

ORDINANCE NUMBER O- 20313 (NEW SERIES)DATE OF FINAL PASSAGE OCT 29 2013

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING 999.61 ACRES LOCATED IN BARRIO LOGAN, WITHIN THE BARRIO LOGAN COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE BARRIO LOGAN PLANNED DISTRICT ORDINANCE CHAPTER 15, ARTICLE 2, DIVISIONS 1 THROUGH 4 ZONES INTO THE CITY OF SAN DIEGO LAND DEVELOPMENT CODE CHAPTER 13 RESIDENTIAL, COMMERCIAL AND INDUSTRIAL ZONES, AS DEFINED BY SAN DIEGO MUNICIPAL CODE CHAPTER 13, ARTICLE 1, DIVISIONS 4, 5 AND 6, AND REPEALING ORDINANCE NO. O-19592, EFFECTIVE APRIL 26, 2007, INsofar AS THE SAME CONFLICTS HEREWITH.

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

Section 1. That 999.61 acres located in Barrio Logan, and in the Barrio Logan Community Plan area legally described as the area south of 16<sup>th</sup> Street, west of Interstate - 5, north of Division Street (National City border), and east of the San Diego Bay, which includes but not limited to the parcels indentified in Exhibit A, in the City of San Diego, California, as shown on Zone Map Drawing No. C-955, filed in the office of the City Clerk as Document No. OO- 20313 and attached as Exhibit B, are rezoned from the Barrio Logan Planned District Subdistricts A, B, C, D and Redevelopment zones into the Land Development Code zones including CC-2-1; CC-2-3; CC-3-4; CC-3-6; CC-5-4; CN-1-3; CN-1-4; CO-2-1; CO-2-2; IH-1-1; IH-2-1; RX-1-2; RT-1-2; RM-2-5; RM-3-7; and RM-3-9 zones, as the zones are described and defined by San Diego Municipal Code Chapter 13, Article 1, Divisions 4, 5 and 6. This action amends the Official Zoning Map adopted by Resolution R-301263 on February 28, 2006.

Section 2. That Ordinance No. O-19592 (New Series 0-2007-75), effective April 26, 2007, of the ordinances of the City of San Diego is repealed insofar as the same conflicts with the rezoned uses of the land.

Section 3. 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 4. That, in the event that, prior to the date that the California Coastal Commission unconditionally certifies the provisions of this ordinance as a Local Coastal Program amendment, the Airport Land Use Compatibility Plan (ALUCP) for San Diego International Airport (Lindbergh Field) is amended such that provisions of this ordinance become subject to the requirement that the San Diego County Regional Airport Authority (SDCRAA) make a consistency determination related to that ALUCP, this ordinance shall be submitted to the SDCRAA for such a determination and the following paragraphs shall affect the effective date of this ordinance.

That if the SDCRAA finds this ordinance consistent with the ALUCP for San Diego International Airport (Lindbergh Field), this ordinance shall take effect and be in force on the thirtieth day from and after the finding of consistency, except that the provisions of this ordinance inside the Coastal Overlay Zone, which are subject to California Coastal Commission jurisdiction as a City of San Diego Local Coastal Program amendment, shall not take effect until the date the California Coastal Commission unconditionally certifies those provisions as a local coastal program amendment.

That if the SDCRAA determines that this ordinance is inconsistent or conditionally consistent, subject to proposed modifications, with the ALUCP for San Diego International

Airport (Lindbergh Field), the ordinance shall be submitted to the City Council for reconsideration.

That if the SDCRAA determines that this ordinance is conditionally consistent with the ALUCP for San Diego International Airport (Lindbergh Field), but that consistency is subject to proposed modifications, the City Council may amend this ordinance to accept the proposed modifications, and this ordinance as amended shall take effect and be in force on the thirtieth day from and after its final passage, except that the provisions of this ordinance as amended inside the Coastal Overlay Zone, which are subject to California Coastal Commission jurisdiction as a City of San Diego Local Coastal Program amendment shall not take effect until the date the California Coastal Commission unconditionally certifies those provisions as a local coastal program amendment.

That a proposed decision by the City Council to overrule a determination of inconsistency or to reject the proposed modifications for a finding of conditional consistency shall include the findings required pursuant to Public Utilities Code section 21670 and require a two-thirds vote. The proposed decision and findings shall be forwarded to the SDCRAA, the California Department of Transportation, Division of Aeronautics, and the airport operators for the San Diego International Airport (Lindbergh Field). The City Council shall hold a second hearing not less than forty-five days from the date the proposed decision and findings were provided, at which hearing any comments submitted by the public agencies shall be considered and a final decision to overrule a determination of inconsistency shall require a two-thirds vote.

That if the City Council makes a final decision to overrule a determination of inconsistency, this ordinance shall take effect and be in force on the thirtieth day from and after that final decision, except that the provisions of this ordinance inside the Coastal Overlay Zone,

which are subject to California Coastal Commission jurisdiction as a City of San Diego Local Coastal Program amendment shall not take effect until the date the California Coastal Commission unconditionally certifies those provisions as a local coastal program amendment.

Section 5. That permits shall not be issued inside the Coastal Overlay Zone for development that is inconsistent with the provisions of this ordinance unless complete applications for the permits were submitted to the City prior to the date the California Coastal Commission unconditionally certifies the provisions of this ordinance as a local coastal program amendment.

APPROVED: JAN I. GOLDSMITH, City Attorney

By *KM Halsey*  
Keely M. Halsey  
Deputy City Attorney

KMH:als:mm  
09/03/13  
Or.Dept:DSD  
Doc. No. 623235\_2

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of 10/15/13.

ELIZABETH S. MALAND  
City Clerk

By *Dequille J. Santos*  
Deputy City Clerk

Approved pursuant to Charter section 265(i):

Approved: \_\_\_\_\_  
(date)

\_\_\_\_\_  
Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
Mayor

Ex. A

BARRIO LOGAN COMMUNITY PLAN AREA  
ASSESSOR PARCEL NUMBERS

|            |
|------------|
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**BARRIO LOGAN COMMUNITY PLAN AREA  
ASSESSOR PARCEL NUMBERS**

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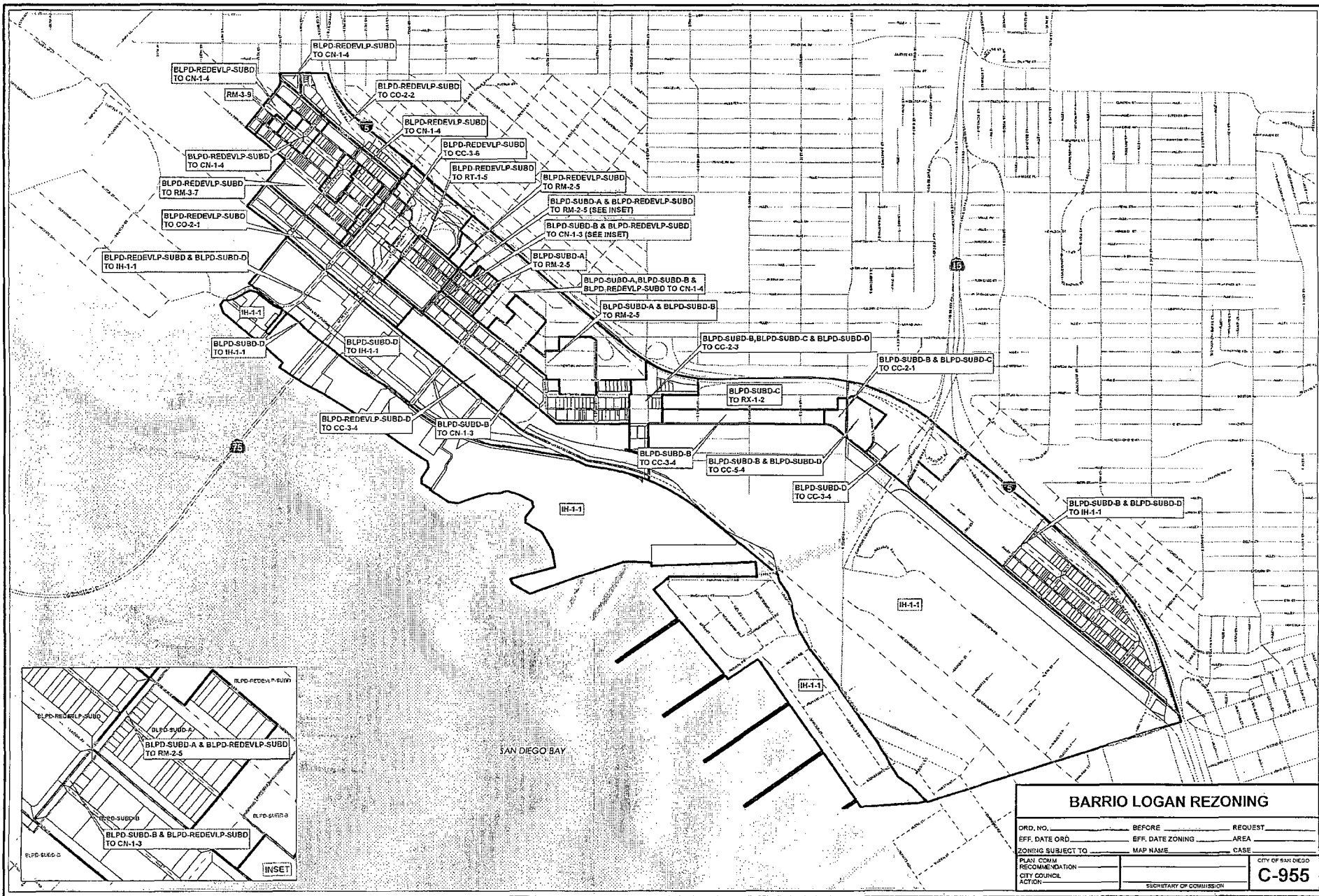
**BARRIO LOGAN COMMUNITY PLAN AREA  
ASSESSOR PARCEL NUMBERS**

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**BARRIO LOGAN COMMUNITY PLAN AREA  
ASSESSOR PARCEL NUMBERS**

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### BARRIO LOGAN REZONING

|                          |                         |                   |
|--------------------------|-------------------------|-------------------|
| ORD. NO.                 | BEFORE                  | REQUEST           |
| EFF. DATE ORD.           | EFF. DATE ZONING        | AREA              |
| ZONING SUBJECT TO        | MAP NAME                | CASE              |
| PLAN COMM RECOMMENDATION | CITY COUNCIL            | CITY OF SAN DIEGO |
| CITY COUNCIL ACTION      | SECRETARY OF COMMISSION | <b>C-955</b>      |

Passed by the Council of The City of San Diego on OCT 15 2013, by the following vote:

| Councilmembers  | Yeas                                | Nays                                | Not Present              | Recused                  |
|-----------------|-------------------------------------|-------------------------------------|--------------------------|--------------------------|
| Sherri Lightner | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |
| Kevin Faulconer | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Todd Gloria     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |
| Myrtle Cole     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |
| Mark Kersey     | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Lorie Zapf      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Scott Sherman   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| David Alvarez   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |
| Marti Emerald   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |

Date of final passage OCT 29 2013.

AUTHENTICATED BY:

TODD GLORIA, COUNCIL PRESIDENT  
as interim Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By , Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

SEP 17 2013

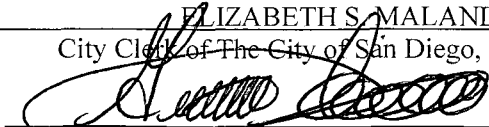
, and on

OCT 29 2013

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal)

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O-

**20313**