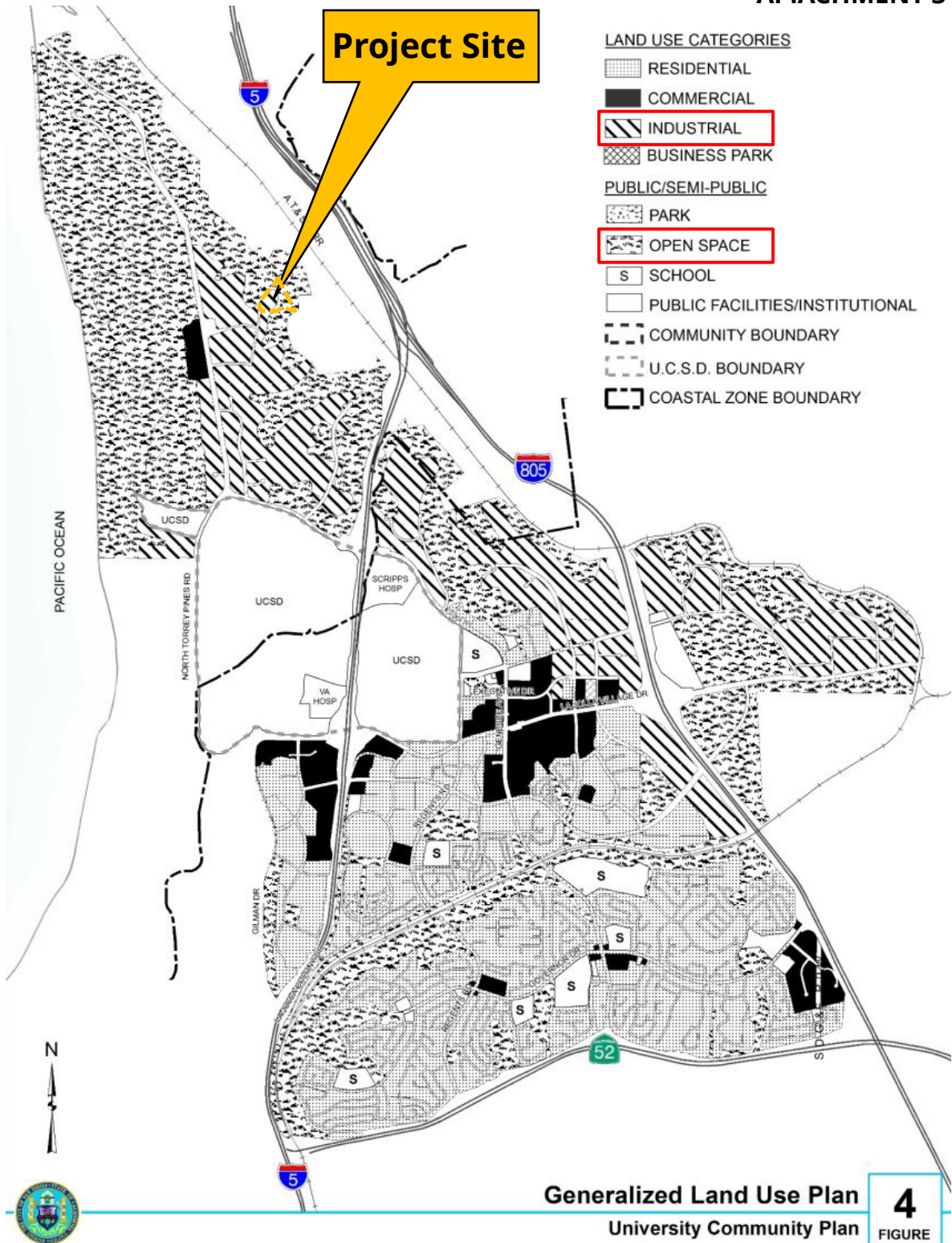
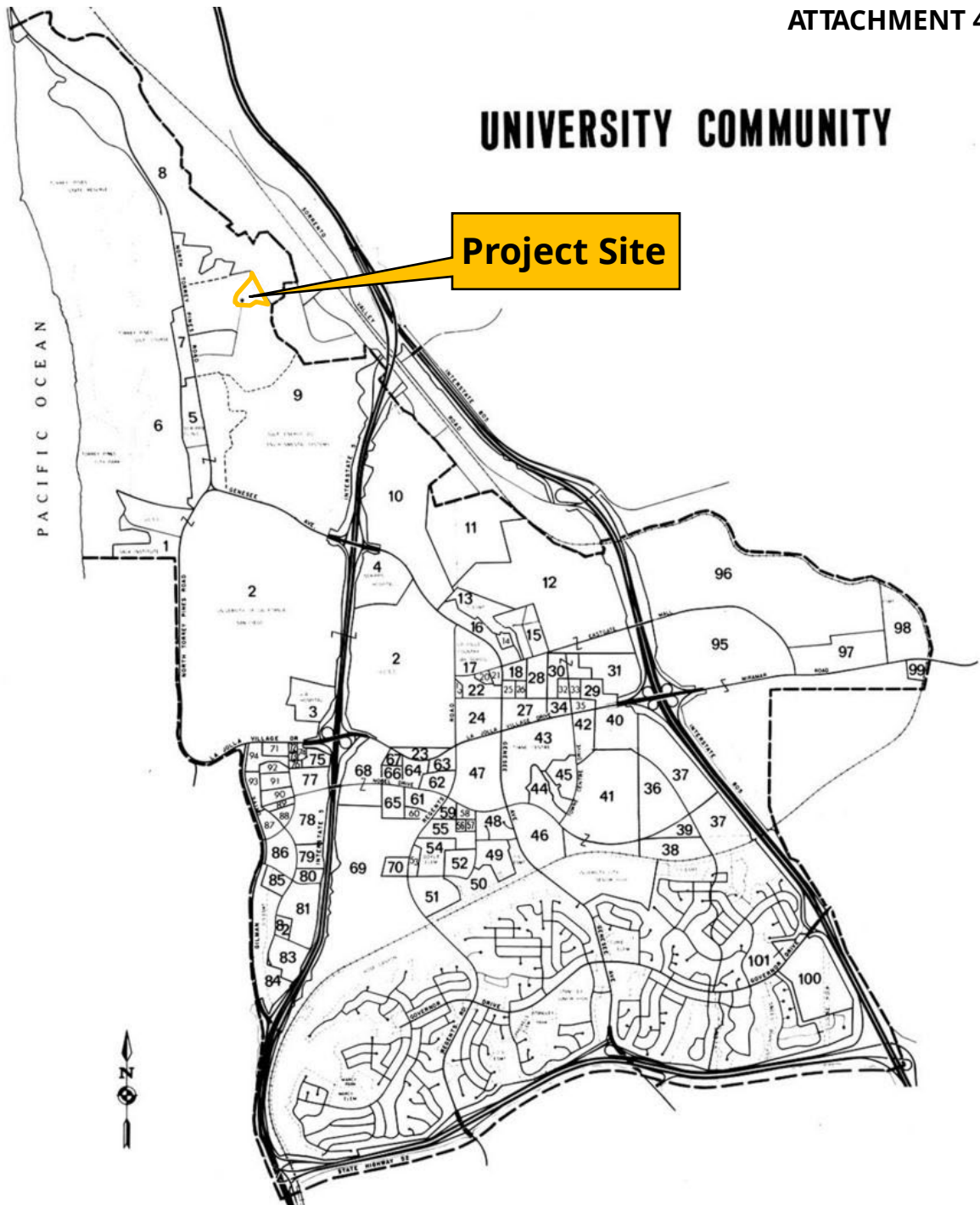




UNIVERSITY COMMUNITY



Land Use and Development Intensity Subarea Map
University Community Plan

26
FIGURE

UCP Fig. 26. Land Use Development Intensity Subarea

11085 Torreyana Road
PROJECT NO. PRJ-1056938

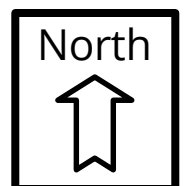
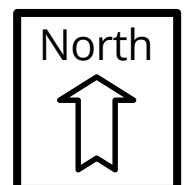


TABLE 2
LAND USE AND DEVELOPMENT INTENSITY

Any changes to this table for properties in the Coastal Zone shall require an amendment to the Local Coastal Program		
Subarea/Name	Gross Acres	Land Use and Development Intensity
1. Salk Institute	26.88	500,000 SF - Scientific Research
2. UCSD	915.00	UCSD Long Range Development Plan (110,000 ADT)
3. VA Hospital	29.95	725 Beds
4. Scripps Memorial Hospital Medical Offices	41.38	682 Beds 31,500 SF - Scientific Research 793,580 SF - Medical Office
5. Scripps Clinic	25.17	320 Beds 567,000 SF - Scientific Research 404,000 SF - Medical Office 52,000 SF - Aerobics Center
6. Torrey Pines Golf Course/ City Park/State Reserve	728.05 ⁽¹⁾	
7. Sheraton Hotel	11.38	400 Rooms - Hotel
Lodge at Torrey Pines	6.00 ⁽¹⁾	175 Rooms - Hotel
8. Torrey Pines State Reserve	233.92	
9. Chevron	303.60	20,000 SF/AC - Scientific Research ⁽²⁾
Scallop Nuclear (Gentry)	56.41	Existing or approved development,
Torrey Pines Science Park	145.74	Exceptions: Spin Physics - 550,000 SF
Signal/Hutton	25.79	Lot 10B (2.7 AC) - 15,500 SF/AC
Torrey Pines Business and Research Park	15.89	23,000 SF/AC ⁽²⁾ Scientific Research
La Jolla Cancer Research	4.87	
State Park	14.25	Open Space
10. Campus Point	158.78	Existing or approved development, Exceptions: Alexandria (10290-10300 Campus Point Drive and SAIC - 30,000 SF/AC ⁽³⁾ and Lot 7 (3.6 AC) -18,000 SF/AC - Scientific Research 25.00 Open Space
11. Private Ownership	55.93	18,000 SF/AC - Scientific Research ⁽⁴⁾
City Ownership	47.48	(Development intensity transferred from Subarea 37 for all of Subarea 11)
12. Eastgate Technology Park (PID) ^{(4a)(4b)}	218.50	2,472,025 SF - Scientific Research

- (1) A minimum of 187 public parking spaces is to be retained on public land for golf course uses; in addition, at the adjacent Lodge at Torrey Pines, there are 40 parking spaces reserved daily for golfers and 94 parking spaces reserved during tournaments.
- (2) Chevron, Scallop Nuclear, and La Jolla Cancer Research Foundation shall be required to mitigate their peak-hour trip generation rate to a level equal to or less than that which would be generated by a project of 18,000 SF/AC. Mitigation shall be achieved through a Transportation System Management (TSM) program to be approved by the City Council and the California Coastal Commission as a Local Coastal Program amendment. The proposed TSM program must specify the maximum development intensity of the project site and include supported findings. This Plan encourages the development of these parcels through a master plan.
- (3) SAIC shall be required to mitigate its peak-hour trip generation rate to a level equal to or less than that which would be generated by a project of 18,000 SF/AC. Alexandria shall be required to mitigate its peak-hour trip generation rate to a level equal to or less than that which would be generated by a project of 20,000 SF/AC. Mitigation shall be achieved through a Transportation System management (TSM) program to be approved by the City Council.
- (4) This Plan encourages the development of this subarea through a master plan
- (4a) ADT's from Irvine Company owned parcels 343-122-40-43, 45-52, & 60-64 Subarea 12 (PID) 90-0892) have been shifted to La Jolla Centre III Subarea 29 APN 345-012-10.
- (4b) 7,635 square feet is transferred from Eastgate Acres PID 96-7756 in Subarea 11 to Lot 6A in Subarea 12. 18,878 square feet is being transferred to Lot 6A from within PID 90-0892. In addition to transfers, the project on Lot 6A shall implement Transportation Demand Management (TDM) measures targeting a reduction in project trips during peak hours.



RESOLUTION NUMBER R-_____

ADOPTED ON _____

A RESOLUTION OF THE HEARING OFFICER OF THE CITY OF SAN DIEGO ADOPTING A SUBSEQUENT MITIGATED NEGATIVE DECLARATION NO. 1056938 /SCH. NO. 2019060003 TO PROGRAM ENVIRONMENTAL IMPACT REPORT SCH NO. 2019060003, AND ADOPTING THE MITIGATION MONITORING AND REPORTING PROGRAM FOR THE 11085 TORREYANA ROAD PROJECT (PRJ-1056938).

WHEREAS, the City of San Diego Planning Department analyzed the amendments to the San Diego Municipal Code and Land Development Manual to adopt two new ordinances and associated discretionary actions, collectively referred to as Complete Communities: Housing Solutions and Mobility Choices (Complete Communities); and

WHEREAS, on November 17, 2020, the Council of the City of San Diego adopted San Diego Resolution R-313279, certifying the Program Environmental Impact Report State Clearinghouse (SCH) No. 2019060003, and adopting the Findings and Statement of Overriding Considerations, copies of which are on file in the Office of the City Clerk in accordance with the California Environmental Quality Act of 1970 (CEQA) (Public Resources Code Section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.); and

WHEREAS, on April 6, 2022, HCP Torreyana, LLC submitted an application to the Development Services Department for approval of a Coastal Development Permit and Neighborhood Development Permit for the 11085 Torreyana Road Project (Project); and

WHEREAS, State CEQA Guidelines Section 15152 allows for a lead agency to prepare a tiered environmental document to a broader Environmental Impact Report and concentrating the later tiered environmental document solely on the issues specific to the later project; and

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

WHEREAS, the issue was heard by the Hearing Officer of the City of San Diego on July 22, 2026; and

WHEREAS, the Office of the City Attorney has drafted this resolution based on the information provided by City staff, including information provided by affected third parties and verified by City staff, with the understanding that this information is complete, true, and accurate; and

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

1. That the information contained in the final Program Environmental Impact Report SCH No. 2019060003 along with the Subsequent Mitigated Negative Declaration thereto, including any comments received during the public review process, has been reviewed and considered by the Hearing Officer of the City of San Diego prior to making a decision on the Project.
2. That there are no substantial changes proposed to the Project and no substantial changes with respect to the circumstances under which the Project is to be undertaken that would require major revisions in the final Program Environmental Impact Report SCH No. 2019060003 for the Project.
3. That no new information of substantial importance has become available showing that the Project would have any significant effects not discussed previously in the final Program Environmental Impact Report SCH No. 2019060003 or that any significant effects previously examined will be substantially more severe than shown in the final Program Environmental Impact Report SCH No. 2019060003.

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

5. That Subsequent Mitigated Negative Declaration has been prepared pursuant to State CEQA Guidelines Section 15168(d), and therefore, the Hearing Officer of the City of San Diego adopts Subsequent Mitigated Negative Declaration to the final Program Environmental Impact Report SCH No. 2019060003, a copy of which is on file in the office of the City Clerk.

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

BE IT FURTHER RESOLVED that the Development Project Manager 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: _____
Martin R. Mendez, Development Project Manager

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

EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM
COASTAL DEVELOPMENT PERMIT AND NEIGHBORHOOD DEVELOPMENT PERMIT
11085 TORREYANA ROAD - PROJECT NO. 1056938

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, 7650 Mission Valley Road, MS DSD-2A, San Diego, CA 92108. All mitigation measures contained in the Subsequent Mitigated Negative Declaration No. 1056938 SCH No. 2019060003 shall be made conditions of the Coastal Development Permit and Neighborhood Development Permit as may be further described below.

A. GENERAL REQUIREMENTS – PART I Plan Check Phase (prior to permit issuance)

1. Prior to the issuance of 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 (3) sheets of the construction documents in the format specified for engineering construction document templates as shown on the City website: <http://www.sandiego.gov/development-services/industry/information/standtemp>.
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 consultant:

Acoustician
Biologist

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, applicant is also required to call RE and MMC at 858-627-3360
2. MMRP COMPLIANCE: This Project, PRJ-1056938, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD's Environmental Designee (MMC) and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e., to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc.).

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

3. OTHER AGENCY REQUIREMENTS: Evidence of compliance with all other agency requirements or permits shall be submitted to the RE and MMC for review and acceptance prior to the beginning of work or within one week of the Permit Holder obtaining documentation of those permits or requirements. Evidence shall include copies of permits, letters of resolution, or other documentation issued by the responsible agency:
- National Pollutant Discharge Elimination System (NPDES) Municipal Storm Water Permit Compliance
 - NPDES General Construction Activity Permit for Storm Water Discharges Compliance
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 would be performed. When necessary for clarification, a detailed methodology of how the work would 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 Letters	Prior to Preconstruction Meeting
General	Consultant Construction Monitoring Exhibits	Prior to or at Preconstruction Meeting
Bond Release	Request for Bond Release Letter	Final MMRP Inspections Prior to Bond Release Letter
Transportation	Verification Letter of Vehicle Miles Traveled Reduction Measures Implementation	Inspection to Verify Vehicle Miles Traveled Reduction Measures Implementation Prior to Issuance of First Occupancy Permit(s)
Noise	Verification Letters	Prior to the issuance of any construction permit
Biology*	Consultant Qualification Letters	Prior to the first preconstruction meeting
Biology*	Biologist Limit of Work Verification	Limit of Work Inspection
Land Use*	Land Use Adjacency Issues	Prior to the issuance of any construction permit, including demolition permit and grading permit

* While no mitigation measures are included for these issue areas, the project includes conditions of approval with submittals/inspection checklist items for these issues.

C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS

Noise

NOI-1 Vibration-Sensitive Equipment

The project's construction equipment shall not generate vibration levels exceeding 65 vibration decibels (VdB) at off-site buildings that may contain vibration-sensitive equipment. One of the following options shall be implemented during construction to prevent impacts to vibration-sensitive equipment at surrounding land uses:

Prior to issuance of any construction permit (demolition permit, grading permit, building permit, etc.), the Permittee shall demonstrate via a written correspondence to the City Environmental Designee that the project meets one of the following qualifications:

- The structures within 232 feet of the proposed project site are vacant per written confirmation from the building Owner/Permittee, or no longer exist at the start of project construction.
- The applicant shall provide the City with written confirmation from the building Owner/Permittee of any buildings within 232 feet of the project that the building does not contain high-resolution lithographic equipment, optical microscopes, or electron microscopes with vibration isolation systems.
- The project applicant demonstrates to the satisfaction of the City Environmental Designee via calculations from a qualified acoustician that project-specific construction equipment to be used would produce less than 65 VdB at off-site buildings that may contain vibration-sensitive equipment. This shall include a letter from the contractor to the Environmental Designee, certifying the equipment to be used shall be the same model and used in the same manner (mode and daily hours of operation) as assumed by the acoustician in the testing data or calculations.

Transportation/Circulation

TRA-1 Transportation/Circulation (Vehicle Miles Traveled)

Prior to the issuance of first occupancy permits for any new on-site buildings, the Permittee shall provide and maintain the following Vehicle Miles Traveled (VMT) Reduction Measures totaling at least 8 points of VMT reduction measures in accordance with the Mobility Choices Regulations (San Diego Municipal Code [SDMC] Chapter 14, Article 3, Division 11), Appendix T Mobility Choices Regulations: Implementation Guidelines. Implementation of these measures would minimize VMT impacts to the extent feasible.

1. Provide an on-site bicycle repair station (1.5 points).
2. Provide short-term bicycle parking spaces available to the public, at least 10-percent beyond minimum requirements. The minimum required per the SDMC is 16 spaces, where 21 spaces will be provided (4.5 points).
3. Provide long-term bicycle parking spaces at least 10-percent beyond minimum requirements. The minimum required per the SDMC is 16 spaces, where 18 spaces will be provided (2 points).

HEARING OFFICER
RESOLUTION NO. _____
COASTAL DEVELOPMENT PERMIT NO. PMT-3152293
NEIGHBORHOOD DEVELOPMENT PERMIT NO. PMT-3152294
11085 TORREYANA - PROJECT NO. PRJ-1056938 [MMRP]

The Hearing Officer of the City of San Diego adopts this Resolution based on the following:

A. HCP TORREYANA, LLC, a Limited Liability Company, Owner/Permittee, submitted an application to the City of San Diego for Coastal Development Permit (CDP), and Neighborhood Development Permit (NDP) for the demolition of two existing research and development (R&D) buildings and associated site improvements for the construction of two, two-story buildings for scientific R&D use totaling up to 122,980 square feet, including underground parking garages for each building, surface parking, a shared mechanical yard and associated site improvements, with four possible development options (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. PMT-3152293 and PMT-3152294), the project proposal includes development in four possible phase options, for the 11085 Torreyana project.

B. The 6.15-acre site is located at 11085 and 11095 Torreyana Road in the IP-1-1 (Industrial Park) zone, the Coastal Overlay Zone (Appealable, First Public Roadway), the Coastal Height Limitation Overlay Zone, the Airport Land Use Compatibility Area Overlay Zone (ALUCOZ) for Marine Corps Air Station (MCAS) Miramar, the Airport Land Use Compatibility Plan (ALUCP) Airport Influence Area (AIA) for MCAS Miramar (Review Area 1), the ALUCP Airport Safety Zone for MCAS Miramar (Accident Potential Zone II [APZ-II]), the Parking Impact Overlay Zone, Complete Communities Mobility Choices Mobility Zone 2 area, a Transit Priority Area, Prime Industrial Lands, and the Community Plan Implementation Overlay Zone Type B (CPIOZ-B) within the University Community Plan (UCP) and Local Coastal Program (LCP). The project site is legally described as: LOT 8 OF TORREY PINES SCIENCE PARK

UNIT NO. 2, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 8434, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DECEMBER 10, 1976.

C. On July 22, 2026, the Hearing Officer of the City of San Diego considered Coastal Development Permit No. PMT-3152293 and Neighborhood Development Permit No. PMT-3152294 pursuant to the Land Development Code of the City of San Diego.

ACTION ITEMS

Be it resolved by the Hearing Officer of the City of San Diego:

I. The Hearing Officer adopts the following findings with respect to Coastal Development Permit No. PMT-3152293 and Neighborhood Development Permit No. PMT-3152294:

A. FINDINGS FOR ALL COASTAL DEVELOPMENT PERMITS [SDMC Section 126.0708].

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

The project proposes demolishing up to two existing research and development (R&D) two-story buildings totaling approximately 80,000 square feet (sf) and associated site improvements and constructing up to two two-story buildings for scientific R&D use, totaling up to an entitled floor area of 122,980 sf of gross floor area. The proposed project may be developed in accordance with four possible development options for scientific R&D use and associated site improvements shown on Exhibit "A" and in the table below:

	OPTION 1	OPTION 2	OPTION 3	OPTION 4
New Building area in square feet (sf) (122,980 sf Entitled)	111,000 (sf) gross floor area (GFA) within two (2) New Buildings	105,532 sf GFA (1) New Building	49,200 sf + Existing (E) 40,000 sf = 89,200 sf GFA Total	61,800 sf + (E) 40,000 sf = 101,800 sf GFA Total
New Building Height, per Coastal Height Limit Proposition D	30 feet max	Same as Option 1	Same as Option 1	Same as Option 1

ATTACHMENT 7

Impact Footprint Area (On Site)	141,400 sf	Same as Option 1	75,900 sf (all within footprint of Option 1)	67,200 sf (all within footprint of Option 1)
Deviations	N/A	N/A	N/A	N/A
MHPA Boundary Line Correction (BLC)	Required	Same as Option 1	Same as Option 1	Same as Option 1
Utilities / Infrastructure	Water/Sewer run between the new buildings and the (E) access road	Same as Option 1	Same as Option 1	Same as Option 1
Planting Area Provided	9,216 sf	7,812 sf	4,260 sf	4,820 sf
Retaining Walls Length in linear feet (lf)	1,050 lf	Same as Option 1	528 lf	539 lf
Retaining Walls Max Height	14.7 feet (Interior Facing)	Same as Option 1	Same as Option 1	6.7 feet
New Surface Parking	73 spaces	70 spaces	41 spaces	34 spaces
Distance of New Building from South Property Line	39 feet	111 feet	253 feet	Same as Option 1
Distance from generator to MHPA	115 feet	Same as Option 1	Same as Option 1	217 feet
Work in Open Space Easement	Allowable uses including: Approximately 13,570 sf of grading, 9,445 sf of landscaping/brush management, and 1,729 sf of paving.	Same as Option 1	Allowable uses including: Approximately 7,388 sf of grading, 4,940 sf of landscaping/brush management, and 1,729 sf of paving.	Allowable uses including: Approximately 4,958 sf of grading, 5,982 sf of landscaping/brush management, and 0 sf paving

The maximum allowed building gross floor area (GFA) would be 122,980 sf and would be the greatest intensity of development. As presented in the table above, Development Option 1 would include the demolition of the two existing buildings for the construction of two, two-story scientific research buildings totaling up to 111,000 sf of gross floor area (GFA) with 107,550 sf of subterranean parking. The buildings would have a maximum height of 30 feet and would not exceed the coastal zone's 30-foot height limit outlined in Section 132.0505 of the SDMC. Approximately 3.43 acres of hardscape and 2.72 acres of landscaping or undeveloped open space would also be provided. The project would maintain and reconstruct the existing access driveway to current City standards.

Development Option 2 proposes to demolish both existing buildings and construct one new building on the site. Development Options 3 and 4 propose to demolish one of the existing buildings and construct a new, second building on the site. A comparison of the four development options is provided in Table 1 above. As shown in Table 1, Options 2 through 4 involve less square footage, have an equal or smaller impact footprint, and are equidistant or farther from nearby structures than Option 1.

The surface parking under development Option 1 would provide 73 parking spaces and the subterranean parking garages would provide 219 parking spaces. Of the total 292 parking spaces, 31 stalls would be electric vehicle (EV) charging and 31 stalls would be clean air/carpool. The project under Option 1 would also provide 6 motorcycle parking spaces and 39 bicycle parking spaces (21 short-term and 18 long-term). The alternative development options would be required to provide parking spaces, EV parking stalls and clean air/carpool parking, motorcycle and bicycle spaces in accordance with the regulations of the SDMC and applicable building codes.

The proposed buildings would be conditioned to incorporate the Mandatory and Voluntary Tier 1 and Tier 2 Measures of the Title 24, Part 11 California Green Building Standards Code (CGBSC) in effect at the time the building permit application is deemed complete in accordance with the requirements of the Expedite Program for Sustainable Buildings.

The 6.15-acre project site is located at 11085 and 11095 Torreyana Road, east of Torrey Pines Road, approximately one mile directly inland from the Pacific Ocean. The site is zoned IP-1-1 (Industrial Park), designated as Industrial (Scientific Research) and Open Space in the University Community Plan (UCP) and located within the Torrey Pines Subarea 1 as shown in the UCP Major Subareas Map (Figure 6, Page 35). Additionally, the project site is within the Airport Land Use Compatibility Area Overlay Zone (ALUCOZ) for Marine Corps Air Station (MCAS) Miramar, the Airport Land Use Compatibility Plan (ALUCP) Airport Influence Area (AIA) for MCAS Miramar (Review Area 1), the ALUCP Airport Safety Zone for MCAS Miramar (Accident Potential Zone II [APZ-II]), the Coastal Overlay Zone (Appealable, First Public Roadway), the Coastal Height Limitation Overlay Zone (CHLOZ), the Parking Impact Overlay Zone (Coastal Impact), the Complete Communities Mobility Choices Mobility Zone 2 area, a Transit Priority Area, and the Community Plan Implementation Overlay Zone Type B (CPIOZ-B) within the UCP planning area. The General Plan designates the site as Prime Industrial Land and Park, Open Space and Recreation.

The proposed development would be completely within the portion of the site that is designated as Prime Industrial Land. The portion of the site that is designated as Park, Open Space and Recreation in the General Plan and as Open Space in the UCP will not include development. The project would be conditioned to record a Covenant of Easement for the preservation of open space areas located outside of the allowable development area and include portions of the previously recorded open space easement.

The project is not located between the nearest public road (Torrey Pines Road) and the sea or shoreline although the site is mapped within the Coastal First Public Roadway overlay zone, the zone is mapped from Sorrento Valley Road (located approximately a half mile east of the project site) towards the shoreline of the Pacific Ocean. The proposed development will be contained within private property and there is no existing physical access used by the public or any public access identified in the Local Coastal Program on or through the site. As such, the project will not encroach upon any existing or proposed physical accessway legally utilized by the public.

Access to the sea from the project site would be unsafe and inadequate to meet the needs of the public. The nearest existing public access point to the sea is northwest of the project site located within the Torrey Pines State Natural Reserve. Public access to the water, public recreation facilities, or public parking facilities would not be adversely affected by the approval of this project.

The UCP does not explicitly list scenic vistas within the planning area but does recognize natural resources as visual resources. As such, the existing open space to the east of the project site can be considered scenic resources. The UCP does not designate the section of Torreyana Road fronting the project site as a part of any view corridor and Torreyana Road does not contain intermittent or partial vista, viewshed or scenic overlook with views toward the Pacific Ocean.

The project site is currently occupied by R&D land uses and does not include public viewing areas. The southeastern portion of the project site contains an open space easement. However, the easement does not currently provide public access or provide public views. Implementation of the project would replace the existing buildings with R&D and supporting amenities, which would be of similar scale to the existing uses. The project would not block views or remove scenic vistas at the site because none are currently available. Proposed development would be limited to the existing developed footprint and would not encroach into the open space that provides scenic value.

The project will enhance views towards the adjacent open space areas by proposing a breezeway between the two proposed structures with a central plaza area under development Options 1, 3 and 4, thus allowing public views northwest and southeast from the plaza area. Development Option 1 would not have a central breezeway between the buildings as this development option includes the development of a single structure but would still provide a plaza area on the eastern side of the building thus allowing public views in the southeasterly direction towards the open space area. Furthermore, the project will protect public views of open space areas by complying with required setbacks, including a

25-foot front setback with a 20-foot minimum, and the project proposes front setbacks ranging from 20 to 25 feet. The project would also conform to the side and rear setback requirements by proposing a 15-foot side setback and a 25-foot rear setback. Additionally, the height of the proposed buildings would conform to the 30-foot coastal height limit. Therefore, the proposed coastal development will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan.

II. The proposed coastal development will not adversely affect environmentally sensitive lands.

The project is described in CDP Finding A.I above, incorporated herein by reference. A Biological Resources Letter prepared by Athena Consulting dated September 2025, which thoroughly outlined the existing site conditions and analyzed impacts to biological resources from the proposed project. The proposed development will occur within previously developed/disturbed portions of the site. In addition, a Brush Management Plan would be implemented with the project. The proposed project would result in direct impacts to 4.16-acres of developed land which includes Tier IV disturbed lands as classified in the City's Biology Guidelines (City 2018). Pursuant to the City's Significance Determination Thresholds (City 2022a), impacts to Tier IV lands are not considered significant and do not require mitigation.

An approximately 0.20-acre area of the City's Multiple Species Conservation Program (MSCP) Multiple Habitat Planning Area (MHPA) overlaps the easterly property line of the project site. The area where the MHPA overlaps the project site includes an approximately 0.13-acre portion that was previously developed before the adoption of the Multiple Species Conservation Program (MSCP) Subarea Plan, and it does not contain sensitive habitat. A portion of the overlapping 0.13-acre area includes a portion of an existing 25-foot-wide landscape maintenance area within an existing 2.8-acre open space easement. The existing 2.8-acre open space easement area includes an allowed 25-foot-wide (approximately 0.4-acre) landscape maintenance area located at the northwestern boundary of the existing easement area. The 2.8-acre open space easement area was originally recorded to preserve the project site's southeastern steep hillside.

A Boundary Line Correction (BLC) is proposed as part of the project to remove the 0.13-acre previously developed land from the MHPA. The remaining 0.07-acre portion of MHPA located on-site (southeastern portion), containing southern maritime chaparral, shall be protected by a proposed covenant of easement (COE) for an area of 104,800 sf (approximately 2.4-acres), which would protect the remaining undeveloped Environmentally Sensitive Lands (ESL) on the site in accordance with the City of San Diego ESL regulations.

Select site work would be added in the allowed 25-foot landscape maintenance area. The proposed buildings are shifted toward the northwestern portion of the site, away from the

existing buildings, to increase the setback from the open space. The western property line is adjacent to a natural canyon, which is not within the MHPA.

Construction of the project would occur immediately adjacent to sensitive upland habitat. The project would be required to implement the MSCP Land Use Adjacency Guidelines (LUGs) as a condition of project approval to ensure avoidance of sensitive habitats located immediately adjacent to construction work areas. No naturally occurring special-status plant species were documented within the impact footprint. Therefore, no significant impact to any special-status plant species would occur.

The project site contains Torrey pines, consisting of 29 cultivated trees planted as part of the mitigation efforts for the previous development. While these do not represent a naturally occurring population, they must be replaced since they were planted as mitigation with the previous development. The proposed project would include removing up to 50 trees, including 19 Torrey Pines and replacing them with 56 trees, including 19 Torrey Pines. By protecting 23 mature trees, including 10 mature Torrey Pines, the project would be consistent with the recommendations for the Torrey Pines Subarea of the UCP, which call for preserving existing mature trees.

As stated above, the project would take place within the previously developed footprint of the project site, where no sensitive animal species have been detected, and would not impact the native habitat to the east or nearby offsite habitat. Therefore, the project would not directly impact sensitive species. As previously stated, the project is adjacent to MHPA and would be required to comply with the standard MHPA LUGs, which include measures to avoid potential indirect impacts to sensitive animal species within the MHPA. By implementing the MHPA LUGs, impacts to sensitive species would be less than significant.

No waterways, wetlands, or riparian habitat potentially subject to U.S. Army Corps of Engineers, Regional Water Quality Control Board, and/or California Department of Fish and Wildlife jurisdiction were observed on-site; therefore, no impact would occur to jurisdictional wetlands and waterways. Runoff resulting from the development of the site shall be directed away from any steep hillside areas and either into an existing or newly improved public storm drain system or onto a street developed with a gutter system or public right of way designated to carry surface drainage runoff. Impacts would be less than significant. The project would include new storm water Best Management Practices (BMPs) in accordance with current City standards and regulations. Therefore, the proposed coastal development will not adversely affect environmentally sensitive lands.

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

The project is described in CDP Finding A.I. above, incorporated herein by reference. The project site is located within the University Community Plan (UCP) planning area and is designated for Industrial and Open Space in the Generalized Land Use Map (UCP Figure 4, Page 20) and designated for Scientific Research and Resource Based Park in the Torrey Pines

Subarea 1 Map (UCP Figure 13, Page 97). Scientific Research allows development that accommodates laboratories, research and development, and other technological facilities, as well as some office and commercial facilities to serve these industries. Furthermore, the project site is located within an area of the University Community identified as Torrey Pines Subarea 9, Torrey Pines Science Park (UCP Figure 26, Page 165) which in accordance with Table 2 (Land Use and Development Intensity) of the Development Intensity Element (UCP Page 166) the allowed development intensity is 20,000 sf per acre (sf/AC) for Scientific Research land use. The proposed development totaling 122,980 sf (6.15-acres x 20,000 sf/AC = 122,980 sf) would be in conformance with the allowed development intensity for the project site. The IP-1-1 zoning for the project site allows research and development uses, with limited manufacturing.

The project site is also located within an area designated as the Community Plan Implementation Overlay Zone Permit Type B (CPIOZ-B) as shown in UCP Figure 27 (Page 177). Sites identified for application of CPIOZ-B are those where the development regulations of the existing zone are not adequate to ensure that new development is consistent with the goals, objectives and proposals of the community plan or compatible with surrounding development. Therefore, a discretionary permit is required for sites located within the CPIOZ-B overlay zone to ensure that development is consistent with the Design Guidelines contained in the Urban Design Element of the UCP. Requirements of the Urban Design Element include MCAS Miramar restrictions, adequate pedestrian circulation, and provisions of compatibility with established surrounding development for architecture, grading, lot coverage, height, bulk and orientation of buildings, etc..

The project is approximately five miles northwest of MCAS Miramar Airport. According to the ALUCP for MCAS Miramar, the project site is located within an Air Installations Compatible Use Zone (AICUZ) Safety Zone, specifically the Accident Potential Zone II (APZ II) (San Diego County Regional Airport Authority 2011). Project implementation would not conflict with the APZ II designation. In accordance with the MCAS Miramar ALUCP (Table MIR-2, Chapter 3, Page 3-23) and SDMC Section 132.1515, Table 132-15G, R&D uses are conditionally compatible in the APZ II provided that the uses comply with a floor area ratio (FAR) of 0.34 or less and do not exceed 50 people per acre. The project would have a FAR of 0.46; however, per Policy 3.4.6(c)(3) of the MCAS Miramar ALUCP, FAR limitations may be exceeded provided that the project meets the applicable maximum intensity limits (people per acre), provides a deed restriction regarding the maximum intensity limits for the project, and meets the applicable local agency parking requirements consistent with the maximum intensity limits for the project.

In accordance with SDMC Section 132.1515(d) an applicant may request approval of a Neighborhood Development Permit for a non-residential development where an alternative method of calculation is requested to demonstrate compliance with the maximum intensity (people per acre). In accordance with SDMC Section 132.1515(d)(1), the alternative method of calculation shall be to the satisfaction of the City Manager and may include, for example, an estimate based on the proposed number of parking spaces associated with the development or an estimate based on a survey of similar uses. The applicant proposes an

alternate method of calculation based on the provided parking spaces for the project site, limiting on-site occupants to no more than 50 people per acre.

The maximum number of people for the proposed project site would be restricted to 307 people, calculated using 50 people per acre for the 6.15-acre site (6.15-acre site x 50 people/acre = 307 people allowed on-site) in conformance with the APZ II designation. In accordance with Appendix D of the MCAS Miramar ALUCP, the maximum allowed occupancy for the project site is 307 people, and the maximum gross floor area allowed is 122,980 sf in accordance with the allowed development intensity of the UCP (Table 2, page 166). Based on the allowed occupancy and allowed gross floor area the project would result in occupant load factor of approximately 400 square feet per occupant ($122,980/307 = 400.5$ square feet per occupant), which is within the range of 300 to 500 square feet per occupant described in Appendix D for Research and Development, Light Industry uses (MCAS Miramar ALUCP, Appendix D, Page D-2).

The project would provide parking in accordance with a vehicle occupancy ratio of 1.05, resulting in 292 parking spaces (307 maximum occupants / 1.05 vehicle occupancy ratio = 292 parking spaces) in accordance with the Appendix D of the MCAS Miramar ALUCP, Methods for Determining Concentrations of People (MCAS Miramar ALUCP, Appendix D, Page D-3). SDMC Section 142.0530, Table 142-05G establishes minimum and maximum allowed parking ratios for R&D uses. The minimum allowed parking ratio is 2.1 spaces per 1,000 sf of floor area for sites within a Transit Priority Area and the maximum allowed parking ratio is 4.0 spaces per 1,000 sf of floor area for the proposed project. As previously described, the project would include up to 122,980 sf of gross floor area and would provide 292 parking spaces, resulting in a parking ratio of 2.4 (292 parking spaces / $[122,980 \text{ sf} / 1,000 \text{ sf}] = 2.37$). The proposed parking ratio is within the allowed range found in Appendix D of the MCAS Miramar ALUCP (Page D-3), which identifies a range of parking space ratio for Research and Development Uses from 2.5 to 4.0 parking spaces per 1,000 square feet of floor area. The project would conform with the applicable parking requirements consistent with the maximum intensity limits for the project. Therefore, the project would conform with the UCP goal of promoting public safety by taking into account aircraft accident potential in the placement of structures and activities and conforming with the ALUCP for MCAS Miramar.

The UCP serves as the Local Coastal Program for the University Community. The Implementation chapter of the UCP contains policies to protect and enhance coastal resources, addresses public access and recreation, and provides view preservation within the Coastal Zone. The proposed project is for Scientific R&D use, consistent with the UCP's planned policy for Industrial and Scientific Research Use, which preserves Prime Industrial Land for scientific research and development, industrial operations, and other employment uses.

In accordance with the IP-1-1 (Industrial Park) zone requirements, the project would comply with setback requirements by conforming to the required setbacks where the front setback requires 25 feet with a 20-foot minimum setback and the project proposes front setbacks that range from 20 feet to 25 feet. The project would also conform to the side and rear

setback requirements by proposing a 15-foot side setback and a 25-foot rear setback. The project is located within the Coastal Height Limit Overlay Zone and has a height limit of 30 feet where the proposed building has a height of 30 feet measured in accordance with Technical Bulletin BLDG-5-4.

As previously described the project is located in the Airport Safety Zone – Accident Potential Zone II (APZ II) of MCAS Miramar. The proposed project would conform with the development intensity requirements for APZ II through alternative compliance as specified in SDMC Section 132.1515(d). The project would be conditioned to restrict the site to 307 people and 292 parking spaces.

The proposed FAR is below the maximum 2.0 FAR allowed by the underlying zoning regulations for the IP-1-1 zone but exceeds the maximum floor area ratio of 0.34 allowed by the MCAS Miramar ALUCP APZ-II designation. By utilizing an alternative calculation method for maximum allowed intensity, the proposed FAR of 0.46 (122,980 sf/267,850 sf) described in detail above is allowed.

In accordance with the CPIOZ-B designation the project as described above would be in conformance with the allowed development intensity allowed for the UCP Torrey Pines Subarea 9, Torrey Pines Science Park area. The proposed project is consistent with the Scientific/Research designation which allows for R&D uses with some limited manufacturing and the project as proposed supports the design requirements, goals, and policies of the UCP, including:

1. Create a physical, social, and economic environment complementary to UCSD and its environs and the entire San Diego metropolitan area (UCP Page 16).

The project will develop new buildings that complement the existing development pattern of the general area, include new landscaping consistent with the surrounding Torrey Pines Area context, and include enhanced pedestrian and vehicular connectivity in conformance with the goals of the UCP. Enhanced pedestrian connectivity includes internal on-site circulation that takes advantage of the site's topography and proposes views of the adjacent open space areas and canyons by providing a central plaza and breezeway with shaded seating areas that harness the value of the views from the project site towards the adjacent Torrey Pines environs. Additionally, by proposing R&D use for the project site the project would be consistent with the community plan Industrial Element goal of emphasizing the citywide importance of and encouraging the location of scientific research uses in the North University area because of its proximity to UCSD.

2. Promote job opportunities within the University community (UCP Page 17).

The project facilitates the construction of up to 122,980 square feet (sf) of gross floor area (GFA) for R&D uses and supporting amenity uses consisting of retail and food and beverage uses, which will contribute to the goal of generating job opportunities within the University community at a variety of income levels to range from professional life sciences job opportunities to supporting service job opportunities.

3. Minimize the impact of aircraft noise and the consequences of potential aircraft accidents (UCP Page 19).

The project is not located within the noise contours of any airport; however, as previously described the project is located in the Airport Safety Zone – Accident Potential Zone II (APZ II) of MCAS Miramar. The proposed project would conform with the development intensity requirements for APZ II through alternative compliance as specified in SDMC Section 132.1515(d). The project would be conditioned to restrict the site to 307 people and 292 parking spaces. Therefore, the project would be in conformance to the alternate method of calculation and would be consistent with the goal of minimizing the consequences of potential aircraft accidents.

4. Ensure that San Diego's climate and the community's unique topography and vegetation influence the planning and design of new projects (UCP Page 44).

As described in CDP Finding A.II, incorporated herein, the City's Mapped MHPA is located adjacent to the project site. A 0.20-acre area of the MHPA overlaps the northeastern edge of the project site. Of this overlap, a 0.13-acre portion currently contains previously developed areas. Activities occurring within the MHPA must conform to these guidelines and, wherever feasible, should be located in the least sensitive areas. The project was designed to avoid and limit impacts to environmentally sensitive lands, including the MHPA, and sensitive biological resources. The original MHPA boundary for this site was established as part of the regional MSCP mapping efforts, which became effective in March 1997. As previously described, an MHPA BLC is proposed as part of the project to remove the 0.13-acre previously developed land from the MHPA. The remaining 0.07-acre portion of MHPA located on-site (southeastern portion), containing southern maritime chaparral, shall be protected by a proposed covenant of easement (COE) made a part of the permit conditions, which would protect the remaining undeveloped Environmentally Sensitive Lands (ESL) on the site in accordance with the City of San Diego ESL regulations.

The MHPA BLC will address the minor mapping inaccuracies related to pre-MHPA development on-site prior to the adoption, mapping and implementation of the MSCP and MHPA. The project would not expand the current footprint of the previously disturbed area of the project site, and the proposed BLC area is located immediately adjacent to an open and contiguous MHPA habitat more suitable for wildlife movement. As previously described, the project site would be subject to Land Use Adjacency Guidelines (LUAGs) designed to minimize indirect impact from drainage, toxins, lighting, noise, barriers, invasive species, brush management, and grading to sensitive resources contained in the MHPA.

The portion of the project site to be redeveloped will include re-grading the site in a manner that continues to respect the local topography and includes the use of subterranean parking levels to minimize the overall bulk and scale of the proposed development. Additionally, the proposed project would include new storm water Best

Management Practices (BMPs) in accordance with current City standards and regulations. As previously described, the project footprint is within previously developed areas, and the proposed structures are within the upper northwestern portion of the site which will not include any further encroachment into existing on-site ESL. The project will arrange the proposed buildings on-site to take advantage of the vistas toward the existing open space areas located in the northerly and easterly direction. The project will also highlight the local climate by including prominent outdoor amenity areas to include a central plaza and breezeway between the proposed structures with a landscape palette that is complimentary to the surrounding Torrey Pines Area context.

The project will preserve approximately one-third of the existing mature trees onsite and new landscaping will use vegetation consistent with the surrounding Torrey Pines Area context, including Torrey Pines, Coast Live Oaks, California Sycamores, Brisbane Box as well as other low water use regionally adapted species, non-invasive species, that will thrive in the coastal environment common to local Coastal Sage Scrub and Chapparal communities.

5. Protect and take maximum advantage of the Torrey Pines Subarea's topography and unique natural vegetation (Page 99).

The project protects and takes maximum advantage of the Torrey Pines Subarea's topography and unique natural vegetation as set out in item 4 above, incorporated herein by reference. The project will also preserve natural vegetation through the continued preservation of an existing open space easement granted with Torrey Pines Science Park Unit 2, Map No. 8434. Additionally, the project will use the unique topography of the site by incorporating building designs and site access that follow and take advantage of the existing contours of the site.

6. Preserve existing mature trees (Page 100).

As previously described, the project under Option 1, which is the most impactful option, would include the removal of 50 trees including 19 Torrey Pines which will be replaced with 56 trees including the replacement of 19 Torrey Pines. By protecting 23 mature trees including protecting 10 mature Torrey Pines in place the project would be consistent with the recommendations for the Torrey Pines Subarea of the UCP. Regardless of the development option selected, the project would include replacement of any Torrey Pines existing on the site that were previously planted as a part of the original development of the project site.

As described above, the project would conform to the applicable parking regulations of the land development code and would conform to the Safety Zone Regulations of the MCAS Miramar ALUCP for the APZ-II overlay. The project proposes a building design and site design that is consistent with adjacent development. The proposed building is designed in a modern architectural style consisting of a linear building façade with clean lines and symmetrical spacing for the large spans of curtain wall glazing with complimentary metal finishes and a flat roof design with large overhangs accentuating the linear building design.

The large spans of glazing would maximize views from the interior spaces out to the adjacent open spaces. Additionally, the proposed landscape design includes outdoor seating areas and a low water use plant palette that is consistent with the surrounding Torrey Pines Area context and will complement the building design by softening the ground level of the building and creating visual interest at the building entrances while providing shading for parking areas in accordance with the applicable regulations of the land development code.

The project would support the Public Realm policy of accentuating key focal points, entrances, gateways, and corners of a development with enhanced paving, art, signs, lighting, specimen trees and accent native drought resistant plant materials by proposing a landscape design that utilizes a native drought tolerant plant palette that would preserve and replace Torrey Pines within the project site. The project further supports the Public Realm policies by proposing a building design that includes focal building entrances and utilizes the space between the two proposed buildings for a plaza with outdoor amenity areas and a landscape design which as described above would be complimentary to the Torrey Pines area context. Furthermore, by proposing underground parking the project would support the policy of distributing parking areas throughout a development site to avoid large contiguous parking and discouraging additional surface area parking. Lastly, the project would support Mobility policies by providing bicycle facilities including a bicycle repair station, short-term and long-term bicycle parking spaces and the provision of electrical charging stations for e-bikes.

The project would also support the preservation of natural resources by proposing development within a previously developed footprint and through the continued preservation of ESL, specifically coastal resources, through the recordation of a COE. Therefore, the proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

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

The project is described in CDP Finding A.I. above, incorporated herein by reference. This project site is located on the east side of Torrey Pines Road, approximately one mile directly inland from the Pacific Ocean. The project is not located between the nearest public road (Torrey Pines Road) and the sea or shoreline. As previously described, the project is located within the Coastal First Public Roadway overlay zone and there is no existing physical access used by the public or any public access identified in the Local Coastal Program on or through the site. Access to the sea or the shoreline of any body of water from the project site would be unsafe and inadequate to meet the needs of the public. The nearest existing public access point to the sea or the shoreline of any body of water is located northwest of the project site within the Torrey Pines State Natural Reserve and State Beach. Public access to the water, public recreation facilities, or public parking facilities would not be adversely affected by the approval of this project.

The project would be for the redevelopment of an existing developed site which would not interfere with public access and would protect coastal resources of environmentally sensitive lands as described in the Coastal Findings above, incorporated herein by reference. Additionally, as previously described, the proposed project would protect coastal resources by integrating new storm water BMPs in accordance with current City standards and regulations to control erosion and improve water quality by adequately controlling flow and providing filtration of storm water. Therefore, the project will not affect public access and public recreation policies of Chapter 3 of the Coastal Act.

B. FINDINGS FOR ALL NEIGHBORHOOD DEVELOPMENT PERMITS [SDMC Section 126.0404],

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

The project is described in the CDP Findings A.I. above, incorporated herein by reference. Currently, the 6.15-acre site contains two existing two-story buildings totaling 81,419 sf which in accordance with four proposed development options would either include the complete demolition of the two existing buildings and associated site improvements or selectively demolish existing buildings and site improvements and redevelopment which would include either two new two-story buildings totaling up to 122,980 sf for R&D uses and associated site improvements or various development options which may include a combination of a new two-story building with an existing two-story building to remain and associated site improvements as shown in the permit "Exhibit A".

As previously described, the UCP Torrey Pines Subarea 1 Map (Figure 13, Page 97), designates the site as Scientific Research and Open Space. As described in CDP Finding A.III. above, incorporated herein by reference, the project is consistent with the Scientific Research designation and supports the design requirements, goals, and policies of the UCP. The proposed development intensity of 20,000 square feet per acre (sf/AC) conforms with the development intensity established for Scientific Research uses in the Torrey Pines Subarea 1 (UCP, Table 3, Subarea 9, page 166).

The project site is identified in the General Plan's Economic Prosperity Element as Prime Industrial Land. Prime Industrial Lands are areas that support export-oriented base sector activities such as warehouse distribution, heavy or light manufacturing, and R&D uses. These areas are part of even larger areas that provide a significant benefit to the regional economy and meet General Plan goals and objectives to encourage a strong economic base. Development of up to 122,980 sf of R&D use would help provide quality job opportunities. Retention and growth of scientific research use in this area would also provide greater opportunities for collaboration with other scientific research uses in the immediate vicinity, in the Torrey Pines Mesa area of the community as well as the University of California San Diego (UCSD). Therefore, the proposed development would not adversely affect the applicable land use plan.

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

The project is described in CDP Finding A.I. above incorporated herein by reference. As previously described, the project may be developed in accordance with four proposed development options which would either include the complete demolition of the two existing two-story buildings totaling 81,419 sf and associated site improvements or selectively demolish existing buildings and site improvements for the redevelopment of the site which would include either two new two-story buildings totaling up to 122,980 sf for R&D uses and associated site improvements or various development options described in CDP Finding A.I. above and as shown in the "Exhibit A".

The proposed buildings would be designed to incorporate the Mandatory and Voluntary Tier 1 and Tier 2 Measures of the Title 24, Part 11 California Green Building Standards Code (CGBSC) in effect at the time the building permit application is deemed complete in accordance with the requirements of the Expedite Program and the development regulations of SDMC Section 143.0915(c) for Affordable Housing, In-Fill Projects and Sustainable Buildings. The following are several areas associated with public health, safety and welfare that were reviewed by staff as they relate to the proposed project:

Airport Safety:

The Project is located within the Airport Influence Area and Accident Protection Zone II (APZ-II) of the Airport Land Use Compatibility Plan (ALUCP) for Marine Corps Air Station (MCAS) Miramar. The MCAS Miramar ALUCP and SDMC Section 132.1515, Table 132-15G limits the site to 50 people per acre for R&D uses located within APZ-II. As discussed above in CDP Finding A.III., incorporated herein by reference, the proposed project conforms with the development intensity requirements for APZ II through alternative method of calculation as specified in SDMC Section 132.1515(d). The project would be conditioned to limit occupancy for the proposed R&D campus to 307 occupants. Additionally, the proposed development is located outside 60dB Community Noise Equivalent Level (CNEL) noise contour of the MCAS Miramar Air Installations Compatible Use Zone (AICUZ) noise criteria overlay zone. Therefore, the project would not conflict with an ALUCP or result in a safety hazard for people residing or working at the project site.

Site Geology:

A Geotechnical Investigation Report was prepared by Geocon Incorporated (Geocon) for the proposed project dated April 2022. The Geotechnical Investigation Report identified that the project site is not located within State of California Earthquake Fault Zone and is not underlain by active, potentially active, or inactive faults. While there are no known active faults that cross the project site, there are several active faults that run throughout San Diego County. The Newport-Inglewood-Rose Canyon fault zone is located approximately 2.8 miles west of the project site. The project site is within a seismically active area and, therefore, can be subject to strong seismic ground motion. According to the Geotechnical Investigation Report, the project site lacks permanent, near-surface groundwater and the underlying Scripps Formation

and Ardath Shale are very dense. Therefore, the potential for liquefaction to occur at the site is considered very low.

The Geotechnical Investigation Report did not observe evidence of previous or recent slope instability at the project site or on the descending slopes adjacent to the project site. Implementation of the project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, including liquefaction, or landslides. The project would be required to comply with seismic requirements of the California Building Code (CBC), utilize proper engineering design and standard construction practices, to be verified at the building permit stage, in order to ensure that would reduce impacts to people or structures.

Soil exposed by construction activities, such as grading, could be subject to erosion if exposed to heavy rain, winds, or other storm events. Construction of the proposed project would involve a variety of heavy equipment associated with proposed earthwork, building construction, and paving phases. The project would be required to comply with the City's Storm Water Standards (City 2024c), which require the implementation of appropriate best management practices (BMPs). Grading activities would be required to comply with the City of San Diego Grading Regulations in Chapter 14, Article 2, Division 1 of the SDMC (City 2021a) as well as the Storm Water Standards of the project specific Stormwater Quality Management Plan (SWQMP), which would ensure soil erosion and topsoil loss is minimized to less than significant levels. The project proposes four Modular Wetlands Systems that would capture, treat, and release project runoff at a slower rate than existing conditions; this would help minimize surface flows and soil erosion on the site in conformance with local and state requirements. Therefore, the project would not result in substantial soils erosion or loss of topsoil.

Hazardous Materials:

The project, as a R&D campus, includes laboratory uses that could involve the use of acutely hazardous materials. However, chemicals would be located in separate containers and incompatible chemicals would be separated as specified by the International Fire Code. Materials that could involve the emission of vapors would be performed under fume hoods that would function to capture emissions at the source, dilute the emissions in the hood, and then expel the emissions where they can disperse in the atmosphere. Waste streams, if determined to be hazardous, would be organized to be disposed of as a hazardous material at a state-permitted treatment or disposal facility. The delivery and disposal of chemicals to and from the project site would occur in full accordance with all applicable federal, state, and local regulations. Therefore, the project would not create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials. Additionally, in accordance with the regulations for the APZ-II overlay zone

the project would be conditioned to prevent the processing, manufacturing, or storage of bulk quantities of hazardous materials greater than 10,000 gallons.

Construction activities associated with the project would require transportation and use of limited quantities of fuel, oil, sealants, and other hazardous materials related to construction. The use of hazardous materials and substances during construction would be subject to federal, state, and local health and safety requirements for handling, storage, and disposal. As a result, hazardous material impacts related to construction activities would be less than significant.

Site Access:

Access to the project site is proposed via the existing access driveway off Torreyana Road. No off-site improvements are proposed, and all construction activities would occur within the site. Construction traffic would not impair implementation of or physically interfere with the City's emergency response plan or evacuation routes. The project does not propose changes to the City's existing circulation network and the proposed land use is consistent with the underlying zoning and consistent with the UCP land use designation therefore, proposed project would not physically interfere with emergency response access or evacuation.

Fire Protection:

The project will provide fire access roads to serve the site which will include access to aerial fire trucks. The project will also include the installation of two fire hydrants to provide adequate fire protection for the project site. The project would be required to comply with all applicable City codes and policies related to emergency access including the California Fire Code, the San Diego Municipal Code Chapter 5, Article 5, Division 87: Appendix D – Fire Apparatus Access Roads, and City Fire Policies A-14-1 Fire Access Roadways, A-14-9 Access Roadways: Modified Roadway Surface, and A-14-10 Fire Apparatus Access Road for Existing Public Streets. The California Department of Forestry and Fire Protection's (CAL FIRE's) map of Very High Fire Hazard Severity Zones (VHFHSZ) prepared for the City of San Diego maps the project site and the majority of the surrounding area within a Local Responsibility Area VHFHSZ (CALFIRE 2009). A Fire Fuel Load Monitoring report dated October 2023 was prepared by Dudek for the project. Implementation of the project would not increase wildland fire risk at the site over existing conditions.

The project would replace the existing R&D uses with new R&D uses that are consistent with the site's zoning of IP-1-1 and land use designations of Industrial Employment/Scientific Research. The project would install standard fire safety features and construct buildings in conformance with applicable fire regulations. Additionally, the project's Fire Fuel Load Monitoring Report describes brush management practices that would be implemented by the project, such as fire-resistant plants and annual brush maintenance, to reduce the risk of fire on the project site. Sitewide brush management would be implemented in phases alongside

project construction to reduce the risk of fire during construction. The project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires.

The proposed permit conditions contain specific requirements to ensure compliance with the applicable regulations of the current Building Codes and Land Development Code (LDC), including those adopted to protect public health, safety, and welfare. Additionally, the project would be conditioned to conform to the City's current stormwater regulations for construction and post-construction Best Management Practices (BMPs), including a Stormwater Management and Discharge Control Maintenance Agreement for ongoing permanent BMP maintenance. Therefore, the proposed development will not be detrimental to public health, safety, and welfare.

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

The proposed project is described in the CDP Finding A.I. above incorporated herein by reference. As previously described, the project may be developed in accordance with four proposed development options which would either include the complete demolition of the two existing two-story buildings totaling 81,419 sf and associated site improvements or selectively demolish existing buildings and site improvements for the redevelopment of the site which would include either two new two-story buildings totaling up to 122,980 sf for R&D uses and associated site improvements or various development options described in CDP Finding A.I. above and as shown in the "Exhibit A."

In accordance with the IP-1-1 (Industrial Park) zone requirements, the project would comply with setback requirements by conforming to the required setbacks where the front setback requires 25 feet with a 20-foot minimum setback and the project proposes front setbacks that range from 20 feet to 25 feet. The project would also conform to the side and rear setback requirements by proposing a 15-foot side setback and a 25-foot rear setback. The project site lies within the Coastal Height Limitation Overlays Zone (Proposition "D"), and the maximum structure height cannot exceed 30 feet (SDMC 132.0505). The height of the proposed buildings would conform to the 30-foot coastal height limit measured in accordance with the City of San Diego Technical Bulletin BLDG-5-4 which outlines the method of calculating building height from the reference datum.

As previously described in CDP Finding A.III. above, the project is located in the Airport Safety Zone – Accident Potential Zone II (APZ II) of MCAS Miramar. The proposed project would conform with the development intensity requirements for APZ II through alternative compliance and the project would be conditioned to restrict the site to 307 people and 292 parking spaces. No other deviations or variances from the applicable regulations are being requested for the proposed project.

In accordance with SDMC Section 143.1103(b)(6) developments in Mobility Zone 2 that provide more than the minimum required parking are required to provide Vehicle Miles

Traveled (VMT) Reduction Measures totaling at least 8 points. As previously described in CDP Finding A.III., the proposed project has a minimum requirement of 2.1 parking spaces per 1,000 sf of floor area where the project is providing 2.4 parking spaces per 1,000 sf of floor area for the maximum entitled floor area of 122,980 sf. Therefore, in accordance with SDMC Section 143.1103(b)(6) implementation of mitigation measure MM-TRA-1 would reduce VMT impacts to the extent feasible and ensure project consistency with the Complete Communities: Mobility Choices Ordinance. Under mitigation measure MM-TRA-1, the project would be conditioned to provide the following VMT reduction measures:

- Provide and maintain an on-site bicycle repair station (1.5 points).
- Provide and maintain 21 short-term bicycle spaces, when 16 spaces are required (each multiple of 10 percent beyond the minimum is 1.5 points). Project will provide approximately 30 percent above the minimum bicycle spaces required (4.5 points).
- Provide and maintain 18 long-term bicycle parking spaces, when 16 spaces are required (each multiple of 10 percent beyond the minimum is 2 points). Project will provide approximately 10 percent above the minimum bicycle spaces required (2 points).

In addition to the VMT mitigation measures identified above, the applicant will provide electrical charging for 14 electric bikes (e-bikes), on-site bike sharing, access to services at offsite nearby properties that reduce the need to drive, along with subsidized transit passes for any Healthpeak employee that works on the property. Therefore, the proposed development project will comply with the applicable regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

C. SUPPLEMENTAL NEIGHBORHOOD DEVELOPMENT PERMIT FINDINGS – ENVIRONMENTALLY SENSITIVE LANDS [SDMC Section 126.0404(b)]

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

The proposed project is described in the CDP Findings A.I. above, incorporated herein by reference. The project site is a previously developed site with two existing buildings and would be redeveloped with the potential development of up to two new R&D buildings. As previously described, the proposed project has four possible development options which would allow up to a maximum entitled building gross floor area of 122,980 sf. The project site contains Environmental Sensitive Lands (ESL) in the form of Steep Hillside and Tier I southern maritime chaparral. Sensitive Tier I maritime chaparral habitat is present onsite within the undeveloped portion of the existing open space easement. As previously described, the project includes a Brush Management Plan and Brush Management Zones 1 and 2, would be limited to the existing developed area, it is not expected to cause any significant direct or indirect impacts to sensitive biological resources. No mitigation measures are proposed.

The project would implement the standard MSCP MHPA Land Use Adjacency Guidelines avoidance measures of avoiding use of invasive species in landscaping, avoiding vegetation clearing during the bird breeding season (from as early as February 1 through as late as September 15, depending on species), and using shielded lighting. Monitoring noise levels adjacent to offsite MHPA coastal sage scrub habitat to the northeast would be required by the City if construction or other loud activities are to be scheduled during the coastal California gnatcatcher (*Poliophtila californica californica*) breeding season (March 1 – August 15). The proposed project has been specifically designed to occur within previously disturbed areas associated with previous development and will avoid impacts to ESL to the greatest extent possible.

As previously described in the CDP Findings A.II. above, incorporated herein, the proposed project would include an MHPA BLC which will remove a portion of the existing on-site MHPA which currently is 0.20-acres located along the northeasterly property line. The MHPA BLC as proposed would remove the northern 0.13 acre of onsite portion of the MHPA. This 0.13-acre area is developed land containing concrete landscape/retaining walls, patio, parking lot, landscaping, and irrigation, and a portion of an allowed 25-foot landscape maintenance area. The portion of the MHPA that overlaps the existing OS easement outside the previously allowed and recorded 25-foot landscape maintenance area onsite would not change and would be fully preserved with the new COE. The project would not result in significant impacts to sensitive habitats, plants, and animals, or to the sensitive MHPA preserve. The Project footprint has been designed to be limited to the existing developed area of the site, and the project would comply with the MHPA Land Use Adjacency Guidelines. The proposed MHPA BLC for the 0.13-acre portion of developed land located at the northeastern corner of the project site would remove the previously developed area out of the MHPA.

A Geotechnical Investigation Report prepared by GEOCON Incorporated, dated April 1, 2022, concluded that the project adequately addresses the project site's soil and geologic conditions and drainage. Based on regional mapping and site-specific analysis evaluated in the report a fault does not traverse the project site. Furthermore, the report found that the potential for landslides, slope instability, and liquefaction are not considered significant concerns for the project site. The project as a condition of this permit would be required to comply with seismic requirements of the CBC and would use proper engineering design and standard construction practices, which are verified at the ministerial construction permit stage.

All grading activities within the site would be required to comply with the City of San Diego Grading Ordinance, which ensures soil erosion and topsoil loss is minimized through the issuance of a Grading Permit. Development of the 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. A Stormwater Quality Management Plan (SWQMP) that includes storm water construction Best Management Practices (BMPs), ongoing permanent BMP maintenance, on-site biofiltration and hydromodification features, has been developed to maintain natural drainage features and minimize potential impacts to storm drain facilities. Any short-term erosion and sedimentation impacts associated with project development would be addressed through conformance with applicable elements of the City's storm water program and related National Pollutant Discharge Elimination System (NPDES) standards. Additionally, the project would implement an SWPPP and related plans, and BMPs, including appropriate measures, to address erosion and sedimentation.

All proposed landscaping within the development area proposes the utilization of native and non-native, non-invasive, and/or drought-tolerant plants. The project as proposed will be developed in accordance with current regulations of the land development code including brush management regulations and current drainage regulations and standards. Therefore, the site as proposed is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to ESL.

II. 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 is described in CDP Findings A.I. above, incorporated herein by reference. As previously described, the proposed development is located within the previously developed portions of the existing site. The site sits atop a generally north-south trending ridge flanked by canyon drainages and slopes up to approximately 230 feet high to the southeast and northwest. Cut and/or fill slopes with inclinations of 2:1 (horizontal to vertical) up to approximately seven feet in height were constructed during previous grading on the east, south, and west sides of the existing southern building. Topographic relief across the developed portion of the site is flat to gently sloping with elevations ranging from approximately 308 feet to 332 feet above Mean Sea Level (MSL).

Site redevelopment includes demolition of the existing buildings, parking lots and associated site improvements for the construction of two, two-level office buildings with two levels of subterranean parking. Other improvements include access driveway improvements, at-grade parking lots, an outdoor conference area, hardscape, landscaping and associated site improvements. Development includes storm-water management devices which include underground cisterns and modular wetlands systems for storm water filtration and retention.

The proposed site and building designs take advantage of the existing site contours and landforms. The project does not propose significant grading alterations to the existing steep slopes and terrain that is currently located within the open space easement with exception to the allowed encroachments within the 25-foot landscape buffer of the existing open space easement that is adjacent to the previous development footprint.

The geologic hazards presented in the Geotechnical Investigation Report prepared by GEOCON Incorporated, dated April 1, 2022, found that a fault does not traverse the planned development area and that geologic conditions are favorable for the planned development. Proposed grading will not result in undue risk from geological and erosional forces with the implementation of construction and post-construction Best Management Practices (BMPs). The report found that, provided the engineering recommendations of the report are followed and the project civil engineer prepares the grading plans in accordance with generally accepted regional standards and regulations, erosion is not expected to be a major impact to site development, and the proposed development would not increase the potential for erosion. The report found that the planned development would not destabilize or result in settlement of adjacent properties if properly constructed in accordance with the recommendations of the report and generally accepted regional standards and regulations. Additionally, the project is conditioned to prepare landscape 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 proposed landscaping within the development area proposes the utilization of native and non-native, non-invasive, and/or drought-tolerant plants.

The project site is within a Very High Fire Hazard Severity Zone per the City Very High Fire Hazard Severity Zone Map. Therefore, the natural environment of the project site would be prone to wildfires and downslope or downstream flooding as a result of runoff, post-fire instability or drainage. The project would be reviewed by the City Fire Marshal to ensure that the project would be in compliance with local, state, and federal standards for land use, zoning, and construction. Adherence to County and City regulations, and emergency and evacuation plans (including the countywide Multi-Jurisdiction Hazard Mitigation Plan that identifies risks and ways to minimize damage by natural and manmade disasters) would reduce the potential for impacts to people or structures from significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. The project site is not located within an area prone to flood hazards.

The UCP accommodates development of the community with a full range of land uses while preserving the unique character of the predevelopment community and landforms. The development footprint is situated to minimize erosion, flood, and fire hazards. Overall, the proposed development would conform to the applicable region-wide and City-wide regulations for erosion control, storm water runoff, BMPs and the latest version of the California Building Code, the California Fire Code, the California Wildland Urban Interface Code, and all applicable fire safety regulations. Therefore, the proposed development will minimize the alteration of natural landforms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.

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

The project is described in CDP Findings A.I. above, incorporated herein by reference. As previously described, the proposed development would be located within previously developed areas. The proposed improvements will direct drainage away from environmentally sensitive lands and will incorporate Stormwater construction and post-construction BMPs, including the utilization of Low-Impact Development (LID) practices, which will include bio-retention areas for the treatment and management of urban stormwater runoff. The project also includes landscape design featuring plant material compatible with existing vegetation and in conformance with landscape regulations, including those related to invasive species and non-native vegetation for proposed landscape areas. The project-specific geotechnical study includes recommendations that will not result in undue risk from geologic and erosional forces. Therefore, the proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.

IV. 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 is described in the CDP Finding A.I. above, incorporated herein by reference. As previously described, the project site is a previously developed site with two existing buildings and associated site improvements, the proposed redevelopment project would not result in any new significant indirect impacts to nearby MHPA and preserved land. The southeastern portion of the project site contains an existing 2.8-acre open space easement with a 25-foot impacted landscape maintenance area along the northwestern edge of the easement. As part of the project, a new 2.4-acre Covenant of Easement would be conditioned in conformance with current standards over the remaining undeveloped open space area located outside of the 25-foot landscape maintenance area. Select allowable site work would be added within the old 25-foot landscape maintenance area. The proposed development under development Option 1 would site the new buildings toward the northwestern portion of the site to increase the separation between the proposed buildings to the open space areas providing more protection against indirect impacts. The proposed project has the same land use as the existing development consistent with the UCP and the General Plan. Any new landscaping would be required to follow standard landscape guidelines and would not include any invasive plant species. The project would also comply with current, more effective regulations that reduce indirect impacts, such as the proposed water quality BMPs.

The project has been conditioned to comply with the Land Use Adjacency Guidelines (LUAG) contained in Section 1.4.3 of the MSCP Subarea Plan to avoid indirect impacts to potential sensitive species and habitats within the on-site and adjacent MHPA. Indirect impacts to sensitive plants and animals would be less than significant. Indirect impacts to water and air quality would not be significant because the Project would comply with all applicable water, air quality, and storm water management regulations. Therefore, the proposed project would not increase the release of toxins, chemicals, petroleum products, exotic plant

materials, or other elements into the MHPA. The project would incorporate best management practices, such as monitoring, flagging, staking, or biological fencing around sensitive areas, to ensure toxins from construction and project implementation do not cause indirect impacts to sensitive biological resources outside the project footprint, including those within the MHPA.

All new outdoor lighting adjacent to the MHPA shall be directed downward and adjusted to fall on the same premises where such lights are located, in accordance with the City Municipal Code 147.0740. Per the City's Municipal Code regulation, no light spill from outdoor lighting will occur within the MHPA. Uses in or adjacent to the MHPA would be designed to minimize noise impacts. The proposed project would be conditioned to monitor and mitigate noise impacts that exceeds the maximum levels allowed shall be avoided during the breeding season for the coastal California gnatcatcher (March 1–August 15).

Potential impacts to nesting birds, including coastal California gnatcatcher, will be minimized and avoided through incorporating the MHPA Land Use Adjacency Guidelines and MSCP Conditions of Coverage. The project would be designed and conditioned to comply with all aspects of the Land Use Adjacency Guidelines listed in Section 1.4.3 of the MSCP (City of San Diego 1997), specifically in the following areas:

- Grading/Land Development/MHPA Boundaries
- Drainage
- Toxics/Project Staging Areas/Equipment Storage
- Lighting
- Barriers
- Invasives
- Brush management
- Noise

The site-specific Biology Study did not indicate any vernal pools on-site therefore due to the lack of vernal pools the project is not subject to the VPHCP. No buffer area for wetlands or wildlife corridor would be impacted by the proposed BLC because no wetlands were found onsite, and no wildlife corridor is known to occur adjacent to the project site or the MHPA BLC area. In accordance with the proposed MHPA BLC, removal of 0.13-acre of developed land within the development would not negatively impact nearby preserved land. Additionally, removing the 0.13-acre area of developed land from the MHPA would not avert the applicant from having to otherwise comply with the City's MSCP Land Use Adjacency Guidelines. Therefore, the proposed development will be consistent with the City of San Diego's MSCP Subarea Plan guidelines, and the project would include mitigation measures to address any significant impacts as stated above; and consistency is not required with the Vernal Pool Habitat Conservation Plan [VPHCP] as the Project site does not contain jurisdictional wetlands.

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

The proposed project would not impact biological resources, cultural resources, or tribal cultural resources and would, therefore, not contribute to cumulative impacts regarding these topics. The project may result in impacts to paleontological resources that would be reduced to less than significant through standard paleontological monitoring required by SDMC Section 142.0151 and would also be site-specific. In regard to noise-related impacts, construction noise would be less than significant and operational noise and construction vibration impacts would be reduced to a less than significant level through implementation of the following mitigation measure:

- Mitigation Measure MM-NOI-1: For Vibration-Sensitive Equipment which limits the project's construction equipment to vibration levels not exceeding 65 vibration decibels (VdB) as measured at off-site buildings that may contain vibration-sensitive equipment.

Sound levels must be quantified by a qualified acoustic professional and conformance to allowed vibration levels could be demonstrated by obtaining equipment vibration velocity levels from project specific equipment specifications and calculating the distance necessary to reduce vibration levels to 65 VdB or less at vibration-sensitive structures located in proximity to the project site. The vibration velocity levels may be obtained by the construction contractor or a qualified acoustic analyst. The contractor shall specify construction equipment models, size, and operating mode restrictions on all demolition, grading, and construction permits. By conforming with the noise mitigation measures the project would not contribute to cumulative noise impacts.

The Project is within the Coastal Overlay Zone and is subject to the Complete Communities: Mobility Choices ordinance (effective July 11, 2022). Therefore, the Project is required to participate in the City of San Diego's Complete Communities Mobility Choices Program and intends to rely upon the Findings and Statement of Overriding Considerations (SOC) from the Complete Communities: Housing Solutions and Mobility Choices Program Final Program Environmental Impact Report (PEIR; May 2020)(SCH No. 2019060003) to determine and provide mitigation to the extent feasible for its significant VMT transportation impact.

SDMC Section 143.1103(b) states that all development within Mobility Zone 2 is required to provide VMT Reduction Measures in accordance with the Land Development Manual Appendix T. The Land Development Manual Appendix T provides a list of VMT Reduction Measures, each of which are given an assigned point value per unit of measure. Per SDMC Section 143.1103(b)(6), developments in Mobility Zone 2 that provide more than the minimum required parking are required to provide Vehicle Miles Traveled (VMT) Reduction Measures totaling at least 8 points. As previously described in CDP Finding A.III., the proposed project has a minimum requirement of 2.1 parking spaces per 1,000 sf of floor area where the project is providing 2.4 parking spaces per 1,000 sf of floor area for the maximum entitled floor area of 122,980 sf. Therefore, in accordance with SDMC Section 143.1103(b)(6) implementation of mitigation measure MM-TRA-1 would reduce VMT impacts to the extent feasible and ensure project consistency with the Complete Communities:

Mobility Choices Ordinance. Under MM-TRA-1, the project would be conditioned to provide the following VMT reduction measures:

- Provide and maintain an on-site bicycle repair station (1.5 points).
- Provide short-term bicycle parking spaces available to the public, at least 10 percent beyond minimum requirements. The minimum required is 16 spaces and 21 spaces will be provided (4.5 points).
- Provide long-term bicycle parking spaces at least 10% beyond minimum requirements. The minimum required is 16 spaces and 18 spaces will be provided (2 points).

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

D. SUPPLEMENTAL NEIGHBORHOOD DEVELOPMENT PERMIT FINDINGS – AFFORDABLE HOUSING, IN-FILL PROJECTS, OR SUSTAINABLE BUILDINGS DEVIATION [SDMC Section 126.0404(f)]

I. The development will materially assist in accomplishing the goal of providing affordable housing, in-fill projects, or sustainable buildings opportunities.

The proposed project is described in CDP Finding A.I. above, incorporated herein by reference. The proposed project is not a residential development and does not include any Affordable Housing nor is it identified as an In-Fill project. The project is for a sustainable development which will implement the Mandatory and Voluntary Tier 1 and Tier 2 Measures of Title 24, Part 11 California Green Building Standards Code (CGBSC) in effect at the time the building permit application is deemed complete but not less than the current regulations in accordance with SDMC 143.0915(c). The project design would include, but are not limited to:

- Bicycle Facilities: Storage and changing facilities for bike riders, as well as being part of a bicycle network.
- Green Vehicles: Providing a percentage of preferred parking stalls for electric vehicles (EV), low-emission, and Carpool vehicles.
- Heat Island reduction: Low solar reflective index surfaces on roofs and hardscape.
- Light Pollution Reduction: Exterior light fixtures that limit light pollution.
- Indoor Water Use Reduction: Low flow fixtures that exceed baseline Building Code requirements.
- Outdoor Water Use Reduction: The proposed landscape design would utilize native plant materials requiring less watering than more conventional landscaping.
- Material and Resource Credits: The building(s) would be constructed of materials that have a low life cycle impact, are composed of recycled materials, and sourced, and manufactured in a way that is better for the environment.

- Low-Emitting Materials: Building materials that emit low amounts of Volatile Organic Compounds (VOCs).
- Daylight and Views: The building provides access to natural daylight as well as views from interior spaces to the surrounding outdoor environment.

Therefore, this project accomplishes the goal of providing sustainable building opportunities in San Diego.

II. Any proposed deviations are appropriate for the proposed location.

As previously described in NDP Finding B.III. above, incorporated herein by reference, the project is not requesting any deviations from the applicable regulations of the land development code (LDC). As described in CDP Finding A.III., the project is located in the Airport Safety Zone – Accident Potential Zone II (APZ II) of MCAS Miramar and the project would conform with the development intensity requirements for APZ II through an alternative compliance method. The project would be conditioned to restrict the site to 307 people calculated utilizing allowed people per acre (50 people per acre) and 292 parking spaces as calculated utilizing a factor of 1.05 occupants per vehicle. Therefore, any proposed deviations are appropriate for the proposed location.

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

3. Based on these findings adopted by the Hearing Officer, Coastal Development Permit No. PMT-3152293 and Neighborhood Development Permit No. PMT-3152294 are GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. PMT-3152293 and PMT-3152294, a copy of which are attached to and made a part of this Resolution by this reference.

Martin R. Mendez
Development Project Manager
Development Services

Adopted on: July 22, 2026

IO#: 24009218

THIS PAGE INTENTIONALLY LEFT BLANK

DRAFT

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

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

INTERNAL ORDER NUMBER: 24009218

SPACE ABOVE THIS LINE FOR RECORDER'S USE

COASTAL DEVELOPMENT PERMIT NO. PMT-3152293
NEIGHBORHOOD DEVELOPMENT PERMIT NO. PMT-3152294
11085 TORREYANA - PROJECT NO. PRJ-1056938
DEVELOPMENT SERVICES DEPARTMENT

This Coastal Development Permit No. PMT-3152293 and Neighborhood Development Permit No. PMT-3152294 is granted by the Hearing Officer of the City of San Diego to HCP Torreyana, LLC, a Delaware Limited Liability Company, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0708 and 126.0404. The 6.15-acre site is located at 11085 and 11095 Torreyana Road in the IP-1-1 (Industrial Park) zone, the Coastal Overlay Zone (Appealable, First Public Roadway), the Coastal Height Limitation Overlay Zone, the Airport Land Use Compatibility Overlay Zone (ALUCOZ) and Airport Land Use Compatibility Plan (ALUCP) area for Marine Corps Air Station (MCAS) Miramar, the ALUCP Airport Influence Area (AIA) for MCAS Miramar (Review Area 1), the ALUCP Airport Safety Zone for MCAS Miramar (Accident Potential Zone II [APZ-II]), the Coastal Parking Impact Overlay Zone, Complete Communities Mobility Choices Mobility Zone 2, a Transit Priority Area, Prime Industrial Lands, and the Community Plan Implementation Overlay Zone Type B (CPIOZ-B) within the University Community Plan (UCP) and Local Coastal Program (LCP). The project site is legally described as: LOT 8 OF TORREY PINES SCIENCE PARK UNIT NO. 2, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 8434, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DECEMBER 10, 1976.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/ Permittee to demolish up to two existing Research and Development (R&D) buildings and associated site improvements for the construction of a Research and Development (R&D) campus including up to two buildings for R&D use, associated utility plan and loading dock, and associated site work as described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated July 22, 2026, on file in the Development Services Department.

The project shall include:

- a. The demolition of up to two (2) R&D buildings totaling a combined approximately 80,000 square feet (sf) and associated site improvements;

- b. The construction of up to two (2) two-story buildings for scientific R&D use totaling up to a maximum floor area of 122,980 sf;
- c. A covenant of easement (COE) for the conservation of open space over a 2.4-acre (104,800-square-foot) area;
- d. A Multi-Habitat Planning Area (MHPA) boundary line correction (BLC);
- e. Grading and Landscaping (planting, irrigation and landscape-related improvements);
- f. Off-street parking to include surface and subterranean parking;
- g. Sustainable building design measures incorporating the Mandatory and Voluntary Tier I and Tier II Measures of Title 24, Part 11 California Green Building Standards Code (CGBSC) in conformance with the criteria of the Affordable/In-Fill Housing and Sustainable Buildings Expedite Program; and
- h. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36-month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by August 6, 2029.
2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
3. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.

4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
 5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
 6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
 7. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.
 8. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.
 9. All of the conditions contained in this Permit have been considered and were determined necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.
- If any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" conditions(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.
10. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee

shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

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

AIRPORT REQUIREMENTS:

12. Prior to the issuance of any building permits, the Owner/Permittee shall provide a copy of the signed agreement [Development Services Department (DSD) Form DS-503] and show certification on the building plans verifying that the structures do not require Federal Aviation Administration [FAA] notice for Determination of No Hazard to Air Navigation, or provide an FAA Determination of No Hazard to Air Navigation as specified in the DSD Information Bulletin 520.

13. The project site is located within the Accident Potential Zone II (APZ-II) Airport Safety Zone of the MCAS Miramar Airport Land Use Compatibility Plan (ALUCP), which shall limit the site to an occupancy of 50 people per acre, not to exceed 307 people, and the number of parking spaces shall be limited to 292 parking spaces pursuant SDMC Section 132.1515(d).

ENGINEERING REQUIREMENTS:

14. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond, the reconstruction of the existing driveway along Torreyana Road to a 26-foot-wide driveway, as shown on Exhibit 'A' per current City Standards, satisfactory to the City Engineer.

15. Prior to the issuance of any building permit the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement (EMRA), from the City Engineer, for Trees, Landscaping/irrigation within the Torreyana Road right-of-way and Private Storm Drainpipe within the public drainage easement.

16. The project proposes exporting 59,000 cubic yards of material from the project site. All excavated material listed to be exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2018 edition and Regional Supplement Amendments adopted by Regional Standards Committee.

17. Prior to the issuance of any building permit 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.

18. The drainage system proposed for this development, as shown on the site plan, is subject to approval by the City Engineer.
19. Prior to the issuance of any construction permit the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent Best Management Practices (BMPs) maintenance, satisfactory to the City Engineer.
20. 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.
21. 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.
22. Prior to issuance of a grading or a construction permit, a copy of the Notice of Intent (NOI), including 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. If ownership of the entire site or any portion of the site changes prior to the filing of the Notice of Termination (NOT), a revised NOI shall be submitted electronically to the State Water Resources Board in accordance with Section II.C of Order No. 2022-0057-DWQ, and a copy shall also be submitted to the City.

ENVIRONMENTAL MITIGATION REQUIREMENTS:

23. Mitigation requirements in the Mitigation Monitoring and Reporting Program [MMRP] No. 1056938, SCH 2019060003 shall apply to this Permit. These MMRP conditions are hereby incorporated into this Permit by reference.
24. The mitigation measures specified in the MMRP and outlined in Subsequent Mitigated Negative Declaration, Project No. 1056938, SCH 2019060003 shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.
25. The Owner/Permittee shall comply with the MMRP as specified in the Subsequent Mitigated Negative Declaration, Project No. 1056938, SCH 2019060003, 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:
 - **Noise**
 - **Transportation/Circulation**
26. Prior to issuance of Building Permits, the City shall verify the building plans include bird safe glass where walls with glass panes are proposed adjacent to open space to prevent bird collisions to

the satisfaction of the Multiple Species Conservation Program (MSCP), MMC, and City Engineer. Bird safe glass shall include the use of glass with ultraviolet reflective patterns visible to birds but transparent to the human eye (such as GlasPro Bird Safe Ultraviolet Reflective Glass), or etched or patterned glass that provide a visual barrier. Patterned or etched glass shall have vertical stripes at least ¼ inch wide with a maximum spacing of 4 inches, or horizontal stripes that are at least ¼ inch wide with a maximum spacing of 2 inches in accordance with the guidance provided in the U.S. Fish and Wildlife Service (USFWS) publication Low-Cost Methods to Reduce Bird Collisions with Glass prepared June 4, 2021 (USFWS 2021; <https://www.fws.gov/media/low-cost-methods-reduce-bird-collisions-glass>).

MULTI-HABITAT PLANNING AREA (MHPA) LAND USE ADJACENCY REQUIREMENTS:

27. 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 the construction documents and plans for the Project Site:

- **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, 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 that 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.

GEOLOGY REQUIREMENTS:

28. Prior to the issuance of any construction permits (either grading or building permit), the Owner/Permittee shall submit a geotechnical investigation report prepared in accordance with the City's "Guidelines for Geotechnical Reports" that specifically addressed the proposed construction plans. The geotechnical investigation report shall be reviewed for adequacy by the Geology Section of Development Services prior to the issuance of any construction permit.

LANDSCAPE REQUIREMENTS:

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

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

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

32. In the event that a "Foundation Only" permit is requested by the Owner/Permittee, a site plan or staking layout plan, shall be submitted to the Development Services Department identifying all landscape areas consistent with Exhibit "A," Landscape Development Plan, on file in the Development Services Department. These landscape areas shall be clearly identified with a distinct symbol, noted with dimensions, and labeled as 'landscaping area.'

33. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, unless long-term maintenance of said

landscaping will be the responsibility of another entity approved by the Development Services Department. All required landscape shall be maintained consistent with the Landscape Standards in a disease, weed, and litter free condition at all times. Severe pruning or "topping" of trees is not permitted.

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

35. All twenty-nine (29) Torrey pine trees are required as mitigation and shall be maintained consistently with Exhibit 'A' in regards to number and distribution of trees occurring within the courtyard and at the perimeter of development on site.

BRUSH MANAGEMENT REQUIREMENTS:

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

37. The Brush Management Program shall consist of a modified Zone One ranging from 31 feet to 80 feet in width with a corresponding Zone Two of 0 feet to 30 feet in width, extending out from the structures towards the native/naturalized vegetation consistent with SDMC Section §142.0412(f) & alternative compliance under SDMC Section §142.0412(i), as demonstrated on Exhibit 'A' and within the project Fire Fuel Load Modeling Report prepared by Dudek.

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

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

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

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

PLANNING/DESIGN REQUIREMENTS:

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

43. Prior to issuance of any construction permits for buildings, the construction documents shall note all criteria included in the design and construction of the project to meet the Mandatory and Voluntary Tier 1 and Tier 2 Measures of the Title 24, Part 11 California Green Building Standards Code (CGBSC) in effect at the time the building permit application is deemed complete. CGBSC Title 24, Part 11 Appendix A5 contains the applicable checklist which shall be required at the time of submittal for construction permits for buildings.

44. Any increase in runoff resulting from the development of the site shall be directed away from any steep hillside areas and either into an existing or newly improved public storm drain system or onto a street developed with a gutter system or public right-of-way designated to carry surface drainage run-off in accordance with SDMC Section 143.0142(e).

45. Prior to issuance of any construction permit authorizing grading or construction of impervious surfaces, a fee shall be deposited with the Development Services Department for the Los Penasquitos Watershed Restoration and Enhancement Program. The enhancement fee shall be computed based on site grading at a rate of \$0.005 per square foot for all areas graded, with an additional rate of \$0.03 per square foot for all impervious surfaces created by the development. The enhancement fee shall be computed by the Owner/Permittee and verified by the Development Services Department.

46. 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.

47. All signs associated with this development shall be consistent with sign criteria established by either the approved Exhibit "A" or the City-wide sign regulations.

48. 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.

49. Processing, manufacturing, or storage of bulk quantities of hazardous materials (greater than 10,000 gallons) is not permitted for sites located within the Accident Potential Zone II (APZ-II) Airport Safety Zone for the Marine Corps Air Station (MCAS) Miramar Airport with Industrial uses in accordance with the applicable regulations in the SDMC, Table 132-15G.

WATER AND SEWER REQUIREMENTS:

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

51. Prior to the issuance of any building permits, if it is determined during the building permit review process the existing water and sewer service will not be adequate to serve the proposed project, the Owner/Permittee shall, assure by permit and bond, the design and construction of new water and sewer service(s) outside of any driveway or drive aisle and the abandonment of any existing unused water and sewer services within the right-of-way adjacent to the project site, in a manner satisfactory to the Public Utilities Director and the City Engineer.

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

TRANSPORTATION REQUIREMENTS

54. 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.

55. Prior to first occupancy, the Owner/Permittee shall provide and maintain the following Vehicle Miles Traveled (VMT) Reduction Measures totaling 8 points as shown on Exhibit "A," satisfactory to the City Engineer. All VMT Reduction Measures shall be provided prior to first occupancy.

- a. An on-site bicycle repair station (1.5 points).
- b. Short-term bicycle parking spaces, available to the public, at least 10-percent beyond minimum requirements. The minimum required per the SDMC is 16 spaces, where 21 spaces will be provided (each multiple of 10-percent beyond the minimum is = 1.5 points). Project will provide approximately 30-percent above the minimum bicycle spaces required (4.5 points).
- c. Long-term bicycle parking spaces, at least 10-percent beyond minimum requirements. The minimum required per the SDMC is 16 spaces, where 18 spaces will be provided (each multiple of 10-percent beyond the minimum = 2 points). Project will provide approximately 10-percent above the minimum bicycle spaces required (2 points).

56. Prior to first occupancy, the Owner/Permittee shall provide and maintain 50-percent (at least 16 bicycle spaces) of the bicycle spaces required with individual outlets for electric charging at each bicycle parking space per the Climate Action Plan (CAP) Consistency Regulations, as shown on Exhibit "A".

57. Prior to first occupancy, the Owner/Permittee shall provide and maintain the following Transportation Demand Management Program, satisfactory to the City Engineer:

- a. The Owner/Permittee shall provide subsidized transit passes for any Healthpeak employee that works on the project site. Up to a maximum of fifty percent (50%) of Healthpeak employees that work on the project site are eligible for the subsidized transit passes. For eligible employees the Owner/Permittee shall cover the full cost of a transit pass for ten (10) years from the date of an initial request for a transit pass.
- b. The Owner/Permittee shall provide electrical charging for 14 electric bicycles (e-bikes) on-site.
- c. The Owner/Permittee shall provide on-site bike sharing that will be located near the main entry of Building B.

58. The Owner/Permittee shall provide and maintain a 10-foot by 10-foot visibility triangle area on both sides of the driveway on Torreyana Road measured along the property line. No obstacles higher than 36 inches shall be located within this area, e.g. landscape, shrubs, walls, columns, signs etc..

WASTE MANAGEMENT REQUIREMENTS:

59. The Owner/Permittee shall comply with the Waste Management Plan prepared by Snipes-Dye Associates, dated August 12, 2025.

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 Development Services Department of the City of San Diego on July 22, 2026, and [Approved Resolution Number].

ATTACHMENT 8

COASTAL DEVELOPMENT PERMIT NO. PMT-3152293
NEIGHBORHOOD DEVELOPMENT PERMIT NO. PMT-3152294
Date of Approval: July 22, 2026

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Martin R. Mendez
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.

HCP Torreyana, LLC
Owner/Permittee

By _____
Denis Sullivan
Managing Director of Lab Investments

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