

(O-94-97)

ORDINANCE NUMBER O- 18071 (NEW SERIES)

ADOPTED ON MAY 09 1994

AN ORDINANCE INITIATING AN AMENDMENT TO THE  
PROGRESS GUIDE AND GENERAL PLAN AND THE  
MIRAMAR RANCH NORTH COMMUNITY PLAN AND  
WAIVING THE CONSOLIDATION REQUIREMENTS  
CONTAINED SAN DIEGO MUNICIPAL CODE  
SECTION 111.0704.

WHEREAS, the owner of certain property in the Miramar Ranch North Community Plan area has requested that the City Council initiate a proposed amendment to the Progress Guide and General Plan and the Miramar Ranch North Community Plan; and

WHEREAS, the proposed amendments are described in the attached Planning Department Report No. P-94-065; and


WHEREAS, the City Council wishes to proceed with the initiation and potential amendments without requiring a consolidation of the amendments with other proposed amendments to plans within the same geographical area since such consolidation would unduly delay the process; NOW, THEREFORE,

BE IT ORDAINED, by the Council of The City of San Diego, that the City Council hereby initiates an amendment to the Progress Guide and General Plan and the Miramar Ranch North Community Plan as described in the attached Planning Department Report.

BE IT FURTHER ORDAINED, that the consolidation of hearing dates requirement of Municipal Code section 111.0704 is hereby waived.

BE IT FURTHER ORDAINED, that this ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By   
Harold O. Valderhaug  
Chief Deputy City Attorney

HOV:lc  
04/12/94  
Or.Dept:Council-McCarty  
O-94-97  
Form=o+t



# Planning Department Report

CITY ATTORNEY  
APR 8 11 41 AM '94

DATE ISSUED: April 7, 1994 REPORT NO. P-94-065  
ATTENTION: Planning Commission, Agenda of April 14, 1994, Item No. 6.  
SUBJECT: INITIATION OF AN AMENDMENT TO THE PROGRESS GUIDE  
AND GENERAL PLAN AND THE MIRAMAR RANCH NORTH  
COMMUNITY PLAN.

## **SUMMARY:**

**Issue(s):** Does the proposed plan amendment meet the criteria specified in the Municipal Code for the initiation of the Land Use Plan amendment process?

**Planning Department Recommendation:** Approve the initiation of the proposed plan amendment. If initiated, the amendment would follow the procedures in "Process 5", as defined in Chapter 11 of the Municipal Code, requiring approval by the City Council.

**Environmental Impact:** If the amendment process is initiated, the plan amendment would be subject to environmental review.

**Fiscal Impact:** The owner/applicant will prepare all studies associated with the amendment. A deposit has been collected to cover the City's processing costs.

**Code Enforcement Impact:** None anticipated for this action.

**Housing Affordability Impact:** None anticipated for this action.

## **BACKGROUND:**

The Miramar Ranch North Community Plan currently consists of industrial, commercial, and residential land uses. The community plan amendment proposes the following:

- To change the community plan designation of 48 acres from industrial to residential land uses; and
- To change the land use designation of 15 acres from industrial to general commercial; and
- To change the designation of 7 acres from commercial recreation to general commercial land uses.

0-18071

The applicant, Miramar Ranch North Partnership, has proposed to eliminate 63 acres of industrial land in the Miramar Ranch North community in response to the amount of vacant industrial land in the City. The communities of Sabre Springs, Carmel Mountain Ranch, and Rancho Bernardo all have vacant industrial land and space. The developers of these I-15 Corridor communities attribute much of the vacancy rate to the larger industrial developments in Poway and Rancho Bernardo, which also have vacant space. The Miramar Ranch North Partnership, like many of the I-15 Corridor developers, believes that there is currently no market for industrial land in the corridor. Therefore, the designated industrial land is being proposed for commercial and residential development.

The amendment proposes to redesignate 22 acres of land for general commercial uses. The Miramar Ranch North Partnership is anticipating that by redesignating some of the industrial and commercial recreation land to general commercial uses a major commercial center can be developed to serve the Miramar Ranch North and Scripps Miramar Ranch residents.

In addition, the amendment proposes to convert 48 acres for residential land uses. The community plan currently anticipates a maximum of 4,402 dwelling units. The proposed amendment would allow 4,650 dwelling units to be constructed. The increase of 248 units reflects the number proposed for the community when the plan was originally adopted in 1980. In 1991, an amendment was approved that reduced the total number of dwelling units for the community from 4,650 to 4,402. The reduction of units occurred because there was not adequate space in the community to locate the units. Converting the industrial area for residential uses creates an opportunity to provide the additional units.

#### **DISCUSSION:**

Before a plan amendment can be initiated, Section 111.0703 of the Municipal Code requires that specified criteria be met. There are two levels of initiation criteria which exist within the code including **Initial Criteria** and **Supplemental Criteria**. The Planning Department does not believe that the proposed plan amendment can be initiated based on the following **Initial Criteria**:

1. The amendment is appropriate due to a mapping or textual error or omission made when the original Land Use Plan or Local Coastal Program was adopted or during subsequent amendments.
2. Denial of initiation would jeopardize the public health, safety or general welfare.
3. The amendment is appropriate due to a material change in circumstances since the adoption of a Land Use Plan or Local Coastal Program whereby denial of initiation would result in a hardship to the applicant by denying any reasonable use of the subject real property.

Section 111.0703 specifies that if any of the above **Initial Criteria** do not apply, an amendment to a Land Use Plan may be initiated if all of the **Supplemental Criteria** are met. The Planning Department believes that all of the following **Supplemental Criteria** can be met:

1. **The proposed Land Use or Local coastal Program amendment is consistent with the goals and objectives of the Progress Guide and General Plan.**

The proposed land use change is consistent with the following goals and recommendations of the residential and commercial elements and the Guidelines for Future Development from the General Plan:

- The City should "create and maintain a stable inventory of developable building sites which provide certainty that development can occur" for housing opportunities.
- The City should "establish balanced communities by providing a range of housing for all economic levels. . . ." The amendment proposes to provide a mix of housing types that will include lower-cost small lot and multi-unit dwellings.
- The City should "encourage when feasible the simultaneous development of residential and commercial uses."

In addition, the Industrial Element recommends evaluation and considering for removal "all inappropriately zoned and/or designated industrial lands from the industrial inventory."

2. **The proposed Land Use Plan or Local Coastal Program amendment appears to offer a public benefit to the community or City.**

The proposed land use change would offer a public benefit by providing a range of housing for all economic levels. The proposed amendment will increase the housing inventory within Miramar Ranch North with lower-cost small lot and multi-unit dwellings and will provide additional commercial services to the community.

3. **Public services appear to be available to serve the proposed increase in density or intensity of use.**

Public facilities were anticipated for the 4,650 dwelling units that were originally proposed for the Miramar Ranch North community, not the 4,402 units currently described in the adopted Community Plan. Further, portions of the plan area have been built below their residential limit. Therefore, public services appear to be available to accommodate the increased residential density.

4. **City staff is available to process the proposed Land Use Plan or Local Coastal Program amendment without any work being deferred on General Fund-supported programs or on-going updates.**

Planning Department staff is available to process this amendment without affecting its current work program.

Provisions of Section 111.0704 of the Zoning Ordinance and Council Policy 600-35 limit the community plan amendment hearing date for this area of the City to the first Thursday in June of each year. For this amendment, the consolidated hearing date would be in June of 1995. At the time of initiation, the Planning Commission may at its discretion declare that a proposed amendment will be exempted from the public hearing consolidation process described above if one of the following conditions apply:

1. The amendment is limited to a change in a road or street classification.
2. The amendment would revise the development standards or design guidelines of a community plan, and do not affect the type or intensity of land use designated by the plan.
3. The amendment is for a public facility, or for a public redevelopment or revitalization project of unusual significance for which application of the consolidation process would result in a unique hardship to the property owner or community.
4. The amendment responds to an emergency involving the public health, safety or general welfare.

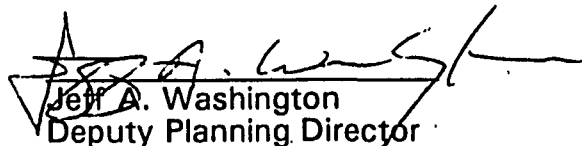
The Planning Department believes that the proposed amendment does not meet the necessary criteria for waiver of the consolidation hearing date.

In summary, the Planning Department recommends that the amendments to the Progress Guide and General Plan and the Miramar Ranch North Community Plan be initiated and that the designated consolidated hearing date be retained.

Respectfully submitted,



Ernest Freeman  
Planning Director



Jeff A. Washington  
Deputy Planning Director

SK:KILBOURN:533-3631:sk

- ATTACHMENTS:
1. Miramar Ranch North Land Use Map
  2. Ownership Disclosure Statement



**OWNERSHIP DISCLOSURE STATEMENT**

**Miramar Ranch North Partnership:**

**McMillan, Scripps, Inc., A California Corporation**

**Brookfield Scripps Inc., A California Corporation**

**ATTACHMENT 2  
OWNERSHIP DISCLOSURE  
STATEMENT**

0-18071



Passed and adopted by the Council of The City of San Diego on MAY 09 1994  
 by the following vote:

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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Valerie Stallings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Juan Vargas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Susan Golding	<input checked="" type="checkbox"/>	<input 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 Mary Cepeda Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

APR 25 1994

MAY 09 1994

....., and on .....

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

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 Mary Cepeda Deputy.

Office of the City Clerk, San Diego, California	
Ordinance Number <u>0-18071</u>	Adopted <u>MAY 09 1994</u>

