

ORDINANCE NUMBER O- 20992 (NEW SERIES)

DATE OF FINAL PASSAGE OCT 10 2018

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO REZONING 909.15 ACRES LOCATED WITHIN THE MIDWAY-PACIFIC HIGHWAY PLANNING AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM CITYWIDE ZONES TO THE RM-1-1, RM-2-5, RM-3-8, RM-3-9, CN-1-6, CC-1-3, CC-2-5, CC-3-6, CC-3-7, CC-3-8, CC-3-9, CO-3-1, AND IS-1-1 ZONES, AND REPEALING ORDINANCE NOS. O-18514 N.S., ADOPTED 05-18-1998, O-18446 N.S., ADOPTED 12-02-1997, O-17654 N.S., ADOPTED 06-10-1991, O-17097 N.S., ADOPTED 05-16-1988, O-16565 N.S., ADOPTED 12-16-1985, O-15442 N.S., ADOPTED 02-09-1981, O-15218 N.S., ADOPTED 03-17-1980, O-11493 N.S., ADOPTED 11-27-1974, O-11324 N.S., ADOPTED 05-23-1974, O-11321 N.S., ADOPTED 05-16-1974, O-11210 N.S., ADOPTED 01-10-1974, O-11209 N.S., ADOPTED 01-10-1974, O-10841 N.S., ADOPTED 05-25-1972, O-10473 N.S., ADOPTED 12-31-1970, O-10445 N.S., ADOPTED 12-01-1970, O-8355 N.S., ADOPTED 09-22-1960, O-7971 N.S., ADOPTED 09-04-1958, O-4407 N.S., ADOPTED 05-16-1950, O-3070 N.S., ADOPTED 09-25-1945, AND O-2668 N.S., ADOPTED 06-01-1943, OF ORDINANCES OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICT HERewith.

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

Section 1. That 909.15 acres located in the Midway-Pacific Highway Planning Area, and legally described as in the appended boundary description file in the office of the City Clerk under Document No. OO- 20992, within the Midway-Pacific Highway Community Plan (MPHCP), in the City of San Diego, California, as shown on Zone Map Drawing No. C-997, filed in the office of the City Clerk, are rezoned from the RM-1-1, RM-2-5, RM-3-7, RM-4-10, CC-1-3, CC-3-4, CC-4-2, CC-4-5, CC-5-4, CN-1-2, CO-1-2, CP-1-1, CV-1-2, IL-3-1, IP-2-1, and IS-1-1 zones to the RM-1-1, RM-2-5, RM-3-8, RM-3-9, CN-1-6, CC-1-3, CC-2-5, CC-3-6, CC-3-7, CC-3-8, CC-3-9, CO-3-1, and IS-1-1 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 March 14, 2006.

Section 2. That Ordinance Nos. O-18514 N.S., adopted 05-18-1998, O-18446 N.S., adopted 12-02-1997, O-17654 N.S., adopted 06-10-1991, O-17097 N.S., adopted 05-16-1988, O-16565 N.S., adopted 12-16-1985, O-15442 N.S., adopted 02-09-1981, O-15218 N.S., adopted 03-17-1980, O-11493 N.S., adopted 11-27-1974, O-11324 N.S., adopted 05-23-1974, O-11321 N.S., adopted 05-16-1974, O-11210 N.S., adopted 01-10-1974, O-11209 N.S., adopted 01-10-1974, O-10841 N.S., adopted 05-25-1972, O-10473 N.S., adopted 12-31-1970, O-10445 N.S., adopted 12-01-1970, O-8355 N.S., adopted 09-22-1960, O-7971 N.S., adopted 09-04-1958, O-4407 N.S., adopted 05-16-1950, O-3070 N.S., adopted 09-25-1945, and O-2668 N.S., adopted 06-01-1943, of the ordinances of the City of San Diego are repealed insofar as the same conflict with the rezoned uses of the land.

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 final 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 Plans (ALUCP) for San Diego International Airport, Marine Corps Air Station Miramar, Gillespie Field, Montgomery Field, and Brown Field Airports (collectively, Airports), this Ordinance shall take effect and be in force on the thirtieth day from and after the finding of consistency, or on the thirtieth day from and after its final passage, whichever is later, 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 ALUCPs for the Airports, the Ordinance shall be submitted to the City Council for reconsideration.

That if the SDCRAA determines that this Ordinance is conditionally consistent with the ALUCPs for the Airports, 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 Airports. The City Council shall hold a second hearing not less than 45 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.

APPROVED: MARA W. ELLIOTT, City Attorney

By Shannon M. Thomas
Shannon M. Thomas
Senior Deputy City Attorney

SMT:als
09/17/2018 Rev. Copy
Or.Dept:Planning
Doc. No.: 1835131

Attachment: Exhibit A

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of OCT 09 2018

ELIZABETH S. MALAND
City Clerk

By Linda Bruen
Deputy City Clerk

Kevin L. Faulconer
KEVIN L. FAULCONER, Mayor

Approved: 10/10/18
(date)

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

EXHIBIT A

Midway-Pacific Highway Community Plan Update
Rezone Parcel List by Assessor's Parcel Number (APN)

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Midway-Pacific Highway Community Plan Update
 Rezone Parcel List by Assessor's Parcel Number (APN)

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Midway-Pacific Highway Community Plan Update
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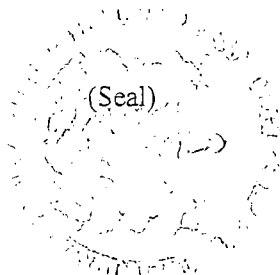
Passed by the Council of The City of San Diego on OCT 09 2018, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<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 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"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage OCT 10 2018

AUTHENTICATED BY:

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



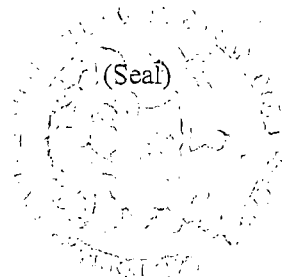
ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By Linda Bruen, 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 2018, and on OCT 10 2018

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.



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

By Linda Bruen, Deputy

Office of the City Clerk, San Diego, California
Ordinance Number O- <u>20992</u>