

RESOLUTION NUMBER R- 312174

DATE OF FINAL PASSAGE JAN 08 2019

ITEM #334E

1/8/19

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO ADOPTING VESTING TENTATIVE MAP NO. 1868551 FOR MORENA APARTMENT HOMES – PROJECT NO. 526167.

WHEREAS, Fairfield SD Coastal LLC, a Delaware limited liability company, Subdivider, and Gregory Shields, Engineer, submitted an application to the City of San Diego for a Vesting Tentative Map No. 1868551 for the development of a multi-family condominium project known as the Morena Apartment Homes project. The project site is located 1579-1645 Morena Boulevard in the RS-1-7 and CC-4-2 zones which are proposed to be rezoned to the RM-2-5 zone, in the Clairemont Mesa Community Plan area. The property is legally described as: Those portions of Parcel 1 and Parcel 2 of Pueblo Lot 256, of the Pueblo Lands of San Diego, in the City and County of San Diego, State of California, according to Map thereof made by James Pascoe in 1870, filed in the Office of the County Recorder November 14, 1921, and is known as Miscellaneous Map 36; and

WHEREAS, the map proposes the subdivision of a 5.73-acre site into one (1) lot for a 150-unit residential condominium project; 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 (SDMC) section 144.0220; and

WHEREAS, the subdivision is a condominium project as defined in California Civil Code section 4125 and filed pursuant to the Subdivision Map Act. The total number of condominium dwelling units is 150; 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 January 8, 2019, the City Council of the City of San Diego considered Vesting Tentative Map No. 1868551, and pursuant to San Diego Municipal Code section(s) 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 Vesting Tentative Map No. 1868551:

**1. The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan.**

The 6.21-acre Morena Apartment Homes project site is located at 1579-1645 Morena Boulevard, in a developed urban neighborhood that is served by all utilities and improved rights-of-way. The site is currently developed with a 90-space recreational vehicle (RV) park and six residential units consisting of two single-family and two duplex structures, which would be demolished to allow for development of the 150 multi-family condominium units with parking and recreational facilities. The site is bordered by existing development on all sides, with Interstate 5 and commercial development to the west, single-family to the northeast and southeast and commercial to the south.

The project scope includes a Community Plan Amendment (CPA) to change the current Clairemont Mesa Community Plan (CMCP) land use designation for the site from Low Density Residential (10-15 dwelling units per acre), General Commercial and Mobilehome Park to entirely Medium Density Residential (15-30 dwelling units per acre). This would allow 93 to 186 units on the project site, consistent with the 150 units proposed. The General Plan would be amended to change the designated land uses for the site, as shown on Figure LU-2, *General Plan Land Use and Street System*, from Residential and Commercial Employment, Retail and Services to entirely Residential.

The CPA would also remove the Mobilehome Park Overlay Zone designation for the site and references to preservation of the existing Coastal Trailer Villa recreational vehicle park in the CMCP. An amendment to the Land Development Code (LDC) and Local Coastal Program (LCP) is also included to remove the site from the Mobilehome Park Overlay Zone.

The site was evaluated for higher density as part of the Morena Boulevard Station Area Planning Study (MBAP). The MBAP was developed to address the future form of the community through urban development due to the introduction of the Mid-Coast Light Rail Transit (LRT) Trolley extension. Due to the proximity of the site to the future LRT Station at Tecolote Road and Morena Boulevard, this property was recommended for a medium-high density residential designation in the MBAP. The subdivision would implement this recommendation by concentrating 150 additional residential condominium units along this important transit corridor consistent with smart growth principles. The project would complement the investment in LRT and accommodate future growth in a balanced, sustainable manner.

The subdivision complies with the applicable goals and policies related to higher density residential development outlined in the CMCP. The primary goal for residential development is to maintain the low-density character of predominantly single-family neighborhoods and encourage rehabilitation where appropriate. Some of the primary objectives are: (1) to provide a diversity of housing options in selected locations of the community; (2) to provide development guidelines to help ensure that new development is compatible with the existing neighborhood and does not overburden community or neighborhood facilities; (3) locate higher density housing near the commercial areas and along transportation corridors where there are adequate services; and (4) to provide adequate off-street parking.

In accordance with the CMCP goals, the subdivision contributes to a diversity of housing options that are compatible with the design and scale of the surrounding neighborhood. The addition of residential condominium units at this site is compatible with the design and scale of the area as the site sits substantially lower than the surrounding single-family development. The one- to three-story buildings would conform to the 30-foot height limit. The one-story clubhouse building with leasing and exercise facilities would be located at the corner of Morena Boulevard and Frankfort Street with the three-story residential structures behind to help preserve the neighborhood's low-scale character while increasing density along a major transportation corridor. The project furthers the CMCP goals by siting higher density housing near commercial areas (which are adjacent to the site) and provides more than the required parking.

To minimize on-site traffic congestion, private driveways and parking areas would be distributed throughout the site. The development would encourage pedestrian activity by installing new, accessible sidewalks along the project frontage along Morena Boulevard and Frankfort Street. Pedestrian travel would be accommodated through the provision of an internal circulation system that links to onsite amenities, external pedestrian and bike

systems, and existing and planned transit, in conformance with the CMCP. Therefore, the proposed subdivision and its design or improvement 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 6.21-acre Morena Apartment Homes project site is located at 1579-1645 Morena Boulevard, in a developed urban neighborhood that is served by all utilities and improved rights-of-way. The site is currently developed with a 90-space recreational vehicle (RV) park and six residential units consisting of two single-family and two duplex structures, which would be demolished to allow for development of the 150 multi-family condominium units with parking and recreational facilities. The site is bordered by existing development on all sides, with Interstate 5 and commercial development to the west, single-family to the northeast and southeast and commercial to the south.

To implement the proposed CMCP Medium Density Residential land use designation discussed in Finding 1 above, the site would be rezoned from the CC-4-2 (Commercial-Community) and RS-1-7 (Single-Family Residential) zones to the RM-2-5 (Residential Multiple Unit) zone. The RM-2-5 zone would allow one unit per 1,500 square feet of lot area or a maximum of 180 units onsite, which is consistent with the 150 units proposed.

The project scope includes a CPA, LDC amendment and LCP amendment to remove the site's Mobilehome Park Overlay Zone designation and references to the Coastal Trailer Villa recreational vehicle park in the CPA. The project site is not considered a mobilehome park because of the size and class of vehicles occupying the site and the short-term tenancy requirements of the RV park. There are 10 tenants remaining, consisting of three motorized RVs and seven automobile trailers. As an RV park, the maximum tenancy is six months in any 12-month period. There is a history of legal action related to the applicability of mobilehome regulations on the project site. In 1991, there was litigation between the occupants and the then owner regarding whether the site is an RV park or a mobilehome park pursuant to Mobilehome Residency Law. The court found that it was neither a mobilehome park because of the size of the vehicles, nor was it an RV park because some tenants were not occupying the site on a temporary basis.

In 2000, there was a settlement agreement between the then owner and the City. One of the terms pertained to the law and definitions that applied to the park. The agreement stipulated that the 1942 definitions of automobile trailer and trailer park applied and automobile trailers could not be parked onsite for more than six months. Another term was that the owner discontinue and prohibit the continuous presence of any person on the property for more than six months. As a part of this settlement, 10 park tenants were specifically allowed to remain as permanent residents based on their past tenancy history, seven of which remain onsite.

The project has been designed to comply with the regulations of the LDC, however the project scope includes deviations to the retaining wall height, assigned storage and RM-2-5 zone street side yard/front yard requirements, which are allowed with the approval of a Planned Development Permit. The deviations are summarized below:

<b>Deviations Summary</b>			
<b>Deviation</b>	<b>Deviation from SDMC</b>	<b>Allowed/Required</b>	<b>Proposed</b>
<b>Retaining Wall Height</b> Within Required Street Side Yard for Retaining Wall With Guardrail Along Tonopah Ave	Section 142.0340(c) & 142.0340(f)(4)	Two retaining walls with a maximum height of 3 feet permitted if walls are separated by a minimum horizontal distance equal to the height of the upper	Maximum 17 feet
<b>RM-2-5 Zone Street Side Yard Encroachment</b> For Carports and Parking Along Tonopah Ave	Section 131.0431, Table 131-04G & Section 131.0443(e)(3) <u>Section 142.0510(e)(2)</u> (Parking Regulations)	25.6 feet (Minimum 10 percent of the premises width of 255.9 feet)	Varies from 2 to 4 feet
<b>RM-2-5 Zone Street Side Yard Encroachment</b> For Trash Enclosures Along Tonopah Ave	Section 131.0431, Table 131-04G & Section 131.0443(e)(3) <u>Section 142.0810(b)(2)</u> (Refuse & Recyclable materials regulations)	25.6 feet (Minimum 10 percent of the premises width of 255.9 feet)	Varies from 3 to 5 feet
<b>Outside Assigned Unit Storage</b>	<u>Section 131.0454</u>	Provide a fully enclosed, personal storage area outside each unit that is at least 240 cubic feet with a minimum 7-foot horizontal dimension along one plane	240 cubic feet of storage provide for each unit. Interior horizontal dimension will vary with some less than
<b>RM-2-5 Zone Front Yard</b> Setback for Clubhouse along Morena Blvd	Section 131.0443(e)(1) & Table 131-04G	Up to 50% of the width of the building envelope may observe the minimum 15-foot setback, provided the remaining width observes the 20-foot setback	13 feet 8 inches
<b>RM-2-5 Zone Street Side Yard</b> Setback at Building No. 6 along Morena	Section 131.0443(e)(3) & Table 131-04G	25.6 feet (Minimum 10 percent of the premises width of 255.9 feet)	19 feet

<b>Deviations Summary</b>			
<b>Deviation</b>	<b>Deviation from SDMC</b>	<b>Allowed/Required</b>	<b>Proposed</b>
<b>RM-2-5 Zone Street Side Yard</b> Setback at Buildings No. 5, 9, and 10 along Frankfort St	Section 131.0443(e)(3) and Table 131-04G	25.6 feet (Minimum 10 percent of the premises width of 255.9 feet)	21 feet 7 inches

The requested setback and wall height deviations along Tonopah Avenue and Frankfort Street are supported due to the existing five- to 25-foot cut slope which places the project pad substantially lower than the surrounding single-family and commercial development, which prevents adverse impacts to adjacent properties. The requested setback deviations along Morena Boulevard are supported as these are required to accommodate existing underground utilities and conditioned street, sidewalk and bicycle lane improvements. A tiered retaining wall and substantial landscaping along the Morena Boulevard frontage is incorporated to offset the impact of the deviation request. The personal storage area deviation request is supported as it provides for the purpose and intent of the regulation while allowing design flexibility and better utilization of the site, including the provision of 95 attached unit garages, which will increase the overall amount of available storage.

Each of the requested deviations has been reviewed as they relate to the proposed design of the project, the property configuration and the surrounding development. The deviations are appropriate and will result in a more desirable project that efficiently utilizes the site, provide a more cohesive appearance, allow for adequate site circulation and overall functionality in light of the site constraints. 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.**

The 6.21-acre Morena Apartment Homes project site is located at 1579-1645 Morena Boulevard, in a developed urban neighborhood that is served by all utilities and improved rights-of-way. The site is currently developed with a 90-space recreational vehicle (RV) park and six residential units consisting of two single-family and two duplex structures, which would be demolished to allow for development of the 150 multi-family condominium units with parking and recreational facilities. The site is bordered by existing development on all sides, with Interstate 5 and commercial development to the west, single-family to the northeast and southeast and commercial to the south. The project site is generally flat with elevations near mean sea level. The northern boundary of the project site along Tonopah Avenue and Frankfort Street contains a steep cut slope that ranges in height from five to 25 feet. Therefore, the project site sits substantially lower than the existing single-family development immediately northeast and southeast of the site.

The site is subject to the Environmentally Sensitive Lands (ESL) regulations described in SDMC Section 143.0110 because the southern portion of the site is located within the

flood plain associated with Tecolote Creek. The project has been conditioned to raise the base elevation of the site so it can be adjusted out of FEMA Flood Zone AO and obtain a Letter of Map Revision (LOMR) from FEMA. The project grading reflects this requirement and a Conditional Letter of Map Revision (CLOMR) is a permit condition.

The project site does not contain nor is it adjacent to any Multi-Habitat Planning Area lands, sensitive vegetation communities, riparian habitat, or wetlands and no sensitive species were observed on-site. Other than the flood plain described above there are no other Environmentally Sensitive Lands onsite.

Conditioned public right-of-way improvements would include additional right-of-way dedications and replacement of existing sidewalks, curb, gutter and landscaping along Morena and West Morena Boulevard. Half-width improvements on Morena Boulevard (east side, northbound) would include a buffered Class 2 bike lane. Along Frankfort Street where there are no existing sidewalks, additional right-of-way dedication is required and new sidewalk, curb, gutter and landscaping would be installed. Along Tonopah Avenue, City-standard curb and gutter would be installed, as the site sits substantially lower than the right-of-way. The project has also been conditioned to provide a new concrete bus pad along Morena Boulevard adjacent to the site.

EIR No. 526167 has been prepared for this project in accordance with State of California Environmental Quality Act (CEQA) guidelines. A Mitigation, Monitoring and Reporting Program (MMRP) would be implemented with this project to mitigate potentially significant impacts to Land Use (Noise), Transportation/Circulation, Noise, Historical Resources (Archeology and Tribal Cultural Resources), and Paleontological Resources to below a level of significance. 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.**

The 6.21-acre Morena Apartment Homes site is located at 1579-1645 Morena Boulevard, in a developed urban neighborhood that is served by all utilities and improved rights-of-way. The site is currently developed with a 90-space recreational vehicle (RV) park and six residential units consisting of two single-family and two duplex structures, which would be demolished to allow for development of the 150 multi-family condominium units with parking and recreational facilities. The site is bordered by existing development on all sides, with Interstate 5 and commercial development to the west, single-family to the northeast and southeast and commercial to the south. The project site is generally flat with elevations near mean sea level due to its proximity to Mission Bay. The northern boundary of the project site along Tonopah Avenue and Frankfort Street contains a steep cut slope that ranges in height from five to 25 feet.

The site is subject to the Environmentally Sensitive Lands (ESL) regulations described in SDMC Section 143.0110 because the southern portion of the site is located within the flood plain associated with Tecolote Creek. The project has been conditioned to raise the

base elevation of the site so it can be adjusted out of FEMA Flood Zone AO and obtain a Conditional Letter of Map Revision (CLOMR) from FEMA. The project grading reflects this requirement.

The subdivision site does not contain nor is it adjacent to any Multi-Habitat Planning Area lands, sensitive vegetation communities, riparian habitat, or wetlands and no sensitive species were observed on-site. Other than the flood plain described above there are no other Environmentally Sensitive Lands onsite. Project implementation would remove the existing flood zone ESL from the project site by raising the pad elevation, thereby making the development less susceptible to flooding.

EIR No. 526167 has been prepared for this project in accordance with State of California Environmental Quality Act (CEQA) guidelines. An MMRP would be implemented with this project to mitigate potentially significant impacts to Land Use (Noise), Transportation/Circulation, Noise, Historical Resources (Archeology and Tribal Cultural Resources), and Paleontological Resources to below a level of significance. Therefore, 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.

**5. The design of the subdivision or the type of improvement will not be detrimental to the public health, safety, and welfare.**

The subdivision will not be detrimental to public health, safety and welfare in that the permit controlling the development and continued use of the site contains specific conditions addressing compliance with the City's codes, policies, and regulations, as well as other regional, state, and federal regulations to prevent detrimental impacts to the health, safety and general welfare of persons residing and/or working in the area. Prior to issuance of any building permits for the proposed development, the plans will be reviewed for compliance with all Building, Electrical, Mechanical, Plumbing and Fire Code requirements in addition to all associated conditions of approval.

The Owner/Permittee is required to obtain a grading permit to raise the base site elevation out of the FEMA Flood Zone AO and receive a Conditional Letter of Map Revision (CLOMR) from FEMA. The project conditions include installation of curb, gutter, sidewalk, bike lanes, driveway and landscape improvements in the right-of-way. The project would improve existing storm water conditions as all storm water leaving the site would be treated and cleaned according to current storm water management requirements. Additionally, a retaining wall and erosion control vegetation would be added to the cut slope along Tonopah Avenue and Frankfort Street to stabilize the slope and prevent future erosion.

The project would not result in risk from fire hazards as it is located in a developed, urban neighborhood, surrounded by existing development and is not located within a fire hazard severity zone. The project would not expose the public to undue geologic hazards as no known active faults traverse the project site and is conditioned to adhere to the recommendations presented in the Preliminary Geotechnical Investigation.



EIR No. 526167 has been prepared for this project in accordance with State of California Environmental Quality Act (CEQA) guidelines. An MMRP would be implemented to mitigate potentially significant impacts to Land Use (Noise), Transportation/Circulation, Noise, Historical Resources (Archeology and Tribal Cultural Resources), and Paleontological Resources to below a level of significance. Therefore, the proposed development 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.**

The 6.21-acre Morena Apartment Homes project site is located at 1579-1645 Morena Boulevard, in a developed urban neighborhood that is served by all utilities and improved rights-of-way. All existing easements on the site would remain and are not impacted by the subdivision. The Vesting Tentative Map would consolidate parcels and dedicate public right-of-way, which would include roadway travel lane widenings, parkway improvements, and public underground utilities. 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.**

The subdivision of the of the 6.21-acre site for 150 multi-family residential units will not impede or inhibit any future passive or natural heating and cooling opportunities. The design of the subdivision has taken into account the best use of the land to minimize grading and account for environmentally sensitive lands in the form of FEMA Flood Zone AO. The project has been designed with a one-story common area building and nine, three-story residential buildings, which are separated by internal streets, courtyards and landscaping, allowing for cross-ventilation and the design does not impede or inhibit any future passive or natural heating and cooling opportunities. With the independent design of the proposed subdivision each structure will have the opportunity through building materials, site orientation, architectural treatments, 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.**

The subdivision would facilitate the construction of 150 multi-family, market-rate residential units on a site currently developed with a 90-space RV park and six residential units, resulting in a net gain of residential units. These additional dwelling units provided by the proposed project will contribute to the fulfillment of the City's Regional Housing Needs Assessment allocation found in the City's Housing Element adopted in March of 2013. The introduction of quality market-rate, multi-family housing units in Clairemont

Mesa brings diversity in housing options at a time where the demand for this type of housing stock is increasing.

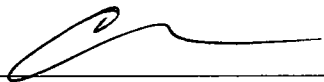
The project implements the City's General Plan policies that encourage locating residential near transit and employment opportunities, thereby capturing automobile trips and allowing for increased pedestrian activity, bicycle and transit activity. All appropriate public services (including fire, police, medical, schools, public parks, and libraries) as well as necessary utilities such as electricity, water, and sewer, will be available to (or are in the process) and adequate for the proposed project. The applicant has opted to pay an Inclusionary Affordable Housing fee to meet their affordable housing requirements, as allowed by San Diego Municipal Code.

The above 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 Vesting Tentative Map No. 1868551, is hereby granted to Fairfield SD Coastal LLC, a Delaware limited liability company, subject to the attached conditions which are made a part of this resolution by this reference and contingent upon final passage of R- 312173 approving amendments to the General Plan and Clairemont Mesa Community Plan.

APPROVED: MARA W. ELLIOTT, City Attorney

By

  
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Corrine L. Neuffer  
Deputy City Attorney

CLN:als  
11/08/2018  
Or.Dept:DSD  
Doc. No.: 1869698

Attachment: Vesting Tentative Map Conditions

CITY COUNCIL

CONDITIONS FOR VESTING TENTATIVE MAP NO. 1868551  
**MORENA APARTMENT HOMES – PROJECT NO. 526167**

ADOPTED BY RESOLUTION NO. R312174 ON JANUARY 8, 2019

**GENERAL**

1. This Vesting Tentative Map will expire January 8, 2022.
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 Site Development Permit No. 1868547 and Planned Development Permit No. 1868549.
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. Prior to the issuance of any building permits, the Owner/Subdivider shall assure by permit and bond installation of street lights per current City standards adjacent to the site on Tonopah Avenue, Frankfort Street, Morena Boulevard and West Morena Boulevard to satisfaction of the City Engineer.

8. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
9. 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.
10. 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 Vesting 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**

11. "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).
12. "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."
13. 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 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.

### **PUBLIC UTILITIES**

14. Prior to recordation of the Final Map, the development's Sewer Planning Study must be accepted by the Public Utilities Water & Sewer Development Review Section of the Development Services Department's Engineering Division.

15. Prior to recordation of the Final Map, the Subdivider shall provide CC&Rs for the operation and maintenance of all private water and sewer facilities in a manner satisfactory to the Public Utilities Director and the City Engineer.

### **GEOLOGY**

16. 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.

### **INFORMATION:**

- The approval of this Vesting 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 Vesting 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 Vesting Tentative Map, may protest the imposition within ninety days of the approval of this Vesting 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. 24006842

Passed by the Council of The City of San Diego on JAN 08 2019, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery	<input type="checkbox"/>	<input checked="" 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"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JAN 08 2019

**(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.

(Seal)

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

By City Ready, Deputy

Office of the City Clerk, San Diego, California  
Resolution Number R- **312174**