

ORDINANCE NUMBER O- 21944 (NEW SERIES)

DATE OF FINAL PASSAGE APR 15 2025

AN ORDINANCE OF THE COUNCIL OF THE CITY OF  
SAN DIEGO APPROVING CONDITIONAL USE PERMIT  
NO. 2475043 AND SITE DEVELOPMENT PERMIT NO.  
2475049 TO AMEND CONDITIONAL USE PERMIT  
NO. 862494 AND SITE DEVELOPMENT PERMIT NO. 862495,  
AND NEIGHBORHOOD USE PERMIT NO. 2475050 FOR THE  
EL CAMINO REAL ASSISTED LIVING FACILITY PROJECT,  
NO. PRJ-675732.

RECITALS

The Council of the City of San Diego (Council) adopts this Ordinance based on the following:

A. PMB CARMEL VALLEY LLC, a Delaware Limited Liability Company, Owner/Permittee, submitted an application with the City of San Diego for Conditional Use Permit No. PMT-2475043 and Site Development Permit No. PMT-2475049 to amend Conditional Use Permit No. 862494 and Site Development Permit No. 862495, and Neighborhood Use Permit No. PMT-2475050 to construct a three-story, 105,568 square-foot nursing facility with 105 rooms consisting of 87 assisted living rooms and 18 memory care rooms for a total of 124 beds, surface parking and supporting amenities (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval), for the El Camino Real Assisted Living Facility project.

B. The 3.97-acre site is located at 13860 El Camino Real within the North City Future Urbanizing Area Subarea II Plan area in the AR-1-1 Zone within Proposition A Lands, Coastal Overlay Zone (Deferred-Certification Area), Very High Fire Hazard Severity Zone, Fire Brush Zone, and contains Environmentally Sensitive Lands (Multi Habitat Planning Area, sensitive biological resources, special flood hazard area). The project site is legally described as Parcel B: the northerly 280 feet of the westerly 616 feet of Lot 3 (northwest quarter of southwest

quarter) of Section 7, Township 14 south, Range 3 west, San Bernadino meridian, in the City of San Diego, County of San Diego, State of California, according to official plat thereof; and Parcel B1: an easement over road over Parcel 2 of Parcel Map No. 8367 in the City of San Diego, County of San Diego, State of California, filed in the Office of the County Recorder of San Diego County, Recorded February 1, 1979.

C. On May 19, 2021, the Owner/Permittee submitted an application for a reasonable accommodation pursuant to the State of California Fair Employment and Housing laws, the Federal Fair Housing Amendments Act, and San Diego Municipal Code section 131.0466.

D. The reasonable accommodation requested was to allow the project to process a request for a Conditional Use Permit in an agricultural zone in Proposition A Lands without processing an amendment to the San Diego Municipal Code, notwithstanding the prohibition in San Diego Municipal Code section 141.0423 against the placement of nursing facilities in Proposition A Lands. The reasonable accommodation request was approved by City staff on April 4, 2024.

E. On December 5, 2024, the Planning Commission of the City of San Diego considered Conditional Use Permit No. PMT-2475043 and Site Development Permit No. PMT-2475049 to amend Conditional Use Permit No. 862494 and Site Development Permit No. 862495, and a Neighborhood Use Permit No. PMT-2475050, and voted to recommend approval of the project pursuant to Resolution No. 5323-PC.

F. On March 17, 2025, the Council considered Conditional Use Permit No. PMT-2475043 and Site Development Permit No. PMT-2475049 to amend Conditional Use Permit No. 862494 and Site Development Permit No. 862495, and a Neighborhood Use Permit No. PMT-2475050 pursuant to the Land Development Code.

G. The Office of the City Attorney prepared this Ordinance based on the information provided by City staff (including information provided by affected third parties and verified by City staff), with the understanding that this information is complete and accurate.

H. Under Charter section 280(a)(2) this ordinance 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 decisions and where the Council was required by law to consider evidence at the hearing and to make legal findings based on evidence presented.

#### ACTION ITEMS

Be it ordained by the Council of the City of San Diego:

Section 1. The following findings with respect to Conditional Use Permit No. PMT-2475043 and Site Development Permit No. PMT-2475049 to amend Conditional Use Permit No. 862494 and Site Development Permit No. 862495, and Neighborhood Use Permit No. PMT-2475050 are adopted:

A. **CONDITIONAL USE PERMIT – SAN DIEGO MUNICIPAL CODE (SDMC)  
SECTION 126.0305**

1. **Findings for all Conditional Use Permits:**

a. **The proposed development will not adversely affect the applicable land use plan.** The El Camino Living Assisted Living Facility (Project) is located on a graded 3.97-acre site at 13860 El Camino Real within the North City Future Urbanizing Area Subarea II Plan and San Dieguito River Park Concept Plan area. Surrounding land uses include the El Camino Real public right-of-way and the San Dieguito lagoon to the north, undeveloped lands to the east, residential uses to the south, and the Evangelical Formosan Church to the west.

The Project is an expansion of the adjacent St. John Garabed Church (Church), a 51,680 square-foot Church with 350 seating capacity on a 13.37-acre site that was approved by the City's Planning Commission in October 2014 (Conditional Use Permit No. 862494 and Site Development Permit No. 862495). The Project consists of the construction of a three-story, 105,568 square-foot nursing facility with 105 rooms consisting of 87 assisted living rooms and 18 memory care rooms units for a total of 124 beds, surface parking and supporting amenities.

The Project will serve as the residence for senior citizens that require 24-hour nursing care. The Project will be licensed by the California Department of Social Services as a Residential Care Facility for the Elderly (RCFE) to provide varying levels and intensities of care and supervision, protective supervision, or personal care based upon varying needs, as determined in order to be admitted and remain in the facility. The Project focuses on persons with disabilities with an average age over 80 years old requiring assistance with at least two activities of daily living. Many of the senior residents will require memory care and will be treated for dementia.

The Project is located in the AR-1-1 Zone (agricultural) within Proposition A Lands. Pursuant to SDMC Section 141.0423, nursing facilities are prohibited in Proposition A Lands. Nursing facilities were a permitted use through the processing of a conditional use permit at the time of Proposition A passage. The prohibition of nursing facilities in the AR-1-1 Zone was added to the SDMC after Proposition A was approved. The objectives of Proposition A include precluding premature development and guiding urbanization; conserving agricultural land; preventing loss of natural resources; and addressing the threat to quality of life from continued urban sprawl.

A project is consistent with a land use plan if, considering all its aspects, it will further the objectives and policies of the land use plan and will not obstruct their attainment. The Project does not adversely impact Proposition A objectives nor the North City Future Urbanizing Area Framework Plan (Framework Plan). The Framework Plan was adopted to implement the objectives of Proposition A. The Project proposes to develop on land intended for residential uses (Framework Plan Diagram Figure 3-3). The Project will be located on a graded site adjacent to developed uses and will not result in an increase in residential density. The proposed Project would provide living arrangements for disabled seniors, serving as the residence of a senior population that requires 24-hour nursing care. Through compliance with the AR-1-1 zone requirements, the building design would not be more intense than permitted by the development regulations. With respect to scale, the Project conforms to the applicable development regulations governing structures within the agricultural zone established for the site including building height, lot coverage, and setbacks.

The Project generally conforms with the Framework Plan land use policies as the proposed development would cover approximately ten percent of the site, be clustered on the western mesa portion of the parcel adjacent to existing development and would avoid development in the Environmental Tier and within the MHPA boundary consistent with the Framework Plan. Further, architectural details and style include mission and ranch-style architecture reminiscent of historic Rancho Santa Fe intended to convey a non-urban character. The architectural design includes light colors, stucco clad exteriors, natural materials, red tiled roofs, and balconies which are incorporated into the design of development in the surrounding neighborhood.

Additionally, the Project is consistent with the Framework Plan's recommendation (P. 36) for sites east of El Camino Real that are public and semi-public, which would ideally be uses where buildings take up a relatively small portion of the site, and where architecture can be in harmony with surrounding open space. The Project will be located on a plain and set back into

the slope to reduce its visibility from the flood plain. The Project will also be set back from El Camino Real by approximately 180 feet and includes extensive landscaping of varied heights and species to buffer adjacent uses. Access will be shared with the adjacent Church site avoiding residential areas nearby.

The adjacent Multiple Species Conservation Plan (MSCP) area serves as a buffer between the development and the river park. The Project avoids developing within the Multi Habitat Planning Area (MHPA) and the MHPA area will be conserved in perpetuity through a covenant of easement in accordance with the City's Environmentally Sensitive Lands regulations. Additionally, the Project's extensive landscaping throughout the site visually screens portions of the buildings from the public right-of-way, gradually transitions development into the natural environment and provides access/connection to outdoor spaces which is consistent with the San Dieguito River Park Concept Plan.

Further, the Project will comply with the MSCP/MHPA Land Use Adjacency Guidelines (LUAG) to avoid potential impacts to the resources in the MHPA related to grading/land development, drainage and toxics, lighting, public access, barriers, invasive species, brush management, and noise. LUAG compliance is consistent with the Framework Plan's policy (Page 77) of protecting and preserving natural resources throughout area. Therefore, given the unique circumstance of providing a nursing facility for senior citizens with limited physical abilities, the proposed development will not adversely affect the applicable land use plan.

**b. The proposed development will not be detrimental to the public health, safety, and welfare.** A preliminary geotechnical report has been prepared for the site that concluded that the Project adequately addresses the site's soil and geologic conditions. The development will be limited to the flat-lying to very gently sloping mesa area of the site and outside of the special flood hazard area. The Project complies with the City's drainage regulations and standards and will be required to address storm water and run off by implementing storm water construction best management practices (BMPs) and ongoing permanent BMP maintenance.

The Project site is located in a very high fire hazard severity zone and is adjacent to open space areas to the east, northeast, and southeast. The Project includes extensive landscaping of varied heights and species to buffer adjacent uses and a brush management program will be implemented to reduce any potential fire hazards around structures by providing an effective fire break between all structures and contiguous areas of native or naturalized vegetation.

Additionally, staff has reviewed and accepted a Fire Fuel Load Management Report which addresses fire safety goals and results in reduced fire hazards. Site access including road widths and connectivity will comply with the City's code requirements and the California Fire Code. An adequate water supply and approved paved access roadways will be installed prior to any combustibles being onsite. The construction plans will also include a note requiring that the contractor provide a Site-Specific Safety Manual and Fire Protection Plan that addresses onsite ignitable sources, as required by Cal/OSHA and the California Fire Code.

The Police Department has reviewed the Project and concluded that there are no policing issues or response type concerns at the site related to the protection of the public health, safety and welfare. The project permit also contains specific requirements to ensure compliance with the regulations of the Land Development Code, including those adopted to protect the public health, safety and welfare. The Permit includes requirements that address fire safety, storm water and runoff, landscaping and maintenance, public improvements, private water and sewer facilities, signage, lighting, and parking.

A Subsequent Environmental Impact Report (Project No. 675732/SCH No. 2013071043) was prepared in accordance with the California Environmental Quality Act Statute, and a Mitigation Monitoring and Reporting Program for Biological Resources, Historical Resources, Noise and Tribal Cultural Resources will be implemented to reduce impacts to below a level of significance. Therefore, the proposed development will not be detrimental to the public health, safety, and welfare.

**c. 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 will serve as the residence for senior citizens that require 24-hour nursing care. The Project will be licensed by the California Department of Social Services as a Residential Care Facility for the Elderly (RCFE) to provide varying levels and intensities of care and supervision, protective supervision, or personal care based upon varying needs, as determined in order to be admitted and remain in the facility. The Project focuses on persons with disabilities with an average age over 80 years old requiring assistance with at least two activities of daily living. Many of the senior residents will require memory care and will be treated for dementia.

Senior citizens with limited physical abilities are deemed a protected class under the Fair Housing Amendments Act (FHAA). The FHAA requires that jurisdictions provide a process for consideration of reasonable accommodations to afford persons with disabilities the equal opportunity to use and enjoy a dwelling. Pursuant to SDMC Section 131.0466, a request for Reasonable Accommodations including waiver of regulations, policies, or procedures to afford persons with disabilities an equal opportunity to use and enjoy a dwelling may be approved at the staff level through a Process 1 provided certain findings be made. In April 2024, staff reviewed and approved the applicant's reasonable accommodations request in accordance with SDMC Section 131.0466 to allow a nursing facility on the site due to the special need and benefit of providing persons with disabilities an equal opportunity to use and live in a nursing facility on site.

Additionally, Project approval will require adoption of an Ordinance to authorize a nursing facility in the AR-1-1 Zone (agricultural) within Proposition A Lands. Pursuant to SDMC Section 141.0413, nursing facilities are prohibited in Proposition A lands. Nursing facilities were a permitted use through the processing of a conditional use permit at the time of Proposition A passage. The prohibition of nursing facilities in the AR-1-1 Zone was added to the SDMC after Proposition A was approved. The objectives of Proposition A include precluding premature development and guiding urbanization; conserving agricultural land; prevent loss of natural resources; and addressing the threat to quality of life from continued urban sprawl.

Given the unique circumstance of providing a nursing facility for senior citizens with limited physical abilities, the Project does not adversely impact Proposition A objectives nor the North City Future Urbanizing Area Framework Plan (Frame Plan). The Project will be located on a graded site adjacent to developed uses and will not result in an increase in residential density. The Project complies with the AR-1-1 Zone requirements for lot coverage (10 percent), building height (40 feet), setbacks, and parking.

A comprehensive sign program will be implemented for proposed deviations to the sign regulations. The intent of the City sign regulations (SDMC Section 142.1201) is to provide a set of standards, which optimize communication and quality of signs while protecting the public and aesthetic character of the City. A comprehensive sign plan (SDMC Section 141.1103) may be approved through a Neighborhood Use Permit to modify applicable sign requirements if the proposed signs, as a whole, are in conformance with the intent of the sign regulations, and if the exceptions result in an improved relationship among the signs and building facades on the premises.

Staff has reviewed and accepted the following requested deviations to the sign regulations (SDMC Section 142.1201):

<b>Description</b>	<b>Required</b>	<b>Proposed</b>
Ground sign for each street frontage	One (1)	Two (2)
Size of each ground sign	12 square feet	Not to exceed 25 square feet

**Ground Signs:** Deviation to SDMC Section 142.1275 to allow two ground signs where the sign regulations allows one ground sign for each street frontage, and allow the size of ground signage to not exceed 25 square feet in area where the sign regulations limit the sign area to not exceed 12 square feet.

**Justification:** The deviations to the sign regulations will facilitate the identification of the nursing facility and the adjacent Church site by guiding employees and visitors through the site in an efficient manner. The larger ground signage will allow visibility for both establishments which gain access at a common driveway but are not easily visible from the El Camino Real public right-of-way. Additionally, the implementation of a comprehensive sign program provides for a unifying theme (i.e., materials, colors, type) that is compatible with the design and scale of the adjacent buildings and surrounding neighborhood.

The proposed signs, as a whole, are in conformance with the intent of the sign regulations and provide a set of standards which optimize communication and quality of signs while protecting the public and aesthetic character of the City. Therefore, the proposed development will comply with the regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code.

**d. The proposed use is appropriate at the proposed location.** The El Camino Living Assisted Living Facility (Project) is located on a graded 3.97-acre site at 13860 El Camino Real within the North City Future Urbanizing Area Subarea II Plan and San Dieguito River Park Concept Plan area. Surrounding land uses include the El Camino Real public right-of-way and the San Dieguito lagoon to the north, undeveloped lands to the east, residential uses to the south, and the Evangelical Formosan Church to the west. The Project is an expansion of the adjacent St. John Garabed Church which was approved by the City's Planning Commission in October 30, 2014 (Conditional Use Permit No. 862494 and Site Development Permit No. 862495).

The Project will serve as the residence for senior citizens that require 24-hour nursing care. The Project will be licensed by the California Department of Social Services as a Residential Care Facility for the Elderly (RCFE) to provide varying levels and intensities of care and supervision, protective supervision, or personal care based upon varying needs, as determined in order to be admitted and remain in the facility. The Project focuses on persons with disabilities with an average age over 80 years old requiring assistance with at least two activities of daily living. Many of the senior residents will require memory care and will be treated for dementia.

San Diego has one of the lowest rates of construction for nursing facilities as a percentage of inventory compared to other major metros across the United States over the past 15 years. There are only three senior communities within a three-mile radius of the Project site and approximately half of the existing inventory in San Diego is over 25 years old. The Project addresses a demand for nursing care since the senior population that are 80 years old and over is anticipated to double by 2040 and there is a projected national shortfall of approximately 550,000 units by 2030 (National Investment Center for Seniors Housing & Care and NIC Map; Welltower Business Update 2024).

Senior citizens with limited physical abilities are deemed a protected class under the Fair Housing Amendments Act (FHAA). The FHAA requires that jurisdictions provide a process for consideration of reasonable accommodations to afford persons with disabilities the equal opportunity to use and enjoy a dwelling. Pursuant to SDMC Section 131.0466, a request for Reasonable Accommodations, including waiver of regulations, policies, or procedures to afford persons with disabilities an equal opportunity to use and enjoy a dwelling may be approved at the staff level through a Process 1 provided certain findings be made.

In April 2024, staff reviewed and approved a Reasonable Accommodation request due to the special need and benefit of providing persons with disabilities an equal opportunity to use and live in a nursing facility on the Project site. The approval of the Reasonable Accommodations request allows the processing of a Conditional Use Permit for the nursing facility in an agricultural zone in Proposition A Lands without requiring a Municipal Code amendment despite SDMC Section 141.0423, which prohibits nursing facilities in Proposition A Lands.

Additionally, Project approval requires adoption of an Ordinance to authorize a nursing facility in the AR-1-1 Zone (agricultural) within Proposition A Lands. Pursuant to SDMC



Section 141.0423, nursing facilities are prohibited in Proposition A lands. Nursing facilities were a permitted use through the processing of a conditional use permit at the time of Proposition A passage. The prohibition of nursing facilities in the AR-1-1 Zone was added to the SDMC after Proposition A was approved. The objectives of Proposition A include precluding premature development and guiding urbanization; conserving agricultural land; prevent loss of natural resources; and addressing the threat to quality of life from continued urban sprawl.

A project is consistent with a land use plan if, considering all its aspects, it will further the objectives and policies of the land use plan and will not obstruct their attainment. The Project does not adversely impact Proposition A objectives nor the North City Future Urbanizing Area Framework Plan (Framework Plan). The Framework Plan was adopted to implement the objectives of Proposition A. The Project proposes to develop on land intended for residential uses (Framework Plan Diagram Figure 3-3). The Project will be located on a graded site adjacent to developed uses and will not result in an increase in residential density. The Project complies with the AR-1-1 Zone requirements for lot coverage (10 percent), building height (40 feet), setbacks, and parking. A comprehensive sign program will also be implemented to guide employees and visitors through the site in an efficient manner and provide for a unifying theme that is compatible with the design and scale of the adjacent buildings and neighborhood.

The proposed Project would provide living arrangements for disabled seniors, serving as the residence of a senior population that requires 24-hour nursing care. Through compliance with the AR-1-1 zone requirements, the building design would not be more intense than permitted by the development regulations. With respect to scale, the Project conforms to the applicable development regulations governing structures within the agricultural zone established for the site including building height, lot coverage, and setbacks.

The Project generally conforms with the Framework Plan land use policies as the proposed development would cover approximately ten percent of the site, be clustered on the western mesa portion of the parcel adjacent to existing development and would avoid development in the Environmental Tier and within the MHPA boundary consistent with the Framework Plan. Further, architectural details and style include mission and ranch-style architecture reminiscent of historic Rancho Santa Fe intended to convey a non-urban character. The Project design includes light colors, stucco clad exteriors, natural materials, red tiled roofs, and balconies which are incorporated into the design of development in the surrounding neighborhood.

Additionally, the Project is consistent with the Framework Plan's recommendation (P. 36) for sites east of El Camino Real that are public and semi-public, which would ideally be uses where buildings take up a relatively small portion of the site, and where architecture can be in harmony with the surrounding open space. The Project will be located on a plain and set back into the slope to reduce its visibility from the flood plain. The Project will also be set back from El Camino Real by approximately 180 feet and includes extensive landscaping of varied heights and species to buffer adjacent uses. Access will be shared with the adjacent Church site avoiding residential areas nearby.

The adjacent Multiple Species Conservation Plan (MSCP) area serves as a buffer between the development and the river park. The Project's extensive landscaping throughout the site visually screens portions of the buildings from the public right-of-way, gradually transitions development into the natural environment and provides access/connection to outdoor spaces which is consistent with the San Dieguito River Park Concept Plan. The Project avoids developing within the Multi Habitat Planning Area (MHPA) and the MHPA area will be conserved in perpetuity through a covenant of easement in accordance with the City's Environmentally Sensitive Lands regulations.

A preliminary geotechnical report has been prepared for the site that concluded that the Project adequately addresses the site's soil and geologic conditions. The Project site is located on land characterized as gently sloping to steep terrain, favorable geologic structure and low risk. The development will be limited to the flat-lying to very gently sloping mesa area of the site and outside of the special flood hazard area. The Project complies with the City's drainage regulations and standards and will be required to address storm water and run off by implementing storm water construction best management practices (BMPs) and ongoing permanent BMP maintenance.

Additionally, the Project site is located in a very high fire hazard severity zone and is adjacent to open space areas to the east, northeast, and southeast. The Project includes extensive landscaping of varied heights and species to buffer adjacent uses and a brush management program will be implemented to reduce any potential fire hazards around structures by providing an effective fire break between all structures and contiguous areas of native or naturalized vegetation.

Staff has also reviewed and accepted a Fire Fuel Load Management Report which addresses fire safety goals and results in reduced fire hazards. Site access including road widths and connectivity will comply with the City's code requirements and the California Fire Code. An adequate water supply and approved paved access roadways will be installed prior to any combustibles being onsite. Additionally, the construction plans will include a note requiring the contractor to provide a Site-Specific Safety Manual and Fire Protection Plan that addresses onsite ignitable sources, as required by Cal/OSHA and the California Fire Code.

The Police Department has reviewed Project and concluded that there are no policing issues or response type concerns at the site related to the protection of the public health, safety and welfare. The project permit also contains specific requirements to ensure compliance with the regulations of the Land Development Code, including those adopted to protect the public health, safety and welfare. The Permit includes requirements that address fire safety, storm water and runoff, landscaping and maintenance, public improvements, private water and sewer facilities, signage, lighting, and parking.

A Subsequent Environmental Impact Report (Project No. 675732/ SCH No. 2013071043) was prepared in accordance with the California Environmental Quality Act, and a Mitigation Monitoring and Reporting Program for Biological Resources, Historical Resources, Noise and Tribal Cultural Resources will be implemented to reduce impacts to below a level of significance. Therefore, given the unique circumstance of providing a nursing facility for senior

citizens with limited physical abilities the proposed use is appropriate at the proposed location.

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

**1. Findings for all Site Development Permits:**

**a. The proposed development will not adversely affect the applicable land use plan.** As set out in Finding A.1.a above, incorporated herein by reference, the proposed development would not adversely affect the applicable land use plan.

**b. The proposed development will not be detrimental to the public health, safety, and welfare.** As set out in Finding A.1.b above, incorporated herein by reference, the proposed development will not be detrimental to the public health, safety, and welfare.

**c. The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.** As set out in Finding A.1.c above, incorporated herein by reference, the proposed development will comply with the development regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

**2. Supplemental Findings – Environmentally Sensitive Lands:**

**a. 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 Project is located on a graded site adjacent to the El Camino Real public right-of-way and the San Dieguito lagoon to the north, undeveloped lands to the east, and developed uses including St. John Garabed Church to the north, residential uses to the south, and the Evangelical Formosan Church to the west. The eastern portion of the Project site (1.12 acres) is located within the Multi Habitat Planning Area (MHPA) and contains sensitive biological resources and is within a special flood hazard area.

A preliminary geotechnical report has been prepared for the site that concluded that the Project adequately addresses the site's soil and geologic conditions. The Project site is located on land characterized as gently sloping to steep terrain, favorable geologic structure and low risk. The development will be limited to the flat-lying to very gently sloping mesa area of the site and outside of the special flood hazard area. The Project complies with the City's drainage regulations and standards and will be required to address storm water and run off by implementing storm water construction best management practices (BMPs) and ongoing permanent BMP maintenance.

Approximately 10 percent of the Project site is covered by structures. The adjacent Multiple Species Conservation Plan (MSCP) area serves as a buffer between the development and the river park. The Project avoids developing within the MHPA and the area will be conserved in perpetuity through a covenant of easement in accordance with the City's Environmentally Sensitive Lands regulations. The Project's extensive landscaping throughout the site visually screens and softens the buildings, gradually transitions development into the

natural environment and provides access/connection to outdoor spaces which is consistent with the San Dieguito River Park Concept Plan.

Additionally, the Project will comply with the MSCP/MHPA Land Use Adjacency Guidelines (LUAG) to avoid potential impacts to the resources in the MHPA related to grading/land development, drainage and toxics, lighting, public access, barriers, invasive species, brush management, and noise. LUAG compliance is consistent with the Framework Plan's policy of protecting and preserving natural resources throughout area.

A Subsequent Environmental Impact Report (Project No. 675732/ SCH No. 2013071043) was prepared in accordance with the California Environmental Quality Act, and a Mitigation Monitoring and Reporting Program for Biological Resources, Historical Resources, Noise and Tribal Cultural Resources will be implemented to reduce impacts to below a level of significance. Therefore, the Project 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.

**b. The proposed development will minimize the alteration of natural landforms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.** The Project is located on a graded site adjacent to the El Camino Real public right-of-way and the San Dieguito lagoon to the north, undeveloped lands to the east, and developed uses including St. John Garabed Church to the north, residential uses to the south, and the Evangelical Formosan Church to the west.

A preliminary geotechnical report has been prepared for the site that concluded that the Project adequately addresses the site's soil and geologic conditions. The Project site is located on land characterized as gently sloping to steep terrain, favorable geologic structure and low risk. The development will be limited to the flat-lying to very gently sloping mesa area of the site and outside of the special flood hazard area. The Project complies with the City's drainage regulations and standards and will be required to address storm water and run off by implementing storm water construction best management practices (BMPs) and ongoing permanent BMP maintenance.

Additionally, the Project site is located in a very high fire hazard severity zone and is adjacent to open space areas to the east, northeast, and southeast. The Project includes extensive landscaping of varied heights and species to buffer adjacent uses and a brush management program will be implemented to reduce any potential fire hazards around structures by providing an effective fire break between all structures and contiguous areas of native or naturalized vegetation.

Staff has reviewed and accepted a Fire Fuel Load Management Report which addresses fire safety goals and results in reduced fire hazards. Site access including road widths and connectivity will comply with the City's code requirements and the California Fire Code. An adequate water supply and approved paved access roadways will be installed prior to any combustibles being onsite. Additionally, the construction plans shall include a note requiring the contractor to provide a Site-Specific Safety Manual and Fire Protection Plan that addresses

onsite ignitable sources, as required by Cal/OSHA and California Fire Code. Therefore, the proposed development will minimize the alteration of natural landforms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.

**c. The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.** The Project will be located on a graded site adjacent to the El Camino Real public right-of-way and the San Dieguito lagoon to the north, undeveloped lands to the east, and developed uses including St. John Garabed Church to the north, residential uses to the south, and the Evangelical Formosan Church to the west. The eastern portion of the Project site (1.12 acres) is located within the Multi Habitat Planning Area (MHPA) and contains sensitive biological resources and is within a special flood hazard area.

A preliminary geotechnical report has been prepared for the site that concluded that the Project adequately addresses the site's soil and geologic conditions. The Project site is located on land characterized as gently sloping to steep terrain, favorable geologic structure and low risk. The development area will be limited to the flat-lying to very gently sloping mesa area of the site and outside of the special flood hazard area. The Project complies with the City's drainage regulations and standards and will be required to address storm water and run off by implementing storm water construction best management practices (BMPs) and ongoing permanent BMP maintenance.

The adjacent Multiple Species Conservation Plan (MSCP) area serves as a buffer between the development and the river park. The Project avoids developing within the MHPA and the area will be conserved in perpetuity through a covenant of easement in accordance with the City's Environmentally Sensitive Lands regulations. The Project's extensive landscaping throughout the site visually screens and softens the buildings, gradually transitions development into the natural environment and provides access/connection to outdoor spaces which is consistent with the San Dieguito River Park Concept Plan.

Additionally, the Project will comply with the MSCP/MHPA Land Use Adjacency Guidelines (LUAG) to avoid potential impacts to the resources in the MHPA related to grading/land development, drainage and toxics, lighting, public access, barriers, invasive species, brush management, and noise. LUAG compliance is consistent with the Framework Plan's policy of protecting and preserving natural resources throughout area. Therefore, the proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.

**d. 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).** The Project avoids developing within the Multi Habitat Planning Area (MHPA) and the area will be conserved in perpetuity through a covenant of easement in accordance with the City's Environmentally Sensitive Lands regulations. The Project will comply with the MSCP/MHPA Land Use Adjacency Guidelines (LUAG) to avoid potential impacts to the resources in the MHPA related to grading/land development, drainage and toxics, lighting, public access, barriers, invasive species, brush management, and noise.

LUAG compliance is consistent with the Framework Plan's policy of protecting and preserving natural resources throughout area. The Project is not located within the Vernal Pool Habitat Conservation area. 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).

**e. The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.** The project site is located approximately two miles east from the Pacific Ocean. Therefore, the proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.

**f. 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.** A Subsequent Environmental Impact Report (Project No. 675732/SCH No. 2013071043) (EIR) was prepared in accordance with the California Environmental Quality Act, and a Mitigation Monitoring and Reporting Program for Biological Resources, Historical Resources, Noise and Tribal Cultural Resources shall be implemented to reduce impacts to below a level of significance. Additionally, the Project permit contains specific requirements to ensure compliance with the regulations of the Land Development Code, including those adopted to protect the public health, safety and welfare. The Permit includes requirements that address fire safety, storm water and runoff, landscaping and maintenance, public improvements, private water and sewer facilities, signage, lighting, and parking. 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. NEIGHBORHOOD USE PERMIT - SAN DIEGO MUNICIPAL CODE (SDMC)  
SECTION 126.0405**

**1. Findings for all Neighborhood Development Permits:**

**a. The proposed development will not adversely affect the applicable land use plan.** As set out in Finding A.1.a above, incorporated herein by reference, the proposed development would not adversely affect the applicable land use plan.

**b. The proposed development will not be detrimental to the public health, safety, and welfare.** As set out in Finding A.1.b above, incorporated herein by reference, the proposed development will not be detrimental to the public health, safety, and welfare.

**c. The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.** As set out in Finding A.1.c above, incorporated herein by reference, the proposed development will comply with the development regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

Section 2. The above findings are supported by the minutes, maps and exhibits, all of which are incorporated by this reference.

Section 3. Notwithstanding the prohibition in San Diego Municipal Code Section 141.0423(a) against the placement of nursing facilities in agricultural zones in Proposition A Lands, based on these findings adopted by the Council, Conditional Use Permit No. PMT-2475043 and Site Development Permit No. PMT-2475049 to amend Conditional Use Permit No. 862494 and Site Development Permit No. 862495, and Neighborhood Use Permit No. PMT-2475050 are granted by the Council to the referenced Owner/Permittee, in the form, exhibits, terms, and conditions set forth in Conditional Use Permit No. PMT-2475043 and Site Development Permit No. PMT-2475049 to amend Conditional Use Permit No. 862494 and Site Development Permit No. 862495, and Neighborhood Use Permit No. PMT-2475050, a copy of which is attached to and made part of this Ordinance by this reference.

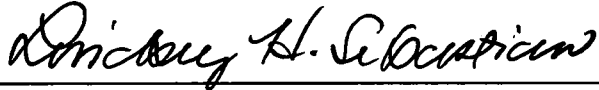
Section 4. The Council dispenses with a full reading of this Ordinance before its passage because a written copy of this Ordinance was made available to the Council and the public before the date of its passage.

Section 5. This Ordinance shall take effect and be in force on the thirtieth day from and after its passage. No building permits for development inconsistent with the provisions of this Ordinance shall be issued unless the application was made prior to the date of adoption of this Ordinance.

Section 6. Notwithstanding San Diego Municipal Code Sections 126.0112, 126.0113, and 126.0114 regarding amendments to a development permit, while this Conditional Use Permit is in effect, the subject project shall be used only for the El Camino Real Assisted Living Facility as a nursing facility with 105 rooms consisting of 87 assisted living rooms and 18 memory care rooms for a total of 124 beds, surface parking and supporting amenities. Any proposed change that increases the number of rooms or beds shall require an application for an amendment to this

Permit in accordance with a Process 5 decision. Any change in amenities that would generate an increased number of vehicle trips shall require an application for an amendment to this Permit in accordance with a Process 5 decision.

APPROVED: HEATHER FERBERT, City Attorney

By   
Lindsey H. Sebastian  
Deputy City Attorney

LHS:nja  
01/21/2025  
03/14/2025 REV.  
04/21/2025 REV. COR. COPY  
Or. Dept: DSD  
Doc. No. 3988150\_3

Attachment: Conditional Use Permit No. PMT-2475043, Site Development Permit No. PMT-2475049, Neighborhood Use Permit No. PMT-2475050, Amendment to Conditional Use Permit No. 862494 and Site Development Permit No. 862495



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

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

INTERNAL ORDER NUMBER: 24008715

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Conditional Use Permit No. PMT-2475043  
Site Development Permit No. PMT-2475049  
Neighborhood Use Permit No. PMT-2475050  
Amendment To Conditional Use Permit No. 862494  
and Site Development Permit No. 862495  
**EL CAMINO REAL ASSISTED LIVING: PRJ-675732**  
City Council

This Conditional Use Permit No. PMT-2475043 and Site Development Permit No. PMT-2475049 to amend Conditional Use Permit No. 862494 and Site Development Permit No. 862495, and Neighborhood Use Permit No. PMT-2475050 is granted by the City Council of the City of San Diego to PMB CARMEL VALLEY LLC, a Delaware Limited Liability Company, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0203, 126.0502, and 126.0303. The 3.97-acre site is a portion of the approximately 17.33-acre premises previously approved for development of the St. John Garabed Armenian Church (Church) (Project No. 240283) located at 13860 El Camino Real in the AR-1-1 Zone, Coastal Overlay Zone (Deferred-Certification Area), Very High Fire Hazard Severity Zone, Fire Brush Zone, and contains Environmentally Sensitive Lands (Multi Habitat Planning Area, sensitive biological resources, special flood hazard area) within the North City Future Urbanizing Area Subarea II Plan area. The project site is legally described as Parcel B: the northerly 280 feet of the westerly 616 feet of Lot 3 (northwest quarter of southwest quarter) of Section 7, Township 14 south, Range 3 west, San Bernadino meridian, in the City of San Diego, County of San Diego, State of California, according to official plat thereof; and Parcel B1: an easement over road over Parcel 2 of Parcel Map No. 8367 in the City of San Diego, County of San Diego, State of California, filed in the Office of the County Recorder of San Diego County, Recorded February 1, 1979.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to construct a nursing facility described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated April 15, 2025, on file in the Development Services Department.

The project shall include:

- a. Construction of a three-story, 105,568 square-foot nursing facility with 105 rooms consisting of 87 assisted living rooms and 18 memory care rooms for a total of 124 beds, surface parking and supporting amenities;
- b. Deviations from SDMC Section 142.1201 for ground signage for each street frontage and size of each ground sign; and

Description	Required	Proposed
Ground sign for each street frontage	One (1)	Two (2)
Size of each ground sign	12 square feet	Not to exceed 25 square feet

- c. 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 April 15, 2028.

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.

#### **CLIMATE ACTION PLAN REQUIREMENTS:**

11. Owner/Permittee shall comply with the Climate Action Plan (CAP) Consistency Checklist stamped as Exhibit "A." Prior to issuance of any construction permit, all CAP strategies shall be noted within the first three (3) sheets of the construction plans under the heading "Climate Action Plan Requirements" and shall be enforced and implemented to the satisfaction of the Development Services Department.

#### **ENVIRONMENTAL REQUIREMENTS:**

12. Mitigation requirements in **Subsequent Environmental Impact Report (EIR) No. 675732/SCH No. 2013071043** and **Mitigation, Monitoring, and Reporting Program [MMRP]** shall apply to this Permit. These **MMRP** conditions are hereby incorporated into this Permit by reference.

13. The mitigation measures specified in the **MMRP** and outlined in **Subsequent Environmental Impact Report (EIR) No. 675732/SCH No. 2013071043** shall be noted on the construction plans and specifications under the heading **ENVIRONMENTAL MITIGATION REQUIREMENTS**.

14. The Owner/Permittee shall comply with the **MMRP** as specified in **Subsequent Environmental Impact Report (EIR) No. 675732/SCH No. 2013071043** 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 the satisfaction of the City Engineer. All mitigation measures described in the **MMRP** shall be implemented for the following issue areas:

**Biological Resources**

**Historical Resources**

**Noise**

**Tribal Cultural Resources**

15. Prior to issuance of building permits, building plans shall include a note that states woodburning fireplaces and hearths are prohibited on the premises.

16. Prior to issuance of any construction permits, including but not limited to the first Grading Permit, Demolition Permits and Building Permits or a Notice to Proceed for Subdivisions by the City, the Owner/Permittee shall submit written verification provided to the City's Mitigation

Monitoring Coordinator (MMC) that the Project shall use construction equipment fleet that meets an average Environmental Protection Agency Tier 4 Interim emission standard or better.

17. Prior to the pre-construction meeting, the Owner/Permittee or its designee shall ensure that all diesel-powered aerial lifts, forklifts, tractors, loaders, backhoes, and welders be powered with California Air Resources Board-certified Tier 4 Final engines, except where Tier 4 Final equipment is not available. All other diesel powered construction equipment shall be classified as Tier 3 or higher at a minimum, except where Tier 3 equipment is not available. Engine Tier requirements in accordance with this measure shall be incorporated on all construction plans. An exemption from these requirements may be granted by the City in the event that the owner/permittee documents that equipment with the required tier is not reasonably available and corresponding reductions in criteria air pollutant emissions are achieved from other construction equipment. Before an exemption may be considered by the City, the owner/permittee shall be required to demonstrate that at least two construction fleet owners/operators in the San Diego region were contacted and that those owners/operators confirmed the requested equipment could not be located within the San Diego region.

18. To avoid any indirect impacts to Cooper's hawk, the removal of habitat that supports active nests in the proposed area of disturbance shall occur outside of the breeding season (February 1 to September 15). If construction/brush management must occur during the breeding season and within 300 feet of suitable habitat, a qualified biologist shall conduct a preconstruction survey within suitable habitat to determine the presence or absence of Cooper's hawk within any portion of the potentially occupied habitat within 300 feet of the project footprint. If the Coopers Hawk is detected, a letter report in conformance with the City's Biology Guidelines and applicable State and Federal Law (i.e. appropriate follow-up surveys, monitoring schedules, construction and noise barriers/buffers, etc.) shall be prepared and include proposed measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided. The report shall be submitted to the City's DSD MMC/MSCP section for review and approval and implemented to the satisfaction of the City. The City's DSD MMC/MSCP section and Biologist shall verify and approve that all measures identified in the report are in place prior to and/or during construction.

19. Prior to grading, the Owner/Permittee will establish on the construction documents that an upland buffer (wetland buffer) of approximately 100 feet shall be established between the Project impact footprint and adjacent suitable habitat for least Bell's vireo.

20. Prior to issuance of any construction permits, including but not limited to the first Grading Permit, Demolition Permits and Building Permits or a Notice to Proceed for Subdivisions by the City of San Diego, the Owner/Permittee shall ensure via a written letter provided to the City's Mitigation Monitoring Coordinator (MMC) that the Project shall provide individual outlets for electric charging at eight out of the 16 bicycle spaces.

## **ENGINEERING REQUIREMENTS:**

21. If the lots are sold separately, the Owner/Permittee of downstream property shall grant a private storm drain easement to upstream neighboring lot for the storm drain discharge across property lines, satisfactory to the City Engineer.
22. The proposed drainage system as shown on the site plan is subject to approval by the City Engineer.
23. Prior to the issuance of any construction permits, the Owner/Permittee shall obtain a bonded grading permit for the proposed grading. All grading shall conform to the requirements of the SDMC, satisfactory to the City Engineer.
24. Prior to the issuance of any construction permits, the Owner/Permittee shall incorporate into the construction plans or specifications any construction Best Management Practices (BMPs) necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the SDMC.
25. Prior to the issuance of any construction permits, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.
26. Prior to the issuance of any construction permits, 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.
27. Development of this project shall comply with all storm water construction requirements of the State Construction General Permit Order No. 2009-0009DWQ, 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 construction permit for grading, a copy of the Notice of Intent (NOI) with a valid Waste Discharge ID number (WDID#) shall be submitted to the City 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:**

29. Prior to issuance of any construction permits, the Owner/Permittee shall submit complete construction documents to the Development Services Department for approval for the revegetation and hydro-seeding of all disturbed land in accordance with the City's Landscape

Standards & Storm Water Design Manual. All plans shall be in substantial conformance to this permit and Exhibit A.

30. Prior to issuance of any construction permits, the Owner/Permittee shall submit complete landscape construction documents to the Development Services Department for approval which are consistent with the City's Landscape Standards. All plans shall be in substantial conformance with Exhibit A. Construction plans shall be designed where all hardscapes and utilities shall not prohibit the required placement of trees. Include a scaled symbol, label, and dimension for the required placement of the 40 square-foot tree area/root zone around each tree.

31. In the event that a foundation only permit is requested by the Owner/Permittee, a site plan or staking layout plan shall be submitted to the Development Services Department identifying all landscape areas consistent with the Exhibit A. These landscape areas shall be clearly identified with a distinct symbol, noted with dimensions, and labeled as "landscape area."

32. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the public right-of-way unless long-term maintenance of said landscaping will be the responsibility of another entity approved by the Development Services Department. All required landscaping shall be maintained consistent with the City's Landscape Standards in a disease, weed, and litter free condition at all times. Landscaping maintenance equipment shall be electric only (no gas-powered equipment). Severe pruning or "topping" of trees is not permitted.

33. If any required landscaping (including existing or new plantings, hardscape, landscape features, etc.) as shown on the approved construction documents is damaged or removed during demolition or construction, the Owner/Permittee shall repair and/or replace in kind, and in an equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or final inspection.

34. Prior to the issuance of Certificate of Occupancy, the applicant shall plant 248 Trees in accordance with the City's Landscape Standards.

#### **BRUSH MANAGEMENT REQUIREMENTS:**

35. The Owner/Permittee shall implement the following requirements in accordance with the Brush Management Program shown on Exhibit "A" on file in the Development Services Department.

36. The Brush Management Program shall be based on a modified Zone One width and Alternative Compliance measures set forth under SDMC Section 142.0412(i), and 142.0412(j). Zone One width shall range with no dimension less than 35 feet in width extending out from the habitable structures towards the native/naturalized vegetation as shown on Exhibit "A." Where the full brush management zones cannot be provided, openings along the brush side of the habitable structures, plus a 10-foot perpendicular return along adjacent wall faces shall be upgraded to dual-glazed, dual-tempered panes as alternative compliance for the reduced brush management zones.

37. Prior to issuance of any construction permits for grading, landscape construction documents required for the engineering permit shall be submitted showing the brush management zones on the property in substantial conformance with Exhibit "A."

38. Prior to issuance of any construction permits for building, a complete Brush Management Program shall be submitted for approval to the Development Services Department and shall be in substantial conformance with Exhibit "A" on file in the Development Services Department. The Brush Management Program shall comply with the City's Landscape Regulations and Standards.

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

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

41. Due to the inability of the entire eastern side of the structure to provide a full 100 feet of on-site brush management due to the MHPA and 100-foot wetland buffer areas, the entire east side of the structure is required to include 5/8-inch Type X fire rated gypsum sheathing applied behind the exterior covering or cladding (stucco or exterior siding) on the exterior side of the framing from the foundation to the roof for a facade facing the MHPA open space and naturally vegetated areas. The 5/8-inch Type X fire rated gypsum sheathing is required to be manufactured in accordance with established standards defining type X wallboard sheathing which provides for not less than one hour fire resistance when tested and certified in specified building assemblies for use in a one hour fire rated system.

#### **GEOLOGY REQUIREMENTS:**

42. Prior to the issuance of any construction permits, the Owner/Permittee shall submit a geotechnical investigation report prepared in accordance with the City's "Guidelines for Geotechnical Reports" that specifically addresses the proposed construction plans. The geotechnical investigation report shall be reviewed for adequacy by the Geology Section of Development Services Department.

#### **PLANNING/DESIGN REQUIREMENTS:**

43. Prior to the issuance of construction permits, Owner/Permittee shall record a Lot Tie Agreement with the adjacent property and the subject property to the satisfaction of the Development Services Department.

44. 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.



45. 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.

**FIRE REQUIREMENTS:**

46. The construction permit plans shall include a note requiring the construction contractor to provide a Site-Specific Safety Manual and Fire Protection Plan that addresses onsite ignitable sources as required by Cal/OSHA 1910.39 and the California Fire Code (CFC) Chapter 33. The Site-Specific Safety Manual and Fire Prevention Plan shall be posted onsite and shall institute the following prevention measures for all construction activities:

- Minimize combustible and flammable materials storage on site.
- Store any combustible or flammable materials that need to be on site away from ignition sources.
- Parking areas shall be cleared of all grass and brush by a distance of at least 10 feet.
- Keep evacuation routes free of obstructions.
- Label all containers of potentially hazardous materials with their contents and store in the same location as flammable or combustible liquids.
- Perform “hot work” according to fire safe practices in a controlled environment and with fire suppression equipment at the job site. A fire watch person (Fire Patrol) with extinguishing capability (e.g., fire extinguishers) shall be in place for all “Hot Work” activities during construction. Ensure that hot work adheres to the guidelines provided.
- Dispose of combustible waste promptly and according to applicable laws and regulations.
- Report and repair all fuel leaks without delay.
- Do not overload circuits or rely on extension cords where other options would be safer.
- Turn off and unplug electrical equipment when not in use.
- Direct contractors on site to restrict use of chainsaws, chippers, vegetation masticators, grinders, drill rigs, tractors, torches, and explosives to outside during a Red Flag Warning. When the above-mentioned tools and equipment are in use, water trucks (4,000-gallon capacity) equipped with hoses, shovels, and Pulaski and McLeod fire fighting tools shall be easily accessible to personnel.
- Equip all construction-related vehicles with a 10-pound dry chemical fire extinguisher, a five gallon backpack pump or water fire extinguisher, a 46-inch round point shovel, and a first-aid kit.
- When an evacuation has been called, all site personnel will gather at the designated assembly area and the Site Safety Officer (SSO) will account for all personnel. Once all personnel are accounted for, the vehicles will safely convoy from the site to safe zones, which are generally areas off-site away from the threat.
- Provide vehicles equipped with fire prevention equipment, including:
  - 10-pound, dry chemical fire extinguisher.
  - 46-inch round point shovel.
  - Five gallons of water or a five gallon water backpack.
  - First-aid kit.

- No driving (cars, trucks, all-terrain vehicles or similar) is allowed over unmaintained and dry vegetation.
- Vehicles can be parked a minimum of ten feet from any vegetation if the vehicle is parked in an area devoid of any vegetation.
- Site activities shall be limited during Red Flag Warning weather periods; stay alert to fire and weather conditions and evacuate employees, if safe to do so.
- Consultants/Contractors will conduct operations safely to limit the risk of fire.
- During significant emergency situations, an evacuation notice shall be issued by the site manager/supervisor or SSO. When an evacuation has been called, all consultant or contractor employees will gather at the designated assembly area and the SSO will account for all personnel. Once all employees are accounted for, the vehicles will safely convoy from the site to safe zones, which are generally areas off-site away from the threat.

47. Construction permit plans shall include No Smoking signage throughout the outdoor areas of the facility. All outdoor barbecue and fireplace/firepit facilities shall be natural gas or propane-only (no wood-burning) and shall be enclosed (wire or glass enclosure) and surrounded by hardscaping.

48. The facility shall include the latest ignition-resistant codes for designated high fire severity zones including reduced occurrence of windows and other openings and interior sprinklers in all occupancies, significantly reducing the potential for ember penetration and interior fire.

49. The project shall include fire apparatus and emergency vehicle access pursuant to local and state codes.

#### **TRANSPORTATION REQUIREMENTS:**

50. All automobile, motorcycle and bicycle parking spaces shall be constructed in accordance with the requirements of the SDMC. All on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing authorized by the appropriate City decision maker in accordance with the SDMC.

51. Prior to the issuance of the first building permit, the Owner/Permittee shall identify traffic calming that can be implemented through signage and striping within the existing public right-of-way, to the satisfaction of the City Engineer. The approved traffic calming shall be implemented prior to issuance of certificate of occupancy for the Assisted Living Facility. The traffic calming shall be limited in scope to:

- The existing public right of way;
- Within 1000 feet of the street frontage of the Project driveway on El Camino Real;
- Measures consistent with the environmental review for the project;
- Shall not require any additional right-of-way acquisition.

52. If either lot is sold so that the two lots are no longer under the same ownership, the owner of APN 304-020-24 shall record a 24 ft wide vehicular access easement and a five-foot wide pedestrian access easement across APN 304-020-24 in favor of APN 304-650-37, to the satisfaction of the City Engineer.

#### **WATER & SEWER DEVELOPMENT REQUIREMENTS:**

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

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

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

56. 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.

57. Prior to final inspection, all public water and sewer facilities shall be complete and operational in a manner satisfactory to the Public Utilities Department and the City Engineer.

58. The Owner/Permittee will be required to provide evidence satisfactory to the Public Utilities Department Director that each lot will have their own sewer lateral or provide CC&Rs for the operation and maintenance of on-site private sewer facilities that serve more than one lot.

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

#### **WASTE MANAGEMENT REQUIREMENTS:**

60. Prior to the issuance of any construction permits, the Owner/Permittee shall demonstrate compliance with the approved Waste Management Plan, dated April 19, 2021.

### **MULTIPLE SPECIES CONSERVATION PROGRAM REQUIREMENTS:**

61. Prior to the issuance of any grading permits, the on-site MHPA shall be conveyed to the City's MSCP preserve through either fee title to the City, covenant of easement granted in favor of the City and wildlife agencies or dedication of land in fee title to the City.
62. Conveyance of any land in fee to the City shall require approval from the Parks and Recreation Department Open Space Division Deputy Director and shall exclude detention basins or other stormwater control facilities, brush management areas, landscape/revegetation areas, and graded slopes.
63. To facilitate MHPA conveyance, any non-fee areas shall have covenant of easements for MHPA lands placed over them if located in the MHPA and shall be maintained in perpetuity by the Owner/Permittee unless otherwise agreed to by the City for acceptance of dedicated land in fee title.

### **MHPA LAND USE ADJACENCY REQUIREMENTS:**

64. Prior to issuance of Notice to Proceed, the Owner/Permittee shall depict the following requirements within the contract specifications and depict on construction documents (as necessary) for the project site.
- **Grading/Land Development/MHPA Boundaries:** Within or adjacent to the MHPA, all manufactured slopes associated with site development shall be included within the development footprint.
  - **Drainage:** All staging and developed/paved areas must prevent the release of toxins, chemicals, petroleum products, exotic plant materials prior to release by incorporating the use of filtration devices, planted swales and/or planted detention/desiltation basins, or other approved temporary and permanent methods that are designed to minimize negative impacts, such as excessive water and toxins into the ecosystems of the MHPA.
  - **Toxics/Project Staging Areas/Equipment Storage:** Projects that use chemicals or generate by-products such as pesticides, herbicides, and animal waste, and other substances that are potentially toxic or impactful to native habitats/flora/fauna (including water) shall incorporate measures to reduce impacts caused by the application and/or drainage of such materials into the MHPA. No trash, oil, parking, or other construction/development related material/activities shall be allowed outside any approved construction limits. Provide a note on the construction documents that states: "All construction related activity that may have potential for leakage or intrusion shall be monitored by the Qualified Biologist/Owners Representative or Resident Engineer to ensure there is no impact to the MHPA."
  - **Lighting:** All lighting within or adjacent to the MHPA is directed away/shielded from the MHPA, or limited to the immediate area and is in compliance with City Outdoor Lighting Regulations, per SDMC Section 142.0740.

- **Barriers:** Existing fences/walls and/or signage along the MHPA boundaries shall remain and or be added to direct public access to appropriate locations, reduce domestic animal predation, protect wildlife in the preserve, and provide adequate noise reduction where needed.
- **Invasives:** No invasive, non-native plant species shall be introduced into areas within or adjacent to the MHPA.
- **Brush Management:** Brush management zones shall not be greater in size than what is currently required by the City's regulations (including implementation of approved alternative compliance). Within Zone 2 the amount of woody vegetation clearing shall not exceed 50 percent of the vegetation existing when the initial clearing is done. Vegetation clearing shall be done consistent with City standards (including approved alternative compliance) and shall avoid/minimize impacts to covered species to the maximum extent possible. For all new development, regardless of the ownership, the brush management in the Zone 2 area shall be the responsibility of a homeowner association or other private party.
- **Noise:** Construction noise that exceeds the maximum levels allowed (60 dB or greater at the beginning edge of the habitat) shall be avoided during the breeding seasons for the following: CA gnatcatcher (3/1-8/15). If construction is proposed during the breeding season for the species the following measures are required.

#### **COASTAL CALIFORNIA GNATCATCHER (Federally Threatened)**

65. Prior to the issuance of any grading permit, the City shall verify that the Multi-Habitat Planning Area (MHPA) boundaries and the following project requirements regarding the coastal California gnatcatcher are shown on the construction plans:

NO CLEARING, GRUBBING, GRADING, OR OTHER CONSTRUCTION ACTIVITIES SHALL OCCUR BETWEEN MARCH 1 AND AUGUST 15, THE BREEDING SEASON OF THE COASTAL CALIFORNIA GNATCATCHER, UNTIL THE FOLLOWING REQUIREMENTS HAVE BEEN MET TO THE SATISFACTION OF THE CITY:

- A. A QUALIFIED BIOLOGIST (POSSESSING A VALID ENDANGERED SPECIES ACT SECTION 10(a)(1)(A) RECOVERY PERMIT) SHALL SURVEY THOSE HABITAT AREAS WITHIN THE MHPA THAT WOULD BE SUBJECT TO CONSTRUCTION NOISE LEVELS EXCEEDING 60 DECIBELS [dB(A)] HOURLY AVERAGE FOR THE PRESENCE OF THE COASTAL CALIFORNIA GNATCATCHER. SURVEYS FOR THE COASTAL CALIFORNIA GNATCATCHER SHALL BE CONDUCTED PURSUANT TO THE PROTOCOL SURVEY GUIDELINES ESTABLISHED BY THE U.S. FISH AND WILDLIFE SERVICE WITHIN THE BREEDING SEASON PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION. IF GNATCATCHERS ARE PRESENT, THEN THE FOLLOWING CONDITIONS MUST BE MET:

- I. BETWEEN MARCH 1 AND AUGUST 15, NO CLEARING, GRUBBING, OR GRADING OF OCCUPIED GNATCATCHER HABITAT SHALL BE PERMITTED. AREAS RESTRICTED FROM SUCH ACTIVITIES SHALL BE STAKED OR FENCED UNDER THE SUPERVISION OF A QUALIFIED BIOLOGIST; AND
- II. BETWEEN MARCH 1 AND AUGUST 15, NO CONSTRUCTION ACTIVITIES SHALL OCCUR WITHIN ANY PORTION OF THE SITE WHERE CONSTRUCTION ACTIVITIES WOULD RESULT IN NOISE LEVELS EXCEEDING 60 dB (A) HOURLY AVERAGE AT THE EDGE OF OCCUPIED GNATCATCHER HABITAT. AN ANALYSIS SHOWING THAT NOISE GENERATED BY CONSTRUCTION ACTIVITIES WOULD NOT EXCEED 60 dB (A) HOURLY AVERAGE AT THE EDGE OF OCCUPIED HABITAT MUST BE COMPLETED BY A QUALIFIED ACOUSTICIAN (POSSESSING CURRENT NOISE ENGINEER LICENSE OR REGISTRATION WITH MONITORING NOISE LEVEL EXPERIENCE WITH LISTED ANIMAL SPECIES) AND APPROVED BY THE CITY AT LEAST TWO WEEKS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES. PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES DURING THE BREEDING SEASON, AREAS RESTRICTED FROM SUCH ACTIVITIES SHALL BE STAKED OR FENCED UNDER THE SUPERVISION OF A QUALIFIED BIOLOGIST; OR
- III. AT LEAST TWO WEEKS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES, UNDER THE DIRECTION OF A QUALIFIED ACOUSTICIAN, NOISE ATTENUATION MEASURES (e.g., BERMS, WALLS) SHALL BE IMPLEMENTED TO ENSURE THAT NOISE LEVELS RESULTING FROM CONSTRUCTION ACTIVITIES WILL NOT EXCEED 60 dB(A) HOURLY AVERAGE AT THE EDGE OF HABITAT OCCUPIED BY THE COASTAL CALIFORNIA GNATCATCHER.\* CONCURRENT WITH THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES AND THE CONSTRUCTION OF NECESSARY NOISE ATTENUATION FACILITIES, NOISE MONITORING\*\* SHALL BE CONDUCTED AT THE EDGE OF THE OCCUPIED HABITAT AREA TO ENSURE THAT NOISE LEVELS DO NOT EXCEED 60 dB (A) HOURLY AVERAGE. IF THE NOISE ATTENUATION TECHNIQUES IMPLEMENTED ARE DETERMINED TO BE INADEQUATE BY THE QUALIFIED ACOUSTICIAN OR BIOLOGIST, THEN THE ASSOCIATED CONSTRUCTION ACTIVITIES SHALL CEASE UNTIL SUCH TIME THAT ADEQUATE NOISE ATTENUATION IS ACHIEVED OR UNTIL THE END OF THE BREEDING SEASON (AUGUST 16).

\*Based on a preliminary analysis completed such noise attenuation could be achieved via 8 to 12-foot tall sound blankets or comparable temporary solid barriers (e.g., overlapping plywood sheeting) along site boundary fencing (or within, as practical and appropriate) to occlude construction noise emission between the Coastal Sage Scrub area and the southeastern region of the construction site.

**\*\*Construction noise monitoring shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity, to verify that noise levels at the edge of occupied habitat are maintained below 60 dB (A) hourly average or to the ambient noise level if it already exceeds 60 dB (A) hourly average. If not, other measures shall be implemented in consultation with the biologist and the City, as necessary, to reduce noise levels to below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. Such measures may include, but are not limited to, limitations on the placement of construction equipment and the simultaneous use of equipment.**

**B. IF COASTAL CALIFORNIA GNATCATCHERS ARE NOT DETECTED DURING THE PROTOCOL SURVEY, THE QUALIFIED BIOLOGIST SHALL SUBMIT SUBSTANTIAL EVIDENCE TO THE CITY AND APPLICABLE RESOURCE AGENCIES WHICH DEMONSTRATES WHETHER OR NOT MITIGATION MEASURES SUCH AS NOISE WALLS ARE NECESSARY BETWEEN MARCH 1 AND AUGUST 15 AS FOLLOWS:**

**I. IF THIS EVIDENCE INDICATES THE POTENTIAL IS HIGH FOR COASTAL CALIFORNIA GNATCATCHER TO BE PRESENT BASED ON HISTORICAL RECORDS OR SITE CONDITIONS, THEN CONDITION A.III SHALL BE ADHERED TO AS SPECIFIED ABOVE.**

**II. IF THIS EVIDENCE CONCLUDES THAT NO IMPACTS TO THIS SPECIES ARE ANTICIPATED, NO MITIGATION MEASURES WOULD BE NECESSARY.**

#### **SPECIAL REQUIREMENTS:**

66. While this Permit is in effect, the subject project shall be used only for the El Camino Real Assisted Living Facility as a nursing facility with 105 rooms consisting of 87 assisted living rooms and 18 memory care rooms for a total of 124 beds, surface parking and supporting amenities. Any proposed change that increases the number of rooms or beds shall require an application for an amendment to this Permit in accordance with a Process 5 decision. Any change in amenities that would generate an increased number of vehicle trips shall require an application for an amendment to this Permit in accordance with a Process 5 decision.

#### **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 April 15, 2025 by San Diego Ordinance No. O-21944.



Conditional Use Permit No. PMT-2475043  
Site Development Permit No. PMT-2475049  
Neighborhood Use Permit No. PMT-2475050  
Amendment to Conditional Use Permit No.  
862494 / Site Development Permit No. 862495  
April 15, 2025

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES  
DEPARTMENT

\_\_\_\_\_  
Xavier Del Valle  
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.**

**PMB CARMEL VALLEY LLC, a  
Delaware Limited Liability Company  
OWNER/PERMITTEE**

By \_\_\_\_\_  
NAME  
TITLE

**PMB CARMEL VALLEY LLC, a  
Delaware Limited Liability Company  
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 APR 15 2025, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Foster III	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage APR 15 2025.

AUTHENTICATED BY:

(Seal)

TODD GLORIA  
Mayor of The City of San Diego, California.

DIANA J.S. FUENTES  
City Clerk of The City of San Diego, California.

By Kristell Medina, Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

MAR 17 2025, and on APR 15 2025.

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal)

DIANA J.S. FUENTES  
City Clerk of The City of San Diego, California.

By Kristell Medina, Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O- 21944