

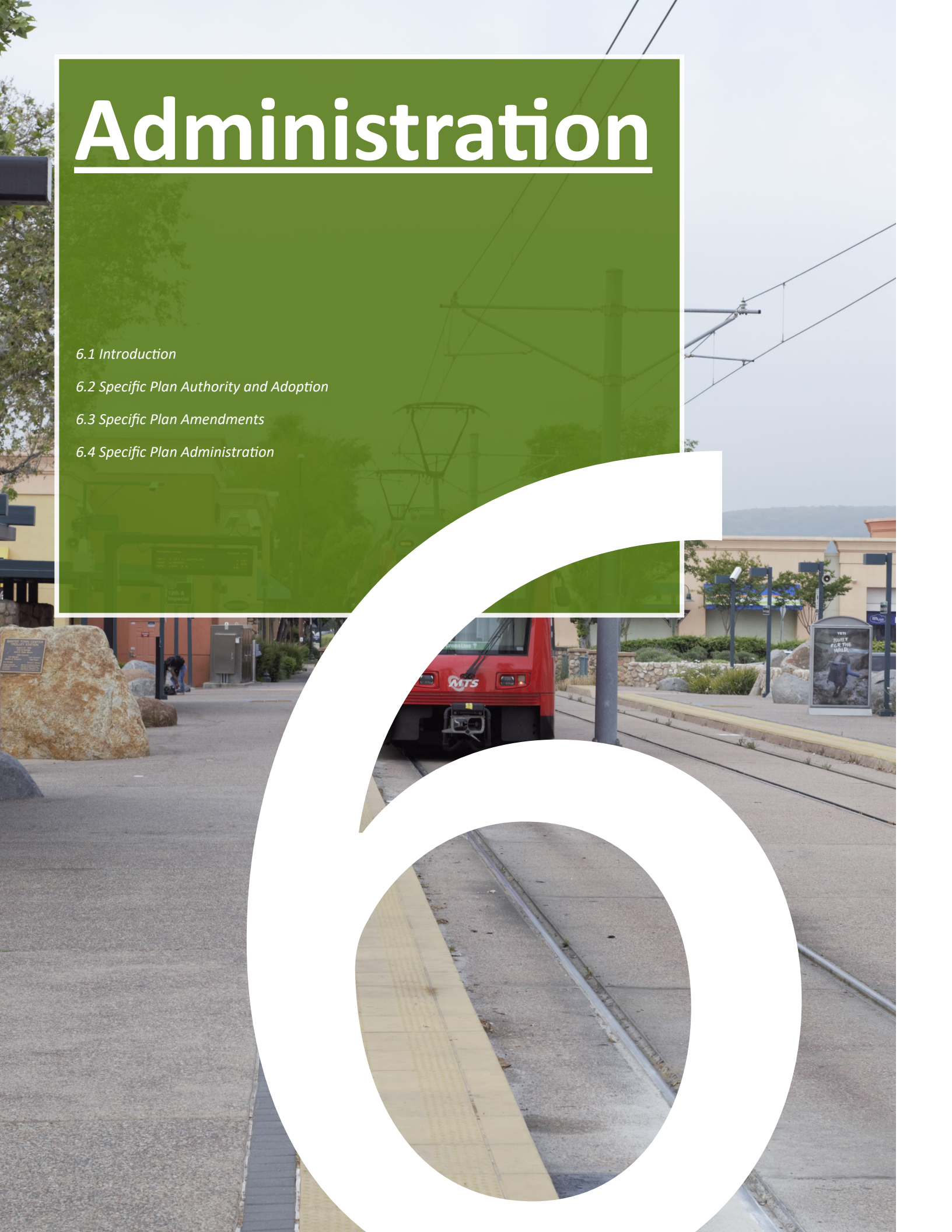
Administration

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6.1 Introduction

This chapter describes the Town Center Specific Plan authority, the administrative procedures required for amendments and/or modifications to the Specific Plan, and processing requirements.

6.2 Specific Plan Authority and Adoption

All specific plans must comply with California Government Code Sections 65450 through 65457. These provisions require that a specific plan be consistent with the adopted General Plan for the jurisdiction in which the specific plan area is located. In turn, all subsequent development proposals, such as tentative subdivision maps, site plans, improvement plans, and all public works projects, must be consistent with the adopted specific plan.

Pursuant to California Government Code Section 65453, a specific plan may be adopted by resolution or by ordinance. Specific plans adopted by ordinance effectively become a set of zoning regulations that provide specific direction to the type and intensity of uses permitted and may also define design expectations and standards. The Town Center Specific Plan is a regulatory document adopted by ordinance. In any instance where the Town Center Specific Plan conflicts with the requirements of the Santee Municipal Code, the Town Center Specific Plan provisions shall take precedence. Where the Town Center Specific Plan is silent on a topic, the requirements of Title 13 of the Santee Municipal Code (Zoning Ordinance) remain in effect.

6.3 Specific Plan Amendments

The Town Center Specific Plan may need to be revised over time to accommodate modifications in the City's needs or changing economic conditions. California Government Code Section 65453 states that a specific plan "may be amended as often as deemed necessary by the legislative body." Amendments to the Town Center Specific Plan may be proposed in the case that the proposed amendments are compatible and consistent with the purpose and goals of the Town Center Specific Plan and the Santee General Plan.

This section explains the Town Center Specific Plan amendment processes and approval procedures.

6.3.1 Amendment Process

Amendments to the Town Center Specific Plan may be initiated by a developer, an individual, or by the City of Santee. Proposed amendments to the Town Center Specific Plan must be accompanied by all applicable City application forms, required City fees, and information listed below documenting the proposed amendment:

- ▶ A detailed explanation that describes and confirms that the proposed amendment is compatible and consistent with the Town Center Specific Plan guiding principles and vision.

- ▶ Detailed information to document the proposed change. This information should include revised text and revised diagrams, where relevant, depicting the requested amendment.
- ▶ Clear documentation of the need for any changes. To this end, the applicant should indicate the economic, social, and technical issues that support the need for the proposed amendment.
- ▶ The applicant must provide an analysis of the proposed amendment’s impacts relative to the adopted Program Environmental Impact Report (Note: Only applicable if deemed necessary by the Planning and Building Director in accordance with State CEQA Guidelines.)

City staff shall review all the application materials listed above for completeness. If the application is determined complete, and determined to be a “major amendment”, city staff shall then schedule any required hearing(s) and provide a staff report for presentation to the City Council. Staff may also request further clarification of application materials, if deemed necessary. The staff report will analyze the proposed amendment to ensure consistency with the Santee General Plan.

It will also determine whether there is a need to amend the Town Center Specific Plan as supported by the conclusions of the application materials and make a recommendation to the City Council. If determined to be a minor amendment, an administrative decision of the Director of Planning and Building shall be made.

6.3.2 Amendment Approval

Findings

Approval procedures shall ensure that proposed amendments are compatible and consistent with the objectives and vision of the Town Center Specific Plan and the Santee General Plan. Amendments may be approved only if all the following findings are made:

1. The proposed amendment is consistent with the guiding principles and vision of the Town Center Specific Plan;
2. The proposed amendment is consistent with the Santee General Plan;
3. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

Determination of Minor and Major Amendments

The Planning and Building Director is responsible for making the determination as to whether an amendment to the Town Center Specific Plan is “minor” (administrative) or “major” (requires review by the City Council) within 30 days of any submittal of a request to amend the Town Center Specific Plan. The Planning and Building Director may authorize or deny a minor amendment. Whereas a major amendment must be processed as a Specific Plan Amendment with review by the City Council.

Minor amendments must be determined to be in substantial conformance with the Town Center Specific Plan and free from any of the changes described for major amendments. Where the Town Center Specific Plan contains language requiring or allowing for a determination by the Planning and Building Director, it is not considered a minor amendment, and as such, no application is required.

Major amendments are those that require resolution from the City Council.

Examples of major amendments include the following:

- a. The introduction of a new land use category not contemplated in the Town Center Specific Plan.
- b. Changes in land use designations from that shown in the Town Center Specific Plan.
- c. Significant changes to the mobility system.
- d. Changes or additions to the development standards or design guidelines which would materially alter the stated intent of the Town Center Specific Plan.



- e. Any changes (not able to be mitigated) that would result in new significant adverse environmental impacts not previously considered in the CEQA analysis for the Town Center Specific Plan.

Appeals

Appeals on decisions rendered by the Planning and Building Director may be filed with the Planning and Building Department and considered by the City’s legislative bodies pursuant to Section 13.04.070 (Appeals) of the Santee Municipal Code.

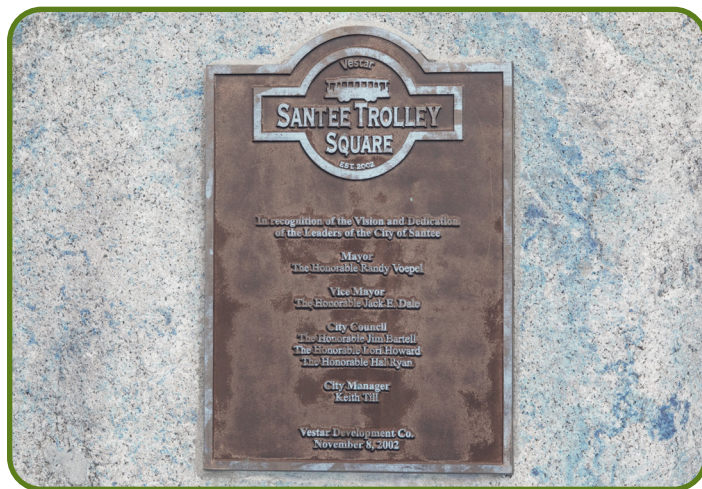
6.4 Specific Plan Administration

6.4.1 Interpretation

The Planning and Building Director is assigned the responsibility and authority to interpret the Town Center Specific Plan. Whenever the Planning and Building Director makes an official interpretation of this Specific Plan, the interpretation shall be made in writing explaining the interpretation and the general circumstances surrounding the need for the interpretation. The Planning and Building Director may refer interpretation of the Specific Plan to the City Council for a decision at a public meeting.

6.4.2 Severability

If any section, subsection, sentence, clause, phrase or portion of this Specific Plan, or any future amendments or additions hereto, is for any reason found to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remainder of this Specific Plan document or any future amendments or additions hereto. The City would have adopted these requirements and each sentence, subsection, clause, phrase or portion or any future amendments or additions thereto, irrespective of the fact that any one or more section, subsections, clauses, phrases, portions or any future amendments or additions thereto may be declared invalid or unconstitutional.





6.4.5 Nonconformity

Section 13.04.110 (Nonconforming Uses and Structures) of the Santee Municipal Code is applicable to any nonconforming uses, structures, or parcels within the Specific Plan Area. Land uses and structures existing as of the adoption date of this Specific Plan may continue to remain in accordance to Section 13.04.110 (Nonconforming Uses and Structures) of the Santee Municipal Code.

6.4.3 Administration Process

All development applications within the Specific Plan area shall follow established City procedures such as those for variances, conditional use permits, development permits and subdivisions. All development applications within the Specific Plan Area will be evaluated for compliance with Specific Plan regulations and guidelines.

6.4.4 Allowable Land Uses

Chapter 2: Land Use, references applicable citywide zones for each land use designation, while Chapter 7: Allowable and Permitted Uses, identifies exceptions, additional allowances, and/or different permitting processes where appropriate. A land use that is not listed within each applicable citywide zone or within the Town Center Specific Plan is not allowed, except where the Planning and Building Director may find that a use may be permitted due to its consistency with the purpose/intent of the zoning district and similarity to other uses listed pursuant to Section 13.04.040 (Use Determination) of the Santee Municipal Code.

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