

(R-2014-358)

Item: 334
Subitem B
Tues 1/28/14

RESOLUTION NUMBER R- 308728

DATE OF FINAL PASSAGE JAN 28 2014

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING TENTATIVE MAP NO. 675359, VACATION OF A PORTION OF LOCUST STREET PUBLIC RIGHT-OF-WAY LOCATED AT 3045 AND 3115 TENNYSON STREET AND 3044 STERNE STREET, SAN DIEGO, CALIFORNIA (PUBLIC RIGHT-OF-WAY VACATION NO. 675360) – PROJECT NO. 191215.

WHEREAS, Douglas and Lauryn Gates, George Bradford and Alice Grether Saunders, Martha Bradbeer, and the Landon Family Trust, Subdividers, and Christensen Engineering and Surveying, submitted an application to the City of San Diego for a Tentative Map No. 675259 and public right-of-way vacation for the Roseview Tentative Map and Public Right-of-Way Vacation to vacate a portion of Locust Street and a Tentative Map to create two (2) new lots and adjust lot lines to four (4) lots; and

WHEREAS the project site is located at 3045 and 3115 Tennyson Street and a 3044 Sterne Street in the RS-1-7 Zone within the Peninsula Community Plan Area, and within the Coastal Height Limit, Airport Approach, Airport Influence Area, Federal Aviation Administration Part 77 noticing area; and

WHEREAS the property is legally described as that portion of Block 160 of Roseville, according to Map thereof No. 165, and Lot 12 in Block 159 of Roseville according to Map thereof No. 165, and the Southeasterly half of Lot 5 and all of Lot 6 in Block 160 of Roseville, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 305, and Lot 1 in Block 159 of Roseville, according to Map thereof No. 165, filed in the Office of the County Recorder of San Diego County; and

WHEREAS, the Map proposes to subdivide the site to create two (2) new lots adjusting lot lines to four (4) lots; and

WHEREAS, the project complies with the requirements of a preliminary soils and/or geological reconnaissance report pursuant to Subdivision Map Act sections 66490 and 66491(b)-(f) and San Diego Municipal Code section 144.0220; and

WHEREAS, on November 14, 2013, the Planning Commission of the City of San Diego considered Tentative Map No. 675359 and Public Right-of-Way Vacation No. 675360 and pursuant to San Diego Municipal Code section(s) 125.0440, and 125.0430, 125.0941, and Subdivision Map Act section 66499.02, received for its consideration written and oral presentations, evidence having been submitted, and testimony having been heard from all interested parties at the public hearing, and pursuant to Planning Commission Resolution No. 4568-PC, the Planning Commission voted to recommend City Council approval of the map; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego to adopt the following findings with respect to Tentative Map No. 675359:

1. The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan (San Diego Municipal Code § 125.0440(a) and Subdivision Map Action §§ 66473.5, 66474(a), and 66474(b)). The project is proposing a subdivision to create two (2) new lots, adjust lot lines to four (4) lots and vacate a portion of Locust Street located at 3045 and 3115 Tennyson Street and 3044 Sterne Street within the Peninsula Community Plan Area, and within the Coastal Height Limit, Airport Approach, Airport Influence Area, Federal Aviation Administration Part 77 noticing area.

The Peninsula Community Plan designates the project site for single-family residential development. The tentative Map proposes to result in six lots each suitable for single-family development. Therefore, the proposed subdivision and its design or improvements are consistent with the policies, goals and objectives of the applicable land use plan.

2. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code, including any allowable deviations pursuant to the land development code. The project is proposing a subdivision to create two (2) new lots, adjust lot lines to four (4) lots and vacate a portion of Locust Street located at 3045 and 3115 Tennyson Street and 3044 Sterne Street within the Peninsula Community Plan Area, and within the Coastal Height Limit, Airport Approach, Airport Influence Area, Federal Aviation Administration Part 77 noticing area.

The project would comply with all regulations and is requesting no deviations. Per SDMC Section 131.0447, paving and hardscape on single dwelling unit lots located in the RS zones shall be minimized. The applicant has demonstrated that the development will meet the minimum requirements as noted in SDMC Section 131.0447(a) through (c). The proposed Tentative Map has been reviewed and found to be consistent with requirements of the Subdivision Map Act. Therefore, the proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code, including any allowable deviations pursuant to the land development code.

3. The site is physically suitable for the type and density of development (San Diego Municipal Code § 125.0440(c) and Subdivision Map Act §§ 66474(c) and 66474(d)). The project is proposing a subdivision to create two (2) new lots, adjust lot lines to four (4) lots and vacate a portion of Locust Street located at 3045 and 3115 Tennyson Street and 3044 Sterne Street within the Peninsula Community Plan Area, and within the Coastal Height Limit, Airport Approach, Airport Influence Area, Federal Aviation Administration Part 77 noticing area.

The resulting Lots 6, 3, and 4 have single-family residential units. Resulting Lots 1, 2 and 5 are currently vacant. The area surrounding the project site is comprised of single-family residential development. Although the site is sloping from west to east it has been found to be suitable for development. A site visit by staff determined that there is no sensitive biological resources onsite. The site does not provide a wildlife corridor, is not located within or adjacent to the City of San Diego's Multi-Habitat Planning Area or have wetlands. Therefore, the site is physically suitable for the type and density of development.

4. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat (San Diego Municipal Code § 125.0440(d) and Subdivision Map Act § 66474(e)). The project is proposing a subdivision to create two (2) new lots, adjust lot lines to four (4) lots and vacate a portion of Locust Street located at 3045 and 3115 Tennyson Street and 3044 Sterne Street within the Peninsula Community Plan Area, and within the Coastal Height Limit, Airport Approach, Airport Influence Area, Federal Aviation Administration Part 77 noticing area.

The project site is located in a developed urban area, there are no water courses on site and the site is not located adjacent to or within the City of San Diego's Multi-Habitat Planning Area and contains no wetlands. The project site could have a significant environmental effect on paleontological resources. The site is underlain by fill and under the fill lays the Cabrillo Formation. According to City of San Diego Significance Thresholds this formation has moderate resource potential and monitoring is required for grading exceeding 10 feet in depth and 2,000 cubic yards of excavation. However, mitigation measures included in the Mitigation, Monitoring and Reporting Program for the project would ensure that no impacts would occur. The measures include pre-construction meetings, during-construction monitoring and post-construction reporting. Therefore, the design of the subdivision or the proposed improvement are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

5. The design of the subdivision or the type of improvement will not be detrimental to the public health, safety, and welfare (San Diego Municipal Code § 125.0440(e) and Subdivision Map Act § 66474(f)). The project is proposing a subdivision to create two (2) new lots, adjust lot lines to four (4) lots and vacate a portion of Locust Street located at 3045 and 3115 Tennyson Street and 3044 Sterne Street within the Peninsula Community Plan Area, and within the Coastal Height Limit, Airport Approach, Airport Influence Area, Federal Aviation Administration Part 77 noticing area.

The project will be required to widen and improve Sterne Street along the project's frontage and provide City of San Diego Standard pavement and five-foot sidewalk. This will provide for driver and pedestrian safety as well as proper drainage. Therefore, the design of the subdivision or the type of improvement will not be detrimental to the public health, safety, and welfare.

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 (San Diego Municipal Code § 125.0440(f) and Subdivision Map Act § 66474(g)). The project is proposing a subdivision to create two (2) new lots, adjust lot lines to four (4) lots and vacate a portion of Locust Street located at 3045 and 3115 Tennyson Street and 3044 Sterne Street within the Peninsula Community Plan Area, and within the Coastal Height Limit, Airport Approach, Airport Influence Area, Federal Aviation Administration Part 77 noticing area.

No easements have been acquired by the public at large for access through or use of the project property within the subdivision. Therefore, 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.

7. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (San Diego Municipal Code § 125.0440(g) and Subdivision Map Act § 66473.1). The project is proposing a subdivision to create two (2) new lots, adjust lot lines to four (4) lots and vacate a portion of Locust Street located at 3045 and 3115 Tennyson Street and 3044 Sterne Street within the Peninsula

Community Plan Area, and within the Coastal Height Limit, Airport Approach, Airport Influence Area, Federal Aviation Administration Part 77 noticing area.

The proposed subdivision would not impede or inhibit any future passive or natural heating and cooling opportunities. Each structure would have the opportunity through building materials, site orientation, architectural treatments, placement and selection of plant materials to provide to the maximum extent feasible for future passive or natural heating and cooling opportunities. Therefore, the design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

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 (San Diego Municipal Code § 125.0440(h) and Subdivision Map Act § 66412.3). The project is proposing a subdivision to create two (2) new lots, adjust lot lines to four (4) lots and vacate a portion of Locust Street located at 3045 and 3115 Tennyson Street and 3044 Sterne Street within the Peninsula Community Plan Area, and within the Coastal Height Limit, Airport Approach, Airport Influence Area, Federal Aviation Administration Part 77 noticing area.

The project could result in two additional lots for single-family residential development. The project site is located in a developed urban area, there are no water courses on site and the site is not located adjacent to or within the City of San Diego's Multi-Habitat Planning Area and contains no wetlands. The project site could have a significant environmental effect on paleontological resources. The site is underlain by fill and under the fill lays the Cabrillo Formation. According to City of San Diego Significance Thresholds this formation has moderate resource potential and monitoring is required for grading exceeding 10 feet in depth and 2,000 cubic yards of excavation. However, mitigation measures included in the Mitigation, Monitoring and Reporting Program for the project would ensure that no impacts would occur. The measures include pre-construction meetings, during-construction monitoring and post-construction reporting. The Planning Commission has reviewed the administrative record, including project plans, environmental documentation and heard public testimony to determine the effects of the proposed subdivision on the housing needs of the region and has found that those needs are balanced against the needs for public services and the available fiscal and environmental resources finding that the addition of three lots for private development is consistent with the housing needs anticipated for the Peninsula planning area.

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

BE IT FURTHER RESOLVED, that portions of Locust Street, located within the project boundaries as shown in Tentative Map No.675359 shall be vacated, contingent upon the

recording of the approved Final Map for the project, and that the following findings are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference:

1. There is no present or prospective use for the public right-of-way, either for the purpose for which it was originally acquired, or for any other public use of a like nature that can be anticipated. (San Diego Municipal Code § 125.0941(a)). The project is proposing a subdivision to create two (2) new lots, adjust lot lines to four (4) lots and vacate a portion of Locust Street located at 3045 and 3115 Tennyson Street and 3044 Sterne Street within the Peninsula Community Plan Area, and within the Coastal Height Limit, Airport Approach, Airport Influence Area, Federal Aviation Administration Part 77 noticing area.

The portion of Locust Street to be vacated is vacant land and is not contemplated for any future public street access or use. The vacation is located in between two dead-end streets on sloping terrain. Tennyson Street terminates at the end of the extension of Locust Street and Sterne Street terminates one block west of locust Street. The portion of Locust Street to be vacated is on relatively sloped land and, as such, it is not anticipated that this segment will be necessary for any future extension or for any other purpose. Therefore, there is no present or prospective use for the public right-of-way, either for the purpose for which it was originally acquired, or for any other public use of a like nature that can be anticipated.

2. The public will benefit from the vacation through improved use of the land made available by the vacation. (San Diego Municipal Code § 125.0941(b)). The project is proposing a subdivision to create two (2) new lots, adjust lot lines to four (4) lots and vacate a portion of Locust Street located at 3045 and 3115 Tennyson Street and 3044 Sterne Street within the Peninsula Community Plan Area, and within the Coastal Height Limit, Airport Approach, Airport Influence Area, Federal Aviation Administration Part 77 noticing area.

The proposed vacation will allow a currently vacant area located between Tennyson and Sterne Streets to be developed with three additional single family residences eliminating a neighborhood nuisance. Trash collects at the site and the property is misused, creating unsightly and unsafe conditions for the neighborhood. Therefore, the public will benefit from the vacation through improved use of the land made available by the vacation.

3. The vacation does not adversely affect any applicable land use plan. (San Diego Municipal Code § 125.0941(c)). The project is proposing a subdivision to create two (2) new lots, adjust lot lines to four (4) lots and vacate a portion of Locust Street located at 3045 and 3115 Tennyson Street and 3044 Sterne Street within the Peninsula Community Plan Area, and within the Coastal Height Limit, Airport Approach, Airport Influence Area, Federal Aviation Administration Part 77 noticing area.

The proposed vacation will permit development of two additional single-family residences in an area zoned RS-1-7 and which the Peninsula Community Plan designates for single-family residential development. Therefore, by vacating the excess right-of-way, the project would allow for development that is consistent with the underlying zone and the community plan. Therefore, the vacation does not adversely affect any applicable land use plan.

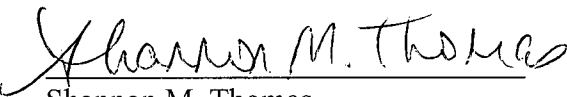
4. **The public facility for which the right-of-way was originally acquired will not be detrimentally affected by this vacation. (San Diego Municipal Code § 125.0941(d)).** The project is proposing a subdivision to create two (2) new lots, adjust lot lines to four (4) lots and vacate a portion of Locust Street located at 3045 and 3115 Tennyson Street and 3044 Sterne Street within the Peninsula Community Plan Area, and within the Coastal Height Limit, Airport Approach, Airport Influence Area, Federal Aviation Administration Part 77 noticing area.

As currently built, Locust Street provides public vehicular access on a relatively flatter portion of the area. Residents are able to access the westerly dead-end portion of Tennyson Street from Rosecrans Street. In addition, both left and right turns are allowed from Tennyson Street turning onto Rosecrans Street. Due to the steeper terrain through the portion of the project site, the extension of Locust Street is not anticipated. Therefore, the public facility for which the right-of-way was originally acquired will not be detrimentally affected by this vacation.

BE IT FURTHER RESOLVED, that said portion Locust Street shall be vacated contingent upon a general utility easement reservation being provided as shown on Tentative Map No. 675359.

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the City Council, Tentative Map No. 675359, and Public Right of Way Vacation /are hereby granted to Douglas and Lauryn Gates, George Bradford and Alice Grether Saunders, Martha Bradbeer, and the Landon Family Trust subject to the attached conditions which are made a part of this resolution by this reference.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Shannon M. Thomas
Deputy City Attorney

SMT:als
11/27/13
Or.Dept:DSD
Doc. No.: 680463

Attachment: Conditions to Tentative Map No. 675359

CONDITIONS FOR TENTATIVE MAP NO. 675359

ROSEVIEW - PROJECT NO. 191215 MMRP

ADOPTED BY RESOLUTION NO. R- **308728** ON JAN 28 2014

GENERAL

1. This Tentative Map will expire on JAN 28 2017
2. Compliance with all of the following conditions shall be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordation of the Final Map unless otherwise noted.
3. Prior to the recordation of the Final Map, taxes must be paid on this property pursuant to Subdivision Map Act section 66492. To satisfy this condition, a tax certificate stating that there are no unpaid lien conditions against the subdivision must be recorded in the Office of the San Diego County Recorder.
4. The Final Map shall conform to the provisions of Tentative Map No. 675359.
5. The Subdivider shall defend, indemnify, and hold the City (including its agents, officers, and employees [together, "Indemnified Parties"]) harmless from any claim, action, or proceeding, against the City and/or any Indemnified Parties to attack, set aside, void, or annul City's approval of this project, which action is brought within the time period provided for in Government Code section 66499.37. City shall promptly notify Subdivider of any claim, action, or proceeding and shall cooperate fully in the defense. If City fails to promptly notify Subdivider of any claim, action, or proceeding, or if City fails to cooperate fully in the defense, Subdivider shall not thereafter be responsible to defend, indemnify, or hold City and/or any Indemnified Parties harmless. City may participate in the defense of any claim, action, or proceeding if City both bears its own attorney's fees and costs, City defends the action in good faith, and Subdivider is not required to pay or perform any settlement unless such settlement is approved by the Subdivider.

AIRPORT

6. Prior to recordation of the Final Map the Subdivider shall provide a valid "Determination of No Hazard to Air Navigation" issued by the Federal Aviation Administration [FAA].

ENGINEERING

7. Compliance with all conditions shall be assured, to the satisfaction of the City Engineer, prior to the recordation of the Tentative Map, unless otherwise noted.
8. The Subdivider shall obtain an Encroachment Maintenance and Removal Agreement for the retaining wall and curb outlet located within Stern Street right-of-way.

9. The drainage system proposed for this development, as shown on the site plan, is subject to approval by the City Engineer.
10. The Subdivider shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to the requirements of the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.
11. The subdivider shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.
12. The Subdivider shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the Municipal Code, into the construction plans or specifications.
13. The Subdivider shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Appendix E of the City's Storm Water Standards.
14. The Subdivider shall incorporate and show the type and location of all post construction Best Management Practices (BMP's) on the final construction drawings, consistent with the approved Water Quality Technical Report.
15. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
16. The Subdivider shall ensure that all existing onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The Subdivider shall provide written confirmation from applicable utilities that the conversion has taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.
17. 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. 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. RR-297376.

MAPPING

18. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source shall be the California Coordinate System, Zone 6, North American Datum of 1983 [NAD 83].
19. "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."

20. The 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. 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.

WASTEWATER

21. The Subdivider shall obtain an Encroachment Maintenance and Removal Agreement (EMRA) for, and prior to, proposed improvements of any kind, including utilities, drainage facilities, landscaping, enhanced paving, and electrical conduits to be installed within the public right of way or easement.
22. The Subdivider shall design and construct all proposed public sewer facilities to the most current edition of the City of San Diego's Sewer Design Guide.
23. All proposed private sewer facilities located within a single lot are to be designed to meet the requirements of the California Uniform Plumbing Code and will be reviewed as part of the building permit plan check.
24. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any sewer facilities.

WATER

25. The Subdivider shall assure, by permit and bond, the design and construction of new water services outside of any driveway, and the removal of all existing unused services, within the right-of-way adjacent to the project site, in a manner satisfactory to the Director of Public Utilities and the City Engineer.
26. The Subdivider shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Director of Public Utilities and the City Engineer. BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way.

27. Prior to the issuance of any certificates of occupancy, all public water facilities shall be complete and operational in a manner satisfactory to the Director of Public Utilities and the City Engineer.
28. The Owner/Permittee shall design and construct all proposed public water facilities, in accordance with established criteria in the current edition of the City of San Diego Water Facility Design Guidelines and City regulations, standards and practices.

GEOLOGY

29. Prior to the issuance of a grading permit, the Subdivider shall submit a geotechnical report prepared in accordance with the City of San Diego's "Guidelines for Geotechnical Reports," satisfactory to the City Engineer.
30. The Owner/Permittee shall submit a geotechnical investigation report that specifically addresses the proposed construction plans. The geotechnical investigation report or update letter shall be reviewed for adequacy by the Geology Section of Development Services prior to the issuance of any construction permit.

TRANSPORTATION

31. A minimum of 12 automobile spaces are required by the Land Development Code. All on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the Development Services Director.
32. The applicant shall widen and improve Sterne Street along the project's frontage to 34 feet with City standard pavement and 5 feet of sidewalk, satisfactory to the City Engineer.
33. The applicant shall construct City standard curb height, gutter and sidewalk along the project's frontage on Sterne Street, satisfactory to the City Engineer.
34. The applicant shall construct 20' wide driveway off Sterne Street serving Lot 1, Lot 2 and Lot 5, satisfactory to the City Engineer.
35. The applicant shall construct a turnaround area at the northern end of Sterne Street, satisfactory to the City Engineer.
36. The applicant shall provide 10' visibility triangle areas on both sides of the driveway along the property line on Sterne Street. No obstacles higher than 36" shall be located within the visibility areas e.g. landscape, hardscape, walls, embankment, shrubs.etc.
37. The applicant shall obtain an Encroachment Maintenance and Removal Agreement for the retaining wall, non-standard driveway, curb and curb outlet located within Sterne Street right-of-way.

ENVIRONMENTAL

38. The applicant shall comply with the MMRP as specified in MITIGATED NEGATIVE DECLARATION NO. 191215 to the satisfaction of the Development Services Department and the City Engineer. Prior to issuance of any construction permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for the following issue areas: **Paleontological Resources.**

INFORMATION:

- The approval of this Tentative 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 § 1531 et seq.).
- If the Subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), the Subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design guides and City regulations, standards and practices pertaining thereto. Off-site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.
- Subsequent applications related to this Tentative Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of Tentative Map, may protest the imposition within ninety days of the approval of this Tentative Map by filing a written protest with the San Diego City Clerk pursuant to Government Code sections 66020 and/or 66021.
- Where in the course of development of private property, public facilities are damaged or removed, the Subdivider shall at no cost to the City, obtain the required permits for work in the public right-of-way, and repair or replace the public facility to the satisfaction of the City Engineer (San Diego Municipal Code § 142.0607).

Passed by the Council of The City of San Diego on JAN 28 2014, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherrri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Date of final passage JAN 28 2014

(Please note: When a resolution is approved by the Council President as interim Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA, COUNCIL PRESIDENT
as interim Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- **308728**