

TO: Mayor and Council Members
Marlene Best, City Manager
Shawn Hagerty, City Attorney

FROM: Annette Ortiz, CMC, City Clerk

DATE: July 12, 2023

SUBJ: Updated Council Meeting Materials – July 12, 2023

PUBLIC HEARING:

- (11) Public Hearing for Conditional Use Permit P2022-8 for a Day Care Center at 8549 Fanita Drive (APN 386-050-18) in the Low-Medium Density Residential (R-2) Zone and Finding the Project Categorically Exempt from the California Environmental Quality Act (“CEQA”) Pursuant to CEQA Guidelines Section 15303. Applicant: Egle Athari. (Planning – Coyne)**

The following attachment reflects changes made to the Resolution originally provided with the Agenda Packet. The updated Resolution is attached for reference.



CITY COUNCIL ITEM NO. 11 -- ERRATA MEMO

The following change is proposed to the findings of the Resolution:

WHEREAS, the project is subject to the payment of development impact fees based on the project's commercial use classification and size; and

WHEREAS, development impact fees ensure that new development will not burden the existing service population with the cost of facilities required to adequately support new development; and

WHEREAS, new development requires the construction of capital improvements, including, without limitation, drainage improvements, traffic improvements, traffic signals, public park facilities, community facilities and other public improvements, public services and community amenities; and

WHEREAS, the purpose of the development impact fees imposed on the subject project is to provide a funding source from the Project to fund related capital improvements that serve the project, specifically drainage improvements, traffic improvements and traffic signals; and

WHEREAS, it is in the interest of the public's health, safety and welfare for the project to pay the costs of constructing these public facilities that are reasonably related to the impacts of the project; and

WHEREAS, a reasonable relationship exists between the use of the development impact fees and the project as capital improvements funded by these fees are expected to provide a citywide network of drainage and traffic-related facilities beneficial to the project; and

WHEREAS, the project's facilities need, specifically the need for drainage, traffic and traffic signal facilities, is based on the project's commercial classification and on the demand generated by the project for those facilities and the project's corresponding fair share contribution toward funding of said needed facilities; and

WHEREAS, the development impact fees established for the project are based on the project's size to ensure a reasonable proportionality between the project and the cost of the facilities attributable to the project; and

WHEREAS, the subject project is not subject to Measure N as the project is not a General Plan amendment, Planned Development Area, or new Specific Planning Area, nor would it increase the residential density permitted by law, make changes to the General Plan Residential Land Use categories that would intensify use, make changes to the land use designation of any parcel in a manner that intensifies use, nor make changes to slope criteria, minimum parcel sizes, or lot averaging provisions of the General Plan that would permit increased density or intensity of use; and

The following change is proposed to Section 3.M of the conditions of approval:

The property owner will maintain the property in accordance with the fuel defensible space requirements of the City of Santee.

RESOLUTION NO.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA
APPROVING CONDITIONAL USE PERMIT P2022-8 FOR A DAY CARE CENTER
AT 8549 FANITA DRIVE (APN 386-050-18) IN THE LOW-MEDIUM DENSITY
RESIDENTIAL (R-2) ZONE AND FINDING THE PROJECT CATEGORICALLY
EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)
PURSUANT TO CEQA GUIDELINES SECTION 15303**

APPLICANT: EGLE ATHARI

WHEREAS, Table 13.10.030.A of the Santee Municipal Code (SMC) allows a day care center in the R-2 zone with the approval of a Conditional Use Permit; and

WHEREAS, on April 20, 2023 Egle Athari submitted a complete application for Conditional Use Permit P2022-8 to establish a day care center at 8549 Fanita Drive in the Low-Medium Density Residential (R-2) Zone; and

WHEREAS, the project is consistent with the applicable general plan designation and all applicable general plan policies, and with the Zoning Ordinance land use regulations; and

WHEREAS, pursuant to the requirements of the California Environmental Quality Act (CEQA), the project involves the conversion of an existing, small structure from one use to another with only minor exterior modification, the project does not impact an environmental resource of hazardous or critical concern, and there isn't a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances, therefore the project qualifies for an exemption pursuant to Section 15303 of the CEQA Guidelines; and

WHEREAS, the proposed project is located within Airport Influence Area 1 of the Gillespie Field Airport Land Use Compatibility Plan (ALUCP). The project did not require review by the Federal Aviation Administration because there are no new proposed structures; and

WHEREAS, on May 25, 2023, the San Diego County Regional Airport Authority staff determined that the project is consistent with the Gillespie Field ALUCP; and

WHEREAS, the project is subject to the payment of development impact fees based on the project's commercial use classification and size; and

WHEREAS, development impact fees ensure that new development will not burden the existing service population with the cost of facilities required to adequately support new development; and

WHEREAS, new development requires the construction of capital improvements, including, without limitation, drainage improvements, traffic improvements, traffic signals, public park facilities, community facilities and other public improvements, public services and community amenities; and

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WHEREAS, the purpose of the development impact fees imposed on the subject project is to provide a funding source from the Project to fund related capital improvements that serve the project, specifically drainage improvements, traffic improvements and traffic signals; and

WHEREAS, it is in the interest of the public's health, safety and welfare for the project to pay the costs of constructing these public facilities that are reasonably related to the impacts of the project; and

WHEREAS, a reasonable relationship exists between the use of the development impact fees and the project as capital improvements funded by these fees are expected to provide a citywide network of drainage and traffic-related facilities beneficial to the project; and

WHEREAS, the project's facilities need, specifically the need for drainage, traffic and traffic signal facilities, is based on the project's commercial classification and on the demand generated by the project for those facilities and the project's corresponding fair share contribution toward funding of said needed facilities; and

WHEREAS, the development impact fees established for the project are based on the project's size to ensure a reasonable proportionality between the project and the cost of the facilities attributable to the project; and

WHEREAS, the subject project is not subject to Measure N as the project is not a General Plan amendment, Planned Development Area, or new Specific Planning Area, nor would it increase the residential density permitted by law, make changes to the General Plan Residential Land Use categories that would intensify use, make changes to the land use designation of any parcel in a manner that intensifies use, nor make changes to slope criteria, minimum parcel sizes, or lot averaging provisions of the General Plan that would permit increased density or intensity of use; and

WHEREAS, the Planning & Building Department scheduled Conditional Use Permit P2022-8 for public hearing on July 12, 2023; and

WHEREAS, on July 12, 2023, the City Council held a duly advertised public hearing on Conditional Use Permit P2022-8; and

WHEREAS, the City Council considered the Staff Report, the CEQA Exemption, all recommendations by staff, public testimony, and all other relevant information contained in the administrative record regarding the project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santee, California, after considering the evidence presented at the public hearing, as follows:

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SECTION 1: On July 12, 2023, the City Council approved filing a CEQA Exemption for the proposed project pursuant to State CEQA Guidelines Section 15303, and determined that the project involves conversion of an existing, small structure from one use to another with only minor exterior modifications, the project does not impact an environmental resource of hazardous or critical concern, and there is not a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. No further environmental review is required for the City to adopt this Resolution.

SECTION 2: The findings in accordance with Section 13.06.030.E of the Santee Municipal Code for a Conditional Use Permit are made as follows:

- A. *That the proposed use is in accord with the General Plan, the objectives of the zoning ordinance, and the purposes of the district in which the site is located.*

The site is located in the Low-Medium Density Residential (R-2) Zone land use district which is intended primarily for single-family residential development but also allows urban services that are compatible with surrounding neighborhoods. The proposed use, a day care center, is an essential, supportive use to residential development, and is permitted with an approved Conditional Use Permit within the R-2 zoning district.

- B. *That the proposed use, together with the conditions applicable thereto, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.*

The proposed use, together with the conditions applicable thereto, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity because:

1. The proposed use will be redeveloping the property with a use that supports the surrounding residential development; and
2. Technical studies created for the project show that the site is capable of handling on-site circulation and parking, and that noise levels associated with the use will not exceed the threshold outlined in the Noise Element and SMC; and
3. Improvements to the property, including additional landscaping and building renovations, will enhance the appearance of the site; and
4. The project will dedicate the necessary right-of-way along Fanita Drive and make improvements to related public infrastructure; and
5. The estimated development impact fee payment is \$35,676.69. This amount is preliminary and is subject to change based on the actual impact fees in effect at the time of building permit issuance.

- C. *That the proposed use complies with each of the applicable provisions of the zoning*

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ordinance.

The proposed use complies with each of the applicable provisions of the zoning ordinance including building setbacks, height limitations, and minimum parking standards. All development standards of the applicable zoning code provisions are being met, and all proposed public improvements will meet the City's public works standards.

SECTION 3: Conditional Use Permit P2022-8, dated April 20, 2023, to establish a day care center at 8549 Fanita Drive, is hereby approved subject to the following conditions:

- A. Following project approval, the applicant shall schedule with the City Project Planner a post approval meeting to discuss the project conditions of approval, timing of design and construction and implementation of the project conditions. The meeting shall be scheduled within thirty days of project approval and prior to any plan submittals. The applicant should include their project design team including project architect, their design engineer, and their landscape architect.
- B. The applicant shall include provisions in their design contract with their design consultants that following approval by the City, all construction drawings or technical reports accepted by the City, exclusive of architectural building plans, shall become the property of the City. Once accepted, these plans may be freely used, copied or distributed by the City to the public or other agencies, as the City may deem appropriate. A letter of acknowledgement of this requirement from each design consultant is required at the time of plan submittal. This letter shall be in a format acceptable to the City Engineer.
- C. To coordinate with the City Geographic Information System, horizontal and vertical control for all construction drawings, grading plans, landscape plans, street improvement plans, plot plans, etc., shall be obtained from ROS 11252. All plans, exclusive of building plans, shall be prepared at an engineering scale of 1"=20' unless otherwise approved by the project engineer.
- D. The applicant shall ensure that all property corners are properly monumented. If corners have been lost or do not exist, corners shall be set and a Record of Survey filed prior to issuance of a building permit.
- E. Starting with the first plan check submittal, all plan sets shall be submitted concurrently to Padre Dam Municipal Water District for review and approval. The City does not coordinate the review process with Padre Dam, this is the responsibility of the design engineer and the landscape architect. Failure to properly coordinate this review may result in delay of issuance of permits required for construction. It is incumbent upon the applicant to oversee the plan submittals of their design consultants.
- F. Minor or Major Revisions to the Conditional Use Permit, such as changes to the building elevations, site design, or landscape design, shall be approved by the

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Planning & Building Director, unless in the Planning & Building Director's judgment, a Major Revision should be reviewed by the City Council.

- G. The project shall be in compliance with the adopted California Building Standards Code at the time of building permit application and shall be subject to expirations for plan review per the City of Santee Municipal Code 11.04.030 and 11.06.010.
- H. All building permits shall expire per the California Building Code Section 105.
- I. Prior to issuance of a grading or improvement plan the applicant shall:
 - 1. Street Improvement Plans shall be submitted to the Engineering Department for review and acceptance. Prior to the start of construction of any improvements, public or private, within the limits of the public right-of-way, the applicant shall have plans accepted, agreements executed, securities posted and an encroachment permit issued. All improvements shall be installed in accordance with City standards and at the applicant's cost unless otherwise indicated. The following improvements are conditioned as part of this development:
 - a. Construct a minimum of 16 feet wide one-way access only driveway per San Diego Regional Standard (SDRSD) G-14A. The site is to be accessed from the existing driveway at 8559 Fanita Drive and exited from the proposed driveway in front of 8549 Fanita Drive. The driveway shall be constructed to include signage identifying path of travel to the satisfaction of the City Engineer.
 - b. Install AC berm and abandon existing driveway at North-West corner of 8559 Fanita Drive. Replace failed or inadequate berm across frontage of site (approximately 130'), excluding driveways.
 - c. Street Improvement Plans shall be one hundred percent **(100%)** complete at the time of plan check submittal, be prepared in accordance with City guidelines and the requirements set forth herein, and be ready for acceptance by the City. Partial or incomplete submittals will not be accepted for plan check. At the time of plan check submittal, the applicant shall schedule an appointment with their designated City project engineer and the applicant's design engineer to review the plan submittal for completeness. The following shall be included as part of the improvement plan submittal package:
 - 1) Six sets of plans bound and stapled (improvements).
 - 2) Plan check fees.
 - 3) Preliminary cost estimate for the improvements.
 - 4) Once copy of the Resolution of Approval approving the project.
 - Plan check and inspection fees shall be paid in accordance with the City Fee Schedule prior to issuance of the permit.
 - 2. Submit Grading Plans to the Engineering Department for review and

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acceptance.

- a. Horizontal and vertical control for all plans shall be obtained from ROS 11252 and shall be prepared at an engineering scale of 1"=20' unless otherwise approved by the City project engineer.
- b. All recommended measures identified in the approved geotechnical study shall be incorporated into the project design and construction.
- c. Provide fencing and an access gate to the proposed detention basin. Provide details regarding the proposed detention facility including but not limited to how the proposed basin is intended to drain, the location of an emergency spillway, and indicate the proposed drainage path of runoff from the new storm drain system showing the point it exits the property.
- d. Provide a detailed cross section for the permeable pavement located within the fire access turnaround. The pavement shall be traffic rated to support the loading of a City fire truck without compromising the underdrain pipe and shall be designed to the satisfaction of the Fire Department. Include within the geotechnical report a concurrence on all proposed infiltration locations relative to areas intended to support the aforementioned loading conditions. Ensure underdrain pipe sizing is consistent across all drawing details (sheet C-2 the permeable pavement detail shows a 6" perforated PVC underdrain but the cleanouts & observation wells detail calls out an 8" minimum perforated PVC pipe).
- e. Plot all existing easements on the property as indicated in the preliminary title report.
- f. Grading plans shall be one hundred percent (100%) complete at the time of plan check submittal, be prepared in accordance with City guidelines and be ready for acceptance by the City. Partial or incomplete submittals will not be accepted for plan check. At the time of plan submittal, the applicant shall schedule an appointment with their designated City project engineer and the applicant's design engineer to review the plan submittal for completeness. The following shall be included as part of the grading, landscape and irrigation plan submittal package:
 - 1) Six sets of grading, landscape, and irrigation plans bound and stapled.
 - 2) Plan check fees.
 - 3) A completed grading permit application.
 - 4) A cost estimate for the cost of construction.
 - 5) Three copies of the Drainage Study specified here within.
 - 6) Three copies of the Storm Water Quality Management Plan specified here within.
 - 7) Two copies of an Operation & Maintenance (O&M) plan

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specified here within.

- 8) Two copies of the Storm Water Pollution Prevention Plan specified here within.
- 9) Three copies of the Geotechnical Study specified here within.
- 10) A copy of any letters of permission from any adjoining property owners if grading is proposed off-site. Letters shall be in a form acceptable to the City.
- 11) A letter of acknowledgement, signed and sealed, from each design consultant acknowledging City ownership of all construction drawings following City approval as specified here within.
- 12) One copy of the Resolution of Approval approving the project.

Plan check and inspection fees shall be paid in accordance with the City Fee Schedule prior to issuance of the permit.

3. Submit a completed Storm Water Intake Form to determine if the project is a Standard Development Project (SDP) or a Priority Development Project (PDP). Include an exhibit that identifies the entire site and indicates the square footage of existing and or proposed permeable and impermeable areas. Include within the geotechnical study a recommendation regarding all areas proposed for infiltration.
4. Landscape and Irrigation Plans shall be submitted to the Engineering Department for review and acceptance.
 - a. Show installation of revised planter north of the trash enclosure.
 - b. Horizontal and vertical control for all plans shall be obtained from ROS 11252 and shall be prepared at an engineering scale of 1"=20' unless otherwise approved by the City project engineer.
 - c. Landscape and irrigation plans shall be one hundred percent (100%) complete at the time of plan check submittal, be prepared in accordance with City guidelines and be ready for acceptance by the City. Partial or incomplete submittals will not be accepted for plan check. At the time of plan submittal, the applicant shall schedule an appointment with their designated City project engineer and the applicant's design engineer to review the plan submittal for completeness. The following shall be included as part of the grading, landscape and irrigation plan submittal package:
 - 1) Six sets of landscape and irrigation plans bound and stapled.
 - 2) Plan check fees.
 - 3) A cost estimate for the cost of construction.
 - 4) A letter of acknowledgement, signed and sealed, from each design consultant acknowledging City ownership of all construction drawings following City approval as specified here within.

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Plan check and inspection fees shall be paid in accordance with the City Fee Schedule.

5. Provide three copies of a geotechnical study prepared in accordance with the Santee General Plan. All recommended measures identified in the approved study shall be incorporated into the project design. Copies of the Geotechnical/Seismic Hazard Study for the Safety Element of the Santee General Plan which details, in Table A-1, study criteria necessary to conform to the General Plan requirements, can be purchased from the Engineering Department.
 - a. The geotechnical report shall analyze any proposed infiltration techniques (trenches, basins, dry wells, permeable pavements with underground reservoir for infiltration) for any potential adverse geotechnical concerns. Geotechnical conditions such as: slope stability, expansive soils, compressible soils, seepage, groundwater depth, and loss of foundation or pavement subgrade strength should be addressed, and mitigation measures provided.
6. Replace failed or inadequate pavement to the centerline and/or sidewalk adjacent to the site on Fanita Drive to the satisfaction of the City Engineer.
7. Consent to annexation of the property under development to the Santee Roadway Lighting District and agrees to waive any public notice and hearing of the transfer. Applicant shall pay the necessary annexation costs and upon installation of any street lights required for the development, pay the necessary street light energizing and temporary operating costs.
8. Following issuance of a grading permit the applicant shall complete grading in accordance with the approved grading plans and the recommendations of the project's geotechnical engineer.
9. Provide three copies of a drainage study prepared by a registered Civil Engineer, with demonstrated expertise in drainage analysis and experience in fluvial geomorphology and water resources management. Storm drainage shall be designed to adequately convey storm water runoff without damage or flooding of surrounding properties or degradation of water quality.
 - a. The drainage study shall identify and calculate storm water runoff quantities expected from the site and upstream of the site and verify the adequacy of all on-site or off-site facilities necessary to discharge this runoff. The drainage system design shall be capable of collecting and conveying all surface water originating within the site, and surface water that may flow onto the site from upstream lands, and shall be in accordance with the latest adopted Master Drainage Plan, the requirements of the City of Santee Public Works Standards, including analysis of the 10-year, 50-year and 100-year frequency storms, and be based on full development of upstream areas.
 - b. The drainage study shall compute rainfall runoff characteristics from the project area including, at a minimum, peak flow rate, flow velocity, runoff

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volume, time of concentration, and retention volume. These characteristics shall be developed for the 10-year, 50-year and 100-year frequency six-hour storm during critical hydrologic conditions for soil and vegetative cover. Storm events shall be developed using isopluvial maps and in accordance with the San Diego County Hydrology Manual.

- c. Provide calculations for the total volume of storm water storage for the area beneath the underdrain of the permeable pavement. Provide calculations for the amount of runoff from the pavers that is to enter the detention basin.
10. Provide three copies of a Storm Water Quality Management Plan (SWQMP) prepared and in accordance with the City of Santee Storm Water Ordinance and in accordance with the City of Santee Best Management Practices (BMP) Design Manual dated February 2016. The SWQMP must include best management practices (BMPs) to address water quality and hydromodification. An Operation and Maintenance Plan describing maintenance requirements and costs for BMP maintenance and provision of maintenance verification will be provided. The SWQMP shall include the following:
- a. Develop and implement appropriate Best Management Practices (BMPs) to ensure that the project does not increase pollutant loads from the site. A combination of respective storm water BMPs, including Site Design, Source Control, and Structural Treatment Control shall be implemented in accordance with the approved SWQMP.
 - b. The project design shall incorporate Low Impact Development (LID) and site design BMPs to minimize directly connected impervious areas and to promote infiltration using LID techniques as outlined in the County of San Diego's LID handbook. Parking areas shall be designed to drain to landscape areas. Private roads shall be designed to drain to vegetated swales or landscaped areas.
 - c. The site shall comply with full trash capture requirements by providing completely enclosed trash and recycling enclosures, and fitting all storm drain inlets with a State certified grate/screen or trash rack. Said devices must be designed to capture debris of 5 mm or greater, while preventing flooding potential. In addition, any adjacent public storm drain inlet structure to which the site discharges must also be retrofitted with trash capture devices. The device which shall be used for public inlets is the ADS FlexStorm Connector Pipe Screen system or approved equal.
 - d. Identify "Trash Refuse Areas" within the study and exhibits and provide details of the proposed trash enclosure. Refer to the City's website for trash enclosure requirements. Any gaps associated with the enclosure should be less than one inch in width. The roof of the trash enclosure shall be sloped to direct runoff to a pervious surface, preferably landscaping. Provide rip-rap or other energy dissipaters to prevent erosion as necessary.
 - e. Use consistent naming conventions throughout the drawings in

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reference to the use of permeable pavement. Clearly demonstrate in a detail that 3 inches of aggregate is to be installed below the underdrain. Show the location of a cleanout port and remove the reference to observation ports. If an observation port is to be installed in the permeable pavement then it should not be connected to the underdrain system. Provide details of the observation port, including a cross section, if one is to be installed within the permeable pavement.

- f. All inlets must be labeled with concrete stamp or equivalent - stating, "No Dumping - Drains to River". If work is performed on a public inlet, the public inlet must be labeled with the following standard specification: Public storm drain inlet markers shall be 4" diameter, stainless steel, natural embossed, inlet marker as manufactured by Almetek Industries or approved equal. Marker shall contain/state "No Dumping" with "Fish w/ Wave" symbol and "Drains to Waterways" legend. Marker shall contain 2" long x 1/4" diameter threaded rod and shall be installed flush and wet-set in top of inlet, centered on width of inlet opening. Revise the report to indicate all onsite storm drain boxes and grates will be labeled with pollution prevention signage.
 - g. Down spouts and HVAC systems are not permitted to be connected to any storm drain conveyance system. All non-storm water discharges must either drain to landscaped areas, or be plumbed to the sewer.
 - h. Fire suppression systems must be designed to be able to discharge to a sewer clean out for all maintenance and testing activities, or otherwise captured and contained on-site.
 - i. California native/drought-tolerant plants shall be used to the maximum extent feasible to minimize the need for irrigation. Where irrigation is necessary, then the system shall be designed and installed to prevent overspray or irrigation runoff during normal operations and during a break in the line.
 - j. Provide a narrative in the source control section regarding the types of material to be stored outdoors and how materials shall be covered and/or protected from the outside elements and be stored above the finished grade to prevent contact with the storm water runoff.
 - k. The final project submittal shall include a standalone Operation and Maintenance (O&M) Plan in accordance with the City of Santee BMP Design Manual.
11. Minimum best management practices for storm water and water quality will be incorporated into the project's Storm Water Quality Management Plan (SWQMP).
12. Submit a copy of the draft project specific Storm Water Pollution Prevention Plan (SWPPP) to the City for review and approval. The Construction SWPPP should contain a site map(s) which shows the construction site perimeter, existing and proposed buildings, lots, roadways, storm water collection and discharge points, general topography both before and after construction, and drainage patterns across the project. The Construction SWPPP must list Best

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Management Practices (BMP's) the applicant will use to protect storm water runoff and the placement of those BMP's. Section XIV of the Construction General Permit describes the SWPPP requirements. Refer to the City's website for additional notes to be included on the BMP plan sheet.

- 13. The drawings must show at least the minimum number of parking spaces outlined in the parking study.
- 14. Provide either a fire department turn-around or an emergency access corridor in the one-way access.

J. Prior to issuance of a Building Permit:

- 1. The applicant shall pay all development impact fees in effect at the time of issuance of building permits. This preliminary estimate will change based on the actual fees in effect at the time of building permit issuance.
 - a. Drainage..... \$20,828.86 (estimated)
 - b. Traffic \$12,785.17
 - c. Traffic Signal \$2,062.66

Impact fee amounts shall be calculated in accordance with the City Fee Schedule and based on current fee ordinances in effect at issuance of building permit. The drainage fee shall be calculated based on the actual impermeable area created by the project including off-site street improvements or other improvements beyond the project boundary. The applicant shall provide certification of final site and building areas by their engineer of work to be approved by the City Engineer for use in calculating the final fee amounts. Fees shall be adjusted on an annual basis in accordance with the Santee Municipal Code.

- 2. A Storm Water Facilities Maintenance Agreement accepting responsibility for all structural BMP maintenance, repair, and replacement as outlined in said O&M plan that is binding on the land throughout the life of the project will be required.
- 3. Fencing must be located along the entire southern boundary of the eastern outdoor play area. The fencing must be at least six feet tall, be of solid construction, and if gates are included, they shall have overlapping closures on the bottom and sides.
- 4. A fire flow analysis must demonstrate at least 1,500 gallons per minute for two hours.
- 5. Automatic, residential fire sprinkler systems shall be installed by a licensed fire sprinkler contractor and designed to NFPA 13D with complete coverage in lieu of a 13R. The meter may be used instead of a separate, dedicated fire service as is done on commercial buildings. Separate plans are required to be submitted to the Fire Department for approval prior to installation. The automatic residential fire sprinkler systems are required to be monitored by an approved central station monitoring company.

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6. Group I-4 child care facilities shall be equipped with an approved manual fire alarm and smoke detection system. Actuation of an initiating device shall sound an audible alarm throughout the facility.
7. This project is subject to requirements for persons with disabilities per California Building Code (CBC) Title 24, Part 2, Section 11B. This includes but is not limited to areas noted below.
 - a. Accessible routes to facilities. 11B-206.2. Public access for pedestrians from the right-of-way.
 - b. Accessible access to all facilities. 11B-206.202 Within the site. An accessible route between all buildings for this business is required for public and employee access. At least one accessible route shall connect all buildings, facilities, trash, and play spaces.
 - c. Accessible van parking stalls. 11B-502.2 and 11B-502.7. To accommodate vehicles with various types of lifts or ramp systems, the code indicates a 144-inch wide parking stall. The stall of 108 inches is the exception to the standard in this section. The wider stall width provides more relief from obstructing the required clear width of the adjacent accessible route.

K. During grading, clearing, or construction the applicant shall:

1. Comply at all times with the following work hour requirements:
 - a. No site work, building construction, or related activities, including equipment mobilization will be permitted to start on the project prior to 7:00 am and all work for the day shall be completed by 7:00 pm, no exceptions.
 - b. No work is permitted on Sundays or City Holidays.
 - c. No deliveries, including equipment drop off and pick-up, shall be made to the project except between the hours of 8:00 am and 6:00 pm, Monday through Saturday, excluding Sundays and City Holidays. Deliveries of emergency supplies or equipment necessary to secure the site or protect the public are permitted.
 - d. If the applicant fails or is unable to enforce compliance with their contractors, subcontractors and material suppliers regarding the specified work hours, additional reduction of work hours may be imposed by the Planning & Building Department.

In addition to the above the applicant shall erect one or more signs stating the work hour restrictions. Signs shall be installed as may be required, in the vicinity of the project construction trailer if a job site trailer is used, or at such other locations as may be deemed appropriate by the Planning & Building Department. The sign shall be a minimum of 24" x 36" and shall be weather proofed. The sign content shall be provided by the Planning & Building Department.

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2. Trench work when required within City streets shall be completed within two weeks of the initial start date, including placement of the final trench patch. Trench plates or temporary pavement placement shall be installed at the end of each work day. Advance warning signs on lighted barricades notifying the public of trench plates and or uneven pavement shall be placed and maintained until permanent pavement repairs are made. The maximum length of time including weekends and holidays that trench plates may remain on the street is 72 hours after which temporary or permanent asphalt paving shall be placed.
3. Comply with all applicable sections of the Municipal Code, Land Development Manual, and Public Works Standards of the City of Santee.

L. Prior to Occupancy:

1. Replace failed or inadequate pavement to the centerline and/or sidewalk adjacent to the site on Fanita Drive to the satisfaction of the City Engineer.
2. Provide two print copies and a digital copy of both the final approved Storm Water Quality Management Plan and the Operation and Maintenance Plan.
3. Submit a print and digital copy of the BMP Certification package. The BMP certification package includes but is not limited to: 'wet' signed and stamped certification form(s), all BMP related product receipts and materials delivery receipts, an inspection and installation log sheet, and photographs to document each stage of BMP installation.
4. Prior to issuance of the final phase of occupancy, an executed contract must be in place with a qualified storm water service provider and a copy of the SWQMP provided to the consultant and project manager.
5. Place all new utilities required to serve the project underground. No overhead facilities or extension of overhead facilities is permitted.
6. Dedicate a 12-foot wide irrevocable offer of dedication for right-of-way along the east side of Fanita Drive adjacent to 386-050-17, -18, and -19. The ultimate right-of-way width from property line to street centerline is 42 feet, and 32 feet from curb to centerline. Additional right-of-way may be required as necessary to provide adequate transition to match existing improvements.
7. Dedicate a reciprocal access and parking easement between parcels sharing access.
8. Plant all new trees in and within 10 feet of the public right-of-way with root control barriers.
9. Construct all improvements within the public right-of-way and improvements as shown on the approved precise grading plans. Improvements shall be completed to the satisfaction of the City Engineer.
10. Address numbers shall be placed near the front door of each unit visible from the street or private drive. Numbers shall be block style, a minimum of four inches in height, black in color (or other approved color), and in contrast with their background.

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11. Provide a minimum of one 2A10BC fire extinguisher mounted and accessible.

M. Ongoing:

1. Any fencing within the front setback cannot exceed three and one-half feet in height if solid. A fence up to six feet in height is permitted as long as the top two and one-half feet are unobstructed by fence materials for 90% of the fence area.
2. Fencing must be maintained along the entire southern boundary of the eastern outdoor play area. The fencing must be at least six feet tall, be of solid construction, and if gates are included, they shall have overlapping closures on the bottom and sides.
3. The site must maintain always maintain at least 15 parking spaces, which is the minimum outlined in the parking analysis.
4. The property owner will maintain the property in accordance with the fuel defensible requirements of the City of Santee.

SECTION 4: The applicant shall defend, indemnify, and hold harmless the City of Santee and its officers, employees, and agents from any claim, action, or proceeding against the City and/or its officers, employees or agents to attack or set aside, void, or annul the approval of the City of Santee concerning this Conditional Use Permit, or any action relating to or arising out of its approval.

SECTION 5: The terms and conditions of Conditional Use Permit P2022-8 shall be binding upon the permittee and all persons, firms, and corporations having an interest in the property subject to this Conditional Use Permit and the heirs, executors, administrators, successors and assigns of each of them, including municipal corporations, public agencies and districts.

SECTION 6: The approval of Conditional Use Permit P2022-8 expires on July 12, 2026 at 5:00 p.m. except where substantial use has commenced prior to its expiration. If use of the development has not commenced within the three-year period, said expiration date may be extended pursuant to a request for time extension received 60 days prior to the original expiration date. The City Council expressly grants to the Planning & Building Director the authority to extend the expiration date of this approval pursuant to Section 13.04.090 of the Santee Municipal Code, when a request for an extension is filed 60 days prior to the original expiration date.

SECTION 7: Pursuant to Government Code Section 66020, the 90-day approval period in which the applicant may protest the imposition of any fees, dedications, reservations, or exactions imposed pursuant to this approval, shall begin on July 12, 2023.

SECTION 8: The City of Santee hereby notifies the applicant that State Law (SB1535) authorizes the County Clerk to collect a documentary handling fee for the processing of CEQA documents. In order to comply with State Law, the applicant should remit to the City of Santee Planning & Building Department, within two (2) working days of the

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effective date of this approval (the "effective date" being the end of the appeal period, if applicable), a certified check payable to the "County Clerk" in the amount of \$ 50.00. The City of Santee shall file the Notice of Exemption with the County Clerk upon receipt of the certified check. Failure to remit the required fee in full within the time specified above will result in a delay of the start of the thirty-five (35) day statute of limitations on court challenges to the approval under CEQA.

SECTION 9: The documents and materials that constitute the record of proceedings on which these findings have been based are located with the City Clerk at the City of Santee City Clerk's office at 10601 Magnolia Avenue, Building #3, Santee, CA 92071.

ADOPTED by the City Council of the City of Santee, California, at a Regular Meeting thereof held this 12th day of July 2023, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

JOHN W. MINTO, MAYOR

ATTEST:

ANNETTE ORTIZ, CMC, CITY CLERK