

SITE PLAN NOTES

1. ALL STREETS, SIDEWALKS, CURB CUTS AND DRIVE-WAYS ARE EXISTING TO REMAIN.

2. 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

3. PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT, THE OWNER/PERMITTEE SHALL INCORPORATE ANY TO COMPLY WITH CHAPTER 14, ARTICLE 2, DIVISION (GRADING REGULATIONS) OF THE SAN DIEGO MUNICIPAL CODE, INTO THE CONSTRUCTION PLANS OR SPECIFICATIONS.

4. 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.

ALLOWED: 35% PROPOSED: 33%

CALCULATION.

151131/45084 = 0.33 ok.

FRONT YARD MAX. 100' SIDE SETBACK 10'

_(7)SHORT-TERM & (7) LONG-TERM BICYCLE PARKING

(8) ELECTRIC VEHICLES

UPGRADE EXISTING 26' DRIVE WAY TO CURRENT CITY STANDARDS

ACCESSIBLE PATH OF TRAVEL DISTANCE= 34 YARD (0.019 MILES)

APPROXIMATE LIMIT OF WETLANDS PER HELIX ENVIRONMENTAL PLANNING

100' BUFFER FROM WETLANDS LINE (PER CIVIL PLANS)

UPGRADE EXISTING 26' - DRIVE WAY TO CURRENT CITY STANDARDS

20' DRAINAGE EASEMENT

FEMA ZONE "A" FLOODWAY BOUNDARY LINE FIRM MAP NO. 06073C1326G

> APROX. 27,896 SF. 8 AUDITORIUMS 435 SEATS 150 PARKING SPACES

SITE PLAN

0' 10' 40' 80'

DISCLAIMER: SITE PLAN DIMENSIONS ARE APPROXIMATE AND ARE FOR ILLUSTRATIVE PURPOSE ONLY



4445 Eastgate Mall Suite 400 San Diego, California 92121 T: 858-362-8500

Consultants

Scale:

As Shown Drawn:

Checked:

C. Wellman

E.R.

Original Date 12/06/16 City resubmittal Revisions: 04/26/17 City resubmittal

08/15/17 City resubmittal 11/13/17 City resubmittal

267 DEL

A01.1

CONDITIONAL USE PERMIT

2673 VIA DE LA VALLE, DEL MAR, CA. 92014

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POLICY P-00-6 (UFC 901.4.4)

- 1. ALL INDICATED BOUNDARY, EXISTING SITE AND SIDEWALK CONDITIONS WERE OBTAINED FROM SITE PLAN PROVIDED BY OWNER
- 2. BEFORE COMMENCEMENT OF WORK, CONTRACTOR TO CONTACT AND COORDINATE WITH ALL GOVERNMENT AGENCIES AND UTILITY COMPANIES WICH MAY HAVE SERVICES IN THE AREA. THE CONTRACTOR SHALL ASSURE HIMSELF THAT HE HAS LOCATED ALL UNDERGROUND SERVICES PRIOR TO ANY SUBSURFACE EXCAVATION. HE SHALL PROTECT ALL EXISTING
- 3. CONTRACTORS TO VERIFY ALL EXISTING SITE AND BUILDING CONDITIONS RELATED TO THEIR SCOPE OF WORK (INCLUDING EXPOSED OR CONCEALED CONDITIONS AND CONDITIONS WHICH ARE SHOWN OR NOT SHOWN ON DRAWINGS) PRIOR TO BID AND CONSTRUCTION.
- 4. ALL SURFACE WATER TO DRAIN AWAY FROM BUILDING AND DRIVEWAY TO ALLEY OR STREET OR PUBLIC STORM DRAIN SYSTEM.
- 5. ALL PROPERTY LINES, EASEMENTS AND BUILDINGS, BOTH EXISTING AND PROPOSED ARE SHOWN ON THIS SITE PLAN
- 6. CONTRACTOR TO REPAIR AS REQUIRED, ANY DAMAGE TO BUILDING DUE TO DEMOLITION OR NEW CONSTRUCTION WORK. 7. CONTRACTOR TO PATCH-UP ANY UNUSED HOLES OR VOIDS EXISTING OR CAUSED BY DEMOLITION
- OR NEW CONSTRUCTION WORK. 8. PROVIDE BUILDINGS ADDRESS NUMBERS, BUILDING NUMBERS VISIBLE AND

LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY PER FHPS

SATISFACTORY TO THE PUBLIC UTILITIES DIRECTOR AND THE CITY ENGINEER.

- 9. PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS, IF IT IS DETERMINED DURING THE BUILDING PERMIT REVIEW PROCESS THE EXISTING WATER AND SEWER SERVICE WILL NOT BE ADEQUATE TO SERVE THE PROPOSED PROJECT, THE OWNER/PERMITTEE SHALL, ASSURE BY PERMIT AND BOND, THE DESIGN AND CONSTRUCTION OF NEW WATER AND SEWER SERVICE(S) OUTSIDE OF ANY DRIVEWAY OR DRIVE AISLE AND THE ABANDONMENT OF ANY EXISTING UNUSED WATER AND SEWER SERVICES WITHIN THE RIGHT-OF-WAY ADJACENT TO THE PROJECT SITE, IN A MANNER
- 10. 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 SATISFÀCTORY TO THE PUBLIC UTILITIÈS DIRECTOR AND THE CITY ENGINEER, BFPDS SHALL BE LOCATED ABOVE GROUND ON PRIVATE PROPERTY, IN LINE WITH THE SERVICE AND IMMEDIATELY ADJACENT TO THE RIGHT-OF-WAY.
- 11. THE OWNER/PERMITTEE SHALL BE RESPONSIBLE FOR ANY DAMAGE CAUSED TO CITY OF SAN DIEGO WATER FACILITIES IN THE VICINITY OF THE PROJECT SITE, DUE TO THE CONSTRUCTION ACTIVITIES ASSOCIATED WITH THIS PROJECT, IN ACCORDANCE WITH MUNICIPAL CODE SECTION 142.0607. IN THE EVENT THAT ANY SUCH FACILITY LOSES INTEGRITY THEN, THE OWNER/PERMITTEE SHALL REPAIR OR RECONSTRUCT ANY DAMAGED PUBLIC WATER FACILITY IN A MANNER SATISFACTORY TO THE PUBLIC UTILITIES DIRECTOR AND THE CITY ENGINEER.
- 12. THE OWNER/PERMITTEE SHALL PROCESS ENCROACHMENT MAINTENANCE AND REMOVAL AGREEMENTS. FOR ALL ACCEPTABLE ENCROACHMENTS INTO THE WATER EASEMENTS. INCLUDING BUT NOT LIMITED TO STRUCTURES, ENHANCED PAVING, OR LANDSCAPING; NO STRUCTURES OR LANDSCAPING OF ANY KIND SHALL BE INSTALLED IN OR OVER ANY WATER EASEMENTS.
- 13. NO TREES OR SHRUBS EXCEEDING THREE FEET IN HEIGHT AT MATURITY SHALL BE INSTALLED WITHIN TEN FEET OF ANY SEWER FACILITIES AND FIVE FEET OF ANY WATER FACILITIES.
- 14. THE OWNER/PERMITTEE SHALL DESIGN AND CONSTRUCT ALL PROPOSED PUBLIC WATER AND SEWER FACILITIES IN ACCORDANCE WITH ESTABLISHED CRITERIA IN THE CURRENT EDITION OF THE CITY OF SAN DIEGO WATER AND SEWER FACILITY DESIGN GUIDELINES AND CITY REGULATIONS, STANDARDS

PROJECT DATA:

PROJECT LOCATION: 2673 VIA DE LA VALLE.

DEL MAR, CA. 92014

GOLDEN EAGLE REAL ESTATE INVESTMENT LP. 2775 VIA DE LA VALLE

DEL MAR, CA 920147 TENANT:

THE LOT 7611 FAY AVENUE LA JOLLA, CA. 92037

PROJECT DESIGNER: ALTA DESIGN DEVELOPMENT INC. 4445 EASTGATE MALL # 400 SAN DIEGO CA, 92121 TEL 858 442-8009

CONTACT: CARLOS WELLMAN

CIVIL ENGINEER:

CHRISTENSEN ENGINEERING & SURVEY. 7888 SILVERTON AVE SITE J SAN DIEGO CA, 92126

CONTACT: ANTONY K. CHRISTENSEN GEOLOGY ENGINEER: CHRISTIAN WHEELER ENGINEERING 3980 HOME AVE SAN DIEGO CA, 92105

LANDSCAPE DESIGN: GMP LANDSCAPE ARCHITECTURE & PLANNING 4010 SORRENTO VALLEY BLVD. SUITE 200 SAN DIEGO CA, 92121

TEL 619 550-1700

CONTACT: DAN ADLER

TEL 858 271-9901

TEL 858 558-8977 CONTACT: MARC MOODY

ENVIRONMENTAL: HELIX ENVIRONMENTAL PLANNING 7578 EL CAJON BOULEVARD LA MESA, CALIFORNIA 91942

TEL 619 462-1515 CONTACT: TOM HUFFMAN

PERMIT PROCESSING: JANAY KRUGER janay_kruger@msn.com

SCOPE OF WORK:

1. CONDITIONAL USE PERMIT AND SITE DEVELOPMENT PERMIT FOR THEATER OVER 5,000 SF. NEW CONSTRUCTION OF A 27,896 SF. THEATER BUILDING WITH 8 AUDITORIUMS.

2. L47 LIQUOR LICENSE PERMIT PROCESS.

LEGAL DESCRIPTION: PARCEL 1. IN THE CITY OF SAN DIEGO, COUNTY

OF SAN DIEGO, STATE OF CALIFORNIA, AS SHOWN AT PAGE 3594 OF PARCEL MAPS FILED IN THE OFFICE OF COUNTY RECORDER OF SAN DIEGO COUNTY, FEBRUARY 29,1975

A.P.N.: 298-490-4100

CONSTRUCTION TYPE: V-A

OCCUPANCY:

CC - 1 - 3

GEOLOGIC HAZARD:

ALLOWED PROPOSED

31 AND 32

30'-0"

LOT AREA: 450,846 SQ. FT. (10.35 ACRES)

BUILDING AREA:

TOTAL SITE EXISTING BUILT AREA: 123,235 SQ. FT. 27.896 SQ. FT. PROPOSED THEATER AREA:

TOTAL : 151,131 SQ. FT.

29'-8"

LOT COVERAGE: ALLOWED: 35% PROPOSED: 33%

CALCULATION. 151131/450846= 0.33 ok.

CALCULATION. 151131/450846= 0.33 ok.

SETBACK:

FRONT YARD MAX. 100' SIDE SETBACK 10'

ALLOWED: 0.75 PROPOSED: 0.33

BUILDING CODES

BUILDING CODE:

ALL CONSTRUCTION SHALL COMPLY WITH THE FOLLOWING CODES AMENDMENTS AND ORDINANCES AS REQUIRED BY CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA AND ALL OTHERS RECOGNIZED JURISDICTIONS HAVING AUTHORITY OVER THE PROJECT.

A) THESE PLANS AND ALL WORK SHALL COMPLY WITH THE 2016 CALIFORNIA BUILDING CODE BASED ON 2016 IRC, 2016 CALIFORNIA BUILDING CODE BASED ON 2016 IBC.

B) THIS PROJECT SHALL COMPLY W/ THE 2016 CALIFORNIA ELECTRICAL CODE BASED ON 2016

NEC, 2016 CALIFORNIA PLUMBING CODE BASED ON 2016 UPC BY IAPMO, 2016 CALIFORNIA

MECHANICAL CODE BASED ON 2016 UMC BY IAPMO, 2016 CALIFORNIA GREEN BUILDING CODE

REQUIRED PERMITS/APPROVAL:

1.) CONDITIONAL USE PERMIT 2.) SITE DEVELOPMENT PERMIT. 3.) BUILDING PERMIT.

PARKING CALCULATION:

AND 2016 CALIFORNIA FIRE CODE BASED ON 2016 IFC.

SUITE	TENANT	SQUARE FOOTA
2693	FAST KEYS	200
2707	GELSON'S	47,481
2717	FRAME DESIGN & GALLERY	1,420
2735	RADIO SHACK	2,200
2739	DIVA SALON	1,100
2741	CONTINENTAL CLEANERS	1,560
2745	THE LAMPSHADE GALLERY	1,642
2747	PETCO	9,000
2673-A		
	MIA BELLA COUTURE	1,200
2673-E	WINK OPTOMETRY	1,200
2673-H	SPICE WELLNESS	540
2673-K	BEAUTY & THE BOUTIQUE	1,230
	PINNACLE NAILS	970
2683-E		875
2683-F		1,430
2683-G	POSTAL ANNEX	970
2683-H	V'S BARBER SHOP	875
2683-I&K	DEL MAR KIDS	2,156
2683-L	COMBO_JUICE_	970
2689-B	DUNN EDWARDS	2,000
	VERIZON WIRELESS	4,000
2689-E	COFFEE BEAN & TEA LEAF	1,500
2689-G	MATTI D	2,200
2689-H	DUNN EDWARDS	2,400
	TOTAL RETAIL/OFFICE	90,774 S

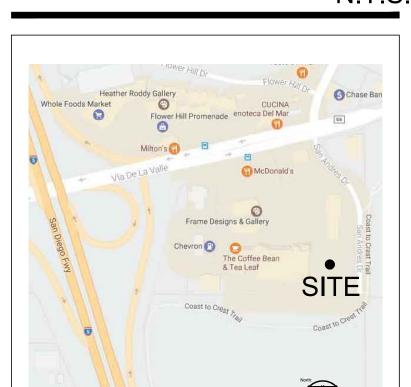
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USE RESTAURA	ANT	
SUITE	TENANT	SQUARE FOOTAGE
2673-B 2689-A	URBAN—PI TABU SUSHI BAR & GF TOTAL RESTAURANT	2,709 RILL 2,000 4,709 SF
USE THEATER	<u> </u>	
SUITE	TENANT	SQUARE FOOTAGE
	THE LOT	27,896
	TOTAL THEATER	27,896 SF.
USE	UNIT PARKING RATIO	SPACE REQUIRED
RETAIL/OFFICE RESTAURANT THEATER	90,774 SF. 1/233 4,500 SF. 1/66 435 SEATS 1/3.	.6 68
TOTAL SPACE TOTAL SPACE		590 593

PARKING REQ'D (THEATER) PER SDMC 142.0530 ONE STALL PER 3.3 SEATS 435 SEATS/3.3 =132 STALL REQUIRED: 132 STALLS

ASSIGNED: 150 STALLS

VICINITY MAP

N.T.S.



SHEET INDEX:

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C - 2	PRELIMINARY GRADING PLAN
	<u>LANDSCAPE</u>
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L-02	WATER CONSERVATION PLAN
	<u>ARCHITECTURAL</u>
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A01.2	SITE SECTIONS
A02.1	LEVEL 1 FLOOR PLAN
A03.1	ROOF PLAN
A04.1	BUILDING SECTIONS
A05.1	EXTERIOR ELEVATIONS
A05.2	EXTERIOR ELEVATIONS
A06.1	EXTERIOR RENDERS
A06.2	EXTERIOR RENDERS

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Consultants

As Shown Drawn:

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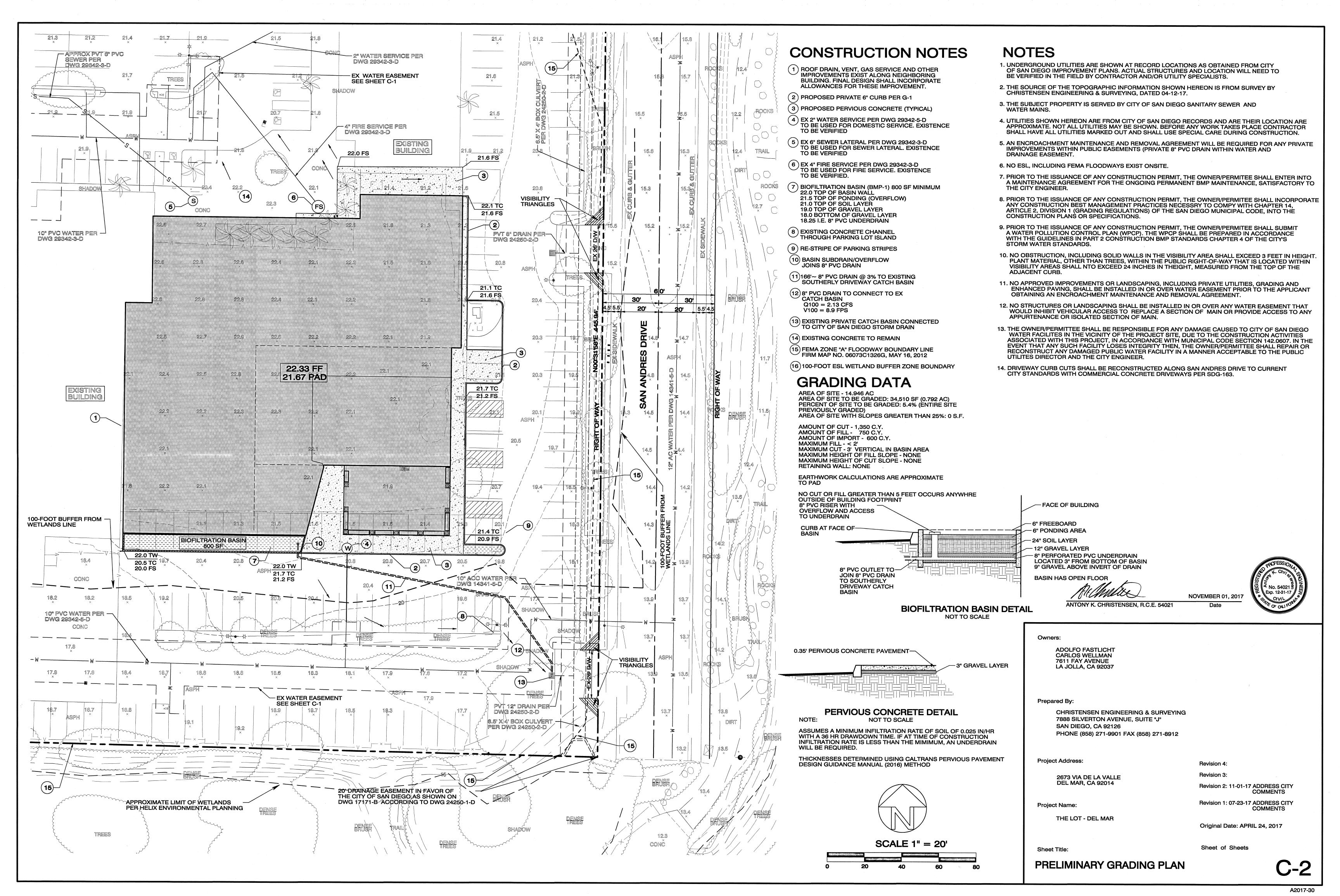
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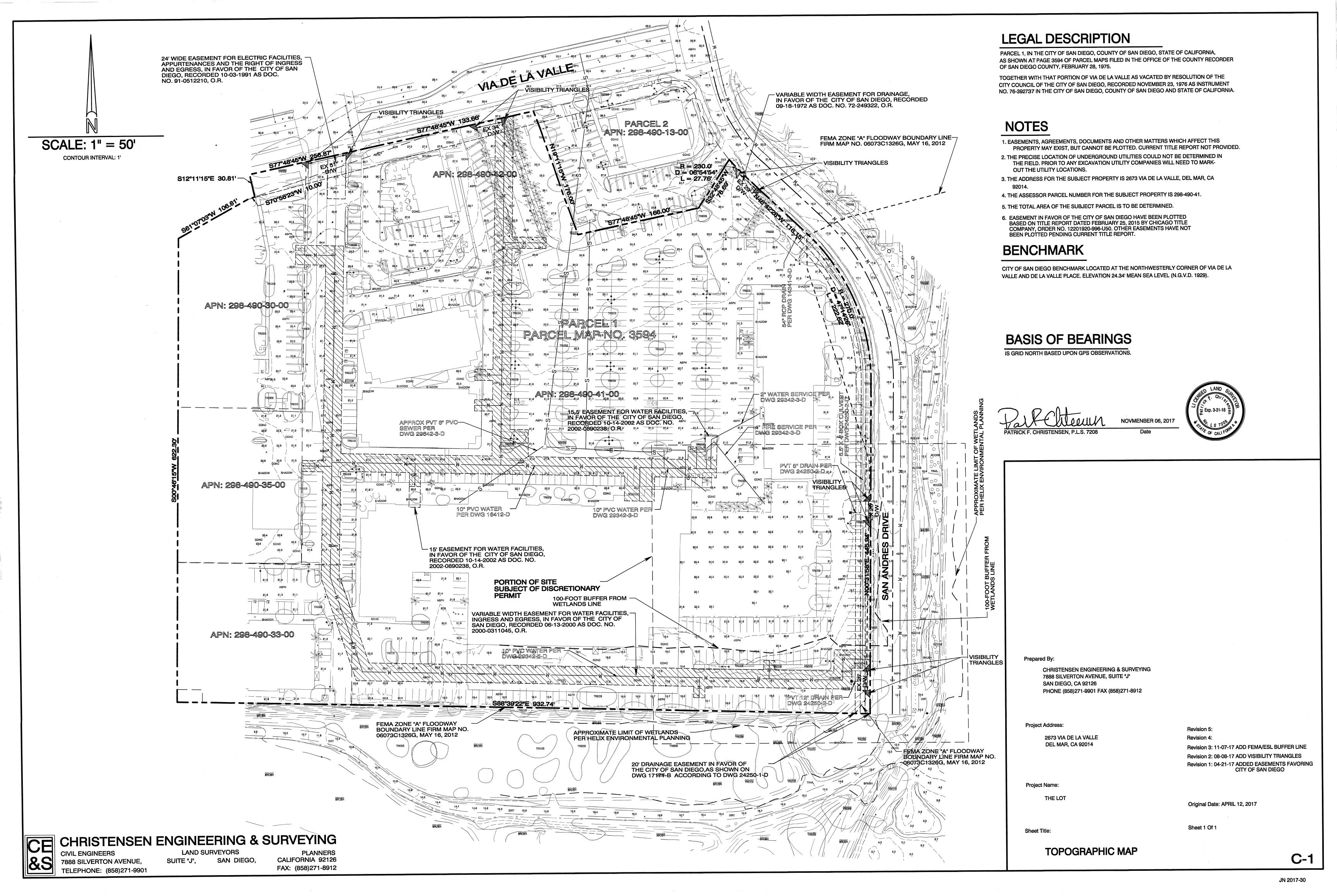
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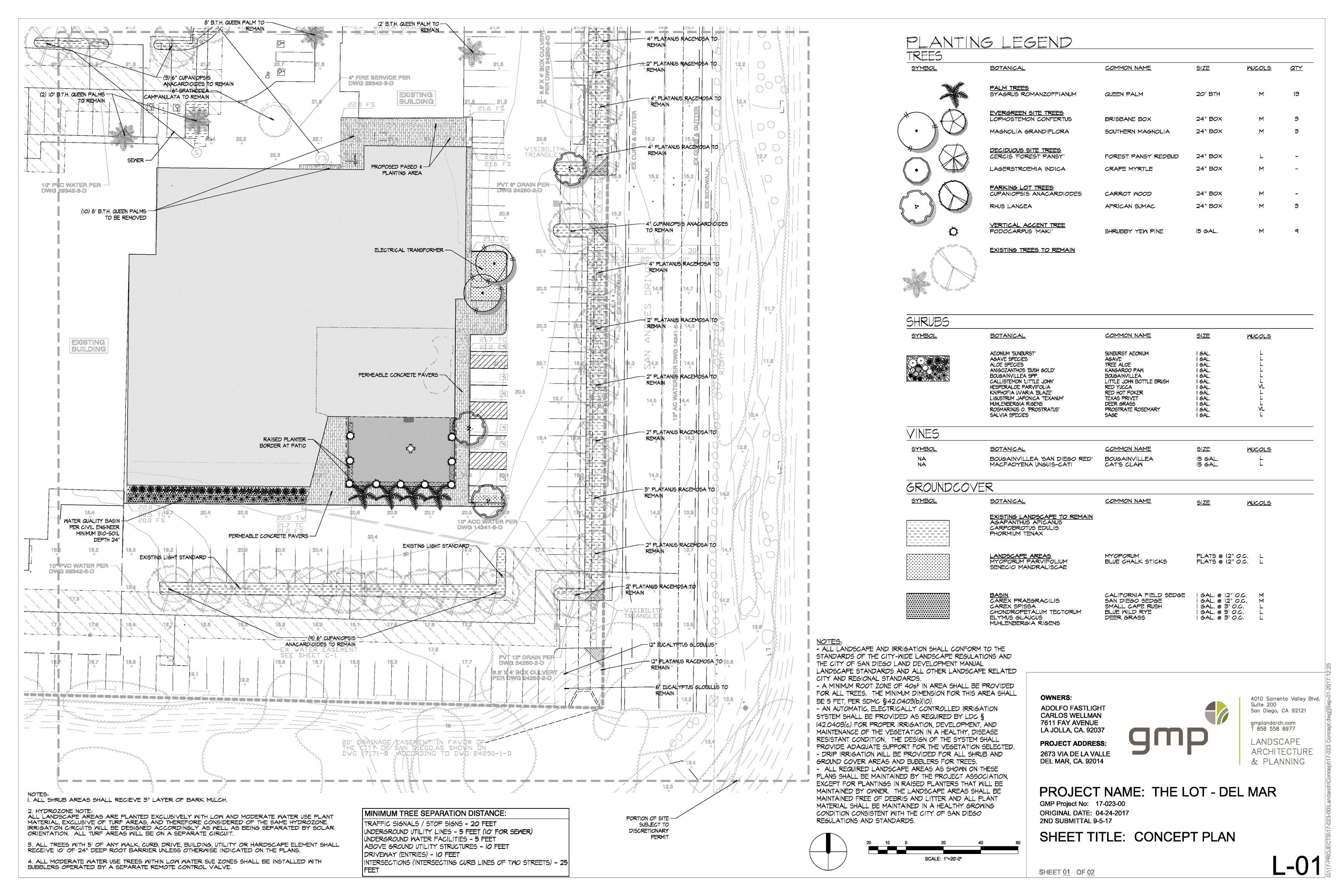
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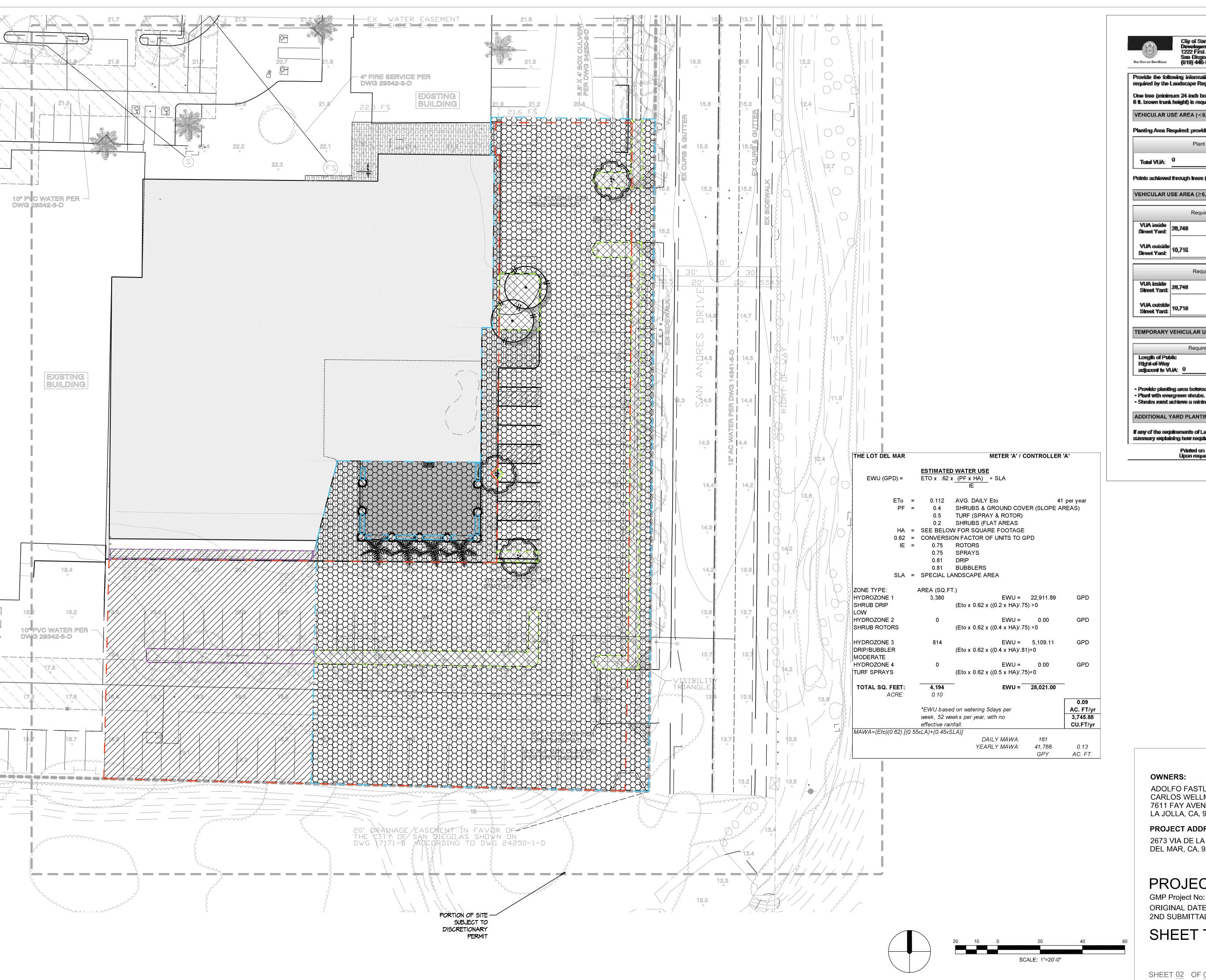
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Landscape Calculations Worksheet Vehicular Use Areas (VUA)

Provide the following information on the Landscape Plans. The Landscape Calculations determine the planting area and points required by the Landscape Regulations, Chapter 14, Article 2, Division 4 of the Land Development Code.

One tree (minimum 24-inch box size) is required within 30 ft. of each parking space. (If palm trees are used, one palm (minimum 8 ft. brown trunk height) is required within 16 ft. of each parking space.)

VEHICULAR USE AREA (<6,000 sf) [142.0406 - 142.0407]

Planting Area Required: provide 40 sq. ft. per tree (with no dimension less than 5°)

Total VUA:	0	sq. ft. x 0.05 = 0	points	o	points	0	points
		Plant Points Required		Plant	Points Provided	Excess F	oints Provided

Points achieved through frees (at least half):

VEHICULAR USE AREA (≥6,000 sf) [142.0406 - 142.0407]

	Requi	red Planting Area	a		Planting A	rea Provided	Excess Area	Provided
VUA inside Street Yant:	26,748	sq. ft. x 0.05 =	1,437	sq. ft.	3,180	sq. fi.	1,743	sq. ft.
VUA outside Street Yant:	10,716	sq. ft. x 0.03 -	321	sq. it.	950	sq. fi.	629	sq. fl.

Required Plant Points			Plant Poi	points Provided Points Pro with Trees (at				
VUA inside Sireet Yard:	28,748	sq. ft. x 0.05 =	1,437	points	1,860	points	423	points
VUA outside Street Yard:	10,716	sq. ft. x 0.03 =	321	points	300	points	-21	points

TEMPORARY VEHICULAR USE AREA [142.0408]

Length of Public Right-of-Way	a	0.×30.=	a	so S	0	sn fi.
adjacent to VUA:	o	R. x 3 R. =	0	sq. S.	0	sa. fi.

- Provide planting area between Public Right-of-Way and VUA.
- Shrubs must achieve a minimum height of 30" within 2 years of installation over at least 50% of the required planting area.

ADDITIONAL YARD PLANTING AREA AND POINT REQUIREMENTS

If any of the requirements of Landscape Regulations, Section 142.0405 (a) 1, 2, or 3 apply to your project, provide a written summary explaining how requirements are being met.

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LANDSCAPE CALCULATIONS LEGE

SYMBOL

DESCRIPTION YUA INSIDE OF STREET YARD

VUA PLANTING AREA PROVIDED INSIDE OF STREET YARD

YUA BOUNDARY

VUA PLANTING AREA PROVIDED OUTSIDE OF STREET YARD YUA OUTSIDE OF STREET YARD



STREET YARD PLANTING

STREET YARD BOUNDARY

OWNERS:

ADOLFO FASTLIGHT CARLOS WELLMAN 7611 FAY AVENUE LA JOLLA, CA. 92037

PROJECT ADDRESS 2673 VIA DE LA VALLE DEL MAR, CA. 92014



San Diego, CA 92121 gmplandarch.com T 858 558 8977 LANDSCAPE ARCHITECTURE & PLANNING

4010 Sorrento Valley Blvd.

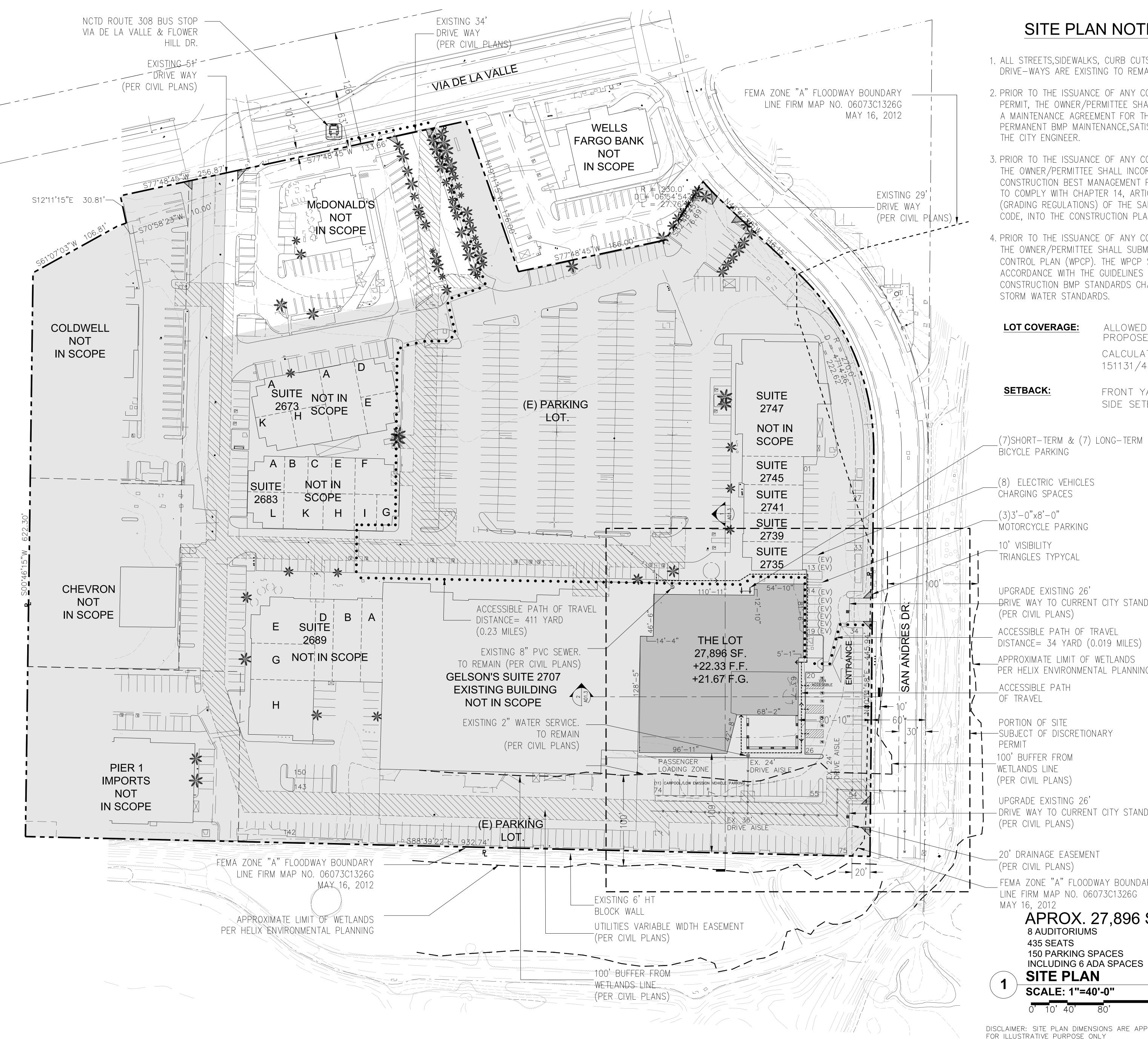
Suite 200

PROJECT NAME: THE LOT - DEL MAR

GMP Project No: 17-023-00 ORIGINAL DATE: 04-24-2017 2ND SUBMITTAL 9-5-17

SHEET TITLE: LANDSCAPE CALCULATIONS AND WATER CONCERVATION PLAN

SHEET 02 OF 02



SITE PLAN NOTES

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FRONT YARD MAX. 100' SIDE SETBACK 10'

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DRIVE WAY TO CURRENT CITY STANDARDS

ACCESSIBLE PATH OF TRAVEL DISTANCE= 34 YARD (0.019 MILES)

APPROXIMATE LIMIT OF WETLANDS PER HELIX ENVIRONMENTAL PLANNING

- DRIVE WAY TO CURRENT CITY STANDARDS

FEMA ZONE "A" FLOODWAY BOUNDARY LINE FIRM MAP NO. 06073C1326G

APROX. 27,896 SF.

0' 10' 40' 80'

DISCLAIMER: SITE PLAN DIMENSIONS ARE APPROXIMATE AND ARE FOR ILLUSTRATIVE PURPOSE ONLY



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Consultants

Scale: As Shown

Drawn: E.R.

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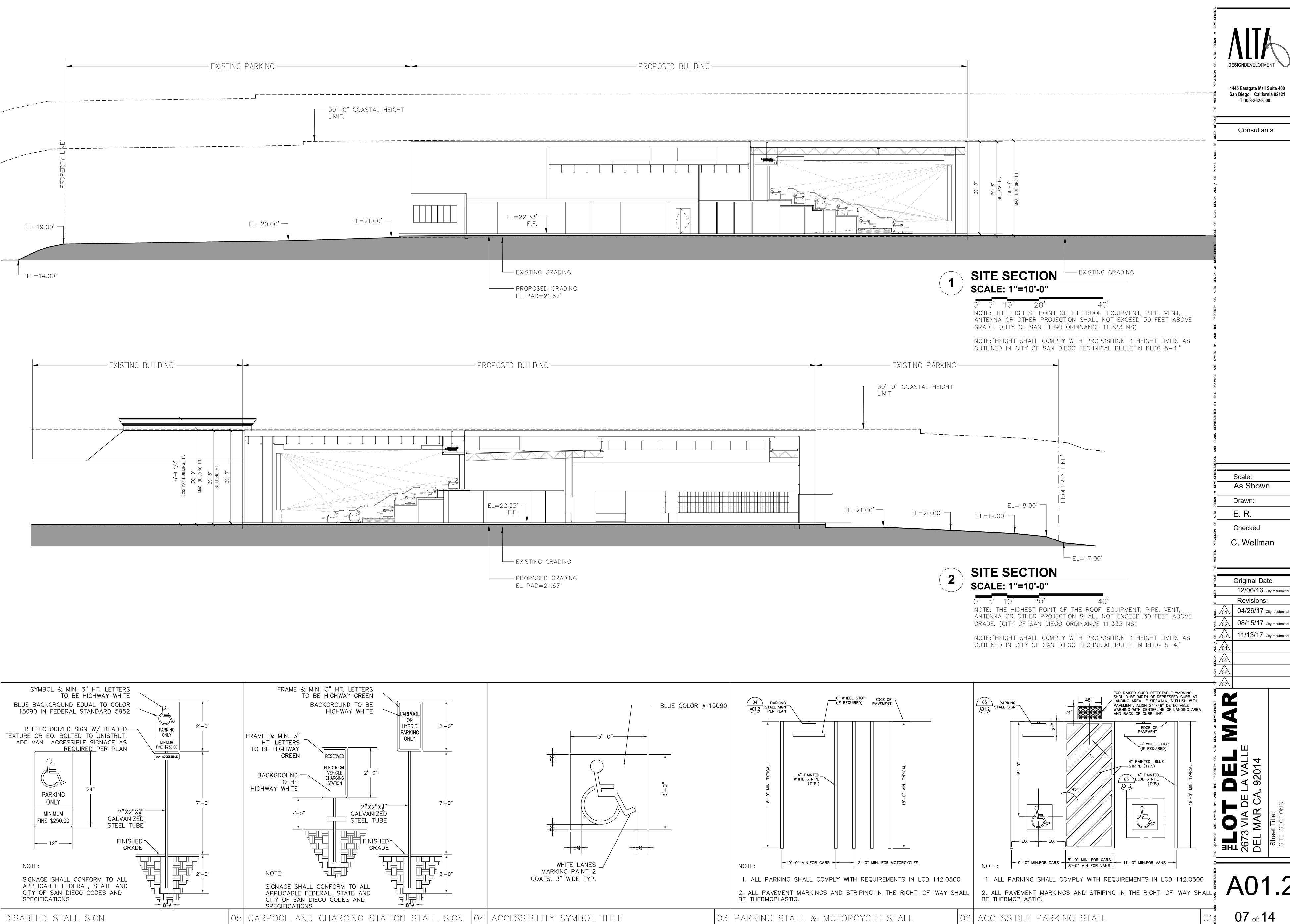
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267 DEL

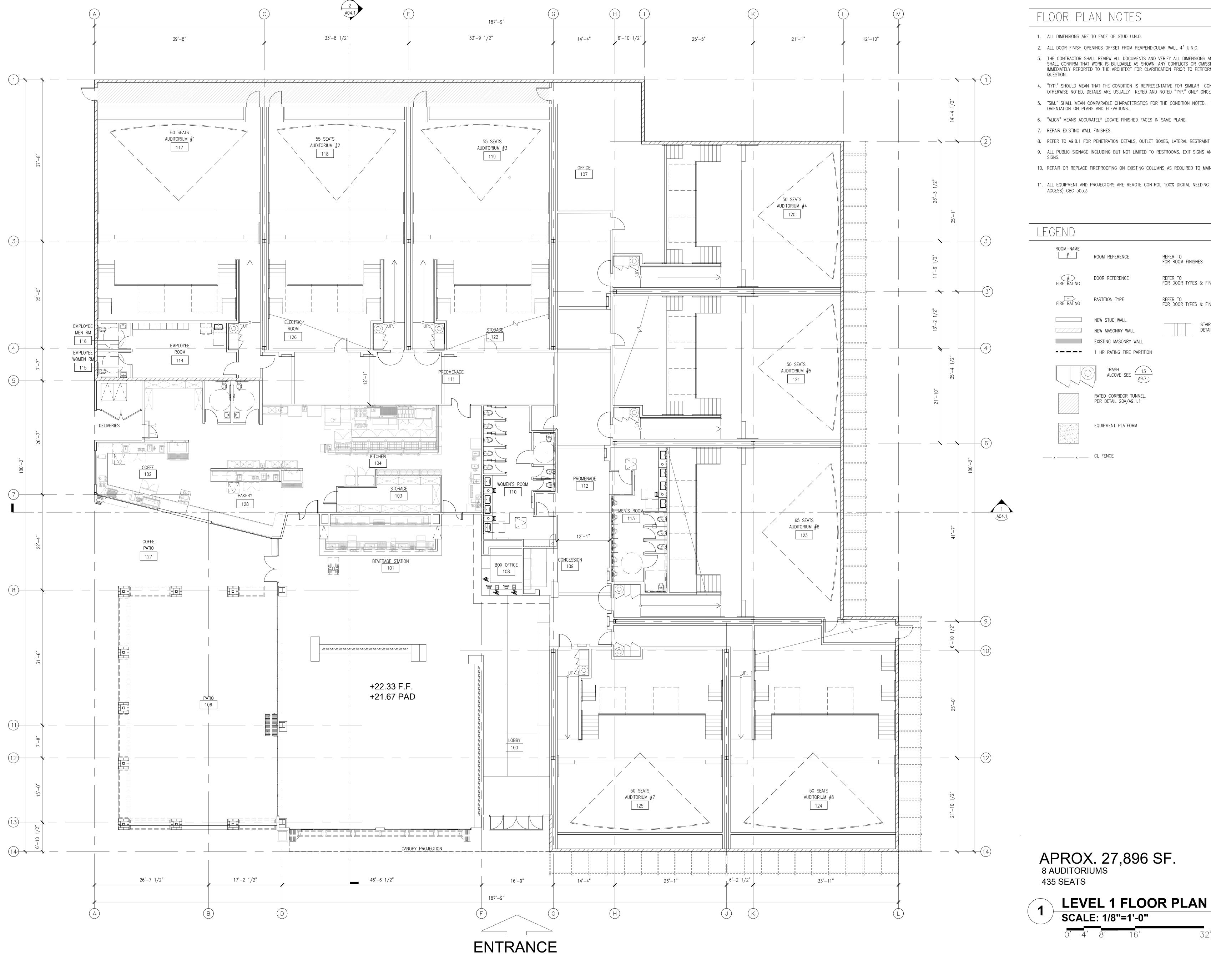
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FLOOR PLAN NOTES

- 1. ALL DIMENSIONS ARE TO FACE OF STUD U.N.O.
- 2. ALL DOOR FINISH OPENINGS OFFSET FROM PERPENDICULAR WALL 4" U.N.O.
- 3. THE CONTRACTOR SHALL REVIEW ALL DOCUMENTS AND VERIFY ALL DIMENSIONS AND FIELD CONDITIONS AND SHALL CONFIRM THAT WORK IS BUILDABLE AS SHOWN. ANY CONFLICTS OR OMISSIONS, ETC., SHALL BE IMMEDIATELY REPORTED TO THE ARCHITECT FOR CLARIFICATION PRIOR TO PERFORMANCE OF ANY WORK IN
- 4. "TYP." SHOULD MEAN THAT THE CONDITION IS REPRESENTATIVE FOR SIMILAR CONDITIONS THROUGHOUT. UNLESS OTHERWISE NOTED, DETAILS ARE USUALLY KEYED AND NOTED "TYP." ONLY ONCE WHEN THEY FIRST OCCUR.
- 5. "SIM." SHALL MEAN COMPARABLE CHARACTERISTICS FOR THE CONDITION NOTED. VERIFY DIMENSIONS AND ORIENTATION ON PLANS AND ELEVATIONS.
- 6. "ALIGN" MEANS ACCURATELY LOCATE FINISHED FACES IN SAME PLANE.
- 7. REPAIR EXISTING WALL FINISHES.
- 8. REFER TO A9.8.1 FOR PENETRATION DETAILS, OUTLET BOXES, LATERAL RESTRAINT AND ISOLATION.
- 9. ALL PUBLIC SIGNAGE INCLUDING BUT NOT LIMITED TO RESTROOMS, EXIT SIGNS AND BUILDING ACCESSIBILITY
- 10. REPAIR OR REPLACE FIREPROOFING ON EXISTING COLUMNS AS REQUIRED TO MAINTAIN RATING.
- 11. ALL EQUIPMENT AND PROJECTORS ARE REMOTE CONTROL 100% DIGITAL NEEDING SERVICE ONLY (NO PUBLIC ACCESS) CBC 505.3

REFER TO FOR ROOM FINISHES ROOM REFERENCE A10.1.1 REFER TO FOR DOOR TYPES & FINISHES DOOR REFERENCE A10.1.1 REFER TO FOR DOOR TYPES & FINISHES PARTITION TYPE NEW STUD WALL STAIRS TYP DETAILS A7.2.1 NEW MASONRY WALL EXISTING MASONRY WALL

TRASH ALCOVE SEE A9.7.1 RATED CORRIDOR TUNNEL. PER DETAIL 20A/A9.1.1

1 HR RATING FIRE PARTITION

EQUIPMENT PLATFORM

____ x _____ x ____ CL FENCE

As Shown

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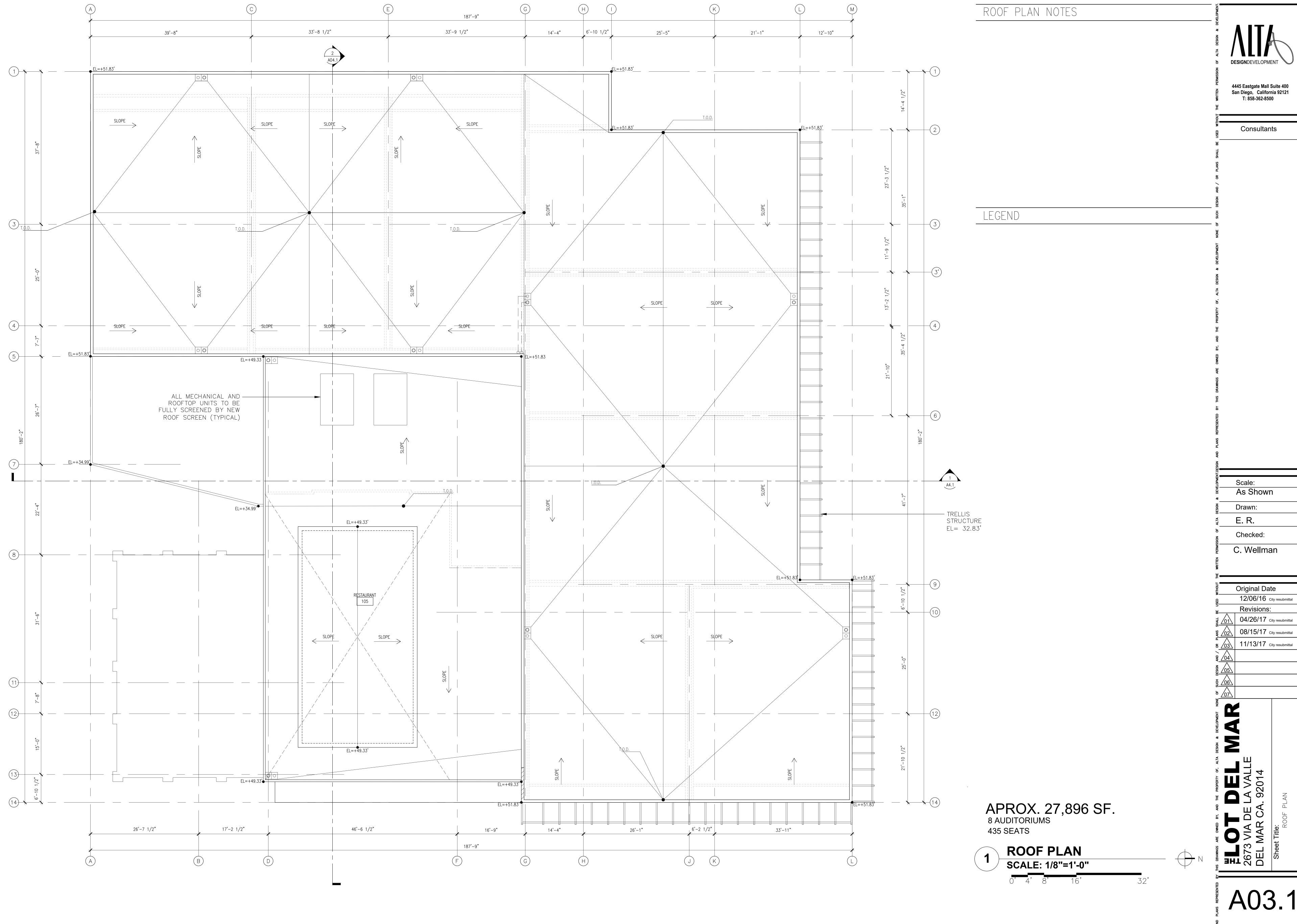
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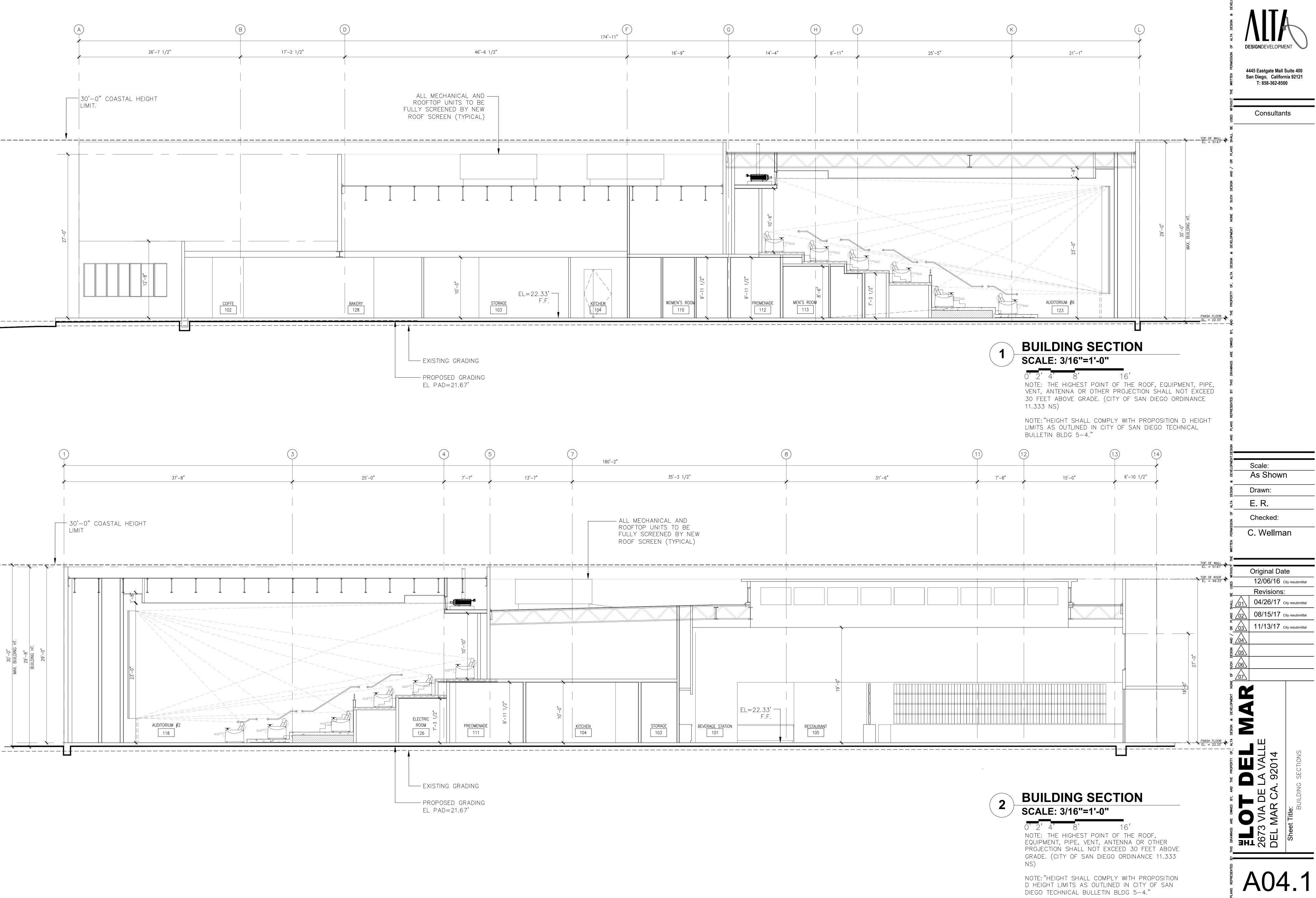
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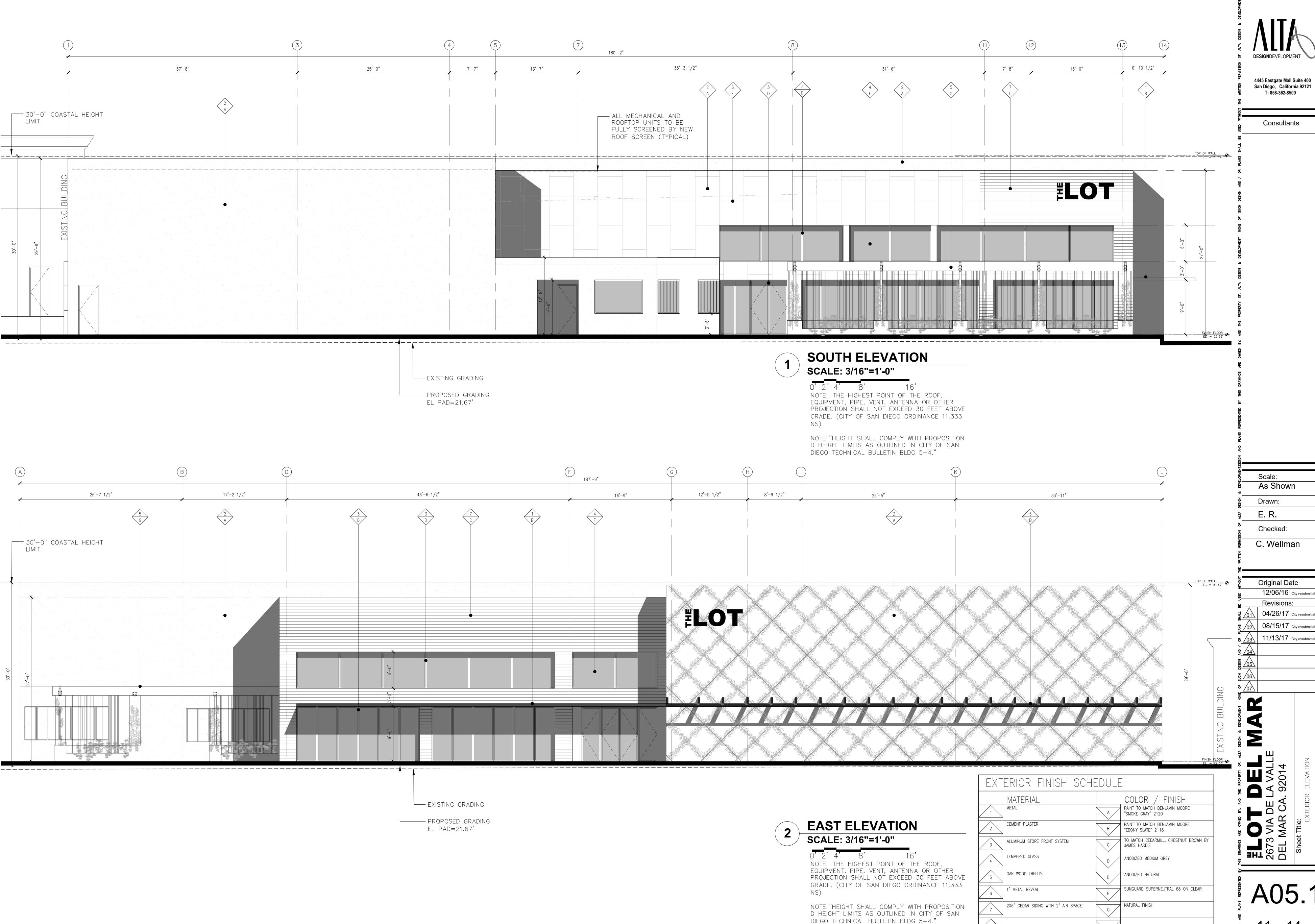
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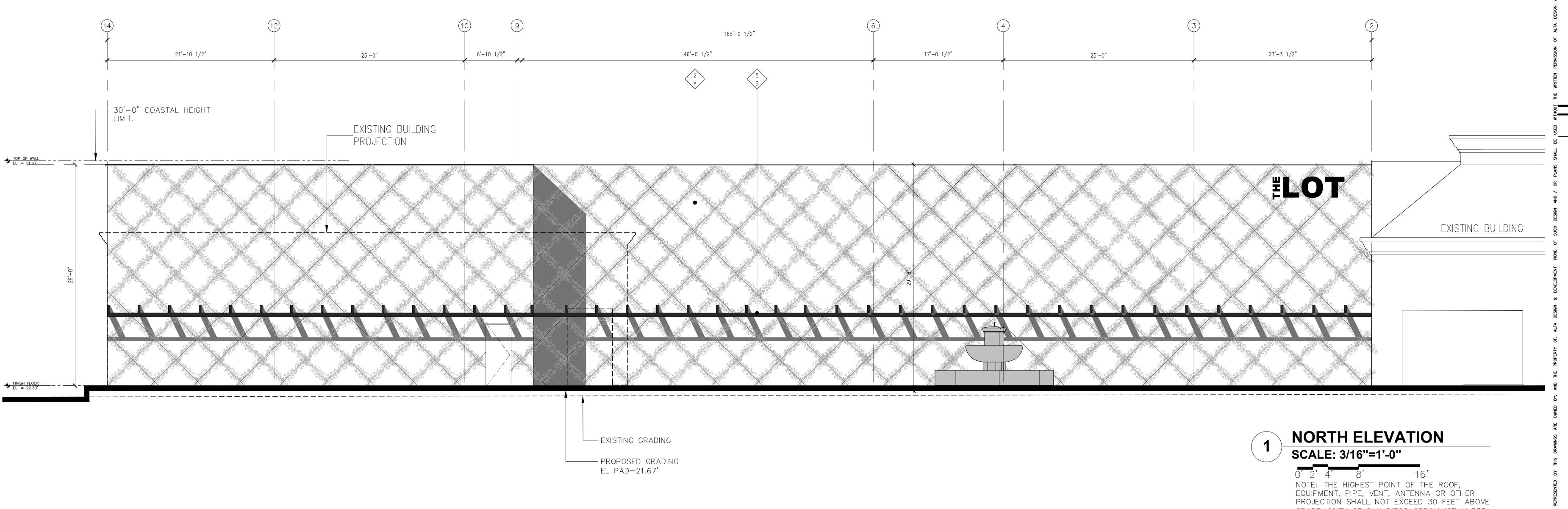
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Consultants

GRADE. (CITY OF SAN DIEGO ORDINANCE 11.333

NOTE: "HEIGHT SHALL COMPLY WITH PROPOSITION D HEIGHT LIMITS AS OUTLINED IN CITY OF SAN

DIEGO TECHNICAL BULLETIN BLDG 5-4."

EXTERIOR FINISH SCHEDULE

METAL

CEMENT PLASTER

TEMPERED GLASS

OAK WOOD TRELLIS

1" METAL REVEAL

ALUMINUM STORE FRONT SYSTEM

2X6" CEDAR SIDING WITH 2" AIR SPACE

PAINT TO MATCH BENJAMIN MOORE
"SMOKE GRAY" 2120

PAINT TO MATCH BENJAMIN MOORE
"EBONY SLATE" 2118

ANODIZED MEDIUM GREY

ANODIZED NATURAL

NATURAL FINISH

TO MATCH CEDARMILL, CHESTNUT BROWN BY JAMES HARDIE

SUNGUARD SUPERNEUTRAL 68 ON CLEAR

Scale: As Shown Drawn:

E.R. Checked:

C. Wellman

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2673 DEL N







2 CONCEPTUAL RENDER
SCALE: NTS



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TA DESIGN & DEVELOPMENT NONE

OT DEL N VIA DE LA VALLE 1AR CA. 92014

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4 CONCEPTUAL RENDER
SCALE: NTS

DESIGNDEVELOPMENT

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DF, ALTA DESIGN & DEVELOPMENT NONE OF

OT DEL M.

VIA DE LA VALLE

MAR CA. 92014

2673 VIA [DEL MAR

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HELIX Environmental Planning, Inc.

7578 El Cajon Boulevard La Mesa, CA 91942 619.462.1515 tel 619.462.0552 fax www.helixepi.com



August 16, 2017 TLO-01

Mr. Adolfo Fastlicht The Lot 7611 Fay Ave. La Jolla, CA 92037

Subject:Biological Resources Letter Report for The Lot Del Mar Project

Dear Mr. Fastlicht:

At your request, and in support of your project that is being process through the City of San Diego (City), HELIX Environmental Planning, Inc. (HELIX) has completed this biological resources letter report for The Lot Del Mar Project (project), located at 2673 Via de la Valle, in the City. The project involves construction of a new movie theatre with eight auditoriums on an already graded pad.

The purpose of this report is to document the existing biological conditions located on- and off-site in the project vicinity, and provide an analysis of potential indirect impacts to sensitive biological resources with respect to local, state, and federal policy. Figures are provided as enclosures attached to this report.

INTRODUCTION

Project Location

The project site is located at 2673 Via de la Valle, at the southeast corner of an existing shopping center, and west of the southern end of San Andres Drive (Figures 1, 2 and 3). The project site is a vacant lot bounded by commercial development to the north and west (Figure 3). The site is occupied by a graded dirt lot, paved parking spaces, and landscaping. San Dieguito Lagoon is located across a developed multi-use path south and east of the project site. The lagoon area near the project area is also designated as Multi-habitat Planning Area (MHPA) in the City's Multiple Species Subarea Plan (MSCP).

Project Description

The project proposes to obtain a Conditional Use Permit and Site Development Permit from the City to allow construction of a new movie theatre with eight auditoriums totaling 27,896 square feet, and a L47 liquor license. The project would be developed on an existing, graded pad that is bounded by an existing parking lot that provides parking spaces for the project. Grading of the site is not required, and parking will be provided by the existing parking lot spaces (Figure 3).

METHODS

Literature Review

Prior to conducting biological field survey in 2015, HELIX conducted a search of the California Natural Diversity Database (CNDDB) for information regarding sensitive species known to occur within 1.0 miles of the project site, as well as a review of U.S. Fish and Wildlife (USFWS), SanBIOS, and MSCP sensitive species databases.

General Biological Survey

A general biological survey of the project site was conducted by HELIX biologist Tom Huffman on August 3, 2017. Existing habitat conditions on the project site and on the adjacent San Dieguito Lagoon were noted, and a list of species observed during the survey was compiled. Potential jurisdictional wetland areas were also noted, although a detailed jurisdictional delineation was not conducted. Areas that constitute City Environmentally Sensitive Lands (ESL) wetlands (depressions, drainage features, riparian and wetland vegetation, etc.) were evaluated. The biological survey was a one-time survey conducted to observe habitat types on the project and immediate vicinity, and thus, the survey has limitations in terms of identifying sensitive species that may be present during other seasons.

Nomenclature

Nomenclature used in this report generally comes from the City MSCP Subarea Plan (City 1997), Holland (1986) and Oberbauer (2008) for vegetation; Baldwin et al. (2012) for plants; Collins and Taggart (2006) for reptiles and amphibians; American Ornithologists' Union (2014) for birds; and Baker et al. (2003) for mammals. Plant species status is from the California Native Plant Society (CNPS; 2015), CDFW (2015a), and City (2012). Animal species status is from CDFW (2015b and 2015c) and City (2012).

RESULTS

Regional Context

The project site is within a shopping center that is on the north side of the San Dieguito River Valley and Lagoon. The City of San Diego MHPA occurs to the east and south of the project site, and includes upland habitats along the edge of the lagoon, and a variety of habitats in the lagoon. Directly east of the site is wetland habitat that was created as mitigation for the Southern California Edison (SCE) mitigation site, and directly south of the site is a variety of native habitats and a series of urban runoff water quality treatment ponds. San Dieguito Lagoon is a regionally significant wetland habitat area that provides habitat for a wide variety of shorebirds and other wildlife. In addition to the SCE mitigation project, SANDAG issued an EIR in Mid 2017 for the San Dieguito Lagoon W-19 Restoration Project, located farther to the east of the project site.

The area east and south of the project site is part of the San Dieguito River Park, and a dirt trail that is sponsored and maintained by the San Dieguito River Park extends along the east and south sides of the project site (Figure 3). This trail is used by hikers, bikers, and pedestrians, and the end of San Andres Drive is a convenient and often-used staging area for trail users.



The southern edge of the property includes a six- to seven-foot-tall block wall with occasional six-foot-wide chain link openings that separates the project site from the MHPA to the south. San Andres Drive and the San Dieguito River Park Trail is located between the east side of the project site and the Lagoon to the east.

Vegetation Communities/Habitat Types

The project site is entirely disturbed and occupied by a vacant dirt lot (where the new theater is proposed), paved parking, and ornamental landscaping in patches within the parking lot. There are several large eucalyptus trees on the southeastern boundary of the project site (Figure 3).

Vegetation communities in the adjacent San Dieguito River Park areas and the City MHPA include a variety of native upland and wetland habitats. Along the interface of the existing developed area and the lagoon are patches of isocoma scrub and Diegan coastal sage scrub that were likely planted as a transitional habitat between the wetland mitigation areas and the development. These upland habitats also occur along both sides of the trail. Wetland habitats within the lagoon include freshwater marsh, California coastal salt marsh, and southern willow scrub. The lagoon system also has patches of open water channels, mud flats, and patches of salt grass.

Flora

There are no native habitats or plant species on the project site. Most of the plant species observed off site along the lagoon edge are native wetland and upland plants, most of which were likely established through revegetation efforts. Animal species observed off site included shore birds using the open water and mud flats several hundred feet to the east of San Andres Drive.

Special Status Species

Special Status Plant Species

Special status plant species have been afforded special status and/or recognition by the USFWS, CDFW, and/or the City (e.g., MSCP narrow endemic species) and may also be included in the CNPS Inventory of Rare and Endangered Plants. No special status plant species were observed within the study area during the survey, and no special status plant species are expected to occur given the developed nature of the project site.

Special Status Animal Species

Special status animal species include those that have been afforded special status and/or recognition by the USFWS, CDFW, and/or the City. In general, the principal reason an individual taxon (species or subspecies) is given such recognition is the documented or perceived decline or limitations of its population size or geographical extent and/or distribution, resulting in most cases from habitat loss.

No special status animal species were observed on the project site during the August 2017 survey, and none would be expected given the developed nature of the site.



The adjacent San Dieguito Lagoon has the potential to support a variety of special status animal species, including sensitive bird species. The following state and/or federally listed bird species have been observed within one mile of the project site according to the CNDDB: western snowy plover (*Charadrius alexandrines*), coastal California gnatcatcher (*Polioptila californica californica*), light-footed Ridgway's rail (*Rallus obsoletus levipes*), California least tern (*Sturnula antillarum browni*), and least Bell's vireo (*Vireo bellii pusillus*). None of these species are reported to recently be nesting in lagoon habitats in the immediate vicinity of the project due in most cases to a lack of habitat. It is noted that the area directly south of the project site contains southern willow scrub with low to moderate potential to support the least Bell's vireo, although the small size of the habitat lessens the likelihood of this species to be nesting adjacent to the project.

Nesting Birds

The on-site landscaping is likely too limited in scale and size to support any nesting activity during the bird nesting season. The large eucalyptus trees south of the project site may support raptor nesting (no old nests were observed during the survey) and the habitat south of the block wall may support nesting birds for a variety of non-listed bird species.

Jurisdictional Waters and Wetlands

The project site is characterized entirely by uplands that lack evidence of potential jurisdictional waters and wetlands. No potential wetland conditions, drainage features, or riparian habitat occur on the project site. Therefore, there are no resources subject to the regulatory jurisdiction of the USACE, RWQCB, and CDFW.

City ESL Wetlands

There are no areas within the project site that meet the criteria to be considered City ESL wetlands. No hydrophytic vegetation, hydric soil, or wetland hydrology occur within the project site. The lagoon habitats located to the south and east of the site contain ESL wetlands.

APPLICABLE REGULATIONS

This section provides a summary of applicable regulations to the proposed project.

Federal Government

Federal Endangered Species Act

Administered by the USFWS, the Federal Endangered Species Act (FESA) provides the legal framework for the listing and protection of species (and their habitats) that are identified as being endangered or threatened with extinction. Actions that jeopardize endangered or threatened species and the habitats upon which they rely are considered a "take" under the ESA. Section 9(a) of the ESA defines take as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct." "Harm" and "harass" are further defined in federal regulations and case law to include actions that adversely impair or disrupt a listed species' behavioral patterns.



The USFWS designates critical habitat for endangered and threatened species. Critical habitat is defined as areas of land that are considered necessary for endangered or threatened species to recover. The ultimate goal is to restore healthy populations of listed species within their native habitats so they can be removed from the list of threatened or endangered species. Once an area is designated as critical habitat pursuant to the FESA, federal agencies must consult with the USFWS to ensure that any action they authorize, fund, or carry out is not likely to result in destruction or adverse modification of the critical habitat.

Sections 7 and 10(a) of the FESA regulate actions that could jeopardize endangered or threatened species. Section 7 generally describes a process of federal interagency consultation and issuance of a biological opinion and incidental take statement when federal actions may adversely affect listed species. Section 10(a) generally describes a process for preparation of a Habitat Conservation Plan (HCP) and issuance of an incidental take permit. Pursuant to Section 10(a), the City was issued a take permit for their adopted MSCP Subarea Plan.

Migratory Bird Treaty Act

All migratory bird species that are native to the United States or its territories are protected under the federal Migratory Bird Treaty Act (MBTA), as amended under the Migratory Bird Treaty Reform Act of 2004 (FR Doc. 05-5127). The MBTA is generally protective of migratory birds but does not actually stipulate the type of protection required. In common practice, the MBTA is now used to place restrictions on disturbance of active bird nests during the nesting season. In addition, the USFWS commonly places restrictions on disturbances allowed near active raptor nests.

State of California

California Environmental Quality Act

Primary environmental legislation in California is found in California Environmental Quality Act (CEQA) and its implementing guidelines (State CEQA Guidelines), which require that projects with potential adverse effects (or impacts) on the environment undergo environmental review. Adverse environmental impacts are typically mitigated as a result of the environmental review process in accordance with existing laws and regulations.

California Endangered Species Act

The California Endangered Species Act (CESA) established that it is State policy to conserve, protect, restore, and enhance State endangered species and their habitats. Under State law, plant and animal species may be formally designated rare, threatened, or endangered by official listing by the California Fish and Game Commission. The CESA authorizes that private entities may "take" plant or wildlife species listed as endangered or threatened under the FESA and CESA, pursuant to a federal Incidental Take Permit if the CDFW certifies that the incidental take is consistent with CESA (CFG Code Section 2080.1[a]). For State-only listed species, Section 2081 of CFG Code authorizes the CDFW to issue an Incidental Take Permit for State listed threatened and endangered species if specific criteria are met. The City was issued a take permit for their adopted MSCP Subarea Plan pursuant to Section 2081.



California Fish and Game Code

The California Fish and Game Code (CFG Code) provides specific protection and listing for several types of biological resources. Pursuant to CFG Code Section 3503, it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto. Raptors and owls and their active nests are protected by CFG Code Section 3503.5, which states that it is unlawful to take, possess, or destroy any birds of prey or to take, possess, or destroy the nest or eggs of any such bird unless authorized by the CDFW. Section 3513 states that it is unlawful to take or possess any migratory non-game bird as designated in the MBTA. These regulations could require that construction activities (particularly vegetation removal or construction near nests) be reduced or eliminated during critical phases of the nesting cycle unless surveys by a qualified biologist demonstrate that nests, eggs, or nesting birds will not be disturbed, subject to approval by CDFW and/or USFWS.

City of San Diego

Environmentally Sensitive Lands

Impacts to biological resources in the City must comply with the City's ESL Regulations. The purpose of the regulations is to "protect, preserve, and, where damaged restore, the environmentally sensitive lands of San Diego and the viability of the species supported by those lands." Environmentally sensitive lands are defined to include sensitive biological resources, steep hillsides, coastal beaches, sensitive coastal bluffs, and 100-year floodplains.

The ESL regulations require impacts to wetlands be avoided unless the activities meet specific exemption criteria established in the ordinance. Impacts to City-defined wetlands require approval of deviation findings as required by ESL regulations. Impacts to wetlands must be mitigated in accordance with Section III(B)(1)(a) of the Land Development Manual Biology Guidelines (City 2012). The ESL regulations also require that buffers be maintained around all wetlands (as appropriate) to protect their functions and values. Buffer widths may either be increased or decreased as determined on a case-by-case basis, taking into consideration the size and type of project proposed, sensitivity of the wetland resource to detrimental edge effects, topography, specific functions and values of the wetland, as well as the need for transitional upland habitat (City 2012).

In addition to restricting impacts to wetland habitats, the ESL regulations also restrict development within the MHPA, including impact avoidance areas around raptor nesting locations (specifically, Cooper's hawk [Accipiter cooperii], northern harrier [Circus cyaneus], golden eagle [Aquila chrysaetos], and burrowing owl [Athene cunicularia]) and known locations of southern pond turtle (Clemmys marmorata pallida), and also requires seasonal restrictions on grading where development may impact the following bird species: western snowy plover, southwestern willow flycatcher (Empidonax traillii extimus), least tern, San Diego cactus wren (Campylorhynchus brunneicapillus sandiegensis), least Bell's vireo, tricolored blackbird (Agelaius tricolor), and coastal California gnatcatcher.



Multiple Species Conservation Program

In July 1997, the USFWS, CDFW, and City adopted the Implementing Agreement for the MSCP. This program allows the incidental take of threatened and endangered species as well as regionally-sensitive species that are conserved by it (covered species). The MSCP designates regional preserves that are intended to be mostly void of development activities, while allowing development of other areas subject to the requirements of the program. Impacts to biological resources are regulated by the City's ESL regulations.

The City's MSCP Subarea Plan has been prepared to meet the requirements of the California Natural Communities Conservation Planning Act of 1992. This Subarea Plan describes how the City's portion of the MSCP Preserve, the MHPA, will be implemented.

ANALYSIS OF PROJECT EFFECTS AND PROPOSED MITIGATION MEASURES

An analysis of project effects and proposed mitigation measures is presented below in accordance with the City's CEQA Significance Determination Thresholds (City 2011).

Issue 1 – Special Status Species

Would the project have a substantial adverse impact, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in the MSCP or other local or regional plans, policies or regulations, or by CDFW or USFWS?

Project development would occur completely within existing disturbed and developed land, and no vegetation would be removed. No special status plant species occur on the project site.

Land development projects sometimes have the potential to result in direct and indirect impacts to bird species, including several sensitive bird species, in the event they are found to be nesting on or adjacent to project construction. Since none of the existing vegetation will be removed as part of the project construction, direct impacts would not occur to bird species with the potential to nest within the vegetation on site. The project will be constructed wholly within the existing dirt pad without the need for grading.

Potential noise-related indirect impacts during construction would occur if sensitive species or species protected under the MBTA and CFG Code become displaced from their nests and fail to breed. Consideration was given to whether or not potential impacts to off-site nesting bird species may occur during construction. The project construction is located more than 150 feet from the nearest wetland habitats located off site, and the project construction will not require grading, which is the noisiest type of construction activity that typically occurs with land development projects. It is also noted that a six-to seven-foot-tall block wall is located at the south end of the parking lot, between the habitat to the south and the project area. Finally, there is ambient noise at the site from Interstate (I-) 5 and possibly Via de la Valle. Given the low level of noise generation, and distance from the construction zone to the nearby habitats, there is no potential for impacts nesting birds.



Issue 2 – Riparian Habitat and Sensitive Natural Communities

Would the project have a substantial adverse impact on any Tier I Habitats, Tier II Habitats, Tier IIIA Habitats, or Tier IIIB Habitats as identified in the Biology Guidelines of the Land Development manual or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS?

The project would not impact any sensitive habitats.

Issue 3 – Jurisdictional Wetlands and Waterways

Would the project have a substantial adverse impact on wetlands (including, but not limited to, marsh, vernal pool, riparian, etc.) through direct removal, filling, hydrological interruption, or other means?

The project would not result in any impacts to federally-, state-, or City-protected wetlands since wetlands do not occur in the project site.

Issue 4 – Wildlife Movement and Nursery Sites

Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, including linkages identified in the MSCP Plan, or impede the use of native wildlife nursery sites?

The project would not impede the movement of any native, resident, or migratory fish or wildlife species or with established native, resident, or migratory wildlife corridors. In addition, the project would not interfere with linkages identified in the MSCP Plan or use of native wildlife nursery sites. The project is located within an already graded pad within a shopping center and is separated from nearby habitats by San Andres Drive, the San Dieguito River Park trail, and by a six- to seven-foot-tall blodk wall along the south edge of the parking lot. Development of the project would not interfere with wildlife movement.

Issue 5 – Adopted Plans

Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan, either within the MSCP plan area or in the surrounding region?

As stated above, the project would not result in potential significant impacts to special status species, sensitive habitats, or any other resource protected by the MSCP. No other adopted HCP, Resource Management Plan, Special Area Management Plan, Watershed Plan, or other regional planning efforts are applicable to the project.



Issue 6 – Land Use Adjacency

Would the project introduce land use within an area adjacent to the MHPA that would result in adverse edge effects?

The project would introduce a movie theater on a vacant lot that is located approximately 125 feet from the MHPA. The development is separated from the MHPA by a paved parking lot, San Andres Drive, and a multi-use trail to the east, and by a paved parking lot and block wall to the south. A trail is located further to the south within the MHPA

The discussion below addresses the MHPA adjacency guidelines.

Multi-habitat Planning Area Adjacency Guidelines

Drainage

The impervious substrate within the project area includes the roof for the theater. Runoff would be treated and discharged into the sewer system. No drainage would be directed into adjacent MHPA.

Toxins

The proposed project does not involve agriculture or creation of recreational areas such as playing fields or any other uses that would introduce toxins.

Lighting

Lighting will be directed away from the MHPA and, if necessary, adequately shielded to protect the MHPA and sensitive species from night lighting. The south side of the parking lot is shielded by a six- to seven-foot block wall. The project will install a hedge as part of the on-site landscaping in the landscape island located between the parking area and San Andres Drive in order to block car lights from shining into the habitat area to the east when cars are leaving or entering east facing parking spaces. The project would not cause adverse effects on adjacent habitats from lighting.

Noise

Potential noise impacts during construction are not considered adverse, as noted in the discussion in Issue Area 1 above. The project would result in additional vehicle trips generated by the theater that would leave and enter the existing parking lot. Given the ambient noise levels at the site from I-5 and possibly Via de la Valle, the distance from the site to adjacent habitats, and the block wall along the south side of the parking lot, operational noise is not considered to be adverse.

Barriers to Incursion

The MHPA areas adjacent to the project site area are already accessed by trail users. The area is signed to prevent access to wetland areas. The proposed theater use is not expected to result in additional impacts from unauthorized access given the existing open access that already exists and the enforcement of trespassing procedures already in place.



Invasive Species

Landscaping would include no invasive species.

Conclusion

Project implementation would not result in significant impacts related to MHPA adjacency that would result in adverse edge effect. Construction and development would occur within an existing graded pad and parking lot well away from nearby wetland habitats. Construction will not require grading, which can sometimes result in noise impacts to adjacent areas.

Issue 7 – Local Policies or Ordinances

Would the project conflict with any local policies or ordinances protecting biological resources?

As described above, the project would not result in any impacts to biological resources addressed in the City's MSCP Subarea Plan and Land Development Code.

Issue 8 – Invasive Species

Would the project result in an introduction of invasive species of plants into a natural open space area?

The project would not result in the introduction of invasive species of plants into a natural open space area. Changes to the existing landscaped areas on site will not include any exotic species.

I certify that the information in this report and enclosures are correct and accurately represent my work. Please do not hesitate to contact me at TomH@helixepi.com or (619) 462-1515 if you have any questions or require further assistance.

Sincerely,

Tom Huffman Principal Biologist

Attachments:

Figure 1: Regional Location Figure 2: USGS Topography Figure 3: Aerial Vicinity



LIST OF PREPARERS

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