

RESOLUTION NUMBER R- 311326

DATE OF FINAL PASSAGE SEP. 19 2017

ITEM # 331B

9/19/17

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO GRANTING SITE DEVELOPMENT PERMIT NO.  
733102 FOR OTAY TRUCK ROUTE PHASE IV (SEGMENT 3)  
PROJECT – PROJECT NO. 202998.

WHEREAS, the City of San Diego, Owner and City of San Diego Public Works Department, Permittee, filed an application with the City of San Diego for a Site Development Permit to construct an additional lane (for emergency service) to the existing two lane Otay Truck Route from La Media Road to Drucker Lane (Segment 3). The proposed road improvements would include a combination of concrete roadway, concrete curbs, retaining walls, and storm water quality improvements. The total length of the improvements would be approximately 0.9 miles of existing road that would be rehabilitated and widened to reestablish the emergency access lane. One linear storm water detention basin would be constructed adjacent to the widened road. The site is located within the Otay Mesa Community Plan area, OMDD-INDUST-SUBD and unzoned right-of way; 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 September 19, 2017, 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 Site Development Permit No. 733102:

**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 Otay Truck Route Phase IV Project would reconstruct, widen, and improve the existing Otay Truck Route, which fronts a portion of the U.S./Mexico border in the Otay Mesa Development District, Industrial Subdistrict D (OMDD-INDUST-SUB D) of the Otay Mesa community of the City of San Diego.

Operational changes established by the Transportation and Storm Water Department to accommodate truck traffic along the U.S. Mexico border resulted in utilizing the previous emergency lane. The objective of the project is to make improvements necessary to rehabilitate and widen the existing road to re-establish a new dedicated emergency lane parallel to the existing truck lanes.

The applicable land use related plans for the project site are the City of San Diego's General Plan, and the Otay Mesa Community Plan.

The project is consistent with the following General Plan goals and policies:

- Goal to have "Reliable and efficient passenger commercial transportation systems along the U.S.-Mexico border. (Economic Prosperity Element, p.33).
- Economic Prosperity Policy (EP)-J.2 to support trade-related activities along the border such as transportation related facilities.
- EP-J4 to support infrastructure improvements that encourage the expansion of international trade capabilities in the City and the bi-national region.
- EP-J6 to support efforts that facilitate the efficient movement of goods across the border for rail and truck.
- EP-J7 to create international connections that improve port-of-entry efficiency, and enhance linkages.
- Mobility Element Policy (ME)-J3 to support measures to alleviate on-street truck parking and staging and peak period truck usage on freeways.
- The project is consistent with the following Otay Mesa Community Plan goals and policies:
- Economic Prosperity Element Goal for sufficient land and infrastructure capacity for base sector industries to support the international border economy and the greater San Diego region.
- Policy 3.5-6 to develop and maintain La Media Road and the border access road as the truck routes.

- Policy 3.5-7 Minimize conflicts between truck routes and other users of the circulation system.

The Otay Truck Route project is consistent with these goals and policies from the General Plan and Otay Mesa Community Plan, and it is specifically called for in Policy 3.5-6 of the latter. Therefore, the Otay Truck Route will not adversely affect the applicable land use plan.

**2. The proposed development will not be detrimental to the public health, safety, and welfare.** The Otay Truck Route Phase IV project will relocate the existing truck queue to an area bound by industrial uses and undeveloped grasslands. The project will recreate a dedicated emergency lane, which will allow emergency vehicles to move freely alongside the queue of trucks.

The project has been planned and designed to conform the City of San Diego's codes, policies, and regulations, whose primary focus is the protection of the public's health, safety, and welfare. The proposed development will provide public benefits which would not occur otherwise. The development will also provide for the public's health, safety, and welfare by constructing all structures in accordance with current construction standards and codes.

The project will address storm water issues with appropriate Best Management Practices (BMP's) to prevent sediment from entering the storm drain system which emits to the ocean. Emergency service providers, including police and fire services, will benefit as a result of providing emergency path of travel. Therefore, it will not have a detrimental effect on 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 project is subject to the Environmentally Sensitive Lands (ESL) regulations as the project site contains "Sensitive Biological Resources," as defined under the Land Development Code (LDC) Section 113.0103 [in accordance with LDC 143.0110(a)]. While the project was designed to avoid wetlands impacts to the maximum extent practicable, there are no viable alternatives that would allow complete avoidance of being within the proximity of wetlands or their watershed. Under existing conditions, the wetlands areas are located adjacent to the existing roadway, meaning that the expansion to the north, which is a necessary component of the project would result in watershed impacts. Therefore, the project will provide the mitigation requested by the U.S. Army Corps of Engineers (ACOE), Regional Water Quality Control Board (RWQCB), California Department of Fish and Wildlife (CDFW), and Development Services Department (DSD), as off-site mitigation. This mitigation will reduce the direct project impacts on wetlands to a less-than-significant level.

The project is an essential public project that is allowed to request a deviation from the ESL regulations pursuant to LDC 143.0150(d)(1). Therefore, the project is in compliance with the applicable regulations of the Land Development Code (LDC), including any allowable deviations.

**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 proposed project site is a linear stretch of land along the border which already exists as a truck route. The objective of the project is to make the improvements necessary to rehabilitate and widen the existing road to re-establish a new dedicated emergency lane parallel to the existing truck lanes. The project width has been narrowed to the greatest extent feasible to allow for the minimum clearance necessary to accommodate the re-establishment of the emergency access lane.

The Otay Truck Route project design team met with staff from the Army Corps of Engineers (ACOE), the Regional Water Quality Control Board (RWQCB), the California Department of Fish & Wildlife (CDFW), the California Department of Transportation, City of San Diego Development Services Department (DSD), and Planning Department reviewers from various disciplines (Environmental Assessment, Permit Planning, Landscaping, and Multiple Species Conservation Program) for recommendations for the project's design. The design of this project incorporates the input requirements from all of these agencies to address all of their concerns and to minimize the project impact to environmentally sensitive lands, sensitive habitat, and jurisdictional resources and wildlife. Therefore 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.

**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.** Pursuant to the recommendations of the geotechnical evaluation the project will minimize the amount of impact to natural landforms. The Otay Truck Route is required to comply with the City of San Diego's Municipal Storm Water Separate Storm Sewer System (MS4) permit issued by the Regional Water Quality Control Board. This will significantly reduce any potential erosional forces and flood hazards.

The City of San Diego Hydrology and Drainage Study for Otay Truck Route Project has been prepared and reviewed. The study analyzes the design of the storm water system for this project. The study states that the Otay Truck Route project design is required to: protect the proposed project from flooding during the 50-year storm; treat runoff from the project for pollutants per the current City of San Diego Storm Water Standards; and maintain the existing rate and time of flow from a 2-year storm to minimize erosion impacts downstream of the project per the County of San Diego Final Hydromodification Plan. Also, given the proximity of the site to the international border, it is subject to regulation from the International Boundary Water Commission which prohibits an increase in flow across the international border. The report confirms that the project meets these criteria. The projects design and placement will not result in an undue risk from geologic and erosional forces, and flood hazards.

The project will construct a concrete road, drainage infrastructure, and is made from non-combustible materials, so it will not result in an undue risk for fire hazard. Therefore, the project

as proposed 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 Otay Truck Route is adjacent to the international border fence area. The project is located as close to the fence as possible, to prevent and minimize the amount of adverse impacts on the adjacent environmentally sensitive lands. The Otay Truck Route project design team met with staff from the ACOE, CDFW, RWQCB, California Department of Transportation, City of San Diego Development Services Department, and Planning Department reviewers from various disciplines (Environmental Assessment, Permit Planning, Landscaping, and Multiple Species Conservation Program) for recommendations for the project's design.

The proposed design of this project incorporates the input and requirements from all of these agencies to address concerns and to minimize to the greatest extent feasible impacts to adjacent environmentally sensitive lands. The project does not have any direct impacts to environmentally sensitive lands, Mitigation of the indirect impacts is a project condition. Therefore the proposed development will be sited and designed to 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 within the boundaries of the City of San Diego's MSCP Subarea, but is not within or directly adjacent to any Multi-Habitat Planning Areas. Therefore the project is consistent with the City of San Diego'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 improvements to the Otay Truck Route are in excess of eight miles from the nearest beach or local shoreline. The project will not result in increased amounts of pollutants draining into the ocean because a new drainage system would be constructed to collect and treat runoff from the project for pollutants as required by the current City of San Diego Storm Water Standards. The project is compliant with the regulations within the City's Storm Water Standards and consistent with the City's Storm Water Design Manual. Therefore the proposed improvements will 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 City of San Diego conducted an Initial Study which determined that the proposed project could have a significant environmental effect to biological resources. The project as presented now avoids or mitigates the potentially significant environmental effects identified. Mitigated Negative Declaration (MND) No. 202998 has been prepared for the project in accordance with the State of California Environmental Quality Act (CEQA) Guidelines.

Clearing of any existing vegetation/existing landscaping during breeding season could impact the breeding of nesting birds. If construction cannot avoid the general avian and raptor

breeding season (February 1 to September 15), a preconstruction survey for active raptor and migratory bird nests protected under MBTA and/or CDFG Code will be conducted within approximately 48 hours prior to the start of construction. If an active bird nest is found, then all construction activities undertaken for the project will comply with the regulatory requirements of the federal MBTA and CDFG Codes Sections 3503 and 3513.

Construction could result in runoff that would drain into sensitive biological habitat, but the project will provide a Storm Water Pollution Prevention Program to control the runoff. This plan would include requirements for site design, source control storm water best management practices (BMP's), and treatment control BMP's.

A Mitigation, Monitoring and Reporting Program (MMRP) has been prepared based on the final project in which all reasonably foreseeable impacts have been addressed and implementation of the MMRP would reduce any potentially significant environmental impacts identified during the environmental review process to below a level of significance.

Therefore, 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.

### **C. Supplemental Findings--Environmentally Sensitive Lands Deviations**

**1. There are no feasible measures that can further minimize the potential adverse effects on environmentally sensitive lands.** The project proponents have met with the ACOE, CDFW, RWQCB, DSD and Planning staff and addressed all of their concerns. The project was redesigned to be compatible with City's new Municipal Separate Storm Sewer System (MS4) permit when the storm water regulations changed during the project design period.

The Otay Truck Route has been analyzed from all foreseen disciplines in the CEQA initial study checklist, including analysis in the form of technical studies covering the following disciplines: air quality, archaeological resources, biological resources, geotechnical (soils), hydrology/drainage, jurisdictional delineation, natural environment, noise, storm water quality management, and traffic.

These studies have analyzed the project and provided professional conclusions, some of which prescribed measures that will mitigate the potential project impacts to a level considered less than significant under the City of San Diego CEQA: Significance Determination Thresholds.

The project has been designed to be as narrow as possible, while still achieving the goal of recreating a lane for emergency vehicle access and the required storm water facilities. If the project were any narrower, it would not achieve these goals. Therefore, there are no feasible measures that can further minimize the potential adverse effects on environmentally sensitive lands. The project does not have any direct impacts to environmentally sensitive lands, Mitigation of the indirect impacts is a project condition.

**2. The proposed deviation is the minimum necessary to afford relief from special circumstances or conditions of the land, not of the applicant's making.** The Otay Truck Route project requires the acquisition of land to widen the existing right-of-way and re-establish the emergency lane. Operational changes established by the Transportation and Storm Water Department to accommodate truck traffic along the U.S. Mexico border resulted in utilizing the previous emergency lane. The objective of the project is to make the improvements necessary to rehabilitate and widen the existing road to re-establish a new dedicated emergency lane parallel to the existing truck lanes.

The width of the roadway is 26 feet and the project would increase the total width to 40 feet with the proposed improvements. In addition to the roadway, acquisition of approximately 25 feet of right-of-way will be required to accommodate the necessary storm water improvements. The expanded Otay Truck Route would be located as far south as possible to minimize the amount of right-of-way that would need to be acquired on the north side of the project. However, expansion of the right-of-way any further to the south is constrained by the international border fence facility immediately to the south of the project.

Due to the proximity of the several vernal pools to the existing road in an area that requires widening as part of the project, it is not possible to incorporate a standard vernal pool buffer and completely avoid impacts to these pools. The project does not have direct impacts on vernal pools, but would have an indirect impact on vernal pool watersheds. For calculating these indirect impacts on vernal pools, any pools within 50 feet of the project impact area would be considered an indirect impact.

According to an updated biological survey letter from AECOM (dated June 6, 2017), for the Otay Truck Route Biological Assessment (dated January 2015), three small vernal pools (#32-34) were mapped in the vicinity of the project boundary. The three pools observed in the vicinity of the project boundary are in road depressions and within developed and disturbed land adjacent to an active road. Therefore, these pools are currently subject to frequent vehicle activity and disturbance. The three pools (total 0.026 acres) and their watersheds are within the fifty foot buffer for the eastern segment of the project which is the subject of this permit. The proximity of the three pools to the project work limits is the basis for this deviation. The pools will be protected in place using fencing and other physical barriers, however, the watershed is considered to be compromised from project construction and the required mitigation will be at a 2:1 ratio as stated in the Biological Guidelines Consistency Summary and Conceptual Habitat Restoration Mitigation Plan, totaling 0.052 acres of off-site mitigation. Mitigation for these impacts would be satisfied at the Caltrans Anderprise property.

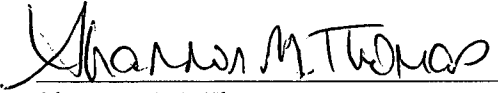
The proposed deviations are the minimum necessary to implement the construction of this Essential Public Project and will afford relief from special circumstances. A Mitigation, Monitoring and Reporting Program (MMRP) has been prepared based on the final project in which all reasonably foreseeable impacts have been addressed and implementation of the MMRP would reduce any potentially significant environmental impacts identified during the environmental review process to below a level of significance.

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

BE IT FURTHER RESOLVED, that Site Development Permit No. 733102 is granted to City of San Diego, Owner and the City of San Diego Public Works Department, Permittee, under the terms and conditions set forth in the attached permit which is made a part of this resolution.

APPROVED: MARA W. ELLIOTT, City Attorney

By:   
Shannon M. Thomas  
Deputy City Attorney

SMT:als  
08/30/2017  
Or.Dept:DSD  
Doc. No.: 1543504\_2

ATTACHMENT: Site Development Permit No. 733102



**RECORDING REQUESTED  
BY  
CITY OF SAN DIEGO  
DEVELOPMENT SERVICES  
PERMIT INTAKE, MAIL  
STATION 501**

**WHEN RECORDED MAIL  
TO  
CITY CLERK  
MAIL STATION 2A**

WBS NO. S-11060.02.06

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**OTAY TRUCK ROUTE PHASE IV (SEGMENT 3) - PROJECT NO. 202998 [MMRP]  
SITE DEVELOPMENT PERMIT NO. 733102  
CITY COUNCIL**

This Site Development Permit No. 733102 is granted by the City Council of the City of San Diego to City of San Diego, Owner and City of San Diego Public Works Department, Permittee, pursuant to San Diego Municipal Code (SDMC) section 126.0504. The approximately 0.9 mile site is located primarily within the public right-of-way along La Media Road, the existing Truck Route, and Drucker Lane and is within Industrial Subdistrict D (OMDD-INDUST-SUB D) of the Otay Mesa Community Plan area.

Subject to the terms and conditions set forth in this Permit, permission is granted to City of San Diego, Owner and City of San Diego Public Works Department, Permittee to construct an additional lane (for emergency service) to the existing two lane Otay Truck Route from La Media Road to Drucker Lane. The proposed road improvements would include a combination of concrete roadway, concrete curbs, retaining walls, and storm water quality improvements. The total length of the improvements would be approximately 0.9 miles of existing road that would be rehabilitated and widened to re-establish the emergency lane. One linear storm water detention basin would be constructed adjacent to the widened road. The site is located within the Otay Mesa Community Plan area, OMDD-INDUST-SUBD and unzoned right-of way as described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated September 19, 2017, on file in the Development Services Department.

The project shall include:

- a. Construct an additional lane to the existing two lane Otay Truck Route from La Media Road to Drucker Lane;

- b. Landscaping (revegetation, hydroseeding, and landscape related improvements); and
- c. Retaining walls, storm-drain and detention structures and temporary staging area.

**STANDARD REQUIREMENTS:**

1. This permit must be utilized within 10 years 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 10 year 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 September 19, 2027.
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. 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.

8. 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.

**ENVIRONMENTAL/MITIGATION REQUIREMENTS:**

9. 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.

10. The mitigation measures specified in the MMRP and outlined in Mitigated Negative Declaration NO. 202998, and shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

11. The Owner/Permittee shall comply with the MMRP as specified in Mitigated Negative Declaration NO. 202998 to the satisfaction of the Development Services Department and the City Engineer Prior to the issuance of the "Notice to Proceed" with construction, 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.**

**ENGINEERING REQUIREMENTS:**

12. The Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the SDMC, into the construction plans or specifications.

13. The Owner/Permittee 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.

14. 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.

15. 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.

#### **LANDSCAPE REQUIREMENTS:**

16. Prior to approval of 100% completion of construction documents, the Permittee Department shall ensure said documents are prepared in accordance with the Land Development Code - Landscape Regulations/Standards and Biology Guidelines to include the revegetation and hydroseeding of all disturbed land. Construction Documents shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit "A," on file in the Office of the Development Services Department.

17. The Permittee Department shall be responsible for the establishment-maintenance of all landscape improvements shown on the approved plans consistent with the landscape Standards and success criteria established on Exhibit "A," Landscape Plan and Conceptual Habitat Restoration Mitigation Plan.

18. If any required landscape indicated on the approved construction document plans that are identified as "protect in place" (including existing vehicular use area trees on lots north of Otay Truck Route between La Media Road and Drucker Lane, all new plantings, hardscape, landscape features, etc.) is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind consistent with section 142.0403(b)(8) of the Land Development Code and to the satisfaction of the Development Services Department within 30 days of damage.

#### **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.

APPROVED by the City Council of the City of San Diego on SEP 19 2017 and Resolution No. 311326.

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES  
DEPARTMENT

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Helene Deisher  
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.

**CITY OF SAN DIEGO**  
Owner/Permittee

By \_\_\_\_\_  
Brad Johnson  
Senior Civil Engineer, Public Works Department

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

Passed by the Council of The City of San Diego on SEP 19 2017, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<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"/>
Chris Ward	<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage SEP 19 2017

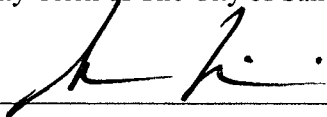
**(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)**

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 , Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 311326