

ORDINANCE NUMBER O- 21096 (NEW SERIES)

DATE OF FINAL PASSAGE JUL 09 2019

ITEM# 54a
7/9/19

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING APPROXIMATELY 2.25-ACRES LOCATED AT 6650 MONTEZUMA ROAD IN THE COLLEGE AREA COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE RM-1-1 (RESIDENTIAL MULTIPLE-UNIT) ZONE TO THE CV-1-1 (COMMERCIAL-VISITOR) ZONE/COMMUNITY PLAN IMPLEMENTATION OVERLAY ZONE (CPIOZ) TYPE A, AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTIONS 131.0406, 131.0505, 132.1402 AND 132.1403; AND REPEALING ORDINANCE NO. O-18855 (NEW SERIES), ADOPTED OCTOBER 2, 2000, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICTS HEREWITH.

WHEREAS, S52 BLUE FALCON, LLC, a California Limited Liability Company, requested to rezone approximately 2.25-acres of land (1.86-acres of project site and 0.39-acres of public right-of-way) from the RM-1-1 (Residential Multiple-Unit) zone to the CV-1-1 (Commercial-Visitor) Zone/ Community Plan Implementation Overlay Zone (CPIOZ) Type A, in the College Area Community Plan area; and

WHEREAS, the matter was set for a public hearing to be conducted by the Council of the City of San Diego; 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 evidence presented; NOW, THEREFORE,

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

Section 1. That approximately 2.23-acres located at 6650 Montezuma Road, on the northern side of Montezuma Road, between Reservoir Drive and El Cajon Boulevard, within the Central Urbanized Planned District and the College Area Community Plan area, and legally described as Portion of Lot 1 of College Vista, in the City of San Diego, County of San Diego, State of California, according to Map No. 3226, filed in the Office of the County Recorder of San Diego County on May 4, 1955. Together with a portion of Lot 33 of the La Mesa Colony, in the City of San Diego, County of San Diego, State of California, according to the map thereof No. 346, filed in the Office of the Recorder of said San Diego County, March 8, 1887, and the adjacent public right-of-way, as shown on Zone Map Drawing No. B-4339, filed in the office of the City Clerk as Document No. OO- 21096, are rezoned from the RM-1-1 (Residential Multiple-Unit) zone to the CV-1-1 (Commercial-Visitor) Zone/ Community Plan Implementation Overlay Zone (CPIOZ) Type A, as the zones are described and defined by San Diego Municipal Code Chapter 13 , Article 1, Divisions 4 and 5, Sections 131.0406 and 131.0505, and Chapter 13, Article 2, Division 14 Sections 132.1402 and 132.1403. This action amends the Official Zoning Map adopted by Resolution R-301263 on February 28, 2006.


Section 2. That Ordinance No. O-18855 (New Series), adopted O-19273, 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. This Ordinance shall take effect and be in force on the thirtieth day from and after its passage, the date that O- 21097 amending Chapter 13, Article 2, Division 14 of the San Diego Municipal Code by adding a College Area Community Plan Implementation Overlay Zone Type A on the site becomes effective, or the date that R- 312534 adopting amendments to the General Plan and the College Area Community Plan 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 therefor was made prior to the date of adoption of this Ordinance.

APPROVED: MARA W. ELLIOTT, City Attorney

By 

Corrine L. Neuffer
Senior Deputy City Attorney

CLN:als
6/05/2019
Or.Dept:DSD
Doc. No.: 2016985

Passed by the Council of The City of San Diego on JUL 09 2019, 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"/>
Jennifer Campbell	<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"/>
Monica Montgomery	<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"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUL 09 2019.

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 Connie Patterson, 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

JUN 24 2019

, and on JUL 09 2019.

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 Connie Patterson, Deputy

Office of the City Clerk, San Diego, California

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