

RESOLUTION NO. 116-2022

FANITA RANCH NEIGHBORHOOD PARK 8 (NP 8)

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA
APPROVING THE APPLICATION OF HOMEFED FANITA RANCHO LLC FOR A
CONDITIONAL USE PERMIT (P2022-2) FOR A NEW 4.2-ACRE PUBLIC
NEIGHBORHOOD PARK LOCATED IN THE FANITA COMMONS VILLAGE SHOWN
ON LOT NP-8 OF FANITA RANCH VESTING TENTATIVE MAP TM2022-1**

APN'S: 374-030-02; 374-050-02; 374-060-01; 376-010-06; 376-020-03; 376-030-01; 378-020-46, 50, 54; 378-030-08; 378-210-01; 378-210-03, 04; 378-210-10, 11; 378-220-01; 378-381-49; 378-382-58; 378-391-59; 378-392-61, 62; 380-040-43, 44

(RELATED TO PROJECT NUMBERS: TM2022-1, P2022-1, P2202-3, DR2022-4, AEIS 2022-4, AEIS2017-11)

APPLICANT: HOMEFED FANITA RANCHO LLC

WHEREAS, on August 25, 2021, the City of Santee adopted Urgency Ordinance No. 592, declaring the need for an Essential Housing Program to boost housing production and improve housing affordability in the City to address and respond to the existing housing crisis in the City of Santee; and

WHEREAS, on November 29, 2021, the Applicant, HomeFed Fanita Rancho LLC submitted an Essential Housing Project Application under Urgency Ordinance No. 592 for the Fanita Ranch Essential Housing Project (the "Project"); and

WHEREAS, on December 27, 2021, the Director of Development Services certified the Project as an Essential Housing Project as it met the specified criteria in Urgency Ordinance No. 592; and

WHEREAS, the Project proposes a community consisting of approximately 2,949 housing units under a preferred land use plan with school, or 3,008 units under a land use plan without school, up to 80,000 square feet of commercial uses, parks, open space, and agricultural uses; and

WHEREAS, on May 4, 2022, pursuant to Urgency Ordinance No. 592, HomeFed Fanita Rancho LLC submitted the additional application materials for the Project consisting of a Fanita Ranch Development Review Permit DR2022-4, a Vesting Tentative Map TM2022-1, a Preliminary Application under the Housing Crisis Act of 2019 (Senate Bill 330), and Conditional Use Permits P2022-1, P2022-2 and P2022-3; and

WHEREAS, the subdivision and Development Plan would create 1,467 lots, including a public neighborhood park within the Fanita Commons Village of the Fanita Ranch Development Plan area; and

WHEREAS, pursuant to the Development Plan and other development approvals for the proposed project, the Applicant shall construct and dedicate to the City of Santee for public use certain park facilities and related amenities including the Fanita Ranch Neighborhood Park NP-8; and

RESOLUTION NO. 116-2022

WHEREAS, the Fanita Ranch Development Plan specifies that public parks are subject to the approval of conditional use permits (CUPs) in accordance with the procedures set forth in Santee Municipal Code section 13.06.030; and

WHEREAS, Fanita Ranch is designated Planned Development (PD) in the Municipal Code and General Plan, respectively; and

WHEREAS, the PD district requires that public parks, picnic areas and playgrounds be subject to the approval of CUPs in accordance with the procedures set forth in Santee Municipal Code section 13.19.030 and Table 13.19.030A; and

WHEREAS, the requirement of the Fanita Ranch Development Plan that public parks are subject to the approval of CUPs is consistent with Santee Municipal Code Table 13.19.030A, which requires approval of CUPs for parks, picnic areas and playgrounds in the City's PD District; and

WHEREAS, approval of this Conditional Use Permit P2022-2 would allow the development of a 4.2-acre public Neighborhood Park, NP-8, located adjacent to a proposed 15-acre school site shown on the Neighborhood Park NP-8 Conceptual Plan attached hereto as **Exhibit A**, which may include play fields, open play areas, and other amenities; and

WHEREAS, the draft Fanita Ranch Development Plan, Exhibit 7.2: Community Park Conceptual Plan illustrates one potential layout for a Community Park and adjacent Neighborhood Park NP-8, including two youth soccer fields; and

WHEREAS, previously, on September 23, 2020, the City Council certified the Final Revised Environmental Impact Report ("EIR") (State Clearinghouse No. 2005061118) for a prior version of the Fanita Ranch Project (the "Prior Project") and adopted several resolutions approving the Prior Project, including Resolution No. 098-2020 approving the application of HomeFed Fanita Rancho LLC for a Conditional Use Permit (P2020-2) for a new 4.2 acre public neighborhood park located in the Fanita Commons Village shown on Lot NP-8 of Fanita Ranch Vesting Tentative Map TM2017-3; and

WHEREAS, subsequently, the San Diego County Superior Court (Case No. 37-2020-00038168-CU-WM-CTL) granted a Petition for Writ of Mandate on March 25, 2022, ordering the City of Santee to set aside and vacate all resolutions and approvals pertaining to the Prior Project; and

WHEREAS, on May 25, 2022, the City Council adopted Resolution No. 070-2022, setting aside and vacating in their entirety the Prior Project approvals, including certification of the EIR; and

WHEREAS, in order to address the deficient portions of the EIR identified by the Court in Case No. 37-2020-00038168-CU-WM-CTL, the City prepared a Final Revised EIR, including the Recirculated Sections of the Final Revised EIR, which was released for public review from June 10, 2022 to July 25, 2022 in accordance with the provisions of the California Environmental Quality Act ("CEQA"); and

RESOLUTION NO. 116-2022

WHEREAS, on September 2, 2022 the City of Santee published a notice of public hearing on Conditional Use Permit P2022-2 and related case files, to be held on September 14, 2022, in accordance with Section 13.04.100 of the Santee Municipal Code; and

WHEREAS, on September 14, 2022, the City Council held a duly advertised and noticed public hearing on Conditional Use Permit P2022-2 and other applications related to the Fanita Ranch Essential Housing Project; and

WHEREAS, the City Council considered the staff report, all recommendations by staff, the Final Revised EIR including the Recirculated Sections of the Final Revised EIR, the entire record and all public testimony.

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

SECTION 1: The City Council has certified the Final Revised Environmental Impact Report (EIR) including the Recirculated Sections of the Final Revised EIR (Resolution No. 112-2022) pursuant to the California Environmental Quality Act and adopted Findings of Fact, a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program for the Fanita Ranch Essential Housing Project. The City Council hereby incorporates by reference, as if fully set forth herein, the Resolution certifying the Final Revised EIR and adopting the Findings of Fact, and Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program for the Fanita Ranch Essential Housing Project.

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 because:*
1. The neighborhood park envisioned by the Fanita Ranch Development Plan meets the intent of the General Plan Recreation Element goal of providing a system of public parks and recreational facilities which serve the citizens of Santee.
 2. The neighborhood park meets the objectives of the Zoning Ordinance because:
 - i) It is included in the proposed Fanita Ranch Development Plan which includes site-specific land uses and neighborhood park illustrative development designs;
 - ii) Neighborhood Park NP-8 would be designated in accordance with the Fanita Ranch Development Plan land use map;
 - iii) The Fanita Ranch Development Plan and conceptual design of the proposed Neighborhood Park are consistent with the broad purposes of the City's zoning ordinance (Title 13 of the Santee Municipal

RESOLUTION NO. 116-2022

Code), which are to a) implement the goals and objectives of the General Plan and to guide and manage the future growth of the City in accordance with such plan; b) to protect the physical, social, and economic stability for residential, commercial, industrial and other land uses within the City to assure its orderly and beneficial development; c) to reduce hazards to the public resulting from the inappropriate location, use, or design of buildings and other improvements; and d) to attain the physical, social and economic advantages resulting from comprehensive and orderly land use and resource planning. (Santee Muni. Code § 13.04.010(C).)

3. The PD land use designations permit the Fanita Ranch Development Plan and the proposed land uses and zoning therein, including recreational uses and neighborhood parks. The neighborhood park will be consistent with the General Plan and the purposes of the Fanita Ranch Development Plan because both plans propose park sites and park amenities to serve the citizens of Santee. Further, Fanita Ranch is a certified Essential Housing Project and therefore is consistent with the objectives and policies of the General Plan.

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 because:*

1. The neighborhood park site is separated from existing developments in the vicinity. The site is proposed within the interior of the Development Plan area, generally in the northwest portion of the property, with natural habitat areas and open space located to the north, south and west beyond the park boundary.
2. Once developed, the neighborhood park will be separated from residential uses by a street and open space to the south, a school site to the east, and the extension of Fanita Parkway to the west.
3. The neighborhood park site improvements are envisioned to enhance future surrounding uses including the proposed Community Park to the northeast and school and Village Center to the east. Outdoor site lighting will be shielded to avoid glare or illumination impacts to surrounding properties, and pedestrian-scaled lighting will be a design element to visually unify the community in accordance with Development Plan Chapter 5, the Landscape Architecture, Community Design and Outdoor Lighting Design Plan.
4. In accordance with the Final Revised EIR, Section 4.12 (Noise), potential noise from the use of Neighborhood Park NP-8 would not be audible off-site due to distance.

RESOLUTION NO. 116-2022

- C. *That the proposed use complies with each of the applicable provisions of the zoning ordinance because:*
1. The subject property is located in the PD districts of the City's zoning map. This zone district implements the proposed Fanita Ranch Development Plan which includes the 4.2-acre Neighborhood Park NP-8 site.
 2. The Fanita Ranch Development Plan establishes use regulations and illustrative design concepts for the various land uses, including recreational uses and park sites. Where specific zoning criteria is not established, the Fanita Ranch Development Plan defers to the City's Municipal Code standards.
 3. For uses allowed pursuant to Santee Municipal Code Table 13.19.030A, such as park use, all development standards are established by a development review permit, minor conditional use permit or a conditional use permit. This Conditional Use Permit (P2022-2) grants the uses, standards, and designs envisioned by the Fanita Ranch Development Plan for the Neighborhood Park NP-8 site.

SECTION 3: The application for Conditional Use Permit P2022-2, to establish a public neighborhood park within the Fanita Ranch Development Plan illustrated on **Exhibit A**, is hereby approved subject to the following conditions:

- A. *The Applicant shall commence design of Neighborhood Park NP-8 when it files its first Final Map within the Project. The Applicant shall prepare all necessary building, grading, landscaping and other relevant plans, reports and specifications for review and approval by the City of Santee, including any required revisions, as-built drawings or other standard documentation required for plan-check and inspection purposes.*
- B. *The Applicant shall submit all required City applications, forms and documents with Neighborhood Park NP-8 construction plans to the Department of Development Services, and pay all applicable fees related to the plan check, inspection and improvement of the park.*
- C. *Prior to approval of construction plans/building permit issuance for the Neighborhood Park Parcel 8 (Parcel NP-8), the Applicant shall submit detailed lighting plans and photometric analyses demonstrating that lighting has been designed to adequately minimize potential light spillage from sports fields and other park facilities into environmentally sensitive areas subject to review and approval by the Director of Development Services.*
- D. *The Applicant shall commence construction of the neighborhood park at the time of application of the first building permit within the project. Construction of the park shall be in substantial conformance with the approved Fanita Ranch Development Plan and any subsequent amendments.*

RESOLUTION NO. 116-2022

- E. *All construction activities related to the neighborhood park shall require prior approval by the Community Services Director and Director of Development Services, or their designee(s).*
- F. *The Applicant shall comply with all applicable sections of the Municipal Code, Land Development Manual and Public Works Standards of the City of Santee unless otherwise superseded by the Fanita Ranch Development Plan or other authorization.*
- G. *The Applicant shall complete construction of Neighborhood Park NP-8 no later than 36 months from commencement of construction. Following the City's acceptance of the park, the Applicant shall maintain the neighborhood park at no expense to the City for two years. All maintenance shall be performed consistent with, or exceed, City standards. After the termination of this two year maintenance period, the Applicant shall convey Neighborhood Park NP-8 to the City and thereafter have no maintenance obligations. The date for the completion of Neighborhood Park NP-8 may be extended by up to two years with written approval of the City Manager.*
- H. *Neighborhood Park NP-8 shall be designed and constructed, in accordance with the Development Plan, to include publicly accessible play fields such as youth soccer, open play areas, and other amenities within the park to serve the public.*
- I. *The following minimum baseline amenities shall be provided, consistent with City of Santee standards except where specific sizes or other components are noted, subject to future public input into the actual park designs which may require the modification of amenities:*
 - i) Multi-purpose turf areas for open, unstructured play (several locations, approximately 1/4-acre minimum each), including trees for shade, strategically placed to avoid deterrence of recreational activities, but enhance passive uses.
 - ii) Two multi-purpose natural turf sports fields to support organized youth soccer (one U-12 size minimum, and one U-10 size minimum).
 - iii) Off-street, pull-through, drop-off area to accommodate sports field uses; Off-street parking lot to accommodate 10 vehicles, including parking per ADA requirements, and on-street parking to accommodate a minimum of 20 vehicles.
 - iv) Children's Play Area for younger age group, ages 2-5 (appropriately sized for a neighborhood park) equipped with age-appropriate play elements, with resilient surfacing beneath, shade structures and protective barriers, where necessary.
 - v) Shaded (tree canopy and impervious structure), picnic area to accommodate individual and group gatherings (minimum of five tables and three barbeques), one hot coals receptacle, with paved or decomposed granite surfacing.

RESOLUTION NO. 116-2022

- vi) Central gathering space that signals the point of arrival at the park and enhanced with an identity element and/or focal point (e.g., public art, kiosk, significant landscaping with specimen tree, etc.).
 - vii) Paved pedestrian pathways, a minimum of six feet in width, to interconnect park areas and amenities; Incorporate paved pathway to accommodate small children's wheeled activities, such as tricycles, skates, etc.
 - viii) Pedestrian-scaled security lighting, consistent with Chapter 5 of the Development Plan, along primary pathways within the park, shielded as necessary to avoid glare or illumination impacts to surrounding habitat preserves.
 - ix) Two drinking fountains with jug fillers, strategically placed.
 - x) Trash and recycling receptacles, strategically placed, quantity as necessary.
 - xi) Wayfinding signage.
 - xii) Low maintenance landscaping in accordance with Chapter 5 of the Development Plan, to enhance the park experience for users.
 - xiii) Vinyl-coated fencing where necessary to protect park users and adjacent properties from recreational activities.
- J. *Park design, construction and maintenance shall be consistent with, or exceed, City standards and practice; construction documents must be reviewed and approved by the City Engineer and Director of Community Services; and park design shall undergo the City's public input process.*
- K. *The Applicant shall implement, to the satisfaction of the Director of Development Services, the Sustainable Santee Plan (SSP), including but not limited to:*
- i) Constructing new public park buildings and facilities to meet or exceed California Green Building Code Tier 2 Standards;
 - ii) Reducing the urban heat island effect by planting trees in all park parking lots;
 - iii) Installing energy efficient equipment, lighting, and cool roofs; and
 - iv) Installing one E-Vehicle charging station if parking is provided on-site (refer to Condition H iii).
- L. *The Applicant shall implement, to the satisfaction of the Director of Development Services, all environmental impact mitigation measures identified in the Fanita Ranch Final Revised EIR, including the Recirculated Sections of the Final Revised EIR (SCH No. 2005061118), the CEQA Findings of Fact and Mitigation, Monitoring and Reporting Program (MMRP) within the timeframe specified in the MMRP.*
- M. *Minor Revisions to the Conditional Use Permit, such as changes to the conceptual site design and improvements identified in the Development Plan, shall be approved by the Director of Development Services. Major Revisions shall be reviewed and approved by the City Council.*

RESOLUTION NO. 116-2022

SECTION 4: The terms and conditions of this Conditional Use Permit (P2022-2) approval shall be binding upon the permittee and all persons, firms and corporations having an interest in the property subject to these permits and the heirs, executors, administrators, successors and assigns of each of them, including municipal corporations, public agencies and districts.

SECTION 5: In addition to all other available remedies, the City of Santee Municipal Code, Chapter 1.14, provides for the issuance of Administrative citations for Municipal Code violations. Should non-compliance with said terms and conditions of this Conditional Use Permit or any violation of the Municipal Code that includes the City's Storm Water Ordinance, the City has the right to issue administrative citations containing an assessment of civil fines for each violation and collect administrative fines for violations.

SECTION 6: 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 September 14, 2022.

SECTION 7: This Conditional Use Permit (P2022-2) shall remain valid in accordance with the provisions of the Development Plan and Vesting Tentative Map (TM2022-1).

ADOPTED by the City Council of the City of Santee, California, at a Regular Meeting thereof held this 14th day of September, 2022 by the following roll call vote to wit:

AYES: HALL, KOVAL, MINTO, TROTTER

NOES: NONE

ABSENT: NONE

ABSTAIN: MCNELIS

APPROVED:


JOHN W. MINTO, MAYOR

ATTEST:


ANNETTE ORTIZ, CMC, CITY CLERK

Exhibit A: Neighborhood Park NP-8 Conceptual Plan

RESOLUTION NO. 116-2022

EXHIBIT A

Neighborhood Park NP-8 Conceptual Plan



CONCEPTUAL PLAN



FANITA RANCH
NEIGHBORHOOD PARK 8 (NP-8)