

May 10, 2021

Nirvana Ward
Engineering & Capital Projects
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E-MAIL: NAWard@sandiego.gov

Subject: La Jolla Outfall CDP/SDP Assessment Letter; Project No. 687244; WBS No. B-16006.02.06;
La Jolla Community Plan Area

Dear Nirvana Ward:

The Development Services Department has completed the initial review of the project referenced above and described as the installation of 252 linear feet of storm drain, concrete energy dissipator, and inlet. The project is located on La Jolla Farms Road between Blackgold Road and Greentree Lane within the Residential Single Family (RS-1-2) Zone, Coastal (Appealable) Overlay Zone, MHPA adjacency of the La Jolla Community Plan.

The purpose of this assessment letter is to summarize the significant project issues and identify a course of action for the processing of your project. Enclosed is a Cycle Issues Report (Enclosure 1) containing review comments from staff representing various disciplines.

If any additional requirements should arise during the subsequent review of your project, we will identify the issue and the reason for the additional requirement. To resolve any outstanding issues, please provide the information that is requested in the Cycle Issues Report. If you choose not to provide the requested additional information or make the requested revisions, processing may continue. However, the project may be recommended for denial if the remaining issues cannot be satisfactorily resolved and the appropriate findings for approval cannot be made.

As your Development Project Manager, I will coordinate all correspondence, emails, phone calls, and meetings directly with the applicants assigned "Point of Contact." The addressee on this letter has been designated as the Point of Contact for your project. Please notify me if the Point of Contact changes while I am managing this project.

I. REQUIRED APPROVALS/FINDINGS

Required approvals: Your project scope was reviewed for required permit processes. A Site Development Permit was determined not to be required for the public project consistent with SDMC 143.0110(c)(10). The project is located within the Appealable Area of the Coastal Overlay Zone the processing of a Coastal Development Permit, CIP-5, per SDMC 126.0704 is required. The decision to approve, conditionally approve, or deny the project will be made by the City Council.

Required Findings: In order to recommend approval of your project, certain findings must be substantiated in the record. Please provide draft written responses to the CDP finding questions below.

I. Coastal Development Permit - SDMC Section 126.0708

A. Findings for all Coastal Development Permits:

1. The proposed coastal development will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan.
2. The proposed coastal development will not adversely affect environmentally sensitive lands.
3. The proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.
4. For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

II. SIGNIFICANT PROJECT ISSUES: The significant project issues are summarized below. Additional explanation is provided in the Cycle Issues Report.

LDR Planning Review

LDR Planning has reviewed the submitted materials and has no corrections.

LDR Engineering

LDR Engineering has reviewed the submitted materials and has no corrections.

LDR Landscape

Landscape has reviewed the submitted materials and Provide a revegetation plan with a plant palette consistent with established sage scrub habitat on site. Additionally, please add notes to the plan set as shown in the cycle issues report.

Plan MSCP

MSCP has reviewed the submitted materials and has requested revisions to the Biological Technical Report.

LDR Transportation

Landscape has reviewed the submitted materials and requested further explanation of construction traffic as well as revisions to the Climate Action Plan Checklist.

PUD Water and Sewer

PUD has reviewed the submitted materials and requested plan revisions to how vertical separation distance between the existing water and sewer utilities to the proposed storm drain pipe.

California Coastal Commission (CCC)

The project site is within the Coastal Appealable Overlay Zone and the final decision of the City will be transmitted to the CCC for a secondary review and appeal period. The CCC has been provided copies of the most recent submitted materials. No comments have been received.

LDR Environmental Analysis Section

EAS has reviewed the submitted materials and requested revisions to the biological technical report. Additionally, the Assembly Bill 52 requires the City to notify the local Native American tribes of the project and to begin "Government-to-Government" consultation with that tribal nations. The California Environmental Quality Act (CEQA) determination for the project will be held in abeyance until all cycle issues are addressed.

- III. RESUBMITTALS/NEXT STEPS:** A number of documents have been identified as necessary to the project's review and are indicated on the attached Submittal Requirements Report (Enclosure 2). Upon your review of the attached Cycle Issues Report, you may wish to schedule a meeting with staff and your consultants prior to resubmitting the project. Please contact me if you wish to schedule a meeting with staff.

Municipal Code Section 126.0114 requires that a development permit application be closed if the applicant fails to submit or resubmit requested materials, information, fees, or deposits within 90 calendar days, **by no later than** August 10, 2021. Once closed, the application, plans and other data submitted for review may be returned to the applicant or destroyed. To reapply, the applicant shall be required to submit a new development permit application with required submittal materials and shall be subject to all applicable fees and regulations in effect on the date the new application is deemed complete.

COVID-19 Update - To ensure the health, safety and well-being of customers and department staff, the Development Services Department has implemented operational service changes that will be in effect until further notice. Please visit our webpage for latest updates, <https://www.sandiego.gov/development-services/covid-19-public-notice>.

At this time, additional documents and information are required to continue the review process. Please visit [OpenDSD](#) to check both the Project Tracking System (PTS) Completed Reviewer Issues Report and the Submittal Requirements Report for next time documents identified by each review discipline. All required documents requested by all disciplines must

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be uploaded individually and at the same time. Incomplete submittals will result in additional review cycle.

IV. COMMUNITY PLANNING GROUP: The proposed project is located within the La Jolla Community Planning Area. The La Jolla Community Planning Association is the officially recognized community group for the area to provide recommendations to the City.

If you have not already done so, please contact Dianne Kane, Chairperson of the La Jolla Community Planning Association at info@lajollacpa.org or 858-495-9490 to schedule your project for a presentation at their next available meeting. Please provide the Vote Sheet or minutes from the group.

V. FEES: The CEQA determination will not be made until the remaining uncleared issues are resolved and therefore the CEQA filing fees can not be determined at this time. Please see the [California Department of Fish and Wildlife](http://www.california.gov/fish-and-wildlife) web site for potential fees and the County of San Diego filing fee. Projects that are determined to be CEQA Exempt would not require the CDFW fee but would require only the County of San Diego filing fee.

VI. PROJECT ISSUE RESOLUTION CONFERENCE: Project Issue Resolution (PIR) conferences provide customers an opportunity to have issues heard and considered by executive department management. A PIR will be considered if, after the issuance of the third Assessment Letter for discretionary projects, customers and staff have been unable to resolve project issues. The PIR would address issues such as disagreements between the applicant and staff on interpretations of codes or ordinances, requests for additional information or studies, or project-related processing requirements. Any determinations from a PIR are not binding on any City decision-making body, such as City Council, Planning Commission, or Hearing Officer.

In conclusion, the following references may be of use during the project processing:

- Development Services - <http://www.sandiego.gov/development-services>
- Community Plans - <https://www.sandiego.gov/planning/community/plans>
- OpenDSD: <http://www.sandiego.gov/development-services/opensd/>.

Please contact me with any questions at kbucey@sandiego.gov or (619)446-5049.

Sincerely,



Karen Bucey
Development Project Manager

Enclosures:

1. Cycle Issues Report
2. Submittal Requirements Report

cc: Dianne Kane Chairperson, La Jolla Community Planning Association
Marlon Pangilinan, Community Planner