Ordinance Amending the City of Santee General Plan to Require Voter Approval for Development Actions that Would Increase Residential Density or Intensify Land Use Over That Currently Permitted by the General Plan

If adopted by a majority of the voters, this initiative measure would amend the City of Santee General Plan to prohibit the adoption of any General Plan amendment, Planned Development Area, or new Specific Planning Area which would (1) increase the residential density permitted by law; (2) change, alter, or increase the General Plan Residential Land Use categories if the change intensifies use; or (3) change any residential designation to commercial or industrial designation on any property, or vice versa, if the change intensifies the use; unless and until such action is approved and adopted by the voters of the City. Currently, General Plan amendments and Specific Plans are approved by the City Council, subject to voter review through the referenda process.

Specifically, this measure would add language to the Land Use Element of the General Plan to provide that permitted land uses in the City shall not be intensified unless and until the change is approved by the voters at a special or general election, or approved by the City Council and then adopted by the voters. This measure would also prohibit any change to the slope criteria, minimum parcel sizes, and lot averaging provisions of the General Plan that would permit increased density or intensity of use, unless or until the change is approved by the voters.

This measure would require the City Council to set any election required by this measure for the next available general municipal election at no cost to the proponent of the land use change, or for a special election, the cost of which would be borne by the proponent.

This measure would provide that the voter approval requirement would not apply where the General Plan amendment is necessary to comply with state or federal law governing the provision of housing, including, but not limited to, affordable housing requirements. This exception would apply only if the City Council were to make the following findings, based on substantial evidence: (1) that a specific provision of state or federal law requires the City to accommodate the housing proposed by the amendment; (2) the amendment permits no greater density than necessary to accommodate the required housing; and (3) an alternative site not subject to this measure is not available.

If this measure is approved, the provisions of this measure would be inserted into the General Plan as amendments thereof, and those amendments would prevail over any provisions of City law inconsistent with those amendments, including any conflicting revisions to the General Plan adopted between April 6, 2018, and the date this measure is approved.
Nothing in this measure shall be construed to interfere with rights to obtain density bonuses or other entitlements available under affordable housing laws, or limit rights, entitlements, or obligations required by the state under affordable housing laws.