

THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED:September 28, 2016REPORT NO. HO-16-062HEARING DATE:October 5, 2016J11 SEA RIDGE CDP SDP. Process Three DecisionSUBJECT:311 SEA RIDGE CDP SDP. Process Three DecisionPROJECT NUMBER:451591OWNER/APPLICANT:David Lessnick

SUMMARY:

<u>Issue:</u> Should the Hearing Officer approve a Coastal Development Permit to demolish an existing single family home to construct a new single family home located at 311 Sea Ridge Drive within the La Jolla Community Planning area?

Staff Recommendation(s):

- 1. ADOPT MND No. 451591 and ADOPT the Mitigation, Monitoring, and Reporting Program; and
- 2. APPROVE Coastal Development Permit No. 1584910;
- 3. APPROVE Site Development Permit No. 1584911;

<u>Community Planning Group Recommendation</u>: On May 3, 2016, the La Jolla Community Planning Association voted 9-3-1 to recommend approval of the proposed project without conditions/recommendations.

<u>Environmental Review</u>: Mitigated Negative Declaration no. 451591 has been prepared for the project in accordance with the State of California Environmental Quality act (CEQA) guidelines. A Mitigation, Monitoring and Reporting Program has been prepared and will be implemented which will reduce, to below a level of significance, any potential impacts identified in the environmental review process.

BACKGROUND

The project proposes the demolition of an existing single family home and development of a new single family home on a 0.17-acre site is located at 311 Sea Ridge Drive in the RS-1-7 zone within the Coastal Overlay Zone (Appealable), Coastal Height Overlay Zone and First Public Roadway, within the Sensitive Coastal Overlay Zone, Parking Impact Overlay Zone (Coastal and Beach), Residential Tandem Parking Overlay Zone, and Transit Area Overlay Zone within the La Jolla Community Plan area.

The site currently contains a single story single family residence constructed in 1974. Because the existing home is less than 45 years old and does not contain Historical Resources identified on the City's Historical Resource Sensitivity Maps, the structure was exempt from Historical Review. The project requires a Coastal Development Permit Process Three, appealable to the California Coastal Commission, for a coastal development pursuant to San Diego Municipal Code section 126.0702and a Site Development Permit for containing environmentally sensitive lands pursuant to San Diego Municipal Code section 126.0502(a)(2)(A). The project is bounded by single family residential development and the Pacific Ocean.

DISCUSSION

Project Description:

The proposed project includes the demolition of an existing single family dwelling unit and construction of a new single family home totaling 4,290 square feet over a 3,085 square-foot basement with a 1,314 square-foot roof deck. The new home would include two bedrooms, family room, and exercise room within the basement. The first floor would include a two-car garage, kitchen, and family room and, lap pool. The second floor would include two bedrooms with bathrooms and laundry room and deck. The roof deck includes a penthouse accessed by elevator and stairs.

As a component of the proposed project, the home will utilize renewable energy technology, self-generating at least 50% of the projected total energy consumption on site through photovoltaic technology (solar panels), thus meeting the requirements of Council Policy 900-14, the City Council's Sustainable Building Policy. The photovoltaic system will be located on a portion of the roof. Additional environmental conservation elements for the project include the use of native drought tolerant, high pest resilient landscaping, energy efficient irrigation controls and irrigation, light color roof and exterior wall, windows and doors, low flush toilets and low flow showers, energy efficient tankless water heaters, energy star label appliances and lights. The attached garage will provide parking for two cars accessed from Sea Ridge Drive. Public improvements include the reconstruction of a non-ADA compliant driveway to be replaced with an ADA-compliant, City standard 12-foot wide concrete driveway. The project was reviewed for compliance with the RS-1-7 zone land development requirements which include but are not limited to setbacks, density, landscape, parking, and floor area ratio. No deviations are proposed with the proposed single family home.

The project proposes a maximum building height of 29 feet 10 inches making the project within the 30-foot maximum height limit allowed under the Coastal Height Overlay Zone and Citywide zoning requirements. The project is not requesting nor does it require any deviations or variances from the applicable regulations, and the project is consistent with the recommended land use designation policy documents, design guidelines, and development standards in effect for the site. Because the project utilizes renewable technologies, it qualifies as a sustainable building. The land use approvals have been processed through the Affordable/In-Fill Housing and Sustainable Buildings Expedite Program.

Sensitive Coastal Bluffs:

The project site contains sensitive coastal resources (sea bluff) and was reviewed in accordance with San Diego Municipal Code (SDMC) section 143.0143 (Development Regulations for Sensitive Coastal Bluffs) and the Coastal Bluffs and Beaches Guidelines. SDMC section 143.0143(f) indicates that all developments including buildings, accessory structures, and any additions to existing structures be set back at least 40 feet from the coastal bluff edge. However, SDMC section 143.0143(f) allow structures to be located between 25 and 40 feet from the bluff edge where the evidence contained in a geology report indicates that the site is stable enough to support the development at the proposed distance from the coastal bluff edge and designed so that it will not be subject to or contribute to significant geologic instability throughout the anticipated life span of the primary structures, and no shoreline protection is required. Reductions from the 40-foot setback may be approved only if the geology report concludes the structure will not be subject to significant geologic instability, and not require construction of shoreline protection measures throughout the economic life span of the structure

The City of San Diego has reviewed the submitted Geotechnical Investigation with addendum and Bluff Stability Study from TerrCosta Consulting Group, LLC and concluded the reports addresse bluff retreat and coastal stability, bluff stability of rising sea levels, potential effects of past and projected El Nino events on bluff stability, and an analysis of whether this section of coastline is under a process of retreat. The report conclude that the project will not be subject to the impacts of significant geologic instability and will not require construction of shoreline protection measures throughout the economic lifespan of the proposed structure. Therefore the project is proposing a 25-foot setback from the bluff edge in accordance with SDMC section 143.0143(f). As a condition of the permit the owner/permittee shall provide the Development Services Department a deed restriction to waive all rights to install bluff protective devices.

Community Plan Analysis:

The project site is designated for low density residential development (0-5 du/ac) in the La Jolla Community Plan and Local Coastal Program. The project proposes a single dwelling unit on a 0.17-acre site. Therefore the project is consistent with the recommended use and density of the community plan.

The La Jolla Community Plan recommends community character be preserved by applying development regulations that will limit the bulk and scale differences relative to surrounding lots. This includes applying a sliding scale for floor area ratios that will decrease building scale as the lot size increases. The La Jolla Community Plan also recommends that bulk and scale of new

development apply to side and rear setbacks requirements, building articulation, roofline treatment and variations within front yard setback requirements. The proposed development complies with these recommendations as the project proposes an open courtyard on the east side (side yard) which reduces the massing and integrates a view corridor for pedestrians located at the street to a width of approximately 23 feet from the property line. Additionally the third floor steps back from the floor below further reducing the building mass.

A view corridor is not designated within the La Jolla Community Plan and Local Coastal Program on the project site. However, Sea Ridge Drive is identified as having an intermittent or partial vista per the Community Plan. As a condition of the permit the applicant will be required to record a deed creating interior side-yard view corridor easements of four feet on the north, and seven feet and six inches on the south, as required by the San Diego Municipal Code section 132.0403.

Conclusion

Staff has determined that the project complies with the development regulations of the RS-1-7 zone and all other applicable sections of the San Diego Municipal Code and that the required findings can be made. Staff recommends approval of the project as proposed.

ALTERNATIVES

- 1. Approve Coastal Development Permit No. 1584910/Site Development Permit No. 1584911 with modifications or;
- 2. Deny Coastal Development Permit No. 1584910/Site Development Permit No. 1584911, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

UMU William Zounes,

Development Project Manager

Attachments:

- 1. Aerial Photograph
- 2. Community Plan Land Use Map
- 3. Project Location Map
- 4. Project Data Sheet
- 5. Draft Permit with Conditions
- 6. Draft Resolution with Findings
- 7. Draft Environmental Resolution
- 8. Community Planning Group Recommendation
- 9. Ownership Disclosure Statement
- 10. Project Plans



311 Sea Ridge CDP/PDP Project No. 451591 311 Sea Ridge Drive





La Jolla Community Plan 311 Sea Ridge CDP/PDP Project No. 451591 311 Sea Ridge Drive Attachment 2 Community Plan Land Use Map





Project Location Map <u>311 Sea Ridge CDP/PDP Project No. 451591</u> 311 Sea Ridge Drive



Attachment 3 Project Location Map

PROJECT DATA SHEET

311 Pacific Ridge CDP/SDP
The demolition of an existing single family home and development of a new, three story single family home with basement.
La Jolla
Coastal Development Permit/Site Development Permit
Low Density Residential

ZONING INFORMATION:

ZONE: RS-1-7

HEIGHT LIMIT: 30 feet

LOT SIZE: 0.17-acres.

FLOOR AREA RATIO: varies

FRONT SETBACK: 15 feet

SIDE SETBACK: 4 feet

STREETSIDE SETBACK: 10 feet

REAR SETBACK: 10 feet

PARKING: 2 parking spaces required

ADJACENT PROPERTIES:	LAND USE DESIGNATION & ZONE	EXISTING LAND USE		
NORTH:	Residential, RS-1-7	Single Family Housing		
SOUTH:	N/A	Pacific Ocean		
EAST:	Residential, RS-1-7	Single Family Housing		
WEST:	Residential, RS-1-7	Single Family Housing		
DEVIATIONS OR VARIANCES REQUESTED:	None			
COMMUNITY PLANNING GROUP RECOMMENDATION:	On May 5, 2016 the La Jolla Community Planning Association voted 9-3-1 to recommend approval of the project.			

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

WHEN RECORDED MAIL TO PROJECT MANAGEMENT PERMIT CLERK MAIL STATION 501

INTERNAL ORDER NUMBER: 24006275 SPACE ABOVE THIS LINE FOR RECORDER'S USE

Coastal Development Permit No. 1584910 Site Development Permit No. 1584911 311 SEA RIDGE CDP SDP PROJECT NO. 451591 [MMRP] Hearing Officer

This Coastal Development Permit No. 1584910/Site Development Permit No. 1584911 is granted by the Hearing Officer of the City of San Diego to DAVID LESSNICK Owner, and, Permittee, pursuant to San Diego Municipal Code [SDMC] sections 132.0602, 126.0702, and 143.0110. The 0.17 -acre site is located at 311 Sea Ridge Drive in the RS-1-7 zone of the La Jolla Community Plan area. The project site is legally described as: Lot 21 of Sun Gold Point, in the City of San Diego, County of San Diego, State of CA, according to Map thereof No. 3216, filed in the office of the County Recorder of San Diego County, April 14, 1955;

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to demolish a one story single family home and construct a single family home with basement described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated October 5, 2016, on file in the Development Services Department.

The project shall include:

- Demolition of an existing single family structure and the construction of a new 4,290 square-foot home over a 3,085 square-foot basement on a 0.17-acre site with associated site improvements;
- b. Landscaping (planting, irrigation and landscape related improvements);
- c. Off-street parking;
- d. A roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 50 percent of the project's projected energy consumption in accordance with Council Policy 900-14; and
- e. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act

[CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

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

2. This Coastal Development Permit shall become effective on the eleventh working day following receipt by the California Coastal Commission of the Notice of Final Action, or following all appeals.

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

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

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

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

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

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

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

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

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

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

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

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

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

13. The mitigation measures specified in the MMRP and outlined in Mitigated Negative Declaration No. 451591 shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

14. The Owner/Permittee shall comply with the MMRP as specified in Mitigated Negative Declaration No. 451591 to the satisfaction of the Development Services Department and the City

Engineer. Prior to issuance of any construction permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for Paleontological Resources.

ENGINEERING REQUIREMENTS:

15. The project proposes to export 4639 cubic yards of material from the project site. All excavated material listed to be exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2009 edition and Regional Supplement Amendments adopted by Regional Standards Committee.

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

17. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the construction of a current City Standard 12 ft wide concrete driveway, adjacent to the site on Sea Ridge Drive.

18. Prior to the issuance of any construction permit, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.

19. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the SDMC, into the construction plans or specifications.

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

LANDSCAPE REQUIREMENTS:

21. Prior to **issuance** of any construction permits for structures, the Owner/Permittee shall submit complete landscape and irrigation construction documents consistent with the Landscape Standards to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit "A," Landscape Development Plan, on file in the Development Services Department. Construction plans shall show, label, and dimension a 40 sq-ft area around each tree which is unencumbered by hardscape and utilities as set forth under LDC 142.0403(b)(5).

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

23. Prior to issuance of any construction permits for structures, the Owner/Permittee shall submit a water budget in accordance with the Water Conservation Requirements per SDMC 142.0413, Table 142-04I, to be included with the construction documents. An irrigation audit shall be submitted consistent with Section 2.7 of the Landscape Standards of the Land Development Manual at final inspection. The irrigation audit shall certify that all irrigation systems have been installed and operate as approved by the Development Services Department.

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

25. Only native or other drought tolerant plant species shall be used in landscaped areas in order to minimize irrigation requirements and to reduce potential slide hazards due to overwatering of the coastal bluffs.

26. The Owner/Permittee shall be responsible for maintaining all landscape located within the visibility corridor at a height not to exceed 3 feet. Landscaping shall be maintained such that during growing stage and at maturity, it will not encroach into the view corridor.

PLANNING/DESIGN REQUIREMENTS:

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

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

29. Prior to the foundation inspections, a Pad Elevation will be established and a Pad Elevation Certificate will be provided to the field inspector and a copy to the Planning Reviewer - for inclusion in the project file.

30. Prior to the issuance of any construction permit, the owner/permittee shall submit a recorded deed restriction to the Development Services Department that restricts required side yard setback areas (as shown on the site plan of Exhibit "A" dated October 5, 2016) to cumulatively form functional view corridors. The southerly side yard shall maintain a minimum 7-foot 6-inch view setback/view corridor for the length of the property from the public sidewalk to the ocean. The northerly side yard shall maintain a minimum 4-foot 0-inch view setback/view corridor for the length of the ocean. Structures and obstructions are prohibited within the boundaries of any required visual corridor. Open fencing and landscaping may be installed within the view corridor provided such improvements do not significantly obstruct public

views to the ocean. Landscaping is prohibited from obstructing public views to the ocean. The deed restriction shall be processed and recorded with the Office of the County Recorder.

31. Prior to issuance of any construction permit, the owner/permittee shall submit a recorded deed restriction to the Development Services Department that prohibits protective devices on the subject property. Protective devices include, but are not limited to, air-placed concrete, retaining walls, and seawalls. The deed restriction shall be processed and recorded with the Office of the County Recorder.

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

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

INFORMATION ONLY:

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

APPROVED by the Hearing Officer of the City of San Diego on October 5, 2016.

Permit Type/PTS Approval No.: CDP No. 1584910/SDP No. 1584911 Date of Approval: October 5, 2016

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

William Zounes Development Project Manager

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

The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.

Owner/Permittee

By_

David Lessnick

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

Hearing officer Resolution No. xxxxxx Coastal Development Permit No. 1584910 Site Development Permit No. 1584911 **311 SEA RIDGE CDP SDP PROJECT NO. 451591 - [MMRP]**

WHEREAS, DAVID LESSNICK, Owner/Permittee, filed an application with the City of San Diego for a permit to demolish a one story single family home and construct a two-story single family home with basement (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 1584910 and 1584911), on portions of a 0.17-acre site;

WHEREAS, the project site is located at 311 Sea Ridge Drive in the RS-1-7 zone of the La Jolla Community Plan area;

WHEREAS, the project site is legally described as Lot 21 of Sun Gold Point, in the City of San Diego, County of San Diego, State of CA, according to Map thereof No. 3216, filed in the office of the County Recorder of San Diego County, April 14, 1955;

WHEREAS, on October 5, 2016, the Hearing Officer of the City of San Diego considered Coastal Development No. 1584910 and Site Development Permit No. 1584911 pursuant to the Land Development Code of the City of San Diego;

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

That the Hearing Officer adopts the following written Findings dated October 5, 2016.

FINDINGS:

Site Development Permit - Section 126.0504

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

The project proposes a Site Development Permit and Coastal Development Permit to construct a 4,290 square-foot three story single family home over a 3,085 square-foot basement. The project site is designated for low density residential development (0-5 du/ac) in the La Jolla Community Plan and Local Coastal Program. The 0.17-acre site is located at 311 Sea Ridge Drive in the RS-1-7 zone within the Coastal Overlay Zone (Appealable), Coastal Height Overlay Zone and First Public Roadway, within the Sensitive Coastal Overlay Zone, Parking Impact Overlay Zone (Coastal and Beach), Residential Tandem Parking Overlay Zone, and Transit Area Overlay Zone within the La Jolla Community Plan area. The proposed project conforms to the identified land use.

The La Jolla Community Plan recommends community character be preserved by applying development regulations that will limit the bulk and scale differences relative to surrounding lots. This includes applying a sliding scale for floor area ratios that will decrease building scale as the lot size increases. The La Jolla Community Plan also recommends that bulk and scale of new development apply to side and rear setbacks requirements, building articulation, roofline treatment and variations within front yard setback requirements. The proposed development complies with

these recommendations as the project proposes an open courtyard on the east side (side yard) which reduces the massing and integrates a view corridor for pedestrians located at the street to a width of approximately 23 feet from the property line. Additionally the third floor steps back from the floor below further reducing the building mass.

A view corridor is not designated within the La Jolla Community Plan and Local Coastal Program on the project site. However, Sea Ridge Drive is identified as having an intermittent or partial vista per the Community Plan. As a condition of the permit the applicant will be required to record a deed creating and interior side-yard view corridor easements of four feet on the north, and seven feet and six inches on the south, as required by the San Diego Municipal Code section 132.0403.

The project proposes no deviations or variances from the applicable regulations and is consistent with the goals and recommendations within the applicable policy documents. Therefore, the proposed development will not adversely affect the applicable land use plan.

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

A Mitigated Negative Declaration was prepared from the project as it was determined that the proposed development could have a significant impact to Paleontological Resources. Because mitigation measures are required to be applied to the project in accordance with Section V of the associated Mitigation, Monitoring, and Reporting Program (MMRP), the project now avoids or mitigates any potentially significant environmental impacts to archaeological resources in accordance with the California Environmental Quality Act.

The permit controlling this development contains conditions addressing compliance with the City's regulations and other regional, State and Federal regulations to prevent detrimental impacts to the health, safety, and welfare of persons residing in the area. These conditions address requirements relating to storm water runoff, runoff during construction, and landscaping. All Uniform Building, Fire, and Mechanical Codes governing the construction and continued operation of the development will apply to this site to prevent adverse affects to those persons or other properties in the vicinity. Prior to the issuance of any construction permit for the proposed development, the plans shall be reviewed for compliance with all building, electrical, mechanical, plumbing, fire code, public improvements and grading requirements. The project proposes catch basins and BMP filters to collect all run-off and avoid any potential drainage from happening on the coastal bluff. Therefore, the proposed project conforms to the development regulations and will not be detrimental to the public health, safety, and welfare.

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

The proposed development complies with the applicable zoning and development regulations of the Land Development Code including land development requirements regulating single-family development. The proposed project was reviewed for compliance with the RS-1-7 zone land development requirements which include but are not limited to setbacks, density, landscape, parking, and floor area ratio. No deviations are proposed with the proposed single family home. As a component of the proposed project, the buildings will utilize renewable energy technology, self-generating at least 50% of the projected total energy consumption on site through photovoltaic

technology (solar panels), thus meeting the requirements of Council Policy 900-14, the City Council's Sustainable Building Policy. The photovoltaic system will be located on the roof of the house. Therefore, the project complies with the applicable zoning and development regulations of the Land Development Code. The permit for the project will require an easement restricting required side yard setback areas to form functional view corridors and prevent future development from obstructing views to the ocean and creating a walled effect. Therefore, the proposed development will comply with the applicable regulations of the Land Development Code.

Site Development Permit - Section 126.0504: Supplemental Findings--Environmentally Sensitive Lands

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

The project site contains Environmentally Sensitive Lands in the form of sensitive coastal bluffs. The proposed house will be located outside of the coastal bluff by a minimum setback of 25 feet and will not affect any established view corridors. As a condition of the Coastal Development Permit the owner is required to submit a deed to the Development Services Department for a recorded easement restricting required side yard setback areas to cumulatively form functional view corridors and preventing a walled effect from authorized development. The southerly side yard shall maintain a minimum 7-foot 6-inch view setback/view corridor for the length of the property from the public sidewalk to the ocean. The northerly side yard shall maintain a minimum 4-foot-0-inch view setback/view corridor for the length of the property from the ocean. No structures or obstructions that impede views shall be installed within the boundaries of any required visual corridor. Open fencing and landscaping may be installed within the view corridor provided such improvements do not significantly obstruct public views to the ocean. Landscaping shall be maintained such that during growing stage and at maturity, it will not encroach into the view corridor or obstruct public views to the ocean.

The permit controlling this development contains conditions addressing compliance with the City's regulations and other regional, State and Federal regulations to prevent detrimental impacts to the health, safety, and welfare of persons residing in the area. These conditions address requirements relating to storm water runoff, runoff during construction, and landscaping. All Uniform Building, Fire, and Mechanical Codes governing the construction and continued operation of the development will apply to this site to prevent adverse affects to those persons or other properties in the vicinity. The project is adding BMP filters to collect all run-off and avoid any potential drainage from happening on the costal bluff. The project site is located in an established urban neighborhood and is supplied with all utilities. The land supports no native vegetation and is not in or adjacent to the City's Multiple Habitat Planning Area. Therefore, the site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands.

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

The project is not located in active earthquake fault zone as the closest known active fault is the Rose Canyon fault located approximately 2.4 miles east-northeast of the project site. No known active faults have been mapped, nor were any observed during geologic reconnaissance at, or in the immediate vicinity of, the project site. Additionally, the project is not within a flood overlay zone or a potentially sensitive area for fire hazards.

The project site contains environmentally sensitive lands in the from of sensitive coastal resources (sea bluff) and was reviewed in accordance with San Diego Municipal Code (SDMC) section 143.0143 (Development Regulations for Sensitive Coastal Bluffs) and the Coastal Bluffs and Beaches Guidelines. SDMC section 143.0143(f) indicates that all developments including buildings, accessory structures, and any additions to existing structures be set back at least 40 feet from the coastal bluff edge. However, SDMC section 143.0143(f) allow structures to be located between 25 and 40 feet from the bluff edge where the evidence contained in a geology report indicates that the site is stable enough to support the development at the proposed distance from the coastal bluff edge and designed so that it will not be subject to or contribute to significant geologic instability throughout the anticipated life span of the primary structures, and no shoreline protection is required. Reductions from the 40-foot setback may be approved only if the geology report concludes the structure will not be subject to significant geologic instability, and not require construction of shoreline protection measures throughout the economic life span of the structure

The project's Geotechnical Investigation with addendum and Bluff Stability Study addresses bluff retreat and coastal stability, bluff stability of rising sea levels, potential effects of past and projected El Nino events on bluff stability, and an analysis of whether this section of coastline is under a process of retreat. The report concluded that the project will not be subject to the impacts of significant geologic instability and will not require construction of shoreline protection measures throughout the economic lifespan of the proposed structure. Therefore the project is proposing a 25-foot setback from the bluff edge in accordance with SDMC section 143.0143(f). As a condition of the permit the owner/permittee shall provide the Development Services Department a deed restriction to waive all rights to install bluff protective devices. Therefore, the proposed development will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.

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

The project site contains environmentally sensitive lands in the form of sensitive coastal resources (sea bluff) and was reviewed by the City of San Diego in accordance with San Diego Municipal Code (SDMC) section 143.0143 (Development Regulations for Sensitive Coastal Bluffs) and the Coastal Bluffs and Beaches Guidelines. SDMC section 143.0143(f) indicates that all developments including buildings, accessory structures, and any additions to existing structures be set back at least 40 feet from the coastal bluff edge. However, SDMC section 143.0143(f) allow structures to be located between 25 and 40 feet from the bluff edge where the evidence contained in a geology report indicates that the site is stable enough to support the development at the proposed distance from

the coastal bluff edge and designed so that it will not be subject to or contribute to significant geologic instability throughout the anticipated life span of the primary structures, and no shoreline protection is required. Reductions from the 40-foot setback may be approved only if the geology report concludes the structure will not be subject to significant geologic instability, and not require construction of shoreline protection measures throughout the economic life span of the structure

The project's Geotechnical Investigation with addendum and Bluff Stability Study addresses bluff retreat and coastal stability, bluff stability of rising sea levels, potential effects of past and projected El Nino events on bluff stability, and an analysis of whether this section of coastline is under a process of retreat. The report concluded that the project will not be subject to the impacts of significant geologic instability and will not require construction of shoreline protection measures throughout the economic lifespan of the proposed structure. Therefore the project is proposing a 25-foot setback from the bluff edge in accordance with SDMC section 143.0143(f). As a condition of the permit the owner/permittee shall provide the Development Services Department a deed restriction to waive all rights to install bluff protective devices.

As a condition of the Coastal Development Permit/Site Development Permit the owner is required to submit a deed to the Development Services Department for a recorded easement restricting required side yard setback areas to cumulatively form functional view corridors and preventing a walled effect from authorized development. The southerly side yard shall maintain a minimum 7-foot 6-inch view setback/view corridor for the length of the property from the public sidewalk to the ocean. The northerly side yard shall maintain a minimum 4-foot-0-inch view setback/view corridor for the length of the property from the public sidewalk to the installed within the boundaries of any required visual corridor.

The permit controlling this development contains conditions addressing compliance with the City's regulations and other regional, State and Federal regulations to prevent detrimental impacts to the health, safety, and welfare of persons residing in the area. These conditions address requirements relating to storm water runoff, runoff during construction, and landscaping. All Uniform Building, Fire, and Mechanical Codes governing the construction and continued operation of the development will apply to this site to prevent adverse affects to those persons or other properties in the vicinity. The project is adding BMP filters to collect all run-off and avoid any potential drainage on the costal bluff. The land supports no native vegetation and is not in or adjacent to the City's Multiple Habitat Planning Area. Therefore, the proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.

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

The site is not within or adjacent to the Multiple Species Conservation Program (MSCP) Multiple Habitat Planning Area (MHPA). Therefore the project is not inconsistent with the City's MSCP.

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

The proposed development will be constructed entirely within private property. The permit controlling this development contains conditions addressing compliance with the City's regulations and other regional, State and Federal regulations to prevent detrimental impacts to the health,

safety, and welfare of persons residing in the area. These conditions address requirements relating to storm water runoff, runoff during construction, and landscaping. All Uniform Building, Fire, and Mechanical Codes governing the construction and continued operation of the development will apply to this site to prevent adverse affects to those persons or other properties in the vicinity. The project is adding catch basins and BMP filters to collect all runoff and avoid any potential drainage from happening on to the coastal bluffs from private improvements. The proposed project will decrease the existing impervious area of the site and in turn decrease runoff and erosion. Therefore, the proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply

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

A Mitigated Negative Declaration was prepared from the project as it was determined that the proposed development could have a significant impact to Paleontological Resources. Paleontological monitoring during grading activities is required in accordance to CEQA due to the earth movement quantity exceeding the CEQA Paleontological threshold of greater than 2,000 cubic yards and for shallow grading (less than ten feet) when a site has been previously graded and/or unweathered formations are present at the surface. Because the project proposes 4,638 cubic yards of cut with a maximum cut depth of approximately 11 feet, proposed mitigation for Paleontological resources is required.

Because mitigation measures are required to be applied to the project in accordance with Section V of the associated Mitigation, Monitoring, and Reporting Program (MMRP), the project now avoids or mitigates any potentially significant environmental impacts to archaeological resources in accordance with the California Environmental Quality Act. Therefore, the nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development.

Finding for all Coastal Development Permits (SDMC section 126.0708)

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

The property is not identified in the City's adopted La Jolla Community Plan and Local Coastal Program (LCP) Land Use Plan as containing a public access way. There is no physical access way used by the public or any proposed public access way as identified in the LCP Land Use Plan. The proposed modifications will be consistent with the height of existing structures within neighborhood. The project is completely contained within the private property. The nearest public access to the Pacific Ocean is from Calumet Park approximately one quarter mile to the north. The La Jolla Community Plan and Local Coastal Program does not identify a view corridor on the project site. However, Sea Ridge Drive is identified as having an intermittent or partial vista per the community plan. The proposed development will be required the recordation of a deed creating and interior side-yard view corridor easements of four feet on the north, and seven feet and six inches on the south. Therefore, the proposed coastal development will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan.

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

The project site contains Environmentally Sensitive Lands in the form of sensitive coastal bluffs. The proposed house will be located outside of the coastal bluff by a minimum setback of 25 feet and will not affect any established view corridors. The permit controlling this development contains conditions addressing compliance with the City's regulations and other regional, State and Federal regulations to prevent detrimental impacts to the health, safety, and welfare of persons residing in the area. These conditions address requirements relating to storm water runoff, runoff during construction, and landscaping. All Uniform Building, Fire, and Mechanical Codes governing the construction and continued operation of the development will apply to this site to prevent adverse affects to those persons or other properties in the vicinity. The project is adding BMP filters to collect all run-off and avoid any potential drainage from happening on the costal bluff. The project site is located in an established urban neighborhood and is supplied with all utilities. The land supports no native vegetation and is not in or adjacent to the City's Multiple Habitat Planning Area. Therefore, the proposed coastal development will not adversely affect environmentally sensitive lands.

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

The project proposes a Site Development Permit and Coastal Development Permit to construct a 4,290 square-foot three story single family home over a 3,085 square-foot basement. The project site is designated for low density residential development (0-5 du/ac) in the La Jolla Community Plan and Local Coastal Program. The 0.17-acre site is located at 311 Sea Ridge Drive in the RS-1-7 zone within the Coastal Overlay Zone (Appealable), Coastal Height Overlay Zone and First Public Roadway, within the Sensitive Coastal Overlay Zone, Parking Impact Overlay Zone (Coastal and Beach), Residential Tandem Parking Overlay Zone, and Transit Area Overlay Zone within the La Jolla Community Plan area.. The proposed project conforms to the identified land use.

The La Jolla Community Plan recommends community character be preserved by applying development regulations that will limit the bulk and scale differences relative to surrounding lots. This includes applying a sliding scale for floor area ratios that will decrease building scale as the lot size increases. The La Jolla Community Plan also recommends that bulk and scale of new development apply to side and rear setbacks requirements, building articulation, roofline treatment and variations within front yard setback requirements. The proposed development complies with these recommendations as the project proposes an open courtyard on the east side (side yard) which reduces the massing and integrates a view corridor for pedestrians located at the street to a width of approximately 23 feet from the property line. Additionally the third floor steps back from the floor below further reducing the building mass.

A view corridor is not designated within the La Jolla Community Plan and Local Coastal Program on the project site. However, Sea Ridge Drive is identified as having an intermittent or partial vista per the Community Plan. As a condition of the permit the applicant will be required to record a deed creating and interior side-yard view corridor easements of four feet on the north, and seven feet and six inches on the south, as required by the San Diego Municipal Code section 132.0403.

The project proposes no deviations or variances from the applicable regulations and is consistent with the goals and recommendations within the applicable policy documents. Therefore, the proposed development is in conformity with the Pacific Beach Community Plan and Local Coastal Program and complies with the regulations of the certified Land Development Code.

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

The project site is located between the First Public Roadway and the Pacific Ocean. The property is located along Sea Ridge Drive between Sea Ridge Drive and the Pacific Ocean. Off-site dedicated public access points are located from Calumet Park one quarter mile to the north. The proposed site improvement would not encroach within a public access or public recreation area. The project would conform to the public access and public recreation policies of Chapter 3 of the California Coastal Act which indicates projects will not impede an any water oriented activity, interfere with coastal dependent aquaculture uses, interfere with coastal access, and not interfere with Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas. Therefore, the coastal development is in conformity with the public access and public recreation policies of Chapter 3 and the California Kate.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Coastal Development No. 1584910 and Site Development Permit No. 1584911is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit Nos. 1584910 and 1584911 a copy of which is attached hereto and made a part hereof.

William Zounes Development Project Manager Development Services

Adopted on: October 5, 2016

IO#: 24006275

Attachment 7 Draft Environmental Resolution

RESOLUTION NUMBER R-_____

ADOPTED ON ______

WHEREAS, on January 28, 2016, Elizabeth Carmichael submitted an application to the Development Services Department for a Coastal Development Permit and Site Development Permit for the 311 Sea Ridge project (Project); and

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

WHEREAS, the issue was heard by the Hearing Officer on October 5, 2016; and

WHEREAS, the Hearing Officer considered the issues discussed in the Mitigated Negative Declaration No. 451591 (Declaration) prepared for this Project; NOW THEREFORE,

BE IT RESOLVED, by the Hearing Officer that it is certified that the Declaration has been completed in compliance with the California Environmental Quality Act of 1970 (CEQA) (Public Resources Code Section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.), that the Declaration reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said Declaration, together with any comments received during the public review process, has been reviewed and considered by the Hearing Officer in connection with the approval of the Project.

BE IT FURTHER RESOLVED, that the Hearing Officer finds on the basis of the entire record that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study, that there is no substantial evidence that the Project will have a significant effect on the environment, and therefore, that said Declaration is hereby adopted. BE IT FURTHER RESOLVED, that pursuant to CEQA Section 21081.6, the Hearing Officer hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the Project as required by this Hearing Officer in order to mitigate or avoid significant effects on the environment, which is attached hereto as Exhibit A.

BE IT FURTHER RESOLVED, that the Declaration and other documents constituting the record of proceedings upon which the approval is based are available to the public at the office of the Development Services Department, 1222 First Avenue, San Diego, CA 92101.

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

By:

William Zounes

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

EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM

COASTAL DEVELOPMENT PERMIT / SITE DEVELOPMENT PERMIT

PROJECT NO. 451591

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Entitlements Division, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in the Mitigated Negative Declaration No. 451591 shall be made conditions of **COASTAL DEVELOPMENT PERMIT / SITE DEVELOPMENT PERMIT** as may be further described below.

PALEONTOLOGICAL RESOURCES

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

Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11×17) 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
 - 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 (CSVR). The CSVR'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.
- 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
 - 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.
 - Recording Sites with the San Diego Natural History Museum The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum with the Final Monitoring Report.
 - 2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
 - 3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
 - 4. MMC shall provide written verification to the PI of the approved report.
 - 5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Fossil Remains
 - 1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.
 - 2. The PI shall be responsible for ensuring that all fossil remains are analyzed to identify function and chronology as they relate to the geologic history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate
- C. Curation of fossil remains: Deed of Gift and Acceptance Verification
 - 1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.
 - 2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
- D. Final Monitoring Report(s)
 - 1. The PI shall submit two copies of the Final Monitoring Report to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
 - 2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

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

311 SEA RIDGE DRIVE

311 Sea Ridge Drive CDP SDP ACTION ITEM

Demolish an existing single dwelling unit and construct a 8,968 square-foot single dwelling unit. The project incorporates a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 50 percent of the project's projected energy consumption, in conformance with the criteria of the Affordable/In-Fill Housing and Sustainable Buildings Expedite Program. The 0.17acre site is located within: the Coastal Overlay Zone (Appealable); Sensitive Coastal (CB - First Public Roadway - Appealable); and Coastal Height Limitation Overlay Zones; Sensitive and Potentially Sensitive Vegetation/Environmentally Sensitive Lands (ESL); Floodway - FP100; Parking Impact (Coastal and Beach); Residential Tandem Parking; and Transit Area Overlay Zones. The project is in the RS-1-7 zone of the La Jolla Community Plan. Sustainable Buildings Expedite Program

DPR RECOMMENDATION: Findings CAN be made that the proposed project conforms to the La Jolla Community Plan for a Coastal Development Permit and Site Development Permit for demolish an existing single dwelling unit and construct a 7,388 square-foot single dwelling unit at 311 Sea Ridge Drive. 5-1-0 Elizabeth Carmichael from Eco House Architecture presents. This was a "self-pull" to avoid a 30-day delay. A few questions on solar panels from the audience. Calculations provided by Trustees on FAR, as there were discrepancies in cycle letters.

APPROVED MOTION: Findings CAN be made that the proposed project conforms to the La Jolla Community Plan for a Coastal Development Permit and Site Development Permit for demolish an existing single dwelling unit and construct a 7,388 square-foot single dwelling unit at 311 Sea Ridge Drive.

Rasmussen/Will Discussion: None Motion Carries: 9-3-1

Attachment 9 Ownership Disclosure Form

roject Title:		Project No. (For City Use	Only)			
Part II - To be completed wi	hen property is held by a co	poration or partnership				
egal Status (please check):	· · · · · · · · · · · · · · · · · · ·				
Corporation X Limited L Partnership	_iability -or- ^{[™} General) Wh	at State? Corporate Identification No. <u>47-4355506</u>				
as identified above, will be file the property Please list belo otherwise, and state the type in a partnership who own the property. Attach additional pa ownership during the time the Manager at least thirty days p	ed with the City of San Diego ow the names, titles and addre of property interest (e.g., tena property). <u>A signature is req</u> ages if needed. Note: The app e application is being processe prior to any public hearing on t	(s) acknowledge that an application for a permit, map or other on the subject property with the intent to record an encumbrance sees of all persons who have an interest in the property, record nts who will benefit from the permit, all corporate officers, and <u>uired of at least one of the corporate officers or partners who o</u> licant is responsible for notifying the Project Manager of any ch d or considered. Changes in ownership are to be given to the ne subject property. Failure to provide accurate and current ov Additional pages attached Yes No	ce again ded or all partn wn the hanges i Project			
Corporate/Partnership Nam	te (type or print):	Corporate/Partnership Name (type or print):				
X Owner Tenant/	_85566	Cowner CTenant/Lessee				
Street Address:		Street Address:				
1900 Western Avenue City/State/Zip:	<u> </u>	City/State/Zip:	·····			
Las Vegas, NV 89102 Phone No:	East No.					
Phone No: (702) 353-0104	Fax No:	Phone No: Fax No:				
Name of Corporate Officer/Par David Lessnick	tner (type or print):	Name of Corporate Officer/Partner (type or print):				
Title (type or print):	10/19/15	Title (type or print):				
Manager Signature :		Signature : Date:	<u> </u>			
Corporate/Partnership Nam	te (type or print):	Corporate/Partnership Name (type or print):				
Owner Tenant/L	essee	Cowner Tenant/Lessee	<u></u>			
Street Address:		Street Address:				
City/State/Zip:		City/State/Zip:				
Phone No:	Fax No:	Phone No: Fax No:				
Name of Corporate Officer/Par	tner (type or print):	Name of Corporate Officer/Partner (type or print):				
Title (type or print):		Title (type or print):				
Signature :	Date:	Signature : Date:				
Corporate/Partnership Nam	ie (type or print):	Corporate/Partnership Name (type or print):				
Owner Tenant/Lessee		Owner Tenant/Lessee				
Street Address:		Street Address:				
City/State/Zip:		City/State/Zip:				
Phone No:	Fax No:	Phone No: Fax No:				
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