



City of San Diego
Development Services
1222 First Ave., MS-302
San Diego, CA 92101
(619) 446-5000

**Affordable Housing Requirements Checklist
and Affordable/In-Fill Housing & Sustainable
Buildings Expedite Program**

**FORM
DS-530**
JULY 2007

Project Name CASTANA PROJECT	Assessor Parcel Number(s): 547-250-06
Project Address: 4895 CASTANA ST, SAN DIEGO CA	Project Number (for City Use Only)

This checklist is required to be completed for all residential development applications proposing 2 units or more, and requires the applicant to identify how they are satisfying the City's Inclusionary Affordable Housing requirements. The checklist also allows eligible project applicants to request processing through the Expedite Program. If the applicant has an eligible project and chooses to process through the Expedite Program, the applicant must sign the agreement in Section 4, which obligates the project to provide affordable and/or sustainable housing units. If at any time during the processing of the project the applicant amends the project to pay the in-lieu fee instead of providing the affordable units, or decides not to provide the required sustainable units, the project application will be expired, expended monies will not be refunded, and the applicant will be required to resubmit a new development permit application for standard permit processing, and that application shall be subject to all applicable fees and regulations in effect on the date the new application is deemed complete.

Section 1 - Inclusionary Affordable Housing Requirements:

The City of San Diego's Inclusionary Affordable Housing Requirements are contained within San Diego Municipal Code Section 142.1301, and require that at least 10 percent of the total dwelling units within all proposed residential development projects (of two units or more) be set aside as affordable to households with an income at or below 65 percent Area Median Income (AMI) for rental units, or at or below 100 percent AMI for for-sale units. The affordable housing units can be provided on the same site as the market-rate development, off-site within the same Community Planning Area, or off-site and outside the same Community Planning Area subject to approval of a Variance. The Inclusionary Housing Ordinance also allows the option of paying a fee in-lieu of providing the affordable housing units. Please refer to Municipal Code Section 142.1301 for more detailed information regarding these requirements.

- ☐ Please check this box if you have previously processed a discretionary permit implementing the Inclusionary Housing Requirements and/or have completed a Mandatory Initial Review. Please also indicate the City's project tracking system (PTS) number here: _____

Section 2 - Methods Available to Satisfy the Inclusionary Affordable Housing Requirements:

The Inclusionary Affordable Housing Requirements are applicable to all residential development projects of 2 units or more. There are several methods available to satisfy the Inclusionary Affordable Housing Requirements. Please check the method(s) your project will be using to satisfy the Inclusionary Affordable Housing Requirements:

- ☐ A. The project sets aside at least 10 percent of the total dwelling units on-site for households with an income at or below 65 percent AMI for rental units, or at or below 100 percent AMI for for-sale units.
- ☐ B. The project includes a proposal to construct at least 10 percent of the total dwelling units off-site, within the same community planning area, and those units are affordable to households with an income at or below 65 percent AMI for rental units, or at or below 100 percent AMI for for-sale units.
- ☐ C. The project provides affordable units (as described in B above) off-site *and* outside the same community planning area. Note: This method requires a Variance approval from the Planning Commission.
- ☐ D. The project will provide affordable housing using a combination of the following methods:

- ☐ E. The project will pay an In-Lieu Fee pursuant to the Inclusionary Housing Ordinance - Municipal Code Section 142.1310
- ☐ F. Previously paid in-lieu fees (attach copy of paid invoice).
- ☐ G. Condominium Conversions of 20 or more units are not eligible to pay in-lieu fees, and must set aside at least 10 percent of the units for households with an income at or below 100 percent AMI.

Section 3 - Exemptions from the Inclusionary Affordable Housing Requirements:

The following types of residential development projects are exempt from the Inclusionary Affordable Housing Requirements. Please complete the following section if your project is exempt:

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Upon request, this information is available in alternative formats for persons with disabilities.

Project Name

CASTANA PROJECT

Project Number (for City Use Only)

- ☐ A. The project has obtained a variance from the Planning Commission or waiver from the City Council in accordance with Municipal Code Section 142.1304 and 142.1305. Please include the Project Number here _____.
- ☐ B. Units within the project are being sold to and are affordable to households earning less than one hundred fifty percent (150%) of AMI, and have a recorded agreement with the San Diego Housing Commission assuring the provisions of Municipal Code Section 142.1303(c) have been met.
- ☐ C. The project is subject to the North City Future Urbanizing Area inclusionary housing requirements (20 percent of the units must be affordable).
- ☐ D. Density bonus units constructed in accordance with the provisions of the City's density bonus regulations.
- ☐ E. The project has a Vesting Tentative Map (VTM) or a Development Agreement Deemed Complete Prior to July 3, 2003. Please provide a copy of the VTM Resolution or Development Agreement. **Note:** A Tentative Map or Development Permit, such as a Coastal Development Permit, Site Development Permit, etc., do not qualify for an exemption.

Applicant's Certification - I certify that the information in Sections 1-3 is correct and accurate to the best of my knowledge. I understand that the project will be distributed for review based upon the information provided. If it is determined during project review that the information provided above is inaccurate, the processing of this application may be delayed.

Applicant's Name (Please Print):

THONGPHANH SOXSANGVANE

Signature:

Thongphanh

Date:

4-17-11

Section 4 - Affordable/In-Fill Housing and Sustainable Buildings Expedite Program (to be completed and signed for projects eligible for and requesting service through the Program) Please see Information Bulletin 538.

If you are providing affordable housing (see Council Policy 600-27) and/or sustainable buildings (see Council Policy 900-14), the Development Services Department offers an expedited permit processing service. This expedite permit process is optional, and participation in the program requires a supplemental fee of \$500 per unit for discretionary approvals, and the express plan check fee for ministerial approvals, in addition to the required project review deposit(s) and/or plan check fees. Please refer to the fee schedules contained within Information Bulletins 501, 502, and 503 for further information regarding fees and deposits.

If you wish to enter into this expedited permit process, your project must meet the eligibility requirements below, and your project must first be reviewed through the mandatory initial review process. Please identify on the checklist below how your project is eligible for this program, and sign the agreement at the bottom:

- ☐ A. The project sets aside at least 10 percent of the dwelling units for households with an income at or below 65 percent AMI for rental units, or at or below 100 percent AMI for for-sale units. (See letter "H" for Condo Conversions of 20 or more units)
- ☐ B. The project is sponsored by and/or receives funds from the Comprehensive Affordable Housing Collaborative.
- ☐ C. The project is underwritten to utilize Federal, State or Local funds and result in a regulatory agreement that restricts tenancy and rents at or below 60 percent AMI.
- ☐ D. The project is an urban in-fill housing development project of 10 units or more within an "Urbanized" area of the City, and all units are affordable to households earning at or below 150 percent AMI.
- ☐ E. The project is military housing constructed by the Federal Government or through a contract with the Federal Government, for use by active military personnel and their families.
- ☐ F. The project meets the "sustainable buildings" definition by generating electricity through a photovoltaic system (solar panels) as defined under Council Policy 900-14.
- ☐ G. The project is a mixed-use development project or development project that combines residential with other land uses where at least 50 percent of the gross floor area of the entire project site is dedicated to residential dwelling units affordable as described in A, B, C and/or D, above.
- ☐ H. The project is a Condominium Conversion of 20 or more units, and sets aside at least 20 percent of those units for households with an income at or below 100 percent AMI.

By my signature below, I hereby request expedited permit processing through the Affordable/In-Fill Housing and Sustainable Building Expedite Program, and agree to provide the affordable, in-fill, and/or sustainable buildings development as indicated above. I acknowledge that at any time during the processing of my project, should I revise my proposal to pay the In-Lieu fee instead of providing the affordable units, or decide not to provide the required sustainable units, 1) my project will be removed from the expedite program, 2) my application will be expired, 3) expended monies will not be refunded, and 4) I will be required to resubmit a new application and shall be subject to all applicable fees and regulations in effect on the date the new application is deemed complete.

Applicant's signature:

Thongphanh

Applicant's printed name:

THONGPHANH SOXSANGVANE

Date:

4.17.11



THE CITY OF SAN DIEGO

City of San Diego
Development Services
1222 First Ave., MS-302
San Diego, CA 92101
(619) 446-5000 for information

Storm Water Requirements Applicability Checklist

Project Address: 4895 Castana St, San Diego Ca	Assessor Parcel Number(s): 547-250-06	Project Number (for City Use Only)
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Complete Sections 1 and 2 of the following checklist to determine your project's permanent and construction storm water best management practices requirements. This form must be completed and submitted with your permit application.

Section 1 - Permanent Storm Water BMP Requirements:

If any answers to Part A are answered "Yes," your project is subject to the "Priority Project Permanent Storm Water BMP Requirements," and "Standard Permanent Storm Water BMP Requirements" of the Storm Water Standards Manual, Section III, "Permanent Storm Water BMP Selection Procedure." If all answers to Part A are "No," and any answers to Part B are "Yes," your project is only subject to the Standard Permanent Storm Water BMP Requirements. If every question in Part A and B is answered "No," your project is exempt from permanent storm water requirements.

Part A: Determine Priority Project Permanent Storm Water BMP Requirements.

Does the project meet the definition of one or more of the priority project categories?*

1. Detached residential development of 10 or more units ☒ Yes ☐ No
2. Attached residential development of 10 or more units ☐ Yes ☒ No
3. Commercial development greater than 100,000 square feet ☐ Yes ☒ No
4. Automotive repair shop ☐ Yes ☒ No
5. Restaurant ☐ Yes ☒ No
6. Steep hillside development greater than 5,000 square feet ☐ Yes ☒ No
7. Project discharging to receiving waters within Water Quality Sensitive Areas ☒ Yes ☐ No
8. Parking lots greater than or equal to 5,000 square feet or with at least 15 parking spaces, and potentially exposed to urban runoff ☐ Yes ☒ No
9. Streets, roads, highways, and freeways which would create a new paved surface that is 5,000 square feet or greater ☒ Yes ☐ No
10. Significant redevelopment over 5,000 square feet ☒ Yes ☐ No

* Refer to the definitions section in the Storm Water Standards for expanded definitions of the priority project categories. Limited Exclusion: Trenching and resurfacing work associated with utility projects are not considered priority projects. Parking lots, buildings and other structures associated with utility projects are priority projects if one or more of the criteria in Part A is met. If all answers to Part A are "No," continue to Part B.

Part B: Determine Standard Permanent Storm Water Requirements.

Does the project propose:

1. New impervious areas, such as rooftops, roads, parking lots, driveways, paths and sidewalks? ☒ Yes ☐ No
2. New pervious landscape areas and irrigation systems? ☒ Yes ☐ No
3. Permanent structures within 100 feet of any natural water body? ☒ Yes ☐ No
4. Trash storage areas? ☒ Yes ☐ No
5. Liquid or solid material loading and unloading areas? ☐ Yes ☒ No
6. Vehicle or equipment fueling, washing, or maintenance areas? ☐ Yes ☒ No
7. Require a General NPDES Permit for Storm Water Discharges Associated with Industrial Activities (Except construction)?* ☐ Yes ☒ No
8. Commercial or industrial waste handling or storage, excluding typical office or household waste? ☐ Yes ☒ No
9. Any grading or ground disturbance during construction? ☒ Yes ☐ No
10. Any new storm drains, or alteration to existing storm drains? ☒ Yes ☐ No

*To find out if your project is required to obtain an individual General NPDES Permit for Storm Water Discharges Associated with Industrial Activities, visit the State Water Resources Control Board web site at, <http://www.swrcb.ca.gov/stormwtr/industrial.html>

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Section 2. Construction Storm Water BMP Requirements:

If the answer to question 1 of Part C is answered "Yes," your project is subject to Section IV of the Storm Water Standards Manual, "Construction Storm Water BMP Performance Standards," and must prepare a Storm Water Pollution Prevention Plan (SWPPP). If the answer to question 1 of Part C is "No," but the answer to any of the remaining questions is "Yes," your project is subject to Section IV of the Storm Water Standards Manual, "Construction Storm Water BMP Performance Standards," and must prepare a Water Pollution Control Plan (WPCP). If every question in Part C is answered "No," your project is exempt from any construction storm water BMP requirements. If any of the answers to the questions in Part C are "Yes," complete the construction site prioritization in Part D below.

Part C: Determine Construction Phase Storm Water Requirements.

Would the project meet any of these criteria during construction?

1. Is the project subject to California's statewide General NPDES Permit for Storm Water Discharges Associated With Construction Activities? ☒ Yes ☐ No
2. Does the project propose grading or soil disturbance? ☒ Yes ☐ No
3. Would storm water or urban runoff have the potential to contact any portion of the construction area, including washing and staging areas? ☒ Yes ☐ No
4. Would the project use any construction materials that could negatively affect water quality if discharged from the site (such as, paints, solvents, concrete, and stucco)? ☒ Yes ☐ No

Part D: Determine Construction Site Priority

In accordance with the Municipal Permit, each construction site with construction storm water BMP requirements must be designated with a priority: high, medium or low. This prioritization must be completed with this form, noted on the plans, and included in the SWPPP or WPCP. Indicate the project's priority in one of the check boxes using the criteria below, and existing and surrounding conditions of the project, the type of activities necessary to complete the construction and any other extenuating circumstances that may pose a threat to water quality. The City reserves the right to adjust the priority of the projects both before and during construction. [Note: The construction priority does NOT change construction BMP requirements that apply to projects; all construction BMP requirements must be identified on a case-by-case basis. The construction priority does affect the frequency of inspections that will be conducted by City staff. See Section IV.1 for more details on construction BMP requirements.]

☒ 1) High Priority

- a) Projects where the site is 50 acres or more and grading will occur during the wet season
- b) Projects 5 acres or more and tributary to an impaired water body for sediment (e.g., Peñasquitos watershed)
- c) Projects 5 acres or more within or directly adjacent to or discharging directly to a coastal lagoon or other receiving water within an environmentally sensitive area
- d) Projects, active or inactive, adjacent or tributary to sensitive water bodies

☐ 2) Medium Priority

- a) Capital Improvement Projects where grading occurs, however a Storm Water Pollution Prevention Plan (SWPPP) is not required under the State General Construction Permit (i.e., water and sewer replacement projects, intersection and street re-alignments, widening, comfort stations, etc.)
- b) Permit projects in the public right-of-way where grading occurs, however SWPPPs are not required, such as installation of sidewalk, substantial retaining walls, curb and gutter for an entire street frontage, etc.
- c) Permit projects on private property where grading permits are required (i.e., cuts over 5 feet, fills over 3 feet), however, Notice Of Intent (NOIs) and SWPPPs are not required.

☐ 3) Low Priority

- a) Capital Projects where minimal to no grading occurs, such as signal light and loop installations, street light installations, etc.
- b) Permit projects in the public right-of-way where minimal to no grading occurs, such as pedestrian ramps, driveway additions, small retaining walls, etc.
- c) Permit projects on private property where grading permits are not required, such as small retaining walls, single-family homes, small tenant improvements, etc.

Name of Owner or Agent (Please Print):

THONGPHANH SOXSANGVANE

Signature:

Thongphanh

Title:

Owner

Date:

4-17-11



THE CITY OF SAN DIEGO

City of San Diego
Development Services
1222 First Ave., MS-302
San Diego, CA 92101
(619) 446-5000

Ownership Disclosure Statement

Approval Type: Check appropriate box for type of approval (s) requested: ☐ Neighborhood Use Permit ☐ Coastal Development Permit
☐ Neighborhood Development Permit ☐ Site Development Permit ☒ Planned Development Permit ☐ Conditional Use Permit
☐ Variance ☐ Tentative Map ☐ Vesting Tentative Map ☐ Map Waiver ☐ Land Use Plan Amendment • ☐ Other _____

Project Title**Project No. For City Use Only**

CASTANA PROJECT

Project Address:

4895 CASTANA ST.

SAN DIEGO CA 92102

Part I - To be completed when property is held by individual(s)

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property, with the intent to record an encumbrance against the property. Please list below the owner(s) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Disposition and Development Agreement (DDA) has been approved / executed by the City Council. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Additional pages attached ☐ Yes ☒ No**Name of Individual (type or print):**

THONG PHANG SOISANGVANE

☒ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency**Street Address:**

4792 NOGAL ST

City/State/Zip:

SAN DIEGO CA 92102

Phone No:**Fax No:****Signature:****Date:**

Thong Phang 4-17-11

Name of Individual (type or print):☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency**Street Address:****City/State/Zip:****Phone No:****Fax No:****Signature:****Date:****Name of Individual (type or print):**☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency**Street Address:****City/State/Zip:****Phone No:****Fax No:****Signature:****Date:****Name of Individual (type or print):**☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency**Street Address:****City/State/Zip:****Phone No:****Fax No:****Signature:****Date:**

Project Title:

CASTANA PROJECT

Project No. (For City Use Only)

Part II - To be completed when property is held by a corporation or partnership**Legal Status (please check):**

☐ Corporation ☐ Limited Liability -or- ☐ General) What State? _____ Corporate Identification No. _____
☐ Partnership

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property.. Please list below the names, titles and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all corporate officers, and all partners in a partnership who own the property). A signature is required of at least one of the corporate officers or partners who own the property. Attach additional pages if needed. **Note:** The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process. **Additional pages attached** ☐ Yes ☐ No

Corporate/Partnership Name (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No:

Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature :

Date:

Corporate/Partnership Name (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No:

Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature :

Date:

Corporate/Partnership Name (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No:

Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature :

Date:

Corporate/Partnership Name (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No:

Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature :

Date:

Corporate/Partnership Name (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No:

Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature :

Date:

Corporate/Partnership Name (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No:

Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature :

Date:



City of San Diego
Development Services
1222 First Ave., MS-302
San Diego, CA 92101
(619) 446-5000

THE CITY OF SAN DIEGO

Parcel Information Checklist

FORM
DS-302
JULY 2007

This checklist is an important tool that will assist you in determining the City of San Diego's planning, zoning, and/or building regulations that apply to your project. Additional information regarding checklist items is referenced in the Land Development Manual, Project Submittal Requirements, Section 1 (Guide to Project Submittal Process). By evaluating this information prior to designing your project, you can avoid mistakes early in the process, save time, and reduce processing costs. This completed checklist is required for most projects submitted to the Development Services Department for review. The information for Part I can be obtained with staff assistance on the 3rd floor of the Development Services Center, 1222 First Avenue, by appointment, phone (619) 446-5300 or fax the request to (619) 446-5050. Part II must be completed by applicant.

Part I

1. Project Address: <u>4895 CASTANA ST</u>	Assessor Parcel Number: <u>547-250-06</u>	Project No.: (For City Use Only)
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2. Base Zone <u>SPSDPD-MF-3000</u>	Planned District (if Applicable) <u>SOUTHERN PLANNED DIST</u>
Census Tract <u>74 (SDUSD)</u>	Community Plan Name <u>ENCANTO NEIGH.</u>
School District	Historic District <u>NO</u>

3. Overlays (check all that apply):

- | | |
|--|--|
| <input type="checkbox"/> Sensitive Coastal | <input type="checkbox"/> No Overlay Zones |
| <input type="checkbox"/> Airport Approach | <input type="checkbox"/> Community Plan Implementation (A) |
| <input type="checkbox"/> Airport Environs | <input type="checkbox"/> Community Plan Implementation (B) |
| <input type="checkbox"/> Brush Zones | <input type="checkbox"/> First Public Road-Way |
| <input checked="" type="checkbox"/> Brush Zones w/300 ft. Buffer | <input type="checkbox"/> Mission Trails Design District |
| <input type="checkbox"/> (CUPD) Facility-Deficient Neighborhoods | <input checked="" type="checkbox"/> Mobilehome Park |
| <input type="checkbox"/> Clairemont Mesa Height Limit | <input type="checkbox"/> Parking Impact |
| <input type="checkbox"/> Coastal Height Limit | <input type="checkbox"/> Residential Tandem Parking |
| <input type="checkbox"/> Coastal (City) <input type="checkbox"/> Coastal (State) | <input type="checkbox"/> Transit Area |
| | <input type="checkbox"/> Urban Village |

4. Environmentally Sensitive Lands: Does the project site contain or is it adjacent to any site that contains any of the following Environmentally Sensitive Lands as identified in Municipal Code Section 113.0103?

- | | |
|--|--|
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Sensitive Biologic Resources | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Sensitive Coastal Bluffs |
| <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No Steep Hillides | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 100-Year Floodplain |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Coastal Beaches | |

5. Historical Resources Sensitivity (Archaeology): Is site on Historical Resource Sensitivity Maps ☐ Yes ☒ No

6. Geologic Hazard Categories: 02, 32 Earthquake Fault Buffer? ☐ Yes ☒ No (Yes = Hazard Category 12)

7. Airports: Airport Influence Area (AIA) ☐ Yes ☒ No FAA Part 77 Notification Area ☐ Yes ☒ No (If Yes, see Information Bulletin 520, Federal Aviation Administration Notification and Evaluation Process)

Researched by (Print Name):

Phone No.:

Date:

DAVID ZAMATE
CITY STAFF

858-866-0828

See reverse side for Part II

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DS-302 (07-07)

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Part II

8. Redevelopment Area - The City has 16 redevelopment project areas that total 8,000 acres. There may be specific economic benefits associated with development projects in these areas. To determine if your site is within a redevelopment area, see the Redevelopment Areas Map in the Customer Self-Help Area at the Development Services Center, visit the Redevelopment Agency web site at www.sandiego.gov/redevelopment-agency, or contact the Agency at (619) 533-4233.

Is the project site within a redevelopment area?

☐ Yes (list which one _____)

☐ No

9. Historical Resources -

A. Is your structure(s) a designated historical resource?

☐ Yes ☒ No

B. What year was the structure built? N/A

C. Are you proposing to demolish or alter the exterior of an existing structure that is 45 years or older

☐ Yes ☒ No

D. Are you proposing to grade the site?

☒ Yes ☐ No

10. Prior Policy Approvals - If your property had a prior policy approval, subdivision approval, or development permit/approval, your project must be reviewed against that prior approval for conformance or an amendment may be required. A property title search will identify any prior approval recorded against the property.

Has a policy approval, rezone, plan amendment, development permit (Conditional Use Permit, coastal Development Permit, etc.) been previously approved for this property or is one in process?

☐ Yes (Provide the permit/resolution number (s): _____) ☒ No

11. Hazardous Waste and Substances Statement - Section 65962.5f of the State of California Government Code requires that, before the City of San Diego accepts as complete an application for any development project, the applicant submit a signed statement indicating whether or not the project site has been identified on the State of California Hazardous Waste and Substances Sites List. This list identifies known sites that have been subject to releases of hazardous chemicals, and is available in the Customer Self-Help Area of the Development Services Center.

The list is also available at www.sdcounty.ca.gov/deh/lwq/sam. Select Environmental Assessment Case Listing.

Is the project site identified on the State of California Hazardous Waste and Substances Site List?

☐ Yes ☒ No

If Yes, check which list: ☐ CALSITES ☐ Other _____ Date of List _____

12. Notice of Violation - If you have received a Notice of Violation for this site, a copy of this notice must be provided at the time of project submittal. Failure to provide the Notice may result in delayed processing of your project. Is there an active code enforcement violation case on this site?

☐ Yes ☒ No

13. Military facility/operation impact statement per Senate Bill 1462

The State of California requires applicants to identify if their project is located in one of the following areas: 1) within 1,000 feet of a military installation 2) beneath a low-level flight path 3) within special use airspace as defined in Section 21098 of the Public Resources Code. Applicants must identify on the Parcel Information checklist if the project is located in one of the above areas AND if the project location is in an urbanized area as defined in Government code Section 65944(2). Maps may be found on the internet at: <http://atlas.resources.ca.gov> OR www.ceres.ca.gov/planning.

Is the proposed project requesting development approval for new single-family, multi-family, commercial, industrial development, General Plan Amendment, Land Use Plan Amendment or Community Plan Amendment?

☒ Yes ☐ No

If yes, is the proposed project site located in one or more of the following:

☐ Yes ☒ No

1) within 1,000 feet of a military installation?

2) beneath a low level flight path?

3) within "special use airspace" as defined in Section 21098 of the Public Resources Code?

Is the project located in an urbanized area:

☒ Yes ☐ No

14. Applicant's Certification - I certify that the information is correct and accurate to the best of my knowledge. I understand that the project will be distributed for review based upon the information provided. If it is determined during project review that a different approval type is required, the processing of this application may be delayed until a decision has been made on the correct approval type.

Applicants Name (Please Print):

THONG PHANG SOYSANGWANE

Signature:

Thong Phang

Date: 4-17-11



City of San Diego
Development Services
1222 First Ave., MS-301
San Diego, CA 92101-4154
(619) 446-5000

General Application

THE CITY OF SAN DIEGO

Part I (Complete for all permits/approvals)	1. Approval Type: Check appropriate box for type of approval needed. Separate electrical, plumbing and/or mechanical permits are required for projects other than single-family residences or duplexes. • <input type="checkbox"/> Electrical • <input type="checkbox"/> Plumbing/Mechanical • <input type="checkbox"/> Sign • Construction Permits: <input type="checkbox"/> Structure <input type="checkbox"/> Grading <input type="checkbox"/> Public Right-of-Way; • <input type="checkbox"/> Subdivision • <input type="checkbox"/> Demolition/Removal • Development Permits: <input type="checkbox"/> Neighborhood Use <input type="checkbox"/> Coastal <input type="checkbox"/> Neighborhood Development <input type="checkbox"/> Site Development <input checked="" type="checkbox"/> Planned Development <input type="checkbox"/> Conditional Use <input type="checkbox"/> Variance • <input type="checkbox"/> Vesting Tentative Map • <input type="checkbox"/> Tentative Map • <input type="checkbox"/> Map Waiver • <input type="checkbox"/> Other				
	2. Project Address: Include Building or Suite No. 4895 CASTANA ST		Project Title: CASTANA PROJECT		Project No. For City Use Only
	Legal Description: (Lot, Block, Subdivision Name & Map Number OR Parcel and Parcel Map Number) LOT 243 to 264 INCLUSIVE OF SUNSHINE GARDENS, MAP 1804				Assessor's Parcel No. 547-250-06
	Existing Use: MULTI FAMILY		Proposed Use: MULTI FAMILY (ROW HOMES)		Total Floor Area:
	Project Description: DEVELOP LOT WITH 18 ROW HOMES				
	3. Engineer/Architect/Designer Name JOEL VALDIVIA				
	Address 4901 MORENA BLVD. SUITE 1110		City SAN DIEGO	State CA	Zip Code 92117
	4. Property Owner/Lessee Tenant Name Please check one <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Lessee or Tenant THONG PHANH SOYSAUVANE		Fax Number 858-866-0131		
	Address 4792 NOGAL ST		City SAN DIEGO	State CA	Zip Code 92102
	5. Contractor Name (not required for development permits)		Fax Number		
Address		City	State	Zip Code	
State License No.		License Class		City Business Tax No.	
Licensed Contractor's Declaration: I hereby affirm that I am licensed under provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect.					
Signature _____ Title _____ Date _____					
Part II (Complete for building, plumbing, electrical, mechanical or sign permits)	6. Workers' Compensation Declaration: I hereby affirm under penalty of perjury one of the following declarations:				
	<input type="checkbox"/> a. I have and will maintain a certificate of consent to self-insure for workers' compensation as provided by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.				
	<input type="checkbox"/> b. I have and will maintain workers' compensation, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:				
	Insurance Company _____ Policy No. _____ Expiration Date _____				
	(This section need not be completed if the permit is for one hundred dollars (\$100) or less).				
	<input type="checkbox"/> c. I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the Workers' Compensation Laws of California, and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.				
	Signature _____ Date _____				
	Warning: Failure to secure workers' compensation coverage is unlawful, and shall subject an employer to criminal penalties and civil fines up to one hundred thousand dollars (\$100,000), in addition to the cost of compensation, damages as provided for in Section 3706 of the Labor Code, interest, and attorney's fees.				
	7. Owner-Builder Declaration: I hereby affirm that I am exempt from the Contractor's License Law for the following reason (Sec. 7031.5, Business and Professions Code: Any city or county which requires a permit to construct, alter, improve, demolish, or repair any structure, prior to its issuance, also requires the applicant for such permit to file a signed statement that he is licensed pursuant to the provisions of the Contractor's License Law (Chapter 9, commencing with Section 7000, of Division 3 of the Business and Professions Code) or that he is exempt therefrom, and the basis for the alleged exemption. Any violation of Section 7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars (\$500):				
	<input type="checkbox"/> I, as owner of the property, or my employees with wages as their sole compensation, will do the work and the structure is not intended or offered for sale (Sec. 7044, Business and Professions Code: The Contractor's License Law does not apply to an owner of property who builds or improves thereon, and who does such work himself or through his own employees, provided that such improvements are not intended or offered for sale. If, however, the building or improvement is sold within one year of completion, the owner-builder will have the burden of proving that he did not build or improve for the purpose of sale.).				
<input type="checkbox"/> I, as owner of the property, am exclusively contracting with licensed contractors to construct the project (Sec. 7044, Business and Professions Code: The Contractor's License Law does not apply to an owner of property who builds or improves thereon, and contracts for such projects with contractor(s) licensed pursuant to the Contractor's License Law).					
<input type="checkbox"/> I am exempt under Section _____ B.&P.C. for this reason.					
Signature _____ Date _____					
8. Construction Lending Agency: I hereby affirm that there is a construction lending agency for the performance of the work for which this permit is issued (Sec. 3097, Civ. C.). If the name of the lending agency is not known, the word "unknown" should be written here.					
Lender's Name: _____		Lender's Address: _____			

CONTINUED ON REVERSE SIDE

Project Address: Include Building or Suite No.

4895 CASTANA ST

Project No. For City Use Only

Part III (Complete as required)

9. Financially Responsible Party (complete for projects requiring a deposit account)

Name/Firm Name

Address

City

State

Zip Code

Telephone

Fax No.

Financially Responsible Party Declaration: I understand that City expenses may exceed the estimated advance deposit and, when requested by the City of San Diego, will provide additional funds to maintain a positive balance. Further, the sale or other disposition of the property does not relieve the individual or Company/Corporation of their obligation to maintain a positive balance in the trust account, unless the City of San Diego approves a Change of Responsible Party and transfer of funds. Should the account go into deficit, all City work may stop until the requested advance deposit is received.

☐ This is a continuation of existing project _____ Please use the existing deposit account _____

Print Name: _____

Title: _____

Signature* _____

Date: _____

*The name of the individual and the person who signs this declaration must be the same. If a corporation is listed, a corporate officer must sign the declaration (President, Vice-President, Chairman, Secretary or Treasurer)

10. Public Notice Certification: (To be completed when a public notice package is required.)

I hereby certify that the names and addresses submitted with the Public Notice package are current and accurate for the project site and for all of the properties located within 300 feet of the exterior boundaries of the property described in this application, and that the Assessor's Parcel Number and ownership information were obtained from the latest adopted San Diego County Tax Roll, and any update thereto, maintained in the office of the San Diego County Tax Assessor on _____ 20____. I understand that if it is found that any of this information is incorrect, the applicant will have to file a new and corrected list of impacted property owners and occupants with the City and any public hearing conducted for the project application may be declared null and void by the decision-making body or by the courts and the application may have to be refiled and the processing fee/deposit paid again

Signature _____ Title _____ Date _____

Part IV (Complete for all permits/approvals)

11. Applicant Information: ☒ Property Owner ☐ Authorized Agent for Property Owner ☐ Other Entitled Person

Name:

Fax Number

THONG PHANH SOISANGVANE

Address

City

State

Zip Code

Telephone

4792 NOGAL ST SAN DIEGO CA 92102

Applicant's Signature: I certify that I have read this application and state that the above information is correct, and that I am the property owner, authorized agent of the property owner, or other person having a legal right, interest, or entitlement to the use of the property that is the subject of this application (Municipal Code Section 112.0102). I understand that the applicant is responsible for knowing and complying with the governing policies and regulations applicable to the proposed development or permit. The City is not liable for any damages or loss resulting from the actual or alleged failure to inform the applicant of any applicable laws or regulations, including before or during final inspections. City approval of a permit application, including all related plans and documents, is not a grant of approval to violate any applicable policy or regulation, nor does it constitute a waiver by the City to pursue any remedy, which may be available to enforce and correct violations of the applicable policies and regulations.

Signature

Thong Phanh Date 4-17-11

Important Instructions to Applicant

California State law requires every permit applicant to provide specific information and certain declarations regarding the proposed work. The following instructions describe who may sign the required declarations.

Licensed Contractor

This statement may be signed by the contractor or a corporate officer of a construction company including President, Vice President, Secretary, Treasurer, Trustee, Chairman of the Board or Responsible Managing Employee (RME). An agent for the contractor may sign only when a letter of authorization from the contractor authorizing the agent to sign is presented at permit issuance. The person signing must list his/her title.

Workers' Compensation Declaration

This statement may be signed by the contractor, owner, tenant, lessee or an authorized agent of one of these. A valid Certificate of Workers' Compensation Insurance must be presented at permit issuance. The certificate:

- Must show the name of the insured.
- Must list the policy number, effective date, and expiration date of the insurance policy.

If item 6.c. is checked, only the contractor or owner may sign this area, **NOT AN AGENT**. This section is signed only when the owner or contractor will have no employees on the job. If, after signing the exemption from the Workers' Compensation provisions of the Labor Code, the contractor or owner-builder should become subject to

such provisions, they must forthwith comply. In the event they do not comply with the Workers' Compensation Law, the permit shall be deemed revoked.

Owner-Builder Declaration

This statement may be signed by the owner, lessee, tenant, architect, engineer, licensed pest control operator, or an authorized agent of any of these. In every case, a separate Owner-Builder Verification form (DS-3042) must also be signed by the owner.

5

RECORDING REQUESTED BY:
NEW CENTURY TITLE COMPANY
AND WHEN RECORDED MAIL TO:

Mr. Thong Phan Soysangvane
c/o 4724 Nogal Street
San Diego, CA 92102

DOC # 2001-0370455

Jun 05, 2001 4:59 PM

20013

OFFICIAL RECORDS
SAN DIEGO COUNTY RECORDER'S OFFICE
GREGORY J. SMITH, COUNTY RECORDER
FEES: 251.30
OC: OC



2001-0370455

16
SP
11

213322-05

THIS SPACE FOR RECORDER'S USE ONLY

Escrow or Loan No. 024948-JZ

Title Order No. 3003453

GRANT DEED

THE UNDERSIGNED GRANTOR(S) DECLARE(S) 212.30
DOCUMENTARY TRANSFER TAX is \$203.50

- ☒ computed on full value of property conveyed, or
☐ computed on full value less value of liens or encumbrances remaining at time of sale.
☐ Unincorporated area ☒ City of San Diego, AND

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Sunshine Gardens, A General Partnership, a California General Partnership

hereby GRANT(s) to:

Thong Phan Soysangvane, a Married Man, as his sole and separate property

the real property in the City of San Diego, County of San Diego, State of California, described as:
Lots 243 to 264 inclusive of SUNSHINE GARDENS, in the City of San Diego, County of San Diego, State of
California, according to Map thereof No. 1804, filed in the Office of the County Recorder of San Diego, August
17, 1924.

Together with that portion of the South half of Fresa Street adjoining Lot 264 on the North, as closed to public
use by resolution no. 93364, recorded 4/12/49.

ALSO KNOWN AS: Vacant Lot Parcel #547-250-06-00, San Diego, CA 92113
A.P. # 547-250-06-00

DATED October 12, 2000

STATE OF CALIFORNIA

COUNTY OF

On

Before me,

A Notary Public in and for said State, personally appeared

**SEE SIGNATURE PAGE ATTACHED

Sunshine Gardens, A General Partnership

By:

Mary Jane Schindler

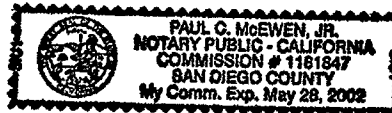
By:

Malcolm J. Culver

By:

LINDE KESTER

Personally known to me (or 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.
WITNESS my hand and official seal.



Signature

Paul C. McEwen, Jr. 1/19/01

(This area for official notarial seal)

MAIL TAX STATEMENTS TO PARTY SHOWN BELOW; IF NO PARTY SHOWN, MAIL AS DIRECTED ABOVE.

SELLERS:

Sunshine Gardens, A General Partnership, a
California General Partnership

By: Mary Jane Schindler executor
Mary Jane Schindler, as Executor of the
Estate of John O. Schindler

STATE OF CALIFORNIA,

COUNTY OF

San Diego

} S.S.

20015

On

March 1, 2001

, before me,

Anita I. Pardy

a Notary Public in and for said County and State, personally

appeared

Malcolm J. Culver

personally known to me (or 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.

WITNESS my hand and official seal.

Signature

Anita I. Pardy

FOR NOTARY SEAL OR STAMP



STATE OF CALIFORNIA,

COUNTY OF

SAN Diego

} S.S.

On

4-3-01

, before me,

J. Zingeler

a Notary Public in and for said County and State, personally

appeared

Mary Jane Schindler

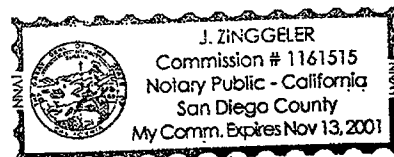
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the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

WITNESS my hand and official seal.

Signature

J. Zingeler

FOR NOTARY SEAL OR STAMP



TE 160 Legal (2-84)

This form is furnished by Chicago Title Company

Oregon
STATE OF CALIFORNIA,

20016

COUNTY OF Lane

} S.S.

On March 12, 2001

, before me, Debra Koehn Williams

, a Notary Public in and for said County and State, personally

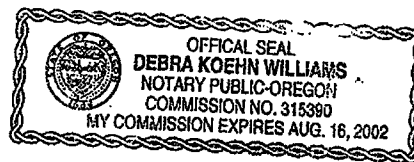
appeared Linde Kester

personally known to me (or 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.

WITNESS my hand and official seal.

Signature Debra Koehn Williams

FOR NOTARY SEAL OR STAMP



STATE OF CALIFORNIA,

COUNTY OF

} S.S.

On

, before me,

, a Notary Public in and for said County and State, personally

appeared

personally known to me (or 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.

WITNESS my hand and official seal.

Signature

FOR NOTARY SEAL OR STAMP

TE 160 Legal (2-94)

This form is furnished by Chicago Title Company



CALIFORNIA
TITLE COMPANY

3465 Camino Del Rio South #200
San Diego, CA 92108
(619) 640-1100

20017

**Government
Code 27362.7**

I CERTIFY UNDER PENALTY OF PERJURY THAT THE NOTARY SEAL ON THE DOCUMENT TO WHICH THIS STATEMENT IS ATTACHED READS AS FOLLOWS:

Name Of The Notary: Debra Koehn Williams

Commission Number: 315390 Date Commission Expires: 8-16-02

State
County Where Bond Is Filed: Oregon

Manufacturer/Vendor Number: —

Place Of Execution: CALIFORNIA TITLE COMPANY, San Diego, California

Signature: Donna J. Gale Date: 6-5-01

Donna J. Gale

RECORDING REQUESTED BY
CALIFORNIA TITLE COMPANY

RECORDING REQUESTED BY:
~~NEW CENTURY TITLE COMPANY~~
AND WHEN RECORDED MAIL TO:
Mr. Thongphanh Soysangvane
4475 Market Street
San Diego, CA 92102

DOC # 2001-0370456

Jun 05, 2001 4:59 PM

20018.



2001-0370456

OFFICIAL RECORDS
SAN DIEGO COUNTY RECORDER'S OFFICE
GREGORY J. SMITH, COUNTY RECORDER
FEES: 7.00
DC: NA

ESCROW NO. 024948-JZ

THIS SPACE FOR RECORDER'S USE ONLY:

TITLE ORDER NO. 3003453

INTERSPOUSAL TRANSFER GRANT DEED

(Excluded from reappraisal under California Constitution Article 13 A Section 1 et seq.)

DOCUMENTARY TRANSFER TAX is \$ NONE

- ☒ computed on full value of property conveyed, or
☐ computed on full value less value of liens or encumbrances remaining at time of sale.
☒ is exempt from imposition of the Documentary Transfer Tax pursuant to Revenue and Taxation Code Section 11927(a), on transferring community, quasi-community, or quasi-marital property, assets between spouses pursuant to a judgement, and order, or a written agreement between spouses in contemplation of any such judgement or order.
This is an Interspousal Transfer and not a change in ownership under Section 63 of the Revenue and Taxation Code and Grantor(s) has (have) checked the applicable exclusion from reappraisal:

☒ Check when creating separate property interest in grantee spouse: It is the express intent of the grantor, being the spouse of grantee, to convey all right, title and interest of the grantor, community or otherwise, in and to the herein described property to the grantee as his/her sole and separate property.

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Bounleua Phiakao, spouse of grantee

hereby GRANT(s) to:

Thongphanh Soysangvane, a married man as his sole and separate property

the real property in the City of San Diego, County of San Diego, State of California, described as:
Lots 243 to 264 inclusive of SUNSHINE GARDENS, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 1804, filed in the Office of the County Recorder of San Diego, August 17, 1924.

Together with that portion of the South half of Fresa Street adjoining Lot 264 on the North, as closed to public use by resolution no. 93364, recorded 4/12/49.

ALSO KNOWN AS: Vacant Lot Parcel #547-250-06-00, San Diego, CA 92113
A.P. # 547-250-06-00

DATED May 17, 2001
STATE OF CALIFORNIA
COUNTY OF

San Diego, CA

On 5-18-01

Before me,
A Notary Public in and for said State, personally appeared

Michele Finley Allen

Bounleua Phiakao
Bounleua Phiakao

Bounleua Phiakao
Personally known to me (or 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.
WITNESS my hand and official seal.



Signature

Michele Finley Allen

(This area for official notarial seal)

MAIL TAX STATEMENTS TO PARTY SHOWN BELOW; IF NO PARTY SHOWN, MAIL AS DIRECTED ABOVE.



Fidelity National Title Company

5060 Shoreham Place, Suite 130 • San Diego, CA 92122
(858) 457-7147 • FAX (858) 457-2390

PRELIMINARY REPORT

ESCROW OFFICER: Hilary Medina
TITLE OFFICER: Tina Whirlow / (619-725-2236)

ORDER NO.: 06-2666295

LOAN NO.:

TO: Ocean Mortgage
11455 El Camino Real #120
San Diego, CA 92130

ATTN: Rob Peelman
YOUR REFERENCE.: 8853797

SHORT TERM RATE: Yes

PROPERTY ADDRESS: vacant land known as 547-250-06, San Diego, California

EFFECTIVE DATE: April 11, 2006, 07:30 A.M.

The form of Policy or Policies of title insurance contemplated by this report is:

American Land Title Association Loan Policy (10-17-92) with A.L.T.A. Form 1 Coverage

1. THE ESTATE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED OR REFERRED TO COVERED BY THIS REPORT IS:
A Fee
2. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:
Thong Phan Soysangvane, a married man as his sole and separate property
3. THE LAND REFERRED TO IN THIS REPORT IS SITUATED IN THE CITY OF SAN DIEGO, IN THE COUNTY OF , STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

SEE EXHIBIT "ONE" ATTACHED HERETO AND MADE A PART HEREOF

LAB\LAB 04/19/2006

EXHIBIT "ONE"

Lots 243 to 264 inclusive, of Sunshine Gardens, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 1804, filed in the Office of the County Recorder of San Diego County, August 27, 1924.

Together with that portion of the South Half of Fresa Street adjoining Lot 264 on the North, as closed to public use by Resolution No. 93364, Recorded 4/12/49.

Assessor's Parcel No: 547-250-06

AT THE DATE HEREOF, ITEMS TO BE CONSIDERED AND EXCEPTIONS TO COVERAGE IN ADDITION TO THE PRINTED EXCEPTIONS AND EXCLUSIONS IN SAID POLICY FORM WOULD BE AS FOLLOWS:

1. **Property taxes**, which are a lien not yet due and payable, including any assessments collected with taxes to be levied for the fiscal year 2006-2007.
2. **The lien of supplemental taxes**, if any, assessed pursuant to the provisions of Chapter 3.5 (Commencing with Section 75) of the Revenue and Taxation code of the State of California.
3. **Easement(s)** for the purpose(s) shown below and rights incidental thereto as granted in a document;

Granted to: The City of San Diego
Purpose: sewer pipelines
Recorded: February 29, 1928, Book 1423, Page 375, of Deeds
Affects: As shown in said document.

Reference is made to said document for full particulars.
4. **Easement(s)** for the purpose(s) shown below and rights incidental thereto as granted in a document;

Granted to: Catalyst Thermal Energy Systems Corporation, a California Corporation
Purpose: to install and maintain patented piper district heating space and sewer heating system
Recorded: September 1, 1987, Instrument No. 87-496021, of Official Records
Affects: As shown in said document.

Reference is made to said document for full particulars.
5. **The fact that said land is included within a project area of the Redevelopment Agency** shown below, and that proceedings for the redevelopment of said project have been instituted under the Redevelopment Law (such redevelopment to proceed only after the adoption of the redevelopment plan) as disclosed by a document.

Redevelopment Agency: Central Imperial Redevelopment Project Area
Recorded: December 16, 1996, Instrument No. 1996-0628357, of Official Records
6. **Matters** which may be disclosed by an inspection and/or by a correct ALTA/ACSM Land Title Survey of said land that is satisfactory to this Company, and/or by inquiry of the parties in possession thereof.

An inspection of said land has been ordered; upon its completion the Company reserves the right to except additional items and/or make additional requirements.

7. In order to complete this report, this Company requires a Statement of Information to be completed by the following party,
- Party: Thong Phanh Soysangvane
- The Company reserves the right to add additional items or make further requirements after review of the requested Statement(s) of Information.
8. In order to complete this report, this Company requires a Statement of Information to be completed by the following party,
- Party: Bounceau Phiakeo
- The Company reserves the right to add additional items or make further requirements after review of the requested Statement(s) of Information.

END OF ITEMS

- Note 1. There are NO deeds affecting said land, recorded within twenty-four (24) months of the date of this report.
- Note 2. The charge for a policy of title insurance, when issued through this title order, will be based on the Short Term Rate.
- Note 3. Property taxes for the fiscal year shown below are PAID. For proration purposes the amounts are:
- | | |
|--------------------|-----------------|
| APN: | 547-250-06 |
| Fiscal year | 2005-2006 |
| 1st Installment: | \$1,178.86 PAID |
| 2nd Installment: | \$1,178.86 PAID |
| Exemption: | \$None |
| Land: | \$208,635.00 |
| Improvements: | \$0.00 |
| Personal Property: | \$None |
| Code Area: | 08243 |
- Note 4. If property taxes are posted paid less than 45 days from the issuance of the policy contemplated by this report, the Company will hold the amount of the tax, plus delinquency and penalty until verification of payment is received. If verification has not been received within 45 days of the issuance of the policy contemplated, the Company will pay the taxes due. If property taxes have been paid through an impound account and we are furnished written confirmation of same or you can provide a copy of the canceled check, this requirement may be waived.
- If a monthly payment for any deed of trust to be paid in full is made less than 30 days from the issuance of the policy contemplated by this report, the Company will hold an amount equal to that payment until verification of payment is received from the lender. If verification has not been received within 30 days of the issuance of the policy contemplated, the funds held will be forwarded to the lender. If a canceled check or other form of proof of payment can be furnished, this requirement may be waived.

- Note 5.** NOTE: The current owner does NOT qualify for the \$20.00 discount pursuant to the coordinated stipulated judgment entered in actions filed by both the Attorney General and private class action plaintiffs for the herein described property.
- Note 6.** Section 12413.1, California Insurance Code became effective January 1, 1990. This legislation deals with the disbursement of funds deposited with any title entity acting in an escrow or subescrow capacity. The law requires that all funds be deposited and collected by the title entity's escrow and/or subescrow account prior to disbursement of any funds. Some methods of funding may subject funds to a holding period which must expire before any funds may be disbursed. In order to avoid any such delays, all fundings should be done through wire transfer, certified check or checks drawn on California financial institutions.
- Note 7.** The charge where an order is cancelled after the issuance of the report of title, will be that amount which in the opinion of the Company is proper compensation for the services rendered or the purpose for which the report is used, but in no event shall said charge be less than the minimum amount required under Section 12404.1 of the Insurance Code of the State of California. If the report cannot be cancelled "no fee" pursuant to the provisions of said Insurance Code, then the minimum cancellation fee shall be that permitted by law.
- Note 8.** California Revenue and Taxation Code Section 18662, effective January 1, 1994 and by amendment effective January 1, 2003, provides that the buyer in all sales of California Real Estate may be required to withhold 3 and 1/3% of the total sales price as California State Income Tax, subject to the various provisions of the law as therein contained.

EXHIBIT A

AMERICAN LAND TITLE ASSOCIATION RESIDENTIAL TITLE INSURANCE POLICY (6-1-87) EXCLUSIONS

In addition to the Exceptions in Schedule B, you are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of any law or government regulation. This includes building and zoning ordinances and also laws and regulations concerning:
 - land use
 - improvements on the land
 - land division
 - environmental protectionThe exclusion does not apply to violations or the enforcement of these matters which appear in the public records at policy date.
2. The right to take the land by condemning it, unless:
 - a notice of exercising the right appears in the public records on the Policy Date
 - the taking happened prior to the Policy Date and is binding on you if you bought the land without knowledge of the taking

3. Title Risks:

- that are created, allowed, or agreed to by you
 - that are known to you, but not to us, on the Policy Date unless they appeared in the public records
 - that result in no loss to you
 - that first affect your title after the Policy Date - this does not limit the labor and material lien coverage in Item 3 of Covered Title Risks
4. Failure to pay value for your title.
 5. Lack of a right:
 - to any land outside the area specifically described and referred to in Item 3 of Schedule A or
 - in streets, alleys, or waterways that touch your landThis exclusion does not limit the access coverage in Item 5 of Covered Title Risks.

In addition to the Exclusions, you are not insured against loss, costs, attorneys' fees, and the expenses resulting from:

1. Any rights, interests, or claims of parties in possession of the land not shown by the public records.
2. Any easements or liens not shown by the public records. This does not limit the lien coverage in Item 8 of Covered Title Risks.

3. Any facts about the land which a correct survey would disclose and which are not shown by the public records. This does not limit the forced removal coverage in Item 12 of Covered Title Risks.
4. Any water rights or claims or title to water in or under the land, whether or not shown by the public records.

CALIFORNIA LAND TITLE ASSOCIATION STANDARD COVERAGE POLICY - 1990 EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
- (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims, or other matters:

- (a) whether or not recorded in the public records at Date of Policy, but created, suffered, assumed or agreed to by the insured claimant;
- (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
- (c) resulting in no loss or damage to the insured claimant;
- (d) attaching or created subsequent to Date of Policy; or
- (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage or for the estate or interest insured by the policy.
4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with the applicable doing business laws of the state in which the land is situated.
5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
6. Any claim, which arises out of the transaction vesting in the insured the estate or interest insured by this policy or the transaction creating the interest of the insured lender, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws.

SCHEDULE B, PART I EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

PART I

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.

3. Easements, liens or encumbrances, or claims thereof, which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.

EXHIBIT A
(CONTINUED)

AMERICAN LAND TITLE ASSOCIATION LOAN POLICY (10-17-92)
WITH A.L.T.A. ENDORSEMENT-FORM 1 COVERAGE
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims, or other matters:
 - (a) created, suffered, assumed or agreed to by the insured claimant;
 - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
 - (c) resulting in no loss or damage to the insured claimant;
 - (d) attaching or created subsequent to Date of Policy (except to the extent that this policy insures the priority of the lien of the insured mortgage over any statutory lien for services, labor or material or to the extent insurance is afforded herein as to assessments for street improvements under construction or completed at Date of Policy); or
 - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid

value for the insured mortgage.

4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with applicable doing business laws of the state in which the land is situated.
5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
6. Any statutory lien for services, labor or materials (or the claim of priority of any statutory lien for services, labor or materials over the lien of the insured mortgage) arising from an improvement or work related to the land which is contracted for and commenced subsequent to Date of Policy and is not financed in whole or in part by proceeds of the indebtedness secured by the insured mortgage which at Date of Policy the insured has advanced or is obligated to advance.
7. Any claim, which arises out of the transaction creating the interest of the mortgagee insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that is based on:
 - (i) the transaction creating the interest of the insured mortgagee being deemed a fraudulent conveyance or fraudulent transfer; or
 - (ii) the subordination of the interest of the insured mortgagee as a result of the application of the doctrine of equitable subordination; or
 - (iii) the transaction creating the interest of the insured mortgagee being deemed a preferential transfer except where the preferential transfer results from the failure:
 - (a) to timely record the instrument of transfer; or
 - (b) of such recordation to impart notice to a purchaser for value or a judgement or lien creditor.

AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY (10-17-92)
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims, or other matters:
 - (a) created, suffered, assumed or agreed to by the insured claimant;

- (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
- (c) resulting in no loss or damage to the insured claimant;
- (d) attaching or created subsequent to Date of Policy; or
- (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the estate or interest insured by this policy.
4. Any claim, which arises out of the transaction vesting in the insured the estate or interest insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that is based on:
 - (i) the transaction creating the estate or interest insured by this policy being deemed a fraudulent conveyance or fraudulent transfer; or
 - (ii) the transaction creating the estate or interest insured by this policy being deemed a preferential transfer except where the preferential transfer results from the failure:
 - (a) to timely record the instrument of transfer; or
 - (b) of such recordation to impart notice to a purchaser for value or a judgement or lien creditor.

The above ALTA policy forms, dated 10-17-92, may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following General Exceptions:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortages in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.

EXHIBIT A
(CONTINUED)

CLTA HOMEOWNER'S POLICY OF TITLE INSURANCE (10-22-03)
ALTA HOMEOWNER'S POLICY OF TITLE INSURANCE (10-22-03)
EXCLUSIONS

In addition to the Exceptions in Schedule B, You are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of any law or government regulation. This includes ordinances, laws and regulations concerning:
 - a. building
 - b. zoning
 - c. Land use
 - d. improvements on Land
 - e. Land division
 - f. environmental protectionThis Exclusion does not apply to violations or the enforcement of these matters if notice of the violation or enforcement appears in the Public Records at the Policy Date.
2. The failure of Your existing structures, or any part of them, to be constructed in accordance with applicable building codes. This Exclusion does not apply to violations of building codes if notice of the violation appears in the Public Records at the Policy Date.
3. The right to take the Land by condemning it, unless:
 - a. notice of exercising the right appears in the Public Records at the Policy Date; or
 - b. the taking happened before the Policy Date and is binding on You if You bought the Land without knowing of the taking.

4. Risks:
 - a. that are created, allowed, or agreed to by You, whether or not they appear in the Public Records;
 - b. that are Known to You at the Policy Date, but not to Us, unless they appear in the Public Records at the Policy Date;
 - c. that result in no loss to You; or
 - d. that first occur after the Policy Date - this does not limit the coverage described in Covered Risk 7, 8.d, 22, 23, 24 or 25.
5. Failure to pay value for Your Title.
6. Lack of a right:
 - a. to any Land outside the area specifically described and referred to in paragraph 3 of Schedule A; and
 - b. in streets, alleys, or waterways that touch the Land.This Exclusion does not limit the coverage described in Covered Risk 11 or 18.

LIMITATIONS ON COVERED RISKS

Your insurance for the following Covered Risks is limited on the Owner's Coverage Statement as follows:

* For Covered Risk 14, 15, 16 and 18, Your Deductible Amount and Our Maximum Dollar Limit of Liability shown in Schedule A.

The deductible amounts and maximum dollar limits shown on Schedule A are as follows:

	<u>Your Deductible Amount</u>	<u>Our Maximum Dollar Limit of Liability</u>
Covered Risk 14:	1.00% of Policy Amount or \$ 2,500.00 (Whichever is less)	\$ 10,000.00
Covered Risk 15:	1.00% of Policy Amount or \$ 5,000.00 (Whichever is less)	\$ 25,000.00
Covered Risk 16:	1.00% Of Policy Amount or \$ 5,000.00 (Whichever is less)	\$ 25,000.00
Covered Risk 18:	1.00% Of Policy Amount or \$ 2,500.00 (Whichever is less)	\$ 5,000.00

ALTA EXPANDED COVERAGE RESIDENTIAL LOAN POLICY (10/13/01)
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the Land; (ii) the character, dimensions or location of any improvements now or hereafter erected on the Land; (iii) a separation in ownership or a change in the dimensions or areas of the Land or any parcel of which the Land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the Land has been recorded in the Public Records at Date of Policy. This exclusion does not limit the coverage provided under Covered Risks 12, 13, 14, and 16 of this policy.
- (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the Land has been recorded in the Public Records at Date of Policy. This exclusion does not limit the coverage provided under Covered Risks 12, 13, 14, and 16 of this policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the Public Records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
 - (a) created, suffered, assumed or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (this paragraph does limit the coverage provided under Covered Risks 8, 16, 18, 19, 20, 21, 22, 23, 24, 25 and 26); or
 - (e) resulting in loss or damage which would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.

4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of the Insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with applicable doing business laws of the state in which the Land is situated.
5. Invalidity or unenforceability of the lien of the Insured Mortgage, or claim thereof, which arises out of the transaction evidenced by the Insured Mortgage and is based upon usury, except as provided in Covered Risk 27, or any consumer credit protection or truth in lending law.
6. Real property taxes or assessments of any governmental authority which become a lien on the Land subsequent to Date of Policy. This exclusion does not limit the coverage provided under Covered Risks 7, 8(a) and 28.
7. Any claim of invalidity, unenforceability or lack of priority of the lien of the Insured Mortgage as to advances or modifications made after the Insured has Knowledge that the vestee shown in Schedule A is no longer the owner of the estate or interest covered by this policy. This exclusion does not limit the coverage provided in Covered Risk 8.
8. Lack of priority of the lien of the Insured Mortgage as to each and every advance made after Date of Policy, and all interest charged thereon, over liens, encumbrances and other matters affecting the title, the existence of which are Known to the Insured at:
 - (a) The time of the advance; or
 - (b) The time a modification is made to the terms of the Insured Mortgage which changes the rate of interest charged, if the rate of interest is greater as a result of the modification than it would have been before the modification. This exclusion does not limit the coverage provided in Covered Risk 8.
9. The failure of the residential structure, or any portion thereof to have been constructed before, on or after Date of Policy in accordance with applicable building codes. This exclusion does not apply to violations of building codes if notice of the violation appears in the Public Records at Date of Policy.

Notice

You may be entitled to receive a \$20.00 discount on escrow services if you purchased, sold or refinanced residential property in California between May 19, 1995 and November 1, 2002. If you had more than one qualifying transaction, you may be entitled to multiple discounts.

If your previous transaction involved the same property that is the subject of your current transaction, you do not have to do anything; the Company will provide the discount, provided you are paying for escrow or title services in this transaction.

If your previous transaction involved property different from the property that is the subject of your current transaction, you must inform the Company of the earlier transaction, provide the address of the property involved in the previous transaction, and the date or approximate date that the escrow closed to be eligible for the discount.

Unless you inform the Company of the prior transaction on property that is not the subject of this transaction, the Company has no obligation to conduct an investigation to determine if you qualify for a discount. If you provide the Company information concerning a prior transaction, the Company is required to determine if you qualify for a discount.

Effective through November 1, 2014

Fidelity National Financial Group of Companies' Privacy Statement

July 1, 2001

We recognize and respect the privacy expectations of today's consumers and the requirements of applicable federal and state privacy laws. We believe that making you aware of how we use your non-public personal information ("Personal Information"), and to whom it is disclosed, will form the basis for a relationship of trust between us and the public that we serve. This Privacy Statement provides that explanation. We reserve the right to change this Privacy Statement from time to time consistent with applicable privacy laws.

In the course of our business, we may collect Personal Information about you from the following sources:

- From applications or other forms we receive from you or your authorized representative;
- From your transactions with, or from the services being performed by, us, our affiliates, or others;
- From our internet web sites;
- From the public records maintained by governmental entities that we either obtain directly from those entities, or from our affiliates or others; and
- From consumer or other reporting agencies.

Our Policies Regarding the Protection of the Confidentiality and Security of Your Personal Information

We maintain physical, electronic and procedural safeguards to protect your Personal Information from unauthorized access or intrusion. We limit access to the Personal Information only to those employees who need such access in connection with providing products or services to you or for other legitimate business purposes.

Our Policies and Practices Regarding the Sharing of Your Personal Information

We may share your Personal Information with our affiliates, such as insurance companies, agents, and other real estate settlement service providers. We also may disclose your Personal Information:

- to agents, brokers or representatives to provide you with services you have requested;
- to third-party contractors or service providers who provide services or perform marketing or other functions on our behalf; and
- to others with whom we enter into joint marketing agreements for products or services that we believe you may find of interest.

In addition, we will disclose your Personal Information when you direct or give us permission, when we are required by law to do so, or when we suspect fraudulent or criminal activities. We also may disclose your Personal Information when otherwise permitted by applicable privacy laws such as, for example, when disclosure is needed to enforce our rights arising out of any agreement, transaction or relationship with you.

One of the important responsibilities of some of our affiliated companies is to record documents in the public domain. Such documents may contain your Personal Information.

Right to Access Your Personal Information and Ability to Correct Errors or Request Changes or Deletion

Certain states afford you the right to access your Personal Information and, under certain circumstances, to find out to whom your Personal Information has been disclosed. Also, certain states afford you the right to request correction, amendment or deletion of your Personal Information. We reserve the right, where permitted by law, to charge a reasonable fee to cover the costs incurred in responding to such requests.

All requests must be made in writing to the following address:

Privacy Compliance Officer
Fidelity National Financial, Inc.
601 Riverside Avenue
Jacksonville, FL 32204

Multiple Products or Services

If we provide you with more than one financial product or service, you may receive more than one privacy notice from us. We apologize for any inconvenience this may cause you.

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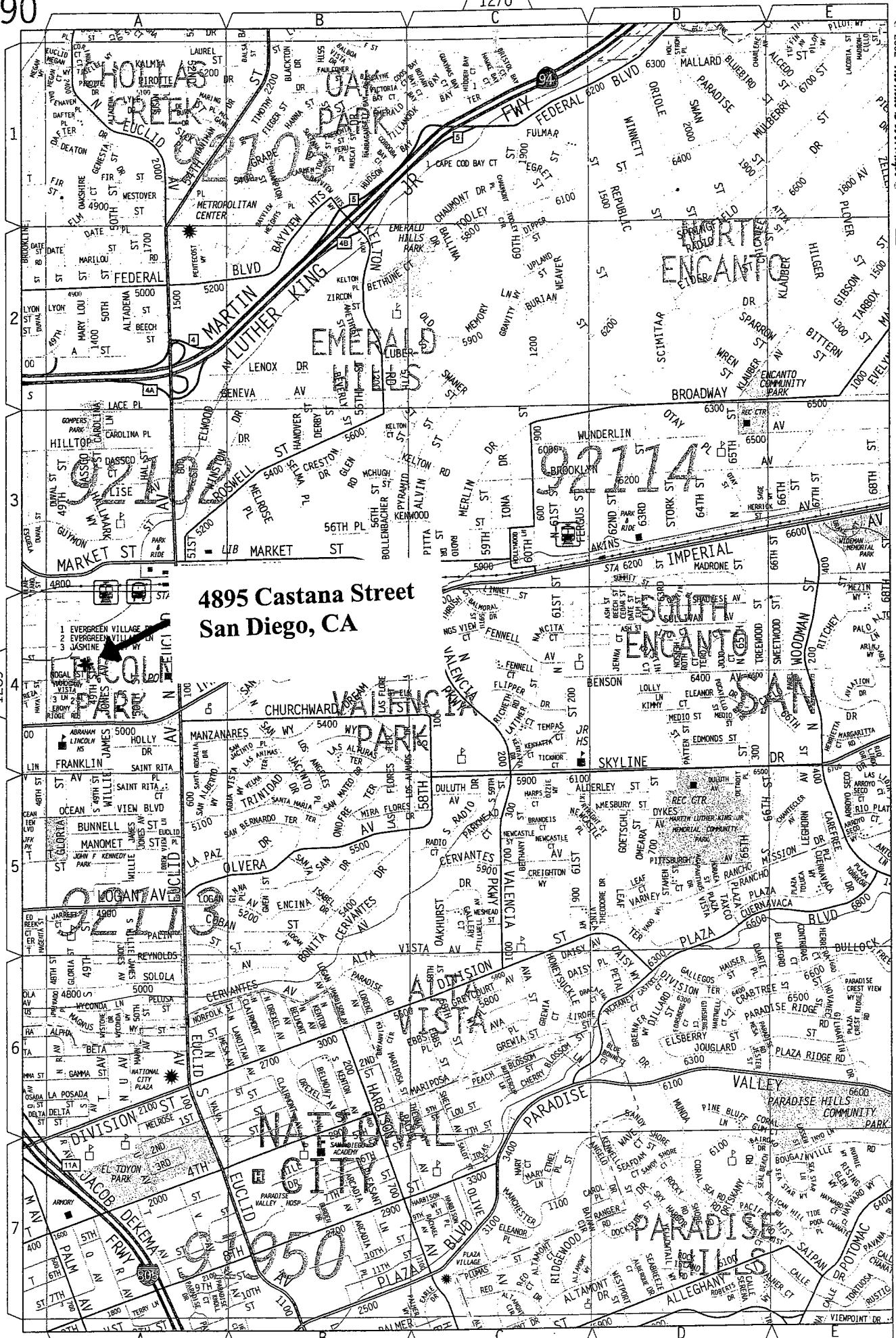
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1290

SEE 1270 MAP

© 2002 Thomas Bros. Maps

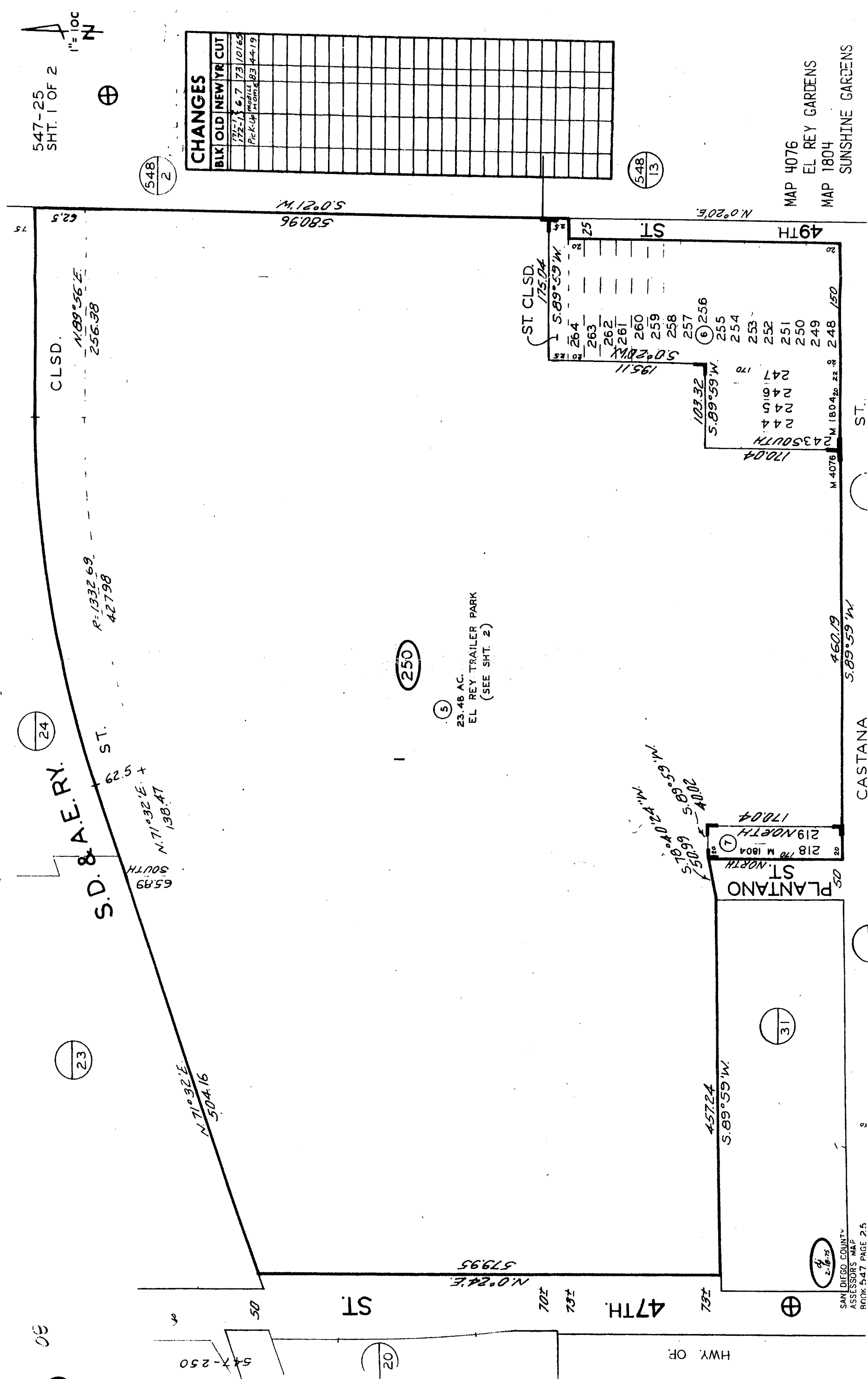
SEE 1289 MAP



4895 Castana Street
San Diego, CA

SEE 1310 MAP

MAP 4076
EL REY GARDENS
MAP 1804
SUNSHINE GARDEN

[illegible]

SECTION 3

Site Conditions

This section describes site conditions and considerations that will influence how this property can be developed and potentially subdivided.

STEEP SLOPES

Based on a preliminary analysis of average slopes using topographic survey provided (see Appendix D), it appears that the site is exempt from the steep hillside regulations as indicated per slope analysis performed on the site (see Appendix G). Steep slope lands are defined by the City of San Diego as "lands having a natural gradient of 25% or more and a minimum rise of 50 feet and/or having a natural gradient of at least 200% and a vertical elevation of at least 10 feet." This site does not contain any of the above two situations.

Furthermore, per the Southeastern San Diego Community Plan Policy on "Slope Development" (See Appendix B), areas with hills and canyons and effort shall be made to retain these areas in their natural condition.

ACCESS ROADS

Legal access to the property is via 49th Street right-of-way to the east and from the Castana Street to the south.

SECTION 2

Land Use

GENERAL PLAN

The City of San Diego regulates land uses by its adopted General Plan, Zoning Ordinance and other development regulations. The subject property falls within the Southeastern Encanto Neighborhood Community Plan.

ZONING

Based on the current official zoning the property is zoned as the Southeast San Diego Planned District: MF 3000, which is Residential Multi Family, density allowed is a maximum dwelling unit per net acre of 14.52, and minimum required land area per dwelling unit of 3,000 square feet. Additionally, per table II of section 103.1706 the minimum lot area is 6,000 square feet, with 60 feet street frontage, 60 feet interior width, 62 feet corner width, and minimum depth of 100 feet. The City of San Diego does have special regulations assigned for this property: brush zone, sensitive vegetation, flood zone and steep hillside regulations.

SECTION 3

Site Conditions

This section describes site conditions and considerations that will influence how this property can be developed and potentially subdivided.

STEEP SLOPES

Based on a preliminary analysis of average slopes using topographic survey provided (see Appendix D), it appears that the site is exempt from the steep hillside regulations as indicated per slope analysis performed on the site (see Appendix G). Steep slope lands are defined by the City of San Diego as “lands having a natural gradient of 25% or more and a minimum rise of 50 feet and/or having a natural gradient of at least 200% and a vertical elevation of at least 10 feet.” This site does not contain any of the above two situations.

Furthermore, per the Southeastern San Diego Community Plan Policy on “Slope Development” (See Appendix B), areas with hills and canyons and effort shall be made to retain these areas in their natural condition.

ACCESS ROADS

Legal access to the property is via 49th Street right-of-way to the east and from the Castana Street to the south.

Topo - 4895 Castana

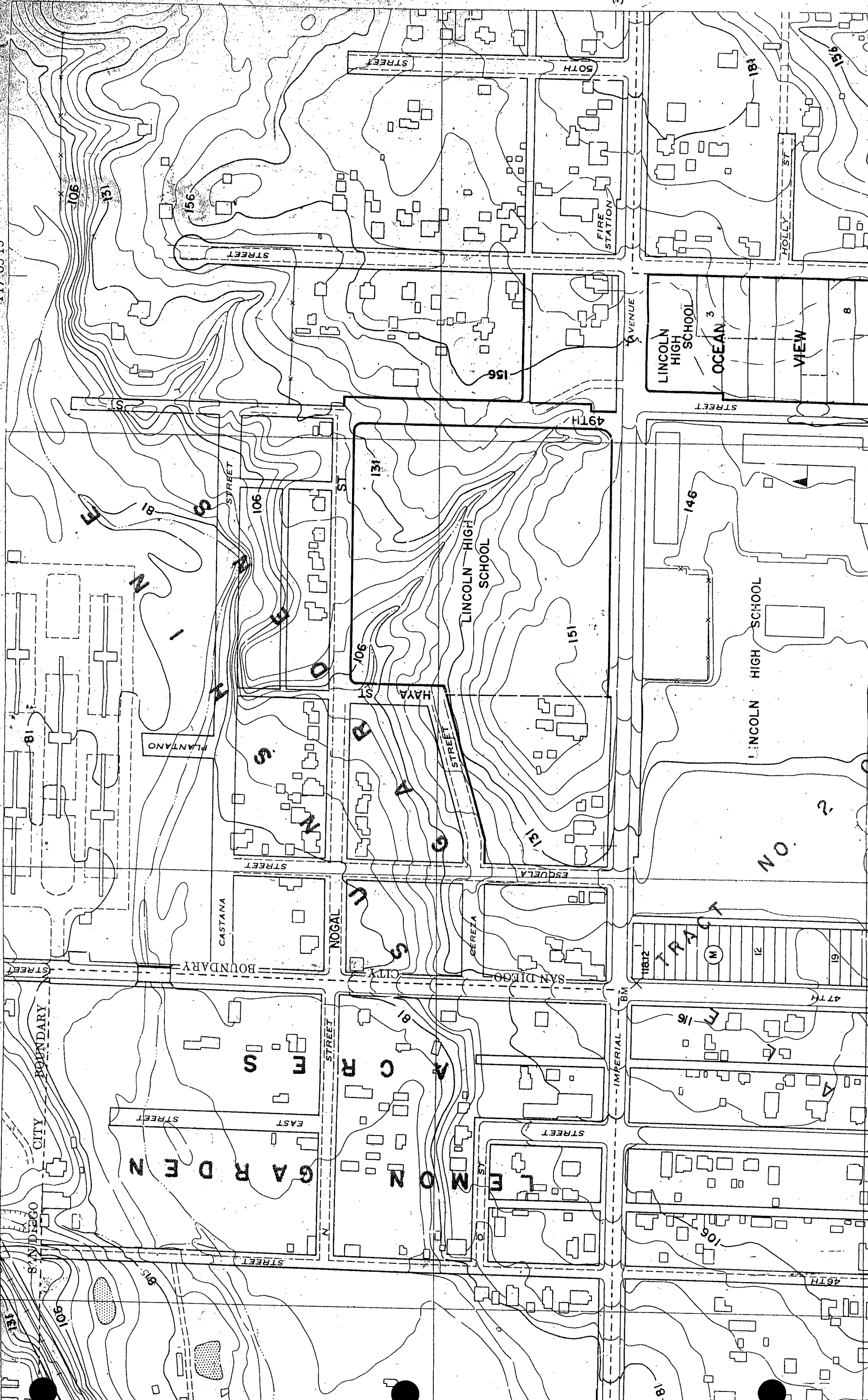
TOPO

05'30"

117°05'15"

05'45"

32°42'



UTILITIES

Potable Water

The existing property does not have potable water service. Services to any proposed subdivision on this site would likely be connected to the mains located on 49th Street. There are two existing water mains on 49th Street, 6-inch asphalt concrete and 10-inch respectively. The connection point is located approximately 300 feet from the proposed site. Both the 6-inch and 10-inch water mains are part of the 390 potable water pressure zone. Figure 3-1 shows the existing water mains in the vicinity.

Sewer

If the property is to be subdivided, the City of San Diego will require the developer to provide public sewer service to each new parcel. The public sewer system in this area is owned and operated by the city's Metropolitan Wastewater Department.

Generally, the preferred alternative for providing sewer service is as a gravity flowing system, and therefore, proposed pad elevations will be determined by sewerage requirements. Options to connect to the public sewer include (1) extending the sewer main in 49th Street approximately 200 feet from the proposed site (Figure 3-2) or (2) connect to the existing 21-inch main located in an easement and in the Chollas Creek. The second alternative if allowable will require disturbing sensitive vegetation and major coordination with FEMA and the Army Corps of Engineers as well as the City of San Diego.

Storm Water

The existing topography generally slopes to the north. The subject property drains into a natural creek named Chollas Creek. If the subject property is subdivided and developed, this will increase the amount of impervious area (roofs, driveways, hardscapes, etc.). With this increase in impervious area, the runoff from storm events will likely increase as compared to the pre-developed condition, and the City of San Diego will require detailed drainage studies (hydrology and hydraulics) to understand any impacts to downstream conditions. Storm drain facilities, including curb and gutter, pipe, brow ditches and possibly detention basins may be needed to convey stormwater runoff and protect downstream properties, facilities and watercourses.

WATER

GARDENS

ER PARK)

4076

R.O.S.

11819

LOT 41

HORTON'S PURCHASE

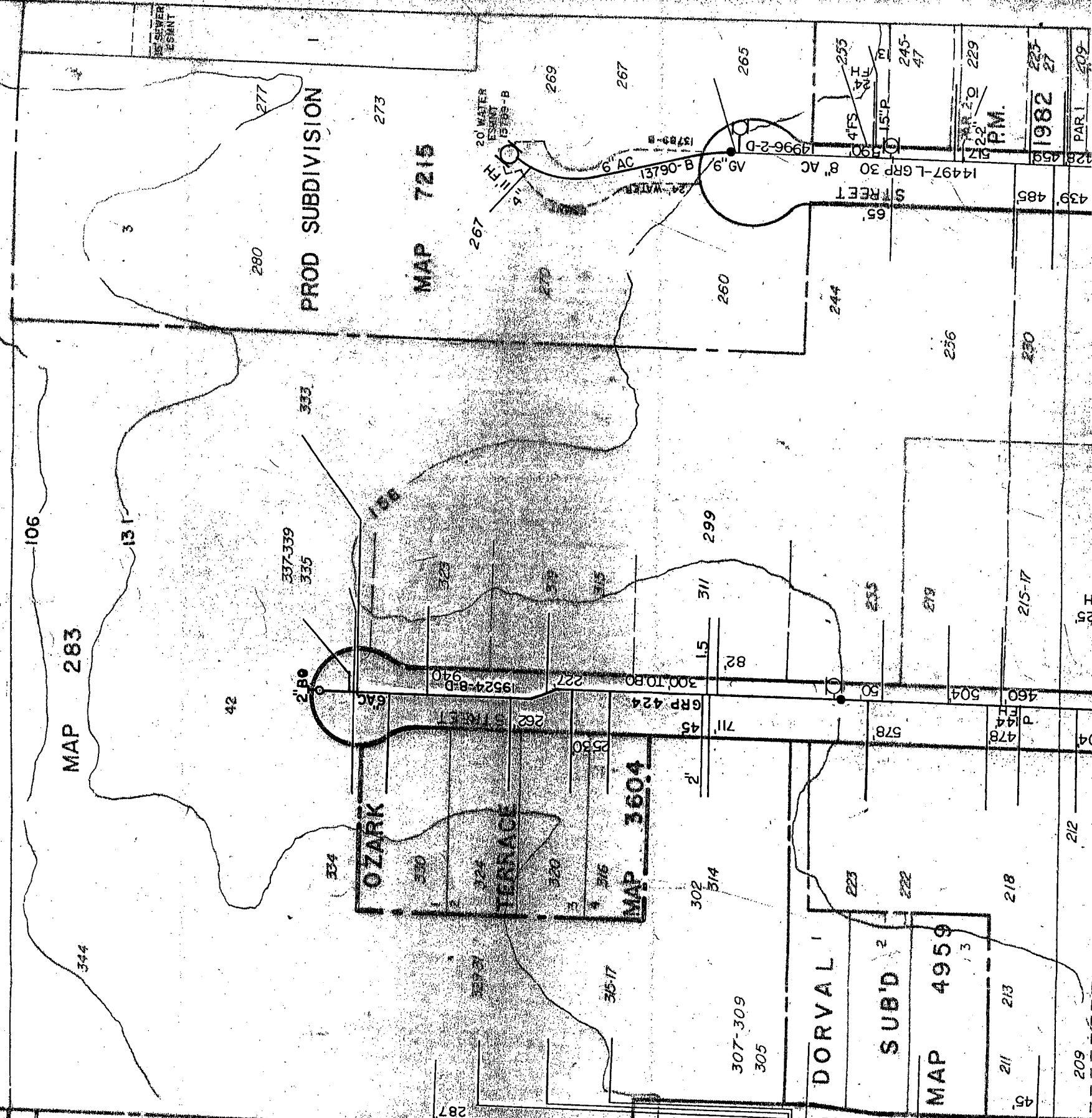
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247	246	245	244	243	242	241	240	239	238	237	236	235	234	233	232	231	230

CASTANA ST

151	152	153	154	155	156	157	158	159	160	161	162	163	164	165	166	167	168	169	170	171	172	173	174	175	176	177	178	179	180	181	182	183	184	185	186	187	188	189	190	191	192	193	194	195	196	197	198	199	200	201	202	203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220	221	222	223	224	225	226	227	228	229	230	231	232	233	234	235	236	237	238	239	240	241	242	243	244	245	246	247	248	249	250	251	252	253	254	255	256	257	258	259	260	261	262	263	264
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NOGAL

HORTON'S PURCHASE



OZARK

TERRACE

DORVAL

SUB'D

MAP 4959

PROD SUBDIVISION

MAP 7215

DET "B"

ST

PAR 1

1982

P.M.

229

245-47

253

4FS

15" P

1497-L GRP 30

8" AC

14996-2-D

13783-H

13783-H

13783-H

13783-H

13783-H

13783-H

13783-H

13783-H

13783-H

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13783-H

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13783-H

13783-H

13783-H

13783-H

Dewey Astang

GARDENS

ER PARK)

4076

R.O.S.

11819

LOT 41

HORTON'S PURCHASE

1003-D

MAP 4959

STREET

21" VC

10'-1E-14.20'

21" VC

81

566.23'

101.20'

3 ROCK BED.

STREET

220'-8" VC

10'-1E-122.00'

8" VC

7'-1E-118.68'

8" VC

237.42'

175.00'

8" VC

237.42'

175.00'

8" VC

237.42'

175.00'

8" VC

237.42'

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237.42'

175.00'

8" VC

237.42'

175.00'

8" VC

237.42'

175.00'

8" VC

237.42'

OZARK

A10432

STREET

6" VC

369.52'

318MH

157.25'

606.54'

3" INS.

323

319

315

311

206 MH

318MH

157.25'

606.54'

3" INS.

323

319

315

311

TERRACE

A10432

STREET

6" VC

369.52'

318MH

157.25'

606.54'

3" INS.

323

319

315

311

206 MH

318MH

157.25'

606.54'

3" INS.

323

319

315

311

MAP 3604

A10432

STREET

6" VC

369.52'

318MH

157.25'

606.54'

3" INS.

323

319

315

311

206 MH

318MH

157.25'

606.54'

3" INS.

323

319

315

311

DORVAL

STREET

6" VC

235.13'

10'-1E-152.50'

6" VC

6741-L

9" MH

215'

1E-147.12'

1E-141.69'

6" VC

235.13'

10'-1E-152.50'

6" VC

6741-L

9" MH

215'

1E-147.12'

1E-141.69'

6" VC

235.13'

10'-1E-152.50'

6" VC

6741-L

9" MH

SUB'D

2

STREET

6" VC

235.13'

10'-1E-152.50'

6" VC

6741-L

9" MH

215'

1E-147.12'

1E-141.69'

6" VC

235.13'

10'-1E-152.50'

6" VC

6741-L

9" MH

215'

1E-147.12'

1E-141.69'

6" VC

235.13'

10'-1E-152.50'

6" VC

6741-L

MAP 4959

A10432

STREET

6" VC

235.13'

10'-1E-152.50'

6" VC

6741-L

9" MH

215'

1E-147.12'

1E-141.69'

6" VC

235.13'

10'-1E-152.50'

6" VC

6741-L

9" MH

215'

1E-147.12'

1E-141.69'

6" VC

235.13'

10'-1E-152.50'

6" VC

6741-L

HORTON'S PURCHASE

SUB'D

2

STREET

6" VC

235.13'

10'-1E-152.50'

6" VC

6741-L

9" MH

215'

1E-147.12'

1E-141.69'

6" VC

235.13'

10'-1E-152.50'

6" VC

6741-L

9" MH

215'

1E-147.12'

1E-141.69'

6" VC

235.13'

10'-1E-152.50'

6" VC

6741-L

MAP 4959

A10432

STREET

6" VC

235.13'

10'-1E-152.50'

6" VC

6741-L

9" MH

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1E-141.69'

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235.13'

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6" VC

6741-L

9" MH

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1E-141.69'

6" VC

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6" VC

6741-L

MAP 4959

A10432

STREET

6" VC

235.13'

10'-1E-152.50'

6" VC

6741-L

9" MH

215'

1E-147.12'

1E-141.69'

6" VC

235.13'

10'-1E-152.50'

6" VC

6741-L

9" MH

215'

1E-147.12'

1E-141.69'

6" VC

235.13'

10'-1E-152.50'

6" VC

6741-L

BIOLOGICAL RESOURCES

The property falls within the Southeastern San Diego Community Plan – The Neighborhood Lincoln Park. The objective of the Neighborhood Lincoln Park plan is to preserve hills and canyons in this area. Development projects in this area must be found to be in conformance and provide mitigation measures if areas of sensitive habitat are proposed to be disturbed. At this time, no biological studies have been performed on this site. It is recommended that biological studies be performed to understand the constraints and potential impacts that the protection of sensitive habitats may have to the development of this site see Appendix E for a proposal to conduct the biological study).

TRAFFIC

If the site is developed, this will result in an increase in traffic generated from this property. As a condition of approval of any subdivision map, the city will require a traffic study to identify the potential increased traffic generated by future development.

FLOOD ZONE

The proposed site is partially under the flood zone, refer to the exhibit provided on Appendix F. If future development is considered for this site options to developed the site include (1) stay outside the flood zone limit line as shown on the exhibit in Appendix G and have no impact to the areas protected by the Army Corps of Engineers and the Federal Emergency Management Agency (FEMA) or (2) mitigate with the Army Corps of Engineers and FEMA and be subject to their regulatory guidelines and having a cost of approximately \$45,000 to process and obtain permits.

SECTION 4

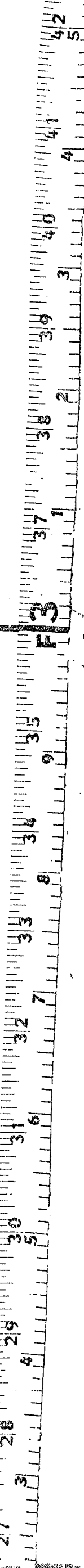
Development Considerations

SUBDIVISION OF LAND

Based on an initial analysis of the site conditions and our understanding of applicable development regulations, it appears that the property may be subdivided into multiple parcels, as depicted by zoning of 14.52 dwelling units per net acre or by meeting residential lots with a minimum lot size of 6,000 square feet. Detailed studies, including a biological study to determine if there are sensitive species which need to be protected on the property along with a topographic survey and detailed slope analysis, may influence the number of lots and developable area. According to Map No. 1804, legal lots already exist for this parcel (See Appendix I). Figure 4-1 provides a preliminary schematic illustrating possible lot layout. Lot layout is approximate and will need to be adjusted based on additional analysis of the sewer connection and environmental adjustments to gain more width on the lots and not go through the vigorous tentative parcel map process.

MICROFILMED AT

15:1 REDUCTION



1804-Sheet 2

See Sheet No. 1

N. 1402.6
E. 655.0

Freso

Castana

Plantano

St.

St.

St.

St.

St.

St.

St.

St.

St.

St.

St.

St.

St.

194	160	195	161	196	162	197	163	198	164	199	165	200	166	201	167	202	168	203	169	204	170	205	171	206	172	207	173	208	174	209	175	210	176	211	177	212	178	213	179	214	180	215	181	216	182	217	183	218	184	219	185	220	186	221	187	222	188	223	189	224	190	225	191	226	192	227	193	228	194	229	195	230	196	231	197	232	198	233	199	234	200	235	201	236	202	237	203	238	204	239	205	240	206	241	207	242	208	243	209	244	210	245	211	246	212	247	213	248	214	249	215	250	216	251	217	252	218	253	219	254	220	255	221	256	222	257	223	258	224	259	225	260	226	261	227	262	228	263	229	264	230	265	231	266	232	267	233	268	234	269	235	270	236	271	237	272	238	273	239	274	240	275	241	276	242	277	243	278	244	279	245	280	246	281	247	282	248	283	249	284	250	285	251	286	252	287	253	288	254	289	255	290	256	291	257	292	258	293	259	294	260	295	261	296	262	297	263	298	264	299	265	300	266	301	267	302	268	303	269	304	270	305	271	306	272	307	273	308	274	309	275	310	276	311	277	312	278	313	279	314	280	315	281	316	282	317	283	318	284	319	285	320	286	321	287	322	288	323	289	324	290	325	291	326	292	327	293	328	294	329	295	330	296	331	297	332	298	333	299	334	300	335	301	336	302	337	303	338	304	339	305	340	306	341	307	342	308	343	309	344	310	345	311	346	312	347	313	348	314	349	315	350	316	351	317	352	318	353	319	354	320	355	321	356	322	357	323	358	324	359	325	360	326	361	327	362	328	363	329	364	330	365	331	366	332	367	333	368	334	369	335	370	336	371	337	372	338	373	339	374	340	375	341	376	342	377	343	378	344	379	345	380	346	381	347	382	348	383	349	384	350	385	351	386	352	387	353	388	354	389	355	390	356	391	357	392	358	393	359	394	360	395	361	396	362	397	363	398	364	399	365	400	366	401	367	402	368	403	369	404	370	405	371	406	372	407	373	408	374	409	375	410	376	411	377	412	378	413	379	414	380	415	381	416	382	417	383	418	384	419	385	420	386	421	387	422	388	423	389	424	390	425	391	426	392	427	393	428	394	429	395	430	396	431	397	432	398	433	399	434	400	435	401	436	402	437	403	438	404	439	405	440	406	441	407	442	408	443	409	444	410	445	411	446	412	447	413	448	414	449	415	450	416	451	417	452	418	453	419	454	420	455	421	456	422	457	423	458	424	459	425	460	426	461	427	462	428	463	429	464	430	465	431	466	432	467	433	468	434	469	435	470	436	471	437	472	438	473	439	474	440	475	441	476	442	477	443	478	444	479	445	480	446	481	447	482	448	483	449	484	450	485	451	486	452	487	453	488	454	489	455	490	456	491	457	492	458	493	459	494	460	495	461	496	462	497	463	498	464	499	465	500	466	501	467	502	468	503	469	504	470	505	471	506	472	507	473	508	474	509	475	510	476	511	477	512	478	513	479	514	480	515	481	516	
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REGULATORY REQUIREMENTS AND PROCEDURES

Tentative Map

A parcel can be legally subdivided with the recordation of a Parcel Map for four or fewer parcels or a Subdivision Map for five or more parcels. Prior to recordation of a Parcel or Subdivision Map, a Tentative Map showing the proposed lot layout, grading, access, utilities, easements and other pertinent information must be processed and approved by the City of San Diego. Several requirements including planning level environmental and engineering studies will be required to support the Tentative Map.

The City of San Diego may take one to three years to process and make a final decision to approve, conditionally approve, or disapprove the tentative map. Environmental studies typically drive the project schedule and it is recommended that these be completed early in the process. The City of San Diego also requires compliance with their Standard Urban Stormwater Mitigation Plan (SUSMP) that regulates storm water quality in an effort to manage and minimize pollutants discharges and flows from development. A Storm Water Management Plan will be required at the time of application for a tentative map to subdivide the property. A copy of the City's Applicant's Guide for Tentative Parcel Map and Tentative (Subdivision) Map detailing the requirements for processing is included as Appendix H.

Metropolitan Wastewater Department

In order to connect to the public sewer as required by the City of San Diego with the subdivision of land, the property is required to annex to the local agency. City staff recommends a preliminary review meeting so that city staff have a chance to review and comment on the proposed development.

Water Department

Development approvals for water service require processing through Water Department (WD). WD staff indicated that required improvements could include installing fire hydrants or interconnecting the water systems from 49th Street.

FAX TRANSMISSION

Project Direct Corporation**350 West Ash Street, Suite 105****San Diego, CA 92101****(619) 231-2001****Fax: (619) 231-2002**

CONFIDENTIAL

To:	Joel w/ CVALDO Corporation	Date:	July 5, 2006
Fax #:	858 866-0131	Pages:	11 including this cover sheet.
From:	Chance Kwan	Time:	Approximately 2:00 pm
Subject:	APN #: 547-250-06		

COMMENTS:

Please here find a preliminary report from Fidelity National Title Company

WARNING:

The information contained in this facsimile message is confidential and may be attorney privileged, intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone. Thank you.

**Fidelity National Title Company**

5060 Shoreham Place, Suite 130 • San Diego, CA 92122
(858) 457-7147 • FAX (858) 457-2390

PRELIMINARY REPORT

ESCROW OFFICER: Hilary Medina
TITLE OFFICER: Tina Whirlow / (619-725-2236)

ORDER NO.: 06-2666295

LOAN NO.:

TO: Ocean Mortgage
11455 El Camino Real #120
San Diego, CA 92130

ATTN: Rob Peelman
YOUR REFERENCE: 8853797

SHORT TERM RATE: Yes

PROPERTY ADDRESS: vacant land known as 547-250-06, San Diego, California

EFFECTIVE DATE: April 11, 2006, 07:30 A.M.

The form of Policy or Policies of title insurance contemplated by this report is:

American Land Title Association Loan Policy (10-17-92) with A.L.T.A. Form 1 Coverage

1. THE ESTATE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED OR REFERRED TO COVERED BY THIS REPORT IS:

A Fee

2. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:

Thong Phanh Soyseangvane, a married man as his sole and separate property

3. THE LAND REFERRED TO IN THIS REPORT IS SITUATED IN THE CITY OF SAN DIEGO, IN THE COUNTY OF , STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

SEE EXHIBIT "ONE" ATTACHED HERETO AND MADE A PART HEREOF

LAB\LAB 04/19/2006

Order No. 06-2666295

EXHIBIT "ONE"

Lots 243 to 264 inclusive, of Sunshine Gardens, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 1804, filed in the Office of the County Recorder of San Diego County, August 27, 1924.

Together with that portion of the South Half of Fresa Street adjoining Lot 264 on the North, as closed to public use by Resolution No. 93364, Recorded 4/12/49.

Assessor's Parcel No: 547-250-06

Order No. 06-2666295

AT THE DATE HEREOF, ITEMS TO BE CONSIDERED AND EXCEPTIONS TO COVERAGE IN ADDITION TO THE PRINTED EXCEPTIONS AND EXCLUSIONS IN SAID POLICY FORM WOULD BE AS FOLLOWS:

1. **Property taxes**, which are a lien not yet due and payable, including any assessments collected with taxes to be levied for the fiscal year 2006-2007.
2. **The lien of supplemental taxes**, if any, assessed pursuant to the provisions of Chapter 3.5 (Commencing with Section 76) of the Revenue and Taxation code of the State of California.
3. **Easement(s) for the purpose(s) shown below and rights incidental thereto as granted in a document:**

Granted to: The City of San Diego
Purpose: sewer pipelines
Recorded: February 29, 1928, Book 1423, Page 375, of Deeds
Affects: As shown in said document.

Reference is made to said document for full particulars.
4. **Easement(s) for the purpose(s) shown below and rights incidental thereto as granted in a document:**

Granted to: Catalyst Thermal Energy Systems Corporation, a California Corporation
Purpose: to install and maintain patented pipe district heating space and sewer heating system
Recorded: September 1, 1987, Instrument No. 87-496021, of Official Records
Affects: As shown in said document.

Reference is made to said document for full particulars.
5. **The fact that said land is included within a project area of the Redevelopment Agency shown below, and that proceedings for the redevelopment of said project have been instituted under the Redevelopment Law (such redevelopment to proceed only after the adoption of the redevelopment plan) as disclosed by a document.**

Redevelopment Agency: Central Imperial Redevelopment Project Area
Recorded: December 18, 1996, Instrument No. 1996-0628357, of Official Records
6. **Matters which may be disclosed by an inspection and/or by a correct ALTA/ACSM Land Title Survey of said land that is satisfactory to this Company, and/or by inquiry of the parties in possession thereof.**

An inspection of said land has been ordered; upon its completion the Company reserves the right to except additional items and/or make additional requirements.

ITEMS: (Continued)

Order No. 06-2666295

7. In order to complete this report, this Company requires a Statement of Information to be completed by the following party,

Party: Thong Phanh Soysangvane

The Company reserves the right to add additional items or make further requirements after review of the requested Statement(s) of Information.

8. In order to complete this report, this Company requires a Statement of Information to be completed by the following party,

Party: Bounceau Phiaken

The Company reserves the right to add additional items or make further requirements after review of the requested Statement(s) of Information.

END OF ITEMS

- Note 1. There are NO deeds affecting said land, recorded within twenty-four (24) months of the date of this report.

- Note 2. The charge for a policy of title insurance, when issued through this title order, will be based on the Short Term Rate.

- Note 3. Property taxes for the fiscal year shown below are PAID. For proration purposes the amounts are:

APN:	547-250-06
Fiscal year	2006-2006
1st Installment:	\$1,178.86 PAID
2nd Installment:	\$1,178.86 PAID
Exemption:	\$None
Land:	\$208,635.00
Improvements:	\$0.00
Personal Property:	\$None
Code Area:	08243

- Note 4. If property taxes are posted paid less than 45 days from the issuance of the policy contemplated by this report, the Company will hold the amount of the tax, plus delinquency and penalty until verification of payment is received. If verification has not been received within 45 days of the issuance of the policy contemplated, the Company will pay the taxes due. If property taxes have been paid through an impound account and we are furnished written confirmation of same or you can provide a copy of the canceled check, this requirement may be waived.

If a monthly payment for any deed of trust to be paid in full is made less than 30 days from the issuance of the policy contemplated by this report, the Company will hold an amount equal to that payment until verification of payment is received from the lender. If verification has not been received within 30 days of the issuance of the policy contemplated, the funds held will be forwarded to the lender. If a canceled check or other form of proof of payment can be furnished, this requirement may be waived.

(ITEMS: (Continued))

Order No. 06-2666295

- Note 5. NOTE: The current owner does NOT qualify for the \$20.00 discount pursuant to the coordinated stipulated judgment entered in actions filed by both the Attorney General and private class action plaintiffs for the herein described property.
- Note 6. Section 12413.1, California Insurance Code became effective January 1, 1990. This legislation deals with the disbursement of funds deposited with any title entity acting in an escrow or subescrow capacity. The law requires that all funds be deposited and collected by the title entity's escrow and/or subescrow account prior to disbursement of any funds. Some methods of funding may subject funds to a holding period which must expire before any funds may be disbursed. In order to avoid any such delays, all fundings should be done through wire transfer, certified check or checks drawn on California financial institutions.
- Note 7. The charge where an order is cancelled after the issuance of the report of title, will be that amount which in the opinion of the Company is proper compensation for the services rendered or the purpose for which the report is used, but in no event shall said charge be less than the minimum amount required under Section 12404.1 of the Insurance Code of the State of California. If the report cannot be cancelled "no fee" pursuant to the provisions of said Insurance Code, then the minimum cancellation fee shall be that permitted by law.
- Note 8. California Revenue and Taxation Code Section 18662, effective January 1, 1994 and by amendment effective January 1, 2003, provides that the buyer in all sales of California Real Estate may be required to withhold 3 and 1/3% of the total sales price as California State Income Tax, subject to the various provisions of the law as therein contained.

EXHIBIT A

AMERICAN LAND TITLE ASSOCIATION
RESIDENTIAL TITLE INSURANCE POLICY (6-1-87) EXCLUSIONS

In addition to the Exclusions in Schedule B, you are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental action, power, and the existence or violation of any law or governmental regulation. This includes building and zoning ordinances and state laws and regulations concerning:
 - a. land use
 - b. improvement on the land
 - c. land division
 - d. environmental protection

This exclusion does not apply to violations or the enforcement of these matters which appear in the public records at policy date.

This exclusion does not limit the amount coverage described in Items 12 and 13 of Covered Title Rites.

2. The right to use the land by encumbrance, defect, or other matter:
 - a. a notice of exception in the public records on the Policy Date
 - b. the taking happened prior to the Policy Date and is binding on you if you bought the land without knowledge of the taking

8. Title Rites:

- a. that are created, allowed, or agreed to by you
- b. that are known to you, but not to us, on the Policy Date-unless they appeared in the public records
- c. that result in no loss to you
- d. that first affect your title after the Policy Date - this does not limit the limit and material loss coverage in Item 3 of Covered Title Rite

9. Failure to pay value for your title.

10. Loss of a right:

- a. to any land outside the area specifically described and referred to in Item 2 of Schedule A
- b. in streets, alleys, or waterways that touch your land

This exclusion does not limit the access coverage in Item 3 of Covered Title Rite.

In addition to the Exclusions, you are not insured against loss, costs, attorneys' fees, and the expenses resulting from:

1. Any right, interest, or claim of parties in possession of the land not shown by the public records.
2. Any easement or right not shown by the public records. This does not limit the loss coverage in Item 3 of Covered Title Rite.

3. Any facts about the land which a correct survey would disclose and which are not shown by the public records. This does not limit the (a) loss coverage in Item 12 of Covered Title Rite.

4. Any water right or claim or title as upper in or under the land, whether or not shown by the public records.

CALIFORNIA LAND TITLE ASSOCIATION STANDARD COVERAGE POLICY - 1990
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation of interests or a change in the dimensions or area of the land or any detail of which the land is or was a part or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien, or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
- (b) Any Governmental action power not excluded by (a) above, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding claim coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, defects, claims, or other matters:

(a) whether or not recorded in the public records at Date of Policy, but created, suffered, assumed or agreed to by the insured claimant

(b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy

(c) resulting in no loss or damage to the insured claimant

(d) attaching or created subsequent to Date of Policy; or

(e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage or for the entire or interest insured by the policy.

4. Unenforceability of the lien of the insured mortgage because of the liability or failure of the insured at Date of Policy, or the liability or failure of any subsequent owner of the indebtedness, to comply with the applicable state business laws of the state in which the land is situated.

5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon equity or any consumer credit protection or truth in lending law.

6. Any claim, which arises out of the transaction vesting in the insured the whole or interest insured by this policy or the transaction creating the interest of the insured lender, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws.

SCHEDULE B, PART I
EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

PART I

1. Taxes or assessments which are not shown as existing taxes by the records of the taxing authority that levies taxes or assessments on real property or by the public records, proceedings by a public agency which may result in taxes or assessments, or notice of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, claims, interests or claims which are not shown by the public records but which could be discovered by an inspection of the land or which may be asserted by persons in possession thereof.

3. Easements, liens or encumbrances, or claims thereof, which are not shown by the public records.

4. Unrecorded, conflict in boundary lines, charitable or legal, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.

5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts sustaining the issuance thereof; (c) water rights, claims or title to water, whether or not the matters mentioned under (a), (b), or (c) are shown by the public records.

EXHIBIT A (CONTINUED)

AMERICAN LAND TITLE ASSOCIATION LOAN POLICY (10-17-82) WITH A.L.T.A. ENDORSEMENT-FORM 1 COVERAGE EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a deprivation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
- (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy:
- (a) resulting in the loss or damage to the insured claimant;
- (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
- (c) resulting in the loss or damage to the insured claimant;
- (d) resulting or created subsequent to Date of Policy (except to the extent that this policy insures the priority of the lien of the insured mortgage over any statutory lien for service, labor or material or to the extent insurance is afforded herein as an endorsement for street improvements under construction or completed at Date of Policy); or
- (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid

value for the insured mortgage.

3. Unenforceability of the lien of the insured mortgage because of the liability or failure of the insured at Date of Policy, in the insolvency, or failure of any subsequent owner at the insolvency, to comply with applicable filing business laws of the state in which the land is situated.
4. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the exception evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
5. Any liability for service, labor or material (or the claim of priority or any statutory lien for service, labor or material over the lien of the insured mortgage) arising from an improvement or work related to the land which is completed for and commenced subsequent to Date of Policy and is not insured in whole or in part by proceeds of the indemnification secured by the insured mortgage which at Date of Policy the insured has advanced or is obligated to advance.
6. Any claim, which arises out of the transaction creating the interest of the mortgage insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that is based on:
- (a) the transaction creating the interest of the insured mortgage being deemed a fraudulent conveyance or fraudulent transfer; or
- (b) the administration of the interest of the insured mortgage or a route of the operation of the doctrine of equitable subrogation; or
- (c) the transaction creating the interest of the insured mortgage being deemed a preferential transfer except where the preferential transfer results from the failure:
- (a) to timely record the instrument of transfer; or
- (b) of such recordation to impart notice to a purchaser for value or a judgment or lien creditor.

AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY (10-17-92) EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a deprivation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
- (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy:
- (a) resulting in the loss or damage to the insured claimant;
- (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
- (c) resulting in the loss or damage to the insured claimant;
- (d) resulting or created subsequent to Date of Policy (except to the extent that this policy insures the priority of the lien of the insured mortgage over any statutory lien for service, labor or material or to the extent insurance is afforded herein as an endorsement for street improvements under construction or completed at Date of Policy); or
- (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid

- (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
- (c) resulting in the loss or damage to the insured claimant;
- (d) resulting or created subsequent to Date of Policy (except to the extent that this policy insures the priority of the lien of the insured mortgage over any statutory lien for service, labor or material or to the extent insurance is afforded herein as an endorsement for street improvements under construction or completed at Date of Policy); or
- (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the estate or interest insured by this policy.
4. Any claim, which arises out of the transaction creating the interest of the insured mortgage or interest insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that is based on:
- (a) the transaction creating the estate or interest insured by this policy being deemed a fraudulent conveyance or fraudulent transfer; or
- (b) the administration of the estate or interest insured by this policy being deemed a preferential transfer except where the preferential transfer results from the failure:
- (a) to timely record the instrument of transfer; or
- (b) of such recordation to impart notice to a purchaser for value or a judgment or lien creditor.

The above ALTA policy forms, dated 10-17-82, may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exclusions from Coverage in a Standard Coverage policy will also include the following General Exclusions:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that would create a lien in rem against the property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notice of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any lease, right, interest or claim which are not shown by the public records but which could be ascertained by an inspection of the land or which may be created by persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, which are not shown by the public records.
4. Overpayments, refunds or benefits from, or other benefits from, or any other benefits which a contract survey would disclose, and which are not shown by the public records.
5. (a) Unperfected mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters covered under (a), (b) or (c) are shown by the public records.

EXHIBIT A (CONTINUED)

CLTA HOMEOWNER'S POLICY OF TITLE INSURANCE (10-22-03) ALTA HOMEOWNER'S POLICY OF TITLE INSURANCE (10-22-03) EXCLUSIONS

In addition to the Exclusions in Schedule B, You are not insured against loss, costs, attorney's fees, and expenses resulting from:

1. Governmental police power, and the abridgment or violation of any law or government regulation. This includes ordinances, laws and regulations concerning:
 - a. building
 - b. zoning
 - c. land use
 - d. improvements on land
 - e. land division
 - f. environmental protection
 2. The Exclusion does not apply to violations or the enforcement of those matters if notice of the violation or enforcement appears in the Public Records at the Policy Date.
 3. This Exclusion does not limit the coverage described in Covered Risk 14, 15, 16, 17 or 18.
 4. The failure of Your existing structures, or any part of them, to be constructed in accordance with applicable building codes. This Exclusion does not apply to violations of building codes if notice of the violation appears in the Public Records at the Policy Date.
 5. The right to take the Land by condemnation, unless:
 - a. notice of exercising the right appears in the Public Records at the Policy Date; or
 - b. the taking happened before the Policy Date and is binding on You if You bought the Land without knowledge of the taking.
 6. Alaska:
 - a. that are enacted, amended, or agreed to by You, whether or not they appear in the Public Records;
 - b. that are known to You at the Policy Date, but not to Us, unless they appear in the Public Records at the Policy Date;
 - c. that result in no loss to You; or
 - d. that first occur after the Policy Date - this does not limit the coverage described in Covered Risk 7, 8, 9, 20, 21, 22 or 23.
 7. Failure to pay value for Your Title.
 8. Lack of a right:
 - a. to any Land outside the area specifically described and referred to in paragraph 8 of Schedule A; and
 - b. in streets, alleys, or waterways that touch the Land.
- The Exclusion does not limit the coverage described in Covered Risk 11 or 18.

LIMITATIONS ON COVERED RISKS

Your insurance for the following Covered Risks is limited on the Owner's Coverage Statement as follows:

* For Covered Risk 14, 15, 16 and 18, Your Deductible Amount and Our Maximum Dollar Limit of Liability shown in Schedule A.

The deductible amounts and maximum dollar limits shown on Schedule A are as follows:

	Your Deductible Amount	Our Maximum Dollar Limit of Liability
Covered Risk 14:	1.00% of Policy Amount or \$ 2,000.00 (whichever is less)	\$ 10,000.00
Covered Risk 15:	1.00% of Policy Amount or \$ 5,000.00 (whichever is less)	\$ 25,000.00
Covered Risk 16:	1.00% of Policy Amount or \$ 5,000.00 (whichever is less)	\$ 25,000.00
Covered Risk 18:	1.00% of Policy Amount or \$ 2,500.00 (whichever is less)	\$ 5,000.00

ALTA EXPANDED COVERAGE RESIDENTIAL LOAN POLICY (10/13/01) EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorney's fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to zoning laws, ordinances, or regulations) restricting, prohibiting or relating to (i) the occupancy, use, or enjoyment of the Land; (ii) the character, dimensions or location of any improvements now or hereafter erected on the Land; (iii) a restriction in ownership or a change in the dimension or use of the Land or any part of which the Land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except as to the extent that a notice of the enforcement thereof or a notice of a default, lien or encumbrance resulting from a violation or alleged violation affecting the Land has been recorded in the Public Records at the Policy Date. This exclusion does not limit the coverage provided under Covered Risks 12, 13, 14, and 15 of this policy.
- (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a default, lien or encumbrance resulting from a violation or alleged violation affecting the Land has been recorded in the Public Records at the Policy Date. This exclusion does not limit the coverage provided under Covered Risks 12, 13, 14, and 15 of this policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the Public Records at the Policy Date, but not excluding from coverage any taking which has occurred prior to the Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
 - (a) created, suffered, assumed or agreed to by the insured claimant;
 - (b) not known to the Company, not recorded in the Public Records at the Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
 - (c) resulting in no loss damage to the insured claimant;
 - (d) attaching or arising subsequent to the Date of Policy (this paragraph does not limit the coverage provided under Covered Risks 6, 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26); or
 - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage.
4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at the Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with applicable doing business laws of the state in which the Land is situated.
5. Inability or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the insolvency or failure of the insured mortgagee and is based upon a claim, subject as provided in Covered Risk 27, of any consumer credit, production or truth in lending law.
6. Real property taxes or assessments of any governmental authority which become a lien on the Land subsequent to the Date of Policy. This exclusion does not limit the coverage provided under Covered Risks 7, 8(a) and 28.
7. Any claim of insolvency, unenforceability or lack of priority of the lien of the insured mortgage as to advances or modifications made after the insured has knowledge that the values shown in Schedule A are no longer the actual value of the subject or interest covered by this policy. This exclusion does not limit the coverage provided in Covered Risk 8.
8. Lack of priority of the lien of the insured mortgage as to each and every advance made after the Date of Policy, and all interest charged thereon, over liens, encumbrances and other matters affecting the title, the existence of which are known to the insured at:
 - (a) The time of the advance; or
 - (b) The time a modification is made to the terms of the insured mortgage which changes the rate of interest charged, if the rate of interest is greater as a result of the modification than it would have been before the modification. This exclusion does not limit the coverage provided in Covered Risk 8.
9. The failure of the residential structure, or any portion thereof to have been constructed before, on or after the Date of Policy in accordance with applicable building codes. This exclusion does not result to violations of building codes if notice of the violation appears in the Public Records at the Date of Policy.

(Rev. 11/17/04)

Notice

You may be entitled to receive a \$20.00 discount on escrow services if you purchased, sold or refinanced residential property in California between May 19, 1995 and November 1, 2002. If you had more than one qualifying transaction, you may be entitled to multiple discounts.

If your previous transaction involved the same property that is the subject of your current transaction, you do not have to do anything; the Company will provide the discount, provided you are paying for escrow or title services in this transaction.

If your previous transaction involved property different from the property that is the subject of your current transaction, you must inform the Company of the earlier transaction, provide the address of the property involved in the previous transaction, and the date or approximate date that the escrow closed to be eligible for the discount.

Unless you inform the Company of the prior transaction on property that is not the subject of this transaction, the Company has no obligation to conduct an investigation to determine if you qualify for a discount. If you provide the Company information concerning a prior transaction, the Company is required to determine if you qualify for a discount.

Effective through November 1, 2014

Fidelity National Financial Group of Companies' Privacy Statement

July 1, 2001

We recognize and respect the privacy expectations of today's consumers and the requirements of applicable federal and state privacy laws. We believe that making you aware of how we use your non-public personal information ("Personal Information"), and to whom it is disclosed, will form the basis for a relationship of trust between us and the public that we serve. This Privacy Statement provides that explanation. We reserve the right to change this Privacy Statement from time to time consistent with applicable privacy laws.

In the course of our business, we may collect Personal Information about you from the following sources:

- From applications or other forms we receive from you or your authorized representative;
- From your transactions with, or from the services being performed by, us, our affiliates, or others;
- From our internet web sites;
- From the public records maintained by governmental entities that we either obtain directly from those entities, or from our affiliates or others; and
- From consumer or other reporting agencies.

Our Policies Regarding the Protection of the Confidentiality and Security of Your Personal Information

We maintain physical, electronic and procedural safeguards to protect your Personal Information from unauthorized access or intrusion. We limit access to the Personal Information only to those employees who need such access in connection with providing products or services to you or for other legitimate business purposes.

Our Policies and Practices Regarding the Sharing of Your Personal Information

We may share your Personal Information with our affiliates, such as insurance companies, agents, and other real estate settlement service providers. We also may disclose your Personal Information:

- to agents, brokers or representatives to provide you with services you have requested;
- to third-party contractors or service providers who provide services or perform marketing or other functions on our behalf; and
- to others with whom we enter into joint marketing agreements for products or services that we believe you may find of interest.

In addition, we will disclose your Personal Information when you direct or give us permission, when we are required by law to do so, or when we suspect fraudulent or criminal activities. We also may disclose your Personal Information when otherwise permitted by applicable privacy laws such as, for example, when disclosure is needed to enforce our rights arising out of any agreement, transaction or relationship with you.

One of the important responsibilities of some of our affiliated companies is to record documents in the public domain. Such documents may contain your Personal Information.

Right to Access Your Personal Information and Ability to Correct Errors or Request Changes or Deletion

Certain states afford you the right to access your Personal Information and, under certain circumstances, to find out to whom your Personal Information has been disclosed. Also, certain states afford you the right to request correction, amendment or deletion of your Personal Information. We reserve the right, where permitted by law, to charge a reasonable fee to cover the costs incurred in responding to such requests.

All requests must be made in writing to the following address:

Privacy Compliance Officer
Fidelity National Financial, Inc.
601 Riverside Avenue
Jacksonville, FL 32204

Multiple Products or Services

If we provide you with more than one financial product or service, you may receive more than one privacy notice from us. We apologize for any inconvenience this may cause you.



THE CITY OF SAN DIEGO

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Development Services

Official Zoning Map

Validation by Address

Results for: 4895 CASTANA ST

Zone(s) per Official Zoning Map:

Name	Abbreviated Name	
SOUTHEAST SAN DIEGO PLANNED DISTRICT:MF-3000	SESDPD-MF-3000	More Info

Map Sheets:

Map Sheet Index Nbr	Map Image
16	View Map Image

Results as of May 31, 2006

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Parcel Information Report



THE CITY OF SAN DIEGO

Development Services

1222 First Avenue, San Diego, CA 92101-4154

5/30/2006 11:18:01

Report Number 101

Page 1 of 3



North

182 feet

Scale Is Approximate

Layers Included In Report

Description	Visible	Transparent	Has Intersecting Features
Roads	<input checked="" type="checkbox"/>		No
Freeways	<input checked="" type="checkbox"/>		No
Parcels	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Yes
Addresses	<input type="checkbox"/>		Yes
Base Zones ("Official Zoning Map")	<input type="checkbox"/>	<input type="checkbox"/>	Yes
Community Plan	<input type="checkbox"/>	<input type="checkbox"/>	Yes
Orthophotos (1999)	<input type="checkbox"/>		No
Coastal Overlay Zone (Permit Jurisdictions)	<input type="checkbox"/>	<input type="checkbox"/>	No
Brush Zones with 300 Foot Buffer	<input type="checkbox"/>	<input type="checkbox"/>	Yes
Airport Runways	<input type="checkbox"/>	<input type="checkbox"/>	No
Thomas Brothers	<input type="checkbox"/>	<input type="checkbox"/>	Yes
Nquist-Priolo Earthquake Fault Zone	<input type="checkbox"/>	<input type="checkbox"/>	No
CZSS: Coast Zone Boundary	<input type="checkbox"/>	<input type="checkbox"/>	No
CZSS: Geologic Hazard	<input type="checkbox"/>	<input type="checkbox"/>	No
Earthquake Fault Buffers	<input type="checkbox"/>	<input type="checkbox"/>	No
Geologic Hazards X	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Yes
MSCP Vegetation	<input type="checkbox"/>	<input type="checkbox"/>	Yes
Multiple Habitat Planning Area	<input type="checkbox"/>	<input type="checkbox"/>	No
Sensitive Coastal Overlay Zone	<input type="checkbox"/>	<input type="checkbox"/>	No
Sensitive Vegetation	<input type="checkbox"/>	<input type="checkbox"/>	Yes
Slopes 25% or greater (1999)	<input type="checkbox"/>	<input type="checkbox"/>	Yes
Pools	<input type="checkbox"/>	<input type="checkbox"/>	No

Every reasonable effort has been made to assure the accuracy of this map. However, neither the SanGIS participants nor San Diego Data Processing Corporation assume any liability arising from its use.

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Intersecting Features

Parcel Information Report



THE CITY OF SAN DIEGO

Development Services

1222 First Avenue, San Diego, CA 92101-4154

5/30/2006 11:18:01

Report Number 101

Page 2 of 3

Parcels

	Recordation	Owner Information	Valuation	Other
547-250-0600	Record: 370455 Date: 6/5/2001 Legal:	SOYSANGVANE THONG PHANH 4792 NOGAL ST*SAN DIEGO CA 92102	Land: \$208,635 Imp: \$0 Total: \$208,635	Units: 0 Taxable: <input checked="" type="checkbox"/> Own Occ: <input type="checkbox"/>
Address(es) LOT 264 LOTS 243 THRU 263 & 4895 CASTANA ST				

Addresses

Street Address	Address Use	Address Lifespan	Address Id
4895 CASTANA ST			264718

Base Zones ("Official Zoning Map")

Zonename	Ordinance Number	Implementation Date
SESDPD-MF-1500	R-301263	02/28/2006
SESDPD-MF-3000	R-301263	02/28/2006

Community Plan

Community Plan Name	Code
ENCANTO NEIGHBORHOODS,SOL	20

h Zones with 300 Foot Buffer

Feature Name	Feature Detail
300 Foot Buffer Zone	
Brush Zones	

Thomas Brothers

Page	Row	Column
1290	4	A

Geologic Hazards

Code	Hazard
32	Liquifaction; Low Potential - fluctuating groundwater minor drainages
52	Other level areas, gently sloping to steep terrain, favorable geologic structure, low risk

MSCP Vegetation

Feature Name	Feature Detail
Urban Developed	Holland 95 Code: 12000 / Holland 90 Code: 12000 / Category: NON-NATIVE VEGETATION
Disturbed Habitat	Holland 95 Code: 11300 / Holland 90 Code: 11300 / Category: NON-NATIVE VEGETATION

itive Vegetation

Description	Code
Potential Sensitive Vegetation	PSV
Sensitive Vegetation	SV

Parcel Information Report



THE CITY OF SAN DIEGO

Development Services

1222 First Avenue, San Diego, CA 92101-4154

5/30/2006 11:18:01

Report Number 101

Page 3 of 3

Slopes 25% or greater (1999)

Description

slope > 25% (1999)

slope > 25% (1999)

slope > 25% (1999)

slope > 25% (1999)

slope > 25% (1999)

slope > 25% (1999)

slope > 25% (1999)

slope > 25% (1999)

slope > 25% (1999)

slope > 25% (1999)

Parcel Information Report



THE CITY OF SAN DIEGO

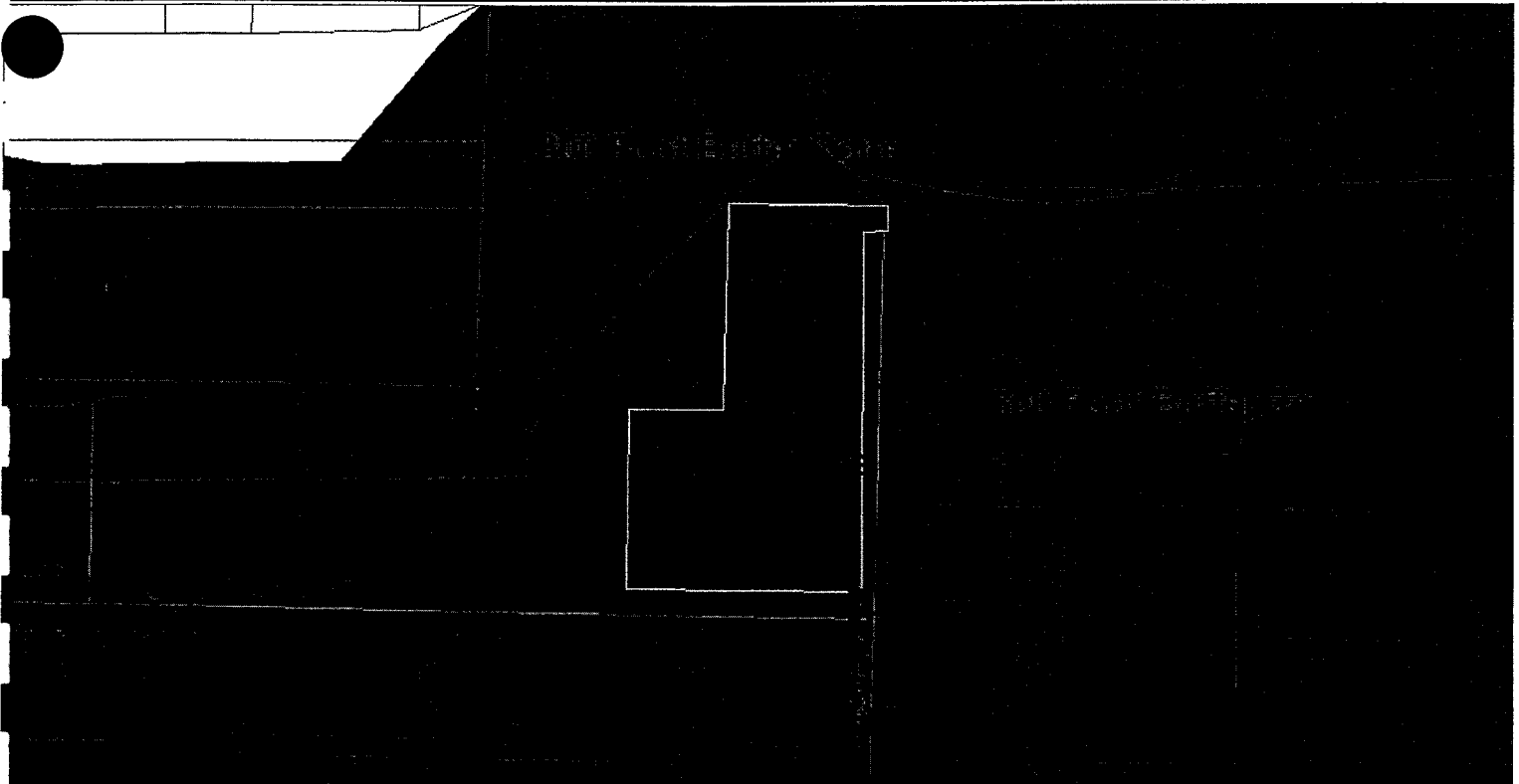
Development Services

1222 First Avenue, San Diego, CA 92101-4154

5/30/2006 11:12:24

Report Number 101

Page 1 of 2



North

182 feet

Scale Is Approximate

Layers Included In Report

Description	Visible	Transparent	Has Intersecting Features
Roads	<input checked="" type="checkbox"/>		No
Freeways	<input checked="" type="checkbox"/>		No
Parcels	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Yes
Addresses	<input type="checkbox"/>		Yes
Base Zones ("Official Zoning Map")	<input type="checkbox"/>	<input type="checkbox"/>	Yes
Community Plan	<input type="checkbox"/>	<input type="checkbox"/>	Yes
Orthophotos (1999)	<input type="checkbox"/>		No
Coastal Overlay Zone (Permit Jurisdictions)	<input type="checkbox"/>	<input type="checkbox"/>	No
Brush Zones with 300 Foot Buffer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Yes

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Intersecting Features

Parcels					
APN	Recordation	Owner Information		Valuation	Other
47-250-0600	Record: 370455 Date: 6/5/2001	SOYSANGVANE THONG PHANH	C/O MARY JANE SCHINDLER	Land: \$208,635	Units: 0
	Legal:	4792 NOGAL ST*SAN DIEGO CA		Imp: \$0	Taxable: <input checked="" type="checkbox"/>
Address(es)	LOT 264 LOTS 243 THRU 263 &	92102		Total: \$208,635	Own Occ: <input type="checkbox"/>
895 CASTANA ST					

Addresses

Address	Address Use	Address Lifespan	Address Id
895 CASTANA ST			264718

Parcel Information Report



THE CITY OF SAN DIEGO

Development Services

1222 First Avenue, San Diego, CA 92101-4154

5/30/2006 11:12:24

Report Number 101

Page 2 of 2

Base Zones ("Official Zoning Map")

Name	Ordinance Number	Implementation Date
SESDPD-MF-1500	R-301263	02/28/2006
SESDPD-MF-3000	R-301263	02/28/2006

Community Plan

Community Plan Name	Code
ENCANTO NEIGHBORHOODS,SOL	20

Brush Zones with 300 Foot Buffer

Feature Name

Feature Detail

300 Foot Buffer Zone

Brush Zones

Parcel Information Report



THE CITY OF SAN DIEGO

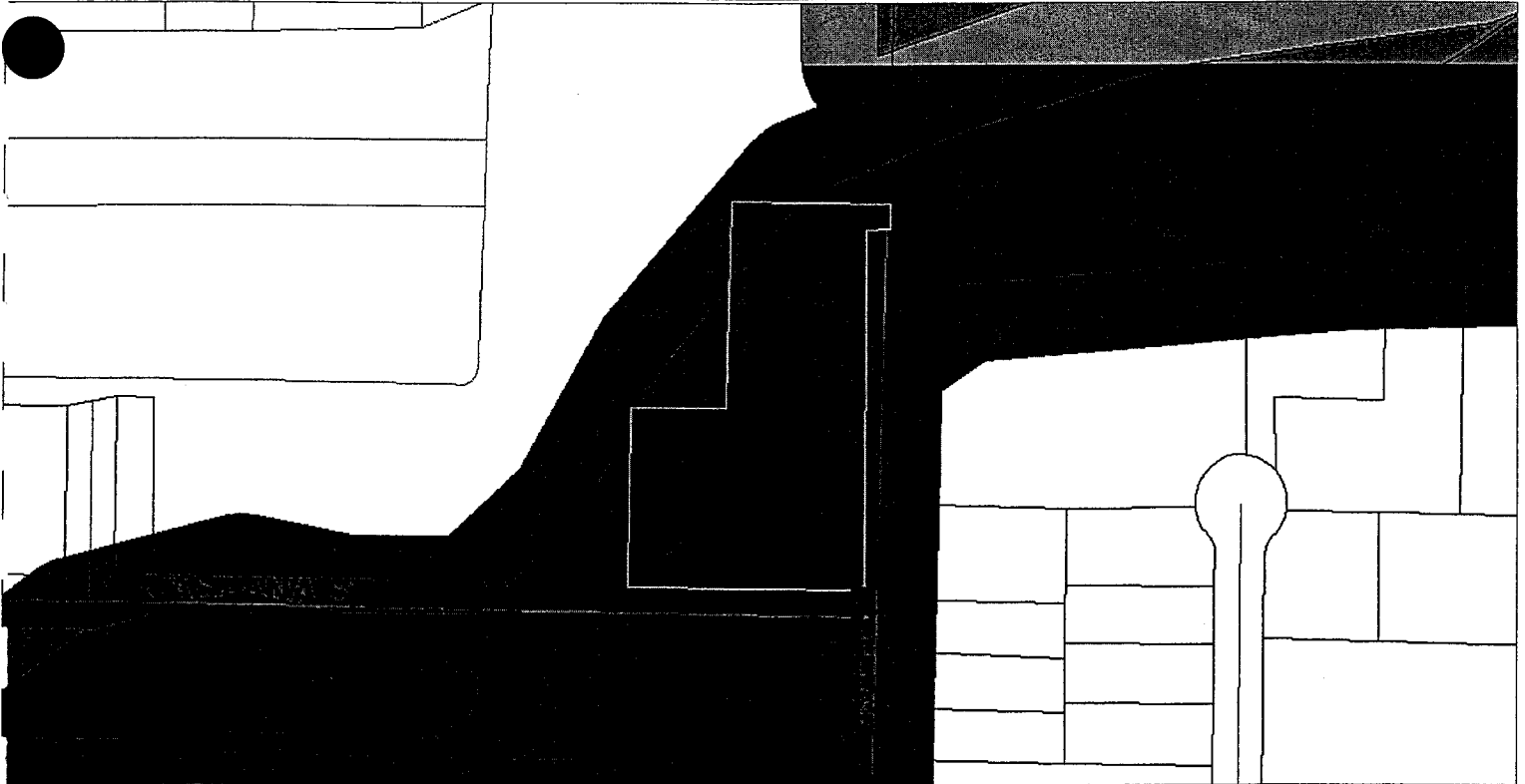
Development Services

1222 First Avenue, San Diego, CA 92101-4154

5/30/2006 11:16:58

Report Number 101

Page 1 of 3



North

182 feet

Scale is Approximate

Layers Included In Report

Description	Visible	Transparent	Has Intersecting Features
Roads	<input checked="" type="checkbox"/>		No
Freeways	<input checked="" type="checkbox"/>		No
Parcels	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Yes
Addresses	<input type="checkbox"/>		Yes
Base Zones ("Official Zoning Map")	<input type="checkbox"/>	<input type="checkbox"/>	Yes
Community Plan	<input type="checkbox"/>	<input type="checkbox"/>	Yes
Orthophotos (1999)	<input type="checkbox"/>		No
Coastal Overlay Zone (Permit Jurisdictions)	<input type="checkbox"/>	<input type="checkbox"/>	No
Brush Zones with 300 Foot Buffer	<input type="checkbox"/>	<input type="checkbox"/>	Yes
Airport Runways	<input type="checkbox"/>	<input type="checkbox"/>	No
Thomas Brothers	<input type="checkbox"/>	<input type="checkbox"/>	Yes
Alquist-Priolo Earthquake Fault Zone	<input type="checkbox"/>	<input type="checkbox"/>	No
CZSS: Coast Zone Boundary	<input type="checkbox"/>	<input type="checkbox"/>	No
CZSS: Geologic Hazard	<input type="checkbox"/>	<input type="checkbox"/>	No
Earthquake Fault Buffers	<input type="checkbox"/>	<input type="checkbox"/>	No
Geologic Hazards	<input type="checkbox"/>	<input type="checkbox"/>	Yes
MSCP Vegetation	<input type="checkbox"/>	<input type="checkbox"/>	Yes
Multiple Habitat Planning Area	<input type="checkbox"/>	<input type="checkbox"/>	No
Sensitive Coastal Overlay Zone	<input type="checkbox"/>	<input type="checkbox"/>	No
Sensitive Vegetation *	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Yes
Slopes 25% or greater (1999)	<input type="checkbox"/>	<input type="checkbox"/>	Yes
Pools	<input type="checkbox"/>	<input type="checkbox"/>	No

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Sensitive Biologic Resources

Intersecting Features

Parcel Information Report



THE CITY OF SAN DIEGO

Development Services

1222 First Avenue, San Diego, CA 92101-4154

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Report Number 101

Page 2 of 3

Parcels

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Address(es) LOT 264 LOTS 243 THRU 263 & 1895 CASTANA ST				

Addresses

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Zonename	Ordinance Number	Implementation Date
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Brush Zones with 300 Foot Buffer

Feature Name	Feature Detail
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Brush Zones	

Thomas Brothers

Page	Row	Column
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Geologic Hazards

Code	Hazard
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52	Other level areas, gently sloping to steep terrain, favorable geologic structure, low risk

MSCP Vegetation

Feature Name	Feature Detail
Urban Developed	Holland 95 Code: 12000 / Holland 90 Code: 12000 / Category: NON-NATIVE VEGETATION
Disturbed Habitat	Holland 95 Code: 11300 / Holland 90 Code: 11300 / Category: NON-NATIVE VEGETATION

Potential Sensitive Vegetation

Description	Code
Potential Sensitive Vegetation	PSV
Sensitive Vegetation	SV

Parcel Information Report



THE CITY OF SAN DIEGO

Development Services

1222 First Avenue, San Diego, CA 92101-4154

5/30/2006 11:16:58

Report Number 101

Page 3 of 3

Slopes 25% or greater (1999)

Description

slope > 25% (1999)

slope > 25% (1999)

slope > 25% (1999)

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slope > 25% (1999)

slope > 25% (1999)

slope > 25% (1999)

slope > 25% (1999)

slope > 25% (1999)

slope > 25% (1999)



THE CITY OF SAN DIEGO
Development Services Department
1222 First Avenue
San Diego, CA 92101

Facsimile Transmission

From: Name: David Vega
Fax Number: 619-446-5488
Voice Phone: 619-446-5433

To: Name: David Zarate
Company:
Fax Number: 1-858-866-0131
Voice Phone:

Fax Notes:

<http://clerkdoc.sannet.gov/egtrain/mc/MuniCodeChapter10/Ch10Art03Division17>

SEE THIS LINK FOR MORE DEVELOPMENT REGS.

Date and time of transmission: Tuesday, May 30, 2006 8:35:58 AM
Number of pages including this cover sheet: 02

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City of San Diego
Development Services
1222 First Ave., MS-302
San Diego, CA 92101
(619) 446-5000

Parcel Information Checklist

This checklist is an important tool that will assist you in determining the City of San Diego's planning, zoning, and/or building regulations that apply to your project. Additional information regarding checklist items is referenced in the Land Development Manual, Project Submittal Requirements, Section 1 (Guide to Project Submittal Process). By evaluating this information prior to designing your project, you can avoid mistakes early in the process, save time, and reduce processing costs. This completed checklist is required for most projects submitted to the Development Services Department for review. The information for Part I can be obtained with staff assistance on the 3rd floor of the Development Services Center, 1222 First Avenue, by appointment, phone (619) 446-5300 or fax the request to (619) 446-5050.

Part II must be completed by the applicant.

1. Project Address:	Assessor Parcel Number(s): 547-250-06-00	Project No.: (For City Use Only)
---------------------	---	----------------------------------

Part II - May be completed by Development Services Department staff (Prior to Project Submittal)

2. Base Zone: MF-3000	Planned District (if applicable): SESDPD
Census Tract: 33.0	Community Plan Name: ENCANTO
School District: SDUSD	Historic District: --- 0 ---

3. Overlays (check all that apply): ☐ No Overlay Zones

- | | |
|---|---|
| <input type="checkbox"/> Sensitive Coastal | <input type="checkbox"/> Community Plan Implementation(circle one) [A] or [B] |
| <input type="checkbox"/> Airport Approach | <input type="checkbox"/> First Public Road-Way |
| <input type="checkbox"/> Airport Environs | <input type="checkbox"/> Mission Trails Design District |
| <input checked="" type="checkbox"/> Brush Zones (300 ft) | <input type="checkbox"/> Mobilehome Park |
| <input type="checkbox"/> (CUPDO) Facility-deficient Neighborhoods | <input type="checkbox"/> Parking Impact |
| <input type="checkbox"/> Clairemont Mesa Height Limit | <input type="checkbox"/> Residential Tandem Parking |
| <input type="checkbox"/> Coastal Height Limit | <input type="checkbox"/> Transit Area |
| <input type="checkbox"/> Coastal (circle one) [City] or [State] | <input type="checkbox"/> Urban Village |

4. Environmentally Sensitive Lands: Does the project site contain or is it adjacent to any site that contains any of the following Environmentally Sensitive Lands as identified in Municipal Code Section 113.0103?

- | | |
|--|--|
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Sensitive Biologic Resources | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Sensitive Coastal Bluffs |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Steep Hillides | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 100-year Floodplain |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Coastal Beaches | |

5. Historical Resource Sensitivity (Archaeology): Is the site identified on the Historical Resource Sensitivity Maps?

☒ Yes ☐ No

6. Geologic Hazard Category(ies): 32 AND 52

Within an Earthquake Fault Buffer? ☐ Yes ☒ No
(Yes = Hazard Category 12)

Researched by (Print Name): DAVID VEGA	Phone No. (619) 446-5000	Date: May 30, 2006
---	-----------------------------	-----------------------

See reverse side for Part II

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DS-302 (12-05)

- (B) Exceptions to the maximum diagonal requirement for single-family zones are the same as for multiple-family zones. See Section 103.1706(l)(1)(B) and (C).

(7) Hardscape/Landscape

- (A) A maximum of 30% of the required front and street side yards is permitted for installation of hardscape features which shall include driveways, walkways or decorative pavement treatments.
- (B) One street tree shall be required in the public right-of-way for every fifty (50) feet of each lot or parcel street frontage. Groundcover shall be installed and maintained for all unpaved or undeveloped land area.

(8) Lighting.

Any artificial lighting shall be directed or shaded so as not to fall onto adjacent properties.

(9) Parking and Access Regulations.

Parking shall be provided in accordance with Land Development Code Chapter 14, Article 2, Division 5 (Parking Regulations).

(Amended 4-7-1998 by O-18494 N.S.; effective 1-1-2000.)

§103.1706 Multi-Family Residential Zone Regulations - MF-3000, MF-2500, MF-2000, MF-1750, MF-1500, MF-1250, MF-1000

(a) Purpose and Intent

The multiple-family (MF) zones are primarily intended to provide for multiple-family residential development at varying densities ranging up to 45 dwelling units per net residential acre. The multiple family (MF) zones are applied consistent with the Progress Guide and General Plan for The City of San Diego and adopted Southeast San Diego Community Plan.

(b) Permitted Uses

No building or improvement or portion thereof shall be erected, constructed, converted, established, altered or enlarged, nor shall any lot or premises be used except for one or more of the uses listed for the applicable zone in Appendix A.

(c) Sign Regulations

Land Development Code Chapter 14, Article 2, Division 12 (Sign Regulations) applies.

(d) Density Regulations

- (1) The maximum number of dwelling units permitted on any lot or premises in any multiple-family (MF) zone shall be determined by dividing the area of the lot by the number of square feet required for each dwelling unit as prescribed by the zone in which the lot is located. If the quotient exceeds a whole number by 0.50 or more, the number of dwelling units may be increased to the next larger whole number.
- (2) The maximum number of dwelling units permitted per acre and land area requirements in any MF zone shall be as follows:

TABLE I OF SECTION 103.1706

Zone	Maximum Dwelling Units Per Net Acre	Required Land Area per Dwelling Unit
MF-3000	14.52 du/ac	3,000 sq.ft.
MF-2500	17.42 du/ac	2,500 sq.ft.
MF-2000	21.78 du/ac	2,000 sq.ft.
MV-1750	24.89 du/ac	1,750 sq.ft.
MV-1500	29.04 du/ac	1,500 sq.ft.

(e) Minimum Lot Areas and Dimensions

- (1) Minimum lot areas and dimensions required within the respective multiple family (MF) zones shall be as shown in Table II, below:

TABLE II OF SECTION 103.1706

Zone	Minimum Area (sq.ft.)	Street Frontage	Width (interior)	Width (corner)	Minimum Lot Dimensions Depth
MF-3000	6,000	60	60	65	100
MF-2500	6,000	60	60	65	100
MF-2000	6,000	60	60	65	100
MV-1750	6,000	60	60	65	100
MV-1500	6,000	60	60	65	100

- (2) For any lot which fronts principally on a turnaround or on a curving street having a radius of curvature of less than 100 feet, the minimum frontage shall be 60 percent of the number shown in the frontage column.
 - (3) Exception. Any lot or parcel which does not comply with all the minimum lot dimensions set forth herein may nevertheless be used as a building site provided the lot or parcel qualifies under the definition of lot as set forth in Land Development Code Section 113.0101.
- (f) Yard and Setback Requirements
- (1) Minimum area of front yard — a front yard shall be provided at a minimum area calculated by multiplying the linear feet of frontage by 20 feet.
 - (2) Minimum area of street side yard — a street side yard shall be provided at a minimum area calculated by multiplying the linear feet of frontage by 10 feet.
 - (3) Minimum Setbacks (linear feet)

TABLE III OF SECTION 103.1706

Yard Location	Dimensions
Front	10
Interior side	5 (a)(b)
Street Side	8
Rear	5 if alley 15 if no alley

- (A) Setback. For each story or portion thereof above two stories, the building shall be setback or the story may be stepped back an additional three feet.
- (B) Exception. On lots which have less than 30 linear feet in lot width, the minimum interior side yard may be reduced to four feet.

(g) Maximum Building Heights

The maximum building height permitted in the MF-3000 zone shall be twenty-four (24) feet for buildings with flat roofs or thirty (30) feet measured to the ridge line on structures having roofs with a pitch of 3:12 or steeper. All buildings in the MF-3000 zone shall be limited to two (2) stories.

(h) Maximum Lot Coverage

The maximum lot coverage permitted in the MF zones shall be 50 percent.

(i) Maximum Floor Area Ratio (F.A.R.)

The maximum F.A.R. permitted in the MF zones shall be 1.00.

(j) Landscaping Regulations

Prior to the use and occupancy of any premises, the property shall be landscaped in accordance with the provisions of the Land Development Code Chapter 14, Article 2, Division 4 (Landscape Regulations).

(k) Enclosure Regulations

- (1) No mechanical equipment, tank, duct, elevator enclosure, cooling tower, or mechanical ventilator shall be erected, constructed, maintained, or altered anywhere on the premises unless all such equipment and appurtenances are contained within a completely enclosed penthouse or other portion of a building having walls and roofs with construction and appearance similar to the main building.
- (2) Applicable wall regulations are contained in Land Development Code Chapter 14, Article 2, Division 3 (Fence Regulations).

(l) Special Regulations

- (1) Maximum Diagonal Dimension

- (A) The Diagonal Plan Dimension shall be used in all multiple-family residential projects and shall apply to all new and existing buildings of the development project. The maximum diagonal plan dimension shall be measured between the two most extreme points on the structure, except for those lots that have a lot depth that exceeds the lot width by two hundred seventy-five (275%) percent. (See Appendix B, Illustration 3.)

No diagonal plan dimension shall exceed the numerical figure obtained from the percentage of street frontage, as established below:

TABLE IV OF SECTION 103.1706

Lot Frontage (in Linear Feet)	Diagonal Measurement Length (in Linear Feet)
0 - 100	100% of Frontage
more than 100 to 200	85% of Frontage
more than 200 to 300	70% of Frontage
more than 300	50% of Frontage

- (B) For lots that have lot depths that exceed the lot width by two hundred seventy-five (275%) percent, the maximum diagonal plan dimension may be measured between the first extreme building point to the point of the first building modulation along the length of the building with subsequent measurements allowed between modulations. The maximum diagonal plan dimension in the building modulation areas if utilized shall conform to the criteria outlined above. The modulation shall have a minimum four-foot differential and shall extend for a minimum of ten (10) feet in length. (See Appendix B, Illustration 4.)
- (C) In those cases where the lot street frontage is less than the minimum street frontage requirement of the underlying multiple-family residential zone, the minimum street frontage requirement specified in that zone will be considered as the street frontage for maximum diagonal plan dimension calculation.
- (2) Exterior Usable Open Area. The following Exterior Usable Open Area criteria is applicable:

- (A) At least two hundred (200) square feet of exterior usable open area shall be provided on-site for each dwelling unit. The average slope for useable open areas shall not exceed ten percent (10%). This may include gardens; courtyards; terraces; roof-decks; recreation facilities; children's play areas; swimming pools and spas with associated decking; private exterior balconies; common exterior balconies; vegetated areas including lawns, gardens or landscaping (excluding the minimum required landscaping in required yards); and walkways or pathways not intended for access by motor vehicles (excluding walkways, and access balconies above the first floor). The land provided shall be determined by the City Manager to be functional useable open area which provides for reasonable use by the residents. Functional useable open area shall be a minimum area of one hundred (100) square feet with a minimum dimension of six (6) feet with the exception noted below for private open area. For projects containing units with two (2) or more bedrooms, a children's play area shall be provided to contain a minimum area totaling twenty (20) square feet per unit.

Area used for parking or garaging of motor vehicles; enclosed storage areas; trash collection areas or pads for any mechanical or electrical equipment shall not be used to satisfy the usable open area requirement.

- (B) Where private open area is provided, that open area shall be a minimum of forty (40) square feet per dwelling unit with a minimum dimension of five (5) feet; however, not all units are required to have a private open area.

(3) Offsetting Planes Requirement

- (A) For structures in multiple-family residential zones each building wall elevation shall have building offset variations in a minimum of three vertical or horizontal separate planes. A separate building plane is distinguished by an average horizontal or vertical difference of four (4) feet measured perpendicular to the subject plane. The proportions of these building planes along each elevation shall not be less than twenty percent (20%) nor more than fifty percent (50%) of the building elevation area. (See Appendix B, Illustration 6.)

- (B) Exceptions: For structures of three (3) or less units in multiple-family residential zones the separate building planes may be reduced to a vertical or horizontal difference of two (2) feet.

For single-unit structures in multiple-family zones, each building wall elevation may be reduced to a minimum of two (2) separate planes distinguished by an average horizontal or vertical difference of two (2) feet.

For all exceptions the building plane proportions defined in Section 103.1706(I)(3) shall apply.

(4) Facade Design/Orientation

The particular facade, side or elevation of the building which faces the front and street side yards shall have window and entry door orientation parallel to the street.

(5) Outdoor Storage. Outdoor storage of personal belongings of occupants of dwelling units, material or equipment, shall be permitted only when incidental to a permitted use, or other similar items are used, located on the same premises, and provided that:

- (A) The storage area shall be completely enclosed by wall, fences or buildings, or a combination thereof. Any walls or fences shall be solid and not less than six (6) feet in height and shall not be located on the property line or within the setback areas.

- (B) There shall be no outdoor storage of personal belongings of occupants of dwelling units, materials or equipment, or other similar items, to a height greater than that of any enclosing wall, fence or building.

- (C) Operable motor vehicles shall not be considered as items of outdoor storage, and shall not be regulated by this paragraph.

- (D) Outdoor storage shall be restricted to only those items which are considered to be the personal property of the occupants of the premise, or the owner of the premise, when the items are required for the functional operation of the premise.

- (i) For the purpose of this paragraph an individual shall be considered to be an occupant of the premises for a period not exceeding 30 days prior to occupancy of the premises, and a period not exceeding 30 days following discontinuance of occupancy of the premises.
 - (ii) No portion of any premises shall be used by, leased, or rented to a non-occupant for storage purposes.
- (6) Off-street Parking and Access.
 - (A) Every premises used for one or more of the permitted uses listed in Appendix A, shall be provided with a minimum of permanently maintained, off-street parking spaces in a parking area or private garage on the same premises as required by Land Development Code Chapter 14, Article 2, Division 5 (Parking Regulations).
 - (B) For any lot containing four or more dwelling units a minimum of twenty-five (25%) percent of the required off-street parking spaced shall be fully enclosed, entirely within the occupied building or in a garage or structure attached to the occupied building or buildings located on the said lot. An additional twenty-five (25%) percent of required off-street parking may be covered by carports that have roofing materials and design comparable to the primary building or buildings on the site or by trellis coverings that are made of wood, wrought iron or other similar screen material. Flat or corrugated metal or plastic sheeting material is not permitted for use as carport or trellis covering. In no case shall the uncovered parking on-site exceed fifty (50%) percent of the required parking.
- (7) Lighting. Any artificial lighting shall be directed or shaded so as not to fall onto adjacent properties. Lighting shall be provided for walkways, common areas, and parking areas for security.
- (8) Management. A management and security plan shall be provided and reviewed by the Police Department where necessary.
- (m) Special Character Multi-family Neighborhood Criteria

The regulations in Section 103.1705 shall apply to the multi-family residential neighborhoods shown on attachment A, entitled "Southeast San Diego Special Character Multi-Family Neighborhoods."

- (1) Maximum Lot Dimensions and Area. Lot consolidations created through maps or by means of building across property lines shall be prohibited when such action would create a parcel containing over 7000 square feet of lot area or over 60 feet of frontage along the front property line.
- (2) Detached Unit Requirement. Each lot must contain one detached unit in the front portion of the lot. Additional units may be built in the rear portion of the lot in accordance with the requirements of the zone and as stated below.
- (3) Addition of Dwelling Units. In the case of adding one or more dwelling units to an existing residential project, or when rear unit(s) are a part of a project where a detached unit is required in the front portion of a lot:
 - (A) Structures containing dwelling units shall be separated by a minimum of 12 feet.
 - (B) There shall be direct pedestrian access from all added dwelling units to an abutting street.
 - (C) The maximum building height shall be 24 feet for buildings with flat roofs or 30 feet measured to the ridge line on structures having roofs with a pitch of 3:12 or steeper. All buildings shall be limited to two stories.
 - (D) Where one or more units already exist on a lot, the color and design of the new unit(s) shall be complementary to the existing structure(s).

(Amended 4-7-1998 by O-18494 N.S.; effective 1-1-2000.)

§103.1707 Commercial Zone Regulations - CSF, CSR and CT

The commercial elements in the Southeast San Diego Planned District are contained in three distinct design zones which are further regulated by use categories. The assignments correspond to the land use designations of the Community Plan for this Planned District.

- (a) Zones and Categories — Purpose and Intent
 - (1) Design Zones. The design zones are provided to utilize the urban design features of the community as discussed in the Urban Design section of the Southeast San Diego Community Plan. The intent is to establish zones that are tailored to the specific functions of the commercial entities.

Article 3: Planned Districts

Division 17: Southeastern San Diego Planned District

Appendix A: Uses

Southeastern San Diego Planned District

(Added 8-3-1987 by O-16921 N.S.)

(Amended 3-15-1993 by O-17898 N.S.)

(Amended 11-22-1999 by O-18719 N.S.)

(Amended 4-7-1998 by O-18494 N.S.; effective 1-1-2000.)

Legend: P = Permitted

- = Not Permitted

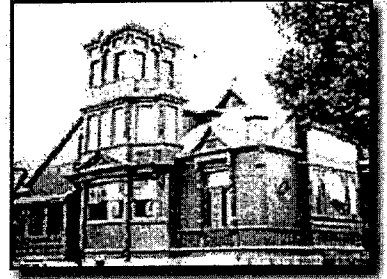
L = subject to Limitations

SP = Special Permit

Special Permit for Alcohol Sales and Distribution - See Appendix C

Permitted Uses	Residential Zones		Commercial Zones			Industrial Zones
	SF	MF	1	2	3	I-2
Residential						
Single Family Dwelling	P	P	-	-	-	-
Two-family dwelling	-	P	-	-		-
Apartment houses (no temporary residence)	-	P	-	-		-
Boarding and Lodging houses (not a residential-care facility)	-	P	-	-		-
Child day care center	SP	SP	S P	SP	S	-
Churches, Temples or buildings of a permanent nature used for religious purposes	SP	SP	S P	SP	SP	-
Companion Units	SP	P	-	-	-	-
Elderly or handicapped housing	-	SP	-	-		-

SOUTHEASTERN SAN DIEGO COMMUNITY PLAN



Southeastern San Diego Community Plan

City of San Diego Planning Department
202 C Street, MS 4A
San Diego, CA 92101



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This information, or this document (or portions thereof), will be made available in alternative formats upon request.

The following amendments have been incorporated into this June 2004 posting of this plan:

Amendment	Date Approved by Planning Commission	Resolution Number	Date Adopted by City Council	Resolution Number
Southeast San Diego Community Plan Adopted	June 4, 1987	PC-7046	July 13, 1987	R-268847
Designation of Special Character Multi-Family Neighborhoods			February 27, 1990	R-275223
Valencia Park Library Redesignation from Single Family Residential to Institutional			February 4, 1992	R-279375
Central Division Police Substation Redesignation from Multiple Use to Institutional			June 8, 1992	R-280091
Rezone 9 lots from I-2/CSR-1 to CT-2			June 28, 1994	R-284190
Mobil Mini Mart Redesignation of 0.2 acre from Multi-family Residential to Commercial			September 11, 1995	R-286277
North Creek Redesignation 30 AC of Commercial to 30 AC of Residential	November 14, 1996	234-PC	November 26, 1996	R-288103
Market Creek Plaza Redesignation of 19.56 AC of Industrial to 224,511 SF of Office and 95,178 SF of Commercial	September 2, 1999	2842-PC	September 28, 1999	R-292243



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Dan Guevara

Albert Kercheval

Yvonne Larsen

Paula Oquita

Ralph Pesqueira

PLANNING DEPARTMENT

Michael Stepner, Acting Planning Director

Allen M. Jones, Deputy Director

Mary Lee Balko, Principal Planner

Carolyn Harshman, Associate Planner (Project Planner)

Tamira Clark, Community Planner (Project Planner)

Corazon S. Nuval, Word Processor

Linell Maloney, Graphics

Southeastern Development Committee

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David Swarens

Edna Tyler

Rev. Rural Wafer

Joshua Von Wofolk

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Editorial Note: Please note that bolded sentences in this document were reflected as underlined information in the original printed document. Please refer to the original printed document for clarification.

INTRODUCTION

SCOPE AND PURPOSE

Southeastern San Diego is an urbanized community occupying approximately 7,200 acres in the central portion of the City of San Diego. As of 1986, the community contained approximately 79,258 people living in 25,477 dwelling units, accompanied by approximately 173 acres of industrial development, 179 acres of commercial development and approximately 900 acres of vacant land.

The community is centrally located near major employment centers in the South Bay, Centre City and northern San Diego. The community also has excellent regional access to the metropolitan area and major commercial areas of Centre City, Mission Valley and the South Bay by means of four freeway systems.

The land within Southeastern San Diego consists of a series of terraces which are cut by streams into four highland areas. These terraces currently provide view opportunities to the downtown, Mid-City and South Bay regions of the City.

The community's central location, excellent regional access and view opportunities are attributes which have not been fully utilized. Furthermore, the introduction of a light rail transit system through Southeastern San Diego and the recent redevelopment of the Centre City area has provided exciting incentives for redevelopment and new development in the community.

The purpose of this community plan is to guide the future development of the community and, by identifying key issues and goals, to assist the community in achieving its full potential as a place to live and work.

The Progress Guide and General Plan (General Plan) for the City of San Diego designates community planning areas in the City in which specific land use proposals are made in the form of community plans. Taken together, these plans form the land use element of the General Plan. This process allows the community plan to refine the policies of the City down to the community level, within the context of citywide goals and objectives. This plan addresses issues and goals which are unique to the community and will serve to implement the goals which have been formulated by the residents of the community.

PROJECT FIRST CLASS

In addition to the mandates of the Progress Guide and General Plan, a program to specifically assist this community in the process of growth and revitalization was initiated by the fourth district Council Office in 1984. Project First Class is a comprehensive program of community development which was approved by the City Council in May of 1984. This program was established to develop an urban design program, to form a concentrated code enforcement program and to facilitate other public and private improvements for Southeastern San Diego and the adjoining communities of Golden Hill and Skyline-Paradise Hills. The intent of this program is to work toward a better environment through economic

development, attention to urban design, eyesore eradication, street and alleyway improvements, building code enforcement, residential and commercial rehabilitation and the establishment of quality housing. This community plan can also be considered as a step toward implementing the intent of Project First Class.

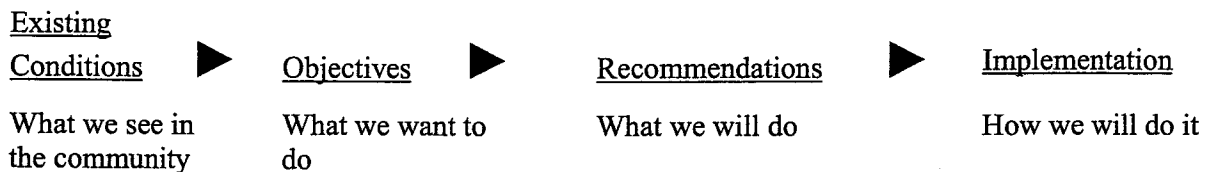
The community plan does not rezone property, authorize the taking of private property or establish new development regulations or ordinances. The plan is intended to serve as the basis for simultaneous or future zoning actions, including the adoption of a planned district for portions of the community. Additionally, all rezoning or subdivision actions and other actions associated with public or private development or redevelopment will be judged based on the consistency of the proposed action with this community plan.

PLAN ORGANIZATION

The community plan has been organized to first establish a general setting for the community in the Introduction and Background sections and then to address the existing conditions, objectives and recommendations for each of the following elements: Social-Economic, Residential, Commercial, Industrial, Open Space and Recreation, Transportation, Public Facilities and Urban Design. A Neighborhood Element has also been prepared to more specifically discuss the following neighborhoods within the community: Sherman Heights, Grant Hill, Logan Heights, Stockton, Memorial, Mount Hope, Mountain View, Southcrest, Shelltown, Chollas View, Lincoln Park, Broadway Heights, Emerald Hills, Encanto, Valencia Park, South Encanto, and Alta Vista.

The final section outlines the specific actions recommended for implementation of the plan.

HOW THE PLAN WORKS



KEY ISSUES

The City Council-designated community planning group for the Southeastern San Diego community is the Southeastern Development Committee. The Committee has raised the following issues as a part of the plan development process. It is these issues to which this plan is designed to respond:

- Employment Opportunities: Providing jobs is one of the key aims in improving the social and economic well-being of the community.
- Commercial Centers: The absence of commercial shopping locations in the community is seen as a major problem by community residents.
- Density and Design of New Development: Although Southeastern San Diego is a predominantly urbanized community, several developable vacant tracts are located in the eastern portion of the community. The density and design of these parcels has the potential to greatly affect the quality of the community.
- Access: Within several neighborhoods, access to services and freeways via the community's surface street system is difficult. The lack of through north-south streets in many parts of the community is an issue of particular concern.
- Community Design: Concern about the appearance of developed areas is a manifestation of the pride that residents have in their community. Methods of improving existing developed areas have been actively sought by residents. In addition, the maintenance and cleanliness of public facilities and streets can have a great influence on overall community design.
- Public Facilities: The provision and maintenance of public facilities, including parks, is repeatedly stressed by residents and policy makers alike. Funding public facilities through the Capital Improvement Program rather than relying on Community Development Block Grants is also a community desire.
- Assisted Housing Projects: The community group has expressed concerns with programs and projects that impact the community with a disproportionately large share of low and moderate-income units. At issue are assisted housing units, density bonus programs and senior citizen conditional use permit projects.
- Social Service Facilities: The community planning group is also concerned by the concentration of social service agencies in the community. Specifically, the group is concerned about the issuance of Conditional Use Permits for clinics, criminal rehabilitation, poverty assistance outreach centers and residential care facilities, which seem to be congregated in the community.
- Recreation and Education Facilities: As with most residential communities with a high percentage of school age children, the parents of Southeastern San Diego are vitally interested in the provision of the highest quality educational and recreational services and facilities for the community.

SUMMARY OF PLAN OBJECTIVES

Social and Economic Objectives

1. Achieve an economically and ethnically balanced community.
2. Provide housing for all family sizes, particularly larger families.
3. Increase job opportunities and resources within the community.
4. Provide adequate health care for all residents of the community, while reducing the impacts of social service facilities intended to serve the population at large.

Residential Objectives

1. Respect the housing character, scale, style and density of existing residential neighborhoods.
2. Preserve, restore and rehabilitate residences and/or neighborhoods with historical significance. (Information on historic structures and districts is detailed in the Neighborhood Element of the Plan.)
3. Encourage and accommodate orderly new development that is consistent with community goals and objectives.
4. Require high quality developments in accordance with the design guidelines established within the plan and as recommended by Project First Class.
5. Maintain or increase the level of owner occupancy in the community to increase maintenance of properties and to increase pride in individual neighborhoods.

Commercial Objectives

1. Provide attractive quality community and neighborhood commercial facilities that offer a variety of goods and services to meet community needs.
2. Rehabilitate existing commercial centers and improve both vehicular and pedestrian access to the site.
3. Encourage the preservation, restoration and rehabilitation of commercial buildings of historical significance or interest.
4. Decrease crime and increase the perception of safety through the use of crime-detering materials and design, including the thoughtful use of landscaping, screening materials, lighting and building siting and materials.

Industrial Objectives

1. Decrease land use conflicts between industrial and residential or commercial development.
2. Increase employment opportunities in the community.
3. Provide new, high quality office and industrial park development within the community.
4. Promote the redevelopment or rehabilitation of existing industrial facilities.
5. Decrease crime and crime-related aesthetic impacts (such as graffiti and barbed-wire fencing).

Open Space and Recreation Objectives

1. Maintain and improve existing parks by improvements to landscaping, lighting, signage, walkways and play facilities.
2. Increase the number of parks and the size of existing parks as financing and acquisition opportunities occur.
3. Require the provision of private recreation areas in new residential developments.
4. Maintain and enhance the community's cemeteries as unique landscaped open areas of visual significance to the community.
5. Preserve significant hillsides, canyons and drainage areas in their natural state
6. Increase the opportunities for the public enjoyment of open space areas, including limited access to Radio Canyon and Chollas Creek.
7. Achieve a more connected system of active and passive open space and recreation areas.

Transportation Objectives

Vehicular Transit

1. Minimize the effects of the existing freeways on adjacent development and oppose any addition of freeway construction as the community is well served by freeways.
2. Implement physical and operational improvements to the street system to meet the City's design standards and to reduce accidents.
3. Fully improve streets to reduce or remove "bottlenecks."
4. Improve north-south vehicular access in the community.

Public Transit

5. Maintain high public transit accessibility to downtown, as is currently promoted by the existing east-west bus route structure and the San Diego Trolley.
6. Improve the frequency and level of transit service, and the quality of transit facilities to meet the demands of the community.
7. Fully utilize the potential of the San Diego Trolley-East Line to revitalize and redevelop land adjacent to the trolley line and to maximize the use of public transportation.

Freight

8. Maintain freight transportation by rail to the extent feasible in the community.
9. Minimize impacts of freight transportation on vehicular circulation and nearby land use.

Pedestrian/Bicycle

10. Increase the aesthetic quality of street corridors to encourage pedestrian activity.
11. Maintain and improve pedestrian and bicycle access to public transportation.
12. Enhance bicycle circulation by improving designated routes to City standards and by attention to aesthetic quality and safety.

Public Facilities Objectives

Schools

1. Maintain an adequate level of capacity for all public schools and a high level of maintenance of all school facilities.
2. Improve present programs of racial desegregation in the schools.
3. Maintain and enhance the availability of community college and other higher education programs in the community.

Police/Fire

4. Maintain and improve response times and service levels to the community.
5. Reduce the present level of crime activity in the community.

Drainage/Flood Control

6. Protect property from flooding while retaining the natural appearance of drainage areas to the extent feasible.

Urban Design Objectives

1. Improve the visual and physical character of the community.
2. Ensure compatibility between new structures and existing neighborhoods.
3. Improve the quality of new multi-family residential development.
4. Enhance the community's visual image through streetscape improvements along major streets and within the neighborhoods.

LEGISLATIVE FRAMEWORK

The Southeastern San Diego Community Plan was developed within the context of a legislative framework consisting of federal, state and local levels. Some of the more significant legislation is discussed below.

- Section 65450 of the Governmental Code of the state of California (state Planning and Zoning Act) gives authority for the preparation of community plans and specifies the elements which must appear in each plan. It also provides the means for adopting and administering these plans.
- State Government Code Chapter 4.3 requires that local governments and agencies provide incentives to developers to include affordable units in housing projects. The City has prepared an ordinance which would establish an Affordable Housing Density Bonus providing an increase in maximum permitted density in a given zone to be granted for projects in which at least a certain percentage of the total housing units are for low or moderate-income persons.
- The California Environmental Quality Act of 1970 (CEQA) requires that environmental reports be prepared for all community plans. Separate, detailed environmental reports may also be required for many projects which implement this plan.
- The Regional Air Quality Strategy (RAQS) was developed in 1977 to achieve a level of air quality in the San Diego Air Basin that would meet federal air quality standards set forth in the National Clean Air Act. A major recommendation pertinent to this planning effort is to include air quality considerations in all land use and transportation plans.
- The citywide Zoning and Subdivision Ordinances regulate the development of land and subdivision of land in preparation for development.
- In addition to legislation, the City Council has adopted a number of policies to serve as guidelines in the decision making process. Many of the policies relate directly to planning issues and should be used in implementing plan recommendations.
- The Progress Guide and General Plan serves as a basis for the development of the community plan. The General Plan sets forth goals, standards and criteria for the provision of facilities that are essential in the community and possess citywide importance.

PLAN ALTERNATIVES

The following alternative land use plans have been considered in preparing for the revision of the Southeastern San Diego Community Plan. The variations largely pertain to differences in population density. In each of the alternatives, non-residential land use would remain approximately the same.

Using the existing plan and/or the existing zoning would not have integrated the introduction of the trolley line with the land uses of the recommended Southeastern Plan nor would they have designated Sherman Heights as an historic district. Additionally, much of the single-family stability of the community would have been lost to redevelopment at higher densities. These alternative plans have not been adopted but the variations in land uses and their impact have been considered while developing this community plan revision.

RESIDENTIAL ALTERNATIVES

Existing Plan Alternative

This alternative would continue the pattern of the existing 1969 Land Use Plan. The most widespread densities recommended in this plan were at the densities of 10-30 units per acre. Small pockets of 15-45 units per acre were scattered along the major corridors. The 1975 rezoning effort responding to the requirements of A. B. 1301 did not bring zoning into substantial conformance with this Land Use Plan. For that to have occurred, large areas would have had to be changed from 10-15 dwelling units per acre to five to ten dwelling units per acre, and in the eastern subarea from 5-10 dwelling units per acre to 0-5 dwelling units per acre.

Existing Zoning Alternative

Adjusting the Land Use Plan to conform to the existing zoning pattern yields the most intense development of all the alternatives. The preponderance of the multi-family segment of the western subarea is currently zoned R-1500 (15-30 du/ac).

Almost all multi-family development has occurred at a density of 30 units per acre, existing zoning does permit high density along major transportation routes, but it does not allow for transition zones between low and high densities. This could be accomplished through a series of up-zonings and down-zonings at transition points.

Transit Corridor Alternative

This alternative would identify the Trolley corridor, Market Street, Imperial Avenue, National and Logan Avenues, and Euclid Avenue as major thoroughfares and develop gradients in zoning density dependent on the distance to those streets and the trolley. The highest density would be concentrated in the blocks adjacent to those streets while density would decrease for the tiers of blocks as distance from the thoroughfares increases.

NON-RESIDENTIAL ALTERNATIVES

OPEN SPACE

Existing Community Plan and Zoning

The previously adopted Southeastern San Diego Community Plan did not identify specific areas of significant natural topographical features to be designated as open space. The existing zoning provides only minimal potential for preserving open space.

General Plan Open Space Designation

The deficiencies in the previously adopted plan's designated open space are potentially remedied by the open space designations contained in the open space map included in the City of San Diego Progress Guide and General Plan Open Space Element. These designations include both tributaries of Las Chollas Creek and Radio Canyon.

Other Open Space Designation

This alternative would include all of the open space recommendations in the General Plan alternative above, with additional designations located in some of the remaining undeveloped canyons, as well as steep slopes throughout many neighborhoods in the community.

COMMERCIAL AND INDUSTRIAL USE

Existing Community Plan

The previously adopted Southeastern San Diego Community Plan recommends more limited commercial area than is now developed or zoned. The adopted plan also recommends limited areas for industrial use along Commercial Street, Imperial Avenue near Euclid, the northwest corner of I-15 at I-94, and smaller pockets off of Federal Boulevard, Market Street, and National Avenue.

Existing Zoning

The existing zoning ordinance does not adequately differentiate among the many kinds of commercial activity. Some of the commercially zoned land is not now and is not likely to be developed for commercial use. Such commercial areas should be designated for more appropriate land uses.

Intensified Economic Activity

This alternative would evaluate the potentials for heightened economic activity by recommending mixed commercial and multi-family uses, by expanding the depth of commercially zoned strips, by contracting the extent of commercially zoned strips, and redesigning certain unproductive areas from commercial activity to some other use. It would also recommend a differentiation for the various commercial activities and place special emphasis on office commercial use. It would also recommend expanded areas for industrial use.

BACKGROUND

REGIONAL CONTEXT

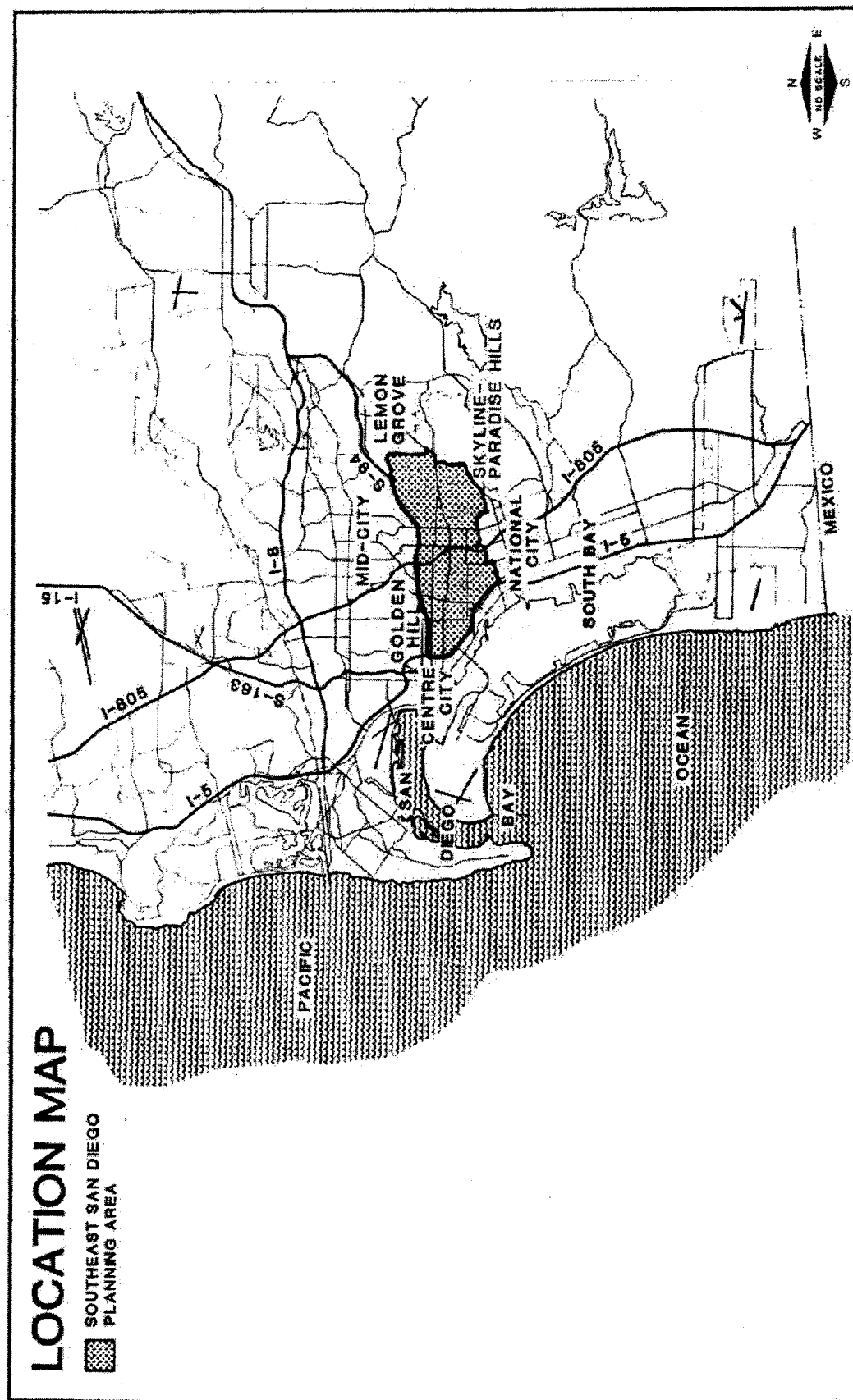
The Southeastern San Diego community lies south of State Highway 94, between the Centre City community and the city of Lemon Grove. Its southern boundary is formed by the limits of the city of National City and the community of Skyline-Paradise Hills. The western boundary of the community is defined by Interstate 5. The eastern and southeastern boundaries are formed by 69th Street, Imperial Avenue, Woodman Street and Division Street. The community is bounded by four City-designated community planning areas (Centre City, Golden Hill, Mid-City, and Skyline-Paradise Hills), two incorporated cities (Lemon Grove, National City) and some unincorporated county areas (Figures 1 and 2).

Land use in the areas surrounding the community are generally characterized by mixed industrial/residential areas lying south and west of the community, medium- to low density residential areas lying north and east and areas of low density, very-low density and undeveloped parcels lying south and east. On the west, the community adjoins the Centre City area.

Direct regional access to the metropolitan area is provided by two state and two Interstate freeways. The community is centrally located with respect to major employment centers in the South Bay, Centre City and northern San Diego. It lies near major recreation facilities in Balboa Park and San Diego Bay. It also has easy access to the major commercial areas of Centre City, Mission Valley and the South Bay. Although the community is divided by its freeways, the access that they provide to the metropolitan area and the central location that their presence in the community denotes could be a key resource for the community.

The General Plan designates Southeastern San Diego as an "urbanized" community. Such communities are defined as being largely developed, with public facilities in place. The thrust of the General Plan with respect to urbanized communities is to provide for the maintenance and limited expansion of public facilities, funded for the most part by the City's General Fund through the Capital Improvement Program.

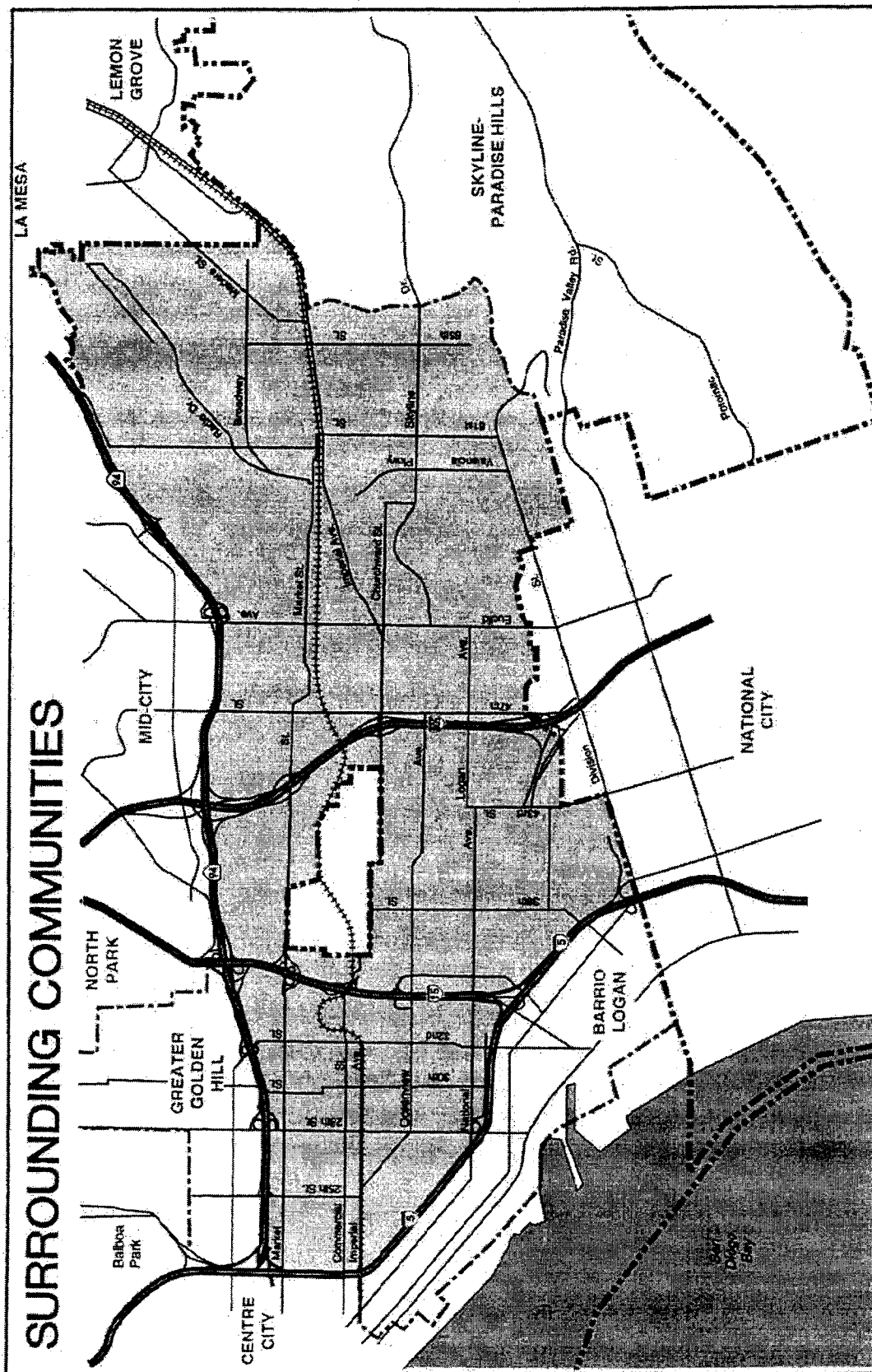
Development in urbanized communities is proposed by the General Plan to take place through infilling of vacant developable parcels. As an urbanized community with many such parcels, Southeastern San Diego is a prime location for such development, so long as it is consistent with the guidelines contained in this community plan.



SOUTHEASTERN SAN DIEGO

CITY OF SAN DIEGO • PLANNING DEPARTMENT

FIGURE 1



SOUTHEASTERN SAN DIEGO

CITY OF SAN DIEGO - PLANNING DEPARTMENT

FIGURE 2

PHYSICAL SETTING

The study area is comprised of a series of terraces which rise from just a few feet above sea level to over 400 feet above sea level in the east. Within the plan area, these terraces have been cut by streams into four highland areas. In the western portion of the community, the first of these highlands has a rolling appearance. This area contains a prominent knoll at 26th and "J" Street in Grant Hill.

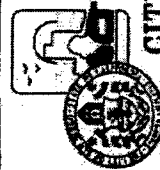
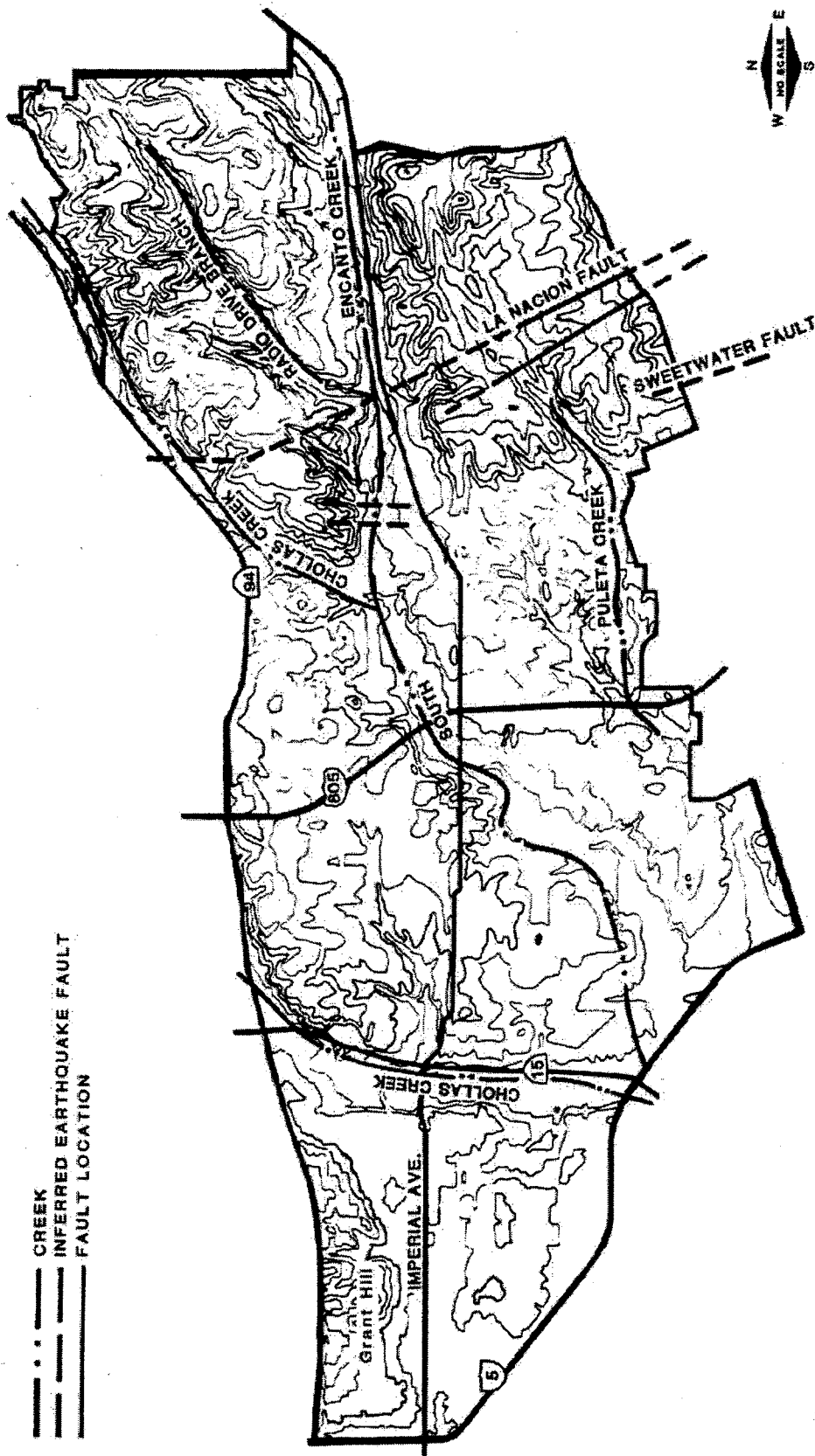
The central portion of the community is divided from the western portion by the Chollas Creek watercourse, which roughly parallels State Highway 15. The central portion has the flattest terrain in the community, descending from the lightly rolling second highland area in the north to a relatively level area in the south near the conflux of Chollas and South Chollas Creeks. Helix Heights and the shallow hillsides along the southern portion of the central area are notable topographic features.

The eastern portion of the plan area is characterized by higher elevations and steeper slopes. This portion of the plan area is bisected into two topographically comparable northern and southern parts containing the third and fourth highland areas of the community. The division between these uplands is formed by the Encanto Creek drainage.

TOPOGRAPHY, FLOODPLAINS AND EARTHQUAKE FAULTS

(CONTOUR INTERVAL - 25 FT.)

- CREEK
- - - INFERRED EARTHQUAKE FAULT
- FAULT LOCATION



SOUTHEASTERN SAN DIEGO
CITY OF SAN DIEGO · PLANNING DEPARTMENT

FIGURE 3

DEVELOPMENT CHARACTERISTICS

The Southeastern San Diego community has developed in a somewhat haphazard manner. This has happened in part because of the lack of a community plan, incomplete implementation of the adopted plan, and nonrestrictive zoning regulations during its formative years and in part because of the extensive freeway development within the community. As a result, many portions of the community are isolated from surrounding areas. Many community facilities are physically separated from the populations they are intended to serve. Some parks, schools and shopping areas are separated from their service areas by cemeteries, freeways, heavily traveled streets, drainage channels, canyons, undeveloped properties, and industrial areas.

The oldest portion of the community lies west of State Highway 15. This area developed prior to the application of present zoning regulations. It has a heavy intermixing of land uses. Its residential areas contain densities that are higher than those found in other parts of the community. Industrial and commercial uses are scattered throughout the area, with most activities existing within the Commercial Street-Imperial Avenue Corridor.

The central area of the community lies between State Highway 15 and Euclid Avenue. Development here took place after the advent of zoning regulations and is characterized by more distinct residential, commercial and industrial areas. Residential development is predominantly detached, single-family homes, or two homes on one lot. A considerable portion of the central area is devoted to cemeteries, which lie north of Imperial Avenue.

A marked change from the rectangular subdivision and commercial development takes place at Euclid Avenue. The eastern third of the community is characterized by a predominance of single-family homes on large lots. The eastern portion of Encanto is almost rural in nature.

The development characteristics of each neighborhood are more specifically described in the Neighborhood Element of the plan.

REDEVELOPMENT PROJECTS

Redevelopment, as established by the California Redevelopment Law, is a process which gives certain tools to the City of San Diego, the Southeastern Economic Development Corporation (SEDC) and property owners and tenants in Southeastern San Diego. SEDC is a public body which serves as the Redevelopment Agency and is governed by the City of San Diego. Once a redevelopment plan is adopted for a project area, the Redevelopment Agency (SEDC in this case) has broad powers under state law, except as limited by the redevelopment plan itself. The powers include the ability to acquire property and dispose of it for public and private development, to assist property owners in the rehabilitation and development of their properties, to undertake and pay for public improvements and to finance its activities through the issuance of bonds or other forms of borrowing.

The public purpose or goal behind the redevelopment process is the correction of conditions of blight in an area. This public purpose serves as the basis for permitting the Redevelopment Agency to acquire, through eminent domain, private property for lease or sale for private development and the spending of public funds to obtain private as well as public development. Certain controls or restrictions can also be imposed by SEDC to assure redevelopment of an area.

The redevelopment plan for an area is a development guide. In the case of the Southeastern San Diego community, a redevelopment plan can both supplement the guidelines of the community plan and can assist in the community plan's implementation.

The redevelopment plans contain general land uses and development controls, a full listing of Redevelopment Agency powers, a listing of public improvements to be provided, provisions for owner participation, and the proposed financing methods.

Redevelopment plans are adopted by first designating a survey area to study the need for possible redevelopment. This is followed by the adoption of a preliminary plan for a selected project area. Several months of detailed analysis will then result in the preparation of a redevelopment plan. In all cases, community businesses and residents are provided an opportunity to comment on the project. Following a public hearing which is noticed to all property owners by mail, the City Council may adopt the redevelopment plan, after which SEDC is charged with the responsibility to carry out the plan.

Activities associated with the implementation of a redevelopment plan could be commercial revitalization programs, code enforcement, rehabilitation, clearance of land for redevelopment and acquisition of land for public facilities or the assembly of sites for private development.

The Southeastern San Diego community contains four redevelopment project areas: Dells/Imperial, Mount Hope, Southcrest and Central/Imperial. Redevelopment plans have been approved for Mount Hope and Southcrest and preliminary plans have been prepared so far for the Dells/Imperial and Central/Imperial areas.

SOUTHCREST

The Southcrest Redevelopment Plan was approved in 1986 for a project area covering approximately 301 acres. This project is addressed in detail in the Neighborhood Element of this plan. The overall objectives of the Southcrest Redevelopment Plan are to:

- Promote revitalization of the economic and physical condition of the Southcrest community.
- Restore the character of Southcrest through development of the rescinded 252 corridor.
- Maximize employment opportunities for local residents through the creation of new commercial/business development.
- Promote owner participation agreements to ensure sensitive development throughout the Southcrest area.

MOUNT HOPE

The Mount Hope Redevelopment Plan was adopted in 1982. The project area consists of 160 acres. The redevelopment area contains two projects known as Gateway Center (east and west). The Mount Hope Planned District, providing special zoning or development regulations, was also approved in 1984 for part of the redevelopment project area.

The focus for redevelopment activity in this area has been the Gateway Center project, which covers 130 acres. This facility is planned for primarily industrial development, with a portion bring set aside for commercial development. Gateway Center is essentially sold out and 300,000 square feet of industrial building was completed or was under construction as of 1987.

The success of Gateway Center has enabled SEDC to realize many goals. A few of those goals include:

- Increased business opportunities for community based companies.
- Creation of jobs for Southeastern residents.
- Enhancement of the overall economic base for the Southeastern community.
- Rehabilitation of existing businesses.

More information on the Mount Hope neighborhood is provided in the Neighborhood Element of this plan.

DELLS/IMPERIAL

The Dells Redevelopment Project area originally consisted of 68 acres southeast of State Route 94 and State Route 15. Later revisions to this plan removed the Dells Industrial Park, now known as Gateway Center West from this redevelopment area, but expanded the project area to cover roughly 900 acres or the western one-third of the entire Southeastern San Diego community.

As of the date of adoption of this plan, a redevelopment plan had not yet been adopted for this area. The Southeastern Economic Development Corporation continues to work with community residents and business owners to assess the needs of the revitalization of the Dells/Imperial

Redevelopment Project Area which is bound by State Route 94 to the north, State Route 15 to the east and Interstate 5 to the south and west.

A major concern is the protection of the many historical structures located in this area. In order to preserve important structures and the overall character of the neighborhood, SEDC is suggesting the creation of a historic district for Sherman Heights.

The other major community concerns include:

- Commercial and industrial rehabilitation along Commercial Street, Market Street and Imperial Avenue.
- Site assembly for new construction.
- Development of joint use opportunities along the East Line Trolley.
- Promotion of housing rehabilitation throughout the project area.

CENTRAL IMPERIAL

The Central Imperial Redevelopment area covers 288 acres, located east of Interstate 805 and centered in neighborhood of Lincoln Park and along the corridors of Market Street and Imperial Avenue. A redevelopment plan is in the process of being prepared by SEDC.

Central Imperial offers many development opportunities. The 157 Expressway, the Potter tract and property adjacent to the 62nd Street trolley station are just a few. Through a Memorandum of Understanding between the Metropolitan Transit Development Board (MTDB) and the Housing Commission, SEDC will seek development opportunities along the trolley corridor.

The objectives of the Central Imperial Redevelopment Plan are to:

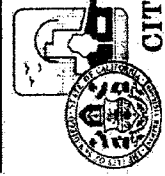
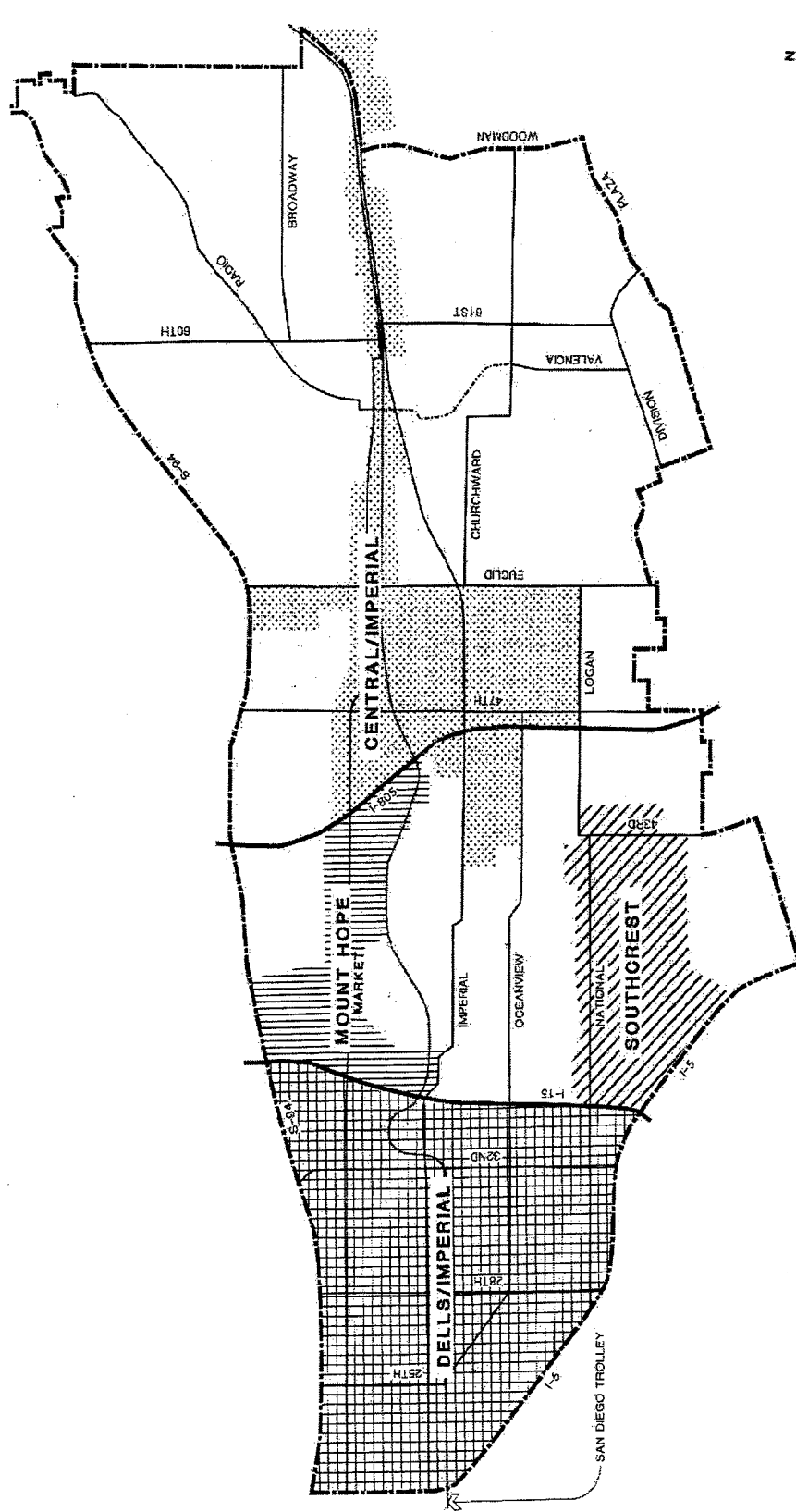
- Rehabilitate the intersection of 47th Street and Market Street.
- Provide opportunities for family-oriented business.
- Attract a large regional supermarket chain outlet in the area.
- Rehabilitate the intersection of Market Street and Euclid.
- Rehabilitate and rebuild the strip commercial along the eastern end of Imperial Avenue.
- Develop a quality residential project in the Caltrans owned 157 expressways.
- Continue and expand housing rehabilitation as necessary.

PROJECT FIRST CLASS

In addition to the mandates of the Progress Guide and General Plan, a program to specifically assist this community in the process of growth and revitalization was initiated by the fourth district council office in 1984.

Project First Class is a comprehensive program of community development which was approved by the City Council in May of 1984. This program was established to develop an urban design program, to form a concentrated code enforcement program and to facilitate other public and private improvements for Southeastern San Diego and the adjoining communities of Golden Hill and Skyline-Paradise Hills. The intent of this program is to work toward a better environment through economic development, attention to urban design, eyesore eradication, street and alleyway improvements, building code enforcement, residential and commercial rehabilitation and the establishment of quality housing. This community plan can also be considered as a step toward implementing the intent of Project First Class.

REDEVELOPMENT PROJECTS

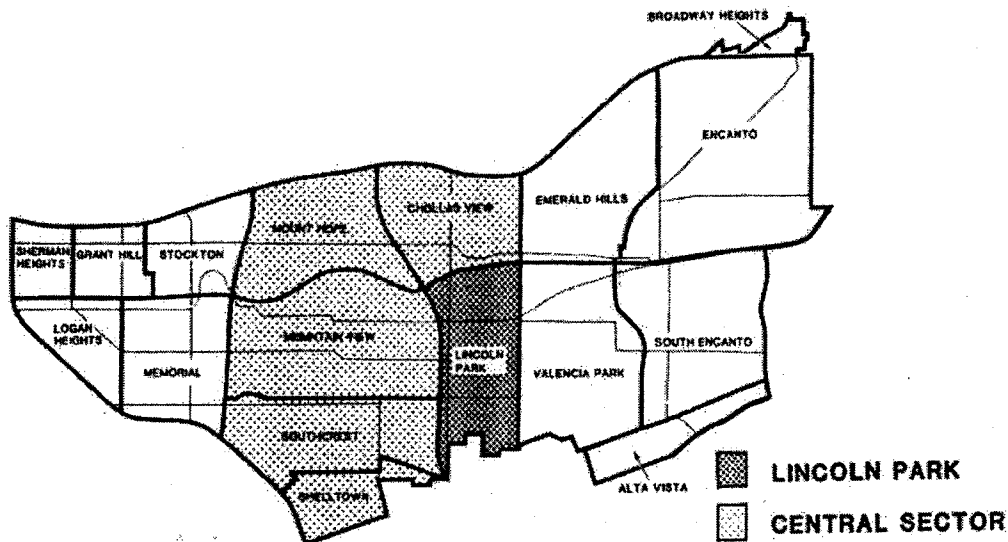


SOUTHEASTERN SAN DIEGO

CITY OF SAN DIEGO · PLANNING DEPARTMENT

FIGURE 4

THE NEIGHBORHOOD LINCOLN PARK



Setting

Lincoln Park is situated on approximately 477 acres in the eastern portion of Southern San Diego. It is bounded on the north by the San Diego Arizona Eastern Railroad tracks (now the San Diego Trolley line), on the south by the city of National City, on the east by Euclid Avenue, and on the west by Interstate 805.

Lincoln High School, named after Abraham Lincoln, continues to serve as a focal point for the neighborhood. As is true in many neighborhoods, the residents of the area associate themselves with the school, historically referring to the area as "Lincoln" and now "Lincoln Park."

The significant feature of this neighborhood is its abundance of land dedicated to public schools, the most dominant being Lincoln High School. The neighborhood also has two elementary schools—Harley Knox Elementary School and John F. Kennedy Elementary School. Another landmark is the oasis-like landscaping of the 230-unit El Rey Trailer Park which is planted with 100-foot-high palm trees. The park is the first development seen to passengers on the Euclid Line of the San Diego Trolley as it travels east past Interstate 805.

The area contains a wide range of topographic features, including rolling hills, mesa tops and floodplains. Due to the abundance of rolling hills, many properties enjoy views, particularly the two-story apartment buildings.

Approximately 3,500 people reside in Lincoln Park with an overall density of about 17 dwelling units per acre. The population density is the highest in the Southeastern San Diego community.

Existing Land Uses

Lincoln Park is divided into three subareas, divided by major east/west corridors. The northern subarea, defined on the south by Imperial Avenue and on the north by the trolley line, is predominantly residential. At the southwest corner of 47th Street and the trolley line, the 47th

Street trolley station shares a parking lot with the Church of God. This station is the first stop on the trolley line after the trolley has exited the cemetery area in Mount Hope. The eastern portion of this subarea is multi-family housing with densities averaging about 25 units per acre. This subarea also includes the 230-unit El Rey Trailer Park and, just to the east of the trailer park, an 18-acre aircraft manufacturing facility. Concrete-lined Las Chollas Creek passes east/west through the trailer park and the industrial facility.

Still in the northern subarea, the western portion consists of a 35-acre site that was acquired by Caltrans and was intended to be developed as the 157 Expressway, a major connector between Interstate 805 and Market Street. The concept of constructing this project has since been abandoned and the area is now being recommended for redevelopment by SEDC. The property is nearly vacant with the exception of a dozen homes that are still being rented out by Caltrans. A majority of the property is impacted by flooding and drainage problems associated with Las Chollas Creek. The creek flows through a concrete lined channel through the developed areas of Lincoln Park, but is in its natural state as it passes by the 157 Expressway property.

Imperial Avenue west of Euclid Avenue is occupied by a variety of neighborhood-serving commercial uses. Eating establishments and other local retail shops line this strip commercial development. The strip commercial has a perimeter road of its own with a median separating it from Imperial Avenue. Within this easement, a majority of the off-street parking is provided for the retail uses.

This design removes the slower moving cars from the fast moving pace of Imperial Avenue. Lincoln High School, also fronts on Imperial Avenue, and John F. Kennedy Elementary School, with a four-acre park, is located one block south. Although the schools are on level ground, the properties to the south and east are very hilly, creating a challenge for infill development.

The residential area south of Imperial Avenue and north of Oceanview Boulevard is the oldest area in the Lincoln Park neighborhood. Many of the streets have poor road surfaces or are even unpaved and many lack any sidewalks, curbs or gutters. A vacant ten-acre site fronting on Euclid Avenue is surrounded by single- and multi-family developments.

Nearly all of the low density residential development is south of Oceanview Boulevard. A large cluster of over 400 single-family homes is just south of Logan Avenue between 47th Street and Euclid Avenue. The high density developments are in the vicinity of Imperial Avenue and Euclid Avenue and along Logan Avenue. An abundance of multi-family housing exists in this neighborhood.

The southern subarea is bounded by the city of National City on the south and is occupied primarily by single-family homes. Large apartment complexes are also in existence on Logan Avenue and 47th Street. In the center of this subarea is Harley Knox Elementary School. A recent development is the Eastridge project, located at the Southeastern corner of Logan Avenue and 47th Street. The 86-unit project is a gated single-family, attached complex. Along Logan Avenue east of 49th Street is a block of community-serving commercial uses, and a multi-family complex. The Logan-Euclid Professional Business Association has organized an active program to work for the area's improvement. This Association includes the northwest and southwest corners of Logan and Euclid Avenues.

Fire Station 12 is located on Imperial Avenue, west of Euclid Avenue. The Valencia Park Branch Library is located north of Imperial Avenue on 50th Street and is planned to be relocated to the corner of 51st and Market Streets.

Existing Land Uses (1986)	
Type of Use	Percent
Residential	
Low Density (5-10 du/ac, 1 du/lot)	25%
Low-Medium Density (10-15 du/ac)	20%
Medium Density (15-30 du/ac)	5%
Industrial and Commercial	15%
Institutional (public schools)	15%
Vacant	15%
Parks	<u>5%</u>
	100%

Lincoln Park Objectives

1. Retain the existing single-family development as islands of well-maintained housing, while encouraging redevelopment of dilapidated housing. Increase homeownership opportunities.
2. Redevelop the vacant 157 Expressway land for residential use, while encouraging homeownership opportunities.
3. Improve the appearance of major transportation corridors including the trolley through improved landscaping.
4. Retain viable existing businesses along major streets including Imperial Avenue, Euclid Avenue, and Logan Avenue, encouraging rehabilitation.
5. Expand community-serving commercial activities.

Lincoln Park lacks adequate commercial facilities such as supermarkets, pharmacies, clothing stores and other outlets that would satisfy the needs of a neighborhood. Full service shopping facilities are several miles away in National City, while other retail services are grossly inadequate. Very few employment opportunities exist in Lincoln Park at the present time.

6. Retain the hills and canyons of the neighborhood.
7. Incorporate neighborhood changes to decrease the crime rate.

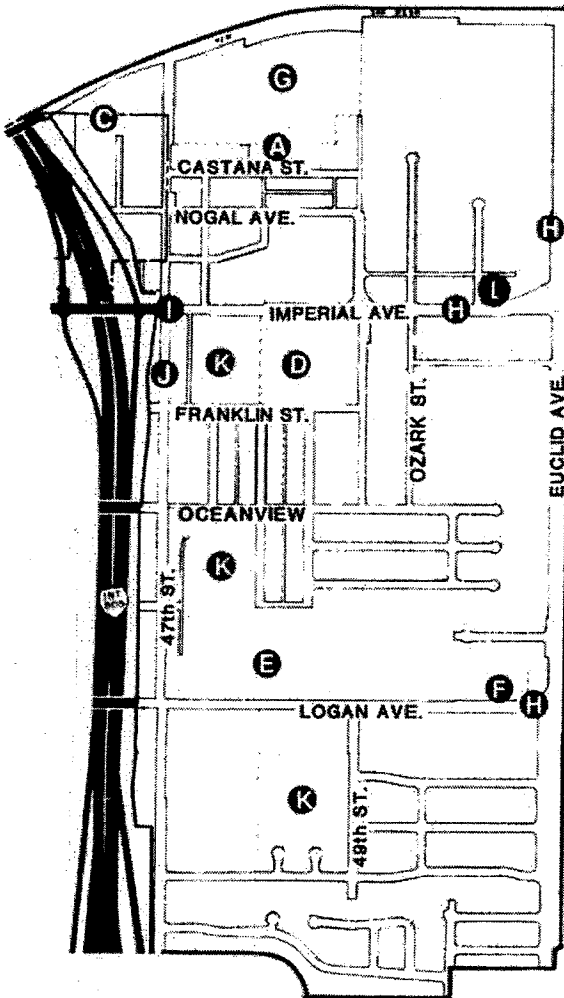
An excessively high crime rate, together with drug and gang problems associated with the schools, has affected the safety of the streets and has increased the need for police surveillance. The crime rate in this area is high. In a study conducted by CIC Research, Inc., in 1981 of the entire Southeastern San Diego community, two-thirds of the 600 respondents indicated that crime or juvenile delinquency was a problem in the community. The statistics on crimes committed in the neighborhood and its immediate surroundings show grounds for the concern voiced by the citizens. San Diego Police Department figures for 1984 violent crimes committed shows a rate per 10,000 persons of 117.5 which is nearly double the citywide rate of 61.1.

Lincoln Park Recommendations

- A. Redevelop the 157 Expressway for residential and a small amount of commercial uses.

Redevelopment of the vacant 157 Expressway land is the highest priority for this neighborhood. SEDC is in the process now of completing the Central Imperial Redevelopment Project report which will outline specific projects and programs that will assist in the development of this area. The project area includes the majority of the Lincoln Park neighborhood, running as far south as Oceanview Boulevard.

Townhouse and courtyard designs are encouraged, with a recommendation that the development plans call for a division of dwellings into clusters, perhaps grouped around small courtyards. A majority of the development should be oriented toward home ownership. Large multi-family developments should be avoided. The Planned District legislation should outline a discretionary process to be used in the review of larger projects within the 157 Expressway. Street vacations and lot consolidations are strongly recommended in order to maximize redevelopment opportunities.



RECOMMENDATIONS MAP

GENERAL RECOMMENDATIONS

- B. Maintain a strong code enforcement effort.

- B. Stabilize and improve the neighborhood through continued enforcement of the zoning and building codes.

The ongoing Project First Class Zoning and Building Code Enforcement, alley improvement, and litter control programs should be continued. The central subarea of Lincoln Park is particularly needy in this regard.

- C. Retain the R-3000 designation for the property south of the 47th Street trolley station.

The 47th Street park and ride trolley station is located just south of the railroad tracks on 47th Street. Just to the west of the trolley station is a 2.6-acre site on MTDB-owned land. To the south of the trolley station and along 47th Street is the Church of God which now shares the parking facilities at the trolley stations. South of church and north of Las Chollas Creek is a 1.5-acre site. This site should be developed by the standards of the R-3000 Zone.

- D. Rezone the residential area south of Imperial Avenue and north of Oceanview Boulevard to R-2500 and R-3000 or similar zones, with the exception of the properties south of Holly Street and west of Euclid.

This plan recommends that the designation for the residential area south of Imperial Avenue and north of Oceanview Boulevard be revised in density from the existing R-1500 Zone to R-2500 and R-3000 zones. This designation would allow residential densities of 15-17 dwelling units per acre. Townhouse and courtyard designs are encouraged, with a recommendation that the development plans call for a division of dwellings into small clusters of 10-15 units each, perhaps grouped around small courtyards. This revision in density would not create any non-conforming uses, but it would assure compatibility in the scale of future development.

- E. Rezone the R-1500 properties south of Oceanview to R-2500. This recommendation is made in recognition of the existing pattern of development, and to minimize the spot zoning pattern that presently exists.

- F. Rezone the YWCA site to reflect its institutional use.

The YWCA on the south side of Logan Avenue just west of Euclid Avenue is recommended to be rezoned to reflect its institutional use, with an alternative community commercial zone.

- G. Retain the El Rey Trailer Park as a mobile home park overlay zone.

The El Rey Trailer Park should be retained with a mobile home park overlay and be rezoned from the existing R-1500 Zone to the R-3000 Zone, in order to properly reflect the existing land use density.

- H. Revitalize the commercial corridors through loans and the establishment of a Business Improvement District.

New commercial development needs to provide sorely needed community-serving commercial services. This development should be focused at the intersections of Imperial Avenue and Euclid Avenue, and Logan Avenue and Euclid Avenue. Euclid Avenue is a highly traveled north/south corridor that carries thousands of potential customers every day. The recent opening of the trolley station at Euclid Avenue and Market Street will further increase the number of people utilizing this major street.

Along the commercial corridors, a commercial revitalization program to assist existing businesses and business properties should be initiated. The program should begin with organization of property and business owners into a business improvement district for the intersection of Imperial Avenue and Euclid Avenue. City assistance through public improvements (code enforcement, landscape, parking, lighting) and low interest rehabilitation loans should be focused to locations where property owners are organized and willing to commit their own funds to improvements. A major component to this revitalization effort will be code enforcement and litter control.

The Logan-Euclid Professional Business Association has already organized an active program to work for the area's improvement. As an important, highly-visible intersection, Logan-Euclid can become a demonstration model for a joint private-public revitalization effort. Given the owner's initiative and willingness to invest in property improvements, the area should be given high priority for public landscape improvements through the Project First Class Landscape Improvement Program.

Logan Avenue from 49th Street to Euclid Avenue should also be given a high priority in the Landscape Improvement Program.

- I. Retain or create neighborhood and commercial zones north of Imperial Avenue, east and west of 47th Street.

The northwest corner of 47th Street and Imperial Avenue should be retained for a neighborhood-serving commercial use. The northeast corner of 47th Street and Imperial Avenue is vacant and should be developed for neighborhood commercial use. All new development should recognize the importance of 47th Street as the visible "front edge" of Lincoln Park. Buildings on 47th Street, whether residential or commercial, should have street-facing entrances with a strong sense of the front being on 47th Street. Buildings should not turn their backs on the streets. Parking areas should not be located between buildings and 47th Street.

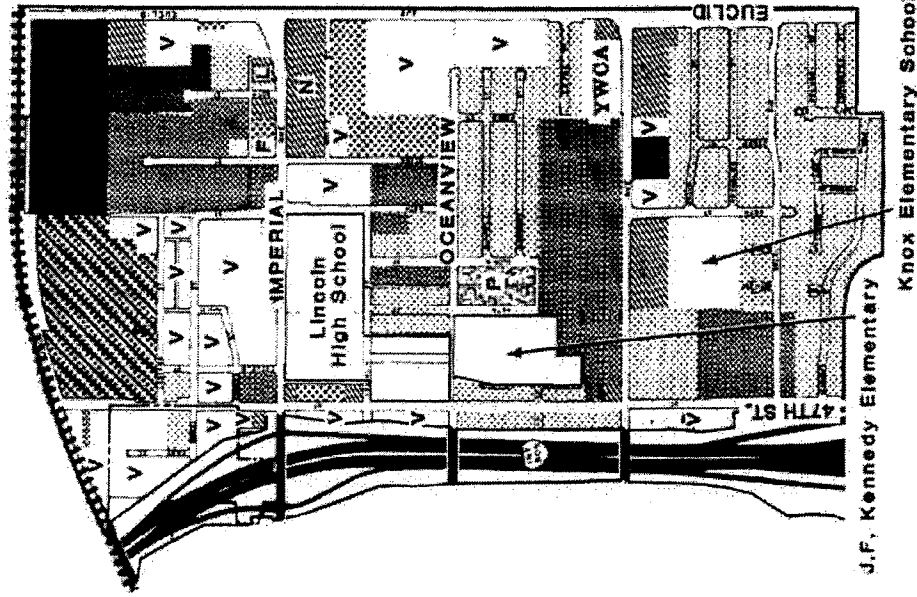
- J. Rezone the east and west sides of 47th Street south of Imperial Avenue to Franklin Street.

The east side of 47th Street immediately south of Imperial Avenue is currently zoned R-1500, is adjacent to the Lincoln High School recreational field, and is developed with commercial uses on both the north and south ends of the block. This block should be

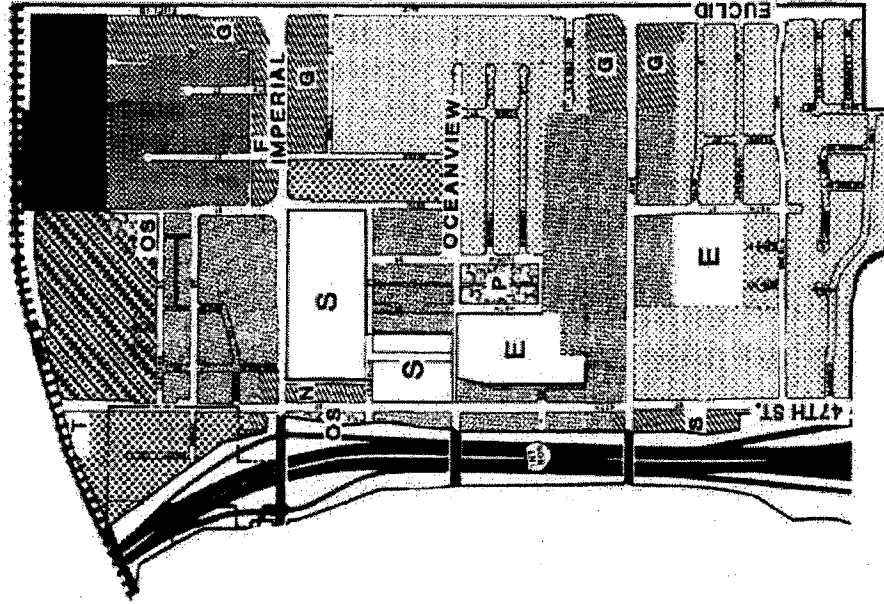
rezoned to a neighborhood commercial designation to allow the infill of neighborhood serving commercial uses. The west side of 47th Street, from Imperial Avenue to Franklin Street, is an 0.33-acre vacant parcel owned by the City of San Diego. This property should be rezoned to R1-40000 and maintained by the City of San Diego as open space. Any use of this property other than open space, should require a special permit to control permitted uses and assure a quality project that relates well to the nearby school facilities.

- K. Rezone Knox Elementary School, J.F. Kennedy Elementary School, and Lincoln High School to the Institutional Overlay Zone. None of these sites should be developed with compatible private development unless it is determined that they are not needed for public facility use through the Institutional Overlay Zone review process. Where it is determined that residential re-use is appropriate, the density should be compatible with surrounding densities in the neighborhood; the density should be 5-10 units per acre for Knox and J.F. Kennedy Elementary Schools and 10-17 units per acre for Lincoln High School.
- L. When the Valencia Park Library vacates its present location on Imperial Avenue and 50th Street, the site shall be redesignated for commercial use and retain the zone CSF-2, in character with the surrounding development.
- M. The restoration of Chollas Creek through the Market Creek Plaza Project will provide the community with opportunities for recreation. The creek's sloped banks should be restored with native riparian vegetation, and special features of the restoration could include an amphitheater embedded on the sloped banks of the creek. Pathways along the creek banks will provide pedestrian linkages to the community.
- N. Rezone the area south of the trolley tracks west of Euclid and just east of the northern extension of 49th Street from industrial to commercial to support the development of a major community commercial center (Market Creek Plaza).

EXISTING LAND USE

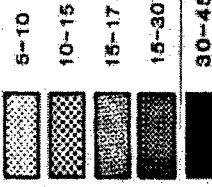


RECOMMENDED LAND USE



LEGEND

RESIDENTIAL (units per acre)



COMMERCIAL

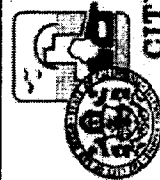
G-GENERAL
N-NEIGHBORHOOD
S-SPECIALIZED
INDUSTRIAL

INSTITUTIONAL

Schools
E Elementary
J Junior High
S Senior High
F Fire Station
L Library

P PARK
OPEN SPACE
MOBILE HOME
OVERLAY ZONE
(10-15 units per acre)

V VACANT



LINCOLN PARK
SOUTHEASTERN SAN DIEGO

CITY OF SAN DIEGO - PLANNING DEPARTMENT

FIGURE 38

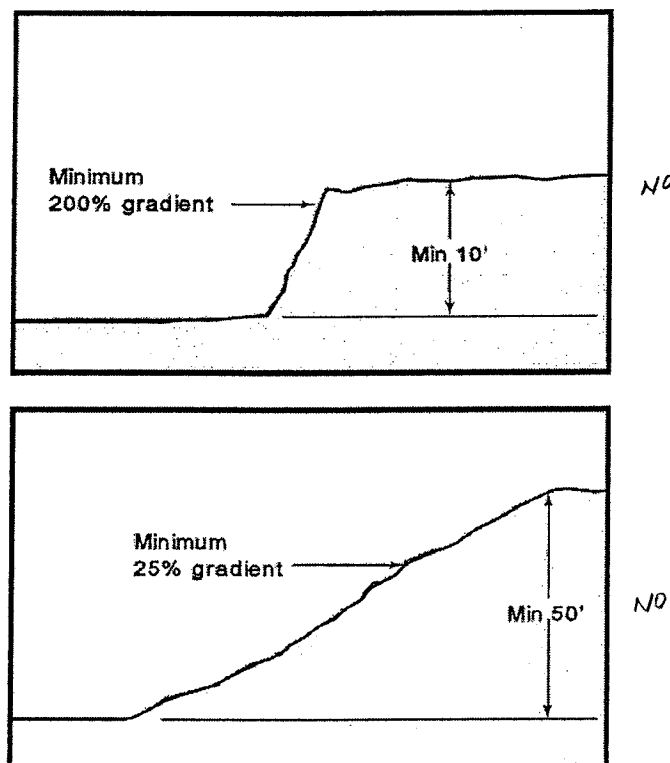
SECTION I: DESCRIPTION OF REGULATIONS

The following guidelines are intended to aide in the interpretation and implementation of some of the regulations found in **Chapter 14, Article 3, Division 1**, Environmentally Sensitive Lands Regulations. The numbers referenced for each regulation refer to the Code section numbers of the Environmentally Sensitive Lands Regulations. The text provided for each regulation does not repeat the Code language but rather restates the regulations with more details and explanations.

(A) 143.0110 When Environmentally Sensitive Lands Regulations Apply

Generally, the steep hillside regulations of the Environmentally Sensitive Lands Regulations are applicable when development is proposed on a site containing any portions with a natural gradient of at least 25 percent (25 feet of vertical distance for every 100 feet of horizontal distance) and a vertical elevation of at least 50 feet. The steep hillside regulations are also applicable if a portion of the site contains a natural gradient of at least 200 percent (200 feet of vertical distance for every 100 feet of horizontal distance) and a vertical elevation of at least 10 feet. See **Diagram I-1**. The vertical elevation must occur generally in the area with the steep hillsides and may include some pockets of area with less than 25 percent gradient.

DIAGRAM I-1
STEEP HILLSIDE CRITERIA



Outside the Coastal Overlay Zone, an exemption from the steep hillside regulations and the requirement for a Neighborhood Development Permit or Site Development Permit may be granted if the proposed development does not encroach into the steep hillsides and the development maintains a setback of 40 feet from the top of the steep hillsides.

**(B) 143.0113 Determination of Location of Environmentally Sensitive Lands,
Applicability of Division and Decision Process**

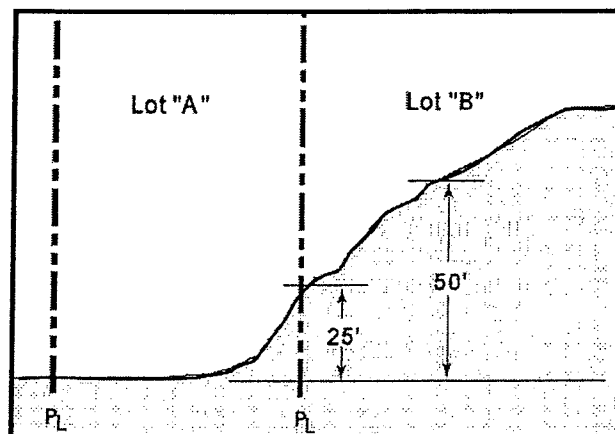
The determination of the precise location of the steep hillsides on a site shall be made with the information submitted by the applicant, and any other information available, including City maps and records and site inspections. If the proposed development encroaches into the steep hillside area or does not observe the required setback from the steep hillsides to obtain an exemption, a Neighborhood Development Permit or Site Development Permit will be required in accordance with **Table 143-01A**. Within the Coastal Overlay Zone, a Neighborhood Development Permit or Site Development Permit is required whenever steep hillsides are located on the premises regardless of encroachment into the steep hillside, and a Coastal Development Permit is required for all coastal development, unless exempt pursuant to **Section 126.0704** of the Coastal Development Permit procedures.

The permit required is based on the type of development proposed and the type of environmentally sensitive lands present (in addition to steep hillsides).

If the site contains steep hillsides but does not have 50 feet of vertical elevation, an off-site analysis of the adjacent property(s) must be made to determine whether the steep hillsides on the subject site are part of a steep hillside system that extends off-site and exceeds the 50-foot elevation. See **Diagram I-2**. If the 50-foot elevation is met when considering the extension of the steep hillsides off-site, the site will be subject to the steep hillside regulations.

**DIAGRAM I-2
OFF-SITE STEEP HILLSIDE CRITERIA**

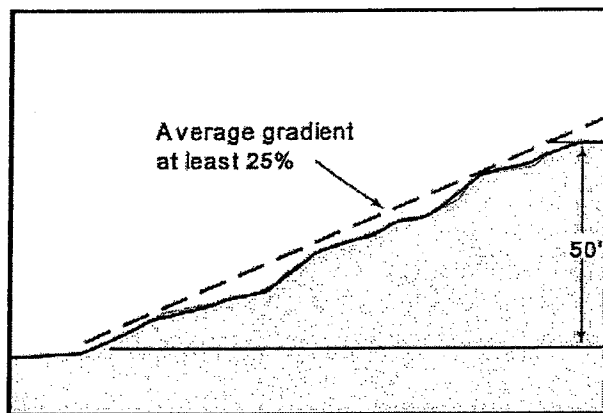
Lot "A" is subject to Environmentally Sensitive Lands Regulations since the 26' high on-site slope is part of a hillside that extends off site and exceeds 50' elevation.



The measurement of the vertical elevation of the steep hillside shall consider the entire slope system and not only the individual portions of the slope with at least 25 percent gradient. That is, the measurement of the vertical elevation may include some areas with less than 25 percent gradient as long as the overall, predominant slope gradient is 25 percent. See Diagram I-3.

**DIAGRAM I-3
AVERAGE GRADIENT**

The hillside is subject to Environmentally Sensitive Lands Regulations since the overall gradient is at least 25% (even though small portions of hillside are less than 25% gradient.



(C) 143.0140(a) Requirement for Covenant of Easement

Any portions of a site containing steep hillsides (or any other Environmentally Sensitive Lands) that are not part of the allowable development area shall be left undeveloped and in their natural state. Assurance of the continued preservation of the remainder portion will be achieved with the requirement for the property owner to record a covenant of easement against the title to the property that will maintain that portion of the property in its natural state and only permit uses that are identified in the approved Neighborhood Development Permit or Site Development Permit or Coastal Development Permit. The property owner may offer to dedicate in fee the remainder portion of the site, although the City is not obligated to accept the dedication. Such decision by the City will be based on a number of factors including, but not limited to, the property's location, necessary maintenance, and permitted uses.

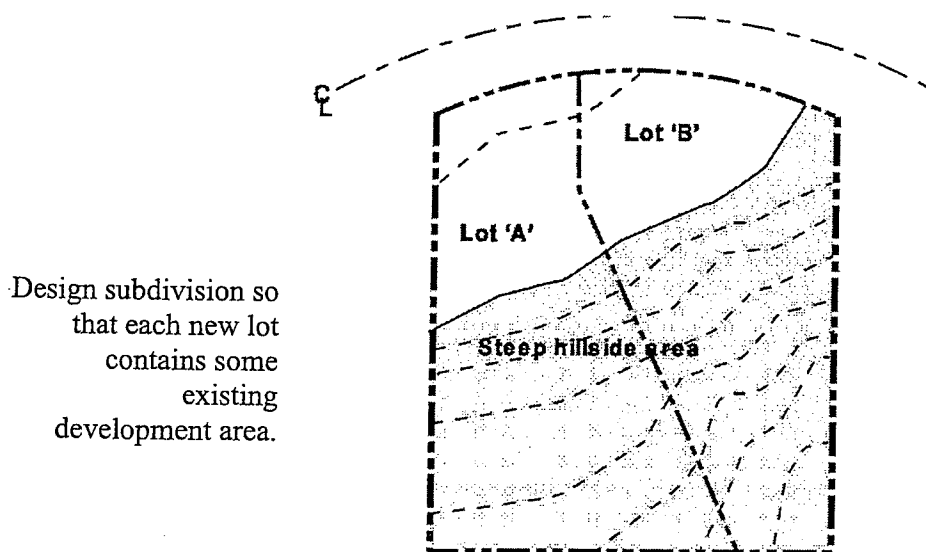
(D) 143.0140(b) and (c) General Regulations for Subdivisions

- (b) When a subdivision is proposed, the allowable development area shall be based on the area of the original unsubdivided premises. All development, including pads, graded areas, streets and driveways shall be located within the allowable development area and any encroachment into steep hillsides that is permitted will be based on the entire premises and not calculated separately for each newly created lot. For lots where development is not proposed at the time of subdivision, the grading plan must indicate the limits of future development of such lots and this future potential development area will be included in the development area calculation for the subdivision.

- (c) Each newly created lot within a subdivision shall include some portion that does not contain steep hillsides that will serve as the location (or future location) of development of the lot. See **Diagram I-4**. Since this area without steep hillsides will be considered part of the total development area of the subdivision, it should be sufficient in size to accommodate a reasonable development without requiring additional encroachment into steep hillsides. If additional encroachment is desired for development area on an individual lot, development area calculation will be based on the original subdivision and not the individual lot. That is, even if the individual lot has a development area that is less than 25 percent of the lot area, additional encroachment into steep hillsides on the lot will only be permitted if the development area of the original subdivision was less than 25 percent of the area of the original unsubdivided premises.

Within the Coastal Overlay Zone, no Coastal Development Permit shall be issued for a subdivision that results in a newly created lot that does not contain adequate development area such that no encroachment into steep hillsides is required to accommodate future development. Encroachment is defined as alteration of the natural landform by grading or where the area is rendered incapable of supporting vegetation due to the displacement required for the building, accessory structures, paving, or clearance of vegetation, including Zone 1 brush management (30-foot minimum setback).

DIAGRAM I-4
GENERAL REGULATIONS FOR SUBDIVISIONS



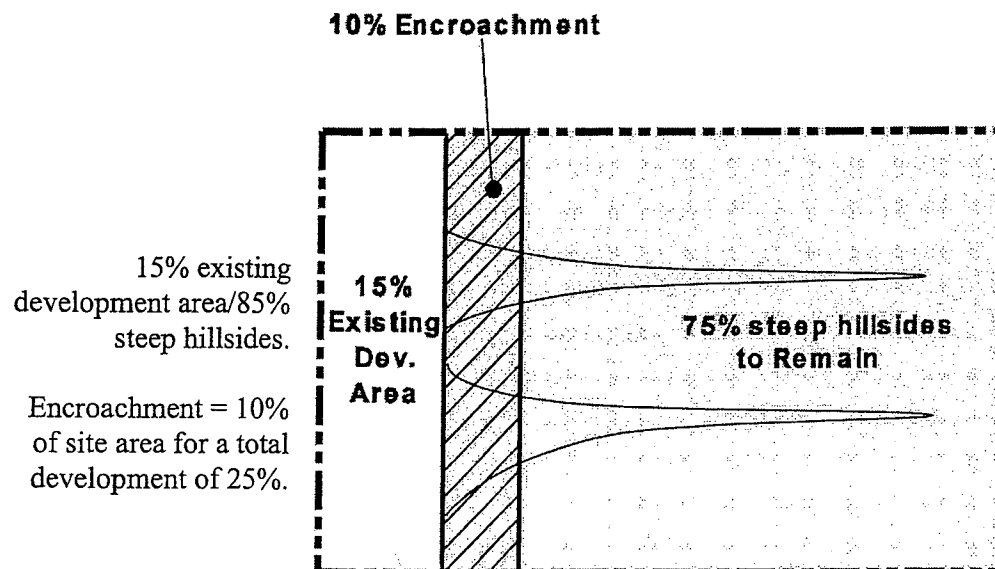
(E) 143.0142(a)(2), (3), (4)(a) and (4)(c) Development Area

- (2) The allowable development area of a site containing steep hillsides shall be calculated as follows:

The existing development area includes all developed portions of a site plus any undeveloped portions that do not contain steep hillsides. The total development area includes the existing development area plus any areas proposed for encroachment. The allowable development area includes all areas of grading, including the limits of cut and fill slopes, all structures and all other improvements, other than erosion control measures, as described in **Subsection (H)** of these guidelines. Development into steep hillsides shall only be allowed if it is consistent with the design standards in **Section II** and the community-specific requirements of **Section III**.

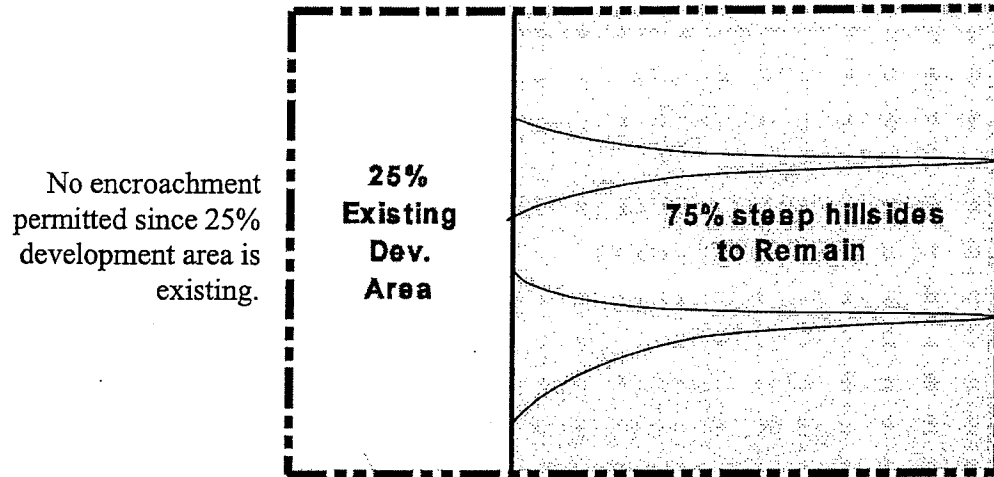
If the existing development area is less than 25 percent of the total site area, then the allowable development area will also include the amount of encroachment into steep hillsides necessary to achieve a total development area that is equal to 25 percent of the site. See **Diagram I-5**. However, within the Coastal Overlay Zone, the allowable development area on sites containing steep hillsides is discretionary and regulated by **Section 143.0142(a)(4)** of the Environmentally Sensitive Lands Regulations and **Section I.E(4)** of these guidelines.

DIAGRAM I-5
DEVELOPMENT AREA CALCULATION
WITH 15% EXISTING DEVELOPMENT AREA



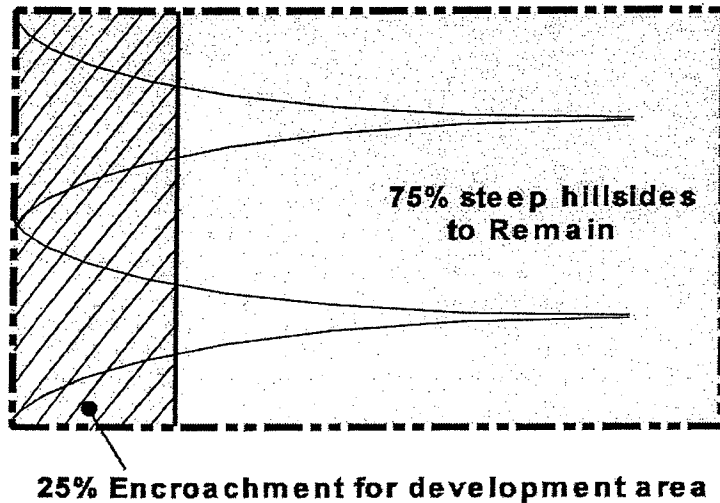
If the existing development area is more than 25 percent of the total site area (less than 75 percent of the site containing steep hillsides), then no encroachment into the steep hillsides shall be permitted except as described in **Section 143.0142(a)(3)** and **143.0142(a)(4)**. See **Diagram I-6**.

**DIAGRAM I-6
DEVELOPMENT AREA CALCULATION
WITH 25% EXISTING DEVELOPMENT AREA**



If a site has no existing development area (100% of the site containing steep hillsides), a maximum 25 percent of the site area may be encroached upon to achieve the allowable development area, except as described in Section 143.0142(a)(3) and 143.0142(a)(4). See Diagram I-7.

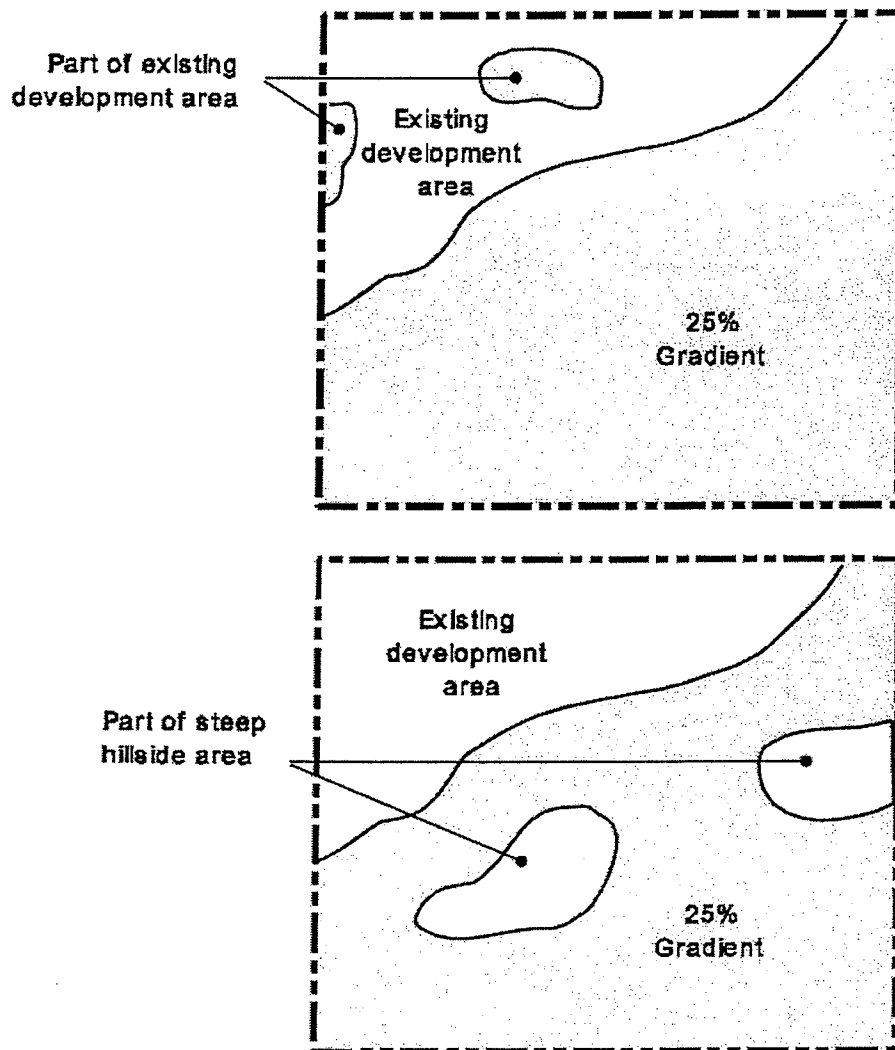
**DIAGRAM I-7
DEVELOPMENT AREA
WITH NO EXISTING DEVELOPMENT AREA**



Outside the Coastal Overlay Zone, small isolated pockets of 25 percent or greater gradient completely surrounded by existing development area shall be considered part of the existing development area provided the pockets total less than 10

percent of the existing development area. Development of such pockets will not be counted as encroachment. Likewise, small pockets of less than 25 percent gradient surrounded by steep hillsides shall be considered part of the steep hillsides and development of these pockets will only be permitted consistent with the regulations for all other steep hillsides. See **Diagram I-8**.

DIAGRAM I-8
SMALL ISOLATED POCKETS



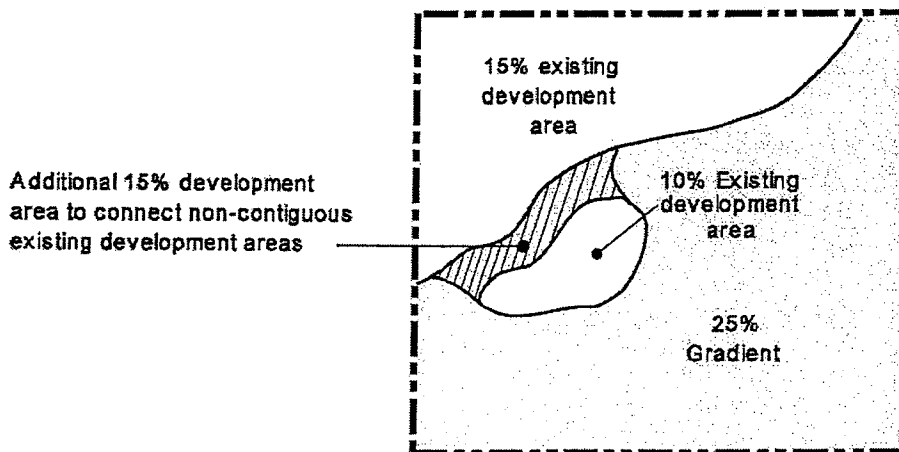
Additional development proposed within the development area of a premises with an approved Site Development Permit will be permitted only if the proposed development is in substantial conformance with the Site Development Permit. Such a development area will not be considered "disturbed" so as to qualify as an exemption from the Environmentally Sensitive Lands Regulations for any additional future development.

- (3) Outside the Coastal Overlay Zone, an additional 15 percent of site area (for a maximum of 40 percent of the site area) may be encroached upon and used as development area for the following conditions:

For projects where the following major public facilities are required, an additional 15 percent development area may be permitted when it is not feasible to locate them within the allowable 25 percent development area: publicly-owned parks and recreation facilities, fire and police stations, publicly-owned libraries, public schools, major public roads and prime arterials, and public utility systems.

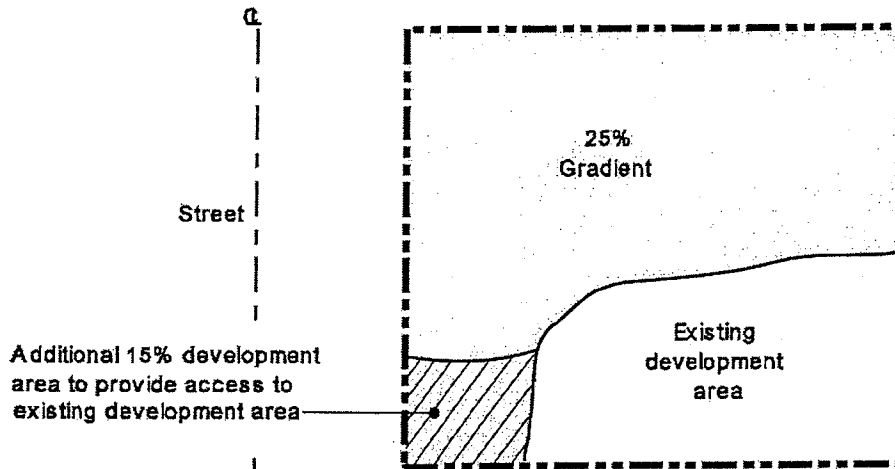
For projects where the existing development area is not contiguous, an additional 15 percent of the site may be encroached upon in order to connect the development areas. See **Diagram I-9**. This additional encroachment shall not apply if there exists a single contiguous development area with direct access that equals at least 25 percent of the site area. If an additional 15 percent development area is not sufficient to connect the development areas, a deviation may be requested in accordance with **Section 143.0150**.

DIAGRAM I-9
ADDITIONAL ENCROACHMENT FOR
NON-CONTIGUOUS DEVELOPMENT AREAS



For projects where the existing development area does not have direct access to a public right-of-way, an additional 15 percent of the site may be encroached upon in order to gain access to the development area. See **Diagram I-10**. If the existing development area is less than 25 percent of the site area, the encroachment for access shall be included in the allowable 25 percent development area. If additional encroachment is still needed to gain access, an additional 15 percent of the site may be encroached upon (for a maximum development area of 40 percent of the site area). If the existing development area is more than 40 percent and has no access or if the additional 15 percent development area is not sufficient to obtain access, a deviation may be requested in accordance with **Section 143.0150**.

DIAGRAM I-10
ADDITIONAL ENCROACHMENT FOR
NON-CONTIGUOUS DEVELOPMENT AREAS



- (4)(a) Within the Coastal Overlay Zone, projects proposing to encroach into steep hillsides shall be subject to the discretionary regulations identified in **Section 143.0142(a)(4)** of the Environmentally Sensitive Lands Regulations. Projects shall be evaluated on a case-by-case basis to determine if encroachment, as defined in **Section 143.0142(a)(4)(D)** of the Environmentally Sensitive Lands Regulations, can be permitted. It is the intent of the regulations and the Steep Hillside Guidelines that development be located on the least sensitive portions of a site and that encroachment into areas containing steep hillsides, sensitive biological resources, geologic hazards, view corridors identified in adopted land use plans or viewsheds designated on Map C-720, be avoided or minimized if unavoidable. Projects proposing to encroach into steep hillsides shall demonstrate conformance with the Environmentally Sensitive Lands Regulations and the Design Standards in **Section II** of the Steep Hillside Guidelines and result in the most sensitive design possible.

Encroachment shall not be permitted for the following:

- Projects where the encroachment is solely for purpose of achieving the maximum allowable development area;
- Accessory uses or accessory structures including, but not limited to patios, decks, swimming pools, spas, tennis courts, other recreational areas or facilities, and detached garages; and
- Primary structures when the encroachment is designed to accommodate accessory uses or structures elsewhere on the site.

Encroachment into steep hillsides is not specifically granted. Encroachment shall be subject to discretionary review and shall be consistent with **Section 143.0142(a)(4)** of the Environmentally Sensitive Lands Regulations and the Design Standards in **Section II** of the Steep Hillside Guidelines. For premises that are less than 91 percent constrained by steep hillsides, the maximum allowable development area that may be considered through discretionary review is 25 percent. For premises that are 91 percent or more constrained by steep hillsides, the maximum allowable development area that may be considered through discretionary review is 20 percent. An additional 5 percent development area for sites constrained with 91 percent or more steep hillsides may be allowed if it is found that a 20 percent development area is not sufficient to provide an economically viable use in accordance with **Section 126.0708(e)**, Supplemental Findings Environmentally Sensitive Lands Within the Coastal Overlay Zone. A development area in excess of 25 percent on any premises shall only be considered pursuant to **Section 126.0708(e)**, Supplemental Findings Environmentally Sensitive Lands Within the Coastal Overlay Zone and the **Submittal Requirements for Deviations from the Environmentally Lands Regulations Within the Coastal Overlay Zone** located in the Land Development Manual.

- (4)(c) Within the Coastal Overlay Zone, an additional 15 percent of the site area, in excess of the maximum allowable development area, as stated in **Section E(4)(a)** above, may be encroached upon and used as development area for the following conditions:

For major public roads and collector streets that are identified in the Circulation Element of an adopted community plan or land use plan and for public utility systems, an additional 15 percent development area may be permitted when it is not feasible to locate them within the allowable development area.

For projects within the North City Local Coastal Program Land Use Plan areas where the existing development areas do not have direct access to a public right-of-way, an additional 15 percent of the site may be encroached upon by local public streets or private roads and driveways which are necessary to access the developable portions of the site (areas that do not contain steep hillsides) provided that no less environmentally damaging alternative exists. See **Diagram I-10**. Determination of whether the additional 15 percent encroachment, or portion thereof, can be permitted will be made based on the constraints analysis identified in **Section II** of the Steep Hillside Guidelines (Design Standards). However, if the existing development area is less than the maximum allowable development area (as determined by the percentage of site constrained by steep hillsides), the encroachment for access shall be included in the allowable development area. If the existing development area is more than 40 percent and has no access or if the additional 15 percent development area is not sufficient to obtain access, a

deviation may be requested in accordance with **Section 126.0708(e)**, Supplemental Findings Environmentally Sensitive Lands Within the Coastal Overlay Zone.

(F) 143.0142(e) Hold Harmless and/or Indemnification Agreement

In general, a Hold Harmless Agreement will be required with the Site or Neighborhood Development Permit for all proposed developments on sites containing steep hillsides.

The requirement for an indemnification agreement will depend on how the remainder portion of the site will be maintained in its natural condition and the level of public access anticipated on the remainder portion.

- When the remainder portion of the site is dedicated in fee to the City, an indemnification agreement will not be required for that area.
- When the remainder portion of the site is dedicated as an easement, a hold harmless and/or indemnification agreement may be required if public access is anticipated on that portion.

(G) 143.0142(f) Drainage

To the extent feasible, all drainage from development of a site containing steep hillsides should be directed away from any steep hillside areas and directed towards a public storm drain system or onto a street developed with a gutter system designed to carry surface drainage runoff. This does not apply to natural drainage courses existing on the portions of the site that are not proposed to be developed. These natural drainage courses should be retained where feasible, but not be impacted by additional runoff from the developed portions of the site.

(H) 143.0142(g) Erosion Control Measures

Outside the Coastal Overlay Zone, erosion control measures include, but are not limited to, retaining walls, air placed concrete and other structures, devises, or methods appropriate for controlling or minimizing erosion. All feasible methods of erosion control shall be considered, including sandbags, revegetation, and drainage diversion and improvements. Within the Coastal Overlay Zone, erosion control measures require a Coastal Development Permit and are subject to the encroachment limitation specified in **Section 143.0142(a)(4)**.

Erosion control measures do not include those preventive measures required for soil stabilization or drainage.

Air-placed concrete, retaining walls, and buttress fills shall only be used to protect existing principal structures or public improvements and if it is determined that no other less impacting method will accomplish the erosion control.

Erosion control measures that impact steep hillsides shall require a Neighborhood

Development Permit or Site Development Permit. Erosion control measures are not subject to the 25 percent development area limit as long as they do not impact sensitive biological resources and are not located within the delineated viewshed areas of Map Drawing No. C-720.

A geotechnical report shall be required documenting the need for the erosion control measure unless it is demonstrated by the City Manager through the submittal of an appropriate investigative report, documentation or other evidence that unstable conditions on the site do not exist.

The geotechnical report shall identify the type and design of the erosion control measure necessary, based upon site-specific conditions.

The City manager shall determine if any repair or maintenance activity of an approved and permitted erosion control measure constitutes a minor modification or requires an amendment to the permit(s) or a new permit(s). The City Manager shall require submittal of necessary reports, documents or any other material necessary to make such determination. Repair or maintenance of an erosion control measure which was constructed or placed without City approvals or permits shall necessitate all required approvals and permits to be obtained.

Article 3: Supplemental Development Regulations
(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

Division 1: Environmentally Sensitive Lands Regulations
(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)
(Amended 9-19-2005 by O-19413 N.S.; effective 10-19-2005.)
(Amended 11-28-2005 by O-19444 N.S.; effective 2-9-2006.)

§143.0101 Purpose of Environmentally Sensitive Lands Regulations

The purpose of these regulations is to protect, preserve and, where damaged restore, the *environmentally sensitive lands* of San Diego and the viability of the species supported by those lands. These regulations are intended to assure that *development*, including, but not limited to *coastal development* in the Coastal Overlay Zone, occurs in a manner that protects the overall quality of the resources and the natural and topographic character of the area, encourages a sensitive form of *development*, retains biodiversity and interconnected habitats, maximizes physical and visual public access to and along the shoreline, and reduces hazards due to *flooding* in specific areas while minimizing the need for construction of *flood* control facilities. These regulations are intended to protect the public health, safety, and welfare while employing regulations that are consistent with sound resource conservation principles and the rights of private property owners.

It is further intended for the Development Regulations for Environmentally Sensitive Lands and accompanying Biology, Steep Hillside, and Coastal Bluffs and Beaches Guidelines to serve as standards for the determination of impacts and mitigation under the California Environmental Quality Act and the California Coastal Act. These standards will also serve to implement the Multiple Species Conservation Program by placing priority on the preservation of biological resources within the Multiple Habitat Planning Area, as identified in the City of San Diego Subarea Plan. The habitat based level of protection which will result through implementation of the Multiple habitat Planning Area is intended to meet the mitigation obligations of the Covered Species addressed. In certain circumstances, this level of protection may satisfy mitigation obligations for other species not covered under the Multiple Species Conservation Program but determined to be sensitive pursuant to the CEQA review process. This determination will be addressed in the environmental documentation.

(Added 12-9-1997 by O-18451 N.S.; amended 10-18-1999 by O-18691 N.S.; effective 1-1-2000.)

§143.0110 When Environmentally Sensitive Lands Regulations Apply

This division applies to all proposed *development* when *environmentally sensitive lands* are present on the *premises*.

- (a) Where any portion of the *premises* contains any of the following *environmentally sensitive lands*, this division shall apply to the entire *premises*, unless otherwise provided in this division:
 - (1) *Sensitive biological resources*;
 - (2) *Steep hillsides*;
 - (3) *Coastal beaches* (including V zones);
 - (4) *Sensitive coastal bluffs*; and
 - (5) *Special Flood Hazard Areas* (except V zones).
- (b) Table 143-01A identifies the appropriate development regulations, the required decision process, and the permitted uses applicable to various types of *development* proposals that propose to encroach into *environmentally sensitive lands* or that do not qualify for an exemption pursuant to Section 143.0110(c).
 - (1) A Neighborhood Development Permit or Site Development Permit is required for all types of *development* proposals listed, in accordance with the indicated decision process. If *coastal development* is proposed in the Coastal Overlay Zone, a Coastal Development Permit is required in accordance with Section 126.0702.
 - (2) All types of *development* proposals are subject to Section 143.0140.
 - (3) Any *development* proposal that proposes to encroach into more than one type of *environmentally sensitive lands* is subject to all of the development regulations sections for each type of *environmentally sensitive lands* present. The applicable decision process is the higher process number indicated.
 - (4) Any *development* proposal on a site containing *environmentally sensitive lands* may be exempt from the permit requirements of this division if no *encroachment* into the *environmentally sensitive lands* is proposed and the *development* complies with Section 143.0110(c). Within the Coastal Overlay Zone, a Coastal Development Permit is required for all *coastal development* and the regulations of this division shall apply.
 - (5) Limited exceptions to the applicable development regulations for specific types of *development* are listed in Section 143.0111.

Table 143-01A
Applicability of Environmentally Sensitive Lands Regulations

<i>Environmentally Sensitive Lands Potentially Impacted by Project</i>						
Type of Development Proposal		Wetlands, listed non-covered species habitat ⁽¹⁾	Other Sensitive Biological Resources other than Wetlands and listed noncovered species habitat	Steep Hillides	Sensitive Coastal Bluffs and Coastal Beaches	Floodplains
1. Single dwelling units on individual lots equal to or less than 15,000 square feet ⁽²⁾	R	143.0141(a),(b)	143.0141	143.0142 except (a) ⁽⁵⁾	143.0143, 143.0144	143.0145 143.0146
	P	NDP/ Process Two	NDP/ Process Two	NDP/ Process Two	SDP/ Process Three	NDP/ Process Two
	U	143.0130(d),(e)	--	--	143.0130(a), (b)	143.0130(c)
2. Single dwelling units on lots or multiple lots totaling more than 15,000 square feet	R	143.0141(a),(b)	143.0141	143.0142	143.0143, 143.0144	143.0145
	P	SDP/ Process Three	SDP/ Process Three	SDP/ Process Three	SDP/ Process Three	SDP/ Process Three
	U	143.0130(d),(e)	--	--	143.0130(a), (b)	143.0130(c)
3. Multiple dwelling unit and non-residential development and public works projects	R	143.0141(a),(b)	143.0141	143.0142	143.0143, 143.0144	143.0145 143.0146
	P	SDP/ Process Three	SDP/ Process Three	SDP/ Process Three	SDP/ Process Three	SDP/ Process Three
	U	143.0130(d),(e)	--	--	143.0130(a), (b)	143.0130(c)
4. Any subdivision of a premises	R	143.0141(a),(b)	143.0141	143.0142 ⁽³⁾	143.0143, 143.0144	143.0145 143.0146
	P	SDP/ Process Four	SDP/ Process Four	SDP/ Process Four	SDP/ Process Four	SDP/ Process Four
	U	143.0130(d),(e)	--	--	143.0130 (a), (b)	143.0130 (c)
5. Project-specific land use plans	R	143.0141(a),(b), 143.0115	143.0141, 143.0115	143.0142, 143.0115	143.0143, 143.0144, 143.0115	143.0115, 143.0145 143.0146
	P	SDP/Process Four/Five	SDP/ Process Four/Five	SDP/Process Four/Five	SDP/ Process Four/Five	SDP/Process Four/Five
	U	143.0130(d),(e)	--	--	143.0130(a), (b)	143.0130(c)
6. Any development that proposes deviations from any portion of the Environmentally Sensitive Lands Regulations	R	143.0141(a),(b), 143.0150	143.0141, 143.0150	143.0142, 143.0150 ⁽⁴⁾	143.0143, 143.0144, 143.0150	143.0145, 143.0146 143.0150
	P	SDP/ Process Four	SDP/ Process Four	SDP/ Process Four	SDP/ Process Four	SDP/ Process Four
	U	143.0130(d),(e)-	--	--	143.0130(a), (b)	143.0130(c)
7. Development other than single dwelling units on individual lots, that proposes alternative compliance for development area in steep hillsides.	R	--	--	143.0142 except (a), 143.0151	--	--
	P	--	--	SDP/ Process Three	--	--
	U	--	--	--	--	--

Legend to Table 143-01A	
R	Development regulation sections (in addition to Section 143.0140) applicable to the <i>environmentally sensitive lands</i> present.
P	Type of Permit/Decision process required. Neighborhood Development Permit (NDP) Site Development Permit (SDP)
U	Regulations that identify permitted uses when they are different than the applicable zone due to the <i>environmentally sensitive lands</i> present.

Footnotes to Table 143-01A

- 1 This includes listed species and their habitat not covered by the Take Authorizations issued to the City by the State and Federal governments under the Multiple Species Conservation Program.
- 2 This includes the *development* of one or more *lots* as long as the total area of the *lots* does not exceed 15,000 feet and the *lots* were not joined in ownership to any contiguous *lot* or parcel on or before the adoption date of this division so that the total area of contiguous ownership exceeded 15,000 square feet.
- 3 Outside the Coastal Overlay Zone, *subdivision* of a *premises* less than 15,000 square feet (for *single dwelling unit development*) is not subject to Section 143.0142(a).
- 4 *Development* other than a *single dwelling unit* on an individual *lot* may use alternative compliance for development area in *steep hillsides* that does not comply with Section 143.0142(a).
- 5 Within the Coastal Overlay Zone, *single dwelling units* on individual *lots* equal to or less than 15,000 square feet are subject to Section 143.0142(a).

(c) A Neighborhood Development Permit or Site Development Permit is not required for the following *development* activity:

- (1) Outside the Coastal Overlay Zone, *development* on a *premises* containing *environmentally sensitive lands* when the *development* will not encroach into the *environmentally sensitive lands* during or after construction, if the property owner signs an acknowledgment that further *development* on the property is not permitted unless the *development* is reviewed and approved pursuant to this division and if the *development* proposal provides for the following:
 - (A) A 100-foot *setback* from *sensitive biological resources*;
 - (B) A 40-foot *setback* from the top of slope of *steep hillsides*;
 - (C) A 100-foot *setback* from *floodplains*.
- (2) *Development* that is limited to interior modifications or repairs, or any exterior repairs, alterations or maintenance that does not increase the footprint of an existing building or *accessory structure* and will not encroach into the *environmentally sensitive lands* during or after construction. For a *premises* containing a *sensitive coastal bluff*, any addition shall observe a minimum 40-foot *setback* from the *coastal bluff edge*.

- (3) Outside the Coastal Overlay Zone, minor improvements to existing *structures* on *steep hillsides*, subject to all of the following applicable requirements:
 - (A) *Clearing* and *grubbing* shall not exceed 100 square feet per acre.
 - (B) *Excavation* for foundations or pilings shall total less than 10 cubic yards.
 - (C) The proposed improvements do not *encroach* into *sensitive biological resources*.
 - (D) One story *structures* supported by pilings or pillars may be located on *steep hillsides* provided that the total of all *encroachments* into the *steep hillsides* area does not exceed 5 percent of the total *floor* area of the building or *structure*.
 - (E) Residential decks up to 500 square feet may be located on *steep hillsides* provided that the deck is attached to the building or *structure* and does not exceed 12 feet in elevation above the *existing grade* at any point.
- (4) *Development* activity that is limited to permissible *grading* for the preparation of a site for cultivation of crops and where *grading* for agriculture purposes has occurred in compliance with all legal requirements within the previous 3 years.
- (5) Outside the Coastal Overlay Zone, city public works projects for which plans, specifications, or funding have been approved by the City Council or the City Manager before July 1, 1991.
- (6) Outside the Coastal Overlay Zone, restoration projects where the sole purpose is enhancement or restoration of native habitats.
- (7) Except for brush management in *wetlands* in accordance with Section 142.0412(a)(3), Zone Two brush management activity if the brush management complies with the landscape regulations in Chapter 14, Article 2, Division 4 (Landscape Regulations) and the Biology Guidelines.
- (8) Site reconnaissance and testing for proposed projects, provided that:
 - (A) Any direct or indirect effects on *sensitive biological resources* are addressed in accordance with the Biology Guidelines of the Land Development Manual.

- (B) Any subsurface explorations for *historical resources* are conducted in conformance with the Historical Resources Guidelines of the Land Development Manual.
- (C) A bond consistent with Section 129.0119 has been submitted for revegetation of disturbed areas.
- (9) Site reconnaissance and testing for proposed *development*, provided that:
 - (A) Any direct or indirect effects on *sensitive biological resources* are addressed in accordance with the Biology Guidelines of the Land Development Manual.
 - (B) Any subsurface explorations for *historical resources* are conducted in conformance with the Historical Resources Guidelines of the Land Development Manual.
 - (C) An engineering/grading bond has been submitted for revegetation of disturbed areas.

(Amended 4-22-2002 by O-19051 N.S.; effective 10-8-2002.)

(Amended 11-28-2005 by O-19445 N.S. effective 1-12-06.)

(Amended 9-19-2005 by O-19413 N.S.; effective 10-19-2005.)

(Amended 11-28-2005 by O-19444 N.S.; effective 2-9-2006.)

§143.0111 Limited Exceptions from Environmentally Sensitive Lands Regulations

The following *development* activities require a Neighborhood Development Permit or Site Development Permit in accordance with Table 143-01A, but the applicable development regulations are modified as indicated:

- (a) Outside the *MHPA* and the Coastal Overlay Zone, mining and extractive industries may exceed the maximum allowable *steep hillside* development area described in Section 143.0142(a). Both inside and outside the *MHPA*, a Conditional Use Permit is required in accordance with Section 141.1001 and restoration of the on-site landform to a natural-appearing condition is required.
- (b) Brush management activity is exempt from all *steep hillside* development regulations in Section 143.0142 if the brush management is the minimum necessary to comply with City fire codes and no *grading* occurs in the brush management area. Within the Coastal Overlay Zone, all brush management within 30 feet of a primary *structure* shall be subject to the Steep Hillside Regulations for development within the Coastal Overlay Zone pursuant to Section 143.0142(a)(4).

- (c) Erosion control measures are exempt from the *steep hillside* development area regulations in Section 143.0142(a) if they are determined to be the only feasible means of erosion control necessary to protect the existing primary *structures* or *public improvements*.
- (d) Outside the Coastal Overlay Zone, City linear utility projects are exempt from the development area regulations of the OR-1-2 zone in Section 131.0250(b) and the development area regulations for *steep hillsides* in Section 143.0142(a) and for *sensitive biological resources* in Section 143.0141(d).
- (e) *Development* in the OF zone or within any *Special Flood Hazard Area* (formerly the FW, FC, and FPF zones) in the Mission Valley Community Plan area, is subject only to the Federal Emergency Management Agency Special Regulations in Section 143.0146.
- (f) *Development* in the Calle Cristobal Assessment District area and outside the Coastal Overlay Zone is subject only to the *steep hillside* development regulations in Section 143.0142(b) through (h).
- (g) *Development* in the Miramar Ranch North Community Plan area and the 70 acre high school project in Scripps Ranch is subject only to the *steep hillside* development regulations in Section 143.0142(b) through (h).
- (h) *Development* of the 178 acres of land known as Sorrento Hills that was the subject of the land exchange approved by the voters as Proposition D on November 4, 1986, is subject only to the *steep hillside* development regulations in Section 143.0142(b) through (g).
- (i) Public linear trail and public maintenance access projects are exempt from the development area regulations of the OR-1-2 zone in Section 131.0250(b) and the development area regulations for *steep hillsides* in Section 143.0142(a) and for *sensitive biological resources* in Section 143.0141(d).
(Amended 4-22-2002 by O-19051 N.S.; effective 10-8-2002.)
(Amended 11-28-2005 by O-19444 N.S.; effective 2-9-2006.)

§143.0112 Requirement to Submit Required Documentation and Obtain Permit Prior to Development on Environmentally Sensitive Lands

It is unlawful to begin *development* on a *premises* that contains *environmentally sensitive lands* without submitting required documentation and obtaining the applicable *development permit*, or an exemption as required pursuant to this division. If unlawful *development* occurs on property containing *environmentally sensitive lands* and an enforcement action has been commenced by the City pursuant to Section 143.0160, no *development permit* application may be processed until the enforcement action has been concluded.

(Added 12-9-1997 by O-18451 N.S.; amended 10-18-1999 by O-18691 N.S.; effective 1-1-2000.)

§143.0113 Determination of Location of Environmentally Sensitive Lands, Applicability of Division and Decision Process

- (a) In connection with any permit application for *development* on a parcel, the *applicant* shall provide the information used to determine the existence and location of *environmentally sensitive lands* in accordance with Section 112.0102(b).
- (b) Based on a project-specific analysis and the best scientific information available, the City Manager shall determine the existence and precise location of *environmentally sensitive lands* on the *premises*.
(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§143.0115 Procedures and Regulations for Project-Specific Land Use Plans

- (a) Project-specific *land use plans*, including specific plans, precise plans, privately initiated *land use plan* amendments, and future urbanizing area subarea plans, proposed for sites where *environmentally sensitive lands* are present, are subject to the regulations in this section to ensure adequate analysis of the constraints and opportunities of the planning area relative to *environmentally sensitive lands*. The analysis of *environmentally sensitive lands* for project-specific *land use plans* will be conducted in accordance with either Section 143.0115(b) or (c) based on whether or not a Site Development Permit is processed concurrently with the project-specific *land use plan*. Within the Coastal Overlay Zone, a project specific land use plan is subject to the *Local Coastal Program* amendment process.
- (b) Where a Site Development Permit is requested concurrently with the processing of a project-specific *land use plan*, the proposed *development* is subject to the following regulations. However, where a Coastal Development Permit is required, the project must conform to the *Local Coastal Program*, as certified by the Coastal Commission.
 - (1) The boundaries of the Site Development Permit will be the boundaries of the project-specific *land use plan*, including all individual interior *lots* within the plan area.
 - (2) A decision on a Site Development Permit processed concurrently with a project-specific *land use plan* will be made in accordance with Process Five.
 - (3) The *environmentally sensitive lands* regulations applicable to the Site Development Permit will be determined in accordance with Table 143-01A. Sufficient information must be submitted for the entire plan area in order to evaluate potential impacts to *environmentally sensitive lands*. Any deviations proposed, other than as permitted in Section 143.0115(b)(4), are subject to Section 143.0150.

- (4) For individual *lots* outside the *MHPA*, the development area regulations for *steep hillsides* in Section 143.0142(a) may be varied provided the regulations are complied with comprehensively for the entire plan area.
 - (5) The *applicant* shall prepare a *development* suitability analysis to evaluate the proposed *development* of the entire plan area and its relationship to the *environmentally sensitive lands* regulations as well as other factors such as *historical resources*, visual resources, public facilities needs, public safety issues, and adjacent land uses. The constraints and opportunities identified shall be used to determine the portions of the plan area that are most suitable for *development* and those that should be preserved as open space. Overall *development* within the plan area, including public facilities and circulation elements, shall be located to minimize impacts to *environmentally sensitive lands*, in accordance with this division and the associated guidelines in the Land Development Manual.
 - (6) The project-specific *land use plan* shall include a summary of the allowable development area and any required mitigation for each parcel. If the project-specific *land use plan* contains *MHPA* lands, mitigation for impacts to *sensitive biological resources* should be directed toward acquisition of *MHPA* lands within the city boundaries and preferably within the same plan area.
 - (7) Subsequent *development* proposals within the Site Development Permit area will be reviewed in accordance with the *substantial conformance* procedures. If the *development* is determined to be in conformance with the Site Development Permit and any required mitigation is provided, an amendment to the Site Development Permit will not be required. If the proposed *development* is not in conformance with the approved project-specific *land use plan*, an amendment to the Site Development Permit will be required for the *development* in addition to an amendment to the approved project-specific *land use plan*.
 - (8) Any *coastal development* requiring a Coastal Development Permit must conform to the regulations in the certified *Local Coastal Program*. In case of conflict with the provisions of Section 143.0115(b)(1)-(7), the coastal development regulations apply.
- (c) Where a Site Development Permit is not requested concurrently with the processing of a project-specific *land use plan*, the proposed plan and subsequent Site Development Permits and/or Coastal Development Permits are subject to the following regulations.

- (1) The *applicant* shall prepare a *development* suitability analysis that evaluates the proposed *development* of the entire plan area and its relationship to the *environmentally sensitive lands* regulations as well as other factors such as *historical resources*, visual resources, public facilities needs, public safety issues, and adjacent land uses. The constraints and opportunities identified shall be used to determine the portions of the plan area that are most suitable for *development* and those that should be preserved as open space. Overall *development* within the plan area, including public facilities and circulation elements, shall be located to minimize impacts to *environmentally sensitive lands*, in accordance with this division and the associated guidelines in the Land Development Manual.
- (2) The project-specific *land use plan* shall indicate how subsequent *developments* within the plan area will comply with the *environmentally sensitive lands* regulations and the associated guidelines in the Land Development Manual. Where any deviation from this division is proposed for the plan area or on an *premises*, a description of the deviation shall be provided along with a statement of how the deviation benefits the overall design of the entire plan area. Deviations may be approved only under the following conditions:
 - (A) When there are no feasible measures that can further minimize the potential adverse effects on *environmentally sensitive lands* and when the deviation is the minimum necessary to afford relief and accommodate the *development*; and
 - (B) When there are special circumstances or conditions applying to the plan area that are peculiar to the land and not of the applicant's making, whereby strict application of the provisions of the *environmentally sensitive lands* regulations would deprive a property owner of reasonable use of his or her land and would result in a less desirable project-specific *land use plan*.
- (3) The development area regulations for *steep hillsides* in Section 143.0142(a) may be varied for individual *lots* outside the *MHPA* provided the intent of these regulations is complied with comprehensively for the entire plan area.
- (4) The project-specific *land use plan* shall acknowledge that any privately owned property that is designated entirely as open space could be proposed for *development* in accordance with the base zone. This possibility shall be taken into consideration when analyzing the total potential development area within the plan area.
- (5) The project-specific *land use plan* shall include an implementation strategy for acquisition of those parcels designated as open space. If

the project-specific *land use plan* contains *MHPA* lands, mitigation for impacts to *sensitive biological resources* should be directed toward acquisition of *MHPA* lands within the City boundaries and preferably within the same plan area.

- (6) After approval of the project-specific *land use plan*, a Site Development Permit shall be required for all proposed individual *developments* within the plan area and shall be reviewed in accordance with Process Four. Additional information pertaining to *environmentally sensitive lands* may be required in order to conduct a detailed analysis of the specific *development* proposal. Approval of the individual Site Development Permits will require conformance with the approved project-specific *land use plan* and any required mitigation shall be provided. Deviation *findings* will not be required if the proposed *development* is consistent with the approved project-specific *land use plan*. If a proposed *development* is not in conformance with the approved project-specific *land use plan*, approval of a Site Development Permit requires compliance with all of the *environmentally sensitive lands* regulations.
- (7) Conformance with the *environmentally sensitive lands* regulations and associated guidelines in the Land Development Manual is required for all *environmentally sensitive lands* impacts not addressed by the approved project-specific *land use plan*.
- (8) Any *coastal development* requiring a Coastal Development Permit must conform to the regulations in the certified *Local Coastal Program*. In case of conflict with the provisions of Section 143.0115(c)(1)-(7), the coastal development regulations apply.

(Added 12-9-1997 by O-18451 N.S.; amended 10-18-1999 by O-18691 N.S.; effective 1-1-2000.)

EDITORS NOTE: The Land Development Manual includes:

Coastal Bluffs and Beaches Guidelines
Biology Guidelines
Historical Resources Guidelines
Submittal Requirements for Deviations within the Coastal Overlay Zone

See RR-292248 for the Coastal Bluffs and Beaches Guidelines of the Land Development Code; RR-292249 for the Biology Guidelines of the Land Development Code; RR-292250 for the Historical Resources Guidelines of the Land Development Code; RR-292251 for the Submittal Requirements for Deviations within the Coastal Overlay Zone of the Land Development Code.

§143.0126 Emergency Authorization to Impact Environmentally Sensitive Lands

Whenever *development* activity within *environmentally sensitive lands* is deemed necessary by order of the City Manager to protect the public health or safety, the City Manager may authorize, without a public hearing, the minimum amount of impact necessary to protect the public health or safety, subject to the following:

- (a) If the emergency work involves only temporary impacts to *environmentally sensitive lands*, a Neighborhood Development Permit or Site Development Permit is not required provided the *environmentally sensitive lands* are restored, in a timely manner to their natural state, to the satisfaction of the City Manager. Restoration shall be in accordance with a restoration plan that conforms with the Biology Guidelines and is approved by the City Manager. The restoration plan shall be submitted to the City Manager within 60 days of completion of the emergency work and work on the approved restoration plan shall be initiated within 90 days of project completion or prior to the beginning of the next rainy season, whichever is greater.
- (b) If the emergency work results in permanent impacts to *environmentally sensitive lands*, a subsequent Neighborhood Development Permit or Site Development Permit is required in accordance with all regulations of this division. The application for the Neighborhood Development Permit or Site Development Permit shall be submitted within 60 days of completion of the emergency work.
- (c) Within the Coastal Overlay Zone, a Coastal Development Permit is required for any emergency *coastal development* in accordance with Section 126.0718. (Added 12-9-1997 by O-18451 N.S.; amended 10-18-1999 by O-18691 N.S.; effective 1-1-2000.) (Amended 11-28-2005 by O-19444 N.S.; effective 2-9-2006.)

§143.0130 Uses Allowed Within Environmentally Sensitive Lands

Allowed uses within *environmentally sensitive lands* are those allowed in the applicable zone, except where limited by this section.

- (a) *Sensitive Coastal Bluff Areas*. Permitted uses and activities in *sensitive coastal bluff* areas, as indicated on Map Drawing No. C-713, are limited to the following:
 - (1) *Single Dwelling Units* together with *accessory structures* and landscape features incidental to residential uses;
 - (2) Bicycle storage facilities;
 - (3) Public comfort stations;

- (4) Public pergolas and gazebos;
 - (5) Public parking lots;
 - (6) Public seating benches;
 - (7) *Open fences* and walls for public safety, provided they do not interfere with existing or designated public or visual access ways;
 - (8) Safety and public information *signs*;
 - (9) Public stairways, ramps, and other physical beach access facilities, as identified within an applicable land use plan;
 - (10) Essential public walkways leading to permitted beach access facilities;
 - (11) Essential public drainage facilities; and
 - (12) Bluff repair and erosion control measures, when necessary to protect existing primary *structures* and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply.
- (b) *Coastal Beach Areas*. Permitted uses and activities in *coastal beach* areas, as identified on Map Drawing No. C-713, are limited to the following:
- (1) Lifeguard towers and stations and associated life and security facilities;
 - (2) Public comfort stations;
 - (3) Public piers;
 - (4) Safety and public information *signs*;
 - (5) Shoreline protective works when necessary to prevent bluff and beach erosion and to protect coastal dependent uses, public beach roadways, or existing primary *structures* in danger from wave action and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply;
 - (6) Public stairways, ramps, and other physical access *structures*, as proposed within an applicable land use plan; and
 - (7) Public recreational equipment.
- (c) *Floodways*. Uses permitted within the *floodway* portion of a *Special Flood Hazard Area* are those allowed by the OF zone, as indicated in Table 131-02B.

- (d) *Wetlands* in the Coastal Overlay Zone. Uses permitted in *wetlands* shall be limited to the following:
 - (1) Aquaculture, *wetlands*-related scientific research and *wetlands*-related educational uses;
 - (2) Wetland restoration projects where the primary purpose is restoration of the habitat;
 - (3) Incidental public service projects, where it has been demonstrated that there is no feasible less environmentally damaging location or alternative, and where mitigation measures have been provided to minimize adverse environmental effects.
 - (e) *Wetland Buffer Areas* in the Coastal Overlay Zone. Permitted uses in *wetland buffer* areas shall be limited to the following:
 - (1) Public Access paths;
 - (2) Fences;
 - (3) Restoration and enhancement activities; and
 - (4) Other improvements necessary to protect *wetlands*.
- (Amended 4-22-2002 by O-19051 N.S.; effective 10-8-2002.)

§143.0140 General Development Regulations for all Environmentally Sensitive Lands

Development that proposes *encroachment* into *environmentally sensitive lands* or that does not qualify for an exemption pursuant to Section 143.0110(c) is subject to the following regulations.

- (a) *Environmentally sensitive lands* that are outside of the allowable development area on a *premises* shall be left in a natural state and used only for those passive activities allowed as a condition of permit approval. The landowner may elect to offer to dedicate in fee the undeveloped remainder portion of the *premises* to the City to relieve the land owner of management and liability obligations associated with that portion of the *premises*. Otherwise, the passive activities allowed on the undeveloped remainder of the *premises* and any other conditions of the permit shall be incorporated into a covenant of easement that shall be recorded against title to the property, in accordance with procedures set forth in Section 143.0152.
- (b) The allowable development area for all proposed *subdivisions* is based on the existing *lot* or *premises* to be subdivided. If no *development* is proposed on any newly created *lot*, the future development area of the *lot* shall be indicated on the required *grading* plan and included in the maximum allowable development area calculation for the *subdivision*.

- (c) No building *lot* shall be created that provides such a small development area that future reasonable *development* of the *lot* will require additional *encroachment* into *environmentally sensitive lands* beyond the maximum allowable development area of the original, unsubdivided *premises*. If additional development area is proposed for a *lot* that would exceed the maximum allowable development area of the original, unsubdivided *premises*, a deviation in accordance with Section 143.0150 is required, regardless of the *lot* size and the existing development area of the individual *lot*.
- (d) No temporary disturbance or storage of material or equipment is permitted in *environmentally sensitive lands*, unless the disturbance or storage occurs within an area approved for *development* by a Site Development Permit or unless it can be demonstrated that the disturbance or storage will not alter the landform or cause permanent habitat loss and the land will be revegetated and restored in accordance with the Biology Guidelines in the Land Development Manual.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

(Amended 11-28-2005 by O-19444 N.S.; effective 2-9-2006.)

EDITORS NOTE: **The Land Development Manual includes:**

Coastal Bluffs and Beaches Guidelines

Biology Guidelines

Historical Resources Guidelines

Submittal Requirements for Deviations within the Coastal Overlay Zone

See RR-292248 for the Coastal Bluffs and Beaches Guidelines of the Land Development Code; RR-292249 for the Biology Guidelines of the Land Development Code; RR-292250 for the Historical Resources Guidelines of the Land Development Code; RR-292251 for the Submittal Requirements for Deviations within the Coastal Overlay Zone of the Land Development Code.

§143.0141 Development Regulations for Sensitive Biological Resources

Development that proposes *encroachment* into *sensitive biological resources* or that does not qualify for an exemption pursuant to Section 143.0110(c) is subject to the following regulations and the Biology Guidelines in the Land Development Manual.

- (a) State and federal law precludes adverse impacts to *wetlands* or listed non-covered species habitat. The *applicant* shall confer with the U.S. Army Corps of Engineers, U.S. Fish & Wildlife Service and/or California Department of Fish and Game before any public hearing for the *development* proposal. The applicant shall solicit input from the Resource Agencies on impact avoidance, minimization, mitigation and buffer requirements, including the need for upland transitional habitat. The applicant shall, to the maximum extent feasible, incorporate the Resource Agencies' recommendations prior to the first public hearing. *Grading* or *construction permits* shall not be issued for any project that impacts *wetlands* or Listed non-covered species habitat until all necessary federal and state permits have been obtained.

- (b) Outside and inside the *MHPA*, impacts to *wetlands*, including vernal pools in naturally occurring complexes, shall be avoided. A *wetland buffer* shall be maintained around all *wetlands* as appropriate to protect the functions and values of the *wetland*. In the Coastal Overlay Zone the applicant shall provide a minimum 100-foot buffer, unless a lesser or greater buffer is warranted as determined through the process described in 143.0141(a). Mitigation for impacts associated with a deviation shall achieve the goal of no-net-loss and retain in-kind functions and values.
- (c) Inside the *MHPA*, *development* shall avoid impacts to narrow endemic species. Outside the *MHPA*, measures for protection of narrow endemic species shall be required such as management enhancement, restoration and/or transplantation. A list of narrow endemic species is included in the Biology Guidelines in the Land Development Manual.
- (d) Inside the *MHPA*, *development* is permitted only if necessary to achieve the allowable development area in accordance with the regulations set forth in the OR-1-2 zone, pursuant to Section 131.0250(b), unless exempted from the development area regulations pursuant to Section 143.0111.
- (e) Inside and adjacent to the *MHPA*, all *development* proposals shall be consistent with the City of San Diego *MSCP Subarea Plan*.
- (f) Inside the *MHPA*, any change of an agricultural use to a non-agricultural use is subject to the development area regulations of Section 143.0141(d). Existing agricultural operations that exceed the allowable development area may remain as agricultural use only and do not count as part of the allowable development area.
- (g) Outside the *MHPA*, *development* of lands that are designated as open space in the applicable *land use plan* and zoned OR-1-1 is permitted only if necessary to achieve the allowable development area, in accordance with Section 131.0250(a).
- (h) Outside the *MHPA*, *encroachment* into *sensitive biological resources* is not limited, except as set forth in Section 143.0141(b) and (g).
- (i) All *development* occurring in *sensitive biological resources* is subject to a site-specific impact analysis conducted by the City Manager, in accordance with the Biology Guidelines in the Land Development Manual. The impact analysis shall evaluate impacts to *sensitive biological resources* and CEQA sensitive species. The analysis shall determine the corresponding mitigation, where appropriate, and the requirements for protection and management. Mitigation may include any of the following, as appropriate to the nature and extent of the impact.

- (1) Acquisition or *dedication* of another site that can serve to mitigate the project impacts, with limited right of entry for habitat management, as necessary, if the site is not dedicated. This site must have long-term viability and the biological values must be equal to or greater than the impacted site.
- (2) Preservation or *dedication* of on-site *sensitive biological resources*, creation of new habitat, or enhancement of existing degraded habitat, with limited right of entry for habitat management, as necessary, if the site is not dedicated. The site must have long-term viability and the biological values must be equal to or greater than the impacted site.
- (3) In circumstances where the area of impact is small, monetary payment of compensation into a fund in lieu of other forms of mitigation. The City shall use the fund to acquire, maintain and administer habitat areas pursuant to City Council Resolution No. R-275129, adopted February 12, 1990. Where appropriate, the City Manager is authorized to enter into agreements with public agencies or private non-profit conservancies or foundations to administer the funds and acquire or maintain habitat preservation areas.
- (j) *Grading* during wildlife breeding seasons shall be consistent with the requirements of the City of San Diego *MSCP Subarea Plan*.
- (k) *Sensitive biological resources* that are outside of the allowable development area on a *premises*, or are acquired as off-site mitigation as a condition of permit issuance, are to be left in a natural state and used only for those passive activities allowed as a condition of permit approval. If the land is not dedicated in fee to the City, identification of permissible passive activities and any other conditions of the permit shall be incorporated into a covenant of easement that shall be recorded against title to the property, in accordance with procedures set forth in Section 143.0152. The U.S. Fish and Wildlife Service and the California Department of Fish and Game are to be named as third party beneficiaries to any covenant of easement recorded pursuant to this section.

(Added 12-9-1997 by O-18451 N.S.; amended 10-18-1999 by O-18691 N.S.; effective 1-1-2000.)

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Submittal Requirements for Deviations within the Coastal Overlay Zone

See RR-292248 for the Coastal Bluffs and Beaches Guidelines of the Land

Development Code; RR-292249 for the Biology Guidelines of the Land

Development Code; RR-292250 for the Historical Resources Guidelines of

the Land Development Code; RR-292251 for the Submittal Requirements for

Deviations within the Coastal Overlay Zone of the Land Development Code.

§143.0142 Development Regulations for Steep Hillsides

Development that proposes *encroachment* into *steep hillsides* or that does not qualify for an exemption pursuant to Section 143.0110(c) is subject to the following regulations and the Steep Hillside Guidelines in the Land Development Manual.

(a) Allowable Development Area

- (1) Inside of the *MHPA*, the allowable development area is determined in accordance with the regulations set forth in the OR-1-2 zone, pursuant to Section 131.0250(b). However, within the Coastal Overlay Zone, *coastal development* is permitted only if in conformance with Section 143.0142(a)(4) and the certified *local coastal program*.
- (2) Outside of the *MHPA*, the allowable development area includes all portions of the *premises* without *steep hillsides*. *Steep hillsides* shall be preserved in their natural state, except that *development* is permitted in *steep hillsides* if necessary to achieve a maximum development area of 25 percent of the premises. However, within the Coastal Overlay Zone, *coastal development* on *steep hillsides* shall be minimized to the maximum extent possible and permitted only when in conformance with Section 143.0142(a)(4).
- (3) Outside of the *MHPA* and outside the Coastal Overlay Zone, up to an additional 15 percent development area is permitted only as follows and as long as the total development area does not exceed 40 percent of the *premises*, pursuant to the Steep Hillside Guidelines in the Land Development Manual:
 - (A) For projects where the following major public facilities are required: publicly owned parks and recreation facilities, fire and police stations, publicly owned libraries, public *schools*, major *streets* and primary arterials, and *public utility* systems;

- (B) For projects where the existing development area is not contiguous, and access to the entirety of the development area is not otherwise available; and
 - (C) For projects where the existing development area does not have direct access to a *public right-of-way*.
- (4) Within the Coastal Overlay Zone, *steep hillsides* shall be preserved in their natural state and *coastal development* on *steep hillsides* containing *sensitive biological resources* or mapped as Viewshed or Geologic Hazard on Map C-720 shall avoid encroachment into such *steep hillsides* to the maximum extent possible.
 - (A) When *encroachment* onto such *steep hillsides* is unavoidable, *encroachment* shall be minimized; except that *encroachment* is permitted in such *steep hillsides* to provide for a development area of up to a maximum of 25 percent of the *premises* on *premises* containing less than 91 percent of such *steep hillsides*. On *premises* containing 91 percent or greater of such *steep hillsides*, the maximum allowable development area is 20 percent of the *premises*; however, an additional 5 percent *encroachment* into such *steep hillsides* may be permitted if necessary to allow an economically viable use, pursuant to the Steep Hillside Guidelines.
 - (B) For the purposes of this Section 143.0142(a)(4), the development area shall include Zone 1 brush management pursuant to the Landscape Regulations in Chapter 14, Article 2, Division 4.
 - (C) Up to an additional 15 percent of *encroachment* onto such *steep hillsides* is permitted for the following:
 - (i) Major public roads and collector streets identified in the Circulation Element of an applicable *land use plan*;
 - (ii) Public utility systems;

- (iii) In the North City Local Coastal Program Land Use Plan areas only: Local public streets or private roads and driveways which are necessary for access to the more developable portions of a site containing slopes of less than 25 percent grade, provided no less environmentally damaging alternative exists. The determination of whether or not a proposed road or driveway qualifies for an exemption, in whole or in part, shall be made by the City Manager based upon an analysis of the project site.
- (D) For the purposes of Section 143.0142, *encroachment* shall be defined as any area of 25 percent or greater slope in which the natural landform is altered by grading, is rendered incapable of supporting vegetation due to the displacement required for the building, accessory structures, or paving, or is cleared of vegetation (including Zone 1 brush management).
- (E) In the approval of any Coastal Development Permit for a *subdivision*, and any other division of land, including lot splits, no *encroachment* into *steep hillsides* containing *sensitive biological resources*, or mapped as Viewshed or Geologic Hazard on Map C-720 shall be permitted, and the decision maker shall require a minimum 30 foot setback for Zone 1 brush management for *coastal development* from such *steep hillsides*.
- (b) All *development* occurring in *steep hillsides* shall comply with the design standards identified in the Steep Hillside Guidelines in the Land Development Manual for the type of *development* proposed.
- (c) Newly created slopes shall not exceed the slope gradient permitted in Section 142.0133.
- (d) Disturbed portions of the site in 25 percent (4 horizontal feet to 1 vertical foot) or greater slopes shall be revegetated or restored in accordance with Chapter 14, Article 2, Division 4 (Landscape Regulations).
- (e) Before approval of any Neighborhood Development Permit or Site Development Permit, the *applicant* shall execute and record in favor of the City a hold harmless and/or indemnification agreement for the approved *development*, as necessary and appropriate.

- (f) Any increase in runoff resulting from the *development* of the site shall be directed away from any *steep hillside* areas and either into an existing or newly improved public storm drain system or onto a *street* developed with a gutter system or *public right-of-way* designated to carry surface drainage run-off.
- (g) Erosion Control Measures
 - (1) Outside of the Coastal Overlay Zone, erosion control measures are not subject to the 25 percent development area regulations in Section 143.0142(a), but are subject to the landscape regulations in Chapter 14, Article 2, Division 4 and the Steep Hillside Guidelines in the Land Development Manual. Within the Coastal Overlay Zone, erosion control measures are subject to Section 142.0142(a)(4).
 - (2) Air-placed concrete, including gunite or shotcrete, *retaining walls*, buttress *fills*, and other similar erosion control measures may be allowed only if determined to be the only feasible means of erosion control to protect the existing primary *structures* or *public improvements*.
 - (A) These measures shall be designed and implemented in accordance with generally accepted engineering standards and specifications and shall also incorporate existing adjacent landform characteristics including color coating, texturing, landscape, and topographical features.
 - (B) Where erosion control measures are proposed to encroach upon or affect any portion of property owned by the City of San Diego, the permittee shall provide written permission from the City Manager before approval of the Site Development Permit. Documentation of this approval shall be recorded with the conditions of permit approval.
- (h) All development on *steep hillsides* located in La Jolla or La Jolla Shores Community Plan areas, shall, in addition to meeting all other requirements of this section, be found consistent with the Hillside Development Guidelines set forth in the La Jolla - La Jolla Shores *Local Coastal Program land use plan*.
(Added 12-9-1997 by O-18451 N.S.; amended 10-18-1999 by O-18691 N.S.; effective 1-1-2000; amended 6-19-2000 by O-18814 N.S.)
(Amended 11-28-2005 by O-19444 N.S.; effective 2-9-2006.)

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§143.0143 Development Regulations for Sensitive Coastal Bluffs

Coastal development on premises containing sensitive coastal bluffs, as identified on Map Drawing No. C-713, filed in the office of the City Clerk under Document No. 00-17062 or that does not qualify for an exemption pursuant to Section 143.0110(c) is subject to the following regulations and the Coastal Bluffs and Beaches Guidelines in the Land Development Manual.

- (a) No *development* is permitted on the face of a *sensitive coastal bluff*, except as permitted in Section 143.0143(g) and (h), and the *coastal bluff face* shall be preserved as a condition of permit approval.
- (b) On the portion of a *premises* where *development* is permitted, the proposed *grading* shall minimize the alteration of natural landforms and graded areas shall topographically resemble natural landforms of the surrounding area.
- (c) Only native or other drought-tolerant plant species shall be used in landscaped areas in order to minimize irrigation requirements and to reduce potential slide hazards due to overwatering of the *coastal bluffs*.
- (d) All drainage from the improvements on the *premises* shall be directed away from any *coastal bluff* and either into an existing or newly improved public storm drain system or onto a *street* developed with a gutter system or *public right-of-way* designated to carry surface drainage run-off. All drainage from any unimproved areas shall be appropriately collected and discharged in order to reduce, control, or mitigate erosion of the *coastal bluff*.
- (e) Before approval of any *development permit*, the *applicant* shall execute and record in favor of the City a hold harmless and/or indemnification agreement for the approved *development*, as necessary and appropriate.
- (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 follows:

- (1) The City Manager may permit *structures* to be located between 25 and 40 feet from the bluff edge where the evidence contained in a geology report indicates that the site is stable enough to support the *development* at the proposed distance from the *coastal bluff edge* and the project can be designed so that it will not be subject to or contribute to significant geologic instability throughout the anticipated life span of the primary *structures*, and no shoreline protection is required.

Reductions from the 40-foot setback shall be approved only if the geology report concludes the *structure* will not be subject to significant geologic instability, and not require construction of shoreline protection measures throughout the economic life span of the *structure*. In addition, the applicants shall accept a deed restriction to waive all rights to protective devices associated with the subject property. The geology report shall contain:

- (A) An analysis of bluff retreat and coastal stability for the project site, according to accepted professional standards;
 - (B) An analysis of the potential effects on bluff stability of rising sea levels, using latest scientific information;
 - (C) An analysis of the potential effects of past and projected El Nino events on bluff stability;
 - (D) An analysis of whether this section of coastline is under a process of retreat.
- (2) *Accessory structures* and landscape features customary and incidental to residential uses shall not be closer than 5 feet to the *coastal bluff edge* provided, however, that these shall be located at *grade*. *Accessory structures* and features may be landscaping, walkways, unenclosed patios, open shade *structures*, decks that are less than 3 feet above grade, lighting standards, *fences* and walls, seating benches, *signs*, or similar *structures* and features, excluding garages, carports, buildings, pools, spas, and upper *floor* decks with load-bearing support *structures*.
 - (3) *Open fences* may be permitted closer than 5 feet to the *coastal bluff edge* only if necessary to provide for public safety and to protect resource areas accessible from public right-of-ways or on public parkland.
 - (4) Essential public drainage facilities and public walkways leading to permitted beach access facilities may be installed within the 5-foot *coastal bluff edge* setback provided they are designed to minimize impacts to the *coastal bluff face* and *coastal beach* areas.

- (g) *Coastal bluff* repair and erosion control measures may occur on the bluff face only if they comply with the following:
- (1) *Coastal bluff* repair and erosion control measures may be allowed on the *coastal bluff face* only if determined to be the only feasible means of erosion control and when necessary, to protect the existing primary *structures* or to protect *public improvements* that cannot feasibly be relocated.
 - (2) *Coastal bluff* repair and erosion control measures shall not cause significant alteration of the natural character of the bluff face.
 - (3) The *applicant* shall submit a *geotechnical report* that documents the need for an erosion control measure to the City Manager. The *geotechnical report* shall identify the type and design of the erosion control measure necessary for protection of the existing primary *structures*, based upon site-specific conditions and analysis of alternatives. The report must be accepted as adequate by the City Manager before any erosion control measures can be approved.
 - (4) Air-placed concrete, including gunite or shotcrete, *retaining walls*, *fills* or other similar erosion control measures shall be designed and implemented in accordance with generally accepted engineering standards and specifications and shall also incorporate existing and adjacent landform characteristics including color coating, texturing, landscape, and topographical features.
 - (5) Where erosion control measure are proposed to encroach upon or affect any portion of property owned by the City of San Diego, the *applicant* shall provide written permission from the City Manager before approval of any permit. Documentation of this approval shall be recorded with the conditions of permit approval.
- (h) Essential public facilities including drainage facilities, stairways, ramps, and other physical beach access facilities may be permitted on a coastal bluff face only if identified in an approved *land use plan* or if located in an areas historically used by the public. These facilities shall be designed to minimize impacts to the bluff face and beach area.
- (i) All *development* occurring on *sensitive coastal bluffs* shall be in conformance with the Coastal Bluffs and Beaches Guidelines in the Land Development Manual.
- (j) Public views shall be preserved pursuant to Section 132.0403.

- (k) A vertical public access easement of not less than 10 feet in width, and running the full depth of the *premises*, shall be offered, as a public easement as a condition of Coastal Development Permit approval, for *dedication* whenever all of the following conditions exist:
- (1) The proposed *development* is located on *premises* that lies between the shoreline and the first public roadway paralleling the sea, as defined within the California Coastal Commission Regulations.
 - (2) The need for the accessway has been identified in the applicable *land use plan* or no other easement exists within a lateral distance of 500 feet of the subject *premises*; and
 - (3) Impacts caused by the proposed *development*, including, but not limited to, direct encroachment into an accessway identified in the applicable *land use plan*, justify the requirement for a vertical accessway.

(Added 12-9-1997 by O-18451 N.S.; amended 10-18-1999 by O-18691 N.S.; effective 1-1-2000.)

EDITORS NOTE: The Land Development Manual includes:

Coastal Bluffs and Beaches Guidelines

Biology Guidelines

Historical Resources Guidelines

Submittal Requirements for Deviations within the Coastal Overlay Zone

See RR-292248 for the Coastal Bluffs and Beaches Guidelines of the Land Development Code; RR-292249 for the Biology Guidelines of the Land Development Code; RR-292250 for the Historical Resources Guidelines of the Land Development Code; RR-292251 for the Submittal Requirements for Deviations within the Coastal Overlay Zone of the Land Development Code.

§143.0144 Development Regulations for Coastal Beaches

The following development regulations apply to *development* proposed on a *premises* containing a *coastal beach*, as identified on Map Drawing No. C-713, filed in the office of the City Clerk under Document No. 00-17062, and *coastal development* is subject to the following regulations and the Coastal Bluffs and Beaches Guidelines in the Land Development Manual.

- (a) No *development* is permitted on the portion of the site containing the *coastal beach*, except as permitted in Section 143.0130(b).
- (b) All *development* occurring on a site containing *coastal beaches* must conform with the Coastal Bluffs and Beaches Guidelines in the Land Development Manual.

- (c) Public views shall be preserved pursuant to Section 132.0403.
- (d) A vertical public access easement of not less than 10 feet in width, and running the full depth of the *premises*, shall be offered for *dedication* as a public easement as a condition of Coastal Development Permit approval whenever both of the following conditions exist:
 - (1) The need for the accessway has been identified in the applicable *land use plan*, or no other easement exists within a lateral distance of 500 feet of the subject *premises*; and
 - (2) Impacts caused by the proposed *development*, including, but not limited to, direct encroachment into an accessway identified in the applicable land use plan, justify the requirement for a vertical accessway.
- (e) An easement for public access and passive recreational uses located along the shoreline paralleling the water's edge shall be offered for *dedication* as a public easement as a condition of *development permit* approval. The easement shall have a minimum width of 25 feet measured from the mean high tide line to the toe of an existing *coastal bluff*, the first line of terrestrial vegetation where there is no *coastal bluff*, or an existing or proposed seawall or other protective device seaward to the mean high tide line whenever both of the following conditions exist:
 - (1) The proposed *development* is located on property that contains a sandy or cobble beach or passable headland; and
 - (2) The proposed *development* will fix the location of the back of the beach, encroach onto the shoreline or cause other impacts which justify the requirement for the easement.
- (f) For applications involving a shoreline protective work, the applicant shall submit a geotechnical report that documents the need for the erosion control measure to the City Manager. If the geotechnical report documents an existing primary *structure* is in danger from erosion, the geotechnical report shall identify the type and design of the protective device necessary to protect the existing primary *structure*, and other feasible alternatives to reduce the risk and address site-specific hazardous conditions. The report must be accepted as adequate by the City Manager before any erosion control measures can be approved.

- (g) Air-placed concrete, including gunite or shotcrete, retaining walls, seawalls, fills or other similar erosion control measures shall be permitted only when necessary to protect an existing primary *structure* and when determined to be the least environmentally damaging feasible alternative pursuant to the California Environmental Quality Act. Mitigation for impacts to local shoreline sand supply shall be required.
- (h) Any approved shoreline protective device shall be designed and implemented in accordance with generally accepted engineering standards and specifications and shall also incorporate existing and adjacent landform characteristics including color coating, texturing, landscape, and topographical features.
- (i) Where erosion control measures are proposed to encroach upon or affect any portion of property owned by The City of San Diego or other public agency, or on lands subject to the public trust, the *applicant* shall provide written permission from the City Manager or public property owner before approval of any *development permit*. Documentation of this approval shall be recorded with the conditions of *development permit* approval. When an erosion control device encroaches directly on or otherwise affects State tidelands or publicly-owned property, the property owner shall be required to compensate for the use of public property and to mitigate the impacts of the protective device on the public beach.
- (j) Mitigation for impacts on State tidelands or public beach may include, but not be limited to, a mitigation fee to be used for beach and sand replenishment within the littoral cell of the project. The fee shall be roughly proportional to the value of the beach area lost as a result of the protective device and shall be deposited in the City of San Diego Beach Sand Mitigation Fund held by the San Diego Association of Governments.

(Added 12-9-1997 by O-18451 N.S.; amended 10-18-1999 by O-18691 N.S.; effective 1-1-2000.)

(Amended 11-28-2005 by O-19444 N.S.; effective 2-9-2006.)

EDITORS NOTE: **The Land Development Manual includes:**

Coastal Bluffs and Beaches Guidelines

Biology Guidelines

Historical Resources Guidelines

Submittal Requirements for Deviations within the Coastal Overlay Zone

See RR-292248 for the Coastal Bluffs and Beaches Guidelines of the Land Development Code; RR-292249 for the Biology Guidelines of the Land Development Code; RR-292250 for the Historical Resources Guidelines of the Land Development Code; RR-292251 for the Submittal Requirements for Deviations within the Coastal Overlay Zone of the Land Development Code.

§143.0145 Development Regulations for Special Flood Hazard Areas

- (a) *Special Flood Hazard Areas* within the City of San Diego are established in accordance with the report entitled "*Flood Insurance Study*, San Diego County, California," dated June 16, 1999 and the accompanying *Flood Insurance Rate Maps (FIRM)*, published by the Federal Emergency Management Agency (FEMA), on file in the office of the City Clerk as Document Nos. 18910-1 and 18910-2, including any supplements, amendments, and revisions which are properly promulgated by FEMA or the Federal Insurance Administrator.
- (b) For the purpose of Sections 143.0145 and 143.0146, the City Engineer is the designated Floodplain Administrator and shall administer, implement, and enforce these regulations.
- (c) The degree of *flood* protection required by this section is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger *floods* can and will occur on rare occasions. It is possible that increased *flood* heights may result from man-made or natural causes. This section does not imply that land outside a *Special Flood Hazard Area* or uses permitted within such areas will be free from *flooding* or *flood* damages. This section shall not create liability on the part of the City, any officer or employee thereof, or the FEMA, for any *flood* damages that result from reliance on this chapter or any administrative decision lawfully made thereunder.
- (d) The following development regulations and all other applicable requirements and regulations of FEMA apply to all *development* proposing to encroach into a *Special Flood Hazard Area*, including both the *floodway* and *flood fringe* areas or that does not qualify for an exemption pursuant to Section 143.0110(c):
 - (e) *Floodways*
 - (1) Within the *floodway* portion of a *premises*, development regulations are as set forth for the OF zone, pursuant to Section 131.0231.
 - (2) *Structures* associated with any allowed use shall comply with the following requirements:
 - (A) *Structures* shall not be attached to a foundation, in order to readily move them in case of *flood*; and

- (B) *Structures* shall be removed upon imminence of *flooding*, as predicted by the National Weather Service or local public weather broadcast. If a *structure* is not removed and *flooding* occurs, the retrieval or salvage of the *structure* and repair of any damage caused by the *structure* shall be the responsibility of the owner.
- (3) *Channelization* or other substantial alteration of rivers or streams shall be limited to that necessary for the following:
 - (A) Essential public service projects, where no other feasible construction method or alternative project location exists; and
 - (B) *Flood* control projects, where no other feasible method for protecting existing public or private *development* exists and where such protection is necessary for public safety.
 - (C) Projects where the primary function is the improvement of fish and wildlife habitat.
- (4) *Development in floodways* shall be offset by improvements or modifications to enable the passage of a *base flood*, in accordance with the FEMA standards and regulations provided in Section 143.0146.
- (5) *Development* that involves *channelization* or other substantial alteration of rivers or streams is subject to the following requirements.
 - (A) All requirements and relevant recommendations of hydrological studies for the watershed of the affected stream, as approved by the City Engineer, shall be incorporated into the project design and mitigation measures. These requirements include erosional characteristics, flow velocities, volume, sediment transport, and maintenance of hydrology.
 - (B) The channel shall be designed to ensure that the following occur:
 - (i) Stream scour is minimized;
 - (ii) Erosion protection is provided;
 - (iii) Water flow velocities are maintained as specified by the City Engineer;

- (iv) There are neither significant increases nor contributions to downstream bank erosion and sedimentation of *sensitive biological resources*; acceptable techniques to control stream sediment include planting riparian vegetation in and near the stream and detention or retention basins;
 - (v) Wildlife habitat and corridors are maintained;
 - (vi) Resource management criteria are implemented consistent with applicable *land use plans*; and
 - (vii) Groundwater recharge capability is maintained or improved.
 - (C) Channels that accommodate a *base flood* shall do so without increasing the water surface elevation more than one foot at any point from the level of a nonconfined *base flood* in the natural undeveloped floodplain. Channels may accommodate less than a *base flood* (low-flow channels), but shall be designed and constructed in accordance with FEMA regulations.
 - (D) All artificial channels shall consist of natural bottoms and sides and shall be designed and sized to accommodate existing and proposed riparian vegetation and other natural or proposed constraints. Where maintenance is proposed or required to keep vegetation at existing levels compatible with the design capacity of the channel, a responsible party shall be identified and a maintenance and monitoring process shall be established to the satisfaction of the City Engineer.
- (6) *Development* shall not significantly adversely affect existing *sensitive biological resources* on-site or off-site.
- (7) Within the Coastal Overlay Zone, no *structure* or portion thereof shall be erected, constructed, converted, established, altered or enlarged, or no landform alteration *grading*, placement or removal of vegetation, except that related to a historic and ongoing agricultural operation, or land division shall be permitted, provided:
- (A) Parking lots, new roadways and roadway expansions shall be allowed only where indicated on an adopted *Local Coastal Program land use plan*.

- (B) *Floodway* encroachments for utility and transportation crossings shall be offset by improvements or modifications to enable the passage of the *base flood*, in accordance with the FEMA standards and regulations provided in Section 143.0146.
- (f) *Flood Fringe*. The applicable development regulations are those in the underlying zone, subject to the following supplemental regulations:
 - (1) Within the *flood fringe* of a *Special Flood Hazard Area*, permanent *structures* and *fill* for permanent *structures*, roads, and other *development* are allowed only if the following conditions are met:
 - (A) The *development* or *fill* will not significantly adversely affect existing *sensitive biological resources* on-site or off-site;
 - (B) The *development* is capable of withstanding *flooding* and does not require or cause the construction of off-site *flood* protective works including artificial *flood* channels, revetments, and levees nor will it cause adverse impacts related to *flooding* of properties located upstream or downstream, nor will it increase or expand a (*FIRM*) Zone A;
 - (C) *Grading* and *filling* are limited to the minimum amount necessary to accommodate the proposed *development*, harm to the environmental values of the floodplain is minimized including peak flow storage capacity, and *wetlands* hydrology is maintained;
 - (D) The *development* neither significantly increases nor contributes to downstream bank erosion and sedimentation nor causes an increase in *flood* flow velocities or volume; and
 - (E) There will be no significant adverse water quality impacts to downstream wetlands, lagoons or other *sensitive biological resources*, and the *development* is in compliance with the requirements and regulations of the National Pollution Discharge Elimination System, as implemented by the City of San Diego.
 - (F) The design of the *development* incorporates the findings and recommendations of both a site specific and coastal watershed hydrologic study.

- (2) All *development* that involves *fill*, *channelization*, or other alteration of a *Special Flood Hazard Area* is subject to the requirements for *channelization* in Section 143.0145(a)(5) and with FEMA regulations.
(Amended 4-22-2002 by O-19051 N.S.; effective 10-8-2002.)

§143.0146 Supplemental Regulations for Special Flood Hazard Areas

All proposed *development* within a *Special Flood Hazard Area* is subject to the following requirements and all other applicable requirements and regulations of FEMA.

- (a) *Development* and Permit Review
- (1) Where *base flood elevation* data has not been provided by the *Flood Insurance Study*, the City Engineer shall obtain, review, and utilize *base flood elevation* and *floodway* data available from federal or state sources, or require submittal of such data from the *applicant*. The City Engineer shall make interpretations, where needed, as to the location of the boundaries of the areas of the *Special Flood Hazard Area*, based on the best available engineering or scientific information.
- (2) Proposed *development* in a *Special Flood Hazard Area* shall not adversely affect the *flood* carrying capacity of areas where *base flood elevations* have been determined but the *floodway* has not been designated. "Adversely affect" as used in this section means that the cumulative effect of the proposed *development*, when combined with all other existing and anticipated *development*, will not increase the water surface elevation of the *base flood* more than one foot at any point.
- (3) In all cases where a watercourse is to be altered the City Engineer shall do the following:
- (A) Notify affected, adjacent communities and the California Department of Water Resources of any proposed alteration or relocation of a watercourse and submit evidence of the notice to the Federal Insurance Administration;
- (B) Require that the *flood* carrying capacity of the altered or relocated portion of the watercourse is maintained; and

- (C) Secure and maintain for public inspection and availability the *certifications*, appeals, and variances required by these regulations.
 - (4) The *applicant* shall grant a flowage easement to the City for that portion of the property within a *floodway*.
 - (5) Appropriate agreements shall be secured between the *applicant* and the City to assure participation by the *applicant* or any successor in interest in financing of future *flood* control works.
 - (6) *Development* in a *Special Flood Hazard Area* shall not increase or expand a *FIRM* Zone A.
 - (7) In all *floodways*, any *encroachment*, including *fill*, new construction, significant modifications, and other *development* is prohibited unless *certification* by a registered professional engineer is provided demonstrating that *encroachments* will not result in any increase in *flood* levels during the occurrence of the *base flood* discharge.
- (b) Standards for *Subdivisions*
- (1) All preliminary *subdivision* proposals shall identify the *Special Flood Hazard Area* and the elevation of the *base flood*.
 - (2) All final *subdivision maps* shall provide the elevation of proposed *structures* and pads. If the site is *filled* above the *base flood elevation*, the *lowest floor*, including *basement*, shall be certified to be 2 feet above the *base flood elevation* by a registered professional engineer or surveyor, and the *certification* shall be provided to the City Engineer.
 - (3) All *subdivisions* shall be designed to minimize *flood* damage.
 - (4) All *subdivisions* shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize *flood* damage.
 - (5) All *subdivisions* shall provide adequate drainage to reduce exposure to *flood* hazards.
 - (6) The final map shall bear the notation "Subject to Inundation" for those portions of the property with a *grade* lower than 2 feet above the *base flood elevation*.

(c) Standards of Construction

In all *Special Flood Hazard Areas*, the following standards apply for all *development*.

- (1) All permitted, permanent *structures* and other significant improvements shall be anchored to prevent flotation, collapse, or lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
- (2) All permitted permanent *structures* and other significant improvements shall be constructed with materials and utility equipment resistant to *flood* damage.
- (3) Construction methods and practices that minimize *flood* damage shall be used.
- (4) All electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities shall be designed and located to prevent water from entering or accumulating within the equipment components during conditions of *flooding*.
- (5) *Breakaway walls* shall be certified by a registered engineer or architect to meet all applicable FEMA requirements. The *certification* shall be provided to the City Engineer before final inspection approval.
- (6) New construction or *substantial improvement* of any *structure* shall have the *lowest floor*, including *basement*, elevated at least 2 feet above the *base flood elevation*. Upon completion of the *development*, the elevation of the *lowest floor*, including *basement*, shall be certified by a registered professional engineer or surveyor to be properly elevated. The *certification* shall be provided to the City Engineer before final inspection approval. The City Engineer reserves the right to require a preliminary *certification* before foundation inspection approval.

- (7) New construction or *substantial improvement* of any *structure* in *FIRM* Zone AH or AO shall have the *lowest floor*, including *basement*, elevated above the highest adjacent *grade* at least 2 feet higher than the depth number specified on the *FIRM*, or at least 4 feet if no depth number is specified. Upon the completion of the *structure* the elevation of the *lowest floor*, including *basement*, shall be certified by a registered professional engineer or surveyor, to be properly elevated. The *certification* shall be provided to the City Engineer before final inspection approval. The City Engineer may require a preliminary *certification* before foundation inspection approval.
- (8) Permitted nonresidential construction shall either be elevated as required by Section 143.0146(c)(6) or (7) or, together with attendant utility and sanitary facilities, meet the flood proofing requirements of FEMA. *Certification* by a registered professional engineer or architect that such requirements are met shall be provided to the City Engineer before final inspection approval. The City Engineer may require a preliminary *certification* before foundation inspection approval.
- (9) Fully enclosed areas below the *lowest floor* that are subject to *flooding* shall be certified by a registered professional engineer or architect that they comply with the flood proofing requirements of FEMA. The *certification* shall be provided to the City Engineer before final inspection approval.

(d) Standards for *Manufactured Homes*

All new and replacement *manufactured homes* and additions to *manufactured homes* are subject to the following regulations.

- (1) The *lowest floor* shall be elevated at least 2 feet above the *base flood elevation*.
- (2) *Manufactured homes* shall be securely anchored to a permanent foundation system to resist flotation, collapse, or lateral movement.
- (3) A registered engineer or architect must certify that the conditions of this subsection have been met. The *certification* shall be provided to the City Engineer before final inspection approval.

(e) Standards for Utilities

Certification shall be provided to the City Engineer before final inspection approval that the following requirements have been met.

- (1) All new and replacement water supply and sanitary sewage systems shall be designed to minimize or eliminate infiltration of *flood* waters into the system and discharge from systems into *flood* waters.
- (2) On-site waste disposal systems shall be located and designed to avoid impairment to them or contamination from them during *flooding*.

- (f) The City Engineer shall notify the San Diego District Offices of the Coastal Commission of any pending changes to the adopted Flood Insurance Rate Maps affecting property within the Coastal Overlay Zone when the City Engineer receives notification of such potential changes. The City Engineer shall notify the Commission staff when *costal development* within the City of San Diego's Coastal Development Permit jurisdiction would require processing a change to the FIRM maps. The City Engineer shall assure the Commission's District Office has the most current effective Flood Insurance Rate Maps approved by FEMA by forwarding any revised maps affecting the Coastal Overlay Zone within thirty working days of City Engineer's receipt.

(Amended 4-22-2002 by O-19051 N.S.; effective 10-8-2002.)

§143.0150 Deviations from Environmentally Sensitive Lands Regulations

Plans submitted in accordance with this section shall, to the maximum extent feasible, comply with the regulations of this division. If a proposed *development* does not comply with all applicable development regulations of this division and a deviation is requested as indicated in Table 143-01A, the Planning Commission may approve, conditionally approve, or deny the proposed Site Development Permit in accordance with Process Four, subject to the following:

- (a) Deviations from the regulations of this division may be granted only if the decision maker makes the *findings* in Section 126.0504(c).
- (b) Deviations from the Supplemental Regulations for Special Flood Hazard Areas in Section 143.0146 may be granted only if the decision maker makes the *findings* in Section 126.0504(d).

- (c) Within the Coastal Overlay Zone, deviations from the Environmentally Sensitive Lands Regulations may be granted only if the decision maker makes the *findings* in Section 126.0708.

(Amended 4-22-2002 by O-19051 N.S.; effective 10-8-2002.)

§143.0151 Alternative Compliance for Steep Hillside Development Area Regulations

Proposed *developments* that do not comply with the development area regulations of Section 143.0142(a) and do not result in conflicts with other regulations may be considered as alternative compliance as indicated in Table 143-01A, pursuant to the regulations in this section. The Planning Commission may approve, conditionally approve, or deny the proposed Site Development Permit with alternative compliance in accordance with Process Four, subject to the following:

- (a) Alternative compliance shall not be used in conjunction with any development permit for a *single dwelling unit* on an individual *lot*;
- (b) Conformance with all other Environmentally Sensitive Lands Regulations is required unless a deviation is approved with the Site Development Permit, in accordance with Section 143.0150;
- (c) Alternative compliance may be granted only if the decision maker makes the findings in Section 126.0504(e); and
- (d) Alternative compliance shall not be considered for lands that are designated as open space in the applicable *land use plan* or that are zoned OR-1-1 or OR-1-2.
- (e) Alternative compliance shall not be considered for lands that are within the Coastal Overlay Zone.

(Added 12-9-1997 by O-18451 N.S.; amended 10-18-1999 by O-18691 N.S.; effective 1-1-2000.)

§143.0152 Covenants of Easements Pursuant to Environmentally Sensitive Lands Regulations

As authorized by California Government Code Section 65871, the owner of any *premises* affected by issuance of a permit under this division as described in Section 143.0140(a), shall execute a covenant of easement unless the owner dedicates the remainder portion of the property in fee to the City. The covenant of easement shall be recorded against title to the affected *premises* and executed in favor of the City.

- (a) The owner shall draft the covenant of easement as follows:

- (1) To contain a legal description of the *premises* affected by the permit with a description of the *development* area and the *environmentally sensitive lands* that will be preserved;
 - (2) To impart notice to all persons to the extent afforded by the recording laws of the state regarding the restrictions affecting use of the *environmentally sensitive lands* covered by the permit;
 - (3) To ensure that the burdens of the covenant shall be binding upon, and the benefits of the covenant shall inure to, all successors in interest to the affected *premises*; and
 - (4) To ensure enforceability of the covenant of easement by the City, or jointly and severally by the City, the U.S. Fish and Wildlife Service, and the California Department of Fish and Game in those instances when the covenant of easement affects *premises* containing *sensitive biological resources* or other lands that have been accepted as mitigation.
- (b) A Process Four hearing shall be held to consider a formal, written request directed to the City by any person requesting the release of a covenant of easement recorded pursuant to this division. A release of any covenant of easement recorded pursuant to this division shall be recorded by the City only when it is determined by the decision maker that restriction of the property is no longer necessary to achieve the land use goals of the City. In any instance where the covenant of easement concerns *sensitive biological resources*, a determination by the decision maker to release the covenant may be made only with the written concurrence of the U.S. Fish and Wildlife Service and the California Department of Fish and Game .
- (c) In the Coastal Overlay Zone, the covenant of easement shall be required as a condition of approval at the *tentative map* stage of *coastal development* rather than at subsequent stages to the extent possible.

(Added 12-9-1997 by O-18451 N.S.; amended 10-18-1999 by O-18691 N.S.; effective 1-1-2000.)

§143.0155 Administrative Guidelines for Environmentally Sensitive Lands Regulations

The City Manager is authorized to promulgate and publish Steep Hillside Guidelines, Biology Guidelines, Coastal Bluffs and Beaches Guidelines, and other support documents to be located in the Land Development Manual, as necessary to implement this division. These administrative guidelines shall serve as baseline standards for processing Neighborhood Development Permits, Site Development Permits and Coastal Development Permits issued pursuant to this division.

Any revisions to these guidelines will require review and approval of the Coastal Commission as an amendment to the City's certified *Local Coastal Program*.

(Added 12-9-1997 by O-18451 N.S.; amended 10-18-1999 by O-18691 N.S.; effective 1-1-2000.)

EDITORS NOTE: The Land Development Manual includes:

Coastal Bluffs and Beaches Guidelines

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§143.0160 Violations and Remedies

The provisions of this division shall be enforced pursuant to Chapter 12, Article 1, Division 2, Enforcement Authorities for the Land Development Code

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

1927 Fifth Avenue
San Diego, CA 92101-2358
P 619.308.9333 F 619.308.9334
www.recon-us.com

525 W. Wetmore Rd., Suite 111
Tucson, AZ 85705
P 520.325.9977 F 520.293.3051

RECON

June 14, 2006

David Zarate
4895 Castana Street
San Diego, CA 92106

Reference: **Castana Street Biological Survey** (RECON Number 06-181)

Dear Mr. Zarate:

Per your request, RECON has prepared the enclosed scope of work and cost proposal to complete a general biological survey for the approximately 1.7-acre property located at 4895 Castana Street in San Diego, California.

The survey will include a search of the records of the California Natural Diversity Data base (California Department of Fish and Game) to determine any sensitive species that have been reported from the vicinity of the project. We will also conduct a biological resources survey of the property per City of San Diego guidelines and submit a letter report detailing the results of the survey.

The estimated total cost to complete these tasks is \$3,974. If you would like us to proceed please sign and return the enclosed agreement to the attention of Theresa Robinson, trobinson@recon-us.com, along with a deposit of \$1,900. This deposit will be applied towards the final invoice. Thank you for contacting RECON and please feel free to call me if you have any questions.

Sincerely,

Amy E. Clark

Associate Biologist

AEC:trh

06181/cover.doc

AGREEMENT FOR SERVICES

The following agreement between **RECON Environmental, Inc.** (hereinafter called "**RECON**") of 1927 Fifth Avenue, San Diego, California 92101-2358, and **David Zarate** (hereinafter called "client") of 4895 Castana Street, San Diego, California 92106, is entered into for technical and consulting services and to complete a biological resources survey of the approximately 1.7-acre property located at 4895 Castana Street in San Diego, California.

A. Scope of Work

1. **RECON** will perform the following tasks:

- a. Conduct a search of the records of the California Natural Diversity Data Base (California Department of Fish and Game) to determine what sensitive species have been reported from the vicinity of the project.
- b. Conduct a biological resources survey of the approximately 1.7-acre property according to the City of San Diego's "Biological Review References" (July 2002) and Multiple Species Conservation Plan (MSCP, March 1997) to include:
 - Search for sensitive plant species apparent at the time of the survey (federally or state listed, candidates for listing, considered rare and endangered by the California Native Plant Society, listed as "covered species" or "narrow endemics" in the MSCP).
 - Search for sensitive animal species apparent at the time of the survey (federally or state listed, candidates for listing, listed as "covered species" in the MSCP).
 - Vegetation mapping on 1"=200' scale aerial photograph.
- c. Prepare a vegetation map of the subject property showing natural plant communities and the observed locations of rare and endangered species. Any necessary base maps will be provided by the client.
- d. Record any inventoried biological resources located during the survey and comply with the reporting requirements of the Natural Diversity Data Base.
- e. Determine if focused surveys for sensitive species would be required by resource agencies as part of the project.
- f. Prepare a letter report according to the City of San Diego's guidelines in effect at the time this contract is executed which describes biological resources occurring on the property.

g. Submit the report to the client.

2. If reports not specified above are deemed necessary by the local jurisdiction, these reports would require additional authorization and are not to be considered a part of the "Basic Scope of Work."

B. Fees and Payment

1. **RECON** proposes to perform these services on a time-and-materials basis in accordance with our current hourly rates (Exhibit A). We will not exceed \$3,974 (three thousand nine hundred seventy four dollars) in labor fees, not including direct expenses as defined below, without prior authorization. A \$1,900 (one thousand nine hundred dollar) deposit is required prior to beginning work on this project; this deposit will be applied to the final invoice. Any remaining deposit balance will be refunded to the client after the final invoice is paid in full. Should unforeseen circumstances arise requiring additional time and therefore additional fees, we will notify you of these circumstances immediately.

2. The client shall pay the cost of direct expenses such as zoning and annexation application fees, assessment fees, aerial topography fees, blueprint reproduction and printing fees, record and literature search request fees, permits, long distance telephone, maps, and all other fees and charges not specifically covered by the terms of this agreement.

3. Fees and other charges will be billed monthly as the work progresses, with the net amount being due at the time of billing. In the event of nonpayment of the fees and other charges, services and/or products described in Section A, Scope of Work, paragraph 1, will be suspended and/or withheld.

4. A late payment finance charge will be computed at the periodic rate of 0.833 percent per month, which is an annual percentage rate of 10 percent, and will be applied to any unpaid balance commencing 30 days after the date of the original invoice.

5. Changes in scope or design directed by the client after beginning the project will be considered extra. The amount of extra work shall be that required to bring the revised work to the same stage of completion as the original work at the time of the change.

C. General Provisions

1. The client binds himself, his partners, successors, executors, and administrators and assigns to **RECON** this agreement, in respect to all of the terms and conditions of this agreement.

2. The client agrees to cooperate fully with **RECON** and provide all necessary, factual information (in writing) as to location, design, and implementation of the proposed document. The client accepts responsibility for the accuracy of the information provided by the client to **RECON**. In addition, all comments pertaining to revision of the document and/or changes in maps should be submitted in writing to **RECON**.

3. The client agrees to assume sole and complete responsibility for job site conditions during the course of the project, including safety of all persons and property; that this requirement shall be made to apply continuously and not be limited to normal working hours; and the client further agrees to defend, indemnify, and hold **RECON** harmless from any and all liability, real or alleged, in connection with the performance of the work on this project, excepting liability arising from the sole negligence of the consultant.

4. The client agrees to limit **RECON's** liability to the client and to all contractors and subcontractors on the project, due to professional negligent acts, errors, or omissions of **RECON** to the sum of \$50,000 or **RECON's** fee, whichever is greater.

5. The client will hold harmless, indemnify, and defend **RECON** and each of the officers and employees and agents from any and all liability claims, losses, or damages, including but not limited to, attorney fees arising or alleged to arise from the performance of the work described herein. The client will reimburse **RECON** for any lost employee production caused by (but not by way of limitation) any litigation, arbitration, or similar legal action wherein the client and **RECON**, or its employees or agents, are involved, either as a party or witness or otherwise, but not including the sole negligence of **RECON** and each of its officers and employees and agents.

6. The client shall indemnify **RECON**, its officers, directors, agents or employees from any claim, demand or liability based upon injury or damage caused, or alleged to have been caused, by hazardous wastes or hazardous materials existing on the property prior to the commencement of **RECON's** work, whether or not such waste or materials were known to exist prior to such commencement.

7. Whereas the documents, plans, reports, and/or fieldwork covered by this contract are those required by various governmental agencies and in the event that due to change of policy of said agencies after the date of this agreement, additional office or fieldwork is required, the said additional work shall be paid by the client as extra work. **RECON** does not guarantee approval of the project by the discretionary agency.

8. All drafts, drawings, field notes, and other original documents as instruments of service are and shall remain the property of **RECON** except whereby law or precedent these documents become public property.

9. Should notice to proceed be delayed for any reason beyond 60 days, it is understood and agreed that terms of conditions contained in "Fees and Payment" are subject to revision.

10. Should litigation be necessary to enforce any term or provision of this agreement, or to collect any portion of the amount payable under this agreement, then all proceedings shall be resolved only in the state or federal courts of the County of San Diego, State of California. The prevailing party shall be entitled to a reasonable sum for attorney's fees, court costs, and any costs incurred in enforcing said resulting judgment.

11. In the event of any litigation, client agrees to pay to **RECON** interest on all past due balances at the rate of ten percent per annum.

12. Client hereby agrees that the balance as stated on the billing from **RECON** to client is correct, conclusive, and binding upon the client unless client within ten days from the date of the making of the billing notifies **RECON** in writing of the particular item that is alleged to be incorrect.

13. Either party may terminate this agreement in whole or in part at any time by written notice to the other; such notice is effective upon receipt. In the event of such termination, compensation shall be in accordance with this agreement for the services rendered and expenses incurred or committed to prior to the effective date of notice of termination.

14. In the event all or any portion of the work prepared or partially prepared by **RECON** is suspended, abandoned, or terminated, the client shall pay **RECON** for the work performed on an hourly basis, not to exceed any maximum contract amount specified herein.

15. In the event any provision of this agreement shall be held to be invalid and unenforceable, the other provisions of this agreement shall be valid and binding on the parties hereto.

16. If **RECON** is contacted during the course of investigations by public interest groups or news media, all requests for information will be cleared through client. If additional time is necessary for interview and the provision of information at your request, then that time and any associated expenses will become billable in accordance with our current hourly rates.

17. Where required by law or standard, **RECON** will record all resource information with the appropriate agency.

18. If archaeology is included in the work to be performed, it does not cover work with human remains. Any work involving burial sites will be conducted on a time-and-materials basis in accordance with our current hourly rates.

19. Equal Opportunity. All the requirements imposed by Title VI of the Civil Rights Act of 1984 (78 Stats 252); Title 49, CFR Part 21; Title V, Section 504, of the Rehabilitation Act, as amended; California Government Code Sections 11135-11139.5; and the Americans with Disabilities Act, shall be in force during the performance of this agreement.

20. There are no understandings or agreements except as herein expressly stated.

In witness whereof, **David Zarate** and **RECON** have executed this Agreement by their duly authorized representatives.

David Zarate

RECON Environmental, Inc.

By

By

Printed Name and Title

Charles S. Bull, President
Printed Name and Title

Date

Date

AEC:trh

06-181

EXHIBIT A

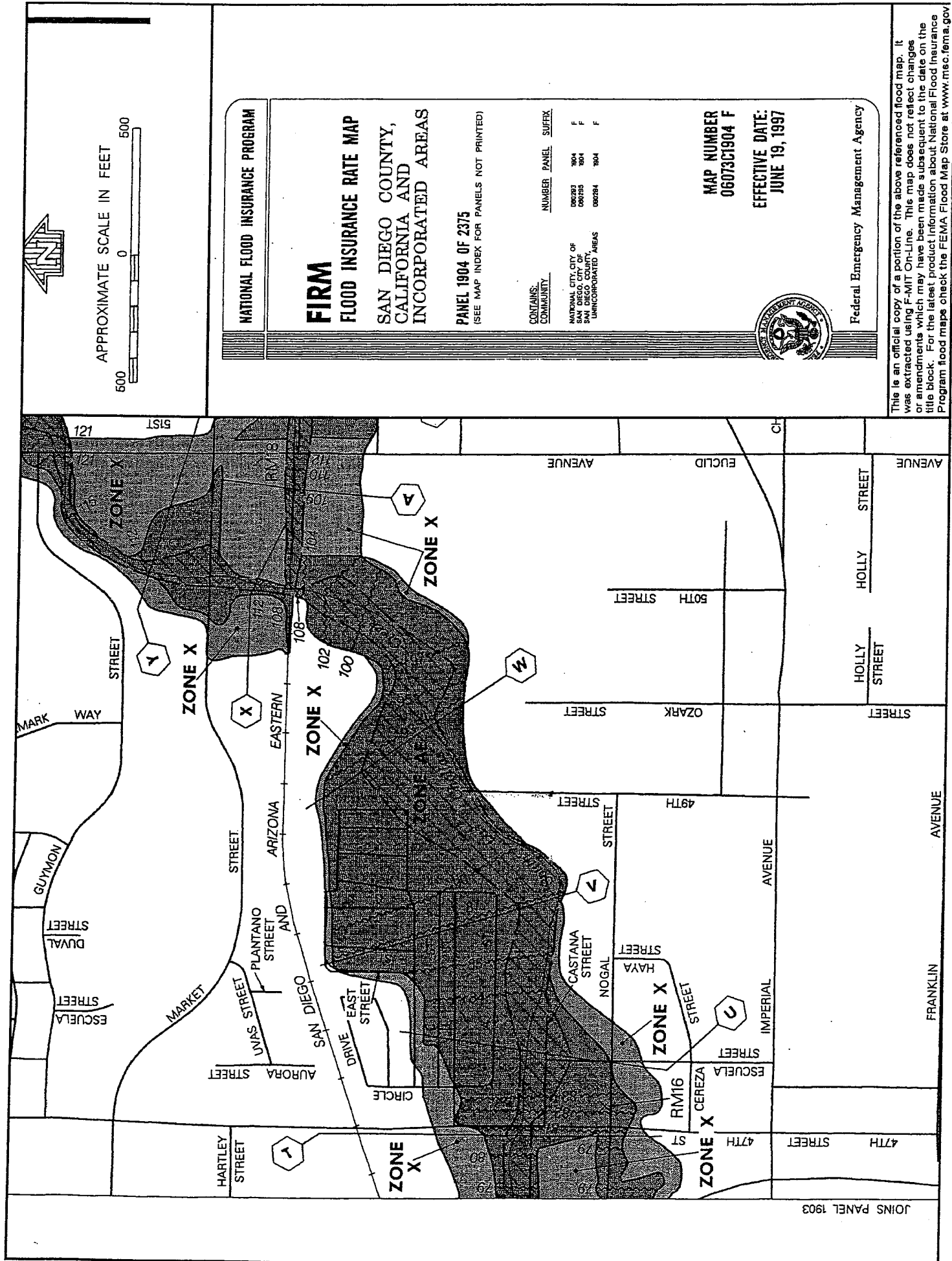
July 1, 2006

CURRENT HOURLY RATES

EXPERT WITNESS.....	\$ 200.00
PRINCIPAL	\$ 157.00
SENIOR	\$ 129.00
ASSOCIATE	\$ 105.00
ANALYST	\$ 87.00
ASSISTANT	\$ 74.00
RESEARCH ASSISTANT.....	\$ 64.00
GIS SPECIALIST	\$ 69.00
PRODUCTION SUPERVISOR	\$ 62.00
PRODUCTION SPECIALIST III	\$ 57.00
PRODUCTION SPECIALIST II	\$ 52.00
PRODUCTION SPECIALIST I	\$ 46.00
SPECIALIST III	\$ 77.00
SPECIALIST II	\$ 67.00
SPECIALIST I	\$ 57.00
RESOURCE MONITOR	\$ 55.00
FIELD SUPERVISOR	\$ 52.00
FIELD CREW CHIEF	\$ 39.00
FIELD TECHNICIAN	\$ 28.00
SEED SPECIALIST.....	\$ 35.00

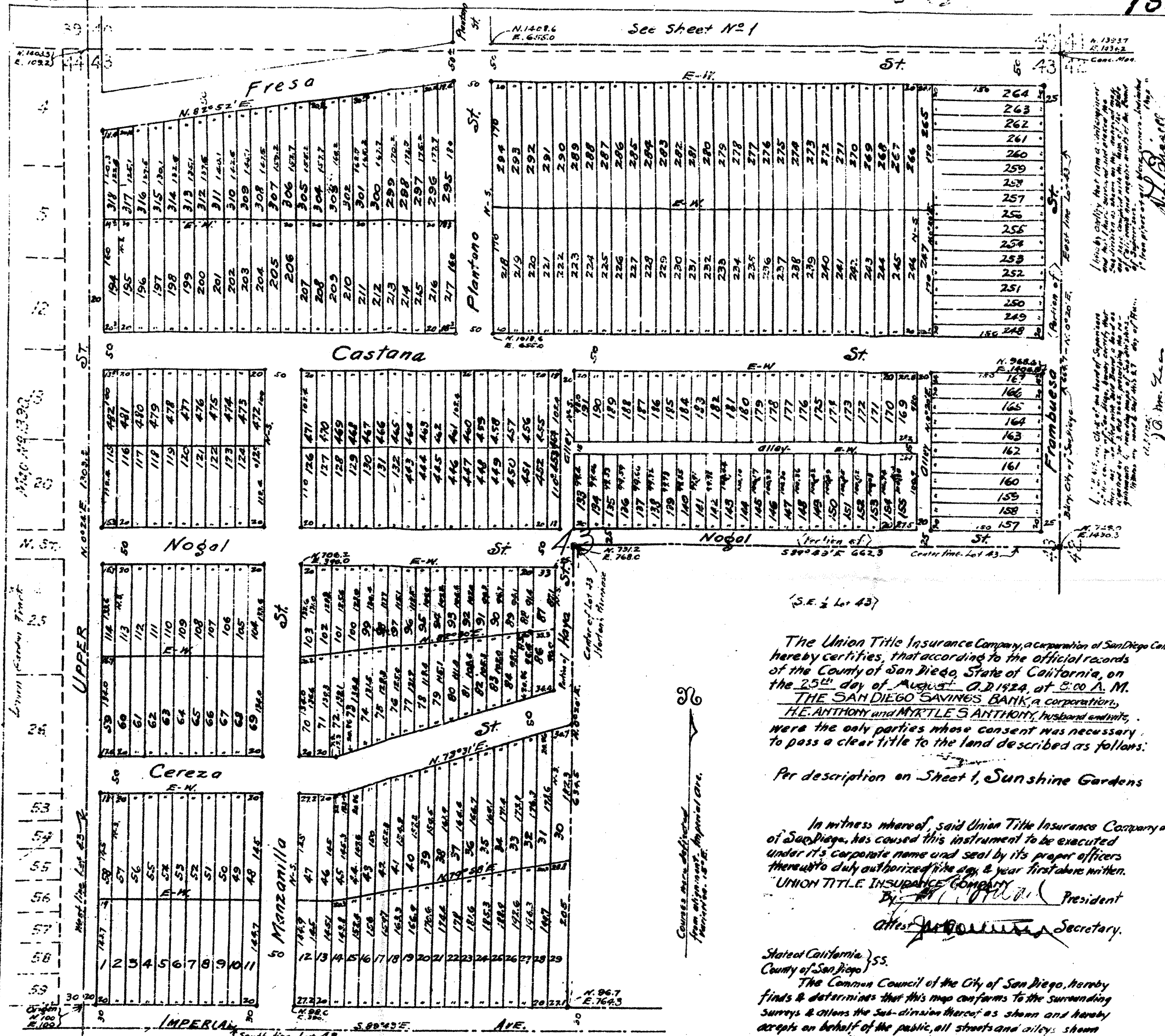
Unless otherwise agreed upon, **RECON** shall charge, at cost, for blueprinting and reproduction desired by the client or public agencies, out-of-town transportation and expenses, and telephone calls. An administrative fee of 10% shall be added to all subcontractor's charges.

Personnel rates are in effect from July 1, 2006, through June 30, 2007. Increases occur annually on July 1.



This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

1804 - Sheet 2



SUNSHINE GARDENS

Being a sub-division of the North One-half (N. 1/2) of the South-West Quarter (S.W. 1/4) of Lot 43 & the South 1/4 of Lot 40 to the interests of San Diego - Except a parcel as described on Sheet No 1

Sheet No 2 of 2 Sheets

State of California } ss.
County of San Diego }

We, the undersigned, do hereby certify, that we are the owners of, or interested in, the land included within the sub-division shown on the annexed map, and that we are the only persons whose consent is necessary to pass a clear title to said land.

and hereby dedicate to public use, the streets, avenues, roads and alleys shown, viz: Nogal St, Manzanilla St, Cereza St, Castana St, Para St, Castana St, Naranja St, Frambuesa St, Upper St, Hoya St, Anenas St, Imperial Ave, and unnamed alleys, also Olvera St, & Olvera St, Plantano St, also as shown on map, and we consent to making of said map and sub-division, and we agree to the provisions contained in sub-sections b & c, par. 9 of Section 3, Ordinance No 218, County of San Diego.

[Signature]
Notary Public in and for Co. of San Diego, State of Calif.

State of California } ss.
County of San Diego }

On this 25 day of Jan. A.D. 1924, before me C. Arnold Smith a notary public in and for said county, residing therein, duly commissioned and sworn, personally appeared H. F. Anthony M. S. Anthony known to me to be the persons who executed the foregoing instrument and acknowledged to me that they executed the same. In witness whereof, I have hereunto set my hand and affixed my official seal the day and year first above written.

State of California } ss.
County of San Diego }

I hereby certify that there are no liens for unpaid State or County taxes, shown by the books of this office, except taxes not yet payable, against the land, or sub-division, or any part thereof.

In witness whereof, I have hereunto set my hand and affixed my official seal of office, this 1 day of April, A.D. 1924.

[Signature]
County Clerk, in and for County of San Diego, State of California.
By *[Signature]*
Approved *[Signature]* Deputy City Engineer, City of San Diego.

We the undersigned certify that we have carefully examined each lot shown on the annexed map as to its value for residence or commercial purposes & we recommend that the Common Council, City of San Diego, approve said map.

[Signature]
City Engineer.
Approved *[Signature]*
City Assessor, City of San Diego.

The Union Title Insurance Company, a corporation of San Diego California hereby certifies, that according to the official records of the County of San Diego, State of California, on the 25th day of August, A.D. 1924, at 8:00 A. M. THE SAN DIEGO SAVINGS BANK, a corporation, H. F. ANTHONY and MYRTLE S. ANTHONY, husband and wife, were the only parties whose consent was necessary to pass a clear title to the land described as follows:

Per description on Sheet 1, Sunshine Gardens

In witness whereof, said Union Title Insurance Company a corporation of San Diego, has caused this instrument to be executed under its corporate name and seal by its proper officers thereunto duly authorized like day & year first above written.
UNION TITLE INSURANCE COMPANY
By *[Signature]* President
[Signature] Secretary.

State of California } ss.
County of San Diego }
The Common Council of the City of San Diego, hereby finds & determines that this map conforms to the surrounding surveys & allows the sub-division thereof as shown and hereby accepts on behalf of the public, all streets and alleys shown on said map within the sub-division and particularly designated in indication by owners.

In witness whereof, said Common Council has caused these presents to be signed by its Clerk and attested by its seal this 25 day of August, A.D. 1924.
Common Council, City of San Diego
By *[Signature]* City Clerk.

Filed at the request of *[Signature]*
Filed for record at 50 min. past 11 o'clock A.M. this 27 day of Aug. 1924.
[Signature]
Notary Public, City of San Diego.

Map No. 1002
Tract No. 2
City of San Diego

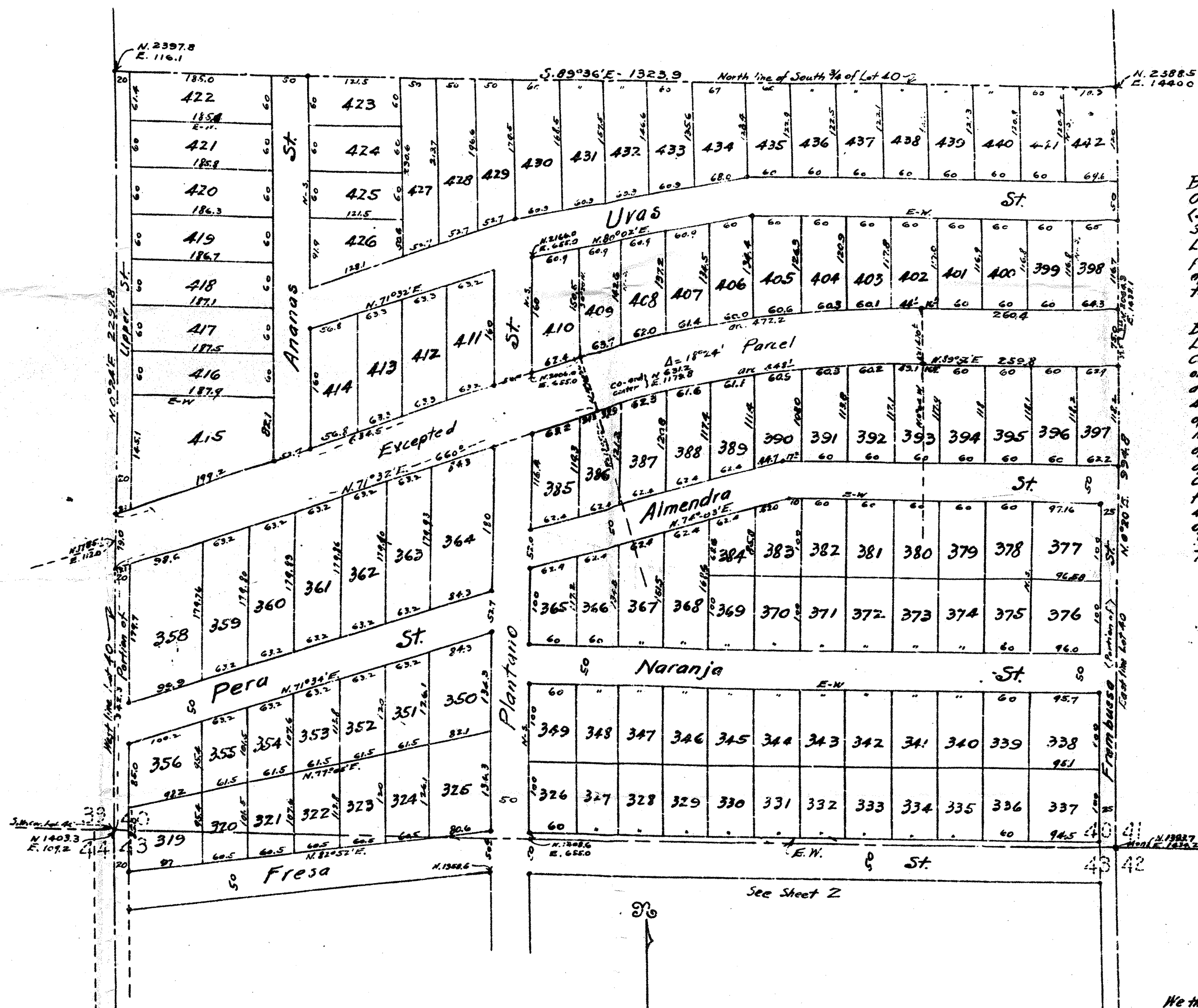
State of California } ss.
County of San Diego }
On this 21 day of March, in the year A.D. 1924, before me Commeline Blum a notary public in and for said county, personally appeared *[Signature]* known to me to be the persons who executed the within instrument, known to me to be the persons who executed the within instrument and acknowledged to me that they executed the same.

[Signature]
Notary Public in and for County of San Diego, State of California.
Approved *[Signature]*
City Assessor, City of San Diego.

SUNSHINE GARDENS

Being a sub-division of the North One-half (N. 1/2) & South-west quarter (S.W. 1/4) of Lot 43, together with the South three-quarters (S. 3/4) of Lot 40, Ex-mission lands of San Diego, as per map No 283, on file Recorder's office, Excepting therefrom the following described parcel of land:

Exception.
Beginning at a point on the west line Lot 40, 342 1/2 ft. northerly from South-west Cor. Lot 40; thence N. 71° 32' E. 660 ft.; thence on a curve (whose center bears S. 18° 28' E. a dist. of 1395 1/2 ft.) a distance on arc of said curve of 448 1/2 ft.; thence N. 39° 56' E. a distance of 259 1/2 ft. to east line Lot 40; thence N. 0° 24' E. along said east line a distance of 75 ft.; thence S. 89° 56' W. a distance of 260 1/2 ft.; thence on a curve (whose center bears S. 0° 4' E. a distance of 1870 1/2 ft.) a distance on arc of said curve of 472 1/2 ft.; thence S. 71° 32' W. a distance of 654 1/2 ft. to west line Lot 40; thence S. 0° 24' W. along west line a distance of 79 ft. to point of beginning.



State of California } ss.
County of San Diego }
I, J. T. Millan, Tax Collector, of the City of San Diego
herby certify that there are no liens for unpaid City taxes
shown by the books of this office against the land shown
by this sub-division, except taxes which are a lien, but not
yet payable.
Dated: 11th day of July 1914
J. T. Millan
Tax Collector, City of San Diego

We the undersigned, who have signed and
acknowledged this map, also agree to the
dedication of an Easement, 6 ft wide
across back end of each lot for purposes
as set forth in par. 13 Ordinance No
4807, City of San Diego.

H. E. ...
Myrtle S. ...
The San Diego Springs Bank M. D. ...
Adm. Secretary ... President

SLOPE ANALYSIS

FOR 4895 CASTANA STREET

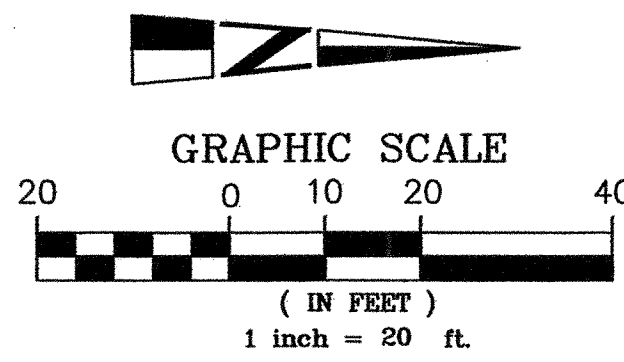


LEGEND

ITEM	STANDARD DWGS.	SYMBOL
EXISTING MINOR CONTOUR	724
EXISTING MAJOR CONTOUR	725
PROPERTY LINE	---
FLOOD LINE	---
RIGHT-OF-WAY	---

Slopes Table				
Number	Minimum Slope	Maximum Slope	Area (FT)	Color
1	0.00%	25.00%	54598.88	
2	25.10%	50.00%	9941.96	
3	50.10%	200.00%	8333.86	
4	200.10%	300.00%	0.00	

CVALDO CORPORATION
CIVIL ENGINEERING
4901 MORENA BLVD. SUITE 1110
SAN DIEGO, CA 92117
(P) 858 866 0128 (F) 858 866 0131

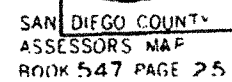


OWNER/APPLICANT
THONG PHANH SOYSANGVANE
4792 NOGAL ST
SAN DIEGO, CA 92102
SITE ADDRESS
4895 CASTANA ST
SAN DIEGO, CA
APN 547-250-06

TOPOGRAPHY SOURCE
PHOTO GEODETIC CORPORATION
161 E. MAIN ST, SUITE 102
EL CAJON, CA 92021
TOPOGRAPHIC SURVEY
MARCH 27, 2006

SLOPE ANALYSIS
FOR 4895 CASTANA STREET
JOB 06-018 6-30-06

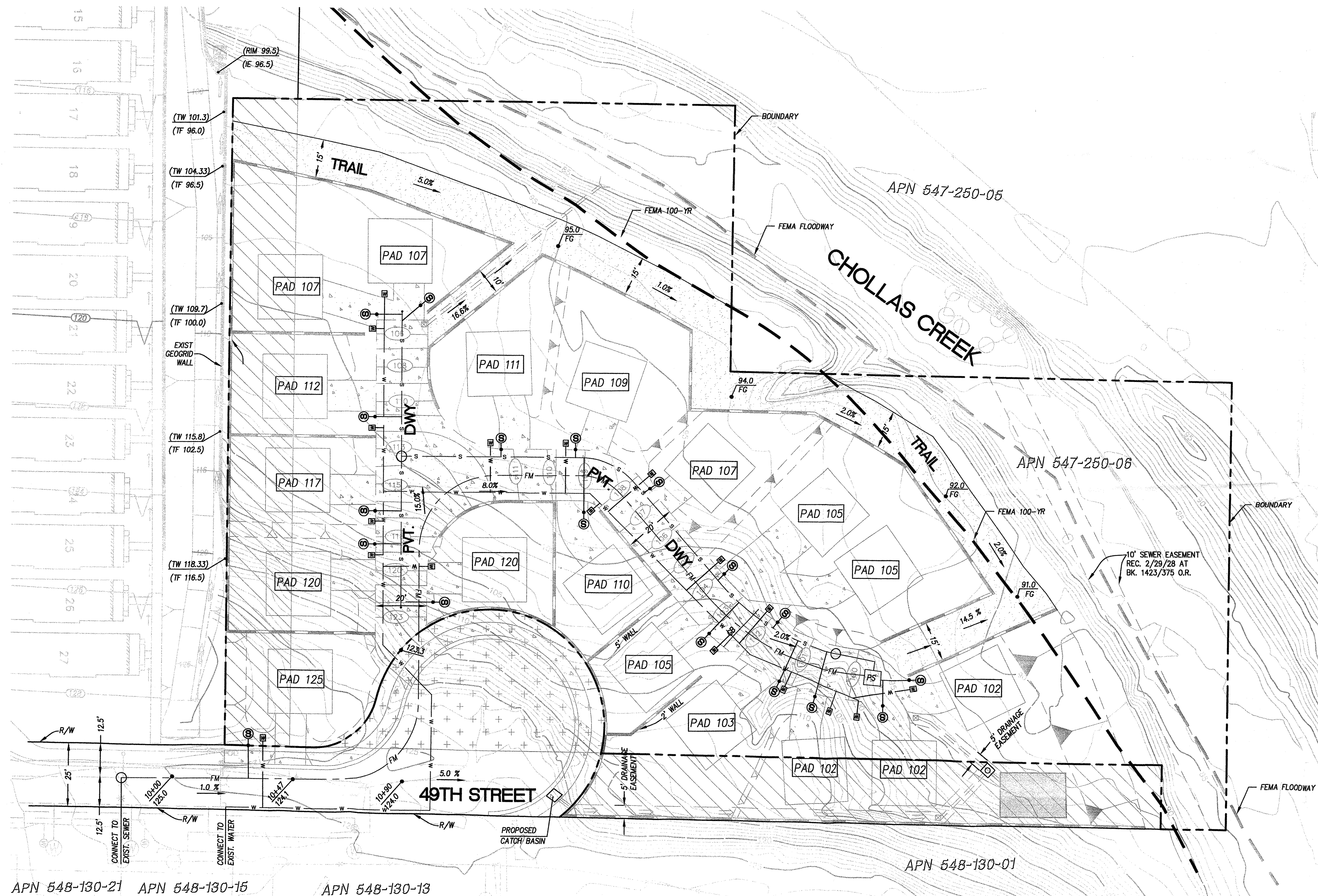
HWY. OF:



548
13

MAP 4076
EL REY GARDENS
MAP 1804
SUNSHINE GARDE

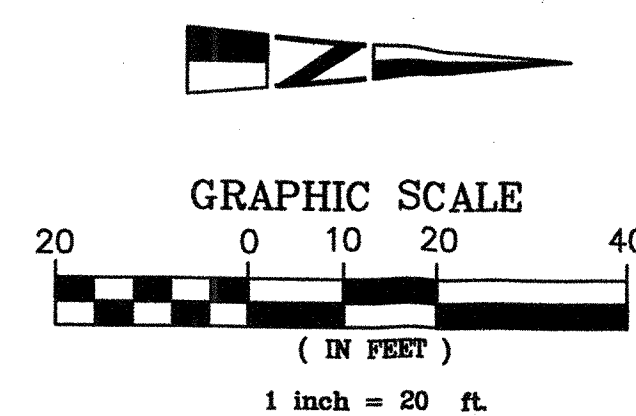
CONCEPTUAL UTILITY PLAN



LEGEND

ITEM	SYMBOL
EXISTING CONTOUR MAJOR	..... 100
EXISTING CONTOUR MINOR	..... 101
EXISTING CHAIN LINK FENCE	..... X
EXISTING POWER POLE	..... PP
EXISTING LIGHT POLE	..... LP
BOUNDARY	..... BOUNDARY
RIGHT OF WAY	..... R/W
FEMA 100-YR	..... FEMA 100-YR
FEMA FLOOD WAY	..... FEMA FLOOD WAY
PROPOSED WATER	..... W
PROPOSED SEWER	..... S
PROPOSED FORCE MAIN	..... FM
PROPOSED PUMP STATION	..... PS

CVALDO CORPORATION
CIVIL ENGINEERING
4901 MORENA BLVD. SUITE 1110
SAN DIEGO, CA 92117
(P) 858 866 0128 (F) 858 866 0131



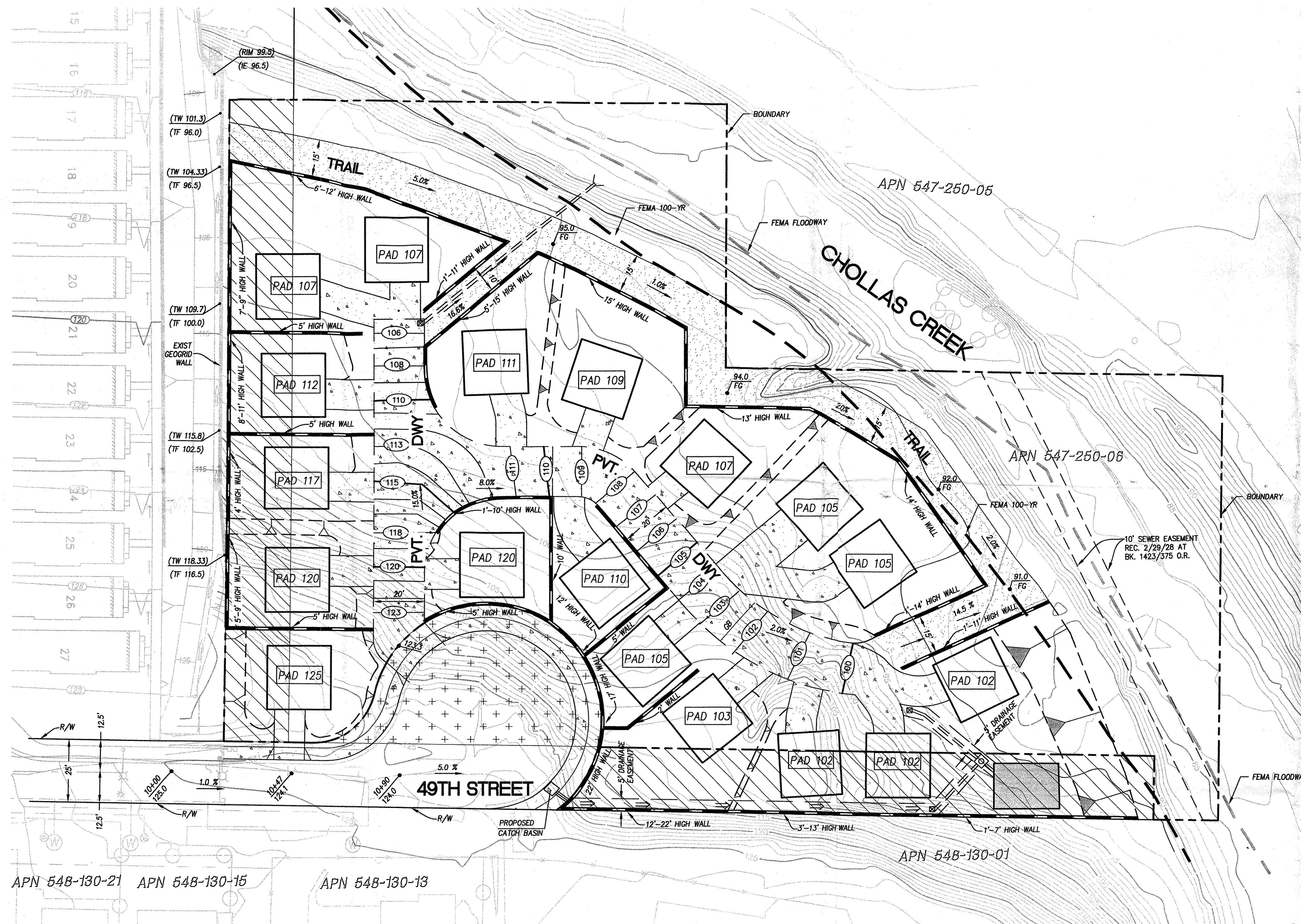
**CONCEPTUAL UTILITY
PLAN FOR
CASTANA**

SHEET 2 OF 2

J.N. 06-018-01

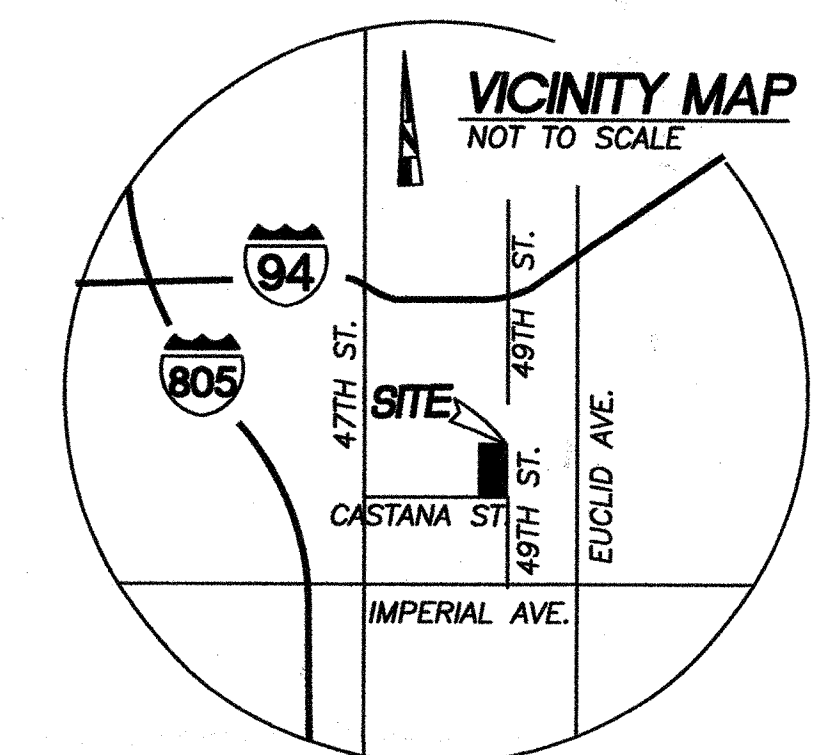
5-23-07

CONCEPTUAL GRADING

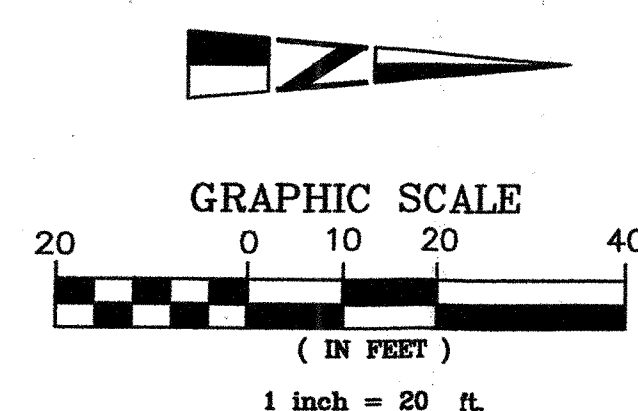


LEGEND

ITEM	SYMBOL
EXISTING CONTOUR MAJOR	100
EXISTING CONTOUR MINOR	101
EXISTING CHAIN LINK FENCE	X
EXISTING POWER POLE	PP
EXISTING LIGHT POLE	LP
BOUNDARY	---
RIGHT OF WAY	---
FEMA 100-YR	---
FEMA FLOOD WAY	---
WATER SURFACE ELEV. PER FIRM	101
PROPOSED CONTOUR MINOR	101
PROPOSED CONTOUR MAJOR	100
PROPOSED EASEMENTS	---
PROPOSED STREET ACQUISITION	---
PROPOSED STREET DEDICATION	---
PROPOSED RETAINING WALL	---
PROPOSED VEGETATED SWALE	---
PROPOSED CATCH BASIN	---
PROPOSED STORM DRAIN	---
PROPOSED STORM CHAMBER INFILTRATION	---
PROPOSED HARDSCAPE	---
PROPOSED TRAIL	---
PROPOSED SPOT ELEVATION	95 FG
PROPOSED TOP-TOE SLOPE	FILL 2:1 MAX. CUT TOE OF SLOPE
PROPOSED BUILDING	---



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4901 MORENA BLVD. SUITE 1110
SAN DIEGO, CA 92117
(P) 858 866 0128 (F) 858 866 0131



**CONCEPTUAL GRADING
FOR
CASTANA**

SHEET 1 OF 2

J.N. 06-018-01

5-23-07

**GEOTECHNICAL ENGINEERING EVALUATION REPORT FOR
CASTANA STREET DEVELOPMENT PROJECT
CASTANA STREET AND 49TH STREET, SAN DIEGO, CALIFORNIA 92102
ASSESSOR'S PARCEL NUMBER: 547-250-06**

PREPARED FOR:

Mr. Tim Brachmanis
Project Direct Corporation
350 W. Ash Street, Suite 105
San Diego, California 92101

PREPARED BY:

SOLID ROCK ENGINEERING, INC.
GEOTECHNICAL AND MATERIALS ENGINEERING CONSULTANTS
PO Box 600277, San Diego, California 92160

February 20, 2009
Project No. 61000303-01

February 20, 2009
Project No. 61000303-01

Mr. Tim Brachmanis
Project Direct Corporation
350 W. Ash Street, Suite 105
San Diego, California 92101

Subject: Geotechnical Engineering Evaluation Report for
Castana Street Development Project,
Castana Street and 49th Street, San Diego, California 92102
Assessor's Parcel Number: 547-250-06

Dear Mr. Brachmanis,

This report presents the results of our geotechnical engineering evaluation performed on the subject project. The purpose of this study was to evaluate the subsurface conditions at the site and to provide recommendations pertaining to geotechnical aspects of the project. Specifically, our report concludes that the soil conditions at the site will support the proposed improvements provided the recommendations presented herein are followed.

We appreciate the opportunity to be of service to you on this project. If you have any questions regarding this report, please feel free to contact the undersigned at 619.851.8683.

Respectfully,



R. Douglas Provins, PE, GE
Principal Geotechnical Engineer
GE 2568, expires December 31, 2010

Distribution: (6) Addressee

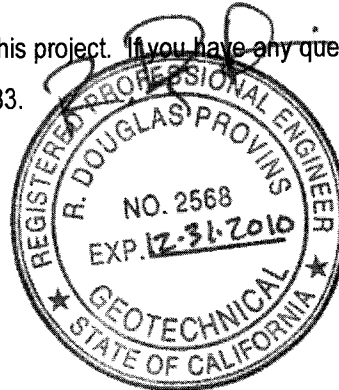


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Figure 1 – Site Location Map

Figure 2 – Test Pit Location Map

Figure 3 – Selected Cross Sections

Appendices

Appendix A – Logs of Exploratory Excavations

Appendix B – Laboratory Testing

Appendix C – Standard Specifications for Grading Projects

Appendix D – General Property Maintenance Guidelines for Property Owners



1. INTRODUCTION

This report presents the results of the subsurface evaluation performed by **Solid Rock Engineering, Inc. (SRE)** for the Castana Street Development Project in San Diego, California. This evaluation was performed in an effort to characterize existing soil conditions at the site in preparation for construction of a new residential development. The conclusions and recommendations presented in this report are based on our subsurface exploration, review of available geological reports and plans, evaluation of soil samples collected from the site, and our experience with similar soil and geologic conditions. The scope of services provided during this evaluation was generally as described in our Proposal No. 61000303-01, authorized by you.

2. SCOPE OF SERVICES

Our scope of services for this project consisted of the following:

- ◆ Coordination with you on this project.
- ◆ Review of readily available geologic and geotechnical documents, literature, and hazard maps.
- ◆ Coordination of Underground Service Alert to clear proposed excavation locations from utility conflicts.
- ◆ Performance of a subsurface geotechnical evaluation including excavation, sampling, and logging of fifteen exploratory excavations at the site. The purpose of the subsurface work was to characterize the subsurface materials for evaluation of relevant geologic and geotechnical parameters.
- ◆ Evaluation of the samples obtained to characterize the following parameters: soil classification, moisture, maximum density, expansion index, and chemical analysis (corrosivity).
- ◆ Geotechnical analysis of the field and laboratory data obtained.
- ◆ Preparation of this geotechnical report which includes the following discussions, conclusions, and recommendations:
 - ◇ A limited assessment of geologic conditions and hazards including seismicity and the effects of earthquakes on the proposed structure, landslides, flooding, soil liquefaction, and corrosion.
 - ◇ Recommendations for plan and specification review, earthwork, drainage, foundation design, seismicity, slabs, corrosivity, retaining walls, and pavements.

3. SITE DESCRIPTION

The property is located at the northwest corner of Castana Street and 49th Street in San Diego, California. For the purpose of this report, the property is considered to face northwest. The lot slopes down to the northwest towards Chollas Creek with the highest elevation in the southeast corner of the property. The lot slopes down from approximately 125 feet above mean sea level (MSL) in the southeast corner of the lot to approximately 80 feet MSL in the northwest corner of the lot. The property is bounded to the south by Castana Street, to the east by 49th Street and to the north and west by Chollas Creek. A site location map is included as Figure 1.



4. EXISTING CONDITIONS AND PROPOSED IMPROVEMENTS

Based on discussions with you, and our review of the project documents, we understand that the anticipated improvements include grading and earthwork related to the construction of 18 new single family residence homes with attached garages. We understand that the new structures are likely be wood framed, supported on shallow foundations, with slab on grade floors and supported on compacted fill pads. A series of significant retaining walls will be constructed to accommodate grade breaks between lots.

5. SUBSURFACE EVALUATION

Our field exploration consisted of fifteen shallow test pits advanced on Thursday, February 12, 2009. The test pits were excavated with a CAT 307 excavator and extended to depths ranging from five to thirteen feet below existing grade. Test pit locations are presented on Figure 2. Logs describing the observed subsurface conditions are presented in Appendix A. Disturbed samples were obtained at selected locations and returned to our office for laboratory analysis. Sample locations are indicated on the logs.

The lines designating the interface between soil units on the soil logs were estimated by observation and interpolation and are rough approximations. The actual transition between the materials may be abrupt or gradual. Further, soil conditions between the excavations may be substantially different from those observed. It should be recognized that soil conditions could change with the passage of time.

Excavation locations and elevations were established in the field by pacing and interpolating from existing improvements. The locations shown should not be considered more accurate than the precision implied by the method of measurement used.

In an effort to further characterize soil conditions at the site, three cross-sections have been prepared. The cross sections indicate current and proposed topography, as well as an interpolation of the site geology.

6. SITE GEOLOGY AND SUBSURFACE CONDITIONS

The site is generally located within the California Peninsular Ranges Geomorphic Province. This province is characterized by northwest-trending mountain ranges and valleys. These ranges and valleys trend northwest, subparallel to the San Andreas, Rose Canyon, and other faults.

The site is located at an estimated approximate elevation between 80 and 125 feet above sea level. The site is approximately 5.1 miles (8.2 kilometers) northeast of the Pacific Ocean and approximately 2.8 miles (4.5 kilometers) northeast of San Diego Bay. Based on our observations at the site and review of available geologic literature, it appears that the site is mantled by shallow topsoil and compacted fill related to site landscaping, grading, and pre-



existing conditions. The site is mapped as underlain by alluvium near the creek and by the Baypoint Formation at depth. These materials are further described below.

6.1. Undocumented Fill

Based on the observations performed during our field investigation, the soil observed at and near the surface is generally olive brown, dark brown and gray brown, damp to moist, loose to very loose, silty SAND; with scattered subrounded gravel and cobbles. Grass and roots were noted near the surface. Abundant pieces of debris were observed in the test pits and on the surface including, concrete chunks up to four feet long and one foot thick, asphalt concrete chunks up to two feet long, brick, PVC pipe and cast iron pipe. Abundant human trash including, paper, plastic, clothing, furniture, and electronics was also encountered in several test pits and at numerous places on the surface.

6.2. Alluvium/Stream Deposits

This unit was encountered in test pits TP-5, TP-6, and TP-13 and is anticipated at least intermittently near the creek. Where observed, these materials were generally olive brown and gray brown, loose to medium dense, silty SAND and sandy GRAVEL; with subrounded gravel and cobbles to 12 inches.

6.3. Baypoint Formation

Where observed, these materials were generally light brown, medium brown, olive brown, orangish brown, yellowish brown and gray brown, damp to moist, weakly to moderately cemented, silty SANDSTONE. The SANDSTONE was encountered at depths varying from four to eleven feet below surface in the test pits. The unit was observed to extend to the bottom of the excavations and is expected to extend beyond the lowest elevations of the proposed improvements.

6.4. Groundwater and Seepage

Groundwater was not encountered in great quantities at the site. Seepage was encountered during our investigation in test pit TP-3 and TP-6 at approximately three to four feet below grade. Groundwater or seepage should be anticipated in excavations near the creek and near creek elevations, particularly near the contact between the SANDSTONE and the overlaying materials. Groundwater or seepage could affect the grading operations at the site. Fluctuations in future groundwater levels could develop as a result of rainfall, irrigation, or changes in site drainage. These conditions are typically mitigated on a case by case basis when they occur, not before.



7. GEOLOGIC HAZARDS

The site is located in an active seismic region. Seismic hazards may be induced by ground shaking during seismic events on nearby or distant active faults. A summary of the hazards is presented below. More detailed analysis can be provided upon request.

7.1. Surface Rupture

Surface rupture is the result of movement on an active fault reaching the surface. No faults were observed during our exploration of the site. Based on our observations, experience, and review of the referenced geotechnical and geologic literature, it is our opinion that there is little probability of surface rupture due to faulting beneath the site. However, lurching and ground cracking are a possibility as a result of a significant seismic event on a regional active fault.

7.2. Seismicity and Ground Motion

The nearest known active fault is the Rose Canyon Fault Zone located approximately 2.5 miles (4.1 kilometers) west of the site. The San Diego Seismic Safety Study has also mapped a potentially active unnamed fault approximately 0.4 miles (0.6 kilometers) east of the site. Specific ground motion parameters are presented in the Recommendations section of the report.

7.3. Alquist-Priolo Zones

The purpose of the Alquist-Priolo Fault Zoning Act is to regulate development near active faults so as to mitigate the hazard of surface fault rupture. Based on our review of the referenced literature, the site is not located within an Alquist-Priolo special study zone.

7.4. Liquefaction and Lateral Spread

Liquefaction is a process in which saturated soils lose grain-to-grain contact due to earthquakes or other sources of ground shaking. The soil deposit temporarily behaves as a viscous fluid, pore pressures rise, and the strength of the deposit is greatly diminished.

Sand boils, lateral spread, and post-liquefaction settlement often accompany liquefaction as the pore pressures dissipate. Soils susceptible to liquefaction typically consist of cohesionless sands and silts that are loose to medium dense and saturated. To liquefy, soils must be subjected to a ground shaking of sufficient magnitude and duration. Clayey soil deposits typically do not liquefy because the soil skeleton is not supported by grain-to-grain contact and is therefore not subject to densification by shaking.



Given the relatively dense nature of the soil encountered, the strength and age of the deposit, and the recommendation to remove undocumented fills and alluvial soils that might otherwise be susceptible, the results of our evaluation indicate that the risk of liquefaction from ground shaking caused by either the Design Basis Earthquake or the Maximum Considered Earthquake is remote.

Lateral spreading is a phenomenon that typically occurs on very gently sloping ground or on flat ground adjacent to bodies of water. Due to the relatively remote risk of liquefaction, the risk of liquefaction-related lateral spreading is considered remote.

7.5. Landslides

While there are currently slopes and grade changes up to about 45 feet across the site, significant grading and retaining wall improvements are proposed. It is our opinion that the potential adverse effect of deep-seated slope failure on this project is remote following completion of the proposed improvements.

7.6. Seiches and Earthquake-Induced Flooding

Seiches are defined as earthquake-induced waves that develop in enclosed bodies of water during seismic events. The nearest significant body of water is San Diego Bay located approximately 2.8 miles (4.5 kilometers) southwest of the site and 80 or more feet lower than the subject property. Accordingly, the risk of earthquake-induced flooding from seiches is considered remote.

7.7. Seiches and Earthquake-Induced Flooding

The San Diego Seismic Safety Study has been developed to identify the relative risk of potentially adverse geologic conditions for given locations within San Diego's jurisdiction. The maps in the study delineate where hazardous conditions may exist. The study also suggests minimum evaluation criteria for different geologic and development criteria.

A review of sheet 17 of the study indicates that the site is categorized as hazard category 52. This category is defined as "Other level areas, gently sloping to steep terrain, favorable geologic structure, low risk." The study also indicates that the northwest corners of the property are intersected by hazard category 32. This category is defined as "Liquefaction – Low Potential – fluctuating groundwater minor drainages." It is our opinion that the exposure to geologic hazards on this building pad can generally be considered "low risk". We anticipate that liquefaction risk within the limits of the proposed improvements is very low and will be mitigated during grading.



8. LABORATORY TESTING

Laboratory tests were performed on selected samples obtained from the exploratory excavations to further characterize the geotechnical conditions encountered at the site. The results of our laboratory tests are incorporated into the test pit logs in Appendix A and are further described and summarized in Appendix B.

9. CONCLUSIONS

Based on the results of this evaluation, it is our opinion that construction of the Castana Street Development Project is feasible from a geotechnical standpoint provided the following recommendations and applicable building codes are followed. Geotechnical considerations for the design and construction of the project include the following:

- ◆ There are no known surface expressions of active faults underlying the site. Potential seismic hazards at the site will likely be associated with ground shaking from an event along nearby active faults, such as the Rose Canyon Fault Zone or the Julian Segment of the Elsinore Fault Zone. It is our opinion that the site is not at any more seismic risk than adjacent properties or the immediate neighborhood.
- ◆ Groundwater was not encountered during our evaluation. Seepage was encountered in test pits TP-3 and TP-6. Groundwater is not anticipated to significantly impact construction of the proposed improvements as presently planned. Seepage could affect grading, particularly near the creek. Groundwater and seepage levels can vary from location to location and with the passage of time and weather cycles.
- ◆ The surficial soils were generally loose and undocumented. Due to the loose nature of the fill and alluvial soil, special treatment recommendations are presented herein. Based on our experience with development and redevelopment projects in these types of conditions, we anticipate overexcavating and recompacting the undocumented fill and alluvial soil. In addition, the removals should extend not less than five feet laterally beyond the perimeter of the new structures, including five feet laterally beyond walls, porches, stoops, and other attached exterior improvements.
- ◆ Fill soils derived from the undocumented fill, alluvium, and underlying Baypoint Formation should be adequate for reuse on site if treated properly. The fill soils were found to have very low to low expansion potential and do not require special handling.
- ◆ Significant quantities of gravel and cobbles are anticipated during grading as they were encountered in the test pits. It is possible that conditions between test pits could vary greatly from the conditions observed by our office. In general, cobbles greater than twelve inches should not be allowed in the compacted fills. Cobbles greater than six inches should not be allowed within the upper five feet below proposed improvements.
- ◆ Significant quantities of construction debris are anticipated during grading as they were encountered in the test pits. It is possible that conditions between test pits could vary greatly from the conditions observed by our office. The debris should be removed and legally disposed of off site in accordance with the recommendations presented below.
- ◆ We generally expect the soil to be rippable and excavatable to the depths of excavation anticipated with suitable equipment in good operating condition. It is possible that conditions could vary greatly from the conditions observed by our office.



- ◆ In general, excavation of fill soils at the site should be achievable using standard earthmoving equipment in good-working order with experienced operators. Oversize materials or debris, if encountered in the existing soils, may require extra effort to excavate. Cemented zones and concretions are not anticipated. Appropriate equipment should be anticipated for the excavation and export of the construction debris.
- ◆ The sulfate content measured was considered to have "negligible" corrosion potential. Recommendations are provided for durable concrete.
- ◆ The recommendations of this report are intended to reduce the potential for cracking of slabs due to expansive soils and differential movement of fill soils. However, even with the incorporation of the recommendations presented herein, foundations, slabs-on-grade placed on such conditions, and the structures they support may still exhibit cracking. Minor aesthetic cracking can occur in concrete, drywall, plaster, stucco, and other interior and exterior finishes. The other members of the design team should be consulted about ways to reduce such cracking.
- ◆ The occurrence of concrete shrinkage cracks is independent of the supporting soil characteristics. Their occurrence may be reduced and/or controlled by limiting the slump of the concrete, proper concrete placement and curing, and by the placement of crack-control joints at periodic intervals, particularly where re-entry slab corners occur.

10. RECOMMENDATIONS

The remainder of this report presents recommendations for grading, construction of foundations, slab, retaining walls, and pavement. These recommendations are based on empirical and analytical methods typical of the standard of practice at similar facilities in Southern California. If a specific subject is not addressed in this report, or if something is unclear, we encourage the reader to contact our office for clarification.

10.1. Plan and Specification Review

We recommend that the final foundation, grading plans, and earthwork specifications be reviewed by **SRE** to evaluate conformance with the intent of the recommendations of this report. Significant changes in the locations or layout of the proposed improvements may require additional geotechnical evaluation.

10.2. Excavation and Grading Observation

An experienced geotechnical consultant should observe foundation excavations and site grading. Such observations are considered essential to identify field conditions that differ from those anticipated from the geotechnical evaluation, to adjust designs to actual field conditions, and to document that the grading is accomplished in general accordance with the geotechnical recommendations and contract documents. The geotechnical consultant should perform sufficient observations and testing during grading to support their professional opinion as to compliance with grading recommendations.

Recommendations presented in this report are presented with the understanding that **SRE** will be performing such services, or at a minimum, providing oversight and review of the field-testing during the grading operations.



Sufficient testing of fill should be performed during grading, as specified herein, to support our professional opinion as to compliance with compaction recommendations.

The geotechnical engineer should be contacted to provide observation and testing during the following stages of rough grading:

- ◆ During the clearing and grubbing of the site.
- ◆ During the demolition of any existing structures, buried utilities, or other existing improvements.
- ◆ During excavation and overexcavation of compressible soils.
- ◆ During all phases of rough grading, including overexcavation, recompaction, benching, filling operations, and cut slope evaluation.
- ◆ When any unusual conditions are encountered during grading.

A final geotechnical report summarizing conditions encountered during rough grading should be submitted upon completion of the rough grading operations.

After the completion of rough grading, the geotechnical engineer should be contacted to provide additional observation and testing during the following construction activities:

- ◆ During trenching and backfilling operations of buried improvements and utilities within the street right of way, utility easements, and lots to verify proper backfill and compaction of utility trenches.
- ◆ After excavation and prior to placement of reinforcing steel or concrete within footing trenches to document that footings are properly founded in competent materials.
- ◆ During fine or precise grading involving the placement of fills underlying the driveways, sidewalks, walkways, or other miscellaneous concrete flatwork to document proper placement, mixing and compaction of fills.
- ◆ When any unusual conditions are encountered during construction.

10.3. Earthwork

Grading and earthwork should be conducted in accordance with the applicable design manuals, local grading ordinance, and the 2007 California Building Code. The following recommendations are provided regarding specific aspects of the proposed earthwork construction. These recommendations should be considered subject to revision based on field conditions observed by the geotechnical consultant during grading.

10.3.1. Site Preparation

The near surface soils are undocumented and of variable consistency. In addition, construction debris and remnants exist that would preclude foundation construction in the site's current condition. Recommendations are presented in the following sections for mitigating this condition. Based on our experience, we recommend that



the undocumented fill and alluvial soils at the site be overexcavated and recompacted. The overexcavation should extend to the bottom of the fill or alluvium and not less than three feet below bottom of foundations and walls. Additionally, the overexcavation should extend not less than five feet laterally beyond the perimeter of walls, foundations and other exterior improvements such as porches and stoops. Deeper removals may be necessary in localized areas.

General site preparation should include the removal of unsuitable and deleterious materials, existing structures, pavements, or other improvements from areas that will be subjected to structural, pavement or fill loads. Clearing and grubbing should consist of the removal of vegetation including brush, grass, weeds, wood, stumps, trees, tree roots, and otherwise deleterious materials from areas to be graded. Clearing and grubbing should extend laterally five or more feet beyond the limits of grading, where possible.

Unsuitable materials include vegetation, trash, construction debris, topsoil, rocks more than 12 inches in greatest dimension, contaminated soils, abandoned pavements, other soil in structural areas subject to settlement due to bio-degradation, or other undesirable materials. The removal of unsuitable materials should be conducted under the observation of the geotechnical consultant to evaluate the competency of the exposed materials for support of structural and fill loads. The excavation of unsuitable materials should be conducted in a way that minimizes the disturbance of competent materials. Unsuitable materials should be hauled off-site and legally disposed.

Structures, foundations, pavements, utilities (above and below ground), and ancillary improvements within the grading limits that are not to be saved, should be demolished, hauled off-site and disposed of legally. Demolition of pipelines may consist of capping or rerouting at the project perimeter and removing within the project perimeter. Existing utilities that are to be removed should have the resulting trenches compacted as described in Section 10.3.2. If appropriate, abandoned utilities should be filled with grout or slurry cement as recommended by and under the observation of the geotechnical consultant. The contractor should protect trees or man-made improvements from damage.

Upon completion of the overexcavation and removals, the exposed ground surface may be compacted in place by scarifying to a depth of approximately twelve inches, brought to optimum moisture content, or above, blended to a uniform consistency, and compacted to not less than 90 percent relative compaction at or above optimum moisture content, as evaluated in accordance with ASTM D 1557. The excavations may then be brought up to the desired grade with soil compacted as recommended herein. Other recommendations for overexcavation and recompaction can be provided upon request.



10.3.2. Fill Compaction

Fill and backfill should be placed at or above optimum moisture content using equipment that is capable of compacting the entire fill lift. Fill materials at less than optimum moisture should have water added and the fill mixed to result in material that is uniformly at or above optimum moisture content. Expansive soils were not identified. If encountered during grading, expansive soils should be compacted to not less than two percent over optimum moisture content. Fill materials that are too wet should be aerated or mixed with dryer material to achieve uniformly moisture-conditioned soil.

The fill and backfill should be placed in horizontal lifts at a thickness appropriate for the equipment processing the material. The lift should generally not exceed eight inches in loose thickness. The relative compaction recommended for fill and backfill is not less than 90 percent of maximum dry density based on ASTM D 1557. When evaluating in place density and relative compaction, gravel content and rock correction procedures should be appropriately considered. Compaction operations within five feet of the back of retaining walls should only be performed with light, hand operated or walk behind equipment.

Additional guidelines for compacted fills are provided in Appendix C. Additional recommendations can be provided upon request.

10.3.3. Material for Fill

In general the on-site, granular materials may be used in the on-site fills beneath the structures. Deleterious materials, rocks more than twelve inches in greatest dimension, the organic materials near the surface, and contaminated soils should not be used. Rocks greater than six inches should not be allowed in the upper five feet below ground surface or proposed improvements.

Expansive and other clayey soils were not encountered during our initial investigation. If encountered, we recommend that the clayey soils be placed two or more percent above optimum moisture content. Soils with an Expansion Index of greater than 20 should not be placed as backfill behind retaining walls and segmental retaining walls without special design considerations.

Imported fill sources are anticipated to achieve desired grades. Proposed import fill sources should be evaluated prior to hauling onto the site to determine their suitability for use. Representative samples of imported materials and on-site soils should be tested to evaluate their engineering properties for the planned use. Imported fill soils should have an Expansion Index of not more than 20 and should generally not have more than 30 percent passing the no. 200 sieve. During grading operations, soil types other than those evaluated in the geotechnical

report may be encountered. The geotechnical consultant should be contacted to evaluate the suitability of these soils for use as fill or backfill.

10.3.4. Bulk/Shrink and Moisture Characteristics

The existing surficial soils may shrink on the order of five to ten percent when overexcavated and recompacted. It should be noted, however, that bulking and shrinking can vary considerably with the variability of the type and in-place density of the soil being evaluated. This bulking and shrinking estimate does not take into account oversized materials that may be encountered and removed from the soil.

The existing near surface soils are likely to demand some moisture conditioning to be brought to, or above, optimum moisture content. Our observations indicate that the near surface materials are of variable moisture content. The actual moisture conditions may vary from those anticipated herein.

10.3.5. Temporary Excavations

Temporary excavations, such as those for the foundations and utility trenches, are anticipated to be generally stable up to approximately four feet. Due to the loose nature of the near surface soils, some of the loose soils may need to be laid back. If uncemented zones of raveling sands or gravels are encountered in the exposed cut faces, remedial action may be necessary to stabilize them prior to proceeding with construction.

The geotechnical consultant should evaluate temporary excavations that encounter seepage, loose or raveling soils, or other potentially adverse conditions during grading. Remedial measures may include shoring or reducing (laying back) slope inclinations. Excavations should conform to OSHA guidelines, and workmen should be protected in accordance with OSHA guidelines.

Based on the available data developed from the test pits, the design of trenches, temporary slopes, and benches for preliminary planning purposes may assume the conditions summarized below.

Summary of Cal/OSHA Soil Types

Geological Unit	Cal/OSHA Soil Type
Surficial Soil	Type C
Baypoint Formation	Type B to C

Existing infrastructure that is within a 2:1 (horizontal to vertical) line projected up from the bottom edge (toe) of temporary slopes should be monitored during construction.

The contractor should note that the materials encountered in construction excavations could vary significantly across the site. The above assessment of Cal/OSHA soil type for temporary excavations is based on preliminary engineering classifications of material encountered in widely spaced excavations. A geotechnical or geological professional should observe and document mass excavations and temporary slopes at regular intervals during excavation and evaluate the stability of temporary slopes, as necessary. Similarly, a geotechnical or geological professional should observe and monitor temporary support systems.

10.3.6. Slopes

No significant new slopes are anticipated. Slope construction recommendations can be provided upon request.

10.3.7. Additional Earthwork Recommendations

Additional earthwork recommendations can be found in Appendix C, Standard Specifications for Grading Projects. Site preparation recommendations contained in the main part of this report shall supersede those contained in Appendix C. The geotechnical consultant should be contacted for clarification of the project specifications.

10.4. Surface Drainage

Foundation and slab performance depends greatly on how well the runoff waters drain from the site. This is true both during construction and over the entire life of the structure. The ground surface around structures should be graded so that water flows rapidly away from the structures without ponding. The surface gradient needed to achieve this depends on the predominant landscape. In general, we recommend that pavement and lawn areas within ten feet of buildings slope away at gradients of not less than two percent. Densely vegetated planter areas should slope away from buildings at a gradient of not less than five percent in the first five feet. Densely vegetated areas are considered those in which the planting type and spacing are such that the flow of water is impeded.

Planters should be built so that water from them will not seep into the foundation, slab, wall backfill, or pavement subgrade areas. Roof drainage should be channeled by pipe to storm drains, discharged to paved areas draining off-site, and/or discharged not less than ten feet from building lines in landscaped areas. Site irrigation should be limited to the minimum necessary to sustain landscaping plants. Should excessive irrigation, surface water intrusion, water line breaks, or unusually high rainfall occur, saturated zones or "perched" groundwater might develop in the underlying soils. In addition to the recommendations presented herein, we recommend that the property owner or manager review the property maintenance guidelines presented in Appendix D.



10.5. Foundation Recommendations

The following recommendations are generally consistent with methods typically used at similar projects. We anticipate that footing dimensions presented herein may be increased to carry the anticipated wall and footing loads. Other alternatives may be available.

10.5.1. Bearing Capacity for Shallow Foundations

Bearing capacity values presented herein for building foundations that will be founded in competent, properly compacted fill. Based on our evaluation and our understanding of the anticipated foundation loads, we recommend the following parameters.

Summary of Foundation Parameters for Properly Compacted Fill

Allowable Bearing Capacity	2,000 psf Allow a 1/3 increase for short-term wind or seismic loads. Estimated Safety Factor is greater than 3.
Bearing Capacity Increase	400 psf increase for each additional foot of width and/or depth, up to a total allowable bearing capacity of 4,000 psf
Minimum Footing Width	12 inches (one story) 15 inches (two story)
Minimum Footing Depth	12 inches below lowest adjacent grade (one story) 18 inches below lowest adjacent grade (two story)
Reinforcement	Not less than two no. 4 bars top and two no. 4 bars bottom in continuous footings.
Estimated Settlement*	Foundations should be designed for a total and differential settlement of 1-inch and ½-inch, respectively, over a distance of 40 feet.

*Estimated for static loads.

10.5.2. Lateral Loads

Resistance to lateral loads on the shallow foundations may be provided by passive resistance along the outside face of footings and frictional resistance along the bottom of the footings. The following allowable lateral bearing per foot of depth below the lowest adjacent grade or slab-on-grade may be used for the design of concrete footings that are placed neat against properly compacted fill or undisturbed formational materials. The tabulated values indicate an approximate factor of safety of 1.0. The designer should incorporate appropriate factors of safety when using the passive resistance parameters summarized below.



Summary of Allowable Passive Resistance (PSF per Foot of Embedment)

Ground Conditions	Properly Compacted Fill	Baypoint Formation
Level Ground	300	400
Descending Sloping Ground (2:1)	150	200

The upper 12 inches of soil should be neglected in passive pressure calculations in areas where there will be no hardscape that extends from the outside edge of the footing to a horizontal distance equal to three times the footing depth. The resistance from passive pressure should be neglected where utilities or similar excavations may occur in the future. The resistance from passive pressure should only apply to reinforced portions of the foundations.

The following allowable friction coefficients may be used with the dead load to compute the frictional resistance of footings. If frictional and passive resistance is combined, the friction coefficient should be reduced as shown.

Summary of Allowable Friction Coefficients

Ground Conditions	Properly Compacted Fill	Baypoint Formation
Base Friction Alone	0.35	0.4
Base Friction and Passive Resistance	0.25	0.3

10.5.3. Foundation Setback

Foundations constructed near the tops of slopes should be deepened as necessary so that the minimum distance between the outer bottom edge of foundations and the surface of the adjacent slope is $H/3$ and not less than eight feet, where H is the height of the slope. It should be recognized that the outer few feet of slopes are susceptible to gradual down-slope movements due to slope creep. This will affect hardscape such as concrete slabs. We recommend that settlement sensitive hardscape not be constructed within five feet of the top of slopes.

10.6. Seismic Parameters

The following 2007 California Building Code (CBC) seismic parameters may be used for design of the proposed structure.

Summary of 2007 CBC Seismic Design Parameters

Parameter	Value	Reference
Latitude (degrees)	32.707	Estimated from Google Earth Web App.
Longitude (degrees)	-117.090	Estimated from Google Earth Web App.
Site Classification	D	2006 IBC Table 1613.5.2
0.2 Sec. Period Spectral Accel, S_s (g.)	1.236	USGS EHP*
1.0 Sec. Period Spectral Accel, S_1 (g.)	0.459	USGS EHP*
Site Coefficient, F_a	1.0006	USGS EHP*
Site Coefficient, F_v	1.541	USGS EHP*
$SM_s = F_a \times S_s$	1.244	USGS EHP*
$SM_1 = F_v \times S_1$	0.708	USGS EHP*
$SD_s = 2/3 \times SM_s$	0.829	USGS EHP*
$SD_1 = 2/3 \times SM_1$	0.472	USGS EHP*

* United States Geological Survey Earthquake Hazards Program Tabulated and Calculated Data

In order to provide an estimate of the potential peak ground acceleration that structures founded at the site may experience in time, we performed a limited evaluation of the site seismic parameters. To estimate the design ground accelerations for this project, we reviewed 1996 and 2002 data made available by the United States Geological Survey, National Seismic Hazards Mapping Project. The data is primarily a compilation of probabilistic seismic hazard analyses (PSHA) that estimate ground motion for certain probabilities of exceedance at locations on a grid. Values between gridded locations are then interpolated.

PSHA is a mathematical process based on probability and statistics that is used to estimate the mean number of events per year in which the level of some ground parameter at the site exceeds a specified value. For this study, the design parameter is peak ground acceleration. The peak ground acceleration is measured relative to the strength of the earth's pull of gravity (g). Results are typically reported as a percent of gravity in gs to the nearest 0.01g. The inverse of this Probability of Exceedance can be correlated to an average return period.

For example, the 1997 Uniform Building Code indicates that the design ground motion for most standard projects should be measured as having a ten percent Probability of Exceedance in 50 years. This correlates to an estimated average return period of approximately 475 years. Accordingly based on this analysis, this design ground motion (measured in gs) will be exceeded at this site on an average of once every 475 years. The results are summarized below.



Summary of Seismology and Seismic Parameters

Design Criteria	Ground Acceleration (g)
1997 UBC Design Basis Earthquake Acceleration (10% Probability of Exceedance in 50 years) 475-Year Return Period	0.25
2007 CBC Upper Bound Earthquake Acceleration (10% Probability of Exceedance in 100 years) 950-Year Return Period	0.35
FEMA 302 Maximum Considered Earthquake Acceleration (2% Probability of Exceedance in 50 years) 2,375-Year Return Period	0.53

10.7. On-Grade Slabs

Interior slabs should be designed for the anticipated loading using procedures outlined in the 2007 CBC, or other effective methods. If an elastic design is used, a modulus of 160 pci can be used. Slab thickness and reinforcement may be designed by the project structural engineer and should conform to the requirements of the 2007 CBC. At a minimum, we recommend the following parameters.

Summary of Slab Parameters for Compacted Fill

Net Slab Thickness (in.)	4
Slab Reinforcement	No. 3 bars at 18 inches on center, each way. 1.5 inches of cover to reduce shrinkage cracking near the surface.
Rock Base Below Slabs	None specified.

As an alternative to the conventionally reinforced slab recommendations provided herein, the owner may consider a post-tensioned slab reinforcing design. Post-tensioned slab reinforcing has been shown to reduce cracking associated with soil, structural, and concrete shrinkage related factors. Most larger southern California residential developments now build their slabs with post-tensioned reinforcing as fewer concrete cracks have related to fewer crack claims. If post-tensioned slab reinforcing is considered, the system should be designed by a structural engineer experienced with such designs. For post-tensioned slab design at this project, the designer should assume on the order of 1/2 inch of differential settlement, an allowable bearing capacity of 2,000 psf, and soil conditions with up to about 20 feet of very low to low expansive compacted fill.



10.7.1. Moisture Protection for Slabs

Concrete slabs constructed on soil ultimately cause the moisture content to rise in the underlying soil. This results from continued capillary rise and normal evapotranspiration. Normal concrete is permeable. Accordingly, the moisture will eventually penetrate the slab. Excessive moisture may cause mildewed carpets, lifting or discoloration of floor tiles, or similar problems. To decrease the likelihood of problems related to damp slabs, suitable moisture protection measures should be used where moisture sensitive floor coverings, moisture sensitive equipment, or other factors warrant.

A commonly used moisture protection consists of about two inches of clean sand or gravel overlain by 10-mil polyethylene plastic sheeting and then overlain by two additional inches of clean sand. These systems are often punctured with stakes during concrete placement. It has been our experience that such systems will transmit on the order of 6 to 12 pounds of moisture per 1000 square feet per day with typical groundwater conditions. This may be excessive for some applications particularly for sheet vinyl, wood flooring, vinyl tiles, or carpeting with impermeable backing that use water-soluble adhesives.

Additional reduction in vapor transmission through concrete floor slabs may be achieved by the placement of a dense concrete section without joints. Achieving such a concrete section may be facilitated by the use of low water-cement ratios and a low slump concrete mix with thorough curing. The concrete should have a history of good performance within the specification parameters that it is trying to achieve. The concrete slab should be thoroughly cured for not less than seven days using an accepted curing compound or water. No surfacing should be placed on the slab until the excess water within the slab has been dissipated.

The project architect should review the moisture requirements of the proposed flooring system and incorporate an appropriate level of moisture protection as part of the floor covering design. For example, moisture sensitive floor coverings such as vinyl may develop discoloration or adhesive degradation due to excessive moisture transmission. Wood flooring may swell and dome if exposed to excessive moisture transmission. In such cases, the architect should specify an appropriate moisture barrier based on the allowable moisture transmission rate for the flooring to be used. This may include waterproofing the slab.

The recommendations provided in this section may be waived, including elimination of visqueen and the sand layers, if there are no moisture transmission concerns such as in exterior slabs and garage floors. If desired, more specific services can be provided upon request.

If additional information is desired, the moisture vapor emission being transmitted through the concrete can be monitored in general accordance with ASTM F 1869-98, *Standard Test Method for Measuring Moisture Vapor*



Emission Rate of Concrete Subfloor Using Anhydrous Calcium Chloride. This simple, affordable three-day test provides additional information as to the moisture vapor emission being transmitted by or through the slab. These services can be provided upon request.

10.7.2. Exterior Slabs and Walkways

Exterior slabs and walkways placed on the on-site soils are not expected to experience significant differential movement related to volume changes of the near surface soil. To reduce the potential for excessive differential movement across joints, exterior slabs and walkways should be not less than four inches thick. If differential movement across joints in concrete cannot be tolerated, then we recommend reinforcing the exterior flatwork in the same fashion as the interior slabs. Crack control joints should be used on exterior slabs, with a spacing of 4 feet or less each way for sidewalks and 8 feet or less each way for slabs. Hardscape areas such as slabs and walkways should not be constructed within about five feet of the top of slopes without special design consideration.

10.8. Soil Corrosivity

We performed a limited evaluation of the relative corrosivity of three samples of soil. Based on the results of our evaluation, the soil was not noted to be excessively corrosive. Accordingly, we recommend Type II/V cement and a water cement ratio of not more than 0.60 (lb./lb.) for durable concrete supported in the on-site soils. In addition, an evaluation of the soil's potential corrosivity to metal culverts was estimated using procedures in California Test No. 643. Using the pH and minimum resistivity test results obtained in the lab testing to following metal culvert corrosion parameters are offered for preliminary consideration. A corrosion engineer should be consulted if additional corrosion-related design information is desired. We recommend that actual chemical and corrosion conditions be evaluated upon completion of grading and prior to placement of concrete.



California Test 643 Summary of Years to Perforation for Metal Culverts*

Metal Culvert Gauge	Estimated Years to Perforation TP-1 @ 0 - 1'	Estimated Years to Perforation TP-1 @ 4 - 5'	Estimated Years to Perforation TP-7 @ 5 - 6'
16	25	17	27
14	33	23	36
12	45	31	49
10	58	40	63
8	70	49	77

10.9. Earth-Retaining Structures

Lateral loads on walls are induced as a result of differential movement of walls and soil relative to one another. Quantitative analysis of lateral earth pressures is necessary to design retaining walls. There are three categories of earth pressure – *earth pressure at rest*, *active earth pressure*, and *passive earth pressure*. Earth pressure at rest refers to lateral pressure caused by earth that is prevented from lateral movement by an unyielding wall. However, some wall movement often occurs resulting in either active or passive earth pressure as explained below.

If a wall moves or rotates away from soil, the surface above and behind the wall will tend to be lowered and the lateral pressure on the wall will be decreased. The earth pressure exerted on a wall at this state is known as active earth pressure, and it is at its minimum value.

If a wall moves towards a soil, the earth surface will tend to be raised and the lateral pressure on the wall will be increased. The design earth pressure in this state is known as the passive earth pressure and is at its maximum value.

Lateral loads behind cantilevered retaining walls occur from the weight of the soil behind the wall. Additional loads may occur as a result of surcharge loads on the surface behind the wall, seismic loads on the wall, or hydrostatic pressures behind the wall that may develop as a result of build up of moisture.

For this project, we anticipate that the wall will be designed for active earth pressures (wall should be expected to rotate out slightly) and that the site soils are suitable for use as wall backfill. We recommend that the wall be backfilled with granular soils and suitable drainage. The backfill soils should meet the imported fill requirements indicated in section 10.3.3 and should have an angle of internal friction (ϕ) of not less 30 degrees. Cantilevered



retaining walls backfilled with materials that meet these requirements can be designed with the following design parameters.

Summary of Allowable Active Pressure Parameters (PSF per Foot of Embedment)

Ground Conditions	Granular Properly Compacted Soil
Level Ground	40
2:1 Slope	60

* This can be provided upon request.

Resistance to lateral loads on the shallow foundations may be provided by passive resistance along the outside face of footings and frictional resistance along the bottom of the footings. The following allowable lateral bearing per foot of depth below the lowest adjacent grade or slab-on-grade may be used for the design of concrete footings that are placed neat against undisturbed formational materials. Please note that the parameters indicated below assume a factor of safety of 1.0. The designer should apply appropriate factors of safety and may allow a 1/3 increase for short term wind or seismic loads. Further, note also that due to the gradually descending slope below the wall and the relatively weaker residual soils observed near the surface, we recommend that the passive resistance be neglected for the portion of wall foundation within the upper foot.

Summary of Allowable Passive Resistance (PSF per Foot of Embedment)

Ground Conditions	Properly Compacted Fill Soil
Level Ground	300
2:1 Descending Slope	150

*This can be provided upon request.

The upper 12 inches of soil should be neglected in passive pressure calculations. The resistance from passive pressure should be neglected where utilities or similar excavations may occur in the future.

Due to the nature of cantilevered retaining walls designed for active conditions, the walls should be anticipated to rotate laterally outward a distance of up to approximately ½ percent of the wall height. For example, a ten foot tall cantilevered wall designed for active earth pressure conditions may rotate outward on the order of ½- to ¾- inch. This movement can be detrimental to rigid improvements attached to or adjacent to the tops of walls and should be considered during design.



Please note also that walls designed for active conditions are often not adequately designed at the ends of walls where 90 degree or similar bends are made in the walls. Due to the resistance of the wall return from allowing the main portion of the wall to rotate, walls often crack at or near the angle in the wall. To significantly reduce the potential for this distress, we recommend that the at-rest pressures provided below be used for wall designs for the portion of the wall located within a horizontal distance of $2 \times H$ from the angle in the wall (where H is the height of the wall).

Summary of Allowable At-Rest Pressure Parameters (PSF per Foot of Embedment)

Ground Conditions	Granular Properly Compacted Soil
Level Ground	60
2:1 Slope	90

*Not provided as the slope is anticipated to be level behind the wall. This can be provided upon request.

10.9.1. Psuedostatic (seismic) Earth Pressure Parameters

If the designer desires to design the wall to resist seismic loading during either the DBE or UBE event, the following equation may be used to estimate the psuedostatic force (P_E) acting on the retaining wall for active conditions:

$$P_{Eactive} = 0.3 * (a_{max}/g) * H^2 * \gamma_t$$

The following equation may be used to estimate the psuedostatic force (P_E) acting on the retaining wall for at-rest conditions:

$$P_{Eat-rest} = 0.45 * (a_{max}/g) * H^2 * \gamma_t$$

Where $P_{Eactive}$ = the horizontal psuedostatic force acting on the wall designed for active conditions (lb)
 $P_{Eat-rest}$ = the horizontal psuedostatic force acting on the wall designed for at-rest conditions (lb)
 a_{max} = the ground motion as a decimal (g). Typically either the DBE or UBE value
 H = height of the retaining wall (ft)
 γ_t = total unit weight of backfill soil (pcf)

The location of the psuedostatic force can be assumed to act at a distance of $0.67H$ above the base of the wall. For this report, we recommend that $a_{max} = 0.24 g$ and $\gamma_t = 125$ pcf for design purposes.

10.9.2. Wall Drainage

Successful wall performance is dependent upon adequate drainage so that excessive hydrostatic pressures do not build up behind the wall. For this application, we offer two options. The first alternative would be a gravel

chimney drain as outlined in Appendix C. The second alternative we recommend would be use of drainage composite behind the wall such as Mirafi G100N, J Drain, or other product with equal or superior performance traits. The drain should be installed in accordance with the manufacturer's recommendations. Moisture should be collected and discharged to a suitable outlet.

10.9.3. Mechanically Stabilized Earth Retaining Walls (MSEWs)

The allowable foundation pressure and lateral bearing of segmental retaining wall (MSEW) foundations should be designed and located as recommended in this report. MSEW foundations should also be positioned as recommended herein. The design of subsurface drainage should consider the recommendations in the Wall Drainage section of this report, along with any requirements specific to the MSEW manufacturer.

The MSEW wall designer should provide an estimate of the lateral deformation of the outer portion of the wall to help civil and structural engineers design surface improvements (e.g. fences and exterior flatwork) in these areas.

Design for Mechanically Stabilized Earth Retaining Walls should be based on the following parameters.

Design Parameters for Use in Segmental Retaining Wall Design

Wall Parameter	Lithology	Approximate In-Place Density (pcf)	Phi Angle (degrees)	Cohesion (psf)
Foundation Zone	Compacted Fill	130	30	0
Reinforced Zone	Compacted Fill	130	30	0
Retained Zone	Compacted Fill	130	30	0

Drainage systems for MSEWs should be specified by the MSEW manufacturer. At a minimum, one four inch diameter perforated pipe should be located at or near the heel of the wall. The pipe should be installed in not less than three feet of open graded gravel per linear foot of pipe. The gravel and pipe should be enveloped within a filter fabric such as Mirafi 140N, or similar, unless it can be shown that the retained and reinforced soils will not pipe or otherwise migrate into the drainage gravel.

If there is reason to believe that water may migrate from the retained soil zone into the reinforced soil zone (such as from landscape irrigation or similar), a second drain system should be installed at the face of the back cut for the retained soil zone. This system should include a two-sided composite drainage fabric such as Miradrain. The drainage fabric should be installed in a columnar orientation. The fabric should cover not less than 20 percent of the cut face and should have clear spaces between drains of not more than eight feet. The fabric should be

installed to within four feet from the top of the back cut. The fabric should be secured to the back cut and sealed at the top in accordance with manufacturer's recommendations. The fabric should be constructed to discharge to a four inch diameter perforated pipe at the toe of the back cut. The pipe should be installed in not less than three feet of open graded gravel per linear foot of pipe. The gravel and pipe should be enveloped within a filter fabric such as Mirafi 140N, or similar, unless it can be shown that the retained and reinforced soils will not pipe or otherwise migrate into the drainage gravel.

The drain pipes should be sloped to drain not less than one percent along the pipe. Drainage pipes should be tightlined to a suitable discharge outlet.

10.10. Pavements

The following pavement recommendations are preliminary and for bidding and estimating purposes. The actual pavement sections should be evaluated following completion of the grading so that actual road subgrade conditions can be identified.

Prior to paving, the upper 12 inches of pavement subgrade should be scarified, brought to above optimum moisture content, and compacted to not less than 95 percent of maximum dry density as determined by ASTM D 1557. Subgrade preparation should be conducted immediately prior to the placement of the pavement section. Aggregate base should conform to the specifications for crushed aggregate base or crushed miscellaneous base as defined in Section 200-2 of the current edition of Standard Specifications for Public Works Construction ("Greenbook"), Caltrans Class II aggregate base. Aggregate base placed below pavements should be compacted to not less than 95 percent of maximum dry density as determined by ASTM D 1557.

10.10.1. Asphalt Pavement

The asphalt concrete paving sections for driveways and parking lots were established using the design procedures outlined in Caltrans Highway Design Manual, as incorporated into Newcon 90 software. Three traffic types were assumed for areas of asphalt concrete paving: automobile parking (Traffic Index = 4.5), driveways (Traffic Index = 5.0) and heavy truck traffic (Traffic Index = 6.0). Based on review of available lab data from this and other evaluations for the site, we have used an R-value of 25 for preliminary pavement design. The R-Value should be confirmed during construction.



Summary of Asphalt Concrete Pavement Sections

Vehicle Type/ Usage	Assumed Design Index	Asphalt Concrete Thickness	Aggregate Base Thickness
Automobile Parking	4.5	4 inches	4 inches
Auto Driveways Truck Access	5.0	4 inches	5 inches
Heavy Truck Traffic	6.0	4 inches	9 inches

Asphalt concrete should conform to Section 203-6 of the "Greenbook." Asphalt concrete should be compacted to not less than 95 percent based on the Hveem unit weight.

10.10.2. Portland Cement Concrete Pavement

Portland Cement Concrete (PCC) pavement design was conducted in general accordance with PCA guidelines and modified with local experience. Based on our evaluation, we calculated the pavement sections indicated below with the understanding that concrete flexural strength will not be less than 650 psi, and aggregate base compacted to not less than 95 percent of ASTM D 1557. PCC pavement should be constructed at not less than six inches thick, and supported on not less than four inches of properly compacted aggregate base.

We recommend that, at a minimum, PCC pavement is used in the apron in front of front-loading trash container areas, and in areas where buses may regularly load and unload passengers. Crack control joints should be placed on not more than 12-foot centers, each way. During construction, the flexural strength of the concrete should be evaluated by fabricating beams in accordance with ASTM C 31 and testing for flexural strength accordance with ASTM C 78. Architectural Considerations.

10.11. Architectural Considerations

It has been drawn to our attention over the last 20 years in the industry that some designers and owners are not adequately informed about the imperfect nature of construction materials and techniques. For example, a crack or separation will develop in a concrete finish, a painted stucco or plaster exterior, or painted drywall interior. The vast majority of these cracks and separations are aesthetic in nature and do not indicate improper design or structural failure.



There are many material factors that could cause or accelerate cracks and separations. For example, soil is an elastic, variable material that is expected to move. Most soil reports indicate that some movement should be expected e.g. "up to one inch of settlement is anticipated with up to ½ inch of differential settlement over a 20 foot span." In addition to settlement, some soils are clayey and can expand and contract with moisture variations. Recommendations are presented herein to reduce the potential for those effects. However, those conditions can not be eliminated without removal of the clay soils. As a result, when soil moves as anticipated, the rest of the structure will move with it. When this happens, minor cracks and separations are likely to develop in interior and exterior finishes.

Unlike soil, concrete is a relatively rigid material that can even be considered brittle. Concrete shrinks as it cures and dries, often resulting in cracks and separations. The potential adverse effects of concrete shrinkage can typically be reduced with good construction practices but are not generally eliminated. Shrinkage can be reduced with proper mix selection, such as 1-inch maximum size aggregate as opposed to 3/8-inch maximum sized aggregate, proper joint spacing that allows concrete to crack in convenient and predefined locations, and proper curing that seals in moisture for seven or more days while concrete gains strength prior to usage. Stucco and plaster are also cementitious materials that will shrink and crack. Performance of these materials can also be improved with proper mix selection, limiting excess moisture, and proper curing.

Other materials that display evidence of cracks and separations include drywall, wood and lumber. Often the wood framing is relatively green when installed. As wood framing and larger lumber members cure and age, they also dry, twist, and change volume. This can result in cracks and separations at wall and ceiling joints, in taped drywall joints, and in exposed lumber elements such as open truss beams.

Many of these features can be reduced or controlled somewhat with good material selection and proper construction technique. In our opinion, it is unreasonable to expect all such movements to be eliminated. We encourage designers and owners to talk about expectations with fellow designers and contractors prior to performance of the work. Many expectations and realities can be clarified prior to construction. Many expectations can be met or nearly met with improved design such as larger foundations, post-tensioned slabs, better material selection, and improved construction techniques.

11. LIMITATIONS

The information presented in this report has been prepared for use in the design and construction of the proposed project in San Diego, California. The recommendations provided in this report are based on our understanding of the described project information and our interpretation of the data collected during the subsurface exploration. The



recommendations apply only to the specific project described in this report. If the project changes from the description contained in the Introduction section of this report, **SRE** should be contacted to review the conclusions and recommendations in relation to any new project requirements. In the event that changes in the design or location of the facility are planned from those described herein, the conclusions and recommendations contained in this report should not be considered valid unless the changes are reviewed and conclusions of this report verified or modified in writing by **SRE**. **SRE** is not responsible for claims, damages, or liability associated with interpretation of subsurface data or reuse of the subsurface data or engineering analyses without the express written authorization of **SRE**.

It is the responsibility of the client or the client's representative to ensure that the information and recommendations contained in this report are incorporated into the project plans and specifications. The client or his/her representative must ensure that the contractor and/or subcontractor carry out the recommendations during construction. It is our understanding that **SRE** will provide Quality Assurance services to assist the owner and contractor in seeing that these recommendations are incorporated into the project during construction.

Changes in the condition of a property can occur with the passage of time, whether due to natural processes or the work of man on this or adjacent properties. In addition, changes in applicable or appropriate standards of practice may occur from legislation or the broadening of knowledge. Accordingly, the findings of this report may be invalidated wholly or partially by changes outside our control. Therefore, this report is subject to review and should not be relied upon after a period of one year.

During final design, **SRE** should review the final construction documents and specifications for the proposed project to assess their conformance with the intent of our recommendations. If changes are made in the project documents, the conclusions and represented in this report may not be applicable. Therefore, **SRE** should review any changes to assess whether the conclusions and recommendations are valid and modify them if necessary.

During site preparation and foundation construction, a qualified geotechnical consultant should observe slab-on-grade, pavement subgrade, and utility trench backfill to check compaction. In addition, the consultant should observe subgrade preparation beneath areas to receive fill, to observe, and to test fill compaction. The consultant should also observe building foundation or pile installation excavations to verify the presence of a firm bearing surface. **SRE** should be retained to observe earthwork and pile construction to help confirm that our assumptions and recommendations are valid or to modify them accordingly. **SRE** cannot assume responsibility or liability for the adequacy of recommendations if we do not observe construction.

Our evaluation has been performed using the degree of care and skill ordinarily exercised under similar circumstances by geotechnical consultants with experience in the Southern California area in similar soil conditions.



No other warranty either expressed or implied is made as to the conclusions and recommendations contained in this report. We appreciate the opportunity to serve you.



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SOLID ROCK ENGINEERING, INC.
 GEOTECHNICAL AND MATERIALS ENGINEERING CONSULTANTS
 PO BOX 600277, SAN DIEGO, CALIFORNIA 92160
 619.851.8683 PH., 619.501.9511 FAX
 WWW.SOLIDROCKENGINEERS.COM

SITE LOCATION MAP

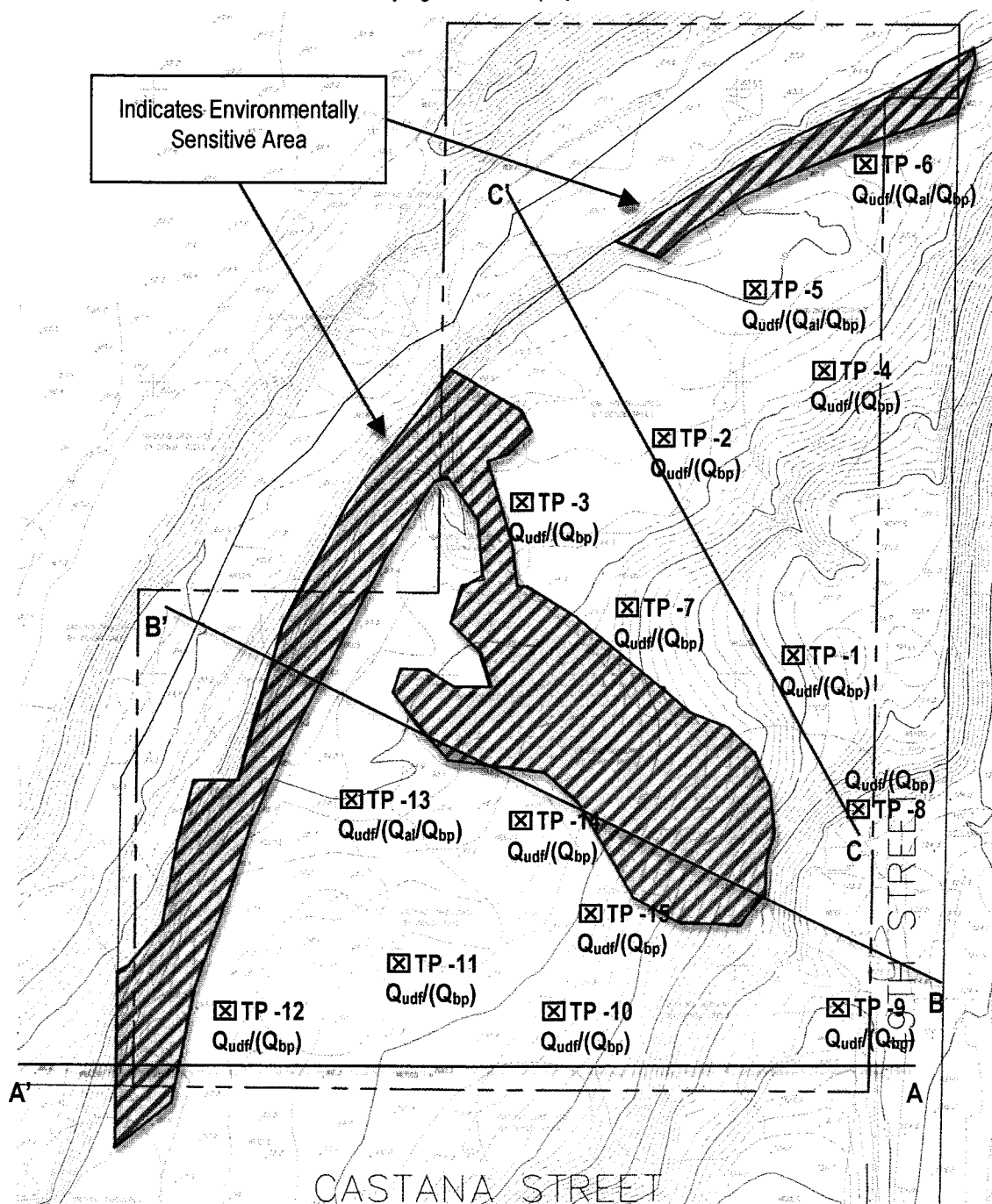
Castana Street Development Project
 Castana Street and 49th Street
 San Diego, California 92102

PROJECT No.	DATE	FIGURE
61000303-01	February 2009	1



LEGEND

- ☒ TP-15 Indicates approximate location of borings
- Q_{udf} Indicates Quaternary age undocumented fill
- Q_{bp} Indicates Quaternary age Baypoint Formation (in parentheses where buried)
- Q_{al} Indicates Quaternary age Alluvium (in parentheses where buried)



Reference: Topographic Map provided by Client. Not Dated. No Scale Shown.

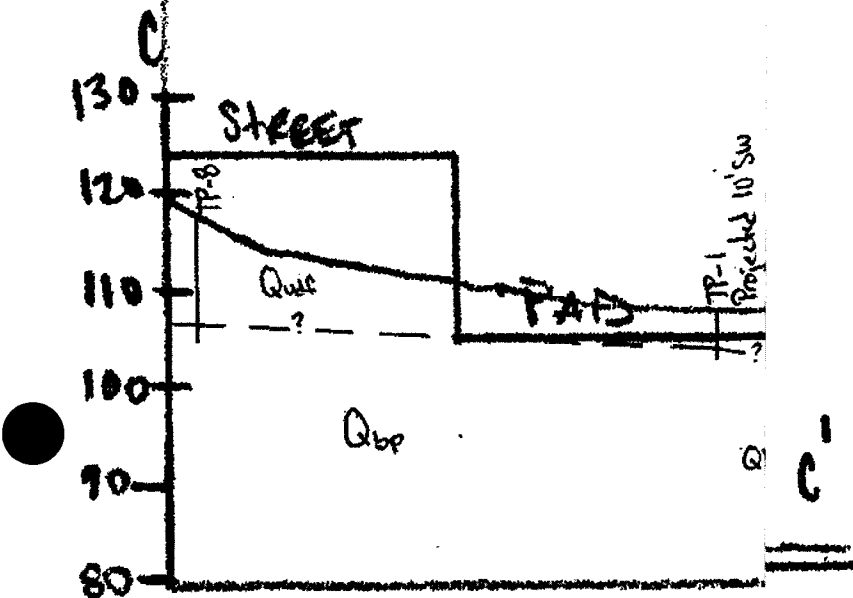
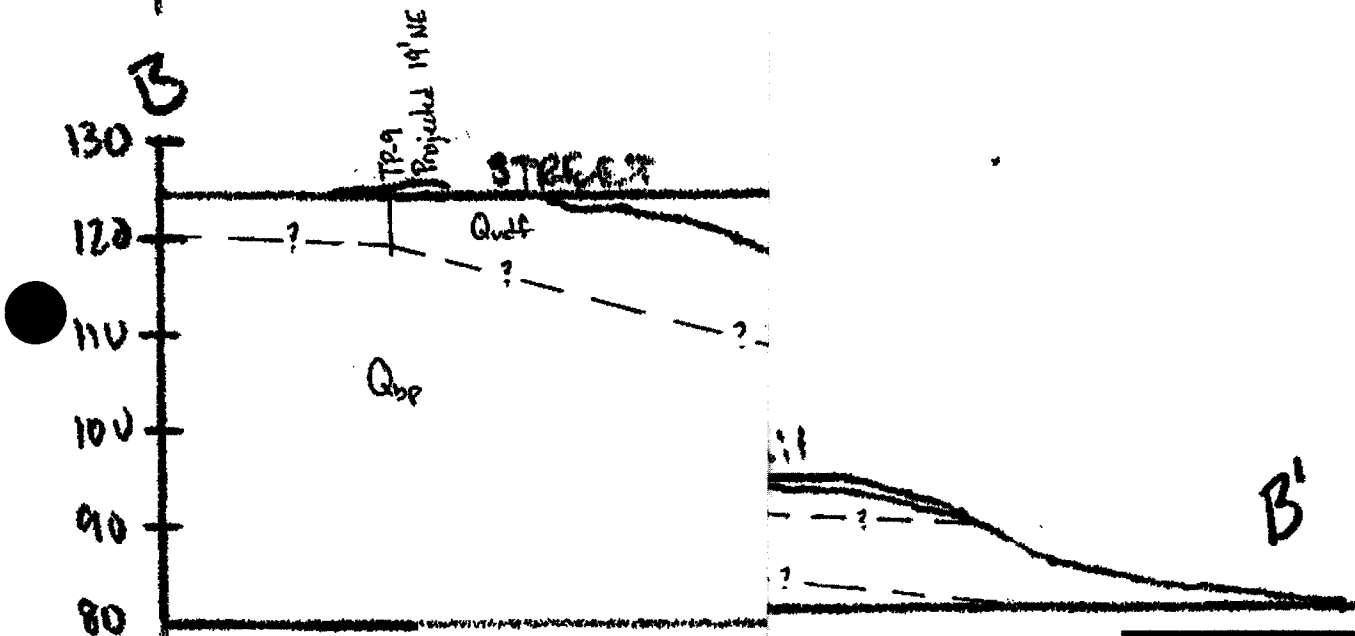
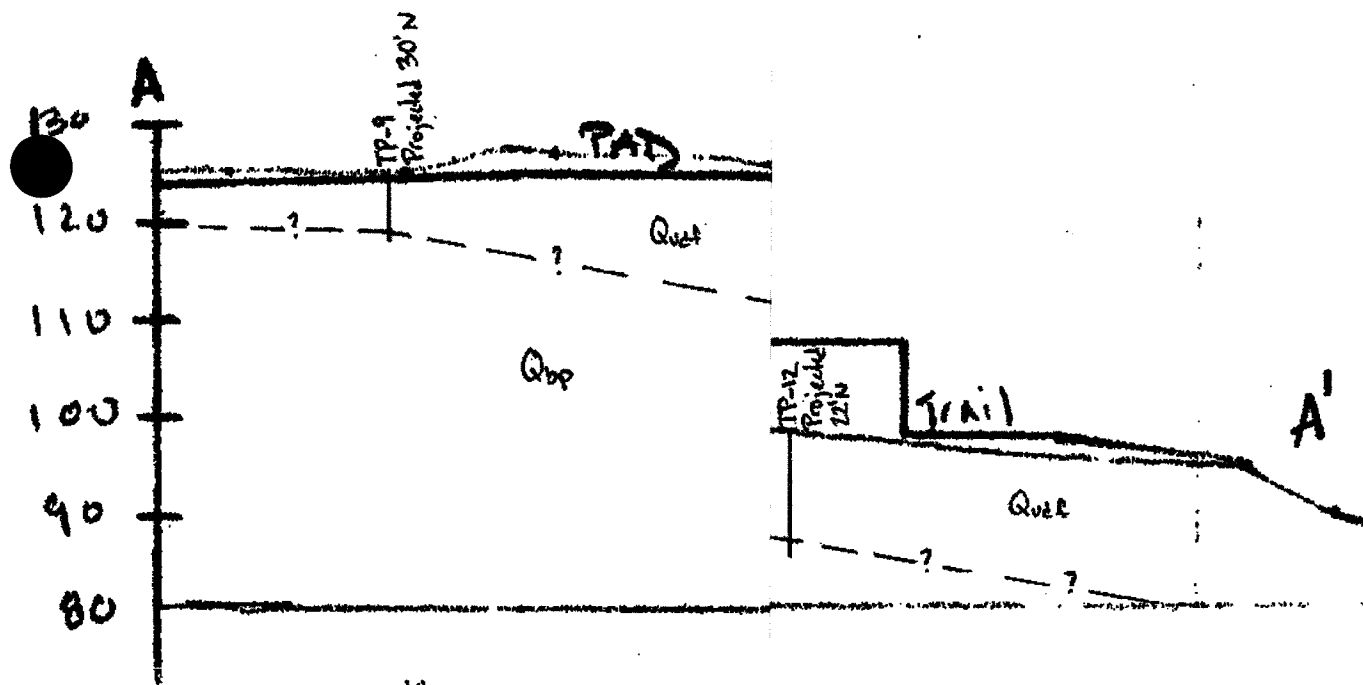


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 GEOTECHNICAL AND MATERIALS ENGINEERING CONSULTANTS
 PO Box 600277, SAN DIEGO, CALIFORNIA 92160
 619.851.8683 PH., 619.501.9511 FAX
 WWW.SOLIDROCKENGINEERS.COM

EXCAVATION LOCATION MAP

Castana Street Development Project
 Castana Street and 49th Street
 San Diego, California 92102

PROJECT NO.	DATE	FIGURE
61000303-01	February 2009	2



Selected Cross Sections		
Castana Street Development		
Castana Street and 49th Street		
San Diego, California 92102		
Project No.	Date	Figure
61000303-01	February 2009	3

Appendix A Logs of Exploratory Excavations



Drilling and Boring Log Explanation Sheet

Primary Divisions			Secondary Divisions	
			Group Symbol	Group Name
Coarse-Grained Soils More than 50% Retained on No. 200 Sieve	Gravels More than 50% of coarse fraction retained on No. 4 sieve	Clean Gravels Less than 5% fines	GW	Well-graded gravel
		Gravel with fines more than 12%	GP	Poorly-graded gravel
			GM	Silty gravel
			GC	Clayey gravel
	Sands 50% of more of coarse fraction passes No. 4 sieve	Clean Sands less than 5% fines	SW	Well-graded sand
		Sands with fines more than 12%	SP	Poorly-graded sand
			SM	Silty sand
			SC	Clayey sand
Fine-Grained Soils 50% or More Passes No. 200 Sieve	Silts and Clays Liquid limit less than 50%	Inorganic	CL	Lean clay
			ML	Silt
		Organic	OL	Organic clay or silt
		Silts and Clays Liquid limit 50% or more	Inorganic	CH	Fat clay
	MH			Elastic silt
	Organic		OH	Organic clay or silt
	Highly Organic Soils		Pt	peat

Moisture Conditions	
Dry:	No indication of moisture; dry to touch
Damp:	Slight indication of moisture
Moist:	No visible water
Wet:	Visible free water
Saturated:	Below water table

Symbols



Groundwater at time of drilling



Groundwater after drilling or other specified time.



Seepage noted during or after drilling



Indicates sample with modified split barrel with 2.42- by 1.0-inch rings.



Indicates sample with standard SPT split-spoon sampler.



Indicates sample with Shelby tube.

— Indicates change in lithology (fill to alluvium, etc.) or end of boring.

- - - - Indicates change in soil type within same unit.
e.g.: fill changes from silty SAND to clayey SAND.

Grain Sizes							
U.S. Standard Series Sieve				Clear Square Sieve Openings			
200	40	10	4	3/4"	3"	12"	
Silt & Clays		Sand		Gravel		Cobble	
		Fine	Medium	Coarse	Fine	Coarse	Boulders

Relative Density of Coarse Grained Soils and Non-plastic Silts			
SPT blow counts	CAL/Geomatic Blow Count	Relative Density	Typical Dry Densities (pcf)
0-4	0-8	Very Loose	70-100
4-10	8-21	Loose	80-115
10-30	21-63	Medium Dense	110-130
30-50	63-105	Dense	110-140
Over 50	Over 105	Very Dense	130-150

Cementation (sandstone, siltstone)/Induration (claystone)	
Weak	Crumbles or breaks with handling or little finger pressure
Moderate	Crumbles or breaks with considerable finger pressure
Strong	Will not crumble or break with finger pressure

Caltans Criteria			
SPT (blows/ft)	Consistency of Cohesionless Soils	Consistency of Cohesive Soils	Modified Split Barrel (blows/ft)
0-4	Very Loose	Very Soft	0-7
5-9	Loose	Soft	8-18
10-19	Slightly Compact	Stiff	19-36
20-34	Compact	Very Stiff	37-59
35-69	Dense	Hard	60-110
> 70	Very Dense	Very Hard	> 110

Consistency of Clays and Plastic Silts			
SPT Blow Count	Geomatic Blow Count	Consistency	Typical Indicators
< 2	< 3	Very Soft	Thumb penetrates more than 1"
2-4	3-5	Soft	Thumb penetrates about 1"
4-8	5-10	Firm	Thumb will indent soil about 1/4"
8-15	10-20	Stiff	Thumb will indent with great effort
15-30	20-39	Very Stiff	Thumbnail will readily indent
Over 30	Over 39	Hard	Thumbnail will indent with difficulty

ROCK WEATHERING (Igneous Rocks)	
Fresh	No discoloration; not oxidized.
Slightly Weathered	Discoloration and oxidation (D & O) limited to fractured surface.
Moderately Weathered	D & O on all fractured surfaces and extends from fractures. Partial chemical alteration of some minerals.
Intensely Weathered	D & O throughout; chemical alteration of most minerals. Fractured surfaces are friable.
Decomposed	Rock decomposed; resembles soil.

ROCK HARDNESS:	
Extremely Hard	Can't be scratched with knife. Can only be chipped with repeated heavy hammer blows.
Very Hard	Can't be scratched with knife. Can only be broken with repeated heavy hammer blows.
Hard	Can be scratched with knife with difficulty. Core can be broken with heavy hammer blow.
Moderately Hard	Can be scratched with knife with light to moderate pressure. Core can be broken with light hammer blows.
Moderately Soft	Can be grooved 1/16-inch deep by knife with moderate to heavy press. Core broken with light hammer blows.
Soft	Can be grooved easily with knife with light pressure. Core breaks with manual pressure.
Very Soft	Can be easily grooved with knife or fingernail. Core breaks with light manual pressure.

SOLID ROCK ENGINEERING, INC. GEOTECHNICAL AND MATERIALS ENGINEERING CONSULTANTS PO Box 600277, SAN DIEGO, CALIFORNIA 92160						Test Pit No. TP-2		
						Castana Street Development Project Castana Street and 49th Street, San Diego, California 92102		
						Project No: 61000303-01	Date: 2/12/09	
Depth (feet/meters)	Samples Bulk Driven		Blows per foot	Moisture (%)	Dry Density (pcf)	Classification (USCS)	Date Drilled: Thursday, February 12, 2009	Sampled by: RDP
							Ground Elev. (feet, MSL): 93 ± (Estimated using Topographic Map Provided by Client)	Logged by: RDP
	Method of Drilling: CAT 307 Excavator	Reviewed by: RDP						
	Drive Wt. (lbs.): 35	Drop (in.): 30±						

						Description / Interpretation	Lab Tests/Other
0.0					SM	UNDOCUMENTED FILL Gray brown, moist, loose, silty SAND. Grass and roots in upper foot.	
10/ 3.0						BAYPOINT FORMATION @ 5 ft.: Yellowish brown, moist, weakly cemented, silty SANDSTONE. Few pinhole size voids near surface. @ 6 ft.: Test pit terminated.	
20/ 6.1							
Remarks: Groundwater not encountered. Caving not observed.							



SOLID ROCK ENGINEERING, INC. GEOTECHNICAL AND MATERIALS ENGINEERING CONSULTANTS PO Box 600277, SAN DIEGO, CALIFORNIA 92160						Test Pit No. TP-3	
						Castana Street Development Project Castana Street and 49 th Street, San Diego, California 92102	
						Project No:	61000303-01	Date:	2/12/09

Depth (feet/meters)	Samples		Blows per foot	Moisture (%)	Dry Density (pcf)	Classification (USCS)	Date Drilled:	Thursday, February 12, 2009		Sampled by:	RDP
	Bulk	Driven					Ground Elev. (feet, MSL):	93 ± (Estimated using Topographic Map Provided by Client)		Logged by:	RDP
							Method of Drilling:	CAT 307 Excavator		Reviewed by:	RDP
							Drive Wt. (lbs.):	35		Drop (in.):	30±

Description / Interpretation						Lab Tests/Other
00			15.9	SM	<div>UNDOCUMENTED FILL</div> <div>Gray brown, moist, loose to very loose, silty SAND; few subrounded gravel and cobbles. Grass and roots in upper foot. A few pieces of construction debris were observed including brick and PVC pipe.</div> <div>@ 3 ft.: Seepage was noted in the trench walls.</div> <div> </div> <div>BAYPOINT FORMATION</div> <div>@ 6 ft.: Medium brown, moist, weakly cemented, silty SANDSTONE.</div> <div>@ 7 ft.: Test pit terminated.</div>	
		Q				
10/ 3.0						

Remarks:
 Groundwater not encountered.
 Caving not observed.



SOLID ROCK ENGINEERING, INC. GEOTECHNICAL AND MATERIALS ENGINEERING CONSULTANTS PO Box 600277, SAN DIEGO, CALIFORNIA 92160						Test Pit No. TP-4		
						Castana Street Development Project Castana Street and 49 th Street, San Diego, California 92102		
						Project No: 61000303-01	Date: 2/12/09	
Depth (feet/meters)	Bulk	Samples	Blows per foot	Moisture (%)	Dry Density (pcf)	Classification (USCS)	Date Drilled: Thursday, February 12, 2009	Sampled by: RDP
							Ground Elev. (feet, MSL): 94 ± (Estimated using Topographic Map Provided by Client)	Logged by: RDP
		Method of Drilling: CAT 307 Excavator					Reviewed by: RDP	
	Drive Wt. (lbs.): 35	Drop (in.): 30±						

						Description / Interpretation	Lab Tests/Other
00				11.7	SM	UNDOCUMENTED FILL Olive brown, moist, loose to very loose, silty SAND; with subrounded gravel and cobbles. Abundant construction debris including chunks of concrete up to about three feet long and one foot thick, PVC pipe and asphalt concrete. Abundant grass and roots in the upper foot. Abundant human trash including paper, plastic, clothing, furniture, and electronics at the surface. BAYPOINT FORMATION @ 6 ft.: Light brown, moist, weakly cemented, silty SANDSTONE. @ 7 ft.: Test pit terminated.	
10/ 3.0							
20/ 6.1							
Remarks: Groundwater not encountered. Caving not observed.							



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						Castana Street Development Project Castana Street and 49 th Street, San Diego, California 92102							
						Project No:		61000303-01		Date:		2/12/09	
						Date Drilled:		Thursday, February 12, 2009		Sampled by:		RDP	
Ground Elev. (feet, MSL):		90 ± (Estimated using Topographic Map Provided by Client)		Logged by:		RDP							
Method of Drilling:		CAT 307 Excavator		Reviewed by:		RDP							
Drive Wt. (lbs.):		35		Drop (in.):		30±							

[illegible]

Remarks:
Groundwater not encountered.
Caving not observed.



SOLID ROCK ENGINEERING, INC. GEOTECHNICAL AND MATERIALS ENGINEERING CONSULTANTS PO Box 600277, SAN DIEGO, CALIFORNIA 92160							Test Pit No. TP-6									
							Castana Street Development Project Castana Street and 49 th Street, San Diego, California 92102									
							Project No:		61000303-01		Date:		2/1/09			
							Date Drilled:		Thursday, February 12, 2009		Sampled by:		RDP			
Depth (feet/meters)	Bulk		Samples		Blows per foot	Moisture (%)	Dry Density (pcf)	Classification (USCS)	Ground Elev. (feet, MSL):		91 ± (Estimated using Topographic Map Provided by Client)		Logged by:		RDP	
									Method of Drilling:		CAT Excavator		Reviewed by:		RDP	
	Drive Wt. (lbs.):		35						Drop (in.):		30±					

[illegible]

Description / Interpretation										Lab Tests/Other
00						SM	<p>UNDOCUMENTED FILL Gray brown, moist, loose, silty SAND. Grass and roots in upper foot.</p> <p>BAYPOINT FORMATION @ 5 ft.: Yellowish brown, moist, weakly cemented, silty SANDSTONE. Few pinhole size voids near surface.</p> <p>@ 6 ft.: Test pit terminated.</p>		Expansion Index Sieve Analysis	
10/ 3.0										
20/ 6.1										

Remarks:

Groundwater not encountered.

Caving not observed.

SOLID ROCK ENGINEERING, INC. GEOTECHNICAL AND MATERIALS ENGINEERING CONSULTANTS PO Box 600277, SAN DIEGO, CALIFORNIA 92160						Test Pit No. TP-8							
						Castana Street Development Project Castana Street and 49 th Street, San Diego, California 92102							
						Project No:		61000303-01		Date:		2/12/09	
						Date Drilled:		Thursday, February 12, 2009		Sampled by:		RDP	
Ground Elev. (feet, MSL):		120 ± (Estimated using Topographic Map Provided by Client)		Logged by:		RDP							
Method of Drilling:		CAT 307 Excavator		Reviewed by:		RDP							
Drive Wt. (lbs.):		35		Drop (in.):		30±							

		Description / Interpretation		Lab Tests/Other
0.0			SM	<p>UNDOCUMENTED FILL Dark brown, moist, loose, silty SAND; few subrounded and cobbles. Grass and rootlets near surface.</p>
10/ 3.0				<p>BAYPOINT FORMATION @ 11 ft.: Light brown, moist, weakly cemented, silty SANDSTONE; scattered iron oxide stains.</p> <p>@ 13 ft.: Test pit terminated.</p>
20/ 6.1				

Remarks:
Groundwater not encountered.
Caving not observed.



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							Castana Street Development Project Castana Street and 49th Street, San Diego, California 92102	
							Project No: 61000303-01	Date: 2/12/09
Depth (feet/meters)	Samples Bulk Driven		Blows per foot	Moisture (%)	Dry Density (pcf)	Classification (USCS)	Date Drilled: Thursday, February 12, 2009	Sampled by: RDP
							Ground Elev. (feet, MSL): 125 ± (Estimated using Topographic Map Provided by Client)	Logged by: RDP
	Method of Drilling: CAT 307 Excavator	Reviewed by: RDP						
	Drive Wt. (lbs.): 35	Drop (in.): 30±						

Description / Interpretation							Lab Tests/Other
00					SM	UNDOCUMENTED FILL Olive brown, moist, loose, silty SAND; with subrounded and cobbles. A few scattered chunks of concrete to 12 inches were observed.	
						BAYPOINT FORMATION @ 6 ft.: Light brown, damp, weakly to moderately cemented, silty SANDSTONE matrix with subrounded gravel. @ 7 ft.: Difficult and slow digging. Test pit terminated.	
10/ 3.0							
20/ 6.1							
Remarks: Groundwater not encountered. Caving not observed.							



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						Castana Street Development Project Castana Street and 49 th Street, San Diego, California 92102		
						Project No: 61000303-01	Date: 2/12/09	
Depth (feet/meters)	Samples		Blows per foot	Moisture (%)	Dry Density (pcf)	Classification (USCS)	Date Drilled: Thursday, February 12, 2009	Sampled by: RDP
							Ground Elev. (feet, MSL): 101 ± (Estimated using Topographic Map Provided by Client)	Logged by: RDP
	Bulk	Driven					Method of Drilling: CAT 307 Excavator	Reviewed by: RDP
							Drive Wt. (lbs.): 35	Drop (in.): 30±

Description / Interpretation						Lab Tests/Other
0/0					SM	<p>UNDOCUMENTED FILL Gray brown, moist, loose, silty SAND; few subrounded gravel and cobbles. Organics at and near the surface. Few chunks of asphalt concrete up to about 2 feet long.</p> <p>BAYPOINT FORMATION @ 4 ft.: Light brown, moist, weakly cemented, silty SANDSTONE. @ 5 ft.: Test pit terminated.</p>
10/ 3.0						
20/ 6.1						

Remarks:
Groundwater not encountered.
Caving not observed.

1000303-01 Castana Street Development Project Test Pit Log TP-10.doc



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 GEOTECHNICAL AND MATERIALS ENGINEERING CONSULTANTS
 PO Box 600277, SAN DIEGO, CALIFORNIA 92160
 619.851.8683 PH., 619.501.9511 FAX
 WWW.SOLIDROCKENGINEERS.COM

SOLID ROCK ENGINEERING, INC. GEOTECHNICAL AND MATERIALS ENGINEERING CONSULTANTS PO BOX 600277, SAN DIEGO, CALIFORNIA 92160							Test Pit No. TP-11							
							Castana Street Development Project Castana Street and 49 th Street, San Diego, California 92102							
							Project No:		61000303-01		Date:		2/12/09	
Depth (feet/meters)	Samples		Blows per foot	Moisture (%)	Dry Density (pcf)	Classification (USCS)	Date Drilled:		Thursday, February 12, 2009		Sampled by:		RDP	
							Ground Elev. (feet, MSL):		99 ± (Estimated using Topographic Map Provided by Client)		Logged by:		RDP	
	Bulk	Driven					Method of Drilling:		CAT 307 Excavator		Reviewed by:		RDP	
							Drive Wt. (lbs.):		35		Drop (in.):		30±	

Description / Interpretation						Lab Tests/Other
0/0				SM	<p>UNDOCUMENTED FILL Gray brown, moist, loose, silty SAND; few scattered subrounded gravel and cobbles. Organics at and near the surface. Few chunks of asphalt concrete up to about 2 feet long.</p> <p>BAYPOINT FORMATION @ 4 ft.: Light brown, moist, weakly cemented, silty SANDSTONE. @ 5 ft.: Test pit terminated.</p>	Maximum Density Expansion Index Sieve Analysis
10/ 3.0			11.5			
20/ 6.1						

Remarks:
 Groundwater not encountered.
 Caving not observed.



[illegible]

1000303-01 Castana Street Development Project Test Pit Log TP-12.doc



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		Description / Interpretation		Lab Tests/Other
00			15.1	<p>SM</p> <p>UNDOCUMENTED FILL Dark olive brown, moist, loose to very loose, silty SAND. Grass and roots at and near surface. A few chunks of concrete and brick were observed.</p> <p>GM</p> <p>ALLUVIUM/STREAM DEPOSITS @ 5 ft.: Gray brown, moist, loose to medium dense, sandy GRAVEL; with subrounded cobbles; trace of silt.</p> <p>BAYPOINT FORMATION @ 9 ft.: Mottled gray brown and light brown, moist, weakly cemented, sandy SILTSTONE.</p> <p>@ 10 ft.: Test pit terminated.</p>
10/ 3.0				
20/ 6.1				

Remarks:

Groundwater not encountered.

Caving not observed.

[illegible]

1000303-01 Castana Street Development Project Test Pit Log TP-15.doc



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PO Box 600277, SAN DIEGO, CALIFORNIA 92160
619.851.8683 PH., 619.501.9511 FAX
WWW.SOLIDROCKENGINEERS.COM

Appendix B Laboratory Testing



Laboratory Testing

Classification

Soils were visually and texturally classified in accordance with the Unified Soil Classification System. Soil classifications are indicated on the logs of the exploratory excavations.

In-Place Moisture and Density Tests

The moisture content and dry density of relatively undisturbed samples obtained from the exploratory excavations were evaluated in general accordance with ASTM D 2937-83. The test results are presented on the logs of the exploratory excavations.

Maximum Dry Density and Optimum Moisture Content (Proctor) Test

The maximum dry density and optimum moisture content of selected representative soil samples were evaluated in general accordance with ASTM D 1557-91. The results of these tests are summarized below.

Summary of Maximum Density Test Results

Sample Description	Sample Location	Maximum Density (pcf)	Optimum Moisture (%)
Medium brown, silty SAND	TP-1 @ 0 - 1'	124.0	11.0
Medium brown, silty SAND	TP-11 @ 0 - 1'	125.0	11.0
Yellowish brown, silty SAND	TP-14 @ 5 - 6'	124.5	10.5

Expansion Index Tests

The expansion index of selected materials was evaluated in general accordance with ASTM D 4829-95. Specimens were molded under specified compactive energy at approximately 50 percent saturation (plus or minus 10 percent). The prepared 1-inch thick by 4-inch diameter specimens were loaded with a surcharge of 144 pounds per square foot and were inundated with tap water. Readings of volumetric swell were made for a period of 24 hours. The results of these tests are summarized below.

Summary of Expansion Index Test Results

Sample Description	Sample Location	Expansion Index	Expansion Potential
Medium brown, silty SAND	TP-1 @ 0 - 1'	7	Very Low
Medium brown, silty SAND	TP-7 @ 0 - 1'	47	Low
Medium brown, silty SAND	TP-11 @ 0 - 1'	19	Very Low



Grain Size (Sieve) Analysis Test

The sieve analysis (grain size distribution) of selected representative soil samples were evaluated in general accordance with ASTM C 136 or D 422. The results of these tests are summarized below.

**Summary of Sieve Analysis Test Results
(Percent Passing Per Sieve Size)**

Sample Location	No. 4	No. 10	No. 40	No. 100	No. 200
TP-1 @ 0 – 1'	83	80	62	32	19
TP-1 @ 4 – 5'	100	99	96	65	49
TP-7 @ 0 – 1'	76	72	59	40	30
TP-7 @ 5 – 6'	100	99	82	49	34
TP-11 @ 0 – 1'	80	76	63	41	29
TP-15 @ 7 – 8'	85	81	69	39	25
Specification	-	-	-	-	-

Soil Corrosivity (Chemical Analysis) Tests

Soil pH and resistivity tests were performed on representative soil samples in general accordance with California Test Method 643. The sulfate content of selected was evaluated in general accordance with California Test Method 422. The chloride content of selected was evaluated in general accordance with California Test Method 417. The test results are presented below.

Summary of Corrosivity Test Results

Sample Location	pH	Minimum Resistivity (ohm-cm)	Sulfate Content (%)	Chloride Content (ppm)
TP-1 @ 1 – 2'	6.5	3900	0.001	20
TP-1 @ 4 – 5'	6.6	1200	0.004	30
TP-7 @ 5 – 6'	7.2	930	0.019	200



Appendix C
Standard Specifications for Grading Projects



SECTION 1 – GENERAL

The guidelines contained herein and the standard details attached hereto represent SRE's standard recommendations for grading and other associated operations on construction projects. These guidelines should be considered a portion of the project specifications. Recommendations contained in the body of the previously presented soils report shall supersede the recommendations and/or requirements as specified herein. Disputes arising out of interpretation of the recommendations contained in the soils report, or specifications contained herein, shall be interpreted by the project geotechnical consultant.

SECTION 2 – RESPONSIBILITIES OF PROJECT PERSONNEL

The geotechnical consultant should provide observation and testing services sufficient to assure that geotechnical construction is performed in general conformance with project specifications and standard grading practices. The geotechnical consultant should report any deviations to the client or its authorized representative.

The client should be chiefly responsible for all aspects of the project. He or his authorized representative has the responsibility of reviewing the findings and recommendations of the geotechnical consultant. He shall authorize or cause to have authorized the Contractor and/or other consultants to perform work and/or provide services. During grading the Client or his authorized representative should remain onsite or should remain reasonably accessible to all concerned parties in order to make decisions necessary to maintain the flow of the project.

The contractor should be responsible for the safety of the project and satisfactory completion of all grading and other associated operations on construction projects, including, but not limited to, earthwork in accordance with the project plans, specifications and controlling agency requirements.

SECTION 3 – PRECONSTRUCTION MEETING

A preconstruction site meeting shall be arranged by the owner and/or client and shall include the grading contractor, the design engineer, the geotechnical consultant, owner's representative and representatives of the appropriate governing authorities.

SECTION 4 – SITE PREPARATION

The client or contractor should obtain the required approvals from the controlling authorities for the project prior, during and / or after demolition, site preparation and removals, etc. The appropriate approvals should be obtained prior to proceeding with grading operations.

Clearing and grubbing should consist of the removal of vegetation such as brush, grass, woods, stumps, trees, root of trees and otherwise deleterious natural materials from the areas to be graded. Clearing and grubbing should extend to the outside of all proposed excavation and fill areas.

Demolition should include removal of buildings, structures, foundations, reservoirs, utilities (including underground pipelines, septic tanks, leach fields, seepage pits, cisterns, mining shafts, tunnels, etc.) and other man-made surface and subsurface improvements from the areas to be graded. Demolition of utilities should include proper capping and/or rerouting pipelines at the project perimeter and cutoff and capping of wells in accordance with the requirements of the governing authorities and the recommendations of the geotechnical consultant at the time of demolition. Trees, plants, or man-made improvements not planned to be removed or demolished, should be protected by the contractor from damage or injury.

Debris generated during clearing, grubbing and/or demolition operations should be wasted from areas to be graded and



disposed off-site. Clearing, grubbing and demolition operations should be performed under the observation of the geotechnical consultant.

SECTION 5 – SITE PROTECTION

Protection of the site during the period of grading should be the responsibility of the contractor. Unless other provisions are made in writing and agreed upon among the concerned parties, completion of a portion of the project should not be considered to preclude that portion or adjacent areas from the requirements for site protection until such time as the entire project is complete as identified by the geotechnical consultant, the client and the regulating agencies.

Precautions should be taken during the performance of site clearing, excavations and grading to protect the work site from flooding, ponding or inundation by poor or improper surface drainage. Temporary provisions should be made during the rainy season to adequately direct surface drainage away from and off the work site. Where low areas cannot be avoided, pumps should be kept on hand to continually remove water during periods of rainfall.

Rain related damage should be considered to include, but may not be limited to, erosion, silting, saturation, swelling, structural distress and other adverse conditions as determined by the geotechnical consultant. Soil adversely affected should be classified as unsuitable materials and should be subject to over excavation and replacement with compacted fill or other remedial grading as recommended by the geotechnical consultant.

The contractor should be responsible for the stability of all temporary excavations. Recommendations by the geotechnical consultant pertaining to temporary excavations (e.g., back cuts) are made in consideration of stability of the completed project and therefore, should not be considered to preclude the responsibilities of the contractor. Recommendations by the geotechnical consultant should not be considered to preclude more restrictive requirements by the regulating agencies. When deemed appropriate by the geotechnical consultant or governing agencies the contractor shall install check dams, desilting basins, and bags or other drainage control measures.

In relatively level areas and/or slope areas, where saturated soil and/or erosion gullies exist to depth of greater than 1.0 foot, the soil should be overexcavated and replaced as compacted fill in accordance with applicable specifications. Where affected materials exist to depths of 1.0 foot or less below proposed finished grade, remedial grading by moisture conditioning in-place, followed by thorough recompaction in accordance with applicable grading guidelines herein may be attempted. If the desired results are not achieved, all affected materials should be overexcavated and replaced as compacted fill in accordance with the slope repair recommendations herein. As field conditions dictate, the geotechnical consultant may recommend other slope repair procedures.

SECTION 6 – EXCAVATIONS

Unsuitable Materials

Materials that are unsuitable should be excavated under observation and recommendations of the geotechnical consultant. Unsuitable materials include, but may not be limited to dry, loose, soft, wet, organic compressible natural soils and fractured, weathered, soft bedrock and nonengineered or otherwise deleterious fill materials.

Material identified by the geotechnical consultant as unsatisfactory due to its moisture conditions should be overexcavated, moisture conditioned as needed, at or above optimum moisture condition prior to placement as compacted fill.

If during the course of grading, adverse geotechnical conditions are exposed which were not anticipated in the preliminary soils report as evaluated by the geotechnical consultant, additional exploration, analysis and



treatment of these conditions may be recommended.

Cut Slopes

The geotechnical consultant should observe cut slope excavations. If these excavations expose loose cohesionless, significantly fractured or otherwise unsuitable material, the material should be overexcavated and replaced with a compacted stabilization fill. When extensive cut slopes are excavated or these cut slopes are made in the direction of the prevailing drainage, a nonerodible diversion swale (brow ditch) should be provided at the top of the slope.

Cut/Fill Transitions

Cut/fill transitions are defined as areas where the indicated structure is founded on or over the transition between cut or native soil and compacted fill. All pad areas, including side yard terrain, containing both cut and fill materials, transitions, should be overexcavated to a depth of H/3 feet and replaced with a uniform compacted fill blanket where H is measured as the deepest fill from the bottom of the foundation down to native material. The minimum depth of over-excavation shall be three feet. Actual depth of over-excavation may vary and should be delineated by the geotechnical consultant during grading.

For pad areas created above cut or natural slopes, positive drainage should be established away from the top of slope. This may be accomplished utilizing a berm drainage swale and/or an appropriate pad gradient. A gradient of two percent or greater is recommended away from the top-of-slopes.

SECTION 7 – COMPACTED FILL

All fill materials should have fill quality, placement, conditioning and compaction as specified below or as approved by the geotechnical consultant.

Fill Material Quality

Excavated on-site or import materials which are acceptable to the geotechnical consultant may be utilized as compacted fill, provided trash, vegetation and other deleterious materials are removed prior to placement. All import materials anticipated for use onsite should be sampled, tested and approved prior to placement in conformance with the requirements outlined below in Section 7.2.

Rocks 8 inches in maximum and smaller may be utilized within compacted fill provided sufficient fill material is placed and thoroughly compacted over and around all rock to effectively fill rock voids. The amount of rock should not exceed 40 percent by dry weight passing the ¾ inch sieve. The geotechnical consultant may vary those requirements as field conditions dictate.

Where rocks greater than 8 inches but less than four feet of maximum dimension are generated during grading, or otherwise desired to be placed within an engineered fill, they may require special handling in accordance with attached Plates and described below. Rocks greater than four feet should be broken down or disposed legally off-site.



Placement of Fill

Prior to placement of fill material, the geotechnical consultant should inspect the area to receive fill. After inspection and approval the exposed ground surface should be scarified to a depth of 12 inches. The scarified material should be conditioned (i.e. moisture added or air dried) to achieve a moisture content at or slightly above optimum moisture conditions and compacted to a minimum of 90 percent of the maximum density or as otherwise recommended in the soils report or by appropriate government agencies.

Compacted fill should then be placed in thin horizontal lifts not exceeding eight inches in loose thickness prior to compaction. Each lift should be moisture content at or slightly above optimum and thoroughly compacted by mechanical methods to a minimum of 90 percent of laboratory maximum dry density. Each lift should be treated in a like manner until the desired finished grades are achieved.

The contractor should have suitable and sufficient mechanical compaction equipment and watering apparatus on the job site to handle fill being placed in consideration of moisture retention properties of the materials and weather conditions.

When placing fill in horizontal lifts adjacent to areas sloping steeper than 5:1 (horizontal to vertical), horizontal keys and vertical benches should be excavated into the adjacent slope area. Keying and benching should be sufficient to provide at least six-foot wide benches and a minimum of four feet of vertical bench height within the firm natural ground, firm bedrock or engineered compacted fill. No compacted fill should be placed in an area subsequent to keying and benching until the geotechnical consultant has reviewed the area. Material generated by the benching operation should be moved sufficiently away from the bench area to allow for the recommended review of the horizontal bench prior to placement of fill. Typical keying and benching details have been included within the accompanying Plates.

With a single fill area where grading procedures dictate two or more separate fills, temporary slopes (false slopes) may be created. When placing fill adjacent to a false slope, benching should be conducted in the same manner as above described. At least a three-foot vertical bench should be established within the firm core of adjacent approved compacted fill prior to placement of additional fill. Benching should proceed in at least three-foot vertical increments until the desired finished grades are achieved.

Prior to placement of additional compacted fill following an overnight or other grading delay, the exposed surface or previously compacted fill should be processed by scarification, moisture conditioning as needed to at or slightly above optimum moisture content, thoroughly blended and recompacted to a minimum of 90 percent of laboratory maximum dry density. Where unsuitable materials exist to depths of greater than one foot, the unsuitable materials should be overexcavated.

Following a period of flooding, rainfall or overwatering by other means, no additional fill should be placed until damage assessments have been made and remedial grading performed as described herein.

Rocks 8 inches in maximum dimensions and smaller may be utilized in the compacted fill provided the fill is placed and thoroughly compacted over and around all rock. No oversize material should be used within 5 feet of finished pad grade or within 2 feet of subsurface utilities. Rocks 8 inches up to four feet maximum dimension should be placed below the upper five feet of any fill and should not be closer than 10 feet to any slope face. These recommendations could vary as locations of improvements dictate. Where practical, oversized material should not be placed below areas where structures or deep utilities are proposed. Oversized material should be placed in windrows on a clean, overexcavated or unyielding compacted fill or firm natural ground surface. Select native or imported granular soil (S.E. 30 or higher) should be placed and thoroughly flooded over and around all



windrowed rock, such that voids are filled. Windrows of oversized material should be staggered so that successive strata of oversized material are not in the same vertical plane. It may be possible to dispose of individual larger rocks as field conditions dictate and as recommended by the geotechnical consultant at the time of placement.

The contractor should assist the geotechnical consultant and/or his representative by digging test pits for removal determinations and/or for testing compacted fill. The contractor should provide this work at no additional cost to the owner or contractor's client.

Fill should be tested by the geotechnical consultant for compliance with the recommended relative compaction and moisture conditions. Field density testing should conform to ASTM Method of Test D1556, D2922-81. Tests should be conducted at a minimum of two vertical feet or 1,000 cubic yards of fill placed. Fill found not to be the minimum recommended degree of compaction should be removed or otherwise handled as recommended by the geotechnical consultant.

Fill Slopes

Unless otherwise recommended by the geotechnical consultant and approved by the regulating agencies, permanent fill slopes should not be steeper than 2:1 (horizontal to vertical). Except as specifically recommended in these grading guidelines compacted fill slopes should be overbuilt and cut back to grade, exposing the firm, compacted fill inner core. The actual amount of overbuilding may vary as field conditions dictate. If the desired results are not achieved, the existing slopes should be overexcavated and reconstructed under the guidelines of the geotechnical consultant. The degree of overbuilding shall be increased until the desired compacted slope surface condition is achieved. Care should be taken by the contractor to provide thorough mechanical compaction to the outer edge of the overbuilt slope surface.

At the discretion of the geotechnical consultant, slope face compaction may be attempted by conventional construction procedures including backrolling. The procedure must create a firmly compacted material throughout the entire depth of the slope face to the surface of the previously compacted fill intercore.

During grading operations care should be taken to extend compactive effort to the outer edge of the slope. Each lift should extend horizontally to the desired finished slope surface or more as needed to ultimately established desired grades. Grade during construction should not be allowed to roll off at the edge of the slope. It may be helpful to elevate slightly the outer edge of the slope. Slough resulting from the placement of individual lifts should be trimmed to expose competent compacted fill. Fill slope faces should be thoroughly compacted at intervals not exceeding four feet in vertical slope height, or the capacity of available equipment, whichever is less.

Where placement of fill above a natural slope or above a cut slope is proposed, the fill slope configuration should be adopted as presented in the accompanying Standard Details. For pad areas above fill slopes, positive drainage should be established away from the top-of-slope. This may be accomplished utilizing a berm and pad gradients of at least 2 percent.

SECTION 8 – TRENCH BACKFILL

Utility and/or other trench backfill should, unless otherwise recommended, be compacted by mechanical means a minimum of 90 percent of the laboratory maximum density. Within slab areas, but outside the influence of foundations, trenches up to one foot wide and two feet deep may be backfilled with sand and consolidated by jetting, flooding or by mechanical means. If onsite materials are utilized, they should be wheel rolled, tamped or otherwise compacted to a firm condition. For minor interior trenches, density testing may be deleted or spot testing may be elected if deemed necessary, based on review of backfill operations during construction by the geotechnical consultant.

If utility contractors indicate that it is undesirable to use compaction equipment in close proximity to a buried conduit, the contractor



may elect the utilization of light weight mechanical compaction equipment and/or shading of the conduit with clean granular material, which should be thoroughly jetted in-place above the conduit, prior to initiating mechanical compaction procedures. Other methods of utility trench compaction may also be appropriate, upon review of the geotechnical consultant at the time of construction.

In cases where clean granular materials are proposed for use in lieu of native materials or where flooding or jetting is proposed, the procedures should be considered subject to review by the geotechnical consultant. Clean granular backfill and/or bedding are not recommended in slope areas.

SECTION 9 – RETAINING WALLS

Retaining walls should be designed on a project-by-project basis when wall heights and soil parameters are determined. Retaining wall backfill should consist of well-drained, very low expansive soil. Drains should be installed behind the walls to reduce the potential for build up of hydrostatic pressure. Retaining wall drain details are provided in the attached Plates.

Retaining wall backfill should be compacted to 90 percent of the maximum dry density as determined by the most recent version of ASTM D1557. Compaction should be accomplished by light hand-operated or walk-behind equipment.

SECTION 10 – DRAINAGE

Where deemed appropriate by the geotechnical consultant, canyon subdrain systems should be installed in accordance with the attached plates. Typical subdrains for compacted fill buttresses, slope stabilizations or sidehill masses, should be installed in accordance with the specifications of the accompanying attached plates. Roof, pad and slope drainage should be directed away from slopes and structures to suitable areas via non-erodible devices (i.e., gutters, down spouts, concrete swales).

For drainage in extensively landscaped areas near structures, (i.e., within six feet) a minimum of 5 percent gradient away from the structure should be maintained. Pad drainage of at least 2 percent gradient should be maintained over the remainder of the site. Drainage patterns established at the time of fine grading should be maintained throughout the life of the project. Property owners should be made aware that altering drainage patterns could be detrimental to slope stability and foundation performance.

SECTION 11 – SLOPE MAINTENANCE

Landscape Plants

In order to enhance surficial slope stability, slope planting should be accomplished at the completion of grading. Slope planting should consist of deep-rooting vegetation requiring little watering. Plants native to the Southern California area and plants relative to native plants are generally desirable. Plants native to other semiarid and arid area may also be appropriate. A Landscape Architect should be the best party to consult regarding actual types of plants and planting configuration.

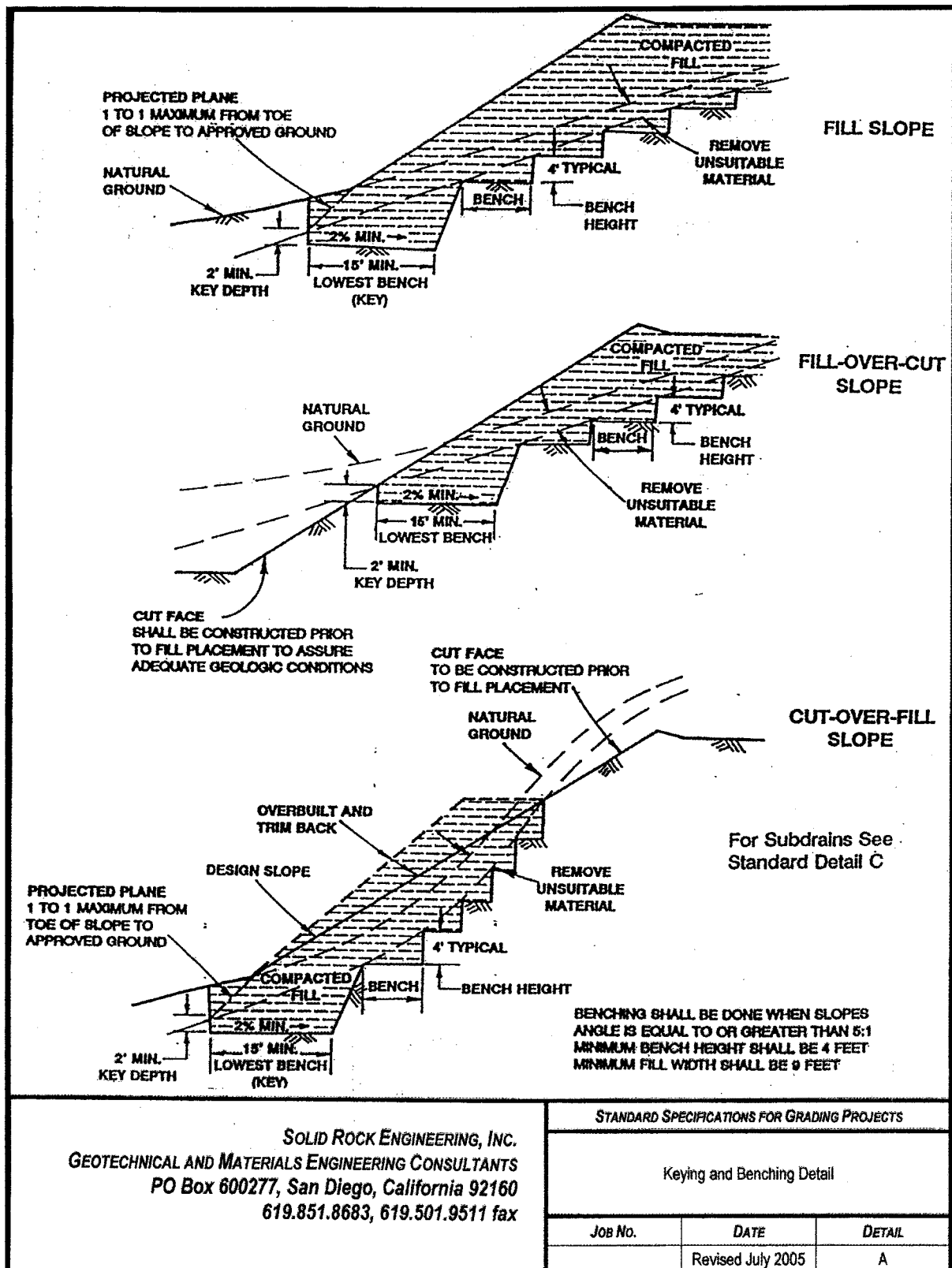
Irrigation

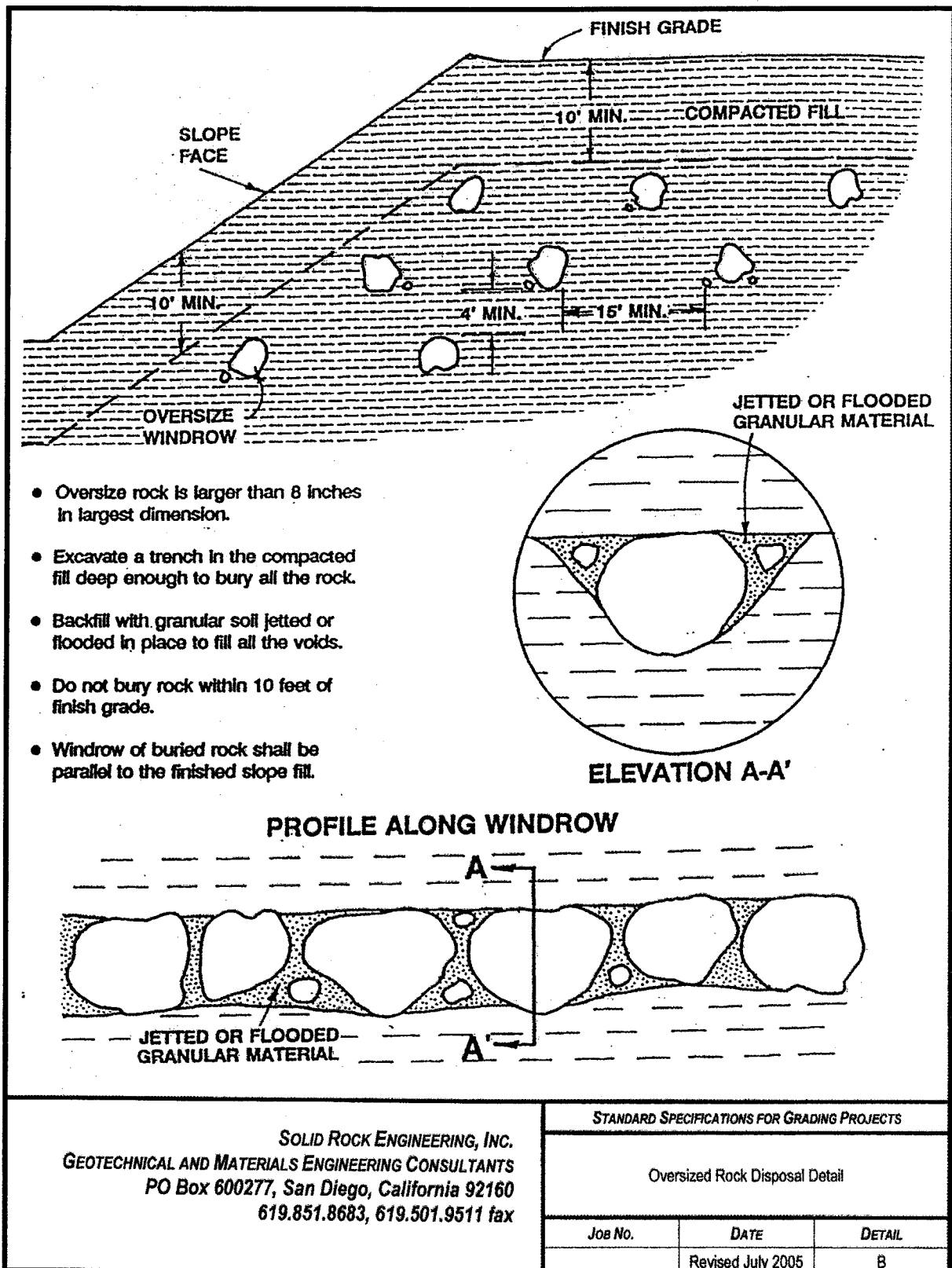
Irrigation pipes should be anchored to slope faces, not placed in trenches excavated into slope faces.

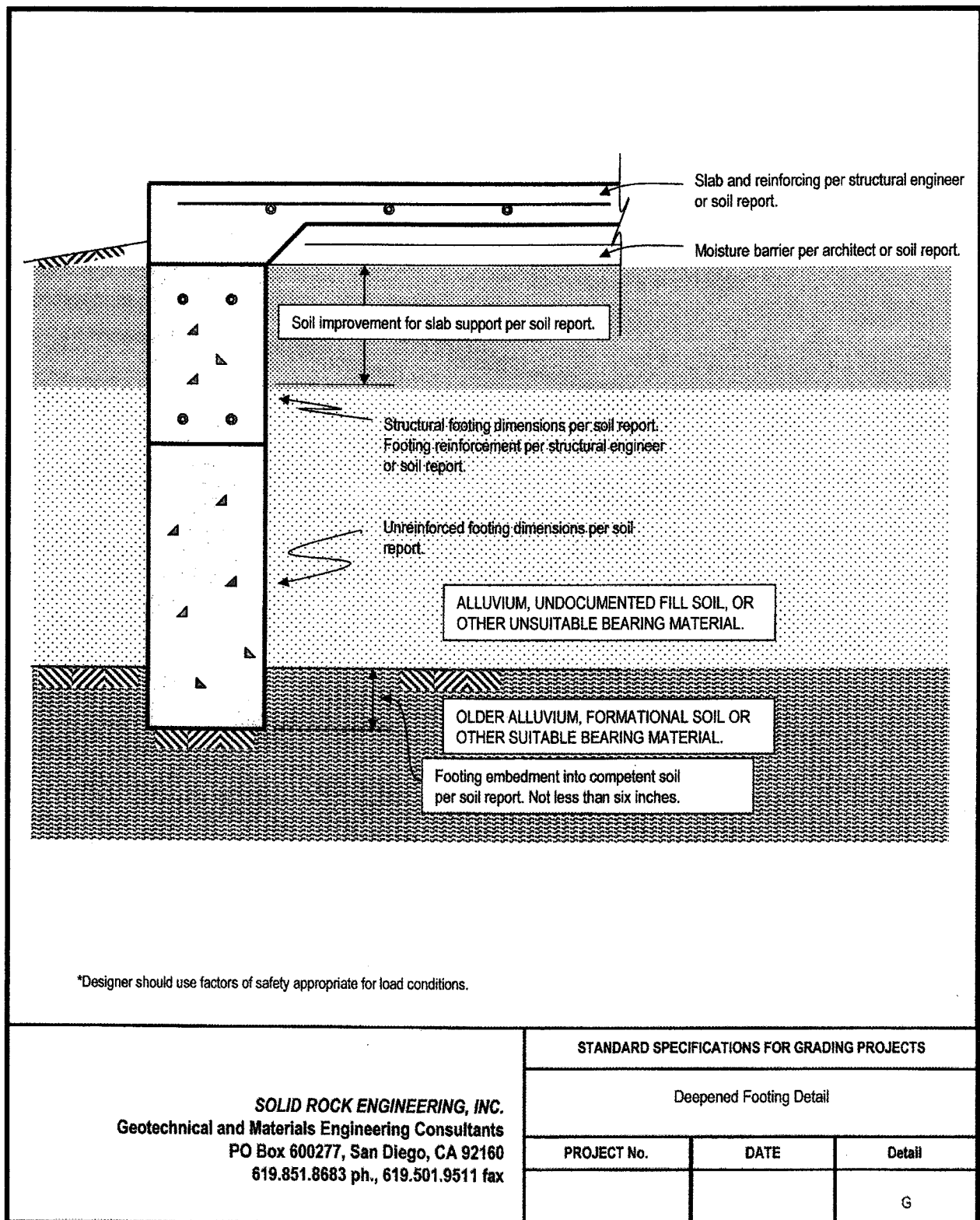
Repair

As a precautionary measure, plastic sheeting should be readily available, or kept on hand, to protect all slope areas from saturation by periods of heavy or prolonged rainfall. This measure is strongly recommended, beginning with the period of time prior to landscape planting. If slope failures occur, the geotechnical consultant should be contacted for a field review of site conditions and development of recommendations for evaluation and repair.









Appendix D
General Property Maintenance Guidelines for Property Owners



INTRODUCTION

Building sites, in general, and hillside lots, in particular, require regular maintenance for proper up-keep and retention of value. Many property owners are unaware of this and inadvertently allow deterioration of their properties. In addition to damaging their own properties, property owners may also be liable for damage caused to neighboring properties as a result of improper property maintenance. It is therefore important for property owners to be familiar with some common causes of property damage, as well as general guidelines for the maintenance of properties.

COMMON CAUSES OF SOIL-RELATED PROPERTY DAMAGE

Most soil-movement problems are associated with water. Some common causes of erosion, shallow slope failures, soil settlement and soil expansion are outlined below:

- ◆ Sparse and/or improper planting and maintenance of slopes and yards.
- ◆ Improper maintenance of drainage devices.
- ◆ Leaking of pressurized and non-pressurized water and sewer lines.
- ◆ Over watering of slopes and yards, diversion of runoff over slopes, alteration of finish grade and removal of drainage slopes and swales.
- ◆ Foot traffic on slopes, which destroys vegetation and increases erosion potential.

EROSION REDUCTION GUIDELINES

Erosion potential is increased when bare soil is left exposed to weather. Care should be taken to provide ground cover at all times, but particularly during the winter months. Some suggestions for soil-stabilizing ground covers are provided below:

- ◆ Grass or other fast growing, ground-covering plants may be an inexpensive and effective material for erosion control. The optimum goal of planting slopes is to achieve a dense growth of vegetation (which includes plants of varying root depths) requiring little irrigation. Plants having shallow root systems and/or requiring abundant water (many types of ice plant) are poor choices for slope-stabilizing ground covers. To find the best seed mixtures and plants for your area, check with a landscape architect, local nursery or the United States Department of Agriculture Soil Conservation Service.
- ◆ Mulches help retain soil moisture and provide ground protection from rain damage. They also provide a favorable environment for starting and growing plants. Easily obtained mulches include grass clippings, leaves, sawdust, bark chips and straw. Commercial application of wood fibers combined with various types of seed and fertilizer (hydraulic mulching) may also be effective in stabilizing slopes.
- ◆ Mats of excelsior, jute netting and plastic sheets can be effective temporary covers, but they should be in contact with soil and fastened securely to work effectively.



MAINTENANCE GUIDELINES

The following maintenance guidelines are provided for the protection of the property owner's investment, and should be observed throughout the year:

- ◆ In general, roof and yard runoff should be directed away from structures and conducted to either the street or storm drain by appropriate erosion-control devices, such as graded swales, rain gutters and downspouts, sidewalks, drainage pipes or ground gutters. Discharge from rain gutters and downspouts should not be directed into existing sub-drains, as this may overload the drainage system. Care should be taken that the slopes, terraces and berms (ridges at the crown of slopes) provided for proper lot drainage are not disturbed. Drainage behind retaining walls should also be maintained as well and designed. Drainage systems should not be altered without professional consultation.
- ◆ Drains, including rain gutters and downspouts, should be kept clean and unclogged. Terrace drains and concrete-lined brow ditches should be kept free of debris to allow proper drainage. Drain outlets and weep holes in retaining walls should also be routinely checked and cleared of debris. The performance of these drainage systems should be periodically tested. Problems, such as erosive gulying, loss of slope-stabilizing vegetation or ponding of water, should be corrected as soon as possible.
- ◆ Check before and after major storms to see that drains, gutters, downspouts and ditches are clear and that vegetation is in place on slopes. Spot seed any bare areas. Check with a landscape architect or local nursery for advice.
- ◆ Leakage from swimming or decorative pools, water lines, etc, should be repaired as soon as possible. Wet spots on the property may indicate a broken line.
- ◆ Landscaping watering should be limited to the minimum necessary to maintain plant vigor.
- ◆ Animal burrows should be filled with compacted soil or sand-cement slurry since they may cause diversion of surface runoff, promote accelerated erosion or cause shallow slope failures.
- ◆ Whenever property owners plan significant topographic modifications of their lots or slopes, a geotechnical consultant should be contacted. Over-steepening of slopes may result in a need for expensive retaining devices, while undercutting of the base of slopes may lead to slope instability or failure. These modifications should not be undertaken without expert consultation.
- ◆ If unusual cracking, settling or soil failure occurs, the property owner should consult a geotechnical consultant immediately.





May 5, 2008

Mr. David Zarate
Cvaldo Corporation
4901 Morena Boulevard, Suite 1110
San Diego, California

Reference: 4895 Castana Street (Project No. 146623) Cultural Resources (Affinis Job No. 2276)

Mr. Zarate:

Affinis was contracted to conduct the cultural resources survey for the property at 4895 Castana Street in the City of San Diego. A previously recorded archaeological site extends into the property. This site consists of material in undocumented fill soils, and thus is not in its original context. As addressed below, it is recommended that an archaeologist and a Native American monitor be present to monitor geological testing (boring and/or trenching), as well as grading and other ground-disturbing activities.

The project area is located in the Encanto community of the City of San Diego, in southern San Diego County (Figure 1). The property is south of State Route 94 and east of Interstate 805. The parcel is on the north side of Nogal Street on the west side of 49th Street (Figure 2). South Chollas Creek crosses the northern and western portions of the property (Figure 2).

The majority of the project area is underlain by the Quaternary Baypoint Formation and unnamed, nearshore marine sandstone, undifferentiated. The area closest to South Chollas Creek is underlain by Quaternary alluvium and slopewash, undifferentiated (Kennedy and Tan 1977). This suggests that there is a potential for subsurface deposits in those alluvial areas along the creek. While the project area has been subject to a great deal of disturbance for decades, riparian vegetation can still be found along the creek. This vegetation community would have been present during prehistoric times as well. Grasses and coastal sage scrub communities may have been found on the mesas above the creek.

The South Chollas Creek area was occupied by the Kumeyaay people, as told by the elders (Clarence Brown, personal communication, 1991), and a number of archaeological sites along the creek attest to this use of the area. Historic archaeological sites are also recorded along the creek. A records search was obtained from the South Coastal

Information Center at San Diego State University in April 2008. Fourteen archaeological resources are recorded within a one-mile radius of the current project area, nine of which date to the 20th century. The Native American resources include a large occupation site originally recorded in the 1920s and excavated by archaeologists from the Museum of Man in 1949 and 1950, a small processing camp, a scatter of a few hundred pieces of flaked stone, a sparse shell scatter, and an isolated metate fragment. Four of the 20th century resources date to the 1920s or earlier, and two of those include foundations, as well as trash deposits. One of the early 20th century resources is architectural in nature: the Chapel of Chimes at Greenwood Memorial Park. The remaining five sites consist of mid-20th century trash deposits.

One archaeological site was previously recorded adjacent to the current project area. CA-SDI-11,960 was described as a small sparse shell scatter on a bench on the south side of the creek. The report noted, "the ground surface of the site area is very disturbed by grading and fill associated both with the maintenance of the channel and with the nearby residential development" (Robbins-Wade and Gross 1991). The site record noted that the shell may be a secondary deposit.

The Native American Heritage Commission was contacted for a search of their Sacred Lands Files. The NAHC has no record of significant cultural resources in proximity to the project area.

Historic maps and aerial photographs were reviewed to assess the potential for historic archaeological resources. No structures are shown within or adjacent to the project area on the tax factor aerial photographs from 1928, although there are houses to the north and east of the property. Additional houses appear on the USGS topographic maps from 1930 and 1950, but none are within or adjacent to the property itself.

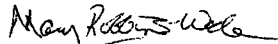
The project area was surveyed for cultural resources on April 3, 2008 by Andrew Giletti of Affinis and Clint Linton of Red Tail Monitoring and Research. The previously recorded CA-SDI-11,960 was noted within the project area (Figure 3). A sparse scatter of marine shell was found, in a very disturbed context. Concrete and asphalt were found in erosional cuts, and the soils had been pushed around a great deal. Other than the marine shell, no cultural material was observed. The geological consultant for the project indicated that the soil in which the shell was found is undocumented fill; therefore, the original context of the shell is unknown.

The City of San Diego's Historical Resources Guidelines require that archaeological sites be tested to assess their significance. As described above, CA-SDI-11,960 is a secondary deposit of shell in undocumented fill. Due to this lack of integrity, the site would not be considered a significant resource, and no testing is necessary to make this assessment. Based on this, the project is expected to have no adverse effect on cultural resources. However, there is a potential for items of cultural importance (e.g., human remains or items of cultural significance) to be found in undocumented fill soils. Therefore, an archaeologist and a Native American monitor should be present to observe any boring and trenching

conducted for geological testing (or similar ground-disturbing activities). A sample of the soils from such boring and trenching should be passed through 1/8" mesh screen to look for artifactual material. If human remains or culturally significant material is encountered, appropriate measures would be developed for the disposition of such material, in consultation among the Native American representatives, the archaeological principal investigator, the applicant, and City staff.

Given the alluvial setting of the lower portion of the project area (the portion along the creek) and the cultural sensitivity of the South Chollas Creek area, there is a potential for subsurface cultural resources beneath the undocumented fill soils. In order to avoid impacts to archaeological resources, an archaeologist and a Native American monitor should be present to observe brushing/ grubbing, grading, trenching, and other ground-disturbing activities. If archaeological material is encountered, the monitors shall have the authority to temporarily halt or redirect grading away from the area while the cultural material is addressed. Artifacts recovered would be analyzed and cataloged. A report on the results would be written for submittal to the City of San Diego. The monitoring program would be made a condition of the project.

If you have any questions, you can reach me at (619) 441-0144 extension 18 or mary@affinis.net



Mary Robbins-Wade, RPA
Director of Cultural Resources

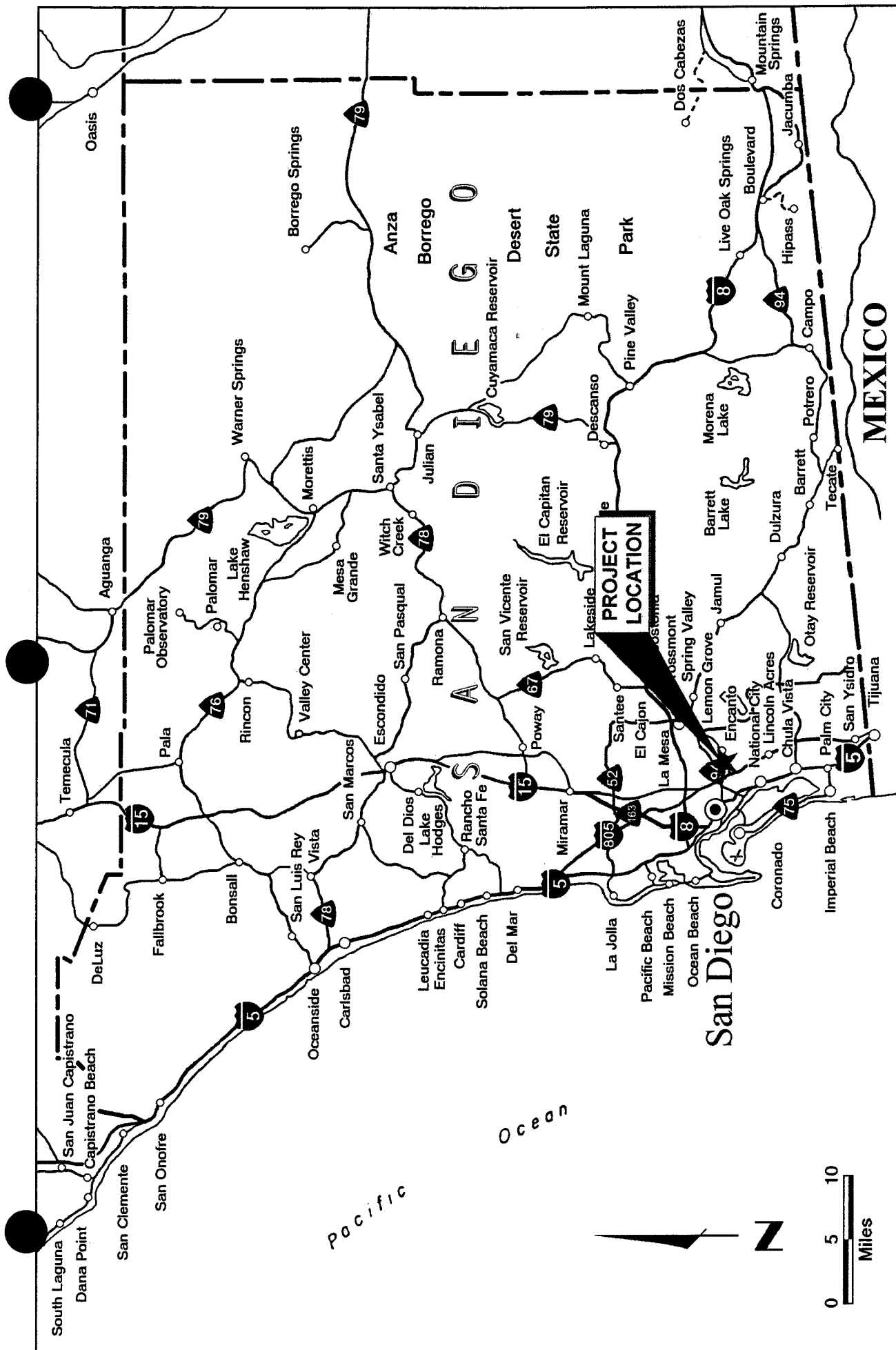
References

Kennedy, Michael P., and S.S. Tan

1977 *Geology of National City, Imperial Beach, and Otay Mesa Quadrangles, Southern San Diego Metropolitan Area, California*. California Division of Mines and Geology, Sacramento.

Robbins-Wade, Mary, and G. Timothy Gross

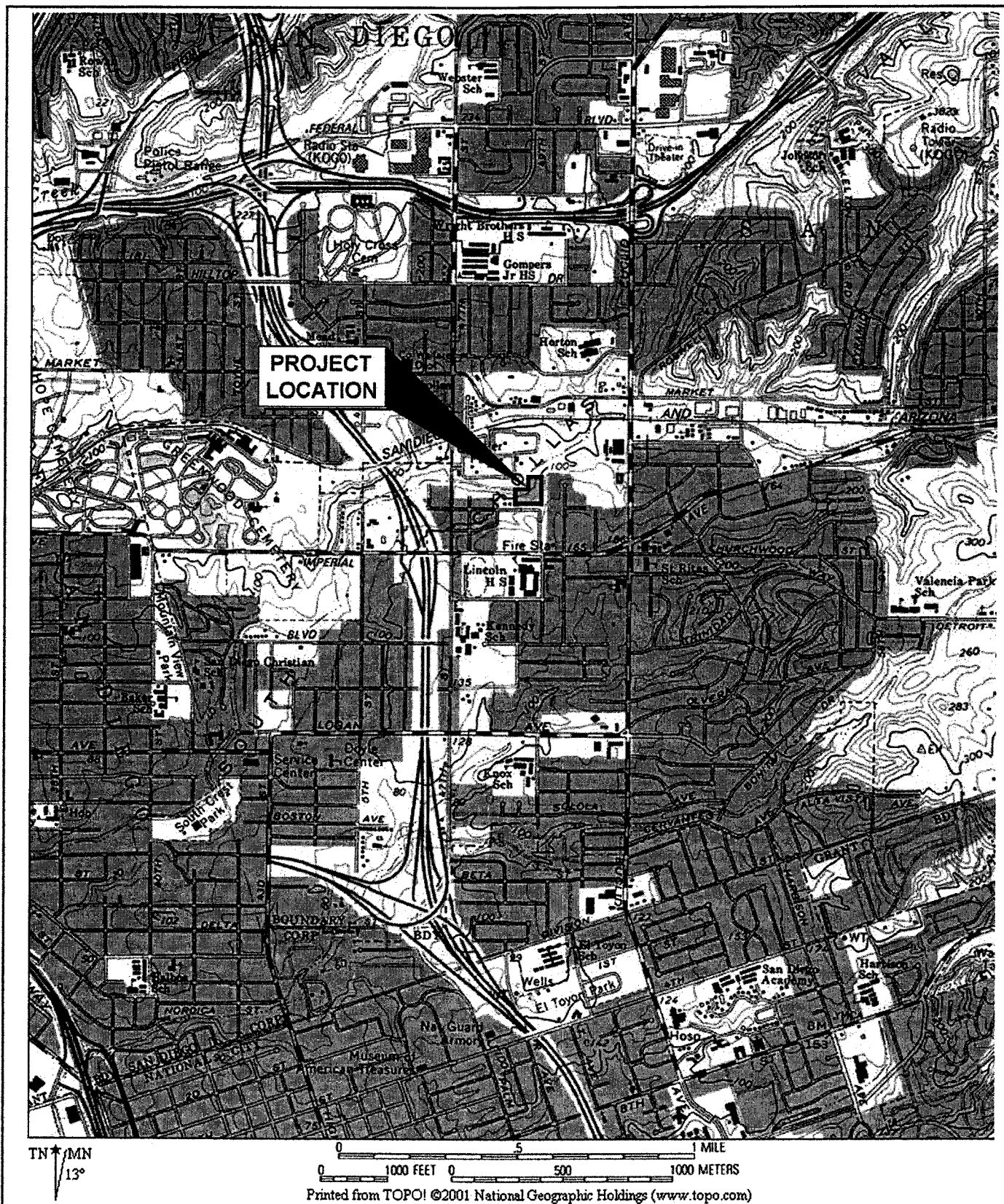
1991 *Cultural Resources Inventory and Significance Assessment of CA-SDI-11,959 for the Encanto Trunk Sewer Project, San Diego, California (DEP No. 90-0788)*. Affinis, El Cajon. Report submitted to City of San Diego Water Utilities Department. Report on file at South Coastal Information Center, San Diego State University.



Regional location in San Diego County

Affinis

Shadow Valley Center
847 Jamacha Road
El Cajon, CA 92019



Affinis

Shadow Valley Center
847 Jamacha Road
El Cajon, CA 92019

Project location on USGS 7.5'
National City quadrangle

Figure 2

**Confidential Attachment to
4895 Castana Street (Project No. 146623)
Cultural Resources Letter Report
Oceanside, San Diego County, California**

NOT FOR PUBLIC REVIEW

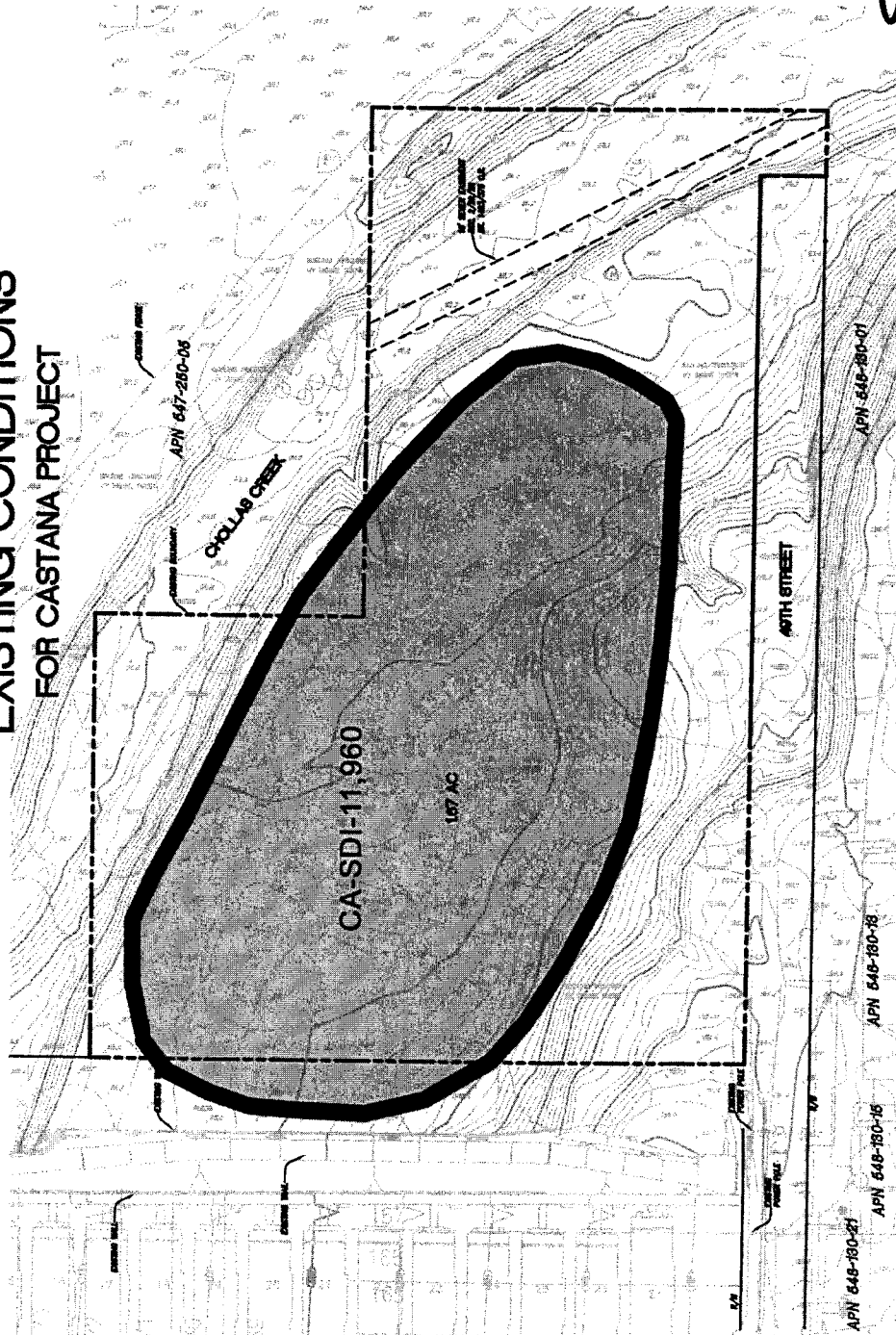
Prepared by:

**Affinis
Shadow Valley Center
847 Jamacha Road
El Cajon, California 92019
(619) 441-0144**

**Mary Robbins-Wade, M.A. (RPA)
Director of Cultural Resources**

May 2008

Affinis Job No. 2276

[illegible]

CIVALDO CORPORATION
CIVIL ENGINEERING
10000 HOLBROOK BLVD. SUITE 1100
SAN DIEGO, CA 92177
(714) 556-8800 (714) 556-8811

Location of Cultural Resources on project plans

Affinis
Shadow Valley Center
847 Jamacha Road
El Cajon, CA 92019

Figure 3

RECON

April 18, 2007

Mr. David Zarate
4901 Morena Blvd., Suite 1110
San Diego, CA 92117

Reference: Castana Street Property—Biological Resource Constraints (RECON Number 4498B)

Dear Mr. Zarate

A site visit was conducted on April 9, 2007 to the approximately 1.5-acre property located at 4895 Castana Street (APN 547-250-0600) to assess the existing condition of the vegetation communities present on-site and to assess what constraints these existing biological resources may have on future development. The property is located in the city of San Diego at the end of 49th Street at Castana Street (Figures 1 and 2). The 1.5-acre property is undeveloped and surrounded by residential development to the south and east, commercial development to the north, and open space to the west (Figure 3).

Existing Conditions

One vegetation community (riparian [mule fat] scrub) and four landcover types (natural flood channel, disturbed, ornamental, and developed land) were identified on or adjacent to the property. Each type is described below.

Riparian Scrub and Natural Flood Channel

Riparian scrub (0.23 acre) occurs on the property in two locations: along the banks of the unnamed drainage channel and in the central portion of the property on the floodplain of the drainage course. The riparian scrub habitat along the banks of the drainage channel is composed of narrow thickets of mule fat (*Baccharis salicifolia*) with inclusions of the non-native giant reed (*Arundo donax*) and tree tobacco (*Nicotiana glauca*). The second patch of riparian scrub occurs in the central portion of the site and is composed of a thicket of mule fat shrubs with an understory of California blackberry (*Rubus ursinus*). This patch appears to be supported by storm and urban runoff from 49th Street.

A natural flood channel (0.11 acre) occurs along the bottom of the drainage course on the northern portion of the site and is flanked by mule fat and giant reed thickets on the channel banks. The open channel bottom is composed of a mixture of sand, silt, and rocks with an occasional shrub or herbaceous species.

Disturbed

The majority of the property (0.88 acre) is currently disturbed, and these disturbed areas support primarily non-native plant species. Giant reed forms thickets along the northern bank of the drainage course. The western portion of the site burned recently, and charred remains of acacia and laurel sumac shrubs are present. Non-native herbaceous species such as black mustard (*Brassica nigra*), horehound (*Marrubium vulgare*), wild radish (*Raphanus sativa*), ripgut grass (*Bromus diandrus*), and garland chrysanthemum (*Chrysanthemum coronarium*) have colonized

these disturbed areas. Non-native grasses make up less than 50 percent of the cover in the disturbed areas. In one location along the eastern boundry a few individuals of California sagebrush (*Artemisia californica*) and California buckwheat (*Eriogonum fasciculatum*) were observed along with scattered native bunch grass individuals (*Nasella pulchra*).

Ornamental

Non-native trees and shrubs (0.30 acre) occur in groups on and adjacent to the property. A large group of acacia (*Acacia* sp.) shrubs occurs on the north portion of the site. Tree of heaven (*Ailanthus altissima*) specimens can be seen off-site to the east along the back of other adjacent properties. Salt cedar (*Tamarix ramosissima*) and acacia make up a group of shrubs and trees at the southern portion of the site.

Developed

Developed areas occur off-site to the north, east, and south. These areas are composed of residential, commercial, and paved roads. A small portion (0.01 acre) of the developed area to the north of the site occurs within the parcel boundary.

Sensitive Biological Resources

Riparian scrub is a vegetation type that is considered sensitive by the city of San Diego, state, and federal resource agencies. Riparian scrub is often an indicator of wetland habitat. Wetlands are considered sensitive resources by these same agencies. Streams, creeks, and other drainage courses are also considered sensitive resources by these agencies.

No sensitive plant or wildlife species are expected to occur on-site. The habitats present on the property are too disturbed and isolated from other contiguous patches of habitat to support populations of any sensitive plants or wildlife.

The property is not within a city of San Diego Multi-Habitat Planning Area (MHPA). The site is not part of a wildlife movement corridor, as the area is isolated from larger habitat areas by development on three sides.

Constraints to Site Development

Development of the site could impact sensitive biological resources identified on the property. Impacts to riparian scrub and natural flood channel would be considered significant under the city of San Diego's Multiple Species Conservation Plan (MSCP) and require mitigation. Mitigation ratios for riparian scrub are 2:1 (acres of mitigation for every acre impacted) under the MSCP and can be 3:1 under state and federal agencies..

Impacts to wetlands and other waters of the U.S. (e.g., drainage courses) would be considered significant and require mitigation. A wetland delineation is recommended to identify the limits of any jurisdictional waters, including wetlands, that may occur on-site so that development plans can be designed to avoid and/or minimize impacts to these resources. Impacts to jurisdictional waters require authorization from the city of San Diego, U.S. Army Corps of Engineers, California Department of Fish and Game, and Regional Water Quality Control Board through a permit process for each. Typical mitigation ratios for impacts to jurisdictional waters ranges from 2:1 to 3:1, depending on the resource affected and the agency involved. Buffers are required around jurisdictional waters to minimize edge effects of adjacent development. Mitigation for impacts to jurisdictional waters, including wetlands, involves a "no net loss" policy that entails creation of

Mr. David Zarate
Page 3
April 18, 2007

wetland habitat at a minimum of 1:1 coupled with restoration or enhancement of wetlands to meet the required mitigation goal.

Water quality of the drainage course may be affected by any development of the property. Storm drains and other sources of runoff that could enter the drainage course would need to be mitigated through post-construction best management practices (i.e., detention basins, bio-filters, CDC units, etc.).

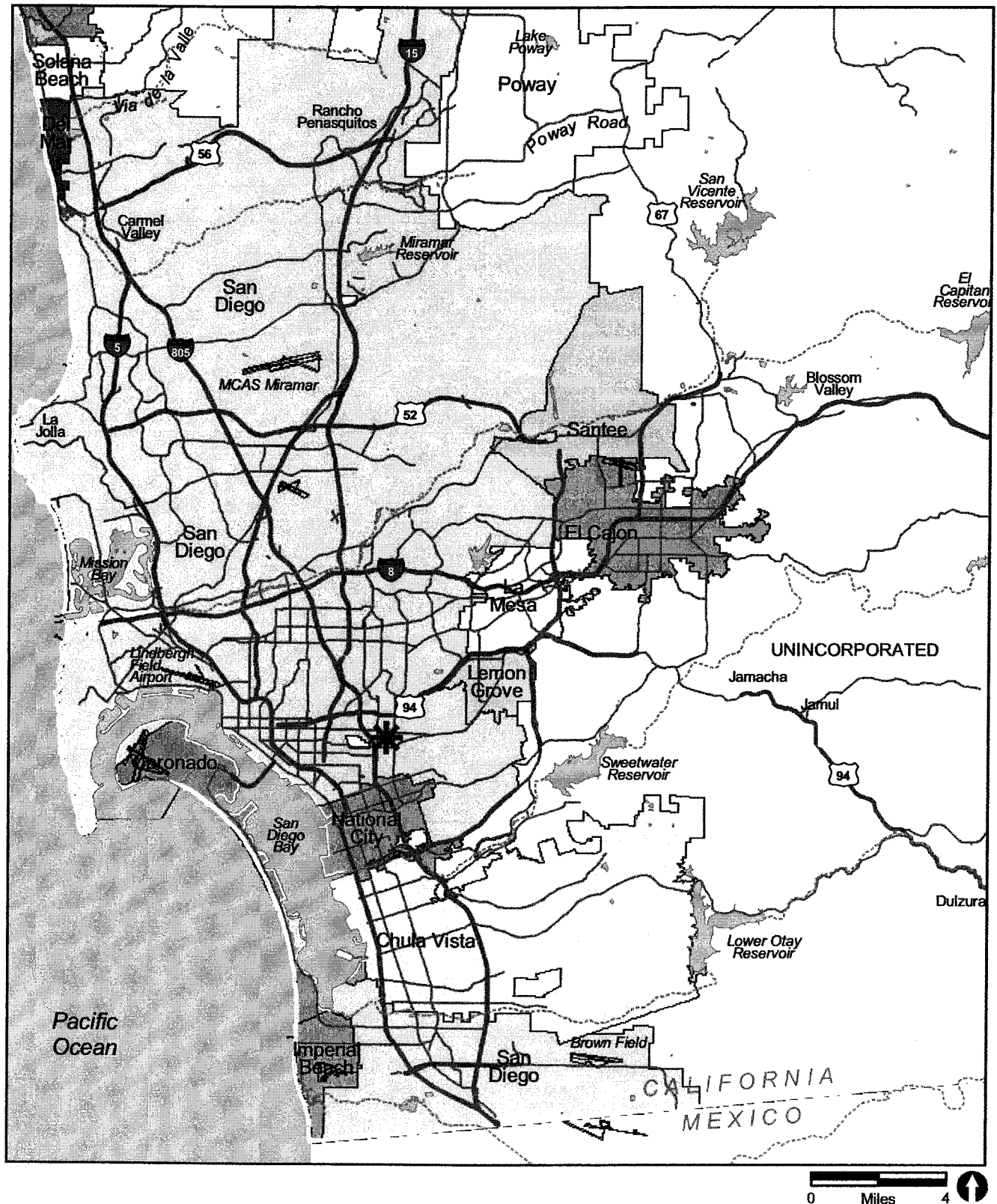
If you have any questions regarding this site assessment, please contact me.

Sincerely,

Gerald Scheid
Senior Biologist

GAS:eab

Enclosures



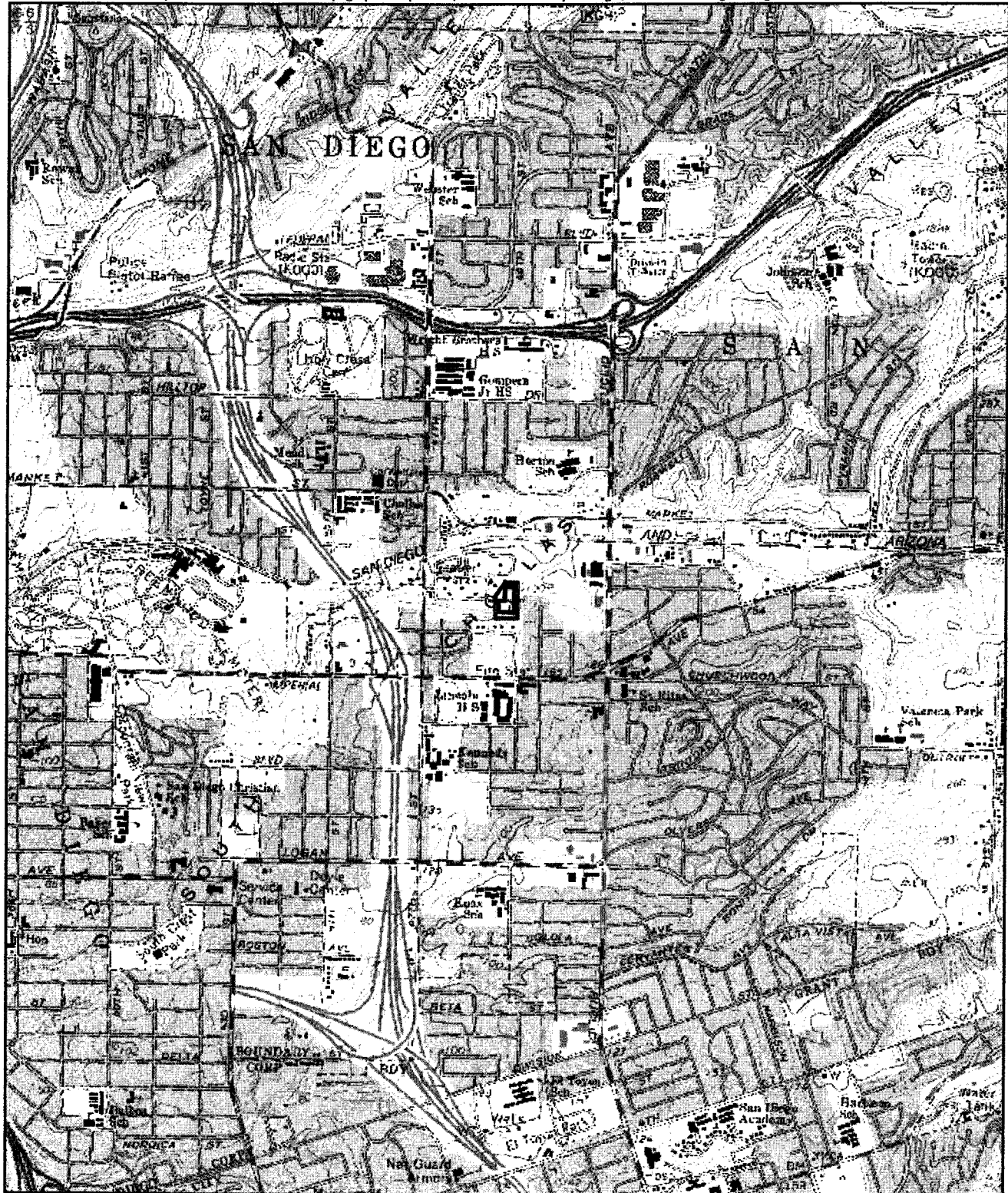
✱ Project location

RECON

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FIGURE 1
Regional Location

Map Source: USGS 7.5 minute topographic map series, NATIONAL CITY quadrangle, Mission San Diego land grant

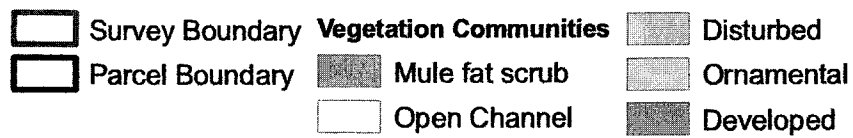
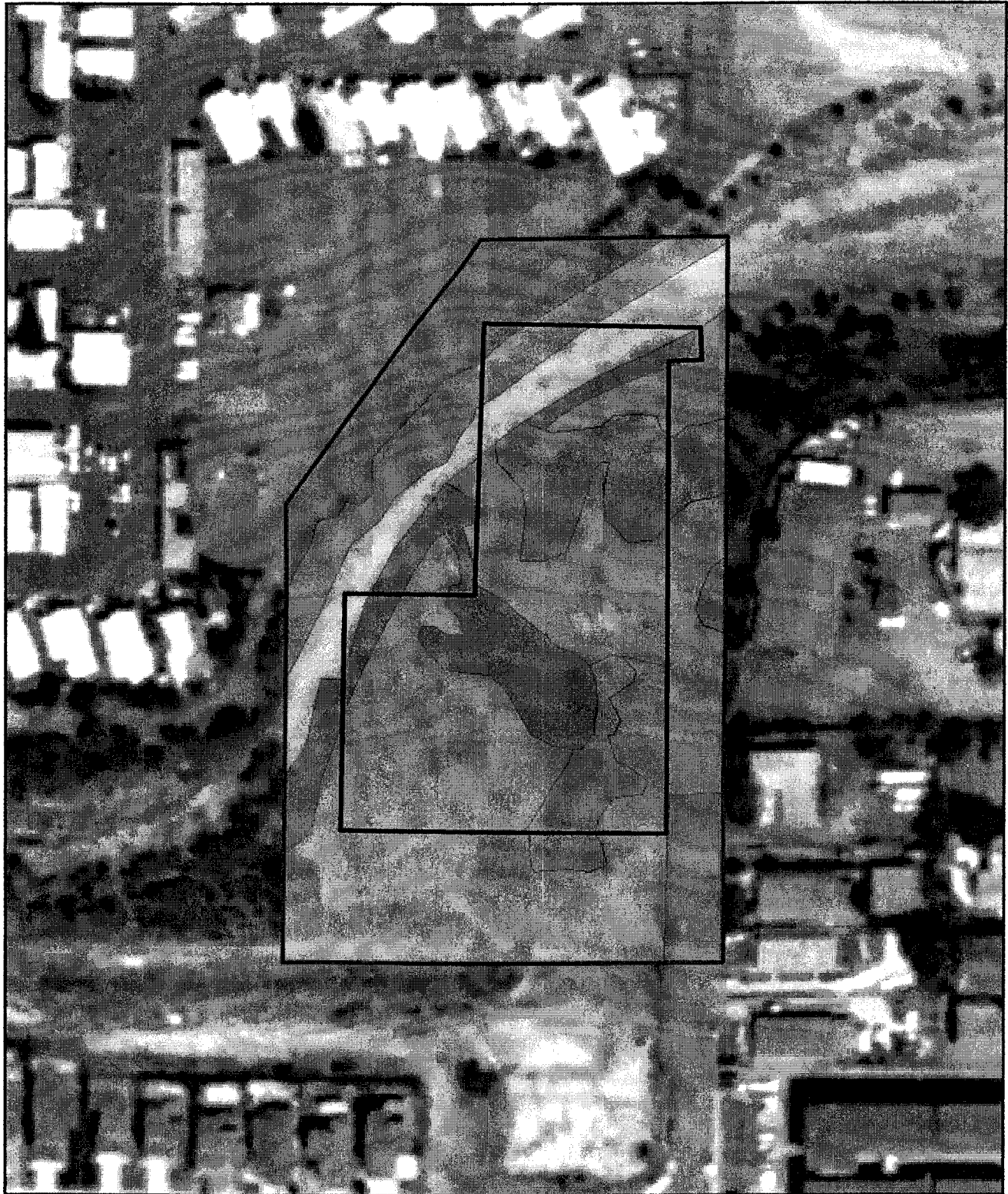


- Survey Boundary
- Parcel Boundary

RECON

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FIGURE 2
Project Location on USGS Map



RECON

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FIGURE 3
Existing Vegetation

April 1, 2008

David Zarate
CValdo Corporation
4901 Morena Blvd., Suite 1110
San Diego, CA 92117

Subject: Castana Street Property - Update to RECON Letter Dated April 18, 2007

Dear Mr. Zarate:

This letter is intended to update and answer the issues raised by the City of San Diego in their Cycle Issues letter dated January 16, 2008. The City's letter contained several issues related to the biological constraints letter report prepared by RECON. The issues are outlined below and discussed. Please note that the numbers below correspond directly to the City's Cycle Issues letter numbering.

2. *"ESL issues. Due to the presence of wetlands and other ESL onsite, a ministerial permit process for the geological grading/boring is only possible if wetlands and historic resources are avoided. Wetland areas are currently proposed to be avoided, however ESL mitigation for other upland habitat types/ historic would require reports and /or monitoring and mitigation."*

The project will conform with Section 143.0141 of the Municipal Code with regards to mitigation to ESL. Additionally, the project shall conform to the Land Development Manual (Biological Guidelines) which would require mitigation for upland impacts as outlined in Section III B. b. (2) and Table 3.

3. *"BIOLOGICAL RESOURCES- The biological constraints analysis provided is inadequate for determining the extent of biological resources onsite. The reports need to include a comprehensive plant (RECON emailed this on 1/16/08) and animal species list."*

It appears that RECON provided the lists as required. REC has also updated the lists and biological resources map (see attachments).

4. *"The biology report needs to address the potential for the site to include narrow endemic plant species, sensitive animal species and nesting bird species and proposed mitigation for likely direct and indirect impacts."*

Sensitive plants include those listed by the U.S. Fish and Wildlife Service (USFWS 1996), California Department of Fish and Game (CDFG 2001), California Native Plant Society (CNPS 2001), and previous candidates for listing. The CNPS listing is sanctioned by the California Department of Fish and Game and essentially serves as its list of "candidate" species for listing.

In 1996, the USFWS re-evaluated the listing status of several Category 2 candidate species and dropped their Category 2 status. The City of San Diego's MSCP Subarea Plan stipulates that the City regulate populations of certain sensitive plants and animals within the boundaries circumscribed in the MSCP Subarea Plan. The Plan allows the City to authorize the incidental take of covered state and federally listed species, as designated within the Plan, in accordance with the guidelines contained within the Plan.

Plant species have variable blooming seasons and may only be identifiable at a certain time of year. A plant survey was conducted by REC biologists in April 2008, during the bloom seasons of the sensitive plants with the potential to occur onsite, including short-lived spring wildflowers. Sensitive plant species with the potential to occur onsite were assessed in terms of likelihood to occur based on information gathered during field surveys and from existing reports.

No sensitive plants were observed onsite. Table 1 below summarizes the potential occurrence for sensitive plant species known from the area and that have the potential to occur onsite.

Table 1
Plant Species with the Potential to Occur

Common name	Species	Occurrence onsite
Orcutt's Brodiaea	<i>Brodiaea orcuttii</i>	Not observed onsite
Wart stemmed ceanothus	<i>Ceanothus verrucosus</i>	Not observed onsite
Short leaved dudleya	<i>Dudleya brevifolia</i>	Not observed onsite, habitat not appropriate
San Diego button celery	<i>Eryngium aristulatum</i>	Habitat not appropriate
Barrel cactus	<i>Ferocactus viridescens</i> var. <i>viridescens</i>	Habitat not appropriate
Willow Monardella	<i>Monardella linoides</i> ssp. <i>viminea</i>	Not observed onsite
San Diego goldenstar	<i>Muilla clevelandii</i>	Not observed onsite
Snake cholla	<i>Opuntia paryii</i> var. <i>serpentina</i>	Not observed onsite

Sensitive animal species include those species listed by the U.S. Fish and Wildlife Service (USFWS 1996), California Department of Fish and Game (CDFG 2001) and candidates for listing. The City of San Diego's MSCP Subarea Plan stipulates that the City regulate populations of certain sensitive plants and animals within the boundaries circumscribed in the MSCP Subarea Plan. The Plan allows the City to authorize incidental take of covered state and federally listed species, as designated within the Plan, in accordance with the guidelines contained within the Plan.

No sensitive wildlife was observed onsite or in the adjacent areas. The mulefat scrub may provide cover and forage for many wildlife species. The disturbed riparian scrub habitat adjacent to Chollas Creek is of poor quality. However, the creek provides a habitat corridor for

wildlife to move from one site to another. Species that could occur in the area that are covered by the MSCP in the urban planning area are listed below in Table 2. Many of the species are excluded due to the extensive urbanization and habitat requirements.

Table 2
Wildlife Species with the Potential to Occur

Common Name	Species	Occurrence Onsite
Belding's savannah sparrow	<i>Passerculus sandwichensis beldingi</i>	Not observed
California gnatcatcher	<i>Polioptila californica californica</i>	Habitat inappropriate
California least tern	<i>Sterna antillarum browni</i>	Habitat inappropriate
Coastal cactus wren	<i>Campylorhynchus brunneicapillus couesi</i>	Habitat inappropriate
Least Bell's vireo	<i>Vireo bellii pusillus</i>	Not observed
Light-footed clapper rail	<i>Rallus longirostris levipes</i>	Habitat inappropriate
Mule deer	<i>Odocoileus hemionus fuliginata</i>	Not observed
Orange throated whiptail	<i>Cnemidophorus hyperythrus beldingi</i>	Not observed
Western snowy plover	<i>Charadrius alexandrinus nivosus</i>	Habitat inappropriate

Mitigation for direct impacts to habitats would conform to the Land Development Manual (Biology Guidelines). Under Section III B. b. the City of San Diego has identified habitats and lands that will provide for the long term survival of Covered Species and most species determined to be sensitive pursuant to the CEQA review process. The majority of these lands are located within the MHPA. The City of San Diego categorizes sensitive lands into tiers. The most sensitive habitat is considered Tier I and the least sensitive habitat which does not afford protection is Tier IV.

The project will mitigate for direct impacts to upland impacts in conformance to the ratios listed in Table 3 (Upland Mitigation Ratios) within the Land Development Manual. At this time a final site plan is not available to calculate the direct impacts.

5. "The biology report must also assess the on-site brush management and offsite improvements need to ultimately develop the site (i.e. explain access impacts if taken off Castana Street or if access will be taken only off 49th Street.). Explain impacts due to sewer, water, fire road and other required facility connections."

At this time a site plan has not been completed. Once a site plan is completed a full analysis will be possible. The project will conform with the San Diego Municipal Code in regard to brush management which is addressed in Section 142.0412.

8. *"For Item 12 – the biological constraints analysis mentioned coastal sage species, native grassland species, and several chaparral species- these remnant areas of vegetation need to be mapped in order to for the City staff to access the likelihood that they constitute a disturbed native habitat rather than non-mitigable disturbed/ruderal areas. Photos onsite indicate others natives such as Yucca and recent rains have likely increased the coverage of non-native grassland throughout the site to mitigable levels."*

Please see the attached biological resources map and Table 3 below which lists habitat acreages.

Table 3	
Habitat Acreages	
Habitat	Acreage
Mulefat scrub	0.26
Disturbed Wetland (<i>Arundo donax</i>)/ channel	0.24
Coastal Sage Scrub	0.09
Ornamental Vegetation	0.29
Ruderal	0.65
Total	1.53

Please contact me if you have any questions regarding this letter.

Sincerely,

Victor Novik

Attachment A
Plants Observed Onsite

<u>Species Name</u>	<u>Common Name</u>	<u>Family</u>
<i>Acacia longifolia</i> *	Sydney golden wattle, golden wattle	Fabaceae
<i>Ambrosia psilostachya</i>	western ragweed	Asteraceae
<i>Artemisia californica</i>	Coastal sagebrush	Asteraceae
<i>Arundo donax</i> *	Giant reed	Poaceae
<i>Avena fatua</i> *	Wild oat	Poaceae
<i>Baccharis pilularis</i>	Coyote brush	Asteraceae
<i>Baccharis salicifolia</i>	Mulefat, seep-willow	Asteraceae
<i>Brassica nigra</i> *	Black mustard	Brassicaceae
<i>Callistemon viminalis</i> *	Bottlebrush	Myrtaceae
<i>Carpobrotus edulis</i> *	Hottentot-fig	Aizoaceae
<i>Chrysanthemum coronarium</i> *	Garland/crown daisy	Asteraceae
<i>Eriogonum fasciculatum</i>	Buckwheat	Polygonaceae
<i>Erodium sp.</i> *	Filaree	Geraniaceae
<i>Foeniculum vulgare</i> *	Sweet fennel	Apiaceae
<i>Hedypnois cretica</i> *	Crete Hedypnois	Asteraceae
<i>Hymenoclea salsola</i>	Cheesebush	Asteraceae
<i>Juglans nigra</i> *	Walnut	Juglandaceae
<i>Lactuca serriola</i> *	Prickly lettuce	Asteraceae
<i>Lolium sp.</i> *	Ryegrass	Poaceae
<i>Lotus scoparius</i>	Deerweed	Fabaceae
<i>Malva parviflora</i> *	Cheeseweed	Malvaceae
<i>Malosma laurina</i>	Laurel sumac	Anacardiaceae
<i>Marrubium vulgare</i> *	Horehound	Lamiaceae
<i>Melilotus indica</i> *	Indian sweetclover	Fabaceae
<i>Nassella pulchra</i>	Purple nodding grass	Poaceae
<i>Plantago major</i> *	Common plantain	Plantaginaceae
<i>Raphanus sativus</i> *	Wild radish	Brassicaceae
<i>Ricinus communis</i> *	Castor bean	Euphorbiaceae
<i>Rubus ursinus</i>	Blackberry	Rosaceae
<i>Sambucus mexicana</i>	Blue elderberry	Caprifoliaceae
<i>Solanum americanum</i> *	White nightshade	Solanaceae
<i>Tamarix sp.</i>	Salt cedar	Tamaricaceae
<i>Taraxacum officinale</i> *	Common dandelion	Asteraceae
<i>Washington robusta</i> *	Mexican fan palm	Arecaceae

*Non-native plant species.

Attachment B
Wildlife Species Observed Onsite

Common Name	Scientific Name	Habitat Observed	# Observed (estimate)
Invertebrate			
Southern blue	<i>Glaucopysche lygdamus australis</i>	CSS	1
Fly	Family <i>Muscidae</i>	CSS, DW, ORN, RUD	Many
Ladybug	Family <i>Coccinellidae</i>	CSS, ORN	2
Snail	Class <i>Gastropoda</i>	ORN	1
Reptiles			
Side blotched lizard	<i>Uta stansburiana</i>	RUD	2
Birds			
House finch	<i>Carpodacus mexicanus</i>	DW, ORN	1
California towhee	<i>Pipilo crissalis</i>	DW, MFS, ORN	4
Mourning dove	<i>Zenaida macroura</i>	MFS, ORN	3
Northern mockingbird	<i>Mimus polyglottos polyglottos</i>	ORN	1
Mammals			
Squirrel	<i>Spermophilus beecheyi</i>	RUD, ORN	Mounds









CSS= Coastal Sage Scrub
 DW = Disturbed Wetland
 MFS= Mulefat Scrub
 ORN = Ornamental
 RUD = Ruderal
 DEV= Developed

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Legend

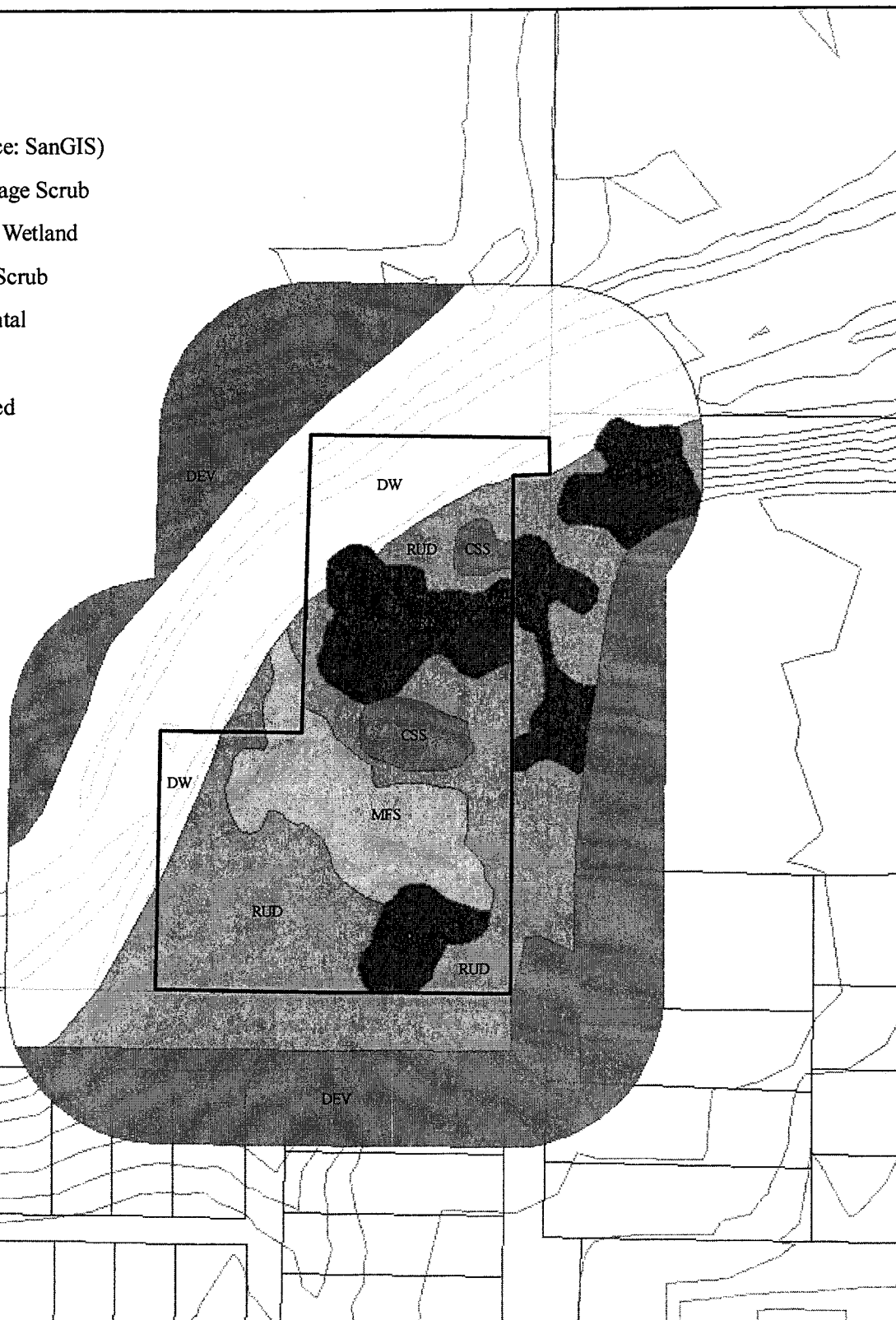
-  Project Parcel
-  5ft Topo (Source: SanGIS)
-  CSS, Coastal Sage Scrub
-  DW, Disturbed Wetland
-  MFS, Mulefat Scrub
-  ORN, Ornamental
-  RUD, Ruderal
-  DEV Developed

N



0 50 100 Feet

1 inch equals 100 feet



Consultants, Inc.

Biological Resources Castana Street

Figure
3

April 2008

AUG 23 1999

Case No.: 99-09-1086A

LOMR-F



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP REVISION BASED ON FILL
DETERMINATION DOCUMENT (REMOVAL)

COMMUNITY AND MAP PANEL INFORMATION		LEGAL PROPERTY DESCRIPTION
COMMUNITY	City of San Diego, California	Vista Verde Apartments, Buildings 2 through 8, Lots 1 through 13, Ocean Breeze One, as described in the Grant Deed recorded as Document No. 1997-0633224; and Lots 3 through 7, Block 2, and Lots 8 through 13 and 27 through 36, J. H. Orcutt's Subdivision of Central Homestead, as described in the Grant Deed recorded as Document No. 1997-0633223, in the Office of the Recorder, San Diego County, California
	COMMUNITY NO: 060295	
MAP PANEL AFFECTED	NUMBER: 06073C1903 F	
	NAME: San Diego County, California and Incorporated Areas	
	DATE: June 19, 1997	
FLOODING SOURCE: Las Chollas Creek		APPROXIMATE LATITUDE & LONGITUDE: 32.69705; -117.1233 SOURCE OF LATITUDE & LONGITUDE: OFF THE SHELF SOFTWARE

DETERMINATION

LOT	BLOCK/SECTION	SUBDIVISION	STREET ADDRESS	OUTCOME WHAT IS REMOVED FROM THE SFHA	NEW FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION (NGVD)	LOWEST ADJACENT GRADE ELEVATION (NGVD)	LOWEST FLOOR ELEVATION (NGVD)	LOWEST LOT ELEVATION (NGVD)
N/A	N/A	N/A	N/A	Building 2	X shaded	20.6 feet	21.2 feet	21.9 feet	N/A
N/A	N/A	N/A	N/A	Building 3	X shaded	22.4 feet	22.7 feet	23.4 feet	N/A

Special Flood Hazard Area (SFHA) – The SFHA is an area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood).

ADDITIONAL CONSIDERATIONS (if the appropriate box is checked, please refer to the appropriate section on Attachment 1)

- | | |
|--|--|
| <input type="checkbox"/> 1. PROPERTY DESCRIPTION (CONTINUED) | <input type="checkbox"/> 6. STUDY UNDERWAY |
| <input checked="" type="checkbox"/> 2. DETERMINATION TABLE (CONTINUED) | <input type="checkbox"/> 7. FILL RECOMMENDATION |
| <input type="checkbox"/> 3. PORTIONS REMAIN IN THE FLOODWAY | <input checked="" type="checkbox"/> 8. PORTIONS REMAIN IN THE SFHA |
| <input type="checkbox"/> 4. INADVERTENT INCLUSION IN THE FLOODWAY | |
| <input type="checkbox"/> 5. ZONE V OR ZONE A | |

This document provides the Federal Emergency Management Agency's determination regarding a request for a Letter of Map Revision based on Fill for the property described above. Using the information submitted and the effective National Flood Insurance Program (NFIP) map, we determined the structure on the property is not located in the SFHA, an area inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). This document revises the effective NFIP map to remove the structure from the SFHA; therefore, the federal mandatory flood insurance requirement does not apply. However, the lender has the option to continue the flood insurance requirement to protect its financial risk on the loan. A Preferred Risk Policy (PRP) is available for buildings located outside the SFHA. Information about the PRP and how one can apply is enclosed.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Assistance Center toll free at 1-877-336-2627 (FEMA MAP) or by letter addressed to the FEMA LOMA DEPOT, 3601 Eisenhower Avenue, Suite 600, Alexandria, VA 22304-6439.

Matthew B. Miller

Matthew B. Miller, P.E., Chief
Hazards Study Branch
Mitigation Directorate

Version 1.0

217852205302092661086

AUG 23 1999

Case No.: 99-09-1086A

LOMR-F



Federal Emergency Management Agency

Washington, D.C. 20472

**LETTER OF MAP REVISION BASED ON FILL
DETERMINATION DOCUMENT (REMOVAL)
ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)**

2. DETERMINATION DOCUMENT TABLE (CONTINUED)

LOT	BUILDING	SUBDIVISION	STREET ADDRESS	OUTCOME WHAT IS REMOVED FROM THE SFHA	NEW FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION (NGVD)	LOWEST ADJACENT GRADE ELEVATION (NGVD)	LOWEST FLOOR ELEVATION (NGVD)	LOWEST LOT ELEVATION (NGVD)
N/A	N/A	N/A	N/A	Building 4	X shaded	22.5 feet	22.8 feet	23.5 feet	N/A
N/A	N/A	N/A	N/A	Building 5	X shaded	22.5 feet	22.8 feet	23.5 feet	N/A
N/A	N/A	N/A	N/A	Building 6	X shaded	23.2 feet	23.5 feet	24.2 feet	N/A
N/A	N/A	N/A	N/A	Building 7	X shaded	23.1 feet	23.5 feet	24.2 feet	N/A
N/A	N/A	N/A	N/A	Building 8	X shaded	23.2 feet	23.5 feet	24.2 feet	N/A

8. PORTIONS OF THE PROPERTY REMAIN IN THE SFHA

The Determination Document has removed the subject of the determination from the Special Flood Hazard Area (SFHA). However, portions of the property may remain in the SFHA. Therefore, any future construction or substantial improvement on the property remains subject to Federal, State, and local regulations for floodplain management.

This attachment provides additional information regarding this request. If you have any questions about this attachment, please contact the Federal Emergency Management Agency Map Assistance Center toll free at 1-877-336-2627 (FEMA MAP) or by letter addressed to the FEMA LOMA DEPOT, 3601 Eisenhower Avenue, Suite 600, Alexandria, VA 22304-6439.

Matthew B. Miller

Matthew B. Miller, P.E., Chief
Hazards Study Branch
Mitigation Directorate



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP AMENDMENT DETERMINATION DOCUMENT (NON-REMOVAL)

COMMUNITY AND MAP PANEL INFORMATION		LEGAL PROPERTY DESCRIPTION
COMMUNITY	CITY OF SAN DIEGO, SAN DIEGO COUNTY, CALIFORNIA COMMUNITY NO.: 060295	Lot 5, Block A, El Nido, as described in the Grant Deed recorded as Document No. 2001-0972781, in the Office of the Recorder, San Diego County, California
AFFECTED MAP PANEL	NUMBER: 06073C1903F NAME: SAN DIEGO COUNTY, CALIFORNIA AND INCORPORATED AREAS DATE: 6/19/1997	
FLOODING SOURCE: LAS CHOLLAS CREEK		
APPROXIMATE LATITUDE & LONGITUDE OF PROPERTY: 32.701, -117.122 SOURCE OF LAT & LONG: PRECISION MAPPING STREETS 7.0 DATUM: NAD 83		

DETERMINATION

LOT	BLOCK/ SECTION	SUBDIVISION	STREET	OUTCOME WHAT IS NOT REMOVED FROM THE SFHA	FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION (NGVD 29)	LOWEST ADJACENT GRADE ELEVATION (NGVD 29)	LOWEST LOT ELEVATION (NGVD 29)
5	A	El Nido	537 South 33rd Street	Structure	AE	20.0 feet	18.8 feet	—

Special Flood Hazard Area (SFHA) - The SFHA is an area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood).

This document provides the Federal Emergency Management Agency's determination regarding a request for a Letter of Map Amendment for the property described above. Using the information submitted and the effective National Flood Insurance Program map, we have determined that the structure(s) on the property(ies) is/are located in the SFHA, an area inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). Therefore, flood insurance is required for the property described above. The lowest adjacent grade elevation to a structure must be at or above the Base Flood Elevation for a structure to be outside of the SFHA.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination and information regarding your options for obtaining a Letter of Map Amendment. If you have any questions about this document, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, 3601 Eisenhower Avenue, Suite 600, Alexandria, VA 22304-6439.


 Doug Bellomo, P.E., CFM, Chief
 Hazard Identification Section, Mitigation Division
 Emergency Preparedness and Response Directorate

Version 1.3.3

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