

RESOLUTION NUMBER R- 261434

ADOPTED ON AUG 21 1984

WHEREAS, THE SIGNAL COMPANIES, a Delaware corporation, "Owner/Permittee," filed an application for a Conditional Use Permit to construct and operate a ground level helistop for private use on an 8.7-acre site located easterly of North Torrey Pines Road, between Callan Road and Torrey Pines State Reserve, described as Lot 15, Torrey Pines Science Park, Unit No. 3, Map No. 9230, in the SR Zone of the University North Community Plan area; and

WHEREAS, on June 21, 1984, the Planning Commission of The City of San Diego made its findings of fact, approved Conditional Use Permit No. 83-066, and filed said decision in the office of the City Clerk on June 29, 1984; and

WHEREAS, said Conditional Use Permit No. 83-0600, pursuant to Section 101.0507 of the San Diego Municipal Code, was set for public hearing on August 21, 1984, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

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

All of the following facts exist with respect to Conditional Use Permit No. 83-0600:

1. The proposed helistop would not be detrimental to the health, safety and general welfare of persons residing or working in the vicinity, nor injurious to property or investments in the area. All appropriate state and federal agencies have reviewed the proposal and have not indicated objection to the proposed use. This Council believes that the facility would provide a service to the industrial community and would enhance the health, safety and general welfare by providing emergency transportation services when needed.

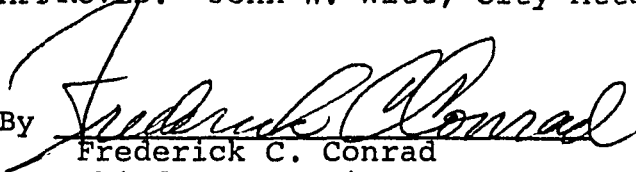
2. The proposed use will comply with all the relevant regulations in the Municipal Code. Section 101.0507A.1 of the San Diego Municipal Code grants this Council, following Planning Commission recommendation, authority to approve a helistop in any zone by a Conditional Use Permit. This Council believes that appropriate conditions exist in this case to grant the permit for such helistop.

The above findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that this Council does hereby grant to THE SIGNAL COMPANIES, a Delaware corporation, Owner/Permittee, Conditional Use Permit No. 83-0600 in the form and with the terms and conditions as set forth in the permit attached hereto and made a part hereof.

APPROVED: John W. Witt, City Attorney

By


Frederick C. Conrad
Chief Deputy City Attorney

FCC:ib:632

08/23/84

Or.Dept:Clerk

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CONDITIONAL USE PERMIT NO. 83-0600

CITY COUNCIL

This Conditional Use Permit is granted by the City Council of The City of San Diego to THE SIGNAL COMPANIES, a Delaware corporation, Owner/Permittee, for the purposes and under the terms and conditions as set out herein, pursuant to the authority contained in Section 101.0507 of the San Diego Municipal Code.

1. Permission is hereby granted to Owner/Permittee to construct and operate a ground level helistop for private use on an 8.7-acre site located easterly of North Torrey Pines Road, between Callan Road and Torrey Pines State Reserve, described as Lot 15, Torrey Pines Science Park, Unit No. 3, Map No. 9230, in the SR Zone of the University North Community Plan area.

2. The facility shall consist of the following:

- a. A helipad to be used in conjunction with business activities and for emergency hospital, police and fire department evacuation procedures; and
- b. Accessory uses as may be determined incidental and approved by the Planning Director.

3. In order to avoid conflicts with NAS Miramar Seawolf Departure, the applicant will insure that:

- a. All helicopter operations to and from the helistop maintain an altitude at or below 1,300 feet MSL within the Seawolf Departure Corridor and within the terminal corridor area (TCA); and

b. Pilots utilizing the Signal Companies' helistop are thoroughly briefed on the helistop's proximity to the Seawolf Departure Corridor and the NAS Miramar traffic area.

4. In order to mitigate potential biological impacts associated with the adjacent Torrey Pines State Reserve, the following conditions shall be implemented:

a. Pampas grass, which occurs within a 1,500-foot radius from the center of the helipad shall be removed. (The applicant shall consult with the State Department of Parks and Recreation prior to removing pampas grass which occurs within the Torrey Pines State Reserve.) Routine landscape maintenance shall include continual removal of pampas grass which occurs on the Signal Companies' property for the lifetime of the Conditional Use Permit.

b. Relandscaping of the helistop site shall be with a native plant seed mixture and/or native plant species approved by the Deputy Director of the Environmental Quality Division.

5. The applicant shall provide access to the helistop in a manner satisfactory to the Fire Department.

6. No refueling will be permitted at the helistop.

7. The design of the helistop shall be such that it will retain any fuel spillage in a manner satisfactory to the Fire Department.

8. Flight operations are limited to an average of three times per week during the day and one nighttime operation per month.

9. No permit for construction or operation of the helistop facility shall be granted nor shall any activity authorized by this permit be conducted on the premises until:

a. The Permittee signs and returns the permit to the Planning Department;

b. The Conditional Use Permit is recorded in the office of the County Recorder.

If the signed permit is not received by the Planning Department within 90 days of the Planning Commission decision or within 30 days of a City Council decision, the permit shall be void.

10. Before issuance of any construction or operation permits, complete grading and building plans shall be submitted to the Planning Director for approval. Plans shall be in substantial conformity to Exhibit "A," on file in the office of the Planning Department. No change, modifications or alterations shall be made unless appropriate applications for amendment of this permit shall have been granted.

11. This Conditional Use Permit must be used within 36 months after the date of City approval or the permit shall be void. An Extension of Time may be granted as set forth in Sections 101.0506 and 101.0507 of the San Diego Municipal Code.

12. Construction and operation of the approved use shall comply at all times with the regulations of this or any other governmental agencies.

13. After establishment of the project, the property shall not be used for any other purpose unless:

- a. Authorized by the Planning Commission; or
- b. The proposed use meets every requirement of the zone existing for the property at the time of conversion; or
- c. The permit has been revoked by the City.

14. This Conditional Use Permit may be revoked by the City if there is a material breach or default in any of the conditions of this permit.

15. This Conditional Use Permit is a covenant running with the lands and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out.

16. This permit is contingent upon the applicant receiving approval from The City of San Diego General Services Department, Airports Division, of a helistop permit/license.

17. The helistop is to be marked and lighted in accordance with the Federal Aviation Administration's Advisory Circular Section, 150/5390-1B, and the letters "PVT" or "PRIVATE" marked on the pad to preclude unauthorized use of the facility (excepting emergency use by public vehicles).

18. Lights shall be adjusted or screened so as not to create glare or shine upon adjacent streets or properties.

19. Development of the subject property shall be in substantial conformance to Exhibit "A," including the approach and departure corridor.

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20. This Conditional Use Permit is contingent upon a letter of agreement between the helistop operator, NAS Miramar and San Diego TRACON, defining the ingress/egress routes, terminal code control area clearances and other specific flight procedures.

21. A weekly log shall be maintained by the Permittee indicating the usage (number of passengers, flight pattern utilized, type of aircraft and time of day) of the heliport at all times during the duration of the permit. This log shall be reviewed by the Planning Commission at a noticed public hearing one year after commencement of heliport operations.

22. The Permittee shall name The City of San Diego, its officers and employees as an additional named insured in a public liability insurance policy in a form and amount to be determined by the office of the City Attorney. This policy shall be in full force and effect at all times during the duration of this permit.

23. Noise levels for aircraft using the heliport shall not exceed those which emanate from a Sikorsky S-76 helicopter at any time during the term of the permit except for emergency use by public vehicles or aircraft.

ADOPTED BY THE COUNCIL OF THE CITY OF SAN DIEGO ON AUGUST 21,
1984.

AUTHENTICATED BY:

Roger Hedgecock
Mayor of The City of San Diego

City Clerk of The City of San Diego

STATE OF CALIFORNIA)
)
COUNTY OF SAN DIEGO)

On this _____ day of _____, 1984, before me, the undersigned, a notary public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared ROGER HEDGECKOCK, known to me to be the Mayor, and CHARLES G. ABDELNOUR, known to me to be the City Clerk of The City of San Diego, the municipal corporation that executed the within instrument, and known to me to be the persons who executed the within instrument on behalf of the municipal corporation therein named, and acknowledged to me that such municipal corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal in the County of San Diego, State of California, the day and year in this certificate first above written.

Notary Public in and for the County
of San Diego, State of California

The undersigned Permittee, by execution hereof, agrees to each and every condition of this Conditional Use Permit and promises to perform each and every obligation of Permittee hereunder.

THE SIGNAL COMPANIES,
a Delaware corporation

By _____

NOTE: NOTARY ACKNOWLEDGEMENTS MUST
BE ATTACHED PER CIVIL CODE,
SEC. 1180 et seq.

Form=ACK

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R- 261434

AUG 21 1984

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

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Roger Hedgecock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

ROGER HEDGECOCK

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By *Charles G. Abdelnour*, Deputy.

Office of the City Clerk, San Diego, California

Resolution *R-261434*
Number Adopted **AUG 21 1984**