

(R-99-1384)

RESOLUTION NUMBER R- 291818

ADOPTED ON JUN 22 1999

WHEREAS, John Barone submitted an application to The City of San Diego for a Vesting Tentative Map, Resource Protection Ordinance Permit, Planned Residential Development Permit, and Rezone for the LI/Collins single-family residential development; and

WHEREAS, the matter was set for a public hearing to be conducted by the Council of The City of San Diego; and

WHEREAS, the issue was heard by the Council on JUN 22 1999 and

WHEREAS, the Council of The City of San Diego considered the issues discussed in Mitigated Negative Declaration No. 98-0405; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that it is hereby certified that Mitigated Negative Declaration No. 98-0405, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and the State guidelines thereto (California Code of Regulations section 15000 et seq.), that the declaration reflects the independent judgment of The City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by this Council in connection with the approval of the land use actions for the LI/Collins residential development.

BE IT FURTHER RESOLVED, that the Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and

therefore, that said Mitigated Negative Declaration, a copy of which is on file in the office of the City Clerk and incorporated by reference, is hereby approved.

BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code section 21081.6, the Council hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment, a copy of which is attached hereto and incorporated herein by reference.

APPROVED: CASEY GWINN, City Attorney

By



Richard A. Duvernay
Deputy City Attorney

RAD:lc

05/25/99

Or.Dept:Plan.&Dev.Rvw.

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EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM

LI/COLLINS, VESTING TENTATIVE MAP, STREET VACATION, REZONE, RESOURCE PROTECTION ORDINANCE PERMIT, PLANNED DISTRICT DEVELOPMENT PERMIT

LDR NO. 98-0405

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Land Development Review Division, 1222 First Avenue, Fifth Floor, San Diego, CA 92101. All mitigation measures contained in the Mitigated Negative Declaration (LDR No. 98-0405) shall be made conditions of LI/COLLINS, VESTING TENTATIVE MAP, STREET VACATION, REZONE, RESOURCE PROTECTION ORDINANCE PERMIT, and PLANNED DISTRICT DEVELOPMENT PERMIT as may be further described below.

As conditions of the VESTING TENTATIVE MAP, STREET VACATION, REZONE, RESOURCE PROTECTION ORDINANCE PERMIT, and PLANNED DISTRICT DEVELOPMENT PERMIT the following measures are required to reduce potential adverse project impacts to Biological resources, noise, land use, hydrology/water conservation, air quality, public facilities and services, and water conservation.

Biological Resources

1. Prior to the issuance of grading permits and/or recordation of final maps, the applicant shall protect the vernal pool watershed limits during construction by the placement of a permanent six-foot tall fence and silt fence. Additionally, a biologist shall be present to monitor grading activities to insure that the area is not being significantly impacted indirectly by construction activities. Upon completion of the grading of the site, a permanent fence and signage shall be placed around the vernal pool watershed limit. Any impacts to sensitive habitats would require mitigation at ratios per City biology guidelines.
2. Prior to the issuance of grading permits and/or recordation of final maps, the applicant shall have the option to provide management of the vernal pool watershed through a covenant of easement as required by the City's Resource Protection Ordinance, or management by the City through a conservation easement.
3. Prior to the issuance of grading permits and/or recordation of final maps, the applicant shall either contribute \$74,250.00 to the City's Habitat Acquisition fund or dedicate 2.7 acres inside the MHPA or 5.4 acres outside of the MHPA of Non-native grassland habitat (Tier IIIB).
4. As part of the brush management plan, Lots 15 and 16 shall not be disturbed and shall be protected from future disturbances.

Noise

5. Prior to the issuance of building permits, construct a minimum five-foot-high noise barrier of masonry material and/or 5/8-inch plexiglass along the backyards of Lots 5, 6, and 10.

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6. Prior to the issuance of building permits for lots 5,6 and 10-14, the Building and Development Review Division shall ensure that interior noise levels do not exceed 45 dBA CNEL. An acoustical analysis may be required to make this determination.

The following mitigation measures must be completed per the Torrey Highlands Subarea IV EIR (LDR No. 93-0152).

Land Use

7. Prior to construction of specific development projects within Subarea IV, the developer shall provide the Planning and Development Review Department with a construction management plan. The plan shall address traffic management of construction vehicles, siting of construction trailers and equipment staging areas, construction employee parking, maintenance of access to homes and businesses, dust and noise control, and construction phasing through incorporation of measures identified in Section IV-D, Hydrology/Water Quality; and IV-G, Air Quality, IV-H, Geology/Soils, and IV-K, Noise, of the Torrey Highlands Subarea IV EIR (Torrey Highlands EIR) associated with preparation of a storm water pollution prevention plan, erosion control, dust abatement, and specified construction times. Construction should be phased to minimize the amount of graded slopes occurring at any one time in order to minimize potential erosion impacts (Mitigation Measure IV-H.3 of the Torrey Highlands EIR).

Hydrology/Water Quality

8. Prior to issuance of grading permits, the project shall be conditioned with the following:
- a) Prepare a drainage study in accordance with the City of San Diego Drainage Manual, subject to approval by the City Engineer.
9. Prior to the issuance of grading permits and/or final maps, storm drain facilities shall be designed to extend to a satisfactory point of disposal for the proper control and disposal of storm runoff.
10. Prior to the issuance of grading permits and/or final maps, the proposed project shall comply with all requirements of State Water Resource 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. A Storm Water Pollution Prevention Plan (SWPPP) and a Monitoring Program Plan shall be developed during the tentative map or development permit review 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 acknowledgment 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 construction permit number for this project shall be filed and shall be designed in accordance with the Engineering Department's standards for SWPPPs to the satisfaction of the City Engineer.
11. Prior to the issuance of grading permits and/or final maps, pollution control devices, Best Available Technologies (BATs) and Best Management Practices (BMPs), as specified by the City Engineering and Development Department, shall be utilized in designing the drainage and detention/desilting system in response to NPDES requirements. Examples include grass-lined swales and french drains.

Air Quality

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12. Prior to approval of grading permits, construction impact mitigation shall require development and implementation of a construction dust abatement management program. Dust abatement should consist of, but not be limited to, soil stabilizers, truck wash stations, and site watering to the satisfaction to the Planning and Development Review. The dust abatement program shall achieve a minimum of 80 percent dust minimum of 80 percent dust abatement. Non-compliance shall result in a cessation of all construction activities. The dust abatement program shall be made a condition of the grading permit and monitored by the City.

Public Facilities and Services

13. The project shall be in compliance with the City's waste reduction and recycling plan (City Council Policy 900-06 and SRRE).
14. The project shall be in compliance with the construction timing and funding requirements established in the approved Facilities Benefits Assessment for the Carmel Mountain Road Water Pipeline and the Carmel Valley Road Trunk Sewer. The applicant shall pay its fair share of other onsite and offsite water and sewer facility improvements necessary to serve their respective developments, as identified in the City's Water Master Plan, the Facilities Benefits Assessment, or during City Review of the proposed vesting tentative map.

Water Conservation

15. Prior to issuance of grading permits, the project shall be conditioned with the following:
 - a) Incorporate low-flush toilets, low-flow faucets, and timers on sprinklers (including nighttime watering).
 - b) Provide information regarding water conservation measures to new residents at the time of lot purchase.

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