

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

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

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING 1,240 ACRES LOCATED WITHIN THE GREATER NORTH PARK PLANNING AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM MID CITY COMMUNITIES PLANNED DISTRICT ORDINANCE AND CITYWIDE ZONES TO THE OP-1-1, RS-1-1, RS-1-7, RM-1-1, RM-2-5, RM-3-7, RM-3-8, RM-3-9, CN-1-3, CN-1-5, CC-3-6, CC-3-7, CC-3-8, AND CC-3-9 ZONES, AND REPEALING ORDINANCE NO. O-19598, ADOPTED 04-26-2007, AS IT AFFECTS NORTH PARK, OF ORDINANCES OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICT HEREWITH.

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

Section 1. That 1,240-acres located in the Greater North Park Planning Area, and legally described as in the appended boundary description file in the office of the City Clerk under Document No. OO-\_\_\_\_\_, within the North Park Community Plan (NPCP), in the City of San Diego, California, as shown on Zone Map Drawing No. C-964, filed in the office of the City Clerk, are rezoned from the Mid-City Communities Planned District into the Land Development Code zones including OP-1-1, RS-1-1, RS-1-7, RM-1-1, RM-2-5, RM-3-7, RM-3-8, RM-3-9, CN-1-3, CN-1-5, CC-3-6, CC-3-7, CC-3-8, AND CC-3-9 zones, as the zones are described and defined by San Diego Municipal Code Chapter 13, Article 1, Divisions 2, 4 and 5. This action amends the Official Zoning Map adopted by Resolution R-301263 on February 28, 2006.

Section 2. That Ordinance No. O-19598, adopted 04-26-2007, of the ordinances of the City of San Diego are repealed insofar as the same conflict with the rezoned uses of the land.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 a day prior to its final passage.

Section 4. That prior to becoming effective, this Ordinance shall be submitted to the San Diego County Regional Airport Authority (SDCRAA) for a consistency determination.

That if the SDCRAA finds this Ordinance consistent with the Airport Land Use Compatibility Plans (ALUCP) for San Diego International Airport (Airport), this Ordinance shall take effect and be in force as of the date of the finding of consistency by SDCRAA, provided that and not until at least 30 days have passed from the final date of passage, or the date that O-\_\_\_\_\_repealing the Mid-City Communities Planned District and the date that R-\_\_\_\_\_ adopting the NPCP becomes effective, whichever date occurs later.

That if the SDCRAA determines that this Ordinance is inconsistent or conditionally consistent, subject to proposed modifications, with the ALUCPs for the Airport, the Ordinance shall be submitted to the City Council for reconsideration.

That if the SDCRAA determines that this Ordinance is conditionally consistent with the ALUCP for the Airport, 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 O-\_\_\_\_\_repealing the Mid-City Communities

Planned District and the date that R-\_\_\_\_\_ adopting the NPCP becomes effective, whichever date occurs later.

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 SDCRAA, California Department of Transportation, Division of Aeronautics, and the airport operators for the Airport; and the City Council shall hold a second hearing not less than 45 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 any final decision to overrule a determination of inconsistency shall require a two-thirds vote.

Section 4. That upon this ordinance becoming effective, no building permits for development inconsistent with the provisions of this ordinance shall be issued unless application therefore was made prior to the date of adoption of this ordinance.

APPROVED: JAN I. GOLDSMITH, City Attorney

By \_\_\_\_\_  
Corrine L. Neuffer  
City Attorney

IL:  
Date  
Or. Dept: Planning  
Doc No.

Attachments: Exhibit A – North Park Rezone Parcel Information

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

ELIZABETH MALAND  
City Clerk

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

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

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

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

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

DRAFT