

#### THE CITY OF SAN DIEGO

### Report to the Planning Commission

DATE ISSUED: August 16, 2018

REPORT NO. PC-18-048

HEARING DATE: August 23, 2018

SUBJECT: LIGHTHOUSE RIDGE. Process Four Decision

PROJECT NUMBER: <u>513356</u>

OWNER/APPLICANT: Lighthouse TG LLC, Owner/Latitude 33, Applicant

#### <u>SUMMARY</u>

<u>Issue</u>: Should the Planning Commission approve a thirteen-lot subdivision and the construction of 10, two-story, single-family dwelling units in the Carmel Valley Community Planning area?

#### **Staff Recommendations**

- 1. **ADOPT** Mitigated Negative Declaration No. 513356 and ADOPT the Mitigation, Monitoring and Reporting Program (MMRP); and
- 2. **APPROVE** Site Development Permit No. 1798552/Planned Development Permit No. 1818960; and
- 3. **APPROVE** Vesting Tentative Map No. 1798551.

<u>Community Planning Group Recommendation</u>: On March 22, 2018, the Carmel Valley Community Planning Board voted 8 to 0 to recommend approval of the project with conditions (Attachment 14).

<u>Environmental Review</u>: A Mitigated Negative Declaration No. 513356 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 the potential impacts to Biological Resources, Historical Resources (Archaeology), Paleontological Resources and Tribal Resources to a level of below significance. Fiscal Impact Statement: All costs associated with this project are paid from a deposit.

Code Enforcement Impact: None.

<u>Housing Impact Statement</u>: According to the North City West (Carmel Valley) Community Plan, the proposed 4.74-acre site, with the exception of the 1.86 acres of open space, is designated for Very Low Density Residential emphasizing single family detached development with significant land area devoted to private yards and open space at 0-5 dwelling units per acre. However, within the North City West Development Unit 4A Precise Plan, the Very Low-Density portion of the project site is designated for 4.25 dwelling units per acre. This calculation excludes designated open space. Based on this designation, the project would be permitted to build 12 dwelling units. The project proposes 10, for-sale market-rate housing units. No affordable housing units are proposed. Per the City's Inclusionary Housing Ordinance, the applicant will be paying the in-lieu fee.

#### BACKGROUND

The 4.74-acre project site is located at the northern terminus of Lighthouse Way, east of Winstanley Way, and north of parcels that front on White Emerald Drive, in the Single Family (CVPD-SF1) and Open Space (CVPD-OS) zones of the Carmel Valley Planned District and the Carmel Valley Community Plan (Attachments 1, 2 and 3). The site is within Neighborhood 4a of the Carmel Del Mar Neighborhoods 4, 5, 6 Precise Plan and is designated for detached residential use and open space. Residential density in the western portion of the lot is allocated at 4.25 dwelling units per acre. The eastern portion of the lot is designated Open Space.

Single-dwelling-unit development surrounds the site to the north, west, south, and southeast. The neighborhood to the south is slightly higher in elevation, and topography slopes generally downward to the north and east across the previously-graded western portion of the site. The eastern portion of the site slopes more steeply downward to meet open space areas to the northeast (attachment 1). This open space area contains MHPA Subarea 111 adjacent to the project site. To the west is a manufactured and landscaped slope that descends to Winstanley Way, and to the northwest is a manufactured hillside that slopes downward, comprising the backyards of homes on Chelterham Terrace.

The Carmel Valley Neighborhood 4a Precise Plan was adopted in 1987. This plan is intended to implement the Carmel Valley Community Plan and subsequent development plans, subdivisions, and other permits. The site was zoned CVPD-SF1 in 1989. The western portion of the site has been previously graded and used as construction staging for adjacent development. Parcels to the north and west are zoned SF-1 and are allocated at 3.2 dwelling units per acre in the Precise Plan. Parcels to the south are zoned SF-1 and are allocated at 4.25 units per acre. Parcels to the east are zoned SF-1A and are allocated at 4.25 units per acre, and parcels to the northeast are zoned and allocated as Open Space.

#### DISCUSSION

#### Project Description:

The Lighthouse Ridge project proposes 10 single dwelling units on the western portion of the project site, along with an extension of Lighthouse Way, an HOA-maintained lot (Lot "A"), and approximately 1.86 acres of open space on the eastern portion of the lot (Attachment 12).

Project grading is a mixture of cut and fill, with fill generally underlying lots 1-5, 8-10, and portions of proposed HOA Lot "A". Lots 6, 7, and the lower portion of Lot "A" are cut, and the eastern open space portion of the lot is not proposed for grading.

The project site's highest elevation 320 feet Above Sea Level (ASL) is at the northern terminus of Lighthouse Way at the southwestern corner of the site. The site slopes gently downward for the western 300 feet, then descends northeastward to reach a low point of approximately 225 feet ASL at the northeast corner of the lot. The ten residential lots and extension of Lighthouse Way will range from 320 feet ASL to 297 feet ASL, with a manufactured slope (HOA Lot "A") to the east of lots 9 and 10 descending to approximately 248 feet ASL.

Proposed residential lots range in size from 6,266 square feet (Lot 8) to 10,454 square feet (Lot 3), with an average size of 7,833 square feet. The project includes four "Plan 1" houses that are 3,756 square feet in floor area, and six "Plan 2" houses that are 4,515 square feet. All homes in each plan are two stories. Because lot sizes vary, floor area ratios range from 0.43 to 0.60, and lot coverages range from 33 to 43 percent.

#### Project Issues:

In response to concerns raised by neighbors, the proposed houses have been sited and designed to minimize bulk and scale, and to complement the surrounding area. The project site is adjacent to (but not a part of) a designated Multi-Habitat Planning Area (MHPA) to the northeast, which is land intended to be preserved to conserve significant biological resources. Environmentally Sensitive Lands (ESL) exist onsite in the form of steep hillsides and sensitive biology.

The project site ESL is in the form of sensitive biological resources and wetlands as defined by SDMC 143.0110. ESL regulations require the project to address impacts via the CEQA process, to be consistent with the Multiple Species Conservation Plan, provide wetland buffers, and require all biological resources outside the allowable development area to be preserved as open space. The project is conditioned to meet these requirements (Attachment 6).

Although the topography of the site is steep in places, the site is disturbed by previous grading activities and the area proposed for development is not considered a steep hillside as defined by SDMC 113.0103. The project has limited its proposed development footprint to these previously disturbed areas. Therefore, ESL requirements for steep hillsides are not applicable to this project.

A Planned Development Permit is required due to the request for a proposed private driveway, which results in a deviation from the required minimum of 50 feet of street frontage per lot on a publicly dedicated street. Each proposed lot will have a minimum of 50 feet of frontage on a proposed private driveway, not a publicly dedicated street. Tentative maps for the surrounding parcels were approved under regional design standards from decades prior and prior to the adoption of the current Street Design Manual. Under the current design standards, the required street geometry or radius curve makes it difficult to develop this infill site within the flat developable portion of the property. With the project's private driveway design, the streetscape design and public utilities will remain consistent with the overall intent of the Neighborhood Precise Plan and integrate seamlessly into the character of the community. The design of the proposed roadway is consistent with the existing design of roadways at multiple locations throughout the surrounding community. The existing roadway (Lighthouse Way) was left as a dead end and it was always anticipated that some form of single-family development would occur in the future. Therefore, the proposed project is an expected and sensible infill addition, matching the established development pattern of the surrounding neighborhood.

The graphic below illustrates in red a subdivision that would result if no deviation were granted and the subdivision complied with the current street geometry requirements of the Street Design Manual for a public street. Four fewer residential lots would result.



Requested Deviations				
SDMC	Development Standard	Required	Proposed	
153.0302; Table 153-03A	Minimum Street Frontage Lot Dimension	50 feet min per SF1 Zone	No public street frontage provided	
153.0303	Minimum Public Street Frontage	Requires frontage on a public street open to and usable by vehicular traffic	No public street frontage provided	

<u>Community Group Vote</u>- On March 22, 2018, the Carmel Valley Community Planning Board voted 8 to 0 to recommend approval of the project on the condition that Lots 9 and 10 be deleted based on the conclusion those units/lots are in Open Space. Staff's response is that lots 9 and 10 are not within the Open Space based on the Zoning Information noted below.

#### Zoning Challenge Memo:

An official zoning challenge was filed by the applicant on April 5, 2017 (Attachment 10). Per the San Diego Municipal Code Section 131.0103 (b)(5) "where there is an obvious mistake [on the Official Zoning Maps] that can be corrected by reference to documents on file or by reference to the legislative record, the City Manager may identify the zone boundary." The Planning Department and the Development Services Department reviewed the applicable documents including the written rezone ordinance, C-sheet and the associated community plan information to determine that in fact an error had occurred and the zoning designation line needed to be corrected to accurately reflect the correct boundaries on the official zoning map.

On October 26, 2017 it was determined that the zoning information transferred from the C-sheet to the official zoning map contained an obvious error that extended an open space designation onto areas designated for residential development including the parcel now being proposed at Lighthouse Ridge. Given the error, the zoning challenge was approved to make the area consistent with the Official Zoning Map and the Carmel Valley Neighborhood Composite Plan Land Use since the existing open space and very low density residential boundaries differed on the two maps. No rezone is required because designated open space is not being impacted by the proposed development.

#### COMMUNITY PLAN ANALYSIS

The North City West (Carmel Valley) Community Plan is the parent document for guiding development in Carmel Valley. This Community Plan is then further broken down into more site specific precise plans with the North City West Development Unit 4A Precise Plan encompassing the Lighthouse Ridge project site. The land use designation for the project area is Very Low Density (0-5 dwelling units per acre), which is characterized by single family detached development with significant land area devoted to private yards and open space. The project proposes single family detached housing consistent with the Community Plan. The project site also contains Natural Open Space, which the 4A Plan states should be retained in its native state. To ensure the long-term protection of the habitat, the project will deed the open space lot to the City and record a covenant of easement over it. When taking a closer look at the project through the Precise Plan, the Very Low-Density portion of the project site is designated for 4.25 dwelling units per acre, which is calculated excluding designated open space. The project is a total of 4.74 acres with 1.86 acres of open space, which gives it a total density of 3.47 dwelling units per acre. Though the development is below the recommended density, the Precise Plan provides design guidelines that encourage projects to create an identity that contributes to the overall character of the 4A neighborhood. The project provides a scale and architectural style consistent with the neighboring development. Therefore, the Lighthouse Ridge project conforms with the land use designation outlined in the North City West (Carmel Valley) Community Plan and the North City West Development 4A Precise Plan.

#### **GENERAL PLAN ANALYSIS**

The Urban Design Element of the General Plan focuses on preservation of designated open space, sensitive design neighboring the natural environment, architecture that contributes to community character and context, and creating attractive street frontages and landscaped environments. The project accomplished the intention of these policies through the covenant of easement of the open space, limiting the heights of retaining walls, providing plant material to soften the appearance of retaining walls, and creating a development that has a similar development character in scale and mass with the surrounding community. Therefore, the Lighthouse Ridge project also complies with the land use designation of residential as well as the policies in the Urban Design Element of the General Plan.

#### Environmental Analysis:

A Mitigated Negative Declaration (MND) was prepared for this project and circulated for public review from February 28, 2018 to March 28, 2018. The MND found that the project will not have a significant effect on the environment based on an Initial Study and project revisions/conditions which mitigate potentially significant environmental impacts in the areas of Biological Resources, Cultural Resources (Archaeology), Cultural Resources (Paleontology), and Tribal Cultural Resources.

#### **Biology:**

The project site is adjacent to land designated Multi-Habitat Planning Area (MHPA), and intended to be preserved to conserve significant biological resources. The proposed permit would require construction conform to the MHPA land use adjacency guidelines. In addition, the project is mapped as having sensitive biological resources, and will impact approximately 0.8 acres of sensitive habitats requiring mitigation (southern willow scrub, mule fat scrub, coastal sage-chaparral scrub, and nonnative grassland). The project proposes an allowed payment into the Habitat Acquisition Fund (HAF) as mitigation for these impacts. The HAF is intended for use for the mitigation of impacts to small (generally less than five acres), isolated sites with lower long-term conservation value. Five special status species have also been observed on the site: Belding's orange-throated whiptail, yellow-breasted chat, Nuttall's woodpecker, Allen's hummingbird, and coastal California gnatcatcher. The project will be conditioned to require a biological monitor to observe for these species during construction activities.

#### Archaeology and Tribal Cultural Resources:

The project is located in an area known to contain significant historical/archaeological resources. Although a cultural resources study prepared for the project did not identify prehistoric cultural resources on-site, and tribal consultation did not identify cultural resources onsite, archaeological and Native American monitoring of all earth-moving activities is required due to the presence of recorded cultural resources within a one-mile radius of the project area. The archaeological monitoring, and Native American monitoring as discussed in Section V of the MND, will serve as mitigation to reduce potential impacts below a level of CEQA significance.

#### Paleontology:

The project site is located on the Mission Valley Formation, which is considered to have a high sensitivity level for paleontological resources. Project grading quantities require paleontological monitoring to mitigate impacts below a level of CEQA significance.

#### CONCLUSION:

This proposed project was designed to comply with the development regulations of the underlying zone, Environmentally Sensitive Lands regulations and the Subdivision regulations. The proposed design utilizes a private driveway to access the site, to develop the least environmentally sensitive portion of the property and matches the established development pattern of the neighborhood. Staff has reviewed the request for a Site Development Permit, Planned Development Permit and Vesting Tentative Map and has found the project to be in conformance with the applicable sections of the San Diego Municipal Code and has provided evidence to support the required findings. Therefore, staff recommends the Planning Commission approve Site Development Permit No. 1798552, Planned Development Permit No. 1818960 and Vesting Tentative Map No. 1798551.

#### ALTERNATIVES

- 1. Approve Site Development Permit No. 1798552, Planned Development Permit No. 1818960 and Vesting Tentative Map No. 1798551, with modifications, Adopt Mitigated Negative Declaration No. 513356 and Adopt the Mitigation, Monitoring and Reporting Program (MMRP), with modifications.
- Deny Site Development Permit No. 1798552, Planned Development Permit No. 1818960 and Vesting Tentative Map No. 1798551, if the findings required to approve the project cannot be affirmed and do not Adopt Mitigated Negative Declaration No. 513356 and do not Adopt the Mitigation, Monitoring and Reporting Program (MMRP).

Respectfully submitted,

PJ FitzGerald Assistant Deputy Director Development Services Department

Glenn R. Gargas

Development Project Manager Development Services Department

Attachments:

- 1. Aerial and Vicinity Photographs
- 2. Community Plan Land Use Map
- 3. Project Location Map
- 4. Project Data Sheet
- 5. Draft Permit Resolution with Findings
- 6. Draft Permit with Conditions
- 7. Draft Map Resolution with Findings
- 8. Draft Map Conditions
- 9. Draft Environmental Resolution with MMRP
- 10. Copy of Zoning Challenge Memo
- 11. Map Exhibit-Vesting Tentative Map
- 12. Project Plans
- 13. Community Planning Group Recommendation
- 14. Ownership Disclosure





Aerial Photo Lighthouse Ridge/ Lighthouse Way PROJECT NO. 513356 North

Lighthouse Way (APN 304-080-01-00) Photographic Survey Key Map









Picture 2













Picture 6

























Picture 14













Picture 18







Picture 20





# NORTH CITY WEST

RESIDENTIAL VERY LOW DEN. 5 DU/AC. LOW DEN. 10 DU/A C. LOW MED. DEN. 20DU/AC. MEDIUM DEN. 40DU/AC. COMMERCIAL ALL CATEGORIES N- -NEIGHBORHOOD V-VISITOR -

#### PUBLIC FACILITIES E SCHOOLS E-ELEM. J.JR. S-SR. P-PARK N-NEIGHBORHOOD C-COMM. ●LIBRARY ▲ FIRE STATION TRANSPORTATION

FREEWAY

- MAJOR STREET - COLLECTOR STREET

-- BICYCLE PATH ······ PEDESTRIAN

TRANSPORTATION \*

OPEN SPACE FLOOD PLAIN





### Land Use Map

<u>Lighthouse Ridge / Lighthouse Way</u> PROJECT NO. 513356





PROJECT NAME:	Lighthouse Ridge – Project No. 513356		
PROJECT DESCRIPTION:	SDP/PDP & VTM to subdivide a 4.74-acre site into 10 residential lots, two HOA lots, 1 open space lot (1.86-acres), and construct ten, two-story, single-family dwelling units, one per lot residential lot. Homes will range in size from 3,756- square-feet to 4,515-square-feet.		
COMMUNITY PLAN AREA:	Carmel Valley		
DISCRETIONARY ACTIONS:	Site Development Permit, Planned Development Permit & Vesting Tentative Map		
COMMUNITY PLAN LAND USE DESIGNATION:	Very Low Density Residential (0-5 DUs per acre) and Open Space		
FLOOR AREA RATIO:0.60 maFRONT SETBACK:10 feetSIDE SETBACK:4 feet mSTREETSIDE SETBACK:NAREAR SETBACK:4 feet m	quare feet to 10, 454 square fe iximum - 0.60 proposed minimum – 10 feet proposed ninimum - 4 feet proposed inimum – 4 feet proposed g spaces required per unit – 2		
ADJACENT PROPERTIES:	LAND USE DESIGNATION & ZONE	EXISTING LAND USE	
NORTH:	Very Low Density Residential & Open Space; SF-1 & OS Zones	Single Family Residence & Open Space	
SOUTH:	Very Low Density Residential; SF-1 Zone	Single Family Residence	
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	SF-1A Zone & OS Zone		
WEST:	Very Low Density Residential; SF-1 Zone	Single Family Residence	
DEVIATIONS OR VARIANCES REQUESTED:	Street Frontage – No public street frontage provided. All residential lots will front on a private drive.		
COMMUNITY PLANNING GROUP RECOMMENDATION:	On March 22, 2018, the Carmel Valley Community Planning Board voted 8-0-0 to recommended approval of the project with the condition that lots 9 & 10 be deleted.		

#### PLANNING COMMISSION RESOLUTION NO. \_\_\_\_\_\_ SITE DEVELOPMENT PERMIT NO. 1798552/PLANNED DEVELOPMENT PERMIT NO. 1818960 LIGHTHOUSE RIDGE - PROJECT NO. 513356 MMRP

WHEREAS, Lighthouse TG, LLC, a California Limited Liability Company, Owner/Permittee, filed an application with the City of San Diego for a permit to subdivide the property into 13 lots, 10 lots for residential single dwelling units, one open space lot and two Home Owner's Association Lots (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 1798552 and 1818960), on portions of a 4.74-acre property; and

WHEREAS, the project site is located on vacant land at the northern terminus of Lighthouse Way, near White Emerald Drive (address assignment pending) in the SF1 Zone and OS Zone of the Carmel Valley Planned District and within the Carmel Valley Community Plan area; and

WHEREAS, the project site is legally described as, the north 217.8 feet of the west 1000.00 feet of the east half of the northeast quarter of Section 17, Township 14 South, Range 3 West San Bernardino Meridian, in the City of San Diego, County of San Diego, State of California, according to United States Government Survey, per Document No. 2016-0077135, dated February 23, 2016; and

WHEREAS, on August 23, 2018, the Planning Commission of the City of San Diego considered Site Development Permit No. 1798552/Planned Development Permit No. 1818960, pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

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

That the Planning Commission adopts the following written Findings, dated August 23, 2018.

#### A. SITE DEVELOPMENT PERMIT [SDMC Section 143.0110]

#### Findings for all Site Development Permits

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

The North City West (Carmel Valley) Community Plan is the parent document for guiding development in Carmel Valley. This Community Plan is then further broken down into more site specific precise plans with the North City West Development Unit 4A Precise Plan encompassing the Lighthouse Ridge project site. The land use designation for the project area is Very Low Density (0-5 dwelling units per acre), which is characterized by single family detached development with significant land area devoted to private yards and open space. The project proposes single family detached housing consistent with the Community Plan. The project site also contains Natural Open Space, which the 4A Plan states should be retained in its native state. To ensure the long-term protection of the habitat, the project will deed the open space lot to the City and record a covenant of easement over it. As the project is consistent with the land use designation, density recommended in the community plan and the open

space recommendations, the proposed development will not adversely affect the applicable land use plan.

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

The proposed development includes several public and private improvements that will support public health, safety and welfare. The project includes a cul-de-sac turnaround area at the end of the private drive extension of Lighthouse Way to provide vehicular circulation, a brush management plan to improve fire safety along the development's eastern edge, and the installation of new water and sewer services to the site. The project will also grant the City of San Diego private water easements for all cross-lot private water service from one lot to another.

The permit for the project includes conditions of approval and exhibits to achieve project compliance with the SDMC regulations applicable to this project. Compliance with the permit conditions will protect the health, safety and general welfare of persons residing or working in the surrounding area. Ministerial building permits will require compliance with the California Building Code, Plumbing Code, Mechanical Code, Electrical Code, Fire Code, seismic requirements and all adopted referenced standards, which also establish standards to safeguard public health, safety, and welfare.

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

The proposed Lighthouse Ridge project has been designed to comply with the regulations of the San Diego Municipal Code (SDMC), including requirements for lot coverage, lot size, open space, grading, landscaping and all other requirements of the development criteria for the CVPD-SF1 and CVPD-OS zoning designation, as allowed through findings, and a Planned Development Permit (PDP).

Implementation of the Lighthouse Ridge project requires one deviation, to allow the site to be developed with single-family dwelling units consistent with the intent of Neighborhood 4a of the Carmel Valley Community Plan. The project proposes to extend the existing Lighthouse Way into the project site as a private drive. Table 153-03A of the SDMC requires that lots have 50 feet of street frontage. In Definitions of the SDMC, Street Frontage is identified as follows: "Street frontage means the length of one premises' property line along the street it borders." Street is further defined as follows: "Street means that portion of the public right-of-way that is dedicated or condemned for use as a public road and includes highways, boulevards, avenues, places, drives, courts, lanes, or other thoroughfares dedicated to public travel, but does not include *alleys.*" Given the proposed private drive is not dedicated to public travel a deviation is necessary.

Tentative maps for the surrounding parcels were approved under regional design standards from decades prior and prior to the adoption of the current Street Design

Manual. Under the current design standards, the required street geometry or radius curve makes it difficult to develop this infill site within the flat developable portion of the property. With the project's private driveway design, the streetscape design and public utilities will remain consistent with the overall intent of the Neighborhood 4 Precise Plan and integrate seamlessly into the character of the community. The design of the proposed roadway is consistent with the existing design of roadways at multiple locations throughout the surrounding community. The existing roadway (Lighthouse Way) was left as a dead end and it was always anticipated that some form of single-family development would occur in the future. The proposed project is an expected and sensible infill addition, matching the established development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

#### 2. Supplemental Findings - Environmentally Sensitive Lands

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

The environmentally sensitive lands on the project site are in the form of sensitive biological resources and wetlands and are found to the east of the proposed development area, located within the proposed 1.86-acre open space lot. The project proposes a covenant of easement to protect the 1.86-acres of environmentally sensitive lands. An environmental review determined that this project may have a significant environmental effect on Biological Resources, Cultural Resources (Archeology), Cultural Resources (Paleontology), Tribal Cultural Resources and the City prepared a Mitigated Negative Declaration (MND), in accordance with the California Environmental Quality Act (CEQA). The MND's Mitigation Monitoring and Reporting Program (MMRP) incorporates mitigation measures into the project for potential impacts to Biological Resources, Cultural Resources (Archeology), Cultural Resources (Paleontology) and Tribal Cultural Resources to reduce the potential impacts to a level below significance. Therefore, the site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to the environmentally sensitive lands.

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

The Development Services Department reviewed a geotechnical report prepared for the project and found the project's geotechnical consultant has adequately addressed the geologic site conditions. Drainage would be directed into appropriate storm drain systems designated to carry surface runoff. The proposed fire access and turn around area have been reviewed and determined to be adequate. Brush management zones of 35 feet and 65 feet are provided in eastern edge of the development on the east side of lots 9 and 10. As the project addresses all geologic, drainage and fire issues identified with the project site, 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.

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

The proposed subdivision is designed such that the environmentally sensitive lands on the site would be avoided. The sensitive lands are located in the eastern portion of the site, which is a proposed 1.86-acre open space lot that is conditioned to record a covenant of easement on it so as to prevent future impacts from development. An environmental review determined that this project may have a significant environmental effect on Biological Resources, Cultural Resources (Archeology), Cultural Resources (Paleontology), Tribal Cultural Resources and the City prepared a Mitigated Negative Declaration (MND), in accordance with the California Environmental Quality Act (CEQA). The MND's Mitigation Monitoring and Reporting Program (MMRP) incorporates mitigation measures into the project for potential impacts to Biological Resources, Cultural Resources (Archeology), Cultural Resources (Paleontology) and Tribal Cultural Resources to reduce the potential impacts to a level below significance. As the proposed lots are configured to allow for the environmentally sensitive lands to remain, inclusion of mitigation measures and a covenant of easement to protect the environmentally sensitive lands is a condition of the development, the proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.

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

The project site is adjacent to a designated Multi-Habitat Planning Area (MHPA) to the northeast, which is land intended to be preserved to conserve significant biological resources. The project site is not located within the City of San Diego's Multi-Habitat Planning Area (MHPA). Therefore, the project is not inconsistent with the City of San Diego's Multiple Species Conservation Program, and the finding is not applicable.

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

The project site is located approximately two miles east of the Pacific Ocean and east of Interstate 5. Drainage associated with the project would be directed into appropriate storm drain systems designated to carry surface runoff. Therefore, the proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.

f. The nature and extent of the mitigation required as a condition of the permit is reasonable related to, and calculated to alleviate, negative impacts created by the proposed development. An initial environmental study of the proposal determined that the project could have a significant environmental effect to Biological Resources, Cultural Resources (Archeology), Cultural Resources (Paleontology) and Tribal Cultural Resources. The project provides mitigation in the form of monitoring during construction activities and preconstruction meetings which must include a Qualified Biologist, Qualified Paleontologist, Qualified Archeologist, and Qualified Native American Monitor. The project must also produce a Monitoring Report post construction in accordance with Biological Resource Guidelines. As the proposed mitigation measures are related to the potential of disturbance to biological, archeological, paleontological and tribal cultural resources know to potentially be located in close proximity to the project site, the nature and extent of the mitigation required as a condition of the permit is reasonable related to, and calculated to alleviate, negative impacts created by the proposed development.

#### B. PLANNED DEVELOPMENT PERMIT SDMC Section 126.0602]

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

The Lighthouse Ridge project proposes to develop an existing 4.76-acre property that is currently vacant. The development is located within the Carmel Valley Subarea Plan and will accommodate 10 single-family residential units. The North City West (Carmel Valley) Community Plan is the parent document for guiding development in Carmel Valley. This Community Plan is then further broken down into more site specific precise plans with the North City West Development Unit 4A Precise Plan encompassing the Lighthouse Ridge project site. The land use designation for the project area is Very Low Density (0-5 dwelling units per acre), which is characterized by single family detached development with significant land area devoted to private yards and open space. The project proposes single family detached housing consistent. with the Community Plan. The project site also contains Natural Open Space, which the 4A Plan states should be retained in its native state. To ensure the long-term protection of the habitat, the project will deed the open space lot to the City and record a covenant of easement over it. As the project is consistent with the land use designation, density recommended in the community plan and the open space recommendations, the proposed development will not adversely affect the applicable land use plan.

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

The proposed development includes several public improvements that will positively affect public safety and welfare. The project will construct a new 16-foot-wide driveway per current City Standard adjacent to the site on Lighthouse Way and add new water and sewer services to the site. The project will also grant the City of San Diego private water easements for all cross-lot private water service from one lot to another. These improvements will improve public safety, and not be detrimental to public health and safety. As these public improvements would positively affect, and not be detrimental to the public safety and welfare, the proposed development will not be detrimental to the public health, safety and welfare.

c. The proposed development will comply with the regulations of the Land Development Code including any proposed deviations pursuant to Section 126.0602(b)(1) that are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone, and any allowable deviations that are otherwise authorized pursuant to the Land Development Code.

The proposed Lighthouse Ridge project has been designed to comply with the regulations of the San Diego Municipal Code, including requirements for lot coverage, lot size, open space, grading, landscaping, and all other requirements of the development criteria for the CVPD-SF1 and CVPD-OS zoning designation, as allowed through findings, and a Planned Development Permit (PDP).

Implementation of the Lighthouse Ridge project requires one deviation to allow the site to be developed with single-family dwelling units consistent with the intent of Neighborhood 4a of the Carmel Valley Community Plan. The project proposes to extend the existing Lighthouse Way as a private drive. Table 153-03A of the SDMC requires lots have a minimum of 50 feet of street frontage. In Definitions of the SDMC, Street Frontage is identified as follows: "Street frontage means the length of one premises' property line along the street it borders." Street is further defined as follows: "Street means that portion of the public right-of-way that is dedicated or condemned for use as a public road and includes highways, boulevards, avenues, places, drives, courts, lanes, or other thoroughfares dedicated to public travel, but does not include alleys." Given the proposed private drive is not dedicated to public travel a deviation is necessary.

Tentative maps for the surrounding parcels were approved under regional design standards from decades prior and prior to the adoption of the current Street Design Manual. Under the current design standards, the required street geometry or radius curve makes it difficult to develop this infill site within the flat developable portion of the property. With the project's private driveway design, the streetscape design and public utilities will remain consistent with the overall intent of the Neighborhood 4A Precise Plan and integrate seamlessly into the character of the community. The design of the proposed roadway is consistent with the existing design of roadways at multiple locations throughout the surrounding community. The existing roadway (Lighthouse Way) was left as a dead end and it was always anticipated that some form of single-family development to occur in the future. Therefore, the proposed project is an expected and sensible infill addition, matching the established development pattern of the surrounding neighborhood. The proposed streetscape design will retain similar characteristics adjacent streets, landscaping, curb, gutter and on-street parking designed to City Engineering Standards for a private driveway. The proposed design utilizing the private driveway deviation allows the property to be developed with 10 dwelling units as oppose to only 6 if the public street

standards are used. This design provides needed housing for the region, and the design of the ten-lot layout utilizes more efficient use of the flatter, less environmentally sensitive land on the western end of the project site. These are features that will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations.

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

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Site Development Permit No. 1798552/Planned Development Permit No. 1818960, is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit Nos. 1798552 and 1818960, a copy of which is attached hereto and made a part hereof.

Glenn R. Gargas Development Project Manager Development Services

Adopted on: August 23, 2018

10#: 24007007

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: 24007007

SPACE ABOVE THIS LINE FOR RECORDER'S USE

#### SITE DEVELOPMENT PERMIT NO. 1798552/PLANNED DEVELOPMENT PERMIT NO. 1818960 LIGHTHOUSE RIDGE - PROJECT NO. 513356 MMRP PLANNING COMMISSION

This Site Development Permit No. 1798552/Planned Development Permit No. 1818960 is granted by the Planning Commission of the City of San Diego to Lighthouse TG, LLC, a California Limited Liability Company, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0502 and 126.0602. The 4.74-acre site is vacant land located at the northern terminus of Lighthouse Way, north of White Emerald Drive and east of Winstanley Way, in the Single Family (SF1) and Open Space (OS) Zones of the Carmel Valley Planned District, within the Carmel Valley Community Plan Area. The project site is legally described as: the north 217.8 feet of the west 1000.00 feet of the east half of the northeast quarter of Section 17, Township 14 South, Range 3 West San Bernardino Meridian, in the City of San Diego, County of San Diego, State of California, according to United States Government Survey, per Document No. 2016-0077135, dated February 23, 2016.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to subdivide the property into ten residential lots and construct ten detached single-family dwelling units described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated August 23, 2018, on file in the Development Services Department.

The project shall include:

a. Subdivision of a 4.74-acre property into 10 residential lots, one open space lot, two Home Owner's Association Lots and construction of 10, two-story, single family dwelling units. The residential lots range in size from 6,266-square-feet to 10,454-square-feet and the dwelling units range in size from 3,756-square-feet in floor area to 4,515-square-feet;

- b. Deviation residential lots are not required to have street frontage on a Public Street;
- c. Landscaping (planting, irrigation and landscape related improvements);
- d. Off-street parking;

- e. Site wall, fences, and retaining walls; and
- f. 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 September 7, 2021.

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

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

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

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

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

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

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

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.

11. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend,

indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

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

#### ENVIRONMENTAL/MITIGATION REQUIREMENTS:

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

14. The mitigation measures specified in the MMRP and outlined in Mitigated Negative Declaration, No. 513356, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

15. The Owner/Permittee shall comply with the MMRP as specified in Mitigated Negative Declaration, No. 513356, to the satisfaction of the Development Services Department and the City Engineer. Prior to issuance of any construction permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for the following issue areas:

Biological Resources Cultural Resources (Archeology) Cultural Resources (Paleontology) Tribal Cultural Resources

#### **CLIMATE ACTION PLAN REQUIREMENTS:**

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

#### AFFORDABLE HOUSING REQUIREMENTS:

17. Prior to the issuance of any construction permits, the Owner/Permittee shall comply with the affordable housing requirements of the City's Inclusionary Affordable Housing Regulations (SDMC § 142.1301 et seq.).

#### ENGINEERING REQUIREMENTS:

18. This Site Development Permit No. 1798552/Planned Development Permit No. 181960 shall comply with all Conditions of the Final Map for the Vesting Tentative Map No. 1798551.

19. The project proposes to import material to the project site. Any excavated material that is exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2015 edition and Regional Supplement Amendments adopted by Regional Standards Committee.

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

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

22. 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.

23. 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.

24. Prior to the issuance of any construction permit, the Owner/Permittee shall submit a Technical Report that will be subject to final review and approval by the City Engineer, based on the Storm Water Standards in effect at the time of the construction permit issuance.

25. Development of this project shall comply with all storm water construction requirements of the State Construction General Permit, Order No. 2009-0009DWQ, or subsequent order, and the Municipal Storm Water Permit, Order No. R9-2013-0001, or subsequent order. In accordance with Order No. 2009-0009DWQ, or subsequent order, a Risk Level Determination shall be calculated for the site and a Storm Water Pollution Prevention Plan (SWPPP) shall be implemented concurrently with the commencement of grading activities.

26. Prior to issuance of a grading or a construction permit, a copy of the Notice of Intent (NOI) with a valid Waste Discharge ID number (WDID#) shall be submitted to the City of San Diego as a proof of enrollment under the Construction General Permit. When ownership of the entire site or portions of the site changes prior to filing of the Notice of Termination (NOT), a revised NOI shall be
submitted electronically to the State Water Resources Board in accordance with the provisions as set forth in Section II.C of Order No. 2009-0009-DWQ and a copy shall be submitted to the City.

27. Prior to the issuance of any construction permit, the Owner/Permittee shall enter into an agreement to indemnify, protect and hold harmless the City, its officials and employees from any and all claims, demands, causes or action, liability or loss because of, or arising out of surface drainage entering into the property from the Right-of-Way due to the design of the private storm water treatment facility.

# LANDSCAPE REQUIREMENTS:

28. Prior to issuance of any engineering permits for grading, the Owner/Permittee shall submit complete construction documents for the revegetation and hydroseeding of all disturbed land in accordance with the City of San Diego Landscape Standards, Stormwater Design Manual, and to the satisfaction of the Development Services Department. Plans shall show, label, and dimension a 40-square-foot area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of required trees. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit "A," on file in the Development Services Department.

29. Prior to issuance of any construction permits for structures (including shell), the Owner/Permittee shall submit complete landscape and irrigation construction documents, which are consistent with the Landscape Standards, to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit "A," Landscape Development Plan, on file in the Development Services Department. Construction plans shall provide a 40-square-foot area around each tree that is unencumbered by hardscape and utilities unless otherwise approved per §142.0403(b)(5).

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

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

# BRUSH MANAGEMENT PROGRAM REQUIREMENTS:

32. The Brush Management Program shall consist of a modified Zone One ranging from 65-foot to 80-foot in width with no Zone Two required, extending out from the structures on Lots 9 and 10, and across Lot "A" towards the Open Space Boundary, consistent with §142.0412.

33. Alternative Compliance: Alternative compliance measures shall be provided in the form of upgraded openings to dual-glazed, dual-tempered panes along the east facades of the habitable structures on Lots 9 and 10, as well as along a 10-foot perpendicular return along adjacent wall faces.

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

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

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

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

# PLANNING/DESIGN REQUIREMENTS:

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

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

# TRANSPORTATION REQUIREMENTS

40. All automobile, motorcycle and bicycle parking spaces must be constructed in accordance with the requirements of the SDMC. All on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the appropriate City decision maker in accordance with the SDMC.

# PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

41. Prior to the issuance of any building permits, the Owner/Permittee shall assure by permit and bond the design and construction of public water facilities within the proposed water easement as

shown on approved Exhibit "A", in a manner satisfactory to the Public Utilities Director and the City Engineer.

42. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for the private sewer facilities encroaching into the proposed water easement.

43. Prior to the issuance of any building permits, the Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Director and the City Engineer. BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way.

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

45. Prior to Final Inspection, all public water and sewer facilities shall be complete and operational in a manner satisfactory to the Public Utilities Director and the City Engineer.

46. The Owner/Permittee shall design and construct all proposed public water and sewer facilities in accordance with established criteria in the current edition of the City of San Diego Water and Sewer Facility Design Guidelines and City regulations, standards and practices.

#### INFORMATION ONLY:

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

APPROVED by the Planning Commission of the City of San Diego on August 23, 2018, by Resolution No. \_\_\_\_\_\_

Permit Type/PTS Approval No.: SDP No. 1798552/PDP No. 1818960 Date of Approval: August 23, 2018

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT.

Glenn R. Gargas 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.

Lighthouse TG, LLC Owner/Permittee

By\_

Terry Johnson Managing Partner

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

#### PLANNING COMMISSION RESOLUTION NUMBER R-\_\_\_\_\_

VESTING TENTATIVE MAP NO. 1798551, LIGHTHOUSE RIDGE - PROJECT NO. 513356 - MMRP.

WHEREAS, Lighthouse TG, LLC, Subdivider, and Matthew J. Semic, Civil Engineer, submitted an application to the City of San Diego for a vesting tentative map, Vesting Tentative Map No. 1798551) for a ten-residential lot subdivision. The project site is located at the north terminus of Lighthouse Way, north of White Emerald Drive and east of Winstanley Way in the Carmel Valley Community Plan area. The property is legally described as the north 217.8 feet of the west 1000.00 feet of the east half of the northeast quarter of Section 17, Township 14 South, Range 3 West San Bernardino Meridian, in the City of San Diego, County of San Diego, State of California, according to United States Government Survey, per Document No. 2016-0077135, dated February 23, 2016; and

WHEREAS, the Map proposes the Subdivision of a 4.74-acre-site in to thirteen (13) lots for 10 residential development lots, 2 Home Owners Association lots, and 1 Open Space lot.; and

WHEREAS, the project complies with the requirements of a preliminary soils and/or geological reconnaissance report pursuant to Subdivision Map Act sections 66490 and 66491(b)-(f) and San Diego Municipal Code section 144.0220; and

WHEREAS, on August 23, 2018, the Planning Commission of the City of San Diego considered Vesting Tentative Map No. 1798551, and pursuant to San Diego Municipal Code section 125.0440, and Subdivision Map Act section 66428, received for its consideration written and oral presentations, evidence having been submitted, and testimony having been heard from all interested parties at the public hearing, and the Planning Commission having fully considered the matter and being fully advised concerning the same; NOW THEREFORE, BE IT RESOLVED by the Planning Commission of the City of San Diego, that it adopts the

following findings with respect to Vesting Tentative Map No. 1798551:

# 1. The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan.

The North City West (Carmel Valley) Community Plan is the parent document for guiding development in Carmel Valley. This Community Plan is then further broken down into more site specific precise plans with the North City West Development Unit 4A Precise Plan encompassing the Lighthouse Ridge project site. The land use designation for the project area is Very Low Density (0-5 dwelling units per acre), which is characterized by single family detached development with significant land area devoted to private yards and open space. The project proposes single family detached housing consistent with the Community Plan. The project site also contains Natural Open Space, which the 4A Plan states should be retained in its native state. To ensure the long-term protection of the habitat, the project will deed the open space lot to the City and record a covenant of easement over it.

Given the project is consistent with the planned land use as described above, the proposed subdivision and its design or improvement is consistent with the policies, goals, and objectives of the applicable land use plan.

# 2. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code, including any allowable deviations pursuant to the land development code.

The proposed Lighthouse Ridge project has been designed to comply with the regulations of the San Diego Municipal Code (SDMC), including requirements for lot coverage, lot size, open space, grading, landscaping and all other requirements of the development criteria for the CVPD-SF1 and CVPD-OS zoning designation, as allowed through findings, and a Planned Development Permit (PDP).

Implementation of the Lighthouse Ridge project requires one deviation, to allow the site to be developed with single-family dwelling units consistent with the intent of Neighborhood 4a of the Carmel Valley Community Plan. The project proposes to extend the existing Lighthouse Way into the project site as a private drive. Table 153-03A of the SDMC requires that lots have 50 feet of street frontage. In Definitions of the SDMC, Street Frontage is identified as follows: *"Street frontage* means the length of one *premises' property line* along the *street* it borders." Street is further defined as follows: *"Street* means that portion of the *public right-of-way* that is dedicated or condemned for use as a public road and includes highways, boulevards, avenues, places, drives, courts, lanes, or other thoroughfares dedicated to public travel, but does not include *alleys."* Given the proposed private drive is not dedicated to public travel a deviation is necessary. The design of the proposed roadway is consistent with the existing design of roadways seen at multiple locations throughout the surrounding community. The existing roadway (Lighthouse Way) was left as a dead end and it was away anticipated that some form of single-family development. The proposed project is an expected and sensible infill addition, matching the established development pattern of the

surrounding neighborhood. Therefore, the proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

Tentative maps for the surrounding parcels were approved under regional design standards from decades prior and prior to the adoption of the current Street Design Manual. Under the current design standards, the required street geometry or radius curve makes it difficult to develop this infill site within the flat developable portion of the property. With the project's private driveway design, the streetscape design and public utilities will remain consistent with the overall intent of the Neighborhood 4A Precise Plan and integrate seamlessly into the development pattern of the community.

The development will achieve the purpose and intent of the Carmel Valley Community Plan and will be preferable to what would be achieved by strict conformance with the regulations, as allowed by the Planned Development Permit process. The proposed design utilizing the private driveway design allows the property to be developed with 10 dwelling units as oppose to only 6 if the public street standards are used. This design provides needed housing for the region. The design and ten-lot layout also makes more efficient use of the flatter, less environmentally sensitive land on the western end of project site.

As the project would be in conformance with all development regulations with the allowed deviations through the Planned Development Process described above, the proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code, including any allowable deviations pursuant to the land development code.

#### 3. The site is physically suitable for the type and density of development.

The project proposes to subdivide the existing one-lot site into 10 residential lots, two home owner's association lots and one open space lot. The subdivision would create ten lots that which would allow for construction of 10, two-story, single dwelling units. The project would place a Covenant of Easement over an area of Environmentally Sensitive Lands located on the open space lot to the east. A geological review of the project site has determined that the geologic site conditions have been adequately addressed and that the site will have a factor-of-safety of 1.5 or greater for both gross and surficial stability

The project site is within the Carmel Valley Community Plan area, which is the City's adopted land use plan for this site. The site is located within North City West Development Unit 4A Precise Plan and planned land use within this neighborhood is Very Low Density (0-5 dwelling units per acre), which is characterized by single family detached development with significant land area devoted to private yards and open space. The proposed project is consistent with the designation of single family detached housing as is preferred by the Community Plan. The project site also contains Natural Open Space, which the 4A Plan states should be retained in its native state. The project proposes a subdivision to create 10, single-dwelling residential lots of 1.0 acre and 1.36 acres within the 4.74-acre-site. Therefore, the proposal is consistent with density in the applicable community plan.

As the project site would create 10 residential lots consistent with the applicable community plans, the geologic site conditions have been adequately addressed and the on-site Environmentally Sensitive Lands would be protected by a Covenant of Easement on a separate open space lot, the site is physically suitable for the type and density of development.

# 4. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

A Mitigated Negative Declaration has been prepared for the proposed project and the Initial Study has determined that the proposed project could have a significant environmental effect in the area of Biological Resources, Cultural Resources (Archaeology), Cultural Resources (Paleontology), and Tribal Cultural. However, subsequent revisions to the project have created specific mitigation that now avoids or mitigates the potentially significant environmental effects previously identified. The eastern portion of the project site currently contains a total of 10 vegetation communities or land use types occur on the project site; southern willow scrub, mule fat scrub, southern maritime chaparral, Diegan coastal sage scrub, baccharis scrub, coastal sage-chapparal scrub, non-native grassland, eucalyptus woodlands, disturbed land, and developed lands. The Southern Maritime Chaparral is considered a sensitive biological resource per the City of San Diego Biology Guidelines. The project's Brush Management Zone 2 pruning and/or thinning of vegetation would impact 0.07-acre of the Southern Maritime Chaparral, but this is considered impact neutral under City of San Diego Biology Guidelines and, therefore, mitigation would not be required. This sensitive vegetation will be protected by a required Covenant of Easement. Therefore, the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

# 5. The design of the subdivision or the type of improvement will not be detrimental to the public health, safety, and welfare.

The proposed development includes several public improvements that will positively affect public safety and welfare. The project includes a cul-de-sac turnaround area at the end of the private drive extension of Lighthouse Way, a brush management plan to improve fire safety along the development's eastern edge and add new water and sewer services to the site. The project will also grant the City of San Diego private water easements for all cross-lot private water service from one lot to another. These improvements will improve public safety, and not be detrimental to public health and safety. The design of the subdivision or the type of improvement will not be detrimental to the public health, safety, and welfare.

# 6. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

The design of the subdivision and the type of improvements are such that they will not conflict with any easements, acquired by the public at large, for access through or use of property within the proposed subdivision. One twenty-foot-wide ingress and egress easement exist and will remain along the western edge of the project site. Therefore, the

design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

# 7. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

The design and proposed improvements for the subdivision are consistent with California Government Code Section 66473.1 and San Diego Municipal Code Section 125.0440(g) regarding the design of the subdivision for future passive or natural heating and cooling opportunities. The proposed lots are clustered together towards the western and flatter more developable portion of the site with a Covenant of Easement/Open Space lot restricting development located on the eastern portion of the site. As such the lot design would allow for future passive or natural heating and cooling opportunities. Therefore, the design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

# 8. The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources.

According to the North City West (Carmel Valley) Community Plan, the proposed 4.74-acre site, with the exception of the 1.86 acres of open space, is designated for Very Low Density Residential emphasizing single family detached development with significant land area devoted to private yards and open space at 0-5 dwelling units per acre. However, the Precise Plan, the Very Low Density portion of the project site is designated for 4.25 dwelling units per acre, this calculation excludes designated open space. Based on this designation, the project would be permitted to build 12 dwelling units. The project proposes 10 for-sale market-rate housing units. No affordable housing units are proposed. Per the City's Inclusionary Housing Ordinance, the applicant will be paying the in-lieu fee. All public services necessary for the subdivision currently exist in the area. The development will have no effect upon the fiscal or environmental resources within the City of San Diego. Therefore, the decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources.

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

incorporated by reference.

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the Planning Commission, Vesting Tentative Map No. 1798551, hereby granted to Lighthouse TG, LLC, subject to the attached conditions which are made a part of this resolution by this reference.

By

Glenn R. Gargas Development Project Manager Development Services Department

ATTACHMENT: Tentative Map Conditions Internal Order No. 24007007

Revised: 5/19/2014 by WJZ

#### PLANNING COMMISSION

CONDITIONS FOR VESTING TENTATIVE MAP NO. 1798551, LIGHTHOUSE RIDGE- PROJECT NO. 513356 MMRP

ADOPTED BY RESOLUTION NO. R-\_\_\_\_ ON August 23, 2018

#### GENERAL

- 1. This Vesting Tentative Map will expire September 7, 2021.
- Compliance with all of the following conditions shall be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordation of the Final Map, unless otherwise noted.
- 3. Prior to the recordation of the Final Map, taxes must be paid on this property pursuant to Subdivision Map Act section 66492. To satisfy this condition, a tax certificate stating that there are no unpaid lien conditions against the subdivision must be recorded in the Office of the San Diego County Recorder.
- 4. This Subdivision shall conform to the provisions of Site Development Permit No. 1798552 and Planned Development Permit No. 1818960.
- 5. The Subdivider shall defend, indemnify, and hold the City (including its agents, officers, and employees [together, "Indemnified Parties"]) harmless from any claim, action, or proceeding, against the City and/or any Indemnified Parties to attack, set aside, void, or annul City's approval of this project, which action is brought within the time period provided for in Government Code section 66499.37. City shall promptly notify Subdivider of any claim, action, or proceeding and shall cooperate fully in the defense. If City fails to promptly notify Subdivider of any claim, action, or proceeding, or if City fails to cooperate fully in the defense, Subdivider shall not thereafter be responsible to defend, indemnify, or hold City and/or any Indemnified Parties harmless. City may participate in the defense of any claim, action, or proceeding if City both bears its own attorney's fees and costs, City defends the action in good faith, and Subdivider is not required to pay or perform any settlement unless such settlement is approved by the Subdivider.

#### ENGINEERING

- 6. The Subdivider shall underground existing and/or proposed public utility systems and service facilities in accordance with the San Diego Municipal Code.
- 7. The Subdivider shall grant a 10-foot-wide private drainage easements, per approved Exhibit "A", satisfactory to the City Engineer.
- 8. The Subdivider shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Director and the City Engineer. BFPDs shall be

located above ground on private property, in line with the service and immediately adjacent to the right-of-way.

#### MAPPING

- "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source shall be the California Coordinate System, Zone 6, North American Datum of 1983 [NAD 83].
- "California Coordinate System" means the coordinate system as defined in Section 8801 through 8819 of the California Public Resources Code. The specified zone for San Diego County is "Zone 6," and the official datum is the "North American Datum of 1983."
- 11. The Final Map shall:
  - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
  - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of First Order accuracy. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.
- 18. Prior to the recordation of the Final Map taxes must be paid or bonded for this property pursuant to section 66492 of the Subdivision Map Act. A current original tax certificate, recorded in the office of the San Diego County Recorder must be provided to satisfy this condition.
- 19. All subdivision maps in the City of San Diego are required to be tied to the California Coordinate System of 1983 (CCS83), Zone 6 pursuant to section 8801 through 8819 of the California Public Resources Code.

# GEOLOGY

20. Prior to the issuance of a grading permit, the Subdivider shall submit a geotechnical report prepared in accordance with the City of San Diego's "Guidelines for Geotechnical Reports," satisfactory to the City Engineer.

# PLANNING

21. Prior to the recordation of the Final Map, the Subdivider shall execute and record a Covenant of Easement which ensures preservation of the Environmentally Sensitive Lands that are outside the allowable development area on the premises as shown on Exhibit "A" for, in accordance with San Diego Municipal Code section 143.0152. The Covenant of Easement shall include a legal

description and an illustration of the premises showing the development area and the Environmentally Sensitive Lands that will be preserved as shown on Exhibit "A."

# LANDSCAPE/BRUSH MANAGEMENT

22. Prior to recordation of the Final Map, the Owner/Subdivider shall identify on a separate sheet titled 'Non-title Sheet' the brush management areas in substantial conformance with Exhibit 'A.' These brush management areas shall be identified with a hatch symbol with no specific dimensions or zones called out. The following note shall be provided on the 'Non-Title Sheet' to identify the hatched areas: "Indicates fire hazard zone(s) per §142.0412 of the Land Development Code."

#### **INFORMATION:**

- The approval of this Tentative Map by the Planning Commission of the City of San Diego does not authorize the subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 USC § 1531 et seq.).
- If the Subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), the Subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design guides and City regulations, standards and practices pertaining thereto. Off-site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.
- Subsequent applications related to this Vesting Tentative Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Vesting Tentative Map, may protest the imposition within ninety days of the approval of this Vesting Tentative Map by filing a written protest with the San Diego City Clerk pursuant to Government Code sections 66020 and/or 66021.
- Where in the course of development of private property, public facilities are damaged or removed, the Subdivider shall at no cost to the City, obtain the required permits for work in the public right-of-way, and repair or replace the public facility to the satisfaction of the City Engineer (San Diego Municipal Code § 142.0607.

Internal Order No. 24007007

**RESOLUTION NUMBER R-\_** 

#### ADOPTED ON AUGUST 23, 2018

WHEREAS, on September 21, 2016, Terry Johnson, Lighthouse TG LLG, submitted an application to the Development Services Department for a Vesting Tentative Map (VTM), Planned Development Permit (PDP), Site Development Permit (SDP), for the Lighthouse Ridge (Project); and

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

WHEREAS, the issue was heard by the Planning Commission on August 23, 2018; and

WHEREAS, the Planning Commission considered the issues discussed in Mitigated Negative Declaration No. 513356 (Declaration) prepared for this Project; NOW THEREFORE,

BE IT RESOLVED, by the Planning Commission 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 Planning Commission in connection with the approval of the Project.

BE IT FURTHER RESOLVED, that the Planning Commission 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 Planning Commission hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the Project as required by this Planning Commission 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.

By: Glenn R. Gargas, Development Project Manager

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

#### EXHIBIT A

#### MITIGATION MONITORING AND REPORTING PROGRAM

# Vesting Tentative Map (VTM), Planned Development Permit (PDP), Site Development Permit (SDP)

#### PROJECT NO. 513356

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. 513356 shall be made conditions of Vesting Tentative Map (VTM), Planned Development Permit (PDP), Site Development Permit (SDP) as may be further described below.

#### **BIOLOGICAL RESOURCES**

Prior to the issuance of a Notice to Proceed (NTP) or any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits the ADD environmental designee of the City's LDR Division shall incorporate the following mitigation measures into the project design and include them verbatim on all appropriate construction documents.

# **BIO-1 - COMPENSATORY MITIGATION**

The project applicant shall provide payment into the City of San Diego Habitat Acquisition Fun (HAF) at a 1:1 mitigation ration for impacts to 0.7 acre of Tier II habitat and at a 0.5:1 mitigation ration for impacts to 0.1 acre of Tier IIIA habitat, for a total of 0.75 acre of HAF credit.

# **BIO-2-BIOLOGICAL RESOURCE PROTECTION DURING CONSTRUCTION**

Prior to the issuance of any grading permit, the City Manager (or appointed designee) shall verify that the following project requirements are shown on the construction plans:

#### I. Prior to Construction

- A. Biologist Verification The owner/permittee shall provide a letter to the City's Mitigation Monitoring Coordination (MMC) section stating that a Project Biologist (Qualified Biologist), as defined in the City of San Diego's Biological Guidelines (2012), has been retained to implement the project's biological monitoring program. The letter shall include the names and contact information of all persons involved in the biological monitoring of the project.
- B. Preconstruction Meeting The Qualified Biologist shall attend the preconstruction meeting, discuss the project's biological monitoring program, and arrange to

perform any follow up mitigation measures and reporting including site-specific monitoring, restoration, or revegetation, and additional fauna/flora surveys/salvage.

- C. Biological Documents The Qualified Biologist shall submit all required documentation to MMC verifying that any special mitigation reports including but not limited to, maps, plans, surveys, survey timelines, or buffers are completed or scheduled per City Biology Guidelines, MSCP, ESL Ordinance, project permit conditions, CEQA, endangered species acts, and/or other local, state, or federal requirements.
- D. Biological Construction Mitigation/Monitoring Exhibit The Qualified Biologist shall present a Biological Construction Mitigation/Monitoring Exhibit (BCME), which includes the biological documents in C above. In addition, it includes: restoration/revegetation plans, plant salvage/relocation requirements (e.g., coastal cactus wren plant salvage, burrowing owl exclusions, etc.), avian or other wildlife surveys/survey schedules (including general avian nesting and USFWS protocol), timing of surveys, wetland buffers, avian construction avoidance areas/noise buffers/barriers, other impact avoidance areas, and any subsequent requirements determined by the Qualified Biologist and the City ADD/MMC. The BCME shall include a site plan, written and graphic depiction of the project's biological mitigation/monitoring program, and a schedule. The BCME shall be approved by MMC and referenced in the construction documents.
- E. Coastal California Gnatcatcher Protection Requirement No clearing, grubbing, grading, or other construction activities shall occur between March 1 and August 15, the breeding season of the coastal California gnatcatcher, until the following requirements have been met to the satisfaction of the City Manager:

Qualified Biologist (possessing a valid Endangered Species Act Section 10(a)(1)(A) Recovery Permit) shall survey those habitat areas within the MHPA that would be subject to construction noise levels exceeding 60 decibels [dB(A)] hourly average for the presence of the coastal California gnatcatcher. Surveys for the coastal California gnatcatcher shall be conducted pursuant to the protocol survey guidelines established by the USFWS within the breeding season prior to the commencement of any construction. If gnatcatchers are present, then the following conditions must be met:

Between March 1 and August 15, no clearing, grubbing, or grading of occupied gnatcatcher habitat shall be permitted. Areas restricted from such activities shall be staked or fenced under the supervision of a Qualified Biologist; and

Between March 1 and August 15, no construction activities shall occur within any portion of the site where construction activities would result in noise levels exceeding 60 dB(A) hourly average at the edge of occupied gnatcatcher habitat. An analysis showing that noise generated by construction activities would not exceed 60 dB(A) hourly average at the edge of occupied habitat must be completed by a qualified acoustician (possessing current noise engineer license or registration with monitoring

noise level experience with listed animal species) and approved by the City Manager at least two weeks prior to the commencement of construction activities. Prior to the commencement of construction activities during the breeding season, areas restricted from such activities shall be staked or fenced under the supervision of a Qualified Biologist; or

At least two weeks prior to the commencement of construction activities, under the direction of a qualified acoustician, noise attenuation measures (e.g., berms, walls) shall be implemented to ensure that noise levels resulting from construction activities will not exceed 60 dB(A) hourly average at the edge of habitat occupied by the coastal California gnatcatcher. Concurrent with the commencement of construction activities and the construction of necessary noise attenuation facilities, noise monitoring\* shall be conducted at the edge of the occupied habitat area to ensure that noise levels do not exceed 60 dB(A) hourly average. If the noise attenuation techniques implemented are determined to be inadequate by the qualified acoustician or biologist, then the associated construction activities shall cease until such time that adequate noise attenuation is achieved or until the end of the breeding season (September 16).

\* Construction noise monitoring shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity, to verify that noise levels at the edge of occupied habitat are maintained below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. If not, other measures shall be implemented in consultation with the biologist and the City Manager, as necessary, to reduce noise levels to below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. Such measures may include, but are not limited to, limitations on the placement of construction equipment and the simultaneous use of equipment.

If coastal California gnatcatchers are not detected during the protocol survey, the Qualified Biologist shall submit substantial evidence to the City Manager and applicable Resource Agencies that demonstrates whether or not mitigation measures, such as noise walls, are necessary between March 1 and August 15 as follows:

If this evidence indicates the potential is high for coastal California gnatcatcher to be present based on historical records or site conditions, then condition III shall be adhered to as specified above.

If this evidence concludes that no impacts to this species are anticipated, no mitigation measures would be necessary.

F. Resource Delineation – Prior to construction activities, the Qualified Biologist shall supervise the placement of orange construction fencing or equivalent along the limits of disturbance adjacent to sensitive biological habitats and verify compliance with any other project conditions as shown on the BCME. This phase shall include flagging plant specimens and delimiting buffers to protect sensitive biological resources (e.g., habitats/flora and fauna species, including nesting birds) during construction. Appropriate steps/care should be taken to minimize attraction of nest predators to the site. G. Education – Prior to commencement of construction activities, the Qualified Biologist shall meet with the owner/permittee or designee and the construction crew and conduct an on-site educational session regarding the need to avoid impacts outside of the approved construction area and to protect sensitive flora and fauna (e.g., explain the avian and wetland buffers, flag system for removal of invasive species or retention of sensitive plants, and clarify acceptable access routes/methods and staging areas, etc.).

# II. During Construction

- A. Monitoring All construction (including access/staging areas) shall be restricted to areas previously identified, proposed for development/staging, or previously disturbed as shown on "Exhibit A" and/or the BCME. The Qualified Biologist shall monitor construction activities as needed to ensure that construction activities do not encroach into biologically sensitive areas, or cause other similar damage, and that the work plan has been amended to accommodate any sensitive species located during the pre-construction surveys. In addition, the Qualified Biologist shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR shall be e-mailed to MMC on the first day of monitoring, the first week of each month, the last day of monitoring, and immediately in the case of any undocumented condition or discovery.
- B. Subsequent Resource Identification The Qualified Biologist shall note/act to prevent any new disturbances to habitat, flora, and/or fauna on site (e.g., flag plant specimens for avoidance during access, etc.). If active nests or other previously unknown sensitive resources are detected, all project activities that directly impact the resource shall be delayed until species specific local, state, or federal regulations have been determined and applied by the Qualified Biologist.

# III. Post Construction Measures

A. In the event that impacts exceed previously allowed amounts, additional impacts shall be mitigated in accordance with City Biology Guidelines, ESL and MSCP, State CEQA, and other applicable local, state, and federal law. The Qualified Biologist shall submit a final BCME/report to the satisfaction of the City ADD/MMC within 30 days of construction completion.

# ARCHAEOLOGICAL MONITORING PROGRAM and TRIBAL CULTURAL RESOURCES MITIGATION I. Prior to Permit Issuance

- A. Entitlements Plan Check
  - 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 pre-construction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Archaeological Monitoring and Native American monitoring

have been noted on the applicable construction documents through the plan check process.

- B. Letters of Qualification have been submitted to ADD
  - 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 archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG). If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour HAZWOPER training with certification documentation.
  - 2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project meet the qualifications established in the HRG.
  - 3. Prior to the start of work, the applicant must obtain written approval from MMC for any personnel changes associated with the monitoring program.

# II. Prior to Start of Construction

- A. Verification of Records Search
  - The PI shall provide verification to MMC that a site specific records search (0.25-mile radius) has been completed. Verification includes but is not limited to, a copy of a confirmation letter from South Coastal Information Center, 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.
  - 3. The PI may submit a detailed letter to MMC requesting a reduction to the 0.25-mile radius.
- B. PI Shall Attend Pre-Construction Meetings
  - Prior to beginning any work that requires monitoring; the Applicant shall arrange a Pre-Construction Meeting that shall include the PI; Native American consultant/monitor (where Native American resources may be impacted); Construction Manager (CM) and/or Grading Contractor; Resident Engineer (RE); Building Inspector (BI), if appropriate; and MMC. The qualified Archaeologist and Native American Monitor shall attend any grading/excavation related Pre-Construction Meeting to make comments and/or suggestions concerning the Archaeological Monitoring program with the Construction Manager and/or Grading Contractor.
    - a. If the PI is unable to attend the Pre-Construction Meeting, the Applicant shall schedule a focused Pre-Construction 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 an Archaeological Monitoring Exhibit (AME) (with verification that the AME has been reviewed and approved by the Native American consultant/monitor when Native American resources may be impacted) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits.
    - b. The AME 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 that indicate site conditions such as depth of excavation and/or site graded to bedrock, which may reduce or increase the potential for resources to be present.

#### III. During Construction

- A. Monitor(s) Shall be Present During Grading/Excavation/Trenching
  - The Archaeological Monitor shall be present full-time during all soil-disturbing and grading/excavation/trenching activities that could result in impacts to archaeological resources as identified on the AME. 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 AME.
  - 2. The Native American consultant/monitor shall determine the extent of their presence during soil disturbing and grading/excavation/trenching activities based on the AME and provide that information to the PI and MMC. If prehistoric resources are encountered during the Native American consultant/monitor's absence, work shall stop and the Discovery Notification Process detailed in Sections III.B–C and IV.A–D shall commence.
  - 3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as modern disturbance postdating the previous grading/trenching activities, presence of fossil formations, or when native soils are encountered that may reduce or increase the potential for resources to be present.
  - 4. The archaeological and Native American consultant/monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVRs 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
  - In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert all soil disturbing activities, including but not limited to digging, trenching, excavating or grading activities in the area of discovery and in the area reasonably suspected to overlay adjacent resources and immediately notify the RE or Bl, 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.

- 4. No soil shall be exported off site until a determination can be made regarding the significance of the resource specifically if Native American resources are encountered.
- C. Determination of Significance
  - 1. The PI and Native American consultant/monitor, where Native American resources are discovered, shall evaluate the significance of the resource. If human remains are involved, the PI and Native American consultant/monitor shall follow protocol in this section.
    - 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.
    - b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) that has been reviewed by the Native American consultant/monitor, 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. Note: If a unique archaeological site is also an historical resource as defined in CEQA, then the limits on the amount(s) that a project applicant may be required to pay to cover mitigation costs as indicated in CEQA Section 21083.2 shall not apply.
    - c. If the resource is not significant, the PI shall submit a letter to MMC indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.

# IV. Discovery of Human Remains

If human remains are discovered, work shall halt in that area and no soil shall be exported off site until a determination can be made regarding the provenance of the human remains, and the following procedures as set forth in CEQA Section 15064.5(e), the California Public Resources Code (Sec. 5097.98), and State Health and Safety Code (Sec. 7050.5) shall be undertaken: A. Notification

- The Archaeological Monitor shall notify the RE or BI, as appropriate, the MMC, and the PI, if the Monitor is not qualified as a PI. MMC will notify the appropriate Senior Planner in the Environmental Analysis Section (EAS) of the Development Services Department to assist with the discovery notification process.
- 2. The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.
- B. Isolate Discovery Site
  - Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the provenance of the remains.
  - 2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenance.
  - 3. If a field examination is not warranted, the Medical Examiner will determine with input from the PI, if the remains are or are most likely to be of Native American origin.
- C. If Human Remains are determined to be Native American
  - The Medical Examiner will notify the Native American Heritage Commission (NAHC) within 24 hours. By law, **ONLY** the Medical Examiner can make this call.
  - 2. NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.

- The MLD will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination to begin the consultation process in accordance with CEQA Section 15064.5(e), the California Public Resources, and Health and Safety Codes.
- The MLD will have 48 hours to make recommendations to the property owner or representative for the treatment or disposition with proper dignity of the human remains and associated grave goods.
- 5. Disposition of Native American human remains will be determined between the MLD and the PI and if:
  - a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being notified by the Commission; or
  - b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner, THEN
  - c. In order to protect these sites, the Landowner shall do one or more of the following:
    - (1) Record the site with the NAHC
    - (2) Record an open space or conservation easement on the site
    - (3) Record a document with the County
  - d. Upon the discovery of multiple Native American human remains during a grounddisturbing land development activity, the landowner may agree that additional conferral with descendants is necessary to consider culturally appropriate treatment of multiple Native American human remains. Culturally appropriate treatment of such a discovery may be ascertained from review of the site utilizing cultural and archaeological standards. Where the parties are unable to agree on the appropriate treatment measures the human remains and items associated and buried with Native American human remains shall be reinterred with appropriate dignity, pursuant to Section 5(c).
- D. If Human Remains are NOT Native American
  - 1. The PI shall contact the Medical Examiner and notify them of the historic era context of the burial.
  - 2. The Medical Examiner will determine the appropriate course of action with the PI and City staff (PRC 5097.98).
  - 3. If the remains are of historic origin, they shall be appropriately removed and conveyed to the San Diego Museum of Man for analysis. The decision for internment of the human remains shall be made in consultation with MMC, EAS, the applicant/ landowner, any known descendant group, and the San Diego Museum of Man.

# V. Night and/or Weekend Work

- A. If night and/or weekend work is included in the contract, the following will occur:
  - 1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the pre-construction 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 8 a.m. of the next business day.
    - b. Discoveries

All discoveries shall be processed and documented using the existing procedures detailed in Sections III, During Construction, and IV, Discovery of Human Remains. Discovery of human remains shall always be treated as a significant discovery.

c. Potentially Significant Discoveries

If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III, During Construction, and IV, Discovery of Human Remains, shall be followed.

- d. The PI shall immediately contact MMC, or by 8 a.m. of 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 and/or weekend 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 previously shall apply, as appropriate.

#### VI. 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 Historical Resources Guidelines (Appendix C/D) that describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring. It should be noted that if the PI is unable to submit the Draft Monitoring Report within the allotted 90-day timeframe resulting from delays with analysis, special study results or other complex issues, a schedule shall be submitted to MMC establishing agreed due dates and the provision for submittal of monthly status reports until this measure can be met.
    - a. For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program shall be included in the Draft Monitoring Report.
    - b. Recording Sites with State of California Department of Parks and Recreation The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center with the Final Monitoring Report.
  - 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.
  - MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Artifacts

- 1. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued.
- 2. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.
- 3. The cost for curation is the responsibility of the property owner.
- C. Curation of artifacts: Accession Agreement and Acceptance Verification
  - The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution. This shall be completed in consultation with MMC and the Native American representative, as applicable.
  - 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.
  - 3. When applicable to the situation, the PI shall include written verification from the Native American consultant/monitor indicating that Native American resources were treated in accordance with state law and/or applicable agreements. If the resources were reinterred, verification shall be provided to show what protective measures were taken to ensure no further disturbance occurs in accordance with Section IV(5), Discovery of Human Remains.
- D. Final Monitoring Report(s)
  - The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy 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 and/or release of the Performance Bond for grading until receiving a copy of the approved Final Monitoring Report from MMC, which includes the Acceptance Verification from the curation institution.

# PALEONTOLOGICAL MONITORING PROGRAM

# I. Prior to Permit Issuance

- A. Entitlements Plan Check
  - 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
  - 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

- 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 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
  - 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.

- 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
  - 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.
  - 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
  - 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,
    - 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.
  - 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.
  - MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Fossil Remains
  - The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.
  - 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)
  - 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.

# Official Zoning Map Challenge

Date:	6/19/2017
Challenge by:	Latitude 33 (Official Zoning Map Challenge Form completed by Naomi Siodmok, Associate Planner)
Property Owner:	Lighthouse T G LLC, Jesus E. Santos, Juana E. Santos, et al; Anza Mammen Family Trust; Alex & Larisa Triener; Chris Mi Chunting & Fu Yuhong; Ayman Kabakibi & Saha Sadegji Revocable 2009 Trust; Doan Family Trust; and Smith Family Trust
Property Location:	At the end of Lighthouse Way, just north of White Emerald Drive and Del Mar Heights Road (Attachment 1)
APN(s):	304-080-0100, 304-610-1100, 304-610-1200, 304-610-1300, 304-610-1400, 304-610-1400, 304-610-1500, and 304-610-1600

# **Reviewed by:**

Gary Geiler, Senior Planner Glenn Gargas, Development Project Manager I Naomi Siodmok, Associate Planner Philip Lizzi, Associate Planner

# Attachments

Map showing the property location (Attachment 1)
Rezone Ordinance(s): 0-17245 (Attachment 2)
Rezone B or C-sheet(s): C-698.3 (Attachment 3)
Zoning Correction Exhibit (s)
Carmel Valley Neighborhoods Composite Plan Land Use (Attachment 4)
Official Zoning Map, Grid Tile 39 (Attachment 5)
Aerial Images (Attachment 6)
Site Visit Photographs (Attachment 7)
Other information:
Latitude 33 Memorandum (Attachment 8)

#### **Reason for change**

Describe the reasons for the change Ordinance: To make consistent the Official Zoning Map (Attachment 5) and the Carmel Valley Neighborhoods Composite Plan Land Use (Attachment 4) since the existing open space and very low density residential boundaries differ on the two maps. Via aerial images and a site visit on June 8, 2017, it was determined that the land use map boundary was most accurate. Aerial imagery and photographs have been attached to justify shifting the zoning boundary to the land use plan boundary.

# Check the appropriate rule:

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# **Official Zoning Map Challenge**

#### Remedy

Revise the Official Zoning Map to change the zoning from CVPD-OS to CVPD-SF1 on the portion of the aforementioned parcels where there is a conflict between the designation on the land use map and the zoning ordinance.

Signature:

Robert Vacchi, Director Develøpment/Services Department

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Date:

# Attachment 1 Property Location



Attachment e one rdinan e

(0-89-151 REV. 1)

ORDINANCE NUMBER 0- 17245 (NEW SERIES)

ADOPTED ON FEB 1:1 1989

AN ORDINANCE AMENDING CHAPTERNEL, ARTICLE 3, DIVISION 6, OF THORAM DECONTAINICIPAL CODE BY AMENDING SECTION 103.0601 RELATING TO THE NORTH CITY WEST PLANNED DISTRICT.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter X, Article 3, Division 6, of the San Diego Municipal Code be and the same is hereby amended by amending Section 103.0601 to read as follows:

SEC. 103.0601 AREA OF APPLICABILITY

The regulations contained herein shall apply in the North City West Planned District which is within the North City West area in the City of San Diego. The area to which the provisions of this division are applicable is shown on those certain Map Drawing Nos. C-670.4, C-671.1, C-676.4, C-679.2, C-683.1, C-694 and C-698.2, and described in the appended boundary description filed in the office of the City Clerk under Document Nos. 00-16636, 00-16718, 00-16729, 00-17050 and 00-17245.

Section 2. That Ordinance No. 0-16975 (New Series), adopted November 9, 1987, of the ordinances of The City of San Diego be and it is repealed insofar as the same conflicts herewith.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

-PAGE 1 OF 2-

APPROVED: John W. Witt, City Attorney

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2 2 onra By Frederick C. Conrad

Chief Deputy City Attorney

FCC:fs:lc 01/05/89 02/06/89 REV. 1 Or.Dept:Plan. 0-89-151 Form=0.none

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I HEREBY CERTIFY that the foregoing ordinance was not finally passe	G. ABDELNOUR City of San Diego, California. Warting, Deputy		By	(Seal)
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I FURTHER CERTIFY that said ordinance was read in full prior to its	linal passage			

(Seal)

CHARLES G. ABDELNOUR
Çity Clerk of The City of San Diego, California.
By Jena Martin Deputy.
By SUIIC Marian Deputy.

Office of the City Clerk, San Diego, California FEB 1 3 1989 OrdinanceO-Number 17245 Adopted .

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ATTACHMENT 10

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### CERTIFICATE OF PUBLICATION

CITY OF SAN DIEGO 202 C STREET, 2ND FLOOR SAN DIEGO, CA 92101

### IN THE MATTER OF

AN ORDINANCE AMENDING CHPATER X, ARTICLE 3, DIVISION 6, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 103.0601 RELATING TO THE NORTH CITY WEST PLANNED DISTRICT.

### ORDINANCE NUMBER 0-17245(NEW SERIES)

AN ORDIMANCE AMENDING CHAPTER X, ARTICLE 3, DIVI-SION 6, OF THE SAN DIEGO MUNICIPAL CODE BY AMEN-DING BEGTION 103.0001 RELATING TO THE NORTH CITY WEST PLANNED DISTRICT.

BE IT ORDAINED, by the Council of The City of San Diego, 35

Be IT ORDAINED, by the Council of The City of Sen Diego, 33 follows: Baction 1: That Chapter X, Article 3, Division 6, of the San Diego Municipal Code be and the same is horeby smended by amending Bection 103.0601 to read as follows: SEC, 103.0601 neades follows: SEC, 103.0601 the read as follows: SEC, 103.0601 the read as follows: SEC, 103.0601 the read as follows: SEC, 103.0601 AREA OF APPLICABILITY The regulations contained herein shall apply in the North City West Planned District which is within the North City West area in the Oily of San Diego. The Area to Which the provisions of this division are applicable is shown on those certain Map Drawing Nos. C470.4; C471.1; C470.4; C479.2; C483.1; C404 and C498.2; and desortbed in the appended boundary description filed in the office of the City Clerk under Document Nos. 00-16936; 00-16716; D0-16726; O0-17050 and 00-17245. Section 2: That Ordinance No. 0.16975 (Now Sarles), adoped No-vember 9; 1997, of the ordinance so file City of San Diego be and it is repealed insofar as the same conflicts harawith. Section 3, This ordinance shall take effect and be in force on the initristic flay from end after its passage. Introduced on Jan. 31, 1969 Passed and adopted by the Council of The City of San Diego on Fob.13, 1969

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AUTHENTICATED BY: MAUREEN O'CONNOR	C	·····································
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CHARLES G. ABDELNOUR	1.1	1. Carrison
City Clark of Tha City of San Diogo; California		
By Tena Martin, Deputy	· Win	C. e

Pub. Feb, 28

THOMAS D. KELLEHER L

am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above- entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1909, Decree No. 14894; and the

ORDINANCE NUMBER 0-17245 (NEW SERIES)

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to wit:

FEB. 28

I certify under penalty of perjury that the foregoing is true and correct.

28 FEB. Dated at San Diego, California this. day of 10 89

(Signature)

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Attachment 3 Rezone C-sheet





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Attachment 5 Official Zoning Map, Grid Tile 39





















Image of debris within open space.

iden e of grading within an area designated as open space on the Official Zoning Map just north of 5160 White Emerald Drive.



ATTACHMENT 10 Attachment 8 Latitude 33 Memorandum

F1LE: 1380.00

# Memorandum

DATE: April 5, 2017

TO: Glenn Gargas

FROM: Melissa Krause

SUBJECT: CVSF-1 Zoning Correction Lighthouse Ridge (PTS# 513356)

Lighthouse Ridge, the proposed project, is located at the end of Lighthouse Way, just north of White Emerald Drive and Del Mar Heights Road. The property is split zoned CVPD-SF1 on the western portion and CVPD-OS on the eastern portion. The CVPD-SF1 zone encompasses the surrounding development directly adjacent to the north along Chelterham Terrace, west along Winstanley Way, and south along White Emerald Drive and Lighthouse Way. The CVPD-OS zone extends into the project site due to the area's historical topography and proximity to MHPA. However, the exact boundary line is unclear because the surrounding areas developed according to the conceptual, hand-drawn maps from the Development Unit 4A Precise Plan that changed the topography of the canyons to an extent that it is difficult to distinguish the natural from the man-made without referring to historical aerial imagery.

The zoning boundary between open space and residential shown on Zoning Grid Tile 39 (Attachment 1) is different from the San Diego General Plan Land Use and Street System Figure LU-2 (Revised January 12, 2016) (Attachment 2) and the Carmel Valley Neighborhoods Composite Land Use Map (Attachment 3). However, all three maps designate the property as residential development. Due to inconsistencies in zoning map boundaries throughout Carmel Valley, we believe the Carmel Valley Neighborhoods Composite Land Use Map depicts a more accurate boundary between the residential and open space areas because it follows existing conditions throughout the neighborhood more closely.

Although the project site is just one of many inconsistencies in the zoning map throughout Carmel Valley, the most obvious inconsistency lies directly to the south of the project on Zoning Grid 39 along White Emerald Drive where six single family homes have been built within the CVPD-OS zone as shown in the Zoning Error Close-Up Exhibit prepared by Latitude 33 (Attachment 4). Additionally, there is an inconsistency at the end of Wyngate Point, where two fully developed single family lots are located partially within the open space zone boundary as shown on Zoning Grid Tile 39. At the end of Sunset Point Place on Zoning Grid Tile 35 (Attachment 5), there are two single family homes built completely within the CVPD-OS. Lastly, to the east of this along Dunham Court in Zoning Grid 35, there are four lots that are either partially or completely within the CVPD-OS zone. The inconsistencies show there is a difference between the existing neighborhood condition and the zoning map.

H-31300/1380/00 - Lighthouse Way/Submittals/2017-04-05 Zoning Correction Submittal/Zoning Error Mensi Revised 2017-04-05 does

9968 Hibert Street 2nd Floor, San Diego CA 92131 • T 858.751.0633 • www.latitude33.com

We believe the zoning line shown between CVPD-SF1 and CVPD-OS to be a mapping error, and should follow the line in the Carmel Valley Neighborhood's Composite Plan Land Use Map that shows a more accurate condition for the parcels along White Emerald Drive and throughout Carmel Valley. This would represent a more consistent zoning distinction across the entire neighborhood and provide a better representation of what is existing today rather than having a split-zoned parcel, which is likely an unintended zoning error. We request confirmation from the City that this is a zoning error, and the open space boundary should match that shown on the Carmel Valley Neighborhoods Composite Land Use Map.

Thank you.

Attachments:

- 1. San Diego General Plan Land Use and Street System Figure LU-2
- 2. Carmel Valley Neighborhoods Composite Land Use Map
- 3. City of San Diego Zoning Grid Tile 39
- 4. Zoning Error Close-Up Exhibit
- 5. City of San Diego Zoning Grid Tile 35















ASSESSOR'S PARCEL NO. 104-080-01-00 NAD 83 COORDINATES

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PLANNING & ENGINEERING

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### DEVELOPMENT SUMMARY

20-14-1

I. SAMANY OF REDARST: A PLANED REVELOPMENT POINT, VESTING ENTADING SLEDVISION MAP, AND STE DEVELOPMENT POINT FOR TO MARKET RATE SINGLE FAMILY RESOLUTION, MATS, 2 HK LOTS & 1 OPOI STAGE LOT IN THE CAMBER WILL'I FLOMED DETINGET, TODE 1. 2 STREET ADDRESS HOWTH OF LIDITURDESE BAY

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# **ATTACHMENT 11**

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THOUSE RIDGE

VTM/SDP

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LIGHTHOUSE RIDGE PACIFIC LEGACY HOMES

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Project Name: LIGHTHOUSE RIDGE

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RESIDENCE ONE - PRELIMINARY FRONT EXTERIOR ELEVATIONS "B" & "C" LIGHTHOUSE RIDGE PACIFIC LEGACY HOMES

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Residence One - Preliminary Root Plane





UPPER LEVEL

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RESIDENCE TWO - PRELIMINARY FLOOR PLANS 3,849 S.F. 4,517 S.F. (INCL. GARAGE) SCALE 147 = 1-07 LIGHTHOUSE RIDGE PACIFIC LEGACY HOMES





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RESIDENCE TWO - PRELIMINARY FRONT EXTERIOR ELEVATIONS "B" & "C" LIGHTHOUSE RIDGE PACIFIC LEGACY HOMES

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### CARMEL VALLEY COMMUNITY PLANNING BOARD Attn: Allen Kashani, CVCPB Secretary 13400 Sabre Springs Pkwy, Ste. 200 San Diego CA 92128 858-794-2571 / Fax: 858-794-2599

March 30, 2018

Glenn Gargas CITY OF SAN DIEGO Development Services Department 1222 First Ave., MS 302 San Diego, CA 92101

Re: LIGHTHOUSE RIDGE Project No.: 513356

Dear Glenn:

The Carmel Valley Community Planning Board considered the abovementioned project on March 22, 2018. It was a very difficult challenge discussing the existing conditions, the rights for development of private property, the concerns of adjacent residents, the presented mapping error and the perceived and logical open space limits.

After considerable debates and discussions that night and previous meetings the following motion was presented.

### Motion to Approval Lighthouse Ridge

The CVCPB approves the Lighthouse Ridge project ONLY with the deletion of Lots 9 and 10 based on the conclusion that those units are in the Open Space. We reached our decision as a result of the following discussion, analysis and findings:

- 1. It is our opinion that the City of San Diego Development Services Department has erred in the approval of the Official Zoning Map Challenge submitted by Latitude 33, dated June 19, 2017.
  - a. Robert Vacchi, Development Services Director indicated in an email dated November 28, 2017 addressed to Paul Sager that the "zoning map correction concerns a discrepancy between the land use designation map C-698.3 (Csheet) and the City's Official Zoning Map." He further states the North City West Planned District Development Unit 4-A C-Sheet C-698.3 takes precedence over the Official Zoning Map for the Carmel Valley Community.
  - b. Mr. Vacchi further states, "In this case, the C-sheet identifies and intends the open space zones to align with the finger canyons in the neighborhood. During the transfer of data from the C-sheet to the Official Zoning Map, an obvious error occurred where the open space zoning spilled onto the mesa covering several single-family lots and a slightly larger portion of the vacant lot off Lighthouse Way

than was intended by the Council. We reviewed the records once the error was brought to our attention and then confirmed and corrected the error."

We, the Carmel Valley Community Planning Board has concluded that there was no error in the transfer of the Open Space zone that impacts the Lighthouse Ridge project.

- a. The comparison of the Official Zoning Map and the North City West Planned District Development Unit 4-A C-Sheet C-698.3 concludes that the Zoning Map clearly and accurately transferred the intent of the C-sheet to protrude into the area being occupied by Lots 9 and 10 as proposed in the Lighthouse Ridge plan.
- b. The North City West Planned District Development Unit 4-A C-Sheet C-698.3 clearly indicates that the Westerly protrusion is about ½ of the length of the Northerly SF1-A parcel of what is now called White Emerald Drive. The Official Zoning Map accurately transferred that same intent and same proportional protrusion.
- c. We do however; agree that the Open Space boundary North of White Emerald Drive needs to be corrected to mirror the intent of the boundary for those homes facing White Emerald as intended in the North City West Planned District Development Unit 4-A.

The Carmel Valley Community Planning supported the above motion by a vote of 8 For and 0 Against and 0 Abstaining.

Prior to the above motion, a motion was made to deny the project. That motion failed 4-4-0.

Sincerely, Carmel Valley Community Planning Board

Frisco White, AIA Chair

Attachment: Analysis Maps

2.





Neighborhood Development Permit       Site Development Permit       Planned Development Permit       Conditional Use Permit         Yariance       Tentative Map       X Vesting Tentative Map       Map Waiver       Land Use Plan Amendment • Other         Project Title       Project No. For City Use O         Lighthouse Ridge       51/33500         Project Address:		wnership Disclos Statem	Ov	y of San Diego velopment Services 2 First Ave., MS-302 i Diego, CA 92101 3) 446-5000	Devel 1222 San D
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Lighthouse Way, San Diego, CA 92130         art 1 - To be completed when property is held by Individual(s)         rsigning the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map, or other matter, as identified with the City of San Diego on the subject property. With the intent to treodd an encumbrance against the orgenty. Play the owner(s) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all to have an interest in the property. A signature is required of at least one of the property owners. Attach additional pages if needed. As so more ship and or other water and the property. The list must include the names and addresses of all snappler of a percent Magnery shall be required for all project parcels for which a Dispositive or watership and the Constructive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Dispositive organizer is assuring of any changes in ownership and to any public bearing on the subject property. Failure to provide accurate and current or formation could result in a delay in the hearing process.         dditional pages attached response reference and proved reference and property. Failure to provide accurate and current or formation could result in a delay in the hearing process.         dditional pages attached response reference reference and provement Agency Street Address:         Street Address:         Signature :       Date:         Date:       Signature :         Date:       Signature :         Date:       Street Address:         Street Address:       Street Address:		513350			
y signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other, matter, as identifie to rever, will be filed with the City of San Diego on the subject property, with the Intent to record an encumbrance against the property. Power with the intent to record an encumbrance against the property. Power with the intent to record an encumbrance against the property. Power with the intent to record an encumbrance against the property interest (in the property, which a bispositive of the property and the property. A signature is required of at least one of the property and the property and will benefit from the property. A signature is required of at least one of the property and the application is perposed for which a Dispositive property. Agreement (DDA) has been approved / executed by the City Councit. Note: The applicant is responsible for notifying the anager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be a Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current or formation could result in a delay in the hearing process.         dditional pages attached Yes       No         Name of Individual (type or print):       Name of Individual (type or print):         [Owner Tenant/Lessee Redevelopment Agency       City/State/Zip:         Phone No:       Fax No:         Signature :       Date:         Signature :       Date:         City/State/Zip:       City/State/Zip:         Phone No:       Fax No:         Signature :       Date:         Signature : <td></td> <td></td> <td></td> <td>Vay, San Diego, CA 92130</td> <td></td>				Vay, San Diego, CA 92130	
bave, will be filed with the City of San Diego on the subject property, with the intent to record an encumbrance against the property. Pillow the owner(s) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all no have an interest in the property, Asignature is required of at least one of the property waters. Attach additional pages if needed. As som the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Dispositive evelopment Agreement (DDA) has been approved / executed by the City Council. Note: The applicant is responsible for notifying the anager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be a Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current or formation could result in a delay in the hearing process.         dditional pages attached       Yes       No         Name of Individual (type or print):       Name of Individual (type or print):         Cowner       Tenant/Lessee       Redevelopment Agency         Street Address:       Signature :       Date:         Signature :       Date:       Signature :       Date:         Name of Individual (type or print):       Name of Individual (type or print):       Fax No:         Phone No:       Fax No:       Phone No:       Fax No:         Signature :       Date:       Signature :       Date:         Name of Individual (type or print):       Name of Indivi			(s)	d when property is held by Individu	art I - To be completed v
Street Address:       Street Address:         City/State/Zip:       City/State/Zip:         Phone No:       Fax No:         Signature :       Date:         Name of Individual (type or print):       Name of Individual (type or print):         Cowner       Tenant/Lessee         Redevelopment Agency       City/State/Zip:         Street Address:       Street Address:         City/State/Zip:       City/State/Zip:         Phone No:       Fax No:	he permit, all A signature sposition and g the Project o be given to	.g., tenants who will benefit from the perr Attach additional pages if needed. A sign all project parcels for which a Dispositio splicant is responsible for notifying the F ered. Changes in ownership are to be giv are to provide accurate and current own	e type of property interest (e.g ne of the property owners. A Agency shall be required for City Council. Note: The app being processed or consider the subject property. Failur	property, recorded or otherwise, and state operty). A signature is required of at leas a Director of the San Diego Redevelopme DA) has been approved / executed by ownership during the time the application st thirty days prior to any public hearing delay in the hearing process.	ho have an interest in the pro- dividuals who own the prope- om the Assistant Executive D evelopment Agreement (DD) anager of any changes in ov e Project Manager at least formation could result in a de dditional pages attached
City/State/Zip:       City/State/Zip:         Phone No:       Fax No:         Signature :       Date:         Name of Individual (type or print).       Name of Individual (type or print).         Owner       Tenant/Lessee         Redevelopment Agency       City/State/Zip:         Street Address:       Street Address:         City/State/Zip:       City/State/Zip:         Phone No:       Fax No:	Agency	ant/Lessee TRedevelopment Agend	Cowner CTena	Lessee Redevelopment Agency	Owner Tenant/Le
Phone No:     Fax No:       Signature :     Date:       Name of Individual (type or print):     Name of Individual (type or print):       Nowner     Tenant/Lessee       Redevelopment Agency     Image: City/State/Zip:       Street Address:     Street Address:       City/State/Zip:     City/State/Zip:       Phone No:     Fax No:			Street Address:		Street Address:
Signature :     Date:     Signature :     Date:       Name of Individual (type or print):     Name of Individual (type or print):       Owner     Tenant/Lessee     Redevelopment Agency       Street Address:     Street Address:       City/State/Zip:     City/State/Zip:       Phone No:     Fax No:			City/State/Zip:		City/State/Zip:
Name of Individual (type or print):     Name of Individual (type or print):       Owner     Tenant/Lessee     Redevelopment Agency       Street Address:     Street Address:       City/State/Zip:     City/State/Zip:       Phone No:     Fax No:		Fax No:	Phone No:	Fax No:	hone No:
Owner       Tenant/Lessee       Redevelopment Agency         Street Address:       Street Address:         City/State/Zip:       City/State/Zip:         Phone No:       Fax No:		Date:	Signature :	Date:	Signature :
Street Address:     Street Address:       City/State/Zip:     City/State/Zip:       Phone No:     Fax No:   Phone No: Fax No:		type or print):	Name of Individual (ty	e or print):	Name of Individual (type o
City/State/Zip: Phone No: Fax No: Phone No: Fax No:	jency	nt/Lessee Redevelopment Agency	Cowner CTenan	essee Redevelopment Agency	Owner Tenant/Les
Phone No: Fax No: Phone No: Fax No:			Street Address:		Street Address:
			City/State/Zip:		City/State/Zip:
Signature : Date: Date: Date: Date:		Fax No:	Phone No:	Fax No:	Phone No:
		Date:	Signature :	Date:	Bignature :

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roject Title:	Project No. (For City Use Only)
Part II - To be completed when property is held by a corpo	oration or partnership
Legal Status (please check):	
Corporation K Limited Liability -or-	State? CA Corporate Identification No. 201603510157
as identified above, will be filed with the City of San Diego on the property. Please list below the names, titles and address otherwise, and state the type of property interest (e.g., tenants in a partnership who own the property). <u>A signature is require</u> property. Attach additional pages if needed. <b>Note:</b> The applica- bownership during the time the application is being processed	acknowledge that an application for a permit, map or other matter, the subject property with the intent to record an encumbrance against es of all persons who have an interest in the property, recorded or s who will benefit from the permit, all corporate officers, and all partners ed of at least one of the corporate officers or partners who own the ant is responsible for notifying the Project Manager of any changes in or considered. Changes in ownership are to be given to the Project subject property. Failure to provide accurate and current ownership additional pages attached X Yes No
Corporate/Partnership Name (type or print): Lighthouse TG LLC	Corporate/Partnership Name (type or print):
17 Owher Tenant/Lessee	Tenant/Lessee
Street Address: 1926 Kellage Aue + 101	Street Address: 1926 Kellege Ave #101
City/State/Zip: CARLS SAD CA 92008 Phone No: BS8 775 - 9382	City/State/Zip: CARLISCAD ZA GAUDE Phone No: Fax No:
Name of Corporate Officer/Partner (type or print): TERRy Uphason	Name of Corporate Officer/Partner (type or print); Michael GRADAM
Title (type of print): Manaying Postoer	Title (type or print): MADA ying PARtner
Signature: DovA Date: DovA 9-3-16	Signature : Q Date:
Corporate/Partnership Name (type or print):	Corporate/Partnership Name (type or print):
T Owner Tenant/Lessee	TX Owner Tenant/Lessee
Street Address: 1926 Kelloye Ase #101	Street Address: 1926 Kelloge Ave #101 City/State/Zip:
City/State/Zip: CARISDAL CA 92068 Phone No: Fax No:	City/State/Zip: CARISDAL CA 92008 Phone No: Fax No:
Name of Corporate Officer/Partner (type or print): Edward Rodriguez	Name of Corporate Officer/Partner (type or print):
Title (type or print): Member LLC	Title (type or print): Member LLC Signature : Date:
Signature : Date:	ognature . Date.
Corporate/Partnership Name (type or print):	Corporate/Partnership Name (type or print):
K Owner Tenant/Lessee	Kowner Tenant/Lessee
Street Address: 1926 telloge Ave #101	Street Address: 1926 Helloye Ave #101
City/State/Zip: CARLIDAZ CA 42008 Phone No: Fax No:	City/State/Zip: CARISDAD CA 92008 Phone No: Fax No:
Name of Corporate Officer/Partner (type or print):	Name of Corporate Officer/Partner (type or print): Christy & Kevin Haceld
Title (type or print)	Title (type or print)

Project Title:	Project No. (For City Use Only)
Part II - To be completed when property is held by a corpora	ation or partnership
Legal Status (please check):	
Corporation K Limited Liability -or- C General) What Sta	ate? CA Corporate Identification No. 201603510157
the property. Please list below the names, titles and addresses otherwise, and state the type of property interest (e.g., tenants w in a partnership who own the property). <u>A signature is required</u> property. Attach additional pages if needed. <b>Note:</b> The applicant ownership during the time the application is being processed or	e subject property with the intent to record an encumbrance against of all persons who have an interest in the property, recorded or who will benefit from the permit, all corporate officers, and all partners of at least one of the corporate officers or partners who own the t is responsible for notifying the Project Manager of any changes in considered. Changes in ownership are to be given to the Project ubject property. Failure to provide accurate and current ownership
Corporate/Partnership Name (type or print):	Corporate/Partnership Name (type or print):
Owner T Tenant/Lessee	FOwner Tenant/Lessee
Street Address: 1971 La the A the	Street Address: 100 0 1 1 1 1 1
City/State/Zip: City/State/Zip: CARISHOL EA 92008 Phone No: Fax No:	City/State/Zip: City/State/Zip: CARLS boy CA 92008 Phone No: Fax No:
Name of Corporate Officer/Partner (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 Name (type or print):	Corporate/Partnership Name (type or print):
Vowner Tenant/Lessee	V Owner Tenant/Lessee
Street Address 1926 Kelloge Aue # 101	Street Address: 1926 Kelloge Auctivi
City/State/Zig: CARISDAL CA 92008 Phone No: Fax No:	Phone No: Carlsbad CA 92008
Name of Corporate Officer/Partner (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 Name (type or print):	Corporate/Partnership Name (type or print):
Cowner Tenant/Lessee	Owner Tenant/Lessee
Street Address: 1926 telloge Ave	Street Address:
City/State/Zip: CARIS bad CA 92008	City/State/Zip:
Phone No: Fax No:	Phone No: Fax No:
Name of Corporate Officer/Partner (type or print):	Name of Corporate Officer/Partner (type or print):
Title (type or print): Member LLC	Title (type or print):
Signature : Date:	Signature : Date: