

November 7, 2022

VIA EMAIL: mrmatthewsegal@gmail.com

Matthew Segal
3000 Upas Street, Suite 101
San Diego, CA 92104

Subject: 6110 Camino De La Costa CDP/SDP Assessment Letter; Project No. PRJ-1066101;
Internal Order: Flat Fee

Dear Matthew Segal:

Your project is processing one or more [discretionary permits](#). As your Development Project Manager, I will coordinate all communications and schedule meetings directly with you. Please notify me if a different Point of Contact should be assigned while I am managing this project.

The Development Services Department has completed the first review of the project as described below:

- Coastal Development Permit and Site Development Permit to demolish an existing 2-story residence and construct a new 3-story 10,567-square-foot residence with decks located at 6110 Camino de la Costa. The 0.37-acre site is in the RS-1-5 zone with Environmentally Sensitive Lands, Coastal Overlay (Appealable) Zone, Coastal Height Limit Overlay Zone, First Public Roadway Overlay, Parking Impact Overlay Zone (PIOZ-Coastal-Impact, PIOZ-Beach-Impact), Complete Communities Mobility Choices (CCMC-Mobility Zone 2), Sensitive Coastal Overlay Zone (SCOZ-CB), Paleontological Sensitivity Area, Transit Area Overlay Zone, and Transit Priority Area within the La Jolla Community Plan area Council District 1.
- Process 3- A Coastal Development Permit is required pursuant to San Diego Municipal Code (SDMC) Section [126.0702](#) for all coastal development of a premises within the Coastal Overlay Zone.
- Process 3- A Site Development Permit is required pursuant to San Diego Municipal Code (SDMC) Section [126.0502](#) where environmentally sensitive lands are present.

NOTE: If major modifications to the project scope, submittal requirements, or questions regarding any of the above, please contact me as soon as possible.

Consolidation of Processing regulations (SDMC 112.0103) mandates that all actions be consolidated and processed at the highest decision level. At this time, the decision to approve, conditionally approve, or deny the project will be made by the Hearing Officer, with appeal rights to the Planning Commission.

At a minimum, a formal recommendation to the Hearing Officer will be prepared for your project only after the completion of the following milestones:

- All City staff review comments have been adequately addressed;
- A City Council recognized Community Planning Group has provided a formal project recommendation;
- An environmental determination has been made and that determination is in its final stages.

SIGNIFICANT PROJECT ISSUES: Carefully review the attached Project Issues Report, which contains review comments from staff representing various City reviewing disciplines, outside agencies, and the community planning group. All issues in the report must be addressed to move forward to a decision; however, I have identified the following significant issues that are critical for your project:

LDR-Planning:

- Pursuant to SDMC Section 142.0560(j)(8), the property would be permitted to have one curb cut. A second curb cut would only be permitted for lots that have at least 100'-foot of total street frontage.
- Pursuant to SDMC Section 143.0143(a), "No development is permitted on the face of a sensitive coastal bluff, except as permitted in SDMC Section 143.0143(g) and (h), and the coastal bluff face shall be preserved as a condition of permit approval." To be consistent with other applicable regulations of the Land Development Code as well as policies from the Community Plan, the existing improvements located on or beyond the bluff face shall be removed and the areas shall be restored to their natural state.
- Pursuant to SDMC Section 143.0143(f), "All development including buildings, accessory structures, and any additions to existing structures shall be set back at least 40 feet from the coastal bluff edge", except as provided in sub-items (1)-(4).

Coastal Commission:

- Regardless of where the bluff edge is delineated, everything west of it is by definition "coastal bluff." As such, per the Environmentally Sensitive Land regulation, private development is not allowed on coastal bluffs. The property is currently non-conforming in that it has a wall and private access path on the bluff face. As the property is redeveloping, it must be brought up to current code, including removal of all private development west of the bluff edge.
- The assessment for the potential of erosion of the upper bluff over the next 75 years was not adequate with respect to anticipated sea level rise. Sea level rise is expected to accelerate erosion rates along the state's coast as compared to historic erosion rates. As the neighboring properties have shoreline protection and sea caves already present, please provide further explanation as to how the anticipated sea level rise described in the Coastal Commission's Sea Level Rise Policy Guidance (<https://www.coastal.ca.gov/climate/slr/>) will impact erosion rates on the property in the future, with distinction made between sturdier lower bluff and the more vulnerable upper bluff. The current study's claim of no change is not supported by the analysis provided.

- Please provide a wave runup analysis that includes sea level rise scenarios of up to seven feet and an analysis of the potential for upper bluff erosion over the next 75 years to assess the adequacy of the proposed twenty-five-foot setback.
- The proposed residence contains a substantial basement that would excavate the majority of the developable area of the blufftop. Due to shoreline erosion, the basement may become exposed and require partial removal which, due to its size, presents a substantial risk due to the resulting void in the blufftop. The applicant is requested to provide an analysis of how future removal of the basement would impact geologic stability.

LDR-Engineering:

- Pursuant to SDMC Section 142.0560(j)(8) the subject property does not qualify for two driveways since the property frontage is 86.68 feet.
- Public Utilities Department (PUD) will need to be part of this review.

DSD-Environmental:

- The project site is located on a sensitive coastal bluff and therefore, is required to comply with the Environmentally Sensitive Lands Regulations.

DSD-Historic:

- Additional information is requested in order to make a determination.

TIMELINE: How Long Will It Take to Process My Discretionary Approval? The Development Services Department processes a wide variety of discretionary approvals as applicants look to change land use entitlements. Approvals include everything from small single-family home additions to master planned communities of several hundred acres. There is no reliable way to forecast exactly how long an application will take to process as time frames vary dependent upon a large number of unpredictable factors such as project complexity, quality of information received, and demand set by market conditions. However, on average, discretionary approvals require 10-12 months to process. Simple small-scale projects with no environmental or land use issues, positive community support, and a responsive applicant can be processed in as little as 4-6 months; on the other hand, projects with significant environmental impacts, land use issues, neighborhood opposition, and/or a non-responsive applicant or consultant team can take multiple years to complete

RESUBMITTAL REQUIREMENTS: Incomplete submittals will result in review delays. At this time, additional documents and information are required.

Note: SDMC Section [126.0115](#) 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 of receiving this letter, or February 7, 2023. Closed projects cannot be "reactivated". Once closed, 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 the latest updates, [Public Notice | Development Services | City of San Diego Official Website](#)
- **Accessing Digital Comments** - At this time, additional documents and information are required to continue the review process. Please visit Accela Citizen Access, log into your account and check both the Project Issues Report and the Submittal Requirements Report for the next time documents identified by each review discipline. If you have questions, please refer to the [DSD Online Permit Application Help Guide](#) for support or contact your Development Project Manager. Please keep track of any review comments that are marked as 'Conditions,' as these will become conditions of approval for your discretionary permit.
- **Uploading Resubmittal Documents** - Accela puts resubmittals into review automatically, but only if ALL required resubmittal documents are uploaded as individual files and at the same submittal session. **Incomplete resubmittals do not go into review until everything on the submittal report is uploaded.** It is your responsibility to upload everything that is required. I am not alerted of incomplete submittals and I am not responsible for project delays caused by improper submittals. Once you have uploaded all your documents, please email me to confirm that you are in review. Failure to do so may result in additional delays.

Please refer to the

- ✓ DSD and Online Permit [Application Help Guide](#).
 - ✓ DSD [Training Videos](#) on Rechecks Required and Submitting Plans and Sheet Numbering Resubmitted.
 - ✓ For support contact the Development Services Department Help line at 619-446-5000.
- **Applicant Response to Project Issues Report:** Please prepare a cover letter or matrix/spreadsheet that specifically describes how you have addressed each of the comments. Please reference the plan, sheet number, report, or page number as appropriate to assist staff in providing the fastest review possible. If it is not feasible to address a particular issue, please indicate the reason. A response to each comment from the reviewers is necessary for staff to complete their review and greatly reduces the amount of work necessary to evaluate resubmittals as we tackle rising demands and workloads in our department.
 - **Draft Findings:** Findings are written statements of factual evidence that are used as the criteria for making a land use decision and is part of the discretionary permit resolution. In order for staff to make a decision or recommend approval of your project to a decision maker, certain findings must be documented. See [SDMC Section 126.0708](#) for the Coastal Development Permit findings, and [SDMC Section 126.0505](#) for the Site Development Permit findings. Please provide a draft of the findings in your resubmittal.
 - **Community Planning Group:** The proposed project is located within the La Jolla Community Planning Area. The La Jolla Community Planning Group (CPG) is the officially recognized community group for the area to provide recommendations to the City.

If you have not already done so, please contact the Chairperson of the La Jolla CPG via this [link](#) to schedule your project for a presentation before the group at their next available meeting. If you have already obtained a recommendation from the group, please submit a copy of the recommendation and/or minutes from the meeting (including the vote count) to me, copying the CPG chair on your email.

Development Services Department (DSD) Information Bulletin [#620](#), "Coordination of Project Management with Community Planning Committees," provides additional information about the advisory role the Community Planning Groups. For additional resources please see [Community Planning Group Resources | Planning Department | City of San Diego Official Website](#).

FINANCIAL INFORMATION:

- Please be advised that the [minimum required balance](#) for each approval type must be maintained throughout the process. If you wish to make a payment towards the deposit account, please let me know and an invoice can be provided; payments can be made in person at 1222 First Avenue on the third floor by scheduling an appointment using the following [link](#) or on the [Accela Citizen Access portal](#). Please note that **reviews will be immediately halted on any deposit account that is in deficit or goes into collections.**
- Environmental Document Filing Fees:
 - A California Environmental Quality Act (CEQA) Notice of Determination/Exemption (NOD/NOE) must be filed with the County of San Diego after the project's approval and after all appeal periods have been exhausted. This filing must be accompanied by a \$50 document handling fee. Provide a check for \$50 made out to "San Diego County Clerk." Please mail to: DSD Attn: Jose Bautista, MS-501, 1222 First Avenue, San Diego CA 92101. Please include your project number: PRJ-1066101 in the memo section of the check.
 - California Department of Fish and Wildlife (CDFW) Filing Fee: The amount of the fee is dependent on the final environmental determination and would be a minimum of \$50 if the project is exempt. Please see the [CDFW](#) webpage for their fee schedule. If these fees are required, I will notify you.
- Records Fee: Prior to scheduling your project for a decision you must pay the Records Fee to cover the cost of digitizing and archiving your complete project (see Information Bulletin [503](#)).

Meetings with Staff: Upon your review of the attached Project 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. During the meeting, we will also focus on key milestones that must be met to facilitate the review of your proposal and to project a potential timeline for a hearing date, if needed.

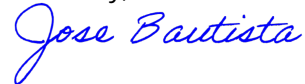
Page 6 of 6
Matthew Segal
November 7, 2022

PROJECT ISSUE RESOLUTION CONFERENCE: For more information see this [link](#).

SECOND OPINION GUARANTEE: For more information, see this [link](#).

I look forward to working with you and your team. I may be reached at (619) 557-7983 or JBautista@sandiego.gov.

Sincerely,



Jose Bautista
Development Project Manager

Enclosures:

1. Project Issues Report
2. Submittal Requirements Report

cc: File

Dianne Kane, Chair of the La Jolla Planning Group
Review Staff