

RESOLUTION NUMBER R-291885

ADOPTED ON JUNE 29, 1999

WHEREAS, on June 2, 1997, Mr. Mahmood Mahdavi, an individual, Owner/Permittee, submitted an application to The City of San Diego for a Coastal Development Permit and a Hillside Review Permit for the Hillside Residence development; and

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

WHEREAS, the issue was heard by the Council on June 29, 1999; and

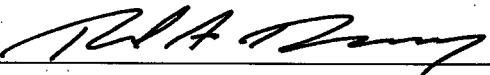
WHEREAS, the Council of The City of San Diego considered the issues discussed in Mitigated Negative Declaration LDR No. 96-7549; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that it is hereby certified that Mitigated Negative Declaration LDR No. 96-7549, as it applies to the construction of an interim access road for the project, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and the State guidelines thereto (California Code of Regulations section 15000 et seq.), that the declaration reflects the independent judgment of The City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by this Council in connection with the partial approval of CDP/HRP No. 96-7549 for the Hillside Residence development.

BE IT FURTHER RESOLVED, that the Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore, that said Mitigated Negative Declaration, a copy of which is on file in the office of the City Clerk and incorporated by reference, is hereby approved.

BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code section 21081.6, the Council hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment, a copy of which is attached hereto and incorporated herein by reference.

APPROVED: CASEY GWINN, City Attorney

By 
Richard A. Duvernay
Deputy City Attorney

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09/28/99
Or.Dept:Clerk
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EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM HILLSIDE RESIDENCE COASTAL DEVELOPMENT PERMIT AND HILLSIDE REVIEW PERMIT

LDR NO. 96-7549

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Land Development Review Division, 1222 First Avenue, Fifth Floor, San Diego, CA 92101. All mitigation measures contained in the Mitigated Negative Declaration (LDR No. 96-7549) shall be made conditions of as may be further described below.

Biological Resources

1. Prior to the issuance of the first grading permit, the applicant shall dedicate in fee title to the City of San Diego, or place a conservation easement on the remaining undeveloped portion of the lot.
2. Prior to the issuance of any building permits, the applicant shall submit a landscape plan to the satisfaction of the City Manager to assure that no invasive non-native plant species shall be introduced into areas adjacent to the Multi-Habitat Planning Area (MHPA).
3. Prior to the issuance of any grading permits, the applicant shall provide verification and show on the plans to the satisfaction of the City Engineer that the proposed developed areas shall be consistent with the Multiple Species Conservation Program (MSCP) Land Use Adjacency Guidelines which state the projects shall not drain directly into the MHPA and all developed and paved areas shall prevent the release of toxins, chemicals, petroleum projects, exotic plant materials, and other elements that might degrade or harm the natural environment or ecosystem processes within the MHPA.

Geotechnical Impacts

1. Prior to the issuance of the grading permit for the proposed structures, the applicant shall submit a full geotechnical study to the satisfaction of the City Engineer. Any new potentially significant environmental impacts and subsequent mitigation measures identified in the new geotechnical study, shall be evaluated at that time by Development Services, Environmental Analysis Section.
2. Prior to the issuance of the grading permit, the applicant shall demonstrate to the satisfaction of the City Engineer that recommendations in the Geotechnical Study have been incorporated into the project.

Paleontological Resources

The following mitigation measures are required to reduce potential adverse project impacts to paleontological resources to below a level of significance:

1. Prior to issuance of a grading permits, the applicant shall provide a letter of verification to the Environmental Review Manager of Land Development Review (LDR) stating that a qualified paleontologist and/or paleontological monitor have been retained to implement the monitoring program. The requirement for paleontological monitoring shall be noted on the grading plans. **ALL PERSONS INVOLVED IN THE PALEONTOLOGICAL MONITORING OF THE PROJECT SHALL BE APPROVED BY LDR.**
2. The qualified paleontologist shall attend any preconstruction meetings to discuss grading plans with the grading plans with the grading and excavation contractor.
3. The paleontologist or paleontological monitor shall be on-site full time during the initial cutting of previously undisturbed areas. Monitoring may be increased or decreased at the discretion of the qualified paleontologist, in consultation with LDR, and will depend on the rate of excavation, the materials excavated and the abundance of fossils.
4. The paleontologist shall have the authority to divert, direct, or temporarily halt construction activities in the area of discovery to allow recovery of fossil remains. **THE PALEONTOLOGIST SHALL IMMEDIATELY NOTIFY LDR STAFF OF SUCH FINDING AT THE TIME OF DISCOVERY.** LDR shall approve salvaging procedures to be performed before construction activities are allowed to resume.
5. The paleontologist shall be responsible for preparation of fossils to a point of identification as defined in the City of San Diego Paleontological Guidelines and submitting a letter of acceptance from a local qualified curation facility. Any discovered fossil sites shall be recorded by the paleontologist at the San Diego Natural History Museum.
6. Prior to the issuance of a certificate of occupancy, a monitoring results report, with appropriate graphics, summarizing the results, analysis, and conclusions of the paleontological monitoring program shall be submitted to LDR for approval.

Public Safety

1. Prior to the certificate of occupancy, the applicant must provide verification to the satisfaction of the Fire Marshall that installation of a fire sprinkler system has occurred.

Visual Impacts

1. Prior to the certificate of occupancy, the applicant must provide verification to the satisfaction of the City Manager that all crib walls are planted to visually blend with the natural vegetation.

Monitoring Fees and Deposits

1. This mitigation monitoring and reporting program will require an additional deposit of \$450.00 to be collected prior to the issuance of grading permits to ensure the successful completion of the program.