

ORDINANCE NUMBER O- **19789** (NEW SERIES)

DATE OF FINAL PASSAGE **OCT 07 2008**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING 24.8 ACRES LOCATED BETWEEN VISTA SORRENTO PARKWAY AND WEST OCEAN AIR DRIVE, SOUTH OF CALLE MAR DE MARIPOSA, WITHIN THE TORREY HILLS COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE IP-2-1 AND RM-2-5 ZONES INTO THE RM-3-8 AND OR-1-1 ZONES, AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTIONS 131.0406 AND 131.0204; AND REPEALING ORDINANCE NO.O-18451 (NEW SERIES), ADOPTED DECEMBER 9, 1997, OF 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, a public hearing was required by law implicating due process rights of individuals affected by the decision, and 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 24.8 acres located between Vista Sorrento Parkway and West Ocean Air Drive, south of Calle de Mar Mariposa, and legally described as Lots 1 through 4 of Torrey Hills Unit No. 19, according to Map No. 14301, filed November 13, 2001 as Doc. No. 2001-0823939, in the Torrey Hills Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. B-4258, filed in the office of the City Clerk as Document No.

OO- **19789** are rezoned from the IP-201 and RM- zones into the RM-3-8 and OR-1-1 zones, as the zones are described and defined by San Diego Municipal Code Chapter 13 Article 1

Division 4. This action amends the Official Zoning Map adopted by Resolution No. R-301263 on February 28, 2006.

Section 2. That Ordinance No. O 18451 (New Series), adopted December 9, 1997, of the ordinances of the City of San Diego is repealed insofar as the same conflicts with the rezoned uses of the land.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.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Marianne Greene
Marianne Greene
Deputy City Attorney

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09/04/08 Corr.
Or.Dept:DSD
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