

SUBSEQUENT ACTION NOTICE OF DETERMINATION
(Consistency Determination Pursuant to CEQA Section 15162)

To: Recorder/County Clerk
P.O. Box 1750, MS A33
1600 Pacific Hwy, Room 260
San Diego, CA 92101-2422

From: City of San Diego
Development Services Department
1222 First Avenue, MS 501
San Diego, CA 92101

Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

Project Number: PRJ-0687641

State Clearinghouse Number: 2008101139

Project Title: Fishburn Amendment

Project location: 1615 Clemson Circle, San Diego, CA 92037

City/County: San Diego/San Diego

Description of Previous Action and Project: On December 17, 2008 the City of San Diego adopted a Mitigated Negative Declaration (MND) No. 118907 for the Fishburn Grading project (Resolution No. 08-194; SCH 2008101139). The Fishburn Grading MND includes a Mitigation Monitoring and Reporting Program (MMRP) that requires mitigation for biological resources. All other issue areas were determined to be less than significant.

A COASTAL DEVELOPMENT PERMIT and SITE DEVELOPMENT PERMIT to allow for previous unpermitted grading on a vacant 0.98-acre site. The project site is located in the RS-1-2 (Residential- Single Unit) Zone within the La Jolla Community Plan area, Coastal Overlay Zone (Non-Appealable, Area 1), Coastal Height Limitation Overlay Zone and the Parking Impact Overlay Zone. Council District 2. Legal Description: Parcel 2 of Parcel Map No. 12355 (APN 358-130-08)

Description of Current Project: Coastal Development Permit and Site Development Permit amendment Coastal Development Permit No. 404174 and Site Development Permit No. 404177 is granted by the Planning Commission of the City of San Diego to FISHBURN FAMILY TRUST dated January 17, 2003, Owner/Permittee, pursuant to San Diego Municipal Code (SDMC) sections 126.0708 and 126.0504 to adjust the boundaries of an existing conservation easement on site containing environmentally sensitive lands, located on a vacant parcel. The 0.98-acre (43,124 square-foot) site is located at an existing vacant parcel (APN: 358-130-0800), one lot southwest of 1615 Clemson Circle, west of Rutgers Road in the Residential Single Dwelling Unit (RS-1-2) Zone, the Coastal (Non-Appealable), Coastal Height Limit, Parking Impact (Coastal) Overlay Zones within the La Jolla Community Plan and Local Coastal Program Land Use Plan area. The project site is legally described as Parcel 2 of Parcel Map No. 12355.

Project Applicant: M. Wainwright Fishburn, 1615 Clemson Circle, San Diego, CA 92037, 858-945-8631

Determination: Pursuant to Public Resources Code Section 21166 and CEQA Guidelines 15162, the City has determined that: (1) there is substantial evidence that none of the conditions requiring preparation of a subsequent Mitigated Negative Declaration exist, and (2) the City will rely on the previous environmental document, which adequately addresses this project.

This is to advise that the Planning Commission of the City of San Diego on May 9, 2024 approved the above-described project and made the following determinations:

- (1) No Substantial changes are proposed in the project which will require major revisions of the previous Mitigated Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and,
- (2) No Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous Mitigated Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or,
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous Mitigated Negative Declaration was adopted, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous Mitigated Negative Declaration;
 - b. Significant effects previously examined will be substantially more severe than shown in the previous Mitigated Negative Declaration;
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or,
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous Mitigated Negative Declaration would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Furthermore, the City has made the following determinations:

1. The project in its approved form would, or would not have a significant effect on the environment.
2. The proposed project would, or would not introduce additional impacts or increase the severity of impacts beyond those already analyzed in Mitigated Negative Declaration.
3. Mitigation measures were, were not, made a condition of the approval of the project;
4. New Findings were, were not, required pursuant to CEQA Guidelines Section 15091.
5. New Statement of Overriding Considerations were, were not, required.

It is hereby certified that the CEQA 15162 Consistency Analysis Memorandum and final environmental document(s) are available to the public at the office of the City's Development Services Department, 1222 First Avenue, San Diego, CA 92101.

Analyst: Holowach

Telephone: (619) 446-5187

Filed by: Courtney Holowach
Signature

Senior Planner
Title

[Attach Copy of Check, Proof of CDFG Payment, or No Effect Form]

Reference: California Public Resources Code, Section 15162/63.

NOTICE OF DETERMINATION

TO: X Recorder/County Clerk
P.O. Box 1750, MS A33
1600 Pacific Hwy, Room 260
San Diego, CA 92101-2422

FROM: City of San Diego
Development Services Department
1222 First Avenue, MS 501
San Diego, CA 92101

Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

Project Number: 118907

State Clearinghouse Number: N/A

Project Title: Fishburn Grading

Project Location: 1615 Clemson Circle, San Diego, CA 92037 (APN 358-130-07)

Project Applicant: Wain Fishburn
1615 Clemson Circle,
San Diego, CA 92037
Phone: (858) 550-6018

FILED IN THE OFFICE OF THE COUNTY CLERK
San Diego County on APR 24 2009
Posted APR 24 2009 Removed
Returned to agency on
Deputy L. Kesian

Project Description: Fishburn Grading : A COASTAL DEVELOPMENT PERMIT and SITE DEVELOPMENT PERMIT to allow for previous unpermitted grading on a vacant 0.98-acre site located at 1615 Clemson Circle. The project site is located in the RS-1-2 (Residential—Single Unit) Zone within the La Jolla Community Plan area, Coastal Overlay Zone (Non-Appealable, Area 1), Coastal Height Limitation Overlay Zone and the Parking Impact Overlay Zone. Council District 2. Legal Description: Parcel 2 of Parcel Map No. 12355 (APN 358-130-07). Applicant: Wain Fishburn.

This is to advise that the City of San Diego Hearing Officer, on December 17, 2008, approved the above described project and made the following determinations:

- 1. The project in its approved form will, X will not, have a significant effect on the environment.
- 2. An Environmental Impact Report was prepared for this project and certified pursuant to the provisions of CEQA.
 X A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
 An addendum to a Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
Record of project approval may be examined at the address above.
- 3. Mitigation measures X were, were not, made a condition of the approval of the project.

It is hereby certified that the final environmental report, including comments and responses, is available to the general public at the office of the Entitlements Division, Fifth Floor, City Operations Building, 1222 First Avenue, San Diego, CA 92101.

Analyst: Arnhart

Telephone: (619) 446-5385

Filed by: Jane D. Malone

Signature

Senior Planner

Title

FILED
David Butler, Recorder/County Clerk

Reference: California Public Resources Code, Sections 21108 and 21152.

APR 24 2009
BY L. Kesian
DEPUTY



State of California—The Resources Agency
 DEPARTMENT OF FISH AND GAME
2009 ENVIRONMENTAL FILING FEE CASH RECEIPT

RECEIPT# SD2009 000366
STATE CLEARING HOUSE # (if applicable) ---

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY

LEAD AGENCY CITY OF SAN DIEGO		DATE 04-24-2009
COUNTY/STATE AGENCY OF FILING SAN DIEGO		DOCUMENT NUMBER 090105
PROJECT TITLE FISHBURN GRADING		
PROJECT APPLICANT NAME WAIN FISHBURN		PHONE NUMBER 858-550-6018
PROJECT APPLICANT ADDRESS 1615 CLEMSON CIRCLE	CITY SAN DIEGO	STATE CA
		ZIP CODE 92037

PROJECT APPLICANT (Check appropriate box):

Local Public Agency
 School District
 Other Special District
 State Agency
 Private Entity

CHECK APPLICABLE FEES:

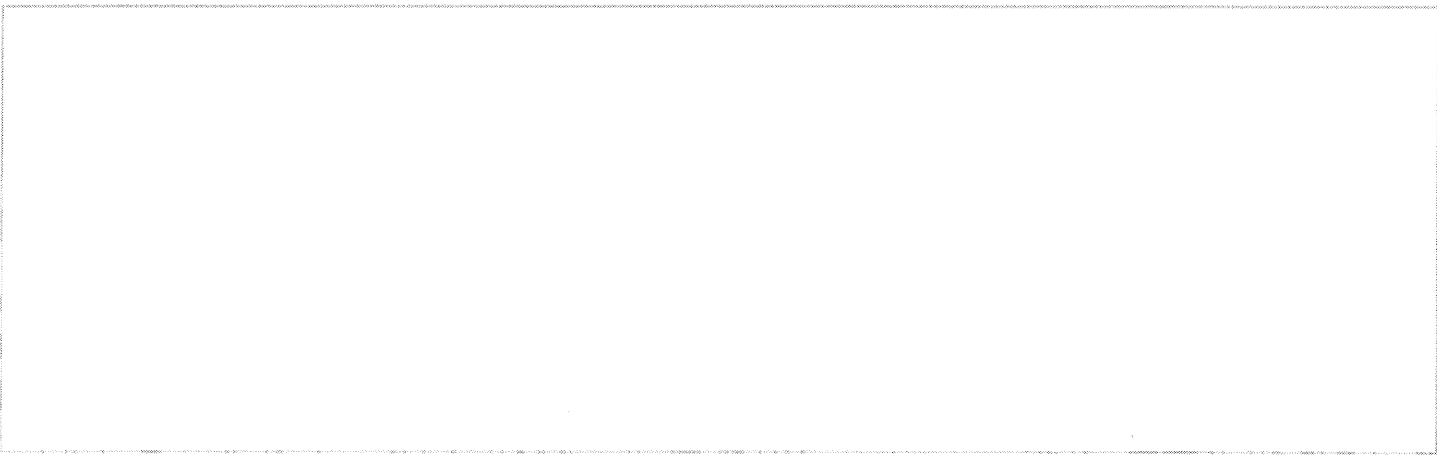
<input type="checkbox"/> Environmental Impact Report	\$2,768.25	\$ _____
<input checked="" type="checkbox"/> Negative Declaration	\$1,993.00	\$ 1,993.00
<input type="checkbox"/> Application Fee Water Diversion (State Water Resources Control Board Only)	\$850.00	\$ _____
<input type="checkbox"/> Projects Subject to Certified Regulatory Programs	\$941.25	\$ _____
<input checked="" type="checkbox"/> County Administrative Fee	\$50.00	\$ 50.00
<input type="checkbox"/> Project that is exempt from fees		
<input type="checkbox"/> Notice of Exemption		
<input type="checkbox"/> DFG No Effect Determination (Form Attached)		
<input type="checkbox"/> Other _____		\$ _____

PAYMENT METHOD:

Cash
 Credit
 Check
 Other 2296

TOTAL RECEIVED \$ 2,043.00

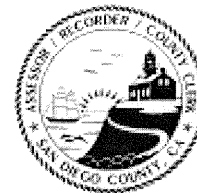
SIGNATURE X L. Kesian <i>Lm Kesian</i>	TITLE Deputy
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David L. Butler

COUNTY OF SAN DIEGO ASSESSOR/RECORDER/COUNTY CLERK



ASSESSOR'S OFFICE

1600 Pacific Highway, Suite 103
San Diego, CA 92101-2480
Tel. (619) 236-3771 * Fax (619) 557-4056

www.sdarcc.com

RECORDER/COUNTY CLERK'S OFFICE

1600 Pacific Highway, Suite 260
P.O. Box 121750 * San Diego, CA 92112-1750
Tel. (619)237-0502 * Fax (619)557-4155

Transaction #: 201448620090424

Deputy: LKESIAN

Location: COUNTY ADMINISTRATION BUILDING

24-Apr-2009 11:28

FEES:

1,993.00 Qty of 1 Fish & Game Neg Dec (1800) for Ref# NOD: 090105
50.00 Qty of 1 Fee Notice of Exemption for Ref# RCT: 000366

2,043.00 TOTAL DUE

PAYMENTS:

2,043.00 Check

2,043.00 TENDERED

We are taking appointments to obtain a marriage license. Call today to schedule your appointment. For our Downtown office: (619)237-0502. San Marcos & Chula Vista office: (858)505-6197. Kearny Mesa office Saturdays only (858)505-6197.

SERVICES AVAILABLE AT OFFICE LOCATIONS

- * Tax Bill Address Changes
- * Records and Certified Copies:
Birth/ Marriage/ Death/ Real Estate
- * Fictitious Business Names (DBAs)
- * Marriage Licenses and Ceremonies
- * Assessor Parcel Maps
- * Property Ownership
- * Property Records
- * Property Values
- * Document Recordings

SERVICES AVAILABLE ON-LINE AT www.sdarcc.com

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- * Fictitious Business Names Index (DBAs)
- * Property Sales
- * On-Line Purchases
Assessor Parcel Maps
Property Characteristics
Recorded Documents

BRANCH OFFICES AVAILABLE TO SERVE YOU

Monday through Friday 8:00 a.m. - 5:00 p.m.
Saturdays at the Kearny Mesa Office 9:00 a.m. - 3:00 p.m.

CHULA VISTA

590 Third Avenue
Chula Vista, CA 91910-2646
(619) 498-2277

EL CAJON

200 South Magnolia Avenue
El Cajon, CA 92020-3316
(619) 401-5750

KEARNY MESA

9225 Clairemont Mesa Blvd.
San Diego, CA 92123-1211
(858) 505-6226

SAN MARCOS

141 East Carmel Street
San Marcos, CA 92078-4309
(760) 940-6858