ORDINANCE NUMBER O- **21870** (NEW SERIES)

DATE OF FINAL PASSAGE **SEP 1 7 2024**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO REZONING 3,348 ACRES LOCATED WITHIN
THE UNIVERSITY COMMUNITY PLAN AREA, IN THE
CITY OF SAN DIEGO, CALIFORNIA, TO THE CC-3-8,
CO-3-3, IL-2-1, IP-1-1, OP-1-1, OP-2-1, OR-1-1, RS-1-7,
RM-1-1, RM-2-5, RM-3-7, RM-3-9, RMX-1, RMX-2, RMX-3,
EMX-1, EMX-2, AND EMX-3 ZONES, AND REPEALING
ORDINANCE NO. O-19782 N.S., ADOPTED SEPTEMBER 9,
2008, ORDINANCE NO. O-20146 N.S., ADOPTED APRIL 10,
2012, ORDINANCE NO. O-20241 N.S., ADOPTED
JANUARY 23, 2013, ORDINANCE NO. O-20296 N.S.,
ADOPTED SEPTEMBER 10, 2023, OF THE CITY OF
SAN DIEGO AS DESCRIBED HEREWITHIN INSOFAR AS
THE SAME CONFLICT HEREWITH.

WHEREAS, City Attorney R-2024-645, which was considered along with this

Ordinance, proposes to adopt a comprehensive update to the University Community Plan; and

WHEREAS, City Attorney Ordinance O-2024-136, which was considered along with this

Ordinance, proposes to amend the San Diego Municipal Code section relating to Community

Plan Implementation Overlay Zones (CPIOZ) to implement a new CIPOZ area; and

WHEREAS, the current University Community Plan was adopted in 1987; and

WHEREAS, the University community has almost completely built out according to the

1987 plan and has limited additional residential and non-residential capacity for additional

growth; and

WHEREAS, the University City / Sorrento Mesa Subregional Employment Area is the

largest employment area by total number of jobs in the region and is partially within the

University community; and

WHEREAS, the subregional employment area continues to attract high-paying base-

sector industry jobs; and

WHEREAS, the San Diego Metropolitan Transit System Blue Line Trolley was recently extended to include six trolley stations in the University community, connecting the community with the rest of the region by light-rail transit; and

WHEREAS, the City of San Diego is implementing a Climate Action Plan (CAP) mandate to reduce greenhouse gas (GHG) emissions; and

WHEREAS, one CAP strategy to reduce GHG is to reduce vehicle miles traveled (VMT); and

WHEREAS, the City of San Diego (City) is assessing commute patterns and actively updating the community plans of job center communities to expand zone capacity of homes in and near job centers in order to reduce VMT; and

WHEREAS, the proposed update to the University Community Plan and associated rezone identifies new land use designations and villages to provide more housing along transit corridors and near transit centers for growth and development over the next 20 to 30 years, consistent with the City of San Diego's General Plan "City of Villages" land use strategy; 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 the property to a combination of citywide zone including community and office commercial (CC-3-8, CO-3-3), light and park industrial (IL-2-1, I-1-1), park and residential open space (OP-1-1, OP-2-1, OR-1-1), residential (RS-1-7, RM-1-1, RM-2-5, RM-3-7, RM-3-9, RMX-1, RMX-2, RMX-1, RMX-3), and employment mixed-use (EMX-1, EMX-2, EMX-3); and

WHEREAS, the matter was set for public hearing on July 30, 2024, 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 the information provided by City staff with the understanding that this information is complete and accurate: NOW THEREFORE,

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

Section 1. That 3,348 acres located in the University Community Plan area, and legally described as in Exhibit A, the appended boundary description file in the Office of the City Clerk under Document No. OO- **21870-1** within the University Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. C-1031, filed in the Office of the City Clerk as Document No. OO- **21870-2** , and attached as Exhibit B, are rezoned to the CC-3-8, CO-3-3, IL-2-1, IP-1-1, OP-1-1, OP-2-1, OR-1-1, RS-1-7, RM-1-1, RM-2-5, RM-3-7, RM-3-9, RMX-1, RMX-2, RMX-3, EMX-1, EMX-2, and EMX-3 zones, as the zones are described and defined by San Diego Municipal Code Chapter 13, Article 1, Divisions 2, 4, 5, 6, and 7. This action amends the Official Zoning Map adopted by San Diego Resolution R-301263 on March 14, 2006.

Section 2. That Ordinance Nos. O-19782 N.S., adopted September 2, 2008; O-20146 N.S., adopted April 10, 2012; O-20241 N.S., adopted January 23, 2013; O-20296 N.S., adopted September 10, 2013 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 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.

Section 5. That if the ALUC finds this Ordinance consistent with the Airport Land

Use Compatibility Plans (ALUCP) for Marine Corps Air Station (MCAS) Miramar and

Montgomery Field Airport Influence Areas, 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,

except that all provisions of this Ordinance that are inside the Coastal Overlay Zone, and that

are subject to California Coastal Commission jurisdiction as a City of San Diego Local

Coastal Program amendment, shall not take effect until the date the California Coastal

Commission unconditionally certifies the provisions as a local coastal program amendment.

Section 6. That if the ALUC determines that this Ordinance is inconsistent or

conditionally consistent, subject to proposed modifications, with the ALUCPs for MCAS

Miramar and Montgomery Field Airport Influence Areas, the Ordinance shall be submitted

to the City Council for reconsideration.

Section 7. That if the ALUC determines that this Ordinance is conditionally

consistent with the ALUCPs for MCAS Miramar and Montgomery Field Airport Influence

Areas, 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, or on

December 1, 2024, whichever date occurs later, except that all provisions of this Ordinance

that concern property that is inside the Coastal Overlay Zone, and subject to California
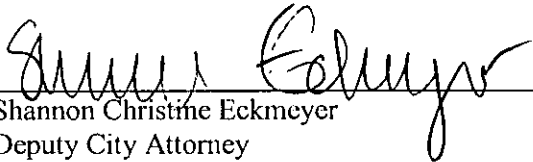
Coastal Commission jurisdiction as a City of San Diego Local Coastal Program amendment, shall not take effect until the date the California Coastal Commission unconditionally certifies the provisions as a local coastal program amendment.

Section 8. 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 ALUC, the California Department of Transportation, Division of Aeronautics, and the airport operators for the applicable airport(s). The City 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 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, or on December 1, 2024, whichever date occurs later, except that all provisions of this Ordinance that concern property that is inside the Coastal Overlay Zone, and subject to California Coastal Commission jurisdiction as a City of San Diego Local Coastal Program amendment, shall not take effect until the date the California Coastal Commission unconditionally certifies the provisions as a local coastal program amendment.

Section 10. No building permits for development inconsistent with the provisions of

this Ordinance shall be issued 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 the sections above.

APPROVED: MARA W. ELLIOTT, City Attorney

By _____

Shannon Christine Eckmeyer
Deputy City Attorney

SCE:cm
June 12, 2024
July 22, 2024 COR. COPY
Or.Dept: Planning
Doc. No. 3654253_2

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

I certify that this 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 _____
Deputy City Clerk

Approved: _____ 9|17|24 _____
(date)

_____
TODD GLORIA, Mayor

Vetoed: _____

(date)

_____
TODD GLORIA, Mayor
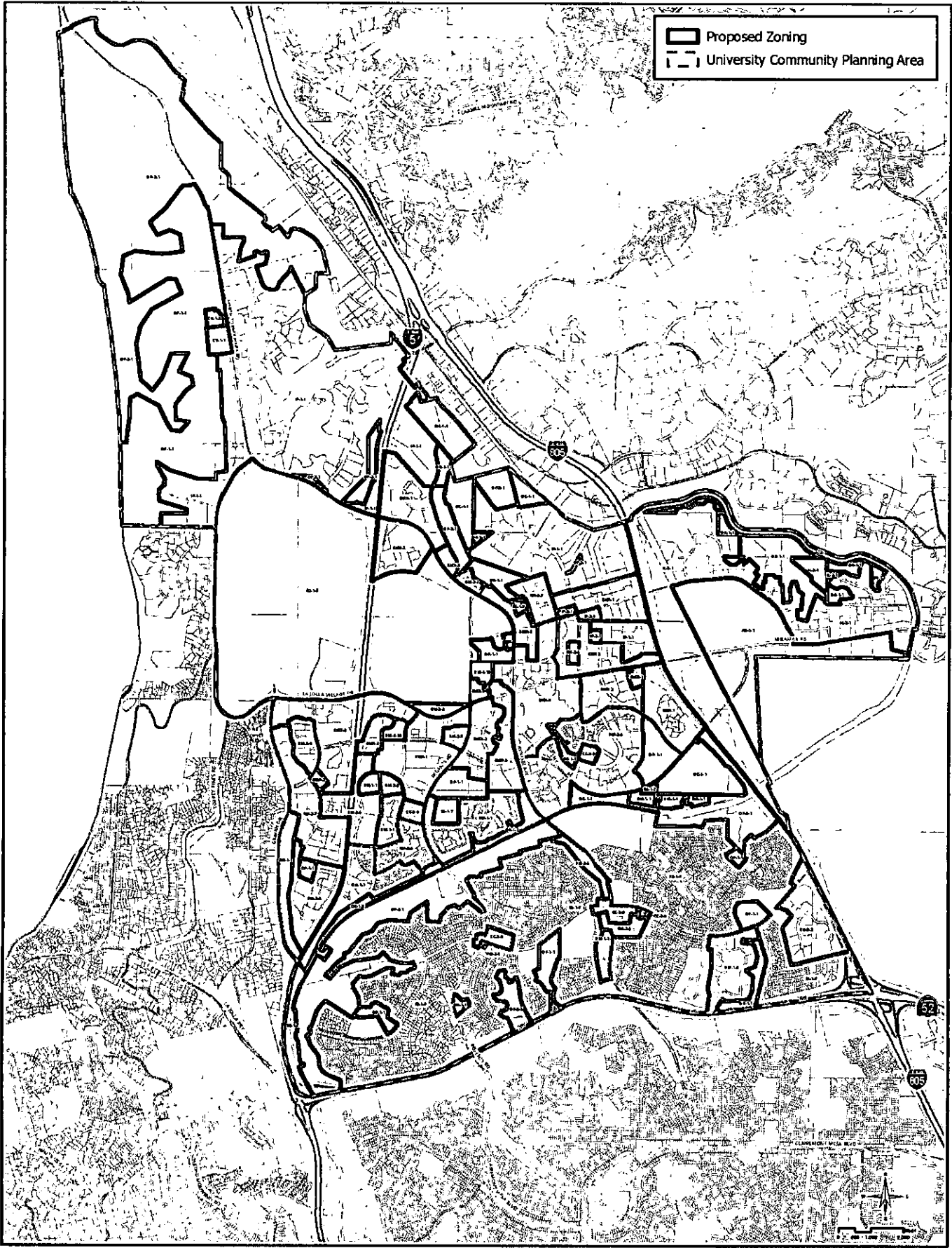
Proposed Zoning
University Community Planning Area

| | | | |
|---|---|---|---|
| 6703411200 | 3442801900 | 3452603100 | 3452500600 |
| 6703411100 | 3450724501 | 3452602000 | 3452000100 |
| 6704101100 | 3451203000 | 3442400600 | 3452000400 |
| 3482002800 | 3450902800 | 3450905000 | 3431220900 |
| 3473800500 | 3450910500 | 3450903300 | 3431402400 |
| 3480311800 | 3450910400 | 3452603200 | 3450801200 |
| 3488501100 | 3442801700 | 3442500500 | 3431221300 |
| 3480311900 | 3452211200 | 3451902500 | 3431224500 |
| 3480311100 | 3451101703 | 3452101900 | 3431224600 |
| 3488501200 | 3450910200 | 3450210300 | 3431224700 |
| 3482904100 | 3451004800 | 3450905900 | 3431224800 |
| 6702111704 | 3451004700 | 3452602400 | 3431402200 |
| 6702000100 | 3450725503 | 3452102300 | 3431400900 |
| 3482904400 | 3451101677 | 3442400200 | 7602283800 |
| 3480311000 | 3450910100 | 3451902600 | 3431224300 |
| 3480311200 | 3451101300 | 3452603300 | 7602511900 |
| 3482903900 | 3451004900 | 3450112300 | 3431224100 |
| 3482904300 | 3451004600 | 3451902700 | 3431224900 |
| 3472110100 | 3451903500 | 3451902800 | 3433000500 |
| 3488501300 | 3480210300 | 3450903000 | 3433002000 |
| 3481121200 | 3442802100 | 3442501000 | 3431603900 |
| 3480310900 | 3451901000 | 3441201800 | 3431402100 |
| 3481121315 | 3451901200 | 3442400700 | 3431226100 |
| 3488500500 | 3451004500 | 3450901500 | 3431224200 |
| 3480311300 | 3442802200 | 3452602300 | 3433001000 |
| 3473800300 | 3450910300 | 3442400100 | 3431225000 |
| 3473801500 | 3451005000 | 3450905300 | 3431226000 |
| 3473801600 | 3451203500 | 3450904600 | 3433700500 |
| 3481121506 | 3451004400 | 3450903800 | 3431401200 |
| 3480310800 | 3450910600 | 3450903200 | 3431225100 |
| 3480311400 | 3452101400 | 3450903100 | 3433004300 |
| 3481120500 | 3451902944 | 3450904100 | 3433003400 |
| 3481120600 | 3451005100 | 3450903900 | 3431604000 |
| 3481120400 | 3451101557 | 3452401600 | 3431602300 |

## Exhibit B: University Community Planning Area Rezone Parcels List
## by Assessor's Parcel Number (APN)

| | | | |
|---|---|---|---|
| 3481121463 | 3452101800 | 3450904700 | 3432601700 |
| 3481121100 | 3451004300 | 3442501100 | 3430311400 |
| 3488500400 | 3451005200 | 3452102200 | 3431220700 |
| 3481121000 | 3451005600 | 3452401100 | 3433003300 |
| 3481120300 | 3452101600 | 3450903400 | 3431602700 |
| 3480310700 | 3442500900 | 3452602200 | 3431602000 |
| 3481120700 | 3451005500 | 3442400800 | 3431603000 |
| 3481120900 | 3451005300 | 3452400600 | 3431603700 |
| 3481113100 | 3451005400 | 3452102000 | 3433700100 |
| 3481702600 | 3451004200 | 3452102100 | 3431222400 |
| 3480310600 | 3452101500 | 3450111600 | 3431222400 |
| 3481120200 | 3451004100 | 3452401000 | 3432300600 |
| 3481120100 | 3451002300 | 3452602100 | 3421104500 |
| 3481120800 | 3451004000 | 3452400700 | 3431601900 |
| 3480312118 | 3451002200 | 3451610600 | 3430304600 |
| 3480312400 | 3451000100 | 3452401500 | 3431601600 |
| 3471303400 | 3451201400 | 3451610500 | 3431211600 |
| 3480310400 | 3451002400 | 3450901800 | 3431601800 |
| 3481702700 | 3451003900 | 3450906000 | 3430300400 |
| 3481702500 | 3450903700 | 3452400800 | 3430104300 |
| 3473800200 | 3451203781 | 3451610400 | 3420104600 |
| 3480312000 | 3451002100 | 3450210200 | 3430104700 |
| 3480320316 | 3451002500 | 3451613400 | 3431603400 |
| 3480107500 | 3451003800 | 3452400900 | 3431602800 |
| 3480106500 | 3451000200 | 3450906100 | 3431603800 |
| 3487300200 | 3451201341 | 3452601800 | 3432304400 |
| 3468012506 | 3450900500 | 3450111500 | 3431220600 |
| 3480106100 | 3452602700 | 3452401400 | 3431210200 |
| 3487600500 | 3452100900 | 3451621000 | 3431603600 |
| 3487600600 | 3442500800 | 3451620100 | 3430102100 |
| 3443200313 | 3451002600 | 3451610200 | 3430311500 |
| 3443200528 | 3451003700 | 3450901900 | 3431220500 |
| 3443200400 | 3450902500 | 3452400100 | 3431600800 |
| 3487100200 | 3451002000 | 3451615217 | 3432300400 |

## Exhibit B: University Community Planning Area Rezone Parcels List
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| | | | |
|---|---|---|---|
| 3443202703 | 3451900700 | 3451622700 | 3432301600 |
| 3471310500 | 3451000300 | 3452400200 | 3431603500 |
| 3443202827 | 3451203400 | 3452401300 | 3430102200 |
| 3487600400 | 3451002700 | 3440802100 | 3431602900 |
| 3487600200 | 3451003600 | 3451622900 | 3431220400 |
| 3443200107 | 3451001900 | 3451622500 | 3420104400 |
| 3443200201 | 3452602600 | 3451622200 | 3432301100 |
| 3487600300 | 3451903032 | 3450120700 | 3420104200 |
| 3443202902 | 3451203200 | 3451610300 | 3432301500 |
| 3443202694 | 3451000400 | 3451620300 | 3420104300 |
| 3480206300 | 3451002800 | 3451610100 | 3431213800 |
| 3443203002 | 3451003500 | 3450120600 | 3430100400 |
| 3488400410 | 3442500700 | 3450121800 | 3431210100 |
| 3488400305 | 3451001800 | 3451622600 | 3432301200 |
| 3488400537 | 3451203100 | 3451622400 | 3432301700 |
| 3488400210 | 3451001500 | 3451622800 | 3432304100 |
| 3488400631 | 3451000500 | 3451622300 | 3420104500 |
| 3443202404 | 3451002900 | 3451614216 | 3421103800 |
| 3443202571 | 3451001600 | 3452501400 | 3430100700 |
| 3452211700 | 3451003400 | 3452501800 | 3431210500 |
| 3452210100 | 3451003000 | 3452501200 | 3432304200 |
| 3488400102 | 3451001700 | 3450801700 | 3432304000 |
| 3443203101 | 3450902600 | 3450122100 | 3431213900 |
| 3480206100 | 3452603400 | 7602513200 | 7602286100 |
| 3471312800 | 3451000600 | 3452501700 | 3431214300 |
| 3471312900 | 3451003300 | 3452501600 | 3432304300 |
| 3471313000 | 3452602800 | 3450120500 | 3420104700 |
| 3471313100 | 3451000700 | 3440802000 | 3432303800 |
| 3442800800 | 3452602900 | 3440801600 | 3400806200 |
| 3487500800 | 3451003200 | 3452501900 | 3400200800 |
| 3480205200 | 3452602500 | 3450801800 | 3400304400 |
| 3487501000 | 3451001200 | 3440801800 | 3400805500 |
| 3442802000 | 3451201700 | 3450800500 | 3400304200 |
| 3442801300 | 3451200600 | 3450121600 | 3400110600 |

## Exhibit B: University Community Planning Area Rezone Parcels List
### by Assessor's Parcel Number (APN)

| | | | |
|---|---|---|---|
| 3487500400 | 3451901400 | 3450122000 | 3400304100 |
| 3487500900 | 3451901300 | 3450801000 | 3400304000 |
| 3471312400 | 3451200700 | 3450801100 | 3400111000 |
| 3487501100 | 3451000800 | 3452501300 | 3400202300 |
| 3487501200 | 3451003100 | 3452501500 | 3400103100 |
| 3450112400 | 3451001400 | 3450120400 | 3400202400 |
| 3452211600 | 3451001300 | 3450801600 | 3100100300 |
| 3487500200 | 3451005700 | 3450801500 | 3100100500 |
| 3451101422 | 3451001100 | 3450800800 | 3101102000 |
| 3487500300 | 3442400300 | 3450210100 | 3100203100 |
| 3450723515 | 3451000900 | 3452000300 | 3100100200 |
| 3471312700 | 3452101300 | 3450121100 | 3100100100 |
| 3450723454 | 3452603000 | 3452000500 | 3011300800 |
| 3487500100 | 3452101700 | 7602286000 | 3011300300 |
| 3450724800 | 3451200880 | 3452000200 | 7602577700 |
| 3450724606 | 3451001000 | 3450802402 | |

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 | ☒ | ☐ | ☐ | ☐ |
| Jennifer Campbell | ☐ | ☐ | ☒ | ☐ |
| Stephen Whitburn | ☒ | ☐ | ☐ | ☐ |
| Henry L. Foster III | ☒ | ☐ | ☐ | ☐ |
| Marni von Wilpert | ☒ | ☐ | ☐ | ☐ |
| Kent Lee | ☒ | ☐ | ☐ | ☐ |
| Raul A. Campillo | ☒ | ☐ | ☐ | ☐ |
| Vivian Moreno | ☒ | ☐ | ☐ | ☐ |
| Sean Elo-Rivera | ☒ | ☐ | ☐ | ☐ |

Date of final passage _____ SEP 1 7 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 3 0 2024 _____, and on _____ SEP 1 7 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-____ 21870 ____