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OFFICIAL RECORDS

JORDAN Z. MARKS,

SAN DIEGO COUNTY RECORDER

FEES: \$83.00 (SB2 Atkins: \$0.00)

PAGES: 24

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

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

INTERNAL ORDER NUMBER: 24008868

SPACE ABOVE THIS LINE FOR RECORDER'S USE

SITE DEVELOPMENT PERMIT NO. PMT-2535511

VOLEN RESIDENCE PROJECT NO. PRJ-0688248

HEARING OFFICER

This Site Development Permit No. PMT-2535511 is granted by the Hearing Officer of the City of San Diego to JOSHUA A. VOLEN AND VALERIE R. VOLEN, TRUSTEES OF THE VOLEN FAMILY TRUST DATED SEPTEMBER 3, 2015, Owners/Permittees, pursuant to San Diego Municipal Code [SDMC] section 126.0505. The vacant 0.67-acre site is located at 5665 Toyon Road in the RS-1-1 (Residential - Single) zone, a Transit Priority Area, the Parking Impact Overlay Zone, an Airport Influence Area (Review Area 2-Montgomery Field), the FAA Part 77 Notification Area, the Multi-Habitat Planning Area (MHPA) and the Airport Land Use Compatibility Overlay Zone (Montgomery Field) within the College Area Community Plan (CACP). The project site is legally described as: Lot 27 of Alvarado Unit No. 2, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 2823, filed in the office of the County Recorder of San Diego County November 14, 1951.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to construct a two-story single-dwelling unit along with a detached garage with and accessory dwelling unit above as described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated December 3, 2025, on file in the Development Services Department.

The project shall include:

1. A 4,418-square-foot two-story dwelling unit with a 577-square-foot detached garage and a 552-square-foot accessory dwelling unit above the garage,
2. Landscaping (planting, irrigation and landscape-related improvements),
3. A 95-foot-long retaining wall with a maximum height of 5 feet,
4. Off-street parking; and

5. 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 December 17, 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.

The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

ENVIRONMENTAL REQUIREMENTS:

10. Biological Resources (Avian Protection Requirements)

To avoid any direct impacts to California gnatcatcher, rufous-crowned sparrow and cactus wren and any avian species that is listed, candidate, sensitive, or special status in the Multiple Species Program (MSCP), removal of habitat that supports active nests in the proposed area of disturbance should occur outside of the breeding season for these species (February 1 to September 15). If habitat removal in the proposed area of disturbance must occur during the breeding season, the Qualified Biologist shall conduct a pre-construction survey to determine the presence or absence of California gnatcatcher, rufous-crowned sparrow and cactus wren on the proposed area of disturbance. The pre-construction survey shall be conducted within three (3) calendar days prior to the start of

construction activities (including removal of vegetation). The applicant shall submit the results of the pre-construction survey to City DSD MMC/MSCP for review and approval prior to initiating any construction activities. If California gnatcatcher, rufous-crowned sparrow and cactus wren are 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 DSD MMC/MSCP for review and approval, and implemented to the satisfaction of the City. The City's DSD MMC and Biologist shall verify and approve that all measures identified in the report are in place prior to and/or during construction.

11. Biological Resources (Resource Protections During Construction)

I. Prior to Construction

- A. **Biologist Verification:** The owner/permittee shall provide a letter to the City's Mitigation Monitoring Coordination (MMC) section stating that a Project Biologist (Qualified Biologist) as defined in the City of San Diego's Biological Guidelines (2018), has been retained to implement the project's biological monitoring program. The letter shall include the names and contact information of all persons involved in the biological monitoring of the project.
- B. **Preconstruction Meeting:** The Qualified Biologist shall attend the preconstruction meeting, discuss the project's biological monitoring program, and arrange to perform any follow up mitigation measures and reporting including site-specific monitoring, restoration or revegetation, and additional fauna/flora surveys/salvage.
- C. **Biological Documents:** The Qualified Biologist shall submit all required documentation to MMC verifying that any special mitigation reports including but not limited to, maps, plans, surveys, survey timelines, or buffers are completed or scheduled per City Biology Guidelines, Multiple Species Conservation Program (MSCP), Environmentally Sensitive Lands Ordinance (ESL), project permit conditions; California Environmental Quality Act (CEQA); endangered species acts (ESAs); and/or other local, state or federal requirements.
- D. **BCME:** The Qualified Biologist shall present a Biological Construction Mitigation/Monitoring Exhibit (BCME) which includes the biological documents in C above. In addition, include: restoration/revegetation plans, plant salvage/relocation requirements (e.g., coastal cactus wren plant salvage, burrowing owl exclusions, etc.), avian or other wildlife surveys/survey schedules (including general avian nesting and USFWS protocol), timing of surveys, wetland buffers, avian construction avoidance areas/noise buffers/ barriers, other impact avoidance areas, and any subsequent requirements determined by the Qualified Biologist and the City ADD/MMC. The BCME shall include a site plan, written and graphic depiction of the project's biological mitigation/monitoring program, and a schedule. The BCME shall be approved by MMC and referenced in the construction documents.

- E. **Resource Delineation:** Prior to construction activities, the Qualified Biologist shall supervise the placement of orange construction fencing or equivalent along the limits of disturbance adjacent to sensitive biological habitats and verify compliance with any other project conditions as shown on the BCME. This phase shall include flagging plant specimens and delimiting buffers to protect sensitive biological resources (e.g., habitats/flora & fauna species, including nesting birds) during construction. Appropriate steps/care should be taken to minimize attraction of nest predators to the site.
- F. **Education:** Prior to commencement of construction activities, the Qualified Biologist shall meet with the owner/permittee or designee and the construction crew and conduct an on-site educational session regarding the need to avoid impacts outside of the approved construction area and to protect sensitive flora and fauna (e.g., explain the avian and wetland buffers, flag system for removal of invasive species or retention of sensitive plants, and clarify acceptable access routes/methods and staging areas, etc.).

II. During Construction

- A. **Monitoring:** All construction (including access/staging areas) shall be restricted to areas previously identified, proposed for development/staging, or previously disturbed as shown on "Exhibit A" and/or the BCME. The Qualified Biologist shall monitor construction activities as needed to ensure that construction activities do not encroach into biologically sensitive areas, or cause other similar damage, and that the work plan has been amended to accommodate any sensitive species located during the pre-construction surveys. In addition, the Qualified Biologist shall document field activity via the Consultant Site Visit Record (CSVSR). The CSVSR shall be e-mailed to MMC on the 1st day of monitoring, the 1st week of each month, the last day of monitoring, and immediately in the case of any undocumented condition or discovery.
- B. **Subsequent Resource Identification:** The Qualified Biologist shall note/act to prevent any new disturbances to habitat, flora, and/or fauna onsite (e.g., flag plant specimens for avoidance during access, etc). If active nests or other previously unknown sensitive resources are detected, all project activities that directly impact the resource shall be delayed until species-specific local, state or federal regulations have been determined and applied by the Qualified Biologist.

III. Post Construction Measures

- A. In the event that impacts exceed previously allowed amounts, additional impacts shall be mitigated in accordance with City Biology Guidelines, ESL and MSCP, State CEQA, and other applicable local, state and federal law. The Qualified Biologist shall submit a final BCME/report to the satisfaction of the City ADD/MMC within 30 days of construction completion.

CLIMATE ACTION PLAN REQUIREMENTS:

12. 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.

AIRPORT REQUIREMENTS:

13. Prior to the issuance of any building permit the Owner/Permittee shall file Notices of Proposed Construction or Alteration (Form 7460-1) with the Federal Aviation Administration and obtain Notices of Determination to ensure no objects related to this project present hazards to air navigation;

ENGINEERING REQUIREMENTS:

14. Prior to the issuance of any building permit, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement for the storm drain connection, landscapes and irrigation, within the right-of-way, satisfactory to the City Engineer.

15. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the construction of new 12-foot City Standard driveway, adjacent to the site, on Toyon Road as shown on the Exhibit A, satisfactory to the City Engineer.

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

17. The project proposes to export 30 cubic yards of material from the project site. All excavated material listed to be exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2024 edition and Regional Supplement Amendments adopted by Regional Standards Committee.

18. Prior to the issuance of any construction permit the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Part 2 Construction BMP Standards Chapter 4 of the City's Storm Water Standards.

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

20. Prior to the issuance of any construction permit, the Owner/Permittee shall enter into a Maintenance Agreement for the pump, satisfactory to the City Engineer.

21. Development of this project shall comply with all permanent stormwater requirements of Municipal Stormwater Permit No. 2013-0001, or subsequent order, and the current version of the City of San Diego's Stormwater Standards Manual
22. Development of this project shall comply with all stormwater construction requirements of the current version of the City of San Diego's Stormwater Standards Manual.

LANDSCAPE REQUIREMENTS:

23. Prior to issuance of any grading permit, the Owner/Permittee shall submit complete construction documents for the revegetation and hydro-seeding of all disturbed land in accordance with the City of San Diego Landscape Standards, Storm Water Design Manual, and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit "A," on file in the Development Services Department.
24. Prior to issuance of any public improvement permit, the Owner/Permittee shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall show, label, and dimension a 40-square-foot area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.
25. Prior to issuance of any building permit (including shell), the Owner/Permittee shall submit complete landscape and irrigation construction documents, which are consistent with the Landscape Standards, to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit "A," Landscape Development Plan, on file in the Development Services Department. Construction plans shall provide a 40-square-foot area around each tree that is unencumbered by hardscape and utilities unless otherwise approved per §142.0403(b)5.
26. 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 Exhibit "A," Landscape Development Plan, on file in the Development Services Department. These landscape areas shall be clearly identified with a distinct symbol, noted with dimensions, and labeled as 'landscaping area.'
27. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the 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 landscape shall be maintained consistent with the Landscape Standards in a disease, weed, and litter-free condition at all times. Severe pruning or "topping" of trees is not permitted.
28. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction documents is damaged or removed, the Owner/Permittee shall repair and/or replace in kind and equivalent size per the approved

documents to the satisfaction of the Development Services Department within 30 days of damage or Certificate of Occupancy.

BRUSH MANAGEMENT PROGRAM REQUIREMENTS:

29. 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.

30. The Brush Management Program shall be based on a standard Zone One of 35-feet in width and a Zone Two of 65-feet in width, extending out from the structure toward the native/naturalized vegetation, consistent with SDMC §142.0412. Zone One shall range from 35 ft. to 45 feet, 10 inches in width with a corresponding Zone Two of 34 feet 10 inches to 65 feet in width, exercising Zone Two reduction options under SDMC §142.0412(f).

31. Prior to issuance of any grading permit, 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."

32. Prior to issuance of any Building Permits, 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 of San Diego's Landscape Regulations and the Landscape Standards.

33. 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.

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

MULTIPLE SPECIES CONSERVATION PROGRAM

35. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, the owner/permittee shall convey the onsite MHPA to the City's MSCP preserve through a covenant of easement granted in favor of the City and wildlife agencies and be maintained in perpetuity by the owner/Permittee/Applicant unless otherwise agreed to by the City.

36. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, the owner/permittee shall depict the following requirements on construction documents for the Project Site under the heading "Environmental Requirements."

- **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 impactive 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 in/on the CD's 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 LDC 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 will not be greater in size that is currently required by the City's regulations (this includes use 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 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 will be the responsibility of a home-owner's 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) and cactus wren (February 15 through August 15). If construction is proposed during the breeding season for CA **gnatcatcher** the following measures are required:

COASTAL CALIFORNIA GNATCATCHER (Federally Threatened)

Prior to the issuance of any grading permit, the City Environmental Designee 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 ENVIRONMENTAL DESIGNEE:

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 MANAGER 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).

* 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 Manager, 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 MANAGER 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.

PLANNING/DESIGN REQUIREMENTS:

37. The automobile, motorcycle and bicycle parking spaces must 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.

38. 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.

39. Prior to issuance of any construction permits, the Owner/Permittee shall execute and record a Covenant of Easement that preserves the Environmentally Sensitive Lands outside of the allowable development area as shown on Exhibit A.

40. 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.

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

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

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

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

44. 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.

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

46. The Owner/Permittee shall be responsible for any damage caused to City of San Diego water and sewer facilities within the vicinity of the project site, due to the construction activities associated with this project, in accordance with Municipal Code section 142.0607. In the event that any such facility loses integrity then, the Owner/Permittee shall repair or reconstruct any damaged public water and sewer facility in a manner satisfactory to the Public Utilities Department and the City Engineer.

47. 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.

48. The Owner/Permittee shall grant sewer easements as shown on the approved Exhibit "A" satisfactory to the Public Utilities Department and the City Engineer.

49. The Owner/Permittee shall prepare exhibits for the City of San Diego Real Estate Assets to coordinate with Caltrans, if the existing Joint Use Agreement for the sewer is insufficient for the proposed sewer realignment within Caltrans right of way.

50. The Owner/Permittee shall obtain an encroachment permit from Caltrans to work within Caltrans right of way.

The Owner/Permittee shall re-channel the existing manhole at the point of connection to the existing sewer main a manner satisfactory to the Public Utilities Department and the City Engineer.

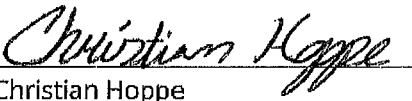
INFORMATION ONLY:

- 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 Hearing Officer of the City of San Diego on December 3, 2025 and HO-7634.

Site Development Permit No. PMT- 2535511
Date of Approval: December 3, 2025

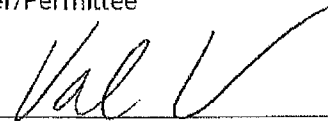
AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT


Christian Hoppe
Development Project Manager

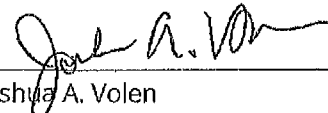
**NOTE: Notary acknowledgment
must be attached per Civil Code
section 1189 et seq.**

**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.**

Volen Family Trust
Owner/Permittee

By 
Valerie R. Volen
Trustee

Volen Family Trust
Owner/Permittee

By 
Joshua A. Volen
Trustee

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

SEE ATTACHED
CALIFORNIA
ACKNOWLEDGMENT

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of San Diego

On December 23, 2025 before me, Rocio Mejia, Notary Public
(insert name and title of the officer)

personally appeared Christian Hoppe, Development Project Manager,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

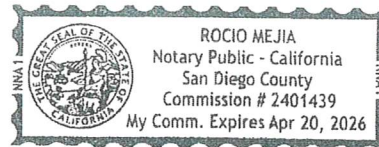
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Rocio Mejia

(Seal)



ORIGINAL

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of San Diego)

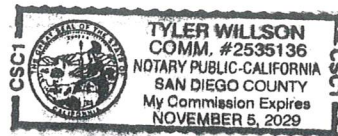
On December 18th, 2025 before me, Tyler Willson, Notary Public
(insert name and title of the officer)

personally appeared Valerie R. Volen and Joshua A. Volen,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature  (Seal)



ORIGINAL

HEARING OFFICER RESOLUTION NO. HO-7634
SITE DEVELOPMENT PERMIT NO. PMT - 2535511
VOLEN RESIDENCE PROJECT NO. PRJ - 0688248

WHEREAS, JOSHUA A. VOLEN AND VALERIE R. VOLEN, TRUSTEES OF THE VOLEN FAMILY TRUST DATED SEPTEMBER 3, 2015, Owners/Permittees, filed an application with the City of San Diego for a permit to construct a two-story single-dwelling unit with detached garage and accessory dwelling unit (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. PMT-2535511), on portions of a 0.67-acre site;

WHEREAS, the project site is located at 5665 Toyon Road in the RS-1-1 (Residential – Single) zone, a Transit Priority Area, the Parking Impact Overlay Zone, an Airport Influence Area (Review Area 2-Montgomery Field), the FAA Part 77 Notification Area, the Multi-Habitat Planning Area (MHPA) and the Airport Land Use Compatibility Overlay Zone (Montgomery Field) within the College Area Community Plan (CACP).

WHEREAS, the project site is legally described as: Lot 27 of Alvarado Unit No. 2, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 2823, filed in the office of the County Recorder of San Diego County November 14, 1951.

WHEREAS, on September 25, 2025, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) under CEQA Guideline Section 15303 (a) (New Construction or Conversion of Small Structures) and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

WHEREAS, on December 3, 2025, the Hearing Officer of the City of San Diego considered Site Development Permit No. PMT-2535511 pursuant to the Land Development Code of the City of San Diego;

BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to Site Development Permit No. PMT-2535511.

A. Site Development Permit [SDMC Section 126.0505]

1. Findings for all Site Development Permits:

a. The proposed development will not adversely affect the applicable land use plan.

The Volen Residence is located at 5665 Toyon Road on a vacant 0.67-acre site within the College Area Community Plan. The parcel is located south of Interstate 8 and North of Toyon Road along a north-facing canyon that overlooks Mission Valley. The project proposes to construct a 4,418-square-foot single-dwelling unit with a 577-square-foot detached garage and a 552-square-foot accessory dwelling unit (ADU) above the garage.

The College Area Community Plan (CACP) is developed primarily as a single-family community, with approximately 56 percent of the developed land devoted to that use. The project is located in the northern and western portion of the community, characterized by hillside and canyon topography. This terrain has influenced development patterns, resulting in low-density housing and preservation of the steep finger canyon. The CACP designates the property site as Very Low Density (0-1 DU/acre). The site is approximately 0.67 acres, allowing one unit on-site. The area is also zoned RS-1-1, which allows one dwelling unit per lot. While the project includes two units, the proposed ADU is not subject to the density limitations of the base zone for the premises, as per San Diego Municipal Code Section 141.0302(b)(6); therefore, the project conforms to the allowed density.

The project is consistent with the CACP's housing recommendations, specifically protecting stable single-family neighborhoods by maintaining them at very low densities (CACP page 29). The site also follows the recommendation outlined on page 29 of the CACP, which states that development in steep slope areas of the community should be sensitive to the existing topography and vegetation on the site, as outlined in the steep hillside guidelines and urban design guidelines of the Plan. The project site is located on Environmentally Sensitive Lands (ESL) in the form of sensitive biological resources and steep hillsides, and is mostly within the Multiple Habitat Planning Area. The MSCP SAP requires residential and accessory uses to be limited to up to 25 percent of the area and clustered on the flatter portions, with no disturbance on slopes or the remainder of the lots. The development proposes the construction of a new, split-level (two-story) Single Dwelling Unit (SDU) (4,418

square feet) with a detached 2-car Garage (577 square feet), and an Accessory Dwelling Unit (ADU) (552 square feet) over the garage, totaling approximately 5,547 square feet of new construction (habitable and non-habitable). The proposed area of development will include the structures (new SDU along with detached garage and ADU), hardscape, landscape and alternative Brush Management Zone 1 totaling 6,991 square feet or 0.16 acres, or 23.4 percent of the total lot, including Brush Management Zone 1.

Therefore, 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.

The project site is an irregularly shaped lot characterized by a relatively level pad area adjacent to Toyon Road with moderate to steeply sloping areas. A Report of Preliminary Geotechnical Investigation was prepared for the project by Christian Wheeler Engineering, which identifies the site as being in Hazard Category 53, characterized as level or sloping terrain with "unfavorable geologic structure" and generally "low to moderate" geologic risk. The project will be constructed on the flattest portion of the site, avoiding the steep hillside. The report conducted a slope stability analysis and concluded that the subject property is suitable for construction. The geotechnical report recommendation states that all grading should conform to the guidelines presented in the current edition of the California Building Code and the minimum requirements of the City of San Diego. Additionally, this has been included as a condition of approval.

The project is also located in the Very High Fire Hazard Severity Zone and complies with the Brush Management regulations. Brush management is required in all base zones on publicly or privately owned premises that are within 100 feet of a structure and contain native or naturalized vegetation. The Brush Management Program for this site will have a Zone One with a range of 35 feet to 45 feet, 10 inches in width, and a corresponding Zone Two with a range of 34 feet, 10 inches to 65 feet in width, exercising Zone Two reduction options under SDMC Section 142.0412(f). This has been incorporated as a condition of approval.

The development also contains specific conditions addressing compliance with the City's codes, policies, regulations, and other regional, state, and federal regulations to prevent detrimental impacts to the health, safety, and general welfare of persons residing and/or working in the area. Conditions of approval require the review and approval of all construction plans by staff to determine compliance with all regulations and best management practices, including the submittal of a Water Pollution Control Plan and the dedication of a Covenant of Easement to preserve sensitive lands. No significant impacts to public health and safety were identified during the environmental review. The project will not have an impact on the provision of essential public services. The construction will

be inspected by certified building and engineering inspectors to ensure that it is in accordance with the approved plans and all relevant regulations. 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 area is zoned RS-1-1, which allows a maximum of one unit per lot. The project proposes one single-dwelling unit and one ADU for a total of two units. While the project includes an ADU, it is not subject to the density limitations of the base zone for the premises per the San Diego Municipal Code Section 141.0302(b)(6), allowing the two units

The project is also located in the Very High Fire Hazard Severity Zone (VHFHSZ) and contains biological resources and steep hillsides. The project has been designed in accordance with Brush Management and ESL regulations. Brush management is required within 100 feet of a structure that contains native or naturalized vegetation. Additionally, the project will not result in significant sensitive biological resources impacts per the biological report, as further discussed in finding 2a. The proposed construction meets all applicable requirements for the RS-1-1 zone, including Floor Area Ratio, where 0.19 FAR is proposed and a maximum of 0.45 FAR is allowed. There are also no proposed variances or deviations to the development regulations of the Land Development Code. Therefore, the proposed development will comply with the regulations of the Land Development Code.

2. Supplemental Findings SDMC Section 126.0505(b) – 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 site is located south of Interstate 8 and north of Toyon Road along a north-facing canyon that overlooks Mission Valley. The project site is an irregular shaped lot characterized by a relatively level pad area adjacent to Toyon Road with moderate to steeply sloping, descending hillsides of up to about 140 feet in height extending from the subject site to north. Elevations across the portions of the lot to be developed range from about 250 feet at street level to about 223 feet along the northern and western portions of the property. The proposed area of development will include the structures (a new SDU, a detached garage, and an ADU), as well as hardscape, landscape, and an alternative Brush Management Zone 1, totaling 6,991 square feet or 0.16 acres.

Klutznick Biological Consulting prepared the "Biological Letter Survey Report for the Proposed Volen Residence Project," dated September 12, 2025. The project site comprises two sensitive vegetation communities, namely Diegan Coastal Sage Scrub and Non-Native Grassland, totaling approximately 0.67 acres. The property primarily

includes disturbed or developed lands that have a long history of being maintained for fuel management and sewer line access. The report also identified seventeen sensitive wildlife species as potentially occurring within the project vicinity, and only the California rufous-crowned sparrow, Cactus wren and coastal California gnatcatcher having moderate potential to occur onsite. However, none of these sensitive wildlife species were detected during the survey as part of the biology report. Additionally, no threatened or endangered wildlife species were detected on the subject property.

The project will be built on the flattest portion of the site, avoiding the steep hillside. Furthermore, the footprint is within the 25 percent allowable development encroachment to the MHPA per the MSCP SAP. The project is limiting its building footprint on the 0.67-acre site to the disturbed portion of the site, which is approximately 0.16 acres or 23.4 percent. The project footprint is situated within the MHPA and would directly impact 0.17-acres of non-native grassland habitat, a Tier IIIB sensitive habitat community. However, per the City Biology Guidelines, where MHPA (outside the Coastal Overlay Zone) covers more than 75% of a premise, development will be limited to that amount necessary to achieve a development area of 25% of the premise, and no mitigation will be required for direct impacts to uplands associated with this development area. Since the project footprint is within and less than their 25% allowable encroachment into the MHPA, no habitat-based mitigation for direct impacts would be required. Due to the site design and existing site constraints, the proposed impact is closest to the existing roadway and would avoid Tier II sensitive habitat and steep hillsides. Encroachment on the MHPA was further limited due to the implementation of alternative brush management compliance.

Additionally, the implementation of the City's MHPA Land Use Adjacency Guidelines will be required as a condition of approval and has been included as notes on the building construction plans. In addition, the project will be subject to coastal California gnatcatcher requirements and Avian requirements as conditions of approval for those species with a moderate potential to occur, Rufus-crowned sparrow and Cactus wren. Also, a Covenant of Easement would be granted to cover the remaining on-site MHPA and undisturbed area outside of the project footprint. Therefore, the site is physically suitable for the design and siting of the proposed development, and the development will result in minimum disturbance to environmentally sensitive lands.

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 site is currently undeveloped, on a parcel that contains sensitive biological resources and steep hillsides. The dwelling units will be built on the flattest portion of the site, avoiding the steep hillside.

According to the project's preliminary grading plan, 23.4 percent of the site will be graded, and 30 cubic yards of soil will be exported to accommodate the new dwelling unit. A 95-foot-long and five-foot-tall retaining wall is proposed along the rear of the project to provide support for the development footprint. Per the Geologic Report prepared by Christian Wheeler Engineering the ground around the proposed

improvements will also be graded so that surface water flows rapidly away from the improvements without ponding. Grading activities within the site will be required to comply with the City of San Diego Grading Ordinance and the Storm Water Standards, which would ensure soil erosion and topsoil loss are minimized to less than significant levels. Proper landscaping would prevent substantial erosion on site and a drainage catch basin is proposed to disperse water at the street level. Furthermore, permanent stormwater BMPs would also be required post-construction, consistent with the City's regulations.

The site does not contain nor is it near any bodies of water, and is not located in an active flood hazard area. The project is located in a VHFHSZ and is conditioned to include a Brush Management Program, reducing risk from fire hazards.

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.

See the response to finding 2.a above herein incorporated by reference, which demonstrates that the proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive land and will result in minimum disturbance to 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 proposed area of development will include the structures (a new SDU, a detached garage, and an ADU), as well as hardscape, landscape, and an alternative Brush Management Zone 1, totaling 6,991 square feet or 0.16 acres. The 0.67-acre site contains environmentally sensitive lands, both within and outside the MHPA, in the form of sensitive biological resources and steep hillsides. 0.55 acres of the site is within MHPA, and the development footprint impacts 23.4 percent of MHPA. This footprint is less than 25 percent of the total parcel size; therefore, neither a MHPA boundary line correction nor an adjustment is required.

The project site contains two sensitive vegetation communities: Diegan Coastal Sage Scrub (DCSS) and Non-Native Grasslands (NNG). The DCSS, covers approximately 0.34-acre, is classified as Tier II per the MSCP. The NNG, covering 0.33-acre, is classified as Tier IIIB per the MSCP.

The proposed project will impact 0.16-acre of non-native grassland habitat. However, per the City Biology Guidelines, where MHPA (outside the Coastal Overlay Zone) covers more than 75 percent of a premise, development will be limited to that amount necessary to achieve a development area of 25 percent of the premise, and no mitigation will be required for direct impacts to uplands associated with this development area. Since the

project footprint is within and less than their 25 percent allowable encroachment into the MHPA, no habitat-based mitigation for direct impacts would be required. Due to the project site's location within the MHPA, implementation of the City's MHPA land use adjacency guidelines will be required as a condition of approval. In addition, the project will be subject to coastal California gnatcatcher requirements, and Avian requirements for those species with a moderate to high potential to occur: rufous-crowned sparrow and cactus wren. Additionally, per SDMC Section 143.0140, as another condition of approval, the remainder of the ESL within the project area, 0.34 acres of Coastal Sage Scrub, would be placed under a Covenant of Easement, in accordance with the procedures set forth in Section 143.0152.

The site also does not contain nor is it adjacent to vernal pool habitat and, as such, would not impact any vernal pools or their habitat.

The proposed project is impacting 0.16 acres of non-native grassland habitat; however, per the City Biology Guidelines, no mitigation will be required for direct impacts to uplands associated with this development area. Since the project footprint is within and less than the allowable encroachment into the MHPA, no habitat-based mitigation for direct impacts would be required. Due to the project site's location within the MHPA, implementation of the City's MHPA land use adjacency guidelines will be required as a condition of approval. Therefore, the proposed development will be consistent with the City of San Diego's MSCP Subarea Plan and VPHCP.

e. The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.

The proposed development is located approximately 9.55 miles from the Pacific Ocean shoreline. Current water quality and erosion control measures will be required of the project through Best Management Practices (BMPs) Implementation of the drainage system design and stormwater filtration measures approved for this project, in addition to compliance with the current State of California water quality control standards, will assure the development will not contribute to the erosion on public beaches or adversely impact local shoreline sand supply. Therefore, the proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.

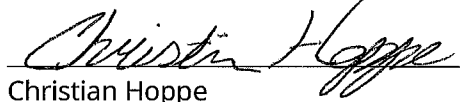
f. The nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate negative impacts created by the proposed development.

The project site contains environmentally sensitive lands, characterized by sensitive biological resources and steep hillsides. The project will impact 0.16 acres of Non-native grasslands; however, this amount is below the threshold, and mitigation is not required. Additionally, implementation of the City's MHPA land use adjacency guidelines will be required as a condition of approval, and the project is conditioned to protect avian species, including the coastal California Gnatcatcher. The project has been conditioned to have a Covenant of Easement (COE), in accordance with the procedures set forth in Section 143.0152 of the San Diego Municipal Code. Therefore, the nature and extent of

mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development.

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

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Site Development Permit No. PMT-2535511 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. PMT-2535511, a copy of which is attached hereto and made a part hereof.


Christian Hoppe
Development Project Manager
Development Services

Adopted on: December 3, 2025
IO#:24008868