

Item 201-5/23/2016

(R-2016-605)

Sub item 'A'

RESOLUTION NUMBER R- 310483

DATE OF FINAL PASSAGE MAY 23 2016

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING TENTATIVE MAP NO. 1531480 FOR THE WOODMAN COURT PROJECT – PROJECT NO. 435473.

WHEREAS, INFILL DEVELOPMENT LLC., Subdivider, and POLARIS ENGINEERING, Engineer, submitted an application to the City of San Diego for a Tentative Map No. 1531480 for the construction of twenty single-family dwelling units, four non-buildable lots and the vacation of two existing easements on the project site (including portions of an existing storm drain and sewer utility easement, and a general utility easement). The 2.9-acre site is located at 345 Woodman Street, on the east side of Woodman Street, south of Skyline Drive in the RS-1-7 Zone of the Skyline-Paradise Hills Community Plan. The project site is legally described as Lots 7 and 8 of Skyline Park, Map No 11304, San Diego County; and

WHEREAS, the Map proposes the Subdivision of a 2.9-acre site from two lots into 24 lots; and

WHEREAS, on March 11, 2016, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act [CEQA] (Public Resources Code section 21000 et. seq.) under CEQA Guideline Section 15332 (In-Fill Development Projects); and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520; 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 April 7, 2016, the Planning Commission of the City of San Diego considered Tentative Map No. 1531480 and 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; and

WHEREAS, on MAY 23 2016, the City Council of the City of San Diego considered Tentative Map No. 1531480 and an Easement Vacation pursuant to San Diego Municipal Code section 125.0440 and Subdivision Map Act section 66428, 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 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 Tentative Map No. 1531480:

**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 City of San Diego General Plan and the Skyline/Paradise Hills Community Plan designate the site for single-family residential development at a low density of 0-10 du/ac. The project proposes the subdivision of a vacant 2.9-acre site to create 24 new lots (includes four non-buildable lots and the partial vacation of existing water and storm drain easements) for the

construction of 20 new single-family homes. The proposed 20 dwelling units would create a density of 7 du/ac, which is consistent with the land use designation and density range for the site as recommended by the Skyline-Paradise Hills Community Plan. Single-family residential development is the primary existing land use of the immediate neighborhood. The project will be compatible with the appearance of the existing neighborhood and will incorporate façade, articulation, and architectural details similar in scale, color and appearance of the existing neighborhood.

The project would be consistent with the General Plan Noise Element Table NE-3 Land Use – Noise Compatibility Guidelines which indicates residential projects should be conditionally consistent with exterior noise levels up to 70 decibels and would require indoor noise attenuation to achieve a 45-decibel interior noise level. Based on the lack of major noise sources in proximity to the project, the project would be compatible with the noise levels at the site and would be able to provide the required indoor noise attenuation using standard construction methods to meet the noise compatibility standards.

The General Plan's Conservation Element includes a goal for San Diego to become a city that is an international model of sustainable development and conservation. Policy CE-A.5 recommends that the construction and operation of new development employ sustainable or "green" building techniques. This project will be Energy Star rated through the California Advanced Homes Program (CAHP). This program ensures that the homes utilize energy-efficient appliances, equipment and building materials. Homes that pass the CAHP inspection process exceed Title 24 Building Code standards for energy efficiency by at least 15 percent, resulting in lower utility bills and a healthier, energy-efficient home for new homebuyers as well as reducing environmental pollution and use of natural resources. Benefits include heating ventilation and air conditioners that are engineered for proper size and air distribution for lower utility bills, a quieter living environment due to tight construction, better windows and improved insulation.

The homes will be verified by a third-party inspection and testing process to ensure that they meet the CAHP guidelines and homebuyers will receive a Certified Green Home Certificate. The certificate verifies the home was built to CAHP standards and may add value at time of resale. In addition to being Energy Star rated, the homes will be solar panel ready. Along with the in-home sustainable features, there will be sustainable features incorporated into the landscape and common areas. This includes bio-retention drainage control, permeable paving surfaces and shade trees. All landscape will be drought tolerant. In addition, the project provides a variety of sustainable features and will support the General Plan's Conservation Element by utilizing energy efficient equipment and lighting, low flow toilets and water fixtures.

The Skyline/Paradise Hills Community Plan contains a section on General Plan conformance and identifies goals for residential development. One goal emphasizes the maintenance and enhancement of existing stable residential neighborhoods, which is consistent with the General Plan objectives for older communities which stresses the preservation of established communities, the conservation of the social-environmental characteristics of the community and the rehabilitation of deteriorating neighborhoods. The proposal will implement this guideline through a design that respects the existing two-story, pitched roof character of the surrounding community, which also utilizes a cul-de-sac development configuration. The project will not be

in conflict with the General Plan and will not adversely affect the Skyline Paradise Hills Community 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. (San Diego Municipal Code § 125.0440(b)).** The project incorporates eight deviations to the development regulations including minimum lot size, minimum lot width, minimum lot depth, minimum street frontage, minimum front and rear setbacks, driveway length and lots fronting on a public street. The eight requested deviations are described in detail below:

SAN DIEGO MUNICIPAL CODE REGULATIONS	LOT SIZE	LOT WIDTH	LOT DEPTH	STREET FRONTAGE	FRONT YARD SETBACK	REAR YARD SETBACK	DRIVEWAY LENGTH	PROPOSED SUBDIVISION LOTS NOT FRONTING ON A PUBLIC STREET
<b>Required</b>	5,000-sq. ft. minimum	50 ft. minimum	95 ft. minimum	50 ft. minimum on public street	15 ft. minimum	13 ft. minimum	20 ft. minimum	All lots are required to front on a public street
<b>Proposed</b>	2,961-4,973 sq. ft.	42 ft.	60 – 80 ft.	1, 3 -19 are 42 ft.	10 ft.	10 & 12 ft.	18 ft.	10 lots have no public street frontage
<b>Lots Affected</b>	2 -13, 15 -20	3 -14, 16 -19	1-11,15, 19 & 20	12, 13, 16, 17, 18, 19	20	16 & 20	17,18,19 & 20	2-11

Due to the unusual shape of the property and the existence of a storm drain across the project site, the standard development regulations are difficult to implement. The purpose of the Planned Development Permit is to establish a review process for development that allows an applicant to request greater flexibility from the strict application of the regulations than would be allowed through a deviation process. The intent is to encourage imaginative and innovative planning and to assure that the development achieves the purpose and intent of the applicable land use plan and that it would be preferable to what would be achieved by strict conformance with the regulations. The proposed development is consistent with the design standards of the Planned Development Permit Ordinance which requires a comparative analysis of the surrounding development, open space requirements and conformance to the community plan. The property is constrained due to a topographical change in elevation of 59 feet across the project site and because of its irregular shape.

Due to the unusual shape of the property and the existence of a storm drain across the project site, the standard development regulations are difficult to implement. The proposed deviations are supported by staff based upon the overall design of the project. If approved the project would provide market rate housing along with all necessary public improvements, including relocation of the existing sewer drain to provide better accessibility. When considered as a whole, the added housing units will provide opportunities for home ownership to moderate income families in quality housing, with adequate water/sewer facilities and improved streets. The project is providing increased private open space and the added benefit to the community of new housing, replacing a vacant site that has been used for dumping in previous years. In

addition, the project incorporates front porches where neighborhood interaction will be encouraged.

The proposed development is consistent with the design standards of the Planned Development Permit Ordinance which requires a comparative analysis of the surrounding development, open space requirements and conformance to the community plan. The deviations were analyzed by staff to determine consistency with the goals and recommendations of the community plan and the purpose and intent of the Planned Development Permit ordinance. The proposed deviations will not adversely affect the City of San Diego General Plan or the Skyline-Paradise Hills Community Plan and the deviations are allowed with approval of a Planned Development Permit.

**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 site is physically suitable for the type and density of development. The Skyline-Paradise Hills Community Plan identifies the project site as an area designated for single-family residential development at a low density of (0-10 du/ac). The 2.90 acre site could accommodate 29 dwelling units on the site, so, at 20 dwelling units, the proposal is within the allowed density range and the site is suitable for the proposed project. The project site will be served by existing utilities and fronts on a developed public right-of-way. Currently undeveloped, the 2.9-acre property is comprised of two parcels and was previously graded in 2004 (PTS No. 23421; Drawing No. 32864-D). Existing contours of the project site slope from the north to the south, with a high elevation of 374 feet Above Mean Sea Level (AMSL) in the northwest corner, and a low elevation of 315 feet AMSL in the southeast corner. In addition, the width of the site ranges from 73 linear feet at the narrowest point to 243 linear feet at its widest point. The site is physically suitable for the single-family residential development at low density.

The project requires a Process 5 easement vacation to vacate two existing easements on the project site, including portions of an existing storm drain and sewer utility easement and a general utility easement. A Process 4 Planned Development Permit (PDP) is required to allow the project to deviate from the development regulations of the RS-1-7 Zone. In addition, the project requires a Tentative Map to subdivide the property into 24 lots (20 lots will accommodate new single-family homes and 4 lots will accommodate open space and the new private street).

**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 City of San Diego, as Lead Agency, through the Development Services Department, conducted an environmental review of this site in accordance with the State of California Environmental Quality Act (CEQA) Guidelines. The project was determined to be exempt pursuant to CEQA Guidelines Section 15332 (In-Fill Development Projects). This project will not result in new significant impacts or substantial changed circumstances to the environment. The proposed development occurs within city limits and is substantially surrounded by similar development. The project site has no value as habitat for endangered, rare or threatened species. The site does not contain and is not adjacent to the MHPA, environmentally sensitive lands or other areas that would support fish or wildlife since there is

no habitat present. A Stormwater Quality Management Plan and a Drainage Study were prepared for the proposed project and Best Management Practices (BMPs) necessary to minimize the impacts of surface water runoff are included in the project design.

**5. The design of the subdivision or the type of improvement will not detrimental to the public health, safety, and welfare. (San Diego Municipal Code § 125.0440(e) and Subdivision Map Act § 66474(f)).** The approval for this project includes various conditions and referenced exhibits of approval relevant to achieving project compliance with the applicable regulations of the San Diego Municipal Code in effect for this subdivision and improvements. Such conditions have been determined by the decision maker as necessary to avoid adverse impacts upon the public health, safety and welfare. Further, the applicant is required to abide by all relevant Federal, State and Local regulations, including building regulations. Therefore, the design of the subdivision and the type of improvements 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 site does contain public easements within the project boundaries as shown on Tentative Map No. 1531480. The project is requesting the vacation of two existing public easements (including portions of an existing storm drain and sewer utility easement, and a general utility easement) and will incorporate two new easements on the project site (a new private general utility, emergency vehicular access and private driveway easement, and a 25 foot wide public drainage easement). The project will relocate a portion of an existing storm drain pipe from the east side of the property into the new private cul-de-sac known as Woodman Court and the relocation will allow City crews better access for any possible break or breaches. As such, no conflict will occur with the recording of the subdivision and therefore no conflict would negatively affect any easements acquired by the public at large.

**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 proposed project will not impede or inhibit any future passive or natural heating and cooling opportunities. During the construction of the proposed single-family dwelling units caution will be taken to ensure the best use of the land, by minimized grading and by providing for natural light to permeate through the windows of the residences. In addition, the potential and opportunity exists to incorporate sustainable building techniques that utilize photovoltaic systems (solar panels) to generate a portion of the project energy needs. Each dwelling unit has the opportunity to perform remodels through the building permit process, which would include building materials, placement and selection of plant materials to provide, 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).** Served by existing utilities, and fronting on developed public right-of-way, the Woodman Court project proposes to subdivide a

vacant 2.9-acre site and construct twenty new single-family homes. The site is located in the RS-1-7 zone of the Bay Terraces neighborhood of the Skyline-Paradise Hills Community Plan area. The 2.9-acre site is identified in the Skyline-Paradise Hills Community Plan as an area designated for single-family residential development at a low density (0-10 du/ac). The San Diego Housing Commission reviewed the project on April 12, 2016, and the project is conditioned to comply with the Inclusionary Housing Ordinance at the time of building permit issuance or prior to the filing of the final map. Balanced needs for public facilities were taken into consideration with the development of the Skyline-Paradise Hills Community Plan and the project is consistent with the density in the community plan. Therefore, approval of the tentative map will not impact the housing needs within the region, and those needs are balanced against the needs for public services and available fiscal and environmental resources.

**9. There is no present or prospective use for the easement, either for the facility or 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 § 125.1040(a)).** The project proposes to vacate two existing public easements on the project site (including portions of an existing storm drain and sewer utility easement, and a general utility easement). The project incorporates two new easements, including a private general utility, emergency vehicular access and private driveway easement, and a 25 foot wide public drainage easement. The project will relocate a portion of an existing storm drain on the east side of the property into the new private cul-de-sac known as Woodman Court, and will connect with existing storm drain facilities on the south portion of the site. New private water and sewer utilities will also be placed in Woodman Court. The existing public easements to be vacated were acquired for the purposes of maintaining a public drainage system to serve the needs of the neighborhood and for providing the site with general utilities, and these existing easements to be vacated are no longer necessary. The proposed project will provide new replacement easements to accommodate the relocated public storm drain, and appropriate general utilities, emergency vehicle and private driveway access for the development.

**10. The public will benefit from the abandonment through improved utilization of the land made available by the abandonment. (San Diego Municipal Code § 125.1040(b)).** The 2.9-acre project site is presently limited by the existence of the public easements in that the property may not develop or place new buildings over the area of the existing easements. Without vacation of the existing easements, the area of land available for the new development is constrained. With the construction of new facilities to lie within new easements, the land areas of the present easements have no public benefit. The public will benefit from the vacations by allowing the property owner to further improve their private property as a residential development in the community, reducing the area of public easement on private property, and thus reducing City liability.

**11. The abandonment is consistent with any applicable land use plan. (San Diego Municipal Code § 125.1040(c)).** The City of San Diego Progress Guide and General Plan and Skyline-Paradise Hills Community Plan designate the site for very low density residential land use of 0-10 du/ac. The Woodman Court project proposes to subdivide a vacant 2.9-acre site into 24 lots to accommodate the construction of 20 new single-family dwelling units (and four non-buildable lots to be used for open space and the new private street) and the vacation of two existing public easements on the project site (including portions of an existing storm drain and

sewer utility easement, and a general utility easement). The project density is 7 du/ac. The proposed easement vacations will accommodate development of the project and do not conflict with the policies of the City of San Diego General Plan or the Skyline-Paradise Hills Community Plan.

**12. The public facility or purpose for which the easement was originally acquired will not be detrimentally affected by this abandonment or the purpose for which the easement was acquired no longer exists. (San Diego Municipal Code § 125.1040(d)).** The project proposes to vacate two existing public easements on the project site (including portions of an existing storm drain and sewer utility easement, and a general utility easement). The project incorporates two new easements, including a private general utility, emergency vehicular access and private driveway easement, and a 25 foot wide public drainage easement. The project will relocate a portion of an existing storm drain on the east side of the property into the new private cul-de-sac known as Woodman Court, and will connect with existing storm drain facilities on the south portion of the site. New private water and sewer utilities will also be placed in Woodman Court. The existing public easements to be vacated were acquired for the purposes of maintaining a public drainage system to serve the needs of the neighborhood and for providing the site with general utilities, and these existing easements to be vacated are no longer necessary. The proposed project will provide new replacement easements to accommodate the relocated public storm drain, and appropriate general utilities, emergency vehicle and private driveway access for the development.

The location of the new drainage easement will improve the level of access and service to the public drainage system which is the purpose for which the easement was originally acquired. Providing reasonable public storm water drainage in the Skyline-Paradise Hills Community Planning Area will continue under the proposed project.

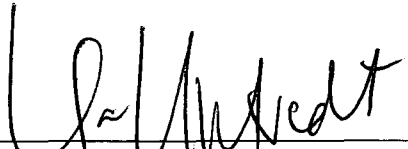
The above findings are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that portions of an existing storm drain and sewer utility easement and a general utility easement located within the project boundaries as shown in Tentative Map No. 1531480 shall be vacated, contingent upon the recordation of the approved Final Map for the project;



BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the City Council, Tentative Map No. 1531480 is hereby granted to INFILL DEVELOPMENT LLC. subject to the attached conditions which are made a part of this resolution by this reference.

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Inga B. Lintvedt  
Deputy City Attorney

IBL: mm  
May 6, 2016  
Or.Dept: DSD  
Doc. No.: 1283253

Attachment: Tentative Map Conditions

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of \_\_\_\_\_.

ELIZABETH S. MALAND  
City Clerk

By \_\_\_\_\_  
Deputy City Clerk

Approved: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

CITY COUNCIL  
CONDITIONS FOR TENTATIVE MAP NO. 1531480  
**WOODMAN COURT PROJECT NO. 435473**

ADOPTED BY RESOLUTION NO. R-310483 ON MAY 23 2016

**GENERAL**

1. This Tentative Map will expire MAY 23 2019.
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 Tentative Map shall conform to the conditions of Planned Development Permit No. 1523467.
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.

**AFFORDABLE HOUSING**

6. Prior to receiving the first residential building permit or recordation of the final map, whichever shall first occur, Owner/Permittee shall comply with the provisions of Chapter 14, Article 2, Division 13 of the San Diego Municipal Code ("Inclusionary Affordable Housing Regulations") by performing one of the following, at the Owner's/Permittee's sole election:

## ATTACHMENT 7

- a. Payment to the City of San Diego of the full Inclusionary Affordable Housing Fee as set forth in the Inclusionary Affordable Housing Regulations; or
- b. Enter into an agreement with the San Diego Housing Commission, secured by a performance deed of trust, to provide at least 10% of the total units at the project as affordable to households earning at or below 100% of area median income in compliance with the Inclusionary Affordable Housing Regulations. The agreement shall provide that the affordable units must be offered for sale within 1 month from the date the project received a certificate of occupancy and that the Owner/Permittee shall diligently pursue the sale of such affordable units until all affordable units have been sold. If the affordable units are not offered for sale and/or sale is not diligently pursued by the Owner/Permittee, Owner/Permittee shall pay the Inclusionary Affordable Housing Fee for the entire project to the San Diego Housing Commission, upon notice, based upon the rate in effect at the time the first building permit was issued, plus interest at the legal rate to the date of payment. The agreement, secured by a performance deed of trust, shall be executed before the issuance of the first residential building permit or the recordation of the final map, whichever shall first occur, in a form as approved by the San Diego Housing Commission and its General Counsel, and the Agreement shall provide that time is of the essence in marketing the affordable units; or
- c. Enter into agreements satisfactory to the President & Chief Executive Officer, or designee, of the San Diego Housing Commission, that ensures that the inclusionary exemption conditions of San Diego Municipal Code Section 142.1303(b) are complied with in the sale of each exempted unit within the development. If the Owner/Permittee is unable to fulfill the requirements of this Section, the Inclusionary Regulations will be applied to the units that would have been exempted and the Owner/Permittee shall pay the then current and full Inclusionary Affordable Housing Fee as set forth in the Inclusionary Housing Regulations, or make an election to provide 10% of the total units in the development as For-Sale Affordable Housing Units as set forth in paragraph b, above.

### **ENGINEERING**

7. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
8. The Subdivider shall ensure that all existing and proposed 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.

9. The Subdivider shall comply with all current street lighting standards according to the City of San Diego Street Design Manual (Document No. 297376, filed November 25, 2002) and the amendment to Council Policy 200-18 approved by City Council on February 26, 2002 (Resolution R-296141) satisfactory to the City Engineer. This may require (but not be limited to) installation of new street light(s), upgrading light from low pressure to high pressure sodium vapor and/or upgrading wattage.
10. Whenever street rights-of-way are required to be dedicated, it is the responsibility of the Subdivider to provide the right-of-way free and clear of all encumbrances and prior easements. The subdivider must secure "subordination agreements" for minor distribution facilities and/or "joint-use agreements" for major transmission facilities.
11. The Subdivider shall provide a letter, agreeing to prepare CC&Rs for the operation and maintenance of all private water and sewer facilities that serve or traverse more than a single condominium unit or lot.
12. 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 Public Utilities Director 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.
13. 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**

14. "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].
15. "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."
16. The Tentative 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 First Order accuracy. 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/WATER**

17. All public water and sewer facilities are to be in accordance with the established criteria in the most current City of San Diego Water and Sewer Design Guides.
18. All proposed private water and 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.
19. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any sewer facilities and five feet of any water facilities.

**GEOLOGY**

20. 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.
21. The Owner/Permittee shall submit a geotechnical investigation report or update letter that specifically addresses the proposed construction plans. The geotechnical investigation report or update letter shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to issuance of any construction permits.
22. The Owner/Permittee shall submit an as-graded geotechnical report prepared in accordance with the City's "Guidelines for Geotechnical Reports" following completion of the grading. The as-graded geotechnical report shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to exoneration of the bond and grading permit close-out.

**LANDSCAPE/BRUSH MANAGEMENT**

23. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, consistent with the Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other

approved entity. All required landscape shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted unless specifically noted in this Permit.

24. Prior to issuance of any engineering permits for right-of-way improvements, the Owner/Permittee shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall show, label, and dimension a 40 sq-ft area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.
25. Any existing landscape to remain, as indicated on the approved plans, that is damaged during construction shall be replaced in kind to the satisfaction of the Development Services Department within 30 days of damage or final inspection.
26. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees. In the event that the Landscape Plan and the Public Improvement Plan conflict, the Public Improvement Plan shall be revised to be consistent with the Landscape Plan such that landscape areas are consistent with the Exhibit 'A' Landscape Development Plan.

**TRANSPORTATION**

27. Prior to the issuance of the first construction permit, the owner/permittee shall assure by permit and bond construction of center raised median (2 to 14 feet wide) on Woodman Street, and re-striping Woodman Street along its entire frontage with any needed transition to the south as shown on Exhibit "A", satisfactory to the City Engineer.
28. Prior to the issuance of the first construction permit, the owner/permittee shall assure by permit and bond construction of internal 24 feet wide two-way private drive with a 35 feet bulb radius at its north end with 5.5 foot sidewalk around it, and on the south side of the drive as shown on Exhibit "A", satisfactory to the City Engineer.
29. The owner/permittee shall assure provision and maintenance of adequate sight distance visibility for entering and exiting vehicles at the project driveway on Woodman Street as shown on the sight distance analysis of Exhibit "A" with no barrier, embankment, or vegetation (except light/sign poles) higher than 3.5 feet within it.

**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

## ATTACHMENT 7

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 the 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).

Internal Order No. 24006077

Passed by the Council of The City of San Diego on MAY 23 2016, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<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 MAY 23 2016

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

AUTHENTICATED BY:

KEVIN L. FAULCONER  
Mayor of The City of San Diego, California.

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

(Seal)

By *Hy Brady*, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 310483