

ORDINANCE NUMBER O- 21123 (NEW SERIES)

DATE OF FINAL PASSAGE SEP 12 2019

ITEM # 53.C
9/10/19

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING 55 ACRES WITHIN THE LINDA VISTA COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE CC-1-1, CC-1-3, CC-3-4, CC-4-2, CC-5-1, AND IL-3-1 ZONES TO THE CC-3-7 AND CC-5-1 ZONES, AND REPEALING ORDINANCE NOS. O-18614 N.S., ADOPTED JANUARY 19, 1999, O-18514 N.S., ADOPTED MAY 18, 1998, AND O-17002 N.S., ADOPTED JANUARY 4, 1988, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INSOFAR AS THE SAME CONFLICT-HEREWITH.

WHEREAS, Ordinance No. O-21122, which was considered along with this Ordinance, adopts a Specific Plan for the Morena Corridor area; and

WHEREAS, rezoning the land within the Linda Vista Community Plan 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 Morena Corridor Specific Plan, as shown on Zone Map Drawing No. B-4338, on file in the Office of the City Clerk; and

WHEREAS, on February 21, 2019, the Planning Commission of the City of San Diego considered the Morena Corridor Specific Plan and associated rezone, and voted 6-0-0 to recommend City Council approval of the Morena Corridor Specific Plan and rezone; and

WHEREAS, the matter was set for public hearing on August 1, 2019, 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 approximately 55 acres located in the Linda Vista Community Plan area legally described as the parcels shown in Exhibit A – Morena Corridor Specific Plan Rezone Parcel List, within the Linda Vista Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. B-4338, on file in the Office of the City Clerk as Document No. OO- 21123, are rezoned from the CC-1-1, CC-1-3, CC-3-4, CC-4-2, CC-5-1, and IL-3-1 zones to the CC-3-7 and CC-5-1 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 Nos. O-18614 N.S., adopted January 19, 1999, O-18514 N.S., adopted May 18, 1998, and O-17002 N.S., adopted January 4, 1988, 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 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 San Diego International Airport (SDIA), this Ordinance shall take effect and be in force on the thirtieth day from and after the finding of consistency, on the thirtieth day from and after its final passage, whichever is later.

That if the SDCRAA determines that this Ordinance is inconsistent or conditionally consistent, subject to proposed modifications, with the ALUCP for the 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 the 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.


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 SDIA. 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.

Section 5. That no permits shall be issued for development that is inconsistent with the provisions of this Ordinance unless complete applications for such permits are submitted to the City prior to the date on which the applicable provisions of this Ordinance become effective, which date is determined in accordance with Section 4, above.

APPROVED: MARA W. ELLIOTT, City Attorney

By



Corrine L. Neuffer
Deputy City Attorney

CLN:als
07/18/2019
Or.Dept: Planning Dept.
Doc. No.: 1950769

Attachment: Exhibit A – Linda Vista Parcel Information

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of SEP 10 2019.

ELIZABETH S. MALAND
City Clerk

By Connie Patterson
Deputy City Clerk

Approved: 9/12/19
(date)

Kevin L. Faulconer
KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Exhibit A
Morena Corridor Specific Plan
Rezone Parcel List by Assessor's Parcel Number (APN)

4362904300	4362903700
4363301200	4363301700
4363400300	4365000200
4363502500	4363400200
4365401100	4363302900
4363301900	4363302400
4364600800	4363301000
4363503200	4363400600
4363502300	4363300300
4363502000	4363300500
4364601100	4363300400
4362903900	4365401500
4363503000	4365401000
4363301600	4363400500
4363502400	4363503100
4363502600	4363301500
4361802001	4363303300
4363302500	4361802002
4365401400	4361801505
4361801400	4365401800
4363502200	4364600100
4363301800	4365401600
4362904100	4365400900
4362904200	4363302600
4363502800	4363502100
4362904400	4362904500
4363301100	4365000400
4363303200	4361801600
4361801506	4365401700
7601021700	4361801700
4363400400	4363400700
4364600200	
4363301300	
4364601300	
4364601200	
4363502700	
4361801504	
4365400800	

Passed by the Council of The City of San Diego on SEP 10 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 SEP 12 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

AUG 01 2019, and on SEP 12 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

Ordinance Number O- 21123