

RESOLUTION NUMBER R-285318

ADOPTED ON FEBRUARY 7, 1995

WHEREAS, on August 19, 1993, the UNIVERSITY OF CALIFORNIA, SAN DIEGO, (UCSD) a state government agency, Owner/Permittee, filed an application for a Conditional Use Permit to construct and operate a heliport for emergency medical services to the UCSD Thornton Hospital located 9300 Campus Point Drive, described as portions of Pueblo Lots 1309 and 1310, in the R-1-5000 Zone; and

WHEREAS, the matter was set for public hearing on February 7, 1995, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter of Conditional Use Permit No. 93-0492, pursuant to San Diego Municipal Code section 101.0510; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that this City Council adopts the following findings, with respect to Conditional Use Permit No. 93-0492:

- A. 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 heliport for emergency medical services will fulfill a community need and will be an accessory use to an existing Hospital on the UCSD Campus. This existing hospital use is consistent with the University Community Plan's Institutional Land Use designation and the General Plan.

- B. 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 heliport will be for emergency health care services for the community. Location of the heliport

is consistent with the City's "Locational Criteria and Development Standards for Helicopter Facilities." The approach and departure paths will be from the south and north to align with Interstate 5 in order to avoid existing residential uses to the east and west.

C. THE PROPOSED USE WILL COMPLY WITH THE RELEVANT REGULATIONS IN THE MUNICIPAL CODE.

The heliport is located on the UCSD Campus next to an existing Hospital use. Development will be consistent with the City's Development Guidelines and FFA Standards.

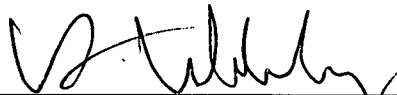
The above findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that, based on the findings hereinbefore adopted by the City Council, Conditional Use Permit No. 93-0492 is hereby GRANTED to the UNIVERSITY OF CALIFORNIA, SAN DIEGO, Owner/Permittee, in the form and with the terms and conditions set forth in the permit attached hereto and made a part hereof.

BE IT FURTHER RESOLVED, that the terms and conditions of Conditional Use Permit No. 93-0492 shall be interpreted in a manner consistent with all applicable laws including, but not limited to, Section 9, Article 9, of the California Constitution, and Section 21661.5 of the Public Utilities Code.

APPROVED: JOHN W. WITT, City Attorney

By



Harold O. Valderhaug
Chief Deputy City Attorney

HOV:ps
03/23/95
Or.Dept:Clerk
R-95-1202
Form=r.permit

RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES DEPARTMENT

AND WHEN RECORDED MAIL TO
PERMIT INTAKE
MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

CONDITIONAL USE PERMIT NO. 93-0492
CITY COUNCIL

This Conditional Use Permit is granted by the Council of The City of San Diego to the UNIVERSITY OF CALIFORNIA, SAN DIEGO, a State Government Agency, 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 a heliport for emergency medical services to the University of California, San Diego, (UCSD) Thornton Hospital, located at 9300 Campus Point Drive, described as Portions of Pueblo Lots 1309 and 1310 in the R1-5000 Zone.

2. The facility shall consist of the following:

- a. A heliport facility (136-foot by 128-foot fenced helipad) to be used for emergency medical services for an existing hospital;
- b. Existing off-street parking and driveways; and
- c. Accessory uses as may be determined incidental and approved by the Development Services Director.

3. No permit for construction and 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 Development Services Department;
- b. The Conditional Use Permit is recorded in the office of the County Recorder.

4. Before issuance of any building permits, complete building plans shall be submitted to the Development Services Department Director for approval. Plans shall be in substantial conformity

to Exhibit "A," dated February 7, 1995, on file in the office of the Development Services Department. No changes, 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. This condition shall not apply to any FAA required lighting, in which case, such lighting shall be turned on during aircraft approach and departure only.

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 the 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 including, but not limited to the FAA, CALTRANS and NAS Miramar.

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.

9. 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. Street "D" shall be named, signed, and posted, satisfactory to the Fire Department and the Street Name Coordinator.

13. Prior to the issuance of any building permits, the applicant shall:

- a. Ensure that building address numbers are visible and legible from the street (UFC 10.208).
- b. Show the location of all fire hydrants on the plot plan (UFC 10.301).
- c. Provide access in conformance with Fire Department Policy A-89-1 (UFC 10.207).

14. This development may be subject to impact fees, as established by the City Council, at the time of issuance of building permits.

15. All helicopter flights shall avoid overflights of existing residences; flight paths shall be consistent with the plan filed with this application, detailed in the Environmental Impact Report and previously reviewed and approved by the FAA.

16. All noise complaints generated by this facility to the San Diego Police, UCSD Police, City Noise Control, and City Airports shall be responded to by the Owner/Permittee in a timely manner. A noise complaint and resolution log shall be maintained by the Owner/Permittee and be available for review by the City of San Diego upon request.

17. No refueling or outdoor storage of equipment will be permitted at this heliport facility.

18. This Conditional Use Permit shall expire ten years from the effective date of approval.

19. 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.

20. The issuance of this Permit by the City of San Diego does not authorize the applicant for said Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 U.S.C. Section 1531 et seq.).

21. The terms and conditions of this Conditional Use Permit shall be interpreted in a manner consistent with all applicable laws including, but not limited to, Section 9, Article 9, of the California Constitution and Section 21661.5 of the Public Utilities Code.

APPROVED by the Council of the City of San Diego on February 7, 1995, by Resolution No. R-285318.

AUTHENTICATED BY CITY MANAGER:

BY _____

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

UNIVERSITY OF CALIFORNIA, SAN DIEGO
Owner/Permittee

By _____

By _____

NOTE: Notary acknowledgments
must be attached per Civil
Code Section 1180, et seq.
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