

ORDINANCE NUMBER O- 19857 (NEW SERIES)

DATE OF FINAL PASSAGE MAY 21 2009

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AMENDING CHAPTER 13, ARTICLE 2, DIVISION 14 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 132.1402; AMENDING CHAPTER 15, ARTICLE 19, DIVISION 1 BY AMENDING SECTION 1519.0102 AND BY ADDING A NEW SECTION 1519.0104, RELATING TO INCLUSION OF CERTAIN PROPERTIES WITHIN THE SOUTHEASTERN SAN DIEGO AND SKYLINE-PARADISE HILLS COMMUNITY PLAN AREAS INTO THE COMMUNITY PLAN IMPLEMENTATION OVERLAY ZONE AND MODIFICATIONS TO BOUNDARIES OF THE SOUTHEASTERN SAN DIEGO PLANNED DISTRICT.

WHEREAS, on MAY 12 2009 the City Council of the City of San Diego held a public hearing for the purpose of considering the inclusion of certain properties within the Southeastern San Diego and Skyline-Paradise Hills Community Plans into the Community Plan Implementation Overlay Zone, and Modifications to Boundaries of the Southeastern San Diego Planned District; and

WHEREAS, the Southeastern Economic Development Corporation has requested an amendment to the General Plan, the Southeastern San Diego Community Plan and the Skyline-Paradise Hills Community Plan to add a Village/Mixed Use Element to the Southeastern San Diego Community Plan and a Mixed Use Element to the Skyline-Paradise Hills Community Plan to change land use designations to allow for mixed use and higher intensity residential development in three areas identified in the amendments as the Village Center at Market and Euclid, Imperial Crest and Encantada; and

WHEREAS, the amendments would also add a Community Plan Implementation Overlay Zone that would be applicable within the areas affected by the Village/Mixed Use Element in the Southeastern San Diego Community Plan and the Mixed Use Element in the Skyline-Paradise Hills Community Plan; and

WHEREAS, said Community Plan Implementation Overlay Zone shall incorporate Supplemental Development Regulations that would be applicable in addition to the base zone development regulations for projects that qualify for ministerial processing and Design Guidelines that would also be applicable to projects which require a land use permit; and

WHEREAS, the Council of the City of San Diego has considered all maps, exhibits and written documents contained in the file for this project on record in the City of San Diego and has considered the oral presentation given at the public hearing; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That Chapter 13, Article 2, Division 14 of the San Diego Municipal Code is amended by amending Section 132.1402 to read as follows:

§132.1402 Where the Community Plan Implementation Overlay Zone Applies

- (a) This overlay zone applies to properties that are identified in a community plan as areas requiring supplemental development regulations or processing of a development permit and that have been incorporated by ordinance into this overlay zone. Table 132.14A lists the community plan areas in which this overlay zone has been applied and the corresponding rezone maps that indicate which properties are within the boundaries of the overlay zone. These maps are filed in the office of the City Clerk.

The properties within this overlay zone are shown generally on Diagrams
132.14A through 132-14M.

Table 132-14A

Community Plans with Property in the Community Plan Implementation Overlay Zone

Community Plan	Map Number Showing Boundaries of CPIOZ Area
Clairemont Mesa (See Diagram 132.14A)	C-771.1, B-3951
Linda Vista (See Diagram 132-14C)	C-750
Midway/Pacific Highway Corridor (See Diagram 132-14D)	C-782
Navajo (See Diagram 132-14E)	C-779
Pacific Beach (See Diagram 132-14F)	B-3737I, B-3857
Peninsula (See Diagram 132-14G)	C-744, C-781
Rancho Bernardo (See Diagram 132-14H)	C-773.1
Rancho Penasquitos (See Diagram 132-14I)	B-4025
Skyline Paradise Hills (See Diagram 132-14L)	B-4272
Southeastern San Diego (See Diagram 132-14M)	B-4272
University (See Diagram 132-14J)	C-725, C-751.2
Uptown (See Diagram 132.14K)	C-780.2

Section 2. That Chapter 15, Article 19, Division 1 of the San Diego Municipal Code is amended by amending Section 1519.0102 to read as follows:

§1519.0102 Boundaries of the Southeastern San Diego Planned District

The regulations in Chapter 15, Article 19 shall apply to that area commonly known as the "Southeastern San Diego Community Planning Area," designated on that certain Map Drawing Nos. C-732-A through C-732-Q, and B-4272, described in the appended boundary description filed in the office of the City Clerk. (See Appendix B, Illustration 1.)

Section 3. That Chapter 15, Article 19, Division 1 of the San Diego Municipal Code is amended by adding Section 1519.0104 to read as follows:

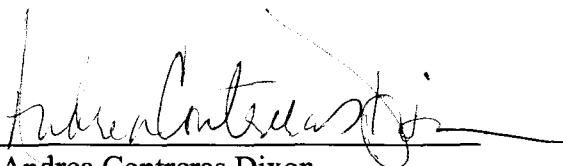
§1519.0104 Southeastern San Diego Community Plan Implementation Overlay Zone

The Southeastern San Diego Community Plan includes a Community Plan Implementation Overlay Zone (CPIOZ). The location of the affected parcels can be found in Section 132.1402 of the Land Development Code.

Section 4. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 5. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Andrea Contreras Dixon
Deputy City Attorney

ACD:hm
04/13/09
04/15/09 COR.COPY
Or.Dept:DSD
O-2009-129

Companion to: O-2009-127
O-2009-128
R-2009-1040
R-2009-1041
R-2009-1042
R-2009-1043

MMS#8673

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAY 12 2009.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 5-11-09
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

0- 19857