

RESOLUTION NUMBER R- 286869

ADOPTED ON JAN 30 1995

WHEREAS, Mark Jacobson, an individual and applicant, and Latitude 33, Engineer, filed an application for 3-parcel tentative parcel map (Tentative Map No. 95-0195 - Markim Pet Resort) located south of State Route 56 and east of Carmel Valley Road, and described as a portion of the northwest quarter of Section 21, Township 14 South, Range 3 West, San Bernardino Meridian, in the North City Future Urbanizing Area, in the A-1-10 zone; and

WHEREAS, the matter was set for public hearing on January 30, 1995, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that this Council adopts the following findings with respect to Tentative Map No. 95-0195:

1. The map proposes the subdivision of a 12.21-acre site into 3 parcels for residential and commercial development. This type of development is consistent with the General Plan and the North City Future Urbanized Area - Framework Plan 3, which allows for the consideration of Planned Residential Development Permits ("PRD") and Conditional Use Permits ("CUP"). The proposed map will retain the community's character by encouraging orderly,

sequential development compatible in its intensity with surrounding existing and future land development.

2. The design and proposed improvements for the map are consistent with the zoning/development regulations of the A-1-10 zone in that:

a. All lots have minimum frontage on or access to a dedicated street which is open to and usable by vehicular traffic, as allowed under a PRD and CUP.

b. All lots meet the minimum dimension requirements of the A-1-10 zone, as allowed under a PRD and CUP.

c. All lots are designed so that required improvements do not result in nonconforming lots in respect to building area, setbacks, side yard and rear yard regulations, as allowed under a PRD and CUP.

d. Development of the site is controlled by Planned Residential Development/Resource Protection Ordinance Permit No. 95-0195 and Conditional Use Permit No. 95-0195.

3. The design and proposed improvements for the subdivision are consistent with State Map Act section 66473.1 regarding the design of the subdivision for future passive or natural heating and cooling opportunities.

4. The site is physically suitable for residential and commercial development. The harmony in scale, height, bulk, density, and coverage of development creates a compatible physical relationship to surrounding properties for which this area has been planned.

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5. The site is physically suitable for the proposed density of development. This is consistent with the North City Future Urbanizing Area Framework Plan, which provides for PRD and CUP development.

6. The design of the subdivision and the proposed improvements could cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat. However, the project as revised now avoids or mitigates the potentially significant environmental effects based upon the findings in Mitigated Negative Declaration No. 95-0195, which is included herein by this reference.

7. The design of the subdivision and the type of improvements will not likely cause serious public health problems inasmuch as needed public services and facilities are available or required by condition of this map to provide for water and sewage facilities, as well as other related public services.

8. The design of the subdivision and the type of improvements are such that they will not conflict with any easements, acquired by the public at large, for access through or use of property within the proposed subdivision as demonstrated by the City Engineer's request for public dedications and adequate improvement on the proposed subdivision map.

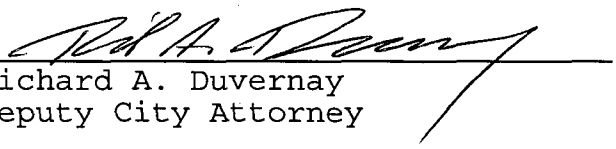
9. The City Council has reviewed the adopted Housing Element, the Progress Guide and General Plan of The City of San Diego, and hereby finds, pursuant to Section 66412.3 of the Government Code, that the housing needs of the region are being met since residential development has been planned for the area

and public services programmed for installation, as determined by the City Engineer, in accordance with financing and environmental policies of the City Council.

The above findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that Tentative Map No. 95-0195 for the Markim Pet Resort is hereby granted to Mark Jacobson, an individual and applicant, and Latitude 33, Engineer, subject to the conditions attached hereto and made a part hereof.

APPROVED: JOHN W. WITT, City Attorney

By 
Richard A. Duvernay
Deputy City Attorney

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Or.Dept:Clerk
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CITY COUNCIL CONDITIONS FOR
TENTATIVE MAP 95-0195

1. Compliance with all of the following conditions shall be assured, to the satisfaction of the City Engineer, prior to the recordation of the first final map, unless otherwise noted.
2. This tentative map will become effective with City Council approval and will expire 3 years thereafter.
3. The final map shall conform to the provisions of Planned Residential Development/Resource Protection Ordinance/Conditional Use Permit No. 95-0195.
4. The "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, shall be made a condition of map approval. Only those exceptions to the General Conditions which are shown on the tentative map and covered in these special conditions will be authorized.

All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. 769635.

5. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source will be the California Coordinate System, Zone 6, North American Datum of 1983 (NAD 83).
6. "California Coordinate System" means the coordinate system as defined in Section 8801 through 8819 of the California Public Resources code. The specified zone for San Diego County is "Zone 6," and the official datum is the "North American Datum of 1983."
7. Every final map shall:
 - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
 - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of Third Order accuracy or better, as published in the County of San Diego's Horizontal Control book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.
8. The approval of this tentative map by the City of San Diego does not authorize the subdivider to violate any Federal, State, or City laws, ordinances, regulations, or

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policies, including, but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 USC Section 1531 et seq.).

9. The subdivider shall grant a building restricted easement over the southerly portion of the site as shown on the tentative map.
10. The subdivider shall comply with the Mitigation Monitoring and Reporting Program as specified in Environmental Impact Report No. 95-0195, satisfactory to the Development Services Director and the City Engineer, which is included herein by this reference.
11. The subdivider must provide a geologic reconnaissance report on the subject property to discover and address potential geological hazards. The report must be prepared in accordance with the most recent edition of the City of San Diego "Technical Guidelines for Geotechnical Reports." All slopes shall be constructed in accordance with the provisions of San Diego Municipal Code Section 62.0415 et seq.
12. Undergrounding of existing and/or proposed public utility systems and service facilities is required according to San Diego Municipal Code Section 102.0404, Subsection 2.
13. Parking shall be prohibited in non-residential driveways with less than a 28-foot curb-to-curb width.
14. The main vehicular access to the dwelling units within the planned residential development shall be by unnamed, non-dedicated, privately-maintained, private driveways with a minimum pavement width of 24 feet and a minimum of 26 feet adjacent to fire hydrants, constructed in a manner satisfactory to the City Engineer and the Fire Department.
15. The slope for driveways may have a maximum 14% grade, without transitions, or a maximum 20% grade, provided that transitions of a minimum eight-foot length at half (1/2) of the ramp slope are constructed at both ends of the ramp.
16. The subdivider shall provide a reciprocal-access easement, satisfactory to the City Engineer and the Development Services Director.
17. The subdivider shall provide evidence of an off-site access easement to Carmel Valley Road.
18. The subdivider shall provide, from Carmel Valley Road easterly, 50-feet of asphalt for a two-lane private access road, satisfactory to the City Engineer.
19. The subdivider shall provide evidence of subdivision approval from the Fire Department.
20. Water Requirements:
 - a. The subdivider shall install adequate water mains, satisfactory to the Water Utilities Director, necessary to serve this development.
 - b. The subdivider shall install fire hydrants at locations satisfactory to the Fire Department and the City Engineer. If more than two (2) fire hydrants and/or

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thirty (30) Equivalent Dwelling Units (EDUs) are located on a dead-end main, then a dual-fed system shall be installed.

21. Sewer Requirements:

- a. The subdivider shall provide a sewer study, satisfactory to the Water Utilities Director, for the sizing of gravity sewer mains and to show that existing and proposed mains will provide adequate capacity and have cleansing velocities necessary to serve this development.
- b. The subdivider shall install all facilities necessary to serve this development, as required by the approved sewer study.
- c. The subdivider shall provide evidence to the Water Utilities Department indicating that approval has been obtained from the County Department of Health Services for any proposed septic systems.
- d. Any connection to the 27-inch trunk sewer shall be located at a manhole.

22. Water and Sewer Requirements:

- a. The subdivider shall design all water and sewer facilities to the most current edition of the Water Utilities Department's *Water and Sewer Design Guide*. If facilities do not meet the current standards, then such facilities shall be private.
- b. The subdivider shall provide adequate easements for all public water and sewer facilities that are located outside of public rights-of-way. Vehicular access easements shall be provided to all water and sewer appurtenances (manholes, blowoffs, air valves, cleanouts, gate and butterfly valves, etc.). Water meters and fire hydrants require 24-foot-wide paved access easements.
- c. With the exception of lots served by private septic systems, the subdivider shall provide evidence, satisfactory to the Water Utilities Director, showing that each parcel will have its own water service and sewer lateral or provide CC&R's for the operation and maintenance of on-site private water and sewer mains that serve more than one lot.
- d. If on-site water and sewer mains are to be public, and if it is a gated community, the Water Utilities Systems Division of the Water Utilities Department shall have keyed access, satisfactory to the Water Utilities Director. The City will not be held responsible for any issues that may arise relative to the availability of keys.
- e. The final map(s) shall show all existing water, sewer, and/or general utility easements, satisfactory to the Water Utilities Director. The old easements may be abandoned after all public improvements associated with the tentative map are constructed, operational, and accepted by the City of San Diego (including as-built drawings).

23. The drainage system proposed for this subdivision, as shown on the approved tentative map, is subject to approval by the City Engineer.

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24. Development of this project shall comply with all requirements of State Water Resources Control Board (SWRCB) Order No. 92-08-DWQ (NPDES General Permit No. CAS000002), *Waste Discharge Requirements for Discharges of Storm Water Runoff Associated With Construction Activity*. In accordance with said permit, a Storm Water Pollution Prevention Plan (SWPPP) and a Monitoring Program Plan shall be developed and implemented concurrently with the commencement of grading activities, and a complete and accurate Notice of Intent (NOI) shall be filed with the SWRCB. A copy of the acknowledgement from the SWRCB that an NOI has been received for this project shall be filed with the City of San Diego when received; further, a copy of the completed NOI from the SWRCB showing the permit number for this project shall be filed with the City of San Diego when received.

In addition, the owner(s) and subsequent owner(s) of any portion of the property covered by this grading permit and by SWRCB Order No. 92-08-DWQ, and any subsequent amendments thereto, shall comply with special provisions as set forth in Section C.7 of SWRCB Order No. 92-08-DWQ.

25. Portions of the project are located in the floodplain of Carmel Valley Creek, as delineated on Panel 44 of the Flood Insurance Rate Map (FIRM) for the City of San Diego. These maps are prepared by the Federal Emergency Management Agency (FEMA). In connection with approval of this tentative parcel map:
- a. Any development within the floodplain fringe area will require either the property to be graded to an elevation two feet above the 100-year frequency flood elevation or provide floodproofing of all structures to that same elevation.
 - b. The subdivider shall grant a flowage easement, satisfactory to the City Engineer, over the property within the floodway.
 - c. The subdivider shall enter into an agreement with the City waiving the right to oppose a special assessment initiated for the construction of flood control facilities and their perpetual maintenance.
 - d. The subdivider shall denote on the final map and the improvement plans "Subject to Inundation" for those areas at an elevation lower than the 100-year frequency flood elevation plus one foot.
 - e. The subdivider shall provide slope protection, as required by the City Engineer, where the flow velocity exceeds 5 FPS.
 - f. Permits or exemptions must be obtained from the California Department of Fish and Game and the U.S. Army Corps of Engineers before City permits will be issued for work within the floodplain fringe areas.

In the event that any alteration is done to the floodplain the following shall apply.

- g. No permits shall be issued for grading or other work in the floodplain of Carmel Creek until the subdivider obtains a Conditional Letter of Map Amendment (Conditional LOMA) or Conditional Letter of Map Revision (Conditional LOMR) from FEMA. The request for the Conditional LOMA or Conditional LOMR must be submitted through the Floodplain Management Section of the City of San Diego Engineering and Development Department. The subdivider

must provide all documentation, engineering calculations, and fees which are required by FEMA.


- h. When as-built grading and public improvement plans are available, the subdivider must submit a request for a Final LOMA or Final LOMR to FEMA via the Floodplain Management Section of the City of San Diego Engineering and Development Department. The subdivider must provide all documentation, engineering calculations, and fees which are required by FEMA.
 - i. The bond for this project will not be released until the Final LOMA or Final LOMR is issued by FEMA. The Floodplain Management Section of the City of San Diego Engineering and Development Department will notify the Development Services Division of such issuance as soon as it is informed by FEMA.
 - j. Notes provided by the Floodplain Management Section of the City of San Diego Engineering and Development Department concerning work in designated floodplains shall be included in all grading and improvement plans.
26. No structures shall be permitted in the floodway.
27. Park and Recreation Requirements:
- a. The subdivider shall grant building-restricted and conservation easements over the northerly 300 feet of the subdivision, satisfactory to the Park & Recreation Director.
 - b. All landscaping and brush management shall be in accordance with the *Landscape Technical Manual*.
28. This subdivision is in a Plan Nine Area, designated in the General Plan as Future Urbanizing. As such, special financing plans have been, or will be, established to finance the public facilities required for the plan area.

Therefore, in connection with Council approval of the final map, the subdivider shall comply with the provisions of the financing plan then in effect for this plan area, in a manner satisfactory to the Development Services Director. This compliance shall be achieved by entering into an agreement for the payment of the assessment, paying a Facilities Benefit Assessment (FBA) or such other means as may have been established by the City Council.

FOR INFORMATION:

- This development may be subject to payment of a park fee prior to the filing of the final subdivision map in accordance with San Diego Municipal Code Section 102.0406 et seq. This property is also subject to a building permit park fee in accordance with San Diego Municipal Code Section 96.0401 et seq.
- This development may be subject to payment of School Impact Fees at the time of issuance of building permits, as provided by California Government Code Section 53080(b) (Statutes of 1986, Chapter 887), in accordance with procedures established by the Director of Building Inspection.

- This development may be subject to impact fees, as established by the City Council.
- This tentative parcel map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.

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