

ORDINANCE NUMBER O- 21255 (NEW SERIES)

DATE OF FINAL PASSAGE OCT 30 2020

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING 3.53 ACRES LOCATED AT 3643 FLORIDA STREET, 2015 CYPRESS AVENUE, 3639 FLORIDA STREET, 2019 CYPRESS AVENUE, 3555 FLORIDA STREET, 3541 FLORIDA STREET, 3531 FLORIDA STREET, 3521 FLORIDA STREET, 3511 FLORIDA STREET, 3503 FLORIDA STREET, 3627 FLORIDA STREET, 3443 FLORIDA STREET, 3433 FLORIDA STREET, 3427 FLORIDA STREET, AND 3405 FLORIDA STREET, WITHIN THE NORTH PARK COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE RS-1-7 ZONE TO THE RM-3-7 ZONE, AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTIONS 131.0403 AND 131.0406; AND REPEALING ORDINANCE NO. O-2017-53, ADOPTED OCTOBER 25, 2016, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICT HEREWITH.

WHEREAS, Resolution No. R- 313253, which was considered along with this Ordinance, proposes to redesignate 3.53 acres of land from Residential Low (5 to 9 dwelling units per acre) to Residential Medium-High (30 to 44 dwelling units per acre) in the North Park Community Plan; and

WHEREAS, rezoning the land within the North Park planning area is proposed to be consistent with the land use designation set in the North Park Community Plan; and

WHEREAS, on July 23, 2020, the Planning Commission of the City of San Diego considered the North Park Community Plan Amendment and associated rezone, and pursuant to Resolution No. 5105-PC, voted 7-0-0 on consent to recommend the Council of the City of San Diego (City Council) approve the rezone; and

WHEREAS, the matter was set for public hearing on October 13, 2020, to be conducted by the City Council, testimony having been heard, evidence having been submitted and the City

Council having fully 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 the 3.53 acres of land located between Florida Street and the parallel alley east of Florida Street, and between Upas Street and Cypress Avenue and legally described as PORTIONS OF BLK 259&260* LOTS 1-12,15-18,21-23,26&27 within the North Park Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. B-4352, filed in the office of the City Clerk as Document No. OO- 21255, are rezoned from RS-1-7 to RM-3-7, as the zones are described and defined by San Diego Municipal Code Chapter 13, Article 1, Division 4. This action amends the Official Zoning Map adopted by Resolution R-301263 on February 28, 2006.

Section 2. That Ordinance No. O-2017-53, adopted on October 25, 2016, 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 Plans (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, or 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, 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 any 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 /s/ Lindsey H. Sebastian
Lindsey H. Sebastian
Deputy City Attorney

LHS:als
09/28/2020
Or.Dept:Planning
Doc. No.: 2466418

Attachment: Proposed Rezone Map Drawing No. B-4352 with North Park Amendment Area
Parcel Information

I hereby certify that the foregoing Ordinance was passed by the Council of the City of
San Diego, at this meeting of 10/27/2020.

ELIZABETH S. MALAND
City Clerk

By /s/ Matthew R. Hilano
Deputy City Clerk


KEVIN L. FAULCONER, Mayor

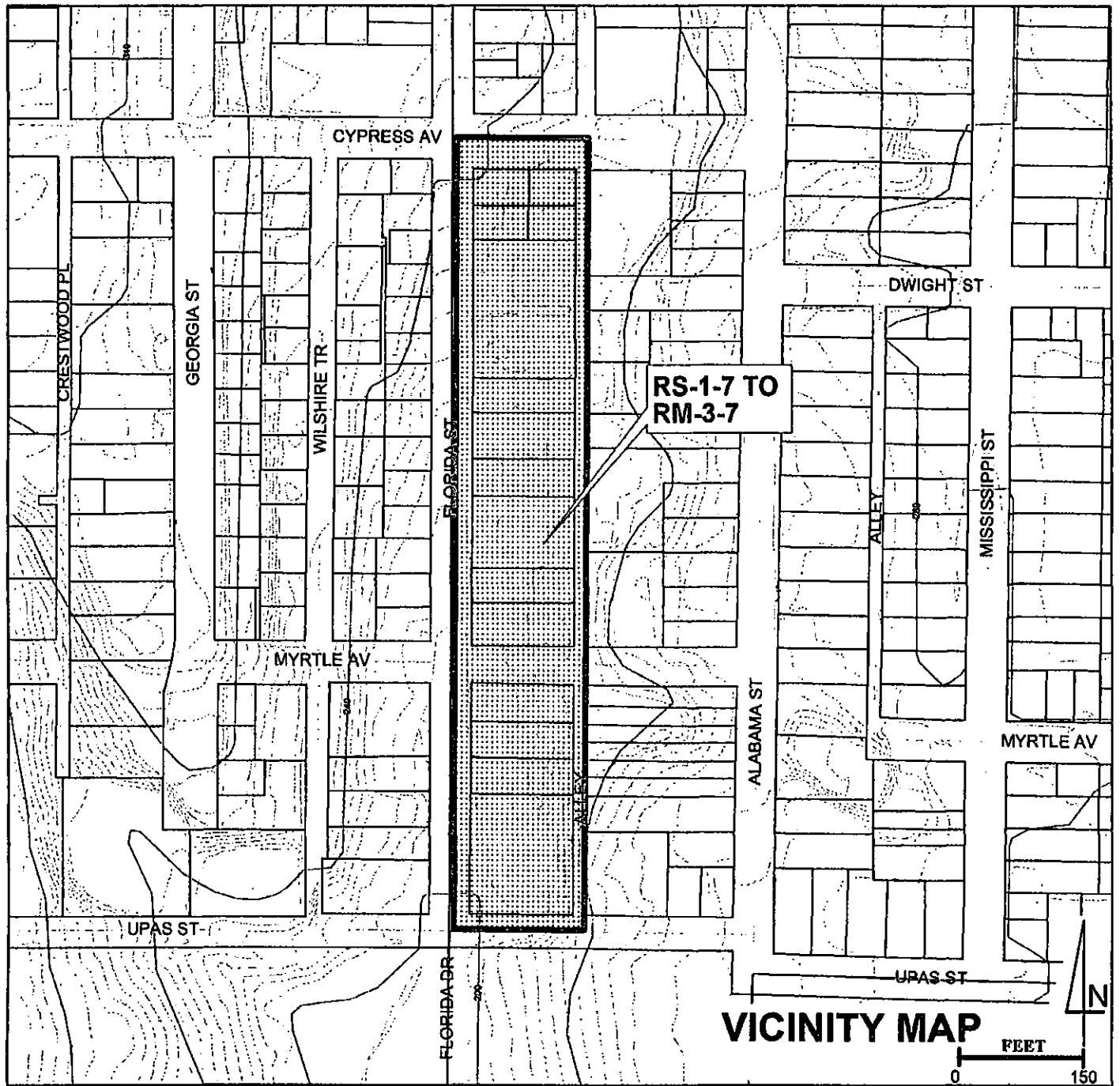
Approved: 10/29/2020
(date)

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

(NOTE: The date of final passage is October 30, 2020, which represents the day this ordinance was returned to the Office of the City Clerk with the Mayor's signature of approval.)

CITY OF SAN DIEGO • PLANNING DEPARTMENT
PROPOSED REZONING



VICINITY MAP

PORTIONS OF BLK 259&260* LOTS 1-12,15-18,21-23,26&27

ORDINANCE NO. _____
 EFF. DATE ORD. _____
 ZONING SUBJ. TO _____
 BEFORE DATE _____
 EFF. DATE ZONING _____
 MAP NAME AND NO. _____

REQUEST **RM-3-7**
 PLANNING COMM.
 RECOMMENDATION
 CITY COUNCIL
 ACTION

CASE NO.

DEPUTY DIRECTOR

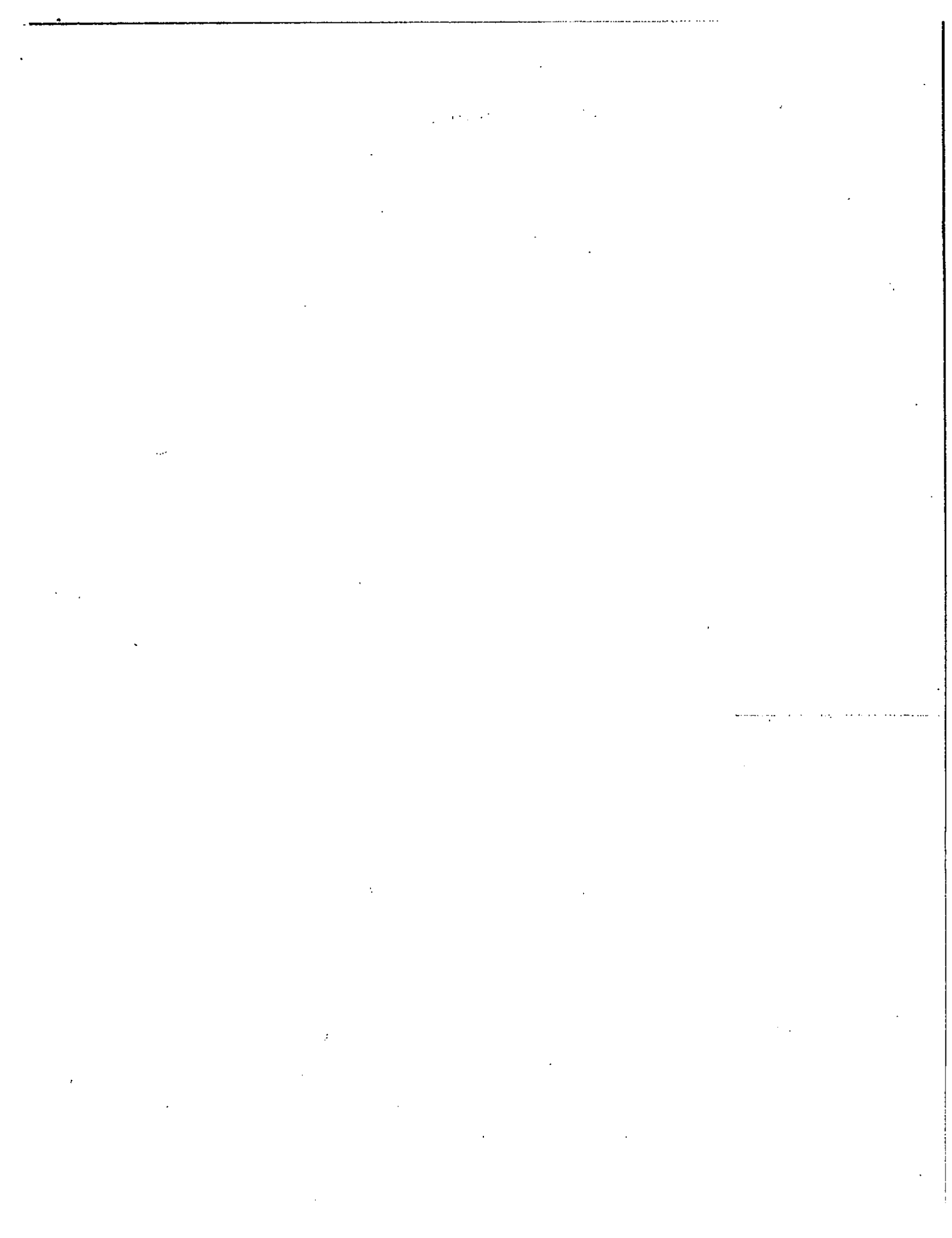
B- 4352

APN: VARIOUS

(210-1725) |d| Date: 9/24/2020

EXHIBIT A

Parcel Number	Street Number	Street Name
45329002	2015	CYPRESS AVE
45329004	2019	CYPRESS AVE
45329001	3643	FLORIDA ST
45329003	3639	FLORIDA ST
45329008	3555	FLORIDA ST
45329009	3541	FLORIDA ST
45329010	3531	FLORIDA ST
45329011	3521	FLORIDA ST
45329012	3511	FLORIDA ST
45329013	3503	FLORIDA ST
45335001	3443	FLORIDA ST
45335002	3433	FLORIDA ST
45335003	3427	FLORIDA ST
45335021	3405	FLORIDA ST
45329037	3627	FLORIDA ST



Passed by the Council of The City of San Diego on OCT 27 2020, 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 OCT 30 2020

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

OCT 13 2020, and on OCT 30 2020.

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
Ordinance Number O- <u>21255</u>