

ORDINANCE NUMBER O- 19480 (NEW SERIES)

DATE OF FINAL PASSAGE APR 04 2006

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING 1.91 ACRES, LOCATED AT 6420 COLLEGE GROVE DRIVE, EAST OF COLLEGE AVENUE, IN THE EASTERN AREA COMMUNITY OF THE MID-CITY COMMUNITIES PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE RM-1-1 AND THE RS-1-7 ZONES OF THE CENTRAL URBANIZED PLANNED DISTRICT INTO THE RM-2-5 ZONE OF THE CENTRAL URBANIZED PLANNED DISTRICT, AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTIONS 131.0406 AND 131.0403, AND REPEALING ORDINANCE NO. O-18855 (NEW SERIES), ADOPTED OCTOBER 2, 2000, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INSOFAR AS THE SAME CONFLICT HEREWITH.

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;

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 property, located at 6420 College Grove Drive, and legally described as Lot 3 of College Grove Center Map No. 3589 in the Eastern Area Community of the Mid-City Communities Plan area, in the City of San Diego, California, from the RM-1-1 and RS-1-7 zones of the Central Urbanized Planned District to the RM-2-5 zone of the Central Urbanized Planned District, as shown on Zone Map Drawing No. B-4232, 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] sections 131.0406 and 131.0403 shall attach and become applicable to the subdivided land, and the subdivided land shall be incorporated into the RM-2-5 zone, as described and defined by SDMC sections 131.0406 and 131.0403, the boundary of such zone to be as indicated on Zone Map Drawing No. B-4232, filed in the office of the City Clerk as Document No. OO-19480. 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-18855 (New Series), adopted October 92, 2002, is repealed insofar as it conflicts with the rezoned uses of the land.

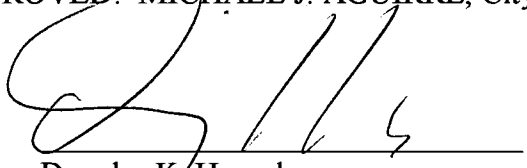
Section 3. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

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
02/06/06
Or.Dept:DSD
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