

(R-91-943)

RESOLUTION NUMBER R-276800

ADOPTED ON OCTOBER 30, 1990

WHEREAS, on September 6, 1990, the Planning Commission approved Conditional Use Permit No. 89-0644 submitted by Teledyne Industries, Inc., Owner/Permittee, to operate a helistop located in an existing Teledyne Industries parking lot at 8650 Balboa Avenue between Kearny Villa Road and Daley Center Drive, said property is more particularly described as Lots 2 and 3, City of San Diego Industrial Park Unit No. 1, Map No. 3978, in the Serra Mesa Community Plan area, in the M1-B Zone; and

WHEREAS, the matter was set for public hearing on October 30, 1990, 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, that this Council adopts the following findings with respect to Conditional Use Permit No. 89-0644:

1. The proposed use will fulfill an individual and/or community need and will not adversely affect the General Plan or the community plan. The proposed use is not addressed in the Serra Mesa Community Plan. The proposal is consistent with the General Plan provided that the applicant obtains a conditional use permit granted by the City Council.

2. The proposed use, because of conditions that have been applied to it, will not be detrimental to the health, safety and

general welfare of persons residing or working in the area and will not adversely affect other property in the vicinity. The proposed helistop for Teledyne Ryan Electronics is intended for a private use, ground level landing facility. This helistop will be used in conjunction with the company's primary business of product testing and development as a part of their federal government contracts. In consideration of the community health and welfare, the helistop will be made available for emergency use to the Fire Department, hospital emergency, evacuation and Police Department. Location of the helistop is consistent with the City's locational criteria and development standard for helicopter facilities. Montgomery Airport is directly to the south of the proposed site. The approach and departure paths from the site would be predominantly from the northwest and northeast of commercial/industrial areas to avoid the residential communities to the south, east and west.

3. The proposed use will comply with the relevant regulations in the Municipal Code. Section 101.0510 provides for helistops under a conditional use permit granted by the City Council. The proposed facility would comply with all regulations of the Municipal Code for such use.

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

BE IT FURTHER RESOLVED, that the request of Teledyne Industries, Inc., is granted; the decision of the Planning Commission is sustained, and Conditional Use Permit No. 89-0644

is hereby granted to Teledyne Industries, Inc., under the terms and conditions set forth in the permit attached hereto and made a part hereof.

APPROVED: JOHN W. WITT, City Attorney

By Frederick C. Conrad
Frederick C. Conrad
Chief Deputy City Attorney

FCC:lc
1/5/91
Or.Dept:Clerk
R-91-943
CUP 89-0644
Form=r.permit

CONDITIONAL USE PERMIT NO. 89-0644
CITY COUNCIL

This Conditional Use Permit is granted by the Council of The City of San Diego to TELEDYNE INDUSTRIES, INCORPORATED, a California corporation, Owner/Permittee, pursuant to Section 101.0510 of the Municipal Code of The City of San Diego.

1. Permission is granted to Owner/Permittee to construct and operate ground level helistop located at 8650 Balboa Avenue, described as Lots 2 and 3, City of San Diego Industrial Park Unit No. 1, according to Map No. 3978 in the City of San Diego, County of San Diego, State of California, in the M1-B Zone.
2. The facility shall consist of the following:
 - a. A helistop to be used in conjunction with testing and business activities and for emergency hospital, police and fire departments evacuation procedures;
 - b. Off-street parking; and
 - c. Accessory uses as may be determined incidental and approved by the Planning Director.
3. No permit for operation of any 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.
4. 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," on file in the office of the Planning Department. No change, modifications or alterations shall be made unless appropriate applications, findings of substantial conformance or amendment of this permit shall have been granted.
5. 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.
6. 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 Section

101.0510.k. of the Municipal Code. Any extension of time shall be subject to all standards and criteria in effect at the time of extension is applied for.

7. Construction and operation of the approved use shall comply at all times with the regulations of this or any other governmental agencies.
8. After establishment of the project, the property shall not be used for any other purposes 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.

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.

10. This conditional use permit is a covenant running with the subject property 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 in this permit and all referenced documents.
11. If any existing hardscape or landscape indicated on the approved plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind per the approved plans.
12. All helicopter operations with the exception of test flights shall occur between the hours of 8 AM and 7 PM.
13. The helicopter test flights are limited to one (1) nighttime flight per day between 10 PM - 5 AM. All helicopter flights (including test flights) are limited to a maximum of 20 operations a month. For the purpose of this permit, "operation" shall be defined as one incoming flight, one outgoing flight, and one test maneuver.
14. Teledyne Ryan Electronics shall provide a detailed pilot information sheet to all pilots who would be utilizing the helistop. This information sheet will contain approved flight paths, operating restrictions and conditions of use.
15. All helicopter operations to and from the helistop shall avoid overflights of residences in the Tierrasanta, Serra Mesa, and Kearny Mesa communities to the maximum extent possible. Flight paths shall be consistent with Exhibit "A," on file in the office of the Planning Department.

16. Teledyne Ryan Electronics shall make available a 24-hour telephone number for individuals to register helicopter noise complaints. A Teledyne Ryan Electronics employee shall be assigned to respond to the person filing the noise complaint in a timely manner and document the noise complaint and response in a complaint log. Upon request, this log shall be made available by the Permittee for review by the Planning Director or designated representative.
17. Permittee shall maintain helicopter "Operations Log" at all times during the duration of the permit, indicating the usage (number of passengers, flight pattern utilized, type of aircraft and time of day) of the helistop. Upon request, this log shall be made available by the Permittee for review by the Planning Director or designated representative one year after commencement of helistop operations. It shall be at the discretion of the Planning Director to set a public hearing before the Planning Commission.
18. The permittee shall name The City of San Diego, its officers and employees as additional named insureds in a public liability insurance policy providing minimum coverage of one million dollars (\$1,000,000.00) limit of liability for each occurrence.
19. Applicants will insure that pilots utilizing the Teledyne Ryan Electronics Helistop are thoroughly briefed on the helistops proximity to NAS Miramar and Montgomery Field Airports.
20. No refueling will be permitted at the helistop.
21. One (1) year after the commencement of the helistop operations and each three (3) years thereafter, the Planning Director shall review this conditional use permit. It shall be at the discretion of the Planning Director or designated representative to set a public hearing before the Planning Commission.
22. Pursuant to Section 101.1510.N of The City of San Diego Municipal Code, the City shall conduct a public hearing to consider the rescission of this conditional use permit if a material breach or default in any of the conditions of this permit is found to exist. Should the residents of the adjacent community request that a rescission hearing be held, the permittee agrees to participate in community mediation to resolve the complaints prior to scheduling the matter for public hearing.
23. A wind-indicating device shall be provided.
24. The landing facilities surface shall be constructed to minimize the dust or dirt.

25. 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, and shall not exceed the levels depicted on Exhibit "A," dated October 30, 1990, on file in the office of the Planning Department.
26. 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.
27. The helistop is to be marked and lighted in accordance with the Federal Aviation Administrations Advisory, Circular Section, 150/5390-1B, and the letters "PVT" marked on the pad to preclude unauthorized use of the facility (excepting emergency use by public vehicles).
28. Safety permitting, pilots shall follow these "Flying Neighborly" procedures:
 - a. Maintain maximum distance and altitude separation from noise sensitive areas;
 - b. Follow the northwest, northeast and southwest approach/departure paths;
 - c. Approach the helistop at the steepest practical safe glide slope;
 - d. Use high rate of climb-and-smooth transition to forward flight;
 - e. Make helicopter control inputs as gradual as possible; and
 - f. Make hovering turns with the tail of the helicopter away from noise sensitive areas, if safe and practical. Keep noise sensitive areas on the right side of the helicopter whenever possible, because the tail rotor is on the left side of the helicopter.
29. To the extent this condition is consistent with state and local laws, this project shall comply with the standards, policies and requirements in effect at the time of approval of this project, including any successor or new policies, financing mechanisms, phasing schedules, plans and ordinances relating to growth management adopted by The City of San Diego after January 11, 1990. The Owner/Permittee may challenge the legality of the imposition of future requirements pursuant to this condition at the time such future requirements and their impact on the project are defined.

30. The following restrictions on helicopter use shall apply at all times:
- a. The Sikorsky S-76 shall not use Flight Path 3 to proceed in a southwesterly direction.
 - b. All helicopter flights to the south shall use Flight Path 3, which shall follow only Highway 163.
31. In the event that any condition of this permit, on a legal challenge by the Owner/Permittee of this permit, is found or held by court of competent jurisdiction to be invalid, unenforceable or unreasonable, this permit shall be void. However, in the event that a challenge pertaining to future growth management requirements, as discussed in Condition No. 29, is found by a court of competent jurisdiction to be invalid, unenforceable or unreasonable, the Planning Director shall have the right, but not the obligation, to review this permit to confirm that the purpose and intent of the original approval will be maintained.

Passed and adopted by the Council of The City of San Diego on October 30, 1990.

1/5/91
r-91-943

Passed and adopted by the Council of The City of San Diego on **OCT 30 1990**,
 by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Linda Bernhardt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR
 Mayor of The City of San Diego, California.

(Seal)

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

By *Linda Lugano* Deputy.

Office of the City Clerk, San Diego, California	
Resolution Number	R-276800 OCT 30 1990
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