

(R-92-584)

RESOLUTION NUMBER R-278787

ADOPTED ON SEPTEMBER 24, 1991

WHEREAS, on September 27, 1990, the Planning Commission recommended approval of Tentative Map No. 90-0160 for the Del Mar Heights I project submitted by The Children's School, Village Properties and J.P. Engineering, Inc., for the subdivision of a 10.12 acre vacant site into 27 lots for the construction of 27 single-family residences, open space easement, and necessary public facilities and improvements to serve the development; the site is located on the north side of Del Mar Heights Road, between Wistanley Way and Seagrave Place, and described as a portion of the east half of the northeast quarter of Section 17, Township 14 South, Range 3 West, SBM, in the adopted Neighborhood 4A Precise Plan area of the Carmel Valley (formerly North City West) Community Plan, in the SF1-A and OS zones; and

WHEREAS, the matter was set for public hearing on September 24, 1991, 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 Tentative Map (TM) No. 90-0160:

1. The map proposes the subdivision of a 10.12-acre vacant site into 27 lots for residential development (2.65 dwelling units per acre). This type of development is consistent with the

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General Plan and the Carmel Valley (formerly North City West) Community Plan which designate the area for residential use (4.25 dwelling units per acre). The proposed map will retain the community's character by encouraging orderly, sequential development compatible in its intensity with surrounding existing and future land development.

2. The design and proposed improvements for the map are consistent with the zoning and development regulations of the SF1-A zone in that:

a. All lots have minimum frontage on a dedicated street which is open to and usable by vehicular traffic, only as allowed under a planned development (PD) permit.

b. All lots meet the minimum dimension requirements of the SF1-A zone, only as allowed under a PD.

c. All lots are designed so that required improvements do not result in nonconforming lots in respect to building area, setbacks, side yard and rear yard regulations, only as allowed under a PD.

d. Development of the site is controlled by Carmel Valley Planned District Development Plan Permit No. 90-0160.

3. The design and proposed improvements for the subdivision are consistent with State Map Act section 66473.1 regarding the design of the subdivision for future passive or natural heating and cooling opportunities.

4. The site is physically suitable for residential development. The harmony in scale, height, bulk, density, and

coverage of development creates a compatible physical relationship to surrounding properties for which this area has been planned.

5. The site is physically suitable for the proposed density of development. This is consistent with the community plan, which provides for residential uses.

6. The design of the subdivision and the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat based upon the findings in Environmental Impact Report No. 90-0160 which is included herein by this reference. However, a finding has been made pursuant to subdivision (c) of Section 21081 of the Public Resources Code that specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the Environmental Impact Report.

7. The design of the subdivision and the type of improvements will not likely cause serious public health problems inasmuch as needed public services and facilities are available or required by condition of this map to provide for water and sewage facilities, as well as other related public services.

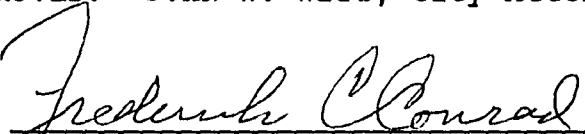
8. The design of the subdivision and the type of improvements are such that they will not conflict with any easements, acquired by the public at large, for access through or use of property within the proposed subdivision as demonstrated by the City Engineer's request for public dedications and adequate improvement on the proposed subdivision map.

9. The City Council has reviewed the adopted Housing Element, the Progress Guide and General Plan of The City of San Diego, and hereby finds, pursuant to Section 66412.3 of the Government Code, that the housing needs of the region are being met since residential development has been planned for the area and public services programmed for installation, as determined by the City Engineer, in accordance with financing and environmental policies of the City Council.

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 recommendation of the Planning Commission is sustained and Tentative Map No. 90-0160 for Del Mar Heights I is hereby approved, subject to the conditions attached hereto and made a part hereof.

APPROVED: JOHN W. WITT, City Attorney

By   
Frederick C. Conrad  
Chief Deputy City Attorney

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12/12/91  
Or.Dept:Clerk  
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CITY COUNCIL CONDITIONS  
FOR TENTATIVE MAP NO. 90-0160

1. This tentative map will expire September 24, 1994.
2. The "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, shall be made a condition of map approval. Only those exceptions to the General Conditions which are shown on the tentative map and covered in these special conditions will be authorized.

All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. 769635.

3. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source will be the California Coordinate System, Zone 6, North American Datum of 1983 (NAD 83).
4. "California Coordinate System" means the coordinate system as defined in Section 8801 through 8819 of the California Public Resources code. The specified zone for San Diego County is "Zone 6," and the official datum is the "North American Datum of 1983."
5. Every final map shall:
  - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median ( $\theta$  or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
  - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of Third Order accuracy or better, as published in the County of San Diego's Horizontal Control book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.

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6. The subdivider must provide a geological report on the subject property to determine the stability of the soil. All slopes shall be constructed in accordance with the provisions of San Diego Municipal Code Section 62.0410 et seq.
7. Undergrounding of existing and/or proposed public utility systems and service facilities is required according to San Diego Municipal Code Section 102.0404, Subsection 2.
8. Street "A" is classified as a local residential street within a 56-foot-wide right-of-way west of Street "C," a 50-foot-wide right-of-way east of Street "C," and a 58-foot radius for the cul-de-sac. The subdivider shall dedicate a 56-foot-wide right-of-way west of Street "C," transitioning to a 50-foot-wide right-of-way east of Street "C," and a 58-foot radius for the cul-de-sac, and shall provide improvements of 36 feet of pavement west of Street "C" to the subdivision boundary and off-site to Wistanley Way, transitioning to 30 feet of pavement east of Street "C," curb, gutter, a four-foot-wide sidewalk, within a ten-foot curb-to-property-line distance, and a 48-foot curb radius for the cul-de-sac; all satisfactory to the City Engineer.
9. A building restricted easement shall be granted, on the final map, over a portion of Lot 16, as required by the Planning Director.
10. Streets "B" and "C" are classified as residential cul-de-sacs within a 50-foot-wide right-of-way and a 48-foot radius for the cul-de-sac. The subdivider shall dedicate a 50-foot-wide right-of-way and a 45-foot radius for the cul-de-sacs and provide improvements of 30 feet of pavement, curb, gutter, a four-foot-wide sidewalk, within a ten-foot curb-to-property-line distance, and a 35-foot curb radius for the cul-de-sac, satisfactory to the City Engineer.
11. Del Mar Heights Road is classified as a six-lane primary arterial within a 122-foot-wide right-of-way. The subdivider shall dedicate right-of-way to allow for a half-width of 61 feet, satisfactory to the City Engineer. The subdivider shall provide half-width improvements of 44 feet of pavement, curb, gutter, a four-foot-wide sidewalk, and half of a 14-foot-wide center median, satisfactory to the City Engineer. The improvements and dedication for the south side of Del Mar Heights Road is a condition of Tentative Map No. 85-0900.

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12. The subdivider shall relinquish access rights on Del Mar Heights Road, adjacent to this subdivision, satisfactory to the City Engineer.
13. Water Requirements:
  - a. The developer shall install fire hydrants at locations satisfactory to the Fire Department and the City Engineer.
  - b. The developer shall install an eight-inch water main in Street "A" from Wistanley Way to the cul-de-sac, satisfactory to the Water Utilities Director.
  - c. The developer shall install an eight-inch water main through Lot 27 from the main in Street "A" and the 30-inch pipeline in Del Mar Heights Road, satisfactory to the Water Utilities Director.
14. Sewer Requirements:
  - a. The developer shall install a system of gravity sewer mains of adequate capacity to serve this development.
  - b. The developer shall provide calculations, satisfactory to the Water Utilities Director, to show that the size and grade of the sewer will provide adequate capacity and cleansing velocities.
15. Water and Sewer Requirements:
  - a. The developer shall provide evidence, satisfactory to the Water Utilities Director, showing that each lot will have its own water service and sewer lateral.
  - b. Providing water and sewer for this subdivision is dependent upon the prior construction of certain water and sewer mains in previously approved subdivisions in this area. If they have not been constructed when required for this subdivision, then the construction of certain portions of these previously approved water and sewer mains, as required by the City Engineer, will become off-site improvement requirements for this subdivision.
  - c. Prior to the issuance of any building permits, the number of EDU's in this development must be added to the total for Carmel Valley. If the total number of EDU's in Carmel Valley exceeds 9,000, then this development is subject to the construction and



operational acceptance of the 30-inch water line from the Del Mar Heights Pipeline to the Miramar Pipeline.

16. The developer shall provide a downstream drainage study, satisfactory to the City Engineer, that demonstrates that no adverse impacts will occur to downstream properties as a result of the increased runoff from this development or, if substantial impacts are anticipated, what measures must be taken to mitigate such impacts.
17. This tentative map is within the Carmel Valley (North City West) Community, for which a Transportation Phasing Plan has been incorporated in the Public Facilities Financing Plan. Contained within this plan are individual traffic facility improvements. Before predetermined thresholds of development may be exceeded, the City Engineer must be satisfied that these improvements are either:
  - a. completed;
  - b. under contract;
  - c. bonded;
  - d. scheduled and funded for construction in the immediate fiscal year of the City's Capital Improvement Program (CIP); or
  - e. scheduled and funded for construction in the immediate fiscal year of the State Transportation Improvement Program (STIP).

The subdivider is advised that issuance of building permits may be limited or otherwise withheld because of unsatisfied thresholds in the phasing plan. The filing of a final map does not guarantee that building permits will be issued for properties within the final map area. A copy of the North City West Public Facilities Financing Plan may be viewed or purchased at the office of the Facilities Financing Division.

18. Prior to the issuance of any building permits, the developer shall demonstrate compliance with the North City West School Facilities Master Plan. Compliance may be evidenced through either of the following methods: (a) by otherwise demonstrating the availability of school facilities to accommodate residents of the subdivision; or (b) by participating in the "School Deposit Procedure" alternative, as provided in the Master Plan. A development agreement may

be required, as provided in the North City West School Facilities Master Plan to implement the deposit procedure.

19. Proposed landscape improvements within the public right-of-way shall be maintained via a landscape maintenance district. In the event a landscape maintenance district cannot be established, then it will be the responsibility of the individual homeowner to establish appropriate landscape maintenance of the right-of-way via a homeowners' association or other means, satisfactory to the Planning Director.
20. Zone 1, as shown on the approved tentative map, shall be established as a non-building-area easement. Zones 2 and 3 of said approved tentative map shall be established as a negative-open-space easement to be maintained, in accordance with said approved tentative map.
21. The alternative brush management plan shall be implemented for this project in the event an agreement for off-site brush management cannot be obtained with the adjacent property owners to the north.
22. Whenever street rights-of-way are required to be dedicated, it is the responsibility of the subdivider to provide the right-of-way free and clear of all encumbrances and prior easements. The subdivider must secure "subordination agreements" for minor distribution facilities and/or "joint-use agreements" for major transmission facilities.
23. All rights-of-way required to be dedicated with this map must be free and clear of all encumbrances and prior easements. The subdivider must secure for an easement grantee a subordination agreement for distribution facilities located within the dedication or, in the case of major transmission facilities, a joint-use agreement.
24. Prior to recordation of any final subdivision map by the City Council, the subdivider shall provide evidence to ensure that an affirmative marketing program is established.
25. The final map shall conform to the provisions of Planned Development Permit No. 90-0160.
26. This subdivision is in a community plan area designated in the General Plan as Planned Urbanizing or Future Urbanizing. As such, special financing plans have been, or will be, established to finance the public facilities required for the community plan area.

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Therefore, in connection with Council approval of the final map, the subdivider shall comply with the provisions of the financing plan then in effect for this community plan area, in a manner satisfactory to the City Engineer. This compliance shall be achieved by entering into an agreement for the payment of the assessment, paying a Facilities Benefit Assessment (FBA) or such other means as may have been established by the City Council.

27. This community may be subject to impact fees, as established by the City Council, at the time of issuance of building permits.
28. The subdivider has reserved the right to record multiple final maps over the area shown on the approved tentative map. In accordance with Article 66456.1 of the Subdivision Map Act, the City Engineer shall retain the authority to review the areas of the tentative map the subdivider is including in each final map and may impose reasonable conditions, such as off-site public improvements, that shall become requirements of final map approval for a particular unit.

Passed and adopted by the Council of The City of San Diego on..... SEP 24 1991  
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
Tom Behr	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 Legano*, Deputy.

Office of the City Clerk, San Diego, California

Resolution **R-278787** SEP 24 1991  
 Number ..... Adopted.....