide general utility and access easement. Rolled curbs may be constructed where approved by the City Engineer.
13. If a security gate is constructed at the entrance to the private street system, the subdivider shall provide additional right-of-way for the private street, as required by the City Engineer, so that vehicles trying to gain access to the project will be able to turn around without backing up into the dedicated right-of-way of Street "A." Also, a minimum 20-foot wide paved roadway shall be provided on both sides of any median.
14. WATER REQUIREMENTS:
  - a. Install a pressure regulating station at the intersection of Black Mountain Road and Street "A."
  - b. Install a 16-inch water main in the dedicated portion of Street "A."

- c. Install parallel 8-inch water mains in the portion of private Street "A" adjacent to Lots 20 through 27.
- d. Install an 8-inch water main in the remaining portion of private Street "A" westerly to Lot 11.
- e. Install a 16-inch water main within the 122-foot wide street reservation for Black Mountain Road from Street "A" to the easterly subdivision boundary.
- f. In connection with Council approval of the final map of Unit 4, the subdivider shall install a 16-inch water main in Black Mountain Road between Street "A" and the westerly subdivision boundary, or the westerly end of the new street improvements in Black Mountain Road, whichever length is greater.

15. SEWER REQUIREMENTS:

- a. Install a system of gravity sewer mains in a manner satisfactory to the City Engineer, connecting to the McGonigle Canyon Trunk Sewer.
  - b. Lot 35 shall be sewered by gravity to the McGonigle Canyon Trunk Sewer via the sewer main in Street "A."
  - c. The subdivider shall provide calculations, satisfactory to the Water Utilities Director, to show that the size and the grade of the sewer mains will provide cleansing velocities.
16. Negative open space easements shall be granted on areas A, B, C, D, E, G, H, I and J. A positive open space easement shall be granted over area "F" to provide for a public equestrian trail. The open space easements shall contain conditions which will allow for agricultural, biological preserve and noncommercial recreational uses developed to serve the residents of the Planned Residential Development, as may be approved by the Planning Director and in conformance with the provisions with the Planned Residential Development permit.
17. In connection with Council approval of the final map for Unit 2, the subdivider shall grant a non-building area easement over the following areas as shown on the approved tentative map:
- a. A 122-foot wide portion of Lot 31, which is the approximate alignment of future Carmel Valley Road,
  - b. A 61-foot wide portion of Lots 19, 20 and 21; and
  - c. Lot C.

The subdivider shall also grant slope easements, as required by the City Engineer, adjacent to these non-building area easements.

18. In connection with approval of the final map for Unit 4, the subdivider shall grant a non-building area easement over the following areas as shown on the approved tentative map:
  - a. A 32-foot wide strip of land easterly of Street "A,"
  - b. A 92-foot wide strip of land easterly of Lots 27 through 30, and
  - c. A 122-foot wide strip of land southerly of Lot 30.

The subdivider shall also grant slope easements, as required by the City Engineer, adjacent to these non-building area easements.

19. This map shall conform to Planned Residential Development No. 86-0229.
20. Prior to the filing of the final map(s), the subdivider shall submit "Letter(s) of School Availability" from the applicable school districts in accordance with Council Policy.
21. Prior to recordation of any final subdivision map by the City Council, the subdivider shall provide evidence to ensure that an affirmative marketing program is established.
22. The Improvement Phasing, shown on the tentative map, is approved only to the extent that it is compatible with and conforms to the conditions contained herein, provided, however, that widening and channelization may be required at the intersection of Black Mountain Road and Street "A" to accommodate traffic.
23. Prior to approval of the first unit within the tentative map, the subdivider shall enter into a development agreement with the City by which he consents to future establishment of any necessary assessment districts covering the subject community's financing plan area and by which he consents to the payment of an estimated Facilities Benefit Assessment fee to be paid at the time of building permit issuance.
24. The subdivider shall grant a 61-foot wide street reservation, along with slope and drainage easements as required by the City Engineer, along the approximate alignment of Highway 56 as determined by CALTRANS. The subdivider shall also identify the additional right-of-way required for the ultimate improvement of the freeway as separate lots within the subdivision, in a manner satisfactory to CALTRANS.



25. The subdivider shall enter into an agreement with the City waiving the right to oppose a special assessment initiated for Black Mountain Road, Carmel Valley Road, and the unnamed prime arterial street located within the future right-of-way for Highway 56.
26. All open space easements shall be granted with Council approval of the first final map containing building sites, as specified in City Council Policy 600-29.
27. Utility reimbursement agreements are possible for the off-site water mains. If the subdivider desires to be reimbursed for a portion of the cost of construction of the off-site utilities, he must provide detailed utilities reimbursement plats to the City of San Diego Water Utilities Department.
28. A portion of this subdivision has been identified as being within a floodplain fringe area. In connection with Council approval of the final map:
  - a. The subdivider shall submit a Hydraulic and Hydrologic Study of the area within the floodplain fringe, area for approval by the City Engineer.
  - b. Any development within the floodplain fringe area will require the property to be graded to an elevation higher than the 100-year frequency flood elevation plus two feet.
  - c. The subdivider shall denote on the final map and the improvement plans as "Subject to Inundation" for those areas at an elevation lower than the 100 year frequency flood elevation plus one foot.
  - d. The subdivider shall provide slope protection, as required by the City Engineer, where the velocity exceeds 5 f.p.s.
  - e. The subdivider shall provide safety fencing where required by the City Engineer.
  - f. Permits or exemptions must be obtained from the California Department of Fish and Game and the U.S. Army Corps of Engineers before City permits will be issued for work within the floodplain fringe areas.

Other conditions to be added by the Planning Department as necessary due to the late review of the revised tentative map.

RANCHO DEL SOL

Owners of the property, including partner, limited or general corporations and individuals with a financial interest in the property.

Pacific Solar Properties, Inc. ✓

Deseret Trust Company

California First Bank

Commercial Acceptance Corporation ✓

Sandra Lee McDowell/Barczewski Trust

## CALIFORNIA COASTAL COMMISSION

SAN DIEGO COAST DISTRICT  
 1333 CALIFORNIA DEL RIO SOUTH, SUITE 125  
 SAN DIEGO, CA 92108-3520  
 (619) 297-9740

Staff: PBW-SD  
 Staff Report: 3/5/87  
 Hearing Date: 3/24-27/87



APP. 9-0  
 3/27/87 SF (PBW-SD)

REVISED CONDITIONS AND FINDINGS

Application No.: 6-86-699

Applicant: Robert Barczewski Agent: Paul C. Zucker  
 Pacific Solar Properties, Inc.

Description: Tentative map totalling 37 lots, of which 23 lots are located within the coastal zone; site preparation, including 86,000 cubic yards of balanced grading.

Lot Area	263 acres
Building Coverage (proposed envelopes)	185,000 sq. ft. ( 2%)
Pavement Coverage	241,000 sq. ft. ( 2%)
Landscape Coverage	480,000 sq. ft. ( 4%)
Unimproved Area	10,580,078 sq. ft. (92%)
Parking Spaces	111
Zoning	A-1-10
Plan Designation	Future Urbanizing
Project Density	.14 dua
Ht abv fin grade	35 feet

Site: 6561 Black Mountain Road, San Diego, San Diego County.  
 APN 305-040-15, 16.

Substantive File Documents: Certified City of San Diego North City Segment Land Use Plan (certified with suggested modifications); City of San Diego Post-Certification Local Coastal Program mapping (adopted by Planning Commission); 6-82-100 (Genstar); 6-84-487 (Carlsberg/Dillon)

Date of Commission Action: January 16, 1987

Commissioners Voting "Yes": Contreras, Franco, Glickfeld, King, MacElvaine, Malcolm, McInnis, Warren, Wright, Ch. Wornum.

Commissioners Voting "No": None.

FINDINGS

The staff recommends the Commission adopt the following resolution:

I. Approval with Conditions.

The Commission hereby grants a permit for the proposed development, subject to the conditions below, on the grounds that the development will be

in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

## II. Standard Conditions.

See attached page.

## III. Special Conditions.

The permit is subject to the following conditions:

1. Runoff Control. Prior to the transmittal of a coastal development permit for this project, the applicant shall submit a runoff control plan designed by a licensed engineer qualified in hydrology and hydraulics, which would assure no increase in peak runoff rate from the developed site over the undeveloped site, as a result of a ten-year frequency storm over a six-hour duration (10 year, 6 hour rainstorm). Runoff control shall be accomplished by such means as on-site detention/desilting basins. Energy dissipating measures at the terminus of outflow drains shall be constructed. The runoff control plan including supporting calculations shall be submitted to and approved in writing by the Executive Director.

2. Grading and Erosion Control. Prior to transmittal of the coastal development permit, the applicant shall submit to the Executive Director, final grading and erosion control plans which incorporate the following:

a. From November 15 to March 31 of each year, grading may only occur in increments as determined by the City Engineer and in conformance with the policy 3(c) on page 8 of the City of San Diego "Revisions to the North City Local Coastal Program Segment" dated May 31, 1985. Prior to commencement of any grading activity, the permittee shall submit a grading schedule to the Executive Director. Any variation from the schedule shall be promptly reported to the Executive Director.

b. All permanent run-off and erosion control devices shall be developed and installed prior to or concurrent with any on-site grading activities.

c. The applicant shall submit a temporary erosion control plan including temporary sediment basins installed in conjunction with initial grading operations and maintained through the development process as necessary.

d. All areas disturbed but not completed during the construction season, including graded pads, shall be stabilized in advance of the rainy season. The use of temporary erosion control measures, such as berms, interceptor ditches, sandbagging, filtered inlets, debris basins, and silt traps shall be utilized in conjunction with plantings to minimize soil loss from the construction site.

3. Lagoon Enhancement Fund. Prior to the transmittal of a coastal development permit for this project, the applicant shall enter into an agreement, suitable in form and content to the Executive Director, binding the applicant and all successors in interest to participate in a lagoon enhancement fund to aid in the restoration of Los Penasquitos Lagoon. Said agreement shall consist of an irrevocable letter of credit, an escrow account or similar account in an amount equal to \$.005 per square foot of site surface area affected by grading plus \$.03 per square foot of impervious surfaces created by the development.

Any funds shall be executed in a manner that allows use of the funds by the Coastal Conservancy, the Wildlife Conservation Board, the Department of Fish and Game or the City of San Diego. No such use of funds shall occur unless and until the Executive Director certifies that the funds are proposed for a bona fide Los Penasquitos enhancement activity. Examples of "bona fide enhancement" activities shall include, but not be limited to, the development of a lagoon restoration plan, the preparation of background technical studies for the development of the plan, the implementation of the plan and stewardship and management following implementation of the plan.

4. Revised Slope Analysis. Prior to the transmittal of the coastal development permit for the subject proposal, the applicant shall submit a revised slope analysis of the subject property for the review and approval in writing by the Executive Director. Said slope analysis shall indicate all slopes in excess of 25% above grade, and particular attention shall be paid to those slope areas located between Open Space Areas "B" and "D," and those slopes located between Open Space Areas "D" and "E."

5. Open Space Deed Restrictions. Prior to the transmittal of the coastal development permit, the applicant shall record a restriction against the subject property, free of all prior liens and encumbrances, except for tax liens, and binding on the permittee's successors in interest and any subsequent purchasers of any portion of the real property. The restriction shall prohibit any alteration of landforms, removal of vegetation or the erection of structures of any type in the area shown on the attached Exhibit "4" and generally described as those areas identified as Open Space Areas A through G, including the steep slopes in excess of 25% gradient located on the knoll situated between Open Space Areas B and D and located on the ridge situated between Open Space Areas D and E, without the written approval of the California Coastal Commission or its successor in interest.

The easement area may exclude portions of Lot 37 which comprise areas less than 25% grade and any areas required to access the flatter portions of the lot, but not to exceed 10% of the total steep slope area on Lot 37. The recording document shall include legal descriptions of both the applicant's entire parcel and the restricted area, and shall be in a form and content acceptable to the Executive Director. Evidence of recordation of such restriction shall be subject to the review and written approval of the Executive Director.

6. Potential Assessment District. Prior to transmittal of the coastal development permit, the applicant shall record a deed restriction against the subject property, free of all prior liens and encumbrances, except for tax liens, and binding on the permittee's successors in interest and any subsequent purchasers of any portion of the real property. The deed restriction shall provide that the applicant shall not oppose the formation of any assessment district for purposes of providing for the permanent maintenance and conservation of stream channels and related habitat areas for that portion of the stream watershed lying in the Coastal Zone. The recording document shall be in a form and content acceptable to the Executive Director. Evidence of recordation of such restriction shall be subject to the review and written approval of the Executive Director.

7. Route 56/Carmel Valley Road Alignment. No approval for the future alignment of State Route 56/Carmel Valley Road is granted as part of this permit. Any future alignment of Route 56 or Carmel Valley Road should be designed to eliminate impacts to the Carmel Valley Creek floodplain, other wetlands and riparian resources, and the Sensitive Coastal Resource Area to be mapped as part of the City of San Diego LCP Implementation Program. The proposed realignment of these access routes shall require separate coastal development permits.

#### IV. Findings and Declarations.

The Commission finds and declares as follows:

1. Detailed Project Description. Proposed is the subdivision of a total 264 acre lot, of which only a portion is located within the coastal zone. The total project involves the creation of a 128 acre Planned Residential Development of 31 single-family lots and six large lots totalling about 136 acres. Out of this total project, 21 of the lots located in the PRD are located within the coastal zone, as are two of the large lots to be developed under the A-1-10 zoning regulations. No residential construction is proposed as part of this application.

Portions of the internal street network of the PRD are proposed, specifically the streets identified as "Lot A" and "Lot B." In addition, a "non-building area easement" for the future construction of Carmel Valley Road has been reserved. A 60 foot wide easement has also been preserved for the future construction of State Route 56, although no alignment or construction configuration for this future highway has yet been either proposed by Caltrans or approved by any agencies.

Approximately 86,000 cubic yards of balanced grading will be required to implement that portion of the proposed project located within the coastal zone, resulting in manufactured slopes of up to 20 feet high. A portion of the grading will involve the removal of a small, previously breached dam located along the Carmel Valley Creek floodplain. A small amount of rock armoring would be placed adjacent to the floodplain at the cul-de-sac terminus of the street identified as Lot B. No off-site improvements are proposed within the coastal zone.

The site of the proposed development is located within the City of San Diego's "Future Urbanizing" area. Under the City's growth management policies, the Future Urbanizing area is implemented by the A-1-10 zone classification. This zone allows for clustering to allow for an overall density on one dwelling unit per each ten acres, with the understanding that at some future date, when the Future Urbanizing designation is removed and a new zone classification is applied, the reserved undeveloped areas may be developed under whatever new land use and zoning classifications are applied. Alternatively, a Planned Residential Development (PRD) with clustering may be allowed to develop at an overall density equivalent to one dwelling unit per each four acres, if for each dwelling unit a total of four acres is dedicated to permanent open space, with no potential for future development of the open space areas.

The site is currently surrounded by relatively open, vacant land, with scattered single family homes. To the north is a commercial nursery, and, farther north, scattered one and two acre lots.

2. Open Space/Steep Slope Protection. Section 30251 of the Act states, in part:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas.

In addition, Section 30253 of the Act states, in part:

New development shall:

(2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

The subject proposal involves a subdivision and planned residential development of a site located within the Carmel Valley area and which involves some areas with slopes in excess of 25% grade. Although the areas proposed for site grading or other improvements as part of this project application do not involve significant steep slopes deemed worthy of protection, substantial areas to be included in the large lots to be created under the A-1-10 zone classification do involve such slopes.

In the City of San Diego's "Revisions to the North City, Ocean Beach, Pacific Beach and Peninsula Local Coastal Program Segments," (herein after referred to as "Revisions") certain areas containing slopes in excess of 25% are proposed for protection under the LCP's policies, consistent with Sections 30251 and 30253 of the Coastal Act. The "Revisions" state:

"(4) The steep slopes to be covered by this policy will be mapped as part of the LCP Implementation Program and will include generally: steep slope areas on north and south side of the San Dieguito River Valley; [and] the slopes on the south side of Carmel Valley...."

As part of its implementation program, the City of San Diego has prepared preliminary maps of those areas determined to be suitable for protection due to either visual impacts or biological impacts resulting from disturbance of slopes in excess of 25% above grade (Exhibit 4). Although the proposal as submitted will include much of the mapped area in the open space dedications required as part of the PRD approval, two significant steep slope areas containing either significant stands of native vegetation or which are visually prominent and so identified by the City have not been included within the protected areas. These include a steep sided knoll and the sloping sides of a westward trending ridgeline which parallels Carmel Valley on the south side. The tops of the knoll and the ridge appear to be less than 25% slope.

For this reason, special condition numbers 4 and 5 have been proposed. These conditions would require a more precise delineation of the steep slope areas to clearly define where the tops of the knoll and ridge are situated, as opposed to the steeper portions of Lot 37. The conditions would further require that all steep slope areas identified in the slope analysis would be placed in open space, with the exception of an access road to the tops of both the ridge and the knoll. These areas proposed for open space would complete the open space area requirements in the certified North City Segment LCP Land Use Plan and as proposed by the City in its draft LCP mapping. That is, while most of the area mapped as suitable for protection has been included in open space as part of the City's approval of the PRD, the two areas proposed in Special Condition No. 5 to be included in open space will include the remainder of the mapped areas not previously preserved. Therefore, the Commission finds that the subject proposal, as conditioned, is consistent with Sections 30251 and 30253 of the Coastal Act.

3. Lagoon Enhancement. Section 30231 of the Coastal Act states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means... controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow... maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

In addition, Section 30240 of the Act states:

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.

(b) Development in areas adjacent to environmentally sensitive



habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

The site of the proposed development is located both north and south of the Carmel Valley Creek drainage, and the developed portions of the property will be located immediately north and upland of the creek and its floodplain. Carmel Valley Creek drains directly to Los Penasquitos Lagoon, located approximately two miles westerly of the project site.

In order to prepare the homesites within the PRD for development and to implement other on-site improvements such as roads, etc., a total of 86,000 cubic yards of balanced grading will be performed, resulting in cut and fill slopes of up to twenty feet high. Although 86,000 cubic yards of grading is a relatively small amount of earth-moving for a 264 acre site, the majority of the proposed grading will occur within the limits of the 31 acre PRD, and will be concentrated in the areas surrounding Lots A, B and C.

Due to the steepness of the terrain and the high degree of erodibility of the underlying soils, there exists a high potential for significant amounts of erosion occurring on exposed areas, particularly exposed slopes. For this reason, special conditions numbers 1 and 2 have been proposed. These conditions require the submittal of hydrology calculations, runoff and erosion control plans which should indicate that any adverse impacts resulting from on-site erosion have been reduced to the maximum degree feasible, thereby avoiding many of the potential impacts to sensitive wetlands resources in Los Penasquitos Lagoon and in the downstream portions of the Carmel Valley watershed.

In addition to providing safeguards to prevent on-site erosion and providing on-site means for dealing with sediment transport the period of time when the most potential environmental damage can occur must be considered. If grading also occurs during the heavy rainfall months of November through March, exposed surface areas will be subject to erosion and sedimentation and the downstream environmentally sensitive areas will be endangered. It is only by restricting grading during the rainy season to increments approved by the City Engineer that the Commission can assure that the potential for environmental damage will be minimized and the project will be consistent with Coastal Act policies.

Even with the special conditions identified above, development will have some degree of adverse effects on Los Penasquitos Lagoon. As noted in other permits (e.g. 6-82-100, Genstar; 6-82-106-A, Fieldstone; 6-83-13, Baldwin; and, A-69-81 Village Properties) and in the findings of the predecessor Regional Commission to deny the North City Land Use Plan, development will increase the amount and rate of runoff; and, will increase the amount of urban pollutants in runoff. In addition, even with controls over the rate of runoff, a greater net volume of runoff will result because less water will percolate into the ground. The combined result will provide the potential for a substantial increase in sedimentation.

In order to mitigate the effects of runoff, the Commission sponsored a study of Los Penasquitos Lagoon entitled "Stream and Lagoon Channels of the Los Penasquitos Watershed, California, with an Evaluation of Possible Effects of Proposed Urbanization" by Karen Prestegaard; a recommendation was made to increase the tidal prism of the lagoon by restoring channels cut off by construction of the railroad across the lagoon. It was recommended that this would enhance the capability of the lagoon to maintain an open mouth.

It was also reasoned that a lagoon that was open more of the year would be better flushed and more capable of absorbing the increased load of pollutants. Commission staff worked with North City West developers to analyze the costs of a minimal improvement project along the lines recommended in the Prestegaard study. The expected cost of \$400,000 to \$600,000 was then allocated to the overall expected buildout in North City West to establish a proportionate share of about \$50/residential unit. The Commission has used that cost in the Genstar and Fieldstone permit conditional approvals.

In the case of the proposed development permit application, however, an assessment of \$0.005 per square foot of site surface affected by grading for urban development, transportation and other public service facility improvements and an assessment \$0.03 per square foot of impervious surfaces has been proposed in special condition number 3. The proposed fee assessments differ from those previously levied against other projects as a result of the City's adoption of the revised LCP language referenced above.

In addition to these protections that have been outlined, the streams channels and related habitat areas of the Carmel Valley Creek watershed have been identified in the City of San Diego's LUP for this area as requiring the creation of a benefits assessment district for future maintenance. The funds generated by an assessment district or other funding mechanism would be utilized for stream conservation and maintenance, particularly for the construction and maintenance of erosion control devices to protect the downstream resources from adverse impacts resulting from developments both within and inland of the watershed. Special condition number 6 would require that the applicant not oppose the creation of such a district and participate in the district upon its creation.

In summary, the project as proposed raises the potential for on-site erosion and subsequent sediment transport which could cause significant adverse impacts to the environmentally sensitive habitat areas of Penasquitos Lagoon and the Carmel Valley watershed. The proposed special conditions would, to the maximum extent feasible, serve to avoid or mitigate the potential impacts. Therefore, the Commission finds that the proposed subdivision and PRD, subject to the proposed special conditions, is consistent with Sections 30231 and 30240 of the Coastal Act.

4. State Route 56 Alignment. In addition to protecting against the impacts of erosion, Section 30253 of the Act requires that new development minimize risks to life and property in areas of high geologic and flood hazard. The resource protection policies cited above, specifically Sections 30231, 30240 and 30251 of the Act, apply to new public works facilities as well as to private development.

The City of San Diego has required, and the applicant for this project has provided, a 60-foot wide easement dedication for the proposed State Route 56. At this time, none of the studies or governmental approvals precedent to the formal adoption of an alignment for this route have been performed. While the dedicated easement, or portions of the easement, may at some future date be included within the approved alignment for this route, the Commission's approval of this project cannot be considered an approval of the indicated easement as the appropriate corridor for the highway. Special condition number 6 has been proposed to indicate that the Commission's approval of the subdivision does not indicate approval of any future highway corridor.

In addition, special condition number 7 indicates that any proposed future alignment for Route 56, as with any public works facility or private development, should avoid development within the floodplain of Carmel Valley Creek and should avoid any significant coastal resources such as steeply sloping hillsides with coastal sage scrub vegetation, wetlands or riparian habitat areas. Given this condition, the Commission finds that the inclusion of a dedication of an easement for Route 56 as part of this subdivision map does not commit the Commission to approval of any future alignment which might be inconsistent with Sections 30231, 30240, 30251 or 30253 of the Act.

5. Local Coastal Planning. Section 30604 (a) also requires that a coastal development permit shall be issued only if the Commission finds that the permitted development will not prejudice the ability of the local government to prepare a Local Coastal Program (LCP) in conformity with the provisions of Chapter 3 of the Coastal Act. In this case, such a finding can be made. As previously stated, the subject development proposal, as conditioned, is consistent with the applicable Chapter 3 policies.

The site of the proposed project is located in the area designated "Future Urban" in the City of San Diego's General Plan. The Future Urban land use category is implemented by the A-1-10 zone, which typically requires ten-acre minimum lots. Under Council Policy 600-29 (Maintenance of Future Urbanizing Area as an Urban Reserve), however, the site may be developed as a PRD with minimum lot size of one acre, provided that an overall density of one dwelling unit per four acres can be maintained through permanent reservation of open space or other mechanisms to ensure the 1:4 ratio. Given that the total PRD would allow 31 residences, a total of 124 acres of land must be reserved. As submitted, a total of about 128 acres will be reserved on the following basis:

Lots 1 to 31	65.4 acres
Lots A, B, & C	5.7 acres
Open Space Areas	<u>57.2 acres</u>
TOTAL	128 acres

The remainder of the parcel will be subdivided under the more typical policies of the A-1-10 zone, with all lots minimum 10 acres, except that lot 35, a pre-existing lot outside the coastal zone will only be about five acres. Lots 32 to 37 will total 189.5 acres gross, with a total of about 130 acres net remaining after subtraction of the open space areas required to justify the 31

lots to be created under the PRD. Therefore, as submitted the proposed project appears to be consistent with the Future Urban policies as interpreted by Council Resolution No. 600-29.

In addition, the development of the project site is governed by the Certified North City Segment Land Use Plan of the City's LCP as modified by the "Revisions to the North City, Ocean Beach, Pacific Beach and Peninsula Local Coastal Program Segments (May 31, 1985). The City of San Diego's North City Land Use Plan (LUP) has been reviewed and approved by the Commission on three occasions. The document which was approved by the Commission in May 1984 consisted of the second City resubmittal based upon an earlier modified certification in 1981, together with March 1984 suggested modifications. Subsequently, the City prepared the third and most recent resubmittal which was approved, as submitted, by the Commission on August 27, 1985.

The certified Land Use Plan states three major requirements applicable to this development in the Carmel Valley area. First, the project would be required to provide mitigation for and avoidance of erosion and subsequent sedimentation impacts similar to those proposed in special conditions number 1 and 2 above. Second, the "Revisions" require payments of Penasquitos Lagoon fees in the amounts required in special condition number 3. These fees are calculated in strict compliance with those proposed in the "Revisions."

Third, the "Revisions" require that new development on the slopes on the south site of Carmel Valley avoid development of steep slopes, defined as slopes in excess of 25% grade. While the current certified, subject to suggested modifications, version of the LUP contains specific provisions relative to the protection of sensitive coastal resources associated with steep hillsides, all previously approved versions of the LUP have also contained policies protective of such resources. The currently approved version of these policies is, in one real sense, less restrictive of development of steep slope areas in that it requires a specific, mapped identification of all areas to be protected in the Implementation Program phase of the LCP and establishes some differentiation between certain steep hillsides. The previous LUP policy restricted development on all steep slope areas.

In order to implement the hillside development policies in this area and in the remainder of the City, City staff has been preparing maps of those areas to be preserved under the Hillside Review (HR) and Sensitive Coastal Resource (SCR) policies of the LCP. The maps prepared for this area indicate that portions of the site should be preserved from both the standpoints of habitat protection and preservation of visual resources.

While the project as proposed placed most of those areas deemed suitable for protection into permanent open space, two additional areas located in the southeast corner of the project site have been mapped by the City as areas to be protected but are not included in open space areas as part of this subdivision. Special Conditions Number 4 and 5 have been proposed to more specifically map these areas and then reserve steeper areas in open space through the deed restriction process.

While these maps have not yet been adopted by the City or submitted to the Commission as part of the City's Implementation Program, the areas mapped meet the criteria for preservation proposed in the certified LUP. That is, they are steeply sloping (i.e., in excess of 25% grade), previously undisturbed, they contain significant visual and biological resources, and they are located on the southern side of Carmel Valley. While the City or they Commission may ultimately, through the LCP process, determine that their inclusion in permanent open space is not warranted, the Commission finds that the failure to place these sites in open space through a deed restriction would prematurely allow commitment of these sensitive areas to future development.

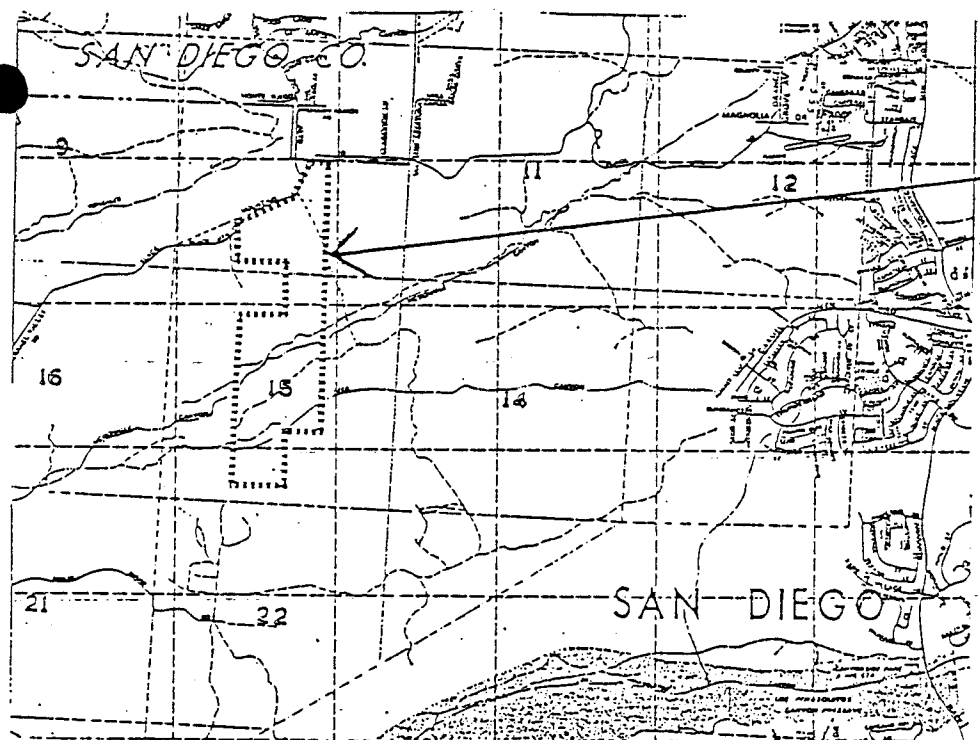
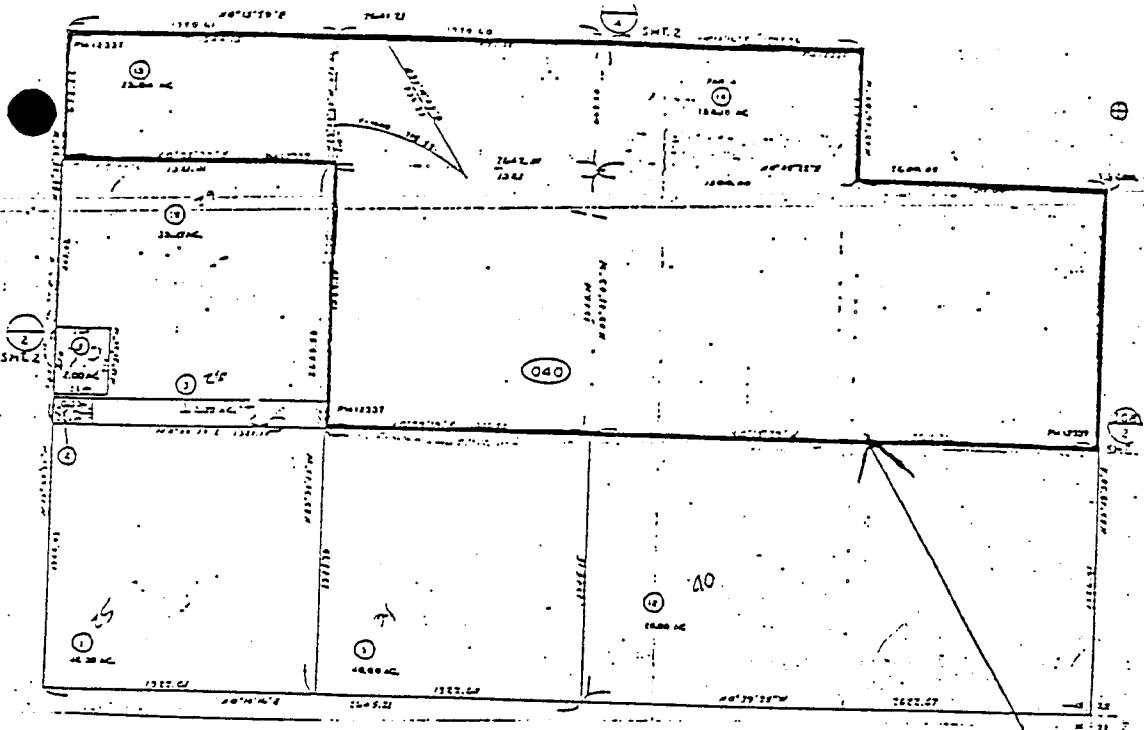
In any event, at this time the language of the certified LUP should be utilized in assessing new development, in order not to prejudice the City's ability to prepare a certifiable total LCP. This language, as stated above, prohibits the development on steep slopes on the south side of Carmel Valley. Therefore, given that the proposed special conditions would provide for the avoidance or mitigation of significant impacts to coastal resources to the maximum extent feasible, the Commission finds that the subject proposal, as conditioned, will not prejudice the ability of the City of San Diego to prepare a certifiable LCP for the North City Segment area.

STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgement. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Compliance. All development must occur in strict compliance with the proposal as set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.


6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

(6699r)



site



EXHIBIT NO. 7
APPLICATION NO. 6-86-599RF
LOCATION
 California Coastal Commission

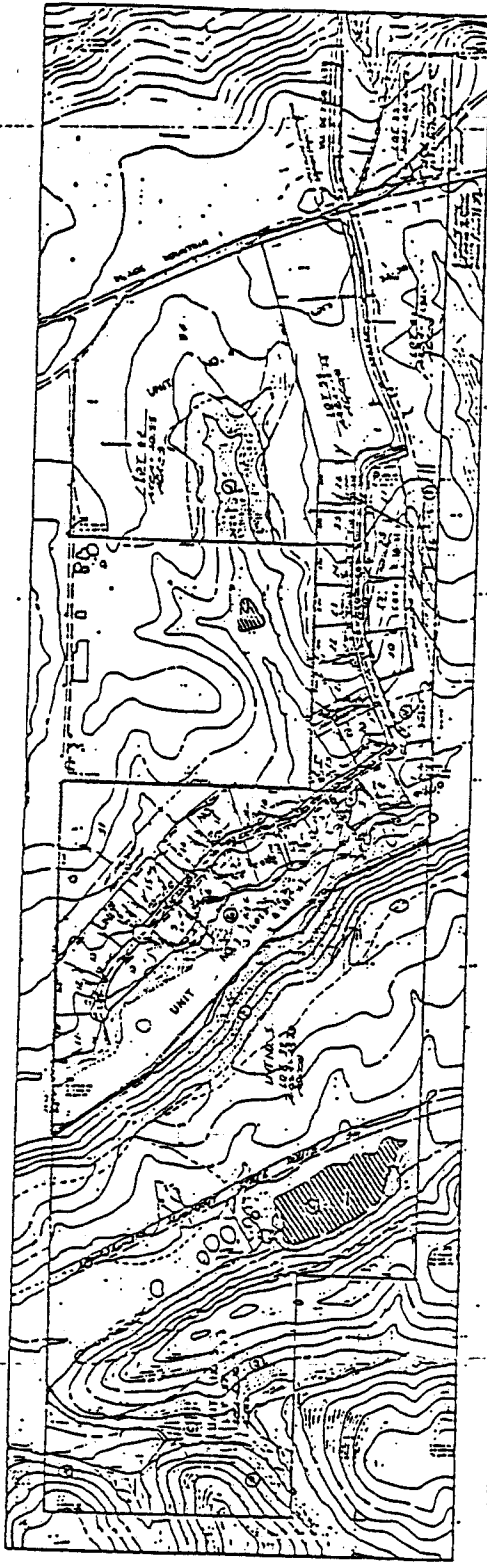

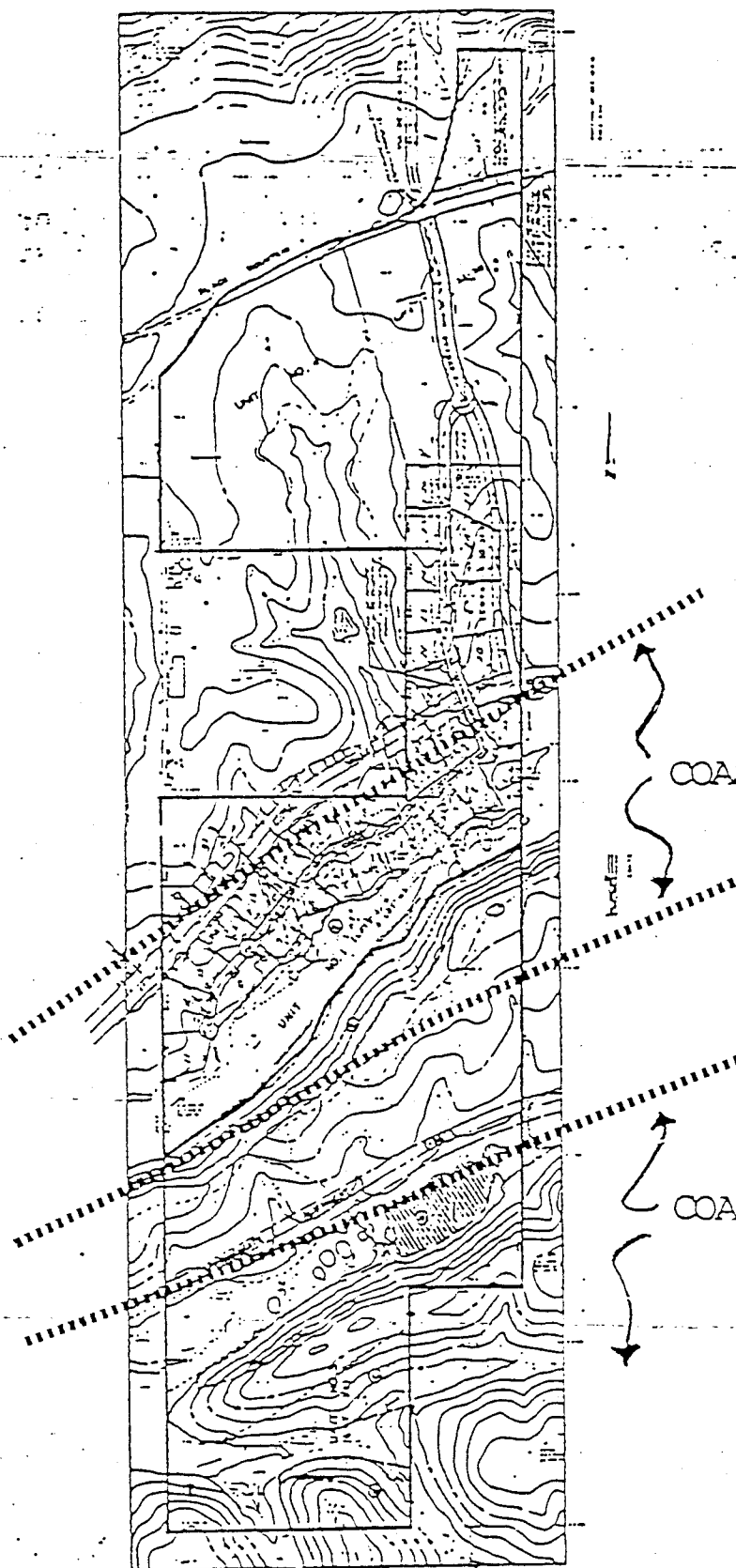



EXHIBIT NO. 2
APPLICATION NO. 6-86-699RF
SITE PLAN
 California Coastal Commission

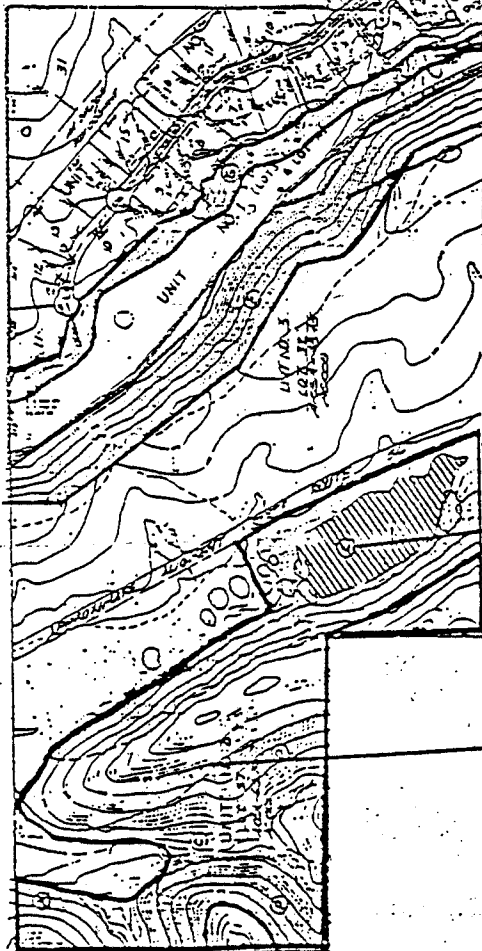
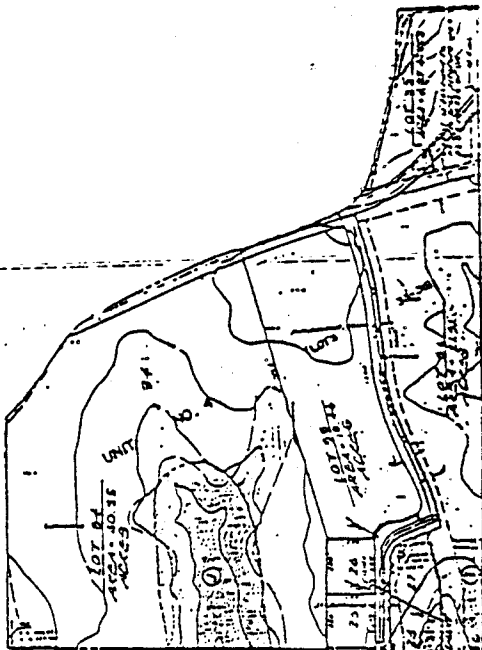




COASTAL ZONE

COASTAL ZONE

EXHIBIT NO. 3
APPLICATION NO. 6-86-699RF
COASTAL ZONE Boundary
 California Coastal Commission



OPEN SPACE

OPEN SPACE

OPEN SPACE

OPEN SPACE

EXHIBIT NO. 4
APPLICATION NO.
-86-699RF
OPEN SPACE
California Coastal Commission

# LOT 31, RANCHO DEL SOL UNIT 1

## SITE DEVELOPMENT PERMIT NO. 506590

### TITLE SHEET

#### DEVELOPMENT SUMMARY

SITE GRADING, DRAINAGE STRUCTURES, AND RETAINING WALLS TO CREATE AN ACCESS DRIVEWAY AND GRADED PADS.

**DISCRETIONARY APPROVALS:**  
 SITE DEVELOPMENT PERMIT  
 EXISTING ZONING: R-1-1-2, AR-1-10  
 PROPOSED ZONING: R1-1-2, AR-1-10

**OVERLAY ZONES:**  
 COASTAL DEFERRED (STATE) CERTIFICATION  
 GROSS LOT AREA: 10.236 ACRES (445,880 SF)  
 GROSS FLOOR AREA: N/A  
 EXISTING USE: VACANT  
 PROPOSED USE: SINGLE-FAMILY RESIDENCE

**EASEMENTS:**  
 A COVENANT OF EASEMENT IS REQUIRED PER LDC, SECTION 143.0152

#### COMMUNITY PLAN

PACIFIC HIGHLANDS RANCH

#### LEGAL DESCRIPTION

LOT 31 OF RANCHO DEL SOL UNIT 1, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP NO 12477, FILED OCTOBER 18, 1989, IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY.

**A.P.N.s.**  
 305-060-18

#### REFERENCE DISCRETIONARY PERMITS

PRD NO. B3-0896  
 PRD AMENDMENT NO. B6-0229  
 COASTAL DEVELOPMENT PERMIT NO 6-86-899.

#### STORM WATER NOTES:

PRIOR TO ISSUANCE OF ANY CONSTRUCTION PERMIT, THE SUBDIVIDER SHALL INCORPORATE ANY CONSTRUCTION BEST MANAGEMENT PRACTICES NECESSARY TO COMPLY WITH CHAPTER 14, ARTICLE 2, DIVISION 1, OF THE SAN DIEGO MUNICIPAL CODE, INTO THE CONSTRUCTION PLANS OR SPECIFICATIONS.

PRIOR TO ISSUANCE OF ANY CONSTRUCTION PERMIT THE SUBDIVIDER SHALL SUBMIT A STORM WATER QUALITY TECHNICAL REPORT (SWQTR). THE SWQTR SHALL BE PREPARED IN ACCORDANCE WITH THE GUIDELINES IN APPENDIX C. OF THE CITY'S STORM WATER STANDARDS.

#### PALEONTOLOGICAL NOTE:

THE OWNER SHALL RETAIN THE SERVICES OF A QUALIFIED PALEONTOLOGIST TO MONITOR ALL GRADING AND/OR EXCAVATION ACTIVITY.

#### ARCHAEOLOGICAL NOTE:

THE OWNER SHALL RETAIN THE SERVICES OF A QUALIFIED ARCHEOLOGIST TO MONITOR ALL GRADING AND/OR EXCAVATION ACTIVITY.

#### EARTHWORK DATA

DISTURBED AREA: 2.20 ACRES    MAX. CUT DEPTH: 15 FT.  
 GRADED AREA: 1.90 ACRES    MAX. CUT SLOPE RATIO (2:1 MAX.): 2:1  
 CUT QUANTITIES: 2,600 C.Y.±    MAX. FILL DEPTH: 11 FT.  
 FILL QUANTITIES: 2,600 C.Y.±    MAX. FILL SLOPE RATIO (2:1 MAX.): 2:1  
 IMPORT/EXPORT: 0 C.Y.±

PROPOSED LIMITS OF DISTURBANCE: 96,405± SF (2.21± ACRES)

#### PERVIOUS/IMPERVIOUS AREA TYPE

**EXISTING CONDITIONS:**  
 IMPERVIOUS AREA: 0 SF (0 ACRES)  
 PERVIOUS AREA: 445,880 SF (10.236 ACRES)

**PROPOSED DEVELOPMENT:**  
 IMPERVIOUS AREA: 16,845± SF (0.69± ACRES)  
 (ACCESS DRIVEWAYS SHOWN)

PERVIOUS AREA: 429,835± SF (9.85± ACRES)

PROPOSED DEVELOPMENT AREA: 96,405 SF (2.21 ACRES)

#### REFERENCE DRAWINGS

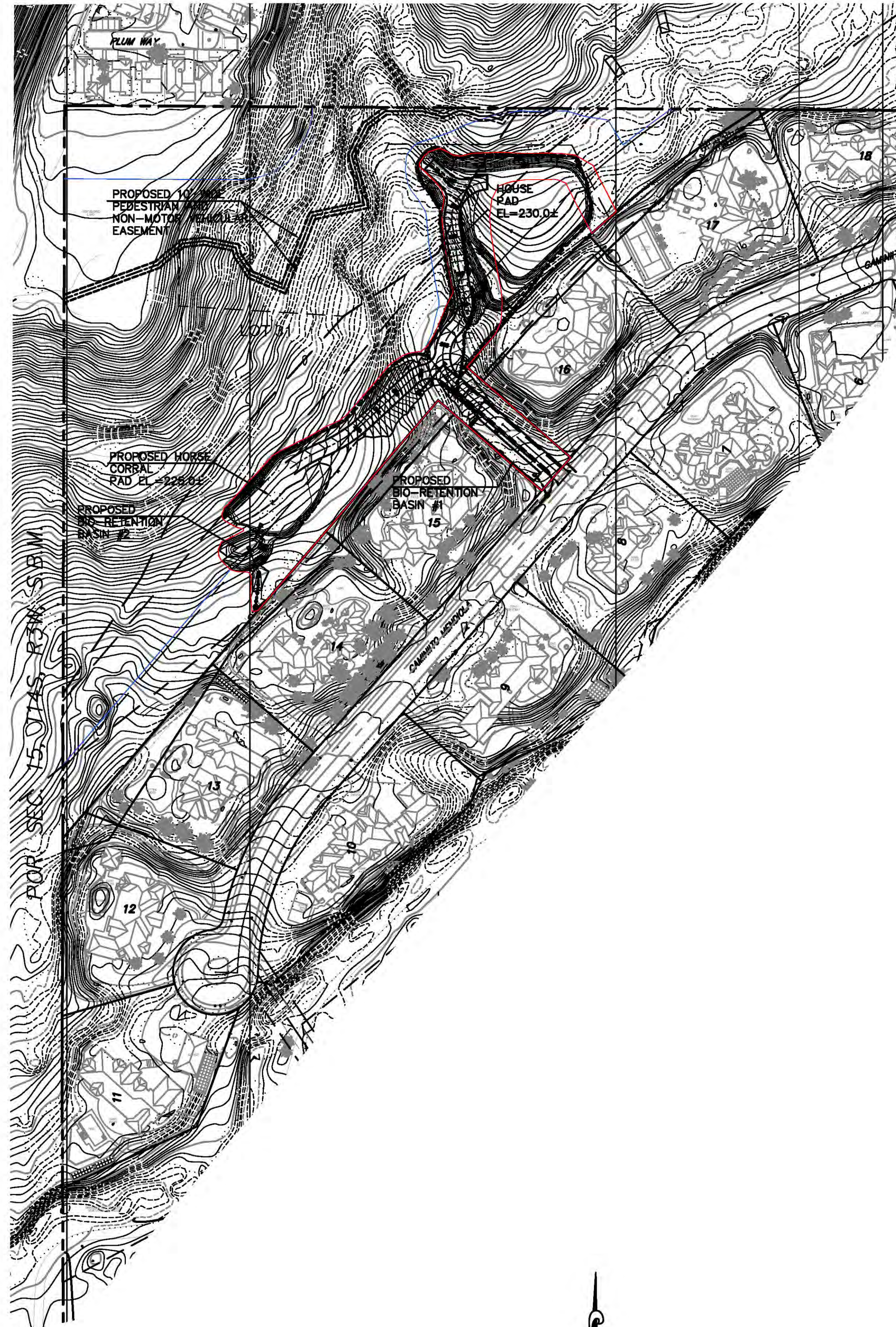
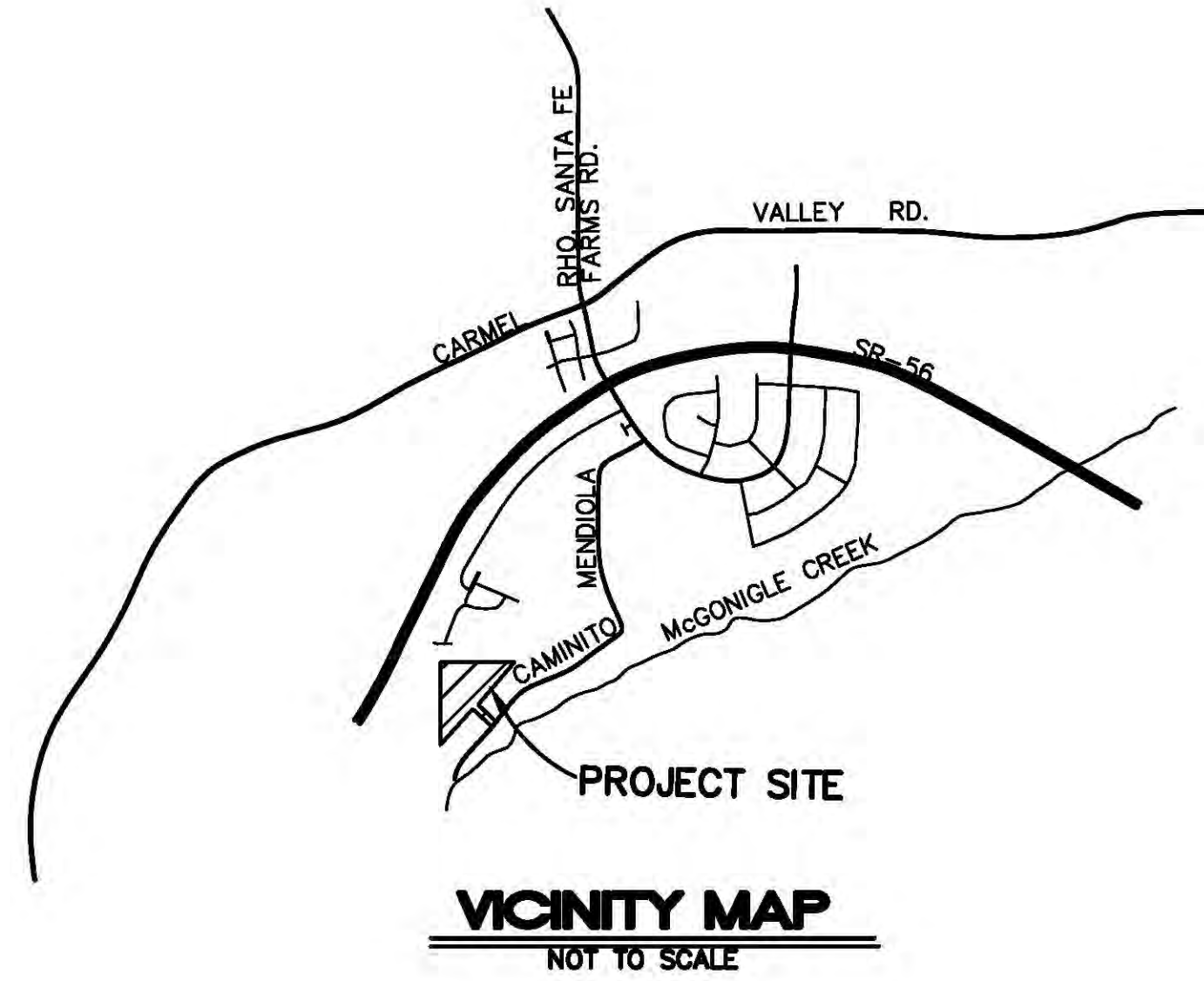
MAP 12477  
 24661-D

#### LAMBERT COORDINATES

288-1713

#### TOPOGRAPHY

PRECISION UAV, INC.  
 7888 SILVERTON AVE.  
 SAN DIEGO, CA 92126  
 858-271-9901  
 2-11-2019



#### PROPOSED IMPROVEMENTS STD. DWG.

DESCRIPTION	SYMBOL
PROPERTY BOUNDARY	---
PROPOSED LIMITS OF DISTURBANCE	-----
EXISTING CONTOUR	— 240 —
FINISH GRADE CONTOUR	— 240 —
LIMITS OF GRADING	— 230.5 FG —
SPOT ELEVATION (FINISH GRADE)	230.5 FG
GRADED SWALE (PVT.)	—
6" CURB & GUTTER (TYPE 'G')	SDG-100, G-2, G-10
CONCRETE DRIVEWAY (PVT.)	G-14A, G-15, G-16, SDG-100
2" PVC WATER SERVICE (PVT.)	SDW-100, SDW-113, W-2, W-15A, W-25
TYPE "B" CURB INLET (PVT.)	D-2
CLEANOUT (TYPE 'A') (PVT.)	D-9, D-11
CATCH BASIN (TYPE 'F') (PVT.)	D-7, D-11
WING-TYPE HEADWALL (PVT.)	D-34
BROW DITCH (TYPE 'B') (PVT.)	D-75
RIPRAP (TYPE 2) (PVT.)	D-40
BRUSH MANAGEMENT ZONE 1 LIMITS	—
BRUSH MANAGEMENT ZONE 2 LIMITS	—

#### PROJECT TEAM

**OWNER**  
 ROBERT D. BARCZEWSKI, TRUSTEE  
 BARCZEWSKI FAMILY TRUST  
 UNDER DECLARATION OF TRUST DATED AUGUST 7, 1977  
 4208 LAKEWAY BLVD.,  
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 509-449-1747

**CIVIL ENGINEER**  
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 858-675-9487 (FAX)  
 EMAIL: mark@farringtonengineering.com

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**SURVEYOR**  
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 858-271-9901

**SOILS ENGINEER**  
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 GEOTECHNICAL EXPLORATIONS, INC.  
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 858-549-7222

**BIOLOGIST**  
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 619-284-3815  
 EMAIL: gmason@aldenenv.com

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**STORM WATER CIVIL ENGINEER**  
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 ARC CONSTRUCTION & ENGINEERING, INC.  
 10948 ELDERWOOD LANE  
 SAN DIEGO, CA 92131  
 EMAIL: serg.salinas@att.net

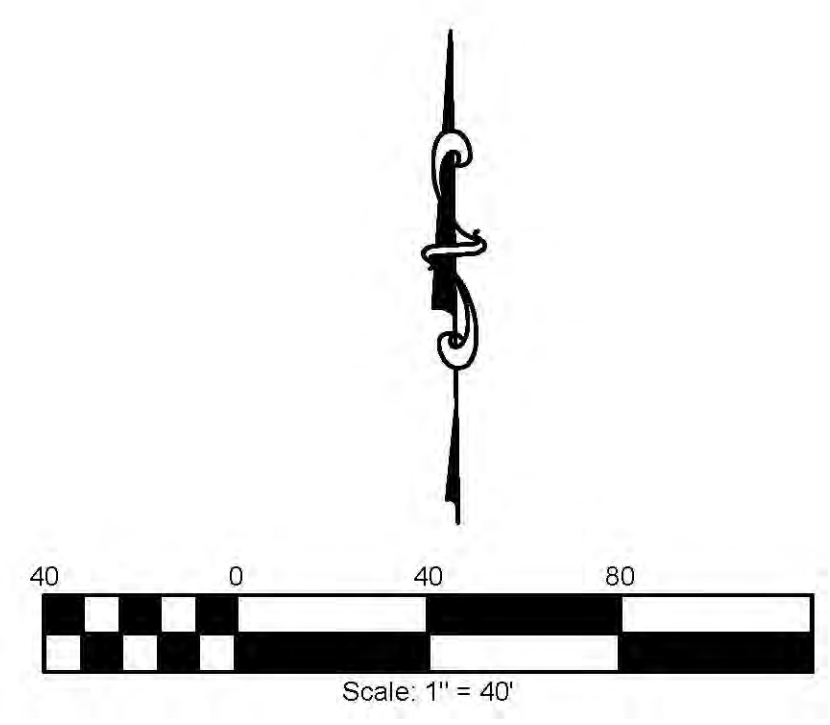
**LANDSCAPE ARCHITECT**  
 JOHN KRIZAN, LS  
 1829 GRANITE HILLS DRIVE  
 EL CAJON, CA 92019  
 KRIZAN & ASSOCIATES  
 EMAIL: john@krizanassociates.com

FARRINGTON ENGINEERING CONSULTANTS, INC.  
 CONSULTING CIVIL ENGINEERING  
 11679 VIA FIRUL  
 SAN DIEGO, CA 92128  
 (858) 675-9490

REGISTERED PROFESSIONAL ENGINEER  
 MARK A. FARRINGTON  
 NO. 38114  
 EXP. 03/31/23  
 CIVIL  
 STATE OF CALIFORNIA

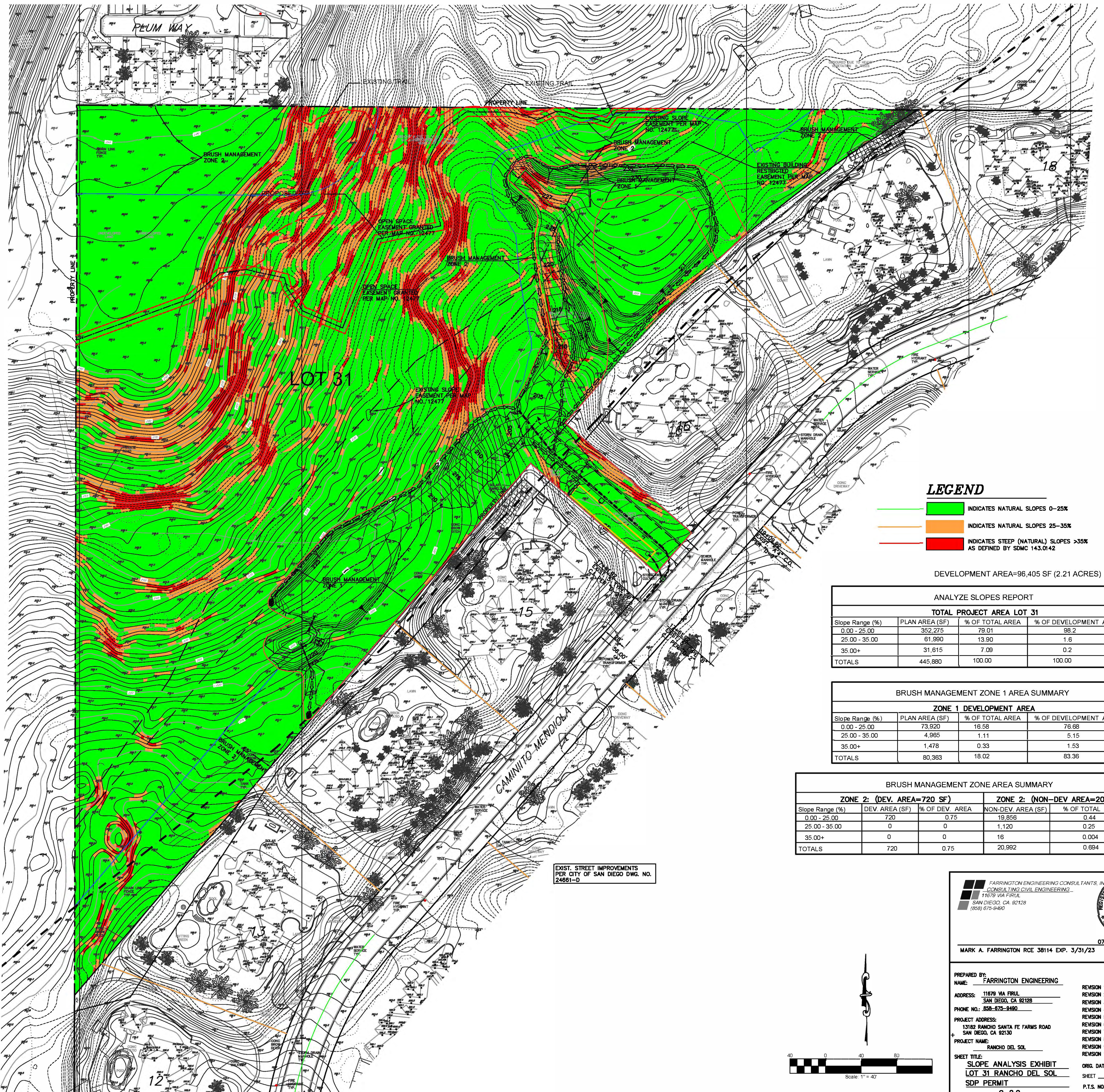
07-05-2022  
 MARK A. FARRINGTON RCE 38114 EXP. 3/31/23 DATE

<b>PREPARED BY:</b> FARRINGTON ENGINEERING		REVISION 1:	10-19-20
<b>NAME:</b> FARRINGTON ENGINEERING		REVISION 2:	11-24-20
<b>ADDRESS:</b> 11679 VIA FIRUL		REVISION 3:	04-30-21
SAN DIEGO, CA 92128		REVISION 4:	08-18-21
<b>PHONE NO.:</b> 858-675-9490		REVISION 5:	02-28-22
<b>PROJECT ADDRESS:</b>		REVISION 6:	07-05-22
13182 RANCHO SANTA FE FARMS ROAD		REVISION 7:	
SAN DIEGO, CA 92130		REVISION 8:	
<b>PROJECT NAME:</b>		REVISION 9:	
RANCHO DEL SOL		REVISION 10:	
<b>SHEET TITLE:</b>		ORG. DATE:	6-20-19
TITLE SHEET		SHEET 1	OF 4
LOT 31 RANCHO DEL SOL		P.T.S. NO.	506590
SDP PERMIT		PERMIT NO.	
<b>SHEET NO.:</b> C-1.0			



# LOT 31, RANCHO DEL SOL UNIT 1

## SITE DEVELOPMENT PERMIT SLOPE ANALYSIS EXHIBIT



**LEGEND**

- █ INDICATES NATURAL SLOPES 0-25%
- █ INDICATES NATURAL SLOPES 25-35%
- █ INDICATES STEEP (NATURAL) SLOPES >35% AS DEFINED BY SDMC 143.0142

DEVELOPMENT AREA=96,405 SF (2.21 ACRES)

ANALYZE SLOPES REPORT			
TOTAL PROJECT AREA LOT 31			
Slope Range (%)	PLAN AREA (SF)	% OF TOTAL AREA	% OF DEVELOPMENT AREA
0.00 - 25.00	352,275	79.01	98.2
25.00 - 35.00	61,990	13.90	1.6
35.00+	31,615	7.09	0.2
<b>TOTALS</b>	<b>445,880</b>	<b>100.00</b>	<b>100.00</b>

BRUSH MANAGEMENT ZONE 1 AREA SUMMARY			
ZONE 1 DEVELOPMENT AREA			
Slope Range (%)	PLAN AREA (SF)	% OF TOTAL AREA	% OF DEVELOPMENT AREA
0.00 - 25.00	73,920	16.58	76.68
25.00 - 35.00	4,965	1.11	5.15
35.00+	1,478	0.33	1.53
<b>TOTALS</b>	<b>80,363</b>	<b>18.02</b>	<b>83.36</b>

BRUSH MANAGEMENT ZONE AREA SUMMARY				
ZONE 2: (DEV. AREA=720 SF)			ZONE 2: (NON-DEV AREA=20,992 SF)	
Slope Range (%)	DEV. AREA (SF)	% OF DEV. AREA	NON-DEV. AREA (SF)	% OF TOTAL AREA
0.00 - 25.00	720	0.75	19,856	0.44
25.00 - 35.00	0	0	1,120	0.25
35.00+	0	0	16	0.004
<b>TOTALS</b>	<b>720</b>	<b>0.75</b>	<b>20,992</b>	<b>0.694</b>

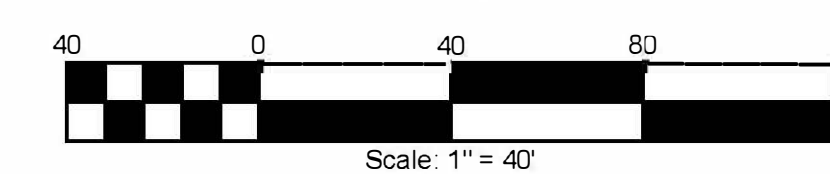
EXIST. STREET IMPROVEMENTS  
PER CITY OF SAN DIEGO DWG. NO.  
24861-D

FARRINGTON ENGINEERING CONSULTANTS, INC.  
CONSULTING CIVIL ENGINEERING  
11679 VIA FIRUL  
SAN DIEGO, CA 92128  
(858) 675-9480

REGISTERED PROFESSIONAL ENGINEER  
MARK A. FARRINGTON  
NO. 38114  
EXP. 03/31/23  
CIVIL  
STATE OF CALIFORNIA

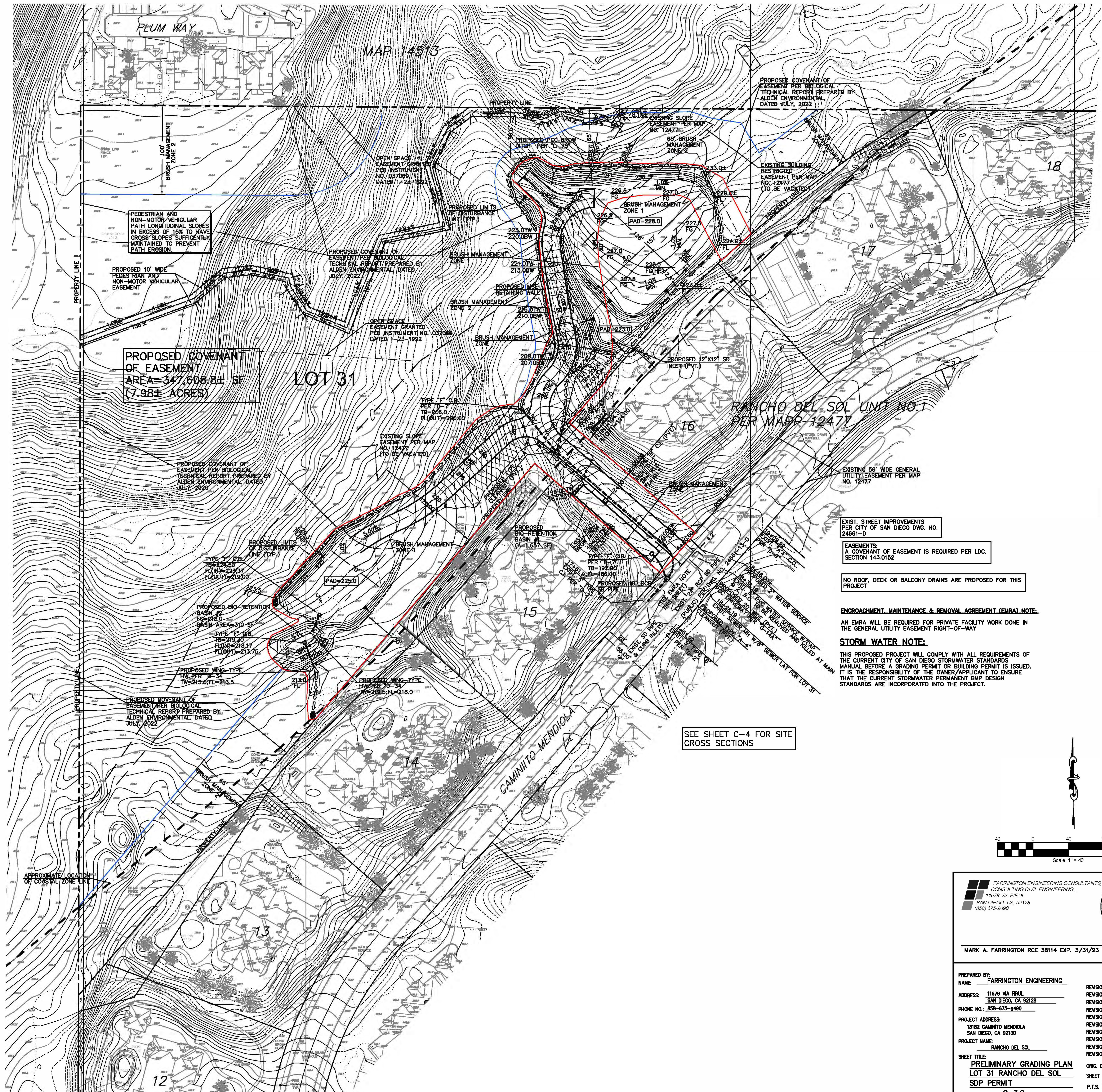
07-05-2022  
MARK A. FARRINGTON RCE 38114 EXP. 3/31/23 DATE

PREPARED BY: NAME: FARRINGTON ENGINEERING	REVISION 1:
ADDRESS: 11679 VIA FIRUL	REVISION 2: 4-30-21
SAN DIEGO, CA 92128	REVISION 3: 8-18-21
PHONE NO.: 858-675-9480	REVISION 4: 2-28-22
PROJECT ADDRESS: 13182 RANCHO SANTA FE FARMS ROAD	REVISION 5: 7-05-22
SAN DIEGO, CA 92130	REVISION 6:
PROJECT NAME: RANCHO DEL SOL	REVISION 7:
SHEET TITLE: SLOPE ANALYSIS EXHIBIT	REVISION 8:
LOT 31 RANCHO DEL SOL	REVISION 9:
SDP PERMIT	REVISION 10:
SHEET NO.: C-2.0	ORIG. DATE: 6-20-19
	SHEET 2 OF 4
	P.T.S. NO.
	PERMIT NO.



# LOT 31, RANCHO DEL SOL UNIT 1

## SITE DEVELOPMENT PERMIT PRELIMINARY GRADING PLAN



PEDESTRIAN AND NON-MOTOR VEHICULAR PATH LONGITUDINAL SLOPES IN EXCESS OF 15% TO HAVE CROSS SLOPES SUFFICIENTLY MAINTAINED TO PREVENT PATH EROSION.

PROPOSED COVENANT OF EASEMENT  
AREA=347,608.84 SF  
(7.98± ACRES)

PROPOSED COVENANT OF EASEMENT PER BIOLOGICAL TECHNICAL REPORT PREPARED BY ALDEN ENVIRONMENTAL, DATED JULY 2022

PROPOSED COVENANT OF EASEMENT PER BIOLOGICAL TECHNICAL REPORT PREPARED BY ALDEN ENVIRONMENTAL, DATED JULY 2022

PROPOSED COVENANT OF EASEMENT PER BIOLOGICAL TECHNICAL REPORT PREPARED BY ALDEN ENVIRONMENTAL, DATED JULY 2022

PROPOSED COVENANT OF EASEMENT PER BIOLOGICAL TECHNICAL REPORT PREPARED BY ALDEN ENVIRONMENTAL, DATED JULY 2022

PROPOSED COVENANT OF EASEMENT PER BIOLOGICAL TECHNICAL REPORT PREPARED BY ALDEN ENVIRONMENTAL, DATED JULY 2022

PROPOSED COVENANT OF EASEMENT PER BIOLOGICAL TECHNICAL REPORT PREPARED BY ALDEN ENVIRONMENTAL, DATED JULY 2022

EXISTING BUILDING RESTRICTED EASEMENT PER MAP NO. 12477 (TO BE VACATED)

EXIST. STREET IMPROVEMENTS PER CITY OF SAN DIEGO DWG. NO. 24681-D

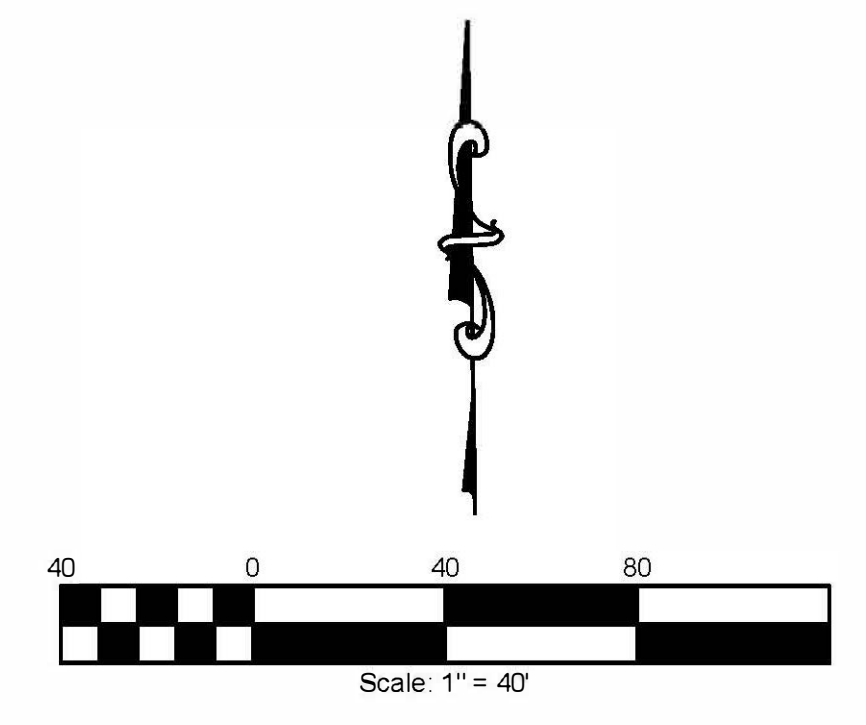
EASEMENTS: A COVENANT OF EASEMENT IS REQUIRED PER LDC, SECTION 143.0152

NO ROOF, DECK OR BALCONY DRAINS ARE PROPOSED FOR THIS PROJECT

**ENCROACHMENT, MAINTENANCE & REMOVAL AGREEMENT (EMRA) NOTE:**  
AN EMRA WILL BE REQUIRED FOR PRIVATE FACILITY WORK DONE IN THE GENERAL UTILITY EASEMENT RIGHT-OF-WAY

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

SEE SHEET C-4 FOR SITE CROSS SECTIONS



FARRINGTON ENGINEERING CONSULTANTS IN CONSULTING CIVIL ENGINEERING  
11679 VIA FIRUL  
SAN DIEGO, CA 92128  
(858) 675-9480

REGISTERED PROFESSIONAL ENGINEER  
MARK A. FARRINGTON  
NO. 38114  
EXP. 03/31/23  
CIVIL  
STATE OF CALIFORNIA

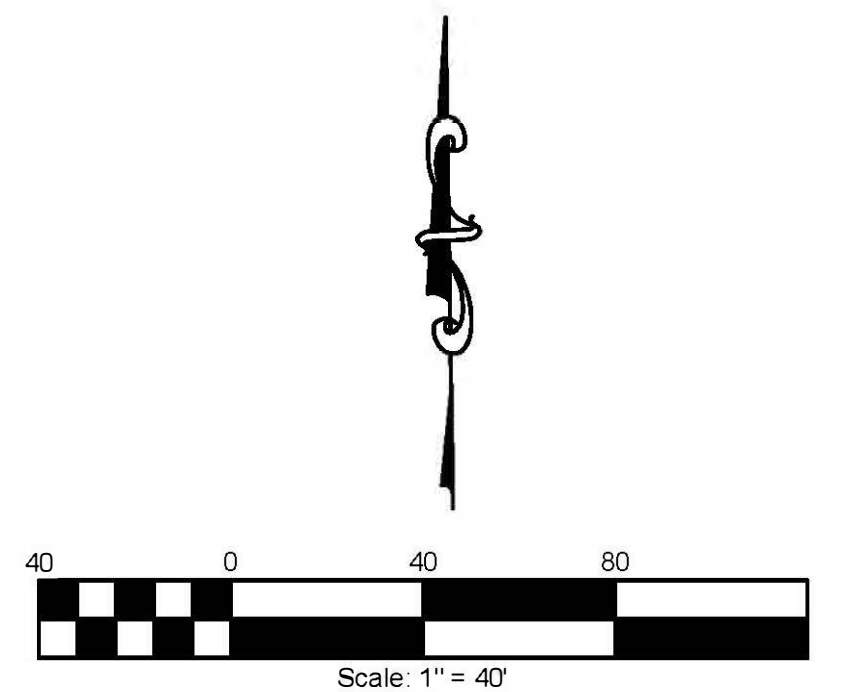
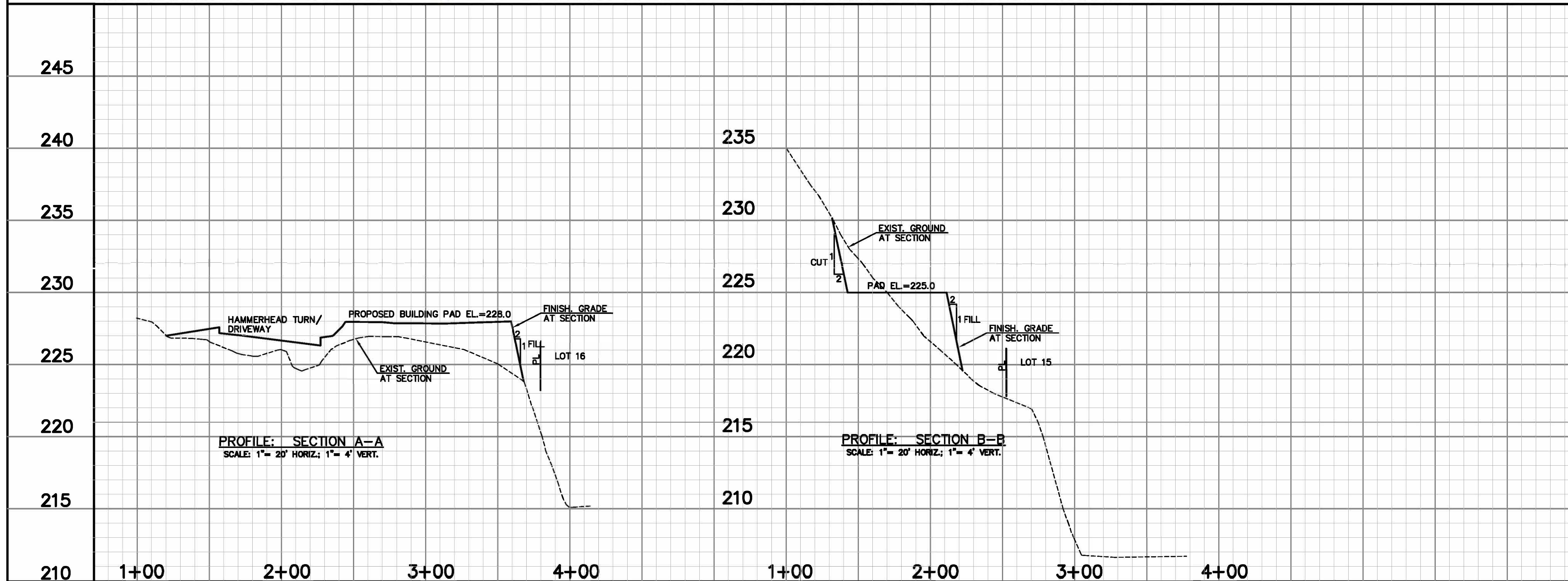
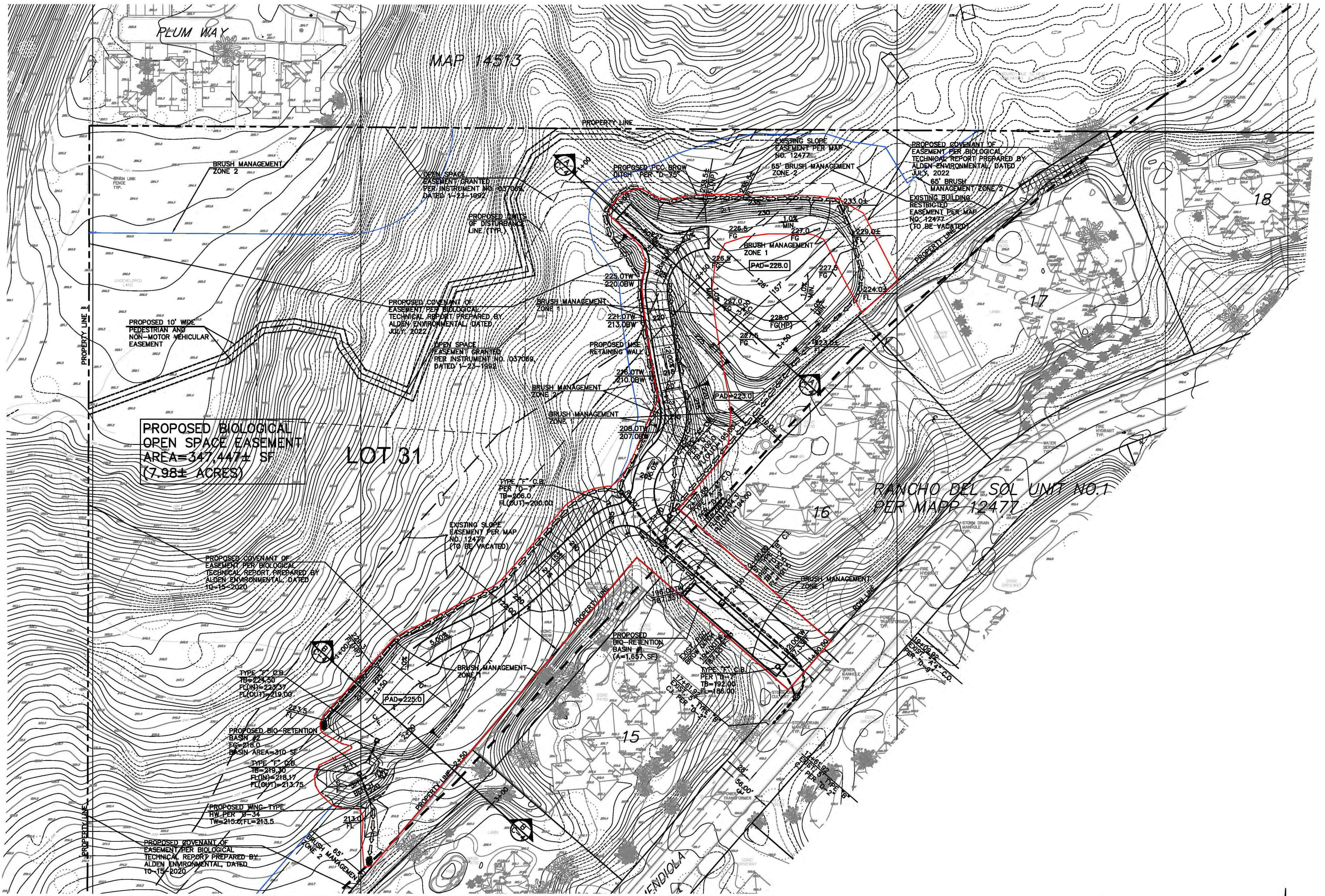
7-05-2022  
DATE

MARK A. FARRINGTON RCE 38114 EXP. 3/31/23 DATE

PREPARED BY: NAME: FARRINGTON ENGINEERING	REVISION 1: 10-19-19
ADDRESS: 11679 VIA FIRUL SAN DIEGO, CA 92128	REVISION 2: 12-06-19
PHONE NO.: 858-875-9480	REVISION 3: 11-24-19
PROJECT ADDRESS: 13182 CAMINITO MENDIOLA SAN DIEGO, CA 92130	REVISION 4: 04-30-21
PROJECT NAME: RANCHO DEL SOL	REVISION 5: 06-25-21
SHEET TITLE: PRELIMINARY GRADING PLAN LOT 31 RANCHO DEL SOL SDP PERMIT	REVISION 6: 08-18-21
	REVISION 7: 02-28-22
	REVISION 8: 07-05-22
	REVISION 9: _____
	REVISION 10: _____
ORIG. DATE: 6-20-19	
SHEET 3 OF 4	
P.T.S. NO. 506590	
PERMIT NO. _____	

# LOT 31, RANCHO DEL SOL UNIT 1

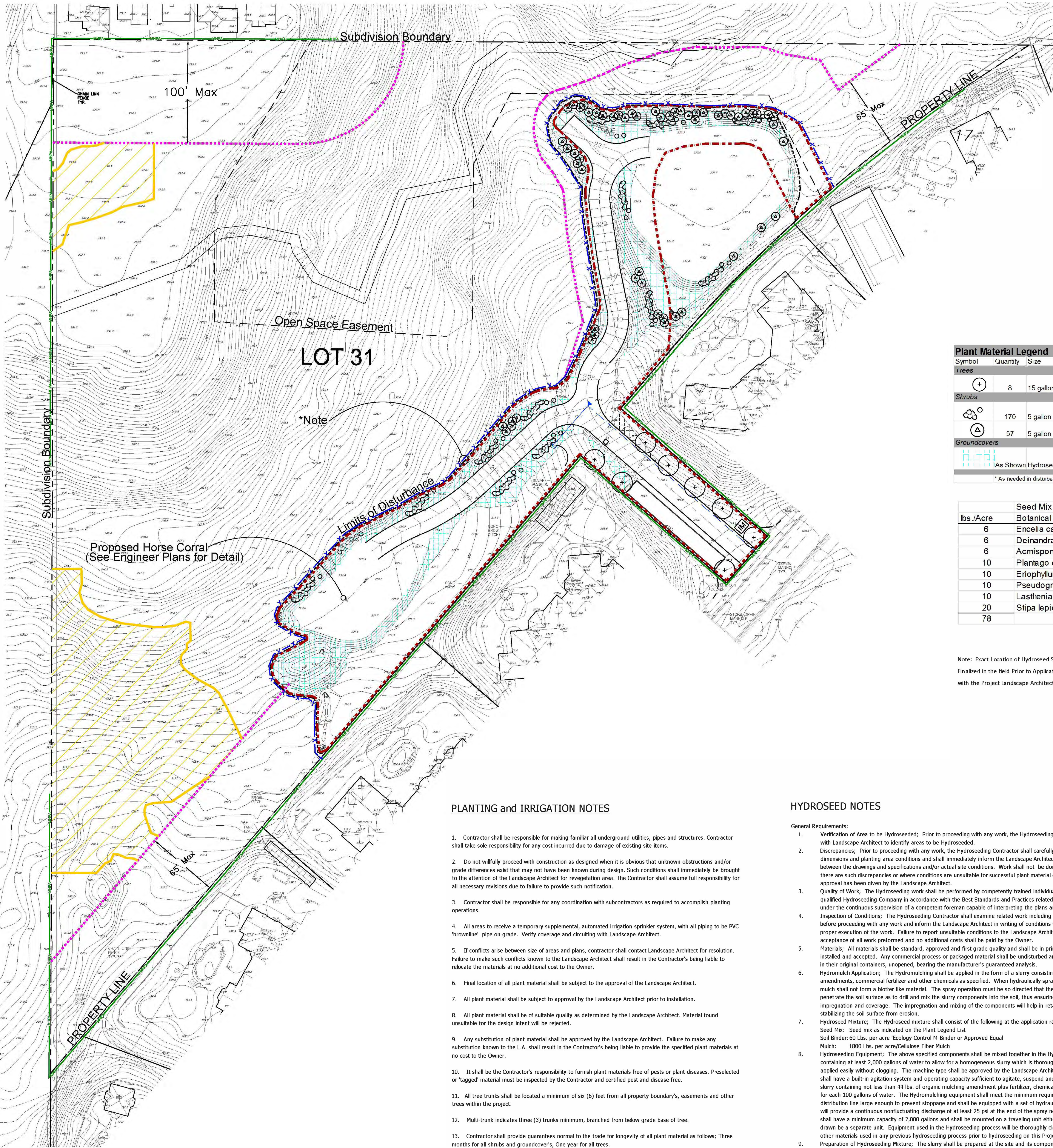
## SITE DEVELOPMENT PERMIT SITE CROSS SECTIONS



<p>FARRINGTON ENGINEERING CONSULTANTS IN CONSULTING CIVIL ENGINEERING 11679 VIA FIRUL SAN DIEGO, CA 92128 (858) 675-8480</p>		<p>7-05-2022 DATE</p>
<p>MARK A. FARRINGTON RCE 38114 EXP. 3/31/23</p>		
<p>PREPARED BY: NAME: FARRINGTON ENGINEERING</p>	<p>REVISION 1: 11-24-20 REVISION 2: 04-30-21 REVISION 3: 08-18-21 REVISION 4: 02-28-22 REVISION 5: 07-05-22 REVISION 6: _____ REVISION 7: _____ REVISION 8: _____ REVISION 9: _____ REVISION 10: _____</p>	
<p>ADDRESS: 11679 VIA FIRUL SAN DIEGO, CA 92128</p>		
<p>PHONE NO.: 858-875-8480</p>		
<p>PROJECT ADDRESS: 13182 CAMINITO MENDOLA SAN DIEGO, CA 92130</p>		
<p>PROJECT NAME: RANCHO DEL SOL</p>		
<p>SHEET TITLE: SITE CROSS SECTIONS LOT 31 RANCHO DEL SOL SDP PERMIT</p>	<p>ORIG. DATE: 6-20-19 SHEET 4 OF 4 P.T.S. NO. 506590 PERMIT NO. _____</p>	
<p>SHEET NO.: C-4.0</p>		

# LOT 31, RANCHO DEL SOL UNIT 1

## SITE DEVELOPMENT PERMIT LANDSCAPE PLAN



### Brush Management Zones

	<b>Zone 1</b> Maintained on a regular basis by thinning and pruning trees and plants, controlling weeds, and maintaining irrigation systems. No habitable structures are permitted. New construction to be non-combustible. Low Growing, Low-Fuel, and Fire Resistant Plants
	<b>Zone 2</b> Maintained on a regular basis by controlling weeds and removing invasive species. Selective thinning and Pruning of Native and non-native species is required to reduce fuel-load. No structures or permanent irrigation allowed.

	MHPA Boundary	*Note: Limit of Disturbance, Preserve Area Fencing, MHPA CDE, overlap, shown as Parallel for Graphic Clarity
	Preserve Area Fencing (Six-foot tall, black powder coat or vinyl dipped heavy gauge chain link fence)	
	Proposed Trail - 10' Wide Pedestrian and Non-Motor Vehicular Easement	
	Limits of Disturbance	
	Mitigation Area	

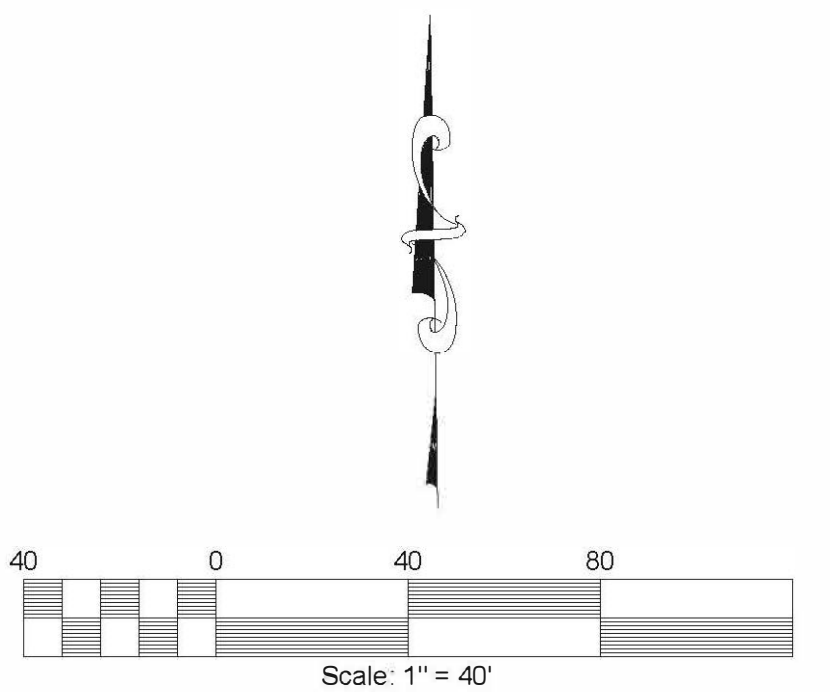
### Plant Material Legend

Symbol	Quantity	Size	Botanical Name	Common Name	Remarks
<b>Trees</b>					
	8	15 gallon	Tabebuia impetiginosa	Pink Trumpet Tree	
<b>Shrubs</b>					
	170	5 gallon	Ceanothus griseus 'Louis Edmunds'	California Lilac	
	57	5 gallon	Prunus L. lyonii	Catalina Cherry	
<b>Groundcovers</b>					
	As Shown		Hydroseed	See Seed Mix	Hydroseed Mix Area to be determined*

\* As needed in disturbed areas as determined by Landscape Architect at time of installation

lbs./Acre	Seed Mix : Hydroseed Native Seed Mix	
	Botanical name	Common name
6	Encelia californica	California encelia
6	Deinandra fasciculata	Fasciated tarweed
6	Acmispon glaber	Deerweed
10	Plantago erecta	Dot-seed plantain
10	Eriophyllum confertiflorum	Golden yarrow
10	Pseudognaphalium californicum	California everlasting
10	Lasthenia californica	Goldfields
20	Stipa lepida	San Diego needlegrass
78		

Note: Exact Location of Hydroseed Seed Mix to be Finalized in the field Prior to Application in Consultation with the Project Landscape Architect



### PLANTING and IRRIGATION NOTES

- Contractor shall be responsible for making familiar all underground utilities, pipes and structures. Contractor shall take sole responsibility for any cost incurred due to damage of existing site items.
- Do not willfully proceed with construction as designed when it is obvious that unknown obstructions and/or grade differences exist that may not have been known during design. Such conditions shall immediately be brought to the attention of the Landscape Architect for revegetation area. The Contractor shall assume full responsibility for all necessary revisions due to failure to provide such notification.
- Contractor shall be responsible for any coordination with subcontractors as required to accomplish planting operations.
- All areas to receive a temporary supplemental, automated irrigation sprinkler system, with all piping to be PVC 'brownline' pipe on grade. Verify coverage and circuiting with Landscape Architect.
- If conflicts arise between size of areas and plans, contractor shall contact Landscape Architect for resolution. Failure to make such conflicts known to the Landscape Architect shall result in the Contractor's being liable to relocate the materials at no additional cost to the Owner.
- Final location of all plant material shall be subject to the approval of the Landscape Architect.
- All plant material shall be subject to approval by the Landscape Architect prior to installation.
- All plant material shall be of suitable quality as determined by the Landscape Architect. Material found unsuitable for the design intent will be rejected.
- Any substitution of plant material shall be approved by the Landscape Architect. Failure to make any substitution known to the L.A. shall result in the Contractor's being liable to provide the specified plant materials at no cost to the Owner.
- It shall be the Contractor's responsibility to furnish plant materials free of pests or plant diseases. Preselected or 'tagged' material must be inspected by the Contractor and certified pest and disease free.
- All tree trunks shall be located a minimum of six (6) feet from all property boundary's, easements and other trees within the project.
- Multi-trunk indicates three (3) trunks minimum, branched from below grade base of tree.
- Contractor shall provide guarantees normal to the trade for longevity of all plant material as follows; Three months for all shrubs and groundcover's, One year for all trees.
- Quantities shown on legend and labels are included merely as a convenience for Contractor. Landscape Contractor is responsible to provide quantity of plant material shown by symbol to fulfill design intent.
- Contractor shall notify Landscape Architect 48 hours prior to commencement of work to coordinate project inspection schedules.
- The Landscape Contractor shall arrange for inspections by the Landscape Architect at the following times during the course of work:
  - Approval of all plant materials.
  - When trees and shrubs are spotted in place for planting prior to plant hole excavation.
  - Completion of landscape installation.
  - Completion of maintenance period.
- Landscape Contractor shall provide maintenance, to the satisfaction of the Landscape Architect, for 120 days following completion of installation as determined by the Landscape Architect.

### HYDROSEED NOTES

- General Requirements:
- Verification of Area to be Hydroseeded; Prior to proceeding with any work, the Hydroseeding Contractor shall verify with Landscape Architect to identify areas to be Hydroseeded.
  - Discrepancies; Prior to proceeding with any work, the Hydroseeding Contractor shall carefully check and verify all dimensions and planting area conditions and shall immediately inform the Landscape Architect of any discrepancies between the drawings and specifications and/or actual site conditions. Work shall not be done on any area where there are such discrepancies or where conditions are unsuitable for successful plant material establishment until approval has been given by the Landscape Architect.
  - Quality of Work; The Hydroseeding work shall be performed by competently trained individuals employed by a qualified Hydroseeding Company in accordance with the Best Standards and Practices related to the Trade and under the continuous supervision of a competent foreman capable of interpreting the plans and specifications.
  - Inspection of Conditions; The Hydroseeding Contractor shall examine related work including irrigation and grading before proceeding with any work and inform the Landscape Architect in writing of conditions which may prevent the proper execution of the work. Failure to report unsuitable conditions to the Landscape Architect will not constitute acceptance of all work performed and no additional costs shall be paid by the Owner.
  - Materials; All materials shall be standard, approved and first grade quality and shall be in prime condition when installed and accepted. Any commercial process or packaged material shall be undisturbed and delivered to the site in their original containers, unopened, bearing the manufacturer's guaranteed analysis.
  - Hydromulch Application; The Hydromulching shall be applied in the form of a slurry consisting of organic soil amendments, commercial fertilizer and other chemicals as specified. When hydraulically sprayed onto the soil, the mulch shall not form a blotter like material. The spray operation must be so directed that the slurry spray will penetrate the soil surface as to drill and mix the slurry components into the soil, thus ensuring maximum impregnation and coverage. The impregnation and mixing of the components will help in retaining moisture while stabilizing the soil surface from erosion.
  - Hydroseed Mixture; The Hydroseed mixture shall consist of the following at the application rates shown:  
Seed Mix: Seed mix as indicated on the Plant Legend List  
Soil Binder: 60 Lbs. per acre Ecology Control M-Binder or Approved Equal  
Mach: 1800 Lbs. per acre Cellulose Fiber Mach
  - Hydroseeding Equipment; The above specified components shall be mixed together in the Hydroseeding machine containing at least 2,000 gallons of water to allow for a homogeneous slurry which is thoroughly mixed and can be applied easily without clogging. The machine type shall be approved by the Landscape Architect. The equipment shall have a built-in agitation system and operating capacity sufficient to agitate, suspend and homogeneously mix a slurry containing not less than 44 lbs. of organic mulching amendment plus fertilizer, chemical additives and solids for each 100 gallons of water. The Hydromulching equipment shall meet the minimum requirements of a slurry distribution line large enough to prevent stoppage and shall be equipped with a set of hydraulic spray nozzles which will provide a continuous manufacturing discharge of at least 25 psi at the end of the spray nozzle. The slurry tank shall have a minimum capacity of 2,000 gallons and shall be mounted on a traveling unit either self-propelled or drawn be a separate unit. Equipment used in the Hydroseeding process will be thoroughly cleaned of all seed and other materials used in any previous hydroseeding process prior to hydroseeding on this Project.
  - Preparation of Hydroseeding Mixture; The slurry shall be prepared at the site and its components shall be mixed to supply the rates of application specified. Slurry preparation shall begin by adding water to the tank while the engine is at one-half throttle. When the water level has reached the height of the agitator shaft and good circulation has been established, the fertilizers shall be added to the mixture (the tank shall be at least 1/3 filled with water at this time.) The engine throttle shall be open to full speed when the tank is 1/2 filled with water. All organic amendments, fiber and chemicals shall be added by the time the tank is 2/3 to 3/4 full. At this time, and NOT before this time, the seed mix shall also be added. Spraying shall commence immediately when the tank is full and the slurry is mixed.
  - Application of the Hydroseed Mixture; The Operator shall spray the area with a uniform visible coat using the dark color of the cellulose fiber or organic amendment as a visual guide. The slurry shall be applied in a downward drilling motion via a fan stream nozzle. It is important to ensure that all of the components enter and mix with the soil. The hydromulch has a tendency to build up on itself, therefore it is important that the Contractor employ only qualified personnel to ensure uniformity of the hydromulch application.
  - Time Limit; The Hydromulching slurry components are not to be left in the Hydromulch machine for more than two hours due to seed destruction. If slurry components are left for more than two hours in the machine, the Contractor shall add 50% more of the originally specified seed mix. The Contractor shall add 75% more of the original seed mix to any slurry mixture which has not been applied between two and eight hours after mixing or it shall be rejected and disposed of off-site at the Contractor's expense as directed by the Landscape Architect.

**Owner:**  
Robert D. Barczewski Family Trust  
Under Declaration of Trust - Dated August 7, 1977  
4208 Lakeway Blvd.  
Lakeway, TX 78734  
509-449-1747

**Legal Description**  
Lot 31 of Rancho Del Sol Unit 1, In the City of San Diego, County of San Diego, State of California, According to Map No 12477, Filed October 18, 1989, in the Office of the County recorder of San Diego County.

**A.P.N.**  
305-060-18

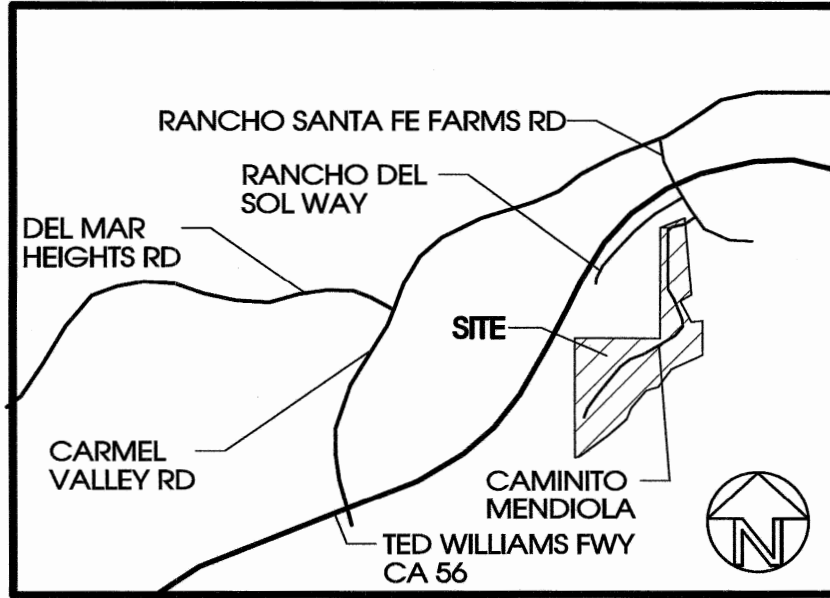
**KRIZAN ASSOCIATES**  
Landscape Architecture  
Planning and Urban Design  
1829 Granite Hills Dr  
El Cajon, CA 92019  
619.517.2885 voice

JOHN D. KRIZAN RL 2336 EXP. 3/31/2022 DATE

02-28-2022

PREPARED BY: NAME: KRIZAN ASSOCIATES INC.	REVISION 1: 6-24-21
ADDRESS: 1829 GRANITE HILLS EL CAJON, CA 92019	REVISION 2: 8-18-21
PHONE NO: 619-517-2885	REVISION 3: 2-28-22
PROJECT ADDRESS: 13165 CAMINO MENDOCINO SAN DIEGO, CA 92130	REVISION 4: 7-6-22
PROJECT NAME: RANCHO DEL SOL	REVISION 5: _____
SHEET TITLE: ELIMINATE LANDSCAPE PLAN LOT 31 RANCHO DEL SOL SDP PERMIT	REVISION 6: _____
SHEET NO: L-1.0	REVISION 7: _____
	REVISION 8: _____
	REVISION 9: _____
	REVISION 10: _____

DATE: 4-30-21  
SHEET 1 OF 1  
P.T.S. NO. 506580  
PERMIT NO.



VICINITY MAP  
NOT TO SCALE

**REFERENCES**

MAP NOS. 12477, 14513, 16085,  
PARCEL MAP NOS. 20702, 20874

**BASIS OF BEARINGS**

THE WEST LINE OF LOT 31, OF RANCHO DEL SOL UNIT 1,  
ACCORDING TO MAP THEREOF NO. 12477,  
I.E. N 00°21'11" W.

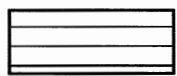
**APN**

305-060-11 TO18, 305-061-01, 02, 03,12

**LEGEND**



**PARCEL A:**  
INDICATES BUILDING RESTRICTED EASEMENT VACATED  
CONTAINS 206,841.1 SQUARE FEET (4.748 ACRES)



**PARCEL B:**  
INDICATES SLOPE EASEMENT VACATED  
CONTAINS 108,879.3 SQUARE FEET (2.500 ACRES)

— LIMIT OF VACATION LINE



A2018-147

**CHRISTENSEN ENGINEERING & SURVEYING**

7888 SILVERTON AVENUE, SUITE J  
SAN DIEGO, CA 92126  
(858) 271-9901

*Anthony K. Christensen*

09-20-2023

ANTONY K. CHRISTENSEN  
L.S. 7508, EXPIRES 12-31-23

DATE

RESOLUTION NO. \_\_\_\_\_

ADOPTED: \_\_\_\_\_

RECORDED \_\_\_\_\_

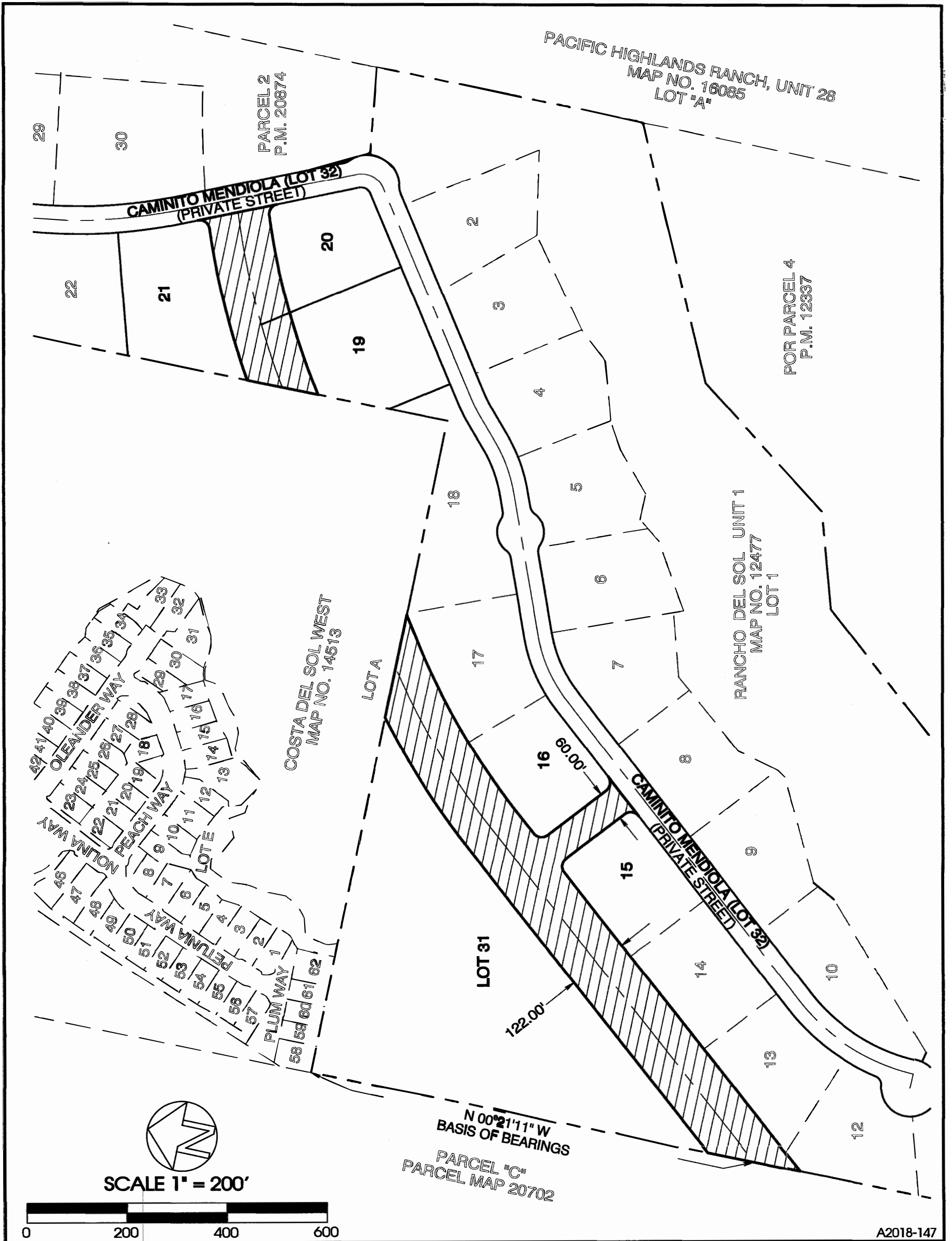
DOCUMENT NO. \_\_\_\_\_

**BUILDING RESTRICTED AND SLOPE EASEMENT VACATION**

IN PORTIONS OF RANCHO DEL SOL UNIT 1 ACCORDING TO MAP NO. 12477

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	P.T.S. 506590
ORIGINAL	CE&S				SHEET 1 OF 3 SHEETS	IO NO. 24006914
		CEO	9/20/23		<i>Frank R. MB</i>	1928/1930-6273/6275
					FOR CITY LAND SURVEYOR	CCS 83 COORDINATES
					DATE	288/290-1713/1715
						LAMBERT COORDINATES
						<b>39646-1-B</b>

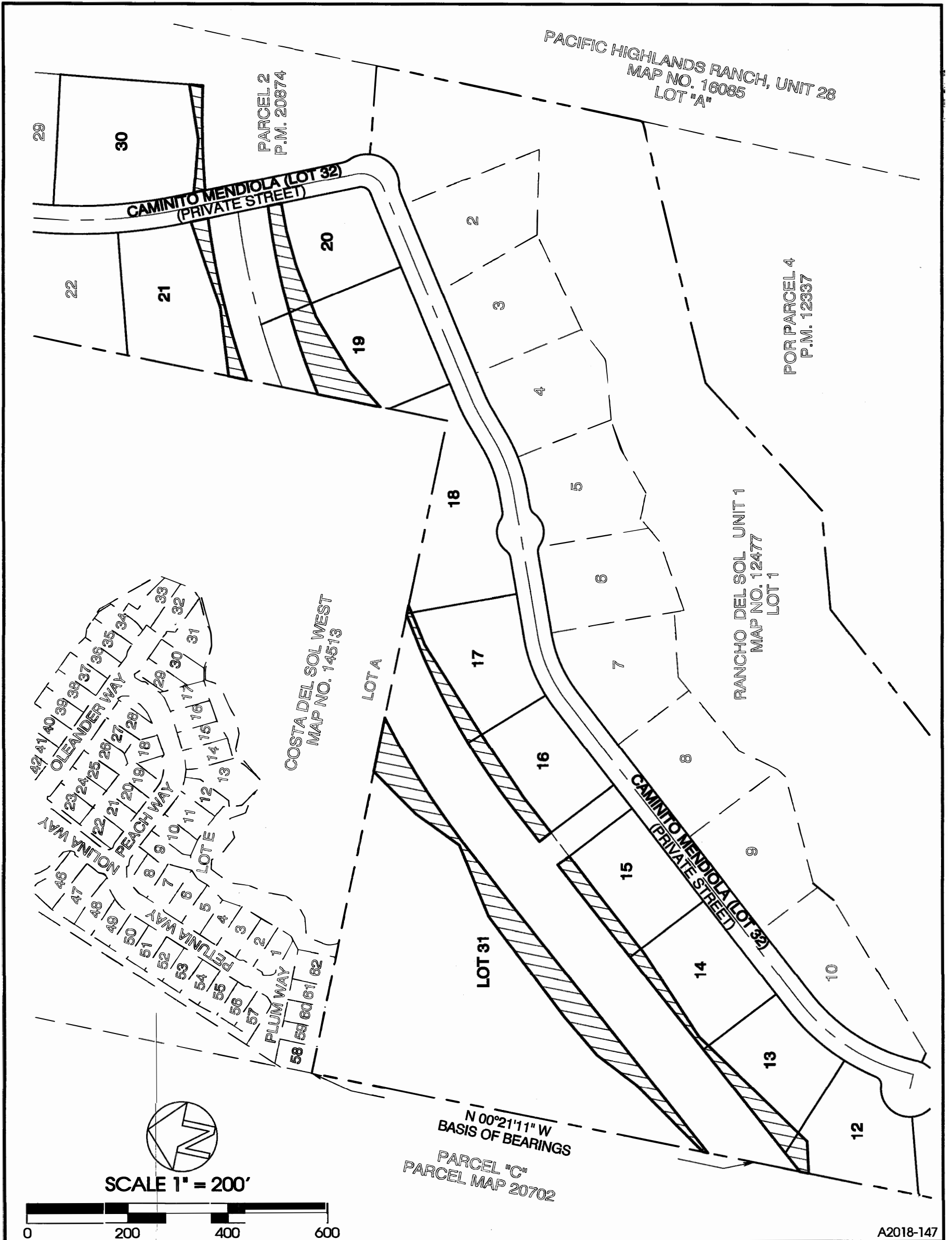




**BUILDING RESTRICTED EASEMENT VACATION**

IN LOTS 15, 16, 19, 20, 21 & 31 OF RANCHO DEL SOL UNIT 1 ACCORDING TO MAP NO. 12477

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	P.T.S.
ORIGINAL	CE&S				SHEET 2 OF 3 SHEETS	506590
		CE	9/20/23			IO NO. 24006914
					<i>Fred R. R. Jr.</i> FOR CITY LAND SURVEYOR	1928/1930-6273/6275 CCS 83 COORDINATES
						288/290-1713/1715 LAMBERT COORDINATES
						<b>39646-2-B</b>



**SLOPE EASEMENT VACATION**

IN LOTS 12 TO 21, 30 & 31 OF RANCHO DEL SOL UNIT 1 ACCORDING TO MAP NO. 12477

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	P.T.S.
ORIGINAL	CE&S				SHEET 3 OF 3 SHEETS	506590
		CE	9/24/23			24006914
					FOR CITY LAND SURVEYOR	1928/1930-6273/6275 CCS 83 COORDINATES
						288/290-1713/1715 LAMBERT COORDINATES
						<b>39646-3-B</b>

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**(BUILDING RESTRICTED EASEMENT VACATION)**

PARCEL A:

BEING A VACATION OF ALL OF THE BUILDING RESTRICTED EASEMENT GRANTED TO THE CITY OF SAN DIEGO IN LOTS 15,16,19 THROUGH 21 AND LOT 31 OF RANCHO DEL SOL, UNIT 1, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 12477, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, OCTOBER 18, 1989.

ATTACHED HERETO IS DRAWING NO. 39646-B (EXHIBIT B) AND BY REFERENCE MADE A PART HEREOF.

CONTAINS 206,841.1 SQUARE FEET, 4.748 AC, MORE OR LESS.



SEPTEMBER 20, 2023

ANTHONY K. CHRISTENSEN  
PLS 7508

PTS #506590  
DWG #39646-B



**EXHIBIT "A"  
LEGAL DESCRIPTION  
(SLOPE EASEMENT VACATION)**

PARCEL B:

BEING A VACATION OF ALL THE SLOPE EASEMENT GRANTED TO THE CITY OF SAN DIEGO IN LOTS 12 THROUGH 21 AND LOTS 30 AND 31 OF RANCHO DEL SOL, UNIT 1, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 12477, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, OCTOBER 18, 1989.

ATTACHED HERETO IS DRAWING NO. 39646-B (EXHIBIT B) AND BY REFERENCE MADE A PART HEREOF.

CONTAINS 108,879.3 SQUARE FEET, 2.500 AC, MORE OR LESS.



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ANTONY K. CHRISTENSEN  
PLS 7508

SEPTEMBER 20, 2023

PTS # 506590  
DWG # 39646-B



**CARMEL VALLEY COMMUNITY PLANNING BOARD****Meeting Minutes****7 pm, Thursday, January 28, 2020**

(Meeting Conducted via Zoom Meeting)

<b>Board Member</b>	<b>Representing</b>	<b>Present</b>	<b>Absent</b>	<b>Absence (Board Year)</b>
1. Ken Farinsky	CV Voting District 1	X		0
2. Barry Schultz, Vice Chair	CV Voting District 2	X		1
3. Steve Davison	CV Voting District 3	X		3
4. Debbie Lokanc	CV Voting District 4	X		0
5. Frisco White, Chair	CV Voting District 5	X		0
6. VACANT	CV Voting District 6			
7. Allen Kashani	CV/ PHR Business	X		0
8. Tiffany Finstad	CV Developer	X		1
9. VACANT	CV Property Owner			
10. Daniel Curran	CV Property Owner	X		1
11. Danielle McCallion	PHR D1	X		1
12. Stella Rogers	PHR D2		X	1
13. Vic Wintriss	Fairbanks Country Club/Via de la Valle/North City Subarea 2	X		0

**A. CALL TO ORDER AND ATTENDANCE****B. APPROVAL OF MINUTES** - October 22nd, 2020

January 28th Meeting:

Per Chair Frisco White with CV Voting District 5, postponed to February 25th, 2021 due to draft being sent instead of final.

**C. CONSENT AGENDA**

MAD Budget as Consent Agenda, motioned by Chair White and seconded by Ken Farinsky with CV Voting District 1. Motion passes 10-0-0

**D. PUBLIC COMMUNICATION** - Speakers are limited to topics not listed on the agenda. Presentations are limited to 2 minutes or less.

Robert Danson, Resident of Stallions Crossing, stated he is concerned with the lax nature of the overlay zone setbacks. Robert stated he does not know what the process is to get rid of the overlay zone and revert back to the base San Diego setbacks. Robert stated three projects have come in this year and the neighborhood is starting to look like the Favelas in Brazil. Robert stated this is only going to get worse due to the state ADU law. Robert stated Carmel Valley has zero side yard setbacks that you can build because of the overlay zone with a 10ft front yard setback and 4ft rear yard setback on all lots even the large lots. Robert stated that the rear yard setback can be reduced to zero for accessory building up to 500sq ft, you could also add an ADU back there that could run 30ft in length which would also reduce the rear setback to zero. Robert stated you could have over 100 lineal feet of building on your rear setback right to the

either. Curran had nothing to add. McCallion agreed with Lokanc and would like there to be foliage to block the center block wall. Wintriss was glad that we are worrying about aesthetics while still being supportive of cellular systems as they are important. Farinsky asked if Lokanc and McCallion would like it if T-Mobile put in new bushes to cover the wall. Chair White suggested a living wall. Motion made by Wintriss as long as bushes are included, Lokanc wanted more specific verbiage. Chair White stated how about if we support the cellular modifications with the requirement that the trees be removed and replanted with hedges that will cover the required masonry wall.

Motion made by Wintriss and seconded by Lokanc. All in favor, 10/0.

**4.Rancho del Sol (Project #506590):** Consider proposed application for a Site Development Permit and Vacation of Building Restricted and Slope Easements on a Single-family lot in the Rancho del Sol Subdivision. The application is for the discretionary approval of a grading, drainage, landscaping and environmental protection plan, as well as the vacation of 30-year-old easements that were for the reservation of City roadways that have subsequently been constructed in other locations.

- Applicants - Paul Metcalf, Metcalf Development

Paul Metcalf, on behalf of Metcalf Development, stated this is an infill on an existing lot. Paul is requesting a site development permit for a single family homesite (10 acre) to improve the lot so a home can be constructed. Paul mentioned the homesite is in an existing neighborhood (Rancho Glens Subdivision). Paul mentioned that it is a 31 lot subdivision with 29 lots built and occupied for 10-30 years, there are two lots left. Paul stated the subdivision has CC&Rs and an architectural review committee, the homes are required to conform to the architectural guidelines with the CC&Rs. Paul showed the board the land, environmental and grading plan, they would disturb 22% of the 10 acre lot, the remaining 8 acres preserved with a conservation easement to the City (with the usual terms). Paul stated it is within the MHPA. Paul is asking for a vacation of easement, in 1983 when the original project was built the City reserved right away for Carmel Mountain Road and Black Mountain Road. Paul feels the rights of way are no longer needed, since use is not possible for its generated purpose due to the freeway and wetlands restoration. Paul stated they have met the finders requirement for the vacation of the easement per the emensible code and it has been excepted by staff. Chair White asked if there are any objections from the neighbors that are south east of the lot? Paul stated there isn't any objections as it is higher, setback 30-40 feet and was described in the CC&Rs. Finstad asked is Paul is speaking of building one single family home. Paul stated yes. McCallion stated that on google maps she sees a trail through the lot Paul is speaking of and wants to know if the community relies on that lot for recreation? Paul stated that there is very little use of the trail, it was used to maintain brush management of the lot. Paul stated he is meeting with Laura Ball (City trail representative) to connect two trails so that they can be continued without the easement on lot 31. Lokanc asked if Paul had to give something to the City to vacation the easement. Paul stated no because the easement was not usable anymore.

Motioned by Kashani and seconded by Finstad. All in favor, 10/0.