

ORDINANCE NUMBER O-_____ (NEW SERIES)

DATE OF FINAL PASSAGE _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO REZONING 1,875 ACRES LOCATED IN UPTOWN, WITHIN THE UPTOWN COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE WEST LEWIS STREET PLANNED DISTRICT ORDINANCE AND THE MID-CITY COMMUNITIES PLANNED DISTRICT ORDINANCE TO THE RM-1-1, RM-2-5, RM-3-7, RM-3-9, RM-4-10, CN-1-1, CN-1-3, CN-1-4, CC-1-3, CC-3-4, CC-3-6, CC-3-8, CC-3-9, OR-1-1 ZONES, AND REPEALING ORDINANCE NOS. O-19598 AND ORDINANCE O-19596, ADOPTED MARCH 27, 2007, 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 1,875 acres located in Uptown and legally described as in the appended boundary description file in the office of the City Clerk under Document No. OO-_____, within the Uptown Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. C-965, filed in the office of the City Clerk, are rezoned from the West Lewis Street Planned District and Mid-City Communities Planned District into the Land Development Code zones including RM-1-1, RM-2-5, RM-3-7, RM-3-9, RM-4-10, CN-1-1, CN-1-3, CN-1-4, CC-1-3, CC-3-4, CC-3-6, CC-3-8, CC-3-9, OR-1-1 zones, as the zones are described and defined by San Diego Municipal Code Chapter 13, Article 1, Divisions 4, 5, and 6. This action amends the Official Zoning Map adopted by Resolution R-301263 on February 28, 2006.

Section 2. That Ordinance Nos. O-19596 and O-19598, adopted March 27, 2007, of the ordinances of the City of San Diego are repealed insofar as the same conflict with the rezoned uses of the land.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 West Lewis Street Planned District and the Mid-City Communities Planned District and the date that R-_____ adopting the Uptown Community Plan Update 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 West Lewis Street Planned District and the Mid-City Communities Planned District and the date that R-_____ adopting the Uptown Community Plan Update 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 5. That this ordinance shall take effect and be in force on the thirtieth day from and after its passage, and 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 Neuffer
Deputy City Attorney

CN:
10/_/2016
Or. Dept: Planning
Doc No. _____

Attachments:

Exhibit A – Uptown 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