

RESOLUTION NUMBER R- 300356

ADOPTED ON APR 19 2005

WHEREAS, Ralph E. and Carol Van De Morere Applicant/Subdivider, and Todd Rockwell, surveyor, submitted an application with the City of San Diego for a Lot Line Adjustment Map, No. 85145, for the elimination of an encroachment between two adjoining lots. The project site is located at 6876 Avenida Andorra north of Via Don Benito in the RS-1-2 zone, Coastal Overlay Zone (non-appealable area), Coastal Height Limit and Parking Impact area, all within the boundaries of the La Jolla Community Plan and is legally described as Lot 61, Muirlands West Unit 2, Map No. 5701 and Parcel 3, Parcel Map No. 17214; and

WHEREAS, the Lot Line Adjustment Map proposes the shift of 970.8 square-feet between two existing previously subdivided lots; and

WHEREAS, the project is exempt from environmental review pursuant to section 15303 (new construction or conversion of small structures) of the California Environmental Quality Act [CEQA]; and

WHEREAS, a preliminary soils and geological reconnaissance report are waived by the City Engineering pursuant to the Subdivision Map Act and section 144.0220 of the Municipal Code of the City of San Diego; and

WHEREAS, on April 19, 2005, the City Council of the City of San Diego considered Lot Line Adjustment Map No. 85145, and pursuant to Land Development Code sections 125.0301 and 144.0330 and Subdivision Map Act section 66412(d), and received for its consideration written and oral presentations, evidence having been submitted, and heard testimony from all

interested parties at the public hearing, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of San Diego, that it adopts the following findings with respect to Lot Line Adjustment Map No. 85145:

1. The proposed subdivision and its design or improvement is consistent with the policies, goals, and objectives of the applicable land use plan (Land Development Code sections 125.0301 and 144.0330 and State Map Action section 66412(d).
2. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code (Land Development Code section 131.0442).
3. The site is physically suitable for the type and density of development (Land Development Code section 131.0420 and State Map Act section 66412(d).
4. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat (Land Development Code section 125.0440.d and State Map Act section 66474(e)).
5. The design of the subdivision or the type of improvements will not be detrimental to the public health, safety, and welfare (Land Development Code section 125.0440.e and State Map Act section 66474(f)).
6. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision (Land Development Code section 125.0440.f and State Map Act section 66474(g)).
7. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (Land Development Code section 125.0440.g and State Map Act section 66473.1).
8. The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources (Land Development Code section 125.0440.h and State Map Act section 66412.3).
9. That said Findings are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that, based on the Findings hereinbefore adopted by the City Council, Lot Line Adjustment Map No. 85145, is hereby granted to RALPH E. AND CAROL VAN DE MOERE, Applicant/Subdivider, subject to the following conditions:

GENERAL

1. This Lot Line Adjustment Map will expire April 19, 2008.
2. Compliance with all of the following conditions shall be assured, to the satisfaction of the City Engineer, prior to the recordation of the Lot Line Adjustment Map, unless otherwise noted.
3. A Lot Line Adjustment Map shall be recorded in the Office of the County Recorder, prior to the Lot Line Adjustment Map expiration date.
4. The Lot Line Adjustment Map shall conform to the provisions of Coastal Development Permit No. 85142 and Planned Development Permit No. 85143.

ENGINEERING

5. Conformance with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, is required. Only those exceptions to the General Conditions which are shown on the tentative map and covered in these special conditions will be authorized.

MAPPING

6. "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).
7. "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."
8. Every Lot Line Adjustment 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. 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.
9. The design of the subdivision shall include private easements, if any, serving parcels of land outside the subdivision boundary or such easements must be removed from the title of the subdivided lands prior to filing any parcel or final map encumbered by these easements.

INFORMATION:

- The approval of this Lot Line Adjustment Map by the City Council of the City of San Diego does not authorize the subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 USC section 1531 *et seq.*).
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Lot Line Adjustment Map, may protest the imposition within 90 days of the approval of this Lot Line Adjustment Map by filing a written protest with the City Clerk pursuant to California Government Code section 66020.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By



Douglas K. Humphreys
Deputy City Attorney

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