

CARMEL VALLEY COMMUNITY PLANNING BOARD

Attn: Allen Kashani, CVCPB Secretary
6025 Edgewood Bend Court
San Diego, CA 92130
858-794-2571 / Fax: 858-794-2599

May 12, 2010

Councilwoman Sherri Lightner, District 1
City of San Diego
202 "C" Street
San Diego, CA 92101

Re: Report of the Prop M Exploratory Subcommittee – Measures and Recommendations to Address the Orderly Development and Timely Availability of Public & Private Amenities in the Pacific Highlands Ranch Community

Dear Councilwoman Lightner:

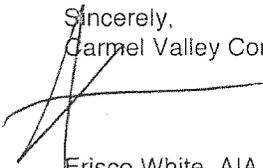
The Carmel Valley Community Planning Board considered the aforementioned report by the board's Prop M Exploratory Subcommittee on May 11, 2010. After considerable board and public discussions two (2) motions were made in support of the subcommittee's report. The first motion was to accept the Torrey Pines Community Planning Board's changes to the subcommittee report. This motion was approved (10-0-1). The second motion was to approve the subcommittee's report as amended and send it to Council District One on behalf of the Carmel Valley Community Planning Board. This motion was approved (10-1-0).

On behalf of the board I am transmitting this attached report. The report has also been sent to the Torrey Pines Community Planning Board to request endorsement at their meeting on May 13, 2010.

It is hard for this Board to recommend removing the 1,900 du restriction found in Prop M since the former Board at the time fought to include this restriction as part of the phase shift vote. But in view of the impacts it has on the residents of Pacific Highlands Ranch, and the implication it has in the Torrey Pines community as to the I-5/SR-56 Connectors project, we strongly urge you to sponsor a ballot measure to amend Prop M as discussed in the enclosed report.

Members of the Board and community will help explain the need for this measure to other members of the Council or staff as you may require.

Sincerely,
Carmel Valley Community Planning Board



Frisco White, AIA
Chair

CARMEL VALLEY COMMUNITY PLANNING BOARD

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San Diego, CA 92130
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www.cvsd.com/planning.html

PROP M EXPLORATORY SUBCOMMITTEE

4 May 2010

(As Amended by the Board, 11 May 2010)

THRU: Carmel Valley Community Planning Board

TO: The Hon. Sherri S. Lightner, Council District 1
City of San Diego
202 C Street, M.S. 10A
San Diego, CA 92101

**Report of the Prop M Exploratory Subcommittee – Measures and
Recommendations to Address the Orderly Development and Timely
Availability of Public & Private Amenities in the Pacific Highlands
Ranch Community**

FINDINGS AND RECOMMENDATIONS:

1. The 1,900 dwelling unit development restriction imposed on the Pacific Highlands Ranch community (PHR) by Proposition M of 1998 should be removed by means of an amending measure submitted to City voters by the City Council at the next General Election on November 2, 2010. This restriction has resulted in unintended consequences detrimental to communities in the area, in particular, PHR, Carmel Valley and Torrey Pines.¹ (Please see Attachment #1 for Clerk's timeline to place a measure on the ballot. Action by the Rules Committee is required by 6/16/10. Please see Attachment #2 for a copy of Ordinance O-18568 (7 Aug 98) (Proposition M) for the yellow highlighted language to be removed.)
2. The orderly and timely development of PHR would be enhanced by incorporating certain concepts and changes into the policy and funding

¹This 1,900 du restriction is also embedded in other PHR documents such as the PFFP/FBA. They will need to be updated by the City to remove this reference in the event the ballot measure is approved.

documents that control development in PHR. A key concept is to mandate the provision of public facilities concurrent with need; and condition the issuance of new residential building permits on having met the threshold requirements for providing these facilities.

3. Impacts to the roadway network, public facilities and neighborhood shopping centers in the surrounding communities would be reduced if PHR could proceed to develop per its approved plan. This would permit PHR to achieve the critical mass and balance to create the necessary funding and population that would allow these facilities and services to be built in PHR. These facilities would also provide additional opportunities for nearby communities.

Authority: Responding to community concerns, the Carmel Valley Community Planning Board (the Board) formed the Prop M Exploratory Subcommittee in November, 2009, to examine the issues, develop the underlying supporting information, explore a full range of approaches and make its findings and recommendations to the Board for consideration.

BACKGROUND:

1. The Pacific Highlands Ranch Sub-area Plan was approved by the City Council in 1998 and ratified by the voters as Proposition M of November 1998. In approving Proposition M, the voters of the City of San Diego directed a phase shift of urban reserve lands from Future Urbanizing to Planned Urbanizing, permitting development in the phase-shifted area of Pacific Highlands Ranch to proceed, subject to numerous conditions. All the conditions imposed by Proposition M on the developer, Pardee Homes, were met.
2. A further condition, a traffic control threshold requirement, in Proposition M states, "Development within the phased-shifted area of the Pacific Highlands Ranch Subarea Plan shall not exceed 1,900 dwelling units until such time that ramps for westbound SR-56 connecting with I-5 North and I-5 South connecting with eastbound SR-56 are constructed and operational."
3. The public benefits and design features of the PHR Plan include:
 - a. Highly walkable community
 - b. Housing density in exchange for walkability and quality of life amenities

- c. Shopping, services and amenities to meet most basic needs provided within the community and accessible to many residents by walking and bicycling
- d. Much more sustainable development model
- e. Compact, denser development
- f. Energy efficiency and reduced carbon emissions
- g. Habitat preservation through substantial preservation and restoration of open space (Open space designated Multi-habitat Planning Area of the City's Multiple Species Conservation Program constitutes 1,275 acres, or 48% of the PHR community.)
- h. Equitable access to housing and a variety of housing types. 20 percent of the housing in PHR is to be affordable at 65% of the area median income (AMI)
- i. Ready access to basic daily needs from within the community
- j. Employment centers
- k. Capacity for future transit
- l. Water conserving landscapes
- m. Planned, future service for reclaimed water

DISCUSSION OF SUBCOMMITTEE REVIEW CONCLUSIONS:

1. Pacific Highlands Ranch is approaching the 1,900 dwelling unit (du) development cap, while the SR-56 and I-5 north-facing connectors project remains under environmental study. A preferred project design has not been selected. The interchange project is currently planned in SANDAG's Regional Transportation Plan to occur in 2020 (please see Attachment #3 SANDAG 2007 RTP, revenue constrained scenario).
 - a. Unless and until this traffic control threshold requirement is satisfied, the community of Pacific Highlands Ranch will remain substantially and unnecessarily incomplete and imbalanced. This curtailed development situation creates undue burdens on its residents and the residents of surrounding communities, which have to support the needs of Pacific Highlands Ranch residents, absent allowing the community's growth and development necessary to support these needs within Pacific Highlands Ranch as set forth in the Subarea/Community Plan.
 - b. SR-56 and I-5 are major regional freeways that currently accommodate (and in the future, are projected to accommodate) far greater traffic than can be fairly and reasonably attributed to growth and development in Pacific Highlands Ranch.

- i. In late 2009, a Caltrans representative stated via email (please see Attachment #4):

Approximately 4,600 average daily traffic (ADT) is projected to be a result of the Pacific Highlands Ranch community. This is approximately 10 percent of the total Year 2030 ADT of the two missing direct connectors for the Interstate 5/State Route 56 Interchange project.

The two connectors that are currently missing from the I-5/SR 56 Interchange project serve the I-5 north of SR 56 movements. In the I-5/SR 56 traffic study by LLG Engineers, the total Year 2030 ADT of the two missing direct connectors is 42,220 (19,220 ADT for S-E connector + 23,000 ADT for W-N connector).

In the Pacific Highlands Ranch traffic study by Urban Systems Associates, 4,600 ADT has been assigned to I-5 north of SR 56. This ADT is approximately 10 percent of the missing direct connectors' traffic volume (4,600/42,220).

- ii. In early 2010, a Caltrans representative further stated via email (please see Attachment #5):

The Carmel Valley community planning area will account for 18% of the forecasted 2030 daily traffic volumes on both the proposed westbound SR 56 to northbound I-5 connector, and the proposed southbound I-5 to eastbound SR 56 connector, as follows:

- 4,140 of the 23,000 daily trips (18%) that would use the westbound SR-56 to northbound I-5 connector would come from the Carmel Valley Community Planning area.
- 3,460 of the 19,220 daily trips (18%) that would use the southbound I-5 to eastbound SR56 connector would come from the Carmel Valley Community Planning area.

- b. Caltrans' ADT projections in 2030 for Del Mar Heights Road (which is the primary surface street link to PHR) show the majority of trips added to the road come from Carmel Valley, not from PHR (please see Attachment #6).²
- c. Based on this information, the concerns about PHR traffic "overwhelming" the still missing I-5/SR56 connections (a principal

² For example, the Del Mar Heights segment between Carmel Valley Rd. and Carmel Canyon Rd. will have 28,010 ADT in 2030 (Direct Connector alternative). As traffic moves west to the Freeway, it has 42,770 ADT just west of El Camino Real, a 14,660 ADT increase, more than three times the total 4,600 ADT generated by PHR at buildout.

reason for including the 1,900 du restriction in Prop M) and potentially resulting in traffic seeking alternative freeway access via the surface street network in Carmel Valley, are not supported by the current available data.

2. Provision of Public Amenities:

- a. Only a fire station, a public high school and a Del Mar Union School District elementary school are operational in Pacific Highlands Ranch.³ A neighborhood park is funded, but unconstructed. Under the City's General Plan, public amenities are programmed on the basis of population. Because the 1,900 du threshold condition is dependent upon I-5/SR56 Connectors, the community's population will remain insufficient to trigger the additional planned facilities or for the servicing school districts to build the planned schools in PHR.
- b. As of 26 February 2010, 240 PHR elementary-age students were enrolled in Solana Beach School District elementary schools (please see Attachment #7).⁴ Two new District schools are planned for PHR: Elementary School #7 and potentially a School #8. School #7 is planned to accommodate 650 K-6 students. Only 37 percent of the future School #7 student capacity is currently generated by PHR. Compounded with the available capacity in other District schools within Carmel Valley, School #7 will almost certainly not be warranted until after the current 1,900 du threshold. Residents of PHR within the Solana Beach School District pay a substantial Community Facilities District assessment (Mello-Roos tax) for these future schools that may not be built until after 2020, if Proposition M remains unchanged.
- c. There is also a problem in how the timing of facilities is described in the PHR planning documents because of the different threshold metrics. For example, the Transportation Phasing Plan (TPP) uses dwelling unit counts as its measure of phasing thresholds. On the other hand, park and library requirements are linked to population. This table summarizes the PHR TPP:

³ A second DMUSD school site is reserved, as is an optional Jr. HS site near the Community Park.

⁴ Areas of PHR south of Del Mar Heights and Carmel Valley Roads are within the Del Mar Union School District; the San Dieguito Union High School District serves the entire community.

Table 1 - Summary of PHR Transportation Phasing Plan

<u>PHR Transportation Phasing Plan Threshold</u>	<u>Phase EDUs</u>	<u>Phase</u>	<u>Cumulative EDUs</u>	<u>Cumulative Comm (SF)</u>	<u>Other</u>
		<u>Neigh Comm (SF)</u>			
Phase One: Startup Phase	650	--	650	--	--
Phase Two: Dual Fwy/SR-56	1,250	50,000	1,900	50,000	Private H.S.
Phase Three: I-5/SR-56 Connectors	1,500	100,000	3,400	150,000	
Phase Four: Build out of PHR	1,600	150,000	5,000	300,000	+ Comm Ofc
Community Res. Build Out	SFR (3,197) + MFR (1,813) + DMH Estates (172) = 5,182 DU				
Community Other Land Uses	Village – 34.0 ac Emp. Ctr – 19.01 ac Inst. – 48.92				

d. Where public amenities should come in PHR’s phased development plan is only made clear when a common metric is used, as seen in this table:

Table 2 - DU Requirement Projection for Community Amenities

<u>Amenity</u>	<u>Population</u>	<u>Pop/</u>	<u>DUs</u>	<u>PHR</u>	<u>Share x DUs</u>	<u>TPP Phase</u>
		<u>Hshld</u>		<u>Share</u>		
Neighborhood Park 1	5,000	2.62	1,908	100.0%	1,908	P2
Neighborhood Park 2	10,000	2.62	3,817	100.0%	3,817	P3/4
Community Park**	25,000	2.62	9,542	88.3%	8,426	P4/Build.
Community Rec Ctr**	25,000	2.62	9,542	88.3%	8,426	P4/Build.
Swimming Pool in BMR*	50,000	2.62	19,084	37.4%	7,137	P4/Build.
Library*	25,000	2.62	9,542	37.4%	3,569	P3/4

* Library in PHR and Swimming Pool in BMR serve PHR, DMM, BMR, and TH

** Community Park and Rec Center serve PHR and DMM

Note - 2.62 Persons per Household is assumed in PFFP

3. Provision of Retail & Commercial:

- a. Residents of Pacific Highlands Ranch must drive outside of the community to do basic shopping, attend schools (except high school) and recreate. The nearest of these facilities and amenities are located within Carmel Valley, placing traffic and facilities impacts on Carmel Valley.
- b. The PHR community has made clear that its first retail need is for a grocery store. However, retail development is limited to 50,000 square feet under the 1,900 du threshold restriction. A population of

approximately 5,000 living in the 1,900 dwelling units is likely insufficient to support much if any retail critical mass.

- c. Timing of commercial retail development in the PHR Village Center is driven by a combination of trade area population, favorable market conditions, and major tenant interest. Eliminating artificial impediments to reaching “critical mass” (i.e., sufficient local population to stimulate retail center development) is apparently the most viable approach.
- d. A grocery store and other retail in the Village Center may desire a “critical mass” of between 3,833 to 5,000 dus in the PHR planning area to be viable. Advance planning and initial development steps might begin when the du count exceeds 3,000. This would coincide with Phase 3 to 4 of the du thresholds outlined in the current PHR Transportation Phasing Plan:

Table 3 - DU Requirement Projection for Supermarket/Shopping Center

	<u>Gross Sales</u> <u>per week</u>	<u>Assumed</u> <u>PP Spend</u>	<u>Pop</u>	<u>Capture</u> <u>Ratio</u>	<u>Trade Area</u> <u>Pop Req</u>	<u>Pop Den</u> <u>per DU</u>	<u>DU</u> <u>Threshold</u>	<u>TPP</u> <u>Phase</u>
	\$450,000	\$50/week	9,000	40%	22,500	3.0 – 2.3	7,500 - 9782	N/A
Assumed to BMR	(\$95,000)							
Assumed to CV	(\$125,000)							
Needed in PHR	\$230,000	\$50/week	4,600	40%	11,500	3.0 – 2.3	3,833 – 5,000	P3/4

Source: Courtesy of Michael J. Morris (Morris and Campbell) & David Santistevan (Colliers) – 8 March 2010

- e. Under the 1,900 du restriction, the Village Center, a core feature of the transit-oriented, walkable community design, will remain unbuilt until after the interchange ramps are built in 2020 or later. Therefore, residents of Pacific Highlands Ranch will continue to have to drive outside the community for shopping and retail services.

4. Adjacent Community Impacts:

- a. In addition to the impacts on surrounding communities from lack of services and amenities in PHR, the 1,900 du restriction in Prop M has created an unintended, but very real, impact to the Torrey Pines (TP) community, immediately west of I-5, between Carmel Valley Road and Del Mar Heights Road.
- b. The very specific language of the restriction makes almost certain that only direct connector, flyover-style ramps will meet the threshold condition. The Torrey Pines community, through its Community

Planning Board and individuals, has made it clear they will oppose this option in the ongoing I-5/SR56 Connectors planning process.

- c. Because PHR cannot develop beyond 1,900 du, many residents in both PHR and TP see their own interests pitted against each other. In this dichotomy, PHR can only move forward in its development at significant expense and impact to TP. TP can only prevail in preventing the direct connector ramps option by precluding PHR's further development.

RECOMMENDATIONS:

5. Contingent Approval – City Council Action on Development and Funding Issues Required:⁵ If the ballot measure to delete the 1,900 du restriction is approved by the voters, the measure should “become effective upon, but not until, the occurrence of the following events”⁶: The City Council acts on (1) a Phased Development Program (para. 5a); and (2) a revised Public Facilities program (para. 5b). Additional issues for consideration in revising and updating the PHR documents are set out in para. 5c, but are not intended as conditions precedent or subsequent to the ballot measure.
 - a. Phased Development Program
 - i. The City Council takes action on the creation of a Phased Development Program for Pacific Highlands Ranch.
 1. The Mayor shall prepare a phased development plan for incorporation into the Community Plan of Pacific Highlands Ranch, and submit the phasing plan to the City Council for review and approval at public hearings.
 - a. The phasing plan must demonstrate the orderly, phased development of the community, together with concurrent provision of City public amenities and facilities, such as planned parks and library, and transportation facilities, such as major streets and infrastructure. The current Public Facilities Financing Plan and Transportation Phasing Plan must be enhanced and integrated to serve as part of a comprehensive, phased development program.

⁵ The voters will need to know that the development restriction will be replaced by revisions to the PHR development and funding plans. The PHR residents want to address weaknesses in the planning and funding documents, and to better assure the timely and orderly development of the PHR community.

⁶ This language is drawn from Prop M, which made its final effectiveness conditional on future actions by Pardee Construction.

- b. Until such time as this community Phased Development Program is finally approved, development within the phase-shifted area of Pacific Highlands Ranch shall not exceed the 1,900 du/50,000 sq. ft. limits found in Phase 2 of the current PHR Transportation Phasing Plan.

b. Public Facilities

- i. The City Council takes action on amendments to facility financing documents:
 - 1. Public facilities (*e.g.* parks, library and others ultimately operated by the City) and the TPP are integrated such that it is clearer when these facilities will come on line in the community's development schedule. (See Table 2 on page 6.)
 - 2. City public facilities required in phases beyond Phase 2 (1,900 du) shall be fully operational when the midpoint of the development phase range is achieved. In other words, a facility must be assured at the start of the phase and operational by the midpoint of the phase.
 - 3. Should any threshold requirement for providing a City public facility set forth in the phased development program not be met, no further new residential housing permits shall be issued until the deficiency is fully remedied.

c. Additional Issues for Consideration:

- i. The Mayor shall prepare and present a report to the City Council on or before 30 June annually describing the progress of the community phased development program. Projections for future activity shall also be included.
- ii. Population-based thresholds for public facilities as found in the City's General Plan (the Pacific Highlands Ranch Subarea Plan is a part of the General Plan) shall be used in preparing the community phased development program.
- iii. The City of San Diego continues to strongly support the planned transit-oriented, walkable Village Center for the PHR community to minimize traffic impacts to surrounding communities.
- iv. The City of San Diego will support the creation of a community shuttle or jitney bus program to serve the PHR community, with consideration for linkages to other adjacent communities.

- v. Public transit planners and operators will examine a route that connects the major activity/development nodes running west to east between Del Mar on the coast and the I-15 corridor using major surface street arteries like Del Mar Heights Road and Carmel Valley Road.
- vi. Extension of the currently planned reclaimed water program (a.k.a. "purple pipe") to PHR should become a priority as an essential public facility.
- vii. The Public Facilities Financing Plan and Facilities Benefit Assessment (PFFP/FBA) are part of the community phased development program. The Mayor shall biennially or more frequently review the adequacy of the PFFP/FBA to assure capital funding of required City public facilities per the thresholds and projected, reasonable development absorption rates. The PFFP/FBA shall be updated as necessary to conform to the community phased development plan.
- viii. To insure the availability of permits, Pardee Homes or other developers may elect to design (with substantial local community input) and construct any or all City public facilities that are located within Pacific Highlands Ranch and deliver to the City as "turnkey," ready to occupy/use. Developers advancing public facilities and the City will enter into appropriate reimbursement agreements for these public facilities.
- ix. In no case shall more than 1,900 residential building permits be issued within the phase-shifted area of Pacific Highlands Ranch until the five-acre Gonzales Canyon Neighborhood Park is constructed and operational.
- x. A community goal to be incorporated into the Community Plan documents is for all public facilities to achieve LEED certification, or similar, to the extent applicable and practicable.
- xi. This administrative cost for the Phased Development Program and updates to the PFFP shall be borne by the PHR facilities benefit assessment (FBA) fund.
- xii. Additional CEQA clearance, if any, following voter approval of a Proposition to remove the 1,900 du threshold associated with the I-5/SR-56 connection, may be provided with funding from the PHR FBA.
- xiii. The City of San Diego continues to strongly support the construction of improved connections between SR-56 and I-5. The City will aggressively lobby SANDAG, State and Federal

agencies to pursue funding and the fastest feasible construction timeline for the project, while simultaneously seeking a project that has the least possible impact on the surrounding communities.

SUMMARY:

1. The 1,900 dwelling unit development restriction in Proposition M of 1998 was a mistake. It does not provide any meaningful protection and its unintended consequences are too severe.
2. The orderly and timely development of PHR can be guided by existing tools like the Community Plan and the PFFP/FBA. These tools can be enhanced by incorporating certain concepts and recommended changes.

FOR THE SUBCOMMITTEE:



Scott E. Tillson
Member, CVCPB



Manjeet Ranu, AICP
Vice-Chair, CVCPB

Enclosures:

1. Timeline for Submission of Ballot Proposals for the November 2, 2010 Ballot
2. Ordinance O-18568 (7 Aug 98) (Proposition M) - removal language marked
3. SANDAG 2007 Adopted Regional Transportation Plan: I-5/SR-56 connection project information from Appendix A
4. Caltrans representative email #1
5. Caltrans representative email #2
6. Caltrans I-5/SR-56 ADT Projections 2030
7. Solana Beach School District attendance information for PHR

SUBMISSION OF BALLOT PROPOSALS FOR THE NOVEMBER 2, 2010 BALLOT

City Council Policy 000-21 establishes the procedure for submittal of ballot proposals. The Council Policy states that members of the public shall submit proposals to the City Clerk, who shall then transmit them promptly to the Rules Committee for review and comment.

The City Clerk's Office has established the following administrative guidelines for the November 2, 2010 election:

<u>DAY</u>	<u>DATE</u>	<u>DAYS BEFORE ELECTION</u>	<u>EVENT</u>
Friday	6/11/10	144	LAST DATE (10:00 a.m.) for public, departments and agencies to submit ballot proposals to City Clerk for review by Rules Committee
Wednesday	6/16/10	139	Rules Committee review
Monday	6/21/10	134	Council Docket (PUBLIC NOTICE) lists proposals referred by Rules Committee
Monday	6/28/10	127	Council adopts propositions for ballot; directs City Attorney to prepare ordinances
Monday	7/26/10	99	Council adopts ordinances prepared by City Attorney
Friday	8/6/10	88	Last day for City Clerk to file with Registrar of Voters all elections material
Thursday	8/19/10	75	Last day to file ballot arguments with City Clerk

If you have questions, please contact the Office of the City Clerk at (619) 533-4025.

ORDINANCE NUMBER O-18568 (NEW SERIES)

ADOPTED ON AUGUST 7, 1998

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF SAN DIEGO AT THE MUNICIPAL ELECTION CONSOLIDATED WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON NOVEMBER 3, 1998, ONE PROPOSITION CONDITIONALLY AMENDING THE OFFICIAL PHASED DEVELOPMENT MAP IN THE CITY'S PROGRESS GUIDE AND GENERAL PLAN WITHIN SUBAREA III OF THE NORTH CITY FUTURE URBANIZING AREA TO CHANGE THE DESIGNATION OF THE 2,102 ACRES KNOWN AS PACIFIC HIGHLANDS RANCH FROM "FUTURE URBANIZING" TO "PLANNED URBANIZING."

WHEREAS, in 1985, the voters of the City adopted the Managed Growth Initiative, known as "Proposition A," which amended the Guidelines for the Future Development Section of the Progress Guide and General Plan of the City of San Diego by requiring approval of the voters before changing the designation of lands from "Future Urbanizing" to "Planned Urbanizing"; and

WHEREAS, a 2,652 acre area is located in Subarea III of the North City Future Urbanizing Area and is currently designated as "Future Urbanizing" on the Official Phased Development Map in the City's Progress Guide and General Plan; and

WHEREAS, the Subarea III Plan for that 2,652 acres was prepared and is titled the "Pacific Highlands Ranch Subarea Plan"; and

WHEREAS, approximately 550 acres of the 2,652 acres in Subarea III has been approved for development at rural densities while preserving 384 of the 550 acres as natural open space; and

WHEREAS, the designation of the remaining 2,102 acres in Subarea III is proposed to be changed from “Future Urbanizing” to “Planned Urbanizing” while preserving an additional 889 of the 2,102 acres as natural open space; and

WHEREAS, in accordance with the Pacific Highlands Ranch Subarea Plan an additional 143 acres of the 2,102 acres is planned for State Route 56 right-of-way, approximately 90 acres of which will be conveyed by Pardee Construction Company to the City for a price substantially below market value; and

WHEREAS, the terms of the Transportation Phasing Plan for the Pacific Highlands Ranch Subarea Plan provides that no more than 1,900 dwelling units shall be permitted within the phase shifted area of Subarea III until such time that ramps for westbound SR-56 connecting with I-5 North and I-5 South connecting with eastbound SR-56 are constructed and operational; and

WHEREAS, the City Council strongly supports the construction of ramps for westbound SR-56 connecting with I-5 North and I-5 South connecting with eastbound SR-56 and intends to aggressively lobby for this project to be a top priority in the year 2,000 State Transportation Improvement Plan (STIP); and

WHEREAS, the Pacific Highlands Ranch Subarea Plan provides for designation of at least 1,274 acres of open space, including a wildlife corridor connecting Gonzales and McGonigle Canyons within the regional open space system known as the Multiple Habitat Planning Area [MHPA]; and

WHEREAS, in accordance with this ballot measure, the Pacific Highlands Ranch Subarea Plan, and a certain Development Agreement on file in the office of the City Clerk of the

City of San Diego as Document OO-18571, title to additional property known as Parcels A and B within Neighborhood 8A of Carmel Valley will be conveyed to the City as a condition of changing the designation of 2,102 acres known as Pacific Highlands Ranch Subarea Plan from “Future Urbanizing” to “Planned Urbanizing”; and

WHEREAS, as another condition of changing the designation of 2,102 acres known as Pacific Highlands Ranch Subarea Plan from “Future Urbanizing” to “Planned Urbanizing,” absent voter approval the Council of The City of San Diego shall not permit residential or commercial development within Neighborhood 8C on open space dedicated to the City as shown on Figure 2-1 of the Neighborhood 8C Precise Plan-Option 1 approved by the City Council by Resolution No. R-290506, on July 28, 1998; and

WHEREAS, Pacific Highlands Ranch is located on the eastern boundary of Carmel Valley and is identified in Exhibit 1-1 in the Pacific Highlands Ranch Subarea Plan on file in the office of the City Clerk as Document No. RR-290521, adopted by Resolution No. R-290521, of the City Council on July 28, 1998; and

WHEREAS, implementation of the Pacific Highlands Ranch Subarea Plan requires that the designation of 2,102 acres within Pacific Highlands Ranch, as depicted on Exhibit 1-1 of said Plan, be changed from “Future Urbanizing” to “Planned Urbanizing”; and

WHEREAS, approval of this change of designation in no way permits any other portion of the North City Future Urbanizing Area to have a change of designation without a separate vote of the people; NOW, THEREFORE,

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

Section 1. One proposition amending the Official Phased Development Map in the City's

Progress Guide and General Plan to conditionally change the designation of the 2,102 acres known as Pacific Highlands Ranch within Subarea III of the North City Future Urbanizing Area from "Future Urbanizing" to "Planned Urbanizing" and to conditionally apply related development restrictions upon land within Neighborhoods 8A and 8C of Carmel Valley is hereby submitted to the qualified voters of the City at the Municipal Election to be held November 3, 1998.

The proposition is to read as follows:

In 1985, the voters of the City adopted the Managed Growth Initiative, known as "Proposition A," which amended the Guidelines for the Future Development Section of the Progress Guide and General Plan of the City of San Diego by requiring approval of the voters before changing the designation of lands from "Future Urbanizing" to "Planned Urbanizing."

A 2,652 acre area is located in Subarea III of the North City Future Urbanizing Area and is currently designated as "Future Urbanizing" on the Official Phased Development Map in the City's Progress Guide and General Plan.

The Subarea III Plan for that 2,652 acres was prepared and is titled the "Pacific Highlands Ranch Subarea Plan."

Approximately 550 acres of the 2,652 acres in Subarea III has been approved for development at rural densities while preserving 384 of the 550 acres as natural open space.

The designation of the remaining 2,102 acres in Subarea III is proposed to be changed from “Future Urbanizing” to “Planned Urbanizing” while preserving an additional 889 of the 2,102 acres as natural open space.

In accordance with the Pacific Highlands Ranch Subarea Plan an additional 143 acres of the 2,102 acres is planned for State Route 56 right-of-way, approximately 90 acres of which will be conveyed by Pardee Construction Company to the City for a price substantially below market value.

The terms of the Transportation Phasing Plan for the Pacific Highlands Ranch Subarea Plan provides that no more than 1,900 dwelling units shall be permitted within the phase shifted area of Subarea III until such time that State Route 56 westbound/Interstate-5 northbound connection ramps are in place and operational.

The City Council strongly supports the construction of State Route 56 westbound/Interstate-5 northbound connection ramps and intends to aggressively lobby for this project to be a top priority in the year 2,000 State Transportation Improvement Plan (STIP).

The Pacific Highlands Ranch Subarea Plan provides for designation of at least 1,274 acres of open space, including a

wildlife corridor connecting Gonzales and McGonigle Canyons within the regional open space system known as the Multiple Habitat Planning Area [MHPA].

In accordance with this ballot measure, the Pacific Highlands Ranch Subarea Plan, and a certain Development Agreement on file in the office of the City Clerk of the City of San Diego as Document OO-18571, title to additional property known as Parcels A and B within Neighborhood 8A of Carmel Valley will be conveyed to the City as a condition of changing the designation of 2,102 acres known as Pacific Highlands Ranch Subarea Plan from “Future Urbanizing” to “Planned Urbanizing.”

As a condition of changing the designation of 2,102 acres known as Pacific Highlands Ranch Subarea Plan from “Future Urbanizing” to “Planned Urbanizing,” absent voter approval the Council of The City of San Diego shall not permit residential or commercial development within Neighborhood 8C on open space dedicated to the City as shown on Figure 2-1 of the Neighborhood 8C Precise Plan-Option One, approved by the City Council by Resolution No. R-290506, on July 28, 1998.

Pacific Highlands Ranch is located on the eastern boundary of Carmel Valley and is identified in Exhibit 1-1 in the Pacific Highlands Ranch Subarea Plan on file in the office of the City

Clerk as Document No. RR-290521, adopted by Resolution No. R-290521, of the City Council on July 28, 1998.

Implementation of the Pacific Highlands Ranch Subarea Plan requires that 2,102 acres within Pacific Highlands Ranch Subarea Plan, as depicted on Exhibit 1-1 of said Plan, be changed from "Future Urbanizing" to "Planned Urbanizing."

Approval of this change of designation in no way permits any other portion of the North City Future Urbanizing Area to have a change of designation without a separate vote of the people.

NOW, THEREFORE, the People of the City of San Diego do hereby resolve to conditionally amend the City's Progress Guide and General Plan, specifically by conditionally amending the Official Phased Development Map, on file in the office of the City Clerk as Document No. RR-267565-1, to change the designation of 2,102 acres within Pacific Highlands Ranch Subarea Plan as reflected on Exhibit 1-2 of said Plan from "Future Urbanizing" to

"Planned Urbanizing," the amendment to become effective upon,

but not until, the occurrence of the following events:

1. Pardee Construction Company offers to dedicate to the City fee title to 126 acres of land known as Parcels A and B within Neighborhood 8A of Carmel Valley and offers to dedicate a conservation easement for an additional 24 acres on Parcel A to

Highlighted as example of conditional approval, not for removal.

establish a mitigation bank; and

2. Pardee Construction Company has made a legally binding offer to sell to the City approximately 90 acres of land currently under Pardee Construction Company ownership within Subarea III for use as State Route 56 right-of-way at a price which is substantially below market value.

The People of the City of San Diego do hereby further resolve that upon the occurrence of events described above, thereby triggering an amendment of the Official Phased Development Map, on file in the office of the City Clerk as Document No.

RR-267565-1 to change the designation of 2,102 acres within Pacific Highlands Ranch Subarea Plan as reflected on Exhibit 1-2 of said Plan from “Future Urbanizing” to “Planned Urbanizing,” the following development restrictions shall apply to the land which is the subject of this ballot measure:

1. Upon the 150 acres of land known as Parcels A and B within Neighborhood 8A of Carmel Valley, no fewer than 135 acres shall be maintained as natural open space (no residential or commercial development or improved roadways), and no more than 15 acres may be used for a community park site at the specific location shown upon Figure 2.11 of the Neighborhood 8A Specific Plan

approved by the City Council by Ordinance No. O-18572
on September 8, 1998; and

2. Absent voter approval, the Council of The City of San Diego shall not permit residential or commercial development within Neighborhood 8C on open space dedicated to the City as shown on Figure 2-1 of the Neighborhood 8C Precise Plan, approved by the City Council by Resolution No. R-290506 on July 28, 1998; and
3. Absent voter approval, the Council of The City of San Diego shall not amend the Pacific Highlands Ranch Subarea Plan to designate any fewer than 1,274 acres of open space or reduce or eliminate the wildlife corridor which connects Gonzales Canyon and McGonigle Canyon; and
4. Development within the phase shifted area of the Pacific Highlands Ranch Subarea Plan shall not exceed 1,900 dwelling units until such time that ramps for westbound SR-56 connecting with I-5 North and I-5 South connecting with eastbound SR-56 are constructed and operational; and
5. Within Pacific Highlands Ranch Subarea Plan, Del Mar Heights Road shall not be accessible to through traffic from east of Camino Santa Fe until that portion of State Route 56

(or a comparable roadway extension in the State Route 56 corridor) is in place from its present terminus at Carmel Valley Road to Camino Santa Fe.

Section 2. On the ballot to be used at this Municipal Election consolidated with the Statewide General Election, in addition to any other matters required by law, there shall be printed substantially the following:

<p>PROPOSITION_.</p> <p>Shall the City of San Diego’s General Plan be amended to change the designation of 2,102 acres in Subarea III from “Future Urbanizing” to “Planned Urbanizing” to allow development of a transit-oriented community, provided that 889 acres remains open space, and an additional 150 acres of extremely rare habitat on Carmel Mountain is dedicated to the City, and approximately 90 acres within Subarea III needed for completion of SR-56 is sold to the City at substantially below market value?</p>	<p>YES</p>	
	<p>NO</p>	

Section 3. An appropriate mark placed in the voting square after the word "YES" shall be counted in favor of the adoption of this proposition. An appropriate mark placed in the voting square after the word "NO" shall be counted against the adoption of the proposition.

Section 4. The City Clerk shall cause this ordinance to be published once in the official newspaper on the Friday following adoption by the City Council. No other notice of the election on this proposition need be given.

Section 5. Pursuant to California Elections Code section 9295, this measure will be available for public examination for no fewer than ten calendar days prior to being submitted for

printing in the sample ballot. During the examination period, any voter registered in the City may seek a writ of mandate or an injunction requiring any or all of the measure to be amended or deleted. The examination period will end on the day that is 75 days prior to the date set for the election. The Clerk shall post notice in his office the specific dates that the examination period will run.

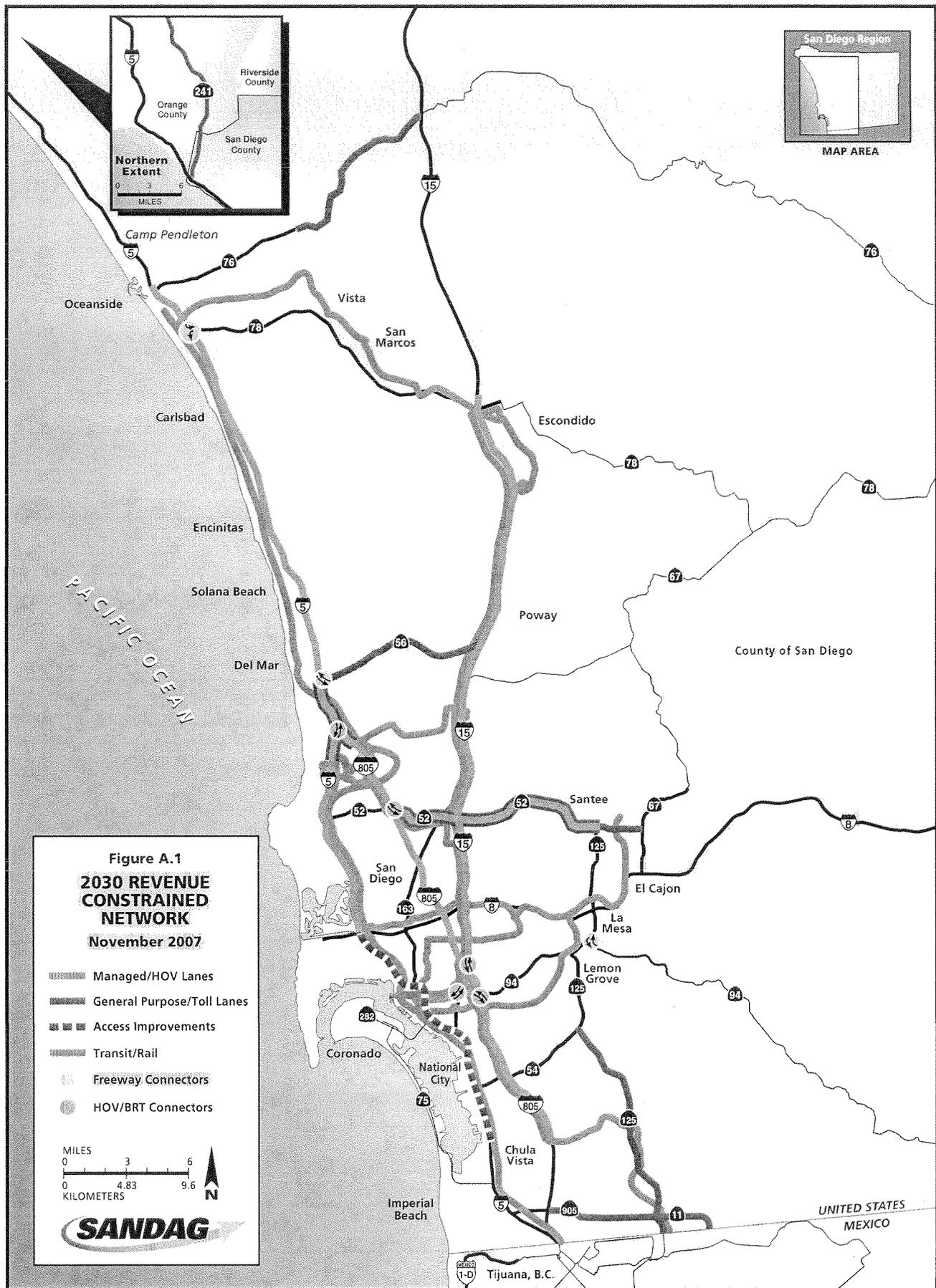
Section 6. Pursuant to section 17 of the San Diego City Charter, this ordinance relating to elections shall take effect on August 7, 1998, which is the day of its introduction and passage.

APPROVED: CASEY GWINN, City Attorney

By

Richard A. Duvernay
Deputy City Attorney

RAD:lc
07/17/99
08/04/98 COR.COPY
08/04/98 5:45 PM COR.COPY
Or.Dept:Comm.&Eco.Dev.
O-99-4
Form=o&t.frm



**Table A.1—Major Capital Improvements - Revenue Constrained Plan
(\$ millions – 2006 dollars) – (cont'd)**

Highway System Completion					
Freeway	From	To	Existing	Improvements	
I-5/I-805	Port of Entry – Mexico		---	Inspection Facility	\$30
SR 11*	SR 905	Mexico	---	4T	\$300
SR 52	SR 125	SR 67	---	4F	\$538
SR 125**	SR 905	San Miguel Rd.	---	4T	\$640
SR 125	San Miguel Rd.	SR 54	---	4F	\$160
SR 241**	Orange County	I-5	---	4T/6T	\$552
SR 905	I-805	Mexico	---	6F	\$595
				Subtotal	\$2,815
Highway Widening, Arterials, and Freeway Interchanges					
Routes	From	To	Existing	Improvements	
I-5	J Street	Sea World Dr.	8F	Access Improvements	\$225
I-5	I-805	SR 56	10F	14F	\$186
SR 56	I-5	I-15	4F	6F	\$53
SR 75/SR 282***	Glorietta Blvd.	Alameda Blvd.	6C	6C + 2TU (PE only)	\$20
SR 76	Melrose Dr.	I-15	2C	4C	\$500
SR 125**	Telegraph Cyn.	San Miguel Rd.	4T	8T	\$130
SR 125	San Miguel Rd.	SR 54	4F	8F	\$40
	Regional Arterials and Local Access Freeway Interchanges				\$914
				Subtotal	\$2,068
Freeway Connectors					
Freeway	Intersecting Freeway	Movement			
I-5	SR 56	West to North & South to East			\$185
I-5	SR 78	West to South & South to East			\$200
SR 94	SR 125	West to North & South to East			\$150
				Subtotal	\$535
				Total	\$18,413

KEY

C = Conventional Highway Lanes T = Toll Lanes ML = Managed Lanes (HOV & Value Pricing)
 F = Freeway Lanes MB = Movable Barrier HOV = High Occupancy Vehicle Lanes
 TU = Tunnel ML(R) = Managed Lanes (Reversible)
 * public/private partnership
 ** privately funded
 *** funding from federal discretionary defense funding sources

Table A.2-Phased Highway Projects - Revenue Constrained Plan (cont'd)

YEAR BUILT BY	FREEWAY	FROM	TO	EXISTING	IMPROVEMENT	(\$ MILLIONS - 2006 DOLLARS)	
						COST	CUMULATIVE COST
2020	I-5/SR 56	West to North & South to East		--	Freeway Connectors	\$185	\$7,604
2020	I-15/I-805	North to North & South to South		--	HOV Connectors	\$66	\$7,670
2020	I-15	SR 94	SR 163	6F/8F	8F + 2HOV	\$265	\$7,935
2020	I-15/SR 94	South to West & East to North		--	HOV Connectors	\$140	\$8,075
2020	SR 56	I-5	I-15	4F	6F	\$53	\$8,128
2020	SR 94	I-5	I-805	8F	8F + 2HOV	\$200	\$8,328
2020	SR 94/SR 125	West to North & South to East		--	Freeway Connectors	\$150	\$8,478
2020	I-805	SR 52	Carroll Canyon Road	8F	8F + 4ML	\$203	\$8,681
2030	I-5	J Street	Sea World Drive	8F	Access Improvements	\$225	\$8,906
2030	I-5	I-8	La Jolla Village Drive	8F/10F	8F/10F + 2HOV	\$200	\$9,106
2030	I-5	Cannon Road	Vandegrift Boulevard	8F	8F + 4ML	\$800	\$9,906
2030	I-5/SR 78	West to South & South to East		--	Freeway Connectors	\$200	\$10,106
2030	SR 125	Telegraph Canyon.	San Miguel Road	4T	8T	\$130	\$10,236
2030	SR 125	San Miguel Road	SR 54	4F	8F	\$40	\$10,276
2030	SR 241*	Orange County	I-5	4T	4T/6T	\$150	\$10,426
2030	I-805	Palomar Street	SR 94	8F + 2HOV	8F + 4ML	\$300	\$10,726
2030	I-805	SR 94	SR 52	8F	8F + 2HOV	\$631	\$11,357
2030	I-805/SR 52	West to North & South to East		--	HOV Connectors	\$190	\$11,547

* These projects are included in the 2009, 2010, 2014, 2020, and 2030 analysis years for air quality assessment.

* SR 241 - 4 toll lanes from I-5 to Cristianitos interchange; 6 toll lanes from Cristianitos Interchange to Orange County line

KEY

- C = Conventional Highway Lanes
- F = Freeway Lanes
- TU = Tunnel
- T = Toll Lanes
- MB = Movable Barrier
- ML = Managed Lanes (HOV & Value Pricing)
- HOV = High Occupancy Vehicle Lanes
- ML(R) = Managed Lanes (Reversible)

[REDACTED]

Subject: Response to Your I-5/SR-56 Traffic Question

Date: Monday, 1 March 2010 11:08 AM

From: Katie Lemmon <klemmon@cityworks.biz>

To: Manjeet Ranu [REDACTED]

Cc: Arturo Jacobo <arturo_jacobo@dot.ca.gov>

Dear Mr. Ranu:

Thank you for your question regarding traffic from the Carmel Valley community planning area using the proposed westbound SR-56 to northbound

I-5 connector, and the proposed southbound I-5 to eastbound SR-56 connector on the I-5/SR-56 Interchange Project.

The Carmel Valley community planning area will account for 18% of the forecasted 2030 daily traffic volumes on both the proposed westbound SR 56

to northbound I-5 connector, and the proposed southbound I-5 to eastbound

SR 56 connector, as follows:

- 4,140 of the 23,000 daily trips (18%) that would use the westbound SR-56 to northbound I-5 connector would come from the Carmel Valley Community Planning area.
- 3,460 of the 19,220 daily trips (18%) that would use the southbound I-5 to eastbound SR56 connector would come from the Carmel Valley Community Planning area.

Please feel free to contact us with any other questions.

Thank you,

--

Katie Lemmon

Keep San Diego Moving
TransNet

Subject: PHR Info

Date: Wednesday, 3 March 2010 11:20 AM

From: Caroline Brown <carolinebrown@sbsd.k12.ca.us>

To: Manjeet Ranu [REDACTED]

Cc: Leslie Fausset <lfausset@sbsd.k12.ca.us>

Hi Manjeet - It was nice to meet with you yesterday. Always good to keep in touch with the happenings in PHR and CV. Below is the information I promised. Note: Numbers include Santa Barbara.

K - 47

1 - 23

2 - 35

3 - 31

4 - 32

5 - 35

6 - 29

SE - 8

Total - 240

as of 2/26/2010

Caroline J. Brown

cbrown@sbsd.k12.ca.us

www.sbsd.k12.ca.us

Director, Technology Services and New Facilities

Solana Beach School District

309 North Rios Ave.

Solana Beach, CA 92075

(858)794-7141

Fax (858)794-7149

Note: This transmission including any attachments is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If this message is a transmission error, was sent to an incorrect party or for any other reason is received or viewed by an unauthorized or unintended person, please advise immediately by phone at (858)794-7100 or e-mail reply, delete any such unauthorized receipt and return any hard copy by U.S. mail to Solana Beach School District, 309 North Rios Ave., Solana Beach, CA 92075.



CITY OF SAN DIEGO
COUNCILMEMBER SHERRI S. LIGHTNER
DISTRICT ONE

MEMORANDUM

DATE: May 27, 2010 DTID: SL 1005-12
TO: Elizabeth Maland, City Clerk
FROM: Councilmember Sherri S. Lightner 
SUBJECT: Ballot Measure to Amend Proposition M of 1998

Background

The communities of Carmel Valley, Torrey Pines, and Pacific Highlands Ranch have been harmed by the Proposition M ballot measure that was passed by voters in 1998. Proposition M requires the construction of certain freeway ramps between SR-56 and I-5 before the community of Pacific Highlands Ranch can be completed.

It has become clear that these freeway ramps may never be built. If they are ever built, it will not be for at least a decade. Meanwhile, Pacific Highlands Ranch residents do not have basic amenities (grocery stores, schools, parks) because their growth is artificially capped by Proposition M. Pacific Highlands Ranch residents are forced to share Carmel Valley's amenities, which adds to Carmel Valley's traffic woes.

At the same time, Torrey Pines residents oppose new freeway on-ramps because they will be noisy and will intrude onto their property. This pits Torrey Pines residents against their Carmel Valley and Pacific Highlands Ranch neighbors, who regard the construction of freeway ramps as their only hope for ever building amenities in Pacific Highlands Ranch. The communities of Carmel Valley, Torrey Pines, and Pacific Highlands Ranch have united and would like to see Proposition M amended, so that basic amenities can be built in Pacific Highlands Ranch, regardless of whether or not the SR-56/I-5 freeway ramps are built.

The Carmel Valley Community Planning Board and the Torrey Pines Community Planning Board have requested the City Council sponsor a ballot measure to amend Proposition M to allow the completion of the Pacific Highlands Ranch community, which is represented by the Carmel Valley Community Planning Board.

Per Council Policy 0-21, I submit this proposal on behalf and at the request of the community, and I respectfully request that this item be docketed at the June 16 meeting of the Rules, Open Government and Intergovernmental Relations Committee.

Action

The Pacific Highlands Ranch Sub-area Plan was approved by the City Council in 1998 and ratified by the voters as Proposition M in November 1998. In approving Proposition M, the voters of the City of San Diego directed a phase shift of urban reserve lands from Future Urbanizing to Planned Urbanizing, permitting development in the phase-shifted area of Pacific Highlands Ranch to proceed, subject to numerous conditions.

The action for this ballot measure, as found in the Carmel Valley Community Planning Board Prop M Exploratory Committee Report (*See Attachment 1*) is as follows:

1. Amend Proposition M, approved by voters in November, 1998, to delete the following language: "Development within the phased-shifted area of the Pacific Highlands Ranch Subarea Plan shall not exceed 1,900 dwelling units until such time that ramps for westbound SR-56 connecting with I-5 North and I-5 South connecting with eastbound SR-56 are constructed and operational." (*See Attachment 2: strikeout version of the original ballot ordinance O-18568.*)
2. The measure should "become effective upon, but not until, the occurrence of the following events:" The City Council acts on:
 - 1) A Phased Development Program with permit issuance for new housing tied to providing facilities per threshold requirements, and
 - 2) A revised Public Facilities Plan for Pacific Highlands Ranch.

Discussion

According to the Community, the amendment to Proposition M is needed for the following reasons:

1. Pacific Highlands Ranch is approaching the 1,900 du development cap, while the required SR-56 and I-5 direct connectors project remains under environmental study and many years from construction. The interchange project is currently planned to occur in 2020 in SANDAG's Regional Transportation Plan.
2. The community of Pacific Highlands Ranch will remain incomplete if this restriction remains in place. This situation places burdens on its residents and those of surrounding communities, which support the needs of Pacific Highlands Ranch residents.
3. SR-56 and I-5 are major regional freeways that accommodate (and in the future, are projected to accommodate) more traffic than can be attributed to development in Pacific Highlands Ranch. Traffic studies by Caltrans for the I-5/SR-56 connector project show that less than 10% of the future traffic will be from the fully built-out community of Pacific Highlands Ranch.
4. The City's General Plan requires public amenities based on population. The community's population will remain insufficient to trigger the additional planned public facilities and schools in Pacific Highlands Ranch, because the 1,900 du threshold condition is dependent upon I-5/SR56 connectors. Residents of Pacific Highlands Ranch pay a substantial Community Facilities District assessment (Mello-Roos tax) for these future schools that may not be built until after 2020.
5. Residents of Pacific Highlands Ranch must drive outside of the community to shop, attend public schools (except one high school and one elementary school serving only a portion of Pacific Highlands Ranch) and recreate. The nearest of these facilities and amenities are located within Carmel Valley, causing traffic and facilities impacts on Carmel Valley. The Pacific Highlands Ranch community has made clear that its first retail need is for a grocery store. However, retail development is limited to 50,000 square feet with the 1,900 du threshold. A population of approximately 5,000 living in the 1,900 du is unlikely to support retail development.
6. The 1,900 du restriction in Prop M has created an unintended impact to the Torrey Pines community, immediately west of I-5, between Carmel Valley Road and Del Mar Heights Road. The specific language of the restriction makes clear that only direct connector ramps will meet the threshold condition. The Torrey Pines community, through its Community Planning Board and individuals, strongly opposes this option in the ongoing I-5/SR-56 connectors planning process.

The Carmel Valley and Torrey Pines communities strongly believe that the 1,900 du restriction was a mistake. The prudent development of Pacific Highlands Ranch can be guided by existing tools, such as the Community Plan and the Public Facilities Financing Plan.

If my office can be of further assistance, please contact us immediately.

SL:mm

Cc: Council President Ben Hueso
Whitney Benzian, Rules Committee Consultant

ORDINANCE NUMBER O-18568 (NEW SERIES)

ADOPTED ON AUGUST 7, 1998

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF SAN DIEGO AT THE MUNICIPAL ELECTION CONSOLIDATED WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON NOVEMBER 3, 1998, ONE PROPOSITION CONDITIONALLY AMENDING THE OFFICIAL PHASED DEVELOPMENT MAP IN THE CITY'S PROGRESS GUIDE AND GENERAL PLAN WITHIN SUBAREA III OF THE NORTH CITY FUTURE URBANIZING AREA TO CHANGE THE DESIGNATION OF THE 2,102 ACRES KNOWN AS PACIFIC HIGHLANDS RANCH FROM "FUTURE URBANIZING" TO "PLANNED URBANIZING."

WHEREAS, in 1985, the voters of the City adopted the Managed Growth Initiative, known as "Proposition A," which amended the Guidelines for the Future Development Section of the Progress Guide and General Plan of the City of San Diego by requiring approval of the voters before changing the designation of lands from "Future Urbanizing" to "Planned Urbanizing"; and

WHEREAS, a 2,652 acre area is located in Subarea III of the North City Future Urbanizing Area and is currently designated as "Future Urbanizing" on the Official Phased Development Map in the City's Progress Guide and General Plan; and

WHEREAS, the Subarea III Plan for that 2,652 acres was prepared and is titled the "Pacific Highlands Ranch Subarea Plan"; and

WHEREAS, approximately 550 acres of the 2,652 acres in Subarea III has been approved for development at rural densities while preserving 384 of the 550 acres as natural open space; and

WHEREAS, the designation of the remaining 2,102 acres in Subarea III is proposed to be changed from “Future Urbanizing” to “Planned Urbanizing” while preserving an additional 889 of the 2,102 acres as natural open space; and

WHEREAS, in accordance with the Pacific Highlands Ranch Subarea Plan an additional 143 acres of the 2,102 acres is planned for State Route 56 right-of-way, approximately 90 acres of which will be conveyed by Pardee Construction Company to the City for a price substantially below market value; and

~~WHEREAS, the terms of the Transportation Phasing Plan for the Pacific Highlands Ranch Subarea Plan provides that no more than 1,900 dwelling units shall be permitted within the phase shifted area of Subarea III until such time that ramps for westbound SR 56 connecting with I 5 North and I 5 South connecting with eastbound SR 56 are constructed and operational; and~~

~~WHEREAS, the City Council strongly supports the construction of ramps for westbound SR 56 connecting with I 5 North and I 5 South connecting with eastbound SR 56 and intends to aggressively lobby for this project to be a top priority in the year 2,000 State Transportation Improvement Plan (STIP); and~~

WHEREAS, the Pacific Highlands Ranch Subarea Plan provides for designation of at least 1,274 acres of open space, including a wildlife corridor connecting Gonzales and McGonigle Canyons within the regional open space system known as the Multiple Habitat Planning Area [MHPA]; and

WHEREAS, in accordance with this ballot measure, the Pacific Highlands Ranch Subarea Plan, and a certain Development Agreement on file in the office of the City Clerk of the

City of San Diego as Document OO-18571, title to additional property known as Parcels A and B within Neighborhood 8A of Carmel Valley will be conveyed to the City as a condition of changing the designation of 2,102 acres known as Pacific Highlands Ranch Subarea Plan from “Future Urbanizing” to “Planned Urbanizing”; and

WHEREAS, as another condition of changing the designation of 2,102 acres known as Pacific Highlands Ranch Subarea Plan from “Future Urbanizing” to “Planned Urbanizing,” absent voter approval the Council of The City of San Diego shall not permit residential or commercial development within Neighborhood 8C on open space dedicated to the City as shown on Figure 2-1 of the Neighborhood 8C Precise Plan-Option 1 approved by the City Council by Resolution No. R-290506, on July 28, 1998; and

WHEREAS, Pacific Highlands Ranch is located on the eastern boundary of Carmel Valley and is identified in Exhibit 1-1 in the Pacific Highlands Ranch Subarea Plan on file in the office of the City Clerk as Document No. RR-290521, adopted by Resolution No. R-290521, of the City Council on July 28, 1998; and

WHEREAS, implementation of the Pacific Highlands Ranch Subarea Plan requires that the designation of 2,102 acres within Pacific Highlands Ranch, as depicted on Exhibit 1-1 of said Plan, be changed from “Future Urbanizing” to “Planned Urbanizing”; and

WHEREAS, approval of this change of designation in no way permits any other portion of the North City Future Urbanizing Area to have a change of designation without a separate vote of the people; NOW, THEREFORE,

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

Section 1. One proposition amending the Official Phased Development Map in the City's

Progress Guide and General Plan to conditionally change the designation of the 2,102 acres known as Pacific Highlands Ranch within Subarea III of the North City Future Urbanizing Area from "Future Urbanizing" to "Planned Urbanizing" and to conditionally apply related development restrictions upon land within Neighborhoods 8A and 8C of Carmel Valley is hereby submitted to the qualified voters of the City at the Municipal Election to be held November 3, 1998.

The proposition is to read as follows:

In 1985, the voters of the City adopted the Managed Growth Initiative, known as "Proposition A," which amended the Guidelines for the Future Development Section of the Progress Guide and General Plan of the City of San Diego by requiring approval of the voters before changing the designation of lands from "Future Urbanizing" to "Planned Urbanizing."

A 2,652 acre area is located in Subarea III of the North City Future Urbanizing Area and is currently designated as "Future Urbanizing" on the Official Phased Development Map in the City's Progress Guide and General Plan.

The Subarea III Plan for that 2,652 acres was prepared and is titled the "Pacific Highlands Ranch Subarea Plan."

Approximately 550 acres of the 2,652 acres in Subarea III has been approved for development at rural densities while preserving 384 of the 550 acres as natural open space.

The designation of the remaining 2,102 acres in Subarea III is proposed to be changed from “Future Urbanizing” to “Planned Urbanizing” while preserving an additional 889 of the 2,102 acres as natural open space.

In accordance with the Pacific Highlands Ranch Subarea Plan an additional 143 acres of the 2,102 acres is planned for State Route 56 right-of-way, approximately 90 acres of which will be conveyed by Pardee Construction Company to the City for a price substantially below market value.

~~The terms of the Transportation Phasing Plan for the Pacific Highlands Ranch Subarea Plan provides that no more than 1,900 dwelling units shall be permitted within the phase shifted area of Subarea III until such time that State Route 56 westbound/Interstate 5 northbound connection ramps are in place and operational.~~

~~The City Council strongly supports the construction of State Route 56 westbound/Interstate 5 northbound connection ramps and intends to aggressively lobby for this project to be a top priority in the year 2,000 State Transportation Improvement Plan (STIP).~~

The Pacific Highlands Ranch Subarea Plan provides for designation of at least 1,274 acres of open space, including a

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As a condition of changing the designation of 2,102 acres known as Pacific Highlands Ranch Subarea Plan from “Future Urbanizing” to “Planned Urbanizing,” absent voter approval the Council of The City of San Diego shall not permit residential or commercial development within Neighborhood 8C on open space dedicated to the City as shown on Figure 2-1 of the Neighborhood 8C Precise Plan-Option One, approved by the City Council by Resolution No. R-290506, on July 28, 1998.

Pacific Highlands Ranch is located on the eastern boundary of Carmel Valley and is identified in Exhibit 1-1 in the Pacific Highlands Ranch Subarea Plan on file in the office of the City

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Approval of this change of designation in no way permits any other portion of the North City Future Urbanizing Area to have a change of designation without a separate vote of the people.

NOW, THEREFORE, the People of the City of San Diego do hereby resolve to conditionally amend the City’s Progress Guide and General Plan, specifically by conditionally amending the Official Phased Development Map, on file in the office of the City Clerk as Document No. RR-267565-1, to change the designation of 2,102 acres within Pacific Highlands Ranch Subarea Plan as reflected on Exhibit 1-2 of said Plan from “Future Urbanizing” to “Planned Urbanizing,” the amendment to become effective upon, but not until, the occurrence of the following events:

1. Pardee Construction Company offers to dedicate to the City fee title to 126 acres of land known as Parcels A and B within Neighborhood 8A of Carmel Valley and offers to dedicate a conservation easement for an additional 24 acres on Parcel A to

establish a mitigation bank; and

2. Pardee Construction Company has made a legally binding offer to sell to the City approximately 90 acres of land currently under Pardee Construction Company ownership within Subarea III for use as State Route 56 right-of-way at a price which is substantially below market value.

The People of the City of San Diego do hereby further resolve that upon the occurrence of events described above, thereby triggering an amendment of the Official Phased Development Map, on file in the office of the City Clerk as Document No.

RR-267565-1 to change the designation of 2,102 acres within Pacific Highlands Ranch Subarea Plan as reflected on Exhibit 1-2 of said Plan from “Future Urbanizing” to “Planned Urbanizing,” the following development restrictions shall apply to the land which is the subject of this ballot measure:

1. Upon the 150 acres of land known as Parcels A and B within Neighborhood 8A of Carmel Valley, no fewer than 135 acres shall be maintained as natural open space (no residential or commercial development or improved roadways), and no more than 15 acres may be used for a community park site at the specific location shown upon Figure 2.11 of the Neighborhood 8A Specific Plan

approved by the City Council by Ordinance No. O-18572
on September 8, 1998; and

2. Absent voter approval, the Council of The City of San Diego shall not permit residential or commercial development within Neighborhood 8C on open space dedicated to the City as shown on Figure 2-1 of the Neighborhood 8C Precise Plan, approved by the City Council by Resolution No. R-290506 on July 28, 1998; and
3. Absent voter approval, the Council of The City of San Diego shall not amend the Pacific Highlands Ranch Subarea Plan to designate any fewer than 1,274 acres of open space or reduce or eliminate the wildlife corridor which connects Gonzales Canyon and McGonigle Canyon; and
4. ~~Development within the phase shifted area of the Pacific Highlands Ranch Subarea Plan shall not exceed 1,900 dwelling units until such time that ramps for westbound SR 56 connecting with I 5 North and I 5 South connecting with eastbound SR 56 are constructed and operational; and~~
5. Within Pacific Highlands Ranch Subarea Plan, Del Mar Heights Road shall not be accessible to through traffic from east of Camino Santa Fe until that portion of State Route 56

(or a comparable roadway extension in the State Route 56 corridor) is in place from its present terminus at Carmel Valley Road to Camino Santa Fe.

Section 2. On the ballot to be used at this Municipal Election consolidated with the Statewide General Election, in addition to any other matters required by law, there shall be printed substantially the following:

<p>PROPOSITION__.</p> <p>Shall the City of San Diego’s General Plan be amended to change the designation of 2,102 acres in Subarea III from “Future Urbanizing” to “Planned Urbanizing” to allow development of a transit-oriented community, provided that 889 acres remains open space, and an additional 150 acres of extremely rare habitat on Carmel Mountain is dedicated to the City, and approximately 90 acres within Subarea III needed for completion of SR-56 is sold to the City at substantially below market value?</p>	<p>YES</p>	
	<p>NO</p>	

Section 3. An appropriate mark placed in the voting square after the word "YES" shall be counted in favor of the adoption of this proposition. An appropriate mark placed in the voting square after the word "NO" shall be counted against the adoption of the proposition.

Section 4. The City Clerk shall cause this ordinance to be published once in the official newspaper on the Friday following adoption by the City Council. No other notice of the election on this proposition need be given.

Section 5. Pursuant to California Elections Code section 9295, this measure will be available for public examination for no fewer than ten calendar days prior to being submitted for

printing in the sample ballot. During the examination period, any voter registered in the City may seek a writ of mandate or an injunction requiring any or all of the measure to be amended or deleted. The examination period will end on the day that is 75 days prior to the date set for the election. The Clerk shall post notice in his office the specific dates that the examination period will run.

Section 6. Pursuant to section 17 of the San Diego City Charter, this ordinance relating to elections shall take effect on August 7, 1998, which is the day of its introduction and passage.

APPROVED: CASEY GWINN, City Attorney

By

Richard A. Duvernay
Deputy City Attorney

RAD:lc

07/17/99

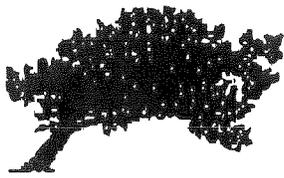
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Torrey Pines Community Planning Board

14151 Boquita Drive, Del Mar, CA 92014
www.torreyplinescommunity.org

BOARD MEMBERS: Dennis E. Rldz, Chair, dennisrldz@hotmail.com; Cathy Kenton, Vice Chair; Kenneth Jenkins, Treasurer; Patti Ashton; Richard Caterina; Chris Cooper; Roy Davis; Michael Foster, Cliff Hanna; Greg Heinzinger; Nancy Moon; Norman Ratner, Noel Spaid; Bob Shopes; Michael Yancelli.

MAY 24 2010 SL ✓

Councilmember Sherri Lightner, First District
202 C Street, 10th Floor
San Diego, CA 92101

May 23, 2010

Subject: Torrey Pines Community Planning Board (TCPB) stance on amending Prop. M

At our May 13th meeting of the Torrey Pines Planning Board, the full board discussed the Carmel Valley Prop M subcommittee report on Prop M and the discussions that took place at the Carmel Valley Board meeting of May 11, 2010. As a result, a motion was made, seconded and passed unanimously. The motion stated:

" The Torrey Pines Community Planning Board shall send a letter of support to Council District One in support of the Carmel Valley's report dated May 4, 2010 as amended on May 11, 2010. Furthermore, the Torrey Pines Community Planning Board will make every effort to support placing an amendment on the San Diego City ballot and support its passage."

As Chair for the TCPB, I spoke to the Board about the reasons for supporting a ballot measure and would like to convey to you the gist and tenor of that discussion. I spoke about a three-legged tripod consisting of Pacific Highlands Ranch amenities, SR-56 direct connector ramps and the PHR Master Plan concept as a Transit Oriented Village.

It is my belief that the citizens of Pacific Highlands Ranch (PHR) should not be held hostage to the limitation that only 1,900 dwelling units can be built at PHR until the connectors between I-5 and SR-56 are completed and operational. The original Prop M was crafted to provide environmental safeguards to the citizens of Carmel Valley and neighboring regions. This task has been accomplished and it is now time for the City Council and Mayor to prepare a phased development plan for PHR that provides for the public facilities that were contemplated in the PHR Master Plan.

The Prop M phrasing about 'direct connector ramps' between I-5 and SR-56 are viewed as burdensome to the Torrey Pines community. The onerous language would only allow for Caltrans '70 foot high Flyover connector ramps' alternative to meet the wording of Prop M. The Torrey Pines Community Planning Board was openly rejected this idea of a massive flyover as detrimental to Torrey Pines community along the I-5 corridor.

The Carmel Valley subcommittee report section c. *Additional Issues for Consideration* best defines the intent of the PHR Master Plan under items iii., iv. and v. These three items were suggested by TCPB Board to strengthen and clarify the concept of "transit-oriented, walkable Village Center for PHR".

I read comments to the TCPB from the SANDAG regional Stakeholders Working Group (SWG) Peer Review Panel findings that speak on the issue of **Leadership** and **Champions**. It is worth repeating that " all successful transit

systems need proactive and well-informed champions. Increasingly, bicycle and pedestrian advocates are supporting transit when they see opportunities for enhancements between the various modes.”

The TPCPB is a willing partner in this effort to assist our neighbors in Carmel Valley and Pacific Highlands Ranch. As such, our Torrey Pines Community Board offers our assistance in the process to amend Prop M and provide ideas that will strengthen citywide support for future passage.



Dennis E. Ridz, Chair TPCPB

CC: Frisco White, Scott Tillson