

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

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

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, San Diego R-XXXXX which was considered along with this ordinance proposes to adopt a comprehensive update to the University Community Plan; and

WHEREAS, San Diego Ordinance XXXX 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; 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 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 23, 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-YYYYYYYY 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-YYYYYYYY, 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 Resolution R-301263 on February 28, 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 Plan (ALUCP) for Marine Corps Air Station (MCAS) Miramar, 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

R-YYYYYYY adopting the updated University Community Plan becomes effective, 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 ALUCP for MCAS Miramar, 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 ALUCP for MCAS Miramar, 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 R-YYYYYYY adopting the updated University Community Plan becomes effective, 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 the date that R-YYYYYYYY adopting the University Community Plan becomes effective, 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 application therefore was made prior to the effective date of this ordinance.

APPROVED: MARA W. ELLIOTT, City Attorney

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

:njc  
Date  
Or. Dept: Planning  
Doc. No.:

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

DIANA J.S. FUENTES  
City Clerk

By Deputy City Clerk

Approved: (date)TODD GLORIA, Mayor

Vetoed: (date)TODD GLORIA, Mayor

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