



THE CITY OF SAN DIEGO

Report to the Planning Commission

DATE ISSUED: October 14, 2021 REPORT NO. PC-21-046
HEARING DATE: October 21, 2021
SUBJECT: Del Mar Heights Elementary School Rebuild. Process Four Decision
PROJECT NUMBER: [666025](#)
OWNER/APPLICANT: Del Mar Union School District, Owner and Baker Nowicki, Applicant

SUMMARY

Issue: Should the Planning Commission approve the reconstruction of an existing elementary school located at 13555 Boquita Drive within the Torrey Pines Community Plan area?

Staff Recommendation(s):

1. Approve a resolution certifying the City of San Diego, as a Responsible Agency, has reviewed and considered the information contained in the Mitigated Negative Declaration and Final Focused Environmental Impact Report (SCH No. 2020029070) for the Del Mar Heights School Rebuild Project that was prepared and certified by the Governing Board of Trustees of the Del Mar Union School District, as Lead Agency; and adopt the Findings of Fact and the Mitigation Monitoring and Reporting Program pursuant to the California Environmental Quality Act; and
2. Approve Coastal Development Permit No. 2440630, Conditional Use Permit No. 2483264, Site Development Permit No. 2483265, and Planned Development Permit No. 2570884.

Community Planning Group Recommendation: Applicant presented the Del Mar Heights Rebuild project to the Torrey Pines Community Planning Board in June 2020 as an information item and to the Project Review Committee in August 2020. Per the August 2020 minutes: *The Board was advised to seek advice about how to proceed from the City Attorney and are therefore not able to bring this project before the board due to the ongoing litigation.*

Other Recommendations: On June 30, 2021, the Governing Board of Trustees of the Del Mar Union School District voted unanimously to approve the project.

Environmental Review: As Lead Agency, the Del Mar Union School District (District) prepared

a Mitigated Negative Declaration and subsequent [Focused Final Environmental Impact Report SCH No. 2020029070](#) for the Del Mar Heights School Rebuild Project. On June 30, 2021, the Governing Board of Trustees of the Del Mar Union School District approved Resolution No. 2021-11, certifying the Final Focused Environmental Impact Report, including the Mitigated Negative Declaration (excluding certain Biological Resources and Construction Noise), and adopting Findings of Fact and the Mitigation, Monitoring and Reporting Program. The MND and FEIR identified that impacts to Biological Resources would be less than significant and identified significant but mitigable impacts to Cultural Resources, Tribal Cultural Resource, Geology and Soils (Paleontological Resources), and Noise.

The City of San Diego, as a Responsible Agency, pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15096, considered the MND and Final FEIR (SCH No. 2020029070) for the Del Mar Heights School Rebuild Project. It has determined that in accordance with CEQA Guidelines Section 15162(a):

1. No substantial changes are proposed in the project that would require major revisions of the previous environmental documents due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. No substantial changes have occurred with respect to the circumstances under which the project will be undertaken that would have required major revisions to the previous environmental documents due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and
3. There is no new information of substantial importance that was not known and could not have been known at the time the previous environmental documents were certified that shows any of the circumstances described in CEQA Guidelines 15162(a)(3)(A) - (D) would be applicable.

Therefore, no subsequent environmental document is required, in that there are no new additional impacts and/or no new mitigation measures are required beyond those that were analyzed in the original environmental documents.

All the impacts were adequately addressed and disclosed in the previously certified and adopted environmental documents. Additionally, the current project is required to implement all mitigation measures (Cultural Resources, Tribal Cultural Resources, Geology and Soils (Paleontological Resources), and Noise.

Fiscal Impact Statement: Public schools are exempt from Development Impact Fees and Housing Impact Fees. All costs associated with the processing of the project are paid from the deposit account maintained by the applicant.

Code Enforcement Impact: None.

Housing Impact Statement: None.

BACKGROUND

The Del Mar Heights Elementary School Rebuild Project (Project) site is located at 13555 Boquita Drive on a developed 10.85-acre, educational school facility within the Torrey Pines Community Plan. The Project site is zoned RS-1-3 with overlay zones including Coastal Height Limit Overlay Zone, Coastal Overlay Zone, Fire Brush Zones, and High Fire Severity Zone. Environmentally Sensitive Lands (ESL) are on and abut the premises. The educational school site is bounded on the north by a residential development, on the east by Mira Montana Drive, and on the south and west by descending slopes of the Torrey Pines State Reserve Extension (Reserve).



The school was constructed in the early 1960s and consists of four buildings, thirteen portable modules referred to colloquially as “the bungalows,” and one large outdoor shelter. The bungalows are premanufactured and were gradually installed throughout the 1980s, 1990s, and up until 2002. These buildings and structures are located at the northern half of the school, which is hardscaped, while the southern half of the school is an open grassy area with two baseball fields at the southwest and southeast corners. The site was undeveloped before the school was constructed.

The Del Mar Union School District, a government agency, proposes the Project to rebuild the existing public school facility with no change in use and a reduction in student capacity. The proposed Project requires a Process Two level decision for a Coastal Development Permit (CDP) within the

non-appealable area of the Coastal Overlay Zone pursuant to San Diego Municipal Code (SDMC) [Section 126.0707](#); a Process Three, Conditional Use Permit (CUP) for an educational facility located within the RS-1-3 Zone, pursuant to [SDMC Table 131-04B](#); a Process Three, Site Development Permit (SDP) for the proposed development on a premises containing Environmentally Sensitive Lands in the form of Steep Hillsides and Sensitive Biological Resources, pursuant to [SDMC Table 143.01A](#); and a Process Four, Planned Development Permit (PDP), for the request to deviate from SDMC [Section 142.0412\(f\)](#) to allow alternative compliance for brush management.

All actions will be consolidated under this application and processed concurrently, pursuant to the Consolidation of Processing regulations contained in Municipal Code Section 112.0103. Based on the current submittal, the decision to approve, conditionally approve, or deny the project will be made with a Process Four, Planning Commission decision with appeal rights to the City Council.

DISCUSSION

Project Description:

The Project proposes the demolition of 52,406 square feet of the existing Del Mar Heights elementary school and utilities, followed by development of 66,823 square feet of new school facilities designed to accommodate 537 students. The capacity will be reduced by one classroom (approximately 24 students), and buildings will be limited to one story with low slope roofs not to exceed the 30-foot coastal height limit. Access for parking, drop-off, and pick-up will remain on Boquita Drive, and a new parking lot will be developed on the eastern portion of the site along the site boundary.

Steep hillsides shall be preserved in their natural state, and the school development will remain almost entirely within the fenced limits of the existing school. Buffer areas and setbacks are provided, and no clear cutting or vegetation removal is proposed in the Reserve. The only scope of work proposed outside the existing fence line are repairs of two failing stormwater outfalls, which encroach slightly into sensitive southern maritime chaparral where no special status species occur, would temporarily impact less than 0.01 acre, and would be revegetated with native species.

The State Coastal Act states that the scenic and visual qualities of the coastal areas shall be considered and protected as a resource of public importance. A policy for preservation of these visual resources within the Torrey Pines Community Plan Local Coastal Program includes new commercial development within predominantly residential neighborhoods shall be designed to minimize or eliminate traffic, noise, parking, and visual impacts to residents. The Parking lot and vehicle queuing lane have been provided to reduce traffic congestion on surrounding streets. Bulk and scale of new commercial development shall be low-scale and of similar height to buildings and homes in the existing area. Buildings have been designed to be low scale, single story, low slope roofs, and less than 30 feet in height.

The Brush Management Program for the proposed project includes alternative compliance for an expanded, fully irrigated Brush Management Zone One condition measuring 43-feet with no Brush Management Zone Two, creating a safer fire break between the adjacent native vegetation of the

Torrey Pines Reserve Extension and the buildings on site.

Community Plan Analysis:

The Project is consistent with the Torrey Pines Community Plan's Land Use Element. The Community Plan's Land Use Plan Map (Figure 1) designates the subject site as "School" and the site is further identified as the "Del Mar Heights Elementary School" on the Community Facilities Map (Figure 16). The proposed Project is limited by a draft permit condition prohibiting development in the remaining undeveloped portions of the site that contain environmentally sensitive lands beyond what is required for repairing the drainage outfalls, thus creating an environmental buffer per Torrey Pines Community Plan and North City Local Coastal Program (LCP) Policies.

The school is located within a residential neighborhood, so the LCP Policies related to residential development at canyon interfaces would apply. This includes allowing only low-profile dwellings (buildings) near canyon rims so not to be visually prominent from the canyon floor. The proposed buildings include sloped and curved roof lines and are set further back from the edge of the canyon than the existing buildings. The placement of the trees and shrubs balances the request to soften the view from the nearby nature trail, comply with planting in designated brush management zones, maintain a clear fire lane in front of Building "M", and frame views out of the Building toward the Torrey Pines Preserve.

A Torrey Pines Community Plan's policy is to ensure that students have safe, direct access to their schools. By increasing efficiency and flow for vehicles to enter and exit the school property, congestion on adjacent streets would be reduced, thereby creating a safer environment for students who live in the neighborhood to walk and/or bike to campus, consistent with [District Board Policy 5142.2, Safe Routes to School Program](#).

Project-Related Issues:

The slopes on the west and south sides (buffer area between the developed school campus and the Reserve) range from 2 feet to over 200 feet wide. This buffer area is currently maintained by the school district, in compliance with San Diego Fire-Rescue Department's City-wide Brush Management and Weed Abatement regulations.

Brush Management Regulations allow for adjustment to the standard Zone One dimension of 35 feet and Zone Two of 65 feet. Zone Two may be decreased by 1.5 feet for every 1-foot of increase in Zone One Width. However, within the Coastal Zone, Zone Two may only be reduced by 30 feet, leaving a balance of 35 feet. Alternative compliance for the reduced brush management zones requires habitable structures openings along the brush side be upgraded with dual-glazed, dual-tempered panes, plus a 10 feet. perpendicular return along adjacent wall faces.

The proposed reconstruction of Del Mar Heights School is intended to address existing vehicle queuing and on-site traffic circulation issues related to the parent pick-up/drop-off lane. In addition to decreasing the student capacity by one classroom, available vehicle queuing space has been increased on site for drop-off and pick-up. This would reduce queuing into the public street, with

fewer cars adjacent to students walking home. Parking on-site has also been increased to reduce the amount of off-site parking around the campus. By increasing the on-site vehicle queue storage length from 317 feet to 820 feet and increasing the availability of parking stalls from 48 to 80, the proposed site plan is anticipated to reduce queuing onto Boquita Drive.

Conclusion:

City staff has reviewed the proposal, including all the issues identified through the review process, and has determined that all project issues have been addressed. The project conforms with the Community Plan, and the adopted City Council policies and regulations of the Land Development Code. Therefore, draft findings and conditions to support project approval are presented to the Planning Commission for consideration. Staff recommends that the Planning Commission approve Coastal Development Permit No. 2440630, Conditional Use Permit No. 2483264, Site Development Permit No. 2483265, and Planned Development Permit No. 2570884 for the project.

ALTERNATIVES

1. Approve Coastal Development Permit No. 2440630, Conditional Use Permit No. 2483264, Site Development Permit No. 2483265, and Planned Development Permit No. 2570884, with modifications.
2. Deny Coastal Development Permit No. 2440630, Conditional Use Permit No. 2483264, Site Development Permit No. 2483265, and Planned Development Permit No. 2570884, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



Tim Daly
Assistant Deputy Director
Development Services Department

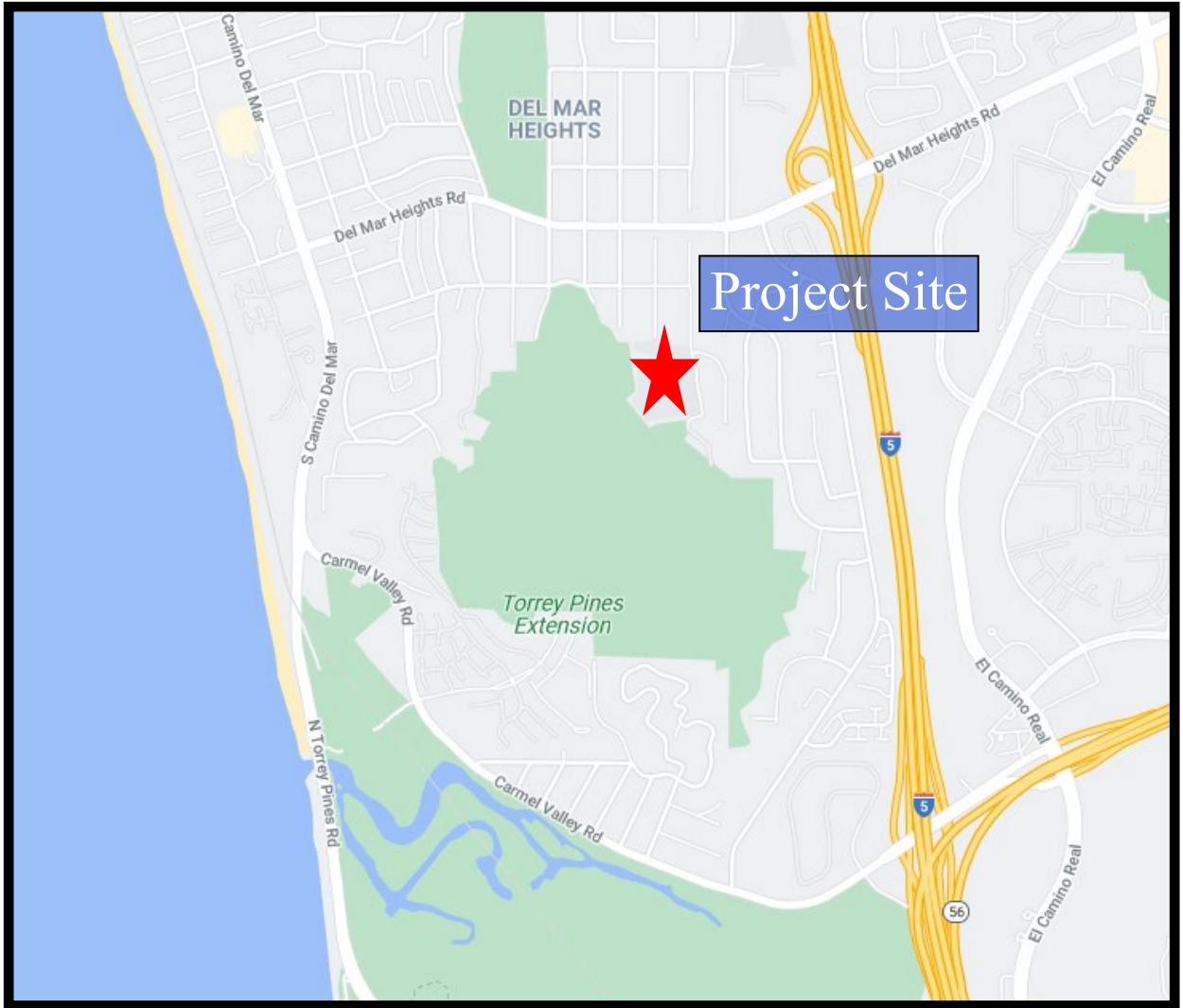


Catherine Rom
Development Project Manager
Development Services Department

Attachments:

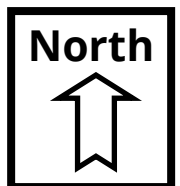
1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photographs
4. Draft Development Permit Resolution with Findings
5. Draft Development Permit with Conditions
6. [Focused Final Environmental Impact Report SCH No. 2020029070](#)
7. Draft Environmental Resolution with Findings and MMRP (Focused EIR)

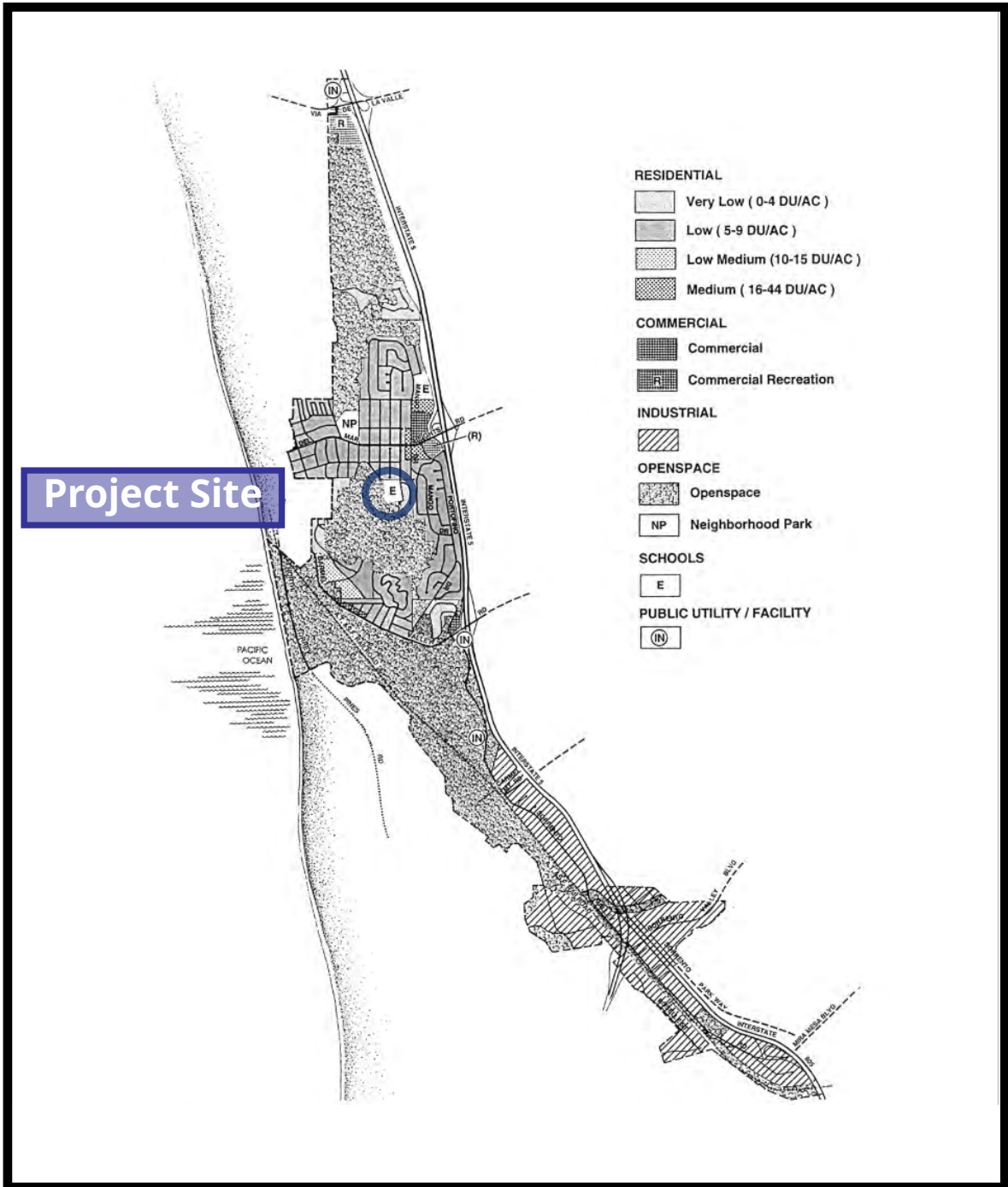
8. Project Site Plan
9. Governing Board of Trustees Recommendation
10. Community Planning Group Recommendation
11. Ownership Disclosure Statement



Project Location

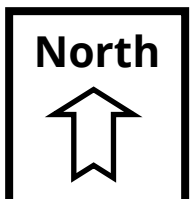
Del Mar Heights School Rebuild, Project No. 666025
13555 Boquita Drive, Del Mar, CA 92014





Torrey Pines Land Use Map

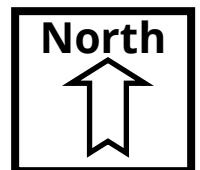
Del Mar Heights School Rebuild, Project No. 666025
 13555 Boquita Drive, Del Mar, CA 92014





Aerial Photo

Del Mar Heights School Rebuild, Project No. 666025
13555 Boquita Drive, Del Mar, CA 92014



PLANNING COMMISSION RESOLUTION NO. [REDACTED]
COASTAL DEVELOPMENT PERMIT NO. 2440630
CONDITIONAL USE PERMIT NO. 2483264
SITE DEVELOPMENT PERMIT NO. 2483265
PLANNED DEVELOPMENT PERMIT NO. 2570884
DEL MAR HEIGHTS SCHOOL REBUILD - PROJECT NO. 666025 [MMRP]

WHEREAS, DEL MAR UNION SCHOOL DISTRICT, Owner/Permittee, filed an application with the City of San Diego for a permit to redesign and reconstruct the Del Mar Heights School (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Coastal Development Permit No. 2440630, Conditional Use Permit No. 2483264, Site Development Permit No. 2483265, and Planned Development Permit No. 2570884), on portions of a 10.85-acre site;

WHEREAS, the project site is located at 13555 Boquita Drive in the RS-1-3, Coastal (Non-Appealable), Coastal Height Limit, Parking Impact (Coastal), Brush Management (100-foot) Zones of the Torrey Pines Community Plan;

WHEREAS, the project site is legally described as all that portion of the Southeast Quarter of the Northwest Quarter of Section 24, Township 14 South, Range 4 West, San Bernardino Meridian, in the County of San Diego, State of California, According to the United States Government Survey approved January 18, 1876 as described in document no. 1999-0512444 recorded in the office of the Recorder for San Diego County July 26, 1999;

WHEREAS, on October 21, 2021, the Planning Commission of the City of San Diego considered Coastal Development Permit No. 2440630, Conditional Use Permit No. 2483264, Site Development Permit No. 2483265, and Planned Development Permit No. 2570884 pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

BE IT RESOLVED by the Planning Commission of the City of San Diego, that it adopts the following findings with respect to Coastal Development Permit No. 2440630, Conditional Use Permit

No. 2483264, Site Development Permit No. 2483265, and Planned Development Permit No. 2570884:

A. COASTAL DEVELOPMENT PERMIT [San Diego Municipal Code (SDMC) Section 126.0708]

(a) Findings for all Coastal Development Permits:

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

The Del Mar Heights School Rebuild Project (Project) site is located at 13555 Boquita Drive. Public trails including the Margaret Fleming and Mar Scenic trails are adjacent to the school site and do not cross into the school property. The trails are accessed from the Trail Heads at the end of Mira Montana Drive and Mar Scenic Drive. There is an informal footpath in the west of the school property that once connected the Margaret Fleming trail to the end of Mercado Drive. This area is not identified in the land use plan and appears overgrown. There is no longer a connection and has been closed to the public. The area of the Reserve Extension that is within the school property is predominantly steeply sloped area with no pathways. The proposed school rebuild project is contained within the existing school property and will not block, traverse, or 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.

The Del Mar School District (District) designed the new school to respect public views across the site and toward ocean. The predominant public coastal view adjacent to the site is at the trailhead parking area at the end of Mira Montana Drive. Also included are views from the sidewalk along Mira Montana Drive, the end of Boquita Drive, and across the canyon from Durango Drive. The building is one-story with low-sloped roofs. Building materials and colors would complement the existing development on adjacent properties. The proposed buildings would have a standing seam metal roof, composite wood planks, and smooth and textured fiber cement paneling, to reinforce the coastal appearance of the surroundings. There are no visual impacts of views across the site from public vantage points along Mira Montana Drive.

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

The proposed Project is located within property containing an existing elementary school. While there are no environmentally sensitivity lands present on the existing campus, the Project includes repairs to two stormwater outfalls located along the slopes adjacent to the school and the Torrey Pines State Reserve. The repairs of one of the stormwater outfalls, located along the southern Project boundary, would encroach

slightly into sensitive southern maritime chaparral. This encroachment would be temporary and less than 0.01 acre in size.

Southern maritime chaparral is a highly sensitive upland chaparral community that occurs along the coastal regions within the fog belt on sandy soils. Plant species observed within this community include wart-stemmed ceanothus (*Ceanothus verrucosus*), black sage (*Salvia mellifera*), California buckwheat (*Eriogonum fasciculatum*), Nuttall's scrub oak (*Quercus dumosa*), and chamise (*Adenostoma fasciculatum*). Approximately 0.8 acre of this habitat occurs within the school property boundary. The outfall repair slopes will be revegetated with a mix of native species appropriate for the surrounding area, including White Sage (*Salvia Apiana*), California Brittlebush (*Encelia Californica*), and Lemonade Berry (*Rhus Integrifolia*), chosen in consultation with State Parks.

The Project's revegetation program includes a biweekly maintenance schedule to remove invasive plant species identified by the California Invasive Plant Council. The revegetation would avoid future erosion and contribute to the biological diversity and value in the area. Invasive non-native plant species would not be introduced into area. These outfalls will be improved with concrete energy dissipators and rip rap to avoid future erosion by reducing flow velocities of stormwater, per the City's requirements, and jute-netting or straw blankets would be used on the reconstructed slopes to add stability. Surface runoff from the Project site, that has been treated by bioswales in compliance with State permit regulations, will flow into these outfall drainages to avoid untreated stormwater from draining into the MHPA; the stormwater system design would not result in a net increase of flows. The outfalls would include new piping which would replace the existing stormwater pipes which have deteriorated and are contributing to the existing erosion. The proposed improvements would be irrigated by above-grade brown UV resistant PVC pipe and rotors that would provide the water needed for these native plant species to properly establish; the temporary irrigation would be disconnected from the school's irrigation when the native plant species have been established.

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

Community facilities within the Torrey Pines community planning area include schools. The Del Mar Union School District is responsible to ensure that adequate school facilities are maintained. The project is located within a residential neighborhood so the North City LCP Policies related to residential development at canyon interfaces would apply. This includes allowing only low-profile dwellings (buildings) near canyon rims so not to be visually prominent from the canyon floor. The proposed buildings include sloped and curved roof lines and are set further back from the edge of the canyon than the existing buildings and building colors and materials shall be limited to earth tones and colors subordinate to the surrounding natural environment. The placement of the trees and shrubs balances the request to soften the view from the nearby nature trail, comply with

planting in designated brush management zones, maintain a clear fire lane in front of Building M, and frame views out of the Building toward the Torrey Pines Preserve.

As a condition of development approval for coastal development permits for projects located in the watershed of Los Peñasquitos Lagoon shall, the applicant will pay a Los Peñasquitos watershed restoration and enhancement fee to the Los Peñasquitos Lagoon Fund for restoration of the Los Peñasquitos Lagoon and watershed. The fee shall be computed based on the site surface affected by grading for urban development.

The below Table 1 lists the policies in Chapter 3 of the Coastal Act that are applicable to the proposed Project and shows that the Project is consistent with these policies.

Table 1 Project Consistency with Coastal Resources Planning and Management Policies

Coastal Act Policies	Project Consistency
<ul style="list-style-type: none"> Public Access (Sections 30210–30214) concerns maintaining public access to recreational facilities within the coastal zone. 	<p>Consistent. The school campus is 1.5 miles from the coast. There is existing urban development between the school and beach. Project implementation would not obstruct public beach access.</p>
<ul style="list-style-type: none"> Recreation (Sections 30220–30224) concerns the protection of lands that are suitable for coastal recreational activities. 	<p>Consistent. The site is developed with a school, is 1.5 miles from the ocean, and is at an elevation of about 380 feet above mean sea level. The campus does not provide “coastal recreational activities” (those that require a waterfront location).</p>
<ul style="list-style-type: none"> Marine Environment (Sections 30230–30237) concerns the protection of marine resources, including those of special biological or economic significance. 	<p>Consistent. The site is developed with a school, is 1.5 miles from the ocean, and is at an elevation of about 380 feet above mean sea level. The campus is not impacting any marine resources.</p>
<ul style="list-style-type: none"> Land Resources (Sections 30240–30244) concerns the compatibility of development and land resources, including environmentally sensitive habitat, prime agriculture, timberlands, and subsurface cultural resources. 	<p>Consistent. The site is already developed with a school and the future use of the site would be a school. The rebuilt school is compatible with surrounding development or land resources, such as environmentally sensitive habitat, prime agriculture, timberlands, and subsurface cultural resources.</p>

Table 1 Project Consistency with Coastal Resources Planning and Management Policies

	<p>The campus does not have any agricultural or timberland and is not environmentally sensitive. Construction activities would require excavation. Mitigation Measures CUL-1 and GEO-1 would reduce impacts to previously undiscovered subsurface archaeological, paleontological, and tribal resources.</p>
<ul style="list-style-type: none"> • Development (Sections 30250–30255) concerns environmental impacts caused by physical development, including aesthetics, beach access, geologic, flood, fire hazard, air quality, and energy consumption. 	<p>Consistent. The reconstruction of the school and associated offsite improvements (stormwater outfall) would include sustainable features and have energy-efficient improvements compared to the existing school. The District would comply with the applicable state building code standards to minimize risks to life and property and comply with applicable regulations enforced by the San Diego Air Pollution Control District. The new school would not impact any designated scenic resources, geologic, flood zones, wildfire zones. The project’s impacts, as mitigated and in compliance with existing regulations, would be less than significant, as documented in the Initial Study.</p>
<ul style="list-style-type: none"> • Industrial Development (Sections 30260–30265.5) concerns coastal-dependent industrial facilities. 	<p>Consistent. The project is not an industrial development. This section is not applicable.</p>

Source: Public Resources Code Sections 30000 et seq.

4. For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the coastal development is in conformity

with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

The nearest public road to the shoreline is South Camino Del Mar, approximately XXXX from the Project site. The Project site is not located between the road and shoreline.

B. CONDITIONAL USE PERMIT [SDMC Section 126.0305]

(a) Findings for all Conditional Use Permits:

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

No change in land use is proposed. The proposed use is replacement of an existing school with a new facility matching the District's educational philosophy. No increase in student capacity is proposed. The proposal to demolish the existing school and reconstruct a new elementary school is consistent with the Torrey Pines Community Plan Land Use. The Community Plan Land Use Plan map (Figure 1) designates the subject site as "School" and the site is further identified as the "Del Mar Heights Elementary School" on the Community Facilities Map (Figure 16). The project is precluded by a draft permit condition from any development in the remaining undeveloped portions of the site that contain environmentally sensitive lands beyond what is required for repairing the drainage outfalls, thus creating an environmental buffer per Torrey Pines Community Plan and North City Local Coastal Program Policies.

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

The Project will not be detrimental to the public health, safety, and welfare. No change in land use is proposed and no increase in student capacity is proposed. The Project complies with the City's CAP checklist. The Project will improve fire safety on the site by moving structures further from the slopes and building structures that meet fire code. The Project will improve accessibility around the site including an accessible path to the playgrounds, restrooms, seating areas and the perimeter of the grass field. Safety will be improved by increasing the vehicle queuing area on-site. This will reduce queuing on the surrounding streets that creates congestion between vehicles and students walking to school and limits emergency access to the site.

3. The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code; and

The Project deviates from SDMC Section 142.0412(f). Brush Management Regulations to allow for the adjustment to the standard Zone One dimension of 35 feet and Zone Two of 65 feet. Zone Two may be decreased by 1.5 feet for every 1-foot of increase in Zone One Width. However, within the Coastal Zone, Zone Two may only be reduced by 30 feet, leaving a balance of 35 feet. Per SDMC Section 142.0412(c)(1), both Zones One and Two shall be provided on the subject property. The establishment of brush management Zones One and Two for new development shall be addressed in a site-specific plan to

include all creative site and/or structural design features to minimize impacts to undisturbed native vegetation. The Project will be built to CBC 7A, and will incorporate Alternative Compliance measures as permitted under SDMC Section 142.0412(i) which consist of dual paned / dual tempered glazing in conformance with FPB Policy B-08-1. The deviation occurs between the southern property line and proposed Classroom Building. Without the deviation request, the project would be required to provide a non-irrigated/naturalized Zone Two condition of 35 feet within the property boundary and a Zone One of only 8 feet. Instead, the Project proposes an expanded, fully irrigated Zone One condition measuring 43 feet with no Zone Two, creating a safer fire break between the native vegetation of the Torrey Pines Reserve Extension and the buildings on site.

4. The proposed use is appropriate at the proposed location.

The Project is the replacement of an existing school facility use with a facility matching the District's educational philosophy. No increase in student capacity is proposed. The use is appropriate at the proposed location.

C. SITE DEVELOPMENT PERMIT [SDMC Section 126.0505]

(a) Findings for all Site Development Permits:

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

See above Finding B.(a)1.

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

See above Finding B.(a)2.

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

See above Finding B.(a)3.

(b) Supplemental Findings - Environmentally Sensitive Lands

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

The Project is located within property containing an existing elementary school. While no environmentally sensitivity lands are present on the existing campus, the Project includes repairs to two stormwater outfalls located along the slopes adjacent to the school and the Torrey Pines State Reserve. The repairs of one of the stormwater outfalls,

located along the southern project boundary, would encroach slightly into sensitive southern maritime chaparral. This encroachment would be temporary and less than 0.01 acre in size.

Southern maritime chaparral is a highly sensitive upland chaparral community that occurs along the coastal regions within the fog belt on sandy soils. Plant species observed within this community include wart-stemmed ceanothus (*Ceanothus verrucosus*), black sage (*Salvia mellifera*), California buckwheat (*Eriogonum fasciculatum*), Nuttall's scrub oak (*Quercus dumosa*), and chamise (*Adenostoma fasciculatum*). Approximately 0.8 acre of this habitat occurs within the school property boundary. The outfall repair slopes will be revegetated with a mix of native species appropriate for the surrounding area, including White Sage (*Salvia Apiana*), California Brittlebush (*Encelia Californica*), and Lemonade Berry (*Rhus Integrifolia*), chosen in consultation with State Parks.

The Project's revegetation program includes a biweekly maintenance schedule to remove invasive plant species identified by the California Invasive Plant Council. The revegetation would avoid future erosion and contribute to the biological diversity and value in the area. Invasive non-native plant species would not be introduced into area. As such, the Project site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands.

- 2. The proposed development will minimize the alteration of natural landforms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.**
- 3.** The proposed Project respects the natural landforms of the site and does not involve major grading. Steep slopes around the perimeter will be maintained, and the developed area of the site will follow the existing gradual slope from north to south. Erosion control measures will take place during construction to minimize impacts to the surrounding areas. Fire hazards will be improved with brush management surrounding the proposed structures, improved fire department access to the site, additional fire hydrants added, non-combustible exterior materials, and sprinkler systems in all buildings. Flood hazards are not applicable because the site is not in a flood zone. Therefore, 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.
- 4. The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.**

The Project is located within property containing an existing elementary school. While there are no environmentally sensitivity lands are present on the existing campus, the Project includes repairs to two stormwater outfalls located along the slopes adjacent to the school and the Torrey Pines State Reserve. The repairs of one of the stormwater

outfalls, located along the southern project boundary, would encroach slightly into sensitive southern maritime chaparral. This encroachment would be temporary and less than 0.01 acre in size.

Southern maritime chaparral is a highly sensitive upland chaparral community that occurs along the coastal regions within the fog belt on sandy soils. Plant species observed within this community include wart-stemmed ceanothus (*Ceanothus verrucosus*), black sage (*Salvia mellifera*), California buckwheat (*Eriogonum fasciculatum*), Nuttall's scrub oak (*Quercus dumosa*), and chamise (*Adenostoma fasciculatum*). Approximately 0.8 acre of this habitat occurs within the school property boundary. The outfall repair slopes will be revegetated with a mix of native species appropriate for the surrounding area, including White Sage (*Salvia Apiana*), California Brittlebush (*Encelia Californica*), and Lemonade Berry (*Rhus Integrifolia*), chosen in consultation with State Parks.

The Project's revegetation program includes a biweekly maintenance schedule to remove invasive plant species identified by the California Invasive Plant Council. The revegetation would avoid future erosion and contribute to the biological diversity and value in the area. Invasive non-native plant species would not be introduced into area. These outfalls will be improved with concrete energy dissipators and rip rap to avoid future erosion by reducing flow velocities of stormwater, per the City's requirements, and jute-netting or straw blankets would be used on the reconstructed slopes to add stability. Surface runoff from the project site, that has been treated by bioswales in compliance with State permit regulations, will flow into these outfall drainages to avoid untreated stormwater from draining into the MHPA; the stormwater system design would not result in a net increase of flows. The outfalls would include new piping which would replace the existing stormwater pipes which have deteriorated and are contributing to the existing erosion. The proposed improvements would be irrigated by above-grade brown UV resistant PVC pipe and rotors that would provide the water needed for these native plant species to properly establish; the temporary irrigation would be disconnected from the school's irrigation when the native plant species have been established. The proposed development is sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.

- 5. 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).**
6. The Project is located within property containing an existing elementary school. No environmentally sensitivity lands are present on the existing campus. The Project includes repairs to two stormwater outfalls located along the slopes adjacent to the school and the Torrey Pines State Reserve. The repairs of one of the stormwater outfalls, located along the southern project boundary, would encroach slightly into sensitive southern maritime chaparral. This encroachment would be temporary and less than 0.01 acre in size. The proposed development is consistent with the MSCP Subarea Plan and the VPHCP.

- 7. The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply; and**

The Project site is approximately 0.7 miles from the shoreline and would have no impact on the shoreline sand supply.

- 8. 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 Project's mitigation measures include monitoring for possible archaeological, and paleontological resources and construction-related noise and are reasonably related to, and calculated to alleviate, negative impacts created by the proposed development.

D. PLANNED DEVELOPMENT PERMIT [SDMC Section 126.0605]

(a) Findings for all Planned Development Permits:

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

See above Finding B.(a)1.

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

See above Finding B.(a)2.

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

See above Finding B.(a)3.

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

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the PLANNING COMMISSION, Coastal Development Permit No. 2440630, Conditional Use Permit No. 2483264, Site Development Permit No. 2483265, and Planned Development Permit No. 2570884 are hereby GRANTED by the PLANNING COMMISSION to the referenced Owner/Permittee, in the form,

exhibits, terms and conditions as set forth in Coastal Development Permit No. 2440630, Conditional Use Permit No. 2483264, Site Development Permit No. 2483265, and Planned Development Permit No. 2570884, a copy of which is attached hereto and made a part hereof.



Catherine Rom
Development Project Manager
Development Services

Adopted on: October 21, 2021

IO#: 24008642

DRAFT

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: 24008642

SPACE ABOVE THIS LINE FOR RECORDER'S USE

COASTAL DEVELOPMENT PERMIT NO. 2440630
CONDITIONAL USE PERMIT NO. 2483264
SITE DEVELOPMENT PERMIT NO. 2483265
PLANNED DEVELOPMENT PERMIT NO. 2570884

DEL MAR HEIGHTS ELEMENTARY SCHOOL PROJECT NO. 666025 (MMRP)
PLANNING COMMISSION

This Coastal Development Permit No. 2440630, Conditional Use Permit No. 2483264, Site Development Permit No. 2483265, and Planned Development Permit No. 2570884 are granted by the Planning Commission of the City of San Diego to DEL MAR UNION SCHOOL DISTRICT, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0303, 126.0505, 126.0605, and 126.0708. The 10.85-acre site is located at 13555 Boquita Drive in the RS-1-3, Coastal (Non-Appealable), Coastal Height Limit, Parking Impact (Coastal), Brush Management (100-foot) Zones of the Torrey Pines Community Plan. The project site is legally described as all that portion of the Southeast Quarter of the Northwest Quarter of Section 24, Township 14 South, Range 4 West, San Bernardino Meridian, in the County of San Diego, State of California, according to the United States Government Survey approved January 18, 1876, as described in document no. 1999-0512444 recorded in the office of the Recorder for San Diego County July 26, 1999.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to redesign and reconstruct the Del Mar Heights Elementary School described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated October 21, 2021, on file in the Development Services Department. The project shall include:

- a. Demolition and redesign of an existing elementary school (Grades K-6). The demolition consists of a total square footage of 52,406 square feet that includes 4 permanent buildings and 13 portable modules. The square footage of buildings onsite would increase from 52,406 square feet to 66,823 square feet of reconstructed school facilities designed to accommodate 537 students. Classrooms, a kindergarten, a large multi-use room, administration rooms, play fields, hardscape play areas, an amphitheater, and outdoor learning areas;
- b. Landscaping (planting, irrigation, and landscape related improvements);

- c. Repair two stormwater outfalls located along the slopes adjacent to the school and the Torrey Pines State Reserve.
- d. Improving and increasing parking and circulation onsite with a parking lot that would be expanded to include a total of 77 staff, visitor, and kindergarten parking spaces which would result in a net increase of 30 stalls; Creating a drop-off/pick-up zone and turn around to allow vehicles to exit from the existing driveway on Boquita Drive, and vehicle queuing zone would be extended to accommodate approximately 41 cars, which is a net increase of approximately 26 cars;
- e. 546-foot long retaining wall ranging 6 to 12 feet in height parallel to Mira Montana; an open grass amphitheater area for larger group gatherings, and a Canyon Rim path and sidewalk which would create a walking loop around the site; and
- f. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36-month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by November 4, 2024.
2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
3. Prior to recordation of the Coastal Development Permit, a fee of **\$8,349.29** shall be deposited with the Development Services Department for the Los Peñasquitos Watershed Restoration and Enhancement Program as set forth in Chapter 12, Article 6, Division 7 of the SDMC. The enhancement fee shall be computed based on site grading at a rate of \$0.005 per square foot for all areas graded, with an additional rate of \$0.03 per square foot for all impervious surfaces created by the development. The amount of the fee shall be based on the grading and impervious surfaces proposed under the initial Coastal Development Permit and for any additional development

increments for which permits are required. The enhancement fee shall be computed by the Owner/Permittee and verified by the Development Services Department.

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" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

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.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

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

14. The mitigation measures specified in the MMRP and outlined in the MITIGATED NEGATIVE DECLARATION and FOCUSED ENVIRONMENTAL IMPACT REPORT SCH NO. 2020029070, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

15. The Owner/Permittee shall comply with the MMRP as specified in the MITIGATED NEGATIVE DECLARATION and FOCUSED ENVIRONMENTAL IMPACT REPORT SCH NO. 2020029070, to the satisfaction of the Development Services Department and the City Engineer. Prior to issuance of any

construction permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for the following issue areas:

**Cultural Resources and Tribal Cultural Resources
Paleontological Resources
Noise**

CLIMATE ACTION PLAN REQUIREMENTS:

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

ENGINEERING REQUIREMENTS:

17. Within 60 days after the recordation of the Permit, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement for the landscape, and irrigations located within the City's right-of-way, satisfactory to the City Engineer.

18. Within 60 days after the recordation of the Permit, the Owner/Permittee shall assure by permit and bond the replacement of the damaged sidewalk with City Standard sidewalk, adjacent to the site on Mira Montana Drive, satisfactory to the City Engineer.

19. Within 60 days after the recordation of the Permit, the Owner/Permittee shall assure by permit and bond the relocation of the existing curb ramp (to be in alignment with the southern ramp at the intersection with Mira Montana Place), with standard curb ramp, adjacent to the site on Mira Montana drive, satisfactory to the City Engineer.

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

21. Within 60 days after the recordation of the Permit, a copy of the Notice of Intent (NOI) with a valid Waste Discharge ID number (WDID#) shall be submitted to the City of San Diego as a proof of enrollment under the Construction General Permit. When ownership of the entire site or portions of the site changes prior to filing of the Notice of Termination (NOT), a revised NOI shall be submitted electronically to the State Water Resources Board in accordance with the provisions as set forth in Section II.C of Order No. 2009-0009-DWQ and a copy shall be submitted to the City.

MULTIPLE SPECIES CONSERVATION PROGRAM (MSCP) SUBAREA PLAN REQUIREMENTS:

22. MHPA LAND USE ADJACENCY REQUIREMENTS: 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.
- **Toxics/Project Staging Areas/Equipment Storage** - Projects that use chemicals or generate by-products such as pesticides, herbicides, and animal waste, and other substances that are potentially toxic or impactful to native habitats/flora/fauna (including water) shall incorporate measures to reduce impacts caused by the application and/or drainage of such materials into the MHPA. No trash, oil, parking, or other construction/development-related material/activities shall be allowed outside any approved construction limits. Provide a note in/on the CD's that states: "All construction related activity that may have potential for leakage or intrusion shall be monitored by the Qualified Biologist/Owners Representative or Resident Engineer to ensure there is no impact to 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 LDC 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.
- **Brush Management** -Brush management zones will not be greater in size that is currently required by the City's regulations (this includes use of approved alternative compliance). Within Zone 2 the amount of woody vegetation clearing shall not exceed 50 percent of the vegetation existing when the initial clearing is done. Vegetation clearing shall be done consistent with City standards and shall avoid/minimize impacts to covered species to the maximum extent possible. For all

new development, regardless of the ownership, the brush management in the Zone 2 area will be the responsibility of a home-owner's association

LANDSCAPE REQUIREMENTS:

23. Prior to issuance of any construction permit for grading, the Owner/Permittee shall submit complete construction documents for the revegetation and hydro-seeding of all disturbed land in accordance with the City of San Diego Landscape Standards, Storm Water Design Manual, and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit "A," on file in the Development Services Department.

24. Prior to issuance of any construction permit for public improvements, the Owner/Permittee shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall show, label, and dimension a 40-square-foot area around each existing and proposed tree which is unencumbered by utilities. Driveways, utilities, drains, water, and sewer laterals shall be designed so as not to prohibit the placement of street trees.

25. Landscape and irrigation construction documents shall be in substantial conformance with Exhibit "A," Landscape Development Plan, on file in the Development Services Department.

BRUSH MANAGEMENT PROGRAM REQUIREMENTS:

26. The Owner/Permittee shall implement the following Conditions No. 28 through 32 in accordance with the Brush Management Program shown on Exhibit "A" on file in the Development Services Department.

27. The Brush Management Program shall be based on a standard Zone One of 35 feet in width and a Zone Two of 65 feet in width, with portions exercising the Zone Two reduction option and Alternative Compliance measures set forth under SDMC Sections 142.0412(f), 142.0412(i), and 142.0412(j):

- A. Along the western edge of development: Zone One shall range from 35 feet to 80 feet in width with a corresponding Zone Two of 65 feet to 0 feet in width.
- B. Along the southern edge of development: An expanded Zone One shall measure 43 feet with no Zone Two. Brush Management Zone extend out from the habitable structures towards the native/naturalized vegetation.
- C. Where the full brush management zones cannot be provided: Openings along the brush side of the habitable structures, plus a 10-foot perpendicular return along adjacent wall faces, shall be upgraded to dual-glazed, dual-tempered panes as alternative compliance for the reduced brush management zones.

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

29. The complete Brush Management Program shall be shown on all building construction documents and shall be in substantial conformance with Exhibit "A" on file in the Development Services Department. The Brush Management Program shall comply with the City of San Diego's Landscape Regulations and the Landscape Standards.

30. All brush management shall be maintained within the premises. Brush management activity may not be performed on State of California owned Torrey Pines State Reserve Extension Area.

31. Brush management activities are prohibited within coastal sage scrub, maritime succulent scrub, and coastal sage-chaparral habitats from March 1 through August 15, except where documented to the satisfaction of the City Manager that the thinning would be consistent with conditions of species coverage described in the City of San Diego's MSCP Subarea Plan.

PLANNING/DESIGN REQUIREMENTS:

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

33. 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.

34. No structure may exceed the 30-foot height limit. The base of measurement of the height shall be in accordance with the Uniform Building Code of 1970.

35. Environmentally sensitive lands that are outside of the allowable development area on the premises shall be left in a natural state.

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

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

37. Prior to any construction permit being issued, all domestic, irrigation, and fire water lines serving this development must pass through a permitted, private, above ground, backflow prevention device.

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

39. Prior to any Certificate of Occupancy being issued, any damages caused to the City of San Diego's public water and sewer facilities, which are due to the activities associated with this project, shall be repaired or reconstructed in a manner satisfactory to the Public Utilities Director and the City Engineer in accordance with Municipal Code section 142.0607.

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

INFORMATION ONLY:

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

APPROVED by the Planning Commission of the City of San Diego on [INSERT Approval Date] and [Approved Resolution Number].

ATTACHMENT 5

Coastal Development Permit No. 2440630
Conditional Use Permit No. 2483264
Site Development Permit No. 2483265
Planned Development Permit No. 570884
Date of Approval: October 21, 2021

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

CATHERINE ROM
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.

Del Mar Union School District
Owner/Permittee

By _____
CHRIS DELEHANTY
Executive Director
Capital Programs & Technology

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

Del Mar Heights School

PTS #666025

One-Page Slip Sheet Large Files

Final Focused Environmental Impact Report (EIR), appendices, and associated documents:

[Notice of Determination](#)

[Final Focused Environmental Impact Report \(EIR\)](#)

[Findings of Fact](#)

[Mitigation Monitoring and Reporting Program](#)

[Notice of Availability](#)

[Draft Focused Environmental Impact Report \(EIR\)](#)

[Appendix 1-1 - Initial Study/MND](#)

[Appendix 1-2 - Response to Comments](#)

[Appendix 2-1 - Notice of Preparation & NOP Comments](#)

[Appendix 5.1-1 - Biological Resources Report](#)

[Appendix 5.2-1 - Noise Analysis](#)

[Notice of Preparation](#)

RESOLUTION NUMBER _____

ADOPTED ON _____

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) Guidelines (California Code of Regulations Chapter 3, Division 6, Title 14; Article 6, sections 15070 to 15075), the Del Mar Union School District as the lead agency for the Del Mar Heights School Rebuild Project (Project), prepared a Final Focused Environmental Impact Report, including the Mitigated Negative Declaration (excluding Certain Biological Resources and Construction Noise), Findings of Fact and Mitigation Monitoring and Reporting Program which documents, describes, discloses, and analyzes the environmental impacts of the Project; and

WHEREAS, on May 12, 2020, the Governing Board of Trustees of the Del Mar Union School District duly adopted Mitigation Negative Declaration (SCH No. 2020029070) for the Project; and

WHEREAS, on June 30, 2021, the Governing Board of Trustees of the Del Mar Union School District duly certified the Final Focused Environmental Impact Report (SCH No. 2020029070) for the Project, which addressed certain Biological Resources and Construction Noise; and

WHEREAS, on June 30, 2021, the Governing Board of Trustees of the Del Mar Union School District adopted Findings of Fact and as required by CEQA, together with a Mitigation Monitoring and Reporting Program and also approved the Project; and

WHEREAS, on July 8, 2020, Del Mar Union School District submitted the Del Mar Heights School Rebuild Project (Project No. 666025) for a Planned Development Permit, Coastal Development Permit, Conditional Use Permit, and Planned Development Permit to the Development Services Department for approval and;

WHEREAS, the City, with respect to the Del Mar Heights School Rebuild Project (Project No. 666025), is a responsible agency for the Project as provided under CEQA section 21069; and

WHEREAS, prior to taking discretionary actions for approval of the Del Mar Heights School Rebuild Project (Project No. 666025) and any other approvals to implement the Project by the City as a responsible agency under CEQA, the Planning Commission desires to make certain findings pursuant to CEQA Guidelines 15050(b), 15091, 15096 and 15162; NOW, THEREFORE,

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

1. That the information contained in the Final Focused Environmental Impact Report (SCH No. 2020029070) Mitigated Negative Declaration (SCH No. 2020029070), Findings of Fact, and the Mitigation, Monitoring & Reporting Program thereto, have been reviewed and considered by this Planning Commission prior to making a decision on the Project.
2. That there are no substantial changes proposed to the Project and no substantial changes with respect to the circumstances under which the Project is to be undertaken that would require major revisions in the Final Focused Environmental Impact Report and Mitigated Negative Declaration for the Project.
3. That no new information of substantial importance has become available showing that the Project would have any significant effects not discussed previously or that any significant effects previously examined will be substantially more severe than shown in the Final Focused Environmental Impact Report.
4. That no new information of substantial importance has become available showing that mitigation measures or alternatives previously found not to be feasible are in fact feasible which would substantially reduce any significant effects, but that the Project proponents decline to adopt, or that there are any considerably different mitigation measures or alternatives not previously considered which would substantially reduce any significant effects, but that the Project proponents decline to adopt.
5. That pursuant to State CEQA Guidelines Section 15164, only minor technical changes or additions are necessary, and therefore, pursuant to State CEQA Guidelines Section 15050(b) the Planning Commission reviewed and considered the Final Focused Environmental Impact Report (SCH No. 2020029070) and Mitigated Negative Declaration (SCH No. 2020029070) with respect to the Project, a copy of which is on file in the office of the Development Services Department.

BE IT FURTHER RESOLVED, that pursuant to CEQA Section 21081 and State CEQA Guidelines Section 15091, the Planning Commission hereby adopts the Findings made with respect to the Project, which are attached hereto as Exhibit A.

BE IT FURTHER RESOLVED, that pursuant to CEQA Section 21081.6, the Planning Commission hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the Project as required by this Planning

Commission in order to mitigate or avoid significant effects on the environment, which is attached hereto as Exhibit B.

BE IT FURTHER RESOLVED, that the Development Services Department is directed to file a Notice of Determination with the Clerk of the San Diego County Board of Supervisors following the City's approval of any discretionary action related to the Project.

By: _____
DEVELOPMENT PROJECT MANAGER

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

EXHIBIT B

MITIGATION MONITORING AND REPORTING PROGRAM

COASTAL DEVELOPMENT PERMIT NO. 2440630, CONDITIONAL USE PERMIT NO. 2483264,
SITE DEVELOPMENT PERMIT NO. 2483265, AND PLANNED DEVELOPMENT PERMIT NO.
2570884

PROJECT NO. 666025

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the entity responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Entitlements Division, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in the Final Focused Environmental Impact Report and Mitigated Negative Declaration for the Del Mar Heights School Rebuild Project (Project No. 666025) shall be made conditions of Coastal Development Permit No. 2440630, Conditional Use Permit No. 2483264, Site Development Permit No. 2483265, and Planned Development Permit No. 2570884 as may be further described below.

June 2021 | Focused Final Environmental Impact Report
State Clearinghouse No. 2020029070

**DEL MAR HEIGHTS SCHOOL REBUILD FOCUSED
FINAL ENVIRONMENTAL IMPACT REPORT
CEQA FINDINGS OF FACT REGARDING THE FOCUSED
FINAL ENVIRONMENTAL IMPACT REPORT**
for Del Mar Union School District

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**CEQA FINDINGS OF FACT
REGARDING THE
FOCUSED FINAL ENVIRONMENTAL IMPACT REPORT
FOR THE
DEL MAR HEIGHTS SCHOOL REBUILD PROJECT
STATE CLEARINGHOUSE NO. 2020029070**

I. INTRODUCTION

The California Environmental Quality Act (CEQA) requires that a number of written findings be made by the lead agency in connection with certification of an environmental impact report (EIR) prior to approval of the project pursuant to Sections 15091 and 15093 of the CEQA Guidelines and Section 21081 of the Public Resources Code. This document provides the findings required by CEQA.

The project was analyzed in an Initial Study/Mitigated Negative Declaration, which was released for a 30-day public review period, which began February 20, 2020, and closed on March 30, 2020. All issues analyzed in the Initial Study/Mitigated Negative Declaration were found to be less than significant, or less than significant with mitigation incorporated. On May 12, 2020, the District adopted a Mitigated Negative Declaration and approved the project.

The approvals were challenged (*Save the Field v. Del Mar Union School District*, Case No. 37-2020-00020207-CU-TT-CTL) and the court ruled that three issues required further assessment: 1) Assess the potential impact to Southern Maritime Chapparral habitat and any endangered plant species caused by proposed modification to stormwater outfall pipes, 2) Assess the potential impact of construction noise on adjacent residential sensitive receptors; 3) Assess the potential impact caused by the proposed new stairs and ADA ramp at the southern tip of the campus.

The third issue of potential traffic impacts caused by the proposed new stairs and ADA ramp was resolved by the Board's removal of these components from the project at its meeting on January 19, 2021. At its meeting on February 24, 2021, the Board vacated the findings on the biological resources and construction noise cited above, vacated the approval of the project, and directed staff to reevaluate the biological and construction noise impacts and recirculate this analysis in a Focused Environmental Impact Report.

A Focused Draft Environmental Impact Report was prepared to address potential impacts on the two issues identified above: 1) Southern Maritime Chapparral habitat and any endangered plant species caused by proposed modification to stormwater outfall pipes, and 2) construction noise on adjacent residential sensitive receptors. The Focused Draft EIR was circulated for a 45-day public review between April 28, 2021 and June 11, 2021. A Focused Final EIR was prepared that contains comments received on the Focused Draft EIR, responses to the individual comments, revisions to the Focused Draft EIR including any clarifications based on the comments and the responses to the comments.

This document provides the findings required by CEQA for approval of the proposed project.

A. Statutory Requirements for Findings

The CEQA (Pub. Res. Code §§ 21000, *et seq.*) and the State CEQA Guidelines (Guidelines) (14 Ca. Code Regs §§ 15000, *et seq.*) promulgated thereunder, require the environmental impacts of a project be examined before a project is approved. Specifically, regarding findings, Guidelines Section 15091 provides:

- (a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:
 - 1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 - 2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
 - 3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.
- (b) The findings required by subsection (a) shall be supported by substantial evidence in the record.
- (c) The finding in subdivision (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subsection (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.
- (d) When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.
- (e) The public agency shall specify the location and custodian of the documents or other material which constitute the record of the proceedings upon which its decision is based.

- (f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

The “changes or alterations” referred to in Section 15091(a)(1) above, that are required in, or incorporated into, the project which mitigate or avoid the significant environmental effects of the project, may include a wide variety of measures or actions as set forth in Guidelines Section 15370, including:

- (a) Avoiding the impact altogether by not taking a certain action or parts of an action.
- (b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
- (c) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.
- (d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.
- (e) Compensating for the impact by replacing or providing substitute resources or environments, including through permanent protection of such resources in the form of conservation easements.

Regarding a Statement of Overriding Considerations, Guidelines Section 15093 provides:

- (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”
- (b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.
- (c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

B. Certification

Having received, reviewed, and considered the EIR for the Del Mar Heights School Rebuild Project State Clearinghouse No. 2020029070, as well as other information in the record of proceedings on this matter, the Del Mar Union School District Board of Trustees (Board of Trustees) adopts the following Findings, in its capacity as the legislative body for the Del Mar Union School District (District), which is the CEQA Lead Agency. The Findings set forth the environmental and other bases for current and subsequent discretionary actions to be undertaken by the District and responsible agencies for the implementation of the proposed project.

In addition, the Board of Trustees hereby make findings pursuant to and in accordance with Section 21081 of the California Public Resources Code and State CEQA Guidelines Sections 15090 and 15091 and hereby certifies that:

1. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the final EIR.
2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

C. Project Environmental Report and Discretionary Actions

The Focused Final EIR addresses the direct, indirect, and cumulative environmental effects of construction and operation activities associated with the proposed project. The Focused Final EIR provides the environmental information necessary for the District to make a final decision on the requested discretionary actions for all phases of this project. The Focused Final EIR was also intended to support discretionary reviews and decisions by other responsible agencies. Discretionary actions to be considered by the District may include, but are not limited to, the following:

- Certify that the Focused Final EIR for the proposed project has been completed in compliance with CEQA, and reflects the independent judgement and analysis of the District; find that the Board of Trustees has reviewed and considered the information contained in the Focused Final EIR prior to approving the project; adopt the Mitigation Monitoring and Reporting Program, finding that the Mitigation Monitoring and Reporting Program is adequately designed to ensure compliance with the mitigation measures during project implementation; and determine that the significant adverse effects of the project either have been reduced to an acceptable level, or are outweighed by the specific overriding considerations of the project as outlined in the CEQA Findings of Fact, as set forth herein.
- Approve the proposed project and related discretionary actions needed for project construction and operation.

II. PROCEDURAL COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT

The District published a Draft EIR on April 28, 2021. A Focused Final EIR was prepared in June 2021 in compliance with CEQA requirements. The Focused Final EIR has been prepared in accordance with CEQA and the CEQA Guidelines, as amended. As authorized in State CEQA Guidelines Section 15084(d)(2), the District retained a consultant to assist with the preparation of the environmental documents. District staff from multiple departments, representing the Lead Agency, have directed, reviewed, and modified where appropriate all material prepared by the consultant. The Focused Final EIR reflects the District's independent analysis and judgement. The key milestones associated with the preparation of the Focused EIR are summarized below. As presented below, an extensive public involvement and agency notification effort was conducted to solicit input on the scope and content of the Focused EIR and to solicit comments on the results of the environmental analysis presented in the Focused Draft EIR.

A. Public Notification and Outreach

In conformance with CEQA, the State CEQA Guidelines, the District conducted an extensive environmental review of the proposed project.

- Completion of a Notice of Intent (NOI) on February 20, 2020 for the Initial Study/Mitigated Negative Declaration. The public review period extended from February 20, 2020 to March 30, 2020. The NOI was posted on the District website, at Del Mar Heights School and at the District office on February 20, 2020. The NOI was posted at the San Diego County Clerk's office on February 20, 2020. Copies of the NOI were mailed to interested persons and organizations.

The Focused Draft EIR was made available for a 45-day public review period beginning April 28, 2021 and ending June 11, 2021. The scope of the Focused Draft EIR was determined based on the court ruling (*Save the Field v. Del Mar Union School District*, Case No. 37-2020-00020207-CU-TT-CTL), where the court ruled that three issues required further assessment: 1) Assess the potential impact to Southern Maritime Chapparal habitat and any endangered plant species caused by proposed modification to stormwater outfall pipes, 2) Assess the potential impact of construction noise on adjacent residential sensitive receptors; 3) Assess the potential impact caused by the proposed new stairs and ADA ramp at the southern tip of the campus. The Notice of Availability (NOA) for the Draft EIR was sent to interested persons and organizations, sent to the State Clearinghouse in Sacramento for distribution to state agencies, and posted at the District's website. The Notice of Availability of the Draft EIR was published in *The Daily Transcript* on April 28, 2021. The 45-day public review period ran from April 28, 2021 to June 11, 2021.

- Preparation of a Focused Final EIR, including the responses to comments to the Focused Draft EIR, was released on June 18, 2021 for a 10-day agency review period prior to certification of the Final EIR.

In summary, the District conducted all required noticing and scoping for the proposed project in accordance with Section 15083 of the CEQA Guidelines, and conducted the public review for the Focused EIR, which exceeded the requirements of Section 15087 of the CEQA Guidelines.

B. Focused Final Environmental Impact Report and Board of Trustees Proceedings

The District prepared a Final Focused EIR, including Responses to Comments to the Focused Draft EIR. The Focused Final EIR/Response to Comments contains comments on the Focused Draft EIR, responses to those comments, revisions to the Draft EIR, and appended documents. Comments were received from two public agencies and 54 individuals.

None of the comment letters resulted in the need to change the conclusions of the environmental analysis in the Focused Draft EIR.

The Focused Final EIR found that prior to mitigation, implementation of the proposed project will result in potentially significant impacts to Noise, as stated below. However, with the implementation of mitigation measures, impacts would be less than significant.

The public can view searchable agendas for scheduled Board of Trustees meetings and access agenda-related District information and services directly on the following website: <https://www.dmusd.org>.

The Focused Final EIR document will be posted for viewing and download with the previously posted Focused Draft EIR prior to the District's consideration of the Focused Final EIR and project recommendations on the District's website.

June 30, 2021 has been set for consideration of the Focused Final EIR and the project by the Board of Trustees. Notice of the meeting was provided consistent with the Brown Act (Government Code Sections 54950 et seq.). The Board of Trustees will take public comments on the proposed project, decide whether to certify the EIR, approve the project, approve a Statement of Facts and Finding, approve the Mitigation Monitoring and Reporting Program and approve filing of a Notice of Determination.

C. Record of Proceedings

For purposes of CEQA and these Findings, the Record of Proceedings for the proposed project consists of the following documents and other evidence, at a minimum:

- The NOI, NOA, and all other public notices issued by the District in conjunction with the proposed project.
- The Focused Draft EIR and Focused Final EIR for the proposed project.
- All written comments submitted by agencies or members of the public during the public review comment period on the Focused Draft EIR.
- All responses to written comments submitted by agencies or members of the public during the public review comment period on the Focused Draft EIR.
- The Mitigation Monitoring and Reporting Program.
- The reports and technical memoranda included or referenced in the Focused Final EIR.

- All documents, studies, EIRs, or other materials incorporated by reference in the Focused Draft EIR and Focused Final EIR.
- The Initial Study/Mitigated Negative Declaration (February 2020) and the Responses to Comment on the MND (May 2020)
- The Resolutions adopted by the District in connection with the proposed project, and all documents incorporated by reference therein, including comments received after the close of the comment period and responses thereto.
- Matters of common knowledge to the District, including but not limited to federal, state, and local laws and regulations.
- Any documents expressly cited in these Findings.
- Any other relevant materials required to be in the record of proceedings by Public Resources Code Section 21167.6(e).

D. Custodian and Location of Records

The documents and other materials that constitute the administrative record for the District's actions related to the proposed project are at the Del Mar Union School District – Capital Programs and Technology, 11232 El Camino Real, San Diego, California 92130. The District's Capital Programs and Technology Department is the custodian of the administrative record for the proposed project. Copies of these documents, which constitute the record of proceedings, are and at all relevant times have been and will be available upon request of the Capital Programs and Technology Department. Additionally, the documents are available online under the Measure MM on the District's website at <https://www.dmusd.org>. This information is provided in compliance with Public Resources Code Section 21081.6(a)(2) and Guidelines Section 15091(e).

E. Project Location

The approximately 10.85-acre project site encompasses the Del Mar Heights School property at 13555 Boquita Drive in the City of San Diego. The project site consists of Assessor's Parcel Number (APN) 301-0500-700 and is in Del Mar Heights, a 760-lot subdivision in the Torrey Pines community. The project site is surrounded by Boquita Drive to the north, Mira Montana Drive to the east, and open space canyonlands to the south and west of the project site. The subdivision of Del Mar Heights in the City of San Diego is surrounded by the City of Del Mar to the west and the City of San Diego to the north, east, and south, and is approximately 0.30-mile west of Interstate 5 (I-5). The project site is southeast of Canyon Crest Open Space Park, east and north of Torrey Pines State Natural Reserve, and the City of San Diego's Multi-Habitat Planning Area (MHPA) is to the west and south of the site.

F. Project Objectives

Objectives for the Del Mar Heights School Rebuild project will aid decision makers in their review of the project and associated environmental impacts:

1. Modernize and renovate the campus to address issues identified in the Facilities Master Plan.

2. Provide a safe and up-to-date campus to enhance and facilitate students' learning environment.
3. Improve circulation and reduce offsite congestion by increasing onsite parking and drop-off/pick-up zones.
4. Provide the general public with updated recreational amenities, including an amphitheater, stand-alone green spaces, and a decomposed granite path.

G. Project Description

Del Mar Union School District plans to fully redesign and reconstruct the Del Mar Heights School. The capacity will be reduced by one classroom (approximately 24 students) from the existing 22 regular classrooms to 21 regular classrooms, buildings will be limited to one story with low slope roofs, and access to the school will remain via Boquita Drive. The District plans to seek matching state funds, which will trigger the need for California Department of Education and Department of Toxic Substances Control approvals in addition to the CEQA process. Construction of the proposed project would occur over an approximately 8.4-acre area.

III. CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS

A. Format

Section 15091 of the CEQA Guidelines requires that a Lead Agency make a finding for each significant effect for the project. This section summarizes the significant environmental impacts of the proposed project, describes how these impacts are to be mitigated, and discusses various alternatives to the proposed project, which were developed to reduce the remaining significant environmental impacts. All impacts are considered potentially significant prior to mitigation unless otherwise stated in the findings.

This remainder of this section is divided into the following subsections:

Section B, Findings on “No Impact” and “Less Than Significant Impacts,” presents environmental issues, as identified in Chapter 5 of the Focused Draft EIR, which would result in no impact or less than significant impacts.

Section C, Findings on Impacts Mitigated to Less Than Significant, presents significant impacts of the proposed project that were identified in Chapter 5 of the Focused Draft EIR, the mitigation measures identified in the Mitigation Monitoring Program, and the rationales for the findings.

Section IV, Alternatives to the Proposed Project, presents alternatives to the proposed project and evaluates them in relation to the findings set forth in Section 15091(a)(3) of the State CEQA Guidelines, which allows a public agency to approve a project that would result in one or more significant environmental effects if the project alternatives are found to be infeasible because of specific economic, social, or other considerations.

Section V, Statement of Overriding Considerations, indicates that there are no significant and unavoidable impacts of the proposed project, and therefore, a Statement of Overriding Considerations is not warranted.

Section VI, Findings on Responses to Comments on the Focused Draft EIR and Revisions to the Focused Final EIR, presents the District’s findings on the response to comments and revisions to Focused Final EIR, and decision on whether a recirculated Focused Draft EIR is necessary.

B. Findings on “No Impact” and “Less Than Significant Impacts”

The District determined that the proposed project would have no impact or less than significant impacts, including direct, indirect, and cumulative impacts, for the environmental issues summarized below. The rationale for the conclusion that no significant impact would occur in each of the issue areas is based on the environmental evaluation in the listed topical EIR sections in Chapter 5 of the Focused Draft EIR.

CEQA Guidelines Section 15901 states that an EIR may not be certified for a project that has one or more significant environmental effects unless one of three possible findings is made for each significance effect. Since the following environmental issue areas were determined to have no impact or a less than significant impact, no findings for these issues are required.

Biological Resources

Impact 5.1-1: Development of the proposed project would not impact the sensitive southern maritime chaparral, Torrey pine, wart-stemmed ceanothus, Nutshell’s scrub oak, Del Mar manzanita, and short-leaved dudleya. [Threshold B-1]

The project would directly impact less than 0.01 acre of sensitive southern maritime chaparral during repair of the southern outfall. This impact would be temporary and would be below the level of significance. Additionally, impacts from Brush Management Zones 1 and 2 would not result in significant impacts to sensitive biological resources.

No special status plant or animal species occur or are expected to occur within the project impact footprint. As such, there would be no significant impact to special status plant or animal species. Finally, the project would comply with applicable MBTA and California Fish and Game Code avian nesting season restrictions; therefore, there would be no significant nesting bird impacts.

With the inclusion of the proposed project’s design features to avoid impacts to biological resources, such as no lighting adjacent to the MHPA and the planting of native vegetation at the outfalls to improve slope stability, impacts would be less than significant, and no mitigation measures are required.

Finding. The proposed project would have a less than significant direct, indirect, and cumulative impact relating to biological resources. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

C. Findings on Significant Environmental Impacts that can be reduced to a Less Than Significant Level

The following summary describes impacts of the proposed project that, without mitigation, would result in significant adverse impacts. Upon implementation of the mitigation measures provided in the Focused Draft EIR, these impacts would be considered less than significant.

Noise

Impact 5.2-1: Construction activities would result in temporary noise increases in the vicinity of the proposed project. [Threshold N-1]

Construction Vehicles

The transport of workers and materials to and from the construction site would increase noise levels along site access roadways. Individual vehicles may create momentary noise of up to 85 dBA L_{max} at 50 feet; however, these occurrences would be infrequent and short-lived.

Worker and vendor trips would total a maximum of 283 daily trips during the overlapping activity phases of building construction, paving, and architectural coating. The student trips would be eliminated during construction, and worker and vendor trips would be less than existing trips associated with students (student enrollment at Del Mar Heights School for the 2018-2019 academic year was 495). Impacts would be less than significant.

Construction Equipment

Noise levels from project-related construction activities were conservatively calculated from the point or multiple points closest to nearby sensitive receptors and compared with the significance threshold of 75 dBA $L_{eq(12-hr)}$ at the sensitive receptor property line. Building and asphalt demolition was modeled conservatively assuming that building demolition at four of the closest points to sensitive receptors could occur at the same times as asphalt demolition, and noise levels could reach up to 91.2 dBA L_{eq} at Receptor 2, which would exceed the threshold of 75 dBA L_{eq} (see Figure 5.2-3, *Building and Asphalt Demolition Noise Contours [Unmitigated]*, of the Focused Draft EIR).

Soil nailing at the base of the embankment to the east is proposed, and modeling assumed that soil nailing would occur at the same times as grading activity. Both activities were conservatively modeled at points closest to residences to the east (see Figures 5.2-4 through 5.2-7 of the Focused Draft EIR). During soil nailing and grading, construction noise levels could reach up to 78.2 dBA L_{eq} at Receptor 18, which would exceed the threshold of 75 dBA L_{eq} . An additional model run for grading was conducted at the south end of the construction site (see Figure 5.2-8, *Grading South Noise Contours [Unmitigated]* of the Focused Draft EIR), and construction noise levels could reach up to 77.8 dBA L_{eq} at Receptor 20, which would exceed the threshold of 75 dBA L_{eq} . During building construction (see Figure 5.2-9, *Building Construction Noise Contours [Unmitigated]* of the Focused Draft EIR), which was conservatively modeled assuming the simultaneous construction of four of the closest buildings to receptors, construction noise levels could reach up to 76.1 dBA L_{eq} at Receptor 16, which would exceed the threshold of 75 dBA L_{eq} . During paving activity (see Figure 5.2-10, *Paving Noise Contours [Unmitigated]* of the Focused Draft EIR), which was conservatively modeled at four simultaneous points closest to nearby receptors, construction noise levels could reach up to 72.7 dBA L_{eq} at Receptor 3, which would not exceed the threshold of 75 dBA L_{eq} . The construction noise modeling indicates that project construction has the potential to exceed the significance threshold of 75 dBA L_{eq} . Therefore, this impact would be potentially significant.

Torrey Pines Extension State Park

The state park is adjacent to Del Mar Heights school property to the west and south. Users of Gully Trail would only be near the construction site for a relatively short time since there is no common outdoor use area, and hikers, for example, would not remain stationary. In addition, the City's CEQA Significance Determination Thresholds specifically apply to "property zoned residential" and "where temporary construction noise would substantially interfere with normal business communications, or affect sensitive receptors, such as day care facilities." Because the Torrey Pines Extension State Park is neither and users of the Gully Trail would not be exposed to excessive construction noise for a substantial period, this would be a less-than-significant impact.

Mitigation Measure:

The following mitigation measure was included in the Focused Draft EIR and the Focused Final EIR and are applicable to the proposed project.

N-1 The District shall incorporate the following practices into the construction documents to be implemented by the construction contractor during the entire construction phase of the project:

- The project sponsor and contractors shall prepare a Construction Noise Control Plan. The details of the Construction Noise Control Plan shall be included as part of the construction drawing set.
- At least 30 days prior to the start of construction activities, all off-site residents within 300 feet of the project site shall be notified of the planned construction activities. The notification shall include a brief description of the project, the activities that would occur, the hours when construction would occur, and the construction period's overall duration. The notification shall include the telephone numbers of the District's and contractor's authorized representatives that are assigned to respond in the event of a noise or vibration complaint.
- At least 10 days prior to the start of construction activities, a sign shall be posted at the entrance(s) to the job site, clearly visible to the public, that includes permitted construction days and hours, as well as the telephone numbers of the District's and contractor's authorized representatives that are assigned to respond in the event of a noise or vibration complaint. If the authorized contractor's representative receives a complaint, he/she shall investigate, take appropriate corrective action, and report the action to the District.
- During the entire active construction period, equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g, improved mufflers, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds), wherever feasible.
- Require the contractor to use impact tools (e.g, jack hammers and hoe rams) that are hydraulically or electrically powered wherever possible. Where the use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used along with external noise jackets on the tools.
- During the entire active construction period, stationary noise sources shall be located as far from sensitive receptors as possible, and they shall be muffled and

enclosed within temporary sheds, or insulation barriers or other measures shall be incorporated to the extent feasible.

- Signs shall be posted at the job site entrance(s), within the on-site construction zones, and along queuing lanes (if any) to reinforce the prohibition of unnecessary engine idling. All other equipment shall be turned off if not in use for more than 5 minutes.
- During the entire active construction period and to the extent feasible, the use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only.
- Temporary noise barriers will be constructed with solid material with a density of at least 1.5 pounds per square foot with no gaps from the ground to the top of the temporary noise barrier and be lined on the construction side with an acoustical blanket, curtain, or equivalent absorptive material. The locations and heights (8 to 16 feet) of temporary noise barriers are shown in Figure 5.2-11. The District shall verify compliance with this measure prior to the start of major demolition or construction work. Temporary Noise Barrier 1 shall remain up during the building and asphalt demolition phase and the soil nailing and grading phase but will need to be removed during the building construction phase. Temporary Noise Barrier 2 shall remain up for the entire duration of demolition and construction. Temporary Noise Barrier 3 shall remain up for at least the duration of the building and asphalt demolition phase.

Finding:

Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect as identified in the Focused Draft EIR. These changes are identified in the form of the mitigation measure above. The District hereby finds that implementation of the mitigation measure is feasible, and the measure is therefore adopted.

Rationale for Finding

Mitigation Measure N-1 would incorporate practices into the construction documents which would reduce noise impacts and therefore result in a less than significant impact.

Impact 5.2-2: Construction activities could create excessive short-term groundborne vibration. [Threshold N-2]

Construction operations can generate varying degrees of ground vibration depending on the construction procedures and equipment. Construction equipment generates vibrations that spread through the ground and diminish with distance. The effect on buildings in the vicinity varies depending on soil type, ground strata, and receptor-building construction. Effects can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibrations at moderate levels, to slight architectural damage at the highest levels. Vibration from construction rarely reaches levels that can damage structures.

As shown in Table 5.2-5, *Vibration Levels for Typical Construction Equipment*, of the Focused Draft EIR, typical construction equipment can generate vibration levels up to 0.21 in/sec PPV at 25 feet. Paving and grading activities could potentially occur at a distance of 15 feet from residential structures to the

north during the proposed parking lot expansion. These activities could include construction equipment such as vibratory rollers. Table 5.2-5 shows that vibration levels could exceed 0.2 in/sec PPV at 25 feet or less with use of a vibratory roller, resulting in a potentially significant impact.

Mitigation Measure:

The following mitigation measure was included in the Focused Draft EIR and the Focused Final EIR and are applicable to the proposed project.

- N-2 If paving activity during construction is required within 25 feet of nearby residential structures, a static roller shall be used instead of a vibratory roller.

Finding:

Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect as identified in the Focused Draft EIR. These changes are identified in the form of the mitigation measure above. The District hereby finds that implementation of the mitigation measure is feasible, and the measure is therefore adopted.

Rationale for Finding

The use of a static roller through implementation of Mitigation Measure N-2 is predicted to generate vibration levels of approximately 0.11 in/sec PPV at a distance of 15 feet, which would not exceed the 0.2 in/sec PPV threshold, therefore reducing impacts to less than significant.

Impact: Impact caused by the new stairs and ADA ramp at the southern tip of the campus.

The proposed project would not increase student capacity at Del Mar Heights School and there would be no additional traffic as a result of the project. The expanded student loading zone and expanded parking lot area will reduce congestion in the neighborhood by moving the queue onto the campus. However, neighbors along Mira Montana Drive maintain that improving access to the campus via stairs and ADA ramp would cause additional traffic by making such access more convenient.

Finding

Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect as explained in the Focused Draft EIR. The Board of Trustees removed the stairs and ADA ramp, which were the reason for concern over possible increased traffic on Mira Montana Drive.

Rationale for Finding

Removal of the stairs and ADA ramp eliminates any potential that improved pedestrian access between Mira Montana Drive and the southern tip of the campus would encourage parents to drop-off or pick-up students at that location and increase traffic on Mira Montana Drive as a result.

D. Alternatives Considered and Rejected During the Scoping/Project Planning Process

The following is a discussion of the alternatives considered during the scoping and planning process and the reasons why they were not selected for detailed analysis in the Focused Draft EIR.

1. Alternative Site

The project by design is intended for the Del Mar Heights School campus. Consequently, an alternative off-site location is not a feasible alternative and would not meet the project objectives. Because the project site is already developed as a school, constructing a new school on a different site would likely increase environmental impacts. For these reasons, this alternative was not considered.

2. Stormwater Conveyance Alternatives

There is no significant biological impact associated with repairing and revegetating the two stormwater outflows, as analyzed in Section 5.1 of the Focused Draft EIR. While there is no requirement to consider an alternative where there is no significant biological impact, various alternative ways to convey stormwater offsite, were explored as described below.

Relocation of Outfalls Alternative: If the biological resource survey had identified endangered plants or other sensitive resources and an impact was identified, an alternative might be to relocate the outfalls to a less sensitive location along the slope. However, other areas of the slopes, except for the existing outfalls, are vegetated and undisturbed, and therefore have more biological value than the existing disturbed outfalls. Therefore, moving the outfalls to another location along the slope would result in greater biological impacts compared to the proposed project. This alternative is rejected and is not reviewed further in this EIR.

Regrading Alternative: Another alternative might be to regrade the project site so that stormwater flows north towards Boquita Drive. This would redirect stormwater, and the need for the existing outfalls would be eliminated. The existing outfalls would still require limited repair and revegetation. This alternative would involve significant earth movement to change the natural flow of stormwater, which is now to the west and south. The regrading would also require the construction of retaining walls along the western and southern edges of the site. This would involve regrading of the entire project site and extensive earthmoving activities, including major construction in the Reserve, compared to the limited grading of the proposed project. The stormwater flows from Boquita Drive to the south through the project site and to an existing 18-inch reinforced concrete pipe (RCP), which proceeds down into the Reserve. If stormwater from the entire site is directed towards Boquita Drive, large stormwater structures would be required onsite and the existing piping from Boquita Drive into the Reserve and to the outfall area in the Reserve would need to be substantially upsized. This would cause extensive reconstruction and disturbance in the Reserve. Therefore, new impacts would result from this alternative, including increased construction noise, visual impacts from the retaining wall and change in ground elevation, air pollution, and inconsistency with the policies of the Local Coastal Program, such as ensuring no increase in peak runoff rate and preserving significant scenic resource areas. Further, this alternative is not necessary because the proposed project would not create a significant biological impact. This alternative is rejected and not addressed further in this EIR.

Stormwater Pumping Alternative: Another alternative might be to eliminate the need for the outflows by pumping the stormwater to Boquita Drive or Mira Montana Drive. The existing outfalls would still require repair and revegetation. Stormwater retention facilities would be required, and pump(s) would be installed to pump stormwater to either Boquita or Mira Montana Drive. However, as with the stormwater from the project site, stormwater from Boquita Drive and Mira Montana Drive also outlets to the Reserve. Boquita Drive flows south toward the project site, and an existing inlet captures stormwater at the school/residential property line and conveys it directly to the Reserve via RCP. Stormwater from Mira Montana Drive flows southerly and drains to the Reserve via RCP. Conveying campus stormwater to Boquita Drive or Mira Montana Drive would interfere with the natural flow of stormwater; it currently flows westerly and southerly and increasing flows to these locations would require expansion of conveyance facilities. Additionally, as indicated above, this would require extensive upsizing in the piping to the Reserve and the outfall, which would cause extensive reconstruction in the Reserve, and therefore, causing severe disturbance in the Reserve. Further, construction and operation of pumps would create noise, consume energy, air pollution, and maintenance issues for the school, therefore resulting in additional environmental impacts. This alternative could also create additional work on Mira Montana Drive. This alternative is not necessary because the proposed project would not create a significant biological impact. This alternative is rejected and is not addressed further in this EIR.

E. ALTERNATIVES SELECTED FOR FURTHER ANALYSIS

The following alternatives were determined to represent a reasonable range of alternatives with the potential to feasibly attain most of the basic objectives of the project but avoid or substantially lessen any of the significant effects of the project.

1. No Project Alternative

Under the No Project Alternative, Del Mar Heights School would not be rebuilt, but minor fixes and updates would occur, including the replacement of the portable buildings, asbestos removal, and technology infrastructure. The students would return to a campus that still needs extensive replacement of plumbing, roofing, and HVAC system, and the stormwater outfall drainages would continue to deteriorate, resulting in further erosion and loss of habitat.

Under this alternative, the short drop-off/pick-up zone (for only about 15 cars) would remain unchanged, and the following conditions from long off-campus traffic queues would continue:

- Parking on both sides of Boquita Drive.
- Illegal parking and abandoned cars in the travel lanes.
- Illegal and hazardous vehicle U-turns.
- Cars blocking residential driveways.
- Constricted access for emergency vehicles, mail and trash truck.
- Bicyclists forced to ride in the middle of the road.
- Students walking in the canyon via Cordero Road to avoid Boquita Drive.

Biological Resources

There are two stormwater outfalls, on southern and western slopes of the campus. These outfalls are not working properly and are causing significant erosion within the sensitive Southern Maritime Chaparral. Stormwater drainage would be treated via three bioretention basins before exiting the outfalls and outfalls would be repaired and revegetated with a mix of native species under the proposed project, and the biological resources impacts, were found to be less than significant under the proposed project. Under the No Project Alternative, no repairs to these outfalls would occur, and erosion would continue to worsen. Therefore, without these improvements to the existing outfalls, this alternative would be environmentally inferior.

Noise

Under this Alternative the campus would remain in its current condition. The demolition of the existing campus and construction of new school buildings would not be required, which would eliminate the construction-related noise impacts. By eliminating the significant noise impact, this alternative would be environmentally superior.

Finding:

Under the No Project Alternative, Del Mar Heights School would not be rebuilt; the students would return to a campus that needs extensive replacement of plumbing, roofing, and HVAC system; and the stormwater outfall drainages would continue to deteriorate, resulting in further erosion and loss of habitat. No changes to the existing drop-off/pick-up zones would occur.

2. Campus Modernization Alternative

Under the Campus Modernization Alternative, the existing buildings would be modernized within the same footprint of the buildings, the portable buildings would be replaced, and the various school utilities and infrastructure (e.g., technology, plumbing, roofing, asbestos removal, and HVAC system) would be upgraded/updated. Site access would remain via Boquita Drive, and the 48-space parking lot and the short drop-off zone (for only about 15 cars) would be resurfaced but remain in place. Therefore, the existing long queues on Boquita Drive and hazardous traffic conditions, as mentioned in Section 7.4.1, above, would continue. Same as the proposed project, students would be relocated to interim schools during modernization. The existing physical education and recreation amenities would remain in place but undergo resurfacing. As with the proposed project, the stormwater outfalls would be repaired and revegetated.

Biological Resources

Under the Campus Modernization Alternative, the needed repairs to the stormwater outfalls would be completed and the slopes revegetated with a mix of native species. As documented in Section 5.1, *Biological Resources*, the proposed improvements to the outfalls would not create a significant biological impact; rather it would repair an existing problem and protect the Reserve from continuing harm.

This alternative is environmentally neutral as compared to the proposed project.

Noise

Modernization of the existing campus would eliminate the need to demolish the existing buildings, regrade the site, and construct new buildings. However, as there would likely need to be extensive saw cutting of the slabs and slab removal to install additional underground utilities and/or structural members to accommodate the modernization, there would still be increased construction noise, but less than under the project. As explained in Section 5.2, *Noise*, the noise impact associated with demolition and grading was found to be less than significant with mitigation. By eliminating these certain construction activities, especially the removal of building foundations, and limiting construction work to modernization of existing buildings and site facilities, the construction noise impact would be reduced.

This alternative would be environmentally superior to the proposed project because it would reduce construction noise, but it is not necessary to eliminate a significant, unavoidable impact.

Finding:

Under this Alternative, the campus would be rebuilt within the same footprint; the building foundations would not be removed. The K-6 school would continue to operate with an administration building, 22 classrooms, and 13 specialty classrooms, play structures, vegetable garden, turf play field, baseball fields, and a 48-space surface parking lot. The parking and drop-off areas would remain in the same area. Under this Alternative, students would be relocated to interim schools in the District during campus modernization, and the capacity of the school would be the same as the existing capacity.

IV. STATEMENT OF OVERRIDING CONSIDERATIONS

CEQA requires decision makers to balance the benefits of the proposed project against its unavoidable environmental risks when determining whether to approve the project. If the benefits of the project outweigh the unavoidable adverse effects, those effects may be considered “acceptable” (State CEQA Guidelines § 15093[a]). CEQA requires the agency to support, in writing, the specific reasons for considering a project acceptable when significant impacts are infeasible to mitigate. Such reasons must be based on substantial evidence in the Final EIR or elsewhere in the administrative record (State CEQA Guidelines § 15093 [b]). The agency’s statement is referred to as a Statement of Overriding Considerations.

A. Significant and Unavoidable Impacts

There were no significant and unavoidable adverse impacts identified in the EIR that would result from the implementation of the proposed project. As a result, adoption of a Statement of Overriding Considerations is not necessary.

B. Project Benefits

The proposed project would modernize the Del Mar Heights School campus, and the site would continue to operate as a school serving the surrounding community. The proposed project would:

1. Modernize and renovate the campus to address issues identified in the Facilities Master Plan.

2. Provide a safe and up-to-date campus to enhance and facilitate students' learning environment.
3. Improve circulation and reduce offsite congestion by increasing onsite parking and drop-off/pick-up zones.
4. Provide the general public with updated recreational amenities, including an amphitheater, stand-alone green spaces, and a decomposed granite path.

V. FINDINGS ON RESPONSES TO COMMENTS ON THE FOCUSED DRAFT EIR AND REVISIONS TO THE FOCUSED FINAL EIR

The Focused Final EIR contains response to comments, revisions, clarifications, and corrections to the Focused Draft EIR. The focus of the response to comments is on the disposition of significant environmental issues as raised in the comments, as specified by State CEQA Guidelines Section 15088(b). The District provided written responses to each comment made by a public agency and/or individual, as set forth in Section 2 of the Focused Final EIR, pursuant to State CEQA Guidelines Section 15088(b).

District staff has reviewed this material and determined that none of this material constitutes the type of significant new information that requires recirculation of the Focused Draft EIR for further public comment under CEQA Guidelines Section 15088.5. None of this new material indicates that the project will result in a significant new environmental impact not previously disclosed in the Focused Draft EIR. Additionally, none of this material indicates that there would be a substantial increase in the severity of a previously identified environmental impact that will not be mitigated, or that there would be any of the other circumstances requiring recirculation described in Section 15088.5 of the CEQA Guidelines.

VI. FINDINGS ON ENVIRONMENTAL ISSUES ADDRESSED IN MITIGATED NEGATIVE DECLARATION

The court ruled in *Save the Field v. Del Mar Union School District* that only three issues required additional review in a Focused EIR. The Board's action to remove the stairs and ADA ramp removed the transportation issue, which left two issues to be addressed in the Focused EIR. Those two issues are addressed above. The section below identifies the issues addressed in the MND, the level of environmental impact, any mitigation measures that were included and the impact level after mitigation is applied. All environmental impacts were either less than significant or mitigated to a less than significant level. Further, the court found these issues adequately addressed.

Aesthetics

a) Have a substantial adverse effect on a scenic vista?

Less Than Significant Impact. The project site is adjacent to open space canyonlands, to the west of the site, and the Pacific Ocean is 0.80 mile west of the site. The proposed developments onsite would be limited to one story with low slope roofs. The elevation of Mira Montana Drive is approximately 399 feet, and the highest elevation of where the proposed buildings would be located, on the eastern portion of the site, is approximately 387 feet – a difference of 12 feet. As shown in the visual simulations contained in the Initial Study/MND, views from Durango Drive, Mira Montana

Drive, Boquita Drive, and the Mira Montana trail head would be similar to existing conditions, in part, due to the existing landscaping, varying topography and elevations, and the proposed one-story buildings with low sloped roofs. As seen in the entry from the Boquita Drive visual simulation, the existing building to the east would be removed, thereby increasing views of the open space canyonlands and Pacific Ocean.

The view from Mira Montana Drive would not be obstructed upon project implementation due to the higher elevation at Mira Montana Drive and the one-story low-sloped roof of the proposed building. Similarly, as the proposed project would occur mostly within the existing disturbed footprint of the site's fence line, views from Durango Drive of the open space canyonlands and from the Mira Montana trail head of the Pacific Ocean and open space areas would be similar to existing conditions. Therefore, the proposed buildings and reconfiguration of the project site would not have a substantial effect on scenic vistas; impacts would be less than significant.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

No Impact. The closest designated state scenic highway is State Route 75 (SR-75), over 18 miles southeast of the project site. Due to the distance and intervening structures, project development would not result in impacts to scenic resources within a designated state scenic highway. Therefore, no impact would occur.

c) In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Less Than Significant Impact. The project site is located in an urbanized portion of the City and is currently developed with an existing school. Surrounding uses include residential uses to the north, east, and south, and open space canyonlands to the west and south. The proposed project would not substantially change the existing character of the site. The proposed project would be compatible with the existing development pattern onsite and the character of the surrounding area. Building materials and colors would complement the existing development on adjacent properties. The proposed buildings would have a standing seam metal roof, composite wood planks, and smooth and textured fiber cement paneling, to reinforce the coastal appearance of the surroundings. Although the visual qualities of the project site during construction would not appear better than the existing condition of the property, the construction worksite would be temporary. The finished project would include landscaping, new buildings with siding, paint, and windows, and the exterior finishes of the proposed buildings would complement and blend in with the design of the surrounding structures and coastal neighborhood. Moreover, the locations of the buildings would result in a campus similar to the existing school and would not significantly change the aesthetic of the site. Therefore, although project implementation would alter the visual appearance of the site, the improvements would not substantially degrade the visual character and quality of the project site and surrounding area. Therefore, impacts would be less than significant.

- d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?**

Less Than Significant Impact. The exteriors of the proposed buildings would have non-reflective fiber cement paneling. Lighting in the proposed buildings and parking lots would also be similar to existing – motion-detected lighting for security and safety purposes, and interior building lighting. As the lights would be motion-activated, they would be off when these areas are unoccupied; the school is intended to primarily operate between dawn to dusk and does not include significant nighttime lighting. There would be no lighting at the field, which is adjacent to the MHPA. Lighting along the western boundary between the adjacent MHPA/preserve area, if any, would be minimal, directed inward toward the school, and shielded from the preserve.

The lights along the eastern parking lot and passenger loading zone are 20 feet in height. The elevation difference between the site and Mira Montana Drive is 25 feet at the north end and 10 feet at the south end. While the lights would extend above the elevation of Mira Montana by 10 feet at the south end, these lights would have shields focusing light down onto the campus. The differing grades between Mira Montana Drive, vegetated slope on the eastern portion of the site, and landscaping would reduce light and glare impacts. Additionally, light and glare levels caused by the proposed project would not be substantially greater than existing levels. Therefore, light and glare impacts would be less than significant.

Agriculture and Forestry Resources

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?**

No Impact. The project site has no agricultural or farm use on it, nor is there agricultural or farm use in its immediate proximity. No project-related farmland conversion impact would occur. The project site is fully developed and is not mapped as important farmland by the Division of Land Resource Protection. No impact would occur.

- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?**

No Impact. The zoning designation for the project site is RS-1-3. The proposed project would not conflict with agricultural zoning or a Williamson Act contract as it is not zoned for agricultural use. Williamson Act contracts restrict the use of privately-owned land to agriculture and compatible open space uses under contract with local governments; in exchange, the land is taxed based on actual use rather than potential market value. There is no Williamson Act contract in effect onsite. No impact would occur.

- c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?**

No Impact. Project development would not conflict with existing zoning for forest land, timberland, or timberland production. Forest land is defined as “land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits” (California PRC § 12220[g]). Timberland is defined as “land...which is available for, and capable of, growing a crop of trees of any commercial species used to produce lumber and other forest products, including trees” (California PRC § 4526). The project site is zoned as RS-1-3. No Impact would occur.

d) Result in the loss of forest land or conversion of forest land to non-forest use?

No Impact. Vegetation onsite is limited to scattered ornamental trees and shrubs. Project construction would not result in the loss or conversion of forest land. Project development would not cause a loss of forest land. No impact would occur.

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

No Impact. Maps from the Division of Land Resource Protection indicate that there is no important farmland or forest land on the project site or within the surrounding vicinity. Project development would not indirectly cause conversion of such land to nonagricultural or non-forest use. No impact would occur.

Air Quality

a) Conflict with or obstruct implementation of the applicable air quality plan?

Less Than Significant Impact. The proposed project involves the redesign and reconstruction of Del Mar Heights School, which is not expected to increase in capacity. Thus, the proposed project would not affect the regional growth projections because the land use is consistent with the City of San Diego’s underlying General Plan land use designation and would not require a general plan designation or zoning amendment. Furthermore, the proposed project would also not have the potential to substantially affect housing, employment, and population projections within the San Diego region, which is the basis of the San Diego Regional Air Quality Strategy (RAQS) projections. Therefore, the proposed project would not conflict or obstruct implementation of the RAQS and impacts are less than significant in this regard. No mitigation measures are required.

b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard?

Less Than Significant Impact.

Short-Term Air Quality Impacts

Construction activities are anticipated to occur over an approximately 8.4-acre area. Construction would involve demolition of existing buildings, site preparation, grading, trenching, building

construction, asphalt paving, and architectural coating. Air pollutant emissions from project-related construction activities would not exceed the County's regional emissions thresholds. Therefore, air quality impacts from project-related construction activities would be less than significant.

Short-Term Interim Phase Air Quality Impacts

During construction of the school, approximately 236 students in kindergarten through 3rd grade that would attend Del Mar Heights School would be temporarily relocated to Del Mar Hills Academy, 0.8 miles away. Approximately 203 students from 4th through 6th grade would be temporarily relocated to Ocean Air School, 5.0 miles away. To accommodate these students, four portable classrooms would be added to Del Mar Hills Academy and one would be added to Ocean Air School, which would require minor site preparation and a total of 20 truck trips to install. The installation would result in a nominal increase in emissions that would be substantially less than emissions identified for the reconstruction of Del Mar Heights School. Relocation of these students would also result in a potential increase in VMT. This increase in air pollutant emissions and VMT would be temporary and nominal and would serve the local community by providing close options for school during reconstruction of Del Mar Heights School. Therefore, impacts to the regional air quality associated with the short-term relocation of students would not exceed the City's significance thresholds, and impacts would be less than significant.

Long-Term Operation-Related Impacts

Typical long-term air pollutant emissions generated by a land use would be generated by area sources (e.g., landscape fuel use, aerosols, and architectural coatings), mobile sources from vehicle trips, and energy use (natural gas) associated with the land use. As the proposed project only involves a redesign and reconstruction of the elementary school, it would not result in an increase in student capacity. Furthermore, the proposed buildings would, at minimum, be designed and built to meet current Building Energy Efficiency Standards and the California Green Building Standards Code (CALGreen). Thus, these buildings would be substantially more energy efficient than the existing buildings. Thus, operation of the proposed project would not result in an increase in emissions compared to existing conditions and would not exceed the SDAPCD regional significance thresholds. Therefore, impacts to the regional air quality associated with operation of the project would be less than significant.

a) Expose sensitive receptors to substantial pollutant concentrations?

Less Than Significant Impact.

Localized Impacts

Onsite construction and operation of the proposed project would be substantially below the County's thresholds; and therefore, localized emissions are also less than significant.

CO Hotspots

Under existing and future vehicle emission rates, a project would have to increase traffic volumes at a single intersection by more than 44,000 vehicles per hour—or 24,000 vehicles per hour where vertical and/or horizontal air does not mix—in order to generate a significant CO impact. The proposed project would not increase exposure at the project site from proximity to the surrounding roadways and freeways. Therefore, no significant impacts would occur, and no mitigation measures are required.

Health Risk

Both the San Diego Air Pollution Control District and the City of San Diego do not require the evaluation of long-term excess cancer risk or chronic health impacts for a short-term project. In addition, construction activities would not exceed the significance thresholds. For the reasons stated above, it is anticipated that construction emissions would not pose a threat to onsite and offsite receptors at or near the school, and project-related construction health impacts would be less than significant, and no mitigation measures are required.

Operation

The proposed project involves construction of new classroom facilities to replace the existing classroom buildings. In addition, it is within a residential community and is not within a quarter mile of any permitted or non-permitted facilities (e.g., warehousing). Furthermore, there are also no freeways or busy corridors within a quarter mile. Therefore, it is not anticipated that the onsite students and staff would be exposed to an actual or potential endangerment from surrounding emissions sources and carcinogenic and non-carcinogenic impacts would be less than significant. No mitigation measures are required.

b) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Less Than Significant Impact. The project site would continue to operate as a school. Therefore, the project would not result in a change in land use that would generate odors. During construction activities, construction equipment exhaust, application of asphalt and architectural coatings would temporarily generate odors. However, any construction-related odor emissions would be low in concentration, temporary, and are not expected to affect a substantial number of people. Odors would not be objectionable and constitute a public nuisance. Impacts associated with construction-generated odors would be less than significant and no mitigation measures are required.

Biological Resources

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

This impact is one of the issues that required additional analysis in the Focused Draft EIR. The findings related to this biological impact are provided in Section III C. The biological issues addressed below were adequately addressed in the MND and not included in the Focused Draft EIR.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

No Impact. The project site is developed with an existing school. No riparian habitats were observed onsite that would be considered jurisdictional by regulatory agencies. As such, no impacts would occur.

- c) **Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

No Impact. The project site is currently developed with an existing school. No wetland or drainage areas were observed on the project site that would be considered jurisdictional by regulatory agencies. Therefore, no impacts would occur to wetlands or drainage areas.

- d) **Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?**

Less Than Significant Impact. The project site is adjacent to the City of San Diego's Multi-Habitat Planning Area (MHPA); however, all impacts would occur outside of the MHPA, within the existing school limits. Therefore, no permanent or temporary direct impacts to wildlife corridors would occur. Additionally, the project design includes measures specifically intended to avoid impacts to the adjacent MHPA. The ornamental landscaping onsite and the sensitive habitat located to the west and south of the project site have the potential to support nesting bird species. The project would comply with the MBTA bird nesting season restrictions and therefore would not result in impacts to nesting regulatory birds protected by the MBTA. Therefore, impacts would be less than significant.

- e) **Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

No Impact. The proposed project would occur within the project site boundaries, which is District-owned property. No impact to City trees would result. Therefore, no impacts would occur.

- f) **Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?**

No Impact. The project site is located adjacent to the City of San Diego's MHPA. All impacts would occur within the existing footprint of the school site, outside the MHPA. Therefore, no direct impacts would occur.

Cultural Resources

- a) **Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?**

No Impact. The project site contains Del Mar School, which is not historically significant. Not impacts to historic resources will occur.

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

Less Than Significant Impact With Mitigation Incorporated. In the event that archeological resources are discovered, a halt-work condition would be implemented, and a qualified archaeologist would be retained to assess such findings. Implementation of Mitigation Measure CUL-1 would reduce impacts to archaeological resources to a less than significant level.

Mitigation Measure

CUL-1 Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the Del Mar Union School District (Permittee) shall implement the City of San Diego's Archaeological Monitoring Program and verify that a qualified archaeological monitor and Native American monitor shall be present full-time during all soil disturbing and grading/excavation/trenching activities which could result in impacts to archaeological and/or tribal cultural resources as identified on the archaeological monitoring exhibit prepared by the Archaeological Principal Investigator. If archaeological resources are discovered during excavation and/or construction activities, construction shall stop within 25 feet of the find, and the qualified archaeologist shall be consulted to determine whether the resource requires further study. The archaeologist in consultation with the Native American monitor shall make recommendations to the District for the protection, avoidance of, or additional treatment of the discovered resources. Archaeological resources recovered shall be permanently curated with an appropriate local institution in accordance with industry standards, and a final monitoring report prepared and provided to the City of San Diego for review.

c) Disturb any human remains, including those interred outside of dedicated cemeteries?

Less Than Significant Impact. The project site is currently developed and would require grading and other ground disturbing activities. California Health and Safety Code Section 7050.5 requires that if human remains are discovered on a project site, disturbance of the site shall halt until the coroner has conducted an investigation into the circumstances, manner, and cause of death, and has made recommendations concerning their treatment and disposition to the person responsible for the excavation, or to his or her authorized representative. If the coroner determines that the remains are not subject to his or her authority and has reason to believe they are Native American, he or she shall contact the NAHC by telephone within 24 hours. Impacts to human remains would be less than significant.

Energy

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Less Than Significant Impact. Construction contractors are anticipated to minimize non-essential idling of construction equipment during construction in accordance with Section 2449 of the California Code of Regulations, Title 13, Article 4.8, Chapter 9 (SCAQMD 2014). Such required practices would limit wasteful and unnecessary energy consumption. Therefore, overall, it is expected that construction energy usage associated with the proposed project would not be any more inefficient, wasteful, or unnecessary than similar projects and impacts would be less than significant with respect to construction-related energy demands.

The project would decrease transportation-related energy by increasing the drop-off zone on-campus and increasing on-campus parking spaces. Making the flow of traffic more efficient would decrease congestion and the excessive idling that now occurs. Therefore, operation of the proposed project is not anticipated to increase the demand for electricity, natural gas, and transportation energy compared to existing conditions and impacts would be less than significant.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

No Impact. The proposed project would comply with the Building Energy Efficiency Standards and CALGreen. Therefore, implementation of the proposed project would not conflict or obstruct plans for renewable energy and energy efficiency.

Geology and Soils

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

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

Less Than Significant Impact. The project site is not in an Alquist-Priolo Earthquake Fault Zone and no fault traces are depicted on the site and the nearest faults are offshore. Therefore, impacts would be less than significant.

ii) Strong seismic ground shaking?

Less Than Significant Impact. The project site is not on a known fault zone or within an earthquake fault zone. The Rose Canyon Fault is approximately 3 miles to the southwest and the Coronado Bank Fault is approximately 17 miles to the southwest. Therefore, impacts would be less than significant.

iii) Seismic-related ground failure, including liquefaction?

Less Than Significant Impact. Liquefaction is unlikely at the project site. Additionally, all structures would be built to adhere to the 2019 California Building Code (CBC) which provides minimum standards to protect property and public welfare by regulating design and construction to mitigate the effects of adverse soil conditions. Therefore, impacts would be less than significant.

iv) Landslides?

Less Than Significant Impact. The site has a low to moderate risk for landslides; the site is relatively level and is located on a terrace and no landslides have been mapped on the site. Furthermore, all structures on the site would comply with the 2019 CBC which provides minimum standards to protect property and public welfare by regulating design and construction to mitigate the effects of adverse soil conditions.

b) Result in substantial soil erosion or the loss of topsoil?

Less Than Significant Impact. The project site would implement structural and nonstructural best management practices before and during construction to control surface runoff and erosion to retain sediment on the project site. Once the proposed project is constructed, soil erosion would be controlled with improvements installed on the project site. Therefore, a less than significant impact would occur.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

Less Than Significant Impact. Implementation of California Building Code (CBC) and other related construction standards apply seismic requirements and address certain grading activities. The CBC includes common engineering practices requiring special design and construction methods that reduce or eliminate potential expansive soils-related impacts. Compliance with CBC regulations would ensure adequate design and construction of building foundations to resist soil movement. Therefore, impacts would be less than significant.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Less Than Significant Impact. All structures built onsite would adhere to the current CBC. Additionally, since the site would be part of a school site, the California Geological Survey and Division of the State Architect would ensure that the buildings are sufficiently mitigated for the condition. Therefore, the project site would not have less than significant impacts on exposing people or the proposed structures to adverse effects associated with expansive soils.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

No Impact. The proposed project would not require the installation of a septic tank or alternative wastewater disposal system but would not utilize the local sewer system. Therefore, no impacts would result from soil conditions in relation to septic tanks or other on-site water disposal systems.

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less Than Significant Impact With Mitigation Incorporated. Due to the ground disturbance associated with construction, there is potential that natural landform beneath the site would be encountered during construction and that subsurface resources and/or paleontological resources would be discovered. Implementation of Mitigation Measure GEO-1 would ensure that if resources are discovered during ground disturbing activities that resources would be recovered in accordance with state and federal requirements. Implementation of Mitigation Measure GEO-1 would reduce impacts to paleontological resources to a less than significant level.

Mitigation Measures

GEO-1 Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the Del Mar Union School District (Permittee) shall implement the City of San Diego's Paleontological Monitoring Program as described in Chapter 14, Article 2, Division 1 of the City of San Diego Municipal Code (Section 142.0151) Paleontological Resources Requirements for Grading Activities and the Land Development Manual - Appendix P - General Grading Guidelines For Paleontological Resources. The need for Paleontological monitoring shall be based on the results of a site specific paleontological records search as well as information regarding existing known soil conditions (native or formation) conducted by a qualified paleontologist. If paleontological resources are discovered during excavation and/or construction activities, construction shall stop within 25 feet of the find, and the qualified paleontologist shall determine the appropriate methodology for the salvage and recovery of fossil resources before construction activities can continue in the area. Any paleontological resources recovered shall be permanently curated with an appropriate institution, such as, but not limited to the San Diego Natural History Museum, in accordance with industry standards, and a final monitoring report prepared and provided to the City of San Diego for review.

Greenhouse Gas Emissions

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Less Than Significant Impact. Because the project involves the redesign and reconstruction of the elementary school with no increase in student capacity, and the project would replace the existing classroom buildings with new, more energy efficient structures, overall operation of the proposed project would not result in an increase in emissions compared to existing conditions. Therefore, GHG emissions generated by the project are considered less than significant and no mitigation measures are required.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

No Impact. The proposed project would construct replacement school facilities at the existing school and is consistent with the underlying General Plan land use designation. Furthermore, implementation of the proposed project would result in the reduction of up to 48 average daily trips compared to existing conditions. Thus, the proposed project would not interfere with SANDAG's ability to implement the regional strategies outlined in The Regional Plan. The proposed project would not have the potential to interfere with the State of California's or SANDAG's ability to achieve GHG reduction goals and strategies. Therefore, no impact would occur.

Hazards and Hazardous Materials

- a) **Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?**

Less Than Significant Impact. Project construction would require small amounts of hazardous materials, including fuels, greases and other lubricants, and coatings such as paint. The handling, use, transport, and disposal of hazardous materials by the construction phase of the project would comply with existing regulations of several agencies—the EPA, Occupational Safety and Health Administration (OSHA), California Division of Occupational Safety and Health (Cal/OSHA), and the US Department of Transportation (DOT). With the exercise of normal safety practices, the project would not create substantial hazards to the public or the environment. Therefore, a less than significant impact would occur.

- b) **Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?**

Less Than Significant Impact. According to the Phase I report, soil sampling, which was conducted to assess the presence of residual pesticides and lead, indicated that the residual pesticide and lead in the soil do not pose a human health risk. Therefore, impacts would be less than significant.

- c) **Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

No Impact. There are no schools located within 0.25-mile of the project site. Furthermore, the project site would operate as an elementary school and would not emit hazardous emissions or handle hazardous materials or substances. Therefore, no impact would occur.

- d) **Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

Less Than Significant Impact. According to the Phase I report, several databases were utilized to identify if the project was listed on these databases; the project site was listed on HAZNET as the school had materials containing polychlorinated biphenyls (PCBs), 0.17 tons of organic liquid, and 20.22 tons of asbestos containing waste transported off-site for proper disposal under manifest. The project site was not listed on EnviroStor or GeoTracker (DTSC 2019; SWRCB 2015). Therefore, impacts would be less than significant.

- e) **For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?**

No Impact. The project site is not within two miles of a public use airport; the McClellan-Palomar Airport is approximately 12 miles to the north in the Carlsbad, CA. Therefore, no impacts would occur.

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less Than Significant Impact. The proposed project would not conflict with adopted emergency response or evacuation plans. The surrounding roadways would continue to provide emergency access to the project site and surrounding properties during construction and post-construction. The proposed project would improve parking and queuing onsite, thereby reducing congestion on the surrounding roadways, and would provide a 20-foot wide fire access lane around the entire campus. Additionally, both the City Fire Marshal and DSA would be required to approve fire access around the site. As part of the DSA process, a Fire and Life Safety Review would be conducted when DSA would review building construction and how occupants can safely exit the buildings in case of a fire. The proposed project would not result in inadequate emergency access, and impacts would be less than significant.

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

Less Than Significant Impact. The project site is in a very high fire hazard severity zone (VHFHSZ) (CAL FIRE). The proposed fire lane is 20 feet in width throughout its length and it eliminates the existing restricted access point. The fire lane includes hammerhead turnarounds and the hose length distances are in compliance with the 2019 California Fire Code. Further, the plan has been reviewed by the City of San Diego Fire Marshall.

The proposed buildings will all meet current building standards. The new buildings are noncombustible construction with the building envelope (walls, roofs, eaves, and soffits) designed to be ignition-resistant construction and glass will be tempered, per 2019 California Building Code, Chapter 7A, Materials and Construction Methods for Exterior Wildfire Exposure. The existing portables are of combustible construction.

The proposed project includes four fire hydrants to provide multiple fire defense locations around the campus, while the current campus has only one fire hydrant.

The proposed project would introduce fully sprinkled buildings to the campus. The existing campus are non-sprinkled buildings.

The slopes on the west and south sides (buffer area between the developed school campus and the Reserve) ranges from 2 feet to over 200 feet wide. This buffer area is currently maintained by the school district, in compliance with San Diego Fire-Rescue Department's city-wide Brush Management and Weed Abatement regulations. Additionally, door to door brush inspections, by uniformed Code Compliance Officer with the Fire-Rescue Department's Brush Management, are conducted for properties on canyon rim areas (located within the Wildland Urban Interface). This practice would not change with the proposed project. No additional brush management area would be required for the project. While the plan does not provide the full 100-foot defensible space along the entire perimeter of the site, the Government Code 51182 provides for exemption or variances. In this case, the District desires to be good stewards of the environment and avoid all intrusions into the Reserve. The numerous safety features justify the current design and the District has received pre-approval by the City of San Diego Fire Marshall. While the school site remains in a Very High Fire Hazard Severity

Zone, the proposed plan addresses these issues, improves upon the level of fire safety over the existing campus.

Hydrology and Water Quality

- a) **Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?**

Less Than Significant Impact. Clearing, grading, excavation, and construction activities associated with the project have the potential to impact water quality through soil erosion and increasing the amount of silt and debris carried in runoff. Additionally, the use of construction materials such as fuels, solvents, and paints may present a risk to surface water quality. To minimize these potential impacts, the proposed project would be required to comply with the NPDES Construction General Permit as well as the best management practices (BMPs) to control erosion and prevent any discharge of sediments from the site to reduce potential impacts to less than significant levels.

For site operations, structural BMPs, including swales and landscape planters, would reduce runoff. Therefore, a less than significant impact to water quality standards would occur. The proposed project would also be required to comply with applicable federal, state, and local regulations. Provided that the standard BMPs are implemented, the proposed project would not substantially degrade water quality. A less than significant impact would occur.

- b) **Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?**

Less Than Significant Impact. The proposed project does not propose groundwater wells that would extract groundwater from an aquifer, nor would the proposed project affect recharge capabilities for the basin, as there are no wetlands onsite. Therefore, a less than significant would occur.

- c) **Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:**

- i) **Result in a substantial erosion or siltation on- or off-site?**

Less Than Significant Impact. The proposed project would not alter the course of a stream or river. Construction of the project would increase the potential for erosion and siltation. However, the proposed project would include BMPs such as swales and landscape planters which would reduce runoff, and improvements would be constructed over a short period of time. Therefore, a less than significant impact would occur.

- ii) **Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?**

Less Than Significant Impact. The proposed project would not alter the course of a stream. Project implementation would increase impervious surfaces on site, however, the use of BMPs

and compliance with local, state, and federal regulations would ensure that drainage patterns and stormwater runoff are maintained. Therefore, a less than significant impact would occur.

iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Less Than Significant Impact. Project implementation would increase impervious surfaces onsite, however, the proposed BMPs would reduce impacts associated with impervious surfaces. The proposed project would be required to comply with local, state, and federal regulations pertaining to stormwater. Therefore, the proposed project would not exceed the capacity of existing or planned stormwater drainage systems. Impacts would be less than significant.

iv) Impede or redirect flood flows?

Less Than Significant Impact. The project site is developed with an existing school. The proposed project would take place within the footprint of the project site, which is within Zone X, Area of Minimal Flood Hazards (Flood Insurance Rate Map ID #06073C1328G and #06073C1309G) (FEMA 2012). Since the likelihood of floods in the project area is low, the proposed project would have a less than significant impact on impeding or redirecting flood flows.

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

Less Than Significant Impact. Provided that standard BMPs are implemented, the proposed project would not substantially degrade water quality. As impacts related to the occurrence of site inundation by seiche, tsunami, or mudflow are less than significant, the release of pollutants would be less than significant.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Less Than Significant Impact. The proposed project would not obstruct or conflict with the implementation of a water quality control plan or sustainable water management plan. The proposed project would comply with the water quality and use requirements of these plans through the implementation of BMPs. Therefore, impacts would be less than significant.

Land Use and Planning

a) Physically divide an established community?

No Impact. The project site is surrounded by residential uses and open space canyonlands. The proposed project consists of rebuilding school buildings within the fence line of the project site boundaries and would not divide an established community. Therefore, no impact would occur.

- b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?**

Less Than Significant Impact. The project site is currently zoned RS-1-3 and the existing land use designation is Institutional and Public and Semi-Public Facilities. Implementation of the proposed project would not change the zoning or land use designations of the site. The proposed project would not change the uses on site, and impacts would be less than significant.

Mineral Resources

- a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?**

No Impact. The project site is in MRZ-3, where the known or inferred mineral occurrences of undetermined mineral resource significance exists. The project site and its surroundings areas are not developed for mineral extractions. The areas surrounding the project site are developed with buildings, and therefore, no loss of known resources would result from project implementation. No impact would occur.

- b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?**

No Impact. The City of San Diego Conservation Element indicates that extraction of mineral resources occurs in Mission Valley, and other areas such as Carroll Canyon and Mission Gorge, as well as within the Multiple Species Conservation Program subarea plan (San Diego 2008b). The project site currently operates as a school and no mining activities occur onsite. Therefore, the proposed project would not result in a loss of availability of a mining site, and no impact would occur.

Noise

- c) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**

Construction noise is one of the issues that required additional analysis in the Focused Draft EIR. The findings related to construction noise are provided in Section III C. The issues addressed below are limited to operational noise, which were adequately addressed in the MND.

Less Than Significant Impact.

Operational Noise – Traffic

The proposed project would not result in staff or student population increases. The proposed project would reduce the number of classrooms from 22 existing to 21 proposed. Currently, the school has one parking lot and entrance on the north via Boquita Drive. The proposed project would expand the parking lot and add a drop-off/pick-up lane along the east and southeast portion of the school. The new drop-off/pick-up lane would be parallel to Mira Montana Drive and would range approximately between 10 feet to 25 feet below Mira Montana Drive. The elevation range, of 10 feet to 25 feet, of the slope would act as a noise barrier to car idling and other vehicle related noises by obstructing line-

of-sight to residences on Mira Montana Drive. The new drop-off/pick-up lane would deter vehicles from using Mira Montana as a drop off area. Traffic noise would not significantly increase above existing conditions and impacts would be less than significant.

Operational Noise – Mechanical Equipment

The construction of new buildings would have mechanical HVAC systems. HVAC equipment would be new, and it is anticipated that the associated noise would be similar to existing HVAC equipment or quieter. For reference, typical HVAC noise is 72 dBA at 3 feet and the nearest sensitive receptors are residences approximately 150 feet to the east and north of proposed buildings. At that distance, HVAC noise levels would attenuate to 38 dBA or less. This would not exceed the municipal code exterior noise limits for single-family residences at any time of day or night. This impact would be less than significant.

Operational Noise – Recreation

These additions, reconfigurations, and eliminations could change the existing noise environment during outdoor student recreation activities. The new outdoor learning area on the northwest corner would not cause a significant noise increase or change in use from its existing kindergarten playground. The outdoor learning area would not have nighttime lighting and use would be limited to daylight hours. The southeast portion of the multi-use field that includes two ball fields and batting cages located on the south and southeast corner of the school would be eliminated and replaced by new educational buildings reducing recreational noise at nearby residences to the south and east off Mira Montana Drive. The multi-use field adjacent to Torrey Pines Extension would be reconfigured, causing no substantial change to the associated recreational noise. The proposed project’s outdoor learning area and playfields plan would not result in a substantial noise increase from existing conditions and would, instead, result in a potential noise decrease in certain areas. Therefore, recreational noise would be less than significant.

Noise and Land Use Compatibility

The proposed project land use would not change and would remain a school use surrounded by residential uses and open space. The project would not generate new or additional trips. The land use compatibility of the noise environment at the proposed project site would remain acceptable.

- d) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?**

No Impact. The proposed project is not located within the Airport Environs Overlay Zone (AEOZ) of the San Diego International Airport. The McClellan-Palomar Airport is approximately 12 miles to the north in the Carlsbad, CA and the nearest private and or military air strip is Miramar MCAS (Joe Foss Field) Airport, approximately 7 miles to the southeast. The project would not expose people working in the project area to excessive aircraft noise levels. There would be no impact.

Population and Housing

- a) **Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?**

No Impact. The proposed project would not increase the capacity of Del Mar Heights School, however, the number of classrooms onsite would decrease by one. Therefore, the proposed project would not directly increase population growth in the area. No construction of homes or businesses is proposed, not extension of roads or other infrastructure. Project implementation would not induce population growth and not impact would occur.

- b) **Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?**

No Impact. Project construction would be restricted to the existing Del Mar Heights School campus, and no housing would be displaced or replaced. No impact would occur.

Public Service

- a) **Fire protection?**

Less Than Significant Impact. Although the proposed project would increase building square footage by approximately 18,000 square feet, the student capacity of the proposed project would remain unchanged, and the site would continue to operate as a school. Additionally, the improvement of the onsite parking and queuing would remove congestion in the adjacent neighborhood, and the addition of fire lanes around the site would thereby improve emergency vehicle access. Therefore, project implementation would not substantially affect the Department's response times or require expansion of fire protection services such that new or physically altered fire stations would be required. Impacts would be less than significant.

- b) **Police protection?**

Less Than Significant Impact. Although the proposed project would increase building square footage by approximately 18,000 square feet, the student capacity of the proposed project would remain unchanged, and the site would continue to operate as a school. Furthermore, the improved parking onsite and queuing would remove congestion in the adjacent neighborhood, thereby reducing response times to the site. Therefore, project implementation would not warrant additional law enforcement facilities. Impacts to police protection services would be less than significant.

- c) **Schools?**

No Impact. School service needs are related to the size of a residential population, geographic area served, and community characteristics. The proposed project would address the most critical physical needs of buildings and grounds at the campus through the rebuilding and reconfiguration of buildings onsite. Once constructed, the new school facilities would continue to serve the existing Del Mar Heights School program and students in the District attendance area. No negative impact on school facilities or services would occur.

d) Parks?

Less than Significant Impact. The proposed project would not generate a demand for park space, which is typically caused by population and/or employment growth. The proposed project would improve the Del Mar Heights School's recreational facilities that are available for community use. The proposed project would provide amenities that are not now available in the community, such as an outdoor learning space in the northwest portion of the site, an open grass amphitheater area for larger group gatherings, a Canyon Rim path and sidewalk which would create a walking loop around the site, stair and ramp access to the trail head at the southern portion of the site which serves as a workout opportunity, and a smaller grass field area at the northwestern portion of the site for mid-sized games. Although the square footage of useable recreation space would decrease by 41,643 square feet, the enhanced recreational facilities and the increased use by students and the community would compensate for the reduction. The District recently completed a new baseball field for Little League Junior/Senior Baseball use. No significant impact would occur. Additionally, the reconfiguration of the site would improve student safety by separating public and school uses.

e) Other public facilities?

No Impact. The need for public services and facilities (e.g. libraries, hospitals, childcare, teen or senior centers) is typically caused by an existing school, it would not result in the need for new or expanded public facilities. No impact would occur to public facilities.

Recreation

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of the facility would occur or be accelerated?

Less Than Significant Impact. Similar to existing conditions, operation of Del Mar Heights School would not require students to use existing neighborhood or regional parks. The proposed project would enhance and update the school's outdoor recreational spaces. While the ballfield used by the older little league teams (90-base paths) would be eliminated, the new flat grass field includes space for two smaller fields used by younger baseball teams and the District recently completed a new baseball field for Little League Junior/Senior Baseball use. The activity level would be similar on the new fields as the existing, but a shift in use among age groups would occur. The field is also available for soccer play.

Additionally, an outdoor learning area would be created onsite, which would be used by both the school and the community. The student capacity would remain unchanged after project implementation and impacts to offsite recreational facilities as a result of the proposed project would not result in negative impacts.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

Less Than Significant Impact. The proposed project would not require construction of offsite recreational facilities. The proposed project includes the rebuilding and enhancing of recreational facilities at Del Mar Heights School. The environmental effects related to the whole project, including

the recreational facility improvements and additions, are discussed throughout this Initial Study. Impacts would be less than significant.

Transportation

The potential traffic impact associated with the stairs and ADA ramp is one of three issues requiring additional review. The finding for this impact is provided in Section III C. The following transportation issues were adequately addressed in the MND and not reviewed in the Focused Draft EIR.

a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Less Than Significant Impact. The proposed project would not increase the student capacity at Del Mar Heights School. Therefore, there would be no additional traffic as a result of the project. Additionally, there would be no change in traffic patterns as the entrance to the extended student loading zone would remain via Boquita Drive.

Pedestrian access to the project site would be via the existing sidewalks and internal walkways that would connect to the new student loading zone. Under the proposed project, the existing access driveway would remain the same and no closure to public sidewalk would be required.

There is no bicycle lane or facility along Boquita Drive and there are none within proximity of the project site. The closest bicycle lane is on Del Mar Heights Road. Project implementation would remain within the current fence line of the project site. Therefore, no impact to bicycle facilities are anticipated.

The closest bus stop for this route is approximately 0.6 mile west of the project site at the South Camino Del Mar and Del Mar Heights Road intersection. The project would not displace any existing or future bus stop or degrade transit service in the area.

Therefore, the proposed project would not result in a conflict with a program, plan, ordinance or policy addressing the alternate mode of transportation facilities. Impacts would be less than significant, and no mitigation measures are necessary.

b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?

No Impact. The project would not result in additional student capacity and number of staff, and therefore would not result in increased trips. In addition, the project would improve the flow of traffic within and near the campus, reduce congestion and vehicle idling, and create a safer environment for students to walk and bike to school.

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

No Impact. The proposed project would create a drop-off and pick-up zone centrally located at the eastern parking lot, and a turnaround at the southeastern portion of the site and extend the student loading zone from the entrance of the driveway to the southeastern portion of the site, which would reduce queues on streets. By increasing efficiency and flow for vehicles to enter and exit the school property, congestion on adjacent streets would be reduced, thereby creating a safer environment for students to walk and/or bike to campus.

Tribal Cultural Resources

- a) **Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:**
- i) **Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or**

No Impact. The project site contains Del Mar Heights School; the project site is not identified as a state or national historic resource. Construction of the proposed project would be within the footprint of the project site's fence line. Therefore, there would be no impacts to historical resources.

- ii) **A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.**

Less Than Significant Impact with Mitigation Incorporated. The Torrey Pines Community Plan identifies the Sorrento Valley/Los Peñasquitos Lagoon area as the site of the prehistoric Indian Village of Ystagua, which has archaeological remnants unique to the area. The project site is not located in the Sensitive Coastal Resource (SCR) zone or area subject to the Resource Protection Ordinance. Moreover, the project site is fully developed with no visible native ground surface exposed. Implementation of CUL-1 would ensure that if resources are discovered during ground disturbing activities that resources would be recovered in accordance with state and federal requirements. Implementation of Mitigation Measure CUL-1 would reduce impacts to archaeological resources to a less than significant level.

Utilities and Service Systems

- a) **Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?**

Less Than Significant Impact. The proposed project involves the redesign and reconstruction of Del Mar Heights School, which is not expected to increase in capacity. The proposed project would remove all existing utilities onsite and provide new utilities from the existing points of connection to the proposed buildings. Therefore, as utilities would not be expanded or relocated, impacts would be less than significant.

- b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?**

Less Than Significant Impact. As student capacity at the school would remain unchanged, the water needs of the school are expected to be similar to existing conditions; therefore, the City's water supply is anticipated to be sufficient for the proposed project and impacts would be less than significant.

- c) Result in a determination by the waste water treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?**

Less Than Significant Impact. The proposed project would not increase capacity at the school; therefore, it is anticipated that the wastewater facilities would continue to have adequate capacity to serve the proposed project. Therefore, impacts would be less than significant.

- d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?**

Less Than Significant Impact. The proposed improvements would not result in an increase in the student or staff populations, and therefore, generation of waste during operational activities would be similar to existing conditions. Project impacts on landfill capacity would be less than significant.

- e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?**

Less Than Significant Impact. Solid waste would be generated during construction and operation of the proposed project. The proposed project would comply with all applicable local, state, and federal statutes and regulations related to solid waste disposal. Therefore, impacts would be less than significant.

Wildfire

- a) Substantially impair an adopted emergency response plan or emergency evacuation plan?**

Less Than Significant Impact. The proposed project would not conflict with adopted emergency response or evacuation plans. The surrounding roadways would continue to provide emergency access to the project site and surrounding properties during construction and post-construction. The proposed project would improve parking and queuing onsite, thereby reducing congestion on the surrounding roadways, and would provide a 20-foot wide fire access lane around the entire campus. Additionally, both the City Fire Marshal and DSA would be required to approve fire access around the site. As part of the DSA process, a Fire and Life Safety Review would be conducted when DSA would review building construction and how occupants can safely exit the buildings in case of a fire. The proposed project would not result in inadequate emergency access, and impacts would be less than significant.

- b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?**

Less Than Significant Impact. The project site is in a very high fire hazard severity zone (VHFHSZ) (CAL FIRE). The proposed fire lane is 20 feet in width throughout its length and it eliminates the existing restricted access point. The fire lane includes hammerhead turnarounds and the hose length distances are in compliance with the 2019 California Fire Code. Further, the plan has been reviewed by the City of San Diego Fire Marshall.

The proposed buildings will all meet current building standards. The new buildings are noncombustible construction with the building envelope (walls, roofs, eaves, and soffits) designed to be ignition-resistant construction and glass will be tempered, per 2019 California Building Code, Chapter 7A, Materials and Construction Methods for Exterior Wildfire Exposure. The existing portables are of combustible construction.

The proposed project includes four fire hydrants to provide multiple fire defense locations around the campus, while the current campus has only one fire hydrant.

The proposed project would introduce fully sprinkled buildings to the campus. The existing campus are non-sprinkled buildings.

The slopes on the west and south sides (buffer area between the developed school campus and the Reserve) ranges from 2 feet to over 200 feet wide. This buffer area is currently maintained by the school district, in compliance with San Diego Fire-Rescue Department's city-wide Brush Management and Weed Abatement regulations. Additionally, door to door brush inspections, by uniformed Code Compliance Officer with the Fire-Rescue Department's Brush Management, are conducted for properties on canyon rim areas (located within the Wildland Urban Interface). This practice would not change with the proposed project. No additional brush management area would be required for the project. While the plan does not provide the full 100-foot defensible space along the entire perimeter of the site, the Government Code 51182 provides for exemption or variances. In this case, the District desires to be good stewards of the environment and avoid all intrusions into the Reserve. The numerous safety features justify the current design and the District has received pre-approval by the City of San Diego Fire Marshall. While the school site remains in a Very High Fire Hazard Severity Zone, the proposed plan addresses these issues, improves upon the level of fire safety over the existing campus.

- c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?**

Less Than Significant Impact. Due to the reconfiguration of buildings onsite, the proposed project would require changes to the connections to utilities such as electricity, water, and sewer. The utilities would be installed to meet service requirements. The construction of infrastructure improvements for the project would not directly increase fire risk, and impacts would be less than significant.

- d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?**

Less Than Significant Impact. The project site is relatively flat. The project site is located in an area that is generally susceptible to landslides. Additionally, the project site is located within Flood Zone X – Area of Minimal Flood Hazard (Flood Insurance Rate Map ID #06073C1328G and #06073C1309G) (FEMA 2012). Construction activities related to the proposed project would be subject to compliance with the California Building Code (CBC) and would include best management practices (BMPs). Therefore, with implementation of BMPs and compliance with the CBC, impacts would be less than significant.

June 2021 | Mitigation Monitoring and Reporting Program
State Clearinghouse No. 2020029070

DEL MAR HEIGHTS SCHOOL REBUILD PROJECT

Del Mar Union School District

Prepared for:

Del Mar Union School District

Contact: Chris Delehanty, Executive Director
Capital Programs & Technology
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PlaceWorks

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1. Introduction

1.1 PURPOSE OF MITIGATION MONITORING PROGRAM

This Mitigation Monitoring Program has been developed to provide a vehicle by which to monitor mitigation measures and conditions of approval outlined in the Focused Draft Environmental Impact Report (Draft EIR), State Clearinghouse No. 2020029070. The Mitigation Monitoring Program has been prepared in conformance with Section 21081.6 of the Public Resources Code and the Del Mar Union School District Monitoring Requirements. Section 21081.6 states:

- (a) When making findings required by paragraph (1) of subdivision (a) of Section 21081 or when adopting a mitigated negative declaration pursuant to paragraph (2) of subdivision (c) of Section 21080, the following requirements shall apply:
 - (1) The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead or responsible agency, prepare and submit a proposed reporting or monitoring program.
 - (2) The lead agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based.

1.2 FOCUSED EIR SUMMARY

1.2.1 PROJECT LOCATION

The approximately 10.85-acre project site encompasses the Del Mar Heights School property at 13555 Boquita Drive in the City of San Diego. The project site consists of Assessor's Parcel Number (APN) 301-0500-700 and is in Del Mar Heights, a 760-lot subdivision in the Torrey Pines community. The project site is surrounded by Boquita Drive to the north, Mira Montana Drive to the east, and open space canyonlands to the south and west of the project site. The subdivision of Del Mar Heights in the City of San Diego is surrounded by the City of Del Mar to the west and the City of San Diego to the north, east, and south, and is approximately 0.30-mile west of Interstate 5 (I-5). The project site is southeast of Canyon Crest Open Space Park, east and north of Torrey Pines State Natural Reserve, and the City of San Diego's Multi-Habitat Planning Area (MHPA) is to the west and south of the site.

1.2.2 PROJECT SUMMARY

Del Mar Union School District plans to fully redesign and reconstruct the Del Mar Heights School. The capacity will be reduced by one classroom (approximately 24 students) from the existing 22 regular classrooms to 21 regular classrooms, buildings will be limited to one story with low slope roofs, and access to the school will remain via Boquita Drive. Construction of the proposed project would occur over an approximately 8.4-acre portion of the campus.

1.3 ENVIRONMENTAL IMPACTS

1.3.1 Impacts Considered Less Than Significant

The Focused Draft EIR identified that impacts to biological resources would be less than significant.

1.3.2 Potentially Significant Adverse Impacts That Can Be Mitigated, Avoided, or Substantially Lessened

The Focused Draft EIR identified that impacts to noise would be less than significant with the implementation of mitigation measures.

1.3.3 Unavoidable Significant Adverse Impacts

The Focused Draft EIR did not identify any unavoidable significant adverse impacts.

As the Focused Final EIR will take precedence over the Mitigated Negative Declaration, mitigation measures from the Mitigated Negative Declaration (with applicable revisions as shown in Section 3 of the Focused Final EIR) are also included in this MMRP.

2. Mitigation Monitoring Process

2.1 MITIGATION MONITORING PROGRAM ORGANIZATION

Overall MMRP management is the responsibility of the District. The District's technical consultants (CEQA consultant, etc.) may perform related monitoring tasks under the direction of the environmental monitor if they are contracted by the District.

2.2 DEL MAR UNION SCHOOL DISTRICT

As the lead agency, the District is responsible for the review of all monitoring reports, enforcement actions and document disposition. The District will rely on information provided by individual monitors (e.g., CEQA consultant) as accurate and up to date, and will field check mitigation measure status, as required.

2.3 MITIGATION MONITORING TEAM

The mitigation monitoring team, consisting of the designated Project Manager and Technical Consultants (CEQA consultant, etc.) are responsible for monitoring implementation and compliance with all adopted mitigation measures and conditions of approval. A major portion of the team's work is in-field monitoring and compliance report preparation. Implementation disputes are brought to the District's designated Project Manager.

2.3.1 Monitoring Team

The following summarizes key positions in the MMRP and their respective functions:

- **District Project Manager:** Responsible for coordination of mitigation monitoring team, technical consultants, report preparation, and overall program administration and document/report clearinghouse.
- **Construction Contractor:** Responsible for coordination of mitigation monitoring team; technical consultants; report preparation; and implementation the monitoring program, including overall program administration, document/report clearinghouse, and first phase of dispute resolution.
- **Technical Consultants:** Responsible for monitoring in respective areas of expertise (CEQA consultant, project engineer, noise analyst/specialist). Report directly to the District Project Manager.

2.3.2 Recognized Experts

The use of recognized experts on the monitoring team is required to ensure compliance with scientific and engineering mitigation measures. The mitigation monitoring team's recognized experts assess compliance with required mitigation measures, and recognized experts from responsible agencies consult with the District Project Manager regarding disputes.

2.4 ARBITRATION RESOLUTION

If the mitigation monitor determines that a mitigation measure, in the opinion of the monitor, has not been implemented or has not been implemented correctly, the problem will be brought before the District Project Manager for resolution. The decision of the District Project Manager is final unless appealed to the District's Superintendent. The District's Project Manager will have the authority to issue stop-work order until the dispute is resolved.

2.5 ENFORCEMENT

Public agencies may enforce conditions of approval through their existing police power, using stop-work orders, fines, infraction citations, or in some cases, notice of violation for tax purposes.

3. Mitigation Monitoring Requirements

3.1 PRE-MITIGATION MEETING

A pre-monitoring meeting will be scheduled to review mitigation measures, implementation requirements, schedule conformance, and mitigation monitoring committee responsibilities. Committee rules are established, the entire mitigation monitoring program is presented, and any misunderstandings are resolved.

3.2 CATEGORIZED MITIGATION MEASURES/MATRIX

Project-specific mitigation measures have been categorized in matrix format, as shown in Table 3-1, *Mitigation Monitoring Requirements*. The matrix identifies the environmental factor, specific mitigation measures, schedule, and responsible monitor. The mitigation matrix will serve as the basis for scheduling the implementation of, and compliance with, all mitigation measures.

3.3 IN-FIELD MONITORING

Project monitors and technical subconsultants shall always exercise caution and professional practices when monitoring implementation of mitigation measures. Protective wear (e.g. hard hat, glasses) shall always be worn in construction areas. Injuries shall be immediately reported to the mitigation monitoring committee.

3.4 COORDINATION WITH CONTRACTORS

The construction manager is responsible for coordination of contractors and for contractor completion of required mitigation measures.

3.5 LONG-TERM MONITORING

Long-term monitoring related to several mitigation measures will be required, including fire safety inspections. Post-construction fire inspections are conducted on a routine basis by the City of San Diego Fire Department.

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Table 3-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
MITIGATED NEGATIVE DECLARATION				
3.5 CULTURAL RESOURCES AND 3.18 TRIBAL CULTURAL RESOURCES				
<p>CUL-1</p> <p>Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the Del Mar Union School District (Permittee) shall implement the City of San Diego's Archaeological Monitoring Program and verify that a qualified archaeological monitor and Native American monitor shall be present full-time during all soil disturbing and grading/excavation/trenching activities which could result in impacts to archaeological and/or tribal cultural resources as identified on the archaeological monitoring exhibit prepared by the Archaeological Principal Investigator. If archaeological resources are discovered during excavation and/or construction activities, construction shall stop within 25 feet of the find, and the qualified archaeologist shall be consulted to determine whether the resource requires further study. The archaeologist in consultation with the Native American monitor shall make recommendations to the District for the protection, avoidance of, or additional treatment of the discovered resources. Archaeological resources recovered shall be permanently curated with an appropriate local institution in accordance with industry standards, and a final monitoring report prepared and provided to the City of San Diego for review.</p>	<p>Qualified Archaeologist</p>	<p>Prior to issuance of grading permit</p>	<p>DMUSD Director of Maintenance, Operations, and Facilities Department</p>	
3.7 GEOLOGY AND SOILS				

Table 3-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>GEO-1</p> <p>Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the Del Mar Union School District (Permittee) shall implement the City of San Diego's Paleontological Monitoring Program as described in Chapter 14, Article 2, Division 1 of the City of San Diego Municipal Code (Section 142.0151) Paleontological Resources Requirements for Grading Activities and the Land Development Manual - Appendix P - General Grading Guidelines For Paleontological Resources. The need for Paleontological monitoring shall be based on the results of a site specific paleontological records search as well as information regarding existing known soil conditions (native or formation) conducted by a qualified paleontologist. If paleontological resources are discovered during excavation and/or construction activities, construction shall stop within 25 feet of the find, and the qualified paleontologist shall determine the appropriate methodology for the salvage and recovery of fossil resources before construction activities can continue in the area. Any paleontological resources recovered shall be permanently curated with an appropriate institution, such as, but not limited to the San Diego Natural History Museum, in accordance with industry standards, and a final monitoring report prepared and provided to the City of San Diego for review.</p>	<p>Qualified Paleontologist</p>	<p>Prior to construction</p>	<p>DMUSD Director of Maintenance, Operations, and Facilities Department</p>	
<p>5.2 NOISE</p>				
<p>N-1</p> <p>The District shall incorporate the following practices into the construction documents to be implemented by the construction contractor during the entire construction phase of the project:</p> <ul style="list-style-type: none"> ■ The project sponsor and contractors shall prepare a Construction Noise Control Plan. The details of the Construction Noise Control Plan shall be included as part of the construction drawing set. 	<p>District's Project Manager, Construction Contractor</p>	<p>During Construction Activities</p>	<p>District</p>	

Table 3-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> <li data-bbox="262 415 812 724">■ At least 30 days prior to the start of construction activities, all off-site residents within 300 feet of the project site shall be notified of the planned construction activities. The notification shall include a brief description of the project, the activities that would occur, the hours when construction would occur, and the construction period's overall duration. The notification shall include the telephone numbers of the District's and contractor's authorized representatives that are assigned to respond in the event of a noise or vibration complaint. <li data-bbox="262 753 812 1062">■ At least 10 days prior to the start of construction activities, a sign shall be posted at the entrance(s) to the job site, clearly visible to the public, that includes permitted construction days and hours, as well as the telephone numbers of the District's and contractor's authorized representatives that are assigned to respond in the event of a noise or vibration complaint. If the authorized contractor's representative receives a complaint, he/she shall investigate, take appropriate corrective action, and report the action to the District. <li data-bbox="262 1091 812 1269">■ During the entire active construction period, equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds), wherever feasible. <li data-bbox="262 1299 812 1414">■ Require the contractor to use impact tools (e.g., jack hammers and hoe rams) that are hydraulically or electrically powered wherever possible. Where the use of pneumatic tools is unavoidable, an exhaust muffler on the 				

Table 3-1 Mitigation Monitoring Requirements

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>compressed air exhaust shall be used along with external noise jackets on the tools.</p> <ul style="list-style-type: none"> ■ During the entire active construction period, stationary noise sources shall be located as far from sensitive receptors as possible, and they shall be muffled and enclosed within temporary sheds, or insulation barriers or other measures shall be incorporated to the extent feasible. ■ Signs shall be posted at the job site entrance(s), within the on-site construction zones, and along queueing lanes (if any) to reinforce the prohibition of unnecessary engine idling. All other equipment shall be turned off if not in use for more than 5 minutes. ■ During the entire active construction period and to the extent feasible, the use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only. ■ Temporary noise barriers will be constructed with solid material with a density of at least 1.5 pounds per square foot with no gaps from the ground to the top of the temporary noise barrier and be lined on the construction side with an acoustical blanket, curtain, or equivalent absorptive material. The locations and heights (8 to 16 feet) of temporary noise barriers are shown in Figure 5.2-11. The District shall verify compliance with this measure prior to the start of major demolition or construction work. Temporary Noise Barrier 1 shall remain up during the building and asphalt demolition phase and the soil nailing and grading phase but will need to be removed during the 				

Table 3-1 Mitigation Monitoring Requirements

	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>Mitigation Measure building construction phase. Temporary Noise Barrier 2 shall remain up for the entire duration of demolition and construction. Temporary Noise Barrier 3 shall remain up for at least the duration of the building and asphalt demolition phase.</p>				
<p>N-2 If paving activity during construction is required within 25 feet of nearby residential structures, a static roller shall be used instead of a vibratory roller.</p>	<p>District's Project Manager, Construction Contractor</p>	<p>During Construction Activities</p>	<p>District</p>	

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DEL MAR UNION SCHOOL DISTRICT
DEL MAR HEIGHTS SCHOOL

KEYNOTES

LEGEND

- DECORATIVE METAL FENCING
- CHAINLINK FENCING
- PROPERTY LINE
- ZONING SETBACK (RS-1-3)
- RIGHT OF WAY
- ASPHALT - 321216
- LANDSCAPE - ARTIFICIAL TURF - 323118
- GRASS COVERED POROUS FLEXIBLE PAVING - 321243
- LANDSCAPE - DECOMPOSED GRANITE - 321540 PLANTING PER LANDSCAPE
- LANDSCAPE - TURF - 329223 PLANTING PER LANDSCAPE
- LANDSCAPE - SAND - SEE PLANTING PLANS
- PAVING TYPE A - NATURAL GRAY CONCRETE W/ BROOM FINISH - 321316
- PAVING TYPE B - INTEGRAL COLOR CONCRETE W/ MEDIUM ETCHED FINISH - 321316
- PAVING TYPE C - INTEGRAL COLOR CONCRETE W/ STAMPED FINISH - 321316
- RECREATIONAL COURT SURFACING - 321823.13
- PLAYGROUND PROTECTIVE SURFACING - 321816.13

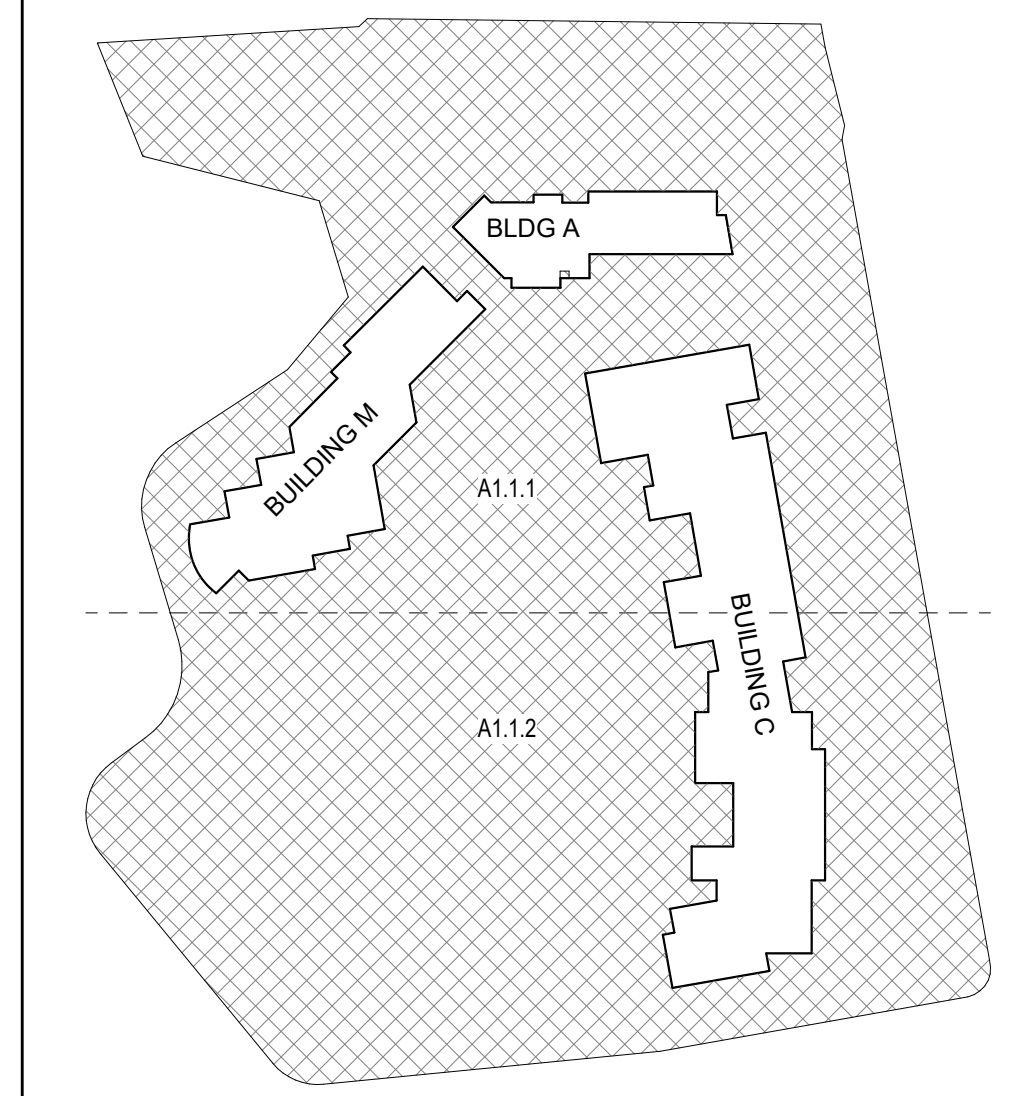
TYPICAL CONCRETE CONTROL AND EXPANSION JOINTS

- EXPANSION
- CONTROL

- GENERAL NOTES**
- 1:12 MAX. SLOPE FOR A CURVED RAMP IS MEASURED AT FACE OF GUIDE CURB/GUIDEWALL ON THE TIGHTER CURVATURE SIDE.
 - SEE SHEET A1.8 & A8.11.2 FOR SITE SIGNAGE DETAILS.
 - REFER TO CIVIL SHEETS FOR ALL SLOPES & ELEVATIONS.
 - REFER TO CONSTRUCTION NOTES - C3.0.1 & C3.0.2 FOR HARDSCAPE ASSEMBLY INFORMATION.

ASSESSOR'S PARCEL NUMBER:
301-450-07

FLOOR AREA RATIO CALCULATION:
TOTAL SITE AREA: 10.86 ACRES
TOTAL FOOTPRINT OF ALL BUILDINGS: 87,058 SF (1.54 ACRES)
FLOOR AREA RATIO = 0.14
ALLOWABLE FLOOR AREA RATIO = 0.45



BakerNowicki
design studio

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619.795.2450
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OVERALL SITE PLAN

NO. DATE ISSUE PROJECT NO: 19009
DATE: 11/10/2020

DRAWING
A1.0.1

PARKING RATIO PER TABLE 11B-208.2 AND SEC. 11B-208.2.4

PARKING	TOTAL PARKING SPACES	REQ'D ACCESSIBLE	REQ'D VAN ACCESSIBLE	PROVIDED VAN ACCESSIBLE	PROVIDED VAN ACCESSIBLE
STAFF & VISITOR LOT	29	2	1	2	1
STAFF LOT	48	2	1	2	1
TOTAL	77	4	2	4	2

NOTE: DEL MAR UNION SCHOOL DISTRICT DOES NOT HAVE A SCHOOL MINIMUM REQUIRED PARKING STANDARD.

CLEAN AIR VEHICLE PARKING RATIO PER SEC. 5.106.5.2

PARKING	TOTAL PARKING SPACES	REQ'D CLEAN AIR	PROVIDED CLEAN AIR
TOTAL	77	8	9

ELECTRIC VEHICLE CHARGING STATION RATIO PER SEC. 5.106.5.3 AND TABLE 11B-228.3.2.1

PARKING	TOTAL PARKING SPACES	REQ'D EVCS	REQ'D EVCS VAN ACCESSIBLE	PROVIDED EV CHARGING	PROVIDED EV ACCESSIBLE	PROVIDED VAN ACCESSIBLE
TOTAL	77	5	1	1	9	1

BRUSH MANAGEMENT LEGEND

- BRUSH MANAGEMENT ZONE 1 - SEE LPS.01
- BRUSH MANAGEMENT ZONE 2 - SEE LPS.01



2 SITE PLAN - OVERALL
1" = 30'-0"

BIM 360://19009-00 Del Mar Heights ESARCH-BNDS-CMHS.rvt
8/2/2021 1:58:39 PM

Governing Board of Trustees Regular Meeting Wednesday, June 30, 2021

Members present

Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Meeting called to order at 4:30 PM

1. CALL TO ORDER OPEN SESSION

Procedural: 1.1 CALL TO ORDER OPEN SESSION

Governing Board President Halpern called the Board of Trustees Meeting to order at 4:30pm

Procedural: 1.2 ROLL CALL

Governing Board President Halpern took roll call - all members present.

Information, Procedural: 1.3 PUBLIC INPUT CONCERNING ITEMS ON THE CLOSED SESSION AGENDA

No public requests to address the Governing Board of Trustees regarding items on the Closed Session agenda.

Procedural: 1.4 ADJOURNMENT INTO CLOSED SESSION

Governing Board President Halpern adjourned into Closed Session at 4:31pm.

2. CLOSED SESSION

Discussion: 2.1 EVALUATION OF EMPLOYEE: Evaluation of performance of a public employee – 54957(b)(1). Evaluation of performance of Holly McClurg, Ph.D., Superintendent, in accordance with the contractual obligation for evaluation

Discussion: 2.2 EVALUATION OF EMPLOYEE: Evaluation of performance of a public employee – 54957(b)(1). Evaluation of performance of Cathy Birks, Assistant Superintendent of Business Services, in accordance with the contractual obligation for evaluation

Discussion: 2.3 EVALUATION OF EMPLOYEE: Evaluation of performance of a public employee – 54957(b)(1). Evaluation of performance of Shelley Petersen, Assistant Superintendent of Instructional Services, in accordance with the contractual obligation for evaluation

Discussion: 2.4 EVALUATION OF EMPLOYEE: Evaluation of performance of a public employee – 54957(b)(1). Evaluation of performance of Jason Romero, Assistant Superintendent of Human Resources, in accordance with the contractual obligation for evaluation

Action: 2.5 CONFERENCE WITH LABOR NEGOTIATOR: (Government Code section 54957.6)Unrepresented Employee: Assistant Superintendent of Human Resources. Agency negotiator: Board President. Public Employment/Appointment (Government Code section 54957)Title: Assistant Superintendent of Human Resources

Discussion: 2.6 STUDENT RECORDS CHALLENGE APPEAL Education Code 49070 Case No.: 20210002100.00

3. RECONVENE OPEN SESSION

Procedural: 3.1 RECONVENE OPEN SESSION

Governing Board President Halpern reconvened Open Session at 6:17pm.

Procedural, Report: 3.2 REPORT OF ACTION TAKEN IN CLOSED SESSION

The Governing Board met in Closed Session and reported the following action taken:

The Governing Board has determined the goal progress as required by employment agreements for the Superintendent and Assistant Superintendents has been met and as specified in the employment agreement, the Board approved performance compensation for Superintendent Holly McClurg and Assistant Superintendents, Cathy Birks, Shelley Petersen, and Jason Romero, Items 2.1-2.4, in a 5-0 unanimous vote.

Resources.

(not specified)

Motion by Katherine Fitzpatrick, second by Gee Wah Mok.

Final Resolution: Motion Carries

Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Information: 8.2 BOARD REPORT, THE CALIFORNIA SCHOOL DASHBOARD – LOCAL PERFORMANCE INDICATORS

Vivian Firestone, Coordinator of Assessment, Data, and Integrated Technology, provided a report to the Board regarding the California School Dashboard - Local Performance Indicators, including: California School Dashboard, Local Indicators.

Staff responded to clarifying questions from the Board.

Action: 8.3 BOARD APPROVAL, LOCAL CONTROL AND ACCOUNTABILITY PLAN (LCAP)

Vivian Firestone, Coordinator of Assessment, Data, and Integrated Technology, provided a report to the Board regarding Local Control and Accountability, including:

What is the LCAP?

Developing LCAP Actions

Stakeholder Feedback - Draft LCAP

Strong Support for the Plan

Next Steps

Adoption of Final Plan

Posted on District Website & Submission to SDCOE

Approve Local Control and Accountability Plan (LCAP).

Motion by Gee Wah Mok, second by Doug Rafner.

Final Resolution: Motion Carries

Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Action: 8.4 BOARD APPROVAL, PROPOSED MODIFICATION TO ATTENDANCE BOUNDARY FOR PACIFIC SKY SCHOOL

Chris Delehanty, Executive Director of Capital Programs & Technology, provided a report to the Board regarding Proposed Modification to Attendance Boundary for Pacific Sky School, including:

Current DMUSD Boundary

Boundary Update

Boundary Update Timing

Staff responded to clarifying questions from the Board.

Approve proposed modification to attendance boundary for Pacific Sky School

Motion by Gee Wah Mok, second by Katherine Fitzpatrick.

Final Resolution: Motion Carries

Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

9. MAINTENANCE, OPERATIONS AND FACILITIES

Report: 9.1 BOARD REPORT, FACILITIES UPDATE

Chris Delehanty, Executive Director of Capital Program and Technology, provided a Facilities Update, including:

Pacific Sky School Construction

Del Mar Heights School Rebuild - Next Steps

Del Mar Hills Academy Modernization

Action: 9.2 BOARD APPROVAL, RESOLUTION 2021-11, RESOLUTION OF THE GOVERNING BOARD OF TRUSTEES OF THE DEL MAR UNION SCHOOL DISTRICT CERTIFYING THE FINAL FOCUSED ENVIRONMENTAL IMPACT REPORT, INCLUDING THE MITIGATED NEGATIVE DECLARATION (EXCLUDING CERTAIN BIOLOGICAL RESOURCES AND CONSTRUCTION NOISE), AND ADOPTING FINDINGS OF FACT AND OTHER WRITTEN FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR THE PROPOSED DEL MAR HEIGHTS REBUILD PROJECT; APPROVING THE PROJECT; AND DELEGATING AUTHORITY TO STAFF TO PREPARE AND EXECUTE A NOTICE OF DETERMINATION

Chris Delehanty, Executive Director of Capital Program and Technology, provided a report to the Board regarding Resolution 2021-11, certifying the final focused EIR, including the mitigated negative declaration (excluding certain biological resources and construction noise), and adopting findings of fact and other written findings pursuant to the California environmental quality act for the proposed Del Mar Heights rebuild project; approving the project; and delegating authority to staff to prepare and execute a notice of determination, including:

An Overview from Dwayne Mears, PlaceWorks
Litigation
Focused Environmental Impact Report
Potential Impacts Reviewed
Final Step in the CEQA Process - Board Action
Final Step in the CEQA Process - Resolution

Dwayne Mears and DMUSD Staff responded to clarifying questions from the Board.

Request to address the Governing Board regarding item 9.2:

Rick Schloss
Ian Phillip
Irene Young
Robert McGraw
Kelley Huggett
Enid Sherman
Amy Hellenkamp
Greg Jabin

Approve Resolution No. 2021-11, Resolution of the Governing Board of Trustees of the Del Mar Union School District Certifying the Final Focused Environmental Impact Report, Including the Mitigated Negative Declaration (Excluding Certain Biological Resources and Construction Noise), and Adopting Findings of Fact and Other Written Findings Pursuant to the California Environmental Quality Act for the Proposed Del Mar Heights Rebuild Project; Approving the Project; and Delegating Authority to Staff to Prepare and Execute a Notice of Determination

Motion by Scott Wooden, second by Doug Rafner.

Motion Carries

Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

10. BUSINESS AND FINANCE

Action, Presentation: 10.1 BOARD REVIEW AND ADOPTION OF THE 2021-2022 PROPOSED BUDGET FOR ALL DISTRICT FUNDS
Cathy Birks, Assistant Superintendent of Business Services, provided a report to the Board regarding Review and Adoption of the 2021-2022 Proposed Budget for all District funds, including:

Vision & Mission Statement
Budget Development
General Fund Summary
2021-2022 Revenue Summary
Key Revenue Assumptions
2021-2022 Expenditure Summary
Key Expenditures Assumptions
Expanded Learning Opportunities Grant
Ending Fund Balance
Local Reserves Requirement
Multi-Year Projection
Looking Ahead
Other Funds
Fund 13 Cafeteria Fund
Fund 14 Deferred Maintenance
Fund 17 Special Reserve
Fund 21 Measure MM, Series 2019 A
Fund 25 Capital Facilities Fund
Fund 40 Special Reserve for Capital Outlay
Fund 49 CFD 95-1 & CFD 99-1 Combined
Fund 63 Enterprise Fund
Fund 73 Trust Fund

Staff responded to clarifying questions from the Board.

Approve Board review and adoption of the 2021-2022 proposed budget for all District funds.

Motion by Katherine Fitzpatrick, second by Scott Wooden.

Final Resolution: Motion Carries

Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

11. PERSONNEL

12. CLOSING ITEMS

Information: 12.1 PRELIMINARY ITEMS FOR THE JULY REGULAR BOARD MEETING

Action: 12.2 ADJOURNMENT OF MEETING

Governing Board President Halpern adjourned the meeting at 8:12pm.

Motion to Adjourn meeting.

Motion by Scott Wooden, second by Gee Wah Mok.

Final Resolution: Motion Carries

Aye: Doug Rafner, Erica Halpern, Scott Wooden, Katherine Fitzpatrick, Gee Wah Mok

Minutes of June 30, 2021 Adopted:

Signature of Governing Board Clerk:

Gee Wah Mok

Gee Wah Mok, Esq.

7/28/21

Date

Signature of Superintendent:

Holly McClurg

Holly McClurg, Ph.D.

7/28/21

Date

Generated by Megan Bennett on Friday, July 23, 2021

Torrey Pines Community Planning Board Regular Meeting

Thursday August 13, 2020 **APPROVED** Minutes

Zoom Meeting

Board Member	Term Expiration	Continuous Service	Present	Absent	Total Absences*
Troy Van Horst, Chair	3/2022	4	x		
Elizabeth Shopes, Vice Chair	3/2023	1	x		
James Smith, Treasurer	3/2023		x		
Susan Lyon, Secretary	3/2021	2	x		
Eduardo Savigliano	3/2023		x		
Samson Gavranian	3/2022	3		x	2
Jeff Harasha	3/2022		x		1
Jake Mumma	3/2022	6	x		2
Brad Remy	3/2021	2	x		
Mike Hastings	3/2021	2	x		1
Deborah Currier (Rich term)	3/2021		x		
(REMAINS OPEN)	3/2021				
(REMAINS OPEN)	3/2021				

*Per our bylaws, a fourth cumulative, or a third consecutive, absence in the board year (April-March) will result in a written report from the secretary documenting the seat's vacancy. The absence tally, above, will serve as said report.

There is no excused absence, thus the generous policy for our volunteers. Secretary notes attendance at start of Zoom meeting, confirms all attendees still in attendance after each vote to get numbers correct.

There should be 13 board members on the TPCPB.

PRC public members: Daniel Jensvold (not present); Adam Gevanthor (not present)

CALL TO ORDER at 7:02 pm: Troy Van Horst, Chair

Officer John Briggs SDPD: Report (5 minutes) jbriggs@pd.SanDiego.gov

Q&A. Notable answers:

Fire evacuation is handled by reverse 911, as well as police presence.

He will contact Sheriff department relative to bicycle lane used for parking at TP State Beach, forcing bicycles dangerously into the single vehicular traffic lane.

- A. Zoom meetings will be using Robert's Rules to increase smoothness of meetings. Suggested everyone become familiar with those, if not already.
- B. Non-Agenda Public Comment: Issues not on the Board Agenda but with the Jurisdiction of the Community Planning Board. Time limit – 3 minutes per speaker (Board does not respond to speaker per City Council Policy.)

Torrey Pines Community Planning Board
www.torreypinescommunity.org

- Arzo Nasiri, asking for clarification of process of school construction coming before board. Answer is that due to litigation TPCPB requires input from the City Attorney before we can meet to discuss.
- Greg Jabin asked Officer Briggs for empirical evidence of DM Heights speeding. Some discussion.

C. Report by Treasurer: no new info

D. General Announcements: Conduct at meetings follows City Council 600-24.

E. Modifications to the agenda (none): Motion to Approve the Agenda passed unanimously, 10-0.

ACTION ITEMS (Note: no projects to review this meeting):

1. **Action to approve past meeting minutes,**
Thursday, July 9, 2020
Motion to approve passed, 10-0.

Fill open PRC seat due to Liz Shopes leaving committee. No action taken at this meeting. There is a prospective board member, Pratima Gupta, MD, who is working on the required three meetings of experience, who might be a good fit for this now, as PRC has no previous attendance requirement. (Secretary note: as per grid above, we have two openings for which we can appoint someone for one year and Dr. Gupta did attend this meeting.)

2. **CPC Meetings.** Brad, our TPCPB CPC representative, as well as Eduardo, the alternate, needs guidance to be able to vote at these meetings, some of which are the same time, or one month only to vote. TPCPB will put this higher on the action agenda, make an effort to discuss each month. In future meetings we need to discuss the overall plan. Motion proposed for CPC vote: **For all the properties where ADUs are permitted and the small lots, that the City require parking be contained within the boundaries of the Property. Passed 8-1**(Shopes opposed, Mike Hastings no longer at the meeting—although the Los Peñasquitos Lagoon Foundation board has asked he vote only on matters that impact the Los Peñasquitos Lagoon.)
3. **Local Traffic Issues.** No motion, will revisit. Considerable problems on Mango up by the Beachside Del Mar shopping center.
4. **Del Mar Heights Elementary rebuild** (need info from City Attorney due to litigation before we can discuss at a meeting).

OFFICIAL INFORMATION REPORTS:

1. Councilmember Barbara Bry's representative, Moriah Gaynor,
MGaynor@sandiego.gov
Recurring status update items



City of San Diego
Development Services
1222 First Ave., MS 302
San Diego, CA 92101
(619) 446-5000

Ownership Disclosure Statement

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: Del Mar Heights School Rebuild **Project No. For City Use Only:** _____
Project Address: 13555 Boquita Drive
Del Mar, CA 92014

Specify Form of Ownership/Legal Status (please check):
 Corporation Limited Liability -or- General - What State? CA Corporate Identification No. Public School District duly organized
 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: Del Mar Union School District Owner Tenant/Lessee Successor Agency
Street Address: 11232 El Camino Real
City: San Diego State: CA Zip: 92130
Phone No.: 858-755-9301 Fax No.: 858-755-4361 Email: cdelehanty@dmusd.org
Signature: Date: May 28, 2020
Additional pages Attached: Yes No

Applicant
Name of Individual: Del Mar Union Shool District Owner Tenant/Lessee Successor Agency
Street Address: 11232 El Camino Real
City: San Diego State: CA Zip: 92130
Phone No.: 858-755-9301 Fax No.: 858-755-4361 Email: cdelehanty@dmusd.org
Signature: Date: May 28, 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.
Upon request, this information is available in alternative formats for persons with disabilities.