

RESOLUTION NUMBER R-288456

ADOPTED ON MARCH 18, 1997

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AMENDING THE PROGRESS GUIDE AND GENERAL PLAN, VARIOUS COMMUNITY PLANS, AND THE FUTURE URBANIZING AREA FRAMEWORK PLAN, AND REPEALING THE TIJUANA RIVER VALLEY COMMUNITY PLAN, TO IMPLEMENT THE MSCP PLAN.

WHEREAS, the Planning Commission of The City of San Diego held concurrent public hearings on January 30, 1997, to consider the proposed amendments to the City of San Diego Progress Guide and General Plan, Rancho Peñasquitos Community Plan, Otay Mesa Community Plan, East Elliot Community Plan, Future Urbanizing Area Framework Plan, and Carmel Valley Community Plan (herein collectively referred to as the "Amendments"), and to consider repealing the Tijuana River Valley Community Plan, all related to the implementation of the Multiple Species Conservation Program ("MSCP") Plan, in order to retain consistency between the plans; and

WHEREAS, the Amendments and the repeal of the Tijuana River Valley Community Plan are intended to be contingent upon and effective upon the California Department of Fish and Game ("CDFG") and the U.S. Fish and Wildlife Service ("USFWS") approval of the MSCP Plan in substantially the same form as approved by the City Council; and

WHEREAS, the Planning Commission approved and recommended adoption by the City Council of the Amendments and the repeal of the Tijuana River Valley Community Plan; 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 plan amendments; and

WHEREAS, the Council of The City of San Diego held a public hearing to consider this matter, by a majority vote, approved the Amendments and the repeal of the Tijuana River Valley Community Plan; NOW, THEREFORE,

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

1. That this City Council hereby approves the Amendments and the repeal of the Tijuana River Valley Community Plan, a copy of which is on file in the office of the City Clerk as Document No. RR-288456, with the following modifications:

a. Do not amend the Land Use Map in the Carmel Valley Community Plan with respect to Neighborhood 8A because the final development footprint for Neighborhood 8A is still under review, has not been determined, and will be before City Council for consideration at a future date; and

b. Insert a notation upon the East Elliot Community Plan Land Use Map identifying that the open space west of the existing County landfill is also a potential landfill site, as recommended by the City Manager in Attachment 4 of the City Manager's Memorandum to the Honorable Mayor and City Council dated March 12, 1997, on file in the Office of the City Clerk as Document No. RR-288455-4 [R-288455]; and

c. Modify the Open Space Element of the General Plan as recommended by the City Manager in Attachment 6 to Manager's Report No. 97-25.

2. That the Amendments and repeal of the Tijuana River Valley Community Plan shall be contingent upon and effective on the date that the California Department of Fish and


Game ("CDFG") and the U.S. Fish and Wildlife Service ("USFWS") issue permits to The City of San Diego as provided for in the MSCP Plan, on file in the Office of the City Clerk as Document No. RR-288455-1 and 3 [R-288455]; the City of San Diego Subarea Plan, on file in the Office of the City Clerk as Document No. RR-288455-2 [R-288455]; and the City of San Diego Implementing Agreement, on file in the Office of the City Clerk as Document No. OO-18394 [O-97-90] , and further provided that those permits are issued with terms and conditions which are substantially in the same form as approved by the City Council through adoption of Resolution No. R-288455 and Ordinance No. OO-18394 [O-97-90], on file in the Office of the City Clerk.

BE IT FURTHER RESOLVED, that this resolution shall not become effective within the areas of the City within the jurisdiction of the California Coastal Commission until such time as the Commission unconditionally certifies these amendments as Local Coastal Program Amendments.

BE IT FURTHER RESOLVED, that the City will assume Local Coastal Program permit authority thirty days after the California Coastal Commission unconditionally certifies the Local Coastal Program Amendments incorporating the Amendments into the City's Local Coastal Program.

APPROVED: CASEY GWINN, City Attorney

By


Richard A. Duvernay
Deputy City Attorney

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