

#596  
09/10/2024  
(O-2025-6)

ORDINANCE NUMBER O- 21867 (NEW SERIES)

DATE OF FINAL PASSAGE SEP 17 2024

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO REZONING 380 ACRES OF THE HILLCREST AND MEDICAL COMPLEX NEIGHBORHOODS LOCATED WITHIN THE UPTOWN COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, TO THE RM-3-9, RM-4-10, RM-4-11, CC-3-8, CC-3-10, AND CC-3-11 ZONES, AS DEFINED BY THE SAN DIEGO MUNICIPAL CODE; AND REPEALING SAN DIEGO ORDINANCE O-20771, ADOPTED DECEMBER 16, 2016, AND SAN DIEGO ORDINANCES O-20955, O-20956, AND O-20957, ALL ADOPTED JUNE 29, 2018; AND AMENDING SAN DIEGO RESOLUTION R-301263, ADOPTED MARCH 14, 2006, OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICT HEREWITH.

WHEREAS, City Attorney Resolution R-2025-3, which was considered along with this Ordinance, proposes to adopt the Hillcrest Focused Plan Amendment to the Uptown Community Plan (Plan Amendment) for approximately 380 acres of the Hillcrest and Medical Complex neighborhoods; and

WHEREAS, City Attorney Ordinance O-2025-3, which was considered along with this Ordinance, proposes to amend San Diego Municipal Code sections relating to Community Commercial zones to add the CC-3-10 and CC-3-11 zones and amend sections relating to Community Plan Implementation Overlay Zones (CPIOZ) to implement new CPIOZ areas in the Uptown Community; and

WHEREAS, the current Uptown Community Plan was comprehensively updated in 2016; and

WHEREAS, the 2016 update to the Uptown Community Plan did not increase housing capacity, but rather maintained the residential densities established in the previous update of the Community Plan in 1988; and

WHEREAS, the proposed Plan Amendment and associated rezone seek to provide additional opportunities for homes near high-frequency transit to help achieve City of San Diego Climate Action Plan goals and General Plan Housing, Land Use and Community Planning, Mobility, Urban Design, and Historic Preservation Element goals; celebrate the legacy of the LGBTQ+ community by recognizing a LGBTQ+ Cultural District; and update the Community Plan Implementation Overlay Zone with Supplemental Development Regulations that will support local businesses, create public spaces, strengthen multi-modal transportation connections, and preserve cultural and historical features in a Hillcrest Historic District; and

WHEREAS, the Plan Amendment also identifies new land use designations to provide for additional housing opportunities along transit corridors for growth and development over the next 20 to 30 years, consistent with the City of San Diego General Plan City of Villages land use strategy; and

WHEREAS, the Plan Amendment proposes to rezone approximately 380 acres of the Hillcrest and Medical Complex neighborhoods, bounded on the west by Dove Street, on the north by hilltop bluffs along the northern edge of the Medical Complex neighborhood, on the east by Park Boulevard, and on the south by Walnut Avenue, as shown in Exhibit A, to implement the land use designations in the Plan Amendment; and

WHEREAS, on May 30, 2024, the Planning Commission of the City of San Diego considered and voted to recommend the Council of the City of San Diego (Council) approve this rezone of property from RM-1-1, RM-3-7, RM-3-9, CC-3-8, and CC-3-9 zones to RM-3-9, RM-4-10, RM-4-11, CC-3-8, CC-3-10, and CC-3-11 zones; and

WHEREAS, the matter was set for public hearing, with testimony having been heard, evidence having been submitted, and the Council having fully considered the matter and being fully advised concerning the same; and

WHEREAS, the Office of the City Attorney has drafted this ordinance based on information provided 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 380 acres located in the Hillcrest and Medical Complex neighborhoods of the Uptown Community Plan area, bounded on the west by Dove Street, on the north by hilltop bluffs along the northern edge of the Medical Complex neighborhood, on the east by Park Boulevard, and on the south by Walnut Avenue and as shown on Zone Map Drawing No. C-1033 attached as Exhibit A and filed in the Office of the City Clerk as Document No.

00-21867-1, and legally described by the Assessor's Parcel Numbers filed in the Office of the City Clerk under Document No. OO-21867-2 and listed in Exhibit B, are rezoned to the RM-3-9, RM-4-10, RM-4-11, CC-3-8, CC-3-10, and CC-3-11 zones, as the zones are described and defined by San Diego Municipal Code Chapter 13, Article 1, Divisions 4 and 5. This action amends the Official Zoning Map adopted by San Diego Resolution R-301263 on March 14, 2006.

Section 2. That San Diego Ordinance O-20771, adopted December 16, 2016, and San Diego Ordinances O-20955, O-20956, and O-20957, all adopted June 29, 2018, 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 Council and the public prior to the day of its final passage.

Section 4. That prior to becoming effective, this Ordinance shall be submitted to the San Diego County Regional Airport Authority (SDCRAA) acting as the Airport Land Use Commission (ALUC) for a consistency determination with the Airport Land Use Compatibility Plan (ALUCP) for San Diego International Airport (SDIA).

Section 5. That if the ALUC finds this Ordinance consistent with the ALUCP for SDIA, this Ordinance shall take effect and be in force on the date of the finding of consistency, provided that and not until at least thirty days have passed from the date of final passage, or December 1, 2024, whichever date occurs later.

Section 6. That if the ALUC determines that this Ordinance is inconsistent or conditionally consistent, subject to proposed modifications, with the ALUCP for SDIA, the Ordinance shall be submitted to the Council for reconsideration.

Section 7. That if the ALUC determines that this Ordinance is conditionally consistent with the ALUCP for SDIA, but that consistency is subject to proposed modifications, the 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, or on December 1, 2024, whichever date occurs later.


Section 8. That a proposed decision by the 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 California Public Utilities Code section 21670 and require a two-thirds vote; the proposed decision and findings shall be forwarded to the ALUC,

the California Department of Transportation, Division of Aeronautics, and the airport operators for the applicable airport(s); and the Council shall hold a second hearing not less than forty-five 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.

Section 9. That if the 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, or on December 1, 2024, whichever date occurs later.

Section 10. That no building permits for development inconsistent with the provisions of this Ordinance shall be issued unless complete application 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 the sections above.

APPROVED: MARA W. ELLIOTT, City Attorney

By   
Jeanne L. MacKinnon  
Deputy City Attorney

JLM:cm:hm  
July 1, 2024  
Or.Dept: Planning  
Doc. No. 3655654

Attachments:

- Exhibit A: Proposed Zoning Map for Uptown Community Planning Area
- Exhibit B: Uptown Community Planning Area Rezone Parcels List by Assessor's Parcel Number

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of SEP 10 2024.

DIANA J.S. FUENTES  
City Clerk

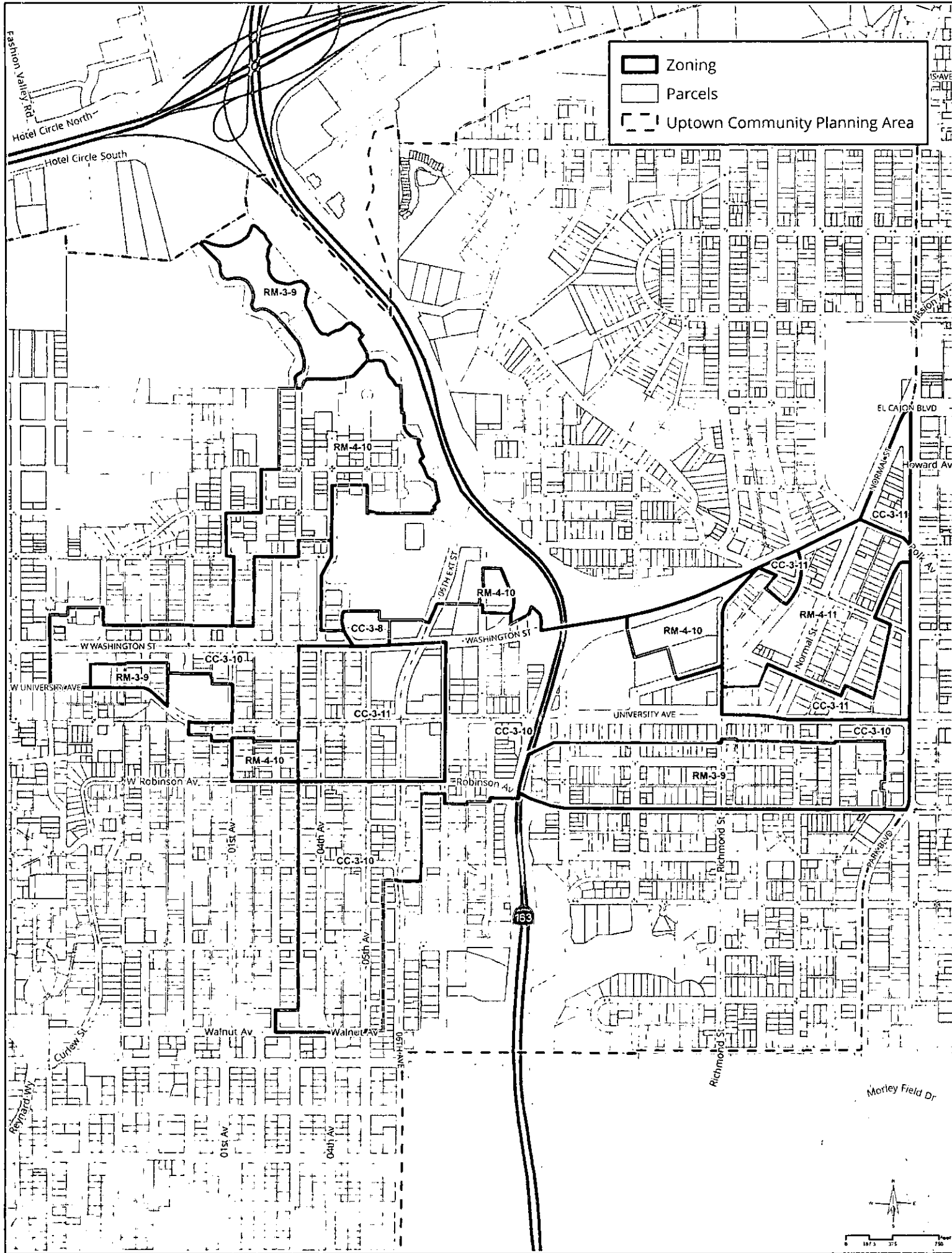
By Connie Patterson  
Deputy City Clerk




Approved: 9/17/24  
(date)

Todd Gloria  
TODD GLORIA, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
TODD GLORIA, Mayor



	Zoning
	Parcels
	Uptown Community Planning Area

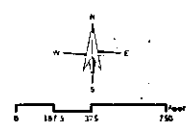


Exhibit B: Uptown Community Planning Area Rezone Parcels List by Assessor's Parcel Number

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4521550639	4522003127	4456411600	4456312800	4445224026	



Passed by the Council of The City of San Diego on SEP 10 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 SEP 17 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 Linda Irwin, Deputy  
For Connie Patterson

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 30 2024, and on SEP 17 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 Linda Irwin, Deputy  
For Connie Patterson

Office of the City Clerk, San Diego, California  
Ordinance Number O- 21867