

ORDINANCE NUMBER O- 21376 (NEW SERIES)DATE OF FINAL PASSAGE OCT. 05 2021

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING 164.5-ACRES LOCATED AT 14050 CARMEL RIDGE ROAD WITHIN THE CARMEL MOUNTAIN RANCH COMMUNITY PLAN, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE AR-1-1 (AGRICULTURAL – RESIDENTIAL) ZONE, RS-1-14 (RESIDENTIAL-SINGLE UNIT) ZONE, RM-1-1 (RESIDENTIAL-MULTIPLE UNIT) ZONE, RM-2-5 (RESIDENTIAL-MULTIPLE UNIT) ZONE, AND RM-3-7 (RESIDENTIAL-MULTIPLE UNIT) ZONE TO THE AR-1-1 (AGRICULTURAL-RESIDENTIAL) ZONE, OP-1-1 (OPEN SPACE-PARK) ZONE, RM-1-1 (RESIDENTIAL-MULTIPLE UNIT) ZONE, RM-1-3 (RESIDENTIAL-MULTIPLE UNIT) ZONE, RM-2-4 (RESIDENTIAL-MULTIPLE UNIT) ZONE, RM-2-5 (RESIDENTIAL-MULTIPLE UNIT) ZONE, RM-2-6 (RESIDENTIAL-MULTIPLE UNIT) ZONE, RM-3-7 (RESIDENTIAL-MULTIPLE UNIT) ZONE, AND THE CC-2-1 (COMMERCIAL-COMMUNITY) ZONE, AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTIONS 131.0202, 131.0303, 131.0406, AND 131.0507; AND REPEALING ORDINANCE NO. O-16281 NS (NEW SERIES), ADOPTED SEPTEMBER 10, 1984, AND ORDINANCE NO. O-8782 NS, ADOPTED JANUARY 31, 1963, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICTS HEREWITH.

WHEREAS, NUWI CMR, LLC, a Delaware Limited Liability Company, requested to rezone a 164.54-acre site located at 14050 Carmel Ridge Road, legally described below, in the Carmel Mountain Ranch Community Plan area; and

WHEREAS, on August 5, 2021, the Planning Commission of the City of San Diego considered the rezone and pursuant to Resolution No. 5153-PC voted 6-0-1 to recommend the City Council of the City of San Diego (City Council) approve this Rezone No. 2366507 of the property from the AR-1-1 (Agricultural – Residential), RS-1-14 (Residential – Single Unit), RM-1-1 (Residential – Multiple Unit), RM-2-5 (Residential – Multiple Unit), and RM-3-7 (Residential – Multiple Unit) zones to the AR-1-1 (Agricultural – Residential), OP-1-1 (Open

Space – Park), RM-1-1 (Residential – Multiple Unit), RM-1-3 (Residential – Multiple Unit), RM-2-4 (Residential – Multiple Unit), RM-2-5 (Residential – Multiple Unit), RM-2-6 (Residential – Multiple Unit), RM-3-7 (Residential – Multiple Unit), and the CC-2-1 (Commercial – Community) zones; and

WHEREAS, the matter was set for public hearing on September 14, 2021, to be conducted by City Council, with testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; and

WHEREAS, under San Diego 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 City 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 the 164.5-acre property located at 14050 Carmel Ridge Road and legally described as: Parcel 1 of Parcel Map No. 15309, Parcels 1 and 2 of Parcel Map No. 15726, Parcel 1 of Parcel Map No. 15727, Parcels 1 and 2 of Parcel Map No. 15758, Parcel 4 of Parcel Map No. 15862, Parcels 1 and 2 of Parcel Map No. 16314, Parcels 1 and 2 of Parcel Map No. 16337, Parcel 1 of Parcel Map No. 16479, Parcels 1, 2, and 3 of Parcel Map No. 16647, Parcel 1 of Parcel Map 16893, Parcel 1 of Parcel Map No. 16770, Parcel 7 of Parcel Map No. 14678, Lot 4 of Carmel Mountain Ranch Unit No. 15 according to Map thereof No. 11681, Lot 101 of Carmel Mountain Ranch Unit No. 2 according to Map thereof No. 11321, Lot A of Carmel Mountain Ranch Unit No. 5A according to Map thereof No. 11527, Lot A of Carmel

Mountain Ranch Unit No. 16 According to Map thereof No. 11906, Lot 11 of Carmel Mountain Ranch Unit 19 according to Map thereof No. 13061, and Lot 12 of Carmel Mountain Ranch Unit 19 according to Map thereof No. 13061, in the Carmel Mountain Ranch Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. B-4358, filed in the office of the City Clerk as Document No. OO 21376, are rezoned from the AR-1-1 (Agricultural – Residential), RS-1-14 (Residential – Single Unit), RM-1-1 (Residential – Multiple Unit), RM-2-5 (Residential – Multiple Unit), and RM-3-7 (Residential – Multiple Unit) zones to the AR-1-1 (Agricultural – Residential), OP-1-1 (Open Space – Park), RM-1-1 (Residential – Multiple Unit), RM-1-3 (Residential – Multiple Unit), RM-2-4 (Residential – Multiple Unit), RM-2-5 (Residential – Multiple Unit), RM-2-6 (Residential – Multiple Unit), RM-3-7 (Residential – Multiple Unit), and the CC-2-1 (Commercial – Community) zones, as the zones are described and defined by San Diego Municipal Code sections 131.0202, 131.0303, 131.0406, and 131.0507. This action amends the Official Zoning Map adopted by Resolution R-301263 on February 28, 2006.

Section 2. That Ordinance No. O-16281 N.S. adopted September 10, 1984, and Ordinance No. O-8782 N.S. adopted January 31, 1963, 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 final passage, a written or printed copy having been made available to the City Council and the public a day prior to its final passage.

Section 4. This Ordinance shall take effect and be in force on the thirtieth day from and after its passage, or the date that R-2022- 51 adopting amendments to the General

Plan and the Carmel Mountain Ranch 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 /s/ Lindsey H. Sebastian

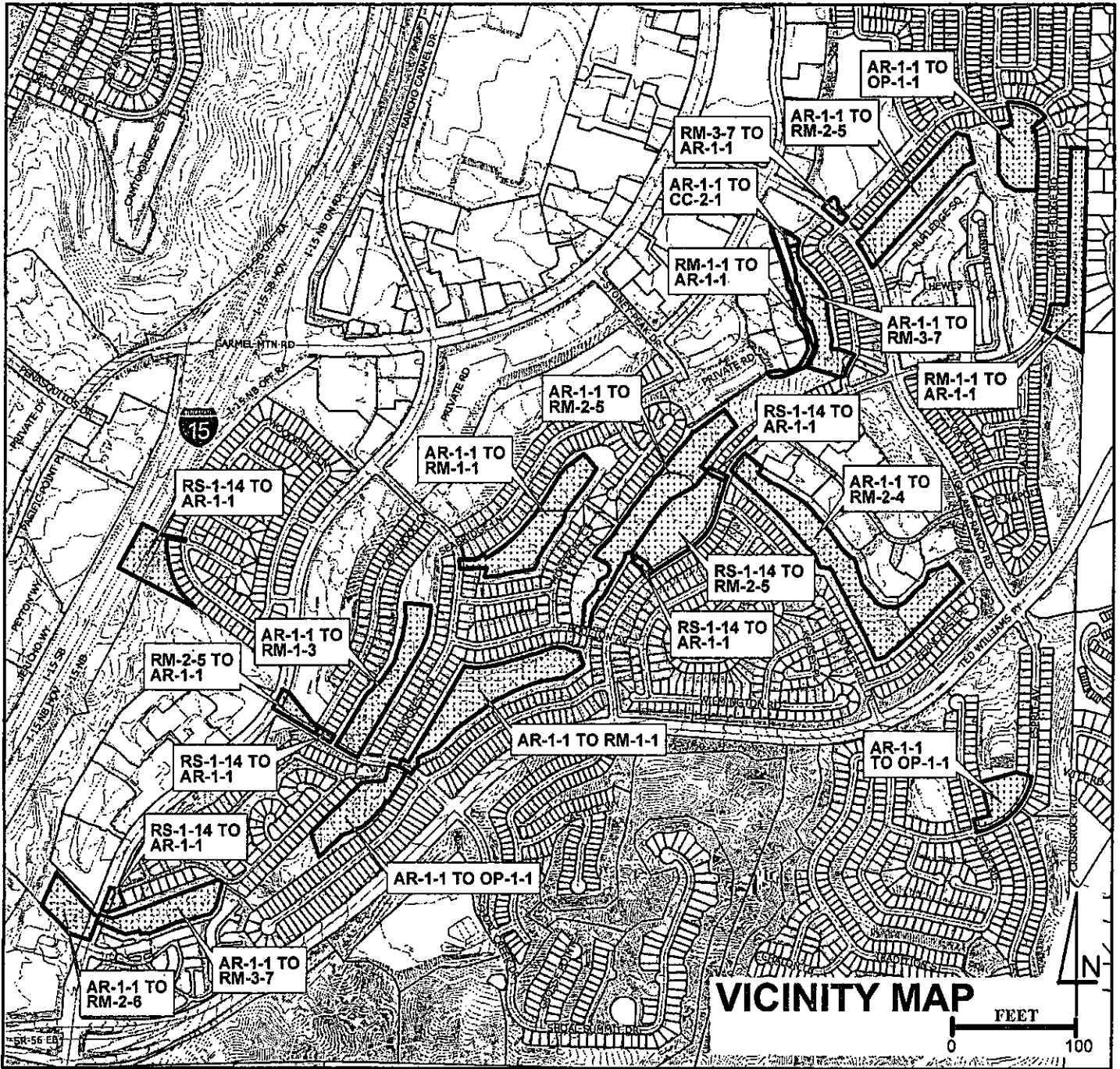
Lindsey H. Sebastian
Deputy City Attorney

LHS:nja
08/11/2021
Or. Dept: DSD
Doc. No.: 2735392

Attachment: Rezone Map No. B-4358

CITY OF SAN DIEGO • DEVELOPMENT SERVICES

SD PROPOSED REZONING



VICINITY MAP

THE TRAILS AT CARMEL MOUNTAIN RANCH

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

REQUEST VARIOUS
 PLANNING COMM.
 RECOMMENDATION
 CITY COUNCIL
 ACTION

CASE NO. 2366507

DEVELOPMENT SERVICES MANAGER

B- 4358

APN:
 (294-1746)

Passed by the Council of The City of San Diego on OCT 05 2021, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<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"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<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"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage OCT 05 2021

AUTHENTICATED BY:

TODD GLORIA
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

SEP 14 2021, and on OCT 05 2021

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- 21376