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## **IMPLEMENTATION ELEMENT**

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### **INTRODUCTION**

The Plan sets forth guidelines for the development of the community. The Plan, however, is only a first step in the process of achieving the most desirable living environment possible for the area. The success rate of implementing the goals and proposals stated within the Plan will determine whether or not Rancho Bernardo becomes the type of community its residents desire. The implementation of these proposals requires a high degree of coordination between community residents, development interests and various levels of government. The following section of the Plan contains generalized implementation process recommendations which attempt to clarify the citizen's role in assuring the fulfillment of the community goals set forth in this Plan.

### **GENERALIZED IMPLEMENTATION PROCESS RECOMMENDATIONS**

- **Community Planning Board**

The Community Planning Board should be involved and active in the implementation of the Plan. Its work should include initiating action based upon Plan proposals, monitoring development activity in Rancho Bernardo and periodically conducting general meetings within the community so as to raise the consciousness of the people relative to planning and implementation efforts. It should also function to obtain public opinion, to act as liaison between the residents, developer and City government, and to maintain the Plan on a contemporary basis by periodic review and updating. Conversely, all governmental agencies should solicit Planning Board and community input before making decisions that affect the Plan.

- **Monitoring of Development Activity**

The Community Planning Board should review public facility improvements, tentative maps, rezonings, subdivisions, hillside review permits, conditional use permits, Plan amendments, planned residential and commercial developments and other proposed developments affecting the community, and make recommendations to the appropriate governmental agency regarding the individual project's conformance to the goals and objectives of the Plan. Of specific concern is the implementation of the residential and commercial objectives of the Plan. Although these types of objectives can be achieved through good design and concern on the part of the developers, it is highly recommended that residential and commercial development utilize the planned residential development and planned commercial development procedures. Such procedures will help to retain the high standard of development found in the community and will ensure that development is sensitive to existing topography and surrounding land uses. To further ensure compliance with the Plan, the Planning Board may utilize the standard City processes identified in the Tools of Compliance and Implementation Section of this element. Through these processes it is hoped that the objectives of the Plan can be realized.

- **Capital Improvements Review**

Each year, the City prepares a Capital Improvements Program which lists projects that are proposed to be financed within the next six-year period. The first year of this program is formally adopted by the City Council. The Capital Improvements Program should be used to implement the goals, objectives and proposals of the Plan. The Planning Board, through its Chairman and committees, should review the Capital Improvements Program on an annual basis to guarantee maximum community input regarding the funding and timely completion of the Program's projects. The written recommendation and findings of the Board should be provided to the City.

- **Plan Review and Update Procedures**

This Plan should not be considered as a static document. It is the intent of the Plan to provide guidance for orderly growth and to respond to changing environmental, social and economic conditions. In order to accomplish these aims the Plan must be continually monitored and amended by the Community Planning Board and the Planning Department so that it remains relevant to community and City needs. Of particular importance is the maintenance of adequate public facilities and services such as library, police and fire protection, sewage and roads. A general review of the Plan will be a joint task between the Planning Board and City staff and will involve major update and Plan revisions on an as needed basis.

- **Tools of Compliance and Implementation**

The following methods and procedures are identified as controls and input opportunities regarding development proposals. The Planning Board should view these processes as opportunities and tools to ensure compliance with the Plan.

- a. Subdivision Map Act and Local Subdivision Ordinance. These laws, as enforced by City staff, Planning Commission and City Council, are intended to ensure provision of on-site improvements, enforcement of matters dealing with public health, safety and welfare, and provision of those off-site public facilities directly related to the needs of the subdivision. The subdivision process can also be used to create open space areas, varied setbacks and public park dedications.
4. Open Space Maintenance District. Open Space Maintenance Districts can be created (subject to City Council approval) to maintain additions to the open space system. The subdivision process will ensure the improvement and dedication of such open space. Districts should be established as needed to cover new development areas subject to review by the Rancho Bernardo Community Planning Board and approval by the City Council.
5. Park Service District. The population-based park service districts established by the City permit collection of fees during the development process which can be used for the acquisition and improvement of neighborhood and community park facilities.

6. Hillside Review Permits. This process provides citizens with an opportunity to review and comment on development proposals for areas with slopes exceeding 25 percent which meet the criteria of the Hillside Review Overlay Zone.
7. Planned Commercial, Industrial and Residential Developments. The Planned Commercial Development (PCD), Planned Industrial Development (PID) and Planned Residential Development (PRD) Ordinances permit flexible approaches to achieve the design goals of this Plan. These processes involve a public hearing, at which public comment and participation are sought regarding the proposed project.
8. Rezoning Procedures. Because the City Council must approve a rezoning for most of the additional development in Rancho Bernardo, a full public hearing through the Council is required.
9. Environmental Review. Under the terms of the California Environmental Quality Act (CEQA) and the City Code, all rezonings, subdivisions, use permits, hillside permits and other discretionary acts required for implementation of this Plan are subject to environmental review. This review includes City staff analysis of the proposed projects and their impacts, as well as a public review period. It also considers alternatives to the proposed projects.
10. Subdivision Law. This state law, which must be differentiated from the Map Act, is administered by the Commission of Real Estate. Its basic purpose is to eliminate fraud by assuring that all required or promised facilities, both public and private, will be provided. This must be determined prior to public announcement of the sale or rental of property.
11. City Council Policy 600-10. Because of limits inherent in the Subdivision Map Act, the City Council has adopted and continues to endorse this policy. Before an applicant is granted approval for a tentative map, use permit or rezoning, he must show that all necessary public facilities will be furnished at the time of need. Proof of such provision may take the form of letters from other public agencies, such as Poway Unified School District, or written offers by the applicant which are then incorporated in the approvals as voluntary but absolute requirements of development.
12. Appeal. When the Planning Board takes a position contrary to that of the Planning Director, Planning Department or the Subdivision Review Board and any other decision-making body, the Planning Board may appeal the decision to the Planning Commission and City Council.

- **Conformance to State, Federal and Local Planning Legislation**

In recent years, a new understanding of planning principles has developed throughout the nation which not only recognizes the importance of land use relationships, but stresses the preservation of the community's environment. Fostered by the problems associated with uncontrolled urbanization, this new attitude has come about because of peoples' concern over the threatened loss of the intrinsic values they are increasingly unwilling to forfeit.

These national concerns have been reflected at the federal legislative level with the formation in 1970 of the Environmental Protection Agency (EPA) and the creation of the Clean Air Act of 1970. The EPA has been delegated the task of reducing air pollution under this Act. Some of the initial recommendations considered for San Diego were mass transit priority, parking surcharge and management, as well as limitations on gasoline. The move to decrease dependence on the automobile is balanced by the increased importance of public transportation and the bicycle as an alternate means of transportation.

Several important environmental laws have been passed in California. The California Environmental Quality Act of 1970 is aimed at determining the extent of environmental damage, if any, created by the completion of proposed projects which require Environmental Impact Reports.

Also, State Assembly Bill 1301 (Section 65860 of the Government Code) was passed in 1971 and amended in 1972; and is intended to create consistency between land use proposals, zoning regulations and long-range plans. According to A.B. 1301, the zoning ordinance must be consistent with the General Plan.

There are also several City Council Policies that apply citywide and hence, are of significance in Rancho Bernardo. Policy 600-6 (1967) states that zoning should be used to implement proposals in adopted community plans. This policy is an indication of the City's intent to follow through on its proposed plans and is also supportive of A.B. 1301. Policy 600-19 (1972) calls for the fostering of balanced community development through the provision of adequate housing for all segments of the population.

As provided for in Section 91.01, paragraph two, of the Uniform Building Code; if a determination is made at a public hearing that issuance of a building permit or permits would detrimentally affect the public health, safety or general welfare of the citizens of the City of San Diego, an ordinance may be adopted by the City Council limiting or preventing the issuance of any type, number or geographical distribution of permits for construction of any facility for which a permit is required. Any such ordinance imposing a limitation shall specify: the type of construction, the geographic area, the period the limitation shall be imposed and the facts which require the adoption of such an ordinance.

Council Policy 600-10 (1971) seeks to avoid utilization of Section 91.01 by stating development can proceed only if adequate public facilities are assured. As such, Council Policy 600-10 serves as a regulator of growth. Coupled with this policy is the closely related issue of school availability. Council Policy 600-22 (1977 revised) states that the availability of schools shall be considered as an important factor in determining the effect on the public health, safety and general welfare when deciding rezoning or the approval of developments which will generate more school-age children. California Government Code Section 53080, Chapter 888, effective January 1, 1987, authorizes school districts to levy a fee, charge, dedication, or other form of requirement, upon development projects for the construction or reconstruction of school facilities.

In order to effectively monitor the adequacy and availability of public facilities, a current tabulation of building permit applications will be made available to the Planning Board and appropriate governmental agencies so that they will be able to quickly report to the City Council any circumstances which would warrant prompt City Council action.

The existence of these federal, state and City measures is certain to have substantial effects on Rancho Bernardo for years to come. These measures will not be replaced by the Plan. Rather, they are supplemented by the criteria within the Plan itself to best achieve the implementation of the Plan's proposals.

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## SUMMARY OF PLAN PROPOSALS

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The recommendations of the Plan are summarized in the tables included in this section of the Plan. An effort has been made to assign priorities to all proposals in terms of their overall importance relative to community need.

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### HOUSING AND RESIDENTIAL ELEMENT

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<b>Proposal</b>	<b>Priority</b>	<b>Action</b>	<b>Responsibility</b>
Maintain a range of residential densities as shown on the Plan Map. Minor variations are expected to occur based upon more precise studies. However, the wide density average should remain consistent with the Plan.	Continuing	Initiate rezonings to conform to the Plan.	Developer Planning Commission City Council
Use PRD permits whenever possible. Develop design criteria for use as guidelines in processing PRD permits. Design and construction of residential units should blend with existing housing patterns.	Immediate	Work with property owners, realtors and developers.	Planning Board Planning Department Owner/Developer
Relate dwelling units to topography.	Immediate	Work with property owners, realtors and developers to strongly encourage the use of PRD concepts.	Planning Board Planning Department Developer
Vary housing types and densities to create interest and provide a mix of economic and social characteristics.	Immediate	Work with property owners, realtors and developers to encourage a balanced community concept.	Planning Board Planning Department Owner/Developer

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## COMMERCIAL ELEMENT

<b>Proposal</b>	<b>Priority</b>	<b>Action</b>	<b>Responsibility</b>
Continue development of Town Center and specialized commercial areas. Encourage a mix of commercial and cultural uses in the Town Center to provide a truly versatile and active focus to the community.	According to need	a. Work with owners, realtors and developers. b. Maintain existing zoning.	Planning Board Developer
Promote design of structures, lighting and displays in keeping with desired quality environment.	Immediate Continuing	a. Monitor compliance. b. Work with realtors, owners.	Community action
Use PCD permits for development or redevelopment projects whenever possible.	Immediate Continuing	Work with owners, realtors and developers.	Planning Board Planning Department Owner/Developer
Apply the Community Plan Implementation Overlay Zone (CPIOZ) to the “Webb Park” site and to the area designated for commercial office use.	Immediate Continuing	a. Monitor compliance. b. Work with owner, developer to achieve.	Planning Board Planning Department Owner/Developer
Apply the CA-RR zone to the Town Center and the specialized commercial areas east of I-15.	Immediate	Initiate rezoning.	Planning Department Planning Commission City Council

## INDUSTRIAL ELEMENT

<b>Proposal</b>	<b>Priority</b>	<b>Action</b>	<b>Responsibility</b>
Industrial rezonings should be restricted to the M-1B and M-1P zones.	Continuing	Future rezonings in accordance with Plan proposals.	Planning Commission City Council
Day care centers and recreation facilities should be incorporated into the industrial area.	Continuing	Work with owners, developers and realtors.	Private
Extensive landscaping should be utilized in all development that has frontage on West Bernardo Drive and Bernardo Center Drive.	Continuing	Work with owners and developers.	Planning Commission
Monitor development proposals not regulated by the M-1P zone. Recommend they develop under a Planned Industrial Development (PID) permit.	Continuing	Work with owners, developers and realtors.	Planning Board Planning Department Owner/Developer

## COMMUNITY FACILITIES ELEMENT

<b>Proposal</b>	<b>Priority</b>	<b>Action</b>	<b>Responsibility</b>
Police: Monitor adequacy of service provided by the northern substation in Rancho Peñasquitos.	Continuing	Notify appropriate City representative of service needs and follow up as needed.	Community action Planning Board City Manager
Fire: Monitor adequacy of service provided by station located in community. Apply the Institutional Overlay Zone.	Continuing Immediate	Notify appropriate City representative of service needs and follow up as needed with staff and/or Council.	Community action Planning Board City Manager Planning Department
Schools: Locate and construct school facilities.	As needed	Citizens committee and developer advise and work with Poway Unified School District.	Poway Unified School District Planning Board
Apply the Institutional Overlay Zone to public schools.	Immediate	Citizens committee and City Planning work with Poway Unified School District.	Planning Board Planning Department
Library: Apply the Institutional Overlay Zone.	Immediate	Follow through for implementation.	Planning Board Planning Department
Water: Monitor adequacy of service.	Continuing	Notify appropriate City staff of service needs and follow up as needed with staff and/or Council.	Planning Board City Manager Community action Citizens committee
Sewer: Monitor adequacy of service.	Continuing	Notify appropriate City staff of service needs and follow up as needed with staff and/or Council.	Citizens committee Community action Planning Board City Manager
Public Transportation: Continue bus service from Rancho Bernardo to downtown San Diego.	Continuing express	Monitor and determine ongoing.	Transit Corporation needs
Bikeways and Equestrian Trails: Develop community bikeway and equestrian trails system coordinated with regional system.	Immediate	Follow through for implementation of approved plans.	Planning Board City Manager
Open Space: establish and maintain open space system throughout the community.	Continuing	Monitor development plan proposals for preservation of natural amenities. Initiate action to ensure perpetuity and maintenance of open space areas.	Developer Planning Board Planning Department Planning Commission City Council Citizens committee
Park and Recreation Facilities: Provide recreational facilities in developing neighborhoods as identified on the Plan Map.	Contingent upon future	Construct improvements and ensure maintenance and operation.	Developer
Provide and maintain recreational facilities at the community park.	As soon as possible	Complete construction of recreation facilities.	Rancho Bernardo Recreation Council Park and Rec. Dept. City Council
Cable TV: Improve service.	Continuing	Monitor existing service and determine ongoing service to provide acceptable service level.	Citizens committee City Manager