

CITY OF SAN DIEGO

Proposition C

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

PROP C

AMENDING ORDINANCE NUMBER O-18568 (PROPOSITION M OF 1998) RELATING TO DEVELOPMENT OF PACIFIC HIGHLANDS RANCH. Shall Proposition M be amended, allowing completion of parks, library, trails, recreation and transportation facilities for Pacific Highlands Ranch by removing a development timing restriction based on completion of the SR-56/I-5 Interchange, only after City Council approves a program of phased development ensuring facilities are constructed before or concurrent with new development, paid for by developers at no cost to taxpayers?

This proposition requires approval by a simple majority (over 50%) of the voters voting on the proposition.

The proposed ordinance follows the arguments.

OFFICIAL TITLE AND SUMMARY

AMENDING PROPOSITION M OF 1998 – CONCERNING DEVELOPMENT IN PACIFIC HIGHLANDS RANCH

This proposition amends ordinance number O-18568 (Proposition M of 1998) by removing the restriction on developing more than 1,900 dwelling units in Pacific Highlands Ranch until the completion of the SR-56/I-5 Interchange Project. This proposition also adds additional language that limits development until the City Council approves a program for phased development and approves a revised public facilities financing plan for Pacific Highlands Ranch.

CITY ATTORNEY'S IMPARTIAL ANALYSIS

In a special election held November 3, 1998, voters approved Proposition M, a measure that allowed the development of a community now known as Pacific Highlands Ranch, subject to certain conditions. One of the conditions was that only 1,900 dwelling units could be built until ramps for westbound State Route 56 connecting with I-5 North, and for I-5 South connecting with eastbound State Route 56 (the SR-56/I-5 Interchange), were completed. The restriction had been requested by a neighboring community planning group because of its concern that traffic from Pacific Highlands Ranch would significantly impact surrounding communities.

Pacific Highlands Ranch is now approaching 1,900 dwelling units, but completion of the SR- 56/I-5 Interchange, a Caltrans project, is not anticipated until at least 2020. Caltrans reports that when the community is fully built, Pacific Highlands Ranch will contribute 10 percent of the traffic using the future I-5/SR-56 Interchange, while the Carmel Valley planning area as a whole is projected to contribute 18 percent of the traffic.

Community amenities in Pacific Highlands Ranch are funded by Facilities Benefit Assessments (FBA), which are assessed against developers when building permits are issued. Building community amenities requires FBA funds, and the City cannot collect additional FBA funds for amenities in Pacific Highlands Ranch until after the SR-56/I-5 Interchange is complete. Planned schools, neighborhood parks, a community park, bike and pedestrian trails, a recreation center, and a public library that are all part of the community plan cannot be funded and built at this time.

This ballot measure would accomplish this change by amending Proposition M, which imposed the restriction of development to 1,900 dwelling units until the SR-56/I-5 Interchange was complete. This ballot measure removes references to the connection between the 1,900 dwelling unit limit and the completion of the SR-56/I-5 Interchange. This ballot measure would provide that development of more than 1,900 dwelling units can proceed once the City Council both approves a program to phase development in Pacific Highlands Ranch, and revises the Public Facilities Financing Plan for that community. These actions would be funded through the FBA program, based on fees paid by developers. The program for phased development would restrict building permits from being issued until the completion of community amenities and public facilities, consistent with thresholds established in the City's General Plan. The revised Public Facilities Financing Plan would be incorporated into the phased development program for Pacific Highlands Ranch.

FISCAL IMPACT STATEMENT

Expenses incurred to prepare a program of phased development and revisions to the Pacific Highlands Ranch Public Facilities Financing Plan will be borne by the Pacific Highlands Ranch Facilities Benefit Assessment, which is funded by builder/developer fees. There will be no costs to City taxpayers as a result of this ballot measure.

ARGUMENT IN FAVOR OF PROPOSITION C

**Finish the Job.
Vote Yes on Proposition C.**

In 1998, voters' approval of Proposition M established an award-winning managed growth plan for one of San Diego's last remaining new neighborhoods – Pacific Highlands Ranch.

That plan, endorsed by environmental, community and business organizations, permanently preserves 1,275 acres of open space, restores a vital wildlife corridor connecting canyons with the regional open space system, and creates the Carmel Mountain Preserve for inclusion in the Torrey Pines State Park system – all paid for by developers and at no cost to taxpayers.

At the request of the Carmel Valley Community Planning Board, Proposition M included a development timing restriction that linked completion of the community to construction of the SR-56/I-5 freeway interchange.

Pacific Highlands Ranch is now home to over 5,000 residents. Many of the public and commercial facilities needed to serve the community cannot be built, and the open space system cannot be completed, because of the timing restriction.

The SR-56/I-5 interchange project is not planned until 2020, if ever. Recent traffic studies show Pacific Highlands Ranch will produce only 10% of the traffic using the two missing freeway connections. Lacking their own facilities, current residents must drive outside their neighborhood for services, generating traffic in neighboring communities.

Proposition C, placed on the ballot at the request of the Carmel Valley Planning Board and supported by Pacific Highlands Ranch and adjacent community planning groups, permits completion of community parks, open space and trail system, schools, stores, offices, recreation center, bike and pedestrian trails for Pacific Highlands Ranch. It requires developers, not taxpayers, to pay for these facilities, and requires City approval of a phasing plan to ensure facilities are constructed before or concurrent with new development.

Environmental, community and business organizations urge you to vote Yes on Proposition C to finish the community provided by voters in 1998.

SHERRI S. LIGHTNER
Councilmember
City of San Diego

FRISCO WHITE, AIA
Chair
Carmel Valley Community Planning Board

JOE PANETTA
Local Biosciences Leader

DEANNA RICH
Local School Leader

MICHAEL BECK
San Diego Director, Endangered Habitats League

ARGUMENT AGAINST PROPOSITION C

No argument against the proposition was filed
in the office of the City Clerk.

PROPOSED ORDINANCE

BE IT ORDAINED by the People of the City of San Diego as follows:

A. FINDINGS AND DECLARATION OF PURPOSE

1. At the Municipal Election held November 3, 1998, the voters ratified Ordinance No. O-18568 (Proposition M of 1998), directing 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. As a result, the 2008 General Plan now designates Pacific Highlands Ranch as Urbanized Lands. Pacific Highlands Ranch is a pedestrian- and transit-oriented community consisting of approximately 1,275 acres of open space; a wildlife corridor connecting Gonzales and McGonigle Canyons; lands set aside for the regional open space and integrated habitat preservation system known as the Multi-Habitat Planning Area; 143 acres for State Route 56 (SR-56) right-of-way; 20 percent of the housing as affordable; and other integrated community components that advance sustainability and promote quality of life. One of the provisions of Ordinance Number O-18568 (Proposition M of 1998), requested by an adjacent community planning group, provided that only 1,900 dwelling units could be constructed in Pacific Highlands Ranch until the SR-56 west to Interstate Highway 5 (I-5) north and the I-5 south to SR-56 east connector ramps (SR-56/I-5 Interchange) are in place and operational (development timing restriction). Currently, the south-facing ramps at SR-56 and I-5 have been built and are operational. The development of Pacific Highlands Ranch is approaching 1,900 dwelling units, but the SR-56/I-5 Interchange is a Caltrans project that remains under environmental study, and is not planned to occur until 2020. The basis for including the development timing restriction was the concern that Pacific Highlands Ranch traffic might significantly impact the streets of adjacent communities; however, Caltrans reports that once Pacific Highlands Ranch is built in its entirety, the community will contribute only 10 percent of the traffic using the future I-5/SR-56 Interchange, where the Carmel Valley planning area as a whole is projected to contribute 18 percent of that traffic. No other local community's development is limited based on the completion of these two missing regional interchange ramps. Furthermore, the Master Environmental Impact Report (MEIR) for Pacific Highlands Ranch did not require the development timing restriction, as environmental mitigation or otherwise.

2. As a result of the development timing restriction, the City cannot collect facilities benefit assessments upon the issuance of building permits for any more than 1,900 dwelling units. If the City cannot collect additional facilities benefit assessments, public facilities cannot be constructed for the Pacific Highlands Ranch community. Therefore, until the development timing restriction is de-linked from the completion of the SR-56/I-5 Interchange Project, the Pacific Highlands Ranch community's remaining planned schools, neighborhood parks, community park, employment center, bike and pedestrian trails, recreation center, public library, additional affordable housing and additional homes that are part of the community plan cannot be built.

3. The community of Pacific Highlands Ranch and the surrounding communities continue to support phased development that requires community amenities and public facilities be developed prior to, or concurrent with, the development of residential dwelling units.

4. Because of these considerations and in recognition that relatively little traffic coming from Pacific Highlands Ranch will use the future ramps of the I-5/SR-56 Interchange Project, the adjacent community planning group (that requested inclusion of the transportation phasing restriction in Proposition M in 1998) now supports removal of the development timing restriction under the conditions provided below, as do other surrounding planning groups. Because Proposition M of 1998 was approved by the voters of the City of San Diego, however, any amendment to Proposition M also requires City of San Diego voter approval.

PROPOSED ORDINANCE (Continued)

B. AMENDMENT OF O-18568 (PROPOSITION M OF 1998)

~~DELETED LANGUAGE~~
NEW LANGUAGE

BE IT FURTHER ORDAINED by the People of the City of San Diego that O-18568 (Proposition M) is hereby amended 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 the 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 2000 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.

PROPOSED ORDINANCE (Continued)

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 in 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 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 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-18752 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~~

PROPOSED ORDINANCE (Continued)

- ~~5.4.~~ 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.
5. Pacific Highlands Ranch development may proceed independently of the I-5/SR-56 Interchange Project; provided however that development in the phase shifted area of Pacific Highlands Ranch shall not exceed 1,900 dwelling units until:
- (a) The Council of the City of San Diego approves a program for phased development for Pacific Highlands Ranch, which program shall integrate all appropriate components that guide and regulate the community's development, and shall further mandate that building permit issuance for new housing be dependent upon completion of community amenities and public facilities consistent with thresholds set forth in the City's General Plan before or concurrent with new development, and construction of which shall be paid for by developers at no cost to taxpayers, and
- (b) The Council of the City of San Diego approves a revised Public Facilities Financing Plan for Pacific Highlands Ranch, which shall become part of a comprehensive and integrated program for the phased development of Pacific Highlands Ranch.
6. Except as provided in numbers 2 and 3, above, the City Council may amend this ordinance in a manner that is consistent with and in furtherance of the purpose of this ordinance.