

RESOLUTION NUMBER R- 287749

ADOPTED ON AUG 05 1996

WHEREAS, on July 11, 1996, the Planning Commission of The City of San Diego held a public hearing for the purpose of considering an amendment to the Phased Development Areas Map of the Progress Guide and General Plan and an amendment to the North City Future Urbanizing Area Framework Plan; and

WHEREAS, certain property owners requested an amendment to the Progress Guide and General Plan to change the designation of an 1,134-acre area in the North City Future Urbanizing Area from Future Urbanizing to Planned Urbanizing, and an amendment to the North City Future Urbanizing Area Framework Plan for the purpose of adopting a subarea plan, the Torrey Highlands Subarea Plan, for Subarea IV; and

WHEREAS, Council Policy No. 600-7 provides that public hearings to consider revisions of the Progress Guide and General Plan for the City of San Diego may be scheduled concurrently with public hearings on proposed community plans in order to retain consistency between said plans and the Planning Commission has held such concurrent public hearings; and

WHEREAS, certain property owners within the Torrey Highlands Subarea Plan have voluntarily and of their own free will proposed to grant to the City open space/conservation easements as provided for in Resolution No. R- 287750 [R-97-66]; and

WHEREAS, the Council has considered all maps, exhibits, written documents and materials in the file for this matter on file in The City of San Diego, and has heard all the oral presentations given at the public hearing; NOW, THEREFORE,

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

1. That the Council hereby adopts the amendments to the Progress Guide and General Plan and the North City Future Urbanizing Area Framework Plan, a copy of which is on file in the office of the City Clerk as Document No. RR- 287749.

2. That the Council hereby finds that the amendments are consistent with the City adopted Regional Growth Management Strategy, and directs the City Clerk to transmit a copy of this Resolution to SANDAG in its capacity as the Regional Planning and Growth Management Review Board.

3. That the proposed expansion of uses on the 23-acre site, designated as Regional Commercial in the Torrey Highlands Subarea Plan, is contingent and shall only be effective if the owner applies for and the City Council approves a redesignation of the 15-acre site immediately adjacent to the aforementioned site as specified in the text of the Torrey Highlands Subarea Plan, located in the Rancho Penasquitos Community Plan Area, from neighborhood commercial to low density residential at the time of its development.

4. That the Council hereby adopts an amendment to the Progress Guide and General Plan for The City of San Diego to incorporate the amended North City Future Urbanizing Area Framework Plan.

5. That this amendment to the General Plan and the North City Future Urbanizing Area Framework Plan shall not be effective (with the exception for the area known as Fairbanks Highlands, which can proceed with development in accordance with the approved Vesting Tentative Map No. 88-1041) unless and until all of the following events have occurred:

(i) until a phase shift for an 1,134-acre area within the Torrey Highlands Subarea Plan has been approved by a vote of the people; and

(ii) certain property owners within the Torrey Highlands Subarea Plan have granted open space/conservation easements to The City of San Diego as provided for in Resolution No. R- 287750 [R-97-66]; and

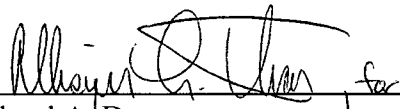
(iii) the Council of The City of San Diego has adopted a Public Facilities Financing Plan/Development Impact Fee Program ("PFFP/DIF") which shall thereupon be incorporated in the Subarea Plan; and

(iv) at the hearing to adopt the PFFP/DIF the Council of The City of San Diego acknowledges the Poway Unified School District's School Facilities and Financing Plan ("School Financing Plan") and accepts the School Financing Plan for incorporation into the Subarea Plan; and

(v) the owners of 80% of the acreage within the Torrey Highlands Subarea Plan have approved the School Financing Plan by executing a School Impact Mitigation Agreement with the Poway Unified School District; and

(vi) each property owner with land designated for a park site in the Torrey Highlands Subarea Plan has executed a purchase contract with The City of San Diego.

APPROVED: JOHN W. WITT, City Attorney

By  _____
Richard A. Duvernay
Deputy City Attorney

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