

(O-2011-30)
MEET

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ORDINANCE NUMBER O- 20005 (NEW SERIES)

DATE OF FINAL PASSAGE NOV 09 2010

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING 0.94 ACRES LOCATED BETWEEN NIMITZ BOULEVARD, VOLTAIRE STREET AND LAS LOMAS STREET, WITHIN THE PENINSULA COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE CP-1-1 ZONE INTO THE CC-3-5 ZONE, AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTION 131.0507, AND REPEALING ORDINANCE NO. O-18451 (NEW SERIES), ADOPTED DECEMBER 9, 1997, OF ORDINANCES OF THE CITY OF SAN DIEGO IN SO FAR 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; NOW, THEREFORE,

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

Section 1. That 0.94 acres located between Nimitz Boulevard, Voltaire Street and Las Lomas Street, and legally described as all that area described lying northeasterly of the centerline of Nimitz Boulevard bounded on the north by the prolongation of the centerline of Voltaire Street and bounded by the southeast by the prolongation of the centerline of Las Lomas Street; terminating at a line intersecting through Lot 1 of Nimitz Center Map No. 4584; having a bearing of , North 15° 14' 59" West and a distance of 326.33 feet, in the Peninsula Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. B-4273, filed in the office of the City Clerk as Document No. OO- 20005 are rezoned from the CP-1-1 Zone

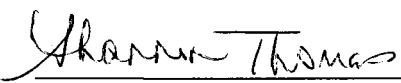
into the CC-3-5 Zone, as described and defined by San Diego Municipal Code Chapter 13, Article 1, Division 5. This action amends the Official Zoning Map adopted by Resolution R-301263 on February 28, 2006.

Section 2. That Ordinance No. O -18451 (New Series), adopted on December 9, 1997, of the ordinances of the City of San Diego is repealed insofar as the same conflicts with the rezoned uses of the land.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 passage, a written or printed copy having been available to the City Council and the public prior to the day of its passage.

Section 4. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage, and no building permits for development inconsistent with the provisions of this ordinance shall be issued unless application therefore were made prior to the date of adoption of this ordinance.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Shannon Thomas
Deputy City Attorney

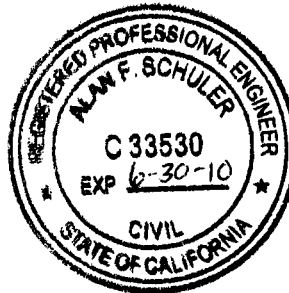
ST:als
09/23/10
Or.Dept:DSD
O-2011-30
PL#2010-02427

EXHIBIT "A"
REZONE LEGAL DESCRIPTION

ALL THAT AREA DESCRIBED LYING NORTHEASTERLY OF THE CENTERLINE OF NIMITZ BOULEVARD BOUNDED ON THE NORTH BY THE PROLONGATION OF THE CENTERLINE OF VOLTAIRE STREET AND BOUNDED BY THE SOUTHEAST BY THE PROLONGATION OF THE CENTERLINE OF LAS LOMAS STREET; TERMINATING AT A LINE INTERSECTING THROUGH LOT 1 OF NIMITZ CENTER, MAP NO. 4584; HAVING A BEARING OF NORTH 15°14'59" WEST AND A DISTANCE OF 326.33 FEET.

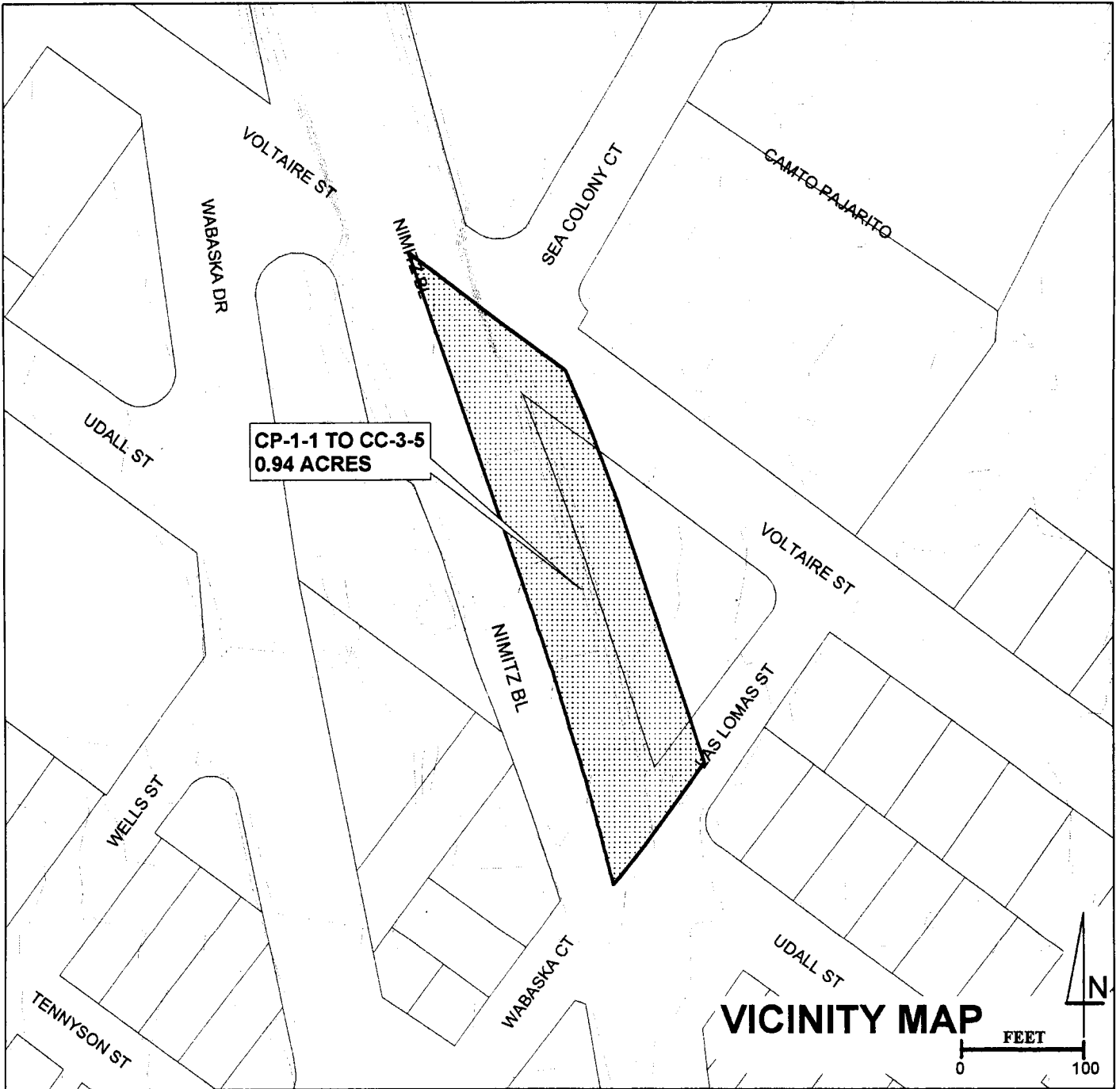


Alan F. Schuler, RCE 33530





PROPOSED REZONING



POR. OF LOT 1, MAP NO 4584		CASE NO. 164585
ORDINANCE NO. _____	REQUEST CC-3-5	
EFF. DATE ORD. _____	PLANNING COMM. RECOMMENDATION	
ZONING SUBJ. TO _____	CITY COUNCIL ACTION	B- 4273
BEFORE DATE _____		APN:449-390-20
EFF. DATE ZONING _____		
MAP NAME AND NO. _____	DOCUMENT NO. 00-20005	(210-1698) 04-28-10 [dj]

FILED **NOV 09 2010**
 OFFICE OF THE CITY CLERK
 SAN DIEGO, CALIFORNIA