

RESOLUTION NUMBER R- **316870**

DATE OF FINAL PASSAGE **JUL 07 2026**

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO DENYING THE APPEAL AND AFFIRMING THE
PLANNING COMMISSION'S DECISION TO APPROVE
VESTING TENTATIVE MAP NO. 3262907 FOR THE
EMERALD HILLS PROJECT - PROJECT NO. PRJ-1107880
[MMRP]

RECITALS

The Council of the City of San Diego (Council) adopts this Resolution based on the following:

A. VERTICAL BRIDGE LANDCO, LLC, A Delaware Limited Liability Company, Owner, D.R. HORTON LOS ANGELES HOLDING COMPANY, INC, A California Corporation, Subdivider, and Hunsaker and Associates, Engineer, filed an application with the City of San Diego for a Vesting Tentative Map No. 3262907 for the proposed subdivision [Subdivision] of the approximately 31.18-acre site into 130 lots to include 123 residential for-sale lots for single-dwelling units and seven (7) private open space lots (maintained by a Homeowner's Association [HOA]) lots for the Emerald Hills Project [Project] located at 5702 Old Memory Lane, and legally described as ALL THAT PORTION OF LOT 18 OF RANCHO MISSION OF SAN DIEGO, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE PARTITION MAP THEREOF MADE IN AN ACTION ENTITLED "JUAN M. LUCO, ET AL, VS. COMMERCIAL BANK OF SAN DIEGO, A CORPORATION, ET AL" AND ON FILE IN THE OFFICE OF THE COUNTY CLERK OF SAN DIEGO COUNTY in the RS-1-2 (Residential-Single Unit) zone, Complete Communities Mobility Choices Mobility Zone 2, Airport Land Use Compatibility Overlay Zone for San Diego International Airport (SDIA), Airport Influence Area – Review Area Two for SDIA, containing

Environmentally Sensitive Lands, and an Affordable Housing Parking Demand area within the Encanto Neighborhoods Community Plan (Community Plan) Planning Area.

B. The Map proposes the Subdivision of a 31.18-acre site into 130 lots to include 123 residential for-sale lots for single-dwelling units and seven (7) private open space lots. The Subdivision would include seven (7) private open space lots (maintained by a HOA) totaling 7.95 acres, public streets totaling 6.42 acres, and associated improvements. The Subdivision includes the allocation of 13 lots for affordable for-sale dwelling units with prices set aside for households with an income of no more than 100 percent of the area median income (AMI).

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

D. On November 20, 2025, the Planning Commission of the City of San Diego considered Vesting Tentative Map No. PMT-3262907, Site Development Permit No. PMT-3262906, Neighborhood Development Permit No. PMT-3273605, and Neighborhood Use Permit No. PMT-3286476, and voted 7-0-0 to approve the Project with a motion made by Commissioner Boomhower, seconded by Commissioner Malbrough.

E. On November 20, 2025, the Planning Commission adopted Resolution No. 5363-PC for Addendum No. 1107880 to the Southeastern San Diego and Encanto Neighborhoods Community Plan Updates Project Program EIR (PEIR) No. 386029/State Clearinghouse (SCH) No. 2014051075 and a Mitigation, Monitoring, and Reporting Program (MMRP) for Biological Resources and Paleontological Resources, copies of which are on file in the Office of the Development Services Department in accordance with the California Environmental Quality Act of 1970 (CEQA) (Public Resources Code Section 21000 et seq.), as amended, and the State

CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.).

F. On December 1, 2025, Saige Gonzales Walding, on behalf of the Chollas Valley Community Planning Group, filed an appeal of the City of San Diego Planning Commission approval of the Project to the Council citing Factual Error, Conflict with other Matters, Findings Not Supported, New Information and City-wide Significance.

G. On July 7, 2026, the Council held a noticed public hearing to consider the Appeal of the Planning Commission's Approval of Vesting Tentative Map No. PMT-3262907, Site Development Permit No. PMT-3262906, Neighborhood Development Permit No. PMT-3273605, and Neighborhood Use Permit No. PMT-3286476. Pursuant to Municipal Code sections 125.0440 and 125.1040, and Subdivision Map Act section 66428, the Council received for its consideration written and oral presentations, evidence, and testimony from all interested parties at the public hearing. The Council has fully considered and has been fully advised on this matter.

H. The Office of the City Attorney prepared this Resolution based on the information provided by City staff (including information provided by affected third parties and verified by City staff), with the understanding that this information is complete and accurate.

I. 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.

ACTION ITEMS

Be it resolved by the Council of the City of San Diego:

1. The Council adopts the following findings with respect to Vesting Tentative Map No. PMT-3262907:

VESTING TENTATIVE MAP – SAN DIEGO MUNICIPAL CODE [SDMC] SECTION 125.0440.

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

The proposed subdivision [Subdivision] consists of subdividing an approximately 31.18-acre site located at 5702 Old Memory Lane into 130 lots to include 123 residential for-sale lots for single-dwelling units, seven open space lots totaling 7.95 acres, and public streets totaling 6.42 acres. The Subdivision would include 13 lots for affordable for-sale dwelling units with prices set aside for households with an income of no more than 100 percent of the area median income (AMI).

The Emerald Hills project [Project] would include the demolition of an existing radio transmitter facility, including a 7,050-square-foot (SF) transmitter building, two broadcast towers and associated improvements for the construction of 123 single dwelling units, seven (7) private open space lots to include four (4) pocket parks, the installation of a neighborhood identification sign, circulation roadways, walkways and associated on-site and off-site improvements. Associated improvements include three retaining walls that would encroach into the 60th street public right-of-way (ROW). Two walls would be located on the west side of 60th Street, one located at the northeast corner of the Project site and one on the southeast corner of the Project site, the third wall would be located on the east side of 60th Street. The wall proposed within the public right-of-way on the east side of 60th Street would be a City asset and the City would be responsible for maintenance of the retaining wall. The walls located on the west side of 60th street would be the responsibility of the HOA. The Subdivision would be conditioned to install new streetlights along the 60th Street frontage. The Subdivision would also include an emergency access alley at the westerly portion of the site that would allow access to and from Old Memory Lane for emergency services. The access alley would be secured with locked gates at either end that encroach into the access alley ROW within the Project site to prevent the circulation of vehicular traffic. The access gates would be provided with a knox-box at each gate which would allow emergency responders to unlock the access gates in the event of an emergency. Additionally, the Project proposes a neighborhood identification sign which shall conform to the applicable regulations of SDMC Section 141.1102, Neighborhood Identification Signs. The proposed neighborhood identification sign shall have a maximum sign copy area of 20 square feet, shall be located at the southwest corner of Street “A” and 60th Street, and shall be constructed of masonry walls with brick veneer and cast concrete accents as shown on the Exhibit “A”. The neighborhood identification sign requires the approval of a separate NUP.

The 31.18-acre site is located at 5702 Old Memory Lane in the RS-1-2 (Residential-Single Unit) zone, Complete Communities Mobility Choices Mobility Zone 2, and within the Encanto Neighborhoods Community Plan (Community Plan) planning area. The Project site is characterized by sloping terrain that ranges in elevation from approximately 315 feet above mean sea level (AMSL) to approximately 375 feet AMSL. The site is surrounded by single-dwelling unit

development to the north, east, and south, and an elementary school and Emerald Hills Park to the west. Vegetation within the Project is limited to non-native grasslands with pockets of sagebrush, a few eucalyptus trees and small patches of disturbed native habitat in the form of Diegan Coastal Sage Scrub (disturbed) located along the northern Project site boundary.

The Project site was previously developed for a radio transmitter facility, which included a 7,050-square-foot (SF) transmitter building, two broadcast towers and associated site improvements. A Historical Resource Technical Report (HRTR) prepared by BFS Environmental Services (dated January 31, 2024, and revised March 19, 2024) was prepared for the Project site, which identified the existing transmitter building as a two-story, Streamline Moderne-style commercial building built in 1948, along with one of the two existing broadcast towers. The HRTR evaluated the property for significance under Historical Resources Board (HRB) Criterion A and found no significance as a special element for historical development for the development of radio broadcasting. It also did not find any significance under HRB Criterion B in association with significant persons or events. Additionally, the report did not find any significance under HRB Criterion C for the building or HRB Criterion D as a representative of a notable work of a master, as the designer/builder of the building and towers.

The Project site is located within the Encanto Neighborhoods Community Plan [Community Plan] planning area. The Community Plan designates the land use for the Project site as Residential Very-Low, which allows a density range of zero to four dwelling units per acre (0-4 du/ac). The proposed Subdivision would allow for 123 single-dwelling units with attached garages at a proposed density of 3.94 dwelling units per acre (du/ac) (123 dwelling units / 31.18 acres equals 3.94 du/ac), consistent with the density range of the Community Plan. Additionally, the City of San Diego General Plan (General Plan) also designates the Project site for Residential land uses. The dwelling units would have an average lot size of approximately 5,954 square feet with a range of lot sizes from 5,000 square feet to 9,172 square feet, thus compatible with the established residential dwelling units of the surrounding neighborhood. Additionally, the subdivision is utilizing the zoning regulations of the RS-1-7 zone, which allows a minimum lot size of 5,000 square feet. Utilization of the RS-1-7 zone regulations is in accordance with SDMC Section 131.0431, Table 131-04D, Footnote 7. The project was deemed complete on December 6, 2023, which is prior to the repeal of Footnote 7 from Table 131-04D by Ordinance No. O-21934 N.S. The repeal of Footnote 7 took effect on April 24, 2025.

The Project would comply with the City of San Diego Mobility Choices Regulations for Mobility Zone 2. The purpose of the Mobility Choices Regulations is to reduce Citywide vehicle miles traveled (VMT) to address the environmental impacts of development related to noise, air pollution, and greenhouse gas emissions. The Project will comply with the regulations by implementing the following VMT Reduction Measures:

- Installation of one bike repair station in Pocket Park 1 in the location shown in Exhibit “A.”
- Provision of eight (8) trees with 20 feet spacing along Street “A” as shown in Exhibit “A.”
- Construction of a 200-square-foot resting area in Pocket Park 1 with benches, signage, and trash receptacle, as shown in Exhibit “A.”

The Subdivision would support the goals of the Walkable Communities section of the General Plan's Mobility Element, which includes a city where walking/rolling is a viable travel choice, particularly for trips of less than one-half mile. Walkable communities offer public health benefits by providing opportunities for people to be active as a part of their everyday lives. The Subdivision would support this goal by incorporating landscaped non-contiguous sidewalks with street trees, shaded seating areas, and recreational amenities within the proposed pocket parks and parkways, and a multi-use trail adjacent to the non-contiguous sidewalk along 60th street, enhancing the pedestrian experience and encouraging active mobility within the community. The Subdivision would also support the goals of providing a safe and comfortable environment, a complete, functional, and interconnected pedestrian network that is accessible to pedestrians of all ages and abilities by providing walkways as previously described along with streetlighting including adding streetlights to 60th Street and providing a pedestrian connector to Emerald Hills Neighborhood Park located northwest of the Project site and a pedestrian connection to the existing 60th Street public right-of-way and existing sidewalk which provides a pedestrian connection to Old Memory Lane and provides a connection to the Metropolitan Transit System (MTS) bus stop for Route 917 located near the intersection of Kelton Road and Roswell Street approximately a half-mile southwest of the Project site.

Policy ME-A.2 focuses on implementing safe pedestrian routes that connect residential areas to schools, transit, and other highly frequented destinations. The implementation of safe pedestrian routes includes supporting needed improvements and programs such as wider and non-contiguous sidewalks, more visible pedestrian crossings, traffic enforcement, traffic calming, street and pedestrian lighting, pedestrian trails, and educating children on traffic and bicycle safety. Additionally, Recreation Element Policy RE-D. 6. a., encourages the provision of safe and convenient pedestrian and bicycle paths connecting recreation facilities to residential areas. As previously described, the Project would provide a connection to Old Memory Lane, which has an existing sidewalk that connects to the Emerald Hills Neighborhood Park and Johnson Magnet School, located west of the Project site. The Subdivision would be conditioned to provide new streetlights along 60th Street, which would provide improvements to streetlighting for pedestrian safety. The Subdivision would further support this policy by dedicating additional right-of-way along 60th Street, thus providing a new non-contiguous sidewalk and a multi-modal trail fronting the Project site adjacent to 60th Street.

The Subdivision would provide connectivity to the existing right-of-way at 60th Street east of the Project site, which would connect the Project to existing sidewalks along 60th Street that connect to trailheads for the Chollas Radio System Open Space areas located northwest and southeast of the Project site. Additionally, the Project aligns with Policy ME-A.7, which promotes pedestrian-oriented design in both public and private Projects to improve walkability. The Subdivision, as previously described, would support this policy through the proposed pedestrian and multi-modal improvements. The proposed Subdivision would be consistent with Policy P-UD-22 by proposing a street network that is similar to the established street network of the surrounding neighborhood through the provision of non-contiguous pedestrian-friendly sidewalks that would provide street lighting, landscaped parkways and street trees in conformance with the applicable regulations while providing a linkage to existing pedestrian walkways along 60th Street and Old Memory Lane.

The Subdivision respects the natural topography of the site by proposing 7.95 acres as open space areas to be maintained by a HOA, including areas for landscaping, recreational use, and stormwater retention basins (bio-filtration basin). Portions of the existing slopes at the perimeter of the Project site would be part of the HOA-maintained open space areas, which would provide a buffer between the existing homes on adjacent properties and the new dwelling units. The Subdivision would include four lots for pocket parks in accordance with the associated Project. The pocket parks would provide various pedestrian amenities, including benches, picnic tables, gardens, shade areas, and concrete walkways, providing a connection to the network of sidewalks within the Project site and a linkage to the established walkways along 60th Street and Old Memory Lane. The Subdivision would include right-of-way dedications that include 12-foot-wide parkways that would be constructed around internal public circulation roads, thus providing mobility and recreational opportunities for pedestrians and bicyclists within the Project site and connectivity to recreational sites and open space areas within the community by connecting to 60th Street and Old Memory Lane. By implementing open space and pedestrian amenities, the Project would comply with the goals and policies of the General Plan's Mobility and Recreation Elements, as well as the Community Plan's Mobility, Urban Design, and Recreation Elements.

The proposed open space lots would also support the Community Plan, Urban Design Element Policy P-UD-5, which calls for the creation of well-defined open spaces and common areas through building form that arranges dwelling units around a central, common and usable open space. The Subdivision and associated Project would incorporate this policy by integrating four pocket parks strategically integrated into the site design. These pocket parks serve as focal points for community engagement and provide amenities such as benches, picnic tables, gardens, and shaded areas. Additionally, the parks are connected by a network of concrete walkways that connect to the network of non-contiguous sidewalks that are part of the internal circulation for the Project site. These design features ensure that open spaces are accessible, inviting, and serve as key gathering areas for the community. The associated Project incorporates features such as tree-lined sidewalks, landscaped parkways and streetlighting, which would promote walkability and contribute to a visually appealing streetscape that enhances the character of the neighborhood. The proposed pocket parks and walkways would be available for the community and would support the General Plan Environmental Justice Policy EJ-C.1, which seeks to improve and diversify opportunities for play in public spaces for people of all age groups, genders, and abilities, and Policy EJ-C.3, which calls for the design of public spaces to be inclusive, equitable, and accessible to children of all ages, genders, and abilities, and their caregivers.

Furthermore, the Subdivision would support the General Plan, Land Use and Community Planning Element, Policy LU-C.4, which directs the city to "Ensure efficient use of remaining land available for residential development and redevelopment by requiring that new development meet the density minimums of applicable plan designations." The Project would propose density that is consistent with the Community Plan residential land use designation of Residential Very Low, which allows a density range of zero to four dwelling units per acre (0-4 du/ac). As previously described, the proposed density would be 3.94 dwelling units per acre (du/ac), consistent with the density range of the Community Plan.

The Subdivision and associated Project would support the City's General Plan Environmental Justice Element by meeting the goal of providing safe and healthy homes for people of all age groups, genders, and abilities to thrive in their communities by providing quality housing

that would consist of new construction that conforms to current building codes and engineering standards. Conformance with current building codes would include conformance with the current California Energy Code and California Green Building Standards Code by incorporating energy-efficient lighting, appliances, windows, and additional sustainable design features such as water-efficient landscaping and plumbing fixtures.

The Subdivision and associated Project would support Housing Element Policies HE-I.7 and HE-M.5 by providing affordable housing and fostering neighborhoods that include a diversity of housing types, particularly affordable housing mixed in with market-rate housing and various plan options, thus supporting diversity in housing types, including the provision of housing for large families. Specifically, the Subdivision is conditioned to include 13 on-site for-sale affordable dwelling units for moderate-income households with an income at or below 100 percent of the Area Median Income (AMI). By supporting the housing element goals and policies, the Subdivision would address environmental justice issues, including the provision of affordable housing, addressing substandard living conditions, and improving access to parks and schools.

Furthermore, the Subdivision and associated Project aligns with Environmental Justice Policy EJ-C.1, which seeks to improve and diversify opportunities for play in public spaces for people of all age groups, genders, and abilities, and Policy EJ-C.3, which calls for the design of public spaces to be inclusive, equitable, and accessible to children of all ages, genders, and abilities, and their caregivers. The Subdivision supports these goals by integrating four pocket parks within the proposed private open space lots, and the Project would provide diverse amenities such as benches, picnic tables, gardens, and shaded areas, creating inclusive and accessible recreational opportunities for people of all ages and abilities that are accessible to all members of the public. The Subdivision also enhances connectivity and accessibility for all residents through the inclusion of pathways, parkways, and open spaces designed to link the site's recreational features with the surrounding community. The General Plan includes a commitment to creating and maintaining economically and socially diverse communities, which can be achieved by providing a mix of housing types that are suitable for households of various income levels. The General Plan's Housing Element identifies policies to help the City meet the regional housing needs allocation (RHNA) targets including designating land for a variety of residential densities to meet housing needs for a variety of household sizes, and encouraging location- and resource-efficient development whereby housing is located near employment, shopping, schools, recreation, transit, and walking/bicycling infrastructure.

Finally, the Subdivision will comply with the General Plan's Housing Element and the City of San Diego's need to accommodate forecasted increases in population and housing needs. According to the San Diego Housing Commission, it is estimated that the city could fall short of its 2010-2020 RHNA goals (as set by San Diego Association of Governments pursuant to state mandate) by as much as 50,000 units, based on past and current housing production trends. The housing units proposed by the Project would help to meet the existing and Projected regional housing needs allocation (RHNA) targets including designating land for a variety of residential densities to meet housing needs for a variety of household sizes and encouraging location- and resource-efficient development whereby housing is located near employment, shopping, schools, recreation, transit, and walking/bicycling infrastructure. 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 Subdivision and associated Project are described in the findings above, incorporated herein by reference. The proposed Subdivision would comply with the zoning and development regulations of the Land Development Code, except where deviations are allowed as development incentives and waivers for the provision of affordable housing in accordance with the Affordable Housing Regulations of SDMC Chapter 14, Article 3, Division 7. The Project is requesting the following deviations in the form of one incentive and five waivers in accordance with SDMC Section 143.0740 and Table 143-07C for moderate-income households:

Proposed Incentive/Waiver		
Development Regulation	Required/Allowed	Proposed
Fence Height – General Fence Regulations for all zones (Incentive)		
SDMC 142.0310(c)(1)(A) Solid fences located on the front or street side property line of residential lots. *Where a fence height deviation is being requested, the height shall not exceed three feet (3'-0") in height within Visibility Areas in accordance with SDMC Section 142.0310(b).	<u>Front side maximum:</u> Three feet (3'-0") in height, except as provided in Section 142.0310(c)(1)(C). <u>Street-side maximum:</u> Three feet (3'-0") in height, except as provided in Section 142.0310(c)(1)(C).	Fences of six (6) feet in height located on the street side property line for the following lots: 9, 53, 78, 81, 95, 102, 103 and 111. Within the referenced lots, fences shall not exceed three feet (3'-0") in height within the Visibility Areas shown on the Exhibit "A," in accordance with SDMC Section 142.0310(b).
Minimum Street Frontage (Waiver)		
SDMC Table 131-04D, Minimum Lot Dimensions, Street frontage for residential zones.	<u>Minimum Street Frontage:</u> 50 feet (50'-0") within the RS-1-7 (Residential-Single Unit) zone.	Minimum street frontage will range from 37 feet to 49 feet for the following lots: 1-8, 10, 11, 14-42, 45-52, 54, 57, 58, 60, 61, 72-79, 82, 83, 85, 87-97, 104, 105, 113-122, as listed in the Lot Summary Table on sheet C2 of Exhibit "A."
Minimum Lot Dimension (Waivers)		
SDMC Table 131-04D, Minimum Lot Dimensions, Lot Width for residential zones.	<u>Minimum Lot Width:</u> 50 feet (50'-0") within the RS-1-7 zone.	Minimum lot width will range from 45 feet (45'-0") to 49 feet (49'-0") for the following lots: 4-7, 10-15, 33-37, 45, 51, 52, 54, 57, 58, 60, 61, 82, 83, 85,

Proposed Incentive/Waiver		
Development Regulation	Required/Allowed	Proposed
		92-97, 112-116, 121 and 122, as listed in the Lot Summary Table on sheet C2 of Exhibit "A."
SDMC Table 131-04D, Minimum Lot Dimensions, Lot Width (Corner Lot) for residential zones.	<u>Minimum Lot Width (Corner Lot):</u> 55 feet (55'-0") within the RS-1-7 zone.	Minimum lot width (Corner Lot) will range from 48 feet (48'-0") to 54 feet (54'-0") for the following lots: 9, 53, 78, 81, 95 and 111, as listed in the Lot Summary Table on sheet C2 of Exhibit "A."
SDMC Table 131-04D, Minimum Lot Dimensions, Lot Depth for residential zones.	<u>Minimum Lot Depth:</u> 95 feet (95'-0") within the RS-1-7 zone.	A lot depth of 93 feet (93'-0") for lots 110 and 111 as listed in the Lot Summary Table on sheet C2 of Exhibit "A."
Driveway Curb Opening (Waiver)		
SDMC section 142.0560(j)(3) for driveway openings. Reference: City of San Diego Standard Drawing SDG-164 Driveway Location and Width Requirements.	In accordance with City of San Diego Standard Drawing SDG-164, Note 2 states the following: Not more than 40-percent of the property frontage on residential lots may be allocated for driveway curb openings.	22-foot (22'-0") driveway curb opening (16-foot-wide driveways with a 3-foot flare on each side) for lots: 1-61, 71-83, 85-97, 99-101, 104-108 and 112-123. 107 of the 123 residential lots in this subdivision would exceed the 40-percent maximum driveway curb opening width.

The requested incentives and waivers are necessary to allow the Subdivision of 123 lots for residential dwelling units in accordance with the maximum allowed residential density designation of the Community Plan where four dwelling units per acre are allowed, resulting in a maximum of 125 dwelling units on the on the 31.18-acre site [$31.18 \times 4 = 124.72$ rounded up to 125 in accordance with SDMC Section 143.0720(n)]. The Project would benefit the Encanto Neighborhoods Community by providing new for-sale housing, including affordable housing opportunities, while maintaining consistency with the residential density designation of the Community Plan for the Project site.

Without the requested incentive and waivers, the regulations would impact the developable area of the proposed lots, and the Project would not be able to maximize the number of residential

dwelling units. The proposed incentive and waivers would allow for a Project with a site layout and building designs that are consistent with the goals and policies of the Community Plan and maximize the development potential, versus a project that, if designed in strict conformance with the development regulations of the applicable zone, would limit the site layout and reduce the density of development. A project designed in strict conformance with the regulations would result in a reduction of the number of proposed lots, potentially resulting in a decrease of 8 to 14 lots and a corresponding reduction in the proposed open space areas and pocket parks within the project site. If designed in strict conformance with the regulations, the site layout could potentially extend further into the proposed open space areas, thus requiring additional grading and further impacting the natural topography of the site. The proposed incentive and waivers would allow the developer to implement the proposed pocket parks and open space areas, which include the detention basins serving the development and the open space buffers between the existing residential dwelling units and the proposed development that are currently part of the site layout. Additionally, if the project is designed in strict conformance with the regulations, the reduction in lots and dwelling units could potentially result in the reduction of up to two of the proposed affordable dwelling units for the project.

The requested incentive and waivers have been reviewed as they relate to the proposed Project and the impact on the surrounding neighborhood. The requested incentive and waivers are appropriate and will result in a Project that efficiently utilizes the subject property and provides housing for a diverse and mixed population, housing near existing parks and recreational resources, and develop resource-efficient development located near schools, recreational resources, and walking/bicycling infrastructure, in conformance with the goals and policies of the Community Plan and the General Plan. Additionally, the subdivision is utilizing the zoning regulations of the RS-1-7 zone, which allows a minimum lot size of 5,000 square feet. Utilization of the RS-1-7 zone regulations is in accordance with SDMC Section 131.0431, Table 131-04D, Footnote 7. The project was deemed complete on December 6, 2023, which is prior to the repeal of Footnote 7 from Table 131-04D by Ordinance No. O-21934 N.S. The repeal of Footnote 7 took effect on April 24, 2025. Therefore, the proposed subdivision complies with the applicable zoning and development regulations of the LDC, including any allowable incentives and waivers pursuant to SDMC Sections 143.0720(a), 143.0740, 143.0743 and Table 143-07C that are appropriate for this location.

3. The site is physically suitable for the type and density of development.

The Subdivision and associated Project are described in the findings above, incorporated herein by reference. The Subdivision would involve the creation of 123 residential single dwelling unit lots and seven private open space lots on an approximately 31.18-acre site. As previously stated, the Community Plan designates the land use for the Project site as Residential – Very Low for a density of zero to four dwelling units per acre (0-4 du/ac), where the Project is proposing a residential density of 3.9 du/ac in conformance with the maximum allowed density. The Land Development Code allows a 5,000 square foot minimum lot area for each lot pursuant to SDMC Section 131.0431, Table 131-04D, Footnote 7 which was in effect when the Project was deemed complete and thus applies to the Project. The Subdivision is in conformance with this minimum lot area.

Under existing conditions, the Project site contains a radio transmitter facility, which includes a 7,050-square-foot (SF) transmitter building, two broadcast towers, associated site improvements and non-native grassland over a majority of the Project site. In accordance with Mitigation Measure MM-BIO-1 and MM-BIO-2 of the Mitigation Monitoring and Report Program (MMRP) for the Southeastern San Diego and Encanto Neighborhoods Community Plan Project Program Environmental Impact Report (PEIR) No. 386029/SCH No. 2014051075 (certified by the City Council on December 2, 2015, via Resolution No. 310077), a site-specific Biological Technical Report (BTR) was prepared by Helix Environmental Planning (February 2025) which identified that most of the Project site contains Environmentally Sensitive Lands (ESL) in the form of non-native grassland, which have historically been regularly cleared, mowed or grazed dating back through 1953 and small patches of disturbed native habitat in the form of Diegan Coastal Sage Scrub (disturbed). The BTR identified two special-status plant species, small-flowered morning glory and decumbent goldenbush, that were observed within the project site; neither species is federally, or state listed or listed as a narrow endemic. No animal species were detected or are known to breed within the project site. Because the identified plant species do not occur in unusually high concentrations on-site, no mitigation measures are proposed other than the habitat mitigation that is required as part of the site-specific EIR Addendum Mitigation Measure MM-BIO-2 for the impacts to habitat, further described below. The BTR references a slope analysis of the site prepared by Hunsaker & Associates (2023), which determined that there are no steep hillsides on-site; thus, the project is not subject to identification as ESL in the form of steep hillsides.

The Project site is not located within or adjacent to the City's Multi-Habitat Planning Area (MHPA). The nearest MHPA is located approximately 278 feet to the south, beyond two rows of houses on either side of Old Memory Lane, and approximately 316 feet to the northwest of the site, across Emerald Hills Park. Thus, the Project would not result in impacts to sensitive habitats located within the MHPA.

The BTR identified two special-status plant species, small-flowered morning glory and decumbent goldenbush, that were observed within the Project site, but no animal species were detected or are known to breed within the Project site. Because the identified plant species do not occur in unusually high concentrations on-site, no mitigation measures are other than the habitat mitigation that is required as part of the site-specific EIR Addendum Mitigation Measure MM-BIO-2 for the impacts to habitat further described below.

Cooper's hawk may nest on or adjacent to the site. However, the implementation of site-specific Mitigation Measure MM-BIO-1 would reduce impacts to Cooper's hawk to less than significant. A preconstruction nesting bird survey will be conducted to determine the presence of any nesting birds. Avoidance measures would be provided for nesting birds. Prairie falcon, a watch list species, has the potential to forage on site. Impacts to this species are not expected to be significant with the implementation of compensatory habitat mitigation provided as site-specific Mitigation Measure MM-BIO-2. Coastal California gnatcatcher is not expected on-site, and the nearest off-site MHPA with potential for this species starts more than 300 feet to the northwest on the other side of Emerald Hills Park. The Project site does not include California sagebrush or California buckwheat, which are favored by the coastal California gnatcatcher. Therefore, indirect noise impacts to breeding coastal California gnatcatchers located in the off-site MHPA would be considered less than significant. Implementation of site-specific Mitigation Measure MM-BIO-2

would reduce impacts to coastal California gnatcatcher habitat to less than significant. Coastal cactus wren is not expected on site, and the nearest coastal cactus wren record is located approximately 0.5-mile southwest of the Project site. No apparently suitable habitat for the coastal cactus wren, including cacti and native scrub vegetation, were observed on-site. Impacts to this species are expected to be less than significant.

A Crotch's bumble bee survey was conducted as part of the Project-specific BTR. The site was evaluated during the habitat assessment as having low potential for the species. No Crotch's bumble bee was observed during the focused surveys conducted on May 1, 3, and 21 and June 19, 2024. With the implementation of the site-specific mitigation measures, as required by PEIR MM-BIO-1, the Project would not result in a substantial adverse impact, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species, and impacts would be less than significant.

Under existing conditions, the Project site does not contain wetland habitat. No features were observed on the Project site that would be considered Army Corps of Engineers Waters of the United States, CDFW Waters of the State, or City wetlands. No surface water flow or ponding water was observed on the site, and no evidence of water flow or ponding was observed. The Project would not impede the movement of any native, resident, or migratory fish or wildlife species or interfere with established native, resident, or migratory wildlife corridors. The Project site is currently surrounded by developed land and is not expected to provide for regional or localized wildlife movement. Wildlife may continue to use the Emerald Hills Branch of Chollas Creek in the MHPA to the west of the Project site and Emerald Hills Park. Chollas Creek is known to provide dispersal of urban acclimated species.

In addition, the Project would not interfere with linkages identified in the MSCP Plan or the use of native wildlife nursery sites. Birds could move through the site; however, the species that would be likely to use the Project site would be the same common, urban-adapted species that would use the adjacent residential development. Implementation of the Project would result in development on-site that is consistent with the Community Plan.

The Project would be developed in accordance with the Community Plan policies, which includes policies and goals that intend to remove invasive species within the Community Plan area (including the Project site). An Environmental Impact Report (EIR) Addendum was prepared for the Project in accordance with the CEQA Guidelines. The EIR Addendum determined that there are no significant environmental effects associated with the Project that were not analyzed as significant effects in the PEIR.

The Project would result in a total of 0.4 acre of impacts to Diegan coastal sage scrub (disturbed), a Tier II habitat outside of the MHPA. The Project would also result in 29.2 acres of impacts to non-native grassland, a Tier IIIB habitat outside of the MHPA. Impacts to Tier II habitat would be mitigated at a 1:1 ratio, and impacts to Tier IIIB habitat would be mitigated at a 0.5:1 ratio for mitigation occurring inside of the MHPA. If mitigation were to occur outside the MHPA, it would be provided at mitigation ratios of 1.5:1 for Tier II habitat and 1:1 for Tier IIIB habitat.

As mitigation for impacts to 0.4 acre of Tier II habitat and 29.2 acres of Tier IIIB habitat, the Project shall provide compensatory habitat mitigation of at least 0.4 acre of Tier II habitat (or

higher Tier) and 14.6 acres of Tier IIIB habitat (or higher Tier), in accordance with the mitigation measures of the PEIR (previously described) and the associated Project EIR Addendum Mitigation Measure MM-BIO-2. Mitigation for impacts to Tier II and IIIB habitats could occur within the MHPA in Tiers I through III (out-of-kind), or outside of the MHPA within the affected habitat type (in-kind). Mitigation ratios assume all impacts are outside the MHPA and no narrow endemic species are present. Compensatory mitigation would be provided off-site within the MHPA at a site approved by the City. The proposed location for the required mitigation would be at parcels owned by the Poway Unified School District located in the East Elliot area near Spring Canyon, and/or an alternate site approved by the City, with the final mitigation package to be approved by the City before impacts. If the City were to approve some compensatory mitigation to occur outside the MHPA, it would be provided at mitigation ratios of 1.5:1 for Tier II habitat and 1:1 for Tier IIIB habitat. Prior to the issuance of construction or grading permits, the mitigation land will either be dedicated to the City in fee title, or protected by a recorded covenant of easement. In accordance with the required mitigation, impacts to Tier II and IIIB habitats would be reduced to a less-than-significant level.

The Subdivision and the Project would be consistent with the General Plan Conservation Element and Community Plan Conservation and Sustainability Element by minimizing and mitigating impacts to environmentally sensitive lands. The Project will include a sustainable landscape design and maintenance that consists of a palette of plant species that conform to the City of San Diego Landscape Standards, including non-invasive vegetation and low-water-use plants. By utilizing non-invasive vegetation and low-water-use plants, the Project would support the Conservation Element policy CE-A.11 and the Community Plan Urban Design Policies P-UD-98 and P-UD-99.

A site-specific Preliminary Geotechnical Evaluation and Preliminary Geotechnical Evaluation Addendum were prepared for the Project by GeoTek, Inc. (Geotek, 2023b; Geotek, 2023a). The Geotechnical Evaluation identified that the Project site is not located in a seismically active region, and no active faults are known to exist at the site. The nearest known active fault is located approximately 4.5 miles southwest of the Project site. The Project would be required to comply with the recommendations provided in the Geotechnical Evaluation. The liquefaction potential and seismic settlement potential on the Project site are considered negligible due to the apparent density of the underlying formation and lack of a shallow groundwater table. Additionally, the Geotechnical Evaluation concludes that the potential for landslides and rockfall is considered low. Therefore, the Project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, including liquefaction, landslides, or similar hazards.

As previously described, the General Plan designates the Project site for residential land uses. Additionally, the Community Plan designates the land use for the Project site as Residential – Very Low for a density of zero to four dwelling units per acre (0-4 du/ac). Surrounding land use includes residential and open space land uses to the north, residential land uses to the east, residential and open space land uses to the south, and residential and open space land uses to the west. The Subdivision is consistent with the General Plan, Land Use and Community Planning Element LU-C.4, which directs the City to “ensure efficient use of remaining land available for

residential development and redevelopment by requiring that new development meet the density minimums of applicable plan designations.”

Furthermore, the Subdivision and associated Project would be conditioned to prepare a Project-specific Stormwater Pollution Prevention Plan (SWPPP) prior to grading, which would identify and implement an effective combination of erosion control and sediment control measures (i.e., Best Management Practices [BMPs]) to reduce or eliminate discharge to surface water from stormwater and non-stormwater events. As previously described, an EIR Addendum was prepared for the Project in accordance with the CEQA Guidelines. The EIR Addendum determined that there are no significant environmental effects associated with the Subdivision and the associated Project that were not analyzed as significant effects in the PEIR. The Project would be required to implement a Project-related MMRP, which includes the applicable mitigation measures outlined within the MMRP of the previously certified PEIR and the Project-specific technical studies. The Project-related MMRP issue areas include Biological Resources and Paleontological Resources. 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 Subdivision, associated Project, and environmental impacts are described in findings 1 through 3 above, incorporated herein by reference. Under existing conditions, the Project site contains two broadcast towers, a 7,050-square-foot transmitter building, two broadcast towers built between 1948 and 1949, and non-native grassland over a majority of the Project site. Impacts to Biological Resources, including wildlife and their habitats, are described in the finding above, incorporated herein by reference. In accordance with the required mitigation, impacts to Tier II and IIIB habitats would be reduced to a less-than-significant level. The Subdivision would be consistent with the General Plan Conservation Element and Community Plan Conservation and Sustainability Element by minimizing and mitigating impacts to environmentally sensitive lands.

Overall, the Subdivision and the associated Project is within the scope of the analysis of the PEIR, and there is no evidence that the Subdivision or the associated Project would require a major change to the PEIR. The Project would not result in any new significant impact, nor would there be a substantial increase in the severity of impacts from those described in the PEIR. The Project is required to implement a Project-related MMRP, which includes the applicable mitigation measures outlined within the MMRP of the previously certified PEIR and the Project-specific technical studies. The Project-related MMRP issue areas include Biological Resources and Paleontological Resources.

The Project site does not contain any sensitive riparian habitat or other habitat community identified in local or regional plans, policies, and regulations or by the CDFW or U.S. Fish and Wildlife Service. Overall, the Project would be consistent with the City’s MSCP guidelines and will include mitigation measures to address any significant impacts. 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 and associated Project is described in the findings above, incorporated herein by reference. The Project site is located approximately 6.1 miles east of the San Diego International Airport (SDIA) in the Airport Land Use Compatibility Plan (ALUCP) Airport Influence Area (AIA) (Review Area 2). The Project site is not located within any ALUCP Safety Zones or ALUCP noise contours. The Subdivision would not conflict with the ALUCP and would not result in airport safety hazards for people residing or working in the Project area. The Subdivision would be consistent with all applicable land use plan, policies and regulations; therefore, no impact to airport safety would occur. The Subdivision has been designed to minimize alterations to natural landforms and the development footprint has been located to minimize erosion, flood and fire hazards.

A site-specific Preliminary Geotechnical Evaluation and Preliminary Geotechnical Evaluation Addendum were prepared for the Project by GeoTek, Inc. (Geotek, 2023b; Geotek, 2023a). The Geotechnical Evaluation notes that the Project site is not located in a seismically active region, and no active fault is known to exist at the site. The nearest known active fault is located approximately 4.5 miles southwest of the Project site. The Project would be required to comply with the recommendations provided in the Project-specific Geotechnical Evaluation. The liquefaction potential and seismic settlement potential on the Project site is considered negligible due to the apparent density of the underlying formation and lack of a shallow groundwater table. Additionally, the Geotechnical Evaluation concludes that the potential for landslides and rockfall is considered low. Therefore, the Subdivision and associated Project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, including liquefaction, landslides, or similar hazards.

The Subdivision would involve grading activities that would expose and disturb soils. Therefore, the Subdivision and associated Project would have the potential to increase localized soil erosion during construction. A Project-specific stormwater pollution prevention plan (SWPPP) would be required prior to grading, which would identify and implement an effective combination of erosion control and sediment control measures (i.e., Best Management Practices [BMPs]) to reduce or eliminate discharge to surface water from stormwater and non-stormwater discharges. Short-term erosion and sedimentation impacts would be addressed through conformance with applicable elements of the City's stormwater program and related National Pollutant Discharge Elimination System (NPDES) requirements. Specifically, this would entail conformance with applicable City regulatory codes as well as the NPDES Construction General Permit. A drainage Study was prepared for the Project by Hunsaker and Associates (May 31, 2024), and the study concluded that post-development drainage for the Project site would not result in a significant increase in runoff, and there would be no negative impacts to downstream drainage facilities.

The Project would include the implementation of three on-site water quality/hydromodification basins, along with their associated storm drain systems. The attenuation provided by the hydromodification basins would result in a reduction of flow compared to existing pre-development conditions. Further, the Project's proposed landscaping is designed to control

erosion after completion of the Project's construction phase. Therefore, with adherence to existing regulations and requirements, there would be a less-than-significant impact related to erosion and flood hazards during construction and operation of the Project.

The Project site would include an emergency vehicle access road at the western edge of the Project site connected to Old Memory Lane. The Project will provide access to the site by emergency vehicles, including fire apparatus and will provide fire hydrants throughout the Project site in conformance with the City's Fire and Rescue Department requirements. The Project has been reviewed by the City's Fire and Rescue Department for conformance with local and State Fire Code requirements, including provision of fire hydrants, fire flow requirements, and street/aerial access for emergency vehicles. Additionally, prior to the issuance of permits for construction the project will be reviewed for conformance with requirements of the current California Building Codes including the California Fire Code.

As previously described, an EIR Addendum was prepared for the Project in accordance with the CEQA Guidelines. The EIR Addendum determined that there are no significant environmental effects associated with the Project that were not analyzed as significant effects in the PEIR. The PEIR indicated that direct significant impacts to the following issues would be substantially lessened or avoided if all the proposed mitigation measures recommended in the PEIR were implemented: land use, biological resources, hydrology and water quality, historical resources, paleontological resources, and geology and seismic hazards. The PEIR concluded that significant impacts related to transportation, air quality, and noise would not be fully mitigated to below a level of significance. With respect to cumulative impacts, implementation of the PEIR would result in significant air quality and greenhouse gas (GHG) impacts, which would remain significant and unmitigated.

Overall, based on the foregoing analysis and information, the Subdivision and associated Project is within the scope of the analysis of the PEIR, and there is no evidence that the Subdivision or associated Project would require a major change to the PEIR. The Subdivision and Project would not result in any new significant impact, nor would there be a substantial increase in the severity of impacts from those described in the PEIR. The Project would be required to implement a Project-related MMRP, which includes the applicable mitigation measures outlined within the MMRP of the previously certified PEIR and the Project-specific technical studies. The Project-related MMRP issue areas include Biological Resources and Paleontological Resources. Environmental review of the Project did not identify significant impacts that would be detrimental to public health, safety and welfare.

The proposed Subdivision was reviewed by City Staff and determined to be in conformance with the SDMC, including the allowed incentives and deviations to the SDMC regulations. The Subdivision must satisfy the conditions of approval of Vesting Tentative Map No. PMT-3262907, Site Development Permit No. PMT-3262906, Neighborhood Development Permit No. PMT-3273605, and Neighborhood Use Permit No. PMT-3286476, to achieve compliance with the regulations of the SDMC. Such conditions have been determined as necessary to avoid adverse impacts upon the health, safety and general welfare of persons residing or working in the surrounding area. Permit requirements include submitting an updated geotechnical report that addresses the construction plans; obtaining an Encroachment Maintenance Removal Agreement (EMRA) for all private storm drain systems and connections, landscape and irrigation located in

the public right-of-way; assuring by permit and bond the design and construction of all required public water and sewer facilities; and installation of private backflow prevention devices. Prior to issuance of any building permit, grading permit, and public improvement permit, for the proposed Subdivision and Project, the associated construction plans and specifications shall be reviewed by City staff to ensure 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 would be enforced through building inspections completed by the City's building inspectors. Therefore, the design of the subdivision or the type of improvement will not be detrimental to the public health, safety, and welfare.

6. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

The proposed Subdivision and associated Project is described in the findings above, incorporated by reference herein. The Subdivision proposes the creation of 123 single-dwelling unit residential lots and seven private open space lots on an approximately 31.18-acre site. The Project would include the demolition of an existing transmitter building and two broadcast towers currently located on-site. No public access easements exist on the Project site. Required street right-of-way and utility easements are accommodated by the Project design. The proposed Project would be conditioned to include a private trail adjacent to the 60th Street public right-of-way (ROW) with the requirement to record a public access easement to ensure the public at large have access to the trail within the proposed subdivision. Additionally, the property owner would be responsible for maintaining the trail. Therefore, the design of the subdivision or the type of improvements would 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 and associated Project are described in the findings above, incorporated herein by reference. The design of the proposed subdivision of a 31.18-acre parcel into 123 lots for residential development and seven (7) private open space lots has taken into account the best use of the land to minimize grading and maximize utilization of the Project site. The proposed Subdivision and associated Project will comply with current regulations of the California Energy Code (Title 24) and California Green Building Standards Code, in effect at the time of application for any necessary building permits. The current applicable building codes require the following mandatory standards:

- Storm water drainage and retention;
- solar on single- and multi-family residential buildings;
- outdoor water use requirements as outlined in local water efficient landscaping ordinances or current Model Water Efficient Landscape Ordinance standards, whichever is more stringent;
- requirements for water-conserving plumbing fixtures and fittings;
- 65 percent of construction/demolition waste diverted from landfills;

- inspections of energy systems to ensure optimal working efficiency;
- low-pollutant emitting exterior and interior finish materials such as paints, carpets, vinyl flooring, and particle boards; and
- dedicated circuitry to facilitate installation of electric vehicle charging stations in newly constructed attached garages for single-family and duplex dwellings.

In addition, the associated Project includes new tree plantings to provide shade, reduce the heat island effect, increase pedestrian usability, and provide natural cooling opportunities. The associated Project design would provide, to the extent feasible, mandatory sustainable building standards in conformance with the requirements of the applicable building codes. 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 Subdivision and associated Project are described in the findings above, incorporated by reference herein. The Community Plan Land Use Policy P-LU-19 encourages housing development that addresses the needs of a diverse, growing population, including differences in age, household composition, and income, and ensures that existing area residents are able to remain in the community. For the 6th Cycle Housing Element, the City of San Diego must identify enough potentially developable land zoned for residential use to meet the City's new Regional Housing Need Allocation (RHNA) capacity/production target and develop policies and programs that create opportunities to increase production. The proposed Subdivision and associated Project would improve the City's housing stock and add to the housing needs of the region, consistent with the Community Plan, the City of San Diego housing strategies, and the Housing Element. The Project would accommodate the needs of moderate-income households by providing 13 affordable deed-restricted for-sale dwelling units with prices set aside for households with an income of no more than 100 percent AMI.

The San Diego Housing Commission has begun to address the need for additional housing in their San Diego Housing Production Objectives 2018-2028 report. The report states that the City of San Diego has the housing potential to fulfill its 10-year housing need if all of its capacity sources, including rezoning to increase density around transit hubs and the re-development of underutilized parcels of land, are fully utilized (San Diego Housing Production Objectives 2018 – 2028, Page 10). The proposed Subdivision and associated Project would aid in closing the gap in rising housing demand in the City of San Diego and assist in meeting the RHNA target by adding 123 dwelling units including 13 affordable dwelling units to the City's housing supply.

The administrative record for the proposed Subdivision and associated Project, including the Project plans, technical studies, environmental documentation 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 addition of 123 residential lots and seven (7) private open space lots for private residential development is consistent with the housing needs anticipated for the Encanto Neighborhoods Community Planning area and the City. Therefore, the effects of the proposed subdivision have

been considered based on the housing needs of the region and those needs are balanced against the needs for public services and the available fiscal and environmental resources.

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

3. The appeal of Saige Gonzales Walding, on behalf of the Chollas Valley Community Planning Group is denied; the decision of the Planning Commission is affirmed; and based on these findings adopted by the Council, Vesting Tentative Map No. 3262907, hereby granted to D.R. HORTON LOS ANGELES HOLDING COMPANY, INC, A California Corporation, Subdivider, subject to the attached conditions which are made a part of this resolution by this reference.

4. Upon satisfaction of the condition described in this Resolution, as determined by the City Engineer, the Development Services Department shall record a certified copy of this Resolution with attached exhibits, attested by the City Clerk under seal, in the Office of the County Recorder.

APPROVED: HEATHER FERBERT, City Attorney

By



Corrine L. Neuffer
Chief Deputy City Attorney

CLN:jdf
07/08/2026
Or.Dept: DSD
Doc. No. 4488296

ATTACHMENT: Tentative Map Conditions

COUNCIL OF THE CITY OF SAN DIEGO

CONDITIONS FOR VESTING TENTATIVE MAP NO. PMT-3262907
FOR THE EMERALD HILLS PROJECT - PROJECT NO. PRJ-1107880

ADOPTED BY RESOLUTION NO. R-**316870** ON **JUL 07 2026**

GENERAL:

1. This Vesting Tentative Map will expire **JUL 07 2029**.
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 Vesting Tentative Map shall comply with the conditions of Site Development Permit No. 3262906, Neighborhood Development Permit No. 3273605 and Neighborhood Use Permit No. 3286476.
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 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:

7. Prior to the recordation of the Final Map, the Subdivider shall ensure that all on-site 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 is satisfactory to the City Engineer.
8. Prior to the recordation of the Final Map, the Subdivider shall, assure by permit and bond the installation of streetlights adjacent to the site on 60th Street and throughout the project in accordance with the City of San Diego Street Design Manual-Street Light Standards and Council Policy 200-18, to the satisfaction of the City Engineer.
9. Prior to the issuance of any building permits, 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, to the satisfaction of the City Engineer.
10. The drainage system proposed for this development, as shown on the site plan, is subject to approval by the City Engineer.
11. Prior to the issuance of any construction permit, the Owner/Permittee shall prepare a drainage study to the satisfaction of the City Engineer. The drainage study shall, at minimum, include an analysis demonstrating developed-condition peak flow attenuation below pre-project runoff rates to each discharge location while meeting regional detention basin conjunctive use guidelines. The study shall also demonstrate pre-project and developed-condition discharge velocities to each discharge location to open receiving channels.

MAPPING:

12. Prior to expiration of the Tentative Map, a Final Map to subdivide the approximately 31.18-acre property into 130 lots consisting of 123 residential lots (including 13 lots for affordable dwelling units) and seven (7) open space lots (including four [4] pocket parks) to be maintained by a Homeowner's Association (HOA) shall be recorded in the San Diego County Recorder's Office.
13. 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. Please note if tax bond is required as indicated in the tax certificate, please make sure that it is paid or posted, and submit evidence (e.g., filed bond letter or receipt from Clerk of the Board) indicating the required tax bond amount has been paid or bonded.
14. 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.

15. 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.
16. All proposed easements and right-of-way dedications within the boundary of the Tentative Map shall be granted on the proposed Final Map with the exception of any required Covenant of Easements which shall be granted by deed.
17. Prior to the recordation of the Final Map, all streets and drives shall be shown with bearings and distances along the centerline and width of the streets shown on the Final Map. The street names shall be submitted to DSD-Addressing for approval and published on the Final Map.
18. 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.

TRANSPORTATION:

19. All automobile parking spaces must be constructed in accordance with the requirements of the SDMC. All on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the appropriate City decision maker in accordance with the SDMC.
20. Prior to the recordation of the Final Map, the Subdivider shall dedicate 30 feet for the widening of the fronting portion of southbound 60th Street and assure by permit and bond the construction of 18 feet of pavement, curb, and gutter, in addition to the 18 to 20 feet of existing pavement, a 12 foot wide parkway (7 foot wide Green Streets Swale, 5 foot wide non-contiguous sidewalk) within a 60 foot wide right-of-way, in addition to a 10 foot wide trail easement (4 foot wide buffer, 5 foot wide decomposed granite, 1 foot

- buffer) within the project site, satisfactory to the City Engineer. These improvements shall be completed and operational prior to first occupancy.
21. Prior to the recordation of the Final Map, the Subdivider shall dedicate 56 feet of right-of-way and assure by permit and bond the construction of the internal roadways labeled Street "A", Street "B", Street "C", and Street "D" on Exhibit 'A' with a 32-foot curb-to-curb pavement width and a 12-foot wide parkway (seven-foot [7'-0"] wide landscape, five-foot [5'-0"] wide non-contiguous sidewalk) on each side within the 56 feet of right-of-way, satisfactory to the City Engineer. All improvements shall be completed and operational prior to first occupancy.
 22. Prior to the recordation of the Final Map, the Subdivider shall assure by permit and bond the construction of an Emergency Vehicle Access within the existing 30 feet of right-of-way, with a 20-foot wide curb-to-curb pavement width, seven-and-a-half-foot (7'-6") wide parkway (two-and-a-half-foot [2'-6"] wide buffer, and five-foot [5'-0"] wide sidewalk) on the north side, and a two-and-a-half-foot (2'-6") wide buffer on the south side, satisfactory to the City Engineer and Fire Marshall. All improvements shall be completed and operational prior to first occupancy.
 23. Prior to the recordation of the Final Map, the Subdivider shall dedicate and permit and bond the construction of an Emergency Vehicle Access between the terminus of the existing public right-of-way and Street "B" within 30 feet of right-of-way, with a 20-foot wide curb-to-curb pavement width, seven-and-a-half-foot (7'-6") wide parkway (two-and-a-half-foot [2'-6"] wide buffer, and a five-foot [5'-0"] wide sidewalk) on the north side, and a two-and-a-half-foot (2'-6") wide buffer on the south side, satisfactory to the City Engineer and Fire Marshall. All improvements shall be completed and operational prior to first occupancy.
 24. The Owner/Permittee shall provide and maintain onsite the following Vehicle Miles Traveled (VMT) reduction measures:
 - a. Install one bike repair station in Pocket Park 1 in the location shown in Exhibit A.
 - b. Provide eight (8) trees with 20 feet spacing along Street "A" as shown in Exhibit A.
 - c. Construct a 200-square-foot resting area in Pocket Park 1 with benches, signage, and trash receptacle, as shown in Exhibit A.These improvements shall be completed and operational prior to first occupancy.

MULTIPLE SPECIES CONSERVATION PROGRAM REQUIREMENTS:

25. Prior to the recordation of the Final Map, the Subdivider shall grant the off-site Multiple Habitat Planning Area (MHPA) to the City's Multiple Species Conservation Program (MSCP) preserve through either fee title to the City, or a covenant of easement granted in favor of the City and the U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Game (CDFG), as shown on the Off-Site Mitigation Exhibit made a part of the Site Development Permit No. 3262906, Neighborhood Development Permit No. 3273605 and Neighborhood Use Permit No. 3286476 Exhibit "A." Conveyance of any land in fee to the City shall require approval from the Park and Recreation Department Open Space Division Deputy Director and shall exclude detention basins or other stormwater control facilities, brush management areas, landscape/revegetation areas, and graded slopes. The Subdivider shall ensure all property

approved for conveyance in fee title to the City for MHPA purposes shall be free and clear of all private easements, private encroachments, private agreement and/or liens.

26. Prior to the recordation of the Final Map, the Subdivider shall schedule an inspection with the Parks and Recreation Department, Open Space Division for all property approved for conveyance in fee title to the City for MHPA purposes. All trash, illegal use and associated structures on the lot(s) shall be removed prior to the City acceptance.

PARKS AND RECREATION REQUIREMENTS:

27. Prior to the recordation of the Final Map, the Subdivider shall grant on the Final Map a recreation easement over all publicly accessible parks and trails on private property, to the satisfaction of the City Engineer and the Parks and Recreation Department. All recreation easements shall be maintained by the property owner.
28. Prior to the recordation of the Final Map, the Subdivider shall ensure that the Parks and Recreation Department has reviewed and approved the Final Map.

INFORMATION:

- The approval of this Tentative Map by the Planning Commission 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. 24009763

Passed by the Council of The City of San Diego on JUL 07 2026, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	☒	☐	☐	☐
Jennifer Campbell	☒	☐	☐	☐
Stephen Whitburn	☒	☐	☐	☐
Henry L. Foster III	☒	☐	☐	☐
Marni von Wilpert	☒	☐	☐	☐
Kent Lee	☒	☐	☐	☐
Raul A. Campillo	☐	☒	☐	☐
Vivian Moreno	☒	☐	☐	☐
Sean Elo-Rivera	☒	☐	☐	☐

Date of final passage JUL 07 2026.

(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:

TODD GLORIA
Mayor of The City of San Diego, California.

(Seal)

DIANA I.S. FUENTES
City Clerk of The City of San Diego, California.

By Connie Patterson Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- **316870**