

RESOLUTION NO. 2026-04

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NATIONAL CITY, CALIFORNIA DETERMINING THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) UNDER CLASS 5 OF THE CEQA GUIDELINES SECTION 15305 (MINOR ALTERATIONS IN LAND USE LIMITATIONS) AND PLANNED DEVELOPMENT FOR REDUCED REAR YARD SETBACKS WITHIN A 10-LOT SUBDIVISION LOCATED AT 3410 VALLEY ROAD. CASE FILE NO. 2025-36 PD APNS: 591-100-27 & 591-100-31

WHEREAS, the Planning Commission of the City of National City considered a Planned Development for reduced rear yard setbacks within a 10-lot subdivision located at 3410 Valley Road. At a duly advertised public hearing held on March 16, 2026, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2025-36 PD maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California, that the testimony and evidence presented to the Planning Commission at the public hearing held on March 16, 2026, support the following findings:

1. The proposed project is consistent with the General Plan because the proposed subdivision consists of single-family lots, which is a permitted use in the Small Lot Residential (RS-2) zone. The lots comply with the minimum lot area requirement for the zone and the density of the Low Density Residential land use designation. The project will provide for additional homeownership opportunities and the construction of accessory dwelling units, which are promoted by policies in the City's Housing Element. In addition, modified rear yard setbacks will not substantially alter the character of existing neighborhoods within the City.
2. The proposed project will not be detrimental to the public health, safety, and welfare because the proposed subdivision and subsequent construction of single-family homes on the lots will be required to comply with applicable standards of the California Building Code and California Fire Code. The site was previously analyzed for the provision of adequate services when the property was annexed into the City in 2024.
3. The proposed development will comply with the regulations of the Land Use Code because the proposed subdivision includes 10 lots that can be developed with single-family homes. Each lot has adequate building area to construct a residence as well as

accessory structures in conformance with the development standards of the zone with the approval of the reduced rear yard setbacks.

4. The proposed development, when considered as a whole, will be beneficial to the community because the proposed development will provide for a new housing subdivision that offers homeownership opportunities and additional accessory dwelling units. The modified setbacks for the development allow for more diversity of housing units within the City. The development will also provide adequate stormwater retention to protect existing wetlands on the site.
5. Any proposed deviations pursuant to this section are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone because the developer proposes to construct larger, contemporary homes on the 10 lots in the subdivision. Each home is also anticipated to include an attached accessory dwelling unit. The deviation allows for more buildable area on each site to allow for the necessary square footage.
6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and has been determined to be categorically exempt from environmental review pursuant to Class 5, Section 15305 (Minor Alterations in Land Use Limitations) for which a Notice of Exemption will be filed subsequent to approval of this PD. Class 5 consists of minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density. This class explicitly provides for set back variances. The proposed project is on land with minor topographic changes and the proposed deviation from rear yard setback requirements will not result in any change in project density or the number of parcels in the subdivision.

BE IT FURTHER RESOLVED that the application for a Conditional Use Permit is approved subject to the following conditions:

General

1. This Planned Development authorizes reduced rear yard setbacks within a 10-lot subdivision located at 3410 Valley Road. Plans submitted for permits associated with this project shall conform to Exhibit A, Case File No. 2025-36 PD, dated 3/3/2026.
2. Before this *Planned Development* shall become effective, the applicant and the property owner shall both sign and have notarized an Acceptance Form, provided by the Planning Division, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the *Planned Development*. The applicant or owner shall also submit evidence to the satisfaction of the Planning Division that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant or owner shall pay necessary recording fees to the County. The Notice of Restriction shall provide information

that conditions imposed by approval of the *Planned Development* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Director of Community Development prior to recordation.

3. This permit shall become null and void if not exercised within one year after adoption of the resolution of approval unless extended according to procedures specified in the Municipal Code.
4. *Within four (4) days* of approval, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. Checks shall be made payable to the San Diego County Clerk and submitted to the National City Planning Department.

Planning

5. Plans submitted for construction improvements shall comply with the current editions of the California Building, Mechanical, Electrical, Plumbing, Accessibility, Green, Energy, and Fire Codes.
6. Plans submitted for building permits must meet appropriate design guidelines as specified by the Land Use Code.
7. A landscape and underground irrigation plan shall be submitted with building permit plans as part of the construction permitting process in compliance with Land Use Code Chapter 18.44.
8. Building permit plans submitted for construction improvements on the proposed residential lots shall include an opaque, six-foot high wall or fence along all property lines abutting existing residential uses or properties zoned for residential use irrespective of the jurisdiction in which they are located. Required walls or fences shall be maintained and kept in good condition for the life of the project.

Indemnification Agreement

The Applicant shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify the Applicant of any claim, action, or proceeding. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, the Applicant shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Applicant regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Applicant shall not be required to pay or perform any settlement unless such settlement is approved by the Applicant.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant and to the City Council.

BE IT FINALLY RESOLVED that this Resolution shall become effective and final on the day following the City Council meeting where the Planning Commission resolution is set for review, unless an appeal in writing is filed with the City Clerk. The City Council may, at that meeting, review or appeal the decision of the Planning Commission by setting the matter for a public hearing.

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of March 16, 2026, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

CHAIRPERSON