

ORDINANCE NO. 2021 - 2492

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, APPROVING A ZONE CHANGE FROM MAJOR MIXED-USE DISTRICT (MXD-2) TO SERVICE COMMERCIAL (CS) AND OPEN SPACE (OS), AND AMENDMENT TO CHAPTER 18.22.020 OF THE MUNICIPAL CODE TO ALLOW FOR USED AUTO SALES IN THE CS ZONE FOR CONSTRUCTION OF A CARMAX DEALERSHIP ON PROPERTY LOCATED ON THE NORTH SIDE OF PLAZA BONITA ROAD, WEST OF SWEETWATER ROAD, AND EAST OF INTERSTATE 805. APPLICANT: CARMAX CASE FILE NO. 2016-30 ZC, A

WHEREAS, pursuant to the terms and provisions of the Government Code of the State of California, proceedings were duly initiated for the rezoning of the parcel of real property (APN 564-471-11), hereinafter described, and for the amendment of the Zoning Map of the City of National City; and

WHEREAS, pursuant to the terms and provisions of the Government Code of the State of California, proceedings were duly initiated for the amendment of the National City Municipal Code; and

WHEREAS, pursuant to legal notice, hearings were held by the Planning Commission of National City and also by the City Council of National City, and all persons interested were given the opportunity to appear and be heard before said Planning Commission and City Council; and

WHEREAS, the Planning Commission of National City has regularly and duly certified to the City Council its report and has recommended such rezoning and code amendment; and

WHEREAS, the City Council found that on the basis of the Environmental Impact Report and any comments received that there is no substantial evidence that the project will have a significant effect on the environment and adopted a proposed Finding of No Significant Impact which addresses the rezoning; and

WHEREAS, the City Council finds the rezoning and code amendment consistent with and necessary to implement the General Plan.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1. All protests, if any, against said rezoning and said amendment to the General Plan, and each of them be and hereby are denied and overruled.

Section 2. That all the real property described below is hereby rezoned from Major Mixed-Use District (MXC-2) to Medium-Density Multi-Unit Residential (RM-1):

LOT 14 OF SUBDIVISION MAP NO. 10337, PLAZA BONITA SHOPPING CENTER, IN THE CITY OF NATIONAL CITY, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON FEBRUARY 24, 1982 AS INSTRUMENT NO. 82-050075, OF OFFICIAL RECORDS. APN: 564-471-11-00; and

Section 3. That a Notice of Determination shall be filed indicating that the rezoning will not have a significant effect on the environment.

Section 4. That Subsection 18.22.020 of the National City Municipal Code is amended to read as follows:

18.22.020 Allowed land uses and permit requirements.

Table 18.22.020 identifies the uses of land allowed in each commercial zone. This table does not apply to the CL zone. For a list of allowable uses in the CL zone, please refer to Appendix A of the Westside Specific Plan.

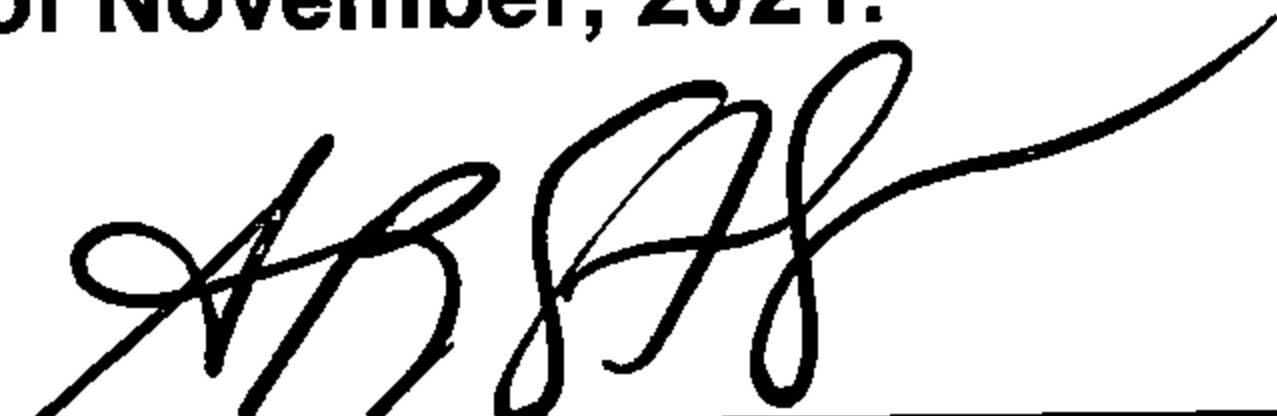
Table 18.22.020
Allowed Land Uses
Commercial Zones

Land Use	Zone		Specific Use Regulations
	CA	CS	
Used auto and truck sales	-	C	
P Permitted C Conditional use permit M Minor use permit — Not permitted			

Section 5. Severability. If any section, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and adopted this Ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

Section 6. This Ordinance shall take effect and be in force thirty (30) days from the date of its passage, and before the expiration of fifteen (15) days after its passage, it or a summary of it, shall be published once, with the names of the members of the City Council voting for and against the same in the Star News, a newspaper of general circulation published in the County of San Diego, California.

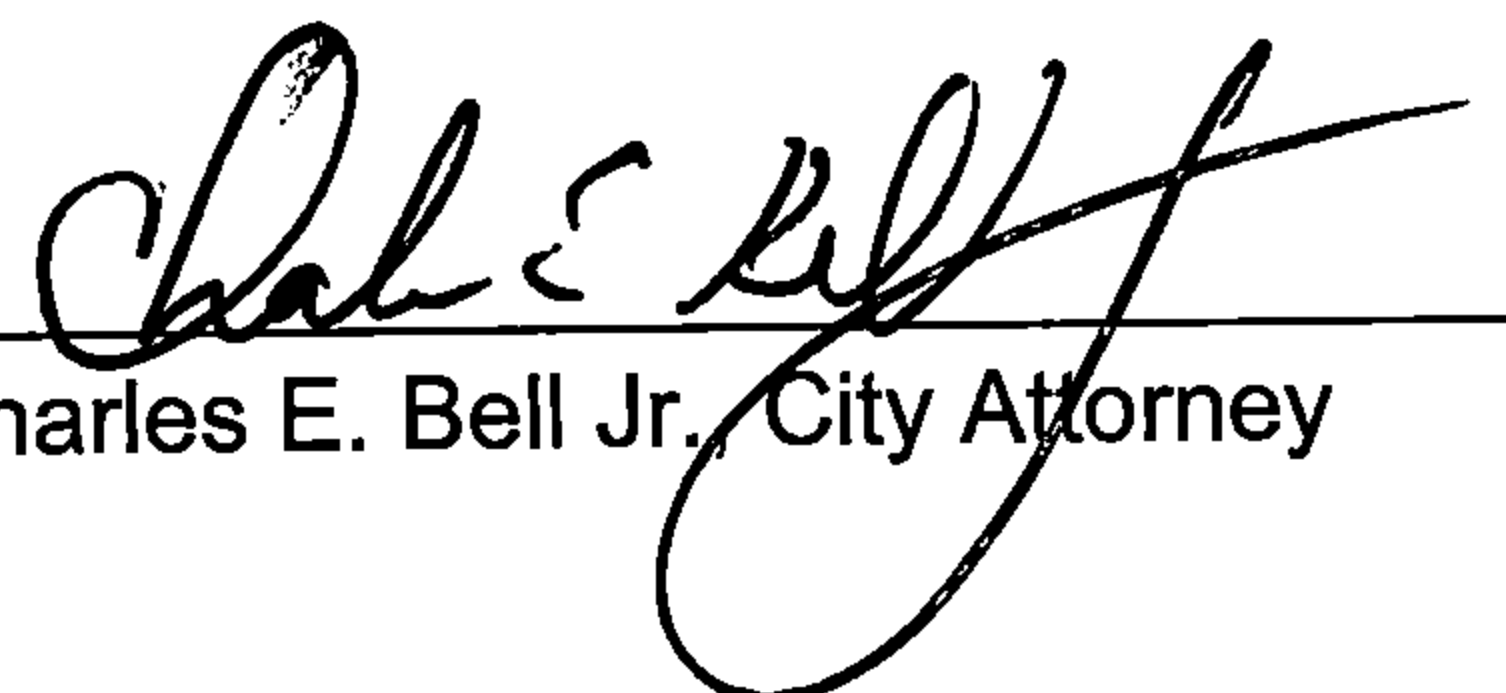
PASSED and ADOPTED this 16th day of November, 2021.


Alejandra Sotelo-Solis, Mayor

ATTEST:


Luz Molina, City Clerk

APPROVED AS TO FORM:


Charles E. Bell Jr., City Attorney

Passed and adopted by the Council of the City of National City, California, on November 16, 2021 by the following vote, to-wit:

Ayes: Sotelo-Solis, Rodriguez, Morrison, Rios.

Nays: None.

Absent: Bush

Abstain: None.

AUTHENTICATED BY:

Alejandra Sotelo-Solis
Mayor of the City of National City, California



Luz Molina
City Clerk of the City of National City, California

By:

Shelley Chapel
Deputy City Clerk

I HEREBY CERTIFY that the foregoing Ordinance was not finally adopted until seven calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on November 2, 2021 and on November 16, 2021.

I FURTHER CERTIFY THAT said Ordinance was read in full prior to its final passage or that the reading of said Ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said Ordinance.

I FURTHER CERTIFY that the above and foregoing is a full, true and correct copy of ORDINANCE NO. 2021-2492 of the City Council of the City of National City, passed and adopted by the Council of said City on November 16, 2021.

Shelley Chapel for
City Clerk of the City of National City, California

By:

Shelley Chapel
Deputy City Clerk