

ORDINANCE NUMBER O- 19419 (NEW SERIES)

ADOPTED ON OCT 10 2005

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING 4.15 ACRES, LOCATED AT 3093 CLAIREMONT DRIVE, IN THE CLAIREMONT MESA COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE CC-1-3 ZONE (PREVIOUSLY REFERRED TO AS THE CA-S ZONE) INTO THE RM-3-7 ZONE (PREVIOUSLY REFERRED TO AS THE R-1000 ZONE, AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTION 131.0406, AND REPEALING ORDINANCE NO. O-11216 (NEW SERIES), ADOPTED JANUARY 17, 1974, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INSOFAR AS THE SAME CONFLICTS HEREWITH.

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

Section 1. In the event that within three years of the effective date of this ordinance rezoning 4.15 acres, located at 3093 Clairemont Drive, and legally described as Parcel 1 of Parcel Map No. 10896, in the City of San Diego, County of San Diego, State of California, according to map thereof, filed in the Office of the County Recorder of San Diego County, January 18, 1981 as file no. 81-015311 of Official Records together with those portions of Cowley Way and Iroquois Avenue as dedicated to public use; excepting therefrom that portion shown and described on said parcel map as an existing easement to Harry E. Farb for ingress and egress recorded January 20, 1969, File/Page 10769, Series 10, Book 1969, of Official Records of said San Diego County, in the Clairemont Mesa Community Plan area, in the City of San Diego, California, from the CC-1-3 zone (previously referred to as the CA-S zone) to the MR-3-7 zone (previously referred to as the R-1000 zone), as shown on Zone Map Drawing No. B-4224, the property is subdivided and a map or maps thereof duly submitted to the City, approved by the City, and thereafter recorded, and within such subdivision or subdivisions provision is made for the installation of public utility services and the dedication of streets, alleys and easements for

public use, the provisions of San Diego Municipal Code [SDMC] section 131.0406 shall attach and become applicable to the subdivided land, and the subdivided land shall be incorporated into the RM-3-7 zone, as described and defined by SDMC section 131.0406, the boundary of such zone to be as indicated on Zone Map Drawing No. B-4224, filed in the office of the City Clerk as Document No. OO- **19419**. The zoning shall attach only to those areas included in the map as provided in this section.

Section 2. That in the event the zoning restrictions shall attach to the said land described in Section 1 of this ordinance, Ordinance No. O-11216 (New Series), adopted January 17, 1974, is repealed insofar as it conflicts 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. 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 therefor was made prior to the date of adoption of this ordinance.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By



Douglas K. Humphreys
Deputy City Attorney

DKH:pev
08/31/05
Or.Dept:DSD
O-2006-30
MMS #2422
ZONING Rezone With Map 11-01-04