

ORDINANCE NUMBER O- 19574 (NEW SERIES)

DATE OF FINAL PASSAGE JAN 23 2007

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING 0.688 ACRES LOCATED AT 4535-4549 RAINIER AVENUE, WITHIN THE NAVAJO COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE RM-1-1 to RM-3-7 ZONE, AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTION 131.0406; AND REPEALING ORDINANCE NO. O-7226 ADOPTED DATE NOVEMBER 27, 1956, 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 0.688 acres, located 4535-4549 Rainier Avenue, and legally described as Lots 9 through 16 in Block 16 of the Grantville and Out Lots, in the Navajo Community Plan area, in the City of San Diego, California, from the RM-1-1 zone to the RM-3-7 zone, as shown on Zone Map Drawing No. B-4244, 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 131.0401 shall attach and become applicable to the subdivided land, and the

subdivided land shall be incorporated into the RM-3-7 zone, as described and defined by SDMC section 131.0406, the boundary of such zone to be as indicated on Zone Map Drawing No. B-4244, filed in the office of the City Clerk as Document No. OO- 19574 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attach to the said land described in Section 1 of this ordinance, Ordinance No. O-7226 adopted November 27, 1956, is repealed insofar as it conflicts with the rezoned uses of the land.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 Shannon M. Thomas
Shannon M. Thomas
Deputy City Attorney

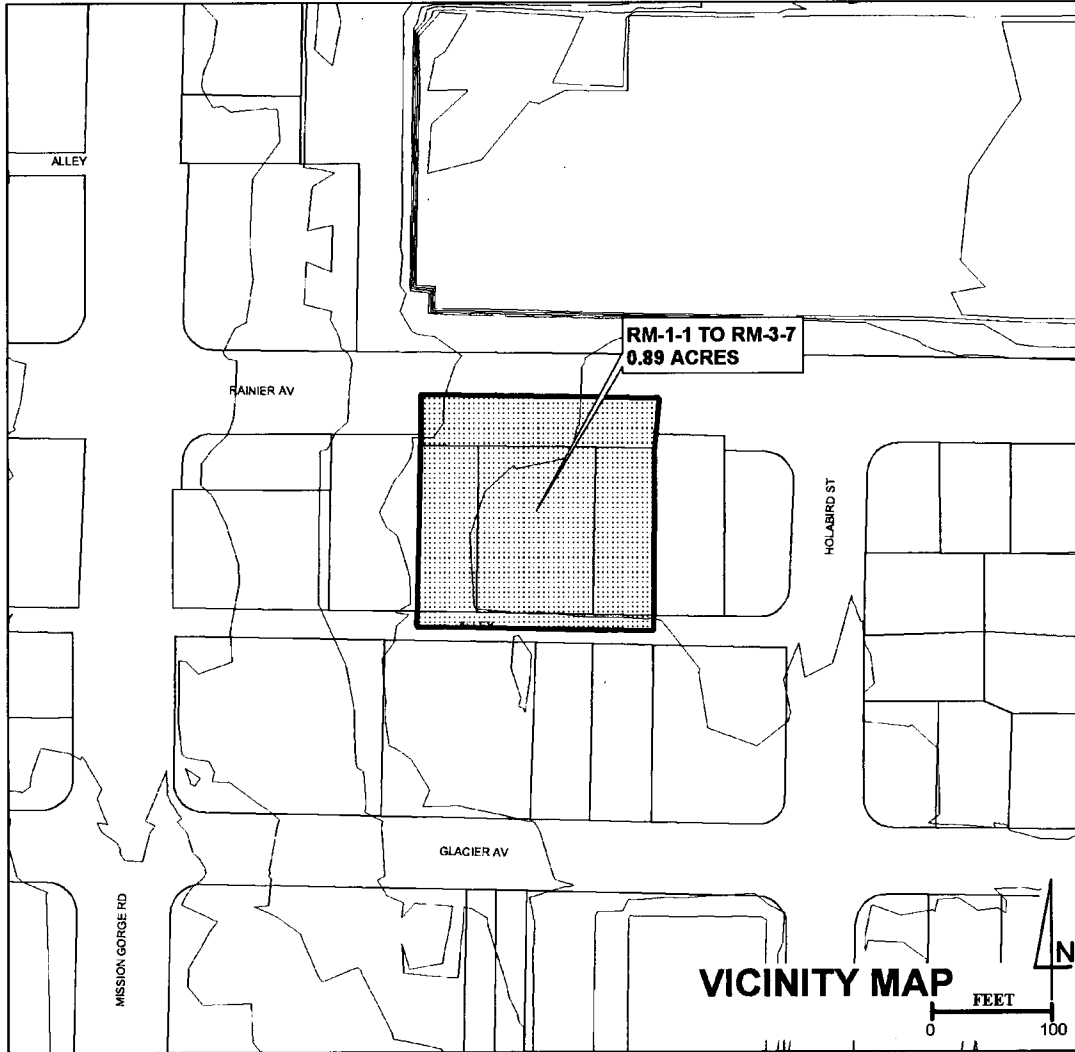
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O-2007-48
MMS#4020


ZONING Rezone With Map 11-01-04



CITY OF SAN DIEGO • DEVELOPMENT SERVICES

PROPOSED REZONING



LOT 9-16, BLK 16 OF GRANTVILLE, MAP NO. 776		CASE NO. PTS 75711
ORDINANCE NO. _____	REQUEST RM-3-7	 DEVELOPMENT SERVICES MANAGER
EFF. DATE ORD. _____	PLANNING COMM. RECOMMENDATION	
ZONING SUBJ. TO _____	CITY COUNCIL ACTION	B- 4244
BEFORE DATE _____		APN: 458-531-04 &, 05, 06
EFF. DATE ZONING _____		(226-1740) 9-13-06 lclj
MAP NAME AND NO. _____		

Map Document: (L:\GIS\GIS\B and C Sheets\B4244_rainierplace.mxd) 9/13/2006 -- 7:48:23 AM

DOCUMENT NO. 00-19574

FILED JAN 23 2007
OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA