

ORDINANCE NUMBER O-_____ (NEW SERIES)

DATE OF FINAL PASSAGE _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO
AMENDING CHAPTER 13, ARTICLE 2, DIVISION 14 OF THE SAN DIEGO
MUNICIPAL CODE BY AMENDING SECTION 132.1402; TABLE 132-14A,
AND DIAGRAM 132-14K RELATING TO THE UPTOWN COMMUNITY
PLAN UPDATE AND COMMUNITY PLAN IMPLEMENTATION OVERLAY
ZONE

WHEREAS, the Uptown Community is located in the City of San Diego bounded by Interstate 5 to the west, Mission Valley to the north, Balboa Park and the community of North Park to the east, and Downtown to the south, and the planning area encompasses 2,700 acres; and

WHEREAS, the Uptown Community Plan was initially adopted in 1975, and subsequently updated and adopted in 1988; and

WHEREAS, the City Council adopted the Interim Height Ordinance to regulate high-rise development until the adoption of the Uptown Community Plan Update; and

WHEREAS, the boundaries of the Uptown Community Plan Implementation Overlay zone would be amended to regulate building height per the Uptown Community plan, and

WHEREAS, the City's efforts on the Uptown Community Plan Update have included an extensive public participation process involving residents, businesses, property owners, agencies, and other community stakeholders; and

WHEREAS, changes to the Land Development Code of the San Diego Municipal Code are required to implement those changes; NOW, THEREFORE,

BE IT ORDAINED; by the City 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 Section 132.1402, Table 132-14A, and Diagram 132-14K, to read as follows:

§132.1402 Where the Community Plan Implementation Overlay Zone Applies

- (a) [No change in text.]

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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)	C-771.1, B-3951
Encanto Neighborhoods (See Diagram 132-14O)	C-962
Linda Vista (See Diagram 132-14C)	C-750

Community Plan	Map Number Showing Boundaries of CPIOZ Area
Mid-City Eastern Area-Chollas Triangle (See Diagram 132-14N)	B-4310
Midway/Pacific Highway Corridor (See Diagram 132-14D)	C-782
Navajo (See Diagram 132-14E)	C-954
Otay Mesa (See Diagram 132-14B)	C-956, B-4300
Pacific Beach (See Diagram 132-14F)	B-37371, B-3857
Peninsula (See Diagram 132-14G)	C-744, C-781
Rancho Bernardo (See Diagram 132-14H)	C-773.1
Rancho Penasquitos (See Diagram 132-14I)	B-4025
Sherman Heights and Grant Hill Historic Districts (See Diagram 132-14M)	B-4312
Skyline Paradise Hills (See Diagram 132-14L)	B-4272
Southeastern San Diego (See Diagram 132-14P)	C-961
University (See Diagram 132-14J)	C-725, C-751.2
Uptown (See Diagram 132-14K)	C-968

(b) [No change in text].

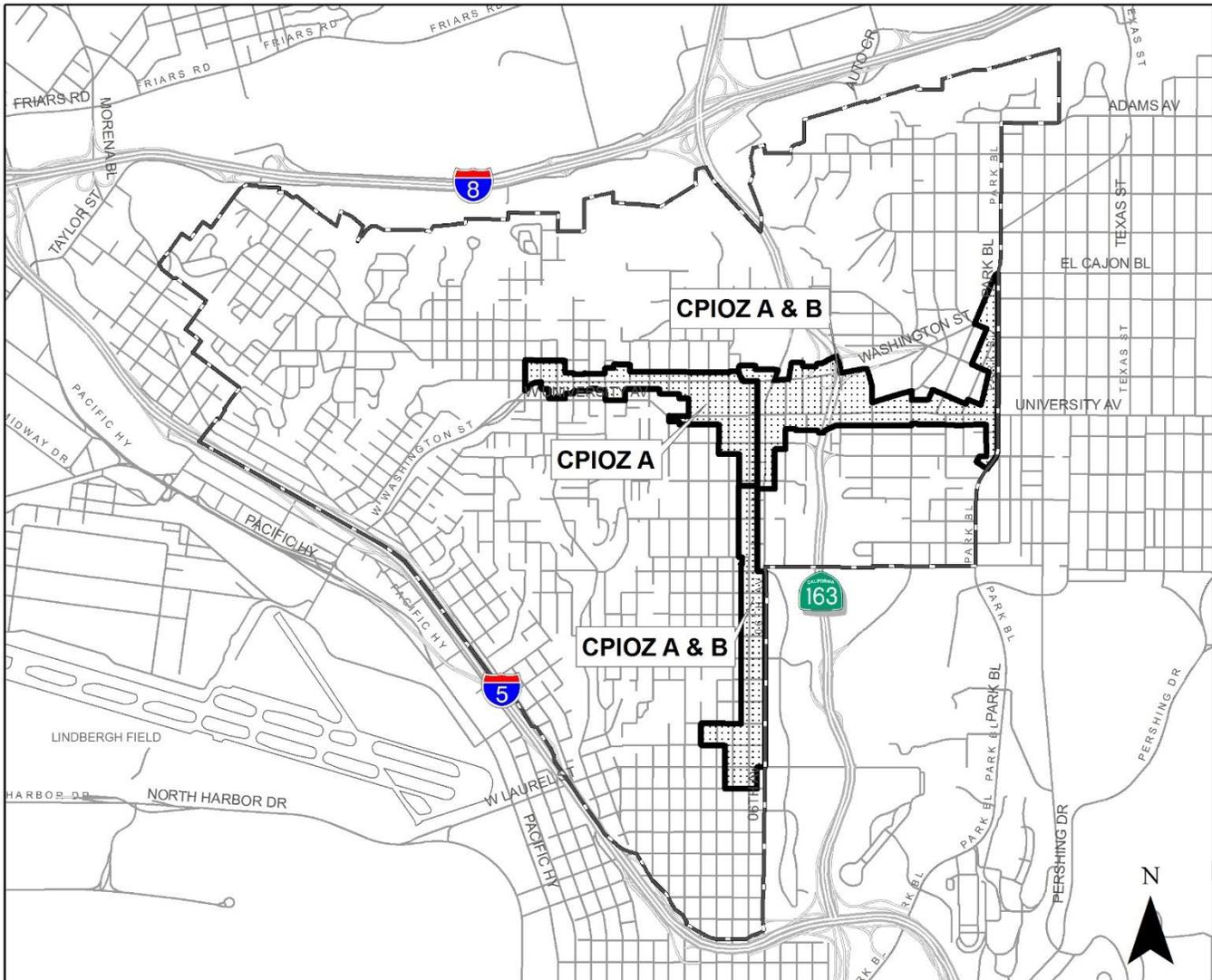


DIAGRAM 132-14K
Uptown Community Plan Implementation Overlay Zone

This is reproduction of Map No. C-968 for illustration purposes only.

Section 4. That a full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been made available to the City Council and the public prior to the day of its passage.

Section 5. 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, Marine Corps Air Station (MCAS) Miramar, Gillespie Field, Montgomery Field, and Brown Field Airports (collectively, Airports), this ordinance shall take effect and be in force on the thirtieth day from and after the finding of consistency, except that the provisions of this ordinance inside the Coastal Overlay Zone, which 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 these provisions as a local coastal program amendment.

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

That if the SDCRAA determines that this ordinance is conditionally consistent with the ALUCPs for the Airports, but that consistency is subject to proposed modifications, and this ordinance as amended shall take effect and be in force on the thirtieth day from and after its final passage except that the provisions of this ordinance as amended inside the Coastal Overlay Zone, which 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 those provisions as a local coastal program amendment.

The 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 Airports; 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 6. That no permits shall be issued for development that is inconsistent with the provisions of this ordinance unless complete applications for such permits are submitted to the City prior to the date on which the applicable provisions of this ordinance become effective, which date is determined in accordance with Section 5, above.

APPROVED: JAN I. GOLDSMITH, City Attorney

By _____
Corrine Neuffer
Deputy City Attorney

CN: mp
8/15/2016
Or. Dept: Planning
Doc No. _____

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

STRIKEOUT ORDINANCE**OLD LANGUAGE: ~~Struck Out~~****NEW LANGUAGE: Double Underline**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AMENDING CHAPTER 13, ARTICLE 2, DIVISION 14 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 132.1402; TABLE 132-14A, AND DIAGRAM 132-14K RELATING TO THE UPTOWN COMMUNITY PLAN UPDATE AND COMMUNITY PLAN IMPLEMENTATION OVERLAY ZONE.

§132.1402 Where the Community Plan Implementation Overlay Zone Applies

(a) [No change in text.]

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)	C-771.1, B-3951
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University (See Diagram 132-14J)	C-725, C-751.2
Uptown (See Diagram 132-14K)	C-780.2 <u>C-968</u>

(b) [No change in text].

DRAFT

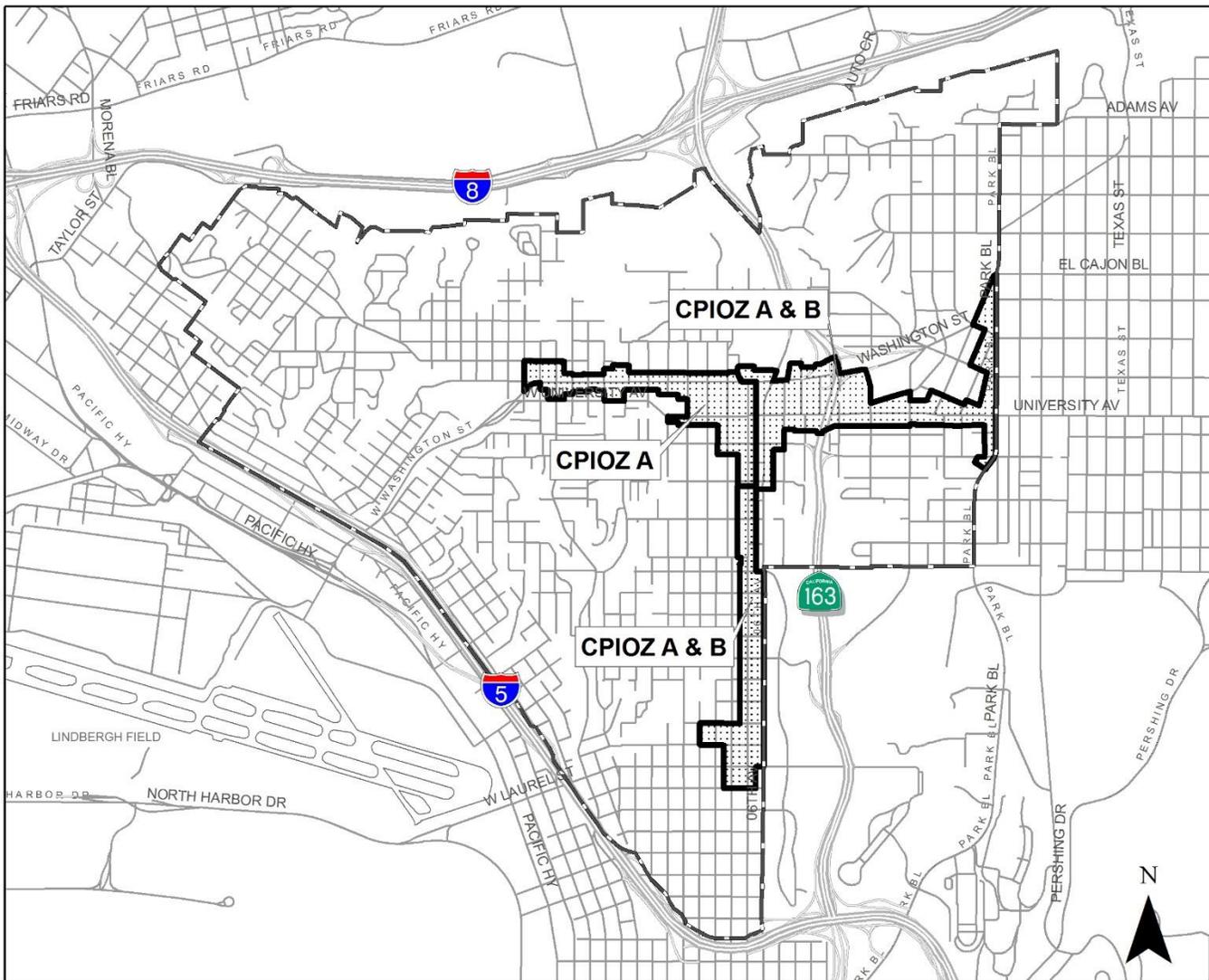


DIAGRAM 132-14K
Uptown Community Plan Implementation Overlay Zone

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CN: mp
8/15/2016
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