

RESOLUTION NUMBER R- 297629

ADOPTED ON FEB 11 2003

WHEREAS, Canyon Hills Community Church submitted an application to the City of San Diego for a site development permit, conditional use permit amendment and easement vacation; 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 FEB 11 2003; and

WHEREAS, the City Council considered the issues discussed in Mitigated Negative Declaration LDR No. 41-0712; NOW, THEREFORE,

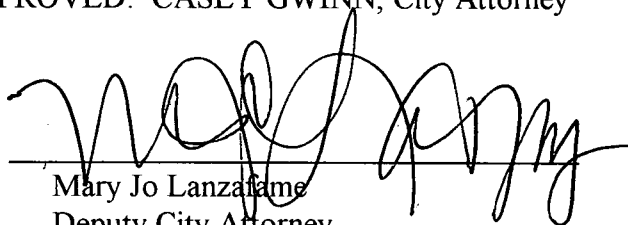
BE IT RESOLVED, by the Council of the City of San Diego, that it is certified that Mitigated Negative Declaration LDR No. 41-0712, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 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 a site development permit, conditional use permit amendment and easement vacation for the Canyon Hills Community Church Project.

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 Lanza  
Deputy City Attorney

MJL:pev  
01/07/03  
Or.Dept:DSD  
R-2003-880  
Form=mndr.frm

## EXHIBIT A

### MITIGATION MONITORING AND REPORTING PROGRAM Site Development Plan, Conditional Use Permit Amendment and Easement Vacation for Canyon Hills Community Church LDR No. 41-0712, Project No. 1131

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. 41-0712) shall be made conditions of the Site Development Plan and Conditional Use Permit Amedment as may be further described below.


The above mitigation monitoring and reporting program will require additional fees and/or deposits to be collected prior to the issuance of building permits, certificates of occupancy and/or final maps to ensure the successful completion of the monitoring program.

#### MITIGATION, MONITORING AND REPORTING PROGRAM:

To ensure that further site development would avoid significant environmental impacts, a Mitigation, Monitoring and Reporting Program (MMRP) is required. Compliance with the mitigation measures would be the responsibility of the applicant. The basis for the MMRP can be found in the Initial Study. The mitigation measures are described below.

#### General

1. After project approval and prior to recordation of the first permit, the applicant shall submit a deposit of \$3,200 to the Development Project Manager in Development Services Department to cover the City's costs associated with implementation of the Mitigation Monitoring and Reporting Program (MMRP).
2. Prior to the issuance of any grading permits, the Environmental Review Manager (ERM) of the City's Land Development Review Division (LDR) shall verify that the following statement is shown on the grading and/or construction plans as a note under the heading, *Environmental Requirements*: "The Canyon Hills Community Church Project is subject to a Mitigation Monitoring and Reporting Program and shall conform to the mitigation conditions as contained in the MND (LDR No. 41-0712).
3. Prior to the issuance of any grading permits, the owner/permittee shall make arrangements to schedule a pre-construction meeting to ensure implementation of the MMRP. The meeting shall include the Resident Engineer (RE), the Paleontologist and staff from the City's Mitigation Monitoring Coordination (MMC) Section.

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### Visual Quality

Prior to the issuance of the grading permit, the ERM shall verify that the following elements are shown on the grading/construction plans:

4. The proposed retaining walls which front on Del Mar Heights Road shall be of a staggered, curvilinear design, composed of individual wall segments to avoid the appearance of a single, unbroken wall face.
5. The walls shall be landscaped in accordance with all applicable City of San Diego standards. Landscaping will be designed to soften the edge effects and screen the retaining walls and exposed portions of the subterranean parking garage.
6. The exposed portions of the subterranean garage which front on Del Mar Heights Road shall incorporate architectural relief features such as arches, pop-outs and window openings with decorative metal inserts.

### Hydrology/Water Quality

7. Prior to issuance of any grading permits, the ERM and/or the City Engineer shall verify that the following measures have been incorporated into the grading plans:

#### *Construction Phase (Short Term Mitigation Measures)*

8. Prior to issuance of any grading permits, the owner/permittee shall comply with all requirements of the State Water Resources Control Board (SWRCB) Order No. 99-08-DWQ (NPDES General Permit No. CAS000002), Waste Discharge Requirements for Discharges of Storm Water Runoff Associated With Construction Activity. In accordance with said permit, a Storm Water Pollution Prevention Plan (SWPPP) and a Monitoring Program Plan shall be developed and implemented concurrently with the commencement of grading activities, and a complete and accurate Notice of Intent (NOI) shall be filed with the SWRCB.

Prior to issuance of any grading permits, a copy of the acknowledgment from the SWRCB that an NOI has been received for this project shall be filed with the City of San Diego; further, a copy of the completed NOI from the SWRCB showing the permit number for this project shall also be filed with the City of San Diego.

In addition, the permittee/owner(s) and subsequent permittee/owner(s) of any portion of the property covered by this grading permit and by SWRCB Order No. 99-08-DWQ, and any subsequent amendments thereto, shall comply with special provisions as set forth in Section C.7 of SWRCB Order No. 99-08-DWQ.

9. The SWPPP shall identify all applicable erosion control devices to be used during construction. These may include (but may not be limited to) earthen berms, gravel bags, silt fences, temporary storm drains, desilting

basins, energy dissipating devices, bladed swales, geotextile mats, plastic sheeting, and hydroseeding or other vegetation and irrigation practices. The SWPPP and grading plan shall include a drainage system which provides for implementation of Best Management Practices (BMPs) on-site to reduce construction phase runoff of pollutants into Los Peñasquitos Lagoon and other waters. Such BMPs must fulfill the intent of City Clerk Document No. 00-17068, "Erosion Control Measures for North City Areas Draining Into Los Peñasquitos or San Dieguito Lagoons" and Section 62.0419 "Protecting Water Quality in Coastal Lagoons" (City of San Diego Municipal Code).

10. The SWPPP shall include a site plan on which the grading footprint (development area) is identified as shown on the approved Exhibit A. All construction activities (including staging areas) shall be restricted to the development area. Specified vehicle fueling, maintenance procedures and hazardous materials storage areas shall be clearly designated to preclude the discharge of hazardous materials used during construction (e.g., fuels, lubricants and solvents). The SWPPP shall include measures to preclude spills and provide for the containment of any hazardous materials, including proper handling and disposal techniques and the use of temporary impervious liners to prevent soil and water contamination.
11. The owner/permittee shall hydroseed all applicable areas within 30 days of completion of grading activities with appropriate ground cover vegetation (e.g., use of native or noninvasive plants) to the satisfaction of the ERM of LDR in conformance with the requirements of the City's Landscape Standards.

*Post-Construction/Operational (Long Term Mitigation Measures)*

12. Prior to issuance of any grading permits, the ERM of LDR shall verify that the type and location of post-construction Best Management Practices (BMPs) are clearly identified on the site plan(s). All site runoff shall be routed through grass-lined swales (or equivalent structural BMPs) prior to flowing into the public drainage system. All surface runoff shall be filtered/treated for removal of sediment, constituents absorbed by sediment, and oil/grease prior to leaving the site.
13. Prior to issuance of any Certificates of Occupancy, the following mitigation measures shall be incorporated into project design to the satisfaction of the ERM of LDR and the City Engineer:
  - A. All project-related drainage structures shall be adequately sized to accommodate at a minimum a 50-year flood event (provisions for other storm events may be required pursuant to direction from the City Engineer).
  - B. Surface and subsurface drainage shall preclude ponding outside of designated areas and sheet flow down slopes.
  - C. Energy-dissipating structures (e.g., detention ponds, rip rap, or drop structures) shall be used at storm drain outlets, drainage crossings, and/or downstream of all drainage channels to reduce

velocity and prevent erosion. All such structures shall be located on the owner's property.

14. Prior to issuance of any Certificates of Occupancy, the owner/permittee shall submit a Monitoring and Maintenance Program to assure long-term maintenance of all private drainage facilities, including detention basins and all structural and non-structural BMPs. The Monitoring and Maintenance Program shall be subject to the approval of the ERM of LDR. The Monitoring and Maintenance Program shall include a schedule for the regular maintenance of all private drainage facilities and permanent BMPs, and shall identify the entity responsible for doing the maintenance.

### Paleontological Resources

#### *Prior to Preconstruction (Precon) Meeting:*

15. Land Development Review (LDR) Plan Check --  
Prior to the issuance of the first Grading Permit, the Environmental Review Manager (ERM) of LDR shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.
16. Letters of Qualification have been Submitted to ERM --  
Prior to the issuance of a Grading Permit, the applicant shall provide a letter of verification to the ERM of LDR stating that a qualified Archaeologist, as defined in the City of San Diego Paleontological Guidelines, has been retained to implement the monitoring program.
17. Second Letter Containing Names of Monitors has been sent to MMC:
  - A. At least thirty days prior to the Precon Meeting, a second letter shall be submitted to Mitigation Monitoring Coordination (MMC) which shall include the name of the Principal Investigator (PI) and the names of all persons involved in the Paleontological Monitoring of the project.
  - B. MMC will provide Plan Check with a copy of both the first and second letter.
18. Records Search Prior to Precon Meeting --  
At least thirty days prior to the Precon meeting, the qualified Paleontologist shall verify that a records search has been completed, and updated as necessary, and be prepared to introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities. Verification includes, but is not limited to, a copy of a confirmation letter from the San Diego Natural History Museum, other institution, or, if the record search was in-house, a letter of verification from the PI stating that the search was completed.

#### *Precon Meeting:*

19. Monitor Shall Attend Precon Meetings:
  - A. Prior to beginning of any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the Paleontologist,

Construction Manager and/or Grading Contractor, Resident Engineer (RE) and MMC. The qualified Paleontologist shall attend any grading related Precon Meetings to make comments and/or suggestions concerning the Paleontological Monitoring Program with the Construction Manager and/or Grading Contractor.

B. If the Monitor is not able to attend the Precon Meeting, the RE will schedule a focused Precon Meeting for MMC, Monitors, Construction Manager and appropriate Contractor's representatives to meet and review the job on-site prior to start of any work that requires monitoring.

20. Identify Areas to be Monitored --  
At the Precon Meeting, the Paleontologist shall submit to MMC a copy of the site/grading plan (reduced to 11x17) that identifies areas to be monitored.

21. When Monitoring Will Occur --  
Prior to the start of work, the Paleontologist also shall submit a construction schedule to MMC through the RE, indicating when and where monitoring is to begin and shall notify MMC of the start date for monitoring.

*During Construction:*

22. Monitor Shall be Present During Grading/Excavation --  
The qualified Paleontologist shall be present full-time during the initial cutting of previously undisturbed formations with high and moderate resource sensitivity, and shall document activity via the Consultant Site Visit Record (form). This record shall be faxed to the RE and MMC each month.

23. Discoveries:

A. Minor Paleontological Discovery --  
In the event of a minor Paleontological discovery (small pieces of broken common shell fragments or other scattered common fossils) the Paleontologist shall notify the RE that a minor discovery has been made. The determination of significance shall be at the discretion of the qualified Paleontologist. The Paleontologist will continue to monitor the area and immediately notify the RE if a potential significant discovery emerges.

B. Significant Paleontological Discovery --  
In the event of a significant Paleontological discovery and when requested by the Paleontologist, the city RE, shall be notified and shall divert, direct, or temporarily halt construction activities in the area of discovery to allow recovery of fossil remains. The determination of significance shall be at the discretion of the qualified Paleontologist. The Paleontologist with Principal Investigator (PI) level evaluation responsibilities shall also immediately notify MMC staff of such finding at the time of discovery. MMC staff will coordinate with appropriate LDR staff.

24. Night Work:

A. If night work is included in the contract:

- (1) When night work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
  - (2) The following procedures shall be followed:
    - (a) No Discoveries --  
In the event that nothing was found during the night work, The PI will record the information on the Site Visit Record Form.
    - (b) Potentially Significant Discoveries --  
If the PI determines that a potentially significant discovery has been made, the procedures under 24.,a. & b., will be followed, with the exception that the RE will contact MMC by 8 A.M. the following morning to report and discuss the findings.
- B. If night work becomes necessary during the course of construction:
- (1) The Construction Manager shall notify the RE a minimum of 24 hours before the work is to begin.
  - (2) The RE, or BI, as appropriate, will notify MMC immediately.
- C. All other procedures described above will apply, as appropriate.
25. Notification of Completion --  
The Paleontologist shall notify MMC and the RE of the end date of monitoring.

*Post Construction:*

The Paleontologist shall be responsible for preparation of fossils to a point of curation as defined by the City of San Diego Paleontological Guidelines.

26. Submit Letter of Acceptance from Local Qualified Curation Facility --  
The Paleontologist shall be responsible for submittal of a letter of acceptance to ERM of LDR from a local qualified curation facility. A copy of this letter shall be forwarded to MMC.
27. If Fossil Collection is not Accepted, Contact LDR for Alternatives --  
If the fossil collection is not accepted by a local qualified facility for reasons other than inadequate preparation of specimens, the project Paleontologist shall contact LDR, to suggest an alternative disposition of the collection. MMC shall be notified in writing of the situation and resolution.
28. Recording Sites with San Diego Natural History Museum --  
The Paleontologist shall be responsible for the recordation of any discovered fossil sites at the San Diego Natural History Museum.
29. Final Results Report:
- A. Prior to the release of the grading bond, two copies of the Final Results Report (even if negative), which describes the results, analysis, and conclusions of the above Paleontological Monitoring Program (with appropriate graphics) shall be submitted to MMC for approval by the ERM of LDR. The report shall have the project title and the LDR and project numbers printed on the cover.



B. MMC shall notify the RE of receipt of the Final Results Report.