

RESOLUTION NUMBER R-286609

ADOPTED ON NOVEMBER 21, 1995

WHEREAS, ED STRUIKSMA, Applicant, and RICK ENGINEERING, Engineer, filed an application for a 74-lot tentative map, located south of Pomerado Road and east of Semillon Boulevard, and described as a portion of Sections 34 and 35, T14S, R2W, SBM, in the R-1-40 (proposed R-1-20) Zone; and

WHEREAS, on November 21, 1995, the City Council of The City of San Diego considered Tentative Map No. 94-0514, SPRING CANYON, pursuant to San Diego Municipal Code section 102.0307, and, 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 No. 94-0514:

1. The map proposes the subdivision of an 86.1-acre site into 74 lots for residential development. This type of development is consistent with the General Plan and the Scripps Ranch Community Plan 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 R-1-20 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/Resource Protection Ordinance (PRD/RPO) Permit.

b. All lots meet the minimum dimension requirements of the R-1-20 Zone, only as allowed under a PRD/RPO.

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/RPO.

d. Development of the site is controlled by Planned Residential Development/Resource Protection Ordinance Permit No. 94-0514.

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 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. 94.0514, 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.

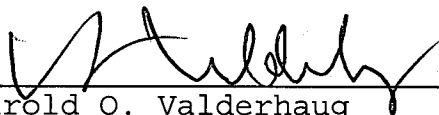
9. The City Council has reviewed the adopted Housing Element, the Progress Guide and General Plan of The City of San Diego, and hereby finds, pursuant to Section 66412.3 of the Government Code, that the housing needs of the region are being met since residential development has been planned for the area 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 based on the findings hereinbefore adopted by the City Council, Tentative Map No. 94-0514, SPRING CANYON, is hereby granted to ED STRUIKSMA, Applicant, and RICK ENGINEERING, Engineer, subject to the conditions attached hereto and made a part hereof.

APPROVED: JOHN W. WITT, City Attorney

By



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. 94-0514

1. Compliance with all of the following conditions shall be assured, to the satisfaction of the City engineer, prior to the recordation of the first final map, unless otherwise noted.
2. This tentative map will become effective with the effective date of the associated rezone, and will expire three years thereafter. If the rezone is denied, this tentative map shall be deemed denied.
3. The final map shall conform to the provisions of PRD/RPO Permit No. 94-0514.
4. 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.

5. "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).
6. "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."
7. 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.
8. 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.).
9. The subdivider shall comply with the Mitigation Monitoring and Reporting Program as specified in Environmental Impact Report No. 94-0514, satisfactory to the Development Services Director and the City Engineer, which is included herein by this reference.
10. 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

R- 286609

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.

11. The subdivider has requested approval to file final maps out of numerical sequence. This request is approved, subject to the provision that the City Engineer can review the off-site improvements in connection with each unit.
12. 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.
13. 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.
14. The subdivider must provide a geologic reconnaissance 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.
15. 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.
16. Streets "A", "B", and "C" are classified as residential cul-de-sacs. The subdivider shall dedicate a 54-foot-wide right-of-way with a minimum 45-foot cul-de-sac right-of-way radius. The subdivider shall provide 34-feet of pavement, curb, gutter, four foot-wide sidewalk within a ten-foot curb-to-property-line distance, and a cul-de-sac with a curb radius of 35-feet, satisfactory to the City Engineer.
17. Edenoaks Street is classified as a residential cul-de-sac with an intermediate turnaround. The subdivider shall dedicate a 56-foot-wide right-of-way from the westerly subdivision boundary transitioning to a 54-foot-wide right-of-way with a minimum 45-foot cul-de-sac right-of-way radius. The subdivider shall provide 36-feet of pavement transitioning to 34-feet of pavement, curb, gutter, four foot-wide sidewalk within a ten-foot curb-to-property-line distance, and cul-de-sac with a minimum curb radius of 35-feet, satisfactory to the City Engineer.
18. Figtree Street is classified as a residential cul-de-sac. The subdivider shall dedicate a 56-foot-wide right-of-way from the southerly subdivision boundary transitioning to a 54-foot-wide right-of-way at Street "A" with a minimum 45-foot cul-de-sac right-of-way radius. The subdivider shall provide 36-feet of pavement transitioning to 34-feet of pavement, curb, gutter, four foot-wide sidewalk within a ten-foot curb-to-property-line distance, and a cul-de-sac with a minimum curb radius of 35 feet, satisfactory to the City Engineer.
19. Streets with less than a 34-foot curb-to-curb width shall have parking on one side only.
20. Water Requirements:
 - a. The subdivider shall provide a water study, satisfactory to the Water Utilities Director. The study shall plan the pressure zone(s) necessary to serve this development. Included in the study shall be an evaluation of the 1200 HGL pressure zone to determine if that zone may be reduced to 1150 HGL. This development will be served by the 1020 and 1150 HGL pressure zones.

 286609

- b. This development shall be subject to the "Miramar-Scripps Pump Station Service Area Water Facilities Update Study", by Boyle Engineering Corporation, dated August 1988, and the "Addendum Number 1 Interim Water System", "Miramar Ranch North Water System Phasing Study", and "Addendum Number 3 Water Supply System Update", by Powell and Associates, Inc., dated November 1990, April 1990, and September 1994 respectively.
 - c. The subdivider shall install all facilities, as required by the approved water studies, necessary to serve this development.
 - d. 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.
21. Sewer Requirements:
- a. The developer shall install a system of eight-inch 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 have cleansing velocities.
 - c. The Peñasquitos Trunk Sewer is approaching its ultimate capacity. If any wastewater from this development flows into the Peñasquitos Trunk Sewer then connections may be limited.
22. Water and Sewer Requirements:
- a. The developer shall design all water and sewer facilities to the most current editions 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 developer shall provide evidence, satisfactory to the Water Utilities Director, showing that each lot 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.
 - c. The subdivider shall grant adequate water and/or sewer easements, satisfactory to the Water Utilities Director. The minimum width shall be 15 feet for a single utility with no appurtenances or manholes, five feet more for each additional utility, and 25 feet with vehicular access for appurtenances and manholes. No structures or landscaping of any kind shall be installed in or over the easement prior to the developer obtaining an encroachment removal agreement from the City Engineer.
23. The drainage system proposed for this subdivision, as shown on the approved tentative map, is subject to approval by the City Engineer.
24. 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.

25. Open Space Requirements:

- a. Lots 1-4, 10-13, 17-62 and 64-69 shall have a building restricted easement for Zone One Brush Management. Zone One shall be of varied depths as identified on exhibit "A", dated November 21, 1995, on file in the office of the Development Services Department and shall be owned and maintained by the property owner(s). Structures on said lots, shall be developed in conformance with the applicable sections (including section 6.6-2, 6.6-3 and section 6.6-5) of the Landscape Technical Manual [LTM], (document number RR-274506) on file in the office of the City Clerk.
 - b. Lot 72 shall have a building restricted easement and shall be owned and maintained by the Home Owner's Association.
 - c. Lots 73 and 76 shall have a negative open space easement for Brush Management Zones two and three, as indicated on Exhibit "A", dated November 21, 1995, and shall be owned and maintained by the Homeowners Association.
 - d. Lots 70, 71 and 75 shall have negative open space easement, as indicated on exhibit "A", dated November 21, 1995, and shall be owned and maintained by the Homeowners Association.
 - e. Lot 77 shall have a building restricted easement, as indicated on exhibit "A", dated November 21, 1995, and shall be owned and maintained by the Homeowners Association.
 - f. Lot 74 shall be granted to the City in fee simple, for open space, at no cost to the City. Both trails in Lot 74 shall be constructed by the developer and shall be subject to the approval of the Park and Recreation Director.
26. The subdivider shall relocate the rear lot lines for those lots adjacent to existing down slopes to the edge of the grading shown on the approved tentative map, satisfactory to the City Engineer and the Development Services Director. Said lot lines are also the limits of the brush management Zone 1 building restricted area.
27. This subdivision is in a community plan area designated in the General Plan as Planned 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 Planning 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.

R 286609

28. All 15-foot front yard setbacks shall be increased to 20 feet. This would affect 17 of the 69 lots, including the transition lots. With the 5-foot easement between the back of the sidewalk and property line, future homeowners will actually be able to landscape a total of 25 feet, satisfactory to the Development and Environmental Planning of Development Services Director.
29. The width of lots on Figtree Street shall be widened to an average of 100 feet, affecting almost 50% of the lots, satisfactory to the Development and Environmental Planning of Development Services Director.
30. Staggering the lot lines to off-set the property lines on both sides of the street. This will enhance the aesthetic look to the Spring Canyon PRD, satisfactory to the Development and Environmental Planning of Development Services Director.

FOR INFORMATION:

- This development may be subject to the payment of a park fee in accordance with the San Diego Municipal Code, which specifies park fees applicable in the Scripps Miramar Ranch Community Plan area.
- 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 tentative map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.