

ORDINANCE NUMBER O- 19759 (NEW SERIES)

DATE OF FINAL PASSAGE JUN 13 2008

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING 20.85 ACRES LOCATED AT 4077 FIFTH AVENUE, WITHIN THE UPTOWN COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE MR-800B AND THE RS-1-4 ZONES INTO THE CN-1A, THE OC-1-1 ZONES, AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTIONS 1512.0301, 131.0403, 131.0203, 1512.0305; AND REPEALING RESOLUTION NO. 301263 ADOPTED MARCH 14, 2006, OF THE RESOLUTIONS OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICT HEREWITH.

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

Section 1. That 20.85 acres located 4077 FIFTH AVENUE, and legally described as Parcel 1 of Parcel Map 8543, Map No. 1069; Lot 11 in Block 3 of Hillcrest, Map No. 1024; Lots 7 through 9 and a portion of Lot 28, Block 3 of Hillcrest, Map No. 1024, a portion of the alley within Block 3 as vacated and a portion of Lot 2 of Mercy Subdivision, Map No. 5252, and a portion of the alley between Lot 2 and Lot 7 and Lot 8 as vacated, Map No. 11832; Lots 36 through 53, and Lots 74 through 91, and Lot 36A in Block 1, and Lots 37A and 38A in Block 3 of D.B. Williams Subdivision of Lots 35, 36, and a portion of Lots 47 and 50 of Fleishers Addition, Map No. 855, in the UPTOWN Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. 4257B-, filed in the office of the City Clerk as Document No. OO- 19759, are rezoned from the MR-800B and RS-1-4 zones into the OC-1-1, and CN-1A zones described and defined by San Diego Municipal Code Sections 1512.0301, 131.0403, 131.0203, and 1512.0305. This action amends the Official Zoning Map adopted by Resolution R-301263 on March 14, 2006.

Section 2. That Resolution No. 301263, adopted March 14, 2006, of the resolutions of the City of San Diego is repealed insofar as the same conflicts with the rezoned uses of the land.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. This resolution 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.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Rachel Lipsky  
Rachel Lipsky  
Deputy City Attorney

RL:mm  
05/02/08  
Or.Dept:DSD  
O-2008-150  
MMS#6208

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JUN 10 2008.

ELIZABETH S. MALAND  
City Clerk

By [Signature]  
Deputy City Clerk

Approved: 6.13.08  
(date)

[Signature]  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor