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ORDINANCE NUMBER O- **19938** (NEW SERIES)

DATE OF FINAL PASSAGE MAR 09 2010

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING 4.45 ACRES LOCATED AT 12855 BLACK MOUNTAIN ROAD, WITHIN THE RANCHO PEÑASQUITOS COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE RS-1-14 ZONE INTO THE CC-1-1 ZONE, AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTIONS 131.0403 AND 131.0507; AND REPEALING ORDINANCE NO. R-301263, ADOPTED FEBRUARY 28, 2006, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICT-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 evidence presented; NOW, THEREFORE,

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

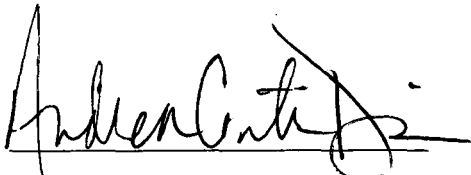
Section 1. That 4.45 acres located at 12855 Black Mountain Road and legally described as Parcel 2 of Map No. 14569, in the Rancho Peñasquitos Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. B-4276 filed in the office of the City Clerk as Document No. OO- **19938**, is rezoned from the RS-1-14 Zone into the CC-1-1 Zone as the zone is described and defined by San Diego Municipal Code Chapter 13 Article 1 Division 5. This action amends the Official Zoning Map adopted by Resolution R-301263 on February 28, 2006.

Section 2. That Ordinance No. (New Series), adopted O - 19938, of the ordinances of the City of San Diego is repealed insofar as the same conflict with the rezoned uses of the land.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 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: 
Andrea Contreras Dixon
Deputy City Attorney

ACD:cw
01/27/10
Or.Dept:DSD
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