

ORDINANCE NUMBER O- 21709 (NEW SERIES)

DATE OF FINAL PASSAGE AUG 01 2023

AN ORDINANCE AMENDING CHAPTER 13, ARTICLE 2, DIVISION 14 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 132.1402 AND 132.1403, RELATING TO THE MISSION VALLEY COMMUNITY PLAN AND THE MISSION VALLEY WEST AMENDMENT PROJECT.

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 County Recorder of San Diego County 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, Resolution No. 315042, which was considered along with this Ordinance, adopts amendments to the Mission Valley Community Plan and the General Plan to be consistent with the proposed amendments; 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; and

WHEREAS, amending the Mission Valley Community Plan requires amendments to the San Diego Municipal Code sections relating to the Community Plan Implementation Overlay Zone (CPIOZ); NOW, THEREFORE,

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

Section 1. That Chapter 13, Article 2, Division 14 of the San Diego Municipal Code is amended by amending Sections 132.1402 to read as follows:

§132.1402 Where the Community Plan Implementation Overlay Zone Applies

- (a) This overlay zone applies to properties that are identified in a community plan as areas requiring supplemental development regulations or processing of a development permit and that have been incorporated by

ordinance into this overlay zone. Table 132-14A lists the community plan areas in which this overlay zone has been applied and the corresponding rezone maps that indicate which properties are within the boundaries of the overlay zone. These maps are filed in the office of the City Clerk. The properties within this overlay zone are shown generally on Diagrams 132-14A through 132-14U.

Table 132-14A
Community Plans with Property in the Community Plan Implementation Overlay Zone

Community Plan	Map Number Showing Boundaries of CPIOZ Area
Clairemont Mesa (See Diagram 132-14A) through Mira Mesa (See Diagram 132-14U) [No change in text.]	[No change in text.]
Mission Valley (See Diagram 132-14R)	C-1026
Navajo (See Diagram 132-14E) through Uptown (See Diagram 132-14K) [No change in text.]	[No change in text.]

(a) [No change in text.]

Table 132-14B
Community Plan Implementation Overlay Zone Applicability

[No change in text.]

Section 2. That Chapter 13, Article 2, Division 14 of the San Diego Municipal Code is amended by amending Sections 132.1403 to read as follows:

§132.1403 Exception to the Community Plan Implementation Overlay Zone

The City Manager may grant an exception to the requirements of this division for proposed development that is minor, temporary, or incidental and is consistent with the intent of this division. Exceptions made by the City Manager shall be filed with the office of the City Clerk.

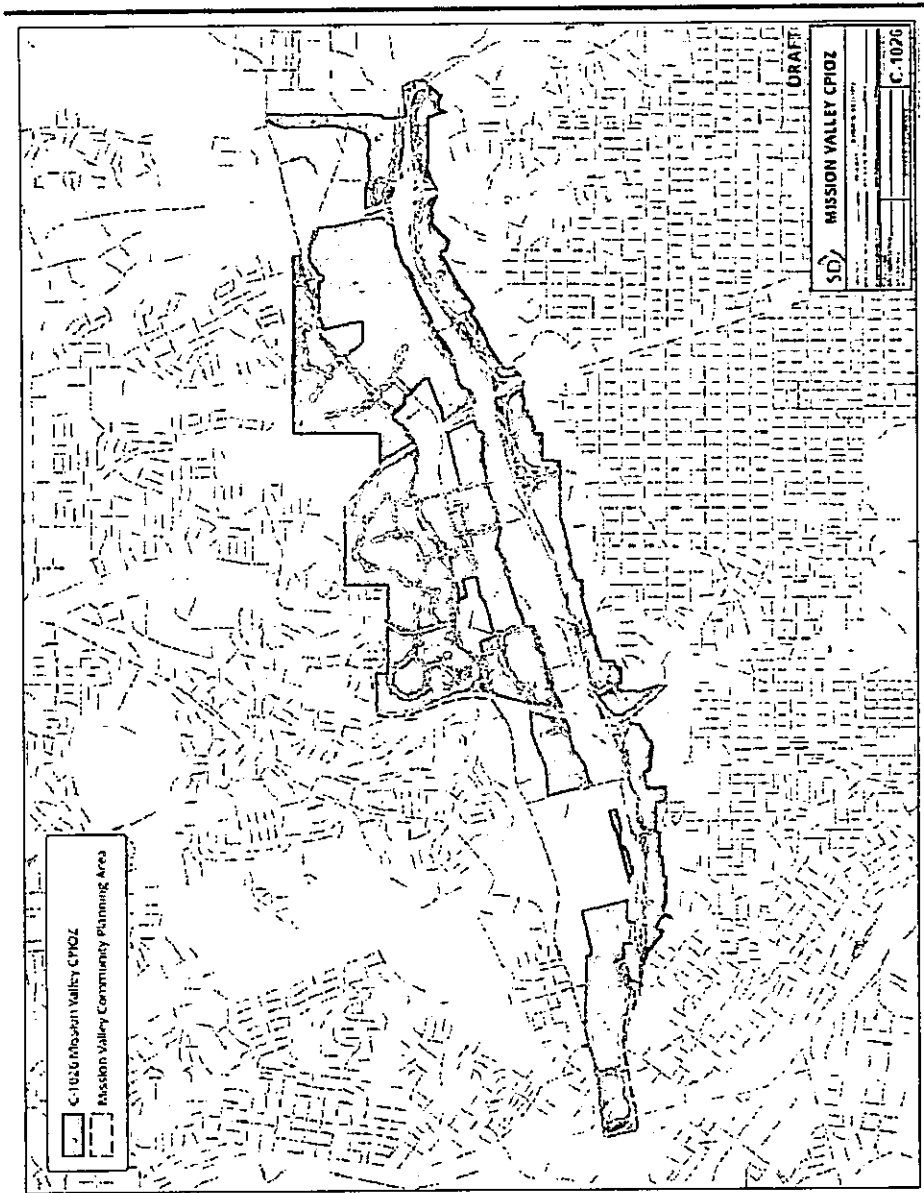
DIAGRAM 132-14A through DIAGRAM 32-14Q

[No change in text.]

DIAGRAM 132-14R


Mission Valley Community Plan Implementation Overlay Zone

This is a reproduction of Map C-1026 for illustration purposes only.



Section 3. That this Ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Shannon C. Eckmeyer
Deputy City Attorney

SCE:sc
06/21/2023
Or.Dept: Planning
Doc. No.: 3337778

STRIKEOUT ORDINANCE

OLD LANGUAGE: ~~Struck-Out~~

NEW LANGUAGE: Double Underline

ORDINANCE NUMBER O-_____ (NEW SERIES)

DATE OF FINAL PASSAGE _____

AN ORDINANCE AMENDING CHAPTER 13, ARTICLE 2,
DIVISION 14 OF THE SAN DIEGO MUNICIPAL CODE BY
AMENDING SECTIONS 132.1402 AND 132.1403, RELATING
TO THE MISSION VALLEY COMMUNITY PLAN AND THE
MISSION VALLEY WEST AMENDMENT PROJECT.

§132.1402 Where the Community Plan Implementation Overlay Zone Applies

- (a) This overlay zone applies to properties that are identified in a community plan as areas requiring supplemental development regulations or processing of a development permit and that have been incorporated by ordinance into this overlay zone. Table 132-14A lists the community plan areas in which this overlay zone has been applied and the corresponding rezone maps that indicate which properties are within the boundaries of the overlay zone. These maps are filed in the office of the City Clerk. The properties within this overlay zone are shown generally on Diagrams 132-14A through 132-14U.

Table 132-14A

Community Plans with Property in the Community Plan Implementation Overlay Zone

Community Plan	Map Number Showing Boundaries of CPIOZ Area
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Mission Valley (See Diagram 132-14R)	C-1013 <u>C-1026</u>
Navajo (See Diagram 132-14E) through Uptown (See Diagram 132-14K) [No change in text.]	[No change in text.]

(b) [No change in text.]

Table 132-14B

Community Plan Implementation Overlay Zone Applicability

[No change in text.]

§132.1403 Exception to the Community Plan Implementation Overlay Zone

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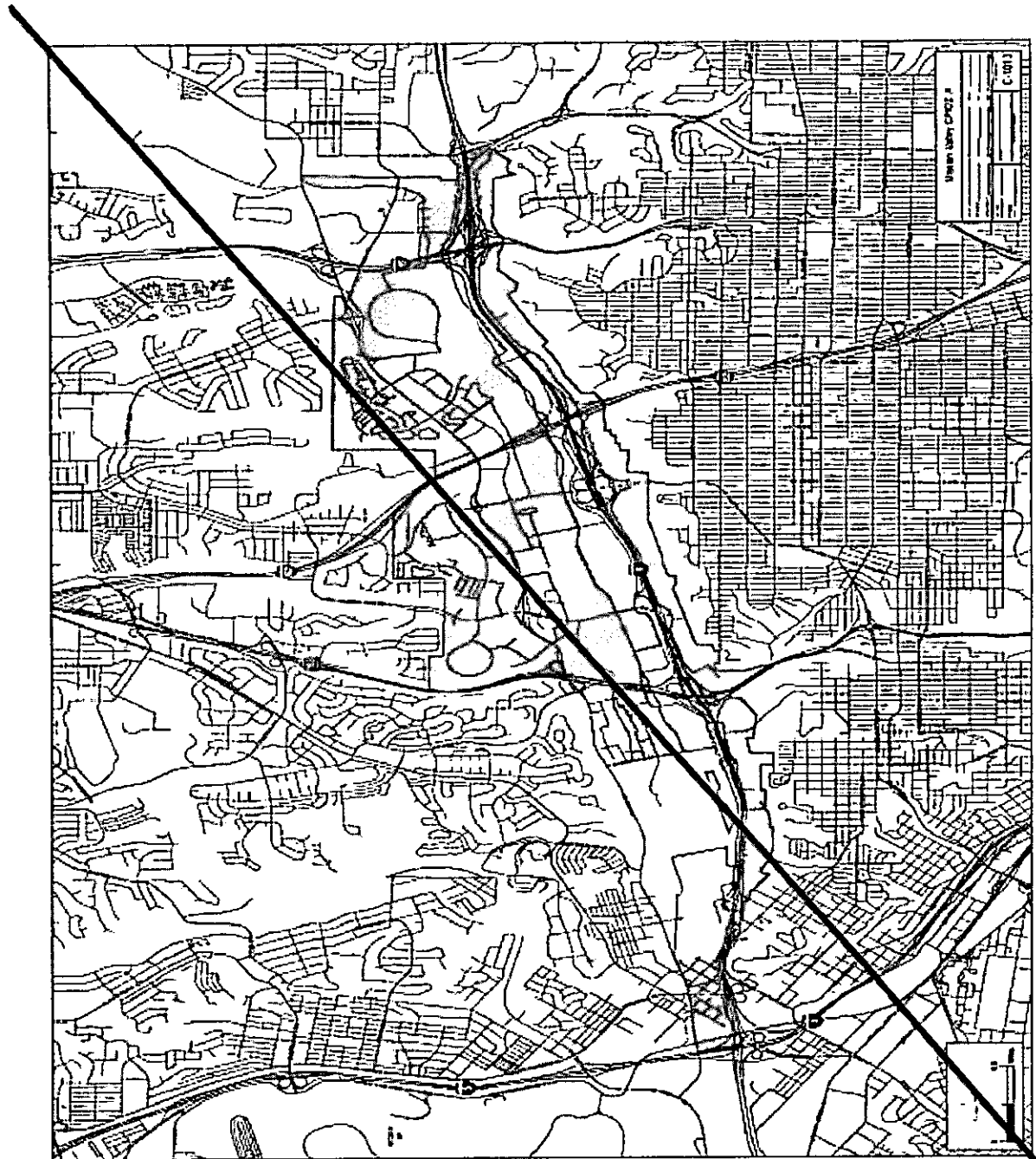
DIAGRAM 132-14A through DIAGRAM 132-14Q

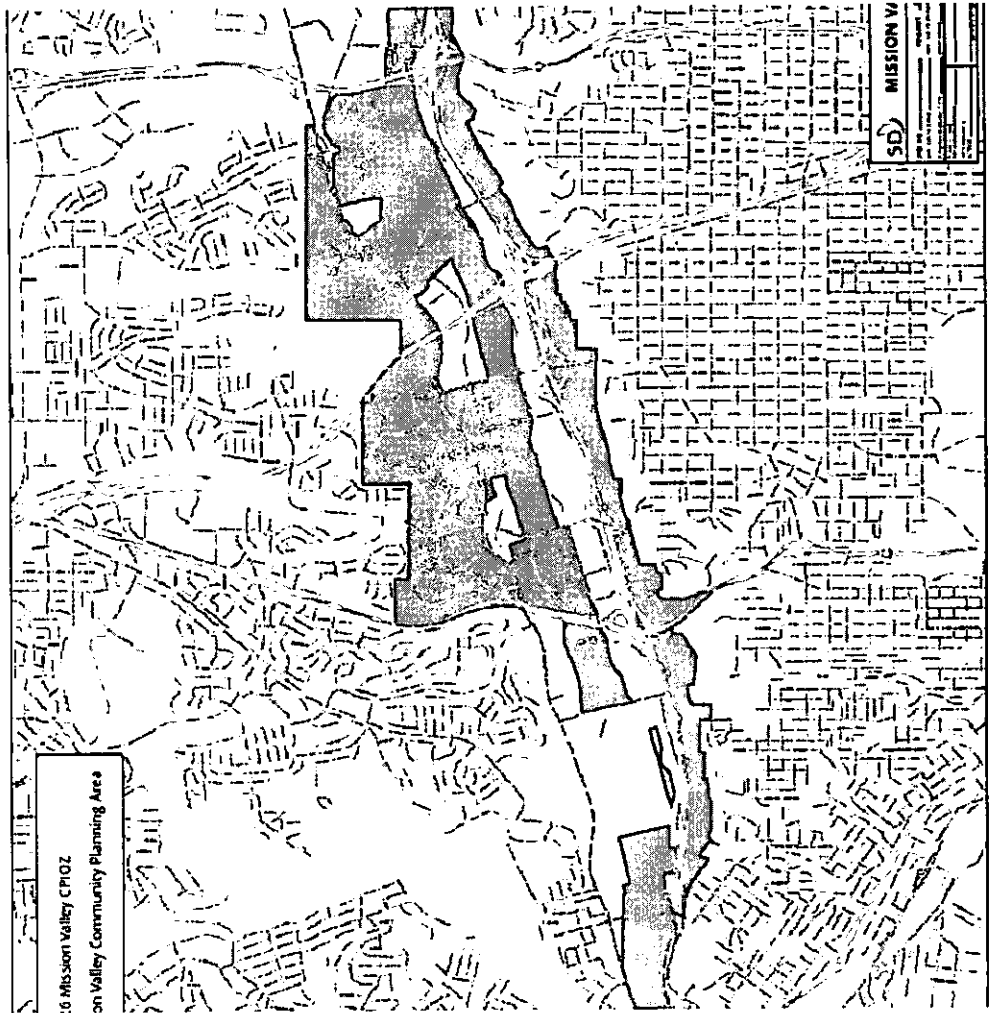
[No change in text.]

DIAGRAM 132-14R

Mission Valley Community Plan Implementation Overlay Zone

This is a reproduction of Map No. C-1013 C-1026 for illustration purposes only.





SCE:sc
06/21/2023
Or.Dept: Planning
Doc. No.: 3337770

Passed by the Council of The City of San Diego on JUL 18 2023, 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

21709

Ordinance Number O-_____