



THE CITY OF SAN DIEGO

## Report to the Hearing Officer

DATE ISSUED: December 8, 2021 REPORT NO. HO-21-057

HEARING DATE: December 15, 2021

SUBJECT: B-WEST RESIDENCE CDP/SDP, Process Three Decision

PROJECT NUMBER: [643954](#)

OWNER/APPLICANT: JCT Lookout LLC, Owner and Tim Golba, Applicant

### SUMMARY

Issue: Should the Hearing Officer approve an amendment to a Coastal Development Permit and a Site Development Permit for the construction of a new two-story single dwelling unit with an attached garage and two basement levels on a 1.52-acre site located at 9872 La Jolla Farms Road within the La Jolla Community Plan area?

#### Staff Recommendation:

1. Approve Coastal Development Permit No. 2325008; and
2. Approve Site Development Permit No. 2325058.

Community Planning Group Recommendation: On July 1, 2021, the La Jolla Community Planning Association voted 14-0-1 to recommend approval of the proposed project without conditions (Attachment 10).

Environmental Review: The Development Services Department (DSD) has completed a California Environmental Quality Act (CEQA) Section 15162 – Subsequent EIRs and Negative Declaration consistency evaluation for the proposed B-West Residence CDP/SDP project. This evaluation was performed to determine if conditions specified in CEQA Guidelines Sections 15162 would require preparation of additional CEQA review for the proposed amendments. DSD has determined that the proposed project to construct a single-family residence is consistent with the Encore Trust Residence [Mitigated Negative Declaration No. 237107 \(SCH. 2012081048\)](#); and would not result in new impacts (Attachment 6).

## BACKGROUND

The 1.52-acre project site is located at 9872 La Jolla Farms Road in the RS-1-2 Zone, Coastal Height Limitation Overlay Zone, Coastal (Appealable) Overlay Zone, First Public Roadway, Parking Impact Overlay Zone (Beach, Coastal, and Campus), Residential Tandem Parking Overlay Zone, Fire - Brush Management 100' Setback, Fire - 300' Buffer Brush Zone, and Fire - Very High Fire Hazard Severity within La Jolla Community Plan area (Attachment 1). The project site is designated Very Low Density Residential (0-5 dwelling units/acre) in the La Jolla Community Plan and Local Coastal Program Land Use Plan (Attachment 2). The project site is currently vacant and contains an athletic court and landscaping (Attachment 3). Surrounding properties contain the same land use designation and are currently developed to form an established single-family coastal neighborhood high on a coastal bluff region.

There have been previous projects approved for this site which have never come to fruition. A previous project on this site, Katz Residence Project No. 51529, to demolish an existing two-story, approximate 6,400 square foot single family residence, was approved by the Hearing Officer on October 4, 2005 (Attachment 7). On April 7, 2010, the Hearing Officer approved Isakow Residence Project No. 180002 for the construction of a proposed two-story, approximate 13,456 square foot single family residence with guest quarters (Attachment 8).

The most recent project for this site is the Encore Trust Residence Project No. 237107, for the construction of an approximately 18,000 square foot single family residence with an attached garage and swimming pool on the previous disturbed portion of the site (Attachment 9). On January 10, 2013, the Planning Commission denied an appeal of the Hearing Officer's decision and upheld the approval of that project. On May 5, 2013, the California Coastal Commission received an appeal, and the appeal was found to have No Substantial Issue in June 2013.

Pursuant to San Diego Municipal Code (SDMC) [126.0702](#), a Coastal Development Permit is required for the proposed development on property within the Coastal Overlay Zone and to amend the previously approved Coastal Development Permit No. 852026 for Project No. 237107. Pursuant to SDMC [143.0110](#), a Site Development Permit is required for the proposed development on a site containing Environmentally Sensitive Lands, which also amends the previous Site Development Permit No. 852027 for Project No. 237107.

## DISCUSSION

The proposed project is an amendment to the Encore Trust Residence Project No. 237107 under Coastal Development Permit No. 852026 and Site Development Permit No. 852027 for the construction of a new two-story single dwelling unit with an attached garage and two basement levels for a total of 18,422-square-feet, which equates to a habitable area of approximately 6,096 square feet (7,129 square feet above ground and 11,293 square feet of basement levels). The Encore Trust Residence was never constructed, however the project site was graded and currently contains some developed features such as an athletic court and landscaping. The proposed project would be constructed within the previously developed portions of the site and will contain the same development footprint as Encore Trust Residence project. The project complies with the development standards required by the underlying RS-1-2 Zone including height, density, building setbacks, floor area ratio, and lot coverage. In addition, the project is not requesting any deviations or variances from

the applicable regulations. The project proposes to set the first story of the residence approximately 40 feet from the curb of La Jolla Farms Road when only a 25-foot setback from the property line is required. The southern side yard setback is required to be approximately 8.5 feet and the project proposes a setback of up to approximately 12 feet to 15 feet. In addition, the residence is proposed to be at the project's maximum height of 24 feet above grade when the maximum height limit is 30 feet, the proposed floor area ratio is 0.11 when 0.45 is allowed and the amount of livable area above grade is limited to approximately 12,200 square feet.

During the project's review with City staff, the applicant has modified the project to conform to all of the applicable Coastal Development Regulations and the Environmentally Sensitive Land Regulations (ESL). The lot's eastern portion has been disturbed by the past development and is relatively level. The western portion of the lot slopes down toward the shore, containing a vegetated portion, which is mapped as sensitive vegetation and subject to the ESL. The proposed new residence is to be located within the disturbed portion of the site and includes a brush management plan with alternative compliance designed to protect the structure from fire hazard, yet minimize encroachment or impact on the ESL. The project site is not located within the Multiple Habitat Planning Area (MHPA). MHPA lands are areas set aside by the approved Multiple Species Conservation Program Subarea Plan for preservation. The project, as mitigated, has been evaluated against and determined to conform to the Multiple Species Conservation Program Land Use Adjacency Guidelines. City staff also determined that there would be no further encroachment into steep slopes or sensitive vegetation. All undisturbed portions of the property will be preserved by the recordation of a Covenant of Easement as a condition of the draft permit.

#### VISUAL RESOURCE ANALYSIS

Staff relied on the City's Community Plan's Scenic Overlook and Scenic Roadway designations to determine the view potential and preserve, enhance or restore the protected public views at this site. Staff concluded that the Project conforms to the policies and public vantage point figures in the La Jolla Community Plan and Local Coastal Program by: (i) conforming to the applicable side yard setbacks and height limitations; (ii) preserving the required 8' (approximately) wide view corridor within the southern side yard of the subject property; (iii) preserving the 15-foot-wide, mid-lot view corridor easement that directly aligns with the Black Gold Road Scenic Overlook view corridor; and (iv) preserving a horizon line view of the ocean across the subject property from the portion of Black Gold Road designated as a Scenic Overlook.

The project site is located between the ocean and the first public roadway in an area of La Jolla Farms which is identified on Exhibit "A" of Appendix G of the La Jolla Community Plan as the Black Gold Road Scenic Overlook as well as the La Jolla Farms Road Scenic Roadway. A Scenic Overlook is defined in the La Jolla Community Plan as "a view over private property from a public right-of-way." The Scenic Overlook designation is different from the Major Viewshed designation which is defined as an "unobstructed panoramic view from a public vantage point" in Exhibit "A" of Appendix G of the Community Plan. The primary differences between these view designations are that the Scenic Overlook is defined as "over private property," while a Major Viewshed designation requires an unobstructed view. The Scenic Roadways is defined as "Partially obstructed views over private properties and down public Right of Ways." This view designation generally provides public views between homes along the side yard setbacks. Both of the applicable public views were evaluated for

compliance with Exhibit "A" of Appendix G and Figure 9 of the La Jolla Community Plan and the project was found to be consistent and have no significant adverse environmental impact.

The project was reviewed for consistency with relevant La Jolla Community Plan policies and goals for the protection of visual resources. The project complies with the requirements of the City's Land Development Code and conforms to the Community Plan and applicable implementing regulations. The proposed coastal development will not encroach upon any existing physical access way that is legally used by the public or any proposed public access way 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 proposed development is contained within the existing legal lot area, which would not encroach upon any existing or proposed physical access to the coast. The Natural Resources and Open Space Element of the La Jolla Community Plan and Local Coastal Program (Figure 9 and Appendix G) designates a Scenic Overlook on the property from the public right-of-way to the ocean and designated public open space. The project has been sited and designed to ensure it does not restrict visual access from the public right-of-way to the ocean and designated public open space.

City Council Resolution R-298578 approving the La Jolla Community Plan provides specific direction as to the scope of the protected public view corridor associated with the Scenic Overlook and the Scenic Roadway. Specifically, the term yard, as it relates to view preservation, is intended to pertain only to those yards resulting from the zone required setback and increasing the height of a structure, up to the height allowed in the zone, is not prohibited within a visual access /public vantage point area. SDMC [132.0403\(a\)](#), Supplemental Regulations of the Coastal Overlay Zone, states that "if there is an existing or potential public view and the site is designated in the applicable land use plan as a public view to be protected, (1) the applicant shall design and site the coastal development in such a manner as to preserve, enhance or restore the designated public view, and (2) The decision maker shall condition the project to ensure that critical public views to the ocean and shoreline are maintained or enhanced." The proposed project is consistent with the above noted policies of the Community Plan and regulations of the Land Development Code.

#### COASTAL ACCESS

The project site is contiguous to an off-site, existing public pedestrian trail access to Box Canyon and the shoreline along the northern border of the property. The project has been designed to preserve and enhance this public access area, as well as setting back the project residence from the existing trail.

#### CONCLUSION

Staff has reviewed the proposed Coastal Development Permit and Site Development Permit determined the project is consistent with the La Jolla Community Plan and Local Coastal Program Land Use Plan and the applicable Coastal Development regulations. Staff has provided draft findings supporting Coastal Development Permit and Site Development Permit approval (Attachment 4 and 5). Therefore, staff recommends the Hearing Officer approve the proposed Coastal Development Permit and Site Development Permit as proposed.

ALTERNATIVES

1. Approve Coastal Development Permit No. 2325008 and Site Development Permit No. 2325058 with modifications.
2. Deny Coastal Development Permit No. 2325008 and Site Development Permit No. 2325058 if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



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Benjamin Hafertepe, Development Project Manager

Attachments:

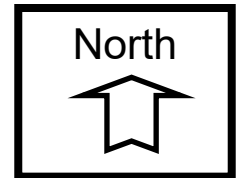
1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photograph
4. Draft Resolution with Findings
5. Draft Permit with Conditions
6. Notice of Determination
7. Katz Residence CDP Project No. 51529
8. Isakow Residence CDP/SDP Project No. 180002
9. Encore Trust Residence Project No. 237107
10. Community Planning Group Recommendation
11. Ownership Disclosure Statement
12. Development Plans



## Project Location Map

B-West Residence CDP/SDP

Project No. 643954 - 9872 La Jolla Farms Road



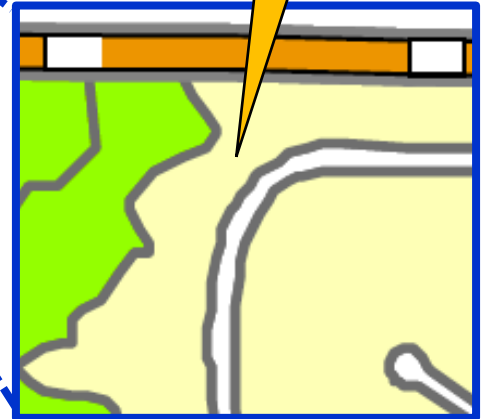


Legend

- Very Low Density Residential (0-5 DU/AC)
- Low Density Residential (5-9 DU/AC)
- Low Medium Residential (9-15 DU/AC)
- Medium Residential (15-30 DU/AC)
- Medium High Residential (30-45 DU/AC)
- Commercial/Mixed Use
- Parks, Open Space
- Schools
- Cultural
- Community Facilities
- E Elementary School
- J Junior High School
- H High School
- Z School
- L Library
- F Fire Station
- PO Post Office

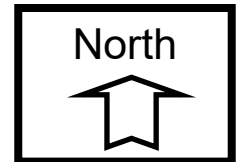


**Project Site**



# Land Use Map

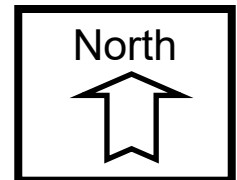
B-West Residence CDP/SDP  
 Project No. 643954 - 9872 La Jolla Farms Road





## Aerial Photograph

B-West Residence CDP/SDP  
Project No. 643954 - 9872 La Jolla Farms Road





HEARING OFFICER RESOLUTION NO. \_\_\_\_\_  
COASTAL DEVELOPMENT PERMIT NO. 2325008  
SITE DEVELOPMENT PERMIT NO. 2325058

**B-WEST RESIDENCE CDP/SDP - PROJECT NO. 643954 [MMRP]**  
AMENDMENT TO COASTAL DEVELOPMENT PERMIT NO. 852026 AND SITE DEVELOPMENT PERMIT  
NO. 852027

WHEREAS, JCT LOOKOUT, LLC, Owner/Permittee, filed an application with the City of San Diego for a permit to construct a new two-story single dwelling unit with two basement levels and an attached garage (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 2325008 and 2325058), on portions of a 1.52-acre site;

WHEREAS, the project site is located at 9872 La Jolla Farms Road in the RS-1-2 Zone, Coastal (Appealable) Overlay Zone, Coastal Height Limit Overlay Zone, First Public Roadway, Parking Impact Overlay Zone (Beach, Coastal, and Campus), Residential Tandem Parking Overlay Zone, Fire - Brush Management 100' Setback, Fire - 300' Buffer Brush Zone, and Fire - Very High Fire Hazard Severity Zone within the La Jolla Community Plan area;

WHEREAS, the project site is legally described as Parcel A: Parcel 2 of Parcel Map No. 20573, in the City of San Diego, County of San Diego, State of California, filed in the Office of the County Recorder of San Diego, September 19, 2008 as Instrument No. 2008-497483 of Official Records;

WHEREAS, on December 15, 2021, the Hearing Officer of the City of San Diego considered Coastal Development Permit No. 2325008 and Site Development Permit No. 2325058 pursuant to the Land Development Code of the City of San Diego;

BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to Coastal Development Permit No. 2325008 and Site Development Permit No. 2325058:

**A. COASTAL DEVELOPMENT PERMIT [San Diego Municipal Code (SDMC) section 126.0708]**

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

The 1.52-acre project site is located within a mostly developed area of large-scale single-family residences on approximately large 1 to 3-acre sized lots. The development proposes to construct a new two-story single dwelling unit with an attached garage and two basement levels on the vacant site. The proposed development is located between the ocean and the first public roadway, but the western edge of the project site is approximately 800 feet from the mapped mean high tide line. The project site is located adjacent to an identified public access path identified in the La Jolla Community Plan and Local Coastal Program [LCP] Land Use Plan. The development preserves the existing recorded, off-site public access way and maintains a buffer between the project site's easternmost fencing and the western edge of the dedicated public, pedestrian/recreation access way. The proposed residence is setback 45 feet from the existing pedestrian access way. Therefore, the proposed project will not encroach upon any existing physical access way that is legally used by the public or any proposed public access way identified in a Local Coastal Program land use plan.

The Local Coastal Program land use plan identifies two protected public view corridors that relate to the proposed development of the project site: Black Gold Road Scenic Overlook and La Jolla Farms Road Scenic Roadway. The proposed development preserves, enhances or restores these designated public view corridors. The Black Gold Road Scenic Overlook is defined as a view over private property from a public right of way. Consistent with prior City approvals for the project site, the proposed development preserves the existing 15-foot-wide, mid-project site view corridor easement that directly aligns with the Black Gold Road Scenic Overlook view corridor. In addition, consistent with the Local Coastal Program land use plan, the project preserves from the Black Gold Road Scenic Overlook an unobstructed view of the horizon line of the ocean above the residence. The project also enhances the Black Gold Road Scenic Overlook by including a larger than required view corridor along the project site's southern property line.

The Scenic Roadway designation, which is defined as partially obstructed views over private property and down public rights of way, commences at the western terminus of the Black Gold Road Scenic Overlook and continues south past the project site along La Jolla Farms Road. The project provides enhanced view corridor protections for the La Jolla Farms Road Scenic Roadway designation by establishing a southerly building setback between 12' to 15' which is greater than the required setback under applicable regulations.

In addition, the Local Coastal Plan land use plan, La Jolla Community Plan, and the Land Development Code include numerous other goals, policies or regulations regarding public views, including protections that apply to properties such as the project site that are located between the sea and the first public roadway. The project has been analyzed for consistency with all of those applicable public view protection provisions. Consistent with the City Council adopted Resolution No. R-298578, the proposed residence meets all of the RS-1-2 Zone development regulations and enhances view corridor protections by establishing building setbacks greater than required under applicable regulations, policies and goals. As such, the proposed development would enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Plan land use plan.

**b. The proposed development will not adversely affect environmentally sensitive lands.**

The 1.52-acre project site is currently vacant. An approximately 0.86-acre portion of the project site is classified as Urban/Developed habitat because of its previous use as a single-family residential site. The 0.86-acre portion of the project site has been graded and currently contains an athletic court and landscaping. The remainder of the project site (0.66-acre) is classified as Environmentally Sensitive Lands [ESL]. The project site is located within a well-established residential neighborhood and it is surrounded by large, estate style single family homes on the northeast, east and south. The north western portion of the project site, approximately 0.66-acres, contains areas of non-native invasive plants and ESL in the form of sensitive vegetation. This portion of the project site will be retained and conserved within a building restricted easement/covenant of easement area.

The proposed two-story, single-family residence would be built in the previously disturbed southeastern portion of the property. The proposed residence will not encroach on the ESL. Furthermore, the project site is not located within the Multiple Habitat Planning Area [MHPA]. MHPA lands are areas set aside by the approved Multiple Species Conservation Program Subarea Plan for preservation. The project, as mitigated, has been evaluated against and determined to conform to the Multiple Species Conservation Program Land Use Adjacency Guidelines.

The environmental review determined that the project may have a significant environmental effect on Cultural Resources and Paleontological Resources. The Development Services Department (DSD) has completed a California Environmental Quality Act (CEQA) Section 15162 – Subsequent EIRs and Negative Declaration consistency evaluation for the proposed B-West Residence CDP/SDP project. This evaluation was performed to determine if conditions specified in CEQA Guidelines Sections 15162 would require preparation of additional CEQA review for the proposed project. DSD has determined that the proposed project to construct a single-family residence is consistent with the Encore Trust Residence Mitigated Negative Declaration (LDR No. 237107 /SCH#2012081048) and would not result in new impacts. The City prepared a Mitigated Negative Declaration [MND], Project No. 237107, in accordance with the California Environmental Quality Act [CEQA]. The

project includes mitigation measures for potential impacts to Biological, Historical (Archaeological) and Paleontological Resources, to reduce the potential impacts to a level below significance. The Mitigation Monitoring and Reporting Program [MMRP] incorporates measures necessary to meet the performance standards in the City's Biology Guidelines, the City's CEQA Threshold of Significance for biological resources (60dB(a) noise limit), and state and federal law prohibiting the take, capture or killing of such avian species, including, among other things, required mitigation for potential impacts to California gnatcatcher and other migratory birds, detailed monitoring and compliance requirements, limits on the time periods and circumstances when development may occur absent the imposition of additional protections, requirements for revegetation and specific measures relating to the Multiple Species Conservation Program Land Use Adjacency Guidelines. Thus, given the project design, with implementation of the Mitigation Monitoring and Reporting Program [MMRP] and with compliance with the Land Development Code, the proposed project will not adversely affect Environmentally Sensitive Lands.

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

The project proposes construction of a new two-story single dwelling unit with an attached garage and two basement levels. The project site has a Residential-Very Low Density (0-5 DU/AC) land use designation for the front portion and an Open Space land use designation on the rear or western portion, which allows for low density residential development. The surrounding neighborhood is almost entirely built out with an eclectic mix of architectural styles and sizes of residences. As described previously in these findings, the proposed residence will not encroach upon, negatively alter or reduce the existing publicly designated physical access or visual access to and along the coast nor will it adversely affect Environmentally Sensitive Lands. The project also complies with all applicable requirements of the Land Development Code, which is part of the certified Local Coastal Plan Implementation Program. The project proposes to set the first story of the residence approximately 40 feet from the curb of La Jolla Farms Road when only a 25-foot setback from the property line is required. The southern side yard setback is required to be approximately 8.5 feet and the project proposes a setback of up to approximately 12 feet to 15 feet. In addition, the residence is proposed to be at the project's maximum height of 24 feet above grade when the maximum height limit is 30 feet, the proposed floor area ratio is 0.11 when 0.45 is allowed and the amount of livable area above grade is limited to approximately 12,200 square feet. As the project site slopes downward away from the street, and because the home is set back so far from the street, the highest point of the house is only 24 feet above the adjacent La Jolla Farms Road at centerline. The increased setbacks and other off-setting elements of the project depicted on Exhibit "A" minimize the bulk and scale of the project, help to preserve protected public views and ensure overall conformity with the adopted La Jolla Community Plan, the Land Development Code and the certified Local Coastal Plan land use plan and Implementation Program.

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

The Local Coastal Plan land use plan and the Land Development Code identify the permitted use of the project site as single family residential. The project site is currently vacant and contains an athletic court and landscaping. The project site is located within an existing residential neighborhood of larger, estate style single family homes. The project site is located between the first public road and the sea or shoreline, but the development will be fully within the private property. The proposed development does not encroach onto or adversely affect any public access way. As described previously in these findings, the project preserves and enhances the existing, off-site, dedicated, public pedestrian/recreation access way located east of the project site. The above referenced public pedestrian access way will also improve the ability of the public to physically access the coastal public recreation resources. Therefore, the project is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act.

Although the issue is not addressed in the public access and public recreation policies of Chapter 3 of the California Coastal Act, the project is consistent with City's policies, goals and regulations regarding public view protections. The Natural Resources and Open Space Element of the La Jolla Community Plan designates a Scenic Overlook and a Scenic Roadway public view corridor within the vicinity of the project site and adjacent properties. As described previously in these findings, and based on factors including the location of the proposed home relative to the designated view corridors, compliance with applicable Land Development Code requirements, the maintenance of the existing, 15 foot designated public view easement on the project site, the enhancement of setback based view corridor protections and the preservation of a horizon line view of the ocean above the proposed home from the designated Black Gold Road Scenic Overlook, the project will preserve, enhance or restore the protected public view corridors. City Staff reviewed the project and determined that the proposed project's design and public view protections comply with the Local Coastal Plan land use plan, the Coastal Act, the La Jolla Community Plan and the Land Development Code.

**B. SITE DEVELOPMENT PERMIT [SDMC section 126.0505]**

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

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

The proposed development is located at 9872 La Jolla Farms Road within the La Jolla Community Plan area. The surrounding neighborhood is an almost entirely built out area with an eclectic mix of generally larger single-family homes. Single family homes exist immediately to the northeast, east and south of project site. The properties to

the west and northwest include canyons that ultimately lead to coastal bluffs and the Pacific Ocean.

The proposed project conforms with the City of San Diego General Plan, the La Jolla Community Plan, the Local Coastal Plan land use plan and the regulations of the certified Local Coastal Plan Implementation Program. The project site, as with the properties to the northeast, east and south, has a Residential - Very Low Density (0-5 DU/ AC) land use designation that allows for low density single family residential development. The far western portion of the project site has an Open Space land use designation. The project proposes a new two-story single dwelling unit with two basement levels and an attached garage, on the previously developed portion, within the Residential - Very Low Density land use portion of the project site, consistent with that land use designation and the surrounding uses. The project also complies with all applicable requirements of the Land Development Code, which is part of the Local Coastal Plan Implementation Program. The project proposes to set the first story of the residence approximately 40 feet from the curb of La Jolla Farms Road when only a 25-foot setback from the property line is required. The southern side yard setback is required to be approximately 8.5 feet and the project proposes a setback of up to approximately 12 feet to 15 feet. In addition, the residence is proposed to be at the project's maximum height of 24 feet above grade when the maximum height limit is 30 feet, the proposed floor area ratio is 0.11 when 0.45 is allowed and the amount of livable area above grade is limited to approximately 12,200 square feet. As the project site slopes downward away from the street, and because the home is set back so far from the street, the highest point of the house is only 24 feet above the adjacent La Jolla Farms Road at centerline. The greater setbacks and other elements of the project depicted on Exhibit "A" minimize the bulk and scale of the project, help to preserve the designated public views from the Black Gold Road Scenic Overlook and the Scenic Roadway area of La Jolla Farms Road and ensure overall conformity with the adopted La Jolla Community Plan, the Land Development Code and the certified Local Coastal Plan land use plan and Implementation Program. City staff determined that the proposed project is compatible with the surrounding neighborhood and the project's design and public view protection are consistent with the Local Coastal Plan, the Coastal Act, the La Jolla Community Plan and the Land Development Code. The project also preserves and enhances the existing, off-site pedestrian public access easement as depicted on Exhibit "A" in order to improve public access to the coast. Therefore, the proposed development would not adversely affect the applicable land use plan.

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

The 1.52-acre project site is currently vacant. The 0.86-acre portion of the project site has been graded and currently contains an athletic court and landscaping. The remainder of the project site (0.66-acre) is classified as Environmentally Sensitive Lands. The north western portion of the project site, approximately 0.66-acres, contains areas of non-native invasive plants and Environmentally Sensitive Lands in the form of Sensitive Vegetation. This north western portion of the project site will

be retained and conserved within a building restricted easement/covenant of easement area. The proposed development places the residence in the south eastern portion of the property and would not encroach on the Environmentally Sensitive Lands.

The proposed project complies with the La Jolla Community Plan's land use designation and all other applicable policies and goals, as well as the development regulations of the RS-1-2 Zone and other applicable City and Coastal Act requirements. The City conducted a complete environmental review of this project. The environmental review determined that the project may have a significant environmental effect on Cultural Resources and Paleontological Resources. DSD has completed a CEQA Section 15162 – Subsequent EIRs and Negative Declaration consistency evaluation for the proposed B-West Residence CDP/SDP project. This evaluation was performed to determine if conditions specified in CEQA Guidelines Sections 15162 would require preparation of additional CEQA review for the proposed project. DSD has determined that the proposed project to construct a single-family residence is consistent with the Encore Trust Residence Mitigated Negative Declaration (LDR No. 237107 /SCH#2012081048); and would not result in new impacts. The City prepared a Mitigated Negative Declaration [MND], Project No. 237107, in accordance with the California Environmental Quality Act [CEQA]. The project includes mitigation measures for potential impacts to Biological, Historical (Archaeological) and Paleontological Resources, to reduce the potential impacts to a level below significance. The Mitigation Monitoring and Reporting Program [MMRP] incorporates measures necessary to meet the performance standards in the City's Biology Guidelines, the City's CEQA Threshold of Significance for biological resources (60dB(a) noise limit), and state and federal law prohibiting the take, capture or killing of such avian species, including, among other things, required mitigation for potential impacts to California gnatcatcher and other migratory birds, detailed monitoring and compliance requirements, limits on the time periods and circumstances when development may occur absent the imposition of additional protections, requirements for revegetation and specific measures relating to the MSCP Land Use Adjacency Guidelines. Applicable laws and/or the proposed conditions of approval also require compliance with Fire, Life, Health and Safety and Building Codes. The project includes a brush management plan with alternative compliance designed to protect the structure from fire hazard, yet minimize encroachment or impact on the Environmentally Sensitive Lands. Therefore, development of the proposed single-family home on the previously developed project site would not be detrimental to public health, safety and welfare.

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

The proposed development is located on the previously developed portion of a 1.52-acre property at 9872 La Jolla Farms Road within the La Jolla Community Plan and the RS-1-2 Zone. The project proposes the development of a two-story single dwelling unit with an attached garage and two basement levels of approximately

18,422 gross square feet, which equates to a habitable area of approximately 6,096 square feet (7,129 square feet above ground and 11,293 square feet of basement levels). The project does not propose any deviation from the Land Development Code. The project site and the proposed development has been studied for potential impacts on, among other things, traffic, noise, air quality, geotechnical, water quality, biology, cultural resources and hazardous substances. A Mitigated Negative Declaration has been prepared, in accordance with CEQA that requires mitigation measures in the form of a MMRP. The proposed development has been reviewed for and found to be consistent with the requirements imposed by the RS-1-2 zone, the Environmentally Sensitive Lands regulations and all other applicable Land Development Code requirements. The proposed development will be required to secure construction permits to demonstrate compliance with all applicable state and local laws. Therefore, the proposed project would comply with all applicable regulations of the Land Development Code.

**2. Supplemental Findings – Environmentally Sensitive Lands**

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

The 1.52-acre project site is currently vacant and currently contains an athletic court and landscaping on a 0.86-acre portion of the project site. The remainder of the project site (0.66-acre) is classified as Environmentally Sensitive Lands. The project proposes the development of a two-story single dwelling unit with an attached garage and two basement levels totaling approximately 18,422 gross square feet, which equates to a habitable area of approximately 6,096 square feet (7,129 square feet above ground and 11,293 square feet of basement levels). Project specific studies, including the geotechnical report, coupled with compliance with the Land Development Code and applicable building and safety codes, demonstrate that the previously developed project site is physically suitable for the design and siting of the proposed project.

No portion of the proposed development is located within Environmentally Sensitive Lands. The northwestern portion of the project site, approximately 0.66-acres, contains areas of non-native invasive plants and Environmentally Sensitive Lands in the form of sensitive vegetation. To avoid the disturbance of environmentally sensitive lands, that northwestern portion of the project site will be retained and conserved within a building restricted easement/covenant of easement area. No portion of the project site is located within the Multiple Habitat Planning Area [MHP A] and the project will conform to the MSCP Land Use Adjacency Guidelines.

During environmental review, it was determined that the project may have a significant environmental effect on Cultural Resources and Paleontological Resources. DSD has completed a CEQA Section 15162 – Subsequent EIRs and Negative Declaration consistency evaluation for the proposed B-West Residence CDP/SDP project. This evaluation was performed to determine if conditions specified in CEQA Guidelines Sections 15162 would require preparation of additional



CEQA review for the proposed project. DSD has determined that the proposed project to construct a single-family residence is consistent with the Encore Trust Residence Mitigated Negative Declaration (LDR No. 237107 /SCH#2012081048); and would not result in new impacts. The City prepared a Mitigated Negative Declaration, Project No. 237107, in accordance with CEQA that includes mitigation measures for potential impacts to Biological, Historical (Archaeological) and Paleontological Resources, to reduce the potential impacts to a level below significance. The Mitigation Monitoring and Reporting Program [MMRP] incorporates measures necessary to meet the performance standards in the City's Biology Guidelines, the City's CEQA Threshold of Significance for biological resources (60dB(a) noise limit), and state and federal law prohibiting the take, capture or killing of such avian species, including, among other things, required mitigation for potential impacts to gnatcatcher and other migratory birds, detailed monitoring and compliance requirements, limits on the time periods and circumstances when development may occur absent the imposition of additional protections, requirements for revegetation, specific measures relating to the MSCP Land Use Adjacency Guidelines and detailed programs for potential impacts to archaeological and paleontological resources. In addition, the project must comply with applicable Land Development Code provisions that require preferential avoidance of sensitive habitat and species, revegetation requirements and construction related storm water best management practices. As a result of the project design and compliance with the MMRP and project conditions, the proposed project will result in minimum disturbance to environmentally sensitive lands.

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

The proposed construction of a new, two-story, single family residence with an attached garage will occur entirely within the approximately 0.86-acre previously disturbed portion of the 1.52-acre project site. Since the project site has been previously graded under the current entitlement for the Encore Trust project, the project proposes minor grading of approximately 0.86 acres, or approximately 56% of the entire project site. The project area is classified as low to moderate risk for seismic activity according to the City of San Diego General Plan. A number of geology reports, the most recent prepared by Terra Pacific Consultants Inc, July 30, 2020, analyzed the project site and the project. That report indicates that no faults exist on the project site with the nearest Alquist-Priolo Earthquake Fault Zones are located within 1/8 mile of the project site and it makes project specific recommendations regarding geologic issues. Further construction related activities associated with the project would be required to comply with the seismic requirements of the California Building Code, City required engineering design measures, recommendations included in the City approved project geology reports and standard construction requirements that the City verifies at the construction permitting stage.

The project site is not located within a 100-year flood hazard area and it is located approximately 227 to 329 feet above mean sea level. The project's design includes construction-related best management practices (BMP's), such as diversion features (as determined by the grading contractor), and permanent low-impact development (LID) measures, such as permeable pavement and detention/treatment features within the landscape areas, to ensure runoff from the site does not result in erosion and sedimentation off site. Through these project design features, runoff volumes from the developed portion of the site would be reduced to match pre-existing flows, and would therefore not contribute erosive discharge velocities at the existing storm drain outlets. As such, the project would avoid direct discharge of runoff into and erosion of the native habitat adjacent to the northern and western property boundaries and nearby MHPA. The proposed landscaping along the development edge adjacent to the building restricted easement/covenant of easement area, and revegetation of the non-native invasive plant removal areas, would include brush management compatible natives and naturalized species which are drought tolerant and comply with all City Landscape Requirements.

The project site is located in a largely built out single family neighborhood, but it is identified on the City's Fire Hazard Severity Zone Map as having a high risk for the potential for wildfire to occur. To minimize risks associated with potential wildfire events, the project complies with the City's fire emergency access requirements and the project would establish and maintain a Brush Management Zone 1 with alternative compliance and no Brush Management Zone 2 on the project site. The project must also comply with all uniform building and fire code requirements including the requirement to install a residential fire sprinkler system. Thus, the proposed project will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.

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

The project site is located at 9872 La Jolla Farms Road within the La Jolla Community Plan. The 1.52-acre project site is currently vacant and currently contains an athletic court and landscaping on a 0.86-acre portion of the project site. The remainder of the project site (0.66-acre) is classified as Environmentally Sensitive Lands. This northwestern portion of the project site will be retained and conserved within a building restricted easement/covenant of easement area. The proposed development of a new two-story single dwelling unit with an attached garage and two basement levels will place the residence entirely within that previously disturbed, southeastern portion of the project site. The proposed residence will not disturb the Environmentally Sensitive Lands.

The project's design includes a brush management plan, as the building would be located within 100 feet of native/naturalized vegetation as specified on the Exhibit "A". The proposed landscaping along the development edge adjacent to the building restricted easement/covenant of easement area, and revegetation of the non-native invasive plant removal areas, would include brush management compatible natives

and naturalized species which are drought tolerant and comply with all City Landscape Requirements. During environmental review it was determined that the project may have a significant environmental effect on Cultural Resources and Paleontological Resources. DSD has completed a CEQA Section 15162 – Subsequent EIRs and Negative Declaration consistency evaluation for the proposed B-West Residence CDP/SDP project. This evaluation was performed to determine if conditions specified in CEQA Guidelines Sections 15162 would require preparation of additional CEQA review for the proposed project. DSD has determined that the proposed project to construct a single-family residence is consistent with the Encore Trust Residence Mitigated Negative Declaration (LDR No. 237107 /SCH#2012081048); and would not result in new impacts. The City prepared a Mitigated Negative Declaration, Project No. 237107, in accordance with CEQA. The MND includes mitigation measures for potential impacts to Biological, Historical (Archaeological) and Paleontological Resources, to reduce the potential impacts to a level below significance. The MMRP incorporates measures necessary to meet the performance standards in the City's Biology Guidelines, the City's CEQA Threshold of Significance for biological resources (60dB(a) noise limit), and state and federal law prohibiting the take, capture or killing of such avian species, including, among other things, required mitigation for potential impacts to California gnatcatcher and other migratory birds, detailed monitoring and compliance requirements, limits on the time periods and circumstances when development may occur absent the imposition of additional protections, requirements for revegetation and specific measures relating to the MSCP Land Use Adjacency Guidelines and detailed programs for potential impacts to archaeological and paleontological resources. In addition, the project must comply with applicable Land Development Code provisions that require preferential avoidance of sensitive habitat and species, revegetation requirements and construction related storm water best management practices. Thus, based on the project design, and with implementation of the Mitigation Monitoring Reporting Program, other project conditions and applicable laws designed to minimize impacts to environmentally sensitive lands, the proposed project will prevent adverse impacts on any adjacent Environmentally Sensitive Lands.

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

The project site is located at 9872 La Jolla Farms Road within the La Jolla Community Plan. The 1.52-acre project site is currently vacant and currently contains an athletic court and landscaping on a 0.86-acre portion of the project site. The remainder of the project site (0.66-acre) is classified as Environmentally Sensitive Lands. This north western portion of the project site will be retained and conserved within a building restricted easement/covenant of easement area. The proposed development places the residence in the south eastern portion of the property and would not encroach on the Environmentally Sensitive Lands.

The project site is located within the boundaries of the City of San Diego MSCP Subarea Plan in a developed community. However, the project site is not within the MHPA. The closest MHPA area is approximately 40 feet west of the project site's western boundary and approximately 165 feet west of the westernmost portion of the proposed development area. The project was analyzed for consistency with the MSCP Land Use Adjacency Guidelines and other components of the City's MSCP Subarea Plan. As documented in the MND, the biological technical reports and other project documentation, the project, as mitigated, would be consistent with the MSCP relative to potential impacts to areas such as drainage, toxics, lighting, noise, invasive plants, brush management and land development. Because of the project design, and with implementation of the MMRP, applicable laws and project conditions, the project will be consistent with the City's MSCP Subarea Plan.

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

The proposed construction of a new two-story single dwelling unit with an attached garage and two basement levels, will occur entirely within the approximately 0.86-acre previously disturbed portion of the 1.52-acre project site. The project site is located on a high coastal bluff area approximately 227 feet or greater above the mean sea level and the western most edge of the property is approximately 800 feet from the mapped mean high tide line. The northwestern portion of the project site, approximately 0.66-acres, contains areas of non-native invasive plants and Environmentally Sensitive Lands in the form of sensitive vegetation. The northwestern portion of the project site will be retained and conserved within a building restricted easement/covenant of easement area. Due to the presence of Environmentally Sensitive Lands within that 0.66-acre area, the proposed project requires a Site Development Permit.

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

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

The 1.52-acre project site is located within a mostly developed area of large-scale single-family residences on large, approximately 1 to 3-acre sized lots. The development proposes to construct a new two-story single dwelling unit with an attached garage and two basement levels on the previously disturbed,

approximately 0.86-acre portion of the project site. During environmental review, it was determined that the project may have a significant environmental effect on Cultural Resources and Paleontological Resources. DSD has completed a CEQA Section 15162 – Subsequent EIRs and Negative Declaration consistency evaluation for the proposed B-West Residence CDP/SDP project. This evaluation was performed to determine if conditions specified in CEQA Guidelines Sections 15162 would require preparation of additional CEQA review for the proposed project. DSD has determined that the proposed project to construct a single-family residence is consistent with the Encore Trust Residence Mitigated Negative Declaration (LDR No. 237107 /SCH#2012081048); and would not result in new impacts. The City prepared a Mitigated Negative Declaration, Project No. 237107, in accordance with CEQA. The Mitigated Negative Declaration includes mitigation measures for potential impacts to Biological, Historical (Archaeological) and Paleontological Resources, to reduce those potential impacts to a level below significance. The Mitigation, Monitoring and Reporting Program incorporates measures necessary to meet the performance standards in the City's Biology Guidelines, the City's CEQA Threshold of Significance for biological resources ( 60dB( a) noise limit), and state and federal law prohibiting the take, capture or killing of such avian species, including, among other things, required mitigation for potential impacts to California gnatcatcher and other migratory birds, detailed monitoring and compliance requirements, limits on the time periods and circumstances when development may occur absent the imposition of additional protections, requirements for revegetation and specific measures relating to the MSCP Land Use Adjacency Guidelines and detailed programs for potential impacts to archaeological and paleontological resources. In addition, the project must comply with applicable Land Development Code provisions that require preferential avoidance of sensitive habitat and species, revegetation requirements and construction related storm water best management practices with respect to potential drainage impacts. Further, the project was determined to be in compliance with the La Jolla Community Plan and the Local Coastal Plan land use plan. As designed, and with the conditions imposed, the project also complies with or exceeds the requirements of all applicable Land Development Code regulations. Thus, the nature and extent of mitigation required of the project as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development of the project site.

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

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Coastal Development Permit No. 2325008 and Site Development Permit No. 2325058 are hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits,

terms and conditions as set forth in Permit Nos. 2325008 and 2325058, a copy of which is attached hereto and made a part hereof.

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Benjamin Hafertepe  
Development Project Manager  
Development Services

Adopted on: December 15, 2021

IO#: 24008353

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**

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INTERNAL ORDER NUMBER: 24008353 SPACE ABOVE THIS LINE FOR RECORDER'S USE

COASTAL DEVELOPMENT PERMIT NO. 2325008  
SITE DEVELOPMENT PERMIT NO. 2325058  
**B-WEST RESIDENCE CDP/SDP PROJECT NO. 643954**  
AMENDMENT TO COASTAL DEVELOPMENT PERMIT NO. 852026 AND SITE  
DEVELOPMENT PERMIT NO. 852027  
HEARING OFFICER

This Coastal Development Permit No. 2325008 and Site Development Permit No. 2325058, Amendment to Coastal Development Permit No. 852026 and Site Development Permit No. 852027 are granted by the Hearing Officer of the City of San Diego to JCT LOOKOUT, LLC, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0708 and 126.0504. The 1.52-acre site is located at 9872 La Jolla Farms Road in the RS-1-2 Zone, Coastal Height Limitation Overlay Zone, Coastal (Appealable) Overlay Zone, First Public Roadway, Parking Impact Overlay Zone (Beach, Coastal, and Campus), Residential Tandem Parking Overlay Zone, Fire - Brush Management 100' Setback, Fire - 300' Buffer Brush Zone, and Fire - Very High Fire Hazard Severity within La Jolla Community Plan area. The project site is legally described as: Parcel A: Parcel 2 of Parcel Map No. 20573, in the City of San Diego, County of San Diego, State of California, filed in the Office of the County Recorder of San Diego, September 19, 2008 as Instrument No. 2008-497483 of Official Records.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to construct a new two-story single dwelling unit with an attached garage and two basement levels subject to the City's land use regulations described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated **[INSERT Approval Date]**, on file in the Development Services Department.

The project shall include:

- a. Construction of a new two-story single dwelling unit with an attached garage and two basement levels of approximately 18,422 square feet, which equates to a habitable area of 6,096 square feet (7,129 above ground and 11,293 square feet of basement levels);
- b. Landscaping (planting, irrigation and landscape related improvements); and

- c. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

**STANDARD REQUIREMENTS:**

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by [ENTER DATE typically 3 years, including the appeal time].
2. This Coastal Development Permit shall become effective on the eleventh working day following receipt by the California Coastal Commission of the Notice of Final Action, or following all appeals.
3. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
  - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
  - b. The Permit is recorded in the Office of the San Diego County Recorder.
4. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
5. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
6. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
7. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).



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

9. 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.

10. 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.

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

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

12. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the

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

**ENVIRONMENTAL/MITIGATION REQUIREMENTS:**

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

14. The mitigation measures specified in the MMRP and outlined in Mitigated Negative Declaration No. 237107 shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

15. The Owner/Permittee shall comply with the MMRP as specified in Mitigated Negative Declaration No. 237107 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:

- Cultural Resources
- Paleontological Resources

**CLIMATE ACTION PLAN REQUIREMENTS:**

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

**ENGINEERING REQUIREMENTS:**

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

18. Prior to the issuance of any construction permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for the existing and proposed landscape and private improvements in the La Jolla Farms Road Right-of-Way.
19. Prior to the issuance of any construction permit, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.
20. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the SDMC, into the construction plans or specifications.
21. 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.
22. Prior to the issuance of any construction permit the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Part 2 Construction BMP Standards Chapter 4 of the City's Storm Water Standards.

**GEOLOGY REQUIREMENTS:**

23. The Owner/Permittee shall submit a geotechnical investigation report or update letter that specifically addresses the proposed construction plans. The geotechnical investigation report or update letter shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to issuance of any construction permits.
24. The Owner/Permittee shall submit an as-graded geotechnical report prepared in accordance with the City's "Guidelines for Geotechnical Reports" following completion of the grading. The as-graded geotechnical report shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to exoneration of the bond and grading permit close-out.

**LANDSCAPE REQUIREMENTS:**

25. Prior to issuance of any grading permit, 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.
26. Prior to issuance of any public improvement permit, 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.

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

28. 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.

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

**BRUSH MANAGEMENT PROGRAM REQUIREMENTS:**

30. 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.

31. The Brush Management Program shall consist of a modified Zone One and Alternative Compliance with no Zone Two required, extending out from the structure towards the native/naturalized vegetation, consistent with §142.0412.

32. Prior to issuance of any grading permit, 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."

33. Prior to issuance of any Building Permits, 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.

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

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

**MULTIPLE SPECIES CONSERVATION PROGRAM:**

36. 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 within the contract specifications and depict on construction documents (as necessary) 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, and animal waste, and other substances that are potentially toxic or impactive 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).
- **Noise** - Construction noise that exceeds the maximum levels allowed (60 dB or greater at the beginning edge of the habitat within the MHPA) 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, evidence of no impacts to occupied MHPA habitat shall be provided by preconstruction survey and/or noise study that demonstrates noise would not exceed 60 dBA at end of MHPA.

**PLANNING/DESIGN REQUIREMENTS:**

37. 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.

38. 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.

39. 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, Steep Hillides, and Sensitive Vegetation, in accordance with SDMC section 143.0152. The Covenant of Easement shall include a legal description and an illustration of the premises showing the development area and the Environmentally Sensitive Lands as shown on Exhibit "A."

40. Prior to the issuance of any construction permits, the Owner/Permittee shall execute a Notice of Hazardous Condition-Indemnification and Hold Harmless Agreement for Sensitive Coastal Bluffs in accordance with SDMC section 143.0143, in a form and content acceptable to the Director of the Development Services Department, or designated representative, which shall provide: (a) that the Owner/Permittee understands that new accessory structures or landscape features customary and incidental to residential uses are prohibited within 5 feet of the Coastal Bluff Edge or on the face of the Bluff, as illustrated on approved plan Exhibit "A;" (b) that the Owner/Permittee understands that the site may be subject to extraordinary hazard from coastal bluff erosion, and the Owner/Permittee assumes all liability from such hazards; and (c) the Owner/Permittee unconditionally waives any claim of liability against the City of San Diego and agrees to defend, indemnify, and hold harmless the City of San Diego and its advisors relative to the City of San Diego's approval of the project and for any damage due to natural hazards. This Notice of Hazardous Conditions-Indemnification and

Hold Harmless Agreement shall be recorded against title to the property and shall run with the land, binding upon all successors and assigns.

41. 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.

**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 Hearing Officer of the City of San Diego on December 15, 2021 and [Approved Resolution Number].

Permit Type/PTS Approval No.: CDP No. 2325008 & SDP No. 3235058

Date of Approval: XX

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

\_\_\_\_\_  
Benjamin Hafertepe  
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.

**JCT LOOKOUT, LLC**  
Owner/Permittee

By \_\_\_\_\_

**JCT LOOKOUT, LLC**  
Owner/Permittee

By \_\_\_\_\_

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



**NOTICE OF DETERMINATION  
(Consistency Determination Pursuant to CEQA Section 15162)**

*(Choose one)*

**TO:**  X  Recorder/County Clerk  
P.O. Box 1750, MS A33  
1600 Pacific Hwy, Room 260  
San Diego, CA 92101-2422

**FROM:** City of San Diego  
Development Services Department  
1222 First Avenue, MS 501  
San Diego, CA 92101

     Office of Planning and Research  
1400 Tenth Street, Room 121  
Sacramento, CA 95814

**PROJECT NUMBER:** 643954

**STATE CLEARINGHOUSE NUMBER:** 2012081048

**PROJECT TITLE:** B-West Residence

**PROJECT LOCATION:** 9872 La Jolla Farms Road, San Diego, CA 92037

**PROJECT DESCRIPTION:** – The project proposes to amend CDP No. 852026 and SDP No. 852027, for the construction of a new residential single-dwelling unit, with two levels of basement, for a total of 18,422-square-feet located at 9872 La Jolla Farms Road.

A Mitigated Negative Declaration (MND) was previously adopted by the Planning Commission to analyze the development of the Encore Trust Residence Project (SCH No. 2012081048).

Pursuant to Public Resources Code Section 21166 and CEQA guidelines 15162, the City has determined that: (1) there is substantial evidence that none of the conditions requiring preparation of a subsequent EIR exist, and (2) the City will rely on the previous environmental document, which adequately addresses this project.

The proposed project       would, or  X  would not introduce additional impacts or increase the severity of impacts beyond those already analyzed in the Mitigated Negative Declaration (SCH No. 2012081048).

**PROJECT APPLICANT:** Timothy Golba

This is to advise that the City of San Diego Hearing Officer on December 15, 2021 approved the above described project and made the following determinations:

- (1) No Substantial changes are proposed in the project which will require major revisions of the previous Mitigated Negative Declaration (SCH No. 2012081048) due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and,
- (2) No Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous Mitigated Negative Declaration (SCH No. 2012081048) due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or,
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous Mitigated Negative Declaration (SCH No. 2012081048) was adopted, shows any of the following:
  - a. The project will have one or more significant effects not discussed in the previous Mitigated Negative Declaration (SCH No. 2012081048);
  - b. Significant effects previously examined will be substantially more severe than shown in the previous Mitigated Negative Declaration (SCH No. 2012081048);
  - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or,

- d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous Mitigated Negative Declaration (SCH No. 2012081048); would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

It is hereby certified that the final environmental report, including comments and responses, is available to the public at the office of the Development Services Department, 1222 First Avenue, San Diego, CA 92101.

Analyst: Rachael Ferrell

Telephone: (619) 446-5129

Filed by: \_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

**[Attach Copy of Check, Proof of CDFG Payment, or No Effect Form]**

Reference: California Public Resources Code, Section 15162/63.

DOC # 2005-0872187



OCT 07, 2005 3:15 PM

OFFICIAL RECORDS  
SAN DIEGO COUNTY RECORDER'S OFFICE  
GREGORY J. SMITH, COUNTY RECORDER  
FEES: 35.00  
PAGES: 10



2005-0872187

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

**WHEN RECORDED MAIL TO**  
PERMIT INTAKE  
MAIL STATION 501

FS  
10P  
1300

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 42-3463

COASTAL DEVELOPMENT PERMIT NO. 148433,  
SITE DEVELOPMENT PERMIT NO. 247415  
**KATZ RESIDENCE – PROJECT NO. 51529**  
HEARING OFFICER

This Coastal Development Permit, and Site Development Permit are granted by the Hearing Officer of the City of San Diego to JOAN KATZ, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0702 and 126.0502. The 3.06 acre site is located at 9862 La Jolla Farms Road in the RS-1-2 Zone, Coastal Overlay (appealable), Coastal Height Limitation Overlay, First Public Roadway, and Beach Parking Impact Overlay zones within the La Jolla Community Plan. The project site is legally described as Parcels 2 and 3 as shown on Parcel Map No. 16819, in the City of San Diego, County of San Diego, State of California, According to Map Thereof filed April 3, 1992 as File No. 1992-0192733 of Official Records.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner /Permittee to demolish all structures (no new construction proposed) including the main house, guest house, garage, and tool shed, described and identified by size, dimension, quantity, type, and location on the approved exhibits, dated August 17, 2005, on file in the Development Services Department.

The project or facility shall include:

- a. Demolition of all structures (no new construction proposed) including the 6,800 square foot main house, 1,000 square foot guest house, 500 square foot garage, and 60 square foot tool shed on a 3.06 acre property; and
- b. Removal of non-native landscaping as identified on the Exhibit A, with the exception of the Torrey Pines; and
- c. Accessory improvements determined by the City Manager to be consistent with the land use and development standards in effect for this site per the adopted community plan,

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California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

**STANDARD REQUIREMENTS:**

1. Construction, grading or demolition must commence and be pursued in a diligent manner within thirty-six months after the effective date of final approval by the City, following all appeals. Failure to utilize the permit within thirty-six months will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all the SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker.
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. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the City Manager.
4. This Permit is a covenant running with the subject property and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.
5. The utilization and continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. This Coastal Development Permit shall become effective on the eleventh working day following receipt by the California Coastal Commission of the Notice of Final Action following all appeals.
7. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

8. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.

9. Before issuance of any building or grading permits, complete grading and working drawings shall be submitted to the City Manager for approval. Plans shall be in substantial conformity to Exhibit "A," on file in the Development Services Department. No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.

10. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

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

#### **PLANNING REQUIREMENTS:**

11. No impacts or encroachment into steep slopes or sensitive biological resources shall occur during or after demolition.

12. No grading shall occur as part of this project.

13. There shall be compliance with the regulations of the underlying zone(s) unless a deviation or variance to a specific regulation(s) is approved or granted as a condition of approval of this Permit. Where there is a conflict between a condition (including exhibits) of this Permit and a regulation of the underlying zone, the regulation shall prevail unless the condition provides for a deviation or variance from the regulations. Where a condition (including exhibits) of this Permit establishes a provision which is more restrictive than the corresponding regulation of the underlying zone, then the condition shall prevail.

14. Any future requested amendment to this Permit shall be reviewed for compliance with the regulations of the underlying zone(s) which are in effect on the date of the submittal of the requested amendment.

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15. Any proposals for development not expressly allowed by this permit shall require an amendment to the permit. Any amendment for proposed development may require additional Site Development Permit findings for Environmentally Sensitive Land.

**LANDSCAPE REQUIREMENTS:**

16. No change, modification or alteration shall be made to the project unless appropriate application or amendment of this Permit shall have been granted by the City.

17. Prior to issuance of any engineering permits for grading, construction documents for slope planting or revegetation including hydroseeding and irrigation shall be submitted in accordance with the Landscape Standards and to the satisfaction of the City Manager. All plans shall be in substantial conformance with Exhibit A (including Environmental conditions) on file in the Office of Development Service. The applicant shall provide the live seed germination percents in the Hydroseed Mix.

18. Installation of slope planting and erosion control including seeding of all disturbed land (slopes and pads) consistent with the approved landscape and grading plans is considered to be in the public interest. The Permittee shall initiate such measures as soon as the grading has been accomplished. Such erosion control/slope planting and the associated irrigation systems (temporary and/or permanent) and appurtenances shall be installed in accordance with the approved plans and the Landscape Standards.

19. Prior to final inspection, it shall be the responsibility of the Permittee or subsequent Owner to install all required landscape. A No Fee Street Tree Permit, if applicable, shall be obtained for the installation, establishment and on-going maintenance of all street trees.

20. All required landscape shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted unless specifically noted in this Permit. The trees shall be maintained in a safe manner to allow each tree to grow to its mature height and spread.

21. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind and equivalent size per the approved documents to the satisfaction of the City Manager within 30 days of damage or Certificate of Occupancy.

22. The Permittee or subsequent Owner(s) shall be responsible for the installation and maintenance of all landscape improvements consistent with the Landscape Regulation and Landscape Standards. Invasive species are prohibited from being planted adjacent to any canyon, water course, wet land or native habitats within the city limits of San Diego. Invasive plants are those which rapidly self propagate by air born seeds or trailing as noted in section 1.3 of the Landscape Standards.

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23. Prior to the issuance of a demolition permit, a certified Arborist shall survey all of the trees on the property - providing City staff with a report of their findings. All Pinus Torreyanna's shall be maintained in a healthy environment.

**INFORMATION ONLY:**

Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development 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.

APPROVED by the Hearing Officer of the City of San Diego on August 17, 2005.

ALL-PURPOSE CERTIFICATE

CDP No. 148433 and SDP No. 247415

Date of Approval August 17, 2005

STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO

*John Cruz*  
John Cruz, Development Project Manager

On Oct. 7, 2005 before me, Stacie L. Maxwell, (Notary Public), personally appeared **John Cruz**, Development Project Manager of the Development Services Department of the City of San Diego, personally known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Signature

*Stacie L. Maxwell*  
Stacie L. Maxwell



ALL-PURPOSE CERTIFICATE

OWNER(S)/PERMITTEE(S) SIGNATURE/NOTARIZATION:

THE UNDERSIGNED OWNER(S)/PERMITTEE(S), BY EXECUTION THEREOF, AGREES TO EACH AND EVERY CONDITION OF THIS PERMIT AND PROMISES TO PERFORM EACH AND EVERY OBLIGATION OF OWNER(S)/PERMITTEE(S) THEREUNDER.

Signed

*Joan Katz*

Typed Name

JOAN KATZ  
OWNER/PERMITTEE

Signed

Typed Name

STATE OF

California

COUNTY OF

San Diego

On 9/28/05 before me, Kirstin Oates (Name of Notary Public) personally appeared Joan Katz, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature

*Kirstin Oates*



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HEARING OFFICER RESOLUTION No. HO-5091  
COASTAL DEVELOPMENT PERMIT No. 148433 and SITE DEVELOPMENT PERMIT No. 247415  
**KATZ RESIDENCE - PROJECT No. 51529**

WHEREAS, JOAN KATZ, Owners/Permittee, filed an application with the City of San Diego for a Coastal Development Permit and a Site Development Permit to demolish all structures including the main house, guest house, garage, and tool shed (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 148433 & 247415), on portions of a 3.06 acre site; and

WHEREAS, the project site is located at 9862 La Jolla Farms Road in the RS-1-2 Zone, the Coastal Overlay (appealable area), Coastal Height Limit, First Public Roadway, and Beach Parking Impact zones within the La Jolla Community Plan area; and

WHEREAS, the project site is legally described as Parcels 2 and 3 as shown on Parcel Map No. 16819, in the City of San Diego, County of San Diego, State of California, according to Map Thereof, filed in the Office of the County Recorder April 3, 1992 as File No. 1992-0192733 of Official Records; and

WHEREAS, on August 17, 2005, the HEARING OFFICER of the City of San Diego considered Coastal Development Permit No. 148433 and Site Development Permit No. 247415, pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

BE IT RESOLVED by the HEARING OFFICER of the City of San Diego as follows:

That the HEARING OFFICER adopts the following written Findings, dated August 17, 2005.

FINDINGS:

**Coastal Development Permit - Section 126.0708**

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

The 3.06 acre site is residentially zoned and located on the west side of La Jolla Farms Road with residential lots to the north, east, and south and the Pacific Ocean to the west of the property. This project is for a demolition only and there are no actions that would result in any encroachment upon any existing physical accessway legally used by the public or proposed for access in the Local Coastal Program land use plan and, this project will not change any existing condition relative to public views to and along the ocean and other scenic coastal areas as identified in the plan.

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

The 3.06 acre site, currently developed with a two-story main house, a guest house, a garage, and a tool shed, does contain environmentally sensitive lands. Therefore, a Site Development Permit shall be required for the proposed demolition of these buildings and the removal of non-sensitive vegetation within the existing development area. The proposed demolition will not directly impact or adversely affect any environmentally sensitive lands and the permit shall be a conditioned to prohibit any impacts or encroachment into steep slopes or sensitive biological resources either during or after construction.

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

The subject 3.06 acre site is in the RS-1-2 Zone, the Coastal Overlay (appealable area), Coastal Height Limit, First Public Roadway, and Beach Parking Impact zones within the La Jolla Community Plan area. The requested action, to demolish all structures including the main house, guest house, garage, and tool shed, is in conformity with the certified Local Coastal Program land use plan as conforming development, and complies with all regulations of the certified Implementation Plan.

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

The 3.06 acre site, currently developed with a single-family residential structure, is part of an established urbanized residential area. The project site is located between the first public road and the sea or coastline. Dedicated public access to the ocean is located several hundred feet south of the property on the westside of La Jolla Farms Road. This conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

**Site Development Permit - Municipal Code Section 126.0504**

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

The proposed demolition of all structures including the main house, guest house, garage, and tool shed will not adversely affect the La Jolla Community Plan. The proposed demolition has been found consistent with the plan's land use designation, Very Low Density Residential (0-5 du's per acre). No new construction is proposed at this time.

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

The proposed demolition has been designed to comply with all of the applicable development regulations and would therefore not be detrimental to the public health, safety and welfare. No impacts or encroachment into steep slopes or sensitive biological resources shall occur during or after demolition.

**3. The proposed development will comply with the applicable regulations of the Land Development Code.**

The proposed demolition will comply with the applicable regulations of the Land Development Code. City staff has reviewed the proposed plans and made the appropriate recommendations, determining that the demolition of all structures including the main house, guest house, garage, and tool shed will comply with all of the applicable development regulations. Any proposals for development not expressly allowed by this permit shall require an amendment to the permit. Any amendment for proposed development may require additional Site Development Permit findings for Environmentally Sensitive Land.

**Supplemental Findings--Environmentally Sensitive Lands**

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

No new construction is proposed at this time. There will be no impact to environmentally sensitive lands during the demolition of all structures including the main house, guest house, garage, and tool shed, as it will occur only on the currently developed portion of the property and therefore will result in minimum disturbance to environmentally sensitive lands.

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

The proposed demolition of all existing structures will not result in any alteration of the natural land form as it will occur only on the currently developed portion of the property. The remaining footprint, hardscape, and landscape will be hydro-seeded which will reduce the impact of undue risk from geologic and erosional forces, flood hazards, or fire hazards.

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

The proposed demolition of all existing structures will not result in any adverse impacts on any adjacent environmentally sensitive lands, as it will occur only on the currently developed portion of the property. The proposed demolition was found through the City's Site Development Permit Review process to have no impacts to nor encroachment into environmentally sensitive lands.

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

The project site is within the boundaries of the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan. The property is in an area that is developed with residential

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development to the north, east, and south and the Pacific Ocean to the west and is consistent with the MSCP.

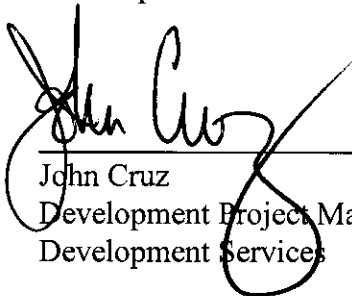
**5. The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply; and**

The proposed demolition of all existing structures will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply as it will occur only on the currently developed portion of the property. The proposed demolition will be located at least 40 feet from the bluff edge.

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

The proposed demolition is for the removal of all existing structures. The remaining footprint, hardscape, and landscape will be hydro-seeded. The demolition will not require mitigation. All impacts will occur only to the currently developed portion of the property. The remaining portion will not be impacted.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the HEARING OFFICER, Coastal Development Permit No. 148433 and Site Development Permit No. 247415, is hereby GRANTED by the HEARING OFFICER to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit Nos. 148433 and 247415, a copy of which is attached hereto and made a part hereof.

  
\_\_\_\_\_  
John Cruz  
Development Project Manager  
Development Services

Adopted on: August 17, 2005

Job Order No. 42-3463

cc: Legislative Recorder, Planning Department

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THE ORIGINAL OF THIS DOCUMENT  
WAS RECORDED ON SEP 24, 2010  
DOCUMENT NUMBER 2010-0509555  
DAVID L. BUTLER, COUNTY RECORDER,  
SAN DIEGO COUNTY RECORDER'S OFFICE  
TIME: 8:29 AM

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

**WHEN RECORDED MAIL TO**  
**PROJECT MANAGEMENT**  
**PERMIT CLERK**  
**MAIL STATION 501**

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 23432375

**COASTAL DEVELOPMENT PERMIT NO. 690317**  
**SITE DEVELOPMENT PERMIT NO. 690318**  
**ISAKOW RESIDENCE, PROJECT NO. 180002 (MMRP)**  
**HEARING OFFICER**

This Coastal Development Permit No. 690317 and Site Development Permit No. 690318 is granted by the Hearing Officer of the City of San Diego to LJFR, LLC, a Nevada Limited Liability Company, Owner and Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0708 and 126.0504. The 1.52-acre site is located at 9872 La Jolla Farms Road in the RS-1-2 Zone, the Coastal Overlay Zone (Appealable to the California Coastal Commission), the Coastal Height Limit Overlay Zone, lies between the First Public Roadway and the shoreline, the Beach Impact Area of the Parking Impact Overlay Zone, the Campus Impact Area of the Parking Impact Overlay Zone, the Residential Tandem Parking Overlay Zone, and the La Jolla Community Plan and Local Coastal Program areas. The project site is legally described as Parcel 2 of Parcel Map No. 20573, in the City of San Diego, County of San Diego, State of California, filed in the office of the County Recorder of the County of San Diego September 19, 2008 as instrument No. 2008-0497483 of the Official Records.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owners/Permittees to construct a single family residence with guest quarters totaling approximately 13,456 square feet, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated April 7, 2010, on file in the Development Services Department.

The project shall include:

- a. An approximately 8,136 square-foot, two-story single family residence with a 878 square-foot terrace/veranda area, a 1,774 square-foot pool house/mechanical room, and a three car garage;
- b. An approximately 958 square-foot guest house with a one-story guest house with a 506 square-foot terrace area and one car garage;

- c. A roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 50 percent of the proposed project's projected energy consumption, as established by Council Policy 900-14;
- d. Landscaping (planting, irrigation and landscape related improvements);
- e. Off-street parking; and
- f. Accessory improvements determined by the Development Services Department to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

**STANDARD REQUIREMENTS:**

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. Failure to utilize and maintain utilization of this permit as described in the SDMC will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker.
2. This Coastal Development Permit shall become effective on the eleventh working day following receipt by the California Coastal Commission of the Notice of Final Action, or following all appeals.
3. No permit for the construction, occupancy or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
  - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
  - b. The Permit is recorded in the Office of the San Diego County Recorder.
4. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the Development Services Department.
5. This Permit is a covenant running with the subject property and shall be binding upon the Owner/Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.
6. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.

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

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

9. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.

10. Construction plans shall be in substantial conformity to Exhibit "A." No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.

11. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

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

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

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

**ENVIRONMENTAL/MITIGATION REQUIREMENTS:**

13. Mitigation requirements are tied to the environmental document, specifically the Mitigation, Monitoring, and Reporting Program (MMRP). These MMRP conditions are incorporated into the permit by reference or authorization for the project

14. The mitigation measures specified in the Mitigation Monitoring and Reporting Program, and outlined in Mitigated Negative Declaration No.180002, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL/MITIGATION REQUIREMENTS.

15. The Owner/Permittee shall comply with the Mitigation, Monitoring, and Reporting Program (MMRP) as specified in Mitigated Negative Declaration No.180002, satisfactory to the Development Services Department and the City Engineer. All mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue areas:

Land Use/Multiple Species Conservation Program (MSCP) and Paleontological Resources.

**ENGINEERING REQUIREMENTS:**

16. Prior to the issuance of any construction permits, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance.

17. Prior to the issuance of any construction permits, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.



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

19. Prior to the issuance of any construction permits, the Owner/Permittee shall incorporate and show the type and location of all post-construction Best Management Practices (BMP's) on the final construction drawings, in accordance with the approved Water Quality Technical Report, satisfactory to the City Engineer.

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

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

22. Prior to the issuance of any construction permits, the Owner/Permittee shall assure by permit and bond the relocation of the telecommunications vault and riser and construction of a City Standard 12' driveway, adjacent to the site on La Jolla Farms Road, satisfactory to the City Engineer.

23. This project proposes to export 85 cubic yards of material from the project site. All export material shall be discharged into a legal disposal site. The approval of this project does not allow the onsite processing and sale of the export material unless the underlying zone allows a construction and demolition debris recycling facility with an approved Neighborhood Use Permit or Conditional Use Permit per LDC Section 141.0620(i).

24. Prior to the issuance of any construction permits, the Owner/Permittee shall obtain an Encroachment Maintenance and Removal Agreement (EMRA) for the decorative pavement and private storm drain system, within the La Jolla Farms Road right-of-way.

25. Prior to the issuance of any construction permits, the Owner/Permittee shall grant the City additional easement sufficient to provide an 11 foot wide clearance centered on the existing 18" RCP storm drain pipe, satisfactory to the City Engineer.

**FIRE DEPARTMENT REQUIREMENTS:**

26. The single family residence and garage shall be equipped with a residential fire sprinkler system, satisfactory to the Fire Marshal.

**LANDSCAPE REQUIREMENTS:**

27. Prior to issuance of any construction permits, landscape construction documents for the revegetation and hydro-seeding of all disturbed land shall be submitted in accordance with the Landscape Standards and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit 'A,' on file in the Office of the Development Services Department.

28. Installation of slope planting and erosion control including seeding of all disturbed land (slopes and pads) consistent with the approved landscape and grading plans is considered to be in the public interest. The Owner/Permittee shall initiate such measures as soon as the grading and disturbance has been completed. Such erosion control/slope planting and the associated irrigation systems (temporary and/or permanent) and appurtenances shall be installed in accordance with the approved plans and the Land Development Manual Landscape Standards.

29. Prior to issuance of any construction permits for buildings complete landscape and irrigation construction documents consistent with the Land Development Manual Landscape Standards shall be submitted to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit 'A,' Landscape Development Plan, on file in the Office of the Development Services Department. Construction plans shall take into account a 40 square foot area around each tree which is unencumbered by hardscape and utilities as set forth under LDC 142.0403(b)5.

30. Prior to final inspection, it shall be the responsibility of the Owner/Permittee to install all required landscape. A No Fee Street Tree Permit shall be obtained for the installation, establishment and on-going maintenance of all street trees.

31. All required landscape shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted. The trees shall be maintained in a safe manner to allow each tree to grow to its mature height and spread.

32. The existing pinus torreyana - Torrey Pine shall be protected and preserved in place, and proper tree protection measures taken to ensure no work activity occurs within the drip line of the tree prior to, during or after construction. The tree protection notes shown on Exhibit 'A' shall be shown on the landscape construction plans.

33. Prior to issuance of any grading permit, to include slope restoration or revegetation, the Owner/Permittee shall enter into a Landscape Establishment/Maintenance Agreement (LEMA) to assure long-term establishment and maintenance of the slope revegetation areas. The LEMA shall be approved by the Development Services Department.

34. Construction Documents for grading shall include the following note: "Installation of landscaping associated with these construction documents shall require a minimum short-term establishment period of 120 days for all native slope restoration/revegetation and a minimum long-term establishment/maintenance period of 25 months. Final approval of the required landscaping shall be to the satisfaction of the Mitigation Monitoring Coordination section of the Development Services Department.

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

36. The Owner/Permittee shall be responsible for the installation and maintenance of all landscape improvements consistent with the Land Development Code Landscape Regulations and the Land Development Manual Landscape Standards. Invasive species are prohibited from being planted adjacent to any canyon, water course, wetland or native habitats within the city limits of San Diego. Invasive plants are those which rapidly self propagate by air born seeds or trailing as noted in section 1.3 of the Landscape Standards.

37. Prior to the release of the Landscape Maintenance Bond the slopes and revegetation shall be inspected and approved by a Landscape Inspector from the Mitigation Monitoring Coordination (MMC) Section.

**MODIFIED BRUSH MANAGEMENT PROGRAM REQUIREMENTS:**

38. The Owner/Permittee shall implement the following requirements in accordance with the Modified Brush Management Program shown on Exhibit "A," Brush Management Plan, on file in the Office of the Development Services Department.

39. Prior to issuance of any construction permits, Landscape Construction Documents required for the construction permits shall be submitted showing the brush management zones on the property in substantial conformance with Exhibit "A."

40. The Modified Brush Management Program shall consist of two zones consistent with the Brush Management Regulations of the Land Development Code Section 142.0412 as follows: a modified Zone One of 10 to 65 feet with a 6 foot high fire wall between portions of Zone One and Zone Two, and a Zone Two of 30 to 65 feet.

41. Within Zone One, combustible accessory structures (including, but not limited to decks, trellises, gazebos, etc.) shall not be permitted while non-combustible accessory structures may be approved within the designated Zone One area subject to Fire Marshall and Development Services Department approval.

42. All new Zone Two planting shall be temporarily irrigated with an above-ground irrigation system until established. Zone Two shall be maintained on a regular basis by pruning and thinning plants, removing weeds, and maintaining the temporary irrigation system. Only native vegetation shall be planted or hydro seeded. If Zone Two is being revegetated, 50% of the planting area shall be seeded with material that does not grow taller than 24 inches.

43. Prior to final inspection and issuance of any Certificate of Occupancy, the approved Modified Brush Management Program shall be implemented. The Brush Management Program shall be maintained at all times in accordance with the City of San Diego's Land Development Manual, Landscape Standards.

**PLANNING/DESIGN REQUIREMENTS:**

44. This permit authorizes development as outlined on the Exhibit "A" drawings, dated April 7, 2010, on file in the Development Services Department. All terms and conditions of Coastal Development Permit No. 148433, Site Development Permit No. 247145, and Coastal

Development Permit No. 541081 shall remain in full force and effect except as modified and amended by this project.

45. Prior to the issuance of any construction permits, the Owner/Permittee shall record a Deed Restriction preserving a visual corridor. The corridor shall be ten feet in width from the east side property line adjacent to the public footpath running the entire depth of the premises as shown on the Exhibit "A," in accordance with Land Development Code Section 132.0403(a).

46. 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 on the premises, in accordance with Land Development Code Section 143.0152.

47. Prior to final inspection of the guest quarters, the primary dwelling unit must have received final inspection.

48. Prior to issuance of a building permit for a guest quarters, the property owner shall submit a signed agreement with the City that specifies that the guest quarters shall not be used as, or converted to a dwelling unit. The agreement shall include a stipulation that neither the primary dwelling unit nor the guest quarters shall be sold or conveyed separately.

49. No fewer than three off-street parking spaces shall be maintained on the property at all times in the approximate locations shown on the approved Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the Development Services Department.

50. 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.

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

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

**GEOLOGY REQUIREMENTS:**

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

54. The Owner/Permittee shall submit an as-graded geotechnical report prepared in accordance with the City's "Guidelines for Geotechnical Reports" following completion of the

grading. The as-graded geotechnical report shall be reviewed for adequacy by the Geology Section of Development Services prior to exoneration of the bond and grading permit close-out.

**WASTEWATER REQUIREMENTS:**

55. The Owner/Permittee shall design and construct any proposed public sewer facilities to the most current edition of the City of San Diego's Sewer Design Guide.

56. Proposed private underground sewer facilities located within a single lot shall be designed to meet the requirements of the California Plumbing Code and shall be reviewed as part of the building permit plan check.

**WATER REQUIREMENTS:**

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

58. Prior to the issuance of any building permits, the Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Director of Public Utilities and the City Engineer.

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

60. The Owner/Permittee agrees to design and construct all proposed public water facilities in accordance with established criteria in the most current edition of the City of San Diego Water Facility Design Guidelines and City regulations, standards and practices pertaining thereto. Public water facilities, and associated easements, as shown on approved Exhibit "A" shall be modified at final engineering to comply with standards.

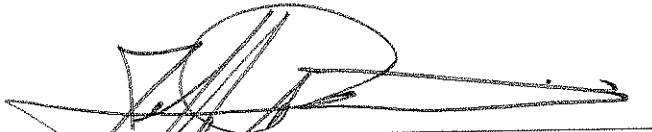
**INFORMATION ONLY:**

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development 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 §66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Hearing Officer of the City of San Diego on April 7, 2010 by Resolution No. HO-6301.

Coastal Development Permit No. 690317  
Site Development Permit No. 690318  
Date of Approval: April 7, 2010

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES  
DEPARTMENT



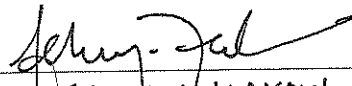
Jeffrey A. Peterson  
Development Project Manager

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

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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.

LJFR, LLC, a Nevada Limited Liability Company  
Owner/Permittee

By   
Name: SELWYN ISAKOW  
Title: MEMBER

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

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California

County of San Diego

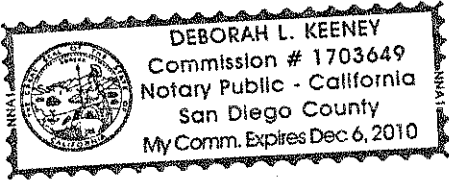
On September 21, 2010 before me, Deborah L. Keene, Notary Public  
Date Here Insert Name and Title of the Officer

personally appeared Selwyn Isakow  
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Handwritten Signature]  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

**Description of Attached Document**

Title or Type of Document: Coastal Development Permit No 690317

Document Date: April 7, 2010 Number of Pages: 10

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_

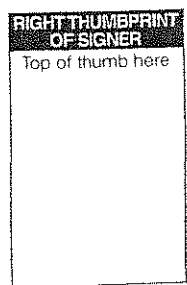
- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_



Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_



Signer Is Representing: \_\_\_\_\_

**ORIGINAL**

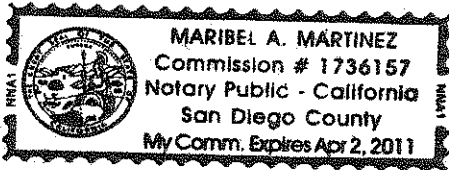
**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California

County of San Diego

On Sept. 22, 2010 before me, Maribel A. Martinez, Notary Public

personally appeared Jeffrey A. Peterson



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Maribel A. Martinez  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

**Description of Attached Document**

Title or Type of Document: Isakow Residence Pte # 180002

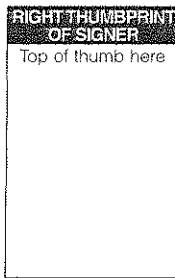
Document Date: April 7, 2010 Number of Pages: 10

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_

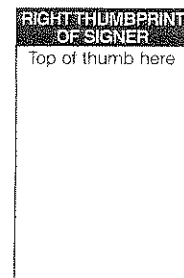
- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_



Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_



Signer Is Representing: \_\_\_\_\_

**ORIGINAL**



HEARING OFFICER RESOLUTION NO. HO-6301-1  
COASTAL DEVELOPMENT PERMIT NO. 690317  
SITE DEVELOPMENT PERMIT NO. 690318  
**ISAKOW RESIDENCE- PROJECT NO. 180002 [MMRP]**

WHEREAS, LJFR, LLC, a Nevada Limited Liability Company, Owners/Permittee, filed an application with the City of San Diego for a permit to construct a single family residence with guest quarters totaling 13,456 square feet (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Numbers 690317 and 690318, on portions of a 1.52-acre site;

WHEREAS, the project site is located at 9872 La Jolla Farms Road in the RS-1-2 Zone, the Coastal Overlay Zone (Appealable), the Coastal Height Limit Overlay Zone, lies between the First Public Roadway and the shoreline, the Beach Impact Area of the Parking Impact Overlay Zone, the Campus Impact Area of the Parking Impact Overlay Zone, the Residential Tandem Parking Overlay Zone, and the La Jolla Community Plan and Local Coastal Program areas;

WHEREAS, the project site is legally described as Parcel 2 of Parcel Map No. 20573 in the City of San Diego, County of San Diego, State of California, filed in the Office of the County Recorder of San Diego County on September 19, 2008 as instrument No. 2008-0497483 of the official records;

WHEREAS, on April 7, 2010, the Hearing Officer of the City of San Diego considered Coastal Development Permit No. 690317 and Site Development Permit No. 690318, and pursuant to the Land Development Code of the City of San Diego;

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

That the Hearing Officer adopts the following written Findings, dated April 7, 2010.

**Coastal Development Permit - Section 126.0708**

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

The property is located at 9872 La Jolla Farms Road in the RS-1-2 Zone, the Coastal Overlay Zone (Appealable), Coastal Height Limit Overlay Zone, lies between the First Public Roadway and the shoreline, the Beach Impact Area of the Parking Impact Overlay Zone, the Campus Impact Area of the Parking Impact Overlay Zone, the Residential Tandem Parking Overlay Zone, and the La Jolla Community Plan and Local Coastal Program areas. The 66,256 square-foot project site (1.52-acres) is currently vacant and is within a mostly developed area of large scale single-family residences on estate-sized lots adjacent to the Pacific Ocean. The site is irregular in shape and generally bound by single family residences to the north, east, and south, and a canyon to the west that leads to coastal bluff and the

Pacific Ocean. The project proposes a Coastal Development Permit and Site Development Permit to construct a single family residence with guest quarters totaling 13,456 square feet.

The development proposes to construct a two-story single-family residence with a three car garage and a one story residential guest house with a one car garage on the vacant site. The project would include site amenities such as a pool and outdoor verandas, native landscaping, and the retention of view corridors. The proposed development is contained within the existing legal lot area, which would not encroach upon any existing or proposed physical access to the coast. The Natural Resources and Open Space Element of the La Jolla Community Plan and Local Coastal Program (Figure 9 and Appendix G) designates a Scenic Overlook on the property from the public right-of-way to the ocean and designated public open space. The project has been sited and designed to ensure it does not restrict visual access from the public right-of-way to the ocean and designated public open space. The project would also deed restrict a visual corridor through the site to the Pacific Ocean and open space from the adjacent foot path along the east side of the property. Therefore, the proposed coastal development will not encroach upon any existing physical access way that is legally used by the public or any proposed public access way 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.

**2. The proposed coastal development will not adversely affect environmentally sensitive lands; and**

The property is located at 9872 La Jolla Farms Road in the RS-1-2 Zone, the Coastal Overlay Zone (Appealable), Coastal Height Limit Overlay Zone, lies between the First Public Roadway and the shoreline, the Beach Impact Area of the Parking Impact Overlay Zone, the Campus Impact Area of the Parking Impact Overlay Zone, the Residential Tandem Parking Overlay Zone, and the La Jolla Community Plan and Local Coastal Program areas. The 66,256 square-foot project site (1.52-acres) is currently vacant and is within a mostly developed area of large scale single-family residences on estate-sized lots adjacent to the Pacific Ocean. The site is irregular in shape and generally bound by single family residences to the north, east, and south, and a canyon to the west that leads to coastal bluff and the Pacific Ocean. The project proposes a Coastal Development Permit and Site Development Permit to construct a single family residence with guest quarters totaling 13,456 square feet.

The proposed development was found to comply with regulations of the RS-1-2 Zone, the Coastal Overlay Zone, the Coastal Height Limit Overlay Zone, the Beach Impact Area of the Parking Impact Overlay Zone, the Campus Impact Area of the Parking Impact Overlay Zone, the Residential Tandem Parking Overlay Zone, the First Public Roadway requirements, and the La Jolla Community Plan and Local Coastal Program.

The project site lies within the boundaries of the City's Multiple Species Conservations Plan (MSCP) Subarea Plan. The project site is not immediately adjacent to the City's Multi-Habitat Planning Area, but rather the area is approximately 70 feet west of the project site. MHPA lands are those that have been included within the City's MSCP Subarea Plan for habitat conservation. These lands have been determined to provide the necessary habitat quality, quantity, and connectivity to sustain the unique biodiversity of the San Diego region. Therefore, the project would be required to comply with the MHPA Land Use Adjacency Guidelines (Section 1.4.3) of the City's MSCP Subarea Plan in order to ensure that the project would not result in any indirect impacts to the MHPA. The development area,

which is comprised of non-native vegetation, is proposed on the least sensitive portion of the site and incorporates the single-family residence and Brush Management Zone One.

A survey and biological report was prepared by Brian F. Smith and Associates (Revised December 16, 2009) in order to identify potential biological impacts with implementation of the proposed project. As previously discussed, the project site is located adjacent to the City of San Diego's MHPA. The biological assessment determined that although the Coastal California gnatcatcher was not observed within the adjacent MHPA during the biological survey, there have been numerous recorded occurrences in the vicinity of the project area. In addition, one such occurrence was recorded approximately 715 feet north of the project site within the MHPA. Therefore, there is a potential for Coastal California gnatcatcher to be present.

Potential indirect effects from lighting, drainage, invasives/landscaping, noise, edge treatments/fences from project construction and operation must not adversely affect the MHPA. More specifically, lighting would be directed away the MHPA and be consistent with the City's lighting regulations which would require exterior lighting to be low-level lights and directed away from native habitat or shielded to minimize light pollution. Drainage would be directed away from the MHPA, and/or would not drain directly into these areas. No staging/storage areas would be allowed to be located within or adjacent to sensitive biological areas and no equipment maintenance would be permitted. Landscape plantings would consist of only native plant species.

In addition, due to the site's proximity to coastal sage scrub in the MHPA, indirect noise impacts related to construction must be avoided during the breeding season of the California coastal gnatcatcher (March 1 through August 15). Also, the limits if grading would be clearly demarcated by the biological monitor to ensure no impacts occur outside those areas clearly delineated.

Therefore, a Mitigation Monitoring Reporting Program (MMRP), as detailed within Section V of the MND would be implemented to minimize indirect land use impacts related to the MHPA to below a level of significance. Consistency with the MHPA Land Use Adjacency Guidelines as outlined in Section V of the MND would mitigate potential significant indirect land use impacts to a below a level significance. Therefore, the proposed development will not adversely affect environmentally sensitive lands.

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

The property is located at 9872 La Jolla Farms Road in the RS-1-2 Zone, the Coastal Overlay Zone (Appealable), Coastal Height Limit Overlay Zone, lies between the First Public Roadway and the shoreline, the Beach Impact Area of the Parking Impact Overlay Zone, the Campus Impact Area of the Parking Impact Overlay Zone, the Residential Tandem Parking Overlay Zone, and the La Jolla Community Plan and Local Coastal Program areas. The 66,256 square-foot project site (1.52-acres) is currently vacant and is within a mostly developed area of large scale single-family residences on estate-sized lots adjacent to the Pacific Ocean. The site is irregular in shape and generally bound by single family residences to the north, east, and south, and a canyon to the west that leads to coastal bluff and the Pacific Ocean. The project proposes a Coastal Development Permit and Site Development Permit to construct a single family residence with guest quarters totaling 13,456 square feet.

The proposed development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program. The La Community Plan designates the site and the area to the north, south, and east as Very Low Density Residential (0-5 dwelling units per acre) and the canyon system west of the site as Parks/Open Space. The project site and the area to the north, south, and east are located within the RS-1-2 (Residential, Single Unit) Zone. As proposed, the project would be consistent with the bulk and scale of the surrounding residential community. The structures would have a maximum height of 29 feet which would comply with the Coastal Height Limitation Overlay Zone's maximum allowable height of 30 feet. 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.

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

The property is located at 9872 La Jolla Farms Road in the RS-1-2 Zone, the Coastal Overlay Zone (Appealable), Coastal Height Limit Overlay Zone, lies between the First Public Roadway and the shoreline, the Beach Impact Area of the Parking Impact Overlay Zone, the Campus Impact Area of the Parking Impact Overlay Zone, the Residential Tandem Parking Overlay Zone, and the La Jolla Community Plan and Local Coastal Program areas. The 66,256 square-foot project site (1.52-acres) is currently vacant and is within a mostly developed area of large scale single-family residences on estate-sized lots adjacent to the Pacific Ocean. The site is irregular in shape and generally bound by single family residences to the north, east, and south, and a canyon to the west that leads to coastal bluff and the Pacific Ocean. The project proposes a Coastal Development Permit and Site Development Permit to construct a single family residence with guest quarters totaling 13,456 square feet.

The proposed development is located between the nearest public road and the sea or the shoreline within the Coastal Overlay Zone and the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The development proposes to construct a two-story single-family residence with a three car garage and a one story residential guest house with a one car garage on the vacant site. The project would include site amenities such as a pool and outdoor verandas, native landscaping, and the retention of view corridors. The proposed development is contained within the existing legal lot area, which would not encroach upon any existing or proposed physical access to the coast. The Natural Resources and Open Space Element of the La Jolla Community Plan and Local Coastal Program (Figure 9 and Appendix G) designates a Scenic Overlook on the property from the public right-of-way to the ocean and designated public open space. The project has been sited and designed to ensure it does not restrict visual access from the public right-of-way to the ocean and designated public open space. The project would also deed restrict a visual corridor through the site to the Pacific Ocean and open space from the adjacent foot path along the east side of the property. Therefore, the proposed project is in conformance with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

**Site Development Permit - Section 126.0504**

**(a) Findings for all Site Development Permits**

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

The property is located at 9872 La Jolla Farms Road in the RS-1-2 Zone, the Coastal Overlay Zone (Appealable), Coastal Height Limit Overlay Zone, lies between the First Public Roadway and the shoreline, the Beach Impact Area of the Parking Impact Overlay Zone, the Campus Impact Area of the Parking Impact Overlay Zone, the Residential Tandem Parking Overlay Zone, and the La Jolla Community Plan and Local Coastal Program areas. The 66,256 square-foot project site (1.52-acres) is currently vacant and is within a mostly developed area of large scale single-family residences on estate-sized lots adjacent to the Pacific Ocean. The site is irregular in shape and generally bound by single family residences to the north, east, and south, and a canyon to the west that leads to coastal bluff and the Pacific Ocean. The project proposes a Coastal Development Permit and Site Development Permit to construct a single family residence with guest quarters totaling 13,456 square feet.

The proposed development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program. The La Community Plan designates the site and the area to the north, south, and east as Very Low Density Residential (0-5 dwelling units per acre) and the canyon system west of the site as Parks/Open Space. The project site and the area to the north, south, and east are located within the RS-1-2 (Residential, Single Unit) Zone. As proposed, the project would be consistent with the bulk and scale of the surrounding residential community. The structures would have a maximum height of 29 feet which would comply with the Coastal Height Limitation Overlay Zone's maximum allowable height of 30 feet. The proposed development has been found consistent with the plan's land use designation, the development regulations of the RS-1-2 (Residential-Single Unit) Zone, allowed density, and design recommendations. Therefore, proposed development will not adversely affect the applicable land use plan.

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

The property is located at 9872 La Jolla Farms Road in the RS-1-2 Zone, the Coastal Overlay Zone (Appealable), Coastal Height Limit Overlay Zone, lies between the First Public Roadway and the shoreline, the Beach Impact Area of the Parking Impact Overlay Zone, the Campus Impact Area of the Parking Impact Overlay Zone, the Residential Tandem Parking Overlay Zone, and the La Jolla Community Plan and Local Coastal Program areas. The 66,256 square-foot project site (1.52-acres) is currently vacant and is within a mostly developed area of large scale single-family residences on estate-sized lots adjacent to the Pacific Ocean. The site is irregular in shape and generally bound by single family residences to the north, east, and south, and a canyon to the west that leads to coastal bluff and the Pacific Ocean. The project proposes a Coastal Development Permit and Site Development Permit to construct a single family residence with guest quarters totaling 13,456 square feet.

The proposed construction of the single family residence with guest quarters has been found consistent with the plan's land use designation, the development regulations of the RS-1-2 (Residential-Single Unit) Zone, allowed density, and design recommendations.

Mitigated Negative Declaration No. 180002 has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation, Monitoring and Reporting Program has been prepared and will be implemented which will reduce, to a level below significance, any potential impacts identified in the environmental review process. Conditions of approval are

contained in the permit which requires compliance with the Fire, Life, Health and Safety, and Uniform Building Codes. Therefore, proposed development will not be detrimental to the public health, safety, and welfare construction of a new single family residence would therefore not be detrimental to the public health, safety and welfare.

**3. The proposed development will comply with the applicable regulations of the Land Development Code.**

The property is located at 9872 La Jolla Farms Road in the RS-1-2 Zone, the Coastal Overlay Zone (Appealable), Coastal Height Limit Overlay Zone, lies between the First Public Roadway and the shoreline, the Beach Impact Area of the Parking Impact Overlay Zone, the Campus Impact Area of the Parking Impact Overlay Zone, the Residential Tandem Parking Overlay Zone, and the La Jolla Community Plan and Local Coastal Program areas. The 66,256 square-foot project site (1.52-acres) is currently vacant and is within a mostly developed area of large scale single-family residences on estate-sized lots adjacent to the Pacific Ocean. The site is irregular in shape and generally bound by single family residences to the north, east, and south, and a canyon to the west that leads to coastal bluff and the Pacific Ocean. The project proposes a Coastal Development Permit and Site Development Permit to construct a single family residence with guest quarters totaling 13,456 square feet.

The proposed development is on a previously developed site. The site has been studied for potential traffic, noise, air quality, geotechnical, water quality, and hazardous material impacts. Mitigated Negative Declaration No. 180002 has been prepared for the project in accordance with the State of California Environmental Quality Act. A Mitigation, Monitoring and Reporting Program has been prepared and would be implemented which would reduce, to a level below significance, the potential impacts identified in the environmental review process.

The project would comply with the development regulations in effect for the subject property as described in Coastal Development Permit No. 690317 and Site Development Permit No. 690318 and other regulations and guidelines pertaining to the subject property per the San Diego Municipal Code. The proposed development would be required to obtain building permits to show that all construction would comply with all applicable building and fire code requirements. Therefore, the proposed development will comply with the applicable regulations of the Land Development Code

**(b) Supplemental Findings--Environmentally Sensitive Lands**

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

The property is located at 9872 La Jolla Farms Road in the RS-1-2 Zone, the Coastal Overlay Zone (Appealable), Coastal Height Limit Overlay Zone, lies between the First Public Roadway and the shoreline, the Beach Impact Area of the Parking Impact Overlay Zone, the Campus Impact Area of the Parking Impact Overlay Zone, the Residential Tandem Parking Overlay Zone, and the La Jolla Community Plan and Local Coastal Program areas. The 66,256 square-foot project site (1.52-acres) is currently vacant and is within a mostly developed area of large scale single-family residences on estate-sized lots adjacent to the Pacific Ocean. The site is irregular in shape and generally bound by single family residences to the north, east, and south, and a canyon to the west that leads to coastal bluff and the

Pacific Ocean. The project proposes a Coastal Development Permit and Site Development Permit to construct a single family residence with guest quarters totaling 13,456 square feet.

The proposed development was found to comply with regulations of the RS-1-2 Zone, the Coastal Overlay Zone, the Coastal Height Limit Overlay Zone, the Beach Impact Area of the Parking Impact Overlay Zone, the Campus Impact Area of the Parking Impact Overlay Zone, the Residential Tandem Parking Overlay Zone, the First Public Roadway requirements, and the La Jolla Community Plan and Local Coastal Program.

The project site lies within the boundaries of the City's Multiple Species Conservations Plan (MSCP) Subarea Plan. The project site is not immediately adjacent to the City's Multi-Habitat Planning Area, but rather the area is approximately 70 feet west of the project site. MHPA lands are those that have been included within the City's MSCP Subarea Plan for habitat conservation. These lands have been determined to provide the necessary habitat quality, quantity, and connectivity to sustain the unique biodiversity of the San Diego region. Therefore, the project would be required to comply with the MHPA Land Use Adjacency Guidelines (Section 1.4.3) of the City's MSCP Subarea Plan in order to ensure that the project would not result in any indirect impacts to the MHPA. The development area, which is comprised of non-native vegetation, is proposed on the least sensitive portion of the site and incorporates the single-family residence and Brush Management Zone One.

A survey and biological report was prepared by Brian F. Smith and Associates (Revised December 16, 2009) in order to identify potential biological impacts with implementation of the proposed project. As previously discussed, the project site is located adjacent to the City of San Diego's MHPA. The biological assessment determined that although the Coastal California gnatcatcher was not observed within the adjacent MHPA during the biological survey, there have been numerous recorded occurrences in the vicinity of the project area. In addition, one such occurrence was recorded approximately 715 feet north of the project site within the MHPA. Therefore, there is a potential for Coastal California gnatcatcher to be present.

Potential indirect effects from lighting, drainage, invasives/landscaping, noise, edge treatments/fences from project construction and operation must not adversely affect the MHPA. More specifically, lighting would be directed away the MHPA and be consistent with the City's lighting regulations which would require exterior lighting to be low-level lights and directed away from native habitat or shielded to minimize light pollution. Drainage would be directed away from the MHPA, and/or would not drain directly into these areas. No staging/storage areas would be allowed to be located within or adjacent to sensitive biological areas and no equipment maintenance would be permitted. Landscape plantings would consist of only native plant species.

In addition, due to the site's proximity to coastal sage scrub in the MHPA, indirect noise impacts related to construction must be avoided during the breeding season of the California coastal gnatcatcher (March 1 through August 15). Also, the limits if grading would be clearly demarcated by the biological monitor to ensure no impacts occur outside those areas clearly delineated.

Therefore, a Mitigation Monitoring Reporting Program (MMRP), as detailed within Section V of the MND would be implemented to minimize indirect land use impacts related to the MHPA to below a level of significance. Consistency with the MHPA Land Use Adjacency Guidelines as outlined in Section V of the MND would mitigate potential significant indirect land use impacts to a below a level significance.

Although the project site is not located within the MHPA, it does contain environmentally sensitive lands in the form of steep hillsides and sensitive biological resources. The proposed development is located entirely within the previously developed portion of the site and would not encroach into the environmentally sensitive lands except to remove invasive, exotic plant species and replant those areas with native plants; no direct impacts to sensitive habitats would occur. A permit condition would require recording a covenant of easement over the undeveloped portion of the site. Therefore, 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.

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

The property is located at 9872 La Jolla Farms Road in the RS-1-2 Zone, the Coastal Overlay Zone (Appealable), Coastal Height Limit Overlay Zone, lies between the First Public Roadway and the shoreline, the Beach Impact Area of the Parking Impact Overlay Zone, the Campus Impact Area of the Parking Impact Overlay Zone, the Residential Tandem Parking Overlay Zone, and the La Jolla Community Plan and Local Coastal Program areas. The 66,256 square-foot project site (1.52-acres) is currently vacant and is within a mostly developed area of large scale single-family residences on estate-sized lots adjacent to the Pacific Ocean. The site is irregular in shape and generally bound by single family residences to the north, east, and south, and a canyon to the west that leads to coastal bluff and the Pacific Ocean. The project proposes a Coastal Development Permit and Site Development Permit to construct a single family residence with guest quarters totaling 13,456 square feet.

The proposed development was found to comply with regulations of the RS-1-2 Zone, the Coastal Overlay Zone, the Coastal Height Limit Overlay Zone, the Beach Impact Area of the Parking Impact Overlay Zone, the Campus Impact Area of the Parking Impact Overlay Zone, the Residential Tandem Parking Overlay Zone, the First Public Roadway requirements, and the La Jolla Community Plan and Local Coastal Program. The project has been conditioned to require the single family residence and garage to be equipped with a residential fire sprinkler system, satisfactory to the Fire Marshal.

The project proposed to grade approximately 36% of the 1.52-acre site, with 2,030 cubic yard of cut, 1,945 cubic yards of fill, with 85 cubic yards proposed for export. Runoff from impervious development and from the roof and upper floor deck drains is to be directed to media filters along the southern boundary and within the decomposed granite area along the northerly portion of the site to treat water quality volume. The project is not located within the MHPA, but the site contains environmentally sensitive lands in the form of steep hillsides and sensitive biological resources. The proposed development is located entirely within the previously developed portion of the site and would not encroach into the environmentally sensitive lands except to remove invasive, exotic plant species and replant those areas with native plants; no direct impacts to sensitive habitats would occur. A permit condition would require recording a covenant of easement over the undeveloped portion of the site. Therefore, 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.

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



The property is located at 9872 La Jolla Farms Road in the RS-1-2 Zone, the Coastal Overlay Zone (Appealable), Coastal Height Limit Overlay Zone, lies between the First Public Roadway and the shoreline, the Beach Impact Area of the Parking Impact Overlay Zone, the Campus Impact Area of the Parking Impact Overlay Zone, the Residential Tandem Parking Overlay Zone, and the La Jolla Community Plan and Local Coastal Program areas. The 66,256 square-foot project site (1.52-acres) is currently vacant and is within a mostly developed area of large scale single-family residences on estate-sized lots adjacent to the Pacific Ocean. The site is irregular in shape and generally bound by single family residences to the north, east, and south, and a canyon to the west that leads to coastal bluff and the Pacific Ocean. The project proposes a Coastal Development Permit and Site Development Permit to construct a single family residence with guest quarters totaling 13,456 square feet.

The proposed development was found to comply with regulations of the RS-1-2 Zone, the Coastal Overlay Zone, the Coastal Height Limit Overlay Zone, the Beach Impact Area of the Parking Impact Overlay Zone, the Campus Impact Area of the Parking Impact Overlay Zone, the Residential Tandem Parking Overlay Zone, the First Public Roadway requirements, and the La Jolla Community Plan and Local Coastal Program.

The project site lies within the boundaries of the City's Multiple Species Conservations Plan (MSCP) Subarea Plan. The project site is not immediately adjacent to the City's Multi-Habitat Planning Area, but rather the area is approximately 70 feet west of the project site. MHPA lands are those that have been included within the City's MSCP Subarea Plan for habitat conservation. These lands have been determined to provide the necessary habitat quality, quantity, and connectivity to sustain the unique biodiversity of the San Diego region. Therefore, the project would be required to comply with the MHPA Land Use Adjacency Guidelines (Section 1.4.3) of the City's MSCP Subarea Plan in order to ensure that the project would not result in any indirect impacts to the MHPA. The development area, which is comprised of non-native vegetation, is proposed on the least sensitive portion of the site and incorporates the single-family residence and Brush Management Zone One.

A survey and biological report was prepared by Brian F. Smith and Associates (Revised December 16, 2009) in order to identify potential biological impacts with implementation of the proposed project. As previously discussed, the project site is located adjacent to the City of San Diego's MHPA. The biological assessment determined that although the Coastal California gnatcatcher was not observed within the adjacent MHPA during the biological survey, there have been numerous recorded occurrences in the vicinity of the project area. In addition, one such occurrence was recorded approximately 715 feet north of the project site within the MHPA. Therefore, there is a potential for Coastal California gnatcatcher to be present.

Potential indirect effects from lighting, drainage, invasives/landscaping, noise, edge treatments/fences from project construction and operation must not adversely affect the MHPA. More specifically, lighting would be directed away the MHPA and be consistent with the City's lighting regulations which would require exterior lighting to be low-level lights and directed away from native habitat or shielded to minimize light pollution. Drainage would be directed away from the MHPA, and/or would not drain directly into these areas. No staging/storage areas would be allowed to be located within or adjacent to sensitive biological areas and no equipment maintenance would be permitted. Landscape plantings would consist of only native plant species.

In addition, due to the site's proximity to coastal sage scrub in the MHPA, indirect noise impacts related to construction must be avoided during the breeding season of the California coastal gnatcatcher (March 1 through August 15). Also, the limits if grading would be clearly demarcated by the biological monitor to ensure no impacts occur outside those areas clearly delineated.

Therefore, a Mitigation Monitoring Reporting Program (MMRP), as detailed within Section V of the MND would be implemented to minimize indirect land use impacts related to the MHPA to below a level of significance. Consistency with the MHPA Land Use Adjacency Guidelines as outlined in Section V of the MND would mitigate potential significant indirect land use impacts to a below a level significance.

Although the project site is not located within the MHPA, it does contain environmentally sensitive lands in the form of steep hillsides and sensitive biological resources. The proposed development is located entirely within the previously developed portion of the site and would not encroach into the environmentally sensitive lands except to remove invasive, exotic plant species and replant those areas with native plants; no direct impacts to sensitive habitats would occur. A permit condition would require recording a covenant of easement over the undeveloped portion of the site. Therefore, proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.

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

The property is located at 9872 La Jolla Farms Road in the RS-1-2 Zone, the Coastal Overlay Zone (Appealable), Coastal Height Limit Overlay Zone, lies between the First Public Roadway and the shoreline, the Beach Impact Area of the Parking Impact Overlay Zone, the Campus Impact Area of the Parking Impact Overlay Zone, the Residential Tandem Parking Overlay Zone, and the La Jolla Community Plan and Local Coastal Program areas. The 66,256 square-foot project site (1.52-acres) is currently vacant and is within a mostly developed area of large scale single-family residences on estate-sized lots adjacent to the Pacific Ocean. The site is irregular in shape and generally bound by single family residences to the north, east, and south, and a canyon to the west that leads to coastal bluff and the Pacific Ocean. The project proposes a Coastal Development Permit and Site Development Permit to construct a single family residence with guest quarters totaling 13,456 square feet.

The project site lies within the boundaries of the City's Multiple Species Conservations Plan (MSCP) Subarea Plan. The project site is not immediately adjacent to the City's Multi-Habitat Planning Area, but rather the area is approximately 70 feet west of the project site. MHPA lands are those that have been included within the City's MSCP Subarea Plan for habitat conservation. These lands have been determined to provide the necessary habitat quality, quantity, and connectivity to sustain the unique biodiversity of the San Diego region. Therefore, the project would be required to comply with the MHPA Land Use Adjacency Guidelines (Section 1.4.3) of the City's MSCP Subarea Plan in order to ensure that the project would not result in any indirect impacts to the MHPA. The development area, which is comprised of non-native vegetation, is proposed on the least sensitive portion of the site and incorporates the single-family residence and Brush Management Zone One.

A survey and biological report was prepared by Brian F. Smith and Associates (Revised December 16, 2009) in order to identify potential biological impacts with implementation of the proposed project. As previously discussed, the project site is located adjacent to the City of San Diego's MHPA. The

biological assessment determined that although the Coastal California gnatcatcher was not observed within the adjacent MHPA during the biological survey, there have been numerous recorded occurrences in the vicinity of the project area. In addition, one such occurrence was recorded approximately 715 feet north of the project site within the MHPA. Therefore, there is a potential for Coastal California gnatcatcher to be present.

Potential indirect effects from lighting, drainage, invasives/landscaping, noise, edge treatments/fences from project construction and operation must not adversely affect the MHPA. More specifically, lighting would be directed away the MHPA and be consistent with the City's lighting regulations which would require exterior lighting to be low-level lights and directed away from native habitat or shielded to minimize light pollution. Drainage would be directed away from the MHPA, and/or would not drain directly into these areas. No staging/storage areas would be allowed to be located within or adjacent to sensitive biological areas and no equipment maintenance would be permitted. Landscape plantings would consist of only native plant species.

In addition, due to the site's proximity to coastal sage scrub in the MHPA, indirect noise impacts related to construction must be avoided during the breeding season of the California coastal gnatcatcher (March 1 through August 15). Also, the limits if grading would be clearly demarcated by the biological monitor to ensure no impacts occur outside those areas clearly delineated.

Therefore, a Mitigation Monitoring Reporting Program (MMRP), as detailed within Section V of the MND would be implemented to minimize indirect land use impacts related to the MHPA to below a level of significance. Consistency with the MHPA Land Use Adjacency Guidelines as outlined in Section V of the MND would mitigate potential significant indirect land use impacts to a below a level significance.

Although the project site is not located within the MHPA, it does contain environmentally sensitive lands in the form of steep hillsides and sensitive biological resources. The proposed development is located entirely within the previously developed portion of the site and would not encroach into the environmentally sensitive lands except to remove invasive, exotic plant species and replant those areas with native plants; no direct impacts to sensitive habitats would occur. A permit condition would require recording a covenant of easement over the undeveloped portion of the site.

Although the project site is not located within the MHPA, it does contain environmentally sensitive lands in the form of steep hillsides and sensitive biological resources. The proposed development is located entirely within the previously developed portion of the site and would not encroach into the environmentally sensitive lands except to remove invasive, exotic plant species and replant those areas with native plants; no direct impacts to sensitive habitats would occur. A permit condition would require recording a covenant of easement over the undeveloped portion of the site. Therefore, the proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan.

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

The property is located at 9872 La Jolla Farms Road in the RS-1-2 Zone, the Coastal Overlay Zone (Appealable), Coastal Height Limit Overlay Zone, lies between the First Public Roadway and the

shoreline, the Beach Impact Area of the Parking Impact Overlay Zone, the Campus Impact Area of the Parking Impact Overlay Zone, the Residential Tandem Parking Overlay Zone, and the La Jolla Community Plan and Local Coastal Program areas. The 66,256 square-foot project site (1.52-acres) is currently vacant and is within a mostly developed area of large scale single-family residences on estate-sized lots adjacent to the Pacific Ocean. The site is irregular in shape and generally bound by single family residences to the north, east, and south, and a canyon to the west that leads to coastal bluff and the Pacific Ocean. The project proposes a Coastal Development Permit and Site Development Permit to construct a single family residence with guest quarters totaling 13,456 square feet.

The proposed development is located between the nearest public road and the sea or the shoreline within the Coastal Overlay Zone and the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The development proposes to construct a two-story single-family residence with a three car garage and a one story residential guest house with a one car garage on the vacant site. The project would include site amenities such as a pool and outdoor verandas, native landscaping, and the retention of view corridors. The proposed development is contained within the existing legal lot area, which would not encroach upon any existing or proposed physical access to the coast. The Natural Resources and Open Space Element of the La Jolla Community Plan and Local Coastal Program (Figure 9 and Appendix G) designates a Scenic Overlook on the property from the public right-of-way to the ocean and designated public open space. The project has been sited and designed to ensure it does not restrict visual access from the public right-of-way to the ocean and designated public open space. The project would also deed restrict a visual corridor through the site to the Pacific Ocean and open space from the adjacent foot path along the east side of the property. Therefore, proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.

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

The property is located at 9872 La Jolla Farms Road in the RS-1-2 Zone, the Coastal Overlay Zone (Appealable), Coastal Height Limit Overlay Zone, lies between the First Public Roadway and the shoreline, the Beach Impact Area of the Parking Impact Overlay Zone, the Campus Impact Area of the Parking Impact Overlay Zone, the Residential Tandem Parking Overlay Zone, and the La Jolla Community Plan and Local Coastal Program areas. The 66,256 square-foot project site (1.52-acres) is currently vacant and is within a mostly developed area of large scale single-family residences on estate-sized lots adjacent to the Pacific Ocean. The site is irregular in shape and generally bound by single family residences to the north, east, and south, and a canyon to the west that leads to coastal bluff and the Pacific Ocean. The project proposes a Coastal Development Permit and Site Development Permit to construct a single family residence with guest quarters totaling 13,456 square feet.

The proposed construction of the single family residence with guest quarters has been found consistent with the plan's land use designation, the development regulations of the RS-1-2 (Residential-Single Unit) Zone, allowed density, and design recommendations.

Mitigated Negative Declaration No. 180002 has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation, Monitoring and Reporting Program has been prepared and will be implemented which will reduce, to a level below significance, any potential impacts identified in the environmental review process. Conditions of approval are

contained in the permit which requires compliance with the Fire, Life, Health and Safety, and Uniform Building Codes. Therefore, the nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Coastal Development Permit No. 690317 and Site Development Permit No. 690318 are hereby GRANTED by the Hearing Officer to the referenced Owners/Permittee, in the form, exhibits, terms and conditions as set forth in Coastal Development Permit No. 690317 and Site Development Permit No. 690318, a copy of which is attached hereto and made a part hereof.



Jeffrey A. Peterson  
Development Project Manager  
Development Services

Adopted on: April 7, 2010

Job Order No. 43-2375

HEARING OFFICER  
RESOLUTION NUMBER HO-6301-2 [MMRP]

ISAKOW RESIDENCE – PROJECT NO. 180002  
MITIGATED NEGATIVE DECLARATION NO. 180002

ADOPTED ON APRIL 7, 2010

WHEREAS, on April 7, 2010, Selwyn Isakow submitted an application to the Development Services Department for a Coastal Development Permit No. 690317 and Site Development Permit No. 690318, Project No. 180002

WHEREAS, the permit 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 on April 7, 2010; and

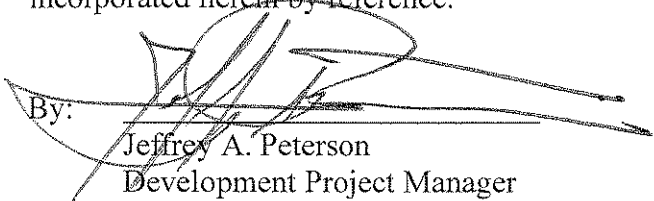
WHEREAS, the Hearing Officer of the City of San Diego considered the issues discussed in Mitigated Negative Declaration No. 180002; NOW THEREFORE,

BE IT RESOLVED, by the Hearing Officer of the City of San Diego, that it is hereby certified that Mitigated Negative Declaration No. 180002 has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code Section 21000 et seq.) as amended, and the State guidelines thereto (California Administration Code Section 15000 et seq.), that the report reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said report, together with any comments received during the public review process, has been reviewed and considered by the Hearing Officer.

BE IT FURTHER RESOLVED that the Hearing Officer finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore, that said Mitigated Negative Declaration, a copy of which is attached hereto and incorporated by reference, is hereby approved.

BE IT FURTHER RESOLVED that pursuant to California Public Resources Code, Section 21081.6, the Hearing Officer hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment, a copy of which is attached hereto and incorporated herein by reference.

By:

  
Jeffrey A. Peterson  
Development Project Manager

ATTACHMENT: Exhibit A, Mitigation Monitoring and Reporting Program

## EXHIBIT A

## MITIGATION MONITORING AND REPORTING PROGRAM

**COASTAL DEVELOPMENT PERMIT NO. 690317**  
**SITE DEVELOPMENT PERMIT NO. 690318**  
**PROJECT NO. 180002**

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Entitlements Division, 1222 First Avenue, Fifth Floor, San Diego, CA 92101. All mitigation measures contained in the Mitigated Negative Declaration (Project No. 180002) shall be made conditions of Coastal Development Permit No. 690317 and Site Development Permit No. 690318 as may be further described below.

GENERAL REQUIREMENTS

1. Prior to issuance of any construction permit, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plan/Permits, the Assistant Deputy Director (ADD) Environmental Designee of the Entitlements Division shall verify that the appropriate Mitigation Measures regarding **PALEONTOLOGICAL RESOURCES** have been included verbatim on the submitted construction documents and contract specifications, and included under the heading, "Environmental Mitigation Requirements." In addition, the requirements for a Preconstruction Meeting shall be noted on all construction documents.
2. Prior to the commencement of work, the owner or owners representative is responsible for arranging and performing a Preconstruction Meeting (Pre-con) that includes the City of San Diego's Mitigation Monitoring Coordination (MMC) Section, Resident Engineer, Building Inspector, Applicant, Paleontologist and other parties of interest.

LAND USE/MULTIPLE SPECIES CONSERVATION PLAN (MSCP)

In order to avoid potential impacts to Land Use/MSCP, the following mitigation measures shall be implemented by the project applicant:

Prior to the issuance of any grading permits and/or the first pre-construction meeting, the owner/permittee shall submit evidence to the ADD Environmental Designee verifying that a qualified biologist has been retained to implement the biological resources mitigation program as detailed below:

- A. Prior to the first pre-construction meeting, the applicant shall provide a letter of verification to the ADD Environmental Designee stating that a qualified biologist ("Biologist"), as defined in the City of San Diego Biology Guidelines, has been retained to implement the revegetation plan, if applicable.

- B. At least thirty days prior to the pre-construction meeting, a second letter shall be submitted to the MMC section, which includes the name and contact information of the Biologist and the names of all persons involved in the Biological Monitoring of the project.
- C. At least thirty days prior to the pre-construction meeting, the “Biologist” shall verify that any special reports, maps, plans and time lines, such as but not limited to, revegetation plans, plant relocation requirements and timing, avian or other wildlife protocol surveys, impact avoidance areas or other such information has been completed and updated.
- D. The “Biologist” shall attend the first preconstruction meeting.
- E. In addition the following mitigation measures related to the MHPA Land Use Adjacency Guidelines are implemented:
  - 1. Prior to initiation of any construction-related grading, the construction foreman shall discuss the sensitive nature of the adjacent habitat with the crew and subcontractor.
  - 2. The limits of grading shall be clearly delineated by a survey crew prior to brushing, clearing or grading. The “Biologist” shall supervise the placement of orange construction fencing or equivalent along the limits of disturbance within and surrounding sensitive habitats as shown on the approved Exhibit A. The limits of grading shall be defined with silt fencing or orange construction fencing and checked by the “Biologist” before initiation of construction grading.
  - 3. No invasive non-native plant species shall be introduced into areas adjacent to the MHPA. Landscape plans shall not contain invasive, non-native species.
  - 4. All lighting adjacent to the MHPA shall be shielded, unidirectional, low pressure sodium illumination (or similar) and directed away from preserve areas using appropriate placement and shields.
  - 5. All construction activities (including staging areas and/or storage areas) shall be restricted to the development area as shown on the approved Exhibit A. No equipment maintenance shall be conducted within or near the adjacent open space and/or sensitive areas and shall be restricted to the development area as shown on the approved Exhibit A. The “Biologist” shall monitor construction activities as needed to ensure that construction activities do not encroach into biologically sensitive areas beyond the limits of disturbance as shown on the approved Exhibit A.
  - 6. Natural drainage patterns shall be maintained as much as possible during construction. Erosion control techniques, including the use of sandbags, hay bales, and/or the installation of sediment traps, shall be used to control erosion and deter drainage during construction activities into the adjacent open space. Drainage from all development areas adjacent to the MHPA shall be directed away from the MHPA, or if not possible, must not drain directly into the MHPA, but instead into sedimentation basins, grassy swales, and/or mechanical trapping devices as specified by the City Engineer.
  - 7. No trash, oil, parking or other construction related activities shall be allowed outside the established limits of grading. All construction related debris shall be removed off-site to an approved disposal facility.



8. Should construction occur during the breeding season of the coastal California gnatcatcher (March 1 through August 15), least Bell's vireo (March 15 through September 15), and the southwestern willow flycatcher (May 1 through September 1) the following mitigation measures shall be required and implemented:

COASTAL CALIFORNIA GNATCATCHER (Federally Threatened)

Prior to the issuance of any grading permit the ADD Environmental 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 ADD Environmental Designee:

- 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 coastal California gnatcatchers are present, then the following conditions must be met:
  - I. Between March 1 and August 15, no clearing, grubbing, or grading of occupied coastal California 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 coastal California 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 ADD Environmental Designee 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 ADD Environmental Designee, 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 ADD Environmental Designee 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.

#### PALEONTOLOGICAL RESOURCES

In order to avoid potential impacts to paleontological resources, the following mitigation measures shall be implemented by the project applicant:

#### **I. Prior to Permit Issuance**

- A. Entitlements Plan Check
  - 1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.
- B. Letters of Qualification have been submitted to ADD
  - 1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program, as defined in the City of San Diego Paleontology Guidelines.
  - 2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.
  - 3. Prior to the start of work, the applicant shall obtain approval from MMC for any personnel changes associated with the monitoring program.

## II. Prior to Start of Construction

### A. Verification of Records Search

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

### B. PI Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified paleontologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.
  - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.

### 2. Identify Areas to be Monitored

Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits. The PME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).

### 3. When Monitoring Will Occur

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

## III. During Construction

### A. Monitor Shall be Present During Grading/Excavation/Trenching

1. The monitor shall be present full-time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. **The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the PME.**
2. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter formational soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.

3. The monitor shall document field activity via the Consultant Site Visit Record (CSVSR). The CSVSR's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of ANY discoveries. The RE shall forward copies to MMC.
- B. Discovery Notification Process
1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.
  2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
  3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.
- C. Determination of Significance
1. The PI shall evaluate the significance of the resource.
    - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required. The determination of significance for fossil discoveries shall be at the discretion of the PI.
    - b. If the resource is significant, the PI shall submit a Paleontological Recovery Program (PRP) and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume.
    - c. If resource is not significant (e.g., small pieces of broken common shell fragments or other scattered common fossils) the PI shall notify the RE, or BI as appropriate, that a non-significant discovery has been made. The Paleontologist shall continue to monitor the area without notification to MMC unless a significant resource is encountered.
    - d. The PI shall submit a letter to MMC indicating that fossil resources will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required.

#### IV. Night and/or Weekend Work

- A. If night and/or weekend work is included in the contract
1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
  2. The following procedures shall be followed.
    - a. No Discoveries  
In the event that no discoveries were encountered during night and/or weekend work, The PI shall record the information on the CSVSR and submit to MMC via fax by 8AM on the next business day.
    - b. Discoveries  
All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction.
    - c. Potentially Significant Discoveries  
If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.
    - d. The PI shall immediately contact MMC, or by 8AM on the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.

- B. If night work becomes necessary during the course of construction
  1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
  2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

**V. Post Construction**

- A. Preparation and Submittal of Draft Monitoring Report
  1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Paleontological Guidelines which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring.
    - a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.
    - b. Recording Sites with the San Diego Natural History Museum  
The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum with the Final Monitoring Report.
  2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
  3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
  4. MMC shall provide written verification to the PI of the approved report.
  5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Fossil Remains
  1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.
  2. The PI shall be responsible for ensuring that all fossil remains are analyzed to identify function and chronology as they relate to the geologic history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate
- C. Curation of fossil remains: Deed of Gift and Acceptance Verification
  1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.
  2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
- D. Final Monitoring Report(s)
  1. The PI shall submit two copies of the Final Monitoring Report to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
  2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

The above mitigation monitoring and reporting program will require additional fees and/or deposits to be collected prior to the issuance of building permits, certificates of occupancy and/or final maps to ensure the successful completion of the monitoring program.

THE ORIGINAL OF THIS DOCUMENT  
WAS RECORDED ON MAR 05, 2014  
DOCUMENT NUMBER 2014-0087693  
Ernest J. Dronenburg, Jr., COUNTY RECORDER  
SAN DIEGO COUNTY RECORDER'S OFFICE  
TIME: 10:14 AM

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

**WHEN RECORDED MAIL TO**  
**PROJECT MANAGEMENT**  
**PERMIT CLERK**  
**MAIL STATION 501**

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24001703

**COASTAL DEVELOPMENT PERMIT NO. 852026 AND SITE DEVELOPMENT  
PERMIT NO. 852027  
ENCORE TRUST RESIDENCE - PROJECT NO. 237107  
AMENDMENT TO COASTAL DEVELOPMENT PERMIT NO. 690317 AND SITE  
DEVELOPMENT PERMIT NO. 690318  
PLANNING COMMISSION**

This Coastal Development Permit No. 852026 and Site Development Permit No. 852027, Amendment to Coastal Development Permit No. 690317 and Site Development Permit No. 690318 are granted by the Planning Commission of the City of San Diego to Armand Kessous and Alain Paris, Trustees of the Encore Trust, Owner, and Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0708 and 126.0504. The 1.521 -acre site is located at 9872 La Jolla Farms Road in the RS-1-2 Zone, Coastal (appealable) Overlay Zone, Parking Impact Overlay Zone, Coastal Height Limitation Overlay Zone and Residential Tandem Parking Overlay Zone of the La Jolla Community Plan area. The project site is legally described as: Parcel 2, Parcel Map No. 20573.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to construct a single family residence described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated June 12, 2013, on file in the Development Services Department.

The project shall include:

- a. Construction of a two-story, approximate 17,949 square foot, gross floor area, single-family residence with a three car garage and swimming pool on a 66,256 square-foot property;
- b. Landscaping (planting, irrigation and landscape related improvements);

- c. Off-street parking;
- d. Retaining and site walls; and
- e. 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 June 12, 2016.
2. Coastal Development Permit No. 852056 and Site Development Permit No. 852027 shall become effective on the later of the: (i) eleventh working day following receipt by the California Coastal Commission of the Notice of Final Action, or following all appeals; and (ii) the date those permits are signed by the Owner/Permittee, returned to the City and recorded as specified in Condition 3 below. Until the above referenced permits become effective as provided for in this condition, Coastal Development Permit No. 690317 and Site Development Permit No. 690318 shall remain effective.
3. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
  - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
  - b. The Permit is recorded in the Office of the San Diego County Recorder.
4. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
5. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.

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

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

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

9. 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.

10. 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.

11. 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.

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

**ENVIRONMENTAL/MITIGATION REQUIREMENTS:**

13. Mitigation requirements in the Mitigation, Monitoring, and Reporting Program [MMRP] as specified in Mitigated Negative Declaration No. 237107 shall apply to this Permit. These MMRP conditions are hereby incorporated into this Permit by reference.

14. The mitigation measures specified in the MMRP and outlined in Mitigated Negative Dec, NO. 237107, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

15. The Owner/Permittee shall comply with the MMRP as specified in Mitigated Negative Declaration, No. 237107, to the satisfaction of the Development Services Department and the City Engineer. Prior to issuance of any construction permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for the following issue areas: BIOLOGICAL, HISTORIC (ARCHAEOLOGICAL) AND PALEONTOLOGICAL RESOURCES

**ENGINEERING REQUIREMENTS:**

16. Prior to the issuance of any construction permits, the Owner/Permittee shall assure by permit and bond the relocation of the telecommunications vault and construction of a City Standard 12' driveway, adjacent to the site on La Jolla Farms Road, satisfactory to the City Engineer.

17. This project proposes to export 5,200 cubic yards of material from the project site. All export material shall be discharged into a legal disposal site. The approval of this project does not allow the onsite processing and sale of the export material unless the underlying zone allows a construction and demolition debris recycling facility with an approved Neighborhood Use Permit or Conditional Use Permit per LDC Section 141.0620(i).
18. Prior to the issuance of any construction permits, the Owner/Permittee shall obtain an Encroachment Maintenance and Removal Agreement (EMRA) for the decorative pavement and private storm drain system, within the existing public easement and City's right-of-way.
19. Prior to the issuance of any construction permits, the Owner/Permittee shall grant the City additional easement sufficient to provide an 11 foot wide clearance centered on the existing 18" RCP storm drain pipe, satisfactory to the City Engineer.
20. The drainage system proposed for this development is private and subject to approval by the City Engineer.
21. Prior to the issuance of a building permit, the Owner/Permittee shall obtain a grading permit for the grading proposed for this project. All grading shall conform to requirements in accordance with the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.
22. Prior to the issuance of any construction permits, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance.
23. Prior to the issuance of any construction permits, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.
24. Prior to the issuance of any construction permit, the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Appendix E of the City's Storm Water Standards.
25. Prior to the issuance of any construction permits, the Owner/Permittee shall incorporate and show the type and location of all post-construction Best Management Practices (BMP's) on the final construction drawings, in accordance with the approved Water Quality Technical Report, satisfactory to the City Engineer.

**LANDSCAPE REQUIREMENTS:**

26. Complete landscape and irrigation construction documents consistent with the Land Development Manual: Landscape Standards shall be submitted to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit 'A,' Landscape Development Plan, on file in the Office of the Development Services

Department. Construction plans shall take into account a 40 square foot area around each tree that is unencumbered by hardscape and utilities as set forth under LDC 142.0403(b) 5.

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

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

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

30. Prior to issuance of construction permits for grading, the Owner/Permittee or Subsequent Owner/Permittee shall ensure that all proposed landscaping shall not include exotic plant species that may be invasive to native habitats. Plant species found within the California Invasive Plant Council's (Cal-IPC Invasive Plant Inventory and the prohibited plant species list found in Table 1 of the Landscape Standards shall not be permitted.

31. Prior to issuance of any construction permits for grading, the Owner/Permittee or subsequent Owner/Permittee shall submit complete landscape construction documents for the revegetation and hydro-seeding of all disturbed land in accordance with the Land Development Manual Landscape Standards and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including Environmental Conditions) and Exhibit "A" on file in the Office of the Development Services Department.

32. Prior to any disturbance to the site, excluding utility mark-outs and surveying, the contractor shall arrange for a pre-construction meeting with the City of San Diego Mitigation Monitoring.

33. Prior to issuance of any engineering permits for grading, construction documents for slope planting or revegetation including hydroseeding and irrigation shall be submitted in accordance with the Landscape Standards and to the satisfaction of the City Manager. All plans shall be in substantial conformance with Exhibit A (including Environmental conditions) on file in the Office of Development Service. The applicant shall provide the live seed germination percents in the Hydroseed Mix.

34. All required revegetation and erosion control shall be completed within 90 calendar days of the completion of grading or disturbance.

35. Temporary irrigated areas shall be maintained for a period not less than 25 months.

36. Temporary irrigation shall be removed from the revegetated areas upon establishment of the plant materials.

37. Prior to issuance of any construction permits for grading, the Owner/Permittee or subsequent Owner/Permittee shall submit a tree preservation and protection plan for the existing *Pinus torreyana* in accordance with the Land Development Manual Landscape Standards and to the satisfaction of the Development Services Department.

38. Site Plan, Grading Plan and Landscape Construction Plans shall delineate the Building Restricted Easements, Covenant of Easement, and View Corridors that already exist or that are required to be dedicated by this Permit.

**PLANNING/DESIGN REQUIREMENTS:**

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

40. 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.

41. 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, in accordance with SDMC section 143.0152. The Covenant of Easement shall include a legal description and an illustration of the premises showing the development area and the Environmentally Sensitive Lands as shown on Exhibit "A."

42. Prior to the issuance of a building permit, the applicant shall execute and record, in a form and content acceptable to the City of San Diego, a view corridor easement in favor of the City of San Diego over the area described in the approved Exhibit "A" as the Southern View Corridor. No structure or vegetation that exceeds 329 feet above mean sea level shall be permitted within that Southern View Corridor easement with the exception of perimeter walls, railings and fencing, which shall be 75% open where it exceeds 329 feet above mean sea level. The easement shall not be removed or changed without a City approved amendment to this permit.

43. The existing North Central View Corridor, a 15 ft. wide view corridor reserved as a Building Restriction Easement pursuant to Parcel Map 16819, shall be preserved. All landscaping within the easement shall be maintained so as not to exceed 36 inches above grade. No structure or vegetation that exceeds 36 inches above grade shall be permitted within the Limit of Work as defined on the approved Exhibit "A" of the North Central View Corridor Building Restriction Easement with the exception of perimeter walls, railings, stairs and fencing, which

shall be 75% open where they exceeds 36 inches above grade. This easement shall not be removed or changed without a City approved amendment to this permit.

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

45. No designated coastal bluffs presently exist on the project site at issue in this permit, nor are they in close proximity to the development authorized by this permit. By acceptance of this permit, the Owner/Permittee agrees, on behalf of themselves and all other successors and assigns, that to the extent circumstances change and coastal bluffs exist in the future on the project site, no bluff protective device(s) or shoreline protective device(s) shall ever be constructed to protect the development approved pursuant to this permit including, but not limited to, the residence and hardscape and any future improvements, in the event that the development is threatened with damage or destruction from coastal bluff instability due to erosion, landslides, sea level rise, wave uprush, storm conditions or other natural hazards in the future. By acceptance of this permit, the Owner/Permittee hereby waives, on behalf of themselves and all successors and assigns, any rights to construct such devices that may exist under Public Resources Code Section 30235, and/or the equivalent provisions in the City of San Diego LCP.

46. By acceptance of this permit, the Owner/Permittee further agrees, on behalf of themselves and all successors and assigns, that the owner shall remove the development authorized by this permit, including the residence and hardscape, if any government agency has ordered that the structure(s) is/are not to be occupied due to any of the hazards identified in the above condition of approval. In the event that portions of the development fall to the beach before they are removed, the owner shall remove all recoverable debris associated with the development from the beach and ocean and lawfully dispose of the material in an approved disposal site. Such removal shall require a coastal development permit.

47. In the event the principal residence authorized by this permit appears threatened by coastal bluff retreat but no government agency has ordered that the structures are not to be occupied, a geotechnical investigation shall be prepared by a licensed coastal engineer and geologist retained by the applicant, that addresses whether any portions of the residence are threatened by coastal bluff instability due to erosion, landslides or other natural hazards. The report shall identify all those immediate or potential future measures that could stabilize the principal residence without bluff protection, including but not limited to removal or relocation of portions of the residence. The report shall be submitted to the Director of Development Services or his/her designee. If the geotechnical report concludes that the residence or any portion of the residence is unsafe for occupancy, the Owner/Permittee shall, within 90 days of submitting the report, apply for a coastal development permit amendment to remedy the hazard which may include removal of the threatened portion of the structure.

48. Prior to the issuance of a building permit, the Owner/Permittee shall execute and record a grant to the City of San Diego, in a form and content acceptable to the City of San Diego, irrevocably offering to dedicate to a public agency an easement for an unimproved, pedestrian accessway for use by the public for recreational purposes over and across the portion of the

project site depicted in the approved Exhibit "A" as the Public Access Trail. The document shall provide that the offer of dedication shall not be used or construed to allow anyone to interfere with any rights of public access acquired through use which may exist on the property that is the subject of the irrevocable offer to dedicate. The grantee accepting the easement shall assume responsibility for maintenance of the easement and liability for public use of the easement. The recorded document shall include a legal description of both the entire project site and a metes and bounds legal description and corresponding plat prepared by a licensed surveyor of the easement area. The document shall be recorded free of prior liens and any other encumbrances which the City determines may affect the interest being conveyed. The offer shall run with the land in favor of the City of San Diego, binding all successors and assignees and shall be irrevocable for a period of 21 years, such period running from date of recordation. This easement shall not be removed or changed without a City approved amendment to this permit.

**GEOLOGY REQUIREMENTS**

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

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

**PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:**

51. Prior to the issuance of any building permits, the Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Director of Public Utilities and the City Engineer.

52. All proposed public water facilities, including services and meters, must be designed and constructed in accordance with established criteria in the most current edition of the City of San Diego Water Facility Design Guidelines and City regulations, standards and practices pertaining thereto.

53. All proposed public sewer facilities are to be designed and constructed in accordance with established criteria in the most current City of San Diego sewer design guide.

54. All proposed private water and sewer facilities located within a single lot 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.

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

**INFORMATION ONLY:**

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

APPROVED by the Planning Commission of the City of San Diego on January 17, 2013, by Resolution No. 4867-2-PC.

**PLANNING COMMISSION RESOLUTION NO. 4867-2-PC  
COASTAL DEVELOPMENT PERMIT NO. 852026 AND SITE  
DEVELOPMENT PERMIT NO. 852027  
ENCORE TRUST RESIDENCE - PROJECT NO. 237107  
AMENDMENT TO COASTAL DEVELOPMENT PERMIT NO. 690317 AND SITE  
DEVELOPMENT PERMIT NO. 690318**

WHEREAS, Armand Kessous and Alain Paris, Trustees of the Encore Trust, Owner/Permittee, filed an application with the City of San Diego for a permit to construct a two-story, single family residence (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 852026 and 852027), on portions of a 1.521-acre property;

WHEREAS, the project site is located at 9872 La Jolla Farms Road, in the RS-1-2 Zone, Coastal Overlay Zone (appealable), Coastal Height Limitation Overlay Zone, Parking Impact Overlay Zone, and Residential Tandem Parking Overlay Zone within the La Jolla Community Plan area;

WHEREAS, the project site is legally described as Parcel 2, Parcel Map No. 20573;

WHEREAS, on November 14, 2012, the Hearing Officer of the City of San Diego certified Mitigated Negative Declaration No. 237107 (MND), adopted the Mitigation, Monitoring and Reporting Program (MMRP) for the Project, and approved Coastal Development Permit No. 852026, an amendment to Coastal Development Permit No. 690317, and Site Development Permit No. 852027, an amendment to Site Development Permit No. 690318, pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on November 19, 2012, an appeal of the Hearing Officer's decision was filed, pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on January 17, 2013, on an appeal of the Hearing Officer's decision, the Planning Commission considered Coastal Development Permit No. 852026, Site Development Permit No. 852027, MND No. 237107, and MMRP, pursuant to Resolution Nos. 4867-1-PC and 4867-2-PC, voted to deny the appeal and uphold the Hearing Officer's decision; and

WHEREAS, on April 23, 2013, on an appeal of the Planning Commission's Environmental Determination, the City Council denied the appeal and approved the Environmental Determination by a vote of 8-0-1, pursuant to Resolution No. 308122; and

WHEREAS. On June 12, 2013, on an appeal of the City's Decision on the Coastal Development Permit and Site Development Permit to the California Coastal Commission, the California Coastal Commission voted unanimously that there was "No Substantial Issue" and denied the appeal; NOW , THEREFORE,

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

That the Planning Commission adopts the following written Findings, dated January 17, 2013.



FINDINGS:**Coastal Development Permit - Section 126.0708**

**1. The proposed coastal development will not encroach upon any existing physical access way that is legally used by the public or any proposed public access way 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 66,253 square-foot project site is located within a mostly developed area of large scale single-family residences on large, approximately 1 to 3 acre sized lots. The development proposes to construct a new, two-story, single family residence on the previously disturbed portion of project site. The proposed development is located between the ocean and the first public roadway, but the western edge of the project site is approximately 800 feet from the mapped mean high tide line. The project site is located adjacent to an identified public access path identified in the La Jolla Community Plan and Local Coastal Program [LCP] Land Use Plan. The development preserves the existing, recorded, off-site public access way and maintains a buffer of at least 4 feet between the project site's easternmost fencing and the western edge of the dedicated public, pedestrian/recreation access way. In addition, the project proposes to expand the existing access way by offering for dedication additional land at the northeastern corner of the project site as more particularly depicted on Exhibit "A." The proposed residence is setback approximately 50 feet or greater from both the existing pedestrian access way and the proposed expansion area. Therefore, the proposed project will not encroach upon any existing physical access way that is legally used by the public or any proposed public access way identified in a Local Coastal Program land use plan.

The Local Coastal Program land use plan identifies two protected public view corridors that relate to the proposed development of the project site: Black Gold Road Scenic Overlook and La Jolla Farms Road Scenic Roadway. The proposed development preserves, enhances or restores these designated public view corridors. The Black Gold Road Scenic Overlook defined as a view over private property from a public right of way. Consistent with prior City approvals for the project site, the proposed development preserves the existing 15-foot-wide, mid-project site view corridor easement that directly aligns with the Black Gold Road Scenic Overlook view corridor. In addition, consistent with the Local Coastal Program land use plan, the project preserves from the Black Gold Road Scenic Overlook an unobstructed view of the horizon line of the ocean above the residence. The project also enhances the Black Gold Road Scenic Overlook by including a larger than required view corridor along the project site's southern property line.

The Scenic Roadway designation, which is defined as partially obstructed views over private property and down public rights of way, commences at the western terminus of the Black Gold Road Scenic Overlook and continues south past the project site along La

Jolla Farms Road. The project provides enhanced view corridor protections for the La Jolla Farms Road Scenic Roadway designation by establishing a southerly building setback between 6' to 9' which is greater than the required setback under applicable regulations. As a condition of approval, the public views down the southerly side yard setback area will be protected by the recording of a view easement that places limits on encroachments by buildings, landscaping and fencing. This proposed view corridor easement will enhance the existing, recorded view corridor easement that exists for the property to the south of the project.

In addition, the Local Coastal Plan land use plan, La Jolla Community Plan, and the Land Development Code include numerous other goals, policies or regulations regarding public views, including protections that apply to properties such as the project site that are located between the sea and the first public roadway. The project has been analyzed for consistency with all of those applicable public view protection provisions. Consistent with the City Council adopted Resolution No. R-298578, the proposed residence meets all of the RS-1-2 zone development regulations and enhances view corridor protections by establishing building setbacks greater than required under applicable regulations, policies and goals. The applicant also prepared a project specific visual and community plan consistency analysis that helps illustrate that the proposed structure does not encroach into the designated public views. The visual and community plan analysis submitted to the City was reviewed and it has been determined that the proposed project's design and public view protections are consistent with the Local Coastal Plan land use plan, La Jolla Community Plan and the Land Development Code. As such, the proposed development would enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Plan land use plan.

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

The 66,253 square-foot project site includes approximately 0.92 acres of previously disturbed areas. That south eastern or front 0.92 acre portion of the project site has been previously disturbed by a single-family residence and accessory buildings which were demolished in 2005. The project site is located within a well established residential neighborhood and it is surrounded by large, estate style single family homes on the northeast, east and south. The north western portion of the project site, approximately 0.60-acres, contains areas of non-native invasive plants and Environmentally Sensitive Lands [ESL] in the form of sensitive vegetation. This portion of the project site will be retained and conserved within a building restricted easement/covenant of easement area.

The proposed two-story, single-family residence would be built in the previously disturbed south eastern portion of the property. The proposed residence will not encroach on the Environmentally Sensitive Lands. Furthermore, the project site is not located within the Multiple Habitat Planning Area [MHPA]. MHPA lands are areas set aside by the approved Multiple Species Conservation Program Subarea Plan for preservation. The project, as mitigated, has been evaluated against and determined to conform to the MSCP Land Use Adjacency Guidelines.

The environmental review determined that the project may have a significant environmental effect on the Biological, Historical (Archaeological) and Paleontological Resources and the City prepared a Mitigated Negative Declaration [MND], Project No. 237107, in accordance with the California Environmental Quality Act [CEQA]. The project includes mitigation measures for potential impacts to Biological, Historical (Archaeological) and Paleontological Resources, to reduce the potential impacts to a level below significance. The Mitigation Monitoring and Reporting Program [MMRP] incorporates measures necessary to meet the performance standards in the City's Biology Guidelines, the City's CEQA Threshold of Significance for biological resources (60dB(a) noise limit), and state and federal law prohibiting the take, capture or killing of such avian species, including, among other things, required mitigation for potential impacts to California gnatcatcher and other migratory birds, detailed monitoring and compliance requirements, limits on the time periods and circumstances when development may occur absent the imposition of additional protections, requirements for revegetation and specific measures relating to the MSCP Land Use Adjacency Guidelines. In addition, the project must comply with applicable LDC provisions that require preferential avoidance of native and sensitive habitat and species for Brush Management Zone 2 areas, revegetation requirements and construction related storm water best management practices [BMPs] with respect to potential drainage and water quality impacts. Thus, given the project design, with implementation of the Mitigation Monitoring and Reporting Program [MMRP] and with compliance with the Land Development Code, the proposed project will not adversely affect Environmentally Sensitive Lands.

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

The project proposes construction of a new, two-story, single-family residence. The project site has a Residential – Very Low Density (0-5 DU/AC) land use designation for the front portion and an Open Space land use designation on the rear or western portion, which allows for low density residential development. The surrounding neighborhood is almost entirely built out with an eclectic mix of architectural styles and sizes of residences. As described previously in these findings, the proposed residence will not encroach upon, negatively alter or reduce the existing publicly designated physical access or visual access to and along the coast nor will it adversely affect Environmentally Sensitive Lands. The project also complies with all applicable requirements of the Land Development Code, which is part of the certified Local Coastal Plan Implementation Program. The project proposes to set the first story of the residence approximately 40 feet, and the closest second story element approximately 70 feet, from the curb of La Jolla Farms Road when only a 25 foot setback from the property line is required. In addition, only a small portion of the residence is proposed to be at the project's maximum height of 351 feet above mean sea level, the proposed floor area ratio is 0.27 when 0.45 is allowed and the amount of livable area above grade is limited to approximately 12,200 square feet. As the project site slopes downward away from the street, and because the home is set back so far from the street, the highest point of the house is only 24 feet

above the adjacent La Jolla Farms Road at centerline. The increased setbacks and other off-setting elements of the project depicted on Exhibit "A" minimize the bulk and scale of the project, help to preserve protected public views and ensure overall conformity with the adopted La Jolla Community Plan, the Land Development Code and the certified Local Coastal Plan land use plan and Implementation Program.

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

The Local Coastal Plan land use plan and the Land Development Code identify the permitted use of the project site as single family residential. The south eastern 0.92 acre portion of the 66,253 square-foot project site was previously developed with a single family residence. The project site is currently vacant, and it is located within an existing residential neighborhood of larger, estate style single family homes. The project site is located between the first public road and the sea or shoreline, but the development will be fully within the private property. The western edge of the project site is approximately 400 feet east of the coastal bluff and it is approximately 800 feet from the mapped mean high tide line. The proposed development does not encroach onto or adversely affect any public access way. As described previously in these findings, the project preserves and enhances the existing, off-site, dedicated, public pedestrian/recreation access way located east of the project site. The project also proposes to grant an offer of dedication for an expanded, public, pedestrian/recreation access way on the northeast corner of the project site as depicted in Exhibit "A." The above referenced public pedestrian access way will also improve the ability of the public to physically access the coastal public recreation resources. Therefore, the project is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act.

Although the issue is not addressed in the public access and public recreation policies of Chapter 3 of the California Coastal Act, the project is consistent with City's policies, goals and regulations regarding public view protections. The Natural Resources and Open Space Element of the La Jolla Community Plan designates a Scenic Overlook and a Scenic Roadway public view corridor within the vicinity of the project site and adjacent properties. As described previously in these findings, and based on factors including the location of the proposed home relative to the designated view corridors, compliance with applicable Land Development Code requirements, the maintenance of the existing, 15 foot designated public view easement on the project site, the enhancement of setback based view corridor protections and the preservation of a horizon line view of the ocean above the proposed home from the designated Black Gold Road Scenic Overlook, the project will preserve, enhance or restore the protected public view corridors. The applicant prepared a visual and community plan analysis that helps illustrate that the proposed structure does not encroach into the designated public views. City Staff reviewed the applicant's visual analysis and determined that the proposed project's

design and public view protections comply with the Local Coastal Plan land use plan, the Coastal Act, the La Jolla Community Plan and the Land Development Code.

**Site Development Permit - Section 126.0504**

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

The proposed development is located at 9872 La Jolla Farms Road within the La Jolla Community Plan area. The surrounding neighborhood is an almost entirely built out area with an eclectic mix of generally larger single family homes. Single family homes exist immediately to the northeast, east and south of project site. The properties to the west and northwest include canyons that ultimately lead to coastal bluffs and the Pacific Ocean.

The proposed project conforms with the City of San Diego General Plan, the La Jolla Community Plan, the Local Coastal Plan land use plan and the regulations of the certified Local Coastal Plan Implementation Program. The project site, as with the properties to the northeast, east and south, has a Residential – Very Low Density (0-5 DU/AC) land use designation that allows for low density single family residential development. The far western portion of the project site has an Open Space land use designation. The project proposes a new, two-story, single-family residence, on the previously developed portion, within the Residential - Very Low Density land use portion of the project site, consistent with that land use designation and the surrounding uses. The project also complies with all applicable requirements of the Land Development Code, which is part of the Local Coastal Plan Implementation Program. The project proposes to set the first story of the residence approximately 40 feet, and the closest second story element approximately 70 feet, from the curb of La Jolla Farms Road c when only a 25 foot front yard setback from the property line is required. The southern side yard setback is required to be approximately 8.5 feet and the project proposes a setback of up to approximately 14 feet to 19 feet. Further, only a small portion of the residence is proposed to be at the project's maximum height of 351 feet above mean sea level, the proposed floor area ratio is 0.27 when 0.45 is allowed and the amount of livable area above grade is limited to approximately 12,200 square feet. As the project site slopes downward away from the street, and because the home is set back so far from the street, the highest point of the house is only 24 feet above the adjacent La Jolla Farms Road at centerline. The greater setbacks and other elements of the project depicted on Exhibit "A" minimize the bulk and scale of the project, help to preserve the designated public views from the Black Gold Road Scenic Overlook and the Scenic Roadway area of La Jolla Farms Road and ensure overall conformity with the adopted La Jolla Community Plan, the Land Development Code and the certified Local Coastal Plan land use plan and Implementation Program. The applicant also prepared a visual and community plan analysis of the proposed project. The visual and community plan analysis submitted to the City was reviewed and it has been determined that the proposed project is compatible with the surrounding neighborhood and the project's design and public view protection are consistent with the Local Coastal Plan, the Coastal Act, the La Jolla Community Plan

and the Land Development Code. The project also preserves and enhances the existing, off-site pedestrian public access easement and will offer to dedicate a new public, pedestrian access easement as depicted on Exhibit "A" in order to improve public access to the coast. Therefore, the proposed development would not adversely affect the applicable land use plan.

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

The project site is located at 9872 La Jolla Farms Road within the La Jolla Community Plan. The south eastern or front approximately 0.92 acre portion of the project site was previously disturbed by a single family residence which was demolished in 2005. The north western portion of the project site, approximately 0.60-acres, contains areas of non-native invasive plants and Environmentally Sensitive Lands in the form of Sensitive Vegetation. This north western portion of the project site will be retained and conserved within a building restricted easement/covenant of easement area. The proposed development places the residence in the south eastern portion of the property and would not encroach on the Environmentally Sensitive Lands.

The proposed project complies with the La Jolla Community Plan's land use designation and all other applicable policies and goals, as well as the development regulations of the RS-1-2 zone and other applicable City and Coastal Act requirements. The City conducted a complete environmental review of this project. The environmental review determined that the project may have a significant environmental effect on the Biological, Historical (Archaeological) and Paleontological Resources and the City prepared a Mitigated Negative Declaration [MND], Project No. 237107, in accordance with the California Environmental Quality Act [CEQA]. The project includes mitigation measures for potential impacts to Biological, Historical (Archaeological) and Paleontological Resources, to reduce the potential impacts to a level below significance. The Mitigation Monitoring and Reporting Program [MMRP] incorporates measures necessary to meet the performance standards in the City's Biology Guidelines, the City's CEQA Threshold of Significance for biological resources (60dB(a) noise limit), and state and federal law prohibiting the take, capture or killing of such avian species, including, among other things, required mitigation for potential impacts to California gnatcatcher and other migratory birds, detailed monitoring and compliance requirements, limits on the time periods and circumstances when development may occur absent the imposition of additional protections, requirements for revegetation and specific measures relating to the MSCP Land Use Adjacency Guidelines. In addition, the project must comply with applicable Land Development Code provisions that require preferential avoidance of sensitive habitat and species for Brush Management Zone 2 areas, revegetation requirements and construction related storm water runoff best management practices. Applicable laws and/or the proposed conditions of approval also require compliance with Fire, Life, Health and Safety and Building Codes. Therefore, development of the proposed single family home on the previously developed project site would not be detrimental to public health, safety and welfare.

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

The proposed development is located on the previously developed portion of a 66,253 square foot property at 9872 La Jolla Farms Road within the La Jolla Community Plan and the RS-1-2 zone. The project proposes the development of a single-family home of approximately 17,949 gross square feet, which equates to a livable area of approximately 14,687 square feet (12,183 square feet above ground and 2,504 square feet of basement level). The project does not propose any deviation from the Land Development Code. The project site and the proposed development has been studied for potential impacts on, among other things, traffic, noise, air quality, geotechnical, water quality, biology, cultural resources and hazardous substances. A Mitigated Negative Declaration has been prepared, in accordance with CEQA that requires mitigation measures in the form of a MMRP. The proposed development has been reviewed for and found to be consistent with the requirements imposed by the RS-1-2 zone, the Environmentally Sensitive Lands regulations and all other applicable Land Development Code requirements. The proposed development will be required to secure construction permits to demonstrate compliance with all applicable state and local laws. Therefore, the proposed project would comply with all applicable regulations of the Land Development Code.

**B. Supplemental Findings--Environmentally Sensitive Lands**

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

The proposed development places the residence entirely within the south eastern approximately 0.92 acre portion of the project site that was previously disturbed by the development of a single family home. The project proposes construction of a new, two-story, single-family residence with an attached garage for a total of approximately 17,949 square-feet of gross floor area comprised of about 12,183 square feet of above ground livable area and approximately 2,504 square feet of subterranean area with the remaining gross square footage dedicated to uses such as covered decks, garage and phantom floor area. Project specific studies, including the geotechnical report, coupled with compliance with the Land Development Code and applicable building and safety codes, demonstrate that the previously developed project site is physically suitable for the design and siting of the proposed project.

No portion of the proposed residence is located within Environmentally Sensitive Lands. The north western portion of the project site, approximately 0.60-acres, contains areas of non-native invasive plants and Environmentally Sensitive Lands in the form of sensitive vegetation. To avoid the disturbance of environmentally sensitive lands, that north western portion of the project site will be retained and conserved within a building restricted easement/covenant of easement area. No portion of the project site is located

within the Multiple Habitat Planning Area [MHPA] and the project will conform to the MSCP Land Use Adjacency Guidelines.

The project's design includes a brush management plan, as the building would be located within 100 feet of native/naturalized vegetation, and removal of non-native invasive plants followed by the implementation of the revegetation plan specified in the Exhibit "A" drawings. The proposed landscaping along the development edge adjacent to the building restricted easement/covenant of easement area, and revegetation of the non-native invasive plant removal areas, would include brush management compatible natives and naturalized species which are drought tolerant and comply with all City Landscape Requirements. During environmental review, it was determined that the project may have a significant environmental effect on Biological, Historical (Archaeological) and Paleontological Resources. The City prepared a Mitigated Negative Declaration, Project No. 237107, in accordance with CEQA that includes mitigation measures for potential impacts to Biological, Historical (Archaeological) and Paleontological Resources, to reduce the potential impacts to a level below significance. The Mitigation Monitoring and Reporting Program [MMRP] incorporates measures necessary to meet the performance standards in the City's Biology Guidelines, the City's CEQA Threshold of Significance for biological resources (60dB(a) noise limit), and state and federal law prohibiting the take, capture or killing of such avian species, including, among other things, required mitigation for potential impacts to gnatcatcher and other migratory birds, detailed monitoring and compliance requirements, limits on the time periods and circumstances when development may occur absent the imposition of additional protections, requirements for revegetation, specific measures relating to the MSCP Land Use Adjacency Guidelines and detailed programs for potential impacts to archaeological and paleontological resources. In addition, the project must comply with applicable Land Development Code provisions that require preferential avoidance of sensitive habitat and species for Brush Management Zone 2 areas, revegetation requirements and construction related storm water best management practices. As a result of the project design and compliance with the MMRP and project conditions, the proposed project will result in minimum disturbance to environmentally sensitive lands.

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

The proposed construction of a new, two-story, single family residence with an attached garage will occur entirely within the approximately 0.92 acre previously disturbed portion of the 1.52 acre project site. The project proposes grading of approximately 0.85 acres, or approximately 54% of the entire project site. Approximately 5,200 cubic yards of export would be required for the project, based on 5,700 cubic yards of excavation for the below-ground portions of the residence and a total of 500 cubic yards of fill for other portions of the proposed development pad. The cut and fill portions of proposed grading are mainly located within the proposed building footprint, with minimal change to the natural landform. The project area is classified as low to moderate risk for seismic activity according to the City of San Diego General Plan. A number of geology reports,



the most recent prepared by Christian Wheeler Engineering, January 31, 2012, analyzed the project site and the project. That report indicates that no faults exist on the project site with the nearest Alquist-Priolo Earthquake Fault Zones are located within 1/8 mile of the project site and it makes project specific recommendations regarding geologic issues. Further construction related activities associated with the project would be required to comply with the seismic requirements of the California Building Code, City required engineering design measures, recommendations included in the City approved project geology reports and standard construction requirements that the City verifies at the construction permitting stage.

The project site is not located within a 100-year flood hazard area and it is located approximately 227 to 329 feet above mean sea level. The project's design includes construction-related best management practices (BMP's), such as diversion features (as determined by the grading contractor), and permanent low-impact development (LID) measures, such as permeable pavement and detention/treatment features within the landscape areas, to ensure runoff from the site does not result in erosion and sedimentation off site. Through these project design features, runoff volumes from the developed portion of the site would be reduced to match pre-existing flows, and would therefore not contribute erosive discharge velocities at the existing storm drain outlets. As such, the project would avoid direct discharge of runoff into and erosion of the native habitat adjacent to the northern and western property boundaries and nearby MHPA. The proposed landscaping along the development edge adjacent to the building restricted easement/covenant of easement area, and revegetation of the non-native invasive plant removal areas, would include brush management compatible natives and naturalized species which are drought tolerant and comply with all City Landscape Requirements.

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

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

The project site is located at 9872 La Jolla Farms Road within the La Jolla Community Plan. The south eastern or front approximately 0.92 acres of the project site has been previously disturbed by a previous single family residence which was demolished a few years ago. The north western portion of the project site, approximately 0.60-acres, contains areas of non-native invasive plants and Environmentally Sensitive Lands in the form of sensitive vegetation. This north western portion of the project site will be retained and conserved within a building restricted easement/covenant of easement area.

The proposed development of a two story, single family residence will place the residence entirely within that previously disturbed, south eastern portion of the project site. The proposed residence will not disturb the Environmentally Sensitive Lands.

The project's design includes a brush management plan, as the building would be located within 100 feet of native/naturalized vegetation, and removal of non-native invasive plants followed by implementation of the revegetation plan specified on Exhibit "A". The proposed landscaping along the development edge adjacent to the building restricted easement/covenant of easement area, and revegetation of the non-native invasive plant removal areas, would include brush management compatible natives and naturalized species which are drought tolerant and comply with all City Landscape Requirements. During environmental review it was determined that the project may have a significant environmental effect on Biological, Historical (Archaeological) and Paleontological Resources. The City prepared a Mitigated Negative Declaration, Project No. 237107, in accordance with CEQA. The MND includes mitigation measures for potential impacts to Biological, Historical (Archaeological) and Paleontological Resources, to reduce the potential impacts to a level below significance. The MMRP incorporates measures necessary to meet the performance standards in the City's Biology Guidelines, the City's CEQA Threshold of Significance for biological resources (60dB(a) noise limit), and state and federal law prohibiting the take, capture or killing of such avian species, including, among other things, required mitigation for potential impacts to California gnatcatcher and other migratory birds, detailed monitoring and compliance requirements, limits on the time periods and circumstances when development may occur absent the imposition of additional protections, requirements for revegetation and specific measures relating to the MSCP Land Use Adjacency Guidelines and detailed programs for potential impacts to archaeological and paleontological resources. In addition, the project must comply with applicable Land Development Code provisions that require preferential avoidance of sensitive habitat and species for Brush Management Zone 2 areas, revegetation requirements and construction related storm water best management practices. Thus, based on the project design, and with implementation of the Mitigation Monitoring Reporting Program, other project conditions and applicable laws designed to minimize impacts to environmentally sensitive lands, the proposed project will prevent adverse impacts on any adjacent Environmentally Sensitive Lands.

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

The project site is located at 9872 La Jolla Farms Road within the La Jolla Community Plan. The south eastern or front approximately 0.92 acres of the project site has been previously disturbed by a single family residence which was demolished in 2005. The north western portion of the project site, approximately 0.60-acres, contains areas of non-native invasive plants and Environmentally Sensitive Lands in the form of sensitive vegetation. This north western portion of the project site will be retained and conserved within a building restricted easement/covenant of easement area. The proposed development places the residence in the south eastern portion of the property and would not encroach on the Environmentally Sensitive Lands.

The project site is located within the boundaries of the City of San Diego MSCP Subarea Plan in a developed community. However, the project site is not within the MHPA. The closest MHPA area is approximately 40 feet west of the project site's western boundary and approximately 165 feet west of the westernmost portion of the proposed development area. The project was analyzed for consistency with the MSCP Land Use Adjacency Guidelines and other components of the City's MSCP Subarea Plan. As documented in the MND, the biological technical reports and other project documentation, the project, as mitigated, would be consistent with the MSCP relative to potential impacts to areas such as drainage, toxics, lighting, noise, invasive plants, brush management and land development. Because of the project design, and with implementation of the MMRP, applicable laws and project conditions, the project will be consistent with the City's MSCP Subarea Plan.

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

The proposed, construction of a new, two-story, single-family residence with an attached garage, will occur entirely within the approximately 0.92 acre previously disturbed portion of the 1.52 acre project site. The project site is located on a high coastal bluff area approximately 227 feet or greater above the mean sea level and the western most edge of the property is approximately 800 feet from the mapped mean high tide line. The north western portion of the project site, approximately 0.60-acres, contains areas of non-native invasive plants and Environmentally Sensitive Lands in the form of sensitive vegetation. That north western portion of the project site will be retained and conserved within a building restricted easement/covenant of easement area. Due to the presence of Environmentally Sensitive Lands within that 0.60 acre area, the proposed project requires a Site Development Permit.

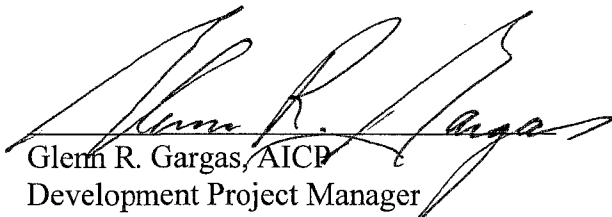
The project's design includes construction-related storm water BMP's, such as diversion features (as determined by the grading contractor), and permanent LID measures, such as permeable pavement and detention/treatment features within the landscape areas, to ensure runoff from the site does not result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

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

The 66,253 square-foot project site is located within a mostly developed area of large scale single-family residences on large, approximately 1 to 3 acre sized lots. The

development proposes to construct a new, two-story, single family residence on the previously disturbed, approximately 0.92 acre portion of the project site. During environmental review, it was determined that the project may have a significant environmental effect on Biological, Historical (Archaeological) and Paleontological Resources. The City prepared a Mitigated Negative Declaration, Project No. 237107, in accordance with CEQA. The Mitigated Negative Declaration includes mitigation measures for potential impacts to Biological, Historical (Archaeological) and Paleontological Resources, to reduce those potential impacts to a level below significance. The Mitigation, Monitoring and Reporting Program incorporates measures necessary to meet the performance standards in the City's Biology Guidelines, the City's CEQA Threshold of Significance for biological resources (60dB(a) noise limit), and state and federal law prohibiting the take, capture or killing of such avian species, including, among other things, required mitigation for potential impacts to California gnatcatcher and other migratory birds, detailed monitoring and compliance requirements, limits on the time periods and circumstances when development may occur absent the imposition of additional protections, requirements for revegetation and specific measures relating to the MSCP Land Use Adjacency Guidelines and detailed programs for potential impacts to archaeological and paleontological resources. In addition, the project must comply with applicable Land Development Code provisions that require preferential avoidance of sensitive habitat and species for Brush Management Zone 2 areas, revegetation requirements and construction related storm water best management practices with respect to potential drainage impacts. Further, through the project design and conditions requiring measures such as the dedication of building restricted and public view corridor easements, the project was determined to be in compliance with the La Jolla Community Plan and the Local Coastal Plan land use plan. As designed, and with the conditions imposed, the project also complies with or exceeds the requirements of all applicable Land Development Code regulations. Thus, the nature and extent of mitigation required of the project as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development of the project site.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Coastal Development Permit No. 852026 and Site Development Permit No. 852027, are hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit Nos. 852026 and 852027, a copy of which is attached hereto and made a part hereof.

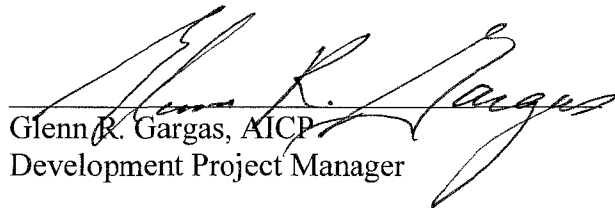
  
 Glenn R. Gargas, AICP  
 Development Project Manager  
 Development Services

Adopted on: January 17, 2013.

Job Order No. 24001703

Permit Type/PTS Approval No.: CDP No. 852026 & SDP No. 852027  
Date of Approval: June 12, 2013


AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES  
DEPARTMENT

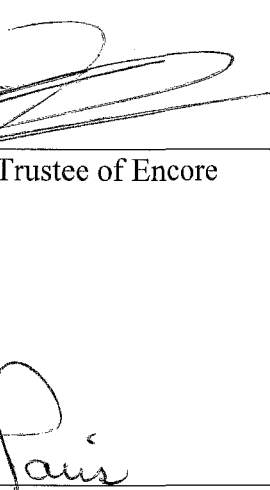
  
Glenn R. Gargas, AICP  
Development Project Manager

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

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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.

Owner/Permittee  
By   
Armand Kessous, Trustee of Encore  
Trust

Owner/Permittee  
By   
Alain Paris, Trustee of Encore Trust

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

# CERTIFICATE OF ACKNOWLEDGMENT OF EXECUTION OF AN INSTRUMENT

Country of Canada

(Country)

Province of Quebec

(County and/or other political division)

City of Montreal

(County and/or other political division)

} SS:

United States Consulate General

(Name of foreign service office)

I, Leslie W. Doumbia, Consul

of the United States of America at Montreal, Quebec, Canada

duly commissioned and qualified, do hereby certify that on this February 6, 2014

day of \_\_\_\_\_, before me personally appeared \_\_\_\_\_  
Date (mm-dd-yyyy)

Alain Paris and Armand Kessous - - - -

to me personally known, and known to me to be the individual-described in, whose name \_\_\_\_\_ are \_\_\_\_\_ subscribed to,

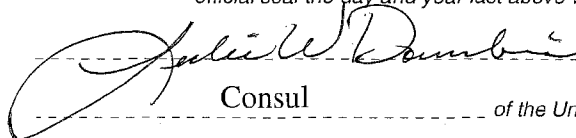
and who executed the annexed instrument, and being informed by me of the contents of said instrument \_\_\_\_\_ they

duly acknowledged to me that \_\_\_\_\_ they \_\_\_\_\_ executed the same freely and voluntarily for the uses and purposes.

therein mentioned.

[SEAL]

In witness whereof I have hereunto set my hand and official seal the day and year last above written.



Consul \_\_\_\_\_ of the United States of America.

NOTE: Wherever practicable all signatures to a document should be included in one certificate.

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**  
**CIVIL CODE § 1189**

State of California

County of San Diego

On March 4, 2014 before me, Vivian M. Gies, Notary Public  
Date Here Insert Name and Title of the Officer

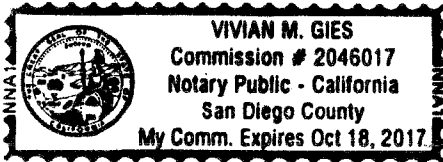
personally appeared Glenn R. Gargas  
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Vivian M. Gies  
Signature of Notary Public



Place Notary Seal Above

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: PTS 237107/Encore Trust Resi Document Date: \_\_\_\_\_

Number of Pages: \_\_\_\_\_ Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_

- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Individual  Attorney in Fact
- Trustee  Guardian or Conservator
- Other: \_\_\_\_\_


Signer's Name: \_\_\_\_\_

- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Individual  Attorney in Fact
- Trustee  Guardian or Conservator
- Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

**ORIGINAL**

Page 3		City of San Diego · Information Bulletin 620		May 2020
		<b>City of San Diego Development Services</b>		<b>Community Planning Committee Distribution Form</b>
Project Name: 9872 La Jolla Farms Rd.			Project Number: 643954	
Community: La Jolla				
<p>For project scope and contact information (project manager and applicant), log into OpenDSD at <a href="https://aca.accela.com/SANDIEGO">https://aca.accela.com/SANDIEGO</a>.</p> <p>Select "Search for Project Status" and input the Project Number to access project information.</p>				
<input checked="" type="radio"/> Vote to Approve <input type="radio"/> Vote to Approve with Conditions Listed Below <input type="radio"/> Vote to Approve with Non-Binding Recommendations Listed Below <input type="radio"/> Vote to Deny				
# of Members Yes	# of Members No	# of Members Abstain		
14	0	1		
Conditions or Recommendations: <b>Approved on Consent: Regular Trustee Meeting, July 1, 2021</b>				
<input type="checkbox"/> No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)				
NAME: Suzanne Weissman				
TITLE: secretary, LJCPA			DATE: July 02, 2021	
<i>Attach additional pages if necessary (maximum 3 attachments).</i>				



# La Jolla Community Planning Association

PO Box 889, La Jolla CA 92038  
<https://lajollacpa.org>  
[info@lajollacpa.org](mailto:info@lajollacpa.org)

## Trustee Agenda 1 July 2021, 6pm

President: Diane Kane  
 1st Vice President: Greg Jackson  
 2nd Vice President: Brian Will  
 Secretary: Suzanne Weissman  
 Treasurer: Larry Davidson

Regular Monthly Meetings: 1st Thursday, LJ Recreation Center, 615 Prospect St  
 (Meetings are currently being held online)

Links for Registration and Materials pages can be found at <https://lajollacpa.org/2021-agendas/>

Viewing, listening, and speaking at meetings require registration. To have attendance counted toward membership or voting, registration must be in the member's name. Meetings are recorded, and recording is publicly available. **Refer to projects or issues, not to applicants or opponents.** For **action** items, chair calls on public, then Trustees, closes discussion upon consensus, and calls for motions. Trustees vote by roll call or show of hands.

The public is encouraged to participate in Committee/Board meetings before LJCPA discussion:

- PDO – Planned District Ordinance Committee, Chair Deborah Marengo, 2nd Monday, 4:00 pm
- DPR – Development Permit Review Committee, Chair Brian Will, 2nd & 3rd Tuesday, 4:00 pm
- PRC – La Jolla Shores Permit Review Committee, Chair Andy Fotsch, 3rd Monday, 4:00 pm
- T&T – Traffic & Transportation Board, Chair David Abrams, 3rd Wednesday, 4:00 pm

### 1. Call to Order (6:00pm, **action** items)

- 1.1. Approve Agenda (**action**)
- 1.2. Approve Minutes (**action**)

### 2. Non-Agenda Public Comment (information only)

Opportunity for public to speak on matters not on the agenda, 2 minutes or less. No votes or action unless properly noticed at least 72 hours in advance.

### 3. Consent Agenda (consolidated **ACTION** item)

The Consent Agenda enables LJCPA to ratify recommendations from joint Committees or Boards that findings **CAN** or **CANNOT** be made. Those recommendations thereby become LJCPA's. The public may comment on consent items, but there is no presentation or debate. Anyone may request a consent item be pulled for full discussion by LJCPA at a subsequent meeting.

#### 3.1. **9872 La Jolla Farms Rd (643954, Golba)**

(Process 3) Coastal Development Permit and Site Development Permit, an amendment to CDP No. 852026 and SDP No. 852027, for the construction of a new residential single dwelling unit, single story with two levels of basement, for a total of 18,422 sq.ft. of construction located at 9872 La Jolla Farms Road. The 1.52 acre site is in the RS-1-2 Zone, Coastal (Appealable) Overlay, First Public Roadway within La Jolla Community Plan. Council District 1.

- DPR 6/8/21: findings **CAN** be made, 7-0-1

#### 3.2. **9430 La Jolla Shores Dr (675183, Ward)**

(Process 3) Coastal Development Permit for the demolition of a 1,541-square-foot (SF) existing single-family residence and 400 SF existing detached garage, proposing a new 3,382 SF one story single-family residence, with a new detached 560 SF garage, located at 9430 La Jolla Shores Dr. The 0.28-acre site is in the RS-1-4 Zone, Coastal (Appealable) Zone, Coastal Height, 1st Public Roadway, and Transit Priority Area within the La Jolla Community Plan area. Council District 1.

- DPR 6/15/21: findings **CAN** be made, 7-0-1

*If special facilities or access are required (for example, to display presentations), notify the Chair one week prior to meeting. If a Sign Language interpreter, aids for the visually impaired, or Assisted Listening Devices (ALDs) are required, please contact the City's Disability Services Coordinator at 619-321-3208 at least five (5) workdays prior to the meeting date to ensure availability.*



**City of San Diego  
Development Services**  
1222 First Ave., MS 302  
San Diego, CA 92101  
(619) 446-5000

# Ownership Disclosure Statement

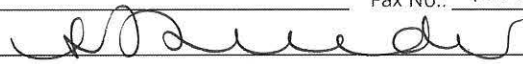
**FORM  
DS-318**  
  
October 2017

**Approval Type:** Check appropriate box for type of approval(s) requested:  Neighborhood Use Permit  Coastal Development Permit  
 Neighborhood Development Permit  Site Development Permit  Planned Development Permit  Conditional Use Permit  Variance  
 Tentative Map  Vesting Tentative Map  Map Waiver  Land Use Plan Amendment  Other \_\_\_\_\_

**Project Title:** B-WEST RESIDENCE **Project No. For City Use Only:** \_\_\_\_\_  
**Project Address:** 9872 La Jolla Farms Road  
 La Jolla, CA 92037

**Specify Form of Ownership/Legal Status (please check):**  
 Corporation  Limited Liability -or-  General - What State? \_\_\_\_\_ Corporate Identification No. \_\_\_\_\_  
 Partnership  Individual

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

**Property Owner**  
 Name of Individual: JCT Lookout LLC  Owner  Tenant/Lessee  Successor Agency  
 Street Address: 1227 Prospect St. Ste 200  
 City: La Jolla State: CA Zip: 92037  
 Phone No.: (858) 454-5693 Fax No.: (858) 454-7253 Email: cmw@tagclient.net  
 Signature:  Date: 7/24/19  
 Additional pages Attached:  Yes  No

**Applicant**  
 Name of Individual: \_\_\_\_\_  Owner  Tenant/Lessee  Successor Agency  
 Street Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Phone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_ Email: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 Additional pages Attached:  Yes  No

**Other Financially Interested Persons**  
 Name of Individual: \_\_\_\_\_  Owner  Tenant/Lessee  Successor Agency  
 Street Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Phone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_ Email: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 Additional pages Attached:  Yes  No

PROPRIETARY DESIGN. THE DRAWINGS, DESIGNS, AND INFORMATION CONTAINED ON THIS SHEET ARE THE PROPERTY OF GOLBA ARCHITECTURE AND ARE DEVELOPED FOR USE ON AND IN CONNECTION WITH THIS SPECIFIC PROJECT AND ARE DISCLOSED IN CONFIDENCE AND SHALL NOT BE COPIED, REPRODUCED, PUBLISHED, OR OTHERWISE USED, DIRECTLY OR INDIRECTLY, IN WHOLE OR IN PART TO PROVIDE INFORMATION TO PRODUCE, CONSTRUCT, OR MANUFACTURE DRAWINGS, PRINTS, APPARATUS, PARTS, OR ASSEMBLIES WITHOUT THE FULL KNOWLEDGE AND WRITTEN CONSENT OF GOLBA ARCHITECTURE. THIS DRAWING IS PROTECTED BY COPYRIGHT LAW. ALL PATENTABLE MATERIAL CONTAINED HEREIN AND ORIGINATING WITH GOLBA ARCHITECTURE SHALL BE THE PROPERTY OF GOLBA ARCHITECTURE. ANY USE OF MATERIAL SHALL BE SUBJECT TO ROYALTY PAYMENTS TO GOLBA ARCHITECTURE.

# B-WEST RESIDENCE

9872 LA JOLLA FARMS RD.  
LA JOLLA, CA 92037



## COASTAL DEVELOPMENT PERMIT AMENDMENT RESUBMITTAL SET 09-28-21

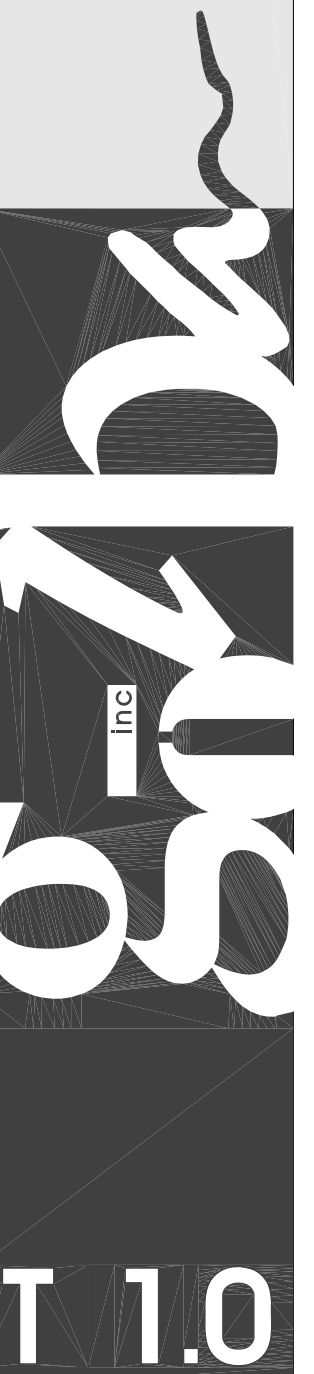
<b>PREPARED BY:</b> ANGEL RODRIGUEZ GOLBA ARCHITECTURE 1940 GARNET AVE., SUITE 100 SAN DIEGO, CA 92109 PHONE: (619) 231-9905 FAX: (619) 231-4288	<b>PROJECT ADDRESS:</b> 9872 LA JOLLA FARMS RD. LA JOLLA, CA 92037	Revision 11: Revision 10: Revision 9: Revision 8: Revision 7: 09-28-21 Revision 6: 09-09-21 Revision 5: 07-27-21 Revision 4: 04-16-21 Revision 3: 11-04-20 Revision 2: 08-03-20 Revision 1: 02-28-20
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<b>PROJECT NAME:</b> B-WEST RESIDENCE	Original Date: 07-31-19 Sheet 1 of 24
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**SHEET TITLE:**  
COVER  
SHEET

**GOLBA ARCHITECTURE** inc  
Architecture ■ Space Planning ■ Interior Design  
1940 Garnet Ave. #100 San Diego California 92109  
Phone: (619) 231-9905 Fax: (619) 231-4288

**B-WEST RESIDENCE**  
9872 LA JOLLA FARMS ROAD  
LA JOLLA, CA 92037







SCALE: 1"=20'-0"

**SITE KEY**

	INDICATES PROPERTY LINE
	INDICATES SETBACK LINE
	INDICATES EASEMENTS LINE
	SPOT ELEVATION

**PREPARED BY:**  
 ANGEL RODRIGUEZ  
 GOLBA ARCHITECTURE  
 1940 GARNET AVE., SUITE 100  
 SAN DIEGO, CA 92109  
 PHONE: (619) 231-9905  
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**PROJECT ADDRESS:**  
 9872 LA JOLLA FARMS RD  
 LA JOLLA, CA 92037

**Revision 14:**  
 Revision 13:  
 Revision 12:  
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Original Date: 07-31-19

**PROJECT NAME:**  
 B-WEST RESIDENCE

Sheet 3 Of 24

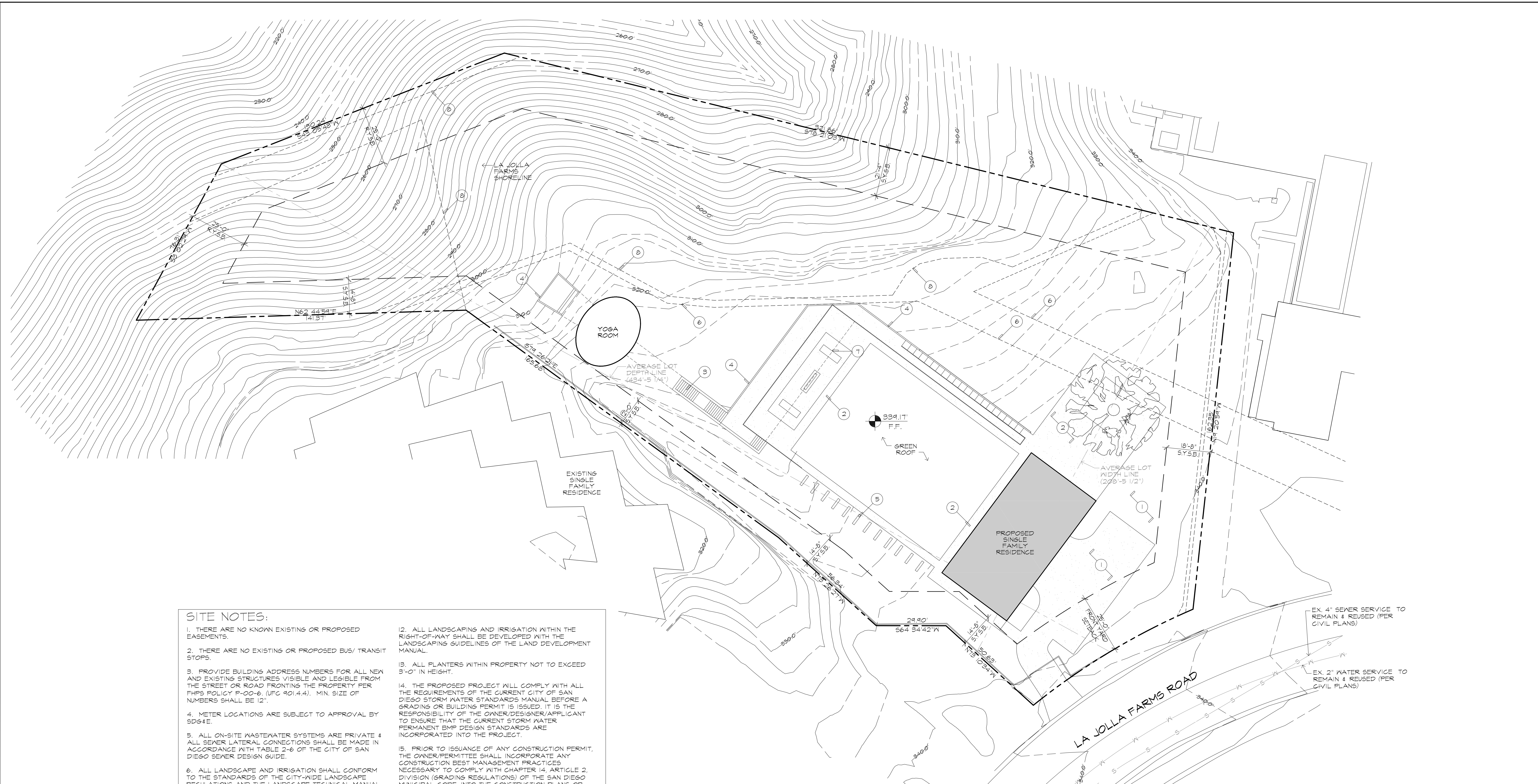
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 EXISTING  
 TOPOGRAPHY

**GOLBA ARCHITECTURE**  
 Architecture ■ Space Planning ■ Interior Design  
 1940 Garnet Ave. #100 San Diego California 92109  
 Phone: (619) 231-9905 Fax: (858) 750-3471

**B-WEST RESIDENCE**  
 9872 LA JOLLA FARMS ROAD  
 LA JOLLA, CA 92037

**A 0.0**

DATE: 09-28-21



**SITE NOTES:**

1. THERE ARE NO KNOWN EXISTING OR PROPOSED EASEMENTS.
2. THERE ARE NO EXISTING OR PROPOSED BUS/ TRANSIT STOPS.
3. PROVIDE BUILDING ADDRESS NUMBERS FOR ALL NEW AND EXISTING STRUCTURES VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY PER FHPS POLICY P-00-6, (UFC 901.4.4). MIN. SIZE OF NUMBERS SHALL BE 12".
4. METER LOCATIONS ARE SUBJECT TO APPROVAL BY SD&E.
5. ALL ON-SITE WASTEWATER SYSTEMS ARE PRIVATE & ALL SEWER LATERAL CONNECTIONS SHALL BE MADE IN ACCORDANCE WITH TABLE 2-6 OF THE CITY OF SAN DIEGO SEWER DESIGN GUIDE.
6. ALL LANDSCAPE AND IRRIGATION SHALL CONFORM TO THE STANDARDS OF THE CITY-WIDE LANDSCAPE REGULATIONS AND THE LANDSCAPE TECHNICAL MANUAL AND ALL OTHER LANDSCAPE RELATED CITY AND REGIONAL STANDARDS.
7. IRRIGATION TO BE PROVIDED BY AN UNDERGROUND IRRIGATION SYSTEM. IRRIGATION TO BE DESIGNED TO INCORPORATE STATE OF THE ART IRRIGATION HEADS AND CONTROLLERS TO PROVIDE EFFICIENT APPLICATION OF WATER TO THE PLANT MATERIAL WITHOUT GENERATING RUN-OFF.
8. THE PROPERTY OWNER WILL BE THE RESPONSIBLE PARTY FOR THE LONG TERM LANDSCAPE AND SITE MAINTENANCE FOR THIS PROJECT.
9. LANDSCAPING MATERIALS SHALL NOT ENCRoACH OR OVERHANG INTO OSTEND COURT RIGHT-OF-WAY BELOW A HEIGHT OF (8) FEET ABOVE THE FINISH SURFACE OR FINISH GRADE AS MEASURED FROM THE TRUNK.
10. MAINTENANCE: ALL REQUIRED LANDSCAPE AREAS SHALL BE MAINTAINED BY THE OWNER. THE LANDSCAPE AREAS SHALL BE MAINTAINED IN A FREE OF DEBRIS AND LITTER CONDITION AND ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY GROWING CONDITION. DISEASED OR DEAD PLANT MATERIAL SHALL BE SATISFACTORILY TREATED OR REPLACED PER THE CONDITIONS OF THE PERMIT.
11. PER SDMC SECTION 142.0409 (B)(2), PLANT MATERIAL, OTHER THAN TREES, LOCATED WITHIN VISIBILITY AREAS OR THE ADJACENT PUBLIC RIGHT-OF-WAY SHALL NOT EXCEED 36 INCHES IN HEIGHT, FROM LOWEST GRADE ADJUTINF THE PLANT MATERIAL TO THE TOP OF THE PLANT MATERIAL.
12. ALL LANDSCAPING AND IRRIGATION WITHIN THE RIGHT-OF-WAY SHALL BE DEVELOPED WITH THE LANDSCAPING GUIDELINES OF THE LAND DEVELOPMENT MANUAL.
13. ALL PLANTERS WITHIN PROPERTY NOT TO EXCEED 3'-0" IN HEIGHT.
14. THE PROPOSED PROJECT WILL COMPLY WITH ALL THE REQUIREMENTS OF THE CURRENT CITY OF SAN DIEGO STORM WATER STANDARDS MANUAL BEFORE A GRADING OR BUILDING PERMIT IS ISSUED. IT IS THE RESPONSIBILITY OF THE OWNER/DESIGNER/APPLICANT TO ENSURE THAT THE CURRENT STORM WATER PERMANENT BMP DESIGN STANDARDS ARE INCORPORATED INTO THE PROJECT.
15. PRIOR TO ISSUANCE OF ANY CONSTRUCTION PERMIT, THE OWNER/PERMITEE SHALL INCORPORATE ANY CONSTRUCTION BEST MANAGEMENT PRACTICES NECESSARY TO COMPLY WITH CHAPTER 14, ARTICLE 2, DIVISION (GRADING REGULATIONS) OF THE SAN DIEGO MUNICIPAL CODE, INTO THE CONSTRUCTION PLANS OR SPECIFICATIONS.
16. THIS PROJECT WILL NOT DISCHARGE ANY INCREASE IN STORM WATER RUN-OFF ONTO THE EXISTING HILLSIDE AREAS.
17. AT THE STORM WATER DISCHARGE LOCATIONS, SUITABLE ENERGY DISSIPATORS ARE TO BE INSTALLED TO REDUCE THE DISCHARGE TO NON-ERODIBLE VELOCITIES. MULTIPLE STORM WATER DISCHARGE LOCATIONS WILL BE USED TO MIMIC THE EXISTING DRAINAGE PATTERN. NO ADDITIONAL RUN-OFF IS PROPOSED FOR THE DISCHARGE LOCATIONS.
18. PRIOR TO ISSUANCE OF ANY CONSTRUCTION PERMIT THE OWNER/PERMITEE SHALL SUBMIT A WATER POLLUTION CONTROL PLAN (WPCP). THE WPCP SHALL BE PREPARED IN ACCORDANCE WITH THE GUIDELINES IN PART 2 CONSTRUCTION BMP STANDARDS CHAPTER 4 OF THE CITY'S STORM WATER STANDARDS.
19. PRIOR TO ISSUANCE OF ANY CONSTRUCTION PERMIT, THE OWNER/PERMITEE SHALL ENTER INTO A MAINTENANCE AGREEMENT FOR ONGOING PERMANENT BMP MAINTENANCE, SATISFACTORY TO CITY ENGINEER.
20. NO OBSTRUCTION INCLUDING SOLID WALLS IN THE VISIBILITY AREA SHALL EXCEED 3 FEET IN HEIGHT.

**SITE PLAN KEY NOTES:**

- 1 NEW CONCRETE DRIVEWAY.
- 2 NEW CONCRETE WALKWAY.
- 3 NEW CONCRETE STEPS.
- 4 NEW CMU LOW WALL
- 5 NEW CONCRETE TILES.
- 6 LINE OF VIEW EASEMENT
- 7 EDGE OF BUILDING BELOW
- 8 LINE OF COVENANT FOR PROTECTION OF SENSITIVE BIOLOGICAL RESOURCES.

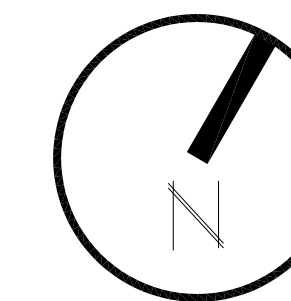
**SPECIAL NOTE #1:**  
THE HIGHEST POINT OF THE ROOF EQUIPMENT, OR ANY VENT, PIPE, ANTENNA, OR OTHER PROJECTION SHALL NOT EXCEED 30'-0" ABOVE THE GRADE (SDMC, SEC. 132.0505).

**SETBACK INFORMATION**

AVERAGE LOT WIDTH:	208'-5 1/2" (MEASURED PER SEC. 113.0243)
SIDE YARD REQ.:	0.08 X 208'-5 1/2" = 16'-8"

**SITE KEY**

	AREA OF PROPOSED RESIDENCE
	AREA OF EXPOSED AGGREGATE CONCRETE
	INDICATES PROPERTY LINE
	INDICATES SETBACK LINE
	INDICATES EASEMENT LINE
	SPOT ELEVATION



SCALE: 1"=20'-0"

**PREPARED BY:**  
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**PROJECT ADDRESS:**  
9872 LA JOLLA FARMS RD  
LA JOLLA, CA 92037

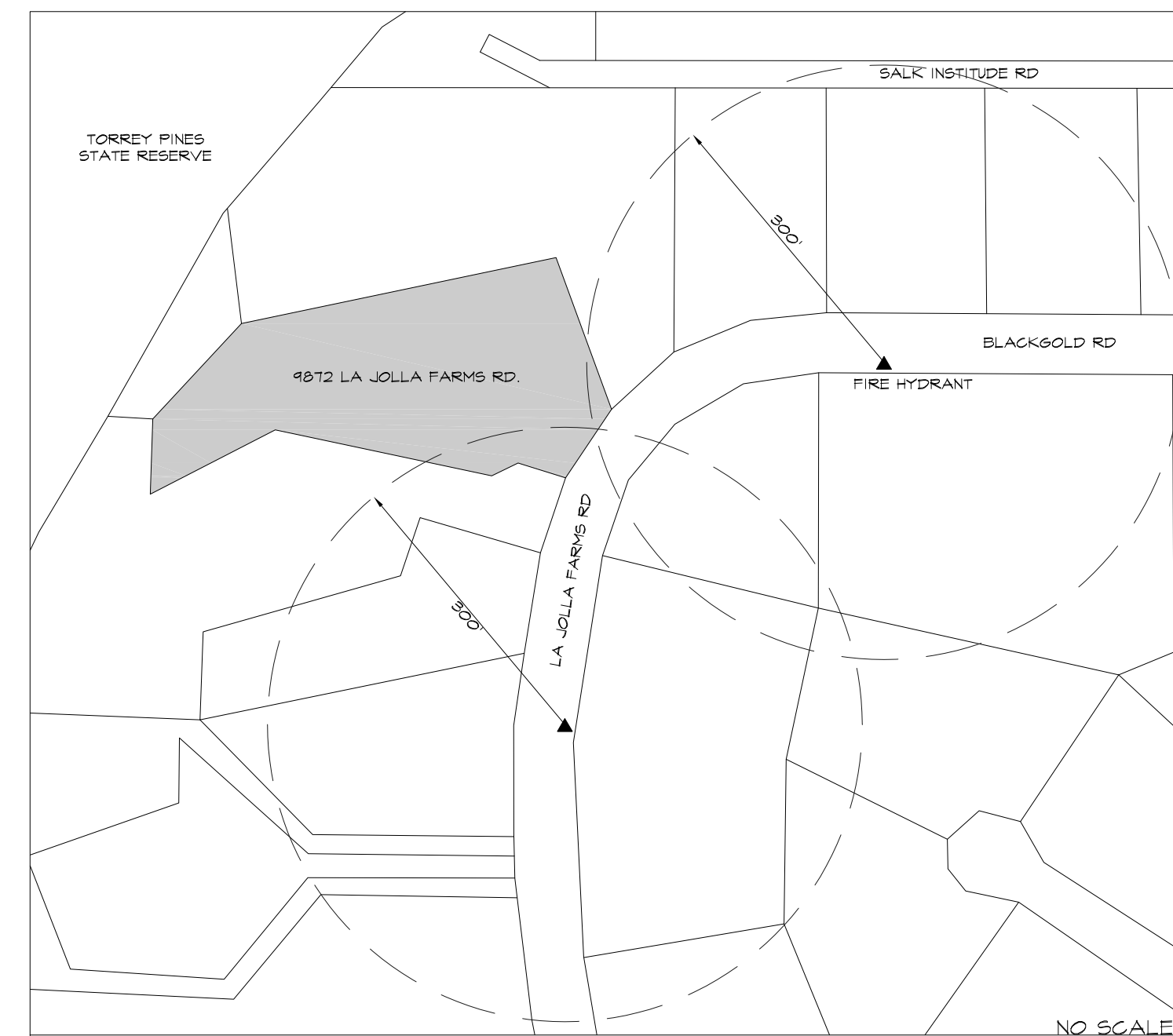
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**PROPOSED  
SITE PLAN**

- Revision 14:
- Revision 13:
- Revision 12:
- Revision 11:
- Revision 10:
- Revision 9:
- Revision 8:
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Original Date: 07-31-19  
Sheet 4 Of 24



**FIRE HYDRANT DIAGRAM:**



**FIRE NOTES:**

1. FIRE APPARATUS ACCESS ROADS AND WATER SUPPLIES FOR FIRE PROTECTION SHALL BE INSTALLED AND MADE SERVICEABLE PRIOR TO AND DURING TIME OF CONSTRUCTION CFC 501.4.
2. PROVIDE BUILDING ADDRESS NUMBERS, VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY PER SAN DIEGO MUNICIPAL CODE SECTION 95.0204.
3. SAN DIEGO MUNICIPAL CODE SECTION 55.0501 ITEM (C) HYDRANT LOCATIONS SHALL BE IDENTIFIED BY THE INSTALLATION OF REFLECTIVE BLUE COLORED MARKERS. SUCH MARKERS SHALL BE AFFIXED TO THE ROADWAY SURFACE, APPROXIMATELY CENTERED BETWEEN CURBS, AND AT A RIGHT ANGLE TO THE HYDRANT.
4. AN APPROVED KNOX KEYSWITCH OVERRIDE SATISFACTORY TO THE FIRE MARSHAL SHALL BE PROVIDED ON ALL VEHICLE MAIN ENTRY AND EMERGENCY ENTRY POINTS TO THE PROJECT. CFC SECTION 506.
5. WHERE SECURITY GATES ARE INSTALLED, THEY SHALL HAVE AN APPROVED MEANS OF EMERGENCY OPERATIONS. THE SECURITY GATES AND EMERGENCY OPERATION SHALL BE MAINTAINED OPERATIONAL AT ALL TIMES. ELECTRIC GATE OPERATORS, WHERE PROVIDED, SHALL BE LISTED IN ACCORDANCE WITH UL 325. GATES INTENDED FOR AUTOMATIC OPERATION SHALL BE DESIGNED, CONSTRUCTED AND INSTALLED TO COMPLY WITH THE REQUIREMENTS OF ASTM F 2200. CFC 503.6.
6. ALL BUILDINGS AND SITES UNDERGOING CONSTRUCTION, ALTERATION, OR DEMOLITION SHALL COMPLY WITH REQUIREMENTS OF CHAPTER 93 OF THE CFC.
7. CFC 105.4.4-CONSTRUCTION DOCUMENTS APPROVED BY THE FIRE CODE OFFICIAL ARE APPROVED WITH THE INTENT THAT SUCH CONSTRUCTION DOCUMENTS COMPLY IN ALL RESPECTS WITH THE CFC. REVIEW AND APPROVAL BY THE FIRE CODE OFFICIAL SHALL NOT RELIEVE THE APPLICANT OF THE RESPONSIBILITY OF COMPLIANCE WITH THIS CODE.

PREPARED BY:  
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 1940 GARNET AVE., SUITE 100  
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 PHONE: (619) 231-9905  
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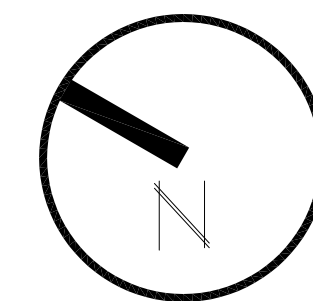
PROJECT ADDRESS:  
 9872 LA JOLLA FARMS RD  
 LA JOLLA, CA 92037

PROJECT NAME:  
 B-WEST RESIDENCE

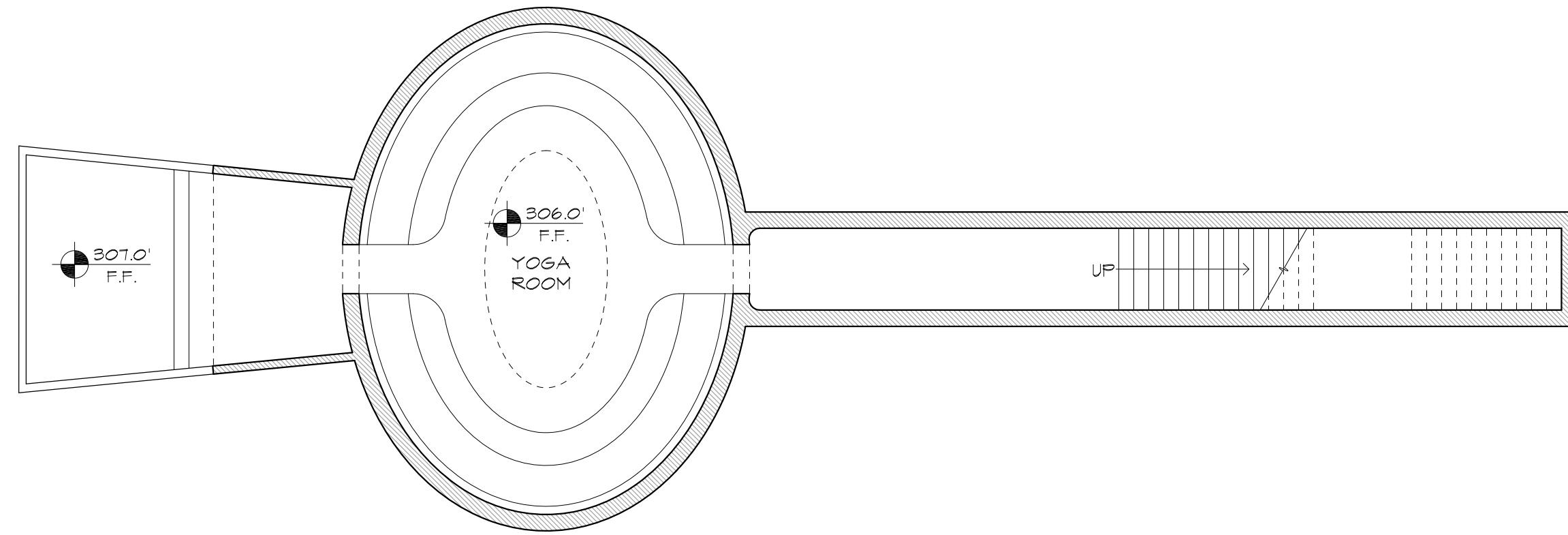
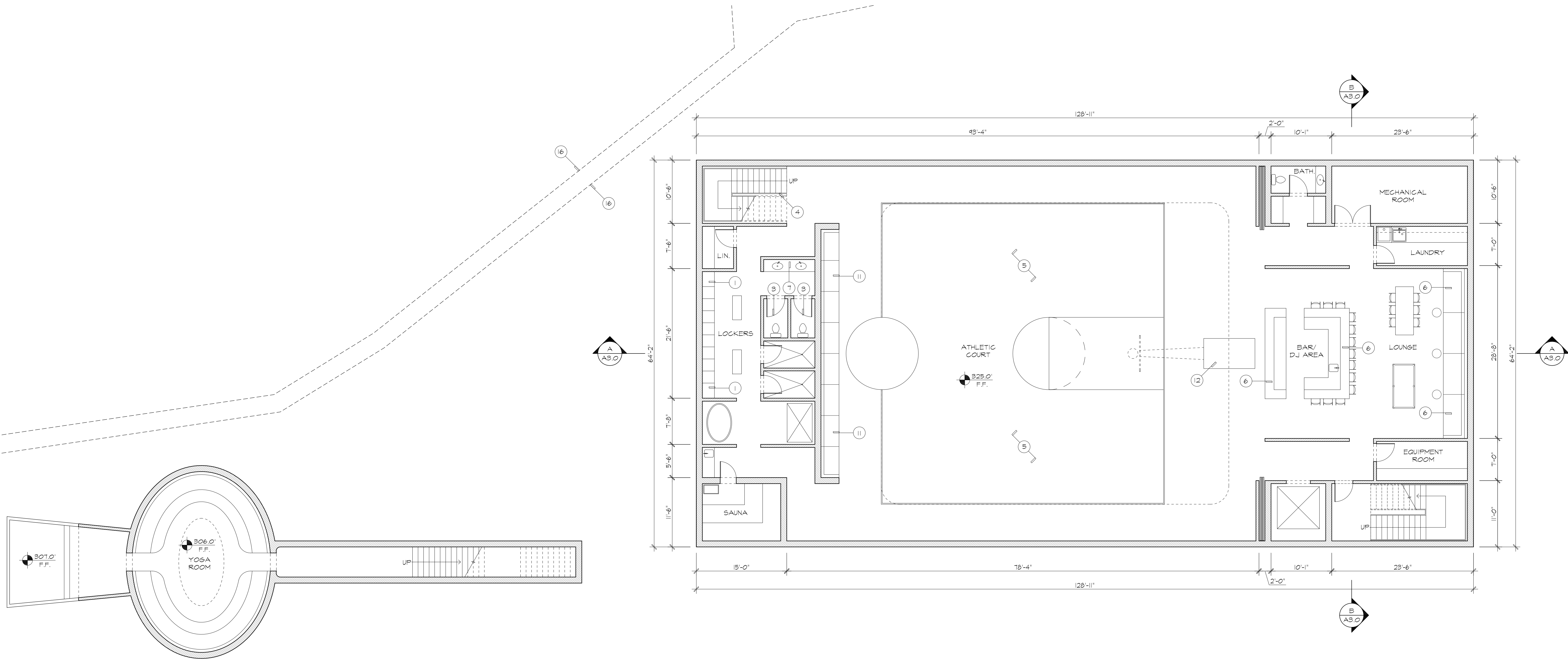
SHEET TITLE:  
**FIRE ACCESS  
 PLAN**

- Revision 14:
- Revision 13:
- Revision 12:
- Revision 11:
- Revision 10:
- Revision 9:
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 Sheet 5 Of 24

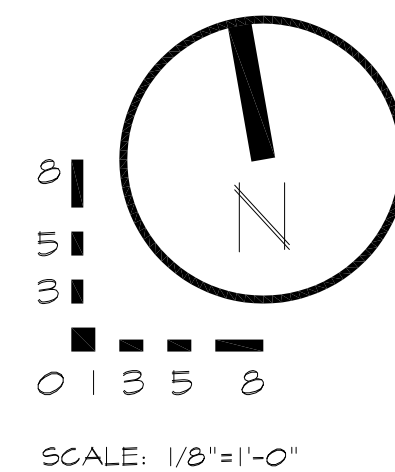


SCALE: 1"=20'-0"



**FLOOR PLAN KEY NOTES:**

- ① NEW 6-FOOT HEIGHT, CONTEMPORARY, WOOD VENEER LOCKERS, 3/4" PLAIN SLICED MAPLE, PROVIDE FLAT TOP PLASTIC LAMINATE LOCKER CAP & 4" RAISED LOCKER BASE.
- ② DECK GUARDRAIL @ 42" A.F.F. SEE BUILDING ELEVATIONS FOR MORE INFORMATION.
- ③ NEW WATER CLOSETS, WALL PARTITIONS & FLOOR TILE PER OWNERS APPROVAL.
- ④ STAIR GUARDRAIL @ 42" ABOVE STAIR NOSE.
- ⑤ NEW CUSHIONED WOOD FLOORING SYSTEM, GRADE B MAPLE PER OWNERS CHOICE.
- ⑥ CONTRACTOR TO SUBMIT CABINET SHOP DRAWINGS FOR REVIEW PRIOR TO FABRICATION, USE GRANITE COUNTERTOPS, STYLE & COLOR PER OWNERS APPROVAL.
- ⑦ NEW LAVATORY, COUNTERTOP, GFI POWER OUTLET, WALL MIRROR & FLOOR TILE PER OWNERS APPROVAL, TYP.
- ⑧ PLI-DECK WATERPROOFING DECK SURFACE. INSTALL PER MANUFACTURER SPECIFICATIONS, ICC REPORT ESR-2097, NO TILE IS TO BE INSTALLED ATOP OF THIS ASSEMBLY.
- ⑨ SHOWER COMPARTMENTS AND BATHTUBS WITH INSTALLED SHOWER HEADS SHALL BE FINISHED WITH A NONABSORBENT SURFACE THAT EXTENDS TO A HEIGHT OF NOT LESS THAN 6 FEET ABOVE THE FLOOR. (CRC R307.2)
- ⑩ GYMNASIUM RUBBER FLOORING PER OWNERS APPROVAL.
- ⑪ BUILT IN SEATING.
- ⑫ PORTABLE HEIGHT-ADJUSTABLE BASKETBALL HOOP ASSEMBLY SYSTEM PER OWN APPROVAL.
- ⑬ 42" HEIGHT METAL GUARDRAIL W/TEMPERED GLASS PANELS.
- ⑭ EXTERIOR BAR
- ⑮ EDGE OF BUILDING BELOW
- ⑯ LINE OF EASEMENT



**PLAN STAIR NOTES:**

TOP LEVEL TO MID-LEVEL  
 TYP. RISER = 6.75" EACH  
 TYP. TREAD = 11" EACH  
 # OF RISERS = 22  
 RISE INFORMATION: 10'-0"  
 2'-6" FLOOR JOIST  
 12'-6" TOTAL RISE

HANDRAILS  
 1 1/2" DIAMETER ALUMINUM HANDRAIL @ 34" ABOVE THE NOSE OF THE STAIRS.

**WALL LEGEND**

- NEW CMU WALL
- LINE OF WALL ABOVE
- SMOKE DETECTOR
- CARBON MONOXIDE DETECTOR
- RECESSED EXHAUST FAN (EQUIP W/BACK DRAFT DAMPER)
- WINDOW W/TEMPERED GLASS
- DOOR W/TEMPERED GLASS

**PREPARED BY:**  
 ANGEL RODRIGUEZ  
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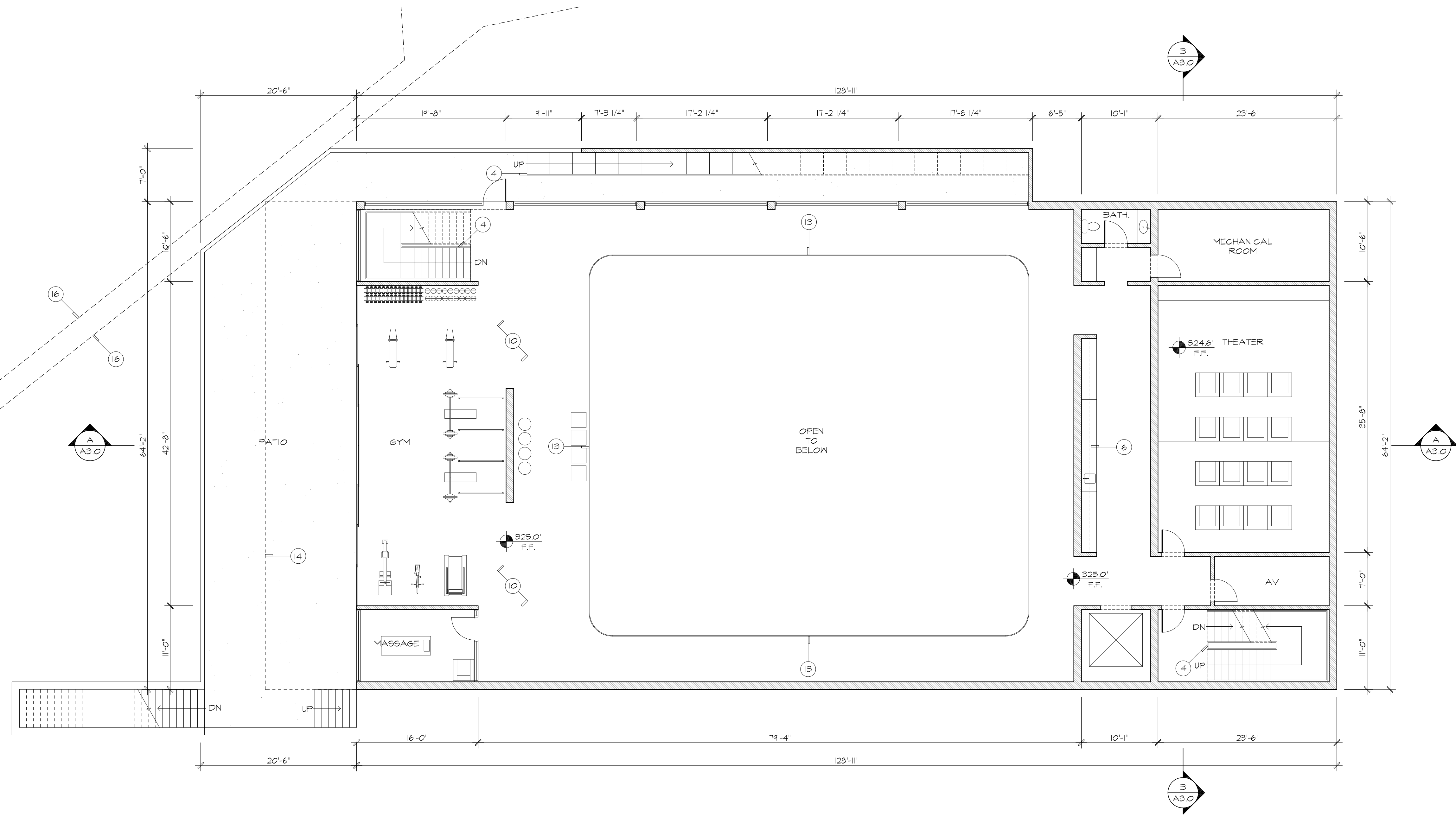
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**SHEET TITLE:**  
**BASEMENT LOWER LEVEL PLAN**

- Revision 14:
- Revision 13:
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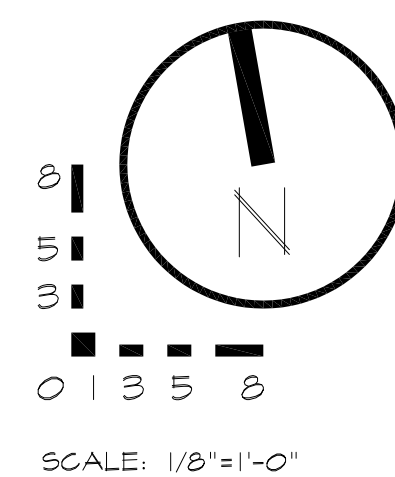
Original Date: 07-31-19  
 Sheet 6 Of 24





**FLOOR PLAN KEY NOTES:**

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- ④ STAIR GUARDRAIL @ 42" ABOVE STAIR NOSE.
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- ⑦ NEW LAVATORY, COUNTERTOP, GFI POWER OUTLET, WALL MIRROR & FLOOR TILE PER OWNERS APPROVAL, TYP.
- ⑧ PLY-DECK WATERPROOFING DECK SURFACE. INSTALL PER MANUFACTURER SPECIFICATIONS, ICC REPORT ESR-2097, NO TILE IS TO BE INSTALLED ATOP OF THIS ASSEMBLY.
- ⑨ SHOWER COMPARTMENTS AND BATHTUBS WITH INSTALLED SHOWER HEADS SHALL BE FINISHED WITH A NONABSORBENT SURFACE THAT EXTENDS TO A HEIGHT OF NOT LESS THAN 6 FEET ABOVE THE FLOOR. (CRC R301.2)
- ⑩ GYMNASIUM RUBBER FLOORING PER OWNERS APPROVAL.
- ⑪ BUILT IN SEATING.
- ⑫ PORTABLE HEIGHT-ADJUSTABLE BASKETBALL HOOP ASSEMBLY SYSTEM PER OWNR APPROVAL.
- ⑬ 42" HEIGHT METAL GUARDRAIL W/TEMPERED GLASS PANELS.
- ⑭ EXTERIOR BAR
- ⑮ EDGE OF BUILDING BELOW
- ⑯ LINE OF EASEMENT



**PLAN STAIR NOTES:**

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 TYP. TREAD = 11" EACH  
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 12'-6" TOTAL RISE

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**PREPARED BY:**  
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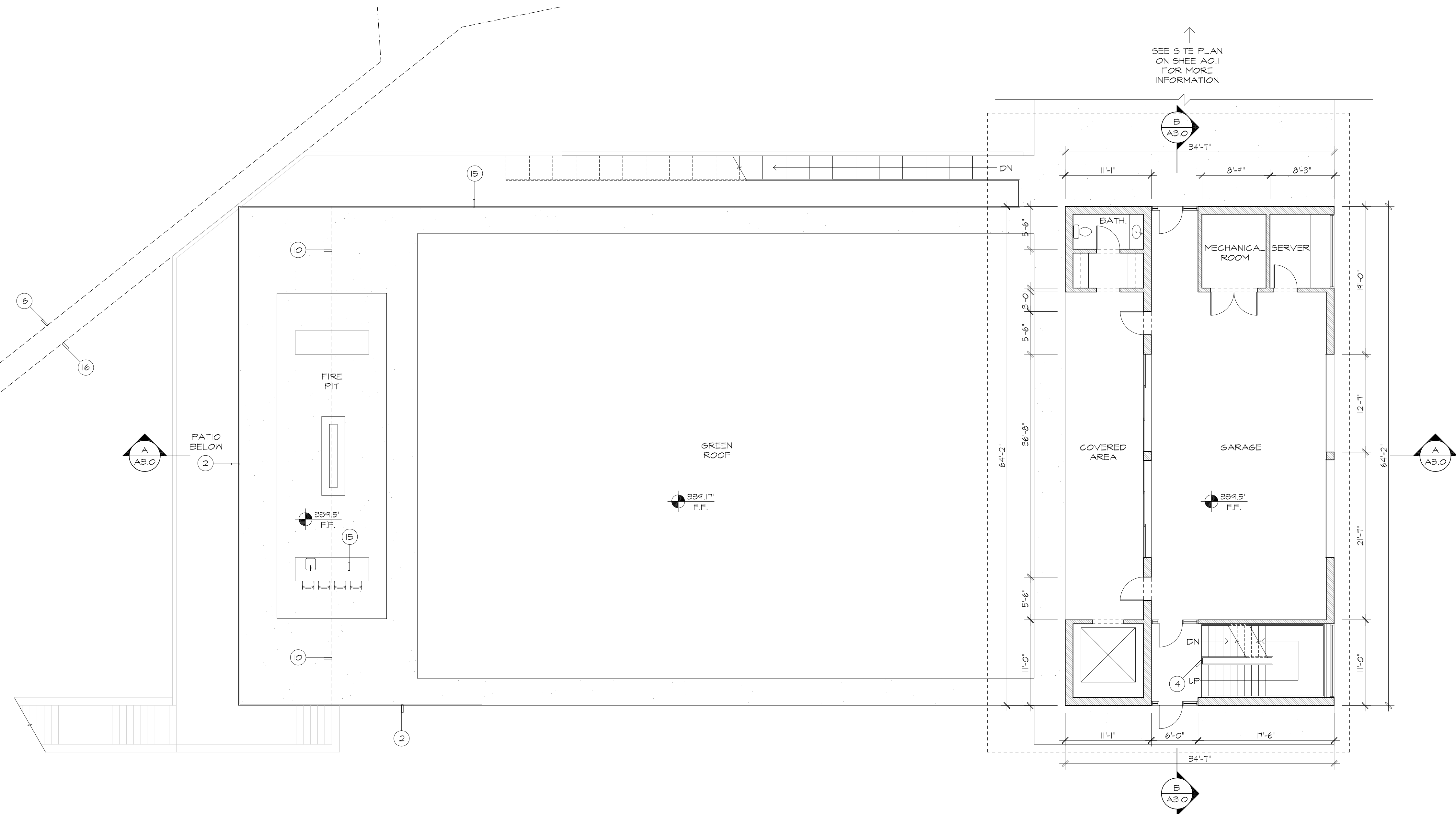
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 9872 LA JOLLA FARMS RD.  
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**PROJECT NAME:**  
 B-WEST RESIDENCE

**SHEET TITLE:**  
**BASEMENT UPPER LEVEL PLAN**

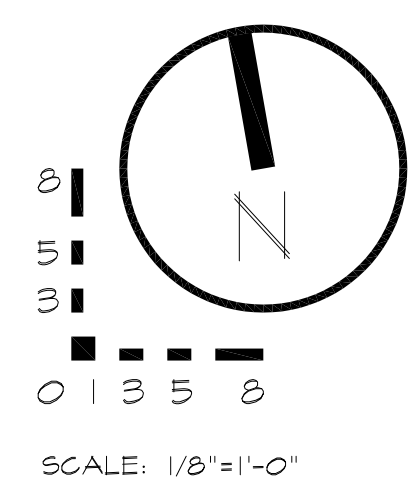
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 Sheet 7 of 24



**FLOOR PLAN KEY NOTES:**

- ① NEW 6-FOOT HEIGHT, CONTEMPORARY, WOOD VENEER LOCKERS, 3/4" PLAIN SLICED MABLE, PROVIDE FLAT TOP PLASTIC LAMINATE LOCKER CAP & 4" RAISED LOCKER BASE.
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**PLAN STAIR NOTES:**

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- Ⓢ RECESSED EXHAUST FAN (EQUIP W/BACK DRAFT DAMPER)
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- Ⓢ DOOR W/TEMPERED GLASS

**PREPARED BY:**  
 ANGEL RODRIGUEZ  
 GOLBA ARCHITECTURE  
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 PHONE: (619) 231-9905  
 FAX: (619) 231-4288

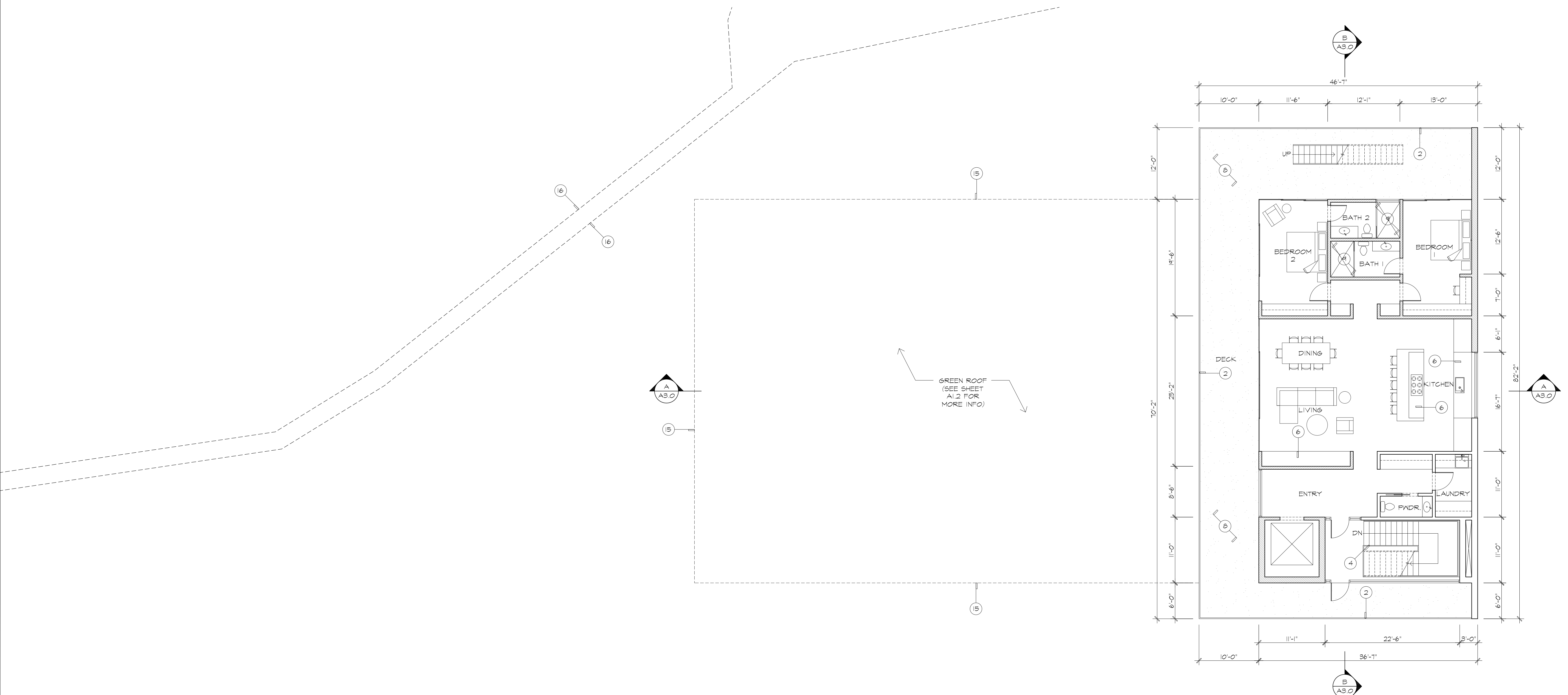
**PROJECT ADDRESS:**  
 9872 LA JOLLA FARMS RD.  
 LA JOLLA, CA 92037

**PROJECT NAME:**  
 B-WEST RESIDENCE

**SHEET TITLE:**  
**GROUND LEVEL PLAN**

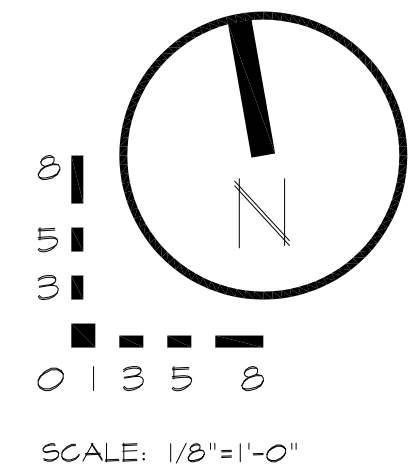
- Revision 14:
- Revision 13:
- Revision 12:
- Revision 11:
- Revision 10:
- Revision 9:
- Revision 8:
- Revision 7:
- Revision 6:
- Revision 5: 07-27-21
- Revision 4: 04-16-21
- Revision 3: 11-04-20
- Revision 2: 08-03-20
- Revision 1: 02-28-20

Original Date: 07-31-19  
 Sheet 8 of 24



**FLOOR PLAN KEY NOTES:**

- ① NEW 6-FOOT HEIGHT, CONTEMPORARY, WOOD VENEER LOCKERS, 3/4" PLAIN SLICED MAPLE. PROVIDE FLAT TOP PLASTIC LAMINATE LOCKER CAP & 4" RAISED LOCKER BASE.
- ② DECK GUARDRAIL @ 42" A.F.F. SEE BUILDING ELEVATIONS FOR MORE INFORMATION.
- ③ NEW WATER CLOSETS, WALL PARTITIONS & FLOOR TILE PER OWNERS APPROVAL.
- ④ STAIR GUARDRAIL @ 42" ABOVE STAIR NOSE.
- ⑤ NEW CUSHIONED WOOD FLOORING SYSTEM, GRADE B MAPLE PER OWNERS CHOICE.
- ⑥ CONTRACTOR TO SUBMIT CABINET SHOP DRAWINGS FOR REVIEW PRIOR TO FABRICATION, USE GRANITE COUNTERTOPS, STYLE & COLOR PER OWNERS APPROVAL.
- ⑦ NEW LAVATORY, COUNTERTOP, GFI POWER OUTLET, WALL MIRROR & FLOOR TILE PER OWNERS APPROVAL, TYP.
- ⑧ PLI-DECK WATERPROOFING DECK SURFACE. INSTALL PER MANUFACTURER SPECIFICATIONS, ICC REPORT ESR-2097, NO TILE IS TO BE INSTALLED ATOP OF THIS ASSEMBLY.
- ⑨ SHOWER COMPARTMENTS AND BATHTUBS WITH INSTALLED SHOWER HEADS SHALL BE FINISHED WITH A NONABSORBENT SURFACE THAT EXTENDS TO A HEIGHT OF NOT LESS THAN 6 FEET ABOVE THE FLOOR. (CRC R307.2)
- ⑩ GYMNASIUM RUBBER FLOORING PER OWNERS APPROVAL.
- ⑪ BUILT IN SEATING.
- ⑫ PORTABLE HEIGHT-ADJUSTABLE BASKETBALL HOOP ASSEMBLY SYSTEM PER OWNR APPROVAL.
- ⑬ 42" HEIGHT METAL GUARDRAIL W/TEMPERED GLASS PANELS.
- ⑭ EXTERIOR BAR
- ⑮ EDGE OF BUILDING BELOW
- ⑯ LINE OF EASEMENT



**PLAN STAIR NOTES:**

TOP LEVEL TO MID-LEVEL  
 TYP. RISER = 6.75" EACH  
 TYP. TREAD = 11" EACH  
 # OF RISERS = 22  
 RISE INFORMATION: 10'-0"  
 2'-6" FLOOR JOIST  
 12'-6" TOTAL RISE

HANDRAILS  
 1 1/2" DIAMETER ALUMINUM HANDRAIL @ 34" ABOVE THE NOSE OF THE STAIRS.

**WALL LEGEND**

- NEW CMU WALL
- LINE OF WALL ABOVE
- Ⓢ SMOKE DETECTOR
- Ⓢ CARBON MONOXIDE DETECTOR
- Ⓢ RECESSED EXHAUST FAN (EQUIP W/BACK DRAFT DAMPER)
- Ⓢ WINDOW W/TEMPERED GLASS
- Ⓢ DOOR W/TEMPERED GLASS

**PREPARED BY:**  
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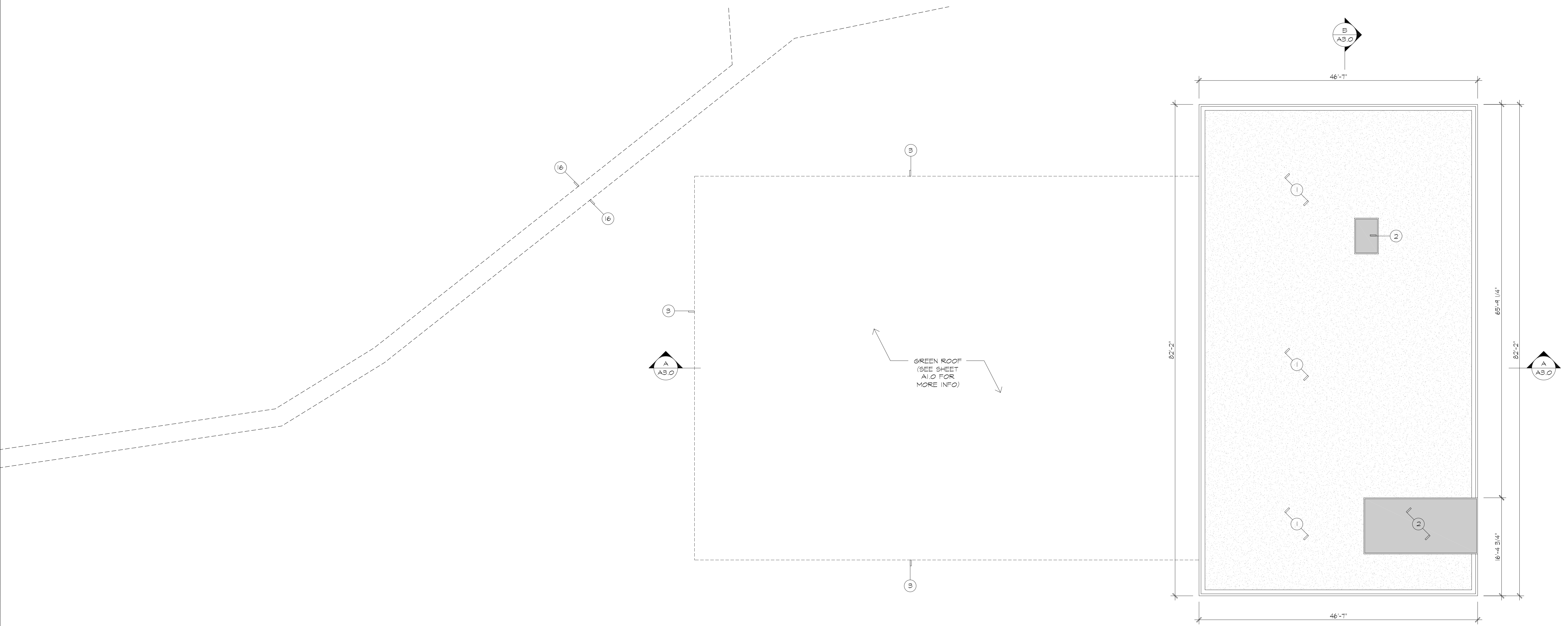
**PROJECT ADDRESS:**  
 9872 LA JOLLA FARMS RD.  
 LA JOLLA, CA 92037

**PROJECT NAME:**  
 B-WEST RESIDENCE

**SHEET TITLE:**  
**UPPER LEVEL PLAN**

- Revision 14:
- Revision 13:
- Revision 12:
- Revision 11:
- Revision 10:
- Revision 9:
- Revision 8:
- Revision 7:
- Revision 6:
- Revision 5: 07-27-21
- Revision 4: 04-16-21
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Original Date: 07-31-19  
 Sheet 9 Of 24



GREEN ROOF  
 (SEE SHEET  
 A1.0 FOR  
 MORE INFO)

**ROOF PLAN NOTES:**

- ① CLASS A ROOFING ASSEMBLY.
- ② SKYLIGHT
- ③ EDGE OF BUILDING BELOW
- ④ LINE OF EASEMENT

**SPECIAL PLAN NOTE:**  
 THIS PROJECT MUST COMPLY WITH THE MUNICIPAL CODE REQUIREMENTS FOR MAXIMUM HEIGHT OF THE STRUCTURE NOT TO EXCEED 30-FEET (SDMC SEC. 131.0444 & 132.0505). HIGHEST POINT ON ROOF EQUIPMENT, PIPE, VENT ANTENNA OR OTHER PROJECTION SHALL NOT EXCEED 30-FEET ABOVE THE GRADE.

**ROOF VENTILATION NOTES:**  
 1. INDIVIDUAL VENTILATION OPENINGS SHALL NOT EXCEED 144 SQ. INCHES.  
 2. VENTILATION OPENINGS SHALL BE LOUVERED & COVERED WITH NON-COMBUSTIBLE, CORROSION-RESISTANT MESH WITH 1/4" OPENINGS.  
 3. NET FREE VENTILATING AREA SHALL NOT BE LESS THAN 1/150 OF THE AREA OF THE SPACE VENTILATED OR 1/300 OF THE AREA OF THE SPACE VENTILATED IF A VAPOR RETARDER HAVING A TRANSMISSION RATE < 1 PERM IS INSTALLED ON THE WARM SIDE OF THE CEILING.  
 4. COORDINATE ROOF VENT NET SQ. FT. WITH SUPPLIER & VERIFY ALL CALCULATIONS IN FIELD.  
 5. ATTIC VENTILATION OPENINGS SHALL NOT BE LOCATED IN SOFFITS, IN EAVE OVERHANGS, BETWEEN RAFTERS AT EAVES, OR IN OTHER OVERHANG AREAS.

**SPECIAL ROOF DECK NOTE:**  
 GENERAL CONTRACTOR & THE PLUMBING SUBCONTRACTOR ARE RESPONSIBLE FOR ENSURING ALL PLUMBING VENTS ARE A MINIMUM OF 10'-0" AWAY FROM ANY OCCUPIED ROOF DECK OR AS OTHERWISE RESTRICTED IN THE CURRENT EDITION OF THE BUILDING CODE OR PLUMBING CODE.

**PREPARED BY:**  
 ANGEL RODRIGUEZ  
 GOLBA ARCHITECTURE  
 1940 GARNET AVE., SUITE 100  
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 FAX: (619) 231-4288

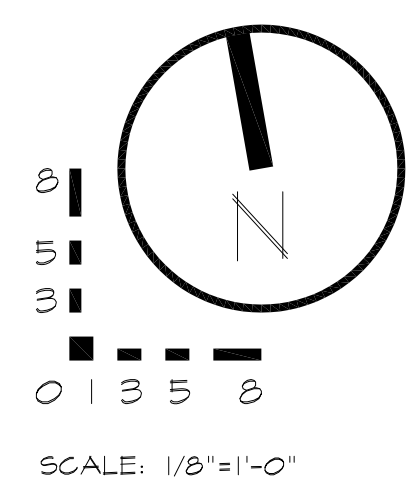
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 9872 LA JOLLA FARMS RD.  
 LA JOLLA, CA 92037

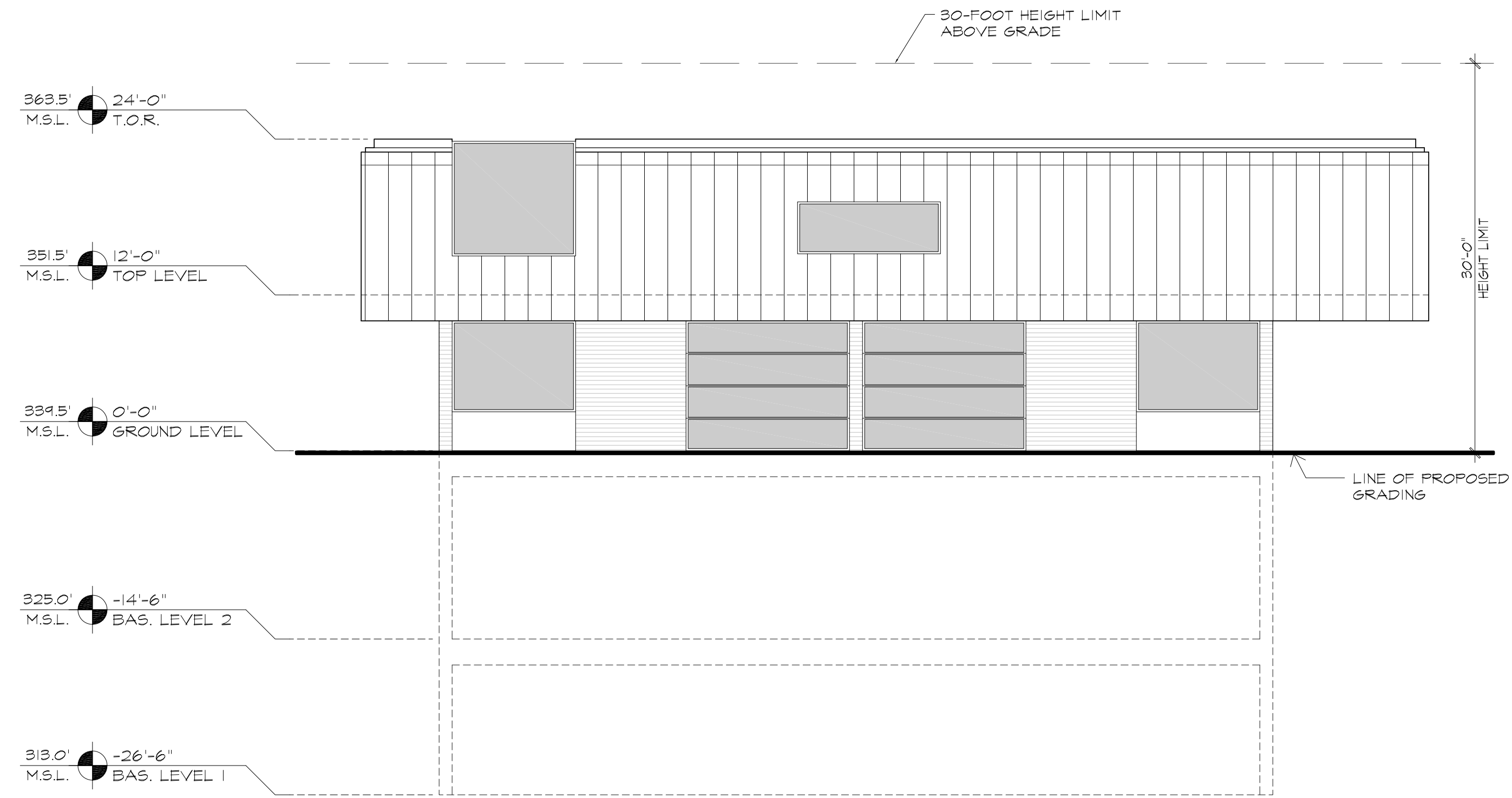
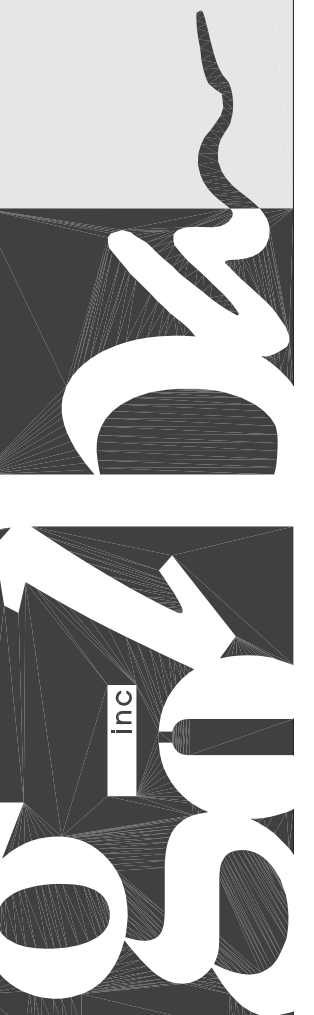
**PROJECT NAME:**  
 B-WEST RESIDENCE

**SHEET TITLE:**  
**ROOF  
 PLAN**

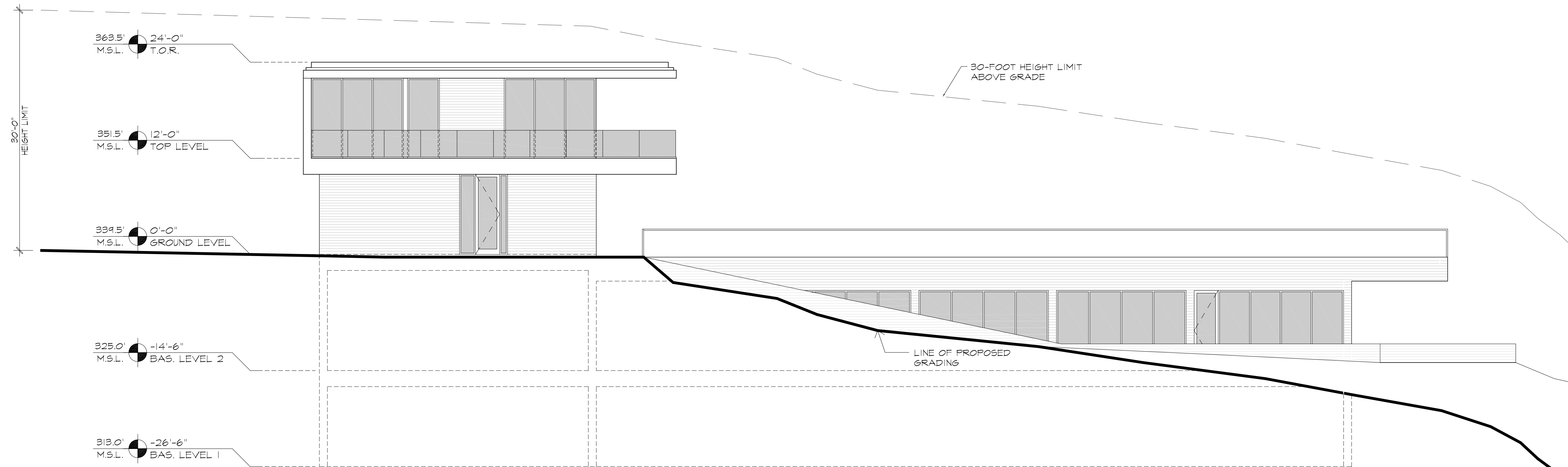
- Revision 14:
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- Revision 11:
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- Revision 9:
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- Revision 3: 11-04-20
- Revision 2: 08-03-20
- Revision 1: 02-28-20

Original Date: 07-31-19  
 Sheet 10 Of 24





EAST ELEVATION (FRONT) 1



NORTH ELEVATION (SIDE) 2

PREPARED BY:  
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PROJECT ADDRESS:  
9872 LA JOLLA FARMS RD  
LA JOLLA, CA 92037

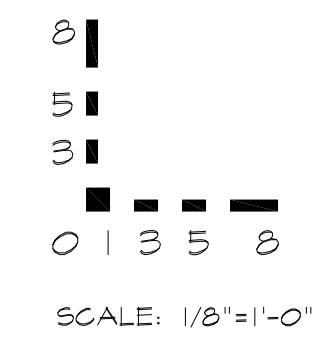
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- Revision 13:
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- Revision 2: 08-03-20
- Revision 1: 02-28-20

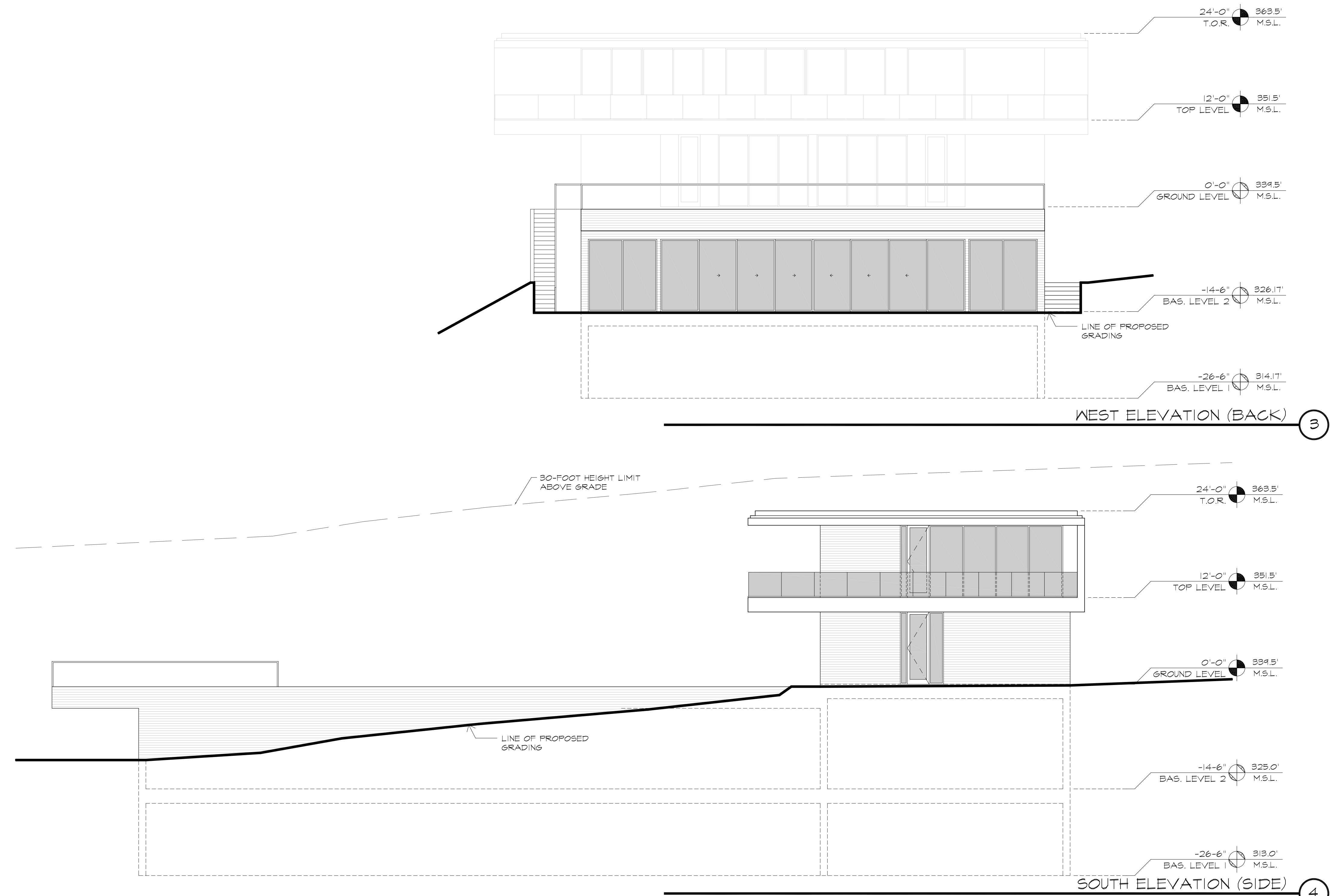
PROJECT NAME:  
B-WEST RESIDENCE

Original Date: 07-31-19

Sheet 11 of 24

SHEET TITLE:  
**BUILDING  
ELEVATIONS**





**PREPARED BY:**  
 ANGEL RODRIGUEZ  
 GOLBA ARCHITECTURE  
 1940 GARNET AVE., SUITE 100  
 SAN DIEGO, CA 92109  
 PHONE: (619) 231-9905  
 FAX: (619) 231-4288

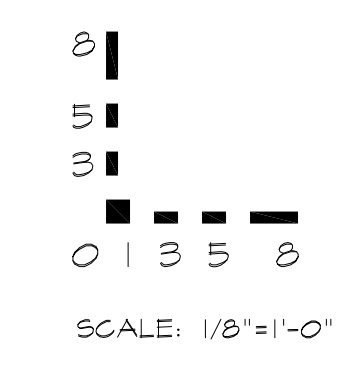
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 9872 LA JOLLA FARMS RD  
 LA JOLLA, CA 92037

Revision 14:  
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 Revision 10:  
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**PROJECT NAME:**  
 B-WEST RESIDENCE

Original Date: 07-31-19  
 Sheet 12 Of 24

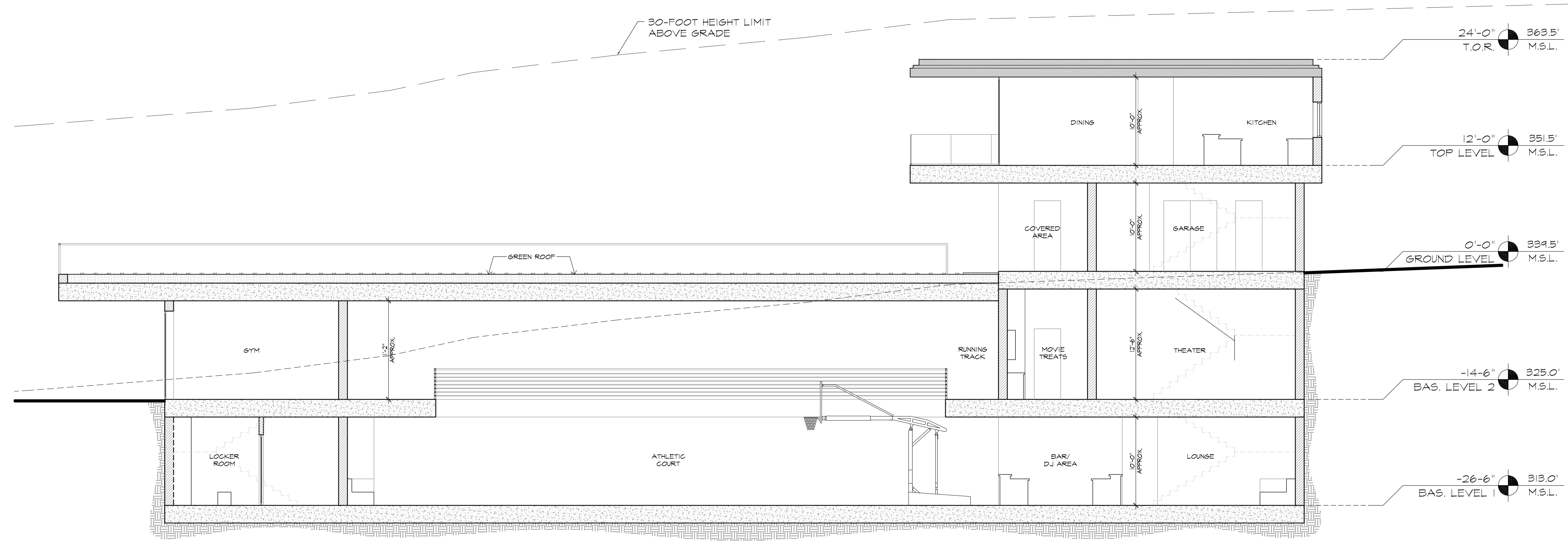
**SHEET TITLE:**  
 BUILDING  
 ELEVATIONS



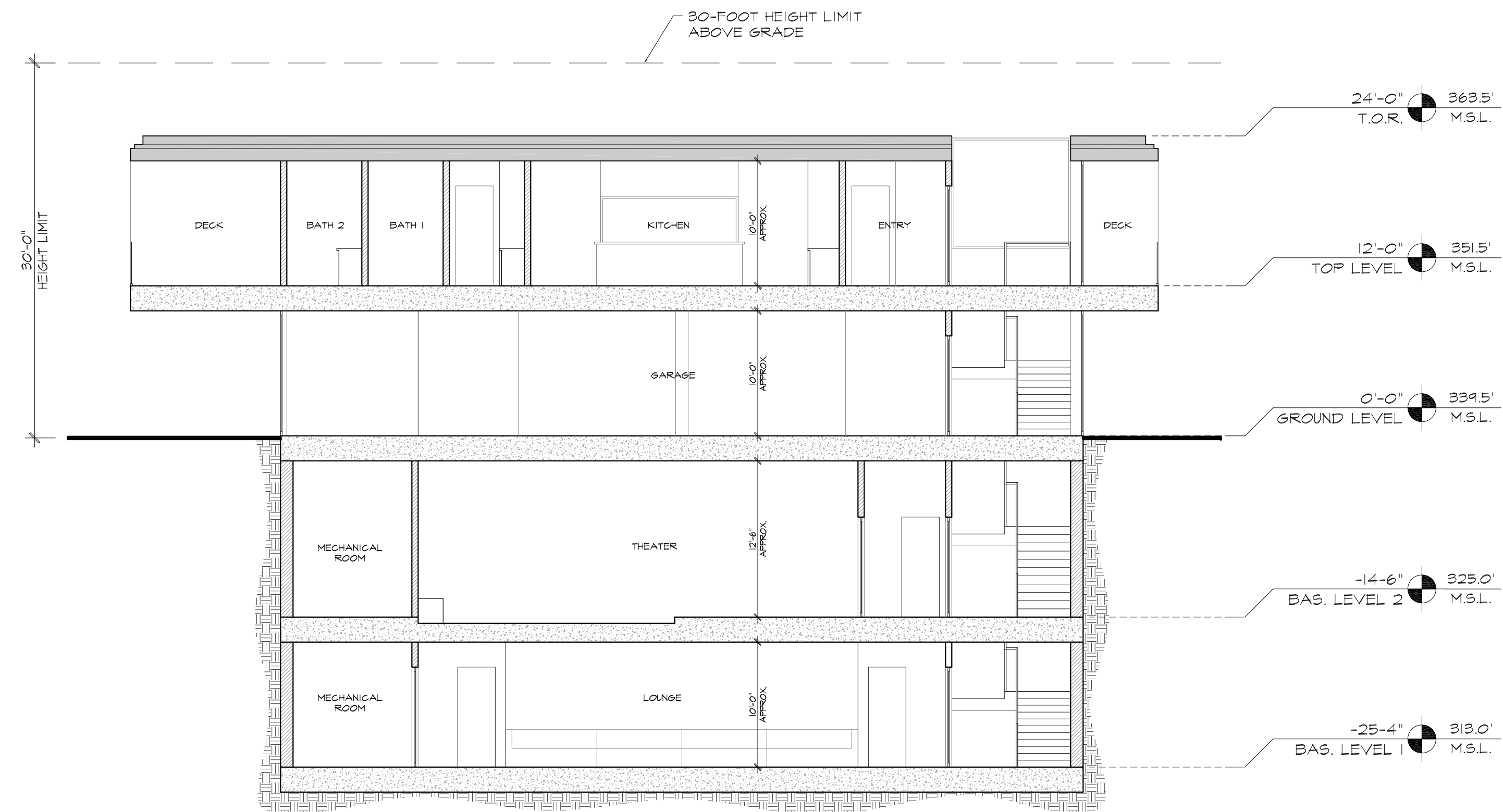
**GOLBA ARCHITECTURE**  
 Architecture ■ Space Planning ■ Interior Design  
 1940 Garnet Ave. #100 San Diego California 92109  
 Phone: (619) 231-9905 Fax: (858) 750-3471

**B-WEST RESIDENCE**  
 9872 LA JOLLA FARMS ROAD  
 LA JOLLA, CA 92037

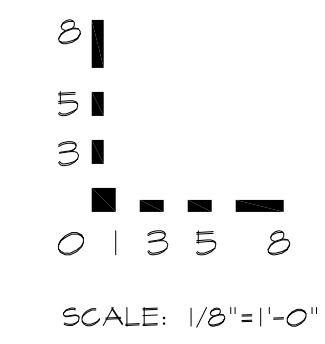
**A 2.1**



BUILDING SECTION A



BUILDING SECTION B



PREPARED BY:  
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SAN DIEGO, CA 92109  
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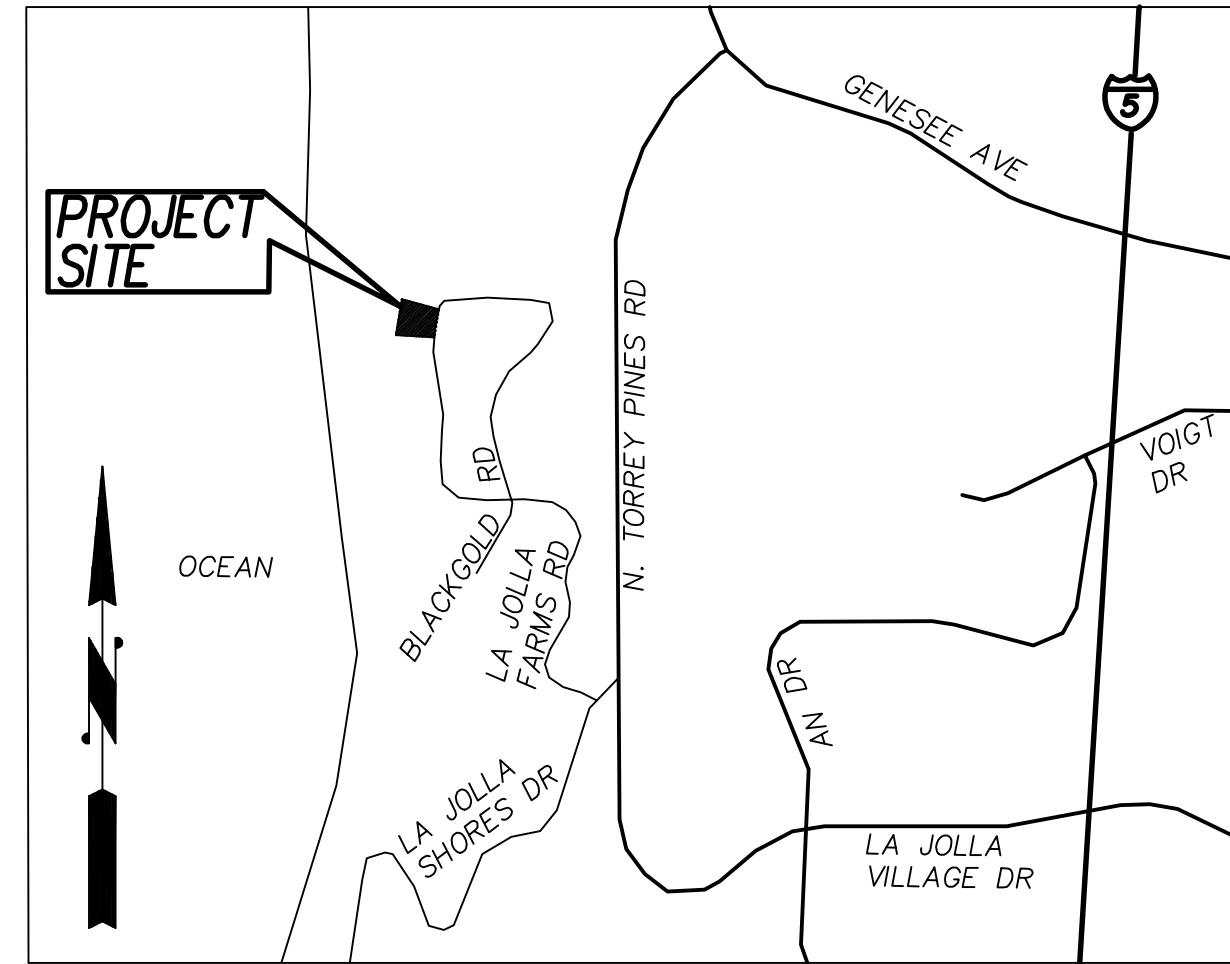
- Revision 14:
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PROJECT ADDRESS:  
9872 LA JOLLA FARMS RD  
LA JOLLA, CA 92037

PROJECT NAME:  
B-WEST RESIDENCE

Original Date: 07-31-19  
Sheet 13 Of 24

SHEET TITLE:  
**BUILDING  
SECTIONS**



VICINITY MAP  
SCALE: NTS

**OWNER:**

J.C.T LOOKOUT LLC.  
7660 FAY AVE #H816  
LA JOLLA, CA 92037

**SITE INFORMATION:**

SITE ADDRESS:  
9872 LA JOLLA FARMS RD  
SAN DIEGO, CA 92037  
APN: 342-031-25  
SITE AREA: 66,284 S.F. 1.52 ACRES  
DISTURBANCE AREA: 36,799 S.F. 0.84 ACRES

**LEGAL DESCRIPTION:**

PARCEL 2 OF PARCEL MAP NO. 20573, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO, SEPTEMBER 19, 2008.

**BENCHMARK:**

DESCRIPTION: CITY OF SAN DIEGO BRASS PLUG  
LOCATION: NORTHWEST CURB RETURN AT THE INTERSECTION OF NORTH TORREY PINES ROAD AND GENESSEE AVENUE.  
ELEVATION: 428.471  
DATUM: M.S.L.

**SURVEY NOTE:**

TOPOGRAPHIC AND BOUNDARY SURVEY INFORMATION SHOWN HEREON WAS COMPILED ON 06/12/2018 AND PREPARED BY:

MARK BRENNICK, P.L.S. No. 7226  
LANDMARK CONSULTING  
9555 GENESSEE AVE, SUITE 200  
SAN DIEGO, CA 92121  
(858) 587-8070

PASCO LARET SUITER AND ASSOCIATES HAS NOT INDEPENDENTLY VERIFIED THE ACCURACY OF THE PROVIDED SURVEY AND DOES NOT TAKE RESPONSIBILITY FOR THE DATA PROVIDED THEREON.

**GRADING TABULATIONS:**

TOTAL AMOUNT OF SITE TO BE GRADED: AREA 0.88 ACRES  
EARTHWORK QUANTITIES:  
CUT QUANTITIES: 6,667 CY  
FILL QUANTITIES: 223 CY  
MAX CUT DEPTH WITHIN BUILDING FOOTPRINT: 28'  
MAX CUT DEPTH OUTSIDE BUILDING FOOTPRINT: 4.9'  
MAX FILL DEPTH WITHIN BUILDING FOOTPRINT: 0'  
MAX FILL DEPTH OUTSIDE BUILDING FOOTPRINT: 4.9'

NET IMPORT, (EXPOR) OF SOIL: 6,444 CUBIC YARDS

EARTHWORK QUANTITIES INCLUDE EXCAVATION FOR BUILDING AND SITE GRADING AS SHOWN ON THIS PLAN.

**IMPERVIOUS AREA TABULATIONS:**

TOTAL DISTURBANCE: 0.84 ACRES (36,799 SQ.FT.)

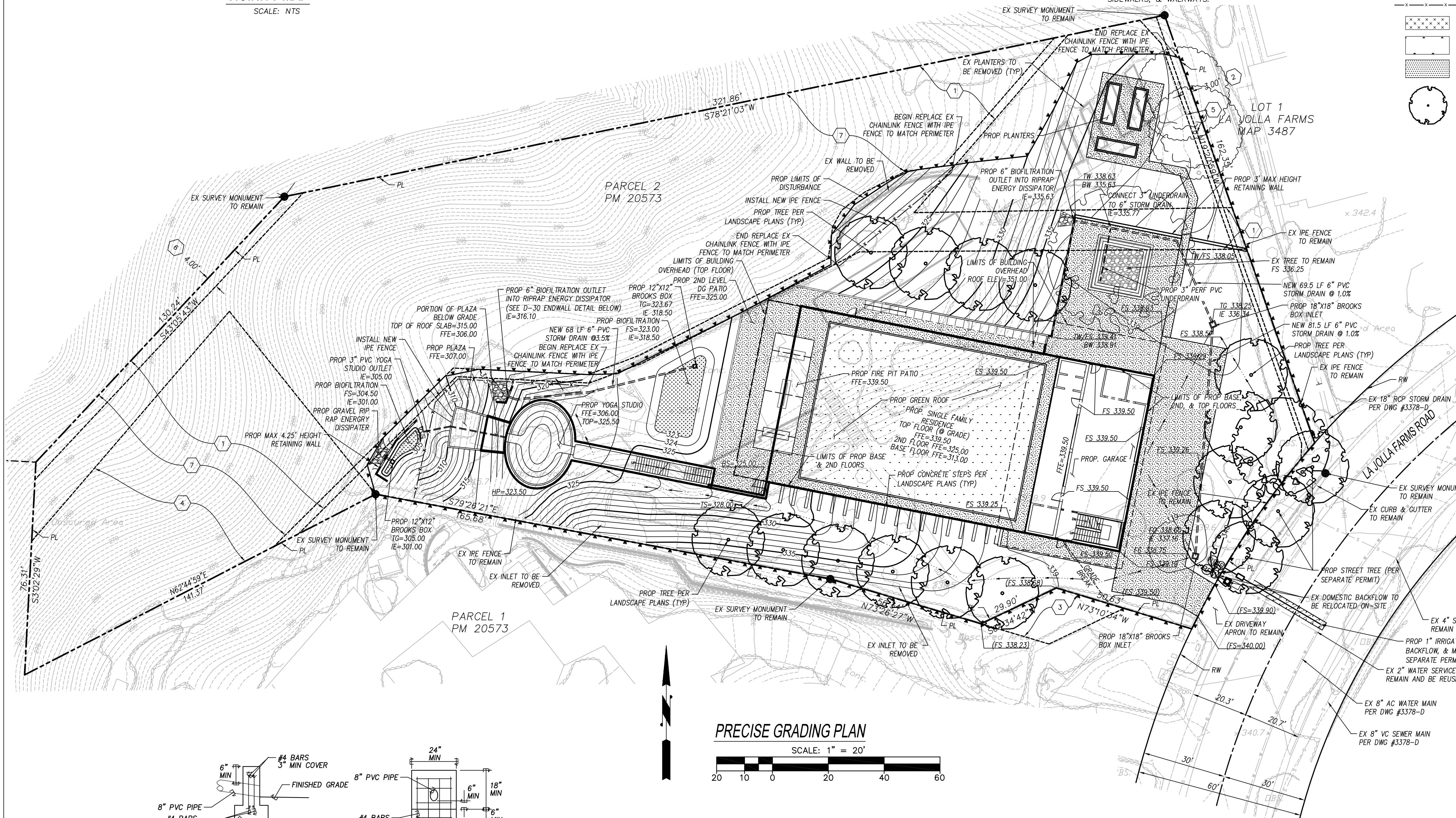
EX IMPERVIOUS AREA: 0.05 ACRES (2,215 SQ.FT.)

PROP IMPERVIOUS AREA: 0.12 ACRES (5,395 SQ.FT.)

NOTE: TOTAL IMPERVIOUS AREA INCLUDE: ROOF OVERHANG, SIDEWALKS, & WALKWAYS.

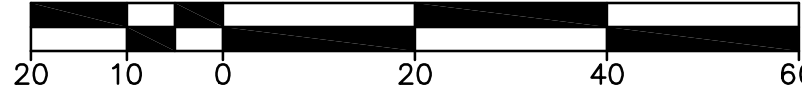
**LEGEND:**

- PROPERTY LINE
- RIGHT OF WAY
- ROAD CENTERLINE
- EX SURVEY MONUMENT TO REMAIN
- EX CONTOUR
- EX BUILDING
- EX RETAINING WALL
- EX FENCE
- EX CURB AND GUTTER
- PROP TOP FLOOR BUILDING LIMITS
- PROP 2ND LEVEL BUILDING LIMITS
- PROP BASE LEVEL BUILDING LIMITS
- LIMITS OF PROP BUILDING OVERHEAD
- PROP CONTOUR
- PROP FINISHED ELEVATION
- PROP FLOWLINE
- LIMITS OF WORK (36,799 SF, 0.84 AC)
- PROP PVC STORM DRAIN (SIZE PER PLAN)
- PROP 1" IRRIGATION SERVICE, BACKFLOW, & METER
- LIMITS OF TRENCHING
- PROP FENCE
- PROP BIOFILTRATION
- PROP GREEN ROOF (PER LANDSCAPE PLANS)
- PROP DECOMPOSED GRANITE (DG) GROUND COVER (PER LANDSCAPE PLANS)
- PROP TREE LOCATION (PER LANDSCAPE PLANS)



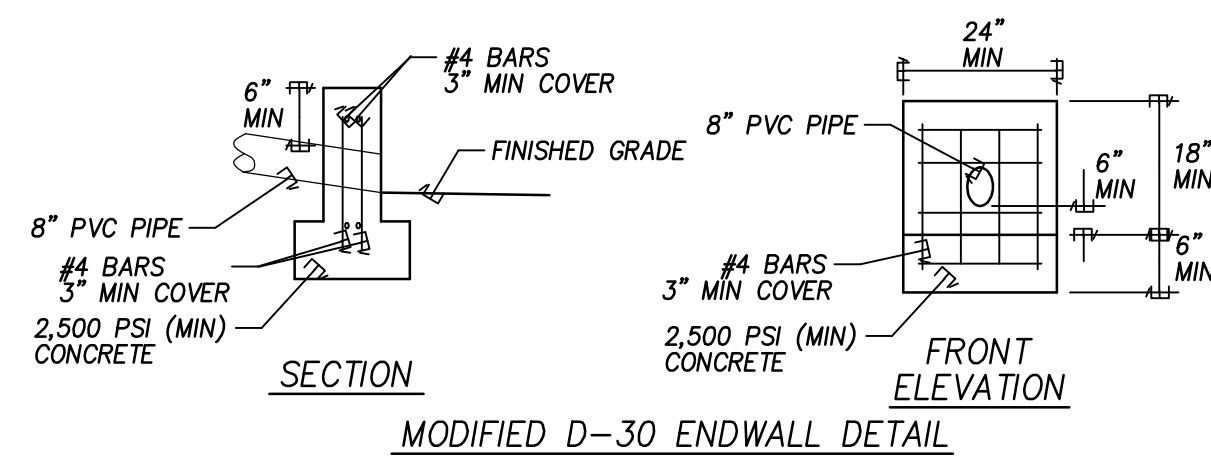
**PRECISE GRADING PLAN**

SCALE: 1" = 20'



**NOTES:**

1. NO OBSTRUCTION INCLUDING SOLID WALLS IN THE SIGHT VISIBILITY AREAS SHALL EXCEED 3' IN HEIGHT



**EASEMENTS OF RECORD**

- 1 CITY OF SAN DIEGO HOLDER OF AN EASEMENT FOR BUILDING RESTRICTED PURPOSES PER MAP 16819 RECORDED APRIL 3, 1992 IN DOCUMENT NO 92-192733 OF OFFICIAL RECORDS.
  - 2 CITY OF SAN DIEGO HOLDER OF AN EASEMENT FOR SEWER, WATER, DRAINAGE & PUBLIC UTILITIES PURPOSES PER MAP 3487 RECORDED AUGUST 9, 1956 IN FILE NO 110367 OF OFFICIAL RECORDS.
  - 3 EASEMENT FOR ACCESS PURPOSES RECORDED NOVEMBER 3, 2008 IN DOCUMENT NO 2008-0574417 OF OFFICIAL RECORDS.
  - 4 EASEMENT FOR BRUSH MANGEMENT PURPOSES RECORDED JULY 20, 2010 IN DOCUMENT NO 2010-0362408 OF OFFICIAL RECORDS.
  - 5 CITY OF SAN DIEGO HOLDER OF AN EASEMENT FOR DRAINAGE PURPOSES RECORDED NOVEMBER 28, 2012 IN DOCUMENT NO 2012-0742751 OF OFFICIAL RECORDS.
  - 6 CITY OF SAN DIEGO HOLDER OF AN EASEMENT FOR SEWER PURPOSES PER MAP 3487 RECORDED AUGUST 9, 1956 IN FILE NO 110367 OF OFFICIAL RECORDS.
  - 7 CITY OF SAN DIEGO HOLDER OF AN COVENANT OF EASEMENT FOR PROTECTION OF SENSITIVE BIOLOGICAL RESOURCE PURPOSES RECORDED NOVEMBER 28, 2012 IN DOCUMENT NO 2012-0742752 OF OFFICIAL RECORDS.
- BUILDING RESTRICTION EASEMENT RECORDED NOVEMBER 24, 2008 AS DOCUMENT NO 2008-0605867 OF OFFICIAL RECORDS. NOT PLOTTABLE.

CITY OF SAN DIEGO, CA

SHEET TITLE:

**PRECISE GRADING PLAN**

PROJECT:

B WEST  
9872 LA JOLLA FARMS RD.  
SAN DIEGO, CA 92037

DRAWN BY: ZDS

DATE: 10/27/2020

REVISION:

14 OF 25

SHEET No:

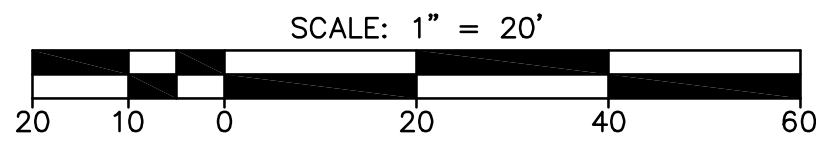
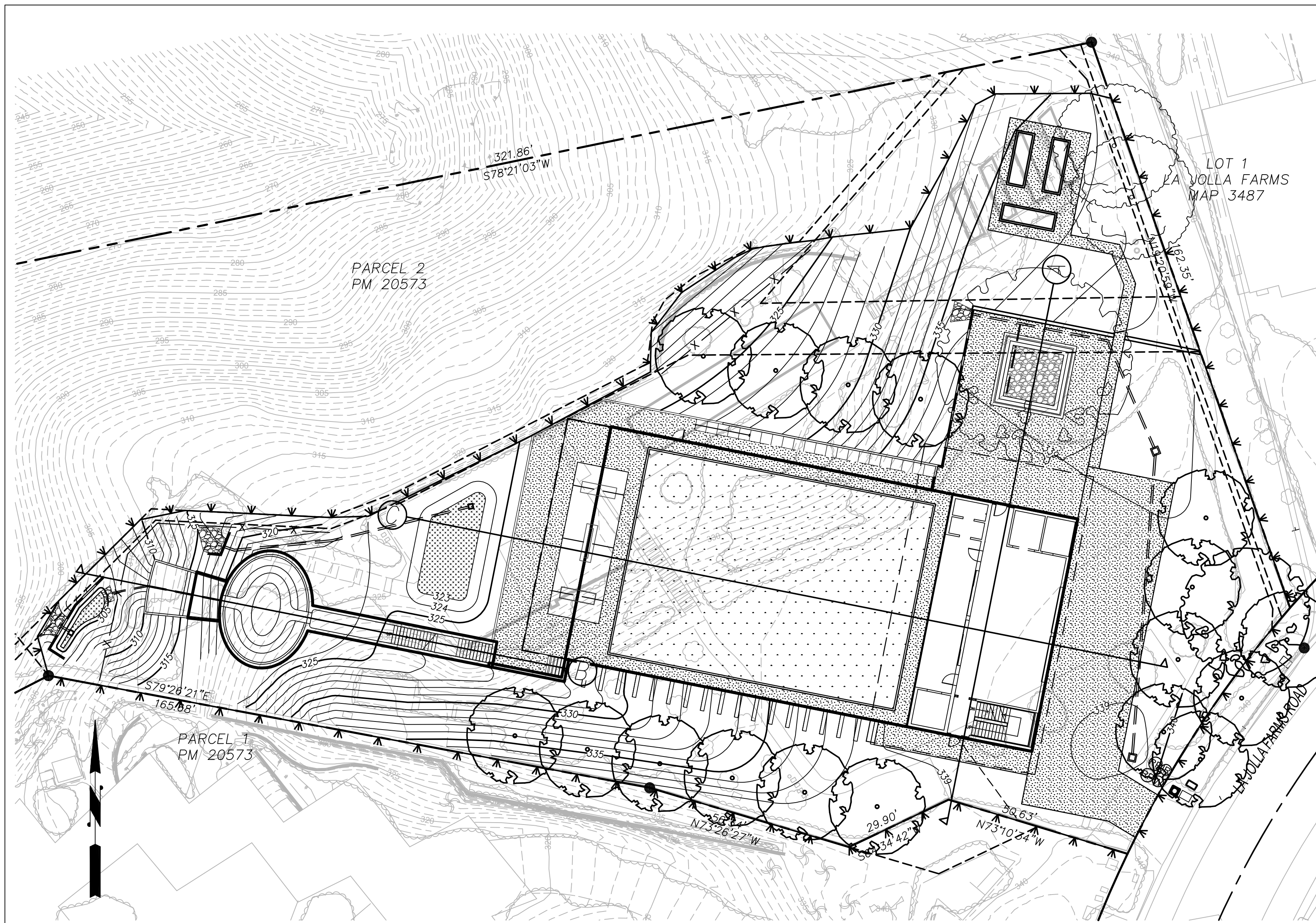
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**PASCO LARET SUITER & ASSOCIATES**

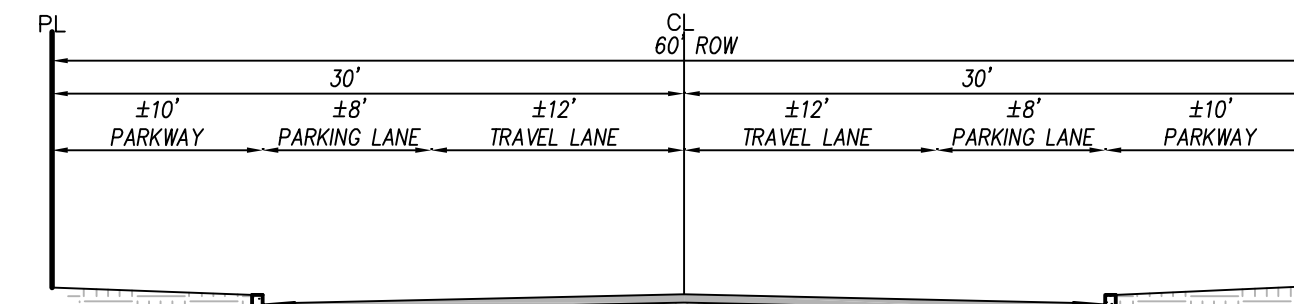
1911 San Diego Avenue, Unit A, San Diego, CA 92110  
ph 858.259.8212 | fx 858.259.4812 | plsengineering.com

**B WEST**  
9872 LA JOLLA FARMS RD  
SAN DIEGO, CA 92037

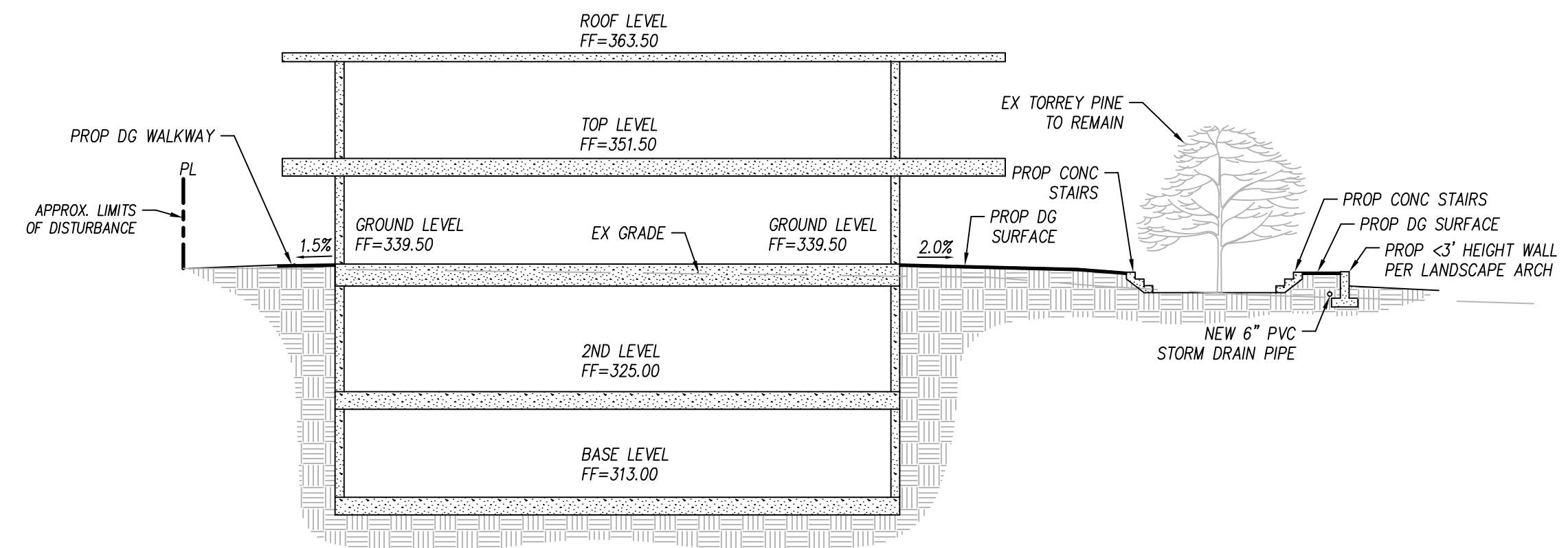




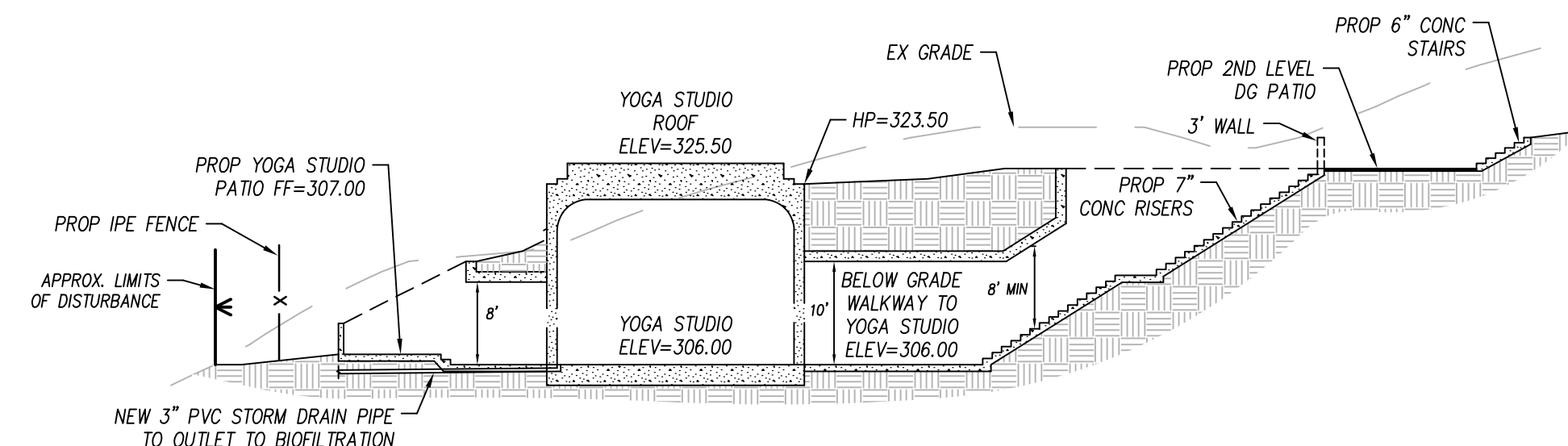
**KEY MAP**  
SCALE: 1"=20'



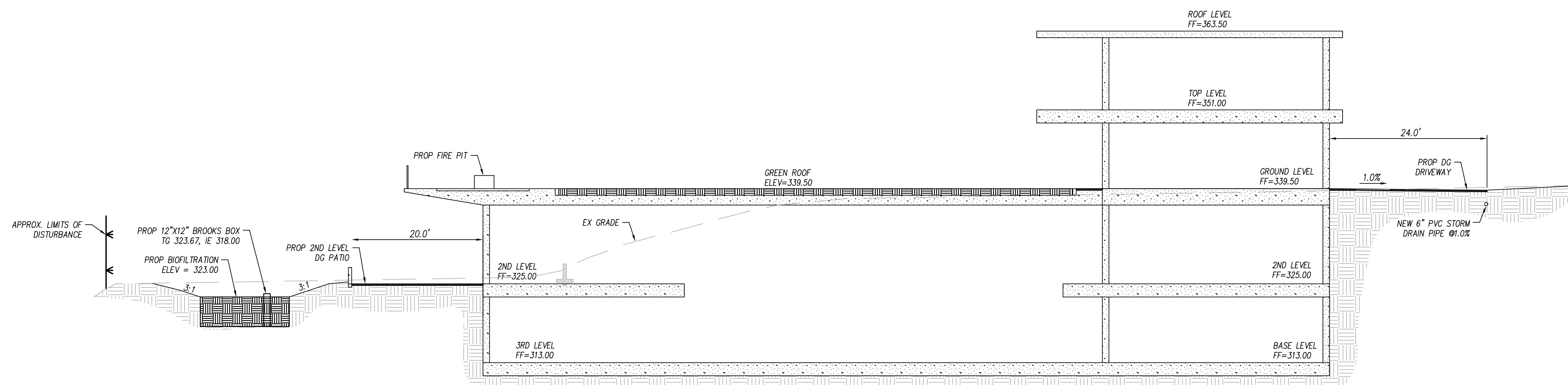
**LA JOLLA FARMS ROAD TYPICAL SECTION**  
NOT TO SCALE



**A SITE NORTH-SOUTH SECTION**  
NOT TO SCALE



**B YOGA STUDIO SECTION**  
NOT TO SCALE



**C SITE EAST-WEST SECTION**  
NOT TO SCALE

CITY OF SAN DIEGO, CA

SHEET TITLE:

**TYPICAL SECTIONS**

PROJECT:

B WEST  
9872 LA JOLLA FARMS RD.  
SAN DIEGO, CA 92037

DRAWN BY: ZDS

DATE: 10/26/2020

REVISION:

15 OF 25

SHEET No:

**C2.0**

**PASCO LARET SUITER**  
& ASSOCIATES  
1911 San Diego Avenue, Unit A, San Diego, CA 92110  
ph 858.259.8212 | fx 858.259.4812 | plsengineering.com

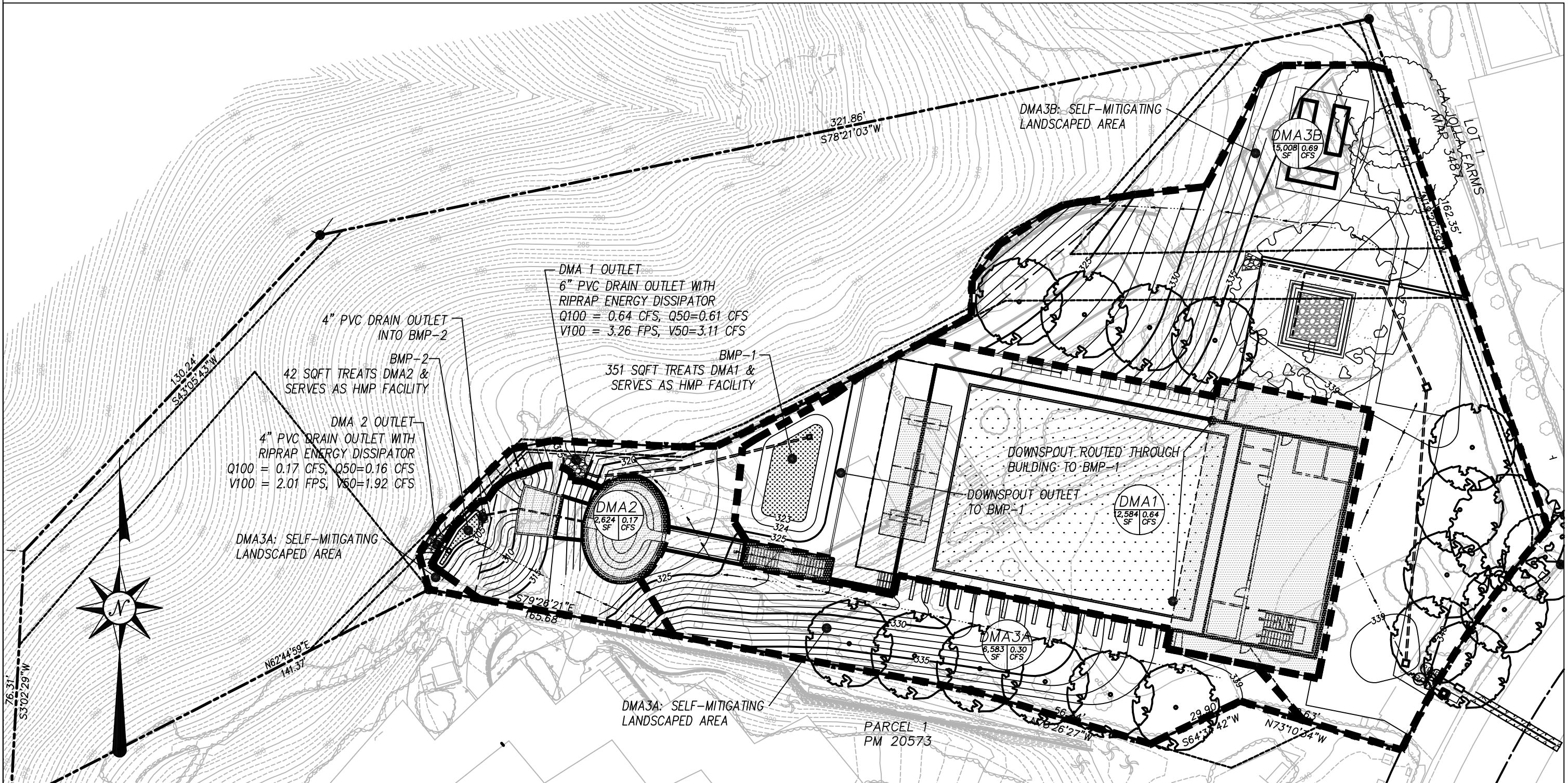
Project Address: 9872 La Jolla Farms Rd. Project Number: SECTION 1. Construction Storm Water BMP Requirements. For all projects complete PART A: If project is required to submit a SWPPP or WPCP, continue to PART B. PART A: Determine Construction Phase Storm Water Requirements.

Page 2 of 4 City of San Diego • Development Services • Storm Water Requirements Applicability Checklist PART B: Determine Construction Site Priority. SECTION 2. Permanent Storm Water BMP Requirements. PART C: Determine if Not Subject to Permanent Storm Water Requirements.

Page 3 of 4 City of San Diego • Development Services • Storm Water Requirements Applicability Checklist PART D: PDP Exempt Requirements. PART E: Determine if Project is a Priority Development Project (PDP).

Page 4 of 4 City of San Diego • Development Services • Storm Water Requirements Applicability Checklist 7. New development or redevelopment discharging directly to an Environmentally Sensitive Area. PART F: Select the appropriate category based on the outcomes of PART C through PART E. Zachary Sikora EIT Name of Owner or Agent (Please Print) Title Signature Date

B WEST 9872 LA JOLLA FARMS RD SAN DIEGO, CA 92037



POST CONSTRUCTION BMP PLAN SCALE 1"=30'

IMPERVIOUS AREA TABULATIONS:

EXISTING IMPERVIOUS AREA: 2,215 S.F. (0.05 ACRES, 7%) PROPOSED IMPERVIOUS AREA: 5,395 S.F. (0.12 ACRES, 15%) RUNOFF FACTOR: 0.90 = IMPERVIOUS, 0.30 = PERVIOUS, 0.10 = GREEN ROOF

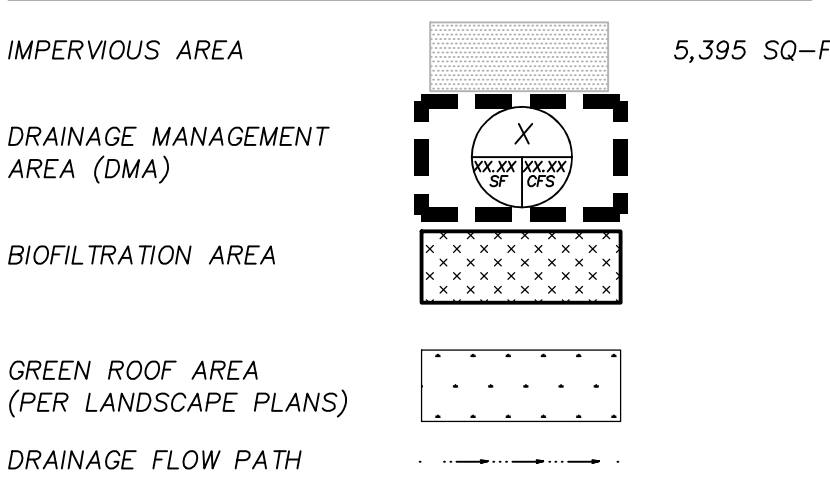
BMP SIZE & ORIFICE DIAMETER SUMMARY

Table with columns: BMP #, Hp (FT), Hs (FT), Ho (FT), HMP ORIFICE (IN), Aboot (FT²), Atop (FT²), VOLUME (FT³)

BIOFILTRATION AREA WATERPROOFING NOTES

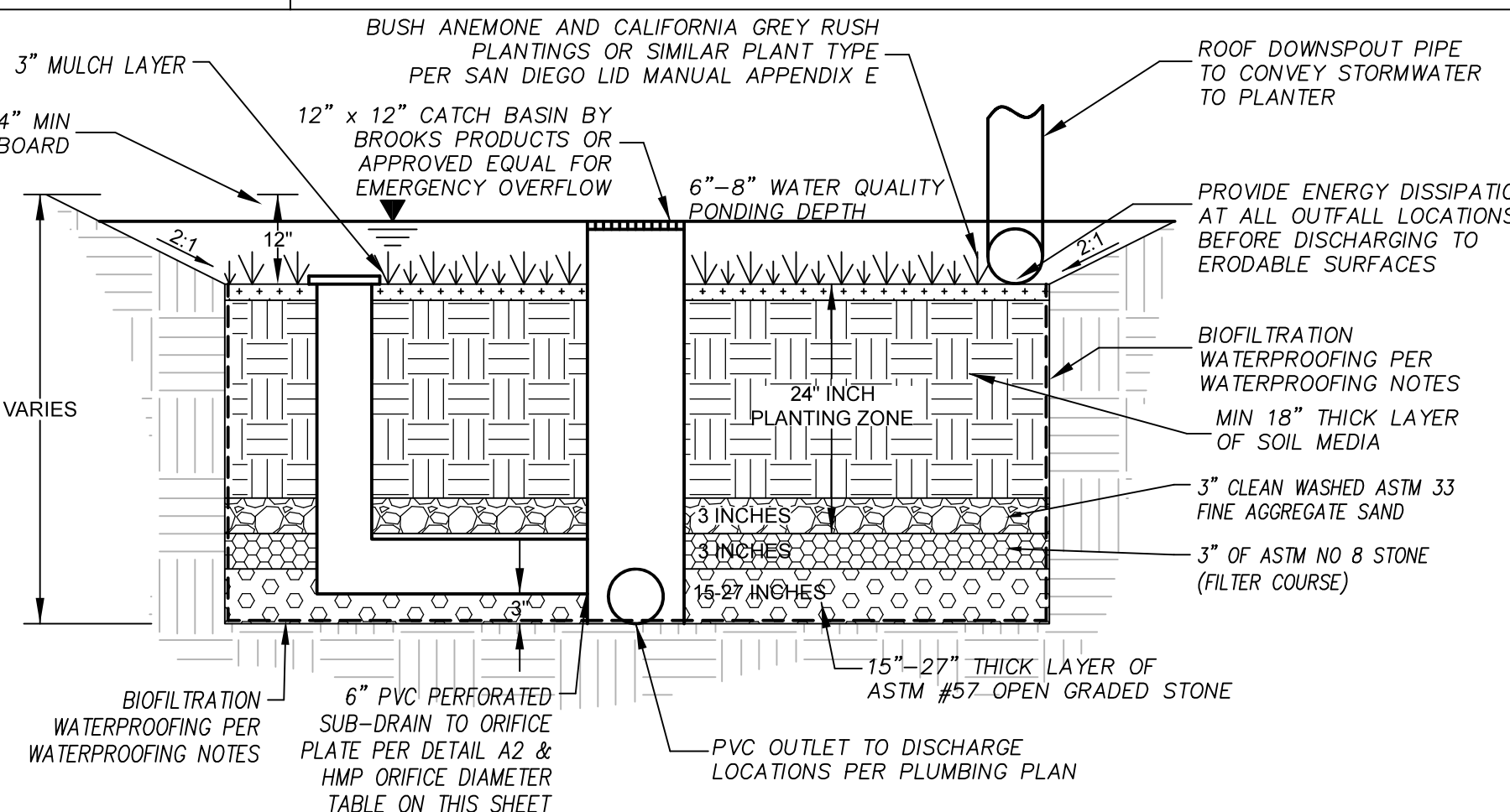
- 1. PREP WALL AND FOOTING - SPRAY APPLY "MARFLEX 5000" COMMERCIAL MEMBRANE TO BACK OF WALL, TOP OF FOOTING AND BOTTOM OF PLANTER PER MANUFACTURER'S SPECIFICATIONS.

LEGEND:



NOTES:

- 1. THE PROPOSED PROJECT WILL COMPLY WITH ALL THE REQUIREMENTS OF THE CURRENT CITY OF SAN DIEGO STORM WATER STANDARDS MANUAL BEFORE A GRADING OR BUILDING PERMIT IS ISSUED.



TYPICAL SECTION: BIOFILTRATION PLANTER CROSS SECTION (BF-1) NOT TO SCALE

BIOFILTRATION AREA NOTES

- 1. THE SOIL SHALL HAVE THE FOLLOWING PROPERTIES: -5 IN/HR MINIMUM INFILTRATION RATE -ORGANIC CONTENT > 5 PERCENT

SITE DESIGN, SOURCE CONTROL AND POLLUTANT CONTROL BMP OPERATION & MAINTENANCE PROCEDURE

Table with columns: BMP DESCRIPTION, INSPECTION FREQUENCY, MAINTENANCE FREQUENCY, MAINTENANCE METHOD, QUANTITY, INCLUDED IN O&M MANUAL, SHEET NUMBER(S)

PERMANENT POST-CONSTRUCTION BMP NOTES:

- 1. OPERATION AND MAINTENANCE SHALL BE SECURED BY AN EXECUTED AND RECORDED STORM WATER MANAGEMENT AND DISCHARGE CONTROL MAINTENANCE AGREEMENT (SWMDCMA), OR ANOTHER MECHANISM APPROVED BY THE CITY ENGINEER.



DRILLED ORIFICE PLATE DETAIL (TYP.) NOT TO SCALE

CITY OF SAN DIEGO, CA

SHEET TITLE:

POST CONSTRUCTION BMP PLAN

PROJECT: B WEST 9872 LA JOLLA FARMS RD. SAN DIEGO, CA 92037

DRAWN BY: ZDS

DATE: 10/28/2020

REVISION:

16 OF 25

SHEET NO:

C3.0

PASCO LARET SUITER & ASSOCIATES 1911 San Diego Avenue, Unit A, San Diego, CA 92110 ph 858.259.8212 | fx 858.259.4812 | plsengineering.com

# LANDSCAPE DEVELOPMENT PLANS FOR:

## 9872 La Jolla Farms Road

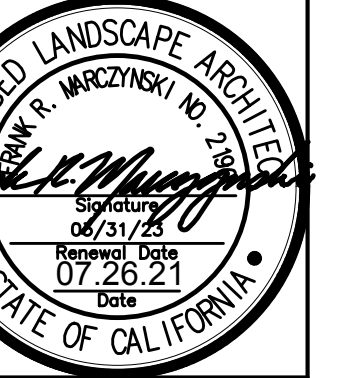
## San Diego, CA 92037

### NOTES:

1. The contractor shall obtain all necessary permits and pay all related fees.
2. The contractor shall be appropriately licensed in the State of California.
3. The contractor shall notify the Owner prior to beginning the work and shall be responsible for coordinating with the Owner, Landscape Architect, Local Agencies, and other trades.
4. The Contractor shall notify the Landscape Architect immediately of any errors, omissions or discrepancies in the existing conditions or with the plans prior to starting the work.
5. Determination of "or equal" substitutions shall be the responsibility of the Landscape Architect.
6. The Landscape Architect shall be notified no less than 24 hours prior to any required site observations and/or meetings.
7. Site observations by the Landscape Architect during the installation of this project does not relieve the Contractor of his responsibility to perform all work in accordance with the plans, specifications and governing codes.
8. This firm does not practice or consult in the Field of Safety Engineering. This firm does not direct the construction operation and is not responsible for the safety of any persons other than our own on the site. The safety of others is the responsibility of the Contractor. The Contractor shall notify the Owner and the Landscape Architect if any of the recommendations presented herein are considered to be unsafe.

# TOPIA

2030 Galveston Street  
 San Diego, CA 92110  
 T: (858) 458-0555  
 W: www.topialand.com



### Private Residence

9872 La Jolla Farms Road  
 San Diego, CA 92037

PROJECT NO. 19.009.00

### NOT FOR CONSTRUCTION

ISSUED Issue	Date

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### COVER

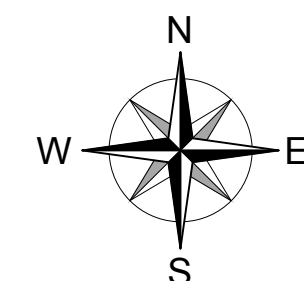
DATE: 09.28.21  
 SCALE: N/A

# L-0

### VICINITY MAP:



PROJECT SITE



### PROJECT DESCRIPTION:

New Single Family Residence with new Planting, Irrigation, and Hardscape.

### SITE DATA:

**BUILDING ADDRESS**  
 9872 La Jolla Farms Road  
 San Diego, CA 92037

**LEGAL DESCRIPTION**  
 Parcel 2, Parcel Map No. 20573

**ZONING INFORMATION**  
 ZONE = RS-1-2  
 Coastal Overlay Zone, Parking Impact Overlay Zone, Coastal Height Limitation Overlay Zone, Residential Tandem Parking Overlay Zone of the La Jolla Community Plan

### PROJECT DIRECTORY:

**ARCHITECT:**  
 Golba Architecture  
 1940 Garnet Avenue, Suite 100  
 San Diego, CA 92109  
 Tel: (619) 231-9905

**CIVIL ENGINEER:**  
 Pasco Laret Suiter & Associates  
 811 25th Street, Suite 101  
 San Diego, CA 92102  
 Tel: 858) 259-8212

**LANDSCAPE ARCHITECT:**  
 TOPIA  
 5055 N. Harbor Drive, Suite 200  
 San Diego, CA 92106  
 Tel: (858) 458-0555  
 Contact: Frank Marczynski  
 frank@topialand.com

### SHEET INDEX:

#### SHEET: DESCRIPTION:

#### LANDSCAPE ARCHITECTURAL

- L-0 COVER
- L-1 LANDSCAPE DEVELOPMENT PLAN NOTES & LEGEND
- L-2 LANDSCAPE DEVELOPMENT PLAN
- L-3 LANDSCAPE YARD& STREET TREE CALCULATIONS
- L-4 WATER CONSERVATION PLAN
- L-5 WATER CONSERVATION CALCULATIONS
- L-6 EXISTING TREE DISPOSITION PLAN
- L-7 BRUSH MANAGEMENT PLAN

PLANTING LEGEND:

Table with columns: SYMBOL, QTY, SIZE, BOTANICAL NAME, COMMON NAME, HEIGHT / SPREAD, FORM / FUNCTION, WUCOLS - Zone 3, Water Conservation Zone. Includes sections for TREES, STREET TREES, LARGE SHRUBS, MEDIUM SHRUBS, SMALL SHRUBS, LARGE GRASSLIKE, MEDIUM GRASSLIKE, TRANSITIONAL BUFFER GRASS & PERENNIALS HYDROSEED MIX, and TRANSITIONAL BUFFER COASTAL SAGE SCRUB MIXED PLANTINGS.

DESIGN STATEMENT:

AS A SINGLE FAMILY RESIDENCE ON A SITE WITH INCREDIBLE VIEWS OF THE COAST, THE PROJECT INTENT IS TO MINIMIZE PHYSICAL AND VISUAL DISTURBANCE TO THE VIEWS, BY UTILIZING GREEN ROOF TECHNIQUES TO MASK THE STRUCTURES AND USING NATIVE PLANTS TO MIMIC THE SURROUNDING NATURAL LANDSCAPE, WE ENDEAVOR TO REDUCE THE VISUAL IMPACT OF THE RESIDENTIAL STRUCTURE.

SEVERAL SECONDARY ISSUES WILL BE ADDRESSED WITH THIS PLAN AS WELL.

- 1. EFFICIENT MANAGEMENT OF WATER USE.
2. EFFECTIVE STORMWATER QUALITY CONTROL.
3. EFFICIENT ENERGY MANAGEMENT.

LASTLY THE LANDSCAPE PLAN WILL CREATE A PLANT PALETTE SUITED TO THE EXPOSURE AND CLIMATE OF THIS COASTAL PROPERTY.

BRUSH MANAGEMENT:

THE PROJECT SITE IS SITUATED ADJACENT TO A NATIVE AND NON-NATIVE OPEN SPACE AREA, AND REQUIRES A BRUSH MANAGEMENT PLAN. SEE SHEET L-7 AND L-8 FOR THE BRUSH MANAGEMENT PLAN.

NOTES:

NO TREES OR SHRUBS EXCEEDING THREE FEET IN HEIGHT AT MATURITY SHALL BE INSTALLED WITHIN TEN FEET OF ANY WATER AND SEWER FACILITIES.

ALL LANDSCAPE AND IRRIGATION SHALL CONFORM TO THE STANDARDS OF THE CITY-WIDE LANDSCAPE REGULATIONS AND THE CITY OF SAN DIEGO LAND DEVELOPMENT MANUAL LANDSCAPE STANDARDS AND ALL OTHER LANDSCAPE RELATED CITY AND REGIONAL STANDARDS.

IRRIGATION:

AN AUTOMATIC, ELECTRICALLY CONTROLLED IRRIGATION SYSTEM SHALL BE PROVIDED AS REQUIRED BY LDS 142.0403(c) FOR PROPER IRRIGATION, DEVELOPMENT, AND MAINTENANCE OF THE VEGETATION IN A HEALTHY, DISEASE-RESISTANT CONDITION.

MAINTENANCE:

LANDSCAPE AND IRRIGATION AREAS IN PROPERTY SHALL BE MAINTAINED BY THE PROPERTY OWNER.

LANDSCAPE AND IRRIGATION AREAS IN THE RIGHT-OF-WAY SHALL BE MAINTAINED BY THE PROPERTY OWNER.

THE LANDSCAPED AREAS SHALL BE MAINTAINED FREE OF DEBRIS AND LITTER, AND ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY GROWING CONDITION.

MINIMUM TREE SEPARATION DISTANCE:

TRAFFIC SIGNALS (STOP SIGN) - 20 FEET
UNDERGROUND UTILITY LINES - 5 FEET\*
ABOVE GROUND UTILITY STRUCTURES - 10 FEET
DRIVEWAY (ENTRIES) - 10 FEET
INTERSECTIONS (INTERSECTING CURB LINES OF TWO STREETS) - 25 FEET
\*NOTE THAT THE MINIMUM DISTANCE TO ANY SEWER LINE IS TYPICALLY 10 FEET

STREET TREES:

STREET TREES SHALL BE PROVIDED PER CITY OF SAN DIEGO MUNICIPAL CODE 142.04.09. THIS PROJECT INSTALLS NEW STREET TREES IN THE R.O.W. AT A RATE THAT MEETS OR EXCEEDS THE REQUIREMENTS OF THIS SECTION.

SEE SHEET L-6 FOR EXISTING TREE LOCATION AND SIZING AND EXISTING TREE PROTECTION NOTES.

SEE SHEET L-3 FOR NEW STREET TREE LOCATIONS.

A MINIMUM ROOT ZONE OF 40 S.F. IN AREA SHALL BE PROVIDED FOR ALL TREES. THE MINIMUM DIMENSION FOR THIS AREA SHALL BE 5 FEET, PER SDMC 142.0403(b)(5).

BIOFILTRATION BASIN

Table with columns: SYMBOL, QTY, SIZE, BOTANICAL NAME, COMMON NAME, HEIGHT / SPREAD, FORM / FUNCTION, WUCOLS - Zone 3, Water Conservation Zone. Includes entry for CAREX DIVULSA.

VIEW EASEMENTS & CORRIDORS

SEE TRANSITIONAL BUFFER GRASS & PERENNIALS HYDROSEED MIX IN LEGEND AT LEFT.

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Private Residence

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PROJECT NO. 19.009.00

NOT FOR CONSTRUCTION

Table for ISSUED with columns: Issue, Date. Includes a grid for tracking issues.

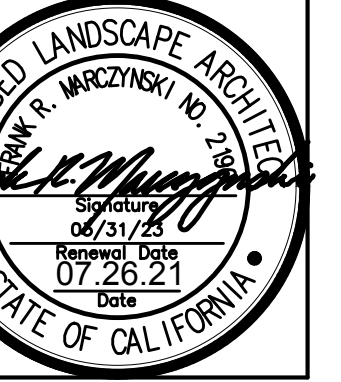
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Landscape Development Plan
Notes & Legend

DATE: 07.26.21
SCALE: N/A

L-1

FOR CONCEPTUAL LANDSCAPE PLAN, SEE SHEET L-2.



**Private Residence**

9872 La Jolla Farms Road  
San Diego, CA 92037

PROJECT NO. 19.009.00

**NOT FOR CONSTRUCTION**

ISSUED  
Issue Date

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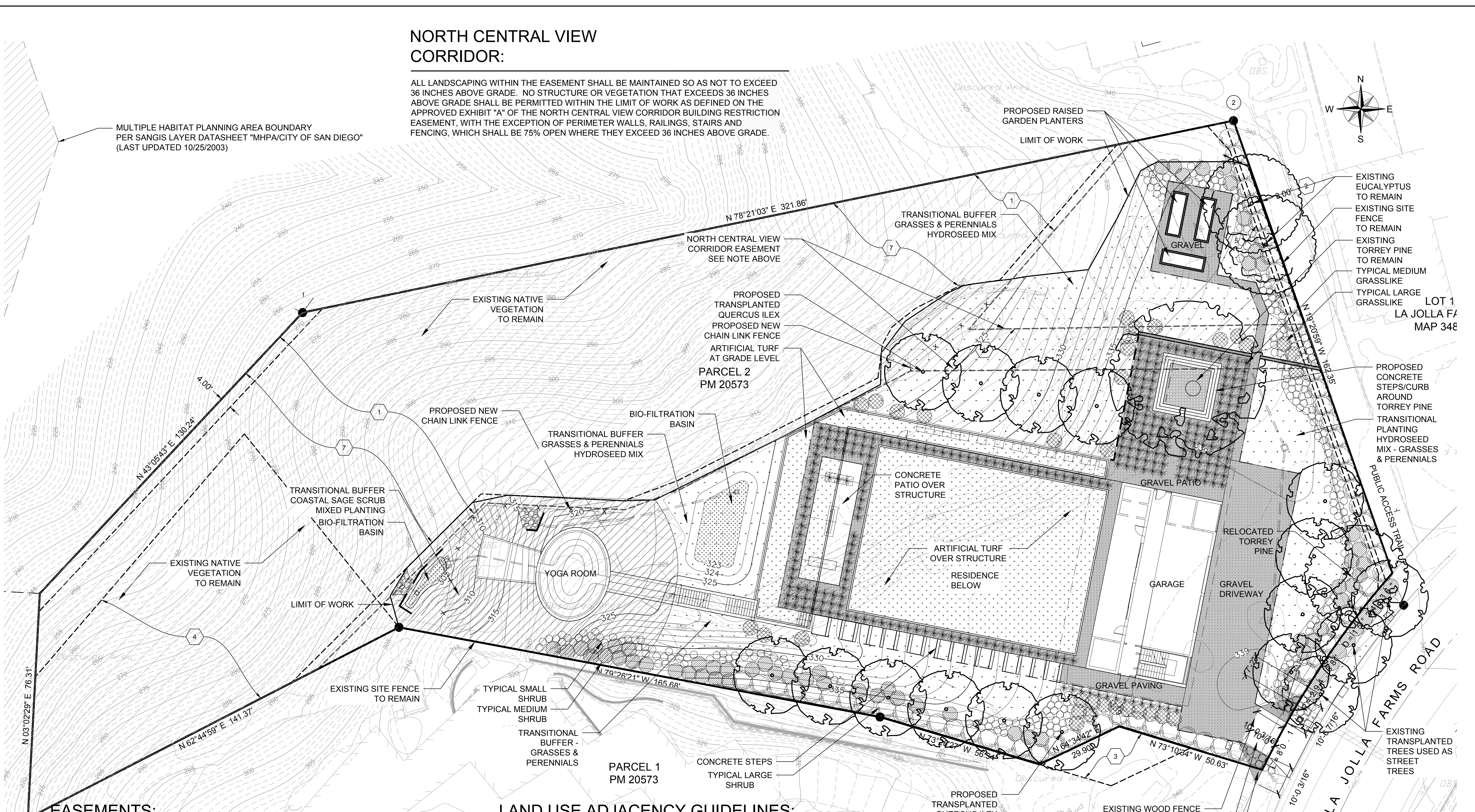
**Landscape Development Plan**

DATE: 07.26.21  
SCALE: 1/16" = 1'-0"

**NORTH CENTRAL VIEW CORRIDOR:**

ALL LANDSCAPING WITHIN THE EASEMENT SHALL BE MAINTAINED SO AS NOT TO EXCEED 36 INCHES ABOVE GRADE. NO STRUCTURE OR VEGETATION THAT EXCEEDS 36 INCHES ABOVE GRADE SHALL BE PERMITTED WITHIN THE LIMIT OF WORK AS DEFINED ON THE APPROVED EXHIBIT "A" OF THE NORTH CENTRAL VIEW CORRIDOR BUILDING RESTRICTION EASEMENT, WITH THE EXCEPTION OF PERIMETER WALLS, RAILINGS, STAIRS AND FENCING, WHICH SHALL BE 75% OPEN WHERE THEY EXCEED 36 INCHES ABOVE GRADE.

MULTIPLE HABITAT PLANNING AREA BOUNDARY PER SANGIS LAYER DATASHEET "MHPA/CITY OF SAN DIEGO" (LAST UPDATED 10/25/2003)



**EASEMENTS:**

- ① CITY OF SAN DIEGO HOLDER OF AN EASEMENT FOR BUILDING RESTRICTED PURPOSES PER MAP 16819 RECORDED APRIL 3, 1992 IN DOCUMENT NO 92-192733 OF OFFICIAL RECORDS.
  - ② CITY OF SAN DIEGO HOLDER OF AN EASEMENT FOR SEWER, WATER, DRAINAGE & PUBLIC UTILITIES PURPOSES PER MAP 3487 RECORDED AUGUST 9, 1956 IN FILE NO 110367 OF OFFICIAL RECORDS.
  - ③ EASEMENT FOR ACCESS PURPOSES RECORDED NOVEMBER 3, 2008 IN DOCUMENT NO 2008-0574417 OF OFFICIAL RECORDS.
  - ④ EASEMENT FOR BRUSH MANGEMENT PURPOSES RECORDED JULY 20, 2010 IN DOCUMENT NO 2010-0362408 OF OFFICIAL RECORDS.
  - ⑤ CITY OF SAN DIEGO HOLDER OF AN EASEMENT FOR DRAINAGE PURPOSES RECORDED NOVEMBER 28, 2012 IN DOCUMENT NO 2012-0742751 OF OFFICIAL RECORDS.
  - ⑥ CITY OF SAN DIEGO HOLDER OF AN EASEMENT FOR SEWER PURPOSES PER MAP 3487 RECORDED AUGUST 9, 1956 IN FILE NO 110367 OF OFFICIAL RECORDS.
  - ⑦ CITY OF SAN DIEGO HOLDER OF AN COVENANT OF EASEMENT FOR PROTECTION OF SENSITIVE BIOLOGICAL RESOURCE PURPOSES RECORDED NOVEMBER 28, 2012 IN DOCUMENT NO 2012-0742752 OF OFFICIAL RECORDS.
- BUILDING RESTRICTION EASEMENT RECORDED NOVEMBER 24, 2008 AS DOCUMENT NO 2008-0605867 OF OFFICIAL RECORDS. NOT PLOTTABLE.

**LAND USE ADJACENCY GUIDELINES:**

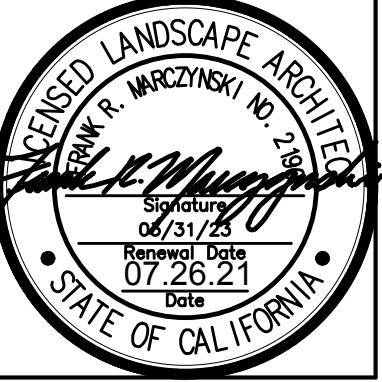
1. DRAINAGE & TOXINS: ALL NEW AND PROPOSED PARKING LOTS AND DEVELOPED AREAS IN AND ADJACENT TO THE PRESERVE MUST NOT DRAIN DIRECTLY INTO THE MHPA. ALL DEVELOPED AND PAVED AREAS MUST PREVENT THE RELEASE OF TOXINS, CHEMICALS, PETROLEUM PRODUCTS, EXOTIC PLANT MATERIALS AND OTHER ELEMENTS THAT MIGHT DEGRADE OR HARM THE NATURAL ENVIRONMENT OR ECOSYSTEM PROCESSES WITHIN THE MHPA. THIS PROJECT UTILIZES BIO-FILTRATION BASINS TO FILTER RUNOFF WATER PRIOR TO RELEASING IT.
2. GRADING: MANUFACTURED SLOPES ASSOCIATED WITH SITE DEVELOPMENT SHALL BE INCLUDED WITHIN THE DEVELOPMENT FOOTPRINT.
3. LIGHTING: LIGHTING OF ALL DEVELOPED AREAS ADJACENT TO THE MHPA SHALL BE DIRECTED AWAY FROM THE MHPA USING A COMBINATION OF SHIELDING, BERMING OR OTHER METHODS.
4. INVASIVES: NO INVASIVE NON-NATIVE PLANT SPECIES SHALL BE INTRODUCED INTO AREAS ADJACENT TO THE MHPA.
5. BRUSH MANAGEMENT: ALL ZONE 1 BRUSH MANAGEMENT AREAS MUST BE INCLUDED WITHIN THE DEVELOPMENT FOOTPRINT. BRUSH MANAGEMENT ZONE 2 MAY BE PERMITTED OUTSIDE THE DEVELOPMENT FOOTPRINT, BUT CANNOT BE USED FOR MITIGATION.
6. BARRIERS / ACCESS: THERE IS NO DIRECT ACCESS FROM THIS PROJECT INTO THE MHPA.
7. NOISE: USES IN OR ADJACENT TO THE MHPA SHOULD BE DESIGNED TO MINIMIZE NOISE IMPACTS.

**VISIBILITY TRIANGLE:**

NO OBSTRUCTION INCLUDING SOLID WALLS IN THE VISIBILITY AREA SHALL EXCEED 3 FEET IN HEIGHT.

PER SDMC SECTION 142.0409(b)(2), PLANT MATERIAL, OTHER THAN TREES, LOCATED WITHIN VISIBILITY AREAS OR THE ADJACENT PUBLIC RIGHT OF WAY SHALL NOT EXCEED 36 INCHES IN HEIGHT, MEASURED FROM THE LOWEST GRADE ABUTTING THE PLANT MATERIAL TO THE TOP OF THE PLANT MATERIAL.

TYPICAL VISIBILITY TRIANGLE PER SDMC 113-02SS & SDMC 142.0409(B)(2) NO OBSTRUCTIONS OR PLANT MATERIAL SHALL EXCEED 3' IN HEIGHT.



**Private Residence**

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San Diego, CA 92037

PROJECT NO. 19.009.00

**NOT FOR CONSTRUCTION**

ISSUED	Date
Issue	

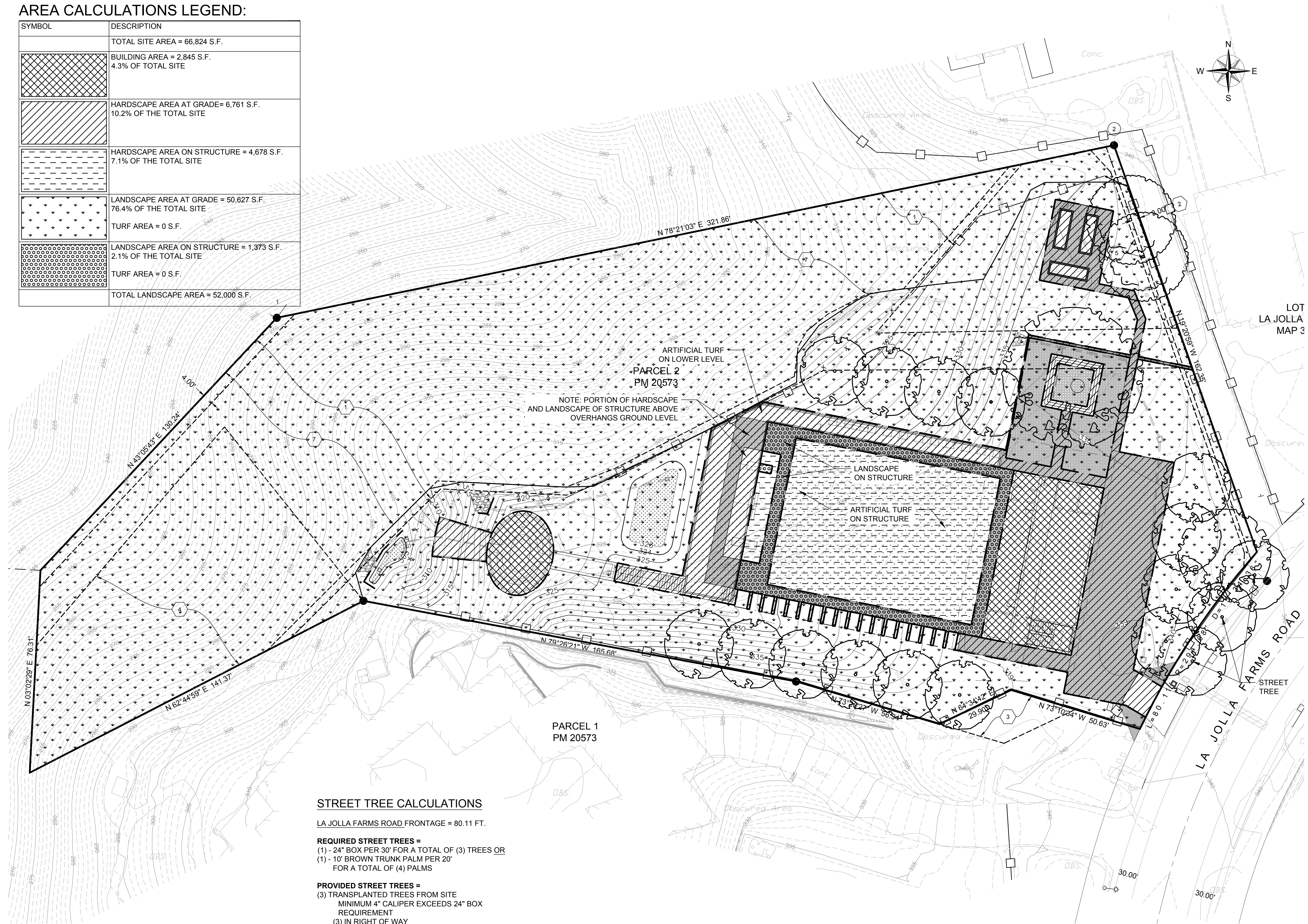
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**Landscape Area and Street Tree Calculations**

DATE: 07.26.21  
SCALE: 1/16" = 1'-0"

**AREA CALCULATIONS LEGEND:**

SYMBOL	DESCRIPTION
	TOTAL SITE AREA = 66,824 S.F.
	BUILDING AREA = 2,845 S.F. 4.3% OF TOTAL SITE
	HARDSCAPE AREA AT GRADE = 6,761 S.F. 10.2% OF THE TOTAL SITE
	HARDSCAPE AREA ON STRUCTURE = 4,678 S.F. 7.1% OF THE TOTAL SITE
	LANDSCAPE AREA AT GRADE = 50,627 S.F. 76.4% OF THE TOTAL SITE
	TURF AREA = 0 S.F.
	LANDSCAPE AREA ON STRUCTURE = 1,373 S.F. 2.1% OF THE TOTAL SITE
	TURF AREA = 0 S.F.
	TOTAL LANDSCAPE AREA = 52,000 S.F.



NOTE: PORTION OF HARDSCAPE AND LANDSCAPE OF STRUCTURE ABOVE OVERHANGS GROUND LEVEL

**STREET TREE CALCULATIONS**

LA JOLLA FARMS ROAD FRONTAGE = 80.11 FT.

**REQUIRED STREET TREES =**  
(1) - 24" BOX PER 30' FOR A TOTAL OF (3) TREES OR  
(1) - 10' BROWN TRUNK PALM PER 20'  
FOR A TOTAL OF (4) PALMS

**PROVIDED STREET TREES =**  
(3) TRANSPLANTED TREES FROM SITE  
MINIMUM 4" CALIPER EXCEEDS 24" BOX  
REQUIREMENT  
(3) IN RIGHT OF WAY



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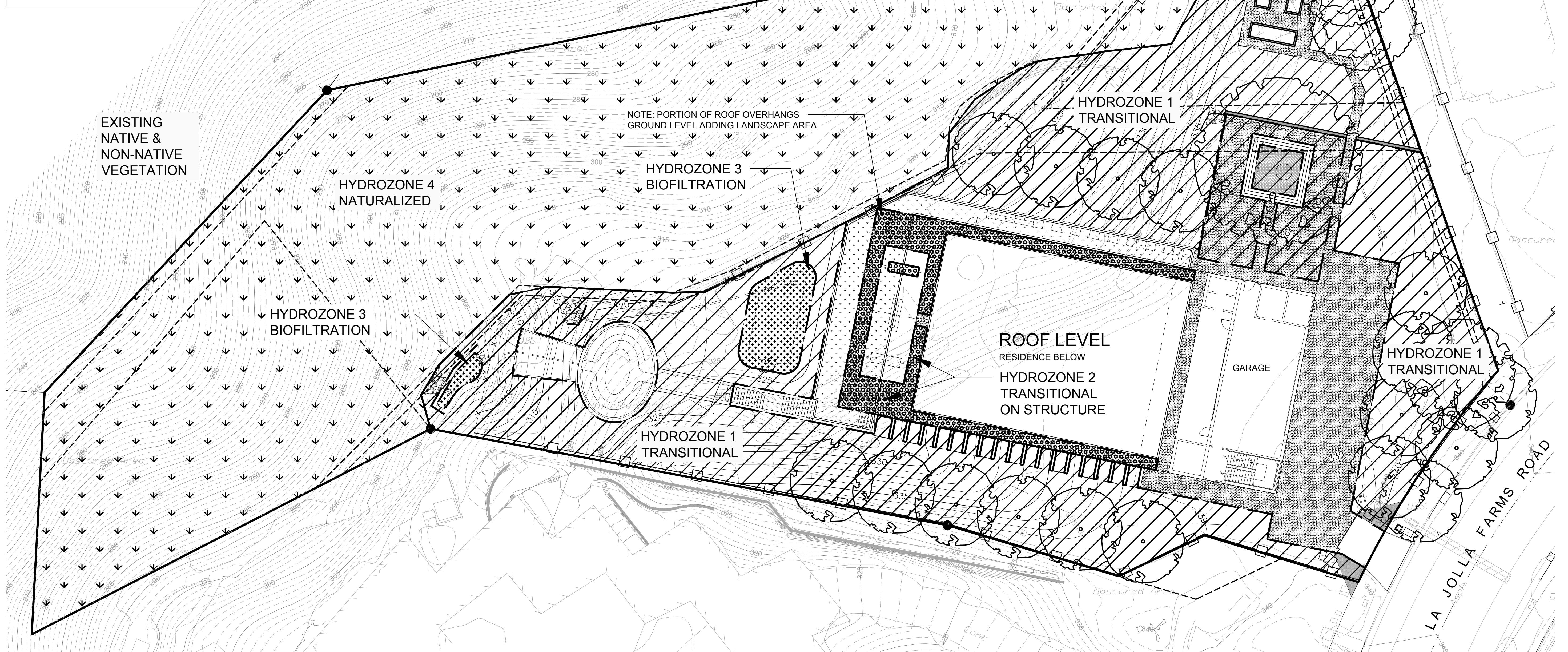
**Water Conservation Plan**

DATE: 07.26.21  
SCALE: 1/16" = 1'-0"

**WATER CONSERVATION HYDROZONE LEGEND:**

SYMBOL	HYDROZONE	WATER CONSERVATION ZONE	AREA - Total Landscape Area = 52,045 S.F.	DESCRIPTION	IRRIGATION METHOD	WATER SUPPLY
	Hydrozone #1	Transitional Planting on Grade	20,450 S.F. 39.3% of Total Landscape Area	Low Water Use	Spray	Potable
	Hydrozone #2	Transitional Planting on Structure	1,418 S.F. 2.7% of Total Landscape Area	Low Water Use	Drip	Potable
	Hydrozone #3	Transitional Biofiltration Area	698 S.F. 1.3% of Total Landscape Area	Medium Water Use	Spray	Potable
	Hydrozone #4	Naturalized Planting	29,479 S.F. 56.7% of Total Landscape Area	Non-Irrigated		

NOTE: BECAUSE A PORTION OF THE ROOF LEVEL OVERHANGS ON THE WEST SIDE, THERE IS AN ADDITIONAL 45 SF OF LANDSCAPING THAT MUST BE ACCOUNTED FOR IN THE WATER CALCULATIONS.



NOTE: PORTION OF ROOF OVERHANGS GROUND LEVEL ADDING LANDSCAPE AREA.

**WATER CONSERVATION NOTES:**

1. LANDSCAPE AREAS OF THE PROJECT

A. TRANSITIONAL PLANTING (IRRIGATED): TRANSITIONAL PLANTING CONSTITUTES THE PLANTING AREAS SURROUNDING THE PROJECT. IT UTILIZES PLANT COMBINATIONS WITH MATCHED GROWTH REQUIREMENTS AND STRESSES LOWER WATER USAGE AND MAINTENANCE. PLANT SELECTION WILL BE BASED ON SUN EXPOSURE AND THE SOIL WILL BE AMENDED TO RETAIN GREATER MOISTURE.

WATER REQUIREMENTS FOR A MATURE LANDSCAPE IS ESTIMATED BETWEEN TEN (10") INCHES AND THIRTY (30") INCHES OF SUPPLEMENTAL IRRIGATION WATER ANNUALLY.

B. NATURALIZED LANDSCAPE: THIS PROJECT LIES ADJACENT TO AN OPEN SPACE, POPULATED WITH NATIVE AND NON-NATIVE PLANT SPECIES. PREVIOUS DEVELOPMENT OF THIS PROPERTY PROVIDED A TRANSITIONAL OR

NATURALIZING LANDSCAPE AREA ALONG THE NORTHERN AND WESTERN BORDERS. THIS NATURALIZING AREA WILL BE RETAINED AND PROTECTED DURING THE COURSE OF THE IMPROVEMENTS UNDER THIS PERMIT.

2. PROPOSED TURF AREAS: THE PERCENTAGE OF TURF OF THE TOTAL LANDSCAPED AREA IS 0%.

3. XERISCAPE PRINCIPLES APPLIED:

A. THE DESIGN OF THE LANDSCAPE IS INTENDED TO MATCH GROWTH REQUIREMENTS OF THE PLANT COMMUNITIES, TO MODIFY PLANT GROUPINGS TO ACCOUNT FOR SUN AND WIND EXPOSURE, AND TO MINIMIZE WHERE POSSIBLE, WATER AND MAINTENANCE REQUIREMENTS.

B. PLANTS WITH SIMILAR CULTURAL REQUIREMENT OF EXPOSURE, SOILS, AND WATER NEEDS WILL BE GROUPED TOGETHER AND LOCATED ON THE PROJECT SITE IN MICRO-CLIMATES WHERE THEY WILL REQUIRE THE LEAST AMOUNT OF WATER FOR OPTIMUM GROWTH AND

MAINTENANCE.

C. THE SOILS WILL BE TESTED UPON COMPLETION OF ROUGH GRADING FOR THEIR ABILITY TO SUSTAIN PLANT GROWTH AND WILL BE AMENDED AS NECESSARY TO PROVIDE OPTIMAL CONDITIONS FOR CONTINUING GROWTH AND DEVELOPMENT OF THE PLANT MATERIAL.

**WATER BUDGET  
LANDSCAPE WORKSHEET**

**This project worksheet is to be submitted to the City when the proposed development is subject to the water budget requirement in Chapter 14, Article 2, Division 4 (Landscape Regulations).**

Project Name: B WEST RESIDENTIAL Project #: 19.009.00  
 Project Address: 9872 La Jolla Farms Road, San Diego, CA 92037  
 Individual/Business Completing the Worksheet: Frank Marczynski / Topia  
 Phone Number: (858) 458-0555

**I. DEFINITIONS:**

**Estimated Total Water Use (ETWU):** The total water used for the landscape based on the plants used and irrigation method selected for the landscape design. The ETWU shall not exceed the MAWA.

**Evapotranspiration:** The quantity of water as measured in average inches per year that evaporated from adjacent soil surfaces and transpired by plants during a specific time period. (Evapotranspiration data may be found at [www.cimis.water.ca.gov](http://www.cimis.water.ca.gov). You may obtain a free password from the Department of Water Resources. The site also holds an abundance of informational links and complete instructions.)

**Evapotranspiration Adjustment Factor (ETAF):** A factor that when applied to reference evapotranspiration adjusts for plant water requirements and irrigation efficiencies, two major influences on the amount of water that is required for a healthy landscape.

**Hydrozone:** A section or zone of the landscaped area having plants with similar water needs that are served by a valve or set of valves with the same schedule. A hydrozone may be irrigated or non-irrigated. For the purpose of the calculation, the surface area of manmade water features (see LDM Section 1.8) are included in the high water use hydrozone, and the surface area of artificial turf and temporary irrigation is included in the low water use hydrozone.

**Irrigation Audit:** An in-depth evaluation of the performance of an irrigation system conducted by a professional authorized by the State to perform such work. An irrigation audit includes,

**Legend for Estimated Total Water Use (ETWU) Calculation Formula**

Symbol	Description of Symbol
ETo	Evapotranspiration (inches per year)
0.62	Conversion factor to gallons
PF	Plant Factor
HA	Hydrozone Area <sup>2</sup> —(square feet)
IE	Irrigation Efficiency (0.81 for Drip System devices) (0.75 for Overhead Spray devices)
SLA	Special Landscape Area (square feet)

Use the following table to track information about each controller in the system.

Controller No.	Hydrozone No.	Valve Circuit	Plant Factor (PF)	Hydrozone Area in s.f. (HA)	Irrigation Method	Irrigation Efficiency (IE)	% Total Landscape Area
A	ZONE #1		0.3	20,450	SPRAY	0.75	39.3%
A	ZONE #2		0.3	1,418	DRIP	0.81	2.7%
A	ZONE #3		0.5	698	SPRAY	0.75	1.3%
-	ZONE #4		0.3	29,479	NOT IRRIG.	-	56.7%
<b>Total</b>							<b>100%</b>

Then plug in the numbers from each controller/hydrozone into the ETWU equation. Then total the gallons per year of each controller/hydrozone for the Estimated Total Water Use per year. **The total ETWU cannot exceed the total Water Budget-MAWA.**

Controller No.	ETWU [(ETo)(0.62)][( $\frac{PF \times HA}{IE}$ ) + SLA]	Result in Gallons per Year
A-1	$[(40)(0.62)][(0.3 / 0.75) \times 20,450] + 0$	202,864
A-2	$[(40)(0.62)][(0.3 / 0.81) \times 1,418] + 0$	13,025
A-3	$[(40)(0.62)][(0.5 / 0.75) \times 698] + 0$	11,541
-	$[(0)(0)][(0 / 0) \times 29,479] + 0$	0
<b>Total ETWU gallons per year</b>		<b>227,430</b>

**MAWA CALCULATIONS**

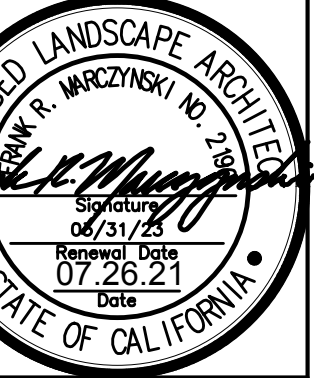
**MAWA (RESIDENTIAL) =**  $(ETo)(0.62)[(ETAF \times LA) + ((1-ETAF) \times SLA)]$   
 $(40)(0.62)[(0.55 \times 22,566) + (0.45 \times 0)]$   
 $(24.8)[(12,411.3) + (0)]$   
 $(24.8)[12,411.3]$   
**307,800.24 Gallons Per Year**

**MAWA (TOTAL) = 307,800.24 Gallons Per Year**

**ETWU DOES NOT EXCEED MAWA**



2030 Galveston Street  
 San Diego, CA 92110  
 T: (858) 458-0555  
 W: [www.topialand.com](http://www.topialand.com)



**Private  
Residence**

9872 La Jolla  
 Farms Road  
 San Diego, CA  
 92037

PROJECT NO. 19.009.00

**NOT FOR  
CONSTRUCTION**

ISSUED  
 Issue Date

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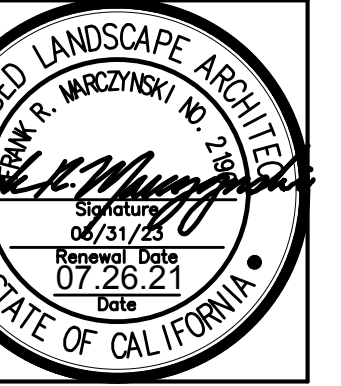
**Water  
Conservation  
Calculations**

DATE: 07.26.21  
 SCALE: N/A

**L-5**

FOR WATER CONSERVATION PLAN,  
 SEE SHEET L-4.





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**Existing Tree Disposition Plan**

DATE: 07.26.21  
SCALE: 1/16" = 1'-0"

**TREE REMOVAL NOTES:**

1. THE CLIENT ASSUMES ALL RELATED REMOVAL COSTS, INCLUDING THE RESPONSIBILITY OF REPLACING ANY SIDEWALK AND/OR CURB THAT WAS DAMAGED, OR REPAIRING ANY SIDEWAY TRIPPING HAZARDS.
2. ALL MATERIALS SPECIFIED TO THE REMOVED SHALL BE DISPOSED OF OFF-SITE PER LOCAL CODES AND REGULATIONS.
3. PER CALIFORNIA GREEN BUILDING CODE SECTION 5.408.4, 100% OF TREES, STUMPS, ROCKS AND ASSOCIATED VEGETATION AND SOILS RESULTING FROM LAND CLEANING SHALL BE RE-USED OR RECYCLED.

**TREE PRESERVATION NOTES:**

THE FOLLOWING PROTECTION FOR EXISTING TREES TO REMAIN ON SITE WILL BE PROVIDED:

1. CAREFULLY PROTECT ALL TREES REQUIRING PROTECTION AS NOTED ON THE DRAWINGS. DURING THE COURSE OF THE CONSTRUCTION PERIOD, PROTECT THE VEGETATION AGAINST CUTTING, BREAKING, SKINNING OR COMPACTION OF ROOTS, AND SKINNING OR BRUISING OF BARK.
2. A BRIGHT YELLOW OR ORANGE TEMPORARY FENCE WILL BE PLACED AROUND EXISTING TREES AT THE DRIP LINE.
3. STOCKPILING, TOPSOIL DISTURBANCE, CONSTRUCTION MATERIAL STORAGE, VEHICLE USE, FOOT TRAFFIC, OR STORAGE OF ANY KIND IS PROHIBITED WITHIN THE DRIP LINE.
4. ROOT SYSTEMS OF EXISTING TREES ON SITE WILL BE PROTECTED FROM FLOODING, EROSION, CHEMICAL SPILLS, OR EXCESSIVE WETTING AND DRYING DURING DE-WATERING.
5. THE EXISTING GRADE WILL BE MAINTAINED WITHIN THE DRIP LINE OF EXISTING TREES ON SITE.
6. MAINTAIN AND DOCUMENT A TREE WATERING SCHEDULE DURING CONSTRUCTION.
7. ALL DAMAGED TREES WILL BE REPLACED WITH EQUAL OR GREATER SIZE.
8. NOTIFY LANDSCAPE ARCHITECT IN ANY CASE WHERE A CONTRACTOR FEELS CONSTRUCTION CALLED FOR BY THE CONTRACT DOCUMENTS MAY DAMAGE TREES NOTED TO BE PROTECTED ON THE DRAWINGS. DO NOT PROCEED WITH SUCH WORK UNTIL DIRECTED BY LANDSCAPE ARCHITECT.



TREE #1 - PINUS TORREYANA / TORREY PINE



TREES #2&3 - EUCALYPTUS CLADOCALYX



TREE #22 - PINUS TORREYANA / TORREY PINE



TYPICAL QUERCUS ILEX / HOLM OAK

**EXISTING TREE DISPOSITION LEGEND:**

TREES							TREES							TREES						
#	BOTANICAL NAME	COMMON NAME	CALIPER	HEIGHT	DRILINE (RADIUS)	ACTION	#	BOTANICAL NAME	COMMON NAME	CALIPER	HEIGHT	DRILINE (RADIUS)	ACTION	#	BOTANICAL NAME	COMMON NAME	CALIPER	HEIGHT	DRILINE (RADIUS)	ACTION
1	PINUS TORREYANA	Torrey Pine	32"	55'	33'	To Remain	11	QUERCUS ILEX	Holm Oak	4"	16'	6'	Move to new location on site	21	QUERCUS ILEX	Holm Oak	3.5"	16'	6'	To be Removed
2	EUCALYPTUS CLADOCALYX	Sugar Gum	16"	45'	25'	To Remain	12	QUERCUS ILEX	Holm Oak	4"	17'	6'	Move to new location on site	22	PINUS TORREYANA	Torrey Pine	4"	12'	4'	Move to new location on site
3	EUCALYPTUS CLADOCALYX	Sugar Gum	22"	50'	30'	To Remain	13	QUERCUS ILEX	Holm Oak	4"	18'	6'	Move to new location on site	23	QUERCUS ILEX	Holm Oak	4"	16'	3'	Move to new location on site
4	QUERCUS ILEX	Holm Oak	3.5"	16'	6'	Move to new location on site	14	QUERCUS ILEX	Holm Oak	3.5"	16'	6'	Move to new location on site	24	QUERCUS ILEX	Holm Oak	4"	16'	3'	To be Removed
5	QUERCUS ILEX	Holm Oak	3.5"	16'	6'	Move to new location on site	15	QUERCUS ILEX	Holm Oak	4"	16'	6'	Move to new location on site	25	QUERCUS ILEX	Holm Oak	4"	16'-6"	3'-6"	Move to new location on site
6	QUERCUS ILEX	Holm Oak	3.5"	16'	6'	Move to new location on site	16	QUERCUS ILEX	Holm Oak	4"	16'	6'	Move to new location on site	26	QUERCUS ILEX	Holm Oak	4"	16'	4'	Move to new location on site
7	QUERCUS ILEX	Holm Oak	4"	17'	6'	Move to new location on site	17	QUERCUS ILEX	Holm Oak	4"	17'	6'	Move to new location on site	27	QUERCUS ILEX	Holm Oak	3.5"	16'	3'	To be Removed
8	QUERCUS ILEX	Holm Oak	4"	18'	4'	To be Removed	18	QUERCUS ILEX	Holm Oak	4"	16'	7'	Move to new location on site	28	QUERCUS ILEX	Holm Oak	2"	12'	3'	To be Removed
9	QUERCUS ILEX	Holm Oak	3.5"	16'	4'	Move to new location on site	19	QUERCUS ILEX	Holm Oak	3.5"	16'	6'	To be Removed	29	QUERCUS ILEX	Holm Oak	3.5"	16'	3'	To be Removed
10	QUERCUS ILEX	Holm Oak	3.5"	16'	4'	Move to new location on site	20	QUERCUS ILEX	Holm Oak	3.5"	16'	6'	To be Removed							

