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11/13/06

ORDINANCE NUMBER O- 19552 (NEW SERIES)

DATE OF FINAL PASSAGE NOV 14 2006

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING 10.22 ACRES, LOCATED 11655 ARROYO SORRENTO PLACE, IN THE CARMEL VALLEY COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE AR-1-1 ZONE INTO THE AR-1-2 AND OC-1-1 ZONES, AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTIONS 131.0303 AND 131.0203; AND REPEALING ORDINANCE NO. O-18451 (NEW SERIES), ADOPTED DECEMBER 9, 1997, 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; NOW, THEREFORE,

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 10.22 acres, located at 11655 Arroyo Sorrento Road, and legally described as Parcel 2 and 3 of Parcel Map 11968, recorded February 26, 1982, more particularly described as follows: being Parcel 2 of Certificate of Compliance, Doc. #95-0522519, recorded November 16, 1995, Lot Line Adjustment Plat 95-150, in the Carmel Valley Community Plan area, in the City of San Diego, California, from the AR-1-1 zone to the AR-1-2 and OC-1-1 zones, as shown on Zone Map Drawing No. B-4240, 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 131.0303 and 131.0203 shall attach and become applicable to the subdivided land, and the subdivided land shall be incorporated into the LDC zones, as described and defined by SDMC sections 131.0303 and 131.0203, the boundary of such zone to be as indicated on Zone Map Drawing No. B-4240, filed in the office of the City Clerk as Document No.

OO- **19552**. The zoning shall attach only to those areas included in the map as provided in this section. This action amends the Official Zoning Map adopted by Resolution No.

R-301263 on February 28, 2006.

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-18451 (New Series), adopted December 9, 1997, 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. However, this ordinance will not apply within the Coastal Zone until the thirtieth day following the date the California Coastal Commission unconditionally certifies this

ordinance as a local coastal program amendment. If this ordinance is certified with suggested modifications, this ordinance shall be void within the Coastal Zone.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Shannon Thomas  
Shannon M. Thomas  
Deputy City Attorney

SMT:als  
09/08/06  
Or.Dept:DSD  
O-2007-31  
MMS#3750

ZONING Rezone With Map 11-01-04