

RESOLUTION NUMBER R-269888

ADOPTED ON DECEMBER 1, 1987

WHEREAS, the Carmel Mountain Ranch Community Plan was approved by the Council of The City of San Diego (the "Council") on August 14, 1984, at a noticed public hearing; and

WHEREAS, the 1984 Carmel Mountain Ranch Community Plan was a comprehensive revision of the 1981 Community Plan and, as such, analyzed the community-wide public facility needs and impacts associated with development by evaluating the impact of proposed development on: the capacity of each major public facility; the percentage of capacity used at various levels of development; and community plan development capacity; and

WHEREAS, the 1984 Carmel Mountain Ranch Community Plan required that roads, sewer and water systems, and financing for schools be assured prior to occupancy of new residential development; and

WHEREAS, on November 24, 1987, the Council adopted by Resolution No. R-269742, guidelines and criteria to be used in determining that a community may be released from the provisions of the Interim Development Ordinance ("IDO"); and

WHEREAS, on December 1, 1987, the Council considered the release of the community of Carmel Mountain Ranch from the requirements of the ("IDO"); and

WHEREAS, pursuant to Section 4.D. of the IDO, a community which complies with the provisions of the IDO and has been the

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subject of a noticed public hearing at the Council may be released by the Council upon the adoption of the appropriate findings from the provisions of the IDO; and

WHEREAS, the Carmel Mountain Ranch Community planning documents contain a needs analysis for each major public facility based on full-plan buildout; levels of service standards for each major public facility; a development program for each major public facility including a financing plan and construction schedules; and a timed and phased residential building program which is coordinated with the public facility program and ensures adequate public facilities at the time of their need; and

WHEREAS, the community at Carmel Mountain Ranch has been found to comply with the adopted guidelines and criteria to release the community from the IDO; and

WHEREAS, Carmel Mountain Ranch has obtained vesting tentative maps covering some three hundred thirteen (313) units under consideration for IDO allotment allocation; and

WHEREAS, in arriving at their decision, the Council considered the staff report, the decision of the IDO Administrator, plans and materials submitted prior to and at the public hearing, and heard public testimony presented at the hearing; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the Carmel Mountain Ranch Community Plan complies with the provisions of the IDO and is hereby released from the provisions imposed thereby.

BE IT FURTHER RESOLVED, that in arriving at its decision, the Council made the following findings:

1. The Carmel Mountain Ranch Community Plan contains separate elements addressing park and recreation, schools, public facilities and transportation. These elements identify the number of parks, schools, libraries and fire stations needed to serve the community at plan buildout. The community plan also identifies the number of and classifications of roadway improvements. The provision of the public facility needs determined by the community plan are ensured through the development agreement and community facilities financing plan.

2. The elements of the Carmel Mountain Ranch Community Plan identify the major public facilities needed to serve the community at full plan buildout. The City's Progress Guide and General Plan goals and standards for levels of service were used as the basis in determining service levels and needs for the community.

3. The Council in March 1985, approved a community facilities financing plan for the Carmel Mountain Ranch Community Plan area. The financing plan identifies the source of funding for public facilities and establishes a facility threshold program for the provision of facilities. The finance plan establishes eight (8) thresholds phases for the community. Each threshold includes a list of public facilities which assures construction prior to the development of a specified number of residential units and nonresidential acres.

4. The timing and phasing of residential development is regulated by the facility threshold program established under the Community Facilities Financing Plan for Carmel Mountain Ranch. The facility threshold program, as provided for in the Community Facilities Financing Plan for Carmel Mountain Ranch, times and phases residential development and coordinates residential development with the provision of public facilities. Public facilities have been made available at the time of need consistent with Council Policy No. 600-10. The community facilities financing plan will ensure that in the future public facilities will continue to be made available at the time of need.

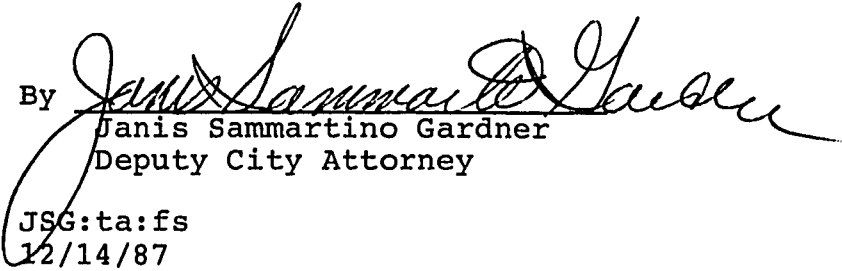
5. On November 12, 1985, The City of San Diego entered into a Development Agreement with Carmel Mountain Ranch which established a vested right to density and use. The Council finds the timing and phasing to be adequate and Carmel Mountain Ranch may proceed with development.

BE IT FURTHER RESOLVED, that to provide needed school facility financing, Carmel Mountain Ranch has participated in the formation of a Mello Roos Community Facilities District (Poway Unified School District, CFD No. 1). This agreement assures the provision of school facilities but may not be adequate should development accelerate within the community; therefore, the Council authorizes the City Manager to enter into an agreement with Carmel Mountain Ranch to ensure interim school facilities to communities in the event the Poway Unified School District is unable to provide them in a timely fashion.

BE IT FURTHER RESOLVED, that the decision of the Council
shall be final.

APPROVED: JOHN W. WITT, City Attorney

By


Janis Sammartino Gardner
Deputy City Attorney

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Passed and adopted by the Council of The City of San Diego on.....
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
District 4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> VACANT
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Goch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Celia Ballesteros	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR
Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

By *Jana M. Martin*, Deputy.

Office of the City Clerk, San Diego, California

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