

Responses to Zoning Challenges



THE CITY OF SAN DIEGO

January 27, 2006

Robin M. Munro
Allen Matkins
501 West Broadway, 9th Floor
San Diego, CA 92101-3577

Subject: Official Zoning Map

Dear Ms. Munro:

Thank you for your participation in the City of San Diego Draft Official Zoning Map (OZM) process on behalf of Kilroy Incorporated. In November 2005 you received confirmation that 5 of your 24 zoning challenges were addressed and corrected on the Official Zoning Map (OZM). With respect to the remaining 19 challenges, City staff performed additional research and has made a final determination as described in the attached exhibit. In 10 cases the challenge was accepted and the Official Zoning Map was corrected. For the remaining nine cases, the Official Zoning Map was determined to be correct and no change was made. This includes four cases where your challenged zone was found to be the same as the identified OZM zone and five cases where no evidence of an associated rezone action could be located to justify a change to the OZM.

Staff anticipates that the City Council will act to adopt the OZM on February 28, 2006. Challenges identifying errors on the OZM will still be accepted after City Council approval and corrected in accordance with Section 131.0103 of the Land Development Code. Zone change requests that can not be corrected administratively in accordance with Section 131.0103, may still be requested with a Process Five Rezone application.

If you have any additional questions regarding the Official Zoning Map and the public hearing process, please contact me at (619) 446-5367, or Dan Joyce, Senior Planner at (619) 446-5388.

Sincerely,

Amanda Lee
Senior Planner

Enclosure



Development Services

1222 First Avenue, MS 501 • San Diego, CA 92101-4155

Tel (619) 446-5460

PID	Outstanding Challenges	APN #'s	Current OZM Zoning	Challenged Zoning	Correct Zoning (will be changed to on OZM)	Explanation
83-0378	10455 Pacific Center Ct. Lots 3,6 & 8	341-391-19 341-392-20,23,25	IL-2-1/AR-1-1 IL-2-1	IL-2-1 IL-2-1	No Change No Change	Lot line was adjusted through previous action, however, no evidence that rezone was processed. No change. Challenged zone was same as OZM zone. No change.
85-0446	4690 Executive Dr.	345-010-95	IP-1-1/RS-1-14	IP-1-1	No Change	Site is located in Nexus Technology Centre Specific Plan Area which permitted industrial development in the RS-1-14 zone as is currently developed. No rezone was processed. No change.
85-0631	5717 Pacific Center Blvd.	341-032-10	IL-3-1	IL-2-1	IL-3-1	PID 85-0631 indicates zone is IL-3-1
86-0975	6055 Lusk Blvd.	341-031-47	IL-2-1/CV-1-1	IL-2-1	IL-2-1	OZM zone boundary lines adjusted for consistency with the rezone exhibit.
87-0765	6236 Greenwich	348-850-10	IP-2-1/RS-1-7	IP-2-1	No Change	Exhibits including PM 18482 indicate the SDGE easement is the portion zoned RS-1-7 as indicated on OZM. No change.
90-0892	6165 Greenwich	348-850-11	IP-2-1/RS-1-7	IP-2-1	No Change	Exhibits including PM 18482 indicate the SDGE easement is the portion zoned RS-1-7 as indicated on OZM. No change.
91-0700	9455 Towne Centre Dr. 15004 Innovation Dr. 15231 Avenue of Science	343-122-16 313-740-02 313-740-09	IH-2-1 IL-2-1 IL-2-1	IP-1-1 IL-2-1 IL-2-1	IP-1-1 No Change No Change	PID 90-0892 indicates the property is zoned SR (IP-1-1). Challenged zone was same as OZM zone. No change. Challenged zone was same as OZM zone. No change.

	15253 Avenue of Science	313-740-10	IL-2-1	IL-2-1	No Change	Challenged zone was same as OZM zone. No change.
	15051 Avenue of Science	313-740-12	IP-2-1/IL-2-1	IL-2-1	No Change	Parcels were consolidated by PM 17955, however, no evidence that rezone was also processed. No change.
96-0265	Sorrento Gateway	340-090-45, 58, 60	IP-1-1	IL-2-1	IL-2-1	OZM was updated to reflect the rezone associated with PID 96-0265 instead of the zone prior to the rezone action which was SR (IP-1-1).
	5010 Waterridge Vista Drive	340-090-56	IP-1-1	IL-2-1	IL-2-1	OZM was updated to reflect the rezone associated with PID 96-0265 instead of the zone prior to the rezone action which was SR (IP-1-1).
	5005 Waterridge Vista Drive	340-090-57	IP-1-1	IL-2-1	IL-2-1	OZM was updated to reflect the rezone associated with PID 96-0265 instead of the zone prior to the rezone action which was SR (IP-1-1).
	4935 Directors Place	340-090-43	IP-1-1	IL-2-1	IL-2-1	OZM was updated to reflect the rezone associated with PID 96-0265 instead of the zone prior to the rezone action which was SR (IP-1-1).
	4955 Directors Place	340-090-61	IP-1-1	IL-2-1	IL-2-1	OZM was updated to reflect the rezone associated with PID 96-0265 instead of the zone prior to the rezone action which was SR (IP-1-1).
98-0292	Santa Fe Summit Ph.1	306-370-02 thru 06 / 306-370-38	IP-2-1/RM-3-8	IP-2-1	IP-2-1	OZM was corrected to identify the subject properties (business park) and the adjacent affordable housing project in the correct locations.
40-0315	Santa Fe Summit Ph.2	306-370-10 thru 18	IP-2-1/CV-1-2	IP-2-1	IP-2-1	OZM was corrected to identify parcels in correct location with respect to the road.



THE CITY OF SAN DIEGO

February 1, 2006

Mr. Jim Varnadore
Chair, City Heights Area Planning Committee
P. O. Box 5859
San Diego, CA 92165

Dear Mr. Varnadore:

Subject: Draft Official Zoning Map

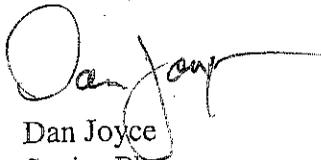
Thank you to you and the planning committee for taking the time to review the City of San Diego draft Official Zoning Map (OZM). City staff has performed additional research in response to the question(s) raised as a result of your review. The revised responses are attached as ~~strikeout~~ underline.

On February 28, 2006 the City Council will conduct a public hearing to consider adoption of the information that comprises the draft OZM as the official zoning exhibit.

Future challenges to the zoning identified on the OZM may still be made after City Council approval. The Land Development Code (Section 131.0103) provides an administrative remedy to correct the Official Zoning Map exhibit when, due to an error, the correct zone for a particular property is misrepresented on the OZM.

If you have any additional questions regarding the draft OZM and the public hearing process call me at (619) 446-5388.

Sincerely,



Dan Joyce
Senior Planner

Enclosure



**City Heights Community Planning Area
Challenges**

The purpose of the review draft Official Zoning Map (OZM) is to verify that the zoning identified is the most current zone applied to the properties, and if what is shown is not the most recently approved zone to then modify the OZM to accurately illustrate the zoning action approved for the site. It is not the purpose of the OZM to change zones.

This is a revised response to challenges presented. The revised responses reflect additional information that was discovered after the letter was originally sent. Changes from the original determination are in ~~strikeout~~ underline format.

Map Grid 15

#1

- **Challenge:** Central Police Garage Facility: Currently zoned MCCPD-MR 3000, RS-1-7. Should be Institutional Use Designation and OR-1-1 Open Space Dedicated. *No other rezones were approved for the Central Police Facility when it was approved on 9/23/03, except for the portion of yellow south of Spillman Drive and SF lots which were rezoned from RS-1-7 to OR-1-1.*
- **Response:** An institutional Use designation is something that may be applicable to the Community Plan, however, is no institutional zone. Facilities such as the police facility can be located in the zones identified on the map. An area of the RS-1-7 was approved for a rezone to OR-1-1.
- **Action:** Revise the OZM to reflect the change from RS-1-7 to OR-1-1 as identified on the rezone for the project Sheet B-4200 (attached).

#2

- **Challenge:** South side of Federal Boulevard – south of pistol range: CC-4-5 and RM-1-1 and RS-1-7 is actually State property for r-o-w for SR-94 and contains steep grade. This should be RS-1-1. North side of Federal Blvd. East of Pistol Range: RS-1-7 should be open space dedicated or 1-4 per City Council action. *These areas on the community plan land use map do not have any land use designations attributed to the development of the freeway ramps. Could these zones have been established prior to the development of the freeway ramps? How are these areas typically zoned?*
- **Response:** The areas are within the state r-o-w for SR-94. The zones depicted were initially applied prior to development of the r-o-w (1940s). Generally, the City does not rezone lands taken for development of government facilities.
- **Action:** No changes to OZM.

#3

- **Challenge:**
 - a. RS-1-7 designation in area of shopping center at 4111 Home Ave. and multi-family owned by Federal Government at Gateway and Home (Navy Housing). *Navy Housing portions south of Gateway and Home is designated under one use (Residential 16-20 du/ac per CP. Probably likely that it's not single family, but multi-family zoned.*

- b. RS-1-1 on portion of single family residence property along Westside of Spillman Drive. *This might be the appropriate zone for this area that has a lot of slopes downward toward the dedicated open space east of the Central Police Facility.*
- c. CN-1-2 written on map in that area but not referenced to a property and needs to be removed. *Looks like this label is floating amongst yellow RS-1-7 areas in error?*
- **Response:**
 - a. The RS-1-7 designation is the original designation of the property that is currently developed with housing for the US government (Navy) it has been zoned single family since 1954 and wraps around three sides of the commercial center. A multi-family designation was applied to the southern half of the site in 1996.
 - b. The RS-1-1 designation is correct in that it is there to limit the amount and location of residential development in order to protect sensitive resources.
 - c. The CN-1-2 zone is not current. It was changed to CC-5-3 on C-895 by O-18855.
- **Actions:**
 - a. No changes to OZM.
 - b. No changes to OZM.
 - c. Change OZM to reflect CC-5-3 and not CN-1-1.

#4

- **Challenge:** Shouldn't the MCCPDO zones have been replaced with the CUPDO zones in Mid-City? *Should have per O-18855.*
- Response:** There are areas that were not specifically identified in the rezoning on the approved C-sheet exhibit for the rezones. These areas will retain the prior zoning until future actions are taken.
- **Action:** No action needed, ~~as revision has already been made.~~

Map Grid 16

#1

- **Challenge:** IL-3-4, CC-4-5, RM-1-1, & RS-1-7 are hillside transition ramps for SR-94 that is State property. IL-3-4 and CC-4-5 are not applicable to area. Should be RS-1-7. *These areas on the community plan land use map do not have any land use designations attributed to them. Could these zones have been established prior to the development on the freeway ramps? How are these areas typically zoned?*
- **Response:** The areas are within the state r-o-w for SR-94. The zones depicted were initially applied prior to development of the r-o-w (1940s). Generally, the City does not rezone lands taken for development of government facilities.
- **Action:** No changes to OZM.

#2

- **Challenge:** RS-1-1 designation for Police K9/SWAT Facility. Should be institutional Use. Sunshine Berardini Ball Field on Federal Boulevard. East of 805 currently RS-1-1 but was dedicated as OP-1-1 (staff comment... I believe this is intended to state OR-1-1 as in comment #2 for Grid 15) per City Council action earlier this year. *No other rezones were approved for the Central Police Facility when it was approved on 9/23/03, except for the portion of yellow south of Spillman Drive and the SF lots which were rezoned from RS-1-7 to OR-1-1. The project was amended to show as an institutional Use for CP*

land use and would not be shown as such on this map. I am not aware of the CC action for the Sunshine Berardini Field.

- **Response:** An institutional Use designation is something that may be applicable to the Community Plan, however, there is no institutional zone private institutions are typically regulated as conditional uses and government institutional uses are not necessarily subject to zoning. Facilities such as the police facility can be located in the zones identified on the map. An area of the RS-1-7 was approved for a rezone to OR-1-1.
- **Action:** Revise the OZM to reflect the change from RS-1-7 to OR-1-1 as identified on the rezone for the project Sheet B-4200 (attached).

#3

- **Challenge:** RS-1-7 designation for parking lot of commercial business in industrial zone at Federal Blvd. and 47th. Should be IL-2-1. *CP shows this area industrial not residential.*
- **Response:** This should be IL-2-1. Shown as IL-2-1 on C-895 by O-18855.
- **Action:** Revise OZM to change from RS-1-7 to IL-2-1.

#4

- **Challenge:** RS-1-7 for area on Home Ave. between 805 and Arco AM-Pm is state owned property r-o-w and should be RS-1-1. *Again CP does not designate any land use in this area.*
- **Response:** The areas are within the state r-o-w for SR-94. The zone was changed MR-3000 to RS-1-7 on C-895 by O-18855.
- **Action:** No changes to OZM.

#5

- **Challenge:** Hollywood Canyon does not have its proper designation as OR-1-1. *CP shows this area as Park Use. C-Sheet 206-1737 does not show the zoning change. Should have zone for parks.*
- **Response:** The Canyon was zoned OSP on 12-7-87. However, two additional zonings were approved. The northern third of the canyon was zoned R1-5000 on 7/9/90 and the southern two thirds was zoned R1-5000 on 7/23/90. The zoning for CUPDO rezones did not include changes to the zoning in the canyon. The property is owned by the City of San Diego.
- **Action:** No changes to OZM.

#6

- **Challenge:** Is property off Fairmount on south side of Chollas Creed RS-1-7 or Industrial per community plan? *This is an example of an apparent inconsistency between the zoning and the CP. Currently the subject of a community plan amendment to look at reconciling the zone and land use. Project "47th and Fairmount. DPM Will Zounes.*
- **Response:** The current zone is RS-1-7 as per the OZM. An approval of the 47th and Fairmount project would result in consistency between the community plan designation and the zone for the site.
- **Action:** No changes to OZM.

#7

- **Challenge:** Hollywood Palms Trail is RS-1-7 but should be OR-1-1. *Not sure what they are referring to. However, the general area is residential (single family) per the CP.*

- **Response:** The RS-1-7 zone replaced the previous MR-3000 zone that was in place. This is shown on C-895 by O-18855.
- **Action:** No changes to OZM.

#8

- **Challenge:** Is vacant lot on NE corner of Home and Fairmount Ave. open space or residential? *According to the CP it is designated for Residential 11-15 du/ac while the zoning map has it as OR-1-1.*
- **Response:** This lot was rezoned as part of the CUPDO process from R1-5000 (RS-1-7) to OR-1-1 as shown on C-895 by O-18855.
- **Action:** No changes to OZM.

#9

- **Challenge:** This is State r-o-w in steep area and should be RS-1-1 not RS-1-7. *The CP has this area partly designated as open space the rest being undesignated (state property).*
- **Response:** The southern portion is OR-1-1 as shown on the OZM. However, consistent with C-895 by O-18855, the remaining is RS-1-7, as shown on OZM.
- **Action:** No changes to OZM.

#10

- **Challenge:** Verify use of MCCPD – MR-1500 for this area. *The zoning for Mid-City should no longer have this designation since the CUPDO and new citywide zones were adopted in 2000 per ordinance 18855.*
- **Response:** See response for item number 4 on Grid 15.
- **Action:** No action taken. ~~Revise OZM to reflect CUPD-CU 3-8.~~

#11

- **Challenge:** What is the very small area along Home Ave. that is RS-1-1? *CP designates site for residential 26-30 du/ac. Should be double-checked for an all encompassing RM-2-5 zone.*
- **Response:** The map is difficult to read. However, upon zooming in, it is apparent that the small triangle is located at the southernmost end of the Home Garden Apts. complex along Home Ave. The complex and the small triangle were rezoned from MR-1500 to RM-1-1 on C-895 by O-18855.
- **Action:** Revise OZM to change the RS-1-1 area in the small triangle to RM-1-1 consistent with C-895.

#12

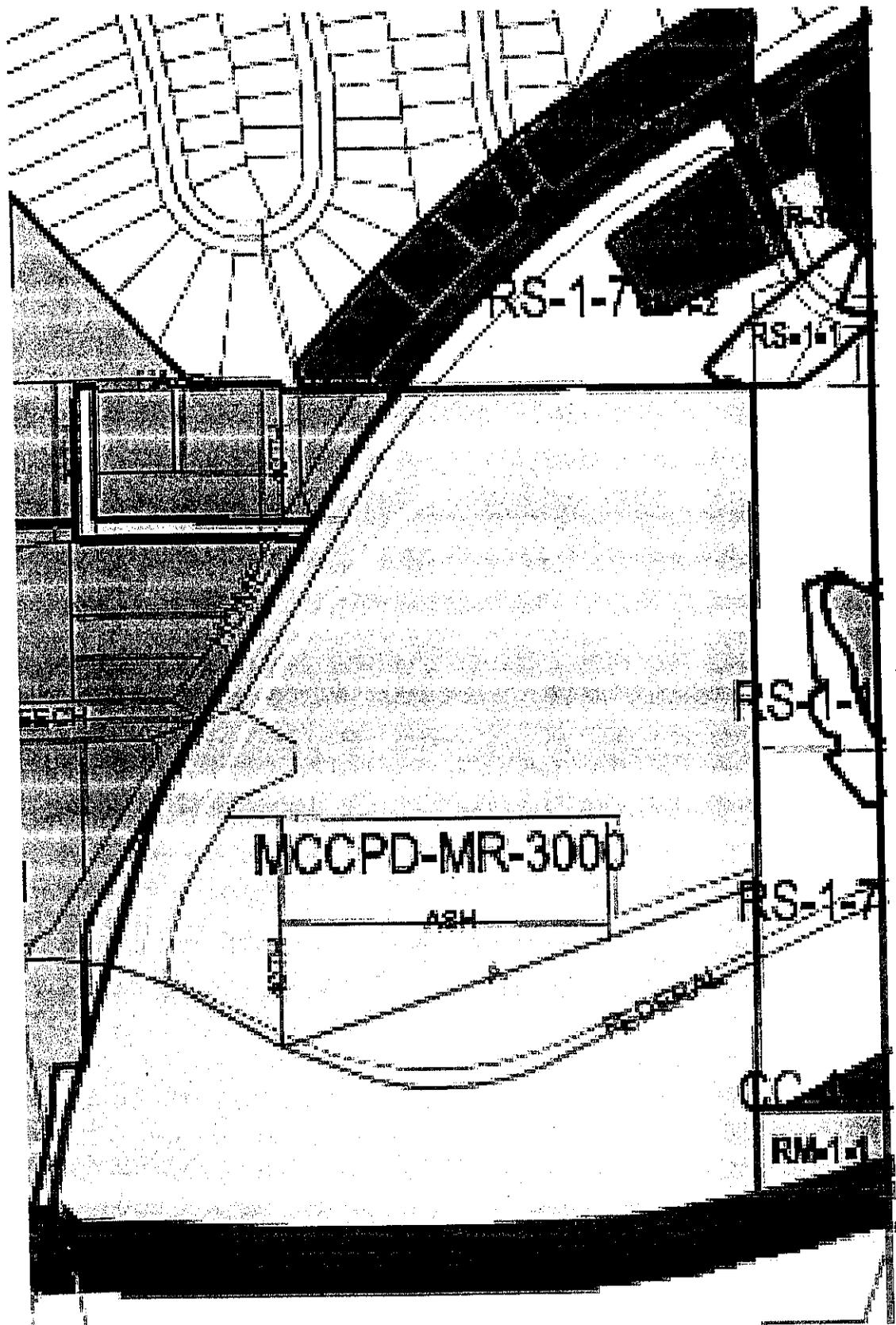
- **Challenge:** Map has designation of RM-1-1 but not referenced to a property and should be removed. *CP designates this property for Residential (single-family) 6-10 du/ac. This must be an error to RM-1-1 floating in there amongst the RS-1-7 and utilizing the same color.*
- **Response:** This is a mapping error.
- **Action:** Revise OZM by removing tag for RM-1-1, it is not identifying any land.

#13

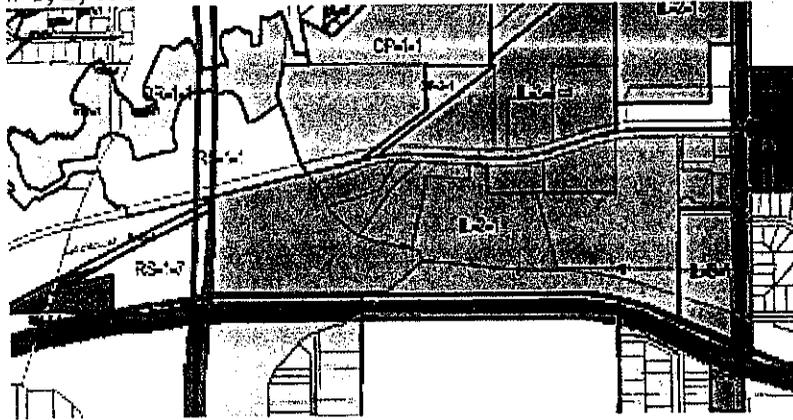
- **Challenge:** Area on the south end of Ridgeview Dr. designated OR-1-1 but contains RS-1-7 homes. Area needs to have complete lots designated RS-1-7. *Not necessarily, lots*

are primarily single-family RS-1-1 but can also be split with a less intensive zone like RS-1-1 to either provide a buffer adjacent to private open space or to provide very limited residential development.

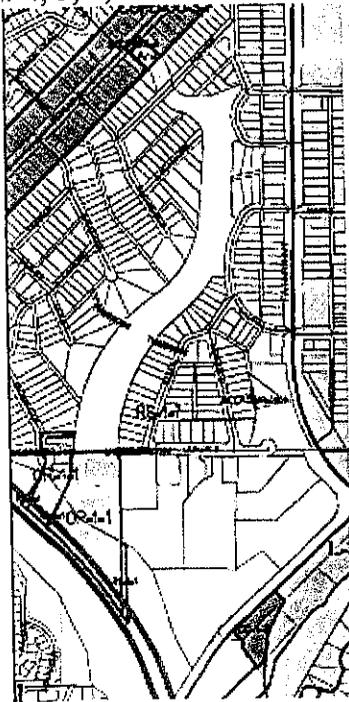
- **Response:** The designation of OR-1-1 on the map is correct. The intent of this designation is to preserve portions of the property as open space. Those portions of the properties with the OR-1-1 zone are hillside and habitat and meant to be retained as undeveloped open space. (Depending on previous zoning the RS-1-1 is also used to restrict the amount of development.)
- **Action:** No changes to OZM.



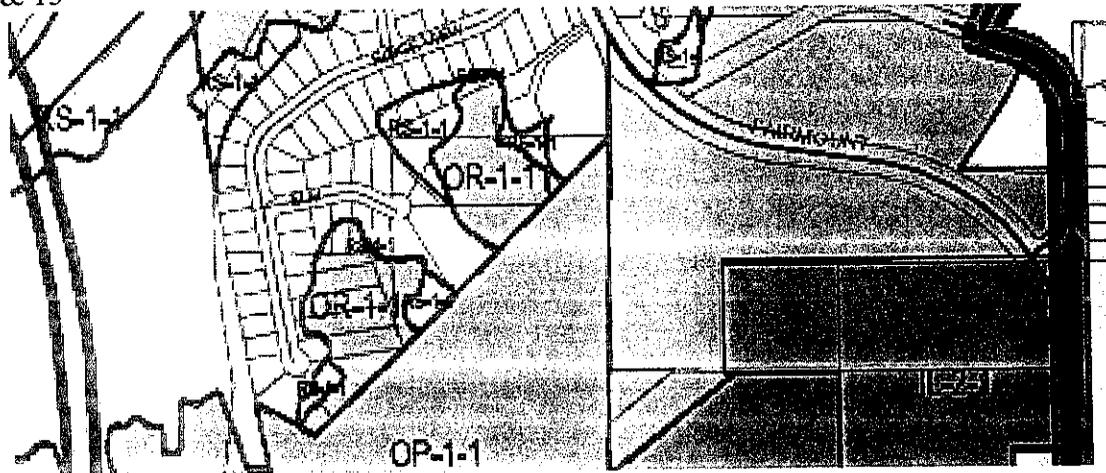
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1, 2, & 3



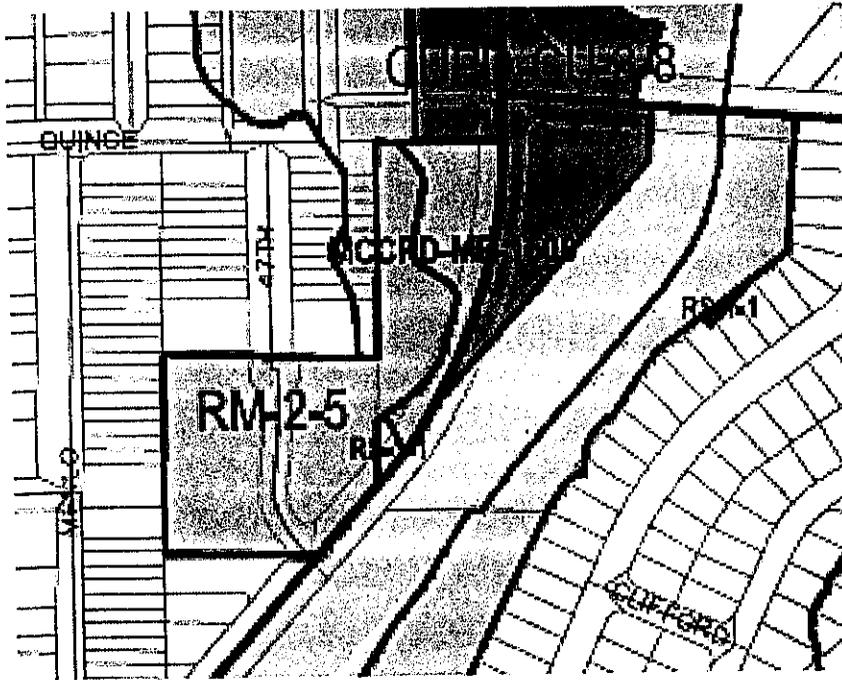
4, 5, 7, & 8



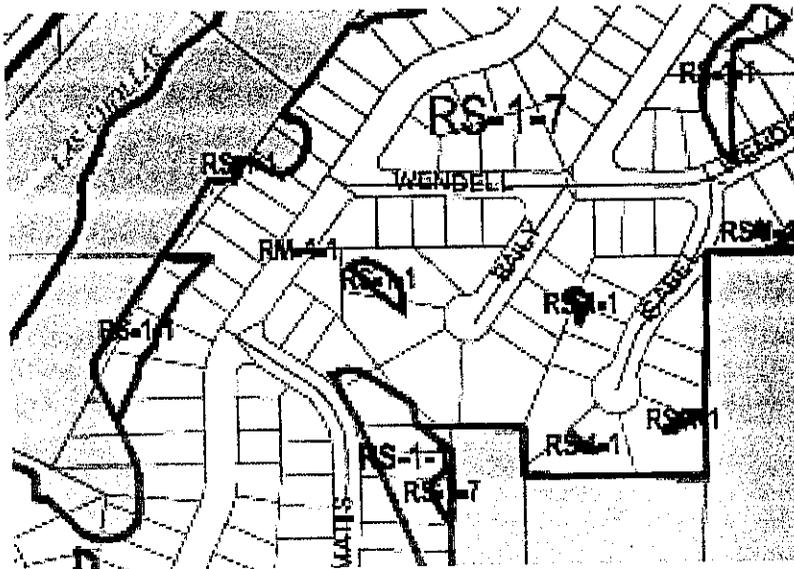
6, 9, & 13



10 & 11



#12





THE CITY OF SAN DIEGO

February 1, 2006

Mr. Chris Rink
Chair, Clairemont Mesa Planning Committee
4350 La Jolla Village Dr. # 500
San Diego, CA 92122

Dear Mr. Rink:

Subject: Draft Official Zoning Map

Thank you to you and the planning committee for taking the time to review the City of San Diego draft Official Zoning Map (OZM). City staff has performed additional research in response to the question(s) raised as a result of your review. The revised response are attached as strikeout underline.

On February 28, 2006 the City Council will conduct a public hearing to consider adoption of the information that comprises the draft OZM as the official zoning exhibit.

Future challenges to the zoning identified on the OZM may still be made after City Council approval. The Land Development Code (Section 131.0103) provides an administrative remedy to correct the Official Zoning Map exhibit when, due to an error, the correct zone for a particular property is misrepresented on the OZM.

If you have any additional questions regarding the draft OZM and the public hearing process call me at (619) 446-5388.

Sincerely,

Dan Joyce
Senior Planner

Enclosure



Development Services

1222 First Avenue, MS 501 • San Diego, CA 92101-4155
Tel (619) 446-5460

Clairemont Mesa Community Planning Area Challenges

The purpose of the review draft Official Zoning Map (OZM) is to verify that the zoning identified is the most current zone applied to the properties, and if what is shown is not the most recently approved zone to then modify the OZM to accurately illustrate the zoning action approved for the site. It is not the purpose of the OZM to change zones.

This is a revised response to challenges presented. The revised responses reflect additional information that was discovered after the letter was originally sent. Changes from the original determination are in ~~strikeout~~ underline format.

#1

- **Challenge:** OZM identifies old zone.
- **Action:** Remove old zone OS-R and replace with ~~OP-2-1~~ OP-1-1.

#2

- **Challenge:** OZM identifies as CC-4-5, challenge states that it should be ~~CC-4-2~~ CC-4-1. ZAI indicates zone is C-1 (CC-4-2 new code) by O-17372 (C-Sheet 771.1). C-Sheet shows as C-1.
- **Action:** Revise OZM to show site as CC-4-2.

#3

- **Challenge:** OZM identifies as RM-4-10, challenge states should be IL-3-1. ZAI indicates zone is M1-A (IL-3-1 new code) by O-17372 (C-Sheet 771.1). C-Sheet shows as M1-A.
- **Action:** Revise OZM to show site as IL-3-1.

#4

- **Challenge:** OZM identifies as CP-1-1, challenge questions if it should be CN-1-1. ZAI identifies as R-5 by O-11262, 2/28/74 and prior to that as CP by O-6183 in 1954 (see adjacent r-o-w along Clairemont Mesa Boulevard). Community Plan states that site is currently zoned CN. As are the other three corners of the intersection. The site is developed with a gas station. Unable to locate rezone documentation to support challenge.
- **Action:** Revise OZM to show site as ~~CN-1-2~~ No change.

#5

- **Challenge:** OZM identifies sliver of RS-1-7 and RM-4-10 both partially in the r-o-w, challenge questions that they should be RM-3-7. Surrounding properties are RM-3-7 on the west side of Mt. Acadia. ZAI identifies the RS-1-7 area as RM-3-7 and identifies the RM-4-10 area as OS-R (OP-2-1).
- **Action:** Correct these as mapping errors. Both slivers up to ½ of Mt. Acadia r-o-w should be RM-3-7.

#6

- **Challenge:** In three locations along McGraw the OZM identifies a portion of the center of the street as CC-4-5. Both sides of the street are RS-1-7.

- **Action:** Modify boundaries of zones to centerline so that everything is RS-1-7.

#7

- **Challenge:** OZM identifies site as RM-4-10, challenge questions if it is RM-1-1. ZAI identifies the site as R-4 by O-7792 (2 codes prior). R-4 became R-400 which is now RM-4-10.
- **Action:** OZM is correct.

#8

- **Challenge:** OZM identifies site as RM-1-1 (Hale Junior High), challenge states all school sites in Clairemont Mesa were rezoned to single family. ZAI identifies as 0-17372 with C-Sheet-771.1. C-Sheet shows site as RS-1-7 (R1-5000).
- **Action:** Revise OZM to reflect site as RS-1-7.

#9

- **Challenge:** OZM identifies 7 lots as RM-1-1, challenge states should be RS-1-7. Properties are lotted out according to RS-1-7, the lots are in a single family subdivision, all are developed with single family, and boundaries of RM-1-1 zone do not match those of the lots. ZAI identifies 5 of the 7 parcels as R1-5000.
- **Action:** Revise OZM to reflect RS-1-7 zone.

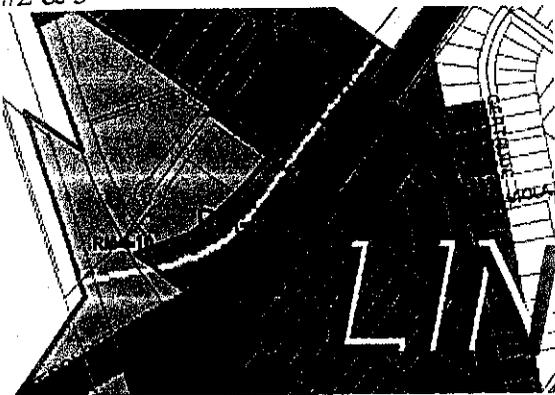
#10

- **Challenge:** OZM identifies 4 lots as OP-1-1, challenge states should be RS-1-7. Properties are lotted out according to RS-1-7, all are developed with single family, and the lots are in a single family subdivision.
- **Action:** Revise OZM to reflect RS-1-7 zone.

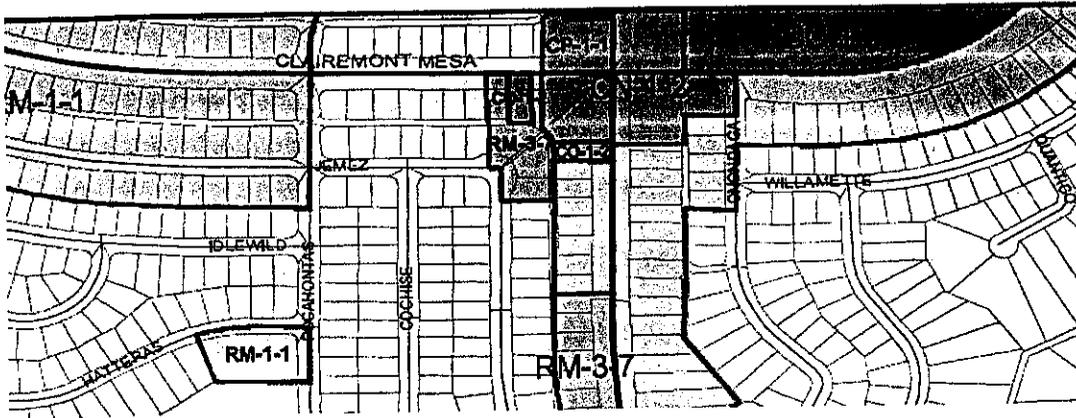
#11

- **Challenge:** OZM parcel for CN-1-2 on south side of Clairemont Mesa Boulevard shows a northern boundary where it adjoins the parcel in question so it is unclear if the property to the northwest is CN-1-2. ZAI identifies adjacent property in question as CN-1-2. Upon reviewing a larger scaled map (200 scale) it is apparent the CN-1-2 zone is clearly identified on the parcel.
- **Action:** ~~Revise OZM to remove the boundary where the two CN-1-2 parcels adjoin or simply identify the parcel in question as CN-1-2.~~ No action required.

#2 & 3



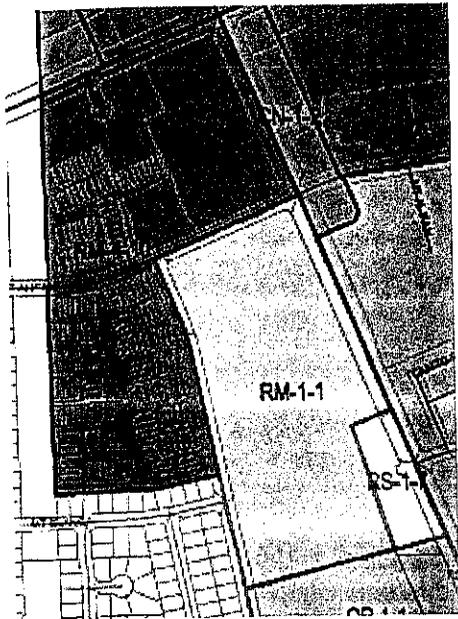
#4



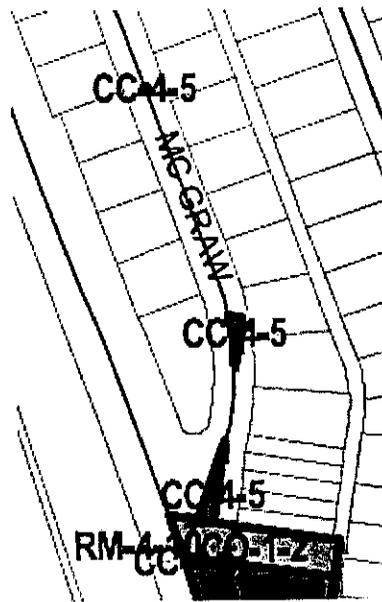
#5



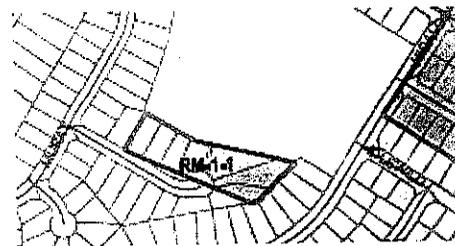
#7 & 8



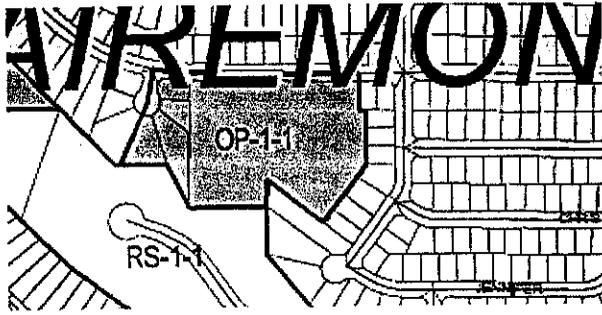
#6



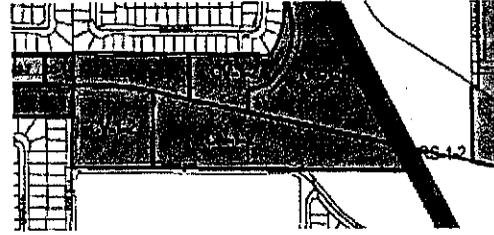
#9



#10



#11





THE CITY OF SAN DIEGO

February 1, 2006

Ms. Judy Elliot
Chair, Normal Heights Community Planning Committee
5054 Mansfield Street
San Diego, CA 92116

Dear Ms. Elliot:

Subject: Draft Official Zoning Map

Thank you to you and the planning committee for taking the time to review the City of San Diego draft Official Zoning Map (OZM). City staff has performed additional research in response to the question(s) raised as a result of your review. The revised response(s) are attached as ~~strikeout~~ underline.

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Sincerely,

Dan Joyce
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Development Services

1222 First Avenue, MS 501 • San Diego, CA 92101-4155

Tel (619) 446-5460

Normal Heights Community Planning Area Challenges

The purpose of the review draft Official Zoning Map (OZM) is to verify that the zoning identified is the most current zone applied to the properties, and if what is shown is not the most recently approved zone to then modify the OZM to accurately illustrate the zoning action approved for the site. It is not the purpose of the OZM to change zones.

This is a revised response to challenges presented. The revised responses reflect additional information that was discovered after the letter was originally sent. Changes from the original determination are in ~~strikeout~~ underline format.

#1

- **Challenge:** Does the RM-2-5 designation at the southernmost edge on W. Mountain View match the plan designation? **It appears that it does**
- **Response:** The RM-2-5 zone is the correct zone for the properties identified on the OZM. The existing development also reflects this as does the community plan.
- **Action:** No actions needed for the OZM.

#2

- **Challenge:** Alexia (north side) is designated single family yet shown as MR-3000.
- **Response:** The zoning Action Index identifies that last residential rezone as the MR-3000. The density is correct, ~~however, the zone name should read MR-1-1.~~
- **Action:** Revise zone name for site.

#3

- **Challenge:** The CT-3-3 zone (parking transition) doesn't match the plan map, and seems to split parcels. What designation applies to a split parcel?
- **Response:** The CTR-3-3 zone as shown on the draft OZM is consistent with the zoning action in 2000 Ordinance 18855. There are some parcels that would appear to be intentionally split and others require minor fixes to boundary lines.
- **Actions:** No actions needed for the OZM, ~~other than line fixes for parcel boundaries.~~

#4

- **Challenge:** Why is the north side of Madison shown as RM-1-2 and not as RS-1-7?
- **Response:** The north side of Madison Avenue is designated as multi-family in the community plan. The zoning is consistent with the plan and the last rezoning action.
- **Action:** No actions needed for the OZM.

#5

- **Challenge:** Is the Meade frontage between 38th and 40th CT-2-4 or RS-1-7? This question appears to refer to south of Meade.
- **Response:** That area along Meade Avenue was zoned to CT-2-4 in 2000 with Ordinance 1885.
- **Action:** No actions needed for the OZM.



THE CITY OF SAN DIEGO

February 1, 2006

Mr. James Wright
C/O Southwest Trailer Rentals
P.O. Box 86277
San Diego, CA 92138

Dear Mr. Wright:

Subject: Draft Official Zoning Map

Thank you for taking the time to review the City of San Diego draft Official Zoning Map (OZM). City staff has performed additional research in response to the question(s) raised as a result of your review. Your concern relates to the zoning of two parcels that had received a discretionary approval for industrial and commercial uses (Planned Development Permit #12083). Your understanding was that one parcel was commercially zoned and the other was industrially zoned. However the draft OZM identified parcel 645-090-32 as having split zoning (industrial and agricultural) and parcel 645-090-31 as having wholly agricultural zoning.

Staff reviewed the development permit, associated staff report, and the C-Sheet that identified the zoning action for these two parcels. The C-Sheets that identify the zoning actions for these parcels used topographic base maps developed prior to the existence of many of the roads and parcels currently in Otay Mesa. Upon examination of the C-Sheet and it became clear that the zone boundary line on draft OZM needed to be shifted one parcel to the west to accurately reflect the C-Sheet. As a result the correct zoning for the parcel 645-090-32 is OMDD-Indust-SubD and 645-090-31 is split zoning of OMDD-Indust-SubD and AR-1-1.

Perhaps adding to the confusion is the development permit that allowed specific industrial and commercial uses on these parcels. One of the purposes of a planned development permit is to provide a mechanism to consider development of uses which would be allowed by the land use plan but are not be permitted by the underlying zone. The Otay Mesa Community Plan designates parcel 645-090-32 for industrial use and parcel 645-090-31 for commercial use. Accordingly, the Planned Development Permit identified specific industrial use on parcel 645-090-32 and specific commercial use on parcel 645-090-31. An amendment to the planned development permit or a rezone would be required to develop the properties with industrial or commercial uses not identified in the planned development permit.



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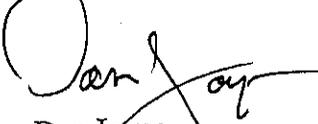
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On February 28, 2006 the City Council will conduct a public hearing to consider adoption of the information that comprises the draft OZM as the official zoning exhibit.

Future challenges to the zoning identified on the OZM may still be made after City Council approval. The Land Development Code (Section 131.0103) provides an administrative remedy to correct the Official Zoning Map exhibit when, due to an error, the correct zone for a particular property is misrepresented on the OZM.

If you have any additional questions regarding the draft OZM and the public hearing process call me at (619) 446-5388.

Sincerely,



Dan Joyce
Senior Planner