

2/6/07

ORDINANCE NUMBER O- 19577 (NEW SERIES)

DATE OF FINAL PASSAGE FEB 06 2007

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING 2.76 ACRES FROM AR-1-1 (AGRICULTURE) TO OS (OPEN SPACE); 7.40 ACRES FROM MF-1 (MULTI-FAMILY), TO AR-1-1; 2.61 ACRES FROM OS TO AR-1-1; AND 5.65 ACRES FROM MF-1 TO OS LOCATED AT 11490, 11500, 11525, 11555 AND 11600 CLEWS HORSE RANCH ROAD, WEST OF CARMEL COUNTRY ROAD AND SOUTH OF STATE ROUTE 56 IN THE CARMEL VALLEY COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, AND REPEALING ORDINANCE NO. 16187 (NEW SERIES), ADOPTED APRIL 2, 1984, OF THE ORDINANCE 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. That portions of the 38.44 acres located at 11490, 11500, 11525, 11555, and 11600 Clews Horse Ranch Road, west of Carmel Country Road, and legally described as a portion of Section 19 and the north half of the southwest quarter of Section 20, and a portion of the northwest quarter of the southeast quarter of Township 14 South, Range 3 West, San Bernardino Base and Meridian, in the Carmel Valley Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. B-4245, filed in the office of the City Clerk as Document No. OO- 19577, are rezoned from the AR-1-1 zone (Agriculture) to

OS (Open Space); MF-1 (Multi-Family) to AR-1-1; OS to AR-1-1; and MF-1 to OS zones, and defined by San Diego Municipal Code sections 126.0500, 126.0600, and 126.0700.

Section 2. That Ordinance No. O -16187 (New Series), adopted April 2, 1984, of the ordinances of the City of San Diego is repealed insofar as the same conflicts with the rezoned uses of the land.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. That 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 therefore was made prior to the date of adoption of this ordinance, however, the Clews Horse Ranch project is located in the Coastal Zone; therefore the City Council's decision requires amending the City's Local Coastal Program. As a result, the final decision on the Clews Horse Ranch project will be with the California Coastal Commission. The City of San Diego must submit this as an amendment for certification to the Coastal Commission. This ordinance shall take effect and be in force on 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.

Section 5. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

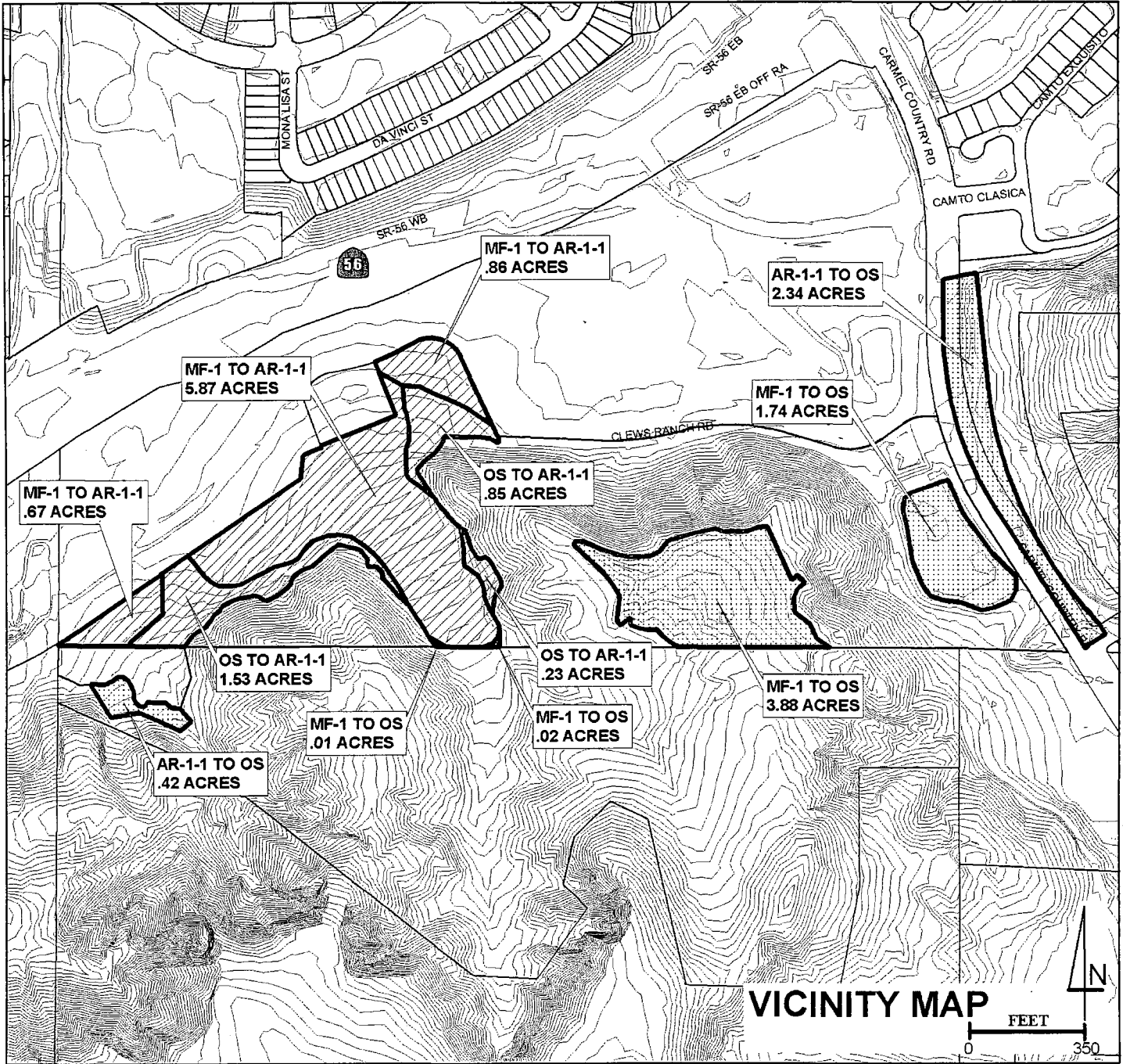
By Shannon Thomas  
Shannon M. Thomas  
Deputy City Attorney

SMT:als  
12/29/06  
Or.Dept:DSD  
O-2007-84  
MMS#4191

ZONING Rezone No Map 11-01-04



# PROPOSED REZONING



SEC 20-14-3W PAR A & B DOC 364976, PAR 1 PAR D DOC 360219

CASE NO. PTS 5568

ORDINANCE NO. \_\_\_\_\_  
 EFF. DATE ORD. \_\_\_\_\_  
 ZONING SUBJ. TO \_\_\_\_\_  
 BEFORE DATE \_\_\_\_\_  
 EFF. DATE ZONING \_\_\_\_\_  
 MAP NAME AND NO. \_\_\_\_\_

REQUEST OS, AR-1-1

PLANNING COMM. RECOMMENDATION

CITY COUNCIL ACTION

*Patricia Grubsh*  
DEVELOPMENT SERVICES MANAGER

**B- 4245**

APN: 307-040-77, 307-041-37, 307-660-02  
(282-1701) 2-7-06 ldj (41-0522)

DOCUMENT NO. 19577  
FEB 06 2007

OFFICE OF THE CITY CLERK  
SAN DIEGO, CALIFORNIA

FEB 06 2007

Passed by the Council of The City of San Diego on \_\_\_\_\_, by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Scott Peters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Toni Atkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brian Maienschein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Frye	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Madaffer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ben Hueso	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

FEB 06 2007

Date of final passage \_\_\_\_\_

JERRY SANDERS

AUTHENTICATED BY:

Mayor of The City of San Diego, California.

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

(Seal)

By \_\_\_\_\_, Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

JAN 22 2007

FEB 06 2007

, and on \_\_\_\_\_

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

(Seal)

By \_\_\_\_\_, Deputy

Office of the City Clerk, San Diego, California

19577

Ordinance Number \_\_\_\_\_