

ORDINANCE NUMBER O-19608 (NEW SERIES)

DATE OF FINAL PASSAGE APRIL 24, 2007

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING A 0.11-ACRE SITE, LOCATED AT 1042 GRAND AVENUE, NORTH OF GRAND AVENUE, EAST OF CASS STREET, WEST OF DAWES STREET AND SOUTH OF HORNBLEND STREET, IN THE PACIFIC BEACH COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE CC-4-2 AND RM-2-5 ZONES INTO THE CC-4-2 ZONE, AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTIONS 131.0406 AND 131.0507, AND REPEALING ORDINANCE NO. O-10864 (NEW SERIES), ADOPTED JUNE 29, 1972 AND ORDINANCE NO. O-15150 (NEW SERIES), ADOPTED JANUARY 7, 1980, 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 0.11 acres, located at 1042 Grand Avenue, north of Grand Avenue, east of Cass Street, west of Dawes Street and south of Hornblend Street, and legally described as Lot 30 and the easterly half of Lot 31, Block 230, Pacific Beach, according to Map Nos. 697 and 854, in the Pacific Beach Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. B-4247, filed in the office of the City Clerk as Document

No. OO-19608, are rezoned from the CC-4-2 and RM-2-5 zones to the CC-4-2 zone, as the zones are described and defined by SDMC sections 131.0406 and 131.0507. 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No. O-10864 (New Series), adopted June 29, 1972 and Ordinance No. 15150 (New Series), adopted January 7, 1980, are repealed insofar as the same conflict with the rezoned uses of the land.

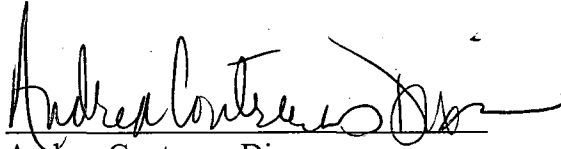
Section 3. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 4. This ordinance shall take effect and be in force on the thirtieth day 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.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By



Andrea Contreras Dixon
Deputy City Attorney

ACD:pev
02/20/07
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