

Meeting Date: 11/18/2020 (04)

ORDINANCE NO. 10694 (NEW SERIES)

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE OTAY RANCH GENERAL DEVELOPMENT PLAN/OTAY SUBREGIONAL PLAN AND THE JAMUL/DULZURA SUBREGIONAL PLAN AREA, REF: PDS2004-3600-04-009

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. The zoning classification of certain real property is hereby changed as set forth herein, and more precisely delineated on the Rezone plat, as illustrated and described in Exhibit "A" of this ordinance. All documents are on file with the Clerk of the Board of Supervisors of the County of San Diego.

Section 2. The zoning classification of the real property described below is hereby changed as follows:

The existing zoning classifications are as follows:

OLD ZONES:

Development Regulations	Zoning Box 1	Zoning Box 2
Use Regulations	S88	S80
Animal Regulations	D	W
Density	3.19	0.4
Lot Size	-	2.5 ac.
Building Type	-	C
Max Floor Area	-	-
Floor Area Ratio	-	-
Height	G	G
Lot Coverage	-	-
Setback	A	D
Open Space	-	-
Special Area Regulations	-	-

The zoning classifications are changed to read as follows:

NEW ZONES:

Development Regulations	Residential Single Family (SF-1)	Residential Single Family (MU)	Resort (R)	Open Space/Preserve (OS/P)
Use Regulations	S88	S88	S88	S80
Animal Regulations	-	-	-	-
Density	3.0	20.0	-	-
Lot Size	4,250 SF*	5,000 SF*	5,000*	-
Building Type	L	L	L	-
Max Floor Area	-	-	-	-
Floor Area Ratio	-	-	-	-
Height	H	R**	R**	-
Lot Coverage	-	-	-	-
Setback	V	V	V	-
Open Space	A	A	A	-
Special Area Regulations	D	D	D	-

* Minimum lot size

** Building height shall not exceed 75 feet and shall be used only for the creation of an architectural landmark such as a clock or bell tower to achieve the design goals of the project.

Section 3. The following “D” Designator requirements are hereby adopted.

Objectives:

To ensure that all future projects comply with the Otay Ranch Resort Village 13 - Alternative H Specific Plan and to ensure that all mitigation measures within the project EIR are implemented.

Standards:

In addition to those standards and criteria specified in Sections 5906 and 5910 of the Zoning Ordinance, the following specific criteria shall also be applied to the Site Plan review and evaluation to achieve the above objective:

1. Each Site Plan shall incorporate all applicable mitigation measures and project design features through conditions on the Site Plan as set forth in the Otay Ranch Resort Village 13 Final Environmental Impact Report dated September 2020. The conditions of the Site Plan approval shall be complied with as specified in the permit.
2. All landscaping, lighting, signage and public/private parks shall be compatible with the Otay Ranch Resort Village 13 - Alternative H Specific Plan.
3. The architecture of the Village Core and Resort development areas shall be compatible with the Otay Ranch Resort Village 13 - Alternative H Specific Plan.
4. All grading shall be compatible with the grading guidelines and development standards set forth in the Otay Ranch Resort Village 13 - Alternative H Specific Plan.
5. To reduce GHG emissions, require as a condition of each implementing Site Plan, that all project design features, including those identified in Mitigation Measures M-GCC-1, 2, 3, 4, 5, and 6 and the Environmental Design Considerations GCC-ED-1 and 3; UT-ED-1, 3, 4, 7, 10, 11, 13, 14, and 15 be incorporated into the Building Permits, including, but not limited to zero net energy (ZNE) single-family homes and electric vehicle (EV) wiring in all residential garages and public parking areas.
6. In order to ensure construction-related GHG emissions are reduced to net zero, the project applicant or its designee shall purchase and retire carbon offsets consistent with the performance standards and requirements set forth in revised Mitigation Measure M-GCC-7 of the Final EIR dated September 2020.
7. In order to ensure operations-related GHG emissions are reduced to net zero, the project applicant or its designee shall purchase and retire carbon offsets, for a 30-year period, consistent with the performance standards and requirements set forth in revised Mitigation Measure M-GCC-8 of the Final EIR dated September 2020.

The following table shall be used to calculate the carbon offsets required for each phase of development.

LAND USE	METRIC TONNES PER LAND USE	UNITS	TOTAL METRIC TONNES
Multi-Family	10.02	57	571.32
Single-Family	11.48	1881	21,587.68
Resort – Rooms	13.42	200	2,684.00
Resort - Commercial	0.09	20,000	1,891.00
Mixed-Use	0.09	20,000	1,891.00
TOTAL			28,625.00

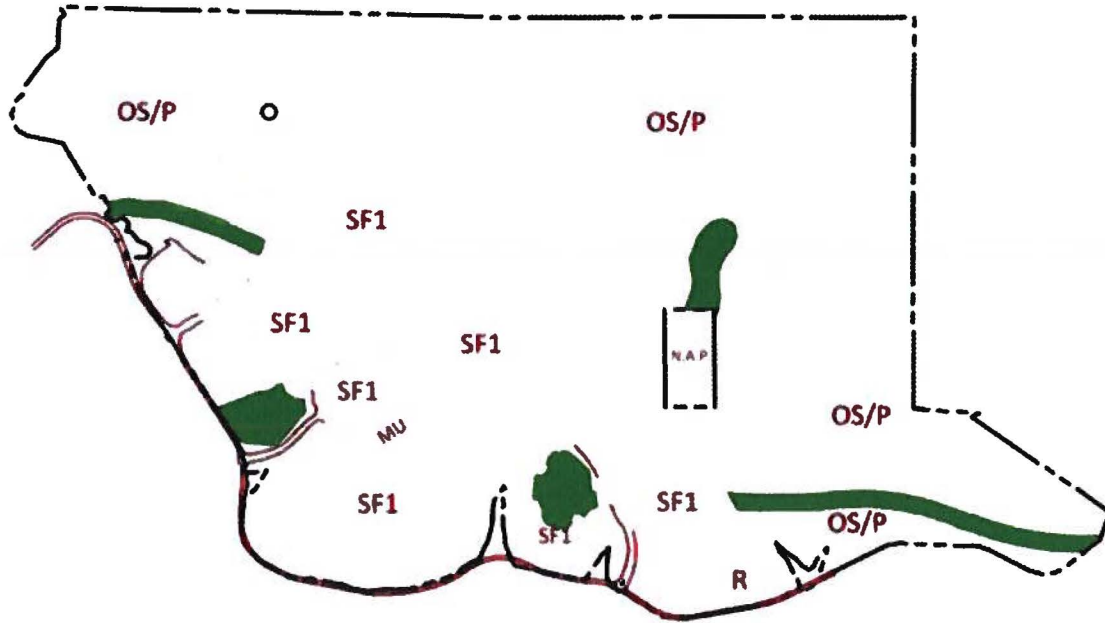
For clarity, the following example is provided as to the project's operational GHG emissions purchase and retirement strategy. If 100 single-family residential units are developed, GHG emissions for those land uses would be calculated and carbon offsets for those emissions would be secured for a 30-year period. The project's total emissions have been allocated by individual land use, so that when each land use is developed, the proportional non-residential facilities will also be offset. Thus, the 100-single family-residential MT CO₂e/dwelling unit allocation of 11.48 would then be multiplied by 30, to calculate the total carbon offsets required for that phase of development (e.g., 100 single-family residential units × 11.48 MT CO₂e/du × 30 = 34,400 MT CO₂e).

8. To reduce vehicle trips and vehicle miles traveled, the project shall implement the Transportation Demand Management (TDM) program as detailed in mitigation measure M-GCC-1. Each implementing Site Plan shall include conditions of approval that require implementation and on-going management of the TDM program and related measures, including, but not limited to, a walk to school program and pathways that connect the various neighborhoods to the Village Core, establishment of a transportation coordinator, and new residents information packages. Environmental Design Considerations are included as part of the MMRP – Exhibit A to the Resolution approving the Vesting Replacement Tentative Map and to ensure that road improvements required by TM 5361 RPL1 are completed prior to issuance of a Certificate of Occupancy for each implementing Site Plan.
9. Each approved Site Plan contains a condition that requires the following improvements be completed pursuant to the Equivalent Dwelling Unit (EDU) thresholds identified below. Each Site Plan shall include a table that identifies the EDU's approved to date as well as the EDU resulting from the proposed Site Plan approval. If the total EDU exceeds any of the thresholds below, it shall have a condition that the applicable improvement required by TM 5361 RPL1 be completed prior to issuance of a building permit(s) that exceeds the applicable threshold. The following are the EDU thresholds:

Intersections or Roadway Widening

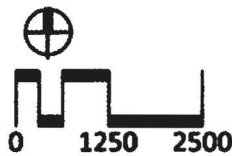
- Construct, or cause to be constructed, the widening of Otay Lakes Road between the City/County Boundary and Project Driveway #1 from two lanes to four lanes (4.2A Boulevard with Raised Median) such that the improvements are operational prior to the earlier of the determination of a supplemental traffic study or issuance of the 896th EDU.
- Construct, or cause to be constructed, the widening of Otay Lakes Road between Project Driveway #1 and Driveway #2 from two lanes to four lanes (4.2A Boulevard with Raised Median) such that the improvements are operational prior to the earlier of the determination of a supplemental traffic study or issuance of the 896th EDU.

Exhibit A



LEGEND

- SF1** Single Family Residential
- MU** Mixed Use Residential / Commercial
- R** Resort
- OS/P** Open Space Preserve
- Conserved Open Space



Dimensions & Locations
Shown are Approximate.

* BUILDING HEIGHT SHALL NOT EXCEED 75 FEET AND SHALL BE USED ONLY FOR THE CREATION OF AN ARCHITECTURAL LANDMARK SUCH AS A CLOCK OR BELL TOWER TO ACHIEVE THE DESIGN GOALS OF THE PROJECT.

SINGLE FAMILY RESIDENTIAL 1 (SF 1)	
USE REGULATIONS	S-8B
ANIMAL REGULATIONS	-
DEVELOPMENT REGULATIONS	
DENSITY	3.0
LOT SIZE (MIN.)	4,250
BUILDING TYPE	L
HEIGHT	H
COVERAGE	-
SETBACK	V
OPENSOURCE	A
SPECIAL AREA REGULATIONS	D

MIXED USE RESIDENTIAL/COMMERCIAL (MU)	
USE REGULATIONS	S-8B
ANIMAL REGULATIONS	-
DEVELOPMENT REGULATIONS	
DENSITY	20.0
LOT SIZE (MIN.)	5,000
BUILDING TYPE	L
HEIGHT	R*
COVERAGE	-
SETBACK	V
OPENSOURCE	A
SPECIAL AREA REGULATIONS	D

RESORT (R)	
USE REGULATIONS	S-8B
ANIMAL REGULATIONS	-
DEVELOPMENT REGULATIONS	
DENSITY	N/A
LOT SIZE (MIN.)	5,000
BUILDING TYPE	L
HEIGHT	R*
COVERAGE	-
SETBACK	V
OPENSOURCE	A
SPECIAL AREA REGULATIONS	D

OPEN SPACE/PRESERVE (OS/P)	
USE REGULATIONS	S-8D
ANIMAL REGULATIONS	-
DEVELOPMENT REGULATIONS	
DENSITY	0.0
LOT SIZE (MIN.)	-
BUILDING TYPE	-
HEIGHT	-
COVERAGE	-
SETBACK	-
OPENSOURCE	-
SPECIAL AREA REGULATIONS	-

- Construct, or cause to be constructed, a traffic signal at the intersection of Otay Lakes Road and Wueste Road such that the improvements are operational prior to the 1,234th EDU.
- Construct or cause to be constructed, the widening of Otay Lakes Road between Lake Crest Drive and Wueste Road and City/County Boundary from

two lanes to four lanes (4-Lane Major with Raised Median) such that the improvements are operational prior to issuance of the 384th EDU.

- Project applicant shall enter into an agreement with Caltrans to install, cause to be installed, or make a fair-share payment towards an approved plan or program for the signalization of the intersection of Otay Lakes Road and SR-94 such that the traffic signal is operational consistent with Caltrans requirements.

Waiver: The Site Plan requirement cannot be waived. However, grading permits may be issued prior to approval of any Site Plans.

10. Each implementing Site Plan shall include all applicable project features identified in the Specific Plan as conditions of approval, including but not limited to, prohibiting turf grass in residential front yards, low-water use landscaping, and drought tolerant landscape. **Waivers:** This Site Plan requirement may be waived by the Director of Planning and Development Services for this issuance of a grading permit.

Section 4. Effective Date. This Ordinance shall take effect and be in force thirty (30) days after the date of its passage, and before the expiration of fifteen (15) days after its passage, a summary shall be published once with the names of the members voting for and against the same in the San Diego Daily Transcript, a newspaper of general circulation published in the County of San Diego.

Approved as to Form and Legality
County Counsel

By: _____
Randall Sjoblom, Senior Deputy
County Counsel

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of San Diego this 18th day of November 2020.



GREG COX
Chairman, Board of Supervisors
County of San Diego, State of California

The above Ordinance was adopted by the following vote:

AYES: Cox, Jacob, Gaspar, Desmond
NOES: Fletcher

ATTEST my hand and the seal of the Board of Supervisors this 18th day of November 2020.

ANDREW POTTER
Clerk of the Board of Supervisors

By



Joana Santiago, Deputy



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