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(0-94-76) REV. 1

ORDINANCE NUMBER O- 18050 (NEW SERIES)

ADOPTED ON MAR 08 1994

AN ORDINANCE OF THE CITY OF SAN DIEGO, CALIFORNIA, ORDERING, CALLING, PROVIDING FOR AND GIVING NOTICE OF A SPECIAL MUNICIPAL ELECTION TO BE HELD IN THE CITY ON JUNE 7, 1994, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF SAN DIEGO ONE PROPOSITION AMENDING THE CHARTER OF THE CITY OF SAN DIEGO BY AMENDING CHARTER SECTION 12; AND ONE PROPOSITION AMENDING THE PROGRESS GUIDE AND GENERAL PLAN FOR THE CITY OF SAN DIEGO TO REDESIGNATE CERTAIN PARCELS OF LAND FROM "FUTURE URBANIZING" TO "PLANNED URBANIZING"; AND CONSOLIDATING SAID SPECIAL MUNICIPAL ELECTION WITH THE STATEWIDE ELECTION TO BE HELD IN SAID CITY ON JUNE 7, 1994.

WHEREAS, the City Council desires to submit to the voters one proposition amending the Charter of The City of San Diego by amending Charter section 12 pertaining to filling Council vacancies; and

WHEREAS, the City Council finds that it is appropriate for the voters to now determine whether a change in designation of lands in the North City Future Urbanizing Area should be approved; therefore, the Council hereby waives those portions of Council Policies 600-29 and 600-30 relating to General Plan amendments in the Future Urbanizing Area; and

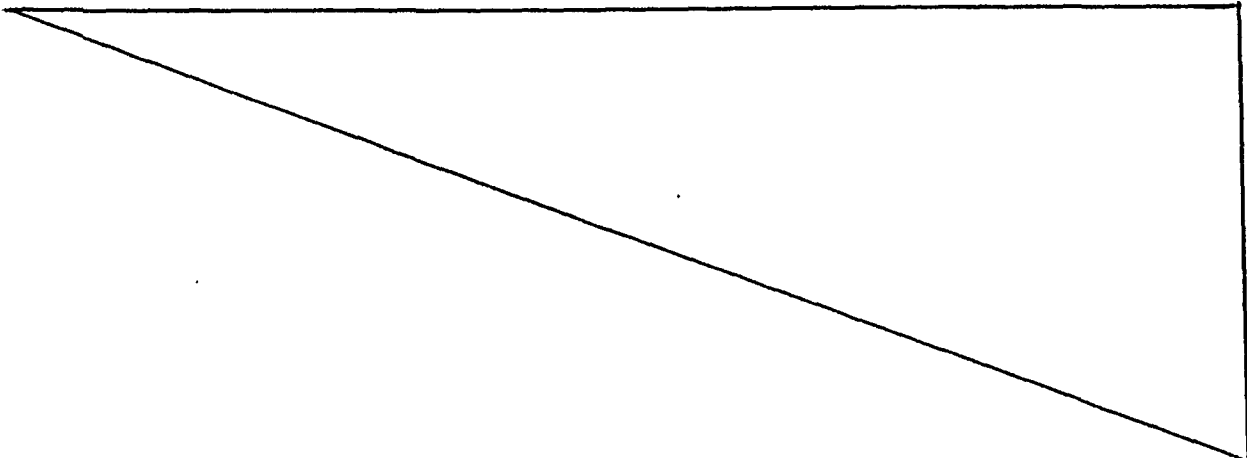
WHEREAS, the calling and ordering of an election is not a project subject to the requirements of the California Environmental Quality Act ("CEQA"), pursuant to CEQA Guidelines 15378(b)(4); and

WHEREAS, the City Council is authorized under Charter section 23 and San Diego Municipal Code section 27.2501 to place on the ballot any legislative act; and

WHEREAS, both the proposed Charter amendment and General Plan amendment set forth in this ordinance are legislative acts; NOW, THEREFORE,

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. A special municipal election is hereby called and ordered to be held in the City of San Diego, California, on June 7, 1994, and pursuant to Section 223 of the Charter of The City of San Diego, Section 3(b) of Article XI of the Constitution of the State of California, Sections 34450 and 34458 of the California Government Code, all dealing with Charter amendments, and pursuant to Section 23 of the Charter of The City of San Diego and Section 27.2501 of the San Diego Municipal Code, the Council of The City of San Diego, being the City's legislative body, hereby submits to the qualified voters of the City at such special municipal election the following propositions:



0-18050

PROPOSITION _____

Amend Section 12 of the Charter of The City of San Diego to read as follows:

THE COUNCIL.

(a) The Council shall be composed of nine (9) Councilmembers, including the Mayor, and shall be the legislative body of the City, each of the members of which including the Mayor, shall have the right to vote upon all questions before it.

(b) At the municipal primary and general election in 1979, a Mayor shall be chosen by the electors for a term of five (5) years. A Mayor shall thereafter be elected for a term of four (4) years in the manner prescribed by Section 10 of this Charter. The Mayor shall hold office for the term prescribed from and after 10 a.m. the first Monday after the first day of December next succeeding the election and until a successor is elected and qualified.

(c) At the municipal primary and general elections in 1993, the Council members for Districts 1, 3, 5, and 7 shall be chosen by the electors for a term of three (3) years. Council members for Districts 1, 3, 5, and 7 shall thereafter be elected for a term of four (4) years in the manner prescribed by Section 10 of this Charter.

(d) At the municipal primary and general election in 1995, Council members for Districts 2, 4, 6, and 8 shall be chosen by the electors for a term of three (3) years. Council members for

Districts 2, 4, 6, and 8 shall thereafter be elected for a term of four (4) years in the manner prescribed by Section 10 of this Charter.

(e) Except as provided in this Section, Council members shall hold office for the term of four (4) years from and after 10 a.m. the first Monday after the first day of December next succeeding their election and until their successors are elected and qualified.

(f) Notwithstanding any other provision of this Charter and commencing with elections held in 1992, no person shall serve more than two consecutive four-year terms as a Council member from any particular district. If for any reason a person serves a partial term as Councilmember from a particular district in excess of two (2) years, that partial term shall be considered a full term for purposes of this term limit provision. Persons holding office prior to the November 1992 election shall not have prior or current terms be counted for the purpose of applying this term limit provision to future elections.

(g) Upon any redistricting pursuant to the provisions of this Charter, incumbent Council members will continue to represent the district in which they reside, unless as a result of such redistricting more than one incumbent Council member resides within any one district, in which case the City Council may determine by lot which Council member shall represent each district. At the next municipal primary and general elections following a redistricting, Council members shall be elected from those districts not represented and from those districts

represented by incumbent Council members whose terms expire as of the general election in said year. If as a result of any redistricting more than a simple majority of the City Council as redistricted shall be elected at either the municipal primary or general election next following any such redistricting, the City Council prior to any such election shall designate one or more new districts for which the initial council term shall be two (2) years in order to retain staggered terms for Council members.

~~Except as otherwise provided in this paragraph, in the event a vacancy occurs for any reason in the office of a Council District, the Council shall immediately cause an election to be held to fill such vacancy solely in the district in which the vacancy occurred. Such election shall be conducted within ninety (90) days of the vacancy. The candidate receiving the greatest number of votes shall be deemed to be and declared by the Council to be elected to the vacant office. If, however, a vacancy occurs for any reason in the office of a Council District within 100 days of an upcoming regular municipal election, the Council may in its discretion forgo the election process and fill the vacancy by appointment. Any person who fills the vacancy shall hold office only until the next regular municipal election, at which time a person shall be elected under the provisions of Section 10 of this Charter to serve for the remainder, if any, of the unexpired term.~~

(h) If a vacancy occurs for any reason in the office of a Council District, the procedures set forth in Charter section 12(h) shall be followed:

(1) If the vacancy occurs for any reason other than a successful recall election, and,

(A) If the vacancy occurs with one (1) year or less remaining in the term, the Council shall appoint a person to fill the vacant seat on the City Council. Any person appointed by the Council to fill a vacant Council District seat shall not be eligible to run for that office for the next succeeding term; or,

(B) If the vacancy occurs with more than one (1) year remaining in the term, the Council shall call a special election to be held within ninety (90) days of the vacancy, unless there is a regular municipal or statewide election scheduled to be held within 180 days of the vacancy. If there is a regular municipal or statewide election scheduled to be held within 180 days of the vacancy, the Council may consolidate the special election with that regular election.

(i) If one candidate receives the majority of votes cast for all candidates in the special election, the candidate receiving the majority of votes cast shall be deemed to be and declared by the Council to be elected to the vacant office.

(ii) If no candidate receives a majority of votes cast in the special election, a special run-off election shall be held within forty-nine (49) days of the first special election, unless there is a regular municipal or statewide election scheduled to be held within ninety (90) days of the proposed special run-off election date, at which time the City Council may consolidate the special run-off election with that regular

election. The two (2) candidates receiving the highest number of votes cast for the vacant seat in the first special election shall be the only candidates for the vacant Council seat and the names of only those two (2) candidates shall be printed on the ballot for that seat.

(2) If a vacancy occurs by reason of a successful recall election, the Council shall adopt procedures to fill the vacancy.

Whether a person is appointed or elected to fill a vacant Council District seat, whatever the reason for the vacancy, that person shall serve as that District's Councilmember for the remainder of the unexpired term.

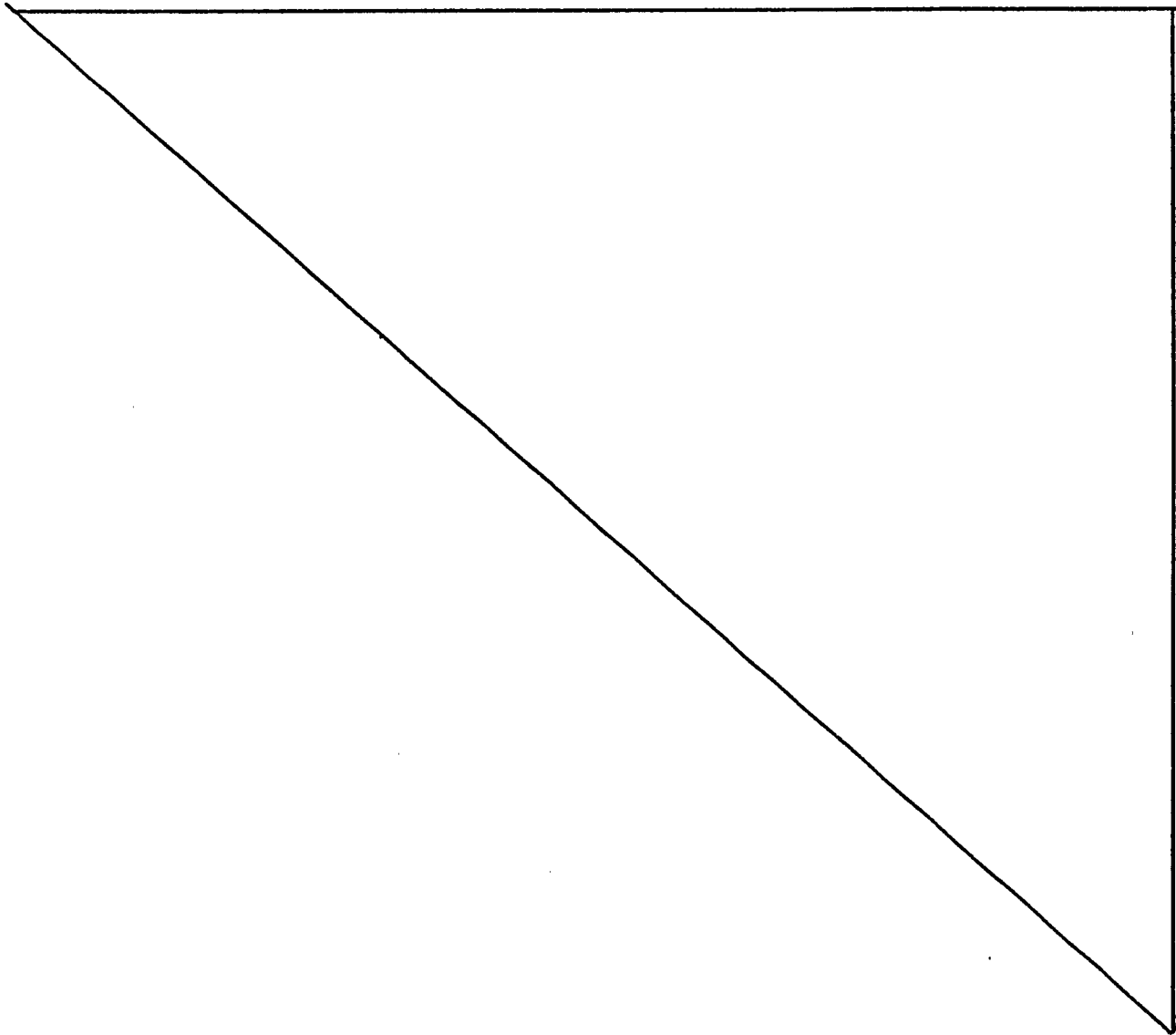
For purposes of Charter section 12(h), a vacancy may result from death, resignation, recall, or unexcused absences as described in Charter section 12(i). If vacancy occurs by reason of a resignation, the date of the vacancy will be the date specified in the written letter of resignation or, if there is no date certain specified in the letter, upon the date of receipt of the letter by the City Clerk.

(i) It is the duty of the Council members to attend all Council meetings. The Council shall vacate the seat of any Councilmember who is absent from eight (8) consecutive meetings or fifty percent (50%) of any scheduled meetings within a month unless the absence thereof is excused by resolution of the Council.

(j) Council members, including the Mayor, shall devote full time to the duties of their office and not engage in any outside

employment, trade, business or profession which interferes or conflicts with those duties.

(k) Council members shall not be eligible during the term for which they were appointed or elected to hold any other office or employment with the City, except as Mayor or City Attorney and as a member of any Board, Commission or Committee thereof, of which they are constituted such a member by general law or by this Charter.



PROPOSITION _____

Amends the Progress Guide and General Plan for The City of San Diego to read as follows:

GENERAL PLAN AMENDMENT IMPOSING CONDITIONS ON FUTURE DEVELOPMENT AND PROVIDING FOR A CHANGE IN DESIGNATION FROM FUTURE URBANIZING TO PLANNED URBANIZING FOR LAND IN THE NORTH CITY FUTURE URBANIZING AREA IN THE CITY OF SAN DIEGO

- A. WHEREAS, in 1979 the City Council adopted a General Plan, which was designed to provide planning guidance until the year 1995, and in that General Plan identified certain lands as urban reserve and designated those lands as Future Urbanizing; and
- B. WHEREAS, in 1985 the voters of the City adopted the Managed Growth Initiative - Proposition A - which required a vote of the people to change the designation of lands from Future Urbanizing to Planned Urbanizing; and
- C. WHEREAS, in 1992 a Citizens' Advisory Committee on the North City Future Urbanizing Area made recommendations to the City Council and, on October 1, 1992, the City Council adopted a Framework Plan for the North City Future Urbanizing Area as an amendment to the General Plan; and
- D. WHEREAS, on October 1, 1992, the City Council also resolved that the recommendations of the Citizens' Advisory Committee be reviewed and considered in connection with the planning

of the North City Future Urbanizing Area; and

- E. WHEREAS, the General Plan provides for the shift of land from Future Urbanizing to Planned Urbanizing "as planned communities are built out or as opportunities to implement the balanced housing or land use goals of the City arise;" and
- F. WHEREAS, the Framework Plan provided that the City Council shall place a General Plan amendment on the June 1994 ballot following approval of submitted Subarea Plans, and the City Council has amended the Framework Plan and General Plan to allow the phase shift to precede the completion of the Subarea Plans; and
- G. WHEREAS, proposals for the North City Future Urbanizing Area currently exist which could provide for funding of completion of State Route 56 within the North City Future Urbanizing Area, a link between I-15 and I-5; create more than 6,800 new jobs; provide in excess of \$1 billion in additional business activity within the City; provide new diverse housing opportunities; and provide at least 6,000 acres of land for open space and recreation purposes; and
- H. WHEREAS, new jobs, increased economic activity, more diverse housing opportunities, additional open space and recreational areas, and funding for the missing portion of

State Route 56 are clearly of benefit to the City; and

- I. WHEREAS, to acquire these benefits at this time it is necessary to change the designation of the North City Future Urbanizing Area from Future Urbanizing to Planned Urbanizing; and

- J. WHEREAS, to ensure the new development is environmentally sensitive, it is necessary for the voters to impose the following conditions on new development in the North City Future Urbanizing Area.

NOW, THEREFORE, THE GENERAL PLAN IS HEREBY AMENDED AS FOLLOWS:

Section 1. Change in Designation. All land within the North City Future Urbanizing Area is hereby changed in designation from Future Urbanizing to Planned Urbanizing and the Phased Development Areas Map of the General Plan is hereby revised to change the designation of the North City Future Urbanizing Area from Future Urbanizing to Planned Urbanizing.

Section 2. Mandatory Environmental Review. No Development in a Subarea within the North City Future Urbanizing Area shall be approved unless environmental review has been completed as required by the California Environmental Quality Act.

Section 3. Finance Construction of State Route 56. No Development within the North City Future Urbanizing Area shall occur until the City Council approves a financing plan for funding of completion of State Route 56 within the North City Future Urbanizing Area.

Section 4. Finance Construction of Schools. No Development in a Subarea within the North City Future Urbanizing Area shall occur until a school facilities financing master plan is approved for the timely funding of acquisition of sites and construction of schools and reasonably related facilities made necessary by that new Development in the Subarea. This requirement shall be a provision of Subarea Plans.

Section 5. Finance Construction of Public Facilities. No Development within the North City Future Urbanizing Area shall occur until the City Council approves a public facilities financing and phasing plan which requires the new Development to

fund its pro rata share of construction of police stations, fire stations, libraries, roads, parks, and other public facilities made necessary by that new Development. The facilities financing and phasing plan shall include an advancement of funds in its early phases to acquire options, at fair market value, to purchase land in the North City Future Urbanizing Area that is referred to as the Del Mar Mesa Acquisition Area.

Section 6. Residential Density Limits. No Development shall be approved which would cause the total density of residential development within the entire North City Future Urbanizing Area to exceed 17,500 units, which is an overall average density within the entire North City Future Urbanizing Area of less than 1.5 dwelling units per acre. The City Council shall not reduce the allowable density of residential development within the entire North City Future Urbanizing Area to below 14,780 units. The residential density within individual Subareas shall be established at the time of Subarea Plan review and approval by the City Council. Each Subarea Plan shall state that ten percent (10%) of the residential development for that Subarea shall consist of affordable housing units for sale or rent. The terms of the mandatory affordable housing program for each Subarea, including standards for defining "affordable housing," for whom it should be provided, and where it should be located, will be established by the City Council. In the event the City Council adopts a mandatory affordable housing program applicable to the City generally, such program shall take precedence over the Subarea Plan programs, except to the extent a developer has

relied upon a Subarea Plan program. Any affordable housing units provided within the North City Future Urbanizing Area shall be counted against the residential density limitation in this section.

Section 7. Environmental Tier. An Environmental Tier, consisting of not less than 6,000 acres within the approximately 12,200-acre North City Future Urbanizing Area, has been identified for open space, habitat preservation, parks, and recreation areas, to protect sensitive habitat, natural resources, and wildlife corridors, while providing recreational opportunities for both residents of the City and regional visitors. The Environmental Tier shall be an integral component of a regional open space system. The Environmental Tier shall contain Effective Wildlife Corridors for the movement of wildlife through the Environmental Tier to and from the Los Penasquitos Canyon Preserve, Black Mountain Park, and San Dieguito River Valley Regional Open Space Park. The City Council shall establish mechanisms to safeguard the lands in the Environmental Tier through measures which may include dedication, purchase, or conveyance to a public agency or non-profit land trust, deed restrictions, or other mechanisms acceptable to the City. No Development within the North City Future Urbanizing Area shall occur unless the City Council determines that such Development is not in conflict with the provisions of this section regarding safeguarding the Environmental Tier. Not less than 5,000 acres, but not more than 5,650 acres, of the Environmental Tier shall be safeguarded as resource based open space, which includes habitat

protection, biological buffer, and transition open space, but excludes golf course and park uses. The minimum and maximum resource based open space safeguarded within each individual Subarea shall be:

<u>Minimum Resource Based Open Space</u>		<u>Maximum Resource Based Open Space</u>	
Subarea I	2,025 acres	Subarea I	2,105 acres
Subarea II	370 acres	Subarea II	580 acres
Subarea III	1,250 acres	Subarea III	1,300 acres
Subarea IV	240 acres	Subarea IV	265 acres
Subarea V	1,115 acres	Subarea V	1,400 acres

The maximum resource based open space acreage described in this section shall not preclude any public, non-profit, or private agency or entity from purchasing additional land for resource based open space within the North City Future Urbanizing Area from property owners willing to sell such land. The remaining acreage to complete the Environmental Tier acreage shall be designated as urban/natural amenity open space, which includes golf courses, parks, reservoirs, and other urban/natural amenity open space uses. No Development, except for public or recreational uses, utilities (including telecommunications), roads, or other facilities or uses permitted in the Framework Plan, as may be subsequently amended by the City Council, shall be allowed within the Environmental Tier.

Section 8. Multiple Species Conservation Program. Nothing in this General Plan Amendment shall be construed as exempting any portion of the North City Future Urbanizing Area from any legally applicable requirements of a multiple species conservation program, if and when a multiple species conservation program is adopted by the San Diego City Council. In that event, the Environmental Tier shall be

included within the land subject to a multiple species conservation program and recognized as contributing environmental mitigation sought to be achieved in any multiple species conservation program, or in any other regional habitat preservation program.

Section 9. Preparation of Subarea Plans. Approval of Subarea Plans for individual Subareas shall be adopted by the City Council after approval of this General Plan amendment, except that in Subarea II plans for individual parcels that meet Subarea Plan standards, insofar as practical for such parcels, may be prepared. Subarea Plans may be adopted by the City Council at different times. No Development, tentative maps, or rezonings within the North City Future Urbanizing Area shall be approved unless such Development, tentative maps, or rezonings are consistent with an adopted Subarea Plan, or in Subarea II an approved development plan, or a plan for other Development as permitted by Section 12 of this General Plan amendment.

Section 10. Protections for Contiguous Communities. No Development in a Subarea within the North City Future Urbanizing Area shall occur until the City Council approves a traffic analysis and phasing plan for that Subarea, or development parcel in the case of Subarea II. Any traffic analysis and phasing plan shall provide mitigation for the traffic impacts on communities contiguous to the North City Future Urbanizing Area created by the Development in each Subarea, or development parcel in the case of Subarea II. For purposes of this Section 10, the term "mitigation" shall mean the implementation of reasonable measures designed to alleviate traffic impacts in a manner consistent with the transportation elements set forth in the Community Plans of those contiguous communities in effect

on June 7, 1994, or as may be subsequently amended by the City.

Section 11. Definitions. For purposes of this General Plan Amendment, the following words and phrases shall have the following meaning:

- a. "City" shall mean the City of San Diego.
- b. "Framework Plan" shall mean that document entitled "Framework Plan for the North City Future Urbanizing Area" adopted by the City Council on October 1, 1992, as amended on October 26, 1993.
- c. "North City Future Urbanizing Area" shall mean that land area officially classified as being within the North City Future Urbanizing Area on October 1, 1992, the date of the adoption of the Framework Plan.
- d. "General Plan" shall mean the Progress Guide and General Plan of the City of San Diego.
- e. "Subarea" shall mean any one of the five planning areas within the North City Future Urbanizing Area identified as a Subarea in the Framework Plan.
- f. "Development" shall mean the issuance of building permits for the construction of residential, commercial, or other structures.

g. "Effective Wildlife Corridors" shall mean land within the Environmental Tier of a width which provides sufficient resource based open space necessary for recurring animal movement, taking into account human activity which is permitted in or around such space. "Effective Wildlife Corridors" may include necessary crossings within the Environmental Tier which may be practicably constructed, taking into account environmental needs, costs, and other pertinent factors.

Section 12. Effect on Existing Development Limitations.

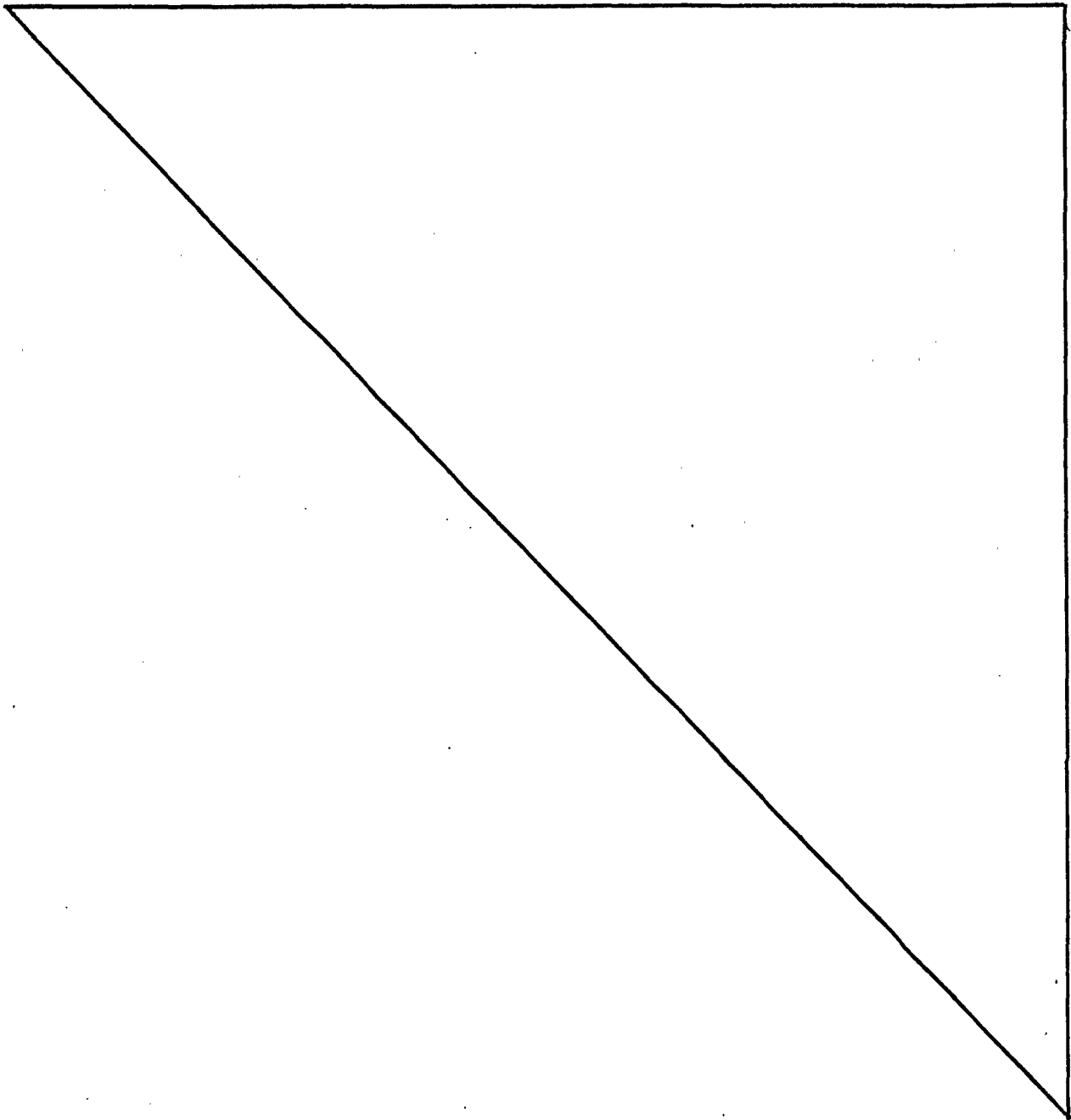
Notwithstanding any provision of this General Plan amendment which would otherwise affect Development, this amendment shall not affect Development or discretionary entitlements which were authorized prior to the enactment of this General Plan amendment by the City, the City Municipal Code, or the Framework Plan. Residential units constructed by operation of this Section shall be counted against the residential density limitations in Section 6 of this General Plan amendment.

Section 13. Framework Plan. Nothing in this General Plan Amendment is intended to be an initiative or referendum enacting or ratifying the Framework Plan. The Framework Plan, as may be subsequently amended by the City Council, shall continue to apply to and serve as the general policy document guiding preparation of individual Subarea Plans and school facilities financing master plan.

Section 14. Compliance with California Coastal Act. The City Council may modify any provision of this General Plan Amendment solely as to land under the statutory jurisdiction of the California Coastal Commission to comply with the requirements of the Commission

authorized by law.

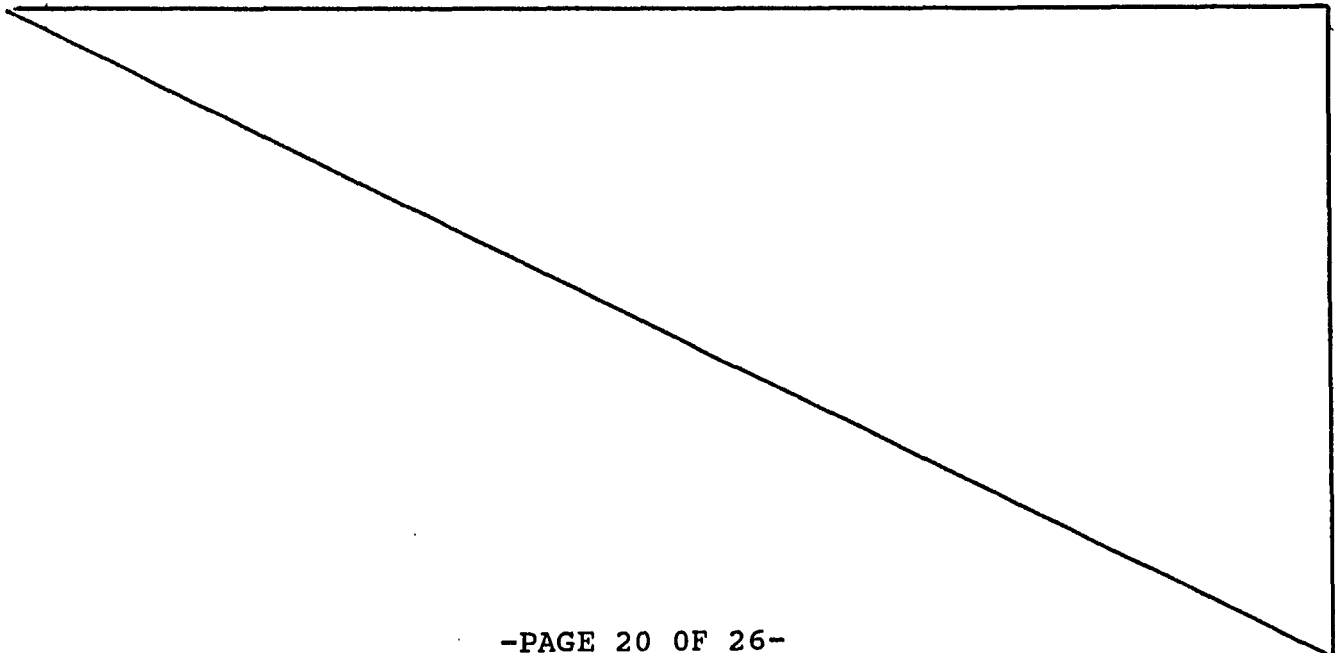
Section 15. Severability. If any provision of this measure, other than Section 1 of this measure, is declared legally invalid or unenforceable, the balance of the provisions shall remain in full force and effect.



Section 2. The propositions shall be presented and printed upon the ballot and submitted to the voters in the manner and form set out in Section 4 of this ordinance.

Section 3. The polls for this Special Municipal Election shall be open at 7 a.m. (local time) on June 7, 1994, and remain open continuously until 8 p.m. (local time) on the same day at which time the polls shall be closed, except as provided in section 14301 of the Elections Code of the State of California.

Section 4. Since this election is being consolidated with the statewide primary election, and since the City Clerk of The City of San Diego is hereby authorized to canvass returns of this election, and since only one form of ballot is authorized, the method of voting upon the propositions shall be as provided in the Elections Code of the State of California; and, on the ballots to be used at this Special Municipal Election, in addition to any other matters required by law, there shall be printed substantially the following:



PROPOSITION ____ . AMENDS THE CHARTER OF THE CITY OF SAN DIEGO BY AMENDING SECTION 12 PERTAINING TO COUNCIL VACANCIES.

Shall Section 12 of the Charter of The City of San Diego pertaining to filling Council vacancies be amended to read as follows:

(h) If a vacancy occurs for any reason in the office of a Council District, the procedures set forth in Charter section 12(h) shall be followed:

(1) If the vacancy occurs for any reason other than a successful recall election, and,

(A) If the vacancy occurs with one (1) year or less remaining in the term, the Council shall appoint a person to fill the vacant seat on the City Council. Any person appointed by the Council to fill a vacant Council District seat shall not be eligible to run for that office for the next succeeding term; or,

(B) If the vacancy occurs with more than one (1) year remaining in the term, the Council shall call a special election to be held within ninety (90) days of the vacancy, unless there is a regular municipal or statewide election scheduled to be held within 180 days of the vacancy. If there is a regular municipal or statewide election scheduled to be held within 180 days of the vacancy, the Council may consolidate the special election with that regular election.

(i) If one candidate receives the majority of votes cast for all candidates in the special election, the candidate receiving the majority of votes cast shall be deemed to be and declared by the Council to be elected to the vacant office.

(ii) If no candidate receives a majority of votes cast in the special election, a special run-off election shall be held within forty-nine (49) days of the first special election, unless there is a regular municipal or

YES

NO

statewide election scheduled to be held within ninety (90) days of the proposed special run-off election date, at which time the City Council may consolidate the special run-off election with that regular election. The two (2) candidates receiving the highest number of votes cast for the vacant seat in the first special election shall be the only candidates for the vacant Council seat and the names of only those two (2) candidates shall be printed on the ballot for that seat.

(2) If a vacancy occurs by reason of a successful recall election, the Council shall adopt procedures to fill the vacancy.

Whether a person is appointed or elected to fill a vacant Council District seat, whatever the reason for the vacancy, that person shall serve as that District's Councilmember for the remainder of the unexpired term.

For purposes of Charter section 12(h), a vacancy may result from death, resignation, recall, or unexcused absences as described in Charter section 12(i). If vacancy occurs by reason of a resignation, the date of the vacancy will be the date specified in the written letter of resignation or, if there is no date certain specified in the letter, upon the date of receipt of the letter by the City Clerk.

This proposition also contains house-keeping amendments to alphabetize the paragraphs in Section 12.

PROPOSITION ____ . AMENDS THE CITY OF SAN DIEGO'S PROGRESS GUIDE AND GENERAL PLAN BY IMPOSING DEVELOPMENT CONTROLS AND CHANGING THE DESIGNATION OF THE NORTH CITY FUTURE URBANIZING AREA.

Shall the Progress Guide and General Plan for the City of San Diego be amended to

- (1) impose certain conditions on future development, and
- (2) provide for a change in designation from "future urbanizing" to "planned urbanizing"

on land in what is now the North City Future Urbanizing Area of the City. The conditions imposed on future development shall include:

- (a) Completion of environmental review required by the California Environmental Quality Act.
- (b) Approval by the City Council of a financing plan to fund completion of State Route 56.
- (c) Approval of school facilities financing plans.
- (d) Approval by the City Council of public facilities financing and phasing plans requiring pro-rata funding by new development.
- (e) Establishment of a maximum of 17,500 residential units, and a minimum allowable 14,780 residential units, with at least 10% of the residential units being affordable housing.
- (f) Preservation of a minimum of 6,000 acres of open space in an Environmental Tier.
- (g) Consistency with a multiple species conservation program, if adopted.
- (h) Preparation of detailed Subarea Plans prior to development.
- (i) Preparation of traffic plans which provide for mitigation of traffic impacts on contiguous communities.

YES

NO

(j) Compliance with the California Coastal Act where applicable.

This proposition contains a clause which provides that the change in designation will remain in effect if any other provision is declared unenforceable.

Section 5. An appropriate mark placed in the voting square after the word "YES," shall be counted in favor of the adoption of the propositions. An appropriate mark placed in the voting square after the word "NO," in the manner hereinbefore provided shall be counted against the adoption of the propositions.

Section 6. The Special Municipal Election called for June 7, 1994, in The City of San Diego is hereby ordered consolidated with the statewide primary election to be held on the same date. Within the City of San Diego precincts, polling places and officers of the election for the special municipal election shall be the same as those provided for the statewide primary election.

Section 7. The Registrar of Voters of the County of San Diego is hereby authorized to canvass the returns of the special municipal election and these elections shall be held in all respects as if there were only one election, and within the City only one form of ballot shall be used. The City Clerk shall certify the results of the canvass of the returns of this special municipal election to the Council of The City of San Diego which shall then declare the results of the election.

Section 8. The propositions submitted by this ordinance shall be designated on the ballot by a letter printed on the left margin of the square containing the description of the measure as provided in section 10219 of the Elections Code of the State of California.

Section 9. Except as otherwise provided in this ordinance, the special municipal election shall be conducted as provided by law for other municipal elections of the City.

Section 10. The City Clerk shall cause this ordinance to be

published once in the official newspaper. No other notice of the election need be given.

Section 11. Pursuant to section 17 of the Charter, this ordinance relating to elections shall take effect on MAR 08 1994, being the day of its introduction and passage.

APPROVED: JOHN W. WITT, City Attorney

By Cristie C. McGuire
Cristie C. McGuire
Deputy City Attorney

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SAN DIEGO, CALIF.

REC'D 10M

Passed and adopted by the Council of The City of San Diego on MAR 08 1994
 by the following vote:

Proposition pertaining to filling Council vacancies.

Council Members	Yeas	Nays	Not Present	Ineligible
Harry Mathis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Christine Kehoe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Barbara Warden	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Juan Vargas	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Proposition pertaining to the FUA.

Council Members	Yeas	Nays	Not Present	Ineligible
Harry Mathis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Christine Kehoe	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Barbara Warden	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Juan Vargas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Susan Golding	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

(Seal)

SUSAN GOLDING
 Mayor of The City of San Diego, California.

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

By Blonde B. Barnes Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on MAR 08 1994, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

~~I FURTHER CERTIFY that the final reading of said ordinance was in full.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

(Seal)

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

By Blonde B. Barnes Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-18050 Adopted MAR 08 1994

CERTIFICATE OF PUBLICATION

MAR 26 1994

OFFICE OF THE CITY CLERK
CITY ADMIN. BLDG.
202 C STREET, 2ND FLOOR
SAN DIEGO, CA 92101

IN THE MATTER OF

NO.

THE STATEWIDE ELECTION TO BE HELD IN SAID...

(SEE ATTACHED)

I, Corey Donahue, am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1909, Decree No. 14894; and the

ORDINANCE NUMBER O-18050 (NEW SERIES)

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to wit:

MAR. 22

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 22nd day of MAR., 19 94.

Corey Donahue

(Signature)

\$ 2,196.48

ORDINANCE NUMBER Q-18050 (NEW SERIES)

AN ORDINANCE OF THE CITY OF SAN DIEGO, CALIFORNIA, ORDERING, CALLING, PROVIDING FOR AND GIVING NOTICE OF A SPECIAL MUNICIPAL ELECTION TO BE HELD IN THE CITY ON JUNE 7, 1994, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF SAN DIEGO ONE PROPOSITION AMENDING THE CHARTER OF THE CITY OF SAN DIEGO BY AMENDING CHARTER SECTION 12; AND ONE PROPOSITION AMENDING THE PROGRESS GUIDE AND GENERAL PLAN FOR THE CITY OF SAN DIEGO TO REDESIGNATE CERTAIN PARCELS OF LAND FROM "FUTURE URBANIZING" TO "PLANNED URBANIZING"; AND CONSOLIDATING SAID SPECIAL MUNICIPAL ELECTION WITH THE STATEWIDE ELECTION TO BE HELD IN SAID CITY ON JUNE 7, 1994.

WHEREAS, the City Council desires to submit to the voters one proposition amending the Charter of The City of San Diego by amending Charter section 12 pertaining to filling Council vacancies; and

WHEREAS, the City Council finds that it is appropriate for the voters to now determine whether a change in designation of lands in the North City Future Urbanizing Area should be approved; therefore, the Council hereby waives those portions of Council Policies 600-29 and 600-30 relating to General Plan amendments in the Future Urbanizing Area; and

WHEREAS, the calling and ordering of an election is not a project subject to the requirements of the California Environmental Quality Act ("CEQA"), pursuant to CEQA Guidelines 15378(b)(4); and

WHEREAS, the City Council is authorized under Charter section 23 and San Diego Municipal Code section 27.2501 to place on the ballot any legislative act; and

WHEREAS, both the proposed Charter amendment and General Plan amendment set forth in this ordinance are legislative acts; NOW, THEREFORE,

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. A special municipal election is hereby called and ordered to be held in the City of San Diego, California, on June 7, 1994, and pursuant to Section 223 of the Charter of The City of San Diego, Section 3(b) of Article XI of the Constitution of the State of California, Sections 34450 and 34458 of the California Government Code, all dealing with Charter amendments, and pursuant to Section 23 of the Charter of The City of San Diego and Section 27.2501 of the San Diego Municipal Code, the Council of The City of San Diego, being the City's legislative body, hereby submits to the qualified voters of the City at such special municipal election the following propositions:

PROPOSITION _____

Amend Section 12 of the Charter of The City of San Diego to read as follows:

THE COUNCIL.

(a) The Council shall be composed of nine (9) Councilmembers, including the Mayor, and shall be the legislative body of the City, each of the members of which including the Mayor, shall have the right to vote upon all questions before it.

(b) At the municipal primary and general election in 1979, a Mayor shall be chosen by the electors for a term of five (5) years. A Mayor shall thereafter be elected for a term of four (4) years in the manner prescribed by Section 10 of this Charter. The Mayor shall hold office for the term prescribed from and after 10 a.m. the first Monday after the first day of December next succeeding the election and until a successor is elected and qualified.

(c) At the municipal primary and general elections in 1993, the Council members for Districts 1, 3, 5, and 7 shall be chosen by the electors for a term of three (3) years. Council members for Districts 1, 3, 5, and 7 shall thereafter be elected for a term of four (4) years in the manner prescribed by Section 10 of this Charter.

(d) At the municipal primary and general election in 1995, Council members for Districts 2, 4, 6, and 8 shall be chosen by the electors for a term of three (3) years. Council members for Districts 2, 4, 6, and 8 shall thereafter be elected for a term of four (4) years in the manner prescribed by Section 10 of this Charter.

(e) Except as provided in this Section, Council members shall hold office for the term of four (4) years from and after 10 a.m. the first Monday after the first day of December next succeeding their election and until their successors are elected and qualified.

(f) Notwithstanding any other provision of this Charter and commencing with elections held in 1992, no person shall serve more than two consecutive four-year terms as a Council member from any particular district. If for any reason a person serves a partial term as Councilmember from a particular district in excess of two (2) years, that partial term shall be considered a full term for purposes of this term limit provision. Persons holding office prior to the November 1992 election shall not have prior or current terms be counted for the purpose of applying this term limit provision to future elections.

(g) Upon any redistricting pursuant to the provisions of this Charter, incumbent Council members will continue to represent the district in which they reside, unless as a result of such redistricting more than one incumbent Council member resides within any one district, in which case the City Council may determine by lot which Council member shall represent each district. At the next municipal primary and general elections following a redistricting, Council members shall be elected from those districts not represented and from those districts represented by incumbent Council members whose terms expire as of the general election in said year. If as a result of any redistricting more than a simple majority of the City Council as redistricted shall be elected at either the municipal primary or general election next following any such redistricting, the City Council prior to any such election shall designate one or more new districts for which the initial council term shall be two (2) years in order to retain staggered terms for Council members.

~~Except as otherwise provided in this paragraph, in the event a vacancy occurs for any reason in the office of a Council District, the Council shall immediately cause an election to be held to fill such vacancy solely in the district in which the vacancy occurred. Such election shall be conducted within ninety (90) days of the vacancy. The candidate receiving the greatest number of votes shall be deemed to be and declared by the Council to be elected to the vacant office. If, however, a vacancy occurs for any reason in the office of a Council District within 100 days of an upcoming regular municipal election, the Council may in its discretion forgo the election process and fill the vacancy by appointment. Any person who fills the vacancy shall hold office only until the next regular municipal election, at which time a person shall be elected under the provisions of Section 10 of this Charter to serve for the remainder, if any, of the unexpired term.~~

(h) ~~If a vacancy occurs for any reason in the office of a Council District, the procedures set forth in Charter section 12(h) shall be followed:~~

~~(1) If the vacancy occurs for any reason other than a successful recall election, and,~~

~~(A) If the vacancy occurs with one (1) year or less remaining in the term, the Council shall appoint a person to fill the vacant seat on the City Council. Any person appointed by the Council to fill a vacant Council District seat shall not be eligible to run for that office for the next succeeding term;~~

~~OR,~~

~~(B) If the vacancy occurs with more than one (1) year remaining in the term, the Council shall call a special election to be held within ninety (90) days of the vacancy, unless there is a regular municipal or statewide election scheduled to be held within 180 days of the vacancy. If there is a regular municipal or statewide election scheduled to be held within 180 days of the vacancy, the Council may consolidate the special election with that regular election.~~

~~(i) If one candidate receives the majority of votes cast for all candidates in the special election, the candidate receiving the majority of votes cast shall be deemed to be and declared by the Council to be elected to the vacant office.~~

~~(ii) If no candidate receives a majority of votes cast in the special election, a special run-off election shall be held within forty-nine (49) days of the first special election, unless there is a regular municipal or statewide election scheduled to be held within ninety (90) days of the proposed special run-off election date, at which time the City Council may consolidate the special run-off election with that regular election. The two (2) candidates receiving the highest number of votes cast for the vacant seat in the first special election shall be the only candidates for the vacant Council seat and the names of only those two (2) candidates shall be printed on the ballot for that seat.~~

~~(2) If a vacancy occurs by reason of a successful recall election, the Council shall adopt procedures to fill the vacancy~~

forth in Charter section 12(h) shall be followed:

(1) If the vacancy occurs for any reason other than a successful recall election, and

(A) If the vacancy occurs with one (1) year or less remaining in the term, the Council shall appoint a person to fill the vacant seat on the City Council. Any person appointed by the Council to fill a vacant Council District seat shall not be eligible to run for that office for the next succeeding term; or

(B) If the vacancy occurs with more than one (1) year remaining in the term, the Council shall call a special election to be held within ninety (90) days of the vacancy, unless there is a regular municipal or statewide election scheduled to be held within 180 days of the vacancy. If there is a regular municipal or statewide election scheduled to be held within 180 days of the vacancy, the Council may consolidate the special election with that regular election.

(i) If one candidate receives the majority of votes cast for all candidates in the special election, the candidate receiving the majority of votes cast shall be deemed to be and declared by the Council to be elected to the vacant office.

(ii) If no candidate receives a majority of votes cast in the special election, a special run-off election shall be held within forty-nine (49) days of the first special election, unless there is a regular municipal or statewide election scheduled to be held within ninety (90) days of the proposed special run-off election date, at which time the City Council may consolidate the special run-off election with that regular election. The two (2) candidates receiving the highest number of votes cast for the vacant seat in the first special election shall be the only candidates for the vacant Council seat and the names of only those two (2) candidates shall be printed on the ballot for that seat.

(2) If a vacancy occurs by reason of a successful recall election, the Council shall adopt procedures to fill the vacancy.

Whether a person is appointed or elected to fill a vacant Council District seat, whatever the reason for the vacancy, that person shall serve as that District's Councilmember for the remainder of the unexpired term.

For purposes of Charter section 12(h), a vacancy may result from death, resignation, recall, or unexcused absences as described in Charter section 12(i). If vacancy occurs by reason of a resignation, the date of the vacancy will be the date specified in the written letter of resignation or, if there is no date certain specified in the letter, upon the date of receipt of the letter by the City Clerk.

(j) It is the duty of the Council members to attend all Council meetings. The Council shall vacate the seat of any Councilmember who is absent from eight (8) consecutive meetings or fifty percent (50%) of any scheduled meetings within a month unless the absence thereof is excused by resolution of the Council.

(l) Council members, including the Mayor, shall devote full time to the duties of their office and not engage in any outside employment, trade, business or profession which interferes or conflicts with those duties.

(k) Council members shall not be eligible during the term for which they were appointed or elected to hold any other office or employment with the City, except as Mayor or City Attorney and as a member of any Board, Commission or Committee thereof, of which they are constituted such a member by general law or by this Charter.

PROPOSITION

Amends the Progress Guide and General Plan for The City of San Diego to read as follows:

GENERAL PLAN AMENDMENT IMPOSING CONDITIONS ON FUTURE DEVELOPMENT AND PROVIDING FOR A CHANGE IN DESIGNATION FROM FUTURE URBANIZING TO PLANNED URBANIZING FOR LAND IN THE NORTH CITY FUTURE URBANIZING AREA IN THE CITY OF SAN DIEGO

WHEREAS, in 1979 the City Council adopted a General Plan, which was designed to provide planning guidance until the year 1995, and in that General Plan identified certain lands as urban reserve and designated those lands as Future Urbanizing; and

WHEREAS, in 1985 the voters of the City adopted the Managed Growth Initiative - Proposition A - which required a vote of the people to change the designation of lands from Future Urbanizing to Planned Urbanizing; and

WHEREAS, in 1992 a Citizens' Advisory Committee on the North City Future Urbanizing Area made recommendations to the City Council and, on October 1, 1992, the City Council adopted a Framework Plan for the North City Future Urbanizing Area as an amendment to the General Plan; and

WHEREAS, on October 1, 1992, the City Council also resolved that the recommendations of the Citizens' Advisory Committee be reviewed and considered in connection with the planning of the North City Future Urbanizing Area; and

E. WHEREAS, the General Plan provides for the shift of land from Future Urbanizing to Planned Urbanizing "as planned communities are built out or as opportunities to implement the balanced housing or land use goals of the City arise;" and

WHEREAS, the Framework Plan provided that the City Council shall place a General Plan amendment on the June 1994 ballot following approval of submitted Subarea Plans, and the City Council has amended the Framework Plan and General Plan to allow the phase shift to precede the completion of the Subarea Plans; and

WHEREAS, proposals for the North City Future Urbanizing Area currently exist which could provide for funding of completion of State Route 56 within the North City Future Urbanizing Area, a link between I-15 and I-5; create more than 6,800 new jobs; provide in excess of \$1 billion in additional business activity within the City; provide new diverse housing opportunities; and provide at least 6,000 acres of land for open space and recreation purposes; and

WHEREAS, new jobs, increased economic activity, more diverse housing opportunities, additional open space and recreational areas, and funding for the missing portion of State Route 56 are clearly of benefit to the City; and

WHEREAS, to acquire these benefits at this time it is necessary to change the designation of the North City Future Urbanizing Area from Future Urbanizing to Planned Urbanizing; and

WHEREAS, to ensure the new development is environmentally sensitive, it is necessary for the voters to impose the following conditions on new development in the North City Future Urbanizing Area.

NOW, THEREFORE, THE GENERAL PLAN IS HEREBY AMENDED AS FOLLOWS:

Section 1. Change in Designation. All land within the North City Future Urbanizing Area is hereby changed in designation from Future Urbanizing to Planned Urbanizing and the Phased Development Areas Map of the General Plan is hereby revised to change the designation of the North City Future Urbanizing Area from Future Urbanizing to Planned Urbanizing.

Section 2. Mandatory Environmental Review. No Development in a Subarea within the North City Future Urbanizing Area shall be approved unless environmental review has been completed as required by the California Environmental Quality Act.

Section 3. Finance Construction of State Route 56. No Development within the North City Future Urbanizing Area shall occur until the City Council approves a financing plan for funding of completion of State Route 56 within the North City Future Urbanizing Area.

Section 4. Finance Construction of Schools. No Development in a Subarea within the North City Future Urbanizing Area shall occur until a school facilities financing master plan is approved for the timely funding of acquisition of sites and construction of schools and reasonably related facilities made necessary by that new Development in the Subarea. This requirement shall be a provision of Subarea Plans.

Section 5. Finance Construction of Public Facilities. No Development within the North City Future Urbanizing Area shall occur until the City Council approves a public facilities financing and phasing plan which requires the new Development to fund its pro rata share of construction of police stations, fire stations, libraries, roads, parks, and other public facilities made necessary by that new Development. The facilities financing and phasing plan shall include an advancement of funds in its early phases to acquire options, at fair market value, to purchase land in the North City Future Urbanizing Area that is referred to as the Del Mar Mesa Acquisition Area.

Section 6. Residential Density Limits. No Development shall be approved which would cause the total density of residential development within the entire North City Future Urbanizing Area to exceed 17,500 units, which is an overall average density within the entire North City Future Urbanizing Area of less than 1.5 dwelling units per acre. The City Council shall not reduce the allowable density of residential development within the entire North City Future Urbanizing Area to below 14,780 units. The residential density within individual Subareas shall be established at the time of Subarea Plan review and approval by the City Council. Each Subarea Plan shall state that ten percent (10%) of the residential development for that Subarea shall consist of affordable housing units for sale or rent. The terms of the

changed in designation from Future Urbanizing to Planned Urbanizing and the Phased Development Area Map of the General Plan is hereby revised to change the designation of the North City Future Urbanizing Area from Future Urbanizing to Planned Urbanizing.

Section 2. Mandatory Environmental Review. No Development in a Subarea within the North City Future Urbanizing Area shall be approved unless environmental review has been completed as required by the California Environmental Quality Act.

Section 3. Finance Construction of State Route 56. No Development within the North City Future Urbanizing Area shall occur until the City Council approves a financing plan for funding of completion of State Route 56 within the North City Future Urbanizing Area.

Section 4. Finance Construction of Schools. No Development in a Subarea within the North City Future Urbanizing Area shall occur until a school facilities financing master plan is approved for the timely funding of acquisition of sites and construction of schools and reasonably related facilities made necessary by that new Development in the Subarea. This requirement shall be a provision of Subarea Plans.

Section 5. Finance Construction of Public Facilities. No Development within the North City Future Urbanizing Area shall occur until the City Council approves a public facilities financing and phasing plan which requires the new Development to fund its pro rata share of construction of police stations, fire stations, libraries, roads, parks, and other public facilities made necessary by that new Development. The facilities financing and phasing plan shall include an advancement of funds in its early phases to acquire options, at fair market value, to purchase land in the North City Future Urbanizing Area that is referred to as the Del Mar Mesa Acquisition Area.

Section 6. Residential Density Limits. No Development shall be approved which would cause the total density of residential development within the entire North City Future Urbanizing Area to exceed 17,500 units, which is an overall average density within the entire North City Future Urbanizing Area of less than 1.5 dwelling units per acre. The City Council shall not reduce the allowable density of residential development within the entire North City Future Urbanizing Area to below 14,780 units. The residential density within individual Subareas shall be established at the time of Subarea Plan review and approval by the City Council. Each Subarea Plan shall state that ten percent (10%) of the residential development for that Subarea shall consist of affordable housing units for sale or rent. The terms of the mandatory affordable housing program for each Subarea, including standards for defining "affordable housing," for whom it should be provided, and where it should be located, will be established by the City Council. In the event the City Council adopts a mandatory affordable housing program applicable to the City generally, such program shall take precedence over the Subarea Plan programs, except to the extent a developer has relied upon a Subarea Plan program. Any affordable housing units provided within the North City Future Urbanizing Area shall be counted against the residential density limitation in this section.

Section 7. Environmental Tier. An Environmental Tier, consisting of not less than 6,000 acres within the approximately 12,200-acre North City Future Urbanizing Area, has been identified for open space, habitat preservation, parks, and recreation areas, to protect sensitive habitat, natural resources, and wildlife corridors, while providing recreational opportunities for both residents of the City and regional visitors. The Environmental Tier shall be an integral component of a regional open space system. The Environmental Tier shall contain Effective Wildlife Corridors for the movement of wildlife through the Environmental Tier to and from the Los Penasquitos Canyon Preserve, Black Mountain Park, and San Dieguito River Valley Regional Open Space Park. The City Council shall establish mechanisms to safeguard the lands in the Environmental Tier through measures which may include dedication, purchase, or conveyance to a public agency or non-profit land trust, deed restrictions, or other mechanisms acceptable to the City. No Development within the North City Future Urbanizing Area shall occur unless the City Council determines that such Development is not in conflict with the provisions of this section regarding safeguarding the Environmental Tier. Not less than 5,000 acres, but not more than 5,650 acres, of the Environmental Tier shall be safeguarded as resource based open space, which includes habitat protection, biological buffer, and transition open space, but excludes golf course and park uses. The minimum and maximum resource based open space safeguarded within each individual Subarea shall be:

<u>Minimum Resource Based Open Space</u>		<u>Maximum Resource Based Open Space</u>	
Subarea I	2,025 acres	Subarea I	2,105 acres
Subarea II	370 acres	Subarea II	580 acres
Subarea III	1,250 acres	Subarea III	1,300 acres
Subarea IV	240 acres	Subarea IV	265 acres
Subarea V	1,115 acres	Subarea V	1,400 acres

The maximum resource based open space acreage described in this section shall not preclude any public, non-profit, or private agency or entity from purchasing additional land for resource based open space within the North City Future Urbanizing Area from property owners willing to sell such land. The remaining acreage to complete the Environmental Tier acreage shall be designated as urban/natural amenity open space, which includes golf courses, parks, reservoirs, and other urban/natural amenity open space uses. No Development, except for public or recreational uses, utilities (including telecommunications), roads, or other facilities or uses permitted in the Framework Plan, as may be subsequently amended by the City Council, shall be allowed within the Environmental Tier.

Section 8. Multiple Species Conservation Program. Nothing in this General Plan Amendment shall be construed as exempting any portion of the North City Future Urbanizing Area from any legally applicable requirements of a multiple species conservation program, if and when a multiple species conservation program is adopted by the San Diego City Council. In that event, the Environmental Tier shall be included within the land subject to a multiple species conservation program and recognized as contributing environmental mitigation sought to be achieved in any multiple species conservation program, or in any other regional habitat preservation program.

Section 9. Preparation of Subarea Plans. Approval of Subarea Plans for individual Subareas shall be adopted by the City Council after approval of this General Plan amendment, except that in Subarea II plans for individual parcels that meet Subarea Plan standards, insofar as practical for such parcels, may be prepared. Subarea Plans may be adopted by the City Council at different times. No Development, tentative maps, or rezonings within the North City Future Urbanizing Area shall be approved unless such Development, tentative maps, or rezonings are consistent with an adopted Subarea Plan, or in Subarea II an approved development plan, or a plan for other Development as permitted by Section 12 of this General Plan amendment.

Section 10. Protections for Contiguous Communities. No Development in a Subarea within the North City Future Urbanizing Area shall occur until the City Council approves a traffic analysis and phasing plan for that Subarea, or development parcel in the case of Subarea II. Any traffic analysis and phasing plan shall provide mitigation for the traffic impacts on communities contiguous to the North City Future Urbanizing Area created by the Development in each Subarea, or development parcel in the case of Subarea II. For purposes of this Section 10, the term "mitigation" shall mean the implementation of reasonable measures designed to alleviate traffic impacts in a manner consistent with the transportation elements set forth in the Community Plans of those contiguous communities in effect on June 7, 1994, or as may be subsequently amended by the City.

Section 11. Definitions. For purposes of this General Plan Amendment, the following words and phrases shall have the following meaning:

- a. "City" shall mean the City of San Diego.
- b. "Framework Plan" shall mean that document entitled "Framework Plan for the North City Future Urbanizing Area" adopted by the City Council on October 1, 1992, as amended on October 26, 1993.
- c. "North City Future Urbanizing Area" shall mean that land area officially classified as being within the North City Future Urbanizing Area on October 1, 1992, the date of the adoption of the Framework Plan.
- d. "General Plan" shall mean the Progress Guide and General Plan of the City of San Diego.
- e. "Subarea" shall mean any one of the five planning areas within the North City Future Urbanizing Area identified as a Subarea in the Framework Plan.
- f. "Development" shall mean the issuance of building permits for the construction of residential, commercial, or other structures.
- g. "Effective Wildlife Corridors" shall mean land within the Environmental Tier of a width which provides sufficient resource based open space necessary for recurring animal movement, taking into account human activity which is permitted in or around such space. "Effective Wildlife Corridors" may include necessary crossings within the Environmental Tier which may be practicably constructed, taking into account environmental needs, costs, and other pertinent factors.

Section 12. Effect on Existing Development Limitations. Notwithstanding any provision of this General Plan amendment which would otherwise affect Development, this amendment shall not affect Development or discretionary entitlements which were authorized prior to the enactment of this

- c. "North City Future Urbanizing Area" shall mean that land area officially classified as being within the North City Future Urbanizing Area on October 1, 1992, the date of the adoption of the Framework Plan.
- d. "General Plan" shall mean the Progress Guide and General Plan of the City of San Diego.
- e. "Subarea" shall mean any one of the five planning areas within the North City Future Urbanizing Area identified as a Subarea in the Framework Plan.
- f. "Development" shall mean the issuance of building permits for the construction of residential, commercial, or other structures.
- g. "Effective Wildlife Corridors" shall mean land within the Environmental Tier of a width which provides sufficient resource based open space necessary for recurring animal movement, taking into account human activity which is permitted in or around such space. "Effective Wildlife Corridors" may include necessary crossings within the Environmental Tier which may be practicably constructed, taking into account environmental needs, costs, and other pertinent factors.

Section 12. Effect on Existing Development Limitations. Notwithstanding any provision of this General Plan amendment which would otherwise affect Development, this amendment shall not affect Development or discretionary entitlements which were authorized prior to the enactment of this General Plan amendment by the City, the City Municipal Code, or the Framework Plan. Residential units constructed by operation of this Section shall be counted against the residential density limitations in Section 6 of this General Plan amendment.

Section 13. Framework Plan. Nothing in this General Plan Amendment is intended to be an initiative or referendum enacting or ratifying the Framework Plan. The Framework Plan, as may be subsequently amended by the City Council, shall continue to apply to and serve as the general policy document guiding preparation of individual Subarea Plans and school facilities financing master plan.

Section 14. Compliance with California Coastal Act. The City Council may modify any provision of this General Plan Amendment solely as to land under the statutory jurisdiction of the California Coastal Commission to comply with the requirements of the Commission authorized by law.

Section 15. Severability. If any provision of this measure, other than Section 1 of this measure, is declared legally invalid or unenforceable, the balance of the provisions shall remain in full force and effect.

Section 2. The propositions shall be presented and printed upon the ballot and submitted to the voters in the manner and form set out in Section 4 of this ordinance.

Section 3. The polls for this Special Municipal Election shall be open at 7 a.m. (local time) on June 7, 1994, and remain open continuously until 8 p.m. (local time) on the same day at which time the polls shall be closed, except as provided in section 14301 of the Elections Code of the State of California.

Section 4. Since this election is being consolidated with the statewide primary election, and since the City Clerk of The City of San Diego is hereby authorized to canvass returns of this election, and since only one form of ballot is authorized, the method of voting upon the propositions shall be as provided in the Elections Code of the State of California; and, on the ballots to be used at this Special Municipal Election, in addition to any other matters required by law, there shall be printed substantially the following:

PROPOSITION ____ AMENDS THE CHARTER OF THE CITY OF SAN DIEGO BY AMENDING SECTION 12 PERTAINING TO COUNCIL VACANCIES.

Shall Section 12 of the Charter of The City of San Diego pertaining to filling Council vacancies be amended to read as follows:

(h) If a vacancy occurs for any reason in the office of a Council District, the procedures set forth in Charter section 12(h) shall be followed:

(1) If the vacancy occurs for any reason other than a successful recall election, and,

(A) If the vacancy occurs with one (1) year or less remaining in the term, the Council shall appoint a person to fill the vacant seat on the City Council. Any person appointed by the Council to fill a vacant Council District seat shall not be eligible to run for that office for the next succeeding term; or,

(B) If the vacancy occurs with more than one (1) year remaining in the term, the Council shall call a special election to be held within ninety (90) days of the vacancy, unless there is a regular municipal or statewide election scheduled to be held within 180 days of the vacancy. If there is a regular municipal or statewide election scheduled to be held within 180 days of the vacancy, the Council may consolidate the special election with that regular election.

(i) If one candidate receives the majority of votes cast for all candidates in the special election, the candidate receiving the majority of votes cast shall be deemed to be and declared by the Council to be elected to the vacant office.

(ii) If no candidate receives a majority of votes cast in the special election, a special run-off election shall be held within forty-nine (49) days of the first special election, unless there is a regular municipal or

statewide election scheduled to be held within ninety (90) days of the proposed special run-off election date, at which time the City Council may consolidate the special run-off election with that regular election. The two (2) candidates receiving the highest number of votes cast for the vacant seat in the first special election shall be the only candidates for the vacant Council seat and the names of only those two (2) candidates shall be printed on the ballot for that seat.

(2) If a vacancy occurs by reason of a successful recall election, the Council shall adopt procedures to fill the vacancy.

YES

NO

regular municipal or statewide election scheduled to be held within 180 days of the vacancy. If there is a regular municipal or statewide election scheduled to be held within 180 days of the vacancy, the Council may consolidate the special election with that regular election.

(i) If one candidate receives the majority of votes cast for all candidates in the special election, the candidate receiving the majority of votes cast shall be deemed to be and declared by the Council to be elected to the vacant office.

(ii) If no candidate receives a majority of votes cast in the special election, a special run-off election shall be held within forty-nine (49) days of the first special election, unless there is a regular municipal or

statewide election scheduled to be held within ninety (90) days of the proposed special run-off election date, at which time the City Council may consolidate the special run-off election with that regular election. The two (2) candidates receiving the highest number of votes cast for the vacant seat in the first special election shall be the only candidates for the vacant Council seat and the names of only those two (2) candidates shall be printed on the ballot for that seat.

(2) If a vacancy occurs by reason of a successful recall election, the Council shall adopt procedures to fill the vacancy.

Whether a person is appointed or elected to fill a vacant Council District seat, whatever the reason for the vacancy, that person shall serve as that District's Councilmember for the remainder of the unexpired term.

For purposes of Charter section 12(h), a vacancy may result from death, resignation, recall, or unexcused absences as described in Charter section 12(i). If vacancy occurs by reason of a resignation, the date of the vacancy will be the date specified in the written letter of resignation or, if there is no date certain specified in the letter, upon the date of receipt of the letter by the City Clerk.

This proposition also contains house-keeping amendments to alphabetize the paragraphs in Section 12.

NO

PROPOSITION ____ AMENDS THE CITY OF SAN DIEGO'S PROGRESS GUIDE AND GENERAL PLAN BY IMPOSING DEVELOPMENT CONTROLS AND CHANGING THE DESIGNATION OF THE NORTH CITY FUTURE URBANIZING AREA.

Shall the Progress Guide and General Plan for the City of San Diego be amended to

- (1) impose certain conditions on future development, and
- (2) provide for a change in designation from "future urbanizing" to "planned urbanizing"

on land in what is now the North City Future Urbanizing Area of the City. The conditions imposed on future development shall include:

- (a) Completion of environmental review required by the California Environmental Quality Act.
- (b) Approval by the City Council of a financing plan to fund completion of State Route 56.
- (c) Approval of school facilities financing plans.
- (d) Approval by the City Council of public facilities financing and phasing plans requiring pro-rata funding by new development.
- (e) Establishment of a maximum of 17,500 residential units, and a minimum allowable 14,780 residential units, with at least 10% of the residential units being affordable housing.
- (f) Preservation of a minimum of 6,000 acres of open space in an Environmental Tier.
- (g) Consistency with a multiple species conservation program, if adopted.
- (h) Preparation of detailed Subarea Plans prior to development.
- (i) Preparation of traffic plans which provide for mitigation of traffic impacts on contiguous communities.
- (j) Compliance with the California Coastal Act where applicable.

YES

NO

on land in what is now the North City Future Urbanizing Area of the City. The conditions imposed on future development shall include:

- (a) Completion of environmental review required by the California Environmental Quality Act.
- (b) Approval by the City Council of a financing plan to fund completion of State Route 56.
- (c) Approval of school facilities financing plans.
- (d) Approval by the City Council of public facilities financing and phasing plans requiring pro-rata funding by new development.
- (e) Establishment of a maximum of 17,500 residential units, and a minimum allowable 14,780 residential units, with at least 10% of the residential units being affordable housing.
- (f) Preservation of a minimum of 6,000 acres of open space in an Environmental Tier.
- (g) Consistency with a multiple species conservation program, if adopted.
- (h) Preparation of detailed Subarea Plans prior to development.
- (i) Preparation of traffic plans which provide for mitigation of traffic impacts on contiguous communities.
- (j) Compliance with the California Coastal Act where applicable.

This proposition contains a clause which provides that the change in designation will remain in effect if any other provision is declared unenforceable.

	YES
	NO

Section 5. An appropriate mark placed in the voting square after the word "YES," shall be counted in favor of the adoption of the propositions. An appropriate mark placed in the voting square after the word "NO," in the manner hereinbefore provided shall be counted against the adoption of the propositions.

Section 6. The Special Municipal Election called for June 7, 1994, in The City of San Diego is hereby ordered consolidated with the statewide primary election to be held on the same date. Within the City of San Diego precincts, polling places and officers of the election for the special municipal election shall be the same as those provided for the statewide primary election.

Section 7. The Registrar of Voters of the County of San Diego is hereby authorized to canvass the returns of the special municipal election and these elections shall be held in all respects as if there were only one election, and within the City only one form of ballot shall be used. The City Clerk shall certify the results of the canvass of the returns of this special municipal election to the Council of The City of San Diego which shall then declare the results of the election.

Section 8. The propositions submitted by this ordinance shall be designated on the ballot by a letter printed on the left margin of the square containing the description of the measure as provided in section 10219 of the Elections Code of the State of California.

Section 9. Except as otherwise provided in this ordinance, the special municipal election shall be conducted as provided by law for other municipal elections of the City.

Section 10. The City Clerk shall cause this ordinance to be published once in the official newspaper. No other notice of the election need be given.

Section 11. Pursuant to section 17 of the Charter, this ordinance relating to elections shall take effect on March 08, 1994, being the day of its introduction and passage.

Passed and adopted by the Council of The City of San Diego on March 8, 1994 by the following vote:

Proposition pertaining to filling Council Vacancies:

YEAS: Mathis, Roberts, Kehoe, Stevens, Warden, McCarty, Mayor Golding.

NAYS: Vargas.

NOT PRESENT: Stallings.

AUTHENTICATED BY: **SUSAN GOLDING**
Mayor of The City of San Diego, California

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

(Seal)

By: RHONDA R. BARNES, Deputy

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of ORDINANCE NO. 0-18050 (New Series) of The City of San Diego, California.

I FURTHER CERTIFY that said ordinance was passed on the day of its introduction, to wit, on March 8, 1994, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

Passed and adopted by the Council of The City of San Diego on March 8, 1994 by the following vote:

Proposition pertaining to the FUA:

YEAS: Mathis, Roberts, Stevens, Warden, McCarty, Vargas.

NAYS: Kehoe, Mayor Golding.

NOT PRESENT: Stallings.

AUTHENTICATED BY: **SUSAN GOLDING**
Mayor of The City of San Diego, California

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

(Seal)

By: RHONDA R. BARNES, Deputy

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of ORDINANCE NO. 0-18050 (New Series) of The City of San Diego, California.

I FURTHER CERTIFY that said ordinance was passed on the day of its introduction, to wit, on March 8, 1994, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

(A) If the vacancy occurs with
 e (1) year or less remaining in the term,
 Council shall appoint a person to fill
 a vacant seat on the City Council. Any
 person appointed by the Council to fill a
 vacant Council District seat shall not be
 eligible to run for that office for the
 next succeeding term; or,

(B) If the vacancy occurs with
 more than one (1) year remaining in the
 term, the Council shall call a special
 election to be held within ninety (90)
 days of the vacancy, unless there is a
 regular municipal or statewide election
 scheduled to be held within 180 days of
 the vacancy. If there is a regular
 municipal or statewide election scheduled
 to be held within 180 days of the vacancy,
 the Council may consolidate the special
 election with that regular election.

(i) If one candidate
 receives the majority of votes cast for
 all candidates in the special election,
 the candidate receiving the majority of
 votes cast shall be deemed to be and
 declared by the Council to be elected
 to the vacant office.

(ii) If no candidate
 receives a majority of votes cast in
 the special election, a special run-off
 election shall be held within forty-nine
 (49) days of the first special election,
 unless there is a regular municipal or

statewide election scheduled to be held
 within ninety (90) days of the proposed
 special run-off election date, at which
 time the City Council may consolidate
 the special run-off election with that
 regular election. The two (2) candidates
 receiving the highest number of votes
 cast for the vacant seat in the first
 special election shall be the only
 candidates for the vacant Council seat
 and the names of only those two (2)
 candidates shall be printed on the
 ballot for that seat.

(2) If a vacancy occurs by reason
 of a successful recall election, the
 Council shall adopt procedures to fill
 the vacancy.

Whether a person is appointed or
 elected to fill a vacant Council
 District seat, whatever the reason for
 the vacancy, that person shall serve as
 that District's Councilmember for the
 remainder of the unexpired term.

For purposes of Charter section
 2(h), a vacancy may result from death,
 resignation, recall, or unexcused
 absences as described in Charter
 section 12(i). If vacancy occurs by
 reason of a resignation, the date of
 the vacancy will be the date specified
 in the written letter of resignation
 or, if there is no date certain specified in

the written letter of resignation, a
 mandatory affordable housing program for each Subarea, including standards for defining "affordable
 housing," for whom it should be provided, and where it should be located, will be established by the City
 Council. In the event the City Council adopts a mandatory affordable housing program applicable to the
 City generally, such program shall take precedence over the Subarea Plan programs, except to the
 extent a developer has relied upon a Subarea Plan program. Any affordable housing units provided
 within the North City Future Urbanizing Area shall be counted against the residential density limitation in
 this section.

Section 7. Environmental Tier. An Environmental Tier, consisting of not less than 6,000 acres
 within the approximately 12,200-acre North City Future Urbanizing Area, has been identified for open
 space, habitat preservation, parks, and recreation areas, to protect sensitive habitat, natural
 resources, and wildlife corridors, while providing recreational opportunities for both residents of the City
 and regional visitors. The Environmental Tier shall be an integral component of a regional open space
 system. The Environmental Tier shall contain Effective Wildlife Corridors for the movement of wildlife
 through the Environmental Tier to and from the Los Penasquitos Canyon Preserve, Black Mountain
 Park, and San Dieguito River Valley Regional Open Space Park. The City Council shall establish
 mechanisms to safeguard the lands in the Environmental Tier through measures which may include
 dedication, purchase, or conveyance to a public agency or non-profit land trust, deed restrictions, or
 other mechanisms acceptable to the City. No Development within the North City Future Urbanizing Area
 shall occur unless the City Council determines that such Development is not in conflict with the
 provisions of this section regarding safeguarding the Environmental Tier. Not less than 5,000 acres, but
 not more than 5,650 acres, of the Environmental Tier shall be safeguarded as resource based open
 space, which includes habitat protection, biological buffer, and transition open space, but excludes golf
 course and park uses. The minimum and maximum resource based open space safeguarded within each
 individual Subarea shall be:

<u>Minimum Resource Based Open Space</u>		<u>Maximum Resource Based Open Space</u>	
Subarea I	2,025 acres	Subarea I	2,105 acres
Subarea II	370 acres	Subarea II	580 acres
Subarea III	1,250 acres	Subarea III	1,300 acres
Subarea IV	240 acres	Subarea IV	265 acres
Subarea V	1,115 acres	Subarea V	1,400 acres

The maximum resource based open space acreage described in this section shall not preclude
 any public, non-profit, or private agency or entity from purchasing additional land for resource based
 open space within the North City Future Urbanizing Area from property owners willing to sell such land.
 The remaining acreage to complete the Environmental Tier acreage shall be designated as urban/natural
 amenity open space, which includes golf courses, parks, reservoirs, and other urban/natural amenity
 open space uses. No Development, except for public or recreational uses, utilities (including
 telecommunications), roads, or other facilities or uses permitted in the Framework Plan, as may be
 subsequently amended by the City Council, shall be allowed within the Environmental Tier.

Section 8. Multiple Species Conservation Program. Nothing in this General Plan
 Amendment shall be construed as exempting any portion of the North City Future Urbanizing Area from
 any legally applicable requirements of a multiple species conservation program, if and when a multiple
 species conservation program is adopted by the San Diego City Council. In that event, the
 Environmental Tier shall be included within the land subject to a multiple species conservation program
 and recognized as contributing environmental mitigation sought to be achieved in any multiple species
 conservation program, or in any other regional habitat preservation program.

NO

shall occur unless the City Council determines that such Development is not in conflict with the provisions of this section regarding safeguarding the Environmental Tier. Not less than 5,000 acres, but not more than 5,650 acres, of the Environmental Tier shall be safeguarded as resource based open space, which includes habitat protection, biological buffer, and transition open space, but excludes golf course and park uses. The minimum and maximum resource based open space safeguarded within each individual Subarea shall be:

<u>Minimum Resource Based Open Space</u>		<u>Maximum Resource Based Open Space</u>	
Subarea I	2,025 acres	Subarea I	2,105 acres
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Subarea III	1,250 acres	Subarea III	1,300 acres
Subarea IV	240 acres	Subarea IV	265 acres
Subarea V	1,115 acres	Subarea V	1,400 acres

The maximum resource based open space acreage described in this section shall not preclude any public, non-profit, or private agency or entity from purchasing additional land for resource based open space within the North City Future Urbanizing Area from property owners willing to sell such land. The remaining acreage to complete the Environmental Tier acreage shall be designated as urban/natural amenity open space, which includes golf courses, parks, reservoirs, and other urban/natural amenity open space uses. No Development, except for public or recreational uses, utilities (including telecommunications), roads, or other facilities or uses permitted in the Framework Plan, as may be subsequently amended by the City Council, shall be allowed within the Environmental Tier.

Section 8. Multiple Species Conservation Program. Nothing in this General Plan Amendment shall be construed as exempting any portion of the North City Future Urbanizing Area from any legally applicable requirements of a multiple species conservation program, if and when a multiple species conservation program is adopted by the San Diego City Council. In that event, the Environmental Tier shall be included within the land subject to a multiple species conservation program and recognized as contributing environmental mitigation sought to be achieved in any multiple species conservation program, or in any other regional habitat preservation program.

Section 9. Preparation of Subarea Plans. Approval of Subarea Plans for individual Subareas shall be adopted by the City Council after approval of this General Plan amendment, except that in Subarea II plans for individual parcels that meet Subarea Plan standards, insofar as practical for such parcels, may be prepared. Subarea Plans may be adopted by the City Council at different times. No Development, tentative maps, or rezonings within the North City Future Urbanizing Area shall be approved unless such Development, tentative maps, or rezonings are consistent with an adopted Subarea Plan, or in Subarea II an approved development plan, or a plan for other Development as permitted by Section 12 of this General Plan amendment.

Section 10. Protections for Contiguous Communities. No Development in a Subarea within the North City Future Urbanizing Area shall occur until the City Council approves a traffic analysis and phasing plan for that Subarea, or development parcel in the case of Subarea II. Any traffic analysis and phasing plan shall provide mitigation for the traffic impacts on communities contiguous to the North City Future Urbanizing Area created by the Development in each Subarea, or development parcel in the case of Subarea II. For purposes of this Section 10, the term "mitigation" shall mean the implementation of reasonable measures designed to alleviate traffic impacts in a manner consistent with the transportation elements set forth in the Community Plans of those contiguous communities in effect on June 7, 1994, or as may be subsequently amended by the City.

Section 11. Definitions. For purposes of this General Plan Amendment, the following words and phrases shall have the following meaning:

- a. "City" shall mean the City of San Diego.
- b. "Framework Plan" shall mean that document entitled "Framework Plan for the North City Future Urbanizing Area" adopted by the City Council on October 1, 1992, as amended on October 26, 1993.
- c. "North City Future Urbanizing Area" shall mean that land area officially classified as being within the North City Future Urbanizing Area on October 1, 1992, the date of the adoption of the Framework Plan.
- d. "General Plan" shall mean the Progress Guide and General Plan of the City of San Diego.
- e. "Subarea" shall mean any one of the five planning areas within the North City Future Urbanizing Area identified as a Subarea in the Framework Plan.
- f. "Development" shall mean the issuance of building permits for the construction of residential, commercial, or other structures.
- g. "Effective Wildlife Corridors" shall mean land within the Environmental Tier of a width which provides sufficient resource based open space necessary for recurring animal movement, taking into account human activity which is permitted in or around such space. "Effective Wildlife Corridors" may include necessary crossings within the Environmental Tier which may be practicably constructed, taking into account environmental needs, costs, and other pertinent factors.

Section 12. Effect on Existing Development Limitations. Notwithstanding any provision of this General Plan amendment which would otherwise affect Development, this amendment shall not affect Development or discretionary entitlements which were authorized prior to the enactment of this General Plan amendment by the City, the City Municipal Code, or the Framework Plan. Residential units constructed by operation of this Section shall be counted against the residential density limitations in Section 6 of this General Plan amendment.

Section 13. Framework Plan. Nothing in this General Plan Amendment is intended to be an initiative or referendum enacting or ratifying the Framework Plan. The Framework Plan, as may be subsequently amended by the City Council, shall continue to apply to and serve as the general policy document guiding preparation of individual Subarea Plans and school facilities financing master plan.

Section 14. Compliance with California Coastal Act. The City Council may modify any provision of this General Plan Amendment solely as to land under the statutory jurisdiction of the California Coastal Commission to comply with the requirements of the Commission authorized by law.

Section 15. Severability. If any provision of this measure, other than Section 1 of this measure, is declared legally invalid or unenforceable, the balance of the provisions shall remain in full force and effect.

Section 2. The propositions shall be presented and printed upon the ballot and submitted to the voters in the manner and form set out in Section 4 of this ordinance.

Section 3. The polls for this Special Municipal Election shall be open at 7 a.m. (local time) on June 7, 1994, and remain open continuously until 8 p.m. (local time) on the same day at which time the polls shall be closed, except as provided in section 14301 of the Elections Code of the State of California.

Section 4. Since this election is being consolidated with the statewide primary election, and since the City Clerk of The City of San Diego is hereby authorized to canvass returns of this election, and since only one form of ballot is authorized, the method of voting upon the propositions shall be as provided in the Elections Code of the State of California; and, on the ballots to be used at this Special Municipal Election, in addition to any other matters required by law, there shall be printed substantially the following:

PROPOSITION ____ AMENDS THE CHARTER OF THE CITY OF SAN DIEGO BY AMENDING SECTION 12 PERTAINING TO COUNCIL VACANCIES.

Shall Section 12 of the Charter of The City of San Diego pertaining to filling Council vacancies be amended to read as follows:

(h) If a vacancy occurs for any reason in the office of a Council District, the procedures set forth in Charter section 12(h) shall be followed:

(1) If the vacancy occurs for any reason other than a successful recall election, and,

YES

Section 2. The propositions shall be presented and printed upon the ballot and submitted to the voters in the manner and form set out in Section 4 of this ordinance.

Section 3. The polls for this Special Municipal Election shall be open at 7 a.m. (local time) on June 7, 1994, and remain open continuously until 8 p.m. (local time) on the same day at which time the polls shall be closed, except as provided in section 14301 of the Elections Code of the State of California.

Section 4. Since this election is being consolidated with the statewide primary election, and since the City Clerk of The City of San Diego is hereby authorized to canvass returns of this election, and since only one form of ballot is authorized, the method of voting upon the propositions shall be as provided in the Elections Code of the State of California; and, on the ballots to be used at this Special Municipal Election, in addition to any other matters required by law, there shall be printed substantially the following:

PROPOSITION _____ AMENDS THE CHARTER OF THE CITY OF SAN DIEGO BY AMENDING SECTION 12 PERTAINING TO COUNCIL VACANCIES.

shall Section 12 of the Charter of The City of San Diego pertaining to filling Council vacancies be amended to read as follows:

h) If a vacancy occurs for any reason in the office of a Council District, the procedures set forth in Charter section 12(h) shall be followed:

(1) If the vacancy occurs for any reason other than a successful recall election, and,

YES

~~Council members.~~

~~Except as otherwise provided in this paragraph, in the event a vacancy occurs for any reason in the office of a Council District, the Council shall immediately cause an election to be held to fill such vacancy solely in the district in which the vacancy occurred. Such election shall be conducted within ninety (90) days of the vacancy. The candidate receiving the greatest number of votes shall be deemed to be and declared by the Council to be elected to the vacant office. If, however, a vacancy occurs for any reason in the office of a Council District within 100 days of an upcoming regular municipal election, the Council may in its discretion forgo the election process and fill the vacancy by appointment. Any person who fills the vacancy shall hold office only until the next regular municipal election, at which time a person shall be elected under the provisions of Section 10 of this Charter to serve for the remainder, if any, of the unexpired term.~~

~~(h) If a vacancy occurs for any reason in the office of a Council District, the procedures set forth in Charter section 12(h) shall be followed:~~

~~(1) If the vacancy occurs for any reason other than a successful recall election, and,~~

~~(A) If the vacancy occurs with one (1) year or less remaining in the term, the Council shall appoint a person to fill the vacant seat on the City Council. Any person appointed by the Council to fill a vacant Council District seat shall not be eligible to run for that office for the next succeeding term;~~

~~or~~
~~(B) If the vacancy occurs with more than one (1) year remaining in the term, the Council shall call a special election to be held within ninety (90) days of the vacancy, unless there is a regular municipal or statewide election scheduled to be held within 180 days of the vacancy. If there is a regular municipal or statewide election scheduled to be held within 180 days of the vacancy, the Council may consolidate the special election with that regular election.~~

~~(i) If one candidate receives the majority of votes cast for all candidates in the special election, the candidate receiving the majority of votes cast shall be deemed to be and declared by the Council to be elected to the vacant office.~~

~~(ii) If no candidate receives a majority of votes cast in the special election, a special run-off election shall be held within forty-nine (49) days of the first special election, unless there is a regular municipal or statewide election scheduled to be held within ninety (90) days of the proposed special run-off election date, at which time the City Council may consolidate the special run-off election with that regular election. The two (2) candidates receiving the highest number of votes cast for the vacant seat in the first special election shall be the only candidates for the vacant Council seat and the names of only those two (2) candidates shall be printed on the ballot for that seat.~~

~~(2) If a vacancy occurs by reason of a successful recall election, the Council shall adopt procedures to fill the vacancy.~~

~~Whether a person is appointed or elected to fill a vacant Council District seat, whatever the reason for the vacancy, that person shall serve as that District's Councilmember for the remainder of the unexpired term.~~

~~For purposes of Charter section 12(h), a vacancy may result from death, resignation, recall, or unexcused absences as described in Charter section 12(i). If vacancy occurs by reason of a resignation, the date of the vacancy will be the date specified in the written letter of resignation or, if there is no date certain specified in the letter, upon the date of receipt of the letter by the City Clerk.~~

~~(i) It is the duty of the Council members to attend all Council meetings. The Council shall vacate the seat of any Councilmember who is absent from eight (8) consecutive meetings or fifty percent (50%) of any scheduled meetings within a month unless the absence thereof is excused by resolution of the Council.~~

~~(j) Council members, including the Mayor, shall devote full time to the duties of their office and not engage in any outside employment, trade, business or profession which interferes or conflicts with those duties.~~

~~(k) Council members shall not be eligible during the term for which they were appointed or elected to hold any other office or employment with the City, except as Mayor or City Attorney and as a member of any Board, Commission or Committee thereof, of which they are constituted such a member by general law or by this Charter.~~

PROPOSITION _____

Amends the Progress Guide and General Plan for The City of San Diego to read as follows:

GENERAL PLAN AMENDMENT IMPOSING CONDITIONS ON FUTURE DEVELOPMENT AND PROVIDING FOR A CHANGE IN DESIGNATION FROM FUTURE URBANIZING TO PLANNED URBANIZING FOR LAND IN THE NORTH CITY FUTURE URBANIZING AREA IN THE CITY OF SAN DIEGO

WHEREAS, in 1979 the City Council adopted a General Plan, which was designed to provide planning guidance until the year 1995, and in that General Plan identified certain lands as urban reserve and designated those lands as Future Urbanizing; and

WHEREAS, in 1985 the voters of the City adopted the Managed Growth Initiative - Proposition A - which required a vote of the people to change the designation of lands from Future Urbanizing to Planned Urbanizing; and

WHEREAS, in 1992 a Citizens' Advisory Committee on the North City Future Urbanizing Area made recommendations to the City Council and, on October 1, 1992, the City Council adopted a Framework Plan for the North City Future Urbanizing Area as an amendment to the General Plan; and

WHEREAS, on October 1, 1992, the City Council also resolved that the recommendations of the Citizens' Advisory Committee be reviewed and considered in connection with the planning of the North City Future Urbanizing Area; and

WHEREAS, the General Plan provides for the shift of land from Future Urbanizing to Planned Urbanizing "as planned communities are built out or as opportunities to implement the balanced housing or land use goals of the City arise;" and

WHEREAS, the Framework Plan provided that the City Council shall place a General Plan amendment on the June 1994 ballot following approval of submitted Subarea Plans, and the City Council has amended the Framework Plan and General Plan to allow the phase shift to precede the completion of

redesignated the date of the vacancy, until the date of receipt of the letter by the City Clerk.

(i) It is the duty of the Council members to attend all Council meetings. The Council shall vacate the seat of any Councilmember who is absent from eight (8) consecutive meetings or fifty percent (50%) of any scheduled meetings within a month unless the absence thereof is excused by resolution of the Council.

(j) Council members, including the Mayor, shall devote full time to the duties of their office and not engage in any outside employment, trade, business or profession which interferes or conflicts with those duties.

(k) Council members shall not be eligible during the term for which they were appointed or elected to hold any other office or employment with the City, except as Mayor or City Attorney and as a member of any Board, Commission or Committee thereof, of which they are constituted such a member by general law or by this Charter.

PROPOSITION

Amends the Progress Guide and General Plan for The City of San Diego to read as follows:

GENERAL PLAN AMENDMENT IMPOSING CONDITIONS ON FUTURE DEVELOPMENT AND PROVIDING FOR A CHANGE IN DESIGNATION FROM FUTURE URBANIZING TO PLANNED URBANIZING FOR LAND IN THE NORTH CITY FUTURE URBANIZING AREA IN THE CITY OF SAN DIEGO

WHEREAS, in 1979 the City Council adopted a General Plan, which was designed to provide planning guidance until the year 1995, and in that General Plan identified certain lands as urban reserve and designated those lands as Future Urbanizing; and

WHEREAS, in 1985 the voters of the City adopted the Managed Growth Initiative - Proposition A - which required a vote of the people to change the designation of lands from Future Urbanizing to Planned Urbanizing; and

WHEREAS, in 1992 a Citizens' Advisory Committee on the North City Future Urbanizing Area made recommendations to the City Council and, on October 1, 1992, the City Council adopted a Framework Plan for the North City Future Urbanizing Area as an amendment to the General Plan; and

WHEREAS, on October 1, 1992, the City Council also resolved that the recommendations of the Citizens' Advisory Committee be reviewed and considered in connection with the planning of the North City Future Urbanizing Area; and

E. WHEREAS, the General Plan provides for the shift of land from Future Urbanizing to Planned Urbanizing "as planned communities are built out or as opportunities to implement the balanced housing or land use goals of the City arise;" and

WHEREAS, the Framework Plan provided that the City Council shall place a General Plan amendment on the June 1994 ballot following approval of submitted Subarea Plans, and the City Council has amended the Framework Plan and General Plan to allow the phase shift to precede the completion of the Subarea Plans; and

WHEREAS, proposals for the North City Future Urbanizing Area currently exist which could provide for funding of completion of State Route 56 within the North City Future Urbanizing Area, a link between I-15 and I-5; create more than 6,800 new jobs; provide in excess of \$1 billion in additional business activity within the City; provide new diverse housing opportunities; and provide at least 6,000 acres of land for open space and recreation purposes; and

WHEREAS, new jobs, increased economic activity, more diverse housing opportunities, additional open space and recreational areas, and funding for the missing portion of State Route 56 are clearly of benefit to the City; and

WHEREAS, to acquire these benefits at this time it is necessary to change the designation of the North City Future Urbanizing Area from Future Urbanizing to Planned Urbanizing; and

WHEREAS, to ensure the new development is environmentally sensitive, it is necessary for the voters to impose the following conditions on new development in the North City Future Urbanizing Area.

NOW, THEREFORE, THE GENERAL PLAN IS HEREBY AMENDED AS FOLLOWS:

Section 1. Change in Designation. All land within the North City Future Urbanizing Area is hereby changed in designation from Future Urbanizing to Planned Urbanizing and the Phased Development Areas Map of the General Plan is hereby revised to change the designation of the North City Future Urbanizing Area from Future Urbanizing to Planned Urbanizing.

Section 2. Mandatory Environmental Review. No Development in a Subarea within the North City Future Urbanizing Area shall be approved unless environmental review has been completed as required by the California Environmental Quality Act.

Section 3. Finance Construction of State Route 56. No Development within the North City Future Urbanizing Area shall occur until the City Council approves a financing plan for funding of completion of State Route 56 within the North City Future Urbanizing Area.

Section 4. Finance Construction of Schools. No Development in a Subarea within the North City Future Urbanizing Area shall occur until a school facilities financing master plan is approved for the timely funding of acquisition of sites and construction of schools and reasonably related facilities made necessary by that new Development in the Subarea. This requirement shall be a provision of Subarea Plans.

Section 5. Finance Construction of Public Facilities. No Development within the North City Future Urbanizing Area shall occur until the City Council approves a public facilities financing and phasing plan which requires the new Development to fund its pro rata share of construction of police stations, fire stations, libraries, roads, parks, and other public facilities made necessary by that new Development. The facilities financing and phasing plan shall include an advancement of funds in its early phases to acquire options, at fair market value, to purchase land in the North City Future Urbanizing Area that is referred to as the Del Mar Mesa Acquisition Area.

Section 6. Residential Density Limits. No Development shall be approved which would cause the total density of residential development within the entire North City Future Urbanizing Area to exceed 17,500 units, which is an overall average density within the entire North City Future Urbanizing Area of less than 1.5 dwelling units per acre. The City Council shall not reduce the allowable density of residential development within the entire North City Future Urbanizing Area to below 14,780 units. The residential density within individual Subareas shall be established at the time of Subarea Plan review and

Please turn to next Page

VOTERS OF THE CITY OF SAN DIEGO ONE PROPOSITION AMENDING THE CHARTER OF THE CITY OF SAN DIEGO BY AMENDING CHARTER SECTION 12; AND ONE PROPOSITION AMENDING THE PROGRESS GUIDE AND GENERAL PLAN FOR THE CITY OF SAN DIEGO TO REDESIGNATE CERTAIN PARCELS OF LAND FROM "FUTURE URBANIZING" TO "PLANNED URBANIZING"; AND CONSOLIDATING SAID SPECIAL MUNICIPAL ELECTION WITH THE STATEWIDE ELECTION TO BE HELD IN SAID CITY ON JUNE 7, 1994.

WHEREAS, the City Council desires to submit to the voters one proposition amending the Charter of The City of San Diego by amending Charter section 12 pertaining to filling Council vacancies; and

WHEREAS, the City Council finds that it is appropriate for the voters to now determine whether a change in designation of lands in the North City Future Urbanizing Area should be approved; therefore, the Council hereby waives those portions of Council Policies 600-29 and 600-30 relating to General Plan amendments in the Future Urbanizing Area; and

WHEREAS, the calling and ordering of an election is not a project subject to the requirements of the California Environmental Quality Act ("CEQA"), pursuant to CEQA Guidelines 15378(b)(4); and

WHEREAS, the City Council is authorized under Charter section 23 and San Diego Municipal Code section 27.2501 to place on the ballot any legislative act; and

WHEREAS, both the proposed Charter amendment and General Plan amendment set forth in this ordinance are legislative acts; NOW, THEREFORE,

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. A special municipal election is hereby called and ordered to be held in the City of San Diego, California, on June 7, 1994, and pursuant to Section 223 of the Charter of The City of San Diego, Section 3(b) of Article XI of the Constitution of the State of California, Sections 34450 and 34458 of the California Government Code, all dealing with Charter amendments, and pursuant to Section 23 of the Charter of The City of San Diego and Section 27.2501 of the San Diego Municipal Code, the Council of The City of San Diego hereby calls and orders a special municipal election to be held in the City

Urbanizing Area shall occur until the City Council approves a public facilities financing and phasing plan which requires the new Development to fund its pro rata share of construction of police stations, fire stations, libraries, roads, parks, and other public facilities made necessary by that new Development.

Section 4. **Finance Construction of Schools.** No Development in a Subarea within the North City Future Urbanizing Area shall occur until a school facilities financing master plan is approved for the timely funding of acquisition of sites and construction of schools and reasonably related facilities made necessary by that new Development in the Subarea. This requirement shall be a provision of Subarea Plans.

Section 5. **Finance Construction of Public Facilities.** No Development within the North City Future Urbanizing Area shall occur until the City Council approves a public facilities financing and phasing plan which requires the new Development to fund its pro rata share of construction of police stations, fire stations, libraries, roads, parks, and other public facilities made necessary by that new Development. The facilities financing and phasing plan shall include an advancement of funds in its early phases to acquire options, at fair market value, to purchase land in the North City Future Urbanizing Area that is referred to as the Del Mar Mesa Acquisition Area.

Section 6. **Residential Density Limits.** No Development shall be approved which would cause the total density of residential development within the entire North City Future Urbanizing Area to exceed 17,500 units, which is an overall average density within the entire North City Future Urbanizing Area of less than 1.5 dwelling units per acre. The City Council shall not reduce the allowable density of residential development within the entire North City Future Urbanizing Area to below 14,780 units. The residential density within individual Subareas shall be established at the time of Subarea Plan review and

Please turn to next Page

1994, FOR THE PURPOSES OF
**VOTERS OF THE CITY OF SAN DIEGO ONE PROPOSITION AMENDING
THE CHARTER OF THE CITY OF SAN DIEGO BY AMENDING CHARTER
SECTION 12; AND ONE PROPOSITION AMENDING THE PROGRESS
GUIDE AND GENERAL PLAN FOR THE CITY OF SAN DIEGO TO
REDESIGNATE CERTAIN PARCELS OF LAND FROM "FUTURE
URBANIZING" TO "PLANNED URBANIZING"; AND CONSOLIDATING
SAID SPECIAL MUNICIPAL ELECTION WITH THE STATEWIDE
ELECTION TO BE HELD IN SAID CITY ON JUNE 7, 1994.**

WHEREAS, the City Council desires to submit to the voters one proposition amending the Charter of The City of San Diego by amending Charter section 12 pertaining to filling Council vacancies; and

WHEREAS, the City Council finds that it is appropriate for the voters to now determine whether a change in designation of lands in the North City Future Urbanizing Area should be approved; therefore, the Council hereby waives those portions of Council Policies 600-29 and 600-30 relating to General Plan amendments in the Future Urbanizing Area; and

WHEREAS, the calling and ordering of an election is not a project subject to the requirements of the California Environmental Quality Act ("CEQA"), pursuant to CEQA Guidelines 15378(b)(4); and

WHEREAS, the City Council is authorized under Charter section 23 and San Diego Municipal Code section 27.2501 to place on the ballot any legislative act; and

WHEREAS, both the proposed Charter amendment and General Plan amendment set forth in this ordinance are legislative acts; NOW, THEREFORE,

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. A special municipal election is hereby called and ordered to be held in the City of San Diego, California, on June 7, 1994, and pursuant to Section 223 of the Charter of The City of San Diego, Section 3(b) of Article XI of the Constitution of the State of California, Sections 34450 and 34458 of the California Government Code, all dealing with Charter amendments, and pursuant to Section 23 of the Charter of The City of San Diego and Section 27.2501 of the San Diego Municipal Code, the Council of The City of San Diego, being the City's legislative body, hereby submits to the qualified voters of the City at such special municipal election the following propositions:

PROPOSITION

Amend Section 12 of the Charter of The City of San Diego to read as follows:

THE COUNCIL.

(a) The Council shall be composed of nine (9) Councilmembers, including the Mayor, and shall be the legislative body of the City, each of the members of which including the Mayor, shall have the right to vote upon all questions before it.

(b) At the municipal primary and general election in 1979, a Mayor shall be chosen by the electors for a term of five (5) years. A Mayor shall thereafter be elected for a term of four (4) years in the manner prescribed by Section 10 of this Charter. The Mayor shall hold office for the term prescribed from and after 10 a.m. the first Monday after the first day of December next succeeding the election and until a successor is elected and qualified.

(c) At the municipal primary and general elections in 1993, the Council members for Districts 1, 3, 5, and 7 shall be chosen by the electors for a term of three (3) years. Council members for Districts 1, 3, 5, and 7 shall thereafter be elected for a term of four (4) years in the manner prescribed by Section 10 of this Charter.

(d) At the municipal primary and general election in 1995, Council members for Districts 2, 4, 6, and 8 shall be chosen by the electors for a term of three (3) years. Council members for Districts 2, 4, 6, and 8 shall thereafter be elected for a term of four (4) years in the manner prescribed by Section 10 of this Charter.

(e) Except as provided in this Section, Council members shall hold office for the term of four (4) years from and after 10 a.m. the first Monday after the first day of December next succeeding their election and until their successors are elected and qualified.

(f) Notwithstanding any other provision of this Charter and commencing with elections held in 1992, no person shall serve more than two consecutive four-year terms as a Council member from any particular district. If for any reason a person serves a partial term as Councilmember from a particular district in excess of two (2) years, that partial term shall be considered a full term for purposes of this term limit provision. Persons holding office prior to the November 1992 election shall not have prior or current terms be counted for the purpose of applying this term limit provision to future elections.

(g) Upon any redistricting pursuant to the provisions of this Charter, incumbent Council members will continue to represent the district in which they reside, unless as a result of such redistricting more than one incumbent Council member resides within any one district, in which case the City Council may

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ORDINANCE NUMBER O-18042 (NEW SERIES)

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 2, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING DIVISION 2 BY AMENDING SECTIONS 22.0220 AND 22.0221, AND BY REPEALING SECTIONS 22.0222, 22.0223 AND 22.0224; BY AMENDING DIVISION 7, SECTION 22.0708; BY AMENDING DIVISION 9, BY RENUMBERING SECTION 22.0902.1 TO 22.0903 AND BY AMENDING SAME; BY RENUMBERING SECTION 22.0902.2 TO 22.0904; BY AMENDING SECTION 22.0905; AND BY AMENDING DIVISION 18, SECTION 22.1801, ALL RELATING TO CHANGING THE NAME OF THE PROPERTY DEPARTMENT TO THE "REAL ESTATE ASSETS DEPARTMENT"

A complete copy of the Ordinance is available for inspection in the Office of the City Clerk of the City of San Diego, 2nd Floor, City Administration Building, 202 "C" Street, San Diego, CA 92101.

INTRODUCED ON February 22, 1994. Passed and adopted by the Council of the City of San Diego on March 7, 1994.

AUTHENTICATED BY:

SUSAN GOLDING

Mayor of The City of San Diego, CA

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, CA

(SEAL)

By ESTHER CERESO, Deputy

Pub. Mar. 22

289164

section 27.2501 to place on the ballot any legislative act; and

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Mayor of The City of San Diego, CA
CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, CA

(SEAL)

By ESTHER CEREZO, Deputy

Pub. Mar. 22

289164



This bike isn't broken. Unfortunately, its motor is busy watching television.

Each day kids spend an average of 3 hours in front of the TV and only 13 minutes in P.E. Many are obese. And nearly half exhibit heart disease risk factors. The American Council on Exercise considers this situation a time bomb!

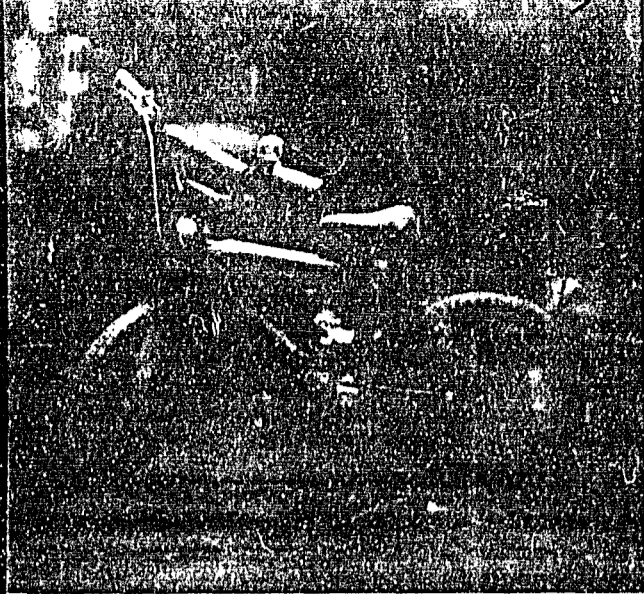
To make matters worse, budget cutbacks have forced many schools to drop P.E. In fact, 49 states no longer even require daily P.E. in grades K-12. To help bring it back, ACE has created Fun2BFit, a kids exercise program for elementary schools.

You can help too. Dust off that bike. Show kids exercise is fun and promotes a long, healthy life. And call ACE. Find out more on how you can get these young engines fired up.



A Public Service Message brought to you
by the American Council on Exercise
(800) 529-8227

The Exercise Expert.



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by the American Council on Exercise
(800) 529-8227

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