

ORDINANCE NUMBER O- 19529 (NEW SERIES)

DATE OF FINAL PASSAGE AUG - 1 2006

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING 92.72-ACRES LOCATED SOUTH OF CARMEL VALLEY ROAD, NORTH OF STATE ROUTE 56, NORTH OF TORREY MEADOWS DRIVE, WEST OF CAMINO DEL SUR, AND EAST OF TORREY DEL MAR ON BOTH SIDES OF MCGONIGLE CANYON, WITHIN THE TORREY HIGHLANDS SUBAREA IV COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE AR-1-1 ZONE (AGRICULTURAL-RESIDENTIAL) INTO THE RS-1-14 ZONE (RESIDENTIAL-SINGLE UNIT) AND OC-1-1 ZONE (OPEN SPACE-CONSERVATION), AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTIONS 131.0403 AND 131.0203; AND REPEALING ORDINANCE NO. 8858 (NEW SERIES), ADOPTED AUGUST 9, 1963, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICTS 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. That 92.72-acres located south of Carmel Valley Road, north of State Route 56, north of Torrey Meadows Drive, and west of Camino del Sur, and east of Torrey Del Mar on both sides of McGonigle Canyon, and legally described as Parcel 2 of Parcel Map No. 14768, filed in April 21, 1987, Parcel 2 of Parcel Map No. 8133, filed December 6, 1978, and Parcel 3 of Parcel Map No. 6902, in the Torrey Highlands Subarea IV Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. B-4236, filed in the office of the

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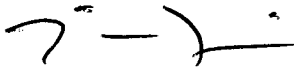
Clerk as Document No. OO- _____, are rezoned from the AR-1-1 Zone (Agricultural-Residential) into the RS-1-14 Zone (Residential-Single Unit) and OC-1-1 Zone (Open Space-Conservation), as the zones are described and defined by San Diego Municipal Code Chapter 13, Article 1, Divisions 2 and 4. This action amends the Official Zoning Map adopted by Resolution R-301263 on February 28, 2006.

Section 2. That Ordinance No. 8858 (New Series), adopted August 9, 1963, of the ordinances of the City of San Diego 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 final 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 

Nina M. Fain-Newman
Deputy City Attorney

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