

ORDINANCE NUMBER O-19831 (NEW SERIES)

DATE OF FINAL PASSAGE JAN 27 2009

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING 56.30 ACRES LOCATED ON THE EAST SIDE OF WESTVIEW PARKWAY, NORTH OF MIRA MESA BOULEVARD, WITHIN THE MIRA MESA COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE RM-3-7 ZONE INTO THE RM-3-8 ZONE, AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTION 131.0400, 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:

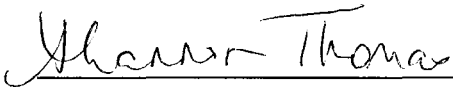
Section 1. That 56.30 acres located on the east side of Westview Parkway, north of Mira Mesa Boulevard, and legally described as Parcels 1 through 6, inclusive, of Parcel Map No. 16194, filed August 21, 1990, in the Office of the County Recorder in the Mira Mesa Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. B-4269, filed in the office of the City Clerk as Document No. OO-**19831**, are rezoned from the Residential Base zones into the Residential Base zones, as the RM-3-8 zone is described and defined by San Diego Municipal Code Chapter 13 Article 1 Division 4. This action amends the Official Zoning Map adopted by Resolution 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 That Ordinance No. O-18451 (New Series), adopted December 9, 1997, of the ordinances of the City of San Diego is repealed insofar as the same conflicts with the rezoned uses of the land.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.

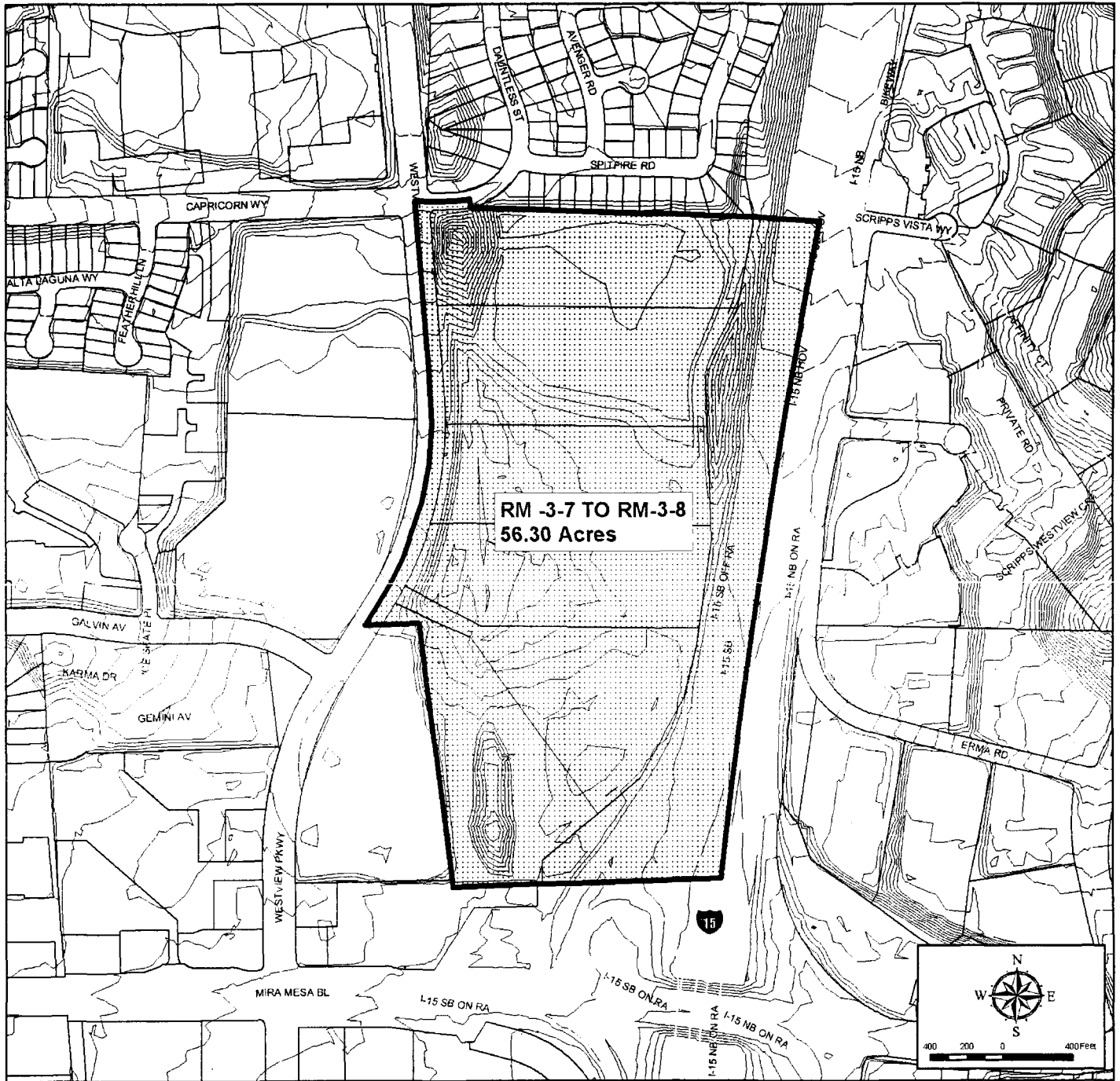
APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Shannon Thomas
Deputy City Attorney

SRE:ST:cw:pev
10/09/08
01/12/09 COR.COPY
Or.Dept:DSD
O-2009-52
MMS: #6880



PROPOSED REZONING



PAR 1,2,3,4,5, & 6 PM 16194

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

REQUEST RM-3-8
 PLANNING COMM.
 RECOMMENDATION
 CITY COUNCIL
 ACTION

CASE NO. PTS 91647

DEVELOPMENT SERVICES MANAGER

B- 4269

APN: 318-410-20 to 25

(274-1725) 08-13-08 ldlj

DOCUMENT NO. **00-19831**

FILED **JAN 27 2009**

OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA