

RESOLUTION NUMBER R- 310635

DATE OF FINAL PASSAGE JUL 26 2016

ITEM # 331  
SUB-B  
7/26/16

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO GRANTING PLANNED DEVELOPMENT PERMIT NO. 1511587 AND SITE DEVELOPMENT PERMIT NO. 1644625 FOR MEADOWOOD II - PROJECT NO. 432080.

WHEREAS, ROBERT D. BARCZEWSKI, as Trustee under Declaration of Trust dated August 10, 1997, Owner, and HALL LAND COMPANY INC., Permittee, filed an application with the City of San Diego for a Planned Development Permit and Site Development Permit, to construct 16 single-family residential dwelling units and two duplexes containing four affordable multi-family residential dwelling units on a vacant parcel of land and associated site improvements, on a 5.72-acre parcel of land known as the Meadowood II project (Project); and

WHEREAS, the project site is located at 13855 Rancho Santa Fe Farms Road in the RS-1-14 Zone within the Pacific Highlands Ranch Subarea Plan area; and

WHEREAS, the property is legally described as Parcel A: Parcel 1 of Parcel Map No. 12337, in the City of San Diego, State of California, filed in the Office of the County Recorder of San Diego County, September 24, 1982 as File No. 82-296204 of Official Records. Excepting therefrom that portion lying Southerly and Southeasterly of the centerline of that certain easement described in Deed to the City of San Diego, filed in the Office of the County Recorder of San Diego County, September 1, 1982 as File No. 82-271464 of Official Records; and Parcel B: Non-exclusive access easement for vehicular, pedestrian and bicycle ingress and egress as described in Grant of Reciprocal Access Easements and Road Improvement Agreement recorded March 4, 2015 as Instrument No. 2015-0098690 of Official Records; and

WHEREAS, on June 2, 2016, the Planning Commission of the City of San Diego considered Planned Development Permit No. 1511587 and Site Development Permit No. 1644625, and pursuant to Resolution No. 4780-PC voted to recommend approval; 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; and

WHEREAS, the matter was set for public hearing on July 26, 2016, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it adopts the following findings with respect to Planned Development Permit No. 1511587 and Site Development Permit No. 1644625:

**I. PLANNED DEVELOPMENT PERMIT – SAN DIEGO MUNICIPAL CODE SECTION 126.0604**

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

**1. The proposed development will not adversely affect the applicable land use plan.** The 5.72-acre project site is located at 13855 Rancho Santa Fe Farms Road in the RS-1-14 Zone within the Pacific Highlands Ranch Subarea Plan (PHRSP), Subarea III. The site is a trapezoid shaped remnant lot located on the north side of Carmel Valley Road, approximately 100 feet east of Rancho Santa Fe Road. The project site is currently vacant land that has been previously graded/disked for agricultural purposes and there are no slopes greater than 25 percent on-site. The site is not located within or adjacent to the Multiple Species Conservation Program (MSCP) Multiple Habitat Planning Area (MHPA) and does not contain any Environmentally Sensitive Lands (ESL) as defined in San Diego Municipal Code (SDMC) Section 113.0103. The site contains approximately 1.22 acres of public right-of-way (ROW) within the property boundary. The project site is designated Low Density Residential within the PHRSP and allows 2-5 dwelling units an acre.

The project proposes to subdivide the 5.72-acre site into 16 single dwelling unit lots, one multi-family dwelling unit lot, three Homeowner Association (HOA) lots, and one private driveway lot. All of the residential lots would take access off the proposed common driveway serving the site in a T-shaped configuration. The property contains an existing Wireless Communication Facility (WCF) which will remain on the site and has been incorporated into one of the HOA lots. The project includes the construction of 16 single-family dwelling units and two duplexes containing four affordable housing dwelling units. The proposed single-family dwelling units would consist of three two-story floor plans (includes six different elevation options), ranging in size from 2,677 square feet to 3,048 square feet, with attached three-car garages. The two two-story duplexes would total 4,676 square feet, with two attached two-car garages with an additional two guest parking spaces adjacent to the duplexes. Eight additional parking spaces are provided on the T-shaped private driveway for guest parking.

In accordance with SDMC Section 143.0403(a)(1), a Planned Development Permit (PDP) is being requested for development that complies with the applicable land use plan, but contains a use that is not permitted in the underlying zone. The project proposes two duplexes would be located on one lot, which would be classified as multiple-family development. Multiple-family development is not a permitted use in the RS-1-14 Zone, but is an allowed use in the Low Density Residential designation of the PHRSP. Therefore, with the approval of the PDP, the proposed development would not adversely affect the applicable land use plan.

**2. The proposed development will not be detrimental to the public health, safety, and welfare.** The 5.72-acre project site is located at 13855 Rancho Santa Fe Farms Road. The project proposes to subdivide the 5.72-acre site into 16 single dwelling unit lots, one multi-family dwelling unit lot, three HOA lots, and one private driveway lot. All of the residential lots would take access off the proposed common driveway serving the site in a T-shaped configuration. The property contains an existing WCF which will remain on the site and has been incorporated into one of the HOA lots. The project includes the construction of 16 single-family dwelling units and two duplexes containing four affordable housing dwelling units.

Master Environmental Impact Report (MEIR) Findings No. 432080 to MEIR No. 96-7918/SCH No. 97111077 have been prepared for the project in accordance with California Environmental Quality Act (CEQA) guidelines Section 15179. Based upon a review of the current project, it has been determined that there are no new significant environmental impacts not considered in the previous MEIR, no substantial changes have occurred with respect to the circumstances under which the project is undertaken, and there is no new information of substantial importance to the project. The implementation of the project is not expected to result in any additional significant impacts beyond those identified in the MEIR and mitigated in the Mitigation, Monitoring, and Reporting Program (MMRP).

The permit for the project includes various conditions and referenced exhibits of approval relevant to achieving project compliance with the applicable regulations of the SDMC in effect for this project. Such conditions within the permit have been determined as necessary to avoid adverse impacts upon the health, safety and general welfare of persons residing or working in the surrounding area. The project shall comply with the development conditions in effect for the subject property as described in Planned Development Permit No. 1511587 and Site

Development Permit No. 1644625, and other regulations and guidelines pertaining to the subject property per the SDMC. Prior to issuance of any building permit for the proposed development, the plans shall be reviewed for compliance with all Building, Electrical, Mechanical, Plumbing and Fire Code requirements, and the owner/permittee shall be required to obtain grading and public improvement permits. Therefore, the proposed development will 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 5.72-acre project site is located at 13855 Rancho Santa Fe Farms Road. The project proposes to subdivide the 5.72-acre site into 16 single dwelling unit lots, one multi-family dwelling unit lot, three HOA lots, and one private driveway lot. All of the residential lots would take access off the proposed common driveway serving the site in a T-shaped configuration. The property contains an existing WCF and will remain on the site and has been incorporated into one of the HOA lots. The project includes the construction of 16 single-family dwelling units and two duplexes containing four affordable housing dwelling units.

The project includes a request for deviations to the development regulations for street frontage for the subdivision and for the front yard setback (for Lot 11 only). The following are the code sections and justification for the deviations:

Street Frontage:

- a. A deviation from SDMC Section 144.0211(a) to allow proposed lots to not front directly onto a street, where all lots are required to have frontage on a street that is open to and usable by vehicular traffic; and
- b. A deviation from SDMC Section 131.0431(b) to allow no street frontage on Lots 1-8, 12-17, 19, and 20, where 50 feet of public street frontage is required in the RS-1-14 zone.

As part of the project, the City has requested that the access rights along the entire project frontage to Carmel Valley Road be relinquished. The property will be accessed from private access and utility easements recorded on the adjacent properties to the east and west. Therefore, the project would meet the purpose and intent of the regulations by providing access from the individual lots through a private driveway system onto the public street to both Rancho Santa Fe Farms Road and Carmel Valley Road.

Front Setback: A deviation from SDMC Section 131.0431(b) to allow a 12-foot front setback on Lot 11, where 15 feet is required in the RS-1-14 zone.

The proposed single-family dwelling unit on Lot 11 is adjacent to the cul-de-sac and is oriented approximately at a 45 degree angle to the private driveway, which effectively allows for the yard along this façade of the structure to function more as a street side yard. In addition, the proposed 12 foot front yard setback at this juncture of the private driveway would function as a transition from the 15 foot front yard setback to the 10 foot street side setback along the cul-de-sac. Approximately 60 square feet of the structure would encroach into the setback, but the structure would still maintain a minimum 12 foot setback.

In summary, the proposed residential development is consistent with the purpose and intent of the regulations of the underlying zone in that each of the individual lots will be provided access to and from a publicly accessible right-of-way through a private driveway system, and by establishing an appropriate setback for Lot 11. For all of these reasons, including the justifications listed above, the deviations are appropriate and necessary, and will result in a more desirable project that would be achieved if designed in strict conformance with the applicable development regulations. Therefore, the proposed development will comply with the applicable regulations of the Land Development Code (LDC), including any allowable deviations pursuant to the LDC.

## **II. SITE DEVELOPMENT PERMIT – SAN DIEGO MUNICIPAL CODE SECTION 126.0504**

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

**1. The proposed development will not adversely affect the applicable land use plan.** The 5.72-acre project site is located at 13855 Rancho Santa Fe Farms Road in the RS-1-14 Zone within the PHRSP, Subarea III. The site is a trapezoid shaped remnant lot located on the north side of Carmel Valley Road, approximately 100 feet east of Rancho Santa Fe Road. The project site is currently vacant land that has been previously graded/disked for agricultural purposes and there are no slopes greater than 25 percent on-site. The site is not located within or adjacent to the MSCP MHPA and does not contain any ESL as defined in SDMC Section 113.0103. The site contains approximately 1.22-acres of ROW within the property boundary. The project site is designated Low Density Residential within the PHRSP and allows 2-5 dwelling units an acre.

The project proposes to subdivide the 5.72-acre site into 16 single dwelling unit lots, one multi-family dwelling unit lot, three HOA lots, and one private driveway lot. All of the residential lots would take access off the proposed common driveway serving the site in a T-shaped configuration. The property contains an existing WCF which will remain on the site and has been incorporated into one of the HOA lots. The project includes the construction of 16 single-family dwelling units and two duplexes containing four affordable housing dwelling units. The proposed single-family dwelling units would consist of three two-story floor plans (includes six different elevation options), ranging in size from 2,677 square feet to 3,048 square feet, with attached three-car garages. The two two-story duplexes would total 4,676 square feet, with two attached two-car garages with an additional two guest parking spaces adjacent to the duplexes. Eight additional parking spaces are provided on the T-shaped private driveway for guest parking.

In accordance with SDMC Section 143.0403(a)(1), a PDP is being requested for development that complies with the applicable land use plan, but contains a use that is not permitted in the underlying zone. The project proposes two duplexes would be located on one lot, which would be classified as multiple-family development. Multiple-family development is not a permitted use in the RS-1-14 Zone, but is an allowed use in the Low Density Residential designation of the PHRSP. Therefore, with the approval of the PDP, the proposed development would not adversely affect the applicable land use plan.

**2. The proposed development will not be detrimental to the public health, safety, and welfare.** The 5.72-acre project site is located at 13855 Rancho Santa Fe Farms Road. The project proposes to subdivide the 5.72-acre site into 16 single dwelling unit lots, one multi-family dwelling unit lot, three HOA lots, and one private driveway lot. All of the residential lots would take access off the proposed common driveway serving the site in a T-shaped configuration. The property contains an existing WCF which will remain on the site and has been incorporated into one of the HOA lots. The project includes the construction of 16 single-family dwelling units and two duplexes containing four affordable housing dwelling units.

MEIR Findings No. 432080 to MEIR No. 96-7918/SCH No. 97111077 have been prepared for the project in accordance with CEQA guidelines Section 15179. Based upon a review of the current project, it has been determined that there are no new significant environmental impacts not considered in the previous MEIR, no substantial changes have occurred with respect to the circumstances under which the project is undertaken, and there is no new information of substantial importance to the project. The implementation of the project is not expected to result in any additional significant impacts beyond those identified in the MEIR and mitigated in the MMRP.

The permit for the project includes various conditions and referenced exhibits of approval relevant to achieving project compliance with the applicable regulations of the SDMC in effect for this project. Such conditions within the permit have been determined as necessary to avoid adverse impacts upon the health, safety and general welfare of persons residing or working in the surrounding area. The project shall comply with the development conditions in effect for the subject property as described in Planned Development Permit No. 1511587 and Site Development Permit No. 1644625, and other regulations and guidelines pertaining to the subject property per the SDMC. Prior to issuance of any building permit for the proposed development, the plans shall be reviewed for compliance with all Building, Electrical, Mechanical, Plumbing and Fire Code requirements, and the owner/permittee shall be required to obtain grading and public improvement permits. Therefore, the proposed development will 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 5.72-acre project site is located at 13855 Rancho Santa Fe Farms Road. The project proposes to subdivide the 5.72-acre site into 16 single dwelling unit lots, one multi-family dwelling unit lot, three HOA lots, and one private driveway lot. All of the residential lots would take access off the proposed common driveway serving the site in a T-shaped configuration. The property contains an existing WCF which will remain on the site and has been

incorporated into one of the HOA lots. The project includes the construction of 16 single-family dwelling units and two duplexes containing four affordable housing dwelling units.

The project includes a request for deviations to the development regulations for street frontage for the subdivision and for the front yard setback (for Lot 11 only). The following are the code sections and justification for the deviations:

Street Frontage:

- a. A deviation from SDMC Section 144.0211(a) to allow proposed lots to not front directly onto a street, where all lots are required to have frontage on a street that is open to and usable by vehicular traffic; and
- b. A deviation from SDMC Section 131.0431(b) to allow no street frontage on Lots 1-8, 12-17, 19, and 20, where 50 feet of public street frontage is required in the RS-1-14 zone.

As part of the project, the City has requested that the access rights along the entire project frontage to Carmel Valley Road be relinquished. The property will be accessed from private access and utility easements recorded on the adjacent properties to the east and west. Therefore, the project would meet the purpose and intent of the regulations by providing access from the individual lots through a private driveway system onto the public street to both Rancho Santa Fe Farms Road and Carmel Valley Road.

Front Setback: A deviation from SDMC Section 131.0431(b) to allow a 12-foot front setback on Lot 11, where 15 feet is required in the RS-1-14 zone.

The proposed single-family dwelling unit on Lot 11 is adjacent to the cul-de-sac and is oriented approximately at a 45 degree angle to the private driveway, which effectively allows for the yard along this façade of the structure to function more as a street side yard. In addition, the proposed 12 foot front yard setback at this juncture of the private driveway would function as a transition from the 15 foot front yard setback to the 10 foot street side setback along the cul-de-sac. Approximately 60 square feet of the structure would encroach into the setback, but the structure would still maintain a minimum 12 foot setback.

In summary, the proposed residential development is consistent with the purpose and intent of the regulations of the underlying zone in that each of the individual lots will be provided access to and from a publicly accessible right-of-way through a private driveway system, and by establishing an appropriate setback for Lot 11. For all of these reasons, including the justifications listed above, the deviations are appropriate and necessary, and will result in a more desirable project that would be achieved if designed in strict conformance with the applicable development regulations. Therefore, the proposed development will comply with the applicable regulations of the LDC, including any allowable deviations pursuant to the LDC.

**M. Supplemental Findings--Deviations for Affordable/In-Fill Housing Projects and Sustainable Buildings.**

**1. The proposed development will materially assist in accomplishing the goal of providing affordable housing opportunities in economically balanced communities throughout the City, and/or the proposed development will materially assist in reducing impacts associated with fossil fuel energy use by utilizing alternative energy resources, self-generation and other renewable technologies (e.g. photovoltaic, wind, and/or fuel cells) to generate electricity needed by the building and its occupants.** The 5.72-acre project site is located at 13855 Rancho Santa Fe Farms Road. The project proposes to subdivide the 5.72-acre site into 16 single dwelling unit lots, one multi-family dwelling unit lot, three HOA lots, and one private driveway lot. All of the residential lots would take access off the proposed common driveway serving the site in a T-shaped configuration. The property contains an existing WCF which will remain on the site and has been incorporated into one of the HOA lots. The project includes the construction of 16 single-family dwelling units and two duplexes containing four affordable housing dwelling units, in conformance with the criteria of the Affordable/In-Fill Housing and Sustainable Buildings Expedite Program.

In addition, the project conforms to the North City Future Urbanizing Area (NCFUA) Framework Plan and the PHRSP which requires that the project provide 20 percent of the pre-density bonus units as affordable, as certified by the Housing Commission. The applicant proposes four affordable housing units on-site in the form of two duplexes. Therefore, the proposed development will materially assist in accomplishing the goal of providing affordable housing opportunities in economically balanced communities. In addition, the proposed development has taken into account the best use of the land to minimize grading and the design will not impede or inhibit any future passive or natural heating and cooling opportunities.

**2. The development will not be inconsistent with the purpose of the underlying zone.** The 5.72-acre project site is located at 13855 Rancho Santa Fe Farms Road in the RS-1-14 Zone within the PHRSP, Subarea III. The site is a trapezoid shaped remnant lot located on the north side of Carmel Valley Road, approximately 100 feet east of Rancho Santa Fe Road. The project site is currently vacant land that has been previously graded/disked for agricultural purposes and there are no slopes greater than 25 percent on-site. The site is not located within or adjacent to the MSCP MHPA and does not contain any ESL as defined in SDMC Section 113.0103. The site contains approximately 1.22-acres of ROW within the property boundary. The project site is designated Low Density Residential within the PHRSP and allows 2-5 dwelling units an acre.

The project proposes to subdivide the 5.72-acre site into 16 single dwelling unit lots, one multi-family dwelling unit lot, three HOA lots, and one private driveway lot. All of the residential lots would take access off the proposed common driveway serving the site in a T-shaped configuration. The property contains an existing WCF which will remain on the site and has been incorporated into one of the HOA lots. The project includes the construction of 16 single-family dwelling units and two duplexes containing four affordable housing dwelling units. The proposed single-family dwelling units would consist of three two-story floor plans (includes six different elevation options), ranging in size from 2,677 square feet to 3,048 square feet, with



attached three-car garages. The two two-story duplexes would total 4,676 square feet, with two attached two-car garages with an additional two guest parking spaces adjacent to the duplexes. Eight additional parking spaces are provided on the T-shaped private driveway for guest parking.

In accordance with SDMC Section 143.0403(a)(1), a PDP is being requested for development that complies with the applicable land use plan, but contains a use that is not permitted in the underlying zone. The project proposes two duplexes would be located on one lot, which would be classified as multiple-family development. Multiple-family development is not a permitted use in the RS-1-14 Zone, but is an allowed use in the Low Density Residential designation of the PHRSP. Therefore, with the approval of the PDP, the proposed development would not be inconsistent with the purpose of the underlying zone.

**3. Any proposed deviations 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.** The 5.72-acre project site is located at 13855 Rancho Santa Fe Farms Road. The project proposes to subdivide the 5.72-acre site into 16 single dwelling unit lots, one multi-family dwelling unit lot, three HOA lots, and one private driveway lot. All of the residential lots would take access off the proposed common driveway serving the site in a T-shaped configuration. The property contains an existing WCF which will remain on the site and has been incorporated into one of the HOA lots. The project includes the construction of 16 single-family dwelling units and two duplexes containing four affordable housing dwelling units.

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Street Frontage:

- a. A deviation from SDMC Section 144.0211(a) to allow proposed lots to not front directly onto a street, where all lots are required to have frontage on a street that is open to and usable by vehicular traffic; and
- b. A deviation from SDMC Section 131.0431(b) to allow no street frontage on Lots 1-8, 12-17, 19, and 20, where 50 feet of public street frontage is required in the RS-1-14 zone.

As part of the project, the City has requested that the access rights along the entire project frontage to Carmel Valley Road be relinquished. The property will be accessed from private access and utility easements recorded on the adjacent properties to the east and west. Therefore, the project would meet the purpose and intent of the regulations by providing access from the individual lots through a private driveway system onto the public street to both Rancho Santa Fe Farms Road and Carmel Valley Road.

Front Setback: A deviation from SDMC Section 131.0431(b) to allow a 12-foot front setback on Lot 11, where 15 feet is required in the RS-1-14 zone.

The proposed single-family dwelling unit on Lot 11 is adjacent to the cul-de-sac and is oriented approximately at a 45 degree angle to the private driveway, which effectively allows for the yard along this façade of the structure to function more as a street side yard. In addition, the proposed 12 foot front yard setback at this juncture of the private driveway would function as a transition from the 15 foot front yard setback to the 10 foot street side setback along the cul-de-sac. Approximately 60 square feet of the structure would encroach into the setback, but the structure would still maintain a minimum 12 foot setback.

In summary, the proposed residential development is consistent with the purpose and intent of the regulations of the underlying zone in that each of the individual lots will be provided access to and from a publicly accessible right-of-way through a private driveway system, and by establishing an appropriate setback for Lot 11. For all of these reasons, including the justifications listed above, the deviations are appropriate and necessary, and will result in a more desirable project that would be achieved if designed in strict conformance with the applicable development regulations.

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

BE IT FURTHER RESOLVED, that Planned Development Permit No. 1511587 and Site Development Permit No. 1644625 are granted to ROBERT D. BARCZEWSKI, as Trustee under Declaration of Trust dated August 10, 1997, Owner, and HALL LAND COMPANY INC., 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  
07/05/2016  
Or.Dept:DSD  
Doc. No.: 1313033

Passed by the Council of The City of San Diego on JUL 26 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 JUL 26 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.

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

(Seal)

By *Sty Brady*, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 310635

**RECORDING REQUESTED**

**BY**

CITY OF SAN DIEGO  
DEVELOPMENT SERVICES  
PERMIT INTAKE, MAIL  
STATION 501

**WHEN RECORDED MAIL**

**TO**

**CITY CLERK  
MAIL STATION 2A**

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24006020

PLANNED DEVELOPMENT PERMIT NO. 1511587  
SITE DEVELOPMENT PERMIT NO. 1644625  
MEADOWOOD II - PROJECT NO. 432080 [MMRP]  
CITY COUNCIL

This Planned Development Permit No. 1511587 and Site Development Permit No. 1644625 are granted by the City Council of the City of San Diego to ROBERT D. BARCZEWSKI, as Trustee under Declaration of Trust dated August 10, 1997, Owner, and HALL LAND COMPANY INC., Permittee, pursuant to San Diego Municipal Code (SDMC) Sections 126.0504 and 126.0604. The 5.72-acre site is located at 13855 Rancho Santa Fe Farms Road in the RS-1-14 Zone within the Pacific Highlands Ranch Subarea Plan. The project site is legally described as Parcel A: Parcel 1 of Parcel Map No. 12337, in the City of San Diego, State of California, filed in the Office of the County Recorder of San Diego County, September 24, 1982 as File No. 82-296204 of Official Records. Excepting therefrom that portion lying Southerly and Southeasterly of the centerline of that certain easement described in Deed to the City of San Diego, filed in the Office of the County Recorder of San Diego County, September 1, 1982 as File No. 82-271464 of Official Records; and Parcel B: Non-exclusive access easement for vehicular, pedestrian and bicycle ingress and egress as described in Grant of Reciprocal Access Easements and Road Improvement Agreement recorded March 4, 2015 as Instrument No. 2015-0098690 of Official Records.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to construct 16 single-family residential dwelling units and two duplexes containing four affordable multi-family residential dwelling units on a vacant parcel of land; described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated JUL 26 2016, on file in the Development Services Department.

The project shall include:

- a. Construction of 16 single-family residential dwelling units and two duplexes containing four affordable multi-family residential dwelling units. The proposed single-family residential units would consist of three two-story floor plans (includes six different elevation options), ranging in size from 2,677 square feet to 3,048 square feet, with attached three-car garages. The two two-story duplexes would total 4,676 square feet, with two attached two-car garages;
- b. Deviations as follows:
  - 1) Street Frontage – A deviation from SDMC Section 144.0211(a) to allow proposed lots to not front directly onto a street, where all lots are required to have frontage on a street that is open to and usable by vehicular traffic;
  - 2) Street Frontage – A deviation from SDMC Section 131.0431(b) to allow no street frontage on Lots 1-8, 12-17, 19, and 20, where 50 feet of public street frontage is required in the RS-1-14 zone; and
  - 3) Front Setback – A deviation from SDMC Section 131.0431(b) to allow a 12-foot front setback on Lot 11, where 15 feet is required in the RS-1-14 zone;
- c. Landscaping (planting, irrigation and landscape related improvements);
- d. Off-street parking;
- e. 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 July 26, 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. 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.
  8. 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.
  9. 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.

10. 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:

11. 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.

12. The mitigation measures specified in the MMRP and outlined in FINDINGS NO. 432080 TO MASTER ENVIRONMENTAL IMPACT REPORT NO. 96-7918/SCH NO. 97111077, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

13. The Owner/Permittee shall comply with the MMRP as specified in FINDINGS NO. 432080 TO MASTER ENVIRONMENTAL IMPACT REPORT NO. 96-7918/SCH NO. 97111077, 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:

#### PALEONTOLOGICAL RESOURCES

#### HEALTH AND SAFETY REQUIREMENTS:

14. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the Owner/Permittee shall submit a concurrence letter issued by the County of San Diego Department of Environmental Health, Voluntary Assistance Program indicating that the technical

information, findings, and recommendations in the contaminated soil remediation plan have been reviewed and accepted.

15. Prior to the final inspection for the first residential building permit, the Owner/Permittee shall submit a Covenant to Restrict Use of Property Environmental Restriction and documentation from the County of San Diego Environmental Health, Voluntary Assistance Program verifying that the cleanup goals established for the property have been implemented and satisfied as required by the contaminated soil remediation plan.

NOISE REQUIREMENTS:

16. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the Owner/Permittee shall submit an exterior to interior noise analysis to identify the appropriate sound transmission reduction measures necessary to achieve an interior noise level that would not exceed 45dBA as discussed in the Noise Study (May 28, 2015) and Interior Noise Assessment (May 29, 2015) prepared by LDN Consulting, Inc. The mandatory noise reduction measures shall include, but are not limited to:

- A five-foot high noise barrier along Carmel Valley Road that shall be constructed of non-gaping material consisting of masonry, ½-inch thick glass, earthen berm or any combination of such materials. The design of the noise barrier shall conform to the fencing regulations of the Land Development Code and the requirements of the Pacific Highlands Ranch Subarea Plan;
- Air conditioning and mechanical ventilation system;
- Exterior walls shall have a Sound Transmission Class (STC) rating of 46 dB or better, and consist of 2-inch x 4-inch studs or larger, spaced 16-inch o.c. with R-13 insulation minimum and an exterior surface of 7/8-inch cement plaster (stucco);
- Roof assemblies must have a Sound Transmission Class (STC) rating of 46 dB or better, and shall have a minimum of ½-inch sheathing, R-19 insulation and be sealed to prevent noise leaks;
- Interior wall and ceiling surfaces shall be at least ½-inch thick gypsum or plaster;
- Exterior entry doors shall be of solid core construction having a minimum Sound Transmission Class (STC) rating of 26 dB;
- Glass assemblies shall be dual-paned and acoustical sealant applied around exterior edges; and



- Window and glass door assemblies for all units shall have a minimum STC rating of 26 dB.

AFFORDABLE HOUSING REQUIREMENTS:

17. The Owner/Permittee shall comply with the affordable housing requirements of the City's North City Future Urbanizing Area Framework Plan and the Pacific Highlands Ranch Subarea Plan, which requires that the project provide 20 percent of the pre-density bonus units as affordable (the "Affordable Housing Requirements").

a. Prior to recording the Final Map, the Owner/Permittee shall:

- (1) Enter into a Master Affordable Housing Agreement ("Affordable Housing Agreement"), with the San Diego Housing Commission ("Housing Commission") to detail and assure the construction and occupancy of not less than four (4) rental or for-sale affordable units ("Affordable Units") to be constructed on the Property. The Affordable Housing Agreement shall include all of the provisions of this Section 1 and such other and further conditions as shall be required by the President and CEO of the Housing Commission, or his designee ("President and CEO"), to assure satisfaction of the affordable housing requirements as referenced in this Permit, the North City Future Urbanizing Area Framework Plan, and the Pacific Highlands Ranch Subarea Plan.
- (2) In the event that the Owner/Permittee elects to construct rental Affordable Units, execute and record a declaration of covenants, conditions and restrictions (the "Declaration") in first priority position against the Affordable Housing Site, restricting the occupancy and affordability of the Affordable Units for a period of fifty five (55) years from the date of initial occupancy of the Units. All rental Affordable Units shall be for occupancy by families earning no more than sixty five percent (65%) of the Area Median Income, as adjusted for family size and utilities, and with rental rates that do not exceed thirty percent (30%) of sixty percent (60%) of the Area Median Income, as adjusted for assumed family size and utilities. The Declaration shall provide for the siting, mix and architectural nature of the Affordable Units.
- (3) In the event that the Owner/Permittee elects to satisfy affordable housing requirements by providing for-sale affordable units, the Owner/Permittee must ensure that each of the four (4) Affordable Units are sold to and occupied by families earning no more than sixty-five percent (65%) of the Area Median Income, as adjusted for family size, and sold for a total consideration that is affordable to families earning no more than sixty percent (60%) of the Area Median Income, as adjusted for family size.

Upon the initial sale of each of the four (4) Affordable Units, the Subdivider shall require each purchaser to execute, acknowledge and cause to be recorded against such Affordable Unit an individual declaration and individual deed of trust. Upon recordation of a condominium plan covering the property and designating the Affordable Units, the Affordable Housing Agreement shall be terminated and released as to all portions of the property other than the Affordable Units. Upon recordation of all four (4) individual declarations and individual deeds of trust, the Affordable Housing Agreement shall be terminated and released in its entirety. The individual declarations shall provide that for fifty-five (55) years each Affordable Unit shall be resold only to and occupied by families earning no more than sixty-five percent (65%) of the Area Median Income, as adjusted for family size, and resold for a total consideration that is affordable to families earning no more than sixty percent (60%) of the Area Median Income, as adjusted for family size. Notwithstanding the foregoing, the initial purchaser may resell the Affordable Unit for its fair market value and share the appreciation with the Housing Commission as set forth in California Government Code Section 65915, in such event, the individual declaration shall be terminated and the individual deed of trust shall be fully reconveyed.

(4) Post performance security for the construction of the Affordable Units, including without limitation, all onsite and offsite improvements, necessary to access and serve the Affordable Units with all necessary utilities, in the form of bond(s), letter(s) of credit, lien(s) and/or other forms of security acceptable to the President and CEO in her/his sole discretion.

b. Approval of the timing of the construction and occupancy of the Affordable Units, acceptable to the President and CEO, shall be included in the Affordable Housing Agreement, provided that the following timetable is incorporated into the Affordable Housing Agreement:

(1) Issuance of building permits for the Affordable Units shall occur on or before the earlier of: (A) the issuance of building permits for construction of the 8th market rate dwelling unit; or (B) twenty-four (24) months after the issuance of the first residential building permit.

(2) In no event shall the issuance of building permits for the construction of the 8th market rate dwelling unit occur until building permits for construction of the four (4) Affordable Units are authorized by the City and are obtained by the Subdivider. Further, if individual parcels are sold initially by Owner/Permittee without first obtaining building permits for construction of market rate units, every such parcel sold shall nonetheless be included with the total number of the building permit issued, in

determining when the issuance of the building permit occurs for the 8th market rate unit.

- (3) Completion of construction of the Affordable Units shall occur upon the earlier of:
    - (A) Eighteen (18) months after the issuance of building permit for the first Affordable Unit; or
    - (B) Three and one half years after the issuance of the first residential building permit.
  - (4) Occupancy of the Affordable Units shall occur not later than one hundred eighty (180) days after the completion of construction as referenced in b(3), above.
- c. Additional security for the performance by the Subdivider of the Affordable Housing Requirements shall be provided by a deed of trust in favor of the Housing Commission, recorded against the Affordable Units, in second lien priority, (junior only to the Affordable Housing Agreement) assuring the timely performance of the Agreement referenced in Paragraph A, hereof. The deed(s) of trust in favor of the Housing Commission may be subordinated to construction deed(s) of trust and/or permanent financing deed(s) of trust in favor of institutional lenders, as approved by the CEO, in his/her sole discretion, if deemed essential to construction and/or operation of the Affordable Units, upon such terms and conditions as he/she may impose. In the case of for-sale affordable units, upon recordation of a condominium plan covering the property and designating the Affordable Units, the deed of trust in favor of the Housing Commission shall be reconveyed and released as to all portions of the property other than the Affordable Units. Upon recordation of all four (4) individual declarations and individual deeds of trust, the deed of trust in favor of the Housing Commission shall be terminated and released in its entirety.
- d. The successors, heirs and assigns of the Owner/Permittee shall enter into and execute such other and further documents as the President and CEO shall require, from time to time, as may be needed to effectuate the affordable housing requirements of this Site Development Permit, the North City Future Urbanizing Area Framework Plan, and the Pacific Highlands Ranch Subarea Plan.

The North City Future Urbanizing Area Framework Plan and the Pacific Highlands Ranch Subarea Plan is on file in the Office of the Development Services Department and is incorporated herein. The provisions of the North City Future Urbanizing Area Framework Plan and the Pacific Highlands Ranch Subarea Plan shall not in any way modify or change any provisions of the Site Development Permit. To the extent that there is any inconsistency between them, the terms of the permit conditions shall prevail.

GEOLOGY REQUIREMENTS:

18. The Owner/Permittee shall submit a geotechnical investigation report or update letter that specifically addresses the proposed construction plans. The geotechnical investigation report or update letter shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to issuance of any construction permits.

19. The Owner/Permittee shall submit an as-graded geotechnical report prepared in accordance with the City's "Guidelines for Geotechnical Reports" following completion of the grading. The as-graded geotechnical report shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to exoneration of the bond and grading permit close-out.

ENGINEERING REQUIREMENTS:

20. The Planned Development Permit and Site Development Permit shall comply with all Conditions of the Final Map for the Vesting Tentative Map No.1511589.

21. The project proposes to export no material from the project site. Any excavated material that is exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2009 edition and Regional Supplement Amendments adopted by Regional Standards Committee.

22. The drainage system proposed for this development, as shown on the site plan, is private and subject to approval by the City Engineer.

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 the requirements of the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.

24. Prior to the issuance of any construction permit, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent (Best Management Practice) BMP maintenance, satisfactory to the City Engineer.

25. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.

26. Prior to the issuance of any construction permit, the applicant shall submit a Technical Report that will be subject to final review and approval by the City Engineer, based on the Storm Water Standards in effect at the time of the construction permit issuance.

27. 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. R9-2013-0001, or subsequent order. In accordance with Order No. 2009-0009DWQ, or subsequent order, a Risk Level Determination shall be calculated for the site and a Storm Water Pollution Prevention Plan (SWPPP) shall be implemented concurrently with the commencement of grading activities.

28. 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.

29. Prior to the issuance of any construction permit the Owner/Permittee shall incorporate and show the type and location of all post-construction Best Management Practices (BMP's) on the final construction drawings, consistent with the approved Water Quality Technical Report.

#### LANDSCAPE REQUIREMENTS:

30. 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 square-foot 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.

31. 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 Exhibit "A," Landscape Development Plan, on file in the Development Services Department. Construction plans shall show, label, and dimension a 40 square-foot area around each tree which is unencumbered by hardscape and utilities.

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

PLANNING/DESIGN REQUIREMENTS:

33. The Owner/Permittee shall design the required five foot high masonry block perimeter wall for mandatory noise attenuation to match existing walls along the northern side of Carmel Valley Road for the residential development Lots 9, 10, 11, 17 and 21.
34. 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.
35. All signs associated with this development shall be consistent with sign criteria established by either the approved Exhibit "A" or City-wide sign regulations.
36. The Owner/Permittee shall post a copy of each approved discretionary Permit or Tentative Map in its sales office for consideration by each prospective buyer.
37. 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.

TRANSPORTATION REQUIREMENTS:

38. For the single family dwelling units, a minimum two off street automobile parking spaces per unit (providing 3 per unit) and four multi-family affordable units, a minimum of 9 off -street automobile parking spaces (10 provided) including 1 van accessible, shall be permanently maintained on the property within the approximate location shown on the Exhibit "A." 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.
39. Prior to issuing any construction permit, the Owner/Permittee shall record a public general (motorized and non-motorized) access easement over the proposed private driveways and sidewalks within the project site, and lot 9 and 10 shall grant mutual access easements satisfactory to the City Engineer. Said easements shall be disclosed to all potential home buyers.
40. The Owner/Permittee shall relinquish abutter's rights of access onto Carmel Valley Road along the entire project frontage to the satisfaction of the City Engineer.
41. Prior to the issuance of any building permit, the project shall demonstrate conformance with the Black Mountain Ranch Transportation Phasing Plan and EIR satisfactory to the City Engineer.

## PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

42. 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) (BFPDs), 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. The Public Utilities Department will not permit the required BFPDs to be located below grade or within the structure.

43. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of all public water and sewer facilities are to be in accordance with established criteria in the most current City of San Diego Water and Sewer Design Guides.

44. Prior to the issuance of any building permits, the Owner/Permittee shall process an encroachment maintenance and removal agreements (EMRA) for the required fire service encroaching into the public right-of-way.

45. All public water facilities are to be in accordance with the established criteria in the most current City of San Diego Water Design Guides. The Owner/Permittee shall construct an 8-inch water main in Carmel Valley Road and shown on sheet C3, dated September 30, 2015.

46. All proposed private water and sewer facilities located within a single lot are to be designed to meet the requirements of the California Uniform Plumbing Code and will be reviewed as part of the building permit plan check.

47. 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.

48. All public water and sewer facilities are to be in accordance with the approved Water and Sewer Studies.

## 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 JUL 26 2016, by  
Resolution No. 310635.



Permit Type/PTS Approval No.: PDP No. 1511587  
SDP No. 1644625  
Date of Approval : **JUL 26 2016**

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES  
DEPARTMENT

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Jeffrey A. Peterson  
Development Project Manager

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

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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.

**ROBERT D. BARCZEWSKI**, as Trustee  
under Declaration of Trust dated August 10, 1997  
Owner

By \_\_\_\_\_  
Robert D. Barczewski  
Trustee

**HALL LAND COMPANY INC.**  
Permittee

By \_\_\_\_\_  
Michael J. Hall  
President

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