

(R-98-94)

RESOLUTION NUMBER R-289183

ADOPTED ON SEPTEMBER 16, 1997

WHEREAS, Larry Moore, Applicant, and J.P. Engineering, Engineer, filed an application for a 4 parcel tentative parcel map, located north of Del Mar Heights Road on the east side of Dunham Way, and described as a portion of the Southeast Quarter of the Northwest Quarter of Section 17, Township 14 South, Range 3 West, SBM, in the Carmel Valley Community Plan area, in the SF-3, OS and A-1-10 (proposed SF-3 and OS) zones; and

WHEREAS, on July 24, 1997, the Planning Commission of The City of San Diego (the "Planning Commission") considered Tentative Map No. 96-0312 and voted to recommend City Council approval of the map; and

WHEREAS, the matter was set for public hearing on September 16, 1997, 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. 96-0312:

1. The map proposes the subdivision of a 2.5-acre site into 4 parcels for residential development. This type of development is consistent with the General Plan and the Carmel Valley 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 and development regulations of the SF-3 and OS zones in that:

a. All lots have minimum frontage on a dedicated street which is open to and usable by vehicular traffic, as allowed under a Carmel Valley Development Permit (CVDP).

b. All lots meet the minimum dimension requirements of the SF-3 and OS zones, as allowed under a CVDP.

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 CVDP.

d. Development of the site is controlled by CVDP/RPO Permit No. 96-0312.

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 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 in Mitigated Negative Declaration No. 96-0312, 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.

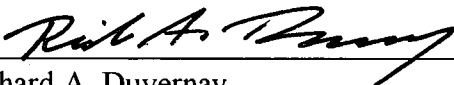
8. The design of the subdivision and the type of improvements are such that they will not conflict with any easements, acquired by the public at large, for access through or use of property within the proposed subdivision as demonstrated by the City Engineer's request for public dedications and adequate 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 the recommendation of the Planning Commission is sustained, and Tentative Map No. 96-0312 is granted to Larry Moore, Applicant, and J.P. Engineering, Engineer, subject to the conditions attached hereto and made a part hereof.

APPROVED: CASEY GWINN, City Attorney

By 
Richard A. Duvernay
Deputy City Attorney


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10/03/97
Or.Dept:Clerk
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CITY COUNCIL CONDITIONS TO TENTATIVE MAP NO. 96-0312

1. This tentative map will become effective on the effective date of the rezone and will expire three years thereafter. If the rezone and associated Plan Amendments are denied, then this tentative parcel map shall be deemed denied.
2. Compliance with all of the following conditions shall be assured, to the satisfaction of the City Engineer, prior to the recordation of the parcel map unless, otherwise noted.
3. The parcel map shall conform to the provisions of RPO/RZ/CPA/CVDP Permit No. 96-0312.
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 parcel 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 parcel 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. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings

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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 parcel 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 § 1531 et seq.).
9. The subdivider shall comply with the Mitigation Monitoring and Reporting Program as specified in Environmental Impact Report No. 96-0312, satisfactory to the Planning Director and the City Engineer, which is included herein by this reference.
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 existing and/or proposed public utility systems and service facilities is required according to San Diego Municipal Code section 102.0404, Subsection 2.
12. 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.
13. Street "A" is classified as a residential cul-de-sac. The subdivider shall dedicate a half width right-of-way of 27 feet plus an additional 11 feet off-site and a 45 foot cul-de-sac right-of-way radius and shall provide 28 feet of pavement, curb, gutter, and a 4-foot sidewalk within a 10 foot curb-to-property line distance and a 35 foot cul-de-sac curb radius, satisfactory to the City Engineer.
14. Dunham Way is classified as a residential street. Dunham Way north of Street "A," the subdivider shall provide additional pavement and AC berm to provide an appropriate transition. Parking shall be prohibited on Dunham Way south of Street "A" adjacent to this subdivision, satisfactory to the City Engineer.

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15. The subdivider shall construct a pedestrian ramp at the southerly corner of Dunham Way and Street "A."
16. The subdivider shall enter into a bonded landscape maintenance agreement, agreeing to maintain all landscaping and appurtenances, within the City right-of-way, within this subdivision until a maintenance district, property owners' association or other such mechanism is established and assumes maintenance responsibility, satisfactory to the City Engineer.
17. This tentative parcel map is within the Carmel Valley 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 Carmel Valley Public Facilities Financing Plan may be viewed or purchased at the office of the Facilities Financing Division.

18. Water Requirements:
 - a. The subdivider shall install an 8-inch water main in Dunham Way from the existing water main to Street "A," satisfactory to the Water Department Manager.

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- b. The subdivider shall install all an 8-inch water main in Street "A" from Dunham Way to the easterly cul-de-sac, satisfactory to the Water Department Manager.
- c. 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) dwelling units are located on a dead-end main then a looped system shall be installed. Water facilities, as shown on the approved tentative map, may require modification based on the number of fire hydrants served from a dead-end main.


19. Sewer Requirements:

- a. The subdivider shall install all facilities required in the accepted sewer study necessary to serve this development. Sewer facilities, as shown on the approved tentative map, may require modification based on the accepted sewer study.
- b. The subdivider shall grant a 20-foot-wide sewer easement for any sewer facilities located outside of an improved public right-of-way, satisfactory to the Metropolitan Wastewater Department Manager. No structures or trees of any kind shall be built or installed in or over the easement. A vehicular access road, surfaced with suitable approved material satisfactory to the Metropolitan Wastewater Department Manager, shall be provided to all manholes located within an easement. Minimum road width is 20 feet.

20. Water and Sewer Requirements:

- a. The subdivider shall design all public water and sewer facilities to the most current edition of the *City of San Diego Water & 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 and Metropolitan Wastewater Departments' Managers, indicating that each lot will have its own water service and sewer lateral or provide CC&Rs for the operation and maintenance of on-site private water and sewer mains that serve more than one lot. Also, provide private easements for the private mains.

21. The rear undisturbed portion of Lots 1 through 4 shall have a negative open space easement and shall be owned and maintained by the property owner.

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22. The drainage system proposed for this subdivision, as shown on the approved tentative parcel map, is subject to approval by the City Engineer.
23. Prior to the issuance of any building permits, the subdivider 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.
24. 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.

25. Prior to the recordation of the parcel map for this subdivision, a 'Building Restricted Area for Brush Management Zone One' shall be shown on lots numbered one through four, and shall be of varied depths as identified on Exhibit 'A' Brush Management Plan, on file in the Office of the Development Services Department, and which shall be owned and maintained by the permittee.
26. All building restricted areas and open space areas shall be shown on the parcel map to the satisfaction of the City Engineer.

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 Carmel Valley Community Plan area.

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.

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