

ORDINANCE NUMBER O- 20465 (NEW SERIES)

3/9/15

DATE OF FINAL PASSAGE MAR 09 2015

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING 28 ACRES LOCATED SOUTH OF DEL MAR HEIGHTS ROAD BETWEEN EL CAMINO REAL AND HIGH BLUFF DRIVE, WITHIN THE CARMEL VALLEY COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE CARMEL VALLEY PLANNED DISTRICT EMPLOYMENT CENTER (CVPD-EC) ZONE TO THE CARMEL VALLEY PLANNED DISTRICT MIXED-USE CENTER (CVPD-MC) ZONE, AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTION 153.0311 AND REPEALING ORDINANCE NOS. O-15634 NS AND O-16074 NS INSOFAR AS THE SAME CONFLICT HEREWITH.

WHEREAS, Kilroy Realty Corporation, applicant, requested a rezone for the purpose of changing 28 acres located south of Del Mar Heights Road between El Camino Real and High Bluff Drive and legally described as Parcel 1 and 2 of Parcel Map No. 15061 and Parcel 2 of Parcel Map No. 19130, in the Carmel Valley Community Plan Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. B-4301, filed in the office of the City Clerk as Document No. OO- 20465, and attached hereto as Exhibit A, from the Carmel Valley Planned District Employment Center (CVPD-EC) Zone to the Carmel Valley Planned District-Mixed-Use Center (CVPD-MC) zone (Rezone No. 683373); and

WHEREAS, on October 16, 2014, the Planning Commission of the City of San Diego considered Rezone No. 683373 and voted 5-0-2 that the project is good but was unable to recommend approval at that time based on eleven considerations; and

WHEREAS, the matter was set for public hearing on February 23, 2015, testimony having been heard, evidence having been submitted and the City Council having full considered the matter and being fully advised concerning the same; and

WHEREAS, under Charter section 280(a)(2), this ordinance is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; NOW, THEREFORE,

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

Section 1. That 28 acres (including to the centerline of the public right-of-way) located south of Del Mar Heights Road between El Camino Real and High Bluff Drive and legally described as Parcel 1 and 2 of Parcel Map No. 15061 and Parcel 2 of Parcel Map No. 19130, in the Carmel Valley Community Plan Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. B-4301, filed in the office of the City Clerk as Document No. OO- 20465, and attached hereto as Exhibit A, is rezoned from the Carmel Valley Planned District Employment Center (CVPD-EC) Zone to the Carmel Valley Planned District-Mixed-Use Center (CVPD-MC) zone. The CVPD-MC is a newly created zone per Ordinance No. O- 20466 and is described and defined by San Diego Municipal Code section 153.0311. This action amends the Official Zoning Map adopted by Resolution R-301263 on February 28, 2006.

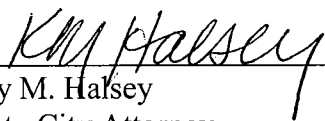
Section 2. That Ordinance No. O-15634 (New Series), adopted December 7, 1984, and Ordinance No. O-16074 (New Series), adopted October 31, 1983, of the ordinances of the City of San Diego are repealed insofar as the same conflict with Rezone No. 683373.

Section 3. That a full reading of this ordinance is dispensed with prior to passage, a written copy having been made available to the Council and the public prior to the day of its passage.

Section 4. This ordinance shall take effect and be in force on the thirtieth day from and after its passage, and no building permits for development inconsistent with the provisions of this ordinance shall be issued unless application therefor was made prior to the date of adoption of this ordinance.

Section 5. That the City Clerk is authorized and directed to insert the City Clerk's official ordinance number for the ordinance that amends San Diego Municipal Code section 153.0311 to create a new CVPD-MC zone (which ordinance is being considered and processed concurrently with this ordinance) into the blank space allotted for that purpose within the second sentence of Section 1 of this ordinance.

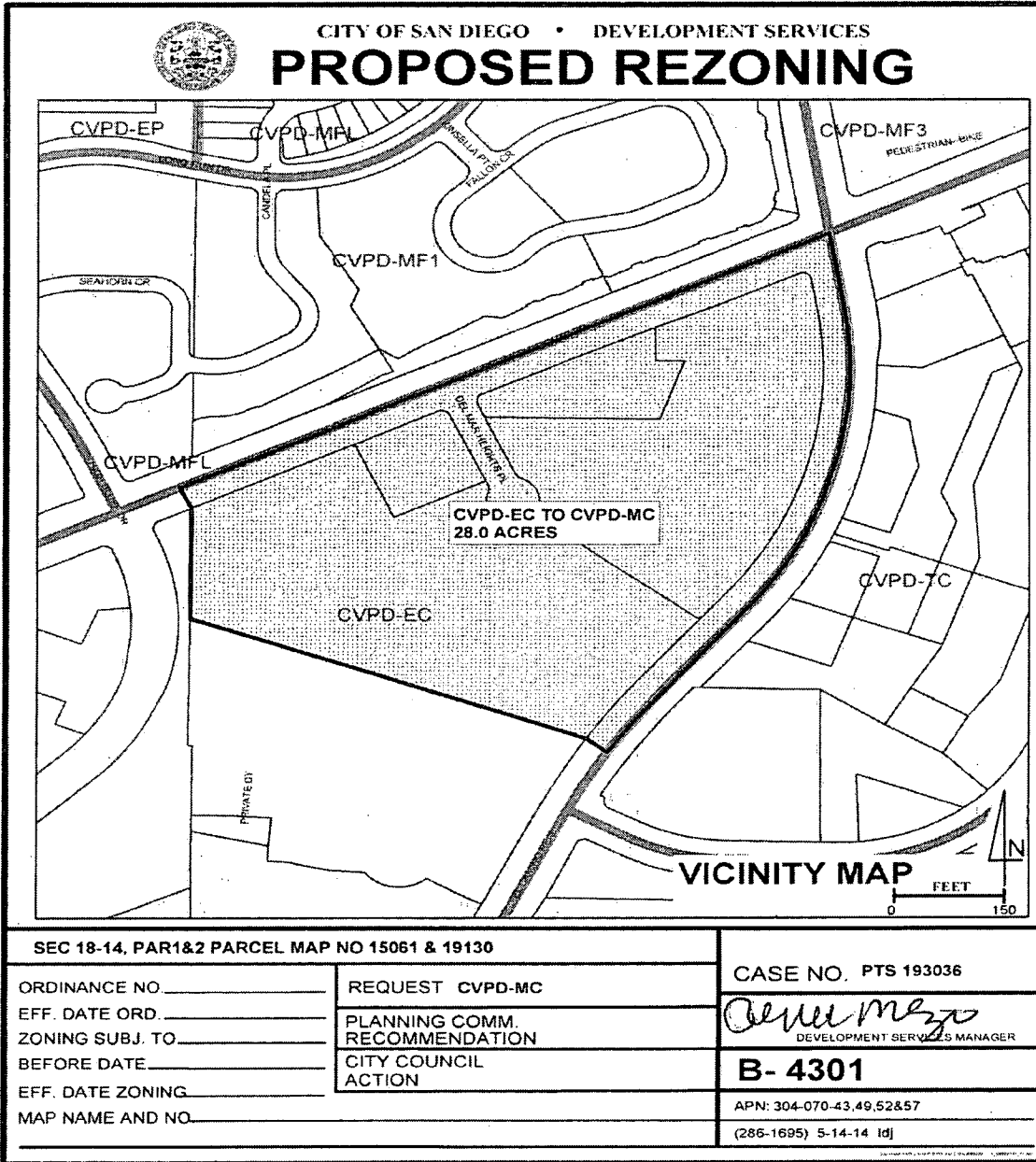
APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Keely M. Halsey
Deputy City Attorney

KMH:dkr
02/11/15
02/12/15 COR. COPY
Or.Dept: DSD
Doc. No.: 923167_6

ATTACHMENT: Exhibit A, Rezone "B Sheet" (Zone Map Drawing No. B-4301)

Exhibit A



SEC 18-14, PAR1&2 PARCEL MAP NO 15061 & 19130		CASE NO. PTS 193036
ORDINANCE NO. _____	REQUEST CVPD-MC	<i>Devin Mezo</i> DEVELOPMENT SERVICES MANAGER
EFF. DATE ORD. _____	PLANNING COMM. RECOMMENDATION	
ZONING SUBJ. TO _____	CITY COUNCIL ACTION	B- 4301
BEFORE DATE _____		APN: 304-070-43,49,52&57
EFF. DATE ZONING _____		(286-1695) 5-14-14 [d]
MAP NAME AND NO. _____		

Passed by the Council of The City of San Diego on MAR 09 2015, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAR 09 2015

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

(Seal)

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

By [Signature], 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

FEB 23 2015, and on MAR 09 2015

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 [Signature], Deputy

Office of the City Clerk, San Diego, California

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