

ORDINANCE NUMBER O- 19428 (NEW SERIES)

ADOPTED ON OCT 3 1 2005

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING 1.35 ACRES LOCATED ON THE NORTHWEST CORNER OF AKINS AVENUE AND 62ND STREET, WITHIN THE SOUTHEASTERN SAN DIEGO PLANNED DISTRICT AND THE ENCANTO NEIGHBORHOODS OF THE SOUTHEASTERN SAN DIEGO COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE SF-6000 AND THE MF-3000 ZONES INTO THE MF-1500 ZONE, AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTIONS 103.1706; AND REPEALING ORDINANCE NO. 16921 (NEW SERIES), ADOPTED AUGUST 3, 1987, 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 the subject properties, located on the northwest corner of Akins Avenue and 62nd Street, and legally described as Lots 35-37 of Garden Acres according to the Map thereof No. 1797, filed in the Office of the County Recorder, July 7, 1924; and the westerly portion of 62nd Street fronting said Lots 35-37; and the northerly portion of Akins Avenue fronting said Lot 37; in the Southeastern San Diego Community Plan area, in the City of San Diego, California, from the SF-6000 and MF-3000 zones into the MF-1500 zone as the zones are described and defined by San Diego Municipal Code section 103.1706 and shown on Zone Map Drawing No. C-732E, 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 103.1706 shall attach and become applicable to the subdivided land, and the subdivided land shall be incorporated into the MF-1500 zone, as described and defined by section 103.1706, the boundary of such zone to be as indicated on Zone Map Drawing No. B-4223, filed in the Office of the City Clerk as Document No. 00- 19428. 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to said land described in Section 1 of this ordinance, Ordinance No. 16921 (New Series), adopted August 3, 1987, is repealed insofar as the same conflicts with the rezoned uses of the land.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 therefore was made prior to the date of adoption of this ordinance.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Shannon M. Thomas
Shannon M. Thomas
Deputy City Attorney

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