

RESOLUTION NUMBER R- 310221

DATE OF FINAL PASSAGE JAN 25 2016

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DENYING THE APPEAL AND APPROVING THE COASTAL DEVELOPMENT PERMIT NO. 1050394, SITE DEVELOPMENT PERMIT NO. 1050407, AND PLANNED DEVELOPMENT PERMIT NO. 1050409 FOR THE RESERVE PROJECT NO. 292065.

WHEREAS, The Copley Press Incorporated, a Illinois Corporation, Owner/Permittee, filed an application with the City of San Diego for a permit to subdivide the property into three parcels, construct two single family residences and merge the Parcel No. 1 with the adjacent Fox Hill Estate property (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 1050394, 1050407 and 1050409), on portions of a 25.14-acre property; and

WHEREAS, the project site is located at 6850 Country Club Drive, in the RS-1-4 Zone, Coastal (non-appealable), Coastal Height Limitation Overlay Zones and within the La Jolla Community Plan area; and

WHEREAS, the project site is legally described as, That portion of Pueblo Lot 1263 of the Pueblo Lands of San Diego, in the City of San Diego, County of San Diego, according to Map thereof made by James Pascoe in 1870, known as Miscellaneous Map No. 36; and

WHEREAS, on November 19, 2015, the Planning Commission of the City of San Diego considered and approved Coastal Development Permit No. 1050394, Site Development Permit No. 1050407, and Planned Development Permit No. 1050409 pursuant to the Land Development Code of the City of San Diego; and

WHEREAS, appeals of the Planning Commission's approval were filed on December 14, 2015; and

WHEREAS, on January 25, 2016, the City Council of the City of San Diego considered Coastal Development Permit (CDP) No. 1050394, Site Development Permit (SDP) No. 1050407, and Planned Development Permit (PDP) No. 1050409 pursuant to the Land Development Code of the City of San Diego; and

WHEREAS, under Charter section 280(a)(2), this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that it adopts the following findings with respect to CDP No. 1050394, SDP No. 1050407, and PDP No. 1050409:

**I. COASTAL DEVELOPMENT PERMIT FINDINGS – SAN DIEGO MUNICIPAL CODE (SDMC) SECTION 126.0708**

1. The proposed coastal development will not encroach upon any existing physical access way 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 25.14-acre project site is currently predominantly vacant land except for an existing accessory structure located in the south western portion of the property. The development proposes to retain the accessory structure, subdivide the project site into three parcels, and construct two single family residences on two of the newly created vacant parcels. The third parcel with the accessory structure would be merged with the adjacent Fox Hill Estates (same ownership) property through the Lot Consolidation Parcel Map. The project site is located approximately 1.2 miles from the coastline. The future residence on the 1.68-acre Parcel 2 is anticipated to be no larger than 5,000 square feet in size. The future residence on the 22.20-acre Parcel 3 is anticipated to be no larger than 25,000 square feet in size. Each new residence will be contained within each newly created parcel, and neither parcel will not encroach upon any existing or proposed physical access to the coast. The project site located at the southern terminus of Romero Drive and Encelia Drive (public streets) is not located on or adjacent to an identified public view, as identified within the La Jolla Community Plan and Local Coastal Program Land Use Plan – Figure 9 (Identified Public Vantage Points). The two new single family residences are designed to meet the development setbacks and height limit of the underlying zone through associated Design Guidelines. The specific design for each of the two residences will be reviewed through a

Substantial Conformance Review (Process 2) to assure conformance with the Design Guidelines. Through the design of this project, along with the required Substantial Conformance Review, the proposed development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the La Jolla Community Plan and Local Coastal Program Land Use Plan.

**2. The proposed coastal development will not adversely affect environmentally sensitive lands.** The 25.14-acre project site is currently predominantly vacant land except for an existing accessory structure located in the south western portion of the property and has portions that have been previously graded or disturbed. The surrounding properties are fully developed residential properties within an urbanized area. The project proposes to subdivide the 25.14-acre property into three lots and construct two new single family homes. Development is proposed on a total of 6.29-acres of the 25.14-acre site. Approximately 18.80 acres or approximately 75% of the project site is proposed to be retained and conserved within a building restricted easement/covenant of easement area to be recorded on the property. The project site contains steep hillsides and sensitive biological resources making the proposed development subject to the Environmentally Sensitive Lands Regulations. Based on a Biological Resources Technical Report prepared by Dudek in April 2014, the site was found to contain scrub oak chaparral, southern maritime chaparral and non-native grasslands which are all identified as sensitive biological resources. The environmental review determined that this project may have a significant environmental effect on Biological, Paleontological Resources, and the City prepared an Environmental Impact Report (EIR), Project No. 292065, in accordance with the California Environmental Quality Act (CEQA). The EIR's Mitigation Monitoring and Reporting Program (MMRP) incorporates mitigation measures in to the project to reduce the potential impacts to a level below significance. Thus the proposed project will not adversely affect environmentally sensitive lands.

**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.** The proposed development to subdivide a 25.14-acre property into three lots and construct two new single family homes is located on a site which has a Parks/Open Space land use designation. This land use designation, while it allows for residential uses, limits the residential dwelling units to be single family. The existing zoning of RS-1-4 allows a dwelling unit per 10,000 square feet of site. The total acreage of 25.14 acres would allow a potential of 110 units. The proposal of 3 units, two new dwelling units with one existing, is allowed with this land use designation. The project design was also determined to be in compliance with all of the applicable development regulations, primarily those of the RS-1-4 Zone, the Environmentally Sensitive Land Regulations and the Coastal Overlay Zone. The project site located at the southern terminus of Romero Drive and Encelia Drive (public streets) and is not located on or adjacent to an identified public view, as identified within the La Jolla Community Plan and Local Coastal Program Land Use Plan – Figure 9 (Identified Public Vantage Points). The project site is not located near or adjacent to an area identified for public access to the coastline as referenced in the La Jolla Community Plan and Local Coastal Program Land Use Plan. Therefore, the project was found to be in compliance with the City of San Diego's adopted La Jolla Community Plan and the certified Local Coastal Program Land Use Plan.

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 25.14-acre site, currently predominantly vacant land except for an existing accessory structure located in the south western portion of the property, is located within a well-developed residential neighborhood approximately 1.2 miles from the coastline. The project site is not located between the first public road and the sea or coastline. The project site is designated for Parks and Open Space by the La Jolla Community Plan and Local Coastal Program Land Use Plan. The project will be fully within a legal lot, which is private property. There is no identified public access or public recreation area on or adjacent to the project site and no resources will be impaired by the redevelopment of this site. The proposed subdivision and construction of two new single family residences is designed to take access off the existing public streets, with adequate off street parking. The existing character and pedestrian design of the streets and public walkways will be improved or remain unaltered. Thus this proposed project is in conformance with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

**II. SITE DEVELOPMENT PERMIT – SAN DIEGO MUNICIPAL CODE (SDMC)  
SECTION 126.0504**

**A. Findings for all Site Development Permits**

1. **The proposed development will not adversely affect the applicable land use plan.** The 25.14-acre project site is currently predominantly vacant land except for an existing accessory structure located in the south western portion of the property. The development proposes to retain portions of an existing residence, subdivide the project site into three parcels, and construct two single family residences on two of the newly created vacant parcels. This proposed three lot subdivision with two new single family residences will not adversely affect the La Jolla Community Plan, because the proposed development has been found consistent with the Plan's Parks/Open Space land use designation of the La Jolla Community Plan, the development regulations of the RS-1-4 Zone, allowed density, and design recommendations. This land use designation, while it allows for residential uses; it limits the residential dwelling units to be single family. The existing zoning of RS-1-4 allows a dwelling unit per 10,000 square feet of site. The total acreage of 25.14 acres would allow a potential of 110 units. The proposal of 3 units, two new dwelling units with one existing, would be allowed with this land use designation. The project site is not located adjacent to any public view as identified within the La Jolla Community Plan and Local Coastal Land Use Plan. This overall design, including the project's Design Guidelines was found to bring the project into compliance with the La Jolla Community Plan and Local Coastal Program Land Use Plan. Due to these factors the proposed development will not adversely affect the City of San Diego adopted La Jolla Community Plan and the certified Local Coastal Program Land Use Plan.

2. **The proposed development will not be detrimental to the public health, safety, and welfare.** The 25.14-acre project site is currently predominantly vacant land except for an existing accessory structure located in the south western portion of the property. The

development proposes to retain the existing accessory structure, subdivide the project site into three parcels, merge Parcel No. 1 into the adjacent Fox Hill Estate property and construct two single family residences on two of the newly created vacant parcels. The environmental review determined that this project may have a significant environmental effect on Biological, Paleontological Resources and the City prepared an Environmental Impact Report (EIR), Project No. 292065, in accordance with the California Environmental Quality Act (CEQA). The EIR's Mitigation Monitoring and Reporting Program (MMRP) incorporate mitigation measures in to the project for potential impacts to Biological Resources and Paleontological Resources, to reduce the potential impacts to a level below significance. This environmental analysis included an analysis of the project's potential impact on public health and safety, and no significant issues relating to that were found. The street improvements associated with this subdivision will comply with City Engineering and Fire Department Standards. The project's design includes a brush management plan in compliance with current brush management standards to reduce risk from fire hazards. The construction of the two single family homes is conditioned to comply with all current building, electrical and plumbing codes. The subdivision of this site with the construction of two single family residences would therefore not be detrimental to the public health, safety and welfare.

**3. The proposed development will comply with the applicable regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code.** The proposed development to subdivide a 25.14-acre property into three lots and construct two new single family homes is located on a site which has a Parks/Open Space land use designation. This land use designation, while it allows for residential uses limits the residential dwelling units to be single family. The existing zoning of RS-1-4 allows a dwelling unit per 10,000 square feet of site. The total acreage of 25.14 acres would allow a potential of 110 units. The proposal of 3 units, two new dwelling units with one existing, is allowed with this land use designation. The project design was also determined to be in compliance with all of the applicable development regulations, primarily those of the RS-1-4 Zone, the Environmentally Sensitive Land (ESL) Regulations and Coastal Overlay Zone. The project site located at the southern terminus of Romero Drive and Encelia Drive (public streets) is not located on or adjacent to an identified public view, as identified within the La Jolla Community Plan and Local Coastal Program Land Use Plan – Figure 9 (Identified Public Vantage Points). The project site is not located near or adjacent to an area identified for public access to the coastline as referenced in the La Jolla Community Plan and Local Coastal Program Land Use Plan.

This proposed project will grant deviations to allow a reduced street frontage for both Parcels 2 and 3 of the proposed subdivision from the minimum required street frontage of 65 feet to 26 feet for each parcel. Currently Romero Drive and Encelia Drive terminate in dead ends at the northern edge of the project site, with no turn around or cul de sacs. The project proposes a turn-around to be added to the end of the two streets rather than a larger, City Engineering standard cul-de-sac. The proposed turn around area involves roughly half the needed area relative to the space needed to meet the City standard cul-de-sac. The proposed turn around design was reviewed and accepted by both Development Services Department's Engineering Section and the Fire Department. This reduction in turn-around area reduces the area of proposed encroachment into ESL. Due to these factors the proposed subdivision into three lots and

construction of two new single family residences was found to be in compliance with the City of San Diego's adopted La Jolla Community Plan and the certified Local Coastal Program Land Use Plan.

**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 25.14-acre project site is currently predominantly vacant land except for an existing accessory structure located in the south western portion of the property, has previously been graded, disturbed and developed on scattered portions of the property. The surrounding properties are fully developed residential properties within an urbanized area. The project proposes to subdivide the 25.14-acre property into three lots and construct two new single family homes. Development is proposed on a total of 6.29-acres of the 25.14-acre site. Approximately 18.80 acres or approximately 75% of the project site is proposed to be retained and conserved within a building restricted easement/covenant of easement area to be recorded on the property. The project site contains steep hillsides and sensitive biological resources making the proposed development subject to the Environmentally Sensitive Lands Regulations. Based on a Biological Resources Technical Report prepared by Dudek in April 2014, the site was found to contain scrub oak chaparral, southern maritime chaparral and non-native grasslands which are all identified as sensitive biological resources. The environmental review determined that this project may have a significant environmental effect on Biological, Paleontological Resources and the City prepared an Environmental Impact Report (EIR), Project No. 292065, in accordance with the California Environmental Quality Act (CEQA). The EIR's Mitigation Monitoring and Reporting Program (MMRP) incorporate mitigation measures in to the project for potential impacts to Biological Resources and Paleontological Resources, to reduce the potential impacts to a level below significance. The project was designed to locate and minimize all of the proposed development within a 6.29 acre portion of the property. Smaller turn around areas were utilized to reduce the area of impact to ESL, the home sites are located outside of the steep slope areas and within previously disturbed portions of the site and the two proposed residences were located close to the existing public streets, minimizing the length of driveways. Thus the proposed project will result in minimum disturbance to environmentally sensitive lands.

2. **The proposed development will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.** The proposed subdivision of the property and construction of two new single family residences will occur entirely within the approximately 6.29 acres portion of the 25.14-acre project site. The project proposes grading of approximately 25% of the entire project site. Prior to any grading activities on site, a grading plan will be required to be prepared by a registered civil engineer and a grading permit would need to be obtained in conformance with the City's Land Development Code. All grading would follow the recommendations described in the geotechnical report prepared specifically for the project site. The graded pad area for Parcel 2 will not exceed 10,000 square feet. The graded pad area for Parcel 3 will not exceed 25,000 square feet. The cut and fill portions of proposed grading are mainly located within the proposed building footprint, with minimal change to the natural landform. The project area is classified as low to moderate risk for seismic activity according to the City of San Diego General Plan. A

number of geology reports, the most recent prepared by Geotechnical Exploration Inc., November 16, 2011, analyzed the project site and the project. That report indicates that a portion of the site is located within Hazard Category 12, which is characterized as an earthquake buffer, for the Country Club Fault, which is classified as “potentially active, inactive, presumed inactive, or activity unknown’ with a low to moderate risk level. Further construction related activities associated with the project would be required to comply with the seismic requirements of the California Building Code, City required engineering design measures, recommendations included in the City approved project geology reports and standard construction requirements that the City verifies at the construction permitting stage.

The project site is not located within a 100-year flood hazard area and it is located from approximately 444 to 663 feet above mean sea level. The project’s design includes construction-related best management practices (BMPs), such as diversion features (as determined by the grading contractor), and permanent low-impact development (LID) measures, such as permeable pavement and detention/treatment features within the landscape areas, to ensure runoff from the site does not result in erosion and sedimentation off site. Through these project design features, runoff volumes from the developed portion of the site would be reduced to match pre-existing flows, and would therefore not contribute erosive discharge velocities at the existing storm drain outlets. As such, the project would avoid direct discharge of runoff into and erosion of the native habitat adjacent to the southern and eastern property boundaries. The proposed landscaping along the development edge of both new building parcels is adjacent to the building restricted easement/covenant of easement area, and revegetation of the non-native invasive plant removal areas, would include brush management compatible natives and naturalized species which are drought tolerant and comply with all City Landscape Requirements.

The project site is located in a largely built out single family neighborhood, but it is identified on the City’s Fire Hazard Severity Zone Map as having a very high fire hazard for the potential for wildfire to occur. To minimize risks associated with potential wildfire events, the project complies with the City’s fire emergency access requirements and the project would establish and maintain Brush Management Zones 1 and 2 on both of the newly created parcels. The project must also comply with all uniform building and fire code requirements. Thus, the proposed project will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.

**3. The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.** The project site is located at 6850 Country Club Drive within the La Jolla Community Plan. The southwestern portion of the project site has been disturbed by a previously constructed single family residence. The northwestern portion of the project site, approximately 0.60-acres, contains areas of non-native invasive plants and Environmentally Sensitive Lands in the form of sensitive vegetation. This northwestern portion of the project site will be retained and conserved within a building restricted easement/covenant of easement area. The proposed development of two new single family residences will place the residence near the terminus of both Romero Drive and Encelia Drive within a portion of the previously disturbed area of the project site.

The project's design includes a brush management plan, as the buildings would be located within 100 feet of native/naturalized vegetation, and removal of non-native invasive plants followed by implementation of the revegetation plan specified on Exhibit "A". The proposed landscaping along the development edge adjacent to the building restricted easement/covenant of easement area, and revegetation of the non-native invasive plant removal areas, would include brush management compatible natives and naturalized species which are drought tolerant and comply with all City Landscape Requirements. The environmental review determined that this project may have a significant environmental effect on Biological, Paleontological Resources and the City prepared an Environmental Impact Report (EIR), Project No. 292065, in accordance with the California Environmental Quality Act (CEQA). The EIR's Mitigation Monitoring and Reporting Program (MMRP) incorporates mitigation measures into the project for potential impacts to Biological Resources and Paleontological Resources, to reduce the potential impacts to a level below significance. In addition, the project must comply with applicable Land Development Code provisions that require preferential avoidance of sensitive habitat and species for Brush Management Zone 2 areas, revegetation requirements and construction related storm water best management practices. Thus, based on the project design, and with implementation of the Mitigation Monitoring Reporting Program, other project conditions and applicable laws designed to minimize impacts to environmentally sensitive lands, the proposed project will prevent adverse impacts on any adjacent Environmentally Sensitive Lands.

**4. The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan.** The project site is located at 6850 Country Club Drive within the La Jolla Community Plan. Development is proposed on a total of 6.29-acres of the 25.14-acre site. Approximately 18.80 acres or approximately 75% of the project site is proposed to be retained and conserved within a building restricted easement/covenant of easement area to be recorded on the property. The project site contains steep hillsides and sensitive biological resources making the proposed development subject to the Environmentally Sensitive Lands Regulations. Based on a Biological Resources Technical Report prepared by Dudek in April 2014, the site was found to contain scrub oak chaparral, southern maritime chaparral and non-native grasslands which are all identified as sensitive biological resources. The proposed development places the two new residences in the northern portion of the property and proposes minimal encroachment in the Environmentally Sensitive Lands.

The project site lies within the City of San Diego Multiple Species Conservation Program (MSCP) boundary. However, the project site is located outside the City's Multi-Habitat Planning Area (MHPA) conservation area and there are no specific MHPA guidelines for the project area. The project was analyzed for consistency with the MSCP Land Use Adjacency Guidelines and other components of the City's MSCP Subarea Plan. As documented in the EIR, the biological technical reports and other project documentation, the project, as mitigated, would be consistent with the MSCP relative to potential impacts to areas such as drainage, toxics, lighting, noise, invasive plants, brush management and land development. Because of the project design, and with implementation of the MMRP, applicable laws and project conditions, the project will be consistent with the City's MSCP Subarea Plan.



**5. The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.** The proposed, construction of two new, two-story, single-family residences, will occur entirely within the approximately 6.29- acre portion of the 25.14-acre project site. The project site is located high along the western hillside area of Mount Soledad approximately from 444 feet to 633 feet above the mean sea level. The project proposes grading or development of approximately 6.29 acres, or approximately 25% of the entire project site. The two new building sites, Parcels 2 and 3 are anticipated to not have balanced grading on site, and would likely require excess material to be exported to an approved site. Prior to any grading activities on site, a grading plan will be required to be prepared by a registered civil engineer and a grading permit would need to be obtained in conformance with the City' Land Development Code. All grading would follow the recommendations described in the geotechnical report prepared specifically for the project site. The graded pad area for Parcel 2 will not exceed 10,000 square feet. The graded pad area for Parcel 3 will not exceed 25,000 square feet. The cut and fill portions of proposed grading are mainly located within the proposed building footprint, with minimal change to the natural landform.

The project's design includes construction-related storm water BMPs, such as diversion features (as determined by the grading contractor), and permanent LID measures, such as permeable pavement and detention/treatment features within the landscape areas, to ensure runoff from the site does not result in increased erosion and sedimentation off site. Through these project design features and the Mitigation Monitoring Reporting Program, runoff volumes from the developed portion of the site would be reduced to match pre-existing flows, and would therefore not contribute erosive discharge velocities at the existing storm drain outlets. As such, the project would not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.

**6. 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 25.14-acre project site is located within a mostly developed area of single-family residences on large to moderate sized lots. The development proposes to construct two new, two-story, single family residences on the newly created parcels, approximately 6.29-acre portion of the project site. The environmental review determined that this project may have a significant environmental effect on Biological, Paleontological Resources and the City prepared an Environmental Impact Report (EIR), Project No. 292065, in accordance with the California Environmental Quality Act (CEQA). The EIR's Mitigation Monitoring and Reporting Program (MMRP) incorporate mitigation measures in to the project for potential impacts to Biological Resources and Paleontological Resources, to reduce the potential impacts to a level below significance. In addition, the project must comply with applicable Land Development Code provisions that require preferential avoidance of sensitive habitat and species for Brush Management Zone 2 areas, revegetation requirements and construction related storm water best management practices with respect to potential drainage impacts. As designed, and with the conditions imposed, the project also complies with or exceeds the requirements of all applicable Land Development Code regulations. Thus, the nature and extent of mitigation required of the project as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development of the project site.

### **III. PLANNED DEVELOPMENT PERMIT FINDINGS- SAN DIEGO MUNICIPAL CODE SECTION 126.0604**

**1. The proposed development will not adversely affect the applicable land use plan.** The 25.14-acre project site is currently predominantly vacant land except for an existing accessory structure located in the south western portion of the property. The development proposes to retain the existing accessory structure, subdivide the project site into three parcels, merge Parcel No. 1 with the adjacent Fox Hill Estate property and construct two single family residences on two of the newly created vacant parcels. This proposed three lot subdivision with two new single family residences will not adversely affect the La Jolla Community Plan, because the proposed development has been found consistent with the Plan's Parks/Open Space land use designation of the La Jolla Community Plan, the development regulations of the RS-1-4 Zone, allowed density, and design recommendations. This land use designation, while it allows for residential uses; it limits the residential dwelling units to be single family. The existing zoning of RS-1-4 allows a dwelling unit per 10,000 square feet of site. The total acreage of 25.14 acres would allow a potential of 110 units. The proposal of two new dwelling units would be allowed with this land use designation. The project site is not located adjacent to any public view as identified within the La Jolla Community Plan and Local Coastal Program Land Use Plan. This overall design, including the project's Design Guidelines was found to bring the project into compliance with the La Jolla Community Plan and Local Coastal Program Land Use Plan. Due to these factors the proposed development will not adversely affect the City of San Diego adopted La Jolla Community Plan and the certified Local Coastal Program Land Use Plan.

**2. The proposed development will not be detrimental to the public health, safety, and welfare.** The 25.14-acre project site is currently predominantly vacant land except for an existing accessory structure located in the south western portion of the property. The development proposes to retain the existing accessory structure, subdivide the project site into three parcels, merge Parcel No. 1 with the adjacent Fox Hill Estate property and construct two single family residences on two of the newly created vacant parcels. The environmental review determined that this project may have a significant environmental effect on Biological, Paleontological Resources and the City prepared an Environmental Impact Report (EIR), Project No. 292065, in accordance with the California Environmental Quality Act (CEQA). The EIR's Mitigation Monitoring and Reporting Program (MMRP) incorporates mitigation measures in to the project for potential impacts to Biological Resources and Paleontological Resources, to reduce the potential impacts to a level below significance. This environmental analysis included an analysis of the project's potential impact on public health and safety, and no significant issues relating to that were found. The street improvements associated with this subdivision will comply with City Engineering and Fire Department Standards. The project's design includes a brush management plan in compliance with current brush management standards to reduce risk from fire hazards. The construction of the two single family homes is conditioned to comply with all current building, electrical and plumbing codes. The subdivision of this site with the construction of two single family residences would therefore not be detrimental to the public health, safety and welfare.

**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.** The development proposes to retain an existing accessory structure, subdivide the project site into three parcels, merge Parcel No. 1 with the adjacent Fox Hill Estate property and construct two single family residences on two of the newly created vacant parcels. This proposed project will grant deviations to allow a reduced street frontage for both Parcels 2 and 3 of the proposed subdivision from the minimum required street frontage of 65 feet to 26 feet for each parcel. Currently Romero Drive and Encelia Drive terminate in dead ends at the northern edge of the project site, with no turn around or cul de sacs. The project proposes a turn-around to be added to the end of the two streets rather than a larger, City Engineering standard cul-de-sac. The proposed turn around area involves roughly half the needed area relative to the space needed to meet the City standard cul-de-sac. The proposed turn around design was reviewed and accepted by both Development Services Department's Engineering Section and the Fire Department. This reduction in turn-around area reduces the area of proposed encroachment into Environmentally Sensitive Lands and results in a more desirable project. These deviations would allow adequate access to both proposed building parcels. The deviations requested are allowed by the Land Development Code and will not adversely affect the design or character of the approved project.

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

BE IT FURTHER RESOLVED that Coastal Development Permit No. 1050394, Site Development Permit No. 1050407, and Planned Development Permit No. 1050409 are hereby granted to The Copley Press Incorporated, Owner/Permittee, under the terms and conditions set forth in the attached permit which is made a part of this resolution.

APPROVED: JAN I. GOLDSMITH, City Attorney

By Shannon M. Thomas  
Shannon M. Thomas  
Deputy City Attorney

SMT:als  
01/29/2016  
Or.Dept:DSD  
Doc. No.: 1214415

**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**

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24003147

**COASTAL DEVELOPMENT PERMIT NO. 1050394, SITE DEVELOPMENT PERMIT  
NO. 1050407 AND PLANNED DEVELOPMENT PERMIT NO. 1050409  
THE RESERVE - PROJECT NO. 292065 (MMRP)  
PLANNING COMMISSION**

This Coastal Development Permit No. 1050394, Site Development Permit No. 1050407 and Planned Development Permit No. 1050409 is granted by the Planning Commission of the City of San Diego to The Copley Press Incorporated, a Illinois Corporation, Owner/Permittee, pursuant to San Diego Municipal Code (SDMC) section 126.0702, 126.0502 and 126.0602. The 25.14 - acre site is located at 6850 Country Club Drive, in the RS-1-4 Zone, Coastal (non-appealable), Coastal Height Limitation Overlay Zones within the La Jolla Community Plan area. The project site is legally described as: That portion of Pueblo Lot 1263 of the Pueblo Lands of San Diego, in the City of San Diego, County of San Diego, according to Map thereof made by James Pascoe in 1870, known as Miscellaneous Map No. 36.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to subdivide the property into three parcels and construct two single family residences described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated November 19, 2015, on file in the Development Services Department.

The project shall include:

- a. Subdivision of the 25.14-acre property into three parcels and construction of two single family residences, one on Parcel 2, the other on Parcel 3, with Parcel 1 containing the existing accessory structure to remain. Parcel 1 will be merged with the adjacent lot to the west, known as Fox Hill Estates, addressed as 7007 Country Club Drive (APN No. 352-300-0400). The proposed new residences will conform to "The Reserve Design Guidelines", Exhibit A, part of this approval;

- b. Deviation to reduced Street Frontage for both Parcels 2 and 3, to 26 feet for each parcel;
- c. Landscaping (planting, irrigation and landscape related improvements);
- d. Off-street parking;
- e. Site Walls, retaining walls, fencing and exterior lighting as allowed by "The Reserve Design Guidelines", Exhibit A; 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 January 19, 2019.
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. 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.
4. 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.
5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.

6. 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.).
7. 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.
8. 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.
9. 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.
10. 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.

11. 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:**

12. 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.

13. The mitigation measures specified in the MMRP and outlined in Environmental Impact Report No. 292065 shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

14. The Owner/Permittee shall comply with the MMRP as specified in Environmental Impact Report No. 292065, 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:

#### **Biological Resources and Paleontological Resources.**

#### **AFFORDABLE HOUSING REQUIREMENTS:**

15. Prior to the issuance of any building permits, the Owner/Permittee shall comply with the affordable housing requirements of the City's Inclusionary Affordable Housing Regulations (SDMC § 142.1301 et seq.).

## **ENGINEERING REQUIREMENTS:**

16. The Owner/Permittee shall comply with the conditions of Vesting Tentative Map No. 1050354 and the City's approval of Vesting Tentative Map No. 1050354 is a condition of this permit.
17. Prior to the issuance of any building permit, the Owner/Permittee shall dedicate and improve an additional right-of-way at the end of Country Club Drive to be consistent with Exhibit "A," satisfactory to the City Engineer.
18. Prior to the issuance of any building permit, the Owner/Permittee shall dedicate and improve additional right-of-way at the end of Romero Drive to be consistent with Exhibit "A," satisfactory to the City Engineer.
19. Prior to the issuance of any construction permit, the applicant shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.
20. Prior to the issuance of any construction permit, the applicant shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the Municipal Code, into the construction plans or specifications.
21. Prior to the issuance of any construction permit, the Water Quality Technical Report will be subject to final review and approval by the City Engineer.
22. Prior to the issuance of any home construction permit, the Owner/Permittee for the home construction permit shall prepare and submit a Water Quality Technical Report covering the home and applicable development area that is subject to the final review and approval by the City Engineer, based on the Storm Water Standards in effect at the time of the construction permit issuance.
23. Prior to the issuance of any building permits, the Owner/Permittee shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to requirements in accordance with the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.
24. Development of this project shall comply with all storm water construction requirements of the State Construction General Permit, Order No. 2009-00090DWQ, or subsequent order, and the Municipal Storm Water Permit, Order No. R9-2007-0001, 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.
25. Prior to issuance of a grading or a construction 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.

26. This project proposes to export approximately 900 cubic yards of material from the project site. All export material shall be discharged into a legal disposal site. The approval of this project does not allow the onsite processing and sale of the export material unless the underlying zone allows a construction and demolition debris recycling facility with an approved Neighborhood Use Permit or Conditional Use Permit per LDC Section 141.0620(i).

### **LANDSCAPE REQUIREMENTS:**

27. Prior to issuance of any engineering permits for grading, the Owner/Permittee shall submit complete construction documents for the revegetation and hydroseeding of all disturbed land within the conserved area as defined in the Covenant of Easement in accordance with the City of San Diego Landscape Standards, Stormwater 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 Office of the Development Services Department.

28. Prior to issuance of any engineering permits for right-of-way 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 sq-ft area around each 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.

29. Prior to issuance of any construction permits for structures, the Owner/Permittee shall submit complete landscape and irrigation construction documents consistent with the Landscape Standards to the Development Services Department for approval. The construction documents shall be in substantial conformance with the approved SCR Exhibit "A," Landscape Development Plan, on file in the Office of the Development Services Department. Construction plans shall provide a 40 sq-ft area around each tree that is unencumbered by hardscape and utilities unless otherwise approved per LDC 142.0403(b)(5).

30. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, consistent with the Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity.

31. All required landscape shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees that are part of the required landscape is not permitted unless specifically noted in this Permit.

32. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, the Owner/Permittee shall repair and/or replace in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or Final Inspection.

**BRUSH MANAGEMENT PROGRAM:**

33. The Owner/Permittee of each Parcel shall implement the following requirements in accordance with the Brush Management Program set forth in the Exhibit "A" Design Guidelines for The Reserve on file in the Office of the Development Services Department.

34. The Brush Management Program shall be based on a standard Zone One of 35 feet in width with Zone Two of 65 feet in width, extending out from the structure towards the native/naturalized vegetation, consistent with the Brush Management Regulations of the Land Development Code section 142.0412. Actual zone widths shall be tailored to the footprint of the structure to incorporate Zone Two Reduction as applicable per 142.0412(f). In no case shall Zone One Brush Management extend beyond the development footprint established by the entitlement.

35. Prior to issuance of any Construction Permits, a complete set of Brush Management Plans shall be submitted for approval to the Development Services Department. The construction documents shall be in substantial conformance with the approved SCR Exhibit "A" and shall comply with the Landscape Standards and Brush Management Regulations as set forth under Land Development Code Section 142.0412.

36. The following note shall be provided on the Brush Management Plans: 'It shall be the responsibility of the Owner/Permittee to schedule a pre-construction meeting on site with the contractor and the Development Services Department to discuss and outline the implementation of the Brush Management Program.'

37. Within Zone One, combustible accessory structures (including, but not limited to decks, trellises, gazebos, etc.) shall not be permitted while accessory structures of non-combustible, one-hour fire-rated, and/or heavy timber construction may be approved within the designated Zone One area subject to Fire Marshal's approval.

38. Within Zone One, plant material shall be selected to visually blend with the existing hillside vegetation. No invasive plant material shall be permitted.

39. The Brush Management Program shall be maintained at all times in accordance with the City of San Diego's Landscape Standards.

**PLANNING/DESIGN REQUIREMENTS:**

40. Owner/Permittee shall maintain a minimum of two (2) off-street parking spaces, per single family residence on each parcel, on the property at all times in the approximate locations shown

conceptually on the approved Exhibit "A" and in the Design Guidelines. Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the appropriate City decision maker in accordance with the SDMC.

41. 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.

42. Prior to the issuance of any construction permits, the Owner/Permittee shall execute and record a Covenant of Easement which ensures preservation of the Environmentally Sensitive Lands that are outside the allowable development area on the premises as shown on Exhibit "A" for Sensitive Biological Resources and Steep Hillides, in accordance with SDMC section 143.0152. The Covenant of Easement shall include a legal description and an illustration of the premises showing the development area and the Environmentally Sensitive Lands as shown on Exhibit "A."

43. Prior to or in conjunction with the issuance of the building permits for each of the future homes on Parcels 2 and 3, the City shall conduct a single Process 2 Substantial Conformance Review (SCR) to ensure that the proposed home, landscaping and brush management requirements conform with the Design Guidelines for the applicable parcel. The SCR project scope shall be focused on and limited exclusively to determining conformance with the applicable Design Guidelines.

44. 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.

45. Parcel No. 1 (one) shall not be used as a standalone buildable lot. Prior to the issuance of any combination building permit for construction on Parcels 2 or 3, a Lot Consolidation Parcel Map or other suitable mapping action shall be recorded to consolidate Parcel 1 with the adjacent lot to the west, known as Fox Hill Estates, that is addressed as 7007 Country Club Drive and APN No. 352-300-0400.

#### **PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:**

46. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of new water and sewer service(s) outside of any driveway or drive aisle and the abandonment of any existing unused water and sewer services within the right-of-way adjacent to the project site, in a manner satisfactory to the Public Utilities Director, the City Engineer.

47. Prior to the issuance of any building permits, the Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Director and the City Engineer. BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way.

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

49. Prior to the issuance of any certificates of occupancy, all public water and sewer facilities shall be complete and operational in a manner satisfactory to the Public Utilities Director and the City Engineer.

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

**INFORMATION ONLY:**

- The issuance of this discretionary use permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this discretionary use 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 City Council of the City of San Diego on JAN 25 2016, by Resolution No. R-310221.

Permit Type/PTS Approval No.: CDP No. 1050394, SDP No. 1050407, LCPM No. 1578448  
and PDP No. 1050409

Date of Approval: \_\_\_\_\_

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES  
DEPARTMENT

\_\_\_\_\_  
Glenn R. Gargas  
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.**

**THE COPLEY PRESS INCORPORATION**  
Owner/Permittee

By \_\_\_\_\_  
Mr. Dean Dwyer, Vice President  
Finance, Treasurer and CFO

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

Passed by the Council of The City of San Diego on JAN 25 2016, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JAN 25 2016.

**(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)**

AUTHENTICATED BY:

KEVIN L. FAULCONER  
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 310221