



AGENDA

Regular Planning Commission Meeting

Monday, March 4, 2024 at 6:00 P.M.

Council Chamber, City Hall

1243 National City Boulevard, National City CA 91950

Richard Martin Miller, Chair

Randi Marie Castle, Vice-Chair

Claudia E. Valenzuela, Commissioner

Liliana Armenta, Commissioner

Pearl Quinones, Commissioner

Ricardo Sanchez, Commissioner

William J. Sendt, Commissioner

Ashlin Y. Lutes, Deputy City Attorney

Martin Reeder, Assistant Director of Community Development

David Welch, Associate Planner

Sarah Esendencia, Executive Secretary

Thank you for participating in local government and the City of National Planning Commission Meetings.

Meetings: Regular Planning Commission Meetings are held on the first and third Mondays of the month at 6:00 p.m. Special Closed Session Meeting and Workshops may be same day, the start time is based on needs. Check Special Agendas for times.

Location: Regular Planning Commission Meetings are held in the Council Chamber located at City Hall, 1243 National City Boulevard, National City, CA 91950, the meetings are open to the public.

Agendas and Material: [Agendas and Agenda Packet](#) for items listed are available on the City website, and distributed to the Planning Commission no less than 72 hours prior to the Planning Commission Meeting. Sign up for [E-Notifications](#) to receive alerts when items are posted.

Public Participation: Encouraged in a number of ways as described below. Members of the public may attend the Planning Commission Meeting in person, watch the Planning Commission Meeting via [live](#) web stream, or participate remotely via Zoom. [Recording of Meetings](#) are archived and available for viewing on the City's website.

Public Comment: Persons wishing to address the Planning Commission on matters not on the agenda may do so under Public Comments. Those wishing to speak on items on the agenda may do so when the item is being considered. Please submit a Speaker's Slip to the Executive Secretary prior to the meeting or immediately following the announcement of the item. All comments will be limited up to three (3) minutes. The Presiding Officer shall have the authority to reduce the time allotted to accommodate for a large number of speakers. (*City Council Policy 104*)

If you wish to submit written comment [email](#) to the Planning Commission Secretary at least 2 hours prior to the Planning Commission Meeting to allow time for distribution to the Planning Commission.

American Disabilities Act Title II: In compliance with the American Disabilities Act (ADA) of 1990, persons with a disability may request an agenda in appropriate alternative formats as required by Title II. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to the Planning Department, Sarah Esendencia (619) 336-4227 at least 24 hours in advance of the meeting.



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1243 National City Boulevard, National City CA 91950

Gracias por participar en las reuniones del gobierno local y del Consejo de la Ciudad de National City.

Reuniones: Las reuniones regulares del Comisión de Planificación se llevan a cabo el primer y tercer martes del mes a las 6:00 p.m. La reunión especial de sesión privada y los talleres pueden ser el mismo día, la hora de inicio se basa en las necesidades. Consulte las agendas especiales para conocer los horarios.

Ubicación: Las reuniones regulares del Comisión de Planificación se llevan a cabo en la Cámara del Consejo ubicada en el Ayuntamiento, 1243 National City Boulevard, National City, CA 91950, las reuniones están abiertas al público.

Agendas y Material: Las Agendas y el Paquete de Agenda para los temas enumerados están disponibles en el sitio web de la Ciudad y se distribuyen al Comisión de Planificación no menos de 72 horas antes de la Reunión del Concejo Municipal. Regístrese para recibir notificaciones electrónicas cuando se publiquen artículos.

Participación pública: Se fomenta de varias maneras como se describe a continuación. Los miembros del público pueden asistir a la Reunión del Comisión de Planificación en persona, ver la Reunión del Concejo Municipal a través de la transmisión web en vivo o participar de forma remota a través de Zoom. Las grabaciones de las reuniones están archivadas y disponibles para su visualización en el sitio web de la Ciudad.

Comentario Público: Las personas que deseen dirigirse al Comisión de Planificación sobre asuntos que no están en la agenda pueden hacerlo bajo Comentarios públicos. Quienes deseen hacer uso de la palabra sobre los temas del programa podrán hacerlo cuando se esté examinando el tema. Por favor, envíe una solicitud del orador al Secretario de la Ciudad antes de la reunión o inmediatamente después del anuncio del artículo. Todos los comentarios estarán limitados a tres (3) minutos. El Presidente tendrá la autoridad para reducir el tiempo asignado para dar cabida a un gran número de oradores. (Política del Concejo Municipal 104)

Si desea enviar comentarios por escrito, envíe un correo electrónico a la Oficina del Secretario de la Ciudad al menos 2 horas antes de la Reunión del Comisión de Planificación para dar tiempo a la distribución al Consejo Municipal.

Servicios de interpretación en español: Los servicios de interpretación en español están disponibles, comuníquese con el Secretario de la Ciudad antes del inicio de la reunión para obtener ayuda.

Título II de la Ley de Discapacidades Americanas: En cumplimiento con la Ley de Discapacidades Americanas de 1990, las personas con discapacidad pueden solicitar una agenda en formatos alternativos apropiados según lo requerido por el Título II. Cualquier persona con una discapacidad que requiera un modificación o adaptación para participar en una reunión debe dirigir dicha solicitud a la Oficina del Secretario de la Ciudad (619) 336-4228 al menos 24 horas antes de la reunión.



AGENDA

Regular Planning Commission Meeting

Monday, March 4, 2024 at 6:00 P.M.

Council Chamber, City Hall

1243 National City Boulevard, National City CA 91950

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

1. Approval of the Agenda for the Meeting on March 4, 2024.

APPROVAL OF MINUTES OF PREVIOUS MEETING

2. Approval of Minutes from the Meeting of December 18, 2023.

PUBLIC COMMENT (Limited up to three (3) minutes)

In accordance with State law, an item not scheduled on the agenda may be brought forward by the general public for comment; however, the Planning Commissioners will not be able to discuss or take action on any issue not included on the agenda. Speakers will have up to three (3) minutes.

PUBLIC HEARINGS

3. Public Hearing – Determination that the project is categorically exempt from the California Environmental Quality Act (CEQA) under Class 3 of the CEQA guidelines Section 15303 (New Construction or Conversion of Small Structures) and Zone Variance to allow a new single-family home to deviate from requirements for minimum lot area, minimum yard setbacks, the location of parking spaces, and maximum height on East 4th Street. Case file no.: 2023-17 Z APN: 557-050-32

STAFF REPORTS

ADJOURNMENT

Adjournment to the regularly scheduled meeting on March 18, 2024 at 6:00 p.m.



AGENDA

Regular Planning Commission Meeting

Monday, March 4, 2024 at 6:00 P.M.

Council Chamber, City Hall

1243 National City Boulevard, National City CA 91950

AFFIDAVIT OF POSTING
MEETING AGENDA

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) SS
CITY OF NATIONAL CITY)

I, Sarah Esendencia, Executive Secretary of the City of National City, hereby declare under penalty of perjury that a copy of the above Agenda of the Regular Meeting of the Planning Commission of the City of national City, California, was delivered and/or notice by email no less than 72 hours, before the hour of 6:00 p.m. on March 4, 2024, to the members of the Planning Commission, and caused the agenda to be posted on the City's website at www.nationalcityca.gov and at National City Hall, 1243 National City Blvd., National City, California 91950.

/s/: Sarah Esendencia

Sarah Esendencia, Executive Secretary



Planning Commission Minutes

Regular Planning Commission
Meeting of December 4, 2023
IN PERSON AND ONLINE MEETING
<https://www.nationalcityca.gov/webcast>
LIVE WEBCAST
Council Chambers, Civic Center
1243 National City Boulevard
National City, CA 91950

These minutes have been abbreviated. Video recordings of the full proceedings are on file and available to the public.

The meeting was called to order by Chair Miller at 6:13 p.m.

ROLL CALL

Commissioners Present: Valenzuela, Sendt, Sanchez, Quinones, Miller, Castle, Armenta.

Staff Also Present: Acting Director of Community Development Brian Hadley, Planning Manager Martin Reeder, Deputy City Attorney Ashlin Y. Lutes, and Executive Secretary Sarah Esendencia.

1. Approval of Excused/Unexcused Absence of Commissioner Sanchez.

Commissioner Sanchez states family reason for being absent during the Planning Commission Meeting on November 20, 2023.

Motion by Castle, second by Quinones, to excuse Commissioner Sanchez from the, November 20, 2023 Planning Commission Meeting.

Motion carried by the following vote:

Ayes: Valenzuela, Sendt, Miller, Quinones, Castle, Armenta.

Noes: None.

Abstain: None.

Absent: None.

Motion approved.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance by Vice-Chair Castle.

APPROVAL OF AGENDA

2. Approval of Agenda for the Meeting on December 4, 2023.

Motion by Valenzuela, second by Castle, to approve the Agenda for the Meeting on December 4, 2023.

Motion carried by the following vote:

Ayes: Valenzuela, Sanchez, Sendt, Quinones, Miller, Castle, Armenta.

Noes: None.

Abstain: None.

Absent: None.

Motion approved.

APPROVAL OF MINUTES

3. Approval of Minutes from the Meeting of November 20, 2023.

Motion by Quinones, second by Castle, to approve the Minutes from the Meeting of November 20, 2023 with correction of Commissioner Sanchez being noted as absent.

Motion carried by the following vote:

Ayes: Valenzuela, Sanchez, Sendt, Quinones, Miller, Castle, Armenta.

Noes: None.

Abstain: None.

Absent: None.

Motion approved.

PUBLIC HEARINGS

4. Code Amendment to Title 18 (Zoning) of the National City Municipal Code amending Section 18.10.060 (E) related to the Measurement of Height for New Structures.

Planning Manager, Martin Reeder made a PowerPoint presentation.

Motion by Quinones, second by Castle, to close the Public Hearing.

Motion carried by the following vote:

Ayes: Valenzuela, Sanchez, Sendt, Quinones, Miller, Castle, Armenta.

Noes: None.

Abstain: None.

Absent: None.

Motion approved.

Motion by Castle, second by Quinones, to adopt Resolution No. 2023-25, a Resolution of the Planning Commission of the City of National City, California, recommending adoption to the City Council of an Amendment Title 18 (Zoning) of the National City Municipal Code Amending 18.10.060 (E) related to the measurement of Height for New Structures.

Motion carried by the following vote:

Ayes: Valenzuela, Sanchez, Sendt, Quinones, Miller, Castle, Armenta.

Noes: None.

Abstain: None.

Absent: None.

Motion approved.

OTHER BUSINESS

5. Adoption of 2024 meeting dates.

Commissioner Valenzuela points out that there is a typo for July 15th. Planning Commission meeting for July 15th will occur on a Monday.

Motion by Valenzuela, second by Quinones, to adopt the meeting dates as amended.

Motion carried by the following vote:

Ayes: Valenzuela, Sanchez, Sendt, Quinones, Miller, Castle, Armenta.

Noes: None.

Abstain: None.

Absent: None.

Motion approved.

6. Election of Officers.

Motion by Valenzuela, second by Quinones, to have Martin Miller as Chair and Randi Marie-Castle as Vice Chair.

Motion carried by the following vote:

Ayes: Valenzuela, Sanchez, Sendt, Quinones, Miller, Castle, Armenta.

Noes: None.

Abstain: None.

Absent: None.

Motion approved.

STAFF REPORTS:

Legal Council: Wishes everyone a happy holidays.

Acting Director of Community Development: None.

Planning Manager: Thanks Chair and Vice Chair for leading the Planning Commission through 2023 and wishes them luck on the next year. Also looks forward to seeing everyone in February and wishes everyone a happy holidays.

Director of Housing Authority: Wishes everyone a happy holidays and discloses that there will be a volunteer event in April for appreciation month.

COMMISSIONER REPORTS:

Vice-Chair Castle: Thanks staff for the year and wishes everyone happy holidays.

Commissioner Armenta: Thanks staff for all the patience and wishes everyone happy holidays.

Commissioner Quinones: Thanks Deputy City Attorney for patience and returning calls regarding her questions. Ask about Emergency Training follow-up. Wishes everyone a happy holidays.

Planning Manager states that he will follow-up with the Fire Marshall regarding the Emergency Training.

Commissioner Sanchez: Thanks staff and Planning Commissioner and discloses that he will be a father for the first time.

Commissioner Sendt: Wishes everyone a happy holidays.

Commissioner Valenzuela: Thanks staff and wishes everyone happy holidays.

Chair Miller: Ask for clarification if there is a meeting on December 18, 2023. Request a follow-up to have Vic-Chair Castle, Commissioner Sendt, and Commissioner Valenzuela to receive the Emergency Training. Thanks staff for all they do and wishes everyone happy holidays.

Planning Manager discloses that there are no items that will be brought forward to the December 18, 2023 meeting.

ADJOURNMENT

Chair Miller adjourned to the Regular Meeting of the Planning Commission of the City of National City, Monday, February 4, 2024 at 6:00 p.m. in the Council Chamber, located in City Hall, 1243 National City Boulevard, National City, California.

The meeting adjourned at 6:44 p.m.

Sarah Esendencia, Executive Secretary

The foregoing minutes were approved at the Regular Meeting of March 4, 2024.

Martin Miller, Chair



COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

PLANNING COMMISSION STAFF REPORT

Title: PUBLIC HEARING – DETERMINATION THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) UNDER CLASS 3 OF THE CEQA GUIDELINES SECTION 15303 (NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURES) AND ZONE VARIANCE TO ALLOW A NEW SINGLE-FAMILY HOME TO DEVIATE FROM REQUIREMENTS FOR MINIMUM LOT AREA, MINIMUM YARD SETBACKS, THE LOCATION OF PARKING SPACES, AND MAXIMUM HEIGHT AT A VACANT PROPERTY LOCATED ON EAST 4TH STREET.

Case File No.: 2023-17 Z

Location: East 4th Street, east of and adjacent to Interstate 805

Assessor's Parcel Nos.: 557-050-32

Staff report by: David Welch, Associate Planner

Approved by: Martin Reeder, AICP – Assistant Director of Community Development

Applicant: Estela Clark

Zoning designation: Small Lot Residential (RS-2)

Adjacent use and zoning:

North: El Toyon Park across E. 4th St. / Open Space (OS)

East: Single-family residence / RS-2

South: Interstate 805 / Caltrans right-of-way

West: Interstate 805 / Caltrans right-of-way

Environmental review: The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and staff is recommending that the project be determined categorically exempt from environmental review pursuant to Class 3, Section 15303 (New Construction or Conversion of Small Structures) for which a Notice of Exemption will be filed subsequent to approval of this Zone Variance

Staff recommendation: Approve

Staff Recommendation

Staff is recommending approval of the Zone Variance (variance) request, subject to the recommended conditions in the attached resolution and a determination that the project is exempt from CEQA.

Executive Summary

The applicant proposes to construct a 3-story, 1,757 square-foot single-family residence on an existing 2,285 square-foot lot adjacent to Interstate 805. Due to the size and shape of the lot, a variance is being requested for the minimum lot area, maximum stories, and side and rear yard setbacks for the Small Lot Residential (RS-2) zone. In addition, the applicant is requesting tandem parking and parking in the front yard setback area.

Site Characteristics

The project site is comprised of a 2,285 square-foot vacant parcel located on East 4th Street. The triangular-shaped lot is a remnant parcel from the right-of-way acquisitions for the construction of Interstate 805. The lot is of a substandard size and shape for the RS-2 zone and would not allow for the construction of a home without the granting of a variance. There is 50 feet of street frontage along East 4th Street on the north side of the lot, approximately 106 feet of frontage along the angled portion of the lot abutting Caltrans right-of-way to the south and west, and the lot is approximately 91 feet deep along its eastern boundary. Both the size and shape of the lot result in a constrained buildable area when required setbacks are accounted for. The property has an existing driveway and curb cut that is proposed to be used for the new home. The property is zoned RS-2 and has a Low-Medium Density Residential General Plan designation. Staff would like to note that the pending Focused General Plan Update proposes to rezone this property to the Minor Mixed-Use Corridor (MXC-1) zone, which would significantly alter the development standards of the site. Staff has concluded that a variance would still be needed for parking in a setback area should the new zone be approved.

Proposed Project

The applicant is proposing to construct a single-family residence with an attached one-car garage on a vacant lot. No accessory dwelling units are proposed. The 1,757 square-foot residence is planned to be three stories in height with the upper level having 519 square feet of living space. The front yard setback and side yard setback abutting Interstate 805 will be met. However, the applicant is requesting a reduced interior yard setback and rear yard setback. Due to the irregular lot shape, the rear lot line from which the setback is measured is

approximately 21 feet closer than the “point” of the triangle. In addition to height and setbacks, the applicant is requesting to have a parking space in front of the one-car garage. This would result in tandem parking, which is when vehicles are parked end-to-end, and parking in the front yard setback area. Neither are permitted in the Land Use Code for the RS-2 zone. The location of the parking is also part of the variance request.

Analysis

General Plan

This project contributes to infill development, which is encouraged by the General Plan:

Policy LU 4.3: Promote infill development, redevelopment, rehabilitation, and reuse efforts that contribute positively to existing neighborhoods and surrounding areas.

The proposal also provides an additional home ownership opportunity, which is consistent with the City’s Housing Element.

The land use designation for the subject property is Low-Medium Density Residential, which allows for a density of up to nine dwelling units per acre. While the proposed development of the lot would result in a density of over 19 dwelling units per acre, the underlying zone permits at least one single-family residence per lot. Overall density in the vicinity is tempered by a larger average lot size and the abutting freeway.

Land Use Code

The Land Use Code (LUC) includes development standards by zone as well as general standards for all districts. For the RS-2 zone, there are standards for minimum lot area, setbacks, and maximum height among others. Design standards for off-street parking and loading affect the City as whole. The proposed single-family residence would not meet several requirements within the LUC and is requesting a zone variance to deviate from the prescribed rules.

As discussed above, the 2,285 square-foot property is irregularly-shaped and logically presents challenges to the development of a single-family residence that would not exist on an ordinary lot. The minimum lot area required by the LUC for the RS-2 zone is 5,000 square feet. With the development of the abutting

freeway, the lot has been reduced in size and shape and has remained in a vacant state for several decades. All other lots on this street in the same block exceed the minimum lot size. The request for a variance for a reduced minimum lot area would allow for the development of a lot that would otherwise have little practical use.

Setbacks requirements for the RS-2 zone include a 20-foot front yard setback, five-foot side yard setbacks, and a 25-foot rear yard setback. In order to construct the proposed residence, the applicant is requesting a reduced (four-foot) interior yard setback on the east side of the property and a reduced (14-foot) rear yard setback on the south side of the property. Irregular-shaped lots have a modified definition of a "rear lot line" that further impacts this property. The applicant's plans show a three-foot deviation from the required rear-yard setback. However, staff measurements indicate the requested setback is approximately 14 feet, which is noted in the attached exhibit (Exhibit A-Revised).

The requested deviation from setback rules is minimized by the design of the proposed structure. Each level ranges in size from 519 square feet of livable space on the first floor to 719 square feet on the second floor. Due to the smaller floor plans, the applicant is proposing a third floor comprised of 534 square feet of living space. This third floor exceeds the maximum number of stories (two) within the RS-2 zone, but does not exceed the overall height limit of 35 feet. The variance request for a third floor would allow for more practical living space within the proposed building footprint.

In addition to the requests for modified building standards for the proposed single-family residence, the applicant is also requesting a variance for the location of parking spaces on the property. Generally, one covered space and one uncovered space is required for new single-family residences. The applicant is proposing to have a one-car garage in conformance with zoning requirements. However, there is no practical location for an uncovered space due to the size of the lot. The applicant proposes to locate the uncovered space in front of the attached garage, which would result in the creation of tandem parking and an encroachment into the front yard setback.

Mailing

All property owners and occupants within 300 feet are required to be notified of a public hearing for a CUP application. Notice of this public hearing was sent to 18 occupants and owners.

Department Comments

Comments were provided by the Fire Department related to standard requirements for new developments. No other comments were received. The Fire Department comments have been incorporated as conditions of approval.

Public Comment

No public comments were received as of the writing of this staff report.

Findings for Approval

The Municipal Code contains three required findings for Zone Variances as follows:

1. Variances from the terms of Title 18 shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of Title 18 deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

The property is less than half the minimum lot size required in the zone, which restricts the normal buildable area afforded standard-sized lots. Furthermore, the triangular shape of the lot modifies the shape of the area that could be developed. Given the size and shape of the lot, there is no room to build a residence of a typical size with appropriate parking without encroaching into the required property setbacks and exceeding the maximum height of two stories.

2. Any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.

Instances exist of properties within the RS-2 that do not meet the same zoning regulations for which the applicant is requesting relief. Developed properties with less than 5,000 square feet of lot area east of Interstate 805 are not common, but they do exist along the freeway and Division Street. There are also several properties with irregular shapes that do not conform to setback regulations. Instances of reduced setbacks also occur within reverse corner lots and within entire subdivisions abutting topographic variations. Single-family residences that do not meet the maximum height are found throughout National City. Notably, several Victorian-style mansions incorporate a third story. The RS-2 zone also includes houses of every decade of construction since the 1880s. A large

number of these residences were developed prior to regulations restricting tandem parking and parking in the front yard setback. Residents commonly park vehicles in a manner similar to the request made by the applicant.

3. A variance shall not be granted for a parcel of property which authorizes a use or activity which is not otherwise expressly authorized by the zone regulation governing the parcel of property.

The request is to construct a single-family home, which is a permitted use in the RS-2 zone. The property is also required to have at least two parking spaces per the LUC, which the applicant intends to provide. Parking in and of itself is required and allowed in all zones throughout the City.

One additional finding is required for this project:

4. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).

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 3, Section 15303 (New Construction or Conversion of Small Structures) for which a Notice of Exemption will be filed subsequent to approval of this Zone Variance. Class 3 consists of construction and location of limited numbers of new, small facilities or structures among other similar projects. One single-family residence, or up to three single-family residences in an urbanized area are explicitly provided for under this exemption. The proposed project is to construct one single-family residence.

Conditions of Approval

Standard Conditions of Approval related to new development projects are included as well as comments from the Fire Department. An additional condition requests an updated site plan in conformance with the revised Exhibit A.

Summary

The proposed single-family residence is a permitted use for which the applicant is requesting several variances. The lot has a size and shape that would make it impractical to construct an ordinary single-family residence in conformance with applicable regulations within Land Use Code. Staff is recommending approval of

the variance request for reduced lot area, reduced setbacks, increased height, and the location of parking spaces subject to the Conditions of Approval.

Options

1. Find the project exempt from CEQA under Class 3 of the CEQA Guidelines Section 15303 or other exemption and approve 2023-17 Z subject to the conditions included in the Resolution, and based on the findings included in the Resolution or other findings to be determined by the Planning Commission; or,
2. Find the project not exempt from CEQA and/or deny 2023-17 Z based on the attached findings, or findings to be determined by the Planning Commission; or,
3. Continue the item to a specific date in order to obtain additional information.

Attachments

1. Draft Resolution
2. Overhead
3. Applicant's Plans (Exhibit A-Revised, Case File No. 2023-17 Z, dated 2/12/2024)
4. Public Hearing Notice (Sent to 18 property owners and occupants)
5. Notice of Exemption

RESOLUTION NO. 2024-01

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 3 OF THE
CEQA GUIDELINES SECTION 15303 (NEW CONSTRUCTION OR CONVERSION OF
SMALL STRUCTURES) AND APPROVING A ZONE VARIANCE TO ALLOW A NEW
SINGLE-FAMILY HOME TO DEVIATE FROM REQUIREMENTS FOR MINIMUM LOT
AREA, MINIMUM YARD SETBACKS, THE LOCATION OF PARKING SPACES, AND
MAXIMUM HEIGHT AT A VACANT PROPERTY ON EAST 4TH STREET.
CASE FILE NO. 2023-17 Z
APN: 557-050-32

WHEREAS, the Planning Commission of the City of National City considered a Zone Variance for a new single-family residence to be located at East 4th Street (APN: 557-050-32) at a duly advertised public hearing held on March 4, 2024, 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. 2023-17 Z 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; and,

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

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 4, 2024, support the following findings, which are hereby made:

1. That the property is less than half the minimum lot size required in the zone, which restricts the normal buildable area afforded standard-sized lots. Furthermore, the triangular shape of the lot modifies the shape of the area that could be developed. Given the size and shape of the lot, there is no room to build a residence of a

ATTACHMENT 1

typical size with appropriate parking without encroaching into the required property setbacks and exceeding the maximum height of two stories.

2. That instances exist of properties within the RS-2 that do not meet the same zoning regulations for which the applicant is requesting relief. Developed properties with less than 5,000 square feet of lot area east of Interstate 805 are not common, but they do exist along the freeway and Division Street. There are also several properties with irregular shapes that do not conform to setback regulations. Instances of reduced setbacks also occur within reverse corner lots and within entire subdivisions abutting topographic variations. Single-family residences that do not meet the maximum height are found throughout National City. Notably, several Victorian-style mansions incorporate a third story. The RS-2 zone also includes houses of every decade of construction since the 1880s. A large number of these residences were developed prior to regulations restricting tandem parking and parking in the front yard setback. Residents commonly park vehicles in a manner similar to the request made by the applicant.
3. That the request is to construct a single-family home, which is a permitted use in the RS-2 zone. The property is also required to have at least two parking spaces per the LUC, which the applicant intends to provide. Parking in and of itself is required and allowed in all zones throughout the City.
4. That 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 3, Section 15303 (New Construction or Conversion of Small Structures) for which a Notice of Exemption will be filed subsequent to approval of this Zone Variance. Class 3 consists of construction and location of limited numbers of new, small facilities or structures among other similar projects. One single-family residence, or up to three single-family residences in an urbanized area are explicitly provided for under this exemption. The proposed project is to construct one single-family residence.

BE IT FURTHER RESOLVED that the application for a Zone Variance is hereby approved subject to the following conditions:

General

1. This *Zone Variance* authorizes a single-family residence to deviate from requirements for minimum lot area, minimum yard setbacks, the location of parking spaces, and maximum height at a vacant parcel on East 4th Street (APN: 557-050-32). Except as

required by conditions of approval, all plans submitted for permits associated with the project shall conform to the revised Exhibit A, Case File No. 2023-17 Z, dated 2/12/2024.

2. Before this *Zone Variance* shall become effective, the applicant and the property owner both shall 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 *Zone Variance*. The applicant 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 shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Zone Variance* 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 City Manager or assign prior to recordation.
3. *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 *County Clerk* and submitted to the National City Planning Department.
4. 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 Section 18.12.040 of the Municipal Code.

Building

5. Building plans and permits shall be required to meet current California Building, Mechanical, Electrical, Plumbing, Accessibility, Green, and Energy Codes.

Engineering

6. Applicant shall obtain all necessary permits from the Engineer Department related to the proposed project. For more information contact the Engineer Department at 619-336-4380

Fire

7. Plans are to be designed, fabricated and installed to code.
8. Project to be in compliance with the current editions of NFPA, CFC 2022 Edition, title 19 and local City of National City Municipal Codes.
9. Fire Sprinklers which will be required, shall be directly submitted to the National City Fire Department under separate permit for review and permitting. Fees along with 3 sets of plans including all "Cut Sheets and Calculations" shall be included upon

submittal. Plan review shall be a 30-day plan review process or 21 working days. No over the counter plan reviews accomplished/no exceptions. It shall be unlawful to occupy any portion of the building or structure until the required fire detection, alarm and suppression system have been tested and approved.

10. Buildings or portions of buildings or facilities exceeding 30 feet in height measured vertically from the centerline of the street adjacent to the project above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus.
11. Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building. Other obstructions shall be permitted to be placed with approval of the fire code official.
12. One or more of the required access routes meeting this condition shall be located not less than 15 feet and not greater than 30 feet from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official.
13. Aerial fire apparatus roads shall have a minimum unobstructed width of 26 feet, exclusive of shoulders, in the immediate vicinity of the building or portion thereof.
14. Fire hydrants to 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 existing fire hydrant to project)
15. 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.
16. Fire hydrants to be marked by use of blue reflective marker in the roadway. *Information on required fire hydrants back-flow devices, etc; can be acquired from Sweetwater Authority. All pipe and their appliances, shall meet industry/code standards for underground use.*

Planning

17. Prior to issuance of a building permit for this project, a revised drawing in conformance with the revised Exhibit A in the case file shall be submitted to the Planning Division.
18. 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 (Landscaping).

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 prior to 5:00 p.m. on the day of that City Council meeting. The City Council may, at that meeting, appeal the decision of the Planning Commission and set the matter for public hearing.

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of March 4, 2024, by the following vote:

AYES:

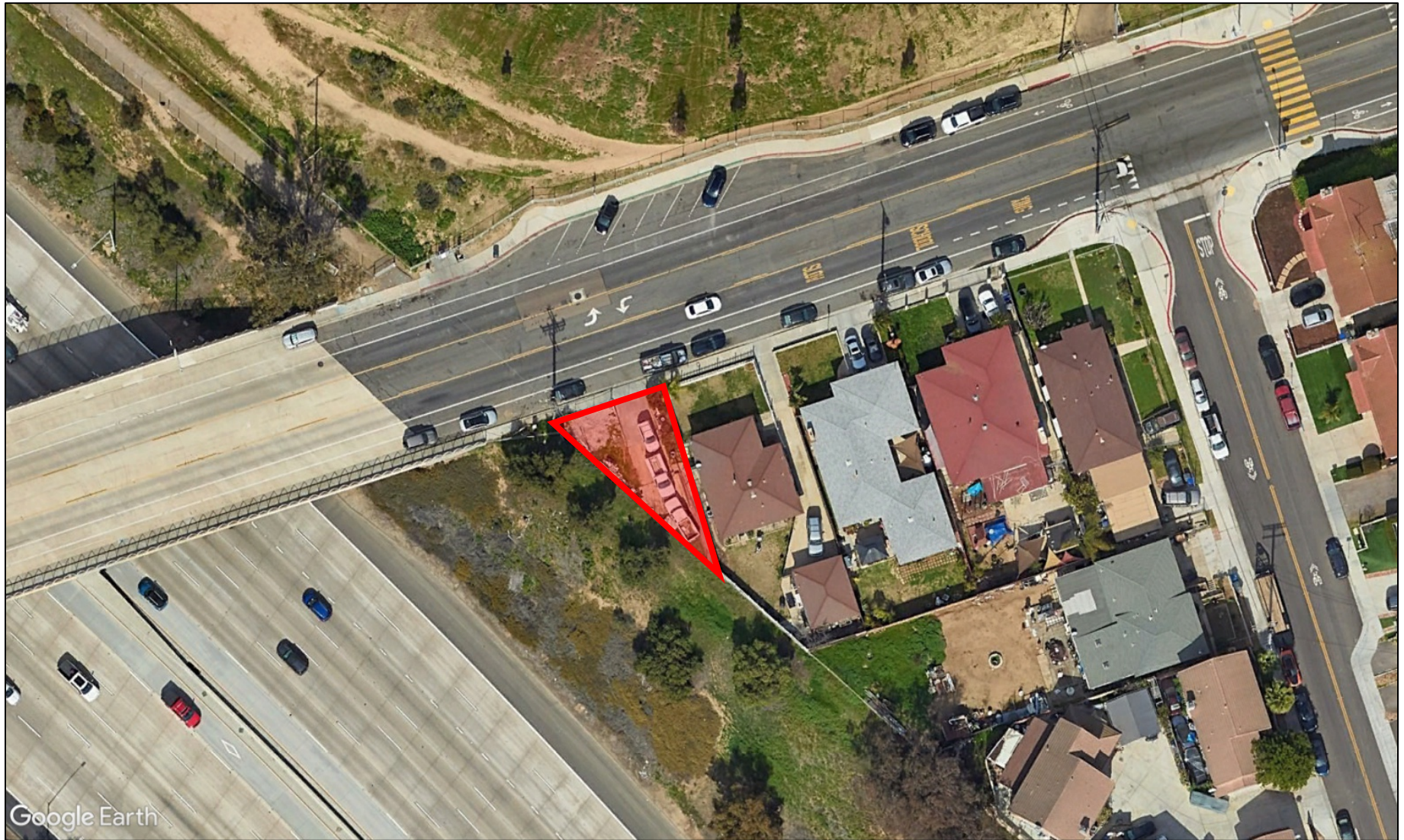
NAYS:

ABSENT:

ABSTAIN:

CHAIRPERSON

2023-17 Z – E. 4th Street. – Overhead



ARCHITECTURAL ABBREVIATIONS

&	And	I.D.	Inside Diameter (Dim.)
L	Angle	Insul.	Insulation
@	At	Int.	Interior
⊕	Center Line	Jan.	Janitor
∅	Diameter or Round	Jt.	Joint
⊥	Perpendicular	kit.	Kitchen
#	Found or Number	Lab.	Laboratory
(E)	Existing	Lam.	Laminated
A.B.	Anchor Bolt	Lav.	Lavatory
Acous.	Acoustical	Lkr.	Locker
A.D.	Area Drain	Lt.	Light
Adj.	Adjustable	Max.	Maximum
Aggr.	Aggregate	M.B.	Machine Bolt
Alumn.	Aluminum	M.C.	Medicine Cabinet
Approx.	Approximate	Mech.	Mechanical
Arch.	Architectural	Memb.	Membrane
Asb.	Asbestos	Met.	Metal
Asph.	Asphalt	Mfr.	Manufacturer
Bd.	Board	Mh.	Manhole
Bitum.	Bituminous	Min.	Minimum
Bldg.	Building	Mir.	Mirror
Blkg.	Blocking	Misc.	Miscellaneous
Bm.	Beam	M.O.	Masonry Opening
Bot.	Bottom	Mtd.	Mounted
		Mul.	Mullion
Cab	Cabinet	N.	North
C.b.	Catch Basin	N.I.C.	Not in Contract
Cem.	Cement	No. or #	Number
Cer.	Ceramic	Nom.	Nominal
C.I.	Cast Iron	N.T.S.	Not To Scale
C.J.	Ceiling Joist	O.A.	Overall
Ctg.	Ceiling	Obs.	Obscure
Clkg.	Calking	O.C.	On Center
Clr.	Clear	O.D.	Outside Diameter
Clo.	Closet	Off.	Office
Col.	Column	Opng.	Opening
Conc.	Concrete	Opp.	Opposite
Conn.	Connection	Prct.	Precast
Constr.	Construction	Pl.	Plate
Cont.	Continuous	P. Lam.	Plastic Laminate
Corr.	Corridor	Plas.	Plaster
Ctsk.	Countersunk	Plywd.	Plywood
Cntr.	Counter	Pr.	Pair
Ctr.	Center	PT.	Point
		P.T.D.	Paper Towel Dispenser
Dbi.	Double	P.T.D/R.	Combination Paper Towel Dispenser & Receptacle
Dept.	Department	P.T.D.F.	Pressure Treated Douglas Fir
D.F.	Drinking Fountain	Q.T.	Quarry Tile
Det.	Detail	R.	Riser
Dia.	Diameter	Rad.	Radius
Dim.	Dimension	R.D.	Roof Drain
Disp.	Dispenser	Ref.	Reference
Dn.	Down	Refr.	Refrigerator
D.O.	Door Opening	Rgr.	Register
Dr.	Door	Reinf.	Reinforced
Dwr.	Drawer	Req.	Required
Ds.	Downspot	Resil.	Resilient
D.S.P.	Dry Standpipe	Rm.	Room
Dwg.	Drawing	Rwd.	Redwood
		R.W.L.	Rain Water Leader
(E)	Existing	S.	South
E.	East	S.C.	Solid Core
Ea.	Each	S.C.D.	Seat Cover Dispenser
E.J.	Expansion Joint	Sched.	Schedule
El.	Elevation	S.D.	Soap Dispenser
Elec.	Electrical	Sect.	Section
Elev.	Elevator	Sh.	Shelf
Emer.	Emergency	Shr.	Shower
End.	Enclosure	Sht.	Sheet
E.P.	Electrical Panelboard	Sim.	Similar
Eq.	Equal	S.N.D.	Sanitary Napking Dispenser
Eqpt.	Equipment	S.N.R.	Sanitary Napking Receptacle
E.W.C.	Electric Water Cooler	Spec.	Specification
Exst.	Existing	Sq.	Square
Expo.	Exposed	St.	Stainless Steel
Exp.	Expansion	S.Sk.	Service Sink
Ext.	Exterior	Sta.	Station
F.A.	Fire Alarm	Std.	Standard
F.B.	Flat Bar	Stl.	Steel
F.D.	Floor Drain	Stor.	Storage
Fdn.	Foundation	Strl.	Structural
F.E.	Fire Extinguisher	Susp.	Suspended
F.E.C.	Fire Extinguisher Cab	Sym.	Symmetrical
F.F.	Finish Floor	Trd.	Tread
F.H.C.	Fire Hose Cab	T.B.	Towel Bar
Fin.	Finish	Tel.	Telephone
Fl.	Floor	Ter.	Terrazzo
Flash.	Flashing	T. & G.	Tongue & Groove
Fluor.	Fluorescent	Thk.	Thick
F.O.C.	Face of Foundation Wall	T.P.	Top of Pavement
F.O.S.	Face of Stud	T.P.D.	Toilet Paper Dispenser
Fprf.	Fireproof	T.V.	Television
F.S.	Full Size	Typ.	Typical
Ft.	Foot or Feet	Unf.	Unfinished
Ftg.	Footing	U.O.N.	Unless Otherwise Noted
Furr.	Furring	Ur.	Urinal
Fut.	Future	Vert.	Vertical
Ga.	Gauge	Vest.	Vestibule
Galv.	Galvanized	W.	West
G.B.	Grab Bar	W/	With
Gl.	Glass	W.C.	Water Closet
Gnd.	Ground	Wd.	Wood
Gr.	Grade	W/O	Without
Gyp.	Gypsum	Wp.	Waterproof
		Wscst.	Wainscot
H.B.	Hose Bibb	Wt.	Weight.
H.C.	Hollow Core		
Hdwd.	Hardwood		
Hdwe.	Hardware		
H.M.	Hollow Metal		
Horiz.	Horizontal		
Hr.	Hour		
Hgt.	Height		

PROJECT DATA:

PROJECT DESCRIPTION: VARIANCE FOR A PROPOSED NEW 3 STORY SFR 4 BEDROOMS W/ 3-1/2 BATHS AND 1 CAR ATTACHED GARAGE AND TANDEM PARKING ON DRIVEWAY FOR SFR.

PROJECT ADDRESS: 1924 E. 04TH ST. NATIONAL CITY CA. 92136

OWNERS ADDRESS: ESTELA CLARK 1327 SILVERADO DR CHULA VISTA TEL: (619) 560-7288

LEGAL DESCRIPTION: A.P.N. 557-050-32-00 PORTION OF LOT: 5 & 6 MAP: #1134 OF CHULA VISTA VILLA TRACT.

ZONING: RS-2

OCCUPANCY: R-3

TYPE OF CONSTRUCTION: NON SPRINKLER

CURRENT CODES: CRC 2022, CBC 2022, CMC 2022 CPC 2022, CEC 2022

PROJECT AREA

EXISTING LOT:	2,285	SQ. FT.
PROPOSED 1st FLOOR PLAN	519	SQ. FT.
PROPOSED 1 CAR GARAGE	200	SQ. FT.
PROPOSED 2nd FLOOR PLAN	719	SQ. FT.
PROPOSED 3rd FLOOR PLAN	519	SQ. FT.
TOTAL HABITABLE SPACE:	1,757	SQ. FT.

SHEET INDEX

- A-1 TITLE SHEET & SITE PLAN
- A-2 PROPOSED FLOOR PLANS
- A-3 PROPOSED ELEVATIONS
- A-4 PROPOSED ROOF PLAN & BUILDING SECTION

VICINITY MAP

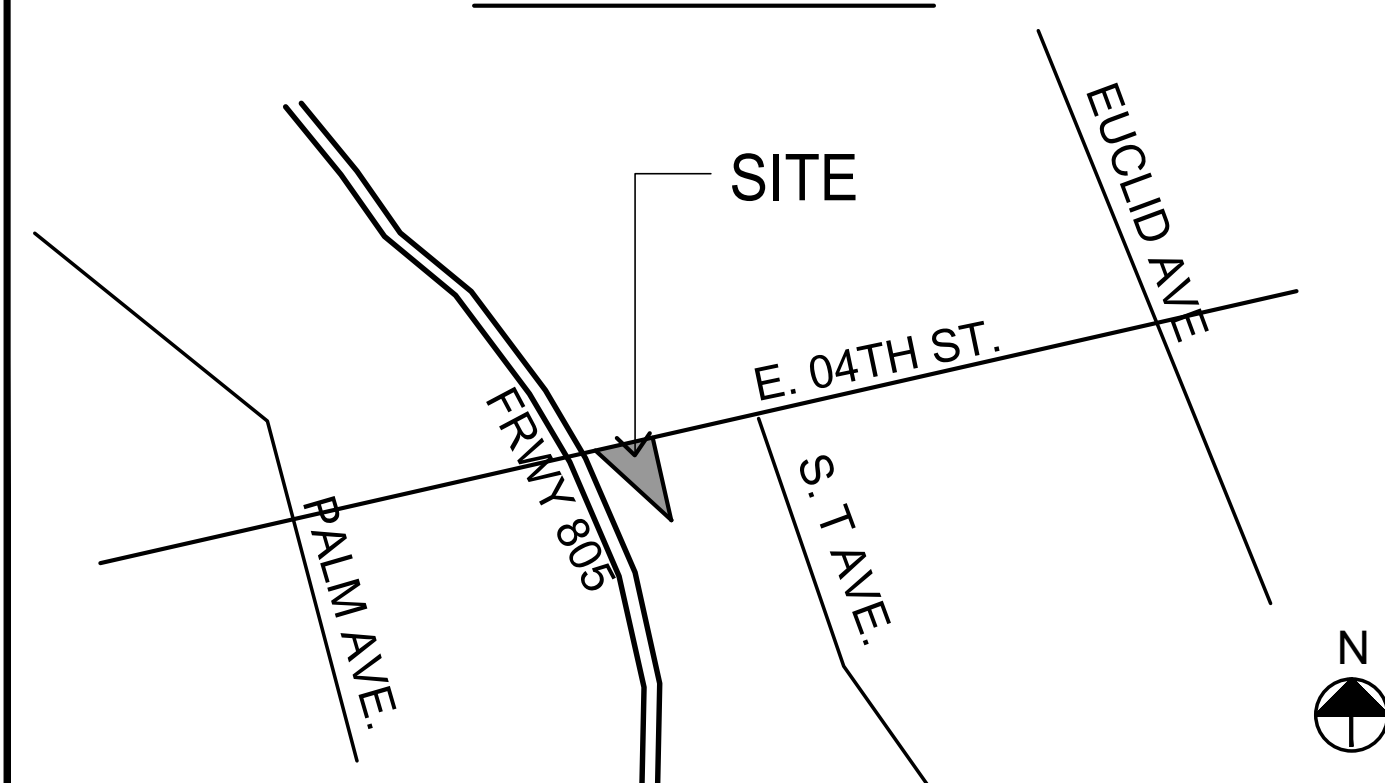
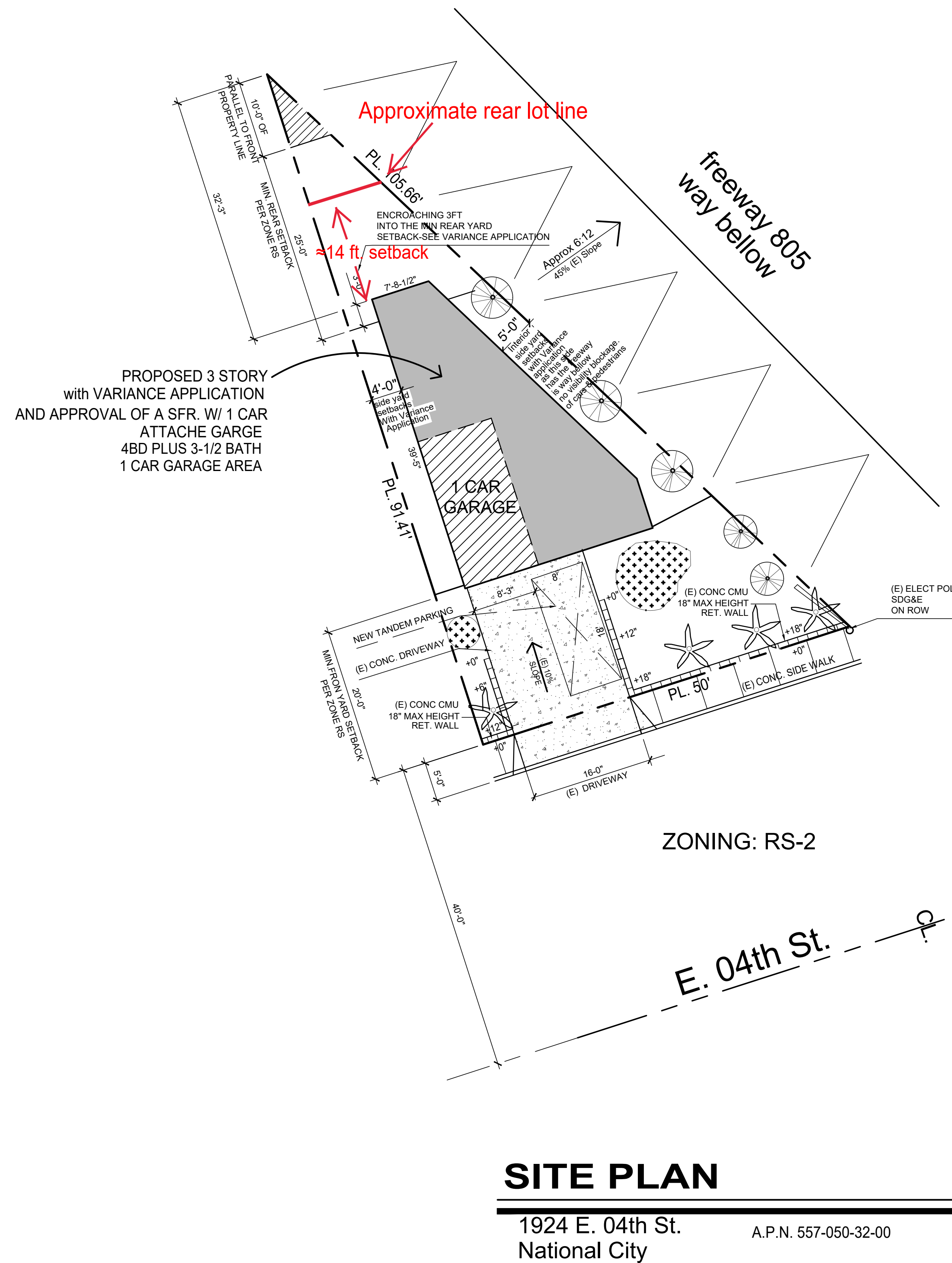


Exhibit A-Revised
Case File No.: 2023-17 Z
Date: 2/12/2024



CONCEPTUAL LANDSCAPE LEGEN

- 10 GAL. SMALL TREES/BUSHES
- 10" GAL. QUEEN PALMS OR KINGS.
- EXISTING CONCRETE DRIVEWAY
- NEW ARTIFICIAL GREEN LAWN OR GRAVEL

CRD
Contreras Residential Designs
1225 Broadway #115
Chula Vista CA. 91911
designs.contreras@gmail.com

Project Owner:
Estela Clark
1327 Silverado Dr
Chula Vista Ca. 91915
Tel: (619) 540-7288

New SFR.
Project Address:
1924 E. 04th St.
National City CA. 92136

**MRS CLARK
RESIDENCE**
NEW 3 STORY SFR.

REVISIONS

Delta #	Date

TITLE BLOCK + SITE PLAN

DESIGN BY: C.C.
DRAWN BY: J.C.
DATE: 1/31/24
SCALE: As Shown

A-1

SITE PLAN

1924 E. 04th St. National City A.P.N. 557-050-32-00 1" = 10'-0"

**MRS CLARK
RESIDENCE**
NEW 3 STORY SFR.

REVISIONS

Delta # Date

Delta #	Date

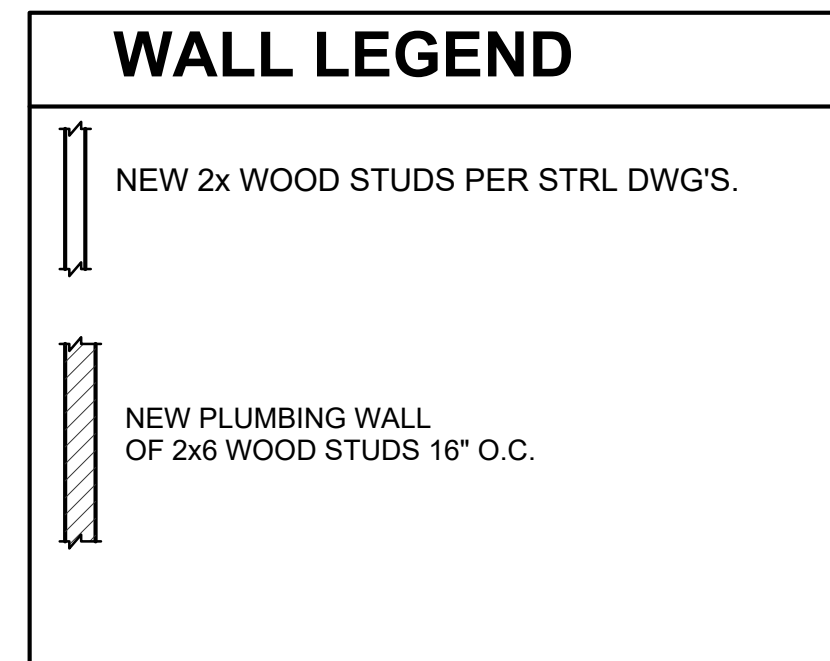
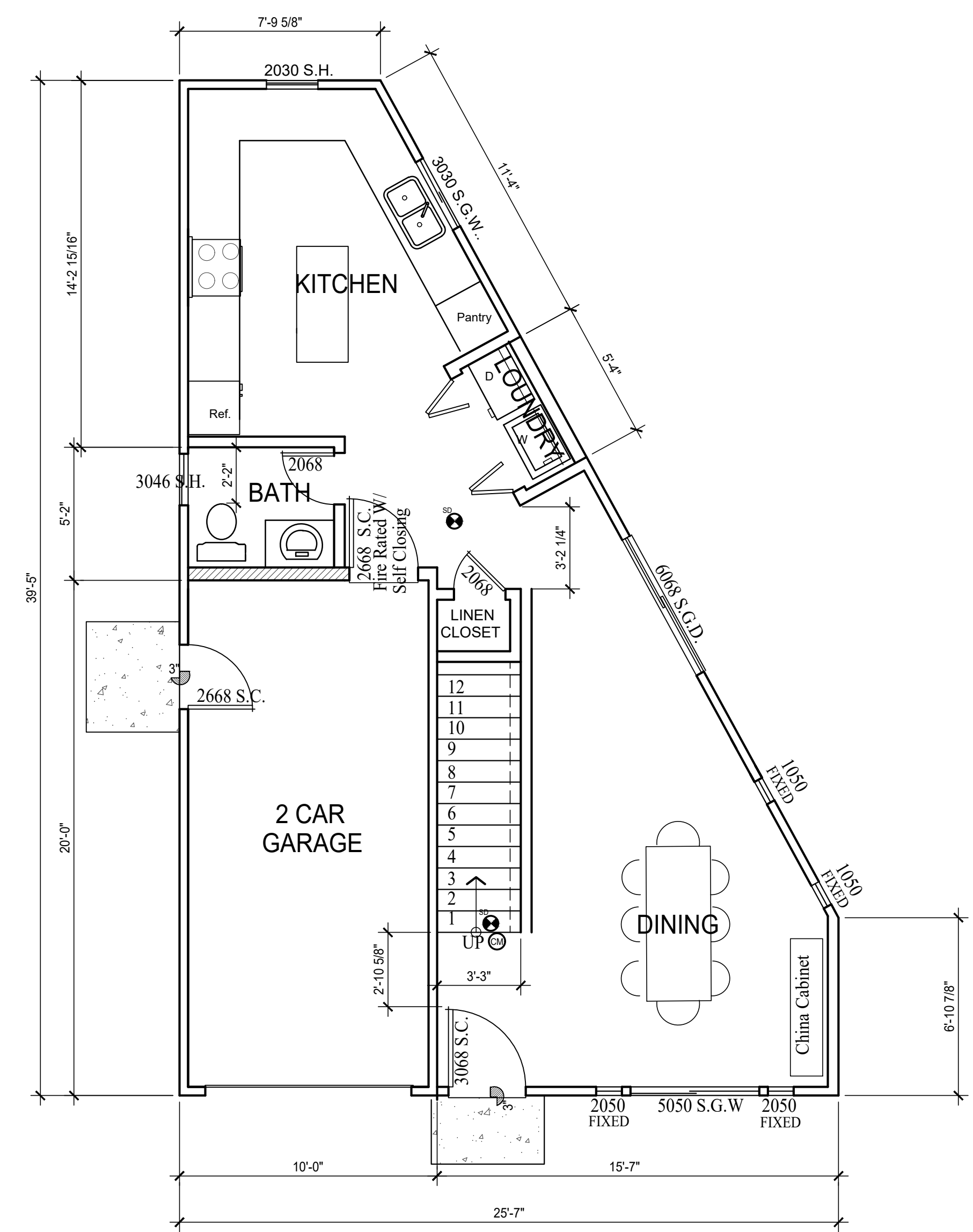
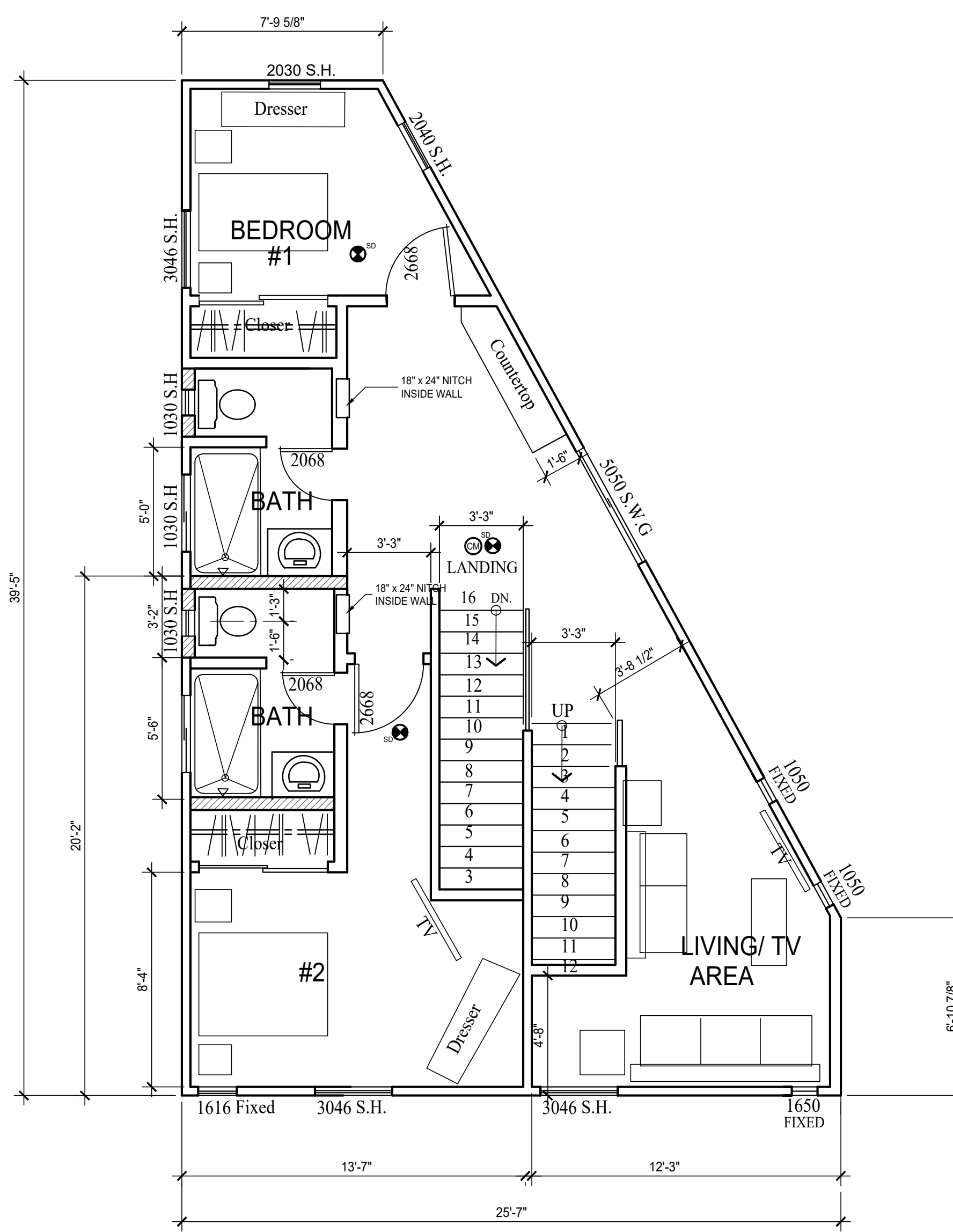
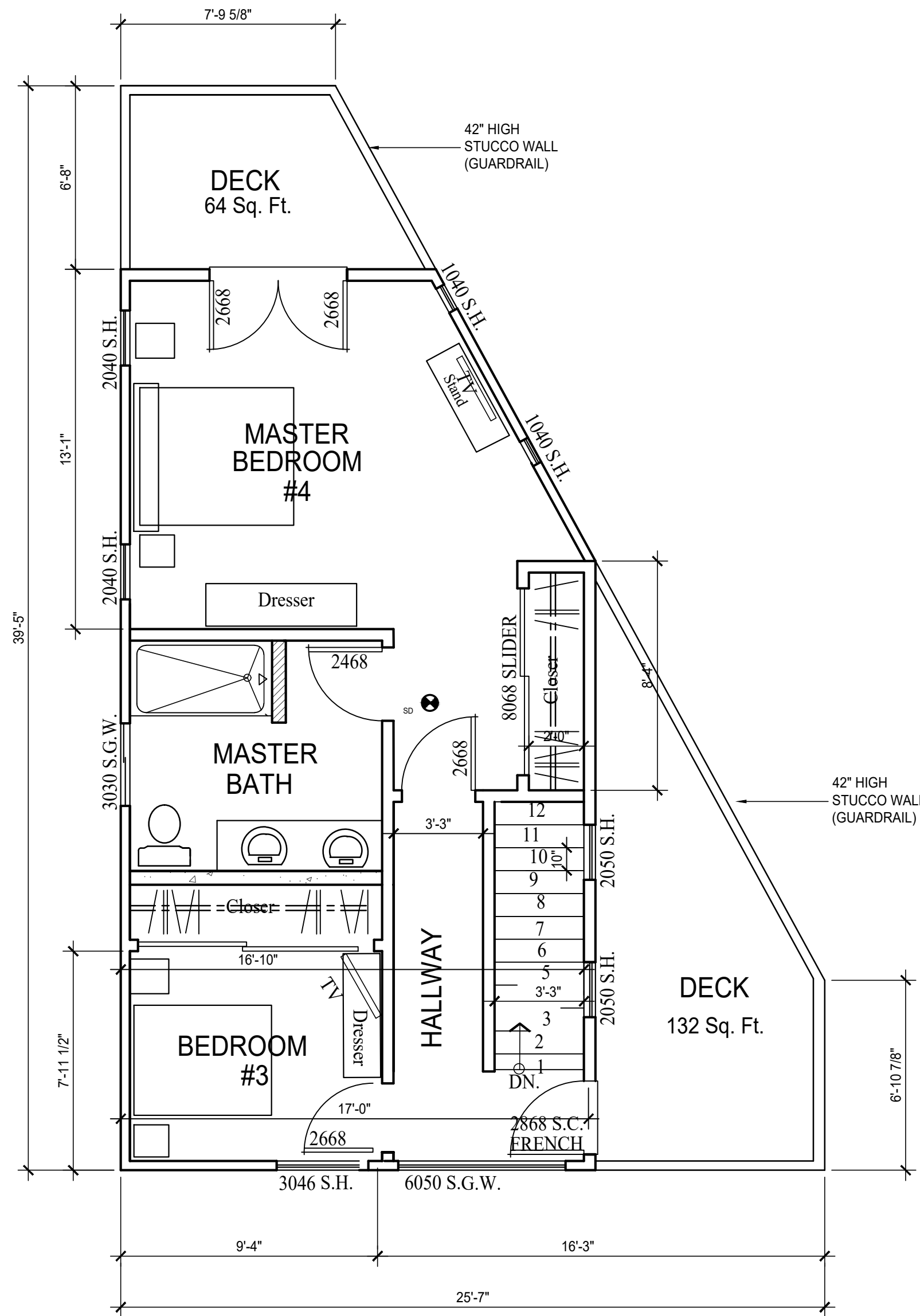
PROPOSED
FLOOR PLANS

DESIGN BY: C.C

DRAWN BY: J.C.

DATE: 1/31/24

SCALE: As Shown



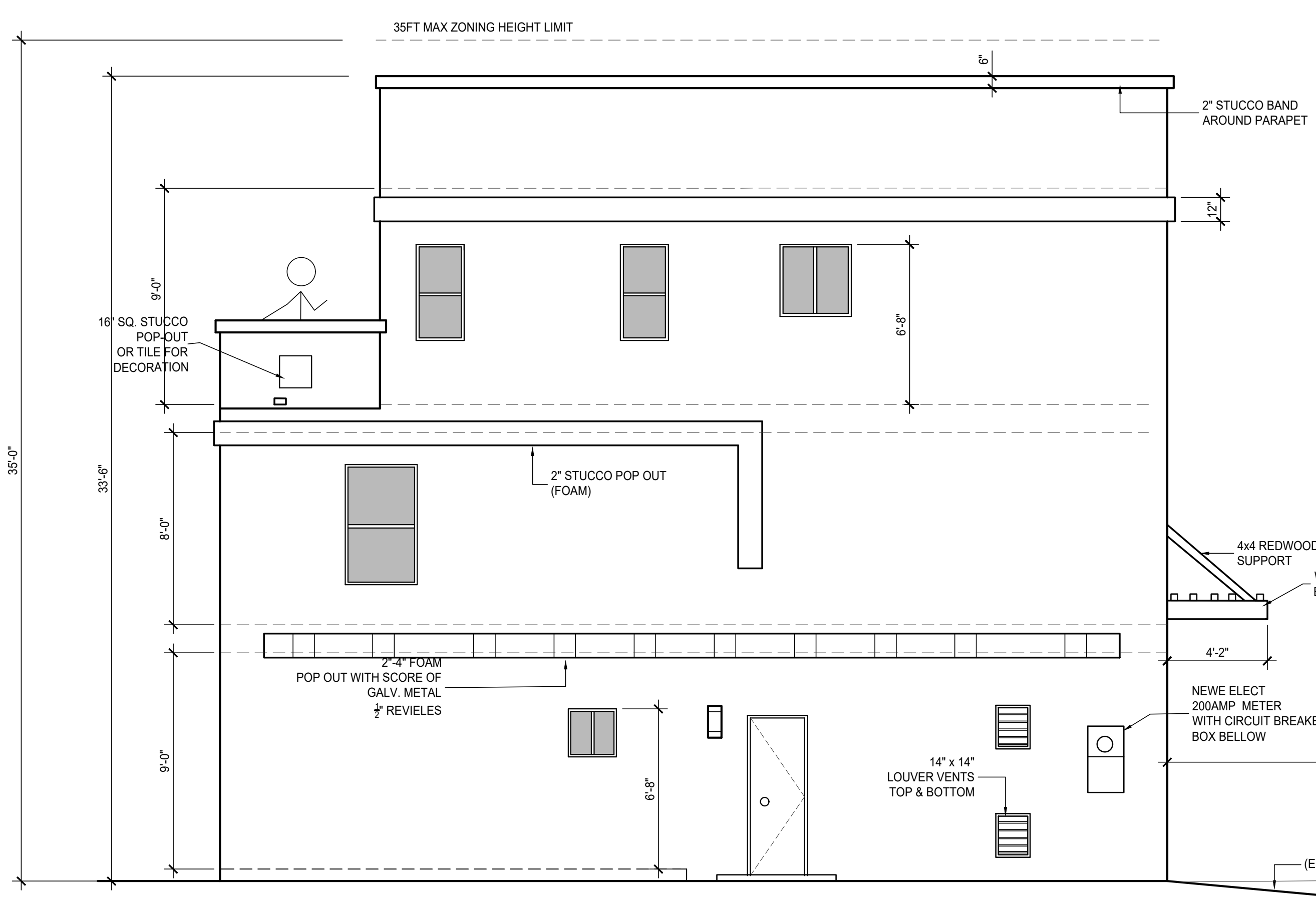
**MRS CLARK
 RESIDENCE
 NEW 3 STORY SFR.**

REVISIONS

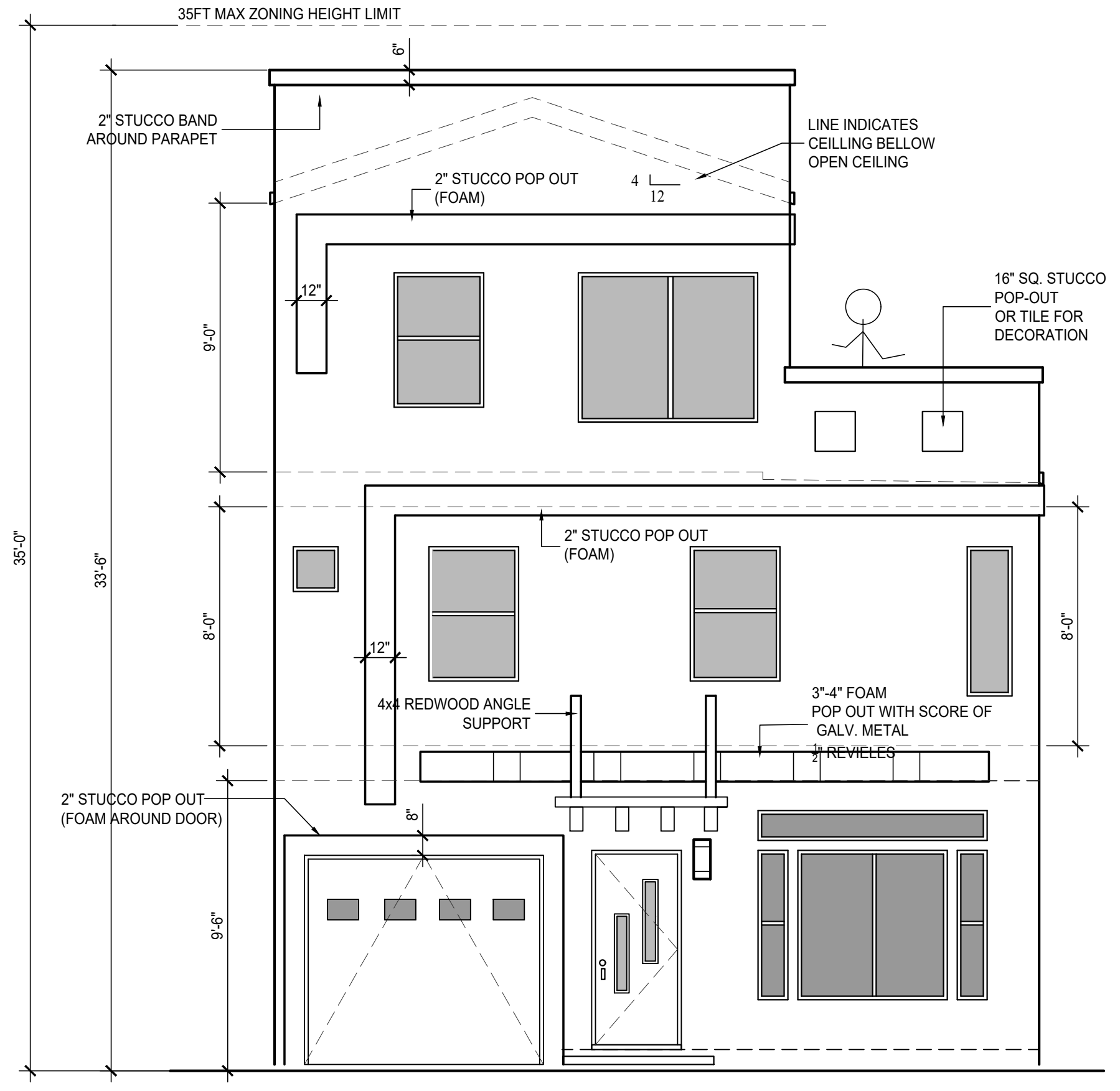
Delta #	Date

PROPOSED ELEVATIONS

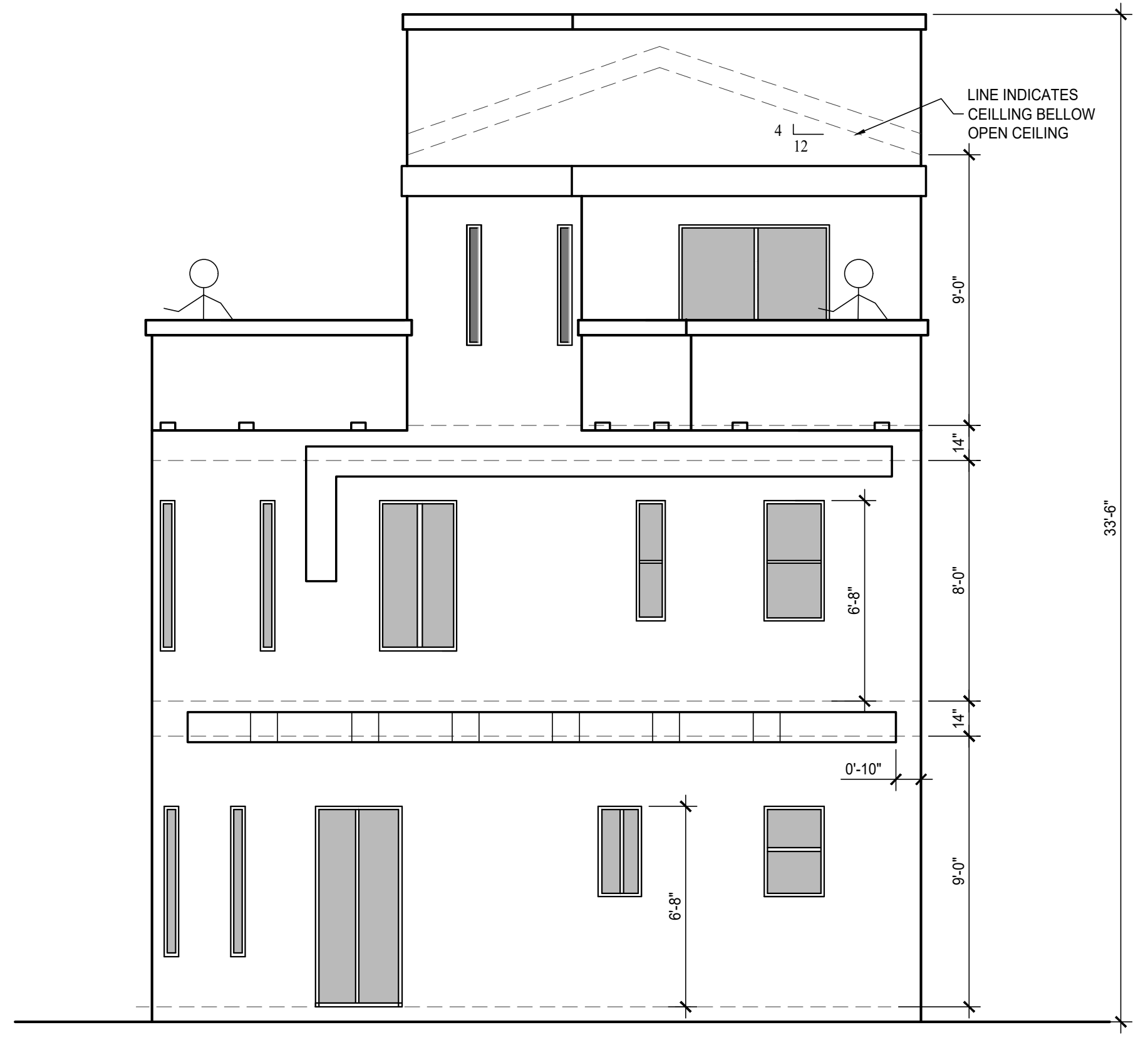
DESIGN BY: C.C
 DRAWN BY: J.C.
 DATE: 1/31/24
 SCALE: As Shown



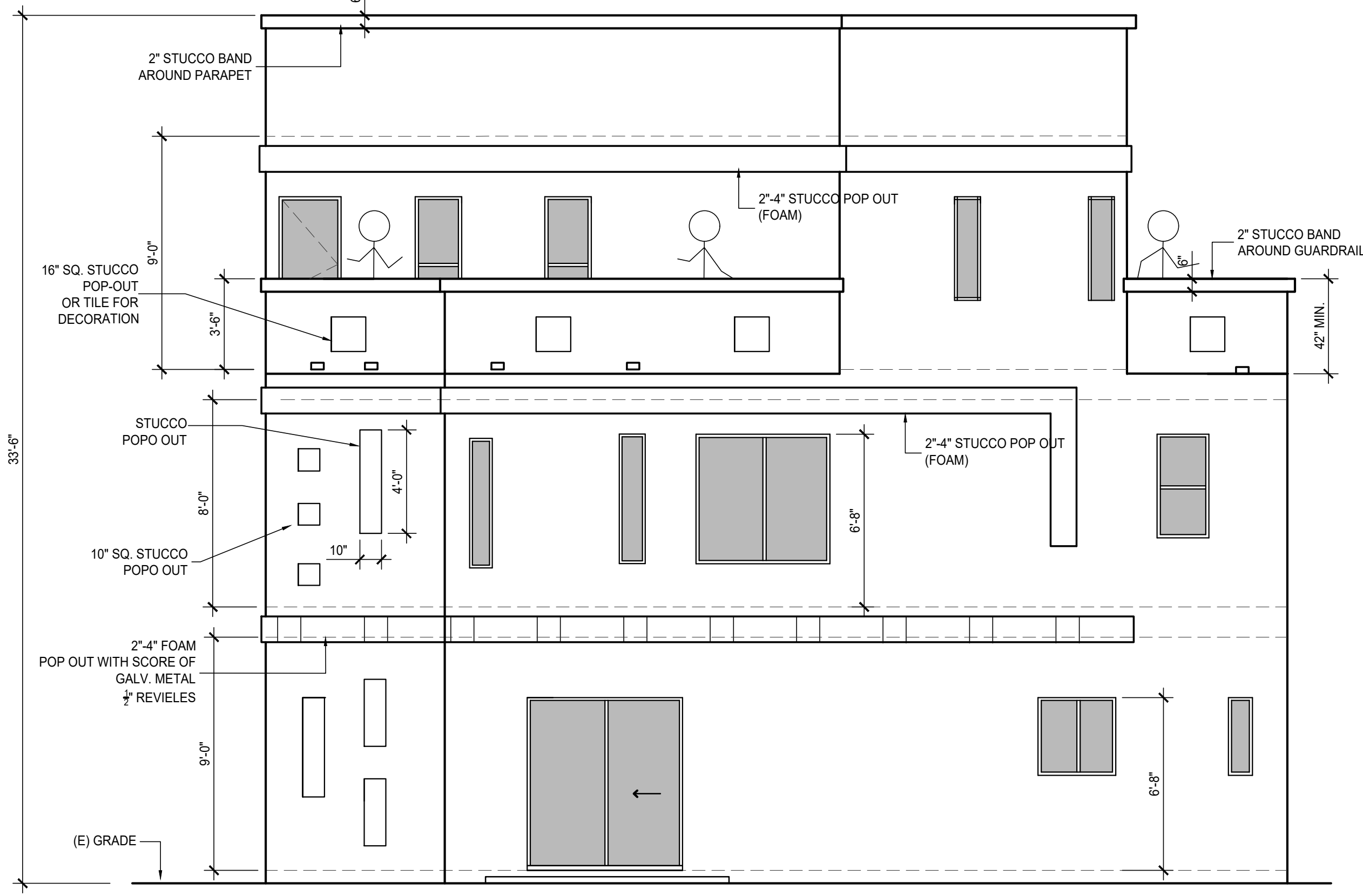
LEFT ELEVATION
 1/4"=1'-0"



FRONT ELEVATION
 1/4"=1'-0"



REAR ELEVATION
 1/4"=1'-0"



RIGHT ELEVATION
 1/4"=1'-0"



NOTICE OF PUBLIC HEARING

DETERMINATION THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) UNDER CLASS 3 OF THE CEQA GUIDELINES SECTION 15303 (NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURES) AND ZONE VARIANCE TO ALLOW A NEW SINGLE-FAMILY HOME TO DEVIATE FROM REQUIREMENTS FOR MINIMUM LOT AREA, MINIMUM YARD SETBACKS, THE LOCATION OF PARKING SPACES, AND MAXIMUM HEIGHT AT A VACANT PROPERTY LOCATED ON EAST 4TH STREET.

CASE FILE NO.: 2023-17 Z

APN: 557-050-32

The National City Planning Commission will hold a public hearing after the hour of 6:00 p.m. **Monday, March 4, 2024**, in the City Council Chambers, Civic Center, 1243 National City Boulevard, National City, California, on the proposed request. (Applicant: Estela Clark)

The applicant proposes to construct a 3-story, 1,757 square-foot single-family residence on an existing 2,285 square-foot lot adjacent to Interstate 805. Due to the size and shape of the lot, a zone variance is being requested for the minimum lot area, maximum stories, and side and rear yard setbacks for the Small Lot Residential (RS-2) zone. In addition, the applicant is requesting tandem parking and parking in the front yard setback area. The Planning Commission will also consider the staff determination that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Class 3, Section 15303 (New Construction or Conversion of Small Structures).

Information is available for review at the City's Planning Division, Civic Center. Members of the public are invited to comment. Written comments should be received by the Planning Division on or before 2:00 p.m., **March 4, 2024** by submitting it to PlcPubComment@nationalcityca.gov. Planning staff can be contacted at 619-336-4310 or planning@nationalcityca.gov.

If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

NATIONAL CITY PLANNING DEPARTMENT



COMMUNITY DEVELOPMENT DEPARTMENT – PLANNING DIVISION
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

NOTICE OF EXEMPTION

TO: Assessor/Recorder/County Clerk
Attn: Fish and Wildlife Notices
1600 Pacific Highway, Suite 260
San Diego, CA 92101
MS: A-33

Lead Agency: City of National City

Project Title: 2023-17 Z

Project Location: E. 4th Street, National City, CA; APN: 557-050-32

Contact Person: David Welch

Telephone Number: (619) 336-4224

Description of Nature, Purpose and Beneficiaries of Project:

Zone Variance to allow the construction of a single-family home to deviate from requirements for minimum lot area, minimum yard setbacks, the location of parking spaces, and maximum height on a vacant parcel.

Applicant:

Estela Clark

[Redacted]

Telephone Number:

[Redacted]

[Redacted]

Exempt Status:

Categorical Exemption – Section 15303 (New Construction or Conversion of Small Structures)

Reasons why project is exempt:

The project proposes to construct one single-family residence on lot zoned for residential use in an urbanized area. Section 15303 (Class 3) explicitly exempts this type of project and there is no possibility of significant environmental impact.

Date:

DAVID WELCH
Associate Planner