

(R-2002-1046)

RESOLUTION NUMBER R-296027

ADOPTED ON JANUARY 29, 2002

WHEREAS, Hanna Gabriel Wells, Applicant, and San Diego Land Surveying & Engineering, Inc., Engineer, submitted by an application to the City of San Diego for a six parcel tentative map (Tentative Map No. 40-0219) for the Canonlands project and a Street Reservation vacation as shown on Parcel 1 of Parcel Map 18625, reserved per Map 2726, located on the east side of Canon Street, south of Del Mar Avenue, and legally described as Lots 2 and 3 of Fleetridge Unit No. 5, Map 5365, and Parcel 1 of Parcel Map 18625, in the Peninsula Community Plan area, in the RS-1-4 zone; and

WHEREAS, on November 1, 2001, the Planning Commission of the City of San Diego considered Tentative Map No. 40-0219, and pursuant to Resolution No. 3187-PC voted to recommend City Council approval of the map; and

WHEREAS, the matter was set for public hearing on January 29, 2002, 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 it adopts the following findings with respect to Tentative Map No. 40-0219:

1. The map proposes the subdivision of a 2.42-acre site into six parcels for residential development. This type of development is consistent with the City of San Diego's Progress Guide and General Plan and the Peninsula 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 RS-1-4 zone 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 Site Development Permit/Planned Development Permit [SDP/PDP].

b. All lots meet the minimum dimension requirements of the RS-1-4 zone, as allowed under a SDP/PDP.

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, as allowed under a SDP/PDP.

d. Development of the site is controlled by SDP/PDP Permit No. 40-0219.

3. The design and proposed improvements for the subdivision are consistent with California Government Code 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 of Mitigated Negative Declaration No. 40-0219, 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 of the Progress Guide and General Plan of the City of San Diego and finds pursuant to Government Code section 66412.3, that the housing needs of the region are being met because residential development has been planned for the area and public services programmed for installation, as determined by the City Engineer are in accordance with financing and environmental policies of the Council.

10. The property contains a right-of-way which must be vacated to implement the final map in accordance with San Diego Municipal Code section 125.0430.

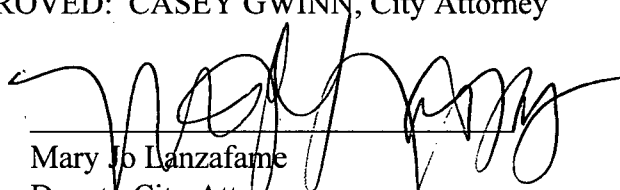
The above findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that pursuant to California Government Code section 66434(g), all of the street reservation as shown on Parcel 1 of Parcel Map 18625, reserved per Map 2726, located within the project boundaries as shown in Tentative Map No. 40-0219, shall be vacated, contingent upon the recordation of the approved final map for the project.

BE IT FURTHER RESOLVED, that the recommendation of the Planning Commission is sustained, and Tentative Map No. 40-0219 is granted to Hanna Gabriel Wells, Applicant, and San Diego Land Surveying & Engineering, Inc., Engineer, subject to the conditions attached hereto and made a part hereof.

APPROVED: CASEY GWINN, City Attorney

By


Mary Jo Lanzafame
Deputy City Attorney

MJL:lc
04/04/02
Or.Dept:Clerk
R-2002-1046
Form=tmr-residential.frm
Reviewed by PJ Fitzgerald

CITY COUNCIL CONDITIONS TO TENTATIVE MAP NO. 40-0219
CANONLANDS
ADOPTED BY RESOLUTION NO. R-296027 ON JANUARY 29, 2002

1. This Tentative Map will expire January 29, 2005.
2. 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.
3. Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this tentative map, may protest the imposition within 90 days of the approval of this tentative map by filing a written protest with the City Clerk pursuant to California Government Code section 66020.
4. The Final Map shall conform to the provisions of Site Development Permit/Planned Development Permit [SDP/PDP] Permit No. 40-0219.
5. 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. 769830.

6. "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).
7. "California Coordinate System" means the coordinate system as defined in Sections 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."
8. The 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.

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- 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 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.
9. 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 U.S.C. Section 1531 et seq.).
10. The termination and abandonment of the street reservation in parcel 1 of Parcel Map 18625, reserved per Map 2726, is conditioned upon approval and recordation of a Parcel Map in accordance with the Subdivision Map Act Section 66477.2 (e).
11. Based on the review of the geotechnical reports the consultant has adequately addressed the soil and geologic conditions potentially affecting the proposed development no additional geotechnical information will be required for this Tentative Map. However, additional geotechnical review and an updated report will be required as final improvement and grading plans are developed for the project.
12. Undergrounding of existing and proposed public utility systems and service facilities is required according to the San Diego Municipal Code.
13. The subdivider shall comply with the Mitigation, Monitoring and Reporting Program (MMRP) as specified in Mitigated Negative Declaration (MND) LDR No. 40-0219 satisfactorily to the City Manager and City Engineer. Prior to the issuance of any grading and/or building permit, all mitigation measures as specifically outline in the MMRP shall be implemented for the Land Use and Paleontology.
14. The subdivider shall construct a 25 foot wide driveway on Canon Street and shall obtain an Encroachment Removal Agreement for the non-standard driveway, drainage system, landscape, irrigation and appurtenances in Canon Street right-of-way, satisfactory to the City Engineer.
15. The drainage system proposed for this subdivision, as shown on the approved tentative map, is subject to approval by the City Engineer.

16. The subdivider shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to requirements in accordance with the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.
17. The subdivider shall enter into a bonded Landscape Maintenance Agreement, agreeing to maintain all landscaping, and appurtenances, within the City right-of-way adjacent to and within this subdivision, until such time a landscape maintenance district or other such mechanism is established and assumes maintenance responsibility, satisfactory to the City Engineer.
18. The subdivider shall provide mutual access easements as required.
19. Water Requirements:
 - a. The subdivider shall provide individual water services and install meters for each lot in a manner satisfactory to the Water Department Director and the City Engineer.
 - b. The subdivider shall install fire hydrants at locations satisfactory to the Fire Department, the Water Department Director, and the City Engineer.
 - c. The subdivider agrees to design and construct all proposed public water facilities in accordance with established criteria in the most current edition of the City of San Diego Water Design Guide and City regulations, standards and practices pertaining thereto.
20. Sewer Requirements:
 - a. The subdivider shall provide evidence, satisfactory to the Metropolitan Wastewater Department Director indicating that each lot will have its own sewer service or provide Covenants, Conditions, and Restrictions [CC&Rs] for the operation and maintenance of on-site private sewer facilities that serve more than one ownership.
 - b. The subdivider agrees to design all proposed public sewer facilities, in accordance with established criteria in the most current edition of the "City of San Diego Water & Sewer Design Guide." Proposed facilities that do not meet the current standards shall be private or redesigned.
21. The subdivider shall submit interim landscape/ erosion control and permanent irrigation (if applicable) construction documents for slope revegetation and hydroseeding of all

disturbed land in accordance with the Landscape Standards and to the satisfaction of the City Manager. The landscape construction documents shall be in substantial conformance with Exhibit "A," Landscape Concept Plan, dated January 29, 2002, on file in the Development Services Department. The subdivider shall assure by permit and bond the installation of landscaping per landscape construction documents.

22. The subdivide shall identify on a separate sheet titled "Non-title Sheet", the brush management areas in substantial conformance with Exhibit "A," dated January 29, 2002, on file in the Development Services Department. These brush management areas shall be identified with a hatch symbol with no specific dimensions or zones called out. The following note shall be provided on the "Non-title sheet", to identify the hatched areas: "Indicates fire hazard zone(s) per Section 142.0412 of the Land Development Code."
23. The subdivider shall add the following note on the Brush Management Construction Documents: "It shall be the responsibility of the subdivider to schedule a pre-construction meeting on site with the contractor and the Development Services Department to discuss and outline the implementation of the Brush Management Program."

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, at the time of issuance of building permits.
- This Tentative Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.