

RESOLUTION NUMBER R- 264433

ADOPTED ON NOV 12 1985

WHEREAS, SAN DIEGO GAS & ELECTRIC COMPANY, a California corporation, "Owner/Permittee," filed an application for permission under Conditional Use Permit No. 85-0261 to establish a ground level helistop at SDG&E's Kearny Electric Construction and Maintenance Facility; and

WHEREAS, on September 12, 1985 the Planning Commission of The City of San Diego made its findings of fact, approved said Conditional Use Permit No. 85-0261, and filed said decision in the office of the City Clerk; and

WHEREAS, the matter was set for public hearing on November 12, 1985, testimony having been heard, evidence having been submitted, and the City Council having fully considered the same; and

WHEREAS, the City Council in considering the matter is empowered by the provisions of San Diego Municipal Code Section 101.0506 to affirm, reverse or modify, in whole or in part, any determination of the Planning Commission subject to the limitations as are placed upon the Planning Commission by the Municipal Code; 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. 85-0261:

1. The proposed use will not adversely affect the neighborhood, the General Plan or the community plan, nor will it be detrimental to the health, safety and general welfare of persons living or working in the area. The use of the site as a ground helistop facility is consistent with the existing zoning for the site and land use development in the area. The proposed facility meets all of the helicopter criteria contained in the pending locational guidelines of The City of San Diego as approved by the Planning Commission.

2. The proposed use will comply with all relevant regulations in the San Diego Municipal Code. Section 101.0507 of the San Diego Municipal Code, paragraph A.1., grants the City Council authority, under conditions, to approve airports, including permanent heliports and helistops by a conditional use permit following a recommendation from the Planning Commission. The development, with the recommended conditions, will be consistent with the Municipal Code requirements.

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 hereby sustains the decision of the Planning Commission, and does hereby grant to "Owner/Permittee," Conditional Use Permit No. 85-0261, 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 Conrad
Frederick C. Conrad
Chief Deputy City Attorney

FCC:cc:600
01/03/86
Rev. 01/21/86
Or.Dept:Clerk
R-86-979
Form=r.RESCUP

CONDITIONAL USE PERMIT NO. 85-0261 - CITY COUNCIL

This Conditional Use Permit is granted by the City Council of The City of San Diego to SAN DIEGO GAS & ELECTRIC COMPANY (SDG&E), a California corporation, "Owner/Permittee," for the purposes and under the terms and conditions as set out herein, pursuant to the authority contained in Section 101.0506 of the San Diego Municipal Code.

1. Permission is hereby granted to Owner/Permittee to establish a ground level helistop at SDG&E's Kearny Electric Construction and Maintenance Facility, located at 5488 Overland Avenue, described as Parcel 1 of Parcel Map PM-2532, in the M-1B Zone of the Serra Mesa Community Plan area.

2. The facility shall consist of the following:

a. An emergency ground helistop (for use by SDG&E);
and

b. Accessory uses as may be determined incidental and approved by the Planning Director.

3. Owner/Permittee shall enter into a letter of agreement with the Montgomery Airport and NAS Miramar Airport traffic control towers regarding ingress/egress routes, communication requirements, and Montgomery/ Airport and NAS Miramar Airport's helicopter procedures.

4. All helicopter operations to and from the helistop shall join and follow the Montgomery Field pattern for incoming traffic

then go north to access the helistop, and operations from the helistop shall proceed south and then follow the Montgomery Field pattern for departing traffic.

5. All helicopter operations to and from the helistop shall fly north of all residences in the Tierrasanta Community if determined to be feasible by the NAS Miramar Airport traffic control towers during the preparation of the letter of agreement between Owner/Permittee and NAS Miramar regarding ingress/egress routes.

6. The helistop shall be used for an average of three (3) flights per month.

7. The take-off and landing areas shall be encircled by a fence or barrier not less than three (3) feet in height.

8. The touchdown area shall be located in the center of the take-off and landing area.

9. Obstruction clearance surfaces shall be as required by federal aviation regulations.

10. Each take-off and landing area shall have two obstruction clearance surfaces at least ninety (90) degrees apart, one of which is into the prevailing wind.

11. A wind-indicating device shall be provided and maintained at all times in a workable condition.

12. The take-off and landing area shall be provided with adequate lighting if used for night or all-weather operations.

13. The helicopter landing facilities shall be marked as prescribed by the Federal Aviation Administration.

14. Surfacing of landing facilities shall be such so as to minimize the blowing of any dust, dirt or other objectionable material onto neighboring property.

15. This helistop shall be limited in hours of operation to the periods between sunup and sundown daily unless properly lighted and specifically approved for night operation.

16. Adequate portable fire extinguishers shall be provided as determined by the City Fire Marshall.

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

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

b. The conditional use permit is recorded in the office of the County Recorder.

18. Before issuance of any building permits, complete grading and building plans shall be submitted to the Planning Director for approval. Plans shall be in substantial conformity to Exhibit "A," dated September 12, 1985, 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.

19. Before issuance of any grading or building permits, a complete landscape plan, including a permanent irrigation system, shall be submitted to the Planning Director for approval. The plans shall be in substantial conformity to Exhibit "A," dated September 12, 1985, on file in the office of the Planning

Department. Approved plantings shall be installed before issuance of any occupancy permit on any building. Such plantings shall not be modified or altered unless this permit has been amended.

20. All outdoor lighting shall be so shaded and adjusted that the light is directed to fall only on the same premises as light sources are located.

21. This conditional use permit must be used within 36 months of 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. Any such extensions will meet all Municipal Code requirements and applicable guidelines in effect at the time the extension is considered.

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

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

- a. Authorized by the Planning Commission; and
- 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.

24. 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.

25. 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.

26. Permittee must comply with all regulations of governmental agencies at all times.

27. Permittee shall obtain approval from the City Manager and obtain a license in accordance with Section 68.0207 of the San Diego Municipal Code.

28. Permittee is to obtain a permit from CALTRANS and other agencies as necessary.

ADOPTED BY THE COUNCIL OF THE CITY OF SAN DIEGO ON NOVEMBER 12, 1985.

AUTHENTICATED BY:

ED STRUIKSMA
Deputy Mayor of The City of San Diego

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

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN DIEGO)

On this _____ day of _____, 198 __, before me, the undersigned, a notary public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared ED STRUIKSMA, known to me to be Deputy Mayor, and CHARLES G. ABDELNOUR, known to me to be 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.

SAN DIEGO GAS & ELECTRIC COMPANY,
a California corporation

By _____

By _____

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

RECEIVED
CITY CLERK'S OFFICE
1986 JAN 27 PM 2:29
SAN DIEGO, CALIF. *CH.*

3236

NOV 12 1985

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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
District 7 - vacant	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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.

(Seal)

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By *June A. Blackwell*, Deputy.

Office of the City Clerk, San Diego, California	
Resolution Number	R-264433
Adopted	NOV 12 1985

RECEIVED
CITY CLERK'S OFFICE
1985 DEC 23 PM 4:49
SAN DIEGO, CALIF.

12-23-85

00925