

ORDINANCE NUMBER O-19628 (NEW SERIES)

DATE OF FINAL PASSAGE JUNE 19, 2007

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING A 0.75-ACRE SITE, LOCATED AT 6050 EL CAJON BOULEVARD, IN THE COLLEGE AREA COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE RM-3-8 ZONE INTO THE RM-3-9 ZONE, AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTION 131.0406, AND REPEALING RESOLUTION NO. R-301263, ADOPTED FEBRUARY 28, 2006, OF THE ORDINANCES OF THE CITY OF SAN DIEGO IN SO FAR 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. This ordinance rezones the subject property, located at 6050 El Cajon Boulevard, and legally described as All of lots 5, 6, 12, and 13 and that portion of Lot 7 lying northwesterly of a line beginning at the northwesterly corner of the easterly 15 feet of Lot 10 and extending in a straight line to a point on the northerly boundary of said Lot 7 distant thereon 15 feet easterly from the northwesterly corner of said Lot 7, all being in Block 7 of El Retiro, in the City of San Diego, County of San Diego, State of California, According to Map thereof No. 1996 filed in the Office of the County Recorder of San Diego Country, February 2, 1927, in the

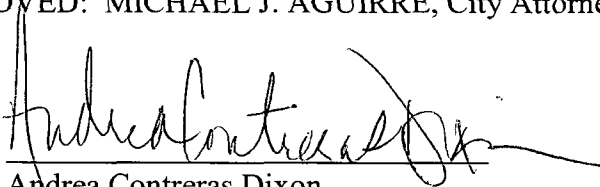
College Area Community Plan area, in the City of San Diego, California, from the RM-3-8 zone to the RM-3-9 zone, as shown on Zone Map Drawing No. B-4243, as described and defined by SDMC section 131.0406. The boundary of such zone to be as indicated on Zone Map Drawing No. B-4243, filed in the office of the City Clerk as Document No. OO-19628. 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, Resolution No. R-301263, adopted February 28, 2006, is amended 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 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 final 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..

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Andrea Contreras Dixon
Deputy City Attorney

RS:ACD:pev
04/30/07
08/08/08 COR.COPY
Or.Dept:DSD
O-2007-133
MMS #4741
ZONING Rezone With Map 11-01-04