

(R-82-381)

RESOLUTION NUMBER R-254842

Adopted on AUG 18 1981

WHEREAS, the City of San Diego has prepared its Land Use Plan for the North City Local Coastal Program (PLAN) and has submitted it to the San Diego Coast Regional Commission for approval; and

WHEREAS, the San Diego Coast Regional Commission has reviewed the PLAN and has recommended revised policy language be incorporated into the PLAN; and

WHEREAS, the San Diego Coast Regional Commission has recommended to the Coastal Commission that it approve the PLAN with the conditions imposed; and

WHEREAS, the City of San Diego is in disagreement with the San Diego Coast Regional Commission regarding five of the conditions it recommended for inclusion in the PLAN; NOW, ~~T~~HEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the Planning Director or his designated representative is hereby directed to urge the Coastal Commission, at its regularly scheduled meeting on August 21, 1981, to find "substantial issue" with the following five conditions which have been recommended by the San Diego Coast Regional Commission:

1. No fill, or permanent structures shall occur within presently undeveloped portions of the defined 100-year floodplain of Los Penasquitos Creek (including area of Los Penasquitos Lagoon), the

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floodplain area of Carroll Creek upstream of Los Penasquitos Lagoon, as well as within the floodplain of the San Dieguito River. Only uses compatible with periodic flooding and which will not adversely impact any environmentally sensitive habitat areas would be allowed within the above identified areas. Minor incidental structures necessary to support uses compatible with the floodplain designation may be considered in the implementation phase of the LCP. The 100-year floodplain boundary lines for the above named water courses shall be updated for LCP purposes utilizing runoff amounts within the watershed that are expected to result from future upstream developed conditions. Updated flow amounts and 100-year floodplain boundary lines shall be developed by The City of San Diego in consultation and subsequent concurrence with the California State Department of Water Resources.

Based upon the establishment of a redefined floodway (FW) boundary stemming from the update of the 100-year floodplain boundary, property located south of Estuary Way east of Roselle Street can be filled up to the floodway line, subject to the provision that any previous fill located within the redefined FW area be removed.

Channelization or other substantial alteration of stream channels, including the removal of vegetation for stream flow facilitating purposes, shall not occur except where limited to 1) flood control projects where no other method of protecting existing structures in the floodplain

is feasible and where such protection is necessary for public safety or to protect existing development, and 2) developments where the primary function is the improvement of fish and wildlife habitat. In addition, a main consideration associated with any potential stream alteration is to give priority to any necessary developments that minimize the transport of stream sediment to the downstream environmentally sensitive wetland areas.

Any channelization or other substantial alteration of stream channels that involve the construction of instream sedimentation basins shall not involve either on-site or along the stream course 1) the removal of biologically significant riparian vegetation or 2) the filling of floodplain areas that function also as sediment basins.

2. In order to protect important vegetative and visual resources of the community, as well as minimize any potential for erosion, no development, grading or alteration of landforms shall occur on slopes greater than 25 percent or in canyon bottoms. An exception to these criteria would be for the development of access roads and utilities and for the development planned for the control of runoff and sediment production in Crest Canyon. Development on already subdivided, vacant lots that have more than 90 percent of their total area in excess of 25 percent slope shall be constructed in a manner subordinate to their natural landforms. No grading out of flat pads shall occur; instead, grading or site alteration shall be

limited to minimal footings site preparation.

Driveway/parking areas shall be limited in size and shall be restricted to an area adjacent to the local street. On-site vegetation shall not be disturbed beyond the limits of the area needed to be developed by the construction process. Development shall utilize flexible siting techniques, including the varying of lot sizes and shapes, modified setbacks, and the varying of positions of structures and their sizes.

No further subdivisions of land or utilization of Planned Unit Developments (PUDS) shall occur on lots that have their total area in excess of 25 percent slopes.

Undeveloped slopes over 25 percent shall be preserved as open space through offers of dedications of permanent open space easements as a condition of future subdivisions or by any other enforceable means available. These offers shall be recorded as restrictions against the subject property.

The restrictions shall prohibit any alterations of landforms, removal of existing vegetation or the erection of structures of any type. Open space easements would protect the steeper slopes from erosion, preserve the area's scenic and visual amenities, and protect valuable native vegetation.

3. Where development would occur on or adjacent to sloping lands, a runoff and sediment control plan designed by a licensed engineer qualified in hydrology and

hydraulics shall be prepared which would assure no increase in peak runoff rate from the fully developed site over the greatest discharge that would occur from the existing undeveloped site as a result of the intensity of rainfall expected during a six-hour period once every ten (10) years (10 year, six-hour rainstorm). Runoff control shall be accomplished by such means as on-site catchment basins, detention basins, and siltation traps along with energy dissipating measures at the terminus of storm drains or any other on-site means found to be more effective than these. A number of drainage facilities shall be utilized with development to minimum the potential for adverse erosion. Use of cluster-type development shall be utilized where it would limit the amount of impervious surfaces and associated increases in peak runoff. Runoff control plans shall be developed prior to tentative subdivision map approval. These requirements would not apply to construction of single-family residences on already subdivided lots.

All permanent runoff and erosion control devices shall be developed and installed prior to or concurrent with any on-site grading activities.

Special districts or other mechanisms shall be established with new developments to provide the means for maintenance and repair of required runoff and erosion control facilities as well as for the maintenance of any irrigation systems. If, in the future, after

completion of development, it is determined by the City that on-site runoff and erosion control facilities are no longer needed or should be modified for resource protection purposes, the City could apply to amend the LCP to make appropriate changes.

4. Any improvements to Carmel Valley Road shall not encroach within the wetland area of the Los Penasquitos Lagoon as determined by the State Department of Fish and Game. The two-lane improved roadway with bikeway/pedestrian way on the lagoon side proposed from Camino Del Mar to Portofino Drive should be extended eastward to the existing four-lane section of Carmel Valley Road at the intersection of Sorrento Valley Road with no encroachment into the Los Penasquitos Lagoon. The appropriate realignment (increase in road radius) of the reverse curve section of the existing Carmel Valley Roadway shall occur within the existing bluff area on the north side of the roadway if it is determined by Fish and Game that the road improvements would result in encroachment into the wetland. Appropriate setbacks of development are in effect for the Sierra Del Mar subdivision immediately north of the subject reverse curve in order to accommodate a road realignment in the area of the bluffs. Control of surface water runoff into the lagoon from roadway development shall be considered with appropriate Commission-suggested recommendations contained herein. Also, stringent grading and landscape

controls, consistent with appropriate Commission suggested recommendations contained herein shall be utilized to control potential sedimentation and visual impacts resulting from bluff grading.

5. Public service expansion shall not be permitted unless the fulfillment of a lagoon restoration program is first assured.

APPROVED: JOHN W. WITT, City Attorney

By Thomas F. Steinke
Thomas F. Steinke
Deputy City Attorney

TFS:ib:605.3.1
8/31/81
Or.Dept. City Clerk
R-82-381

Passed and adopted by the Council of The City of San Diego on AUG 18 1981
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fred Schnaubelt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON
Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

By Jane A. Blackwell, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-254842 Adopted AUG 18 1981

RECEIVED
CITY CLERK'S OFFICE

ECS

CERTIFICATE OF PUBLICATION
SEP -3 PM 2:04
SAN DIEGO, CALIF.

San Diego, City of
12th floor, 202 C St.
San Diego, CA 92101
PONTECORVO

IN THE MATTER OF

NO.

RESOLUTION NO. R-254841

RESOLUTION NO. R-254841

RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO PROVIDING FOR THE SALE OF 1981 TAX ANTICIPATION NOTES

WHEREAS, the Council of The City of San Diego, by proceedings duly had and taken, has authorized the issuance of \$23,000,000 principal amount of City of San Diego 1981 Tax Anticipation Notes (the "notes") and further duly authorized the sale of the notes at public sale to the highest bidder therefor; and

WHEREAS, notice of the sale of the notes has been duly given and no bids for the notes were received; and

WHEREAS, the Council of The City of San Diego has authorized the sale of the notes at private sale;

NOW, THEREFORE, the Council of The City of San Diego hereby finds, determines, declares and resolves as follows:

Section 1. The offer of Bank of America Consortium for the notes is hereby accepted and the City Treasurer is hereby authorized and directed to deliver the notes to said purchaser thereof upon payment to the City Treasurer of the purchase price, to wit: The par value thereof less a discount of \$66,473.00, the notes to bear interest at the rate of ten percent (10%), payable at the maturity of the notes, and to be of the denominations as specified by said purchaser thereof.

Section 2. The City Clerk is hereby directed to cause to be prepared a sufficient number of notes, said notes to show on their face that the same bear interest at the rate aforesaid.

Passed and adopted by the Council of The City of San Diego on August 18, 1981, by the following vote:

YEAS: Mitchell, Cleator, Golding, Schnaubelt, Murphy, Kiser.

NAYS: None.

NOT PRESENT: Williams, Gotch, Mayor Wilson.

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(SEAL)

By MAYDELL L. PONTECORVO, Deputy,

Publish August 31, 1981

66-8636

I, Charlene Lance, am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1909, Decree No. 14894; and the

RESOLUTION NO. R-254841

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to wit:

August 31, 1981

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 31st day of Aug., 1981.

Charlene Lance

(Signature)

3 5/8 x 2 x 8.06 = 58.44

01746

CERTIFICATE OF PUBLICATION

San Diego, City of
12th floor, 202 C St.
San Diego, CA 92101
BARBARA BERRIDGE

IN THE MATTER OF

NO.

RESOLUTION NO. R-254903

RESOLUTION NO. R-254903

WHEREAS, the Planning Commission of The City of San Diego held a public hearing on May 7, 1981, to consider the proposed MIRA MESA COMMUNITY PLAN AND LOCAL COASTAL PROGRAM, and

WHEREAS, the Planning Commission approved and recommended to the City Council adoption of the MIRA MESA COMMUNITY PLAN AND LOCAL COASTAL PROGRAM; and

WHEREAS, City Council Policy 600-7, requires that the public hearings to consider revisions of the PROGRESS GUIDE AND GENERAL PLAN FOR THE CITY OF SAN DIEGO shall be scheduled concurrently with all public hearings on proposed community plans; and

WHEREAS, the Planning Commission of The City of San Diego has held concurrent public hearings to consider the MIRA MESA COMMUNITY PLAN AND LOCAL COASTAL PLAN and amendment of the GENERAL PLAN in order to retain consistency between said plans; and

WHEREAS, on May 7, 1981, the Planning Commission approved and recommended for adoption by the City Council an amended GENERAL PLAN; and

WHEREAS, California Government Code, Section 65800, provides that mandatory elements of the GENERAL PLAN may not be amended more than three times per year; and

WHEREAS, it is the intention of the City Council to consider amendments to the PROGRESS GUIDE AND GENERAL PLAN FOR THE CITY OF SAN DIEGO at hearings conducted on a semi-annual basis; and

WHEREAS, it is the intention of the City Council to conduct a public hearing on proposed actions that will result in changes to the PROGRESS GUIDE AND GENERAL PLAN during the year, but such changes shall not become effective until enacted at the semi-annual hearing conducted for the purpose of amending the PROGRESS GUIDE AND GENERAL PLAN FOR THE CITY OF SAN DIEGO; and

WHEREAS, the Council of The City of San Diego held a public hearing to consider the MIRA MESA COMMUNITY PLAN AND LOCAL COASTAL PROGRAM; and

WHEREAS, the Council of The City of San Diego, by majority vote, approved the MIRA MESA COMMUNITY PLAN AND LOCAL COASTAL PROGRAM; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego as follows:

1. That this Council hereby approves that plan entitled MIRA MESA COMMUNITY PLAN AND LOCAL COASTAL PROGRAM, a copy of which is on file in the office of the City Clerk as Document No. RR-254903.

2. That the MIRA MESA COMMUNITY PLAN AND LOCAL COASTAL PROGRAM shall become effective upon adoption of an appropriate amendment to the PROGRESS GUIDE AND GENERAL PLAN FOR THE CITY OF SAN DIEGO, incorporating said plan, an omnibus hearing on this and other amendments having been scheduled on or about September 29, 1981.

Passed and adopted by the Council of The City of San Diego on August 25, 1981.

AUTHENTICATED BY:

PETE WILSON,

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR,

City Clerk of The City of San Diego, California.

By BARBARA BERRIDGE, Deputy

(SEAL)

Publish September 7, 1981

80-9070

I, Charlene Lance, am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1909, Decree No. 14894; and the

RESOLUTION NO. R-254903

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to wit:

Sept. 7, 1981

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 7th day of Sept, 1981.

Charlene Lance
(Signature)

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5 1/2 X 2 X 8.06 = \$88.66