#335B
(R-2020-219) 12/10/19

RESOLUTION NUMBER R- 312782

DATE OF FINAL PASSAGE DEC 10 2019

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING SITE DEVELOPMENT PERMIT NO. 2356376 FOR TORREY PINES GOLF COURSE STORM DRAIN REPAIR – PROJECT NO. 641683.

WHEREAS, The City Of San Diego, a Municipal Corporation, Parks and Recreation Department, Owner/Permittee, filed an application with the City of San Diego for a Site Development Permit to replace the failing 18-inch diameter reinforced concrete pipe (RCP) storm drain with a new 42-inch diameter RCP segment at the North Course of the Torrey Pines Golf Course known as the Torrey Pines Golf Course Storm Drain Repair project, located at 11480 North Torrey Pines Road, and legally described as MM 0036 Pueblo Lands Lot 1331 * 252.7 4AC M/L in Lots 1325, 1326, & 1330 & IN, in the University Community Plan area, in the OP-1-1, Coastal Overlay Zone (Coastal Commission Jurisdiction), First Public Roadway and the Shoreline area, Coastal Height Limit, Parking Impact Overlay Beach and Campus areas, and Residential Tandem Parking Overlay Zones; 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 December 10, 2019, 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. 2356376:

SITE DEVELOPMENT PERMIT – SAN DIEGO MUNICIPAL CODE (SDMC) SECTION 126.0505

A. Findings for all Site Development Permits

1. The proposed development will not adversely affect the applicable land use plan. The proposed development (Project) is located on the Torrey Pines Golf Course (TPGC) within the University Community Planning Area. The underlying land use at the Project site is designated as Open Space-Park. The zoning designation is OP-1-1 (Developed, Active Parks). The site is located within the Coastal Overlay Zone (Coastal Commission jurisdiction), First Public Roadway and the Shoreline area, Coastal Height Limit Overlay Zone, Parking Impact Overlay Zone (Beach and Campus Impact Areas), and Residential Tandem Parking Overlay Zone.

The Project will install approximately 360 linear feet (LF) of new, 42-inch diameter reinforced concrete pipe (RCP) storm drain on the North Course of TPGC, replacing and relocating an existing 18-inch diameter storm drain that currently outfalls in a coastal canyon between Hole 12 and Hole 13. Most of the Project will occur within the developed portions of the golf course; however, encroachment into the steep hillsides adjacent to TPGC will be required for construction of the new storm drain outfall. The new storm drain will outfall northwest of Hole 18 onto the canyon slope. Most of the existing storm drain within the golf course will be removed; the storm drain segment nearest the existing outfall will be abandoned in place, capped, and packed with flowable fill to minimize voids.

The Open Space and Recreation Element of the University Community Plan calls for the continued operation of TPGC for the benefit of San Diego residents. The existing storm drain outfall and associated segment of upstream storm drain have failed and subsequent erosion has created a near-vertical slope at the head of the canyon between Holes 12 and 13, resulting in a loss of land on the North Course. The Project will relocate and upsize the storm drain to meet current City standards and will arrest storm water-induced erosion at the head of the canyon which is currently caused by concentrated storm water outflow during storm events.

The Open Space and Recreation Element of the University Community Plan also calls for the protection of canyons, hillsides, and natural drainage systems. Specifically, the plan states that development, alteration, or grading of natural landforms should not occur along cliffs, within drainage canyons, or on slopes of 25 percent or greater in the Coastal Zone to protect existing native plant communities and visual resources. This is consistent with the Environmentally Sensitive Lands (ESL) regulations of the Land Development Code (LDC). However, the University Community Plan also states that any disturbance of steep hillsides should be minimized by contour grading and revegetation with native species.

While the Project includes grading of slopes of 25 percent or greater within the Coastal Zone, the objective of the project is to minimize erosion that is destabilizing the coastal canyon adjacent to TPGC and relocate the existing outfall to a more stable portion of the canyon slope with the proper engineering design to prevent additional headward erosion at this location. While long-term erosional downcutting is impossible to avoid based on the underlying geology of the site, the design of the new storm water facility greatly reduces the current impact on the adjacent canyon system as well as reducing the amount of erosion occurring adjacent to Holes 12 and 13 on the North Course.

The Project involves infrastructure improvements related to the operation of TPGC and seeks to improve the stability of the canyon adjacent to the golf course which is currently impacted by the existing, failed storm drain, and therefore, the proposed development 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 Project includes the upgrade and replacement of an existing City maintained infrastructure and will not be detrimental to public health, safety, and welfare. The existing storm drain pipe is deteriorated, the headwall has broken off and fallen into the adjacent canyon, and the pipe sizing fails to meet current City design standards. The failed storm drain is exacerbating headward erosion at the current outfall location, contributing to destabilization of the canyon walls. Further erosion at this location could result in a substantial loss of land impacting the current golf course layout and potential closures over concerns of public safety. The Project will bring the existing storm drain infrastructure up to current City standards. The relocation of the outfall will arrest headward erosion within the coastal canyon, preventing future risks to safety for patrons of TPGC. 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 allowable deviations pursuant to the Land Development Code.** The Project is subject to the Environmentally Sensitive Lands (ESL) and Landscape Regulations of the Land Development Code (LDC) due to impacts to sensitive biological resources and steep hillsides. The Project will result in permanent and temporary impacts to approximately 0.08 acre of southern maritime chaparral, a Tier I upland habitat and sensitive biological resource as defined by the LDC. The site is located outside of the City's Multi-Habitat Planning Area (MHPA). Per the ESL regulations, there is no limit on encroachments into sensitive biological resources outside of the MHPA. However, impacts must be assessed and mitigated if necessary. Project impacts to Tier I habitats less than 0.1 acre are not considered significant under the California Environmental Quality Act (CEQA) per the City's CEQA significance thresholds and do not require any mitigation.

The Project will also impact 0.34 acre of Tier IV/No Tier developed, disturbed, and ornamental vegetation/land which are not considered environmentally sensitive and require no mitigation. The Project will implement revegetation with native species in accordance with the City's Landscape Regulations and Landscape Standards including 120 days of plant establishment and 25 months of maintenance and monitoring for all non-permanently irrigated, graded areas post-construction. Turf will be restored on the golf course and returned to pre-construction conditions. As such, the Project complies with all regulations of the Land

Development Code regarding sensitive biological resources and revegetation post-construction and no deviations are required.

The Project consists of the repair of a failing storm water facility on TPGC. The existing utility is causing headward erosion within a coastal canyon adjacent to Holes 12 and 13 of the North Course. There is no suitable discharge point for storm water north of TPGC and the nearest outfall location to the south lies on a steep hillside adjacent to the South Course. There is no feasible opportunity to direct storm water away from coastal canyons.

Per the ESL regulations, development should be located on the least sensitive portions of the site containing steep hillsides and minimized if unavoidable. This is determined via analysis of view corridors, viewsheds, geologic hazards, and sensitive biological resources. The Project is not located within any view corridor or viewshed and proposes no improvements that would alter existing views at the site. The relocation of the storm drain alignment and outfall carefully considered geologic hazards and biological resources at the site. The impact area from the proposed storm drain improvements occurs primarily within developed land and has been sited to impact the smallest acreage of sensitive biological resources; and completely avoids impacts to wetlands located at the base of the canyon. The project has been designed to avoid significant geological hazards as detailed in the Report of Geotechnical Investigation Torrey Pines Golf Course Storm Drain Repair and Addendum #1 to Report of Geotechnical Investigation Torrey Pines Golf Course Storm Drain Repair prepared by Kleinfelder.

Because the Project will encroach onto steep hillsides on premises that are more than 25 percent developed within the Coastal Zone, approval of deviations from the ESL regulations for encroachment onto steep hillsides is required. The Steep Hillsides Regulations state that any increase in runoff resulting from development of the site shall be directed away from steep hillside areas and either into an existing or newly improved public storm drain system or onto a street developed with a gutter system or public right-of-way designated to carry surface drainage run-off. The Project does not generate any surface runoff. The Project will replace and relocate an existing section of storm drain pipe that requires repair and upgrades to accommodate increased storm water runoff amounts generated from previously permitted development in the drainage area. As such, this specific section of the LDC is applicable to the Project and thus, deviations for this regulation are included. Therefore, the proposed development will comply with the regulations of the Land Development Code including any allowable deviations requested pursuant to the Land Development Code.

B. <u>Supplemental Findings--Environmentally Sensitive Lands</u>

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 development is located within the limits of the TPGC. Much of the Project is located within the golf course proper; impacting turf, golf cart path, and other developed portions of the site. A small portion of improvements is located within ESL (sensitive biological resources and steep hillsides). The storm drain alignment will be relocated to move the outfall northwest of the current location where erosion has created a near vertical cliff face and contributed to destabilization of the canyon adjacent to the golf course. The new outfall location is less steep and will facilitate future access for maintenance and operation of the facility. The appropriate pipe sizing and energy dissipation will result in a low potential for significant erosion

to occur within the steep hillside. Long-term erosional downcutting at the storm drain outfall cannot be avoided. The design selected for the new storm drain limits impacts to sensitive biological resources to a level below significance under CEQA and avoids impacts to the wetland habitat at the base of the canyon. Replacement of the pipeline in its current alignment would have resulted in a greater impact to the canyon via grading and larger, significant impacts to sensitive biological resources, including wetlands. Post-construction, revegetation of the slope with native species and maintenance and monitoring of the site in accordance with the City's Landscape Standards will establish stability at the area of disturbance within steep hillsides. The impact from the proposed development is considered the minimum necessary to complete the storm drain improvement and reduce erosion at the head of the canyon. The site is considered suitable for the design of the project.

2. **The proposed development will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.** The impact footprint from the proposed development is the minimal necessary to bring the existing storm drain facility up to current City standards and is the alternative with the least amount of impact to natural landforms. All improvements will be located below grade except for the storm drain cleanouts, headwall, and energy dissipator. The impacted slope will be recontoured and revegetated with native species post-construction, further minimizing the alteration of natural land forms.

The underlying geologic hazard zone for the project site is 53 (Other Conditions) which is defined by the City's Land Development Code as "level or sloping terrain, unfavorable geologic structure, low to moderate risk." The existing storm drain pipe is undersized and the outfall has failed causing headward erosion within the coastal canyon where it discharges, resulting in a loss of land at TPGC and creation of a scoured depression at the canyon base. A geotechnical investigation at the Project site found the canyon walls to be marginally stable and subject to continued natural block failures.

The Project will relocate the outfall northwest, to a discharge point where slopes are generally less than 50 percent. The selection of an outfall location within a more stable, less steep portion of the canyon, in addition to pipe upsizing and energy dissipation will arrest headward erosion at the current outfall location. Per the geotechnical investigation completed for during Project design, the risk of increased erosion at the new outfall location is considered low. The impact areas will be recontoured and revegetated post-construction minimizing further risk from erosional forces. Best Management Practices (BMPs) will be implemented during construction consistent with a Water Pollution Control Plan (WPCP). The objective of the Project is to correct storm water infrastructure deficiencies that are exacerbating erosional conditions; stabilization of the canyon slopes are outside the scope of the Project. As such the Project will prevent undue risk from geologic hazards and erosional forces.

The Project is not located within a floodway or flood plain and would not create or worsen flood conditions.

The TPGC is in a Very High Fire Hazard Severity Zone. The golf course functions as a single, large firebreak in the project vicinity. The proposed improvements would not significantly alter the overall vegetation on the TPGC, and the golf course would continue to function as a firebreak in the area. Additionally, the project would not significantly alter the

amount of people utilizing the TPGC nor would it introduce new structures. Thus, the Project will not result in undue risks from fire hazards.

3. **The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.** The Project is primarily sited within developed land (golf course). The design has taken into careful consideration adjacent ESL and has minimize impacts to sensitive biological resources and steep hillsides as much as possible. Several design alternatives were considered that would result in larger footprints for grading within the steep hillside and a much larger impact footprint within sensitive biological resources. The storm drain has been relocated northwest of the current outfall location to avoid significant, adverse impacts to the wetland located at the bottom of the coastal canyon. The new alignment outfalls on a slope where the gradient is generally less than 50 percent, easing future access within the canyon for routine maintenance and operation. Bringing the storm drain pipe size up to current standards, with an appropriately-sized energy dissipator at the new outfall will reduce risks of erosion at the site of the proposed Project and will arrest erosion that is creating a near vertical cliff face at the site of the current outfall. The Project impacts to sensitive biological resources are below a level of significance as defined in the City's biology guidelines and CEQA significance thresholds. Project limits will be staked during construction to prevent unauthorized encroachment outside of the approved project limits further preventing adverse impacts to the adjacent ESL.

4. **The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan and Vernal Pool Habitat Conservation Plan (VPHCP).** Per the Project's Biological Technical Report (BTR), no threatened, endangered, sensitive, MSCP-covered, or narrow endemic animal or plant species were observed within the project impact area. Per the BTR, the MHPA land use adjacency guidelines are not applicable to the Project because it is not located within or immediately adjacent to MHPA land.

The Project will impact southern maritime chaparral which has potential to support nests for avian species. The Project will conduct pre-construction nesting surveys should vegetation clearing occur within the general avian nesting season (February 1 through September 15) in compliance with applicable state and federal laws regarding nesting birds. The Project will revegetate post-construction with native species compatible with the adjacent habitat communities. The Project does not contain or propose any impacts vernal pools and therefore, the proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan and Vernal Pool Habitat Conservation Plan (VPHCP).

5. The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply. The proposed project site is located approximately 0.4 miles inland from the nearest beach or shoreline. Therefore, the Project 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. Direct impacts to a total of 0.08 acre of Tier I vegetation (southern maritime chaparral) are below the 0.10-acre level of significance as defined in the City's Biology Guidelines and CEQA significance thresholds and thus no compensatory mitigation is required for these impacts. The project is in an area considered sensitive for the discovery of archaeological and tribal cultural resources and thus mitigation in the form of construction monitoring will be required to reduce impacts to a level below significance. Project design and construction considerations focus on minimizing impacts to sensitive biological resources, steep hillsides, and historical resources as much as possible.

C. <u>Supplemental Findings--Environmentally Sensitive Lands Deviations</u>

1. There are no feasible measures that can further minimize the potential adverse effects on environmentally sensitive lands. The proposed Project includes improvements and upgrades to an existing storm water utility. Project impacts are primarily located within the developed golf course limits. The relocation of the storm drain and outfall will minimize impacts to steep hillsides and sensitive biological resources to the maximum extent possible. There is no increase in runoff directed into the steep hillside generated from the proposed project. Hydrologic analysis was performed for the existing storm drain and outfall and for several alternatives considered during pre-design planning efforts. The current 18-inch diameter RCP storm drain is inadequately sized per current City Standards which require storm drains to be sized to convey a 100-year storm event, which is approximately 118 cubic feet per second (cfs). The existing storm drain is only sized to convey 25 cfs (a 1-year storm event) which places stress on the outfall, upstream drainage system, and developed areas during larger storm events.

The proposed storm drain is designed to convey the volume of storm water runoff anticipated from the drainage area during a 100-year storm event but does not directly increase the volume of storm water discharged at the outfall. Upsizing the storm drain will correctly dissipate energy at the outfall which in turn results in lower rates of erosion than the existing condition. Alternatives to replace the current outfall in-place would have greatly increased the construction-related environmental impacts and resulted in a much larger impact to the surrounding hillsides.

The project considered several alternatives for construction during design. There is no suitable or feasible alternative that will not impact steep hillsides or sensitive biological resources. Diversion of water to North Torrey Pines Road would require the construction of pump stations which would only divert water into canyons and drainage systems to the north and south of TPGC that would be undersized to handle the additional flows. The result would be upsizing at outfalls located to the north or south of the Project site within environmentally sensitive lands. The cost of construction of the pump stations and additional drainage improvements associated with these alternatives make them infeasible. An infiltration basin was

also considered but would be detrimental to golf course operations due to geologic conditions underlaying TPGC that would result in saturated near-surface soils. A "No Project" alternative would result in the continuation of headward erosion within the coastal canyon, worsening the scoured depression at the canyon base, destabilizing the adjacent walls, and resulting in a further loss of land at TPGC. As such the "No Project Alternative" is not feasible and would result in impacts to ESL of an unknown magnitude. Historical imagery has shown the canyon to have eroded several feet within the past couple of years making repair of this storm drain system critical to the continued operation of the TPGC.

The selected alternative results in the smallest ESL impact acreage and is the only feasible option considering the technical constraints of the project (geotechnical conditions/slope stability) as well as cost. The project will implement biological monitoring during construction to minimize impacts outside of the approve Project limits. As such, there are no feasible measures that can further minimize the potential adverse effects on ESL.

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 Project complies with all applicable regulations of the LDC, except that it would encroach onto steep hillsides on a parcel that is more than 25 percent developed. All measures to limit impacts to steep hillsides have been considered and impacts have been minimized to the maximum extent practicable. The project considered several alternatives and found those not feasible due to geotechnical constraints, slope conditions, and larger environmental impacts areas. The Project has met all applicable requirements and regulations of the Steep Hillsides Guidelines to justify deviations from the allowable development area. Therefore, Project impacts to steep hillsides (the proposed deviation) are the minimum necessary to afford relief from special circumstances or conditions of the land, not of the applicant's making.

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. 2356376 is granted to City of San Diego, Parks and Recreation Department, Owner/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 _____
Noah J. Brazier
Deputy City Attorney

NJB:als
11/20/2019
Or.Dept:DSD
Doc. No.: 2230453

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

WHEN RECORDED MAIL TO
CITY CLERK
MAIL STATION 2A

WBS NUMBER: B-17152.02.06

SPACE ABOVE THIS LINE FOR RECORDER'S USE

SITE DEVELOPMENT PERMIT NO. 2356376
TORREY PINES GOLF COURSE STORM DRAIN REPAIR
PROJECT NO. 641683
CITY COUNCIL

This Site Development Permit No. 2356376 is granted by the City Council of the City of San Diego to the City of San Diego, Parks and Recreation Department, Owner and Permittee, pursuant to San Diego Municipal Code (SDMC) section 126.0505. The 252.74-acre site is located at 11480 North Torrey Pines Road in the OP-1-1, Coastal Overlay Zone (Coastal Commission Jurisdiction), First Public Roadway and the Shoreline area, Coastal Height Limit, Parking Impact Overlay Beach and Campus areas, and Residential Tandem Parking Overlay Zones of the University Community Plan. The project site is legally described as MM 0036 Pueblo Lands Lot 1331 * 252.7 4AC M/L in Lots 1325, 1326, & 1330 & IN.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to the replace the failing 18-inch diameter reinforced concrete pipe (RCP) storm drain with a new 42-inch diameter RCP segment at the North Course of the Torrey Pines Golf Course described and identified by size, dimension, quantity, type, and location on the approved exhibits (Exhibit "A") dated December 10, 2019, on file in the Development Services Department.

The project shall include:

a. The abandonment of the portions of an existing storm drain pipeline and outfall between Torrey Pines North Golf Course Holes No. 12 and No. 13 and the installation of a new, approximately 360 linear feet, 42-inch diameter Reinforced Concrete Pipe (RCP) segment and outfall structure parallel to and west of Hole No. 13; and

b. Public 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 6 years (72) 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 72-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 December 10, 2025.

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.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

10. 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.

11. The mitigation measures specified in the MMRP and outlined in Mitigated Negative Declaration No. 641683, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

12. The Owner/Permittee shall comply with the MMRP as specified in Mitigated Negative Declaration No. 641683 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:

- Historical Resources (Archaeological); and
- Tribal Cultural Resources

PLANNING/DESIGN REQUIREMENTS:

13. 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.

INFORMATION ONLY:

- The issuance of this discretionary permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this discretionary 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 December 10, 2019 and by Resolution No. R-312782.

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

_____

Tim Daly
Development Project Manager

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

The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.

City of San Diego, a Municipal Corporation
Parks and Recreation Department
Owner/Permittee

By _____
NAME:
TITLE:

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

Passed by the Council of The City of San Diego on DEC 10 2019, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	☒	☐	☐	☐
Jennifer Campbell	☒	☐	☐	☐
Chris Ward	☒	☐	☐	☐
Monica Montgomery	☒	☐	☐	☐
Mark Kersey	☒	☐	☐	☐
Chris Cate	☒	☐	☐	☐
Scott Sherman	☒	☐	☐	☐
Vivian Moreno	☒	☐	☐	☐
Georgette Gómez	☒	☐	☐	☐

Date of final passage DEC 10 2019.

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

AUTHENTICATED BY:

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

(Seal)

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

By Linda Irwin Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 312782