

#60
07/16/2024

(O-2024-129)

ORDINANCE NUMBER O- 21835 (NEW SERIES)

DATE OF FINAL PASSAGE JUL 16 2024

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO REZONING 0.8 ACRES LOCATED AT 920 SATURN BOULEVARD (ASSESSOR PARCEL NUMBERS 627-302-43-00, 627-302-44-00, AND 627-302-45-00) WITHIN THE OTAY MESA-NESTOR COMMUNITY PLAN AREA IN THE CITY OF SAN DIEGO, FROM THE RS-1-7 (LOW-DENSITY RESIDENTIAL) TO RM-3-9 (HIGH DENSITY RESIDENTIAL) ZONE AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTIONS 131.0403 AND 131.0406, AND REPEALING ORDINANCE NO. O-8029 (NEW SERIES) ADOPTED DECEMBER 18, 1958 AND ORDINANCE NO. O-18451 (NEW SERIES) ADOPTED DECEMBER 9, 1997 OF THE ORDINANCES OF THE CITY OF SAN DIEGO INSOFAR AS THE SAME CONFLICT HEREWITH.

WHEREAS, Planet LP/Mar Group applied to rezone a 0.8-acre site located at 920 Saturn Boulevard, Assessor Parcel Numbers (APNs) 627-302-43-00, 627-302-44-00, and 627-302-45-00, and legally described as Parcels 1, 2 and 3 of Parcel Map No. 16695, in the City of San Diego, County of San Diego, State of California, according to Map recorded, November 27, 1991, in the Office of the County Recorder of said County, from RS-1-7 (Low-Density Residential) to RM-3-9 (High-Density Residential) zone, in the Otay Mesa-Nestor Community Plan area; and

WHEREAS, Resolution No. R- 315652 (General Plan and Otay Mesa-Nestor Community Plan Amendments), which was considered along with this Ordinance, proposes an amendment to the Otay Mesa-Nestor Community Plan to redesignate the 0.8-acre site at 920 Saturn Boulevard from Low-Density Residential 5-10 dwelling units per acre to High-Density Residential 45-73 dwelling units per acre; and

WHEREAS, on May 16, 2024, the Planning Commission of the City of San Diego considered the rezone, and voted to recommend Council of the City of San Diego (Council) approval of the rezone; and

WHEREAS, the matter was set for a public hearing to be conducted by the Council; and

WHEREAS, under Charter section 280(a)(2) this ordinance is not subject to veto by the Mayor because this matter requires the 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, including information provided by affected third parties and verified by City staff, with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

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

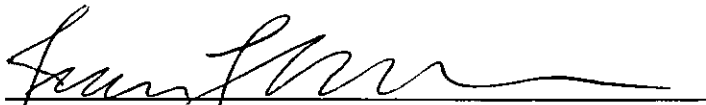
Section 1. That 0.8-acres located at 920 Saturn Boulevard, also known as APNs 627-302-43-00, 627-302-44-00, and 627-302-45-00, and legally described as Parcels 1, 2 and 3 of Parcel Map No. 16695, in the City of San Diego, County of San Diego, State of California, according to Map recorded, November 27, 1991, in the Office of the County Recorder of said County, are rezoned from the RS-1-7 (Low-Density Residential) to RM-3-9 (High-Density Residential) zone, as defined by San Diego Municipal Code sections 131.0403 and 131.0406. This action amends the Official Zoning Map adopted by Resolution R-301263 on March 14, 2006.

Section 2. That Ordinance No. O-8029 (New Series), adopted December 18, 1958, and Ordinance No. O-18451 (New Series) adopted December 9, 1997, 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 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. That 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 
Jeanne L. Mackinnon
Deputy City Attorney

JLM:hm
May 30, 2024
Or.Dept: DSD
Doc. No. 3676954

Attachment: Rezoning Map No. B-4370

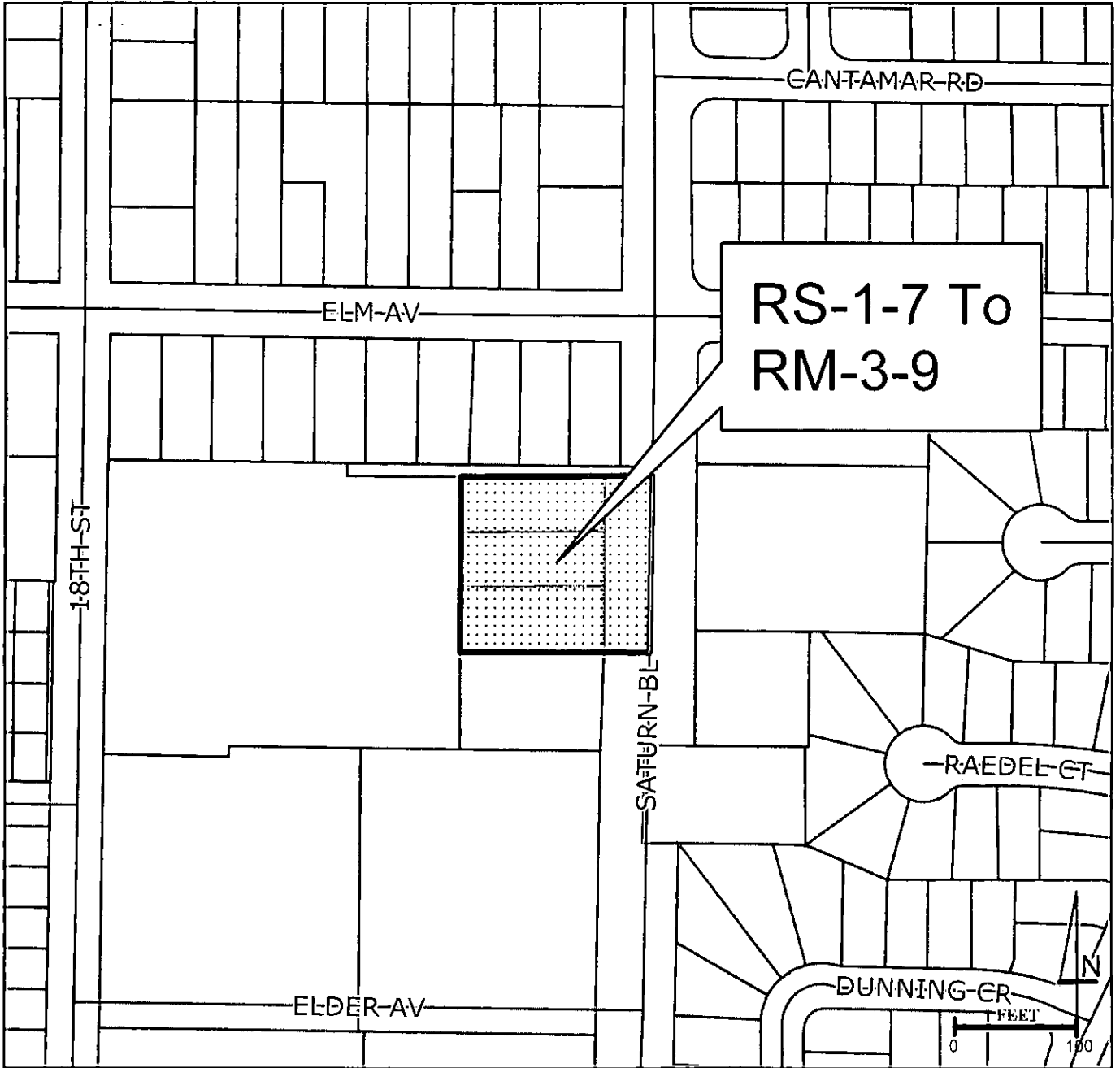
I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JUL 16 2024.

DIANA J.S. FUENTES
City Clerk

By 
Deputy City Clerk



PROPOSED REZONING



B-4370

ORDINANCE NO. _____
 EFF. DATE ORD. _____
 ZONING SUBJ. TO _____
 BEFORE DATE _____
 EFF. DATE ZONING _____

REQUEST RS-1-7 to RM-3-9
 PLANNING COMM.
 RECOMMENDATION
 CITY COUNCIL
 ACTION

DEVELOPMENT SERVICES MANAGER

APN(s): 627-302-43, 627-302-44, 627-302-45

Passed by the Council of The City of San Diego on JUL 16 2024, 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"/> |
| Henry L. Foster III | <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 JUL 16 2024.

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 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 25 2024, and on JUL 16 2024.

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 Connie Patterson, Deputy

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|---|
| Office of the City Clerk, San Diego, California |
| Ordinance Number O- <u>21835</u> |