

ORDINANCE NUMBER O-_____ (NEW SERIES)

DATE OF FINAL PASSAGE _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO ADOPTING AMENDMENTS TO THE GENERAL PLAN, CARMEL VALLEY COMMUNITY PLAN, AND THE CARMEL VALLEY EMPLOYMENT CENTER DEVELOPMENT UNIT NUMBER TWO PRECISE PLAN FOR THE NEW ONE PASEO PROJECT AND WAIVING THE REQUIREMENT OF A PLANNING COMMISSION HEARING AND RECOMMENDATION PRIOR TO THE PASSAGE OF THIS ORDINANCE.

DRAFT

WHEREAS, Kilroy Realty Corporation, requested amendments to redesignate the 23.6-acres within the General Plan from Industrial Employment to Multiple Use, the Carmel Valley Community Plan from Employment Center to Community Village, and an amendment to the North City West (Carmel Valley) to Employment Center Development Unit Number Two Precise Plan (Precise Plan) to include design parameters for the site (Plan Amendments); and

WHEREAS, the site is located south of Del Mar Heights Road between El Camino Real and High Bluff Drive within the Carmel Valley Community Planning Area. The site is legally described as Parcel 1 and 2 of Parcel Map No. 15061 and Parcel 2 of Parcel Map No. 19130 within the City of San Diego, County of San Diego, State of California; and

WHEREAS, under Charter section 280(a)(2), this ordinance is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and,

WHEREAS, amendments to the Community Plan require an amendment to the General Plan due to the Community Plan being part of the Land Use Element of the General Plan; and,

WHEREAS, due to recusals, the Planning Commission of the City of San Diego was unable to obtain a quorum to hear and provide a recommendation on the Plan Amendments; and

WHEREAS, on _____, the City Council of the City of San Diego held a public hearing for the purpose of considering the Plan Amendments; and

WHEREAS, the City Council considered various factors with respect to the Plan Amendments, including but not limited to the following: 1) consistency with the goals and policies of the General Plan; 2) additional public benefits to the community as compared to the existing plans; 3) availability of public facilities to serve the proposed increase in density or intensity, or whether their provision is addressed as part of the Plan Amendments; 4) the level and diversity of community support; 5) appropriateness of the size and boundary for the amendment site; 6) provision of additional benefit to the community; 7) implementation of major General Plan and Community Plan goals; and 8) provision of public facilities; and

WHEREAS, the Council of the City of San Diego has considered all maps, exhibits, and written documents contained in the file for this project on record in the City of San Diego, and has considered the oral presentations given at the public hearing; NOW THEREFORE,

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

Section 1. That it adopts the amendments to the General Plan, the Carmel Valley Community Plan, and the Precise Plan, a copy of which is on file in the office of the City Clerk as Document No. RR-

Section 2. That, notwithstanding San Diego Municipal Code section 112.0509, which provides for a Planning Commission hearing and recommendation prior to certain City Council actions, no Planning Commission hearing or recommendation is required related to the actions being authorized pursuant to this ordinance.

Section 3. That a full reading of this ordinance is dispensed with prior to passage, a written copy having been made available to the Council and the public prior to the day of its passage.

Section 4. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: JAN I. GOLDSMITH, City Attorney

By _____
Corrine L. Neuffer
Deputy City Attorney

CLN:dkr
May 5, 2016
Or.Dept:DSD
Doc. No.:1261041

DRAFT