

RESOLUTION NUMBER R-286252

ADOPTED ON AUGUST 15, 1995

WHEREAS, Lawrence Bame, applicant, and Latitude 33, Engineer, filed an application for a four-parcel vesting tentative parcel map, located south of San Dieguito Road and east of Old El Camino Real, and described as Parcel 3 of Parcel Map 5254, in the A1-10 Zone; and

WHEREAS, the matter was set for public hearing on August 15, 1995, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter of Vesting Tentative Parcel Map No. 94-0623, pursuant to Section 102.0307 of the Municipal Code of The City of San Diego, 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 Vesting Tentative Map No. 94-0623:

1. The map proposes the subdivision of a 17.1-acre site into four parcels for residential development. This type of development is consistent with the General Plan and the Future Urbanizing Area, which designate the area for residential use. 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/development regulations of the A1-10 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 Residential Development (PRD) permit.

b. All lots meet the minimum dimension requirements of the A1-10 Zone, only as allowed under a PRD.

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 PRD.

d. Development of the site is controlled by PRD Permit No. 94-0623.

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 or the proposed improvements could cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their

habitat. However, the project as revised now avoids or mitigates the potentially significant environmental effects based upon the findings of Mitigated Negative Declaration No. 94-0263, which is included herein by this reference.

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, based on the findings hereinbefore adopted by the City Council, Vesting Tentative Map No. 94-0623 is hereby granted to Lawrence Bame, Applicant, subject to the conditions attached hereto and made a part hereof.

APPROVED: JOHN W. WITT, City Attorney

By

*for*   
Harold O. Valderhaug  
Chief Deputy City Attorney

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Or.Dept:Clerk  
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CITY COUNCIL CONDITIONS FOR  
TENTATIVE MAP NO. 94-0623

1. This tentative map will expire August 15, 1998.
2. The final map shall conform to the provisions of PRD Permit No. 94-0623.
3. 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.

4. "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).
5. "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."
6. 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.
7. The approval of this tentative map by the City of San Diego does not authorize the subdivider 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 USC Section 1531 et seq.).
8. The subdivider shall comply with the Mitigation Monitoring and Reporting Program as specified in Environmental Impact Report No. 94-0623, satisfactory to the Development Services Director and the City Engineer, which is included herein by this reference.
9. Prior to the recordation of any final map or the issuance of a grading or pre-grading permit for any portion of the project site, proof of an incidental take permit under Section 7 or Section 10a of the Endangered Species Act, relative to the California gnatcatcher, shall be provided to the Development Services Department. If such permit

is not required, written verification to that effect from the U.S. Fish and Wildlife Service shall be provided. Any project redesign required in obtaining a Section 7 or Section 10a permit will require reconsideration by the appropriate City decision-making body.

Prior to the issuance of an Interim Habitat Loss Permit and associated grading or pre-grading permit for any portion of the project site, the project is required to obtain final concurrence from the U.S. Fish and Wildlife Service and the California Department of Fish and Game that the project is consistent with the NCCP Conservation Guidelines and any subregional mitigation guidelines. If the project is deemed inconsistent with the NCCP Conservation Guidelines, project revisions or additional/enhanced mitigation may be required. Any project redesign required to obtain agency concurrence will require reconsideration by the appropriate City decision-making body.

Approval of this map does not guarantee approval of a future Interim Habitat Loss Permit which is limited to a five percent cumulative loss calculated at the grading permit stage.

10. The subdivider must provide a geologic (geotechnical) investigation report on the subject property to discover and address potential geological hazards. The report must be prepared in accordance with the most recent edition of the City of San Diego "Technical Guidelines for Geotechnical Reports." All slopes shall be constructed in accordance with the provisions of San Diego Municipal Code Section 62.0415 et seq.
11. Undergrounding of proposed public utility systems and service facilities is required according to San Diego Municipal Code Section 102.0404, Subsection 2.
12. The subdivider shall provide, curb, gutter and additional pavement on Old El Camino Real, adjacent to this subdivision, to provide a centerline-to-curb-line distance of 20 feet, satisfactory to the City Engineer.
13. The subdivider shall obtain an engineering permit for construction of a standard City driveway with a minimum width of 24 feet (main driveway at Old Camino Real), satisfactory to the City Engineer.
14. Parking shall be prohibited in driveways with less than a 28-foot curb-to-curb width.
15. Vehicular access to the dwelling units within the PRD Permit shall be by means of a system of unnamed, non-dedicated, privately-maintained, private driveways, with a minimum pavement as shown on the tentative map and constructed in a manner satisfactory to the City Engineer and the Fire Department.
16. The slope for driveways may have a maximum fourteen percent (14%) grade, without transitions, or a maximum twenty percent (20%) grade, provided that transitions of a minimum eight-foot (8') length at half (1/2) of the ramp slope are installed at both ends of the ramp.
17. Concurrent with the recordation of the parcel map, the subdivider shall record a reciprocal-access easement covering all parcels, satisfactory to the City Engineer and the Development Services Director.

## 18. Water Requirements:

- a. The subdivider shall install a 12-inch water main (to exceed Class 150) in Old Camino Real, from the existing 12-inch water main to the northerly subdivision boundary, satisfactory to the Water Utilities Director.
- b. The subdivider shall install fire hydrants at locations satisfactory to the Fire Department and the City Engineer. If more than two (2) fire hydrants and/or thirty (30) Equivalent Dwelling Units (EDUs) are located on a dead-end main, then a dual-fed system shall be installed.

## 19. Sewer Requirements:

- a. The subdivider shall install a system of eight-inch gravity sewer mains to serve this development.
- b. The subdivider shall provide calculations, satisfactory to the Water Utilities Director, to show that the size and grade of the sewer will provide adequate capacity and have cleansing velocities.

## 20. Water And Sewer Requirements:

- a. The subdivider shall design all water and sewer facilities to the most current edition of the Water Utilities Department's Water and Sewer design Guide. If facilities do not meet the current standards, then such facilities shall be private.
- b. The subdivider shall provide evidence, satisfactory to the Water Utilities Director, showing that each parcel will have its own water service and sewer lateral or provide CC&R's for the operation and maintenance of on-site private water and sewer mains that serve more than one lot. The developer shall provide private easements for the private mains or show easement locations in the CC&R's.
- c. The subdivider shall provide adequate easements for all public water and sewer facilities which are located outside of public rights-of-way. Vehicular access easements shall be provided to all water and sewer appurtenances (manholes, meters, blowoffs, air valves, cleanouts, gate and butterfly valves, etc.). No structures of any kind shall be located in or over any easement prior to the developer obtaining an encroachment removal agreement.

21. The drainage system proposed for this subdivision, as shown on the approved tentative parcel map, is subject to approval by the City Engineer.

22. The subdivider 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.

23. Development of this project shall comply with all requirements of State Water Resources Control Board (SWRCB) Order No. 92-08-DWQ (NPDES General Permit No. CAS000002), *Waste Discharge Requirements for Discharges of Storm Water Runoff Associated With Construction Activity*. In accordance with said permit, a Storm Water Pollution Prevention Plan (SWPPP) and a Monitoring Program Plan shall be developed and implemented concurrently with the commencement of grading activities, and a complete and accurate Notice of Intent (NOI) shall be filed with the SWRCB. A copy

of the acknowledgement from the SWRCB that an NOI has been received for this project shall be filed with the City of San Diego when received; further, a copy of the completed NOI from the SWRCB showing the permit number for this project shall be filed with the City of San Diego when received.

In addition, the owner(s) and subsequent owner(s) of any portion of the property covered by this grading permit and by SWRCB Order No. 92-08-DWQ, and any subsequent amendments thereto, shall comply with special provisions as set forth in Section C.7 of SWRCB Order No. 92-08-DWQ.

24. A portion of this project is located in the floodplain of Gonzales Canyon, which is a tributary of the San Dieguito River, as delineated on Panel 43 of the Flood Insurance Rate Map (FIRM) for the City of San Diego. These maps are prepared by the Federal Emergency Management Agency (FEMA). In connection with approval of this tentative parcel map:
- a. Any development within the floodplain fringe area will require either the property to be graded to an elevation two feet above the 100-year frequency flood elevation or provide floodproofing of all structures to that same elevation.
  - b. The subdivider shall grant a flowage easement, satisfactory to the City Engineer, over the property within the floodway.
  - c. The subdivider shall enter into an agreement with the City waiving the right to oppose a special assessment initiated for the construction of flood control facilities and their perpetual maintenance.
  - d. The subdivider shall denote on the final map and the improvement plans "Subject to Inundation" for those areas at an elevation lower than the 100-year frequency flood elevation plus one foot.
  - e. No permits shall be issued for grading or other work in the floodplain of Gonzales Canyon until the subdivider obtains a Conditional Letter of Map Amendment (Conditional LOMA) or Conditional Letter of Map Revision (Conditional LOMR) from FEMA. The request for the Conditional LOMA or Conditional LOMR must be submitted through the Floodplain Management Section of the City of San Diego Engineering Department. The subdivider must provide all documentation, engineering calculations, and fees which are required by FEMA.
  - f. When as-built grading and public improvement plans are available, the subdivider must submit a request for a Final LOMA or Final LOMR to FEMA via the Floodplain Management Section of the City of San Diego Engineering Department. The subdivider must provide all documentation, engineering calculations, and fees which are required by FEMA.
  - g. The bond for this project will not be released until the Final LOMA or Final LOMR is issued by FEMA. The Floodplain Management Section of the City of San Diego Engineering Department will notify the Development Services Division of such issuance as soon as it is informed by FEMA.
  - h. Notes provided by the Floodplain Management Section of the City of San Diego Engineering Department concerning work in designated floodplains shall be included in all grading and improvement plans.



25. Park and Recreation Requirements:
- a. The subdivider shall grant to the City, in fee simple and at no cost, Parcel 5 for open space purposes. The lot configuration and limits shall be to the satisfaction of the Park and Recreation Director. The subdivider shall also remove all existing structures, trash, debris, agreements, private easements, encroachments, or other encumbrances. The existing horse corrals within Parcel 5 shall be removed, and disturbed areas shall receive a hydroseed application with a native plant materials mix to the satisfaction of the Development Services Department Director and Parks and REcreation Director. Brush Management Zones 1, 2, and 3 shall be maintained within Parcels 1 through 4.
  - b. All landscaping and brush management shall be in accordance with the *Landscape Technical Manual*.
26. This subdivision is in a community plan area designated as Future Urbanizing. As such, special financing plans have been, or will be, established to finance the public facilities required for the community plan area.
- 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 Development Services Director. 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. Prior to or concurrent with recordation of the Parcel map, building restricted easements and negative open space easements shall be granted on parcels one (1) through four (4) consistent with the approved Brush Management Plan. All building restricted easements and negative open space easements shall be shown on the Parcel map to the satisfaction of the Development services department.
28. Prior to the recordation of the parcel map, a Brush Management Plan and Landscape Concept Plan shall be submitted to the Development Services Department, Development and Environmental planning Division for review and approval. All required plans shall conform to the applicable sections of the Landscape Technical Manual. Approved plans shall provide criteria for the development of the property with regards to the landscape improvements, slope erosion control and brush management. All plans shall be to the satisfaction of the Development Services and Fire department.

FOR INFORMATION:

- This development may be subject to payment of a park fee prior to the filing of the final subdivision map in accordance with San Diego Municipal Code Section 102.0406 et seq. This property is also subject to a building permit park fee in accordance with San Diego Municipal Code Section 96.0401 et seq.
- This development may be subject to payment of School Impact Fees at the time of issuance of building permits, as provided by California Government Code Section 53080(b) (Statutes of 1986, Chapter 887), in accordance with procedures established by the Director of Building Inspection.
- This development may be subject to impact fees, as established by the City Council.

- This tentative parcel map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.