

ORDINANCE NUMBER O- 20753 (NEW SERIES)

DATE OF FINAL PASSAGE DEC 01 2016

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO REZONING 1,240 ACRES LOCATED WITHIN THE GREATER NORTH PARK PLANNING AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM MID CITY COMMUNITIES PLANNED DISTRICT ORDINANCE TO THE OP-1-1, RS-1-1, RS-1-7, RM-1-1, RM-2-5, RM-3-7, RM-3-8, RM-3-9, CN-1-3, CN-1-5, CC-3-4, CC-3-6, CC-3-7, CC-3-8, AND CC-3-9 ZONES, AND REPEALING ORDINANCE NO. O-19598, ADOPTED APRIL 26, 2007, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INSOFAR AS THE SAME CONFLICTS HEREWITH.

WHEREAS, Resolution No. B- 310758, which was considered along with this Ordinance, proposes to adopt a comprehensive update to the North Park Community Plan; and

WHEREAS, Ordinance No. O- 20751, which was considered along with this Ordinance, amends the Mid-City Communities Planned District Ordinance to remove its application within the North Park Community planning area; and

WHEREAS, rezoning the land within the Greater North Park planning area to use citywide zones as set forth in San Diego Municipal Code Chapter 13, Division 1 is proposed as well as other rezoning to be consistent with the land use designations set forth in the update to the North Park Community Plan; and

WHEREAS, on September 22, 2016, the Planning Commission of the City of San Diego considered the North Park rezone, and voted 6-0-1 to recommend City Council approval of the North Park rezone; and

WHEREAS, the matter was set for public hearing on October 25, 2016, testimony having been heard, evidence having been submitted and the City Council having full considered the matter and being fully advised concerning the same; NOW THEREFORE,

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

Section 1. That 1,240 acres located in the Greater North Park planning area, and legally described as the parcels shown in Exhibit A, with a copy on file in the office of the City Clerk as Document No. OO-20753-1 within the Greater North Park planning area, in the City of San Diego, California, and as shown on Zone Map Drawing No. C-964, with a copy on file in the Office of the City Clerk as Document No. OO-20753-2, are rezoned into the OP-1-1, RS-1-1, RS-1-7, RM-1-1, RM-2-5, RM-3-7, RM-3-8, RM-3-9, CN-1-3, CN-1-5, CC-3-4, CC-3-6, CC-3-7, CC-3-8, AND CC-3-9 zones, as the zones are described and defined by San Diego Municipal Code Chapter 13, Article 1. This action amends the Official Zoning Map adopted by Resolution R-301263 on February 28, 2006.

Section 2. That Ordinance No. O-19598, adopted March 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 passage, a written or printed copy having been made available to the City Council and the public prior to the day of its passage.

Section 4. That prior to becoming effective, this Ordinance shall be submitted to the San Diego County Regional Airport Authority (SDCRAA) for a consistency determination.

That if the SDCRAA finds this Ordinance consistent with the Airport Land Use Compatibility Plan (ALUCP) for the San Diego International Airport facility (SDIA), and this Ordinance as amended shall take effect and be in force on the thirtieth day from and after its final passage, the date that R-310758 adopting the North Park Community Plan becomes effective, or the date that O-20751 amending the Mid-City Communities Planned District Ordinance becomes effective, whichever date occurs later.

That if the SDCRAA determines that this Ordinance is inconsistent or conditionally consistent, subject to proposed modifications, with the ALUCP for SDIA 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 SDIA, 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, the date that 310758 R-_____ adopting the North Park Community Plan becomes effective, or the date that 0-20751 amending the Mid-City Communities Planned District Ordinance becomes effective, whichever date occurs later.


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 applicable airport(s). 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 its final passage, the date that R-310758 adopting the North Park Community Plan becomes

effective, or the date that O- 20751 amending the Mid-City Communities Planned District Ordinance becomes effective, whichever date occurs later.

Section 5. No building permits for development inconsistent with the provisions of this Ordinance shall be issued unless application therefore was made prior to the date of adoption of this Ordinance.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Corrine L. Neuffer
Deputy City Attorney

CLN:dkr
9/30/2016
Or.Dept:Planning
Doc. No. 1366936


ATTACHMENTS: Exhibit A, Parcel Information
Exhibit B, Zone Map Drawing

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of NOV 15 2016.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 11/28/16
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

(Note: The date of final passage is December 1, 2016, which represents the day this ordinance was returned to the Office of the City Clerk with the Mayor's signature of approval.)

EXHIBIT A
North Park Community Plan
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EXHIBIT A
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EXHIBIT A
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Parcels List

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EXHIBIT A
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Parcels List

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Passed by the Council of The City of San Diego on NOV 15 2016, 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"/>
Lorie Zapf	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 DEC 01 2016

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 *Sinda Bruin*, 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

OCT 25 2016

, and on

DEC 01 2016

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 *Sinda Bruin*, Deputy

Office of the City Clerk, San Diego, California

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