#333C 6/8/2021

(R-2021-476)

RESOLUTION NUMBER R- 313582

DATE OF FINAL PASSAGE \_\_JUN\_08 2021

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING TENTATIVE MAP NO. 2225121, LISBON HEIGHTS – PROJECT NO. 622368 (MMRP).

WHEREAS, Lisbon Vista Height, LLC, a California Limited Liability Company,
Subdivider, and SWS Engineering, Inc., Engineer, submitted an application to the City of
San Diego for Tentative Map No. 2225121 with Public Right-of-Way and Easement Vacations to
subdivide an existing parcel to construct 24 single-family dwelling units (Project); and

WHEREAS, the Project site is located at 7108-7112 Lisbon Street in the RS-1-7 zone within the Skyline-Paradise Hills Community Plan Area, and is legally described as: Parcel 1 of Parcel Map No. 9343, in the City of San Diego, County of San Diego, County of San Diego, State of California, filed in the Office of the County Recorder of San Diego County, November 2, 1979, as File No. 79-463698; and

WHEREAS, the Map proposes the subdivision of a 3.73-acre site into 27 lots; and WHEREAS, the Project complies with the requirements of a preliminary soils and/or geological reconnaissance report pursuant to Subdivision Map Act (SMA), California Government Code sections 66490 and 66491(b)-(f) and San Diego Municipal Code (Municipal Code) section 144.0220; and

WHEREAS, on March 18, 2021, the Planning Commission of the City of San Diego considered Tentative Map No. 2225121 with Public Right-of-Way and Easement Vacations (the Map), and pursuant to Resolution No. PC-5133, voted to recommend the Council of the City of San Diego (Council) approve the Map; and

WHEREAS, under San Diego Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the 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 June 8, 2021, the Council considered Tentative Map No. 2225121 with plant of the property of the control of the property of the control of the control of the property of the control of the

BE IT RESOLVED by the Council of the City of San Diego, that it adopts the following findings with respect to Tentative Map No. 2225121:

1. The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan. The Lisbon Heights Project (Project) proposes to subdivide an existing 3.73-acre vacant site to 27 lots for the construction of 24 single-family units, 23 market rate and one moderate income affordable residence; vacation of an unimproved public service easement and public right-of-way (PROW); landscaping; and associated onsite and off-site improvements. Lots 1-24 range from 3,277 to 5,000 square feet, Lot 25 consists of a 29,478-square-foot access road, Lot 26 contains a 4,263-square-foot floodwater storage area, and Lot 27 contains 4,980 square feet of open space. The 24 detached single-family units will be two stories, and approximately 1,800 square feet with attached two-car garages.

The Project requests deviations from the RS-1-7 Zone development regulations pertaining to lot area, lot width, lot size, street frontage, and retaining walls. Pursuant to the Affordable Housing, In-Fill Projects, and Sustainable Buildings Development Regulations, San Diego Municipal Code (Municipal Code) section 143.0920, these regulations allow flexibility in the application of development regulations for projects providing affordable housing opportunities, while assuring that the development achieves the purpose and intent of the applicable land use plan.

The General Plan designates the Project site for Residential use. The Skyline/Paradise Hills Community Plan designates the development site for residential at low-density ranging from 0-10 dwelling units per acre. The 3.7-acre vacant site would allow for 37 detached dwelling units. The proposed 24 single-family dwelling units are consistent with the Community Plan and the General Plan land use designations.

The General Plan calls for planting of new trees, street trees and other plans for their shading, air quality, and livability benefits and for the use of landscaping to support storm water management. The proposed development includes a stormwater basin with slender sedge groundcover adjacent to Lisbon Street and gold medallion and peppermint trees all along the internal circulation system.

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The rear segment of 7108-7112 Lisbon Street proposed to be vacated is not part of the Skyline/Paradise Hills Community Plan streets classification network. Public access to the neighborhood is provided via Lisbon Street to the north and south, Imperial Avenue to the west and Woodrow Avenue to the East. Unimproved local streets may be considered for a right-of-way vacation if needs for public access infrastructure are addressed, including feasibility of construction. The public service easement proposed to be vacated was granted right-of-way access for repairing, maintaining, renewing roadway with the right of ingress and egress, and incidental purposes, however, was never dedicated with public improvement. The PROW and public service easement were determined not to be needed for public purposes. The Project proposes to incorporate the vacated PROW and public service easement into the total site area for the construction of housing. Based on the above, the proposed development will not adversely affect 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 proposes to subdivide an existing 3.73-acre vacant site to 27 lots for the construction of 24 single-family units, 23 market rate and one moderate income affordable residence; vacation of an unimproved public service easement and public right-of-way (PROW); landscaping; and associated onsite and off-site improvements. Lots 1-24 range from 3,277 to 5,000 square feet, Lot 25 consists of a 29,478-square-foot access road, Lot 26 contains a 4,263-square-foot floodwater storage area, and Lot 27 4,980 square feet of open space. The 24 detached single-family units will be two stories, and approximately 1,800 square feet with attached two-car garages.

The Project complies with the regulations of the Land Development Code (LDC), including requirements for parking, landscaping, and all other requirements of the development criteria for its zoning, except where deviations are allowed as development incentives in accordance with the Affordable Housing Regulations, and through the Neighborhood Development Permit process pursuant to Municipal Code section 143.0920, which provides flexibility of development regulations for projects providing affordable housing opportunities.

The Project requests the following deviations from the RS-1-7 Zone development regulations: Lot areas will average 3,975 square feet (Lot 1-7, 15-16, 19-21) where 5,000 square feet are required; Lot width is less than 50 square feet for Lot 21; Lot size does not meet the 50 square feet by 95 square feet minimum for Lots 1-9, and 13-21; residences don't have the required 50-square-foot street frontage, access is through private streets; and retaining walls range from 16 inches to 16 feet where the maximum is 6 feet.

The Project would benefit the community by providing additional market rate and affordable housing opportunities in the Skyline/Paradise Hills Community. The requested deviations are necessary for the proposed 24 residential units and in accordance with the Affordable Housing, In-fill Projects, and Sustainable Buildings Development Regulations, which provide development flexibility given the topographical site constraints. The proposed development has otherwise been designed and conditioned to ensure conformance to the requirements of the LDC and Municipal Code. Therefore, the proposed development will comply with the applicable regulations of the LDC, including any allowable deviations.

3. The site is physically suitable for the type and density of development. The General Plan designates the Project site for Residential use. The Skyline/Paradise Hills Community Plan designates the development site for residential at low-density ranging from 0-10 dwelling units per acre. The 3.7-acre vacant site would allow for 37 detached dwelling units. The proposed 24 single-family dwelling units are consistent with the Community Plan and the General Plan land use designations.

Topographically, the site elevations range from approximately 315 feet at the southwest corner of the site to 380 feet above mean sea level (AMSL) in the northeast corner. Although the site is located within the Very High Fire Zone (VHFZ) brush management is not required due to the following site conditions: site is surrounded by existing development, there is no connectivity or adjacency to a canyon system, there are no steep hillsides, and the site is located more than 100 feet from native/naturalized vegetation.

Grading entails approximately 18,400 cubic yards of cut with a maximum cut depth of 15 feet. Internal driveways would generally flow with the sloping topography and buildings would be stepped in specific areas to incorporate the natural drop of the slope. Building volumes would also incorporate variations in rooflines and wall planes that transition with the flow of the slope. City staff has reviewed and accepted a Geotechnical Investigation Report prepared by SWS Engineering, Inc. dated July 19, 2019, which determined the consultant adequately addressed the soil and geologic conditions for the Project and the site is suitable for the proposed development and density provided the geotechnical recommendations are incorporated into the Project design.

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 Project site is not located within or adjacent to a Multi-Habitat Planning Area (MHPA), open space or conserved land.

Per REC Biological Resources Report dated July 8, 2019, the site contains developed land, disturbed land and non-native grassland. A total of 1.83 acres of non-native grassland will be directly impacted as a result of the Project implementation, which will be mitigated through applicant's contribution to the City of San Diego's Habitat Acquisition Fund. Therefore, the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish and wildlife or their habitat.

detrimental to the public health, safety, and welfare. The subdivision includes a 6-foot dedication on Lisbon Street to create a 14-foot curb-to-property-line distance and construction of a 25-foot wide driveway. As a result of these improvements, pedestrian and vehicular circulation will be improved, and public safety will be enhanced for the community.

Furthermore, the proposed development is consistent with the relevant City of San Diego's codes, policies, and regulations whose primary focus is the protection of the public's health, safety, and welfare. The permit for the Project includes various conditions and referenced exhibits of approval relevant to achieving Project compliance with the applicable regulations of the Municipal Code in effect for this Project. Such conditions within the permit have been determined necessary to avoid adverse impact upon the public health, safety, and general welfare of persons residing or working in the surrounding area. The Project shall comply with the development conditions in effect for the subject property and other regulations and guidelines pertaining to the subject property per the Municipal Code.

Prior to issuance of any building permit for the proposed development, the plans shall be reviewed for compliance with all Building, Electrical, Mechanical, Plumbing and Fire Code requirements, and the owner/permittee shall be required to obtain grading and public improvement permits. Compliance with these regulations during and after construction will be enforced through building inspections completed by the City's building inspectors.

with easements acquired by the public at large for access through or use of property within the proposed subdivision. The subdivision includes a public right-of way (PROW) vacation and public service easement vacation. The PROW and service easement granted per Tract Map 2285 on May 21,1945 were determined not to be needed for public purposes. The PROW and public services easement do not serve as vehicular or pedestrian access. Public access to the neighborhood is provided via Lisbon Street to the north and south, Imperial Avenue to the west and Woodrow Avenue to the East. The PROW proposed to be vacated is not an identified street in Skyline/Paradise Hills Community Plan. The proposed street vacation would not affect Pedestrian Routes, Existing or Planned Bicycle Network, and Planned Transit Facilities. Therefore, the design of the subdivision or the type of improvements will not conflict with the easements acquired by the public at large for access through or use of the 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 design of the proposed subdivision provides each residential unit with 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. 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. The proposed Project would subdivide a 3.73-acre parcel for the construction of 24 single-family units, 23 market rate and one moderate income affordable unit at 120% Area Median Income. Balanced needs for public facilities were taken into consideration with the development of the Skyline/Paradise Hills. Community Plan and the projected build-out with the applied zone designations. The Project is requesting deviations in accordance with Affordable Housing Regulations that allow development flexibility for affordable housing opportunities.

The Project site is not located within or adjacent to a MHPA, open space or conserved land. A total of 1.83 acres of non-native grassland will be directly impacted as a result of the Project implementation, which will be mitigated through applicant's contribution to the City of San Diego's Habitat Acquisition Fund.

The Project site is located in an urbanized and developed area with water, sewer, fire, police, public schools, parks, and other services already provided. The subdivision includes a 6-foot dedication on Lisbon Street to create a 14-foot curb-to-property-line distance that will include a contiguous side for pedestrian access.

The decision maker has reviewed the administrative record including the Project plans, technical studies, environmental documentation and heard public testimony to determine 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 and found that the 24 single-family units, 23 market rate and one moderate income affordable unit, are consistent with the housing needs anticipated for the Skyline/Paradise Hills Community Plan 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 the Public Service Easement and Public Right-of-Way located within the Project boundaries as shown in Tentative Map No. 2225121, shall be vacated, contingent upon the recordation 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:

- 9. There is no present or prospective public 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. The 3.7-acre vacant site contains a public service easement granted per Tract Map 2285 on May 21,1945. The Public Service Easement located east to west, granted right-of-way access for repairing, maintaining, renewing roadway with the right of ingress and egress, and incidental purposes. The easement was granted but never dedicated with public improvements. The public service easement was determined not to be needed for public purposes. Therefore, there is no present or prospective public use for the public service easement either for the facility for which it was originally acquired or for any other public use of a like nature that can be anticipated.
- 10. The public will benefit from the action through improved utilization of the land made available by the vacation. The public service easement granted per Tract Map 2285 on May 21,1945, was determined not to be needed for public purposes. The City controls and is liable for an area that cannot be used for public purposes. The vacation will allow the utilization of the vacant site and development of 24 single-family units, 23 market rate, and one moderate income affordable. The public will benefit by having additional housing opportunities during the housing shortage San Diego is experiencing.

Because the public service easement was determined not to be needed for public purposes, it is in the public interest to vacate the easement and transfer responsibility of the land to the property owner. Therefore, the public will benefit from the action through improved use of the land made available by the vacation.

11. The vacation is consistent with any applicable land use plan. The public service easement granted per Tract Map 2285 on May 21,1945, was determined not to be needed for public purposes. The Skyline/Paradise Hills Community Plan has no recommendations for unclassified streets; therefore, the proposed vacation of an unclassified street would not adversely affect the Community Plan.

The vacation will allow the construction of 24 single-family units, 23 market rate and one moderate income affordable unit on a currently vacant lot, consistent with the Community Plan and the General Plan land use designations. Therefore, the proposed vacation does not adversely affect the applicable land use plan.

- 12. The public facility or purpose for which the easement was originally acquired will not be detrimentally affected by the vacation or the purpose for which the easement was acquired no longer exists. The public service easement granted per Tract Map 2285 on May 21,1945, was never dedicated with public improvements and determined not to be needed for public purposes. The easement does not serve or support any existing public facility. Therefore, the public facility for which the easement was originally acquired will not be detrimentally affected by the vacation.
- either for the facility for which it was originally acquired or for any other public use of a like nature that can be anticipated. The public right-of-way (PROW) granted per Tract Map 2285 on May 21,1945 was determined not to be needed for public purposes. The PROW does not serve as vehicular or pedestrian access. Public access to the neighborhood is provided via Lisbon Street to the north and south, Imperial Avenue to the west and Woodrow Avenue to the East. The proposed vacation would not affect Pedestrian Routes, Existing or Planned Bicycle Network, and Planned Transit Facilities. Therefore, there is no present or prospective public use for the public right-of-way either for the facility for which it was originally acquired or for any other public use of a like nature that can be anticipated.
- 14. The public will benefit from the action through improved use of the land made available by the vacation. The PROW granted per Tract Map 2285 on May 21,1945 was determined not to be needed for public purposes. The City controls and is liable for an area that cannot be used for public purposes. The vacation will allow the utilization of the vacant site and development of 24 single-family units, 23 market rate, and one moderate income affordable. The public will benefit by having additional housing opportunities during the housing shortage San Diego is experiencing.

Because the PROW was determined not to be needed for public purposes, it is in the public interest to vacate the PROW and transfer responsibility of the land to the property owner. Therefore, the public will benefit from the action through improved use of the land made available by the vacation.

15. The vacation does not adversely affect any applicable land use plan. The PROW granted per Tract Map 2285 on May 21,1945, was determined not to be needed for public purposes. The Skyline/Paradise Hills Community Plan has no recommendations for unclassified streets; therefore, the proposed vacation of an unclassified street would not adversely affect the Community Plan.

The vacation will allow the construction of 24 single-family units, 23 market rate and one moderate income affordable unit on a current vacant lot, consistent with the Community Plan and the General Plan land use designations. Therefore, the proposed vacation does not adversely affect the applicable land use plan.

16. The public facility for which the public right-of-way was originally acquired will not be detrimentally affected by the vacation. The PROW granted per Tract Map 2285 on May 21,1945, was determined not to be needed for public purposes and was never improved.

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Therefore, the public facility for which the right-of-way was originally acquired will not be detrimentally affected by the vacation.

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the

Council for Tentative Map No. 2225121 with Public Right of Way and Easement Vacations are

hereby granted to Lisbon Vista Height, LLC, a California Limited Liability Company subject to

the attached conditions which are made a part of this resolution by this reference.

APPROVED: MARA W. ELLIOTT, City Attorney

By <u>/s/ Lauren N. Hendrickson</u>
Lauren N. Hendrickson

Deputy City Attorney

LNH:cm May 18, 2021 Or.Dept: DSD CC No. N/A

Doc. No.: 2665901

Attachments: Tentative Map Conditions for Map No. 2225121 for Lisbon Heights - Project

No. 622368

Tentative Map No. 2225121

# CITY COUNCIL CONDITIONS FOR TENTATIVE MAP NO. 2225121 LISBON HEIGHTS – Project NO. 622368

## ADOPTED BY RESOLUTION NO. R313582 JUN 08 2021

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#### **GENERAL**

- 1. This Tentative Map will expire <u>June 8, 2024</u>.
- 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, California Government Code 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 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**

5. Prior to the recordation of the Final Map, the Subdivider shall enter into an affordable housing agreement with the San Diego Housing Commission to provide affordable housing units in compliance with the City's Inclusionary Affordable Housing Regulations (San Diego Municipal Code §§ 143.0301 et seq.).

#### **ENGINEERING**

- 6. The Tentative Map shall comply with the conditions of Neighborhood Development Permit No. 2509264.
- 7. Prior to the issuance of any construction permit, the Owner/Permittee 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.

- 8. Prior to the issuance of any building permit, the Owner/Permittee 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
- 9. The drainage system proposed for this development, as shown on the site plan, is private and subject to approval by the City Engineer.
- 10. The Subdivider shall ensure that all 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.
- 11. Development of this project shall comply with all storm water construction requirements of the State Construction General Permit, Order No. 2009-0009DWQ, or subsequent order, and the Municipal Storm Water Permit, Order No. R9-2013-0001, or subsequent order. In accordance with Order No. 2009-0009DWQ, or subsequent order, a Risk Level Determination shall be calculated for the site and a Storm Water Pollution Prevention Plan (SWPPP) shall be implemented concurrently with the commencement of grading activities.
- 12. Prior to issuance of a grading or a construction permit, a copy of the Notice of Intent (NOI) with a valid Waste Discharge ID number (WDID#) shall be submitted to the City of San Diego as a proof of enrollment under the Construction General Permit. When ownership of the entire site or portions of the site changes prior to filing of the Notice of Termination (NOT), a revised NOI shall be submitted electronically to the State Water Resources Board in accordance with the provisions as set forth in Section II.C of Order No. 2009-0009-DWQ and a copy shall be submitted to the City.
- 13. Per the City of San Diego Street Design Manual-Street Light Standards, and Council Policy 200-18, the Subdivider will be required to install a new /upgrade existing streetlight adjacent to the site on Lisbon Street.
- 14. 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 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**

- 15. Prior to the expiration of the Tentative Map, if approved, a Final Map to subdivide the 3.73-acres into 27 Lots shall be recorded with the County Recorder's office.
- 16. Prior to the recordation of the Final Map, taxes must be paid or bonded for this property pursuant to section 66492 of the Subdivision Map Act. A current original tax certificate, recorded in the office of the San Diego County Recorder, must be provided to satisfy this condition.

- If a tax bond is required as indicated in the tax certificate, ensure that it is paid or posted at the County Clerk of the Board of Supervisors Office and supply proof prior to the recordation of the Final Map.
- 17. Prior to the recordation of the Final Map, all private streets and drives shall be shown with bearings and distances along the centerline and width of the streets shown on a non-title sheet on the Final Map. The street names shall be submitted to BDR-Street Name Coordinator for approval and published on the Final Map.
- 18. The Final Map shall be based on field survey and all lot corners must be marked with durable survey monuments pursuant to Section 144.0311(d) of the City of San Diego Land

  Development Codes and Subdivision Map Act Section 66495.

All survey monuments shall be set prior to the recordation of the Final Map, unless the setting of monuments is deemed impractical due to the proposed improvements and/or grading associated with the project, in which case, delayed monumentation may be applied on the Final Map in accordance with Section 144.0130 of the City of San Diego Land Development Codes.

- 19. All subdivision maps in the City of San Diego are required to be tied to the California Coordinate System of 1983 (CCS83), Zone 6 pursuant to section 8801 through 8819 of the California Public Resources Code.
- 20. "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].
- 21. "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."
- 22. The Final Map shall:
  - a. Use the California Coordinate System for its "Basis of Bearings" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true meridian (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-toground shall be shown on the map.

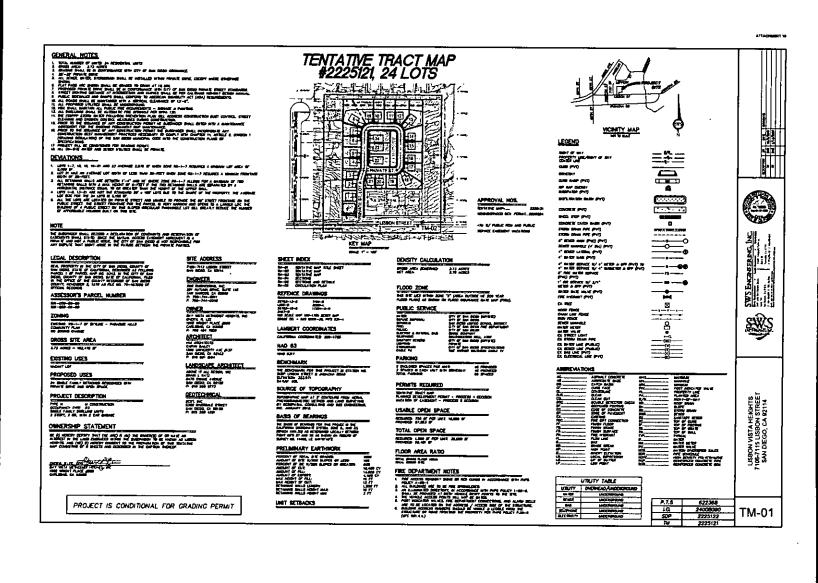
#### WATER

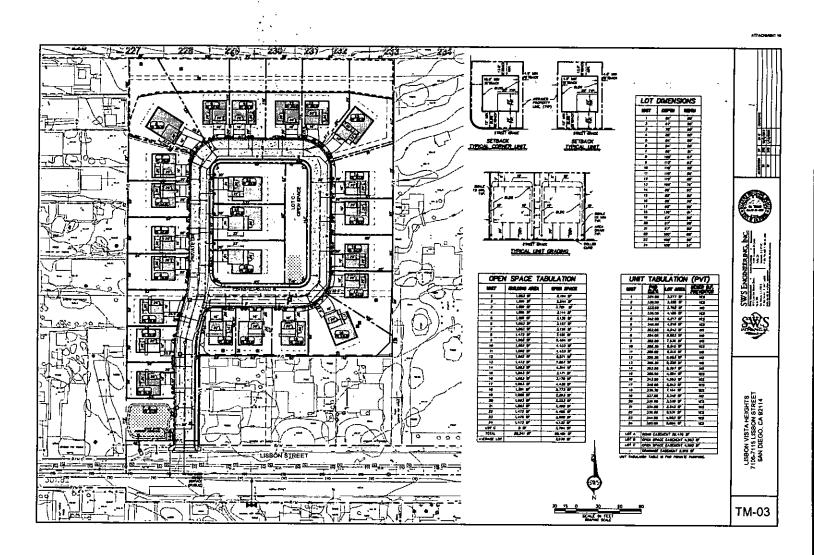
23. Prior to the recordation of the Final map, the Subdivider is required to develop and record a public water easement as shown on the approved Exhibit "A", in a manner satisfactory to the Public Utilities Director and City Engineer.

#### INFORMATION:

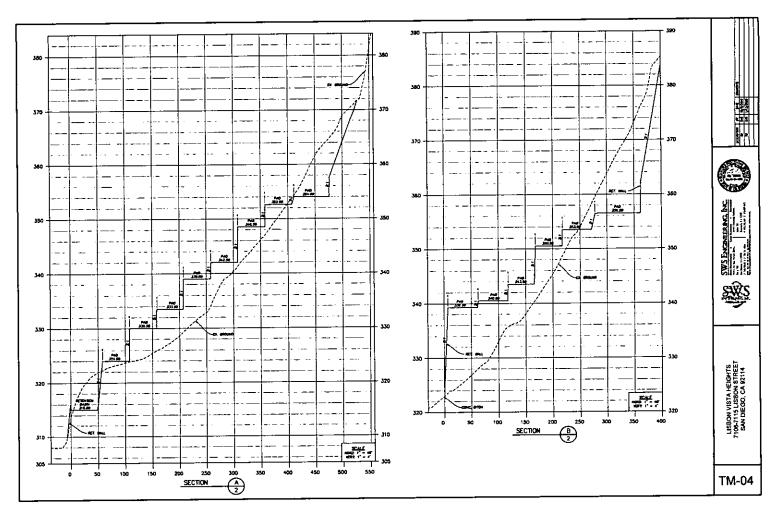
- The approval of this Tentative Map by the City Council of the City of San Diego does
  not authorize the Subdivider to violate any Federal, State, or City laws, ordinances,
  regulations, or policies including but not limited to, the Federal Endangered Species
  Act of 1973 and any amendments thereto (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 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.

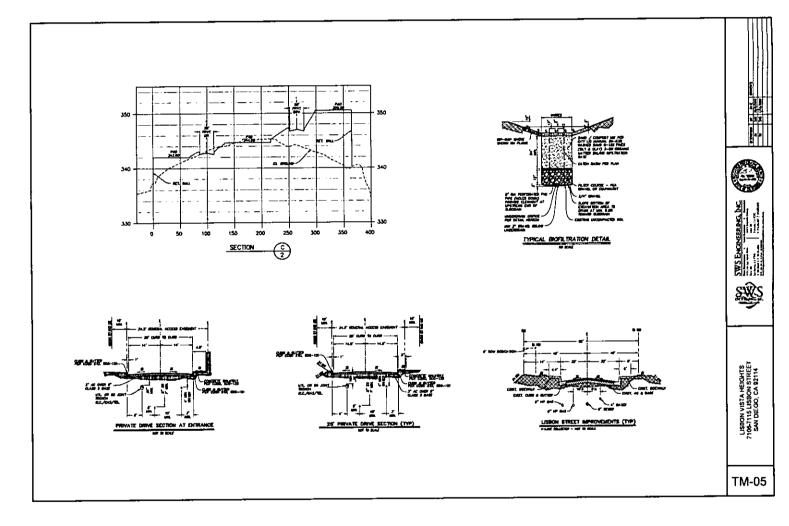
Internal Order No. 24008090

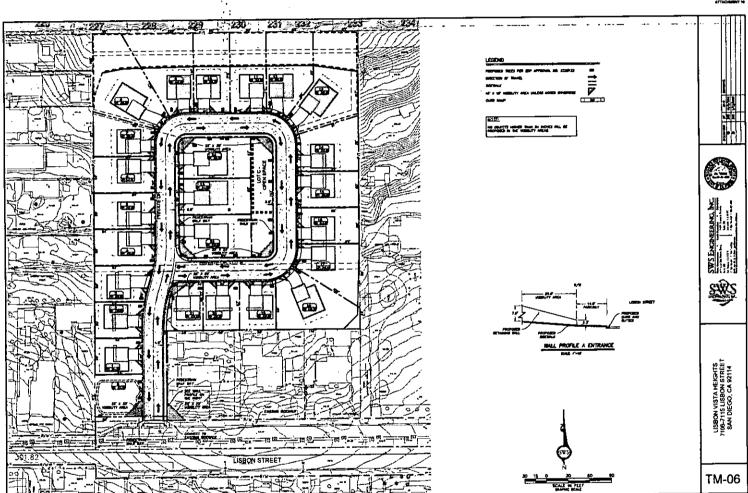












ATT 104-T

Passed by the Council of The City of S	an Diego on	JUN 0 8 2021	, by the following vote:
Councilmembers Ye	as Nays	Not Present	Recused
Joe LaCava	1 🗆		
Jennifer Campbell			
Stephen Whitburn	1 🗆		
Monica Montgomery Steppe 🛭			
Marni von Wilpert			
Chris Cate			
Raul A. Campillo	Z, 🗆		
Vivian Moreno			
Sean Elo-Rivera			
Date of final passageJUN 08 2021  (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.) TODD GLORIA			
AUTHENTICATED BY:			San Diego, California.
(Seal)			S. MALAND San Diego, California.
	Office of the City Clerk, San Diego, California		
	Resolution Number R- 313582		