

(O-20[INSERT REMAINDER OF TITLE])

ORDINANCE NUMBER O-\_\_\_\_\_ (NEW SERIES)

DATE OF FINAL PASSAGE \_\_\_\_\_

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, San Diego Resolution R-2024-XXX, 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, 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 2022 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

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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 General Plan City of Villages 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 rezoning 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:

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Section 1. That 380 acres located in the Uptown Community Plan area, and as legally described in Exhibit A, the appended boundary description filed in the Office of the City Clerk under Document No. OO-YYYYYYYY within the Uptown Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. C-YYYY, filed in the Office of the City Clerk as Document No. OO-YYYYYYYY, and legally described by the Assessor's Parcel Numbers filed in the Office of the City Clerk under Document No. OO-YYYYYYYY 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 this Ordinance shall take effect and be in force as to each individual parcel shown on Zone Map Drawing No. C-YYY, filed in the Office of the City Clerk as Document No. OO-YYYYYYYY, on the thirtieth day from and after its passage.

Section 5. 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).

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Section 6. That if the ALUC finds this Ordinance consistent with 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 the date that San Diego R-YYYYYYY adopting the Hillcrest Focused Plan Amendment to the Uptown Community Plan becomes effective, whichever date occurs later.

Section 7. 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 City Council for reconsideration.

Section 8. 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 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 the date that San Diego R-YYYYYYY adopting the Hillcrest Focused Plan Amendment to the Uptown Community Plan becomes effective, whichever date occurs later.

Section 9. 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.

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Section 10. 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 the date that San Diego R-YYYYYYYY adopting the Hillcrest Focused Plan Amendment to the Uptown Community Plan becomes effective, whichever date occurs later.

Section 11. That no building permits for development inconsistent with the provisions of this Ordinance shall be issued unless application therefore was made prior to the effective date of this Ordinance.

APPROVED: MARA W. ELLIOTT, City Attorney

By \_\_\_\_\_  
Deputy City Attorney

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

DIANA J.S. FUENTES  
City Clerk

By \_\_\_\_\_  
Deputy City Clerk

Approved: \_\_\_\_\_  
(date)

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

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

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