

## MCAS MIRAMAR/SANTEE HILLSIDE PROTECTION INITIATIVE

**To the Honorable Clerk of the City of Santee:** We, the undersigned, registered and qualified voters of the City of Santee, hereby propose an initiative measure to amend the City of Santee General Plan. We petition you to submit this measure to the City Council for the City of Santee for adoption without change, or for submission of the measure to the voters of the City of Santee at the earliest regular or special election for which it qualifies. The measure provides as follows:

## MCAS MIRAMAR/SANTEE HILLSIDE PROTECTION INITIATIVE

The people of the City of Santee hereby ordain as follows:

### SECTION 1: PURPOSE AND FINDINGS

**A. Purpose:** The purposes of this MCAS Miramar/Santee Hillside Protection Initiative (“Initiative”) are: (1) to protect existing and future operations of the Marine Corps Air Station (“MCAS”) Miramar from residential encroachment that could conflict with those operations; and (2) to prevent inappropriate and premature development of sensitive hillsides surrounding MCAS Miramar and elsewhere within the City of Santee and its official Planning Area. The Initiative does so by amending the City’s General Plan, as adopted on August 27, 2003, and amended through April 19, 2004 (“General Plan”), to restrict development on lands adjacent to MCAS Miramar and on other steeply sloped lands within the City and its official Planning Area. By restricting and discouraging sprawling development on these sensitive lands, the Initiative would also help prevent traffic, water pollution, and air pollution. With certain limited exceptions, these restrictions and policies could not be amended until December 31, 2034 without voter approval.

**B. The Importance of MCAS Miramar:** MCAS Miramar is vital to our local and regional economy. According to the *MCAS Miramar Shareholders’ Report 2004*, MCAS Miramar is the 7<sup>th</sup> largest employer in San Diego County with more than 11,000 salaries that immediately impact the San Diego County economy through the local purchase of goods and services. With a \$252 million military payroll, civilian salaries and related appropriations, the total economic impact on San Diego County was estimated at \$556,824,970 during fiscal year 2003. MCAS Miramar also serves a critical role in protecting our national security and our nation’s role in world affairs. The general location of MCAS Miramar is shown on Exhibit 1 to this Initiative.

**C. Protecting MCAS Miramar and the City’s Future From Urban Sprawl and Traffic Gridlock:** The continued operation of MCAS Miramar and its utility for military purposes are threatened by encroachment of urban sprawl on presently undeveloped areas such as Fanita Ranch, which is under a primary path for jets and helicopters approaching MCAS Miramar. By rendering MCAS Miramar less suitable for military use, sprawling development would also increase the likelihood that the facility will be replaced with a more intensive civilian international or regional airport, which would threaten the City’s quality of life. In fact, MCAS Miramar is already being considered as one of several potential sites for such a new commercial

airport. As the City's General Plan warns, "a new regional airport could create significant land use compatibility issues for the City." General Plan at 1-14. A new regional airport would greatly increase adverse noise and traffic impacts for area residents. At the same time, urban sprawl in the areas surrounding MCAS Miramar—including Fanita Ranch and East Elliot—would cause traffic gridlock to worsen even further.

**D. Reinstating Santee's Commitment to Preserving Sensitive Hillside, Ridgelines, and Scenic Viewsheds:** Fanita Ranch, East Elliot, and other areas adjacent to MCAS Miramar have ancient landslides and extremely steep, fire-prone slopes, which render these areas particularly unsuitable for intensive development. Rattlesnake Mountain, while geologically more stable, is visually prominent and has similarly steep, fire-prone slopes. In the past, both the City voters and the City's land use regulations have emphasized the importance of protecting such slopes from intensive development. In a 1999 city-wide referendum, for instance, City voters rejected a proposal to develop 2,988 units on Fanita Ranch. The City Attorney's official Impartial Analysis for that ballot measure stated that the development contemplated by the Fanita Ranch Specific Plan approved by the City Council "would contribute to cumulatively significant and unmitigable long-term impacts on regional traffic, air quality, water quality, and noise." *Impartial Analysis Measure B*, 1999 Special Election. The same Impartial Analysis further stated that, without mitigation, "the Fanita Ranch project could have potentially significant environmental effects in the following areas: land use, traffic, hydrology, and water quality, visual quality, geology and soils, biology, air quality, noise, public services, cultural resources, and energy." Recent actions by the City Council, however, have weakened the City's protections for steeply sloped lands. Accordingly, this Initiative will amend the General Plan to reinstate and strengthen the City's commitment to preserving sensitive hillside, ridgelines, and scenic viewsheds. These amendments affirm that Fanita Ranch, Rattlesnake Mountain, and other steeply sloped lands within the City and its adjacent Planning Area provide valuable viewsheds for City residents, protect existing homeowners from landslides and flooding, and generally enrich the City by defining its geographic sense of place.

**E. Accommodating Housing Needs:** The Santee area's population will likely grow, along with a demand for more housing. This Initiative allows the City to continue to meet the housing needs of all economic segments of its population, while encouraging sound planning. This Initiative would continue to permit more in-fill development within the City's developed area, as well as the undeveloped Town Center area, where services and infrastructure can be more efficiently provided and where sufficient sites have already been identified in the General Plan Housing Element to fully accommodate the City's fair share of regional housing needs. Even with the restrictions adopted by this Initiative, the City has identified sufficient sites to accommodate the City's fair share of regional housing needs. This Initiative also provides an exception so that if the City needs to rely on lands protected by this Initiative for the provision of affordable housing in the future, the City Council may amend the General Plan to do so without voter approval.

**F. Effect of Initiative:** To achieve the above-stated purposes, this Initiative would amend the General Plan to: (1) generally limit residential development in the Fanita Ranch Planned Development area to one- or two-acre minimum estate lots and residential development in the Rattlesnake Mountain Planned Development area to one-acre minimum estate lots; (2) apply a

Park/Open Space land use planning designation to the undeveloped areas—including areas adjacent to MCAS Miramar—that are inside the City’s official Planning Area, but outside its municipal boundary; (3) reinstate recently removed protections for steeply sloped lands throughout the City; and (4) require voter approval for any changes to the key provisions adopted by the Initiative during the next 30 years, except where necessary to avoid an unconstitutional taking or to comply with State housing law.

**G. Exhibits:** Certain documents are attached to this Initiative for reference purposes. These include the following: (1) a map of MCAS Miramar and Surrounding Areas; (2) General Plan Figure 1-1, entitled “Land Use Plan;” (3) General Plan Figure 1-6, entitled “Rattlesnake Mountain Planned Development Overlay;” (4) a map entitled “Park/Open Space Planning Designation Map for areas adjacent to City;” (5) General Plan Land Use Element section 8.2; (6) the General Plan’s description of the Hillside Limited (“HL”), Park/Open Space (“P/OS”), Planned Development (“PD”), and Town Center (“TC”) land use designations; (7) City of Santee Zoning Code sections 17.10.040, 17.22.040, and 17.22.050; and (8) General Plan Housing Element Figure 2, Tables 17, 19, 28, 29, and 30, and Map 2-3. These documents are attached hereto as Exhibits 1 through 8, respectively. Except as expressly provided in Sections 2 and 3, below, this Initiative does not adopt or amend any of the policies, designations, maps, or text contained in Exhibits 1 through 8.

## **SECTION 2: GENERAL PLAN AMENDMENTS**

This Section of the Initiative enacts amendments to the City of Santee General Plan, as adopted on August 27, 2003 and modified by any amendments adopted up to and including April 19, 2004. Text to be inserted in the General Plan is indicated in **bold** type, while text to be deleted is indicated in ~~strikeout~~. Text in standard type currently appears in the General Plan and is readopted and reaffirmed by this Initiative. To avoid confusion, headings or text that presently appear in **bold** in the existing General Plan are shown here as underline type.

**A. Amendments to Fanita Ranch Guiding Principles:** The provisions of General Plan Land Use Element section 8.2 establishing the Fanita Ranch “Guiding Principles,” commencing on page 1-29 of the General Plan, are hereby amended and readopted as shown below. (The full text of section 8.2 is attached to this Initiative for reference purposes as Exhibit 5).

“Fanita Ranch - The Fanita Ranch planned development will be developed in a manner consistent with the Guiding Principles described below:

1. **Until December 31, 2034, the Guiding Principles for Fanita Ranch, as set forth in this section 8.2, and the boundaries and planning designation for the Fanita Ranch Planned Development District, as shown on the Land Use Plan (Figure 1-1), shall not be amended except as expressly provided in Land Use Element section 8.2.1, below.** ~~The Planned Development may include a comprehensively planned, high architectural quality business or office park. The business or office park shall include such uses as research and development, high technology uses, medical complex, executive headquarters or other similar office or business uses.~~

2. The Planned Development ~~shall~~ **should, subject to population demand,** include a community focus (Fanita Center) which includes provisions for public parks, commercial development and institutional uses such as schools, fire station, branch library or branch post office.
  
3. **The minimum residential lot size in the Fanita Ranch Planned Development area shall be one-acre estates, provided, however, that this guideline shall not prohibit smaller minimum parcel sizes to the extent necessary to allow for density bonuses required by State law. Residential development shall include a mix of lot sizes distributed as follows:**  
**two-acres or larger lot size – at least 75% of total lots**  
**one-acre lot size – no more than 25% of total lots**  
~~The plan shall contain a mix of house sizes on lot sizes distributed as follows:~~  
~~6,000 sq. ft. lots – 20 percent of total lots~~  
~~10,000 sq. ft. lots – 20 percent of total lots~~  
~~20,000 sq. ft. lots – 60 percent of total lots or greater~~
  
4. ~~Any~~ **The Land Use Plan, Administrative Plan, Circulation Plan, Trails and Open Space Plan, or and Illustrative Site Plan for the Fanita Ranch Planned Development area** shall be sensitive to the natural open space and the preservation of existing natural major land forms. The purpose of this requirement is to protect the major ridgeline and viewshed amenities, to minimize erosion, provide for public safety, protect natural resources and to establish site specific design standards which provide for development in harmony with the environment. The planned development will utilize contour grading techniques which are consistent with these objectives while providing opportunities for creative product design.
  
5. **With the exception of the roadway improvements for the Cuyamaca Street extension—which shall not traverse slopes in excess of twenty-five (25) percent—no development shall be permitted on hillsides with slopes greater than or equal to twenty (20) percent.** ~~Other than within the northeastern sector of the site, the General Plan guidelines for hillside development should be used as the basis of the planned development’s conceptual grading. Consideration may be given to permit grading of isolated steep slopes or along transition edges of steep slopes. Mass terracing should be avoided in favor of individual pad grading, wherever possible.~~
  
6. **To promote efficient land use, all buildings on any parcel over two acres in size shall be placed within a contiguous “development envelope” not to exceed two acres, except for public facilities that the City Council determines, on the basis of substantial evidence, cannot feasibly comply with this requirement.** ~~The plan may consider alternative residential design and grading requirements which are sensitive to the existing topography and out of the City's viewshed.~~
  
7. A southern portion of Fanita Ranch, primarily southerly of the SDG&E power line, shall be identified as a regional park and contain no less than 400 acres.

8. The Planned Development should, subject to population demand, contain mini-parks, neighborhood parks, and two community parks. Dedication of a Sports Park, (accessed by Carlton Hills Boulevard), to the City of Santee will fulfill the requirements of one community park.
9. **No development shall be located within 150 feet of any of the following: (a) the edge of any ephemeral, perennial, intermittent, or permanent watercourse; or (b) any vernal pool. As part of the subdivision process, the City may grant an exception to this requirement for roads, utilities, or other public infrastructure to the extent that the City Council (or other City approving authority) determines that doing so is necessary to accommodate otherwise permissible development.** ~~The plan shall contain a championship level, minimum 6,800-yard, par 70-75, 18-hole golf course, including support facilities. A hotel/conference complex shall be included in conjunction with the golf-course facility. An alternative plan may also be designated which, in lieu of a golf course and hotel/conference facility, includes a recreational facility based around a man-made lake, using non-reclaimed water, and which is approximately 200 acres in area.~~
10. **Fanita Parkway shall not be extended north of the SDG&E power lines, as they existed on April 19, 2004.** ~~The Planned Development shall include the extension of Fanita Parkway along the western boundary of the property.~~
11. **Cuyamaca Street may extend into the site on slopes less than or equal to twenty-five (25) percent, but shall not connect with Fanita Parkway, Carlton Hills Boulevard, Strathmore Drive, Ganley Road, Halberns Boulevard, Cecilwood Drive, Via Francis, or any other surface street between these streets. For emergency or secondary access, Cuyamaca Street may be connected to the northern terminus of the road leading into the sewage treatment plant from the intersection of Ganley Road and Fanita Parkway.** ~~The Planned Development shall include the extension of Cuyamaca Street into the site, connecting with Fanita Parkway.~~
12. Additional circulation facilities for the planned development areas ~~may~~ **shall** be considered. The traffic and phasing analysis ~~may~~ **shall** specifically address the following elements, **which shall be approved only if the City Council first determines, on the basis of substantial evidence, that such facilities are necessary to meet City needs:**
  - a. Extension of Magnolia Avenue north and west to connect with Cuyamaca Street extension.
  - b. The provision of a connecting road between the project and State Route 67.
  - c. The extension of Carlton Hills Boulevard from its present terminus northward **to the sports park or community park provided for in Guideline 8, above** ~~through the site to the developed area.~~

d. The participation in and extension of Mast Boulevard east and/or west to connect with State Highways 67 or 52 and Mission Gorge Road.

~~e. A four-lane surface street (Fanita Parkway) along the western boundary.~~

13. The Planned Development shall include a Comprehensive Trails Element designed to link with the proposed trails outside the Fanita Ranch, which is consistent with the objectives and standards set forth within the City's adopted Trails Element to the General Plan. Access to Sycamore Park shall be provided to Santee residents.

14. The Planned Development shall include a Comprehensive Implementation Element which shall consist of:

- 1) A cost revenue assessment.
- 2) Identification of required public improvements.
- 3) A phasing plan for the public improvements and land use.
- 4) A financing plan for the public improvements.
- 5) A Development Agreement.

Regarding phasing, all public improvements and land uses shall be phased according to detailed phasing plan as mentioned above (14.3). Public improvements shall be constructed prior to or simultaneously with their projected need. The plan shall contain performance standards or other measurements for determining the timing for all public improvements. Performance standards may include any appropriate means of measurement to determine when a given public improvement is deemed necessary by the City. Private land uses shall be phased to insure that land uses deemed desirable by the City (i.e. ~~parks, golf courses, estate units, executive units, etc.~~) will be included within the earliest phases of the Fanita Ranch.

15. The Fanita Ranch area shall not be subdivided (except for the Sports Park property) until a Planned Development is adopted by the City of Santee.

16. To ensure that proposed development is appropriate for a given, site, the Planned Development shall contain schematic or illustrative development plans which show prototype circulation systems and residential product types for each area designated by residential development.”

**B. Amendments to Rattlesnake Mountain Planned Development Guidelines:** General Plan Land Use Element section 8.2 establishes the development guidelines for the “Rattlesnake Mountain Planned Development Overlay,” commencing on page 1-32 of the General Plan. The introductory paragraph for the Rattlesnake Mountain development guidelines and development guidelines 3, 5, 6, 7, 11, 12, and 14 are hereby amended and readopted as shown below. (The remaining Rattlesnake Mountain development guidelines—which are shown in the full text of section 8.2 attached as Exhibit 5 to this Initiative—are not affected by this amendment. The location of these unaffected development guidelines is indicated below in brackets [ ].)

“Rattlesnake Mountain Planned Development Overlay - The following represents the required development guidelines for the Planned Development Overlay for the portion of Rattlesnake Mountain identified in Figure 1-6. These guidelines are only in effect if the properties identified in Figure 1-6 are comprehensively planned, entitled, and developed. If any or all of these properties are individually planned, entitled, and developed, then the development of those properties shall be **both (1) consistent with the underlying zone Hillside Limited (“HL”) land use planning designation; and (2) subject to the more stringent limitations for steeply sloped lands set forth in Conservation Element Policy 1.3, consistent with the applicable HL provisions of Zoning Code sections 17.10.040, 17.22.040, and 17.22.050, as those sections existed on April 19, 2004.**

**Until December 31, 2034, the Development Guidelines for the Rattlesnake Mountain Planned Development Overlay as set forth in this section 8.2 and the boundaries and planning designation for the Rattlesnake Mountain Planned Development, as shown on the Land Use Plan (Figure 1-1) and the Rattlesnake Mountain Planned Development Overlay map (Figure 1-6), shall not be amended except as expressly provided in Land Use Element section 8.2.1 below.**

[See Exhibit 5 for existing development guidelines 1 and 2]

3. **The minimum lot size in the Rattlesnake Mountain Planned Development Area shall be one-acre estates, provided, however, that this guideline shall not prohibit smaller minimum parcel sizes to the extent necessary to allow for density bonuses required by State law. ~~Single family development shall include the following:~~**

~~20,000 sq. ft. lots = minimum 30% of the total lots  
10,000 sq. ft. lots = minimum 30% of the total lots  
6,000 sq. ft. lots = maximum of 40% of the total lots~~

[See Exhibit 5 for existing development guideline 4]

- ~~5. Condominium development (up to a density of 14 = 22 dwelling units per acre) may be developed on the “Ennis” properties (APN: 384-120-31,62 and 63). If single family homes are to be constructed on this property, then their design, and the mix of lot sizes, shall be consistent with all other provisions of these guidelines.~~
- ~~6. A minimum of 60% of all units in the development must be single family homes on at least 6,000 sq. ft. lots.~~
- ~~7. The project shall be phased to ensure single family homes are constructed in conjunction with, or prior to, any condominium development.~~

[See Exhibit 5 for existing development guidelines 8, 9, and 10]

- ~~5.11.~~ Hillside development standards and techniques are required, including:
  - limited street widths and limited on-street parking

- use of sidewalks only where appropriate
- limited street lights
- use of contour grading and individual lot pads in 10,000 s.f and 20,000 s.f. lot areas to maximum extent possible. Home sites should be sited in consideration of the natural topography. It is acknowledged, therefore, that graded pads for these homes may be limited in size.

6.12. Custom home designs (i.e. – each home individually unique) shall be used for all residences 10,000 square foot and above lot sizes.

[See Exhibit 5 for existing development guideline 13]

7.14. Acknowledgement that this entire Planned Development, including the multiple family component, is intended as a high end, exclusive development with unique design characteristics, amenities and decorative entry features.”

**C. Amendment to Land Use Plan (Figure 1-1):** The General Plan identifies a Planning Area that includes areas outside of the City’s incorporated boundaries that the City Council has determined bear relation to its planning. This Planning Area is depicted on Exhibit 4 to this Initiative. To help achieve the purposes set forth in Section 1 of this Initiative, and in recognition of the valuable undeveloped hillside and open space resources that are outside the City’s boundary, but inside its official Planning Area, the City of Santee’s Land Use Plan shall be amended to designate all such undeveloped areas with the Park/Open Space (“P/OS”) designation. Specifically, the Land Use Plan, attached hereto as Exhibit 2, is amended to indicate that the P/OS designation has been applied to the areas shown as P/OS on the attached Exhibit 4. The City of Santee’s Land Use Map, Zoning Map, and any related maps shall also be amended to designate as P/OS the areas so depicted on Exhibit 4.

**D. Amendment to Land Use Element to Add Voter Approval Requirement:** The General Plan Land Use Element is hereby amended by adding the following new section 8.2.1, Voter Approval Requirement, commencing on page 1-34, immediately preceding section 8.3.

**“8.2.1 Voter Approval Requirement**

**Until December 31, 2034, any General Plan amendment that would amend any provision of Section 2 of the MCAS Miramar/Santee Hillside Protection Initiative (“Initiative”) shall require passage of a ballot measure approved by a majority of City voters voting thereon, except as set forth in subparagraphs (A) through (C) below:**

**(A) The City of Santee City Council (“Council”) may amend the General Plan, pursuant to its usual procedures, to: (i) further restrict development in the Fanita Ranch or Rattlesnake Mountain Planned Development Areas or in any areas designated by the Initiative as Park/Open Space (which areas are collectively referred to in this Section 8.2.1 as “Protected Lands”); or (ii) reorganize, renumber, or reorder the General Plan provisions adopted, amended, or readopted by the Initiative.**

**(B) The Council may amend the General Plan to permit more intensive development of any portion of the Protected Lands or otherwise amend the Initiative if both of the following conditions are satisfied: (i) Upon request of an affected landowner, the Council finds that, based on substantial evidence in the record, denial of the amendment would constitute an unconstitutional taking of the landowner’s property for which compensation would be required; and (ii) in permitting the amendment, the Council allows only such additional development that the Council finds is necessary to avoid said unconstitutional taking.**

**(C) The Council may amend the General Plan to allow more intensive development of any portion of the Protected Lands where the Council determines that doing so is necessary to comply with State law governing the provision of housing. The Council may do so only if it first makes each of the following findings based on substantial evidence in the record: (i) a specific provision of State law requires the City of Santee to accommodate the proposed housing; (ii) the amount of Protected Lands authorized for more intensive development is no greater than necessary to accommodate the required housing; (iii) no alternative site outside of the Protected Lands could be used to satisfy the applicable State housing law; and (iv) the proposed housing will be located adjacent to already developed lands and roads, unless locating the development in such areas would result in greater environmental impacts, would conflict with state or federal law, or would not be possible.”**

**E. Amendment to Conservation Element:** Policy 1.3 of the General Plan Conservation Element, commencing on page 6-19 of the General Plan, is hereby amended as shown below:

“Policy 1.3 To protect and wisely manage hillsides and topographic resources, the City shall use the following hillside development guidelines:

Percent Natural Slope	Guideline
Less than 10%	This is not a hillside condition. Conventional grading techniques* are acceptable.
10% - 19.9%	Development with grading will occur in this zone, but existing landforms should retain their natural character. Padded building sites are permitted on these slopes, but contour grading, split level architectural prototypes, with stacking and clustering are expected. <b>Where the average natural slope of a site is within this range (i.e., 10-19.9%), then the maximum permitted density on that site shall be 75% of that permitted under the base zoning district.</b>

20% - <del>24.9%</del> <del>and over</del>	Special hillside grading, architectural and site design techniques are expected, and architectural prototypes should conform to the natural landform. Compact development plans should be used to minimize grading footprints. <b>Where the average natural slope of a site is within this range (i.e., 20-24.9%), then the maximum permitted density on that site shall be 50% of that permitted under the base zoning district. In the Fanita Ranch Planned Development area, no development shall be permitted on slopes in this range except pursuant to Land Use Element sections 8.2 (guideline No. 5) and 8.2.1.</b>
<b>25% and Over</b>	<b>Only limited grading** is expected and in certain areas grading may be prohibited. Development shall not normally be approved within this area. Where development is permitted on a site with an average natural slope over 25%, then the maximum permitted density shall be 25% of that permitted under the base zoning district. In the Fanita Ranch Planned Development area, no development shall be permitted on slopes over 25% except pursuant to Land Use Element section 8.2.1.</b>

**\* Movement for distribution of earth over large areas. However, disruption of the landform, drainage patterns, and on-site surface terrain and vegetation is discouraged and shall be avoided.**

**\*\* The movement of earth for small projects such as custom lots, individual building foundations, driveways, local roads, utility excavation, and other similar activities.”**

### **SECTION 3: CONFORMING GENERAL PLAN AMENDMENTS**

In light of the General Plan amendments set forth above in Section 2 of this Initiative, the General Plan is hereby further amended as set forth below in order to promote internal consistency among the various elements of the General Plan. In this Section, text to be inserted into the General Plan is indicated in **bold** type while text to be stricken is presented in ~~strike through~~ type; text in standard type currently appears in the General Plan and remains unchanged by this Initiative. To avoid confusion, headings or text that presently appear in **bold** or underline in the existing General Plan are shown here as underline type. The language adopted in the following amendments may be further amended as appropriate without a vote of the people in the course of future updates and revisions to the General Plan.

**(A)** The discussion of “Commercial Land Use” and “Office Land Use,” on page 1-9 of the General Plan Land Use Element, is hereby amended as follows:

“Commercial Land Use - A preliminary market analysis of existing and potential commercial, office and industrial development in the City of Santee was undertaken as part of an update to the

General Plan. The report, City of Santee General Plan Update Market Analysis, appears in its entirety in the Technical Appendices to the General Plan Environmental Impact Report.

The study concluded that the City continues to export a significant amount of retail sales to other communities, particularly in the convenience goods, eating and drinking establishments and auto dealers and auto supply categories. The recent completion of the Trolley Square commercial center at 425,000 square feet of space, is expected to fulfill much of this need. The study also found that the City is a significant importer of revenues in the home improvement and general merchandising categories.

Another of the study's findings was that the development of the Fanita Ranch is critical to the City's financial future as it would generate an estimated \$39 million dollars (2000 dollars) in retail sales, with as estimated 30 million dollars staying in the City, and would provide a significant stock of higher end housing which would be beneficial in the City's efforts to attract higher end firms and employers. **The intensive development of Fanita Ranch envisioned by this study has been consistently opposed by a majority of Santee's residents. In 1999, an overwhelming majority of the City's voters rejected a proposal to develop 2,988 housing units on Fanita Ranch. Subsequently, City voters adopted the MCAS Miramar/Santee Hillside Protection Initiative to, among other things, ensure that Fanita Ranch would not be intensively developed without approval by the voters.**

Office Land Use - Office development in Santee has not been significant historically, however, interest in East County and Santee in particular has grown in recent years. Existing office development in the City encompasses about 200,000 square feet, located at various sites along Mission Gorge Road and Cuyamaca Street. With the City **Council's** desire to focus future office development in the Town Center and Fanita Ranch areas, existing office designated properties were evaluated in the update process to determine if alternative land use designations were appropriate.

The market analysis prepared for the General Plan Update concluded the Town Center was an excellent location for the City's future office and Research and Development type development due to its excellent regional location, easy freeway access, good inventory of available land, and availability of restaurants and other amenities in close proximity.

In August of 2000, the City Council adopted an Office Park Overlay, which covers an approximately 110-acre area in the City's Town Center, on the south side of the San Diego River. The following year the City, in conjunction with the County of San Diego, a developer was selected to develop this area in accordance with a master plan for a comprehensive office-park development including office, residential and ancillary commercial uses. In 2001, the San Diego Economic Development Commission released a report that identified the City's Fanita Ranch and Town Center areas as two of the best locations for future office park development in San Diego County. The first phase of that project occurred with the breaking of ground for the new Hartford Insurance building in the summer of 2002. **Future office development on Fanita Ranch will be subject to the voter approval and other requirements of the MCAS Miramar/Santee Hillside Protection Initiative.**"

(B) The two paragraphs discussing Fanita Ranch on page 1-16 of the General Plan Land Use Element are hereby amended as follows:

“Fanita Ranch - The 2,589-acre Fanita Ranch exhibits varied topography, scenic resources, and significant vegetation and habitats. It is the largest single ownership area in the City and represents an area of tremendous development potential. Potential natural hazards related to slope stability and geologic resources also exist within this area.

According to the market analysis prepared for the General Plan Update, the development of the Fanita Ranch ~~will~~ **could** have a significant positive economic impact on the rest of the City, through the increased property taxes, and the sales taxes generated by increased sales at local businesses. The Ranch also is the only remaining area in the City where significant numbers of **detached single-family home** move-up housing can be built. A good supply of move-up housing is not only needed to provide opportunities for existing residents, but is also a factor in attracting high technology and office users to the City’s planned office and technology parks. **The MCAS Miramar/Santee Hillside Protection Initiative established one- and two-acre minimum parcel sizes for Fanita Ranch. These parcel sizes still allow for the construction of a significant number of move-up homes on Fanita Ranch. In addition, the Town Center area, if carefully developed, could supply a large number of high-end housing units attractive to the holders of high technology and other office worker jobs planned for that area.”**

(C) The paragraph discussing projected population, on page 2-9 of the General Plan Housing Element, is hereby amended as shown below. (Figure 2, Tables 17, 19, 28, 29, and 30, and Map 2-3, referenced below, are attached to this Initiative for reference purposes as Exhibit 8):

“Projected Population – Figure 2 shows that between 1998 and 2005, it is anticipated that the population of the San Diego region will grow by approximately 15 percent, gaining 428,669 new residents. During this time period, Santee is expected to grow by 21 percent, gaining 15,659 new residents. **At one point, it was envisioned that a large proportion of these new residents, most of whom would have been above-moderate income, could** ~~will~~ be housed in the currently undeveloped Fanita Ranch area, which is located in the northern portion of the City. **However, Santee’s voters rejected a proposal to develop Fanita Ranch with 2,988 housing units in 1999 and, as of the Spring of 2004, no new housing had been approved for Fanita Ranch. Santee’s voters subsequently enacted the MCAS Miramar/Santee Hillside Protection Initiative, which established one- and two-acre minimum parcel sizes for Fanita Ranch. As a result of these intervening events, the projections of housing unit types and/or potential housing units shown in Map 2-3, and Tables 17, 19, 28, 29, and 30 of this Housing Element could be significantly overstated. Nevertheless, the City retains ample capacity to allow for construction of residential units to satisfy its regional share of housing for all income categories, including the above-moderate income category.”**

(D) The paragraph discussing projected housing, on page 2-33 of the General Plan Housing Element, is hereby amended as shown below. (Table 17, referenced below, is attached to this Initiative for reference purposes in Exhibit 8):

“Projected Housing - Table 17 shows that between 1999 and 2004, the City of Santee **was at one point** is projected to gain 2,691 units, an increase of 14 percent. During this same time period, the San Diego region will gain 95,479 units, an increase of 9 percent, while the housing stock in the areas surrounding the City of Santee will increase at rates ranging from 2 to 8 percent. The higher rate of **projected** growth in number of housing units in Santee between 1999 and 2004 ~~was can be~~ largely attributed to the **anticipated potential** development of Fanita Ranch. **However, Santee’s voters rejected a proposal to develop Fanita Ranch with 2,988 housing units in 1999 and, as of the Spring of 2004, no new housing had been approved for Fanita Ranch. Santee’s voters subsequently enacted the MCAS Miramar/Santee Hillside Protection Initiative, which established one- and two-acre minimum parcel sizes for Fanita Ranch.** Between 2004 and 2020, the City’s increase in housing units more closely resembles that in the surrounding areas, and is significantly less than in both the City of San Diego and in the region as a whole.”

(E) The paragraphs discussing Town Center and Fanita Ranch on page 2-44 of the General Plan Housing Element are hereby amended as follows:

“Town Center: The Town Center Specific Plan is intended to establish an urban and open space core in the City that provides a central location for civic, employment, commercial, residential and recreation uses. The City has identified the Town Center area as a location for higher density residential development, which could include senior housing with an attendant density bonus of 25% over and above the maximum permitted density. As many as 1,553 units could be constructed north of the San Diego River, on property zoned R7, R-14 and R-22 (based on capacity). South of the river, an estimated 100 dwelling units could be constructed within the County’s future planned corporate office park/mixed use development. **To the maximum extent feasible and permitted under state and federal law, the City shall designate, in addition to senior and affordable housing, appropriate sites for the construction of high-end, above moderate-income housing units in the Town Center, where such housing could take advantage of the location’s proximity to high tech employment and the other infrastructure associated with this urban core.**”

Fanita Ranch: The Land Use Element of the General Plan contains guidelines for the development of the 2,589-acre Fanita Ranch ~~Specific Plan~~ **Planned Development** area located in the northern portion of the City. ~~While the land use element does not specify a unit cap, it is estimated that these guidelines would permit the development of around 1,300 residential units.~~ The City has identified the Fanita Ranch as ~~the~~ **a location for a moderate number of larger estate homes to help** fulfill the City’s need for above-moderate income housing.”

(F) The portion of Circulation Element section 7.1 listing “Parkways,” on page 3-16 of the General Plan, is hereby amended as shown below.

“Parkways - The following routes have been designated Parkways to recognize the need for special design because of steep terrain or specialized uses:

Fanita Parkway \*                      **Cuyamaca Street to North of Mast Boulevard to the extent authorized under Land Use Element section 8.2**

Cuyamaca Street *	<del>Fanita Parkway to Lafe Street</del> <b>Drive northward</b>
Civic Center Drive	Town Center Parkway to Mission Gorge Road
Town Center Parkway *	Mission Gorge Road to Magnolia Avenue
North Woodside Avenue	SR67 to eastern City Limits
South Woodside Avenue	SR67 to eastern City Limits
Magnolia Avenue *	Cuyamaca Street to Princess Joann Road
River Park Drive	Cottonwood Avenue to Magnolia Avenue
Cottonwood Avenue*	Park Avenue to Mast Boulevard

\* The Circulation Plan identifies general and approximate locations for future routes to be dedicated and constructed pursuant to development. Precise alignment and design of these routes will require in depth study at the time that future development occurs.”

**(G)** The paragraph containing the list of high priority circulation needs for the Capital Improvement Program in Circulation Element section 7.2, on page 3-17 of the General Plan, is hereby amended as shown below.

“Following is a recommended list of high priority circulation needs for the Capital Improvement Program:

- (1) Extension of Mast Boulevard to connect with Riverside Drive to the east.
- (2) Consolidation of entrances and exits along Mission Gorge Road from State Route 52 to Magnolia Avenue and Prospect Avenue from Cuyamaca Street to Magnolia Avenue, in association with the development of other traffic control devices including; center medians, left-turn pockets, and signalized intersections where appropriate.
- (3) Extension of Cuyamaca Street, ~~Fanita Parkway~~ and Magnolia Avenue northward as development in northern Santee occurs.
- (4) Development of new bike and pedestrian trails along the San Diego River corridor.
- (5) Construction of future streets within the Town Center.”

#### **SECTION 4: IMPLEMENTATION**

**A. Effective Date:** As provided in Elections Code section 9217, this Initiative shall take effect ten days after the date on which the election results are declared by the City Council. Upon the effective date of this Initiative, the provisions of Sections 2 and 3 of the Initiative are hereby inserted into the City of Santee General Plan, as an amendment thereof; except that if the four amendments of the mandatory elements of the General Plan permitted by State law for any given calendar year have already been utilized in the year in which the Initiative becomes effective, this General Plan amendment shall be the first amendment inserted into the City of Santee General Plan on January 1 of the next year. Upon the effective date of this Initiative, any provisions of the City of Santee Zoning Ordinance—as reflected in the ordinance itself or in the City of Santee Zoning Map—that are inconsistent with the General Plan amendment adopted by this Initiative shall not be enforced.

**B. Interim Amendments:** The date that the Notice of Intent to Circulate this Initiative measure was submitted to the City Elections Official is referenced herein as the “submittal date.” The City of Santee General Plan in effect on the submittal date and that General Plan as amended by this Initiative comprise an integrated, internally consistent and compatible statement of policies for the City of Santee. In order to ensure that nothing in this Initiative measure would prevent the City of Santee General Plan from being an integrated, internally consistent and compatible statement of City policies, as required by State law, and to ensure that the actions of the voters in enacting this Initiative are given effect, any amendment to the General Plan that is adopted between the submittal date and the date that the General Plan is amended by this Initiative measure shall, to the extent that such interim-enacted provision is inconsistent with the General Plan provisions adopted by Sections 2 and 3 of this Initiative measure, be amended as soon as possible and in the manner and time required by State law to ensure consistency between the provisions adopted by this Initiative and other elements of the City of Santee General Plan.

**C. Other City Ordinances and Policies:** The City of Santee is hereby authorized and directed to amend the General Plan, including, where appropriate, any tables, figures or maps, the City of Santee Land Use Map, all specific and subarea plans, the Zoning Ordinance, the Zoning Map, and other ordinances and policies affected by this Initiative as soon as possible and in the manner and time required by any applicable State law, to ensure consistency between the policies adopted in this Initiative and other elements of the City of Santee General Plan, the City of Santee Land Use Map, all specific and subarea plans, the City of Santee Zoning Ordinance, the City of Santee Zoning Map, and other City ordinances and policies.

**D. Enforcement and Defense of Initiative:** The City Council shall take all steps reasonably necessary to enforce the Initiative and to defend the Initiative against any challenge to its validity.

## **SECTION 5: EXEMPTIONS**

Nothing in this Initiative shall apply to any of the following: (1) any development application that is limited to a single residence on a legal parcel that was recorded as a separate parcel as of this Initiative’s submittal date; and (2) any development project or ongoing activity that has obtained, as of the effective date of the Initiative, a vested right pursuant to State or local law. Nothing in this Initiative precludes the use of density bonuses where authorized by State law.

## **SECTION 6: SEVERABILITY AND INTERPRETATION**

This Initiative shall be interpreted so as to be consistent with all federal and state laws, rules, and regulations. If any section, sub-section, sentence, clause, phrase, part, or portion of this Initiative is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Initiative. The voters hereby declare that this Initiative, and each section, sub-section, sentence, clause, phrase, part, or portion thereof would have been adopted or passed even if one or more sections, sub-sections, sentences, clauses, phrases, parts, or portions are declared invalid or unconstitutional. If any provision of this Initiative is held invalid as applied to any person or circumstance, such invalidity shall not affect any application of this Initiative that can be given effect without the

invalid application. This Initiative shall be broadly construed in order to achieve the purposes stated in this Initiative. It is the intent of the voters that the provisions of this Initiative shall be interpreted by the City in a manner that facilitates the protection of steep hillsides and open space within the City’s Planning Area.

**SECTION 7: EFFECT OF ALTERNATIVE MEASURE ON THE SAME BALLOT**

This Initiative adopts a comprehensive set of policies for protecting MCAS Miramar from residential encroachment and preventing inappropriate and premature development of sensitive hillsides within the City of Santee and its official Planning Area without prior approval by City voters. By voting for this Initiative, the voters expressly declare that any other measure that appears on the same ballot as this Initiative and conflicts with, or purports to amend, any provision of this Initiative, or allows development that is more intensive than that allowed by this Initiative, shall be deemed to conflict with the entire set of policies adopted by this Initiative. Because of this conflict, if this Initiative and any such other measure receive a majority of votes by the voters voting thereon at the same election, then the measure receiving the most votes in favor shall prevail in its entirety and no provision of the other measure shall take effect.

**SECTION 8: AMENDMENT OR REPEAL**

Except as otherwise provided herein, this Initiative may be amended or repealed only by vote of the voters of the City of Santee.

**EXHIBIT LIST:**

- Exhibit 1:** A map of MCAS Miramar and Surrounding Areas;
- Exhibit 2:** General Plan Figure 1-1, entitled “Land Use Plan;”
- Exhibit 3:** General Plan Figure 1-6, entitled “Rattlesnake Mountain Planned Development Overlay;”
- Exhibit 4:** A map entitled “Park/Open Space Planning Designation Map for areas adjacent to City”
- Exhibit 5:** General Plan Land Use Element section 8.2
- Exhibit 6:** The General Plan’s description of the Hillside Limited (“HL”), Park/Open Space (“P/OS”), Planned Development (“PD”), and Town Center (“TC”) land use designations;
- Exhibit 7:** City of Santee Zoning Code sections 17.10.040, 17.22.040, and 17.22.050;
- Exhibit 8:** General Plan Housing Element Figure 2, Tables 17, 19, 28, 29, and 30, and Map 2-3