

RESOLUTION NUMBER R-296294

ADOPTED ON APRIL 9, 2002

WHEREAS, Pardee Homes, Applicant, and Latitude 33, Engineer, submitted by an application to The City of San Diego for an eighty-five-lot tentative map (Tentative Map No. 99-0606 for the Point Carmel project), located on the south side of Lansdale Drive, east of Dunham Way and north of Del Mar Heights Road, and legally described as a portion of the northwest quarter of Township 14 South, Range 3 West, San Bernardino Meridian, in the Carmel Valley Community Plan area, in the A-1-10, SF3, and OS zones (proposed SF1-A and OS); and

WHEREAS, on December 20, 2001, the Planning Commission of The City of San Diego considered Tentative Map No. 99-0606, and pursuant to Resolution No. 3211-PC voted to recommend City Council approval of the map; and

WHEREAS, the matter was set for public hearing on April 9, 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 this Council adopts the following findings with respect to Tentative Map No. 99-0606:

1. The map proposes the subdivision of a 31.92-acre site into eighty-five lots 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 SF1-A 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 Resource Protection Ordinance [RPO] permit.

b. All lots meet the minimum dimension requirements of the SF1-A and OS zones, as allowed under a RPO permit.

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 RPO permit.

d. Development of the site is controlled by Resource Protection Ordinance Permit No. 99-0606.

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 are likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat based upon the findings of Environmental Impact Report No. 99-0606, which is included herein by this reference. However, a finding has been made pursuant to Public Resources Code section 21081(c) 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 Government Code section 66412.3, that the housing needs of the region are being met since residential development

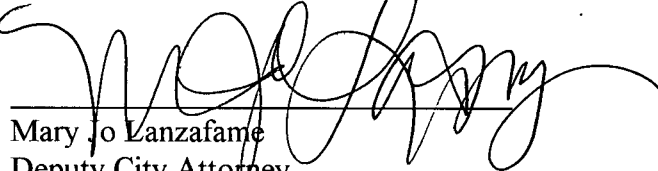
has been planned for the area and public services programmed for installation, as determined by the City Engineer, in accordance with financing and environmental policies of the City Council.

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. 99-0606 is hereby granted to Pardee Homes, Applicant and Latitude 33, Engineer, subject to the conditions attached hereto and made a part hereof.

APPROVED: CASEY GWINN, City Attorney

By



Mary Jo Lanzafame
Deputy City Attorney

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6/13/02
Or.Dept:Clerk
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Reviewed by Patricia Grabski

CITY COUNCIL CONDITIONS FOR TENTATIVE MAP NO. 99-0606
CARMEL POINT PROJECT
ADOPTED BY RESOLUTION NO. R-296294 ON APRIL 9, 2002

1. This tentative map shall become effective on the effective date of the associated rezone and expire three years thereafter. Should the rezone or Development Permit No. 99-0606 be denied then this tentative 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 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 filling a written protest with the City Clerk pursuant to California Government Code section 66020.
4. The final map shall conform to the provisions of Resource Protection Ordinance Permit No. 99-0606.
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 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.

R-296294

- 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 USC § 1531 et sq.).
10. The subdivider shall provide evidence to ensure that an affirmative marketing program is established.
11. Prior to the application for a grading permit, a subsurface investigation will be required to confirm and mitigate the existence, and/or non-existence of two landslides, and any other geotechnical features that may require mitigation. Any environmental impacts created by the access for a subsurface investigation or for any required geotechnical mitigation that may be beyond those anticipated in the Environmental Document will need to be compensated. The geotechnical report will need to be prepared in accordance with the City's Technical Guidelines for Geotechnical Reports." The report will need to be submitted to LDR Geology with the first grading plan check for a grading permit.
12. Undergrounding of existing and proposed public utility systems and service facilities is required according to San Diego Municipal Code.
13. 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.
14. Prior to the recordation of the final map, 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 Technical Manual and to the satisfaction of the City Manager. The landscape construction documents shall be in substantial conformance with Exhibit "A," Landscape Concept Plan, dated April 9, 2002, on file in the Development Services Department. The applicant shall assure by permit and bond the installation of landscaping per landscape construction documents.

R-296294

15. Prior to the recordation of the final map, the Permittee or subsequent Owner/Developer shall submit for review, a Landscape Maintenance Agreement for all landscape improvements within the public right-of-way area consistent with Exhibit "A," dated April 9, 2002, on file in the Development Services Department. The approved Landscape Maintenance Agreement shall be recorded and bonded prior to recordation of the final map.
16. Prior to recordation of the final map, the Permittee or subsequent Owner/Developer shall identify on a separate sheet titled "Non-title Sheet" the brush management areas in substantial conformance with Exhibit "A," dated April 9, 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 reduction zone per Section 6 of the City of San Diego landscape Technical Manual approved by the Planning Commission on March 16, 1989 as Resolution No. 0480-PC, and approved by the City Council on October 3, 1989 as Resolution No. 274506, and any other building code regulations."
17. Streets "A" through "E" are classified as residential local streets within a 54-foot-wide right-of-way. The subdivider shall dedicate 54-foot and 27-foot-wide rights-of-way, respectively, and shall provide 34 feet and 27 feet, respectively, of pavement, curb, gutter and 5-foot-wide sidewalks within a 10-foot curb to property line distance, satisfactory to the City Engineer.
18. The subdivider shall construct Dunham Way as a residential local street. The subdivider shall dedicate 22 feet of right-of-way and shall provide 28 feet of pavement, curb, gutter and a 5-foot sidewalk within a 10-foot curb to property line distance along the project frontage with appropriate transitions, satisfactory to the City Engineer.
19. The applicant shall construct the cul-de-sacs at the end of Street "A" and Street "C" with a minimum pavement radius of 50 feet within a 60-foot right-of-way, satisfactory to the City Engineer.
20. The applicant shall provide a sight distance easement for Lots 41 through 43 and 58.
21. The applicant shall construct the cull-de-sac at the end of Street "D" with a minimum pavement radius of 40 feet within 50 feet of right-of-way, satisfactory to the City Engineer.
22. Dunham Street is classified as a residential local street within a 48-foot-wide right-of-way. The subdivider shall dedicate a 22-foot-wide right-of-way and shall provide pavement as

R-296294

needed to match the existing improvements, curb, gutter and a 5-foot-wide sidewalk within a ten-foot curb to property line distance, satisfactory to the City Engineer.

23. The subdivider shall construct pedestrian ramps at all street intersections.
24. Sewer Requirements:
 - a. Prior to the submittal of any public improvement drawings, including grading plans, the developer shall submit a sewer study satisfactory to the Metropolitan Wastewater Department Director, for the sizing, grade and alignment of proposed public gravity sewer mains (and private gravity sewer mains serving more than one lot) and to show that the existing and proposed public sewer facilities will provide adequate capacity and have cleansing velocities necessary to serve this development and the drainage basin in which it lies.
 - b. The developer shall install all facilities, as required by the accepted sewer study, necessary to serve the proposed development and extending to the subdivision boundary. Sewer facilities, as shown on the approved tentative map, will require modification based on the accepted sewer study.
 - c. The developer shall design all proposed public sewer facilities to the most current edition of the City of San Diego's sewer design guide. Proposed facilities that do not meet the current standards shall be redesigned, satisfactory to the Metropolitan Wastewater Department Director.
 - d. The developer shall grant adequate sewer, and/or access easements, including vehicular access to each manhole, for all public sewer facilities that are not located within public rights-of-way, satisfactory to the Metropolitan Wastewater Department Director. The minimum easement width for sewer mains with manholes is 20 feet. The easements shall be located within single lots. Vehicular access roadbeds shall be a minimum of 20 feet wide and surfaced with suitable approved material satisfactory to the Metropolitan Wastewater Department Director. Vehicular access roadbeds to sewer mains with laterals shall be a minimum 24 feet wide and paved full width. An additional 5 feet of width per additional utility is required for easements containing more than one utility. For sewer mains more than 8 feet deep, two feet of additional easement width for each foot of depth over 8 feet shall be required.
 - e. No structures or landscaping that would inhibit vehicular access shall be installed in or over any sewer access easement.

R-296294

- f. No structures or landscaping, including private sewer facilities and enhanced paving, shall be installed in or over any easement prior to the applicant obtaining an Encroachment Maintenance and Removal Agreement.
- g. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any public sewer facilities.
- h. The developer shall provide evidence, satisfactory to the Metropolitan Wastewater Department Director, indicating that each lot will have its own sewer lateral or provide Covenants, Conditions and Restrictions [CC&R's] for the operation and maintenance of on-site private sewer mains that serve more than one lot.

25. Water Requirements:

- a. Prior to the approval of any public improvement drawings, the subdivider shall provide a water study satisfactory to the Water Department Director. The study shall plan the pressure zone(s) and public water facilities necessary to serve this development, including providing redundancy.
- b. The subdivider shall design and construct all water facilities as required in the accepted water study, necessary to serve this development in a manner satisfactory to the Water Department Director and the City Engineer. The subdivider shall extend public water facilities to the subdivision boundary where appropriate and practical. Water facilities, as shown on the approved tentative map, will require modification based on the accepted water study.
- c. If any grading for the subdivision is located within the easement for the Del Mar Heights Pipeline [DMHPL], located adjacent to the southerly subdivision boundary, then the subdivider shall relocate the DMHPL into the Del Mar Heights Road right-of-way, in a manner satisfactory to the Water Department Director and the City Engineer.
- d. The subdivider shall install fire hydrants at locations satisfactory to the Fire Department and the City Engineer. If more than two fire hydrants or thirty dwelling units are located on a dead-end main, then the subdivider shall install a redundant water system satisfactory to the Water Department Director.
- e. The subdivider agrees to design and construct all public water facilities in accordance with established criteria in the most current edition of the City of San Diego Water Facility Design Guidelines and City regulations, standards and practices pertaining thereto. Proposed facilities that do not meet the current

R-296294

standards shall be private or redesigned. Existing public water facilities to which this development proposes connections to must be brought up to current standards.

- f. The subdivider shall grant adequate water easements, including vehicular access to each appurtenance (meters, blow offs, air valves, etc.), for all public water facilities that are not located within fully improved public rights-of-way, satisfactory to the Water Department Director. Minimum easement widths for water mains with services or fire hydrants is 24 feet and fully paved. Meters and fire hydrants shall be installed behind full height curb. The easements shall be located within single lots. No structures or landscaping shall be installed in or over any easement prior to the applicant obtaining an encroachment removal agreement. No structures or landscaping of any kind shall be installed in or over any easement utilized for access.
 - g. The subdivider shall provide evidence, satisfactory to the Water Department Director, indicating that each lot will have its own water service or provide CC&Rs for the operation and maintenance of on-site private water facilities that serve or traverse more than one lot.
 - h. Providing water to this development is dependent upon prior construction of certain water facilities in previously approved developments in this area. If they have not been constructed when required for this development, then the construction of certain portions of these previously approved water facilities, as required by the City Engineer, will become off-site improvements required for this development.
- 26. Lots 86, 87, and 88 shall have an open space easement and be owned and maintained by the Home Owners Association.
 - 27. The pedestrian trail across the open space Lots 86 and 88 shall be a 10-foot wide Non-Motor Pedestrian vehicle right-of-way with an improved 8-foot wide trail.
 - 28. The drainage system proposed for this subdivision, is subject to approval by the City Engineer. All storm drain systems not located in a public street shall be private.
 - 29. The developer 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.

30. 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 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 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.

31. The applicant shall comply with the Mitigation, Monitoring, and Reporting Program [MMRP] as specified in Mitigated Negative Declaration LDR No. 99-0606 for Point Carmel, satisfactory to the Environmental Review Manager of Land Development Review. Prior to issuance of the grading permit and/or recordation of the final map, all mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue areas where applicable: Landform Alteration, Hydrology/Water Quality, Noise, Biological Resources, Geology and Soils, Historical Resources and Paleontological Resources.
32. The subdivider shall relinquish all abutters rights of access along Lansdale Drive.

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 the San Diego Municipal Code. This property is also subject to a building permit park fee in accordance with the San Diego Municipal Code.
- 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.

R 296294

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

R-296294