



THE CITY OF SAN DIEGO

## MITIGATED NEGATIVE DECLARATION

Project No. 529620

SCH No. N/A

**SUBJECT:** **Cielo TM/CDP/SDP/PDP:** A TENTATIVE MAP, COASTAL DEVELOPMENT PERMIT, SITE DEVELOPMENT PERMIT and PLANNED DEVELOPMENT PERMIT to demolish an existing 3,304-square-foot single-dwelling unit and accessory structures, subdivide 3 parcels into 8 legal parcels ranging from 23,631-square-feet to 25,473-square-feet, and subsequent construction of 8 detached single-dwelling units ranging from 6,258 to 6,824 square feet (for a total combined square footage of 59,600). Various site improvements would also be constructed including associated hardscape, walls and landscape (i.e. private drive, water, sewer, sidewalk, pools, retaining walls etc.). The 4.45-acre project site is located at 8280 Calle Del Cielo. The site is designated Very Low Density Residential (0-5 DU/AC) and zoned La Jolla Shores Planned District-Single Family (LJSPD-SF) within the La Jolla Shores Planned District of the La Jolla Community Plan and Local Coastal Program Land Use Plan. Additionally the project is located within the Coastal Zone Boundary, Coastal Height Limitation Overlay Zone, Coastal Overlay Zone (Non-Appealable), Very High Fire Hazard Severity Zone, and Parking Impact Overlay Zone (Beach and Coastal). (LEGAL DESCRIPTION: Parcels 1, 2, and 3 of Miscellaneous Map 36 of Pueblo Lands Lot 1280). Applicant: Louis Beacham.

### UPDATE: July 2, 2018

Revisions and/or minor corrections have been made to this document when compared to the draft Mitigated Negative Declaration (MND). More specifically, the Project Description was revised to expand the description of the various site improvements included with the project. The revisions are shown in ~~strikethrough~~ underline format. In accordance with the California Environmental Quality Act, Section 15073.5 (c)(4), the addition of new information that clarifies, amplifies, or makes insignificant modification does not require recirculation as there are no new impacts and no new mitigation identified. An environmental document need only be recirculated when there is identification of new significant environmental impact or the addition of a new mitigation measure required to avoid a significant environmental impact. Modifications within the environmental document do not affect the environmental analysis or conclusions of the final MND.

#### I. PROJECT DESCRIPTION:

See attached Initial Study.

II. ENVIRONMENTAL SETTING:

See attached Initial Study.

III. DETERMINATION:

The City of San Diego conducted an Initial Study which determined that the proposed project could have a significant environmental effect in the following areas(s): **Paleontological Resources**. Subsequent revisions in the project proposal create the specific mitigation identified in Section V of this Mitigated Negative Declaration. The project as revised now avoids or mitigates the potentially significant environmental effects previously identified, and the preparation of an Environmental Impact Report will not be required.

IV. DOCUMENTATION:

The attached Initial Study documents the reasons to support the above Determination.

V. MITIGATION, MONITORING AND REPORTING PROGRAM:

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

1. Prior to the issuance of a Notice To Proceed (NTP) for a subdivision, or any construction permits, such as Demolition, Grading or Building, or beginning any construction related activity on-site, the Development Services Department (DSD) Director's Environmental Designee (ED) shall review and approve all Construction Documents (CD), (plans, specification, details, etc.) to ensure the MMRP requirements are incorporated into the design.
2. In addition, the ED shall verify that the MMRP Conditions/Notes that apply ONLY to the construction phases of this project are included VERBATIM, under the heading, "**ENVIRONMENTAL/MITIGATION REQUIREMENTS.**"
3. These notes must be shown within the first three (3) sheets of the construction documents in the format specified for engineering construction document templates as shown on the City website:  
  
<http://www.sandiego.gov/development-services/industry/standtemp.shtml>
4. The **TITLE INDEX SHEET** must also show on which pages the "Environmental/Mitigation Requirements" notes are provided.
5. **SURETY AND COST RECOVERY** – The Development Services Director or City Manager may require appropriate surety instruments or bonds from private Permit Holders to ensure the long term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

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

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

***Qualified Paleontological Monitor***

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

**CONTACT INFORMATION:**

- a) The PRIMARY POINT OF CONTACT is the **RE** at the **Field Engineering Division – (858) 627-3200**
- b) For Clarification of ENVIRONMENTAL REQUIREMENTS, it is also required to call **RE and MMC at (858) 627-3360**

2. **MMRP COMPLIANCE:** This Project, Project Tracking System (PTS) No. 529620 and /or Environmental Document No. 529620 shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD's Environmental Designee (MMC) and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e. to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc

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

3. **OTHER AGENCY REQUIREMENTS:** Evidence of compliance with all other agency requirements or permits shall be submitted to the RE and MMC for review and acceptance prior to the beginning of work or within one week of the Permit Holder obtaining documentation of those permits or requirements. Evidence shall include copies of permits, letters of resolution or other documentation issued by the responsible agency.

Not Applicable

4. **MONITORING EXHIBITS:** All consultants are required to submit , to RE and MMC, a monitoring exhibit on a 11x17 reduction of the appropriate construction plan, such as site plan, grading, landscape, etc., marked to clearly show the specific areas including the **LIMIT OF WORK**, scope of that discipline's work, and notes indicating when in the construction schedule that work will be performed. When necessary for clarification, a detailed methodology of how the work will be performed shall be included.

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

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

DOCUMENT SUBMITTAL/INSPECTION CHECKLIST		
Issue Area	Document Submittal	Associated Inspection/Approvals/Notes
General	Consultant Qualification Letters	Prior to Preconstruction Meeting
General	Consultant Construction Monitoring Exhibits	Prior to or at Preconstruction Meeting
Paleontology	Paleontology Reports	Paleontology Site Observation
Bond Release	Request for Bond Release Letter	Final MMRP Inspections Prior to Bond Release Letter

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

#### 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
    - a. 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 (CSV). The CSV's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of ANY discoveries. The RE shall forward copies to MMC.

B. Discovery Notification Process

1. In the event of a discovery, the 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 CSVr 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.

VI. PUBLIC REVIEW DISTRIBUTION:

Draft copies or notice of this Mitigated Negative Declaration were distributed to:

CITY OF SAN DIEGO

Mayor's Office

Councilmember Bry, District 1

Development Services Department

EAS

Planning Review

Engineering Review

Geology

Landscaping

DPM

Library, Government Documents (81)

San Diego Central Library (81A)

La Jolla-Riford Branch Library (81L)

City Attorney (93C)

OTHER ORGANIZATIONS AND INTERESTED INDIVIDUALS

San Diego Natural History Museum (166)

La Jolla Village News (271)

La Jolla Shores Association (272)

La Jolla Town Council (273)

La Jolla Historical Society (274)

La Jolla Community Planning Association (275)

UCSD Physical and Community Planning (277)

La Jolla Shores PDO Advisor Board (279)

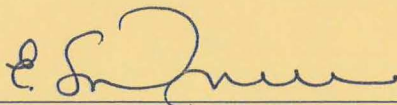
La Jolla Light (280)

Patricia K. Miller (283)  
Clint Linton- Iipay Nation of Santa Ysabel  
Lisa Cumper- Jamul Indian Village of Kumeyaay Nation  
Congresswoman Lynn Schank  
Philip Merten  
John Nunes  
Rosemary Nunes  
Richard Van Wert  
Arthur and Lynn Kavanaugh  
Mary Soriano  
Robin M. Madafer  
Joseph Bruno  
Patricia Moiser Riha  
Louis Beacham

VII. RESULTS OF PUBLIC REVIEW:

- ( ) No comments were received during the public input period.
- ( ) Comments were received but did not address the accuracy or completeness of the draft environmental document. No response is necessary and the letters are incorporated herein.
- (X) Comments addressing the accuracy or completeness of the draft environmental document were received during the public input period. The letters and responses are incorporated herein.

Copies of the draft Mitigated Negative Declaration, the Mitigation, Monitoring and Reporting Program and any Initial Study material are available in the office of the Development Services Department for review, or for purchase at the cost of reproduction.



E. Shearer-Nguyen  
Senior Planner  
Development Services Department

March 16, 2018

Date of Draft Report

July 3, 2018

Date of Final Report

Analyst: M. Dresser

Attachments:

Figure 1: Location Map  
Figure 2: Site Plan

City staff response(s) to The Law Office of Julie M. Hamilton comment(s) letter  
for Cielo TM/CDP/SDP, Project No. 529620

April 5, 2018

Morgan Dresser  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 301  
San Diego, CA 92101

RE: Cielo TM/CDP/SDP, Project No. 529620

Dear Ms. Dresser:

I represent a number of residents of La Jolla Shores in the vicinity of the project site. I am submitting these comments on the Mitigated Negative Declaration (MND) for the Cielo TM/CDP/SDP on behalf of those residents.

As the lead agency, the City's reliance upon a Mitigated Negative Declaration for this project does not comply with the requirements of the California Environmental Quality Act (CEQA). The City must prepare an environmental impact report (EIR) because the record before the City contains substantial evidence to support a fair argument the proposed project may have a significant effect on the environment. If there is any substantial evidence the project may have a significant impact, an environmental impact report must be prepared, despite evidence to the contrary.<sup>1</sup> The City Council may not weigh the evidence and make a determination as to which evidence is more credible.

The burden of environmental investigation is on the government. If the lead agency, the City of San Diego, fails to study an area of possible environmental impact, a fair argument may be based on the limited facts in the record.<sup>2</sup> Deficiencies in the record may actually enlarge the scope of the fair argument by lending a logical plausibility to a wider range of inferences.<sup>3</sup>

Further, relevant personal observations of area residents on nontechnical subjects may qualify as substantial evidence for a fair argument. Expert opinion supported by facts, even if not based on specific observations as to the site under review, may also qualify as substantial evidence for a fair argument. Where such expert opinions clash, an EIR should be prepared.<sup>4</sup>

<sup>1</sup> *Friends of "B" St. v. City of Hayward* (1980) 106 Cal.App.3d 988.

<sup>2</sup> *Sanstrom v. County of Mendocino* (1988) 202 Cal. App. 3d 296, 311.

<sup>3</sup> *Pocket Protections v. City of Sacramento* (2001) 124 Cal. App. 4th 903, 928.

The Law Office of  
Julie M. Hamilton

1. Comment Noted.

2. Project review was conducted in accordance with the California Environmental Quality Act (CEQA) as documented within the Initial Study. The Initial Study identified there would be an impact to Paleontological resources which would be mitigated to below a level of significance. No additional impacts were identified during the environmental review.

3. As an initial matter the Notice and the MND fail to provide an adequate description of the project. The Initial Study, MND and Notice all fail to include any description of the installation of a new street, cul-de-sac, water and sewer. All of these improvements are significant and must be considered when evaluating the impact of the project on the environment. CEQA requires the lead agency consider the "whole of the project", an initial study that fails to describe the entire project is fatally deficient.<sup>4</sup>

#### I. LAND USE

4. There is substantial evidence to support a fair argument the proposed project may cause significant land use impacts. The project site is located in the SF Zone of the La Jolla Shores Planned District Ordinance (PDO). The project must be reviewed for consistency with PDO, the La Jolla Shores Design Manual, the La Jolla Community Plan and Local Coastal Program and the San Diego Land Development Code. The PDO prohibits any lot or parcel from being developed or occupied by more dwelling units than the average dwelling unit density of the developed SF Zone within 300 feet of the subject lot or parcel. Development Services Department records show the average lot size within 300 feet of the subject parcel is 22,503 square feet – exclusive of access roads, curb gutter and sidewalk. Architect and former La Jolla Community Planning Association (CPA) Trustee Philip Merten has provided substantial evidence the proposed project does not comply with the density provisions of the PDO. In fact, the lots created by this project include the private street, curb, gutter and sidewalk in the stated lot size. The proposed subdivision represents a density that is not consistent with the applicable zoning ordinance, this inconsistency with the applicable zoning designation is a significant land use impact.

5. Mr. Merten has also provided substantial evidence the proposed project does not comply with the setback requirements of the PDO. Mr. Merten has years of experience working with the PDO and is qualified as an expert in the interpretation of the PDO. Mr. Merten's evidence the project does not comply with the development policies of the PDO is evidence to support a fair argument the project will have a significant land use impact.

6. The La Jolla Community Plan and Local Coastal Program Land Use Plan places an emphasis on providing on-street parking to facilitate public access to the beach. The project site is located in the parking impact overlay zone; further demonstrating the need to provide parking for beach visitors. The parking impact overlay zone limits driveway width to twelve feet, the proposed driveway widths exceed this limitation. City staff repeatedly stated a preference for a public road to serve the project site. Despite the opinion of the City's experts that a public road was appropriate and necessary to serve the site, the project is proposed with a private street that is included in individual lots rather than dedicated as a public street or delineated as a private road on a separate parcel. This width of the access road precludes public parking. Not only does this narrow road width preclude public parking, but the parking provided to each home is insufficient to provide parking for services personnel or delivery vehicles. This failure to provide adequate parking to serve the homes further exacerbates impacts to on-street parking in

3. In accordance with CEQA Guidelines Section 15071, the draft Mitigated Negative Declaration included a brief description of the project including a commonly used name for the project; the location of the project shown on a location map as Figure 1, and the name of the project proponent; a proposed finding that the project will not have a significant effect on the environment; an attached copy of the Initial Study documenting reasons to support the finding; and mitigation measures included in the project to avoid potentially significant effects.

Although the commenter states the project would install a new street and cul-de-sac, the project proposes to construct a private driveway in the form of a private drive. While, the Mitigated Negative Declaration did not identify specific project components in the project description, the environmental review analyzed the whole of the project (i.e. private drive, water, sewer, sidewalk, pools, retaining walls etc.). The final Mitigated Negative Declaration has been revised to reflect the construction of these components. Furthermore, as identified within the Initial Study, the project would mitigate impacts to below a level of significance.

4. As part of the submittal requirements, the applicant provided a La Jolla Shores Planned District Ordinance Survey of properties within a 300-foot radius of the project site. As demonstrated through this survey, the average lot size in the Single-Family Zone within 300 feet of the project is 23,618 square feet. The project's proposed lots range between 23,631 and 25,473 square feet, which all exceed the average single-family lot size of 23,618 square feet. In Single Family zones, an increase in lot size would result in a decrease to dwelling unit density. Therefore, with one single dwelling unit per lot the project would not exceed the average dwelling unit density of one dwelling unit per 23,618 square feet. The Dwelling Unit Density Regulation of the Planned District Ordinance, Section 1510.0304(a), does not exclude private drives from the calculation of average dwelling unit density. In addition, per Section 143.0410(b)(5) of the Planned Development Permit Regulations, the areas of the premises that are designated for private drives may be used in the calculation of maximum density. The project would be consistent with the General Plan, Community Plan land use and zoning designations; therefore, the project would be compatible with the existing and surrounding development. As concluded in the draft Mitigated Negative Declaration, land use impacts would not occur.
5. As part of the submittal requirements, the applicant provided a La Jolla Shores Planned District Ordinance Survey of properties within a 300-foot radius of the project site. As demonstrated through this survey of the existing neighborhood character all the project's proposed front, side, and rear setbacks are in general conformance with those in the vicinity, per San Diego Municipal Code Section 1510.0304(b)(4). The project would be consistent with the General Plan, Community Plan land use and zoning designations; therefore, the project would be compatible with the existing and surrounding development. As concluded in the draft Mitigated Negative Declaration, land use impacts would not occur.

<sup>4</sup> *Euchemine County Citizens for Responsible Growth v. City of Sonoma* (2007) 155 Cal.App.4th 1214.

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6. The La Jolla Community Plan and Local Coastal Program does not require new development projects to provide on-street parking to facilitate public access to the beach. The Transportation Element of the community plan places an emphasis on providing an adequate circulation system to serve residents, visitors, and employees to La Jolla's downtown commercial, recreational areas, and community facilities through the promotion of bike facilities, pedestrian improvements, public transit and/or shuttle service as an alternative transportation form of transportation in the community. The plan also strives to improve the availability of public parking in areas close to the coastline by discouraging the removal of existing street parking; developing incentives involving peripheral and central parking facilities, parking programs, and Improved transit; and the creation of off-street parking facilities. San Diego Municipal Code Section 142.0560 Table 142-05M states a maximum driveway width of 12 feet for a detached single dwelling unit in a Parking Impact Area. The project proposes to provide one 20-foot-wide driveway off of Calle Del Cielo to serve the 8-detached single-family dwelling units. Therefore, this section of the San Diego Municipal Code would not apply to the project.
7. The private drive has been designed to meet City standards and was reviewed by qualified City staff.
8. Refer to Response 7. The lots would be accessed via a single loaded 28-foot-wide private drive, which allows parking on one side of the drive as shown on Architectural Plan Sheet A2.3 of the project plans. The project does not count any parking spaces along the private drive to meet minimum parking requirements. The project would provide onsite parking as required per the Land Development Code Section 142.0520. Each home would provide a four-car garage and visitor parking would be accommodated along the private drive.

8. the vicinity of the project and further exacerbates the impact of inadequate parking on the ability of visitors to access the beach. The project as proposed conflicts with the public access policies of the La Jolla Community Plan and Local Coastal Program Land Use Plan and the requirements of the parking impact overlay zone. These inconsistencies also represent a significant land use impact.

## II. PUBLIC SERVICES

9. The record before the City includes numerous statements and opinion from the City's own experts indicating the project should take access from Calle Frescota or extend a public road from Calle del Cielo. Despite these opinions, the City has accepted the applicant's proposal to provide access via a private road that is not dedicated as a separate parcel. City staff also stated a clear preference for public water and public sewer. Despite the standards set out by the City's own experts, the applicant is proposing private sewer and water lines. There is little information in the record discussing the responsibility for the ongoing operation and maintenance of the road, water and sewer lines. These lines do not conform to the standard requirements for the provision of roads, water and sewer for a subdivision of this size. This failure to adequately address the necessary services and the nexus of the privately-owned services with public services is a gap in the information that enlarges the fair argument the project will have a significant impact on public services. Further, City staff has stated the appropriate standards for water and sewer are not being met, providing substantial evidence to support a fair argument the project will have a significant impact on public services.

## III. TRANSPORTATION/TRAFFIC

10. The MND inaccurately states the project does not conflict with policies establishing measures of effectiveness of the circulation system. The Transportation Development section of the Development Services Department repeatedly demanded a public road developed 34 feet wide curb to curb with 5-foot sidewalks within 54-64 feet of right-of-way. The proposed project failed to meet the standards set out by City staff as necessary to adequately serve the project. The Project is providing a 28-foot wide private drive, with 4-foot sidewalks. The private drive will be provided via easements across the individual lots rather than a separate parcel. Rather than a public road with an adequate width to serve the project, or at least a private road protected in a separate lot - the applicant is proposing a road contained within individual parcels that is inadequate to provide street parking. This failure to meet the minimum standards set out in City policies for circulation is a significant impact on transportation and traffic. There is no information in the project file supporting this decision; yet the file contains substantial evidence of the standards necessary to adequately serve the project with no impact on the adjacent roadways. My clients are concerned and have personally observed the impact of inadequate access on their streets. With narrow streets and no parking, my clients believe the surrounding streets will bear the burden of parking for service personnel and delivery vehicles.

9. Refer to Responses 7 and 8 as it relates to the private drive. With respect to water and sewer systems, the project has been reviewed by qualified City staff and designed in accordance with State and City standards and regulations. Public utilities (water and sewer) cannot be located within a private drive; therefore, the project would construct private utilities and the applicant has accepted the associated maintenance responsibilities. The project would comply with all public services and utility requirements. As concluded in the draft Mitigated Negative Declaration, public services and utilities and service systems impacts would be less than significant.
10. Refer to Responses 7 and 8. The project would comply with all transportation and traffic requirements. As concluded in the draft Mitigated Negative Declaration, transportation/traffic impacts would be less than significant.

#### CONCLUSION

There is substantial evidence in the record to support a fair argument the proposed project may result in significant environmental impacts. These impacts require preparation of an environmental impact report to address significant impacts to land use, public services and transportation/traffic.

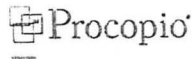
Thank you for the opportunity to comment on this Mitigated Negative Declaration. Please add my office to the list of interested parties; I wish to be informed of all opportunities for public input on this project.

Very truly yours,



Julie M. Hamilton

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SILICON VALLEY

City staff response(s) to the Procopio comment(s) letter for

Cielo TM/CDP/SDP, Project No. 529620

April 5, 2018

VIA E-MAIL (DSEFAS@SANDIEGO.GOV)

Morgan Dresser  
Environmental Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, CA 92101

Re: Mitigated Negative Declaration Comments  
CIELO TM/CDP/SDP / Project No. 529620

Dear Morgan:

We submit this letter on behalf of Lynn Schenk, Cameron Volker and John Volker to provide comments regarding the draft Mitigated Negative Declaration Report ("MND") for the CIELO TM/CDP/SDP Project ("Project"). After reviewing the MND for the Project, we believe there is substantial evidence to support a fair argument that the Project may result in significant impacts on the environment. In particular, the Project may result in significant impacts to aesthetics, land use, noise, and public services. For that reason, the California Environmental Quality Act ("CEQA") requires the City of San Diego ("City") to prepare an Environmental Impact Report ("EIR") for the Project.

#### CEQA Strongly Favors Preparation of EIRs

CEQA is the primary state law that requires public agencies and decision-makers to understand and evaluate the environmental consequences of their discretionary decisions before making them. It applies the "fair argument" standard of review to MNDs. If there is a fair argument backed by substantial evidence that the Project may have a significant effect on the environment that cannot be mitigated or avoided, an EIR is required. The "fair argument" test reflects a preference for resolving doubts in favor of environmental review and creates a "low threshold" for requiring an EIR. As described in a League of California Cities publication:

<sup>1</sup> CEQA is codified at California Public Resources Code § 21000 et seq.

procopio.com

11. Comment noted.

11. The fair argument standard entails a strong presumption in favor of requiring full EIRs. The presumption is embodied in numerous provisions, which require that if a project is not exempt and may cause a potential adverse environmental impact, the lead agency must prepare an EIR. It takes only one piece of substantial evidence showing that a project may have a significant adverse impact to require preparation of a full EIR under the fair argument standard, even if other and more voluminous contrary evidence exists.<sup>2</sup>
- This Project is strikingly similar to another residential project that was recently denied by the City Council. In *Kutzke v. City of San Diego*<sup>3</sup>, the developer proposed a residential subdivision in Point Loma. The City prepared a MND for the project but neighbors were concerned about the potential impacts related to community compatibility and fire protection issues. The City Council determined that the MND was not adequate because the Project was not consistent with the land use plan and created potential fire risks. The Court ultimately upheld the City's decision because there was substantial evidence in the record to support a fair argument that a MND was not adequate and an EIR should have been prepared for the project.

The Project will have Potential Significant Effects on the Environment that cannot be Mitigated or Avoided.

12. As required by CEQA, the City conducted an initial study of the Project's potential environmental impacts.<sup>4</sup> The initial study identifies only one potentially significant impact. Specifically, the initial study concludes that the grading for the Project could result in a significant impact to paleontological resources, but mitigation measures agreed to by the developer would reduce the impact to a below a level of significance. Consequently, the initial study concludes a MND is appropriate. As discussed in more detail below, we believe the initial study is inaccurate because the Project could have potentially significant impacts on aesthetics, land use, noise, and public services.

#### Aesthetics

13. In evaluating the Project's impacts on aesthetics, the initial study indicates that the Project would have a less than significant impact on the existing visual character or quality of the site and its surroundings because it is compatible with the surrounding development and would be consistent with the community plan and zoning designation.
- In reality, the Project would have potentially significant impacts on aesthetics because it is not compatible with the surrounding development. For example:
- *Street parking:* The Project is located within the Parking Impact Overlay Zone, which recognizes areas that are impacted by lack of street parking. The proposed private street, which provides access to the Project, is too narrow to accommodate any street parking.
- 14.

12. Comment noted.

13. As concluded in the draft Mitigated Negative Declaration, aesthetics impacts would be less than significant. The project would be consistent with the General Plan and Community Plan land use and zoning designations; therefore, the project would be compatible with the existing and surrounding development.

14. Refer to Responses 7 and 8. The project would comply with all traffic requirements. As concluded in the draft Mitigated Negative Declaration, transportation/traffic impacts would be less than significant.

<sup>2</sup> Velyvis, Stephen, "Practical Advice for Minimizing CEQA Liability in Your City" Western City, The Monthly Magazine of the League of California Cities (February 2014).

<sup>3</sup> *Kutzke v. City of San Diego*, 11 Cal. App. 5th 1034 (2017).

<sup>4</sup> Cal. Code. Regs. § 15063.

14. The homeowners' guests and others visiting the area will be forced to park on adjacent public streets and/or in other neighborhoods, which will reduce the overall available parking in the community and exacerbate an already impacted parking situation in the La Jolla Shores community. La Jolla Shores is one of the most unique and popular beaches in the region and attracts visitors from all over the state. Free, public beach parking and access would be diminished if the Project's private street is not required to accommodate parking and sidewalks.

15. • *Siting of buildings:* The Project's front yard setbacks are substantially smaller than the front yard setbacks in the surrounding neighborhood, diminishing the overall aesthetic character of the community.

16. • *Layout:* The Project's unique cul-de-sac layout differs from the layout of other cul-de-sacs in the surrounding neighborhood.

The Project is also not consistent with the La Jolla Shores Community Plan and Planned District Ordinance ("PDO"). For example:

17. • *Density:* The Project proposes to subdivide three existing parcels into eight parcels. As discussed in more detail below, when calculating the minimum lot sizes correctly, the PDO only allows seven lots rather than eight.<sup>5</sup>

18. • *Slope and step-back:* The Community Plan requires that "structures with front and side yard facades that exceed one story should slope or step back additional stories, up to the 30-foot height limit, in order to allow flexibility while maintaining the integrity of the streetscape and providing adequate amounts of light and air."<sup>6</sup> Most of the structures surrounding the Project are single-story. Consistent with the Community Plan, the few two-story homes slope or step back the additional stories. The Project proposes structure heights up to 30 feet and all structures are at least two-stories. Yet, the additional stories do not slope or step back in accordance with the Community Plan. Some of the additional stories extend straight up from the ground floor exterior walls and prove little to no massing transitions between the proposed structures and the existing single-story ones. Moreover, we understand the building height is being measured from the new, raised fill and not from the original slope, which increase the height by another 14 feet.

19. • *Pools:* The PDO incorporates LDC Chapter 14, Article 5 (Building Regulations), which contains setback regulations for outdoor swimming pools. Swimming pools that project more than 3 feet above grade are not permitted to encroach within a required street yard or interior side yard setback. The proposed swimming pools on Lots 5, 6, 7, and 8 are at least 6 feet above grade and all encroach into their individual street yards.

20. a. Finally, the initial study also claims that the Project will have less than significant impact on the creation of new sources of substantial light or glare what would adversely affect day or nighttime

<sup>5</sup> San Diego Municipal Code ("SDMC") § 1510.0304(a).

<sup>6</sup> La Jolla Community Plan and Local Coastal Program Land Use Plan, p. 76.

15. The La Jolla Community Plan and Local Coastal Program does not provide any specific recommendations related to the front yard setback requirements. Within the Residential Element of the community plan, the plan does indicate that to promote transitions between new and older structures it recommends among other things variations within front yard setbacks. Additionally, front yard setbacks within the vicinity are not uniform and vary given the organic layout of streets and the varying lot placement of existing residences. As part of the submittal requirements, the applicant provided a La Jolla Shores Planned District Ordinance Survey of properties within a 300-foot radius of the project site. As demonstrated through this survey of the existing neighborhood character, all the project's proposed front, side, and rear setbacks are in general conformance with those in the vicinity, per San Diego Municipal Code Section 1510.0304(b)(4).

16. The project does not propose the construction of a cul-de-sac, but rather is providing a private drive. Refer to Response 7. The La Jolla Community Plan and Local Coastal Program does not provide any specific recommendations related to the layout of single-family development within cul-de-sacs. The layout of existing cul-de-sacs within the vicinity are not uniform and vary such as along Calle Del Cielo, Calle del la Garza, Del Oro Court, etc. The project would be consistent with the General Plan, Community Plan land use and zoning designations; therefore, the project would be compatible with the existing and surrounding development. As concluded in the draft Mitigated Negative Declaration, aesthetic impacts would be less than significant.

17. The La Jolla Community Plan and Local Coastal Program does not dictate the size of standard lots of new development, nor does it provide recommendations regarding the number of permitted lots, other than providing a range of allowed dwelling units per acre. The average lot size in the Single-Family Zone within 300 feet of the project is 23,618 square feet. The project's proposed lots range between 23,631 and 25,473 square feet, which all exceed the average single-family lot size of 23,618 square feet. In Single Family zones, an increase in lot size would result in a decrease to dwelling unit density. Therefore, with one single dwelling unit per lot the project would not exceed the average dwelling unit density of one dwelling unit per 23,618 square feet. The Dwelling Unit Density Regulation of the Planned District Ordinance, Section 1510.0304(a), does not exclude private drives from the calculation of average dwelling unit density. In addition, per Section 143.0410(b)(5) of the Planned Development Permit Regulations, the areas of the premises that are designated for private drives may be used in the calculation of maximum density. The project would be consistent with the General Plan, Community Plan land use and zoning designations; therefore, the project would be compatible with the existing and surrounding development. As concluded in the draft Mitigated Negative Declaration, land use impacts would be less than significant.

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18. The project meets the intent of the community plan's recommendation for maintaining the integrity of the streetscape and providing adequate amounts of light and air, by articulating the heights of the individually proposed residential structures based on their orientation to the proposed private street and by the way they respond to the sloping grade of the property. The four single-family units located on the eastern side of the project site provide stepbacks of the upper levels of the buildings from the lower levels of buildings along the private street, which primarily contain the garage and pool area for each unit. The four units proposed along the western portion of the project site provide a single-story building elevation along the private street and because of the topography of the project site, the rear elevations of these buildings are terraced downwards to the west to match the topography. The La Jolla Community Plan and Local Coastal Program does not discuss how building height is to be calculated. Additionally, the proposed residences will comply with the 30-foot height limit of the Single-Family Zone and with the requirements of the Coastal Height Limitation Overlay Zone (i.e. Prop D). The project would be consistent with the General Plan, Community Plan land use and zoning designations; therefore, the project would be compatible with the existing and surrounding development. As concluded in the draft Mitigated Negative Declaration, land use impacts would be less than significant.
19. Pools proposed within Lots 5, 6, 7, and 8 would not encroach within the front, side, or rear yard setbacks as established in the Cielo Design Guidelines. Furthermore, pools proposed within Lots 1, 2, 3, and 4 would also not encroach within the front, side or rear yard setbacks.
20.
  - A. The project would comply with the outdoor lighting standards contained in Municipal Code Section 142.0740 (*Outdoor Lighting Regulations*) that require all outdoor lighting be installed, shielded, and adjusted so that the light is directed in a manner that minimizes negative impacts from light pollution, including trespass, glare, and to control light from falling onto surrounding properties. Therefore, lighting installed with the project would not adversely affect day or nighttime views in the area, resulting in a less than significant lighting impact. As concluded in the draft Mitigated Negative Declaration, aesthetics impacts would be less than significant.

The project would comply with Municipal Code Section 142.0730 (Glare Regulations) that require exterior materials utilized for proposed structures be limited to specific reflectivity ratings. The structures would consist of wood siding, wood shingles, adobe and concrete blocks, brick, stucco, concrete or natural stone. The project would have a less than significant glare impact. As concluded in the draft Mitigated Negative Declaration, aesthetics impacts would be less than significant.
  - B. A site specific Biological Letter Report was prepared for the project. The report identified 1.80 acres of ornamental vegetation and 2.20 acres of developed lands. While trees would be removed, the project site does not contain native habitat.
  - C. The project proposes approximately 380 cubic yards of cut with 7,640 cubic yards of fill with a maximum cut depth of 5 feet and fill depth of 10 feet. Per the City of San Diego Significance Determination Thresholds, the project would alter more than

20. b. views in the area. However, the Project proposes to remove a significant number of mature trees and natural vegetation and to substantially alter the existing contour of the land by placing up to 14 feet of fill soil across most of the Project site. Removal of trees and vegetation will allow light to effect neighboring communities. The raised road will cause vehicle headlights to shine directly into neighboring residences and bedroom. Additionally, the proposed lot layout places the southern boundaries of Lots 4 and 5 opposite the back of the existing adjacent lots. This arrangement places the side windows of proposed structures close to the rear yard glass doors and viewing windows of the existing adjacent homes. This layout aggravates the issue of vehicle headlights shining into neighboring residences.
20. c.
20. d.

#### Land Use

21. In evaluating the Project's potential impacts on land use, the initial study indicates the Project would not have any impact on any applicable land use plan. As support for this conclusion, the initial study states the Project is consistent with the existing zoning and with the surrounding residential uses. However, we believe there is a fair argument that the Project is not consistent with the PDO regulations and is inconsistent with the surrounding residential uses.

22. The Project is inconsistent with the PDO's regulations related grading and vegetation. The intent of the PDO's grading regulations is "to preserve canyons and to prevent the cutting of steep slopes and the excessive filling to create level lots." As further explained in the La Jolla Shores Design Manual, the intent of the provisions is to "preserve natural land forms." Specifically, "where grading is necessary the slopes should be contour graded and landscaped" and the "necessity of grading and the creation of large level land areas" should be decreased "to the extent possible." Grading plans may only be approved when it is concluded that, among other things, "the development will result in minimum disturbance of the natural terrain and vegetation commensurate with the proposed use of the lot or premises" and "the proposed development will strive to preserve and enhance the natural environment and any existing aesthetic qualities of the site." In stark contrast to the guidelines, the Project proposes to remove a significant number of mature trees and natural vegetation and to substantially alter the existing contour of the land by placing up to 14 feet of fill soil across most of the Project site.

23. Additionally, the Project does not comply with the PDO's density regulations. The Project's lot sizes are smaller than permitted by the PDO because the developer incorrectly calculated lot size. The Dwelling Unit Density Regulation requires that the size of the individual lots, exclusive of the street area, be of a size equal to or greater than the average size of lots within 300 feet of the Project.<sup>9</sup> When measured correctly, the average size of lots within 300 feet of the Project is 23,688 square feet, but the proposed lot sizes are only 21,553 square feet.

24. Moreover, the proposed swimming pools on Lots 5, 6, 7, and 8 all conflict with the PDO requirements. The proposed pools are at least 6 feet above grade and all encroach into their individual street yards. The PDO, which incorporates LDC Chapter 14, Article 5 (Building

<sup>7</sup> La Jolla Shores Design Manual, p. 9.

<sup>8</sup> La Jolla Shores Design Manual, p. 9.

<sup>9</sup> SDMC § 1510.0304(a).

- C. The project proposes approximately 380 cubic yards of cut with 7,640 cubic yards of fill with a maximum cut depth of 5 feet and fill depth of 10 feet. Per the City of San Diego Significance Determination Thresholds, the project would alter more than 2,000 cubic yards of earth per graded acre by either excavation or fill. Although the project exceeds the landform alteration significance threshold, the project does not meet the following conditions; 1.) The project would not disturb steep hillsides in excess of the encroachment as the site does not contain steep hillsides as defined in the Environmentally Sensitive Lands regulations; 2.) The project would not create manufactured slopes higher than ten feet or steeper than 2:1 (50 percent); 3.) The project would not result in a change in elevation of steep hillsides as defined by the SDMC Section 113.0103 from existing grade of more than five feet by either excavation or fill as the site does not contain steep hillsides as defined in the Environmentally Sensitive Lands regulations; or 4.) The project design does not include mass terracing of natural slopes with cut or fill slopes in order to construct flat-pad structures as the existing landforms are not natural. Therefore, as concluded in the draft Mitigated Negative Declaration, land use impacts would be less than significant.

- D. The road would be raised from the current elevation; however, headlights would be blocked by concrete masonry unit (CMU) walls located between the project site and neighboring residences. CMU walls approximately 4 feet high would be located along the southern boundaries of the driveways and 6 feet high along the southern property lines of Lots 4 and 5. Additionally, any light produced by headlights would be short-term and not a continuous source of light. Therefore, any lighting from vehicle headlights from the project site would result in a less than significant impact.

21. The project was reviewed by qualified City staff and was found to be in general conformance with the General Plan and Community plan. In addition, the project is consistent with the underlying zone of the La Jolla Shores Planned District Ordinance with allowable deviations. As concluded in the draft Mitigated Negative Declaration, land use impacts would be less than significant.

22. Section 1510.0301(d)(1) of the La Jolla Shores Planned District Ordinance states that the intent of the Grading Regulations is to preserve "canyons", to prevent the cutting of "steep slopes", and the excessive filling to create level lots. Section 1510.0301(d)(3) of the La Jolla Shores Planned District Ordinance states that in evaluating a development for consistency with the Grading Regulation findings, the decision-maker shall utilize the provisions set forth in the Environmentally Sensitive Lands (ESL) Regulations. The project site does not contain any "canyons", "steep slopes", or any other form of ESL. Although the existing landforms are not natural or considered sensitive resources, the proposed development would avoid the creation of large, level pads, would utilize split-level design, and would generally retain the sloping topographic character of the site. Furthermore, the project would be consistent with the General Plan, Community Plan land use and zoning designations; therefore, the project would be compatible with the existing and surrounding development. As concluded in the draft Mitigated Negative Declaration, land use impacts would be less than significant.

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23. The La Jolla Community Plan and Local Coastal Program designates the proposed 4.45-acre site for Very Low Density Residential (0-5 Dwelling Units/Acre), allowing up to 22 dwelling units onsite. This density range is typically characterized by large single dwelling unit, estate homes built on 10,000 to 40,000- square foot parcels with steep slopes and/or open space area. As proposed, the project consisting of 8 single-family dwelling units located on lots ranging from approximately 23,631 to 25,473- square feet (gross area per lot) would implement the community plan's land use designation. The average lot size in the Single-Family Zone within 300 feet of the project is 23,618 square feet. The project's proposed lots range between 23,631 and 25,473 square feet, which all exceed the average single-family lot size of 23,618 square feet. In Single Family zones, an increase in lot size would result in a decrease to dwelling unit density. Therefore, with one single dwelling unit per lot the project would not exceed the average dwelling unit density of one dwelling unit per 23,618 square feet. The Dwelling Unit Density Regulation of the Planned District Ordinance, Section 1510.0304(a), does not exclude private drives from the calculation of average dwelling unit density. In addition, per Section 143.0410(b)(5) of the Planned Development Permit Regulations, the areas of the premises that are designated for private drives may be used in the calculation of maximum density.

24. Refer to Response 19.

24. Regulations), contains setback regulations for outdoor swimming pools. Swimming pools that project more than 3 feet above grade are not permitted to encroach within a required street yard or interior side yard setback.

25. The proposed front yard setbacks of the buildings and the retaining wall structures conflict with the PDO because they are not in general conformity with those in the vicinity, particularly those on Calle Del Cielo. The PDO requires that buildings and structure setbacks be in general conformity with those in the vicinity.<sup>10</sup> Front yard setbacks are measured from the front property line at the street right-of-way to the face of a structure. Under this correct and standard method of measurement, the proposed front yard setbacks from the proposed front property lines are substantially less than those in the surrounding area and especially less than the existing front yard setbacks along Calle Del Cielo leading to the Project site. The proposed south side yard setbacks of Lots 4 and 5 are 15 feet from the southern boundary of the Project. The existing setbacks most in the vicinity are the rear setbacks of the existing properties along Vallecitos and Vallecitos Court. The proposed 15 foot setbacks on Lots 4 and 5 are substantially smaller than the distances of the existing homes from the common subdivision boundary line.

26. Finally, as mentioned above, the street is too narrow to accommodate street parking or sidewalks. Guests visiting homes in the Project will need to park on the public street and/or in other neighborhoods, which will reduce the overall available parking. The lack of sidewalks significantly impacts the overall pedestrian friendly neighborhood character. The surrounding residential neighborhoods include streets wide enough to accommodate street parking as well as sidewalks.

*Noise*

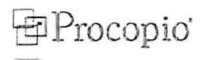
27. In evaluating the Project's noise impacts, the initial study indicates the Project would not have any significant impacts related to long-term noise. However, we believe there is a fair argument that there will be significant long-term noise impacts due to the Project's cul-de-sac layout and pool setback violations. As a result of siting the buildings too close to adjacent residences in violation of setback requirements, there will be significant increases in the traffic and pool noise as well as noise generate from out entertainment activities that will be heard from neighboring homes.

*Public Services*

28. In evaluating the Project's potential impacts on public services, the initial study indicates the Project would have a less than significant impact on fire protection. As support for this conclusion, the initial study states, "[t]he project site is located in an urbanized and developed area where fire protection services are already provided." However, in light of the Project's location within the Very High Fire Hazard Severity Zone, we believe there is a fair argument that the proposed configuration of the residences and the narrow private street would present significant challenges for fire and emergency services personnel.

<sup>10</sup> SDMC § 1510.0304(b)

25. As part of the submittal requirements, the applicant provided a La Jolla Shores Planned District Ordinance Survey of properties within a 300-foot radius of the project site. As demonstrated through this survey of the existing neighborhood character all proposed front, side, and rear setbacks are in general conformance with those in the vicinity, per San Diego Municipal Code Section 1510.0304(b)(4). The front yard setback for each lot is measured from an "assumed front property line" located 10 feet from the curb. The project would be consistent with the General Plan, Community Plan land use and zoning designations; therefore, the project would be compatible with the existing and surrounding development. As concluded in the draft Mitigated Negative Declaration, land use impacts would have no impact.
26. The lots would be accessed via a single-loaded 28-foot-wide private drive, which allows parking on one side of the drive as shown on Architectural Plan Sheet A2.3 of the project plans. The project does not count any parking spaces along the private drive to meet minimum parking requirements. The project would provide onsite parking as required per the Land Development Code Section 142.0520. Each home would provide a four-car garage and visitor parking would be accommodated along the private drive. Additionally, the project would provide a 4-foot wide side walk along the private drive to serve pedestrians.
27. The project would be consistent with the Planned District Ordinance, General Plan and Community Plan land use and zoning designations. Although there would be an increase in ambient noise it would be considered less than significant. The project would be consistent with existing surrounding backyard features that include pools and tennis courts.
28. The private drive/turnaround for this project has been designed to meet the Fire-Rescue Department requirements. Due to being located in a high severity fire zone the project must comply with the California Residential Code Section R337, Materials and Construction Methods for Exterior Wildfire Exposure. The purpose of this chapter is to establish minimum standards for the protection of life and property by increasing the ability of a building located in any Fire Hazard Severity Zone within State Responsibility Areas or any Wildland-Urban Interface Fire Area to resist the intrusion of flame or burning embers projected by a vegetation fire and contributes to a systematic reduction in conflagration losses. These homes are also required to have sprinkler systems.



Conclusion

For the reasons discussed above, we respectfully submit that the City cannot lawfully proceed with the MND and must proceed with the EIR process prior to Project approval because there is a fair argument that the Project will have significant effects on the environment that cannot be mitigated or avoided.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'Robin M. Madaffer'.

Robin M. Madaffer

cc: Francisco (Pancho) Mendoza  
Lynn Schenk  
Cameron Volker  
John Volker

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## INITIAL STUDY CHECKLIST

1. Project title/Project number: Cielo Tentative Map (TM), Coastal Development Permit (CDP), Site Development Permit (SDP), Planned Development Permit (PDP) / 529620
2. Lead agency name and address: City of San Diego, 1222 First Avenue, MS-501, San Diego, California 92101
3. Contact person and phone number: Morgan Dresser / (619) 446-5404
4. Project location: 8280 Calle Del Cielo, San Diego, California 92037
5. Project Applicant/Sponsor's name and address: Louis Beacham, Beacham Construction, 405 Via Del Norte, San Diego, California 92037
6. General/Community Plan designation: Residential / Very Low Density Residential (0-5 DU/AC)
7. Zoning: La Jolla Shores Planned District- Single Family (LJSPD-SF)
8. Description of project (Describe the whole action involved, including but not limited to, later phases of the project, and any secondary, support, or off-site features necessary for its implementation.):

A TENTATIVE MAP, COASTAL DEVELOPMENT PERMIT, SITE DEVELOPMENT PERMIT and PLANNED DEVELOPMENT PERMIT to demolish an existing 3,304-square-foot single-dwelling unit and accessory structures, subdivide three parcels into eight legal parcels ranging from 23,631-square-feet to 25,473-square-feet, and the construction of 8 detached single dwelling units. The project would provide eight floorplan options ranging from 6,258 to 6,824 square feet for a total combined 59,600 square feet. Various site improvements would also be constructed including associated hardscape, walls and landscape. The structures would not exceed 30 feet in height.

The project landscaping has been reviewed by City Landscape staff and would comply with all applicable City of San Diego Landscape ordinances and standards. Drainage would be directed into appropriate storm drain systems designated to carry surface runoff, which has been reviewed and accepted by City Engineering staff. Ingress to the project site would be via Calle Del Cielo at the north side of the site. All parking would be provided on-site.

Grading for the project would entail approximately 4,600 cubic yards of cut and 34,000 cubic yards of fill.

9. Surrounding land uses and setting:

The 4.45-acre project site is located at 8280 Calle Del Cielo. The site is generally bound by residential developments to the north, south, east and west. The primary access to the property is from Calle Del Cielo.

The project site currently supports a single-dwelling unit and accessory structure, an outdoor patio, ornamental vegetation, paved driveway, and two storage sheds. Topographically, the site ascends gently from west to east with an approximately 50-foot-high slope along the eastern margin of the site. The elevation on the site ranges from 80 feet above mean sea level (AMSL) as the western portion of the site to approximately 140 feet AMSL at the eastern portion of the site. In addition, the project site is located in a developed area currently served by existing public services and utilities.

The project site is designated Residential / Very Low Density Residential (0-5 dwelling units per acre) and zoned La Jolla Shores Planned District-Single Family (LJSPD-SF) within the La Jolla Shores Planned District of the La Jolla Shores Community Plan and Local Coastal Program Land Use Plan. Additionally the project is located within the Coastal Zone Boundary, Coastal Height Limitation Overlay Zone, Coastal Overlay Zone (Non-Appealable), Very High Fire Hazard Severity Zone, and Parking Impact Overlay Zone (Beach and Coastal).

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):

None required.

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun?

In accordance with the requirements of Public Resources Code 21080.3.1, the City of San Diego engaged the Lipay Nation of Santa Isabel and the Jamul Indian Village, both traditionally and culturally affiliated with the project area. Both tribes were notified via certified letter and email on July 7, 2017 and responded within the 30-day formal notification period requesting consultation. Consultation took place on August 11, 2017. Both Native American tribes concluded consultation process on August 11, 2017.

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Aesthetics                         | <input type="checkbox"/> Greenhouse Gas Emissions      | <input type="checkbox"/> Population/Housing                         |
| <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Public Services                            |
| <input type="checkbox"/> Air Quality                        | <input type="checkbox"/> Hydrology/Water Quality       | <input type="checkbox"/> Recreation                                 |
| <input type="checkbox"/> Biological Resources               | <input type="checkbox"/> Land Use/Planning             | <input type="checkbox"/> Transportation/Traffic                     |
| <input checked="" type="checkbox"/> Cultural Resources      | <input type="checkbox"/> Mineral Resources             | <input type="checkbox"/> Tribal Cultural Resources                  |
| <input type="checkbox"/> Geology/Soils                      | <input type="checkbox"/> Noise                         | <input type="checkbox"/> Utilities/Service System                   |
|   |  | <input checked="" type="checkbox"/> Mandatory Findings Significance |

**DETERMINATION: (To be completed by Lead Agency)**

On the basis of this initial evaluation:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (a) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (b) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or (MITIGATED) NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or (MITIGATED) NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

## EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis.)
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analyses”, as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or (mitigated) negative declaration. *Section 15063(c)(3)(D)*. In this case, a brief discussion should identify the following:
  - a. Earlier Analysis Used. Identify and state where they are available for review.
  - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c. Mitigation Measures. For effects that are “Less Than Significant With Mitigation Measures Incorporated”, describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
  - a. The significance criteria or threshold, if any, used to evaluate each question; and
  - b. The mitigation measure identified, if any, to reduce the impact to less than significant.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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I. AESTHETICS – Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

There are no designated scenic vistas or view corridors identified in the La Jolla Community Plan and Local Coastal Program Land Use Plan. Therefore, the project would not have a substantial adverse effect on a scenic vista. No impact would result.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

No significant resources exist onsite. The project is not located within a scenic highway area.

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

The project site is currently developed with a single-dwelling unit and accessory structures and is surrounded with single-family residential units. The project is proposing to subdivide three parcels into eight legal parcels with eight single-dwelling units. The project is compatible with the surrounding development and would be consistent with the community plan and zoning designation. Impact would be less than significant.

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

The project would comply with the outdoor lighting standards contained in Municipal Code Section 142.0740 (*Outdoor Lighting Regulations*) that require all outdoor lighting be installed, shielded, and adjusted so that the light is directed in a manner that minimizes negative impacts from light pollution, including trespass, glare, and to control light from falling onto surrounding properties. Therefore, lighting installed with the project would not adversely affect day or nighttime views in the area, resulting in a less than significant lighting impact.

The project would comply with Municipal Code Section 142.0730 (Glare Regulations) that require exterior materials utilized for proposed structures be limited to specific reflectivity ratings. The structures would consist of wood siding, wood shingles, adobe and concrete blocks, brick, stucco, concrete or natural stone. The project would have a less than significant glare impact.

- II. AGRICULTURAL AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. – Would the project::

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Converts Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The project site is within a developed single-family residential neighborhood and designated Residential/ Very Low Density Residential in the La Jolla Community Plan and Local Coastal Program Land Use Plan. This area is not classified as farmland by the Farmland Mapping and Monitoring Program (FMMP). Similarly, lands that surround the project are not in agricultural production and are not classified as farmland by the FMMP. The project would not convert farmland to non-agricultural uses. Therefore, no impact would result.

b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Refer to response II (a), above. There are no Williamson Act Contract lands on or within the vicinity of the project. The project would not affect any properties zoned for agricultural use or be affected by a Williamson Act Contract. Therefore, no impact would result.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 1220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project site is zoned for residential development and would not require a rezone. No designated forest land or timberland occurs within the boundaries of the project. Therefore, no impact would result.

d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Refer to response II (c), above. The project is zoned for residential development and would not require a rezone. Additionally, the project does not contain forest land or timberland. Therefore, no impact would result.

e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Refer to response II (a) and II (c), above. The project and surrounding areas do not contain any farmland or forest land. No changes to any such lands would result from project implementation. Therefore, no impact would result.

III. AIR QUALITY – Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied on to make the following determinations – Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project is located within an area of similar uses and is designated for residential development in the La Jolla Community Plan and Local Coastal Program Land Use Plan. The project would not negatively impact goals of the applicable air quality plan. Furthermore the project is consistent with applicable General and Community Plan land use designations and the underlying zone. Therefore, no impact would result.

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Short-Term (Construction) Emissions.** Construction-related activities are temporary, short-term sources of air emissions. Sources of construction-related air emissions include fugitive dust from grading activities; construction equipment exhaust; construction-related trips by workers, delivery trucks, and material-hauling trucks; and construction-related power consumption.

Variables that factor into the total construction emissions potentially generated include the level of activity, length of construction period, number of pieces and types of equipment in use, site characteristics, weather conditions, number of construction personnel, and the amount of materials to be transported on or offsite.

Fugitive dust emissions are generally associated with land-clearing and grading operations. Construction operations would include standard measures as required by City of San Diego grading permit to limit potential air quality impacts. Therefore, impacts associated with fugitive dust are considered less than significant, and would not violate an air quality standard or contribute substantially to an existing or projected air quality violation. No mitigation measures are required.

**Long-Term (Operational) Emissions.** Long-term air emission impacts are those associated with stationary sources and mobile sources related to any change caused by a project. The project would produce minimal stationary sources emissions. The project is compatible with the surrounding development and is permitted by the community plan and zone designation. Based on the residential land use, project emissions over the long-term are not anticipated to violate any air quality standard or contribute substantially to an existing or projected air quality violation. Impacts would be less than significant and no mitigation measures are required.

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non- | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				

As described above, construction operations could temporarily increase the emissions of dust and other pollutants. However, construction emissions would be temporary and short-term in duration; implementation of Best Management Practices (BMPs) would reduce potential impacts related to construction activities to a less than significant level. Therefore, the project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is a non-attainment under applicable federal or state ambient air quality standards. Impacts would be less than significant.

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d) Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Odors produced during construction would be attributed to concentrations of unburned hydrocarbons from tailpipes of construction equipment. Such odors are temporary and generally occur at levels that would not affect substantial numbers of people. The project proposes the subdivision of three parcels into eight legal parcels with the construction of eight single-dwelling units. Therefore, impacts associated with odors during construction would be minimal. Impacts would be less than significant.

#### IV. BIOLOGICAL RESOURCES – Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project site is currently developed with a single-dwelling unit and accessory structures. Onsite landscaping is non-native and the project site does not contain any sensitive biological resources on site nor does it contain any candidate, sensitive or special status species. No impacts would occur, and no mitigation measures are required.

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Have a substantial adverse effect on any riparian habitat or other community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project site is urban developed within a residential setting. No such habitats exists on or near the project site. Refer to Response IV (a), above. The project site does not contain any riparian habitat or other identified community, as the site currently supports non-native landscaping. No impacts would occur, and no mitigation measures are required.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Have a substantial adverse effect on federally protected wetlands as defined by section 404 of the Clean Water Act (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The project site is developed with a single-dwelling unit and accessory structures within an urban setting. Additionally, there are no wetlands or water of the United States on or near the site. No impacts would occur, and no mitigation measures are required.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project site is surrounded by existing residential development and is not located adjacent to an established wildlife corridor and would not impede the movement of any wildlife or the use of any wildlife nursery sites. Therefore, no impact would occur and no mitigation measures are required.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Refer to response IV (a), above. The project site is designated Residential/ Very Low Density Residential in the La Jolla Community Plan and Local Coastal Program Land Use Plan and zoned LJSPD-SF. The project is located on a developed residential site and there are no local policies or ordinances protecting biological resources that apply to the project site. The project would not conflict with any local policies and/or ordinances protecting biological resources.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project is located in a developed urban area and is not within or adjacent to the City's Multi-Habitat Planning Area (MHPA) and no other adopted conservation plans affect the subject site. The project would not conflict with any local conservation plans. Therefore, no impacts would occur and no mitigation measures are required.

#### V. CULTURAL RESOURCES – Would the project:

a) Cause a substantial adverse change in the significance of an historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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The purpose and intent of the Historical Resources Regulations of the Land Development Code (Chapter 14, Division 3, and Article 2) is to protect, preserve and, where damaged, restore the historical resources of San Diego. The regulations apply to all proposed development within the City of San Diego when historical resources are present on the premises. Before approving discretionary projects, CEQA requires the Lead Agency to identify and examine the significant adverse environmental effects which may result from that project. A project that may cause a substantial adverse change in the significance of a historical resource may have a significant effect on the environment (sections 15064.5(b) and 21084.1). A substantial adverse change is defined as demolition, destruction, relocation, or alteration activities, which would impair historical significance (sections 15064.5(b)(1)). Any historical resource listed in, or eligible to be listed in the California Register of Historical Resources, including archaeological resources, is considered to be historically or culturally significant.

The City of San Diego criteria for determination of historic significance, pursuant to CEQA is evaluated based upon age (over 45 years), location, context, association with an important event, uniqueness, or structural integrity of the building.

The project proposes to demolish structures over 45 years old, therefore the structures were evaluated for historical significance (Project Tracking System No. 363121). It was determined that the property does not meet local designation criteria as an individually significant resource under any adopted Historical Resources Board criteria. Therefore, no impact would occur and no mitigation is required.

- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

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Many areas of San Diego County, including mesas and the coast, are known for intense and diverse prehistoric occupation and important archaeological and historical resources. The region has been inhabited by various cultural groups spanning 10,000 years or more. The project area is located within an area identified as sensitive on the City of San Diego Historical Resources Sensitivity Maps. In addition, qualified City staff conducted a records search of the California Historic Resources Information System (CHRIS) digital database; the search identified several previously recorded historic and prehistoric sites in the project vicinity. Based on this information, there is a potential for buried cultural resources to be impacted through implementation of the project. Therefore, an archaeological survey report was conducted by Brian F. Smith & Associates, Inc. (December 2016), which included literature review, records search, Native American Consultation, and completion of a pedestrian field survey of the parcel along with Native American Monitor Alisa Contreas of Red Tail Monitoring and Research, Inc. on October 21, 2016, per the City's requirements. The results and conclusions of the technical reports are summarized below.

A total of 38 previous reports have been conducted within a one-quarter-mile radius, one which crosses the projects Area of Potential Effect. There are five prehistoric sites and eight historic addresses recorded within a one-quarter-mile radius of the project. No sites have previously been recorded within the project site. The entire project site has been previously disturbed by grading for the construction of the existing dwelling unit and associated structures. Additionally, the lower western portion of the lot was filled with imported sand in the 1960's. Ground surface visibility

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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varied from 100 percent to 25 percent, depending on the ground cover. The survey did not result in the discovery of any artifacts or prehistoric sites. Based upon the results of the survey and records search, no cultural resources have been identified on the project site. No further investigations are recommended and no mitigation measures are required.

- |   |                          |                                     |                          |                          |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|

According to the "Geology of the San Diego Metropolitan Area, California, La Jolla, 7.5 Minute Quadrangle Maps" (Kennedy and Peterson, 1975), the project site is underlain by Bay Point and Ardath Shale Formation, which both have a high sensitivity level for fossil resource potential (paleontological resources).

A Paleontological Records Search and Resource Assessment was completed by Brian F. Smith and Associates, Inc. (October 2016), which included literature review and records search. The paleontological collections and records search was based on the locality data files of the Department of Paleontology at the San Diego Natural History Museum (SDNHM), the Edwin C. Allison Center collections, the University of California Museum of Paleontology in Berkeley (UCMP), and the Invertebrate Paleontology Section of the Natural History Museum of Los Angeles County (LACMIP), which also contains the collections and records of the University of California Los Angeles (UCLA), the California Institute of Technology (CIT), and the University of Southern California.

The results of the university and museum collections and records search resulted in nine megafossil localities identified within a one-mile radius of the project site, indicative of the abundance of well-preserved fossil resources in the immediate vicinity. Because of the potential for recovering well-preserved fossils, paleontological monitoring is recommended.

A Mitigation Monitoring Reporting Program (MMRP), as detailed within Section V of the MND, would be required. With implementation of the MMRP, potential impacts on paleontological resources would be less than significant.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Disturb and human remains, including those interred outside of dedicated cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

As previously identified in Section V (b), the area to be impacted by the project has been heavily disturbed by grading for the original construction, and the potential for subsurface deposits to remain in these areas is extremely low. While there is a very low possibility of encountering human remains during subsequent project construction activities, it is noted that activities would be required to comply with state regulations that are intended to preclude impacts to human remains. Per California Environmental Quality Act (CEQA) Section 15064.5(e), the California Public Resources Code (Section 5097.98) and State Health and Safety Code (Section 7050.5), if human remains are discovered during construction, work would be required to halt in that area, and no soil would be exported off-site until a determination could be made regarding the provenance of the human remains via the County Coroner and other authorities as required.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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VI. GEOLOGY AND SOILS – Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

- i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

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A site specific Preliminary Geotechnical Investigation prepared by Christian Wheeler Engineering (September 2017) was prepared. Rose Canyon Fault Zone is located approximately half-mile mile to the southwest of the project site, the site is not traversed by an active, potentially active, or inactive fault and is not within an Alquist-Priolo Fault Zone. However, the project would be required to comply with seismic requirements of the California Building Code that would reduce impacts to people or structures due to local seismic events to an acceptable level of risk. Implementation of proper engineering design and utilization of standard construction practices, to be verified at the building permit stage, would ensure that the potential for impacts from regional geologic hazards would remain less than significant.

- ii) Strong seismic ground shaking?

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Refer to VI (i). The site could be affected by seismic activity as a result of earthquakes on major active faults located throughout the Southern California area. Implementation of this proper engineering design and utilization of standard construction practices, to be verified at the building permit stage, would reduce the potential impacts associated with seismic ground shaking to an acceptable level of risk. Therefore, impacts would be less than significant.

- iii) Seismic-related ground failure, including liquefaction?

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Liquefaction generally occurs when loose, unconsolidated, water-laden soils are subject to shaking, causing the soils to lose cohesion. According to the site specific preliminary geotechnical investigation, the earth materials underlying the site are not considered subject to liquefaction due to such factors as soil density and grain-size distribution, and the absence of an unconfined, free groundwater table within the alluvium. Therefore, risk of liquefaction would be considered low. The project would be required to comply with the California Building Code that would reduce impacts to people or structures to an acceptable level of risk. Implementation of proper engineering design and utilization of standard construction practices, to be verified at the building permit stage, would ensure that the potential for impacts from regional geologic hazards would remain less than significant.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

According to the Report of Preliminary Geotechnical Investigation prepared by Christian Wheeler Engineering (September 2017), the majority of the project site is generally level and the risk of slope failures affecting the site would be considered low. Implementation of proper engineering design and utilization of standard construction practices, to be verified at the building permit stage, would ensure that the potential for impacts would be reduced to an acceptable level of risk. Impacts would be less than significant.

b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Demolition and construction activities would temporarily expose soils to increased erosion potential. The project would be required to comply with the City's Storm Water Standards which requires the implementation of appropriate best management practices (BMPs). Grading activities within the site would be required to comply with the City of San Diego Grading Ordinance as well as the Storm Water Standards, which would ensure soil erosion and topsoil loss is minimized to less than significant levels. Furthermore, permanent storm water BMPs would also be required post-construction consistent with the City's regulations. Therefore, the project would not result in substantial soils erosion or loss of topsoil, therefore impacts would be less than significant.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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As discussed in Section VI(a) and VI(b), the project site is not likely to be subject to landslides, and the potential for liquefaction and subsidence is low. The soils and geologic units underlying the site are considered to have a "low" to "medium" expansion potential. The project design would be required to comply with the requirements of the California Building Code, ensuring hazards associated with expansive soils would be reduced to an acceptable level of risk. As such, impacts due to expansive soils are expected to be less than significant.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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The project site is considered to have low to medium expansive soil potential. The project would be required to comply with seismic requirements of the California Building Code that would reduce impacts to people or structures due to local seismic events to an acceptable level of risk. Implementation of proper engineering design and utilization of standard construction practices, to be verified at the building permit stage, would ensure that the potential for impacts from regional geologic hazards would remain less than significant.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The project site is located within an area that is already developed with existing infrastructure (i.e., water and sewer lines) and does not propose any septic system. In addition, the project does not require the construction of any new facilities as it relates to wastewater, as services are available to serve the project. No impact would occur.

#### VII. GREENHOUSE GAS EMISSIONS – Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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The CAP Consistency Checklist is the City's significance threshold utilized to ensure project-by-project consistency with the underlying assumptions in the CAP and to ensure that the City would achieve its emission reduction targets identified in the CAP. The CAP Consistency Checklist includes a three-step process to determine project if the project would result in a GHG impact. Step 1 consists of an evaluation to determine the project's consistency with existing General Plan, Community Plan, and zoning designations for the site. Step 2 consists of an evaluation of the project's design features compliance with the CAP strategies. Step 3 is only applicable if a project is not consistent with the land use and/or zone, but is also in a transit priority area to allow for more intensive development than assumed in the CAP.

Under Step 1 of the CAP Checklist, the project is consistent with the existing General Plan, Community Plan designations as well as zoning for the site. Therefore, the project is consistent with the growth projections and land use assumptions used in the CAP. Furthermore, completion of Step 2 of the CAP Checklist demonstrates that the project would be consistent with applicable strategies and actions for reducing GHG emissions. This includes project features consistent with the energy and water efficient buildings strategy, as well as bicycling, walking, transit, and land use strategy. Thus, the project is consistent with the CAP. Step 3 of the CAP Consistency Checklist would not be applicable, as the project is not proposing a land use amendment or a rezone.

Based on the project's consistency with the City's CAP Checklist, the project's contribution of GHGs to cumulative statewide emissions would be less than cumulatively considerable. Therefore, the project's direct and cumulative GHG emissions would have a less than significant impact on the environment.

b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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The project would not conflict with an applicable plan, policy, or regulation adopted for the purposes of reducing the emissions of greenhouse gases. The project is consistent with the existing General Plan and Community Plan land use and zoning designations. Further based upon review and

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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evaluation of the completed CAP Consistency Checklist for the project, the project is consistent with the applicable strategies and actions of the CAP. Therefore, the project is consistent with the assumptions for relevant CAP strategies toward achieving the identified GHG reduction targets. Impacts are considered less than significant.

VIII. HAZARDS AND HAZARDOUS MATERIALS – Would the project:

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Construction of the project may require the use of hazardous materials (fuels, lubricants, solvents, etc.), which would require proper storage, handling, use and disposal. Although minimal amounts of such substances may be present during construction of the project, they are not anticipated to create a significant public hazard. Once constructed, due to the nature of the project, the routine transport, use, or disposal of hazardous materials on or through the subject site is not anticipated. Therefore, impacts would be less than significant.

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

As noted in previous response VII (a), no health risks related to the storage, transport, use, or disposal of hazardous materials would result from the implementation of the project. The project would not be associated with such impacts. Therefore, impact would be less than significant.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

There are no existing or proposed schools within a quarter mile from the project site. Additionally, the project would not be expected to emit hazardous materials or substances that would affect any existing or proposed schools in the area.

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

A hazardous waste site records search was completed in March 2017, using Geotracker; the records search showed that not hazardous waste sites exist onsite or in the surrounding area. No impact would occur.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two mile of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The project is not located within any Airport Land Use Compatibility Plan (ALUCP), Airport Environs Overlay Zone, Airport Approach Overlay Zone, or Airport Influence Zone. Additionally, the project is not within two miles of any airport. No impact would occur.

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project is not located within the vicinity of a private air strip.

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project is consistent with adopted land use plans and would not interfere with the implementation of or physically interfere with an adopted emergency response or evacuation plan. No roadway improvements are proposed that would interfere with circulation or access, and all construction would occur on site. No impacts would occur, and no mitigation measures are required.

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project is located within a developed residential neighborhood with no wildlands located adjacent to the project site or within the surrounding neighborhood. No impact would occur.

#### IX. HYDROLOGY AND WATER QUALITY - Would the project:

a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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According to the City's Storm Water Requirements Applicability Checklist, the project is considered to be a Priority Development Project and therefore prepared a Storm Water Quality Management Plan (SWQMP) prepared by Christensen Engineering and Surveying to identify and implement required structural best management practices (BMP) for storm water pollutant control (BMP Design Manual Chapter 5, Part 1 of Storm Water Standards) as well as low impact development source control BMPs. The project would also prepare a Stormwater Pollution Prevention Plan (SWPPP) to address water quality during construction.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Per the SQWMP, the drainage conditions would remain similar to the pre-project condition. A majority of the site runoff would be conveyed to a clean out in the private driveway and then conveyed by an 18-inch reinforced concrete pipe (RCP) drain to an existing curb inlet at the southeast corner of Calle del Oro and Calle del Cielo. The project features would protect water quality in compliance with the local and state regulations, the project would not result in any water quality standard or waste discharge violations. Impacts would be less than significant.

BMP's would be implemented during construction and post-construction. These requirements have been reviewed by qualified staff and would be re-verified during the ministerial process. Adherence with the standards would ensure that water quality standards are not violated and also preclude a cumulatively considerable contribution to water quality; therefore, a less than significant impact would result.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project does not require the construction of wells. The project is located in an urban area with existing public infrastructure.

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

According to the Drainage Study, in the post-project condition, the drainage characteristics (i.e., overall area, impervious area, flow pattern) would remain similar as compared to the pre-project condition. The project would add approximately 1.132 acre of impervious area for a total of 1.782 acres. According to the Preliminary Drainage Study Cielo Tentative Map prepared by Christensen Engineering & Surveying (July 2017), a majority of the site runoff, approximately 7.56 cubic feet per second (CFS), would be conveyed to a clean out in the private driveway and then conveyed by an 18-inch reinforced concrete pipe (RCP) drain to an existing curb inlet at the southeast corner of Calle del Oro and Calle del Cielo. Additionally, 3.60 CFS would be collected in a cleanout on Lot 1 and pumped to the cleanout in the private driveway. Overall, total site runoff would increase by .56 CFS.

While grading would be required, the project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site as the site does not contain neither a stream nor river. Impacts would be less then significant.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

See response to IX (c), above. The project would not substantially alter the existing drainage pattern of the site or the area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff, which would result in flooding on-or off-site. Impacts would be less than significant, and no mitigation measures are required.

e) Create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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The project would be required to comply with all City storm water standards during and after construction. Appropriate BMPs would be implemented to ensure that water quality is not degraded; therefore ensuring that project runoff is directed to appropriate drainage systems. Any runoff from the site is not anticipated to exceed the capacity of existing storm water systems or provide substantial additional sources of polluted runoff. Impacts would be less than significant, and no mitigation measures are required.

f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Refer to Section IX (a). The project would be required to comply with all City storm water standards both during and after construction, using appropriate BMP's that would ensure that water quality is not degraded.

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project site is not located within a 100-year flood hazard area or any other known flood area. Therefore, no impacts would occur.

h) Place within a 100-year flood hazard area, structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project site is not located within a 100-year flood hazard area or any other known flood area. Therefore, no impacts would occur.

X. LAND USE AND PLANNING – Would the project:

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The project would be consistent with the General Plan and Community Plan land use and zoning designations. The project would be consistent with the surrounding land uses that include residential development. As described, the project is located within a developed residential neighborhood, and therefore, would not physically divide an established community. No impact would occur.

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project would be consistent with the General Plan and Community Plan land use and zoning designations. Furthermore, the project site is in an area developed with similar residential uses and therefore no conflicts would occur. No impact would occur.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project is located within a developed neighborhood and no sensitive habitat exist on site. No conflict with any applicable habitat conservation plan or natural community conservation plan would occur.

#### XI. MINERAL RESOURCES – Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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There are no known mineral resources located on the project site per the City of San Diego General Plan. Therefore, no impacts would result.

b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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See XI (a), above. The project site has not been delineated on a local general, specific or other land use plan as a locally important mineral resource recovery site, and no such resources would be affected with project implementation. Therefore, no impacts were identified.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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XII. NOISE – Would the project result in:

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Short-term noise impacts would be associated with onsite grading, and construction activities of the project. Construction-related short-term noise levels would be higher than existing ambient noise levels in the project area, but would no longer occur once construction is completed. Sensitive receptors (e.g. residential uses) occur in the immediate area, and may be temporarily affected by construction noise; however, construction activities would be required to comply with the construction hours specified in the City's Municipal Code (Section 59.5.0404, Construction Noise) which are intended to reduce potential adverse effects resulting from construction noise. With compliance to the City's noise ordinance, project construction noise levels would be reduced to less than significant, and no mitigation measures are required.

For the long-term, existing noise levels would not be impacted due to the nature of the proposed residential use. Typical noise levels associated with residential uses are anticipated. Therefore, impacts would be less than significant.

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Generation of, excessive ground borne vibration or ground borne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Pile driving activities that would potentially result in ground borne vibration or ground borne noise are not anticipated with construction of the project. As described in Response to XII (a) above, potential effects from construction noise would be reduced through compliance with the City's Noise Ordinance.

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

The project would not significantly increase long-term noise levels. The project would not introduce a new land use, or significantly increase the intensity of the allowed land use. Although post-construction noise levels and traffic would increase as compared to the existing residential use, the change would not be significant. Therefore, no substantial permanent increase in ambient noise levels is anticipated. A less than significant impact would occur.

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Construction activities would result in an increase in ambient noise levels, but would be temporary and short-term in nature. In addition, the project would be required to comply with the San Diego Municipal Code, Article 9.5, Noise Abatement and Control. Therefore, impacts would be less than significant.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport would the project expose people residing or working in the area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The project is not located within an airport land use plan or within two miles of a public or private use airport. No impact would occur, and no mitigation measures are required.

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project is not located within the vicinity of a private airstrip. No impacts would occur, and no mitigation measures are required.

#### XIII. POPULATION AND HOUSING – Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project site is located in an established residential neighborhood and is surrounded by similar development. The site currently receives water and sewer service from the City, and no extension of infrastructure to new areas is required. As such, the project would not substantially increase housing or population growth in the area. No roadway improvements are proposed as part of the project. Impacts would be less than significant, and no mitigation measures are required.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No such displacement would result. The project is proposing to subdivide three parcels into eight legal parcels with eight single-dwelling units. No impacts would occur.

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No such displacement would result. The project is proposing to subdivide three parcels into eight legal parcels with eight single-dwelling units. No impacts would occur.

#### XIV. PUBLIC SERVICES

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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- a) Would the project result in substantial adverse physical impacts associated with the provisions of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service rations, response times or other performance objectives for any of the public services:

- i) Fire protection ☐ ☐ ☒ ☐

The project site is located in an urbanized and developed area where fire protection services are already provided. The project would not adversely affect existing levels of fire protection services to the area, and would not require the construction of new or expansion of existing governmental facilities. No impacts would occur, and no mitigation measures are required.

- ii) Police protection ☐ ☐ ☒ ☐

The project site is located in an urbanized and developed area within the City of San Diego where police protection services are already provided. The project would not adversely affect existing levels of police protection services or create significant new significant demand, and would not require the construction of new or expansion of existing governmental facilities. No impacts would occur, and no mitigation measures are required.

- iii) Schools ☐ ☐ ☒ ☐

The project could directly introduce a new student population within the service boundaries of the San Diego Unified School District. All development is required to pay school developer fees to the appropriate district prior to issuance of building permits. Additionally, per California Government Code 65995, the payment of required school fees is considered full and complete mitigation of impacts to school facilities. Therefore, impacts to schools would be less than significant.

- iv) Parks ☐ ☐ ☒ ☐

The project site is located in an urbanized and developed area where City-operated parks are available. The project would not significantly increase the demand on existing neighborhood or regional parks or other recreational facilities over that which presently exists and is not anticipated to result in a significant increase in demand for parks or other offsite recreational facilities. As such, no impacts related to parks occur, and no mitigation measures are required.

- v) Other public facilities ☐ ☐ ☒ ☐

The project site is located in an urbanized and developed area where City services are already available. The project would not adversely affect existing levels of public services and not require the construction or expansion of an existing governmental facility. Therefore, no new public facilities beyond existing conditions would be required.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XV. RECREATION</b>				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>The project would not adversely affect the availability of and/or need for new or expanded recreational resources. The project would not adversely affect existing levels of public services and would not require the construction or expansion of an existing governmental facility. The project would not significantly increase the use of existing neighborhood or regional parks or other recreational facilities. Therefore the project is not anticipated to result in the use of available parks or facilities such that substantial deterioration occurs, or that would require the construction or expansion of recreational facilities to satisfy demand. As such, no significant impacts related to recreational facilities have been identified, and no mitigation measures are required.</p>				
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Refer to XV (a) above. The project does not propose recreation facilities nor require the construction or expansion of any such facilities.</p>				
<b>XVI. TRANSPORTATION/TRAFFIC – Would the project?</b>				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>The project would be consistent with the General Plan and Community Plan land use and zoning designations. The project would not change existing circulation patterns on area roadways. The project would not conflict with any applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system. The project is not expected to cause a significant short-term or long-term increase in traffic volumes, and therefore, would not adversely affect existing levels of service along area roadways. The project is expected to generate 96 average daily trips (ADT), with 8 morning trips (2 in and 6 out), and 10 evening trips (7 in and 3 out). Therefore, impacts are considered less than significant.</p>				
b) Conflict with an applicable congestion management program, including, but	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Refer to response XVI (a). The project would not generate a substantial amount of additional vehicular traffic nor would it adversely affect any mode of transportation in the area. Therefore, the project would not result in conflict with any applicable congestion management program, level of service standards or travel demand measures. Impacts are considered less than significant.

- c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

☐
☐
☐
☒

The project would not result in safety risks or a change to air traffic patterns in that all structures would be a maximum of 30 feet in height, therefore not creating a safety risk. Furthermore the project site is not located in any ALCUPs or near any private airstrips. No impacts would result.

- d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

☐
☐
☐
☒

The project would not include any project elements that could potentially create a hazard to the public. No impact would result.

- e) Result in inadequate emergency access?

☐
☐
☒
☐

Construction equipment and vehicles would be staged on-site. Any staging that would be required within the public right-of-way would allow for adequate circulation, and would not adversely affect emergency access. Operation of the project would occur entirely within the project site. Therefore, the proposed project would not result in inadequate emergency access during construction or operation. Impacts would be less than significant.

- f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

☐
☐
☐
☒

The project is consistent with the community plan land use and underlying zone designation and would not result in any conflicts regarding policies, plans, or programs regarding public transit, bicycle or pedestrian facilities.

XVII. TRIBAL CULTURAL RESOURCES – Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The project would not cause a substantial adverse effect to tribal cultural resources, as there are no recorded sites listed or sites eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined by the Public Resources Code. No impact would result.

b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Tribal Cultural Resources include sites, features, places, cultural landscapes, and sacred places or objects that have cultural value or significance to a Native American Tribe. Tribal Cultural Resources include “non-unique archaeological resources” that, instead of being important for “scientific” value as a resource, can also be significant because of the sacred and/or cultural tribal value of the resource. Tribal representatives are considered experts appropriate for providing substantial evidence regarding the locations, types, and significance of tribal cultural resources within their traditionally and cultural affiliated geographic area (PRC § 21080.3.1(a)).

Tribal Cultural Resources could potentially be impacted through project implementation. Therefore to determine significance of the Tribal Cultural Resources, staff consulted with the Lipay Nation of Santa Isabel and the Jamul Indian Village, tribes traditionally and culturally affiliated with the project area. Through consultation, Tribal Cultural Resources were not identified, therefore, no impact would occur.

#### XVIII. UTILITIES AND SERVICE SYSTEMS – Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Implementation of the project would not interrupt existing sewer service to the project site or other surrounding development. The project is not anticipated to generate significant amount of wastewater. Wastewater facilities used by the project would be operated in accordance with the applicable wastewater treatment requirements of the Regional Water Quality Control Board (RWQCB). Existing sewer infrastructure exists within roadways surrounding the project site and adequate services are available to serve the project. Thus, impact would be less than significant.

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

See XVII (a) above. Adequate services are available to serve the site and the project would not require the construction or expansion of existing facilities. Impacts would be less than significant.

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project would not exceed the capacity of the existing storm water system and require the construction of new or expanded treatment facilities of which would cause significant environmental effects.

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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The project does not meet the CEQA significance threshold of 500 residential units, requiring the need the preparation of a water supply assessment. The site currently receives water service from the City, and adequate services are available to serve the project without requiring new or expanded entitlements. Impacts would be less than significant.

e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Construction of the project would not adversely affect existing wastewater treatment services. Adequate services are available to serve the site without requiring new or expanded facilities. Impacts would be less than significant.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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The project would be served by a landfill with sufficient permitted capacity to accommodate the projects disposal needs. The City has enacted codes and policies aimed at helping it achieve this diversion level, including the Refuse and Recyclable Materials Storage Regulations (Municipal Code Chapter 14, Article 2, Division 8), Recycling Ordinance (Municipal Code Chapter 6, Article 6, Division

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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7), and the Construction and Demolition (C&D) Debris Deposit Ordinance (Municipal Code Chapter 6, Article 6, Division 6). The project would comply with these codes. No impact would occur.

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| g) Comply with federal, state, and local statutes and regulation related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

The project would not result in a solid waste impact. Please refer to XVII (f), above.

XIX. MANDATORY FINDINGS OF SIGNIFICANCE –

- |  |                          |                                     |                          |                          |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|

As documented in this Initial Study, the project may have the potential to degrade the quality of the environment, notably with respect to Paleontological Resources. As such, mitigation measures have been incorporated to reduce impacts to less than significant as outlined within the Initial Study.

- |  |                          |                                     |                          |                          |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| b) Does the project have impacts that are individually limited but cumulatively considerable ("cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|

The project may have the potential to degrade the environment as a result of impacts to Paleontological Resources, which may have cumulatively considerable impacts. As such, mitigation measures have been proposed to reduce impacts to less than significant. Other future projects within the surrounding neighborhood or community would be required to comply with applicable local, State, and Federal regulations to reduce potential impacts to less than significant, or to the extent possible. As such, the project is not anticipated to contribute to potentially significant cumulative environmental impacts.

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Issue	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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The demolition existing single-dwelling unit and construction of eight new single-dwelling unit is consistent with the setting and with the use anticipated by the City. It is not anticipated that demolition or construction activities would create conditions that would significantly directly or indirectly impact human beings. Impacts would be less than significant.

## INITIAL STUDY CHECKLIST

### REFERENCES

#### I. Aesthetics / Neighborhood Character

- ☐ City of San Diego General Plan
- ☒ Community Plans: La Jolla Community Plan and Local Coastal Program Land Use Plan

#### II. Agricultural Resources & Forest Resources

- ☐ City of San Diego General Plan
- ☐ U.S. Department of Agriculture, Soil Survey - San Diego Area, California, Part I and II, 1973
- ☐ California Agricultural Land Evaluation and Site Assessment Model (1997)
- ☐ Site Specific Report:

#### III. Air Quality

- ☐ California Clean Air Act Guidelines (Indirect Source Control Programs) 1990
- ☐ Regional Air Quality Strategies (RAQS) - APCD
- ☐ Site Specific Report:

#### IV. Biology

- ☐ City of San Diego, Multiple Species Conservation Program (MSCP), Subarea Plan, 1997
- ☒ City of San Diego, MSCP, "Vegetation Communities with Sensitive Species and Vernal Pools" Maps, 1996
- ☒ City of San Diego, MSCP, "Multiple Habitat Planning Area" maps, 1997
- ☐ Community Plan - Resource Element
- ☐ California Department of Fish and Game, California Natural Diversity Database, "State and Federally-listed Endangered, Threatened, and Rare Plants of California," January 2001
- ☐ California Department of Fish and Game, California Natural Diversity Database, "State and Federally-listed Endangered and Threatened Animals of California," January 2001
- ☐ City of San Diego Land Development Code Biology Guidelines
- ☐ Site Specific Report:

**V. Cultural Resources (includes Historical Resources)**

\_\_\_ City of San Diego Historical Resources Guidelines

X City of San Diego Archaeology Library

\_\_\_ Historical Resources Board List

\_\_\_ Community Historical Survey:

\_\_\_ Site Specific Report:

**VI. Geology/Soils**

X City of San Diego Seismic Safety Study

\_\_\_ U.S. Department of Agriculture Soil Survey - San Diego Area, California, Part I and II, December 1973 and Part III, 1975

X Site Specific Report: Report of Geologic Reconnaissance, Proposed 8-Lot Residential Subdivision, 8303 La Jolla Shores Drive, La Jolla, California, prepared by Christian Wheeler Engineering, dated January 9, 2017

**VII. Greenhouse Gas Emissions**

X Site Specific Report: Climate Action Plan Checklist, Cielo

**VIII. Hazards and Hazardous Materials**

\_\_\_ San Diego County Hazardous Materials Environmental Assessment Listing

\_\_\_ San Diego County Hazardous Materials Management Division

\_\_\_ FAA Determination

\_\_\_ State Assessment and Mitigation, Unauthorized Release Listing, Public Use Authorized

\_\_\_ Airport Land Use Compatibility Plan

\_\_\_ Site Specific Report:

**IX. Hydrology/Water Quality**

\_\_\_ Flood Insurance Rate Map (FIRM)

\_\_\_ Federal Emergency Management Agency (FEMA), National Flood Insurance Program-Flood Boundary and Floodway Map

- ☐ Clean Water Act Section 303(b) list, [http://www.swrcb.ca.gov/tmdl/303d\\_lists.html](http://www.swrcb.ca.gov/tmdl/303d_lists.html)
- ☒ Site Specific Report: Priority Development Project (PDP) Storm Water Quality Management Plan (SWQMP) for Cielo Tentative Map, prepared by Christensen Engineering & Surveying (August 2017)
- ☒ Site Specific Report: Preliminary Drainage Study, Cielo Tentative Map, prepared by Christensen Engineering & Surveying (August 2017)

## **X. Land Use and Planning**

- ☒ City of San Diego General Plan
- ☒ Community Plan
- ☒ Airport Land Use Compatibility Plan
- ☒ City of San Diego Zoning Maps
- ☐ FAA Determination
- ☐ Other Plans:

## **XI. Mineral Resources**

- ☒ City of San Diego General Plan
- ☐ California Department of Conservation - Division of Mines and Geology, Mineral Land Classification
- ☐ Division of Mines and Geology, Special Report 153 - Significant Resources Maps
- ☐ Site Specific Report:

## **XII. Noise**

- ☐ City of San Diego General Plan
- ☐ Community Plan
- ☐ San Diego International Airport - Lindbergh Field CNEL Maps
- ☐ Brown Field Airport Master Plan CNEL Maps
- ☐ Montgomery Field CNEL Maps
- ☐ San Diego Association of Governments - San Diego Regional Average Weekday Traffic Volumes

\_\_\_ San Diego Metropolitan Area Average Weekday Traffic Volume Maps, SANDAG

\_\_\_ Site Specific Report:

### **XIII. Paleontological Resources**

X City of San Diego Paleontological Guidelines

\_\_\_ Deméré, Thomas A., and Stephen L. Walsh, "Paleontological Resources City of San Diego," Department of Paleontology San Diego Natural History Museum, 1996

X Kennedy, Michael P., and Gary L. Peterson, "Geology of the San Diego Metropolitan Area, California. Del Mar, La Jolla, Point Loma, La Mesa, Poway, and SW 1/4 Escondido 7 1/2 Minute Quadrangles," *California Division of Mines and Geology Bulletin* 200, Sacramento, 1975

\_\_\_ Kennedy, Michael P., and Siang S. Tan, "Geology of National City, Imperial Beach and Otay Mesa Quadrangles, Southern San Diego Metropolitan Area, California," Map Sheet 29, 1977

X Site Specific Report: Paleontological Records Search and Resource Assessment, Project at 8303 La Jolla Shores Drive, prepared by Brian F. Smith and Associates, Inc. (October 2016)

### **XIV. Population / Housing**

\_\_\_ City of San Diego General Plan

\_\_\_ Community Plan

\_\_\_ Series 11/Series 12 Population Forecasts, SANDAG

\_\_\_ Other:

### **XV. Public Services**

\_\_\_ City of San Diego General Plan

\_\_\_ Community Plan

### **XVI. Recreational Resources**

\_\_\_ City of San Diego General Plan

\_\_\_ Community Plan

\_\_\_ Department of Park and Recreation

\_\_\_ City of San Diego - San Diego Regional Bicycling Map

\_\_\_ Additional Resources:

**XVII. Transportation / Circulation**

- \_\_\_ City of San Diego General Plan
- \_\_\_ Community Plan
- \_\_\_ San Diego Metropolitan Area Average Weekday Traffic Volume Maps, SANDAG
- \_\_\_ San Diego Region Weekday Traffic Volumes, SANDAG
- \_\_\_ Site Specific Report:

**XVIII. Utilities**

- \_\_\_ Site Specific Report:

**XIX. Water Conservation**

- \_\_\_ Sunset Magazine, *New Western Garden Book*, Rev. ed. Menlo Park, CA: Sunset Magazine

All figures should be placed at the end of  
the ISMND



## Project Location Map

Cielo TM/CDP/SDP– 8280 Calle De Cielo  
**PROJECT NO. 529620**

