

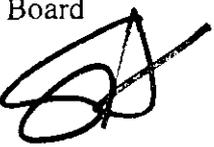


COUNCIL PRESIDENT SCOTT PETERS
FIRST DISTRICT

MEMORANDUM

DATE: June 5, 2008

TO: Torrey Pines Community Planning Group
S.T.O.P
STOP5NOISE
Carmel Valley Community Planning Board

FROM: City Council President Scott Peters 

SUBJECT: Proposition M Amendment

I ask the community to consider the following proposed language change with respect to the I-5 and SR-56 connections. The existing language is as follows, and includes the potential "flyover" from south to east.

"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;"

The following language, if placed on the ballot and approved by the voters, would remove the local requirement for the south to east connection, although the state or federal statutes or regulations may still require both:

"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 a ramp for westbound SR-56 connecting with I-5 North is constructed and operational;"

Passage of this amendment would allow the City and Pardee Homes to pursue a less intrusive alternative to the flyover than Proposition M contemplated. The same requirements for environmental review under state and federal law will still apply. It also enables the completion of much of the critical infrastructure in Pacific Highlands Ranch, which depends on construction beyond the 1,900 cap. Please be aware that the residents of Pacific Highlands Ranch and I support connectors so that the associated roads, parks, library and other infrastructure improvements can proceed. However, I am eager to ensure that the connections are built without a flyover. For this reason I suggest removing the local requirement for a

000416

"ramp" from south to east, pursuant to an amendment like this (although I recognize there is no guarantee that the state or federal government would approve one-way ramps).

If this amendment is not adopted, the status quo will remain in effect. Because of the current language of Proposition M, the City and Pardee may be faced in a year or two with the flyover as the only alternative for proceeding with the proposed development at the end of Caltrans' environmental approvals. I believe that is not desirable.

I will not proceed with any proposals for amendments without community support. For this reason, I asked that this matter be agendaized for the Torrey Pines Planning Board meeting this month so that the Board could provide its input. Proposals for ballot amendments are due to the City Clerk by June 20, for possible consideration by the City Council Committee on Rules, Intergovernmental Affairs and Open Government on June 25, 2008.

Thank you for your assistance with this matter.

SHP: cbh

cc: Council President Pro Tem Jim Madaffer
Patti Boekamp, Director, Engineering and Capital Projects
Beth Fischer, Pardee Homes
Frisco White, ChairCarmel Valley Community Planning Board
Allan Kosup, CALTRANS
Arturo Jacobo, CALTRANS

000417 City Council Ordinance Placing Proposition M
on the Nov. '98 general ballot

(O-99-4 COR. COPY)
08/04/98 - 5:45 PM

6

ORDINANCE NUMBER O- 18568 (NEW SERIES)

ADOPTED ON AUG 07 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

000418 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

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

000420

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 JUL 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:

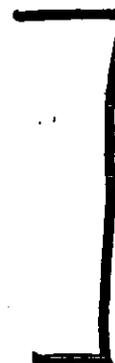
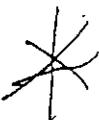
1. Pardee Construction Company offers to dedicate to the

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 SEP 08, 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 JUL 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



000422

- 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:

PROPOSITION_.		
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?	YES	
	NO	

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

CITY OF SAN DIEGO

Proposition M

000423

(This proposition will appear on the ballot in the following form.)

PROP M

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?

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 394 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.

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E-DATE	PROP	TEXT	#/% YES	#/% NO	Charter Amend?	Init/ Ref?	2/3 Vote?
11/3/98	K (pass)	Shall the General Plan of The City of San Diego be amended to change the designation of 1,410 acres in Subarea I from "Future Urbanizing" to "Planned Urbanizing" to create a transit-oriented community, provided that 280 additional acres of habitat is permanently conserved for a total of 1,945 acres of open space in the Subarea, and substantial contributions are made by the developer for needed schools, fire stations, roadway improvements to Interstate 15, SR-56 and other regional roadways?	148,987 51.79%	138,712 48.21%	N	N	N
11/3/98	L	THERE WAS NO PROPOSITION "L" ON THE 11/3/98 BALLOT.					
11/3/98	M (pass)	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?	154,255 53.33%	134,991 46.67%	N	N	N
11/3/98	N (pass)	RATIFICATION OF ORDINANCE NO. O-18569 (NEW SERIES). Shall Ordinance No. O-18569 be ratified? This ordinance authorizes the transfer of approximately 30 acres of City-owned land in exchange for 47.7 acres of land within the planning area for the San Dieguito River Park.	186,098 70.75%	76,938 29.25%	N	N	N
6/2/98	A (pass)	APPROVAL OF ORDINANCE No. O-18443 (N.S) Shall Ordinance No. O-18443 (N.S.) Be approved to allow the expansion of the San Diego Convention Center?	126,589 61.99%	77,635 38.01%	N	ref	N

000425

PROPOSITION K

Shall the General Plan of The City of San Diego be amended to change the designation of 1,410 acres in Subarea I from "Future Urbanizing" to "Planned Urbanizing" to create a transit-oriented community, provided that 280 additional acres of habitat is permanently conserved for a total of 1,945 acres of open space in the Subarea, and substantial contributions are made by the developed for needed schools, fire stations, roadway improvements to Interstate 15, SR-56 and other regional roadways?

This proposition requires a majority vote.

For said proposition the vote was	<u>148,987</u>	<u>51.79%</u>
Against said proposition the vote was	<u>138,712</u>	<u>48.21%</u>
THE TOTAL VOTE WAS	<u>287,699</u>	<u>100.00%</u>

PROPOSITION M

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?

This proposition requires a majority vote.

For said proposition the vote was	<u>154,255</u>	<u>53.33%</u>
Against said proposition the vote was	<u>134,991</u>	<u>46.67%</u>
THE TOTAL VOTE WAS	<u>289,246</u>	<u>100.00%</u>

PROPOSITION N

~~RATIFICATION OF ORDINANCE NO. O-18569 (NEW SERIES). Shall Ordinance No. O-18569 be ratified? This ordinance authorizes the transfer of approximately 30 acres of City-owned land in exchange for 47.7 acres of land within the planning area for the San Dieguito River Park.~~

REQUEST FOR COUNCIL ACTION
000427 CITY OF SAN DIEGO

1. CERTIFICATE NUMBER (FOR AUDITOR'S USE): 331
 07/15
 3. DATE: 06/30/08

TO: CITY ATTORNEY
 2. FROM (ORIGINATING DEPARTMENT): Council President Scott Peters

4. SUBJECT: Ballot Measure: PROPOSITION M AMENDMENT
 5. PRIMARY CONTACT (NAME, PHONE & MAIL STA.): Chanelle Hawken, 236-6979, MS 10A
 6. SECONDARY CONTACT (NAME, PHONE & MAIL STA.): Betsy Kinsley, 236-6611, MS 10A
 7. CHECK BOX IF REPORT TO COUNCIL IS ATTACHED

8. COMPLETE FOR ACCOUNTING PURPOSES

FUND	DEPT.	ORGANIZATION	OBJECT ACCOUNT	JOB ORDER	C.I.P. NUMBER	AMOUNT	9. ADDITIONAL INFORMATION / ESTIMATED COST:

10. ROUTING AND APPROVALS

ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
1	ORIGINATING DEPARTMENT	CHANELLE HAWKEN, POLICY ANALYST		8	DEPUTY CHIEF		
2	AUDITOR AND COMPTROLLER			9	COO		
3	EAS			10	CITY ATTORNEY		
4	LIAISON OFFICE			11	ORIGINATING DEPARTMENT	CHANELLE HAWKEN, POLICY ANALYST, COUNCIL PRESIDENT PETERS OFFICE	
5				DOCKET COORD: _____ COUNCIL LIAISON: _____			
6				<input checked="" type="checkbox"/> COUNCIL PRESIDENT <input type="checkbox"/> SPOB <input type="checkbox"/> CONSENT <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> REFER TO: _____ COUNCIL DATE: 7/15/08			
7							

11. PREPARATION OF: RESOLUTION(S) ORDINANCE(S) AGREEMENT(S) DEED(S)

1) Council consideration of a measure amending Propostion M and placing on the November Ballot.
 2) Directing the City Attorney to prepare ballot language to place this measure on the November ballot

11A. STAFF RECOMMENDATIONS:

12. SPECIAL CONDITIONS:

COUNCIL DISTRICT(S):

CITYWIDE

COMMUNITY AREA(S):

ENVIRONMENTAL IMPACT:

000428

**THIS ACTIVITY IS NOT A "PROJECT" AND IS THEREFORE NOT
SUBJECT TO CEQA PER CEQA GUIDELINES SECTION 15060(C)(2).**

HOUSING IMPACT:

NONE

OTHER ISSUES: