



THE CITY OF SAN DIEGO

Report to the Planning Commission

DATE ISSUED: June 16, 2022 REPORT NO. PC-22-031

HEARING DATE: June 23, 2022

SUBJECT: WINDANSEA BARRIER, Process Three Appeal Decision

PROJECT NUMBER: [666879](#)

REFERENCE: [Windansea Barrier Hearing Officer Package HO-22-016](#) April 20, 2022

OWNER/APPLICANT: City of San Diego Parks and Recreation Department, Owner, and Neri Landscape Architecture, Applicant

SUMMARY

Issue: Should the Planning Commission grant or deny an appeal of the Hearing Officer's decision approving Coastal Development Permit and Site Development Permit for public improvements within the public right-of-way and dedicated park land to include post and chain-style barriers, replacement of concrete bench pads and construction of a belvedere (gazebo) at a 2.75-acre (approximately 1,800 linear foot) site located along the west side of Neptune Place between Westbourne Street and Palomar Avenue within the La Jolla Community Plan and Local Coastal Program Land Use Plan area?

Staff Recommendation: DENY the appeal and AFFIRM the Hearing Officer decision of April 20, 2022, approving Coastal Development Permit No. 2444007 and Site Development Permit No. 2444077.

Community Planning Group Recommendation: The La Jolla Community Planning Association reviewed the Windansea Barrier Project (Project) at the May 1, 2021 meeting and voted 13/3/1 to recommend approval without conditions (Attachment 6).

Environmental Review: This Project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) on August 27, 2021, pursuant to CEQA Guidelines Section 15303, New Construction or Conversion of Small Structures.

On November 16, 2021, an appeal of the environmental determination was filed, and the City Council denied the appeal ([R-313795](#)). The scope of the subject appeal hearing only includes the Project, and not the environmental determination.

Fiscal Impact Statement: The processing costs of the Project are paid by the applicant. The proposed Project materials and installation are also a gift from the applicant to the Parks

& Recreation Department and work in the public right-a-way is gifted to the Streets Division. All improvements are for public use and will become part of the department's infrastructure.

BACKGROUND

The Windansea Barrier Project is located along the west side of Neptune Place between Westbourne Street and Palomar Avenue, in the Open Space Parks (OP-1-1) Zone, Geologic Hazards (43) Zone, and Coastal (Appealable) Overlay Zones of the La Jolla Community Plan and Local Coastal Program Land Use Plan Area. The Project site is adjacent to residential to the north, south and east and the Windansea Beach and Pacific Ocean to the west. The Project site contains environmentally sensitive lands in the form of sensitive coastal bluffs and is within the Multi-Habitat Planning Area.

DISCUSSION

Project Description:

The Project proposes to install public improvements consistent with the [Consultant's Guide to Park Design and Development](#) along the west side of Neptune Place between Westbourne Street and Palomar Avenue on a 2.75-acre (approximately 1,800 linear foot) site. Improvements include installation of post and chain-style barriers, replacement of two concrete bench pads, and construction of a belvedere (gazebo) at the southern end of the Project site.

On May 3, 2022, Preserve Windansea Beach Association (Appellant) filed an Appeal (Attachment 3) of the Notice of Decision, citing Factual Error and New Information.

Hearing Officer Decision

Pursuant to San Diego Municipal Code (SDMC) Section 126.0702, the Project requires a Process Three, Coastal Development Permit (CDP) for development within 50 feet of the Coastal Bluff, and a Process Three Site Development Permit (SDP) pursuant to SDMC Section 143.0110(a) for development in an area designated as Sensitive Coastal Bluff that contains Environmentally Sensitive Lands. Pursuant to the Consolidation of Processing regulations contained in Municipal Code Section 112.0103, the decision to approve, conditionally approve, or deny the Project is to be decided by the Hearing Officer. The Hearing Officer decision is appealable to the Planning Commission.

On April 20, 2022, the Hearing Officer APPROVED Coastal Development Permit No. 2444007 and Site Development Permit No. 2444077. Members of the public in support and opposition participated at the hearing. A presentation was provided by Friends of Windansea in support and a presentation by Protect Windansea in opposition.

Legal Standard for Appeal of the Development Services Department Decision

Pursuant to [SDMC Section 112.0506\(c\)](#), an appeal of a Process Three decision may only be granted with evidence supporting one of the following findings:

1. **Factual Error:** The statements or evidence relied upon by the decision maker when approving, conditionally approving, or denying a permit, map, or other matter were inaccurate; or
2. **New Information:** New information is available to the applicant or the interested person that was not available through that person's reasonable efforts or due diligence at the time of the decision; or
3. **Findings Not Supported:** The decision maker's stated findings to approve, conditionally approve, or deny the permit, map, or other matter are not supported by the information provided to the decision maker; or
4. **Conflicts:** The decision to approve, conditionally approve, or deny the permit, map, or other matter is in conflict with a land use plan, a City Council policy, or the Municipal Code.

The Planning Commission can deny the appeal and affirm approval of the Project if none of the above findings are supported by sufficient evidence, or grant the appeal and reverse approval of the Project if the Planning Commission finds that one of the above-referenced findings is supported by sufficient evidence.

PROJECT APPEAL DISCUSSION

Appellant's appeal issues are identified below along with City staff's evaluation and responses.

FACTUAL ERRORS

Appeal Issue No. 1: The proposed Belvedere/Gazebo is a "Windansea Barrier"- The Belvedere is not a "Barrier" it has been coupled to a popular and much needed fencing & concrete pad repair Project called "Windansea Barrier".

Staff Response: The City of San Diego intake staff determined the title of the Project based on the limitations of the Project Tracking System. If the Project site had a postable address the title would have been the address not a descriptive title. The Project description contains the scope of work for the barrier fencing and belvedere.

Appeal Issue No. 2: Applicant has maintained & repaired previous installations: The applicant claimed they have maintained & repaired their previous installations (stairways, benches, trash cans, fencing) at Windansea Beach for the past 20 years. See photos attached showing severe deferred maintenance.

Staff Response: The Parks & Recreation Department has no current written maintenance agreements with Friends of Windansea. Friends of Windansea have on multiple occasion organized volunteer maintenance work groups for painting and minor repairs to supplement the maintenance from the City.

The Parks and Recreation Department hosts a popular [volunteer program](#). In 2017, more than 50,000 individual volunteers participated donating more than 672,847 hours of service to assist staff. Friends of Windansea have supplemented the amenities at the park through gifts and volunteer labor. Some of the photographed amenities were not donated gifts to the Parks and

Recreation Department. As an example, all beach stairs have been repaired and painted twice since 2000. Photographed erosion underneath concrete bench pads are a part of the proposed Project to be replaced. Pipe fencing and parts of the wooden barrier fence were installations of the City and not donated amenities.

Appeal Issue No. 3: Ability to provide Belvedere Weekly Cleaning Crew & Schedule: The applicant does not have the ability to clean, maintain and repair the Belvedere on a routine weekly schedule (as requested by Hearing Officer Fernandez) in perpetuity.

Staff Response: Donated facilities will be owned and maintained by the City of San Diego Parks and Recreation Department who will be responsible for all daily maintenance and repairs. The current Belvederes are maintained daily by Parks and Recreation staff with trash removal, graffiti removal, and safety checks, and shall receive daily maintenance in perpetuity. Repairs are not done daily in any Park. Repair work is done through the generation of work orders. Any issues with transients are reported to Park Rangers for proper processing and escalation. City Policy 100-02, "City Receipts of Donations" as well as Parks and Recreation Board Policy No. 1002 provide guidance for the acceptance of unrestricted gifts. All donations shall become City property upon formal acceptance by the City Council or appropriate City department. The City assumes maintenance and liability for the gift.

Appeal Issue No. 4: Ability to provide Long Term Funding for liability insurance, maintenance and repair: At the public hearing on April 20, 2022, Hearing Officer Fernandez raised concerns about who would pay for the weekly cleaning, long term maintenance and repairs for the Belvedere.

Staff Response: Consistent with [City Policy 100-02](#), "City Receipts of Donations" All donations shall become City property upon formal acceptance by the City Council or appropriate City department. As a City owned facility the proposed amenities would be included with all other city facilities for liability, maintenance, and repair. However, the responsibility of the long-term maintenance and repairs are not relevant to the findings for the Coastal Development Permit No. 2444007 and Site Development Permit No. 2444077.

Appeal Issue No. 5: Photos of Existing Dilapidated Belvederes are "Opportunistic": At the April 20, 2022, Hearing, City of San Diego, photos of neglected & dilapidated Belvederes at Scripps Park, being used by street vendors and the homeless during April 20th Hearing at City of San Diego, were described as "opportunistic" by the applicant. Photographs are included with the proponent's appeal package.

Staff Response: The existing Belvederes in the nearby Scripps Park have a City of San Diego Facilities Maintenance Number, which are maintained by the Parks and Recreation upon request for as needed maintenance and repairs. The Belvederes were last painted in 2018, according to Facilities work request documentation. Photos shown of vendors and transients occupying the Belvederes do not illustrate typical daily use.

The City Council took action on May 1, 2022 to regulate Sidewalk and Mobil Vending to begin in the non-coastal zones in June 1, 2022. The item has been forwarded to the California Coastal Commission for review and certification in the coastal zones. Enforcement will be conducted

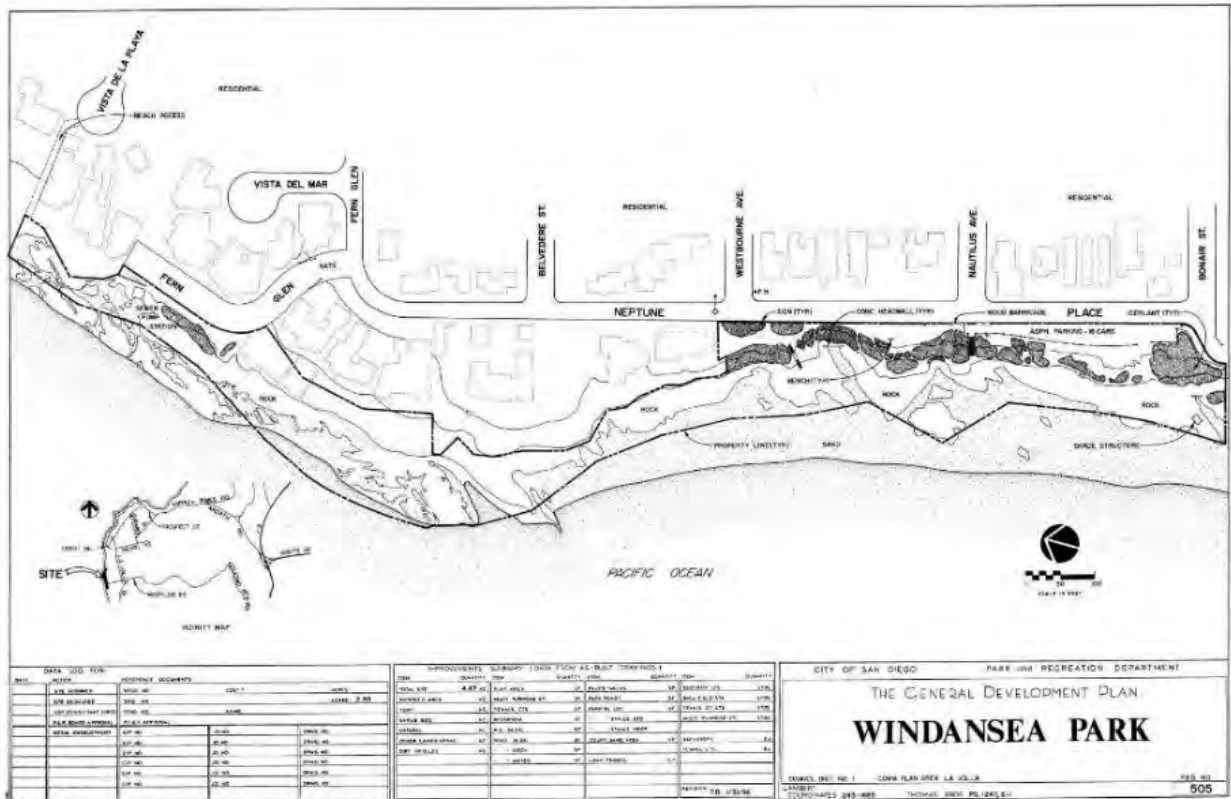
primarily by the Code Enforcement Division in addition to City of San Diego Park Rangers. Additionally, the San Diego Police Department may issue warnings and assist with educating sidewalk vendors.

Appeal Issue No. 6: Sidewalks are wide enough to handle the pedestrian traffic: Neptune place suffers chronic pedestrian and vehicular congestion. Sidewalks are not wide enough for wheelchair accessibility. See photos attached.

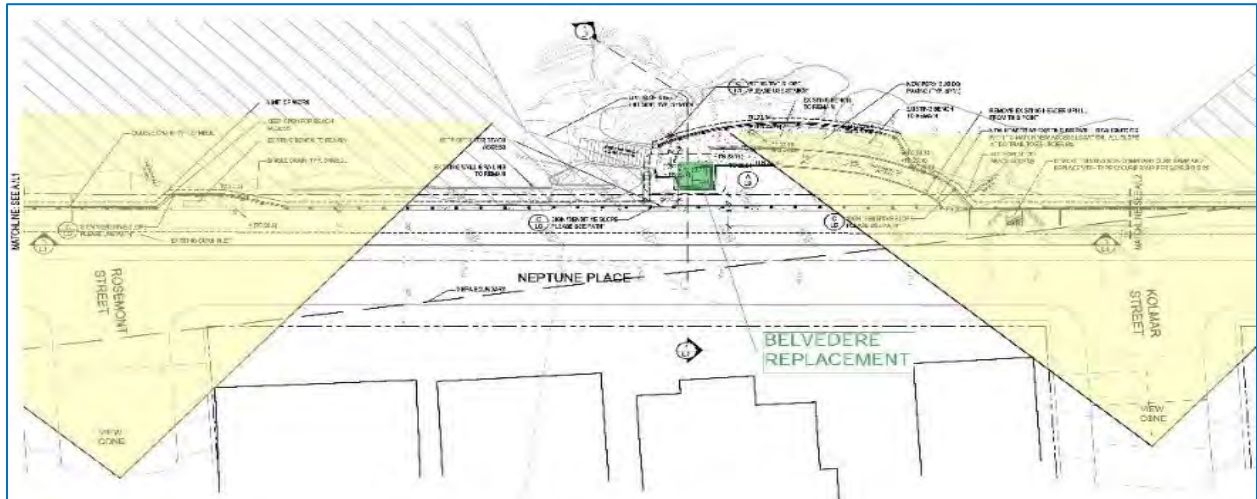
Staff Response: Land Development Review-Engineering section has determined the existing concrete sidewalks, adjacent to the Project site on Neptune Place meet current City Standards. Several required public improvements have been conditioned with the Project, which include replacement of existing curb ramps with ADA compliant City Standard curb ramps at Kolmar Street and Playa Del Sur intersections along Neptune Place, and the closure of a non-utilized driveway with curb, gutter, and sidewalk. The proposed belvedere does not trigger the replacement of sidewalk as the existing sidewalk meets current City Standards.

Appeal Issue No. 7: The Belvedere Roof does not block the public view:

Staff Response: The portion of the Project site from Fern Glen south to Bonaire is governed in part by the [Windansea Park General Development Plan](#) (GDP) for approved park improvements. The GDP has been in place since January 31, 1996. A proposed shade structure, such as the Belvedere, would not trigger a GDP Amendment, as it is an allowed structure in parks.



Land Development Review-Planning has reviewed the visual attributes and potential impacts of the structure being added to the Windansea. While the Project reintroduces a structure within the visual landscape, the belvedere would be below the public sidewalk, partially open and still allow for access to the scenic view. The placement of the belvedere is not within the Community Plan protected public Vantage Point (View Cone) or Visual Access Section. The City does not protect private views.



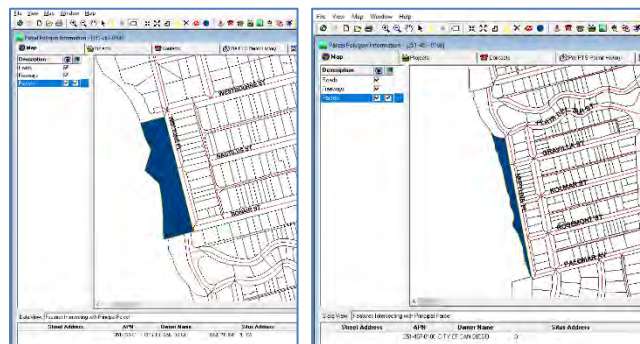
View Cone defined by 90-degree angle radiating lines from public vantage point (the centerline of the street) to the corners of the buildable envelope as defined by the setbacks of each corner property closest to the ocean or shoreline.

The view remains unobstructed from the left and right of the proposed belvedere. The belvedere measures six feet by eight feet and does not exceed height regulations. Per SDMC Section [143.0130\(a\)\(4\)](#) the proposed belvedere is a permitted use in sensitive coastal bluff areas. While the Project is recreating a structure on the horizon, the overall scenic quality of the visual resource will remain the same.

NEW INFORMATION

Appeal Issue No. 1: Permit Application is missing Assessor Parcel identification (La Jolla Strand v. Windansea Beach).

Staff Response: The General Application cites Assessor Parcel Numbers (APN) 3512-63-0100 and 3514-67-0100. APN 3512-63-0100 covers the parkland area from Westbourne Street south to Bonair Street and APN 3514-67-0100 is the property from Playa Del Sur Street south to Palomar Street.



The parcel between Bonair Street to Playa Del Sur Street is public right-of-way and unattributed area, as a beach or ocean.

Appeal Issue No. 2: No previous or existing maintenance contracts or maintenance/repair logs with the City of San Diego for applicants' previous installations at Windansea Beach.

Staff Response: The Parks & Recreation Department has no written maintenance agreements with Friends of Windansea. Friends of Windansea have on multiple occasions organized volunteer maintenance work groups for painting and minor repairs to supplement the maintenance from the City.

Appeal Issue No. 3: New La Jolla Revisioning Master Plan has been under development for the past year and a half. Windansea Beach will be a part of that Master Plan.

Staff Response: The La Jolla Revisioning Master Plan is a work in progress for the community, but not yet completed or an adopted plan or policy. The Project is a locally led effort by members of the Community Planning Group, volunteer designs professionals, and other neighborhood-level organizations. Parks and Recreation does not have a formal role in the La Jolla Revisioning Master Plan. The Master Plan in process will not apply to the Windansea Barrier Project currently seeking approval.

Conclusion:

City staff has reviewed the proposed Project, analyzed the appeal issue raised, and determined that the Project is in conformance with regulations of the Land Development Code and the La Jolla Community Plan and Local Coastal Program. Technical biological and geological studies were provided to support the siting of the belvedere and the findings.

The site is currently developed as Windansea Park with a public beach park of the Parks and Recreation Department. The proposed improvements type, style, and locations have been reviewed by Parks & Recreation and if approved through the public hearing process will be accepted as privately funded public amenities. Parks & Recreation will assume ownership and maintenance, and overall responsibility for the infrastructure. Therefore, City staff recommends that the Planning Commission deny the appeal and affirm the Hearing Officer decision to approve the Project.

ALTERNATIVES

1. Deny the appeal and modify the Hearing Officer decision to approve Coastal Development Permit No. 2444007 and Site Development Permit No. 2444077.
2. Grant the appeal and reverse the Hearing Officer decision to approve Coastal Development Permit No. 2444007 and Site Development Permit No. 2444077 in accordance with Section 112.0504.

Respectfully submitted,



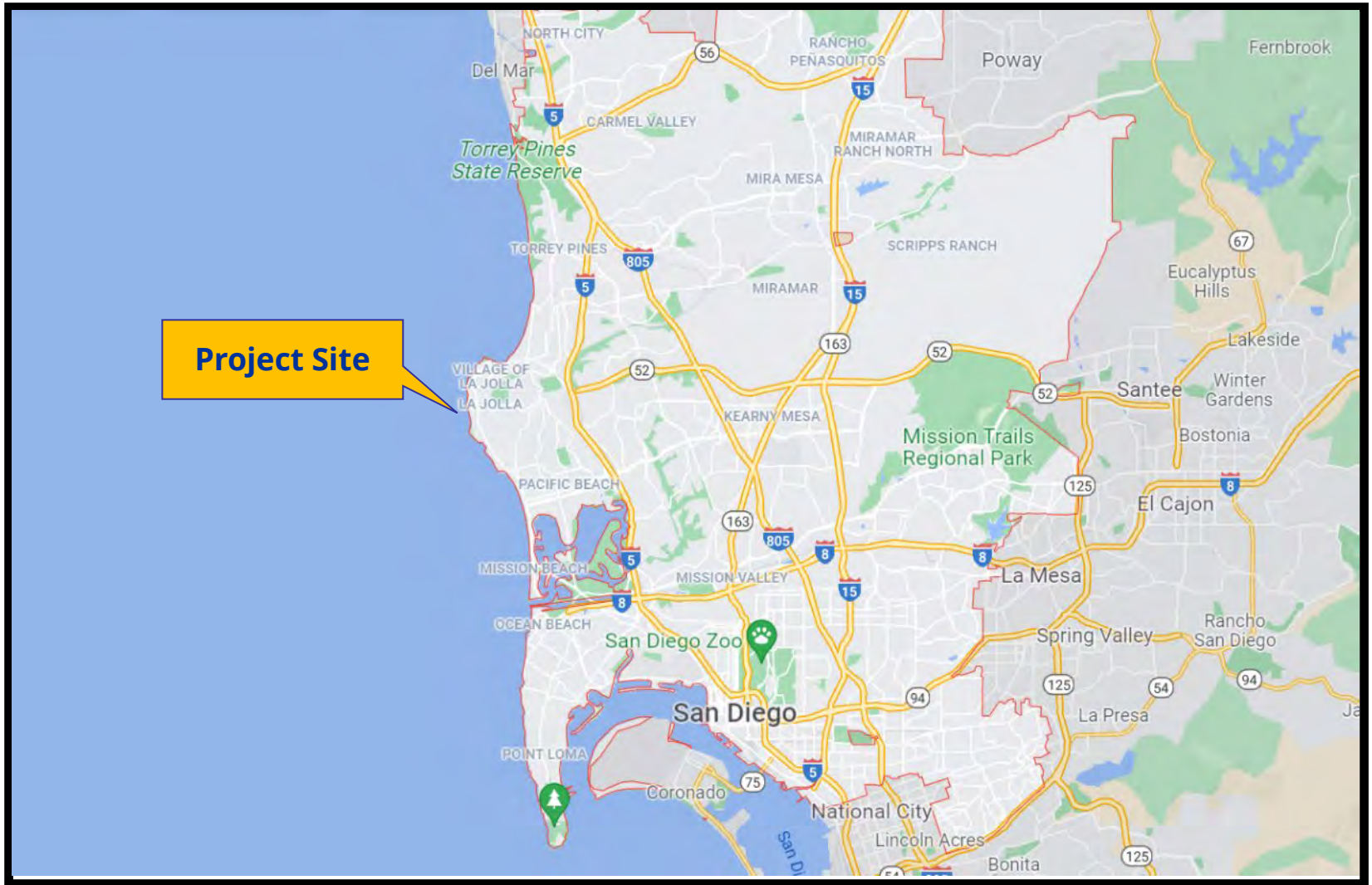
Renee Mezo
Assistant Deputy Director
Development Services Department



Karen Bucey
Development Project Manager
Development Services Department

Attachments:

1. Project Location Map
2. Aerial Photograph
3. Appeal Application
4. Draft Permit
5. Draft Resolution with Findings
6. Community Planning Group Recommendation
7. Ownership Disclosure Statement
8. Project Plans

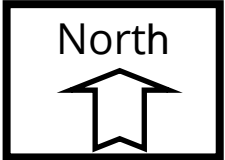


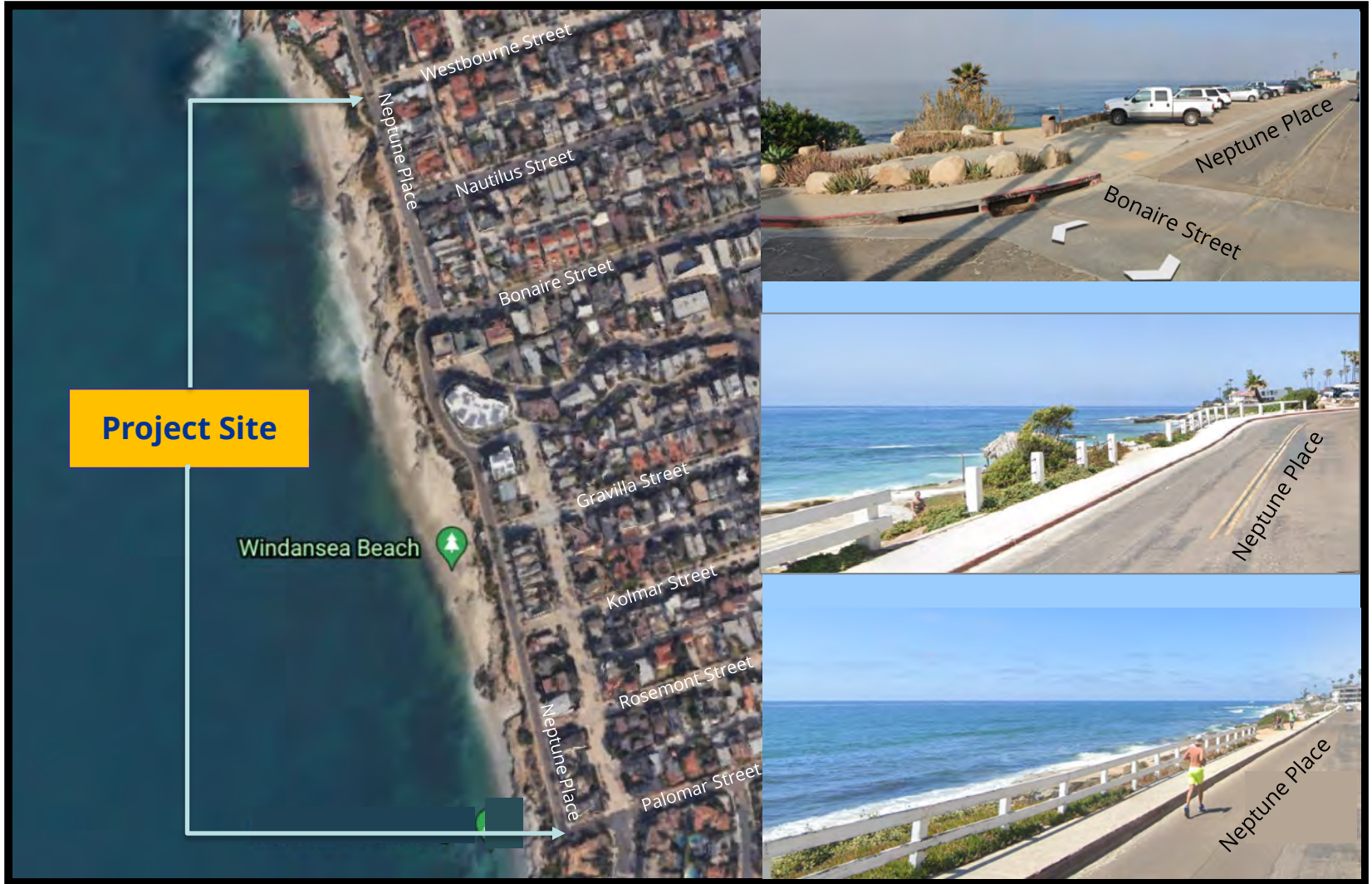
Attachment 1



Project Location Map

Windansea Barrier; Project No. 666879
Neptune Place Westbourne Street to Palomar Avenue



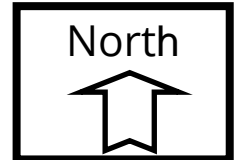


Attachment 2



Aerial Photo

Windansea Barrier; Project No. 666879
 Neptune Place Westbourne Street to Palomar Avenue





**City of San Diego
Development Services**
1222 First Ave., MS-302
San Diego, CA 92101

Development Permit/ Environmental Determination Appeal Application

**FORM
DS-3031**

November 2017

**In order to assure your appeal application is successfully accepted and processed, you must read and understand
Information Bulletin 505, "Development Permits/Environmental Determination Appeal Procedure."**

1. Type of Appeal: Appeal of the Project
 Appeal of the Environmental Determination

2. Appellant: Please check one Applicant Officially recognized Planning Committee "Interested Person"
(per M.C. Sec. 113.0103)

Name: PRESERVE WINDANSEA BEACH ASSOCIATION, PRESERVEWINDANSEA@
E-mail: PRESERVEWINDANSEA@GMAIL.COM
Address: 7811 EADS AVE, #501, LA JOLLA, CA 92037 858.444.0408
City: LA JOLLA State: CA Zip Code: 92037 Telephone: 858.444.0408

3. Project Name:
WINDANSEA BARRIER

4. Project Information
Permit/Environmental Determination & Permit/Document No.: 666879 Date of Decision/Determination: APRIL 20, 2022 City Project Manager: KAREN BUCEY

Decision (Describe the permit, approval, decision):
DECISION TO "APPROVE" PROJECT No: 666879 WINDANSEA BARRIER BY CITY HEARING OFFICER FERNANDEZ

5. Ground for Appeal (Please check all that apply):
 Factual Error New Information
 Conflict with other matters City-wide Significance (Process Four decisions only)
 Findings Not Supported

Description of Grounds for Appeal (Please relate your description to the allowable reasons for appeal as more fully described in Chapter 11, Article 2, Division 5 of the San Diego Municipal Code. Attach additional sheets if necessary.)

PLEASE SEE ATTACHED

6. Appellant's Signature: I certify under penalty of perjury that the foregoing, including all names and addresses, is true and correct.

Signature: Jana Farella
JANA FARELLA

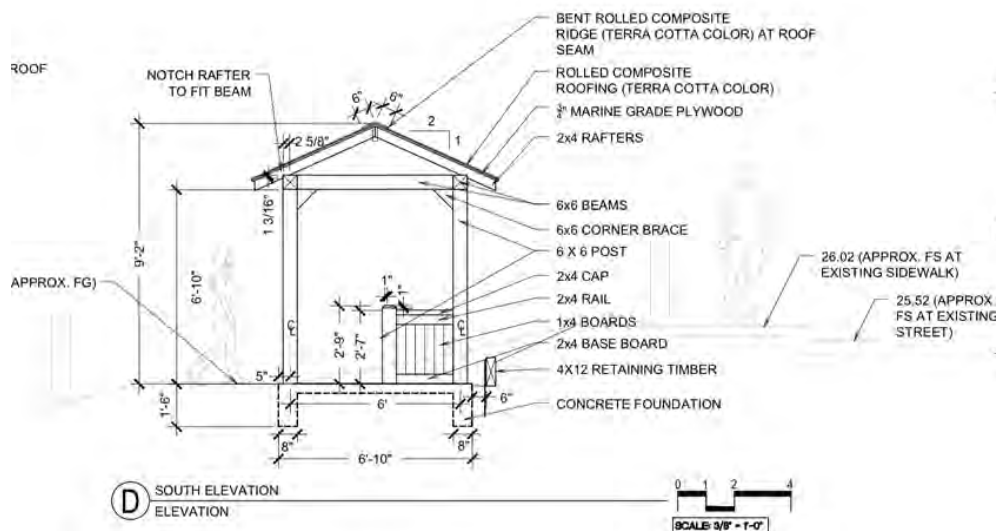
Date: 05/03/2022

Note: Faxed appeals are not accepted.

Grounds for Appeal - Project No: 666879 Windansea Barrier

Factual Errors:

1. **The proposed Belvedere/Gazebo is a “Windansea Barrier”:** The Belvedere is not a “Barrier” it has been coupled to a popular and much needed fencing & concrete pad repair project called “Windansea Barrier”.
2. **Applicant has maintained & repaired previous installations:** The applicant claimed they have maintained & repaired their previous installations (stairways, benches, trash cans, fencing) at Windansea Beach for the past 20 years. See photos attached showing severe deferred maintenance.
3. **Ability to provide Belvedere Weekly Cleaning Crew & Schedule:** The applicant does not have the ability to clean, maintain and repair the Belvedere on a routine weekly schedule (as requested by Hearing Officer Fernandez) in perpetuity.
4. **Ability to provide Long Term Funding for liability insurance, maintenance and repair:** At the public hearing on April 20th, 2022 Hearing Officer Fernandez raised concerns about who would pay for the weekly cleaning, long term maintenance and repairs for the Belvedere.
5. **Photos of Existing Dilapidated Belvederes are “Opportunistic”:** At the April 20th Hearing, City of San Diego, photos of neglected & dilapidated Belvederes at Scripps Park, being used by street vendors and the homeless during April 20th Hearing at City of San Diego, were described as “opportunistic” by the applicant. See Photos attached.
6. **Sidewalks are wide enough to handle the pedestrian traffic:** Neptune place suffers chronic pedestrian and vehicular congestion. Sidewalks are not wide enough for wheelchair accessibility. See photos attached.
7. **The Belvedere Roof does not block the public view:**



New Information

1. Permit Application is missing Assessor Parcel identification (La Jolla Strand .v. Windansea Beach).
2. No previous or existing maintenance contracts or maintenance/repair logs with the City of San Diego for applicants' previous installations at Windansea Beach.
3. New La Jolla Revisioning Master Plan has been under development for the past year and a half. Windansea Beach will be a part of that Master Plan.

Photos of Applicant installations over the past 20 years:

Benches, Concrete Pads, Trash Cans:

On Neptune Between Westbourne & Nautilus Street.





Neptune/Rosemont St





Stairways: Caves beneath stairways large enough to engulf a small child. D fallen in these holes and had to be rescued.

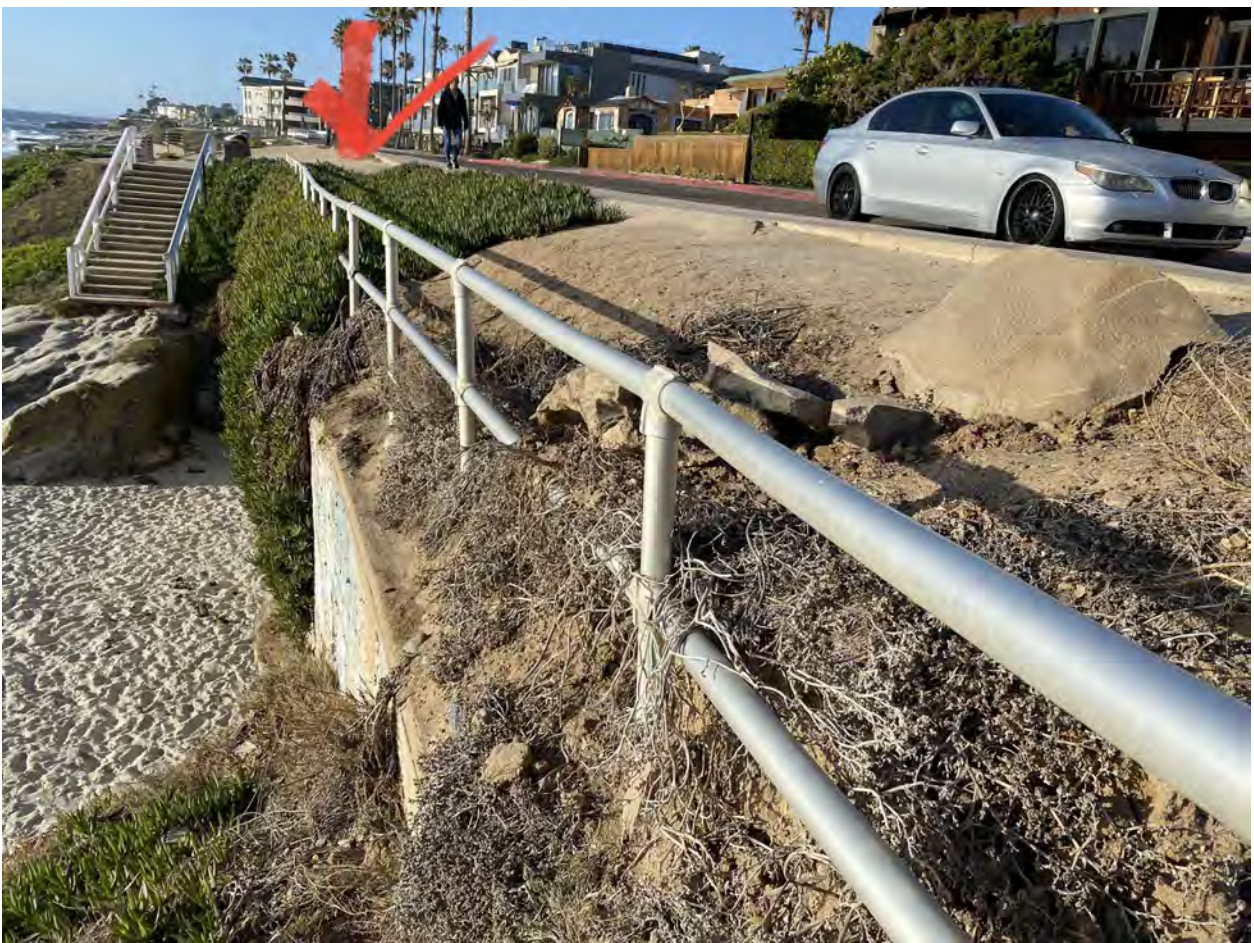






Applicant installed Fencing at Windansea Beach:

Applicant installed fencing & chain



(Red arrow indicated proposed Belvedere location)

State of Existing Belvederes at Scripps Park, La Jolla:









Pedestrian and Vehicular congestion at proposed Belvedere Construction Site:



Dangerous Open Storm Drains at Windansea (dogs have fallen in and had to be rescued by fire department):



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: 24008738

SPACE ABOVE THIS LINE FOR RECORDER'S USE

COASTAL DEVELOPMENT PERMIT NO. 2444007 SITE DEVELOPMENT PERMIT NO. 2444077
WINDANSEA BARRIER PROJECT NO. 666879
PLANNING COMMISSION

This Coastal Development Permit No. 2444007 and Site Development Permit No. 2444077 are granted by the Planning Commission of the City of San Diego to City of San Diego Parks and Recreation Department, Owner, and Neri Landscape Architecture, A California Corporation (on the behalf of Friends of Windansea), Permittee, pursuant to San Diego Municipal Code (SDMC) sections 126.0702 and 126.0502(f), 143.0110 and Table 143-01A. The 2.75-acre (approximately 1,800 linear feet) site is located along an existing sidewalk and park trail on the west side of Neptune Place between Westbourne Street and Palomar Avenue in the Open Space Parks (OP-1-1) Zone, Geologic Hazards (43), and Coastal (Appealable) Overlay Zones of the La Jolla Community Plan.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner and Permittee to install public improvements within the public right of way and dedicated park land to include post and chain-style barriers, replacement of concrete bench pads, and construction of a belvedere (gazebo) described and identified by size, dimension, quantity, type, and location on the approved exhibits (Exhibit "A") dated June 23, 2022, on file in the Development Services Department.

The project shall include:

- a. Installation of 1,800 linear feet of post and chain-style barriers to direct pedestrian traffic to existing beach access points;
- b. Replacement of two existing concrete bench pads;
- c. Construction of a belvedere (gazebo);
- d. Landscaping (planting, irrigation and landscape related improvements);
- e. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act

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

STANDARD REQUIREMENTS:

1. This Permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36-month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by June 23, 2025.
2. This Coastal Development Permit shall become effective on the eleventh working day following receipt by the California Coastal Commission of the Notice of Final Action or following all appeals.
3. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
4. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
5. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
6. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
7. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 (ESA) and any amendments thereto (16 U.S.C. § 1531 et seq.).
8. In accordance with authorization granted to the City of San Diego from the United States Fish and Wildlife Service (USFWS) pursuant to Section 10(a) of the federal Endangered Species Act (ESA) and by the California Department of Fish and Wildlife (CDFW) pursuant to California Fish and Wildlife Code section 2835 as part of the Multiple Species Conservation Program (MSCP), the City of San Diego through the issuance of this Permit hereby confers upon Owner/Permittee the status of Third Party Beneficiary as provided for in Section 17 of the City of San Diego Implementing Agreement (IA),

executed on July 16, 1997, and on file in the Office of the City Clerk as Document No. OO-18394. Third Party Beneficiary status is conferred upon Owner/Permittee by the City: (1) to grant Owner/Permittee the legal standing and legal right to utilize the take authorizations granted to the City pursuant to the MSCP within the context of those limitations imposed under this Permit and the IA, and (2) to assure Owner/Permittee that no existing mitigation obligation imposed by the City of San Diego pursuant to this Permit shall be altered in the future by the City of San Diego, USFWS, or CDFW, except in the limited circumstances described in Sections 9.6 and 9.7 of the IA. If mitigation lands are identified but not yet dedicated or preserved in perpetuity, maintenance and continued recognition of Third Party Beneficiary status by the City is contingent upon Owner/Permittee maintaining the biological values of any and all lands committed for mitigation pursuant to this Permit and of full satisfaction by Owner/Permittee of mitigation obligations required by this Permit, in accordance with Section 17.1D of the IA.

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

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

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

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

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

defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

13. 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."

CLIMATE ACTION PLAN REQUIREMENTS:

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

ENGINEERING REQUIREMENTS:

15. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the closure of the existing driveway with City standard curb, gutter and sidewalk, adjacent to the site on Neptune Place, satisfactory to the City Engineer.

16. Prior to the issuance of any building permit, the Owner/Permittee shall assure, by permit and bond, the reconstruction of two (2) existing curb ramps as shown on Exhibit 'A', with a current City Standard curb ramp with truncated domes, satisfactory to the City Engineer.

17. The drainage system for this project, per approved Exhibit 'A', is subject to approval by the City Engineer.

18. Prior to the issuance of any building permit, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement for all private improvements, including the proposed belvedere, in the public right-of-way, satisfactory to the City Engineer.

19. Prior to the issuance of any building permit, 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.

20. Prior to the issuance of any building 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 Municipal Code, into the construction plans or specifications.

21. Prior to the issuance of any building permit the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Part 2 Construction BMP Standards Chapter 4 of the City's Storm Water Standards.

MULTIPLE SPECIES CONSERVATION PROGRAM:

22. Prior to issuance of Notice to Proceed, the owner/permittee shall depict the following requirements within the contract specifications and depict on construction documents (as necessary) for the Project Site.

- **Grading/Land Development/MHPA Boundaries** - Within or adjacent to the MHPA, all manufactured slopes associated with site development shall be included within the development footprint.
- **Drainage** - All staging and developed/paved areas must prevent the release of toxins, chemicals, petroleum products, exotic plant materials prior to release by incorporating the use of filtration devices, planted swales and/or planted detention/desiltation basins, or other approved temporary and permanent methods that are designed to minimize negative impacts, such as excessive water and toxins into the ecosystems of the MHPA.
- **Lighting** -All lighting within or adjacent to the MHPA is directed away/shielded from the MHPA or limited to the immediate area and is in compliance with City Outdoor Lighting Regulations per SDMC Section 142.0740.
- **Barriers** -Existing fences/walls; and/or signage along the MHPA boundaries shall remain and or be added to direct public access to appropriate locations, reduce domestic animal predation, protect wildlife in the preserve, and provide adequate noise reduction where needed.
- **Invasives** - No invasive, non-native plant species shall be introduced into areas within or adjacent to the MHPA.

PARKS & RECREATION

23. Permittee shall obtain Parks and Recreation Department review and approval of grading, public improvement plans, and building permit plans.

24. Prior to entering City fee-owned parkland, the Permittee shall obtain a Right of Entry Permit from the Parks and Recreation Department, Asset Management, Park Design.

25. Prior to issuance of a building permit, the Permittee shall enter into a Park Maintenance Agreement or Memorandum of Understanding to the satisfaction of the Parks and Recreation Director for the long-term maintenance of the belvedere, fencing, and surrounding landscaping associated with this project.

PLANNING/DESIGN REQUIREMENTS:

26. 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.

27. All signs associated with this project shall be consistent with sign criteria established by either the approved Exhibit "A" or City-wide sign regulations.

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 June 23, 2022.

ATTACHMENT 4

Coastal Development Permit No. 2444007 and
Site Development Permit No. 2444077
Date of Approval: June 23, 2022

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Karen Bucey
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.

City of San Diego Parks & Recreation
Owner

By _____
Andy Field
Director

Neri Landscape Architecture
Permittee

By _____
James Neri
CEO

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

PLANNING COMMISSION
RESOLUTION NO. _____
COASTAL DEVELOPMENT PERMIT NO. 2444007 SITE DEVELOPMENT PERMIT NO. 2444077
WINDANSEA BARRIER - PROJECT NO. 666879

WHEREAS, CITY OF SAN DIEGO PARKS & RECREATION DEPARTMENT, Owner, and NERI LANDSCAPE ARCHITECTURE, A California Corporation (on behalf of Friends of Windansea), Permittee, filed an application with the City of San Diego for a permit to install public improvements within the public right-of-way and dedicated park land to include construction of post and chain-style barriers, replacement of concrete bench pads, and construction of a belvedere (gazebo) (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permits No. 2444007 and No. 2444077);

WHEREAS, the 2.75-acre (approximately 1,800 linear feet) site is located along an existing sidewalk and park trail on the west side of Neptune Place between Westbourne Street and Palomar Avenue in the Open Space Parks (OP-1-1) Zone, Geologic Hazards (43), and Coastal (Appealable) Overlay Zones of the La Jolla Community Plan and Local Coastal Program Land Use Plan;

WHEREAS, on August 27, 2021, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) under CEQA Guidelines Section 15303; and the Environmental Determination was appealed to the City Council, which heard and denied the appeal on November 16, 2021 pursuant to Resolution No. R-313795;

WHEREAS, On April 20, 2022, the Hearing Officer APPROVED Coastal Development Permit No. 2444007 and Site Development Permit No. 2444077; and

WHEREAS, On May 3, 2022, Preserve Windansea Beach Association filed an Appeal of the Notice of Decision, citing Factual Error and New Information (Appeal); and

WHEREAS, on June 23, 2022, the Planning Commission of the City of San Diego considered Coastal Development Permit No. 2444007 and Site Development Permit No. 2444077 pursuant to the City of San Diego Municipal Code (SDMC); NOW, THEREFORE,

BE IT RESOLVED by the of the City of San Diego, that it adopts the following findings with respect to Coastal Development Permit No. 2444007 and Site Development Permit No. 2444077:

A. Coastal Development Permit – SDMC Section 126.0708

1. Findings for all Coastal Development Permits

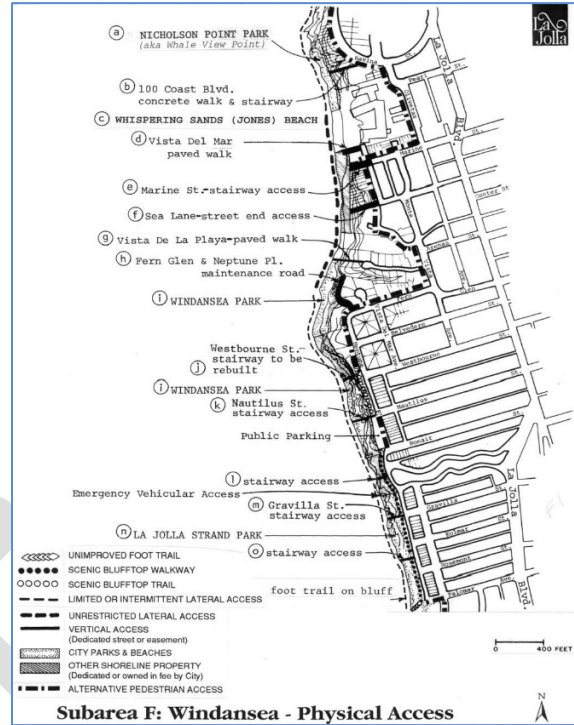
a. The proposed coastal development will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the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

The proposed project will provide public improvements along the west side of Neptune Place between Westbourne Street and Palomar Avenue within the public right of way and dedicated park land. The project includes construction of post and chain-style barriers, replacement of concrete bench pads, and construction of a belvedere (gazebo).

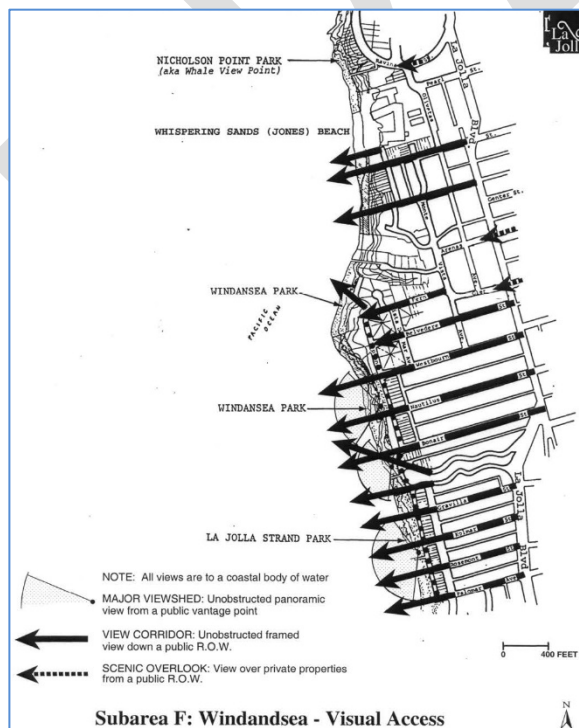
The improvements will direct the public to existing stair and trail beach accessways by means of the post and chain-style barriers, at or below three feet in height, and guide beachgoers to designated stairway access locations (l), (m), (o), and (j) identified in Community Plan, Figure F, Subarea F: Windansea – Physical Access. Several existing, established, unimproved vertical beach access trails between stairways will continue to be available for the public via openings in the proposed barrier. The proposed barrier openings were reviewed with the City of San Diego Parks and Recreation Department staff onsite and are consistent with the Parks and Recreation Department access locations.

In addition to preserving existing physical access, the proposed improvements will enhance public views and access through the reconstruction of a previously existing public belvedere structure (ca. 1925) that was destroyed by an act of vandalism in 1982. The belvedere is to be replicated as an accessible structure on a public vantage point in its former location, below the public sidewalk between Rosemont Street and Kolmar Street. This location is identified in Figure F, Subarea F: Windansea – Visual Access within the Community Plan as a “Major Viewshed: Unobstructed panoramic view from a public vantage point”.

While the Project reintroduces a structure within the visual landscape, the belvedere would be partially open and still allow for access to the scenic view. The view remains unobstructed from the left and right of the proposed belvedere. The belvedere measures six feet by eight feet and does not exceed height regulations. Per SDMC Section [143.0130\(a\)\(4\)](#) the proposed belvedere is a permitted use in sensitive coastal bluff areas. While the Project is recreating a structure on the horizon, the overall scenic quality of the visual resource will remain the same.



Subarea F: Windansea - Physical Access



Subarea F: Windandsea - Visual Access

The belvedere would be outside of the Community Plan designated View Corridors and would not exceed the City of San Diego 2016 CEQA Significance Determination Thresholds Section P. Visual Effects and Neighborhood Character Significance Threshold 1a. since it would only present a minor view intrusion from the Scenic Blufftop Walkway identified in Figure F in the Community Plan. It would also help meet the stated Community Plan Natural Resources and Open Space System Goal to: “Enhance existing public access to La Jolla’s beaches and coastline areas (for example La Jolla Shores Beach and Children’s Pool areas) in order to facilitate greater public use and enjoyment of these and other coastal resources” through the reconstruction of a popular, shaded public viewing structure as an accessible structure.

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

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

The project site contains Environmentally Sensitive Lands in the form of Sensitive Coastal Bluffs (SDMC Section 143.0110) and a limited portion of the site is in the Multi-Habitat Planning Area (MHPA).

Environmentally sensitive lands will be protected from encroachment via extension of the post and chain-style barrier similar to existing post style barriers located elsewhere along Windansea Beach. Proposed improvements have been located to avoid and protect environmentally sensitive habitat identified in the biological report prepared for this project.

According to Figures 3a & 3b (shown below) of the Biological Letter Report (Letter) for the project by Alden Environmental, dated June 10, 2021, limited portions of the project area fall within the City of San Diego Multi-Habitat Planning Area (MHPA) as defined by the City of San Diego Multiple Species Conservation Program (MSCP) Subarea Plan. These areas include a small triangular area at the foot of Westbourne Street and a larger area beginning at Kolmar Street and ending at Palomar Street.



Per the Letter, the project footprint is dominated by non-native vegetation, no sensitive plant or animal species were observed, and the potential for nesting birds was found to be low. The Letter states: "The project will comply with all applicable federal (and state) requirements", "is compatible with the MSCP/MHPA" and "...complies with the General Management Directives of the MSCP Subarea Plan (Section 1.5.2)." The Letter found: no impact to sensitive vegetation communities and no mitigation would be required; no impacts to sensitive plant species; no significant impacts to sensitive animal species; potential impacts to nesting birds would be less than significant and no mitigation would be required; and no impacts to potential Waters of the U.S., Waters of the State, or City Wetlands.

A geotechnical report was submitted by the applicant, Geotechnical Investigation, prepared by Leighton and Associates, Inc., dated June 7, 2021 (their Project no. 13137.001). Per the Geotechnical Investigation, "the proposed Project site is suitable and feasible from a geotechnical standpoint...specifically, it is our professional opinion that the site will be adequately safe and stable, and will not destabilize or result in settlement of adjacent property following Project completion."

Therefore, in view of the foregoing, the project will not adversely affect environmentally sensitive lands.

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

As set forth in this section and Site Development Permit finding B.1.a. below, incorporated herein by reference, the proposed improvements conform to the certified La Jolla Community Plan and Local Coastal Program by protecting sensitive coastal bluffs with a post and chain-style barriers, increasing public awareness of beach and coastal access points through signage, and enhancing public views through the reconstruction of a viewing structure at a public vantage point.

The project achieves the following Natural Resources and Open Space System Goals of the Community Plan:

- "Preserve the natural amenities of La Jolla such as its open space, hillsides, canyons, bluffs, parks, beaches, tidepools and coastal waters" by encouraging people to use designated beach access stairways and established vertical access trails instead of creating new trails down sensitive coastal bluffs.
- "Maintain the identified public views to and from these amenities in order to achieve a beneficial relationship between the natural or unimproved and developed areas of the community" by reconstructing a public viewing structure at a public vantage point.
- "Enhance existing public access to La Jolla's beaches and coastline areas in order to facilitate greater public use and enjoyment of these and other coastal resources" through the reconstruction of a belvedere (gazebo) and improve public access by providing an accessible public vantage point to people of all ages and abilities.
- "Protect the environmentally sensitive resources of La Jolla's open areas including its coastal bluffs, sensitive steep hillside slopes, canyons, native plant life and wildlife

habitat linkages” by constructing a post and chain barrier to guide the public away from sensitive coastal bluffs and to vertical access stairways and established trails.

- “Conserve the City of San Diego’s Multi-Habitat Planning Area” through the construction of a barrier and signage designed to deter people from entering the MHPA.

The project achieves the following Community Facilities, Parks and Services Goals of the Community Plan: “Encourage the maximum use of all existing community facilities, in particular, the public parks, beaches, recreational areas, bikeways, museums and public schools in order to enhance the recreational opportunities for all visitors and residents of La Jolla.” The project proposes to meet this goal by reconstructing a structure that will provide a shaded shelter for people of all ages and abilities and provide use during high tides when beach access is limited.

The project achieves the following Heritage Resources Goal of the Community Plan: “Preserve the heritage of La Jolla by identifying structures or natural features within the community that are important local landmarks or that hold community-wide significance and by designating them as historic sites.” The proposed belvedere is designed to replicate a belvedere located at the site from 1925 until 1982 that was lost to an act of vandalism. The previous belvedere was one of seven original structures built in the early 1920’s along the La Jolla coastline for public enjoyment. These structures are important to the community as evidenced by their inclusion on the logos of several community groups, including La Jolla Parks & Beaches, Inc. and the La Jolla Community Planning Association. An effort is currently underway to dedicate the original, remaining structures as historical resources.

The project will also incorporate stormwater and drainage features on and around the belvedere. The Geologic Addendum Report from Leighton Consulting, Inc, dated November 1, 2021 provides that storm water runoff from the 78 square foot roof area of the belvedere replacement project will be divided into two permeable surface areas of 39 square feet. Both the east and west surface areas reduce stormwater velocity onto a four-inch thick decomposed granite mechanical trapping surface which will absorb and disperse runoff. The east surface area will shed stormwater behind a 12-inch high wood retaining board which will reduce stormwater velocity and disperse flow behind the board until it reaches the decomposed granite mechanical trapping device. The combination of the mechanical trapping of the decomposed granite layer and wood retaining board will serve to slow stormwater runoff, allowing infiltration through the decomposed granite into the underlying Old Paralic Deposits. Therefore, based on our review, this project will provide improved infiltration of stormwater at the site and decreased erosion.

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

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

The first public road in the project area is Neptune Place, which is the eastern boundary of the project site and is separated from the coastal bluffs by a contiguous curb and sidewalk. The Community Plan Open Space Preservation and Natural Resource Protection Policy 3a states "The City should preserve and protect the coastal bluffs, beaches and shoreline areas of La Jolla assuring that development occurs in a manner that protects these resources, encourages sensitive development, retains biodiversity and interconnected habitats and maximizes physical and visual public access to and along the shoreline." This project seeks to preserve and protect the coastal bluffs along Windansea Beach through the construction of barriers consistent with existing improvements while preserving existing public access points from the roadway to the beach.

Per California Coastal Act Section 30210 maximum access shall be "conspicuously posted." Signage is proposed at each vertical stairway and trail access point to both alert beachgoers to the sensitivity of the coastal bluff and to the access location.

Coastal Act Section 30211 requires that, "Development shall not interfere with the public's right of access to the sea". Access is provided through openings in the proposed post and chain barrier at existing stairways and primary vertical access trails. The proposed project will not reduce or interfere with existing public access to the sea and beach recreation from Neptune Place, the nearest public road. Instead, the proposed improvements will direct beachgoers to existing public access stairways and trails to encourage coastal public access, use and recreation.

Coastal Act Section 30212 requires that, "Public access from the nearest public roadway to the shoreline shall be provided in new development projects". The project will construct an ADA-compliant pedestrian ramp to improve public access along the coast and an accessible path to the belvedere. All vertical access stairways and primary access trails will be maintained. Therefore, the Coastal Development Permit issued for this project between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

Coastal Act Section 30212.5 indicates: "Whenever appropriate and feasible, public facilities...shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area." By preserving multiple, existing beach trail and stairway access points and providing an additional sheltered belvedere structure for use by all ages and abilities, facilities are distributed throughout the La Jolla shoreline so as to mitigate against overcrowding or overuse by the public.

B. Site Development Permit – SDMC Section 126.0505

1. Findings for all Site Development Permits

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

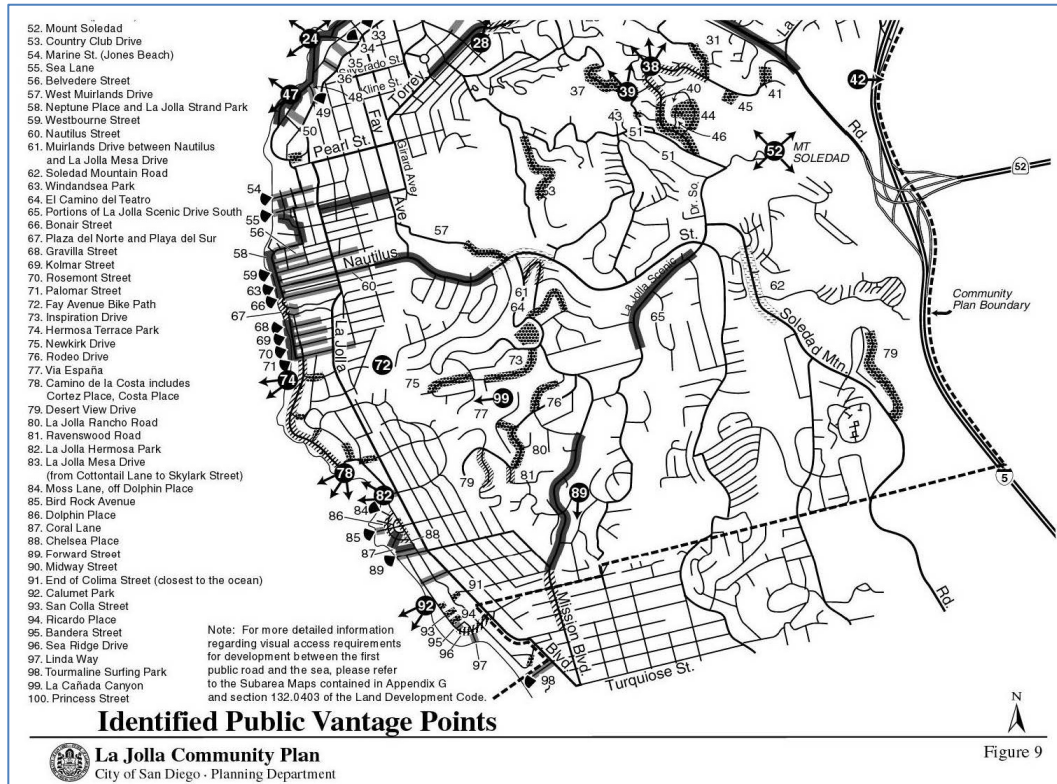
As set forth below and in Coastal Development Permit finding A.1.c. above, incorporated herein by reference, the proposed project conforms to the applicable La Jolla Community Plan and Local Coastal Program Land Use Plan. The Community Plan Land Use Designation for the project site is Parks Open Space and is implemented through the Open Space Parks (OP-1-1) and Residential Multiple Family (RM-3-7) Zones. The land use designation is applied to public parks and facilities to promote recreation and facilitate the implementation of land use plans.

The project meets Community Plan Natural Resources and Open Space System Element policies. Per Community Plan Open Space Preservation and Natural Resource Protection Policy 1b.: "The City should limit public access in open space areas that contain sensitive resources to scientific or educational use. Access should be confined to designated trails or paths and no access should be approved which would result in the disruption of habitat areas." Although the Community Plan identifies the project area along Neptune Place between Westbourne Street and Palomar Avenue as within the Multi-Habitat Planning Area (MHPA), the Alden Environmental, Biological Letter Report, dated June 10, 2021 observed no sensitive species in the MHPA. Accordingly, the project would not disrupt habitat areas. Coastal bluffs are considered environmentally sensitive lands and proposed improvements will enhance the existing park land use plan by protecting sensitive coastal bluffs with post and chain-style barriers.

Per Community Plan Open Space Preservation and Natural Resource Protection Policy 1f.: "The City shall ensure the preservation of portions of public and private property that are partially or wholly designated as open space to the maximum extent feasible. Development potential on open space lands shown on Figure 7 shall be limited to preserve the park, recreation, scenic, habitat and/or open space values of these lands, and to protect public health and safety."

The project will assist in preserving the park, scenic and open space values of this public property within designated open space by providing a post and chain-style barrier to protect sensitive coastal bluffs from encroachment and protect health and safety by directing access to established stairways and trails.

Per Community Plan Visual Resources Policy 2a.: "Public views from identified vantage points, to and from La Jolla's community landmarks and scenic vistas of the ocean, beach and bluff areas, hillsides and canyons shall be retained and enhanced for public use (see Figure 9 and Appendix G)."



The open belvedere shade structure will be an accessible structure on a public vantage point in its former location, below the public sidewalk between Rosemont Street and Kolmar Street. This location is identified in Figure F, Subarea F: Windandsea – Visual Access within the Community Plan as a “Major Viewshed: Unobstructed panoramic view from a public vantage point”.

The belvedere structure is not within the Community Plan designated View Corridors. It does not exceed the City of San Diego “2016 CEQA Significance Determination Thresholds” Section P. Visual Effects and Neighborhood Character Significance Threshold 1a. since as a partially open structure measuring six by eight feet and complying with City height requirements it presents a minor view intrusion from the Scenic Blufftop Walkway identified in the Community Plan.

Per Community Plan Shoreline Access and Coastal Bluffs Policy 3a.: “The City should preserve and protect the coastal bluffs, beaches and shoreline areas of La Jolla assuring that development occurs in a manner that protects these resources, encourages sensitive development, retains biodiversity and interconnected habitats and maximizes physical and visual public access to and along the shoreline.”

The project effectuates this policy by constructing a post and chain barrier to guide the public away from sensitive coastal bluffs and to existing vertical access stairways and established trails. Construction of a barrier and signage is designed to deter people from entering the MHPA. The proposed post and chain-style barrier will follow the existing natural landform with only minor alterations to the existing grades as necessary to dig holes for direct burial (no concrete footings) chain posts and six-inch high wood Americans with

Disabilities Act of 1990 (ADA) warning curbs. Therefore, 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 project will be required to obtain construction permits and a public improvement permit prior to construction. The construction plans and the public improvement plans will be reviewed, permitted, and inspected by the City for compliance with all applicable requirements and development regulations. The permit for the project includes various conditions and referenced exhibits of approval relevant to achieving project compliance with the applicable regulations of the San Diego Municipal Code in effect for this project. Such conditions include new: curb and gutter, sidewalk, curb ramp, accessible paths, stormwater restrictions, and accessible benches. These conditions have been determined as necessary to avoid adverse impacts on the health, safety, and general welfare of persons residing or working in the surrounding area.

Construction of the post and chain-style barriers will protect health and safety by directing access to established stairways and trails. According to the Geotechnical Investigation, prepared by Leighton and Associates, Inc., dated June 7, 2021, the soils underlying the site of the proposed belvedere are generally suitable to support structural loads in their present state and have a low potential for hydro-collapse.

The San Diego Police Department, Northern Division was consulted regarding community concerns that the proposed belvedere would be a site for vagrancy, crime, and illicit activities necessitating new police demand. Community Relations Officer Brandon Broaddus reviewed service calls from 1100 Coast Boulevard Park that contains a pair of existing belvederes. Seventeen calls were reported for the park between February 2020 and February 2021. Of those calls none were related to public disturbances or illicit activities at the belvedere sites.

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

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

No deviations are requested or required. Per SDMC Section 143.0130(a)(4), the proposed belvedere is a permitted use in sensitive coastal bluff areas and is proposed at nine feet from the top of the bluff edge as permitted by SDMC Section 143.0143 (f)(2). The post and chain-style barrier is permitted under SDMC Section 143.0143 (f)(3) which provides: "Open fences may be permitted closer than five feet to the coastal bluff if necessary, to provide for public safety and to protect resource areas accessible from public rights-of-way or on public parkland. The project site is within the Open Space Parks (OP-1-1) and Residential Multiple Family (RM-3-3) Zones. Additionally, the Park & Recreation Consultant's Guide to Park Design propose public improvement consistent with the guide. The project is a public-private partnership on public Parks and Recreation dedicated parkland. The project will follow and is

compliant with the land use and development regulations for the site. Therefore, the proposed development will comply with the applicable 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.

Site topography within the limits of the proposed project is generally flat with surface elevations varying between 23 feet and 33 feet above mean sea level (AMSL) along 0.4 miles of developed coastline running north to south. The elevation at the north end of the project at Westbourne Street is 33 feet AMSL and 28 feet AMSL at the south end of the project at Palomar Street, with a 23 feet AMSL elevation at a low point between Kolmar and Rosemont Streets. Post and chain-style barrier construction is proposed to occur between one and three feet from the top of the bluff to deter creation of new pathways down the sensitive bluff face.

Construction of a belvedere is proposed nine feet from the top of the bluff at an elevation of 23 feet AMSL and within the mapped MHPA. A Geotechnical Investigation, prepared by Leighton and Associates, Inc., dated June 7, 2021. According to the report, the site is underlain by Old Paralac Deposits overlying Point Loma Formation, which are generally suitable to support belvedere structural loads in their present state and have a low potential for hydro-collapse.

Per SDMC Section 143.0130(a)(4), "Uses Allowed Within Environmentally Sensitive Lands," Public Pergolas and Gazebos are permitted in Sensitive Coastal Bluff Areas. The proposed belvedere reconstruction is a pergola structure, which is an open shade structure landscape feature. Per SDMC Section 143.0143 (f)(2), Development Regulations for Sensitive Coastal Bluffs, a distance of five feet from the coastal bluff edge may be granted for landscape features and accessory structures that are located at grade so that they are not elevated at the base or constructed with a raised floor and are capable of being relocated. Permitted features include landscaping, walkways, at-grade decks, unenclosed patios, open shade structures, lighting standards, fences and walls, seating benches, and signs. The proposed belvedere is a 55 percent open shade structure.

SDMC Section 143.0143 (f)(3) provides: "Open fences may be permitted closer than five feet to the coastal bluff if necessary, to provide for public safety and to protect resource areas accessible from public rights-of-way or on public parkland. The proposed three-foot-high post and chain-style barriers are an open fence intended to protect sensitive coastal bluff resources accessible from the public right-of-way.

The proposed post and chain-style barrier will follow the existing natural landform with only minor alterations to the existing grades as necessary to dig holes for direct burial (no concrete footings) chain posts and six-inch high wood Americans with Disabilities Act of 1990 (ADA) warning curbs.

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

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

Site topography within the limits of the proposed project is generally flat with surface elevations varying between 23 feet and 33 feet above mean sea level (AMSL) along 0.4 miles of developed coastline running north to south. The elevation at the north end of the project at Westbourne Street is 33 feet AMSL and 28 feet AMSL at the south end of the project at Palomar Street, with a 23 feet AMSL elevation at a low point between Kolmar and Rosemont Streets. Post and chain-style barrier construction is proposed to occur between one and three feet from top of bluff to deter creation of new pathways down the sensitive bluff face. The proposed Post and chain-style barrier will follow the existing natural landform with only minor alterations to the existing grades as necessary to dig holes for direct burial (no concrete footings) chain posts and six-inch high wood Americans with Disabilities Act of 1990 (ADA) warning curbs.

Construction of a belvedere is proposed nine feet from the top of bluff at an elevation of 23 feet AMSL and within the mapped MHPA. A Geotechnical Investigation, prepared by Leighton and Associates, Inc., dated June 7, 2021 found that the site is underlain by Old Paralac Deposits overlying Point Loma Formation, which are generally suitable to support belvedere structural loads in their present state and have a low potential for hydro-collapse. Construction will require 12-inch to 24-inches of excavation to provide the minimum leveling of the site to construct it to comply with ADA requirements.

The site is at elevations varying between 23 feet and 33 feet above mean sea level and is not within the floodway. Additionally, the site is not within fire hazard zones. The proposed development will minimize the alteration of natural landforms 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.

As set forth in Findings A.1.b. and B.2.a., incorporated here by reference, the project will not adversely affect environmentally sensitive lands and will result in minimum disturbance to environmentally sensitive lands. According to Figures 3a & 3b of the Biological Letter Report (Letter) for the project by Alden Environmental, dated June 10, 2021, limited portions of the project area fall within the City of San Diego MHPA as defined by the City of San Diego MSCP Subarea Plan. These areas include a small triangular area at the foot of Westbourne Street and a larger area beginning at Kolmar Street and ending at Palomar Street. Per the Letter, there were no observed sensitive plant or animal species within the entire site and the probability of nesting birds is considered to be low.

Post and chain-style barrier construction is proposed to occur between one and three feet from top of bluff to deter creation of new pathways down the sensitive bluff face and encourage use of the dedicated coastal access points as indicated in the Community Plan.

Construction of a belvedere is proposed nine feet from the top of the bluff at an elevation of 23 feet AMSL and within the mapped MHPA. The location of the improvements is designed to deter encroachment onto sensitive coastal bluffs and protect adjacent environmentally sensitive lands from further human degradation. Therefore, 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 and Vernal Pool Habitat Conservation Plan (VPHCP).

Per the Biological Letter Report (Letter) for the project by Alden Environmental, dated June 10, 2021:

In July 1997, the United States Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), and the City of San Diego entered into the 50-year MSCP IA, wherein the City received its Federal Endangered Species Act (FESA) Section 10(a) Incidental Take Permit (City 1997b).

Pursuant to its MSCP permit issued under Section 10(a), the City has incidental "take" authority over 85 rare, threatened, endangered and regionally sensitive species that it aims to conserve (i.e. "MSCP Covered Species"). "MSCP Covered" refers to species that are covered by the City's Incidental Take Permit and considered to be adequately protected within the City's Preserve, the MHPA. Special conditions apply to covered species that would be potentially impacted including, for example, designing a project to avoid impacts to covered species in the MHPA where feasible. Outside the MHPA, projects must incorporate measures (i.e., Area Specific Management Directives) for the protection of covered species as identified in Appendix A of the City's Subarea Plan.

The MHPA was developed by the City in cooperation with the USFWS, CDFW, property owners, developers, and environmental groups using the Preserve Design Criteria contained in the MSCP Plan, and the City Council-adopted criteria for the creation of the MHPA. MHPA lands are large blocks of native habitat that have the ability to support a diversity of plant and animal life and, therefore, have been included within the City's MSCP Subarea Plan for conservation. The MHPA also delineates core biological resource areas and corridors targeted for conservation as these lands have been determined to provide the necessary habitat quality, quantity, and connectivity to sustain the unique biodiversity of the San Diego region. The southern portion of the project is within the MHPA. (Alden, 2021, P. 1)

The Alden Environmental, Biological Letter Report, dated June 10, 2021 observed no sensitive species in the MHPA. Per the Letter, the project footprint is dominated by non-native vegetation, no sensitive plant or animal species were observed, and the potential for nesting birds was found to be low. The Letter states: "The project will comply with all

applicable federal (and state) requirements”, “is compatible with the MSCP/MHPA” and “...complies with the General Management Directives of the MSCP Subarea Plan (Section 1.5.2).” The Letter found: that no impact to sensitive vegetation communities and no mitigation would not be required; no impacts to sensitive plant species; no significant impacts to sensitive animal species, potential impacts to nesting birds would be less than significant and no mitigation would be required; and no impacts to potential Waters of the U.S., Waters of the State, or City Wetlands. The project includes improvements (fencing, belvedere, bench pads) of a public walkway/trail through the MHPA which supports passive recreation, a land use compatible with the MHPA. As such, the project is compatible with the MSCP/MHPA. There are no other proposed uses.

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

Per the Geotechnical Investigation, prepared by Leighton Consulting, Inc. June 7, 2021, 3.5 Bluff Retreat: “The coastal bluffs underlying the project site are subject to on-going erosion with average bluff retreat rates in the study area are estimated at a maximum of 0.4 to 0.6 feet per year. However, the site is also protected by a sandstone point comprised of the Point Loma Formation, which is anticipated to reduce the rate of retreat significantly. The project site may be subject to erosion as the coastal bluffs retreat over time.”

Except for the limited and localized excavation required to provide a level foundation for the belvedere reconstruction, the project proposes to follow the existing topography and will not contribute to the erosion of the public beach or adversely impact local shoreline sand supply.

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

The Biological Study and Geotechnical Investigation determined that the project as proposed would have no significant biological or geological impacts and would not require mitigation related to species and habitat preservation or geotechnical issues. The Permit is conditioned with: Standard, Climate Action Plan, Engineering, Multiple Species Conservation Program, Parks and Recreation, and Planning conditions of approval that are reasonably related to, and calculated to alleviate, any negative impacts created by the proposed development.

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, Planning Commission denies the Appeal and affirms the Hearing Officer decision of April 20, 2022 approving Coastal Development Permit No. 2444007 and Site Development Permit No. 2444077;

BE IT FURTHER RESOLVED that, based on these findings adopted by the Planning Commission , Coastal Development Permit No. 2444007 and Site Development Permit No. 2444077 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 2444007 and 2444077, a copy of which is attached hereto and made a part hereof.

Karen Bucey
Development Project Manager
Development Services

Adopted on: June 23, 2022


IO#: 24008738

DRAFT

Page 3	City of San Diego · Information Bulletin 620		May 2020
	<p align="center">City of San Diego Development Services</p>	<p align="center">Community Planning Committee Distribution Form</p>	
Project Name: 67671/2 Neptune Pl.		Project Number: 666879	
Community: La Jolla			
<p align="center">For project scope and contact information (project manager and applicant), log into OpenDSD at https://aca.accela.com/SANDIEGO.</p> <p>Select "Search for Project Status" and input the Project Number to access project information.</p>			
<input checked="" type="radio"/> Vote to Approve <input type="checkbox"/> Vote to Approve with Conditions Listed Below <input type="checkbox"/> Vote to Approve with Non-Binding Recommendations Listed Below <input type="checkbox"/> Vote to Deny			
# of Members Yes 13	# of Members No 3	# of Members Abstain 1	
Conditions or Recommendations: Approved at Regular Meeting 4/1/2021			
<input type="checkbox"/> No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)			
NAME: Suzanne Weissman			
TITLE: Secretary, LJCPA		DATE: April 03, 2021	
<p align="center"><i>Attach additional pages if necessary (maximum 3 attachments).</i></p>			

Visit our web site at www.sandiego.gov/development-services.

Upon request, this information is available in alternative formats for persons with disabilities.

	City of San Diego Development Services 1222 First Ave., MS 302 San Diego, CA 92101 (619) 446-5000	<h1>Ownership Disclosure Statement</h1>	FORM DS-318 October 2017
---	---	---	--

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

Project Title: Windansea Beach Slope Protection **Project No. For City Use Only:** 666879

Project Address: West of Neptune Place between Westbourne St. & Palomar Ave.

Specify Form of Ownership/Legal Status (please check):

Corporation Limited Liability -or- General - What State? _____ Corporate Identification No. N/A
 Partnership Individual

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

Property Owner

Name of Individual: City of San Diego Andrew Field, Director with Parks & Rec Owner Tenant/Lessee Successor Agency

Street Address: 202 C Street, MS 39

City: San Diego State: CA Zip: 92101

Phone No.: (619) 236-6643 Fax No.: _____ Email: AField@sandiego.gov

Signature:  Date: 12/21/2020

Additional pages Attached: Yes No

Applicant

Name of Individual: Neri Landscape Architecture, A California Corporation Owner Tenant/Lessee Successor Agency

Street Address: 928 Hornblend St. #3

City: San Diego State: CA Zip: 92109

Phone No.: (858) 274-3222 Fax No.: _____ Email: jim@nerla.com

Signature:  James Neri, CEO Date: 6/1/2020

Additional pages Attached: Yes No

Other Financially Interested Persons

Name of Individual: _____ Owner Tenant/Lessee Successor Agency

Street Address: _____

City: _____ State: _____ Zip: _____

Phone No.: _____ Fax No.: _____ Email: _____

Signature: _____ Date: _____

Additional pages Attached: Yes No

Printed on recycled paper. Visit our web site at www.sandiego.gov/development_services.
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WINDANSEA BEACH SLOPE PROTECTION IMPROVEMENTS

GENERAL NOTES

- THIS PLAN IS FOR GENERAL SITE REFERENCE ONLY. REFER TO OTHER DOCUMENTS FOR COMPLETE SCOPE OF WORK.
- BEFORE COMMENCING ANY SITE EXCAVATION, VERIFY LOCATIONS OF ALL EXISTING SITE UTILITIES, INCLUDING WATER SEWER, GAS AND ELECTRICAL LINES. FLAG OR OTHERWISE MARK ALL LOCATIONS AND INDICATE UTILITY TYPE.
- GRADE SITE TO DIRECT WATER AWAY FROM BUILDING AND NEW ADDITIONS. LANDSCAPE DRAINS SHALL BE INSTALLED AT LOW POINTS TO REDUCE RUNOFF CROSSING PATHS AND PAVING.
- THE PERMITTEE OR SUBSEQUENT OWNER SHALL BE RESPONSIBLE FOR THE LONG-TERM MAINTENANCE OF ALL REQUIRED LANDSCAPE IMPROVEMENTS, INCLUDING IN THE RIGHT-OF-WAY.
- IF ANY REQUIRED LANDSCAPE (INCLUDING EXISTING OR NEW PLANTINGS, HARDSCAPE, LANDSCAPE FEATURES, ETC.) INDICATED ON THE APPROVED CONSTRUCTION DOCUMENT PLANS IS DAMAGED OR REMOVED DURING DEMOLITION OR CONSTRUCTION, IT SHALL BE REPAIRED AND/OR REPLACED IN KIND AND EQUIVALENT SIZE PER THE APPROVED DOCUMENTS TO THE SATISFACTION OF THE DEVELOPMENT SERVICES DEPARTMENT WITHIN 30 DAYS OF DAMAGE OR FINAL INSPECTION.
- EXISTING TREES TO REMAIN ON SITE WITHIN THE AREA OF WORK WILL BE PROTECTED IN PLACE. THE FOLLOWING PROTECTION MEASURES WILL BE PROVIDED:
 - A BRIGHT YELLOW OR ORANGE TEMPORARY FENCE WILL BE PLACED AROUND EXISTING TREES AT THE DRIP LINE.
 - STOCKPILING, TOPSOIL DISTURBANCE, VEHICLE USE, AND MATERIAL STORAGE OF ANY KIND IS PROHIBIT WITHIN THE DRIPLINE.
 - A TREE WATERING SCHEDULE WILL BE MAINTAINED AND DOCUMENTED DURING CONSTRUCTION.
 - ALL DAMAGED TREES WILL BE REPLACED WITH ONE OF EQUAL OR GREATER SIZE.
- CONTRACTOR MUST CONTACT PARK AND RECREATION DEPARTMENT DISTRICT MANAGER DANIEL DANERI AT DDANERI@SANDIEGO.GOV OR 619-235-5914 TO ATTEND THE PRE-CONSTRUCTION MEETING A MINIMUM 72 WORKING HOURS PRIOR TO THE SCHEDULED MEETING.
- CONTRACTOR SHALL ENSURE THAT ANY PLANT MATERIAL DAMAGED AS A RESULT OF THE PROJECT IS REPLACED IN KIND TO THE SATISFACTION OF THE PARK AND RECREATION DEPARTMENT.
- CONTRACTOR MUST OBTAIN A RIGHT OF ENTRY PERMIT FROM THE PARK AND RECREATION DEPT., ASSET MANAGEMENT DIVISION, MICHELLE ABELLA-SHON AT MSHON@SANDIEGO.GOV OR 619-964-7670 PRIOR TO ENTERING CITY FEE-OWNED PARKLAND.

PROJECT SUMMARY

PROJECT ADDRESS:
WINDANSEA BEACH
0 NEPTUNE PLACE
LA JOLLA, CA 92037

LEGAL DESCRIPTION:
CITY PARK

GROSS SITE AREA:
2.25 ACRES

APN:
3512630100

PLANNING AREAS:
SUBREGIONAL AREA: COASTAL
MAJOR STATISTICAL AREA: NORTH CITY
COMMUNITY PLANNING AREA: LA JOLLA - CITY OF SAN DIEGO

LAND USE:
7604 BEACH - ACTIVE

CITY-OWNED LAND: SITE CODE M116RD (WINDANSEA PARK)

ZONING DESIGNATION
OP-1-1

OVERLAY ZONES:
COASTAL HEIGHT LIMIT OVERLAY ZONE (CHLOZ)
COASTAL OVERLAY ZONE (COZ) CST-APP
COASTAL OVERLAY ZONE FIRST PUBLIC ROADWAY (COZFPR)
PARKING IMPACT OVERLAY ZONE (PIOZ) - COASTAL AND BEACH IMPACT
RESIDENTIAL TANDEM PARKING OVERLAY ZONE (RTPOZ)
SENSITIVE COASTAL OVERLAY ZONE (SCOZ)
TRANSIT AREA OVERLAY ZONE (TAOZ)

TRANSPORTATION:
TRANSIT PRIORITY AREA (TPA)
AFFORDABLE HOUSING PARKING DEMAND - HIGH

HISTORICAL AND CULTURAL RESOURCES:
PALEONTOLOGICAL SENSITIVITY AREA - WATER
DESIGNATED HISTORIC RESOURCE - HRB #358, SURF SHACK AT WINDANSEA BEACH (THE SHACK IS LOCATED OUTSIDE THE LIMIT OF WORK FOR THE PROPOSED IMPROVEMENTS BUT IS LOCATED WITHIN THE BOUNDARIES OF THE APN)

ENVIRONMENTALLY SENSITIVE LANDS (ESL):
MULTIPLE HABITAT PLANNING AREA (MHPA)
SENSITIVE VEGETATION (SV)
COASTAL BLUFF (CB)

GEOLOGY AND SOILS:
EARTHQUAKE FAULT BUFFERS - GEOLOGIC HAZARD CATEGORY 12
GEOLOGIC HAZARD CATEGORY - 43, 53
SLOPES 25% OR GREATER

HYDROLOGY:
ENVIRONMENTALLY SENSITIVE AREA (ESA)

PROJECT ADDRESS:
WINDANSEA BEACH
0 NEPTUNE PLACE
LA JOLLA, CA 92037

LEGAL DESCRIPTION:
BLK A

GROSS SITE AREA:
0.5 ACRES

APN:
3514670100

PLANNING AREAS:
SUBREGIONAL AREA: COASTAL
MAJOR STATISTICAL AREA: NORTH CITY
COMMUNITY PLANNING AREA: LA JOLLA - CITY OF SAN DIEGO

LAND USE:
7604 BEACH - ACTIVE

CITY-OWNED LAND: SITE CODE N102R2 (LA JOLLA STRAND PARK)

ZONING DESIGNATION
OP-1-1

OVERLAY ZONES:
COASTAL HEIGHT LIMIT OVERLAY ZONE (CHLOZ)
COASTAL OVERLAY ZONE (COZ) CST-APP
COASTAL OVERLAY ZONE FIRST PUBLIC ROADWAY (COZFPR)
PARKING IMPACT OVERLAY ZONE (PIOZ) - COASTAL AND BEACH IMPACT
RESIDENTIAL TANDEM PARKING OVERLAY ZONE (RTPOZ)
SENSITIVE COASTAL OVERLAY ZONE (SCOZ)
TRANSIT AREA OVERLAY ZONE (TAOZ)

TRANSPORTATION:
TRANSIT PRIORITY AREA (TPA)
AFFORDABLE HOUSING PARKING DEMAND - HIGH

HISTORICAL AND CULTURAL RESOURCES:
PALEONTOLOGICAL SENSITIVITY AREA - HIGH

ENVIRONMENTALLY SENSITIVE LANDS (ESL):
MULTIPLE HABITAT PLANNING AREA (MHPA)
SENSITIVE VEGETATION (SV)
COASTAL BLUFF (CB)

GEOLOGY AND SOILS:
EARTHQUAKE FAULT BUFFERS - GEOLOGIC HAZARD CATEGORY 12
GEOLOGIC HAZARD CATEGORY - 43
SLOPES 25% OR GREATER

HYDROLOGY:
ENVIRONMENTALLY SENSITIVE AREA (ESA)

LANDSCAPE CONCEPT STATEMENT

LOW POST AND CHAIN GUARDS ARE PROPOSED AT THE TOP OF BLUFFS TO PREVENT PEDESTRIANS FROM ACCESSING THE ENTIRE SLOPE. OPENINGS IN THE CHAIN ARE PROVIDED FOR BEACH ACCESS DIRECTING PEDESTRIANS TO LIMITED PARTS OF THE SLOPE REDUCING EROSION OF THE BLUFFS. THE POSTS AND CHAIN IS INTENDED TO MATCH THE EXISTING POST AND CHAIN AT VARIOUS LOCATIONS ALONG THE BLUFF. THE RECONSTRUCTION OF A FORMERLY EXISTING BELVEDERE THAT WAS VANDALIZED AND DEMOLISHED IS PROPOSED. THIS BELVEDERE IS INTENDED TO MATCH THE ORIGINAL BELVEDERE CONSTRUCTION AS CLOSELY AS POSSIBLE.

IRRIGATION NOTE

THERE IS NO IRRIGATION PROPOSED FOR THIS NATURAL SITE

DRAINAGE NOTES

ALL DRAINAGE SYSTEMS SHOWN ARE EXISTING. THERE ARE NO NEW DRAINS PROPOSED.

PROJECT TEAM

OWNER:
CITY OF SAN DIEGO
PARK AND RECREATION DEPARTMENT
202 "C" STREET, MS 35
SAN DIEGO, CA 92101

**PRIME CONSULTANT
LANDSCAPE ARCHITECT:**
NERI LANDSCAPE ARCHITECTURE
928 HORNBLEND STREET, SUITE #3
SAN DIEGO, CA 92109
P: (858) 274-3222
M: (858) 354-6701
CONTACT: JIM NERI
JIM@NERILA.COM

CIVIL ENGINEER:
SNIPES-DYE ASSOCIATES
8348 CENTER DRIVE, STE. G
LA MESA, CA 91942
P: (619) 697-9234
F: (619) 460-2033
CONTACT: BOB BRUCKART
BOB@SNIPESDYE.COM

BIOLOGIST:
ALDEN ENVIRONMENTAL, INC.
3245 UNIVERSITY AVENUE #1188
SAN DIEGO, CA 92104
P: (619) 284-3815
M: (619) 517-5421
CONTACT: GREG MASON
GMASON@ALDENENV.COM

GEOLOGIST:
LEIGHTON CONSULTING, INC.
3934 MURPHY CANYON ROAD
SAN DIEGO, CA 92123-4425
P: (858) 569-6914
F: (619) 957-8673
CONTACT: BOB STROH
RSTROH@LEIGHTONGROUP.COM

SHEET INDEX

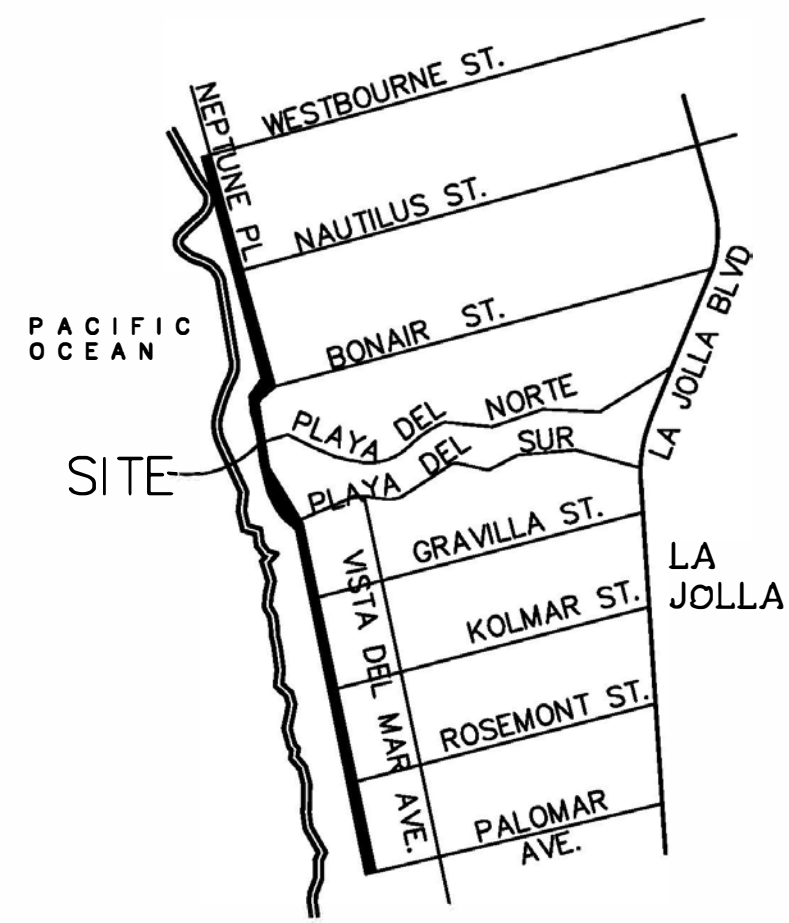
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SLOPE PROTECTION	TS
SLOPE PROTECTION	L1
SLOPE PROTECTION	L2
SLOPE PROTECTION	L3
SLOPE PROTECTION	L4
SLOPE PROTECTION	L5
BELVEDERE RECONSTRUCTION	L6
BELVEDERE RECONSTRUCTION	L7

BENCHMARK FOR SURVEY

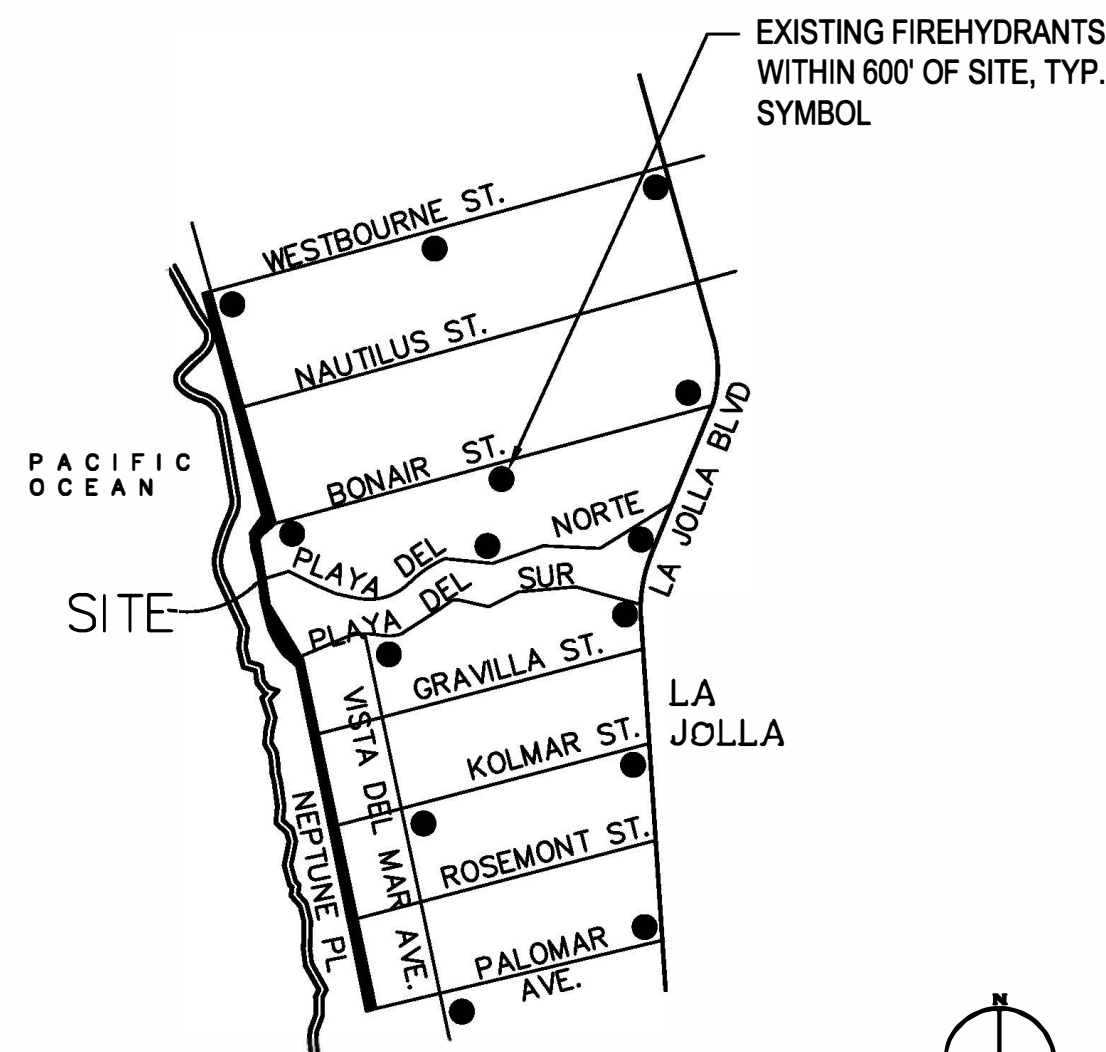
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END OF KOLMAR STREET:
THE BENCHMARK FOR THIS SURVEY IS THE CITY OF SAN DIEGO BRASS PLUG IN THE TOP OF CURB AT THE NORTHEAST CORNER OF NEPTUNE PLACE AND ROSEMONT STREET; ELEVATION + 27.321, NAVD29

END OF PALOMAR STREET:
THE BENCHMARK FOR THIS SURVEY IS THE CITY OF SAN DIEGO BRASS PLUG IN THE TOP OF CURB AT THE NORTHEAST CORNER OF NEPTUNE PLACE AND ROSEMONT STREET; ELEVATION + 27.321, NAVD29



VICINITY MAP NOT TO SCALE



FIRE HYDRANT MAP NOT TO SCALE

APPLICABLE CODES, DRAWINGS, AND SPECIFICATIONS (CURRENT VERSIONS)

STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION (GREENBOOK),

CITY OF SAN DIEGO SUPPLEMENT (TO BE USED IN CONJUNCTION WITH GREENBOOK)

CITY OF SAN DIEGO STANDARD DRAWINGS

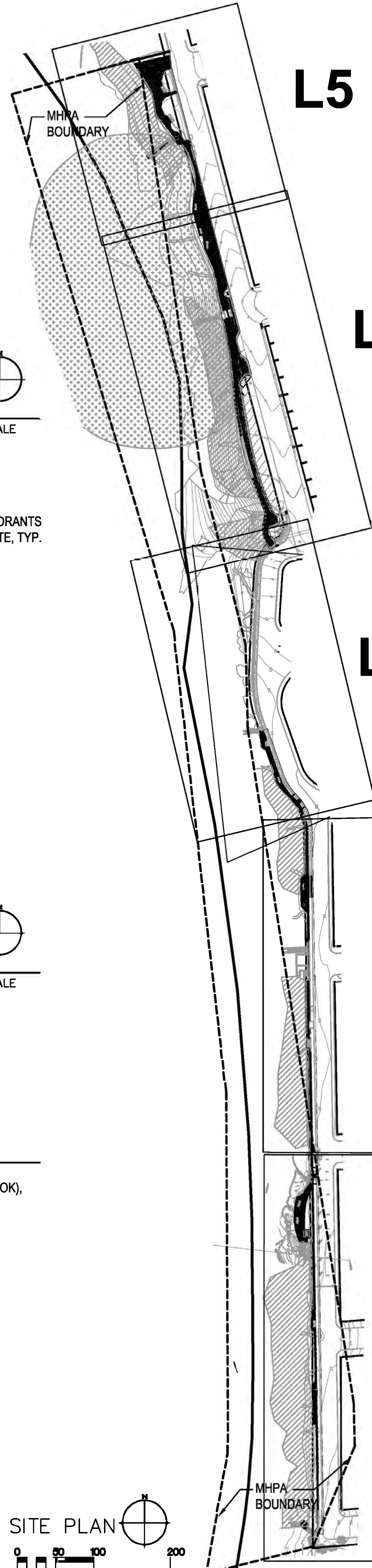
CALIFORNIA MUTCD

(U.S. CUSTOMARY) UNIT STANDARD PLANS, DOCUMENT NO. AEC0925061

(U.S. CUSTOMARY) SPECIFICATIONS, DOCUMENT NO. AEC0925062

CALIFORNIA BUILDING CODE, DISABLED ACCESS REGULATIONS, TITLE 24

AMERICANS WITH DISABILITIES ACT / AMERICANS WITH DISABILITIES ACT ACCESSIBILITIES GUIDELINES

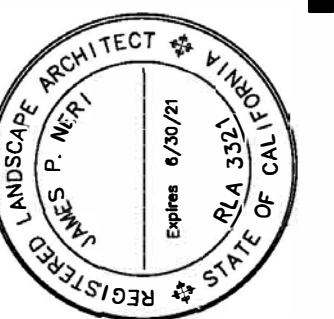


SITE PLAN SCALE 1"=100'

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Project No. - XX
Drawn - XXX
Checked - JPN

NERI LANDSCAPE ARCHITECTURE
928 HORNBLEND STREET, SUITE #3
SAN DIEGO, CA 92109
P: (858) 274-3222
M: (858) 354-6701
WWW.NERILA.COM



LANDSCAPE IMPROVEMENT PLANS FOR
WINDANSEA BEACH
SLOPE PROTECTION
Neptune Place between
Palomar Avenue and Westbourne Street
La Jolla, CA 92037

PTS# 666879

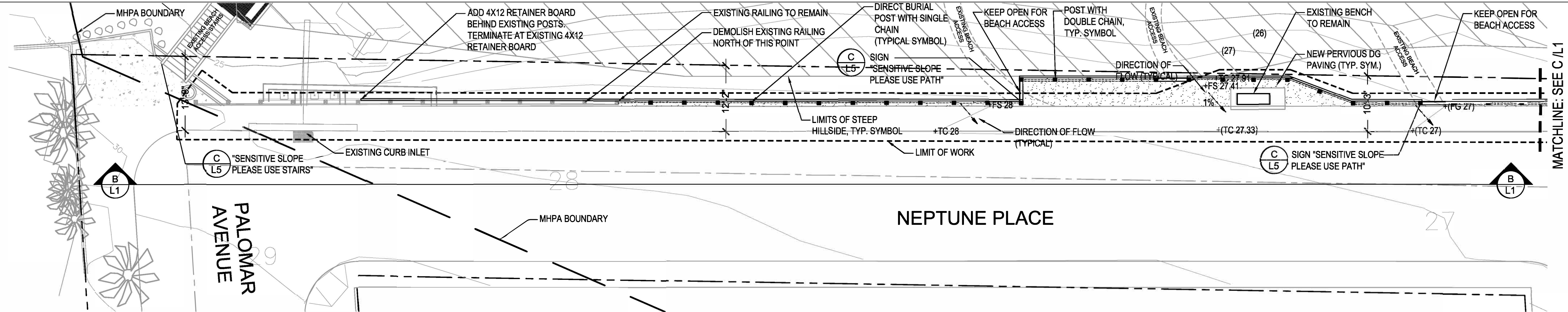
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SUBMITTAL

JULY 12 2021

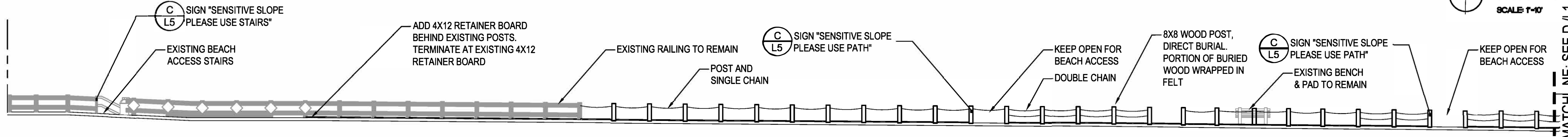
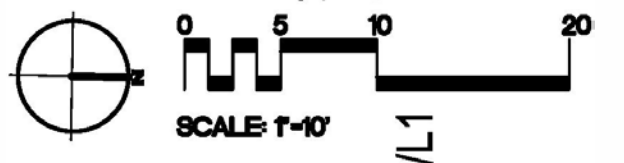
COASTAL
DEVELOPMENT
PERMIT

TS

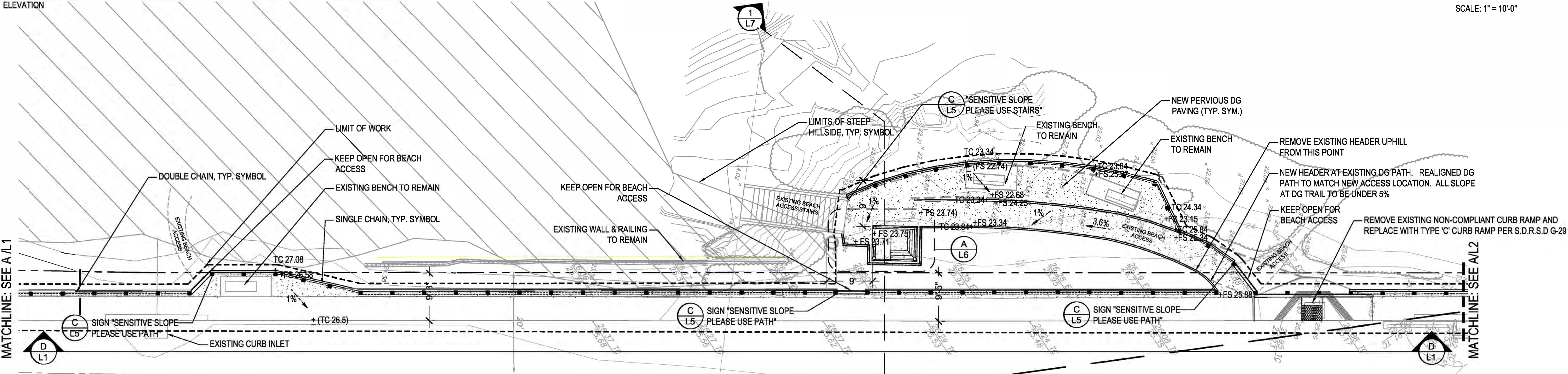
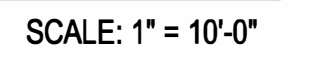
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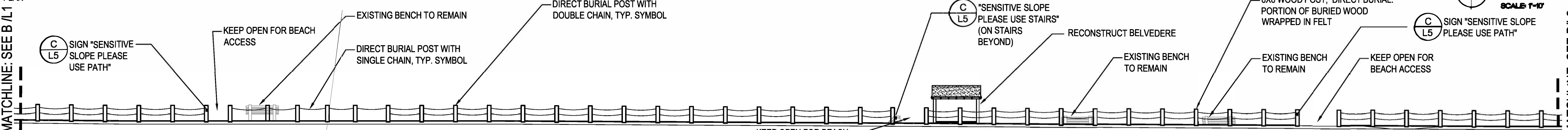
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PLAN



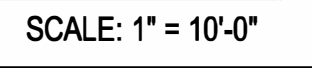
B SLOPE PROTECTION ELEVATION
ELEVATION



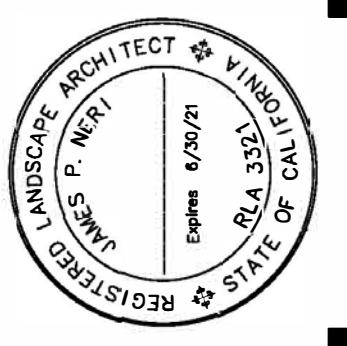
C SLOPE PROTECTION PLAN
PLAN



D SLOPE PROTECTION ELEVATION
ELEVATION



Project No. - XX
Drawn - XXX
Checked - JPN

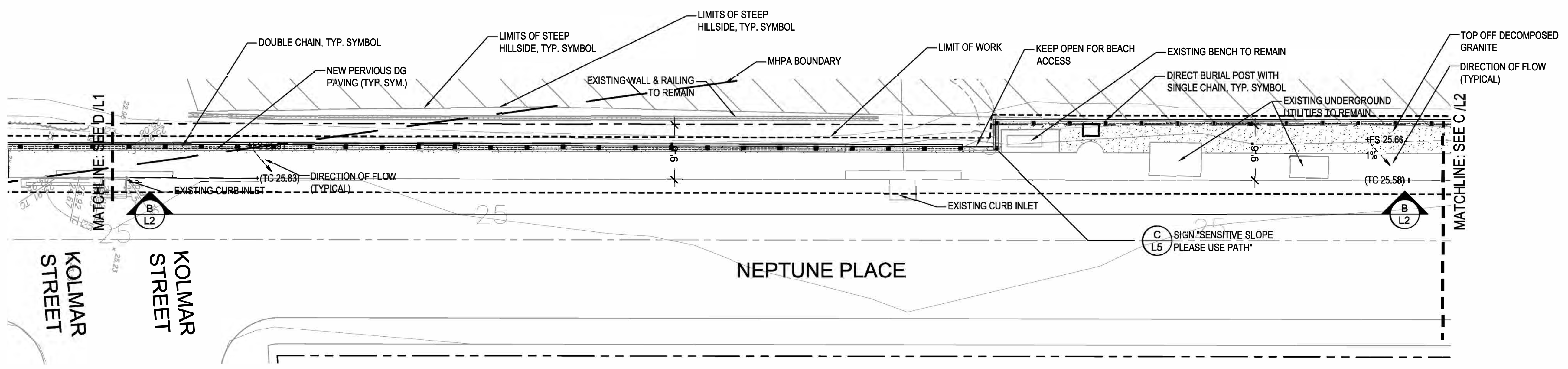
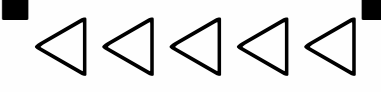


LANDSCAPE IMPROVEMENT PLANS FOR
WINDANSEA BEACH
SLOPE PROTECTION
Neptune Place between
Palomar Avenue and Westbourne Street
La Jolla, CA 92037

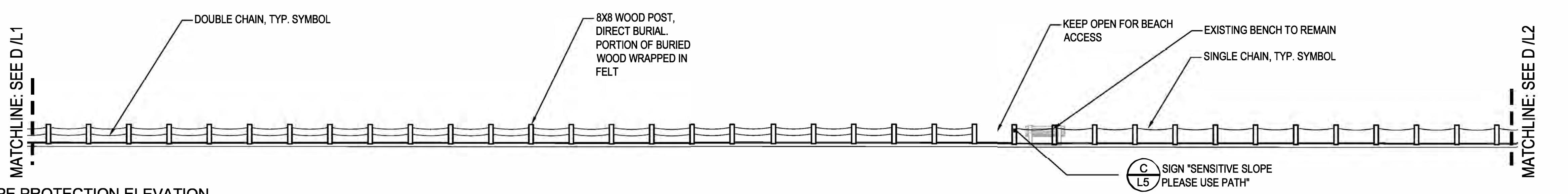
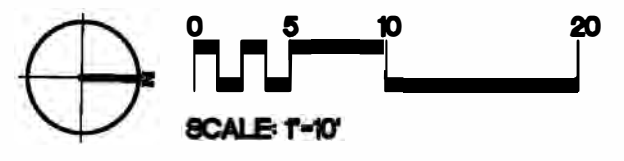
PTS# 666879
2ND
SUBMITTAL
JULY 12 2021

SLOPE PROTECTION

L1

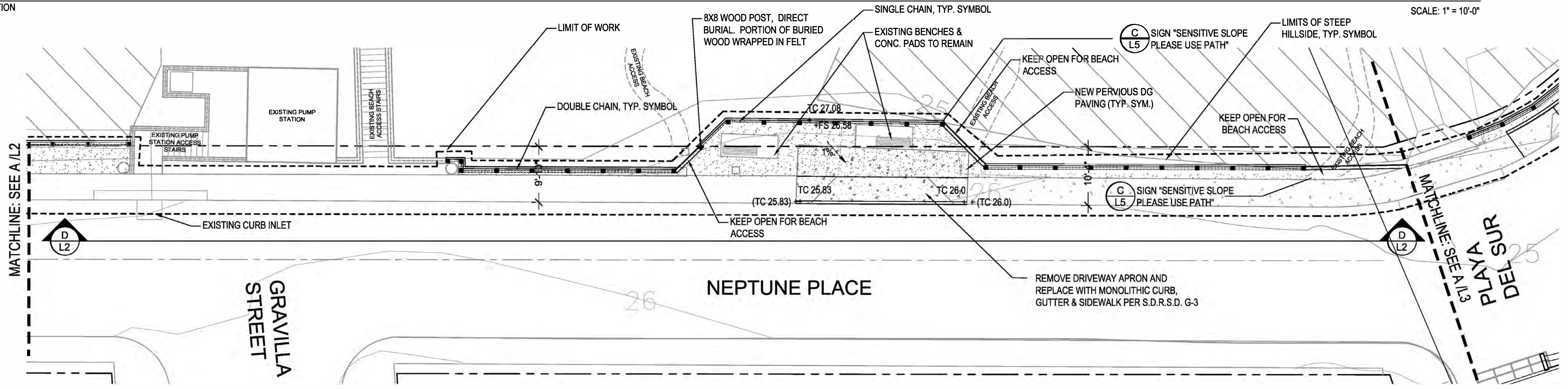


A SLOPE PROTECTION PLAN

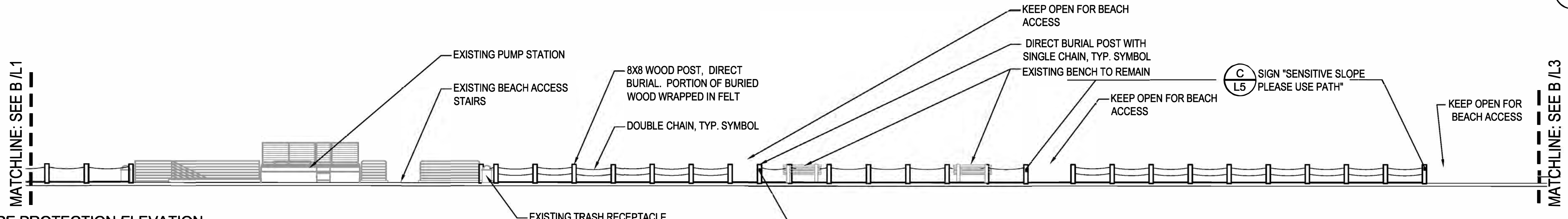
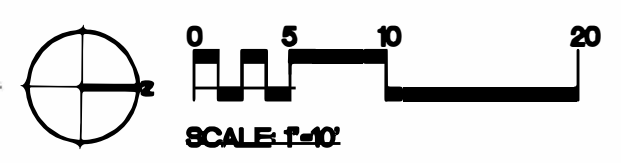


B SLOPE PROTECTION ELEVATION

SCALE: 1" = 10'-0"



C SLOPE PROTECTION PLAN



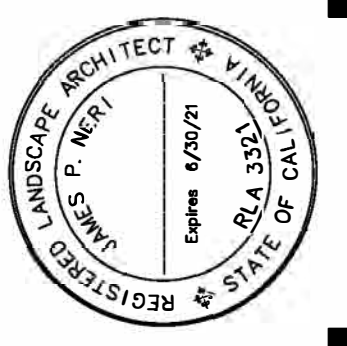
D SLOPE PROTECTION ELEVATION

SCALE: 1" = 10'-0"

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Project No. - XX
Drawn - XXX
Checked - JPN

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ARCHITECTURE
928 HOMEBOND STREET, SUITE # 3
SAN DIEGO, CA 92108
TEL: 619.594.7323 FAX: 619.594.7323
WWW.NERILANDSCAPE.COM

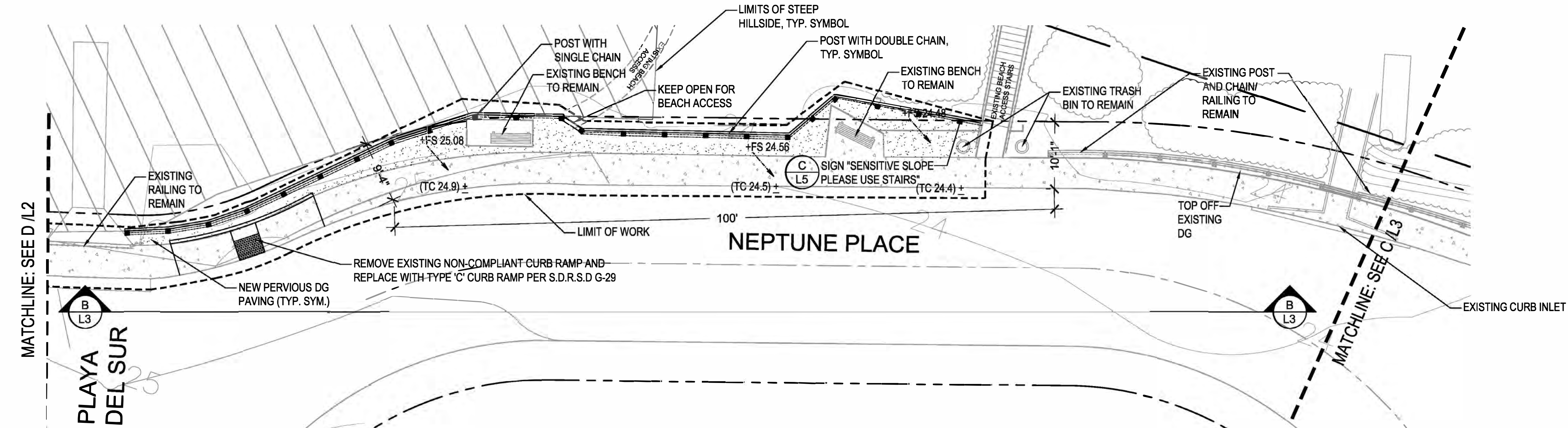


LANDSCAPE IMPROVEMENT PLANS FOR
WINDANSEA BEACH
SLOPE PROTECTION
Neptune Place between
Palomar Avenue and Westbourne Street
La Jolla, CA 92037

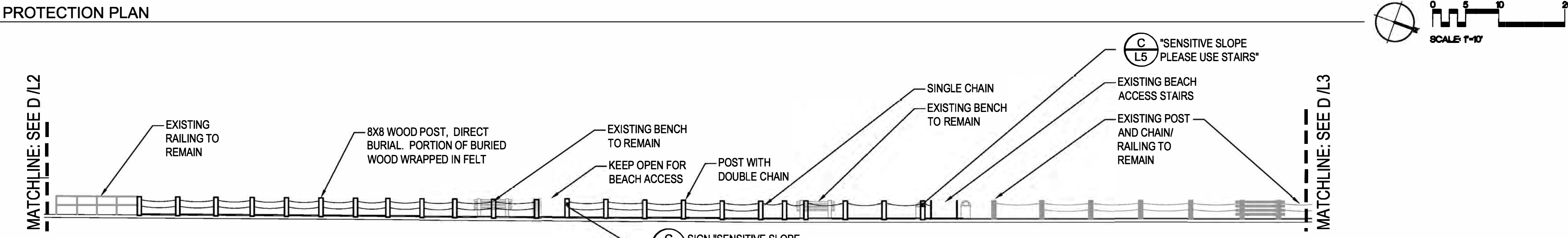
PTS# 666879
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SUBMITTAL
JULY 12 2021

SLOPE PROTECTION

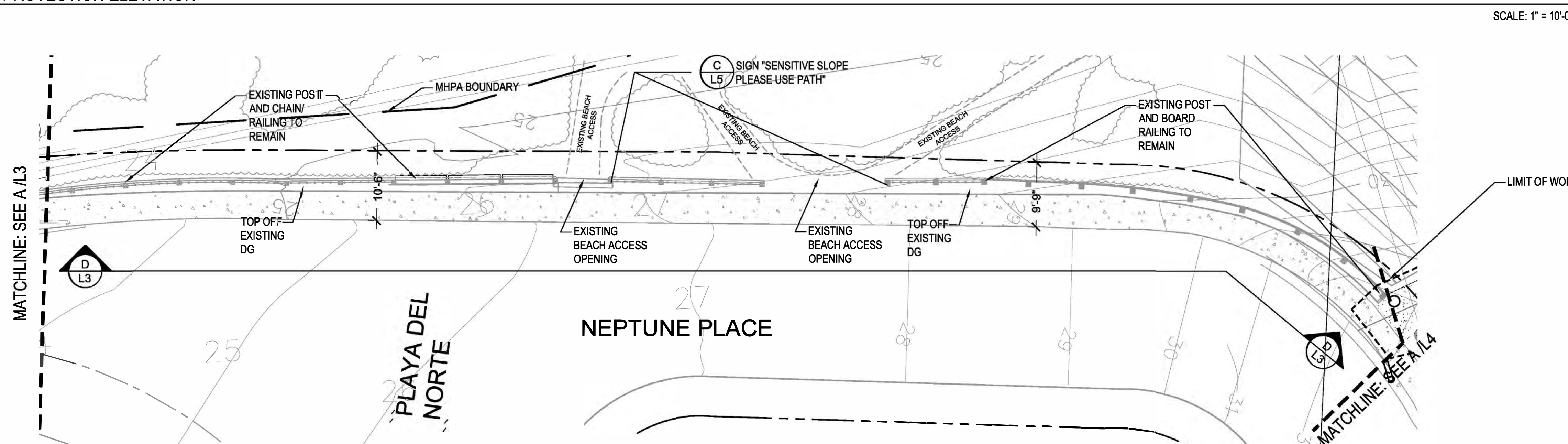
L2



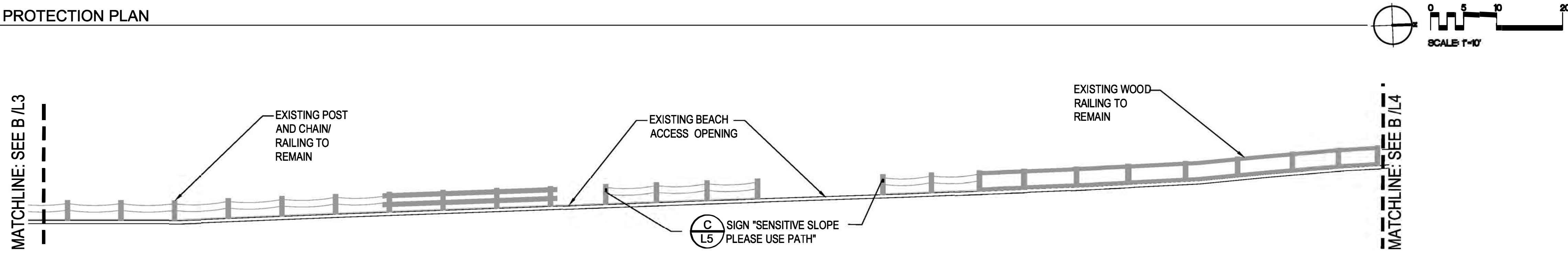
(A) SLOPE PROTECTION PLAN PLAN



(B) SLOPE PROTECTION ELEVATION ELEVATION



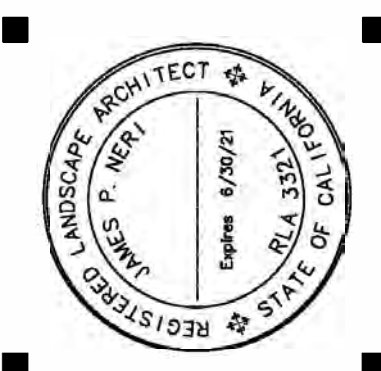
(C) SLOPE PROTECTION PLAN PLAN



(D) SLOPE PROTECTION ELEVATION ELEVATION

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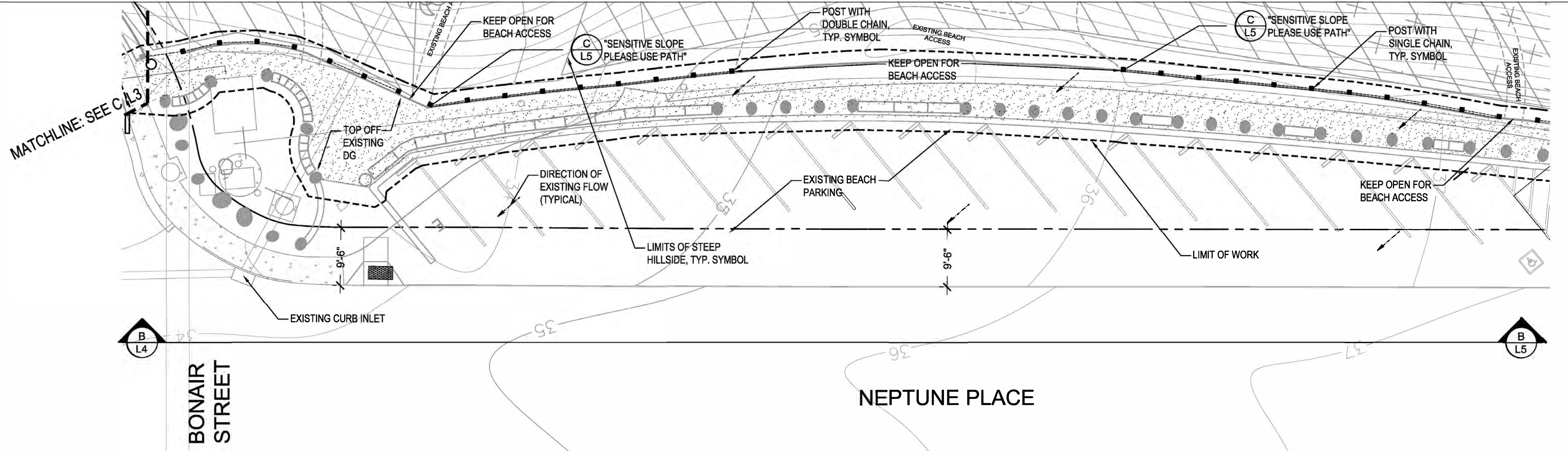
LANDSCAPE IMPROVEMENT PLANS FOR
WINDANSEA BEACH
SLOPE PROTECTION
Neptune Place between
Palomar Avenue and Westbourne Street
La Jolla, CA 92037

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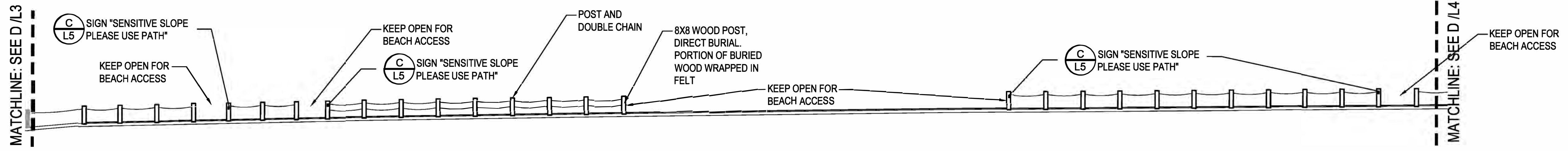
SLOPE PROTECTION

L3

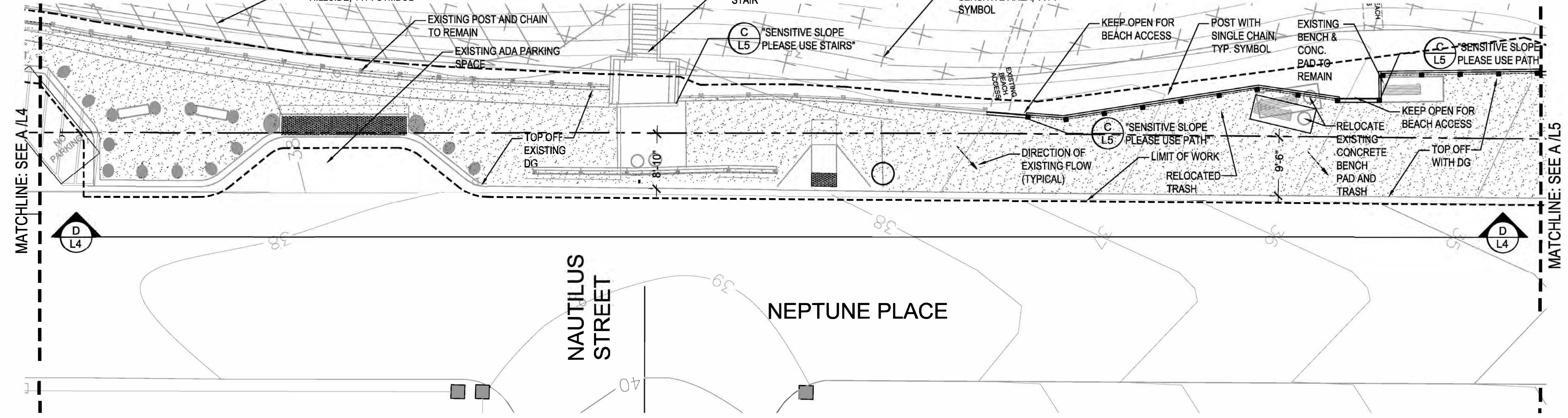
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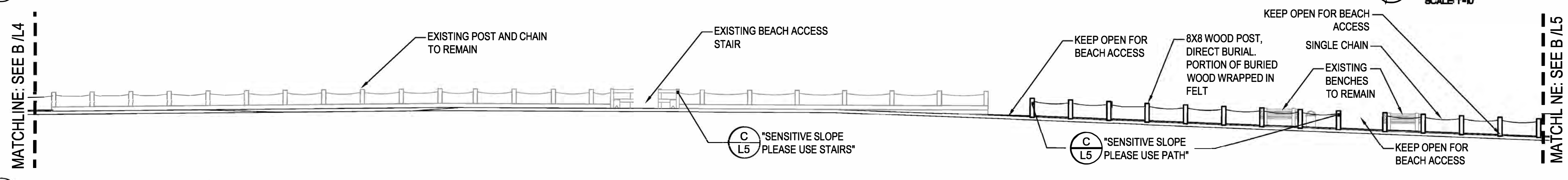
A SLOPE PROTECTION PLAN PLAN SCALE: 1" = 10'-0"



B SLOPE PROTECTION ELEVATION SCALE: 1" = 10'-0"

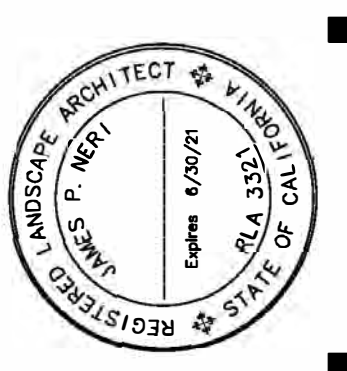


C SLOPE PROTECTION PLAN PLAN SCALE: 1" = 10'-0"



D SLOPE PROTECTION ELEVATION SCALE: 1" = 10'-0"

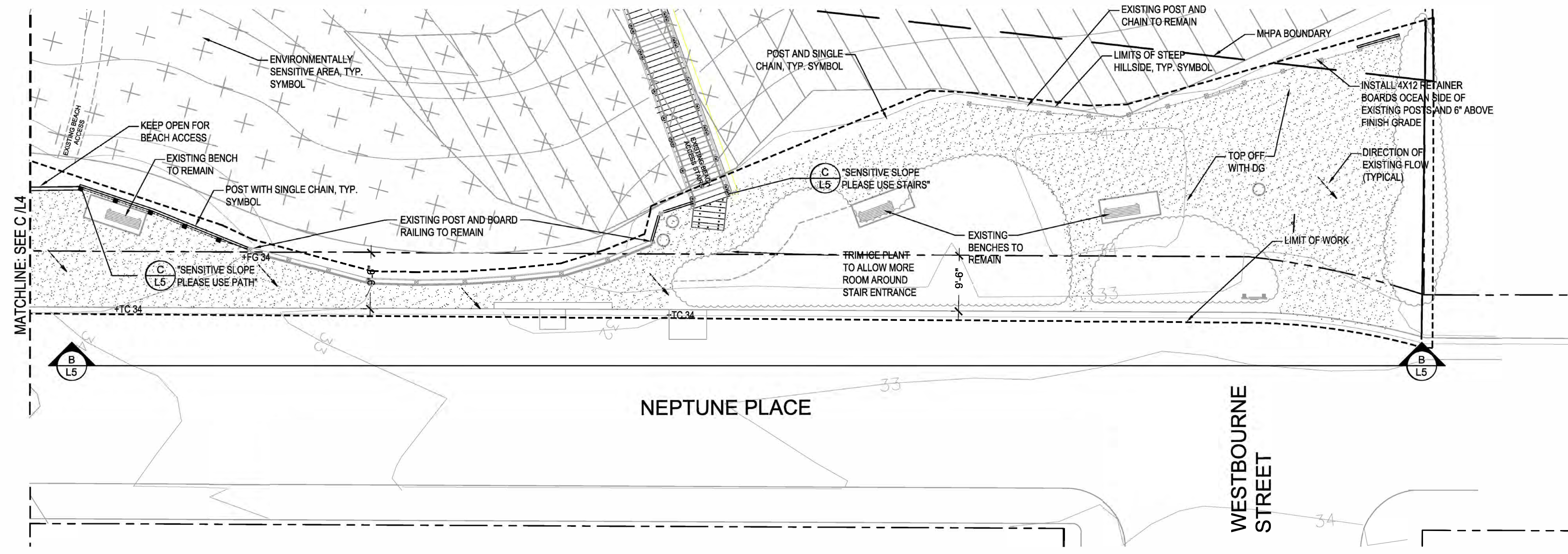
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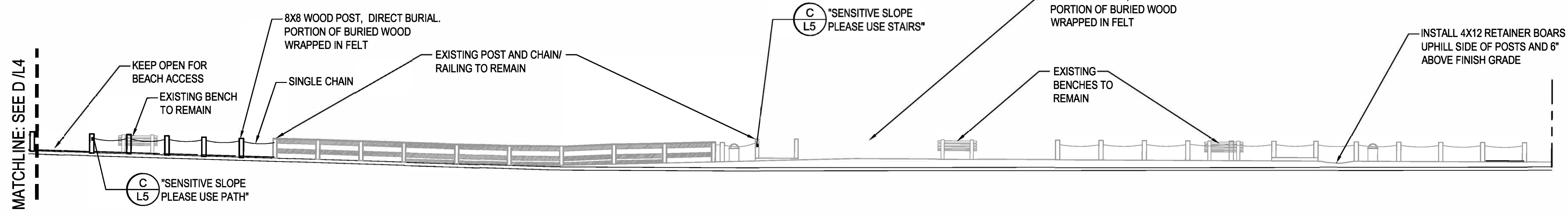
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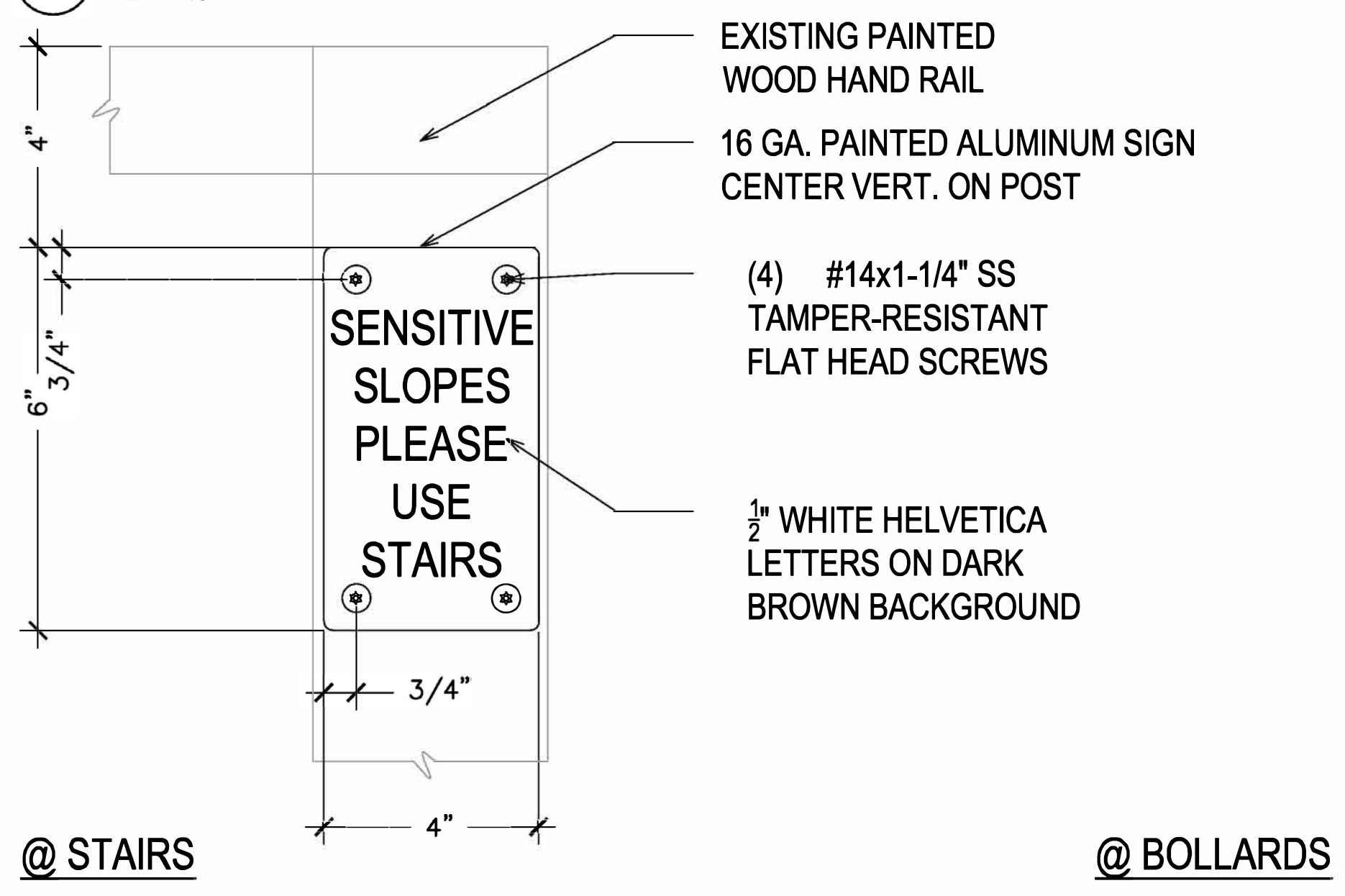
SLOPE PROTECTION
L4



(A) SLOPE PROTECTION PLAN
PLAN

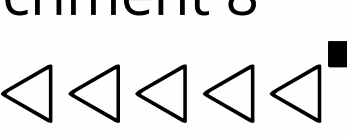


(B) SLOPE PROTECTION ELEVATION
ELEVATION

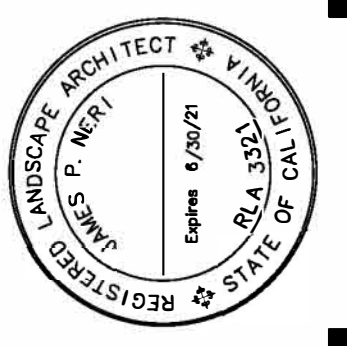


(C) DIRECTIVE SIGNS @ BEACH ACCESS POINTS

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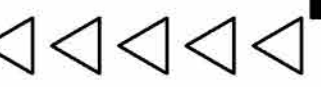


LANDSCAPE IMPROVEMENT PLANS FOR
WINDANSEA BEACH
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Neptune Place between
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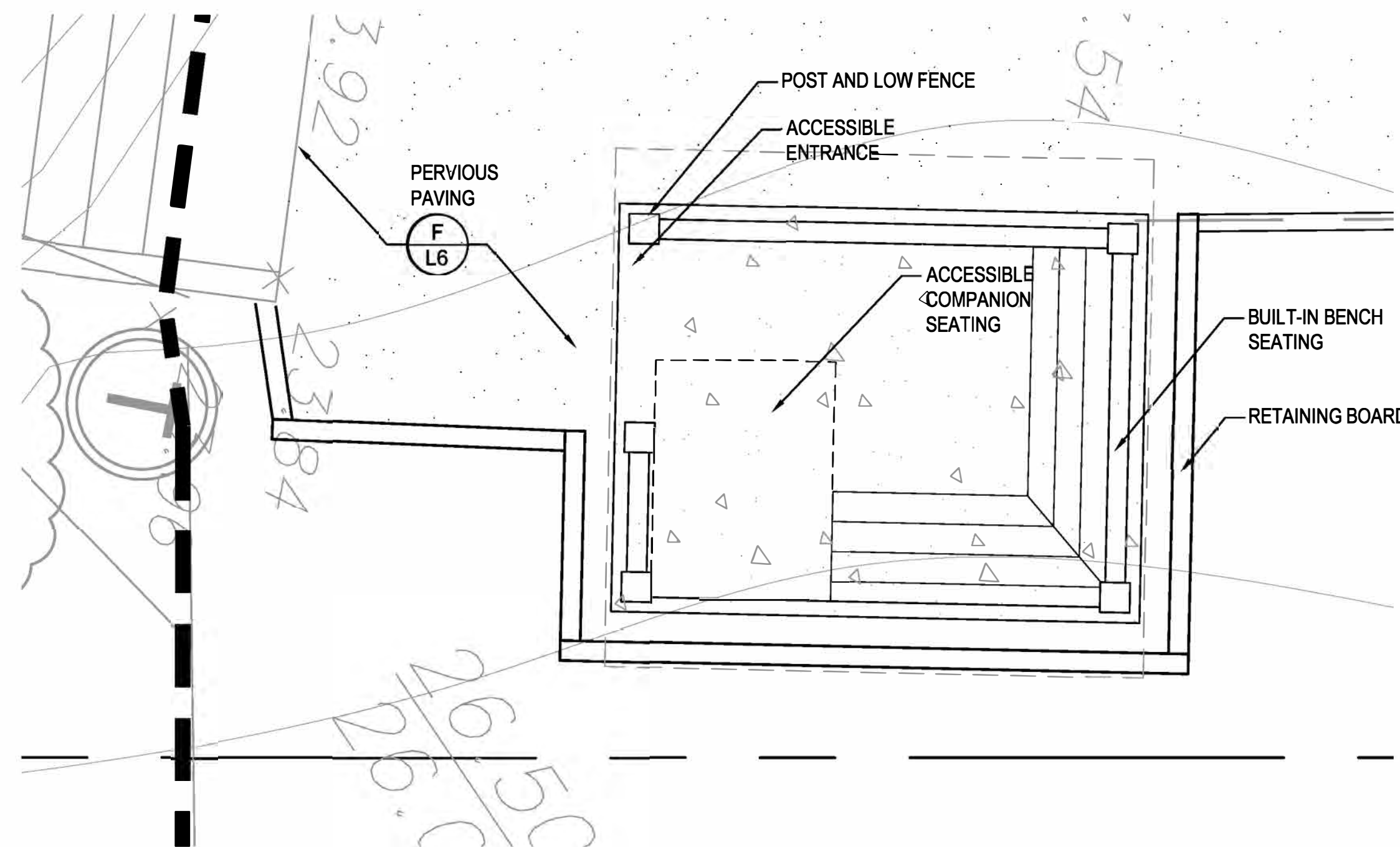
PTS# 666879
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JULY 12 2021

SLOPE PROTECTION

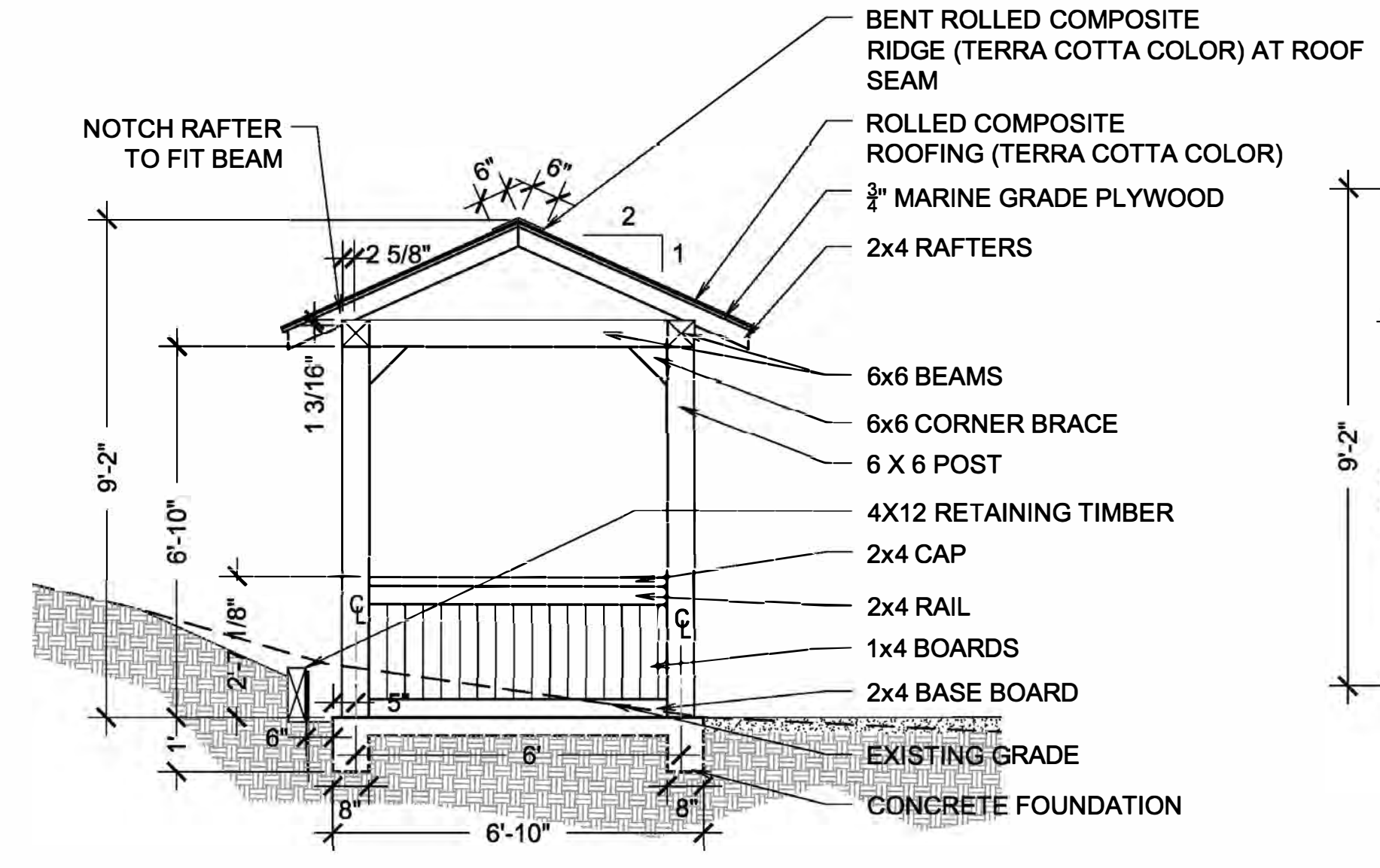
L5



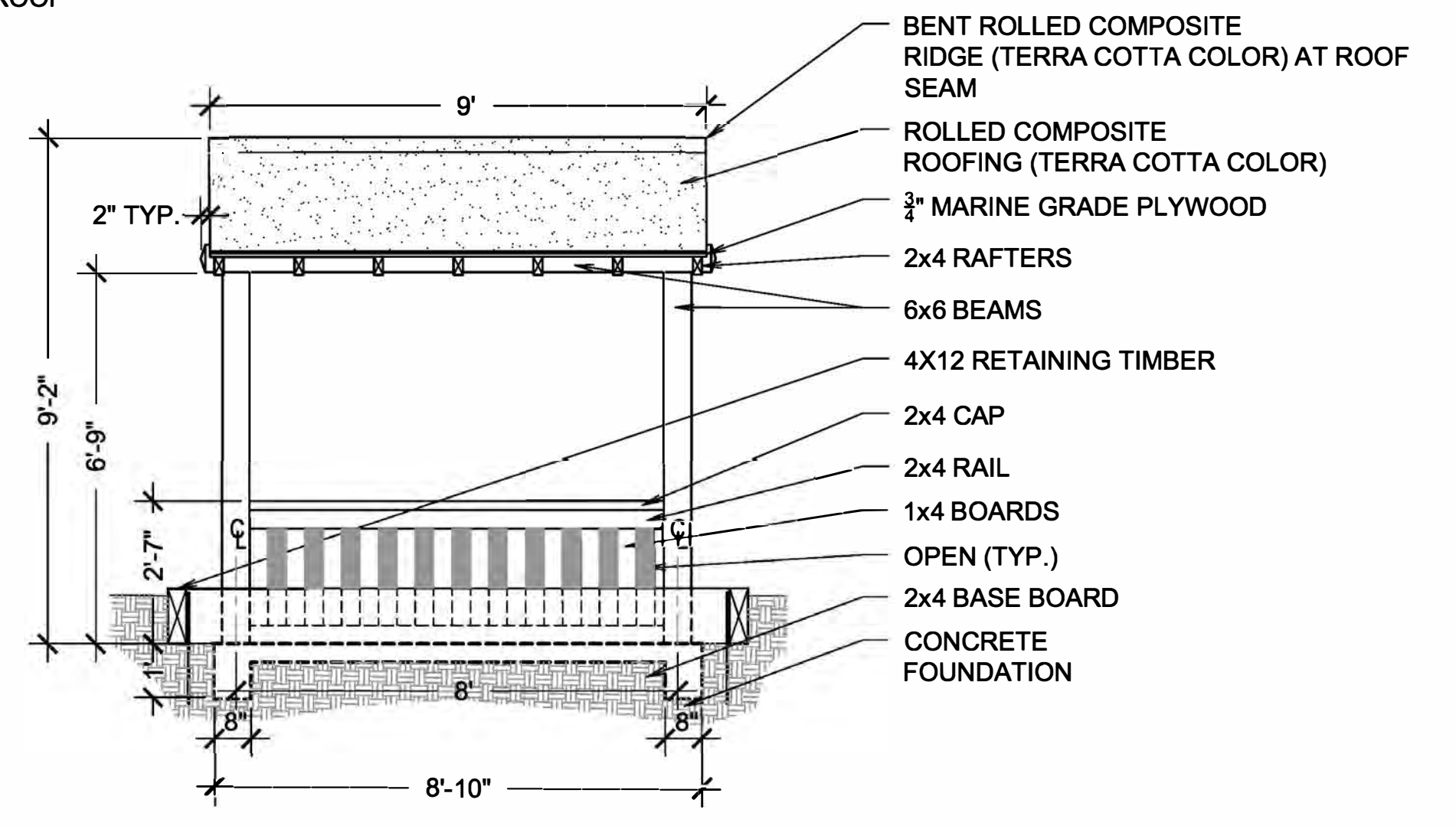
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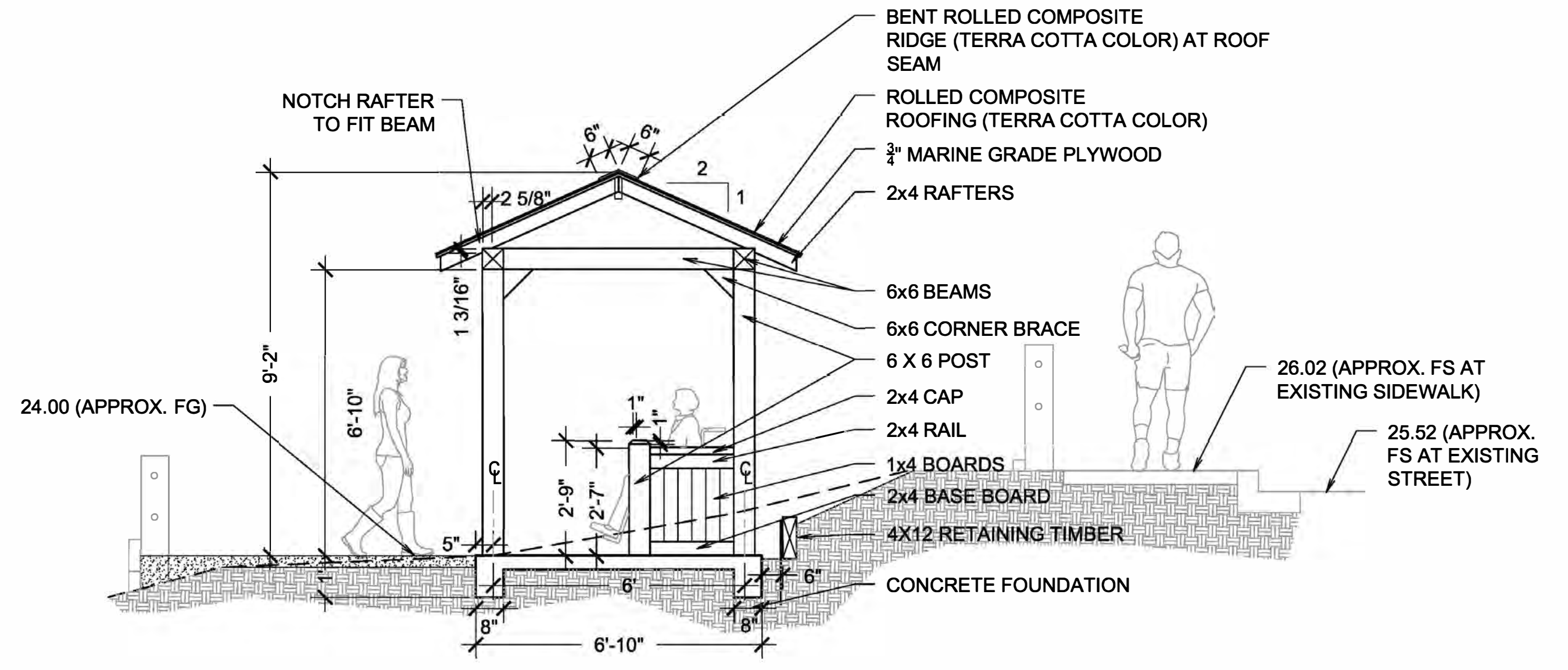
A BELVEDERE PLAN
PLAN
SCALE 1/2" = 1'-0"



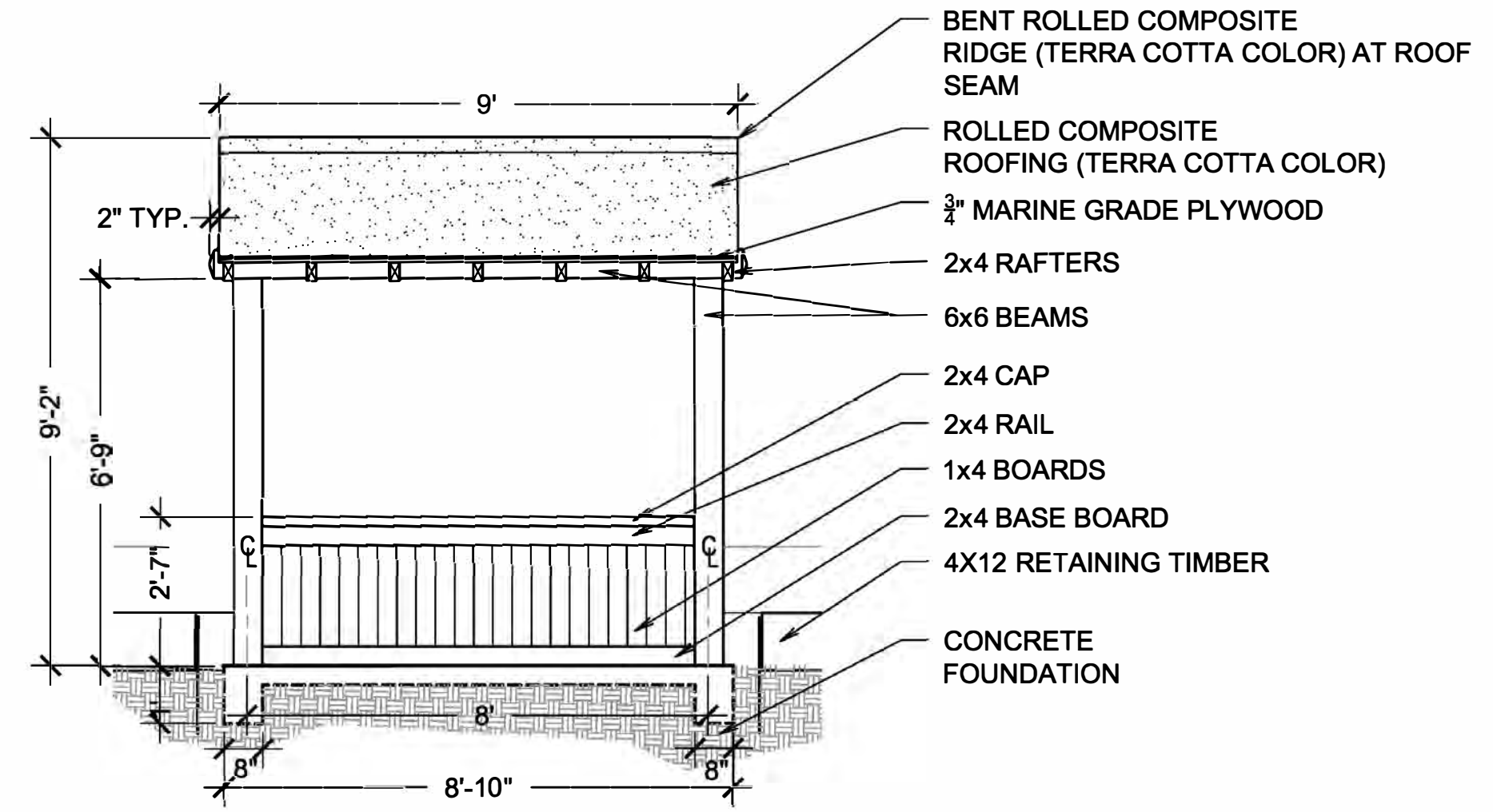
B NORTH ELEVATION
ELEVATION
SCALE 3/8" = 1'-0"



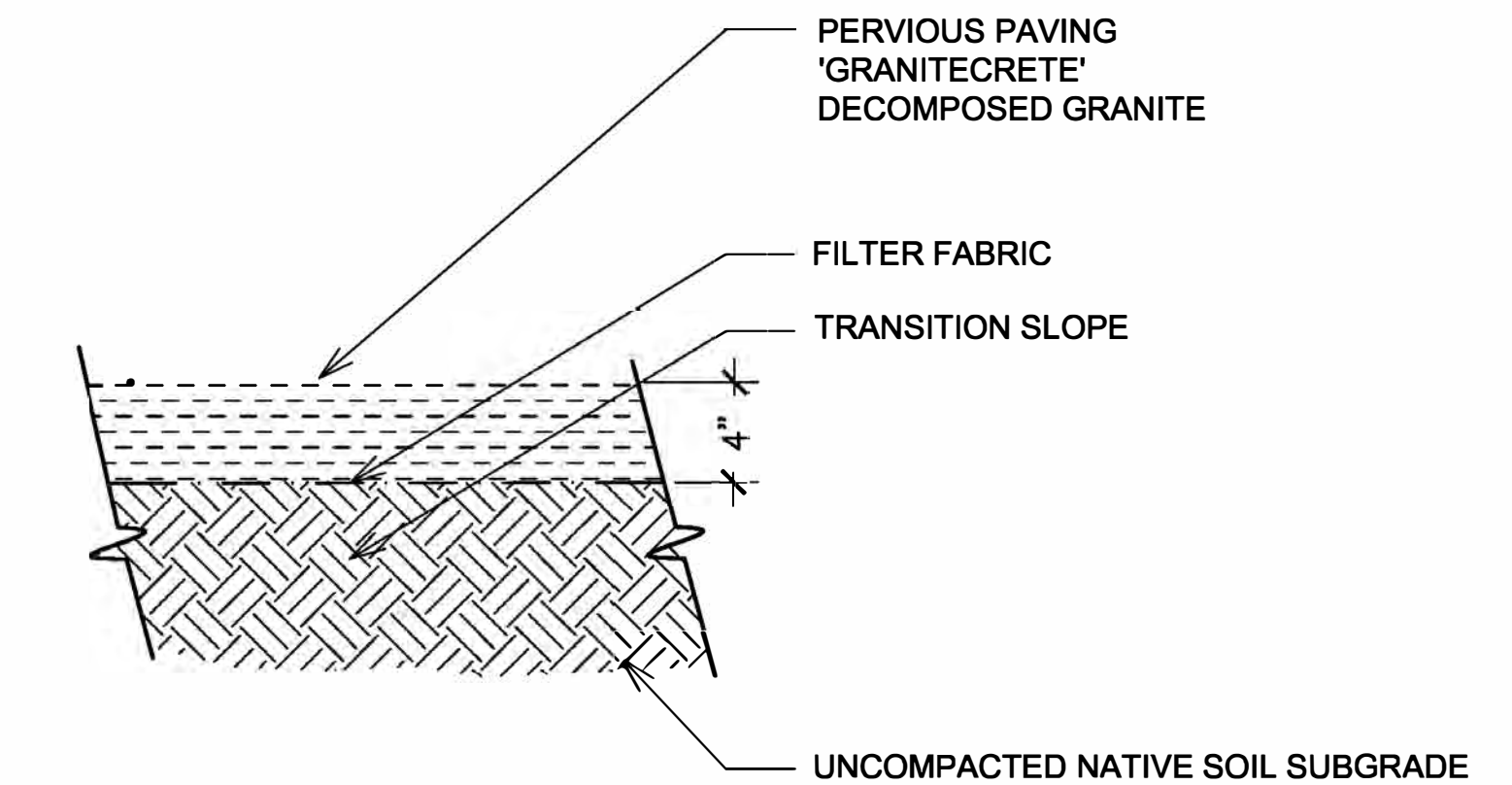
C EAST ELEVATION
SECTION / ELEVATION
SCALE 3/8" = 1'-0"



D SOUTH ELEVATION
ELEVATION
SCALE 3/8" = 1'-0"



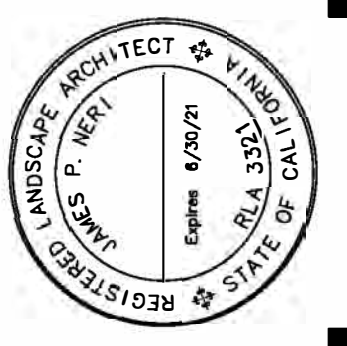
E WEST ELEVATION
ELEVATION
SCALE 3/8" = 1'-0"



F PERVIOUS PAVING
ELEVATION
SCALE 3/8" = 1'-0"

NOTE: PERVIOUS PAVING AT LOW POINTS AROUND BELVEDERE SHALL BE REPLACED IN APRIL, ON AN ANNUAL BASIS

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NERI LANDSCAPE ARCHITECTURE
920 HIGHLAND STREET, SUITE # 3
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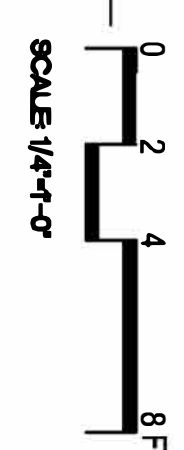
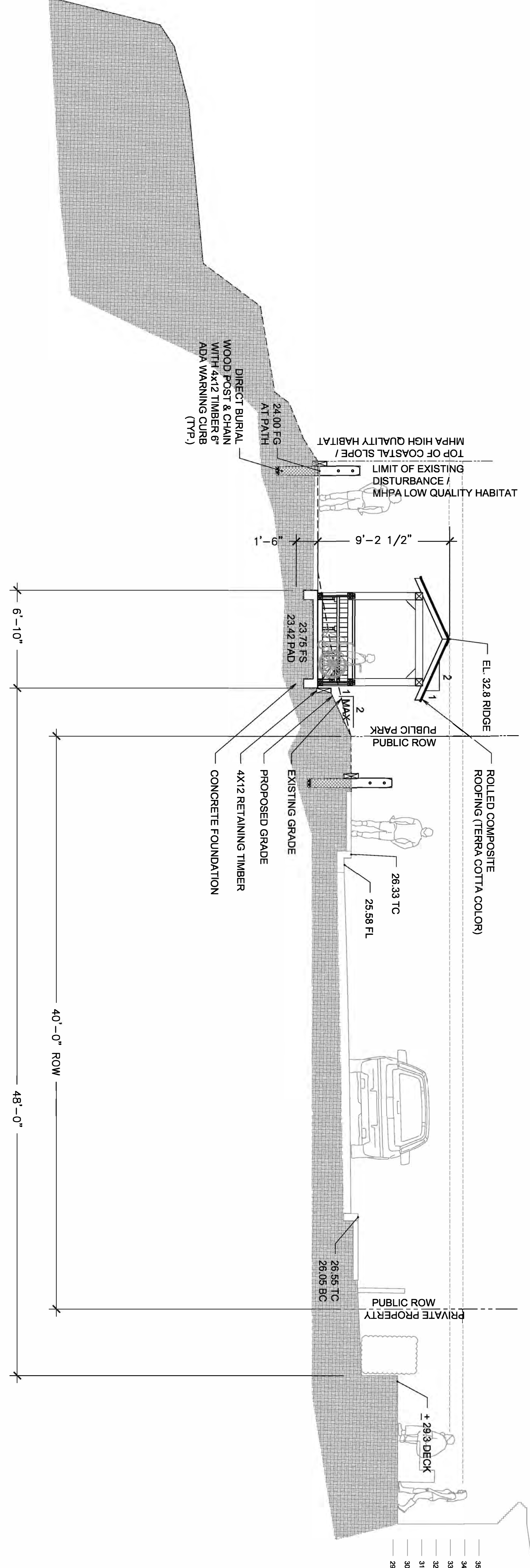
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BELVEDERE
RECONSTRUCTION
L6

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1 LOOKING NORTH SECTION

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LANDSCAPE IMPROVEMENT PLANS FOR
WINDANSEA BEACH SLOPE PROTECTION
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BELVEDERE RECONSTRUCTION

L7

