

Ridgeline issues do not have to be confusing: the facts speak for themselves

General Plan: Does it designate low-density housing for the property?

No. It does not.

- In 1989, the City adopted a general plan that imposed a designation of “Open Space” on Ridgeline. This designation, which does not allow residential development, supersedes any previous designations.
- The City Attorney’s 12/22/09 letter to Tom Davidson and John Martin specifically notes “the general plan that was adopted in 1989 placed a designation of recreation-open space on the golf course.”
- The City’s staff report expressly recognizes that this development requires an amendment to the general plan, to change the property’s designation from “Open Space” to “Estate Low Density Residential.”

Zoning: Does current zoning allow low-density development?

No. It does not.

- That’s why the developer is seeking a zone change.
- The property currently is zoned “Recreational Open Space.” This zoning does not allow for residential development.
- Before this project goes forward, the developer needs to be “up-zoned.” In other words, the developer is seeking to enhance his entitlements on Ridgeline.

Property Rights: Can the developer do whatever he wants with his property?

No. They can not.

- When the property was purchased it carried a recreational open space zoning. The developer is may improve the property within that boundary, i.e. agriculture, athletic facilities, stables, educational facilities, museums and observatories and approved by the City.
- The landowner has no existing right to develop Ridgeline in the intensive manner that is being proposed. His only legal option is to ask the city to enhance his property rights through “up-zoning.”
- The City has full discretion under the law to deny this request for enhancement. Because the City’s general plan and zoning never allowed for this residential development, the developer has no legitimate expectation that these approvals would be granted and must seek a zone change.