

#566
8/1/23

(O-2023-203)

ORDINANCE NUMBER O- 21710 (NEW SERIES)

DATE OF FINAL PASSAGE AUG 01 2023

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO REMOVING 19.82 ACRES LOCATED SOUTH OF CAMINO DE LA REINA, WEST OF MISSION CENTER ROAD, AND NORTH OF CAMINO DEL RIO NORTH IN THE MISSION VALLEY COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE COMMUNITY PLAN IMPLEMENTATION OVERLAY ZONE (CPIOZ) AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTION 131.0704; AND REPEALING ORDINANCE NO. O-21264 (NEW SERIES), ADOPTED DATE DECEMBER 8, 2020, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICT-HEREWITH.

WHEREAS, Westfield U.S. Holdings, LLC, applied for Community Plan Amendment No. 2607712 and Rezone No. 2607768 to amend the Mission Valley Community Plan to change the boundary of the First San Diego River Improvement Project (FSDRIP) Specific Plan to remove the Westfield - Mission Valley West property from the Mission Valley Community Plan Specific Plan Subdistrict and the FSDRIP Specific Plan; and amend San Diego Municipal Code Chapter 13, Article 02, Division 14 – Community Plan Implementation Overlay Zone (CPIOZ) to replace the map depicting the boundaries of the CPIOZ area to one consistent with the updated FSDRIP Specific Plan; and

WHEREAS, the legal description of the property triggering the amendments is that 19.82 acres located south of Camino De La Reina, west of Mission Center Road, north of Camino Del Rio North, and east of Camino Del Arroyo in the Mission Valley Community Plan Area, and legally described as Lot 5 of Mission Valley Shopping Center, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 4244, filed in the Office of the

San Diego County Recorder on June 30, 1959; in the Mission Valley Community Plan Area, in the City of San Diego, California (Westfield - Mission Valley West property); and

WHEREAS, on February 2, 2023, the Planning Commission of the City of San Diego held a public hearing for the purpose of considering and recommending to the Council of the City of San Diego approval of Community Plan Amendment and Specific Plan Amendment No. 2607712 and Rezone No. 2607768; 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; and

WHEREAS, the Office of the City Attorney has drafted this Ordinance based on the information provided by City staff, with the understanding that the information is complete, true, and accurate; NOW, THEREFORE,

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

Section 1. That 19.82 acres located south of Camino De La Reina, west of Mission Center Road, north of Camino Del Rio North, and east of Camino Del Arroyo in the Mission Valley Community Plan Area, and legally described as Lot 5 of Mission Valley Shopping Center, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 4244, filed in the Office of the San Diego County Recorder on June 30, 1959; in the Mission Valley Community Plan Area, in the City of San Diego, California, as shown on Zone Map Drawing No. C-1026, filed in the Office of the City Clerk as Document No.

OO- 21710, are rezoned to remove the Community Plan Implementation Overlay Zone

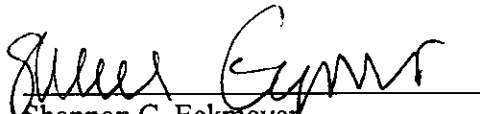
(CPIOZ) and allow the underlying EMX zone, as described and defined by San Diego Municipal Code Chapter 13 Article 1 Division 7, to govern the site. This action amends the Official Zoning Map adopted by Resolution R-301263 on February 28, 2006.

Section 2. That Ordinance No. O-21264 (New Series), adopted on December 8, 2020, of the ordinances of the City of San Diego is 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 final passage, a written or printed copy having been 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, and 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 
Shannon C. Eckmeyer
Deputy City Attorney

SCE:sc
06/21/2023
Or.Dept: Planning
Doc. No.: 3337787

JUL 18 2023

Passed by the Council of The City of San Diego on _____, 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<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 **AUG 01 2023**

AUTHENTICATED BY:

TODD GLORIA
Mayor of The City of San Diego, California.

(Seal)

DIANA J.S. FUENTES
City Clerk of The City of San Diego, California.

By *Kristell Medina*, 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 **JUL 18 2023**, and on **AUG 01 2023**.

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)

DIANA J.S. FUENTES
City Clerk of The City of San Diego, California.

By *Kristell Medina*, Deputy

Office of the City Clerk, San Diego, California
Ordinance Number O- <u>21710</u>