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#51

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ORDINANCE NUMBER O-19561 (NEW SERIES)

DATE OF FINAL PASSAGE JANUARY 9, 2007

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING 5,000 SQUARE FEET LOCATED AT THE NORTH WEST INTERSECTION OF 30TH STREET AND ISLAND AVENUE, ONE BLOCK SOUTH OF MARKET STREET, WITHIN THE SOUTHEASTERN SAN DIEGO COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE CSF-2 ZONE OF THE SOUTHEASTERN SAN DIEGO PLANNED DISTRICT INTO THE MF-3000 ZONE OF THE SOUTHEASTERN SAN DIEGO PLANNED DISTRICT AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTION 103.1706 AND REPEALING ORDINANCE NO.O-16922 (NEW SERIES), ADOPTED AUGUST 3, 1987 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; NOW, THEREFORE,

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

Section 1. That 5,000 square feet located at the northwest intersection of 30<sup>th</sup> Street and Island Avenue, one block south of Market Street, and legally described as Lot 10, Block 7 Hoitt's Addition Map No. 29 and portion of a proposed 10-footwide Public-Right-Of-Way Vacation of a portion of Island Avenue, south of Block 7 of Hoitt's Addition, Map 29 as shown on B-Sheet No. 4195, in the Southeastern San Diego Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. B-4195, filed in the office of the City Clerk as Document No. OO-19561, are rezoned from the CSF-2 Southeastern San Diego


Planned District CSF-2 zone into the MF-3000 zone, as the zone is described and defined by San Diego Municipal Code section 103.1706, the boundary of such zone to be indicated on Zone Map Drawing No. B-4195, filed in the office of the City Clerk as Document no. OO-19561. 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-16922 (New Series), adopted August 3, 1987, 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   
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Shirley R. Edwards  
Chief Deputy City Attorney

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