

RESOLUTION NUMBER R- 304918  
DATE OF FINAL PASSAGE MAY 19 2009

A RESOLUTION APPROVING AN AMENDMENT TO THE  
GENERAL PLAN AND THE BLACK MOUNTAIN RANCH  
SUBAREA PLAN.

WHEREAS, Black Mountain Ranch, LLC, requested an amendment to the Black Mountain Ranch Subarea Plan and an amendment to the General Plan to modify the street pattern and land uses in an area identified as the North Village, redesignate an area for the community planned for a golf course to open space and allow a continuing care facility on a site designated for resort uses and designate a site in the community for a Fire Station located in the northern portion of the Black Mountain Ranch Subarea Plan area, from Commercial Mixed Use, Residential, Open Space, and Visitor Recreation to Commercial Mixed Use, Residential and Open Space; and

WHEREAS, the site is legally described as Parcels 4, 8, 16, 19, 21 and 23 of Parcel Map No. 18504, Parcel 2 of Parcel Map No. 19546, and Parcel 3 of Parcel Map No. 17995, City of San Diego, County of San Diego, State of California; and

WHEREAS, City Council Policy 600-7 provides that public hearings to consider revisions to the 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, the Planning Commission of the City of San Diego found the proposed Black Mountain Ranch Subarea Plan amendment is consistent with the General Plan; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a

public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, on MAY 19 2009, the City Council of the City of San Diego held a public hearing for the purpose of considering an amendment to the General Plan and the Black Mountain Ranch Subarea Plan; and

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

BE IT RESOLVED, by the Council of the City of San Diego, that the Council adopts the amendments to the Black Mountain Ranch Subarea Plan, a copy of which is on file in the office of the City Clerk as Document No. RR- 304918.

BE IT FURTHER RESOLVED, that the Council adopts the amendment to the General Plan for the City of San Diego solely to incorporate the above amended plan.

APPROVED: JAN I. GOLDSMITH, City Attorney

By Shannon Thomas  
Shannon Thomas  
Deputy City Attorney

ST:pev  
04/17/09  
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