

**DECISION ON BOUNDARY ADJUSTMENT BA22-001**

A DETERMINATION BY THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT OF THE CITY OF DEL MAR TO CONDITIONALLY APPROVE BOUNDARY ADJUSTMENT BA22-001 TO ALLOW THE CONSOLIDATION OF TWO LOTS LOCATED AT THE SOUTHEAST CORNER OF JIMMY DURANTE BOULEVARD AND SAN DIEGUITO DRIVE, (APNS 299-100-47 AND 299-100-48) IN DEL MAR, CALIFORNIA

WHEREAS, Watermark DM, L.P. (“Applicant”) is the owner of real property located at the southeast corner of Jimmy Durante Boulevard and San Dieguito Drive and identified by the APN’s 299-100-47 and 299-100-48 (the “Property”); and

WHEREAS, on April 8, 2021, the Applicant applied for a Boundary Adjustment (**BA22-001**) to consolidate the two undeveloped lots (APN’s 299-100-47 and 299-100-48) at the Property; and

WHEREAS, Del Mar Municipal Code (DMMC) Section 24.70.030(A) specifies that the Director of Planning and Community Development shall serve as the issuing authority on the application for a Lot Line Adjustment which also includes a Boundary Adjustment; and

WHEREAS, on April 19, 2022 the Director of Planning and Community Development of the City of Del Mar considered application BA22-001 pursuant to the provisions of DMMC Chapter 24.70; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the consolidation of two lots by a Lot Line (Boundary) Adjustment is a “Ministerial” project and is found to be Statutorily Exempt from the requirements of CEQA (Guidelines Section 15268); and

NOW THEREFORE, BE IT RESOLVED, based on the application materials and information received, the Director of Planning and Community Development finds that application BA22-001 is consistent with the requirements for Lot Line Adjustments pursuant to DMMC Chapter 24.70; and

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Director of Planning and Community Development that application BA22-001 is hereby approved subject to the following conditions:

1. *[Indemnification]*

By accepting this permit implementing the Boundary Adjustment authorized herein, the applicants agree to indemnify, defend and save the City of Del Mar, its authorized agents, officers, representatives and employees harmless from and against any and all penalties, liabilities, annoyances, or loss resulting from claims or court action and arising out of any accident, loss or damage to persons or property happening or occurring as a proximate result of any work undertaken under the permit granted pursuant to the application or by reason of

the permittees' installation, operation, maintenance or removal of any improvements on their properties.

2. *[Boundary Adjustment Authorization Limited to Plan Set]*

This permit is granted based on submitted plans (Lot Line Adjustment Plat) dated **February 23, 2021** and so identified by the staff of the Del Mar Planning Department. Revisions to these plans and/or any proposals for modification shall require review and prior authorization from the appropriate entities of the City of Del Mar.

3. *[Code Compliance]*

Approval of this application shall not waive the requirement for compliance with the provisions of the Del Mar Municipal Code or other applicable City regulations in effect at the time of recordation of the required Certificate of Compliance, unless specifically waived in this authorization/permit or related authorizations.


4. *[Monumentation]*

The applicants shall prepare and install, to the City Engineer's satisfaction, permanent property corner monumentation that reflects the approved Lot Line Adjustment Plat. A copy of the recorded Record of Survey shall be provided to the City Engineer.

5. *[Certificate of Compliance]*

The applicants shall receive approval for and record a Certificate of Compliance reflecting the legal description of the lot lines authorized by the Lot Line Adjustment Plat. The form and content of the Certificate of Compliance required herein shall be subject to the review and approval of the Planning Director. The recording fees shall be borne by the applicants.

6. *[Record of Survey]* The applicants shall prepare, approve and record a Record of Survey (ROS), or Corner Record (CR) with the County of San Diego Mapping Department

  
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Karen Brindley  
Director of Planning and Community Development

April 19, 2022  
Date