

ORDINANCE NUMBER O- 19868 (NEW SERIES)

DATE OF FINAL PASSAGE JUN 02 2009

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING 215.58 ACRES LOCATED AT THE NORTHERN BOUNDARY OF THE COMMUNITY, WITHIN THE BLACK MOUNTAIN RANCH COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE OR-1-1, RX-1-2, RM-1-3, RM-2-6, CV-1-1, CC-3-5, CC-4-5 AND AR-1-1 ZONES INTO THE OR-1-1, RX-1-2, RM-1-3, RM-2-6, CC-3-5 AND CC-4-5 ZONES, AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTIONS 131.0204, 131.0404, 131.0406, AND 131.0507, AND REPEALING ORDINANCE NO. O-18451 N.S. (NEW SERIES), ADOPTED DECEMBER 8, 1997, OF THE 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 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; and

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

Section 1. That 215.58 acres located at the northern boundary of the community, and legally described as Parcels 4, 8, 16, 19, 21 and 23 of Parcel Map No. 18504, Parcel 2 of Parcel Map No. 19546, and Parcel 3 of Parcel Map No. 17995, in the Black Mountain Ranch Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. B-4266, filed in the office of the City Clerk as Document No. OO- 19868, are rezoned from the OR-1-1, RX-1-2, RM-1-3, RM-2-6, CV-1-1, CC-3-5, CC-4-5 and AR-1-1 zones into the OR-1-1, RX-1-2, RM-1-3, RM-2-6, CC-3-5 AND CC-4-5 zones, as the zones are

described and defined by San Diego Municipal Code Chapter 13, Article 1, Divisions 2, 4, and 5. 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 That Ordinance No. O-18451 (New Series), adopted December 8, 1997, of the ordinances of the City of San Diego is repealed insofar as the same conflicts with the rezoned uses of the land.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  
Shannon Thomas  
Deputy City Attorney

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Or.Dept:DSD  
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