

RESOLUTION NUMBER R-295566

ADOPTED ON OCTOBER 9, 2001

WHEREAS, June 5, 2000, Bejan Arfaa submitted an application to the City of San Diego for a Coastal Development Permit and Hillside Review Permit for the Farshin Samimi residence; 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 City Council on October 9, 2001; and

WHEREAS, the City Council considered the issues discussed in Mitigated Negative Declaration, LDR No. 99-1360, SCH No. 2001021063 (Revised March 27, 2001); NOW, THEREFORE,

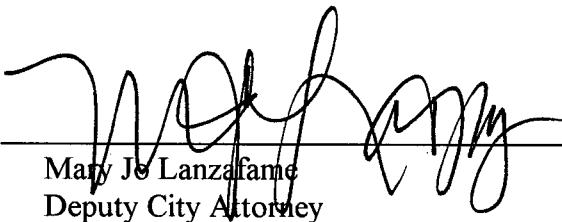
BE IT RESOLVED, by the Council of the City of San Diego, that it is certified that Mitigated Negative Declaration, LDR No. 99-1360, SCH No. 2001021063 (Revised March 27, 2001), on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 (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 approval of the a Coastal Development Permit and Hillside Review Permit for the Farshin Samimi residence.

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

BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code section 21081.6, the City Council 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.

BE IT FURTHER RESOLVED, that the City Clerk is directed to file a Notice of Determination [NOD] with the Clerk of the Board of Supervisors for the County of San Diego regarding the above project.

APPROVED: CASEY GWINN, City Attorney

By 
Mary Jo Lanzafame
Deputy City Attorney

MJL:lc
10/18/01
Or.Dept:Clerk
R-2002-565
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EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM FARSHIN SAMIMI RESIDENCE COASTAL DEVELOPMENT PERMIT AND HILLSIDE REVIEW PERMIT NO. 99-1360

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. 99-1360) shall be made conditions of the Coastal Development Permit and Hillside Review Permit No. 99-1360 as may be further described below.

General

1. The Mitigation, Monitoring, and Reporting Program (MMRP) shall require a deposit of \$450 to be collected prior to the recordation of the final map and/or issuance of the first grading permit to cover the City's costs associated with implementation of the MMRP.
2. All of the environmental mitigation measures listed above shall be shown on as features the construction plans and/or copied on an appropriate construction sheet under the heading, "Environmental Requirements".

Biological Resources

3. An engineering condition in the permit requires the applicant to assure off-site right-of-way improvements and a retaining wall to accommodate future widening of Hillside Drive along the project property boundary. The roadway would be widened from approximately 20 feet, which does not meet current City standards, to 28 feet. The condition will result in the removal of 427 square feet of mixed coastal sage scrub. This impact area was not accounted for in the attached final Mitigated Negative Declaration (MND). When added to the 3,910-square-foot impact area identified in the MND, the total impact area equals 4,337 square feet. The City's threshold for significance related to upland habitat impacts is one-tenth acre (4,356 square feet). Therefore, the final MND conclusion that there are no significant impacts to biological resources remains valid.

Historical Resources (Archaeology)

4. Prior to the issuance of grading permits, the applicant shall provide verification that a qualified archaeologist and/or archaeological monitor have been retained to implement the archaeological construction monitoring program. This verification shall be in the form of a letter from the applicant to the Environmental Review Manager (ERM) of the Land Development Review Division (LDR). **ALL PERSONS INVOLVED IN THE ARCHAEOLOGICAL CONSTRUCTION MONITORING OF THIS PROJECT SHALL BE APPROVED BY LDR PRIOR TO THE START OF MONITORING.**
5. The qualified historical archaeologist shall attend preconstruction meetings to make comments and/or suggestions concerning the archaeological construction monitoring program and discuss plans with the engineer. The requirement for archaeological monitoring shall be noted on the grading plan.
6. The qualified archaeologist or archaeological monitor shall be present on site full-time during grading.
7. In the event that unanticipated cultural resources are discovered, the archaeologist shall have the authority to divert or temporarily halt ground disturbance operation in the area of discovery to allow evaluation of potentially significant cultural resources. **THE ARCHAEOLOGIST SHALL CONTACT THE CITY'S MITIGATION MONITORING COORDINATOR (MMC) AT THE TIME OF DISCOVERY.** The significance of the discovered resources shall be determined by the archaeologist, in consultation with LDR. LDR must concur with the evaluation before grading activities will be allowed to resume. For significant cultural resources, a Research Design and Data Recovery Program shall be prepared and carried out to mitigate impacts before grading activities in the area of discovery will be allowed to resume. Any human bones of Native American origin shall be turned over to the appropriate Native American group for reburial.
8. All cultural materials collected shall be cleaned, catalogued, and permanently curated with an appropriate institution. All artifacts shall be analyzed to identify function and chronology as they relate to the history of the area. Faunal material shall be identified as to species and specialty studies shall be completed, as appropriate.
9. A monitoring report and/or evaluation report, if appropriate, which describes the results, analysis, and conclusions of the archaeological monitoring program (with appropriate graphics) shall be submitted to and approved by the MMC and ERM of LDR prior to issuance of a certificate of occupancy. For significant cultural resources, a Research Design and Data Recovery Program shall be included as part of the evaluation report. A mitigation report for significant cultural resources, if required, shall be submitted to and approved by the Environmental Review Manager of LDR prior to issuance of a certificate

of occupancy. THE APPLICANT SHALL NOTIFY LDR OF THE START AND END OF CONSTRUCTION.

Neighborhood Character/Aesthetics

10. The required off-site improvements would entail cutting into and maintaining a steep slope. Noticeable changes would consist of a wider roadway and a new retaining wall at street level with heavy brush directly beyond, where currently there is just the heavy brush. The retaining wall would be 61 feet long and 6 feet high. The wall and wider street do not represent a significant visual impact as curves in the road limit the line of sight, the wall would be relatively short in length, and no public view areas would be affected. The character of the neighborhood would not be impacted by the wider road and retaining wall, because these improvements would not change the neighborhood from rural to urban or strongly contrast with surrounding development (the road has already been widened along the boundary of the adjacent property). Therefore, the final MND conclusion that there are no significant impacts to neighborhood character/aesthetics remains valid.