

RESOLUTION NO. 2023-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, DETERMINING THAT THE PROJECT IS CATERGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) UNDER CLASS 32 OF THE CEQA GUIDELINES SECTION 15332 (IN-FILL DEVELOPMENT PROJECTS) AND APPROVING THE TENTATIVE SUBDIVISION MAP FOR THE DIVISION OF ONE LOT INTO NINE ON PROPERTY LOCATED AT 2121 GROVE STREET (APN: 561-380-24)

WHEREAS, the City Council of the City of National City considered a Tentative Subdivision Map for the subdivision of one lot into nine at 2121 Grove Street at a duly advertised public hearing held on August 15, 2023, at which time oral and documentary evidence was presented; and

WHEREAS, at said public hearing the City Council considered the staff report contained in Case File No. 2018-33 S, SPR maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and

WHEREAS, the Planning Commission of the City of National City considered the Tentative Subdivision Map application at a duly advertised public hearing held on July 17, 2023, at which time the Commission recommended approval of the Tentative Subdivision Map; and

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

WHEREAS, the action hereby taken is found to be essential for the preservation of the public health, safety and general welfare.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1: That the evidence presented to the City Council at the public hearing held on August 15, 2023, support the following findings:

1. The proposed map is consistent with the National City General Plan because the proposed single-family subdivision, at a density of 12.7 units per acre, is consistent with the Small Lot Residential land use designation, which specifies a maximum density of 9 units per acre. The proposed density of 12.7 units per acre is allowable pursuant to California Government Code Section 65915, which permits a 20 percent density bonus.
2. The site is physically suitable for the proposed type of development because the nine single-family homes can be located on level building pads on the site with a minor amount of grading.

3. The site is physically suitable for the proposed density of development because The proposed parcels can accommodate single family residences with yard areas with reasonable incentive and waiver request for reduced development standards and an increase in permitted density pursuant to California Government Code Section 65915.
4. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because there is no natural habitat or body of water present nearby or on-site. The property is surrounded by urban development.
5. The design of the subdivision and the proposed/required improvements are not likely to cause serious public health problems because all necessary public services will be provided, as required by approvals required for new construction.
6. The design of the subdivision and the proposed/required improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision because existing easements will be maintained and not be encroached upon.
7. The discharge of sewerage waste from the subdivision into the City of National City sewer system will not result in violation of existing requirements prescribed by the California Regional Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the Water Code, as specified by Government Code Section 66474.6 because discharge of sewerage waste will be addressed through a sewer permit, which is required as part of construction of a future home.
8. The subdivision has been considered by the Planning Commission with regard to its effect on the housing needs of the region, and these needs are balanced by the public service needs of the residents and available fiscal and environmental resources because the project will provide additional homeownership opportunities for households of mixed incomes, which is consistent with and encouraged by the City's Housing Element.
9. The design of the subdivision provides, to the extent feasible, for future passive and natural heating and cooling opportunities in the subdivision, based on consideration of local climate, topography, property configuration and other design and improvement requirements without requiring reduction in allowable density or lot coverage because all new construction proposed in the future will be in compliance with the California Building Code, which takes such factors in to consideration.
10. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and the project has been determined to be categorically exempt from environmental review pursuant to Class 32, Section 15332 (In-fill Development Projects) for which a Notice of Exemption will be filed subsequent to approval of this Tentative Subdivision Map.

Section 2: That based on the findings stated above, the City Council hereby approves the application for the Tentative Subdivision Map subject to the following conditions:

General

1. This *Tentative Subdivision Map* authorizes the creation of nine new parcels from one existing parcel. Except as required by Conditions of Approval, all plans submitted for permits associated with the project shall substantially conform with Exhibit A, case file no. 2018-33 LS, dated 4/18/2023. No construction or demolition is approved as part of this approval.
2. Before this *Tentative Subdivision Map* shall become effective, the applicant and/or property owner shall sign and have notarized an Acceptance Form, provided by the Planning Department, 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 *Tentative Subdivision Map*. The applicant shall also submit evidence to the satisfaction of the Community Development Director that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Tentative Subdivision Map* 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 Community Development Director prior to recordation.
3. Approval of the tentative map expires two (2) years after the effective date of approval at 6:00 p.m. unless prior to that date a request for a time extension not exceeding three (3) years has been filed as provided by National City Municipal Code §17.04.070.

Building

4. The proposed 9 new dwelling units to be located at the property shall comply with the latest requirements of the California Building, Mechanical, Electrical, Plumbing, Accessibility, Green, Energy and Fire Codes. If you have any questions regarding this matter please contact the Building Division at 619-336-4210.

Engineering

5. The owner/developer shall enter into a Subdivision Improvement Agreement with the City of National City.
6. A Hydrology study (100 year flood) is required for the new project. The study should consider the proposed project area to the closest municipal storm drain collection point. The study should consider the adequacy of the existing storm drain system to convey any additional run off. All Hydrology study findings and recommendations are part of Engineering Department requirements.
7. The Storm Water BMP Requirements Applicability Form I-1 and if required I-2 checklist for the National Pollutant Discharge Elimination System (NPDES) is required to be completed and submitted to the Engineering Department. The checklist will be required when a project site is submitted for review of the City Departments. The checklist is available at the Engineering Division web site at the link below *. If it is determined that the project is subject to the "Priority Project Permanent Storm Water BMP Requirements" and the City of National City Storm Water Best Management Practices of the Jurisdictional Urban Runoff Management Program (JURMP) approved Standard Urban Storm Water Mitigation Plan (SUSMP) documentation will be required prior to issuance of an applicable engineering permit. The SUSMP shall be prepared by a Registered Civil Engineer.
*<http://www.nationalcityca.gov/city-government/engineering-public-works/engineering-division/online-services-forms-fees>.
8. The Best Management Practices (BMPs) for the maintenance of the proposed construction shall be undertaken in accordance with the National Pollutant Discharge Elimination System (NPDES) regulations which may require a Storm Water Pollution Prevention Plan (SWPPP)

for the project. An approved SWPPP will be required prior to issuing of a construction permit.

9. All surface run-off shall be treated with an approved Standard Urban Runoff Mitigation Plan (SUSMP) Best Management Practice (BMP) for all Priority SUSMP projects. No runoff will be permitted to flow over the sidewalk. Adjacent properties shall be protected from surface run-off resulting from this development.
10. The property owner, or its successors and assigns shall be responsible for the maintenance, repair, or reconstruction of all irrigation and landscaping improvements installed within the public right-of-way. Sprinkler heads shall be adjusted so as to prevent overspray upon the public sidewalk or the street. The proposed sprinkler heads shall be installed behind the sidewalk, and the irrigation mainline upon private property only, as required by the City. The property owner or, its successors or assigns, shall be remove and relocate all irrigation items from the public right-of-way at no cost to the City, and within a reasonable time frame upon a written notification by the City Engineer.
11. Metallic identification tape shall be placed between the bottom layer of the finished surface and the top of all irrigation lines in the public right-of-way.
12. A grading and drainage plan shall be submitted showing all of the proposed and existing on-site and off-site improvements. The plan shall be prepared in accordance with the City's standard requirements by a Registered Civil Engineer. All necessary measures for prevention of storm water pollution and hazardous material run-off to the public storm drain system from the proposed parking lot or development shall be implemented with the design of the grading. This shall include the provision of such devices as storm drain interceptors, clarifiers, or filters. Best Management Practices for the maintenance of the parking lot, including sampling, monitoring, and cleaning of private catch basins and storm drains, shall be undertaken in accordance with the National Pollution Discharge Elimination System (NPDES) regulations. A private storm water treatment maintenance agreement shall be signed and recorded. A check list for preparation of the grading plan/drainage plan is available at the Engineering Department.
13. All existing and proposed curb inlet on property shall be provided with a "No Dumping" signage in accordance with the NPDES program.
14. A National Pollutant Discharge Elimination System (NPDES) permit is required for discharges of storm water runoff associated with construction greater than 1 acre activity where clearing, grading, and excavation results in a land disturbance. A construction storm water permit shall be obtained from the Regional Water Quality Control Board. A copy of shall be given to the City of National City Engineering Department prior to any work beginning on the project.
15. A sewer permit will be required. The method of sewage collection and disposal shall be shown on the grading/drainage plan. Any new sewer lateral in the City right-of-way shall be 6 inch in size with a clean out. A sewer stamp "S" shall be provided on the curb to mark the location of the lateral. A sewer study shall be required.
16. Separate street and sewer plans prepared by Registered Civil Engineer, shall be submitted showing all of the existing and proposed improvements. The plans shall be in accordance with City requirements.
17. A soils engineering report shall be submitted for the Engineering Department's review, after Planning Commission approval. The report shall address the stability of all of the existing and proposed slopes on the property. It shall also address the adequacy of the building pads, the criteria for any new retaining wall design, the maximum allowable soil bearing

pressure and the required pavement structural sections for the proposed streets, the parking areas, and the driveways. As a minimum, the parking lot pavement sections shall be 2 inch A.C. over 4 inch Class II aggregate base. The street pavement sections shall be in accordance with National City modified Standard Drawing G-34. All soils report findings and recommendations shall be part of the Engineering Department requirements.

18. All sidewalk, and curb and gutter shall be removed and replaced along the property frontage along Grove Street and Prospect Street.
19. The existing street improvements along the property frontage(s) shall be kept free from weed growth by the use of special weed killers, or other approved methods.
20. All existing survey monuments, including any benchmark, within the boundaries of the project shall be shown on the plans. If disturbed, a licensed land surveyor or civil engineer shall restore them after completion of the work. A Corner Record shall be filed with the County of San Diego Recorder. A copy of the documents filed shall be given to the City of National City Engineering Department as soon as filed.
21. The proposed driveways on Prospect Street exceed the maximum allowable driveway opening for a residential lot. Residential lot driveway opening shall not exceed forty percent (40%) of the property frontage except that lots with frontages of less than 45' are entitled to one 12 driveway (18' curb opening). Driveways servicing the same parcel shall have a minimum separation of twenty feet (20').
22. A permit shall be obtained from the Engineering Department for all improvement work within the public right-of-way, and any grading construction on private property.
23. Street improvements shall be in accordance with the City Standards. All missing street improvements shall be constructed. Abandoned driveway aprons shall be replaced with curb, gutter, and sidewalks.
24. A title report shall be submitted to the Engineering Department, after the Planning Commission approval, for review of all existing easements and the ownership at the property.
25. All NEW dwellings are subject to a Transportation Development Impact Fee of \$2,405.00. This includes new homes, condos and apartments.
26. All electrical, telephone and similar distribution service wires for the new structure(s) shall be placed underground.
27. A cost estimate for all of the proposed grading, drainage, street improvements, landscaping and retaining wall work shall be submitted with the plans. A performance bond equal to the approved cost estimate shall be posted. Three percent (3%) of the estimated cost shall also be deposited with the City as an initial cost for plan checking and inspection services at the time the plans are submitted. The deposit is subject to adjustment according to actual worked hours and consultant services.
28. A hydromodification plan or a letter sealed and signed by the Engineer of Work explaining why the project is exempt from hydromodification requirements shall be submitted.
29. The final parcel map shall meet all of the requirements of the Subdivision Map Act, and the City of National City Municipal Codes including certification, acknowledgement, complete boundary information and monumentation.
30. The developer shall submit to the Fire Department a letter from Sweetwater Authority stating existing fire flow. If determined by the Fire Department that additional improvements

are needed, the developer shall enter into an agreement for the water improvements with the Sweetwater Authority prior to obtaining the final map approval.

31. Separate water and sewer laterals shall be provided to each lot/parcel.
32. The developer shall bond for the monumentation, the public improvements and the on-site grading, drainage, landscaping, and other improvements through an agreement with the City prior to the approval of the final map.
33. The creation of an easement for ingress and egress to and from parcel/lot 9 to parcel/lot 6, 7, and 8 on Prospect Street will be required. The easement shall be created on the final map.
34. SUSMP documentation must be submitted and approved.
35. All utilities distribution facilities within the boundaries of the subdivision, and within the half street abutting the new subdivision, shall be placed underground.
36. The final map shall be recorded prior to issuance of any building permit.
37. All new property line survey monuments shall be set on private property, unless otherwise approved.
38. The parcel map/final map shall use the California Coordinate System for its "Basis of Bearings" and express all measured and calculated bearings in terms of the system. The angle of grid divergence from a true meridian, and the north point shall appear on the map. Two measured ties from the boundary of the property to existing horizontal control stations shall be shown.

Fire

39. Project shall be designed to code.
40. The National City Fire Department utilizes all current codes and ordinances. Currently, we are using the 2022 editions of NFPA, CFC and the current edition of the CCR.
41. Fire sprinkler shall be evaluated and installed for all four new units as required per code.
42. Fire apparatus access roads shall comply with the requirements of this section (Section 5 CFC 2022) and shall extend to within 150 feet of **all** portions of the facility and **all** portions of the exterior walls of the first story of the building as measured by an **approved** route around the exterior of the building. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus
43. The required width of emergency fire apparatus access roads shall not be **obstructed in any manner**, including parking of vehicles. All access roads shall be no less than 20 feet wide, no less than 14 feet high and shall have an all weathered road with the ability to support 75 thousand pounds or greater. Where a fire hydrant is located on a fire apparatus road, the minimum road width shall be 26 feet. A 28 foot turning radius is required for fire department access through site. All fire department access roads shall be painted and signed to prevent parking in these required designated emergency areas.
44. Grade of fire apparatus road shall be within the limits established (15% Grade) by the fire code official based on fire department's apparatus.

45. Fire hydrants that may be located throughout the project as not to have a separation distance greater than 300 feet. Fire hydrants to be located within 300 feet of all locations which are roadway accessible. (Measurement starts from nearest public fire hydrant to project).
46. The following items pertain to fire hydrants:
 - a) Size and location, including size and number of outlets and whether outlets are to be equipped with independent gate valves.
 - b) Fire hydrant to be of three outlet design.
47. Provide calculation confirming flow availability to meet fire flow demands and supply large diameter hose (4 inch).
48. Fire hydrants to be marked by use of blue reflective marker in the roadway.
49. Upon submittal for an underground permit, the following shall be included:
 - Data sheet for Back-Flows
 - Data sheets for Private and Commercial Hydrants
 - Data sheets for Post Indicator Valves
50. Approved signs or other approved notices or markings (Red Curb) that include NO PARKING – FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designed shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility. All projects shall be evaluated for this necessary application.
51. Where there is conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where, in a specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern.
52. The fire code official is hereby authorized to enforce the provisions of this code and shall have the authority to render interpretations of this code, and to adopt policies, procedures, rules and regulations in order to clarify the application of its provisions. Such interpretations, policies, procedures, rules and regulations shall be in compliance with the intent and purpose of this code and shall not have the effect of waiving requirements specifically provided for this code.
53. Should any plan corrections be required, contractor must correct the plan and re-submit to the Fire Department for approval once again prior to installation

Planning

54. Plans submitted for construction shall comply with Land Use Code requirements and design guidelines.

55. Plans submitted for construction shall include a landscape and irrigation plan in compliance with Land Use Code Chapter 18.44 (Landscaping), including Section 18.44.190, related to water efficient landscape requirements. The landscaping required by this approval shall be maintained for the life of the project.
56. All site and project lighting shall in compliance with Municipal Code Title 18.46 (Outdoor lighting).
57. The applicant shall be responsible for meeting all requirements of applicable service and utility providers and is advised to contact Sweetwater Authority, SDG&E, and others for information on their standards for new development.
58. The developer of the project shall agree to, and the City shall ensure, the continued affordability of the lower income unit that qualified the applicant for the award of the density bonus for 55 years or a longer period of time if required by the construction or mortgage financing assistance program, or mortgage insurance program. A density bonus application shall be approved and processed by the Housing Authority prior to the recordation of the Final Map.

Section 3: This Resolution shall become effective, final, and conclusive on the day following the City Council meeting where this Resolution is adopted. The time within which judicial review of this decision may be sought is governed by the provisions of Code of Civil Procedures Section 1094.6.

Section 4: That the City Clerk shall certify to the passage and adoption of this Resolution and enter into the book of original Resolutions.

PASSED and ADOPTED this 15th day of August, 2023.

Ron Morrison, Mayor

ATTEST:

Shelley Chapel, MMC, City Clerk

APPROVED AS TO FORM:

Barry J. Schultz, City Attorney